

CITY OF SAN ANTONIO
Zoning Commission Agenda

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

May 5, 2009
Tuesday, 12:45 PM

ZONING COMMISSIONERS

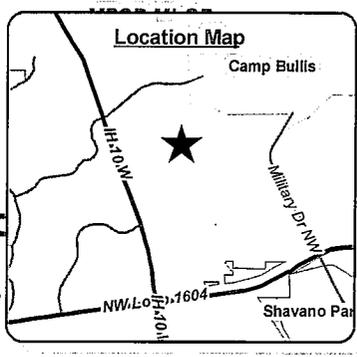
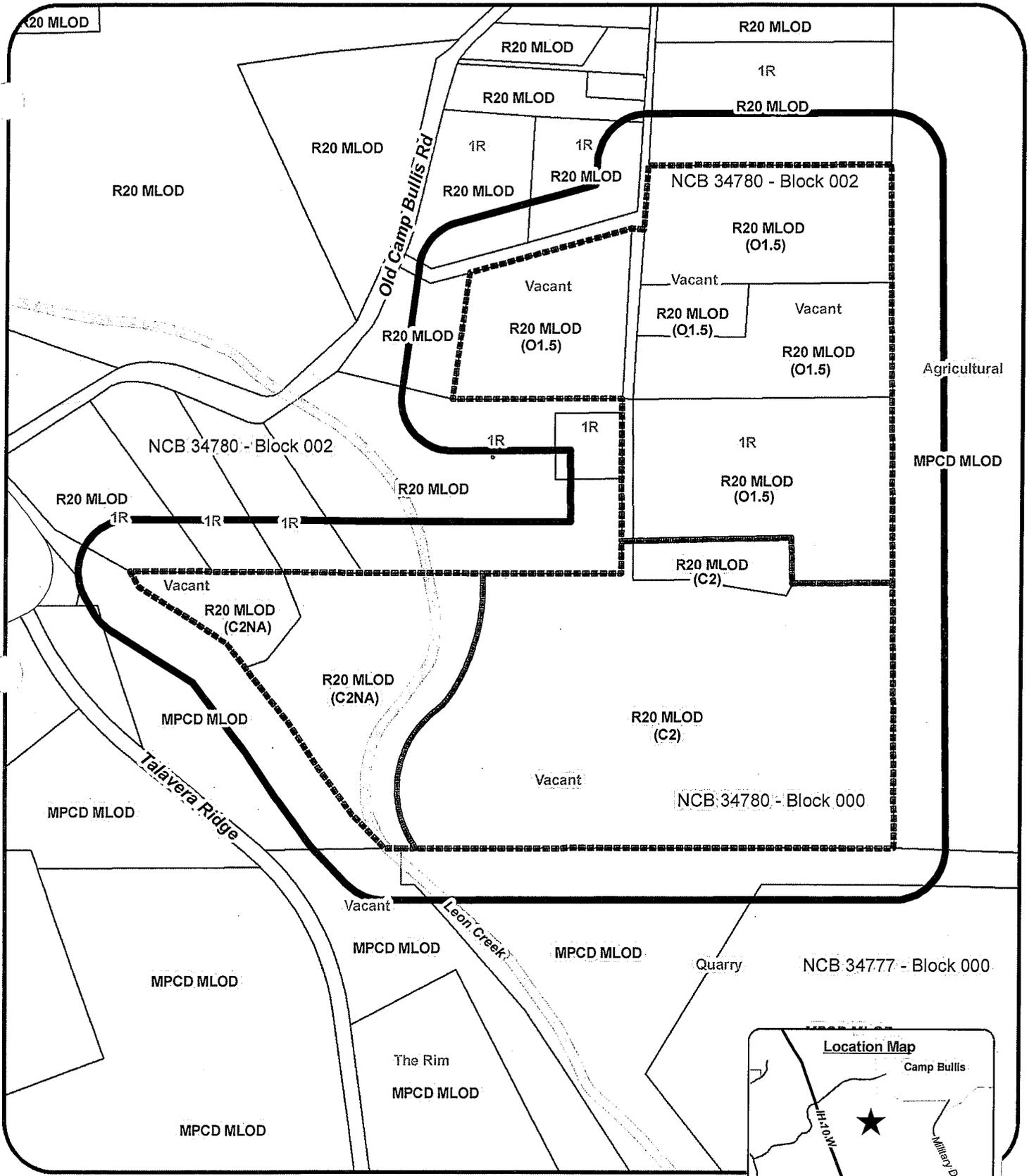
Michael Westheimer – District 1	Vacant – District 7
Barbara Hawkins – District 2	Ramiro Valadez, III – District 8
Jim Myers – District 4	Susan Wright – District 9
Joe Valadez – District 5	Milton R. McFarland – District 10
Christopher Martinez – District 6	James Gray – District Mayor
Don Gadberry – District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

1. 12:45 P.M. Tobin Room - Work Session discussion of policies and administrative procedures and any items for consideration on the agenda for May 5, 2009.
2. 1:00 P.M. Board Room– Call to Order
3. Roll Call.
4. Pledge of Allegiance.
5. Approval of April 21, 2009 Zoning Commission Minutes.
6. **ZONING CASE NUMBER Z2008014:** A request for a change in zoning from “R-20 MLOD-1” Residential Single Family, Camp Bullis Military Lighting Overlay District to “C-2NA MLOD-1” Commercial, Nonalcoholic Sales, Camp Bullis Military Lighting Overlay District (16.108 acres), “C-2 MLOD-1” Commercial, Camp Bullis Military Lighting Overlay District (44.535 acres) and “O-1.5 MLOD-1” Mid-rise Office, Camp Bullis Military Lighting Overlay District (43.621 acres) on 104.264 acres out of CB 4780 (NCB 34780), 5914 Old Camp Bullis Road. (Council District 8)
7. **ZONING CASE NUMBER Z2009061:** A request for a change in zoning from “C-3” General Commercial District and “MR” Military Reservation District to “MF-18” Multi-Family District (16.47 acres) and “C-3” General Commercial District (2.498 acres) on 18.968 acres out of NCB 15655, 4770 West Military Drive. (Council District 4)
8. **ZONING CASE NUMBER Z2009063:** A request for a change in zoning from “R-6” Residential Single-Family District to “C-2” Commercial District on 1.556 acres out of NCB 14702, 9545 Huebner Road. (Council District 8)
9. **ZONING CASE NUMBER Z2009085 S:** A request for a change in zoning from “C-3” General Commercial District to “C-3 S” General Commercial District with a Specific Use Authorization for a Check Cashing Facility on Lot 2, Block 1, NCB 18829, 9355 Culebra Road. (Council District 6)

10. **ZONING CASE NUMBER Z2009086:** A request for a change in zoning from “R-6” Residential Single-Family District to “MF-25” Multi-Family District on 3.746 acres out of Block 1, NCB 7423, 400 Joe Blanks Street. (Council District 6)
11. **ZONING CASE NUMBER Z2009087:** A request for a change in zoning from “C-1” Light Commercial District and “C-3” General Commercial District to “C-2” Commercial District on Lot 9, Block 3, NCB 16469, 4923 Fred May Drive. (Council District 7)
12. **ZONING CASE NUMBER Z2009088:** A request for a change in zoning from “R-6 MLOD-1” Residential Single-Family Camp Bullis Military Lighting Overlay District and “R-6 GC-1 MLOD-1” Residential Single-Family Hill Country Gateway Corridor Camp Bullis Military Lighting Overlay District to “C-3 MLOD-1” General Commercial Camp Bullis Military Lighting Overlay District and “C-3 GC-1 MLOD-1” General Commercial Hill Country Gateway Corridor Camp Bullis Military Lighting Overlay District on 3.584 acres out of NCB 34761 and 0.29 of an acre out of NCB 34780 and 0.104 of an acre out of CB 4761, 6194 Old Camp Bullis Road. (Council District 8)
13. **ZONING CASE NUMBER Z2009089 CD:** A request for a change in zoning from “C-1 H” Light Commercial Dignowity Hill Historic District to “C-1 CD H” Light Commercial Dignowity Hill Historic District with a conditional use for a charitable food service establishment on the east 10.52 feet of Lot 5 and the west 54.14 feet of Lot 6, Block 1, NCB 561, 626 Nolan. (Council District 2)
14. Director’s Report – No issue to report.
15. 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.
16. **ADJOURNMENT**

Accessibility Statement

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



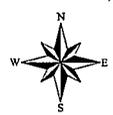
Zoning Case Notification Plan
Case Z-2008-014

Council District 8
 Scale: 1" approx. = 500'

Subject Property Legal Description(s): NE 551.56 ft of Lot 1, NW 208.71 ft of Lot 1, Lot 2, and Lot 9 - NCB 34780A - Block 000
 Parcels P-6, P-6A, P-6B, P-6C, P-6D, P-6E, P-6F - NCB 34780 - Block 000

Legend

Subject Property	▣ (104.264 Acres)
200' Notification Buffer	▬
Current Zoning	R6
Requested Zoning Change	(R6)
100-Year FEMA Floodplain	▬



Planning & Development Services Dept
 City of San Antonio
 (04/23/2009 - E Hart)

CASE NO: Z2008014

Final Staff Recommendation - Zoning Commission

Date: May 05, 2009

Zoning Commission continuance (Applicant's Request) from March 3, 2009. Case Postponed by Applicant on March 9, 2009.

Council District: 8

Ferguson Map: 480 D8

Applicant Name:

James P. McDonough, Jr.

Owner Name:

Old Camp Bullis II Ltd. and Leon Creek Water Supply Corporation

Zoning Request: From "R-20 MLOD-1" Residential Single Family, Camp Bullis Military Lighting Overlay District to "C-2NA MLOD-1" Commercial, Nonalcoholic Sales, Camp Bullis Military Lighting Overlay District (16.108 acres), "C-2 MLOD-1" Commercial, Camp Bullis Military Lighting Overlay District (44.535 acres) and "O-1.5 MLOD-1" Mid-rise Office, Camp Bullis Military Lighting Overlay District (43.621 acres).

Property Location: 104.264 acres out of CB 4780 (NCB 34780)

5914 Old Camp Bullis Road

South of Old Camp Bullis Road, east of IH 10 West

Proposal: To Allow a Commerical/ Office Development

Neigh. Assoc. Forest Crest Neighborhood Association

Neigh. Plan None

TIA Statement: A Level-3 Traffic Impact Analysis has been submitted.

Staff Recommendation:

Denial

The subject property is located south of Old Camp Bullis Road and east of IH-10 West. The property is currently an undeveloped/ agricultural parcel consisting of 104.264 acres total. Leon Creek runs through the subject property and a significant portion of the subject property is located in the 100-year flood plain. There appears to be a dense tree canopy on the northeast portion of the tract. The property was annexed on December 31, 1998 per ordinance #88824. Upon adoption of the 2001 Unified Development Code, the existing "R-20" Residential Single-Family District zoning converted from the previous "R-8" Large Lot Residence District zoning. The "MLOD-1" Camp Bullis Military Lighting Overlay District was applied to the subject property on April 2, 2009. The subject property is generally surrounded by single-family residences on large lots, agricultural uses, and undeveloped tracts of land. The zoning that surrounds the subject property is almost exclusively zoned residential, with the exception of "MPCD" Master Planned Community District zoning to the south.

