

CITY OF SAN ANTONIO
Zoning Commission Agenda

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

September 16, 2008
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
Jim Myers – 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 by Historic Preservation Staff regarding landmark designations of Historic Texas Farm and Ranch Complexes, discussion of UDC amendments, policies and procedures, plus briefing by Staff regarding zoning case recommendations and all other items for consideration on the agenda for September 16, 2008, in the Tobin Room, 1901 South 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 September 2, 2008 Minutes.
7. **ZONING CASE NUMBER Z2008147 ERZD:** A request for a change in zoning from "R-6 CD ERZD" Residential Single-Family Edwards Recharge Zone District with a Conditional Use for a Private High School to "O-1 ERZD" Office Edwards Recharge Zone District (1.6350 acres) and "O-2 ERZD" Office Edwards Recharge Zone District (11.9523 acres) on 13.5873 acres out of NCB 17627 and NCB 18598, 4150 DeZavala Road. (Council District 8)
8. **ZONING CASE NUMBER Z2008232 ERZD:** A request for a change in zoning from "DR ERZD" Development Reserve Edwards Recharge Zone District to "HE DR ERZD" Historic Exceptional, Development Reserve Edwards Recharge Zone District on P-1A, P-1B and P-1E, NCB 34450 and P-2A, NCB 34451, 12861 Galm Road. (Council District 6)
9. **ZONING CASE NUMBER Z2008242 ERZD:** A request for a change in zoning from "R-6 ERZD" Residential Single-Family, Edwards Recharge Zone District to "HE R-6 ERZD" Historic Exceptional, Residential Single-Family, Edwards Recharge Zone District on 3.30 acres out of NCB 14615, 12347 Woller Road. (Council District 8)

10. **ZONING CASE NUMBER Z2008247 ERZD:** A request for a change in zoning from "C-2" Commercial District and "C-2 ERZD" Commercial Edwards Recharge Zone District to "MF-33" Multi-Family District and "MF-33 ERZD" Multi-Family Edwards Recharge Zone District on 14.744 acres out of NCB 14615, 8122 West Hausman. (Council District 8)
11. **ZONING CASE NUMBER Z2008211:** A request for a change in zoning from "I-1 RIO-2" General Industrial River Improvement Overlay District 2 to "D RIO-2" Downtown River Improvement Overlay District 2 on 0.203 acres out of NCB 441, 630 Broadway. (Council District 1)
12. **ZONING CASE NUMBER Z2008212:** A request for a change in zoning from "I-1 RIO-2" General Industrial River Improvement Overlay District 2 to "D RIO-2" Downtown River Improvement Overlay District 2 on Lot 8 and the northeast 44.61 feet of Lot 7, Block 3, NCB 446, 702 Broadway. (Council District 1)
13. **ZONING CASE NUMBER Z2008239:** A request for a change in zoning from "R-6" Residential Single-Family District to "HE R-6" Historic Exceptional, Residential Single-Family District on 20.0 acres out of CB 4531, also known as Parcel P-2, NCB 18157, 11025 Pomona Park Drive. (Council District 8)
14. **ZONING CASE NUMBER Z2008214 S:** A request for a change in zoning from "C-2" Commercial District to "C-2 S" Commercial District with a Specific Use Authorization for a Wireless Communication System on 0.0094 acres out of NCB 10064, 906 Oblate Drive. (Council District 1)
15. **ZONING CASE NUMBER Z2008224 CD:** A request for a change in zoning from "C-2" Commercial District to "C-2 CD" (CD-Motor Vehicle Sales) Commercial District with a Conditional Use for a Motor Vehicle Sales on Lot 1 and the west 12.5 feet of Lot 2, Block 174, NCB 9083, 2514 West Avenue. (Council District 1)
16. **ZONING CASE NUMBER Z2008229:** A request for a change in zoning from "MI-1" Mixed Light Industrial District to "HE MI-1" Historic Exceptional, Mixed Light Industrial District on Parcel 2, CB 4297, at the northeast corner of the State Highway 16 South and Lone Star Pass intersection. (Council District 4)
17. **ZONING CASE NUMBER Z2008233 CD S:** A request for a change in zoning from "I-2" Heavy Industrial District, "I-1" General Industrial District, "HS I-1" Historic Significant, General Industrial District, "C-2" Commercial District and "MF-33" Multi-Family District to "C-2 P" Commercial Pedestrian District, "C-2 P CD" Commercial Pedestrian District with a Conditional Use for a Bar or Tavern, "C-2 P CD" Commercial Pedestrian District with a Conditional Use for Outside Storage, "C-2 P CD" Commercial Pedestrian District with a Conditional Use for Warehousing, "C-2 P HS" Historic Significant, Commercial Pedestrian District, "C-2 P S" Commercial Pedestrian District with a Specific Use Authorization for a Hotel/ Motel, "IDZ R-4 CD, C-2 P" Infill Development Zone with uses permitted in "R-4" Residential Single-Family District with a Conditional Use for a Duplex and Commercial Pedestrian District, "IDZ R-6, C-2 P" Infill Development Zone with uses permitted in "R-6" Residential Single-Family District and Commercial Pedestrian District, "IDZ R-6, C-2 P S" Infill Development Zone with uses permitted in "R-6" Residential Single-Family District and Commercial Pedestrian District with a Specific Use Authorization for a Bus Maintenance Facility, "IDZ R-6, C-2 P S" Infill Development Zone with uses permitted in R-6 Residential Single-Family District and Commercial Pedestrian District with a Specific Use Authorization for a Wireless Communication Tower, "O-2" Office District, "R-4" Residential Single-Family District, "R-5" Residential Single-Family District, "R-5 CD" Residential Single-Family District with a Conditional Use for a Fourplex, "R-5 CD" Residential Single-Family District with a Conditional Use for a Multi-Family Dwelling, "R-6" Residential Single-Family District, "R-6 CD" Residential Single-Family District with a Conditional Use for a Duplex, "R-6 CD" Residential Single-Family District with a Conditional Use for an Office, "R-6 CD" Residential Single-Family District with a Conditional Use for a Triplex, "R-6 CD" Residential Single-Family District with a Conditional Use for a Commercial Parking Lot, and "R-6 CD" Residential

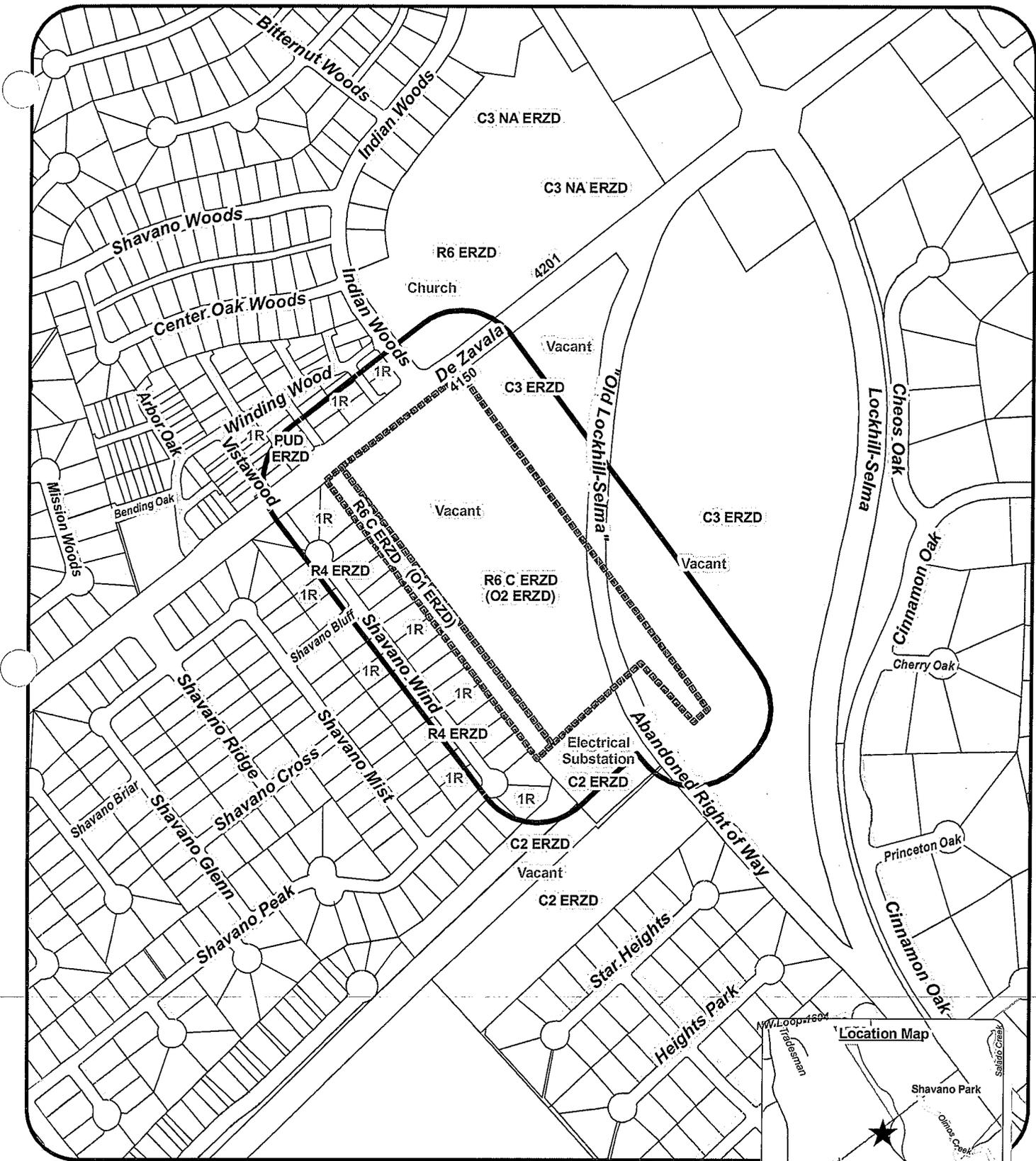
Single-Family District with a Conditional Use for a Multi-Family Dwelling on Multiple properties bounded by Ft. Sam Houston to the north and east, IH 35 to the south and New Braunfels to the west. (Council District 2)

18. **ZONING CASE NUMBER Z2008243:** A request for a change in zoning from "MF-33" Multi Family District to "C-1" Light Commercial District (0.901 acres) and "O-2" Office District (1.226 acres) on 2.12 acres out of NCB 14281 (P-116, NCB 14281), 4100 block of Gardendale Drive. (Council District 8)
19. **ZONING CASE NUMBER Z2008245:** A request for a change in zoning from "C-3" General Commercial District to "MF-25" Multi-Family District on 25.459 acres out of CB 4443, 10422 Huebner Road. (Council District 8)
20. **ZONING CASE NUMBER Z2008249:** A request for a change in zoning from "I-1" General Industrial District to "L" Light Industrial District on Lot 4, Block 1, NCB 13719, 5311 Jackwood Drive. (Council District 7)
21. **ZONING CASE NUMBER Z2008250:** A request for a change in zoning from "I-1 RIO-2" General Industrial River Improvement Overlay District-2 to "IDZ RIO-2" Infill Development, River Improvement Overlay District-2 with uses permitted in "C-3" General Commercial District, "D" Downtown District, "MF-50" Multi-Family District and the following additional uses: 1. Beverage manufacture or microbrewery (alcohol or non-alcohol) and water distillation, purification and bottling. 2. Fabrication and manufacturing of artisan goods and products including furniture, cabinetry, wood products, metalwork and metal products, bread, candy and other food products, leather products, clothing, glass and tile. 3. The fabrication and manufacturing of prototypes developed or conceived by any college, university, trade school, institute or other educational facility. 4. The fabrication of glass and metal products on 1.602 acres out of NCB 6791, 102 E. Grayson Street and 1366 E. Elmira Street. (Council District 1)
- A. Finding of consistency with Master Plan.
B. Recommendation on zoning change request.
22. **ZONING CASE NUMBER Z2008251:** A request for a change in zoning from "C-3NA RIO-2" General Commercial, Nonalcoholic Sales, River Improvement Overlay District-2 to "IDZ RIO-2" Infill Development Zone, River Improvement Overlay District-2 with uses permitted in "C-3" General Commercial District, "D" Downtown District "MF-50" Multi-Family District and the following additional uses: 1. Beverage manufacture or microbrewery (alcohol or non-alcohol) and water distillation, purification and bottling. 2. Fabrication and manufacturing of artisan goods and products including furniture, cabinetry, wood products, metalwork and metal products, bread, candy and other food products, leather products, clothing, glass and tile. 3. The fabrication and manufacturing of prototypes developed or conceived by any college, university, trade school, institute or other educational facility. 4. The fabrication of glass and metal products on .465 acres out of NCB 1758, 101 Newell. (Council District 1)
- A. Finding of consistency with Master Plan.
B. Recommendation on zoning change request.
23. **ZONING CASE NUMBER Z2008252:** A request for a change in zoning from "R-5" Residential Single-Family District to "MF-25" Multi-Family District on Lot 51, NCB 11880, 1519 West Lawndale Drive. (Council District 9)
24. **ZONING CASE NUMBER Z2008254:** A request for a change in zoning from "R-6" Residential Single-Family District to "I-1" General Industrial District on Lot 16, Lot 17 and Lot 18, NCB 15687, 4317 Stahl Road. (Council District 10)

25. **ZONING CASE NUMBER Z2008257:** A request for a change in zoning from "R-4" Residential Single-Family District to "C-2NA" Commercial, Nonalcoholic Sales District on Lot 4, Block 19, NCB 2331, 2416 Buena Vista. (Council District 5)
- A. Finding of consistency with Master Plan.
B. Recommendation on zoning change request.
26. **ZONING CASE NUMBER Z2008259:** A request for a change in zoning from "C-2NA" Commercial, Nonalcoholic Sales District to "C-3NA" General Commercial, Nonalcoholic Sales District on a 566.44 square foot space out of Lot 1, Block 1, NCB 1736, 4436 Culebra Road. (Council District 7)
27. **ZONING CASE NUMBER Z2008260:** A request for a change in zoning from "I-1" General Industrial District to "C-3" General Commercial District on Lot 2, NCB 14525, 4641 Goldfield Street. (Council District 2)
28. **ZONING CASE NUMBER Z2008261:** A request for a change in zoning from "I-1" General Industrial District to "L" Light Industrial District on Lot 31, Block A, NCB 2523, save and except a portion of land described as 0.0087 acres out of Lot 31, NCB 2523, 1706 South Zarzamora. (Council District 5)
29. **ZONING CASE NUMBER Z2008262:** A request for a change in zoning from "C-2" Commercial District and "O-2" Office District to "C-3" General Commercial District on Lot 11, Block 24, NCB 13559, 9455 IH 10 West. (Council District 8)
30. **ZONING CASE NUMBER Z2008263 CD:** A request for a change in zoning from "C-3R CD" (CD-Lumberyard and Building Materials with Outside Storage) General Commercial Restrictive Alcohol Sales District with a Conditional Use for a Lumberyard and Building Materials with Outside Storage and "C-3R" General Commercial Restrictive Alcohol Sales District to "C-3 CD" (CD-Lumberyard and Building Materials with Outside Storage) General Commercial District with a Conditional Use for a Lumberyard and Building Materials with Outside Storage on 1.392 acres out of NCB 8204, 4638 and 4610 West Commerce Street. (Council District 5)
31. Consideration of a request for an amendment to the Unified Development Code related to Carwashes.
32. 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.
33. **ADJOURNMENT**

Accessibility Statement

This meeting is wheelchair accessible. Accessible entrances are located at the front and side of the building at 1901 South Alamo Street. Accessible parking spaces are located at the front and rear of the building. **Auxiliary Aids and Services are available upon request (Interpreters for the Deaf must be requested forty-eight[48] hours prior to the meeting).** For Assistance, Call (210) 207-7245 Voice/TTY.



Zoning Case Notification Plan
Case Z2008147 ERZD

Council District 8
 Scale: 1" approx. = 400
 Subject Property Legal Description(s): 13.5873 Acres out of NCB 18598

Legend

- Subject Property (13.5873 Acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
 (5/20/2008)

CASE NO: Z2008147 ERZD

Final Staff Recommendation - Zoning Commission

arterial thoroughfares within regional commercial nodes, such as the intersection of De Zavala and Lockhill - Selma Roads. Staff finds the region to be suitable for increased office and light retail development because of its location on the periphery of numerous established residential developments.

Staff is concerned with the unlimited height allowed in "O-2" districts. Although "C-2" Commercial District would allow similar office development with limited building height, "C-2" allows a wider range of uses without the stringent buffer requirements provided by "O-2". Staff prefers the limited range of uses with unlimited height in "O-2", over the more strict building standards and broader array of uses allowed in "C-2".

SAWS Summary:

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

CASE MANAGER : Micah Diaz 207-5876

Z2008147

DEVELOPMENT SERVICES
RECEIVED

SAN ANTONIO WATER SYSTEM
Interdepartment Correspondence Sheet 2008 JUL 30 AM 10:36

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, Gregory D. James, Supervisor, Aquifer Protection & Evaluation, Michael A. Escalante, Resource Protection Specialist II, Aquifer Protection & Evaluation Section, File

Subject: Zoning Case Z2008147 (De Zavala Commercial Development)

Date: July 30, 2008

SUMMARY

A request for a change in zoning has been made for an approximate 13.58-acre tract located on the city's northwest side. A change in zoning from **R-6 C ERZD** to **O-1 ERZD (1.63 acres)** and **O-2 ERZD (11.95 acres)** is being requested by the applicant, Brown & Ortiz, P.C. Attorneys at Law, by Ken W. Brown. The change in zoning has been requested to allow for the development of an office complex. The property is classified as a Category 1.

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 8, at 4150 De Zavala Rd. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

SITE EVALUATION

1. Development Description:

The proposed change is from R-6 C ERZD to O-1 ERZD (1.63 acres) and O-2 ERZD (11.95 acres) and will allow for the development of an office complex. Currently the site is undeveloped.

Zoning Commission Members
Zoning Case Z2008147 (De Zavala Commercial Development)
Page 2

2. Surrounding Land Uses:

A residential neighborhood, Shavano Ridge Unit 1, is immediately west of the subject site. The Woods of Shavano neighborhood exists to the north. The property immediately to the east of the site is currently undeveloped. A City Public Service Energy substation exists to the south of the property.

3. Water Pollution Abatement Plan:

The property is contained within the West Shavano Development WPAP. The Texas Commission approved the WPAP on November 18, 1992.

4. Geologic Conditions:

The Resource Protection Division of the San Antonio Water System conducted a site evaluation on April 15, 2008, 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.

- A. The subject site was observed as a single lot, heavily vegetated with native trees, approximately 13.30 acres in area. No structures were observed on the site, other than a City Public Service high tension power line easement along a generally north-south alignment.

Moderate exposure of bedrock was observed throughout the property. The exposed limestone observed on the subject property included medium to dark gray moderately weathered bedrock and float rock limestone with sparse vugs visible in some areas. An apparent ephemeral drainage feature was observed running generally northeast-southwest through the northern portion of the subject site.

The site appeared to slope to the northeast. Stormwater occurring on the subject site would drain to the northeast towards Shavano Creek.

- B. Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site is underlain by the Cyclic and Marine Member of the Person Formation of the Edwards Aquifer throughout the northern half of the property, and by the Undivided Upper Confining Unit Member throughout the southern half of the property. The Cyclic and Marine Member of the Person Formation is characterized by the presence of thinly bedded mudstone, packstone and grainstone with structurally based porosity. The full section thickness of this member is approximately 80 to 90 feet thick. The exposed bedrock observed on the subject site was found to be consistent with the characteristics of the Marine and Cyclic Member.

The Undivided Upper Confining Unit is characterized by the presence of massively bedded gray to light tan limestone with relatively low porosity and permeability. This unit is considered to be the upper confining member of the Edwards Aquifer and tends to prevent subsurface migration of fluids.

Based on a review of a geologic assessment of an adjacent property, the subject site vicinity is generally underlain by the Cyclic and Marine Member of the Person Formation of the Edwards Aquifer, and the Undivided Upper Confining Unit Member. Visual evidence indicates that observed rock exposure on the subject site is consistent with characteristics of the Cyclic and Marine Member.

- C. An ephemeral drainage was observed to cross the site. A mapped fault is known to exist to the north of the property, but does not intersect the site at any point. A previous Geologic Assessment identified two faults on the parent parcel, possibly sympathetic to the mapped fault to the north. These faults do not intersect the subject property.

A sinkhole, approximately 3 feet wide and 2 feet deep, was sealed in September 1996 with a 4 foot by 8 foot concrete cap, and then covered by native soil. The plugging of the feature was in accordance to a TCEQ approval letter dated September 29, 1994. However, this feature was observed to have slightly collapsed at one edge, allowing surface water to drain along the edge of the concrete cap.

ENVIRONMENTAL CONCERNS

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

1. Standard Pollution/Abatement Concerns:

- A. 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.
- B. 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.
- C. There will be no outside storage of hazardous materials with the potential for contamination of stormwater runoff.

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 50% on the site.
2. The subject property was originally zoned for commercial use and is currently a category 1 property. However, the property maintained an R-6 rezoning in 2003, prior to the impervious cover limit recommendations. Based on these conditions staff is recommending 50% impervious cover.
3. The land uses within the project site shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at the project site. If the land use is listed as special use, a special permit must be obtained for that use. If the land use is listed as not allowed, that land use will not be permitted on the project site.
4. 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.
5. 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.
6. The applicant shall notify the Construction Compliance Section of the Resource Compliance Division of SAWS at (210) 233-3564 no later than 48 hours prior to the commencement of construction at the site. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3526.

Zoning Commission Members
Zoning Case Z2008147 (De Zavala Commercial Development)
Page 5

7. 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) 233-3526.

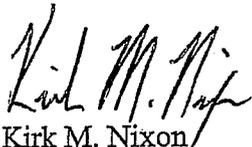
General Recommendations

1. 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,
 - D. A copy of the approved Water Pollution Abatement Plan.
2. 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.
3. If a water quality basin is constructed on the property, the following is required:
 - A. Prior to the start of the basin construction, the owner will notify the Aquifer Protection and Evaluation Section of the San Antonio Water System at (210) 233-3526 to schedule a site inspection.
 - B. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Aquifer Protection and Evaluation Section at (210) 233-3526 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to SAWS Aquifer Protection and Evaluation Section.
 - C. If the basin fails to drain properly, the owner will notify the Construction Section of the Resource Compliance Division at (210) 233-3564 prior to any discharge of water.
 - 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.

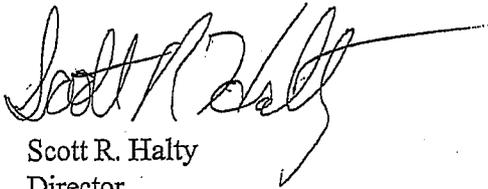
Zoning Commission Members
Zoning Case Z2008147 (De Zavala Commercial Development)
Page 6

4. 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.
5. 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

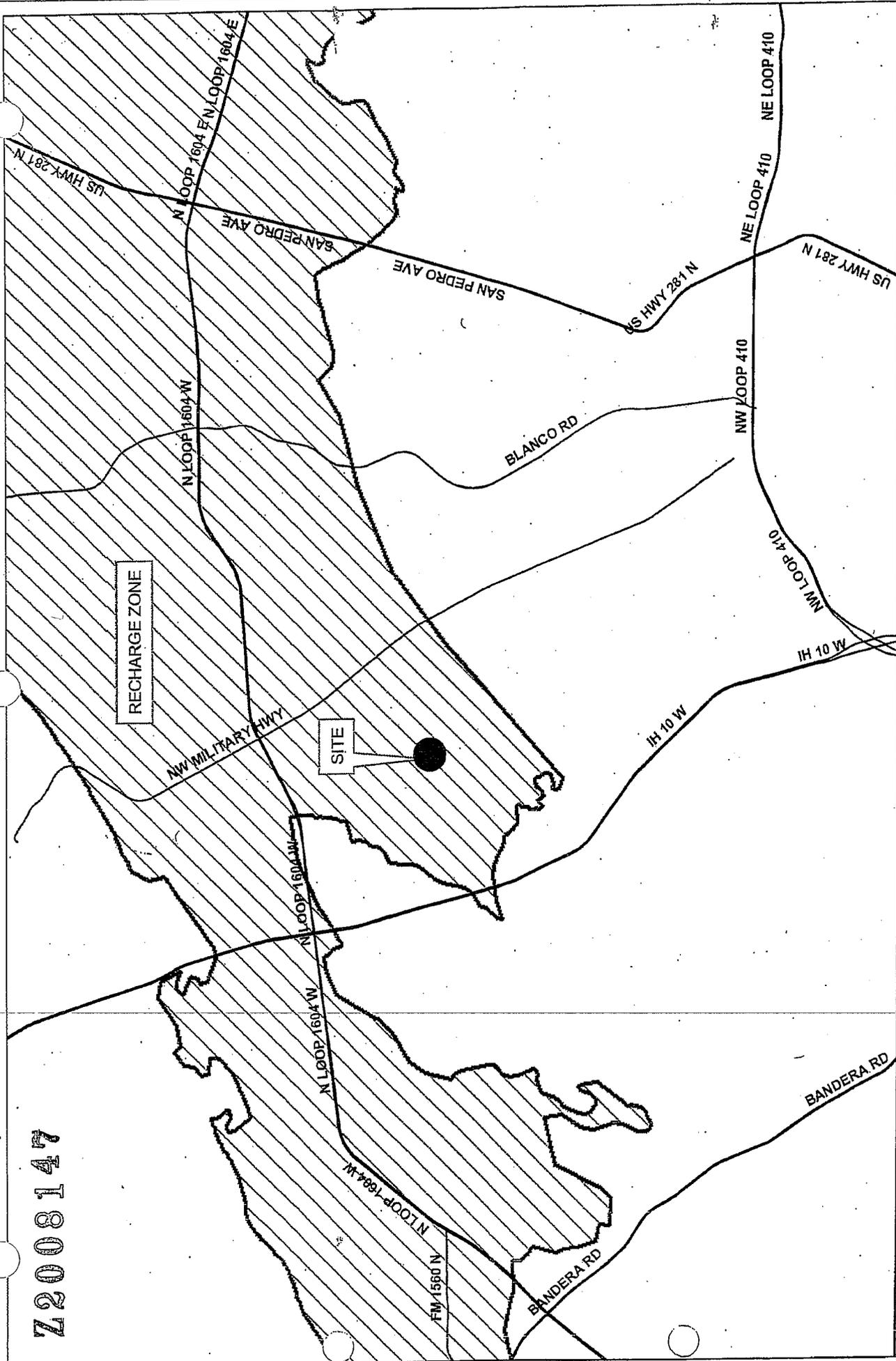
APPROVED:



Scott R. Halty
Director
Resource Protection & Compliance Department

KMN:MAE

Z2008147



ZONING FILE: DE ZAVALA COMMERCIAL DEVELOPMENT (FIGURE I)

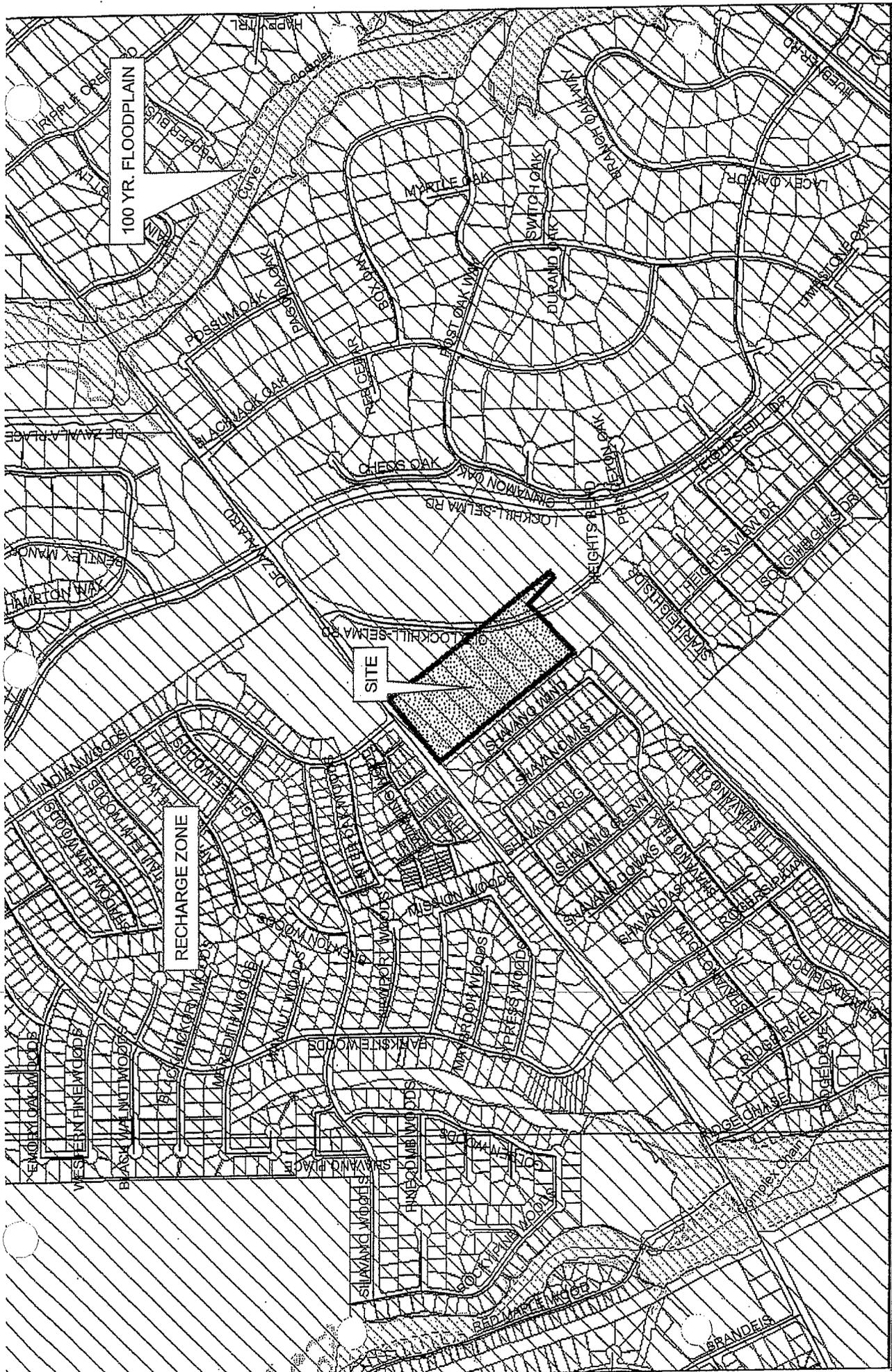
ZONING ID: Z2008147

MAP PAGE: 515, B7 X= 2106045 Y= 13756179

Map Prepared by Aquifer Protection & Evaluation MAE 4/14/2008



1 inch equals 6,985.586243 feet



ZONING FILE: DE ZAVALA COMMERCIAL DEVELOPMENT (FIGURE 2)

ZONING ID: Z2008147

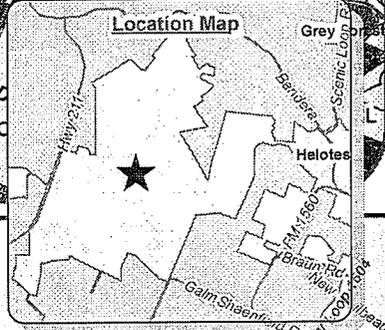
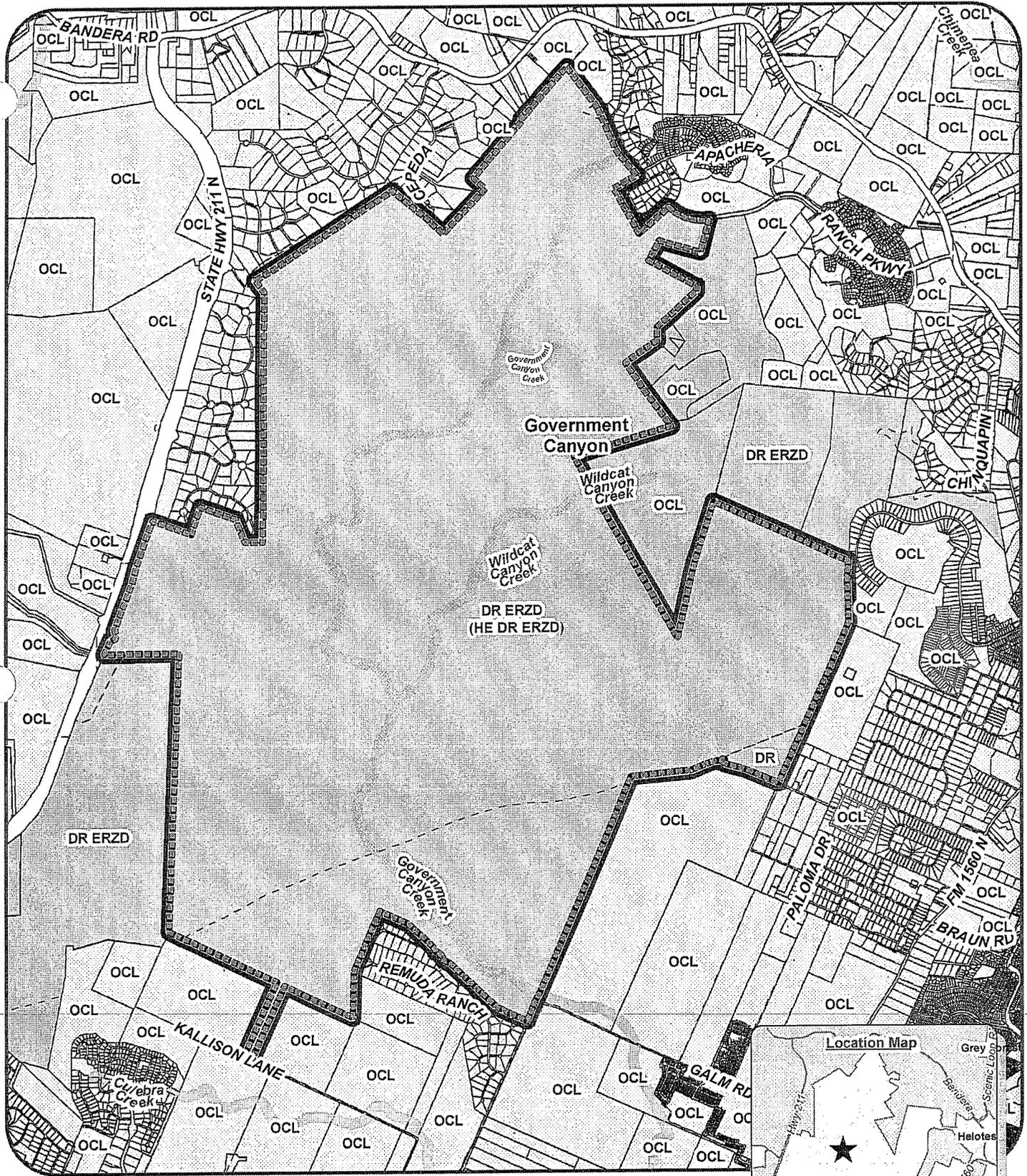
MAP PAGE: 515, B7 X= 2106045 Y= 13756179

Map Prepared by Aquifer Protection & Evaluation MAE 4/14/2008



1 inch equals 769.367249 feet

Z2008147



Zoning Case Notification Plan

Case Z2008232

Council District 6

Scale: 1 inch approx. = 0.75 miles

Subject Property Legal Description(s): Parcels P-1A, P-1B and P-1E, NCB 34450 and P-2A, NCB 34451

Legend

- Subject Property (8622 Acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(08/04/2008)

CASE NO: Z2008232 ERZD

Final Staff Recommendation - Zoning Commission

Date: September 16, 2008

Council District: 6

Ferguson Map: 545 B1

Applicant Name:
City of San Antonio Historic Preservation Office

Owner Name:
State of Texas, Texas Parks and Wildlife Department

Zoning Request: From "DR ERZD" Development Reserve Edwards Recharge Zone District to "HE DR ERZD" Historic Exceptional, Development Reserve Edwards Recharge Zone District.

Property Location: P-1A, P-1B and P-1E, NCB 34450 and P-2A, NCB 34451

12861 Galm Road

Galm Road, approximately 1.6 miles north of the Galm Road and Culebra Road Intersection

Proposal: To designate Historic Exceptional

Neigh. Assoc. None

Neigh. Plan None

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

Staff Recommendation:

Approval

The subject property was annexed in 2002 and totals approximately 8,622 acres. There is an existing vacant residential structure on the subject property that was constructed in 1882. The existing "DR ERZD" Development Reserve, Edwards Recharge Zone District zoning was applied to the subject property at annexation. The subject property is Government Canyon State Natural Area and is maintained and managed by the Texas Parks and Wildlife Department. Land uses immediately adjacent to the subject property consist of large tracts of undeveloped land, as well as several single-family residential subdivisions.

The Historic Preservation Office recommends a finding of historic significance based on the evaluation criteria in Section 35-607 for the Designation of Historic Districts and Landmarks. On June 4, 2008, the Historic and Design Review Commission concurred with Historic Division Staff and is also recommending approval of a finding of historic significance. Seeing that there is no proposed change to the land use of the subject property, Zoning Staff recommends approval.

Pursuant to Texas Local Government Code §§ 211.001 and 211.003, historic districts and landmark designations are adopted in order to protect and preserve places and areas of historical, cultural, or architectural importance and significance. Historic districts and Landmark designation preserve and enhance the city's historic resources pursuant to Goal 2 of the Urban Design Element of the Master Plan.

CASE MANAGER : Leslie Zavala 207-0215



22008232

HISTORIC AND DESIGN REVIEW COMMISSION
CERTIFICATE OF APPROPRIATENESS

June 04, 2008

CITY OF SAN ANTONIO

HDCR CASE NO: 2008-181
ADDRESS: 12861 Galm Road
LEGAL DESCRIPTION: NCB 34450 P-1A, P-1B, P-1E, NCB 34451, P-2A
PUBLIC PROPERTY: No
HISTORIC DISTRICT:
LANDMARK DISTRICT:
APPLICANT: COSA, 1901 S Alamo
OWNER: State of Texas Parks & Wildlife Department
TYPE OF WORK: Finding of Historic Significance

REQUEST:

The applicant is requesting a Certificate of Appropriateness for a Finding of Historic Significance.

