

CASE NO: Z2003001

Staff and Zoning Commission Recommendation - City Council

Date: March 27, 2003

Zoning Commission Meeting Date: February 04, 2003

Council District: 6

Ferguson Map: 614 D-3

Appeal: Yes

Applicant:

Jerry Arredondo

Owner:

We-Callaghan, LP

Zoning Request: From "C-3 NA MAOZ-2" Commercial Nonalcoholic Sales Military Airport Overlay Zone District and "I-1 MAOZ-2" General Industrial Military Airport Overlay Zone District to "MF-25 MAOZ-2" Residential Multi-Family Military Airport Overlay Zone District

12.0 acres out of Lot 11, Block 7, NCB 12007

Property Location: 12 acres situated between Callaghan Road and Western Park, north of Commerce Street

Proposal: Multi-family development.

Neigh. Assoc. : Community Workers Council -- within 200 feet

Neighborhood Plan : None

TIA Statement: A traffic impact analysis is not required.

Staff Recommendation:

Denial. The Military Airport Overlay Zone (MAOZ) was developed to promote the public health, safety, peace, comfort, convenience and general welfare of the inhabitants of military airport environs and to prevent the impairment of the military airfield and the public investment therein. The land areas below military airport take-off and final approach paths are exposed to significant danger from aircraft or equipment accidents. It is therefore necessary to limit the density of development and intensity of uses in such areas. The Zoning Commission recently denied the original rezoning request to remove the MAOZ and change the base zoning classifications on the subject property. The applicant has revised the request to change the zoning to "MF-25" on a portion of the original subject property, but to keep the MAOZ intact. However, the Military Airport Overlay District prohibits residential use. If approved, this request would essentially create undevelopable property within the MAOZ. Furthermore, it is not appropriate to place residential zoning districts adjacent to industrial zoning (there are existing adjacent industrial uses and zoning).

Zoning Commission Recommendation:

Denial

VOTE

FOR 9

AGAINST 1

ABSTAIN 0

RECUSAL 0

CASE MANAGER : Chris Looney 207-5889

Z2003001

ZONING CASE NO. Z2003001 February 4, 2003

Applicant: Jerry Arredondo

Zoning Request: "C-3NA" MAOZ-2 Commercial Non-Alcoholic Sales Military Airport Overlay Zone District and "I-1" MAOZ-2 General Industrial Military Airport Overlay Zone District to "MF-25" Residential Multi-Family district on the northern 12 acres as per exhibit map and from "C-3NA" MAOZ-2 Commercial Non-Alcoholic Sales Military Airport Overlay Zone District and "I-1" MAOZ-2 General Industrial Military Airport Overlay Zone District to "C-3NA" Commercial Non-Alcoholic Sales District and "I-1" General Industrial District on the remaining southern acreage.

Jerry Arredondo, 9901 IH 10 W., representing the owner, stated he would like to request a continuance until February 18, 2003 to have more time to meet with the neighborhood association.

Burt Miguel, stated he specializes in affordable housing generally multi-family. He stated this particular tract meets the criteria that are suitable for affordable housing development. He further stated they are prepared to meet with the Air Force official to discuss the MAOZ and to better design this development.

OPPOSE

Edward Roberson, 1555 Gott St., stated he is in opposition of this development. He feels this area is inappropriate for residential development. He stated the local land use needs to be compatible with the needs of the Air Force and Kelly USA. He feels land use is a critical issue to military operations and to any airport. He expressed concerns with the property being within the 70 – 74 noise contour and within the Accident Potential Zone. He also stated the ordinance that San Antonio has with the Military Airport Operation Zone is to protect the citizens and is requesting this case be denied.

Col. Joseph L. Lengail, stated he does not support this development. He also expressed concerns with the noise levels and the accident Potential Zone. He stated the proposed development is inappropriate for this area.

Dan Lee, 5710 Greyrock, stated his two major concerns are for the safety of the residents and the proposed development being adjacent to light industrial use. He stated he owns property adjacent to the subject property that is light industrial use, which he feels, is not compatible with the residential development. He feels this would be a disservice to potential citizens to allow a residential development within a flight path of the Military.

Z2003001

Joe Parades, stated he is the owner of Imperial Ballroom which is adjacent to the subject property. He stated he would like to see more commercial development in this area. He feels residential use is inappropriate for this area. Therefore he does not support this request.

REBUTTAL

Jerry Arredondo, 9901 IH 10 W., stated the subject property lies on the outskirts of the MAOZ-2 which is the less impacted by Military Overlay District. He stated he has met with the neighborhood association and representatives of Edgewood Independent School District who are in support of this request.

Bert Miguel, stated this development lies within the 65 to 70 noise contour lines. He stated these homes would be designed to tolerate the noise levels.

Staff stated there were 15 notices mailed out to the surrounding property owners, 7 returned in opposition and 0 returned in favor and no response from Community Workers Council.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

COMMISSION ACTION

The motion was made by Commissioner Grau and seconded by Commissioner Sherrill to recommend denial.

1. Property is located on Lot 11, Block 7, NCB 12007 at Callaghan Road and Commerce Street.
2. There were 15 notices mailed, 7 returned in opposition and 0 returned in favor.
3. Staff recommends denial.

AYES: Grau, Cardenas-Gamez, Kissling, Hophan, Sherrill, McAden, Avila, Morell, Mehringer

NAYS: None

THE MOTION CARRIED.

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.