The applicant is requesting a zoning change to allow for a commercial retail center and office campus. The proposed zoning is intended to be for the purposes of extending northward the commercial uses found in The Rim development located to the south. The subject property is physically isolated from the current Rim development, separated by a CPS utility easement that runs along the southern property line. There are also significant elevation differences that isolate this property from IH 10 West. Given the subject property's proximity to both the residential uses and zoning districts to the east, west and north, and its proximity to Camp Bullis and Eisenhower Park to the east, staff believes that the proposed commercial and office zoning is inappropriate. The request would allow commercial encroachment into an existing residential neighborhood and would push commercial development further east away from IH10 West.

In addition to compatibility of uses, staff has concerns with the existing available access to the subject

CASE NO: Z2008014

Final Staff Recommendation - Zoning Commission

property. There are currently no major thoroughfares or streets running through the property. The only egress and ingress routes are Old Camp Bullis Road, a private road, to the east, and another small private road that fronts a limited portion of the subject property. There are significant flood plain issues on the subject property, which could impede future development. Commercial uses are most appropriate along freeway frontages or at the intersections of major thoroughfares; consequently allowing land uses that rely on a high traffic count and major visibility in order to remain viable. Until connector streets are added that run through the subject property from the Rim, or IH-10 West, the proposed use will remain inconsistent with the current uses in the area.

The subject property is located within the Camp Bullis Awareness Zone/ Military Influence Area. In accordance with the signed Memorandum of Understanding between Fort Sam Houston and the City of San Antonio, Zoning Staff provided the Military with a copy of the rezoning request for review and comment. The Military's concerns on this proposed development's compatibility with the Camp Bullis installation would be addressed if:

1. The developer demonstrates that he has access to La Cantera Parkway.
2. The developer commits to incorporate "Dark Sky" Lighting measures and executes a declaration of use.
3. The developer provide appropriate documentation as specified by the Military that shows no endangered species are present on the subject property or the developer agrees to forego development on the portion of the subject property that appears to have a dense tree canopy (approximately 5% of the parcel.)

CASE MANAGER : Leslie Zavala 207-0215



REPLY TO
ATTENTION OF

Office of the Commander

DEPARTMENT OF THE ARMY
US ARMY INSTALLATION MANAGEMENT COMMAND
HEADQUARTERS, UNITED STATES ARMY GARRISON, FORT SAM HOUSTON
1206 STANLEY ROAD SUITE A
FORT SAM HOUSTON, TX 78234-5001

FEB 20 2009

T.C. Broadnax,
Assistant City Manager and Interim Director
Planning and Community Development
City of San Antonio
P.O. Box 839966
San Antonio, Texas 78283-3966

Robert Murdock, Brig. Gen. USAF (Ret.)
Director, Office of Military Affairs
City of San Antonio
PO Box 839966
San Antonio, Texas 78283-3966

Dear Mr. Broadnax and Mr. Murdock,

Thank you for the opportunity to respond to your staff's February 11, 2009 notification on Zoning Case Z2008014/5914 Old Camp Bullis Road for a 104 acre development about .2 of a mile west of the southwest corner of Camp Bullis. We provide the following comments.

This tract is adjacent to Old Camp Bullis Road (OCBR), a narrow strip of road/shoulder that extends out near the Interstate 10 frontage road. The Army has owned it in fee simple since the 1920s. Unless an overpass were used, allowing crossings/access to OCBR could make it difficult for the Army to ever use OCBR as our primary or alternate access road into Camp Bullis if the need arises. TXDOT traffic studies indicate that our current primary access, Military Highway, and our formerly used alternate, (new) Camp Bullis Road, will see large increases in traffic in the coming years. Hence, we will not grant lateral access to any development along OCBR. Unless this development has access to La Cantera Parkway, it appears to be landlocked.

The entire tract is within the Camp Bullis light zone of influence. This tract is so close that light could negatively impact night training unless substantial measures are used to prevent light pollution. Lighting causes a halo effect and can greatly reduce the effective distance for NVGs. Night training (land navigation, helicopters, etc) is done in many different areas of Camp Bullis. The applicant has communicated to us that he would be willing to restrict his development with a declaration of use that restricts uses (such as prohibits hotels, gas stations, car dealerships, or high density residential development) and requires dark sky compliant lighting measures.

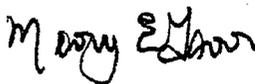


Although, a lesser issue because only about 5% of this tract appears to have dense tree canopy, developing this tract could displace endangered species onto Camp Bullis. Surveys of Golden-cheeked Warblers, a federally listed endangered species, have shown a 50% increase on Camp Bullis in the past 5 years. We believe this is caused by the large-scale clear-cutting of oak and juniper trees within 5 miles of Camp Bullis. Increased Warbler populations on Camp Bullis trigger further Endangered Species Act restrictions on military training. About 10,000 of the 28,000 acres of Camp Bullis are potential habitat (3,300 acres are currently occupied habitat, and this increases as displacement occurs and increases the restrictions on our field training). We believe that any development within 5 miles of Camp Bullis which involves substantial clear-cutting of thick stands of old growth juniper and oak trees should be preceded by an endangered species survey, as was done by the RIM developers this year for the 106 acre tract on the southwest corner of Camp Bullis. See enclosed map from which it appears that a small part on the northeast side of the tract is densely wooded.

Our concerns on compatibility with Camp Bullis would be addressed as long as the developer: 1) demonstrates that he has access to La Cantera Parkway; 2) commits to incorporate dark sky lighting measures (such as the July 22nd, 2008 Bexar County light order or proposed City of San Antonio equivalent) and executes a declaration of use as outlined above; and 3) has appropriate documentation -- recent surveys (not older than 3 years) conducted by a professional biological consultant IAW USFWS protocols showing that no endangered species are present) and sends the surveys to USFWS Ecological Services Office in Austin or commits to foregoing clearing that small 5% of this tract.

My points of contact are Mr. Phil Reidinger at (210) 221-1099 or 336-0449 (cell) or Mr. Jim Cannizzo at (210) 295-9830.

Sincerely,



Mary E. Garr
Colonel, US Army
Garrison Commander

Enclosure

Approximate Zoning Case Z2008014 Location - City of San Antonio, Bexar County, Texas - Vegetation Map

538500

539000

539500

540000

3277500

3277000

3276500

3276000

3277500

3277000

3276500

3276000

Camp Bullis

Approximate Zoning Case Z2008014 Location

538500

539000

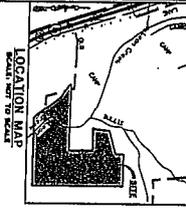
539500

540000

0 40 80 160 240 320 400 480 560
Meters

UTM - Nad 27, Zone 14N

5Mts Review Properties
— Surface Water Flow Path

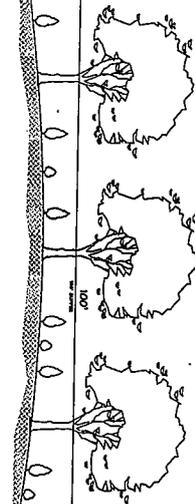
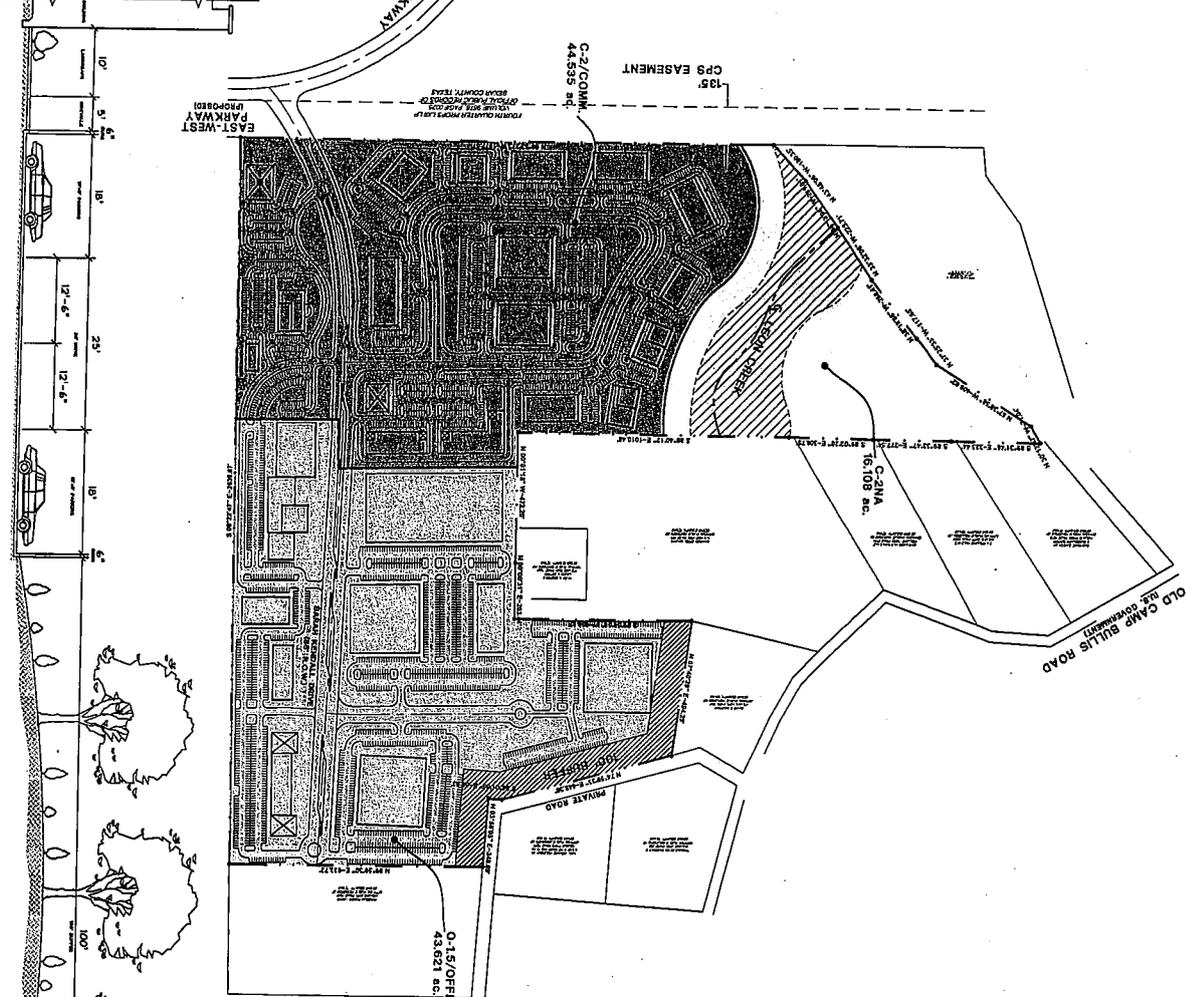


TYPICAL DETAIL / LANDSCAPED BIUREEB

CONCEPT SITE PLAN
SCALE: 1" = 200'

