



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** September 7, 2023

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 8

**SUBJECT:**  
ZONING CASE Z-2023-10700158 CD

**SUMMARY:**

**Current Zoning:** "O-2" High-Rise Office District, "C-2 CD" Commercial District with a Conditional Use for Auto and Light Truck Repair, "C-3NA" General Commercial Nonalcoholic Sales District

**Requested Zoning:** "C-2NA CD" Commercial Nonalcoholic Sales District with a Conditional Use for Auto and Light Truck Repair

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** August 1, 2023

**Case Manager:** Camryn Blackmon, Zoning Planner

**Property Owner:** MERLIN21 REAL ESTATE HOLDINGS, LLC

**Applicant:** Macina Bose, Copeland & Associates Inc.

**Representative:** MBC Engineers

**Location:** 9617 Huebner Road

**Legal Description:** 1.728 acres out of NCB 14702

**Total Acreage:** 1.728 acres

**Notices Mailed****Owners of Property within 200 feet:** 21**Registered Neighborhood Associations within 200 feet:** Oakland Estates**Applicable Agencies:** Planning Department**Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 4142, dated December 25, 1972, and zoned Temporary “R-1” Single-Family Residence District. The property was rezoned by Ordinance 59364, dated September 6, 1984, to “B-2” Business District. A portion of the property was rezoned by Ordinance 90679, dated October 14, 1999, to “O-1” Office District and “B-2NA” Non-Alcoholic Sales Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “B-2” Business District, “O-1” Office District, and “B-2 NA” Non-Alcoholic Sales Business District converted to the current “C-2” Commercial District, “O-2” High-Rise Office District, and “C-3 NA” General Commercial Nonalcoholic Sales District respectively. A portion of the property was rezoned by Ordinance 2016-02-18-0143, dated February 18, 2016, to “C-2 CD” Commercial District with a Conditional Use for Auto and Light Truck Repair.

**Topography:** The property does not include any abnormal physical features such as slope or incursion in a floodplain.

**Adjacent Base Zoning and Land Uses****Direction:** North**Current Base Zoning:** "RE"**Current Land Uses:** Single-Family Dwelling**Direction:** East**Current Base Zoning:** “C-2”**Current Land Uses:** MRI Center**Direction:** South**Current Base Zoning:** “C-2” and “C-3R”**Current Land Uses:** Medical Offices**Direction:** West**Current Base Zoning:** "C-3 NA"**Current Land Uses:** Office**Overlay District Information:**

None.

**Special District Information:**

None.

## **Transportation**

**Thoroughfare:** Huebner Road

**Existing Character:** Primary Arterial A

**Proposed Changes:** None Known

**Thoroughfare:** Babcock Road

**Existing Character:** Secondary Arterial A

**Proposed Changes:** None Known

**Public Transit:** There is public transit within walking distance of the subject property.

**Routes Served:** 503, 522

**Traffic Impact:** A Traffic Impact Worksheet was submitted. Any additional traffic requirements will be reviewed at the build permit phase of the project.

**Parking Information:** The minimum parking requirement for Truck Repair and Maintenance is 1 per 500 sf GFA including service bays, wash tunnels and retail areas. The maximum parking requirement is 1 per 375 sf GFA including service bays, wash tunnels and retail areas.

## **ISSUE:**

None.

## **ALTERNATIVES:**

Current Zoning: "O-2" High Rise Office District provides for the establishment of low to high-rise office buildings. Examples of permitted uses include offices, parks, and schools. Other uses listed as "permitted" in the UDC Nonresidential Use Matrix are only allowed as accessory uses to a primary and principal office use. A minimum 65 foot buffer zoned NC, C-1 or O-1 shall be provided when abutting residential uses or zoning. Outdoor display or sale of merchandise is prohibited.

"C-3NA" General Commercial Nonalcoholic Sales Districts are identical to C-3 districts except that the sale of alcoholic beverages is prohibited.

"C-2 CD" Commercial District accommodates community commercial uses, with unlimited building size, and building height limitation of 25 feet. Examples of permitted uses: liquor store, miniature golf and other indoor gaming facilities, small indoor movie theater, pet cemetery, auto & light truck oil, lube & tune-up, auto glass tinting, tire repair (sale and installation only), gas station, appliance sales & repair, charitable food & clothing banks and dry cleaning. No outdoor storage or display of goods shall be permitted except for outdoor dining.

The "CD" Conditional Use permits Auto and Light Truck Repair on the property.

Proposed Zoning: "C-2 CD" Commercial District accommodates community commercial uses, with unlimited building size, and building height limitation of 25 feet. Examples of permitted uses: liquor store, miniature golf and other indoor gaming facilities, small indoor movie theater, pet cemetery, auto & light truck oil, lube & tune-up, auto glass tinting, tire repair (sale and installation

only), gas station, appliance sales & repair, charitable food & clothing banks and dry cleaning. No outdoor storage or display of goods shall be permitted except for outdoor dining.

If approved, the “CD” Conditional Use would permit Auto and Light Truck Repair on the property.

**FISCAL IMPACT:**

None.

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

Subject property is located with the Medical Center Regional Center but is not within ½ a mile from any Premium Transit Corridor

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission recommend Approval.

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

1. **Consistency:** The subject property is located within the Oakland Estates Neighborhood Plan and is currently designated as “Community Commercial” in the future land use component of the plan. The requested “C-2” base zoning district 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. The proposed use is consistent with the established development pattern of the surrounding area.
3. **Suitability as Presently Zoned:** The existing "O-2" High-Rise Office District, "C-2 CD" Commercial District with a Conditional Use for Auto and Light Truck Repair, and "C-3NA" General Commercial Nonalcoholic Sales District are appropriate zonings for the property and surrounding area. The proposed "C-2NA CD" Commercial Nonalcoholic Sales District with a Conditional Use for Auto and Light Truck Repair is also appropriate. The applicant is requesting the change of zoning to consolidate the various zoning districts on the property. The proposed use is appropriate along Huebner Road, a Primary Arterial A road, consistent with the established commercial uses along the road.
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 request does/does not appear to conflict with any public policy objective of the SA Tomorrow Comprehensive Plan.

**Relevant Goals and Policies of the SA Tomorrow Comprehensive Plan may include:**

- JEC Goal 1: Employment is focused in the city’s 13 Regional Centers, in site-specific locations in Urban Centers and along mobility corridors, providing easy connectivity for San Antonio’s residents and businesses.

- JEC Goal 2: Employment is focused in the city's 13 Regional Centers, in site-specific locations in Urban Centers and along mobility corridors, providing easy connectivity for San Antonio's residents and businesses.
  - GCF Goal 2: Priority growth areas attract jobs and residents.
6. **Size of Tract:** The 1.728-acre site is of sufficient size to accommodate the proposed commercial development.
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 applicant is rezoning to develop Auto and Truck Repair shop.