

CITY OF SAN ANTONIO
Zoning Commission Agenda

Cliff Morton Development and Business Services Center
1901 S. Alamo Street
Board Room, First Floor

November 6, 2007
Tuesday, 11:30 AM

ZONING COMMISSIONERS

Michael Westheimer – District 1	Christopher Martinez – District 6
Barbara Hawkins – District 2	Ramiro Valadez, III – District 8
Don Gadberry – District 3	Susan Wright – District 9
Vacant – District 4	Robert R. Robbins – District 10
Joe Valadez – District 5	James Gray – District Mayor
Jody Sherrill – District 7 Chairman	

1. **11:30 AM – Work Session briefing regarding the SmartCode and the Form Based Zoning District Unified Development Code amendments by the Planning and Community Development Department, briefing to schedule a future work session regarding the River North Master Plan and discussion of zoning case recommendations and all other items for consideration on the agenda for November 6, 2007, in the Tobin Room, 1901 S. Alamo Street, Cliff Morton Development and Business Services Center.**
2. 1:00 P. M. – Call to Order – Board Room
3. Roll Call.
4. Pledge of Allegiance.
5. Director’s Report.
6. Approval of October 16, 2007 Minutes.
7. **ZONING CASE NUMBER Z2007256 CD-Postponed:** The request of Earl & Associates, P. C., Applicant, for Hold'em Investments, LP, Owner(s), for a change in zoning from “RP” Resource Protection District and “FR” Farm and Ranch District to “R-4” (CD-Two-Family Dwelling) Residential Single-Family District with a Conditional Use for Two-Family Dwellings at a density not to exceed 7 units per acre on 51.898 acre tract of land out of CB 4191, 3000 Block of West Jett Road.
(Council District 4)
8. **ZONING CASE NUMBER Z2007265 ERZD:** The request of Texas Family Homes, LLC, Applicant, for Texas Family Homes, LLC, Owner(s), for a change in zoning from “R-5” ERZD Residential Single Family Edwards Recharge Zone District to “R-5” (CD-Multi-Family Dwellings) ERZD Residential Single Family Edwards Recharge Zone District with a Conditional Use for Multi-Family Dwellings with a maximum density of 6 units per acre or a total of 7 units on Tract J2, NCB 13837, 15000 Block of Henderson Pass. (Council District 9)

9. **ZONING CASE NUMBER Z2007282 S ERZD:** The request of Reata Real Estate Services, L. P., Applicant, for Big Spring Concepts, Ltd, Owner(s), for a change in zoning from “C-3” ERZD General Commercial Edwards Recharge Zone District to “C-3” S ERZD General Commercial Edwards Recharge Zone District with a Specific Use Permit for a Veterinary Hospital-Small Animals (No Outside Runs, Pens, and Paddocks Permitted) on .8020 acres out of NCB 19219, 21000 Block of US Highway 281 North. (Council District 9)
10. **ZONING CASE NUMBER Z2007291 ERZD:** The request of RAD Investments, Inc., Applicant, for RAD Investments, Inc., Owner(s), for a change in zoning from “R-6” ERZD Residential Single Family Edwards Recharge Zone District to “C-1” ERZD Light Commercial Edwards Recharge Zone District on 9.3076 acres out of NCB 18218, 22000 Block of Stone Oak Parkway. (Council District 9)
11. **ZONING CASE NUMBER Z2008010 S ERZD:** The request of City of San Antonio, Applicant, for 281/150 Stone Oak Developers, Ltd., Owner(s), for a change in zoning from: Property Located Outside City Limits to “C-3” S ERZD General Commercial Edwards Recharge Zone District with a Specific Use Permit for a Transit Park and Ride on 19.982 acres out of CB 4900 and CB 4924, 23445 US Highway 281. (Council District 9)
12. **ZONING CASE NUMBER Z2007278:** The request of Kaufman and Associates, Inc., Applicant, for Bhakta, Karsan and Bhakta, Jashuben / Bentwood Apartments, LLC / See, Sian-Tock, Owner(s), for a change in zoning from “C-2” Commercial District to “MF-50” Multi-Family District on Lot 9, the South 293.32 Feet of Lot 11, Lot 12, Lot 13, the West 22 Feet of Lot 14, and Lot 21, NCB 8692, 1107, 1111 and 1125 Austin Highway. (Council District 10)
 - A. Finding of consistency with Master Plan.
 - B. Recommendation on zoning change request.
13. **ZONING CASE NUMBER Z2007300:** The request of Chuck Christian, Applicant, for Tom and Glenda S. Cano, Owner(s), for a change in zoning from “C-2” Commercial District to “C-3” General Commercial District on 1.882 acres out of NCB 18859, 5900 Block of Village Park. (Council District 6)
 - A. Finding of consistency with Master Plan.
 - B. Recommendation on zoning change request.
14. **ZONING CASE NUMBER Z2007305:** The request of Robert Cortez, Sr., Applicant, for Cortez Properties, LLC, Owner(s), for a change in zoning from “R-6” Residential Single Family District to “C-2NA” Commercial, Nonalcoholic Sales District on Lot 1, Block 6, NCB 8989, 530 S. W. 38th Street. (Council District 6)
15. **ZONING CASE NUMBER Z2007306 CD:** The request of Rosario Padilla, Applicant, for Rosario Padilla, Owner(s), for a change in zoning from “R-4” EP-1 Residential Single Family Facility Parking/Traffic Control District-1 to “R-4” EP-1 (CD - Multi-Family Dwellings) Residential Single Family Facility Parking/Traffic Control District-1 with a Conditional Use for Multi-Family Dwellings not exceeding 11 units per acre or a total of 2 units on Lot 2, Block 7, NCB 9548, 2275 Hays Street. (Council District 2)
16. **ZONING CASE NUMBER Z2008004 S:** The request of Stephen Cook Engineering, Applicant, for Imax Properties, c/o Ravinder Sahota, Owner(s), for a change in zoning from “C-2” Commercial District to “C-2” S Commercial District with Specific Use Permit for a Car Wash on 2.272 acres out of NCB 18805, approximate 7100 Block of Tezel Road. (Council District 6)

17. **ZONING CASE NUMBER Z2007312 S CD:** The request of R. Carlile Roberts, Applicant, for R. Carlile Roberts, Owner(s), for a change in zoning from “C-2” Commercial District and “C-3” General Commercial District to “C-3” S General Commercial District with Specific Use Permit for a Mini-Storage Facility exceeding 2.5 acres and “C-2” (CD-Mini-Storage Facility) Commercial District with a Conditional Use for a Mini-Storage Facility exceeding 2.5 acres on Lot 116 and Lot 118, Block 2, NCB 15972, 5930 Old Pearsall Road. (Council District 4)
18. **ZONING CASE NUMBER Z2008003:** The request of Brackenridge Park/Broadway Developments, Ltd., Applicant, for Brackenridge Park/Broadway Developments, Ltd., Owner(s), for a change in zoning from “I-1” RIO-2 General Industrial River Improvement Overlay District-2 to “IDZ” RIO-2 Infill Development Zone River Improvement Overlay District-2 with uses allowed in “C-3” General Commercial District and “MF-50” Multi-Family District on Lots 1, 2, 3, 4, 5, 6, 7, 8, 23, 24 and the East 36.5 Feet of Lot 9 and the East 36.15 Feet of Lot 22, Block 19, NCB 976, 1915 and 1921 Broadway. (Council District 2)
19. **ZONING CASE NUMBER Z2008006:** The request of Jacklyn Wiley, Applicant, for Jacklyn Wiley, Owner(s), for a change in zoning from “R-5” Residential Single Family District to “C-1” Light Commercial District on Lot 58A, Block 4, NCB 11614, 2202 Babcock Road. (Council District 8)
20. **ZONING CASE NUMBER Z2007313 CD:** The request of Reynaldo and Maria Teresa Reyna, Applicant, for Reynaldo and Maria Teresa Reyna, Owner(s), for a change in zoning from “C-3R” Commercial District, Restrictive Alcoholic Sales to “C-2NA” (CD-Contractor Facility) Commercial District, Nonalcoholic Sales with a Conditional Use for a Contractor Facility on Lot 40 and Lot 41, Block 1, NCB 8593, 2802 and 2804 Castroville Road. (Council District 6)
21. **ZONING CASE NUMBER Z2007319:** The request of Brown, P. C., Applicant, for Alamo Park, Inc., Owner(s), for a change in zoning from “I-2” Heavy Industrial District, ”I-2” S Heavy Industrial District with a Special Use Permit for a Quarry, “C-2” Commercial District, “NP-10” Neighborhood Preservation District, “NP-10” S Neighborhood Preservation District with a Special Use Permit for a Quarry, and “NP-10” S Neighborhood Preservation District with a Special Use Permit for a Golf Course to “C-3” General Commercial District, “ED” Entertainment District, “MF-25” Multi-Family District, “O-1” Office District and “RP” Resource Protection District on 371.03 acres out of NCB 14945 and 14941, generally bound by Interstate Highway 35, Perrin Beitel and Schertz Road. (Council District 10)
22. **ZONING CASE NUMBER Z2007314:** The request of Partners Investors, LLC, Applicant, for Flint and Pauline Bourgeois, Owner(s), for a change in zoning from “I-1” General Industrial District and “C-3NA” General Commercial District, Nonalcoholic Sales to “C-3” General Commercial District on Lot 12, NCB 2809, 2101 South Laredo Street. (Council District 5)
23. **ZONING CASE NUMBER Z2007310:** The request of Clare Abad, Applicant, for Clare and Michael Abad, Owner(s), for a change in zoning from “R-6” Residential Single-Family District to “C-2” Commercial District on 1.0102 acres out of NCB 15894, 6744 Walzem Road. (Council District 2)
24. **ZONING CASE NUMBER Z2007309:** The request of Calvary Apostolic Church, Applicant, for Northside United Pentecostal Church (Calvary Apostolic Church), Owner(s), for a change in zoning from “C-2” Commercial District to “R-6” Residential Single Family District on Lot 16, Block 1, NCB 16725, 13875 Higgins Road. (Council District 10)
25. **ZONING CASE NUMBER Z2007307:** The request of C. B. Barker, Trustee, Applicant, for Davila Ledbetter, Owner(s), for a change in zoning from “C-2” Commercial District to “C-3” General Commercial District on Lot 30, Block 4, NCB 13342, 9907 San Pedro Avenue. (Council District 9)

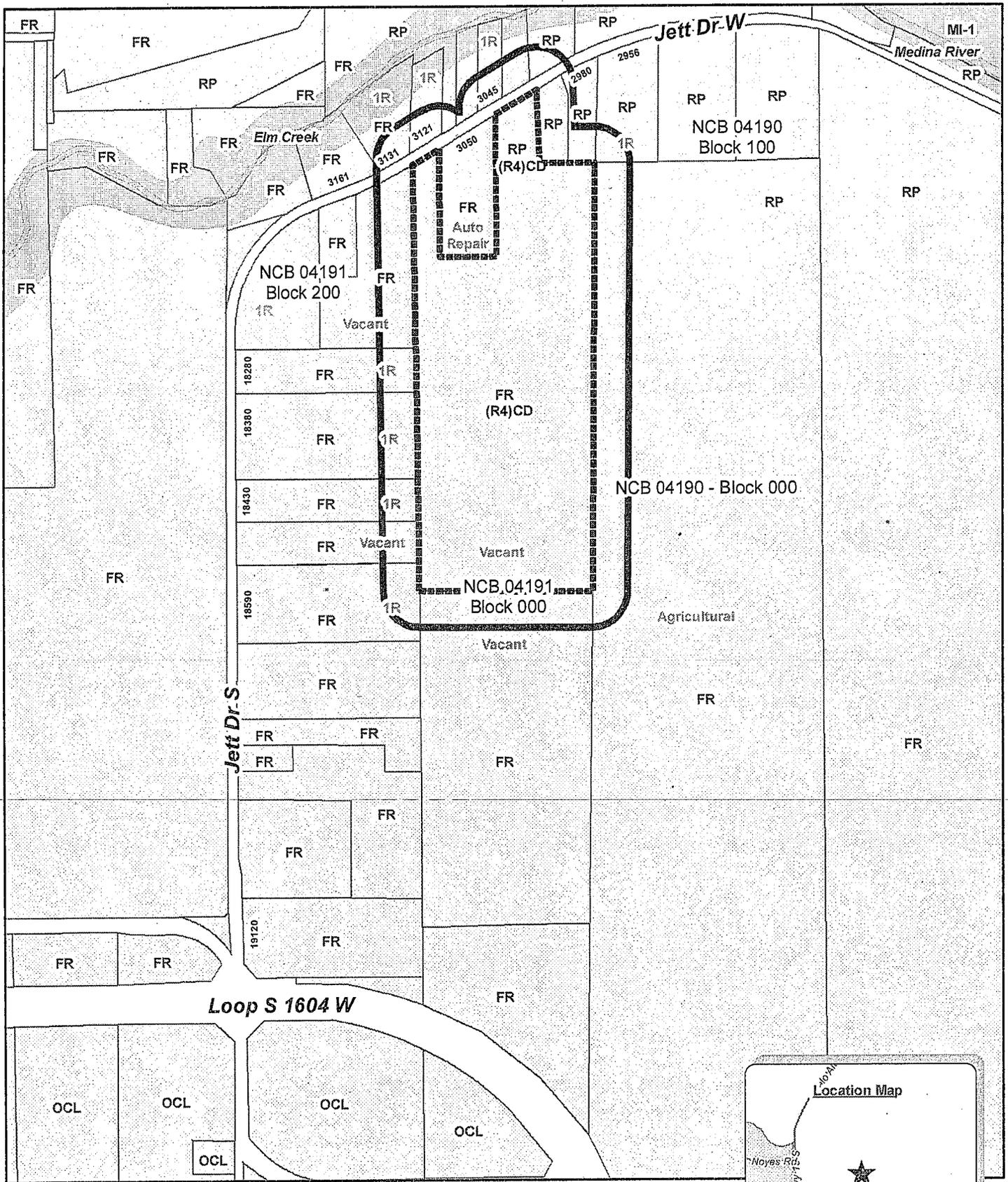
26. **ZONING CASE NUMBER Z2007315:** The request of Musselman Interests, Ltd, Applicant, for Musselman Interests, Ltd, Owner(s), for a change in zoning from “R-6” Residential Single Family District to “C-3NA” General Commercial District, Nonalcoholic Sales on P-8D, NCB 17757, 15621 O'Connor Road. (Council District 10)
27. **ZONING CASE NUMBER Z2007316:** The request of Kaufman and Associates, Inc., Applicant, for Brad Galo, Owner(s), for a change in zoning from “MF-25” Multi-Family District and “MF-25” GC-1 Multi-Family Gateway Corridor Overlay District-1 to “C-2” Commercial District and “C-2” GC-1 Commercial Gateway Corridor Overlay District-1 on 19.59 acres out of NCB 18333, 20865 IH-10 West. (Council District 8)
28. **ZONING CASE NUMBER Z2007318:** The request of Brown, P. C., Applicant, for MTB Interests Inc and WOB Interests, ETAL, Owner(s), for a change in zoning from “I-2” Heavy Industrial District to “C-3” General Commercial District on 14.67 acres out of NCB 11186, 7000 Block of Yarrow Boulevard. (Council District 4)
29. **ZONING CASE NUMBER Z2008002:** The request of Andres and Bonnie Vargas, Applicant, for Andres and Bonnie Vargas, Owner(s), for a change in zoning from “R-4” Residential Single Family District to “C-2” Commercial District on the West 145 Feet of the North 388 Feet of Lot 3 and the East 74.88 Feet of the North 388 Feet of Lot 2, Block 102, NCB 11072, 1354 Gillette Boulevard. (Council District 4)
30. **ZONING CASE NUMBER Z2008001 CD:** The request of Antero Patlan Jr., Applicant, for Antero Patlan Jr., Owner(s), for a change in zoning from “R-5” Residential Single-Family District to “C-2” (CD-Motor Vehicle Sales) Commercial District with a Conditional Use for Motor Vehicle Sales on Lot 1 and Lot 2, Block 2, NCB 8290, 675 North General McMullen. (Council District 5)
31. **ZONING CASE NUMBER Z2008005 S:** The request of Earl & Associates, P. C., Applicant, for Russell Simpson, Owner(s), for a change in zoning from “C-2” (CD - Carwash) Commercial District with a Conditional Use for a Carwash to “C-2” S Commercial District with a Specific Use Permit for a Carwash on Lot 15, Block 1, NCB 16959, 13630 O'Connor Road. (Council District 10)
32. **ZONING CASE NUMBER Z2007303 H:** The request of City of San Antonio, Planning Department, Historic Preservation Officer, Applicant, for Multiple Property Owners, Owner(s), for a change in zoning from “R-6” Residential Single-Family District, “MF-33” Multi-Family District, ”RM-4” Residential Mixed District, “C-3” General Commercial District, “IDZ” Infill Development Zone, “R-6” (CD-Duplex) Residential Single-Family District with a Conditional Use for a Duplex, “C-2NA” Commercial, Nonalcoholic Sales District, “C-3NA” Commercial District, Nonalcoholic Sales, “R-6” HS Residential Single-Family Historic Significance District, “RM-4” HS Residential Mixed Historic Significance District, “O-2” Office District; “MF-33” HS Multi-Family Historic Significance District, “C-3R” Commercial District, Restrictive Alcoholic Sales to “R-6” H Residential Single-Family Historic District, “MF-33” H Multi-Family Historic District; “RM-4” H Residential Mixed Historic District, “C-3” General Commercial Historic District, “IDZ” H Infill Development Zone Historic District, “R-6” H (CD-Duplex) Residential Single-Family Historic District with a Conditional use for a Duplex, “C-2NA” H Commercial, Nonalcoholic Sales Historic District, “C-3NA” H Commercial District, Nonalcoholic Sales Historic District, “R-6” HS H Residential Single Family Historic Significance Historic District, “RM-4” HS H Residential Single-Family Historic District, “O-2” H Office Historic District, “MF-33” HS H, Multi-Family Historic Significance Historic District, “C-3R” H Commercial District, Restrictive Alcoholic Sales Historic District on Multiple lots within Block 7, NCB 2998; Block 2, NCB 2965; Block 6, NCB 2996; Block 1, NCB 2999; Block 3, NCB 2964; Block 13, NCB 1734; Block 4, NCB 1731; Block 5, NCB 1732; Block 5, NCB 2995; Block 14, NCB 1735; Block 9, NCB 1733; Block 4,

NCB 2997; Block 3, NCB 396; Block 3, NCB 1754; Block 4, NCB 1753; Block 15, NCB 1742; Block 6, NCB 1751; Block 32, NCB 386; Block 31, NCB 387; Block 5, NCB 1752; Block 6, NCB 1751; Block 10, NCB 1750; Block 16, NCB 1743; Block 28, NCB 397; Block 7, NCB 1740; Block 12, NCB 1744; Block 27, NCB 399; Block 1, NCB 1746; Block 11, NCB 1741; Block 2, NCB 1739; Block 6, NCB 1737; Block 3, NCB 1738; Block 10, NCB 1736; Block 8, NCB 1745; Block 30, NCB 392; Block 11, NCB 1749; Block 13, NCB 1717. 311 through 529 East Courtland Place; 304 through 536 East Courtland Place; 502 Gillespie; 305 through 609 East Dewey Place; 310 through 601 East Dewey Place; 2323 North St. Mary's Street; 519 through 520 Paschal; 500 and 502 Kendall Street; 2209 through 2213 North St. Mary's Street; 609, 613 and 615 North St. Mary's Street. 313 through 615 East Locust; 310 through 624 East Locust; 510 Paschal; 423 and 509 Gillespie; 515 and 523 Kendall Street; 2203 North St. Mary's Street; 417 through 425 Paschal; 416 Paschal; 415 through 420 Gillespie; 416 and 418 Kendall Street; 2121 North St. Mary's Street; 317 through 631 East Myrtle; 306 through 632 East myrtle; 410 Paschal; 403 through 409 Gillespie; 401 through 409 Kendall Street; 111 through 645 East Park Avenue; 202 through 638 East park Avenue; 1516 through 1528 North Main Avenue; 1602 through 1608 North Main Avenue; 515 through 527 Ogden Street; 520 Ogden Street; 1515 through 1525 McCullough Avenue; 1524 and 1606 McCullough Avenue; 215 through 219 Paschal; 222 Gillespie; and 1935 North St. Mary's Street. (Council District 1)

33. A briefing regarding eight (8) amendments to the Unified Development Code.
(Bill Telford, Development Services Department)
34. Executive Session: consultation on Attorney-client matters (real estate, litigation, personnel and security matters) as well as any of the above agenda items may be discussed.
35. **ADJOURNMENT**

Accessibility Statement

This meeting is wheelchair accessible. The accessible entrance is located at 1901 S Alamo. Accessible parking spaces are located in front of the building. Auxiliary aids and services are available upon request. Interpreters for the deaf must be requested at least 48 hours prior to the meeting by calling 207-7245



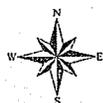
Zoning Case Notification Plan

Case Z-2007-256CD

Council District 4

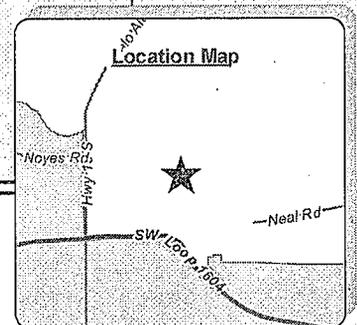
Scale: 1" approx. = 700'

Subject Property Legal Description(s): Lot P-32 - CB 04191 - Abstract 823



Legend

- Subject Property [Dashed Line]
- 200' Notification Buffer [Dotted Line]
- Current Zoning [Solid Line]
- Requested Zoning Change **R6 (R6)**
- 100-Year FEMA Floodplain [Hatched Area]



Produced by the City of San Antonio
Development Services Department
(08/23/2007)

CASE NO: Z2007256 CD-Postponed

Final Staff Recommendation - Zoning Commission

Date: November 06, 2007 Zoning Commission Continuances (Applicant Request) from August 21, 2007, September 18, 2007 and October 2, 2007.

Council District: 4

Ferguson Map: 749 B1, 715 B8

Applicant Name: Earl & Associates, P. C. **Owner Name:** Hold'em Investments, LP

Zoning Request: From "RP" Resource Protection District and "FR" Farm and Ranch District to "R-4" (CD-Two-Family Dwelling) Residential Single-Family District with a Conditional Use for Two-Family Dwellings at a density not to exceed 7 units per acre.

Property Location: 51.898 acre tract of land out of CB 4191
3000 Block of West Jett Road
Southside of West Jett Road

Proposal: To Allow Two-Family Dwellings

Neigh. Assoc. None

Neigh. Plan City South Community Plan

TIA Statement: A Level 1 Traffic Impact Analysis (TIA) has been submitted and approved.

Staff Recommendation:

Inconsistent

The "R-4" (CD-Two-Family Dwelling) Residential Single-Family District with a Conditional Use for Two-Family Dwellings at a density not to exceed 7 units per acre is inconsistent with the land use designation identified in the City South Community Plan. The Plan designates the subject property for Agriculture and Resource Protection. The applicant filed a plan amendment which was heard and continued by the Planning Commission on August 22, 2007, and September 26, 2007. The amendment is now scheduled to be heard by the Planning Commission on October 24, 2007.

The City South Management Authority (CSMA) Board heard and continued the plan amendment and rezoning requests on August 28, 2007, and September 25, 2007. These items are now scheduled to be heard by the Board on October 23, 2007.

Denial

The requested rezone is inconsistent with the land use designation identified in the City South Community Plan. Additionally, given the rural character of the immediate area, which consists of agricultural uses and single family dwellings on lots in excess of one acre along with the presence of the new Toyota plant just over one mile to the northeast, a residential development with a density of seven dwellings per acre is not appropriate.

The subject property consists of about 51.898 acres and is generally undeveloped. A small portion of this property, along Jett Road, was annexed into the city in January of 2003 and later zoned Resource Protection District. The remainder of the property was annexed in June of 2004 and later zoned Farm and Ranch District by the City Council on September 23, 2004. The property is within a limited annexation area and, while development and land uses are subject to the city's building codes and the Unified Development Code, access

CASE NO: Z2007256 CD-Postponed

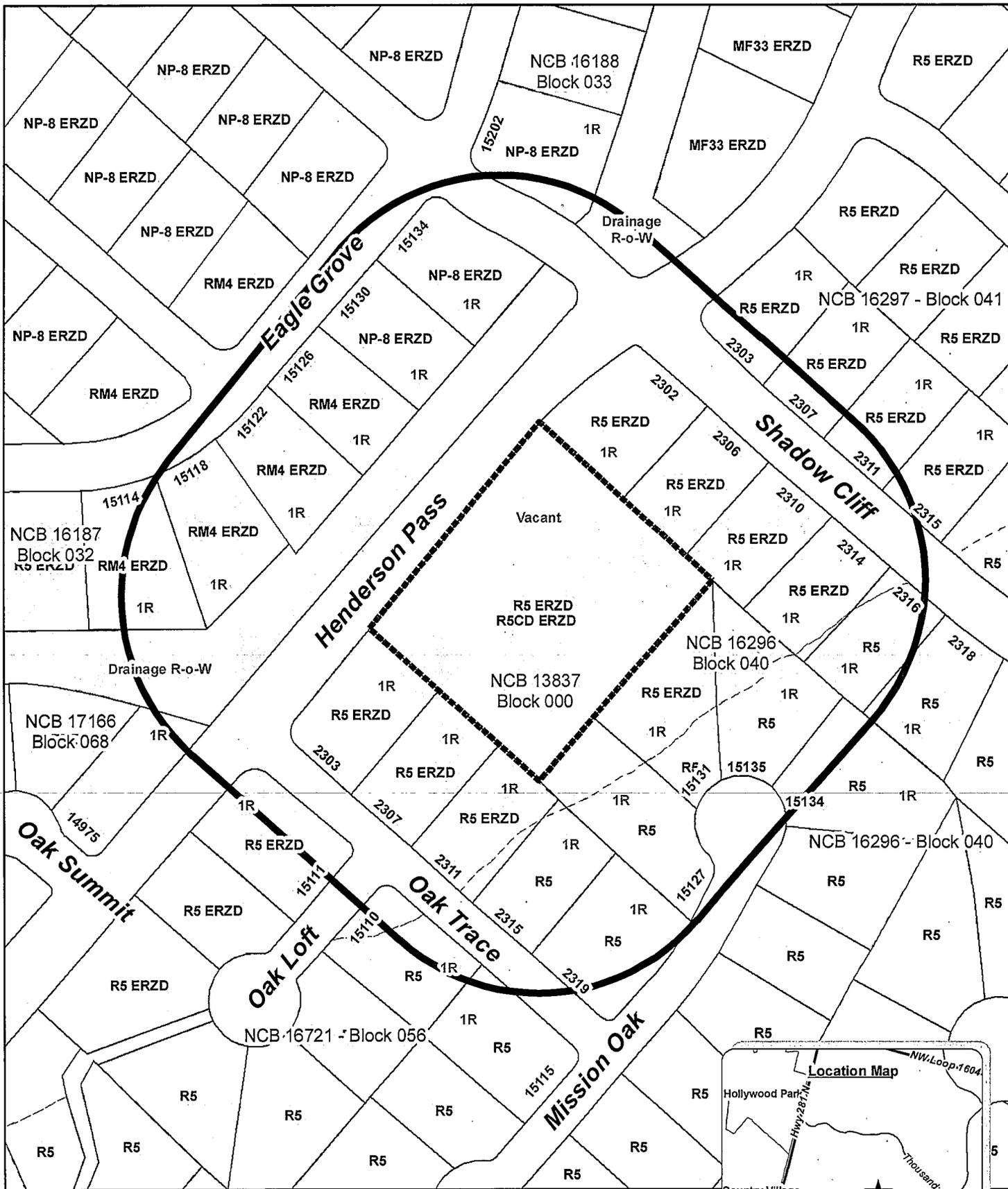
Final Staff Recommendation - Zoning Commission

to city services may be limited. The subject property fronts on Jett Road and is located approximately one mile east of Highway 16.

The Farm and Ranch District "FR" is intended to preserve rural character and culture by implementing larger minimum lot sizes and by prohibiting incompatible land uses. The "FR" district provides areas for agricultural operations and natural resource industries. These districts are composed primarily of large tracts of land that are vacant or in agricultural uses and may contain a minimal number of dwellings and accessory structures. "FR" zoning protects and preserves valuable agricultural areas, implements agricultural and natural resource protection, preserves rural areas, and identifies areas appropriate for agricultural preservation. The "FR" district may be used to establish and buffer low intensity uses along streams, floodplains, and similar environmentally sensitive areas.

The "RP" Resource Protection District provides areas for agricultural operations and natural resource industries. These districts are composed mainly of unsubdivided lands that are vacant or in agricultural uses with some dwellings and some accessory uses. "RP" zoning protects and preserves valuable agricultural areas, implements agricultural and natural resource protection, establishes performance standards for rural businesses, preserves rural areas, preserves pasture land and agriculture, and identifies areas appropriate for agricultural preservation. The "RP" district may be used to establish a buffer of low intensity uses along streams, floodplains, and similar environmentally sensitive areas.

CASE MANAGER : Pedro Vega 207-7980



Zoning Case Notification Plan

Case Z-2007-265

Council District 9

Scale: 1" approx. = 120'

Subject Property Legal Description(s): Lot TR-J2 - NCB 13837 - Block 000



Legend

- Subject Property
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



Produced by the City of San Antonio
Development Services Department
(08/02/2007)

CASE NO: Z2007265 CD ERZD

Final Staff Recommendation - Zoning Commission

Date: November 06, 2007

Council District: 9

Ferguson Map: 517 D6

Applicant Name:

Owner Name:

Texas Family Homes, LLC

Texas Family Homes, LLC

Zoning Request: From "R-5" ERZD Residential Single Family Edwards Recharge Zone District to "R-5" (CD-Multi-Family Dwellings) ERZD Residential Single Family Edwards Recharge Zone District with a Conditional Use for Multi-Family Dwellings with a maximum density of 6 units per acre or a total of 7 units.

Property Location: Tract J2, NCB 13837

15000 Block of Henderson Pass

Henderson Pass, Between Oak Trace and Shadow Cliff

Proposal: To Allow Multi-Family Dwellings

Neigh. Assoc. North Central Thousand Oaks NA / Lorrence Creek NA is within 200 feet

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Approval

The subject property consists of undeveloped land with frontage on Henderson Pass. The property is adjacent to RM-4 and NP-8 zoning to the north, R-5 and MF-33 zoning to the east and R-5 zoning to the west and south. The surrounding land uses consist of single-family dwellings to the north, south, east and west.

The applicant is requesting a rezoning to allow the development of seven (7) detached single-family homes to be sold as condominiums. This area is composed mainly of residential uses and open area where similar residential development seems likely to occur. Therefore, the requested residential use would be appropriate at this location and will not be out of character with the neighboring properties. The subject property is also bound by existing residential zoning to the north, south, east and west making residential development of the property appropriate as well. Based on the gross acreage of the subject property, the current R-5 zoning would allow approximately 11 units. The zoning request would allow approximately 7 units to be built which would be compatible with the surrounding area.

Residential Districts are encouraged in areas where adequate public facilities and services exist with the capacity to serve development. The site is located in an area where there is accessibility to commercial facilities and traffic circulation to major thoroughfares, including Thousand Oaks a Secondary Arterial "Type A" street. The subject property was annexed into the City of San Antonio in March 1965 and totals 1.246 acres. The current R-5 zoning was a conversion of the former A district, a single-family residence district established by the 1938 zoning code.

The conditional 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 lands uses under given conditions. The granting of a conditional zoning

CASE NO: Z2007265 CD ERZD

Final Staff Recommendation - Zoning Commission

classification shall not be for all of the uses permitted in a given district but shall be only for the conditional use named in the ordinance approving the conditional zoning district

SAWS Summary

1. SAWS recommends approval of the proposed land use.
2. SAWS currently identifies the property as a Category 2 property.
3. SAWS recommends a maximum impervious cover of 30%.

CASE MANAGER : Brenda Valadez 207-7945

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, Mike Barr, Resource Protection Specialist II, Aquifer Protection & Evaluation Section, File

Subject: Zoning Case Z2007265 (Henderson Pass)

Date: September 24, 2007

SUMMARY

A request for a change in zoning has been made for an approximate 1.246-acre tract located on the city's north side. A change in zoning from **R-5 ERZD** to **R-5 (CD-Multi-Family Dwellings) ERZD** is being requested by the applicant, Andrew C. Guerrero. The change in zoning has been requested to allow for the development of a residential PUD development.

