

- Notices Mailed
- In Opposition
- In Favor

OCL

LACKLAND

AIR FORCE BASE

KELLY AIR FORCE BASE
SAN ANTONIO CITY LIMIT

W MILITARY DR

200'

15615

C3

P-17

C2
15655

18,220

MEDINA BASE RD

P-19

OLD PEARSALL RD

NP-10

I1

15324
P-95



R6

TR-A

TR-A

ZONING CASE: Z2004-196

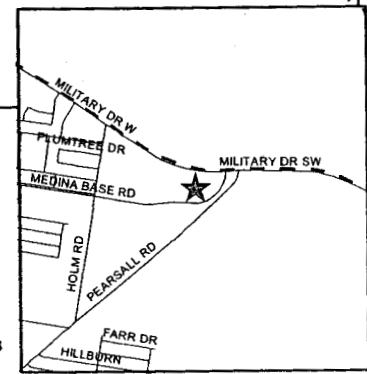
City Council District NO. 4
Requested Zoning Change
From: "C-3 and MR" To "MF-25 and C-3"
Date: November 18, 2004
Scale: 1" = 300'

-  Subject Property
-  200' Notification

E5
p.614



C:\Sept 7, 2004
(A.Z.)



CASE NO: Z2004196

Staff and Zoning Commission Recommendation - City Council

Zoning Commission continuance from September 7, 2004, September 21, 2004 and October 5, 2004

Date: November 18, 2004

Zoning Commission Meeting Date: October 05, 2004

Council District: 4

Ferguson Map: 648 D6

Appeal: No

Applicant: Owner

American GI Forum - National
Veterans Outreach Program, Inc.

Julio Gonzalez

Zoning Request: From C-3 General Commercial District and MR Military Reservation District to MF-25 Multi-Family District on 18.221 acres out of NCB 15655 and MR Military Reservation District to C-3 Commercial District on .804 acres out of NCB 15655

19.025 acres out of NCB 15655

Property Location: 4770 Military Drive West

On the southwest corner of West Military Drive and Old Pearsall Road

Proposal: To develop multi-family

Neighborhood Association: People Active in Community Efforts

Neighborhood Plan: None

TIA Statement: A Traffic Impact Analysis is not required

Staff Recommendation:

Denial. The subject property is within the 70 dB noise zone for Kelly Field. Residential zoning and uses are not recommended within these noise zones. Multi-family zoning and uses should be located near existing retail and social services. The existing C-3 zoning is appropriate at this intersection of three major thoroughfares.

Zoning Commission Recommendation

Approval

CASE MANAGER : Richard Ramirez 207-5018

VOTE

FOR 8

AGAINST 2

ABSTAIN 0

RECUSAL 0

Z2004196

ZONING CASE NO. Z2004196 – September 7, 2004

Applicant: American GI Forum – National Veterans Outreach Program, Inc.

Zoning Request: “C-3” General Commercial District and “MR” Military Reservation District to “MR-25” Multi-Family District on 18.221 acres out of NCB 15655 and “MR” Military Reservation District to “C-3” Commercial District on .804 acres out of NCB 15655.

Ken Brown, 112 E. Pecan, representing the applicant, stated he would like to request a continuance on this case. He stated they are in the process of conducting a Phase II Environmental Study as well as a Noise Study on the property. He stated they have met with the representatives from People Active in Community Efforts (PACE) who is in support of a continuance.

OPPOSE

Ed Roberson, Environmental Flight Chief at Lackland Air Force Base, stated they are in opposition of this request. He stated Air Installation Compatible Use Zones (AICUZ) assist local, regional, state and federal officials in protecting and promoting the public health, safety, and welfare by promoting compatible development within the AICUZ area of influence. Protect Air Force operational capability from effects of land use, which are incompatible with aircraft operations. AICUZ focuses on noise levels and land use around airfields. He stated the Air Force concern with this proposal is noise issues, not safety issues as is usually the case. He feels noise complaints can hinder mission (current and future). The proposed location is in a 70 dB contour – meaning average value is between 65 – 70 dB. He further stated noise levels are not going to decrease in the future, and will most probably increase.

REBUTTAL

Ken Brown, 112 E. Pecan, representing the applicant, stated the purpose of the continuance is to continue their studies and present the results to the representative from PACE and address any other concerns they may have.

Staff stated there were 12 notices mailed out to the surrounding property owners, 0 returned in opposition and 4 returned in favor and no response from People Active in Community Efforts (PACE). Staff has received a verbal opposition from PACE.

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.

Z2004196

COMMISSION ACTION

The motion was made by Commissioner Avila and seconded by Commissioner Grau to recommend on September 21, 2004.

1. Property is located on 19.024 acre out of NCB 15655 at 4770 Military Drive West.
2. There were 12 notices mailed, 0 returned in opposition and 4 in favor.
3. Staff recommends denial.

**AYES: Martinez, Grau, Cardenas-Gamez, Kissling, Dutmer, Dixon, Sherrill,
McAden, Avila, Stribling, Peel**

NAYS: None

THE MOTION CARRIED

ZONING CASE NO. Z2004196 – September 21, 2004

Applicant: American GI Forum – National Veterans Outreach Program, Inc.

