

**CITY OF SAN ANTONIO**  
**Zoning Commission Agenda**

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

**June 5, 2007**  
**Tuesday, 11:30 A.M.**

**ZONING COMMISSIONERS**

Michael Westheimer – District 1	Jody Sherrill – District 7
Barbara Hawkins – District 2	Rolando H. Briones, Jr. – District 8
Don Gadberry – District 3	Susan Wright – District 9
Joe Valadez – District 5	Robert R. Robbins – District 10
Christopher Martinez – District 6	James Gray – District Mayor
Henry Avila – District 4 Chairman	

1. **Work Session presentation by zoning staff to discuss zoning case recommendations and all other items for consideration on agenda for June 5, 2007, at 11:30 A.M. Tobin Room, 1901 S. Alamo, Cliff Morton Development and Business Services Center.**
2. Call to Order – Board Room – 1:00 PM
3. Roll Call.
4. Pledge of Allegiance.
5. Director’s Report.
6. Approval of May 15, 2007 Minutes.
7. **ZONING CASE NUMBER Z2007017 – POSTPONED:** The request of Kaufman and Associates, Inc., Applicant, for Santikos Legacy Ltd., Owner(s), for a change in zoning from “C-3” ERZD General Commercial Edwards Recharge Zone District and “C-3” S ERZD General Commercial Edwards Recharge Zone District with a Specific Use Permit for an Animal Clinic, Automobile Parts Sales Facility, Building Specialties, Retail Facility, Paint and Wallpaper Store with Retail and Wholesale Sales, Print Shop and Blueprinting/Photostatting Facility to “MF-50” ERZD Multi-Family Edwards Recharge Zone District on 6.078 acres out of NCB 15671 and “C-2” ERZD Commercial Edwards Recharge Zone District on 3.100 acres out of NCB 15671 on 9.178 acres out of NCB 15671, 1910, 1939, 2003 and 2023 East Sonterra Boulevard. (Council District 8) Pg. 6

8. **ZONING CASE NUMBER Z2007090:** The request of Brown, P. C., Applicant, for Fourth Quarter Properties LXII, LP c/o Thomas Enterprises and Hooten Family Trust, Owner(s), for a change in zoning from “RP” Resource Protection, “R-20” Residential Single Family District, “R-6” Residential Single Family District, “O-2” Office District, “C-3” General Commercial District, “C-3R” Commercial Restrictive Alcohol Sales District, “I-1” General Industrial District, and “QD” (CD-Blasting and Asphaltic Concrete) Quarry District with a Conditional Use for Blasting and Asphaltic Concrete to “MPCD” Master Planned Community District. Portions of this property are located within the ERZD Edwards Recharge Zone District and the “GC-1” Gateway Corridor Overlay District-1; however, the proposal does not include removing or altering the boundaries of either of these districts on 835.471 acres out of NCB 14747, NCB 14853, NCB 14881, NCB 14882, NCB 17700, NCB 18331, NCB 18332, NCB 34760, NCB 34761, NCB 34763, NCB 34777, NCB 34778 and NCB 34781, 15000 through 19600 Blocks of Interstate 10 West and 5000 Block of Loop 1604 North. (Council District 8) Pg. 16
9. **ZONING CASE NUMBER Z2007075:** The request of Brown, P.C., Applicant, for RKS Texas Investments, LP, Owner(s), for a change in zoning from “C-2” ERZD Commercial Edwards Recharge Zone District to “C-3” ERZD General Commercial Edwards Recharge Zone District on Lots 2 and 3, Block 35, NCB 19219, 20832 and 20840 Stone Oak Parkway. (Council District 9) Pg. 28
10. **ZONING CASE NUMBER Z2007169:** The request of William Hoover, Applicant, for James and Sue Ann May Revocable Living Trust, Owner(s), for a change in zoning from “R-6” ERZD Single Family Residential Edwards Recharge Zone District to PUD “MF-25” ERZD Planned Unit Development Multi-Family Edwards Recharge Zone District on 6.833 acres out of NCB 14615 and “C-2” ERZD Commercial Edwards Recharge Zone District on 1.524 acres out of NCB 14615 on 8.357 acres of NCB 14615, 8130 Hausman Road. (Council District 8) Pg. 38
11. **ZONING CASE NUMBER Z2007187 S:** The request of Dr. Martin Garcia, Applicant, for 523 Med Court LP, Owner(s), for a change in zoning from “C-2” ERZD Commercial Edwards Recharge Zone District to “C-2” S ERZD Commercial Edwards Recharge Zone District with a Specific Use Permit for a Nightclub on .094 acres out of NCB 19218, 523 Med Court. (Council District 9) Pg. 48
12. **ZONING CASE NUMBER Z2007192 CD S:** The request of Brown, P.C., Applicant, for LinRy, LP, Owner(s), for a change in zoning from “R-6” ERZD Residential Single Family Edwards Recharge Zone District and “R-6” Residential Single Family District to “C-3” (CD-Freight Depot) S ERZD General Commercial Edwards Recharge Zone District with a Conditional Use and a Specific Use Permit for a Freight Depot and “C-3” (CD-Freight Depot) S General Commercial District with a Conditional Use and a Specific Use Permit for a Freight Depot on 9.004 acres out of NCB 14848, 15080 Tradesman Drive. (Council District 8) Pg. 58
13. **ZONING CASE NUMBER Z2007193:** The request of Brown, P.C., Applicant, for B&M Marshall Road, Ltd., Owner(s), for a change in zoning from “C-2NA” ERZD Commercial Nonalcoholic Sales Edwards Recharge Zone District to “C-2” ERZD Commercial Edwards Recharge Zone District on 1.293 acres out of NCB 18218, 23132 US Highway 281 North. (Council District 9) Pg. 70
14. **ZONING CASE NUMBER Z2007163 CD:** The request of Hector Valadez, Applicant, for Hector Valadez, Owner(s), for a change in zoning from “R-6” Residential Single Family District to “R-6” (CD-Catering Shop) Residential Single-Family District with Conditional Use for a Catering Shop on Lot 13, Block 1, NCB 1011, 244 West Cevallos. (Council District 1) Pg. 80

- A. Finding of consistency with Master Plan.
- B. Recommendation on zoning change request.

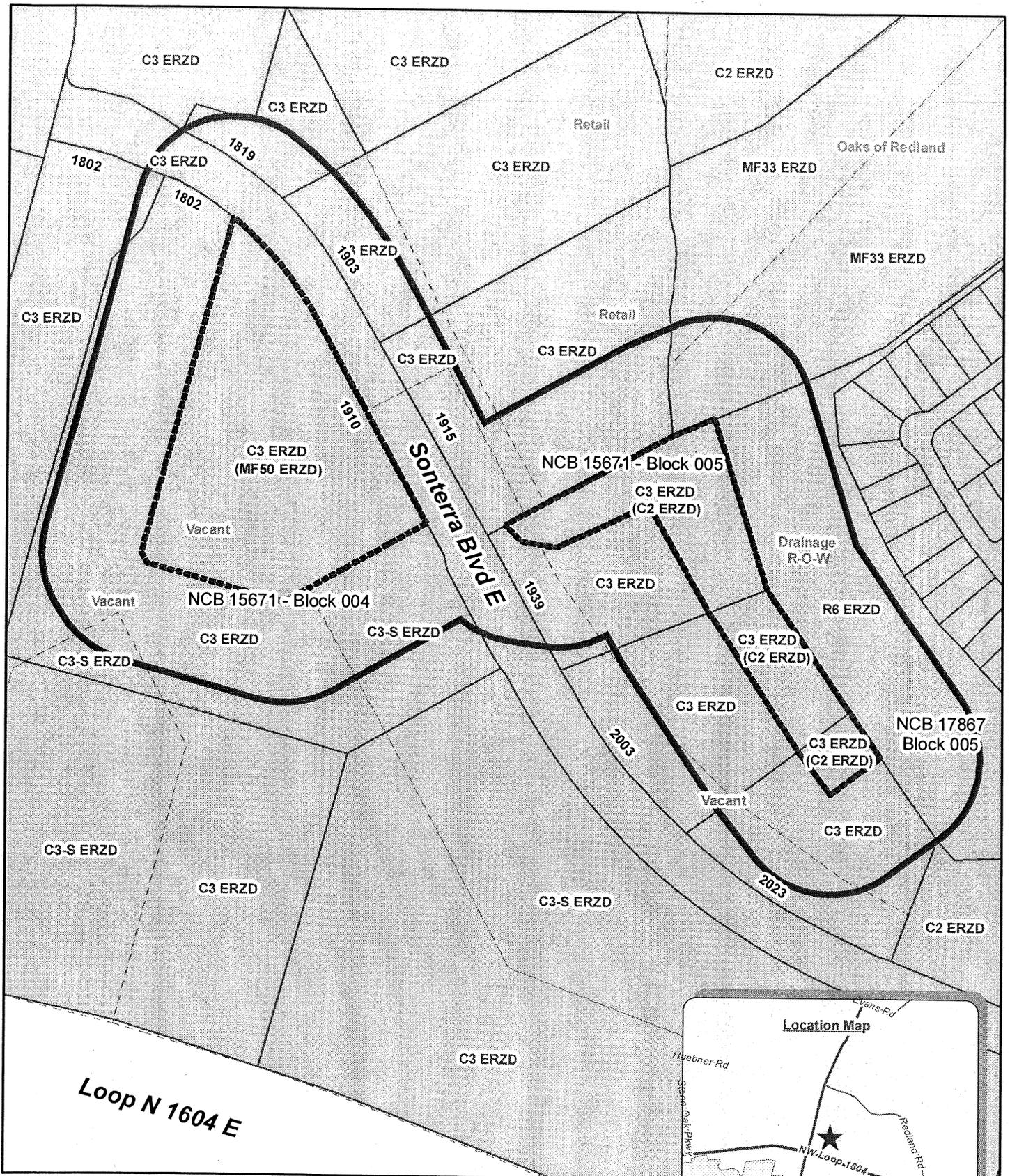
15. **ZONING CASE NUMBER Z2007171 CD:** The request of Jerry Arredondo, Applicant, for Gordon Schabert, Owner(s), for a change in zoning from “R-4” Residential Single-Family District to “R-4” (CD-Professional Offices) Residential Single-Family District with Conditional Use for Professional Offices on Lot 35, Block 20, NCB 9223, 3922 Blanco Road. (Council District 1) Pg. 84
  - A. Finding of consistency with Master Plan.
  - B. Recommendation on zoning change request.
  
16. **ZONING CASE NUMBER Z2007121:** The request of Roy Horn, III, Applicant, for Barry Morris, Owner(s), for a change in zoning from “R-6” Residential Single Family District to “C-2” Commercial District on Lots 1 and 2, NCB 18009 and Lot P-9, NCB 14614, 11216 Bandera Road. (Council District 8) Pg. 88
  
17. **ZONING CASE NUMBER Z2007177 S:** The request of Ford Engineering, Inc., Applicant, for Lillian Blackwell, Owner(s), for a change in zoning from “R-6” “GC-1” Single Family Residential Gateway Corridor District 1 and “R-6” Single Family Residential District to “R-6” S “GC-1” Single Family Residential Gateway Corridor District 1 with a Specific Use Permit for a Day Care Center and “R-6” S Single Family Residential District with a Specific Use Permit for a Day Care Center on 3.269 acres out of NCB 34732 and “C-2” S “GC-1” Commercial Gateway Corridor District 1 with a Specific Use Permit for Reception Hall/Meeting Facility and “C-2” S Commercial District with a Specific Use Permit for Reception Hall/Meeting Facility on 3.236 acres out of NCB 34732 on P-12J, NCB 34732, 23907 Cielo Vista Drive. (Council District 8) Pg. 90
  
18. **ZONING CASE NUMBER Z2007198:** The request of Brown, P.C., Applicant, for Bernardo and Rocio Artola, Owner(s), for a change in zoning from “R-6” Residential Single-Family District to PUD “MF-25” Planned Unit Development Multi-Family District on P-123A, NCB 18553 (2.20 acres), 8900 Guilbeau Road. (Council District 7) Pg. 94
  - A. Finding of consistency with Master Plan.
  - B. Recommendation on zoning change request.
  
19. **ZONING CASE NUMBER Z2007208:** The request of Todd Keller, Applicant, for Rudy Rivas, Owner(s), for a change in zoning from “R-6” Residential Single Family District to “C-2P” Commercial Pedestrian District on Lot 6, Block 8, NCB 1002, 922 East Elmira Street. (Council District 1) Pg. 98
  
20. **ZONING CASE NUMBER Z2007209:** The request of Bill Riesenecker, Applicant, for Bill Riesenecker, Owner(s), for a change in zoning from “R-6” Residential Single Family District to “MF-25” “IDZ” Multi-family Infill Development Zone District on Lot 14, Block 7, NCB 2998, 516 East Ashby Place. (Council District 1) Pg. 102
  
21. **ZONING CASE NUMBER Z2007211:** The request of Brown, P. C., Applicant, for Associated Investments, Owner(s), for a change in zoning from “C-3” General Commercial District and “I-1” General Industrial District to “MF-33” Multi-Family District on 1.91 acres out of NCB 8696, 1318 Austin Hwy. (Council District 2) Pg. 106
  - A. Finding of consistency with Master Plan.
  - B. Recommendation on zoning change request.

22. **ZONING CASE NUMBER Z2007194 CD:** The request of Jomo, Ltd., Applicant, for Adolph P. Knaupp, Owner(s), for a change in zoning from: "R-20" Residential Single-Family District and "R-20" "GC-1" Residential Single-Family Gateway Corridor District 1 to "C-2" (CD-Office Warehouse) Commercial Gateway Corridor District 1 with a Conditional Use for a Office Warehouse and "C-2" (CD-Office Warehouse) Commercial District with a Conditional Use for a Office Warehouse., "C-2" (CD-Motel) Commercial Gateway Corridor District 1 with a Conditional Use for a Motel and "C-2" (CD-Motel) Commercial District with a Conditional Use for a Motel. on 14.824 acre tract of land out of NCB 35733, 7025 Oak Drive and 21600 Block of Milisa Drive. (Council District 8) Pg. 110
23. **ZONING CASE NUMBER Z2007196 S:** The request of Civil Engineering Consultants, Applicant, for DASI, LLC, Owner(s), for a change in zoning from "C-2" Commercial District to "C-2" S Commercial District with Specific Use Permit for a Car Wash on Lot 7, Block 16, NCB 14477, Northwest Corner of Southwest Loop 410 and Highway 16 South. (Council District 4) Pg. 114
24. **ZONING CASE NUMBER Z2007200 CD:** The request of Kaufman and Associates, Inc., Applicant, for Esperanza Ochoa, Owner(s), for a change in zoning from "R-6" Residential Single Family District to "C-2" (CD-Hotel) Commercial District with a Conditional Use for a Hotel on Tract 1C (5.446 acres), CB 4361 (NCB 34361), 11000 Block of West Loop 1604. (Council District 6) Pg. 118
- A. Finding of consistency with Master Plan.  
B. Recommendation on zoning change request.
25. **ZONING CASE NUMBER Z2007201:** The request of Westover Hills Development Partners, Applicant, for Westover Hills Development Partners, Owner(s), for a change in zoning from "R-6" Residential Single Family District and "C-3" General Commercial District to "MF-33" Multi-Family District on 21.80 acres out of NCB 17642, 9800 Block of West Military Drive. (Council District 6) Pg. 120
26. **ZONING CASE NUMBER Z2007202:** The request of Fred Flores & Co., Applicant, for Fred Flores & Michele L. Rowe, Owner(s), for a change in zoning from PUD "O-2" Planned Unit Development Office District to "O-1" Office District on 0.9806 acres out of NCB 17444, 13006 Jones Maltsberger. (Council District 9) Pg. 122
27. **ZONING CASE NUMBER Z2007203 CD:** The request of Feliciano Lopez, Jr., Applicant, for Feliciano Lopez, Jr., Owner(s), for a change in zoning from "I-1" General Industrial District to "C-2" (CD-Nightclub) Commercial District with Conditional Use for a Nightclub on Lot 2 and Lot 3, Block 2, NCB 8542, 1410 Castroville Road. (Council District 6) Pg. 124
28. **ZONING CASE NUMBER Z2007204 B:** The request of City of San Antonio, Applicant, for Our Casas Resident Council, Inc., Owner(s), for a change in zoning from "MF-33" Multi-Family District and "C-2" Commercial District to "R-5" Single-Family Residential District on Lots 5 through 15, Block 24, NCB 3199, 2810 Wade Street. (Council District 3) Pg. 126
29. **ZONING CASE NUMBER Z2007207 S:** The request of The Wash Tub, Applicant, for HEB Grocery Co., Owner(s), for a change in zoning from "C-2" Commercial District to "C-2" S Commercial District Specific Use Permit for a Carwash on Lot 1, Block 1, NCB 19603, 10626 Potranco Road. (Council District 4) Pg. 132
30. **ZONING CASE NUMBER Z2007210:** The request of Brown, P.C., Applicant, for Sanjay Misra, Owner(s), for a change in zoning from "I-1" General Industrial District to "C-3" General Commercial District on 3.430 acres out of NCB 15329, 400-500 Block of Richland Hills. (Council District 6) Pg. 136

31. Consideration to Postpone August 7, 2007 (National Night Out) meetings.
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. The accessible entrance is located at 1901 S Alamo. Accessible parking spaces are located in front of the building. Auxiliary aids and services are available upon request. Interpreters for the deaf must be requested at least 48 hours prior to the meeting by calling 207-7245

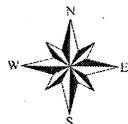


## Zoning Case Notification Plan

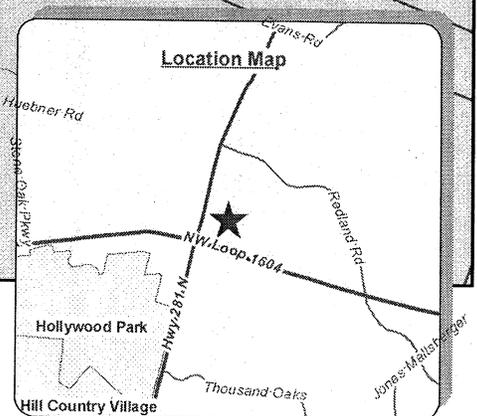
### Case Z2007017

Council District 9

Scale: 1" approx. = 250'



Legend	
Subject Property	
200' Notification Buffer	
Property Address	12345
Current Zoning	Blue
Requested Zoning Change	(Red)
Land Use	Orange
NCB - Block	54321-123
100-Year FEMA Floodplain	



Produced by the City of San Antonio  
Development Services Department  
(05/04/2007)

# CASE NO: Z2007017 - Postponed

## Final Staff Recommendation - Zoning Commission

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**Date:** June 05, 2007

**Council District:** 8

**Ferguson Map:** 517 C2

**Applicant Name:**

**Owner Name:**

Kaufman and Associates, Inc.

Santikos Legacy Ltd.

**Zoning Request:** From "C-3" ERZD General Commercial Edwards Recharge Zone District and "C-3" S ERZD General Commercial Edwards Recharge Zone District with a Specific Use Permit for an Animal Clinic, Automobile Parts Sales Facility, Building Specialties, Retail Facility, Paint and Wallpaper Store with Retail and Wholesale Sales, Print Shop and Blueprinting/Photostatting Facility to "MF-50" ERZD Multi-Family Edwards Recharge Zone District on 6.078 acres out of NCB 15671 and "C-2" ERZD Commercial Edwards Recharge Zone District on 3.100 acres out of NCB 15671.

**Property Location:** 9.178 acres out of NCB 15671

1910, 1939, 2003 and 2023 East Sonterra Boulevard

East Sonterra Boulevard, East of US Highway 281 North

**Proposal:** To Allow Mixed Use Development

**Neigh. Assoc.** None

**Neigh. Plan** None

**TIA Statement:** A Traffic Impact Analysis is not required.

### Staff Recommendation:

Approval

Given the location of the subject properties near both the Loop 1604 and Highway 281 corridors and the prevalence of commercial zoning and land uses in the immediate vicinity, the proposed land uses may be considered consistent and compatible with the development patterns of this area. Additionally, the request, from C-3 to MF-50 and C-2, represent downzones of property which staff generally supports, particularly for properties located within the Edwards Recharge Zone District.

The subject property was annexed into the city in December of 1984 and totals about 9 acres. These properties front on East Sonterra Boulevard, which is identified as a Type A Secondary Arterial by the city's Major Thoroughfare Plan. The 6 acre portion of the property is located on the west side of Sonterra Boulevard and is proposed for multi-family development. The portion that measures just over 3 acres is located immediately to the east, across Sonterra Boulevard, and is part of a larger tract already with C-3 zoning. About 270 units are proposed for the 6 acre tract while the 3 acre tract is on a severe slope and is to remain undeveloped, it's inclusion in this zoning case is intended to allow flexibility in the impervious cover restrictions for the entire 9 acres under consideration. These parcels are platted and located within the Legacy Subdivision.

Much of the property to the west and south has C-3 zoning that dates to 1985. The parcel to the east (1802 Sonterra) has an existing fitness center and there is a large shopping center to the south on parcels with C-3 and C-3 S zoning. Portions of the subject property proposed for multi-family development were included in the zone change, approved in August of 2000, allowing specific uses which included a variety of retail and service related commercial uses. Most properties along the east side of Sonterra Boulevard have existing C-3 zoning

# **CASE NO: Z2007017 - Postponed**

## **Final Staff Recommendation - Zoning Commission**

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that dates to January of 2001 and remain undeveloped, although one parcel (1819 Sonterra) has a multi-story building under construction. The undeveloped parcel further east has MF-33 zoning that also dates to January of 2001. There is a drainage right-of-way owned by the Redland Ridge Homeowner's Association directly east of the 3.1 acre tract and further east is Unit 3 of the Redland Ridge residential subdivision, most home dating to the early 2000's.

### **SAWS Summary**

1. SAWS recommends approval of the proposed land uses.
2. SAWS identifies the subject properties as Category 1 properties.
3. SAWS recommends a maximum impervious cover of 50% with the 3.1 acre tract remaining undeveloped.

**CASE MANAGER :** Matthew Taylor 207-5876

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, Patricia M. Garza, Resource Protection Specialist II, Aquifer Protection & Evaluation Section, File  
**Subject:** Zoning Case Z2007017 (Legacy Development)

**Date:** May 14, 2007

**SUMMARY**

A request for a change in zoning has been made for an approximate 9.178-acre tract located on the city's north side. A change in zoning from **C-3 ERZD** to **MF-50 ERZD (6.078 acres)** and **C-2 ERZD (3.1 acres)** is being requested by the applicant, Kaufman & Associates, Inc. The change in zoning has been requested to allow for the development of a multifamily residential on the 6.078 acres and the 3.1 acres shall remain undeveloped. Each tract is classified as Category 1 property. The change is to allow for the construction of 272 units of a multifamily development on the 6.078 acres and the 3.1 acre tract shall remain in its natural state.

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

**LOCATION**

The subject property is located in City Council District 9, near the intersection of Loop 1604 and U.S. Hwy 281. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

**SITE EVALUATION**

1. Development Description:

The proposed change is from C-3 ERZD to MF-50 ERZD for the 6.078 acre tract will allow for the construction of a multifamily development. The proposed change for the 3.1 acre tract is from C-3 ERZD to C-2 ERZD to allow for commercial development on the adjacent surrounding tracts. Currently the both sites are undeveloped and have been graded with large amounts of fill material and a few trees.

2. Surrounding Land Uses:

The proposed multi-family 6.078 acre tract is surrounded by the initial construction phases of the Legacy Development on the west, south and east sides. The north side of the project is bordered by Sonterra Blvd. The proposed 3.1 acre tract is primarily surrounded by undeveloped land except for its northern border which is bounded by Mud Creek.

3. Water Pollution Abatement Plan:

The Palladium Water Pollution Abatement Plan (WPAP) was approved by the Texas Commission on Environmental Quality (TCEQ) on June 29, 2000. No geologic features were noted on the 6.078 acre rezoning portion of the WPAP.

4. Geologic Conditions:

The Resource Protection Division of the San Antonio Water System conducted a site evaluation, on February 14, 2006, of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS staff Geologist, Mr. Gregory James, P.G., was present during the site evaluation.

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

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

The Regional Dense Member is characterized by low permeability and serves as a vertical barrier to flow. It is approximately 20 feet thick in full section.

On site observations were not possible due to larger amounts of fill material and coverage by alluvium. No Geologic Assessment was available for the project site. The Site appears to have been extensively graded. No significant features were observed during the site evaluation.

## **ENVIRONMENTAL CONCERNS**

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

### **Site Specific Concerns**

1. The floodplain lies down gradient from the 6.078 acre site. However the 3.1 acre tract abuts the floodplain along its northern edge.

### **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%. The 3.1 acre tract shall remain undeveloped.
2. The land uses within the project site shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for a re-zoning for that particular use at the project site. If the land use is listed as special use, a special permit must be obtained for that use. If the land use is listed as not allowed, that land use will not be permitted on the project site.
3. The owner of all water pollution abatement structures shall be responsible for properly maintaining the basin and that it is kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Resource Protection Division of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. The new owner must submit a signed water quality maintenance plan to the Resource Protection Division of SAWS.
4. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing Groundwater Pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210/222-2204), or equivalent information produced by the U.S. Natural Resource Conservation Service, Texas Department of Agriculture, U.S.D.A, shall be used.
5. The applicant shall notify the Construction Compliance Section of the Resource Compliance Division of SAWS at (210) 233-3564 no later than 48 hours prior to the commencement of construction at the site. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3520.

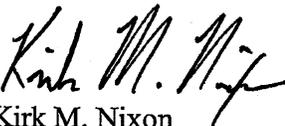
6. If any sensitive geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3520.

### **General Recommendations**

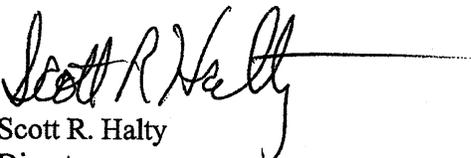
1. Prior to the release of any building permits the owner/operator of any Category 2 property shall submit an Aquifer Protection Plan to the Resource Protection Division of the San Antonio Water System.
2. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer Protection & Evaluation Section of the Resource Protection Division:
  - A. A copy of the Water Pollution Abatement Plan (WPAP) shall be submitted for each particular development/use within the area being considered for re-zoning,
  - B. A set of site specific plans which must have a signed Engineers Seal from Texas,
  - C. A WPAP approval letter from the Texas Commission on Environmental Quality (TCEQ),
  - D. A copy of the approved Water Pollution Abatement Plan.
3. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.
4. If a water quality basin is constructed on the property, the following is required:
  - A. Prior to the start of the basin construction, the owner will notify the Aquifer Protection and Evaluation Section of the San Antonio Water System at (210) 233-3520 to schedule a site inspection.
  - B. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Aquifer Protection and Evaluation Section at (210) 233-3520 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to SAWS Aquifer Protection and Evaluation Section.
  - C. If the basin fails to drain properly, the owner will notify the Construction Section of the Resource Compliance Division at (210) 233-3564 prior to any discharge of water.
  - D. If at any time the ownership of the property changes, the seller must inform the buyer of all requirements for maintenance of the Basin. A signed basin maintenance plan and schedule agreement, from the new owner, must be submitted to the Resource Protection Division.

5. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.
6. The Resource Protection Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

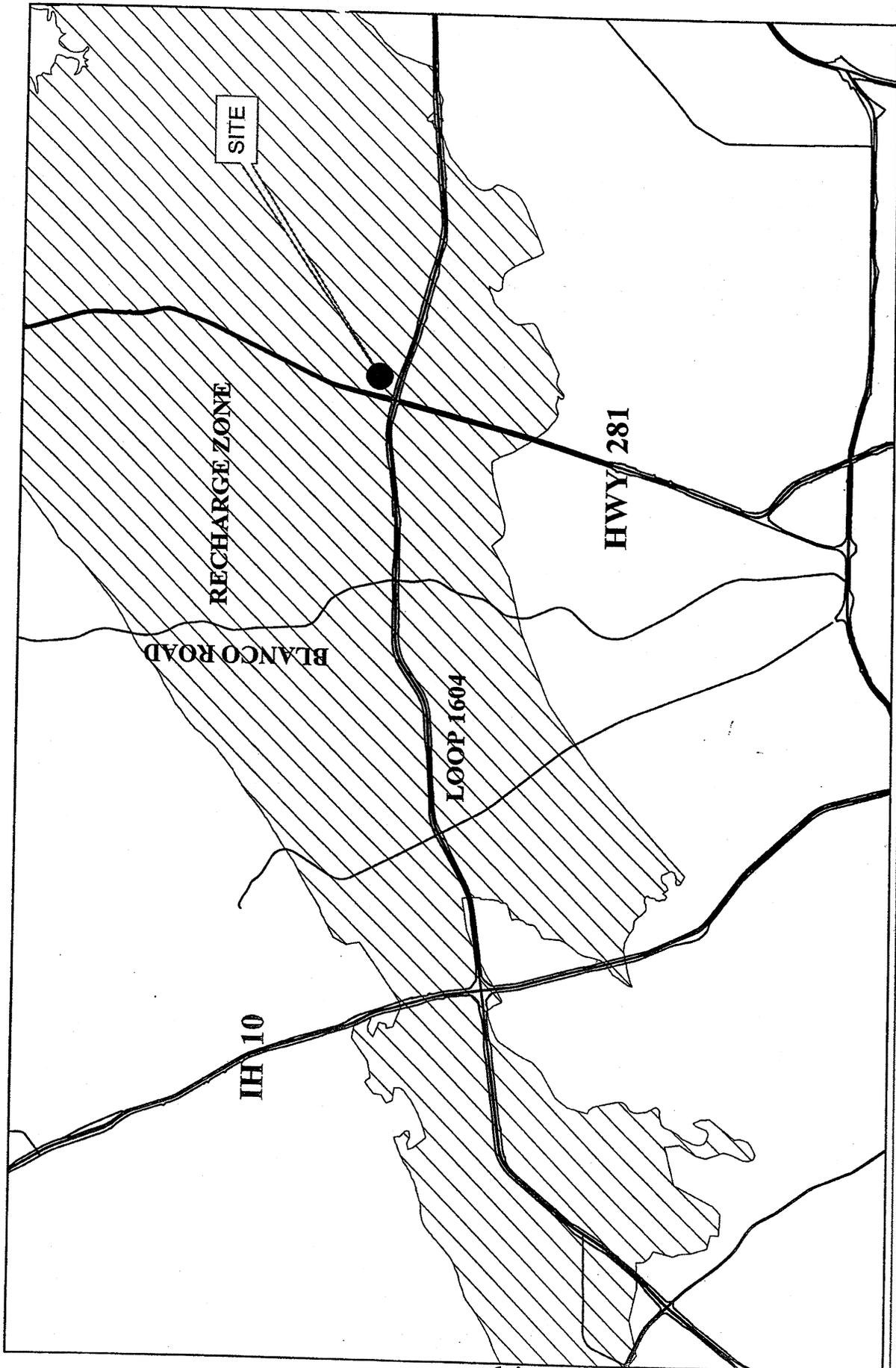
Based on the site evaluation of the property, and the information submitted by the applicant, staff recommends **approval** of the proposed land use. Additionally, SAWS staff recommends that the applicant, or any future owner, comply with the above recommendations in regards to the development of the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

  
Kirk M. Nixon  
Manager  
Resource Protection Division

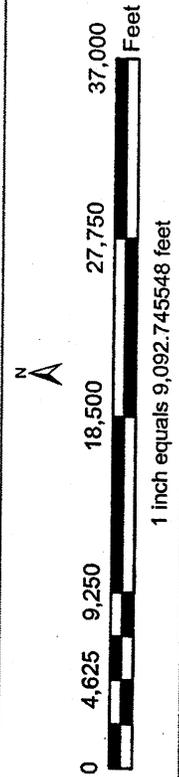
APPROVED:

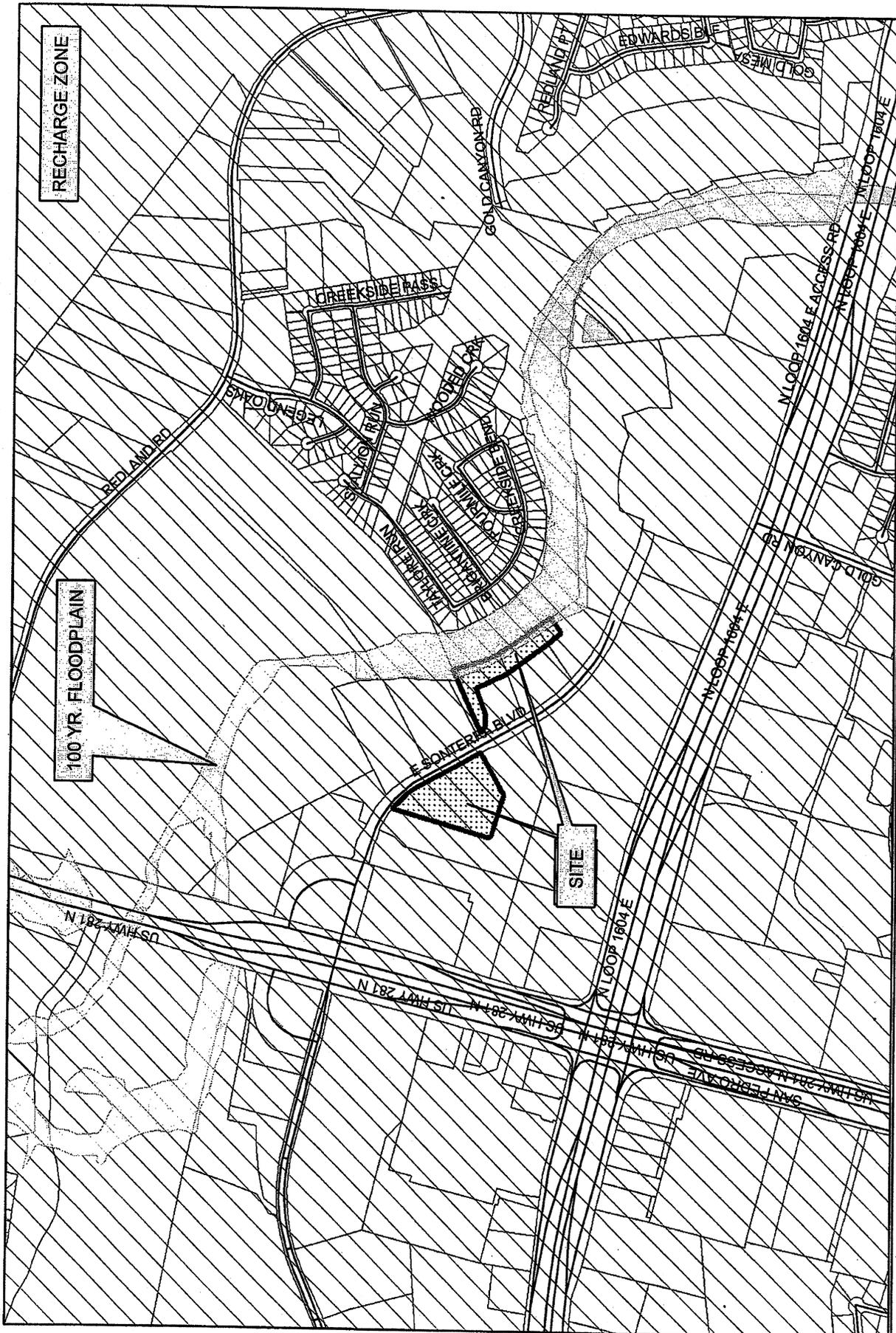
  
Scott R. Halty  
Director,  
Resource Protection & Compliance Department

KMN:PMG

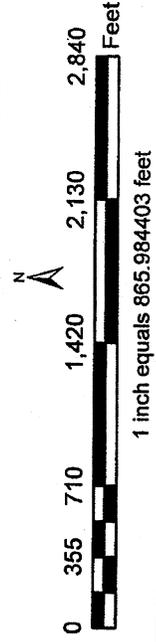


**ZONING CASE NO. Z2007017 Figure 1**  
 Legacy  
 MAP PAGE 517 C2  
 X= 2138995 Y= 13770466  
 Map Prepared by Aquifer Protection & Evaluation PMG 11/07/06





**ZONING: LEGACY DEVELOPMENT**  
**ZONING UNIQUE NO. : Z2007017**  
**MAP PAGE 517 C2 X=2138995 Y=13770466**  
**Map Prepared by Aquifer Protection & Evaluation PMG 05/3/07**





# CASE NO: Z2007090

## Final Staff Recommendation - Zoning Commission

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**Date:** June 05, 2007

Zoning Commission Continuances from May 1, 2007, and May 15, 2007

**Council District:** 8

**Ferguson Map:** 480 and 514

**Applicant Name:**

**Owner Name:**

Brown, P. C.

