

CITY OF SAN ANTONIO
Zoning Commission Agenda

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

March 4, 2008
Tuesday, 12:15 PM

ZONING COMMISSIONERS

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

1. **12:15 PM – Work Session presentation by zoning staff to discuss zoning case recommendations and all other items for consideration on the agenda for March 4, 2008, in the Tobin Room, 1901 S. Alamo Street, Cliff Morton Development and Business Services Center.**
2. 1:00 P. M. – Call to Order – Board Room
3. Roll Call.
4. Pledge of Allegiance.
5. Director’s Report.
6. Approval of February 19, 2008 Minutes.
7. **ZONING CASE NUMBER Z2008047 ERZD:** The request of Brown, PC., Applicant, for 601 Sonterra, LP, Owner(s), for a change in zoning from PUD “R-6” ERZD Planned Unit Development Residential Single-Family Edwards Recharge Zone District to “C-2” ERZD Commercial Edwards Recharge Zone District on Lot 1, Block 3, NCB 19214, 601 West Sonterra Boulevard. (Council District 9)
8. **ZONING CASE NUMBER Z2008070 CD ERZD:** The request of Cedar Joiner, Applicant, for Kirk K. Colyer, Owner(s), for a change in zoning from “R-6” ERZD Residential Single-Family Edwards Recharge Zone District to “R-6” (CD- Professional Offices) ERZD Residential Single-Family Edwards Recharge Zone District with Conditional Use for Professional Offices on Lot 4 and Lot 5, Block 20, NCB 14730, 12422 Petite Lane. (Council District 8)
9. **ZONING CASE NUMBER Z2008072 CD:** The request of Ralph Cortez, Applicant, for Ricardo Balderrama and Jose Rodriguez, Owner(s), for a change in zoning from H “C-2” Historic Commercial District to H “C-2” (CD- Bar/ Tavern) Historic Commercial District with a Conditional Use for a bar/ tavern on Lot 1, Block 1, NCB 923, 620 South Presa Street. (Council District 1)

10. **ZONING CASE NUMBER Z2008079 CD:** The request of Jesus Chavira, Applicant, for Jesus Chavira C/S Maria H Oviedo, Owner(s), for a change in zoning from “R-6” S Residential Single-Family District with Specific Use Authorization for a Daycare to ‘C-2’ (CD-Contractor Facility) Commercial District with a Conditional Use for a Contractor Facility on Lot 29, Block 12, NCB 9215, 866 Lee Hall. (Council District 1)
 - A. Finding of consistency with Master Plan.
 - B. Recommendation on zoning change request.

11. **ZONING CASE NUMBER Z2008082:** The request of David Torres, Applicant, for Torres Taco Haven Inc., Owner(s), for a change in zoning from “R-4” Residential Single-Family District to ‘NC’ Neighborhood Commercial District on Lot 16, Block 8, NCB 2946, 143 Cosgrove. (Council District 3)
 - A. Finding of consistency with Master Plan.
 - B. Recommendation on zoning change request

12. **ZONING CASE NUMBER Z2008039:** The request of Phil Garay, Applicant, for Adalberto Hernandez, Owner(s), for a change in zoning from “R-6” Residential Single-Family District to ‘C-2’ Commercial District on Lot 2 and the east 30 feet of Lot 1, Block 1, NCB 18308, 7900 Block of Tezel Road. (Council District 7)
 - A. Finding of consistency with Master Plan.
 - B. Recommendation on zoning change request

13. **ZONING CASE NUMBER Z2008074 CD:** The request of 6325 Babcock Road, LLC, Applicant, for Reagan and Joan Smith, Owner(s), for a change in zoning from “R-20” Residential Single-Family District to ‘R-20’ (CD- Professional Office) Residential Single-Family District with a Conditional Use for a Professional Office on 1.00 acre out of NCB 14709, 6325 Babcock Road. (Council District 8)

14. **ZONING CASE NUMBER Z2008089 CD:** The request of Rick and Angela Martinez, Applicant, for Patrick S. Shearer, Owner(s), for a change in zoning from “IDZ” Infill Development Zone with uses permitted in “R-4” Single-Family Residential District and “NC” Neighborhood Commercial District to “IDZ” Infill Development Zone with uses permitted in “C-2” (CD-Theater-Outdoor including Drive-In and Amphitheaters) Commercial District with a Conditional Use for an Theater-Outdoor including Drive-In and Amphitheaters on Lot A4, NCB 2569, 132 East Cevallos. (Council District 5)
 - A. Finding of consistency with Master Plan.
 - B. Recommendation on zoning change request

15. **ZONING CASE NUMBER Z2008091:** The request of Miguel A. Gallegos, Applicant, for Miguel A. Gallegos, Owner(s), for a change in zoning from “RM-4” Residential Mixed District to ‘O-1’ Office District on Lot 4, NCB 753, 723 Jackson. (Council District 1)
 - A. Finding of consistency with Master Plan.
 - B. Recommendation on zoning change request

16. **ZONING CASE NUMBER Z2008092 S:** The request of Oscar and Donna M. Sandoval, Applicant, for Oscar and Donna M. Sandoval, Owner(s), for a change in zoning from ‘R-6’ Residential Single-Family District to “R-6” S Residential Single-Family District with Specific Use Authorization for a Manufactured Home on Lot 3, NCB 15628, 5431 Hillburn Drive. (Council District 4)

17. **ZONING CASE NUMBER Z2008093 CD:** The request of Matthew P. Weaver, Applicant, for Matthew P. Weaver, Owner(s), for a change in zoning from “R-6” Residential Single-Family District to “C-1” (CD-Tattoo Parlor/Studio) Light Commercial District with a Conditional Use for a Tattoo Parlor/Studio on Lot 1, NCB 6860, 923 Probandt. (Council District 5)
 - A. Finding of consistency with Master Plan.
 - B. Recommendation on zoning change request

18. **ZONING CASE NUMBER Z2008094 S:** The request of Bexar County Buffalo Soldier's Association, Applicant, for Bexar County Buffalo Soldier's Association, Owner(s), for a change in zoning from “RM-4” Residential Mixed District to “R-4” S Residential Single-Family District with Specific Use Authorization for a Museum on Lots 1, 2, 3 and 4, Block 3, NCB 2796, 1602 Wyoming Street. (Council District 2)
 - A. Finding of consistency with Master Plan.
 - B. Recommendation on zoning change request

19. **ZONING CASE NUMBER Z2008096 CD:** The request of Malcolm Thomas, J & N Land Development, LLC, Applicant, for Malcolm Thomas, J & N Land Development, LLC, Owner(s), for a change in zoning from “RM-4” EP-1 Residential Mixed District, Facility Parking/Traffic Control Overlay District-1 to “RM-4” EP-1 (CD-Four Dwelling Units) Residential Mixed District, Facility Parking/Traffic Control Overlay District-1 with a Conditional Use for a Four-Unit Dwelling on Lot 14, Block 31, NCB 1482, 340 Maryland Street. (Council District 2)
 - A. Finding of consistency with Master Plan.
 - B. Recommendation on zoning change request

20. **ZONING CASE NUMBER Z2008061:** The request of Kaufman & Associates, Inc., Applicant, for T & K Young Partners, Ltd., Owner(s), for a change in zoning from “O-2” Office District to “C-2” Commercial District on 0.853 acres out of NCB 14714, 12200, 12210, 12226 Huebner Road. (Council District 8)

21. **ZONING CASE NUMBER Z2008078:** The request of Kenneth E. Saunders, Applicant, for FC Stonebridge, LTD Partnership, Owner(s), for a change in zoning from “R-6” Residential Single-Family District, “MH” Manufacturing Housing District and “C-3” General Commercial District to “MF-33” Multi Family District, “C-3” General Commercial District and “L” Light Industrial District on 47.15 acres out of NCB 17635, NCB 18295, NCB 34449 and NCB 34450, 11600 Block of Culebra Road. (Council District 6)

22. **ZONING CASE NUMBER Z2008090:** The request of Jaime & Adela Ramirez, Applicant, for Jaime & Adela Ramirez, Owner(s), for a change in zoning from “R-6” Residential Single-Family District to “C-2” Commercial District on Lot 21, Block 2, NCB 18287, 7603 Potranco Road. (Council District 6)

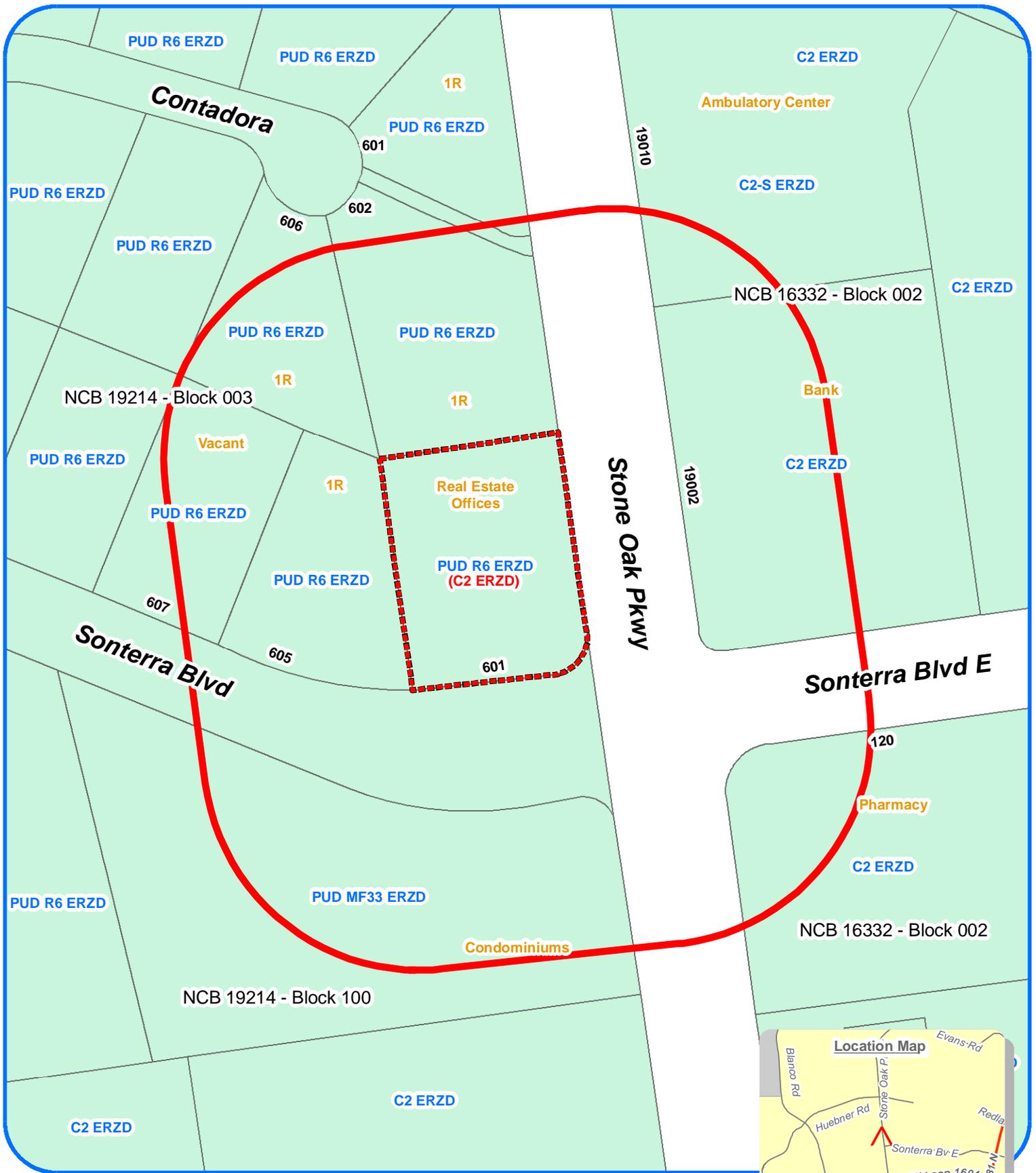
23. **ZONING CASE NUMBER Z2008095:** The request of Ricardo Ramos, Applicant, for Ricardo Ramos, Owner(s), for a change in zoning from “RM-4” Residential Mixed District to “C-2” Commercial District on Lots 30 and 31, Block 6, NCB 11192, 601 Palo Alto Road. (Council District 4)

24. Consideration of a request initiated by Councilmember Sheila McNeil, District 2, requesting a zoning amendment to the Unified Development Code regarding Payday Loan Agencies and Check Cashing Facilities.

25. Consideration of a request initiated by Councilmember Lourdes Galvan, District 5, requesting a zoning amendment to the Unified Development Code regarding Bail Bond businesses.
26. Consideration of a request initiated by Councilmember Diane Cibrian, District 8, requesting a zoning amendment to the Unified Development Code regarding the MPCD (Master Planned Community District) zoning district.
27. 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.
28. **ADJOURNMENT**

Accessibility Statement

This meeting is wheelchair accessible. Accessible entrances are located at the front and side of the building at 1901 South Alamo Street. Accessible parking spaces are located at the front and rear of the building. Auxiliary aids and services are available upon request. Interpreters for the deaf must be requested at least 48 hours prior to the meeting by calling (210) 207-7245.



Zoning Case Notification Plan

Case Z-2008-047

Council District 9

Scale: 1" approx. = 120'

Subject Property Legal Description(s): Lot 1 - NCB 19214 - Block 003

Legend

- Subject Property (0.77 Acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(11/30/2007)

CASE NO: Z2008047 ERZD

Final Staff Recommendation - Zoning Commission

Date: March 04, 2008

Council District: 9

Ferguson Map: 516 E1

Applicant Name:

Owner Name:

Brown, PC.

601 Sonterra, LP

Zoning Request: From "PUD R-6 ERZD" Planned Unit Development Residential Single-Family Edwards Recharge Zone District to "C-2 ERZD" Commercial Edwards Recharge Zone District.

Property Location: Lot 1, Block 3, NCB 19214

601 West Sonterra Boulevard

Northwest Corner of Sonterra Boulevard and Stone Oak Parkway

Proposal: To Allow an Office

Neigh. Assoc. Sonterra Property Owners Association and Stone Oak Property Owners Association. The Sonterra Villas Townhome Condominium is within 200 feet.

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Denial as requested with an alternate recommendation of O-1 Office District.

The subject property is currently occupied by an office, and is located on the northwest corner of Sonterra Boulevard and Stone Oak Parkway. The property was annexed into the city on August 1, 1983 per ordinance #57129. The properties to the north are zoned PUD R-6 ERZD, and the property to the south is zoned PUD MF-33 ERZD. The property to the west is zoned PUD R-6 ERZD, and the property to the east of the subject property across Stone Oak Parkway is zoned C-2 ERZD.

The applicant has applied for C-2 zoning to accommodate an office use on the property. Staff believes that the requested zoning is out of character with the zoning of the surrounding area. The subject property sits in an area that is dominated by residential uses, and C-2 zoning would be too intense of a zoning classification for this specific property considering how it is situated. Furthermore, the applicant has indicated that the rezoning request to C-2 is to accommodate an office. Staff believes that the implementation of O-1 instead of C-2 would serve this purpose and preserve the residential character of the surrounding area. Ingress and egress are also restricted to Stone Oak Parkway near the north end of the subject property and Sonterra Boulevard on the south side. A commercial zoning would coincide with an increase in traffic flow in and out of Sonterra Boulevard. That particular portion of Sonterra Boulevard serves as an entrance to a gated community just beyond it, and is not equipped to handle such a traffic increase. Although the subject property does front on Stone Oak Parkway, which is identified as a Type A Secondary Arterial per the city's Major Thoroughfare Plan, and C-2 uses exist across Stone Oak Parkway to the east and southeast, those uses exist within a node of commercial uses. The subject property does not exist in such a node, and therefore staff believes C-2 to be inappropriate in this case. The application of O-1 zoning provides an opportunity to limit the impact of the proposed use on the residential properties surrounding it, while still allowing the office use. Should an O-1 zoning district be approved on the subject property, a Type B Landscape Buffer will be required along the north and west property lines where the subject property abuts residential uses

SAWS Summary:

CASE NO: Z2008047 ERZD

Final Staff Recommendation - Zoning Commission

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

CASE MANAGER : Mike Farber 207-3074

2008 FEB 12 PM 3:04

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, Patricia M. Garza, Resource Protection Specialist II, Aquifer Protection & Evaluation Section, File

Subject: Zoning Case Z2008047 (Commercial Development)

Date: February 11, 2008

I. SUMMARY

A request for a change in zoning has been made for an approximate 0.77-acre tract located on the city's north side. A change in zoning from PUD R-6 ERZD to C-2 ERZD is being requested by the applicant, Brown, P.C., by Mr. Kenneth W. Brown. The change in zoning has been requested to bring the existing commercial development into conformance with existing commercial use and for future building expansion.

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.

II. LOCATION

The subject property is located in City Council District 9, at the intersection of Sonterra and Stone Oak Parkway. The entire 0.77 acres of the subject property lies within the Edwards Aquifer Recharge Zone. (Figures 1 and 2).

SITE EVALUATION

1. Development Description:

The proposed change is from PUD R-6 ERZD to C-2 ERZD which would bring the existing office building into conformance with the Unified Development Code and would also allow for future expansion of the existing building. Currently the site is partially developed.

2. Surrounding Land Uses:

The subject property is part of the Estates at Sonterra subdivision. Residential homes are located to the west and northwest of the subject property. A vacant lot is located to the north of the property. Stone Oak Parkway is adjacent on the eastside of the property. The guard house for the Estates at Sonterra is located on the south of the property.

3. Water Pollution Abatement Plan:

As of the date of this report, a Water Pollution Abatement Plan 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 November 27, 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.

A. The subject site was observed to have a partially developed commercial business utilizing the southeastern portion of the property, approximately one quarter of the property, while the remaining portion of the property appeared to have been cleared several years ago. The property is approximately 0.77 acres in area, consisting of a one story office building and paved parking lots. The exposed bedrock was observed to be a light gray to white limestone with only slight vugs. No other solution features were observed. The exposed limestone had a strike trend to the northwest and a dip trend to the northeast. The site was covered with approximately 8 to 12 inches of black expansive clay. The subject site was observed to have generally flat topography. The property slopes gently to the northwest, and storm water runoff occurring on the site drains to the northwest, towards Panther Springs Creek. No creeks, tributaries, or wells were observed on the subject site.

B. Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the majority of the subject site is underlain by the Dolomitic Member of the Kainer Formation of the Edwards Aquifer. The remainder of the subject site was determined to

be underlain by the Grainstone Member of the Kainer Formation of the Edwards Aquifer. The exposed limestone observed on the subject site was consistent with characteristics of the Dolomitic Member.

The Dolomitic Member of the Kainer Formation of the Edwards Aquifer is characterized by the presence of massively bedded light gray to white limestone and structurally based porosity. This member is approximately 110 to 130 feet thick.

The Grainstone Member of the Kainer Formation of the Edwards Aquifer is characterized by the presence of extensive recrystallization, which limits porosity.

- C. The subject site was reported to be transected by an inferred fault line across the northwest corner of the site. However, no fractures, geology changes, or other evidence of this fault was observed on the subject property.

No evidence of any sensitive or significant recharge features were found on the site or within the immediate vicinity of the subject 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. The applicant agrees not to exceed 50% impervious cover for the entire site.

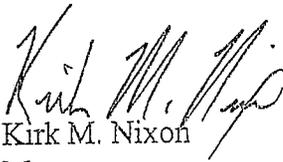
2. The SAWS recommendation of 50% maximum impervious cover is based on the existing R-6 zoning of the subject property. R-6 zoning was commonly used by San Antonio as a default zoning for annexed properties that were not developed at the time of annexation. The subject property is currently a Category 2, determined by SAWS and as such, under the Water Quality Ordinance No. 81491, would be entitled to 65% impervious cover. Given that the property did not require zoning prior to annexation and using Ordinance No. 81491 as a guide, SAWS worked with the applicant to achieve an impervious cover recommendation that addresses water quality protection.
3. SAWS staff recommends a maximum impervious cover of 50%; however, the applicant is requesting 65% impervious cover and is proposing to make use of Impervious Cover Credits granted by the City of San Antonio under Ordinance No. 91051 (see attachment). Based upon a review of this Ordinance and other associated documentation SAWS is not opposed to the addition of 15% impervious cover to this project, thereby raising the maximum impervious cover for this project.
4. Land uses that require an industrial designation, per the permitted use table shall not be allowed on the project site.
5. The land uses within the zoned areas shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at that site. If the land use is listed as special use, a special permit must be obtained for that use. If the land use is listed as prohibited, that land use will not be permitted on that site.
6. The owner of all water pollution abatement structures shall be responsible for properly maintaining the basin and that it is kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Resource Protection Division of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. The new owner must submit a signed water quality maintenance plan to the Resource Protection Division of SAWS.
7. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing Groundwater Pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210/222-2204), or equivalent information produced by the U.S. Natural Resource Conservation Service, Texas Department of Agriculture, U.S.D.A, shall be used.
8. The applicant shall notify the Construction Compliance Section of the Resource Compliance Division of SAWS at (210) 233-3564 no later than 48 hours prior to the commencement of construction at the site. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3520.

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

General Recommendations

1. Prior to the release of any building permits the owner/operator of any Category 2 property shall submit an Aquifer Protection Plan to the Resource Protection Division of the San Antonio Water System.
2. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer Protection & Evaluation Section of the Resource Protection Division:
 - A. A copy of the Water Pollution Abatement Plan (WPAP) shall be submitted for each particular development/use within the area being considered for re-zoning,
 - B. A set of site specific plans which must have a signed Engineers Seal from Texas,
 - C. A WPAP approval letter from the Texas Commission on Environmental Quality (TCEQ),
 - D. A copy of the approved Water Pollution Abatement Plan.
3. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.
4. If a water quality basin is constructed on the property, the following is required:
 - A. Below grade basins shall not be allowed to be constructed on site.
 - B. Prior to basin construction, the owner will notify the Aquifer Protection and Evaluation Section of the San Antonio Water System at (210) 233-3520 to schedule a site inspection.
 - C. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Aquifer Protection and Evaluation Section at (210) 233-3520 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to SAWS Aquifer Protection and Evaluation Section.
 - D. If the basin fails to drain properly, the owner will notify the Construction Section of the Resource Compliance Division at (210) 233-3564 prior to any discharge of water.

