

ZONING CASE: Z2006-006 CD S

City Council District No. 9

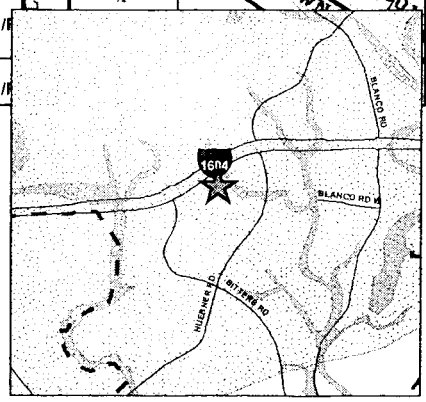
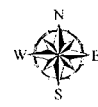
Requested Zoning Change

From "C-2 ERZD" To "C-2 ERZD CD S"

Date: May 4, 2006

Scale: 1" = 200'

☒ Subject Property
☐ 200' Notification



C:\Dec_6_2005

CASE NO: Z2006006 CD S

Staff and Zoning Commission Recommendation - City Council

Date: May 04, 2006

Zoning Commission Meeting Date: April 04, 2006

Council District: 9

Ferguson Map: 515 F3 / 516 A3

Applicant:

Owner

J. Allen Family Partners, Ltd.

Lee - 1604 No One Ltd.

Zoning Request: From "C-2 ERZD" Commercial Edwards Recharge Zone District to "C-2 ERZD CD S" (CD-Mini Storage) Commercial Edwards Recharge Zone District with a Conditional Use and Specific Use Permit for a Mini-Storage Facility Over 2.5 Acres

Property Location: 3.762 acres out of NCB 15009

2402 West Loop 1604

West Loop 1604, East of Bitters Road

Proposal: To Develop a Mini-Storage Facility

Neighborhood Association: The Fountains at Deerfield (within 200 feet)

Neighborhood Plan: None

Traffic Impact Analysis

A Traffic Impact Analysis is not required. The current C-2 zoning could allow uses that generate approximately 1,759 daily vehicle trips as shopping center, and 1,816 as specialty retail. The property is proposed to be zoned C-2 with specific use as a mini-storage. The proposed mini-storage is projected to generate 103 daily vehicle trips, and access is limited to the eastbound frontage road of Loop 1604. The TIA Division recommends support of the rezoning.

Staff Recommendation:

Approval

In terms of potential customer and vehicular traffic, the proposed use is a much less intense use than other retail and services uses permitted by right in the C-2 district. The proposed use is compatible with many current uses in the vicinity and will likely be consistent with the future development patterns along this portion of West Loop 1604.

The subject property is currently undeveloped and zoned C-2 ERZD. The property was zoned B-2 in 1993, as was much of the North Loop 1604 frontage between Northwest Military Drive and Huebner Road. The property is located over the Edwards Aquifer Recharge Zone and is partially located within a flood plain. The balance of the property to the west is currently undeveloped although about 58 of the remaining acres have been platted as the Inwood Business Center for future development. There is a floodway to the east and single-family subdivisions further east and south, all zoned PUD R-6 ERZD. To the north, across Loop 1604, is Concordia Lutheran Church zoned R-6 ERZD.

The applicants are requesting a rezone of a 3.76 acre portion of a parent tract, platted as the Inwood Business Center. Mini-storage, or miniwarehouse, facilities require a C-3 zoning district to be allowed by right. The applicants have exercised the option of maintaining the base C-2 zoning and requesting a conditional district, as provided for by the Unified Development Code (UDC). Additionally, these facilities require the approval of a Specific Use Permit when the area of the proposed use exceeds 2.5 acres. The applicants are proposing a climate-controlled, three story, 156,000 square foot facility with storage spaces ranging in size from 25 to 200 square feet. About 850 units are proposed and on-site security will be

CASE NO: Z2006006 CD S

Staff and Zoning Commission Recommendation - City Council

provided by 24 hour live-in management personnel. The design of the building will resemble an office building.