Fourth Quarter Properties LXII, LP c/o Thomas Enterprises and Hooten Family Trust

**Zoning Request:** From "RP" Resource Protection, "R-20" Residential Single Family District, "R-6" Residential Single Family District, "O-2" Office District, "C-3" General Commercial District, "C-3 R" Commercial Restrictive Alcohol Sales District, "I-1" General Industrial District, and "QD" (CD-Blasting and Asphaltic Concrete) Quarry District with a Conditional Use for Blasting and Asphaltic Concrete to "MPCD" Master Planned Community District. Portions of this property are located within the "ERZD" Edwards Recharge Zone District and the "GC-1" Gateway Corridor Overlay District-1; however, the proposal does not include removing or altering the boundaries of either of these districts.

**Property Location:**

835.471 acres out of NCB 14747, NCB 14853, NCB 14881, NCB 14882, NCB 17700, NCB 18331, NCB 18332, NCB 34760, NCB 34761, NCB 34763, NCB 34777, NCB 34778 and NCB 34781.

15000 through 19600 Blocks of Interstate 10 West and 5000 Block of Loop 1604 North

Generally Located at the Northeast Corner of Interstate 10 West and Loop 1604 North, Extending Northward to Camp Bullis Road.

**Proposal:** To Develop a Master Planned Community

**Neigh. Assoc.** None

**Neigh. Plan** None

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

**Staff Recommendation:**

Approval

The Master Planned Community zoning district is encouraged for properties consisting of large acreages and intended for a mix of land uses within the context of a comprehensive development. This district is a special district that promotes compatibility between a variety of uses, allowing a more efficient arrangement of land uses, structures and inner-connectivity, characteristics that are often difficult to achieve when adjacent lands are zoned and developed independent of each other. Since the majority of the properties identified in the zoning application have existing office, commercial, industrial and quarry district zoning, the request effectively serves as a downzone for a significant portion of the property. Further, much of the area identified for single family residential development has existing single family zoning, most of those areas proposed for multi-family development have more intense office, commercial and quarry zoning districts currently in place and significant commercial development has already occurred on portions with existing commercial zoning. The transition of Interstate 10 West into a corridor of both commercial and less intense land uses is happening rapidly and the MPCD zoning district provides an opportunity for a flexible and sensible large-scale development.

The subject property consists of multiple parcels totaling about 835 acres. Approximately 334 acres are

# CASE NO: Z2007090

## Final Staff Recommendation - Zoning Commission

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located within the Edwards Recharge Zone District with the remainder located over the contributing zone. The properties have been annexed into the city over an extended period of time, ranging between 1964 and 1998. There are also multiple zoning classifications in place including resource protection, residential, commercial and quarry districts. The residential districts generally date from the time following annexation while the most recent commercial and resource protection districts date to 2006. Much of this acreage is undeveloped but there are established uses, most notably the recent commercial development known as The Rim. The proposal is to master plan the area and develop a mix of single and multi-family residential, office, and commercial uses, and the property generally extends along the east side of Interstate 10 West, bound by Loop 1604 to the south and Camp Bullis Road to the north. In 2006, MPCD zoning was approved by the City Council (Zoning Cases Z2006026 and Z2006098 approved June 8, 2006, and June 29, 2006, respectively) for about 145 acres to the west, along the west side of Interstate 10 and north of La Cantera Parkway, to allow a similar mixed use development.

The MPCD allows uses permitted in all residential, office and commercial zoning districts as well as some business park uses. The proposed development is to consist of the following:

Office - 45.2 acres.

Commercial - 425.5 acres.

Single Family Residential - 115.8 acres with minimum lot sizes of 4,000 square feet on 105.8 acres and 5,000 square feet on 10 acres.

Multi-Family Residential - 82.9 acres with a total of 180 units, yielding an average of 46 units per acre.

Open Space - 166.1 acres. Based on the minimum open space requirements of 35% for residential use and 20% for non-residential use, the proposed open space exceeds the 163.7 acres required and much of this area is within the floodplain created by Leon Creek. There are 43.9 acres of open space zoned Resource Protection within the boundary of the proposed development, but this acreage is not a part of this zoning application.

The applicants have submitted the required site plan with the zoning application. As the site plan is a component of the MPCD zoning district, the Zoning Commission must make a recommendation on both the zoning district and site plan, and the City Council must also consider and take action on the site plan. The minimum requirements of a site plan are that proposed land uses, including single and multi-family residential uses, office and commercial uses and the required open space must be identified on the plan by location, type, density and size. Language reflecting the mandatory adherence to the site plan must be contained in the zoning ordinances for all approved MPCD's and, should the applicant request an amendment to an approved MPCD site plan, they may do so administratively if the city determines the amendment is a minor one. Should the amendment be a major one, the criteria determining the scope of the amendment being listed in Section 35-345(e)(2) of the Unified Development Code, the proposed amendment must be returned to the Zoning Commission and City Council for recommendation and approval.

**CASE MANAGER :** Matthew Taylor 207-5876

**SAN ANTONIO WATER SYSTEM  
Interdepartment Correspondence Sheet**

RECEIVED  
07 APR 26 AM 7:55

**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 Z2007090 (The Rim Master Plan)

**Date:** April 25, 2007

**SUMMARY**

A request for a change in zoning has been made for an approximate 835.471-acre tract located on the city's northwest side. A change in zoning from **RP, R-20, O-2, 0-2 GC-1, C-3, C-3 R, C-3 GC-1, QD C, R-6 ERZD, C-3 R ERZD GC-1, C-3 ERZD, C-3 ERZD GC-1, I-1 ERZD, QD ERZD C** to **MPCD, MPCD ERZD, MPCD ERZD GC-1** is being requested by the applicant, Brown, P.C. The change in zoning has been requested to allow for the development of a master planned community. The overall master plan district is classified as Category 1 and 2 properties.

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 IH 10 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 **RP, R-20, O-2, 0-2 GC-1, C-3, C-3 R, C-3 GC-1, QD C, R-6 ERZD, C-3 R ERZD GC-1, C-3 ERZD, C-3 ERZD GC-1, I-1 ERZD, QD ERZD C** to **MPCD, MPCD ERZD, MPCD ERZD GC-1** and will allow for a master planned community. The site is mostly undeveloped and covered in native vegetation. Leon Creek goes through the site. Several sensitive geologic features, abandoned wells, and abandoned structures were discovered. There are areas of illegal dumping throughout the project site that includes numerous tires and household debris.

2. Surrounding Land Uses:

An active quarry is located to the east of the subject property. The Rim development is located to the north of the subject property. IH 10 and Fiesta Texas is located to the west of the subject property. Loop 1604 and vacant property is located to the south of the property.

3. Water Pollution Abatement Plan:

A portion of the subject property is contained within the overall Rim Development, approved by the TCEQ on September 4, 2004. There were several wells located on a portion of the overall subject property. No geologic features within the limits of the WPAP are rated as being sensitive. It appears that a geologic assessment has been done for other portions of the project site but SAWS was not provided a copy of the geologic assessment.

4. Geologic Conditions:

The Resource Protection Division of the San Antonio Water System conducted an evaluation, on March 24, 2007, April 19, 2007, and April 24, 2007 of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS staff Geologists, Mr. Gregory D. James, P.G. was present during the site evaluations on March 24, 2007 and April 19, 2007. Mr. Bruce Keels, P.G. was present during the site evaluations on April 19, April 24, 2007 and April 25, 2007.

Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the majority of the subject tract is underlain by the Dolomitic Member of the Kainer Formation. A small section, located in the southwestern portion of the tract, is underlain by the Leached and Collapsed Member of the Person Formation. The extreme northeastern corner of the tract is bisected by a fault that delineates the transition from the Edwards Recharge Zone (Dolomitic and Grainstone Members) and the Contributing Zone (Glen Rose Formation). Several inferred faults are believed to be present in the central portion of the site, but no definitive evidence of faulting was observed during the field investigation.

The Dolomitic Member in full section is 110 – 130 feet thick, massively bedded and is generally porous and relatively permeable. The Leached and Collapsed Member in full section is 70 – 90 feet and is one of the most permeable subdivisions within the Person Formation. The Grainstone Member generally possesses low permeability due to recrystallization within the rock fabric and is 50-60 feet thick in full section. The Glen Rose Formation is representative of the Contributing Zone of the Edwards Aquifer.

A geologic assessment has not been completed for this property and was not submitted as part of the information provided by the applicant. The site investigation noted the presence of a number of potentially sensitive and significant features on the project site. These include a zone of solution

enhanced fractures located in a creek bed, a cluster of closed non-karst depression, and two sink-holes that appear to be providing recharge. The majority of these features appear to be associated with faulting identified on local geologic maps. The property is extensively covered by fill material, impervious pavement from a former development, alluvium and dense vegetation.

## **ENVIRONMENTAL CONCERNS**

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

### **Site Specific Concerns**

1. Several potentially sensitive and significant geologic features are located on the property and there is potential for contamination of the Edwards Aquifer.
2. Five abandoned septic systems were observed on the site and there is potential for contamination of the Edwards Aquifer.
3. Four wells were observed on the site and there is potential for contamination of the Edwards Aquifer via the wells.
4. A portion of the property lies within Leon Creek Watershed, along the western portion, where recharge may occur.

### **General Concerns**

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

## **ENVIRONMENTAL RECOMMENDATIONS**

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

### **Site Specific Recommendations**

1. The impervious cover shall not exceed 65% for the overall site.

2. A buffer area shall be provided as delineated in figure 3 which shall include:
  - a. An area trending NE-SW that is located in the north-central portion of the C (III) location.
  - b. A small tributary to Leon Creek trending NE-SW that is located in the southern portion of the C (III) location.
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 wells, 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. A floodplain buffer shall be provided along Leon Creek required in Ordinance No. 81491, Section 34-913.
6. 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.
7. 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.
8. 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.
9. 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

Resource Protection Division of the San Antonio Water System at (210) 233-3523.

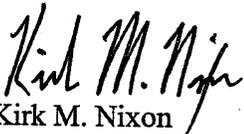
10. If any sensitive geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3523.

### **General Recommendations**

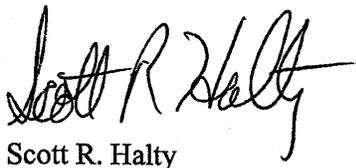
1. Prior to the release of any building permits the owner/operator of any Category 2 property shall submit an Aquifer Protection Plan to the Resource Protection Division of SAWS.
2. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer Protection & Evaluation 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,
  - D. A copy of the approved Water Pollution Abatement Plan.
3. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.
4. If a water quality basin is constructed on the property, the following is required:
  - A. Prior to the start of the basin construction, the owner will notify the Aquifer Protection and Evaluation Section of the San Antonio Water System at (210) 233-3526 to schedule a site inspection.
  - B. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Aquifer Protection and Evaluation Section at (210) 233-3526 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to SAWS Aquifer Protection and Evaluation Section.
  - C. If the basin fails to drain properly, the owner will notify the Construction Section of the Resource Compliance Division at (210) 233-3564 prior to any discharge of water.

- D. If at any time the ownership of the property changes, the seller must inform the buyer of all requirements for maintenance of the Basin. A signed basin maintenance plan and schedule agreement, from the new owner, must be submitted to the Resource Protection Division.
5. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.
6. The Resource Protection Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

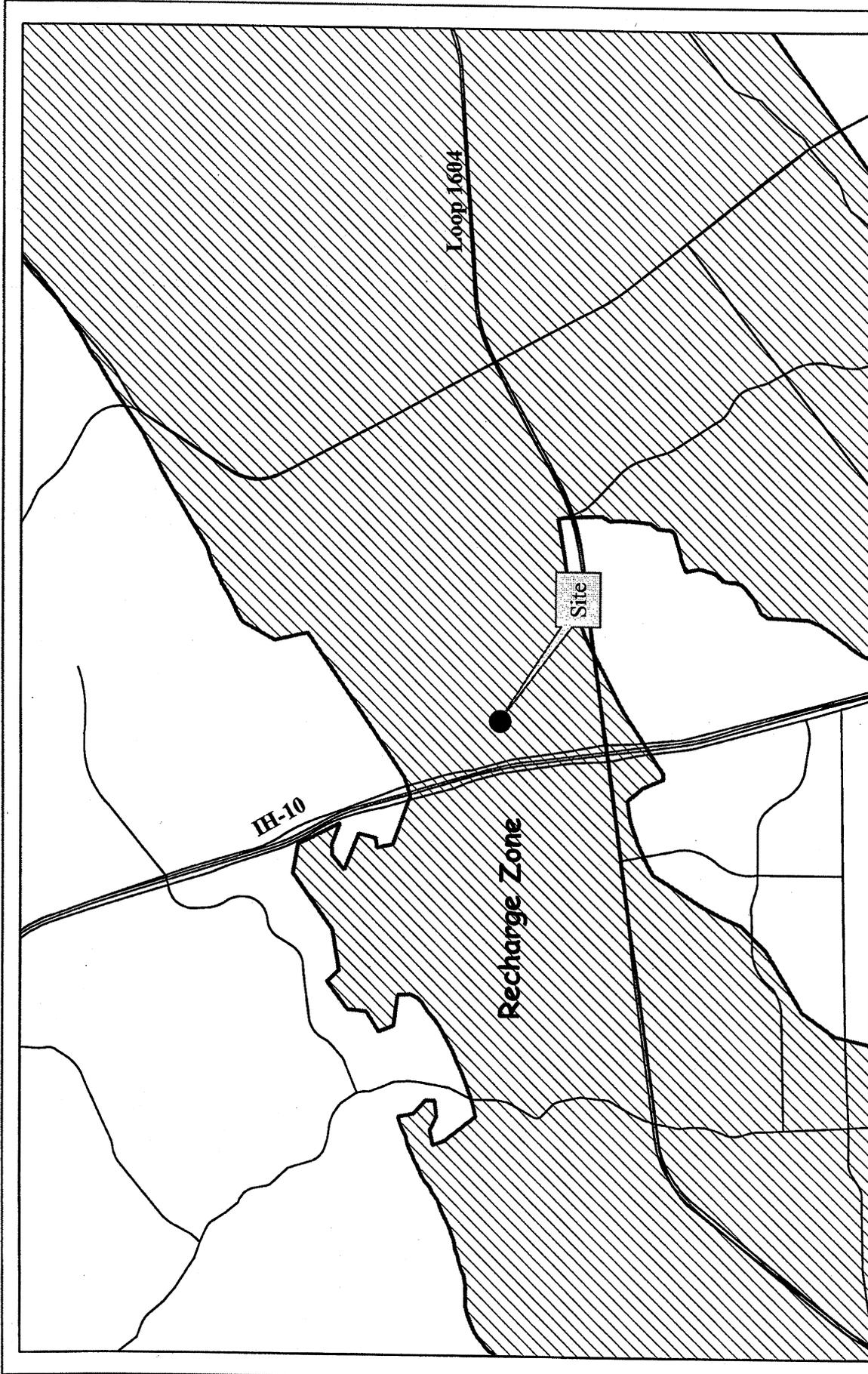
Based on the site evaluation of the property, and the information submitted by the applicant, staff recommends **approval** of the proposed land use. Additionally, SAWS staff recommends that the applicant, or any future owner, comply with the above recommendations in regards to the development of the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

  
Kirk M. Nixon  
Manager  
Resource Protection Division

APPROVED:

  
Scott R. Halty  
Director,  
Resource Protection & Compliance Department

KMN:MJB



1:45,988

**Zoning Case No. Z2007090 Figure 1**

Rim Master Planned Community

Map Page 480 & 514

X=2096416 Y=13768154

Map Prepared by Aquifer Protection and Evaluation MJB 3/20/2007



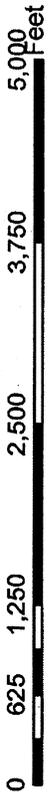
**Zoning Case No. Z2007090 Figure 2**

Rim Master Planned Community

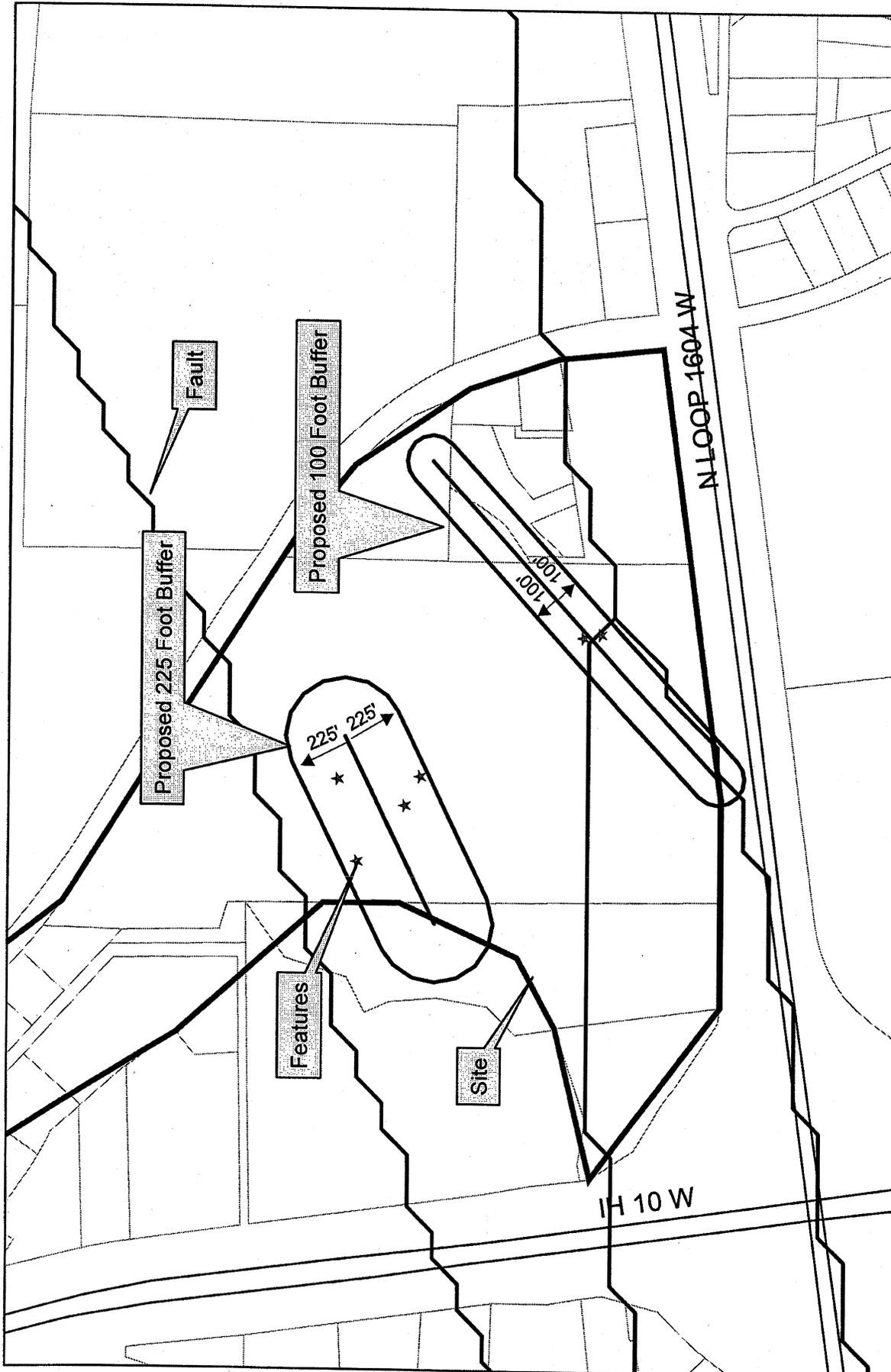
Map Page 480 & 514

X = 2096416 Y = 13768154

Map Prepared by Aquifer Protection and Evaluation MJB 4/25/2007



1:15,036



Zoning Case No. Z2007090 Figure 3

Rim Master Planned Community

Map Page 480 & 514

X=2096416 Y=13768154

Map Prepared by Aquifer Protection & Evaluation KES 04/25/07

Washington Mutual Regional Operations Center

C3 ERZD

NCB 19218 - Block 002

20855

Stone Oak Pkwy

20832

20840

20880

Vacant

C2 ERZD

C2 ERZD  
(C3 ERZD)

NCB 19219  
Block 035

C2 ERZD  
(C3 ERZD)

Vacant

Vacant

NCB 19219 - Block 035

1R

1R

PUD R6 ERZD

PUD R6 ERZD

99

42

1R

PUD R6 ERZD

1R

38

PUD R6 ERZD

1R

34

PUD R6 ERZD

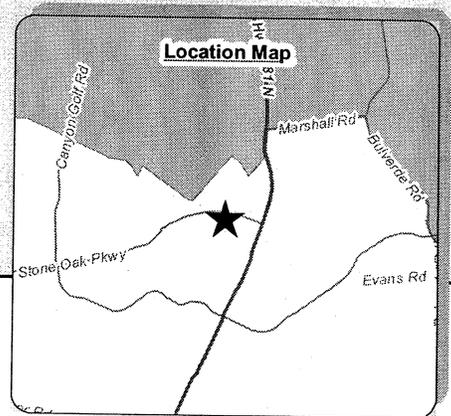
C2 ERZD

C2 ERZD

Clear Channel Corp

C3 ERZD

NCB 19219  
Block 000

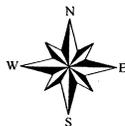


### Zoning Case Notification Plan

## Case Z2007075

Council District 9

Scale: 1" approx. = 150'



#### Legend

- Subject Property
- 200' Notification Buffer
- Property Address **12345**
- Current Zoning **Blue**
- Requested Zoning Change **(Red)**
- Land Use **Orange**
- NCB - Block **NCB 11111 - Block 222**
- 100-Year FEMA Floodplain

Produced by the City of San Antonio  
Development Services Department  
(01/10/2007)

# CASE NO: Z2007075

## Final Staff Recommendation - Zoning Commission

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**Date:** June 05, 2007

**Council District:** 9

**Ferguson Map:** 483 D4

**Applicant Name:**

**Owner Name:**

Brown, P.C.

RKS Texas Investments, LP

**Zoning Request:** From "C-2" ERZD Commercial Edwards Recharge Zone District to "C-3" ERZD General Commercial Edwards Recharge Zone District.

**Property Location:** Lots 2 and 3, Block 35, NCB 19219  
20832 and 20840 Stone Oak Parkway  
Stone Oak Parkway, West of US Highway 281 North

**Proposal:** To Allow Commerical Development

**Neigh. Assoc.** Stone Oak Neighborhood Association

**Neigh. Plan** None

**TIA Statement:** A Traffic Impact Analysis is not required.

### Staff Recommendation:

Denial

The general commercial district is a regional commercial district most appropriate at the intersections of major thoroughfares and along the frontages of super arterials and freeways. The subject property has singular frontage on Stone Oak Parkway and is located more than one-quarter of a mile east from the intersection of Stone Oak Parkway and Highway 281 North. Additionally, a transition from C-3, a regional commercial district, to C-2, a community commercial district, is established east of the subject property and continues to the west.

The subject property was annexed into the city in December of 1997 and totals about 3.7 acres. The property consists of two lots that were platted as the Cactus Bluff Commercial IV development in March of 2003 and have remained undeveloped. The proposal is to allow a commercial development with uses more intense than what the current commercial zoning allows. The subject property is located on Stone Oak Parkway, which is identified as a Type A Secondary Arterial by the city's Major Thoroughfare Plan. The existing C-2 zoning of the property dates to April of 2000 and the property is bound by the Clear Channel complex to the south and east. This office development has both C-2 and C-3 zoning. The property is bound to the west by a drainage easement and the C-2 zoning on these surrounding properties date to April of 2000, the same time as the C-2 zoning of the subject properties.

The Canyons at Stone Oak residential development is located further west with PUD R-6 zoning dating to 2001 and the Washington Mutual Operations Center is located to the north, across Stone Oak Parkway, the C-3 zoning and use dating to the late 1990's. Most of the parcels west of the subject property fronting on Stone Oak Parkway have C-2 zoning that dates to 2001. Most of these parcels remain undeveloped although sporadic office and commercial developments have been established.

### SAWS Summary

1. SAWS recommends approval of the proposed land use.
2. SAWS identifies the subject property as a Category 1 property.
3. SAWS recommends a maximum impervious cover of 65%; however, the applicant is proposing a maximum impervious cover of 75% due to impervious cover credits from a previous agreement.

**CASE MANAGER :** Matthew Taylor 207-5876 29

DEVELOPMENT SERVICES  
RECEIVED

**SAN ANTONIO WATER SYSTEM**  
**Interdepartment Correspondence Sheet**

2007 MAY 22 PM 2: 55

**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 Z2007075 (Cactus Bluff Commercial Unit IV)

**Date:** May 21, 2007

**SUMMARY**

A request for a change in zoning has been made for an approximate 3.755-acre tract located on the city's north side. A change in zoning from **C-2 ERZD to C-3 ERZD** is being requested by the applicant, Brown, P.C. The change in zoning has been requested to allow for the development of a commercial development. The property is classified as Category 1 property.

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

**LOCATION**

The subject property is located in City Council District 9, near the intersection of US Hwy 281 North and Stone Oak Pkwy. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

**SITE EVALUATION**

1. Development Description:

The proposed change is from C-2 ERZD to C-3 ERZD and will allow for a commercial development. The site is undeveloped and covered in native vegetation.

2. Surrounding Land Uses:

The Canyons at Stone Oak Subdivision is located to the west of the site. Washington Mutual Bank and Stone Oak Pkwy is located to the north of the site. Clear Channel Company is located to the south and east of the site.

3. Water Pollution Abatement Plan:

The subject property is contained within the Cactus Bluff Commercial Unit IV WPAP, approved by the TCEQ on September 20, 2002. There were a total of seven geologic features located on this portion of the overall WPAP. None of the geologic features are rated as sensitive.

4. Geologic Conditions:

The Resource Protection Division of the San Antonio Water System conducted an evaluation, on January 3, 2007 of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS staff Geologist, Joan B. Falkenberg, P.G. was present during the site evaluation.

Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined the site was underlain by the Dolomitic Member of the Kainer Formation. The Dolomitic Member in full section is approximately 110 to 130 feet in thickness and cavern development is related to structure or bedding planes.

According to the geologic assessment provided in a prior Water Pollution Abatement Plan for this site, there were seven features noted in the assessment. These features were rated as not sensitive and consisted of a large zone of vuggy rock outcrop, three closed depressions and three solution cavities. The zone of fractured vuggy rock extended across the site and consisted of numerous solution enlarged vugs which are conducive to the development of solution cavities. In addition to the features noted in the geologic assessment; several closed depressions, areas of solution enlarged fractures and solution cavities were observed during the site visit. Some of the geology was not visible due to areas covered by a thick layer of mulch, soil and leaf litter.

According to the FEMA Flood Insurance Maps no portion of the site is located within a 100-year floodplain preservation area.

## **ENVIRONMENTAL CONCERNS**

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

### **General Concerns**

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

## ENVIRONMENTAL RECOMMENDATIONS

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

### Site Specific Recommendations

1. SAWS staff recommends 65% impervious cover, however, the applicant is proposing 75% impervious cover for the Cactus Bluff Commercial IV site due to impervious cover credits from a previous agreement. Based on the information provided, SAWS is not in opposition as the Stone Oak Park property donated existing impervious cover credits to the Cactus Bluff Commercial Unit IV via ordinance # 91051 (see attachment). This ordinance will be used to add an additional 10% impervious cover to the proposed 65% and will comply with the overall impervious requirement for this project.
2. The land uses within the project site shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at the project site. If the land use is listed as special use, a special permit must be obtained for that use. If the land use is listed as not allowed, that land use will not be permitted on the project site.
3. The owner of all water pollution abatement structures shall ensure these structures are properly maintained and kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Resource Protection Division of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. The new owner must submit a signed water quality maintenance plan to the Resource Protection Division of SAWS.
4. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing Groundwater Pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210/222-2204), or equivalent information produced by the U.S. Natural Resource Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, shall be used.
5. The applicant shall notify the Construction Compliance Section of the Resource Compliance Division of SAWS at (210) 233-3564 no later than 48 hours prior to the commencement of construction at the site. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3526.

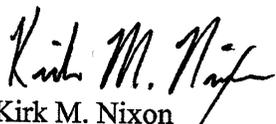
Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3523.

### 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 SAWS.
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,
  - D. A copy of the approved Water Pollution Abatement Plan.
3. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.
4. If a water quality basin is constructed on the property, the following is required:
  - A. Prior to the start of the basin construction, the owner will notify the Aquifer Protection and Evaluation Section of the San Antonio Water System at (210) 233-3526 to schedule a site inspection.
  - B. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Aquifer Protection and Evaluation Section at (210) 233-3526 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to SAWS Aquifer Protection and Evaluation Section.
  - C. If the basin fails to drain properly, the owner will notify the Construction Section of the Resource Compliance Division at (210) 233-3564 prior to any discharge of water.
  - D. If at any time the ownership of the property changes, the seller must inform the buyer of all requirements for maintenance of the Basin. A signed basin maintenance plan and schedule agreement, from the new owner, must be submitted to the Resource Protection Division.

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.

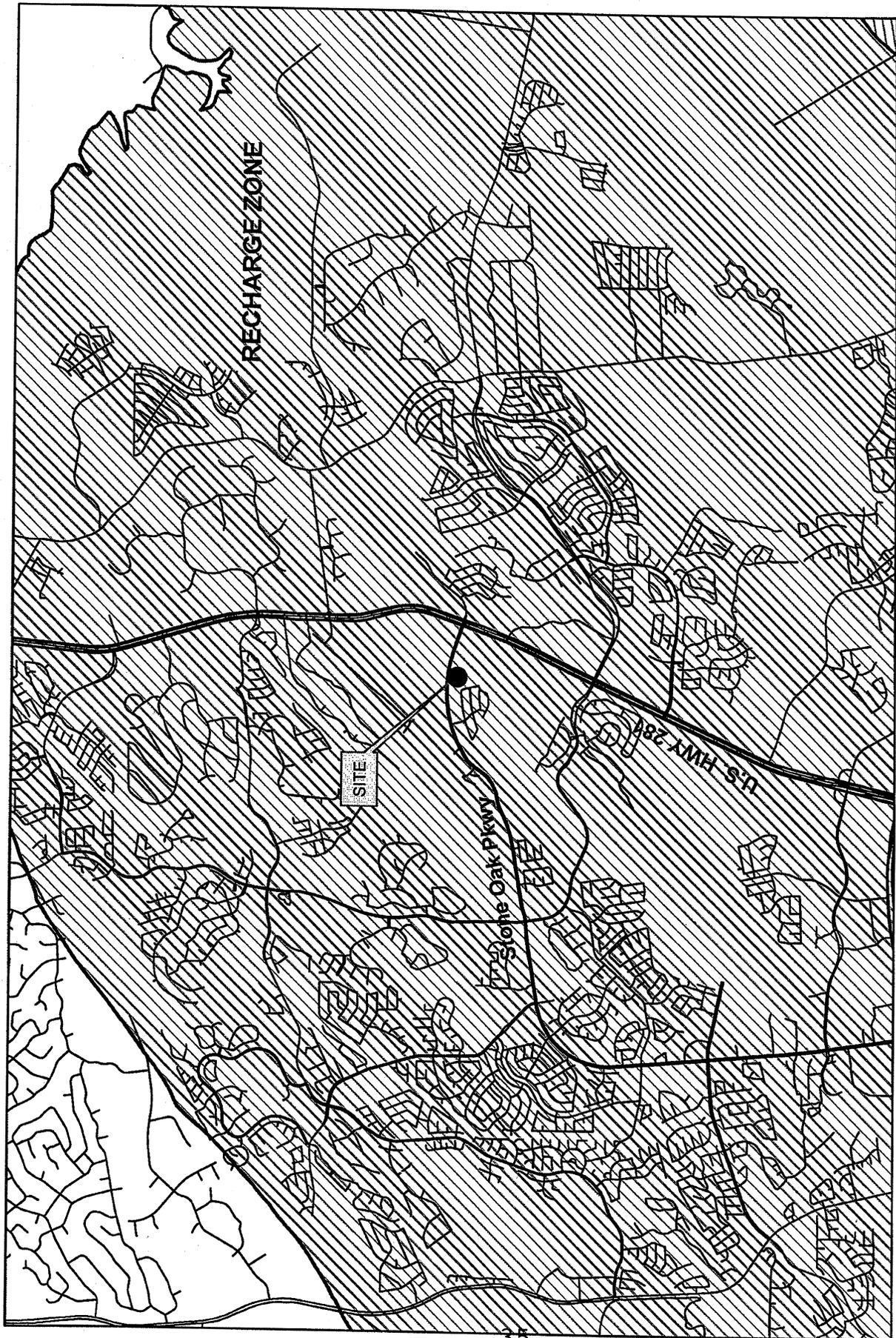
  
Kirk M. Nixon  
Manager  
Resource Protection Division

APPROVED:

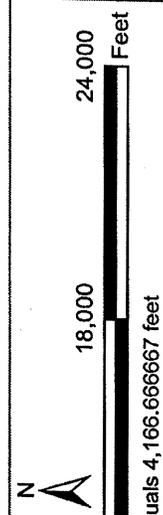
  
Scott R. Halty  
Director,  
Resource Protection & Compliance Department

KMN:MJB

Attachment 1- City Ordinance #91051



**Zoning Case No. Z2007075 Figure 1**  
**Cactus Bluff Commercial IV**  
 MAP PAGE 483 D4 X=2141269 Y=13784173  
 Map Prepared by Aquifer Protection & Evaluation AA 12/13/06



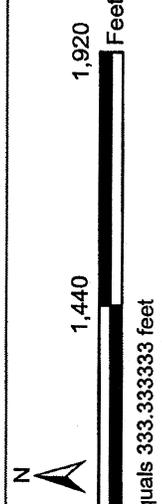




**Zoning Case No. Z2007075 Figure 2**

**Cactus Bluff Commercial IV**  
**MAP PAGE 483 D4 X=2141269 Y=13784173**

**Map Prepared by Aquifer Protection & Evaluation AA 12/13/06**



Loop N 1604 W

Vacant

NCB 14865 - Block 000

PUD C3

C3 ERZD

C3 ERZD

8231

Hausman Rd W

8126

8302

R6 ERZD  
(C2 ERZD)

NCB 14615 - Block 000

Vacant

C2 ERZD

C3 ERZD

NCB 14616 - Block 006

C2 ERZD

C2 ERZD

R6 ERZD

Apartments

R6 ERZD  
(PUD MF25 ERZD)

Vacant

1R

C2 ERZD

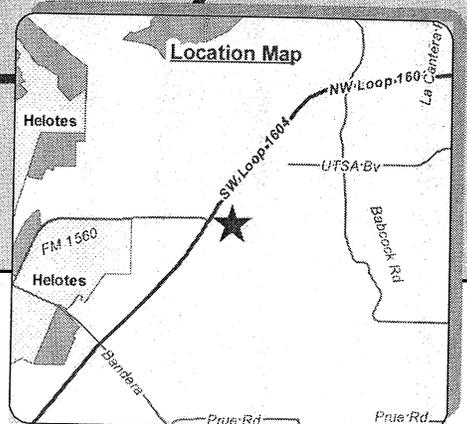
NCB 14616  
Block 006

NCB 14615 - Block 000

Vacant

MF33 ERZD

Vacant

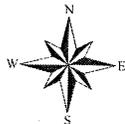


### Zoning Case Notification Plan

## Case Z2007169

Council District 8

Scale: 1" approx. = 200'



#### Legend

- Subject Property
- 200' Notification Buffer
- Property Address **12345**
- Current Zoning **Blue Text**
- Requested Zoning Change **(Red Text)**
- Land Use **Orange Text**
- NCB - Block **NCB 11111 - Block 222**
- 100-Year Floodplain

# CASE NO: Z2007169

## Final Staff Recommendation - Zoning Commission

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**Date:** June 05, 2007

**Council District:** 8

**Ferguson Map:** 513 C8

**Applicant Name:**

William Hoover

**Owner Name:**

James and Sue Ann May Revocable Living Trust

**Zoning Request:** From "R-6" ERZD Single Family Residential Edwards Recharge Zone District to PUD "MF-25" ERZD Planned Unit Development Multi-Family Edwards Recharge Zone District on 6.833 acres out of NCB 14615 and "C-2" ERZD Commercial Edwards Recharge Zone District on 1.524 acres out of NCB 14615.