- E. If at any time the ownership of the property changes, the seller must inform the buyer of all requirements for maintenance of the Basin. A signed basin maintenance plan and schedule agreement, from the new owner, must be submitted to the Resource Protection Division.
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

Attachment 1- City Ordinance #91051

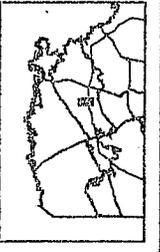
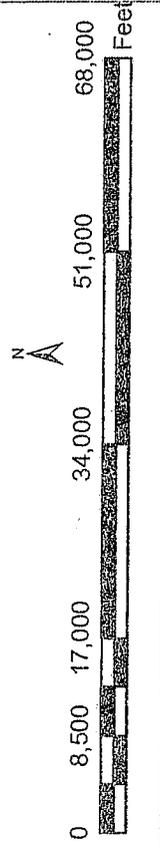
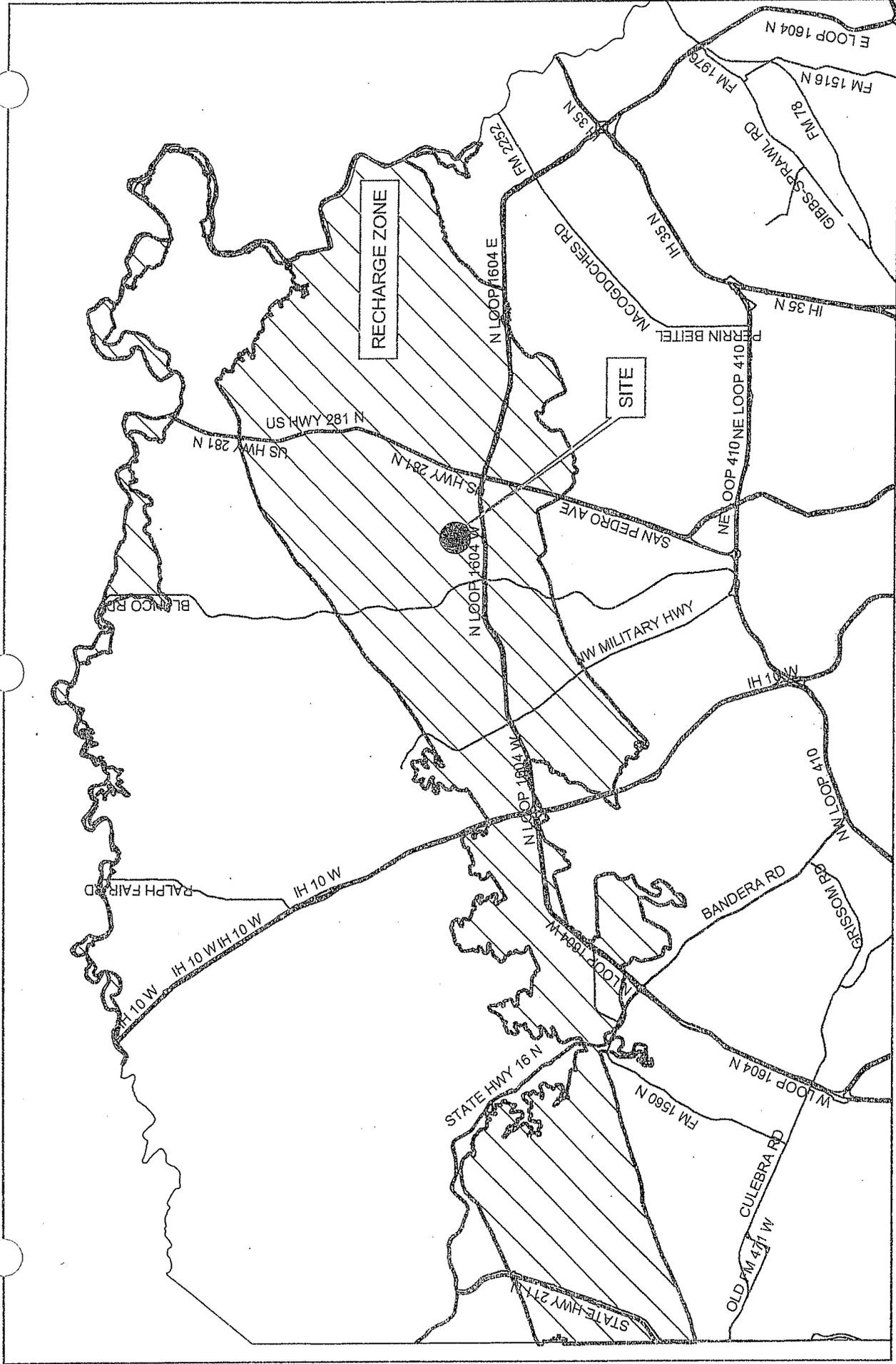
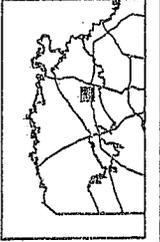
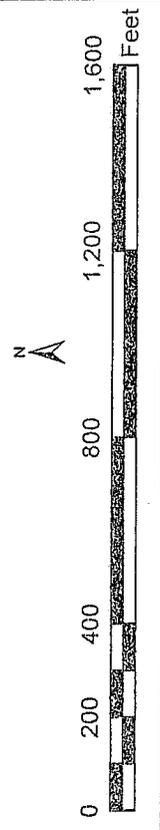
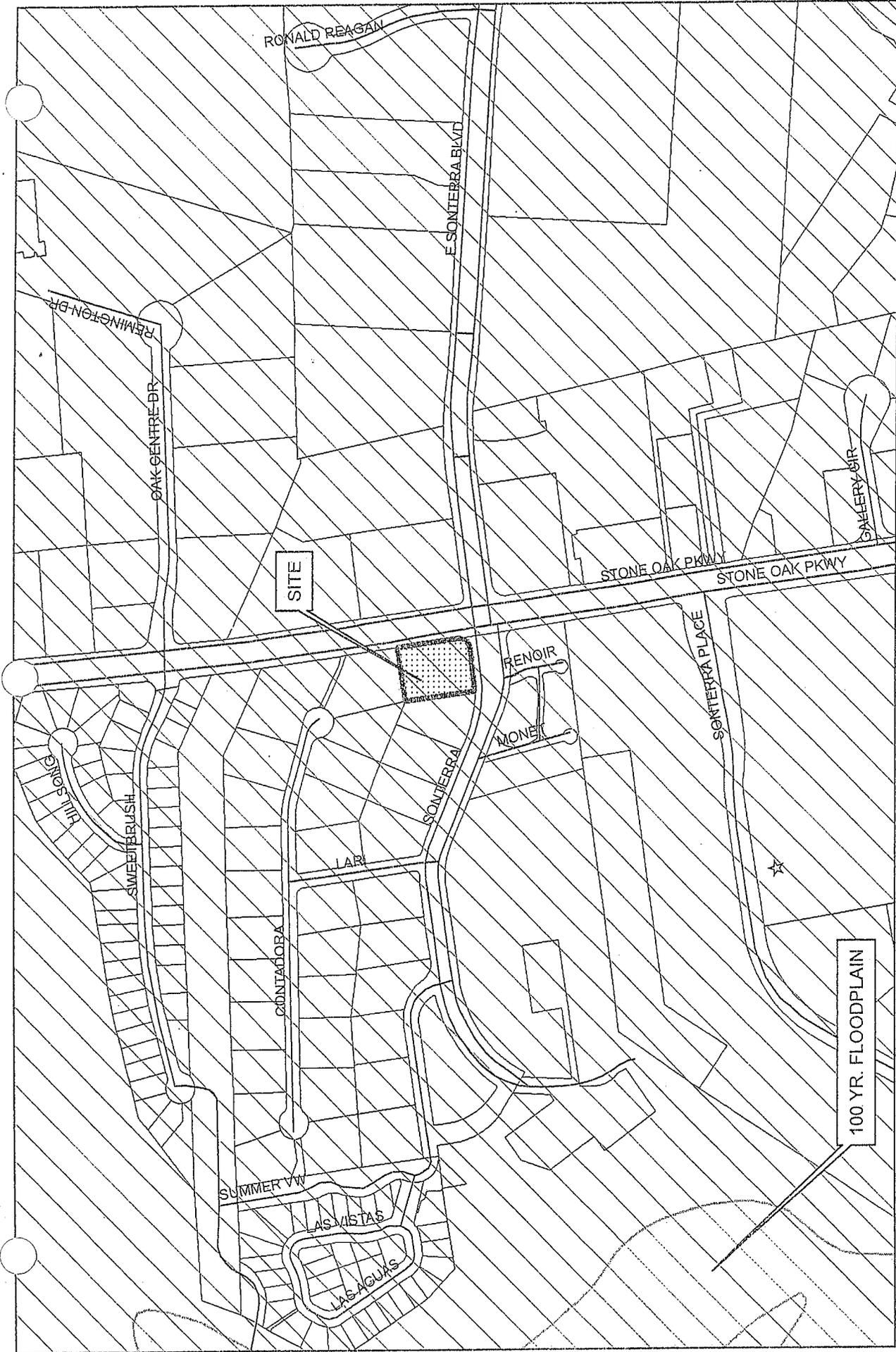
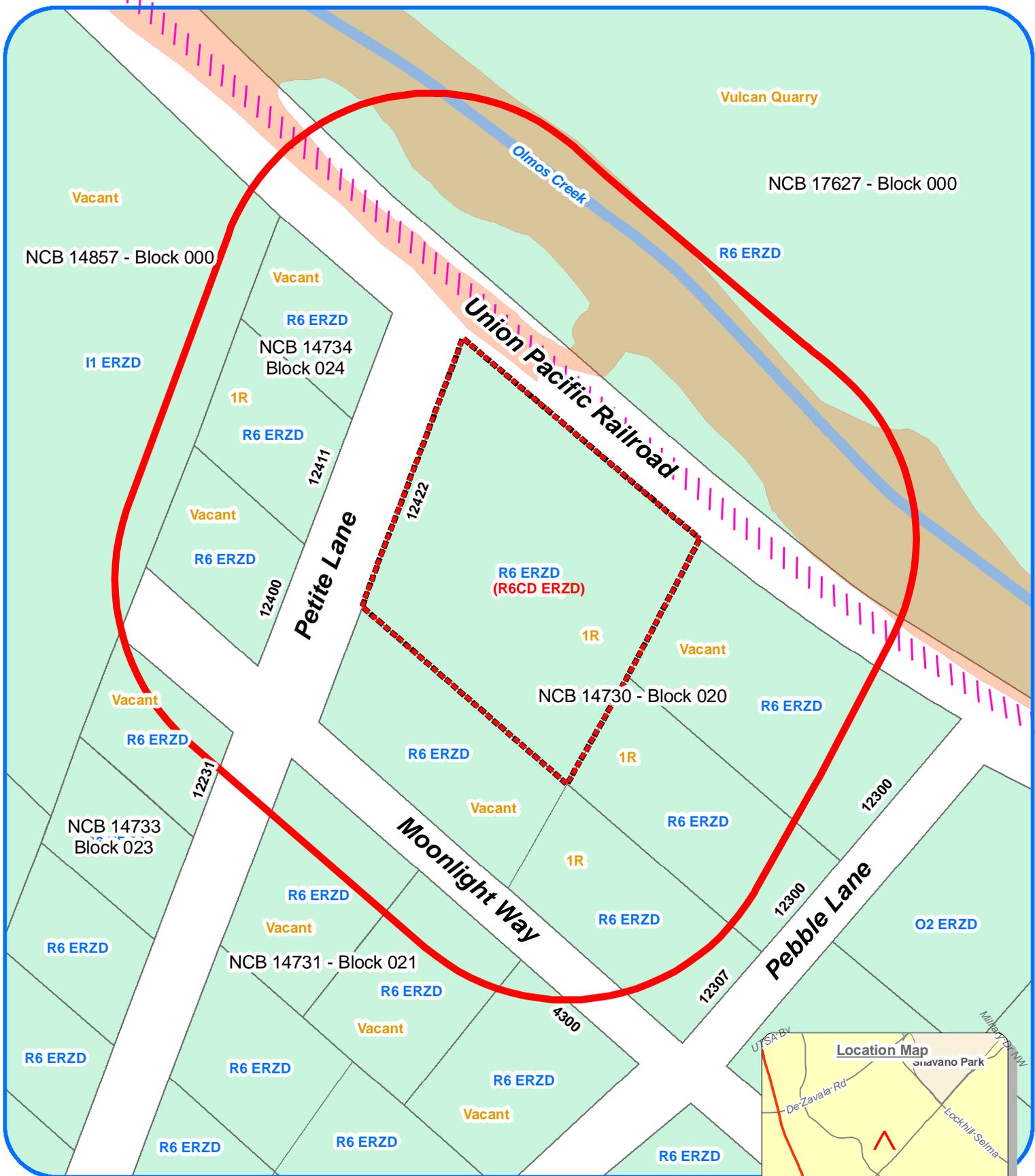


FIGURE 1

ZONING CASE: 601 West Sonterra
ZONING CASE NO.: Z2008047
MAP PAGE: 516 E1 X=2129140 Y=13772076
 Map Prepared by Aquifer Protection & Evaluation PMG 11/20/2007



ZONING CASE: 601 West Sonterra **FIGURE 2**
ZONING CASE NO.: Z2008047
MAP PAGE: 516 E1 **X=2129140** **Y=13772076**
 Map Prepared by Aquifer Protection & Evaluation PMG 11/20/2007



Zoning Case Notification Plan

Case Z-2008-070 CD

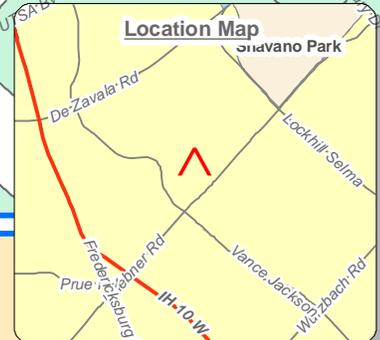
Council District 8

Scale: 1" approx. = 120'

Subject Property Legal Description(s): Lots 4 and 5 - NCB 14730 - Block 020

Legend

- Subject Property (1.45 Acres)
- 200' Notification Buffer
- Current Zoning R6
- Requested Zoning Change (R6)
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(01/10/2008)

CASE NO: Z2008070 CD ER

Final Staff Recommendation - Zoning Commission

Date: March 04, 2008

Council District: 8

Ferguson Map: 549 A2

Applicant Name:

Owner Name:

Cedar Joiner

Kirk K. Colyer

Zoning Request: From "R-6" ERZD Residential Single-Family Edwards Recharge Zone District to "R-6 (CD- Professional Offices) ERZD" Residential Single-Family Edwards Recharge Zone District with a Conditional Use for Professional Offices.

Property Location: Lot 4 and Lot 5, Block 20, NCB 14730

12422 Petite Lane

Southeast side of Petite Lane

Proposal: Professional offices

Neigh. Assoc. None

Neigh. Plan None

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

Staff Recommendation:

Approval

The site is located in northwest San Antonio on the south corner of Petite Street and Union Pacific Railroad. The project site is occupied by a single-family dwelling with access from Petite Lane, a dead-end street. The surrounding zoning consists of "R-6 ERZD" Residential Single-Family Edwards Recharge Zone District to the southwest, southeast and across Petite Lane to the northwest, with Union Pacific Railroad to the northeast. The surrounding land uses consist of single-family dwellings to the east and south, with vacant land to the southwest, north and west. The subject property is not within a Neighborhood Association or Community Plan but lies within the Edwards Aquifer Recharge Zone. Given the location of the subject property, which is adjacent to the Union Pacific Railroad and a dead-end street, Staff believes the site is suitable for office use and the request would be an efficient use of existing infrastructure. The applicant will have to comply with all current site development standards, development constraints in residential districts and SAWS recommendations in regards to the development of the subject property to receive a Certificate of Occupancy. Conditional zoning allows the original base zoning of "R-6 ERZD" Residential Single-Family Edwards Recharge Zone District to be retained.

If approved, the following conditions are applicable per the UDC, unless otherwise modified by City Council:

1. No construction features shall be permitted which would place the structure out of character with the surrounding neighborhood.
2. Allowable hours of operations shall be 7:00 am to 6:00 pm.
3. There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, which shall be permitted when attached to the front of the entrance.

SAWS Summary:

CASE NO: Z2008070 CD ER

Final Staff Recommendation - Zoning Commission

1. SAWS recommends approval of the proposed land use.
2. SAWS identifies the property as a Category 2 property.
2. SAWS recommends a maximum impervious cover of 10% on the site.

The conditional zoning procedure is designed to provide for a land use within an area that is not permitted by the established zoning district but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions. The granting of a conditional zoning classification shall not be for all of the uses permitted in a given district but shall be only for the conditional use (bookkeeping office, photography studio, etc.) named in the ordinance approving the conditional zoning district. In considering a request for a conditional zoning classification, the zoning commission shall make a recommendation to the city council with reference to the use and development conditions which insure compatibility with surrounding properties. A conditional zoning classification shall run with the land until such time that the zoning is changed or the conditional use granted has been discontinued on the property for a period of twelve (12) months.

CASE MANAGER : Pedro Vega 207-7980

SAN ANTONIO WATER SYSTEM
Interdepartment Correspondence Sheet

DEVELOPMENT SERVICES
RECEIVED
2008 FEB -8 AM 10: 29

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 Z2008070 (Professional Office)

Date: February 7, 2008

SUMMARY

A request for a change in zoning has been made for an approximate 1.45-acre tract located on the city's northwest side. A change in zoning from R-6 ERZD to R-6 CD ERZD is being requested by the applicant, Mr. Kirk Colyer. The change in zoning has been requested to allow for the development of an existing office building.

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 Huebner Road and Petite Street. 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 O-1 ERZD and will allow for an existing residence to operate as an office. The tract currently has a house that was converted and is now operating as a 2 story office building. The site has several trees and bushes that have been undisturbed. The tract is surrounded by residential development. The applicant indicated this is going to be an office that just deals with marketing products.

2. Surrounding Land Uses:

The site is surrounded by Woodland Manor Subdivision.

3. Water Pollution Abatement Plan:

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

4. Geologic Conditions:

The Resource Protection Division of the San Antonio Water System conducted a site evaluation on January 3, 2008, of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS Environmental Geologist, Mr. Bruce Keels, P.G., was present during the site evaluation.

- A. The subject site was observed as a single lot, partially vegetated with native trees, approximately 1.45 acres in area. A single family residential house currently being modified, and a small shed were observed on the property.

Moderate exposure of bedrock was observed throughout the property. The native soil located on the site was observed to be approximately 4 to 6 inches thick, and consisted of dark alluvial swelling clays, likely deposited by Olmos Creek. The exposed limestone observed on the subject property included light to medium gray moderately weathered limestone with sparse vugs visible in some areas. The northeastern portion of the subject site appeared to have a quantity of imported fill material placed along the property line abutting the Union Pacific Rail Road.

The site appeared to slope to the northeast. Stormwater occurring on the subject site would drain to the northeast, across a Union Pacific Rail Road, and towards Olmos Creek.

- B. Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was

determined that the subject site is underlain by the Cyclic and Marine Member of the Person Formation of the Edwards Aquifer. Exposed limestone observed throughout the property was consistent with characteristics of the Cyclic and Marine Member.

The Cyclic and Marine Member of the Person Formation is characterized by the presence of thinly bedded mudstone, packstone and grainstone with structurally based porosity. The full section thickness of this member is approximately 80 to 90 feet thick. Based on a review of a well log of an existing well located on the subject property, the site is estimated to be underlain by approximately 45 feet of the Cyclic and Marine Member. Additionally, the Del Rio Clay is known to abut the subject site on adjacent properties, but was not observed on any surrounding properties. No evidence of Del Rio Clay was observed on the subject site.

- C. A solution-enlarged fracture and a non-karst closed depression was observed in the southwest corner of the property. These features do not appear to be sensitive. No creekways were observed to cross the site.

A water well was observed to be in use on the subject site. This well appeared to be in good condition and to meet all current regulations for personal use.

No evidence of faults or other sensitive or significant recharge features were found on the site or within the immediate vicinity of the subject site.

ENVIRONMENTAL CONCERNS

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

Site Specific Concerns

1. A septic system is located on the site and shall be maintained properly to insure there is no potential for contamination of the Edwards Aquifer.
2. An operational well was observed on the site and shall be maintained properly to insure there is no potential for contamination of the Edwards Aquifer via the wells.
3. The property lies adjacent to the 100-year floodplain, along the northeastern side of the property, 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 10% on the site.
2. The SAWS recommendation of 10% maximum impervious cover is based on the fact that the applicant has agreed to current impervious cover conditions (includes current house and well building) and the driveway that is to be paved. The applicant shall pave the driveway and provide green space for filtering around the driveway.
3. A floodplain buffer shall be provided along the northeastern portion of the property as required in Ordinance No. 81491, Section 34-913.
4. The applicant mentioned that this site is to be used solely as an office, therefore chemicals shall not be used or stored on site.
5. The land uses within the project site shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at the project site. If the land use is listed as special use, a special permit must be obtained for that use. If the land use is listed as not allowed, that land use will not be permitted on the project site.
6. The owner of all water pollution abatement structures shall ensure these structures are properly maintained and kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Resource Protection Division of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. The new owner must submit a signed water quality maintenance plan to the Resource Protection Division of SAWS.
7. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing Groundwater Pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210/222-2204), or equivalent information produced by the U.S. Natural Resource Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, shall be

8. The applicant shall notify the Construction Compliance Section of the Resource Compliance Division of SAWS at (210) 233-3564 no later than 48 hours prior to the commencement of construction at the site. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3520.
9. If any sensitive geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3520.

