



# City of San Antonio

## Legislation Details (With Text)

**File #:** 21-3697

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 6/1/2021

**Title:** ZONING CASE Z-2021-10700094 (Council District 7): A request for a change in zoning from "C-3R MLOD-2 MLR-1 AHOD" General Commercial Restrictive Alcohol Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District and "C-3R MLOD-2 MLR-2 AHOD" General Commercial Restrictive Alcohol Sales Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "MF-33 MLOD-2 MLR-1 AHOD" Multi-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District and "MF-33 MLOD-2 MLR-2 AHOD" Multi-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on 2.295 acres out of NCB 11493, located at 4740 and 4762 Culebra Road. Staff recommends Approval. (Lorianne Thennes, Senior Planner, (210) 207-7945, [lorianne.thennes@sanantonio.gov](mailto:lorianne.thennes@sanantonio.gov), Development Services Department)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 7

**SUBJECT:**  
Zoning Case Z2021-10700094

### SUMMARY:

**Current Zoning:** "C-3R MLOD-2 MLR-1 AHOD" General Commercial Restrictive Alcohol Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District and "C-3R MLOD-2 MLR-2 AHOD" General Commercial Restrictive Alcohol Sales Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** "MF-33 MLOD-2 MLR-1 AHOD" Multi-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District and "MF-33 MLOD-2 MLR-2 AHOD" Multi-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

### BACKGROUND INFORMATION:

**Zoning Commission Hearing Date:** June 1, 2021

**Case Manager:** Lorianne Thennes, Planner

**Property Owner:** Rosenstein Family Limited Partnership

**Applicant:** Tirol Housing, LLC

**Representative:** Killen, Griffin & Farrimond, PLLC

**Location:** 4740 and 4762 Culebra Road

**Legal Description:** 2.295 acres out of NCB 11493

**Total Acreage:** 2.295 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 8

**Registered Neighborhood Associations within 200 feet:** Culebra Park Neighborhood Association

**Applicable Agencies:** Lackland Airforce Base

**Property Details**

**Property History:** The subject property was annexed by Ordinance 18115, dated September 24, 1952 was originally zoned “A” Single Family Residential District. The property was rezoned to “B-2” Business District by Ordinance 40331, dated January 27, 1972. The property was rezoned to “B-3R” Restrictive Business District by Ordinance 52636, dated August 14, 1980. The previous “B-3R” district converted to the current “C-3R” district in the zoning district conversion that accompanied the adoption of the 2001 UDC, according to Ordinance 93881 in May 2001.

**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:** “MF-33” and “UZROW”

**Current Land Uses:** Culebra Road and apartments

**Direction:** East

**Current Base Zoning:** “MF-33” and “C-2 CD”

**Current Land Uses:** Vacant

**Direction:** South

**Current Base Zoning:** “MF-33”

**Current Land Uses:** Vacant, apartments

**Direction:** West

**Current Base Zoning:** “C-3R” and “C-3”

**Current Land Uses:** Auto paint and body shop, dollar store, church

### **Overlay and Special District Information:**

#### **"MLOD-2"**

All surrounding properties carry the "MLOD-2" Military Lighting Overlay District, due to their proximity to Lackland Air Force Base. The "MLOD-2" 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.

#### **"AHOD"**

All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

### **Transportation**

**Thoroughfare:** Culebra Road

**Existing Character:** Secondary Arterial A

**Proposed Changes:** None

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

**Routes Served:** 82, 282

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** The minimum parking requirement for multi-family apartments is 1.5 spaces per unit.

**ISSUE:** None.

### **ALTERNATIVES:**

**Current:** The current "C-3R" General Commercial Restrictive Alcohol Sales District permit general commercial activities designed to serve the community such as repair shops, wholesale businesses, warehousing and limited retail sales with some outdoor display of goods. These districts promote a broad range of commercial operations and services necessary for large regions of the city, providing community balance. "C-3" districts are designed to provide for more intensive commercial uses than those located within the "NC," "C-1," "C-2" or "C-3" zoning districts. "C-3" uses are typically characterized as community and regional shopping centers, power centers and/or assembly of similar uses into a single complex under either single ownership or the structure of a property owners or condominium styled organization. "C-3" districts should incorporate shared internal circulation and limited curb cuts to arterial streets. District regulations within the "C-3R" district are the same as in "C-3" districts except that no sales of alcoholic beverages for on-premises consumption shall be permitted.

**Proposed:** The proposed "MF-33" Multi-Family District is the designation for multi-family use with a maximum density of up to thirty-three (33) units per acre, depending on unit size. An "MF-33" district designation may be applied to a use in a multi-family residential area located near supporting transportation and commercial facilities in a centrally located area or in an area for which medium density multi-family use is desired.

### **FISCAL IMPACT:**

None.

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

The property is not within a regional center but is within a 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 the approval criteria below.

**1. Consistency:**

The subject property is located within the West Sector Plan and is currently designated as “General Urban Tier.” The requested “MF-33” 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. This request is consistent with the “MF-33” to the north and south of the subject property.

**3. Suitability as Presently Zoned:**

The current “C-3R” General Commercial Restrictive Alcohol Sales District is an appropriate zoning for the property and surrounding area. However, the proposed “MF-33” Multi-Family District is a more appropriate district for these properties and is well established in the area. “MF-33” satisfies the goals of the community plan, which calls for “provid[ing] a range of housing types and prices to accommodate all residents” and “well maintained housing.”

**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 Sector Plan:

HOU-1.2- Provide a range of housing types and prices to accommodate all residents within the Sector and within the same neighborhood

HOU-2- New housing developments locate near existing community facilities, schools, and physical infrastructure (e.g., streets, water, sewer, etc.) with sufficient capacity to serve new developments

HOU-3- Housing is well maintained to help ensure the long-term viability of neighborhoods

**6. Size of Tract:**

The subject property is 2.295 acres, which could reasonably accommodate multi-family apartments.

**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.