LA CANTERNA & PARKWAY
PROPOSED DISTURBANCE

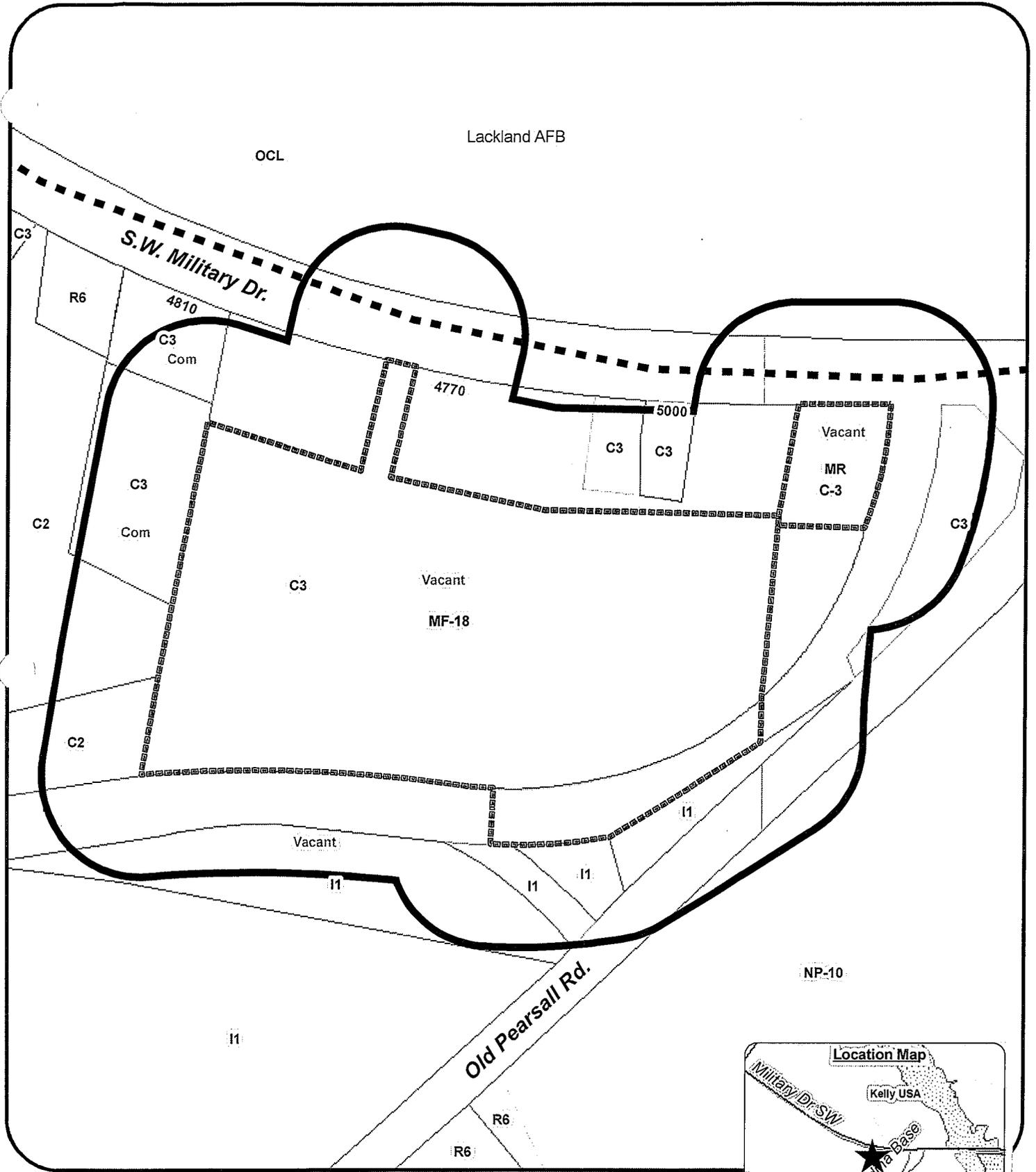
135' CPS EASEMENT
C-2/COMM 44,535 sq. ft.
EAST-WEST PARKWAY (Proposed)
PROPOSED QUARTERS W/PERMITS
FROM THE WEST AND SOUTH
OF THE PROPOSED DISTURBANCE



ZONING PROPOSAL SUMMARY
 0-15/OFFICE 43,821 AC.
 C-2NA 16,108 AC.
 C-2/COMM 44,535 AC.



Job No.: 0713 Date: 02/20/09 Drawn: RMM Checked: RMM	HARRY JEWETT ASSOCIATES Engineers • Architects • Planners 307 West Broadway San Antonio, TX 78205 Tel: 214-222-3100 Fax: 214-222-3100	108 Du Cant San Antonio, TX 78204 Tel: 214-222-3100 Fax: 214-222-3100	CONCEPT SITE PLAN / ZONING PLAN McDONOUGH 104 AC. SAN ANTONIO, TEXAS	Revisions: _____ _____ _____ _____
	BEXAR COUNTY			



Zoning Case Notification Plan

Case Z2009061

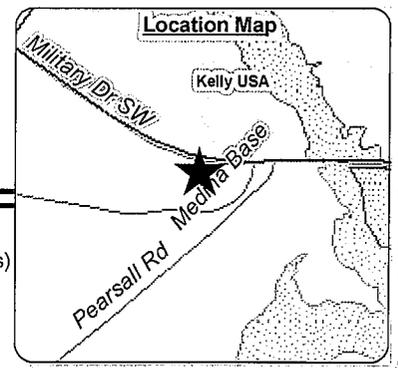
Council District 4

Scale: 1" approx. = 250

Subject Property Legal Description(s): A 16.47 and a 2.498 acre tract

Legend

- Subject Property (18.968 acres)
- 200' Notification Buffer
- Current Zoning **C3 & MR**
- Requested Zoning Change **(MF-18 & C-3)**
- 100-Year FEMA Floodplain



NP-10

CASE NO: Z2009061

Final Staff Recommendation - Zoning Commission

Date: May 05, 2009

Zoning Commission continuance (Applicant's Request)
from March 3 and April 7, 2009.

Council District: 4

Ferguson Map: 648 D5

Applicant Name:

Julio & Estela Gonzalez and Julio Gonzalez, Jr.

Owner Name:

Julio & Estela Gonzalez and Julio Gonzalez, Jr.

Zoning Request: From "C-3" General Commercial District and "MR" Military Reservation District to "MF-18" Multi-Family District (16.47 acres) and "C-3" General Commercial District (2.498 acres).

Property Location: 18.968 acres out of NCB 15655

4770 West Military Drive

On the south side of West Military Drive, east of Old Pearsall Road

Proposal: To consolidate commercially zoned tracts and to allow for a medium density multi-family development

Neigh. Assoc. People Active in Community Effort (P.A.C.E.), Southwest Community Association is within 200 feet

Neigh. Plan United Southwest Community Plan

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

Staff Recommendation:

Denial

The subject property was annexed in 1972, is undeveloped and totals approximately 18.968 acres. Upon adoption of the 2001 Unified Development Code, the existing "C-3" General Commercial District zoning converted from the previous "B-3" Business District zoning classification. A portion of the subject property was zoned "MR" when it was under the previous ownership of the United States Air Force. Lackland AFB is located to the north of the subject property across West Military Drive. Pearsall Park is located to the east across Old Pearsall Road and is zoned "NP-10" Neighborhood Preservation District. The undeveloped property to the south across Medina Base Road is zoned "I-1" Light Industrial District. Property to the west is zoned "C-2" Commercial District and "C-3" General Commercial District and is occupied by a contractor facility and VFW hall.

The applicant has applied for the "C-3" and "MF-18" zoning in order to consolidate commercially zoned tracts and to allow for a medium density multi-family development. Staff believes that residential uses are not appropriate for this site, due to the subject property's close proximity to Lackland AFB. Aircraft runways are visible from the subject property and there is substantial noise generated by aircraft operating at the installation. In addition to noise concerns, the United Southwest Community Plan calls for Community Commercial land use for the subject property. The applicant would need to amend the land use plan to Medium Density Residential and Regional Commercial land use to support the zoning request. A plan amendment has not been filed.

CASE MANAGER : Leslie Zavala 207-0215

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2009061

Address: 4770 SW Military

Existing Zoning: C-3 and MR

Requested Zoning: MF-18 and C-3, respectively

Registered Neighborhood Association(s): Withing People Active in Community Effort (P.A.C.E.) and within 200 feet of Southwest Community Neighborhood Association

Neighborhood/Community/Perimeter Plan: United Southwest Communities Plan

Future Land Use for the site: Community Commercial which provides for offices, professional services, and retail uses. It should be located at major intersections.

Analysis:

The subject property is located north of the intersection of West Military and Old Pearsall Road. The property is south of Lackland Air Force Base and west of Pearsall Park. The future land use map shows the property being within a community commercial land use node.

The requested MF-18 zoning district is not consistent with the future land use plan. The MF-18 zoning category corresponds to the high density residential land use. The applicant is recommended to apply for a plan amendment to change the future land use from community commercial to high density residential. Medium and high density residential is not appropriate in close proximity to Lackland AFB, due to proximity to flight operations and resulting noise.

The requested C-3 zoning is also not consistent with the future land use plan. The C-3 zoning district corresponds to the regional commercial future land use category. Regional commercial land uses are typically located at the intersection of major arterials or along mass transit system nodes. Currently, no regional commercial node exists near the subject property. The proposed zoning category requires a plan amendment to regional commercial. The current community commercial future land use category corresponds to a maximum commercial zoning category of C-2. Anything more intense than a C-2 use is not recommended by the future land use plan.

Request conforms to Land Use Plan

Request does not conform to Land Use Plan

Consistency not required because base zoning not changing

Other Comments:

The zoning change request does not conform to the future land use plan. It is recommended that the applicant apply for a plan amendment or amend the zoning change request to conform to the future land use plan.

