



# City of San Antonio

## Agenda Memorandum

**File Number:**18-3688

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**Agenda Item Number:** 19.

**Agenda Date:** 6/5/2018

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 4

**SUBJECT:**

Zoning Case Z2018202

**SUMMARY:**

**Current Zoning:** "C-1 AHOD" Light Commercial Airport Hazard Overlay District

**Requested Zoning:** "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 5, 2018

**Case Manager:** Marco Hinojosa, Planner

**Property Owner:** Jose R. & Maricela Mendoza (c/o E & O Homes, LLC)

**Applicant:** Jose R. & Maricela Mendoza (c/o E & O Homes, LLC)

**Representative:** Jose R. & Maricela Mendoza (c/o E & O Homes, LLC)

**Location:** 403 Carmel Avenue

**Legal Description:** Lot 1, Block 6, NCB 9855

**Total Acreage:** 0.14

**Notices Mailed**

**Owners of Property within 200 feet:** 27

**Registered Neighborhood Associations within 200 feet:** Quintana Community Neighborhood Association

**Applicable Agencies:** Lackland Air Force Base

### **Property Details**

**Property History:** The subject property was zoned “B-1” Business District by Ordinance 45631, dated August 21, 1975. The property converted from “B-1” Business District to the current “C-1” Light Commercial District with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001

**Topography:** The subject property is not located within the 100-year flood plain.

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

**Direction:** North

**Current Base Zoning:** “C-1” & “R-6”

**Current Land Uses:** Vacant Lot and Single-Family Residences

**Direction:** East

**Current Base Zoning:** “R-6”

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

**Direction:** South

**Current Base Zoning:** “C-1” & “R-6”

**Current Land Uses:** Vacant Lot and Single-Family Residences

**Direction:** West

**Current Base Zoning:** “C-3” & “I-1”

**Current Land Uses:** Vacant Lots

### **Overlay and Special District Information:**

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.

### **Transportation**

**Thoroughfare:** Carmel Avenue

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property.

**Routes Served:** 251, 515, 524, 550 and 551

**Thoroughfare:** SW Military Drive

**Existing Character:** Primary Arterial Type A

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property.

**Routes Served:** 251, 515, 524, 550 and 551

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

### **Parking Information:**

The minimum parking requirement for a single-family dwelling is 1 space per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of “C-1”. “C-1” allows for uses such as arcade, boarding house, noncommercial athletic field, retail furniture sales, grocery store, nursery (retail - no growing plants on site permitted), retail office equipment and supply, and retail rug or carpet sales.

**FISCAL IMPACT:**

None.

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

The property is located within Half a Mile of a Premium Transit Corridor.

**RECOMMENDATION:**

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

**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 Kelly/South San Pueblo Community Plan and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “R-5” base zoning is compatible with the future land use designation. During the SA Tomorrow planning process, this area should be reviewed for compatibility with a nearby military installation.

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

Staff has found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use will diminish the appropriate buffer between the residential uses to the east and the higher intensity uses to the west.

**3. Suitability as Presently Zoned:**

The current “C-1” Light Commercial District is an appropriate zoning for the property and surrounding area.

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

Staff has found indication of likely adverse effects on the public health, safety, or welfare. The subject property falls within the 70-74 db Noise decibel zone. The Air Force Air Installation Compactible Use Zone Study (AICUZ) for Kelly Field does not recommend Residential units within the 70-74db Noise decibel Zone.

**5. Public Policy:**

The proposed rezoning does not appear to conflict with the goals, principles, and objectives of the Kelly/South San Pueblo Community Plan.

**6. Size of Tract:**

The subject property is 0.14 acres, which would adequately support a single-family development.

**7. Other Factors:**

The subject property is located within the Lackland Notification Area. In accordance with the signed Memorandum of Understanding between Joint Base San Antonio (JBSA) and the City of San Antonio, the

Military was notified of the request and do not concur. Should the rezoning request be approved, it is encouraged that the construction include sound attenuating measures.