



# City of San Antonio

## Legislation Details (With Text)

**File #:** 16-1519

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 2/18/2016

**Title:** ZONING CASE # Z2016036 CD (Council District 8): An Ordinance amending the Zoning District Boundary from "O-2" Office District to "C-2 CD" Commercial District with Conditional Use for Automotive and Light Truck Repair on 0.233 acres of land out of NCB 14702, located at 9617 Huebner Road. Staff recommends Approval. Zoning Commission recommends Approval, with Conditions.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2016-036 Location Map, 2. Z2016036 Site Plan, 3. Z2016036 CD Zoning Minutes, 4. Draft Ordinance, 5. Ordinance 2016-02-18-0143

Date	Ver.	Action By	Action	Result
2/18/2016	1	City Council A Session	Motion to Appr w Cond	Pass

**DEPARTMENT:** Development Services

**COUNCIL DISTRICTS IMPACTED:** 8

**SUBJECT:**

Zoning Case Z2016036 CD

**SUMMARY:**

**Current Zoning:** "O-2" High Rise Office District

**Requested Zoning:** "C-2 CD" Commercial District with Conditional Use for Automotive and Light Truck Repair

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** January 19, 2016. This case is continued from the December 15, 2015 hearing.

**Case Manager:** Shepard Beamon, Planner

**Property Owner:** Merlin 21 Real Estate Holdings, LLC Timothy Theodore Duncan

**Applicant:** Macina, Bose Copeland & Associates Inc. c/o Jesus A. (Tony) Pena

**Representative:** Jesus A. (Tony) Pena w/ Macina, Bose Copeland & Associates Inc.

**Location:** 9617 Huebner Road

**Legal Description:** 0.233 acres of land out of NCB 14702

**Total Acreage:** 0.233

**Notices Mailed**

**Owners of Property within 200 feet:** 15

**Registered Neighborhood Associations within 200 feet:** Oakland Estates

**Planning Team:** Oakland Estates Neighborhood Plan

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio on December 26, 1972 (Ordinance # 41426). According to available records, the property was originally zoned Temporary “R-1” Single-Family Residence based on the 1938 zoning districts. On October 14, 1999, the subject property was rezoned from “R-1” to “O-1” Office District and “B-3 NA” Nonalcoholic Sales Business District (Ordinance # 90679). Upon the adoption of the 2001 Unified Development Code, “O-1” and “B-3NA” base zonings have been converted to “O-2” High-Rise Office District and “C-3NA” General Commercial District.

**Topography:** None.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** RE

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

**Direction:** East

**Current Base Zoning:** C-2

**Current Land Uses:** Medical Services

**Direction:** South

**Current Base Zoning:** C-2

**Current Land Uses:** Offices, Commercial Uses, Restaurant, Vacant Lot

**Direction:** West

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

**Current Land Uses:** Retail, Salon, Optical, Vacant Lot

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

**Transportation**

**Thoroughfare:** Huebner Road

**Existing Character:** Primary Arterial Type A

**Proposed Changes:** None known

**Public Transit:** VIA Bus Route 522 stop near the subject property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) report is not required. The traffic generated by the proposed

development does not exceed the threshold requirements

**Parking Information:**

Auto - Auto & Light Truck Repair. Minimum Vehicle Spaces: 1 per 500 sf GFA including service bays, wash tunnels, and retail areas plus 2 additional spaces for each inside service bay. Maximum Vehicle Spaces: 1 per 375 sf GFA including service bays, wash tunnels, and retail areas plus 2 additional spaces for each inside service bay.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present “O-2” zoning district designation.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval. Zoning Commission recommends Approval, with Conditions (9-0).

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

**1. Consistency:**

The property is located within the Oakland Estates Neighborhood Plan and is designated as Community Commercial. Both the proposed and existing base zoning districts are consistent with the adopted land use designation.

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

Staff has found no evidence of likely adverse impacts on surrounding properties in relation to this zoning request.

**3. Suitability as Presently Zoned:**

The existing “O-2” zoning district is appropriate for the subject property and surrounding areas, however, the requested “C-2” zoning is also appropriate. The requested “C-2” will allow the applicant to expand the existing auto repair business, which is compatible with the surrounding neighborhood.

**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 request does not appear to conflict with any public policy objective. The zoning request fulfills the goals and strategies of the Oakland Estates Neighborhood Plan, by preserving existing single-family developments, while locating most commercial uses at nodes, or along highly traversed corridors.

**6. Size of Tract:**

The subject property is 0.233 acres in size, which accommodates the proposed development for a variety store.

**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 following conditions were recommended by the Zoning Commission:

- 1) Garbage receptacles screened
- 2) Monument signage only
- 3) No outside speakers
- 4) Cut-off lighting only; light source no higher than 15-feet
- 5) 6-foot masonry or solid wood fence at the rear of the property
- 6) Type D buffer on any part of the property adjoining interior parcels zoned or used for residential
- 7) 50-foot structure setback from the rear property line
- 8) Hours of operation limited to 8:30 a.m. to 6:30 p.m., Monday through Friday