Staff Recommendation:

Approval

Denial

Alternate Recommendation

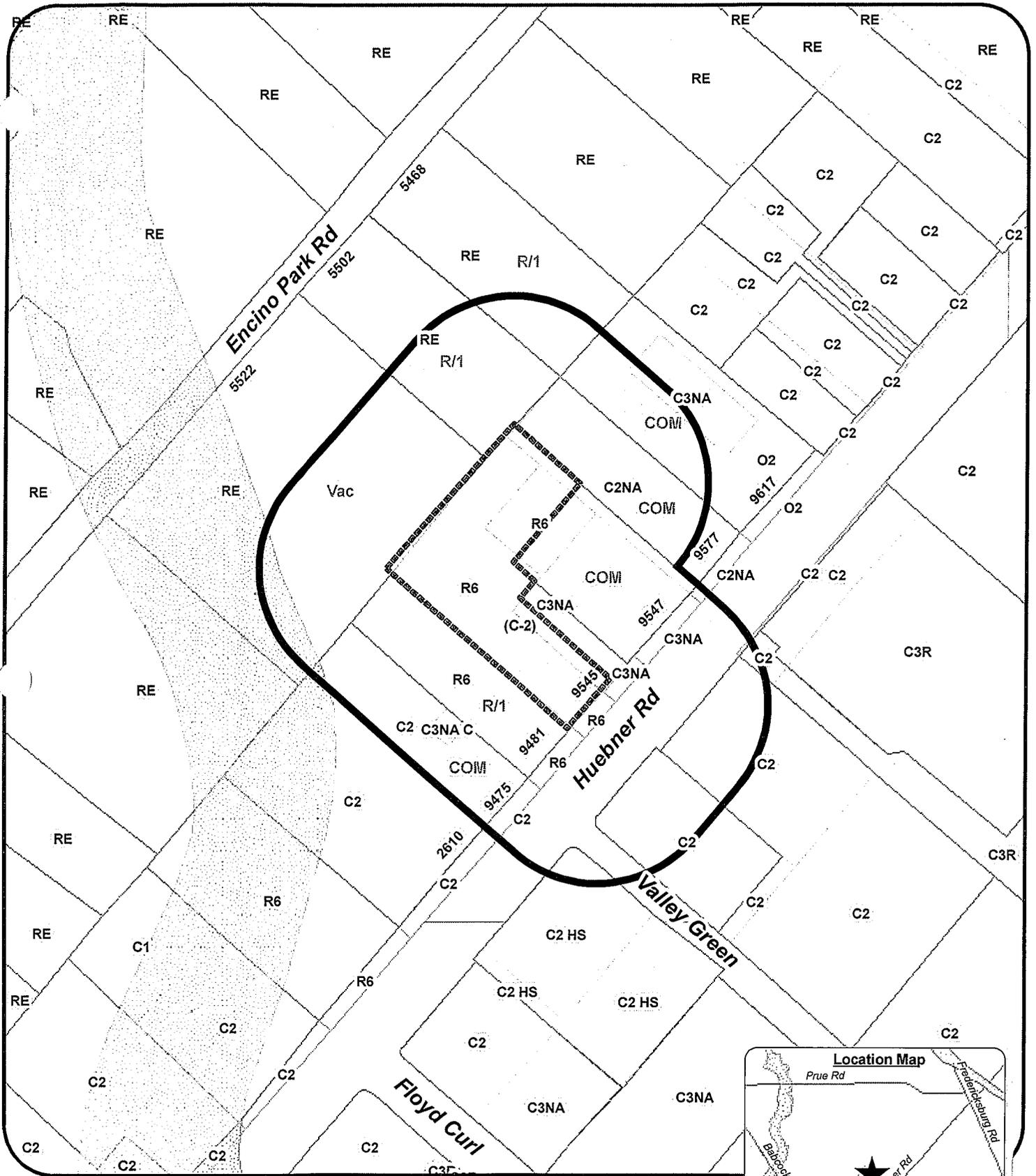
Reviewer: Rebecca Paskos

Title: Senior Planner

Date: 02/03/09

Manager Review: Nina Nixon-Mendez

Date: 02/11/09



Zoning Case Notification Plan

Case Z2009063

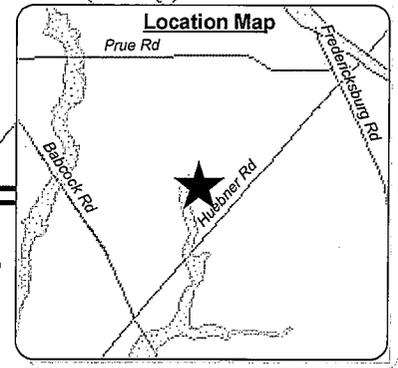
Council District 8

Scale: 1" approx. = 100'

Subject Property Legal Description(s): 1.556 acre tract of Lots 13 & 14

Legend

- Subject Property (1.556 acres)
- 200' Notification Buffer
- Current Zoning **R-6**
- Requested Zoning Change **(C-2)**
- 100-Year FEMA Floodplain



City of San Antonio
 Planning - Development Services Dept.
 2/12/2009
 D. E. Castillo

CASE NO: Z2009063

Final Staff Recommendation - Zoning Commission

Date: May 05, 2009

Zoning Commission continuance (Applicant's Request)
from March 3 and March 17, 2009

Council District: 8

Ferguson Map: 548 D6

Applicant Name:
Kenneth Higby

Owner Name:
Seaside Realty, L. P.

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

Property Location: 1.556 acres out of NCB 14702

9545 Huebner Road

On the north side of Huebner Road, approximately 150 feet east of the Valley Green Road Intersection

Proposal: To allow for a medical office building

Neigh. Assoc. Oakland Estates Neighborhood Association

Neigh. Plan Oakland Estates Neighborhood Plan

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

Staff Recommendation:

Approval

The subject property was annexed in 1972, is undeveloped and totals approximately 1.556 acres. Upon adoption of the 2001 Unified Development Code, the existing "R-6" Residential Single-Family District zoning converted from the previous "Temp R-1" Temporary Single Family Residence District. Property directly to the north and west of the subject property is zoned "RE" Residential Estate District and is part of the Oakland Estates subdivision. Property to the south is occupied by a single-family dwelling and is zoned "R-6" Residential Single-Family District. Property immediately to the west is occupied by a small dentist office zoned "C-3 NA" General Commercial Nonalcoholic Sales District and a small retail strip center zoned "C-2NA" Commercial Nonalcoholic Sales District. There is a new medical office park located directly across Huebner Road that is zoned "C-2" Commercial District. There are various commercial uses along Huebner Road between IH-10 and Babcock Road.

The applicant has applied for the "C-2" zoning in order to allow a medical office development. Staff finds the request to be appropriate given the subject property's location along Huebner Road, a Primary Arterial Type A, coupled with the prevalence of commercial zoning and uses along this segment of this major arterial. Additionally, the Oakland Estates Neighborhood Plan calls for Community Commercial land use for the subject property, which allows for office uses, professional services and retail uses of moderate intensity and impact. The requested "C-2" zoning is consistent with this land use category.

If this zoning change request is approved, a Type C buffer will be required along the northwest property line and a Type B buffer will be required along the southwest property line of the subject property to screen and separate the requested zoning district from adjoining single-family residential zoning districts.

CASE MANAGER : Leslie Zavala 207-0215

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2009063

Address: 9545 Huebner Road

Existing Zoning: R-6

Requested Zoning: C-2

Registered Neighborhood Association(s): Oakland Estates

Neighborhood/Community/Perimeter Plan: Oakland Estates Neighborhood Plan

Future Land Use for the site: Community Commercial

Analysis:

The applicant has requested a C-2 land use designation to develop a medical office building. The subject property is designated Community Commercial. The surrounding land use designations are also Community Commercial. Community Commercial provides for offices, professional services, and retail uses of moderate intensity and impact. Examples include a grocery store, a medical office, music store, shoe store, nursery, or mailing services store. According to the Oakland Estates Neighborhood Plan, Community Commercial is to be located along arterials.

The designation for Community Commercial would help to facilitate the transition of the corridor to desired business outlined in the plan. Due to business type, proximity to the Medical Center, and location along a major thoroughfare, the incorporation of a medical office facility would result in an increase of beneficial activity.

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

Consistency not required because base zoning not changing

Staff Recommendation:

Approval Denial

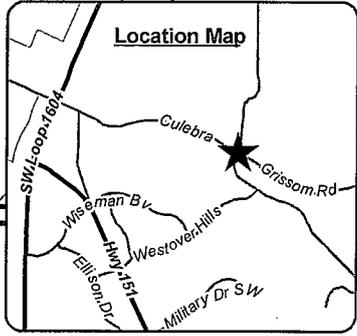
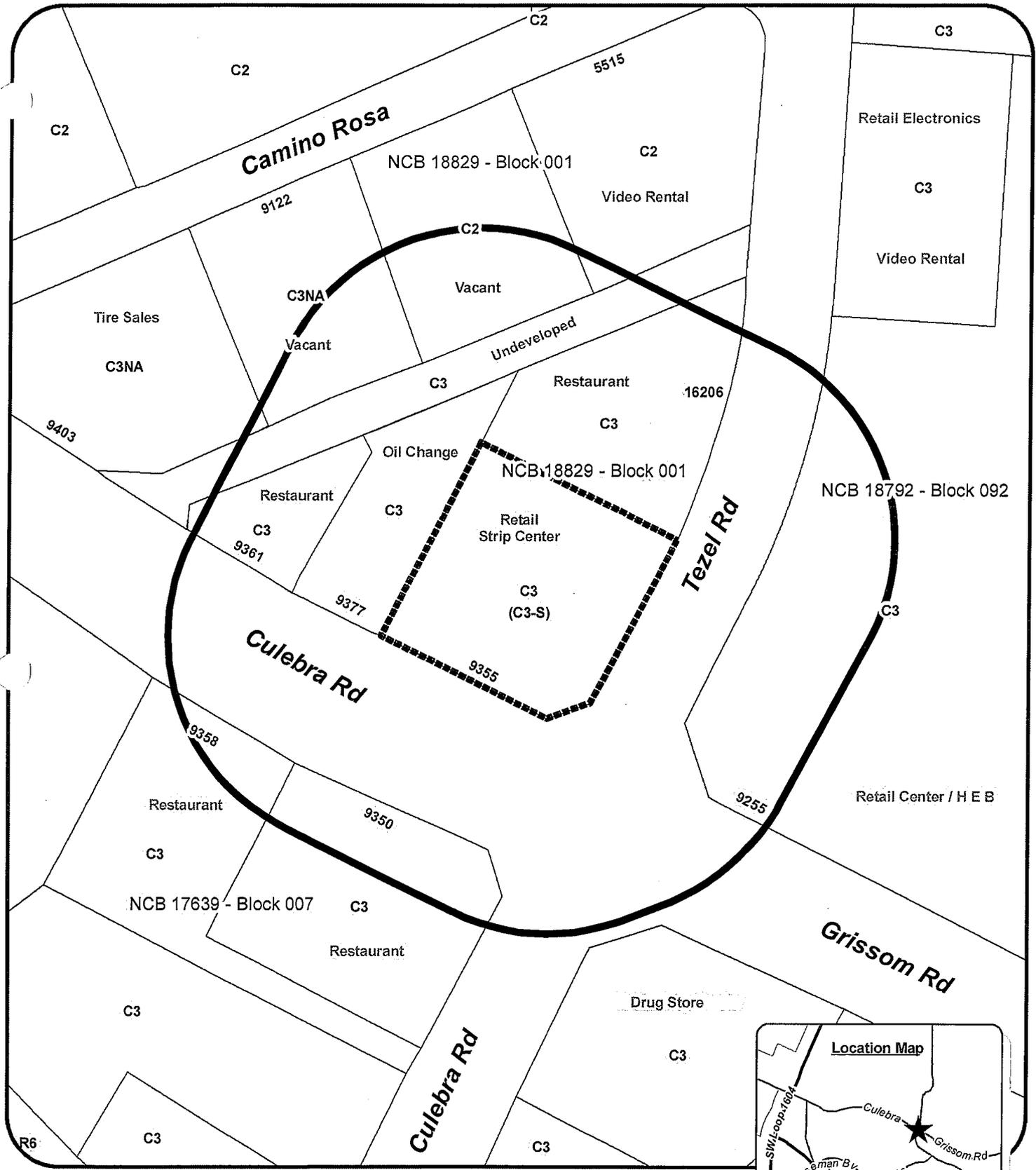
Reviewer: Brad Smilgin

Title: Planner

Date: 02/03/09

Manager Review: Nina Nixon-Mendez

Date: 02/18/09



Zoning Case Notification Plan
Case Z2009085 S

Council District 6
 Scale: 1" approx. = 120 Feet
 Subject Property Legal Description(s): NCB 18829 - Block 001 - Lot 2

Legend

- Subject Property (Dashed Line) (0.890 Acres)
- 200' Notification Buffer (Thick Solid Line)
- Current Zoning (Thin Solid Line)
- Requested Zoning Change (R6 (R6))
- 100-Year FEMA Floodplain (White Box)



CASE NO: Z2009085 S

Final Staff Recommendation - Zoning Commission

Date: May 05, 2009

Council District: 6

Ferguson Map: 579 A4

Applicant Name:

Owner Name:

Dan Moody III

Realty JV Venture VIII, L. P.

