



# City of San Antonio

## Legislation Details (With Text)

**File #:** 21-4707

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 7/6/2021

**Title:** ZONING CASE Z-2021-10700126 (Council District 2): A request for a change in zoning from "O-1 MLOD-3 MLR-2 AHOD" Office Martindale Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "IDZ-1 MLOD-3 MLR-2 AHOD" Limited Intensity Infill Development Zone Martindale Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with uses permitted for a Professional Office and one (1) dwelling unit on Lot 1, Block 15, NCB 1295, located at 2002 North Interstate Highway 35. Staff recommends Approval. (Michael Pepe, Senior Planner, (210) 207-8208, Michael.Pepe@sanantonio.gov, Development Services Department)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map, 2. Site Plan

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-2021-10700126

### SUMMARY:

**Current Zoning:** "O-1 MLOD-3 MLR-2 AHOD" Office Martindale Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** "IDZ-1 MLOD-3 MLR-2 AHOD" Limited Intensity Infill Development Zoned Martindale Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with uses permitted for a Professional Office and one (1) dwelling unit

### BACKGROUND INFORMATION:

**Zoning Commission Hearing Date:** July 6, 2021

**Case Manager:** Michael Pepe, Senior Planner

**Property Owner:** Lawrence Briseno

**Applicant:** Lawrence Briseno

**Representative:** Lawrence Briseno

**Location:** 2002 North Interstate Highway 35

**Legal Description:** Lot 1, Block 15, NCB 1295

**Total Acreage:** 0.1669

**Notices Mailed**

**Owners of Property within 200 feet:** 14

**Registered Neighborhood Associations within 200 feet:** Government Hill Alliance Neighborhood Association

**Applicable Agencies:** Martindale Army Airfield

**Property Details**

**Property History:** The subject property is part of the original 36 square miles of the city and was originally zoned "D" Apartment District. The previous "D" district converted to "MF-33" Multi-Family District in the zoning district conversion that accompanied the adoption of the 2001 UDC, according to Ordinance 93881 in May 2001. The property was rezoned to the current "O-1" Office District by Ordinance 2010-11-04-0971, dated November 4, 2010.

**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:** "UZROW"

**Current Land Uses:** Interstate Highway

**Direction:** East

**Current Base Zoning:** "L"

**Current Land Uses:** Office

**Direction:** South

**Current Base Zoning:** "MF-18"

**Current Land Uses:** Vacant

**Direction:** West

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

**Current Land Uses:** Church

**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. 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.

### **Transportation**

**Thoroughfare:** Pierce

**Existing Character:** Local

**Proposed Changes:** None

**Thoroughfare:** IH-35

**Existing Character:** Interstate

**Proposed Changes:** None

**Public Transit:** There is one VIA bus route within walking distance of the subject property.

**Route:** 21

**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 requested "IDZ-1" Limited Density Residential waives the parking requirement.

**ISSUE:** None.

### **ALTERNATIVES:**

**Current:** The current "O-1" allows small and medium office uses, banks, worship facilities, public and private school, employment agency, library, medical clinic, optician, interior decorator studio. Maximum building size is 10,000 square feet for individual buildings. Outdoor display or sale of merchandise is prohibited.

**Proposed:** The proposed "IDZ-1" allows rezoning requests up to 18 units per acre and uses permitted in "C-1" Light Commercial and "O-1" Office. All approved uses must be requested and stated within the ordinance. Provide flexible standards for setbacks and parking for the development and reuse of underutilized parcels within a qualifying area of the city.

The proposed rezoning would only allow one (1) unit and a small professional office subject to a site plan.

**FISCAL IMPACT:** None.

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

The property is not within a regional center but is within a premium transit corridor.

### **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends 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 Government Hill Neighborhood Plan and is currently designated as "Mixed Use." The requested "IDZ-1" 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. There is a mix of zoning districts in the surrounding area, and a mix of uses is already established. A mixed-use building would be more appropriate along the freeway than one that is purely residential.

## **3. Suitability as Presently Zoned:**

The current "O-1" Office District is an appropriate zoning for the property and surrounding area. The proposed zoning of "IDZ-1" would also be appropriate for the property and the surrounding area, with adequate access to area roads and in walkable proximity to retail. Although there is "L" Light Industrial to the east, the neighboring "L" parcel is developed as an office and a single-family home.

## **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 Government Hill Neighborhood Plan:

1. Housing 1.1 Conserve, rehabilitate and/or replace (if necessary) housing stock.
2. Land Use/Revitalization 2.1 Redevelop and revitalize the neighborhood.  
Market the vacant parcels of land to prospective homeowners and businesses.

The Infill Development Zone (IDZ) District provides flexible standards for developments. IDZ is to encourage and facilitate development on vacant, bypassed lands, or the redevelopment of underutilized buildings or structures, within existing built-up areas. IDZ may be approved as either a base zoning district or an overlay zoning district. Typically, IDZ gives flexibility to parking requirements, lot sizes, and setbacks.

- The applicant's request meets the Master Plan's Policy for Growth Management - Policy 1g, because it makes physical improvements on an inner-city property encouraging redevelopment and infill development.
- The applicant's request meets the Master Plan's Policy for Economic Development - Goal 4, because it targets an area within Loop 410 and the southern sector.
- The applicant's request meets the Master Plan's Policy for Neighborhoods - Policy 1a, because it rezones vacant or underutilized property in and around neighborhoods to encourage redevelopment that is compatible in use and intensity with the existing neighborhood.

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

The subject property is 0.1669 acres, which could reasonably accommodate the proposed residential and office uses.

## **7. Other Factors:**

The subject property is located within the Martindale AAF Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JB SA was notified of the proposed request. The Military has indicated there are no objections to the request.

The applicant is proposing a detached single-family dwelling and a small professional office in the existing building.