**Property Location:** 8.357 acres of NCB 14615

8130 Hausman Road

Hausman Road, East of North Loop 1604 West

**Proposal:** To Allow a Mixed-Use Development

**Neigh. Assoc.** None

**Neigh. Plan** None

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

### Staff Recommendation:

Approval

Since an appropriate transition of zoning districts of less intensity along Hausman Road eastward from Loop 1604 has begun, staff believes the C-2 zoning district, a community commercial district, is appropriate for portion of the subject property identified in the application. The proposed residential planned unit development is also appropriate and generally in character with established residential uses in the immediate area.

The subject property was annexed into the city in February of 1971 and consists of slightly more than 8 acres. It has remained undeveloped and the current R-6 zoning converted from the previous Temporary R-1 zoning in 2002. The proposal is to develop about 1.5 acres for commercial use with the remaining acreage intended for residential use. The property has single frontage on Hausman Road, identified by the city's Major Thoroughfare Plan as a Type "A" Secondary Arterial, and is located about 450 feet east of the intersection of Loop 1604 and Hausman Road.

The property to the immediate west is zoned C-2 and has an existing multi-family development that dates to 2002. The C-2 zoning was applied in 2001 as B-2, which still allows multi-family development up to 33 units per acre in addition to commercial uses. Further west and to the north across Hausman Road and fronting on Loop 1604, are undeveloped parcels zoned C-3, this zoning dating to 1990. The trend of commercial zoning generally continues eastward to the alignment of Kyle Seale Parkway, although the most intense commercial districts are predominantly on the north side of Hausman Road.

There is a large parcel to the immediate east at 8126 Hausman Road with R-6 zoning and a single family dwelling that dates to 1975. Further east, at 8122 Hausman Road, is a parcel with C-2 zoning that dates to 2004 and this parcel has a single family dwelling dating to 1954. To the south is a parcel owned by the Boys

# CASE NO: Z2007169

## Final Staff Recommendation - Zoning Commission

---

and Girls Club of San Antonio with MF-33 zoning that dates to 1988 and a parcel owned by Northside ISD that is zoned R-6 and currently being development for a high school.

If approved, Type B landscape buffers will be required along the east and portions of the south property lines since the adjoining zoning districts remain single family residential. However, the Unified Development Code does not require landscape buffers between C-2 and multi-family districts.

### SAWS Summary

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

**CASE MANAGER :** Matthew Taylor 207-5876

SAN ANTONIO WATER SYSTEM  
Interdepartmental Correspondence Sheet

**To:** Zoning Commission Members

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

**Copies To:** Scott R. Halty, Director, Resource Protection & Compliance Department, Michael A. Escalante, Resource Protection Specialist II, Aquifer Protection & Evaluation Section, File

**Subject:** Zoning Case Z2007169 (Hausman Rd. Re-zoning)

**Date:** May 25, 2007

**SUMMARY**

A request for a change in zoning has been made for an approximate 8.357-acre tract located on the city's northwest side. A change in zoning from **R-6 ERZD** to **C-2 ERZD & PUD MF-25 ERZD** is being requested by the applicant, William L. Hoover, by Mr. Andrew C. Guerrero. The change in zoning has been requested to allow a mixed use development.

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

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

**LOCATION**

The subject property is located in City Council District 8, near the intersection of Loop 1604 and Hausman Rd. A total of 8.357 acres of 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 ERZD to C-2 ERZD (1.244 acres) & PUD MF-25 (7.113 acres) ERZD and will allow for the construction of a mixed – use development. Currently the site is covered in native vegetation and undeveloped.

### 2. Surrounding Land Uses:

An office/retail development is located to the north of the property. The Montecito Apartments bounds the western portion of the property. Father Flanagan's Boys' Home is located to the southwest corner and undeveloped land bounds the southeast corner of the property. A single-family resident is located to the east of the property.

### 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 commencement of construction.

### 4. Geologic Conditions:

The Resource Protection Division of the San Antonio Water System conducted a site evaluation, on April 6, 2007, of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS staff Geologist, Mr. Gregory James, P.G., was present during the site evaluation.

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

The Cyclic and Marine Member is characterized by extensive lateral porosity of both fabric and non-fabric makeup. It is 80 to 90 feet thick in full section.

No significant or sensitive recharge features were observed on-site.

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

## **ENVIRONMENTAL CONCERNS**

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

### **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 land uses within the zoned areas shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at that site. If the land use is listed as special use, a special permit must be obtained for that use. If the land use is listed as prohibited, that land use will not be permitted on that site.
3. The owner of all water pollution abatement structures shall be responsible for properly maintaining the basin and that it is kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Resource Protection Division of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. The new owner must submit a signed water quality maintenance plan to the Resource Protection Division of SAWS.
4. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing Groundwater Pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210/222-2204), or equivalent information produced by the U.S. Natural Resource Conservation Service, Texas Department of Agriculture, U.S.D.A., shall be used.
5. The applicant shall notify the Construction Compliance Section of the Resource Compliance Division of SAWS at (210) 233-3564 no later than 48 hours prior to the commencement of

construction at the site. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3520.

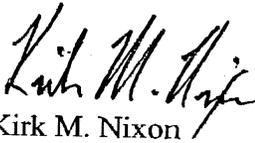
6. If any sensitive geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3520.

### **General Recommendations**

1. Prior to the release of any building permits the owner/operator of any Category 2 property shall submit an Aquifer Protection Plan to the Resource Protection Division of the San Antonio Water System.
2. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer Protection & Evaluation Section of the Resource Protection Division:
  - A. A copy of the Water Pollution Abatement Plan (WPAP) shall be submitted for each particular development/use within the area being considered for re-zoning,
  - B. A set of site specific plans which must have a signed Engineers Seal from Texas,
  - C. A WPAP approval letter from the Texas Commission on Environmental Quality (TCEQ),
  - D. A copy of the approved Water Pollution Abatement Plan.
3. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.
4. If a water quality basin is constructed on the property, the following is required:
  - A. Prior to the start of the basin construction, the owner will notify the Aquifer Protection and Evaluation Section of the San Antonio Water System at (210) 233-3520 to schedule a site inspection.
  - B. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Aquifer Protection and Evaluation Section at (210) 233-3520 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to SAWS Aquifer Protection and Evaluation Section.

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

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

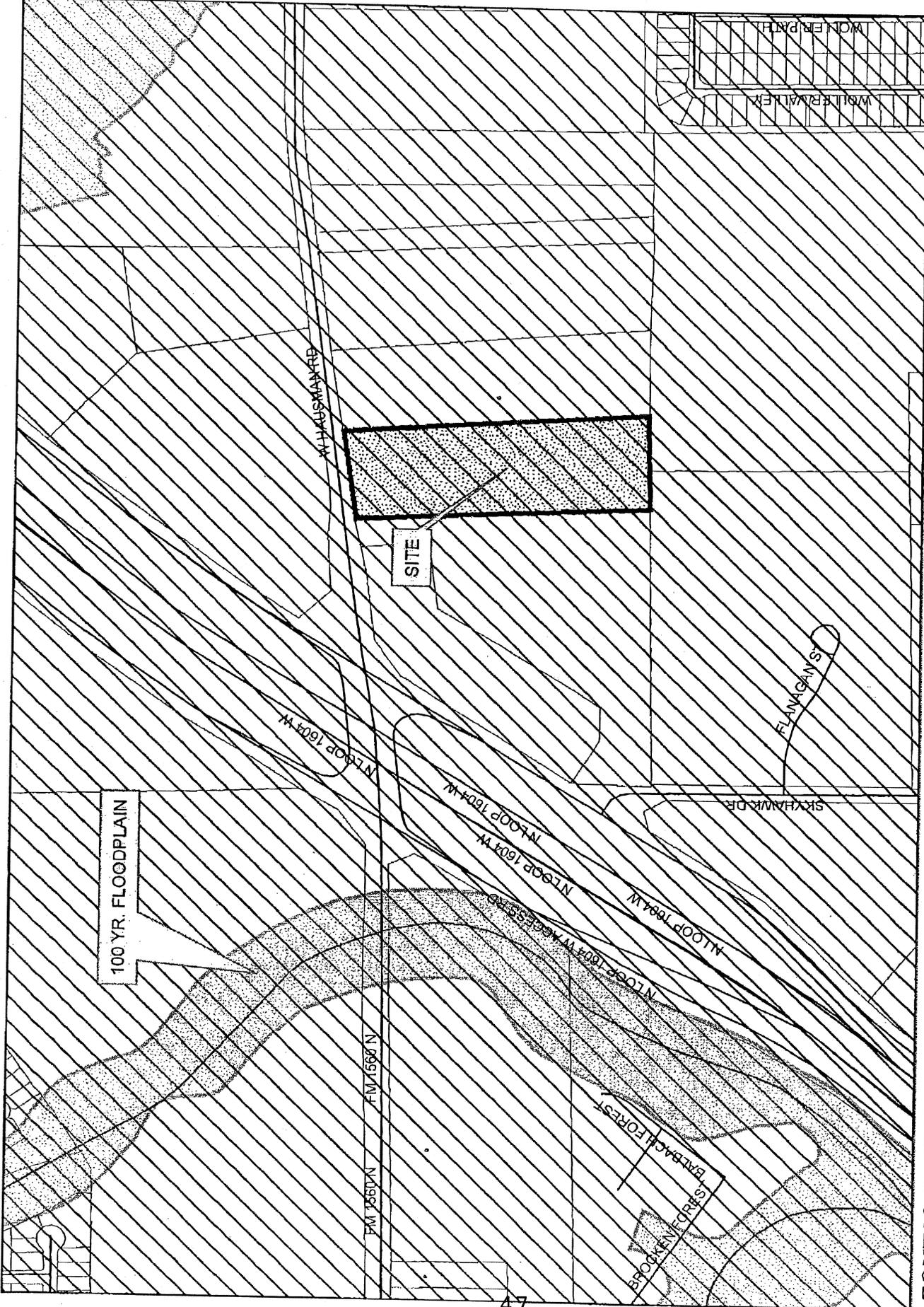
  
Kirk M. Nixon  
Manager  
Resource Protection Division

APPROVED:

  
Scott R. Halty  
Director,  
Resource Protection & Compliance Department

KMN:MAE

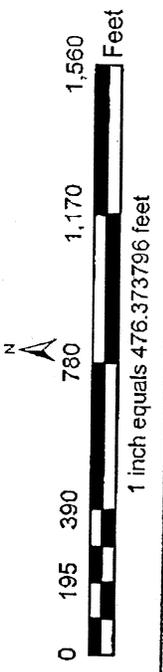


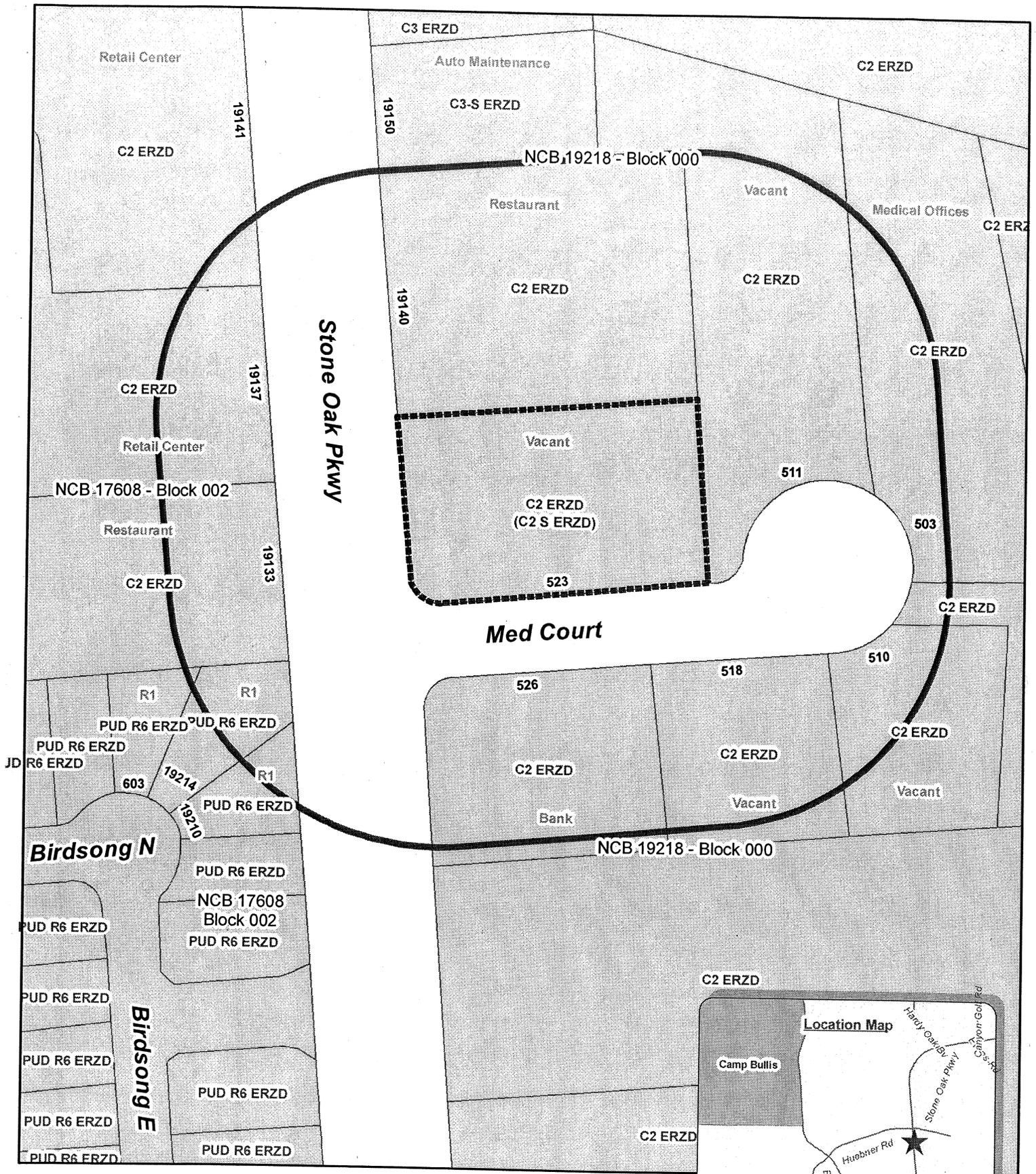


**ZONING CASE NO. 2007169 FIGURE 2**  
**HAUSMAN ROAD REZONING**

MAP PAGE 513 C8 X=2080380 Y=13754543

Map Prepared by Aquifer Protection & Evaluation MAE 04/5/07



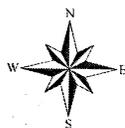


**Zoning Case Notification Plan**

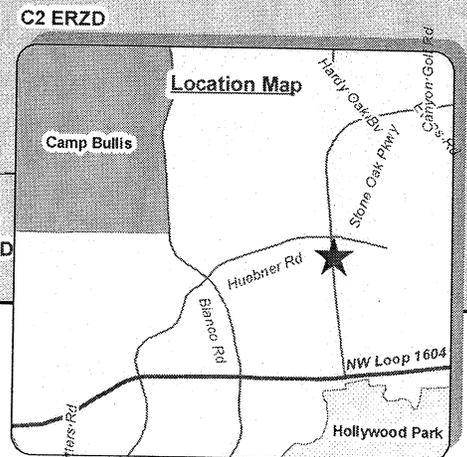
**Case Z2007187 S**

Council District 9

Scale: 1" approx. = 100'



- Legend**
- Subject Property
  - 200' Notification Buffer
  - Property Address **12345**
  - Current Zoning **Blue Text**
  - Requested Zoning Change **(Red Text)**
  - Land Use **Orange Text**
  - NCB - Block **NCB 11111 - Block 222**
  - 100-Year FEMA Floodplain



# CASE NO: Z2007187 S

## Final Staff Recommendation - Zoning Commission

---

**Date:** June 05, 2007

**Council District:** 9

**Ferguson Map:** 482 E8

**Applicant Name:**

**Owner Name:**

Dr. Martin Garcia

523 Med Court LP

**Zoning Request:** From "C-2" ERZD Commercial Edwards Recharge Zone District to "C-2" S ERZD Commercial Edwards Recharge Zone District with a Specific Use Permit for a Nightclub.

**Property Location:** .094 acres out of NCB 19218

523 Med Court

Northeast Corner of Stone Oak Parkway and Med Court

**Proposal:** To Allow a Nightclub

**Neigh. Assoc.** Stone Oak Property Owner's Association / Sonterra-Stone Oak (within 200 feet)

**Neigh. Plan** None

**TIA Statement:** A Traffic Impact Analysis is not required.

### Staff Recommendation:

Approval

The proposed zoning and use are not incompatible or out of character with the current development patterns along Stone Oak Parkway, identified as a major arterial in the city's Major Thoroughfare Plan. The scope of the use is limited by the available space in a multi-tenant structure and will be oriented away from the nearest residential development, which is a single family development located to the west across Stone Oak Parkway. Additionally, all uses directly adjacent to the subject property have existing commercial zoning, the presence of other commercial uses of varying intensities serving to lessen the direct impact of uses involving the on-premise consumption of alcohol.

The subject property was annexed into the city in December of 1997 and totals just under one acre. This property is located within the Stone-Huebner Subdivision and a multi-tenant commercial building is currently being built on the site. The proposal is to allow a nightclub in one of the available spaces. The nightclub is to be located at the easternmost portion of the building at the cul-de-sac of Med Court and is proposed to have two stories. The applicant originally requested a specific use permit for a tavern; however, the Unified Development Code identifies taverns in excess of 2,000 square feet as nightclubs.

Most of the surrounding development is commercial in nature and there are seven lots fronting on Med Court. All of these lots have C-2 zoning that dates to June of 1999. There are existing medical office and banking uses in place, with a few parcels remaining undeveloped. There are existing service-oriented commercial uses with C-2 and C-3 zoning to the north and to the west, across Stone Oak Parkway, are commercial centers with C-2 zoning that dates to February of 1999. To the southwest, also across Stone Oak Parkway, is the nearest residential development, the Gardens at Sonterra.

# CASE NO: Z2007187 S

## Final Staff Recommendation - Zoning Commission

---

### SAWS Summary

1. SAWS recommends approval of the proposed land use.
2. SAWS identifies the property as a Category 1 property.
3. A Water Pollution Abatement Plan was reviewed by the Texas Commission on Environmental Quality on May 22, 2001, for the entire 7.6 acre development, which includes the subject property. The Plan as approved indicates a maximum impervious cover no greater than 71%.

**CASE MANAGER :** Matthew Taylor 207-5876

RECEIVED

SAN ANTONIO WATER SYSTEM  
Interdepartmental Correspondence Sheet 07 MAY -9 PM 3: 34

**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 Z2007187 S (Commercial Development)

LAND DEVELOPMENT  
SERVICES DIVISION

**Date:** June 5, 2007

### SUMMARY

A request for a change in zoning has been made for an approximate .094-acre tract located on the city's north side. A change in zoning from **C-2 ERZD** to **C-2 S ERZD** is being requested by the applicant, Dr. Martin G. Garcia, represented by Robert N. Hamilton. The change in zoning has been requested to allow for alcohol sales for the proposed Duo Tavern. This project is a Category 1 property.

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

### LOCATION

The subject property is located in City Council District 9, at the intersection of Stone Oak Parkway and Med Court. A total of .094 acres of the property lies within the Edwards Aquifer Recharge Zone. (Figures 1 and 2).

### SITE EVALUATION

1. Development Description:

The proposed change is from C-2 ERZD to C-2 S ERZD and will allow for alcohol sales at the proposed construction of a tavern within a commercial use development. Currently the site is partially developed; the slab is in place along with some structural beams.

2. Surrounding Land Uses:

North of the site there is a fast food restaurant currently in operation; to the south and across the street is there is an existing bank. The property to the east is currently undeveloped. Stone Oak Parkway bounds the west side of the property.

3. Water Pollution Abatement Plan:

A WPAP is for the over all development (approximately 7.6 acres), which includes this site, was approved by Texas Commission on Environmental Quality (TCEQ) on May 22, 2001. The approved WPAP, as submitted, indicates that the impervious cover for the entire acreage is to be no greater than 71%.

4. Geologic Conditions:

The Resource Protection Division of the San Antonio Water System conducted a site evaluation of the referenced property on April 20, 2007, to assess the geologic conditions and evaluate any environmental concerns present at the site. During the site evaluation we noticed construction of the business had already begun. Based on the approved WPAP geologic assessment report, no sensitive or significant features were noted on the Duo Tavern site.

## **ENVIRONMENTAL CONCERNS**

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

### **General Concerns**

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

## **ENVIRONMENTAL RECOMMENDATIONS**

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

### **Site Specific Recommendations**

1. Land uses that prohibited by the permitted use table shall not be allowed on the project site.
2. The land uses within the zoned areas shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at that site. If the land use is listed as special use, a special permit must be obtained for that use. If the land use is listed as prohibited, that land use will not be permitted on that site.

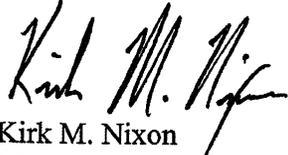
3. The owner of all water pollution abatement structures shall be responsible for properly maintaining the basin and that it is kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Resource Protection Division of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. The new owner must submit a signed water quality maintenance plan to the Resource Protection Division of SAWS.
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#### **General Recommendations**

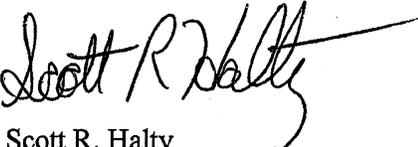
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5. The Resource Protection Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

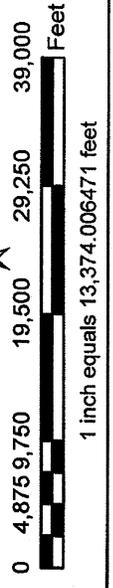
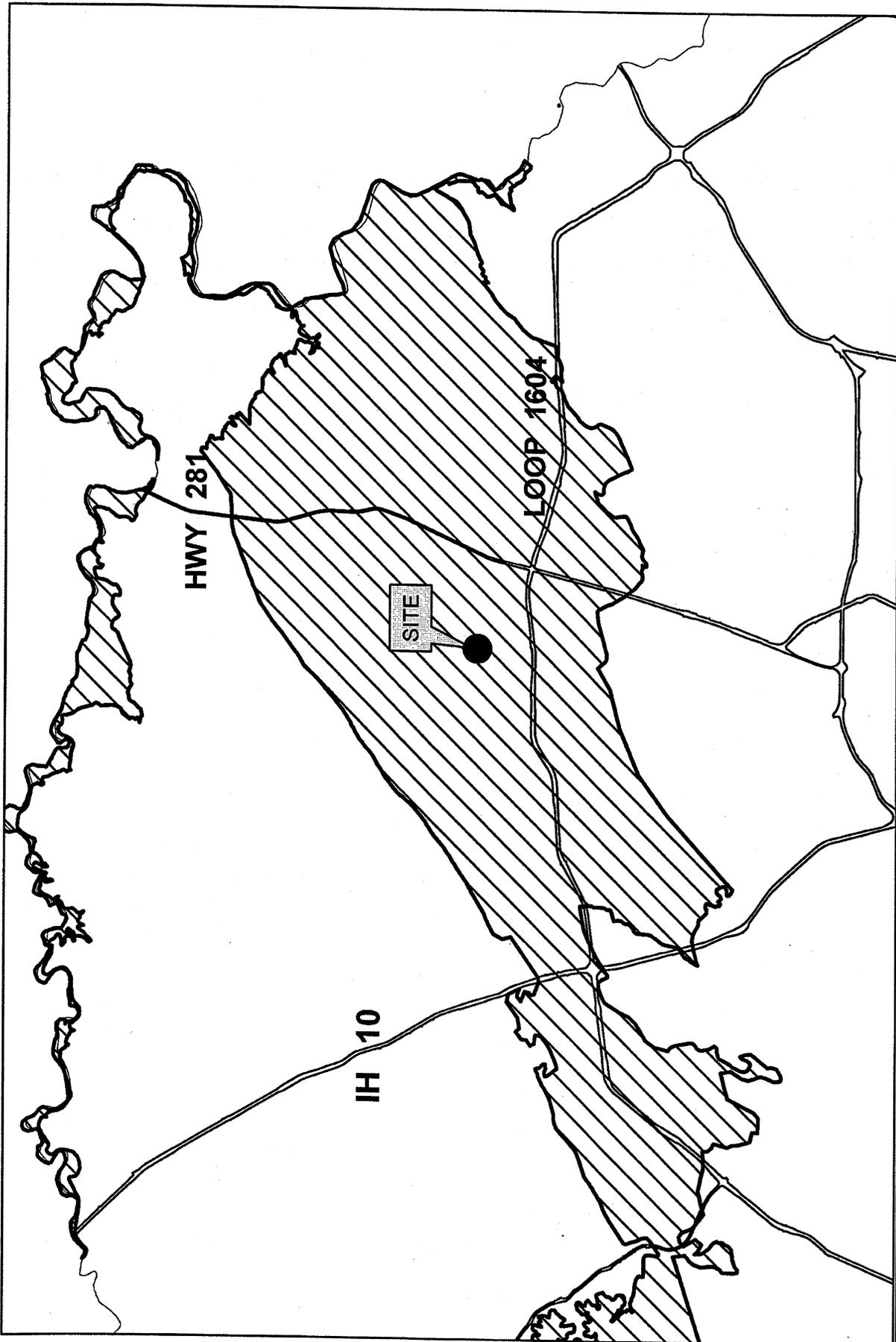
Based on the site evaluation of the property, and the information submitted by the applicant, staff recommends **approval** of the proposed land use. Additionally, SAWS staff recommends that the applicant, or any future owner, comply with the above recommendations in regards to the development of the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

  
Kirk M. Nixon  
Manager  
Resource Protection Division

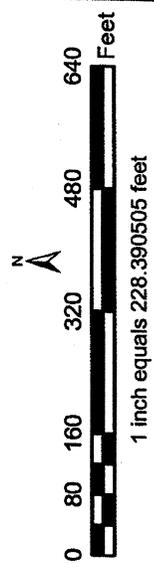
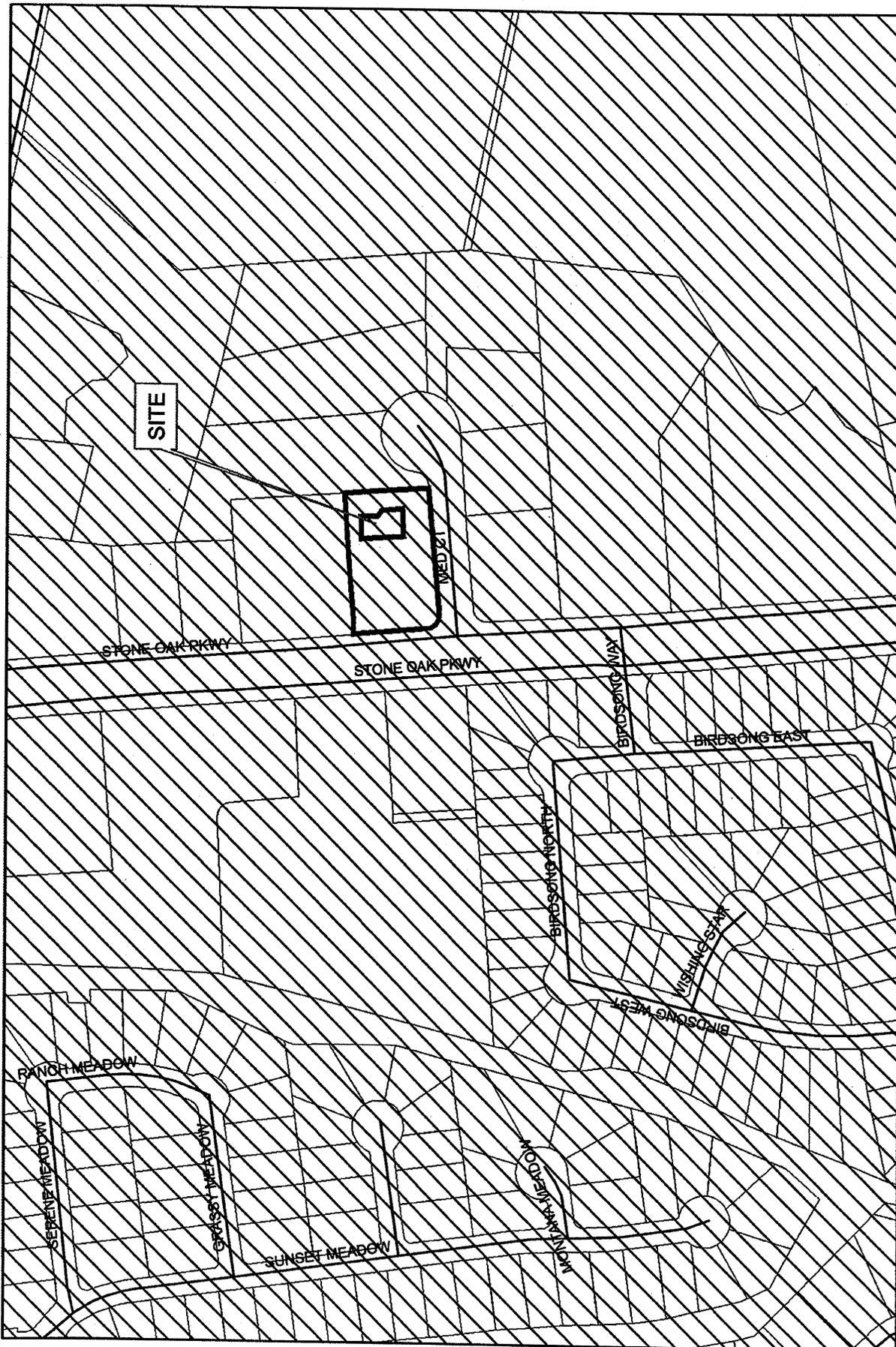
APPROVED:

  
Scott R. Halty  
Director,  
Resource Protection & Compliance Department

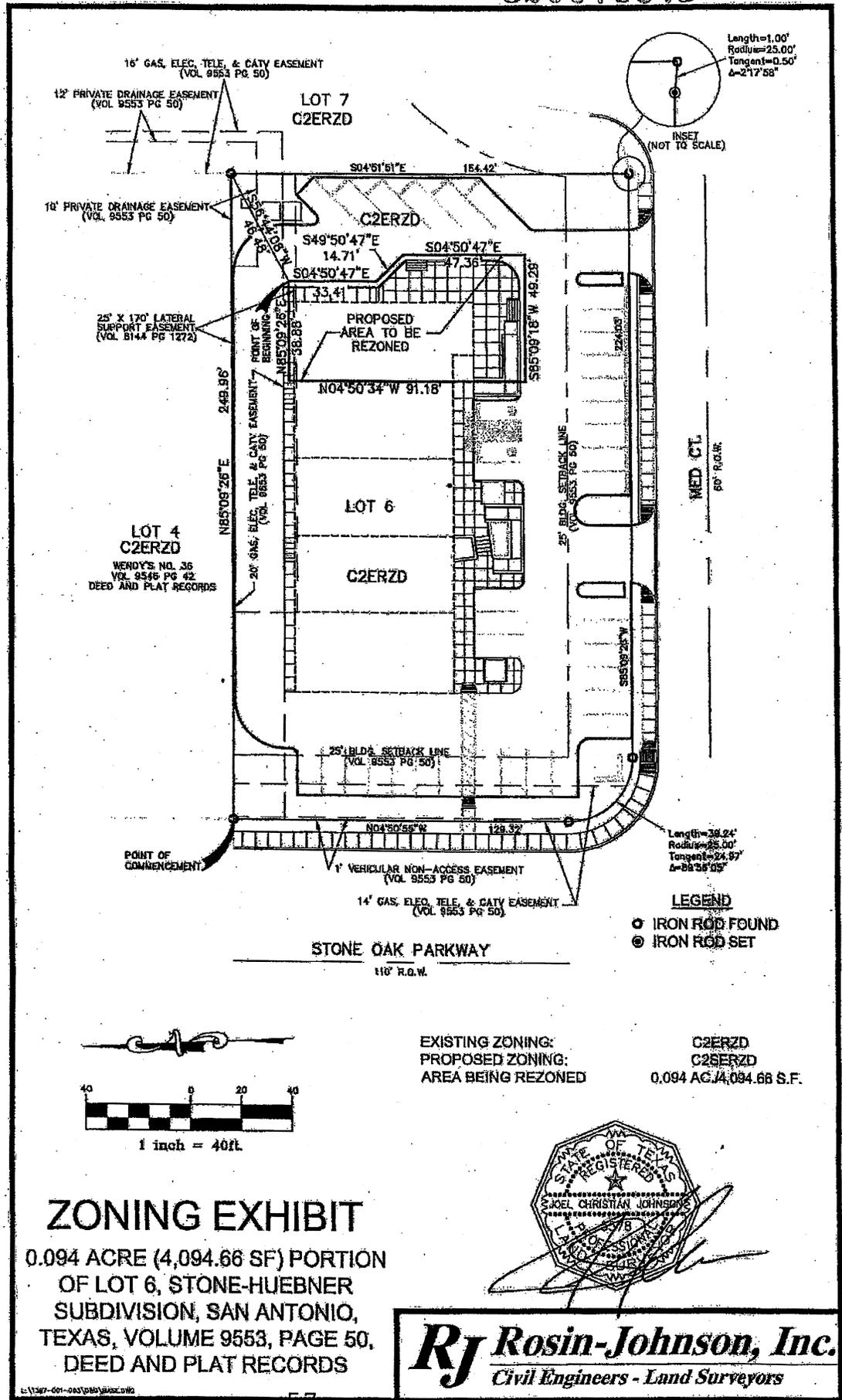
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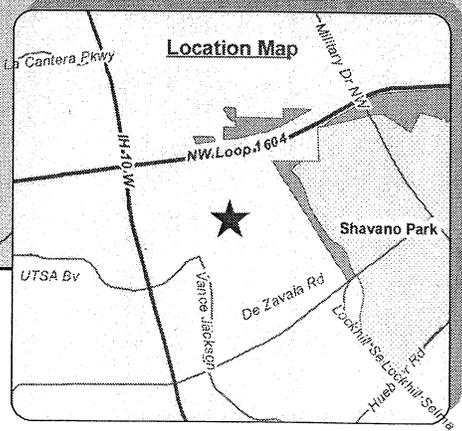
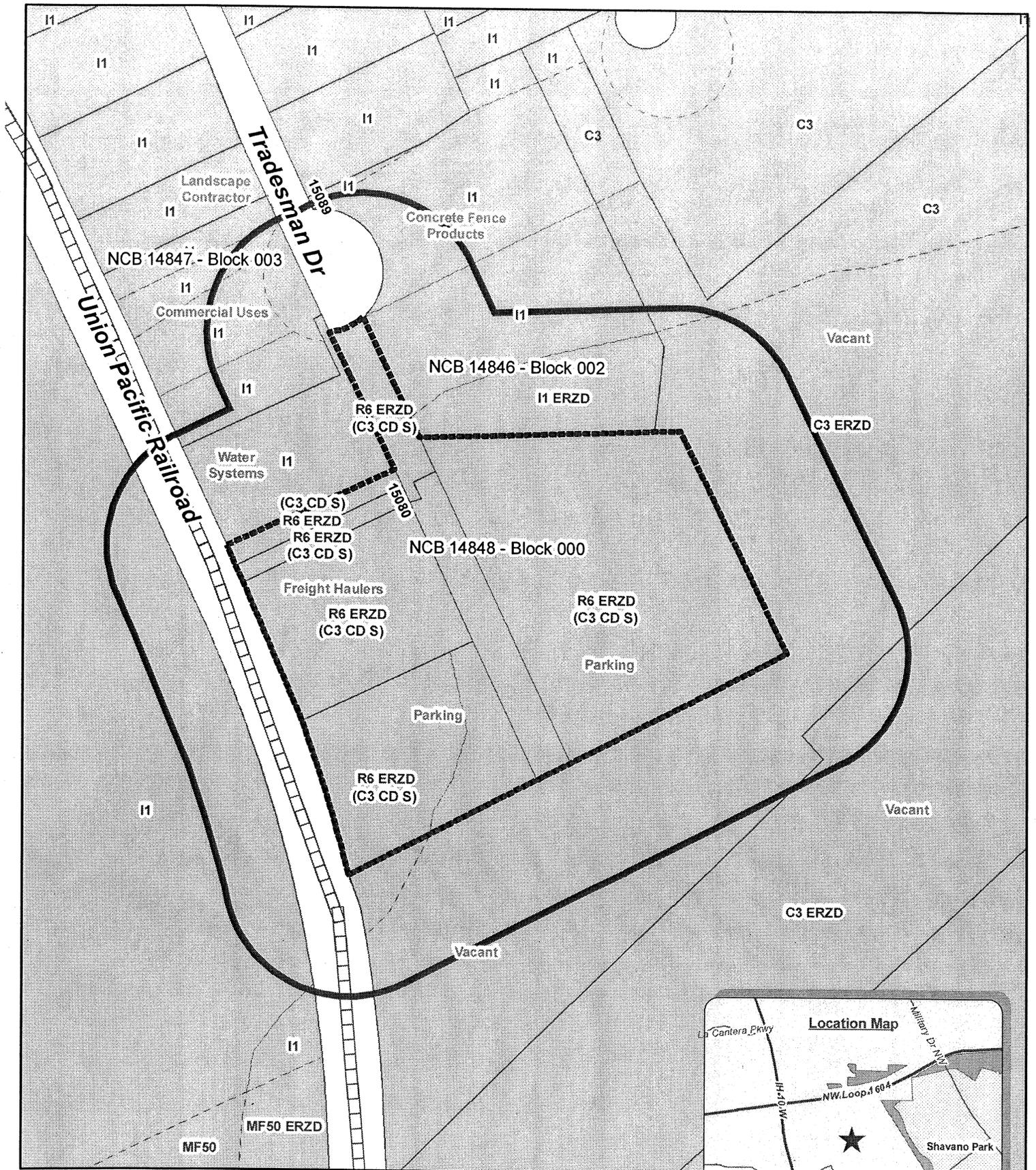


**ZONING CASE No: Duo Tavern #ZZ2007187 S**  
**FIGURE 1**  
**MAP PAGE 482 E8 X=2153823 Y=13767448**  
 Map Prepared by Aquifer Protection & Evaluation PMG 04/17/07



**ZONING CASE No: Duo Tavern #Z2007187 S**  
**FIGURE 2**  
**MAP PAGE 482 E8 X=2153823 Y=13767448**  
 Map Prepared by Aquifer Protection & Evaluation PMG 04/17/07





**Zoning Case Notification Plan**

**Case Z2007192 CD S**

Council District 8

Scale: 1" approx. = 200'



**Legend**

- Subject Property
- 200' Notification Buffer
- Property Address **12345**
- Current Zoning **Blue Text**
- Requested Zoning Change **(Red Text)**
- Land Use **Orange Text**
- NCB - Block **NCB 11111 - Block 222**
- 100-Year Floodplain

# CASE NO: Z2007192 CD S

## Final Staff Recommendation - Zoning Commission

---

**Date:** June 05, 2007

**Council District:** 8

**Ferguson Map:** 514 E6/F6

**Applicant Name:**

Brown, P.C.

**Owner Name:**

LinRy, LP

**Zoning Request:** From "R-6" ERZD Residential Single Family Edwards Recharge Zone District and "R-6" Residential Single Family District to "C-3" (CD-Freight Depot) S ERZD General Commercial Edwards Recharge Zone District with a Conditional Use and a Specific Use Permit for a Freight Depot and "C-3" (CD-Freight Depot) S General Commercial District with a Conditional Use and a Specific Use Permit for a Freight Depot.

**Property Location:** 9.004 acres out of NCB 14848

15080 Tradesman Drive

Tradesman Drive, South of North Loop 1604

**Proposal:** To Expand an Existing Nonconforming Use

**Neigh. Assoc.** None

**Neigh. Plan** None

**TIA Statement:** A Traffic Impact Analysis is not required.

### Staff Recommendation:

#### Approval

The subject property was annexed into the city in December of 1984 and consists of about 9 acres. At the time of annexation, the existing freight depot operation was in place, as it was established prior to 1980. The existing operation, an aggregate hauling business, has about 60 trucks in use with multiple buildings and both improved and unimproved parking areas. The use is recognized as a nonconforming use and may continue as is even if the proposed zone change is denied. Approval of the zone change will allow the planned expansion of the existing office and shop buildings by 3,000 and 5,000 square feet, respectively, without increasing the existing impervious cover on the site.

The properties to the north are located within an existing industrial subdivision. This area was annexed into the city in September of 1964 and has industrial zoning first established in 1987. The current uses in this development are consistent with the current zoning and consist mostly of contractor facilities, warehousing operations and distribution centers. There is an undeveloped parcel to the west, across the Union Pacific Railroad right-of-way, also annexed in 1964 industrial zoning that dates to 1974. The parcel to the immediate south is currently zoned C-3 and is the site of continuing fill operations. This property was formerly used as a quarry and was rezoned from R-6 to C-3 on May 3, 2007.

#### SAWS Summary

1. SAWS recommends approval of the proposed land use.
2. SAWS currently identifies the subject property as a Category 2 property.
3. SAWS recommends no increase in the existing impervious cover (78%).

**CASE MANAGER :** Matthew Taylor 207-5876

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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 Z2007192 (Commercial Development)

**Date:** May 14, 2007

**SUMMARY**

A request for a change in zoning has been made for an approximate 9.004-acre tract located on the city's north side. A change in zoning from **R-6 ERZD** to **C-3 CD S ERZD** is being requested by the applicant, Brown, P.C., by Mr. Kenneth W. Brown. The change in zoning has been requested to allow for the designation of a commercial use development for the existing freight depot.

**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, south of Loop 1604 at the end of Tradesman Drive. Approximately 3.12 acres of the southeastern portion of the property lies within the Edwards Aquifer Recharge Zone. The remaining 5.88 acres are located on the contributing zone within the transition zone (Figures 1 and 2).

## **SITE EVALUATION**

### **1. Development Description:**

The proposed change is from R-6 ERZD to C-3 CD S ERZD to bring the existing freight depot into conformance with the zoning district. The site is currently developed and is operating as a freight depot. A large above ground storage tank (AST) was found on the contributing zone within transition zone side of the property. According to the applicant, the AST is used for diesel fuel for their truck fleet.

### **2. Surrounding Land Uses:**

To the north of the property there are existing businesses on both sides of Tradesman Dr. Undeveloped land bounds the western portion of the property. An existing quarry is located to the south, and to the east of the property.

### **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). As applicable a WPAP will be required to be submitted to and approved by the TCEQ prior to commencement of construction.

### **4. Geologic Conditions:**

The Resource Protection Division of the San Antonio Water System conducted a site evaluation on May 2, 2007, of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS Environmental Geologist, Mr. Bruce Keels, P.G., was present during the site evaluation.

The subject site was observed as a developed industrial facility, identified as the operations yard of Aggregate Haulers, approximately 9.004 acres in area. The subject site appears to have been in use as an industrial aggregate production facility for a considerable time. The entire subject site was observed to be enclosed by a security fence, and to be paved with asphalt pavement.

Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site is underlain by the Upper Confining Unit of the Edwards Aquifer to the north and west of the subject site, and the Cyclic Marine Member of the Edwards Aquifer to the southeast. Approximately the southeastern 1/3 of the subject site is located within the recharge zone, with the balance of the subject site being located within the contributing zone. This could not be confirmed due to coverage by asphalt paving across the subject site. However, the aggregate production area located immediately adjacent to the southeast of the subject site was observed to produce rock associated with the Cyclic Marine Member.

The Upper Confining Member of the Georgetown Formation, adjacent to the Edwards Group, is characterized by massively bedded gray to tan limestone, with very low permeability. This member is known as the Upper Confining Member of the Edwards Aquifer, and is approximately 20 feet thick in full section. The Cyclic Marine Member of the Person Formation of the Edwards Group is characterized by laterally extensive, non-fabric dependent permeability. The Cyclic Marine Member is known to be a water bearing member of the Edwards Aquifer.

The subject site was observed with no surface exposure of limestone. No significant or sensitive recharge features were observed on-site.

### **ENVIRONMENTAL CONCERNS**

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

#### **Site Specific Concerns**

1. An above ground storage tank (AST) was observed on the contributing zone within the transition zone side of the property.
2. A potential for vehicle storage, maintenance, repair or servicing that may be associated with existing business currently in operation.

#### **General Concerns**

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

### **ENVIRONMENTAL RECOMMENDATIONS**

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

#### **Site Specific Recommendations**

1. The applicant shall contact Texas Commission on Environmental Quality (TCEQ) prior to any construction on the property regarding a submittal of a Water Pollution Abatement Plan (WPAP).
2. The applicant shall submit to SAWS copies of all regulatory & compliance reports required by State and Federal Law pertaining to the above ground storage tank (AST) system. This includes

- plans for a secondary containment system consisting of a minimum of 150% capture volume.
3. The AST system that was observed in operation on the contributing zone within the transition zone side of the property shall under no circumstances be moved or relocated to any portion of the recharge zone side of the property.
  4. The portion of the property that lies on the recharge zone shall not be used for any vehicle storage, maintenance, repair or servicing.
  5. The applicant shall not increase the existing impervious cover of 78% for the entire site.
  6. Land uses that are prohibited by the permitted use table shall not be allowed on the Recharge Zone.
  7. Any abandoned wells that may be located on the site must be properly plugged according to the City Code Chapter 34, Division 2 Section 574 by a registered well driller.
  8. The land uses within the zoned areas shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at that site. If the land use is listed as special use, a special permit must be obtained for that use. If the land use is listed as prohibited, that land use will not be permitted on that site.
  9. The owner of all water pollution abatement structures shall be responsible for properly maintaining the basin and that it is kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Resource Protection Division of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. The new owner must submit a signed water quality maintenance plan to the Resource Protection Division of SAWS.
  10. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing Groundwater Pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210/222-2204), or equivalent information produced by the U.S. Natural Resource Conservation Service, Texas Department of Agriculture, U.S.D.A, shall be used.
  11. 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.

12. If any sensitive geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3520.

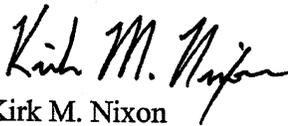
### **General Recommendations**

1. Prior to the release of any building permits the owner/operator of any Category 2 property shall submit an Aquifer Protection Plan to the Resource Protection Division of the San Antonio Water System.
2. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer Protection & Evaluation Section of the Resource Protection Division:
  - A. A copy of the Water Pollution Abatement Plan (WPAP) shall be submitted for each particular development/use within the area being considered for re-zoning,
  - B. A set of site specific plans which must have a signed Engineers Seal from Texas,
  - C. A WPAP approval letter from the Texas Commission on Environmental Quality (TCEQ),
  - D. A copy of the approved Water Pollution Abatement Plan.
3. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.
4. If a water quality basin is constructed on the property, the following is required:
  - A. Prior to the start of the basin construction, the owner will notify the Aquifer Protection and Evaluation Section of the San Antonio Water System at (210) 233-3520 to schedule a site inspection.
  - B. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Aquifer Protection and Evaluation Section at (210) 233-3520 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to SAWS Aquifer Protection and Evaluation Section.
  - C. If the basin fails to drain properly, the owner will notify the Construction Section of the Resource Compliance Division at (210) 233-3564 prior to any discharge of water.
  - D. If at any time the ownership of the property changes, the seller must inform the buyer of all requirements for maintenance of the Basin. A signed basin maintenance plan and schedule

agreement, from the new owner, must be submitted to the Resource Protection Division.

5. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.
6. The Resource Protection Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

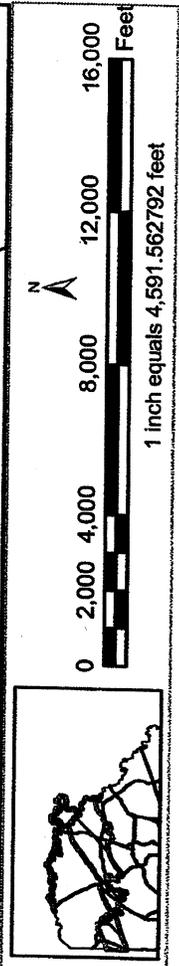
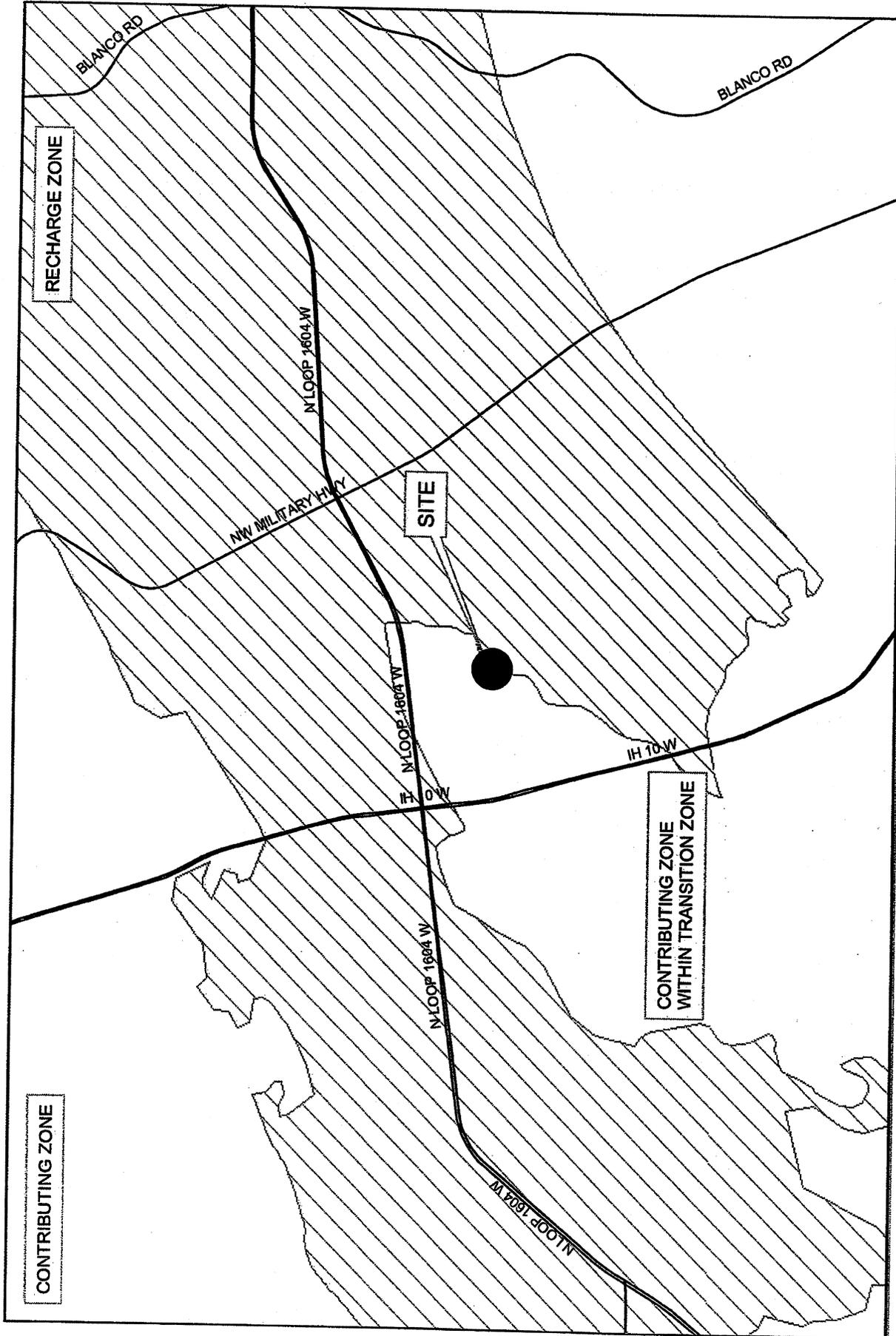
Based on the site evaluation of the property, and the information submitted by the applicant, staff recommends **approval** of the proposed land use. Additionally, SAWS staff recommends that the applicant, or any future owner, comply with the above recommendations in regards to the development of the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

  
Kirk M. Nixon  
Manager  
Resource Protection Division

APPROVED:

  
Scott R. Halty  
Director,  
Resource Protection & Compliance Department

KMN:PMG



**FIGURE 1**

**ZONING: 15080 TRADESMAN**  
**ZONING UNIQUE NO. : Z2007192**  
**MAP PAGE 514 E5/F6 X=2101129 Y=13760305**  
 Map Prepared by Aquifer Protection & Evaluation PMG 05/8/07





LinRy, LP  
 Site Plan  
 May 2007

Land paved  
 Land unpaved  
 Total

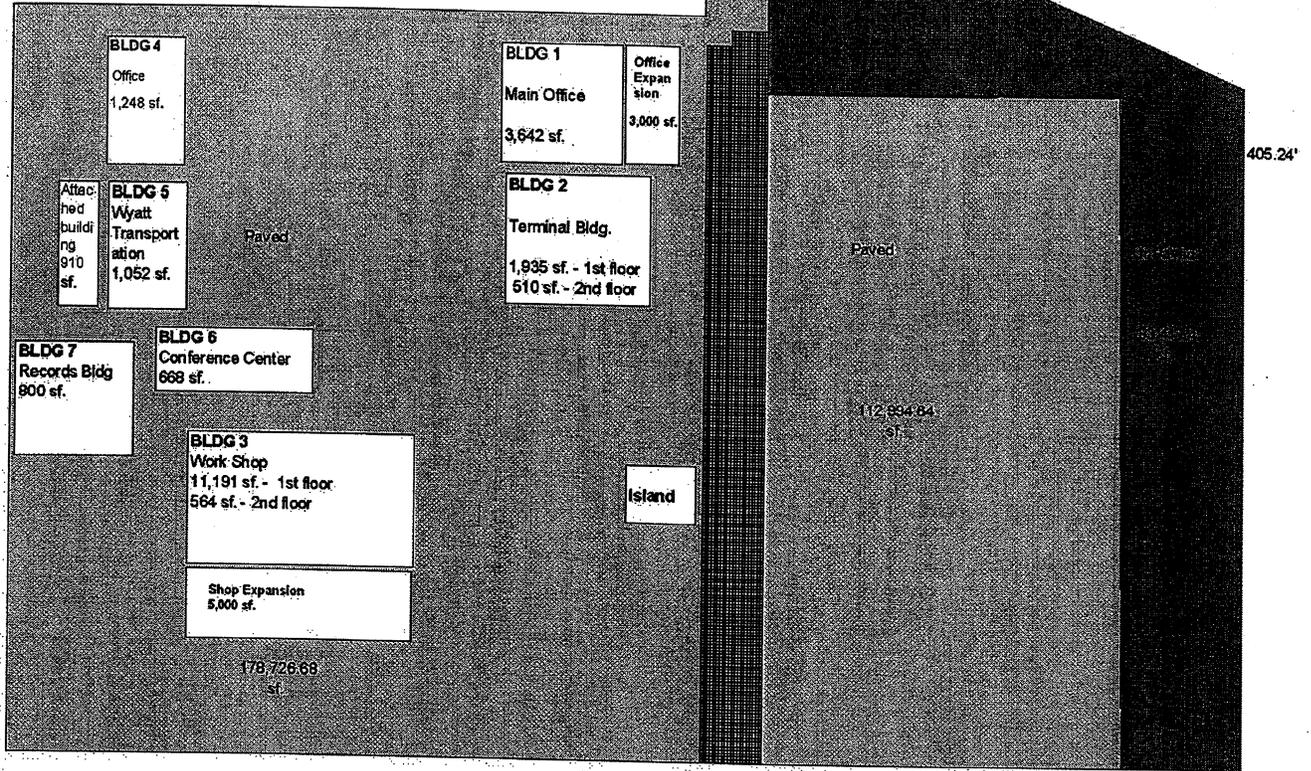
Acres	Sf.
7.089	308,796.84
1.915	83,417.40
9.004	392,214.24

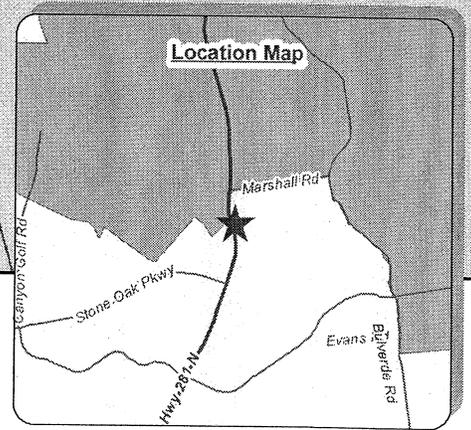
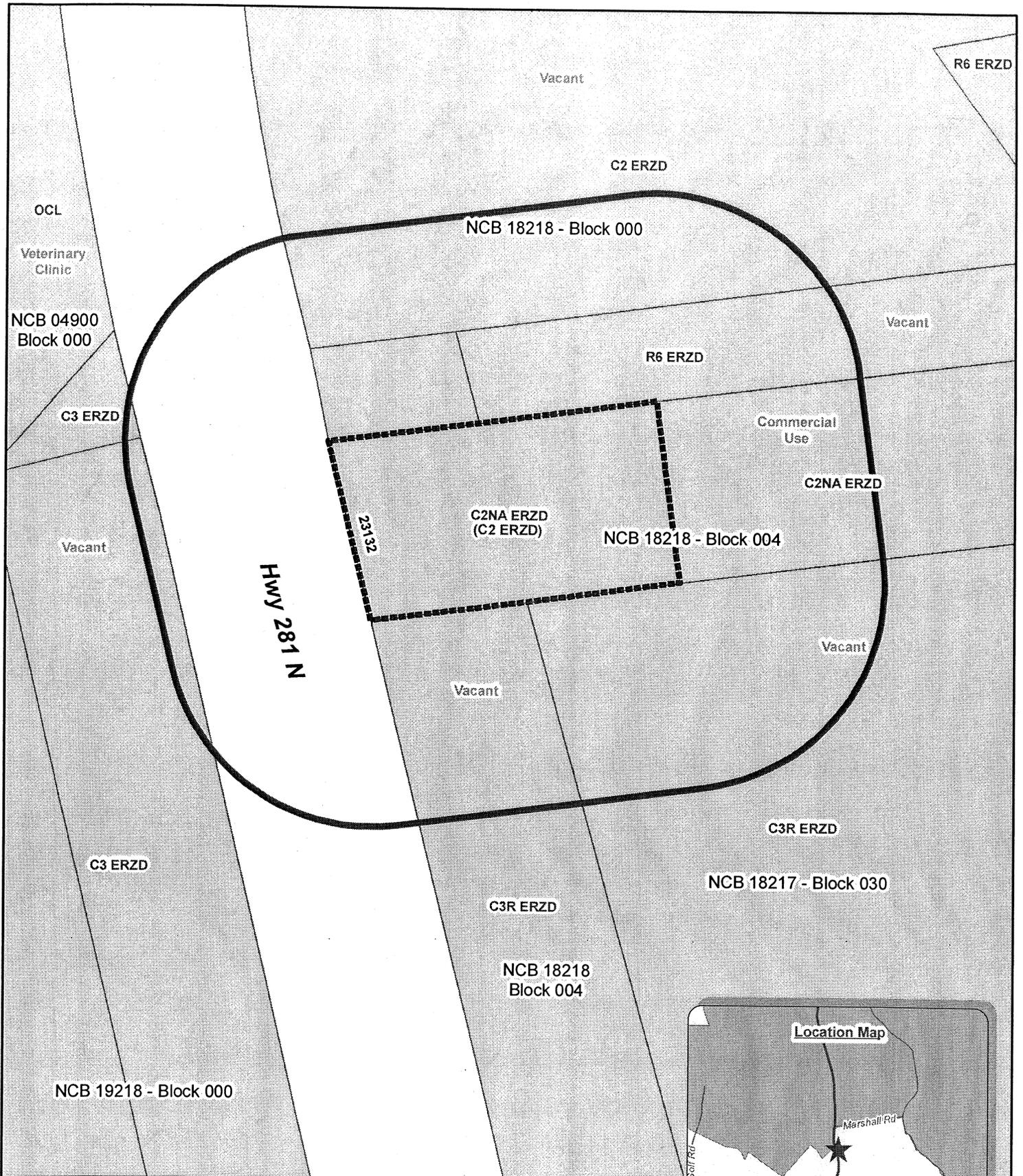
Not to Scale

Z2007192

Tradesman Dr.

17,076  
 sf.  
 Paved



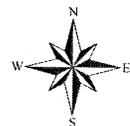


**Zoning Case Notification Plan**

**Case Z2007193**

Council District 9

Scale: 1" approx. = 120'



**Legend**

- Subject Property
- 200' Notification Buffer
- Property Address **12345**
- Current Zoning **Blue Text**
- Requested Zoning Change **(Red Text)**
- Land Use **Orange Text**
- 70 NCB - Block **NCB 11111 - Block 222**
- 100-Year FEMA Floodplain

# CASE NO: Z2007193

## Final Staff Recommendation - Zoning Commission

---

**Date:** June 05, 2007

**Council District:** 9

**Ferguson Map:** 483 D3/E3

**Applicant Name:**

Brown, P.C.

**Owner Name:**

B&M Marshall Road, Ltd.

**Zoning Request:** From "C-2 NA" ERZD Commercial Nonalcoholic Sales Edwards Recharge Zone District to "C-2" ERZD Commercial Edwards Recharge Zone District.

**Property Location:** 1.293 acres out of NCB 18218

23132 US Highway 281 North

US Highway 281 North, North of Stone Oak Parkway

**Proposal:** To Allow a Restaurant with Alcohol Sales

**Neigh. Assoc.** Stone Oak Property Owner's Association

**Neigh. Plan** None

**TIA Statement:** A Level-1 Traffic Impact Analysis will be required at the permitting/platting stage.

### Staff Recommendation:

Approval

Given the property's location along US Highway 281 North, which is designated as a Freeway by the city's Major Thoroughfare Plan, the proposed zone change and future use of the property are consistent and compatible with the current development trends along the Highway 281 North corridor.

The subject property was annexed into the city in December of 1985 and totals just over one acre. The property is undeveloped and has existing commercial zoning that dates to April of 2001. There is a nonalcoholic sales designation associated with the existing zoning that prohibits the sale and onsite consumption of alcohol. The applicant is requesting to remove this restriction to allow the sale and consumption of alcohol in conjunction with a future restaurant.

Most of the surrounding properties have existing commercial zoning. There are undeveloped parcels to the west, across Highway 281, that have existing C-3 zoning dating to May of 1999. To the north of the subject property is an undeveloped parcel with C-2 zoning that dates to January of 1999. The parcels to the south have C-3 zoning with a restrictive alcohol sales designation that was also applied in January of 1999. There has been significant commercial development to the south, including large commercial centers. There is a parcel zoned R-6 to the immediate north which is used for a private drive to the privately-owned recreation facility to the east, which is also zoned C-2 NA. This facility houses dance classes and gymnastic training among other activities.

Under the Texas Alcoholic Beverage Code, an alcohol license application will be reviewed by the Texas Alcoholic Beverage Commission (TABC) to determine if the manner in which the business is operated or if the location of the business may prove detrimental to the health, safety and welfare of the public. The Code provides opportunities for citizens and government officials to object to the issuance of a license or permit.

### SAWS Summary

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

**CASE MANAGER :** Matthew Taylor 207-5876

SAN ANTONIO WATER SYSTEM  
Interdepartmental Correspondence Sheet

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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 Z2007193 (B & M Sandbar Tract)

**Date:** May 14, 2007

**SUMMARY**

A request for a change in zoning has been made for an approximate 1.294-acre tract located on the city's northeast side. A change in zoning from **C-2 NA ERZD** to **C-2 ERZD** is being requested by the applicant, Brown, P.C., by Mr. Patrick W. Christensen. The change in zoning has been requested to allow the development of a restaurant to serve alcohol.

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

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

**LOCATION**

The subject property is located in City Council District 9, near the southeast intersection of Marshall Rd. and U.S. Hwy 281 North. A total of 1.293 acres of 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 NA ERZD to C-2 and will allow for the construction of a restaurant. Currently the site is a cleared vacant lot and undeveloped.

### 2. Surrounding Land Uses:

To the north of the property lies undeveloped land. To the west undeveloped land bounds the western portion of the property. A commercial/retail development is located to the south of the property. A gymnasium is located to the east of the property.

### 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 commencement of construction.

### 4. Geologic Conditions:

The Resource Protection Division of the San Antonio Water System conducted a site evaluation on April 20, 2007, of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS Environmental Geologist, Mr. Bruce Keels, P.G., was present during the site evaluation.

The subject site was observed as a cleared vacant lot, approximately 1.29 acres in area. The subject site appears to be in the early stages of clearing for construction purposes. A layer of imported fill, apparently consisting of crushed limestone and covered with geomembrane tarps was placed across the subject site

Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site is underlain by the Dolomitic Member of the Edwards Aquifer. This was could not be confirmed due to coverage by imported fill materials. However, surrounding locations were observed with moderate exposure of weathered limestone, consistent with the presence of the Dolomitic Member.

The Dolomitic Member of the Kainer Formation, within the Edwards Group, is characterized by porosity along bedding planes, independent of fabric type. Cave development is known to occur along bedding planes and site specific structural features. This member is known as a water bearing member of the Edwards Aquifer, and is approximately 110 to 130 feet thick in full section.

The subject site was observed with very little surface exposure of limestone. No significant or sensitive recharge features were observed on-site.

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

## ENVIRONMENTAL CONCERNS

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

### General Concerns

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

## ENVIRONMENTAL RECOMMENDATIONS

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

### Site Specific Recommendations

1. The impervious cover shall not exceed 65% on the site.
2. The land uses within the zoned areas shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at that site. If the land use is listed as special use, a special permit must be obtained for that use. If the land use is listed as prohibited, that land use will not be permitted on that site.
3. The owner of all water pollution abatement structures shall be responsible for properly maintaining the basin and that it is kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Resource Protection Division of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. The new owner must submit a signed water quality maintenance plan to the Resource Protection Division of SAWS.
4. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing Groundwater Pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210/222-2204), or equivalent information produced by the U.S. Natural Resource Conservation Service, Texas Department of Agriculture, U.S.D.A, shall be used.
5. The applicant shall notify the Construction Compliance Section of the Resource Compliance Division of SAWS at (210) 233-3564 no later than 48 hours prior to the commencement of construction at the site. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas

Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3520.

