



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** April 02, 2024

**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-2023-10700381 CD

**SUMMARY:**

**Current Zoning:** "I-1 WQ AHOD" General Industrial Water Quality Protection Area Overlay Airport Hazard Overlay District

**Requested Zoning:** "R-4 CD WQ AHOD" Residential Single-Family Water Quality Protection Area Overlay Airport Hazard Overlay District with a Conditional Use for Day Care Center

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 02, 2024

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

**Property Owner:** Tawil Investment Group, LTD

**Applicant:** Tawil Investment Group, LTD

**Representative:** Tawil Investment Group, LTD

**Location:** 711 Culebra Road

**Legal Description:** 1.789 acres out of NCB 6619

**Total Acreage:** 1.789 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 35

**Registered Neighborhood Associations within 200 feet:** Martinez Creek Neighborhood Association and West End Hope in Action

**Applicable Agencies:** Planning Department

**Property Details**

**Property History:** The subject property was part of the original 36 square miles of the City of San Antonio and was originally zoned “JJ” Commercial District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “JJ” Commercial District converted to the current “I-1” General Industrial District.

**Code & Permitting Details:**

COO-TEMPCOO24-38200025: Temporary Certificate of Occupancy

COO-TEMPCOO24-38200201: Temporary Certificate of Occupancy

REP-ROF-PMT23-35202175: Re-Roof Permit

REP-MBR-APP23-35005703: Minor Building Repair Application

**Topography:** The entirety of the property is within the 100 Year Flood Plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** “R-4”

**Current Land Uses:** Vacant, Single-Family Residential

**Direction:** South

**Current Base Zoning:** “I-1”

**Current Land Uses:** Law Office, Metal Recycling Center

**Direction:** East

**Current Base Zoning:** “R-4,” “C-2,” “C-3”

**Current Land Uses:** Single-Family Residential, Commercial Building

**Direction:** West

**Current Base Zoning:** “R-4”

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

**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.

The "WQ" Water Quality Protection Area Overlay District is designed to ensure adequate treatment of storm water runoff that may potentially produce toxic, corrosive, polluted, poisonous,

radioactive, unpalatable, or otherwise dangerous substances injurious to the public health or which could otherwise adversely affect the water quality or supply, and thereby minimizing the risk of potential occurrences wherein such substances could enter the water of the West Side Creeks.

**Special District Information:**

There is no special district information.

**Transportation**

**Thoroughfare:** Culebra Road

**Existing Character:** Principal Primary Arterial A

**Proposed Changes:** None Known

**Thoroughfare:** North Sabinas Street

**Existing Character:** Local Street

**Proposed Changes:** None Known

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

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

**Traffic Impact:** A TIA study may be required based on the information provided at time of platting and/or permitting. The traffic generated by the proposed development does not exceed the threshold requirements. Development generates less than seventy-six (76) PHT Sec. 35-502.

A TIA Report is Not Required.

**Parking Information:** The minimum parking requirements for “Day Care Center- Child and/or Adult Care” is 1 per 375 sf GFA. The maximum is 1.5 per 375 sf GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: “I-1” General Industrial District accommodates 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.

Proposed Zoning: “R-4” Residential Single-family dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, foster family home, public and private schools.

The proposed “CD” Conditional Use would allow for a Day Care Center.

**FISCAL IMPACT:**

None.

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

Subject property is not located within a Regional Center but is within ½ a mile from the Bandera Metro Premium, Fredericksburg Metro Premium Plus, and Zarzamora Metro Premium Plus Transit Corridors.

**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 Near Northwest Community Plan Land Use Plan, adopted in 2002, and is currently designated as “Urban Low Density Residential” in the future land use component of the plan. The requested “R-4 CD” Residential Single-Family with a Conditional Use for a Day Care Center 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. Surrounding zoning is “R-4” Residential Single-Family.
3. **Suitability as Presently Zoned:** The existing “I-1” General Industrial District is an appropriate zoning for the property and surrounding area. The proposed “R-4 CD” Residential Single-Family with a Conditional Use for a Day Care Center is also appropriate. The proposed change is down-zoning the property to a less intense base zoning district, making it consistent with the immediate “R-4” Residential Single-Family to the left. Additionally, the proposed Conditional Use of a Day Care Center is suitable for the residential area. The Conditional Use is also subject to a site plan; therefore, if there are any increases in size or intensity, it would require further public and Council review and approval.
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 objective. Relevant Goals and Policies of the Near Northwest Community Plan may include:

Objective 2.2 Business Development:

Create opportunities for new business development to ensure a diversity of attractive businesses in pedestrian friendly environments.

- 2.2.2 Encourage new business development to locate in existing commercial areas in need of revitalization and promote existing business enhancement.
  - Encourage a mix of uses within the commercial areas including business and residential development.

Objective 3.4 Housing Development:

Encourage new housing development that is compatible with the community's character.

- 3.4.1 Promote development sites available for a mix of housing types.
  - Encourage new developments to reflect the character of the surrounding areas including the provision of alleys.

6. **Size of Tract:** The 1.789-acre site is of sufficient size to accommodate the proposed development.
7. **Other Factors:** 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 applicant is rezoning to develop a Day Care Center.