RECOMMENDATION:

The Zizeleman house meets the following criteria for Landmark status (35-607) (b) (1) serves as a visible reminder of the cultural heritage of the community; (3) Its identification with a person or persons who significantly contributed to the development of the community; (5) its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials; (7) its unique location or singular physical characteristics that make it an established or familiar visual feature; (8) Its historical, architectural or cultural integrity of location, design, materials, and workmanship; and, additionally, 35-607 (c) (1) A. Properties that are part of a cluster which provide a specific representation of an architectural or historic era or event 35-607 (c) (1) B. Properties which are determined to contribute to a San Antonio historic district; (c) (1) E. the property is associated with family persons important to the history of San Antonio; (c) (2) A. Buildings or places which have come to represent a part of San Antonio's cultural heritage for at least twenty-five (25) years; (c)(2) E. Archaeological sites of cultural importance to local people or social or ethnic groups, such as locations of important events in their history.

COMMISSION ACTION:

Approval of a finding of historic significance for 12861 Galm Road. The Historic and Design Review Commission is also recommending approval to the Zoning Commission and to the City Council for designation of Historic District for 12861 Galm Road.


Ann Benson McGlone
Historic Preservation Officer

22008232

City Landmark Designation

HDRC CASE NO.

KNOWN AS: Zizelmann House (also spelled Zitzelmann), 41BX

ADDRESS: Government Canyon/Bexar County, TX

12861 Galm Road, San Antonio, Tx 78254

LEGAL DESCRIPTION: NCB 34450 P-1A, P-1B, P-1E, NCB 34451, P-2A

ZONING: DR ERZD

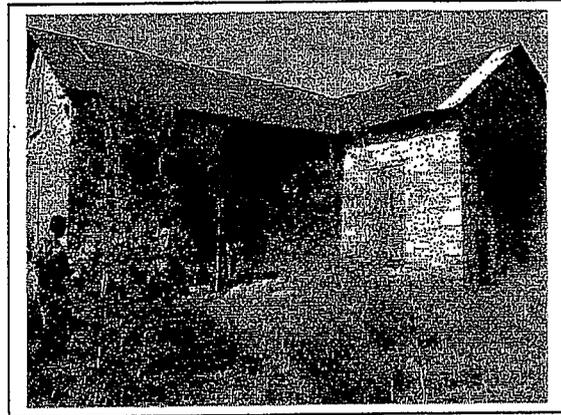
COUNCIL DISTRICT: 6

HISTORIC DISTRICT

LANDMARK: Finding of Historical Significance

APPLICANT: City of San Antonio

OWNER: State of Texas
Parks & Wildlife Department
4200 Smith Road
Austin, TX 78744



TYPE OF WORK:

ARCHAEOLOGICAL SITE NO.

HISTORY:

The Zizelmann House, built in 1882 by Christian Zizelmann, is located in Government Canyon. It is accessible by an approximate two hour hike on an extremely rocky trail (Joe Johnston route) from the entry point of the state natural area.

The Zizelmann house is L-shaped with a full basement under the north end of the structure. The house is built with quarried limestone, possibly obtained from the Gigger quarry which opened in the same time period. The floor plan includes a bedroom, a living room with its fireplace and one other additional room usage unidentified. Stairs lead to a possible loft or storage attic that no longer exists. Interior walls are plastered.

Christian Zizelmann operated a successful bakery in San Antonio. He and his wife, Emilie Tausch Zizelman and their two daughters, Agnes and Emilie, lived in the building which housed the bakery located on the southeast corner of West Houston and North Flores, an area which is now encompassed by the downtown Frost Bank headquarters.

The property has also been referred to as the remains of Wildcat Canyon Historic Ranch. In the 1950s and the early 60's, the tract was known as the W.J. Lytle Ranch. A Hondo rancher, E.G. Pope leased 8,500 acres of the ranch in 1956 and grazed it with sheep and opened it for day hunting. E.G. Pope ran angora goats on the place and sometimes made

22008232

more on the goats than he did on the other game intended for the hunters. Hunters, who were tired of waiting for deer to appear, would sometimes shoot a goat intentionally. Pope, who usually got only \$5.00 for a goat, would charge a hunter anywhere from \$50 to \$75 per goat depending on how contrite the hunter acted when he explained how the goat got shot.

In the 1970's, the San Antonio Ranch New Town Corporation purchased the ranch to build a master planned community with a proposed population of more than 80,000 residents. The property continued to be leased as ranchland as the northeast corner along Highway 16 (Bandera Road) was being developed. However, in the late 1980's, the corporation was a victim of the failed savings and loans crises and the property was taken over by the Resolution Trust Corporation (RTC). RTC put the property up for auction for other development. Concerned citizens under the leadership of Kyle Cunningham and Danielle Milam formed the Government Canyon Coalition (GCC), a group of civic and environmental organizations advocating for the preservation of the land. The group gained support of the Trust for Public Lands (TPL) and were able to negotiate with the Texas Parks and Wildlife Department (TPWD). The TPL and the GCC convinced the City of San Antonio and the Edwards Underground Water District to share costs of the purchase with the TPWD with the TPWD maintaining the title and management of the property.

REQUEST: Finding of Historical Significance

CASE COMMENTS: The Zizeleman house meets the following criteria for Landmark status (35-607) (b) (1) serves as a visible reminder of the cultural heritage of the community; (3) Its identification with a person or persons who significantly contributed to the development of the community; (5) its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials; (7) its unique location or singular physical characteristics that make it an established or familiar visual feature; (8) Its historical, architectural or cultural integrity of location, design, materials, and workmanship; and, additionally, 35-607 (c) (1) A. Properties that are part of a cluster which provide a specific representation of an architectural or historic era or event 35-607 (c) (1) B. Properties which are determined to contribute to a San Antonio historic district; (c) (1) E. the property is associated with family persons important to the history of San Antonio; (c) (2) A. Buildings or places which have come to represent a part of San Antonio's cultural heritage for at least twenty-five (25) years; (c)(2) E. Archaeological sites of cultural importance to local people or social or ethnic groups, such as locations of important events in their history.

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2008232

Address: 12861 Galm Road

Existing Zoning: DR ERZD

Requested Zoning: H DR ERZD

Registered Neighborhood Association(s): None

Neighborhood/Community/Perimeter Plan: None

Future Land Use for the site: None

None of the +/- 7,000 acre subject property resides in or near a community or neighborhood plan. The subject property does not have a future land use designation, and is approximately 3 miles from the Northwest Community Plan.

Other Comments:

None

Analysis:

The subject property, currently zoned DR ERZD, is located at the periphery of the city limits, in Northwest Bexar County. The property is approximately three (3) miles west of the city of Helotes, and six (6) miles southwest of the city of Grey Forrest.

The northwest sector of Bexar County is experiencing a tremendous amount of growth and transition from rural to suburban uses. As development continues in this area of the city, the opportunity for a community or neighborhood plan will arise.

Staff recommends approval of this proposal. Granting the request would satisfy goals and objectives established in the San Antonio Master Plan Policies and Northwest Community Plan. As stated in the Northwest Community Plan, the zoning designation would help "develop a distinct community identity" (p11) and advance established urban design goals. Furthermore, the San Antonio Master Plan Policies stipulates it will "preserve and enhance the City's historic resources" (p44). Additionally it maintains that, urban design goals should reflect, "Enhancement of the City's important historic and cultural characteristics... as well as existing residential... and neighborhood centers". (p42)

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 pending a plan amendment Denial Approval as submitted

Alternate Recommendation:

Reviewer: Gary Edenburn

Title: Senior Planner

Date: 9/04/2008

Manager Review: Nina Nixon-Mendez

Date: 9/04/2008

12/30/04

RECEIVED

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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, Michael A. Escalante, Resource Protection Specialist II, Aquifer Protection & Evaluation Section, File

Subject: Zoning Case Z2008232 (Zizlmann House)

Date: August 28, 2008

SUMMARY

A request for a change in zoning has been made for an approximate 8,622-acre tract located on the city's northwest side. A change in zoning from **DR ERZD** to **DR ERZD H** is being requested by the applicant, City of San Antonio-Historic Preservation Office, by Ms. Kay Hindes. The change in zoning has been requested to allow an existing house to be designated "historic".

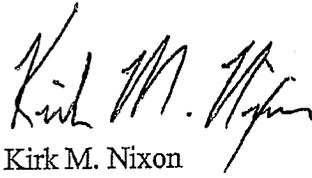
The subject property is located in City Council District 6, at 12861 Galm Rd. A total of 7,587 acres of the property lies within the Edwards Aquifer Recharge Zone. The remaining 1,034 acres are located on the Transition Zone (Figures 1 and 2).

Government Canyon State Natural Areas comprises a total of 8,622 acres maintained and managed by the Texas Parks & Wildlife Department. The state park is currently surrounded by residential communities and agricultural land uses. The Natural Areas contain nature trails for hiking/biking/horse riding, primitive campsites, and an interpretive educational center. To the northeast portion of the park 1,121 acres is designated as a protected habitat area for endangered migratory songbirds and cave dwelling invertebrates. The natural areas are home to several archaeological sites to both Native American and early settlers. The Zizlmann House is located in the northwest portion of the park next to Government Canyon Creek, and was built in 1882.

The Edwards Aquifer Recharge Zone encompasses 88% of Government Canyon State Natural Areas. It's also located within two natural zones: the Karst Preserve in the Balcones Escarpment upland and Oak-Juniper-Mesquite Savannah to the south of the escarpment. There are three main creeks: Government Canyon, Wildcat Canyon, and Laurel Canyon which traverses through the park and leads into the Leon Creek. The Natural Areas are situated within the Balcones Escarpment and Edwards Plateau sub-region where paleo-springs and numerous geologic features such as caves, sinkholes, and solution cavities can be found throughout the park. The park serves as a sensitive ecological habitat for flora, fauna, and geologic formations. This vital sanctuary helps to improve our water quality and will be protected from encroaching development.

Zoning Commission Members
Z2008232 (Zizelmann House)
Page 2

Land acquisition for Government Canyon State Natural Areas was first obtained in 1994. The Trust for Public Land purchased large tracts of properties through partnerships with local public agencies and private funding. Throughout the course of eight years (1994-2002) the Trust for Public Land, Texas Parks & Wildlife Dept., the City of San Antonio, San Antonio Water System, and the Edwards Aquifer Authority together funded 75% for the purchase of the Natural Areas. The remaining land acquisition was purchased through private fundraisers. SAWS has established through deed restrictions and memorandum of understanding, conservation easements throughout the park. Based on the memorandum of understanding with Texas Parks & Wildlife Dept., SAWS reserves any recommendations for the subject property.

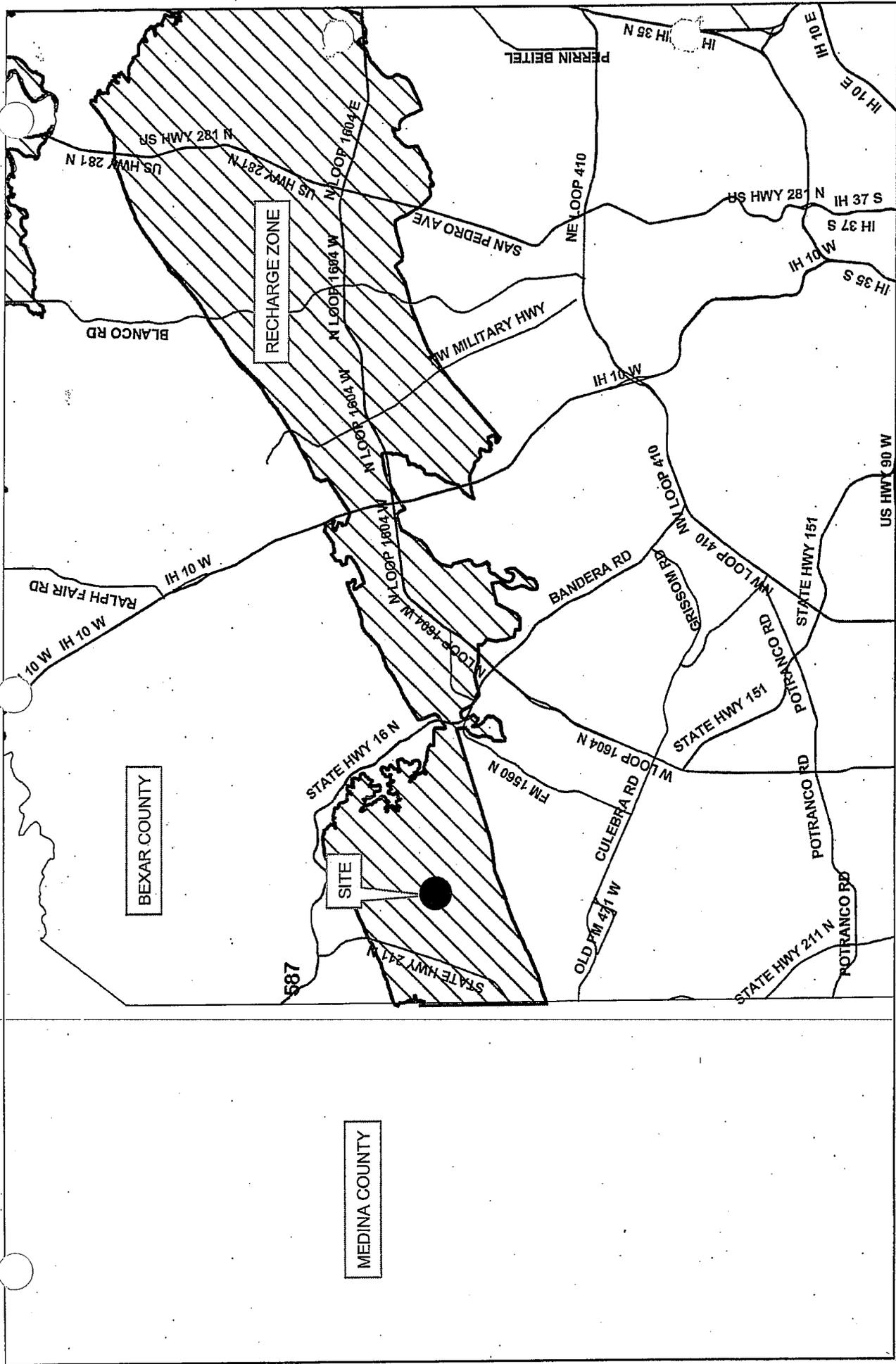


Kirk M. Nixon
Manager
Resource Protection Division



Scott R. Halty
Director,
Resource Protection & Compliance Department

KMN:MAE



ZONING FILE: ZIZELMANN HOUSE FIGURE 1

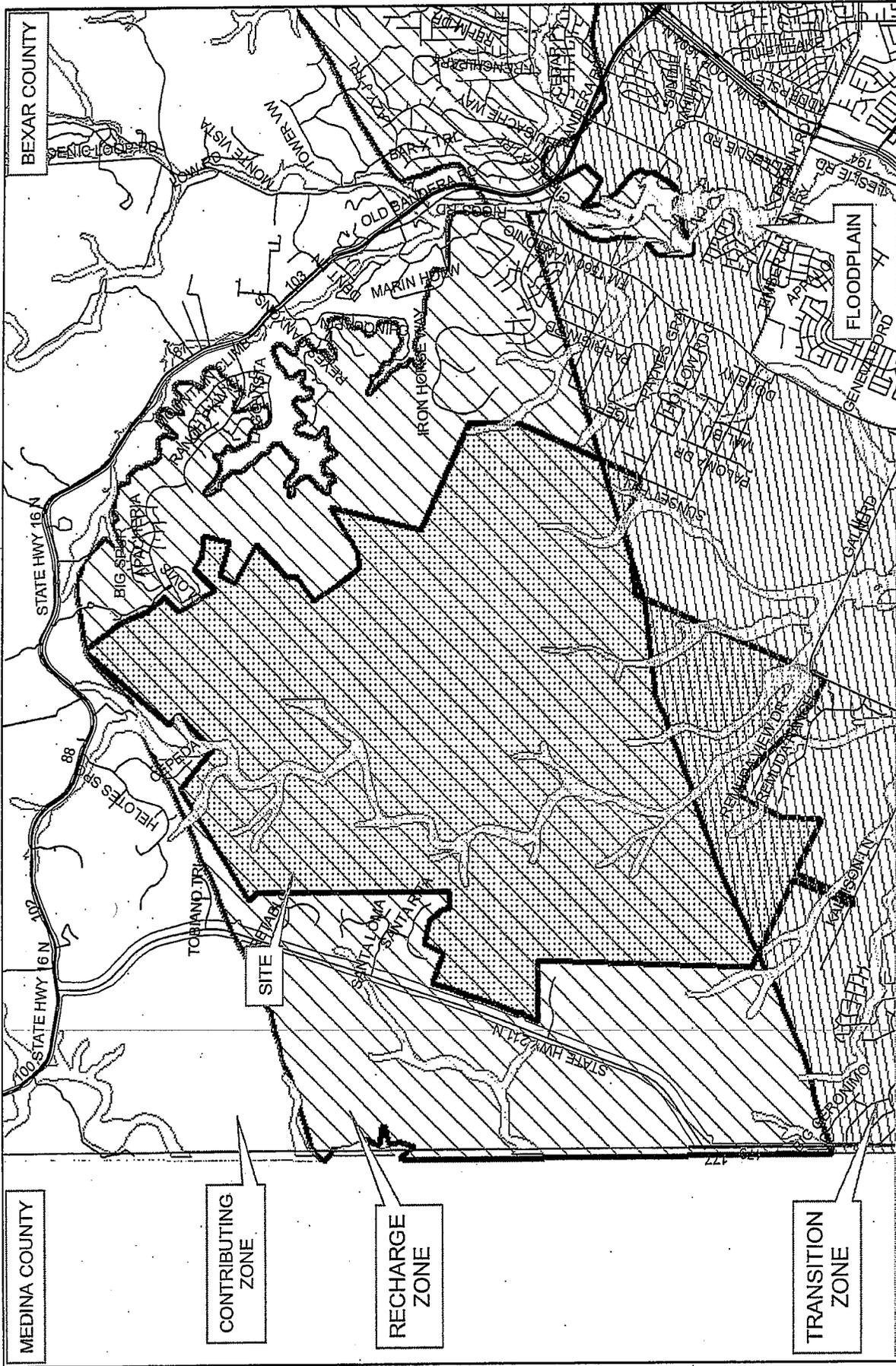
ZONING ID: Z2008232

MAP PAGE: 545, B1 X= 2045508 Y= 13757413

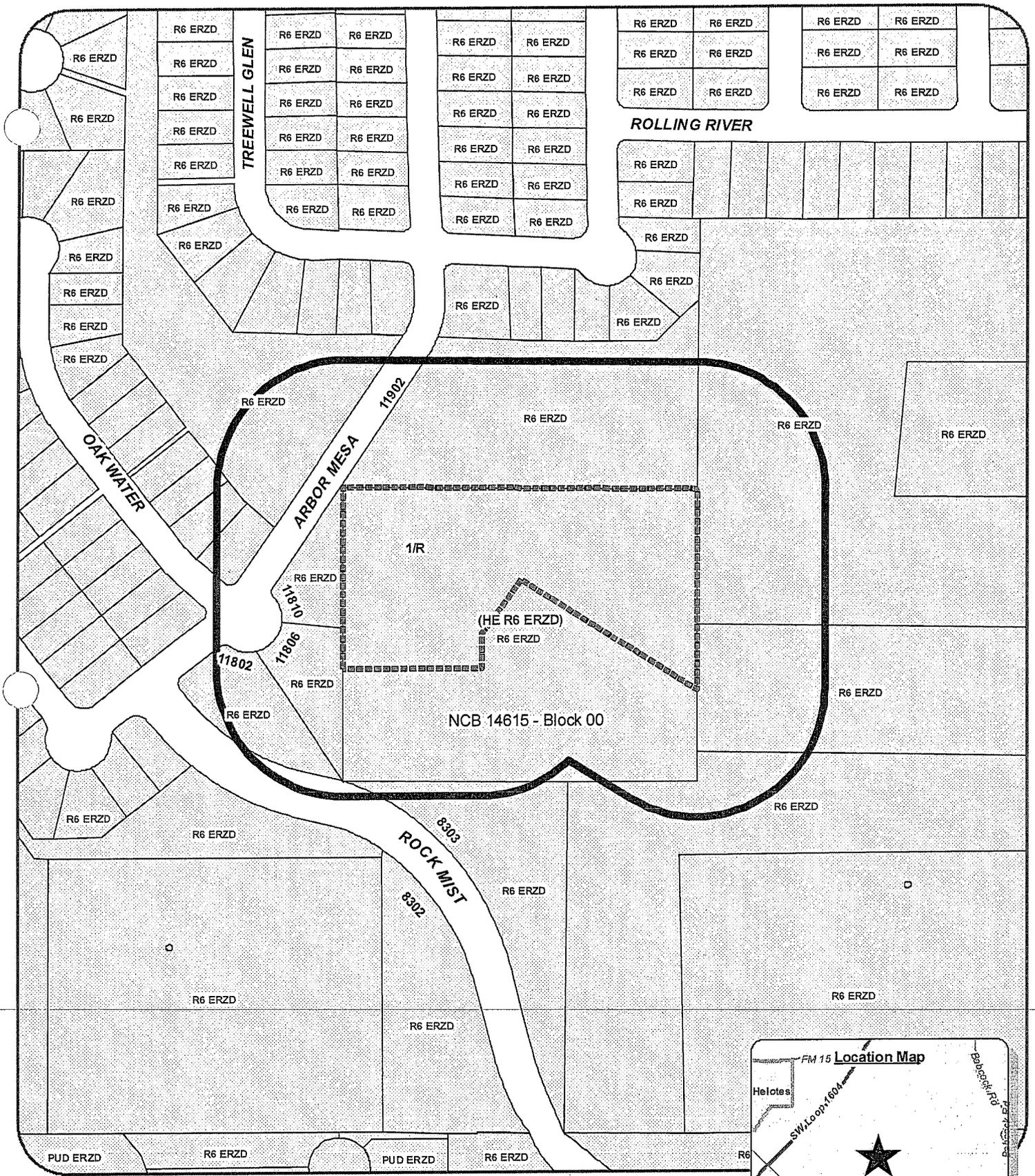
Map Prepared by Aquifer Protection & Evaluation MAE 8/1/2008



1 inch equals 16,231.561684 feet



ZONING FILE : ZIZELMANN HOUSE FIGURE 2
ZONING ID: Z2008232
MAP PAGE 545 B1 X=2045508 Y=13757413
Map Prepared by Aquifer Protection & Evaluation PMG 8/25/08



Zoning Case Notification Plan

Case Z2008242

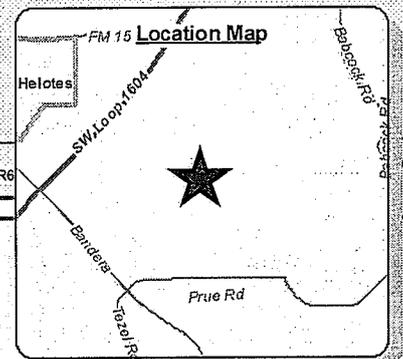
Council District 8

Scale: 1" approx. = 200'

Subject Property Legal Description(s): 3.30 Acres out of NCB 14615

Legend

- Subject Property: [Dashed line symbol]
- 200' Notification Buffer: [Thick solid line symbol]
- Current Zoning: R6 ERZD
- Requested Zoning Change: (HE R6 ERZD)
- 100-Year FEMA Floodplain: [Wavy line symbol]



City of San Antonio - Development Services Dept
(09/05/2008)

CASE NO: Z2008242 ERZD

Final Staff Recommendation - Zoning Commission

Date: September 16, 2008

Council District: 8

Ferguson Map: 547 C2

Applicant Name:

City of San Antonio Historic Preservation Office

Owner Name:

Centex Homes

Zoning Request: From "R-6 ERZD" Residential Single-Family, Edwards Recharge Zone District to "HE R-6 ERZD" Historic Exceptional, Residential Single-Family, Edwards Recharge Zone District.

Property Location: 3.30 acres out of NCB 14615

12347 Woller Road

On the east side of Arbor Mesa, between Oak Water and Valley Well

Proposal: To designate Historic Exceptional

Neigh. Assoc. None

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required at this time, however a study may be required should future development occur.

Staff Recommendation:

Approval

The subject property was annexed in 1993 and totals approximately 3.30 acres. There is an existing residential structure on the subject property that measures approximately 1253 square feet and was constructed in 1876. Upon adoption of the 2001 Unified Development Code, the existing R-6 ERZD zoning converted from the previous R-1 ERZD zoning, which was approved by City Council on October 13, 1994 (Ordinance #80968). "R-6" Residential Single-Family, Edwards Recharge Zone District zoning currently exists to the north, south, east and west of the subject property. Land uses immediately adjacent to the subject property consist of large tracts of undeveloped land. There are single-family residential subdivisions to the west across Arbor Mesa.

The Historic Preservation Office recommends a finding of historic significance based on the evaluation criteria in Section 35-607 for the Designation of Historic Districts and Landmarks. On June 4, 2008, the Historic and Design Review Commission concurred with Historic Division Staff and is also recommending approval of a finding of historic significance. Seeing that there is no proposed change to the land use of the subject property, Zoning Staff recommends approval.

Pursuant to Texas Local Government Code §§ 211.001 and 211.003, historic districts and landmark designations are adopted in order to protect and preserve places and areas of historical, cultural, or architectural importance and significance. Historic districts and Landmark designation preserve and enhance the city's historic resources pursuant to Goal 2 of the Urban Design Element of the Master Plan.

CASE MANAGER : Leslie Zavala 207-0215

22008242



HISTORIC AND DESIGN REVIEW COMMISSION
CERTIFICATE OF APPROPRIATENESS

June 04, 2008

CITY OF SAN ANTONIO

HDRC CASE NO: 2008-167
ADDRESS: 1234 Woller Road
LEGAL DESCRIPTION: NCB 14615 BLK Lot P-19B
PUBLIC PROPERTY: No
HISTORIC DISTRICT:
LANDMARK DISTRICT:
APPLICANT: COSA, 1901 S Alamo
OWNER: Woller Family Living Trust
TYPE OF WORK: Finding of Historic Significance

REQUEST:

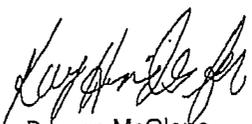
The applicant is requesting a Certificate of Appropriateness for a Finding of Historic Significance.

RECOMMENDATION:

The Joseph Woller property meets the following criteria for Landmark status (35-607) (b) (1) serves as a visible reminder of the cultural heritage of the community; (3) Its identification with a person or persons who significantly contributed to the development of the community; (5) its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials; (7) its unique location or singular physical characteristics that make it an established or familiar visual feature; (8) Its historical, architectural or cultural integrity of location, design, materials, and workmanship; and, additionally, 35-607 (c) (1) A. Properties that are part of a cluster which provide a specific representation of an architectural or historic era or event; 35-607 (c) (1) B. Properties which are determined to contribute to a San Antonio historic district; (c) (1) E. the property is associated with family persons important to the history of San Antonio; (c) (2) A. Buildings or places which have come to represent a part of San Antonio's cultural heritage for at least twenty-five (25) years; (c)(2) E. Archaeological sites of cultural importance to local people or social or ethnic groups, such as locations of important events in their history.

COMMISSION ACTION:

Approval of a finding of historic significance for 12347 Woller Road. The Historic and Design Review Commission is also recommending approval to the Zoning Commission and to the City Council for designation of Historic District for 12347 Woller Road.


Ann Benson McGloin
Historic Preservation Officer

22008242

City Landmark Designation

HDRC CASE NO.

KNOWN AS: Joseph Woller Ranch

ADDRESS: 12347 Woller Road

LEGAL DESCRIPTION: NCB 14615 BLK
Lot P-19B

ZONING: R6 ERZD

COUNCIL DISTRICT: District 8

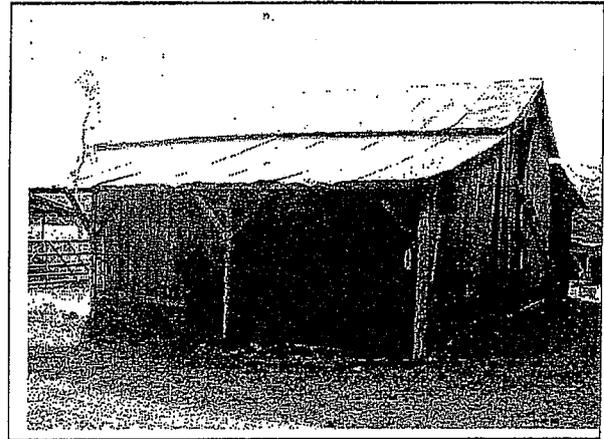
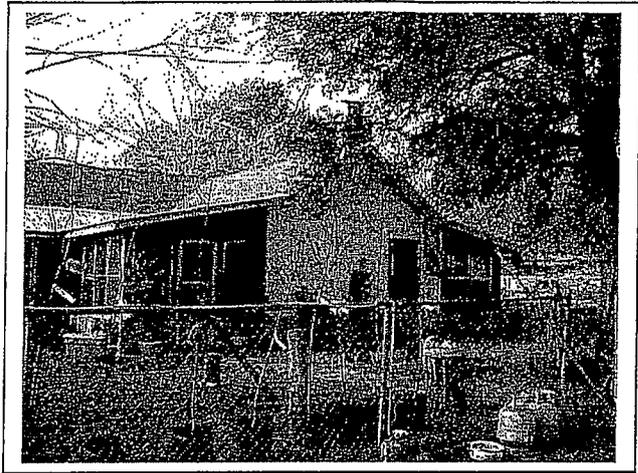
HISTORIC DISTRICT

LANDMARK:

APPLICANT: City of San Antonio

OWNER: Woller Family Living Trust,
Kenneth R. Woller, Trustee, 8451 Prue Road,
#5, San Antonio, TX 78249

TYPE OF WORK:



HISTORY:

The Joseph Woller ranch and house in San Antonio, TX, was built in 1876 by Joseph Woller and his brother, Aloysius. Originally, it was a one-room house built of rock quarried from a nearby hilltop of Woller owned property. John Igo, Sr., a Woller descendant, reports that it may possibly have been built as the original ranch headquarters and intended to be a temporary building. Later the house was expanded and the original building was used as the living room in the family home. The house and land is currently owned by the Woller Family Living Trust, Kenneth R. Woller, Trustee.

On Sept. 13, 1876, Nikolaus Woller, father of Joseph and Aloysius, purchased the original 128 acres of land from Elise Thiele. The land was situated on the waters of the Leon Creek, about 12 ½ miles northwest from San Antonio. The purchase price was \$300.00 (Bexar County Deed Records, vol: 8:72). When Aloysius died in 1890, his share of the property reverted back to his parents, Nikolaus and Theresia. They transferred the property to Joseph.

Joseph continued with ranching and farming. In addition to raising cattle, he raised hay from his natural hay meadow. He had a contract to supply hay to the Peacock Military Academy with any remaining hay going to the U.S. Calvary at Fort Sam Houston.

Joseph, his father, Nikolaus, and his brothers, were stonemasons. They helped with the building of St. Joseph's Catholic Church in downtown San Antonio and also with St.

22008242

Henry's Catholic Church. Later Joseph helped with the building of Our Lady of Guadalupe Catholic Church in Helotes, TX.

Nikolaus Woller (1820-1905) was born in Schongau, Bavaria. His wife, Theresa was a Dutch orphan named either Millendorf, Diruemmer or Tierwirmer. She arrived in Indianola. Nikolaus and Theresa's marriage on Nov. 11, 1854, Galveston, TX and subsequently came to San Antonio as it reminded them of their homeland. On 2/10/1861, their son, Aloysius Woller was christened in St. Mary's Catholic Church in San Antonio. In 1876, they bought 139 acres on what is now Prue Road for their sons, Aloysius, Joseph and Stephen. The brothers built a one-room rock house and began farming the land. They raised corn, prairie hay, horses and cattle.

Nikolaus was a stonemason as were his sons. In 1903, Joseph married Nancy Lee, daughter of Shelly and Jesusa (de la Garza) Lee of Helotes. The couple had three children, Ada, Cora, and Joseph "Joe", born Jan. 14, 1917 - died April 4, 2002). The family soon added on more acreage, adding sugar cane, mules, hogs and goats to the production.

On Sept. 27, 1928 Joseph died leaving the running of the farm to Nancy and the children. They ran the farm until young Joe graduated from high school when he took over the day to day work of the farm.

In 1976, the farm/ranch was recognized by the State of Texas for having been owned and operated continuously by the same family for over 100 years. It is registered in the Texas Family Land Heritage program. A plaque commemorating this designation is proudly displayed in the family home.

REQUEST: Finding of Historical Significance

CASE COMMENTS: The Joseph Woller property meets the following criteria for Landmark status (35-607) (b) (1) serves as a visible reminder of the cultural heritage of the community; (3) Its identification with a person or persons who significantly contributed to the development of the community; (5) its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials; (7) its unique location or singular physical characteristics that make it an established or familiar visual feature; (8) Its historical, architectural or cultural integrity of location, design, materials, and workmanship; and, additionally, 35-607 (c) (1) A. Properties that are part of a cluster which provide a specific representation of an architectural or historic era or event 35-607 (c) (1) B. Properties which are determined to contribute to a San Antonio historic district; (c) (1) E. the property is associated with family persons important to the history of San Antonio; (c) (2) A. Buildings or places which have come to represent a part of San Antonio's cultural heritage for at least twenty-five (25) years; (c)(2) E. Archaeological sites of cultural importance to local people or social or ethnic groups, such as locations of important events in their history.

Z2008242

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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 Z2008242 (Woller Ranch-Historic)

Date: August 28, 2008

SUMMARY

A request for a change in zoning has been made for an approximate 3.30-acre tract located on the city's northwest side. A change in zoning from **R6 ERZD** to **R6 ERZD HE** is being requested by the applicant, City of San Antonio- Historic Preservation Office, by Ms. Kay Hindes. The change in zoning has been requested to preserve a historic ranch house found on the property.

Currently the site is a partially developed residential/farm use. The site was observed with numerous residential structures, outbuildings, green houses, and other facilities associated with farming activities. Undeveloped land bounds most of the property on three sides; north, east and south. The Arbors at River Mist Subdivision bounds the west side of the subject property.

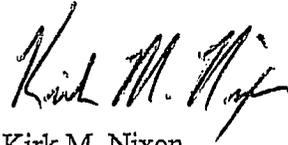
The subject property is located in City Council District 8, east of the intersection of Arbor Mesa and Rock Mist. The entire property lies within the Edwards Aquifer Recharge Zone. (Figures 1 and 2) The subject property is also known as Tract 7 mitigation property for the River Mist Subdivision and is subject of an Aquifer Protect Plan submitted to the San Antonio Water System (SAWS) on May 30, 2007, in which "*The property shall remain in its natural, open space condition, and no additional impervious cover shall be constructed within the Property without the express written consent of the San Antonio Water System (SAWS),...*" was stated in a recorded Special Warranty Deed executed on May 11, 2007 (Doc#20070117035).

Per the SAWS Aquifer Protection Plan submitted, SAWS has the right to visit the property to verify that the conditions of the mitigation property are being adhered to. Upon recent inspection of the site, August 20, 2008, SAWS staff verified that two (2) above ground storage tanks had been removed from the site as well as the abandoned vehicles. The removal of these items complies with the SAWS Aquifer Protection Plan. During the same site visit staff found no sensitive or significant geologic features. SAWS recognizes the existing impervious cover of 0.13 acres (3%) will not increase since this rezoning case is simply to designate the existing ranch house as historical. Therefore a recommendation for impervious cover will not be expressed in this report as it shall not change as stated above.

