



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** May 17, 2022

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 1

**SUBJECT:**

ZONING CASE Z-2022-10700099 CD

**SUMMARY:**

**Current Zoning:** “MF-33 AHOD” Multi-Family Airport Hazard Overlay District and “I-1 AHOD” General Industrial Airport Hazard Overlay District

**Requested Zoning:** “C-2 AHOD” Commercial Airport Hazard Overlay District on Lot 9 and Lot 10, Block 25, NCB 2085 and “MF-33 CD AHOD” Multi-Family Airport Hazard Overlay District with Conditional Use for a Food Service Establishment on Lot B, Block 25, NCB 2085

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 17, 2022

**Case Manager:** Elizabeth Steward, Planner

**Property Owner:** The San Antonio Truss Company, Inc.

**Applicant:** Omala Hospitality Group, Inc.

**Representative:** Brown & Ortiz, PC

**Location:** 1010 Culebra Road

**Legal Description:** Lot 9, Lot 10 and Lot B, Block 25, NCB 2085

**Total Acreage:** 0.537

**Notices Mailed****Owners of Property within 200 feet:** 31**Registered Neighborhood Associations within 200 feet:** West End Hope in Action

Neighborhood Association

**Applicable Agencies:** N/A**Property Details**

**Property History:** The subject property was located within the original 36 square miles of the City of San Antonio and zoned "J" Commercial District and "C" Apartment District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "J" Commercial District converted to the current "I-1" General Industrial District and the portion of 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 floodplain.

**Adjacent Base Zoning and Land Uses****Direction:** North**Current Base Zoning:** C-2**Current Land Uses:** Food Service Establishment and Auto Parts Retail Store**Direction:** South**Current Base Zoning:** MF-33**Current Land Uses:** Residential Dwelling**Direction:** East**Current Base Zoning:** MF-33**Current Land Uses:** Residential Dwelling**Direction:** West**Current Base Zoning:** I-1**Current Land Uses:** Professional Office**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:** Principal Primary Arterial

**Proposed Changes:** None Known

**Thoroughfare:** North Calaveras

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** There is public transit within 0.5 miles of the subject property.

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

**Traffic Impact:** The traffic generated by the proposed development has increased, it does exceed the threshold requirements. Development generates more than seventy-six (76) PHT Sec. 35-502

A TIA Report will be required.

**Parking Information:** The minimum parking for a Food Service Establishment- restaurant or cafeteria is 1 space per 100 sf GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: “I-1” General Industrial districts accommodate areas of heavy and concentrated fabrication and manufacturing and industrial uses which are suitable based on the character of adjacent development. Examples of permitted uses: auto & light truck auction, truck stop, abrasives manufacturing, food & drug manufacturing, sand & gravel storage & sales, outdoor flea market, manufactured homes/oversized vehicles sales, service and storage.

“MF-33” Multi-Family District allows multi-family up to 33 units per acre.

Proposed Zoning: “C-2” Commercial districts accommodate community commercial uses, with unlimited building size, and building height limitation of 25 feet. Examples of permitted uses: liquor store, miniature golf and other indoor gaming facilities, small indoor movie theater, pet cemetery, auto & light truck oil, lube & tune-up, auto glass tinting, tire repair (sale and installation only), gas station, appliance sales & repair, charitable food & clothing banks and dry cleaning. No outdoor storage or display of goods shall be permitted except for outdoor dining.

“MF-33 CD” Multi-Family District allows multi-family up to 33 units per acre. The “CD” Conditional Use would allow a Food Service Establishment.

**FISCAL IMPACT:**

None.

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

Subject property is not located within a Regional Center but is within the Bandera Metro Premium Transit Corridor and the Zarzamora Metro 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 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 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. The change to “C-2” Commercial District and “MF-33 CD” Multi-Family District with Conditional Use for a Food Service Establishment decreases the intensity of the allowable uses on the property and provides a buffer between existing residential and industrial uses.
3. **Suitability as Presently Zoned:** The existing “MF-33” Multi-Family District is appropriate zoning and “I-1” General Industrial District is not an appropriate zoning for the property and surrounding area. The “I-1” zoning is too intense and established uses in the area are largely residential. The property fronting Culebra Road is proposed for “C-2” Commercial. While the applicant proposes to rezone the property to the east along East Calaveras to “MF-33” Multi-Family District to maintain the base zoning and the zoning pattern of the area. The proposed “CD” Conditional Use for a Food Service Establishment allows the applicant to extend a portion of the proposed business onto this section of the property for parking, while providing adequate buffers to surrounding residential properties.
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 subject property is not located within a Neighborhood, Community, or Sector Plan and thus, does not conflict with policy objectives for this area.

However, the request is generally aligned with policies of the San Antonio Tomorrow Plan for San Antonio’s economic environment to foster innovation and attract new and innovative businesses, investment and industries.

6. **Size of Tract:** The 0.537 acre site is of sufficient size to accommodate the proposed commercial development.
7. **Other Factors:** The applicant intends to construct a Restaurant.

The Conditional Use zoning procedure is designed to provide for a land use that is not permitted by the established zoning district, but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions.

The following conditions shall apply to the operation of nonresidential uses permitted within any residential district (the existing MF-33), unless otherwise approved by the City Council:

A. There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of the main structure.

B. No construction features shall be permitted which would place the structure out of character with the surrounding residential neighborhood.

C. Business hours operation shall not be permitted before 7:00 a.m. or after 6:00 p.m.