



City of San Antonio

Agenda Memorandum

File Number:16-1519

Agenda Item Number: Z-22.

Agenda Date: 2/18/2016

In Control: City Council A Session

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