



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** October 1, 2024

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Amin Tohmaz, Interim Director

**COUNCIL DISTRICTS IMPACTED:** District 1

**SUBJECT:**

ZONING CASE Z-2024-10700204

**SUMMARY:**

**Current Zoning:** "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District

**Requested Zoning:** "C-3 AHOD" General Commercial Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 1, 2024

**Case Manager:** Bronte Frere, Zoning Planner

**Property Owner:** Argo Real Estate Investments, LLC c/o Ivan Almaguer

**Applicant:** Argo Real Estate Investments, LLC c/o Ivan Almaguer

**Representative:** Ivan Almaguer

**Location:** 838 Culebra Road

**Legal Description:** Lot 5, Block 19, NCB 2083

**Total Acreage:** 0.2057 acres

### **Notices Mailed**

**Owners of Property within 200 feet:** 31

**Registered Neighborhood Associations within 200 feet:** West End Hope in Action  
Neighborhood Association, Martinez Creek Neighborhood Association, San Antonio Texas  
District One Resident Association

**Applicable Agencies:** Planning Department

### **Property Details**

**Property History:** The subject property was located within the original 36 square miles of the City of San Antonio and zoned "C" Apartment District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "C" Apartment District converted to "MF-33" Multi-Family District. The property was rezoned by Ordinance 2023-04-06-0216, dated April 6, 2023, to "R-6" Residential Single-Family District.

**Code & Permitting Details:** There is no code enforcement of permitting history for the subject property.

**Topography:** The property does not include any abnormal physical features such as slope or inclusion in a floodplain.

### **Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "R-4," "O-1"

**Current Land Uses:** Single-Family Dwellings, Employment Agency

**Direction:** South

**Current Base Zoning:** "R-5," "R-6," "MF-33"

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

**Direction:** East

**Current Base Zoning:** "R-6," "R-5"

**Current Land Uses:** Single Family Dwellings

**Direction:** West

**Current Base Zoning:** "R-6," "O-2"

**Current Land Uses:** Single-Family Dwellings, Law Firm/Personal Injury Attorney

### **Overlay District Information:**

The "AHOD" Airport Hazard Overlay District, due to the location of the property and its proximity to an airport or approach path, does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

### **Special District Information:**

N/A

**Transportation**

**Thoroughfare:** Culebra Road

**Existing Character:** Primary Arterial Type A

**Proposed Changes:** None known.

**Thoroughfare:** North Navidad Street

**Existing Character:** Local

**Proposed Changes:** None known.

**Public Transit:** There are VIA bus routes within a ½ mile of the subject property.

**Routes Served:** 82, 88, 282, 288, 103.

**Traffic Impact:** A Traffic Impact Analysis Worksheet was submitted. Any further traffic requirements will be evaluated at the Building Permit phase.

**Parking Information:** The minimum parking requirement for Auto Sales is 1 vehicle space per 500 sf GFA of sales and service building and the maximum parking requirement for Auto Sales is 1 vehicle space per 375 sf GFA of sales and service building.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: "R-6" Residential Single-Family District permits Single-family dwelling (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.

Proposed Zoning: "C-3" General Commercial Districts are intended to provide for more intensive commercial uses than those located within the NC, C-1 or C-2 zoning districts. C-3 uses are typically characterized as regional shopping centers, power centers, and/or assembly of similar uses into a single complex. There are no building size limitations, and building height is limited to 35 feet. Examples of permitted uses: bar/tavern & nightclub, amusement/theme parks, dance hall, indoor movie theater, auto repair, auto sales, auto glass sales (installation permitted), auto muffler (sales and installation only), hotel, bookbinder, dry cleaning or laundry plant, indoor flea market, home improvement center, body piercing/massage/tattoo parlor. No outdoor storage is permitted. Outdoor operations and display shall be permitted in areas which are screened as provided in 35-510 of the Unified Development Code.

**FISCAL IMPACT:**

None.

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

Subject property is not located within a Regional Center or within ½ a mile from a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial.

**Criteria for Review: According to Section 35-421, zoning amendments shall be based on approval criteria below.**

- 1. Consistency:** The subject property is not located within a Neighborhood, Community, or Sector Plan therefore a finding of consistency is based on existing and surrounding zoning and uses.
- 2. Adverse Impacts on Neighboring Lands:** Staff does find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is not consistent with the established development pattern of the surrounding area. Surrounding properties are “R-5” Residential Single-Family District, “R-6” Residential Single-Family District, “MF-33” Multi-Family District, and “O-2” High-Rise Office District.
- 3. Suitability as Presently Zoned:** The existing “R-6” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed “C-3” General Commercial District is not an appropriate. The proposed “C-3” zoning would create high intensity commercial encroachment to the middle of a residential neighborhood.
- 4. Health, Safety and Welfare:** Staff has found indication of likely adverse effects on the public health, safety, or welfare.
- 5. Public Policy:** The request does appear to conflict with any public policy objectives of the SA Tomorrow Comprehensive Plan. Relevant Goals and Policies of the Comprehensive Plan may include:
  - GCF Goal 5:** Growth and city form support improved livability in existing and future neighborhoods.
  - GCF P14:** Establish appropriate buffers and transitions (land use, form and/or landscaping) between residential neighborhoods and surrounding higher-density development.
  - H P30:** Ensure infill development is compatible with existing neighborhoods.
  - JEC Goal 1:** Employment is focused in the city’s 13 Regional Centers, in site-specific locations in Urban Centers and along mobility corridors, providing easy connectivity for San Antonio’s residents and businesses.
- 6. Size of Tract:** The 0.2057-acre site is of sufficient size to accommodate the proposed commercial development.
- 7. Other Factors:** The zoning change request is to allow for an Auto Sales business.