If approved, the base zoning will not change and therefore not require the installation of a landscape buffer. However, the drainage way to the east and the presence of a flood plain on the eastern portion of the 3.76 acres may adequately serve as a natural vegetative buffer to those developed properties zoned PUD R-6 ERZD to the east.

SAWS Summary

1. SAWS recommends approval of the proposed land use.
2. SAWS identifies the property as a Category 1 property.
3. SAWS recommends a maximum impervious cover of 65%.

Zoning Commission Recommendation:

Approval with SAWS site specific recommendations.

CASE MANAGER : Matthew Taylor 207-5876

VOTE

FOR	10
AGAINST	0
ABSTAIN	1
RECUSAL	0

Z2006006 CD S

ZONING CASE NO. Z2006006 CD S – April 4, 2006

Applicant: J. Allen Family Partners, Ltd.

Zoning Request: “C-2” ERZD Commercial Edwards Recharge Zone District to “C-2” ERZD CD S (CD-Mini Storage) Commercial Edwards Recharge Zone District with a Conditional Use and Specific Use Permit for a Mini-Storage Facility over 2.5 acres.

James Allen, 19276 Redland Road, applicant, stated he is proposing a enclosed self storage with an office building appearance. This would not be your typical self-storage facility, as it would be uniquely designed with be no visible doors. He stated he has visited with the neighborhood association who are in support after reviewing his site plan. He stated he feels this development would be good for the community oppose to your regular self-storage.

OPPOSE

Gary Riegelsberger, stated he has collected a petition with 41 signatures expressing their opposition for this development. He expressed concerns with the lighting and noise pollution and the increase in traffic flow in the community. He feels a self-storage would have a negative impact on their property values.

REBUTTAL

James Allen, 19276 Redland Road, applicant, stated he stayed proactive being that he does not rely on the mailing notification as it did not reach a handful of residents. As for Mr. Riegelsberger’s concerns with the lighting and noise pollution, there would not be light nor noise pollution, as this facility would be enclosed and would have no indoor/outdoor announcement systems and the height of the building would not be any higher than 47 feet. He stated he feels this self-storage development would be more suitable as oppose to other businesses that are allowed in the “C-2” zoning designation.

Staff stated there were 43 notices mailed out to the surrounding property owners, 1 returned in opposition and 2 returned in favor and no response from The Fountains at Deerfield.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

Z2006006 CD S

COMMISSION ACTION

The motion was made by Commissioner Wright and seconded by Commissioner Robbins to recommend approval.

1. Property is located on 3.762 acres out of NCB 15009 at 2402 West Loop 1604.
2. There were 43 notices mailed, 1 returned in opposition and 2 in favor.
3. Staff recommends approval.

**AYES: Avila, Robbins, Westheimer, Gadberry, Marshall, Sherrill, Wright,
Martinez, Stribling, Gray**

NAYS: None

ABSTAIN: Rodriguez

THE MOTION CARRIED

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.

REV. SERVICES
2006 MAR 20 P 3:31

**SAN ANTONIO WATER SYSTEM
Interdepartment Correspondence Sheet**

To: Zoning Commission Members

From: Kirk M. Nixon, Manager, Resource Protection Division, San Antonio Water System

Copies To: Scott R. Halty, Director, Resource Protection & Compliance Department, Julia I. Mireles, P.E., Mike Barr, Resource Protection Specialist II, Aquifer Protection & Evaluation Section, File

Subject: Zoning Case Z2006006 (Mini-Storage Facility)

Date: March 21, 2006

SUMMARY

A request for a change in zoning has been made for an approximate 3.7622-acre tract located on the city's north side. A change in zoning from **C-2 ERZD** to **C-2 ERZD SU C** is being requested by the applicant, Mr. J. Allen Family Partners Ltd. The change in zoning has been requested to allow for the construction of a mini-storage facility. The property is classified as Category 1 property.

