



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** December 7, 2021

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 5

**SUBJECT:**

Zoning Case Z-2021-10700267 CD

**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-2 CD MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use for Motor Vehicle Sales (Full Service)

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 7, 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 Neighborhood Association, Culebra Park Neighborhood Association

**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 Districts allows multi-family to a density of 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.

The “CD” Conditional Use would allow for Full Service Motor Vehicle Sales.

**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 Approval with Conditions.

If recommended for Approval, staff recommends the following conditions:

- 1) An eight (8) foot solid screened fence abutting residential zoning and/or uses.
- 2) Downward facing lighting, directed away from abutting residential zoning and/or uses.
- 3) A 15-foot Type B Landscape buffer to the rear of the property.

**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 and is currently designated as “General Urban Tier” in the future land use component of the plan. The requested “C-2” 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.
3. **Suitability as Presently Zoned:** The current “MF-33” Multi-Family District is an appropriate zoning for the area. The proposed “C-2 CD” Commercial District with a Conditional Use for Motor Vehicle Sales (Full Service) is also appropriate. This area of Culebra Road consists almost entirely of commercial and multi-family uses. The “C-2” Commercial Districts commonly abut residential uses to provide goods and services to neighborhoods. Additionally, the “CD” Conditional Use allows for consideration of Motor Vehicle Sales (Full Service) as prescribed in site plan and with added Conditions to mitigate potential impacts.
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 does not appear to conflict with the following goals, principles, and objectives of the West/Southwest Sector Plan:

**Goal LU-1** Land use pattern emphasizes compatibility and appropriateness between uses, and protects neighborhoods and businesses from incompatible land uses o 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
  - LU-3.2 Consider the creation of corridor plans for all major corridors within the Sector, such as, but not limited to, Culebra, Potranco, Talley, Highway 90, and Highway 211
6. **Size of Tract:** The subject property is approximately 0.4642 acres, which could reasonably accommodate commercial uses and the proposed motor vehicle sales.
  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,

JBSA was notified of the proposed request. The Military has indicated that there are no objections to this request.

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 "C-2 CD" for Motor Vehicle Sales (Full Service).