Zoning Request: From "C-3" General Commercial District to "C-3 S" General Commercial District with a Specific Use Authorization for a Check Cashing Facility.

Property Location: Lot 2, Block 1, NCB 18829

9355 Culebra Road

At the northern corner of Culebra Road and Tezel Road

Proposal: To allow a check cashing facility

Neigh. Assoc. None

Neigh. Plan Northwest Community Plan

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

Staff Recommendation:

Approval, with conditions.

The Northwest Community Plan designates the future land use of the subject property as Community Commercial; however, because there is no request to change the base zoning district, no plan amendment is required.

The subject property is approximately 0.9 of an acre located at the northern corner of Culebra and Tezel Roads. The existing commercial structure measures approximately 10,300 square feet, was built in 2004, and is currently used as a retail strip center. The subject property was annexed in December 1989, per Ordinance 68296 and was originally zoned "B-3" Business District. Upon adoption of the 2001 Unified Development Code, the previous zoning converted to the current "C-3" General Commercial District. Surrounding zoning includes a mix of "C-2" Commercial District, "C-3 NA" General Commercial Nonalcoholic Sales District, and "C-3" General Commercial District in all directions. Additionally, residential single-family zoning districts exist farther to the south (along Culebra Road) and to the northeast (along Timberwilde Drive). Surrounding land uses include many commercial uses including restaurants, auto part sales, oil change facilities, video stores, mini storage, check cashing and pay-day loans, a grocery store, multiple retail strip centers, and some undeveloped properties. Single-family neighborhoods are located south along Culebra Road and to the northeast along Timberwilde Drive.

Staff finds the requested specific use authorization to be appropriate for the subject property as it is consistent with other existing uses within the commercial node located at the intersection of two major arterial thoroughfares. Additionally, the Northwest Community Plan encourages continuing commercial uses at existing commercial nodes, specifically at the intersection of Culebra and Tezel Roads.

Staff has concerns with applying the requested specific use authorization to the entire subject property, instead of applying it to only one suite within the retail center. Doing so could allow multiple check-cashing facilities in the center, which staff does not support due to the prevalence of such businesses in the area (at

CASE NO: Z2009085 S

Final Staff Recommendation - Zoning Commission

least four check cashing or pay-day loan facilities within two blocks of the subject property). However, staff does support the requested specific use authorization and the proposed use, as the other existing facilities do not have the required specific use authorization and are considered non-conforming uses.

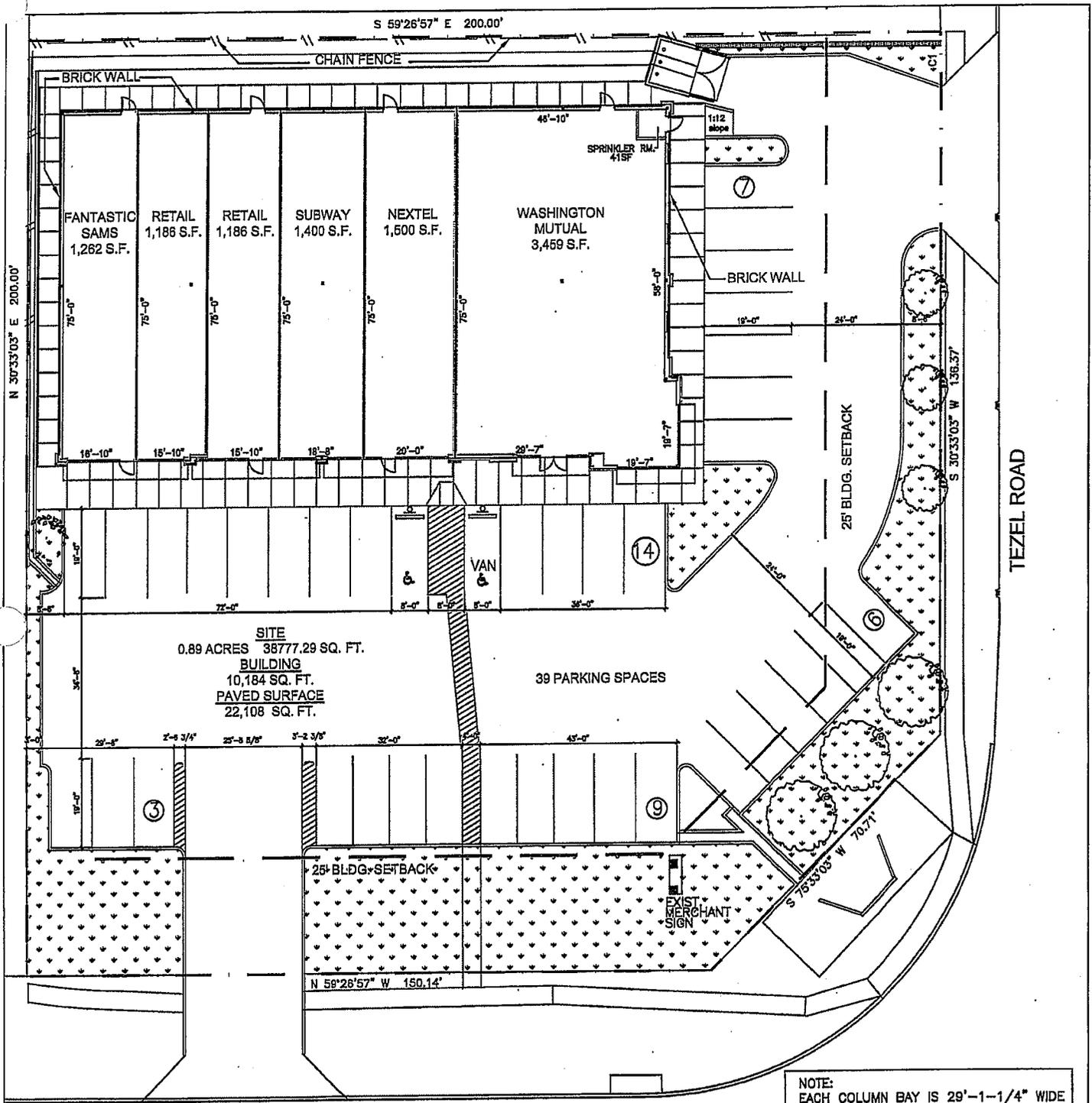
The purpose of the specific use authorization is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right; but which may, under the right set of circumstances and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

Should the requested zoning be approved, staff recommends the following condition:

1. Check cashing operations shall be limited to one suite within the retail strip center, at any given time.

CASE MANAGER : Micah Diaz 207-5876

Z2009085



NOTE:
EACH COLUMN BAY IS 29'-1-1/4" WIDE

REQUEST FOR ZONING CHANGE TO C3S - CHECK CASHING FACILITY

I, **MOODY RAMBIN INTERESTS**, THE PROPERTY OWNER, ACKNOWLEDGE THAT THIS SITE PLAN SUBMITTED FOR THE PURPOSE OF RECORDING THIS PROPERTY IS IN ACCORDANCE WITH ALL APPLICABLE PARAGRAPHS OF THE UNIFORM DEVELOPMENT CODE, ADDITIONALLY, I UNDERSTAND THAT THE CITY COUNCIL APPROVAL OF A SITE PLAN IN CONNECTION WITH A RECORDING CASE DOES NOT PREVENT THE FOLLOWING CONSEQUENCES TO ANY CITY-ADOPTED CODES AT THE TIME OF PLAN SUBMITTAL FOR BUILDING PERMITS:

CULEBRA & TEZEL ROAD
SAN ANTONIO, TEXAS

SCALE: 1:30

MOODY RAMBIN INTERESTS
3003 W ALABAMA
HOUSTON, TX 77098



Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2009085

Address: 9355 Culebra

Existing Zoning: C-3

Requested Zoning: C-3S

Registered Neighborhood Association(s): None

Neighborhood/Community/Perimeter Plan: Northwest Community Plan

Future Land Use for the site: Community Commercial uses provide for offices, professional services, and retail uses of moderate intensity and impact. Locations for Community Commercial include along arterials and shared access is required.

Analysis:

The applicant has requested a C-3S zoning designation to allow use of a check cashing facility. The proposed site is located directly at the intersection of Culebra and Tezel Road. It is also located within a parcel among continuing retail uses. It is surrounded by community commercial land uses and C-3 zoning.

The Northwest Community Plan clearly states, one of its existing major business nodes is Culebra/Tezel Road (p B-2). The neighborhoods encourage new business development to locate at this intersection.

Request conforms to Land Use Plan

Request does not conform to Land Use Plan

Consistency not required because base zoning not changing

Other Comments:

Staff Recommendation:

Approval

Denial

Alternate Recommendation

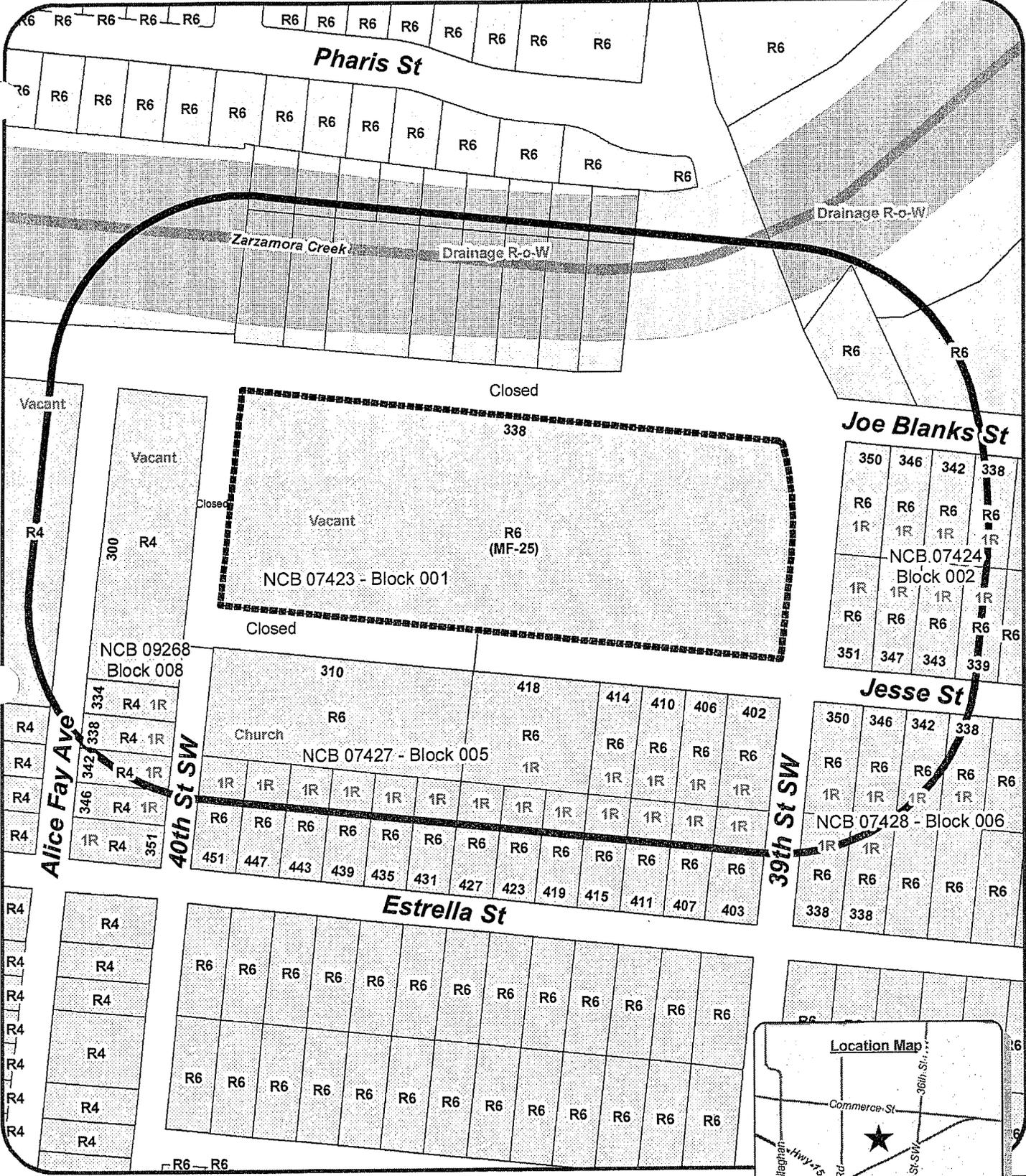
Reviewer: Loretta N. Olson

Title: Senior Planner

Date: 04/01/09

Manager Review: Nina Nixon-Mendez

Date:



Zoning Case Notification Plan

Case Z-2009-086

Council District 6
 Scale: 1" approx. = 150 Feet
 Subject Property Legal Description(s): NCB 07423 - Block 001 - 3.746 Acre Tract

Legend:

- Subject Property (3.746 Acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(MF-25)**
- 100-Year FEMA Floodplain



CASE NO: Z2009086

Final Staff Recommendation - Zoning Commission

Date: May 05, 2009

Council District 6

Ferguson Map: 614 F4

Applicant Name:

Merced Housing Texas, Inc.

Owner Name:

Merced Housing Texas, Inc.

Zoning Request From "R-6" Residential Single-Family District to "MF-25" Multi-Family District.

Property Location: 3.746 acres out Block 1, NCB 7423

400 Joe Blanks Street

Between Joe Blanks Street and Jesse Street

Proposal: To allow for an affordable senior independent living complex

Neighborhood Association: Community Workers Council

Neighborhood Plan: None

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

Staff Recommendation:

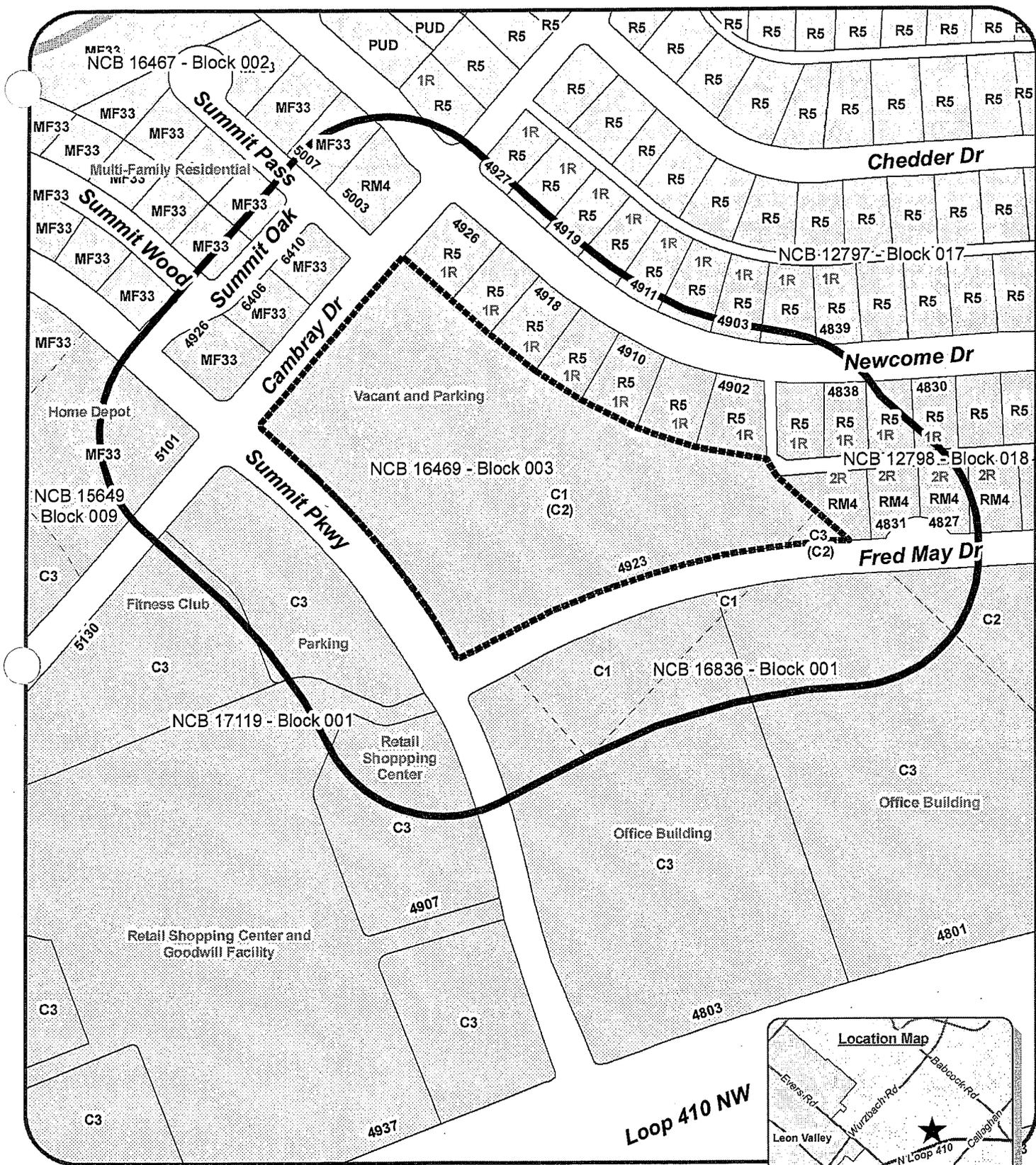
Approval

The subject property is located on the west side of San Antonio, on the northwest corner of Southwest 39th Street and Jesse Street. The property was annexed in September of 1945, is undeveloped and totals approximately 3.746 acres. It was originally zoned "R-1" Single-Family Residence District, which converted to "R-6" Residential Single-Family District upon adoption of the 2001 Unified Development Code. The subject property is within the Community Workers Council Neighborhood Association. The Zarzamora Creek drainage channel is located north of the subject property. Surrounding zoning includes "R-6" Residential Single-Family District to the east across Southwest 39th Street and across Jesse Street to the south with "R-4" Residential Single-Family District to the west. Surrounding land uses include single-family dwellings to the east across Southwest 39th Street and across Jesse Street to the south. A church is located to the south and vacant land to the west. Joe Blanks Street and Southwest 40th Street are currently undeveloped with Jesse Street half built out.

The proposed multi-family development at this location would provide a new two-story, 42 unit affordable housing for senior citizens. "MF-25" zoning on this property could yield a maximum of 93 units and would allow for an assisted living facility by right. Although an assisted living facility or elderly housing facility may be considered an appropriate use of the property and neighborhood, the "MF-25" zoning would not preclude the eventual use for multi-family dwellings. The "MF-25" zoning district is the designation for a multi-family use with a maximum density of up to 25 units per acre. An "MF-25" district designation may be applied to a use in a residential neighborhood that contains a mixture of single family and multi-family uses or in an area for which limited density multi-family use is desired.

Staff believes that if there is concern regarding the potential density, "MF-18" zoning is a viable option that would limit the potential units to 67 and would still allow for an assisted living facility by right.

CASE MANAGER : Pedro Vega 207-7980



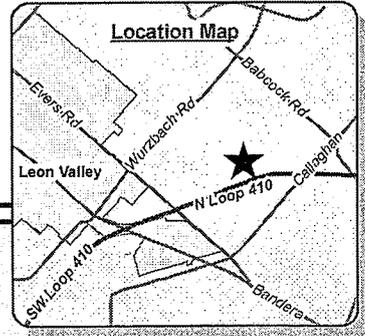
Zoning Case Notification Plan

Case Z-2009-087

Council District 7
 Scale: 1" approx. = 200 Feet
 Subject Property Legal Description(s): NCB 16469 - Block 003 - Lot 9

Legend

- Subject Property (5.905 Acres)
- 200' Notification Buffer
- Current Zoning C1
- Requested Zoning Change (C2)
- 100-Year FEMA Floodplain



Planning & Development Services Dept
 City of San Antonio
 (04/09/2009 - E Hart)

CASE NO: Z2009087

Final Staff Recommendation - Zoning Commission

Date: May 05, 2009

Council District 7

Ferguson Map: 580 F3

Applicant Name:
Koll Bren Fund VI, L.P.

Owner Name:
Koll Bren Fund VI, L.P.

Zoning Request From "C-1" Light Commercial District and "C-3" General Commercial District to "C-2" Commercial District.