As of the date of this report, an official request for a site specific category determination or an official request for a "substantial alteration" determination has not been received by the Aquifer Protection & Evaluation Division. Based on the information provided, this property is a Category 2 property and shall be developed in accordance with all the provisions stated in Ordinance No. 81491 governing development on the Edwards Aquifer Recharge Zone. However, if the appropriate information is provided to the Aquifer Protection & Evaluation Section, this property may be determined to be a Category 1 property. If the property is determined to be a Category 1 property, staff recommends that the owner/operator use criteria outlined in Section 34-970 "Best Management Practices".

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 intersection of Henderson Pass Road and Shadow Cliff Road. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

SITE EVALUATION

1. Development Description:

The proposed change is from R-5 ERZD to R-5 (CD-Multi-Family Dwellings) ERZD and will allow for the construction of a residential PUD development. The tract is currently undeveloped with native vegetation. The tract is surrounded by single-family development.

2. Surrounding Land Uses:

Several single-family, residential subdivisions are surrounding the subject tract.

3. Water Pollution Abatement Plan:

As of the date of this report, a WPAP has not been submitted to the Texas Commission on Environmental Quality (TCEQ). A WPAP will be required to be submitted to and approved by the TCEQ prior to the commencement of construction.

4. Geologic Conditions:

The Resource Protection Division of the San Antonio Water System conducted a site evaluation on July 30, 2007, of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS Environmental Geologist, Mr. Bruce Keels, P.G., was present during the site evaluation.

The subject site was observed as a heavily vegetated lot within the Bluffs of Henderson Pass subdivision, approximately 1.246 acres in area. The entire subject site was observed to be native and heavily vegetated. The entire subject site was covered by native soils, with little to moderate exposure of bedrock.

Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site is underlain by the Undivided Edwards Limestone of the Edwards Aquifer. This could not be confirmed due to coverage by native soil and vegetation.

The Undivided Edwards Limestone is characterized by the presence of extensive solution zones and collapse breccia throughout the formation, and by extensive fabric and non-fabric permeability. This member is approximately 300 to 500 feet thick, and is known to be a water bearing member of the Edwards Aquifer.

No significant recharge features were noted during the field visit. The entire subject site was obscured by a significant amount of native soils and heavy native vegetation.

ENVIRONMENTAL CONCERNS

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

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 30% on the site.
2. 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.
3. 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.
4. 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.

5. 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) 233-3520.
6. If any sensitive 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) 233-3520.

General Recommendations

1. 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.
2. 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.
3. 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.
4. If a water quality basin is constructed on the property, the following is required:
 - A. Below grade basins shall not be allowed to be constructed on the site.
 - B. 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) 233-3520 to schedule a site inspection.
 - C. 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) 233-3520 to schedule a site

inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to SAWS Aquifer Protection and Evaluation Section.

- D. 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.
 - E. 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.
5. 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.
 6. 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.

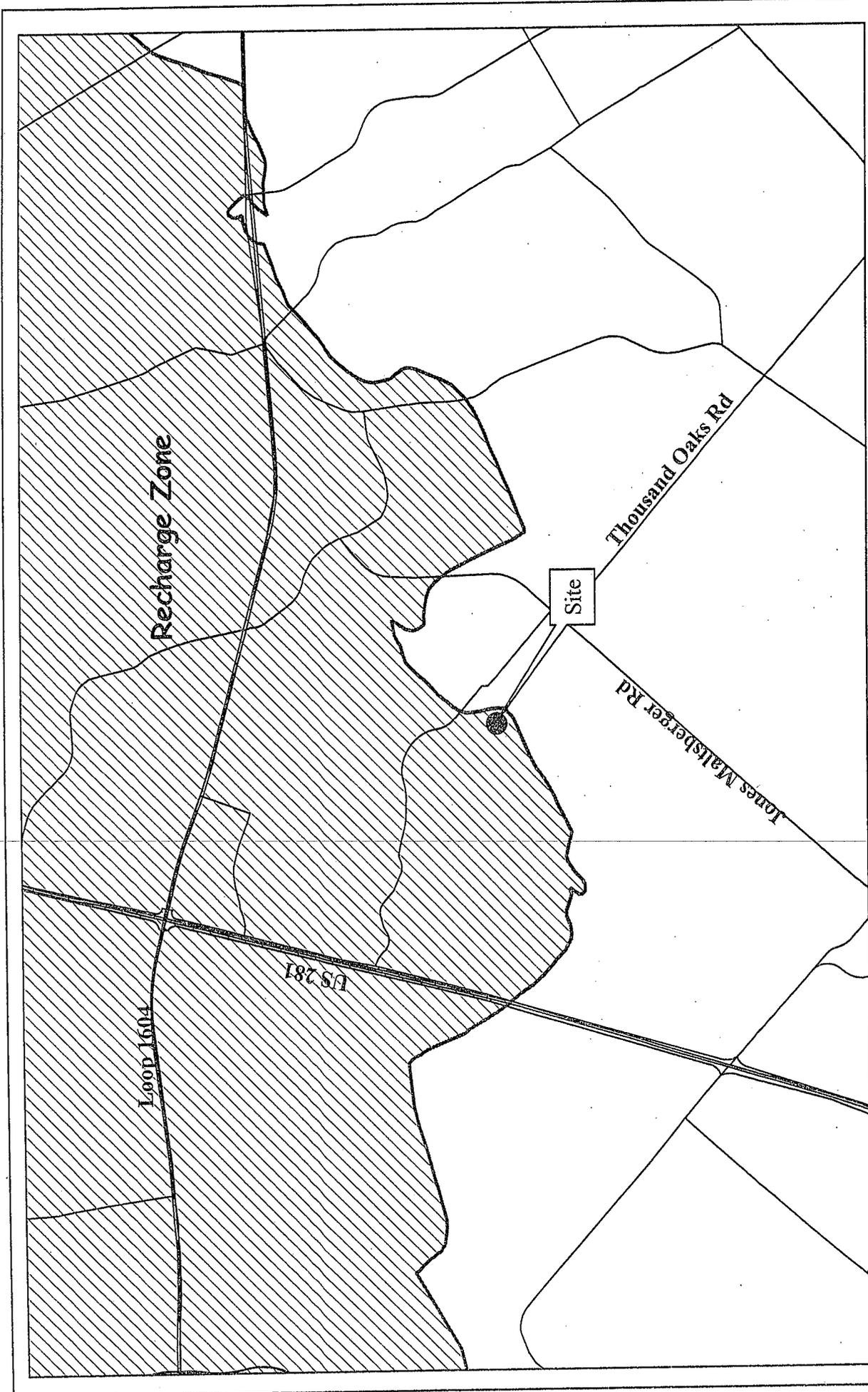
Based on the site evaluation of the property, and the information submitted by the applicant, staff recommends **approval** of the proposed land use. Additionally, SAWS staff recommends that the applicant, or any future owner, comply with the above recommendations in regards to the development of the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

Kirk M. Nixon
Manager
Resource Protection Division

APPROVED:

Scott R. Halty
Director,
Resource Protection & Compliance Department

KMN:MJB



1:45,988

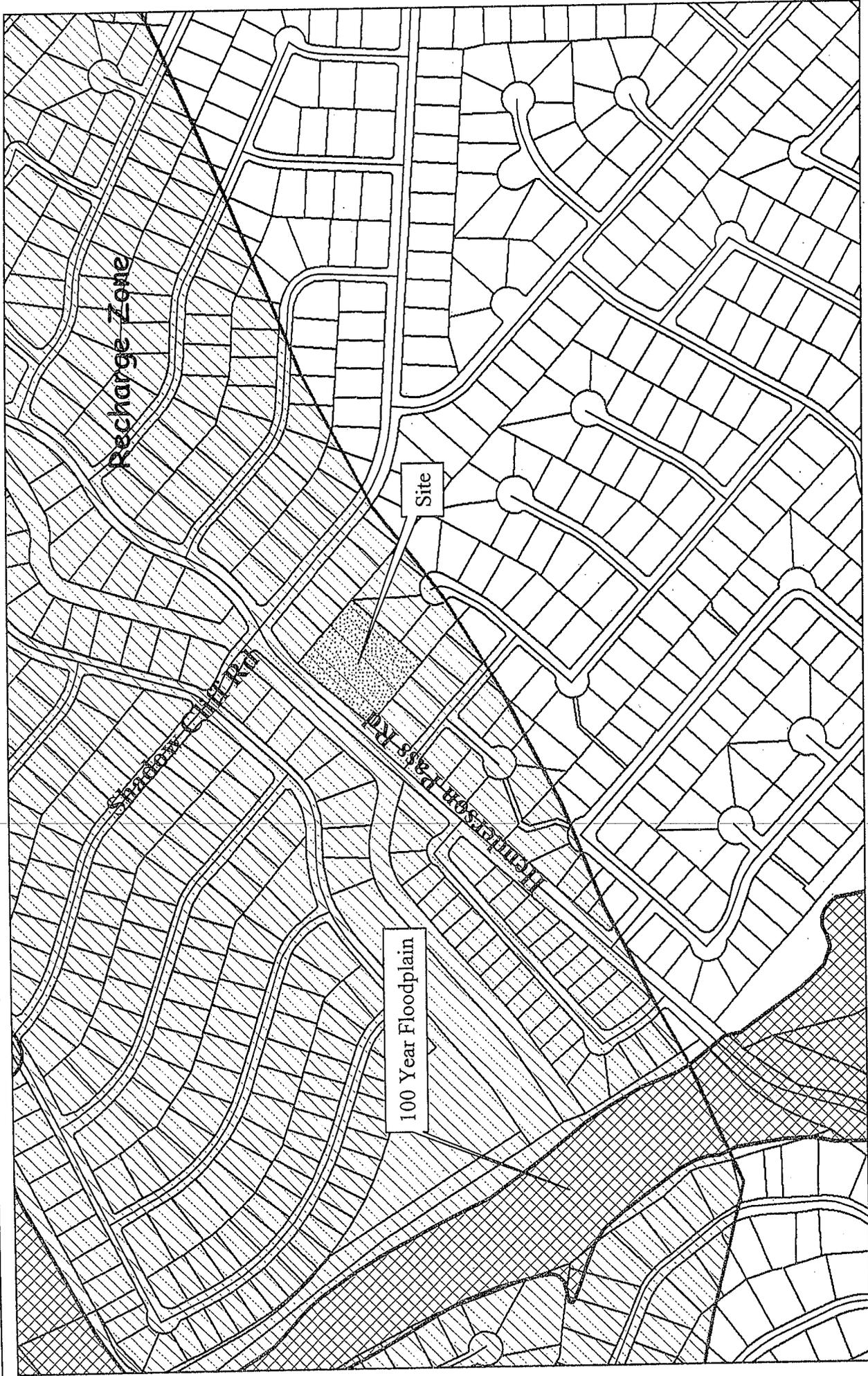
Zoning Case No. Z2007265 Figure 1

Henderson Pass PUD

Map Page 517 D6

X=2141069 Y=13758705

Map Prepared by Aquifer Protection and Evaluation MJB 7/26/2007



Zoning Case No. Z2007265 Figure 2

Henderson Pass PUD

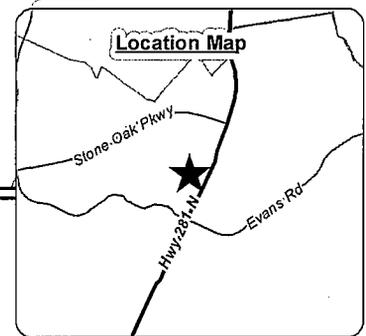
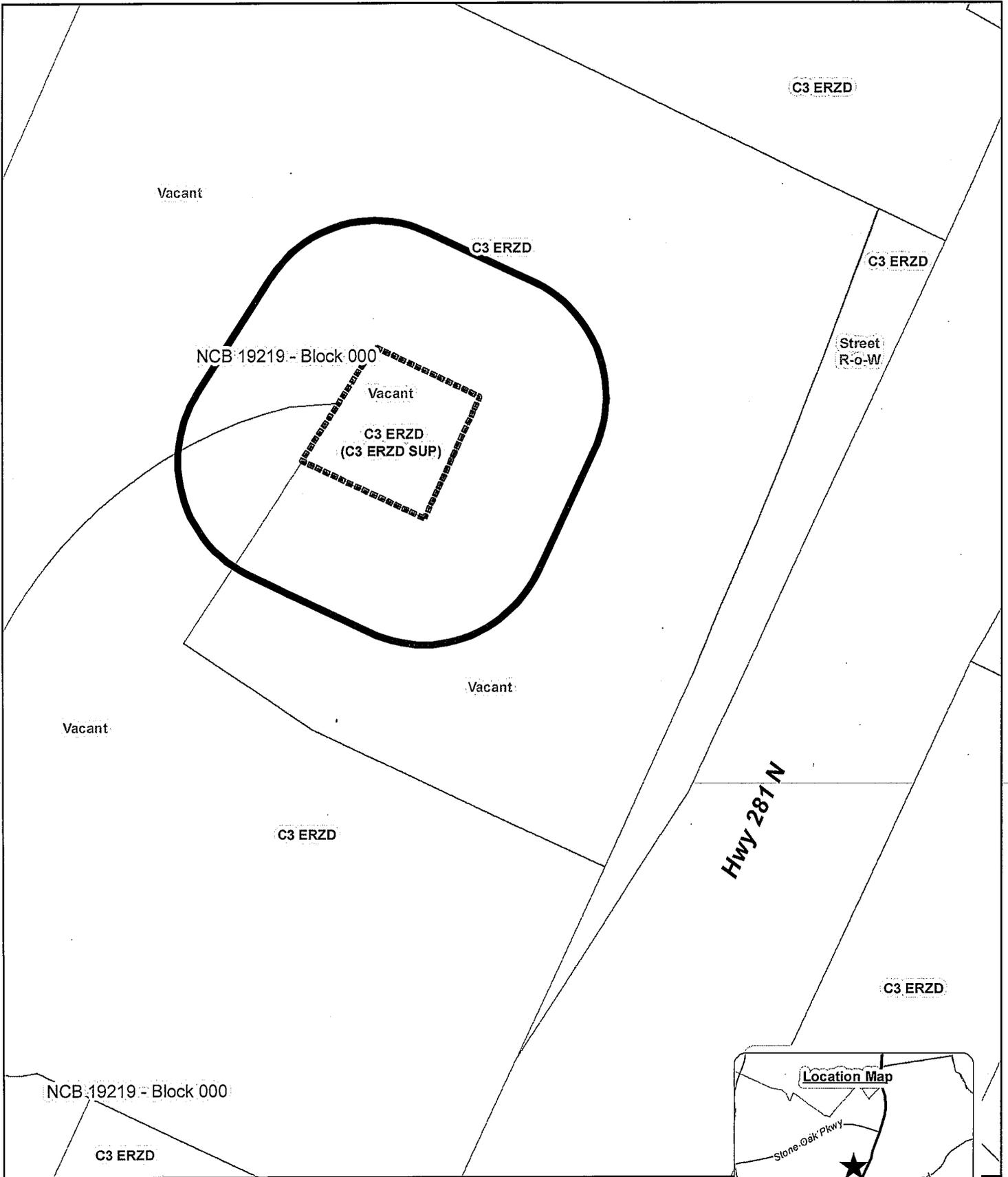
Map Page 517 D6

X=2141069 Y=13758705

Map Prepared by Aquifer Protection and Evaluation MJB 7/26/2007



1:4,268

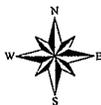


Zoning Case Notification Plan
Case Z-2007-282

Council District 9

Scale: 1" approx. = 200'

Subject Property Legal Description(s): Part of Lots P-2 (3.9085 ac), P-6A (31.9525 ac), P-34A (2.5365ac) and P-34A (.217 ac)
 NCB 19219 - Block 000



Legend

- Subject Property
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain

Produced by the City of San Antonio
 Development Services Department
 (08/20/2007)

CASE NO: Z2007282 S ERZD

Final Staff Recommendation - Zoning Commission

Date: November 06, 2007

Council District: 9

Ferguson Map: 483 D5

Applicant Name:

Owner Name:

Reata Real Estate Services, L. P.

Big Spring Concepts, Ltd

Zoning Request: From "C-3" ERZD General Commercial Edwards Recharge Zone District to "C-3" S ERZD General Commercial Edwards Recharge Zone District with a Specific Use Permit for a Veterinary Hospital-Small Animals (No Outside Runs, Pens, and Paddocks Permitted).

Property Location: .8020 acres out of NCB 19219

21000 Block of US Highway 281 North

US Highway 281 North, North of Evans Road

Proposal: To Allow a Small Animal Clinic with Overnight Boarding

Neigh. Assoc. Stone Oak Property Owner's Association

Neigh. Plan None

TIA Statement: A Level-3 Traffic Impact Analysis has been submitted for the entire development.

Staff Recommendation:

Approval

Given the subject property's location within a parent tract designated for future development as a regional shopping center, the requested zone change is appropriate. The proposed use is consistent with development patterns typically seen within regional shopping centers and along major thoroughfares.

The subject property was annexed into the city in December of 1997 and totals just under one acre. The site is contained within a parent tract that totals nearly 40 acres and will be developed as a regional commercial shopping center. This tract has frontage on both US Highway 281 North and Evans Road, identified as a Freeway and a Type A Secondary Arterial in the city's Major Thoroughfare Plan, respectively. The request is for a Specific Use Permit to allow a small animal clinic within the future shopping center development. Although this use was formerly permitted by right in the C-3 zoning district, a specific use permit was previously required to allow this use within the Edwards Recharge Zone District.

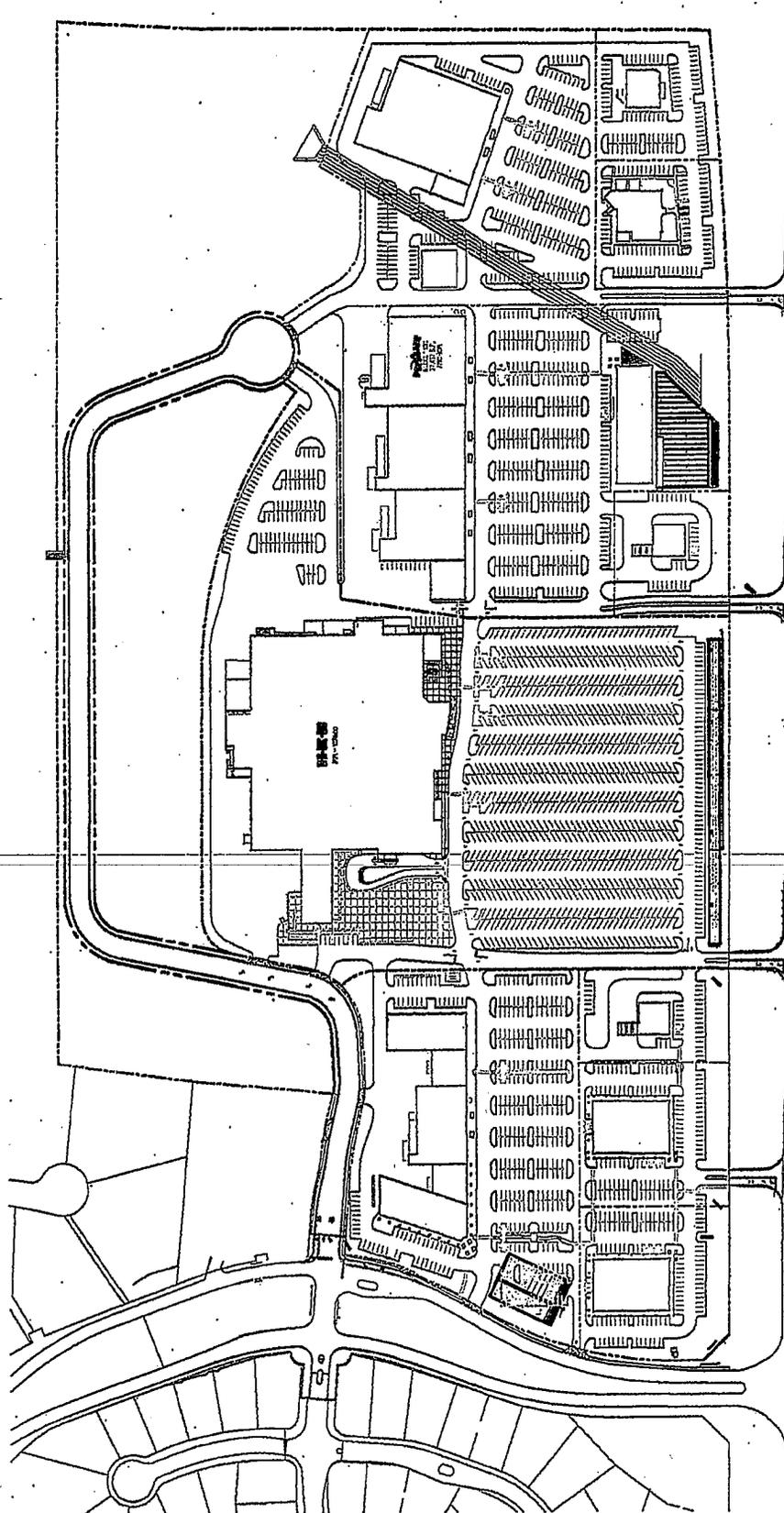
The subject property has existing C-3 zoning that dates to 1997. Most parcels to the north and south also have existing C-3 zoning that dates to the same period with various commercial and office uses, and adjacent lands to the west are owned by the federal government. The closest residential development to the parent tract is the Village in the Woods subdivision to the southwest, with most single family residences dating to 2003. To the east, across Highway 281, are large tracts with commercial zoning undergoing commercial development that extends south to Evans Road and a multi-family complex that dates to 2001.

SAWS Summary

1. SAWS recommends approval of the proposed land use.
2. SAWS currently identifies the property as a Category 1 property.
3. SAWS recommends a maximum impervious cover of 65% on the .8020 acre site.

CASE MANAGER : Matthew Taylor 207-5876

Z2007282



SAN ANTONIO WATER SYSTEM
Interdepartment Correspondence Sheet

DEVELOPMENT SERVICES
RECEIVED
2007 OCT 26 AM 9:13

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, Mike Barr, Resource Protection Specialist II, Aquifer Protection & Evaluation Section, File

Subject: Zoning Case Z2007282 (Pets Mart)

Date: October 24, 2007

SUMMARY

A request for a change in zoning has been made for an approximate 0.9714-acre tract located on the city's north side. A change in zoning from **C-3 ERZD** to **C-3 SUP ERZD** is being requested by the applicant, Andrew C. Guerrero. The change in zoning has been requested to allow for a Specific Use Permit for a small animal clinic and boarding (Pets Mart). 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 intersection of US 281 and Evans 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-3 ERZD to C-3 SUP ERZD and will allow for the construction of a small animal clinic and boarding (Pets Mart). The tract is currently undeveloped with native vegetation.

2. Surrounding Land Uses:

US 281 is located to the east of the site. The Village in the Hills Subdivision is located to the west of the site. Big Springs Subdivision and Evans Road is located to the south of the site. Undeveloped land is located to the north of the site.

3. Water Pollution Abatement Plan:

The Stone Ridge Market Water Pollution Abatement Plan (WPAP) was received by the Texas Commission on Environmental Quality (TCEQ) on June 8, 2007 but has not yet been approved. According to the geologic assessment in the WPAP, there were no naturally occurring, sensitive geologic features located on the site.

4. Geologic Conditions:

The Resource Protection Division of the San Antonio Water System conducted a site evaluation on August 15, 2007, of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS Environmental Geologist, Mr. Bruce Keels, P.G., was present during the site evaluation.

The subject site was observed as an undeveloped vacant property, approximately 0.9714 acres in area. The entire subject site was observed to be in a native condition with native vegetation.

Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site is underlain by the Basal Nodular and Dolomitic Members of the Kainer Formation of the Edwards Aquifer. This could not be confirmed due to extensive coverage by sediments and native vegetation. However, some surficial evidence was observed of dolomitic outcrops within the subject site.

The Basal Nodular Member of the Kainer Formation is characterized by the presence of large lateral cave development near the surface, and by stratigraphically-controlled fabric permeability. This member is approximately 50 to 60 feet thick, and is known to be a water bearing member of the Edwards Aquifer. The Dolomitic Member of the Kainer Formation is characterized by the presence of structural and bedding related cave development, and by bedding plane related permeability. This member is approximately 110 to 130 feet thick and is known to be a water bearing member of the Edwards Aquifer.

No significant recharge features were noted during the field visit. However, an existing sanitary sewer line was observed to be trenched into the bedrock.

ENVIRONMENTAL CONCERNS

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

Site Specific Concerns

1. Any biological or hazardous waste that is generated on site shall be disposed of in accordance to local, state, and federal laws.
2. No hazardous chemicals of any kind shall be disposed of via the floor drains or sink drains and all

chemicals shall be stored inside the building.

3. One well was observed on the overall WPAP site and there is potential for contamination of the Edwards Aquifer via the well.

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 specific Pets Mart site.
2. When the well is to be abandoned it must be properly plugged according to the City Code Chapter 34, Division 2 Section 574 by a registered well-driller.
3. Stormwater shall not be directed to any below grade water quality basins.
4. Stormwater runoff from this site shall not be directed to any below grade water quality basin.
5. 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.
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. Department of Agriculture, shall be used.

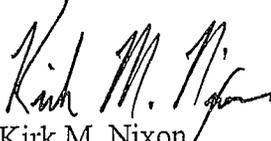
8. The applicant shall notify the Construction Compliance Section of the Resource Compliance Division of SAWS at (210) 233-3564 no later than 48 hours prior to the commencement of construction at the site. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, 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) 233-3520.
9. If any sensitive 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) 233-3520.

General Recommendations

1. 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.
2. 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.
3. 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.
4. 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 SAWS at (210) 233-3520 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) 233-3520 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.
5. 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.
6. 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.

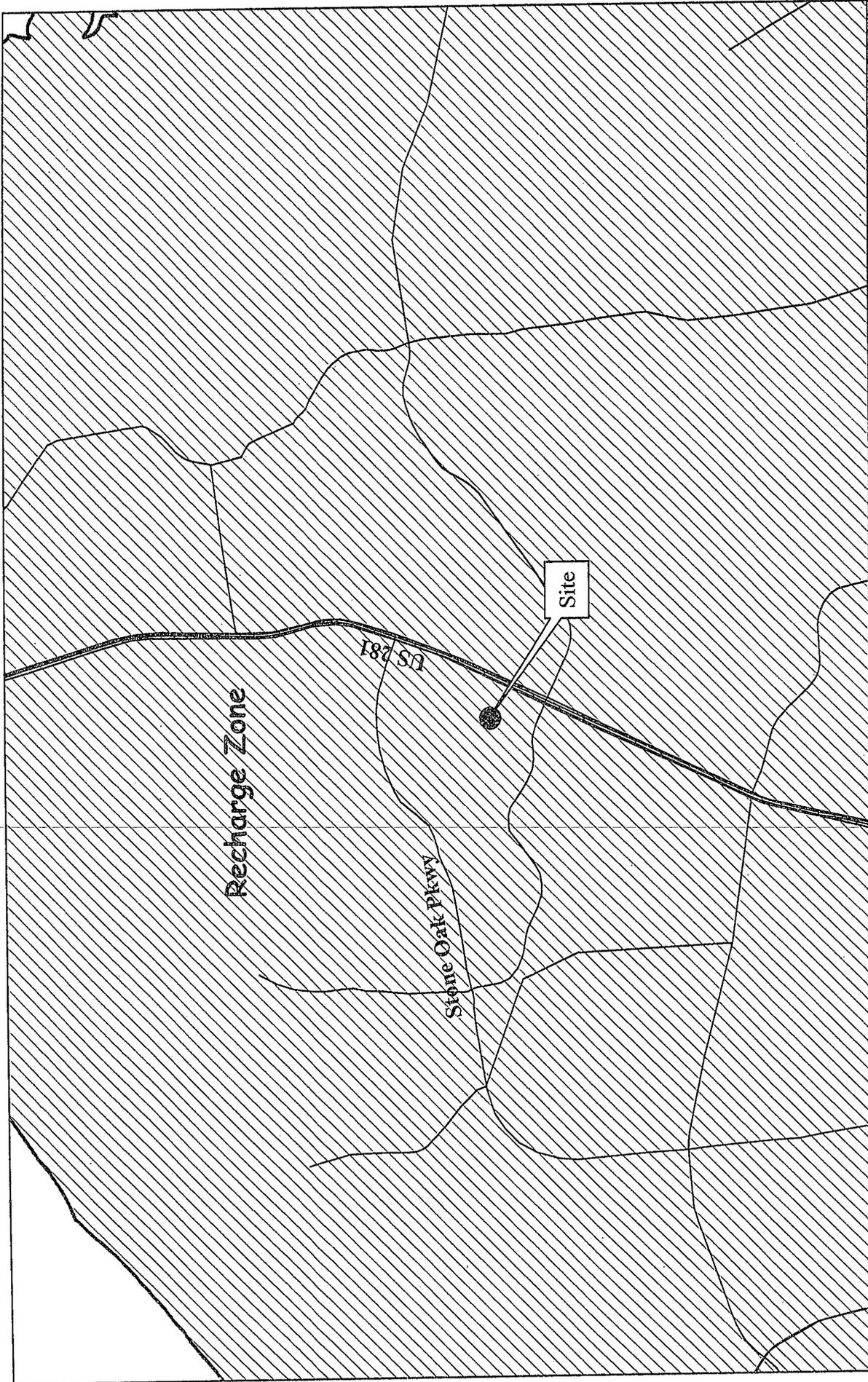

Kirk M. Nixon
Manager
Resource Protection Division

APPROVED:



Scott R. Halty
Director,
Resource Protection & Compliance Department

KMN:MJB



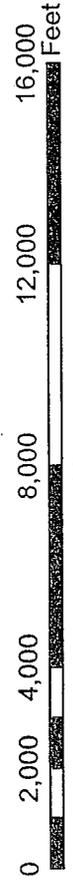
Zoning Case No. Z2007282 Figure 1

Pets Mart

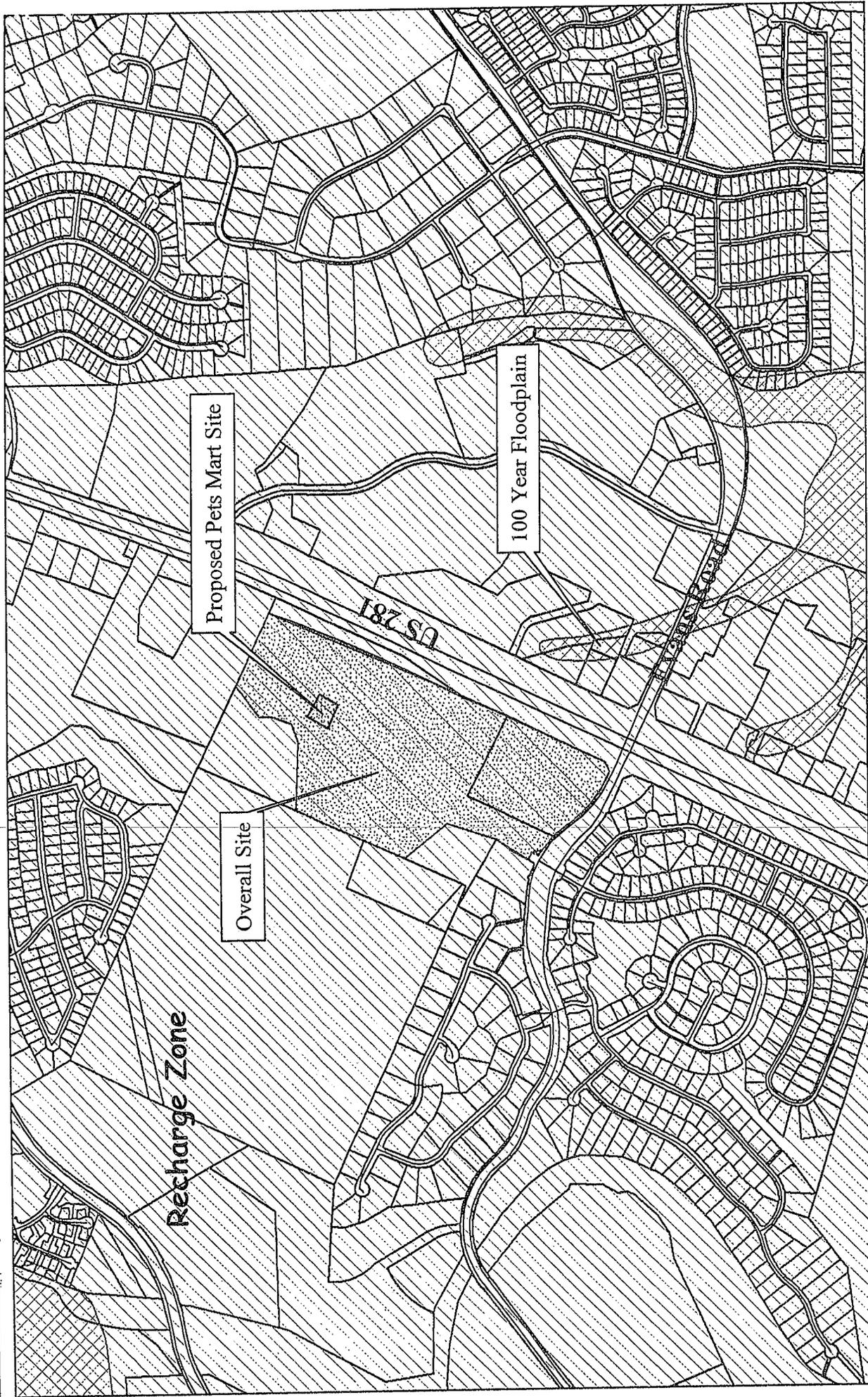
Map Page 483 D6

X=2141213 Y=13781192

Map Prepared by Aquifer Protection and Evaluation MJB 8/16/2007



1:45,988



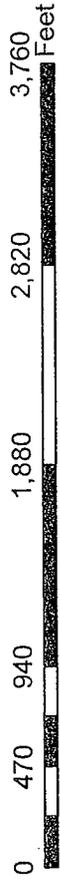
Zoning Case No. Z2007282 Figure 2

Pets Mart

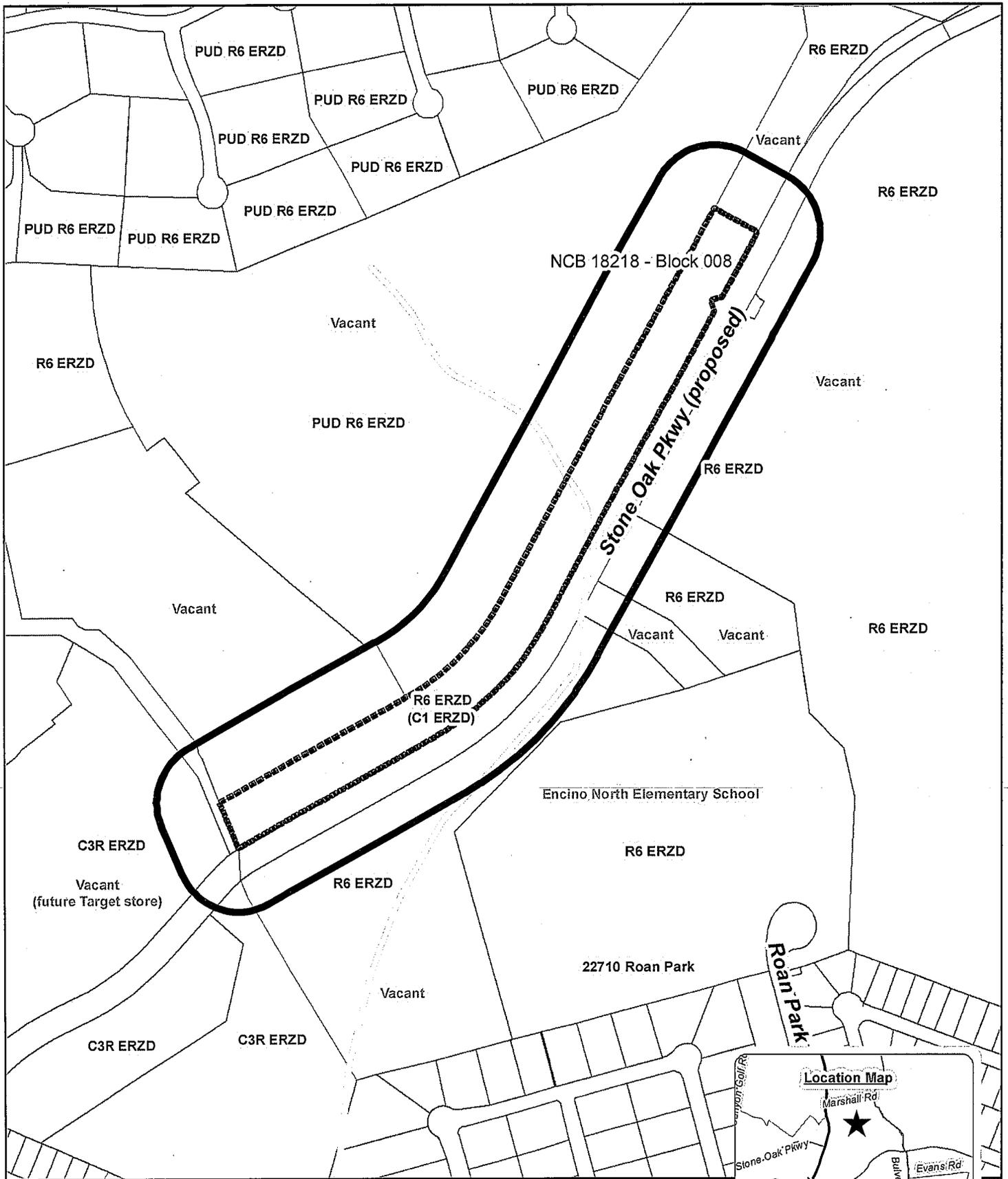
Map Page 483 D6

X=2141213 Y=13781192

Map Prepared by Aquifer Protection and Evaluation MJB 8/16/2007



1:10,908



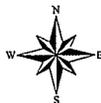
Zoning Case Notification Plan

Case Z-2007-291

Council District 9

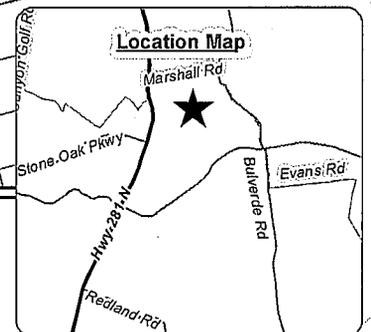
Scale: 1" approx. = 400'

Subject Property Legal Description(s): Lot P-25B - NCB 18218 - Block 000 (Remains per Split in Deeds 8656/1595 & 12563/1908)



Legend

- Subject Property
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



Produced by the City of San Antonio
Development Services Department
(09/05/2007)

CASE NO: Z2007291 ERZD

Final Staff Recommendation - Zoning Commission

Date: November 06, 2007

Council District: 9

Ferguson Map: 483 F3

Applicant Name:

Owner Name:

RAD Investments, Inc.

RAD Investments, Inc.

Zoning Request: From "R-6" ERZD Residential Single Family Edwards Recharge Zone District to "C-1" ERZD Light Commercial Edwards Recharge Zone District.

Property Location: 9.3076 acres out of NCB 18218

22000 Block of Stone Oak Parkway

Stone Oak Parkway, East of US Highway 281 North

Proposal: To Allow Commercial Development

Neigh. Assoc. None

Neigh. Plan None

TIA Statement: A Level-1 Traffic Impact Analysis will be required at platting or permitting.

Staff Recommendation:

Approval

The requested commercial district is appropriate given the location of the subject property along Stone Oak Parkway, a major thoroughfare. Commercial uses are encouraged along arterial streets and, in this case, provides an appropriate transitional buffer between this roadway and the single family residential development currently taking place to the immediate north.

The subject property was annexed into the city in December of 1985 and totals just under 10 acres. The property has nearly one-quarter mile of frontage on Stone Oak Parkway, identified as a Type A Secondary Arterial in the city's Major Thoroughfare Plan. The proposal is to develop multiple neighborhood commercial uses on the site.

There is a regional commercial center undergoing development to the west with C-3 and C-3R zoning that dates to 1998. There are undeveloped tracts to the south with both R-6 and C-3 zoning dating to 2002 and 1998, respectively. Also to the south is Encino North Elementary School on property with R-6 zoning, although there is no direct access from the school to Stone Oak Parkway. Access to the school is via Roan Park to the south and through the Evans Ranch residential subdivision. Most homes in this development date to 2002. There are additional undeveloped lands to the east with R-6 zoning and the lands immediately north of the subject property are currently under development and have R-6 and PUD R-6 zoning that dates to 2002. These lands will be the future site of the North Pointe residential subdivision. Further north is the Winchester Hills residential subdivision with PUD R-6 zoning that dates to 1989 and residences date to the early 1990's. A portion of the subject property is located within a floodplain created by the East Elm Creek, which generally runs from north to south. Type B landscape buffers will be required along those property lines that currently abut properties with residential zoning in place.

SAWS Summary

1. SAWS recommends approval of the proposed land use.
2. SAWS currently identifies the subject property as a Category 2 property.
3. SAWS recommends a maximum impervious cover of 50% for the entire site.

CASE MANAGER : Matthew Taylor 207-5876

RECEIVED
07 OCT 16 AM 11:27

**SAN ANTONIO WATER SYSTEM
Interdepartmental Correspondence Sheet**

LAND DEVELOPMENT
SERVICES DIVISION

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, Patricia M. Garza, Resource Protection Specialist II, Aquifer Protection & Evaluation Section, File
Subject: Zoning Case Z2007291 (Commercial Use Development)

Date: October 9, 2007

SUMMARY

A request for a change in zoning has been made for an approximate 9.463-acre tract located on the city's north side. A change in zoning from **R-6 ERZD** to **C-1 ERZD** is being requested by the applicant, Mr. Robert Liesman of MBC Engineers. The change in zoning has been requested to allow for a commercial use development.

As of the date of this report, an official request for a site specific category determination or an official request for a "substantial alteration" determination has not been received by the Aquifer Protection & Evaluation Division. Based on the information provided, this property is a Category 2 property and shall be developed in accordance with all the provisions stated in Ordinance No: 81491 governing development on the Edwards Aquifer Recharge Zone. However, if the appropriate information is provided to the Aquifer Protection & Evaluation Section, this property may be determined to be a Category 1 property. If the property is determined to be a Category 1 property, staff recommends that the owner/operator use criteria outlined in Section 34-970 "Best Management Practices".

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, on Stone Oak Parkway east of Hwy 281 north. The property lies entirely within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

SITE EVALUATION

1. Development Description:

The proposed change is from R-6 ERZD to C-1 ERZD and will allow for the construction of a commercial development. Currently the site is covered in native vegetation and undeveloped.

2. Surrounding Land Uses:

The property is located south of the North Pointe Subdivision. East of Village of Stone Oak commercial development and is west of Bulverde Road.

3. Water Pollution Abatement Plan:

The North Pointe Commercial Water Pollution Abatement Plan (WPAP) was submitted to the Texas Commission on Environmental Quality (TCEQ) on November 1, 2001 and was approved on January 31, 2002. According to the geologic assessment in the WPAP, there were no naturally occurring, sensitive geologic features located on the site.

4. Geologic Conditions:

The Resource Protection Division of the San Antonio Water System conducted an evaluation, on September 19, 2007 of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS staff Geologist, Joan B. Falkenberg, P.G., was present during the site evaluation.

Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the majority of the site was underlain by the Dolomitic Member of the Edwards Aquifer. The Dolomitic Member is known to be porous and relatively permeable. It is generally 110 to 130 feet thick in full section.

During the site evaluation, no significant geological features were observed; however the site was covered with thick vegetation and obscured by cedar and leaf debris.

According to the FEMA Flood Insurance Maps, the site is not located within a 100-year floodplain area.

ENVIRONMENTAL CONCERNS

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

Site Specific Concerns

1. Below grade basins shall not be allowed to be constructed on site.

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 applicant agrees not to exceed 50% impervious cover for the entire site.
2. The SAWS recommendation of 50% maximum impervious cover is based on the existing R-6 zoning of the subject property. R-6 zoning was commonly used by San Antonio as a default zoning for annexed properties that were not developed at the time of annexation. The subject property is currently a Category 2, determined by SAWS and as such, under the Water Quality Ordinance No. 81491, would be entitled to 65% impervious cover. Given that the property did not require zoning prior to annexation and using Ordinance No. 81491 as a guide, SAWS worked with the applicant to achieve an impervious cover recommendation that addresses water quality protection.
3. Land uses that require an industrial designation, per the permitted use table shall not be allowed on the project site.
4. Any abandoned wells that may be located on the site must be properly plugged according to the City Code Chapter 34, Division 2 Section 574 by a registered well driller.
5. The land uses within the zoned areas 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 that 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 prohibited, that land use will not be permitted on that site.
6. The owner of all water pollution abatement structures shall be responsible for properly maintaining the basin and that it is 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) 233-3520.
9. If any sensitive 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) 233-3520.

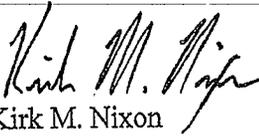
General Recommendations

1. 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.
2. 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 Texas,
 - C. A WPAP approval letter from the Texas Commission on Environmental Quality (TCEQ),
 - D. A copy of the approved Water Pollution Abatement Plan.
3. 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.
4. 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) 233-3520 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) 233-3520 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.
5. 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.
 6. 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:PMG

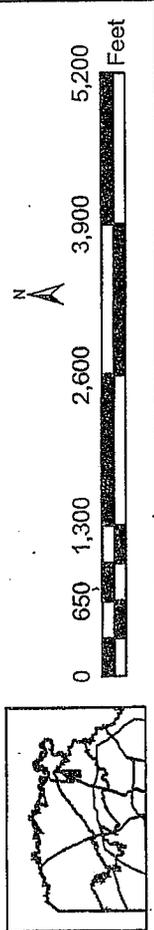
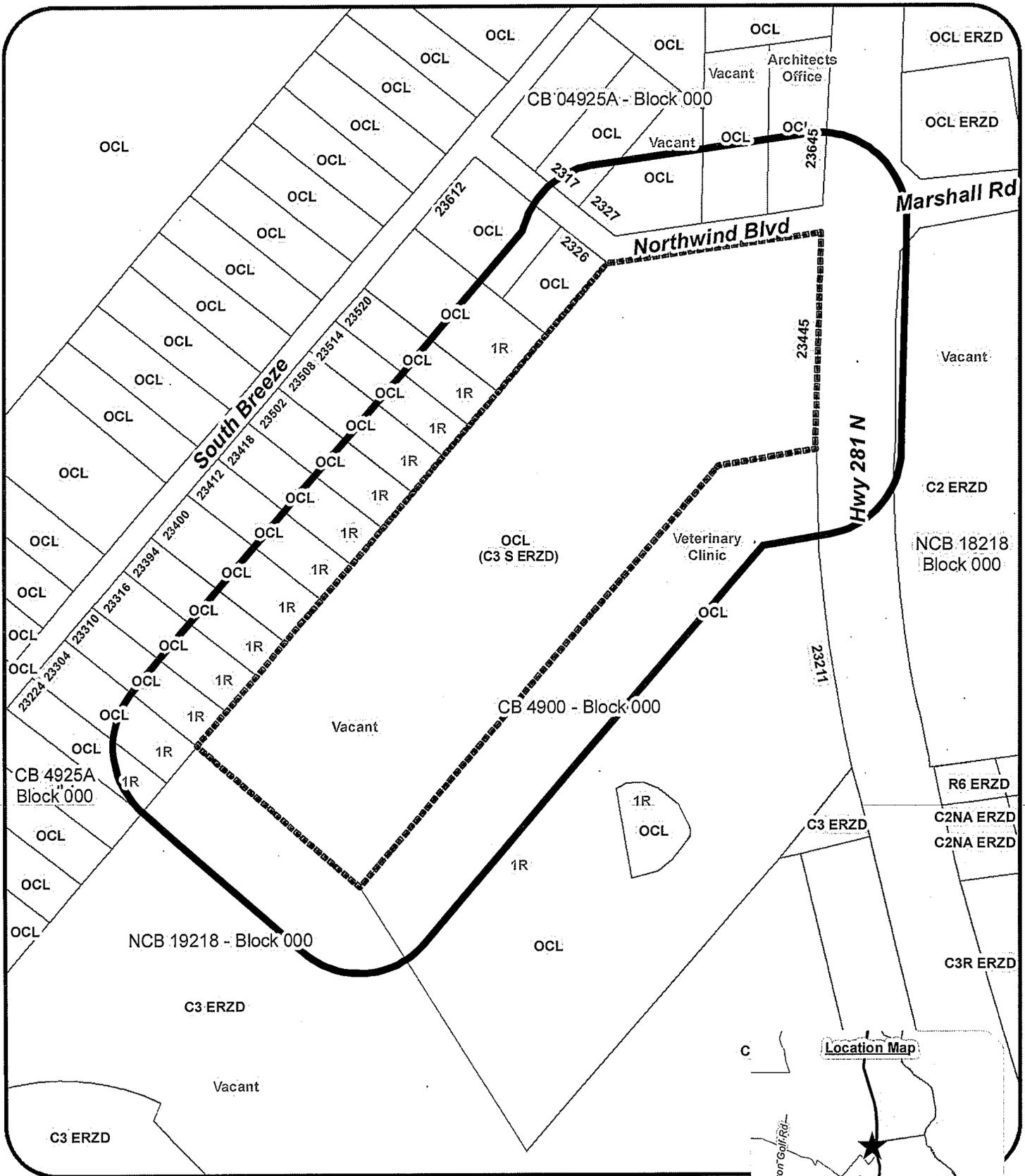


FIGURE 2

ZONING PROJECT NAME: NORTH PONITE
ZONING CASE NUMBER: Z2007291
MAP PAGE: 483 F3 X=2146131 Y=1378329
 Map Prepared by Aquifer Protection & Evaluation PMG 09/19/2007



Zoning Case Notification Plan

Case Z-2008-010 S

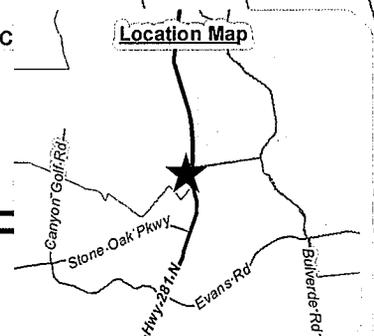
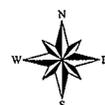
Council District 9

Scale: 1" approx. = 300'

Subject Property Legal Description(s): Parcel P-12AABS 54 - CB 04900 (8.38 Acres) and Parcel P-1A ABS 633 - CB 04924 (11.6 Acres)

Legend

- Subject Property (19.98 Acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(10/26/2007)

CASE NO: Z2008010 S ERZD

Final Staff Recommendation - Zoning Commission

Date: November 06, 2007

Council District: 9

Ferguson Map: 483 D3

Applicant Name:

City of San Antonio

Owner Name:

281/150 Stone Oak Developers, Ltd.

Zoning Request: From Property Located Outside City Limits to "C-3" S ERZD General Commercial Edwards Recharge Zone District with a Specific Use Permit for a Transit Park and Ride.

Property Location: 19.982 acres out of CB 4900 and CB 4924

23445 US Highway 281

Southwest Corner of US Highway 281 and Marshall Road

Proposal: To Allow Commercial Development

Neigh. Assoc. Stone Oak Property Owner's Association is within 200 feet.

Neigh. Plan None

TIA Statement: A Level-3 Traffic Impact Analysis is required.

Staff Recommendation:

Approval

The requested zoning and proposed use of the subject property are consistent with the development trends and patterns along US Highway 281, which began in the 1990's. The proposed development of the property for commercial retail, a public library and a transit park and ride center are compatible with the non-residential development and commercialization of the US Highway 281 corridor. Currently, the subject property is located outside the city limits and within the ETJ of San Antonio. Action to annex the property into the city will be taken by the City Council on November 29, 2007, as will zoning the property to the requested district.

The subject property, which totals just under 20 acres and is undeveloped, is currently located outside the municipal boundary of San Antonio, as are adjacent parcels to the north, east and west. The property fronts on Northwind Boulevard, an unimproved county road, to the north and has frontage along US Highway 281 North along the east property line. The proposal is to develop multiple uses on the site including a retail center, a library and a VIA Park and Ride facility. The extension of Marshall Road west of US Highway 281 will commence after construction on the site begins in the spring of 2008. This zoning case has been initiated in accordance with Section 35-421(b)(3) of the Unified Development Code at the request of the San Antonio City Council.

The property is bound to the west by lots within the Northwind Estates residential subdivision. This development is outside the city limits and has parcels that are typically about one acre. The residences within this development vary in age with some of the more established dwellings dating to the early 1980's. To the north and east, across Northwind Boulevard and US Highway 281, are non-residential uses including offices, a convenience store, and a mortuary. To the south, there is a large parcel with multiple uses, which include two single family residences, one dating to 1958 and one to 1967, and a veterinary clinic that dates to 1970. A portion of the south property line is adjacent to an undeveloped parcel that was annexed into the city in December of 1997 and is currently zoned C-3 ERZD. To the east, across US Highway 281, is a large undeveloped parcel that was annexed into the city in December of 1985 with C-2 ERZD zoning that dates to

CASE NO: Z2008010 S ERZD

Final Staff Recommendation - Zoning Commission

1999. Most of the properties with frontage along Highway 281 from Marshall Road south to Evans Road have C-3 ERZD zoning in place.

SAWS Summary

At the time the Zoning Commission packet was being assembled, staff had not received a report from SAWS.

CASE MANAGER : Matthew Taylor 207-5876



CITY OF SAN ANTONIO
OFFICE OF THE CITY COUNCIL
COUNCIL CONSIDERATION REQUEST

RECEIVED
CITY OF SAN ANTONIO
CITY CLERK

07 SEP 20 PM 1:43

TO: Mayor & City Council
FROM: Councilman Kevin A. Wolff
COPIES TO: Sheryl Sculley, City Manager; Leticia Vacek, City Clerk; Pat DiGiovanni, Deputy City Manager; Chris Callanen, Assistant to the City Council; Michael Bernard, City Attorney; Leticia Callanen, Special Projects Manager; Ramiro Gonzales, Special Projects Coordinator
SUBJECT: Annexation & Zoning of land off of Highway 281 and Marshall Road
DATE: September 18, 2007

Issue Proposed for Consideration

I ask for your support for the inclusion of the following item on the agenda of the earliest available meeting of the City Council:

I respectfully ask for your support to direct the Development Services Department and Planning and Community Development Department to take appropriate action to initiate a change in zoning and to complete annexation for a tract of land located within the City of San Antonio's extraterritorial jurisdiction near Highway 281 and Marshall Road. Final action on both the annexation and the zoning of the subject tract should be completed on or before the City Council meeting on November 1, 2007.

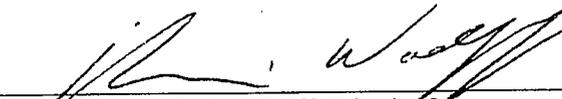
Brief Background

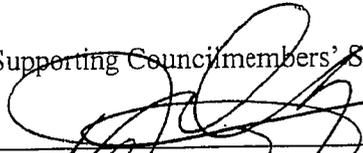
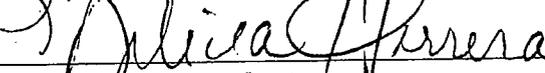
The approximately twenty (20) acre tract ("Property") includes the proposed location of public facilities that will serve City of San Antonio residents, including a San Antonio Public Library and a VIA Metropolitan Transit Authority Park & Ride Center. The proposed annexation and zoning of the Property is vital to the development of these public facilities.

The Property is currently located outside the City of San Antonio corporate limits. The property owner has requested voluntary annexation of the Property, and has submitted all required information and filing fees to the City. Under the City Code, newly annexed territory is automatically zoned for residential use. I am requesting that City staff initiate a zoning case for the Property to allow for commercial use, and to allow for a Park & Ride Center within the Edwards Recharge Zoning District ("ERZD"). The proposed zoning for the property would be "C-2-S ERZD" Commercial, Specific Use Authorization for a Park & Ride in the Edwards Recharge Zone District.

The zoning and annexation processes each require certain public hearings before final action. I ask that both zoning and annexation be presented to City Council for final action on or before November 1, 2007, with an effective date for the related ordinances no later than ten (10) days subsequent to final City Council action.

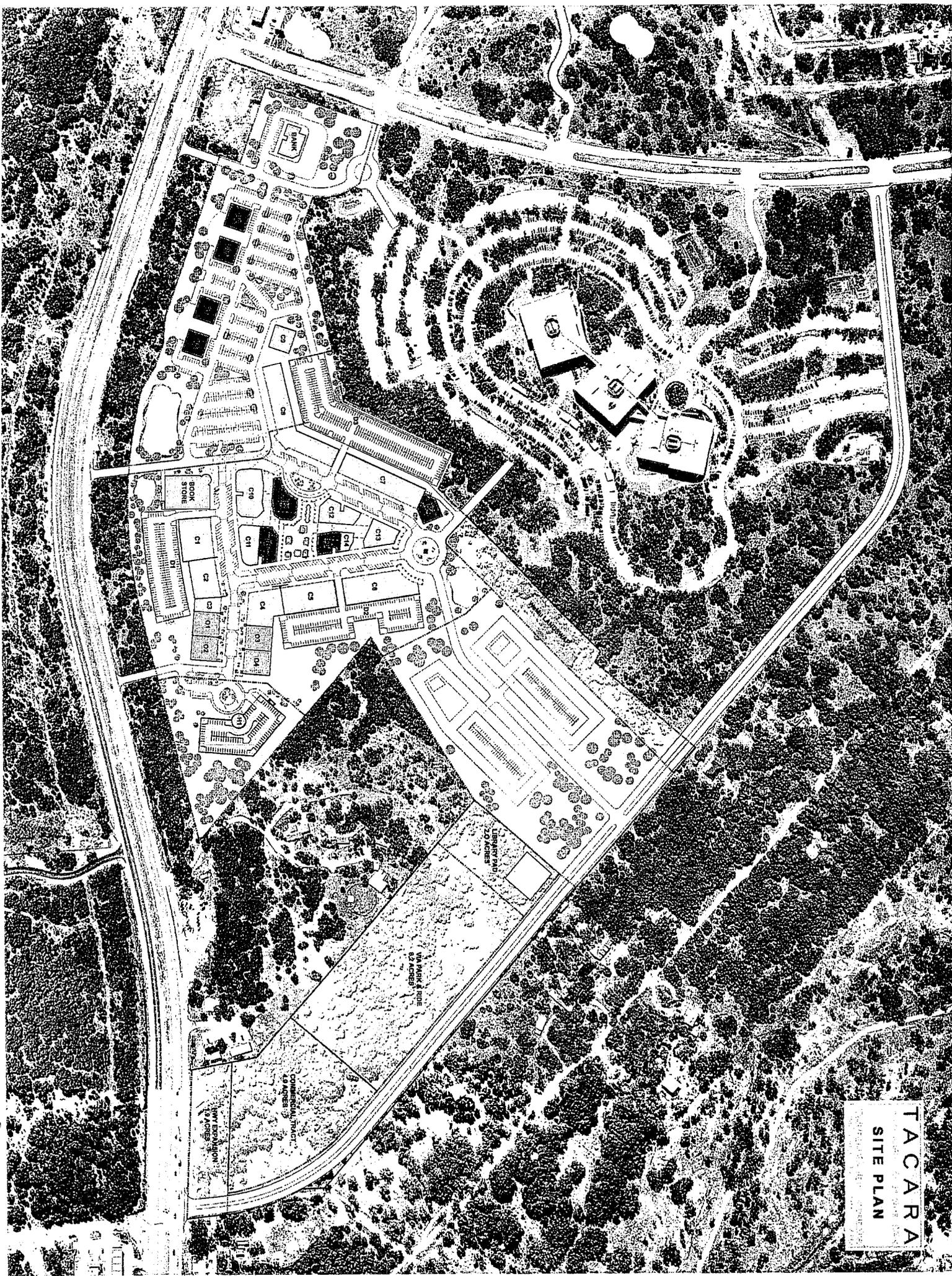
Submitted for Council consideration
by:


Councilman Kevin Wolff, District 9

Supporting Councilmembers' Signatures (4 only)	District No.
1. 	10
2. 	2
3. 	6
4. 	8

RECEIVED
CITY OF SAN ANTONIO
CITY CLERK
07 SEP 20 PM 1:43

72008010



BOOK STORE

C10

C11

C12

C13

C14

C1

C2

C3

C4

C5

C6

C7

C8

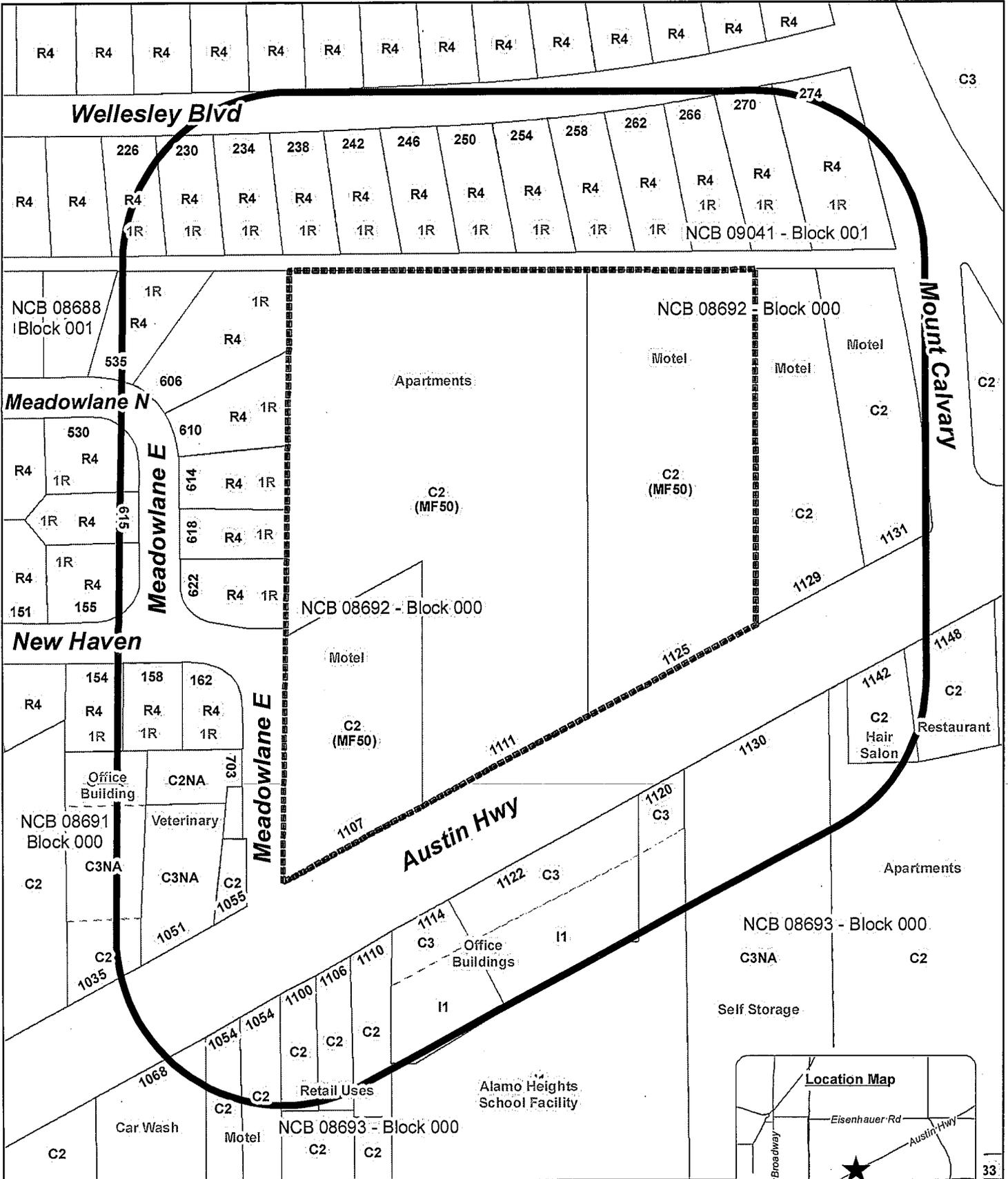
C9

LAUREL PARK
120 ACRES

LAUREL PARK
120 ACRES

LIBERTY PARK
20 ACRES

TACARA
SITE PLAN



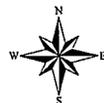
Zoning Case Notification Plan

Case Z-2007-278

Council District 10

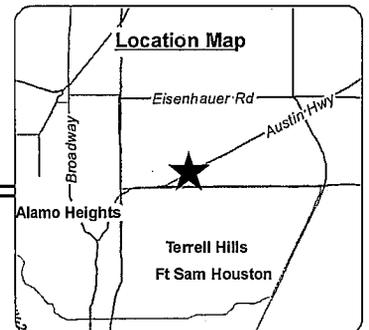
Scale: 1" approx. = 150'

Subject Property Legal Description(s): S Irrg 290 ft of Lot 9, Lots 12, 13, & W 22 ft of Lot 14, Lot 21 & S 293.32 ft of Lot 71
NCB 08692 - Block 000



Legend

- Subject Property
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



Produced by the City of San Antonio
Development Services Department
(08/13/2007)

CASE NO: Z2007278

Final Staff Recommendation - Zoning Commission

Date: November 06, 2007

Zoning Commission Continuance (Applicant Request)
from September 4, 2007, and Applicant Postponement
from September 18, 2007

Council District: 10

Ferguson Map: 583 D4 / E4

Applicant Name:

Kaufman and Associates, Inc.

