



# City of San Antonio

## Agenda Memorandum

**File Number:**18-3038

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**Agenda Item Number:** 13.

**Agenda Date:** 5/1/2018

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1, 3, 4, 5, 6, and 7

**SUBJECT:**

Zoning Case Z2018163

**SUMMARY:**

**Current Zoning:** Multiple Zoning Districts

**Requested Zoning:** Applying "MLOD-2" Lackland Military Lighting Overlay District with the applicable "MLR-1" Military Lighting Radius of 0-3 miles for properties within 0-3 miles of the Air Force Base and "MLR-2" Military Lighting Radius of 3-5 miles for properties within 3-5 miles of the Air Force Base as a zoning overlay district to the current Zoning Districts.

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 1, 2018

**Case Manager:** John Osten, Sr. Planner

**Property Owner:** Multiple

**Applicant:** City of San Antonio

**Representative:** Development Services Department of City of San Antonio

**Location:** Properties within 5 miles of Lackland Air Force Base

**Legal Description:** Multiple

**Total Acreage:** Approximately 61,266

**Notices Mailed**

**Owners of Property within 200 feet:** 1764

**Registered Neighborhood Associations within 200 feet:** Adams Hill Neighborhood Association, Avenida Guadalupe Neighborhood Association, Brycewood HOA, Cable-Westwood Neighborhood Association, Lackland Terrace Neighborhood Association, Charro Legacy Trails Cell-4 HOA, Collins Garden Neighborhood Association, Community Workers Council Neighborhood Association, Los Jardines Neighborhood Association, Culebra Park Neighborhood Association, D Meadow HOA, Donaldson Terrace Neighborhood Association, El Sendero Neighborhood Association, Grissom Trails Neighborhood Association, Heritage Neighborhood Association, Hunter's Pond Village Green HOA, Ingram Hills Neighborhood Association, Inspiration Hills HOA, Jefferson Neighborhood Association, Kriewald Place HOA, Lindsay Place Association, Loma Park Neighborhood Association, Loma Vista Neighborhood Association, Lone Star Neighborhood Association, Meadow Village Neighborhood Association, Memorial Heights Neighborhood Association, Mission San Jose Neighborhood Association, Oak Creek Community Association, Park Place HOA, People Active in Community Effort Neighborhood Association, Pipers Meadow Neighborhood Association, Prospect Hill Neighborhood Association, Quintana Community Neighborhood Association, Rainbow Hills Area Neighborhood Association, Ridge Stone HOA, Roosevelt Park Neighborhood Association, San Juan Gardens Neighborhood Association, Solana Ridge HOA, Southwest Community Association, Spring Vista HOA, Springvale Neighborhood Association, Tara Neighborhood Association, Thompson Neighborhood Association, Thunderbird Hills Neighborhood Association, Tierra Linda Neighborhood Association, United Homeowners Improvement Association, University Park Neighborhood Association, Valley Forest Neighborhood Association, Valley Hi North Neighborhood Association, West End Hope in Action Neighborhood Association, Westover Forest HOA, Westwood Square Neighborhood Association, Woodlawn Hills Neighborhood Association, Woodlawn Lake Community Association

**Applicable Agencies:** Military, CPS, and TXDoT

#### **Property Details**

**Property History:** Subject area is developed with various uses. Annexation of the subject area stretches between September 23, 1944 and March 1, 2008.

**Topography:** Subject area is relatively flat.

#### **Adjacent Base Zoning and Land Uses**

**Direction:** There are multiple properties with various Zoning Districts on all sites.

**Overlay and Special District Information:** "GC-2" Highway 151 Gateway Corridor Overlay District, "MAOZ" Military Airport Overlay Zone, Lackland "MNA" Military Notification Area, "AHOD" Airport Hazard Overlay District, "TIRZ" Tax Increment Reinvestment Zone.

#### **Transportation**

There are multiple highways and arterial roads in the subject area.

**Public Transit:** Proposed Overlay District has no impact on transit.

**Traffic Impact:** Proposed Overlay District has no impact on traffic.

**Parking Information:** Proposed Overlay District has no impact on parking.

#### **ISSUE:**

The City of San Antonio is proposing to rezone approximately 121,000 properties that are located within five miles of the Lackland Air Force Base in order to curb excessive light pollution that is interfering with nighttime military exercises. The proposed MLOD-2, Lackland Military Lighting Overlay District, which is an overlay

district that would be located within City Council Districts 1, 3, 4, 5, 6 and 7, would generally serve to provide exterior lighting regulations that would generally require downward, directional lighting and controls on the intensity of said lighting. The MLOD will have two geographic areas with their set of regulations: MLR1 - 3 miles or less from the base (most restricted lighting); MLR2 - greater than 3 miles and up to and including 5 miles from the base (less restricted lighting).

The City Council adopted the SA Tomorrow Sustainability Plan which included a charge to study and consider updates to the existing Dark Sky Policy and directed staff to begin the plan on August 11, 2016. Authority to update and implement the overlay district was recommended for approval by the Planning Commission on January 10, 2018, by the Zoning Commission on February 6, 2018 and adopted by City Council on February 6, 2018.

Specific purposes of this lighting district are as follows:

- To reduce glare and potential distractions to night time training exercises occurring within this area.
- To minimize adverse offsite impacts of lighting such as light trespass, and obstructive light.
- To permit the use of outdoor lighting that does not exceed the minimum level as guided by Illuminating Engineering Society (IES) recommended practices for night-time safety, utility, security, productivity, enjoyment, and commerce.
- To balance the needs of the military, the City of San Antonio, and property owners regarding responsible development including outdoor lighting within this area.

Existing lighting fixtures that are in-place legally (appropriate permits obtained) would be considered legally non-conforming (grandfathered) and no action would be required by the property owner. However, upon such time that the fixture requires replacement, the permitting process would require that the replacement fixture be compliant with the overlay district.

Development Services Department Staff conducted two informational meetings to inform property owners, neighborhood associations, community organizations and stakeholders of the proposed zoning change at the following locations: 1) John Jay High School on March 28<sup>th</sup> and 2) Christa McAuliffe Middle School on April 4<sup>th</sup>. Additionally, Staff coordinated with military officials on the rezoning process.

#### **ALTERNATIVES:**

Denial of the requested zoning change would result in the subject properties retaining the present zoning district designation.

#### **FISCAL IMPACT:**

None.

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

Lackland Air Force Base is a Regional Center.

#### **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval.

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

##### **1. Consistency:**

Proposed zoning overlay district does not require land use consistency since it is not changing the base zoning districts of the subject properties.

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

Staff has found no evidence of likely adverse impact on surrounding properties.

**3. Suitability as Presently Zoned:**

Proposed zoning overlay district is consistent with the City's SA Tomorrow Sustainability Plan.

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

Staff has found no indication of likely adverse effects on the public health, safety, or welfare.

**5. Public Policy:**

The proposed zoning overlay district are directed by the City Ordinance 2018-02-08-0079 and supported by SA Tomorrow Sustainability Plan.

**6. Size of Tract:**

Approximately 61,266 acres

**7. Other Factors:**

None.