General Recommendations

1. Prior to the release of any building permits the owner/operator of any Category 2 property shall submit an Aquifer Protection Plan to the Resource Protection Division of the San Antonio Water System.
2. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer Protection & Evaluation Section of the Resource Protection Division:
 - A. A copy of the Water Pollution Abatement Plan (WPAP) shall be submitted for each particular development/use within the area being considered for re-zoning,
 - B. A set of site specific plans which must have a signed Engineers Seal from the State of Texas,
 - C. A WPAP approval letter from the Texas Commission on Environmental Quality (TCEQ),
 - D. A copy of the approved Water Pollution Abatement Plan.
3. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.
4. If a water quality basin is constructed on the property, the following is required:
 - A. Below grade basins shall not be allowed to be constructed on the site.
 - B. Prior to the start of the basin construction, the owner will notify the Aquifer Protection and Evaluation Section of the San Antonio Water System at (210) 233-3520 to schedule a site inspection.
 - C. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Aquifer Protection and Evaluation Section at (210) 233-3520 to schedule a site

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

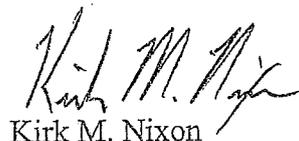
D. If the basin fails to drain properly, the owner will notify the Construction Section of the Resource Compliance Division at (210) 233-3564 prior to any discharge of water.

E. If at any time the ownership of the property changes, the seller must inform the buyer of all requirements for maintenance of the Basin. A signed basin maintenance plan and schedule agreement, from the new owner, must be submitted to the Resource Protection Division of SAWS.

5. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.

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

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



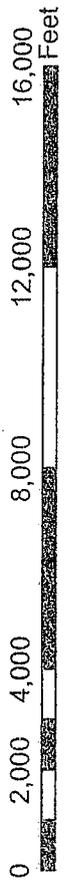
Kirk M. Nixon
Manager
Resource Protection Division

APPROVED:



Scott R. Halty
Director,
Resource Protection & Compliance Department

KMN:MJB



1:45,988

Zoning Case No. Z2008070 Figure 1

Professional Building

Map Page 549 A2

X=2105328 Y=13750114

Map Prepared by Aquifer Protection and Evaluation MJB 1/3/2008



Zoning Case No. Z2008070 Figure 2

Professional Building

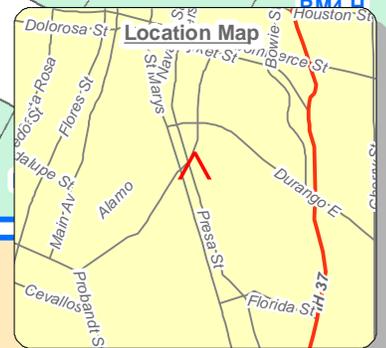
Map Page 549 A2

X=2105328 Y=13750114

Map Prepared by Aquifer Protection and Evaluation MJB 1/3/2008



1:4,893



Zoning Case Notification Plan

Case Z-2008-072

Council District 1

Scale: 1" approx. = 100'

Subject Property Legal Description(s): Lot 1 - NCB 00923 - Block 001

Legend

- Subject Property (0.23 Acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(02/01/2008)

CASE NO: Z2008072 CD

Final Staff Recommendation - Zoning Commission

Date: March 04, 2008 Zoning Commission Continuance From February 05, 2008 and February 19, 2008

Council District: 1

Ferguson Map: 616 F6

Applicant Name: **Owner Name:**

Ralph Cortez Ricardo Balderrama and Jose Rodriguez

Zoning Request: From "H C-2" Historic Commercial District to "H C-2" (CD- Bar/ Tavern) Historic Commercial District with a Conditional Use for a bar/ tavern.

Property Location: Lot 1, Block 1, NCB 923
620 South Presa Street
South Presa Street between Camargo Street and Callaghan Avenue

Proposal: To allow a jazz bar with live music.

Neigh. Assoc. Lavaca Neighborhood Association

Neigh. Plan Lavaca Community Plan

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

A finding of consistency is not required because no change to the base zoning district is being requested. The Lavaca Community Plan designates the subject property as Mixed Use for future land use.

Denial.

The subject property is a 0.2239 acre parcel located on the south side of downtown San Antonio. The property is located on the east side of South Presa Street, a Secondary Arterial "Type B," south of the South Alamo Street and South Presa Street intersection. The parcel received the "H" Historic designation on November 08, 2001. The current zoning on this parcel converted from "B-2" H.D. to "H C-2" following the adoption of the current zoning districts in 2002. The existing commercial structure was built in 1960 and totals 2636 square feet. The property to the north of the subject property, at the corner of South Presa Street and Camargo Street, is zoned "H C-2" and "H RM-4" and is being utilized as a commercial parking lot. The property to the south of the subject property is zoned "H HS C-2" and is being utilized as an office building. Properties in the 600 block of South Presa Street are zoned "RM-4" with various historic designations and they are occupied with duplex or single family residences. The property to the west across South Presa Street is zoned "C-3NA NCD-1" General Commercial Nonalcoholic Sales District. The subject property is within South Presa/ South St. Mary's Streets Neighborhood Conservation District.

The applicant is requesting this zoning change to allow a bar with live music. Although the subject property is fairly close to South Alamo Street, where similar uses (bars, cafes and restaurants with alcohol) are located, there are residential units immediately to the north, northeast and east of the subject property. The requested zone change for this location is not appropriate and would create an adverse impact on the neighbors due to the potential nuisance (noise) from the requested use and additional traffic.

Should the Zoning Commission choose to recommend approval of the request, just to note, a "Type B" buffer would be required along the north and east property lines to screen and separate the proposed use from the adjoining residential areas. "C-2" districts accommodate commercial and retail uses that are more intensive in

CASE NO: Z2008072 CD

Final Staff Recommendation - Zoning Commission

character than "NC" and "C-1" uses, and which generate a greater volume of vehicular traffic and/or truck traffic.

CASE MANAGER : John Osten 207-2187

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2008072

Existing Zoning: C-2 H

Requested Zoning: C-2 H CD to allow for a bar or tavern

Registered Neighborhood Association(s):

Lavaca Neighborhood Association

Neighborhood/Community/Perimeter Plan:

Lavaca Neighborhood Plan

Future Land Use for the site:

Mixed Use – allows for mixed uses within the same building or development, transit supported mixed use development, gift shops, offices, restaurants, beauty parlors, small neighborhood groceries or markets, coffee shops, shoe sales and repair shops, medial clinics and offices, specialty retail sales shops, live/work units, limited number of apartments and multi-family structures and less intense residential zoning districts.

Other Comments:

The subject parcel is located on S. Presa Street, a corridor that in the Lavaca Land Use Plan has been designated for mixed use development. Across the street from the subject property, along Presa, office and commercial uses prevail. However, on the same side of the street as the subject parcel, there is an intermixing of land uses, including residential. Residential uses are located immediately adjacent to the south, east and southwest of the property.

The applicant states in his application that the welfare of the neighborhood has been taken into consideration by reconditioning the building in order to mitigate any negative effects incurred by the proposed use. The potential negative effects of bars were a concern for the Lavaca Neighborhood when developing the Neighborhood Plan. In the "Heart of the Neighborhood" chapter of the Plan, a component of the Economic Development goal of the neighborhood is to "Discourage future development of bars and encourage better operation and management of existing bars with the neighborhood" (Objective 1.1.3, pg. 19).

In addition, due to the historic designation attached to the parcel, any proposed exterior changes, including, but not limited to signage, awnings, lighting should have consultation by the City of San Antonio Historic Division to ensure compliance with Historic District Codes.

Analysis:

Request conforms to Land Use Plan

Request does not conform to Land-Use Plan

Consistency Recommendation is not required

Staff Recommendation:

Approval

Denial

Alternate Recommendation

Based upon Objective 1.1.3 in the Neighborhood Plan (see details above) and the subject parcel's proximity to residential uses, staff recommends denial. However, if certain mitigation efforts are confirmed (sufficient parking, sound barriers, etc.) that would reduce any negative impact to adjacent residences, staff could consider approval.

Reviewer: Andrea Gilles

Title: Sr. Planner

Date: 1/08/08

Manager Review: Nina Nixon-Mendez

Date:



Zoning Case Notification Plan

Case Z-2008-079

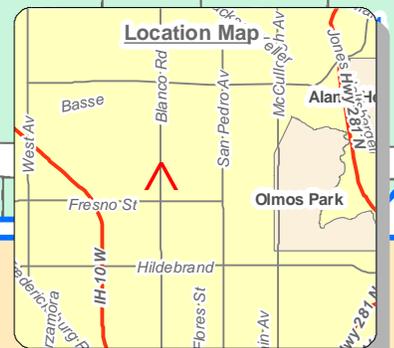
Council District 1

Scale: 1" approx. = 100'

Subject Property Legal Description(s): Lot 29 - NCB 09215 - Block 012

Legend

- Subject Property (0.207 Acres)
- 200' Notification Buffer
- Current Zoning R6
- Requested Zoning Change (R6)
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(01/30/2008)

CASE NO: Z2008079 CD

Final Staff Recommendation - Zoning Commission

Date: March 04, 2008 Zoning Commission Continuance from February 19, 2008
(Commissioner Request)

Council District: 1

Ferguson Map: 582 C5

Applicant Name: **Owner Name:**
Jesus Chavira Jesus Chavira C/S Maria H Oviedo

Zoning Request: From "R-6" S Residential Single-Family District with a Specific Use Authorization for a Daycare to "C-2" (CD-Contractor Facility) Commercial District with a Conditional Use for a Contractor Facility.

Property Location: Lot 29, Block 12, NCB 9215
866 Lee Hall
The Southeast corner of Lee Hall and Blanco Road

Proposal: To allow a Contractor Facility

Neigh. Assoc. Edison Neighborhood Association. Northwest Los Angeles Heights Neighborhood Association is within 200 feet

Neigh. Plan North Central Neighborhoods Community Plan

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Inconsistent

The North Central Neighborhoods Community Plan designates the property as Low Density Residential. A Plan Amendment is required in order to rezone the subject property to C-2 CD. The applicant submitted a plan amendment to change the land use designation on January 11, 2008 and it was withdrawn at the February 27, 2008 Planning Commission Meeting.

Denial

The subject property is occupied by a single-family residential dwelling with frontage on Lee Hall. The property is adjacent to R-4 zoning to the north and east; C-3 and C-2 zoning to the west; R-4 and O-2 zoning to the south. The surrounding land uses consist of residential dwellings to the north, south and east and commercial uses to the west, with residences beyond.

The applicant is requesting a zoning change to allow a contractor facility. Staff recommends denial of the requested zoning on the basis that it would constitute encroachment of an industrial use into the single-family residential neighborhood. The proposed use would not be compatible with the current uses along Lee Hall or Blanco Road. A contractor facility is identified in the UDC as a use requiring a minimum zoning district of I-1 to be allowed by-right. The use may also be allowed in the L and C-3 districts with the approval of a specific use authorization. In accordance with Section 35-422, Table 422-1 of the Unified Development Code, any use allowed by right in I-1 may be allowed as a conditional use in C-2.

Single family dwellings exist to the east of the subject property. I-1 uses are not recommended adjacent to residential uses. In order to provide sustainable development, land uses should transition from more intense uses to less intense uses.

CASE NO: Z2008079 CD

Final Staff Recommendation - Zoning Commission

In December 2006, the applicant submitted a rezoning application for the property located at 866 Lee Hall and requested a conditional use for a professional office. However, upon completion of the site visit it was determined that the property was being utilized as a contractor facility and therefore the case was postponed. The rezoning application was incomplete as it was lacking the property owner's specific written consent. The applicant was given ample time to provide the required documentation but did not and the case was voided. The applicant submitted a new rezoning application in January 2008.

CASE MANAGER : Brenda Valadez 207-7945

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2008079

Address: 866 Lee Hall

Existing Zoning: R6 S

Requested Zoning: C2 CD

Registered Neighborhood Association(s): Edison

Neighborhood/Community/Perimeter Plan: North Central

Future Land Use for the site: Low Density Residential- Low Density Residential homes comprise the future and existing land use of the Edison Neighborhood area directly east of Blanco Road. The subject property is a +/- .20 acre lot situated at the corner of Lee Hall Road and Blanco Road and is part of a long established residential neighborhood. The Northwest Los Angeles Heights Neighborhood is directly west of Blanco Road, and many parcels along Blanco Road are designated Neighborhood Commercial. Uses are predominantly service oriented with restaurants, small retail centers, and convenient stores.

Other Comments:

The subject property is located in the North Central Perimeter Plan; in the Edison Neighborhood. It directly borders the Greater Dellview Community Plan and Northwest Los Angeles Heights Neighborhood, to the east of Blanco Road.

This request proposes a zoning change of about 0.20 acres of a single parcel located in a well established single family neighborhood. The request calls for a conversion to commercial uses, which is inconsistent with the surrounding land uses within the Edison neighborhood.

Analysis:

The requested zoning change from R6-S to C2 CD will require a plan amendment from Residential Use in order to maintain consistency with the Perimeter Plan. Before a formal land use recommendation can be considered, staff would require that all proposed uses for the property be clearly identified by the applicant.

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: Gary Edenburn

Title: Planner

Date: 1/22/2008

Manager Review: Nina Nixon-Mendez

Date: 1/29/2008



Zoning Case Notification Plan

Case Z-2008-082

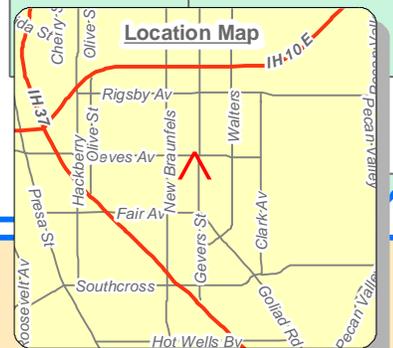
Council District 3

Scale: 1" approx. = 80'

Subject Property Legal Description(s): Lot 16 - NCB 02946 - Block 008

Legend

- Subject Property (0.139 Acres)
- 200' Notification Buffer
- Current Zoning R4
- Requested Zoning Change (R6)
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(02/04/2008)

CASE NO: Z2008082

Final Staff Recommendation - Zoning Commission

Date: March 04, 2008 Zoning Commission Continuance from February 19, 2008
(Commissioner Request)

Council District: 3

Ferguson Map: 651 D1

Applicant Name: **Owner Name:**
David Torres Torres Taco Haven Inc.

Zoning Request: From "R-4" Residential Single-Family District to "NC" Neighborhood Commercial District.

Property Location: Lot 16, Block 8, NCB 2946
143 Cosgrove
West of the intersection of South Gevers Street and Cosgrove Street

Proposal: To allow a Restaurant

Neigh. Assoc. Highland Park Neighborhood Association. Southeast Citizens Committee is within 200 feet

Neigh. Plan Highlands Community Plan

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Inconsistent

The Highlands Community Plan designates the property as low density residential at this location. A Plan Amendment is required in order to rezone the subject property to NC. The applicant submitted a plan amendment to change the land use designation on January 17, 2008 and it was continued to the April 9, 2008 Planning Commission Meeting.

Approval pending Plan Amendment

The subject property is a 6,050 square foot parcel of undeveloped land fronting Cosgrove Street (a local residential street). The lot is currently being utilized as additional parking for the existing Taco Haven restaurant which is on the corner of Cosgrove Street and South Gevers Street (a Collector Street). The property is adjacent to R-4 zoning to the north and west; I-1 and C-2 zoning to the east and O-2 zoning to the south. The surrounding land uses consist of residential dwellings to the north and west, a restaurant and vacant land to the east and a church and residences to the south.

The purpose of the rezoning request is to allow the reconstruction of the Taco Haven restaurant on this parcel. The proposed restaurant would be approximately 2200 square feet in size. Staff finds the zoning request to be appropriate given the subject property's close proximity to South Gevers Street as well as the prevalence of commercial zoning to the east. The applicant currently owns the property located at 3119 South Gevers Street and intends to use that property as parking for the newly constructed restaurant. Being that the current use of the property is not residential, there will be no loss of housing stock in this neighborhood. Additionally, the proposed rezoning would extend the commercial use into the block only as far as the existing church use to the south (currently zoned O-2).

The Neighborhood Commercial District would limit the potential commercial impact on the established residential neighborhood. It would also serve as a suitable buffer between the existing industrial zoned lot and the established residential neighborhood. Furthermore, Neighborhood Commercial Districts allow for a

CASE NO: Z2008082

Final Staff Recommendation - Zoning Commission

smaller building and less intense commercial uses.

CASE MANAGER : Brenda Valadez 207-7945

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2008082

Existing Zoning: R-4

Requested Zoning: NC

Registered Neighborhood Association(s):

Highland Park

Neighborhood/Community/Perimeter Plan:

Highlands Community Plan

Future Land Use for the site:

Low Density Residential – includes single-family housing on individual lots. All off-street parking and vehicle use areas adjacent to residential uses require buffer landscaping and lighting and signage controls.

Neighborhood Commercial (Pending proposed plan amendment) – allows for small offices and shop-front retail establishments that can be served by pedestrian access, generally less than 5000 square feet. No Drive through establishments are permissible. Uses should be scale with the surrounding residential development.

Other Comments:

The subject parcel is located on S. Gevers Street, a small area that in the Highlands Community Land Use Plan has been designated low density residential. Across Cosgrove, south of the subject property, neighborhood commercial prevails along S Gevers. However; north, east and west of the subject property is surrounded by low density residential.

The size and location of the subject property is consistent with the requirements for neighborhood commercial and would act as an economic stimulus for the area in question.

Analysis:

Request conforms to Land Use Plan

Request does not conform to Land Use Plan

Consistency Recommendation is not required

Staff Recommendation:

Approval

Denial

Alternate Recommendation

Approval pending plan amendment 08015

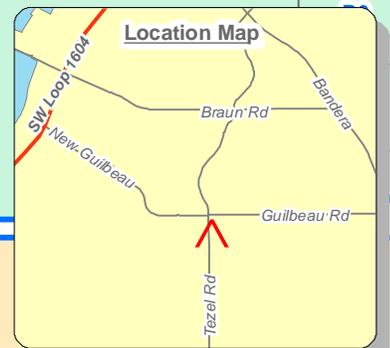
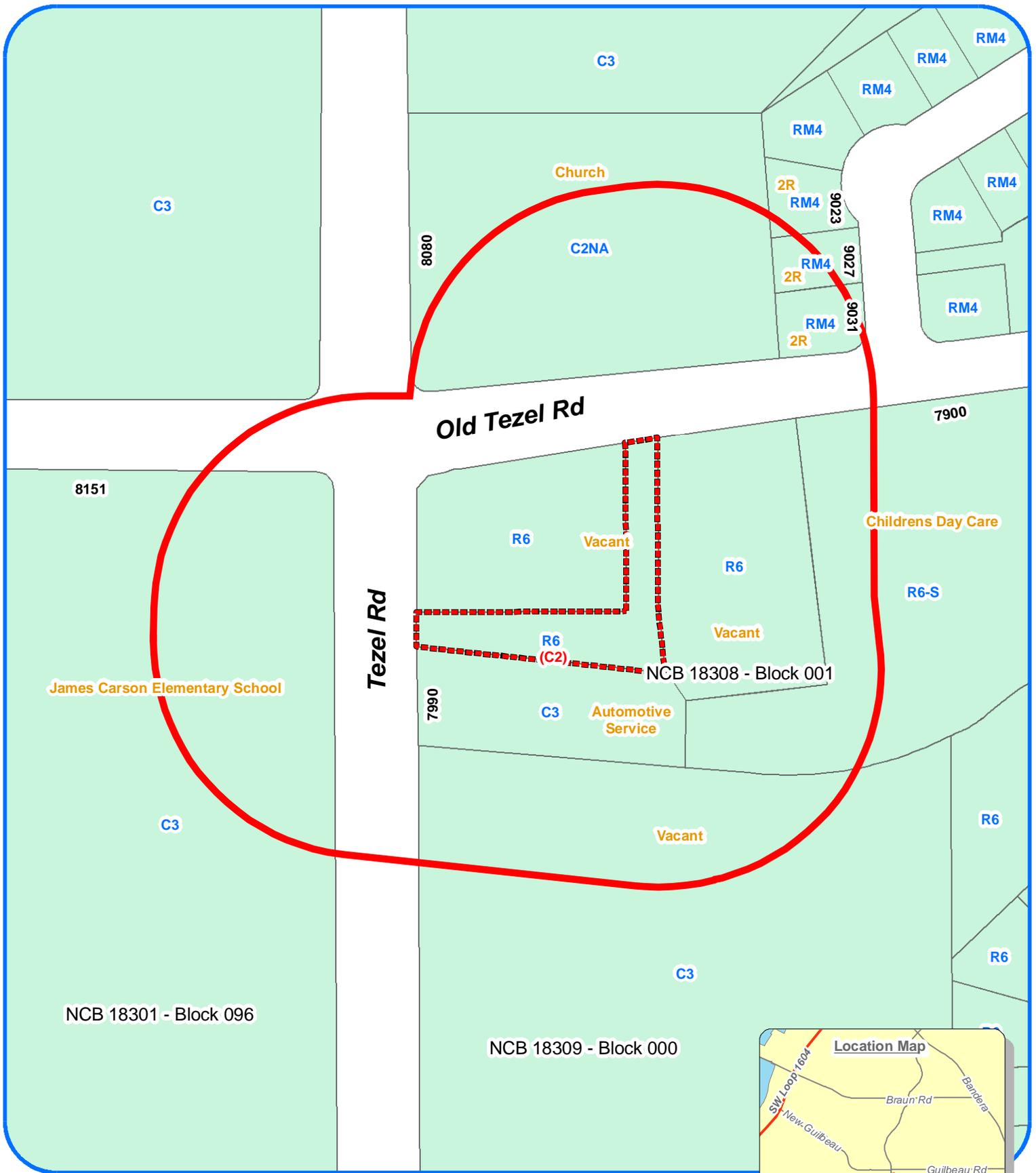
Reviewer: Lauren Edlund

Title: Planner

Date: 2/19/2008

Manager Review: Nina Nixon-Mendez

Date: 2/19/2008



Zoning Case Notification Plan

Case Z-2008-039

Council District 7

Scale: 1" approx. = 120'

Subject Property Legal Description(s): A Portion of Lot 1 Exc NW Irr 15.40 Tri and NE Irr 31.98 of Lot 2 - NCB 18308 - Block 001

Legend

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



City of San Antonio - Development Services Dept
(01/08/2007)

CASE NO: Z2008039

Final Staff Recommendation - Zoning Commission

Date: March 04, 2008 Zoning Commission Continuance from December 18, 2007

Council District: 7

Ferguson Map: 547 B8

Applicant Name: Phil Garay **Owner Name:** Adalberto Hernandez

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

Property Location: Lot 2 and the east 30 feet of Lot 1, Block 1, NCB 18308
7900 Block of Tezel Road
Southeast Corner of Tezel Road and Old Tezel Road

Proposal: Commercial Use

Neigh. Assoc. Tezel Heights Homeowner's Association is within 200 feet

Neigh. Plan Northwest Community Plan

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Consistent.