Owner Name:

Bhakta, Karsan and Bhakta, Jashuben / Bentwood
Apartments, LLC / See, Sian-Tock

Zoning Request: From "C-2" Commercial District to "MF-50" Multi-Family District.

Property Location: Lot 9, the South 293.32 Feet of Lot 11, Lot 12, Lot 13, the West 22 Feet of Lot 14, and
Lot 21, NCB 8692

1107, 1111 and 1125 Austin Highway

Austin Highway, West of Mt. Calvary

Proposal: To Allow a Multi-Family Residential Community

Neigh. Assoc. Terrell Heights Neighborhood Association / Wilshire Village Neighborhood Association
is within 200 feet

Neigh. Plan Northeast Inner Loop Neighborhood Plan

TIA Statement: A Level-1 Traffic Impact Analysis will be required at platting or permitting.

Staff Recommendation:

Inconsistent

The requested multi-family zoning district is inconsistent with the land use designation identified in the Northeast Inner Loop Neighborhood Plan. The Plan identifies future land uses as Neighborhood Commercial and an amendment to High Density Residential land use is required. The applicant has filed a plan amendment which will be heard by the Planning Commission on November 14, 2007.

Approval, pending plan amendment

The requested multi-family district is appropriate, as the subject property fronts on a heavily commercialized primary arterial street. Multi-family land uses are encouraged in areas where supporting transportation, commercial facilities and major institutional and employment centers are in place. Additionally, medium and high density residential districts also serve as transitional districts between non-residential and single family residential land uses.

The subject property was annexed in September of 1946 and totals about 7.35 acres on multiple lots. The largest parcel, located at 1111 Austin Highway, consists of just over 4 acres and has an existing apartment community (The Bentwood Place Apartments). This use dates to 1965 and has about 120 units. The parcel at 1107 Austin Highway totals about 1.5 acres and has an existing motel (The Dunes Motel) with about 26 units. Lastly, the parcel at 1125, totals just under 2 acres and also has an existing motel (The Silver Dollar), this one having 25 units. The Dunes Motel dates to about 1946 and the Silver Dollar dates to about 1942. There are currently more than 170 units on the site and the proposal is to comprehensively redevelop the site for a multi-family community. The proposed zoning would allow up to 366 units.

The existing C-2 zoning on the subject properties converted from the previous "F" Local Retail district

CASE NO: Z2007278

Final Staff Recommendation - Zoning Commission

identified in the 1938 zoning code. The subject properties are bound by the Terrell Heights neighborhood, a single family residential development to the north and west. The current R-4 zoning in this area converted from the previous "B" zoning, a district identified in the 1938 zoning code, and the existing residences date to the mid-1940's. There are additional and long-established motel uses to the immediate east and further to the west on parcels zoned C-2, also having converted from the previous "F" zoning district. Almost all uses along this portion of the Austin Highway corridor are commercial in nature and include restaurants, salons, mini-storage facilities, offices, motels and multi-family complexes. Most of the existing C-2 and C-3 zoning districts are conversions from previous districts; however, the current I-1 zoning of the Alamo Heights school district facility immediately to the south dates to 1998.

Since the current C-2 zoning of the subject properties was a conversion from the previous "F" district, a complete redevelopment of the site for multi-family use would be permitted in accordance with Section 35-D101 of the Unified Development Code. A density of 33 units per acre is allowed but the height of new structures would be limited to 25 feet or a maximum of 2 stories, although an increase in setbacks from the minimum would allow additional height at a rate of 1 foot in height for every 2 feet of setback greater than the minimum requirement. The requested MF-50 district does not have a height limitation, but future buildings are proposed not to exceed a height of 4 to 5 stories.

CASE MANAGER : Matthew Taylor 207-5876

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2007278

Existing Zoning: C-2

Requested Zoning: MF-50

Registered Neighborhood Association(s):

Terrell Heights Neighborhood Association

Neighborhood/Community/Perimeter Plan:

Northeast Inner Loop Neighborhood Plan

Future Land Use for the site:

Neighborhood Commercial land use

Other Comments:

Neighborhood commercial includes moderate-intensity convenience retail or service uses, generally serving the neighborhood area. Uses include those in the Mixed Use category as well as grocery stores, restaurants that serve alcohol, drive-in restaurants, dry cleaners, car washes, and small retail plant nurseries.

The only option available in the Plan for the applicant's request is High Density Residential land use which allows a maximum of 40 units per acre. A Plan Amendment would be required for the request. High-density residential uses include apartments and condominiums. Medium and low-density residential uses also can be found within this classification.

Analysis:

Request conforms to Land Use Plan

Request does not conform to Land Use Plan

Staff Recommendation:

Supports

Recommends Denial

Alternate Recommendation

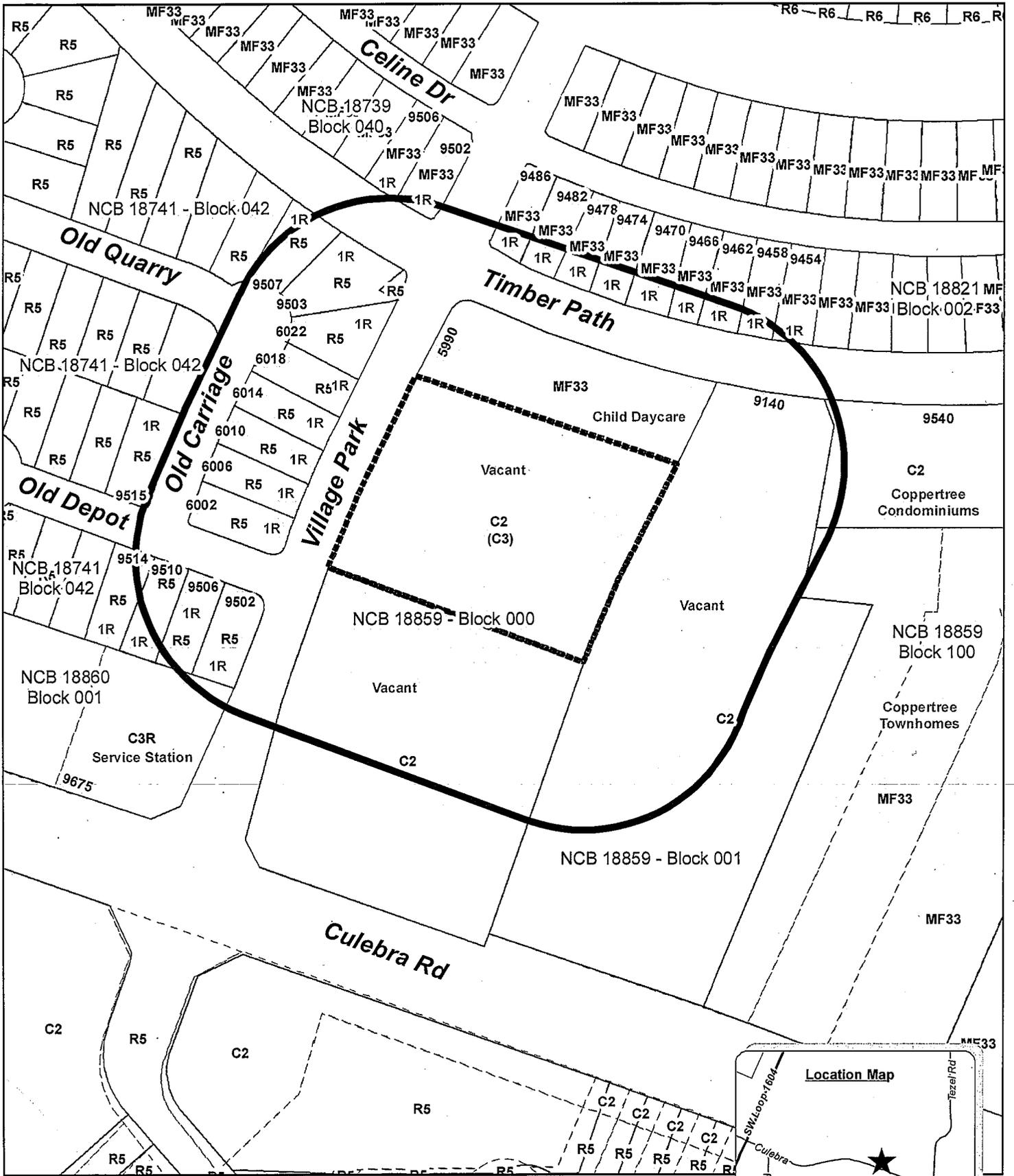
Reviewer: Zenon F. Solis

Title: Sr. Planner

Date: 8/06/2007

Manager Review: Nina Nixon-Mendez

Date: 8/21/07



Zoning Case Notification Plan

Case Z-2007-300

Council District 6

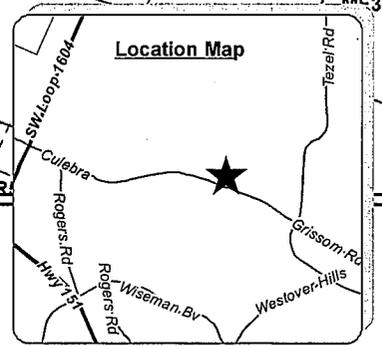
Scale: 1" approx. = 150'

Subject Property Legal Description(s): 1.882 Acre Portion of Parcel P-11 - NCB 18859 - Block 000



Legend

- Subject Property
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



Produced by the City of San Antonio
Development Services Department
(09/18/2007)

CASE NO: Z2007300

Final Staff Recommendation - Zoning Commission

Date: November 06, 2007

Zoning Commission Continuance (Commissioner Request) from October 16, 2007

Council District: 6

Ferguson Map: 578 F4

Applicant Name:

Owner Name:

Chuck Christian

Tom and Glenda S. Cano

Zoning Request: From "C-2" Commercial District to "C-3" General Commercial District.

Property Location: 1.882 acres out of NCB 18859

5900 Block of Village Park

North of the intersection of Culebra Road and Village Park

Proposal: To Allow an Athletic Field

Neigh. Assoc. Great Northwest Community Improvement Association within 200 feet

Neigh. Plan Northwest Community Plan

TIA Statement: A Traffic Impact Analysis is not required

Staff Recommendation:

Inconsistent

The Northwest Community Plan calls for Medium Density Residential land use for the subject property. A Plan Amendment is required in order to rezone the subject property to C-3. To date, the applicant has not submitted a plan amendment application. Should the Zoning Commission recommend approval of the request, final City Council consideration would require a recommendation from the Planning Commission.

Denial as requested and Approval of C-2 S (Athletic Fields-Commercial). Should the applicant amend their request as staff suggests a finding of consistency will not be required.

The subject property consists of undeveloped land with frontage on Village Park. The property is adjacent to MF-33 zoning to the north; C-2 zoning to the east and south and R-5 zoning to the west. The surrounding land uses consist of single-family dwellings to the west, a daycare and residential dwellings to the north and vacant land to the south and east.

The applicant is requesting a rezoning to allow an athletic soccer field with concession stand. A significant amount of C-2 zoning exists within the vicinity of the subject property. Therefore, the requested commercial use would be appropriate at this location and will not be out of character with the neighboring properties. The subject property is bound by existing commercial zoning to the east and south making commercial development of the property appropriate as well. However, the requested C-3 zoning would be most appropriate at the intersections of major thoroughfares, arterials or commercial nodes. A C-2 S would permit the requested athletic field use and would prohibit many of the more intense C-3 uses which would adversely affect the residential dwellings adjacent to the subject property. Furthermore, the base commercial zoning will not be changed and the property may at any time be developed for commercial uses in the future.

The C-2 Commercial District accommodates commercial and retail uses that are more intensive in character than NC Neighborhood Commercial and C-1 Light Commercial uses, and which generate a greater volume of vehicular traffic and/or truck traffic. C-2 uses do not allow outdoor storage or display of goods except for outdoor dining.

CASE MANAGER : Brenda Valadez 207-7945

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2007300

Existing Zoning: C-2

Requested Zoning: C-3

Registered Neighborhood Association(s): The subject property is not within the boundaries of a registered Neighborhood Association

Neighborhood/Community/Perimeter Plan: Northwest Community Plan/ 2004Plan Update

Future Land Use for the site: Medium Density Residential

The proposed rezoning does not meet the location requirements contained in the Land Use Plan Update definition of Regional Commercial, which would be required in order to accomplish a zoning change from C-2 to C-3. The definition also requires Regional Commercial uses to be located at nodes formed by highways and major arterials, or two major arterials, which the subject property does not accomplish.

An amendment to the Northwest Community Plan would be required. This requirement would be triggered because a change in land use designation, from Medium Density Residential to Regional Commercial would be required. This change in designation would be needed in order to allow the zoning designation for the proposed use.

The definition also states that parcels recommended for a Regional Commercial designation be 20 acres or greater in size, which the parcel in question is not. A number of residential properties adjacent to the subject parcels would be adversely affected by the more intense C-3 uses proposed.

Zoning Division staff is making an alternate recommendation that the proposed use be allowed as a specific use. This specific use would be consistent with the plan and would not require a plan amendment.

Analysis:

Request conforms to Land Use Plan Request does not conform to Land Use Plan

Consistency not required because base zoning not changing

Staff Recommendation:

Approval Denial

Alternate Recommendation

Reviewer: Tyler Sorrells **Title:** Planner II

Date: 09/25/2007

Manager Review:

Date:



Zoning Case Notification Plan

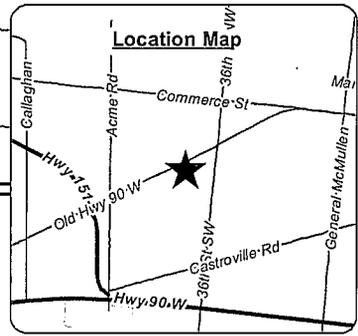
Case Z2007305

Council District 6
 Scale: 1" approx. = 120'
 Subject Property Legal Description(s): Lot 1 - NCB 08989 - Block 006



Legend

- Subject Property
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



Produced by the City of San Antonio
 Development Services Department
 (09/20/2007)

CASE NO: Z2007305

Final Staff Recommendation - Zoning Commission

Date: November 06, 2007

Zoning Commission Continuance (Applicant's Request)
from October 16, 2007

Council District: 6

Ferguson Map: 614 F5

Applicant Name:
Robert Cortez, Sr.

Owner Name:
Cortez Properties, LLC

Zoning Request: From "R-6" Residential Single Family District to "C-2NA" Commercial, Nonalcoholic Sales District.

Property Location: Lot 1, Block 6, NCB 8989

530 S. W. 38th Street

Southeast corner of S.W. 38th Street and Abshire

Proposal: To Allow for a Bakery

Neigh. Assoc. Community Workers Council/ Los Jardines Neighborhood Association

Neigh. Plan None

TIA Statement: A Level-1 Traffic Impact Analysis (TIA) will be required at platting/permitting.

Staff Recommendation:

Denial of requested C-2 with an alternate recommendation of R-6 (CD – Bakery) with conditions.

The subject property was annexed in 1944, totals approximately 1.0014 acres and is currently undeveloped. In 2002 following the adoption of the Unified Development Code, the existing R-6 zoning converted from the previous R-1 zoning, which was approved by City Council on December 1, 1988 (Ordinance #68428.) Property to the north across Abshire is zoned "C-2" Commercial District, "R-4" Residential Single-Family District, and "RM-4" Residential Mixed District. "R-6" Residential Single-Family District zoning exists to the east and south of the subject property. Property to the west across S.W. 38th Street is zoned "C-3R" General Commercial Restrictive Alcoholic Sales District. Land uses immediately adjacent to the proposed development consist of a small strip center and single-family residential homes to the north across Abshire. There are single-family residences to the east and south of the subject property and an auto repair shop to the west across S.W. 38th Street.

The requested zoning change is to allow for a bakery exceeding 5000 sq ft, a use that requires a C-2 zoning district to be allowed by right. The location of the subject property with close proximity to Old Highway 90 West, a Secondary Arterial, Type A road and the existing layout of the subject property render the site appropriate for the proposed use. However, the requested rezoning is an increase in intensity from R-6 to C-2. The C-2 Commercial District can accommodate commercial and retail uses that are more intensive in character than "NC" and "C-1" uses, and which generate a greater volume of vehicular traffic and/or truck traffic. The alternate recommendation of R-6 (CD-Bakery) would allow for the proposed building size as well as limit the scope of use allowed and restrict future occupancy should the use cease for an extended period of time.

Should the Zoning Commission recommend approval of the alternate recommendation, staff recommends the following conditions:

1. There shall be no exterior display or sign with the exception that two (2) nameplates, not exceeding thirty-two (32) square feet each in area, which shall be permitted when attached to the front of the entrances.

CASE NO: Z2007305

Final Staff Recommendation - Zoning Commission

2. No construction features shall be permitted which would place the structure out of character with the surrounding residential neighborhood.
3. Allowable hours of operations shall be 6:00 am to 6:00 pm.
4. Outdoor lighting shall be arranged so the source of light is concealed from adjacent residential properties through the use of directional fixtures of ninety (90) degrees or less.
5. Since the proposed use requires a commercial zoning to be permitted by right, a Type "B" landscape buffer shall be installed along the south and east property lines, where the property is adjacent to residential zoning districts and uses.

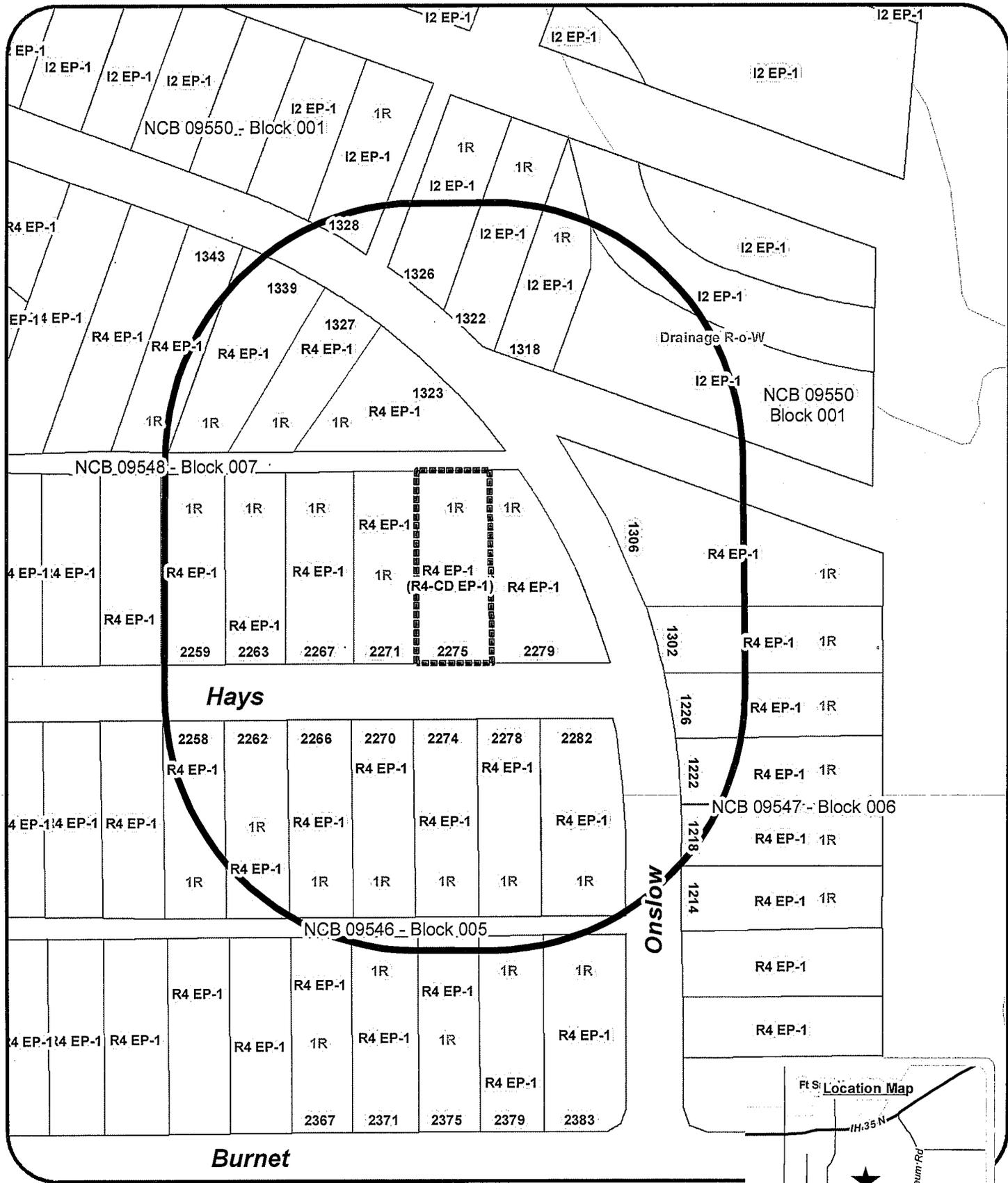
Since the base residential zoning will not be changed, the property may at any time be used exclusively as a dwelling while the application of conditions provide an opportunity to limit the impact of the proposed use on surrounding residences. Additionally, a cessation of the proposed use for a period of twelve (12) months or more will result in an expiration of the conditional use.

The conditional 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 consideration or unique development requirements, may be compatible with adjacent land uses under given conditions. The following conditions shall apply to the operation of nonresidential conditional uses permitted within any residential district, unless otherwise approved by the city council:

1. There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of the main structure.
2. No construction features shall be permitted which would place the structure out of character with the surrounding residential neighborhood.
3. Business or office hours of operations shall not be permitted before 7:00 a.m. or after 6:00 p.m.

The applicant will have to comply with all current site development standards to receive a Certificate of Occupancy, which include parking, landscaping, exterior lighting and the issuance of building and other supplemental permits.

CASE MANAGER : Leslie Zavala 207-0215



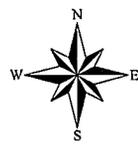
Zoning Case Notification Plan

Case Z-2007-306

Council District 2
 Scale: 1" approx. = 100'
 Subject Property Legal Description(s): Lot 2 - NCB 09548 - Block 007

Legend

- Subject Property
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



Produced by the City of San Antonio
 Development Services Department
 (09/28/2007)

CASE NO: Z2007306 CD

Final Staff Recommendation - Zoning Commission

Date: November 06, 2007

Council District: 2

Ferguson Map: 617 E4

Applicant Name:

Owner Name:

Rosario Padilla

Rosario Padilla

Zoning Request: From "R-4" EP-1 Residential Single Family Facility Parking/Traffic Control District-1 to "R-4" EP-1 (CD-Multi-Family Dwellings) Residential Single Family Facility Parking/Traffic Control District-1 with a Conditional Use for Multi-Family Dwellings not exceeding 11 units per acre or a total of 2 units.

Property Location: Lot 2, Block 7, NCB 9548
2275 Hays Street
Hays Street, West of Onslow

Proposal: To Allow a Duplex

Neigh. Assoc. Harvard Place-Eastlawn Neighborhood Plan

Neigh. Plan Arena District/Eastside Community Plan

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

A finding of consistency is not required because there is no change to the base zone. The Arena District Neighborhood Plan designates the subject property as Low Density Residential.

Denial

Property is located east of downtown between IH-35 and IH-10, close to the intersection of Hays and Onslow streets. The area where the subject property is located is strictly a single-family residential area and all of the properties surrounding the subject property are single-family residential units.

The applicant has applied for the R-4 (CD – Multi Family Dwelling) zoning in order to convert the existing single-family dwelling into a duplex. The subject property, which is about 7,400 square feet, is occupied by a one-story single-family home. Although the future land use map does not distinguish between single-family and mixed residential uses, one of the primary goals identified in the plan is to conserve existing neighborhoods (Land Use Plan Goals: 4.1). Existing neighborhoods may be conserved and protected by allowing only compatible adjacent and internal land uses. The subject property is located in an area that is decidedly single-family residential. A duplex would not conform to the character of the existing neighborhood.

The subject property was annexed in 1940 and totals .17 acres or about 7,401 square feet. There is an existing single-family residence on the subject property that measures approximately 2,087 square feet that was constructed in 1949. In 2002, following the adoption of the United Development Code, the existing R-4 zoning converted from the previous B zoning district.

Low Density residential districts support the principles of concentrating urban growth, reinforcing existing neighborhoods, and supporting residential growth within walking distance of neighborhood commercial centers and schools. These areas are composed mainly of single family dwellings on individual lots.

CASE MANAGER : John Osten 207-2187

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2007306

Existing Zoning: R-4 EP-1

Requested Zoning: R-4 EP-1 (CD-Duplex)

Registered Neighborhood Association(s): Harvard Place – Eastlawn Neighborhood Association

Neighborhood/Community/Perimeter Plan: Arena District/Eastside Community Plan

Future Land Use for the site:

The subject property lies within an area designated for Medium Density Single-Family and Mixed Residential use in the Arena District/Eastside Community Plan future land use map. The Medium Density Residential land use classification includes small lot single-family development, accessory dwellings, duplexes, cottage houses, triplexes, fourplexes, and townhomes. Exhibiting a medium density, this category provides for a diversity of residential development while still maintaining an overall urban residential character. Typically, low density residential uses are found within this classification and are located in the center of the neighborhood while medium-density residential uses are located at the edges of the neighborhood.

Other Comments:

A finding of consistency is not required because this zoning request does not include a change to the base zoning district.

Although the future land use map does not distinguish between single-family and mixed residential uses, one of the primary goals identified in the plan is to conserve existing neighborhoods (Land Use Plan Goals: 4.1). Existing neighborhoods may be conserved and protected by allowing only compatible adjacent and internal land uses. The subject property is located in an area that is decidedly single-family residential. A duplex would not conform to the character of the existing neighborhood.

Alternatively, an accessory dwelling unit (allowed by right with R-4 zoning) would allow the property owner to secure additional rental income and provide affordable housing for the area while the controls for accessory dwelling units (Section 35-371) would provide protection to adjacent property owners and preserve the character of the area.

Analysis:

Request conforms to Land Use Plan

Request does not conform to Land Use Plan

Staff Recommendation:

Approval

Denial

Alternate Recommendation

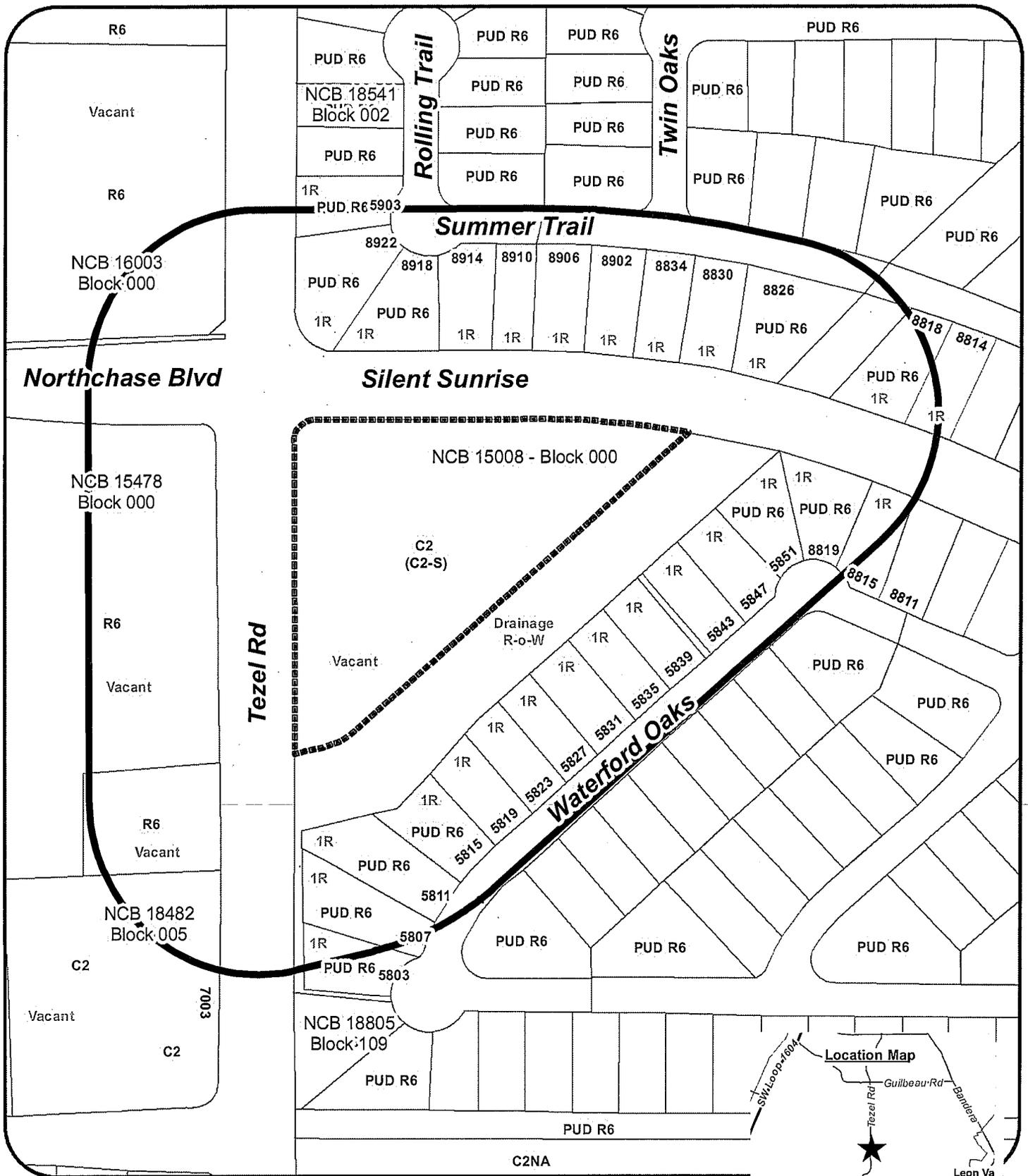
Reviewer: Michael Taylor

Title: Senior Planner

Date: 10/04/07

Manager Review: Nina Nixon-Mendez

Date: 10/04/07



Zoning Case Notification Plan

Case Z2008004

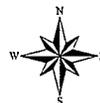
Council District 6

Scale: 1" approx. = 150'

Subject Property Legal Description(s): Parcel P-118B - NCB 15008 - Block 000

Legend

- Subject Property (2.27 Acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(10/18/2007)

CASE NO: Z2008004 S

Final Staff Recommendation - Zoning Commission

Date: November 06, 2007

Council District: 6

Ferguson Map: 579 B2

Applicant Name:
Stephen Cook Engineering

Owner Name:
Imax Properties, c/o Ravinder Sahota

Zoning Request: From "C-2" Commercial District to "C-2" S Commercial District with Specific Use Permit for a Car Wash.

Property Location: 2.272 acres out of NCB 18805

Approximate 7100 Block of Tezel Road

Southeast Corner of Tezel Road and Silent Sunrise

Proposal: To Allow for a Car Wash

Neigh. Assoc. Northchase Neighborhood Association within 200 feet

Neigh. Plan Northwest Community Plan

TIA Statement: A Level 1 Traffic Impact Analysis (TIA) has been submitted for review.