Z2008242

Zoning Commission Members
Z2008242 (Woller Ranch - Historic)
Page - 2 -

Based on the information submitted by the applicant, SAWS staff has no objection to designating the existing ranch house as historic. 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

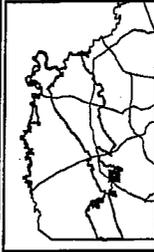
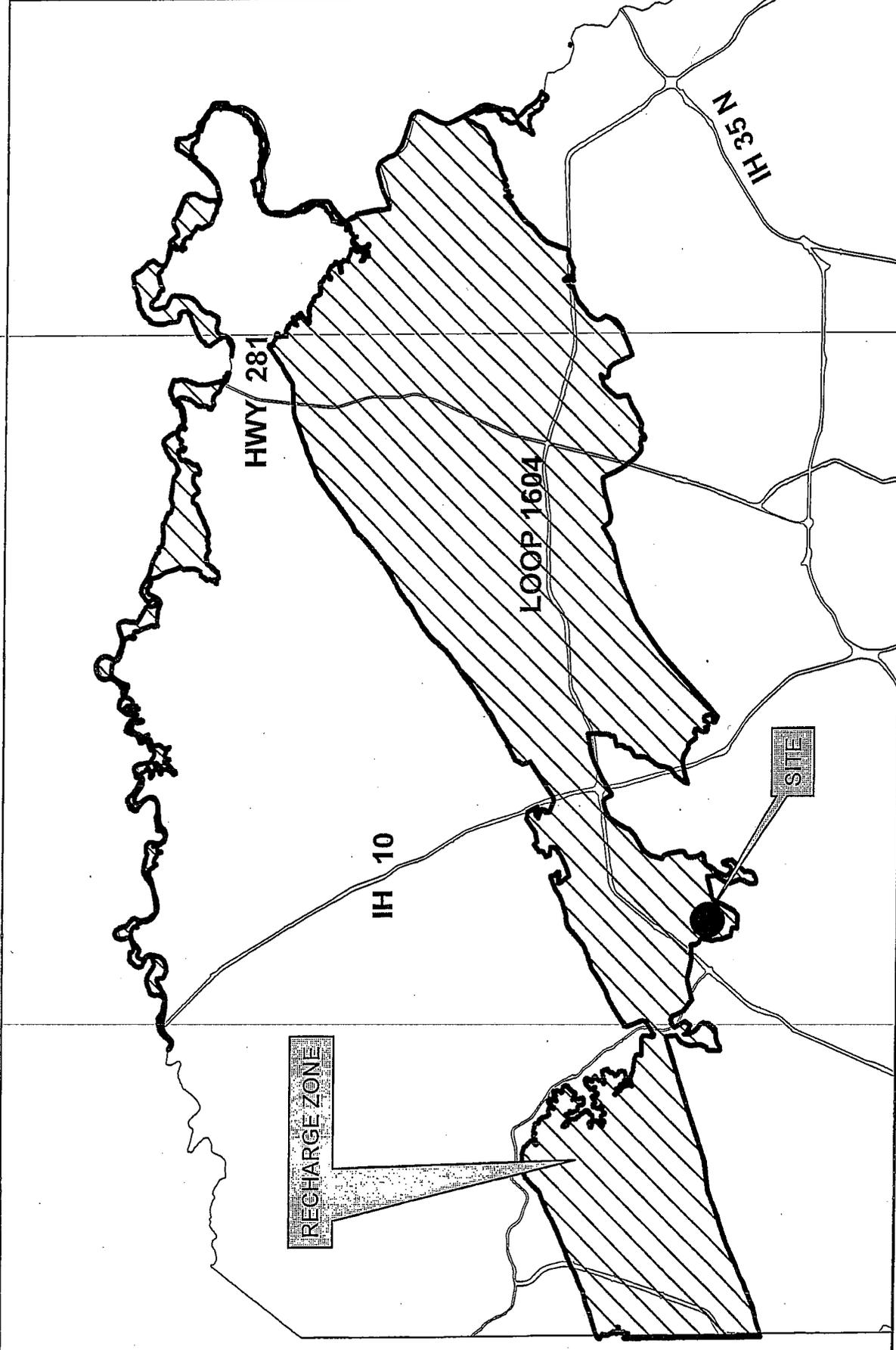
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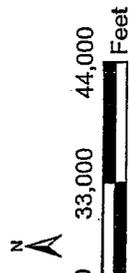
Scott R. Halty
Director
Resource Protection & Compliance Department

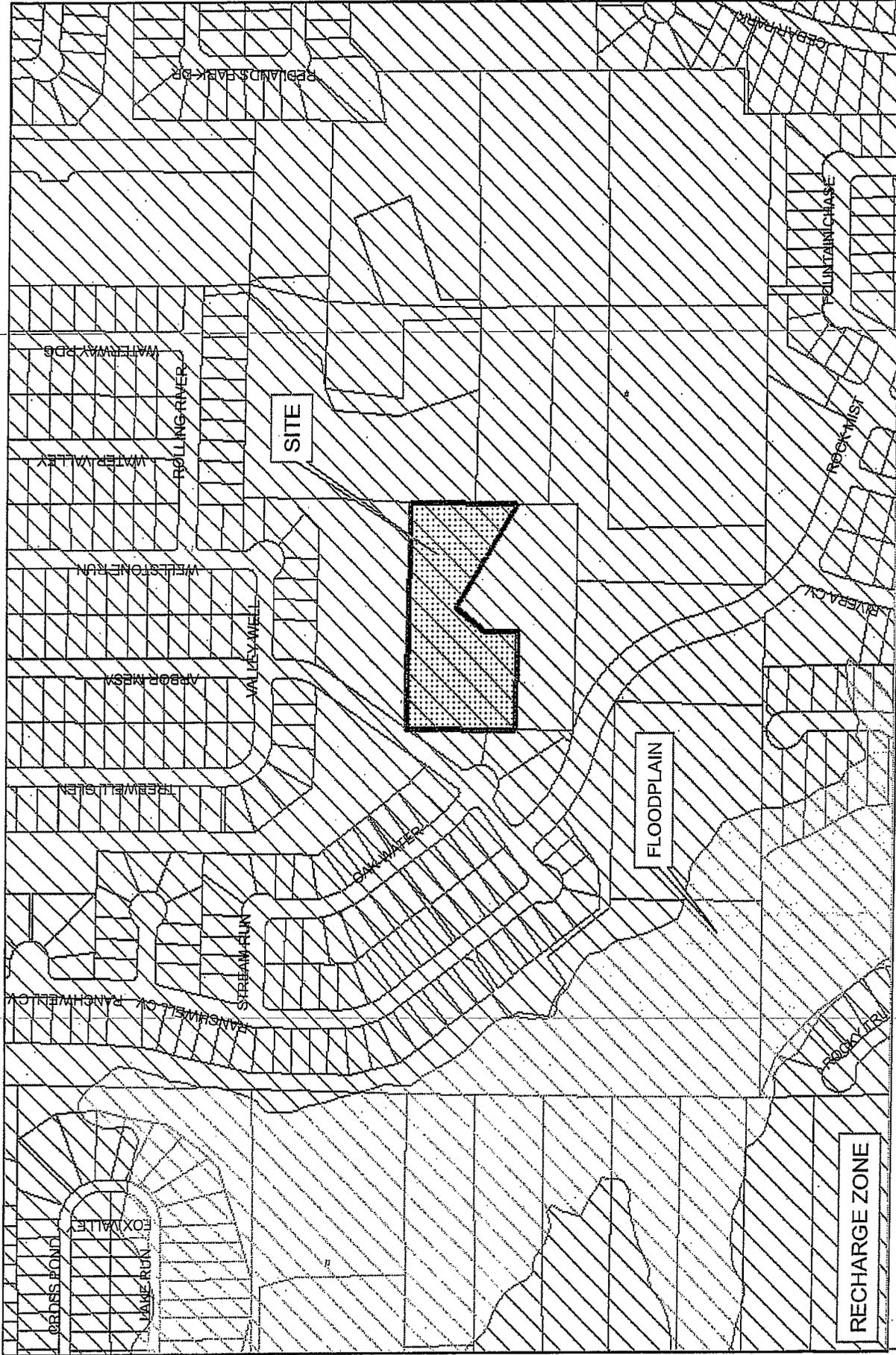
KMN:PMG

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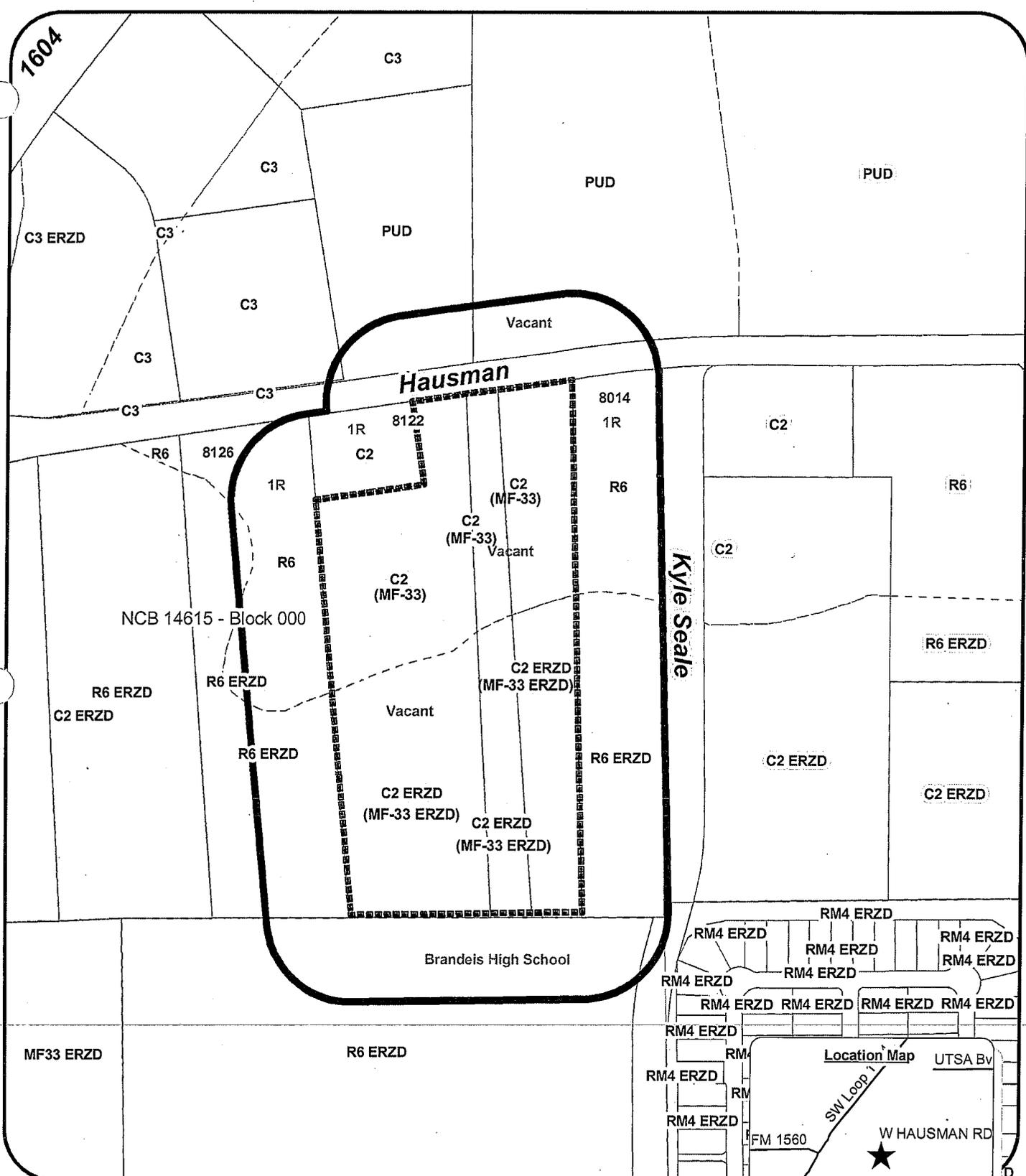
Zoning Case NAME: Joseph Woller Ranch **FIGURE 1**
Zoning Case No: Z2008242
MAP PAGE: 547 C2 X=2080405 Y=13749293
Map Prepared by: Aquifer Protection & Evaluation PMG 7/22/08





Zoning Case Name: Joseph Woller Ranch **FIGURE 2**
Zoning Case No: Z2008242
MAP PAGE: 547 C2 **X=2080405 Y=13749293**
Map Prepared by: Aquifer Protection & Evaluation PMG 7/30/08

Z2008242

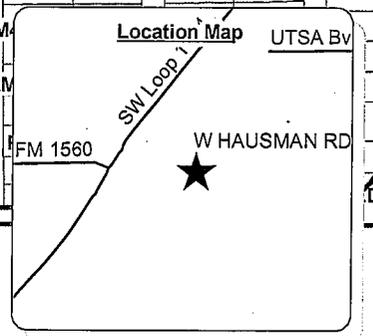


Zoning Case Notification Plan
Case Z-2008-247 ERZD

Council District 8
 Scale: 1" approx. = 300'
 Subject Property Legal Description(s): NCB 14615 - Block 000 - Lots P-9, P-10 & P-11A

Legend

- Subject Property (14.744 Acres)
- 200' Notification Buffer
- Current Zoning **C2 & C2 ERZD**
- Requested Zoning Change **(MF-33) & (MF-33 ERZD)**
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
 (09/05/2008)

CASE NO: Z2008247 ERZD

Final Staff Recommendation - Zoning Commission

Date: September 16, 2008

Council District: 8

Ferguson Map: 513 D8

Applicant Name:

Brown & Ortiz, P. C.

Owner Name:

Carmen T. Garza de Levcovitz

Zoning Request: From "C-2" Commercial District and "C-2 ERZD" Commercial Edwards Recharge Zone District to "MF-33" Multi-Family District and "MF-33 ERZD" Multi-Family Edwards Recharge Zone District.

Property Location: 14.744 acres out of NCB 14615

8122 West Hausman

On the south side of West Hausman Road, between North Loop 1604 West to the west and Kyle Seale Parkway to the east

Proposal: To allow the development of a multi-family community

Neigh. Assoc. Woller Creek Association Inc. is within 200 feet

Neigh. Plan None

TIA Statement: A Level 1 Traffic Impact Analysis (TIA) study is required.

Staff Recommendation:

Approval

The subject property consists of undeveloped land with frontage on West Hausman Road. The property is adjacent to C-3 zoning to the north and R-6 zoning to the east, west and south. The surrounding land uses consist of undeveloped land to the north; a residential dwelling and undeveloped land to the east and west, and Louis Brandeis High School to the south. This property was the subject of rezoning case Z2004049, in which the applicant was granted a zoning change from R-6 ERZD Residential Single-Family Edwards Recharge Zone District to C-2 ERZD Commercial Edwards Recharge Zone District.

~~The requested multi-family district is appropriate, as the subject property fronts on an arterial road. Multi-family uses are most appropriate on the periphery of single-family neighborhoods, and along arterials or major thoroughfares. This property meets all of the above criteria for a multi-family development, given the road classification and the general location at the periphery of the neighborhood to the west. Additionally, a multi-family use currently exists to the west of the subject property.~~

Medium and high density residential developments are encouraged in areas where supporting infrastructure, such as public transportation and commercial facilities are present. The site is located in an area where there is accessibility to public services and traffic circulation to major thoroughfares; North Loop 1604 West (a freeway) to the west and Babcock Road (a Secondary Arterial "Type A" street) to the east. In addition, there is access to VIA bus stops along West Hausman Road.

SAWS Summary:

1. SAWS recommends approval of the proposed land use.
2. SAWS currently identifies the property as a Category 2 property.

CASE NO: Z2008247 ERZD

Final Staff Recommendation - Zoning Commission

3. The impervious cover shall not exceed 50% on site.

CASE MANAGER : Brenda Valadez 207-7945

SAN ANTONIO WATER SYSTEM
Interdepartment Correspondence Sheet

RECEIVED

08 AUG 19 AM 11:19

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

Subject: Zoning Case Z2008247 (Royal San Antonio Apartments – III, LLC)

Date: August 18, 2008

SUMMARY

A request for a change in zoning has been made for an approximate 14.744-acre tract located on the city's northwest side. A change in zoning from **C-2 ERZD** to **MF-33 ERZD** is being requested by the applicant, Brown & Ortiz, P.C. Attorneys at Law. The change in zoning has been requested to allow for the development of an apartment complex.

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 8, near the intersection of Hausman Road and Loop 1604. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

SITE EVALUATION

1. Development Description:

The proposed change is from C-2 ERZD to MF-33 ERZD and will allow for the construction of an apartment complex. The 14.744 acre tract is located near the intersection of Hausman Road and Kyle Seale Pkwy, and also near Loop 1604 West.

2. Surrounding Land Uses:

Kyle Seale Pkwy and a single-family residence is located east of the site. A single-family residence is located west of the site. A NISD School is located to the south of the site. Hausman Road and undeveloped land is located north of the site.

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, 2008, 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.

- A. The subject site was observed as a single lot, lightly to moderately vegetated with native trees and scrub along the northern 2/3 and heavily vegetated with native trees along the southern 1/3, approximately 14.744 acres in area. No structures were observed on the site, other than a demolished concrete foundation and adjacent intact well house located in the northeast corner of the property.

No exposure of bedrock was observed throughout the property. The subject property was observed with a significant soil cover of several feet in depth throughout its entire extent. An apparent ephemeral drainage feature was observed running generally east-west along the southern edge of the subject site.

The site appeared to slope slightly to the south. Stormwater occurring on the subject site would drain to the south towards a concrete drainage channel along the adjacent elementary school.

- B. Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site is underlain by the Cyclic and Marine Member of the Person

Formation of the Edwards Aquifer.

The Cyclic and Marine Member of the Person Formation is characterized by the presence of thinly bedded mudstone, packstone and grainstone with structurally based porosity. The full section thickness of this member is approximately 80 to 90 feet thick. This could not be confirmed due to a lack of bedrock exposure on the subject site.

Based on a review of a Geologic Assessment of an adjacent property, the subject site vicinity is generally underlain by the Cyclic and Marine Member of the Person Formation of the Edwards. However, visual observation indicates that several feet of soil cover, consisting primarily of Del Rio Clay, confirmed by the presence of index fossils, is present throughout the subject site.

- C. An ephemeral drainage was observed to cross the southern edge of the site. The subject site was observed to have soil cover of several feet across its entire extent. This soil cover consists mainly of Del Rio Clay, confirmed by the presence of index fossils. Numerous non-karst closed depressions, several inches to feet deep, formed by differential dessication of the soil overburden, were observed throughout the subject site.

A residential water well and apparent septic tank were observed adjacent to the demolished concrete foundation. This water well has not been properly plugged or abandoned. The apparent septic tank has not been properly removed from the ground.

ENVIRONMENTAL CONCERNS

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

Site Specific Concerns

1. An abandoned septic system was observed on the site, acting as a potential source of contamination.
2. A well was observed on the site and appears to be abandoned. 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 50% on the site.
2. The SAWS recommendation of 50% maximum impervious cover for the 14.744 acres is based on possible Category 2 status. Per Ordinance 81491, a tract that is classified as multi-family cannot exceed 50% impervious cover.
3. The abandoned septic systems, along with any additional septic system that may be located on the site must be properly abandoned according to City Code Chapter 34 Article V Division 2 Section 446.
4. The abandoned well, along with any additional 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 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.

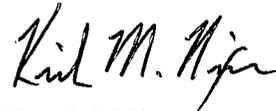
9. If any sensitive geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division 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. 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 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.



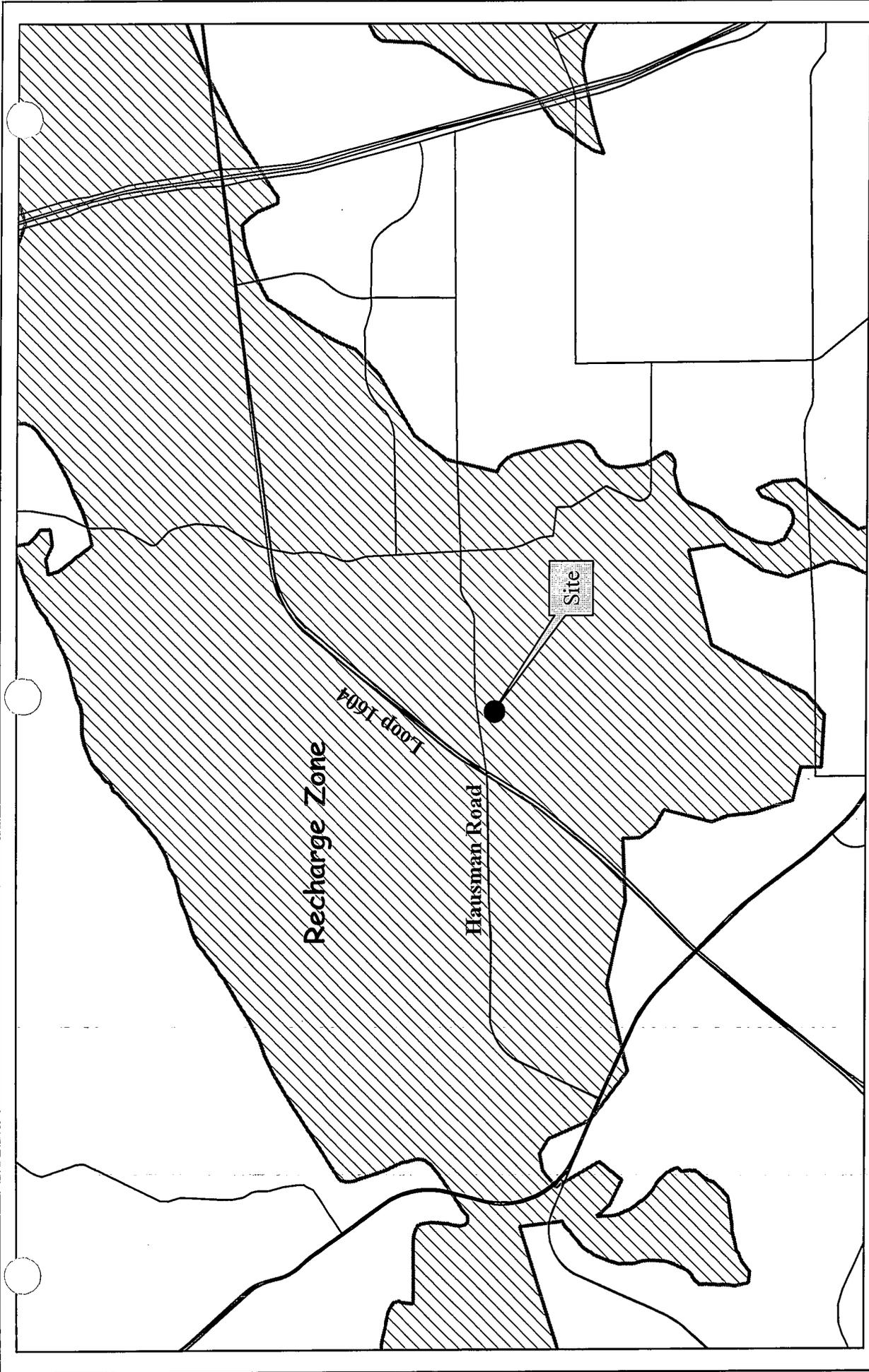
Kirk M. Nixon
Manager
Resource Protection Division

APPROVED:



Scott R. Halty
Director,
Resource Protection & Compliance Department

KMN:MJB



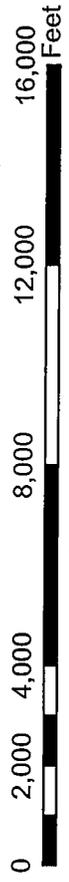
Zoning Case No. Z2008247 Figure 1

Multi-Family Project

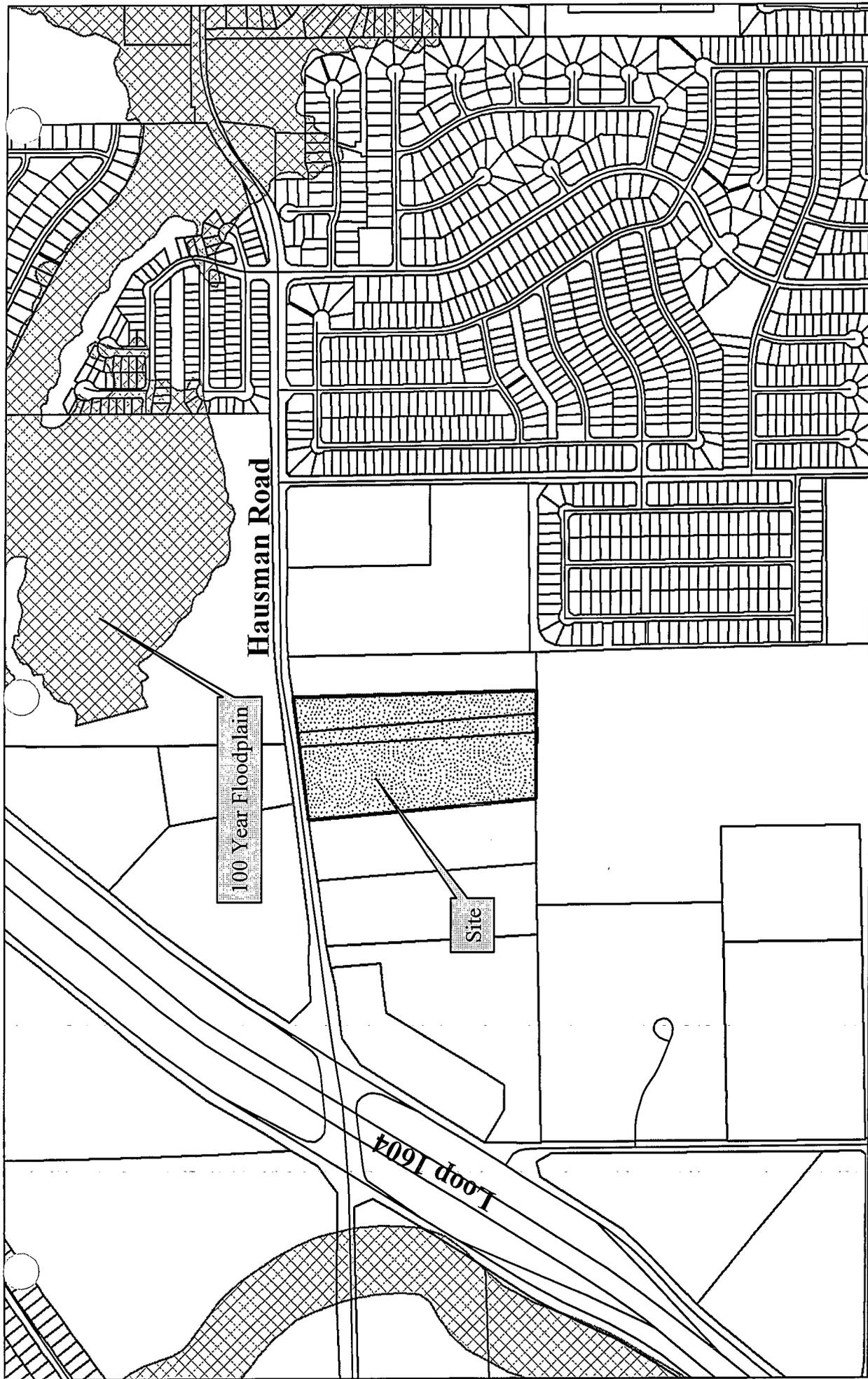
Map Page 513 D8

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Map Prepared by Aquifer Protection and Evaluation MJB 10/27/2006



1:45,988



Zoning Case No. Z2008247 Figure 2

Multi-Family Project

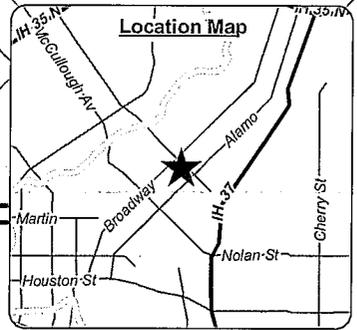
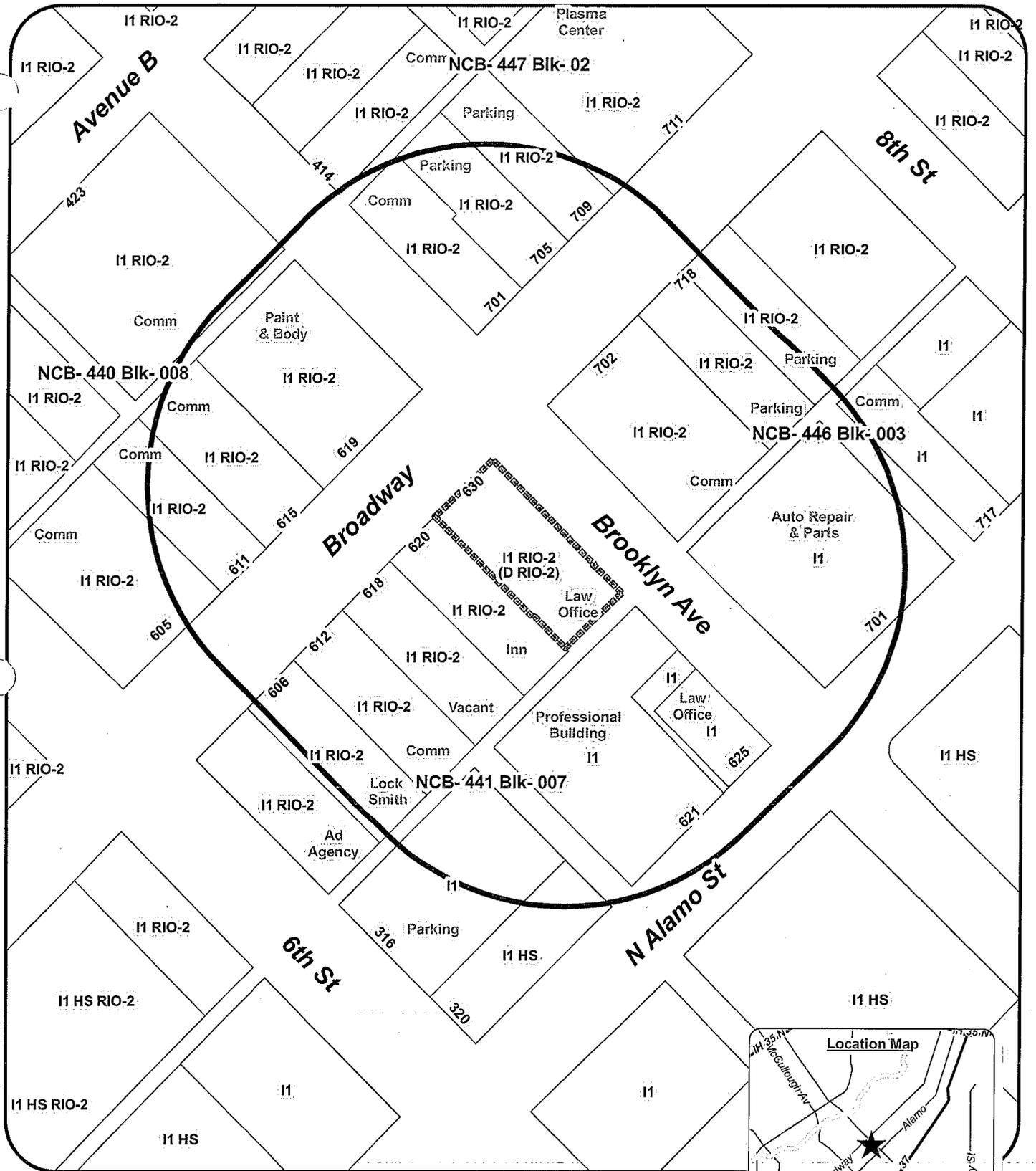
Map Page 513 D8

X=2081099 Y=13754635

Map Prepared by Aquifer Protection and Evaluation MJB 7/21/2008



1:8,149



Zoning Case Notification Plan

Case Z-2008-211

Council District 1

Scale: 1" approx. = 100'

Subject Property Legal Description(s): Lot 6 and a portion of lot 5 Blk: 007 NCB: 441

Legend

- Subject Property (0.203 Acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(6/24/2008)

CASE NO: Z2008211

Final Staff Recommendation - Zoning Commission

Date: September 16, 2008 Zoning Commission Continuance (Applicant Request)
From August 19

Council District: 1

Ferguson Map: 616 F4

Applicant Name:
Gerardo Menchaca

Owner Name:
James Shaw and Kirsten Carabin

Zoning Request: From "I-1 RIO-2" General Industrial River Improvement Overlay District 2 to "D RIO-2" Downtown River Improvement Overlay District 2.

Property Location: 0.203 acres out of NCB 441

630 Broadway

On the southeast corner of Broadway and Brooklyn Avenue

Proposal: To allow mixed use development

Neigh. Assoc. None

Neigh. Plan Downtown Neighborhood Plan

TIA Statement: A traffic impact analysis is not required.

Staff Recommendation:

River Commission Recommendation:

Since the subject property lies within the River Improvement Overlay District, the San Antonio River Commission is authorized to make a recommendation to the Zoning Commission if it so chooses. The Chairman of the River Commission reviewed the requested rezoning and determined that review by the River Commission was not needed at this time, however the River Commission may review the project at the plan review or permit stage.

Consistency with Plan:

The request is consistent with the existing Downtown Neighborhood Plan, which was adopted in 1999.

Staff Recommendation:

Denial

The subject property is located on the north side of Downtown along the east side of Broadway, on the southeast corner of Broadway and Brooklyn. A law office currently occupies the subject property. The property is adjacent to I-1 zoning to the east and I-1 RIO-2 zoning to the north, south, and west. The surrounding land uses consist of commercial uses to the south; parking lots and a car dealership to the north; commercial, office, and automotive repair uses to the east; and office, automotive paint and body, parking, and vacant uses to the west. The property directly north, located at 702 Broadway, is the subject of a current rezoning case (Z2008212). The base zoning of the subject property converted from the 1938 era "K" district to the current "I-1" district upon adoption of the 2001 UDC. The River Improvement Overlay-2 (RIO-2) district was applied to this property in 2002 by ordinance number 95908. The subject property also lies within the proposed River North Master Plan area where comprehensive efforts are currently underway to embrace this area with pedestrian friendly and mixed use features.

The "D" Downtown zoning district generally allows many retail, service, residential and mixed uses and has less restrictive development standards compared to other conventional zoning districts; of particular note is the unlimited height provision. The maximum height allowed within the "RIO-2" Overlay is 120 feet or 10 stories. Buildings surrounding the subject property are generally between 1 and 3 stories in height.

Staff believes that the requested zoning district is not appropriate for this location because:

CASE NO: Z2008211

Final Staff Recommendation - Zoning Commission

- A. the development standards of the "D" District would allow for development of a size and scale that would be inconsistent with the existing development in the surrounding neighborhood;
- B. the requested "D" District would not be consistent with the zoning of the surrounding area considering that some uses permitted in each district may not be compatible; and
- C. the City is making significant investments in the River North area. The pending River North Plan is intended to support those investments. Consideration should be given to the current planning efforts when considering rezoning the subject property.

CASE MANAGER : Jacob Floyd 207-8318

San Antonio River: Mission / Vision Statement

Within its city limits, the San Antonio River is 18 miles in length. In some respects, the River defines the city. One's experience of the River changes in different parts of the city. As large parts of the River are improved and adjacent development occurs, the River will change. The River Commission has adopted the following Mission and Vision statements to be used as a universal lens by which all future River-related decisions are viewed:

Vision Statement: The San Antonio River will be a fully linked linear park that unifies the city and serves as a community gathering place for all to enjoy. The River will have many special places and uses; some active, some quiet. Each will be unique, genuine, and vary by design.

Guiding Principles:

1. **Community Access:** Community access to the River and its public spaces should be provided and encouraged.
2. **Environment:** The public spaces of the River will celebrate the natural environment, where wildlife and aquatic species flourish. The public areas of the River will be protected from intrusive commercial activities which diminish the experience along the River corridor.
3. **Surrounding Land Uses/Development:** Development activity occurring along the banks will be in keeping with the unique character of the River at that location. Land uses will also be in keeping with the City Master Plan (Neighborhood and Community Plans). In all cases, development and activity along the banks will not damage the natural environment or ecology of the River or its public spaces, but will enhance the quality of the site and environment.
4. **Adjoining Buildings and Design:** Historical buildings and features along the River will be preserved to help tell the story of what the River has meant to San Antonio over the generations. Where development occurs, buildings will be unique, and incorporate design elements that celebrate the natural or built context of the River at that location.
5. **Private Enterprise:** Policies will encourage existing and new business development and regulate enterprises within these Guiding Principles and Vision.

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2008211

Address: 630 Broadway

Existing Zoning: I-1 RIO-2

Requested Zoning: D RIO-2

Registered Neighborhood Association(s): n/a

Neighborhood/Community/Perimeter Plan: Downtown Neighborhood Plan

Future Land Use for the site: Mixed Use

Analysis:

Mixed Use land use provides for a mix of commercial, office and residential uses. The future land use map of the Downtown Neighborhood Plan designates the location of the subject property as being within the "Lower Broadway Neighborhood" which corresponds to district "B." This district promotes mid-to-high-rise mixed use buildings with some entertainment destinations. Mid-rise at 5-stores at a maximum density of 50 units per gross acre; no maximum density limit on high-rise development.

The requested Downtown zoning district has no height limitations and no maximum density. The RIO-2 Overlay district which includes the subject property, allows a maximum height of 120 ft, or 10 stories; however, the RIO ordinance also states that "building heights should be configured such that a comfortable human scale is established around the edges of properties." The "D" zoning category runs contrary to the intent of the RIO, current plans, and planning efforts underway in this area that promote development in support of a pedestrian-oriented environment.

Although the Downtown zoning is encouraged in the City's Business District, which includes the subject property, the current development pattern surrounding the subject parcel largely consists of one-story to mid-rise buildings utilized for industrial and commercial purposes. The Lower Broadway District in the Downtown Neighborhood Plan does address high-rise development however, it also encourages mid-to-high-rise mixed use buildings with a 5-story maximum density of 50 units per gross acre as well which would be more appropriate for this area. The proposed zoning is consistent with the "Mixed Use" future land use category however, given the current context and goals of past and current planning efforts, such development intensity and scale would be inappropriate.

The Downtown Neighborhood Plan was adopted in 1999. In 2007, an update to the River North portion of the plan was begun (which encompasses districts A, B, C, and R of the 1999 Plan). The objective of the "River North" plan is to spur revitalization of this area. Little revitalization has occurred in the River North portion since adoption of the Plan in 1999. The River North update has revisited the plan and is working with the public to create a new, implementable vision, for property owners in the area and the City as a whole.

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

Alternative Recommendation:

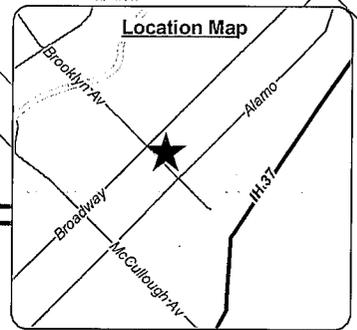
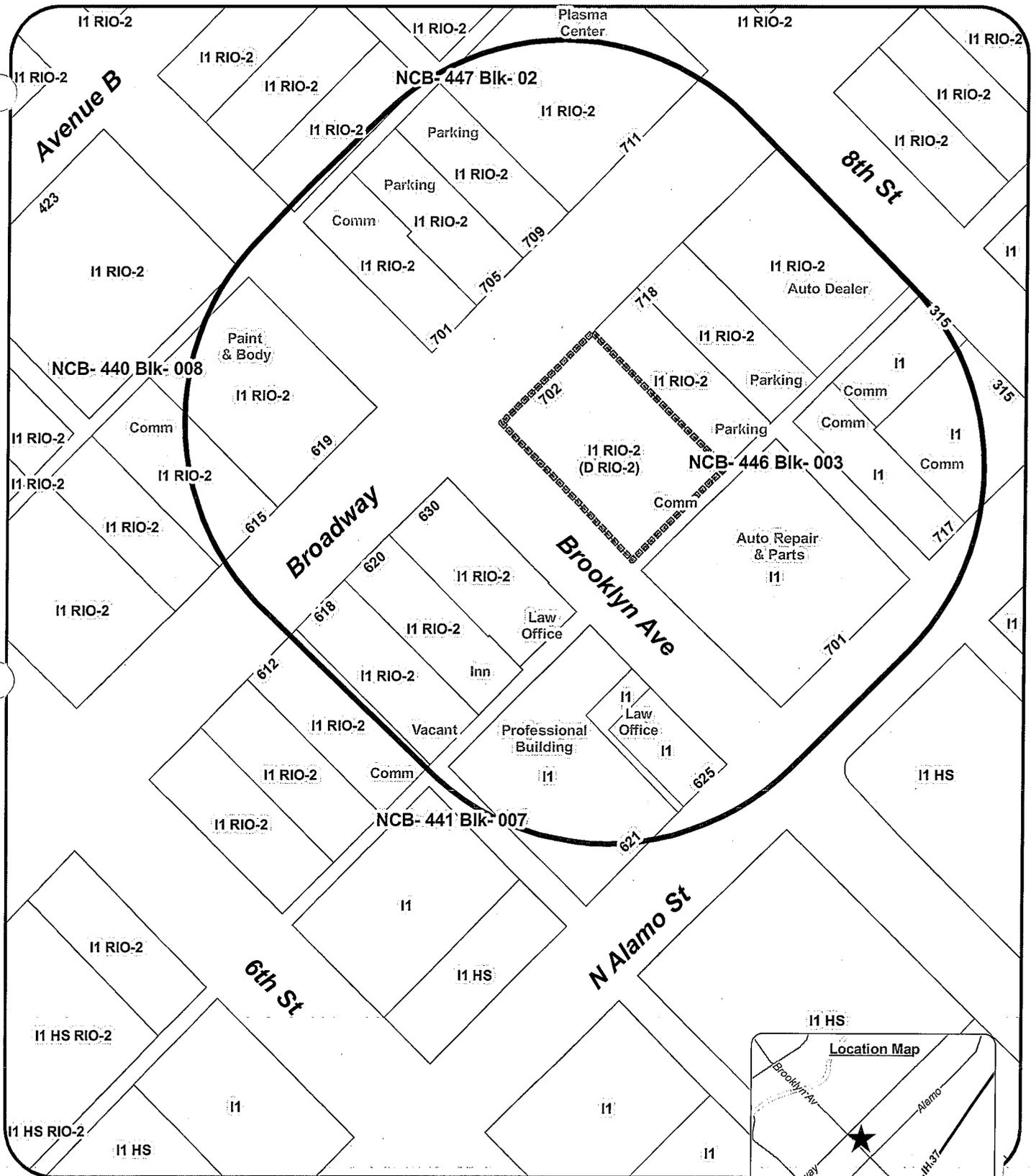
Reviewer: Andrea Gilles

Title: Senior Planner

Date: 7/2/2008

Manager Review: Nina Nixon-Mendez

Date: 7/3/2008



Zoning Case Notification Plan

Case Z-2008-212

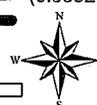
Council District 1

Scale: 1" approx. = 100'

Subject Property Legal Description(s): Lot 8 and a portion of lot 7 Bik: 003 NCB: 446

Legend

- Subject Property (0.3382 Acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(6/24/2008)

CASE NO: Z2008212

Final Staff Recommendation - Zoning Commission

Date: September 16, 2008

Zoning Commission Continuance (Applicant Request)
From August 19

Council District: 1

Ferguson Map: 616 F4

Applicant Name:
Gerardo Menchaca

Owner Name:
James Shaw

Zoning Request: From "I-1 RIO-2" General Industrial River Improvement Overlay District 2 to "D RIO-2" Downtown River Improvement Overlay District 2.

