



# City of San Antonio

## Agenda Memorandum

**File Number:**19-1009

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**Agenda Item Number:** Z-43.

**Agenda Date:** 1/17/2019

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 6

**SUBJECT:**

Zoning Case Z2018285

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

**Requested Zoning:** "I-1 MLOD-2 MLR-1 AHOD" General Industrial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 4, 2018

**Case Manager:** Marco Hinojosa, Planner

**Property Owner:** Villesnor Miguel Ortega

**Applicant:** Villesnor Miguel Ortega

**Location:** 1621 South Callaghan Road

**Legal Description:** Lot P-13K, P-13L, P-B12, TR M, C-13, Block 62, NCB 13942

**Total Acreage:** 6.73

**Notices Mailed**

**Owners of Property within 200 feet:** 50

**Registered Neighborhood Associations within 200 feet:** Cable-Westwood Association and Community Workers Council

**Applicable Agencies:** Lackland Air Force Base; Planning Department

### **Property Details**

**Property History:** The subject property was rezoned from Temporary “R-1” Single Family Residence District, “R-A” Residence-Agriculture District, and “R-3” Multiple Family Residence District to “R-1” One Family Residence District by Ordinance 77475, dated February 25, 1993. The property converted from “R-1” One Family Residence District to the current “R-6” Residential Single-Family 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-2”, “R-6”, “NP-10”, and “NP-10 S”

**Current Land Uses:** Vacant Lots

**Direction:** East

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

**Current Land Uses:** Vacant Lots

**Direction:** South

**Current Base Zoning:** “R-6”, “R-5”, “BP”, and “C-2”

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

**Direction:** West

**Current Base Zoning:** “R-6”

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

### **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”

All surrounding properties carry the "MLOD-2" Military Lighting Overlay District, due to their proximity to Lackland Air force Base. The "MLOD-2" 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.

### **Transportation**

**Thoroughfare:** Callaghan

**Existing Character:** Secondary Arterial Type A

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are not within walking distance of the subject property.

**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:**

There are no minimum or maximum parking requirements for the parking and/or storage of oversized vehicles.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designations of “R-6” and “C-2”. “R-6” allows for 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. “C-2” permits uses such as a liquor store, miniature golf and other indoor gaming facilities, small indoor movie theater, pet cemetery, auto & light truck oil, lube & tune-up, auto glass tinting, tire repair (sale and installation only), gas station, appliance sales & repair, charitable food & clothing banks and dry cleaning. No outdoor storage or display of goods shall be permitted except for outdoor dining

**FISCAL IMPACT:**

None.

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

The subject property is not within a Regional Center, however it is located within a half mile of a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (9-0) recommend 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 West/Southwest Sector Plan and is currently designated as “Agribusiness Tier” in the future land use component of the plan. The requested “I-1” base zoning is compatible with the future land use designation.

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

Staff finds evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed rezoning to “I-1” General Industrial District gives the opportunity for many intense uses to encroach into the single-family residences to the south.

**3. Suitability as Presently Zoned:**

The current “R-6” Residential Single-Family and “C-2” Commercial Districts are an appropriate zoning for the property and surrounding area. The adjacent properties are single-family residences that carry the “R-6” base zoning district.

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

Staff has found indication of likely adverse effects on the public health, safety, or welfare. The proposed zoning change will negatively impact the single-family residences to the south by encouraging industrial use in close proximity to them. It is generally recommended that industrial uses are separated from residences.

**5. Public Policy:**

The adopted future land use map classifies the subject properties as “Agribusiness Tier”. The request to rezone from “R-6” to “I-1” would not require a plan amendment to the West/Southwest Sector Plan as the request for “I-1” is permitted in the Agribusiness Tier land use category.

Relevant Goals and Policies of the SA Tomorrow Comprehensive Plan may include:

- CHW Goal 6: All San Antonio residents enjoy a high level of safety, physical and mental health and well-being.

The requested “I-1” zoning is a permitted zoning district under the Agribusiness Tier land use category; however, the requested zoning change to “I-1” is not compatible with the surrounding “R-6” zoned properties and could have adverse impact on neighboring property owners.

The proposed rezoning does appear to conflict with the following goals, principles, and objectives of the West/Southwest Sector Plan.

West/Southwest Sector Plan Relevant Goals and Objectives:

- Goal LU-1: Land use pattern emphasizes compatibility and appropriateness between uses, and protects neighborhoods and businesses from incompatible land uses.
  - LU-1.1: Limit encroachment of commercial uses into established low-density residential areas
  - LU-1.3: Ensure that high density / intensity land uses are buffered and screened to reduce the impact on lower density / intensity land uses that are nearby.
- Goal LU-3: Existing corridors are transformed and new corridors are carefully planned to create dynamic, mixed-use, pedestrian oriented nodes that are integrated into the surrounding community.

#### **6. Size of Tract:**

The subject property is 6.73 acres, which will adequately support the long term storage of oversized vehicles.

#### **7. Other Factors:**

The applicant is requesting a rezoning in response to a code violation.

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 and does not object. There were additional comments given to the applicant for consideration in planning and development.