Staff Recommendation:

A finding of consistency is not required because there is no change to the base zone. The Northwest Community Plan designates the subject property as Low Density Residential. Low Density Residential uses mainly include single-family houses on individual lots.

Approval

The subject property was annexed in 1992, totals approximately 2.27 acres and is currently undeveloped. In 2002 following the adoption of the Unified Development Code, the existing C-2 zoning converted from the previous B-2 zoning. The C-2 district does not allow a car wash use by right. Property to the north across Silent Sunrise is PUD R-6 Planned Unit Development Residential Single-Family District, as is the property to the east and south of the subject property. Property to the west across Tezel Road is zoned R-6 Residential Single-Family District. Land uses immediately adjacent to the proposed development consist of single-family homes to the north across Silent Sunrise and to the east and south of the subject property. Property to the west across Tezel Road is currently undeveloped.

The applicant has applied for C-2 S in order to operate a convenience store with gasoline sales and a car wash. Staff supports the request being that the requested zoning is appropriate for the subject property location. The subject property is located with direct access to Tezel Road (a Secondary Arterial "Type A") and secondary access to Silent Sunrise (a Secondary Arterial "Type A"). The requested specific use for a car wash would be appropriate at this location in order to provide commercial and retail uses that would compliment and serve the existing neighboring subdivisions. Seeing that the car wash does not abut any residential property and that the nearest residential property to the south and east is buffered by a natural drainage channel, this requested zoning change would have no adverse impact on the neighboring community.

The purpose of the specific use permit 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.

CASE MANAGER : Leslie Zavala 207-0215

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2008004

Existing Zoning: C-2

Requested Zoning: C-2 S (for car wash)

Registered Neighborhood Association(s):

N/A, Northchase within 200'

Neighborhood/Community/Perimeter Plan:

Northwest Community Plan

Future Land Use for the site:

Low Density Residential

Other Comments:

The property is located at the corner of Tezel and Silent Sunrise. The owners are requesting a zoning change from C-2 to C-2 S in order to allow for a single car (drive-through) car wash. The property in question already supports proposed uses for a convenience store, gas station, bank, dry cleaners, and a liquor store to be built on the premises. The car wash would be located in the rear of the property. There is a gated neighborhood located behind the property and the two properties are separated by a 75' wide drainage R.O.W.

The proposed uses of the subject property do not conform to the Northwest Community Plan however the property has the appropriate zoning to support the proposal. A convenience store with a drive through carwash would serve the surrounding community.

Analysis:

Request conforms to Land Use Plan

Request does not conform to Land Use Plan

Consistency determination not required because base zoning is not changing

Staff Recommendation:

Supports

Recommends Denial

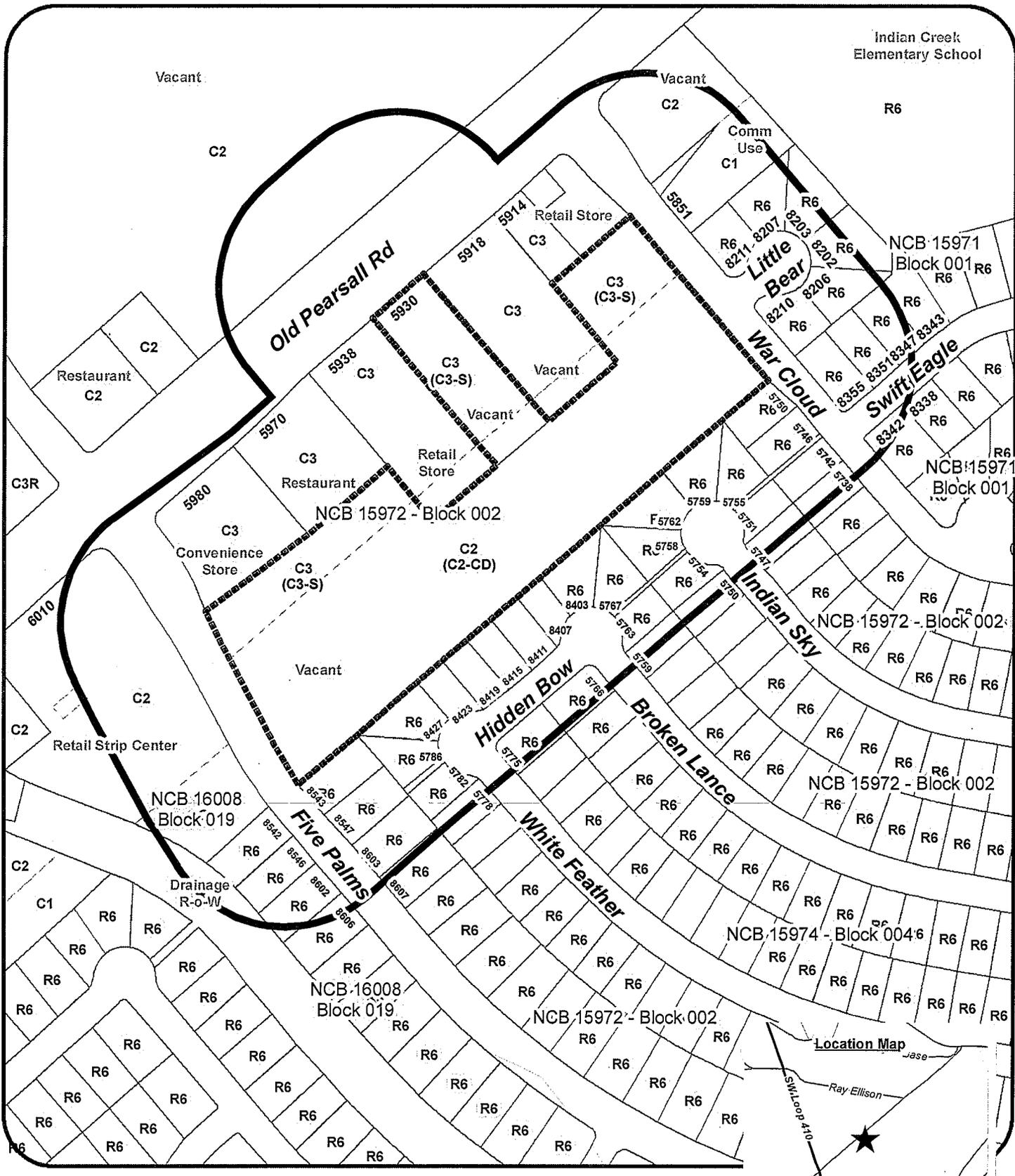
Reviewer: Sidra Maldonado

Title: Planner II

Date: 10/10/2007

Manager Review: Nina Nixon-Mendez

Date: 10/15/2007



Zoning Case Notification Plan

Case Z-2007-312 S CD

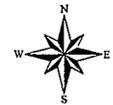
Council District 4

Scale: 1" approx. = 200'

Subject Property Legal Description(s): Lots 116 and 118 - NCB 15972 - Block 002

Legend

- Subject Property (6.154 Acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



CASE NO: Z2007312 S CD

Final Staff Recommendation - Zoning Commission

Date: November 06, 2007

Council District: 4

Ferguson Map: 648 B8

Applicant Name:

R. Carlile Roberts

Owner Name:

R. Carlile Roberts

Zoning Request: From "C-2" Commercial District and "C-3" General Commercial District to "C-3" S General Commercial District with Specific Use Permit for a Mini-Storage Facility exceeding 2.5 acres and "C-2" (CD-Mini-Storage Facility) Commercial District with a Conditional Use for a Mini-Storage Facility exceeding 2.5 acres.

Property Location: Lot 116 and Lot 118, Block 2, NCB 15972

5930 Old Pearsall Road

Old Pearsall Road between Five Palms Drive and War Cloud Drive

Proposal: Mini-Storage Facility exceeding 2.5 acres

Neigh. Assoc. Southwest Community Association/Hidden Cove - Indian Creek Neighborhood Association within 200 feet and People Active in Community Effort within 200 feet

Neigh. Plan United Southwest Community Plan

TIA Statement: A Traffic Impact Analysis (TIA) is not required.

Staff Recommendation:

The United Southwest Community Plan calls for Community Commercial.

A finding of consistency is not required because there is no change to the base zone.

Approval

The proposed project is within the Southwest Community Association/Hidden Cove - Indian Creek Neighborhood Association within 200 feet and People Active in Community Effort within 200 feet. The proposed 6.1542 acre development is located in southwest San Antonio along Old Pearsall Road, Five Palms Drive and War Cloud Drive. The proposed project will be located on a vacant tract of land and the developer of this project proposes to construct a Mini-Storage Facility. The surrounding zoning consists of "C-3" General Commercial District to the northwest and "R-6" Residential Single-Family District to the southeast. Mini-Storage Facility requires a "C-3" General Commercial District to be allowed by right. The applicant has exercised the option of maintaining the base "C-2" Commercial District and "C-3" General Commercial District and requesting a Conditional Use and Specific Use Permit when the area of the proposed use exceeds 2.5 acres. Whether this request is denied or approved and the use established, the base zoning will remain in effect and continue to allow commercial uses. A Type B (15 foot) landscape buffer will be required since the adjacent property have residential zoning and uses and a minimum rear setback requirement of 30 feet. The proposal as submitted will have no more adverse effects on the neighborhood, than would any other use generally permitted in the same districts.

The project site currently has split zoning, "C-2" to the southeast and "C-3" zoning to the northwest. The proposed zoning and use will serve as an appropriate transition between the more intense commercial zoning and uses along Old Pearsall Road and the single-family subdivision to the southeast. The facility will have storage units of various sizes and, as is common with this type of use, perimeter fencing for security purposes

CASE NO: Z2007312 S CD

Final Staff Recommendation - Zoning Commission

and directional lighting will be installed.

The project site was annexed into the City of San Antonio in December of 1972. In 2002 following the adoption of the Unified Development Code, the existing "C-2" Commercial District and "C-3" General Commercial District converted from the previous "B-2" Business District and "B-3" Business District.

The conditional 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 a conditional zoning classification shall not be for all of the uses permitted in a given district but shall be only for the conditional use (bookkeeping office, photography studio, etc.) named in the ordinance approving the conditional zoning district. In considering a request for a conditional zoning classification, the zoning commission shall make a recommendation to the city council with reference to the use and development conditions which insure compatibility with surrounding properties. A conditional zoning classification shall run with the land until such time that the zoning is changed or the conditional use granted has been discontinued on the property for a period of twelve (12) months.

The purpose of the specific use authorization permit 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. These uses are permitted only through the issuance of a specific use authorization permit by the city council after ensuring that the use can be appropriately accommodated on the specific property, will be in conformance with the comprehensive plan, can be constructed and operated in a manner which is compatible with the surrounding land uses and overall character of the community, and that the public interest and general welfare of the citizens of the city will be protected. No inherent right exists to receive a specific use authorization; such permits are a special privilege granted by the city council under a specific set of circumstances and conditions, and each application and situation is unique. Consequently, mere compliance with the generally applicable requirements may not be sufficient and additional measures may be necessary to mitigate the impact of the proposed development.

The applicant will have to comply with all current site development standards to receive a Certificate of Occupancy, which include parking, landscaping, exterior lighting and the issuance of building and other supplemental permits.

Site plan requirements for SPECIFIC USE PERMITS - The applicant shall provide 15 folded prints (to scale 1"=100 feet, drawn numerically with graphic scale) and digital copy of the proposed Specific Use. One 8 1/2" by 11" reduced copy of the plan shall also be provided. The site plan requires the following minimum information: A) square footage of all buildings and structures; B) the approximate location and area of impervious cover for non-residential uses, multi-family dwellings, and any portion of a site located within the ERZD; C) square footage of all paved or otherwise hard surfaced streets, parking facilities, including curb and gutters, walks, loading areas, and asphalt or concrete aprons for solid waste containers, signs or outdoor mechanical equipment; D) setbacks; E) off-street parking and loading areas and structures, including the number of spaces, dimensions of spaces and aisles, and landscaping for parking areas; F) location, dimensions, and types of walls, fences (other than fences on private residential lots) and landscaping; G) proposed and existing driveways, proposed and existing sidewalks and other proposed and existing infrastructure, at, or below grade, showing the proposed and existing physical layout, dimensions and other relevant information; H) intended use of the property to which the current and proposed improvements relate.

CASE MANAGER : Pedro Vega 207-7980

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2007312

Existing Zoning: C-2 and C-3

Requested Zoning: C-2 C and C-3 S

Registered Neighborhood Association(s):

People Active in Community Effort and Hidden Cove-Indian Creek/Southwest

Neighborhood/Community/Perimeter Plan:

United Southwest Communities Plan

Future Land Use for the site:

Community Commercial

Other Comments:

The property is located at 5930 Old Pearsall Road between Five Palms and War Cloud and is approximately 6.124 acres. The owners are requesting re-zoning from a C-2 and C-3 to a C-2 C and C-3 S in order to allow the development of a mini-storage unit facility. The Land Use Plan calls for Community Commercial.

The subject property sits across the street from an elementary school, a daycare, a dollar store, the property backs up directly to a neighborhood, and the property sits between a park and designated open space. The plan provided does not make any provisions to build a buffer or transition zone between the proposed public storage facility and the neighborhood behind the property. A public storage facility does not comply with the goals set out in the United Southwest Communities Plan. The primary goal of the plan is to increase economic development in the form of commercial use defined as, "Attract new businesses, services and retail establishments to the United Southwest Communities" (p. 36). The current plan is not compatible with an elementary school, civic space and a park. A regional node would be more suitable for a mini-storage unit facility.

Analysis:

Request conforms to Land Use Plan

Request does not conform to Land Use Plan

Consistency determination not required because base zoning is not changing

Staff Recommendation:

Supports

Recommends Denial

Reviewer: Sidra Maldonado

Title: Planner II

Date: 10/04/2007

Manager Review: Nina Nixon-Mendez

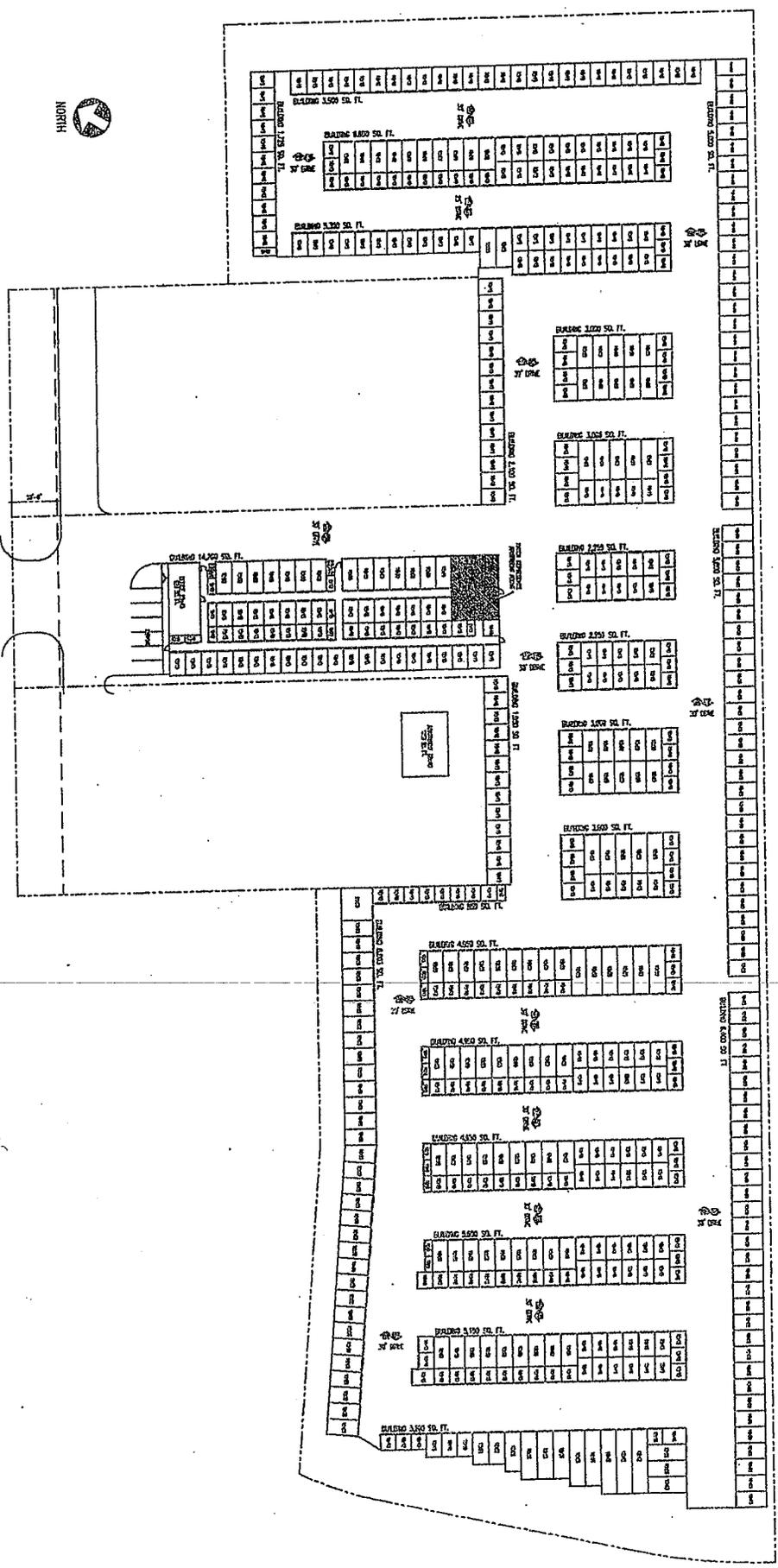
Date:

6720027



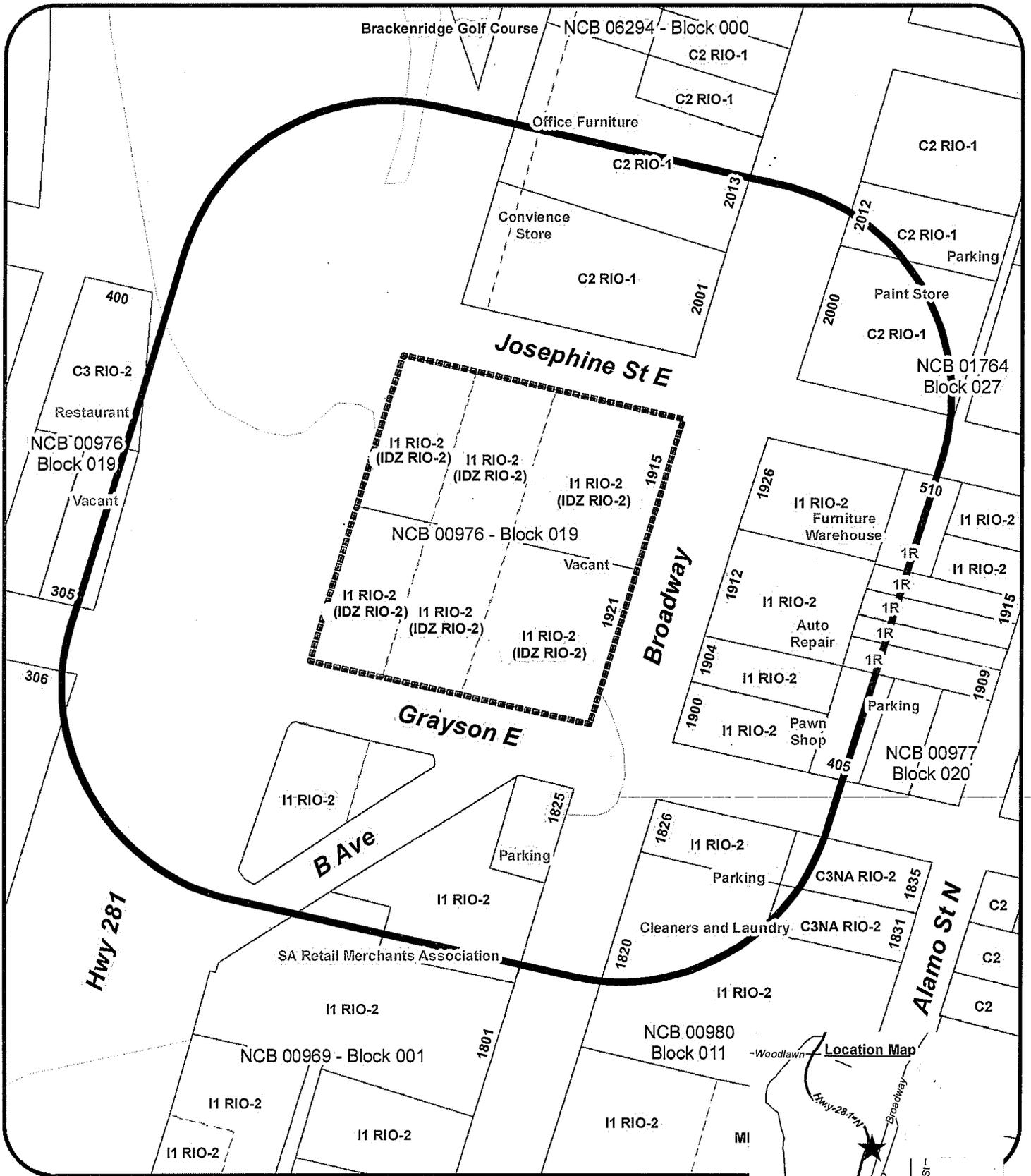
OLD PEARSALL ROAD

1 SITE PLAN & UNIT MIX
SCALE 1" = 50'



CAPCO STEEL INC.
 210-493-9992
 210-493-1881 (FAX)
 EMAIL: info@capcosteel.com
 16515 BLANCO RD.
 SAN ANTONIO, TX 78232
 www.capcosteel.com
 OLD PEARSALL ROAD
PROPOSED SITE LAYOUT
 SHEET
 DRAWN BY: JAP
 CHECKED BY: BDO
 DATE: 7/9/07
 JOB #: BDO
 1 OF 1





Zoning Case Notification Plan

Case Z2008003

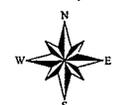
Council District 2

Scale: 1" approx. = 120'

Subject Property Legal Description(s): Lots 1 thru 8, 23, 24, and E 36.5 ft of Lot 9 and E 36.15 ft of Lot 22 - NCB 00976 - Block 019

Legend

- Subject Property (1.81 Acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



CASE NO: Z2008003

Final Staff Recommendation - Zoning Commission

Date: November 06, 2007

Council District: 2

Ferguson Map: 617 A2

Applicant Name:

Brackenridge Park/Broadway Developments, Ltd.

Owner Name:

Brackenridge Park/Broadway Developments, Ltd.

Zoning Request: From "I-1" RIO-2 General Industrial River Improvement Overlay District-2 to "IDZ" RIO-2 Infill Development Zone River Improvement Overlay District-2 with uses allowed in "C-3" General Commercial District and "MF-50" Multi-Family District.

Property Location: Lots 1, 2, 3, 4, 5, 6, 7, 8, 23, 24 and East 36.5 feet of Lot 9 and East 36.15 of Lot 22, Block 19, NCB 976

1915 and 1921 Broadway

Southwest corner of E. Josephine Street and Broadway

Proposal: To Allow for a Mixed Use Development

Neigh. Assoc. None

Neigh. Plan Tobin Hill Neighborhood Plan

TIA Statement: A Traffic Impact Analysis is not required for IDZ per UDC Article III, Division 5, Section 35-343 (e)

Staff Recommendation:

The Tobin Hill Neighborhood Plan shall be used as a guide in decision-making and does not require a finding of consistency by the Zoning Commission pursuant to the UDC. The subject properties are in the Mixed Use Zone. The Mixed Use Zone calls for a mix of residential and commercial uses.

Approval

The subject properties are part of the original 1936 City Limits, total approximately 1.8166 acres and are currently undeveloped. In 2002 following the adoption of the Unified Development Code, the existing I-1 zoning converted from the previous K and J zoning districts. The River Improvement Overlay District 2 was added to the subject property as per Ordinance 95908, adopted on June 13, 2002.

C-2 RIO-2 Commercial, River Improvement Overlay District 2 zoning exists to the north across E. Josephine Street. Property to the east across Broadway and south across E. Grayson Street is zoned I-1 RIO-2 General Industrial, River Improvement Overlay District 2. HWY 281 North is west of the subject property. Land uses immediately adjacent to the proposed development consist of a convenience store with gasoline sales to the north across E. Josephine Street and a furniture store and auto repair shop to the east across Broadway. There is a restaurant and parking lot to the south of the subject properties across E. Grayson and a parking lot to the west under HWY 281 North.

The applicant is requesting the IDZ district with uses allowed in C-3 and MF-50 in order to allow for a mixed use development to include retail, restaurants, residential condominiums and office space. The subject property is located within an area where an adaptive re-use of property is encouraged. The purpose for an Infill Development Zone (IDZ) is to encourage and facilitate development on vacant property or the redevelopment of underutilized buildings or structures within existing developed areas. Given the existing mixed-use development pattern in the area and the location of the subject property, the requested zoning and proposed infill development is appropriate for and suitable to the area.

CASE NO: Z2008003

Final Staff Recommendation - Zoning Commission

Multi-family dwellings are most appropriate along arterials or major thoroughfares where supporting infrastructure such as transportation services and commercial facilities are available. Broadway is considered a Secondary Arterial Type B road and various commercial facilities are available along Broadway between Hildebrand and the downtown central business district. Public transportation (VIA Metropolitan Transit stop) is available for use by the potential residents at the intersection of E. Josephine Street and Broadway. The subject properties are within close proximity to HWY 281.

The purpose of the Infill Development Zone is to provide flexible standards for the development and reuse of underutilized parcels. Urban design standards are required in order maintain a neighborhood commercial scale, to promote pedestrian activity, and to maintain the unique character of the center. Pedestrian circulation is required as are common parking areas. Any use may be permitted within an "IDZ" so long as it complies with the standards of this Section.

CASE MANAGER : Leslie Zavala 207-0215

Neighborhood and Urban Design Division

Zoning Case Review

Zoning Case No.: Z2008003

Existing Zoning: I-1 RIO-2

Requested Zoning: IDZ with uses permitted in MF-50 and C-3

Registered Neighborhood Association(s):

Adjacent to the Tobin Hill Alliance and the Tobin Hill Residents Association Community Group

Neighborhood/Community/Perimeter Plan:

The parcels are part of the pending Tobin Hill Neighborhood Plan update that is tentatively scheduled to go forward to City Council in February/March 2008

Future Land Use for the site:

Proposed High Density Mixed-Use Land Use

Other Comments:

The applicant's proposal for a mixed-use development compliments the pending Tobin Hill Land Use Plan Update that is set to go forward to City Council in early 2008. The subject 2 parcels were not originally included in the 1987 Tobin Hill Neighborhood Plan but have been incorporated in this current Plan as part of the update process.

High Density Mixed-Use is recommended in the eastern portion of the Plan area, near the Pearl Brewery. In the proposed Plan Update, it is recommended that residential densities within the High Density Mixed-Use category be limited to 5 stories. To accomplish this, a residential zoning limitation of MF-40 is recommended. A mix of commercial uses is encouraged in this area; however it is recommended that their intensity be appropriate for being in close proximity to residential uses as well as encouraging a pedestrian environment. C-3 would allow for an intensity of commercial uses potentially too intense for this area. It is recommended that the request be limited to uses that fall within C-2.

Analysis:

The Tobin Hill Plan Update has not yet been adopted and the subject parcels were not included in the 1987 Tobin Hill Neighborhood Plan, therefore a rendering of consistency with the plan is not required.

Request conforms to Land Use Plan

Request does not conform to Land Use Plan

Consistency Recommendation is not required

Staff Recommendation:

Approval

Denial

Alternate Recommendation

IDZ to allow for uses permitted in MF-40 and C-2 plus any additional uses within C-3 that are not allowed in C-2.

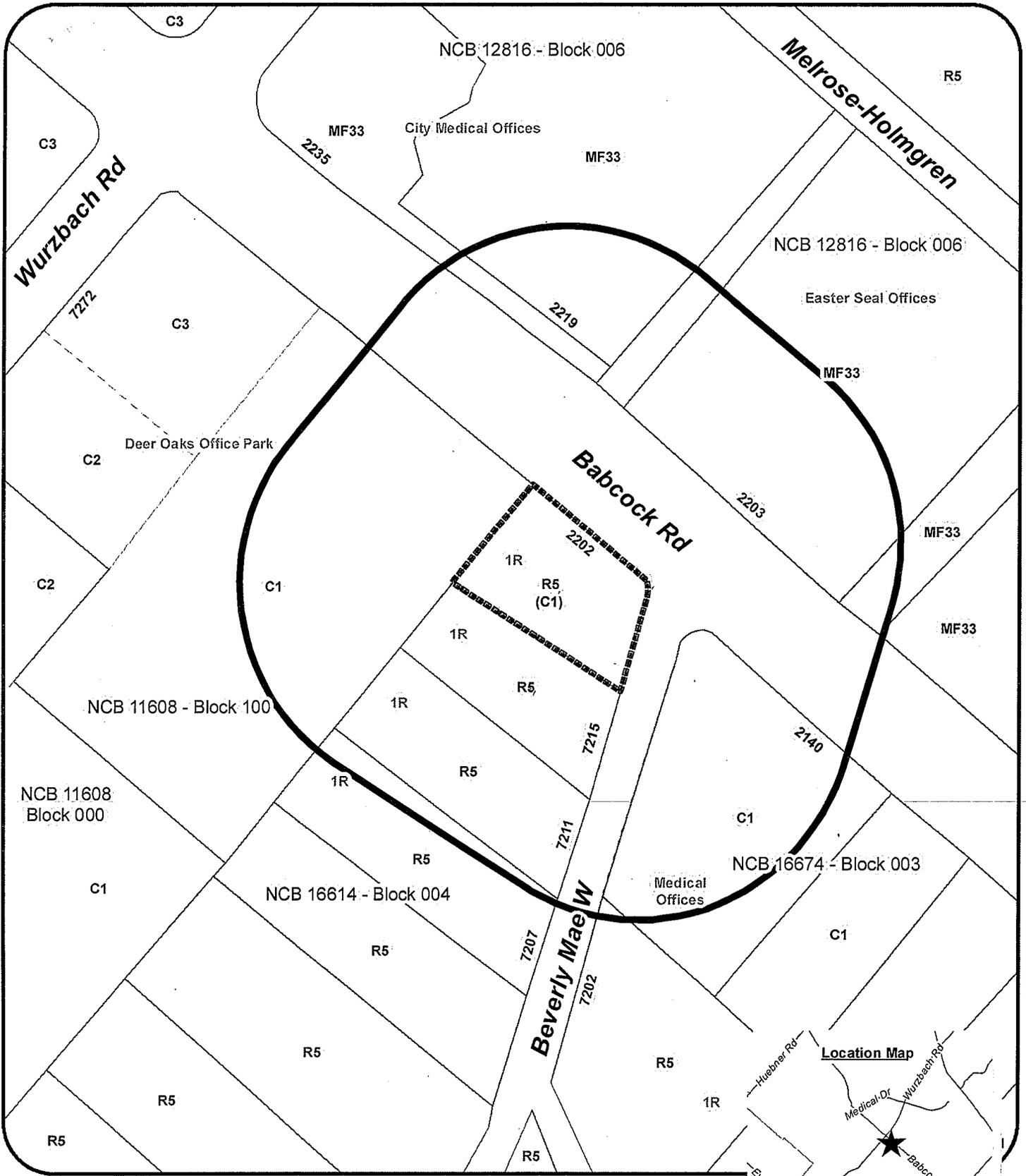
Reviewer: Andrea Gilles

Title: Sr. Planner

Date: 10/30/07

Manager Review: Nina Nixon-Mendez

Date:



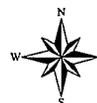
Zoning Case Notification Plan

Case Z-2008-006

Council District 8
 Scale: 1" approx. = 120'
 Subject Property Legal Description(s): Lot 58A - NCB 11614 - Block 004

Legend

- Subject Property (0.34 Acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



Location Map



City of San Antonio - Development Services Dept
 (10/22/2007)

CASE NO: Z2008006

Final Staff Recommendation - Zoning Commission

Date: November 06, 2007

Council District: 8

Ferguson Map: 580 F2

Applicant Name:

Jacklyn Wiley

Owner Name:

Jacklyn Wiley

Zoning Request: From "R-5" Residential Single Family District to "C-1" Light Commercial District.