Property Location: Lot 8 and the northeast 44.61 feet of Lot 7, Block 3, NCB 446

702 Broadway

On the northeast corner of Broadway and Brooklyn Avenue

Proposal: To allow mixed use development

Neigh. Assoc. None

Neigh. Plan Downtown Neighborhood Plan

TIA Statement: A traffic impact analysis is not required

Staff Recommendation:

River Commission Recommendation:

Since the subject property lies within the River Improvement Overlay District, the San Antonio River Commission is authorized to make a recommendation to the Zoning Commission if it so chooses. The Chairman of the River Commission reviewed the requested rezoning and determined that review by the River Commission was not needed at this time, however the River Commission may review the project at the plan review or permit stage.

Consistency with Plan:

The request is consistent with the existing Downtown Neighborhood Plan, which was adopted in 1999.

Staff Recommendation:

Denial

The subject property is located on the north side of Downtown along the east side of Broadway, on the northeast corner of Broadway and Brooklyn. A law office currently occupies the subject property. The property is adjacent to I-1 zoning to the east and I-1 RIO-2 zoning to the north, south, and west. The surrounding land uses consist of commercial uses to the south; parking lots and a car dealership to the north; commercial, office, and automotive repair uses to the east; and office, automotive paint and body, parking, and vacant uses to the west. The property directly south, located at 630 Broadway, is the subject of a current rezoning case (Z2008211). The base zoning of the subject property converted from the 1938 era "K" district to the current "I-1" district upon adoption of the 2001 UDC. The River Improvement Overlay-2 (RIO-2) district was applied to this property in 2002 by ordinance number 95908. The subject property also lies within the proposed River North Master Plan area where comprehensive efforts are currently underway to embrace this area with pedestrian friendly and mixed use features.

The "D" Downtown zoning district generally allows many retail, service, residential and mixed uses and has less restrictive development standards compared to other conventional zoning districts; of particular note is the unlimited height provision. The maximum height allowed within the "RIO-2" Overlay is 120 feet or 10 stories. Buildings surrounding the subject property are generally between 1 and 3 stories in height.

Staff believes that the requested zoning district is not appropriate for this location because:

CASE NO: Z2008212

Final Staff Recommendation - Zoning Commission

- A. the development standards of the "D" District would allow for development of a size and scale that would be inconsistent with the existing development in the surrounding neighborhood;
- B. the requested "D" District would not be consistent with the zoning of the surrounding area considering that some uses permitted in each district may not be compatible; and
- C. the City is making significant investments in the River North area. The pending River North Plan is intended to support those investments. Consideration should be given to the current planning efforts when considering rezoning the subject property.

CASE MANAGER : Jacob Floyd 207-8318

San Antonio River: Mission / Vision Statement

Within its city limits, the San Antonio River is 18 miles in length. In some respects, the River defines the city. One's experience of the River changes in different parts of the city. As large parts of the River are improved and adjacent development occurs, the River will change. The River Commission has adopted the following Mission and Vision statements to be used as a universal lens by which all future River-related decisions are viewed:

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1. **Community Access:** Community access to the River and its public spaces should be provided and encouraged.
2. **Environment:** The public spaces of the River will celebrate the natural environment, where wildlife and aquatic species flourish. The public areas of the River will be protected from intrusive commercial activities which diminish the experience along the River corridor.
3. **Surrounding Land Uses/Development:** Development activity occurring along the banks will be in keeping with the unique character of the River at that location. Land uses will also be in keeping with the City Master Plan (Neighborhood and Community Plans). In all cases, development and activity along the banks will not damage the natural environment or ecology of the River or its public spaces, but will enhance the quality of the site and environment.
4. **Adjoining Buildings and Design:** Historical buildings and features along the River will be preserved to help tell the story of what the River has meant to San Antonio over the generations. Where development occurs, buildings will be unique, and incorporate design elements that celebrate the natural or built context of the River at that location.
5. **Private Enterprise:** Policies will encourage existing and new business development and regulate enterprises within these Guiding Principles and Vision.

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2008212

Address: 702 Broadway

Existing Zoning: I-1 RIO-2

Requested Zoning: D RIO-2

Registered Neighborhood Association(s): n/a

Neighborhood/Community/Perimeter Plan: Downtown Neighborhood Plan

Future Land Use for the site: Mixed Use

Analysis:

Mixed Use land use provides for a mix of commercial, office and residential uses. The future land use map of the Downtown Neighborhood Plan designates the location of the subject property as being within the "Lower Broadway Neighborhood" which corresponds to district "B." This district promotes mid-to-high-rise mixed use buildings with some entertainment destinations. Mid-rise at 5-stories at a maximum density of 50 units per gross acre; no maximum density limit on high-rise development.

The requested Downtown zoning district has no height limitations and no maximum density. The RIO-2 Overlay district which includes the subject property, allows a maximum height of 120 ft, or 10 stories; however, the RIO ordinance also states that "building heights should be configured such that a comfortable human scale is established around the edges of properties." The "D" zoning category runs contrary to the intent of the RIO, current plans, and planning efforts underway in this area that promote development in support of a pedestrian-oriented environment.

Although the Downtown zoning is encouraged in the City's Business District, which includes the subject property, the current development pattern surrounding the subject parcel largely consists of one-story to mid-rise buildings utilized for industrial and commercial purposes. The Lower Broadway District in the Downtown Neighborhood Plan does address high-rise development, however; it also encourages mid-to-high-rise mixed use buildings with a 5-story maximum density of 50 units per gross acre as well which, would be more appropriate for this area. The proposed zoning is consistent with the "Mixed Use" future land use category however, given the current context and goals of past and current planning efforts, such development intensity and scale would be inappropriate.

The Downtown Neighborhood Plan was adopted in 1999. In 2007, an update to the River North portion of the plan was begun (which encompasses districts A, B, C, and R of the 1999 Plan). The objective of the "River North" plan is to spur revitalization of this area. Little revitalization has occurred in the River North portion since adoption of the Plan in 1999. The River North update has revisited the plan and is working with the public to create a new, implementable vision, for property owners in the area and the City as a whole.

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

Alternative Recommendation:

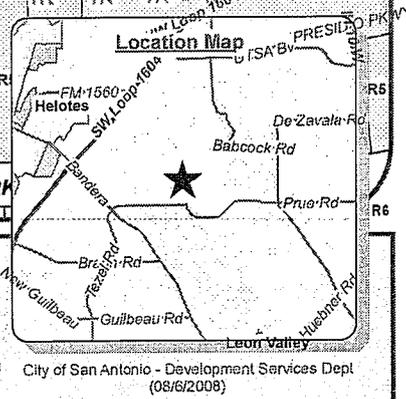
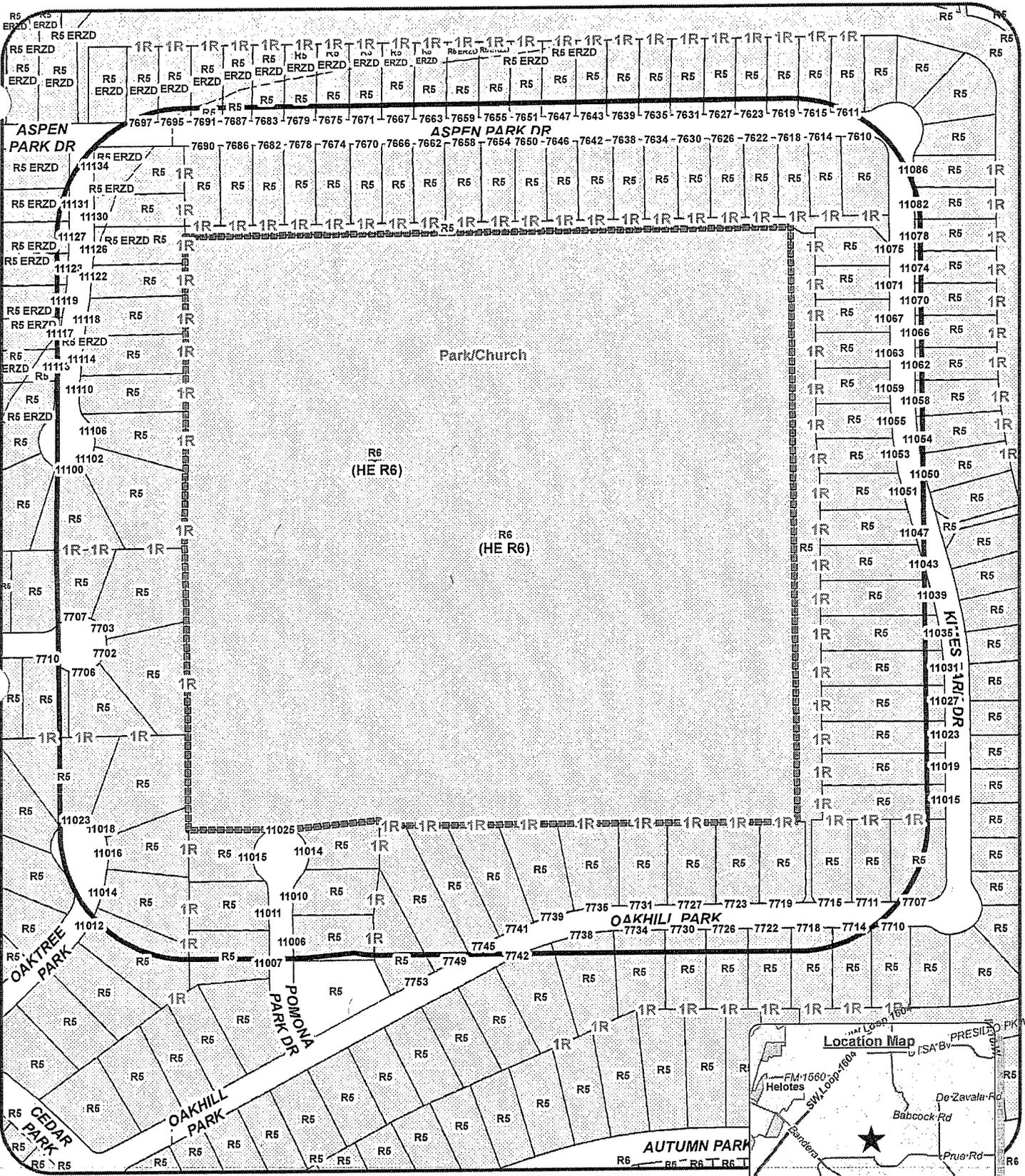
Reviewer: Andrea Gilles

Title: Senior Planner

Date: 7/2/2008

Manager Review: Nina Nixon-Mendez

Date: 7/3/2008



Zoning Case Notification Plan

Case Z2008239

Council District 8
Scale: 1" approx. = 200'

Legend

- Subject Property (20.0 Acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



Subject Property Legal Description(s): 20.0 Acres out of NCB 18157 Block 000

CASE NO: Z2008239

Final Staff Recommendation - Zoning Commission

Date: September 16, 2008

Zoning Commission continuance (Commissioner Request) from August 19, 2008.

Council District: 8

Ferguson Map: 547 D3

Applicant Name:
COSA Historic Preservation Office

Owner Name:
Peace Community Church, David Semler

Zoning Request: From "R-6" Residential Single-Family District to "HE R-6" Historic Exceptional, Residential Single-Family District.

Property Location: 20.0 acres out of CB 4531, also known as Parcel P-2, NCB 18157

11025 Pomona Park Drive

Pomona Park Drive, approximately 350 feet north of the Oakhill Park intersection

Proposal: To designate Historic Exceptional

Neigh. Assoc. Parkwood Maintenance Association, Inc.

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required at this time, however a study may be required should future development occur.

Staff Recommendation:

Approval

The subject property was annexed in 1987 and totals approximately 20 acres. There is an existing vacant residential structure on the subject property that measures approximately 3248 square feet and was constructed in 1882, as well as a second structure that measures approximately 420 square feet. Upon adoption of the 2001 Unified Development Code, the existing R-6 zoning converted from the previous R-1 zoning. "R-5" Residential Single-Family District zoning currently exists to the north, south, east and west of the subject property. Land uses immediately adjacent to the subject property consist of single-family residential homes to the north, south, east and west.

The Historic Preservation Office recommends a finding of historic significance based on the evaluation criteria in Section 35-607 for the Designation of Historic Districts and Landmarks. On June 4, 2008, the Historic and Design Review Commission concurred with Historic Division Staff and is also recommending approval of a finding of historic significance. Seeing that there is no proposed change to the land use of the subject property, Zoning Staff recommends approval.

Pursuant to Texas Local Government Code §§ 211.001 and 211.003, historic districts and landmark designations are adopted in order to protect and preserve places and areas of historical, cultural, or architectural importance and significance. Historic districts and Landmark designation preserve and enhance the city's historic resources pursuant to Goal 2 of the Urban Design Element of the Master Plan.

CASE MANAGER: Leslie Zavala 207-0215

22008239



HISTORIC AND DESIGN REVIEW COMMISSION
CERTIFICATE OF APPROPRIATENESS

June 04, 2008

CITY OF SAN ANTONIO

HDRC CASE NO: 2008-179
ADDRESS: 11025 Pomona Park Drive
LEGAL DESCRIPTION: NCB 18157 Lot P-2 (refer to 18157-000-0021)
Hausman/Prue Road Annexation
PUBLIC PROPERTY: No
HISTORIC DISTRICT:
LANDMARK DISTRICT:
APPLICANT: COSA, 1901 S Alamo
OWNER: Peace Community Church
TYPE OF WORK: Historic Landmark Designation

REQUEST:

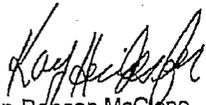
The applicant is requesting a Certificate of Appropriateness for a Finding of Historic Significance.

RECOMMENDATION:

The Francisco/Maximo Cadena property meets the following criteria for Landmark status (35-607) (b) (1) serves as a visible reminder of the cultural heritage of the community; (5) its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials; (7) its unique location or singular physical characteristics that make it an established or familiar visual feature; and, additionally, 35-607 (c) (1) E. the property is associated with family persons important to the history of San Antonio; 35-607 (c)(2) A. Buildings or places which have come to represent a part of San Antonio's cultural heritage for at least twenty-five (25) years.

COMMISSION ACTION:

Approval of a finding of historic significance for 11025 Pomona Park Drive. The Historic and Design Review Commission is also recommending approval to the Zoning Commission and to the City Council for designation of Historic District for 11025 Pomona Park Drive.


Ann Benson McGlone
Historic Preservation Officer

72008239

City Landmark Designation

HDRC CASE NO.

KNOWN AS: Francisco or Maximo Cadena House

ADDRESS: 11025 Pomona Park Drive;
Bexar County Appraisal District shows
address as Aspen Park Drive, San Antonio.

LEGAL DESCRIPTION: NCB 18157 Lot
P-2 (refer to 18157-000-0021) Hausman/Prue
Road Annexation) Property ID 690345

ZONING: R6

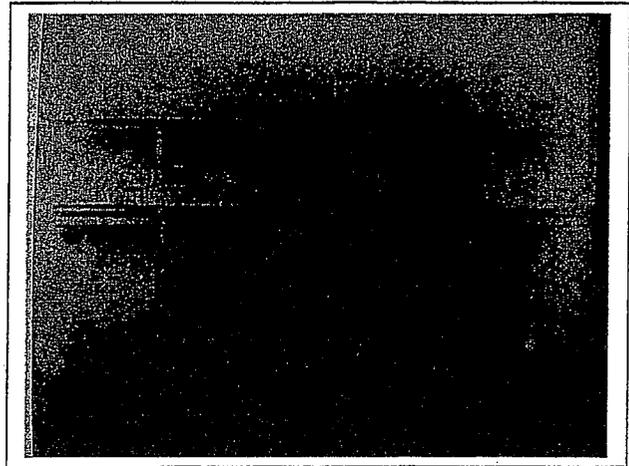
COUNCIL DISTRICT: 8

HISTORIC DISTRICT

LANDMARK: Finding of Historical
Significance

APPLICANT: City of San Antonio

OWNER: Peace Community Church, P.O.
Box 691007, San Antonio, TX 778269-1007



TYPE OF WORK:

HISTORY: Francisco Cadena was an early Bexar County colonist and immigrated here on or prior to October 1, 1837. He received Headright Grant No. 385 for 1,280 acres of land on July 8, 1847 in Survey No. 267 3/4. As stated in the Headright, the land was "situated on the Waters of Leon Creek" being a part of Survey No. 267 3/4. J. Marnoch and A. Cadena were the chain carriers for the survey. Cadena was a trail driver and a trader, an occupation continued by his son, Maximo Cadena.

Descendants of Francisco Cadena revealed he was born in Zaragosa, Mexico in 1808 and died in 1858 along the Camino Real on his way back from Port Arthur, Texas. Francisco was a trader and had taken a herd of cattle down to Port Arthur. He died along the trail and was buried somewhere near that city. He is believed to have been residing in Presidio in 1830 according to family oral history.

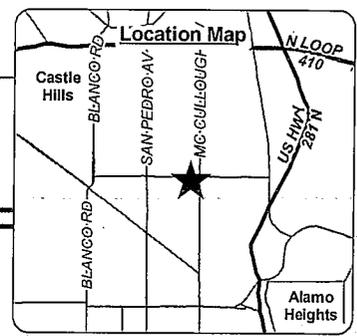
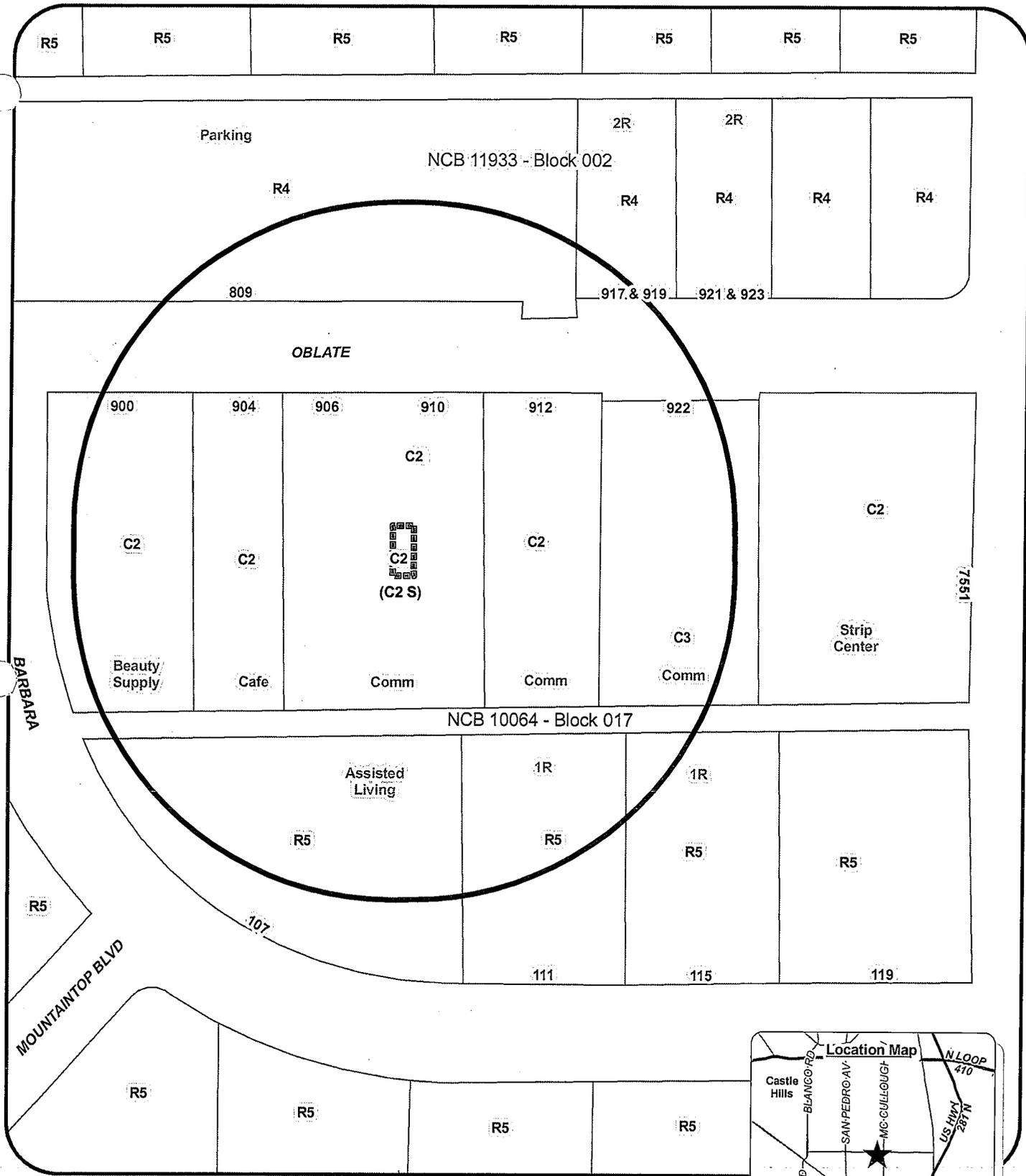
The Cadena family built a two-story limestone block house that is still in use. Based on the construction style, form and materials, the house probably dates to the mid-19th century, possibly as early as the 1840s when Cadena was granted his headright grant on the Leon Creek. The house is a three bay facade with central hall, rectangular in shape with double wooden porches running on both sides along the length of the house.

REQUEST: Finding of Historical Significance

CASE COMMENTS: The Francisco/Maximo Cadena property meets the following criteria for Landmark status (35-607) (b) (1) serves as a visible reminder of the cultural heritage of the community; (5) its embodiment of distinguishing characteristics of an

7/20/92

architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials; (7) its unique location or singular physical characteristics that make it an established or familiar visual feature; and, additionally, 35-607 (c) (1) E. the property is associated with family persons important to the history of San Antonio; 35-607 (c)(2) A. Buildings or places which have come to represent a part of San Antonio's cultural heritage for at least twenty-five (25) years.



Zoning Case Notification Plan

Case Z-2008-214 S

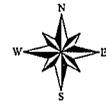
Council District 1

Scale: 1" approx. = 80'

Subject Property Legal Description(s): 0.094 Acres out of NCB 10064

Legend

- Subject Property (0.0094 Acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(09/05/2008)

CASE NO: Z2008214 S

Final Staff Recommendation - Zoning Commission

Date: September 16, 2008

Council District: 1

Ferguson Map: 582 D1

Applicant Name:

Owner Name:

T-Mobile West Corporation

Gamez Family, LTD Partnership.

Zoning Request: From "C-2" Commercial District to "C-2 S" Commercial District with a Specific Use Authorization for a Wireless Communication System.

Property Location: 0.0094 acres out of NCB 10064

906 Oblate Drive

On the south side of Oblate, between Barbara to the west and McCullough Avenue to the east

Proposal: To allow a Wireless Communication System

Neigh. Assoc. Shearer Hills - Ridgeview Neighborhood Association

Neigh. Plan North Central Neighborhoods Community Plan

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

Staff Recommendation:

A finding of consistency is not required because there is no change to the base zoning district. The North Central Neighborhoods Community Plan designates the subject property as Neighborhood Commercial.

Denial

The subject property is located within a commercial retail strip center with frontage on Oblate Drive. The surrounding land uses consist of a restaurant and pet day care to the west and a church to the east all zoned C-2, a parking lot to the north and an assisted living facility and residential dwellings to the south.

The applicant is requesting a rezoning to allow a wireless communication tower with accessory support structures on 0.0094 acres, or 409 square feet of the subject property. This system will consist of a monopole 100 feet in height and an equipment shelter. This location is a preferred site to eliminate gaps in cellular phone service in the area.

Staff finds the request for a Specific Use Authorization to be inappropriate at this location considering the close proximity of residential uses and zoning districts. The Unified Development Code sets a standard of 200 feet for separation between wireless communication systems and residential districts and uses; there are at least five residential properties within 200 feet from the proposed wireless communication system site. Staff does not believe that a wireless communication tower at this location would advance the goals of the North Central Neighborhoods Community Plan which encourages uses that would enhance the aesthetic quality of the area, and discourages commercial encroachment into residential areas. Staff encourages the applicant to consider the co-location or clustering of this wireless communication system with other existing wireless systems in the vicinity.

CASE MANAGER : Brenda Valadez 207-7945

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2008214

Address: 906 Oblate, San Antonio, TX 78210

Existing Zoning: C-2 Commercial District

Requested Zoning: C-2 Commercial District, Specific Use Authorization Permit for telecommunication site

Registered Neighborhood Association: Shearer Hills-Ridgeview

Neighborhood/Community/Perimeter Plan:

San Antonio Master Plan Policies
North Central Neighborhoods Community Plan

Future Land Use for the site:

Neighborhood Commercial provides small areas for offices, professional services, service and shop front retail uses that can be served by pedestrian access. It permits a limited group of commercial uses that serve the neighborhood while protecting the abutting residential areas. Buffered yards provide a landscaped separation between residential and commercial uses. Drive-throughs, outdoor storage, and display of goods except for outdoor dining are prohibited. Examples of Neighborhood Commercial include small gas stations, convenience/food stores, restaurants, and neighborhood shopping centers.

Other Comments:

The applicant is requesting C-2 Commercial District, Specific Use Authorization designation to install a telecommunications tower. The proposed site is located at 906 Oblate near McCullough Ave. It is surrounded by single family residential development. As described above, the future land use is Neighborhood Commercial.

Staff recommends denial of this proposal. Granting the request would be inconsistent with goals, objectives, and standards established in the San Antonio Master Plan Policies, the North Central Neighborhoods Community Plan, and the Unified Development Code. The North Central Neighborhoods Community Plan, Neighborhood and Economic Development Goal 4 states: "Ensure a transition between residential and commercial areas that is aesthetically pleasing while discouraging encroachment into residential areas" (p36). The San Antonio Master Plan Policies maintains that, urban design goals should reflect "...enhancement of the City's important historic and cultural characteristics...as well as existing residential ...and neighborhood centers" (p42). Additionally, Section 35-385 of the UDC stipulates that "Antenna support structures shall be spaced two hundred (200) feet from all residential zoning districts." There are at least 6 residential properties within two hundred (200) feet from the site at 906 Oblate.

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: Brad Smilgin

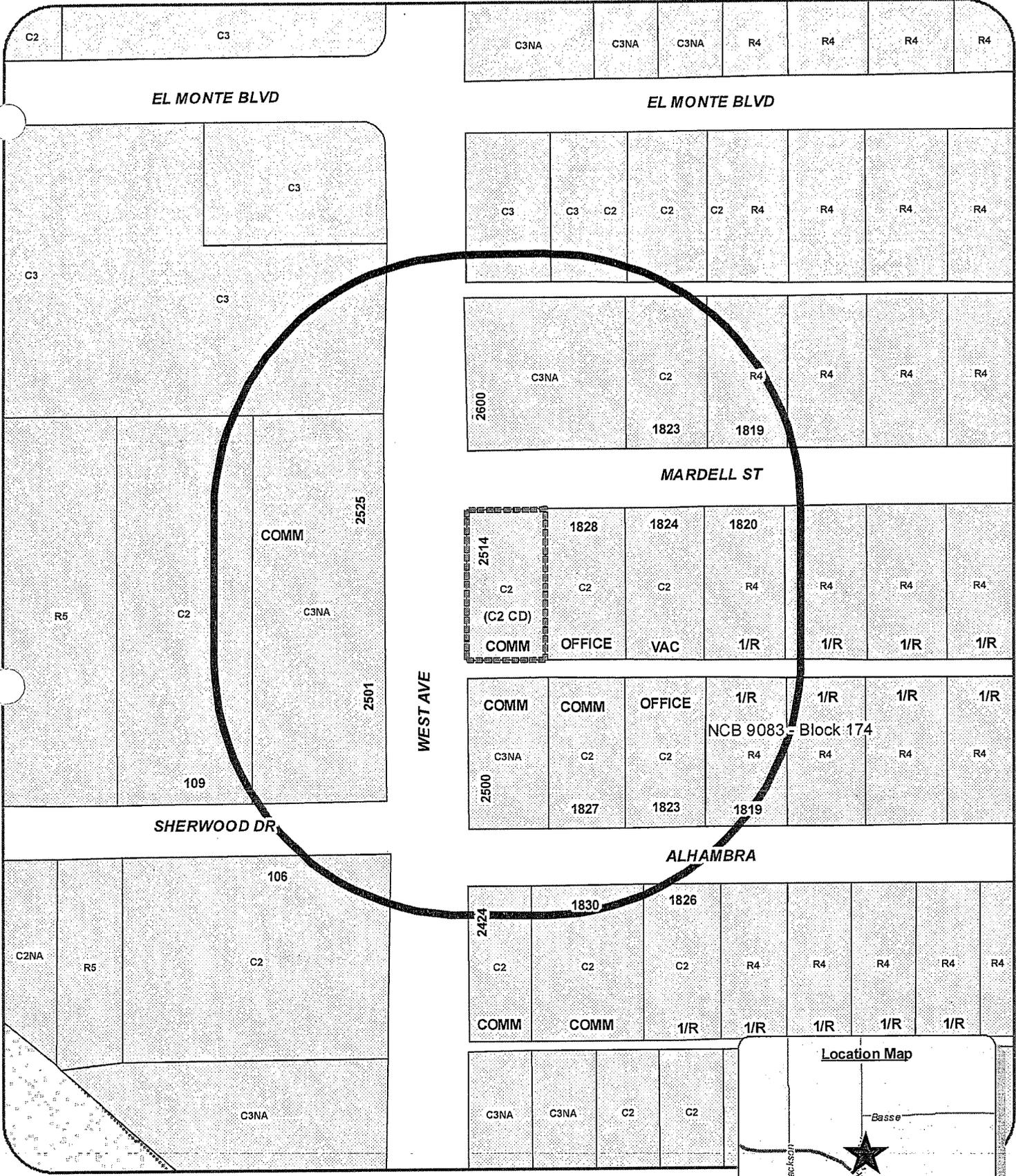
Title: Planner

Date: 09/04/2008

Manager Review: Nina Nixon-Mendez

Date: 09/04/2008

08/06/08



Zoning Case Notification Plan

Case Z2008224 CD

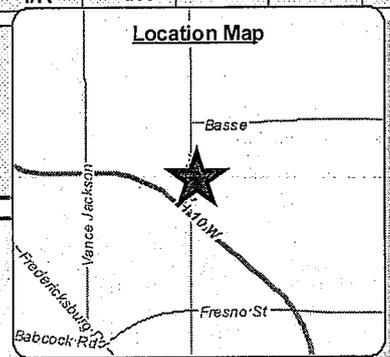
Council District 1

Scale: 1" approx. = 100'

Subject Property Legal Description(s): Lot 1 and the west 12.5 feet of Lot 2, Block 174, NCB 9083

Legend

- Subject Property
- 200' Notification Buffer
- Current Zoning **C2**
- Requested Zoning Change **(C2 CD)**
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(09/05/2008)

CASE NO: Z2008224 CD

Final Staff Recommendation - Zoning Commission

Date: September 16, 2008

Council District: 1

Ferguson Map: 582 A4

Applicant Name:
Cecilia Robles Morales

Owner Name:
8700 North Lamar LTD

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

Property Location: Lot 1 and the west 12.5 feet of Lot 2, Block 174, NCB 9083

2514 West Avenue

On the southeast corner of West Avenue and Mardell Street

Proposal: Motor Vehicle Sales

Neigh. Assoc. Northwest Los Angeles Heights Neighborhood Association and Dellview Area Neighborhood Association is within 200 feet.

Neigh. Plan Greater Dellview Community Plan

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

Staff Recommendation:

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

Denial

The subject property is located on West Avenue, a major thoroughfare, and is situated on a corner lot with frontage on Mardell Street, a local access street. The project site totals approximately 0.1722 acre and is occupied by a vacant commercial structure. The commercial structure was built in 1980 and measures approximately 560 square feet. The subject property was annexed in May of 1941 and operated as a convenience store for many years. In 2002 following the adoption of the Unified Development Code, the existing "C-2" Commercial District converted from the previous "F" Local Retail District.

Property adjacent to the subject property is zoned "C-2" Commercial District to the east and "C-3NA" General Commercial, Nonalcoholic Sales District to the south and across Mardell Street to the north. Property across West Avenue to the west is zoned "C-3NA" General Commercial, Nonalcoholic Sales District. Immediately to the east of the subject property is a single-family dwelling; to the south commercial uses, to the north across Mardell Street a pawn shop, and across West Avenue to the west is a strip center.

The future land use designation for the subject property is Neighborhood Commercial. The Neighborhood Commercial land use category provides for smaller intensity commercial uses such as small-scale retail or offices, professional services, convenience retail, and shopfront retail uses that serve a market equivalent to a neighborhood. The proposed use is significantly higher in intensity than Neighborhood Commercial uses and the proposed use will not directly serve the neighborhood residents in the same way as a small scale retail or professional services establishment.

The "C-2 CD" Commercial District with a Conditional Use for a Motor Vehicle Sales is not appropriate considering the Greater Dellview Community Plan. Currently there is a Motor Vehicle Sales located on the subject property. The applicant was cited for not having a Certificate Of Occupancy and is requesting this change in zoning to be in compliance. Motor Vehicle Sales is a use permitted outright in "C-3" General Commercial District and "L" Light Industrial District. Although there is a large amount of "C-3" zoning in the

CASE NO: Z2008224 CD

Final Staff Recommendation - Zoning Commission

area, there is also an ongoing effort to avoid the intense commercialization of West Avenue by encouraging less-intense commercial uses. The applicant's request for a higher intensity commercial use will not directly serve the community's revitalization efforts and will have a negative impact on the abutting residential uses.

CASE MANAGER : Pedro Vega 207-7980

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2008224 CD

Address: 2514 West Ave.

Existing Zoning: C-2

Requested Zoning: C-2 (CD-Motor Vehicle Sales)

Registered Neighborhood Association(s): Northwest Los Angeles Heights Neighborhood Association;
Dellview Area Neighborhood Association (within 200 feet)

Neighborhood/Community/Perimeter Plan: Greater Dellview Area Community Plan

Future Land Use for the site: Neighborhood Commercial

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

Analysis:

The subject property is located on West Avenue, a secondary arterial type B, and is situated on a corner lot with secondary frontage on Maddell, a residential street. The subject property is occupied by a vacant commercial structure. The properties to the north, south and west are zoned C3 NA and are occupied by commercial structures. The property to the east is zoned C2 but is occupied by a single-family residence.

The future land use designation for the subject property is Neighborhood Commercial. The Neighborhood Commercial land use category provides for smaller intensity commercial uses such as small-scale retail or offices, professional services, convenience retail, and shopfront retail uses that serve a market equivalent to a neighborhood. Neighborhood commercial uses should be located at the intersection of residential streets and arterials, and within walking distance of neighborhood residential areas, or along arterials where already established. Examples of neighborhood commercial uses include flower shops, small restaurants, lawyer's offices, coffee shops, hairstylist or barber shops, bookstores, copy service, dry cleaning, or convenience stores without gasoline.

Although Objective 3.2 is to "promote and facilitate the revitalization of existing commercial strip centers and sites in the planning area" it is with the caveat that new uses included with this redevelopment conform to the future land use plan. The proposed use is significantly higher in intensity than Neighborhood Commercial uses and the proposed use will not directly serve the neighborhood residents in the same way as a small scale retail or professional services establishment.