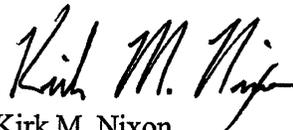
6. If any sensitive geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3520.

### **General Recommendations**

1. Prior to the release of any building permits the owner/operator of any Category 2 property shall submit an Aquifer Protection Plan to the Resource Protection Division of the San Antonio Water System.
2. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer Protection & Evaluation Section of the Resource Protection Division:
  - A. A copy of the Water Pollution Abatement Plan (WPAP) shall be submitted for each particular development/use within the area being considered for re-zoning,
  - B. A set of site specific plans which must have a signed Engineers Seal from Texas,
  - C. A WPAP approval letter from the Texas Commission on Environmental Quality (TCEQ),
  - D. A copy of the approved Water Pollution Abatement Plan.
3. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.
4. If a water quality basin is constructed on the property, the following is required:
  - A. Prior to the start of the basin construction, the owner will notify the Aquifer Protection and Evaluation Section of the San Antonio Water System at (210) 233-3520 to schedule a site inspection.
  - B. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Aquifer Protection and Evaluation Section at (210) 233-3520 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to SAWS Aquifer Protection and Evaluation Section.
  - C. If the basin fails to drain properly, the owner will notify the Construction Section of the Resource Compliance Division at (210) 233-3564 prior to any discharge of water.
  - D. If at any time the ownership of the property changes, the seller must inform the buyer of all requirements for maintenance of the Basin. A signed basin maintenance plan and schedule agreement, from the new owner, must be submitted to the Resource Protection Division.

5. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.
6. The Resource Protection Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

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



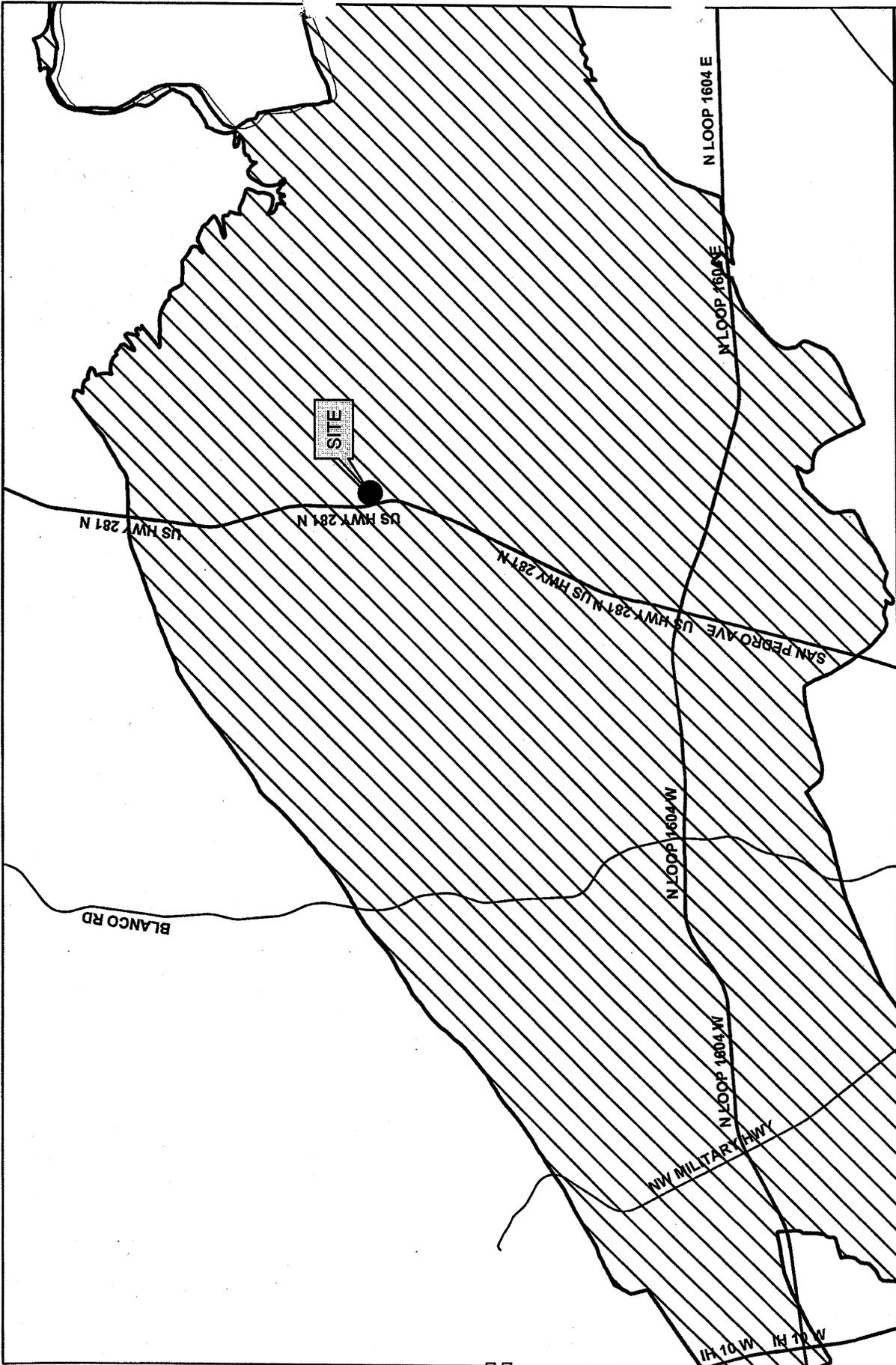
Kirk M. Nixon  
Manager  
Resource Protection Division

APPROVED:



Scott R. Halty  
Director,  
Resource Protection & Compliance Department

KMN:MAE



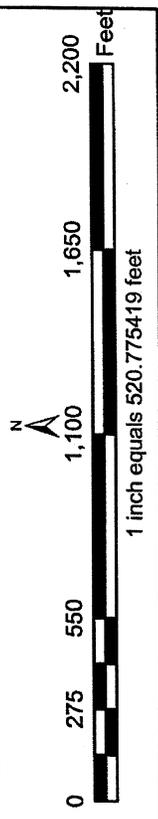
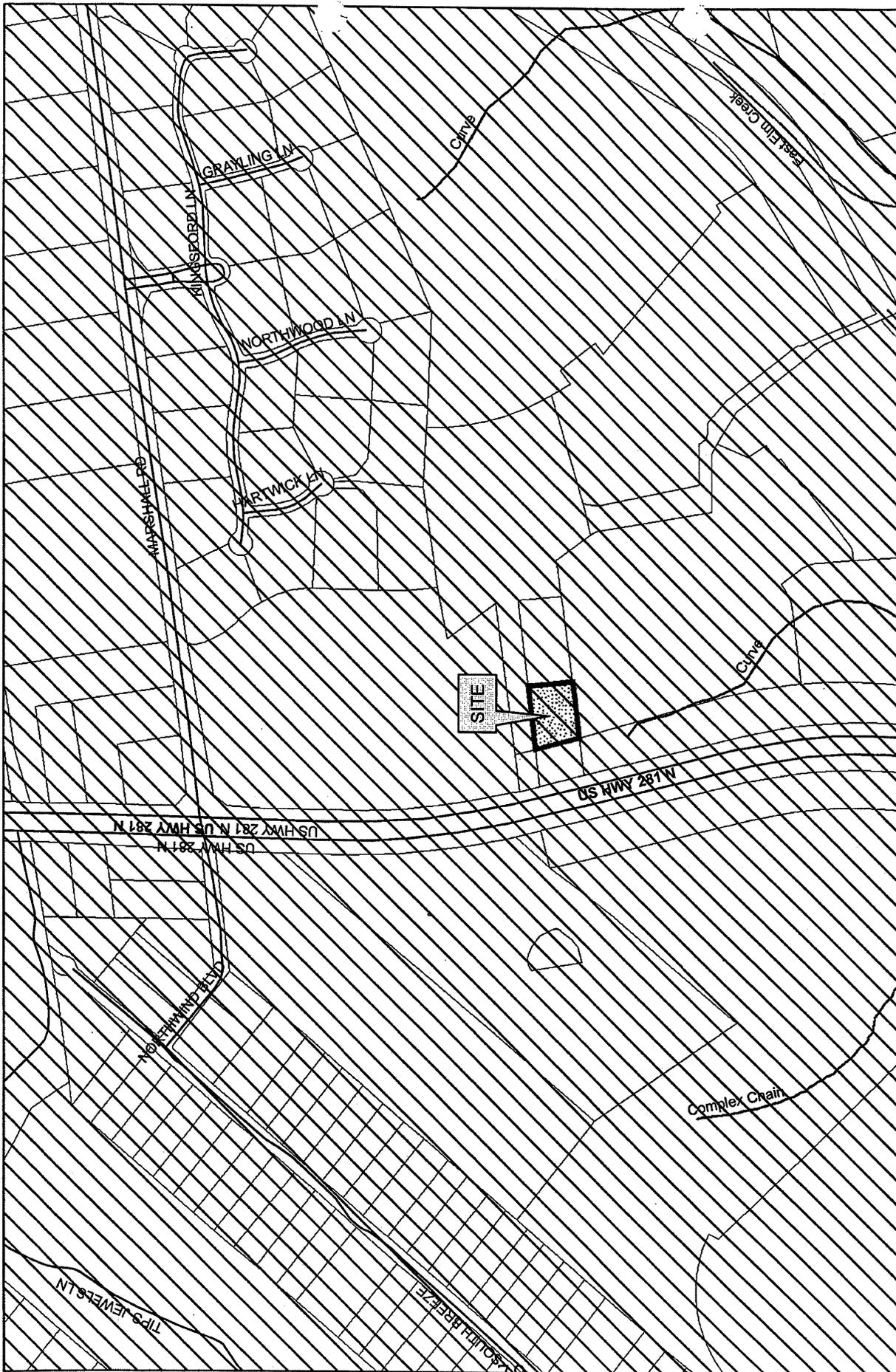
**ZONING CASE NO. 2007193 FIGURE 1**

**B & M SANDBAR TRACT**

**MAP PAGE 483 E3 X=2143420 Y=13786804**

**Map Prepared by Aquifer Protection & Evaluation MAE 4/23/07**



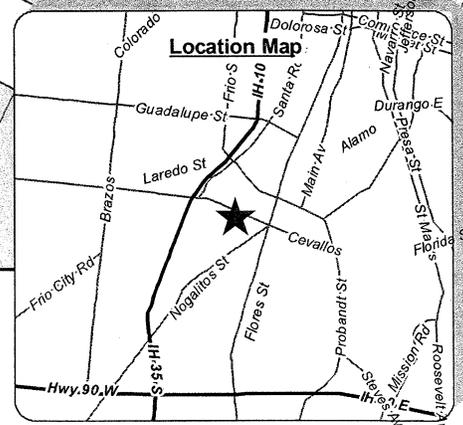
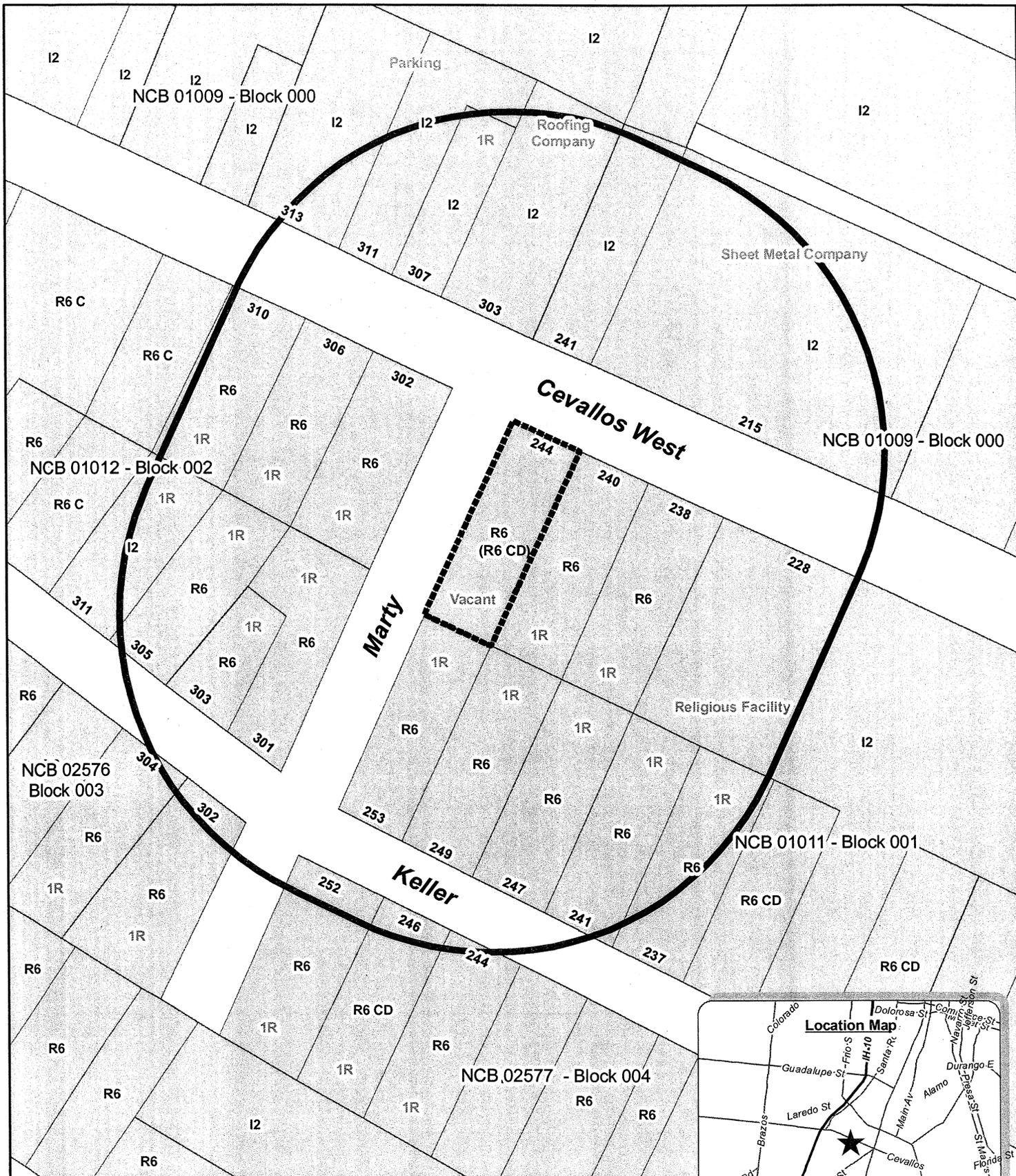


**ZONING CASE NO. 2007193 FIGURE 2**

**B & M SANDBAR TRACT**

**MAP PAGE 483 E3 X=2143420 Y=13786804**

**Map Prepared by Aquifer Protection & Evaluation MAE 5/7/07**



**Zoning Case Notification Plan**

**Case Z-2007-163CD**

Council District 1

Scale: 1" approx. = 80'



**Legend**

- Subject Property
- 200' Notification Buffer
- Property Address **12345**
- Current Zoning **Blue Text**
- Requested Zoning Change **(Red Text)**
- Land Use **Orange Text**
- NCB - Block **NCB 11111 - Block 222**
- 100-Year FEMA Floodplain

# CASE NO: Z2007163 CD

## Final Staff Recommendation - Zoning Commission

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**Date:** June 05, 2007  
**Council District:** 1  
**Ferguson Map:** 616 D7  
**Applicant Name:** Hector Valadez  
**Owner Name:** Hector Valadez  
**Zoning Request:** From "R-6" Residential Single Family District to "R-6" (CD-Catering Shop) Residential Single-Family District with Conditional Use for a Catering Shop.  
**Property Location:** Lot 13, Block 1, NCB 1011  
244 West Cevallos  
South corner of West Cevallos and Marty  
**Proposal:** Catering Shop  
**Neigh. Assoc.** None  
**Neigh. Plan** South Central Community Plan  
**TIA Statement:** A Traffic Impact Analysis (TIA) is not required

### Staff Recommendation:

South Central San Antonio Community Plan (1999), South Central San Antonio Community Plan Update (2005)

A finding of consistency is not required since the applicant is not changing the base zone.

### Denial

The subject property is currently undeveloped and located on West Cevallos. To the southeast, southwest and across Marty to the northwest of the subject property exist "R-6" Residential Single Family zoning designations. To the northeast across West Cevallos of the subject property exists "I-2" Heavy Industrial zoning. This district accommodates uses that are highly hazardous, environmentally severe in character and/or generate has very high volumes of truck traffic. The "I-2" district is established in order to provide sites for activities which involve major transportation terminals, and manufacturing facilities that have a greater impact on the surrounding area.

The property exists on the corner of West Cevallos and Marty, a secondary arterial and there are lands with commercial zoning and Industrial zoning in the immediate area. However, an objective of the community plan is to discourage the encroachment of business into residential neighborhoods.

The following conditions in addition to those in subsection (e)(2) above shall apply to the operation of nonresidential conditional uses permitted within any residential district, unless otherwise approved by the city council: A. There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of the main structure. B. No construction features shall be permitted which would place the structure out of character with the surrounding neighborhood. C. Business or office hours of operations shall not be permitted before 7:00 a.m. or after 6:00 p.m.

# CASE NO: Z2007163 CD

## Final Staff Recommendation - Zoning Commission

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The conditional zoning procedure is designed to provide for a land use within an area that is not permitted by the established zoning district but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions. The granting of a conditional zoning classification shall not be for all of the uses permitted in a given district but shall be only for the conditional use (bookkeeping office, photography studio, etc.) named in the ordinance approving the conditional zoning district. In considering a request for a conditional zoning classification, the zoning commission shall make a recommendation to the city council with reference to the use and development conditions which insure compatibility with surrounding properties.

**CASE MANAGER :** Pedro Vega 207-7980

# Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2007163

Existing Zoning: R-4

Requested Zoning: R-4 C

Registered Neighborhood Association(s):  
None

**Neighborhood/Community/Perimeter Plan:**

South Central San Antonio Community Plan (1999), South Central San Antonio Community Plan Update (2005)

**Future Land Use for the site:** Low Density Residential

Low density residential is composed of single-family houses on individual lots. Accessory dwelling units are permitted; however, the roof pitch, siding and window proportions should be identical to the principal residence to maintain community character. This development should be oriented toward the center of the neighborhoods and away from traffic arterials.

**Other Comments:**

The R-4 base zoning is consistent with the Community Plan for this area. On the northern side of Cevallos are light industrial land uses; on the southern side of Cevallos are residential properties as well as the subject property, currently vacant. The requested zoning change is a conditional use to permit a catering service business. Although an appropriate buffer does not exist between the industrial, higher intensity uses across the street, and the low density residential uses in the area, a neighborhood commercial type use is not suitable at this location. The property is at the center of two residential blocks; a more appropriate location for such development is along S Flores, an arterial street identified in the plan as a commercial corridor. In addition, the 1999 plan states one of its objectives is to promote the development of new housing by constructing infill housing on vacant lots (page 18).

**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:** Christine Zuniga

**Title:** Planner II

**Date:** 3/19/07

**Manager Review:** Nina Nixon-Mendez

**Date:** 3/19/07



# CASE NO: Z2007171CD

## Final Staff Recommendation - Zoning Commission

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**Date:** June 05, 2007

Zoning Commission Continuance from May 15, 2007

**Council District:** 1

**Ferguson Map:** 582 C4

**Applicant Name:**

**Owner Name:**

Jerry Arredondo

Gordon Schabert

**Zoning Request:** From "R-4" Residential Single-Family District to "R-4" (CD-Professional Offices) Residential Single-Family District with Conditional Use for Professional Offices.

**Property Location:** Lot 35, Block 20, NCB 9223

3922 Blanco Road

Southeast corner of Blanco Road and Hermine Boulevard

**Proposal:** Professional Offices

**Neigh. Assoc.** Northmoor Neighborhood Association and NW Los Angeles Heights Neighborhood Association within 200 feet.

**Neigh. Plan** North Central Community Plan

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

**Staff Recommendation:**

North Central Community Plan

A finding of consistency is not required since the applicant is not changing the base zone.

Approval

The subject property consists of a single-family dwelling with frontage on Hermine Boulevard and Blanco Road. The address is on Blanco Road and the entire lot has been paved with asphalt. The surrounding properties are currently zoned "R-4" Residential Single-Family District to the east and south with "O-2" Office District across Hermine Boulevard to the north. "R-4" Residential Single-Family District across Blanco Road to the west. The "R-6" (CD- Professional Offices) Residential Single-Family District with a Conditional Use for a Professional Offices is in character with the development pattern along Blanco Road. No change is proposed to the base zoning of "R-4" Residential Single-Family District. The "R-4" (CD- Professional Offices) Residential Single-Family District with Conditional Use for Professional Offices is appropriate at this particular location.

The following conditions in addition to those in subsection (e)(2) above shall apply to the operation of nonresidential conditional uses permitted within any residential district, unless otherwise approved by the city council: A. There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of the main structure. B. No construction features shall be permitted which would place the structure out of character with the surrounding neighborhood. C. Business or office hours of operations shall not be permitted before 7:00 a.m. or after 6:00 p.m.

The conditional zoning procedure is designed to provide for a land use within an area that is not permitted by the established zoning district but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions. The granting of a

# **CASE NO: Z2007171CD**

## **Final Staff Recommendation - Zoning Commission**

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

**CASE MANAGER :** Pedro Vega 207-7980

# Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2007171

Existing Zoning: R-4

Requested Zoning: NC

Registered Neighborhood Association(s): Northmoor

Neighborhood/Community/Perimeter Plan: North Central

Future Land Use for the site: Low Density Residential

### Other Comments:

All of the properties between Hermine, San Pedro, Thorain and Blanco are single family residential in character. The majority of these properties are owner-occupied. Applicant would be required to apply for a plan amendment.

The proposed development is not in keeping with the spirit of the plan, and is contrary to the following stated goals/objectives:

- 1) 4.1 Discourage encroachment of businesses into existing residential neighborhoods. (p. 36)
- 2) 5.3.1 Discourage increases in impervious cover, especially unnecessary paving on residential lots, when construction activity occurs. (p. 39) The UDC allows only 50% of a residential front yard to have impervious cover. The applicant has paved the entire front yard along Hermine with asphalt.

### Analysis:

Request conforms to Land Use Plan

Request does not conform to Land Use Plan

### Staff Recommendation:

Approval

Denial

Alternate Recommendation

In order to retain residential character, while allowing one alternate use, an R-4c for an office use with additional conditions is recommended:

- 1) restore 50% of residential front yard with plantings/grass on Hermine to maintain residential character,
  - 2) No hours of operation from 12 midnight to 6 a.m.
  - 3) Parking on sides (Blanco) and rear of principle dwelling
  - 4) Only 1 parking space in paved front yard area facing Hermine
  - 5) No exterior storage or display.
  - 6) All other conditions as prescribed in residential conditional use pertaining to retaining residential character.
- Due to the good residential integrity in this section of the neighborhood (area bound by Hermine, San Pedro Ave., Thorain, Blanco Rd.), an office use would be more appropriate and would ensure a transition between residential and commercial areas.

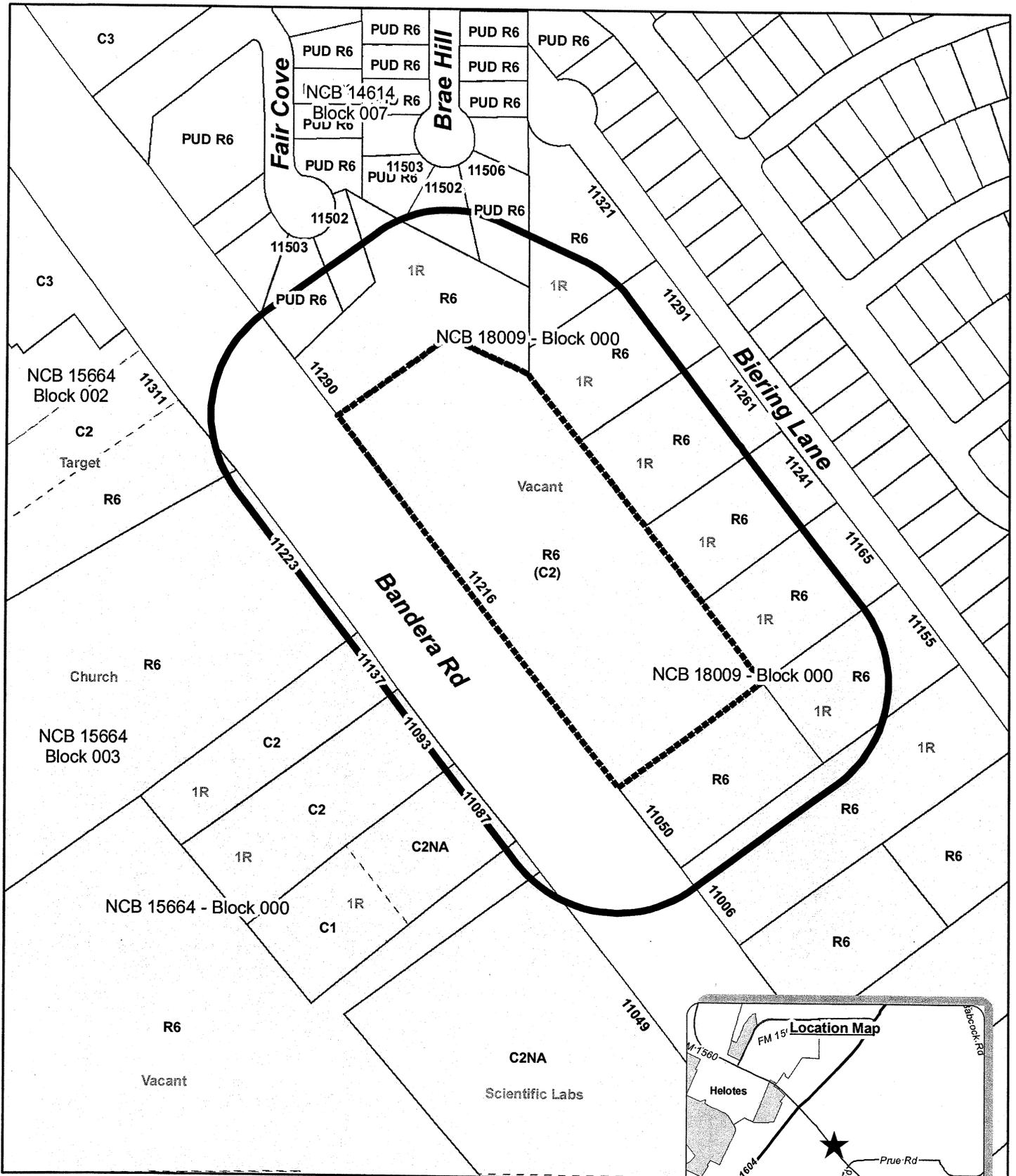
Reviewer: Joe G. Mendoza

Title: Sr. Planner

Date: 3-22-07

Manager Review: Nina Nixon-Mendez

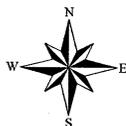
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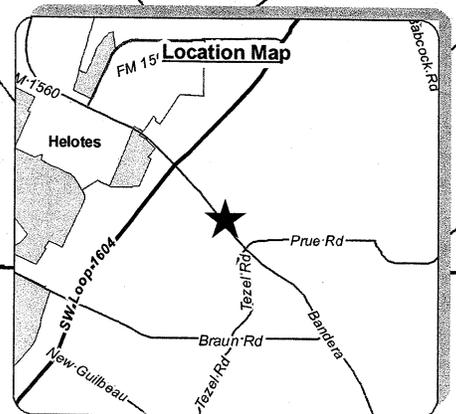
# Zoning Case Notification Plan

## Case Z2007-121

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



- Legend**
- Subject Property
  - 200' Notification Buffer
  - Property Address **12345**
  - Current Zoning **Blue Text**
  - Requested Zoning Change **(Red Text)**
  - Land Use **Orange Text**
  - NCB - Block **NCB 11111 - Block 222**
  - 100-Year FEMA Floodplain



Produced by the City of San Antonio  
 Development Services Department  
 (01/30/2007)

# CASE NO: Z2007121

## Final Staff Recommendation - Zoning Commission

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**Date:** June 05, 2007

Zoning Commission Continuance from March 6, 2007,  
March 20, 2007, April 17, 2007 and May 1, 2007

**Council District:** 8

**Ferguson Map:** 547 B3

**Applicant Name:**

**Owner Name:**

Roy Horn, III

Barry Morris

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

**Property Location:** Lots 1 and 2, NCB 18009 and Lot P-9, NCB 14614

11216 Bandera Road

On the north side of Bandera Road southeast of Brae Ridge Drive

**Proposal:** To develop a retail/office complex

**Neigh. Assoc.** None

**Neigh. Plan** None

**TIA Statement:** A Traffic Impact Analysis is required. An updated TIA will be required at time of platting or permitting.

**Staff Recommendation:**

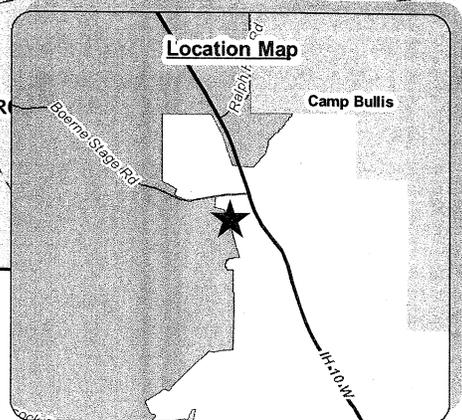
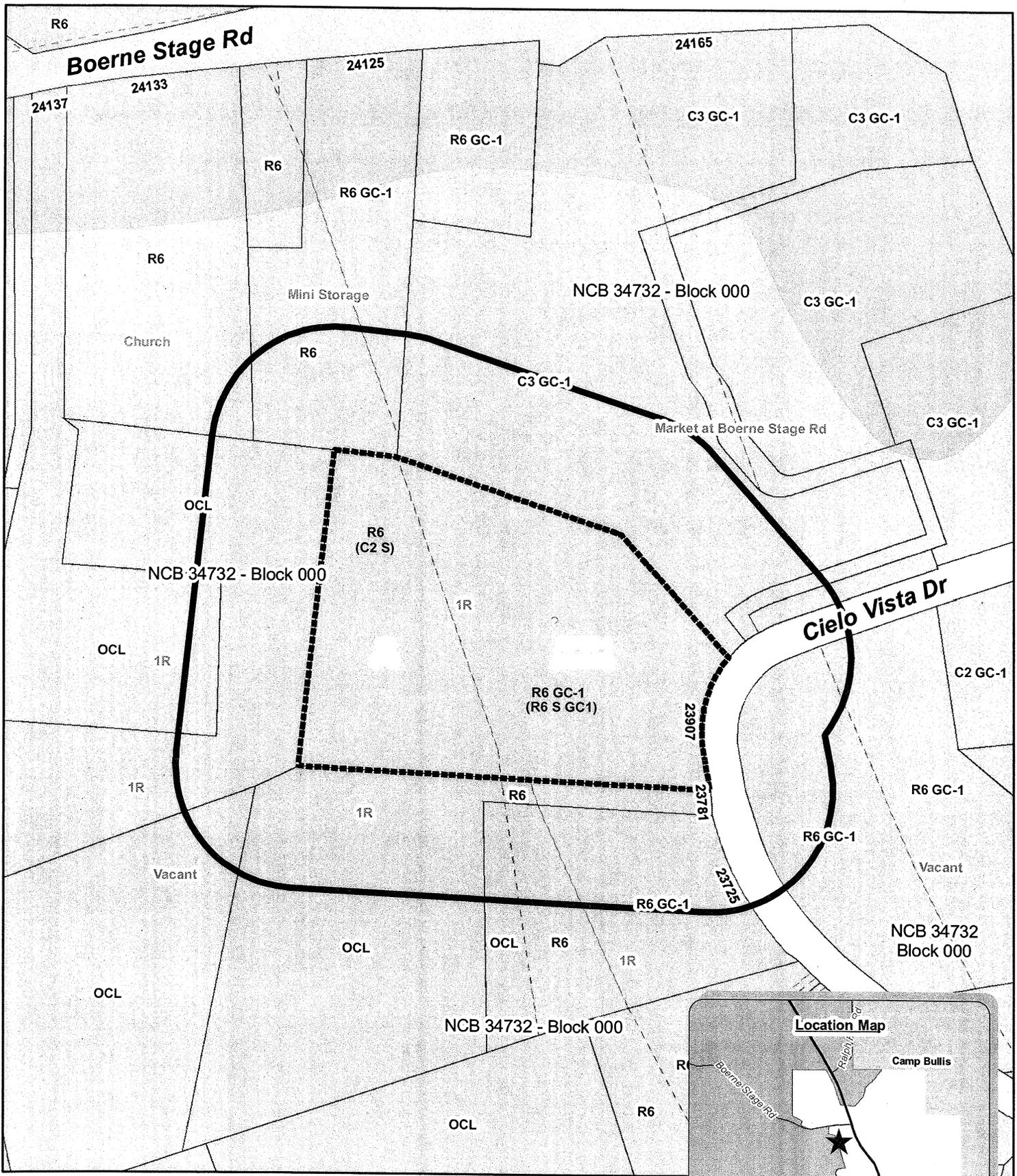
Denial

The subject property consists of undeveloped land located with direct access to Bandera Road (a Primary Arterial Type "A" street). The property is adjacent to R-6 zoning to the north, south and east and C-2 zoning to the west. The surrounding land uses consist of single-family dwellings to the north, south, east and west, as well as a church and commercial retail center to the west.

The applicant is requesting a rezoning in order to allow for the development of a retail/office complex. The subject property is completely surrounded by residential zoning and existing residential dwellings. Approval of the proposed C-2 zoning request would create an island of commercial zoning in the middle of a large residential district.

C-2 commercial zoning would not be compatible with the adjacent residential uses and zoning and would continue the strip commercialization of Bandera Road. The existing commercially zoned property is already appropriately located at the intersection of Bandera Road and Loop 1604. The commercial node of Bandera Road and Loop 1604 should not be extended beyond Brae Ridge Drive.

**CASE MANAGER :** Brenda Valadez 207-7945

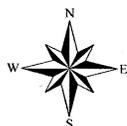


## Zoning Case Notification Plan

### Case Z-2007-177

Council District 8

Scale: 1" approx. = 200'



#### Legend

- Subject Property
- 200' Notification Buffer
- Property Address **12345**
- Current Zoning **Blue Text**
- Requested Zoning Change **(Red Text)**
- Land Use **Orange Text**
- 90 NCB - Block **NCB 11111 - Block 222**
- 100-Year FEMA Floodplain

# CASE NO: Z2007177 S

## Final Staff Recommendation - Zoning Commission

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**Date:** June 05, 2007

Zoning Commission Continuance from May 1, 2007 and May 15, 2007

**Council District:** 8

**Ferguson Map:** 479 E2

**Applicant Name:**

**Owner Name:**

Ford Engineering, Inc.