Zoning Request: "C-3" General Commercial District and "MR" Military Reservation District to "MF-25" Multi-Family District on 18.221 acres out of NCB 15655 and "MR" Military Reservation District to "C-3" Commercial District on .804 acres out of NCB 15655.

Ken Brown, 112 E. Pecan, representing the owner, stated at this time he would like to request a 2-week continuance until October 5, 2004. He stated they are in the process of conducting a noise study on the property. He stated their intent is to construct a retirement community on the subject property.

OPPOSE

Ed Roberson, Environmental Flight Chief at Lackland Air Force Base, stated this property lies within the 65 to 70 decibels level noise contour. He stated Air Installation Compatible Use Zones (AICUZ) has recommended that in areas that are above 65 decibels or higher that these are not be use for residential housing. He stated the only exception is that if residential housing is developed within this area it needs to sound proofing to make it livable.

Z2004196

REBUTTAL

Ken Brown, 112 E. Pecan, representing the owner, stated this project is not HUD funded however they do have federal guidelines.

Staff stated there were 12 notices mailed out to the surrounding property owners, 0 returned in opposition and 4 returned in favor and People Active in Community Efforts is in opposition.

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 Avila and seconded by Commissioner Dutmer to recommend a continuance until October 5, 2004.

1. Property is located on 19.024 acres out of NCB 15655 at 4770 Military Drive West.
2. There were 12 notices mailed, 0 returned in opposition and 4 in favor.
3. Staff recommends denial.

AYES: Martinez, Grau, Kissling, Dutmer, Sherrill, McAden, Avila, Stribling, Peel
NAYS: None

THE MOTION CARRIED

ZONING CASE NO. Z2004196 – October 5, 2004

Applicant: American GI Forum – National Veterans Outreach Program, Inc.

Zoning Request: "C-3" General Commercial District and "MR" Military Reservation District to "MF-25" Multi-Family District on 18.221 acres out of NCB 15655 and "MR" Military Reservation District to "C-3" Commercial District on 0.804 acres out of NCB 15655.

Ken Brown, 112 E. Pecan, representing the owner, stated they have consulted with a noise expert that conducted a study on this site. He stated he has met with Mr. Roberson to further discuss this issue.

Z2004196

Ignacio Leija, representing the American GI Forum – National Veterans Outreach Program, Inc., stated they are a non-profit organization and they over 32 years of service provide various community services including job training and employment to Veteran's. He stated they have also provided housing services in various areas of the City. They have constructed several 202 housing projects. He stated their projects are HUD approved. He further stated their intent is to develop another housing project on the subject property.

Jim Meyers, 5539 Cool Valley, President of People Active in Community Efforts (PACE), stated their original position in this matter was that they were in opposition however after meeting with the representative of this project they have change their position. He stated their only concern is the noise issue. He stated this is a very delicate issue and feels that the representative/developers would abide by the requirements as stated by the Air Force Base representatives.

Julio Gonzalez, 15735 Flatten Road, owner, stated he have review the literature from the Air Force Base in regard to residential development within these designated noise levels and 65 DCB. He stated they do approve residential structures in this area as long as they provide attenuating materials on the homes to alleviate the noise issue.

OPPOSE

Ed Roberson, Environmental Flight Chief for Lackland Air Force Base, stated the subject property is on the edge of the 70 to 74 noise decibels contour. He stated the literature that Mr. Gonzalez refers to stated residential development in 65 decibels and higher is not recommended unless noise attenuation material is provided. He further stated the only exception is if there is no other viable development option and there is a documented public need for that activity.

Bob Ramussen, 143 Billy Mitchell, stated he would like to echo Mr. Roberson remarks. He stated their concerns are for the public health, safety, and welfare of the future residents for the proposed development. He stated they are in the process of introducing commercial air cargo operations at Kelly Air Base, which would increase the air traffic on the runways. The Federal Interagency Committee on aviation noise continues to support the use of DNL 65 as the level of aircraft noise that indicated a thresh hold incompatibility with residential land use.

Z2004196

REBUTTAL

Ken Brown, 112 E. Pecan, representing the owner, stated they have met with Kelly Board, Congressman Gonzalez and Council member to present their proposal. He stated their main concern is the noise issue. He stated they have conducted a noise study and the results were 65 to 69 decibel noise level. He further stated the first standard is that there is no viable use for this property. He stated the owner has owned the property for approximately 10 and has no other intended use.

Staff stated there were 12 notices mailed out to the surrounding property owners, 0 returned in opposition and 4 returned in favor and no response from People Active in Community Efforts.

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 Avila and seconded by Commissioner Kissling to recommend approval.

1. Property is located on 19.024 acres out of NCB 15655 at 4770 Military Drive West.
2. There were 12 notices mailed, 0 returned in opposition and 4 in favor.
3. Staff recommends denial.

AYES: Martinez, Grau, Kissling, Dutmer, Dixon, McAden, Avila, Stribling

NAYS: Sherrill, Peel

THE MOTION CARRIED.

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.