



# City of San Antonio

## Agenda Memorandum

**File Number:** 15-1334

---

**Agenda Item Number:** Z-16.

**Agenda Date:** 2/19/2015

**In Control:** City Council A Session

---

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** 9

**SUBJECT:**

Zoning Case Z2015077 S ERZD

**SUMMARY:**

**Current Zoning:** "C-3 ERZD MLOD-1" General Commercial Edwards Recharge Zone Camp Bullis Military Lighting Overlay District

**Requested Zoning:** "C-3 S ERZD MLOD-1" General Commercial Edwards Recharge Zone Camp Bullis Military Lighting Overlay District with a Specific Use Authorization for Motor Vehicle Sales and Tire Repair - Auto and Small Truck (Sales/Install ONLY, No Mechanical Service Permitted)

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** February 03, 2015

**Case Manager:** Trenton Robertson, Senior Planner

**Property Owner:** Santikos Legacy Ltd. & Mid-Loop Inc.

**Applicant:** Tesla Motors (Matthew Mefford)

**Representative:** Tesla Motors (Matthew Mefford)

**Location:** 2106 East Sonterra Boulevard and 2103 North Loop 1604 East

**Legal Description:** 4.563 acres out of Lot 1, Block 2, NCB 15671

**Total Acreage:** 4.563

**Notices Mailed**

**Owners of Property within 200 feet:** 6

**Registered Neighborhood Associations within 200 feet:** None

**Planning Team:** North Sector Plan-39

**Applicable Agencies:** San Antonio Water Systems

### **Property Details**

**Property History:** A majority of the subject property was annexed in 1972 and the remainder was annexed in 1983, and was originally zoned "Temp R-1" Temporary Single Family Residence District. In a 1981 case, the northern portion of the property was rezoned to "B-3" Business District. In a later case, the southern portion of the property was rezoned to "B-3" Business District. Upon adoption of the 2001 Unified Development Code, the previous base zoning districts converted to the current "C-3" General Commercial District. The subject property was platted into its current configuration in 1999 (volume 9542, pages 131-133 of the Deed and Plat Records of Bexar County, Texas). The existing commercial structures were built in 2007.

**Topography:** The subject property does not include any abnormal physical features such as significant slope or inclusion in a flood plain.

### **Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "C-3" and "C-2"

**Current Land Uses:** Vacant

**Direction:** East

**Current Base Zoning:** "C-3"

**Current Land Uses:** Flooring Store

**Direction:** West

**Current Base Zoning:** "C-3" and "C-2"

**Current Land Uses:** Retail Center

**Overlay and Special District Information:** All surrounding properties carry the "ERZD" Edwards Recharge Zone District. The "ERZD" does restrict permitted uses, due to the environmentally sensitive nature of the recharge zone. Per Chapter 34 of the City of San Antonio Code of Ordinances, the San Antonio Water System (SAWS) and City of San Antonio departments share regulatory jurisdiction over development within the "ERZD".

All surrounding properties carry the "MLOD-1" Military Lighting Overlay District, due to their proximity to Camp Bullis. The "MLOD-1" 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.

### **Transportation**

**Thoroughfare:** East Sonterra Boulevard

**Existing Character:** Secondary Arterial Type A 86'; two lanes in each direction with sidewalks

**Proposed Changes:** None known

**Thoroughfare:** Loop 1604 North

**Existing Character:** Freeway 250'-500'; two lanes in each direction with no sidewalks

**Proposed Changes:** None known

**Public Transit:** There are no public transit lines located within the immediate vicinity of 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:** Off-street vehicle parking requirements for office uses are determined by the size of the structure.

Professional Office - Minimum Parking Requirement: 1 space per 300 square feet Gross Floor Area (GFA).

Maximum Parking Requirement: 1 space per 140 square feet GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the zoning request will result in the subject property not being able to have auto sales, which is a regularly permitted use in the “C-3” base zoning district. But, due to its location over the recharge zone a specific use authorization is required.

**FISCAL IMPACT:**

None. The applicant paid all required zoning application fees.

**RECOMMENDATION:**

Staff and Zoning Commission (9-0) recommend Approval

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

**1. Consistency:**

The property is located within the North Sector Plan, and is currently designated as Mixed Use Center in the future land use component of the plan. The requested “C-3” base zoning district with a Specific Use Authorization is not consistent with the adopted land use plan. A plan amendment has been submitted to change the future land use designation to Regional Center.

**2. Adverse Impacts on Neighboring Lands:**

The subject property is located over the Edwards Aquifer Recharge Zone. SAWS staff has identified a potential environmental concern regarding a minor amount of automotive fluids stored on site.

**3. Suitability as Presently Zoned:**

The existing “C-3” zoning district is appropriate for the subject property due to the property’s location and significant frontage along Loop 1604 North and East Sonterra Boulevard. General Commercial uses may provide a suitable transition between the freeway to the south and the vacant property to the north.

**4. Health, Safety and Welfare:**

Other than the issues raised in the “Adverse Impacts” section above, staff has found no likely significant affects on the health, safety and welfare of the surrounding community.

**5. Public Policy:**

The request does not appear to conflict with any public policy objective.

**6. Size of Tract:**

The subject property is approximately 4.563 acres in size, which should be able to reasonably accommodate the uses permitted in the “C-3” base zoning district and the requested Specific Use Authorization.

**7. Other Factors:**

SAWS staff recommends approval of the zoning request. The property is currently identified as a Category 1 property. SAWS staff recommends that no new impervious cover be granted for the subject property; as well as a number of conditions that are detailed in the SAWS report, attached.

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 Military did not review the request because the property is less than 10 acres in size and does not directly abut the installation.