Lillian Blackwell

**Zoning Request:** From "R-6" GC-1 Single Family Residential Gateway Corridor District 1 and "R-6" Single Family Residential District to "R-6" S GC-1 Single Family Residential Gateway Corridor District 1 with a Specific Use Permit for a Day Care Center and "R-6" S Single Family Residential District with a Specific Use Permit for a Day Care Center on 3.269 acres out of NCB 34732 and "C-2" S GC-1 Commercial Gateway Corridor District 1 with a Specific Use Permit for Reception Hall/Meeting Facility and "C-2" S Commercial District with a Specific Use Permit for Reception Hall/Meeting Facility on 3.236 acres out of NCB 34732.

**Property Location:** P-12J, NCB 34732

23907 Cielo Vista Drive

West of the intersection of Cielo Vista Drive and IH 10 West

**Proposal:** To allow for a Day Care Center and an Reception Hall/Meeting Facility

**Neigh. Assoc.** Cielo Vista Neighborhood Association

**Neigh. Plan** None

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

**Staff Recommendation:**

Denial of C-2 S and Approval of R-6 S as amended by the Applicant.

The subject property consists of a single-family dwelling with frontage on Cielo Vista Drive. The property is adjacent to C-3 GC-1 zoning to the north, R-6 GC-1 zoning to the east and south and the rear of the subject property directly to the west is bordered by the city limits. The surrounding land uses consist of a commercial retail center to the north, vacant land to the east, an assisted living facility to the west and single-family dwellings to the south. The property directly to the east, which is located on the 24000 block of Cielo Vista Drive, is the subject of a current rezoning case (Z2007153 CD). In this case, the applicant is requesting a zoning change from R-6 GC-1 Residential Single-Family Gateway Corridor District 1 to C-2 CD GC-1 Commercial Gateway Corridor District 1 with a conditional use for a hotel.

The applicant is requesting a rezoning in order to allow for the development of a Day Care Center and reception hall/meeting facility. The subject property was annexed by the City of San Antonio in December 2000 and the Gateway Corridor Overlay was applied in 2003. C-2 commercial zoning and the requested Specific Use Permit for a Reception Hall/Meeting Facility would not be compatible with the adjacent residential uses and zoning. The existing commercially zoned property is already appropriately located at the intersection of Boerne Stage Road and IH 10 West. The commercial node of Boerne Stage Road and IH 10 West should not extend this far southwest.

Furthermore, in order to provide sustainable development, land uses should transition from more intense commercial uses to less intense single family uses. Therefore, a low intensity office use would provide more of an appropriate transition from the more intense commercial zoning to the north.

# **CASE NO: Z2007177 S**

## **Final Staff Recommendation - Zoning Commission**

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Should the Zoning Commission recommend Approval, Staff would not be opposed to the requested R-6 S Residential Single-Family District with a Specific Use Permit for a Day Care Center. A Day Care Center would be appropriate at this location and provide convenient child care for this area. Furthermore the subject property is large enough to accommodate a Day Care Center and it is located close to an intersection and next to a corner parcel with existing commercial zoning and uses. A portion of the subject property is located within the Gateway Corridor District 1. The applicant is not requesting to amend the boundaries of the Gateway Corridor District 1.

**CASE MANAGER :** Brenda Valadez 207-7945



Address:

93

CALLLED 9.393 ACRES  
VOLUME 7329, PAGE 299  
OFFICIAL PUBLIC RECORDS  
BEXAR COUNTY, TEXAS

C-2S

EVENT CENTER AREA  
POND

THE WEST CENTER

BLOCK 1  
C.B. 4732  
VOLUME 9522, PAGE 47  
DEED AND PLAT RECORDS  
BEXAR COUNTY, TEXAS

R-6S  
DAY CARE CENTER

INDICATES A 10' WIDE LANDSCAPE BUFFER  
INDICATES A 10' WIDE LANDSCAPE BUFFER

INDICATES A 10' WIDE LANDSCAPE BUFFER

INDICATES A 15' WIDE LANDSCAPE BUFFER

6.505 ACRES  
CALLED 6.483 ACRES  
VOLUME 4748, PAGE 1661  
OFFICIAL PUBLIC RECORDS  
BEXAR COUNTY, TEXAS

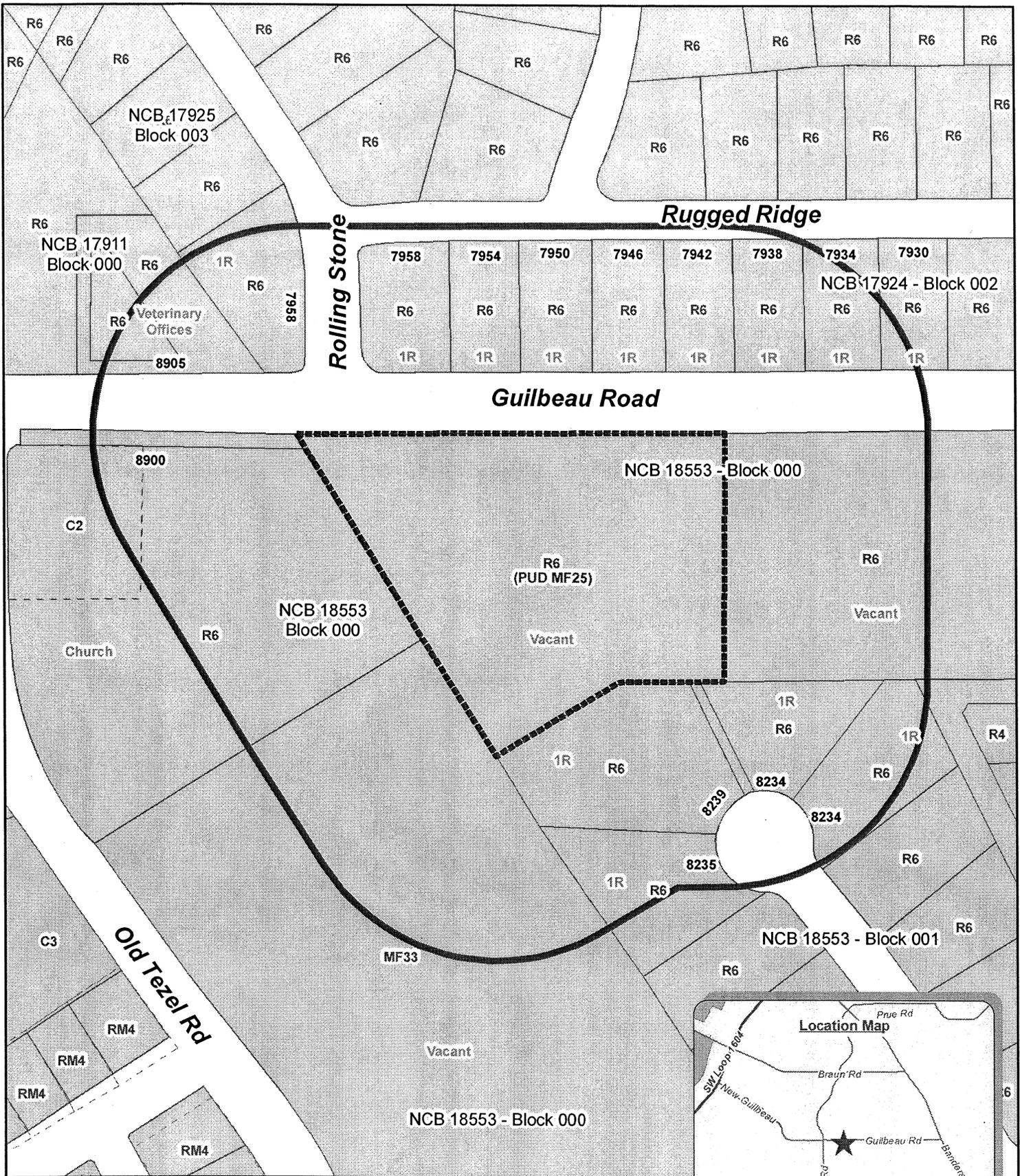
PARKING SPACES REQUIRED 152 cars  
PARKING SPACES PROVIDED 200 cars

200 SITE PLAN  
SCALE: 1"=80'

Additional to:  
COUNTRY HOME LEARNING CENTER #10  
SAN ANTONIO, TEXAS 78238



Project:  
Date: 03/25/07  
Sheet No.

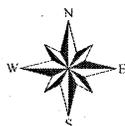


**Zoning Case Notification Plan**

**Case Z-2007-198**

Council District 7

Scale: 1" approx. = 120'



**Legend**

- Subject Property
- 200' Notification Buffer
- Property Address **12345**
- Current Zoning **Blue Text**
- Requested Zoning Change **(Red Text)**
- Land Use **Orange Text**
- NCB - Block **NCB 11111 - Block 222**
- 100-Year FEMA Floodplain



# CASE NO: Z2007198

## Final Staff Recommendation - Zoning Commission

---

**Date:** June 05, 2007

**Council District:** 7

**Ferguson Map:** 547 B7

**Applicant Name:**

**Owner Name:**

Brown, P.C.

Bernardo and Rocio Artola

**Zoning Request:** From "R-6" Residential Single-Family District to PUD "MF-25" Planned Unit Development Multi-Family District.

**Property Location:** P-123A, NCB 18553 (2.20 acres)

8900 Guilbeau Road

Southside of Guilbeau Road between Old Tezel Road and Olde Village Drive

**Proposal:** Townhome development

**Neigh. Assoc.** Braun Station West and Village in the Woods

**Neigh. Plan** Northwest Community Plan

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

### Staff Recommendation:

Inconsistent

The Northwest Community Plan designates the subject property as Low Density Residential. The applicant has submitted a plan amendment, which was heard by the Planning Commission on May 23, 2007. Planning Commission Recommendation: Approval of Alternative Recommendation to change the land use to Medium Density Residential.

Denial

Inconsistent with The Northwest Community Plan. The project site is located on the northwest side of San Antonio, approximately 0.06 miles east of Old Tezl Road. The site is bound by vacant lots to the east, single-family dwellings to the south, the Northwest Community Evangelical Free Church to the west and single-family dwellings across Guilbeau Road to the north. The project site contains 2.20 acres of undeveloped land zoned "R-6" Residential Single-Family District. The applicant is requesting a change from "R-6" Residential Single-Family District to PUD "MF-25" Planned Unit Development Multi-Family District for the development of a Townhome Community.

The density permitted in PUD "MF-25" is 25 units per acre. Density limits can be imposed with the granting of the PUD zoning.

The PUD planned unit development district is established to provide flexibility in the planning and construction of development projects by allowing a combination of uses developed in accordance with an approved plan that protects adjacent properties. To encourage the preservation and enhancement of natural amenities and cultural resources; to protect the natural features of a site that relate to its topography, shape and size; and to provide for a minimum amount of open space. To encourage infill projects and the development of sites made difficult for conventionally designed development because of shape, size, abutting development, poor accessibility or topography. To provide for a more efficient arrangement of land uses, buildings, circulation systems and infrastructure. To allow for private streets and gated entrances for new subdivisions. The PUD plan shall incorporate any conditions imposed with the granting of the PUD zoning.

**CASE MANAGER :** Pedro Vega 207-7980

**City of San Antonio Planning and Community Development Department  
Plan Amendment Recommendation**

**Plan Amendment Application Case No.: 07016**

Council District: 7

City Council Meeting Date: 8/2/2007

Plan Amendment Map – Attachment 1

Digital Ortho Image – Attachment 2

**Summary:**

Neighborhood/Community/Perimeter Plan: **Northwest Community Plan**

The applicant requests to amend the Land Use Plan designation from **Low Density Residential** to **High Density Residential**.

**Background Information:**

**Applicant:** Brown, P.C. – Kenneth W. Brown, AICP

**Owner:** Rocio Artola

**Property Location:** 8900 Guilbeau Road

**Acreage:** 2.20

**Current Land Use of site:** Vacant

**Adjacent Land Uses:**

N: Low Density Residential

E: Vacant

S: Low Density Residential, Vacant

W: Public (Northwest Community Church), Vacant

**Issue:**

**LAND USE ANALYSIS:**

The proposed use for the subject parcel is a townhome development. Existing surrounding land uses include Low Density Residential, Public and Vacant tracts. The subject parcel is designated *Low Density Residential* Land Use in the Northwest Community Plan which includes: Single Family Residential development on individual lots. This form of development should be located away from major arterials and can include certain non-residential uses such as schools, places of worship and parks that are centrally located for convenient neighborhood access.

The proposed *High Density Residential* Land Use includes multi-family developments with more than four units, such as apartment complexes, but can also include low density and medium density residential uses. This form of development should be located along collectors, arterials or highways and can serve as a buffer between low or medium density residential land uses and commercial uses. High density residential uses should be appropriately buffered from adjacent residential uses through landscaping, screening and lighting controls.

The subject property is adjacent to single family developments to the north and south/southeast. The proposed plan amendment would place high-density residential development alongside low-density single-family development with no buffer of uses in between. A High Density Residential land use designation at this location would be incompatible with the adjacent low density uses.

Minimal Impact       Impact can be mitigated       Significant Impact - Incompatible Land Use

**TRANSPORTATION/INFRASTRUCTURE ANALYSIS:**

Major Thoroughfare Plan Designations: Guilbeau Road is a Secondary Arterial Type A - 86' ROW  
Other streets:

**City of San Antonio Planning and Community Development Department  
Plan Amendment Recommendation**

Comments: Secondary arterials call for a limited at-grade access which supports the primary arterial system by providing essential system linkages to expressways, primary arterials and activity centers of medium density. Although a Secondary Arterial Type A may generally be able to support higher density residential development, access to/from Guilbeau could be limited, in which case, a high density residential development could cause significant congestion near the Guilbeau Road access point.

Minimal Impact     Impact can be mitigated     Significant Impact to Transportation Capacity

**COMMUNITY FACILITIES ANALYSIS:**

Nearby Public Facilities: Falcone Park is less than a mile to the East/Northeast and New Territories Park is less than a mile to the West. VIA bus stops for route 606 are situated adjacent to the subject parcel on Guilbeau.

Comments:

Minimal Impact     Impact can be mitigated     Significant Impact

**Recommendation:**

**STAFF RECOMMENDATION:**

Approval     Denial     Alternate Recommendation: Medium Density Residential

Comments: Guilbeau Road is a highly trafficked arterial which could support development with greater density than single family. Medium density residential is appropriate along arterials and would provide a buffer from Guilbeau Road to the single family developments to the south of the subject parcel.

**PLANNING COMMISSION RECOMMENDATION:**

Meeting & Public Hearing Date: May 23, 2007

Approval of Alternative Recommendation to change the land use to **Medium Density Residential**  
 Denial     Resolution Attached

Newspaper Publication Date of Public Hearing: May 4, 2007

No. Notices mailed 10 days prior to Public Hearing: 57

Registered Neighborhood Association(s) Notified: Braun Station West, Village in the Woods, Northwest Crossings HOA Inc., Braun Station East, New Territories HOA, Braun's Farm HOA, Misty Oaks HOA, Guilbeau Park Owners Assn., Great Northwest Comm. Imp. Assn., Inc., Stonefield Assn., Inc., Northchase HOA, Silverbrook Assn., Inc., The Crossing at Quail Creek, Saddlebrook, Hidden Meadow Comm., Wildwood West NA, Braun Hollow HOA

Comments: 2 notices returned as undeliverable. 1 call received in opposition.

**ZONING COMMISSION SUPPLEMENTAL INFORMATION: Z2007198**

Current zoning district: R-6

Proposed zoning district: PUD MF-25

Zoning Commission Public Hearing Date: 6/5/2007

Approval     Denial

**Planning Department Staff:**

Emil R. Moncivais, FAICP, AIA, CNU

Planning Director

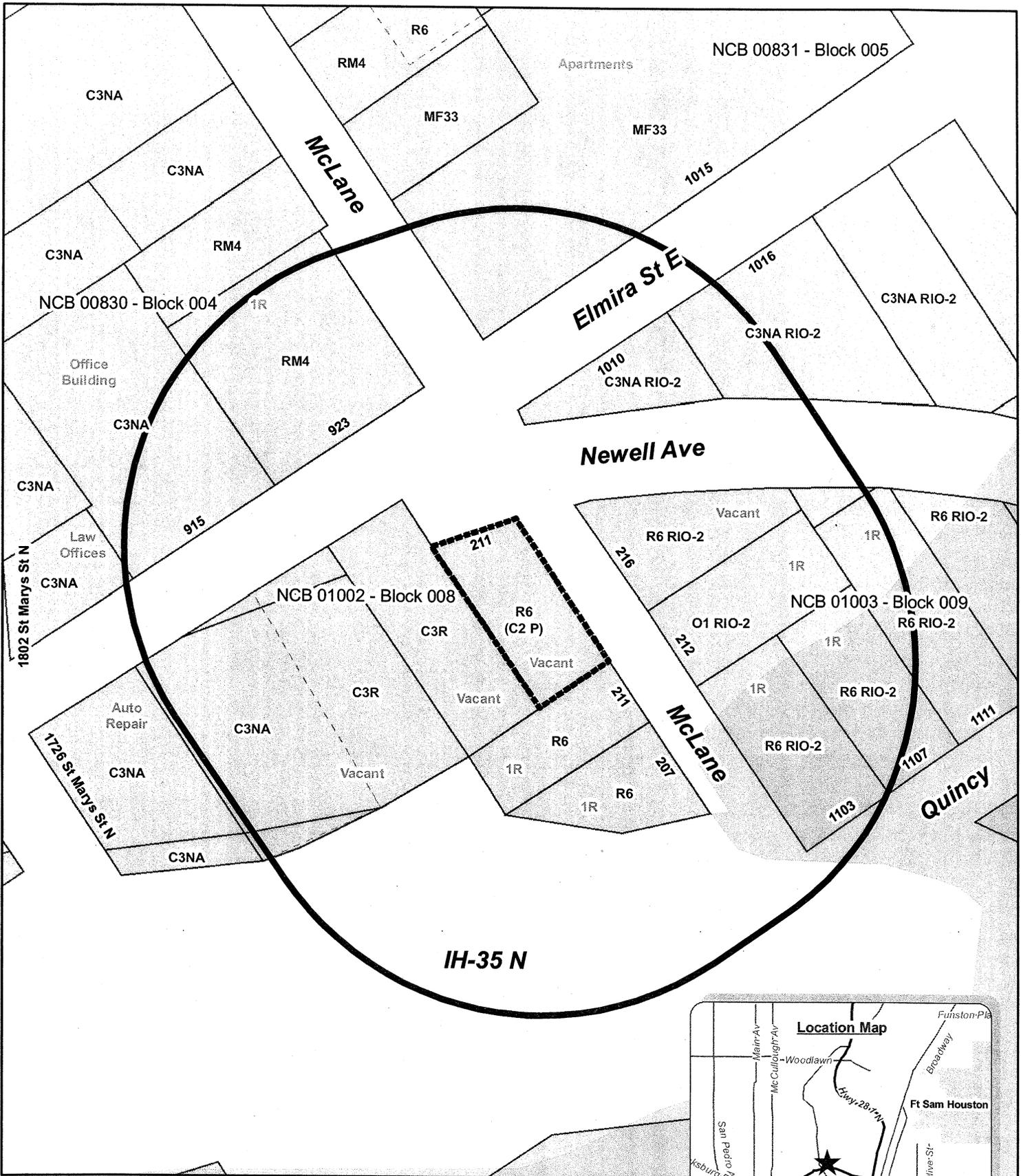
Nina Nixon-Mendez, AICP

Planning Manager

Case Manager: Andrea Gilles

Sr. Planner

Phone No.: 207-2736

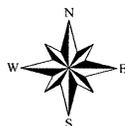


**Zoning Case Notification Plan**

**Case Z-2007-208**

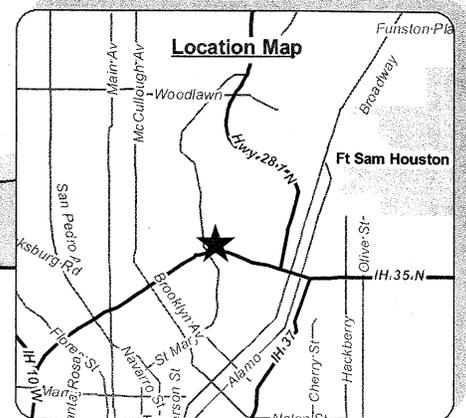
Council District 1

Scale: 1" approx. = 80'



**Legend**

- Subject Property
- 200' Notification Buffer
- Property Address **12345**
- Current Zoning **Blue Text**
- Requested Zoning Change **(Red Text)**
- Land Use **Orange Text**
- 98 NCB - Block **NCB 1111** - Block 222
- 100-Year FEMA Floodplain



# CASE NO: Z2007208

## Final Staff Recommendation - Zoning Commission

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**Date:** June 05, 2007

**Council District:** 1

**Ferguson Map:** 616 E3

**Applicant Name:**

Todd Keller

**Owner Name:**

Rudy Rivas

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

**Property Location:** Lot 6, Block 8, NCB 1002

922 East Elmira Street

Southwest corner of McLane Street and East Elmira Street

**Proposal:** For office use

**Neigh. Assoc.** Tobin Hill Neighborhood Association, Tobin Hill Residents Association

**Neigh. Plan** Tobin Hill Neighborhood Plan

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

### Staff Recommendation:

The Tobin Hill Neighborhood Plan shall be used for a guide in decision making and does not require a finding of consistency by the Zoning Commission pursuant to the UDC. The subject property is in the Plan's Housing Protection Zone, which states the housing stock should be retained and vacant lots filled with relocated Pre World War II structures. New structures should reflect the scale, materials, and design of existing neighboring structures. The Housing Redevelopment Zone is where the medium to high density housing should occur.

Approval.

The subject property is currently undeveloped and is located on the corner of East Elmira Street and McLane Street. The surrounding zoning consists of RM-4 to the north; R-6 to the south and east and C-3 R to the west. The surrounding uses consist of a single-family residential to the north and south, with undeveloped land to the east and west.

The applicant has applied for C-2 P in order to develop a law office. Staff finds this request reasonable at this location given the frontage on a major thoroughfare and the adjacent commercial zoning. The applicant intends to move an existing single-family residence (currently located at 638 East Park Avenue) to this location to operate the law office. The requested zoning would aid in the development of this underutilized property. Additionally, the property owner owns the adjacent lot to the west and intends to develop it as the parking lot for the office. This property currently has C-3 zoning. The applicant has requested C-2 instead of O-1 in order to provide flexibility for future use of the property.

The subject property was zoned R-1 under the provisions of the 1965 zoning ordinance. The R-1 zone was subsequently converted to R-6 upon adoption of the UDC.

**CASE MANAGER :** Rudy Nino, Jr. 207-8389



# Neighborhood and Urban Design Division Zoning Case Review

**Zoning Case No.:** Z2007208

**Existing Zoning:** R-6

**Requested Zoning:** C-2P

**Registered Neighborhood Association(s):**

Tobin Hill Residents Association  
Tobin Hill Alliance

**Neighborhood/Community/Perimeter Plan:** Tobin Hill

**Future Land Use for the site:** N/A

**Other Comments:**

**Analysis:** Not a Consistency Plan; does not require a consistency determination

Request conforms to Land Use Plan

Request does not conform to Land Use Plan

This parcel is located in the Housing Redevelopment Zone and is designated as commercial land use (Maps 3 & 4 (Tobin Hill Neighborhood Plan). Since the applicant plans to move a historic structure to the site for a commercial uses, this will support the goal of appropriate infill development.

**Staff Recommendation:**

Approval

Denial

Alternate Recommendation

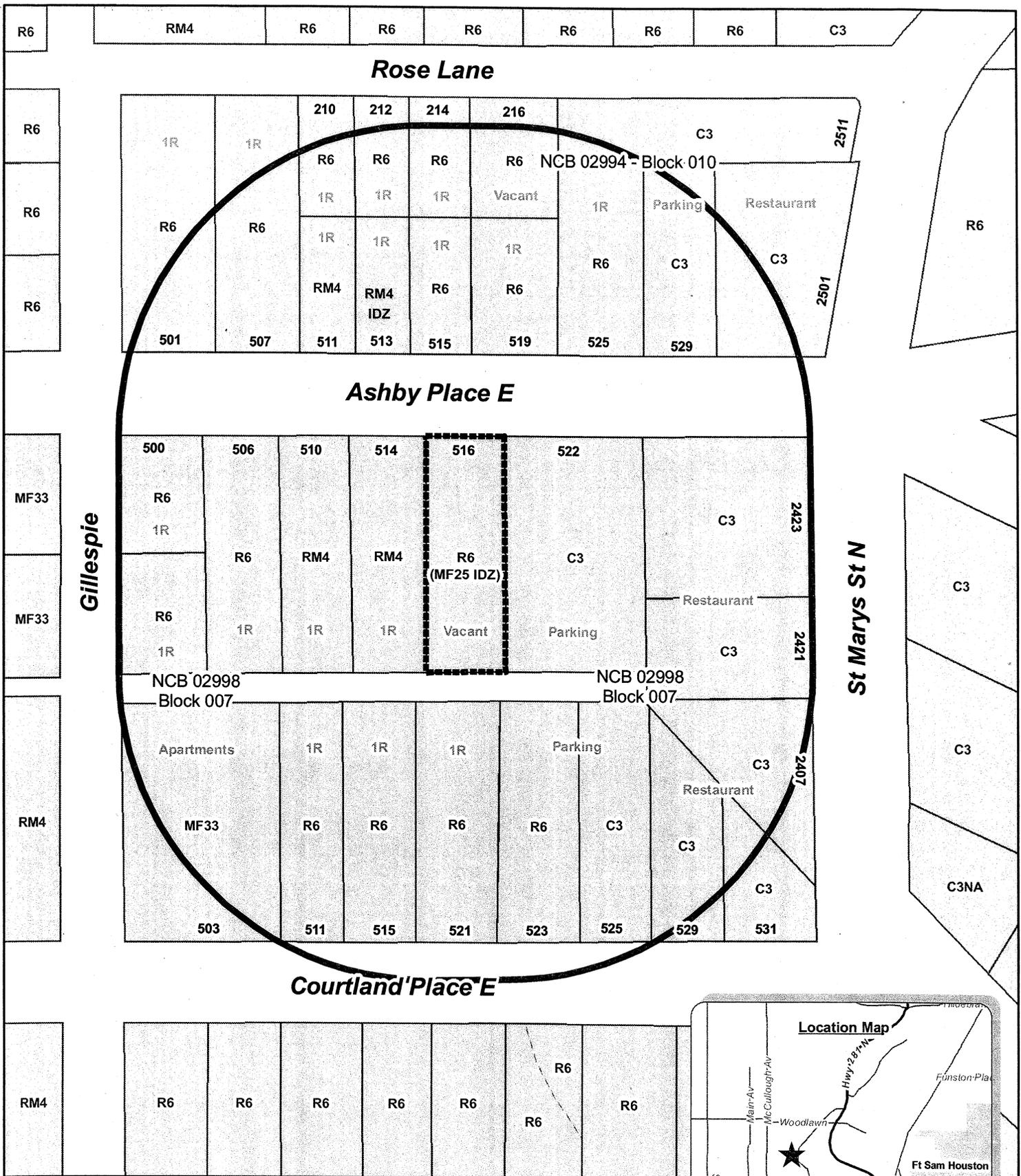
**Reviewer:** Joe G. Mendoza

**Title:** Sr. Planner

**Date:** 5/11/07

**Manager Review:** Nina Nixon-Mendez

**Date:** 5/11/07

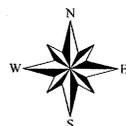


## Zoning Case Notification Plan

### Case Z-2007-209

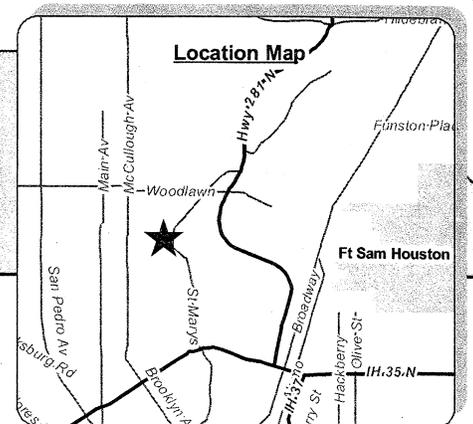
Council District 1

Scale: 1" approx. = 80'



#### Legend

- Subject Property
- 200' Notification Buffer
- Property Address **12345**
- Current Zoning **Blue Text**
- Requested Zoning Change **(Red Text)**
- Land Use **Orange Text**
- NCB - Block **NCB 11111 - Block 222**
- 100-Year FEMA Floodplain



# CASE NO: Z2007209

## Final Staff Recommendation - Zoning Commission

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**Date:** June 05, 2007

**Council District:** 1

**Ferguson Map:** 616 E1

**Applicant Name:**

**Owner Name:**

Bill Riesenecker

Bill Riesenecker

**Zoning Request:** From "R-6" Residential Single Family District to "MF-25" IDZ Multi-family Infill Development Zone District.

**Property Location:** Lot 14, Block 7, NCB 2998

516 East Ashby Place

Mid-block of East Ashby Place, bound by North St. Mary's Street to the east and Gillespie Street to the west.

**Proposal:** To allow for three (3) dwelling units

**Neigh. Assoc.** Tobin Hill Neighborhood Association; Tobin Hill Residents Association

**Neigh. Plan** Tobin Hill Neighborhood Plan

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

### Staff Recommendation:

The Tobin Hill Neighborhood Plan shall be used as a guide in decision making and does not require a finding of consistency by the Zoning Commission pursuant to the UDC. The subject property is in the Plan's Housing Redevelopment Zone. The Housing Redevelopment Zone is where the medium to high density housing should occur.

### Approval.

The subject property is currently undeveloped and is located mid-block of East Ashby Place, bound by North St. Mary's Street to the east and Gillespie Street to the west. The surrounding zoning consists of R-6 to the north and south; C-3 to the east and RM-4 to the west. The surrounding uses consist of a single-family residential to the north, south west, with a parking lot and a restaurant to the east.

The applicant has applied for MF-25 IDZ in order to develop three (3) dwelling units. Staff finds this request reasonable at this location. The subject property appears to lend itself as an appropriate transition property from the commercial uses to the east. While the neighboring uses to the west and south are single-family residential, the restaurant and parking lot to the east provide a challenging environment for traditional single-family residential development. The requested zoning would aid in the development of this underutilized property. Additionally, the requested zoning is compatible with the general area. Multi-family zoning, with the IDZ overlay district, exists on 513 Ashby Place. A four-plex has been developed at that location.

IDZ districts are intended to provide flexible development standards for the development and reuse of underutilized parcels. The current code requirements could make the proposed redevelopment of these properties difficult. The IDZ district would not require the development to adhere to several development standards such as setback requirements, parking, parks and open space requirements, and/or buffer requirements. IDZ districts encourage alternatives to existing setbacks, rights-of-way, and other platting and zoning requirements in order to encourage development.

The subject property was zoned R-1 under the provisions of the 1965 zoning ordinance. The R-1 zone was subsequently converted to R-6 upon adoption of the UDC.

**CASE MANAGER :** Rudy Nino, Jr. 207-8389



# Neighborhood and Urban Design Division Zoning Case Review

**Zoning Case No.:** Z2007209

**Existing Zoning:** R-6

**Requested Zoning:** MF-25 IDZ

**Registered Neighborhood Association(s):** Tobin Hill Alliance

**Neighborhood/Community/Perimeter Plan:** Tobin Hill

**Future Land Use for the site:** N/A

**Other Comments:**

While the subject property is just within the housing protection zone which aims at retaining R-3, R-4, and R-6 zoning, it borders to the east on a large commercial parking lot which is within the Housing Redevelopment Zone. This area encourages the redevelopment of lots into medium to high density housing, detached, townhouses, or multi-family. Given that the subject property is a vacant lot with no existing structure and can easily be redeveloped without hurting existing fabric in the neighborhood and also because of its location between a commercial use and low-density residential use, it would be appropriate to allow this property to have a higher density. The subject property would act as a transition from the commercial uses fronting on St. Mary's to the existing single family residential housing on Ashby.

**Analysis:**

Request conforms to Land Use Plan

Request does not conform to Land Use Plan

Not applicable- Not a consistency Plan

**Staff Recommendation:**

Approval

Denial

Alternate Recommendation

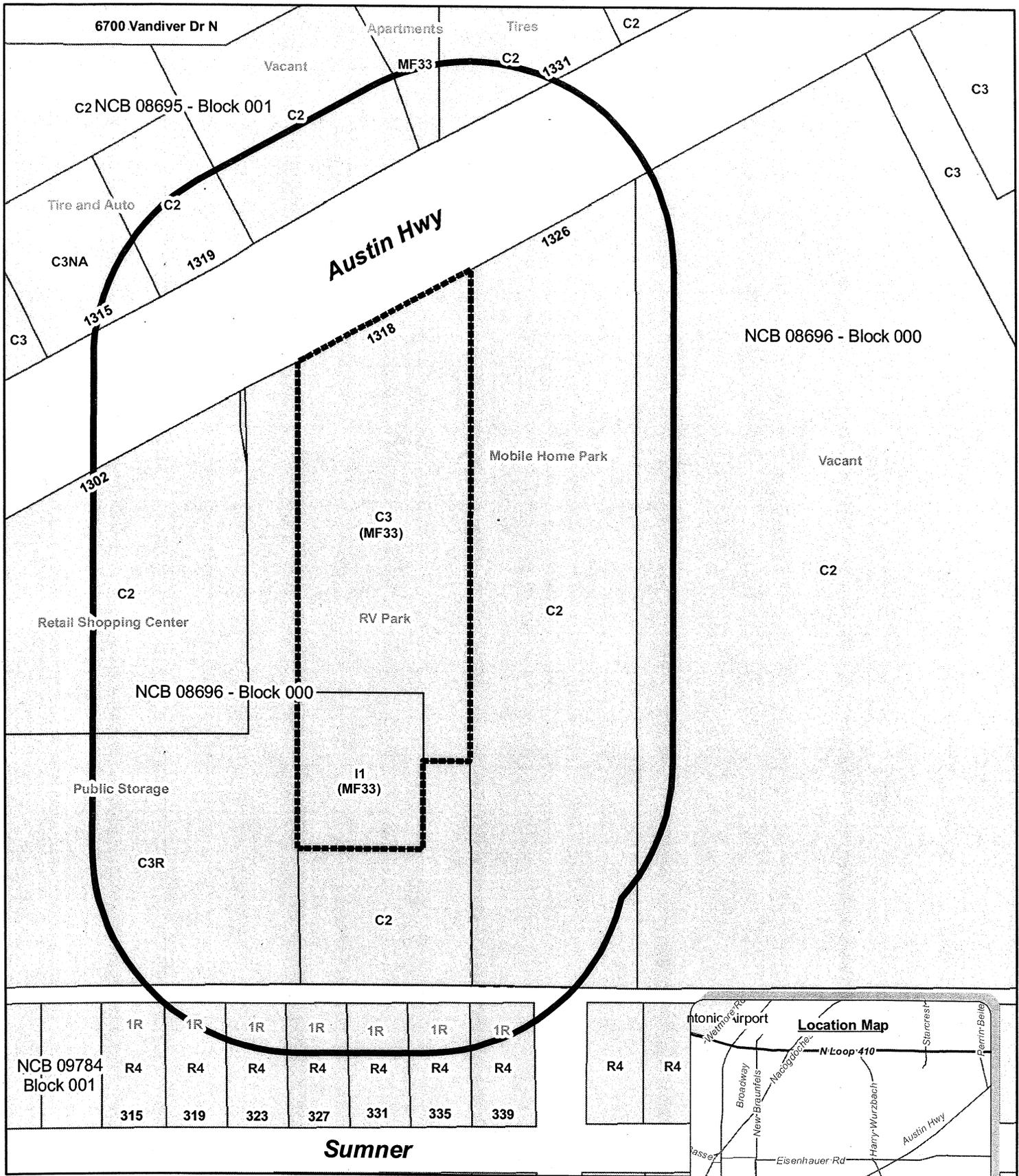
**Reviewer:** Beth Johnson

**Title:** Planner II

**Date:** 5-11-07

**Manager Review:** Nina Nixon-Mendez

**Date:** 5-11-07

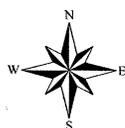


**Zoning Case Notification Plan**

**Case Z2007211**

Council District 2

Scale: 1" approx. = 120'



- Legend**
- Subject Property
  - 200' Notification Buffer
  - Property Address **12345**
  - Current Zoning **Blue Text**
  - Requested Zoning Change **(Red Text)**
  - Land Use **Orange Text**
  - NCB - Block **NCB 11111 - Block 222**
  - 100-Year FEMA Floodplain



# CASE NO: Z2007211

## Final Staff Recommendation - Zoning Commission

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**Date:** June 05, 2007

**Council District:** 2

**Ferguson Map:** 583 F4

**Applicant Name:**

Brown, P. C.