The Northwest Community Plan calls for Community Commercial land uses at this location. Community Commercial provides for offices, professional services, and retail uses of moderate intensity and impact.

Approval

The subject property is located on the northwest side of San Antonio along Tezel Road, which is identified as a Secondary Arterial Type A. The surrounding zoning consists of "R-6" Residential Single-Family District to the east and "C-3" General Commercial District to the south. "C-2 NA" Commercial Nonalcoholic Sales District zoning is across Old Tezel Road to the north and there is "C-3" General Commercial District across Tezel Road to the west and northwest. The subject property is within the Northwest Community Plan area and is within 200 feet of the Tezel Heights Homeowner's Association. Immediately to the south of the subject property is an automotive service facility and vacant land to the east. To the north across Old Tezel Road is a church and there is a school to the west across Tezel Road. The applicant has applied for "C-2" Commercial District to expand the automotive service, which is located at 7990 Tezel Road, and to allow for additional employee and customer parking. The "C-2" Commercial District would be more appropriate and compatible at this location than the current zoning. The applicant amended the application from "C-3" General Commercial District to "C-2" Commercial District.

The subject property was annexed into the City of San Antonio in December of 1987. In 2002, following the adoption of the Unified Development Code, the existing "R-6" Residential Single-Family District converted from the previous Temporary "R-1" Single-Family Residence District.

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

CASE NO: Z2008039

Final Staff Recommendation - Zoning Commission

CASE MANAGER : Pedro Vega 207-7980

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2008039

Existing Zoning: R-6

Requested Zoning: C-3

Registered Neighborhood Association(s):
Tezel Heights Neighborhood Association

Neighborhood/Community/Perimeter Plan:
Northwest Community Plan

Future Land Use for the site: Community Commercial

Low Density Residential includes Single Family Residential 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.

Community Commercial provides for offices, professional services, and retail uses of moderate intensity and impact. Examples of uses include a grocery store, a medical office, music store, shoe store, nursery, or mailing services store. Locations for Community Commercial include along arterials. Community Commercial can serve as an appropriate buffer between low, medium, and high density residential uses, or between an arterial and low density residential. Parking is encouraged in the rear of the buildings, appropriately buffered from adjacent residential uses through landscaping, screening and lighting controls.

Regional Commercial provides for offices, professional services, and retail uses that draw on the customer base of a region. Example of uses include "big box" retail and retail "power centers", shopping malls, movie theaters, and medical or office complexes that are mid to high rise.

Regional Commercial uses are typically located at nodes formed by highways and major arterials, or two major arterials, and are usually 20 acres or greater in size. Regional Commercial is appropriate at the major arterial/highway intersections of Culebra/Loop 1604 and Bandera/Loop 1604.

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:

Supports Recommends Denial

Alternate Recommendation:

A C-2 use would be more appropriate in this area as it would be adjacent to institutional uses and backed by residential uses.

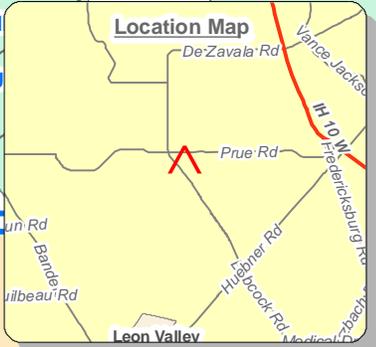
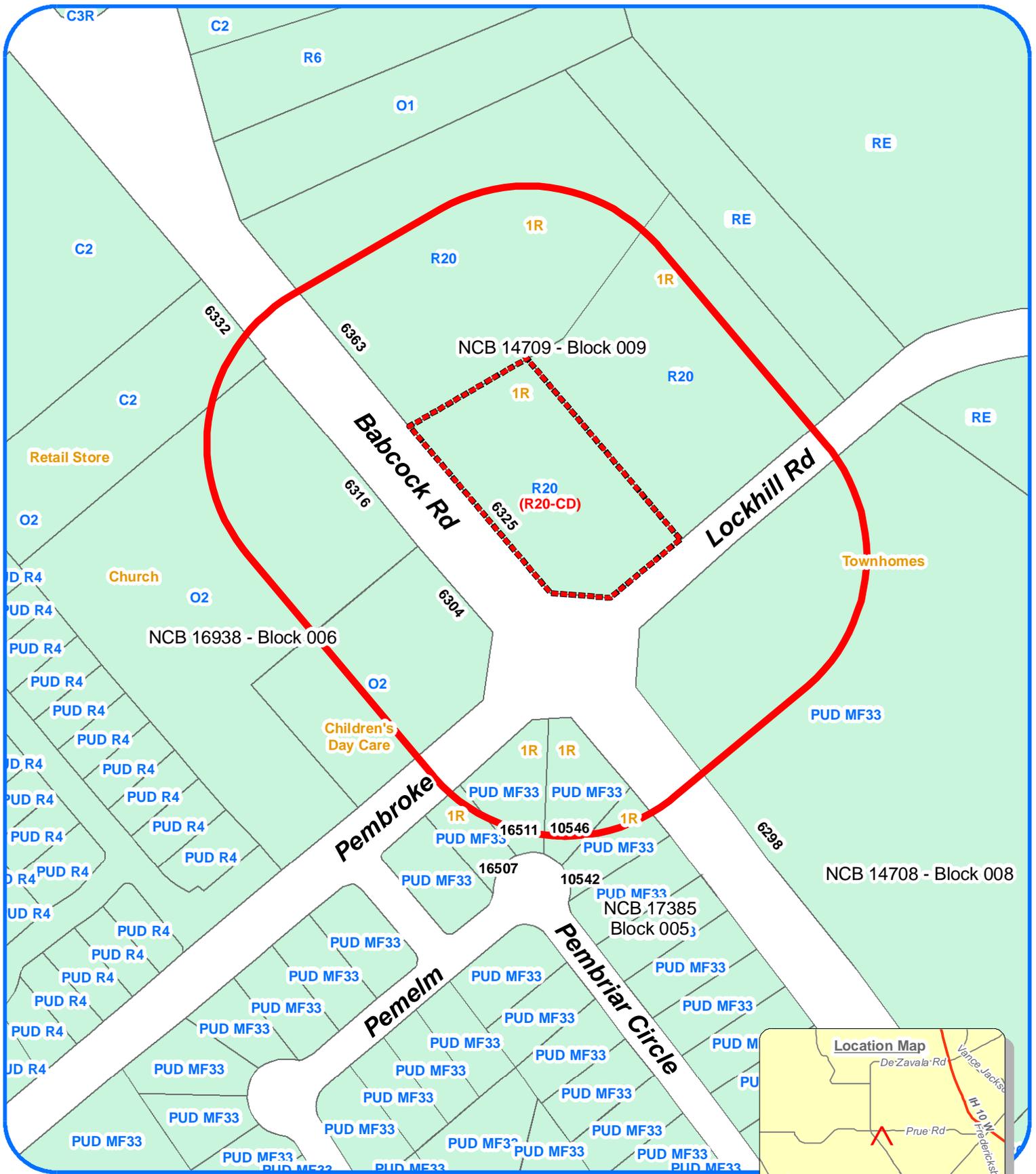
Reviewer: Tamara Palma

Title: Planner

Date: 11/09/2007

Manager Review: Nina Nixon-Mendez

Date: 11/13/2007



Zoning Case Notification Plan

Case Z-2008-074

Council District 8

Scale: 1" approx. = 150'

Subject Property Legal Description(s): A Portion of E 1/4 of S 1/4 of Section 10, T1N, R17E, S10 - NCB 14709 - Block 009

Legend

- Subject Property (1.00 Acres)
- 200' Notification Buffer
- Current Zoning R6
- Requested Zoning Change (R6)
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(02/22/2008)

CASE NO: Z2008074 CD

Final Staff Recommendation - Zoning Commission

Date: March 04, 2008

Council District: 8

Ferguson Map: 548 B4

Applicant Name:

Owner Name:

6325 Babcock Road, LLC

Reagan and Joan Smith

Zoning Request: From "R-20" Residential Single-Family District to "R-20" (CD- Professional Office) Residential Single-Family District with a Conditional Use for a Professional Office.

Property Location: 1.00 acre out of NCB 14709

6325 Babcock Road

Northeast corner of Babcock Road and Lockhill Road

Proposal: To Allow a Professional Office

Neigh. Assoc. Oakland Estates Neighborhood Association. Alamo Farmsteads - Babcock Road Neighborhood Association is within 200 feet

Neigh. Plan Oakland Estates Neighborhood Plan

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

A finding of consistency is not required since the applicant is not requesting a change in the base zoning district. The Oakland Estates Neighborhood Plan designates the subject property as low-density residential estate.

Approval

The subject property is occupied by a single-family residential dwelling with frontage on Babcock Road. The property is adjacent to R-20 zoning to the north and west; PUD MF-33 zoning to the east and O-2 and C-2 zoning to the southwest. The surrounding land uses consist of vacant land and residential dwellings to the north, east, and west and a daycare, retail store and a church to the southwest.

This property was the subject of a comprehensive rezoning case. In case Z2007141, the Oakland Estates Neighborhood was rezoned from "R-20" Residential Single-Family District to "RE" Residential Estate and from "R-6" Residential Single-Family District to "R-20" Residential Single-Family District in order to make the zoning consistent with the community plan.

The applicant is requesting a rezoning to allow a dental office. Staff finds the zoning request to be appropriate given the subject property's location along a major arterial and the prevalence of office and commercial zoning to the south. The application of a conditional use provides an opportunity to limit the impact of the proposed use on surrounding properties. The R-20 (CD-Professional Office) would allow for the proposed building size as well as limit the scope of use allowed and restrict future occupancy should the use cease for an extended period of time. Additionally, the proposed zoning district and use of the property are consistent with the current development pattern along this portion of Babcock Road as there are parcels in the immediate vicinity which may be developed with these types of uses in the future since they have existing commercial and office zoning districts.

Should the Zoning Commission recommend approval, the following conditions are applicable per the UDC:

CASE NO: Z2008074 CD

Final Staff Recommendation - Zoning Commission

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

CASE MANAGER : Brenda Valadez 207-7945

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2008074

Existing Zoning: R-20

Requested Zoning: R-20 CD to allow for a Dental Office

Registered Neighborhood Association(s):

- Oakland Estates Neighborhood Association
- Alamo Farmsteads-Babcock Road Neighborhood Association is directly adjacent across Babcock Road to the west.

Neighborhood/Community/Perimeter Plan:

Oakland Estates Neighborhood Plan

Future Land Use for the site:

Low Density Residential Estate

Includes large lot single-family residential development which would allow an individual lot no less than 15,000 square feet. 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.

Other Comments:

The subject property is located at the intersection of Babcock and Lockhill Roads. Babcock is a Secondary Arterial Type A with 86' of Right-of-Way. Such an arterial would generally support the requested lesser intense office use. Although single family residences exist adjacent to the subject parcel, the applicant indicates in the application that additional property to the east will be acquired in order to maintain a buffer between the proposed office use and single family residences.

Analysis:

Request conforms to Land Use Plan

Request does not conform to Land Use Plan

Consistency determination not required because base zoning is not changing

Staff Recommendation:

Supports

Recommends Denial

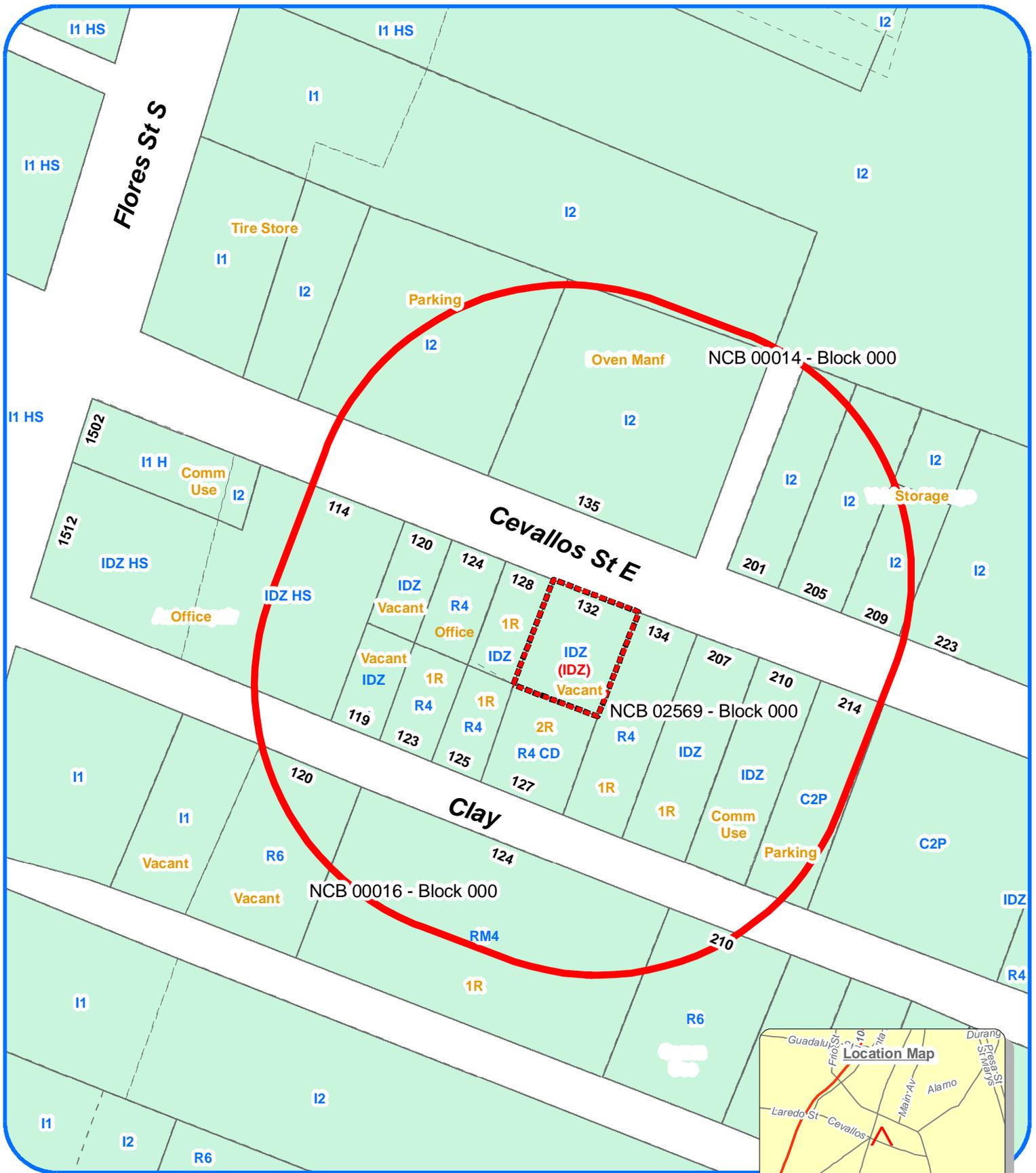
Reviewer: Andrea Gilles

Title: Sr. Planner

Date: 1/09/2008

Manager Review: Nina Nixon-Mendez

Date: 1/9/2008



Zoning Case Notification Plan

Case Z-2008-089

Council District 5

Scale: 1" approx. = 100'

Subject Property Legal Description(s): Lot A4 - NCB 02569 - Block 000

Legend

- Subject Property (0.1503 Acres)
- 200' Notification Buffer
- Current Zoning R6
- Requested Zoning Change (R6)
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(02/08/2008)

CASE NO: Z2008089 CD

Final Staff Recommendation - Zoning Commission

Date: March 04, 2008

Council District: 5

Ferguson Map: 616 D7

Applicant Name:

Owner Name:

Rick and Angela Martinez

Patrick S. Shearer

Zoning Request: From "IDZ" Infill Development Zone with uses permitted in "R-4" Single-Family Residential District and "NC" Neighborhood Commercial District to "IDZ" Infill Development Zone with uses permitted in "C-2" (CD-Theater-Outdoor including Drive-In and Amphitheaters) Commercial District with a Conditional Use for a Theater-Outdoor including Drive-In and Amphitheaters.

Property Location: Lot A4, NCB 2569
132 East Cevallos
East of the intersection of East Cevallos and South Flores Street

Proposal: To allow an Outdoor Theater

Neigh. Assoc. None

Neigh. Plan South Central San Antonio Community Plan

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Consistent

The South Central San Antonio Community Plan designates the subject property as Mixed Use. Mixed Use provides for a concentrated blend of residential, retail, professional services, office, entertainment, leisure and other related uses at increased densities to create a pedestrian-oriented environment.

Denial

The subject property is occupied by a vacant commercial structure with frontage on East Cevallos Street. The property is adjacent to I-2 zoning to the north; R-4 and NC zoning to the east and west and R-4 zoning to the south. The surrounding land uses consist of a manufacturing use to the north; residential and office uses to the east and west and residential dwellings to the south.

The applicant is requesting a zoning change to allow an outdoor theater. The requested C-2 zoning, and proposed use, would not be compatible with the surrounding zoning districts and current uses along East Cevallos Street. Outdoor theaters are generally intense uses that are not compatible in residential and low-intensity commercial and office areas. Single-family dwellings and office uses exist to the east, west and south of the subject property. In order to provide sustainable development, land uses should transition from more intense uses to less intense uses. Cevallos Street is the obvious beginning point of the transition in this neighborhood, as supported by the previous large-area rezoning case.

Furthermore the residential units to the immediate south, east and west of the subject property are within close proximity to the subject property; thus, creating an adverse impact on the neighbors due to the potential nuisance (noise) from the requested use and additional traffic.

CASE NO: Z2008089 CD

Final Staff Recommendation - Zoning Commission

An outdoor theater is identified in the UDC as a use requiring a minimum zoning district of L to be permitted by-right. In accordance with Section 35-422, Table 422-1 of the Unified Development Code, any use allowed by-right in L may be allowed as a conditional use in C-2.

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

1. All on-site lighting shall be directed onto the site and pointed away from any residential zoning or uses using 90 degree or less cut-off fixtures
2. Allowable hours of operations shall not be permitted before 9:00 am or after 9:00 pm.
3. One 3-foot by 3-foot sign may be permitted at the entrance to the property.

CASE MANAGER : Brenda Valadez 207-7945

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2008089

Existing Zoning: IDZ (used permitted in R-4 and NC) **Requested Zoning:** IDZ (uses permitted in C-2 to allow for outdoor theatre)

Registered Neighborhood Association(s):
None

Neighborhood/Community/Perimeter Plan:
South Central San Antonio Community Plan

Future Land Use for the site:

Mixed Use – provides for a concentrated blend of residential, retail, professional service, office, entertainment, leisure and other related uses at increased densities to create a pedestrian-oriented environment. This classification allows for a mix of uses in the same building or in the same development such as small offices, small retail establishments, and high-density residential uses. By indicating that an area is a candidate for mixed-use development, the community is calling for an overall development plan that includes a mix of uses within the development and within the individual buildings.

Other Comments:

The applicant's request for a zoning change to IDZ with uses permitted within C-2 to allow for an outdoor theatre is consistent with the South Central San Antonio Community Land Use Plan. The overall area is transitioning to one of a greater mix of uses that are pedestrian and neighborhood oriented. The applicant's request is appropriate for this existing and transitioning mixed use area.

