



City of San Antonio

Agenda Memorandum

Agenda Date: November 16,
2021

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 5

SUBJECT:

Zoning Case Z-2021-10700267
(Plan Amendment PA-11000093)

SUMMARY:

Current Zoning: “MF-33 MLOD-2 MLR-2 AHOD” Multi-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

Requested Zoning: “C-3 MLOD-2 MLR-2 AHOD” General Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: November 16, 2021. Continued from November 2, 2021.

Case Manager: Summer McCann, Planner

Property Owner: Abdelhakim Rafati

Applicant: Abdelhakim Rafati

Representative: Abdelhakim Rafati

Location: 4036 Culebra Road

Legal Description: Lot 23-27, Block 16, NCB 7502

Total Acreage: 0.4642 acres

Notices Mailed

Owners of Property within 200 feet: 31

Registered Neighborhood Associations within 200 feet: Loma Park

Applicable Agencies: Lackland Airforce Base

Property Details

Property History: The subject property was annexed into the City of San Antonio by Ordinance 2590, dated September 5, 1945 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.

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: "C-2"

Current Land Uses: Vacant Lot, Single-Family Dwelling

Direction: East

Current Base Zoning: "C-1"

Current Land Uses: Pharmacy, Hair Salon, Professional Office

Direction: South

Current Base Zoning: "R-6"

Current Land Uses: Single-Family Dwelling

Direction: West

Current Base Zoning: "C-2", "C-3NA"

Current Land Uses: Restaurant

Overlay District Information:

The "MLOD-2" Lackland Military Lighting Overlay District 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.

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: Secondary Arterial A

Proposed Changes: None Known

Public Transit: There are VIA bus routes within walking distance of the subject property

Routes Served: 82, 282

Traffic Impact: A traffic impact analysis may be considered at platting and/or building permit phase.

Parking Information: The minimum parking requirement for Auto and Vehicle Sales is 1 per 500 sf GFA of sales and service building.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: “MF-33” Multi-Family allows multi-family uses up to a density of 33 units per acre.

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:

The subject property is not within a regional center or 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 located within the West Sector Plan and is currently designated as “General Urban Tier”. The proposed “C-3” General Commercial District is not

consistent with the designated land use. The applicant has requested a Plan Amendment to "Regional Center." Staff recommends Denial. The Planning Commission recommendation is pending the November 17, 2021 hearing.

2. **Adverse Impacts on Neighboring Lands:** Staff has found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed "C-3" General Commercial District would allow for intense commercial uses abutting single-family residential zoning and uses.
3. **Suitability as Presently Zoned:** The current "MF-33" Multi-Family District is an appropriate zoning district for the area. The proposed "C-3" General Commercial District will allow for more intense commercial uses to the area. The applicant can rezone to "C-2 CD" Commercial District with a Conditional Use for Motor Vehicle Sales (Full Service) to allow for the intended use and be consistent with the current land use designation.
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 appears to conflict with the following goals, principles, and objectives of the West Sector Plan:
 - Goal LU-1 Land use pattern emphasizes compatibility and appropriateness between uses, and protects neighborhoods and businesses from incompatible land uses
 - Strategy: LU-1.1 Limit encroachment of commercial uses into established low-density residential areas.
 - GOAL LU-3 Existing corridors are transformed, and new corridors are carefully planned to create dynamic, mixed-use, pedestrian oriented nodes that are integrated into the surrounding community
 - LU-3.1 Consider re-zoning corridors in accordance with the West/Southwest Sector Land Use Plan
6. **Size of Tract:** The subject property is approximately 0.4642 acres, which could reasonably accommodate commercial uses.
7. **Other Factors:** The subject property is located within the Lackland AFB 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 that there are no objections to this request.