Based on the site evaluation of the property, and the information submitted by the applicant, SAWS staff recommends **approval** of the proposed land use. Should the city council rezone the property that is the subject of this report, the San Antonio Water System recommends that any development on that property after the zoning classification has been changed should be restricted as stated in the environmental recommendations section of this report.

LOCATION

The subject property is located in City Council District 9, near the southeast corner of Loop 1604 and Bitters Road. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

SITE EVALUATION

1. Development Description:

The proposed change is from "C-2" ERZD to "C-2" ERZD SU C and will allow for the construction of a multi-level, climate controlled, mini-storage facility, similar to an office

building. Currently the site is covered in native vegetation with a creekway adjacent to the property.

2. Surrounding Land Uses:

Loop 1604 and Bitters Road is located to the west and north of the property. The Waters at Deerfield Subdivision is located to the south and east of the property.

3. Water Pollution Abatement Plan:

The Inwood Commercial Water Pollution Abatement Plan (WPAP) is currently under review. There are two geologic features on the site (solution enlarged fracture zone and solution cavity) that are rated as being sensitive. The WPAP proposes to preserve the solution enlarged fracture zone and seal the solution cavity. The Inwood Commercial WPAP will have to be approved by the TCEQ prior to commencement of construction.

4. Geologic Conditions:

The Resource Protection Division of the San Antonio Water System conducted an evaluation, on January 18, 2006, of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS staff Geologist, Mr. Gregory James, P.G., was present during the site evaluation.

Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site was underlain by the Leached and Collapsed of the Edwards Aquifer.

The Leached and Collapsed Member is generally one of the most permeable units of the Edwards Aquifer and can have extensive lateral development of caverns. It is generally 70 to 90 feet thick in full section.

Two sensitive features, consisting of a zone of fractured rock and a solution cavity, were identified on the subject property. The zone of fractured is located in a dry stream bed and has the potential for significant infiltration to the subsurface. The solution cavity is located on a hilltop and while sensitive with respect to ability to transmit water to the subsurface, its small watershed limits the amount of water for recharge.

According to the Water Pollution Abatement Plan, the zone of fractured rock is to be preserved and the solution cavity is to be sealed.

ENVIRONMENTAL CONCERNS

The environmental concerns associated with this development being constructed on the Edwards Aquifer Recharge Zone are:

Site Specific Concerns

1. A portion of the property lies within the floodplain, along the eastern portion, where recharge may occur.
2. A portion of the property lies within the floodplain, and there is potential increase of sediment load resulting from the additional runoff created by the development.
3. The unauthorized storage of chemicals and/or hazardous materials in storage units shall not be allowed.
4. The storage of materials located on the exterior of the climate controlled facility shall be limited.

General Concerns

1. The improper use of pesticides, herbicides, or fertilizers needed for landscape maintenance that may be carried off in the first flush of stormwater run-off.
2. The build-up of hydrocarbons and other pollutants on streets, parking lots and other paved areas that are then carried off in the first flush of stormwater run-off.

ENVIRONMENTAL RECOMMENDATIONS

The following recommendations address the environmental concerns raised by the construction of this development on the Edwards Aquifer Recharge Zone:

Site Specific Recommendations

1. The impervious cover shall not exceed 65% on the site.
2. The mini-storage facility shall be climate controlled. The project proposes that all materials will be stored within this climate controlled facility, and will not be exposed to the outside weather conditions. Storage materials shall be kept within the interior of the storage facility and shall not be exposed to the outside weather conditions.

3. At a minimum a floodplain buffer shall be provided along the eastern and northeastern portion of the property, adjacent to the floodplain boundary as shown in Figure 3.
4. The owner or agent shall provide a copy of the standard lease agreement to the Aquifer Protection and Evaluation Section of the San Antonio Water System for their approval.
5. All persons leasing a storage unit shall be informed, in the lease agreement, that the storage of chemicals and/or hazardous materials is not permitted. Staff from the Aquifer Protection and Evaluation Section of SAWS reserved the right to randomly inspect, without notice, any or all units to ensure compliance.
6. 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 Resource Protection Division 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 Resource Protection Division of SAWS.
7. 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.D.A. shall be used.
8. The applicant shall notify the Construction Compliance Section of the Resource Compliance Division of SAWS at (210) 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 at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3526.