Analysis:

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

Consistency Recommendation is not required

Staff Recommendation:

Approval Denial
 Alternate Recommendation

Reviewer: Andrea Gilles

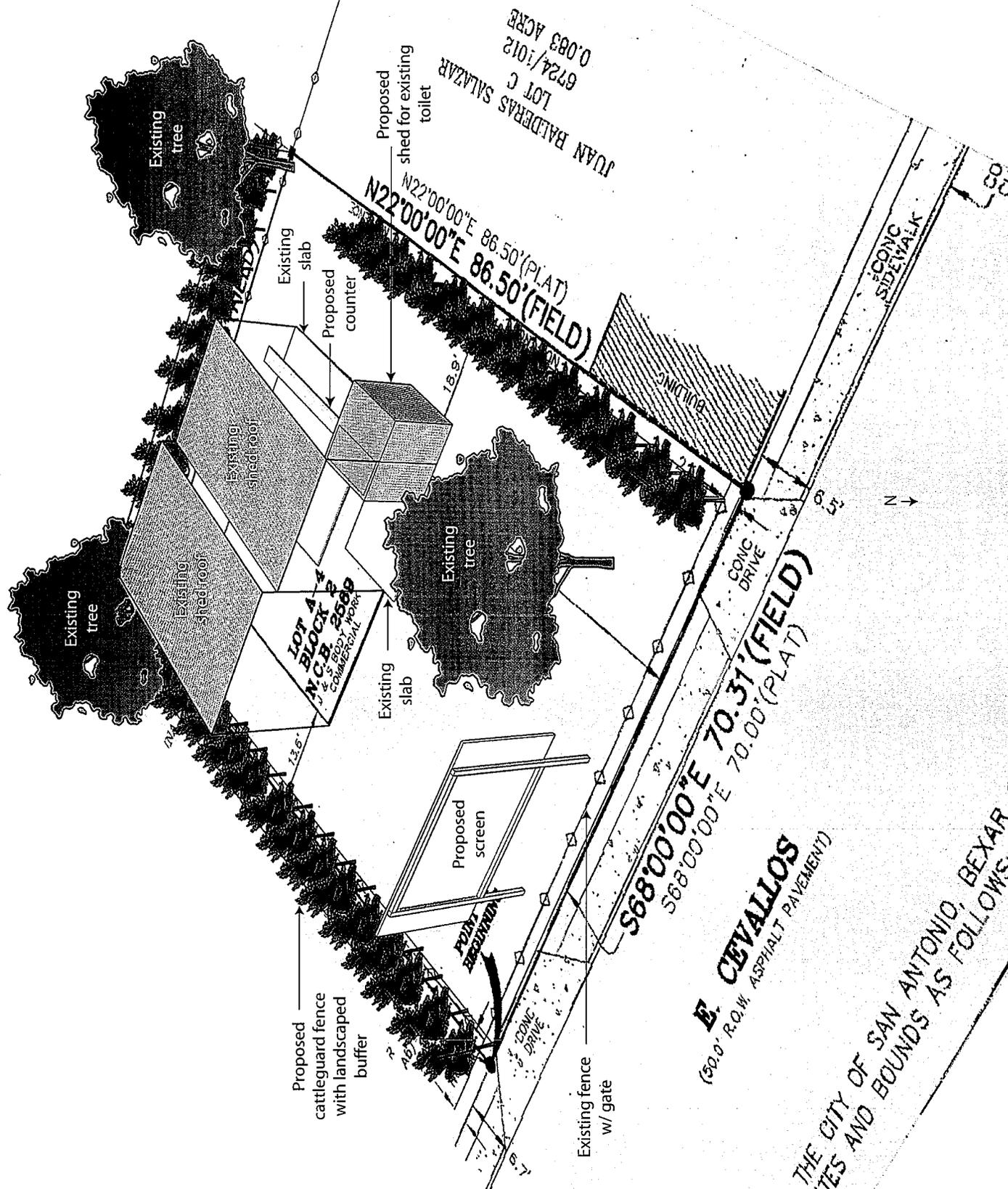
Title: Sr. Planner

Date: 2/13/08

Manager Review: Nina Nixon-Mendez

Date:

72008089



JUAN BALDEBAS SALAZAR
 LOT C
 6724/1012
 0.083 ACRES

N22°00'00"E 86.50'(PLAT)
 N22°00'00"E 86.50'(FIELD)

LOT 4
 BLOCK 2
 N.C.B. 2569
 1/4 S. BODY
 COMMERCIAL

S68°00'00"E 70.31'(FIELD)
 S68°00'00"E 70.00'(PLAT)

E. CEVALLOS
 (50.0' R.O.W. ASPHALT PAVEMENT)

COCK 2569, IN THE CITY OF SAN ANTONIO, BEXAR
 DESCRIBED BY METES AND BOUNDS AS FOLLOWS



Zoning Case Notification Plan

Case Z-2008-091

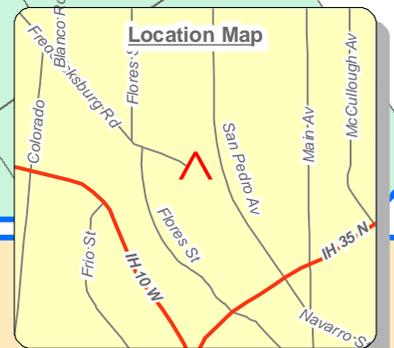
Council District 1

Scale: 1" approx. = 100'

Subject Property Legal Description(s): Lot 4 - NCB 00753 - Block 000

Legend

- Subject Property (0.1956 Acres)
- 200' Notification Buffer
- Current Zoning R6
- Requested Zoning Change R6
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(02/19/2008)

CASE NO: Z2008091

Final Staff Recommendation - Zoning Commission

Date: March 04, 2008

Council District: 1

Ferguson Map: 616 D3

Applicant Name:

Owner Name:

Miguel A. Gallegos

Miguel A. Gallegos

Zoning Request: From "RM-4" Residential Mixed District to "O-1" Office District.

Property Location: Lot 4, NCB 753

723 Jackson

West side of Jackson, south of West Cypress

Proposal: To allow office use

Neigh. Assoc. Five Points Neighborhood Association

Neigh. Plan Five Points Neighborhood Plan

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

Staff Recommendation:

Consistent.

The Five Points Neighborhood Plan calls for a future land use of Mixed-Use/Offices, which includes offices (i.e. dentists, insurance agencies and nonprofit organizations).

Approval.

The subject property is located just north of the Central Business District, on the west side of Jackson south of West Cypress, and is approximately 0.1956 acres in size. The existing two-story quadplex on the subject property, measuring approximately 3,033 square feet, was built in 1940. The structure was previously used as a residence. Under the 1938 zoning code, the subject property was zoned "D" Apartment District. Following the adoption of the Unified Development Code in 2002, the original zoning converted to "MF-33" Multi-Family District. The Five Points Neighborhood Plan was implemented in 2003, and the property was rezoned to "RM-4" Residential Mixed District. "C-2P" Commercial Pedestrian District zoning currently exists to the north and east of the subject property. The properties to the west are zoned "R-4" Residential Single-Family District. Properties to the south are zoned "R-4", "RM-4" and HS "MF-33" Historic Significant Multi-Family District. The surrounding blocks include "C-1" Light Commercial District and "I-1" General Industrial District zoning. Surrounding land uses include a car wash and restaurant/laundromat to the north, a tile store and warehouse to the east, and a mix of single-family and two- to five-family homes to the south and west. The subject property is in close proximity of commercial and office uses along East Fredericksburg Road and West Cypress (both Secondary Arterial "Type B" roads), and San Pedro Avenue (a Primary Arterial "Type B" road).

The applicant requests "O-1" Office District to allow the existing structure to be leased for office space. Staff finds the request to be appropriate given the close proximity of both residential and commercial development, and that the future land use plan calls for office uses at this location. The applicant is not proposing any significant alterations to the current structure. The applicant will provide 16 parking spaces on the rear of the property, including one ADA accessible space. Normally, "O-1" abutting "R-4" would necessitate a "Type B" landscape buffer; however, because the structure is existing and requires no significant new construction, a

CASE NO: Z2008091

Final Staff Recommendation - Zoning Commission

buffer will not be required as per Section 35-310 (a)(2)F of the UDC.

CASE MANAGER : Micah Diaz 207-5876

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2008091

Existing Zoning: RM-4

Requested Zoning: O-1

Registered Neighborhood Association(s): Five Points Neighborhood Association

Neighborhood/Community/Perimeter Plan: Five Points Neighborhood Plan

Future Land Use for the site:

Mixed Use/Office

The subject property lies within an area designated for Mixed-Use/Office use in the Five Points Neighborhood Plan. The Mixed Use/Office land use classification includes offices (i.e. dentists, insurance agencies and nonprofit organizations), duplexes, 3 and 4 family dwellings, apartments and townhouses. Office uses and residential uses can exist within the same structure.

Other Comments:

O-1 zoning would be consistent with the future land use designation for this site. The O-1 district restricts uses primarily to offices and ancillary uses which do not have peak weeknight or weekend usage. O-1 zoning may provide a buffer between residential areas and more intensive uses.

Analysis:

Request conforms to Land Use Plan

Request does not conform to Land Use Plan

Staff Recommendation:

Approval Denial

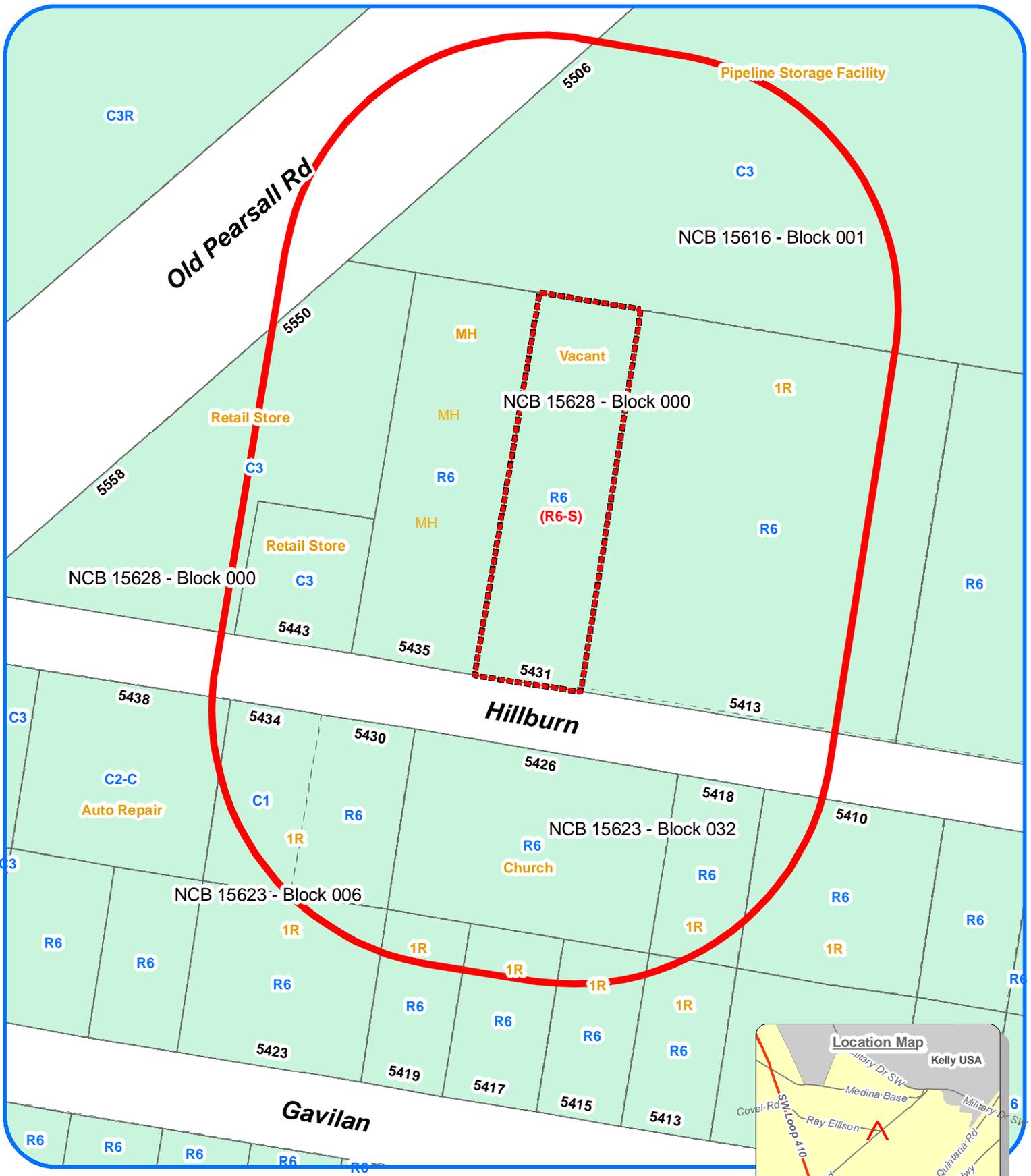
Alternate Recommendation

Reviewer: Michael Taylor Title: Senior Planner

Date: 2/7/08

Manager Review: Nina Nixon-Mendez

Date: 2/12/2008



Zoning Case Notification Plan

Case Z-2008-092S

Council District 4

Scale: 1" approx. = 100'

Subject Property Legal Description(s): Lot 3 - NCB 15628 - Block 000

Legend

- Subject Property (0.542 Acres)
- 200' Notification Buffer
- Current Zoning R6
- Requested Zoning Change (R6)
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(02/20/2008)

CASE NO: Z2008092 S

Final Staff Recommendation - Zoning Commission

Date: March 04, 2008

Council District: 4

Ferguson Map: 648 C8

Applicant Name:

Owner Name:

Oscar and Donna M. Sandoval

Oscar and Donna M. Sandoval

Zoning Request: From "R-6" Residential Single-Family District to "R-6 S" Residential Single-Family District with a Specific Use Authorization for a Manufactured Home.

Property Location: Lot 3, NCB 15628

5431 Hillburn Drive

The northside of Hillburn Drive, east of Old Pearsall Road

Proposal: To allow for a manufactured home

Neigh. Assoc. Southwest Community Association

Neigh. Plan United Southwest Community Plan

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

Staff Recommendation:

A finding of consistency is not required because no change to the base zoning district is being requested. The existing residential densities in this area do not support the goals of the future land use plan; low density residential. Allowing an additional dwelling on the subject property would promote increased residential densities in this area of the United Southwest Communities Plan.

Denial

The zoning request to allow a manufactured home does not conform to the goals of United Southwest Communities Plan. The proposed site is located in southwest San Antonio along Hillburn Drive, a local residential street. The site is within the Southwest Community Association (SWCA) and the United Southwest Communities Plan. The surrounding zoning consists of "R-6" Residential Single-Family District to the southeast, northwest and across Hillburn Drive to the southwest with "C-3" General Commercial District to the northeast. The manufactured home will be accessible by a long private driveway located along the northwest property line. The subject property is located in an existing neighborhood that predominantly consists of manufactured homes. Although the Community Plan does not discourage manufactured homes from locating in the area, the plan does support reinforcing existing neighborhoods, composed of single-family houses on individual lots. The applicant wants a temporary manufactured home until a single-family dwelling is built.

A Specific Use Authorization classification shall run with the land until such time that the zoning is changed. The granting of a Specific Use Authorization classification would not affect uses permitted by right in the underlying "R-6" Residential Single-Family District; the granting of a Specific Use Authorization zoning classification does not waive the regulations of the underlying "R-6" Residential Single-Family District. The existing "R-6" Residential Single-Family District allows one single-family dwelling per lot. The project site was annexed into the City of San Antonio in December of 1972. In 2002 following the adoption of the Unified Development Code, the existing "R-6" Residential Single-Family District converted from the previous Temporary "R-1" Single-Family Residence District.

CASE NO: Z2008092 S

Final Staff Recommendation - Zoning Commission

Specific Use Authorization 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 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.

HUD-code manufacture homes may be located on individual lots outside of a manufactured home park provided they are permanently installed and limited to one home per lot. In addition they shall be subject to the following standards which are designed to ensure acceptable compatibility in exterior appearance between HUD-code manufactured homes and site built dwellings that have been or may be constructed in adjacent or nearby locations. HUD-code manufactured homes shall be permanently affixed to a foundation with a visible foundation system and skirting acceptably similar in appearance to foundations of site built residences. The foundation shall form a complete enclosure under exterior walls. Wheels and axles shall be removed. All units must also have covered front and rear entries, and site built steps and porches. Each HUD-code manufactured home shall have a sloping roof with eave projections of at least six (6) inches, constructed with material generally acceptable for site built housing. The pitch of the main roof shall not be less than one (1) foot of rise for each four (4) feet of horizontal run. Any materials that are generally acceptable for site built housing may be used for exterior finish if applied in such a manner as to be similar in appearance, provided, however, that reflection from such exterior shall not be greater than from siding coated with clean, white, semi gloss enamel paint.

CASE MANAGER : Pedro Vega 207-7980

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2008092

Existing Zoning: R-6

Requested Zoning: R-6S

Registered Neighborhood Association(s):

Southwest Neighborhood Association

Neighborhood/Community/Perimeter Plan:

United Southwest Communities Plan

Future Land Use for the site:

The subject property is located at 5431 Hillburn Drive, near Old Pearsall Road. While Community Commercial land uses line Old Pearsall Road, Low Density Residential land uses occupy the interior areas. Low-Density Residential land uses consist of single-family houses on individual lots. Low Density Residential supports the principles of reinforcing existing neighborhoods, and supporting residential growth within walking distance of neighborhood commercial centers and schools. The Community Commercial land uses located along Old Pearsall Road provides for offices, professional services, and retail uses that are accessible to bicyclists and pedestrians. Examples of Community Commercial uses include cafes, offices, restaurants, beauty parlors, neighborhood groceries or markets, shoe repair shops and medical clinics.

Other Comments:

Analysis:

The subject property is approximately 300' deep x 80' wide along Hillburn Drive. There is a private access road between 5439 Hillburn and the subject property. It appears that this private access drive serves several mobile homes located along the adjacent property.

Although a Land Use Plan Amendment is not required for a zoning change from R6 to R6-S, staff discourages opportunities to increase residential densities in low density residential areas. The adjacent property, served by a shared private access drive, has several non-conforming mobile homes. The residential densities in this area do not support the goals of the future land use plan; low density residential. Allowing an additional dwelling on the subject property would promote increased residential densities in this area of the United Southwest Communities Plan.

The request to allow a temporary dwelling does not conform to the goals of neighborhood plan.

Request conforms to Land Use Plan

Request does not conform to Land Use Plan

Consistency determination not required because base zoning is not changing

Staff Recommendation:

Supports

Recommends Denial

Reviewer: Gary Edenburn

Title: Planner

Date: 02/12/2008

Manager Review: Nina Nixon-Mendez

Date: 2/12/2008

SITE PLAN

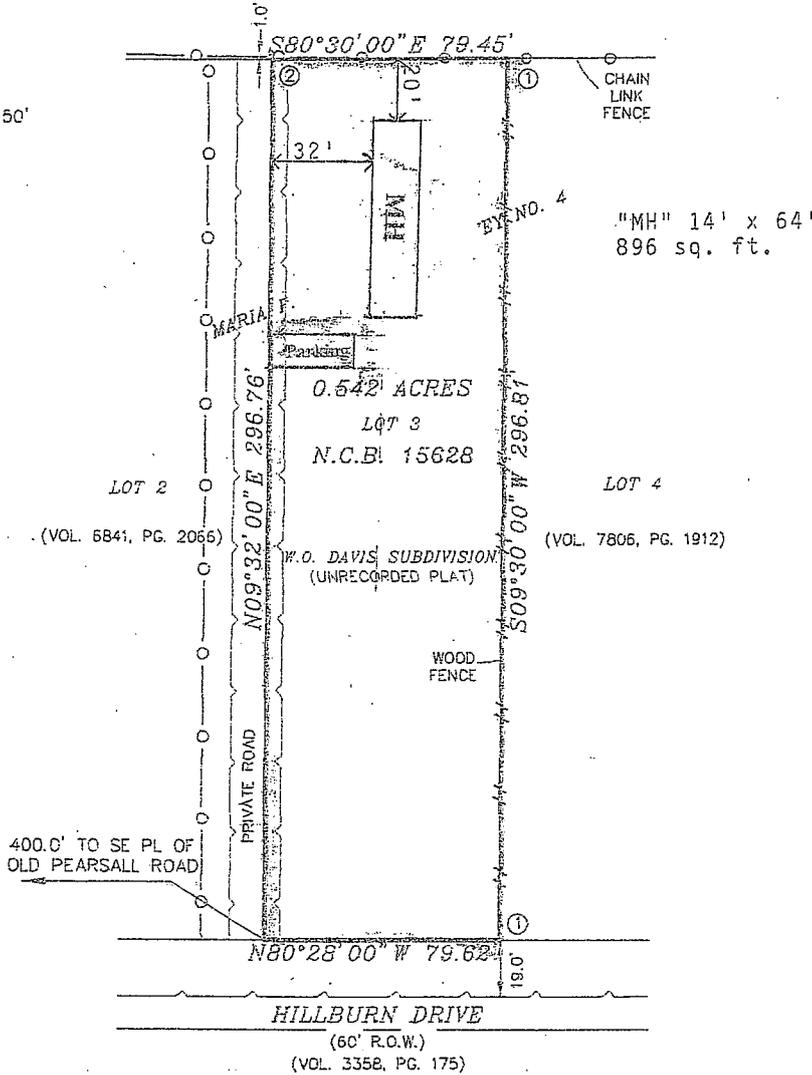
Z2008092S

① = FOUND IRON BAR

② = SET IRON BAR

10 ACRE TRACT

SCALE: 1" = 50'



SURVEY OF

0.542 ACRE TRACT OF LAND OUT OF THE MARIA F. RODRIQUEZ SURVEY NO. 4, ABSTRACT NO. 16, NEW CITY BLOCK 15628, CITY OF SAN ANTONIO, BEING SAME TRACT DESCRIBED IN VOLUME 7033, PAGE 273, DEED RECORDS OF BEXAR COUNTY, TEXAS, ALSO BEING LOT 3, W.O. DAVIS SUBDIVISION, AN UNRECORDED PLAT, BEXAR COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS BY METES AND BOUNDS

AREA: 0.542 ACRES
(23,605 SQUARE FEET)



STATE OF TEXAS
COUNTY OF BEXAR

I HAVE MADE A SURVEY ON THE GROUNDS OF THE PROPERTY AND CERTIFY THAT THERE ARE NO VISIBLE OR APARENT, EASEMENTS OR ENCROACHMENTS, EXCEPT AS SHOWN,

BY: Armando A. Aranda
ARMANDO A. ARANDA
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 1398