Property Location: Lot 9, Block 3, NCB 16469

4923 Fred May Drive

Northeast side of Summit Parkway between Fred May Drive and Cambray Drive

Proposal: To allow the extension of the existing noncommercial parking lot

Neighborhood Association: None

Neighborhood Plan: None

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

Staff Recommendation:

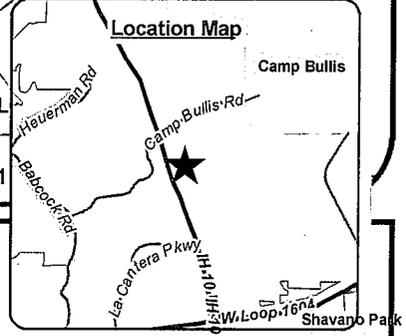
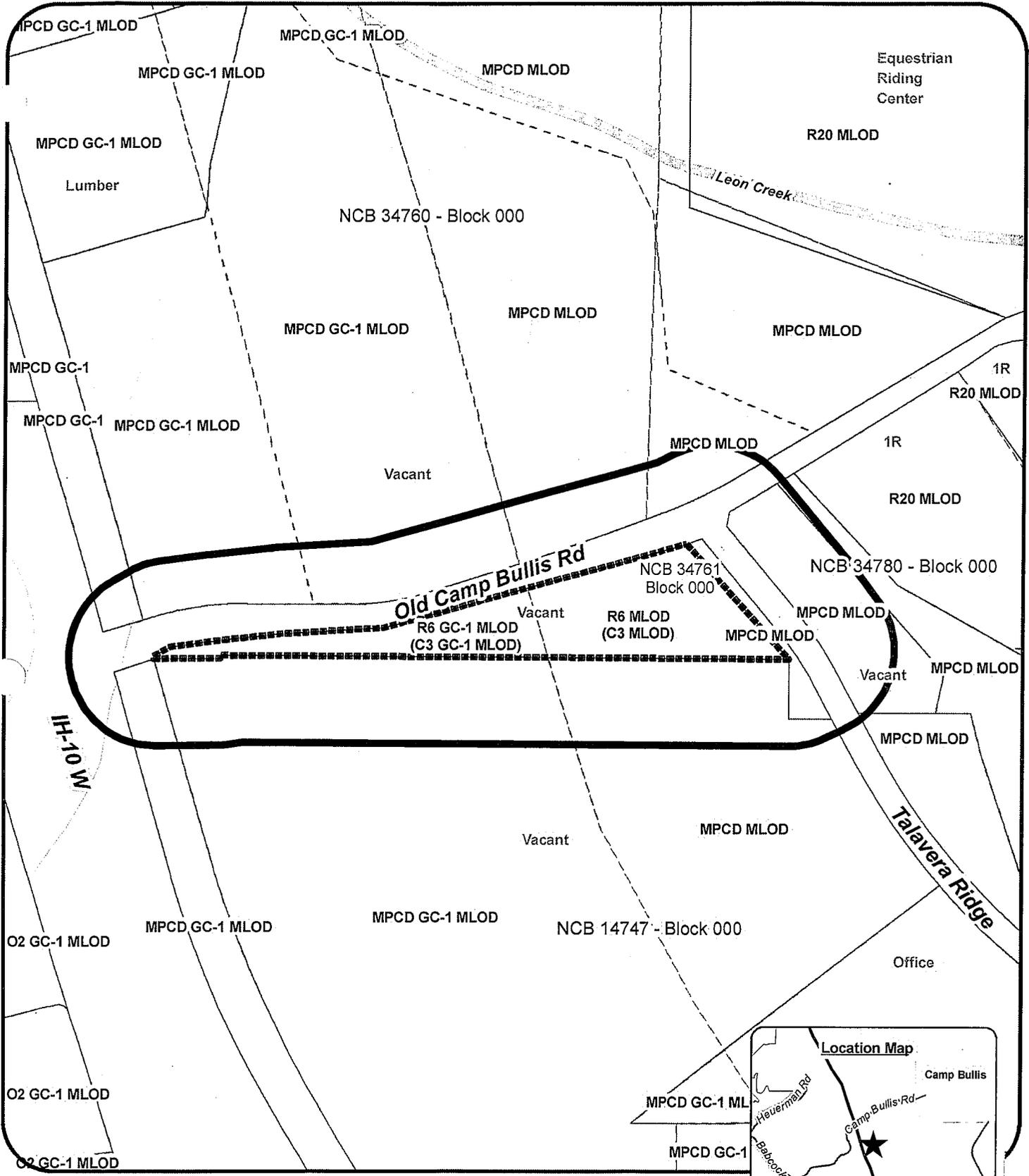
Approval

The subject property is located on the northwest side of San Antonio; on the northeast side of Summit Parkway between Fred May Drive and Cambray Drive. The subject property was annexed in December of 1972, totals 5.905 acres and is currently occupied by a noncommercial parking lot and vacant land. It was originally zoned "B-1" Business District, which converted to "C-1" Light Commercial District upon adoption of the 2001 Unified Development Code. Surrounding zoning includes "R-5" Residential Single-Family District and "RM-4" Residential Mixed District to the northeast, "MF-33" Multi-Family District across Cambray Drive to the northwest. There is "C-3" General Commercial District across Summit Parkway to the southwest with "C-3" General Commercial District and "C-1" Light Commercial District across Fred May Drive to the southeast. Surrounding land uses include single-family dwellings and two-family dwellings to the northeast, with single-family dwellings across Cambray Drive to the northwest. Commercial uses are located across Summit Parkway to the southwest and office uses across Fred May Drive to the southeast.

The subject property is located within a developing commercial/office shopping center (The Summit). The property in question is near the intersection of Summit Parkway and Northwest Loop 410. The "C-2" Commercial District is appropriate at this location and consistent with the existing commercial uses and zoning designations in the area. The subject property has been used as noncommercial parking for the office buildings located immediately across Fred May Drive. The applicant is requesting a zoning change for the extension of the existing noncommercial parking lot.

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

CASE MANAGER : Pedro Vega 207-7980



Zoning Case Notification Plan
Case Z2009088

Council District 8
 Scale: 1" approx. = 300 Feet

Subject Property Legal Description(s): NCB 34761 - Block 000 - Parcel P-3 (3.584 AC) and
 NCB 34780 - Block 000 - Parcel P-3 (0.394 AC)

Legend

Subject Property		(3.978 Acres)
200' Notification Buffer		
Current Zoning	TEXT	
Requested Zoning Change	(TEXT)	
100-Year FEMA Floodplain		



Planning & Development Services Dept
 City of San Antonio
 (04/16/2009 - E Hart)

CASE NO: Z2009088

Final Staff Recommendation - Zoning Commission

Date: May 05, 2009

Council District: 8

Ferguson Map: 514 C1

Applicant Name:

Owner Name:

Kaufman & Killen, Inc.

Old Camp Bullis Partners, Ltd. & CPS Energy

Zoning Request: From "R-6 MLOD-1" Residential Single-Family Camp Bullis Military Lighting Overlay District and "R-6 GC-1 MLOD-1" Residential Single-Family Hill Country Gateway Corridor Camp Bullis Military Lighting Overlay District to "C-3 MLOD-1" General Commercial Camp Bullis Military Lighting Overlay District and "C-3 GC-1 MLOD-1" General Commercial Hill Country Gateway Corridor Camp Bullis Military Lighting Overlay District.

Property Location: 3.584 acres out of NCB 34761, and 0.29 of an acre out of NCB 34780, and 0.104 of an acre out of CB 4761

6194 Old Camp Bullis Road

On the south side of Old Camp Bullis Road, approximately 100 feet east of IH-10

Proposal: To allow commercial development

Neigh. Assoc. Forest Crest Neighborhood Association

Neigh. Plan None

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

Staff Recommendation:

Denial of "C-3" General Commercial District, with an alternate recommendation of "C-2" Commercial District. The applicant has indicated the possibility of developing a hotel on the site, which will require a Specific Use Authorization in "C-2". Staff will support "C-2 S" with a Specific Use Authorization for a Hotel, if the applicant submits all required documentation relating to such a request.

The subject property consists of approximately 4 acres of undeveloped land located on the south side of Old Camp Bullis Road east of the IH 10 access road. The property was annexed in December 1998, per Ordinance 88824; and was originally zoned "Temp R-1" Single Family Residence District. Upon adoption of the 2001 Unified Development Code, the previous zoning converted to the current "R-6" Residential Single-Family District. A 2003 City-initiated zoning case applied the "GC-1" Hill Country Gateway Corridor Overlay District to a portion of the subject property. Surrounding zoning includes "MPCD" Master Planned Community District to the north, east, and south; with "R-20" Residential Single-Family District farther to the east along Old Camp Bullis Road. Properties along the west side of IH-10 are zoned for commercial and office uses. Surrounding land uses include vacant and undeveloped land to the north, east, and south. Farther to the east are single-family homes on large lots; while, farther to the south there are office and commercial uses that are part of The Rim development. The subject property is located within the Camp Bullis Awareness Zone; however the tract is smaller than 10 acres and is not immediately adjacent to Camp Bullis, thus the Military did not review the zoning request.

Staff finds the requested zoning to be too intense for the property's location. The "C-3" zoning district is consistent with Regional Commercial land uses, which are most appropriately located on large-acreage lots at intersections of highways and major arterials. Although the subject property is located near the IH 10 access road, Old Camp Bullis Road is not a major arterial thoroughfare and is, in fact, a private road. The subject

CASE NO: Z2009088

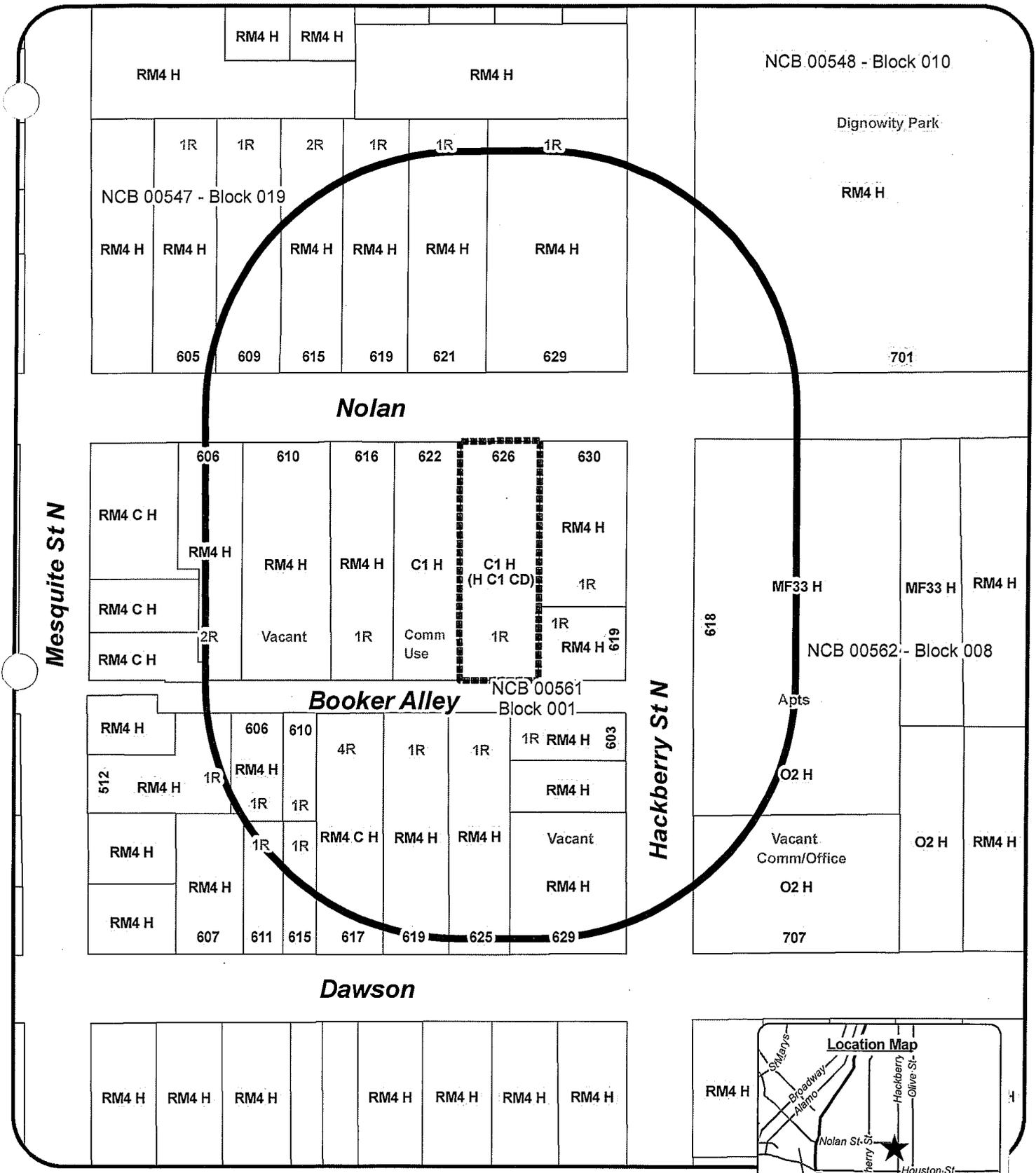
Final Staff Recommendation - Zoning Commission

property's location is more appropriate for Community Commercial uses, which would be consistent with the less-intense "C-2" Commercial District.