General Recommendations

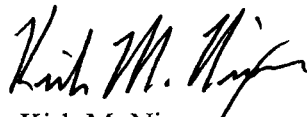
1. Development within the floodplain and floodplain buffer zones must be in accordance with Ordinance No. 81491 governing development on the Edwards Aquifer Recharge Zone in the Floodplain Preservation Area(s).
2. Prior to the release of any building permits the owner/operator of any Category 2 property

shall submit an Aquifer Protection Plan to the Resource Protection Division of the San Antonio Water System.

3. 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.
4. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer Protection & Evaluation Section of the Resource Protection Division:
 - A. A copy of the Water Pollution Abatement Plan (WPAP) shall be submitted for each particular development/use within the area being considered for re-zoning,
 - B. A set of site specific plans which must have a signed Engineers Seal from the State of Texas,
 - C. A WPAP approval letter from the Texas Commission on Environmental Quality (TCEQ),
 - D. A copy of the approved Water Pollution Abatement Plan.
5. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.
6. If a water quality basin is constructed on the property, the following is required:
 - A. Prior to the start of the basin construction, the owner will notify the Aquifer Protection and Evaluation Section of the San Antonio Water System at (210) 233-3526 to schedule a site inspection.
 - B. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Aquifer Protection and Evaluation Section at (210) 233-3526 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to SAWS Aquifer Protection and Evaluation Section.

- C. If the basin fails to drain properly, the owner will notify the Construction Section of the Resource Compliance Division at (210) 233-3564 prior to any discharge of water.
 - D. If at any time the ownership of the property changes, the seller must inform the buyer of all requirements for maintenance of the Basin. A signed basin maintenance plan and schedule agreement, from the new owner, must be submitted to the Resource Protection Division of SAWS.
- 7. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.
 - 8. The Resource Protection Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

Based on the site evaluation of the property, and the information submitted by the applicant, staff recommends **approval** of the proposed land use. Additionally, SAWS staff recommends that the applicant, or any future owner, comply with the above recommendations in regards to the development of the subject property.