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 subject to the conditions listed below

Denial

Alternate Recommendation

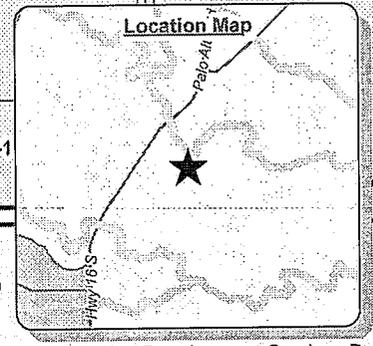
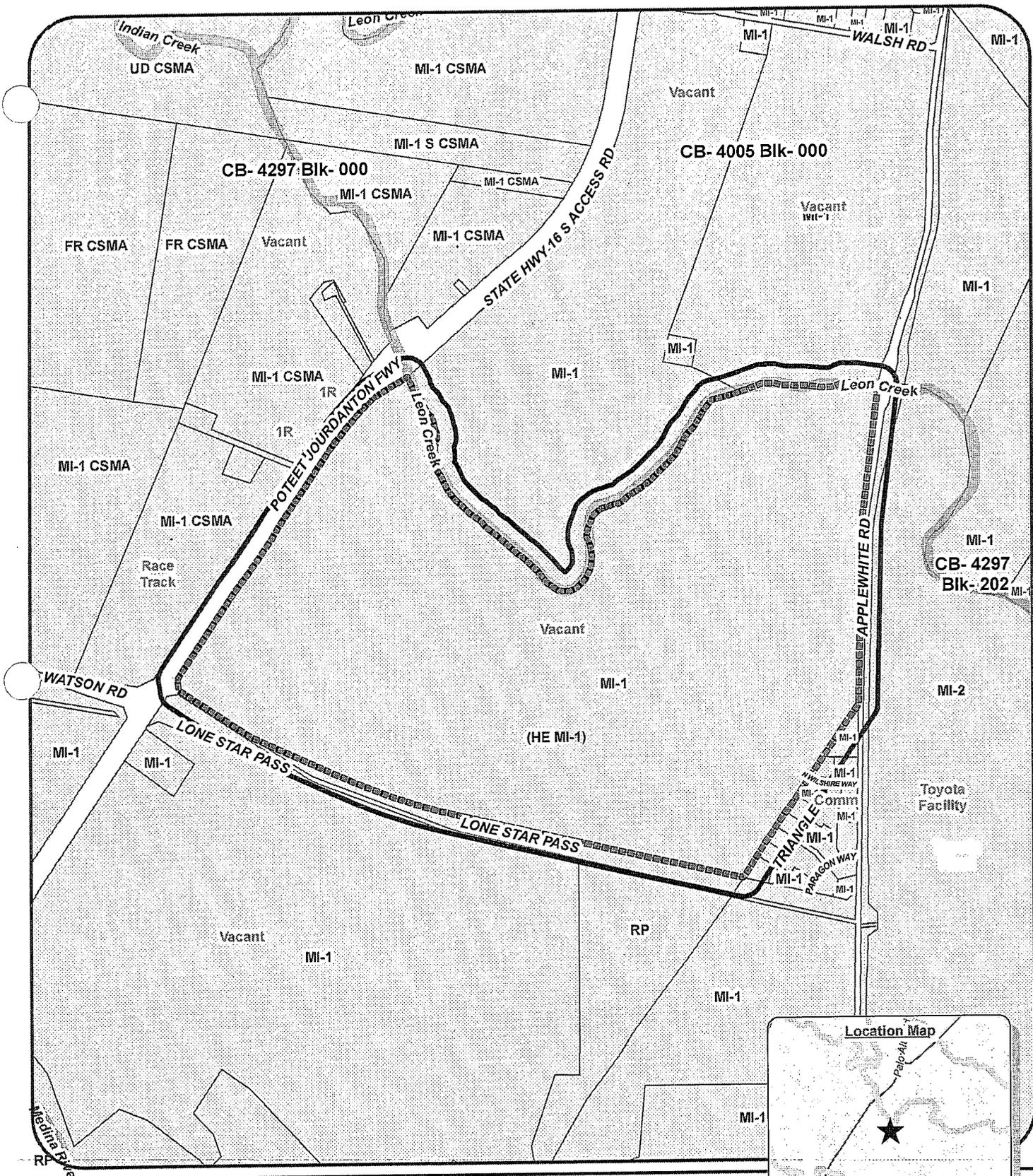
Reviewer: Michael Taylor

Title: Senior Planner

Date: 07/18/2008

Manager Review: Nina Nixon-Mendez

Date: 08/19/2008



Zoning Case Notification Plan
Case Z2008229

Council District 4
 Scale: 1" approx. = 1/4 mile
 Subject Property Legal Description(s): CB: 4297 P-2 ABS 13

Legend

- Subject Property (551.16 Acres)
- 200' Notification Buffer
- Current Zoning
- Requested Zoning Change **R6 (R6)**
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
 (7/24/2008)

CASE NO: Z2008229

Final Staff Recommendation - Zoning Commission

Date: September 16, 2008

Postponed from the August 5, 2008 ZC hearing.

Council District: 4

Ferguson Map: 715 B3

Applicant Name:
COSA Historic Preservation Office

Owner Name:
Bret D. and Billy T. Mitchell

Zoning Request: From "MI-1" Mixed Light Industrial District to "HE MI-1" Historic Exceptional, Mixed Light Industrial District.

Property Location: Parcel 2, CB 4297

At the northeast corner of the State Highway 16 South and Lone Star Pass intersection

On the north side of Lone Star Pass, between State Hwy 16 South and Applewhite Road

Proposal: To designate Historic Exceptional

Neigh. Assoc. None

Neigh. Plan City South Community Plan

TIA Statement: A Traffic Impact Analysis is not required at this time, however a study may be required should future development occur.

Staff Recommendation:

A finding of consistency is not required because there is no change to the base zoning district. The City South Community Plan calls for Agriculture and Light Industry land use for the subject property.

Approval

The subject property, annexed as limited purpose in 2003 and full purpose in 2006, totals approximately 551.16 acres. The subject property is largely undeveloped, with the exception of a vacant residential structure and chapel. The subject property was zoned "MI-1" by City Council on September 25, 2003 (Ordinance #98228.)

This zoning case is within three miles of the Toyota Manufacturing Plant. The Toyota facility is located immediately to the east across Applewhite Road. Property to the north of the subject property is zoned "MI-1" Mixed Light Industrial District. Property to the south across Lone Star Pass is zoned "RP" Resource Protection District and "MI-1" Mixed Light Industrial District. Property to the east across Applewhite Road is zoned "MI-2" Mixed Heavy Industrial District. Property to the west across State Hwy 16 South is outside the city limits and is zoned "MI-1 CSMA" Mixed Light Industrial District, City South Management Authority. Land uses immediately adjacent to the subject property consist of undeveloped land to the north of the subject property and to the south across Lone Star Pass. Leon Creek runs along the north property line of the subject property. The San Antonio Speedway facility is located to the west of the subject property across State Hwy 16 South.

The Historic Preservation Office recommends a finding of historic significance based on the evaluation criteria in Section 35-607 for the Designation of Historic Districts and Landmarks. On June 4, 2008, the Historic and Design Review Commission concurred with Historic Division Staff and is also recommending approval of a finding of historic significance. Seeing that there is no proposed change to the land use of the subject property, Zoning Staff recommends approval.

The City South Management Authority met on August 26, for a briefing on the case and took no action on the item. CSMA recommends that City Council take no action on this request until a smaller footprint for the

CASE NO: Z2008229

Final Staff Recommendation - Zoning Commission

historic structures is agreed upon by both the property owner and the Historic Preservation Office.

Pursuant to Texas Local Government Code §§ 211.001 and 211.003, historic districts and landmark designations are adopted in order to protect and preserve places and areas of historical, cultural, or architectural importance and significance. Historic districts and Landmark designation preserve and enhance the city's historic resources pursuant to Goal 2 of the Urban Design Element of the Master Plan.

CASE MANAGER : Leslie Zavala 207-0215

22008229



HISTORIC AND DESIGN REVIEW COMMISSION
CERTIFICATE OF APPROPRIATENESS

June 04, 2008

CITY OF SAN ANTONIO

HDRC CASE NO: 2008-175

ADDRESS: South Highway 16

LEGAL DESCRIPTION: CB4297 P-2 ABS 13

PUBLIC PROPERTY: No

HISTORIC DISTRICT:

LANDMARK DISTRICT:

APPLICANT: COSA, 1901 S Alamo

OWNER: Bret D. and Billy T. Mitchell

TYPE OF WORK: Finding of Historic Significance

REQUEST:

The applicant is requesting a Certificate of Appropriateness for a Finding of Historic Significance.

RECOMMENDATION:

The Perez-Linn property meets the following criteria for Landmark status (35-607) (b) (1) serves as a visible reminder of the cultural heritage of the community; (3) Its identification with a person or persons who significantly contributed to the development of the community; (5) its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials; (7) its unique location or singular physical characteristics that make it an established or familiar visual feature; (8) Its historical, architectural or cultural integrity of location, design, materials, and workmanship; and, additionally, 35-607 (c) (1) A. Properties that are part of a cluster which provide a specific representation of an architectural or historic era or event 35-607 (c) (1) B. Properties which are determined to contribute to a San Antonio historic district; (c) (1) E. the property is associated with family persons important to the history of San Antonio; (c) (2) A. Buildings or places which have come to represent a part of San Antonio's cultural heritage for at least twenty-five (25) years; (c)(2) E. Archaeological sites of cultural importance to local people or social or ethnic groups, such as locations of important events in their history.

COMMISSION ACTION:

Approval of a finding of historic significance for Perez-Linn Ranch Home. The Historic and Design Review Commission is also recommending approval to the Zoning Commission and to the City Council for designation of Historic District for the Perez-Linn Ranch Home located on South Highway 16.

Ann Benson McGlone
Historic Preservation Officer

22008229

City Landmark Designation

HDRC CASE NO.

KNOWN AS: Perez-Linn Ranch Home,
41BX549

ADDRESS: South Highway 16, Bexar
County, TX. Property ID: 189337
MAPSCO: 715B3;

Geographic ID: 04297-000-0024

LEGAL DESCRIPTION: CB4297 P-2
ABS 13

ZONING: MI- 1

COUNCIL DISTRICT: 4

HISTORIC DISTRICT

LANDMARK: Finding of Historical Significance

APPLICANT: City of San Antonio

OWNER: Bret D. and Billy T. Mitchell
Route 5, Box 360,
San Antonio, TX 78264-9335



TYPE OF WORK:

ARCHAEOLOGICAL SITE NO. 41BX549

HISTORY:

Much of the following information is excerpted from
McGraw and Hindes 1987

Site 41BX549 consisting of a stone chapel and stucco house was built for Jacob Linn and Maria Josefa Perez Linn, a grand-daughter of Lt. Colonel José Ygnacio Perez, an ad-interim governor of Texas, ca. 1815-1817, and an early Spanish land grant holder. The complex represents one of a series of historic occupations by the Perez family in the Lower Medina River valley.

Jacob, the son of Daniel and Elizabeth Gohnok Linn was born on November 30, 1825 in Egsweiler, Bavaria. At the age of eight, Jacob, along with his mother, father, and sister, came from Bavaria to Texas. Elizabeth Linn died enroute; his father, Daniel, died as the voyagers reached Port Lavaca, and his sister died shortly after their arrival in San Antonio. Jacob, the only surviving member was adopted by Father Francisco Maynes of San Fernando Church and received an education in both English and Spanish. After the death of Father Maynes, Jacob, then a young man, apprenticed in the gun-making business; eventually establishing his own shop on Plaza de Armas.

On Feb. 12, 1855, Jacob Linn married Maria Josefa Perez (Bexar County Marriage Record Vol. C:259, License #1093) Maria Josefa, the daughter of Juan Ygnacio Perez and Josefa Cortinas Perez, was born on August 16, 1824 (Bexar County Archives - Perez Files.). She was the granddaughter of Lt. Colonel Jose Ygnacio Perez. As a young girl,

Maria Josefa lived in the Spanish Governor's Palace while attending school and on the Perez Ranch during the other times. After Jacob and Josefa married, the Linns continued to reside in San Antonio for a time, but after the death of her parents (Jose Ygnacio in 1852/1855 and Josefa Cortinas in 1861) Maria Josefa inherited a third of the ranch, including the old Perez ranch house, and the family moved there. (Josefa's two sister's, Maria Trinidad and Maria Concepcion, inherited the other two portions.) Josefa's portion of the property was the western parcel of the Juan Ygnacio Perez lands.

Jacob and Josefa Linn built their ranch home near Leon Creek with a chapel nearby. (Site 41 BX549) Jacob entered into the stock and ranching business. He had a large herd of cattle branded with the JLC branch. He also raised herds of matched horses and sold them to circuses and the U.S. Cavalry. Jacob and Josefa had extensive vegetable gardens, operating the ranch as a resource for the entire family including a growing number of hired hands and family of former slaves. Corn, suet for feed and cash crop, cotton, cane used to make syrup, wheat, pumpkins, peppers, tomatoes, goats, cows, sheep and hogs were raised or grown on the ranch. The Linn's were devout Catholics and because the nearest church was four miles away, one of the rooms in the house was set out to house a chapel. Catholic services for family and ranch hands were held in the family chapel when a padre from the missions arrived. A room was set aside to house the priest. The Linn's established a ranch store, or commissary, made their own bricks in a kiln, built holding pens for their cattle and horses and had their own rodeo area. Jacob Linn's top hand was Burl Ross, a former slave, who was demonstrated continued loyalty to the family until his death. (Hipp, "Will the Oldest Ranch in Texas Survive the Millennium", Journal of South Texas, Vol. 13, #2, p.266+) Fall 200

The later years of Jacob Linn's life were devoted to wood carving e.g doll furniture, tables, etc. for family members. The cross for the graves of Ygnacio Perez and Concepcion Perez were cared for by Linn (J. Leal, former Bexar County archivist). The fireplace mantel in the old Linn home on Leon Creek is believed to also have been carved by Linn. Jacob Linn died on December 8, 1878 at the Leon Creek home and was buried in the chapel on the Walsh Ranch (41 BX 277). Maria Josefa died on December 23, 1889, and is buried in the chapel next to her husband. (Bexar County Archives - Perez files.)

After the death of Josefa Perez Linn, Casimira de la Concepcion the third child of Jacob and Josefa, married Frank T. Walsh on November 5, 1891. Frank's parents were Patrick and Johanna Sweeney Walsh who came to Texas from Ireland. Frank was associated with his father in the contracting and construction of railroads in Texas and Mexico. Concepcion and Frank had seven children: Mary, Anita, Lottie, Bessie, Frank T., Harry, J., and Edward (ibid).

Concepcion Linn Walsh inherited the estate of her aunt, Trinidad Perez, which included 1390 acres of land on the Leon Creek and the Medina River, one house, and one lot on the west side of Military Plaza (Spanish Governor's Palace), and one house and lot on the west side of San Pedro Creek (Bexar County Courthouse Wills and Probates 923), and also 2600 acres from the Linn estate (Bexar County Deed Records Vol. P2:157-160 and

Vol. 95, p.267). Concepcion and Frank Walsh continued to own the Spanish Governor's Palace until 1929, when they sold it to the City of San Antonio for \$55,000.

REQUEST: Finding of Historical Significance

CASE COMMENTS: : The Perez-Linn property meets the following criteria for Landmark status (35-607) (b) (1) serves as a visible reminder of the cultural heritage of the community; (3) Its identification with a person or persons who significantly contributed to the development of the community; (5) its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials; (7) its unique location or singular physical characteristics that make it an established or familiar visual feature; (8) Its historical, architectural or cultural integrity of location, design, materials, and workmanship; and, additionally, 35-607 (c) (1) A. Properties that are part of a cluster which provide a specific representation of an architectural or historic era or event 35-607 (c) (1) B. Properties which are determined to contribute to a San Antonio historic district; (c) (1) E. the property is associated with family persons important to the history of San Antonio; (c) (2) A. Buildings or places which have come to represent a part of San Antonio's cultural heritage for at least twenty-five (25) years; (c)(2) E. Archaeological sites of cultural importance to local people or social or ethnic groups, such as locations of important events in their history.

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2008229

Address: South Highway 16

Existing Zoning: MI-1

Requested Zoning: MI-1 HE

Registered Neighborhood Association(s): NA

Neighborhood/Community/Perimeter Plan: Southside Initiative Community Plan

Future Land Use for the site: Agriculture and Light Industry

Analysis:

The subject property is approximately 551.16 acres. It includes a stone chapel and a stucco house built in 1825.

The subject property is located in the Southside Initiative Community Plan. The Southside Initiative Community Plan designates the future land use as Agriculture and Light Industry; the community plan defines Agriculture and Light Industry as "a mix of crop agriculture and ranching; limited light industrial uses; and retail, office and service uses that directly service industrial and agricultural uses." The Southside Initiative Community Plan Guiding Principles states that they want to "Build upon the area's history, culture, and identity. Preserve historic structures and institutions and maintain balance of rural land uses." A goal of the Southside Initiative Community Plan is to "Identify and designate historic districts and historic landmarks, identify potential historic districts and historic landmarks from survey information, designate historic districts and historic landmarks, promote heritage tourism, link all historic sites through open space, and organize publicity events (i.e., home tours), for historic properties." This property is a significant part of San Antonio and South Texas history and should be preserved. Designating this site historic will preserve the unique character of the southside and preserve open space in this plan.

Other Comments: Consistency is not required because the base zoning is not changing. Staff will support a zoning change to MI-1 HE.

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

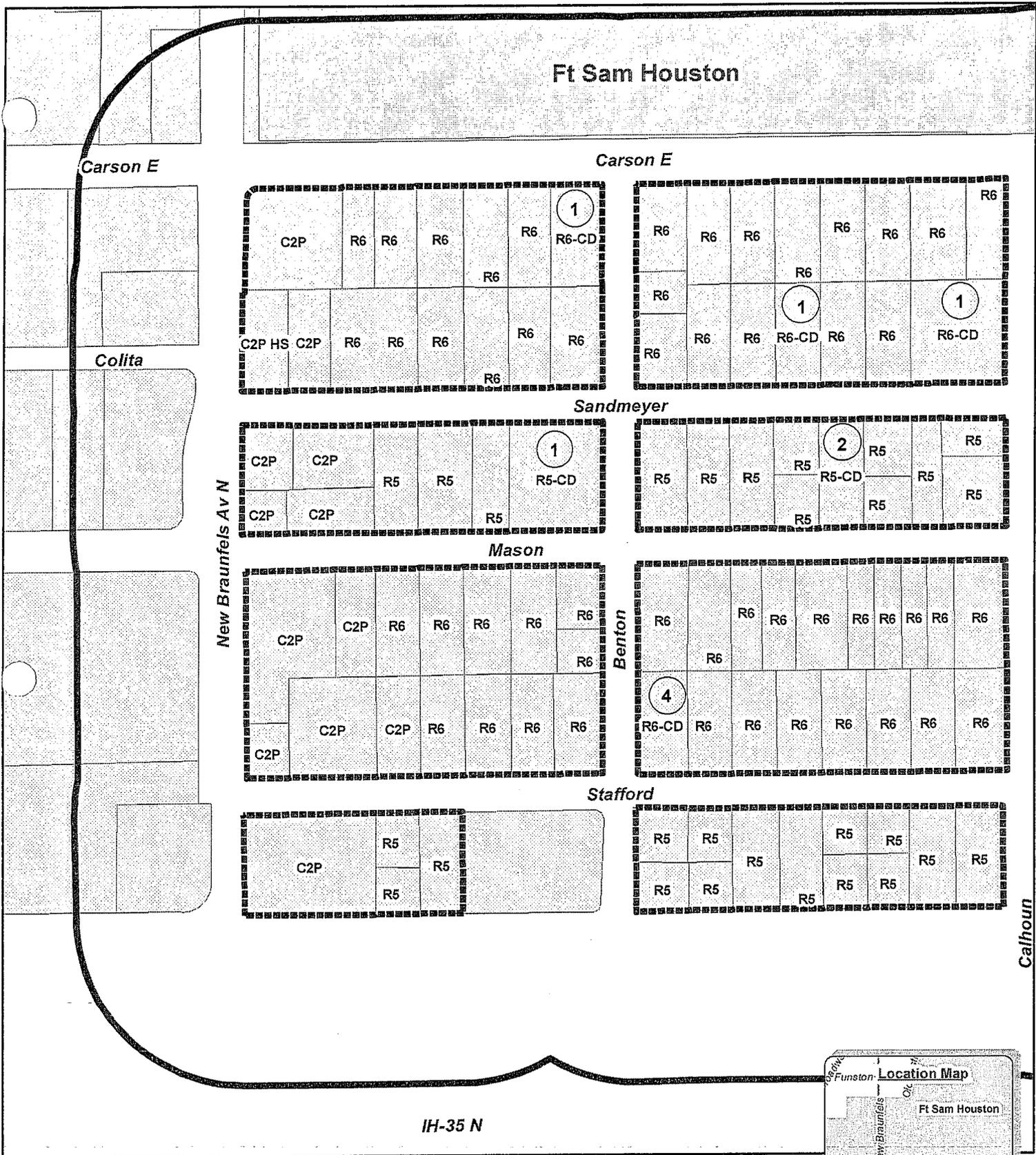
Reviewer: Lauren Edlund

Title: Planner

Date: 07/18/2008

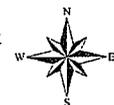
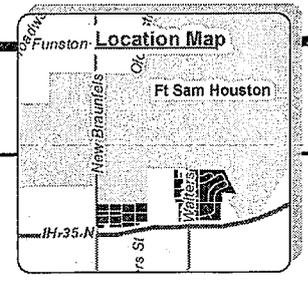
Manager Review: Nina Nixon-Mendez

Date: 07/25/2008

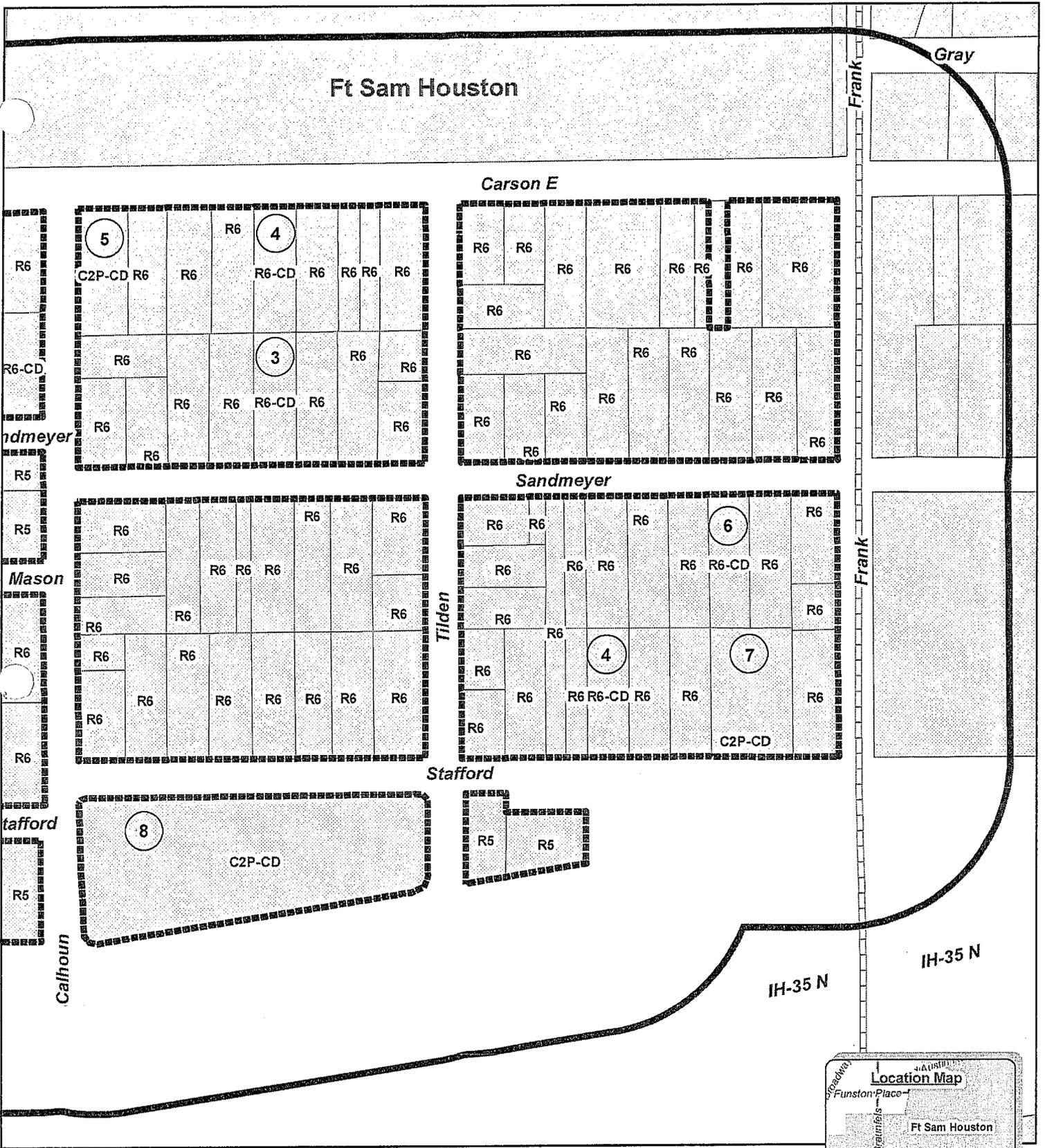


**Government Hill - Phase I
Proposed Zoning Changes**
Case #Z-2008-233

- Legend**
- Subject Properties
 - 200' Notification Buffer
 - R5 & R6 Residential Single-Family District
 - C2P Commercial, Pedestrian District
 - C2P HS Commercial, Pedestrian District, Historically Significant
 - 1 Conditional Use for Multi-Family Dwellings
 - 2 Conditional Use for a Fourplex
 - 3 Conditional Use for a Triplex
 - 4 Conditional Use for a Duplex



Council District 2
Scale: 1" approx. = 150'
Produced by the City of San Antonio
Development Services Department
(06/06/2008)



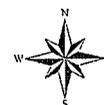
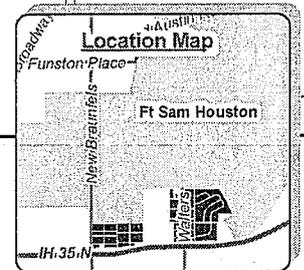
**Government Hill - Phase I
Proposed Zoning Changes**

Case #Z-2008-233

Sheet 2 of 4

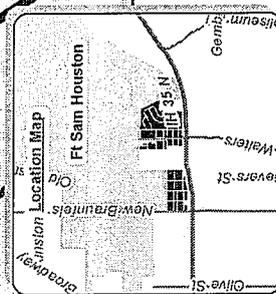
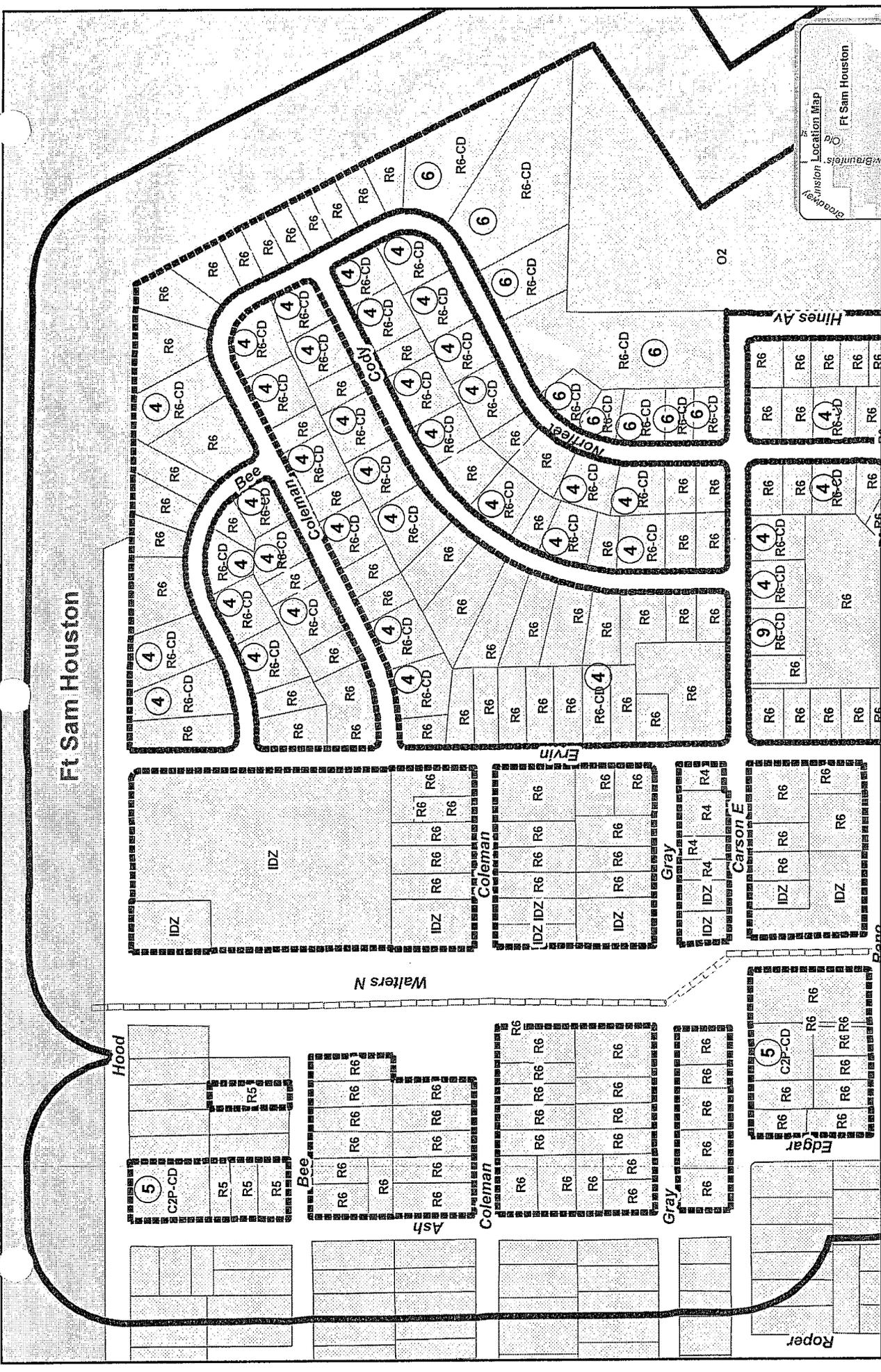
Legend

- Subject Properties
- 200' Notification Buffer
- R5 & R6 Residential Single-Family District
- C2P Commercial, Pedestrian District
- 3 Conditional Use for a Triplex
- 4 Conditional Use for a Duplex
- 5 Conditional Use for a Bar/Tavern
- 6 Conditional Use for a Non-Commercial Parking Lot
- 7 Conditional Use for Outside Storage
- 8 Conditional Use for Warehousing



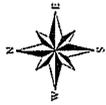
Council District 2
Scale: 1" approx. = 150'

Produced by the City of San Antonio
Development Services Department
(08/06/2008)



Produced by the City of San Antonio
Development Services Department
(08/06/2008)

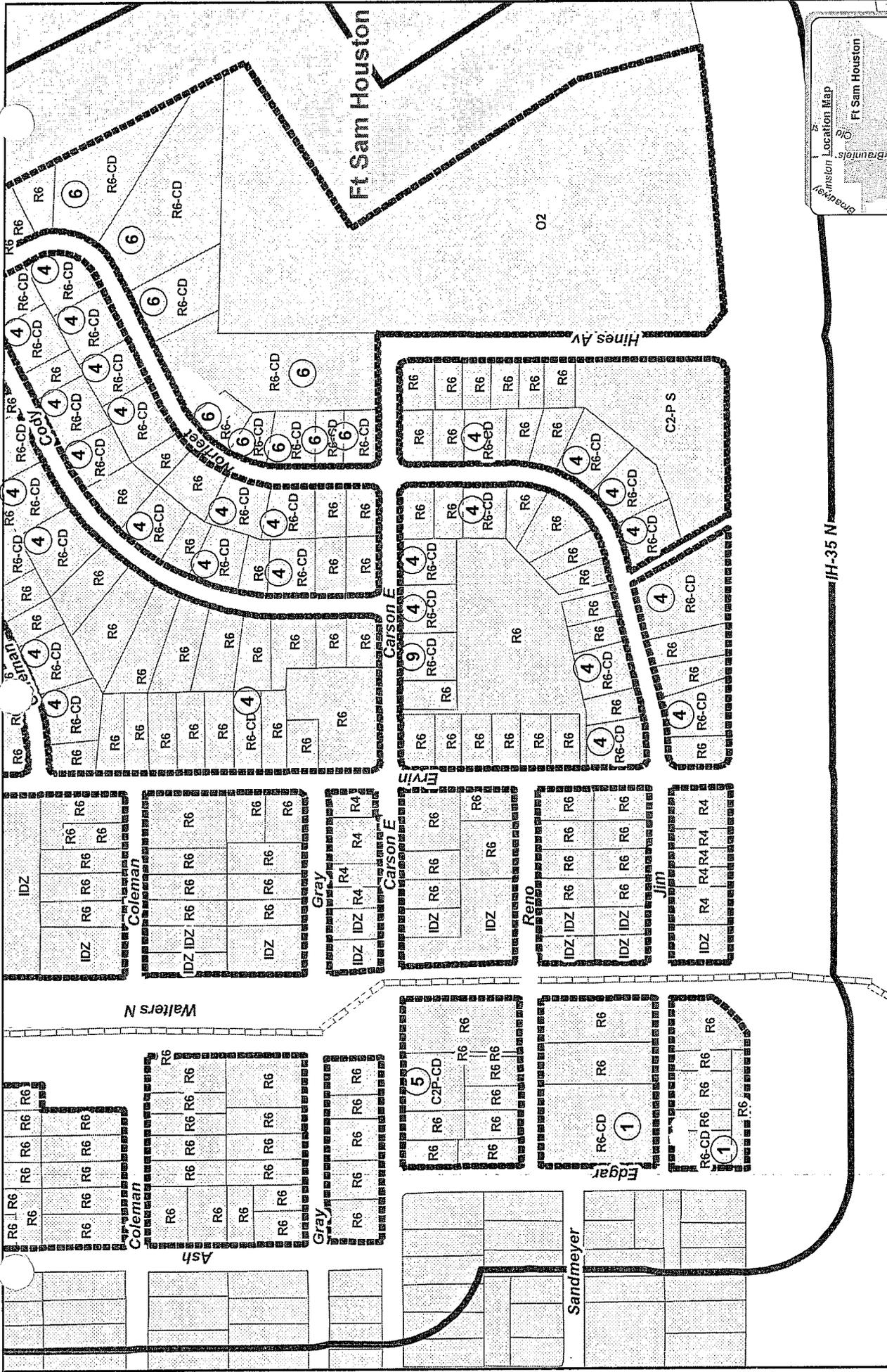
Council District 2
Scale: 1" approx. = 250'



- Legend**
- 1 Conditional Use for Multi-Family Dwellings
 - 4 Conditional Use for a Duplex
 - 5 Conditional Use for a Bar / Tavern
 - 6 Conditional Use for a Non-Commercial Parking Lot
 - 9 Conditional Use for an Office

- Subject Properties
- 200' Notification Buffer
- IDZ Infill Development Zone
- O2 Office District
- R4, R5 and R6 Residential Single-Family District
- C2P Commercial, Pedestrian District

**Government Hill - Phase I
Proposed Zoning Changes
Case #Z-2008-233
Sheet 3 of 4**



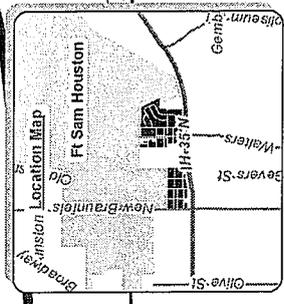
**Government Hill - Phase I
Proposed Zoning Changes
Case #Z-2008-233**

Sheet 4 of 4

- Legend**
- Subject Properties
 - 200' Notification Buffer
 - IDZ Infill Development Zone
 - O2 Office District
 - R4 and R6 Residential Single-Family District
 - C2P Commercial, Pedestrian District

- Legend**
- 1 Conditional Use for Multi-Family Dwellings
 - 4 Conditional Use for a Duplex
 - 5 Conditional Use for a Bar / Tavern
 - 6 Conditional Use for a Non-Commercial Parking Lot
 - 9 Conditional Use for an Office

Council District 2
Scale: 1" approx. = 250'



Produced by the City of San Antonio
Development Services Department
(98/06/2008)

CASE NO: Z2008233 CD S

Final Staff Recommendation - Zoning Commission

Date: September 16, 2008

Council District: 2

Ferguson Map: 617 DE 2,3

Applicant Name: City of San Antonio

Owner Name: Multiple Property Owners

Zoning Request: From "I-2" Heavy Industrial District, "I-1" General Industrial District, "HS I-1" Historic Significant, General Industrial District, "C-2" Commercial District and "MF-33" Multi-Family District to "C-2 P" Commercial Pedestrian District, "C-2 P CD" Commercial Pedestrian District with a Conditional Use for a Bar or Tavern, "C-2 P CD" Commercial Pedestrian District with a Conditional Use for Outside Storage, "C-2 P CD" Commercial Pedestrian District with a Conditional Use for Warehousing, "C-2 P HS" Historic Significant, Commercial Pedestrian District, "C-2 P S" Commercial Pedestrian District with a Specific Use Authorization for a Hotel/ Motel, "IDZ R-4 CD, C-2 P" Infill Development Zone with uses permitted in R-4 Residential Single-Family District with a Conditional Use for a Duplex and Commercial Pedestrian District, "IDZ R-6, C-2 P" Infill Development Zone with uses permitted in R-6 Residential Single-Family District and Commercial Pedestrian District, "IDZ R-6, C-2 P S" Infill Development Zone with uses permitted in R-6 Residential Single-Family District and Commercial Pedestrian District with a Specific Use Authorization for a Bus Maintenance Facility, "IDZ R-6, C-2 P S" Infill Development Zone with uses permitted in R-6 Residential Single-Family District and Commercial Pedestrian District with a Specific Use Authorization for a Wireless Communication Tower, "O-2" Office District, "R-4" Residential Single-Family District, "R-5" Residential Single-Family District, "R-5 CD" Residential Single-Family District with a Conditional Use for a Fourplex, "R-5 CD" Residential Single-Family District with a Conditional Use for a Multi-Family Dwelling, "R-6" Residential Single-Family District, "R-6 CD" Residential Single-Family District with a Conditional Use for a Duplex, "R-6 CD" Residential Single-Family District with a Conditional Use for an Office, "R-6 CD" Residential Single-Family District with a Conditional Use for a Triplex, "R-6 CD" Residential Single-Family District with a Conditional Use for a Commercial Parking Lot, and "R-6 CD" Residential Single-Family District with a Conditional Use for a Multi-Family Dwelling

Property Location: Multiple properties bounded by Ft. Sam Houston to the north and east, IH 35 to the south and North New Braunfels Avenue to the west

Proposal: To Conform Zoning with Existing Land Uses

Neigh. Assoc. Government Hill Alliance

Neigh. Plan Government Hill Neighborhood Plan

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

Consistency with Plan:

The subject property is located within the boundaries of the Government Hill Community Plan. The Community Plan is currently undergoing a concurrent plan update and the recommended rezoning proposal will be consistent with the proposed Future Land Use Plan. The Planning Commission recommended approval of the plan update on August 27, 2008.