Property Location: Lot 58A, Block 4, NCB 11614

2202 Babcock Road

Babcock Road, South of Wurzbach Road

Proposal: To Allow a Physical Therapy/Treatment Center

Neigh. Assoc. Dreamhill Estates Neighborhood Association

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required

Staff Recommendation:

Denial as Requested, Approval of R-5 (CD-Physical Therapy Treatment Center) Residential Single-Family District with a Conditional Use for a Physical Therapy Treatment Center with the following conditions per the Conditional Zoning Section of the UDC;

1. There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) feet may be permitted when attached to the front of the main structure.
2. No construction features shall be permitted which would place the structure out of character with the surrounding neighborhood.
3. Business or office hours of operation shall not be permitted before 7:00 a.m. or after 6:00 p.m.
4. No more than two (2) employees shall be allowed.
5. Clients may be seen by appointment only during normal business hours.
6. A Type "B" landscape buffer shall be installed along the south property line where the property is adjacent to residential zoning districts and uses.

Given the subject property's proximity to abutting residential uses, and the fact that the property itself is clearly aligned within a residential development on West Beverly Mae, the proposed zoning is inappropriate in this case. The alternative R-5 CD zoning would halt the encroachment of future commercial uses into the residential neighborhood, and will work to preserve the residential intent of the area. Even though commercial uses do exist to the west, east and north of the subject property, the subject property itself is clearly intended to be residential, and the existing structure dates to 1952. Furthermore, future residential uses will be possible by keeping the base zoning of R-5, whereas this would not be possible with the allowance of a commercial zoning district.

The subject property is located at the corner of Babcock Road and West Beverly Mae. Babcock Road is a Type A Primary Arterial as identified by the City's Major Thoroughfare Plan. The subject property was annexed into the city on September 25, 1972 per City ordinance #18115, and totals approximately .34 acres. Following the adoption of the Unified Development Code in 2002, the zoning of the subject property converted

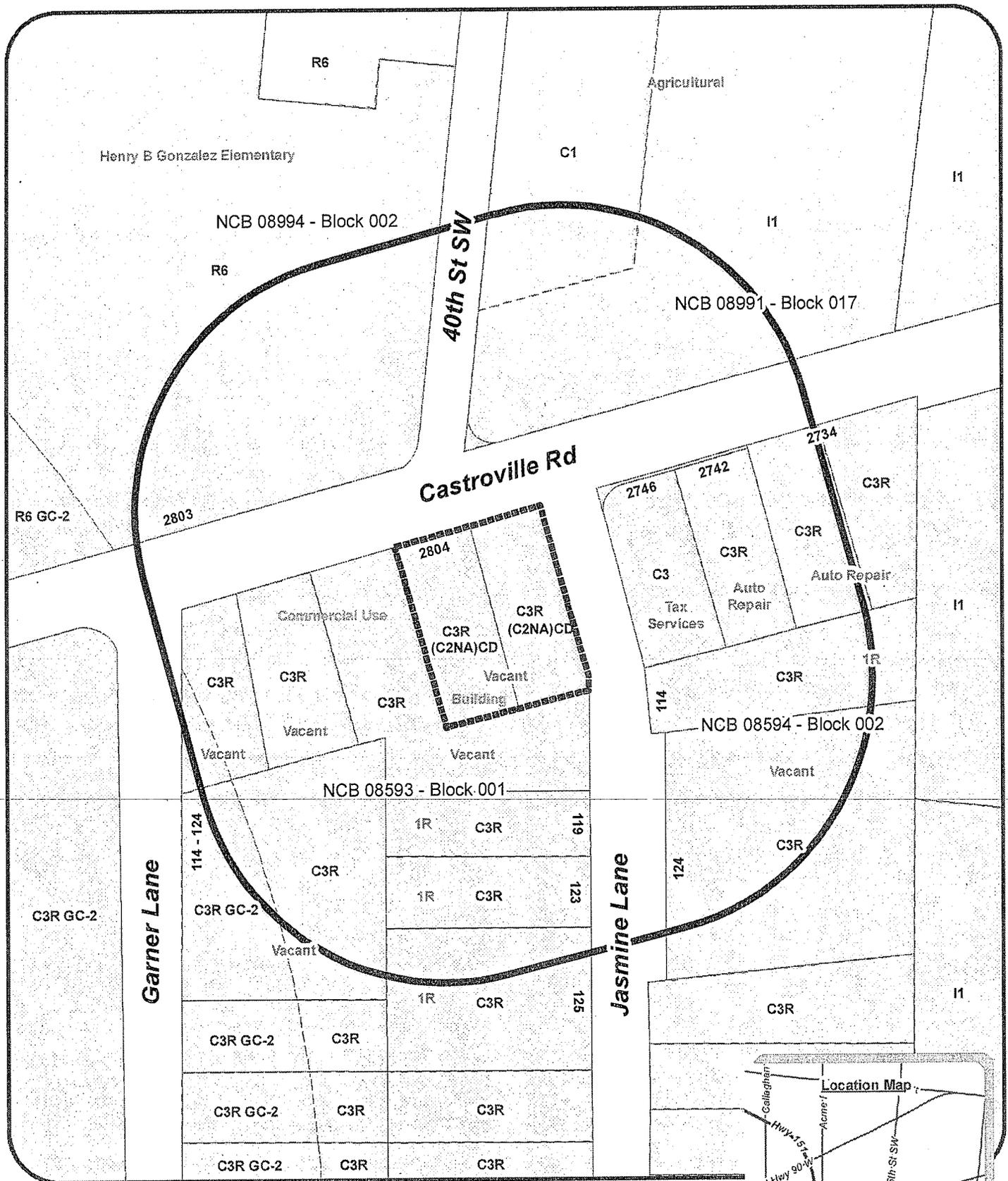
CASE NO: Z2008006

Final Staff Recommendation - Zoning Commission

from the previous A district to the current R-5 district. The property is currently residential in use, and there is an existing single-family residential structure on the property. The applicant is proposing a rezoning to C-1 to allow a physical therapy treatment center.

The property to the northeast of the subject property across Babcock Road currently houses an office complex, and is zoned MF-33. The property abutting the subject property to the northwest is currently zoned C-1, and there is an apartment complex on the property. The properties to the southwest of the subject property are all single family residences, and are zoned R-5. To the southeast of the subject property is a medical office complex which is zoned C-1.

CASE MANAGER : Michael Farber 207-3074



Zoning Case Notification Plan

Case Z-2007-313 CD

Council District 6

Scale: 1" approx. = 100'

Subject Property Legal Description(s): S 148.50 ft of Lot 40 and S 128.5 ft of Lot 41 - NCB 08593 - Block 001

Legend

- Subject Property
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



Produced by the City of San Antonio
Development Services Department
(10/03/2007)

CASE NO: Z2007313 CD

Final Staff Recommendation - Zoning Commission

Date: November 06, 2007

Council District: 6

Ferguson Map: 614 F7

Applicant Name:

Owner Name:

Reynaldo and Maria Teresa Reyna

Reynaldo and Maria Teresa Reyna

Zoning Request: From "C-3R" Commercial District, Restrictive Alcoholic Sales to "C-2NA" (CD-Contractor Facility) Commercial District, Nonalcoholic Sales with a Conditional Use for a Contractor Facility.

Property Location: Lot 40 and Lot 41, Block 1, NCB 8593

2802 and 2804 Castroville Road

Southwest corner of Castroville Road and Jasmine Lane.

Proposal: To Allow a Contractor Facility (Plumbing)

Neigh. Assoc. Greater Gardendale Neighborhood Association / Community Workers Council-Los Jardines NA are within 200 feet

Neigh. Plan None

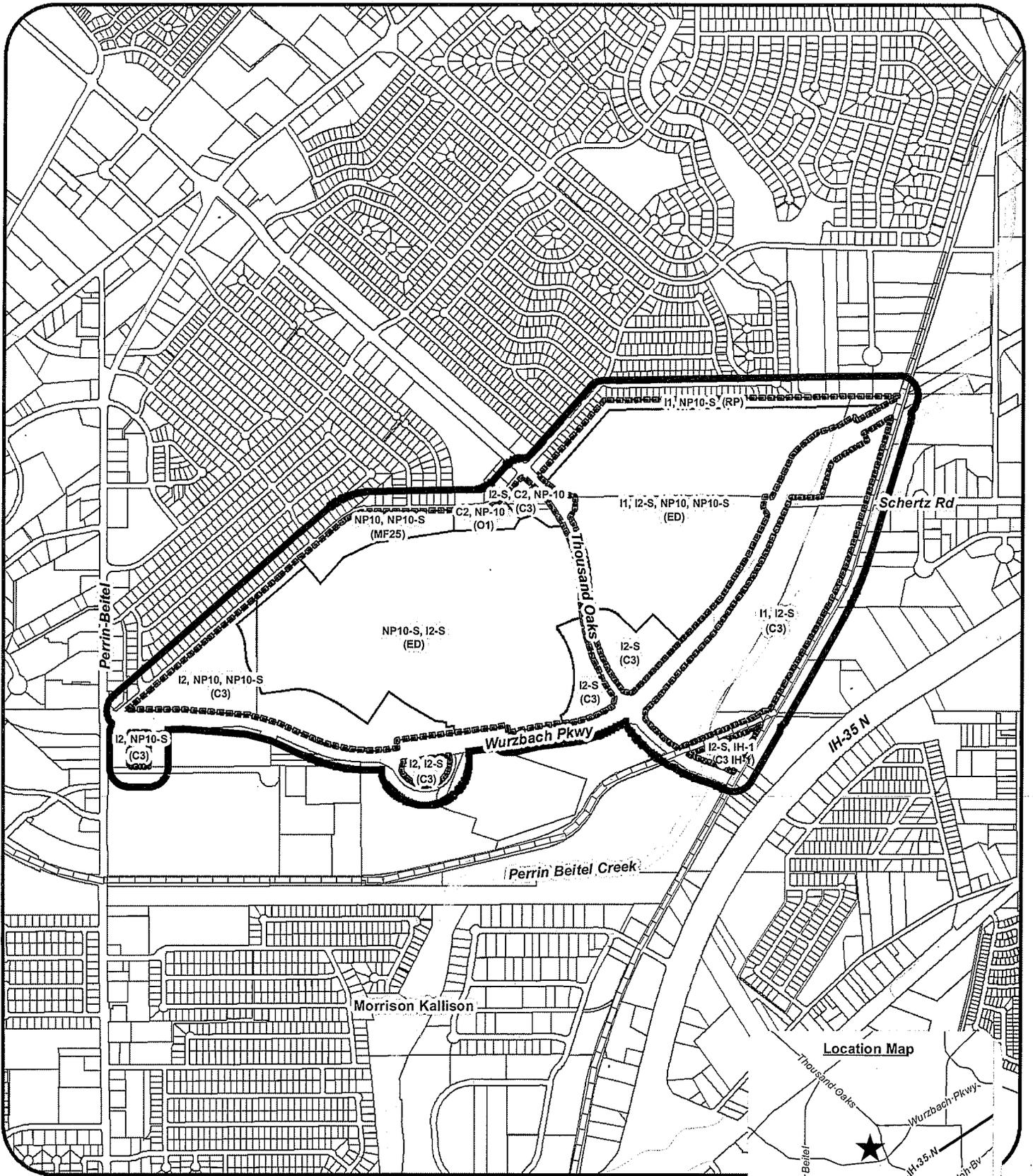
TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Approval

The proposed 0.408 acre project is located in southwest San Antonio along Castroville Road and Jasmine Lane. The project site consists of a single storage building and located approximately 770 feet east of the MAOZ-1 Military Airport Overlay Zone-1. The surrounding zoning consists of "C-3R" Commercial District, Restrictive Alcoholic Sales to the southwest, south and across Jasmine Lane to the east. The 0.408 acre project is within the Greater Gardendale Neighborhood Association and Community Workers Council-Los Jardines NA are within 200 feet. The application of a conditional use provides an opportunity to limit the impact of the proposed use on surrounding properties. Additionally, a cessation of the proposed use for a period of twelve (12) months or more will result in an expiration of the conditional use. The requested rezoning is a reduction in intensity from "C-3R" to "C-2NA" and would be appropriate at this location. The project site was annexed into the City of San Antonio in October of 1951. In 2002 following the adoption of the Unified Development Code, the existing "C-3 R" General Commercial, Restrictive Alcoholic Sales District converted from the previous "B-3 R" Restrictive Business District.

The conditional 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 a conditional zoning classification shall not be for all of the uses permitted in a given district but shall be only for the conditional use (bookkeeping office, photography studio, etc.) named in the ordinance approving the conditional zoning district. In considering a request for a conditional zoning classification, the zoning commission shall make a recommendation to the city council with reference to the use and development conditions which insure compatibility with surrounding properties. A conditional zoning classification shall run with the land until such time that the zoning is changed or the conditional use granted has been discontinued on the property for a period of twelve (12) months.



Zoning Case Notification Plan

Case Z2007319

Council District 10
 Scale: 1" approx. = 1/4 Mile

Subject Property Legal Description(s): Lots 24, 24A, Parcel P-10A, TR-7, and SW Tri 285.9 ft of TR-7 Arb TR-7E except SE Irr 89.68 ft - NCB 14941
 Parcels TR-1, TR-1A, TR-1B, TR-2, TR-2A, TR-2B, TR-1C, TR-2C, TR-2D, TR-1F, TR-8, and TR-10 - NCB 14945
 Parcel TR-8C and 3.04 Acre Portion of TR-B - NCB 14062

Legend

- Subject Property (371.03 Acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
 (10/25/2007)

CASE NO: Z2007319

Final Staff Recommendation - Zoning Commission

Date: November 06, 2007

Council District: 10

Ferguson Map: 552 E4

Applicant Name:

Brown, P. C.

Owner Name:

Alamo Park, Inc.

Zoning Request: From "I-2" Heavy Industrial District, "I-2" S Heavy Industrial District with Special Use Permit for a Quarry, "C-2" Commercial District, "NP-10" Neighborhood Preservation District, "NP-10" S Neighborhood Preservation District with Special Use Permit for a Quarry, and "NP-10" S Neighborhood Preservation District with Special Use Permit for a Golf Course to "C-3" General Commercial District, "ED" Entertainment District, "MF-25" Multi Family District, "O-1" Office District and "RP" Resource Protection District.

Property Location: 371.03 acres out of NCB 14945 and 14941

Generally bound by IH 35, Perrin Beitel and Schertz Road

Proposal: To Allow for Commercial Development

Neigh. Assoc. The Hills of Park North, Sun Gate, Citizens on Alert (within 200 feet)

Neigh. Plan None

TIA Statement: A Level-3 Traffic Impact Analysis (TIA) will be submitted at platting or permitting.

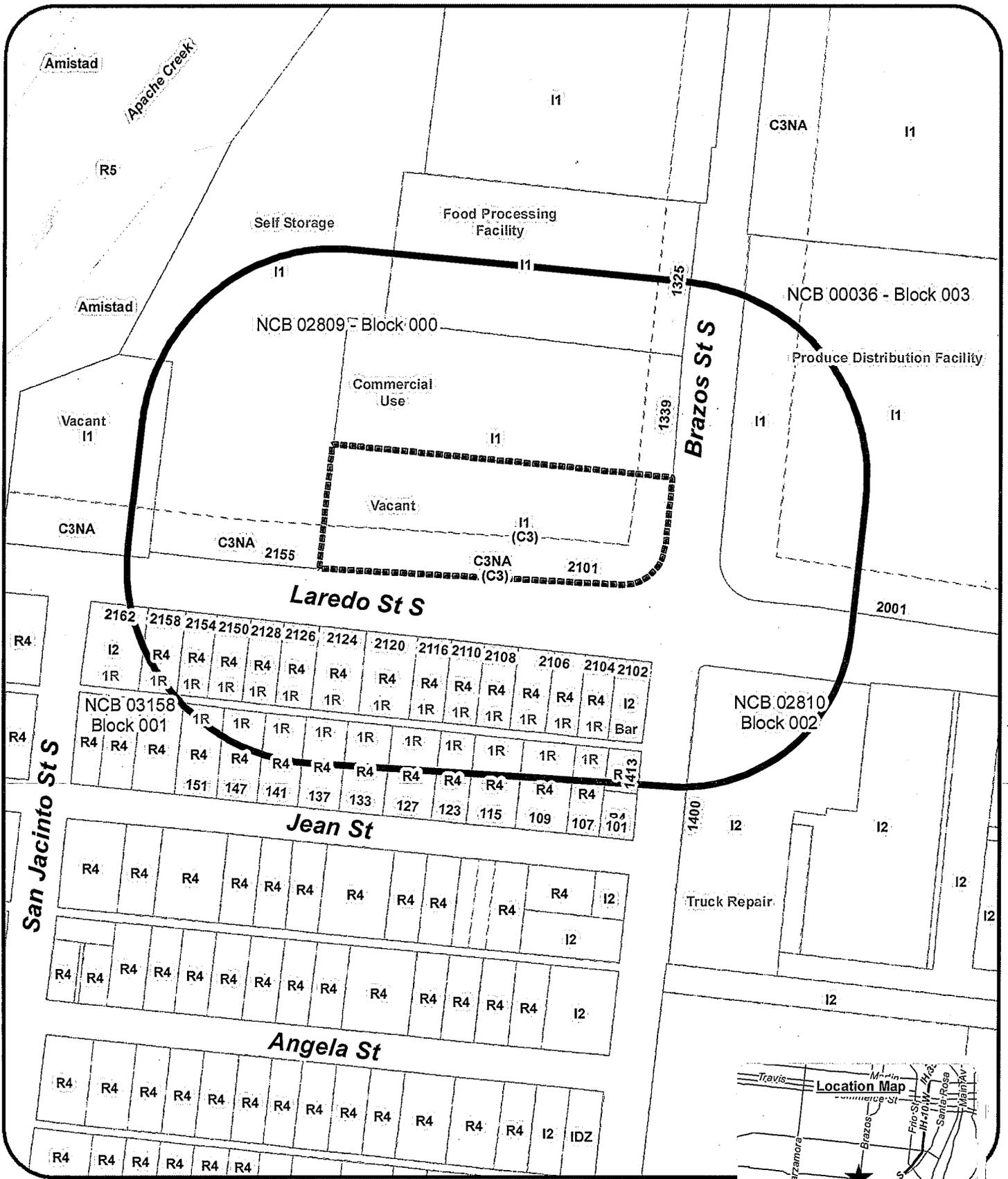
Staff Recommendation:

Approval

The subject properties consist of thirteen separate parcels totaling just over 371 acres. Much of this acreage is undeveloped but the previous established uses included an active quarry and cement manufacturing on site, known as The Longhorn Quarry. This property was annexed into the city on May 27, 1971. The subject properties are generally bound by several thoroughfares and streets: Schertz Road (a Local road), Thousand Oaks (Secondary Arterial Type A), Wurzbach Parkway (Super Arterial A) and Perrin Beitel (Secondary Arterial Type A). Perrin Beitel and Thousand Oaks provide direct access to Wurzbach Parkway, and Thousand Oaks provides connectivity to IH 35.

The subject properties have multiple zoning classifications in place, including Industrial, Commercial and Neighborhood Preservation districts. The previous R-A, R-A with a Specific Use for a Quarry and I-2 zoning districts were applied on February 13, 1975 (Ordinance #44911) and converted to NP-10, NP-10 with a Specific Use for a Quarry and I-2 zoning districts in 2002 following the adoption of the Unified Development Code. On November 12, 1998 (Ordinance #88784), a portion of the property was rezoned to R-A with a Specific Use for a Golf Course, converting in 2002 to NP-10 with a Specific Use for a Golf Course. The Northeast Gateway Corridor overlay district (IH-1) was applied to the portion of the property within 1,000 feet of the Interstate Highway 35 right-of-way June 24, 2004 (Ordinance #99358).

The properties to the north and west are mostly zoned R-6, and consist of single-family residential uses. There is some commercial and multi-family zoning in this area on Schertz Road near the intersections of Perrin Beitel and Thousand Oaks. Properties to the south and east of the proposed development are zoned I-1 and I-2 and mostly consist of large tracts of undeveloped land. The City of San Antonio Northeast Service Center is also located in this area. Commercial zoning exists at the intersection of Wurzbach Parkway and Perrin Beitel. A portion of the property (Tracts 11 and 12) is located within the floodplain created by the



Zoning Case Notification Plan

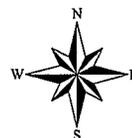
Case Z-2007-314

Council District 5

Scale: 1" approx. = 150'

Subject Property Legal Description(s): Lot 12 - NCB 02809 - Block 000

- Legend**
- Subject Property
 - 200' Notification Buffer
 - Current Zoning **R6**
 - Requested Zoning Change **(R6)**
 - 100-Year FEMA Floodplain



Produced by the City of San Antonio
Development Services Department
(10/04/2007)

CASE NO: Z2007314

Final Staff Recommendation - Zoning Commission

Date: November 06, 2007

Council District: 5

Ferguson Map: 616 B7

Applicant Name:

Partners Investors, LLC

Owner Name:

Flint and Pauline Bourgeois

Zoning Request: From "I-1" General Industrial District and "C-3NA" General Commercial District, Nonalcoholic Sales to "C-3" General Commercial District.

Property Location: Lot 12, NCB 2809

2101 South Laredo Street

Northwest Corner of South Laredo Street and South Brazos Street

Proposal: To Allow a Gas Station

Neigh. Assoc. Avenida Guadalupe Association

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is required.

Staff Recommendation:

Approval

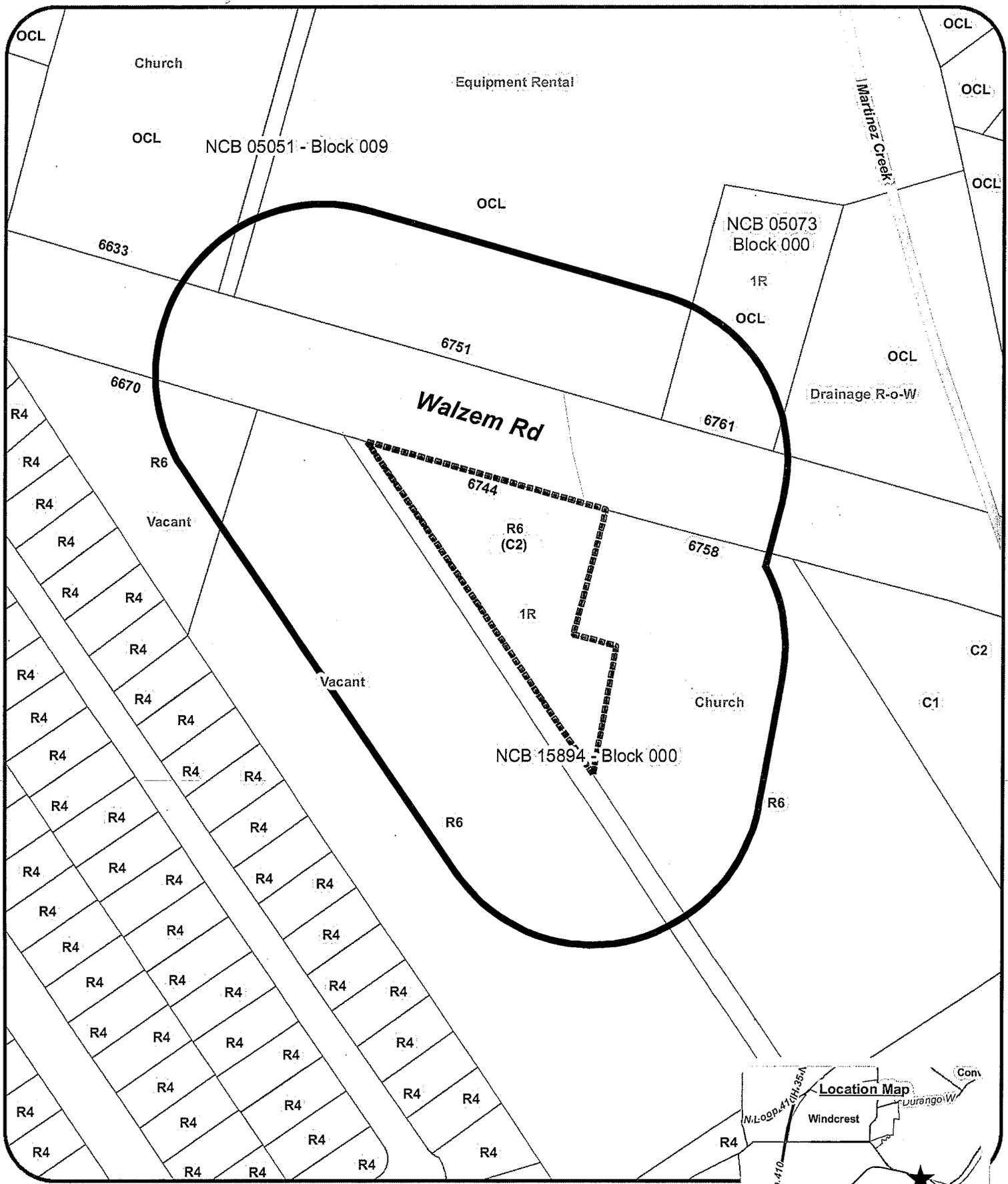
Given the property's location near the intersection of two collector streets and with the considerable amount of traffic and mixture of established industrial, commercial and residential uses around it, the requested zone change is appropriate. Additionally, the request would result in a beneficial downzone from an industrial to a commercial zoning district.

The subject property is located southwest of downtown, only a few blocks from the intersection of IH-35 and South Laredo. The property is undeveloped and there are industrial establishments like food processing and produce distribution centers surrounding the property to the north, east and southeast. Single-family residential units and neighborhood commercial uses are located to the south.

The subject property was annexed into the City in 1940 and totals about 1.25 acres. The current zoning of the property converted from the previous B-3 NA zoning district.

"C-3" uses are typically characterized as community and regional shopping centers, power centers and/or assembly of similar uses into a single complex under either single ownership or the structure of a property owners or condominium styled organization. "C-3" districts should incorporate shared internal circulation and limited curb cuts to arterial streets.

CASE MANAGER : John Osten 207-5018



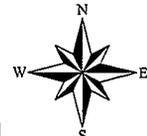
Zoning Case Notification Plan

Case Z2007310

Council District 2
 Scale: 1" approx. = 150'
 Subject Property Legal Description(s): Parcel P-3F - NCB 15894 - Block 000

Legend

- Subject Property
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



CASE NO: Z2007310

Final Staff Recommendation - Zoning Commission

Date: November 06, 2007

Council District: 2

Ferguson Map: 585 D2

Applicant Name:
Clare Abad

Owner Name:
Clare and Michael Abad

Zoning Request: From "R-6" Residential Single-Family District to "C-2" Commercial District.

Property Location: 1.0102 acres out of NCB 15894

6744 Walzem Road

Walzem Road, Approximately .5 miles West of Gibbs-Sprawl Road

Proposal: To Allow for a Child Day Care Center

Neigh. Assoc. None

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

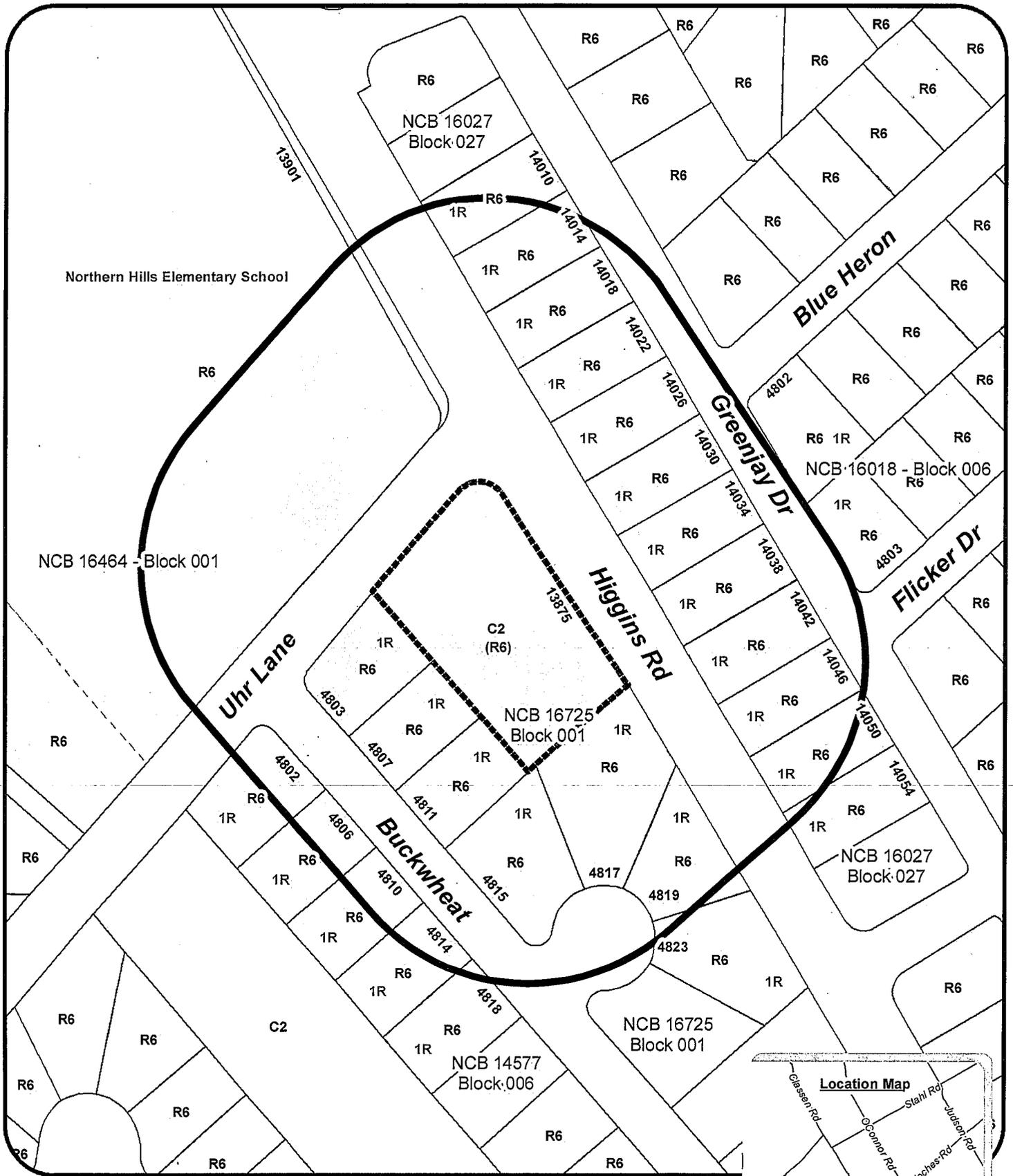
Approval

The subject property was annexed in 1996 and totals approximately 1.0102 acres. There is an existing residential structure on the subject property that measures approximately 1250 square feet and was constructed in 1964. In 2002 following the adoption of the Unified Development Code, the existing R-6 zoning converted from the previous Temp R-1 zoning. Property to the north across Walzem Road is outside of the City Limits. Property to the east, west and south of the subject property is zoned R-6 Residential Single-Family District. Land uses immediately adjacent to the proposed development consist of an equipment rental facility to the north across Walzem Road and undeveloped land to the west and south. There is a church to the east of the subject property.

The applicant has applied for C-2 in order to develop a child day care facility. The proposed use is appropriate for this location and would provide convenient child care for the immediate area. Although the requested rezoning is an increase in intensity from R-6 to C-2, staff believes that the existing R-6 zoning classification is not compatible with the emerging commercial character of this stretch of Walzem Road. Walzem Road is considered a Secondary Arterial Type A road and various commercial facilities are available along Walzem Road between Eisenhower Road and Gibbs-Sprawl Road. It is unlikely that the subject property will be developed for residential uses and the existing residential neighborhoods in the immediate area would benefit from a day care service.

C-2 districts accommodate commercial and retail uses that are more intensive in character than "NC" and "C-1" uses, and which generate a greater volume of vehicular traffic and/or truck traffic. Any proposed development located in a C-2 Commercial District and adjoining a zoning district zoned R-6 Residential Single-Family District, will require the applicant to install a type B buffer.

