



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** February 20, 2024

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 8

**SUBJECT:**

ZONING CASE Z-2023-10700375 S

**SUMMARY:**

**Current Zoning:** "MXD" Mixed Use District with a maximum density of sixty-five (65) units per acre.

**Requested Zoning:** "C-2 S" Commercial District with a Specific Use Authorization for a Convenience Store with Gasoline Filling Station and gas tanks having 50,001 gallons or more total tank capacity within 200-feet of multi-family zoning and uses.

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** February 20, 2024

**Case Manager:** Vincent Trevino; Senior Zoning Planner

**Property Owner:** KLRN Endowment Fund, Inc c/o Martin Wender

**Applicant:** QT South, LLC c/o Catherine Garland

**Representative:** QT South, LLC c/o Catherine Garland

**Location:** 11306 Huebner Road

**Legal Description:** Lot P-6; NCB 15017

**Total Acreage:** 4.837

**Notices Mailed****Owners of Property within 200 feet:** 47**Registered Neighborhood Associations within 200 feet:** NA**Applicable Agencies:** N/A**Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 41428, dated December 25, 1972 and zoned Temporary “R-1” Single-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned Temporary “R-1” Single-Family Residence District converted to the current “R-6” Residential Single-Family District. The property was rezoned by Ordinance 2022-04-07-0257, dated April 17, 2022 to “MXD” Mixed-Use District with a maximum density of sixty-five (65) units per acre.

**Code & Permitting Details:** There is no code enforcement or permitting history for the subject property.

**Topography:** The subject property includes trees and appears to have some slope within the property.

**Adjacent Base Zoning and Land Uses****Direction:** North**Current Base Zoning:** “C-2”**Current Land Uses:** Commercial District**Direction:** South**Current Base Zoning:** “C-2”, “MF-50”**Current Land Uses:** Commercial District, Multi-Family**Direction:** East**Current Base Zoning:** “MF-33”**Current Land Uses:** Multi-Family**Direction:** West**Current Base Zoning:** UZROW, “C-3”**Current Land Uses:** UZROW, General Commercial**Overlay District Information:**

N/A

**Special District Information:**

No Special District Information

**Transportation****Thoroughfare:** Huebner Road**Existing Character:** Principal Primary Arterial A

**Proposed Changes:** None

**Thoroughfare:** Expo Boulevard

**Existing Character:** Local

**Proposed Changes:** None

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

**Routes Served:** 96, 503, 603

**Traffic Impact:** The traffic generated by the proposed development has increase, it does exceed the threshold requirements. Development generates more than seventy-six (76) PHT Sec. 35-502. A TIA Report will be Required.

**Parking Information:** The minimum parking requirements for gasoline filling station - w/o repair service (car wash allowed) is 1 per 500 sf GFA including service bays, wash tunnels and retail areas.

**ISSUE:**

None

**ALTERNATIVES:**

Current Zoning: To provide a concentrated mix of residential, retail, service, and office uses.

Proposed 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.

The "S" Specific Use Authorization will allow for Gasoline Filling Station and gas tanks having 50,001 gallons or more total tank capacity within 200-feet of multi-family zoning and uses.

**FISCAL IMPACT:**

None

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

Subject property is not located within a Regional Center and within ½ a mile from the Fredericksburg Premium Transit Corridor

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff Recommends 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 North Sector Plan, adopted in 2010, and is currently designated as Mixed Use Center 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. The surrounding zoning consists of “C-2” Commercial District, “C-3” General Commercial District, and “MF-50” Multi-Family. Surrounding properties are “C-2” Commercial, “C-3” General Commercial and “Mf-33” Multi-Family zoning district.
3. **Suitability as Presently Zoned:** The existing "MXD" Mixed Use District is an appropriate zoning for the property and surrounding area. The requested "C-2" Commercial District is also an appropriate zoning for the property and surrounding area. There are a variety of existing uses, ranging retail, multi-family residential, to commercial, all within a 200-foot radius. The “C-2” base zoning designation is a more appropriate district within the mixed adjacent uses, offering commercial services for nearby businesses and residential neighborhoods. The proposed “C-2 S” with a Specific Use Authorization for a Convenience Store with Gasoline Filling Station and gas tanks having 50,001 gallons or more total tank capacity within 200-feet of multi-family zoning and uses is appropriate for the property.
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 not appear to conflict with any public policy objective. 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.Relevant Goals and Strategies of the North Sector Plan may include:
  - ED-1.3 Continue to maintain and revitalize the North Sector to retain and expand vibrant retail and commercial uses within the IH-10, IH-35, Loop 410 and Loop 1604 corridors and/or centers.
  - Goal LU-1 Compatible land use pattern promoted so that natural resources are preserved and the local economy remains viable.
  - LU-3.1 Set priority for pursuing a compatible and highest and best use for development of vacant infill and underutilized parcels between Loop 1604 and Loop 410 in a compatible manner as recommended in the Sector Land Use Plan.
6. **Size of Tract:** The subject property is 4.837 acres, which can reasonably accommodate the proposed development.
7. **Other Factors:** The purpose of the Specific Use Authorization is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are

not generally permitted in certain zoning districts as a matter of right, but may, under the right set of circumstances and conditions be acceptable in certain specific locations. The applicant is rezoning to develop a Gasoline Filling Station and gas tanks having 50,001 gallons or more total tank capacity within 200-feet of multi-family zoning and uses.

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The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates commercial uses.