



# City of San Antonio

## Agenda Memorandum

**File Number:**13-612

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**Agenda Item Number:** Z-6.

**Agenda Date:** 10/17/2013

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** Council District 8

**SUBJECT:**

Zoning Case Z2013194 CD

**SUMMARY:**

**Current Zoning:** "R-20 UC-1 GC-1 MSAO-1 MLOD-1" Residential Single-Family IH-10/FM 1604 Urban Corridor Overlay Hill Country Gateway Corridor Overlay Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay District and "R-20 GC-1 MSAO-1 MLOD-1" Residential Single-Family Hill Country Gateway Corridor Overlay Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay District

**Requested Zoning:** "C-2 CD UC-1 GC-1 MSAO-1 MLOD-1" Commercial IH-10/FM 1604 Urban Corridor Overlay Hill Country Gateway Corridor Overlay Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay District with a Conditional Use for Motor Vehicles Sales and "C-2 CD GC-1 MSAO-1 MLOD-1" Commercial Hill Country Gateway Corridor Overlay Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay District with a Conditional Use for Motor Vehicles Sales

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 17, 2013

**Case Manager:** Pedro Vega, Planner

**Property Owner:** Maurice E. Reagan and the estate of Marcia J. Reagan (by Maurice E. Reagan, individually and as executor)

**Applicant:** Kahlig Motor Company (William F. Vaughn, Jr., Vice President)

**Representative:** Brown & Ortiz, P. C. (James Griffin)

**Location:** 6930 and 6910 Oak Drive

**Legal Description:** 3.991 acres out of Lots 8A and 8B, NCB 35733

**Total Acreage:** 3.991

**Notices Mailed**

**Owners of Property within 200 feet:** 11

**Neighborhood Associations:** Friends of Friedrich Wilderness Park

**Planning Team Members:** 42 (North Sector Plan)

**Applicable Agencies:** The Camp Bullis Military Installation

**Property Details**

**Property History:** The subject property was annexed in December of 1989 and was originally zoned “R-8” Large Lot Home District. Upon the adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current “R-20” Residential Single-Family District. The properties are not platted or developed.

**Topography:** The subject property is relatively flat and has no physical characteristics that are likely to affect the development.

**Adjacent Zoning and Land Uses**

**Direction:** East

**Current Base Zoning:** “C-2 CD”

**Current Land Uses:** Retail Center

**Direction:** North

**Current Base Zoning:** “C-2 CD”

**Current Land Uses:** Auto Dealership

**Direction:** West

**Current Base Zoning:** “R-6”

**Current Land Uses:** Vacant Land and Single-Family Dwelling

**Direction:** South

**Current Base Zoning:** “C-2”

**Current Land Uses:** Pool Builder and Parking

**Overlay and Special District Information:** All surrounding properties carry the “MLOD” Military Lighting Overlay District, due to their proximity to Camp Bullis. The “MLOD” does not restrict permitted uses, but does regulate outdoor lighting in an effort to minimize night-time light pollution and its effects on operations at the military installation.

All surrounding properties carry the “MSAO-1” Camp Bullis Military Sound Attenuation Overlay District, due to their proximity to Camp Bullis. The “MSAO-1” does not restrict permitted uses, but does enforce construction standards intended to lessen the impact of external noise from the nearby military installation. The “MSAO-1” regulations apply to new construction of habitable structures.

The Hill Country Gateway Corridor District (“GC-1”) provides site development standards for properties within 1,000 feet of Interstate 10 between UTSA Blvd and the northern City Limits. The standards primarily address building placement, landscaping, building materials and signage to promote a coordinated development scheme for the Corridor. A Certificate of Compliance review is performed by the Department of Planning and Community Development.

**Transportation**

**Thoroughfare:** Interstate Highway 10 West

**Existing Character:** Expressway; 2 lanes in each direction with 2-lane access roads

**Proposed Changes:** None known

**Thoroughfare:** Oak Road

**Existing Character:** Collector Street; 1 lane in each direction

**Proposed Changes:** None known

**Public Transit:** There are no public transit lines near the subject property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** Motor vehicle sales facilities are required to provide at least one parking space per 500 square feet of Gross Floor Area (GFA) of sales and service building. The conditional use site plan indicates no structures, as the property is meant to be used for vehicle display, inventory parking, and employee parking only.

**ISSUE:**

None

**ALTERNATIVES:**

A denial of this zoning request would result in the subject property retaining the current residential zoning classification, prohibiting the proposed Conditional Use for Motor Vehicles Sales.

**FISCAL IMPACT:**

None. The applicant has paid the required zoning fees.

**RECOMMENDATION:**

Staff and Zoning Commission (8-0) recommend approval with one condition.

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

**1. Consistency:**

The subject property is located within the North Sector Plan and is identified as Suburban Tier 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 has found no evidence of likely adverse impacts on surrounding properties in relation to this zoning change request. The conditional zoning procedure is designed to provide for a land use within an area 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 granting of conditional zoning shall only be for the conditional use named in the ordinance (Motor Vehicles Sales) approving the conditional zoning district.

**3. Suitability as Presently Zoned:**

Both the existing and proposed zoning districts are suitable for the 3.991 acre site. The Suburban Tier land use designation includes a wide range of residential densities and commercial uses. The property’s size and location on a collector street, in close proximity to an expressway and other commercial uses, makes the

property suitable for commercial uses.

**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 established public policy.

**6. Size of Tract:**

The 3.991-acre tract is of sufficient size to accommodate the requested zoning, as well as the proposed use. The applicant has submitted a site plan to comply with the Conditional Use requirements.

**7. Other Factors:**

The purpose for the requested change in zoning is to allow for an employee and inventory parking/display lot in connection with the automobile dealership located at the northwest corner of Oak Drive and Interstate Highway 10.

The subject property is located within the Camp Bullis Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding between Fort Sam Houston and the City of San Antonio, the Garrison Commander did not review the zoning request because the tract is smaller than 10 acres and is not immediately adjacent to Camp Bullis.