**Owner Name:**

Associated Investments

**Zoning Request:** From "C-3" General Commercial District and "I-1" General Industrial District to "MF-33" Multi-Family District.

**Property Location:** 1.91 acres out of NCB 8696

1318 Austin Hwy

Approximately 500 feet East of the intersection of Austin Highway and Vandiver Road

**Proposal:** To Allow for a Multi-Family Development

**Neigh. Assoc.** Wilshire Village Neighborhood Association

**Neigh. Plan** Northeast Inner Loop Neighborhood Plan

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

**Staff Recommendation:**

Consistent

The Northeast Inner Loop Neighborhood Plan calls for Community Commercial land use for the subject property. "MF-33" Multi-Family District is considered a Community Commercial land use and is consistent with the plan.

**Approval**

The subject property was annexed in 1952 and totals approximately 1.91 acres. There is an existing retail store on the subject property that measures approximately 1372 square feet and was constructed in 1955, as well as an existing commercial service garage that measures approximately 5440 square feet and was constructed in 1970. In 2002 following the adoption of the Unified Development Code, the existing C-3 zoning converted from the previous B-3 zoning. The remainder of the subject property was zoned to I-1, which was approved by the City Council on January 23, 1992 (Ordinance #75131.) The C-3 and I-1 districts do not allow a multi-family use by right.

"C-2" Commercial District zoning currently exists to the east and south of the subject property. Property to the west is zoned "C-3R" Restrictive Alcoholic Sales General Commercial District. Property to the north across Austin Hwy is "MF-33" Multi-Family District and "C-2" Commercial District. Land uses immediately adjacent to the proposed development consist of a mobile home park to the east and south of the subject property and a mini-storage facility to the west. There is a garden nursery across Austin Hwy to the north.

Staff supports the request being that the requested zoning is appropriate for the subject property location. The applicant has applied for MF-33 in order to develop a multi-family community. The requested rezoning is a reduction in intensity from I-1 and C-3 to MF-33. Multi-family dwellings are most appropriate along arterials

# **CASE NO: Z2007211**

## **Final Staff Recommendation - Zoning Commission**

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or major thoroughfares where supporting infrastructure such as transportation services and commercial facilities are available. Austin Hwy is considered a Primary Arterial Type A road and various commercial facilities are available along Austin Hwy between North New Braunfels Avenue and Eisenhower Road. Public transportation (VIA Metropolitan Transit stop) is available for use by the potential residents at the intersection of North Vandiver Drive and Austin Hwy.

An MF-33 district designation may be applied to a use in a multi-family residential area located near supporting transportation and commercial facilities in a centrally located area or in an area for which medium density multi-family use is desired.

**CASE MANAGER :** Leslie Zavala 207-0215

# Neighborhood and Urban Design Division Zoning Case Review

**Zoning Case No.:** Z2007211

**Address:** 1318 Austin Hwy

**Existing Zoning:** C-3 and I-1

**Requested Zoning:** MF-33

**Registered Neighborhood Association(s):**

Wilshire Village

**Neighborhood/Community/Perimeter Plan:**

Northeast Inner Loop Neighborhood Plan

**Future Land Use for the site:**

Community Commercial

**Other Comments:**

The proposed rezoning is Consistent with the Community Commercial Land Use Category. This category recommends mixed-use, commercial, and high-density residential uses.

**Analysis:**

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

Base Zoning is not changing and does conform to Land Use Plan

**Staff Recommendation:**

Supports

Recommends Denial

**Reviewer:** Trish Wallace                      **Title:** Senior Planner

**Date:** 5-11-07

**Manager Review:** Nina Nixon-Mendez

**Date:** 5-11-07



# CASE NO: Z2007194 CD

## Final Staff Recommendation - Zoning Commission

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**Date:** June 05, 2007 Zoning Commission Continuance from May 15, 2007

**Council District:** 8

**Ferguson Map:** 480 A6

**Applicant Name:**

Jomo, Ltd.

**Owner Name:**

Adolph P. Knaupp

**Zoning Request:** From "R-20" Residential Single-Family District and "R-20 " "GC-1" Residential Single-Family Gateway Corridor District 1 to "C-2" (CD-Office Warehouse) Commercial Gateway Corridor District 1 with a Conditional Use for a Office Warehouse and "C-2" (CD-Office Warehouse) Commercial District with a Conditional Use for a Office Warehouse.

"C-2" (CD-Motel) Commercial Gateway Corridor District 1 with a Conditional Use for a Motel and "C-2" (CD-Motel) Commercial District with a Conditional Use for a Motel..

**Property Location:** 14.824 acre tract of land out of NCB 35733

7025 Oak Drive and 21600 Block of Milsa Drive

East of IH 10 West between Milsa Drive and Oak Drive

**Proposal:** Office/business park.

**Neigh. Assoc.** Friends of Friedrich Wilderness Park

**Neigh. Plan** None

**TIA Statement:** A Traffic Impact Analysis (TIA) is not required on the 4.729 acre tract. A Level-1 Traffic Impact Analysis will be required at platting/permitting on the 10.195 acre tract.

### Staff Recommendation:

Approval

The proposed 14.824 acre development is located in northwest San Antonio east of IH 10 West between Milsa Drive and Oak Drive. The project site consists of vacant land and two residential homes. The surrounding zoning consists of "R-6" Residential Single-Family District, "R-20" Residential Single-Family District, "R-20" "GC-1" Residential Single-Family Gateway Corridor District 1, "C-1" "GC-1" Commercial District Gateway Corridor District 1 and "C-2" "GC-1" Commercial District Gateway Corridor District 1. The 14.824 acre development is within the Friends of Friedrich Wilderness Park and IH 10 West Gateway Corridor District 1. A rezone to a commercial district would be consistent with the current and likely future development trends in the immediate area.

Gateway Corridors-These corridors shall follow and parallel major highways in order to protect both developed and undeveloped areas in view of vehicular travelers from visual blight.

The conditional zoning procedure is designed to provide for a land use within an area that is not permitted by the established zoning district but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions. The granting of a conditional zoning classification shall not be for all of the uses permitted in a given district but shall be only for the conditional use (bookkeeping office, photography studio, etc.) named in the ordinance approving the conditional zoning district. In considering a request for a conditional zoning classification, the zoning



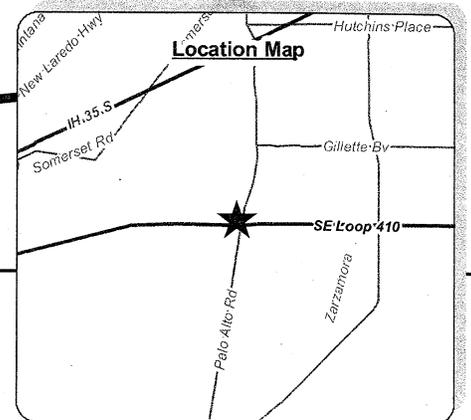
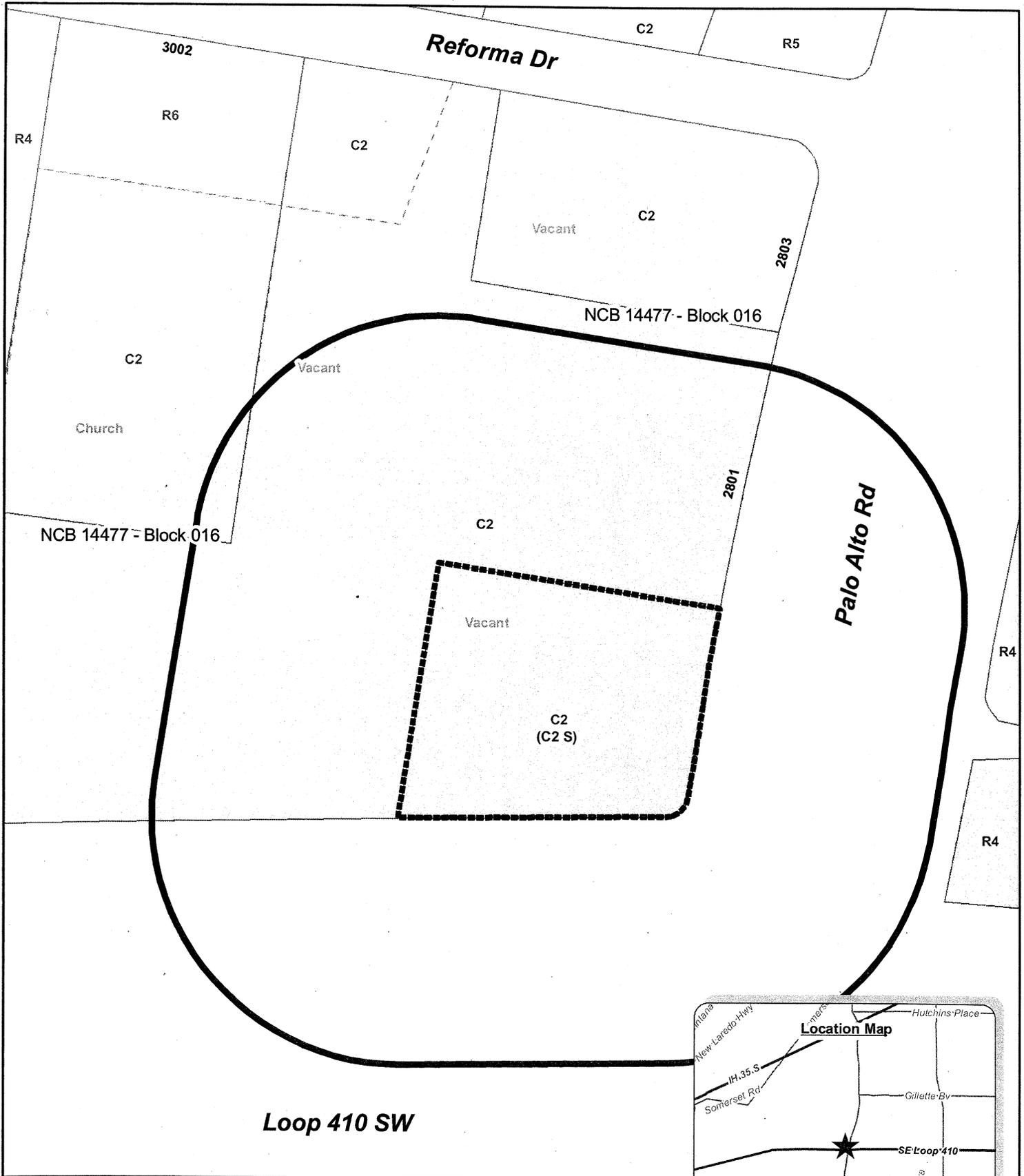
# **CASE NO: Z2007194 CD**

## **Final Staff Recommendation - Zoning Commission**

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commission shall make a recommendation to the city council with reference to the use and development conditions which insure compatibility with surrounding properties.

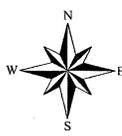
**CASE MANAGER :** Pedro Vega 207-7980



**Zoning Case Notification Plan**

**Case Z2007196 S**

Council District 4  
 Scale: 1" approx. = 100'



**Legend**

- Subject Property
- 200' Notification Buffer
- Property Address **12345**
- Current Zoning **Blue Text**
- Requested Zoning Change **(Red Text)**
- Land Use **Orange Text**
- 114 CB - Block NCB 11111 - Block 222
- 100-Year FEMA Floodplain

# CASE NO: Z2007196 S

## Final Staff Recommendation - Zoning Commission

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**Date:** June 05, 2007

**Council District:** 4

**Ferguson Map:** 681 C4

**Applicant Name:**

Civil Engineering Consultants

**Owner Name:**

DASI, LLC

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

**Property Location:** Lot 7, Block 16, NCB 14477

2801 Palo Alto Road

Northwest Corner of Southwest Loop 410 and Highway 16 South

**Proposal:** To Allow for a Convenience Store with Gasoline Sales and a Car Wash

**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 1952, totals approximately 1.34 acres and is currently undeveloped. In 2002 following the adoption of the Unified Development Code, the existing C-2 zoning converted from the previous B-2 zoning. The C-2 district does not allow a car wash use by right. "C-2" Commercial District zoning currently exists to the north and west of the subject property. Property to the east across Palo Alto Road is zoned "R-4" Single Family Residential District. Property to the south across Southwest Loop 410 is zoned "UD" Urban Development. Land uses immediately adjacent to the proposed development consist of a fast food establishment to the north, and undeveloped property to the west. Palo Alto College is located to the east across Palo Alto Road. There is a convenience store with gasoline sales to the south across Southwest Loop 410.

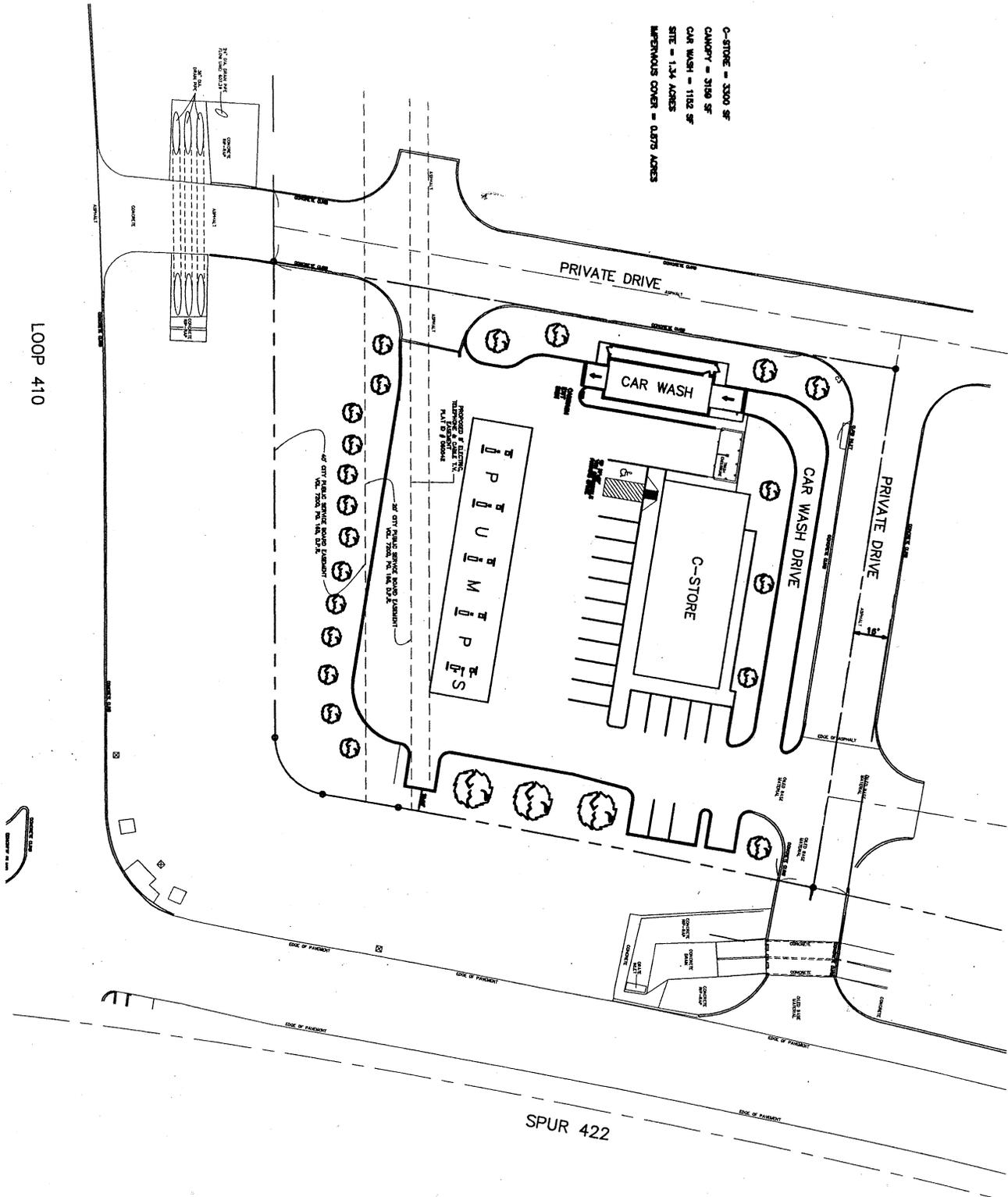
The applicant has applied for C-2 S in order to operate a convenience store with gasoline sales and a car wash. Staff supports the request being that the requested zoning is appropriate for the subject property location. The subject property is located with direct access to Palo Alto Road (a Primary Arterial "Type A") and secondary access to Southwest Loop 410 (a freeway). The requested specific use for a car wash would be appropriate at this location in order to provide commercial and retail uses that would compliment and serve the neighboring subdivision and educational institution. Seeing that the car wash does not abut any residential property and there is no residential property within 200 feet of the proposed development, this requested zoning change would have no adverse impact on the neighboring community.

The purpose of the specific use permit is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but which may, under the right set of circumstances and conditions be acceptable in certain specific locations.



22007100

C-STORE = 3300 SF  
 CANOPY = 3150 SF  
 CAR WASH = 1102 SF  
 SITE = 1.24 ACRES  
 IMPERVIOUS COVER = 0.875 ACRES



LOOP 410

PRIVATE DRIVE

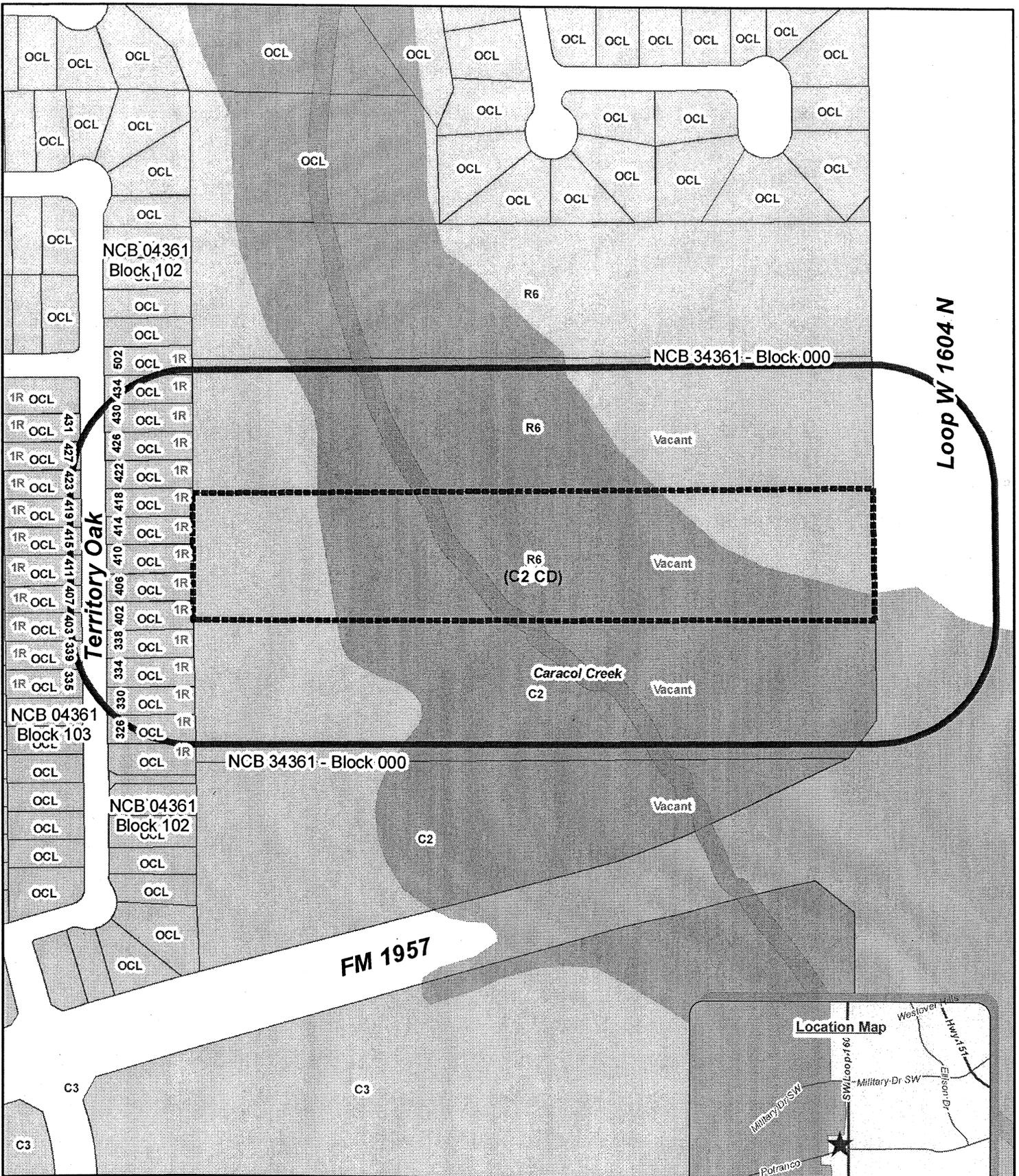
PRIVATE DRIVE

SPUR 422

SCALE: 1"=40'



<p>SPUR 422 @ Loop 410          SAN ANTONIO, TEXAS, BEXAR          117</p>	<p><b>SITE PLAN</b></p> <p>DATE: 12/8/06          DRAWN BY: JMK          CHECKED BY: JMK          SCALE: 1"=40'</p>	<p><b>U &amp; R Engineering</b>          CONSULTANTS          2000 E. LOOP 410, SUITE 100          SAN ANTONIO, TEXAS 78204          TEL: 214-343-8888          FAX: 214-343-8889          WWW.UANDRESEARCH.COM</p>	<p><b>ExonMobil</b>          12000 Loop 410          San Antonio, TX 78204          214-343-8888</p>
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**Zoning Case Notification Plan**

**Case Z2007200 CD**

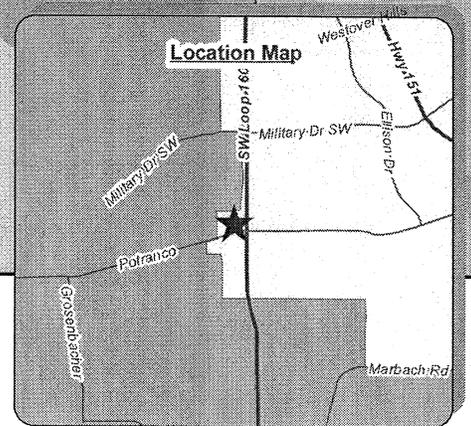
Council District 6

Scale: 1" approx. = 200'



**Legend**

- Subject Property
- 200' Notification Buffer
- Property Address **12345**
- Current Zoning **Blue Text**
- Requested Zoning Change **(Red Text)**
- Land Use **Orange Text**
- NCB - Block **NCB 11111 - Block 222**
- 100-Year FEMA Floodplain



# CASE NO: Z2007200 CD

## Final Staff Recommendation - Zoning Commission

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**Date:** June 05, 2007

**Council District:** 6

**Ferguson Map:** 612 A3

**Applicant Name:**

**Owner Name:**

Kaufman and Associates, Inc.

Esperanza Ochoa

**Zoning Request:** From "R-6" Residential Single Family District to "C-2" (CD-Hotel) Commercial District with a Conditional Use for a Hotel.

**Property Location:** Tract 1C (5.446 acres), CB 4361 (NCB 34361)

11000 Block of West Loop 1604

Approximate Northwest Corner of Loop 1604 and Potranco Road

**Proposal:** To Allow Commercial Development

**Neigh. Assoc.** None

**Neigh. Plan** None

**TIA Statement:** A Traffic Impact Analysis may be required at platting/permitting.

### Staff Recommendation:

Staff recommends approval with the following condition:

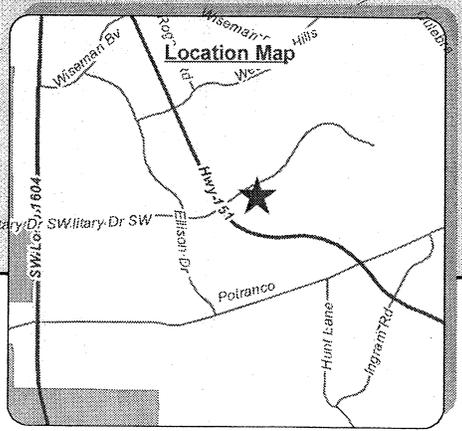
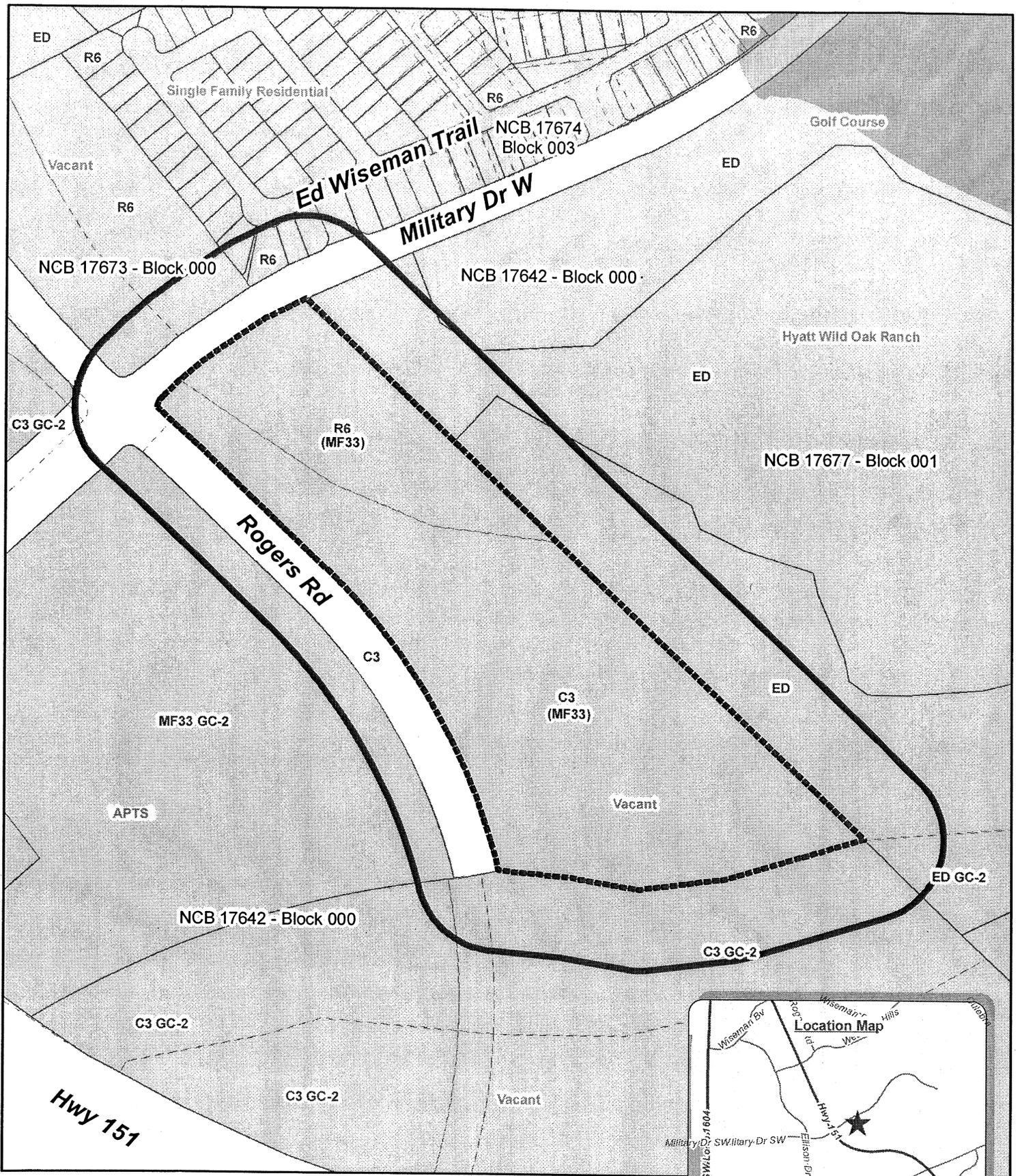
1. The hotel use shall be restricted to the eastern 550 feet of the subject property.

The proposed commercial district is appropriate, as the area in the immediate vicinity of the intersection of Loop 1604 and Potranco has steadily developed into a major commercial node since its annexation into the city in 2000. The proposed use will be consistent and compatible with the overall development pattern of this area, which predominantly consists of retail and service commercial uses on both a community and regional scale.

The subject property was annexed into the city in December of 2000 and totals just under 5.5 acres. The current R-6 zoning district is a conversion from the previous Temporary R-1 zoning, which was applied after annexation. The property fronts on West Loop 1604 which is identified as a Freeway in the city's Major Thoroughfare Plan and the right-of-way directly adjacent to the subject property has yet to be improved. The property itself is undeveloped and a significant portion of the property is located within the floodplain created by Caracol Creek, generally restricting development to areas near the east and west property lines. The west property line falls at the edge of the city limits, the residential development to the west located under the jurisdiction of Bexar County. The proposal is to construct a hotel on that portion of the property fronting on Loop 1604 right-of-way and to develop about 12,000 square feet of retail space on that portion of the property located west of the floodplain.

The development of the subject property will include the development of the two parcels to the south, which have existing C-2 zoning that dates to August of 2005. These parcels are also located within the Caracol Creek floodplain and the overall development will contain commercial retail and service uses with primary access from Potranco Road, identified by the Major Thoroughfare Plan as a Type A Primary Arterial. The two parcels to the north of the subject property are undeveloped and remain R-6. Further north and to the west are residential developments just outside the municipal boundaries. The intersection of Loop 1604 and Potranco Road has rapidly developed into a major commercial node since annexation. Both the southwest and southeast corners of this intersection have existing C-3 zoning and the northeast corner of the intersection has both C-2 and C-3 zoning. This commercialization began in 2000 after annexation and the area has continued to develop with a variety of community and regional commercial uses.

**CASE MANAGER :** Matthew Taylor 207-5876



**Zoning Case Notification Plan**

**Case Z2007201**

Council District 6

Scale: 1" approx. = 300'



**Legend**

- Subject Property
- 200' Notification Buffer
- Property Address **12345**
- Current Zoning **Blue Text**
- Requested Zoning Change **(Red Text)**
- Land Use **Orange Text**
- 120' NCB - Block **NCB 11111 - Block 222**
- 100-Year FEMA Floodplain

# CASE NO: Z2007201

## Final Staff Recommendation - Zoning Commission

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**Date:** June 05, 2007

**Council District:** 6

**Ferguson Map:** 612 E1

**Applicant Name:**

**Owner Name:**

Westover Hills Development Partners

Westover Hills Development Partners

**Zoning Request:** From "R-6" Residential Single Family District and "C-3" General Commercial District to "MF-33" Multi-Family District.

**Property Location:** 21.80 acres out of NCB 17642  
9800 Block of West Military Drive  
Southeast Corner of West Military Drive and Rogers Road

**Proposal:** To Allow Multi-Family Development

**Neigh. Assoc.** None

**Neigh. Plan** None

**TIA Statement:** A Traffic Impact Analysis is not required.

**Staff Recommendation:**

Approval

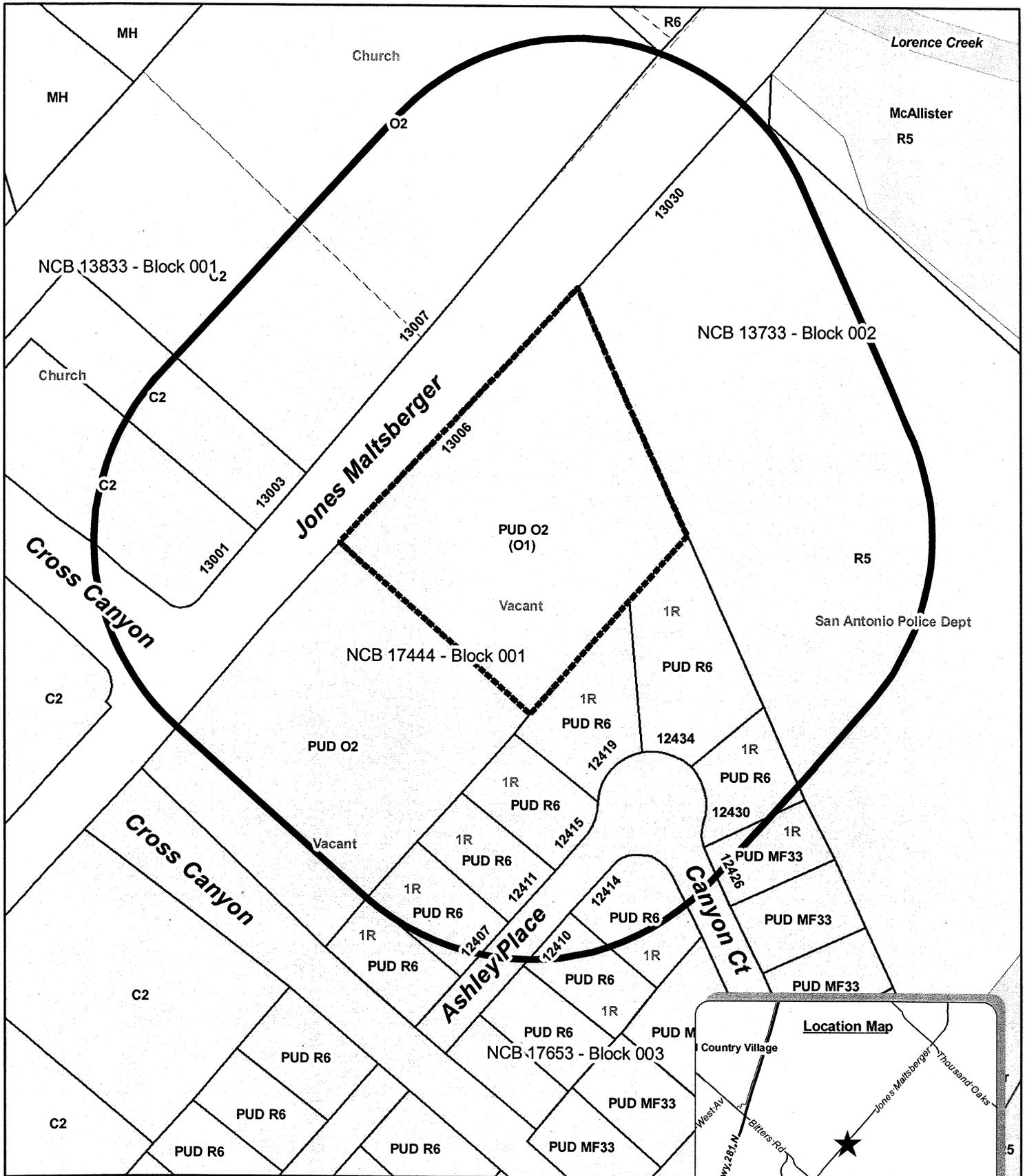
The proposed residential development is in character with the established residential and recreational uses in this area. Additionally, supporting transportation is available and the property is located in the vicinity of commercially zoned areas that will promote future supporting commercial development.

