



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-5646

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 11/1/2018

**Title:** ZONING CASE # Z2018313 (Council District 4): Ordinance amending the Zoning District Boundary from "R-6 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District and "RM-4 MLOD-2 MLR-1 AHOD" Residential Mixed Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "C-2 MLOD-2 MLR-1 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District on 2.16 acres out of NCB 15247, located at Ray Ellison Boulevard and Five Palms Drive. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment 18087)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Zoning Map, 2. Zoning Minutes, 3. Draft Ordinance, 4. Ordinance 2018-11-01-0893

Date	Ver.	Action By	Action	Result
11/1/2018	1	City Council A Session		

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 4

**SUBJECT:**

Zoning Case Z2018313

(Associated Plan Amendment 18087)

**SUMMARY:**

**Current Zoning:** "R-6 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District and "RM-4 MLOD-2 MLR-1 AHOD" Residential Mixed Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

**Requested Zoning:** "C-2 MLOD-2 MLR-1 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 2, 2018

**Case Manager:** Daniel Hazlett, Planner

**Property Owner:** Emajo Group, LLC

**Applicant:** Jerry Arredondo

**Representative:** Jerry Arredondo

**Location:** generally located at Ray Ellison Boulevard and Five Palms Drive

**Legal Description:** 2.16 acres out of NCB 15247

**Total Acreage:** 2.16

**Notices Mailed**

**Owners of Property within 200 feet:** 30

**Registered Neighborhood Associations within 200 feet:** People Active in Community Effort

**Applicable Agencies:** Lackland Air Force Base

**Property Details**

**Property History:** The property was annexed into the City of San Antonio and zoned Temporary "R-1" Single-Family Residence District by Ordinance 41423, dated December 26, 1972. The southern portion of the property was rezoned from Temporary "R-1" to "R-6" Townhouse District by Ordinance 53620, dated April 9, 1981. The property converted from Temporary "R-1" and "R-6" to the current "R-6" Single-Family District and "RM-4" Residential Mixed District with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001.

**Topography:** The northern portion of the property is located within the 100-year flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "R-6"

**Current Land Uses:** Vacant Lot

**Direction:** East

**Current Base Zoning:** "R-5", "RM-4"

**Current Land Uses:** Single-Family Residences

**Direction:** South

**Current Base Zoning:** "RM-4"

**Current Land Uses:** Vacant Lot

**Direction:** West

**Current Base Zoning:** Unzoned Right-of-Way, "C-2"

**Current Land Uses:** Drainage Right-of-Way, Grocery Store

**Overlay and Special District Information:**

"AHOD"

All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

**"MLOD-2 MLR-1"**

All surrounding properties carry the "MLOD-2 MLR-1" Lackland Military Lighting Overlay Military Lighting Region 1 District, due to their proximity to Lackland Air Force Base. The "MLOD-2 MLR-1" does not restrict permitted uses, but does regulate outdoor lighting in an effort to minimize night-time light pollution and its effects on operations at the military installation.

**Thoroughfare:** Ray Ellison Boulevard

**Existing Character:** Secondary Arterial

**Proposed Changes:** None Known

**Thoroughfare:** Five Palms Drive

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes 616 and 619 are within walking distance of the property.

**Traffic Impact:** A TIA report may be required. More information is needed in order to make a determination.

**Parking Information:**

The minimum parking for the "C-2" portion is dependent on the commercial use.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designations of "R-6" Residential Single-Family District. The "R-6" base zoning permits single-family dwellings (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

**FISCAL IMPACT:**

None.

**PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:**

The property is located within the Port San Antonio Regional Center. The property is not located within a ½ of a mile of a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (9-0) recommend Approval, pending the Plan Amendment.

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

**1. Consistency:**

The subject property is located within the United Southwest Communities Plan and is currently designated as "Medium Density Residential" in the future land use component of the plan. The requested "C-2" base zoning district is not consistent with the future land use designation. The applicant is requesting a land use amendment

from “Medium Density Residential” to “Community Commercial” to accommodate the proposed rezoning. Staff and Planning Commission recommend Approval of the proposed land use amendment.

**2. Adverse Impacts on Neighboring Lands:**

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request.

**3. Suitability as Presently Zoned:**

The current “R-6” base zoning could be an appropriate base zoning for the property, however the requested “C-2” is also appropriate base zonings due to the location along Ray Ellison Boulevard.

**4. Health, Safety and Welfare:**

Staff has found no indication of likely adverse effects on the public health, safety, or welfare. The requested “C-2” and “RM-4” are typically appropriate base zonings to have located next to each other.

**5. Public Policy:**

The property is located within the United Southwest Communities Plan and requested rezoning from “R-6” to “C-2” is generally consistent with the goals and objectives of the plan. The plan underlines the desire to attract new businesses, services and retail establishments to the area. The commercial portion of the property will be located along Ray Ellison Boulevard, a secondary arterial. Commercial uses are prevalent along Ray Ellison Boulevard and the area in general. The proposed rezoning will is also in agreement with the goal of encouraging the development of new housing that is compatible with the community.

Relevant Goals and Objectives of the United Southwest Communities Plan:

Goal 1: Economic Development - Attract new businesses, services and retail establishments to the United Southwest Communities.

Goal 2: Housing - Encourage the development of new housing that is compatible with the community.

Objective 2.3: Military Base Compatibility - Provide for new development opportunities while protecting the missions of Lackland Air Force Base and operations at Kelly Field.

**6. Size of Tract:**

The subject property is 2.16 acres, which could accommodate the proposed commercial and residential uses.

**7. Other Factors:**

The subject property is located within the Lackland AFB Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA was notified of the proposed request.