DATE: FEBRUARY 7, 2005

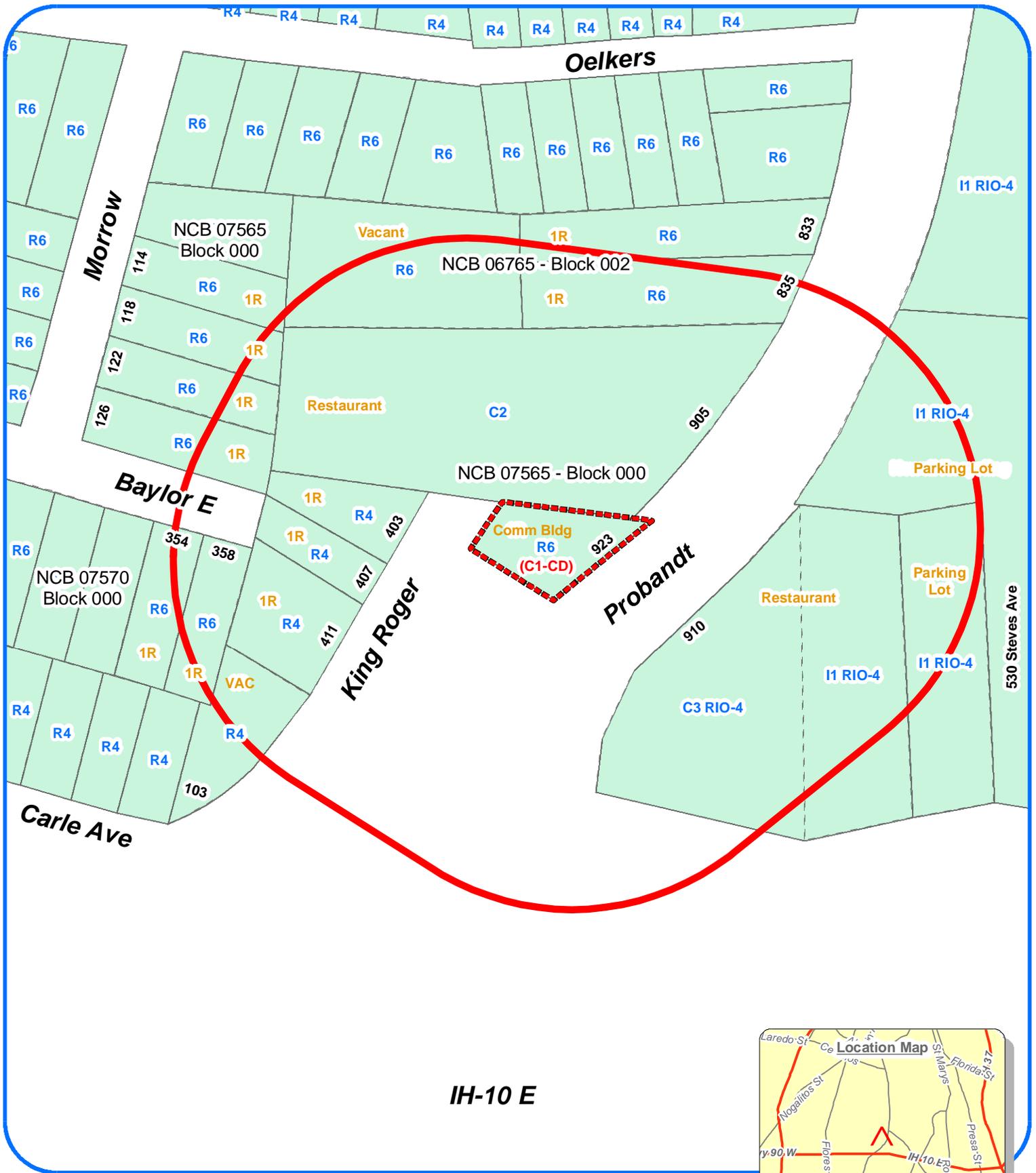
PLAT REFERENCE:
DEED REFERENCE: VOL. 7033, PG. 273
DEED REFERENCE: VOL. 3319, PG. 393
DEED REFERENCE: VOL. 3358, PG. 175
DEED REFERENCE: VOL. 6927, PG. 159

G.F. NO.: 4803

BUYER: OSCAR SANDOVAL AND
DONNA H. SANDOVAL

ADDRESS: 2551 HILLBURN DRIVE
SAN ANTONIO, TEXAS 78207
210-432-7405
JOB NUMBER: 815

COPY



IH-10 E



Zoning Case Notification Plan

Case Z-2008-093

Council District 5

Scale: 1" approx. = 100'

Subject Property Legal Description(s): W 57.74 ft of Lot 1 - NCB 06860 - Block 000

Legend

- Subject Property (0.0861 Acres)
- 200' Notification Buffer
- Current Zoning R6
- Requested Zoning Change (R6)
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(02/20/2008)

CASE NO: Z2008093 CD

Final Staff Recommendation - Zoning Commission

Date: March 04, 2008

Council District: 5

Ferguson Map: 650 E1

Applicant Name:

Owner Name:

Matthew P. Weaver

Matthew P. Weaver

Zoning Request: From "R-6" Residential Single-Family District to "C-1 CD" (CD-Tattoo Parlor/Studio) Light Commercial District with a Conditional Use for a Tattoo Parlor/Studio.

Property Location: Lot 1, NCB 6860

923 Probandt

Between King Roger and Probandt Street, North of IH-10 East

Proposal: To allow a Tattoo Parlor

Neigh. Assoc. None

Neigh. Plan South Central San Antonio Community Plan

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Consistent

The South Central San Antonio Community Plan designates the subject property as Neighborhood Commercial. The applicant submitted a plan amendment, to change the original land use designation, which was Low Density Residential on October 12, 2007. On November 14, 2007, the Planning Commission recommended approval of an amendment to Neighborhood Commercial. On January 17, 2008 the City Council approved the plan amendment to Neighborhood Commercial.

Approval

The subject property is occupied by a vacant 705 square foot building with frontage on Probandt Street (a Secondary Arterial "Type A" street). The property is adjacent to C-2 zoning to the north; IH-10 East to the South; I-1 and C-3 zoning to the east and R-4 and R-6 zoning to the west. The surrounding land uses consist of a restaurant and residential dwellings to the north; a restaurant and non-commercial parking lots to the east and single-family residential dwellings and vacant land to the west.

This property was the subject of a comprehensive rezoning in which the appropriate zoning classification was applied to the residential, neighborhood commercial and vacant properties within the Lone Star neighborhood area. In case Z2006007 CD S the subject property was rezoned from MF-33 to R-6. While single-family residential would not normally be recommended at this location, in an effort to avoid speculative zoning the R-6 was applied.

The applicant is requesting a rezoning to allow a tattoo parlor. Staff finds the request for commercial zoning to be appropriate given the subject property's location off of a major thoroughfare and the prevalence of commercial uses to the north and east. The subject property is within close proximity to IH 10 East (a freeway) commercial districts are encouraged along or in the immediate vicinity of such major roadways. Furthermore, the request for C-1 zoning is appropriate at this location in order to facilitate the adaptive reuse

CASE NO: Z2008093 CD

Final Staff Recommendation - Zoning Commission

of the existing vacant structure.

CASE MANAGER : Brenda Valadez 207-7945

Brenda Valadez

From: Andrea Gilles
Sent: Wednesday, February 13, 2008 8:53 AM
To: Brenda Valadez
Subject: 08006 Recommendation Form

Plan Amendment Application Case No.: 08006

Council District: 5

City Council Meeting Date: **January 17, 2008**

Plan Amendment Map – Attachment 1
Digital Ortho Image – Attachment 2

Summary:

Neighborhood/Community/Perimeter Plan: **South Central San Antonio Community Plan**
The applicant requests to amend the Land Use Plan designation from **Low Density Residential to Regional Commercial**

Background Information:

Applicant: Matthew Weaver
Owner: Matthew Weaver
Property Location: 923 Probandt
Acreage: .0861 acres
Current Land Use of site: Vacant Building
Adjacent Land Uses:
N: Community Commercial
E: Single Family Residential, Major Arterial
S: Single Family Residential, US Highway 90, IH 10
W: Single Family Residential

Issue:**LAND USE ANALYSIS:**

The property is located on Probandt. It is adjacent to community commercial and low density residential land use. The current Community Commercial uses nearest to the site are a Jack in the Box and a local business. The South Central San Antonio Community Plan defines Community Commercial as offices, professional services and retail uses that are accessible to bicyclists and pedestrians and can be located in nodes on arterials at major intersections or where an existing commercial area has already been established. The South Central San Antonio Community Plan defines regional commercial as high density land use that draws its customer base from a larger region and are typically located in nodes of 20 acres or greater and where an existing commercial area has already been established. It includes malls, wholesale plant nurseries, automotive repair shops, fitness centers, home improvement centers, hotels and motels, mid to high rise office buildings and auto dealerships.

Only Regional Commercial land use areas are desired in areas larger than 20 acres and this parcel is .0861 acres as well as areas where commercial corridors already exist. Regional Commercial land use in this area would be a drastic change in the intensity of use and would be incompatible with the existing Low Density Residential uses adjacent to the site. However, Probandt will soon become a major commercial corridor and the location of the property (an island between the intersections of three streets

would lend itself well to Community Commercial). The designation of Community Commercial is well suited for the site due to the location, adjacent uses and size of the property.

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

TRANSPORTATION/INFRASTRUCTURE ANALYSIS:

Major Thoroughfare Plan Designations: Major Thoroughfare Plan Designations: Probandt is a Secondary Arterial Type A, IH 10/ US Highway 90 is an expressway.

Other streets: King Roger is a local street

Comments:

Minimal Impact Impact can be mitigated Significant Impact to Transportation Capacity

COMMUNITY FACILITIES ANALYSIS:

Nearby Public Facilities: San Antonio River

Comments:

Minimal Impact Impact can be mitigated Significant Impact to Community Facilities Capacity

Recommendation:

STAFF RECOMMENDATION:

Approval Denial Alternate Recommendation: Designate as Community Commercial
Comments: Due to the location of the site (adjacent to Low Density Residential and Community Commercial land uses) and the small size of the site the property in question is better suited for Community Commercial. The applicant is planning to build a tattoo parlor and can zone the land C-2 or C-1 with a conditional use thus allowing the tattoo parlor to be built in Community Commercial.

PLANNING COMMISSION RECOMMENDATION:

Meeting & Public Hearing Date: November 14, 2007

Approval Denial Resolution Attached

Newspaper Publication Date of Public Hearing: October 26, 2007

No. Notices mailed 10 days prior to Public Hearing:

Registered Neighborhood Association(s) Notified: Riverside, Riverside South, Roosevelt Park, Mission San Jose, Highland Hills, East Pyron-Symphony Lane

Comments:

ZONING COMMISSION SUPPLEMENTAL INFORMATION:

Current zoning district: R-6 Proposed zoning district: C-1 or C-2

Zoning Commission Public Hearing Date: none

Approval Denial

Planning Department Staff:

Nina Nixon-Mendez, AICP Planning Manager

Case Manager: Lauren Edlund Planner Phone No.: 207-0157



Zoning Case Notification Plan

Case Z2008094 S

Council District 2

Scale: 1" approx. = 100'

Subject Property Legal Description(s): Lots 1 thru 4 - NCB 02796 - Block 003

Legend

- Subject Property (0.5984 Acres)
- 200' Notification Buffer
- Current Zoning R6
- Requested Zoning Change (R6)
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(02/20/2008)

CASE NO: Z2008094 S

Final Staff Recommendation - Zoning Commission

Date: March 04, 2008

Council District: 2

Ferguson Map: 617 C6

Applicant Name:

Owner Name:

Bexar County Buffalo Soldier's Association

Bexar County Buffalo Soldier's Association

Zoning Request: From "RM-4" Residential Mixed District to "R-4 S" Residential Single-Family District with a Specific Use Authorization for a Museum.

Property Location: Lots 1, 2, 3 and 4, Block 3, NCB 2796

1602 Wyoming Street

Southeast corner of Wyoming Street and South Palmetto Avenue

Proposal: To Allow for a Museum

Neigh. Assoc. Nevada Street Neighborhood Association

Neigh. Plan Arena District/ Eastside Community Plan

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

Staff Recommendation:

Consistent

The Arena District Eastside Community Plan calls for Medium Density, Single-Family and Mixed Residential land use for the subject property. "R-4 S" Residential Single-Family District with a Specific Use Authorization for a museum would allow for residential use opportunities at the subject location and is therefore consistent with the plan.

Approval with Conditions

The subject property is part of the original city limits and totals approximately .5984 of an acre. There is an existing garage structure on the subject property that measures approximately 480 square feet and was constructed in 1970, as well as an existing accessory structure that measures approximately 120 square feet and was constructed in 2005. In 2002 following the adoption of the Unified Development Code, the existing RM-4 zoning converted from the previous R-2 zoning. The RM-4 district does not allow a museum use by right. "RM-4" Residential Mixed District zoning currently exists to the south of the subject property and to the north across Wyoming Street. Property to the west across Toledo is zoned "RM-4" Residential Mixed District and property to the east across S. Palmetto Avenue is zoned "RM-4" Residential Mixed District with a Specific Use Authorization for a cemetery. Land uses immediately adjacent to the proposed development consist of a single-family homes south of the subject property and to the north across Wyoming Street. There are single-family homes to the west across Toledo and St. Mary's Cemetery is to the east across S. Palmetto Avenue.

The applicant has applied for R-4 S in order to develop a historical museum for the Bexar County Buffalo Soldiers. The subject property currently houses a monument for the association. Staff supports this request being that the requested zoning is appropriate for the location of the subject property, which is within close proximity of S. New Braunfels Avenue, a Primary Arterial Type A. The existing layout of the subject property, which can accommodate a light service commercial use, renders the site appropriate for the proposed use. Since the base residential zoning will not be changed, the property may at any time be used exclusively as a

CASE NO: Z2008094 S

Final Staff Recommendation - Zoning Commission

dwelling while the application of conditions provide an opportunity to limit the impact of the proposed use on surrounding residences.

Seeing that there are single-family homes to the north, south and west, Staff would recommend approval with the following conditions:

1. Allowable hours of operations for the Museum shall be 7:00 am to 10:00 pm.
2. Outdoor lighting shall be arranged so the source of light is concealed from adjacent residential properties through the use of directional fixtures of ninety (90) degrees or less.

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

CASE MANAGER : Leslie Zavala 207-0215

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2008094

Existing Zoning: RM4

Requested Zoning: R4 (SUP) for a Historical Museum

Registered Neighborhood Association(s): Nevada Street

Neighborhood/Community/Perimeter Plan: Arena District / Eastside

Future Land Use for the site: Medium Density, Single Family and Mixed Residential

Medium density, single family and mixed residential support the principles of concentrating urban growth, reinforcing existing neighborhoods, and supporting residential growth within walking distance of neighborhood commercial centers and schools. This classification supports established residential neighborhoods of low to medium density as well as compatible infill development.

Other Comments:

The applicant is requesting a zoning change to allow for a historical museum. Museums may not be generally compatible in a Medium Density, Single Family and Mixed Residential land use however; the zoning change requested is residential and is therefore compatible.

Although open space/park land uses exist to the east of the subject parcel, there are single family homes to the west, north and south of the property. The Land Planning Assessment was created to "protect the neighborhoods by providing them with the necessary improvements to enable infill development and redevelopment" as well as "establish a land use pattern that is responsive to the existing context." Therefore, there should be great caution taken to not disrupt the existing community within the area.

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

Although the residential zoning is consistent with the land use plan, the museum could bring in an excess of traffic and therefore parking and the traffic volume created should be taken into consideration due to the possible disruption of the surrounding residential. The Specific Use Permit should include a parking plan to ensure the required parking is met.

Reviewer: Lauren Edlund

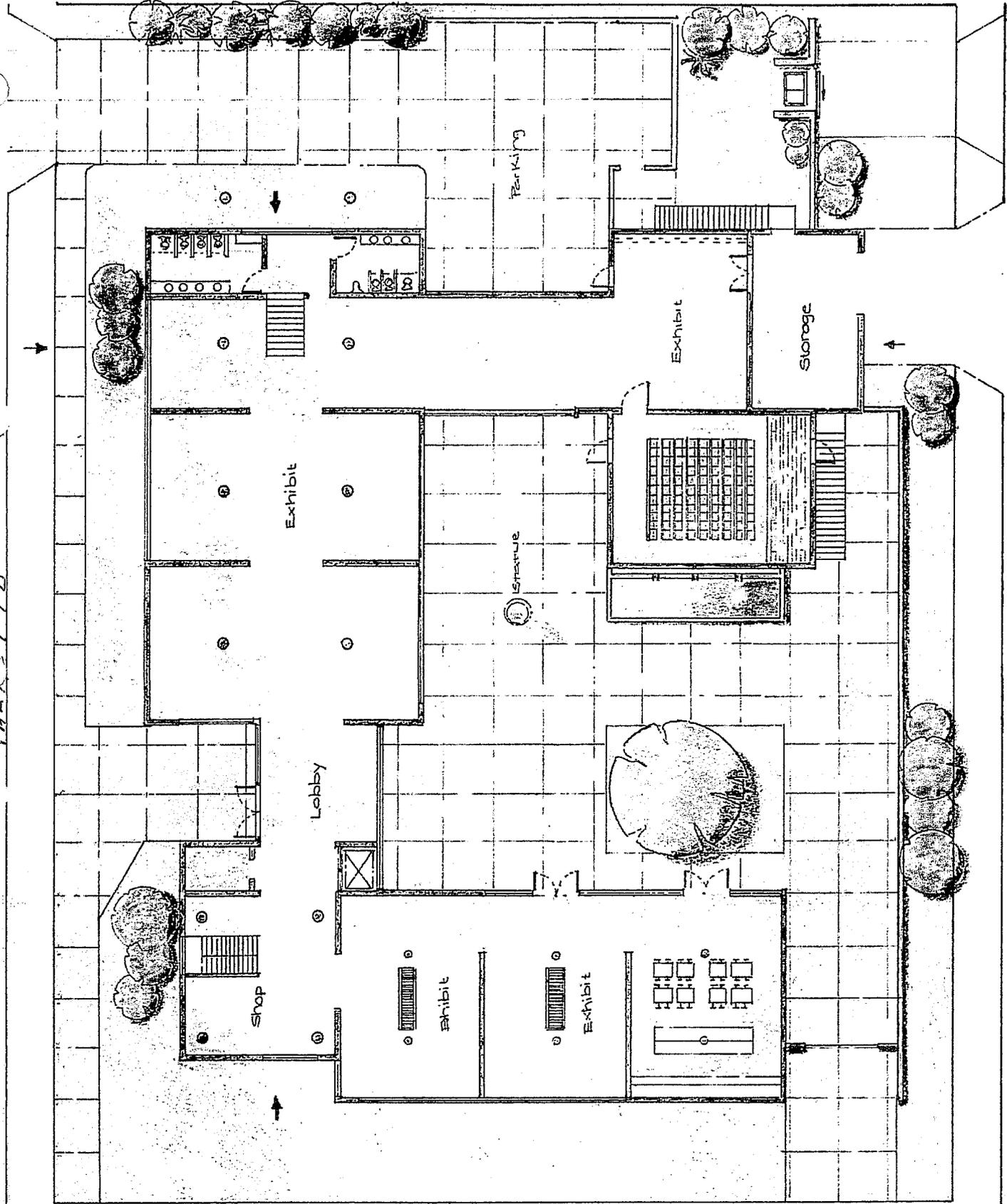
Title: Planner

Date: 2/11/08

Manager Review: Nina Nixon-Mendez

Date: 2/12/08

PALLET TA



WYOMING



Zoning Case Notification Plan

Case Z-2008-096

Council District 2

Scale: 1" approx. = 100'

Subject Property Legal Description(s): Lot 14 - NCB 01482 - Block 031

Legend

- Subject Property (0.1433 Acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(02/21/2008)

CASE NO: Z2008096 CD

Final Staff Recommendation - Zoning Commission

Date: March 04, 2008

Council District: 2

Ferguson Map: 617 D6

Applicant Name:

Owner Name:

Malcolm Thomas, J & N Land Development,
LLC

Malcolm Thomas, J & N Land Development, LLC

Zoning Request: From "RM-4 EP-1" Residential Mixed District, Facility Parking/Traffic Control Overlay District-1 to "RM-4 CD EP-1" (CD-Dwelling - 4 Family) Residential Mixed, Facility Parking/Traffic Control Overlay District-1 with a Conditional Use for a Dwelling - 4 Family.

Property Location: Lot 14, Block 31, NCB 1482

340 Maryland Street

The southwest corner of Maryland Street and South Grimes Street

Proposal: To allow a quadplex

Neigh. Assoc. Arena District Neighborhood Association

Neigh. Plan Arena District/Eastside Community Plan

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

Staff Recommendation:

Consistent.

The Arena District/Eastside Community Plan calls for a future land use of Medium Density Residential, identified as single family, accessory dwellings, cottage houses, duplexes, triplexes, quadplexes, and town homes which are consistent with "MF-25" and less-intense zoning districts.

Denial.

The subject property is located at the southwest corner of Maryland Street and South Grimes Street, and is approximately 0.1433 acres. A two-story quadplex measuring approximately 4,180 square feet is currently under construction on the subject property; construction began in 2006. Following the adoption of the Unified Development Code in 2002, the current "RM-4" Residential Mixed District zoning converted from the previous "R-2" Two-Family Residence District. "EP-1" Facility Parking/Traffic Control Overlay District-1 was added to the property in 2002. Surrounding properties are zoned "RM-4 EP-1" to the north, west and south; and "MF-33 S EP-1" to the east. Land uses surrounding the subject property consist of single-family homes and a number of vacant lots to the north, west, and south; and the San Antonio Housing Authority owned Spring View Subdivision to the east, across South Grimes Street. Maryland Street and South Grimes Street are both considered local roads in the City of San Antonio's Major Thoroughfare Plan.

The applicant requests "RM-4 CD EP-1" to allow a quadplex on a lot that does not meet the minimum size requirements for the proposed density. Construction on the property has been halted pursuant to a Stop Work Order issued by the City of San Antonio. The property owner is under investigation for building without permits. Building permits were applied for in 2006, but were denied because the current "RM-4" zoning district requires a minimum lot size of 0.36 acres for a four-unit dwelling. "MF-33" is the minimum zoning district that would allow by right four units on a 0.1433 acre lot. "MF-33" is considered too intense of a use under the Arena District/Eastside Community Plan. Although the Community Plan supports "MF-25" and lower intensity

CASE NO: Z2008096 CD

Final Staff Recommendation - Zoning Commission

uses at this location, the lot size would still be considered too small to allow the proposed density. Additionally, the 4,180 square foot structure is out of scale with the surrounding homes. A majority of houses on the 300 block of Maryland are 1500 square feet or smaller. Furthermore, the structure is two inches short of the five-foot minimum side setback. If the requested zoning is granted, the property owner will need to apply for a setback variance before the Board of Adjustment. At this time, construction is approximately 80% complete.