Staff supports rezoning of the property to allow for commercial development given the property's location and surrounding zoning. The property is located along a freeway, in an area that is currently undergoing commercial and office development. The surrounding "MPCD" zoning district allows a range of uses including residential single-family, multi-family, office, and commercial uses. The "MPCD" areas directly abutting and adjacent to the subject property are identified on the City Council-approved site plan as commercial uses to the north and east of the subject property, office uses to the south and southwest, with high density multi-family uses located to the southeast along Talavera Ridge. Rezoning the subject property to "C-2" would be consistent with these surrounding development patterns.

There are issues regarding access to the subject property. The subject property does not have ingress/egress from the IH 10 access road. Old Camp Bullis Road is a private roadway, although it is generally open for public use and the subject property owner has an access easement from Old Camp Bullis Road to the subject property. The subject property does not have access from Talavera Ridge, as there is additional privately owned property between the street and the subject property. These access issues will have to be resolved before the property can be developed, regardless of the zoning. However, because zoning is one of the earliest phases in the development process, staff supports commercial rezoning of the property, even with the existing access obstacles.

CASE MANAGER : Micah Diaz 207-5876



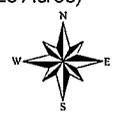
Zoning Case Notification Plan

Case Z-2009-089 CD

Council District 2
 Scale: 1" approx. = 100 Feet
 Subject Property Legal Description(s): NCB 00561 - Block 001 - E 10.52 ft of Lot 5 and W 54.14 ft of Lot 6

Legend

- Subject Property (0.28 Acres)
- 200' Notification Buffer
- Current Zoning **R6 (R6)**
- Requested Zoning Change
- 100-Year FEMA Floodplain



Planning & Development Services Dept
 City of San Antonio
 (04/10/2009 - E Hart)

CASE NO: Z2009089 CD

Final Staff Recommendation - Zoning Commission

Date: May 05, 2009

Council District: 2

Ferguson Map: 617 B5

Applicant Name:
San Antonio Catholic Worker Community

Owner Name:
San Antonio Catholic Worker

Zoning Request: From "C-1 H" Light Commercial Dignowity Hill Historic District to "C-1 CD H" Light Commercial Dignowity Hill Historic District with a conditional use for a charitable food service establishment.

Property Location: The east 10.52 feet of Lot 5 and the west 54.14 feet of Lot 6, Block 1, NCB 561
626 Nolan

On the south side of Nolan between North Hackberry Street to the east and North Mesquite Street to the west.

Proposal: To allow a charitable food service establishment

Neigh. Assoc. Dignowity Hill Neighborhood Association

Neigh. Plan Downtown Neighborhood Plan

TIA Statement: A Traffic Impact Analysis is not required

Staff Recommendation:

Approval

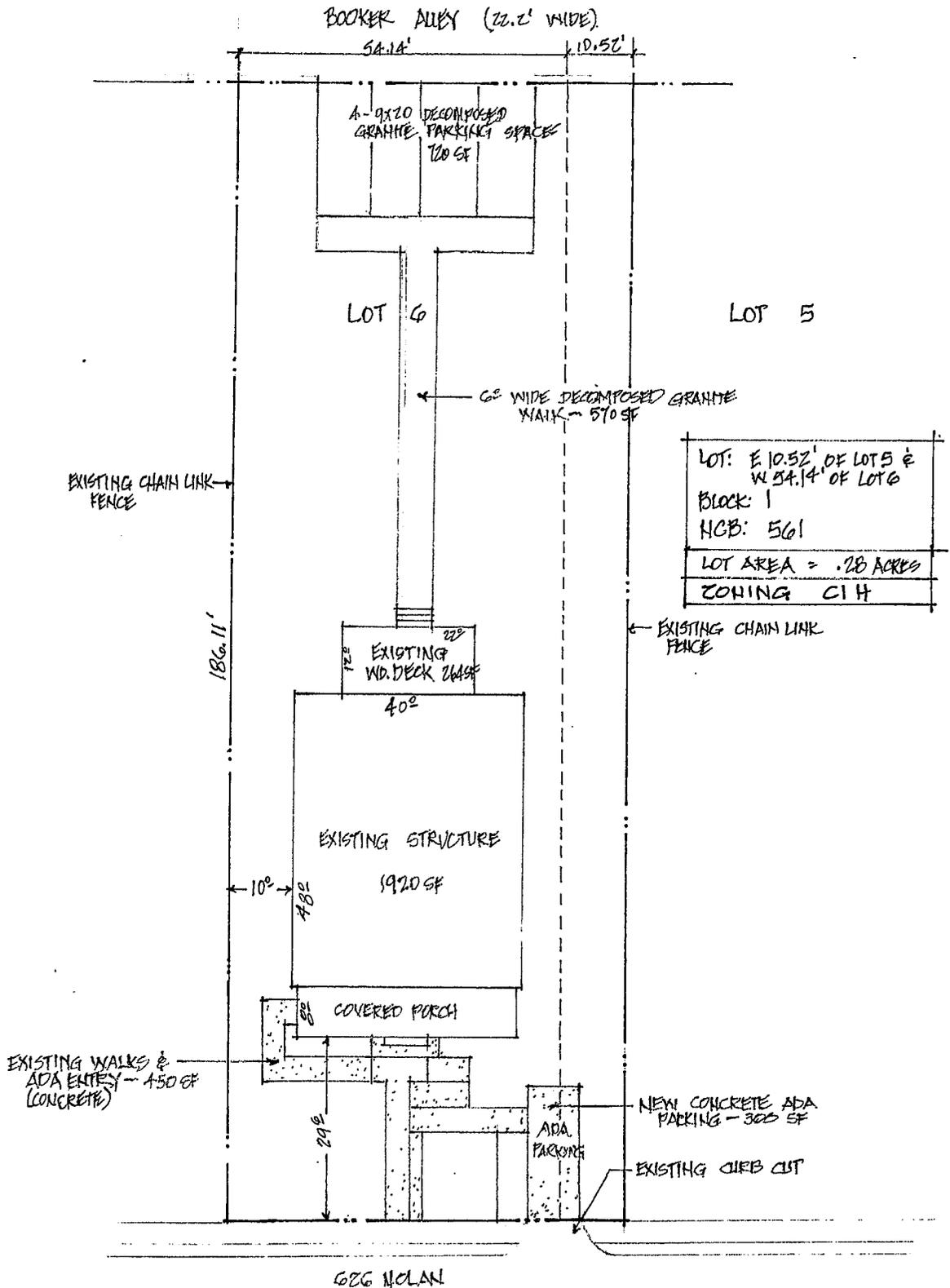
The subject property, located on the south side of Nolan between North Hackberry Street and North Mesquite Street, is approximately 0.2775 of an acre in size. The existing structure, measuring 1,920 square feet, was built in the 1930's and is currently a vacant residential structure. The subject property was originally zoned "B-1" Business District, which converted to "C-1" Light Commercial District upon adoption of the 2001 Unified Development Code. The property is adjacent to RM-4 zoning to the north and south, C-1 and RM-4 zoning to the west and RM-4, MF-33, and O-2 zoning to the east. The surrounding land uses consist of residential dwellings to the north and south, residential dwellings, apartments and Dignowity Park to the east and a commercial use, residential dwellings and vacant land to the west.

The applicant is requesting a zoning change to allow the relocation of an existing charitable food service establishment, located at 622 Nolan (immediately to the west), which requires a Conditional Use in C-1 zoning districts. Staff finds the request to be appropriate given the subject property's location along a major arterial Nolan (a Secondary Arterial "Type B" street). Further, the property is also less than 100 feet away from North Hackberry Street (a Secondary Arterial "Type B" street) and is adjacent to existing commercial zoning to the west, making this type of commercial development of the property suitable.

The application of a conditional use provides an opportunity to limit the impact of the proposed use on surrounding properties. The C-1 CD zoning classification would limit the scope of use allowed and restrict future occupancy should the use cease for an extended period of time.

The Downtown Neighborhood Plan calls for Residential land use for the subject property. The plan encourages the development and rehabilitation of housing, parks and businesses within the existing neighborhood. The requested Conditional Use would not be out of character with the neighboring properties and would provide an opportunity for infill development as defined in the plan.

CASE MANAGER : Brenda Valadez 207-7945



SAN ANTONIO CATHOLIC WORKER
 COMMUNITY HOUSING TRUST 1992
 SITE PLAN

SCALE 1:20



Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2009089

Address: 626 Nolan

Existing Zoning: C-1

Requested Zoning: C-1 CD Charitable food service establishment

Registered Neighborhood Association(s): Dignowity Hill Neighborhood Association

Neighborhood/Community/Perimeter Plan: Downtown Neighborhood Plan

Future Land Use for the site: Residential and within the Dignowity Hill District (E)

The Dignowity Hill District consists of existing historic district of single family and duplexes at a maximum density of 10 units per gross acre. Infill and housing rehabilitation to maintain neighborhood character is encouraged.

Analysis:

The subject property is located less than 100 feet west from the intersection of Hackberry and Nolan. Both Hackberry and Nolan are designated secondary arterial type B in the Major Thoroughfare Plan. The subject property is also less than 200 feet from the Dignowity Hill Park.

The adaptive reuse of the existing structure is consistent with the goals in the plan for infill development. Additionally, the long term vision for the East Neighborhood includes, "b. Develop and rehabilitate housing, parks, and businesses in existing neighborhoods" (p 24).

Policy 1A of the Urban Design chapter of the City of San Antonio Master Plan states, "Define, preserve and promote neighborhood centers which include schools, libraries, stores, transit centers and community service facilities in accessible, pedestrian friendly environments." By locating within the neighborhood, the proposed Catholic Worker Mission to provide food at no charge at the subject property is in line with the Master Plan policy for accessibility of community services.

Request conforms to Land Use Plan

Request does not conform to Land Use Plan

Consistency not required because base zoning not changing

Other Comments:

Staff Recommendation:

Approval

Denial

Reviewer: Rebecca Paskos

Title: Senior Planner

Date: 04/16/2009

Manager Review: Nina Nixon-Mendez

Date:

11/06/08