Kirk M. Nixon
Manager

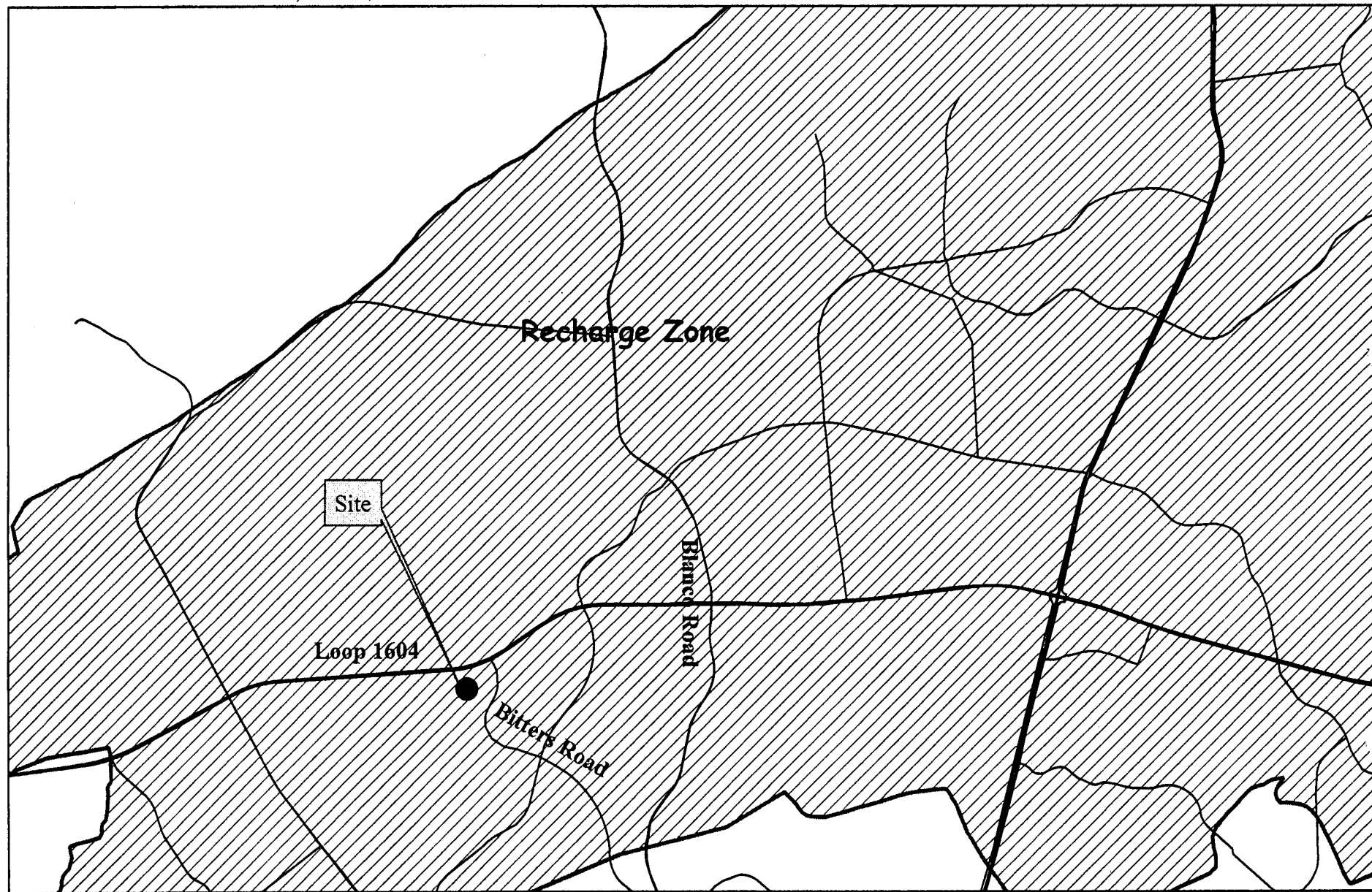
Resource Protection Division

APPROVED:



Scott R. Halty
Director,
Resource Protection & Compliance Department

KMN:MJB



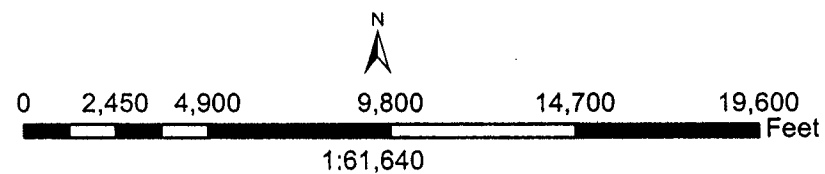
Zoning Case No. Z2006006 Figure 1

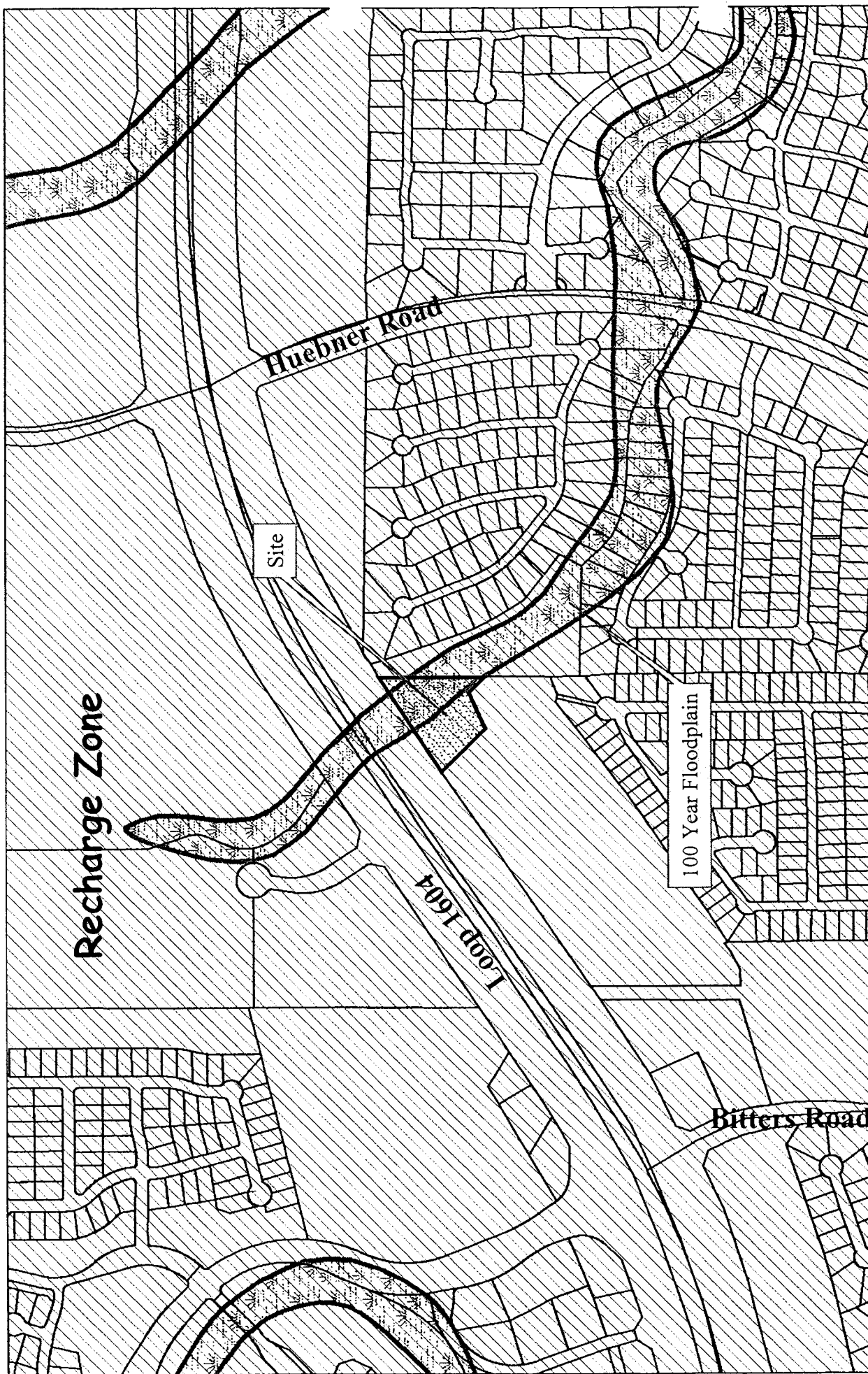
Mini-Storage Facility

Map Page 515 E3

X=2118503 Y=13768051

Map Prepared by Aquifer Protection and Evaluation MJB 12/14/2005





