



City of San Antonio

Agenda Memorandum

Agenda Date: January 17, 2023

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 8

SUBJECT:

Zoning Case Z-2022-10700318 (Associated Plan Amendment PA-2022-11600108)

SUMMARY:

Current Zoning: "C-2" Commercial District

Requested Zoning: "C-3" General Commercial District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: January 17, 2023

Case Manager: Adolfo Gonzalez, Planner

Property Owner: 9850 Huebner, Ltd.

Applicant: Robert Braubach

Representative: Robert Braubach

Location: 9850 Huebner Road

Legal Description: Lot 33, Block 1, NCB 17195

Total Acreage: 1.042

Notices Mailed

Owners of Property within 200 feet: 18

Registered Neighborhood Associations within 200 feet: Oakland Estates Neighborhood Association

Applicable Agencies: Medical Center Plan

Property Details

Property History: The property was annexed into the City of San Antonio by Ordinance 41426, dated December 25, 1972, and zoned “B-2” Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “B-2” Business District converted to the current “C-2” Commercial District.

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:

Current Land Uses: Sports Medicine and Rehabilitation Center

Direction: East

Current Base Zoning:

Current Land Uses: Feed Store

Direction: South

Current Base Zoning:

Current Land Uses: Self Storage Facility

Direction: West

Current Base Zoning:

Current Land Uses: Laundry Cleaners

Overlay District Information:

None

Special District Information:

None

Transportation

Thoroughfare: Huebner Road

Existing Character: Primary Arterial A

Proposed Changes: None known

Thoroughfare: Golden Quail

Existing Character: Local

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 for an Office Warehouse is 1 per 2,000 sf GFA. The maximum parking for an Office Warehouse is 1 per 200 sf GFA.

ISSUE:
None.

ALTERNATIVES:

Current Zoning: C-2 districts accommodate 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.

Proposed Zoning: C-3 districts are intended to provide for more intensive commercial uses than those located within the NC, C-1 or C-2 zoning districts. C-3 uses are typically characterized as regional shopping centers, power centers, and/or assembly of similar uses into a single complex. There are no building size limitations, and building height is limited to 35 feet. Examples of permitted uses: bar/tavern & nightclub, amusement/theme parks, dance hall, indoor movie theater, auto repair, auto sales, auto glass sales (installation permitted), auto muffler (sales and installation only), hotel, bookbinder, dry cleaning or laundry plant, indoor flea market, home improvement center, body piercing/massage/tattoo parlor. No outdoor storage is permitted. Outdoor operations and display shall be permitted in areas which are screened as provided in 35-510 of the Unified Development Code.

FISCAL IMPACT:
None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The Subject property is located with the Medical Center Area Regional Center and not within ½ a mile from the Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Denial. Planning Commission recommendation is Pending.

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 Medical Center Area Regional Center Plan and is currently designated as “Urban Mixed Use” in the future land use component of the plan. The requested “C-3” zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “Regional Mixed Use”. Staff recommend Denial. Planning Commission recommendation is pending.
2. **Adverse Impacts on Neighboring Lands:** Staff finds evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is not consistent with the established development pattern of the surrounding area.
3. **Suitability as Presently Zoned:** The existing “C-2” Commercial District is an appropriate zoning for the property and surrounding area. The proposed “C-3” General Commercial District is not an appropriate zoning for the property and surrounding area. The proposed “C-3” base zoning development does not align with future land use designation and will be out of character for the property and surrounding area. The area follows future land development pattern established by the Medical Center Area Regional Center Plan adopted on October 3, 2019. In accordance with the Medical Center Area Regional Center Plan, a “C-3” base zoning district will be too high intensity for the area and should be established where mid-rise and high-rise buildings are located. Staff believes the applicant can use the current land use and zoning of “C-2” Commercial and add only a “CD” Conditional Use for any specific use they require.
4. **Health, Safety and Welfare:** Staff has found indication of likely adverse effects on the public health, safety, or welfare.
5. **Public Policy:** The request does appear to conflict with public policy objective of the Medical Center Area Regional Center Plan. Policies from the Medical Center Area Regional Center Plan include:
 - Land Use Recommendation #1: Ensure that properties in areas designated as Regional Mixed-Use are zoned to accommodate a high intensity of development activity, so that they can serve as a hub for this regional center.
 - Focus Area Recommendation #1: Update zoning and design standards to support the unique vision for each focus area, create high-quality places, support transportation choices, and avoid impacts to sensitive natural features.
 - Strategy 3.3: Utilize flexible zoning tools that are defined in the City’s Unified Development Code, such as density bonuses and Transfer of Development Rights, in the Medical Center Area, particularly in areas designated as Regional Mixed-Use, Urban Mixed-Use and High Density Residential. In some cases, these tools could be used in lieu of rezoning.
 - Strategy 4.1: Review the land use map and existing zoning of properties within focus areas and other important mixed-use areas to identify potential City-initiated rezoning needed to encourage mixed-use developments that include a variety of housing types.
6. **Size of Tract:** The 1.042 acre site is not of sufficient size to accommodate the proposed commercial development.
7. **Other Factors:** The applicant intends to rezone for commercial flexibility in the future including office warehousing in relation to the abutting laundry cleaners.