



City of San Antonio

Agenda Memorandum

File Number: 15-3523

Agenda Item Number: Z-16.

Agenda Date: 6/18/2015

In Control: City Council A Session

DEPARTMENT: Development Services

DEPARTMENT HEAD: Roderick Sanchez

COUNCIL DISTRICTS IMPACTED: 8

SUBJECT:

Zoning Case Z2015119 CD S ERZD

SUMMARY:

Current Zoning: "C-3 MLOD AHOD ERZD" General Commercial Military Lighting Overlay Airport Hazard Overlay Edwards Recharge Zone District

Requested Zoning: "C-2 CD S MLOD AHOD ERZD" Commercial Military Lighting Overlay Airport Hazard Overlay Edwards Recharge Zone District with Conditional Use and a Specific Use Authorization for an Indoor Shooting Range

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: June 2, 2015

Case Manager: Ernest Brown, Planner

Property Owner: SA Land Holdings LP (by Richard M. Erenberg, Sole Manager)

Applicant: SA Land Holdings LP (by Richard M. Erenberg, Sole Manager)

Representative: Patrick W. Christensen

Location: A Portion of the 4400 Block of North Loop 1604 West

Legal Description: 2.230 acre tract of land out of Lot 2, Block 1, NCB 17700

Total Acreage: 2.230

Notices Mailed

Owners of Property within 200 feet: 4

Registered Neighborhood Associations within 200 feet: None

Planning Team: North Sector Planning Team-39

Applicable Agencies: None

Property Details

Property History: The subject property was annexed in 1993 and originally zoned “Temporary A ERZD”, Single-Family Residence Edward Recharge Zoning District. In 2002, the previous base zoning district was zoned to “C-3 AHOD ERZD” General Commercial Airport Hazard Overlay Edward Recharge Zoning District. The property was not developed and remained vacant.

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

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: “QD S ERZD”

Current Land Uses: Vacant

Direction: East

Current Base Zoning: “C-2 ERZD”

Current Land Uses: Vacant

Direction: South

Current Base Zoning: “C-3 S ERZD”

Current Land Uses: Tire Shop

Direction: West

Current Base Zoning: “C-3 ERZD”

Current Land Uses: Vacant

Overlay and Special District Information: All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

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”.

Transportation

Thoroughfare: Loop 1604

Existing Character: Freeway; three lanes each direction divided with two lane one direction access road on both sides.

Proposed Changes: None known

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

Traffic Impact: A Traffic Impact Analysis (TIA) is not required. The Traffic Impact Analysis is approved under the Ridge East Commercial TIA.

Parking Information: Off-street vehicle parking requirements are typically determined by the type of use and building size. The zoning application refers to Indoor Shooting Range (Rifle and Pistol Range - Indoors).

Minimum Parking Requirement: 1 per 6 seats or 1 per 30 Square Feet of Gross Floor Area if no permanent seat;
Maximum Parking Requirement: 1 per 4 seats or 1 per 50 Square Feet of Gross Floor Area if no permanent seat.

ISSUE:

None.

ALTERNATIVES:

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation.

FISCAL IMPACT:

None.

RECOMMENDATION:

Staff Analysis and 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-2” base district is consistent with the future land use designation.

2. Adverse Impacts on Neighboring Lands:

The proposed Conditional Use for Indoor Shooting Range will not have an adverse impact on the neighboring lands and will not alter the land use pattern and character of the immediate area with the already-existing General Commercial Zoning District land use development.

3. Suitability as Presently Zoned:

The existing “C-3” base zoning district and the proposed “C-2” base zoning district is appropriate for the subject property. The 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.

5. Public Policy:

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

6. Size of Tract:

The subject property is 2.23 acres in size, which can accommodate the proposed development with adequate space for parking.

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 which may under the right set of circumstances and conditions be acceptable in certain specific locations.

Specific Uses Authorization Zoning indicates that the listed use is permitted within the respective zoning district only after review and approval of a specific permit, in accordance with the review procedures of section 35-423 in chapter 35. Specific Use Authorization are subject of all other applicable standards of chapter 35 and those requirements that may reasonably be imposed by the city consistent with the criteria set forth in subsection 35-424(e) of chapter 35 and any supplemental use regulations which apply to said use.

Conditional zoning is designated 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 following is applicable regarding Conditional Uses:

- A. The conditional use will not be contrary to the public interest.
- B. The conditional use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district.
- C. The conditional use will be in harmony with the spirit and purpose for conditional uses as set forth in Section 35-422, Conditional Zoning, of the Unified Development Code.
- D. The conditional use will not substantially weaken the general purposes of the regulations as set forth in Section 35-422, Conditional Zoning, of the Unified Development Code.
- E. The conditional use will not affect adversely the public health, safety and welfare.

SAWS Site Specific Recommendations:

1. The impervious cover shall not exceed 65% on the site.
2. The site shall have a lead reclamation plan/procedure in place prior to the release of building permit.
3. Shell casings shall be recycled.
4. No manufacturing of ammunition shall be allowed on site.
5. Wells that are no longer in use or abandoned shall be properly plugged in accordance with SAWS water well plugging procedures. The Ground Water Resource Protection Section should be notified at (210) 233-3546 upon discovery and plugging of such wells.
6. The land uses within the project site shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at the project site. If the land use is listed as special use, a special permit must be obtained for that use. If the land use is listed as not allowed, that land use will not be permitted on the project site.
7. The owner of all water pollution abatement structures shall ensure these structures are properly maintained and kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Aquifer Protection & Evaluation Section of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. The new owner must submit a signed water quality maintenance plan to the Aquifer Protection & Evaluation Section of SAWS.
8. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing Groundwater Pollution, A Practical Guide to Pest Control available from the Edwards

Aquifer Authority (210) 222-2204, or equivalent information produced by the U.S. Natural Resource Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, shall be used.

8. The applicant shall notify the Construction Monitoring of SAWS at (21 0) 233-3564 no later than 48 hours prior to the commencement of construction at the site. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality and the Aquifer Protection & Evaluation Section of SAWS at (210) 233-3522.