



# City of San Antonio

## Agenda Memorandum

**File Number:** 15-2337

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**Agenda Item Number:** 9.

**Agenda Date:** 4/7/2015

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** 8

**SUBJECT:**

Zoning Case Z2015113

**SUMMARY:**

**Current Zoning:** "C-2 GC-1 MLOD MSAO-1" Commercial Hill Country Gateway Corridor Military Lighting Overlay Military Sound Attenuation Overlay District

**Requested Zoning:** "C-2 CD GC-1 MLOD MSAO-1" General Commercial Hill Country Gateway Corridor Military Lighting Overlay Military Sound Attenuation Overlay District with a Conditional Use for Motor Vehicle Sales (Full Service)

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 7, 2015

**Case Manager:** Ernest Brown, Planner

**Property Owner:** Clarence J Kahlig, II & Kahlig Motor Company (by William F. Vaughn its Vice President)

**Applicant:** Clarence J Kahlig, II & Kahlig Motor Company (by William F. Vaughn its Vice President)

**Representative:** Brown & Ortiz, P.C. (c/o James B. Griffin)

**Location:** 20985 and 21105 West Interstate Highway 10

**Legal Description:** 16.61 acres out of NCB 18336 and NCB 35733

**Total Acreage:** 16.6100

**Notices Mailed**

**Owners of Property within 200 feet:** 9

**Registered Neighborhood Associations within 200 feet:** Friends of Friedrich Wilderness Park

**Planning Team:** North Sector Plan-40

**Applicable Agencies:** Camp Bullis, and Parks and Recreation

### **Property Details**

**Property History:** The subject property was annexed into the City Limits in 1988 and was originally zoned “Temporary R-1” Temporary Single-Family Residence District. Upon adoption of the 2001 Unified Development Code, the previous base zoning districts converted to “R-6 GC-1” and “R20 GC-1” Residential Single-Family District. In 2006 the subject property was rezoned to “C-2 GC-1 MLOD MSAO-1 Residential Single Family Hill Country Gate way Corridor Military Lighting Overlay Military Sound Attenuation District. The property currently is developed with and 1850 square feet residence built in 1948 and a 1768 square feet office structure and open commercial yard. The subject property was platted in 1930 (volume 980, page 238 of the Deed and Plat Records of Bexar County, Texas) and has been reconfiguration.

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

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

**Direction:** North

**Current Base Zoning:** “C-2 GC-1 MLOD MSAO-1”, “R20 GC-1 MLOD-1 MSAO”

**Current Land Uses:** Retail Center, Residence, Vacant

**Direction:** South

**Current Base Zoning:** “C-2 GC-1 MLOD-1 MSAO-1”

**Current Land Uses:** Vacant, Office, Vacant

**Direction:** West

**Current Base Zoning:** “MF-25 GC-1 MLOD MSAO-1

**Current Land Uses:** Residence, Vacant

**Overlay and Special District Information:** 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 zoning review is performed by the Zoning Section of the Development Services Department.

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.

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.

### **Transportation**

**Thoroughfare:** Interstate Highway 10 West

**Existing Character:** Expressway: two lanes each direction divided with two lanes each direction access road both side.

**Proposed Changes:** None known

**Thoroughfare:** Heuermann Road

**Existing Character:** Local Type A; one lane each direction

**Proposed Changes:** None known

**Public Transit:** There is no VIA route nearby the subject property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is required. A traffic engineer familiar with the project must be present at the zoning commission meeting.

**Parking Information:** Off-street vehicle parking requirements are typically determined by the type of use and building size. The zoning application refers to Auto and Vehicle Sales.

Minimum Parking Requirement: 1 per unit 500 square feet GFA of sales and service building;

Maximum Parking Requirement: 1 per 375 square feet GFA of sales and service building.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the base zoning “C-2” Commercial District designation.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval.

**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 currently designated as Suburban Tier in the future land use component of the plan. The proposed base zoning change is consistent with the North Sector Plan.

The applicant requests the zoning change in order to construct a car dealership on the subject property. The subject property has an existing “C-2” base zoning district. The subject property is surrounded by a mixture of commercial and residential zoning districts and uses in the immediate area. The proposed use can be accommodated with a Conditional Use and maintain the current “C-2” base zoning district. A Conditional Use rezoning will avoid the intensive commercial uses at the intersection of a local street and expressway access road.

The close proximity of the subject property to Camp Bullis is within the Military Sound Attenuation Overlay (MSAO) and the Military Lighting Overlay (MLOD) Districts. The overlay districts impose development standards meant to protect the area’s natural resources, the Military’s training mission, and to ensure development consistent with the character of the surrounding area.

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

The proposed “C-2” with the Conditional Use for Motor Vehicle Sales (Full Service) zoning request will not

alter the land use pattern and character of the immediate area.

**3. Suitability as Presently Zoned:**

The existing “C-2” base zoning district is appropriate for the subject property. A majority of the area is similarly zoned.

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

Staff has found no indication of likely adverse effects on the public health, safety, or welfare due to this zoning request.

**5. Public Policy:**

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

**6. Size of Tract:**

The subject property totals 16.61 acres in size, which adequately accommodates the uses permitted in “C-2” with the Conditional Use for Motor Vehicle Sales (Full Service).

**7. Other Factors:**

The Conditional Use 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 approving the Conditional Use zoning district provisions.