CASE MANAGER : Micah Diaz 207-5876

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2008096

Existing Zoning: RM-4

Requested Zoning: RM-4-CD (CD is for Quadraplex)

Registered Neighborhood Association(s):

Arena District Neighborhood Association

Neighborhood/Community/Perimeter Plan:

Arena District/Community Plan

Future Land Use for the site:

Medium Density Land Use

Other Comments:

The subject property is located at the corner of Maryland and S. Grimes Street. The property has a current land use of Low Density Residential and the Arena District/Community Plan calls for a future land use of Medium Density Residential. A fourplex structure has already been constructed on the property, without the proper building permits.

The Arena District/Community Plan gives examples of Medium Density Residential as; single family, accessory dwellings, cottage houses, duplexes, triplexes, fourplexes and town homes which are consistent with a MF-25 zoning.

The applicant originally asked for MF-33 and that was not consistent with the land use. The applicant has amended his request and now seeks a request for RM-4-CD. This request is consistent with the Arena District/Community Plan and now conforms to the land use plan.

Note: The original recommendation was completed on 2/8/2008 and the recommendation was for denial. This is the updated recommendation form which now supports the new zoning request.

Analysis:

Request conforms to Land Use Plan

Request does not conform to Land Use Plan

Consistency determination not required because base zoning is not changing

Staff Recommendation:

Supports

Recommends Denial

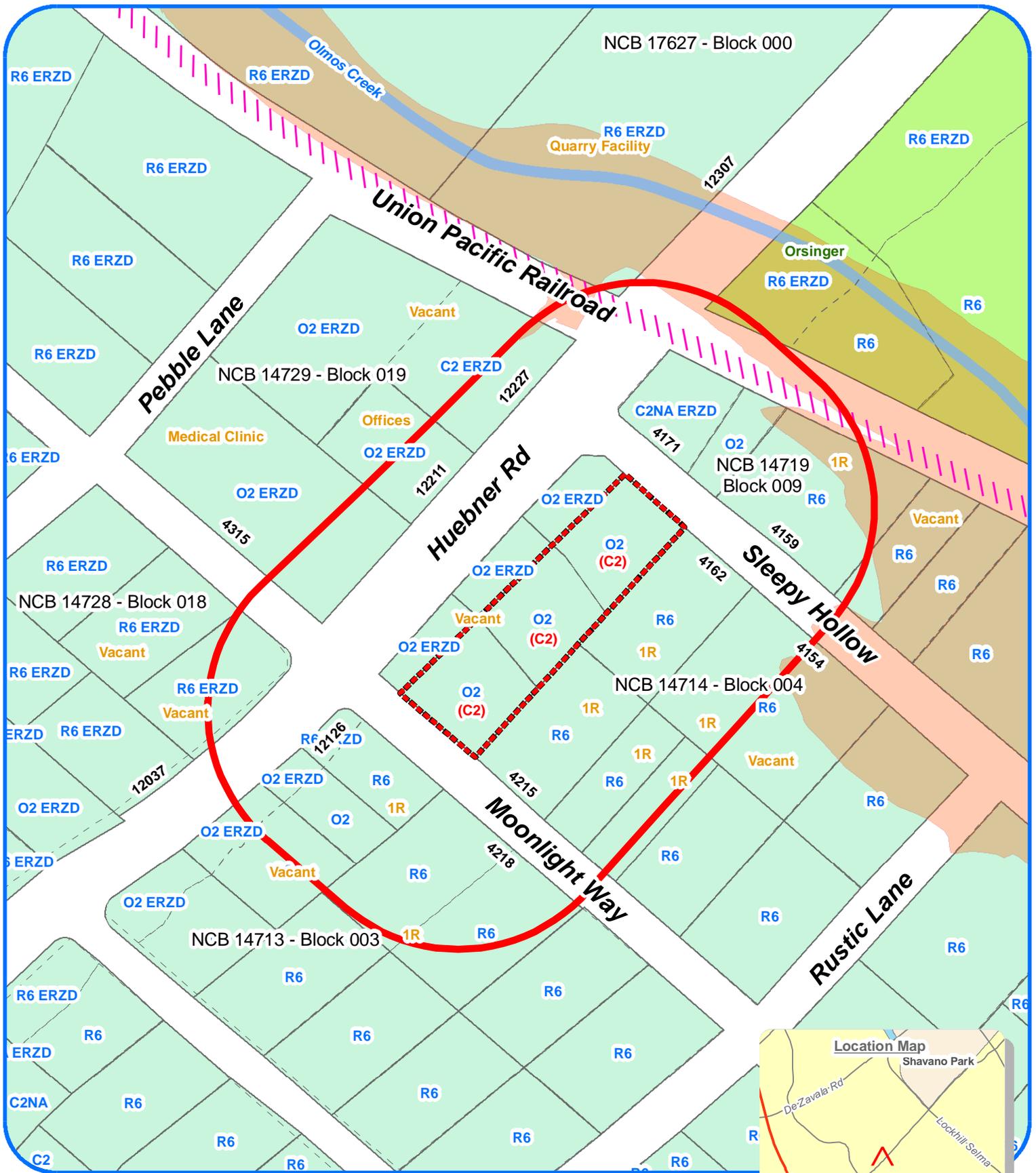
Reviewer: Sidra Maldonado

Title: Planner

Date: 02/15/2008

Manager Review: Nina Nixon-Mendez

Date: 02/19/2008



Zoning Case Notification Plan

Case Z-2008-061

Council District 8

Scale: 1" approx. = 150'

Subject Property Legal Description(s): A Portion of SE 126.16 ft of Lot 1, a Portion of SE 145.24 ft of Lot 2, and a Portion of SE 126.16 ft of Lot 3
NCB 14714 - Block 004

Legend

- Subject Property (0.853 Acres)
- 200' Notification Buffer
- Current Zoning R6
- Requested Zoning Change (R6)
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(02/22/2008)

CASE NO: Z2008061

Final Staff Recommendation - Zoning Commission

Date: March 04, 2008

Council District: 8

Ferguson Map: 549 B2

Applicant Name:

Owner Name:

Kaufman & Associates, Inc.

T & K Young Partners, Ltd.

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

Property Location: .853 acres out of NCB 14714

12200, 12210, 12226 Huebner Road

Huebner Road between Sleepy Hollow and Moonlight Way

Proposal: To Allow for a Daycare Center

Neigh. Assoc. Vance Jackson Neighborhood Association, Inc.

Neigh. Plan None

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

Staff Recommendation:

Approval

The subject property was annexed in 1972, totals approximately .853 of an acre and is currently undeveloped. In 2002 following the adoption of the Unified Development Code, the existing O-2 zoning converted from the previous O-1 zoning, which was approved by City Council in 1985 and 1993 (Ordinances #61900 and #77566.) The O-2 district does not allow a day care use by right.

"R-6" Residential Single-Family District zoning currently exists to the southeast of the subject property and to the southwest across Moonlight Way. Property to the northeast across Sleepy Hollow is zoned "C-2 NA ERZD" Commercial, Nonalcoholic Sales, Edwards Recharge Zone District and "O-2" Office District. Property to the northwest across Huebner Road is zoned "C-2 ERZD" Commercial, Edwards Recharge Zone District and "O-2 ERZD" Office, Edwards Recharge Zone District. Land uses immediately adjacent to the proposed development consist of single-family homes to the southeast and to the southwest of the subject property across Moonlight Way. There is a swimming pool company to the northeast across Sleepy Hollow. Land use to the northwest across Huebner Road includes a small strip center, as well as professional and medical offices.

The applicant has applied for C-2 in order to allow for a day care facility on the subject property. This proposed use is appropriate for this location and would provide convenient child care for the existing residential neighborhoods in the immediate area. The requested zoning would be appropriate at this location considering the emerging commercial character of Huebner Road, a Primary Arterial Type A. Most of the properties that have frontage on this stretch of Huebner Road have office and commercial zoning and uses. The proposed zoning district and use of the property is consistent with the zoning and use pattern of the area and conforms to the general development pattern along this portion of Huebner Road.

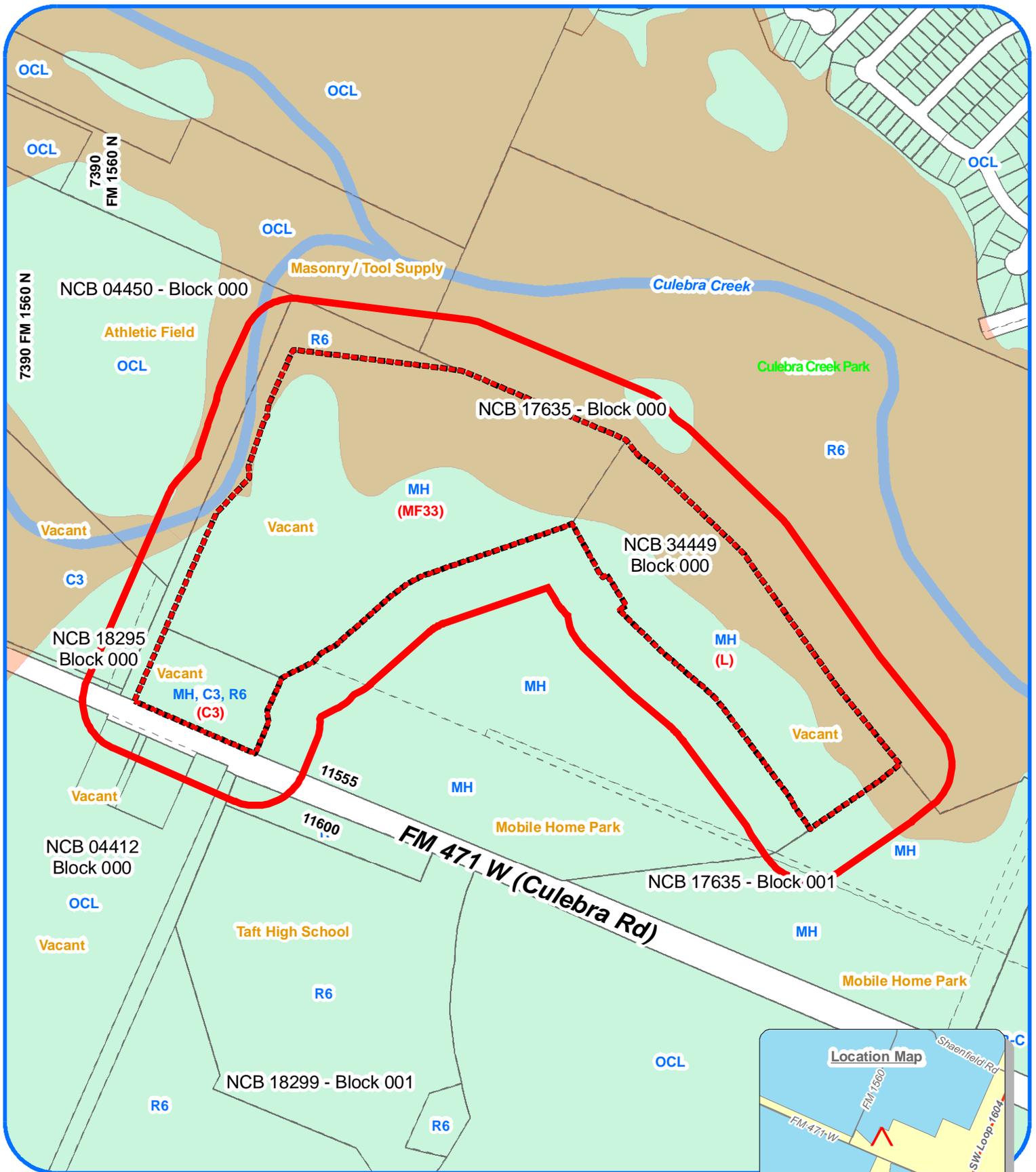
C-2 districts accommodate commercial and retail uses that are more intensive in character than "NC" and "C-1" uses, and which generate a greater volume of vehicular traffic and/or truck traffic. Any proposed development located in a C-2 Commercial District and adjoining a zoning district zoned R-6 Residential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

CASE NO: Z2008061

Final Staff Recommendation - Zoning Commission

Family District, will require the applicant to install a type B buffer.

CASE MANAGER : Leslie Zavala 207-0215



Zoning Case Notification Plan

Case Z2008078

Council District 6

Scale: 1" approx. = 500'

Subject Property Legal Description(s): Parcel P-37F and P-60B - NCB 34450 - Block 000 and Parcel P-19E - NCB 34449 Block 000
Parcel P-60A - NCB 18295 - Block 000 and Parcel P-19A and P-28 - NCB 17635 - Block 000

Legend

- Subject Property (47.15 Acres)
- 200' Notification Buffer
- Current Zoning R6
- Requested Zoning Change (R6)
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(02/08/2008)

CASE NO: Z2008078

Final Staff Recommendation - Zoning Commission

Date: March 04, 2008

Council District: 6

Ferguson Map: 548 B4

Applicant Name:

Owner Name:

Kenneth E. Saunders

FC Stonebridge, LTD Partnership

Zoning Request: From "R-6" Residential Single-Family District, "MH" Manufacturing Housing District and "C-3" General Commercial District to "MF-33" Multi Family District, "C-3" General Commercial District and "L" Light Industrial District.

Property Location: 47.15 acres out of NCB 17635, NCB 18295, NCB 34449 and NCB 34450

11600 Block of Culebra Road

Culebra Road, approximately 1800 feet southeast from the intersection of FM 1560 North/ Alamo Parkway

Proposal: To Allow for a Retail Center, Multi-Family Development and a Mini-Storage Facility

Neigh. Assoc. None

Neigh. Plan None

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

Staff Recommendation:

Denial

The subject property totals approximately 47.15 acres and is currently undeveloped. A portion of the property was annexed in 1986, and the remainder of the property was then annexed in 2000. In 2002 following the adoption of the Unified Development Code, the existing C-3, R-6 and MH zoning converted from the previous B-3, Temp R-1, and R-4 zoning. A portion of the subject property was zoned MH by the City Council on September 27, 2001 (Ordinance #94633.) "MH" Manufactured Housing District zoning currently exists to the east and south of the subject property. Property to the west is zoned "C-3" General Commercial District and "R-6" Residential Single-Family District. Property to the north is "R-6" Residential Single-Family 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 undeveloped land to the west. Culebra Creek Park is located directly to the north of the subject property.

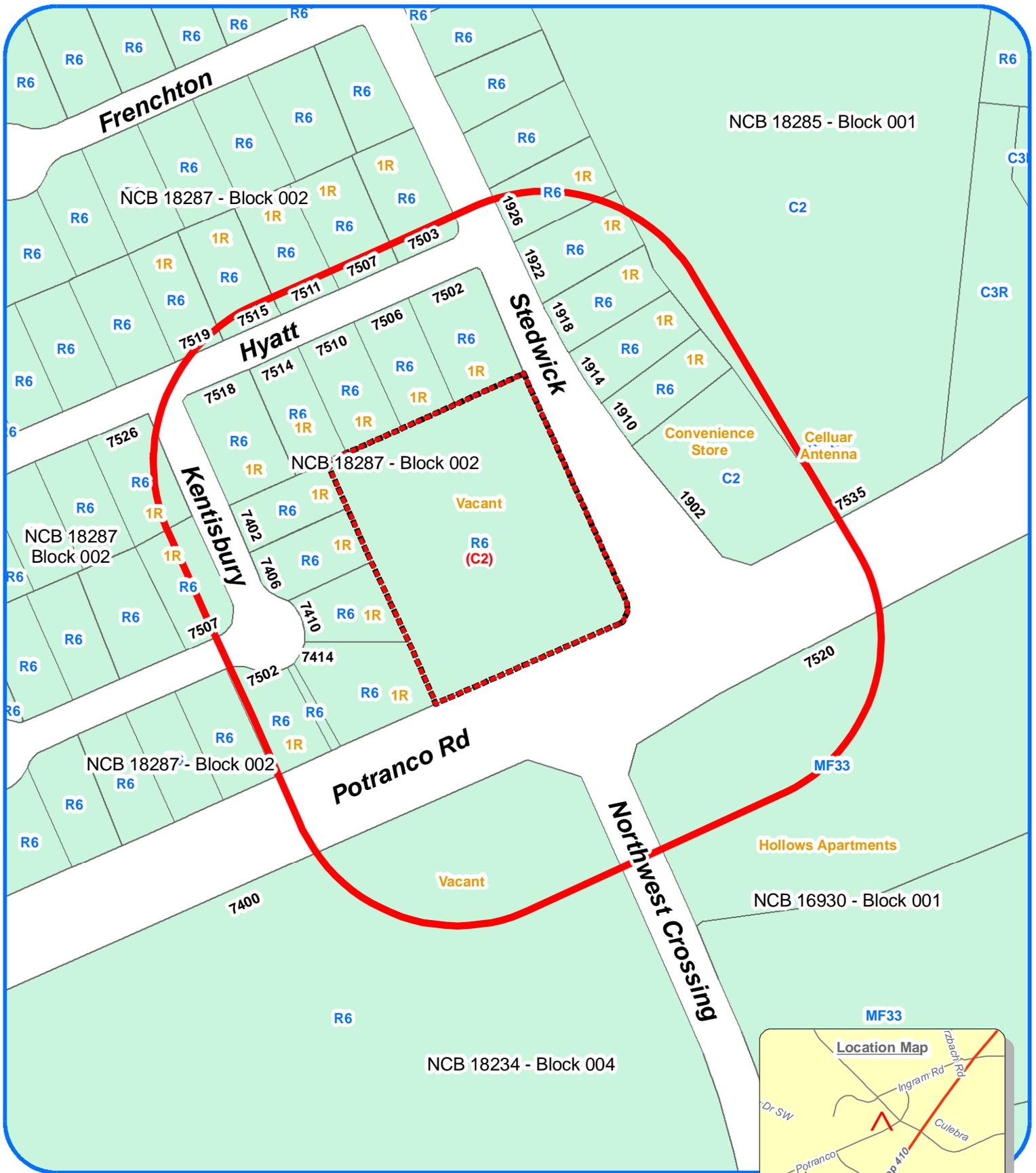
The applicant has applied for L, C-3 and MF-33 zoning in order to allow for a commercial/ retail center, a multi-family community and a mini-storage exceeding 2.5 acres. The requested "L" zoning classification is not compatible with the residential character of the adjacent manufactured homes along Culebra Road. In addition, light industry is inappropriate for this location because of the immediate proximity to Culebra Creek Park. The proposed C-3 zoning would not be compatible with the adjacent residential uses and would start the strip commercialization of Culebra Road between Westwood Loop and Alamo Parkway. Although the subject property is located on Culebra Road, which is identified as a Primary Arterial Type A in the city's Major Thoroughfare Plan, the C-3 zoning district is a regional commercial district most appropriate at the intersections of arterials and along the frontages of super arterials and freeways. The existing C-3 zoned property is already appropriately located at the intersection of Culebra Road and Loop 1604. Staff believes the subject property should be restricted to a less intense zoning district given its location between the major intersections referenced above.

CASE NO: Z2008078

Final Staff Recommendation - Zoning Commission

Multi-family dwellings are most appropriate along arterials or major thoroughfares where supporting infrastructure such as transportation services and commercial facilities are available. Staff would consider residential zoning and uses appropriate for the subject property considering the aforementioned nearby park and the proximity of Taft High School.

CASE MANAGER : Leslie Zavala 207-0215



Zoning Case Notification Plan

Case Z-2008-090

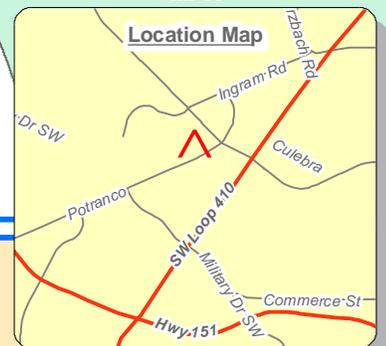
Council District 6

Scale: 1" approx. = 150'

Subject Property Legal Description(s): Lot 21 - NCB 18287 - Block 002

Legend

- Subject Property (1.774 Acres)
- 200' Notification Buffer
- Current Zoning R6
- Requested Zoning Change (R6)
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(02/19/2008)

CASE NO: Z2008090

Final Staff Recommendation - Zoning Commission

Date: March 04, 2008

Council District: 6

Ferguson Map: 613 E1

Applicant Name:

Owner Name:

Jaime & Adela Ramirez

Jaime & Adela Ramirez

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

Property Location: Lot 21, Block 2, NCB 18287

7600 Block of Potranco Road

At the northwest corner of Potranco Road and Stedwick Drive

Proposal: To allow for a commercial development.

Neigh. Assoc. None

Neigh. Plan None

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

Staff Recommendation:

Approval

The subject property is an undeveloped 1.774 acre parcel located on the west side of San Antonio. This property is situated on the north side of Potranco Road, west of the intersection of Potranco Road and Stedwick Drive. This area was annexed by the City of San Antonio on December 31, 1986 and this lot is part of Doral Subdivision. The subject parcel was zoned Temp R-1 and converted to R-6 following the adoption of the current zoning districts in 2002. The subject property is adjacent to R-6 zoning to the west and north. R-6 and C-2 zoning is located across Stedwick Drive. MF-33 and C-2 zoning is located to the south across Potranco Road. Land uses consist of single-family dwellings to the west and north. There are single-family dwellings and a convenience store to the east across Stedwick. There are apartments and undeveloped land to the south across Potranco Road.

The applicant is requesting this zone change so that the subject property may be utilized for commercial development. Commercial developments are encouraged along major thoroughfares in order to accommodate increased volumes of traffic. Given the property's location on Potranco Road, a Primary Arterial Type A, as well as the amount of existing commercial zoning in the vicinity, the requested zone change would be appropriate for the subject property. If this zoning change request is approved, a Type B buffer will be required along the west and north property lines to screen and separate the proposed use from adjoining single-family residential zoning districts.

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

CASE MANAGER : John Osten 207-2187



Zoning Case Notification Plan

Case Z-2008-095

Council District 4

Scale: 1" approx. = 100'

Subject Property Legal Description(s): Lots 30 and 31 - NCB 11192 - Block 006

Legend

- Subject Property (0.3444 Acres)
- 200' Notification Buffer
- Current Zoning R6
- Requested Zoning Change (R6)
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(02/26/2008)

CASE NO: Z2008095

Final Staff Recommendation - Zoning Commission

Date: March 04, 2008

Council District: 4

Ferguson Map: 649 D8

Applicant Name:

Owner Name:

Ricardo Ramos

Ricardo Ramos

Zoning Request: From "RM-4" Residential Mixed District to "C-2" Commercial District.

