



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-6735  
**Type:** Zoning Case  
**In control:** City Council A Session  
**On agenda:** 9/19/2019  
**Title:** ZONING CASE Z-2019-10700150 (Council District 2): Ordinance amending the Zoning District Boundary from "MF-33 EP-1 MLOD-3 MLR-2 AHOD" Multi-Family Facility Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District and "C-2 EP-1 MLOD-3 MLR-2 AHOD" Commercial Facility Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "RM-4 EP-1 MLOD-3 MLR-2 AHOD" Residential Mixed Facility Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on Lot 3 and East 21.4 feet of Lot 2, Block 2, NCB 1347, located at 2010 Burnet Street. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Zoning Minutes, 3. Draft Ordinance, 4. Ordinance 2019-09-19-0773

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z-2019-10700150

**SUMMARY:**

**Current Zoning:** "MF-33 EP-1 MLOD-3 MLR-2 AHOD" Multi-Family Facility Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District and "C-2 EP-1 MLOD-3 MLR-2 AHOD" Commercial Facility Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** "RM-4 EP-1 MLOD-3 MLR-2 AHOD" Residential Mixed Facility Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** August 20, 2019

**Case Manager:** Mirko Maravi, Planner

**Property Owner:** Acosta Realty, LLC

**Applicant:** Matthew Acosta

**Representative:** Matthew Acosta

**Location:** 2010 Burnet Street

**Legal Description:** Lot 3 and East 21.4 feet of Lot 2, Block 2, NCB 1347

**Total Acreage:** 0.11

**Notices Mailed**

**Owners of Property within 200 feet:** 22

**Registered Neighborhood Associations within 200 feet:** Harvard Place and Eastlawn Neighborhood Association

**Applicable Agencies:** Fort Sam Houston, Martindale Army Airfield

**Property Details**

**Property History:** The subject property was part of the original 36 square miles of the City of San Antonio and zoned "F" Local Retail District and "C" Apartment District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the property zoned "F" Local Retail District converted to the current "C-2" Commercial District and the property zoned "C" Apartment District converted to the current "MF-33" Multi-Family District

**Topography:** The property does not include any abnormal physical features such as slope or incursion in a flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "IDZ"

**Current Land Uses:** Multi-Family

**Direction:** South

**Current Base Zoning:** "MF-33" and "C-2"

**Current Land Uses:** Vacant

**Direction:** East

**Current Base Zoning:** "C-2"

**Current Land Uses:** Parking lot

**Direction:** West

**Current Base Zoning:** "MF-33"

**Current Land Uses:** Residential

**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-3"**

All surrounding properties carry the "MLOD-3" Military Lighting Overlay District, due to their proximity to Martindale Army Airfield. The "MLOD-3" 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.

**"EP"**

The Facility Parking/Traffic Control District establishes regulations for parking and traffic around large facilities that attract large amounts of vehicle traffic. The overlay district is meant to regulate parking of vehicles in areas not properly zoned for commercial parking; to reduce aesthetic and traffic problems for persons and businesses in these areas; to reduce visual blight, congestion, and wear and tear on city streets; and to increase access for emergency vehicles in these areas.

**Transportation**

**Thoroughfare:** Burnet St

**Existing Character:** Local

**Proposed Changes:** None Known

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

**Routes Served:** 22, 222, 515

**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 dwelling - 4 family cluster is 1.5 spaces per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of "MF-33" and "C-2". Multi-family residence medium density "MF-33" district is the designation for multi-family use with a maximum density of up to thirty-three (33) units per acre, depending on unit size. An "MF-33" district designation may be applied to a use in a multi-family residential area located near supporting transportation and commercial facilities in a centrally located area or in an area for which medium density multi-family use is desired. These districts permit general commercial activities designed to serve the community such as repair shops, wholesale businesses, warehousing and limited retail sales with some outdoor display of goods. These districts promote a broad range of commercial operations and services necessary for large regions of the city, providing community balance. "C-2" districts accommodate commercial and retail uses that are more intensive in character than "NC" and "C-1" uses, and which generate a greater volume of vehicular traffic and/or truck traffic.

The requested "RM-4" districts provide areas for medium to high-density residential uses where adequate public facilities and services exist with capacity to serve development. These districts are composed mainly of areas containing a mixture of single-family, two-family and multi-family dwellings and open space where similar residential development seems likely to occur. The district regulations are designed to encourage a

suitable neighborhood environment for family life by including among the permitted uses such facilities as schools and churches; and to preserve the openness of the area by requiring flexible yard and area standards. Mixed residential districts provide flexible density requirements in order to allow for market and design flexibility while preserving the neighborhood character and permitting applicants to cluster development in order to preserve environmentally sensitive and agricultural land areas.

**FISCAL IMPACT:**

None.

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

The subject property is not within a Regional Center and located within the Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (9-0) recommend Approval.

**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 Arena District/Eastside Community Plan and is currently designated as “Medium Density Residential” in the future land use component of the plan. The requested “RM-4” base zoning district is consistent with the future land use designation.

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

Staff does not find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request.

**3. Suitability as Presently Zoned:**

The current “MF-33” Multi-Family District and “C-2” Commercial District are appropriate zoning for the property and surrounding area. The proposed “RM-4” will allow the applicant to develop up to four (4) dwelling units.

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

Staff has not found indication of likely adverse effects on the public health, safety, or welfare.

**5. Public Policy:**

The proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the Arena District/Eastside Community Plan:

1.1 New home construction - 25-50 homes per year

4.1 Conserve existing neighborhoods

4.2 Recommend new medium density single family and high density multifamily residential neighborhoods near Salado Creek to supplement existing ones

**6. Size of Tract:**

The subject property is 0.11 acres, which could reasonably accommodate residential mixed uses.

**7. Other Factors:**

The subject property is located within the Fort Sam Houston and Martindale Army Air Field Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA was notified of the proposed request.