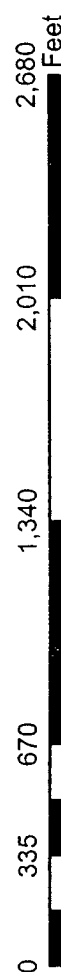
Zoning Case No. Z2006006 Figure 2

Mini-Storage Facility

Map Page 515 E3

X=2118503 Y=13768051

Map Prepared by Aquifer Protection and Evaluation MJB 1/31/2006



1:6,939

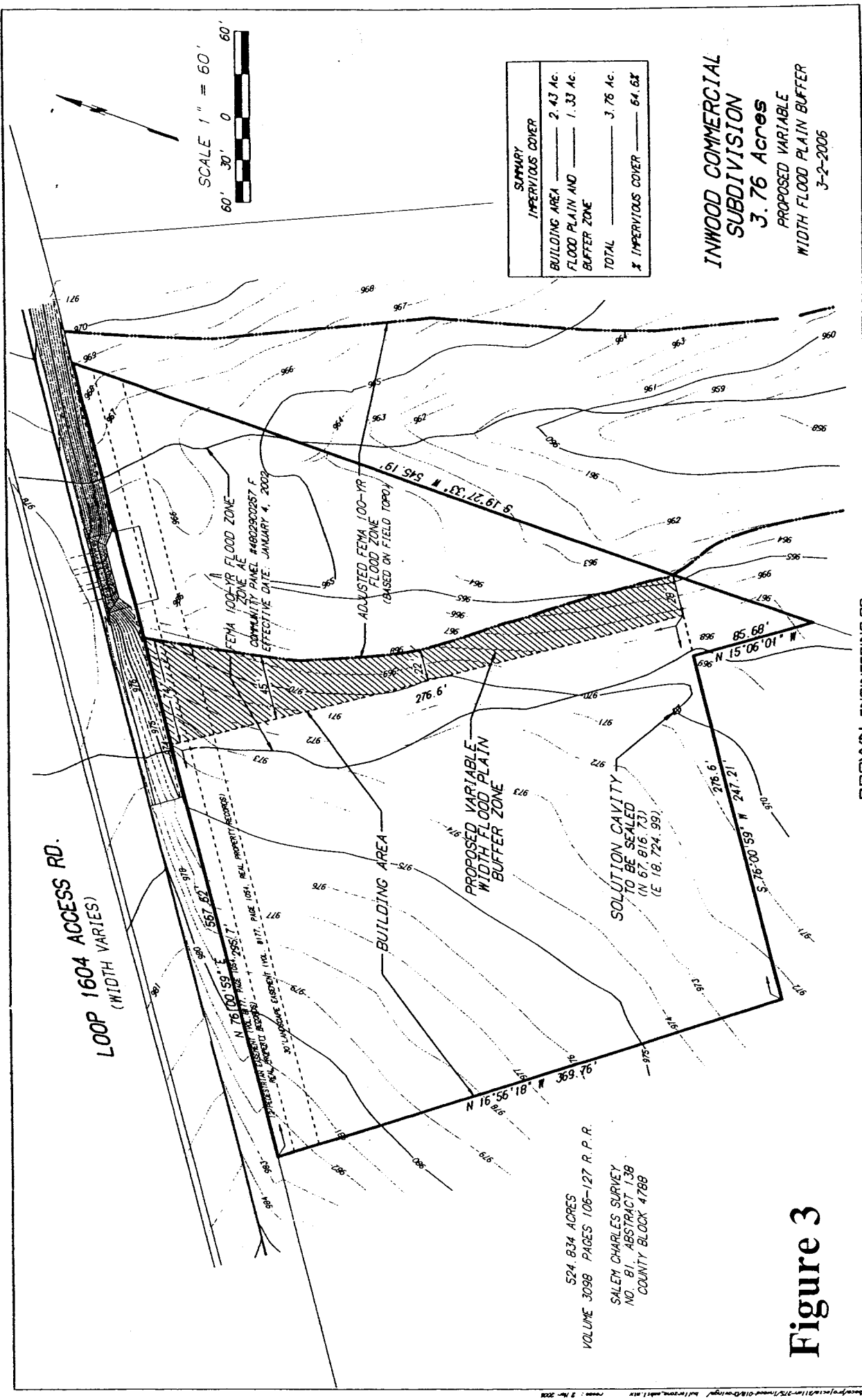


Figure 3