



# City of San Antonio

## Agenda Memorandum

**File Number:** 15-1375

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**Agenda Item Number:** Z-15.

**Agenda Date:** 2/19/2015

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** Council District 8

**SUBJECT:**

Zoning Case Z2015072

**SUMMARY:**

**Current Zoning:** "C-3" General Commercial District and "MF-33" Multi-Family District

**Requested Zoning:** "MF-40" Multi-Family District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** January 20, 2015 (This is the first public hearing for this zoning case.)

**Case Manager:** Brenda V. Martinez, Planner

**Property Owners:** Eleanor Petty & Elizabeth Oliver

**Applicant:** Godfrey Residential Group c/o John Godfrey

**Representative:** Brown & Ortiz, P.C. (c/o James McKnight)

**Location:** A portion of the 11000 Block of Huebner Oaks

**Legal Description:** Parcel 13, NCB 14857

**Total Acreage:** 9.208

**Notices Mailed**

**Owners of Property within 200 feet:** 7

**Registered Neighborhood Associations within 200 feet:** None

**Planning Team:** North Sector Plan - 39

**Applicable Agencies:** None

## **Property Details**

**Property History:** The subject property is currently undeveloped and was annexed in 1972. The subject site was originally zoned “Temp R-1” Temporary Single-Family Residence District. In a 1994 case, the property was rezoned to “B-3” Business District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current “C-3” General Commercial District.

**Topography:** The property has a slight slope, and an abundance of grasses, shrubs and trees. The property does not include any abnormal physical features such as inclusion in a flood plain.

## **Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** “MF-33”

**Current Land Uses:** Apartments

**Direction:** South and West

**Current Base Zoning:** “C-3”

**Current Land Uses:** Movie Theater and Retail Center

**Direction:** East

**Current Base Zoning:** “C-2”

**Current Land Uses:** Apartments

**Overlay and Special District Information:** None.

## **Transportation**

**Thoroughfare:** Huebner Oaks

**Existing Character:** Collector Street; 1 lane in each direction.

**Proposed Changes:** None known.

**Thoroughfare:** IH-10 West

**Existing Character:** Freeway; 8 lanes

**Proposed Changes:** None known.

**Thoroughfare:** Huebner Road

**Existing Character:** Primary Arterial Type A Street; 3 lanes in each direction

**Proposed Changes:** None known.

**Public Transit:** The nearest VIA bus lines are the number 603 line and the 96 line, which operate along Huebner Oaks and Huebner Road.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is required. A traffic engineer must be present at the Zoning Commission Meeting.

**Parking Information:** Multi-Family Dwellings - Minimum Parking Requirement: 1.5 spaces per unit.  
Maximum Parking Allowance: 2 spaces per unit.

## **ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current commercial zoning; restricting future land uses to those permissible in a C-3 zoning district.

**FISCAL IMPACT:**

None. The applicant has paid the required zoning fees.

**RECOMMENDATION:**

Staff and Zoning Commission (8-0) recommend 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 North Sector Plan and is currently designated as “Mixed Use Center” in the Future Land Use Plan. The requested “MF-40” Multi-Family District is consistent with the future land use designation.

**2. Adverse Impacts on Neighboring Lands:**

Staff has found no evidence of likely adverse impacts on surrounding properties. Staff finds the proposed use to be appropriate as the property is surrounded by other properties of similar use and/or zoning district with access to IH-10 West and Huebner Road.

**3. Suitability as Presently Zoned:**

The existing “C-3” zoning district is not consistent with the adopted land use designation.

The uses permitted in the “C-3” district are typically considered “regional commercial” uses, and are most appropriately located at the intersections of arterial thoroughfares and expressways, on large-acreage lots in an effort to minimize the impact of increased traffic, noise, and lighting on surrounding properties by ensuring sufficient area to accommodate building setbacks and landscape buffer requirements.

The property is located between an arterial thoroughfare (Huebner Road) and an expressway (IH-10), with substantial amounts of intense commercial zoning. Staff believes the proposed use will be compatible with the surrounding land uses and overall character of the area.

**4. Health, Safety and Welfare:**

Staff has found no indication of likely adverse effects on the public health, safety or welfare.

**5. Public Policy:**

The existing “C-3” and “MF-33” zoning is not consistent with the adopted “Mixed Use Center” land use designation.

**6. Size of Tract:**

The subject property measures 9.208 acres. Should the requested rezoning be approved, the subject property could accommodate a multi-family development with up to approximately 368 dwelling units. The applicant is proposing approximately 367 dwelling units for the entire site.

**7. Other Factors:**

None.