CASE MANAGER : Leslie Zavala 207-0215



Zoning Case Notification Plan

Case Z-2007-309

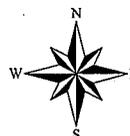
Council District 10

Scale: 1" approx. = 120'

Subject Property Legal Description(s): Lot 16 Exc NE Irr 232.86 ft - NCB 16725 - Block 001

Legend

- Subject Property
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



CASE NO: Z2007309

Final Staff Recommendation - Zoning Commission

Date: November 06, 2007

Council District: 10

Ferguson Map: 518 F8

Applicant Name:

Owner Name:

Calvary Apostolic Church

Northside United Pentecostal Church (Calvary Apostolic Church)

Zoning Request: From "C-2" Commercial District to "R-6" Residential Single Family District.

Property Location: Lot 16, Block 1, NCB 16725

13875 Higgins Road

Southeast corner of Higgins Road and Uhr Lane

Proposal: To Make the Zoning Consistent with Surrounding Properties

Neigh. Assoc. El Chaparral/Fertile Valley Neighborhood Association within 200 feet

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required.

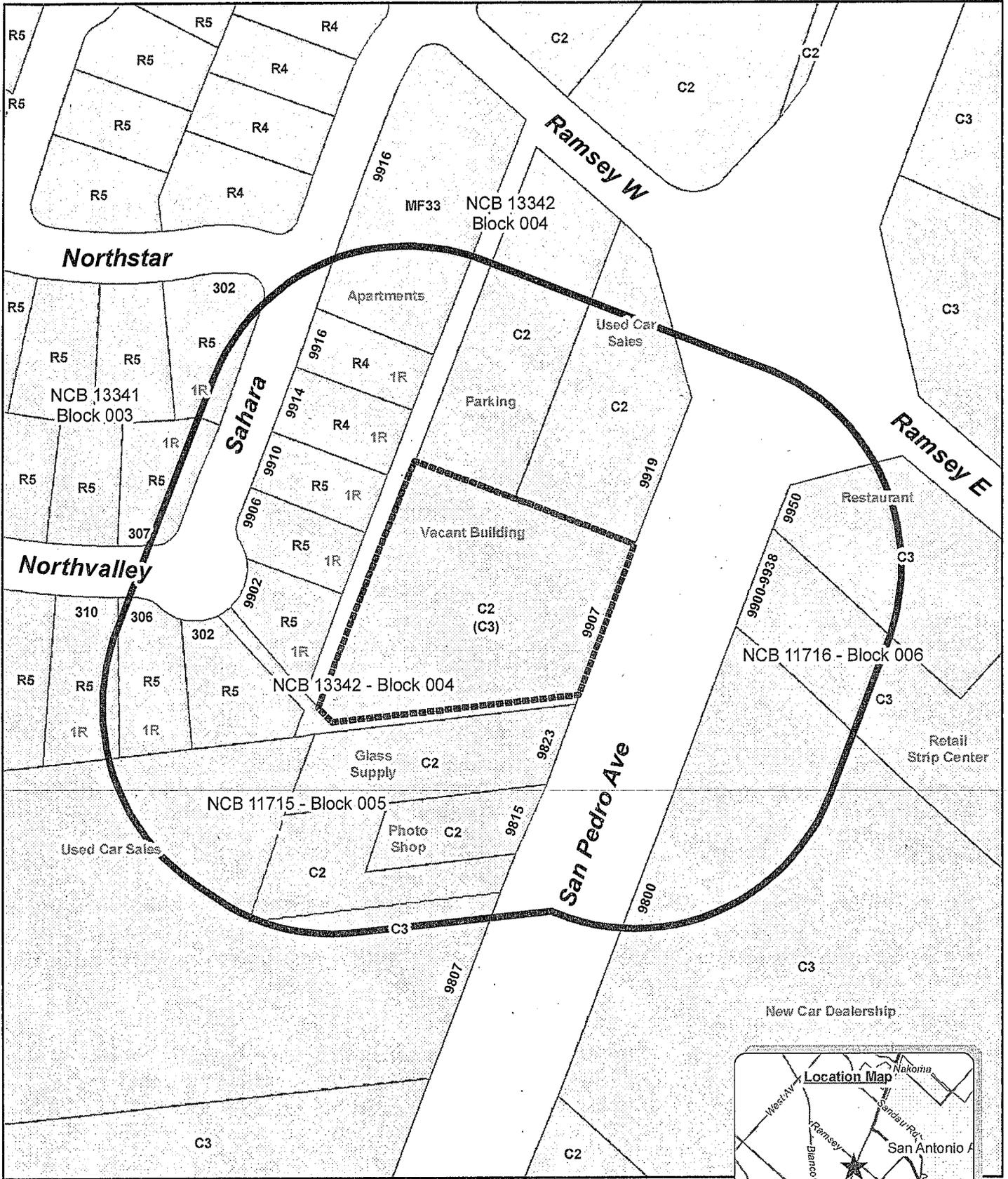
Staff Recommendation:

Approval

The subject property consists of an existing church building and playground with frontage on Higgins Road. The property is adjacent to R-6 zoning to the north, south, west and R-6 and C-2 zoning to the east. The surrounding land uses consist of single-family dwellings to the south, east and west as well as an elementary school to the north.

The applicant is requesting a rezoning to make the zoning consistent with the surrounding properties. A significant amount of R-6 zoning exists within the vicinity of the subject property. Therefore, the R-6 Residential Single-Family District would be a beneficial down zoning from the existing C-2 Commercial District making the request appropriate and compatible at this location. Furthermore, the development pattern in the general area is not commercial in character but predominantly residential and churches are permitted in all residential and commercial districts.

CASE MANAGER : Brenda Valadez 207-7945



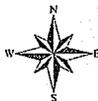
Zoning Case Notification Plan

Case Z-2007-307

Council District 9

Scale: 1" approx. = 120'

Subject Property Legal Description(s): Lot 30 - NCB 13342 - Block 004



Legend

- Subject Property
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



Produced by the City of San Antonio
Development Services Department
(09/27/2007)

CASE NO: Z2007307

Final Staff Recommendation - Zoning Commission

Date: November 06, 2007

Council District: 9

Ferguson Map: 550 D6

Applicant Name:

Owner Name:

C. B. Barker, Trustee

Davila Ledbetter

Zoning Request: From "C-2" Commercial District to "C-3" General Commercial District.

Property Location: Lot 30, Block 4, NCB 13342

9907 San Pedro Avenue

Westside of San Pedro Avenue, Southwest of East Ramsey

Proposal: To Allow Motor Vehicle Sales

Neigh. Assoc. Greater Harmony Hills Neighborhood Association

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis (TIA) is not required.

Staff Recommendation:

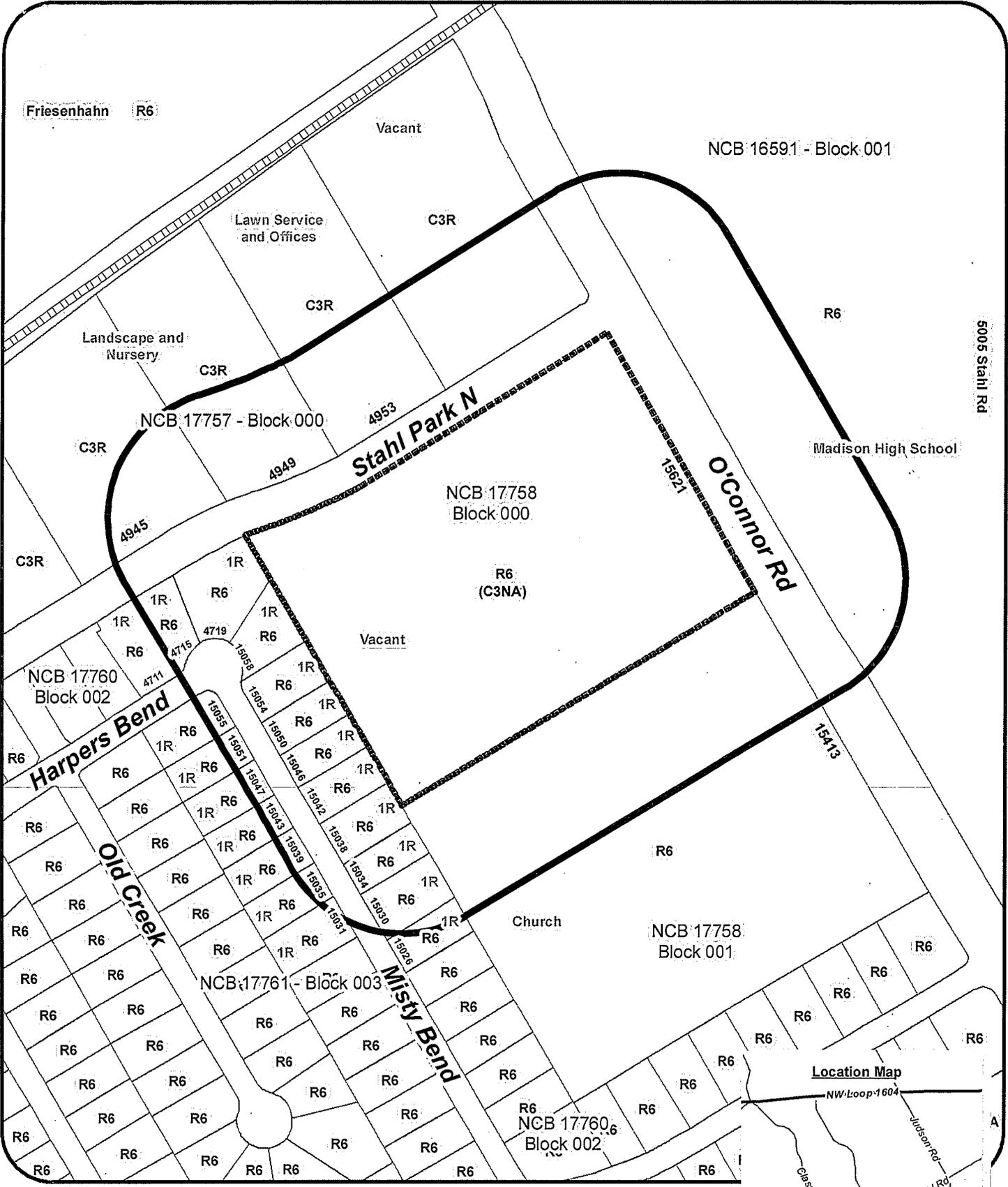
Approval

The proposed project is located in north San Antonio along San Pedro Avenue, identified as a Type A Secondary Arterial in city's Major Thoroughfare Plan. The project site consists of a vacant 9703.0 square foot commercial building built in approximately 1970 and was use a restaurant (Mama's Café and Bullpepper's Old Towne Cafe) for many years. The surrounding zoning consists of "C-2" Commercial District to the northeast and southwest, "R-5" Residential Single-Family District to the west with "C-3" General Commercial District across San Pedro Avenue to the east. The proposed zoning request is within the Greater Harmony Hills Neighborhood Association. Land uses adjacent to the project site along San Pedro Avenue are exclusively commercial. Other land uses surrounding the project site is single-family residential homes to the west, motor vehicle sales to the northeast and commercial use to southwest. An existing 18 foot alley separates the project site from the single-family dwellings. The requested "C-3" district is a commercial district most appropriate along the frontages or at the intersections of major thoroughfares. The commercial node has formed at the intersection of San Pedro Avenue and East Ramsey, which is to the northeast of the subject property. "C-3" districts permit general commercial activities designed to serve the community and promote a broad range of commercial operations and services necessary for large regions of the city, providing community balance. The proposed zoning request would be appropriate at this location and beneficial reuse of the existing vacant commercial building.

The project site was annexed into the City of San Antonio in September of 1952. In 2002 following the adoption of the Unified Development Code, the existing "C-2" Commercial District converted from the previous "F" Local Retail.

"C-3" districts are designed to provide for more intensive commercial uses than those located within the "NC", "C-1", "C-2" or "C-3" zoning districts. "C-3" uses are typically characterized as community and regional shopping centers, power centers and/or assembly of similar uses into a single complex under either single ownership or the structure of a property owners or condominium styled organization. "C-3" districts should incorporate shared internal circulation and limited curb cuts to arterial streets. No outdoor storage is permitted. Outdoor operations and display shall be permitted in areas which are screened as provided in § 35-510(g) of this Code.

CASE MANAGER : Pedro Vega 207-7980

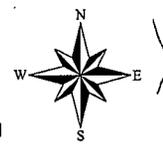


Zoning Case Notification Plan
Case Z-2007-315

Council District 10
 Scale: 1" approx. = 200'
 Subject Property Legal Description(s): Parcel P-8D - NCB 17757 - Block 000

Legend

Subject Property	-----
200' Notification Buffer	—————
Current Zoning	R6
Requested Zoning Change	(R6)
100-Year FEMA Floodplain	▬▬▬▬▬



CASE NO: Z2007315

Final Staff Recommendation - Zoning Commission

Date: November 06, 2007

Council District: 10

Ferguson Map: 518 E6

Applicant Name:

Owner Name:

Musselman Interests, Ltd

Musselman Interests, Ltd

Zoning Request: From "R-6" Residential Single Family District to "C-3NA" General Commercial District, Nonalcoholic Sales.

Property Location: P-8D, NCB 17757

15621 O'Connor Road

Southwest Corner of O'Connor Road and North Stahl Park

Proposal: To Allow Office and Commercial Uses

Neigh. Assoc. None

Neigh. Plan None

TIA Statement: A Level-1 Traffic Impact Analysis will be required at platting or permitting.

Staff Recommendation:

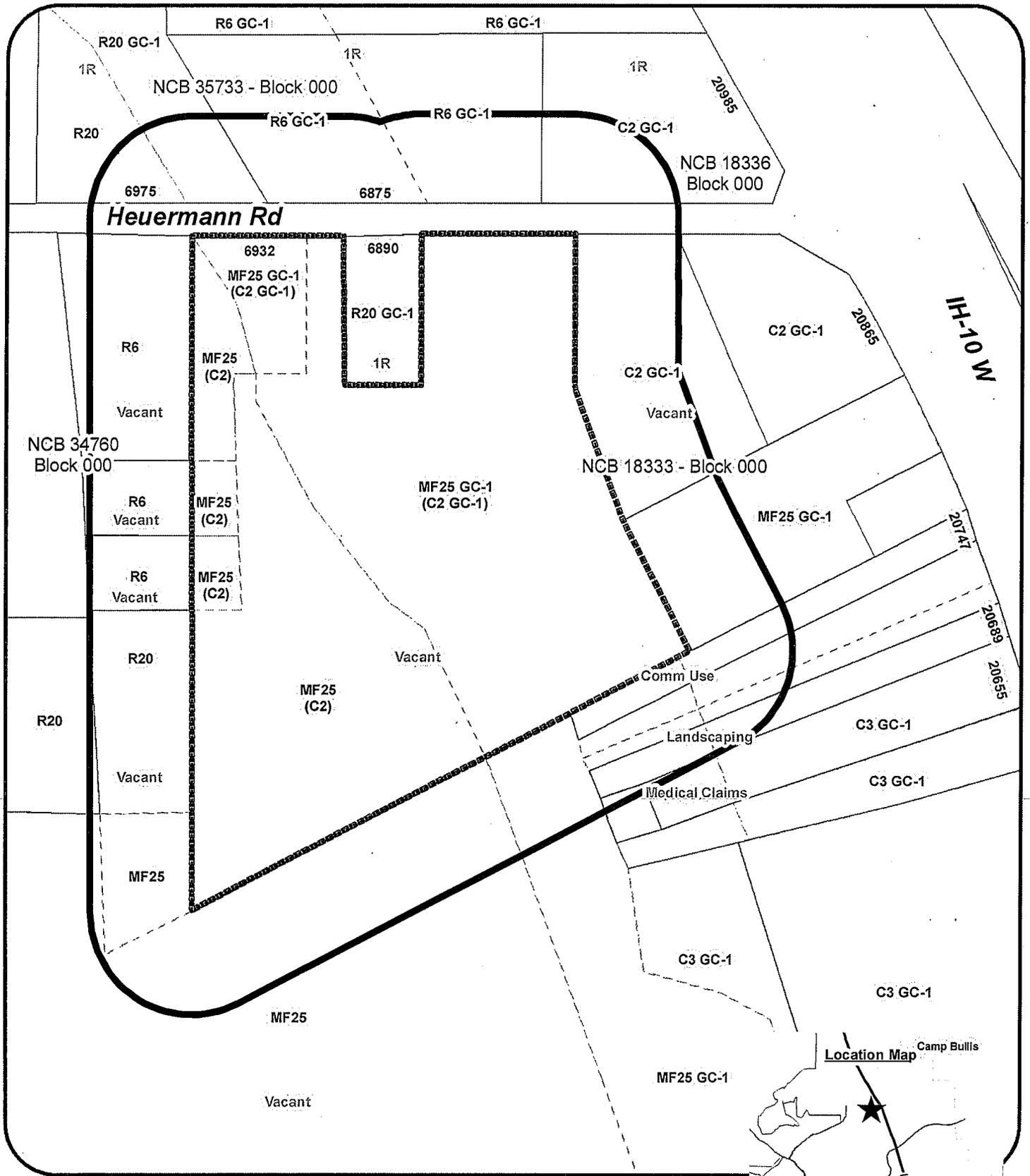
Denial as requested and Approval of C-2 Commercial District

The requested commercial district is most appropriate at the intersections of major thoroughfares and along the frontages of super arterials and expressways. The requested zoning is inappropriate in this situation given the property's location, its proximity to a church to the east, Madison High School to the north, and abutting residential properties to the south. Furthermore, the subject property sits at the corner of North Stahl Park and O'Connor Road, neither of which are identified as Primary Arterials per the city's Major Thoroughfare Plan. TABC governs the distribution of alcohol licenses in the State of Texas. Given the proximity of the subject property to both a church and Madison High School, the obtainment of an alcohol license for any commercial use on the subject property would be hindered. C-2 zoning allows the use of office and business uses without leaving open the possibility of unwanted uses allowed by C-3 zoning.

The subject property is currently a vacant parcel consisting of 6.77 acres, and is located at the intersection of O'Connor Road and North Stahl Park, just south of Northwest loop 1604. O'Connor Road is a Type A Secondary Arterial, as identified by the City's Major Thoroughfare Plan. The subject property was annexed into the city on June 14, 1973 per City Ordinance #42200. The subject property has remained an undeveloped parcel zoned R-6 since 2002, when it was converted from the previous R-1 zoning as per Ordinance #93881, which was adopted on February 4th, 2002. The proposal is to change from R-6 to C-3-NA to develop a mix of office and business uses.

The property to the northeast of the subject property is a high school and has R-6 zoning. The property to the southeast is zoned R-6 and houses a church. The three properties to the northwest across North Stahl Park are all zoned C-3 R, and consist of a vacant lot at the northwest corner of O'Connor Road and North Stahl Park, a lawn care service center, and a landscape/nursery facility. The abutting properties to the southwest consist of single family residences, all of which are zoned R-6.

CASE MANAGER : Mike Farber 207-3074



Zoning Case Notification Plan

Case Z-2007-316

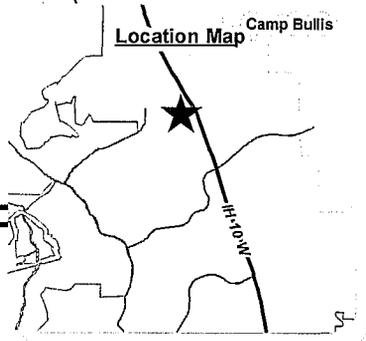
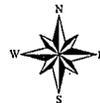
Council District 8

Scale: 1" approx. = 250'

Subject Property Legal Description(s): Portion of Parcel P-38 - NCB 18333 - Block 000

Legend

- Subject Property (19.59 Acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(10/18/2007)

CASE NO: Z2007316

Final Staff Recommendation - Zoning Commission

Date: November 06, 2007

Council District: 8

Ferguson Map: 480 A6

Applicant Name:

Owner Name:

Kaufman and Associates, Inc.

Brad Galo

Zoning Request: From "MF-25" Multi-Family District and "MF-25" GC-1 Multi-Family Gateway Corridor Overlay District-1 to "C-2" Commercial District and "C-2" GC-1 Commercial Gateway Corridor Overlay District-1.

Property Location: 19.59 acres out of NCB 18333

20865 IH-10 West

Approximate Southwest Corner of IH-10 West and Heuermann Road

Proposal: To Allow Commercial Development

Neigh. Assoc. Friends of Friedrich Wilderness Park

Neigh. Plan None

TIA Statement: A Level 2 Traffic Impact Analysis will be required

Staff Recommendation:

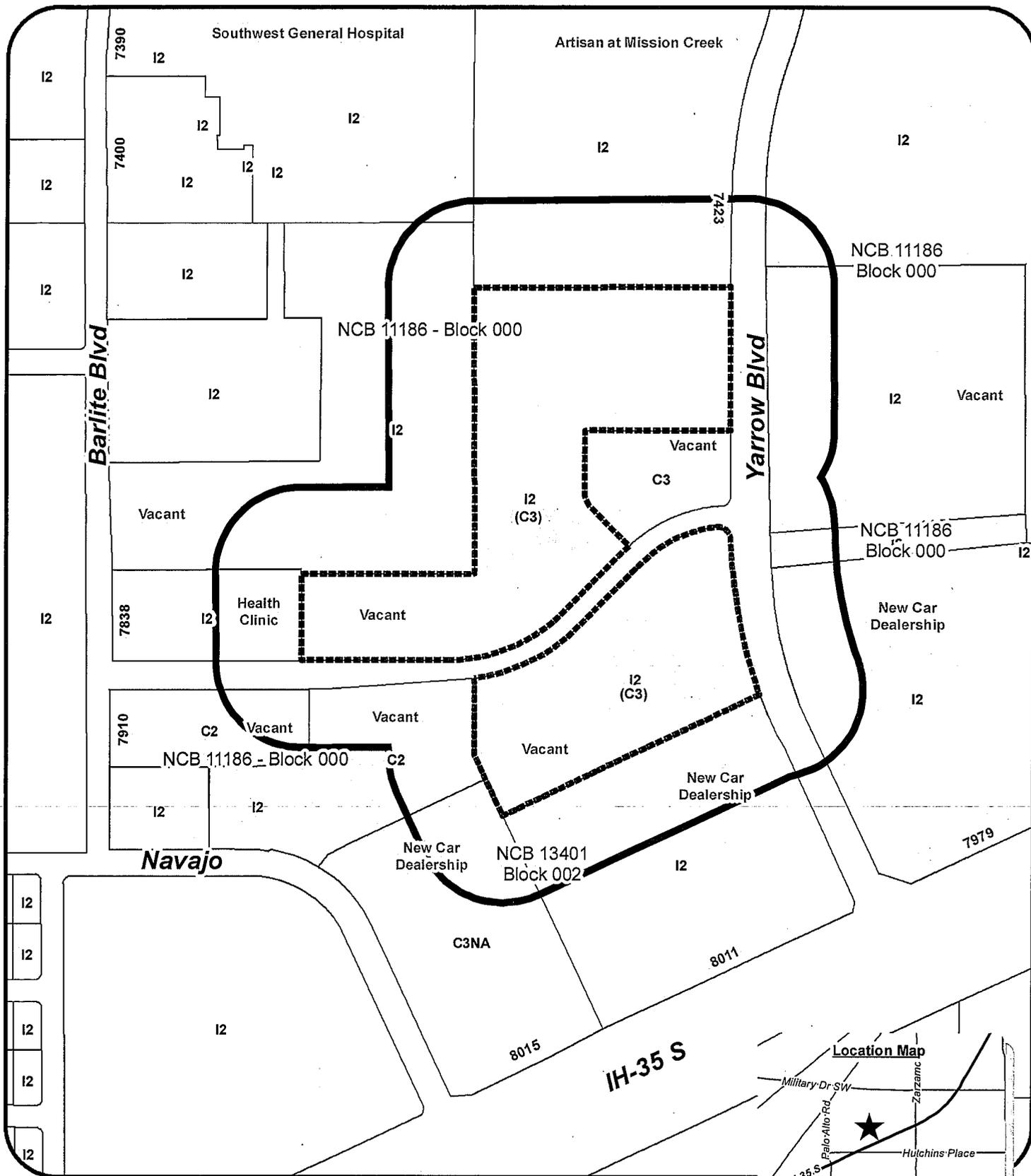
Denial

The proposed commercial district is most appropriate at the intersections of major thoroughfares or along freeways where potential conflicts with less intense uses are minimal. The subject property fronts on Heuermann Road to the North, serving as a county road and local street, and is not identified as a major thoroughfare. While a portion of the property itself does abut IH-10 West to the east, the portion of the property to be rezoned does not. Given that, the proposed commercial development would be inappropriate at this location, given that the only ingress and egress routes lie on Heuermann Road. The subject property is currently zoned MF-25, and serves as an appropriate transitional buffer between the more intensive C-2 zoning to the east and the single family residential zoning to the west, and is therefore more consistent with the current land uses in the region, despite the fact that the region is in a noticeable state of transition.

The subject property is located on Heuermann Road, just east of IH-10 West. The property was annexed into the City on December 31, 1998 as per Ordinance #88824. The subject property is currently an undeveloped parcel consisting of 19.59 acres, a significant portion of which lies in the Gateway Corridor Overlay District-1. The purpose of the Gateway Corridor Overlay District is to preserve, enhance and perpetuate the value of interstate highways. The property has remained undeveloped with MF-25 zoning, which was rezoned from R-6 and R-20 per Ordinance 100951, which dates to May 2005. The applicant is proposing the zoning change to allow the development of a commercial project.

The property at 6890 Heuermann Road consists of a single-family residence and is zoned R-20. The properties to the north consist of single family residences, and are zoned R-6 and C-2, dating back to 2006. The properties to the south of the subject property consist of a mix of commercial uses such as a landscaping business, a medical claims office, and various vacant properties, which are zoned MF-25 and C-3, dating to 2006. To the east of the subject property at the corner of IH-10 West and Heuermann Road is an undeveloped parcel zoned C-2 which dates to 2005. To the west there are vacant residential and multi-family properties, with zoning dating to 2005.

CASE MANAGER : Mike Farber 207-3074



Zoning Case Notification Plan

Case Z-2007-318

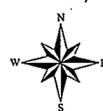
Council District 4

Scale: 1" approx. = 300'

Subject Property Legal Description(s): Parcel P-111 (9.32 acres) and P-111A (5.35 acres) - NCB 11186 - Block 000

Legend

- Subject Property (14.67 Acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(10/24/2007)

CASE NO: Z2007318

Final Staff Recommendation - Zoning Commission

Date: November 06, 2007

Council District: 4

Ferguson Map: 649 E8

Applicant Name:

Owner Name:

Brown, P. C.

MTB Interests Inc and WOB Interests, ETAL

Zoning Request: From "I-2" Heavy Industrial District to "C-3" General Commercial District.

Property Location: 14.67 acres out of NCB 11186

7000 Block of Yarrow Boulevard

Intersection of Yarrow Boulevard and Cascade Parkway

Proposal: To Allow for Commercial/Retail Use

Neigh. Assoc. None

Neigh. Plan None

TIA Statement: A Level-1 Traffic Impact Analysis will be required at platting or permitting.

Staff Recommendation:

Approval

The subject property consists of undeveloped land with frontage on Yarrow Boulevard a major collector street which connects IH 35 and Southwest Military Drive. The property is adjacent to I-2 zoning to the north and east; I-2 and C-3 zoning to the south and I-2 and C-2 zoning to the west. The surrounding land uses consist of multi-family dwellings to the north; undeveloped land to the east; auto sales to the south and undeveloped land and medical services to the west.

The property directly southeast of the larger subject property tract was the subject of a recent rezoning case (Z2007006) in which the applicant was granted a zoning change from "I-2" Heavy Industrial District to "C-3" General Commercial District for a bank. The properties located directly to the west of the smaller subject property tract were the subject of two recent rezoning cases as well. In case Z2005258, at 7910 Barlite Boulevard the applicant was granted a zoning change from "I-2" Heavy Industrial District to "C-2" Commercial District for medical offices and laboratory. In case Z2007111, the applicant was granted a zoning change from "I-2" Heavy Industrial District to "C-2" Commercial District for a medical office/clinic.

The applicant is requesting a rezoning to allow commercial/retail and office uses. A significant amount of I-2 and C-3 zoning exists within the vicinity of the subject property. The C-3 General Commercial District would be appropriate and compatible at this location. This area is composed mainly of commercial uses and open area where similar commercial development seems likely to occur. The requested C-3 General Commercial District is a beneficial down zoning from the existing I-2 Heavy Industrial District. Furthermore, the development pattern in the general area is predominantly commercial in character, and not industrial or residential.

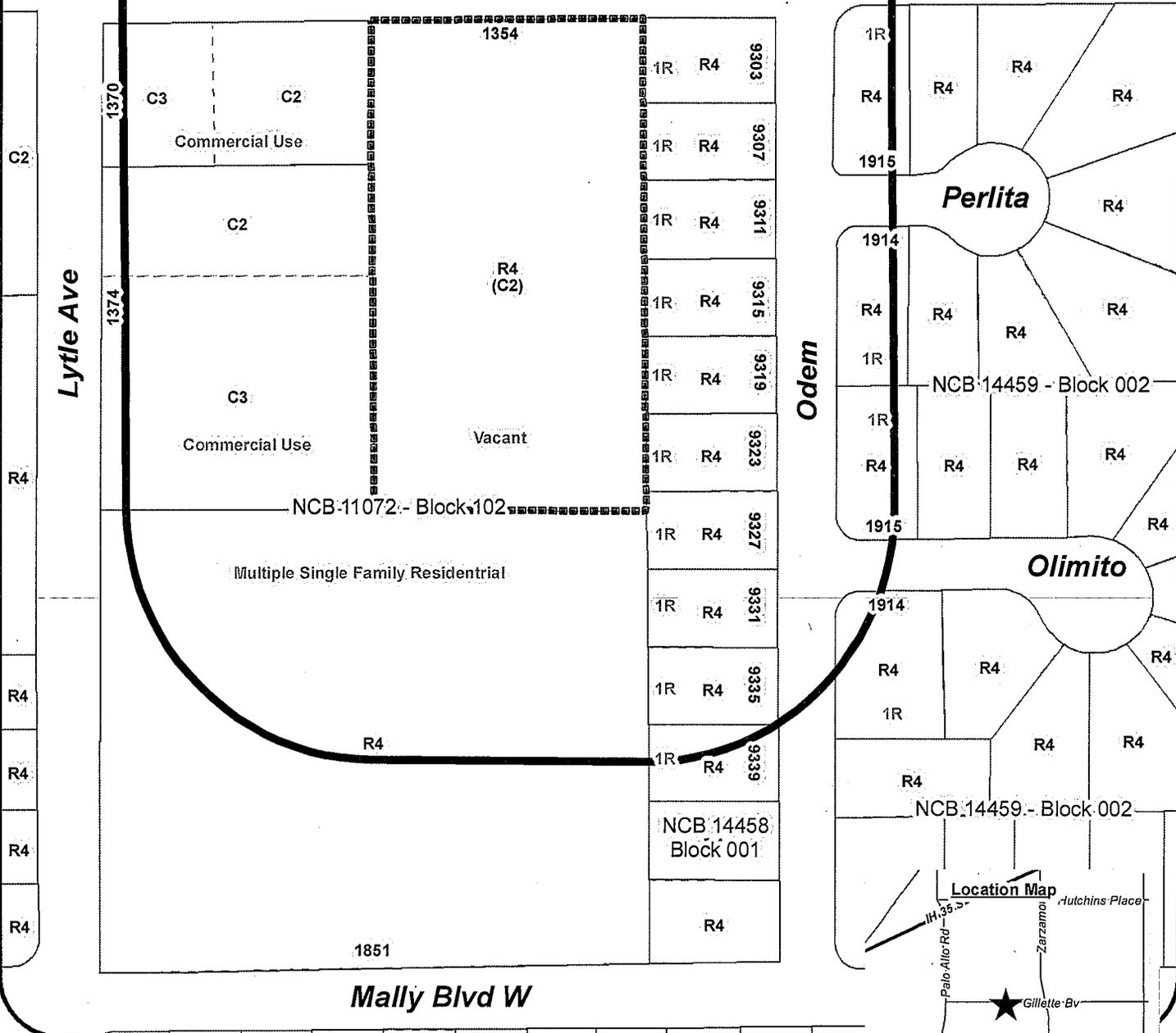
C-3 districts are designed to provide for more intensive commercial uses than those located within the NC, C-1, or C-2 zoning districts. C-3 uses are typically characterized as community and regional shopping centers, power centers and/or assembly of similar uses into a single complex under either single ownership or the structure of a property owners or condominium styled organization. C-3 districts should also incorporate shared internal circulation and limited curb cuts to arterial streets.

