



# City of San Antonio

## Agenda Memorandum

---

**Agenda Date:** March 10, 2025

**In Control:** Board of Adjustment Meeting

**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon, Director

**CASE NUMBER:** BOA-25-10300024

**APPLICANT:** Methodist Healthcare System of San Antonio, Ltd., LLP

**OWNER:** Methodist Healthcare System of San Antonio, Ltd., LLP

**COUNCIL DISTRICT IMPACTED:** District 1

**LOCATION:** 410 Ogden Street

**LEGAL DESCRIPTION:** Lot 2, Lot 3, and Lots 5- 9, Block 21, NCB 388

**ZONING:** "C-2 S UC-5 AHOD" Commercial Main Ave./McCullough Ave. Urban Corridor Airport Hazard Overlay District with a Specific Use Authorization for a Hospital

**CASE MANAGER:** Manuel Mottu, Planner

**A request for**

An 11' variance from the minimum 15' setback required by the UC-5 Main Ave./McCullough Ave. Urban Corridor District to allow for a 4' setback along East Laurel Street.  
Section 28-69(d)

**Executive Summary**

The subject property is located within the Tobin Hill area, along the McCullough Avenue Corridor and sitting adjacent to the Methodist Hospital Metropolitan. The applicant is seeking an 11' variance from the 15' setback along East Laurel Street required by the UC-5 Urban Corridor Overlay to allow for the proposed development of a new parking garage which will service the Methodist Hospital Metropolitan. The current "C-2" Commercial District does not require setbacks unless abutting a residential use or zone per UDC Sec. 35-310.01 Table 310-1; thus, the applicant is requesting a 4' side setback.

**Code Enforcement History**

No Code Enforcement history found.

**Permit History**

The applicant has not yet applied for the building permit.

**Zoning History**

The subject property was located within the Original 36 square miles of the City of San Antonio and was zoned "D" Apartment District, "E" Office District, and "F" Local Retail District. The property was rezoned by Ordinance 72261, dated September 13th, 1990, from "D" Apartment District, "E" Office District, and "F" Local Retail District to "B-2 CC" Business District with City Council approval for a Hospital. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B-2 CC" Business District with City Council approval for a Hospital was converted to "C-2 S" Commercial District with a Specific Use Authorization for a Hospital.

**Subject Property Zoning/Land Use****Existing Zoning**

"C-2 S UC-5 AHOD" Commercial Main Ave./McCullough Ave. Urban Corridor Airport Hazard Overlay District with a Specific Use Authorization for a Hospital

**Existing Use**

Parking Lot

**Surrounding Property Zoning/ Land Use****North****Existing Zoning**

"C-3 UC-5 AHOD" General Commercial Main Ave./McCullough Ave. Urban Corridor Airport Hazard Overlay District and "MF-33 UC-5 AHOD" Multi-Family Main Ave./McCullough Ave. Urban Corridor Airport Hazard Overlay District

**Existing Use**

Food Service Establishment, Office

**South****Existing Zoning**

"C-2 S UC-5 AHOD" Commercial Main Ave./McCullough Ave. Urban Corridor Airport Hazard Overlay District with a Specific Use Authorization for a Hospital

**Existing Use**

Office

**East****Existing Zoning**

"C-2 S UC-5 AHOD" Commercial Main Ave./McCullough Ave. Urban Corridor Airport Hazard Overlay District with a Specific Use Authorization for a Hospital

**Existing Use**

Hospital

## **West**

### **Existing Zoning**

“C-2 UC-5 AHOD” Commercial Main Ave./McCullough Ave. Urban Corridor Airport Hazard Overlay District

### **Existing Use**

Parking Lot

### **Comprehensive Plan Consistency/Neighborhood Association**

The subject property is in the Midtown Area Regional Center Plan and is designated as “Regional Mixed-Use” in the future land use component of the plan. The subject property is located within the notification area of Tobin Hill Community Neighborhood Association, the San Antonio African American Community Archive Museum, San Antonio Texas District One Resident Association, and they have been notified of the request.

### **Street Classification**

Ogden Street is classified as a Local Street.

East Laurel Street is classified as a Local Street

East Evergreen Street is classified as a Local Street

McCullough Avenue is classified as a Secondary Arterial Type B

### **Criteria for Review – Urban Corridor Setback Variance**

According to Section 35-482(e) of the UDC, in order for a variance to be granted, the applicant must demonstrate all of the following:

#### *1. The variance is not contrary to the public interest.*

The public interest is defined as the general health, safety, and welfare of the public. In this case, the public interest is represented by minimum setback requirements along a corridor. Staff finds the reduced setbacks to be consistent with other structures along the corridor in the immediate vicinity, and not out of character for the urban corridor district.

#### *2. Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship.*

Staff found special conditions existing on the property as limited development space is available for constructing a parking garage in a configuration that minimizes disruption to the corridor.

#### *3. By granting the variance, the spirit of the ordinance will be observed, and substantial justice will be done.*

The spirit of the ordinance is defined as the intent of the code, rather than the exact letter of the law. The request appears to be in the spirit of the ordinance, as the variance will leave sufficient space in the side yard.

*4. The variance will not authorize the operation of a use other than those uses specifically authorized in the zoning district in which the variance is located.*

No uses other than those allowed within the district will be allowed with this variance.

*5. Such variance will not substantially injure the appropriate use of adjacent conforming property or alter the essential character of the district in which the property is located.*

If granted, the urban corridor setback variance will not substantially injure the appropriate use of the adjacent conforming properties. Reduced front setbacks exist in the immediate area, along the corridor overlay.

*6. The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not merely financial, and are not due to or the result of general conditions in the district in which the property is located.*

Staff finds the plight of the owner of the property for which the variance is sought is due to unique circumstances exist on and near the property, such as the irregular shaped lot and the proximity of adjacent properties.

#### **Alternative to Applicant's Request**

The alternative to the applicant's request is to conform to the urban corridor setback requirements of the UDC Section 28-69(d).

#### **Staff Recommendation – Urban Corridor Setback Variance**

Staff recommends Approval in BOA-25-10300024 based on the following findings of fact:

1. Unique circumstances exist on and near the property, such as the irregular shaped lot and the proximity of adjacent properties.
2. The proposed development's design and placement is equivalent to the surrounding structures located in the immediate vicinity.