City of San Antonio

Agenda Memorandum

File Number: 19-1266

Agenda Item Number: 3.

Agenda Date: 1/15/2019

In Control: Zoning Commission

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 10

SUBJECT:
Zoning Case Z-2018-900015 CD S ERZD

SUMMARY:
Current Zoning: "C-2 ERZD" Commercial Edwards Recharge Zone District

Requested Zoning: "C-2 CD S ERZD" Commercial Edwards Recharge Zone District with Conditional Use and Specific Use Authorization for Outside Storage

BACKGROUND INFORMATION:
Zoning Commission Hearing Date: January 15, 2019

Case Manager: John Osten, Senior Planner

Property Owner: JABLVB, LLC

Applicant: JABLVB, LLC

Representative: Brown & Ortiz

Location: 17115 Redland Road

Legal Description: 3.347 acres out of NCB 17338

Total Acreage: 3.347

Notices Mailed
Owners of Property within 200 feet: 4
Registered Neighborhood Associations within 200 feet: None
Applicable Agencies: San Antonio Water System

Property Details

Property History: The subject property was annexed into the City of San Antonio on December 26, 1972 and zoned "Temporary R-1" Temporary One-Family Residence District, established by Ordinance 41429. The zoning changed to "B-2" Business District on October 30, 1984, established by Ordinance 59683. The current "C-2" Commercial District and "MF-33" Multi-Family District converted from the previous "B-2" and "R-3," respectively, upon adoption of the 2001 Unified Development Code (Ordinance 93881, dated May 3, 2001).

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

Adjacent Base Zoning and Land Uses

Direction: North
Current Base Zoning: "C-2"
Current Land Uses: Vacant Lot

Direction: East
Current Base Zoning: "C-2"
Current Land Uses: Vacant Lot

Direction: South
Current Base Zoning: "C-2"
Current Land Uses: Community Church

Direction: West
Current Base Zoning: "C-2", "MF-33"
Current Land Uses: Vacant Lot, Park

Overlay and Special District Information:

"ERZD"

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: Redland Road
Existing Character: Secondary Arterial
Proposed Changes: None Known

Public Transit: There are no VIA bus routes within walking distance 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:

The minimum parking requirements will be dependent on the commercial use.

ISSUE:

None.

ALTERNATIVES:
Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of "C-2", which accommodates 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

FISCAL IMPACT:
None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:
The northern portion of the property falls within the Stone Oak Regional Center. The property is not located within ½ of a mile of a 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 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 requested "C-2" Commercial District is consistent with the future land use designation.

2. Adverse Impacts on Neighboring Lands:
Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request.

3. Suitability as Presently Zoned:
The current "C-2" base zoning is an appropriate base zoning for the property and the surrounding area.

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 proposed rezoning does appear to conflict with the goals and objectives of the North Sector Plan. The requested Conditional and Specific Use Authorization for Outside Storage is supported by the location of the property near North Loop 1604 and being surrounded by commercial base zoning. The request will keep the base zoning "C-2" while permitting Outside Storage for a retail business.

6. Size of Tract:
The subject property is 3.347 acres, which should reasonably accommodate the proposed use and outside storage.

7. Other Factors:
The purpose of the Conditional Use 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.

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

SAWS Site Specific Recommendations:

1. The impervious cover for the outdoor storage area will not exceed 35% and the sales office building and parking area shall not exceed 30%. The overall 3.347-acre site shall not exceed 65% impervious cover.

2. The manufacturing, painting, or glazing of stored pots shall not be allowed on site.

3. No outside storage of any chemicals shall be allowed on site.

4. 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.

5. 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.

6. 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.

7. The applicant shall notify the Construction Monitoring of SAWS at (210) 233-3565 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, 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) 233-35