Staff Recommendation:

Approval of Phase 1, pending the Government Hill Plan Update

The zoning request, initiated by the City of San Antonio, is to rezone properties within the Government Hill Neighborhood Association boundaries so the existing uses of these properties may be brought into conformity with the current provisions of the Unified Development Code. Per direction from City Council, Staff has conducted a study of these properties and is recommending a rezoning proposal that would be compatible with the current uses, while attempting to provide consistency with current and proposed adjacent zoning districts.

CASE NO: Z2008233 CD S

Final Staff Recommendation - Zoning Commission

The Government Hill Neighborhood Association is generally bound by Ft. Sam Houston on the north and east, Duval Street and the railroad tracks to the south, and Broadway to the west. The rezoning effort has been divided into three phases; Phase 1 includes the area generally bounded by Ft. Sam to the north and east, IH 35 to the south and North New Braunfels Avenue to the west, Phase 2 is the area generally bounded by Ft. Sam and Josephine Street to the north, North New Braunfels Avenue to the east, IH 35 to the south and Hackberry to the west and Phase 3 includes the area generally bounded by Josephine Street to the north, Hackberry to the east, IH 35 to the south and Broadway to the west. If necessary, Phase 4 will include the area south of IH 35 to Duval Street and the railroad tracks.

The majority of the parcels in Phase 1 of the Government Hill neighborhood are occupied by residential uses (approximately 328 Single-Family and 56 Duplex or Multi-Family, out of 432 total parcels). The neighborhood also contains approximately 48 parcels dedicated to commercial use, which are mainly located along North New Braunfels Avenue and North Walters Street. There are approximately 56 vacant parcels.

Despite its residential character, the vast majority of this neighborhood is zoned "I-2" Heavy Industrial District, "I-1" General Industrial District and "MF-33" Multi-Family District. The neighborhood was previously zoned "L" First Manufacturing District, "J" Commercial District and "C" Apartment District, under the 1938 zoning ordinance. The 1938 zoning ordinance was cumulative in design and, therefore, resulted in many neighborhoods in town having higher intensity zoning than what would be considered appropriate today. Upon adoption of the 2001 UDC, the 1938 zoning districts were converted to the current zoning districts. The "L" First Manufacturing zoning district converted to "I-2" Heavy Industrial District, the "J" Commercial zoning district converted to "I-1" General Industrial District and the "D" Apartment District converted to "MF-33" Multi-Family District.

These high-intensity zoning districts have the potential to present major problems to the residents of the Government Hill neighborhood. For instance, under the current zoning for the area, nothing would legally prevent a major manufacturing facility from operating directly adjacent to a single-family home. Additionally, all housing and many retail and service oriented uses are not permitted in an "I-2" Heavy Industrial or "I-1" General Industrial district. Therefore, almost every land use in these zoning districts will become non-conforming, which means each individual property owner would be faced with applying for a rezoning if they wish to alter, rebuild, or create an addition to their home or business. This rezoning request is necessary in order to provide for the most appropriate zoning for the current land uses; thus protecting current business owners from future non-conforming uses.

Staff supports the request being that the multiple zoning districts proposed are consistent with this area of Government Hill. Additionally, this request would constitute a down-zoning from "I-2" Heavy Industrial and "I-1" General Industrial zoning districts. Industrial uses are not appropriate within residential neighborhoods. This down-zoning would remove the potential for harmful land-uses from the area, making the requested rezoning appropriate.

Staff invited all property owners to an Open House on January 29, 2008 at St. Paul's Episcopal Church. The proposed rezoning map was presented to the attendees, along with general information about the rezoning process. Additional meetings with smaller neighborhood groups were held as requested, including a meeting with the Ft. Sam Houston Area Business Association on March 27, 2008.

CASE MANAGER : Leslie Zavala 207-0215

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2008233 CD S

Address: various

Existing Zoning: various

Requested Zoning: various

Registered Neighborhood Association(s): Government Hill Alliance

Neighborhood/Community/Perimeter Plan: Government Hill Neighborhood Plan

Future Land Use for the site: Various

Analysis: Much of the current zoning is inconsistent with the current land use and the future land use map of the adopted Government Hill Neighborhood Plan. Over the past year, staff assessed the future land use and has recommended changes to the land use plan. The proposed plan amendment will update the future land use plan in conjunction with the area wide rezoning; update land use categories and descriptions to be consistent with current nomenclature; incorporate the Region 20 property; address single-family homes zoned multi-family or industrial; and address the Walters Street expansion:

- 1314 Hines (Region 20 Education Service Center) – change from Non-Categorized and Medium Density Residential to Public Institutional
- 2755 IH-35 - change from Medium Density Residential to Neighborhood Commercial
- 2010 Carson - change from Medium Density Residential to Parks/Open Space
- General area east of Walters - change from Medium Density Residential to Low Density Residential
- Walters Avenue - (along east side) change from Local/Convenience Commercial, Medium Density Residential, and Low Density Residential to Mixed Use and Right of Way for Walters Avenue Expansion
- New Braunfels (along east side) changed from Local/Convenience Commercial to Neighborhood Commercial (nomenclature update)

Other Comments:

The Government Hill Alliance and Fort Sam Houston support the Phase 1 Plan Update and rezoning.

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

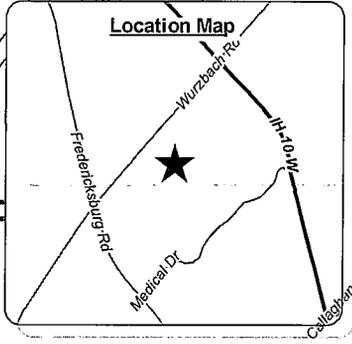
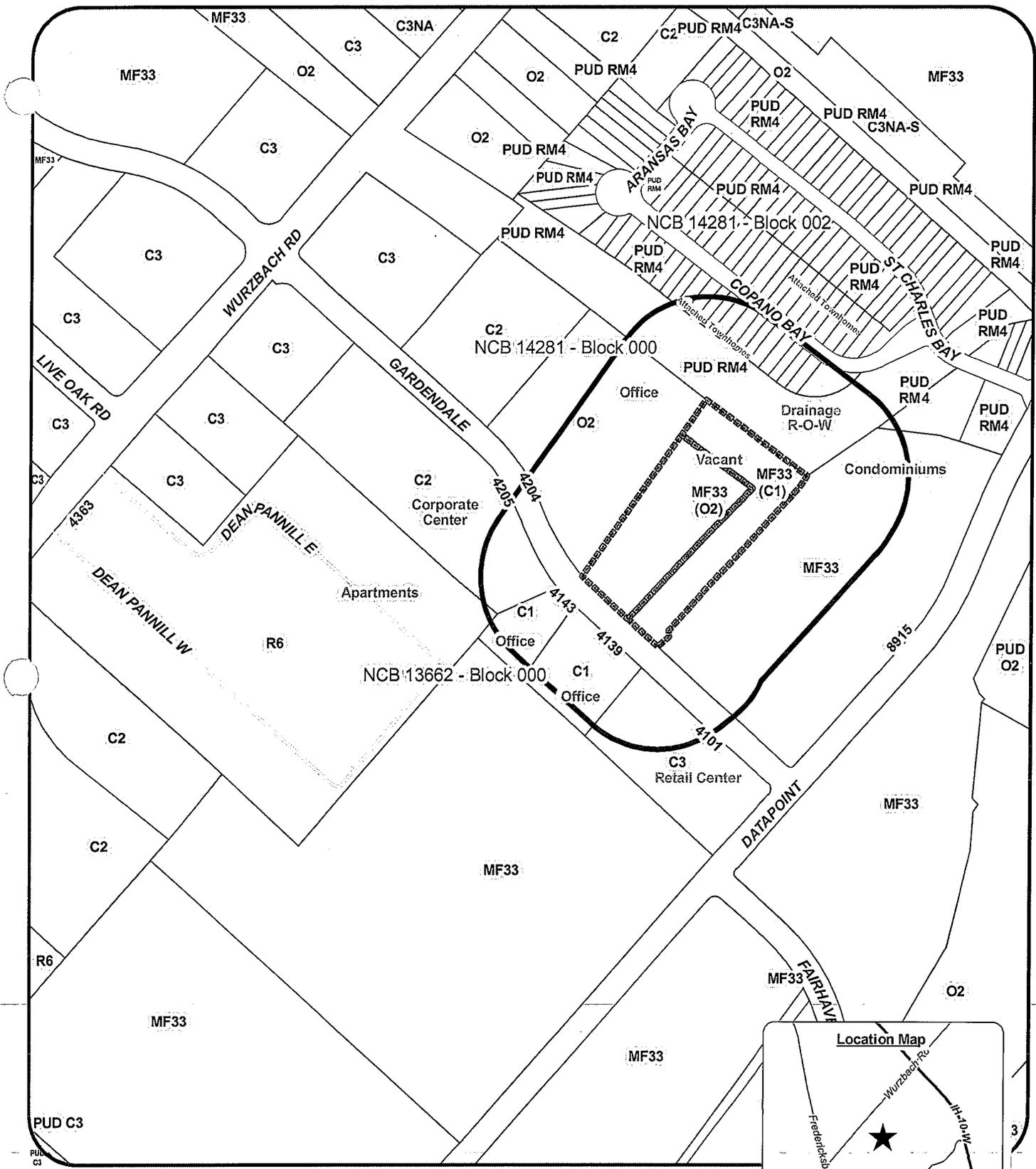
Denial

Alternate Recommendation: Approve contingent on Update to Government Hill Neighborhood Plan (Phase I). The Related Plan Update is scheduled for the Oct. 2 City Council meeting.

Reviewer: Nina Nixon-Mendez

Title: Planning Manager

Date: 9/4/08

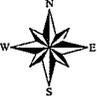


Zoning Case Notification Plan

Case Z2008243

Council District 8
 Scale: 1" approx. = 200'
 Subject Property Legal Description(s): 2.12 Acres out of NCB 14281

Legend	
Subject Property	▣ (2.12 Acres)
200' Notification Buffer	▬
Current Zoning	R6
Requested Zoning Change	(R6)
100-Year FEMA Floodplain	▬



City of San Antonio - Development Services Dept
 (08/18/2008)

CASE NO: Z2008243

Final Staff Recommendation - Zoning Commission

Date: September 16, 2008

Council District: 8

Ferguson Map: 549 B7

Applicant Name:
Heidi J. Arneson

Owner Name:
Sint Maarten, LLC

Zoning Request: From "MF-33" Multi Family District to "C-1" Light Commercial District (0.901 acres) and "O-2" Office District (1.226 acres).

Property Location: 2.12 acres out of NCB 14281 (P-116, NCB 14281)

4100 block of Gardendale Drive

On the north side of Gardendale, approximately 360 feet west of Datapoint

Proposal: To allow office development

Neigh. Assoc. None

Neigh. Plan None

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

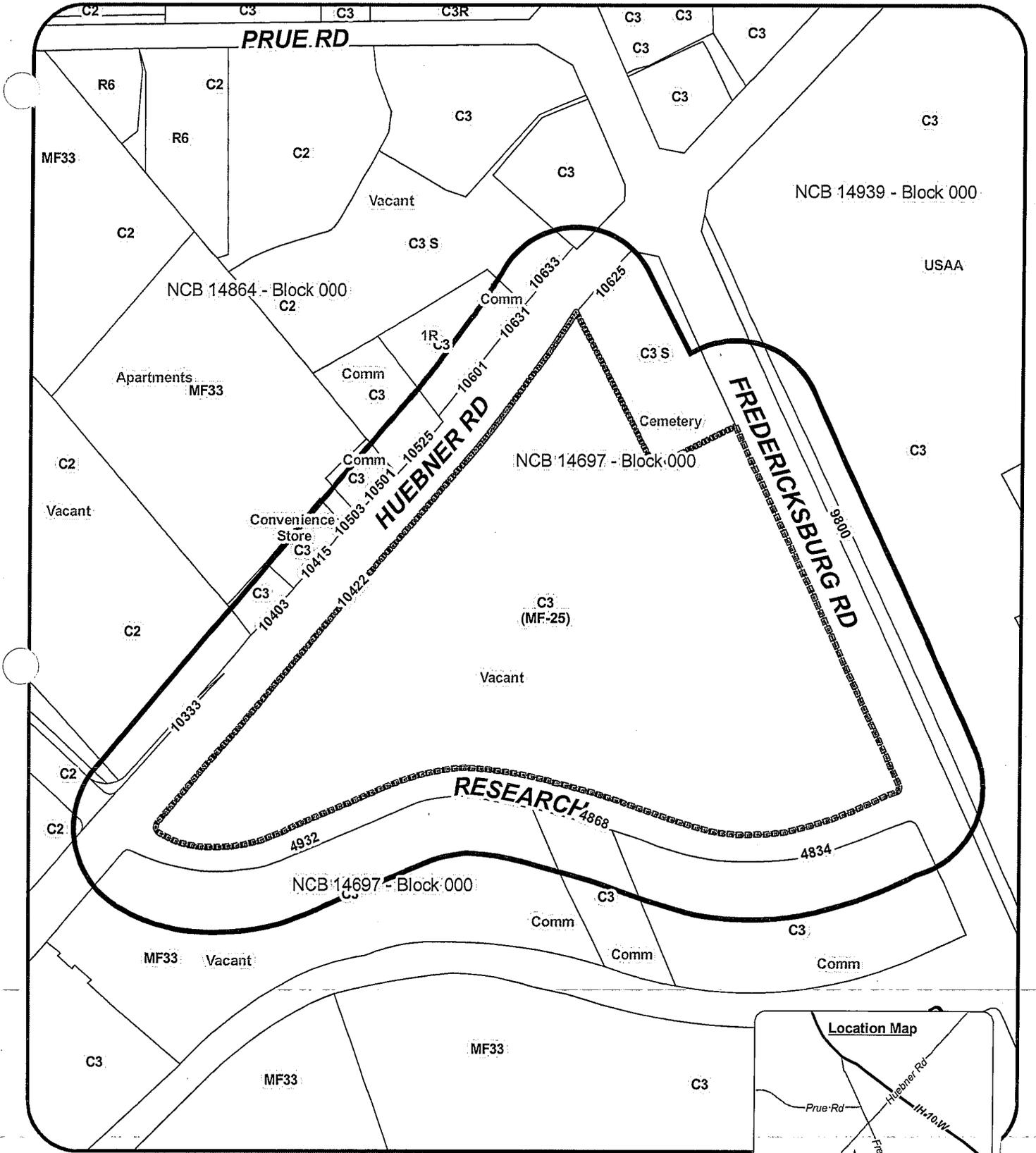
Staff Recommendation:

Approval.

The subject property is located on the north side of Gardendale, between Datapoint and Wurzbach Road. The property consists of approximately 2.12 acres of undeveloped land. There are two easements on the property: a 16-foot wide sewer easement that runs diagonally across the western portion of the property; and an approximately 60-foot wide drainage easement that runs along the eastern property line. The subject property was annexed in 1972, per ordinance 41427. The property was originally zoned "R-3" Multi-Family Residence District. Upon the adoption of the 2001 Unified Development Code, the previous zoning converted to the current "MF-33" Multi-Family District. Surrounding zoning includes "PUD RM-4" Planned Unit Development, Residential Mixed District to the north; and "MF-33" to the east. To the south of the subject property exists a mix of "MF-33", "C-1" Light Commercial and "C-3" General Commercial Districts; while "C-2" Commercial District and "O-2" Office District exists to the west. Surrounding land uses include town homes to the north (separated from the subject property by a drainage easement which is zoned "PUD RM-4"); apartments abutting to the east; retail, offices, and apartments to the south; with offices to the west. The subject property is in close proximity to Wurzbach Road, where intense office and commercial uses are prevalent.

The applicant requests "O-2" Office District, in order to allow office development; with a 65-foot buffer of "C-1" Light Commercial District where the subject property abuts residential zoning, as is required by the UDC for all new "O-2" districts that abut residential zoning. Staff finds the request compatible with both the commercial nature of development along Wurzbach Road, and the existing commercial and office uses along Gardendale. Additionally, staff finds the applicant's request to be appropriate due to the easements that are present on the subject property, and the building constraints they create. Although the "O-2" district carries no building height restrictions, the requested 65-foot buffer of "C-1" as well as the drainage easements on and abutting the subject property will create adequate protection for the residential developments to the north and east.

CASE MANAGER : Micah Diaz 207-5876



Zoning Case Notification Plan

Case Z-2008-245

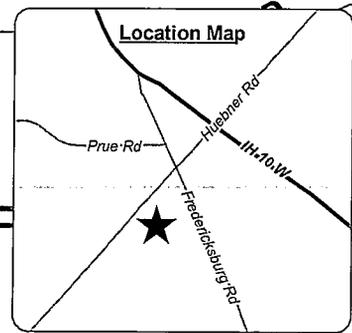
Council District 8

Scale: 1" approx. = 300'

Subject Property Legal Description(s): 25.45 Acres out of NCB 14697

Legend

- Subject Property (25.45 Acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(08/06/2008)

CASE NO: Z2008245

Final Staff Recommendation - Zoning Commission

Date: September 16, 2008

Council District: 8

Ferguson Map: 548 F4

Applicant Name:

Owner Name:

Kaufman & Associates, Inc.

La Cantera Development Company

Zoning Request: From "C-3" General Commercial District to "MF-25" Multi-Family District.

Property Location: 25.459 acres out of CB 4443

10422 Huebner Rd

South of the intersection of Huebner Road and Fredericksburg Road

Proposal: To allow a multi-family development

Neigh. Assoc. Oakland Estates Neighborhood Association is within 200 feet

Neigh. Plan None

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

Staff Recommendation:

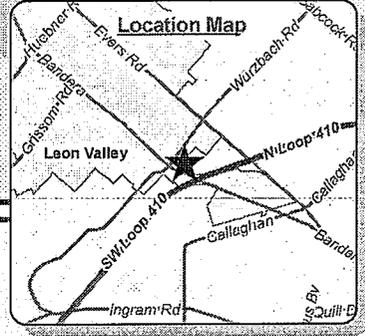
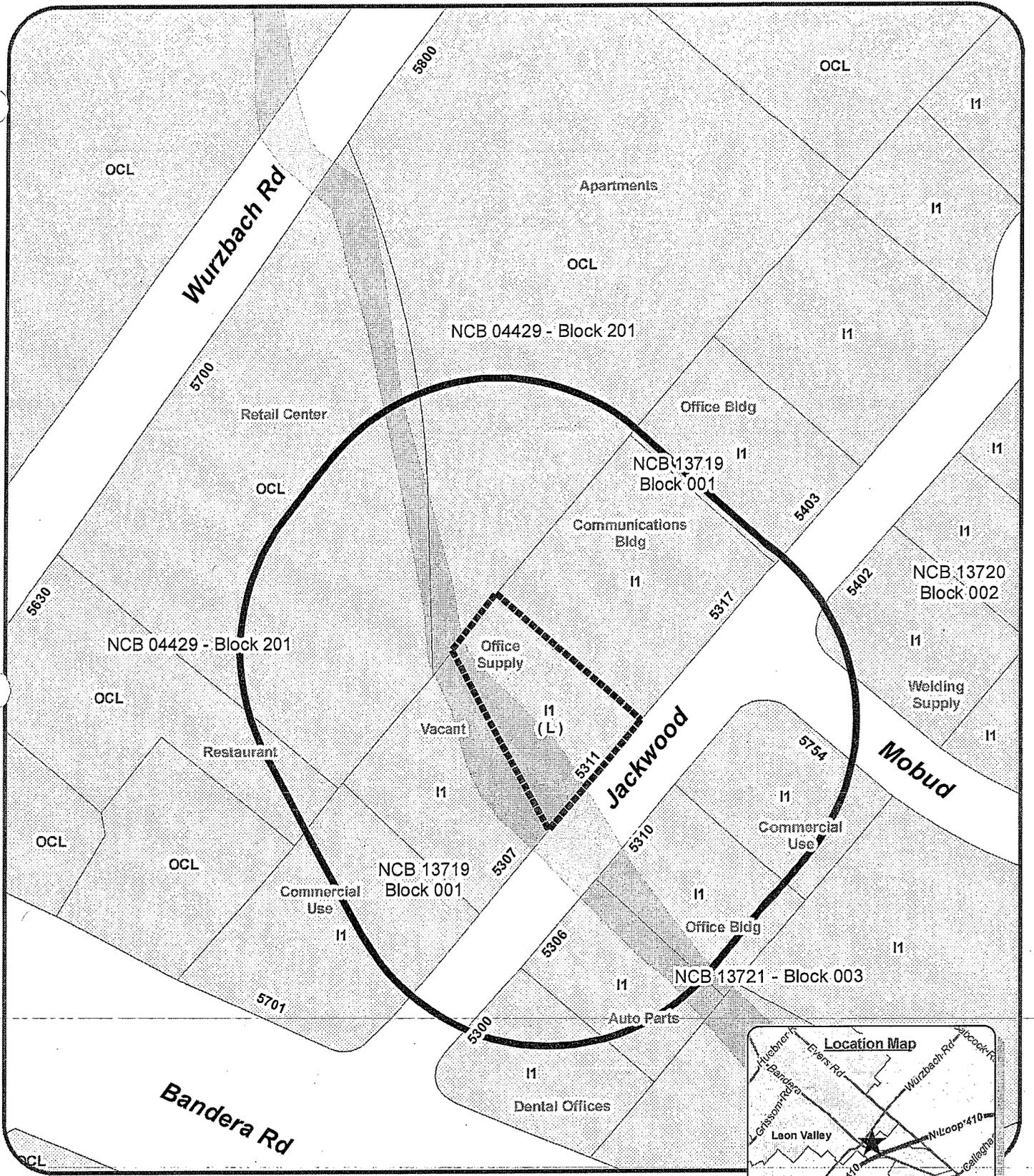
Approval

The subject property consists of undeveloped land with frontage on Huebner Road and Fredericksburg Road. The property is adjacent to C-3 zoning to the north, east and south as well as C-3, C-2 and MF-33 zoning to the west. The surrounding land uses consist of a cemetery to the north; apartments and commercial uses to the west; the USAA corporate campus to the east and commercial and office uses to the south.

The applicant has applied for MF-25 zoning in order to develop a multi-family community. The requested multi-family district is appropriate, as the subject property fronts on a heavily commercialized primary arterial street. Multi-family dwellings are most appropriate on the periphery of single-family neighborhoods, and along arterials or major thoroughfares. Additionally, the zoning change would downzone the subject property from the current C-3, of which there is already a significant amount in the vicinity.

Medium and high density developments are encouraged in areas where supporting infrastructure, such as public transportation and commercial facilities are present. The site is located in an area where there is accessibility to public services and traffic circulation to major thoroughfares; Fredericksburg Road (a Secondary Arterial "Type A" street) to the east and Huebner Road (a Primary Arterial "Type A" street) to the west. In addition, there is access to VIA bus stops along Huebner Road and Fredericksburg Road.

CASE MANAGER: Brenda Valadez 207-7945



Zoning Case Notification Plan

Case Z-2008-249

Council District 7

Scale: 1" approx. = 120'

Subject Property Legal Description(s): NCB 13719 - Block 001 - Lot 4

Legend

- Subject Property (379 Acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



City of San Antonio
 Planning and Development Services Dept
 (09/05/2008)

CASE NO: Z2008249

Final Staff Recommendation - Zoning Commission

Date: September 16, 2008

Council District: 7

Ferguson Map: 580 C4

Applicant Name:

Hugo G. Zuniga

Owner Name:

Hugo G. Zuniga

Zoning Request: From "I-1" General Industrial District to "L" Light Industrial District.

Property Location: Lot 4, Block 1, NCB 13719

5311 Jackwood Drive

On the northwest side Jackwood Drive, northeast of Bandera Road

Proposal: To allow a church

Neighborhood Association: None

Neighborhood Plan: None

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

Staff Recommendation:

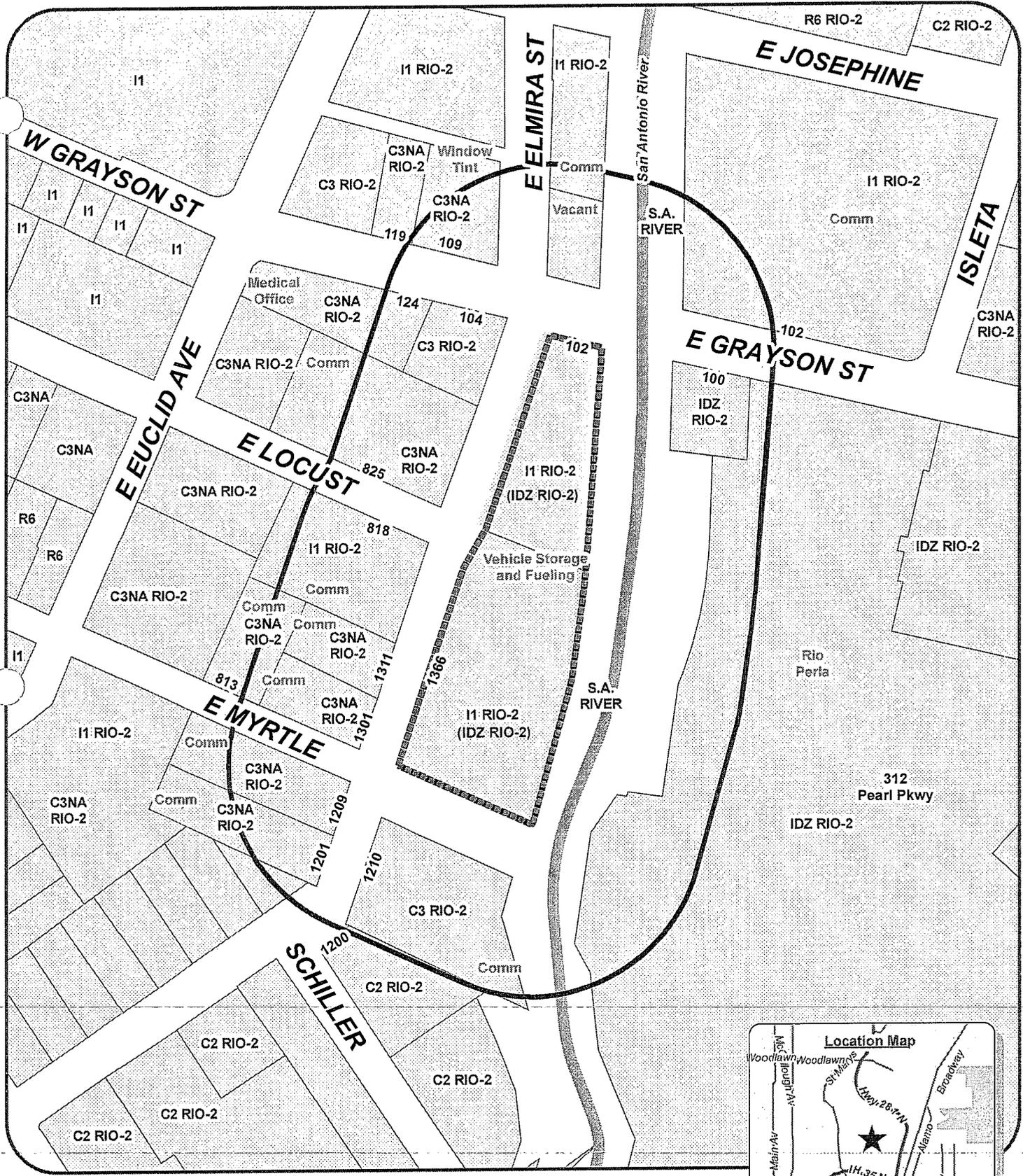
Approval.

The subject property was annexed in 1966 and totals approximately 0.3788 acres. There is an existing commercial building on the subject property. Upon adoption of the 2001 Unified Development Code, the existing "I-1" General Industrial District converted from the previous "I-1" Light Industry District. "I-1" General Industrial District zoning currently exists to the northeast, southwest and across Jackwood Drive to the southeast of the subject property. Property to the northwest is located outside the city limits of San Antonio (Leon Valley).

The subject property is currently a wholesale facility that is primarily used for storage of cell phones and is located on Jackwood Drive, a collector street. The "L" Light Industrial District for a church is appropriate considering the uses on the adjoining tracts and in the general area. The subject property is located in an existing business park with offices, service centers, churches and vacant land. The requested "L" Light Industrial District would not be out of character with the commercial and industrial uses in the area. The "L" Light Industrial District will continue the orderly development and concentration of industrial and manufacturing uses. There are three existing churches located within the Industrial Business Park at 5403 Jackwood Drive, 5417 Jackwood Drive and 5730 Mobud Drive. A church will provide the ministry a convenient place to gather and have family activities, prayer meeting, bible studies and worship services.

Churches were permitted in all districts under the 1938 and 1965 zoning code. There is a proposed amendment to the UDC to allow churches in "I-1" and "I-2" Districts.

CASE MANAGER : Pedro Vega 207-7980



Zoning Case Notification Plan

Case Z2008250

Council District 1
 Scale: 1" approx. = 150'
 Subject Property Legal Description(s): 1.602 Acres out of NCB 6791

Legend

- Subject Property (dotted pattern) (1.602 Acres)
- 200' Notification Buffer (thick black line)
- Current Zoning (R6)
- Requested Zoning Change (R6)
- 100-Year FEMA Floodplain (dashed line)



City of San Antonio - Development Services Dept
 (08/21/2008)

CASE NO: Z2008250

Final Staff Recommendation - Zoning Commission

Date: September 16, 2008

Council District: 1

Ferguson Map: 617 A2

Applicant Name: Rio Perla Properties, L.P.

Owner Name: Rio Perla Properties, L.P.

Zoning Request: From "I-1 RIO-2" General Industrial River Improvement Overlay District-2 to "IDZ RIO-2" Infill Development, River Improvement Overlay District-2 with uses permitted in "C-3" General Commercial District, "D" Downtown District, "MF-50" Multi-Family District and the following additional uses: 1. Beverage manufacture or microbrewery (alcohol or non-alcohol) and water distillation, purification and bottling. 2. Fabrication and manufacturing of artisan goods and products including furniture, cabinetry, wood products, metalwork and metal products, bread, candy and other food products, leather products, clothing, glass and tile. 3. The fabrication and manufacturing of prototypes developed or conceived by any college, university, trade school, institute or other educational facility. 4. The fabrication of glass and metal products

Property Location: 1.602 acres out of NCB 6791
102 E. Grayson Street and 1366 E. Elmira Street
East Elmira Street between East Myrtle Street and East Grayson Street

Proposal: To allow for a Mixed Use Development

Neigh. Assoc. Tobin Hill Neighborhood Association and Tobin Hill Residents Association

Neigh. Plan Tobin Hill Neighborhood Plan

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

River Commission Recommendation:

Since the subject property lies within the River Improvement Overlay District, the San Antonio River Commission is authorized to make a recommendation to the Zoning Commission if it so chooses. The River Commission met on August 26th for a briefing on the case and had no concerns with the proposed zoning change.

Consistency with Plan:
Inconsistent

The Tobin Hill Neighborhood Plan calls for High Density Mixed Use land use for the subject property.

Staff Recommendation:
Approval, pending Plan Amendment

The subject property is within the original city limits and totals approximately 1.602 acres. There is an existing commercial structure on the subject property that measures approximately 7200 square feet and was constructed in 1950. The subject property is currently being used as a vehicle storage and fueling facility. Upon adoption of the 2001 Unified Development Code, the existing I-1 zoning converted from the previous I-1 zoning classification. The River Improvement Overlay District was added by City Council on August 8, 2002 (Ordinance #96152.)

Property to the north across Grayson Street is zoned "C-3 RIO-2" General Commercial, River Improvement Overlay District-2 and "I-1 RIO-2" General Industrial, River Improvement Overlay District-2. Property to the west across Elmira Street is zoned "C-3 RIO-2" General Commercial, River Improvement Overlay District-2, "C-3NA" General Commercial Non-alcoholic Sales, River Improvement Overlay District-2 and "I-1 RIO-2" General Industrial, River Improvement Overlay District-2. Property to the south across E. Myrtle is zoned "C-3 RIO-2" General Commercial, River Improvement Overlay District-2. The San Antonio River is east of the subject property. Land uses immediately adjacent to the

CASE NO: Z2008250

Final Staff Recommendation - Zoning Commission

proposed development consist of various commercial and industrial uses to the north across Grayson Street, to the west across Elmira Street and to the south across E. Myrtle. The Pearl Brewery development is located to the east across the San Antonio River.

The applicant has applied for IDZ zoning in order to allow for a mixed use development. The zoning request is a down-zoning from I-1 to IDZ and would remove potentially harmful land-uses from the area. 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.

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. Pursuant to a rezoning case, 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

San Antonio River: Mission / Vision Statement

Within its city limits, the San Antonio River is 18 miles in length. In some respects, the River defines the city. One's experience of the River changes in different parts of the city. As large parts of the River are improved and adjacent development occurs, the River will change. The River Commission has adopted the following Mission and Vision statements to be used as a universal lens by which all future River-related decisions are viewed:

Vision Statement: The San Antonio River will be a fully linked linear park that unifies the city and serves as a community gathering place for all to enjoy. The River will have many special places and uses; some active, some quiet. Each will be unique, genuine, and vary by design.

Guiding Principles:

1. **Community Access:** Community access to the River and its public spaces should be provided and encouraged.
2. **Environment:** The public spaces of the River will celebrate the natural environment, where wildlife and aquatic species flourish. The public areas of the River will be protected from intrusive commercial activities which diminish the experience along the River corridor.
3. **Surrounding Land Uses/Development:** Development activity occurring along the banks will be in keeping with the unique character of the River at that location. Land uses will also be in keeping with the City Master Plan (Neighborhood and Community Plans). In all cases, development and activity along the banks will not damage the natural environment or ecology of the River or its public spaces, but will enhance the quality of the site and environment.
4. **Adjoining Buildings and Design:** Historical buildings and features along the River will be preserved to help tell the story of what the River has meant to San Antonio over the generations. Where development occurs, buildings will be unique, and incorporate design elements that celebrate the natural or built context of the River at that location.
5. **Private Enterprise:** Policies will encourage existing and new business development and regulate enterprises within these Guiding Principals and Vision.

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2008250

Address: 102 W. Grayson and 1366 E. Elmira

Existing Zoning: I-1 RIO-2

Requested Zoning: IDZ RIO-2 with uses permitted in C3, MF-50, D and the following additional uses: 1) beverage manufacture or micro brewery..., 2) fabrication and manufacturing of artisan goods and products..., 3) fabrication and manufacturing of prototypes developed or conceived by and college, university, trade school, institute or other educational facility.

Registered Neighborhood Association(s): Tobin Hill Neighborhood Association and Tobin Hill Residents Association

Neighborhood/Community/Perimeter Plan: Tobin Hill Neighborhood Plan

Future Land Use for the site: High Density Mixed Use

Analysis: The subject property is a 1.602 acre parcel situated on the corner of W. Grayson and E. Elmira, near the edge of the Tobin Hill planning area. The property to the northeast is zoned IDZ RIO-2, the property to the northwest is zoned C3 RIO-2, the property to the west is zoned I1 RIO-2. The property to the south is zoned C3 RIO-2, and the San Antonio River is located to the east. All of these properties are located within the boundaries of the RIO-2. All of these properties are designated as High Density Mixed Use on the Tobin Hill future land use map.

The future land use designation for the subject property is High Density Mixed Use. The High Density Mixed Use land use category supports well planned and integrated blend of higher density residential with retail, office, entertainment or other land uses where the integration of uses occurs within structures with commercial uses on the ground floor level and residential on upper levels. This land use category is preferred along arterial or collector roads, in nodes or clustered together with proximity to a major transit stop. New mixed use developments on larger scale sites should complement existing uses and road and pedestrian networks and be no greater than five stories (p. 19-20). Therefore, zoning categories D, MF-50, or C-3 are not recommended.

This property is located within close proximity to the Pearl Brewery redevelopment site. A mix of residential, commercial and office uses on the subject property would complement the permitted uses at the Pearl Brewery site. The redevelopment of this property would extend an existing mixed use node into an area designated for high density mixed use on the future land use map. This property has frontage along the portion of the San Antonio River that is currently being improved as part of the River Improvements Project which makes it an ideal location for new mixed use development.

The applicant's request for uses permitted in C3, MF-50 and D exceeds the intensity of uses desired as expressed in the Tobin Hill Neighborhood Plan. An amended request for IDZ RIO-2 with uses permitted in C2 and MF-40 as well as the additional uses as listed in the zoning application would be consistent with the future land use designation for the subject property. The Pearl Brewery rezoning was approved prior to adoption of the plan update. Consistency was not previously required. High density mixed use wants to keep pedestrian and residential densities up to five stories, MF-40 ensures that the building will not surpass the recommended five story maximum.

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

Consistency not required because base zoning not changing

12/30/04

Neighborhood and Urban Design Division Zoning Case Review

Staff Recommendation:

Approval

Denial

Alternate Recommendation: An amended request for IDZ RIO-2 with uses permitted in C2 and MF-40 as well as the additional uses as listed in the zoning application would be consistent with the future land use designation for the subject property. This request would be compatible with the proposed development on the Pearl Brewery site while also ensuring commercial and residential uses are built at an intensity that is compatible with nearby residential uses and that encourages a pedestrian oriented environment.

