



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** November 5, 2024

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

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

**COUNCIL DISTRICTS IMPACTED:** District 6

**SUBJECT:**  
ZONING CASE Z-2024-10700252

**SUMMARY:**

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

**Requested Zoning:** "MF-18 AHOD" Limited Density Multi-Family Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 5, 2024. This case is expedited to City Council on November 7, 2024.

**Case Manager:** Alexa Retana, Zoning Planner

**Property Owner:** Lidl US Operations, LLC

**Applicant:** Sonoma Housing Advisors, LLC

**Representative:** Brown & McDonald, PLLC

**Location:** Generally located in the 9000 block of Culebra Road

**Legal Description:** Lot P-226A, NCB 18820

**Total Acreage:** 5.663

**Notices Mailed****Owners of Property within 200 feet:** 24**Registered Neighborhood Associations within 200 feet:** NA**Applicable Agencies:** Planning Department, Public Works Department**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio by Ordinance 81107, dated December 30, 1994, and zoned Temporary "R-1" Single Family Residence District. The property was rezoned by Ordinance 82625, dated August 10, 1995, to "B-3" Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the portion zoned "B-3" Business District converted to the current "C-3" General Commercial District.

**Code & Permitting Details:**

There is no code enforcement or permitting history for the subject property.

**Topography:** A small piece of the northwestern portion of the property is within the 100 Year Flood Plain.

**Adjacent Base Zoning and Land Uses****Direction:** North**Current Base Zoning:** R-6**Current Land Uses:** Vacant**Direction:** South**Current Base Zoning:** R-6**Current Land Uses:** Vacant**Direction:** East**Current Base Zoning:** R-5**Current Land Uses:** Residential Dwellings**Direction:** West**Current Base Zoning:** R-6**Current Land Uses:** Residential Dwellings**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:**

None

**Transportation****Thoroughfare:** Culebra Road**Existing Character:** Primary Arterial Type A**Proposed Changes:** None**Thoroughfare:** Arcadia Creek**Existing Character:** Local**Proposed Changes:** None**Public Transit:** There public transit within walking distance of the subject property.**Routes Served:** 610**Traffic Impact:** A Traffic Impact Worksheet was submitted. Any additional traffic requirements will be reviewed at the build permit phase of the project.**Parking Information:** The minimum parking requirement for Dwelling – Multi-Family is 1.5 spaces per unit.**ISSUE:**

None

**ALTERNATIVES:**

Current 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.

Proposed Zoning: “MF-18” Limited Density Multi-Family allows multi-family development up to 18 units per acre, assisted living home, skilled nursing facility, foster family home, public and private schools.

**FISCAL IMPACT:**

None

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

The subject property is not located with a Regional Center but is within ½ a mile of the Huebner-Grissom 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 approval criteria below.

1. **Consistency:** The subject property is located within the West/Southwest Sector Plan, adopted in 2011, and is currently designated as General Urban Tier in the future land use component of the plan. The requested “MF-18” 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. The proposed use is consistent with the established development pattern of the surrounding area. Properties surrounding the subject site are zoned “R-5” Residential Single-Family District and “R-6” Residential Single-Family District.
3. **Suitability as Presently Zoned:** The existing “C-3” General Commercial District is an appropriate zoning for the property and surrounding area. The proposed “MF-18” Limited Density Multi-Family District is also appropriate. The subject property is situated in proximity to established single-family neighborhoods, but the natural buffers provided by the 100 Year Flood Plain help mitigate potential issues between the lower and higher densities. The proposal is consistent with the goals of the Strategic Housing Implementation Plan which encourages the development of alternate housing types to accommodate the city’s growing population at all income levels.
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 request does not appear to conflict with any public policy. Relevant Goals and Policies of the Comprehensive Plan may include:
  - GCF P2: Identify and support catalyst projects which include a mix of housing types for a range of income levels and which attract additional employment.
  - H Goal 2: A variety of housing types (single-family detached, single-family attached, multifamily, as well as ownership and rental opportunities) is available at a variety of price and rent levels.
  - H P10: Ensure land use designations and other policies allow for and encourage a mixture of housing types and densities of housing within development projects.Relevant Goals and Objectives of the West/Southwest Sector Plan may include:
  - HOU-1.1 Promote quality design and construction for new housing.
  - HOU-1.2 Provide a range of housing types and prices to accommodate all residents within the Sector and within the same neighborhood.
  - HOU-1.4 Encourage quality housing for senior citizens.
6. **Size of Tract:** The 5.663 acre site is of sufficient size to accommodate the proposed residential development.

7. **Other Factors:** The property is proposed for development of multifamily uses that shall not exceed 18 units per acre. At 5.663 acres, there could potentially be development of 102 units. The applicant is requesting to build 88 units.

For properties zoned “RM” or “MF” that abut lots zoned residential or are developed with a single family use, the height is restricted to the maximum height of the single family district within 50 feet of the property line.

The proposed rezoning is seeking additional density for use as residential dwelling units. A rezoning application does not allow Short Term Rentals (STRs) as a use by right. Any applicant seeking to operate an STR must follow the appropriate City and Unified Development Code (UDC) processes and is required to apply and qualify for STR permit(s) through those processes. Short Term Rentals are governed by the UDC Section 16.1100. Also see Section 35-374.01 for STR density limitations, Section 35-399 for establishment regulations, and Section 35-482 for procedures regarding consideration of special exceptions.