CASE MANAGER : Brenda Valadez 207-7945

Edenvale

1R	1R	NCB 13459 - Block 001										
R4	R4											
1966	1962	1958	1954	1950	1946	1942	1938	1934	1930	1926		

Gillette Blvd



Zoning Case Notification Plan

Case Z-2008-002

Council District 4

Scale: 1" approx. = 120'

Subject Property Legal Description(s): W 145 ft of N 388 ft of Lot 3 and E 74.88 ft of N 388 ft of Lot 2 - NCB 11072 - Block 102

Legend

- Subject Property (1.96 Acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept (10/12/2007)

CASE NO: Z2008002

Final Staff Recommendation - Zoning Commission

Date: November 06, 2007

Council District: 4

Ferguson Map: 681 E3

Applicant Name:

Andres and Bonnie Vargas

Owner Name:

Andres and Bonnie Vargas

Zoning Request: From "R-4" Residential Single Family District to "C-2" Commercial District.

Property Location: The West 145 Feet of the North 388 Feet of Lot 3 and the East 74.88 Feet of the North 388 Feet of Lot 2, Block 102, NCB 11072

1354 Gillette Boulevard

Gillette Boulevard, East of Lytle Avenue

Proposal: To Allow Professional Offices

Neigh. Assoc. None

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

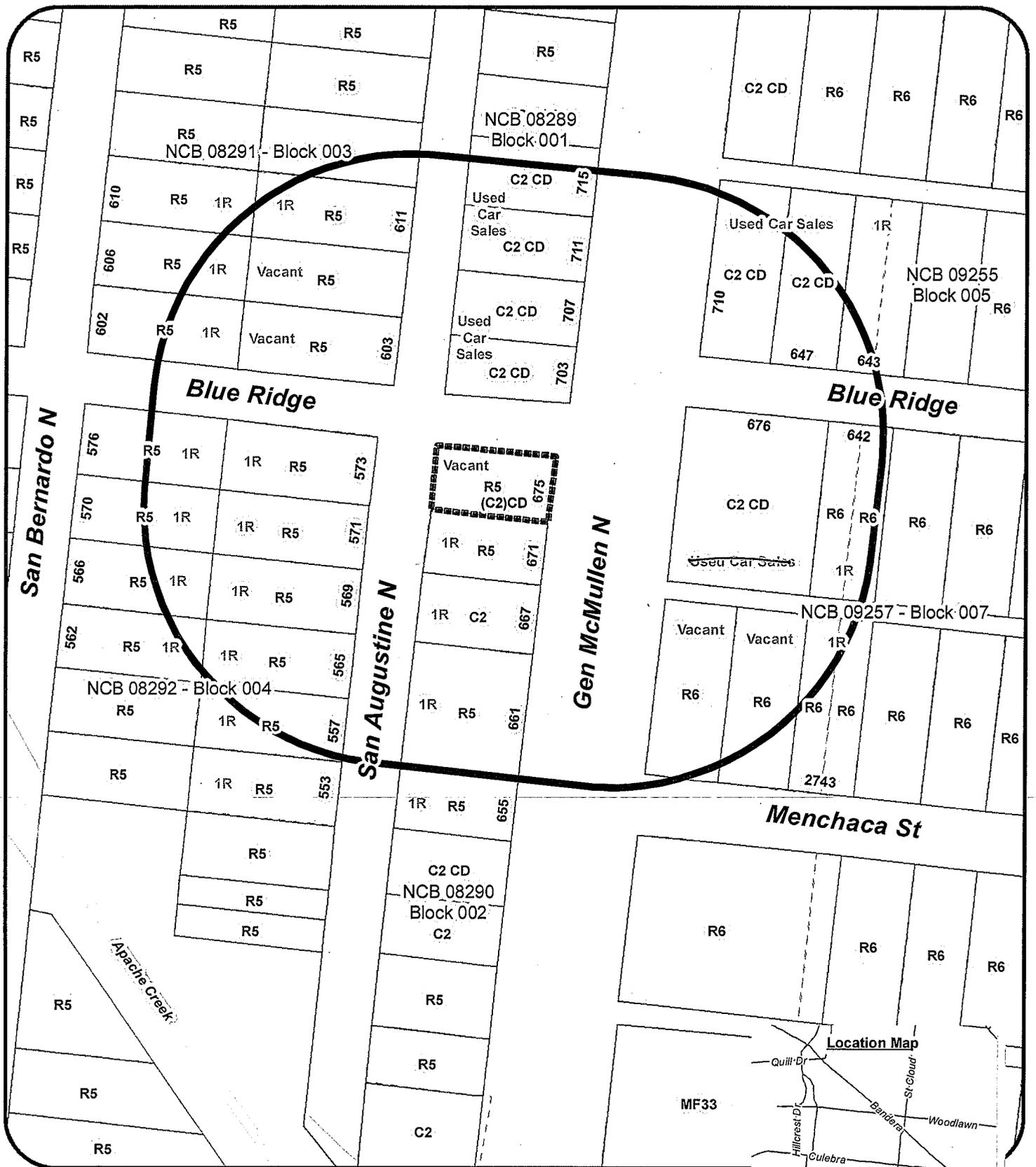
Denial as requested and approval of O-1

The property is located on Gillette Boulevard, a Type A Secondary Arterial and is abutting residential areas to the east and to the south. The amount of potential vehicular and truck traffic and noise generation wouldn't be appropriate for the residential uses surrounding the subject property. Instead, the O-1 district would have less intense uses than the C-2 district and would be an appropriate buffer between residential use to the east and commercial uses to the west.

The subject property was annexed into the city as a part of large area annexation in 1952, totals 1.9596 acres and is currently undeveloped. In 2002, following the adoption of the Unified Development Code, the existing R-4 zoning district converted from the B district. Land uses immediately adjacent to the proposed development consists of single-family residences to the north and east, multi-family residences to the south, and commercial uses to the west. Both O-1 and C-2 districts require a 15 foot Type B landscape buffer along the east and south property lines of the subject property, where the property abuts R-4 single-family residential zoning.

The "O-1" district restricts uses primarily to offices and ancillary uses (for the purposes of this subsection, ancillary uses are those provided for the convenience of on-site tenants and which do not provide services or products to the general public) which do not have peak weeknight or weekend usage in order to provide a buffer between residential areas and more intensive uses. "O-1" districts provide for the establishment of low to mid-rise office buildings. Uses within an "O-1" district are limited to uses incidental to the needs of the occupants of the building and are not designed to serve a regional market area.

CASE MANAGER : John Osten 207-2187



Zoning Case Notification Plan

Case Z-2008-001CD

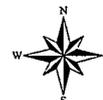
Council District 5

Scale: 1" approx. = 100'

Subject Property Legal Description(s): W 92.8 ft of Lot 1 & Lot 2 - NCB 08290 - Block 002

Legend

- Subject Property (0.107 Acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(10/09/2007)

CASE NO: Z2008001 CD

Final Staff Recommendation - Zoning Commission

Date: November 06, 2007

Council District: 5

Ferguson Map: 615 C3

Applicant Name:

Owner Name:

Antero Patlan Jr.

Antero Patlan Jr.

Zoning Request: From "R-5" Residential Single-Family District to "C-2" (CD-Motor Vehicle Sales) Commercial District with a Conditional Use for Motor Vehicle Sales.

Property Location: Lot 1 and Lot 2, Block 2, NCB 8290

675 North General McMullen

Southwest corner North General McMullen and Blue Ridge

Proposal: Motor Vehicle Sales

Neigh. Assoc. Loma Vista Neighborhood Association and Prospect Hill Neighborhood Association within 200 feet

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis (TIA) is not required.

Staff Recommendation:

Approval

The applicant of this project proposes to construct a Motor Vehicle Sales. The proposed project will be located on a vacant tract of land approximating 0.1067 acres on North General McMullen approximately 1,050 feet south of the intersection of North General McMullen and Culebra Road. The surrounding zoning consists of "R-5" Residential Single Family District to the south and across North San Augustine to the west with "C-2" (CD-Motor Vehicle Sales) Commercial District with a Conditional Use for Motor Vehicle Sales across Blue Ridge to the north and across North General McMullen to the east. The 0.1067 acres is within the Loma Vista Neighborhood Association and Prospect Hill Neighborhood Association within 200 feet. The application of a conditional use provides an opportunity to limit the impact of the proposed use on surrounding properties. Additionally, a cessation of the proposed use for a period of twelve (12) months or more will result in an expiration of the conditional use. The applicant owns a used car sales business at 710 North General McMullen.

The project site was annexed into the City of San Antonio in September of 1945. The subject parcel was zoned "JJ" Commercial District by ordinance 6247 approved November 28 of 1947. This district converted to the "I-1" General Industrial District following the 2001 adoption of the Unified Development Code. The property was rezoned from "I-1" General Industrial District to "R-5" Residential Single Family District on May 17, 2007 (City of San Antonio Zoning Case Z2007162 CD S).

The conditional 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 a conditional zoning classification shall not be for all of the uses permitted in a given district but shall be only for the conditional use (bookkeeping office, photography studio, etc.) named in the ordinance approving the conditional zoning district. In considering a request for a conditional zoning classification, the zoning commission shall make a recommendation to the city council with reference to the use and development conditions which insure

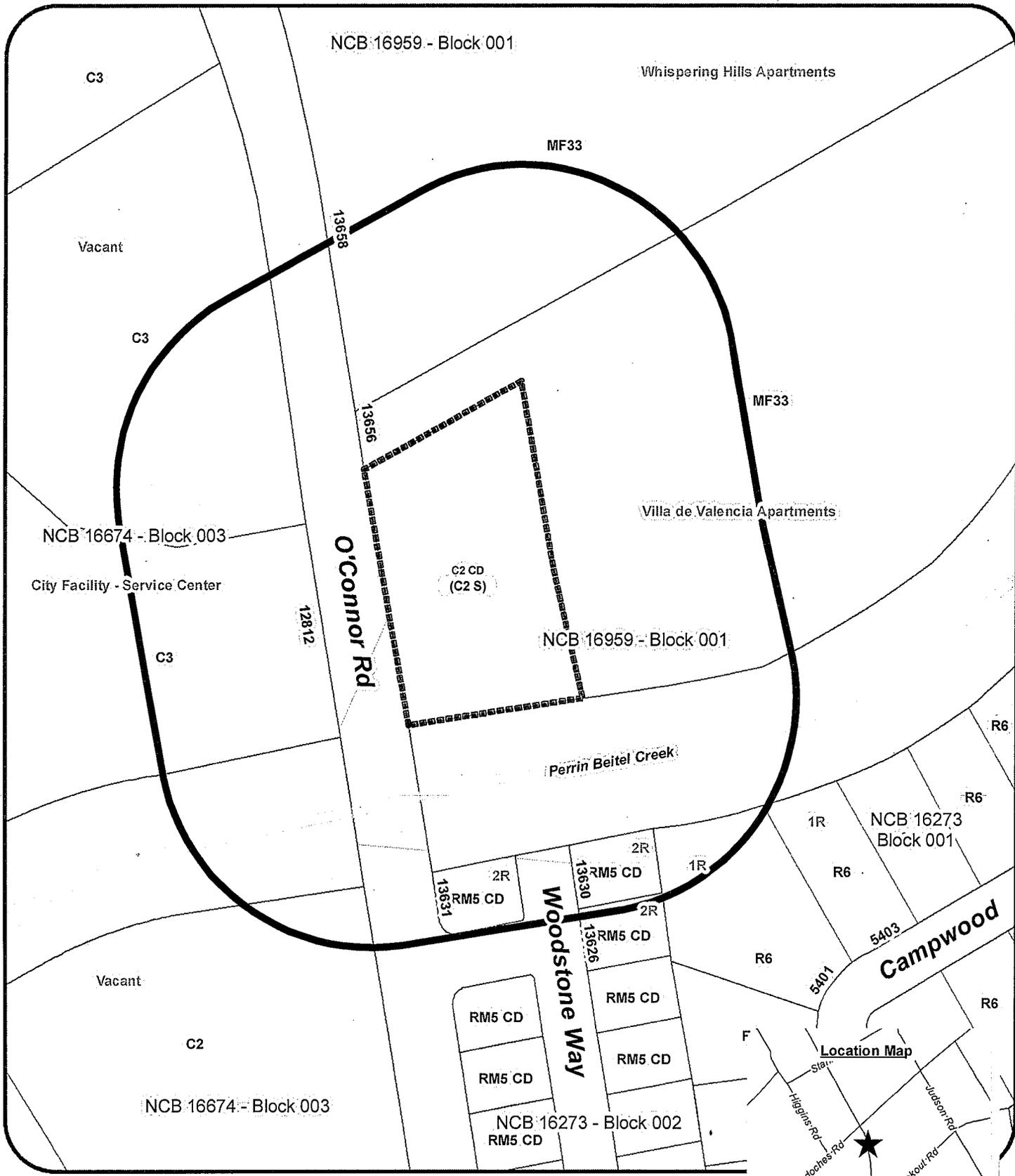
CASE NO: Z2008001 CD

Final Staff Recommendation - Zoning Commission

compatibility with surrounding properties. A conditional zoning classification shall run with the land until such time that the zoning is changed or the conditional use granted has been discontinued on the property for a period of twelve (12) months.

"C-2" districts accommodate commercial and retail uses that are more intensive in character than "NC" and "C-1" uses, and which generate a greater volume of vehicular traffic and/or truck traffic. No outdoor storage or display of goods shall be permitted except for outdoor dining.

CASE MANAGER : Pedro Vega 207-7980



Zoning Case Notification Plan

Case Z-2008-005

Council District 10

Scale: 1" approx. = 120'

Subject Property Legal Description(s): Lot 15 - NCB 16959 - Block 001

Legend

- Subject Property (0.995 Acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(10/22/2007)

CASE NO: Z2008005 S

Final Staff Recommendation - Zoning Commission

Date: November 06, 2007

Council District: 10

Ferguson Map: 553 A1

Applicant Name:

Owner Name:

Earl & Associates, P. C.

Russell Simpson

Zoning Request: From "C-2" (CD - Carwash) Commercial District with a Conditional Use for a Carwash to "C-2" S Commercial District with a Specific Use Permit for a Carwash.

Property Location: Lot 15, Block 1, NCB 16959

13630 O'Connor Road

O'Connor Road, South of Nacogdoches Road

Proposal: To Allow the Expansion of a Carwash

Neigh. Assoc. Woodstone Neighborhood Association

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required

Staff Recommendation:

Approval with Conditions

The requested zoning from C-2 (CD-Carwash) to C-2 S is appropriate in this situation. The property was rezoned from C-2 to C-2 (CD-Carwash) on October 19, 2006 (Z2006234 CD) allowing the use of a carwash on the property. This ordinance also established that the following conditions be met to insure compatibility with the surrounding properties:

1. A Type 'B' vegetative buffer is required along the perimeter
2. Directional lighting only, oriented onto the subject property
3. Installation of surveillance cameras for security
4. Maximum of seven (7) self service bays and one (1) automatic bay

Should the Zoning Commission recommend approval of the requested zoning, Staff would recommend that the aforementioned conditions be reapplied to the property, save the last condition, which the applicant is requesting to amend in his request. Additionally, the requested zoning is appropriate in that a site plan must be submitted with any Specific Use Permit request, as per UDC 35-423. The additional information provided by the site plan gives a better understanding of the intended uses of the property.

The subject property is located on O'Connor Road, which is a Type A Secondary Arterial as identified in the City's Major Thoroughfare Plan. The property was annexed into the city on December 26, 1972, and totals approximately 1 acre, a significant portion of which is located in the 100-year flood plain. The property is currently undeveloped and is zoned C-2 CD, which converted from the previous C-2 district. The proposal is to amend the previous Conditional Use to a Specific Use to allow an additional automatic bay and two dog washes.

The abutting properties to the north and east of the subject property consist of apartment complexes and are zoned MF-33. To the south of the subject property lies Perrin Beitel Creek, which acts as a drainage

CASE NO: Z2008005 S

Final Staff Recommendation - Zoning Commission

easement for the area. Beyond that to the south are single family residences zoned R-6 and RM-5 CD. A city service facility lies to the west of the subject property across O'Connor Road, and is zoned C-3. Just to the north of that is a vacant parcel also zoned C-3.

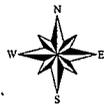
CASE MANAGER : Michael Farber 207-3074



Zoning Case Notification Plan

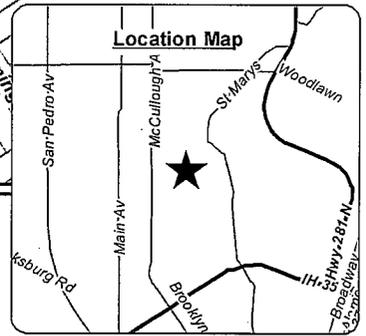
Case Z-2007-303

Council District 1
 Scale: 1" approx. = 400'
 Subject Property Legal Description(s): Various - See Attachment



Legend

- Subject Property - Phase I [dashed line symbol]
- Subject Property - Phase II [dashed line symbol]
- 200' Notification Buffer [thick solid line symbol]
- Current Zoning **R6**
- Requested Zoning Change **(R6)**



Produced by the City of San Antonio
 Development Services Department
 (09/20/2007)

CASE NO: Z2007303 H

Final Staff Recommendation - Zoning Commission

Date: November 06, 2007

Zoning Commission Continuance (Commissioner Request) from October 16, 2007

Council District: 1

Ferguson Map: 616 E 1/2, F 1/2

Applicant Name:

Owner Name:

City of San Antonio, Planning Department,
Historic Preservation Officer

Multiple Property Owners

Zoning Request: From "R-6" Residential Single-Family District; "MF-33" Multi-Family District; "RM-4" Residential Mixed District; "C-3" General Commercial District; "IDZ" Infill Development Zone; "R-6 (CD-Duplex) Residential Single-Family District with a Conditional Use for a Duplex; "C-2 NA" Commercial, Nonalcoholic Sales District; "C-3 NA" Commercial District, Nonalcoholic Sales; "R-6" HS Residential Single-Family Historic Significance District; "RM-4" HS; Residential Mixed Historic Significance District; "O-2" Office District; "MF-33" HS Multi-Family Historic Significance District; "C-3 R" Commercial District, Restrictive Alcoholic Sales to "R-6" H Residential Single-Family Historic District; "MF-33" H Multi-Family Historic District; "RM-4" H Residential Mixed Historic District; "C-3" General Commercial Historic District; "IDZ" H Infill Development Zone Historic District; "R-6" H (CD-Duplex) Residential Single-Family Historic District with a Conditional use for a Duplex; "C-2 NA" H Commercial, Nonalcoholic Sales Historic District; "C-3 NA" H Commercial District, Nonalcoholic Sales Historic District; "R-6" HS H Residential Single Family Historic Significance Historic District; "RM-4" HS H Residential Single-Family Historic District; "O-2" H Office Historic District; "MF-33" HS H, Multi-Family Historic Significance Historic District; "C-3 R" H Commercial District, Restrictive Alcoholic Sales Historic District.

Property Location: Multiple lots within Block 7, NCB 2998; Block 2, NCB 2965; Block 6, NCB 2996; Block 1, NCB 2999; Block 3, NCB 2964; Block 13, NCB 1734; Block 4, NCB 1731; Block 5, NCB 1732; Block 5, NCB 2995; Block 14, NCB 1735; Block 9, NCB 1733; Block 4, NCB 2997; Block 3, NCB 396; Block 3, NCB 1754; Block 4, NCB 1753; Block 15, NCB 1742; Block 6, NCB 1751; Block 32, NCB 386; Block 31, NCB 387; Block 5, NCB 1752; Block 6, NCB 1751; Block 10, NCB 1750; Block 16, NCB 1743; Block 28, NCB 397; Block 7, NCB 1740; Block 12, NCB 1744; Block 27, NCB 399; Block 1, NCB 1746; Block 11, NCB 1741; Block 2, NCB 1739; Block 6, NCB 1737; Block 3, NCB 1738; Block 10, NCB 1736; Block 8, NCB 1745; Block 30, NCB 392; Block 11, NCB 1749; Block 13, NCB 1717

311 through 529 East Courtland Place; 304 through 536 East Courtland Place; 502 Gillespie; 305 through 609 East Dewey Place; 310 through 601 East Dewey Place; 2323 North St. Mary's Street; 519 through 520 Paschal; 500 and 502 Kendall Street; 2209 through 2213 North St. Mary's Street; 609, 613 and 615 North St. Mary's Street. 313 through 615 East Locust; 310 through 624 East Locust; 510 Paschal; 423 and 509 Gillespie; 515 and 523 Kendall Street; 2203 North St. Mary's Street; 417 through 425 Paschal; 416 Paschal; 415 through 420 Gillespie; 416 and 418 Kendall Street; 2121 North St. Mary's Street; 317 through 631 East Myrtle; 306 through 632 East myrtle; 410 Paschal; 403 through 409 Gillespie; 401 through 409 Kendall Street; 111 through 645 East Park Avenue; 202 through 638 East park Avenue; 1516 through 1528 North Main Avenue; 1602 through 1608 North Main Avenue; 515 through 527 Ogden Street; 520 Ogden Street; 1515 through 1525 McCullough Avenue; 1524 and 1606 McCullough Avenue; 215 through 219 Paschal; 222 Gillespie; and 1935 North St. Mary's Street.

Multiple Lots Generally Bound by East Ashby Place to the north; North St. Mary's Street to the east; East Evergreen Court to the south; and North Main Avenue to the west

CASE NO: Z2007303 H

Final Staff Recommendation - Zoning Commission

Proposal: To Create a Historic District
Neigh. Assoc. Tobin Hill Neighborhood Association
Neigh. Plan Tobin Hill Neighborhood Plan
TIA Statement: A Traffic Impact Analysis is not required

Staff Recommendation:

The Tobin Hill Neighborhood Plan is not a consistency plan, and therefore does not require a consistency determination. Rather, the Tobin Hill Neighborhood Plan acts as a guide for development in the area

Approval

The subject property, known as the Tobin Hill Neighborhood, is bound by East Ashby Place to the north, North Saint Mary's Avenue to the east, East Evergreen Court to the south, and North Main Avenue to the west. This area consists primarily of MF-33, RM-4 and R-6 zoning. There are also parcels zoned C-2, C-3 and O-2 zoning which are located largely on the eastern boundary of the rezoning area on North Saint Mary's Street.

A petition in favor of the historic district has been submitted by over 51% of owners of property within the proposed district boundaries. The area qualifies as a City of San Antonio Historic District according to the following criteria of Section 35-607 of the Unified Development Code:

1. Its identification with a person or persons who significantly contributed to the development of the community (Tobin Family)
2. Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, or method of construction. (Classical Revival, Folk Victorian and Craftsman Bungalow)
3. Its character as an established and geographically definable neighborhood, united by culture, architectural style of physical plan and development.

CASE MANAGER : Mike Farber 207-3074

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2007303

Existing Zoning: multiple properties

Requested Zoning: H (Historic Overlay)

Registered Neighborhood Association(s):

Tobin Hill Alliance; Tobin Hill Residents Association

Neighborhood/Community/Perimeter Plan:

Tobin Hill Neighborhood Plan

Future Land Use for the site:

Residential (1987 Land Use Plan); Low Density Residential and Medium Residential (Tobin Hill Land Use Plan still under development)

Other Comments:

The requested zoning change does not alter the allowable uses within the current base zoning districts. The Historic (H) overlay designation and the current base zoning does not conflict with the Land Use Plan found in the 1987 Tobin Hill Neighborhood Plan and also does not conflict with the Land Use Plan that is included in the Tobin Hill Neighborhood Plan currently under development. The requested zoning change continues implementation steps outlined in letter D of the Housing section of the plan. (on page 9 of the 1987 Tobin Hill Neighborhood Plan)

1a: Housing Protections Zone... Existing housing stock should be retained, with demolition occurring only in unsafe structures.

2: Specifically, this plan calls for neighborhood scale with every effort being made to preserve existing structures.

Analysis:

Request conforms to Land Use Plan

Request does not conform to Land Use Plan

Staff Recommendation:

Supports

Recommends Denial

Alternate Recommendation

Reviewer: Beth Johnson

Title: Sr. Planner

Date: 9/25/2007

Manager Review:

Date:

Tobin Hill

Finished in 1777 the Upper Labor Acequia was located at the southern boundary of today's Tobin Hill. Public distribution by lottery of the land began that same year in April and involved distribution of 25 Suertes ranging from seven to 14 acres each, south of the ditch. (Each land grant had frontage on the ditch and certain specified water rights. Later that year, an additional 26 Suertes were awarded, this time north of the acequia. It was another 100 years before any development occurred in this area.¹ There is only one known building existing from this time frame, 305 Euclid is currently a designated local landmark.

The area informally known as Tobin Hill, a 177-acre tract resulted from an 1876 lawsuit for clear title of land ownership. The title dispute was over seven acres, but due to the ambiguity of the definition of "labor", a Spanish land term, 177 acres was awarded to Gillum and Yongue. (A labor inside city limits was seven acres, outside city limits was 177.) The city sued but did not win back the land. Gillum didn't waste any time. He subdivided the land into lots, donated two blocks to the city for a park, today's Crockett Park, and began selling off the remaining lots.² Gillum Addition was unusually large for its time as subdivisions occurred sporadically and in small areas.³ Due to finances, most developers could only afford to purchase small parcels of land. A developer would subdivide the land, sell the lots, and the new owner would hire a builder or contractor to build a house.⁴ Transportation and the lack of availability of long term financing determined where different economic groups settled.

Around this same timeframe, 1875, San Antonio Street Railway Company was granted a franchise for a "horse railroad" but no construction occurred. Two years later, 1877, Colonel Augustus Belknap bought the Railway company stock and built a route from Houston Street to San Pedro Springs Park. The first mule-drawn-car began operation on June 27, 1878. "Soon after the streetcars started running, lot prices jumped from the \$5 to \$10 range, to \$100 to \$500".⁵ By 1887 residences along San Pedro increased from two to a dozen. Most lots in the Gillum Addition sold out by the early 1890s, though houses were not built on all lots for many years thereafter. In general, horse-drawn cars increased the distance one could commute in one-half hour, from two to three miles, thereby extending the distance between downtown and land desirable for residential development. One could be located on the route or within a block or two for an easy walk to catch the trolley. Streetcars created decentralized pockets of urban concentration.⁶

William G Tobin, father of Mayor Tobin, purchased a home site of several acres on Maple Avenue and built a house on an eminence or "hill" in 1883. Per the 1883 City Directory his home was at 815 Acequia between Macon and Maple. By 1888 the directory list the house at 813 Main. Unfortunately the Tobin house is no longer extant. Through the years, other Tobin family members purchased land and built homes in this area. Though never platted or sold under the name of Tobin Hill, because of the Tobin Family, the area became known as Tobin Hill. Very few houses still exist from this timeframe. "By 1925 the hill was into its third generation of Tobins. By then their names were Bell, Newton, Rote, or Carr."⁷

A review of the 1904 Sanborn Fire Insurance map shows the area identified as Gillum addition. About a third of the lots are vacant. When comparing the 1904 Sanborn to the 1950 Sanborn Fire Insurance map, within the Gillum addition, of the approximately 175 buildings existing in 1904, 51 were gone by 1950. Based on the buildings located along San Pedro and Main Street, houses were being demolished to make way for commercial buildings.

A newspaper article dated 1907 talks of “handsome residences” nearing completion with one in the “Colonial Style” and three located on Magnolia Street. The Colonial Style is probably the Classical Revival Style with large two-story columns and symmetrical façade.⁸ “Southend” potential historic district is the heart of the neighborhood whose built environment reflects the development pattern of the area by the diversity of architectural styles.

The advent of World War I reduced domestic construction. After the armistice in 1918 vacant land again began to be developed. In America by 1920 over 51 percent of the population lived in the suburbs. The Progressive Era revolted against Victorian excesses by building small, simple cottages on small lots, this style became known as the Bungalow or Craftsman Bungalow Style. Based on the availability of lots within the Tobin Hill area, the 1920s represents the second major wave of development.

The change in style from Victorian to Bungalows and existentially large to small is evident in East Craig Place. Originally named Hertzberg Street, the name was changed by 1915, thereby extending an existing street in the Laurel Heights subdivision. The 1911 Sanborn maps shows only two houses on the street. The 1915 City Directory lists some houses in the 200 block. 1930 is the first year that the houses on the 300 block are listed. This difference in time reflects the changing architectural styles, the economic changes in residential choice, and the social changes in housing sizes.⁹

Another example of the Bungalow style is seen on East French Place. In a newspaper article dated 1922, H.C. Thorman was stated as being one of the largest home builders in San Antonio. He was building and selling houses that cost from \$4k to 6K. Other developments by Thorman include Olmos Park, Country Club Place and blocks of development within Highland Park. From 1907 to 1922 he constructed and sold 750 homes, he built around 20 to 40 houses per year. The article went on to state “He is also planning to develop some acreage on Jones Avenue and will build a number of modern homes on it, as well as improve the streets and give the purchasers modern conveniences.” N. St. Mary’s Street used to be called Jones Avenue, more than likely this article is referring to E French Place plat.¹⁰

During the 1920s San Antonio experienced a building boom. This surge of growth continued awhile after the crash of the stock market in 1929. However, the Great Depression did prevent construction throughout the 1930s.

The end of World War II in 1945 started a flurry of development across the country. Soldiers returning from war married thereby creating a need for more housing. The building industry was in a boom. Single-family housing as well as multi-family houses were being constructed. San Antonio, like other cities, was impacted, maybe more so due to the high number of active military bases located within the city limits such as Kelly AFB, Lackland AFB, and Fort Sam Houston Army Post.

San Antonio College moved to San Pedro Avenue in 1950 reusing "Main High School". All buildings on the current 37-acre campus were constructed after 1949. Growth of the school continues to impact development in the area.

The commercial corridors of N. Saint Mary's, Main Street, McCullough, and San Pedro reflect the change from residential use to commercial. On all the streets some residential buildings still exist, but mostly they have been replaced with commercial buildings with construction dates and styles ranging from the 1920s to the present.

Tobin Hill Neighborhood Association formed in 1979 to encourage improvement and stop the decline in the area. The association picked the current neighborhood boundaries. As part of the city wide "Original City Limits Survey" and at the request of the Neighborhood, the City's Planning Department started a historic structure inventory in 2003. With the aid of volunteers and interns the inventory was completed.

As a result of the inventory and research into the development pattern of this area and applying the Criteria for the National Register of Historic Places and the city's UDC. Seven areas were determined to have enough architectural integrity to be eligible for designation as Local Historic Districts. This Zoning application is for two phases of the "Southend" in which an application for a Finding of Historic Significance was received with the required consent forms representing a minimum of 51% of the property owners.

The "Period of Significance" is from 1877 to 1930. This reflects the date of the first identified plat, Gillum Addition, and the end of the majority of construction in the area. The "Theme" is Community Planning and Development at the "Local Level of Significance".

Applying the criteria of the city's UDC:

1. Its identification with a person or persons who significantly contributed to the development of the community. (Tobin Family)
2. Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, or method of construction. (Classical Revival, Folk Victorian and Craftsman Bungalow)
3. Its character as an established and geographically definable neighborhood, united by culture, architectural style or physical plan and development.

¹ (Unknown Newspaper article, "Court Error Gave Away Tobin Hill, dated June 21, 1927 – DRT Library.)

² (Unknown Newspaper article, "Court Error Gave Away Tobin Hill, dated June 21, 1927 – DRT Library.)

³ Volume 6 Deed Records

⁴ National Park Service US Department of the Interior, National Register Bulletin: Historic Residential Suburbs, page 26.

⁵ SA Express-News, Saturday, December 12, 1998, page 4 B.

⁶ SA on Track: The Suburban Street Railway Complex through 1933, Master Thesis by Maria Watson.

⁷ The North San Antonio Times, Thursday, August 1, 1974. "Twenty-five Tobins once lived on Tobin Hill".

⁸ San Antonio Light, April 5, 1908, pg 19 "Handsome Homes on Tobin Hill Nearing Completion".

⁹ Research provided by intern Elizabeth Adams, Trinity University, Spring 2003.

¹⁰ Express News, January 8, 1922, page 2 "H.C. Thorman has built many homes".