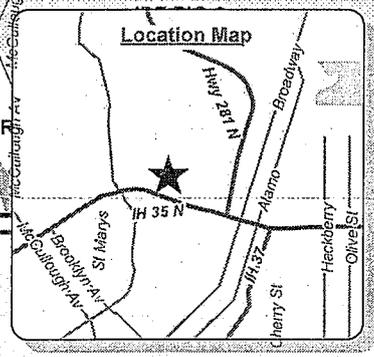
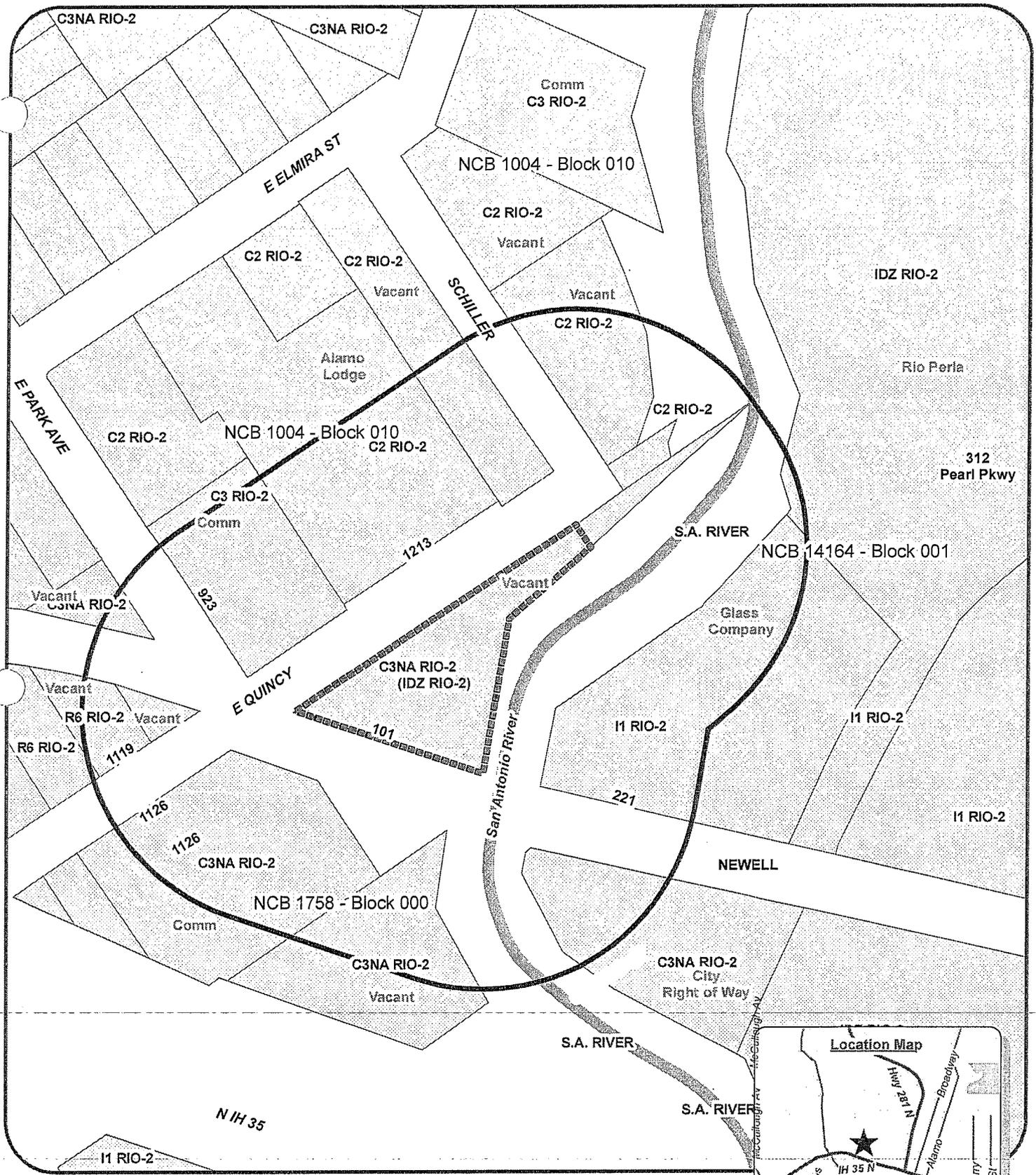
Reviewer: Sidra Maldonado

Title: Planner

Date: 08/21/2008

Manager Review: Nina Nixon-Mendez

Date: 08/21/2008



Zoning Case Notification Plan
Case Z2008251

Council District 1
 Scale: 1" approx. = 120'

Subject Property Legal Description(s): 0.465 Acres out of NCB 1758

Legend

- Subject Property (0.465 Acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
 (08/21/2008)

CASE NO: Z2008251

Final Staff Recommendation - Zoning Commission

Date: September 16, 2008

Council District: 1

Ferguson Map: 616 F3

Applicant Name: Broadway SA Investors GP LLP

Owner Name: Broadway SA Investors GP LLP

Zoning Request: From "C-3NA RIO-2" General Commercial, Nonalcoholic Sales, River Improvement Overlay District-2 to "IDZ RIO-2" Infill Development, River Improvement Overlay District-2 with uses permitted in "C-3" General Commercial District, "D" Downtown District, "MF-50" Multi-Family District and the following additional uses: 1. Beverage manufacture or microbrewery (alcohol or non-alcohol) and water distillation, purification and bottling. 2. Fabrication and manufacturing of artisan goods and products including furniture, cabinetry, wood products, metalwork and metal products, bread, candy and other food products, leather products, clothing, glass and tile. 3. The fabrication and manufacturing of prototypes developed or conceived by any college, university, trade school, institute or other educational facility. 4. The fabrication of glass and metal products

Property Location: .465 acres out of NCB 1758
101 Newell
The northeast corner of the Newell Street and Quincy Street Intersection

Proposal: To allow for a Mixed Use Development

Neigh. Assoc. Tobin Hill Neighborhood Association and Tobin Hill Residents Association

Neigh. Plan Tobin Hill Neighborhood Plan

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

River Commission Recommendation:

Since the subject property lies within the River Improvement Overlay District, the San Antonio River Commission is authorized to make a recommendation to the Zoning Commission if it so chooses. The River Commission met on August 26th for a briefing on the case and had no concerns with the proposed zoning change.

Consistency with Plan:

Inconsistent

The Tobin Hill Neighborhood Plan calls for High Density Mixed Use land use for the subject property.

Staff Recommendation:

Approval, pending Plan Amendment

The subject property is within the original city limits and totals approximately .465 acres. There is an existing commercial structure on the subject property that measures approximately 3600 square feet and was constructed in 1978. Upon adoption of the 2001 Unified Development Code, the existing C-3NA zoning converted from the previous B-3NA zoning classification. The River Improvement Overlay District was added by City Council on June 13, 2002 (Ordinance #95908.)

Property to the northwest across Quincy Street is zoned "C-3 RIO-2" General Commercial, River Improvement Overlay District-2 and "C-2 RIO-2" Commercial, River Improvement Overlay District-2. Property to the southwest across Newell Street is zoned "C-3NA" General Commercial Non-alcoholic Sales, River Improvement Overlay District-2. The San Antonio River is east of the subject property. Land uses immediately adjacent to the proposed development consist of various commercial uses to the northwest across Quincy Street and an auto repair facility to the southwest across

CASE NO: Z2008251

Final Staff Recommendation - Zoning Commission

Newell Street. The Pearl Brewery development and Samuels Glass Company are located to the east of the subject property across the San Antonio River.

The applicant has applied for IDZ zoning in order to allow for a mixed use development. 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.

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. Pursuant to a rezoning case, 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

San Antonio River: Mission / Vision Statement

Within its city limits, the San Antonio River is 18 miles in length. In some respects, the River defines the city. One's experience of the River changes in different parts of the city. As large parts of the River are improved and adjacent development occurs, the River will change. The River Commission has adopted the following Mission and Vision statements to be used as a universal lens by which all future River-related decisions are viewed:

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4. **Adjoining Buildings and Design:** Historical buildings and features along the River will be preserved to help tell the story of what the River has meant to San Antonio over the generations. Where development occurs, buildings will be unique, and incorporate design elements that celebrate the natural or built context of the River at that location.
5. **Private Enterprise:** Policies will encourage existing and new business development and regulate enterprises within these Guiding Principles and Vision.

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2008251

Address: 101 Newell

Existing Zoning: C3NA RIO-2

Requested Zoning: IDZ RIO-2 with uses permitted in C3, MF-50, D and the following additional uses: 1) beverage manufacture or micro brewery..., 2) fabrication and manufacturing of artisan goods and products..., 3) fabrication and manufacturing of prototypes developed or conceived by and college, university, trade school, institute or other educational facility.

Registered Neighborhood Association(s): Tobin Hill Neighborhood Association, Tobin Hill Residents Association

Neighborhood/Community/Perimeter Plan: Tobin Hill Neighborhood Plan

Future Land Use for the site: High Density Mixed Use

Analysis: The subject property is a 0.465 acre parcel situated on the northeast corner of the intersection of Quincy Street and Newell Avenue, near the edge of the Tobin Hill planning area. The property to the northeast is zoned C2 and is occupied by a motel. The property to the northwest is zoned C3 and is occupied by a 1-story office/warehouse building. The property to the west is occupied by a single-family residence and is zoned R6. The property to the south is occupied by a vacant industrial building and is zoned C3NA. The San Antonio River is located to the east and southeast. All of these properties are located within the boundaries of the RIO-2. All of these properties are designated as High Density Mixed Use on the Tobin Hill future land use map.

The future land use designation for the subject property is High Density Mixed Use. The High Density Mixed Use land use category supports well planned and integrated blend of higher density residential with retail, office, entertainment or other land uses where the integration of uses occurs within structures with commercial uses on the ground floor level and residential on upper levels. This land use category is preferred along arterial or collector roads, in nodes or clustered together with proximity to a major transit stop. New mixed use developments on larger scale sites should complement existing uses and road and pedestrian networks and be no greater than five stories (p. 19-20).

This property is located within close proximity to the Pearl Brewery redevelopment site. A mix of residential, commercial and office uses on the subject property would complement the permitted uses at the Pearl Brewery site. The redevelopment of this property would extend an existing mixed use node into an area designated for high density mixed use on the future land use map. This property has frontage along the portion of the San Antonio River that is currently being improved as part of the River Improvements Project which makes it an ideal location for new mixed use development.

However, the applicant's request for uses permitted in C3, MF-50 and D exceeds the intensity of uses desired as expressed in the Tobin Hill Neighborhood Plan. An amended request for IDZ RIO-2 with uses permitted in C2 and MF-40 as well as the additional uses as listed in the zoning application would be consistent with the future land use designation for the subject property.

Request conforms to Land Use Plan

Request does not conform to Land Use Plan

Consistency not required because base zoning not changing

12/30/04

Neighborhood and Urban Design Division Zoning Case Review

Staff Recommendation:

Approval

Denial

Alternate Recommendation: An amended request for IDZ RIO-2 with uses permitted in C2 and MF-40 as well as the additional uses as listed in the zoning application would be consistent with the future land use designation for the subject property. This request would be compatible with the proposed development on the Pearl Brewery site while also ensuring commercial and residential uses are built at an intensity that is compatible with nearby residential uses and that encourages a pedestrian oriented environment.

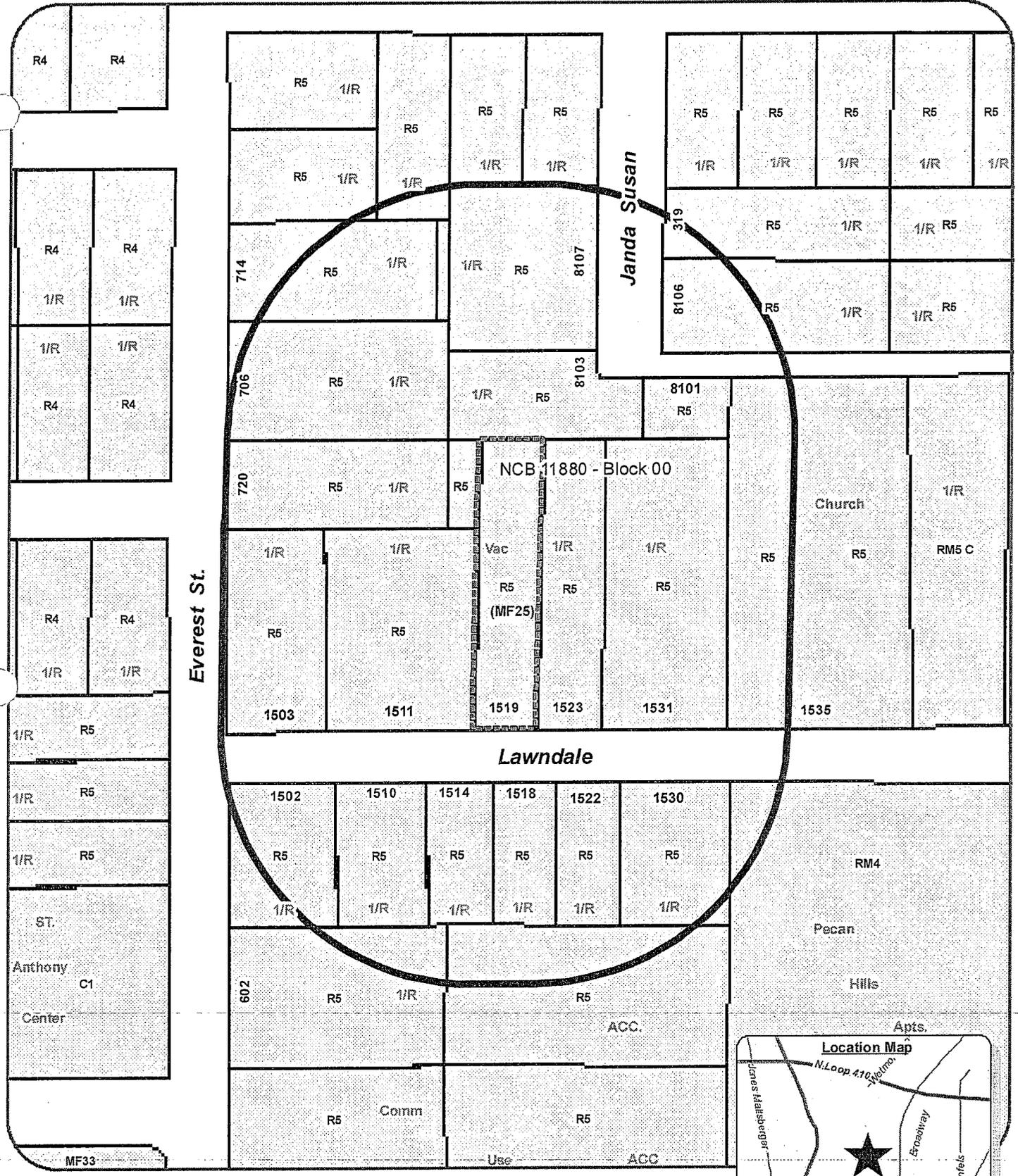
Reviewer: Michael Taylor

Title: Senior Planner

Date: 08/15/2008

Manager Review: Nina Nixon-Mendez

Date: 08/21/2008



Zoning Case Notification Plan

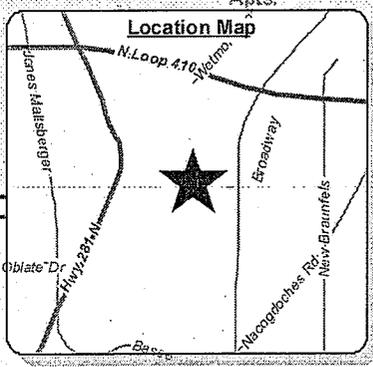
Case Z2008-252

Council District 9
 Scale: 1" approx. = 100'

Subject Property Legal Description(s): NCB 11880 - Blk 00 - Lot 51

Legend

- Subject Property (0.253 acres)
- 200' Notification Buffer
- Current Zoning RE
- Requested Zoning Change (MF25)
- 100-Year FEMA Floodplain



CASE NO: Z2008252

Final Staff Recommendation - Zoning Commission

Date: September 16, 2008

Council District: 9

Ferguson Map: 583 B1

Applicant Name:

Beth Alana Wasserstrum

Owner Name:

Beth Alana Wasserstrum

Zoning Request: From "R-5" Residential Single-Family District to "MF-25" Multi-Family District.

Property Location: Lot 51, NCB 11880

1519 West Lawndale Drive

On the north side of West Lawndale Drive, east of Everest Avenue

Proposal: To allow a townhome/condo development

Neighborhood None

Association:

Neighborhood Plan: None

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

Staff Recommendation:

Approval

The subject property is located in north San Antonio, on the north side of West Lawndale Drive. The surrounding zoning consists of "R-5" Residential Single-Family District to the west, east, north and across West Lawndale Drive to the south. The subject property was annexed in September of 1952, totals approximately 0.2537 acres and is currently undeveloped. Upon adoption of the 2001 Unified Development Code, the subject property was zoned "R-5" Residential Single-Family District, which converted from the previous "A" Single-Family Residence District. The subject property is not located within a Neighborhood Association or Community Plan.

The applicant has applied for "MF-25" Multi-Family District in order to develop a multi-family townhome development. The site contains approximately 50 feet of frontage along West Lawndale Drive with a maximum depth of 221.10 feet. The calculation for 0.2537 acres proposed for the "MF-25" Multi-Family District would allow a potential of 6 units. The applicant is proposing a multi-family townhome development that would consist of 4 to 5 units. Multi-family dwellings are most appropriate on the periphery of single-family neighborhoods, along arterials or major thoroughfares where supporting infrastructure such as transportation services and commercial facilities are available. West Lawndale Drive is considered a local access street and the subject property is within close proximity to U.S. Highway 281. There are other multi-family uses in the area and Broadway Street is only a block away from this property. There are various commercial facilities available along Broadway Street and West Sunset Road. The proposed development is an extension of the multi-family townhome community that has already been established along West Lawndale Drive. Staff believes that the proposed use is appropriate for the subject location and would support a request for a multi-family zoning designation.

The zoning request change to "MF-25" Multi-Family District meets the usage of compatible land use as prescribed by Federal Aviation Regulation Part 150.

CASE MANAGER : Pedro Vega 207-7980

CITY OF SAN ANTONIO
AVIATION DEPARTMENT

Interdepartmental Correspondence Sheet

TO: Leslie Zavala, Development Services Department

FROM: Jerry Rankin

COPIES TO: City of San Antonio Zoning Commissioners

SUBJECT: Zoning Case Z2008252

DATE: August 14, 2008

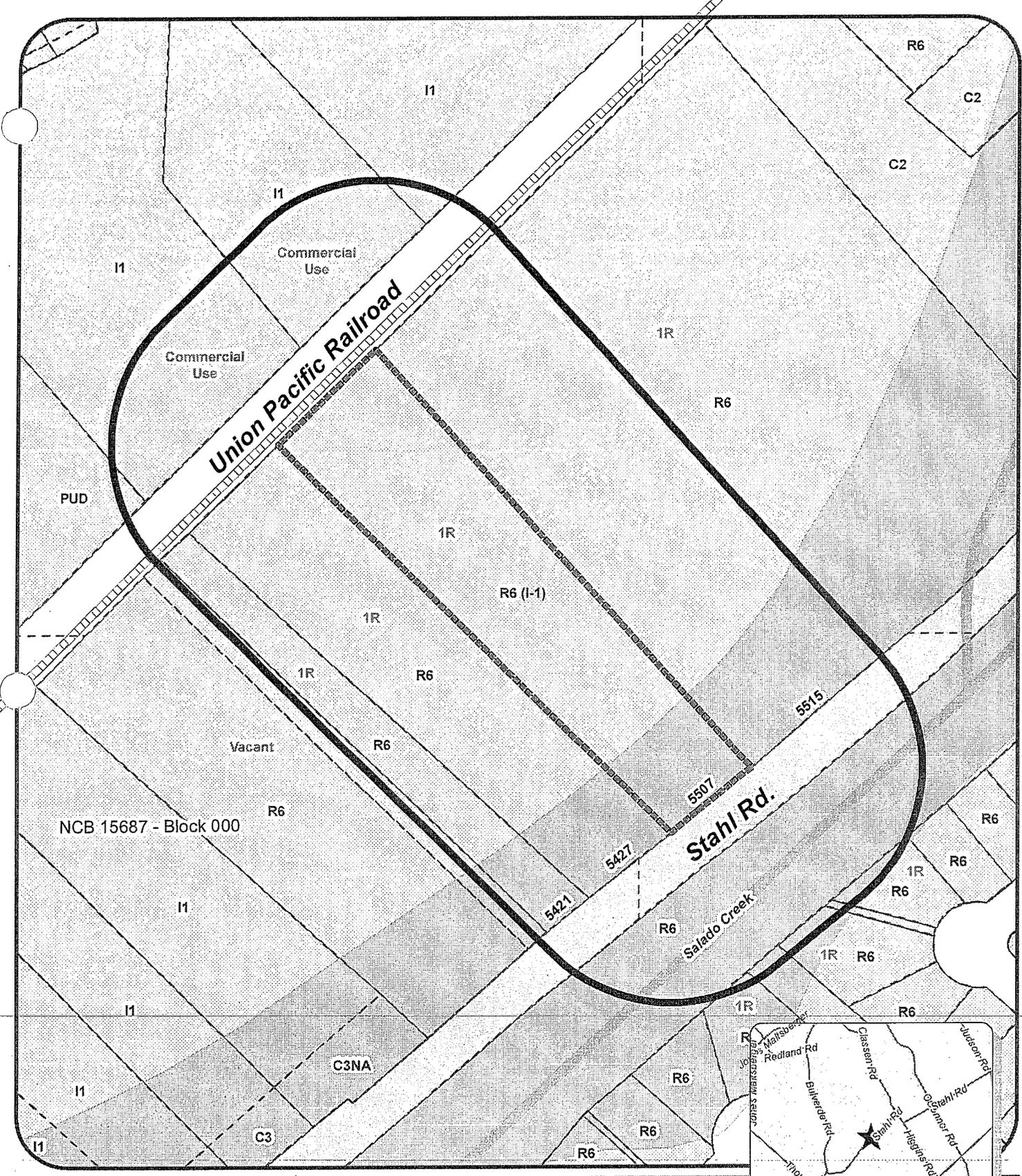
The Aviation Department is in receipt of your request to review zoning case Z2008252.

This property located at 1519 W. Lawndale is less than 1.0 miles southeast of Runway 3, which is a primary runway for San Antonio International Airport. The property listed as Lot(s) 51 Block 0 NCB 11880 is located outside the noise contours. The zoning request change to "MF-25" Multi-Family housing meets the usage of compatible land as prescribed by Federal Aviation Regulation Part 150. Even though this property is outside the noise contours of the airport, this property will be overflowed by aircraft on a regularly basis.

In addition, this zoning change request is subject to the restrictions of the airport zoning ordinances. The maximum height of any proposed structure or building within this area will be limited in height in accordance with the provisions of the ordinance.

If there are any questions, feel free to call me at the Noise Mitigation office at 207-3471.


Jerry Rankin
Noise Mitigation



Zoning Case Notification Plan

Case Z-2008-254

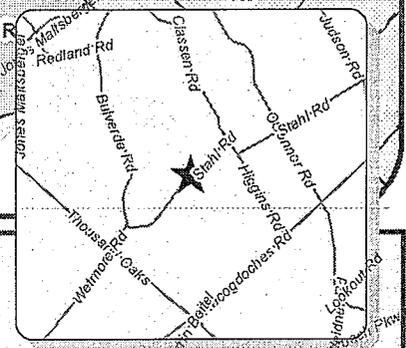
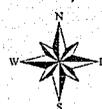
Council District 10

Scale: 1" approx. = 150'

Subject Property Legal Description(s): NCB 15687 - Block 000 - Lot 16, 17, 18

Legend

- Subject Property (2.00 acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **I1**
- 100-Year FEMA Floodplain



City of San Antonio Development Services Dept
(09/05/2008)

CASE NO: Z2008254

Final Staff Recommendation - Zoning Commission

Date: September 16, 2008

Council District: 10

Ferguson Map: 518 D7

Applicant Name:

Robert Mark Jackson and Gregory L. Alexander

Owner Name:

Robert Mark Jackson and Gregory L. Alexander

Zoning Request: From "R-6" Residential Single-Family District to "I-1" General Industrial District.

Property Location: Lot 16, Lot 17 and Lot 18, NCB 15687

4317 Stahl Road

On the northwest side of Stahl Road, southwest of Jung Road

Proposal: Contractor Facility with Outside Storage

Neigh. Assoc. Northern Hills Home Owners Association is within 200 feet

Neigh. Plan None

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

Staff Recommendation:

Denial as requested with an alternate recommendation of "I-1" General Industrial District, save and except 75 feet from the lot line adjacent to Stahl Road to be rezoned "C-3NA" General Commercial, Nonalcoholic Sales District.

The subject property was annexed in December of 1972 and totals approximately 2.00 acres. The subject property is occupied by an existing manufactured home with RV trailers and is located on Stahl Road, a major thoroughfare. Upon adoption of the 2001 Unified Development Code, the subject property was zoned "R-6" Residential Single-Family District, which converted from the previous Temporary "R-1" Single Family Residence District. The subject property is adjacent to "R-6" Residential Single-Family District to the northeast and southwest and I-1 General Industrial District across the Union Pacific Railroad to the northwest. A portion of the subject property is located within the 100 Year Floodplain. Residential development would be difficult due to the area's inclusion in the 100-year floodplain as well as the train usage in terms of noise and safety. The alternate recommendation of "I-1" General Industrial District, save and except 75 feet from the lot line adjacent to Stahl Road to be zoned "C-3NA" General Commercial, Nonalcoholic Sales District is consistent with the development pattern along the northwest side of Stahl Road.

The proposed "C-3NA" General Commercial, Nonalcoholic Sales District zoning on this lot, in addition to the public roadway and Salado Creek, would provide an appropriate buffer between the "I-1" General Industrial District and nearby neighborhood. Rezoning a portion of the lot to "C-3NA" will ensure that any materials stored outside will be located at least 75 feet from the public view along Stahl Road, since outside storage is prohibited in the "C-3" 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. The district regulations within the "C-3NA" district are the same as in the "C-3" districts, except that no sales of alcoholic beverages for on-premises or off-premises consumption shall be permitted. "I-1" must be located in areas where conflicts with other uses can be minimized to promote orderly transitions and buffers between uses.

The zoning request change to "I-1" General Industrial District meets the usage of compatible land use as prescribed by Federal Aviation Regulation Part 150.

CASE MANAGER : Pedro Vega 207-7980

CITY OF SAN ANTONIO
AVIATION DEPARTMENT

DEVELOPMENT SERVICES
RECEIVED

2008 AUG 28 AM 11:17

Interdepartmental Correspondence Sheet

TO: Leslie Zavala, Development Services Department

FROM: Jerry Rankin

COPIES TO: City of San Antonio Zoning Commissioners

SUBJECT: Zoning Case Z2008254

DATE: August 26, 2008

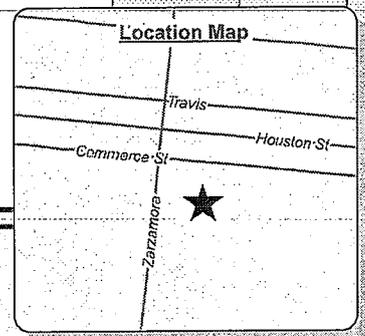
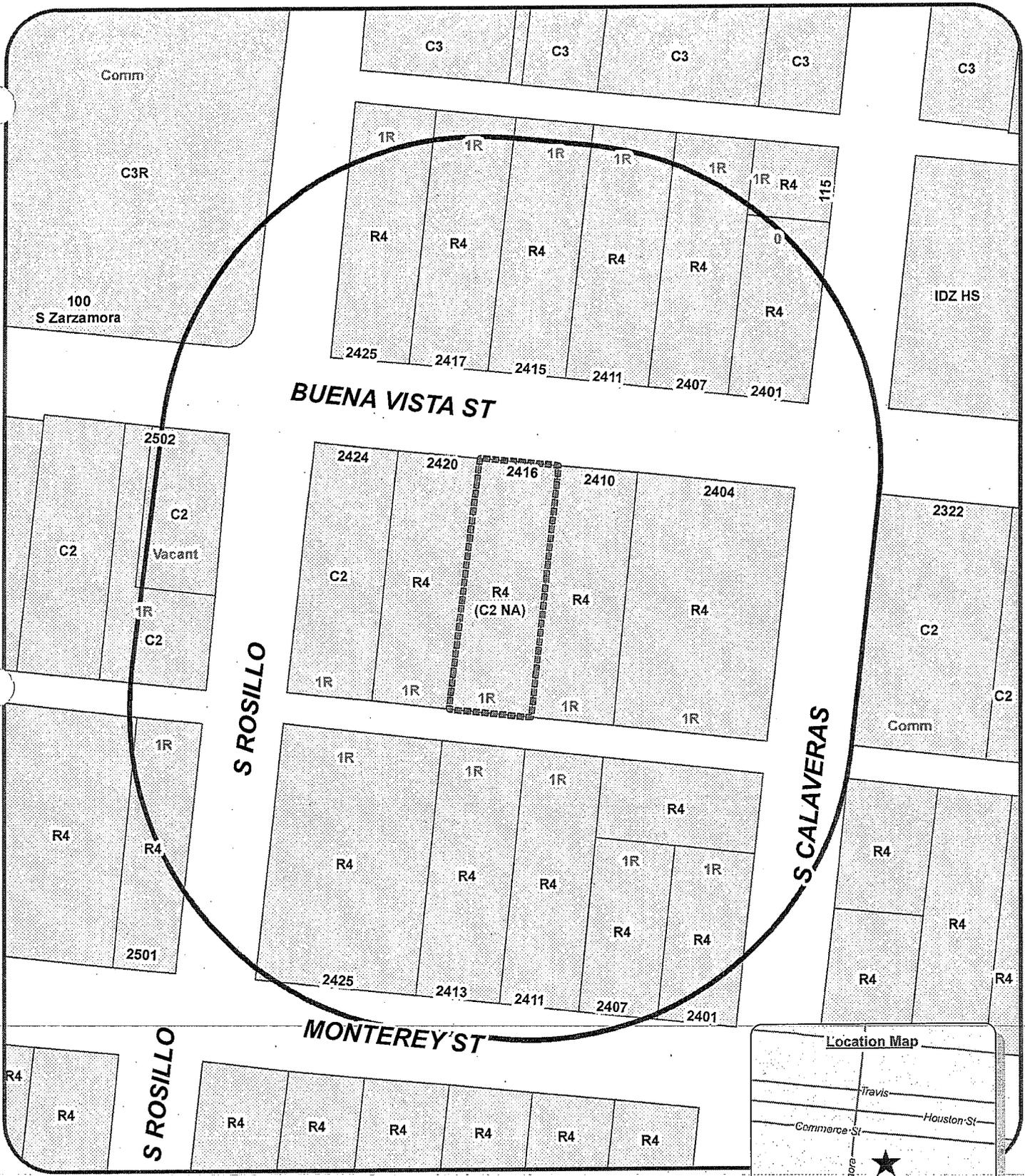
The Aviation Department is in receipt of your request to review zoning case Z2008254.

This property located at 4317 Stahl Road is less than 3.75 miles northeast of Runway 21, which is a primary runway for San Antonio International Airport. The property listed as 2.0 acres out of Lot(s) 16, 17, & 18 Block 0 NCB 15687 is located outside the noise contours. The zoning request change to "I-1" Industrial meets the usage of compatible land as prescribed by Federal Aviation Regulation Part 150.

In addition, this zoning change request is subject to the restrictions of the airport zoning ordinances. The maximum height of any proposed structure or building within this area will be limited in height in accordance with the provisions of the ordinance.

If there are any questions, feel free to call me at the Noise Mitigation office at 207-3471.


Jerry Rankin
Noise Mitigation



Zoning Case Notification Plan

Case Z-2008-257

Council District 5

Scale: 1" approx. = 80'

Subject Property Legal Description(s): Lot 4 Blk 019 NCB 2331

Legend

- Subject Property (0.1802 Acres)
- 200' Notification Buffer
- Current Zoning R6
- Requested Zoning Change (R6)
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(09/03/2008)

CASE NO: Z2008257

Final Staff Recommendation - Zoning Commission

Date: September 16, 2008

Council District: 5

Ferguson Map: 616 A5

Applicant Name:
EC Ventures, Ltd.

Owner Name:
EC Ventures, Ltd.

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

Property Location: Lot 4, Block 19, NCB 2331

2416 Buena Vista

On the south side of Buena Vista Street between South Rosillo and South Calaveras Streets

Proposal: To allow for commercial development

Neigh. Assoc. Avenida Guadalupe Neighborhood Association

Neigh. Plan Guadalupe Westside Community Plan

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Request does not conform to Land Use Plan. The Guadalupe Westside Community Plan designates the subject property in the future land use plan as low density mixed use.

Denial of C-2 NA, recommending C-2 P NA

The subject property is within the original city limits and totals approximately 0.1802 acres. There is an existing residential structure on the subject property that measures approximately 1847 square feet and was built in 1910. Upon adoption of the 2001 Unified Development Code, the existing "R-4" zoning converted from previous "B" zoning. Surrounding properties to the north, south, east and west are zoned "R-4" and are occupied by residences. The portion of the block where the subject property is located and this portion of Buena Vista Street has residential characteristics. However, there are many community oriented nonresidential uses and zoned properties, like a commercial strip center with a grocery store, health clinic, a church and various offices to the east and to the west of this area. In addition, the property at the southeast corner of Buena Vista Street and South Rosillo Street, which is on the same block of the subject property, is zoned "C-2" and it appears to be occupied by an office.

The applicant requests "C-2 NA" Commercial Nonalcoholic Sales District, to be able to increase the possibility of the property's sale. Goal 19.4.1 of The Guadalupe Westside Community Plan (p. 115) states, "consider mixed use developments which promote compatibility through design guidelines and encourage pedestrian activity on the street". Even though the subject property is surrounded by residential zoning, the low intensity commercial use envisioned by the plan is supported by a change to C-2 P NA to be consistent with the plan. Although Buena Vista Street is a local street on the City's Major Thoroughfare Plan, it is a one way, two lane busy corridor which runs parallel to the West Commerce Street towards east. If the requested zoning change is approved, a "Type B" 15-foot landscape buffer will be required where the subject property abuts residential zoning.

CASE MANAGER : John Osten 207-2187

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2008257

Existing Zoning: R-4

Requested Zoning: C-2 NA

Property Location: 2416 Buena Vista

Registered Neighborhood Association(s): Avenida Guadalupe

Neighborhood/Community/Perimeter Plan: Guadalupe Westside Community Plan

Future Land Use for the site: Low Density Mixed Use

Analysis:

The Guadalupe Westside Community Plan designates the subject property in the future land use plan as low density mixed use. Low density mixed use is described as a compatible "mix of low intensity residential and commercial uses" (Guadalupe Westside Community Plan, p. 138). Goal 19.4.1 states, "Consider mixed use developments which promote compatibility through design guidelines and encourage pedestrian activity on the street" (Guadalupe Westside Community Plan, p. 115). The low intensity commercial use envisioned by the plan is supported by a change to C-2 P to be consistent with the plan. The addition of the "P" requires that any new construction will be pedestrian friendly by limiting the maximum front setback to thirty-five feet.

The subject property is not located within a historic district but may be eligible for historic designation in the future. Prior to any authorized demolition the Historic Preservation Office has thirty days to review the demolition permit application.

Request conforms to Land Use Plan

Request does not conform to Land Use Plan

Staff Recommendation:

Approval

Denial

Alternate Recommendation: C-2 P NA

The requested change to C-2 NA does not ensure that any new construction will be pedestrian friendly as required by the plan. In order to be consistent with the plan, it is recommended that the zoning request be amended to C-2 P-NA which is supported by the community plan.

Reviewer: Rebecca Paskos

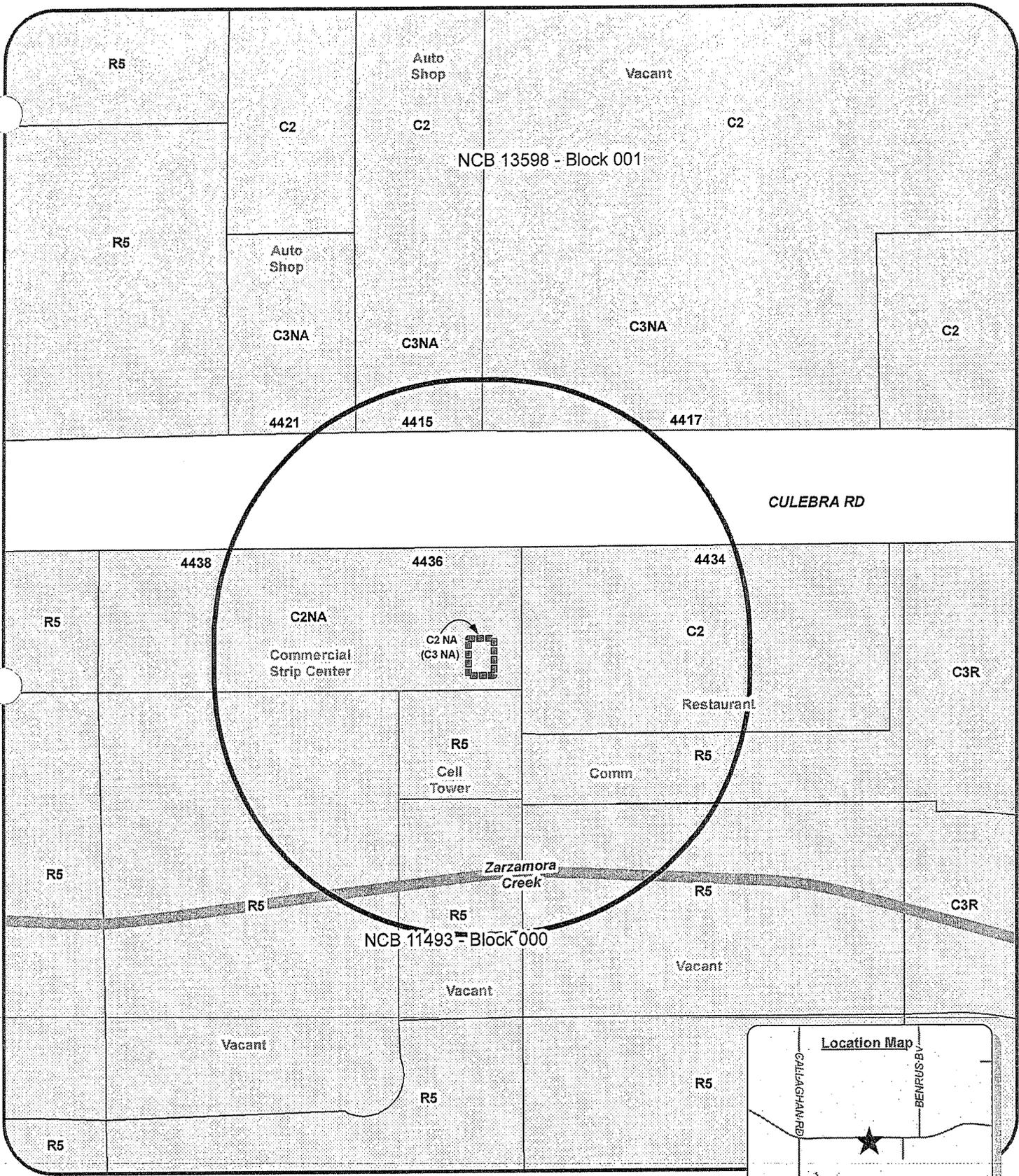
Title: Senior Planner

Date: 9/04/2008

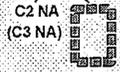
Manager Review: Nina Nixon-Mendez

Title: Planning Manager

Date: 9/04/2008

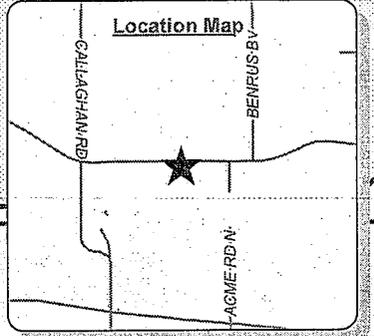


CULEBRA RD



Zarzamora Creek

NCB 11493 - Block 000



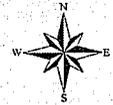
Zoning Case Notification Plan

Case Z-2008-259

Council District 7
 Scale: 1" approx. = 200'
 Subject Property Legal Description(s): Lot 1 Block 1 NCB 1736

Legend

- Subject Property (0.013 Acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
 (08/08/2008)

CASE NO: Z2008259

Final Staff Recommendation - Zoning Commission

Date: September 16, 2008

Council District: 7

Ferguson Map: 614 A1

Applicant Name:

Lisa Marie Donabella

Owner Name:

Jesus Camacho Jr. and Guadalupe Camacho

Zoning Request: From "C-2NA" Commercial, Nonalcoholic Sales District to "C-3NA" General Commercial, Nonalcoholic Sales District.

