



# City of San Antonio

## Agenda Memorandum

**File Number:**15-2220

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**Agenda Item Number:** 5.

**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 Z2015104 CD S ERZD

**SUMMARY:**

**Current Zoning:** "C-3 NA MLOD AHOD ERZD" General Commercial Nonalcoholic Sales Camp Bullis Military Lighting Overlay Airport Hazard Overlay Edwards Recharge Zone District

**Requested Zoning:** "C-2 CD S MLOD AHOD ERZD" Commercial Camp Bullis Military Lighting Overlay Airport Hazard Overlay Edwards Recharge Zone District with a Conditional Use and Specific Use Authorization for an Alcohol Micro-Distillery

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 7, 2015 (Continued from the March 17, 2015)

**Case Manager:** Mary Moralez-Gonzales, Planner

**Property Owner:** 13314 LV Limited Partnership, LLC (Mark Braunstein)

**Applicant:** Edwards Ridge, LLC (Nathan Brown)

**Representative:** Nathan Brown

**Location:** 16104 University Oaks

**Legal Description:** Lots 1, Block 101, NCB 18611

**Total Acreage:** 0.5509

**Notices Mailed**

**Owners of Property within 200 feet:** 16

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

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

**Applicable Agencies:** City of San Antonio Aviation Department, Camp Bullis, San Antonio Water System (SAWS)

### **Property Details**

**Property History:** The subject property was annexed by the City of San Antonio in 1987 and was originally zoned "B-3 NA" Business Nonalcoholic Sales District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to "C-3 NA" General Commercial Nonalcoholic Sales District.

**Topography:** The 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 and East

**Current Base Zoning:** C-3 NA ERZD

**Current Land Uses:** Office Buildings, Parking Lots, Vacant Lot

**Direction:** South and West

**Current Base Zoning:** C-3 NA ERZD

**Current Land Uses:** Dry Ice Company, Roofing Company, Office Buildings

**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".

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:** University Oaks

**Existing Character:** Local Road

**Proposed Changes:** None known

**Thoroughfare:** Shavano Oaks

**Existing Character:** Local Road

**Proposed Changes:** None known

**Public Transit:** VIA bus routes 94 and 97 operate along nearby Loop 1604 and Lockhill-Selma Road.

**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 are typically determined by type of use and building size.

Alcohol-distillation, storage - Minimum Parking Requirement: 1 per 600 square feet of GFA. Maximum Parking Requirement: 1 per 350 square feet of GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the zoning request will result in the subject property retaining the "C-3 NA" General Commercial Nonalcoholic Sales District.

**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 designated as Suburban. The proposed zoning designation of "C-2 CD S" is consistent with the future land use component of the North Sector Plan.

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

Granting of the "C-2 CD S" with a Conditional Use and Specific Use Authorization for an Alcohol Micro-Distillery is not likely to have an adverse impact on neighboring lands. The subject property is surrounded by other production operations and offices and is not adjacent to any residential uses. The operation of a micro-distillery will not have adverse odor or noise effects because the production operations are entirely enclosed within the existing building and currently have little to no odor evident outside the building. No additional outdoor lighting is proposed and traffic to the location will not be out of character with the other commercial uses in the area.

**3. Suitability as Presently Zoned:**

Although the property's current "C-3 NA" zoning is consistent with zoning in the surrounding area, the requested "C-2 CD S" district is within the range of commercial uses encouraged in the Suburban Tier of the North Sector Plan.

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

Staff has found no indication of likely adverse effects on the public health, safety or welfare after researching the production operations of a micro-distillery.

**5. Public Policy:**

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

## **6. Size of Tract:**

The subject property is 0.5509 acres, which is likely large enough to accommodate the microbrewery use.

## **7. Other Factors:**

SAWS staff recommends approval of the zoning request, provided that any future development on the property after the zoning classification has been changed, must be restricted as stated in the Environmental Section of their SAWS dated March 31, 2015.

The SAWS report sets forth the following site specific recommendations:

1. No outside storage of chemicals shall be allowed.
2. No more than 38,400 gallons of distilled product should be stored on location per year.
3. No more than 200 gallons of propylene glycol shall be used and stored on site.
4. A secondary containment shall be in place to hold up to 1.5 times the volume of the distilling tanks, to prevent spills from entering the storm drain and/or sewer collection system.

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 rezoning request because the tract is less than 10 acres in size and does not abut the Installation.