Property Location: Lots 30 and 31, Block 6, NCB 11192

601 Palo Alto Road

Southwest Corner of Palo Alto Road and Yuma Street

Proposal: To allow for a prosthetic facility

Neigh. Assoc. None

Neigh. Plan None

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

Staff Recommendation:

Approval

The subject property is a developed 0.3444 acre parcel located on the City's southwest side. This property is situated on the west side of Palo Alto Road, southwest corner of the intersection of Palo Alto Road and Yuma Street. This area was annexed by the City of San Antonio on September 25, 1952. The zoning on this parcel was converted from "R-2" to "RM-4" Residential Mixed District following the adoption of the current zoning districts in 2002. The adjacent properties to the north and to the west are also zoned "RM-4" mixed residential. There are "C-2" commercial zoning parcels and nonresidential uses to the south of the subject property. The properties across from Palo Alto Road are "R-4" single-family dwellings.

The applicant is requesting this zoning change so that the subject property can be utilized for a prosthetic facility for artificial limb assembly. Considering the existing "C-2" commercial districts along west side of Palo Alto Road, which is classified as a Secondary Arterial "Type A" in City's Thoroughfare Plan, requested zoning change would be appropriate for this location. The requested "C-2" commercial district is appropriate along the frontage of thoroughfares; consequently allowing land uses that rely on a high traffic account and visibility in order to remain viable and have a minimum traffic impact to the multi-family and single-family residential units to the west of the subject property.

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

CASE MANAGER : John Osten 207-2187

**CITY OF SAN ANTONIO
DEVELOPMENT SERVICES DEPARTMENT
Zoning Commission**

TO: Members of the San Antonio Zoning Commission

FROM: Roderick J. Sanchez, AICP, CBO, Director

SUBJECT: Proposed zoning amendment to the UDC regarding payday loan agencies and check cashing facilities

DATE: March 4, 2008

SUMMARY:

Pursuant to direction by City Council, the Development Services Department has prepared an amendment to the Unified Development Code (UDC) to define and to specify locational criteria for payday loan agencies and check cashing facilities.

BACKGROUND INFORMATION:

San Antonio's UDC indicates in which zoning districts individual uses are allowed or not allowed. There are no definitions for payday loan agencies or check cashing facilities, nor are there entries for these uses in the "use matrix" of the UDC; currently these uses, when established as principal uses, are interpreted as offices or loan offices which are allowed by right in all of the office and commercial zoning districts. Because of the broad specifications associated with the location of these businesses, neighborhoods are concerned about the proliferation of these establishments adjacent to or in close proximity to their residential properties.

In September of 2007, the Development Services Department received a Council Consideration Request (CCR) to amend the UDC by creating definitions and use matrix entries for payday loan agencies and check cashing facilities. The proposal is to allow these uses within the C-1 (Light Commercial), C-2 (Commercial), and C-3 (General Commercial) districts, **only with approval of a Specific Use Authorization**, which requires a site plan submittal and City Council approval through a zoning change. Additionally, there are several standard conditions proposed for these uses listed on the attached supporting documents. The City Council Infrastructure and Growth Committee considered this item in November of 2007, and the Planning Commission reviewed it on February 27th. Following Zoning Commission review and consideration, it can then be considered by City Council.

POLICY ANALYSIS AND RECOMMENDATION:

Requiring specific use authorization in certain zoning districts for these uses would give City Council the discretion to determine if the proposed use would be appropriate at the

proposed location, based on the site plan provided by the applicant and made a part of the ordinance for the specific use. Through the zoning change process, the Zoning Commission could recommend, and City Council could impose conditions to make a proposed payday loan agency or check cashing facility more compatible with surrounding land uses; or City Council could deny the requested zoning change.

The Development Services Department recommends approval. There is increasing concern in the community about the intensity of these uses; they do not lend themselves well to the less intense zoning districts. The amendment as proposed would offer concerned citizens and property owners a public hearing process to provide input on the location of uses that can have an impact on their neighborhood.

Note: The “loan office” use matrix entry is proposed to be deleted. Considering law, industry and culture changes over the years, any savings and loan or general loan operations can be allowed under the “bank” use matrix entry, eliminating any confusion.

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

APPENDIX A: DEFINITIONS AND RULES OF INTERPRETATION

Sec. 35-A101. Generally.

Check Cashing Facility – a person or business that for compensation engages in the business of cashing checks, warrants, drafts, money orders, or other commercial paper serving the same purpose. The term “check cashing facility” does not include a state or federally chartered bank, savings and loan association, credit union, or industrial loan company.

Pay-Day Loan Agency – an establishment providing loans to individuals in exchange for personal checks as collateral.

35-311 Use Regulations

TABLE 311-2 NON-RESIDENTIAL USE MATRIX														
	PERMITTED USE													
		O-1	O-2	NC	C-1	C-2	C-3	D	L	I-1	I-2	ERZD	(LBCS Function)	
Service	<u>Loan Office</u>	P	P	P	P	P	P	P					P	2200
Service	<u>Check Cashing Facility</u>				S	S	S						P	2600
Service	<u>Pay-Day Loan Agency</u>				S	S	S						P	2600

DIVISION 7 – SUPPLEMENTAL USE REGULATIONS

Sec. 35-394. Check Cashing Facilities and Pay-Day Loan Agencies

Check cashing facilities and pay-day loan agencies shall comply with the following requirements:

- (a) Hours of operation shall be established by City Council as part of a Specific Use Authorization.
- (b) There shall be no outdoor queuing; an indoor waiting area large enough to accommodate all customers shall be provided.



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

RECEIVED
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2007 SEP 19 PM 12: 24

TO: Mayor & City Council

FROM: Councilwoman Sheila McNeil

COPIES TO: Sheryl Sculley, City Manager; Leticia Vacek, City Clerk; Erik J. Walsh, Assistant City Manager; Christopher Callanen, Assistant to the City Council

SUBJECT: Request for Placement of Item on City Council Meeting Agenda

DATE: September 13, 2007

Issue Proposed for Consideration

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

I am respectfully requesting that the Development Services Department staff take appropriate steps in bringing forward to the City Council for final action an amendment to the Unified Development Code to require a specific use permit for check cashing facilities and pay-day loan agencies in certain zoning districts. A check cashing facility is defined as: a person or business that for compensation engages, in whole or in part, in the business of cashing checks, warrants, drafts, money orders, or other commercial paper serving the same purpose. The term "check cashing facility" does not include a state or federally chartered bank, savings and loan association, credit union, or industrial loan company. A pay-day loan agency is defined as: an establishment providing loans to individuals in exchange for personal checks as collateral. I request that this amendment to the UDC be brought forward on the earliest possible City Council Agenda.

Brief Background

The purpose of a 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. These uses are permitted only through the issuance of a specific use 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. There has been an increase in check cashing facilities and pay-day loan agencies all across the city.

Continues...

Requiring a specific use permit in certain zoning districts for these two uses would give City Council the discretion to determine if the uses are appropriate at the proposed locations, based on the site plan provided by the applicant and made a part of the ordinance for the specific use permit.

Submitted for Council consideration
by:

Lucia MacNeil 9/18/07
Sponsoring Councilmember

Supporting Councilmembers' Signatures (4 only)

District No.

1. Mary Alice J. Casner
2. Adriana Herrera
3. [Signature]
4. [Signature]

1

6

9

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2007 SEP 19 PM 12:24

**CITY OF SAN ANTONIO
DEVELOPMENT SERVICES DEPARTMENT
Zoning Commission**

TO: Members of the San Antonio Zoning Commission

FROM: Roderick J. Sanchez, AICP, CBO, Director

SUBJECT: Proposed zoning amendment to the UDC regarding bail bonds businesses

DATE: March 4, 2008

SUMMARY:

Pursuant to direction by City Council, the Development Services Department has prepared an amendment to the Unified Development Code (UDC) to define and to specify locational criteria for bail bond agencies.

BACKGROUND INFORMATION:

San Antonio's UDC indicates in which zoning districts individual uses are allowed or not allowed. There is no definition for bail bond agencies, nor is there an entry for this use in the "use matrix" of the UDC; currently, bail bond agencies are interpreted as professional offices and are allowed by right in all of the office and commercial zoning districts. Because of the broad specifications associated with the location of bail bond businesses, neighborhoods are concerned about the potential for one or more of these establishments to be located adjacent to or in close proximity to their residential properties.

In January, the Development Services Department received a Council Consideration Request (CCR) to amend the UDC by creating a definition and use matrix entry for bail bond agencies. The proposal is to allow this use within the C-2 (Commercial), C-3 (General Commercial), L (Light Industrial), I-1 (General Industrial) and MXD (Mixed-Use) districts **only with approval of a Specific Use Authorization**, which requires a site plan submittal and City Council approval through a zoning change. Following initiation through the CCR, the City Council Governance Committee considered this item and referred it to the City Council Infrastructure and Growth Committee following review and consideration by the Planning Commission and Zoning Commission.

POLICY ANALYSIS AND RECOMMENDATION:

Requiring specific use authorization in certain zoning districts for this use would give City Council the discretion to determine if the proposed use would be appropriate at the proposed location, based on the site plan provided by the applicant and made a part of the ordinance for the specific use. Through the zoning change process, the Zoning Commission could recommend, and City Council could impose conditions to make a

proposed bail bonds business more compatible with surrounding land uses; or City Council could deny the requested zoning change.

The Development Services Department recommends approval. There is increasing concern in the community about the intensity of these uses; they do not lend themselves well to the less intense zoning districts. The amendment as proposed would offer concerned citizens and property owners a public hearing process to provide input on the location of uses that can have an impact on their neighborhood.

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

APPENDIX A: DEFINITIONS AND RULES OF INTERPRETATION

Sec. 35-A101. Generally.

Bail Bond Agency - an establishment in which a licensed bail bond surety provides bail bond services as regulated by the Texas Occupations Code.

35-311 Use Regulations

TABLE 311-2 NON-RESIDENTIAL USE MATRIX													
	PERMITTED USE	O-1	O-2	NC	C-1	C-2	C-3	D	L	I-1	I-2	ERZD	LBCS (LBCS Function)
<u>Service</u>	<u>Bail Bond Agency</u>					<u>S</u>	<u>S</u>		<u>S</u>	<u>S</u>		<u>P</u>	

Sec 35-341 “MXD” Mixed-Use District.

- (b) **Use Regulations.** Except for the use specified in subsection (e) below, the Use Matrix is not applicable to a mixed-use district provided, however, that no building permit shall be issued unless...

- (e) Bail bond agencies shall require approval of a Specific Use Authorization, pursuant to Section 35-423, to be allowed within mixed-use districts.



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

RECEIVED
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CITY OF SAN ANTONIO
2008 JAN - 9 PM 5:07

TO: Mayor & City Council

FROM: Councilwoman Lourdes Galvan

COPIES TO: Sheryl Sculley, City Manager; Leticia Vacek, City Clerk; Pat DiGiovanni, Deputy City Manager; Chris Callanen, Assistant to the City Council; Michael Bernard, City Attorney; Leticia Callanen, Special Projects Manager; Ramiro Gonzales, Special Projects Coordinator

SUBJECT: Amendment to the UDC Re. Zoning for Bail Bond Businesses

DATE: January 8, 2008

Issue Proposed for Consideration

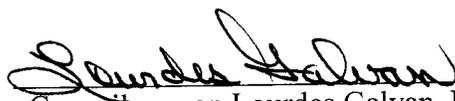
I ask for your support for the inclusion of the following item on the agenda of the earliest available meeting of the Governance Committee:

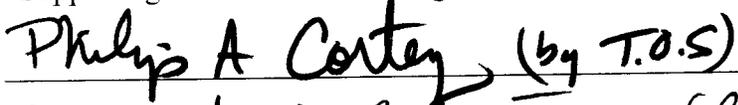
I respectfully ask for your support in amending the UDC regarding zoning for bail bond businesses, allowing the subject use with approval of a Specific Use Authorization (S) in the C-2, C-3, L, D, and I-1 Districts. Before the Zoning Commission or City Council may consider a rezoning case with an S, the applicant must submit a site plan, which would have to generally be adhered to upon development. I additionally request that the Development Services Department Staff bring forward an appropriate definition for 'bail bond agencies' to be considered and added to the Definitions section of the UDC.

Brief Background

Currently, bail bond businesses fall under the classification of a "Professional Office." As such, they are allowed to open in areas designated O-1, O-2, NC, C-1, C-2, C-3, I-1, and L. This current zoning has resulted in bail bond businesses moving into closer proximity of residential areas and coming into direct conflict with community plans.

Submitted for Council consideration
by:


Councilwoman Lourdes Galvan, District 5

Supporting Councilmembers' Signatures (4 only)	District No.
1.  (by T.O.S)	4
2.  (SC)	1
3. 	10

4. Deane Cibrain

8

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2008 JAN -9 PM 3:57

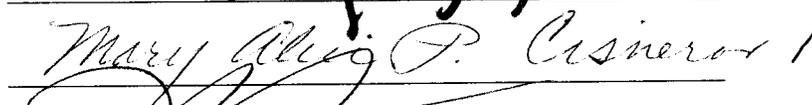
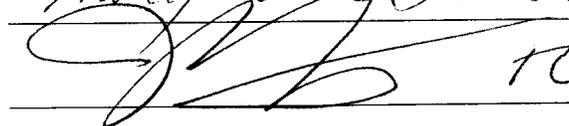
TO: Mayor & City Council
FROM: Councilwoman Lourdes Galvan
COPIES TO: Sheryl Sculley, City Manager; Leticia Vacek, City Clerk; Pat DiGiovanni, Deputy City Manager; Chris Callanen, Assistant to the City Council; Michael Bernard, City Attorney; Leticia Callanen, Special Projects Manager; Ramiro Gonzales, Special Projects Coordinator
SUBJECT: Amendment to Council Consideration Request Re. Zoning for Bail Bond Businesses
DATE: January 10, 2008

I ask for your support in amending the CCR, dated January 8, 2008, "Amendment to the UDC Re. Zoning for Bail Bond Businesses." Whereas current zoning for bail bond businesses includes Downtown Zoning, "D," this amendment removes D as a zoning option for bail bond businesses.

Submitted for Council consideration by:


Councilwoman Lourdes Galvan, District 5

Supporting Councilmembers' Signatures

1.  8
2.  4
3.  1
4.  10

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2008 JAN 11 PM 3:01

**CITY OF SAN ANTONIO
DEVELOPMENT SERVICES DEPARTMENT
Zoning Commission**

TO: Members of the San Antonio Zoning Commission

FROM: Roderick J. Sanchez, AICP, CBO, Director

SUBJECT: Proposed zoning amendment to the UDC regarding Master Planned Community Districts (MPCD)

DATE: March 4, 2008

SUMMARY:

Pursuant to direction by City Council, the Development Services Department has prepared an amendment to the Unified Development Code (UDC) pertaining to the height limitations and the minimum acreage required to zone and develop an MPCD (Master Planned Community District).

BACKGROUND INFORMATION:

In 2001, San Antonio's City Council adopted the current UDC which includes a zoning classification intended to encourage mixed use developments: MPCD (Master Planned Community District). This zoning classification offers opportunities to create areas of mixed uses that are internally compatible in an effort to achieve well designed development and to provide a more efficient arrangement of land uses, building and circulation systems.

At the time of the adoption of the UDC, flexible mixed use developments were not common in San Antonio. It was thought at the time that a 100-acre minimum size requirement to request and develop an MPCD would be a good starting point for this new and beneficial style of development. Since adoption of the UDC in 2001, not many developers have taken advantage of these mixed use options. From requests and proposals that Staff has reviewed, it appears that the 100-acre minimum size requirement may be the primary reason.

In November of 2007, the Development Services Department received a Council Consideration Request (CCR) to amend the UDC by reducing the minimum acreage requirement from 100 acres to 25 acres. In December, the City Council Governance Committee considered this CCR and referred the issue to the City Council Infrastructure and Growth Committee. The Technical Advisory Committee reviewed this item on February 11th, and the Planning Commission reviewed it on February 13th. At the City Council Infrastructure and Growth Committee meeting on February 20th, the committee added a modification to the height limitations that would allow structure heights within a proposed MPCD to be considered as part of the rezoning case. Following review by the Zoning Commission, this item can be scheduled for consideration by the City Council.

POLICY ANALYSIS AND RECOMMENDATION:

As stated in the CCR, over the last six years, the MPCD zoning option has been utilized only a few times. Decreasing the minimum size requirement for MPCDs to 25 acres should promote more mixed use developments in San Antonio. Twenty-five acres is a reasonable number based on zoning cases and projects Staff has reviewed and assisted applicants with. A reduction to 25 acres as a minimum would not negatively affect the compatibility standards, scale and clustering, open space, screening, or design requirements of the MPCD. All elements would continue to be illustrated on the site plan submitted with the request for zoning change and would be reviewed by the Zoning Commission and City Council in a public hearing.

Additionally, general limitations on structure height to thirty-five (35) feet (with additional height allowed in exchange for additional setback), has also hampered flexible mixed use development. To achieve additional height within a mixed use project where the setback/height allowance cannot be achieved due to oddly shaped/configured tracts, applicants have either had to seek O-2 (Office) or MF-50 (Multi-family) zoning classifications outside of the MPCD. This approach does not achieve adequate mixed-use flexibility which was the original intent of the MPCD. As the amendment is proposed, applicants for MPCD rezoning cases could specify the height of structures on the MPCD site plan for review and consideration by the Zoning Commission and City Council as part of their zoning case. The current height standards for structures on properties abutting single-family residential uses would remain.

The Development Services Department recommends approval.

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

Sec. 35-345. “MPCD” Master Planned Community Districts

- (b) **Size.** An “MPCD” shall consist of at least ~~one hundred (100)~~twenty-five (25) contiguous acres.

- (f) **Height and Yard Requirements.**
- (1) **Height Limitation.** The maximum height of structures shall be governed by the MPCD site plan, however uses subject to subsection (k)(1) of this section shall comply with the compatibility standards set forth in subsection (k). ~~thirty five (35) feet; however, any portion of a structure may exceed this limit provided such portion is set back from the side and rear lot lines, or setbacks if required, one (1) foot for each two (2) feet of height in excess of the thirty five (35) feet. Distance credit shall be permitted for space occupied by structures of conforming height extending from the lot lines or setbacks as applicable.~~



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

RECEIVED
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07 NOV 14 10:34 AM '07

TO: Mayor & City Council

FROM: Councilwoman Diane Cibrian District 8

COPIES TO: Sheryl Sculley, City Manager; Leticia Vacek, City Clerk; Pat DiGiovanni, Deputy City Manager; Chris Callanen, Assistant to the City Council; Michael Bernard, City Attorney; Leticia Callanen, Special Projects Manager; Ramiro Gonzales, Special Projects Coordinator

SUBJECT: Proposed UDC Amendment- "MPCD" Master Planned Community District

DATE: November 6, 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 Governance Committee:

Amending Section 35-345 "MPCD" Master Planned Community Districts Section (b) of the Unified Development Code. The amendment would change the requirement of an MPCD consisting of at least one hundred (100) contiguous acres to twenty five (25) contiguous acres.

Brief Background

The intent of MPCD district is to encourage the development of mixed use communities that provide internal connectivity and promote compatible land uses. Within the last six years the MPCD district has been applied a total of 4 times. It appears that the primary reason that the MPCD has not been used more frequently is because of the minimum acreage requirement, which is currently 100 acres.

Submitted for Council consideration
by:

Diane B. Cibrian
Councilwoman Diane Cibrian, District 8

Supporting Councilmembers' Signatures (4 only)

District No.

1.	<u>Shelia McNeil</u>	<u>2</u>
2.	<u>Margaret Cisneros</u>	<u>1</u>
3.	<u>Roland Tubery</u>	<u>3</u>
4.	<u>[Signature]</u>	<u>9</u>

KENNETH W. BROWN, AICP
DANIEL ORTIZ
PATRICK W. CHRISTENSEN

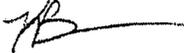


112 E. PECAN STREET
SUITE 1490
SAN ANTONIO, TEXAS 78205
TELEPHONE: 210.299.3704
FAX: 210.299.4731

PAUL M. JUAREZ
OF COUNSEL

MEMORANDUM

TO: Councilwoman Diane Cibrian

FROM: Ken Brown 

COPIES TO: Michael Shackelford

DATE: October 30, 2007

RE: Proposed UDC Amendment – “MPCD” Master Planned Community District

As you are aware the City hired a consultant to draft the Unified Development Code (UDC) in 2001. During this process the consultant did not propose a true “PUD” Planned Unit Development District ordinance, which would allow for mixed use projects, provide flexibility of development, and promote cluster developments. I, along with Laddie Denton and Rick Pierce (Centex Homes), worked on an ordinance with Emil Moncivais (Planning Director) to draft the “MPCD” Master Planned Community District. This section was inserted into the UDC and adopted by City Council with the help of Mr. Moncivais.

In a little over six years, the MPCD district has been applied approximately four times and all of these cases were initiated by Brown, P.C. It appears that the primary reason that this zoning district has not been used is because of the minimum acreage requirement, which is currently 100 acres. As you know, developers have started proposing Urban Village type projects that range from thirty to fifty acres in size. Developers of these “Urban Village Projects” have not been able to utilize the MPCD because of the minimum acreage requirement.

The intent of the MPCD district is to encourage the development of mixed use communities that provide internal connectivity and promote compatible land uses. The efficient arrangement of land uses and transportation systems allowed within the MPCD district also create an ideal mixed use community. Decreasing the minimum size requirement for this zoning district will promote more mixed use developments in San Antonio.

Therefore, we respectfully request that you direct staff to process an amendment to Section 35-345 “MPCD” Master Planned Community District in order to establish a minimum acreage of twenty-five acres. Should you have any questions, please do not hesitate to contact me.