Property Location: A 566.44 square foot space out of Lot 1, Block 1, NCB 1736

4436 Culebra Road

Southside of Culebra Road, west of Laven Drive

Proposal: To allow a tattoo parlor

Neighborhood Association: Culebra Park Neighborhood Association

Neighborhood Plan: None

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

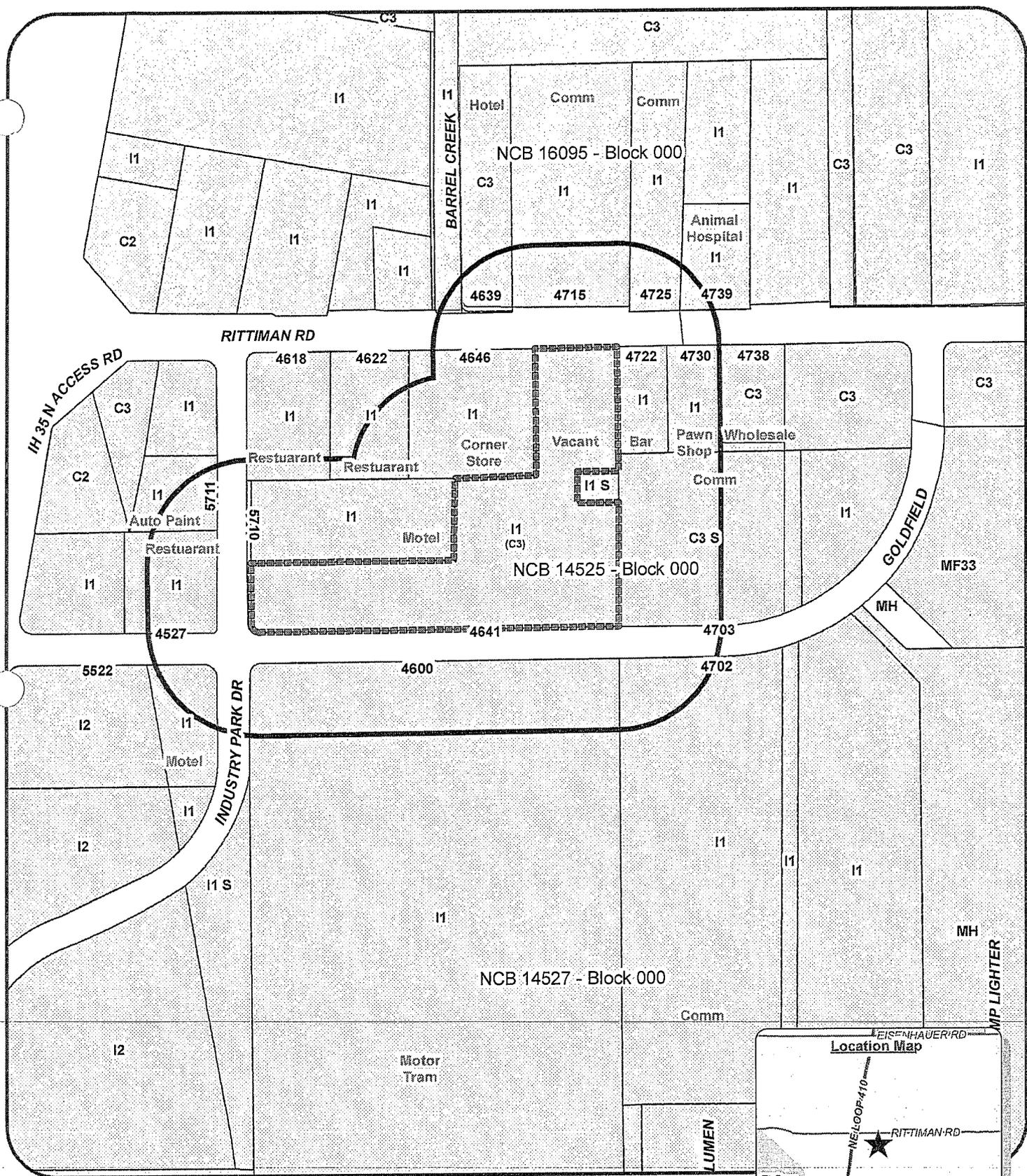
Staff Recommendation:

Approval

The subject property was annexed in September of 1952 and totals approximately 566.44 square feet. There is an existing strip center with two commercial structures that measure approximately 34,761 square feet and were constructed in 1987. The subject property was zoned "B-2NA" Business, Nonalcoholic Sales District in October of 1985. The adoption of the 2001 UDC resulted in the "B-2NA" Business, Nonalcoholic Sales District being converted to "C-2NA" Commercial, Nonalcoholic Sales District. Property to the west is zoned "C-2NA" Commercial, Nonalcoholic Sales District. Property to the east is zoned "C-2" Commercial District and "C-3NA" General Commercial, Nonalcoholic Sales District is located across Culebra Road to the north. Property to the south is zoned "R-5" Residential Single-Family District.

The applicant is requesting a rezoning of Suite 1 to allow a tattoo parlor. After leasing and remodeling Suite 1, the applicant was surprised to find out that it is not zoned for a tattoo parlor. Staff finds the request for commercial zoning to be appropriate given the subject property's location with a prevalence of commercial uses to the west and east and "C-3NA" across Culebra Road to the north. Furthermore, the request for "C-3NA" zoning would be isolated within a tract of "C-2NA", and would facilitate the adaptive reuse of the existing vacant suite. The requested C-3 General Commercial District is a regional commercial district and is most appropriate at the intersections of arterials and along the frontages of super arterials and freeways; consequently allowing land uses that rely on a high traffic count and major visibility in order to remain viable. The district regulations within the "C-3NA" district are the same as in the "C-3" districts, except that no sales of alcoholic beverages for on-premises or off-premises consumption shall be permitted. The applicant's request for a higher intensity commercial use should not negatively impact the area.

CASE MANAGER : Pedro Vega 207-7980



Zoning Case Notification Plan

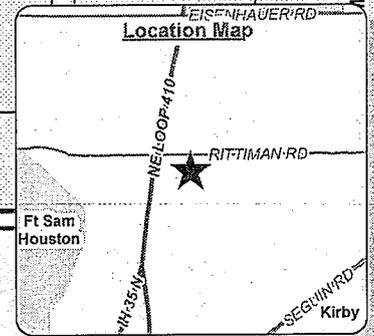
Case Z-2008-260

Council District 2
 Scale: 1" approx. = 250'

Subject Property Legal Description(s): Lot 2 NCB 14525

Legend

- Subject Property (4.106 Acres)
- 200' Notification Buffer
- Current Zoning **R6 (R6)**
- Requested Zoning Change **R6 (R6)**
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
 (08/08/2008)

CASE NO: Z2008260

Final Staff Recommendation - Zoning Commission

Date: September 16, 2008

Council District: 2

Ferguson Map: 584 E4

Applicant Name:

Paresh Patel

Owner Name:

Arthur and Eunice Y. Laubach

Zoning Request: From "I-1" General Industrial District to "C-3" General Commercial District.

Property Location: Lot 2, NCB 14525

4641 Goldfield Street

At the northeast corner of Industry Park Drive and Goldfield Street, having 158.10 feet on Rittiman Road

Proposal: To allow the development of a Hotel and Restaurant

Neighborhood Association: Park Village Neighborhood Association

Neighborhood Plan: None

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

Staff Recommendation:

Approval

The subject property was annexed in October of 1966 and totals approximately 4.106 acres. The existing use of the property is outside storage of materials, equipment, trucks, trailers, vehicles and is not screened from view of public roadways. The subject property was zoned "I-1" Light Industry District, which was approved by the City Council in 1975. Upon adoption of the 2001 Unified Development Code, the existing "I-1" General Industrial District converted from the previous "I-1" Light Industry District. The "I-1" zoning district does not allow Hotels and Restaurants. The site is not within a Neighborhood Association or Community Plan.

"I-1" General Industrial District zoning currently exists to the north of the subject property and across Goldfield Street to the south. Property to the east of the subject property is zoned "C-3 S" General Commercial District Specific Use Authorization for a Transitional Home and "I-1" General Industrial District. Property to the west across Industry Park Drive is zoned "I-1" General Industrial District. Land uses immediately adjacent to the proposed development consist of a hotel and corner store to the north of the subject property and Trucking Motor Freight across Goldfield Street to the south. There is a restaurant located to the west of the subject property across Industry Park Drive and a bar and transitional home to the west.

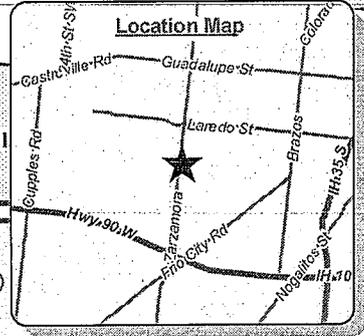
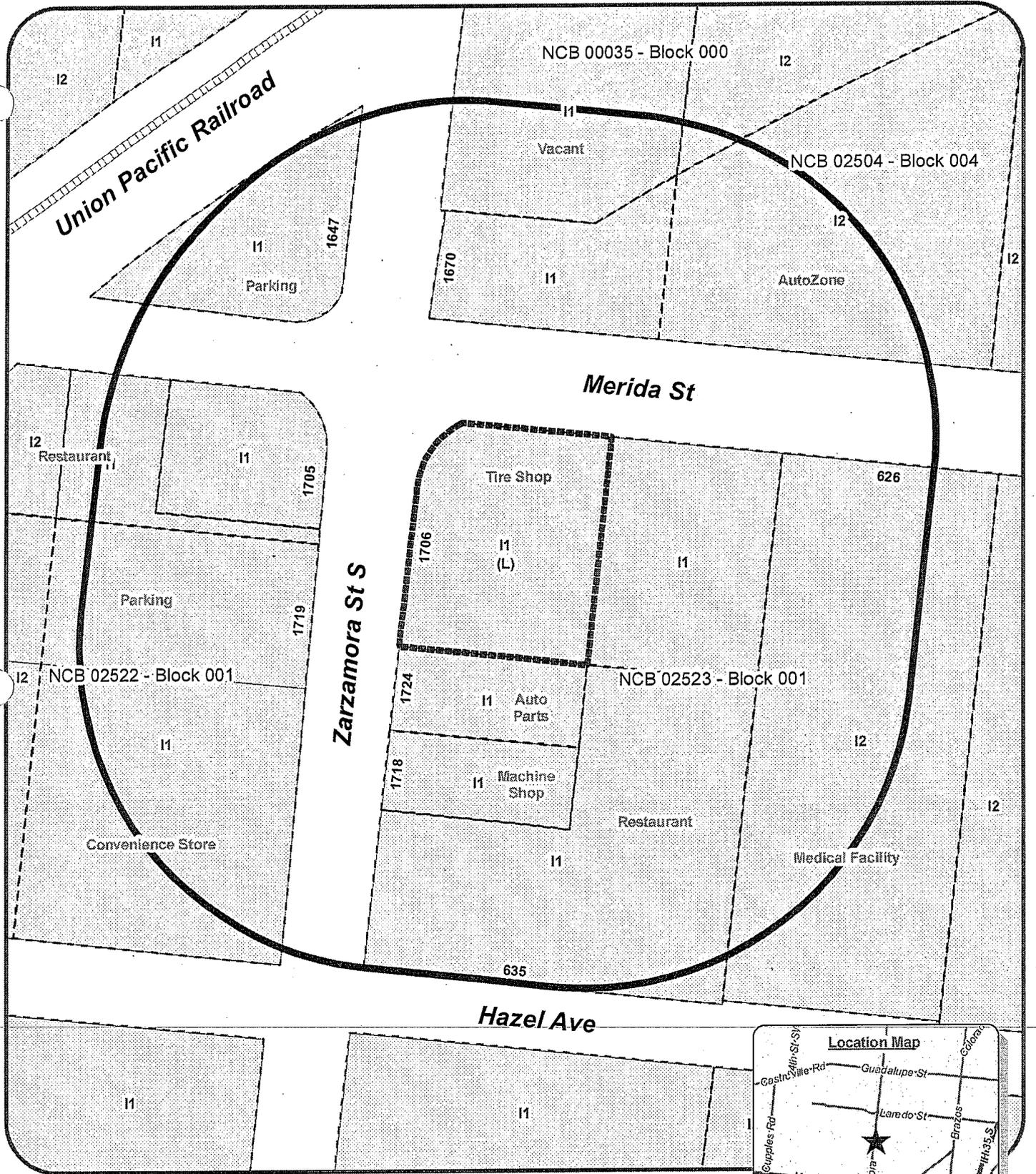
The applicant has applied for "C-3" General Commercial District to allow the development of commercial uses including a hotel and restaurant on the project site. Most of the "I-1" zoned property within 200 feet is occupied by "C-2" or "C-3" uses. There are various commercial and industrial uses along Goldfield Street. The "C-3" General Commercial District would compliment the commercial development pattern beginning at the intersection of Rittiman Road and Interstate Highway 35. The "C-3" General Commercial District will also provide flexibility for future use of the property. The requested rezoning is a reduction in intensity from "I-1" General Industrial District to "C-3" General Commercial District. The requested C-3 zoning would not be out of character with the commercial trend in the area. "C-3" General Commercial Districts are typically

CASE NO: Z2008260

Final Staff Recommendation - Zoning Commission

characterized as community and regional shopping centers, power centers and should also 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. Staff has no objections to this request at this location

CASE MANAGER : Pedro Vega 207-7980



Zoning Case Notification Plan

Case Z-2008-261

Council District 5

Scale: 1" approx. = 80'

Subject Property Legal Description(s): NCB 2523 - Block 000 - Lot 31 Exc NE 29.71 ft

Legend

- Subject Property (approx. .4 Acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(09/05/2008)

CASE NO: Z2008261

Final Staff Recommendation - Zoning Commission

Date: September 16, 2008

Council District: 5

Ferguson Map: 615 F7

Applicant Name:

Gilbert H. Castanon

Owner Name:

Rene Baeten Trustee

Zoning Request: From "I-1" General Industrial District to "L" Light Industrial District.

Property Location: Lot 31, Block A, NCB 2523, save and except a portion of land described as 0.0087 acres out of Lot 31, NCB 2523

1706 South Zarzamora

The southeast corner of the South Zarzamora and Merida Street intersection

Proposal: To allow for an auto repair facility

Neigh. Assoc. None

Neigh. Plan None

TIA Statement: A Traffic Impact Study is not required.

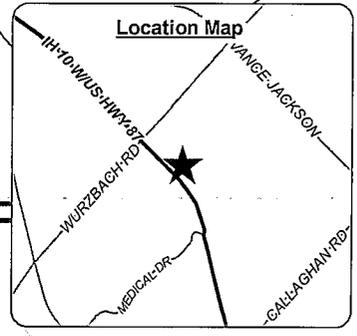
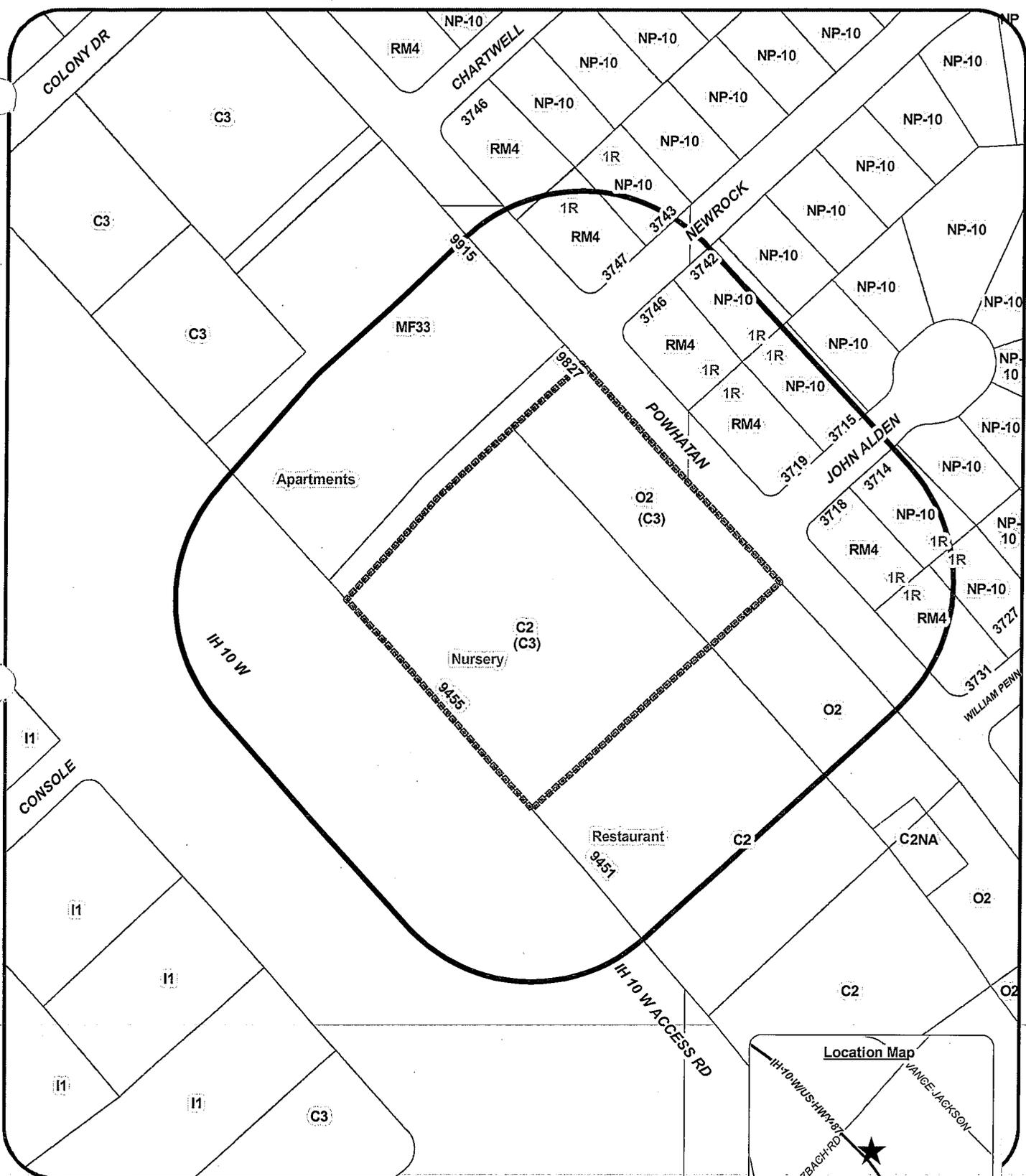
Staff Recommendation:

Approval

The subject property is a developed 0.4074-acre parcel located on the west side of the city. This property is situated at the southeast corner of the South Zarzamora and Merida Street intersection. This area is within the original city limits. The existing commercial structure measures approximately 1926 square feet and was built in 1960. This structure is currently being used as a tire shop. The subject property's previous "J" zoning converted to "I-1" General Industrial District upon the adoption of the Unified Development Code in 2001. The prevalence of industrial zoning in the area is most likely due to the proximity of the rail line. All of the surrounding properties to all directions are zoned "I-1" and are occupied by various commercial uses including a restaurant, auto parts store, and a gas station. This portion of South Zarzamora Street is developed with mostly medium intensity community oriented commercial uses. South Zarzamora Street is a Primary Arterial "Type B".

The applicant is requesting "L" Light Industrial District, in order to allow for an auto repair facility. Staff finds the request to be appropriate given the surrounding zoning and land uses and the existing use of the subject property. Specifically, the request is compatible with the commercial nature of development along South Zarzamora Street. Additionally, this down zoning request is beneficial considering the intensity of the surrounding properties.

CASE MANAGER : John Osten 207-2187



Zoning Case Notification Plan

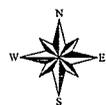
Case Z2008262

Council District 8
 Scale: 1" approx. = 200'

Subject Property Legal Description(s): Lot 11 Block 24 NCB 13559

Legend

- Subject Property (3.00 Acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
 (08/06/2008)

CASE NO: Z2008262

Final Staff Recommendation - Zoning Commission

Date: September 16, 2008

Council District: 8

Ferguson Map: 680 D3

Applicant Name:

Owner Name:

TPC Management, Inc.

Triple JR Limited

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

Property Location: Lot 11, Block 24, NCB 13559

9455 IH 10 West

On the east side of IH 10 West, approximately 650 feet south of Colony Drive

Proposal: To allow auto sales

Neigh. Assoc. Vance Jackson Neighborhood Association

Neigh. Plan None

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

Staff Recommendation:

Approval.

The subject property is located on the east side of IH 10 West, south of Colony Drive; and is approximately 3 acres in size. The existing commercial structure was built in 1992, and consists of approximately 10,800 square feet of storefront/warehouse and 15,600 square feet of greenhouse area. Most of the subject property is paved, with the exception of existing landscape buffers. The subject property was annexed in 1965, per ordinance 33402. The subject property was originally zoned "R-3" Multi-Family Residence District. In December 1984, the property was rezoned to "B-2" Business District with a 100-foot strip of "O-1" Office District along Powhatan. Upon the adoption of the 2001 Unified Development Code, the previous zoning converted to "C-2" Commercial District and "O-2" Office District. "RM-4" Residential Mixed District and "NP-10" Neighborhood Preservation District exists to the east, north, and southeast of the subject property. "MF-33" Multi-Family District abuts the subject property to the northwest, with "C-3" General Commercial District existing farther northwest. Other surrounding zoning includes "C-2", "C-2 NA" Commercial Nonalcoholic Sales District and "O-2" to the southeast; and "C-3" and "I-1" Industrial District to the west across IH-10. Surrounding land uses include single-family homes to the east, north, and southeast; apartments abutting to the northwest, with a grocery store, credit union, gas station, and offices farther northwest; a restaurant, motel, apartments and car rental to the south and southeast; and similar intense commercial uses to the west across IH-10.

The applicant requests "C-3" General Commercial District to allow for new and used auto sales with a service department. Staff finds the request to be appropriate given the property's location along the IH-10 access road, in close proximity to Wurzbach Road. The request is also appropriate given the intense commercial nature of the surrounding land uses. There is an existing landscape buffer along Powhatan, which includes a significant rise in elevation and a 6-foot tall stone wall, providing an effective buffer between the commercial development along the IH-10 access road and the single-family development to the east. The commercial development generally is not visible from the residential development. If the requested zoning change is approved, a "Type C" landscape buffer will be required where the subject property abuts residential zoning (up

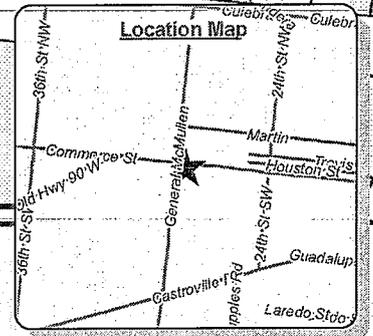
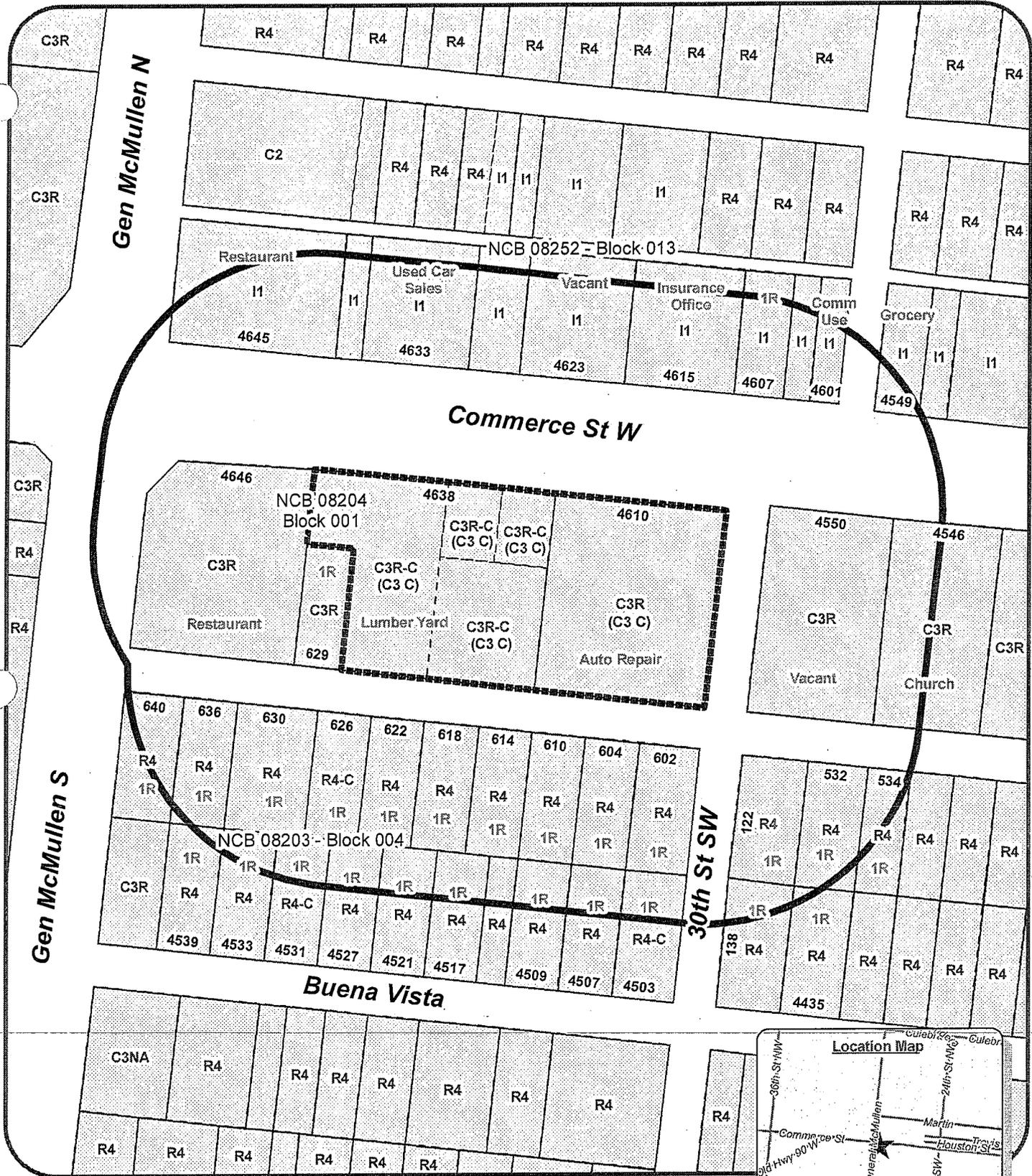
CASE NO: Z2008262

Final Staff Recommendation - Zoning Commission

to "MF-33" Multi-Family District).

At the request of the District 8 City Council office, this case is scheduled to be heard by City Council on September 18, 2008.

CASE MANAGER : Micah Diaz 207-5876



Zoning Case Notification Plan

Case Z-2008-263

Council District 5
 Scale: 1" approx. = 120'

- Legend**
- Subject Property [dashed line] (1.4 Acres)
 - 200' Notification Buffer [thick black line]
 - Current Zoning **R6**
 - Requested Zoning Change **(R6)**
 - 100-Year FEMA Floodplain [shaded area]



City of San Antonio - Development Services Dept
 (09/05/2008)

Subject Property Legal Description(s): NCB 08204 - Block 001 - S 65.06 ft of Lots 7 thru 15 and Lots 28 thru 34; and Lots 22 thru 27 and S 65.06 ft of Lots 16 thru 21

CASE NO: Z2008263 CD

Final Staff Recommendation - Zoning Commission

Date: September 16, 2008

Council District: 5

Ferguson Map: 615 D4

Applicant Name:

Owner Name:

Revo Capital West Commerce, Ltd.

Revo Capital West Commerce, Ltd.

Zoning Request: From "C-3 R CD" (CD-Lumberyard and Building Materials with Outside Storage) General Commercial Restrictive Alcohol Sales District with a Conditional Use for a Lumberyard and Building Materials with Outside Storage and "C-3 R" General Commercial Restrictive Alcohol Sales District to "C-3 CD" (CD-Lumberyard and Building Materials with Outside Storage) General Commercial District with a Conditional Use for a Lumberyard and Building Materials with Outside Storage.

Property Location: 1.392 Acres out of NCB 8204

4638 and 4610 West Commerce Street

The southwest corner of the intersection of West Commerce Street and Southwest 30th Street

Proposal: To remove alcohol restriction for commercial development.

Neigh. Assoc. Prospect Hill Neighborhood Association

Neigh. Plan None

TIA Statement: A Traffic Impact Study is not required.

Staff Recommendation:

Approval

The subject property is located on the west side of the city. This 1.392-acre, 2 parcel site is located on the south side of West Commerce Street, between South General McMullen and Southwest 30th Street. This area was annexed into the City on August 03, 1944. The existing commercial structures total approximately 5881 square feet with the uses of a tire-muffler shop and a vacant lumberyard. The subject property was rezoned from "J" to "B-3 R" and "B-3 S.U.P." (S - Lumberyard and Construction Materials with Outside Storage) on March 28, 1991. Upon the adoption of the current Unified Development Code in 2001, "B-3 R" and "B-3 S" were converted to "C-3 R" and "C-3 CD" (CD - Lumberyard and Construction Materials with Outside Storage). Surrounding properties to the west and to the east are zoned "C-3 R" and are occupied by a restaurant to the west and a vacant lot to the east. Properties to the north, across from West Commerce Street, are zoned "I-1" General Industrial District and are occupied by various commercial uses like auto sales, restaurant and an office. Properties to the south, across from Alta Vista Street, are zoned "R-4" and occupied by single-family residential structures and uses. This portion of West Commerce Street is Primary Arterial "Type B".

The requested commercial district, which will allow the applicant to sell alcohol, is a regional district most appropriate at the intersections of major thoroughfares and along the frontages of arterials and expressways. Given the property's location, the amount of existing commercial zoning in place and the development trends in the vicinity, uses allowed by this district would be consistent and compatible with the existing and likely future uses along the West Commerce Street corridor. Additionally, Staff recommends the conditions listed to help eliminate any potentially negative impact on nearby residences:

CASE NO: Z2008263 CD

Final Staff Recommendation - Zoning Commission

1. Outside storage shall be screened along public view.
2. Outdoor lighting shall be arranged so the source of light is concealed from the nearby residential properties through the use of directional fixtures of ninety (90) degrees or less.
3. A minimum 10-foot "Type A" landscaped buffer shall be maintained for the property lines along Alta Sita Street and Southwest 30th Street. As per the Unified Development Code (Table 510-1) a minimum 15-foot "Type B" landscaped buffer shall be maintained for the property line along West Commerce Street.

CASE MANAGER : John Osten 207-2187



RECEIVED
CITY OF SAN ANTONIO
CITY CLERK

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

08 MAY 22 AM 9:19

TO: Mayor & City Council

FROM: Councilwoman Jennifer V. Ramos, District 3

COPIES TO: Sheryl Sculley, City Manager; Leticia Vacek, City Clerk; Edward Benavides, Executive Assistant to the City Manager; Chris Callanen, Assistant to the City Council; Michael Bernard, City Attorney; Catherine J. Hernandez, Special Projects Manager; Ramiro Gonzales, Senior Management Analyst

SUBJECT: Request for Placement of Item on Governance Committee Agenda

DATE: May 20, 2008

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 Governance Committee:

I respectfully request the Development Services Department Staff work with the City Attorney's Office to research and prepare an amendment to the Unified Development Code to address the zoning of carwashes. The intent of this proposed update to the UDC is to create more mutually exclusive designations for car wash establishments.

Brief Background

Currently there is only one entry in the UDC Use Matrix to identify carwashes. However, there currently exists a broader variety of car wash types that ought to be specifically identified and appropriately addressed with more specific location criteria and use regulations that consider the establishment's proximity to schools, churches, and neighborhoods.

Submitted for Council consideration
by:

Councilwoman Jennifer V. Ramos

Supporting Councilmembers' Signatures (4 only)	District No.
1. <u>Lawrence (Sullivan)</u>	<u>5</u>
2. <u>Mary Alice P Cisneros</u>	<u>1</u>
3. <u>Philip A. Cortez (T.O.S.)</u>	<u>4</u>
4. <u>John J. Clary (P)</u>	<u>10</u>

**CITY OF SAN ANTONIO
PLANNING AND DEVELOPMENT SERVICES DEPARTMENT**

TO: Members of the San Antonio Zoning Commission

FROM: Roderick Sanchez, AICP, CBO, Director

SUBJECT: Proposed amendment to the Unified Development Code regarding carwashes

DATE: September 16, 2008

SUMMARY:

Pursuant to direction by City Council, the Planning and Development Services Department has prepared an amendment to the Unified Development Code (UDC) to address carwashes.

BACKGROUND:

On May 22, 2008 the Planning and Development Services Department (P&DS) received a Council Consideration Request (CCR) asking P&DS Staff to work with the City Attorney's Office to review and modify the current carwash regulations to better address the impacts carwashes can have on nearby uses. San Antonio's UDC indicates in which zoning districts individual uses are allowed or not allowed. Currently, carwashes of all types are allowed in the "C-3", "L", "I-1", "UD", "RD" and "MI-1" Districts by right, and in the "C-2" District with approval of a Specific Use Authorization by City Council. There are currently stacking and parking requirements for carwashes, but no supplemental use regulations specific to carwashes. Of concern are the full-service type carwashes, which tend to include manual washing, drying or detailing of vehicles in open holding or parking areas.

The City Council Governance Committee considered this CCR on June 18th of 2008 and forwarded it to the City Council Infrastructure and Growth Committee (I&G). The Real Estate Council's Development Process Task Force was briefed on this item on August 8th, and the TAC recommended denial on August 25th. In addition to the Zoning Commission's consideration, reviews and considerations will also be made by the Planning Commission, the City South Management Authority (CSMA) Board, and the I&G before final consideration by City Council.

POLICY ANALYSIS AND RECOMMENDATION:

Staff recognizes that the outdoor activity generally associated with full-service carwashes can have adverse impacts on adjacent or nearby uses. New definitions for different types of carwashes are included, as well as some supplemental use regulations intended to ameliorate potential negative impacts. Included with the amendment language are some deletions of redundant matrix entries. The Planning and Development Services Department recommends approval of the draft amendment language included in this packet.

Proposed Amendment to the Unified Development Code (Chapter 35 of the City Code)

APPENDIX A: DEFINITIONS AND RULES OF INTERPRETATION

Sec. 35-A101. Generally.

~~Car wash. A facility that provides for the washing, drying, vacuuming and detailing of automobiles and light trucks. Includes automatic and attendant operated, attendant operated handwash, automatic drive thru, and self service. (Car washes may be attendant operated or self operated as provided for in section 35-311 Table 311-2 of the UDC.)~~

~~Car wash, self service. A structure where washing, drying and polishing of vehicles is generally on a self service basis without the use of chain conveyors, blowers, steam cleaning, or other mechanical devices.~~

Carwash, self-service. A business establishment at which the cleaning, washing, drying, polishing, waxing, vacuuming and/or detailing of automobiles and light trucks is conducted manually by the customer.

Carwash, automatic self service drive-thru. A business establishment at which automated mechanical equipment cleans, washes, dries, polishes, and waxes automobiles and light trucks, either while the vehicle is stationary, or on a conveyor belt system.

Carwash, full service and/or detail shop. A business establishment at which automobiles and light trucks are cleaned, washed, dried, polished, waxed, vacuumed and/or detailed manually by employees or attendants, and can include a combination of work done by hand and by automated mechanical equipment.

ARTICLE III

35-311 Use Regulations

TABLE 311-2 NON-RESIDENTIAL USE MATRIX													
	PERMITTED USE	O-1	O-2	NC	C-1	C-2	C-3	D	L	I-1	I-2	ERZD	(LBCS Function)
Auto	Carwash – see supplemental use regulations					S	P		P	PS		S	2110

**Table 311-2a
Non-Residential use Matrix**

		Urban			Rural			Farm		Mixed Industrial						
		> 90,000sf	< 90,000 sf	< 6,000sf	Bldg Footprint > 90,000 sf	< 90,000 sf	< 6,000sf	FR	VILLAGE CENTER - ER	MI - 1	MI - 1 < 3,000 sf	VILLAGE CENTER - M1	MI - 2	MI - 2 < 3,000 sf	VILLAGE CENTER - M2	
Auto	Carwash – Automatic And Attendant Operated see supplemental use regulations	P	P		P	P				P						
Auto	Carwash – Automatic Self Service Drive-Thru	P	P		P	P				P						
Auto	Carwash – Self Service	P	P		P	P				P						

DIVISION 7 – SUPPLEMENTAL USE REGULATIONS
Sec. 35-395. Carwashes.

- (a) Vacuums, carpet/steam cleaning machines and blowers shall not be situated within the required setbacks.
- (b) Any and all manual cleaning, washing, drying, polishing, waxing, vacuuming and/or detailing conducted at full service carwashes or detail shops shall be screened from public view.

**TABLE 526-3b
Parking in Non-Residential Use Districts**

	Permitted Use	Minimum Vehicle Spaces	Maximum Vehicle Spaces
AUTO	CARWASH—automatic and attendant operated	1 per 500 sf GFA including service bays, wash tunnels and retail areas	1 per 375 sf GFA including service bays, wash tunnels and retail areas
AUTO	CARWASH—automatic self service drive thru	1 per 500 sf GFA including service bays, wash tunnels and retail areas	1 per 375 sf GFA including service bays, wash tunnels and retail areas
AUTO	CARWASH—self service	1 per 500 sf GFA including service bays, wash tunnels and retail areas	1 per 375 sf GFA including service bays, wash tunnels and retail areas