The subject property was annexed into the city in December of 1994 and totals about 22 acres. The property is currently undeveloped and has both R-6 and C-3 zoning. The residential zoning dates to annexation, having converted from the previous Temporary R-1 zoning and the commercial zoning dates to 1988. The property is located just outside the boundary of the Gateway Corridor Overlay District-2. The proposal is to develop a multi-family complex.

The property is located at the intersection of West Military Drive and Rogers Road, both identified as Type A Secondary Arterials by the city's Major Thoroughfare Plan. Rogers Road, which is adjacent to the subject property's west property line, currently terminates at Military Drive, but is currently under construction and will extend south to Highway 151, identified as a Freeway in the Plan.

The Hyatt resort development is immediately to the east with ED zoning dating to 2002, and the Legacy Trails residential development is located north, across Military Drive, and dates to the early 2000's. The parcel to the west, across the Rogers Road alignment, has an existing multi-family complex that dates to 2006. This property had been zoned C-3 in 1984 but was downzoned to MF-33 in 2004 to allow this residential development. Most of the remaining property in this area is undeveloped with commercial zoning, and the subject property is located within the boundaries of Master Development Plan #110-C as approved in December of 2002.

**CASE MANAGER :** Matthew Taylor 207-5876

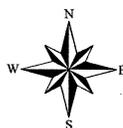


**Zoning Case Notification Plan**

**Case Z-2007-202**

Council District 9

Scale: 1" approx. = 100'



**Legend**

- Subject Property **12345**
- 200' Notification Buffer
- Property Address **12345**
- Current Zoning **Blue Text**
- Requested Zoning Change **(Red Text)**
- Land Use **Orange Text**
- NCB - Block **NCB 11111 - Block 222**
- 100-Year FEMA Floodplain

# CASE NO: Z2007202

## Final Staff Recommendation - Zoning Commission

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**Date:** June 05, 2007

**Council District:** 9

**Ferguson Map:** 551 C1

**Applicant Name:**

Fred Flores & Co.

**Owner Name:**

Fred Flores & Michele L. Rowe

**Zoning Request:** From PUD "O-2" Planned Unit Development Office District to "O-1" Office District.

**Property Location:** 0.9806 acres out of NCB 17444

13006 Jones Maltsberger

East of the intersection of Jones Maltsberger Road and Cross Canyon

**Proposal:** To establish low density office use

**Neigh. Assoc.** None

**Neigh. Plan** None

**TIA Statement:** A Traffic Impact Analysis is not required

### Staff Recommendation:

Approval

The subject property consists of undeveloped land with frontage on Jones Maltsberger. The property is adjacent to O-2 and C-2 zoning to the north, R-5 zoning to the east, PUD O-2 zoning to the west and PUD R-6 zoning to the south. The surrounding land uses consist of a church and photo studio to the north, single-family dwellings to the south, and a San Antonio Police substation to the east and undeveloped land to the west.

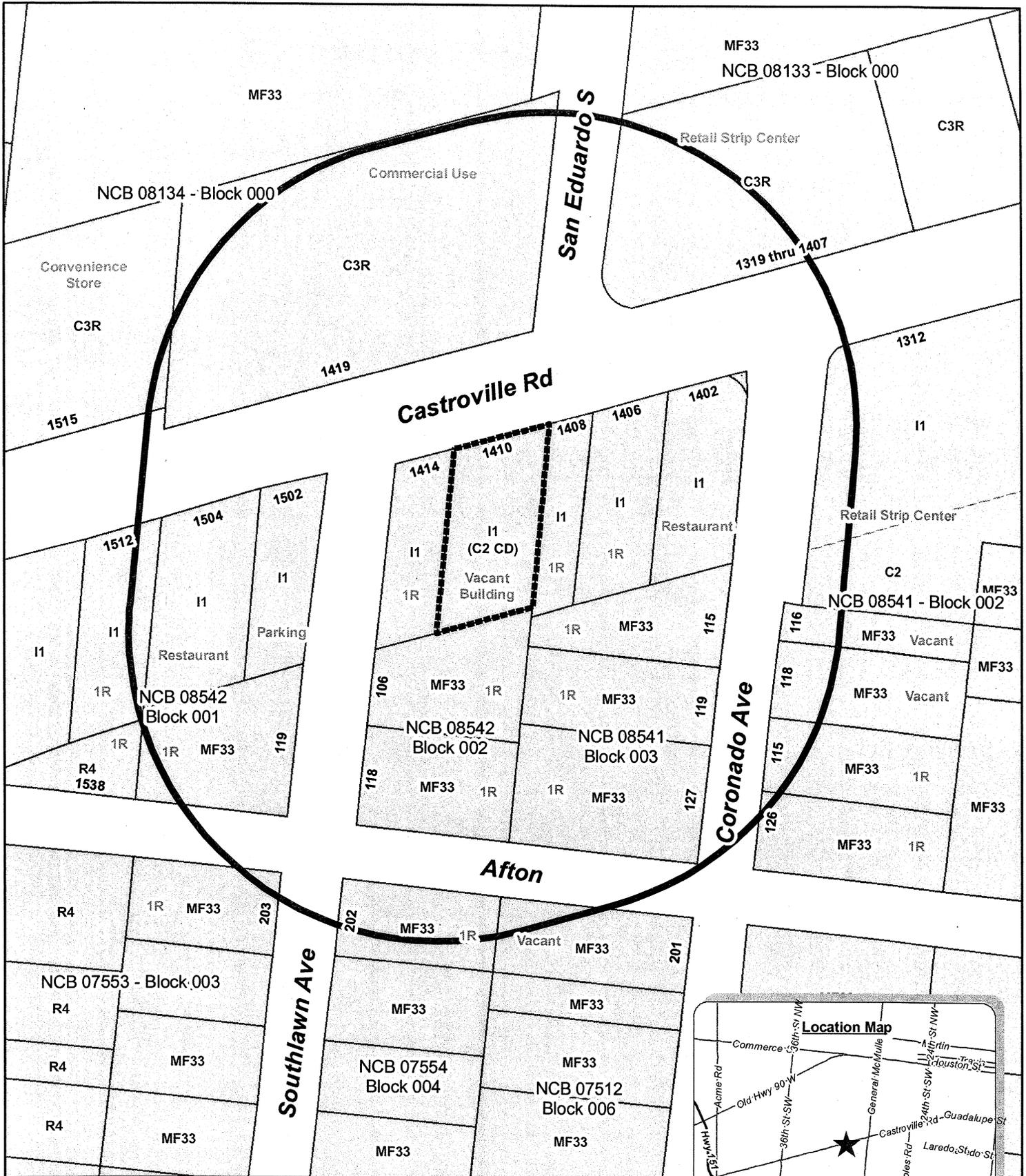
The Planned Unit Development Plan was approved on November 6, 2000 for the subject property however, that PUD plan has expired. An approved PUD Plan remains valid for a period of three years from the date of the last recorded plat or the date of Planning Commission approval if no plats are recorded.

The applicant is requesting a rezoning in order to develop professional offices. The requested O-1 General Office District is a down zoning from the existing PUD O-2 Office District.

The O-1 Office Districts restrict uses primarily to offices and ancillary uses which do not have peak weeknight or weekend usage in order to provide a buffer between residential areas and more intensive uses. These districts also provide for the establishment of low to mid-rise office buildings with a twenty-five (25) foot height maximum. The O-1 Office District would be appropriate and compatible at this location with the neighboring office uses.

Buildings in an O-1 district are restricted to 10,000 square feet for individual buildings. Other O-1 provisions are as follows: The outdoor display or sale of merchandise is prohibited, and parking shall be located to the rear of the principal use or principal building, provided that up to two rows of parking may be located to the front, or to the side abutting a residential use, of the principal use or principal building.

**CASE MANAGER :** Brenda Valadez 207-7945



**Zoning Case Notification Plan**

**Case Z-2007-203 CD**

Council District 6

Scale: 1" approx. = 80'



**Legend**

- Subject Property **-----**
  - 200' Notification Buffer **—————**
  - Property Address **12345**
  - Current Zoning **Blue Text**
  - Requested Zoning Change **(Red Text)**
  - Land Use **Orange Text**
  - 100-Year FEMA Floodplain **▨▨▨▨▨**
- 124 NCB-Block 11111 - Block 222



# CASE NO: Z2007203 CD

## Final Staff Recommendation - Zoning Commission

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**Date:** June 05, 2007

**Council District:** 6

**Ferguson Map:** 615 C6

**Applicant Name:**

**Owner Name:**

Feliciano Lopez, Jr.

Feliciano Lopez, Jr.

**Zoning Request:** From "I-1" General Industrial District to "C-2" (CD-Nightclub) Commercial District with Conditional Use for a Nightclub.

**Property Location:** Lot 2 and Lot 3, Block 2, NCB 8542

1410 Castroville Road

Southside of Castroville Road between Southlawn Avenue and Coronado Avenue

**Proposal:** Nightclub

**Neigh. Assoc.** Greater Gardendale Neighborhood Association

**Neigh. Plan** None

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

**Staff Recommendation:**

Denial

The subject property consists of a vacant commercial building with frontage on Castroville Road a major thoroughfare. The property is adjacent to "I-1" General Industrial District to the east and west with "MF-33" Multi-Family District to the south. Property across Castroville Road to the north is zoned "C-3R" General Commercial District, Restrictive Alcoholic Sales. The current industrial zoning is not representative of the uses in this area. The surrounding land uses consist of a single-family dwelling to the west, east and south. The subject property was use a bar for many years (1988 to 1997). The "C-2" (CD-Nightclub) Commercial District with Conditional Use for a Nightclub would not be compatible with the adjacent residential uses.

The subject property was zoned "JJ" Commercial District under the provisions of the 1938 zoning code. It was subsequently converted to "I-1" upon adoption of the 2001 Unified Development Code.

The conditional zoning procedure is designed to provide for a land use within an area that is not permitted by the established zoning district but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions. The granting of a conditional zoning classification shall not be for all of the uses permitted in a given district but shall be only for the conditional use (bookkeeping office, photography studio, etc.) named in the ordinance approving the conditional zoning district. In considering a request for a conditional zoning classification, the zoning commission shall make a recommendation to the city council with reference to the use and development conditions which insure compatibility with surrounding properties.

**CASE MANAGER :** Pedro Vega 207-7980

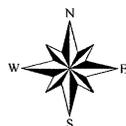


**Zoning Case Notification Plan**

**Case Z2007204B**

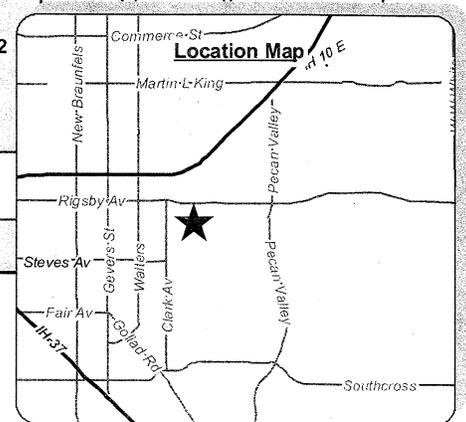
Council District 3

Scale: 1" approx. = 100'



**Legend**

- Subject Property
- 200' Notification Buffer
- Property Address **12345**
- Current Zoning **Blue Text**
- Requested Zoning Change **(Red Text)**
- Land Use **Orange Text**
- 126 NCB - Block NCB 11111 - Block 222
- 100-Year FEMA Floodplain



# CASE NO: Z2007204 B

## Final Staff Recommendation - Zoning Commission

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**Date:** June 05, 2007

**Council District:** 3

**Ferguson Map:** 651 E1

**Applicant Name:**

City of San Antonio

**Owner Name:**

Our Casas Resident Council, Inc.

**Zoning Request:** From "MF-33" Multi-Family District and "C-2" Commercial District to "R-5" Single-Family Residential District.

**Property Location:** Lots 5 through 15, Block 24, NCB 3199

2810 Wade Street

Approximately 275 feet West of the intersection of Wade Street and Elgin Avenue

**Proposal:** To Facilitate a Single-Family Residential Development

**Neigh. Assoc.** Sunny Slope - Pasadena Heights Neighborhood Association

**Neigh. Plan** None.

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

**Staff Recommendation:**

Approval

The zoning request, initiated by the City of San Antonio, is to downzone the subject property to a residential district in order to maintain the character of the neighborhood and allow the continuation of residential uses. This subject property is part of a City Council request to rezone properties bound by Rigsby Avenue to the north; Villarreal Street and Southside Lions Park to the south; Amanda Street to the east and Anita Street to the west, in order to provide for the most appropriate zoning for the current land uses; thus protecting current homeowners and business owners from future non-conforming uses. City Council has requested that the property located at 1028 Wade Street, Lots 5-15, Block 24, NCB 3199, be brought forward in a timelier manner to facilitate a single-family residential development.

Lots 5-9 of the subject property are part of the original 1936 City Limits and Lots 10-15 of subject property were annexed in 1944. The subject property totals approximately .7385 acres. There are two existing residential homes on the subject property that were constructed in 2006. In 2002 following the adoption of the Unified Development Code, the existing MF-33 zoning on Lots 5-9 converted from the previous C zoning. The existing C-2 zoning on Lots 10-15 converted from the previous F zoning. "MF-33" Multi-Family District and "C-2" Commercial District zoning currently exists to the south of the subject property and to the north across Wade Street. Property to the east is zoned "C-2" Commercial District and property to the west is zoned "MF-33" Multi-Family District. Land uses immediately adjacent to the proposed development consist of single-family homes and undeveloped property to the north across Wade Street, and single-family homes and undeveloped lots to the south. There are undeveloped lots to the east of the subject property and single-family homes to the west.

The applicant has applied for R-5 zoning in order to develop single-family residential homes. Staff supports the request being that the R-5 District and proposed use is consistent with this area of Wade Street. The character along this area of Wade Street is primarily single-family residential homes. Wade Street is

# **CASE NO: Z2007204 B**

## **Final Staff Recommendation - Zoning Commission**

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considered a local street type B, making the requested zoning appropriate. Additionally, this request would constitute a down-zoning from C-2, which is commercial. Commercial uses would not be appropriate at this location. This down-zoning would remove potentially harmful land-uses from the area.

The R-5 Residential Single Family District provides for single-family residential uses where adequate public facilities and services exist with capacity to serve development. This district is composed mainly of areas containing single-family dwellings and open area where similar residential development seems likely to occur. Residential Single-Family provides minimum lot size and density requirements in order to preserve neighborhood character.

**CASE MANAGER :** Leslie Zavala 207-0215

72007204B



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

RECEIVED  
CITY OF SAN ANTONIO  
CITY CLERK

07 MAY -2 PM 4:27

TO: Mayor & City Council  
FROM: Councilman Roland Gutierrez, District 3  
COPIES TO: Sheryl Sculley, City Manager; Leticia Vacek, City Clerk; Erik J. Walsh, Assistant City Manager; Leticia Callanen, Interim Assistant to the City Council  
SUBJECT: Request for Placement of Item on City Council Meeting Agenda  
DATE: April 12, 2007

Issue Proposed for Consideration

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

Your support is requested to direct the Department of Development Services Staff to take appropriate steps in bringing forward to the Zoning Commission for their consideration and to the City Council for final action, the rezoning of properties bound by Rigsby Avenue to the north; Villarreal Street and Southside Lions Park to the south; Amanda Street to the east and Anita Street to the west.

Brief Background

Significant numbers of properties developed with single and multi-family residential and commercial retail and service uses are not zoned to allow such uses. These parcels are zoned for industrial uses. This inconsistency is a result of cumulative zoning, a zoning practice utilized in San Antonio's original 1938 zoning code. Zoning classifications in this "1938 code" converted to new zoning classifications in the recently adopted 2001 Unified Development Code (UDC) as of February 4th, 2002.

It is the goal of the Development Services, Zoning Section to rezone those properties that are incompatible with the current zoning. In order to maintain the character of the neighborhood and allow the continuation of residential and commercial uses, it is requested that the property be rezoned to an appropriate zoning district. This will ensure that proposed development is compatible in their character and use to the site and the surrounding area.

Community meetings will be held to educate the affected property owners on the zoning classification system, the zoning process, and how it relates to their property.

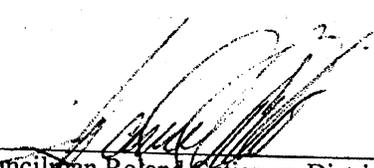
It is also requested that the property located at 2810 Wade Street, Lots 5 through 15, Block 24, NCB 3199, be brought forward in a timelier manner to facilitate a single-family residential development.

Your favorable consideration is requested.



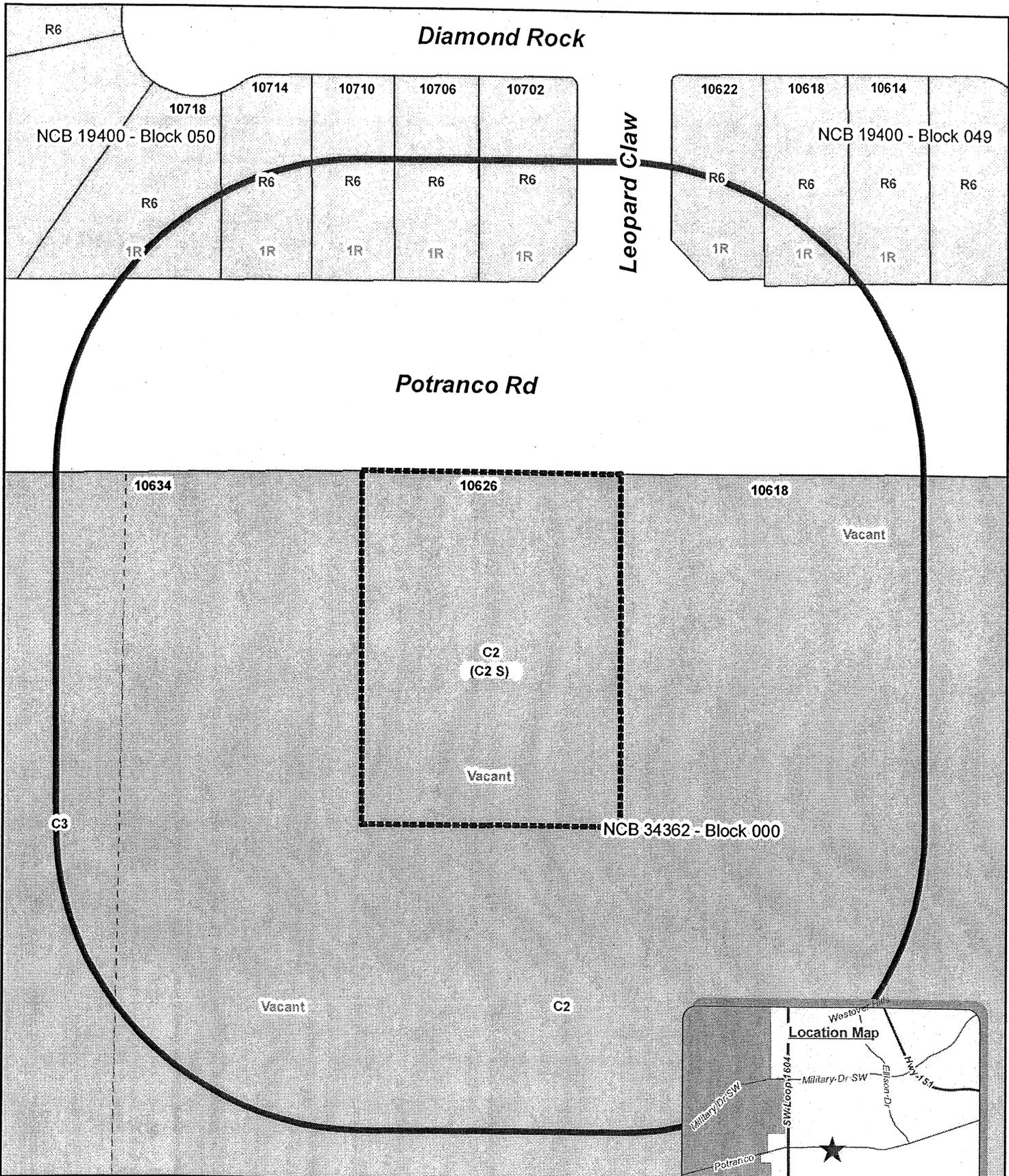
B  
Z2007204

Submitted for Council consideration  
by:

  
Councilman Roland Gutierrez, District 3

Supporting Councilmembers' Signatures (4 only)		District No.
1.		10
2.		9
3.		8
4.		5

RECEIVED  
CITY OF SAN ANTONIO  
CITY CLERK  
07 MAY -2 PM 4: 27



**Zoning Case Notification Plan**

**Case Z-2007-207 S**

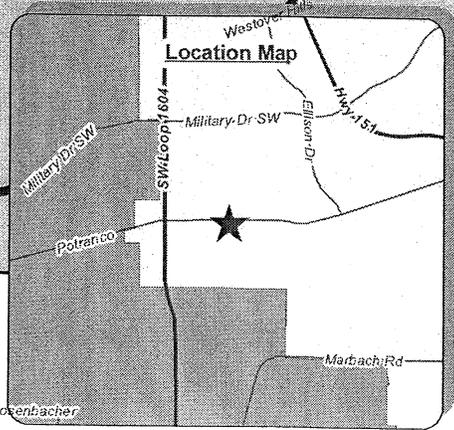
Council District 4

Scale: 1" approx. = 80'



**Legend**

- Subject Property
- 200' Notification Buffer
- Property Address **12345**
- Current Zoning **Blue Text**
- Requested Zoning Change **(Red Text)**
- Land Use **Orange Text**
- NCB - Block **132** NCB 11111 - Block 222
- 100-Year FEMA Floodplain



# CASE NO: Z2007207 S

## Final Staff Recommendation - Zoning Commission

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**Date:** June 05, 2007

**Council District:** 4

**Ferguson Map:** 612 E3

**Applicant Name:**

**Owner Name:**

The Wash Tub

HEB Grocery Co.

**Zoning Request:** From "C-2" Commercial District to "C-2" S Commercial District Specific Use Permit for a Carwash.

**Property Location:** Lot 1, Block 1, NCB 19603

10626 Potranco Road

Southside of Potranco Road between Rousseau and Clover Creek

**Proposal:** Full service carwash

**Neigh. Assoc.** Sierra Springs Neighborhood Association within 200 feet

**Neigh. Plan** None

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

**Staff Recommendation:**

Approval

The developer of this project proposes to construct a full-service carwash. The proposed project will be located on a vacant tract of land approximating 1.17 acres on Potranco Road a major thoroughfare. The site is adjacent to "C-2" Commercial District to the south, east and west with "R-6" Residential Single-Family District across Potranco Road to the north. The "C-2" S Commercial District Specific Use Permit for a Carwash is in character with the established commercial uses along this side of Potranco Road.

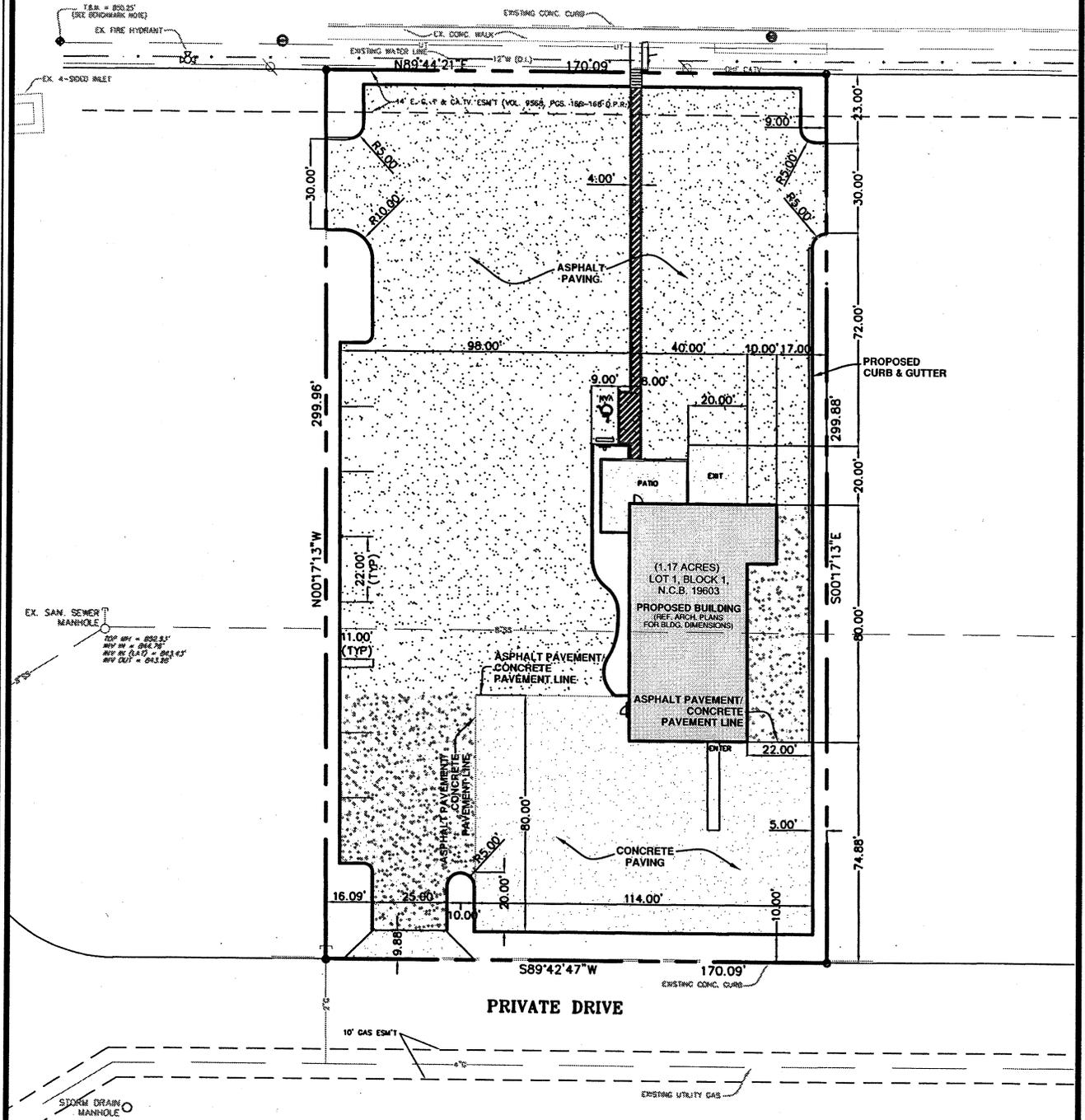
The purpose of the specific use authorization permit is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but which may, under the right set of circumstances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

**CASE MANAGER :** Pedro Vega 207-7980



200 7207 6/5

F.M. 1957 (POTRANCO ROAD)



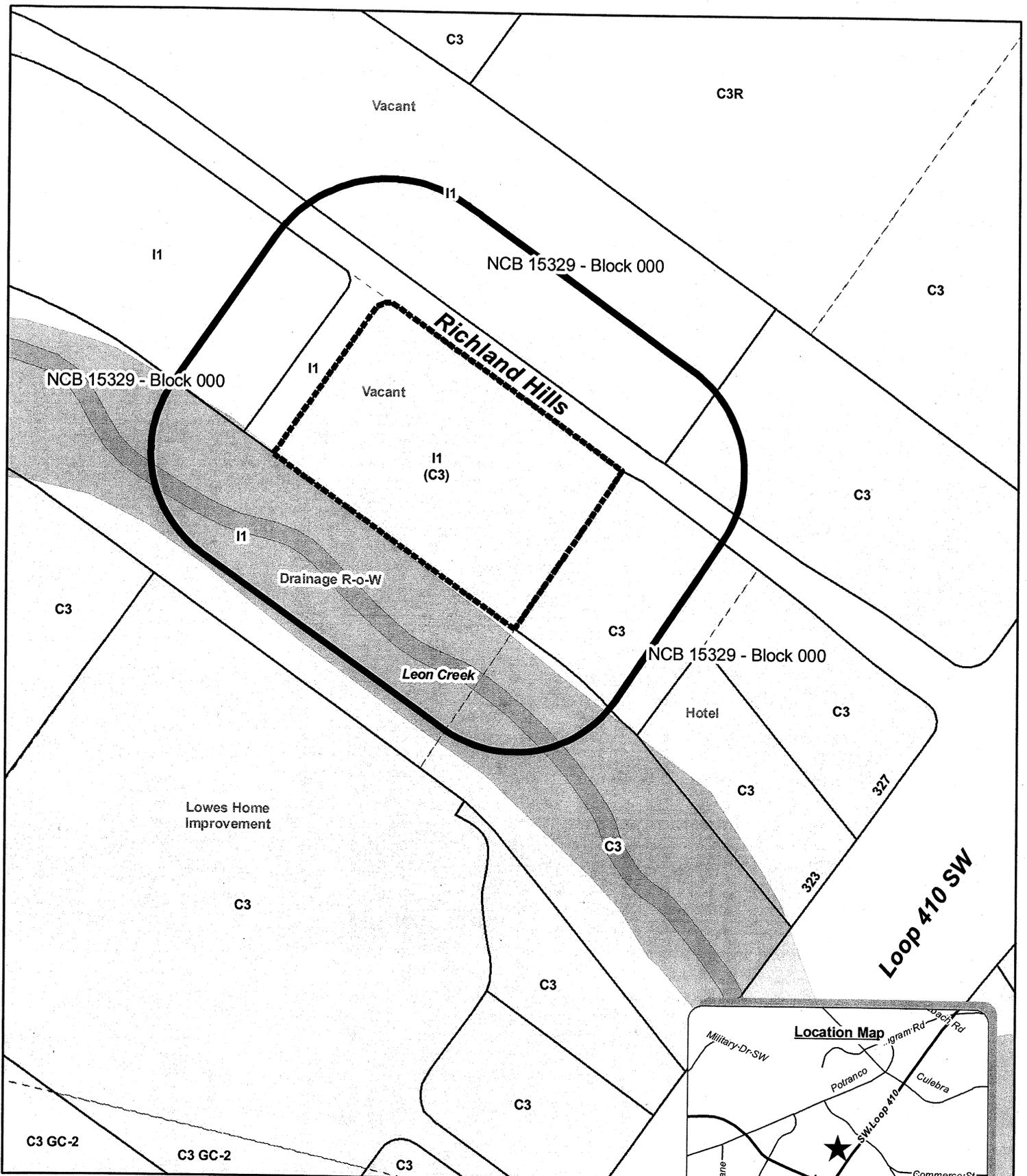
CIVIL SITE EXHIBIT

THE WASH TUB - POTRANCO  
SAN ANTONIO, TX 78251

**ADA CONSULTING GROUP, INC.**

12150 VALLIANT, STE. B SAN ANTONIO, TX 78216  
(210) 340-5670 FAX: (210) 403-9800

DATE: 5-14-2007	JOB NUMBER: 271-02	SHEET NO. 1 of 1
DWG NAME: 271-02 Civil Site.dwg		SCALE: 1" = 50 ft

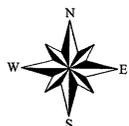


**Zoning Case Notification Plan**

**Case Z-2007-210**

Council District 6

Scale: 1" approx. = 200'



Legend	
Subject Property	-----
200' Notification Buffer	—————
Property Address	<b>12345</b>
Current Zoning	<b>Blue Text</b>
Requested Zoning Change	<b>(Red Text)</b>
Land Use	<b>Orange Text</b>
NCB - Block	NCB 11111 - Block 222
100-Year FEMA Floodplain	-----



# CASE NO: Z2007210

## Final Staff Recommendation - Zoning Commission

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**Date:** June 05, 2007

**Council District:** 6

**Ferguson Map:** 613 D3

**Applicant Name:**

Brown, P.C.

**Owner Name:**

Sanjay Misra

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

**Property Location:** 3.430 acres out of NCB 15329

The 400-500 Block of Richland Hills

East of the Intersection of Southwest Loop 410 and Richland Hills Drive

**Proposal:** To Allow a Hotel

**Neigh. Assoc.** None

**Neigh. Plan** None

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

**Staff Recommendation:**

Approval

The subject property consists of undeveloped land located with frontage on Richland Hills Drive. The property is adjacent to I-1 and C-3 zoning to the north, C-3 zoning to the east, I-1 zoning to the west and I-1 and C-3 zoning to the south. The surrounding land uses consist of undeveloped land to the north, a Lowes Home Improvement shopping center and Leon Creek to the south, undeveloped land to the west and a hotel, bank and undeveloped land to the east.

The applicant is requesting a rezoning in order to develop a hotel. The requested C-3 General Commercial District is a beneficial down zoning from the existing I-1 General Industrial District. The C-3 General Commercial District would be more appropriate and compatible at this location than the current zoning. Furthermore, the development pattern in the general area is predominantly commercial in character, and not industrial.

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

**CASE MANAGER :** Brenda Valadez 207-7945