

CITY OF SAN ANTONIO
Zoning Commission Agenda

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

November 4, 2008
Tuesday, 11:30 AM

ZONING COMMISSIONERS

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

1. **11:30 AM - Tobin Room: Work Session discussion of UDC amendments, policies and procedures, briefing on the proposed UDC amendment to create the Arts and Entertainment Special Zoning Districts, briefing on the East Commerce Street Arts & Entertainment District rezoning case, briefing on the proposed UDC amendment to create a Military Lighting Overlay District, plus briefing by Staff regarding zoning case recommendations and all other items for consideration on the agenda for November 4, 2008.**
2. 1:00 P. M. – Board Room - Call to Order
3. Roll Call.
4. Pledge of Allegiance.
5. Approval of October 21, 2008 Minutes.
6. **ZONING CASE NUMBER Z2009008 - WITHDRAWN:** A request for a change in zoning from ‘C-2’ Commercial District and ‘R-6’ Residential Single Family District to ‘R-6’ Residential Single Family District on 3.734 acres out of NCB 17862, 14535 Blanco Road. (Council District 9)
7. **ZONING CASE NUMBER Z2008147 ERZD:** A request for a change in zoning from ‘R-6 CD ERZD’ Residential Single-Family Edwards Recharge Zone District with a Conditional Use for a Private High School to ‘O-1 ERZD’ Office Edwards Recharge Zone District (1.6350 acres) and ‘O-2 ERZD’ Office Edwards Recharge Zone District (11.9523 acres) on 13.5873 acres out of NCB 17627 and NCB 18598, 4150 DeZavala Road. (Council District 8)
8. **ZONING CASE NUMBER Z2008188 ERZD:** A request for a change in zoning from ‘C-3’ General Commercial District; ‘R-6’ Residential Single-Family District; ‘C-3’ ERZD General Commercial Edwards Recharge Zone District and ‘R-6’ ERZD Residential Single-Family Edwards Recharge Zone District to ‘MPCD ERZD’ Master Planned Community Edwards Recharge Zone District and ‘MPCD’ Master Planned Community District on 81.138 acres out of NCB 14867, 9100 Block of North Loop 1604 West. (Council District 8)

9. **ZONING CASE NUMBER Z2008211:** A request for a change in zoning from “I-1 RIO-2” General Industrial River Improvement Overlay District 2 to “D RIO-2” Downtown River Improvement Overlay District 2 on 0.203 acres out of NCB 441, 630 Broadway. (Council District 1)
 - A. Finding of consistency with Master Plan.
 - B. Recommendation on zoning change request.

10. **ZONING CASE NUMBER Z2008212:** A request for a change in zoning from “I-1 RIO-2” General Industrial River Improvement Overlay District 2 to “D RIO-2” Downtown River Improvement Overlay District 2 on Lot 8 and the northeast 44.61 feet of Lot 7, Block 3, NCB 446, 702 Broadway. (Council District 1)
 - A. Finding of consistency with Master Plan.
 - B. Recommendation on zoning change request.

11. **ZONING CASE NUMBER Z2008253:** A request for a change in zoning from “R-6” Residential Single-Family District to “MF-33” Multi Family District on 4.271 acres out of NCB 14862 and 6.142 acres out of NCB 17204, 6301 Melissa Ann. (Council District 8)
 - A. Finding of consistency with Master Plan.
 - B. Recommendation on zoning change request.

12. **ZONING CASE NUMBER Z2008264 CD:** A request for a change in zoning from “R-6” Residential Single Family District to “C-2 CD” (CD-Mini Warehouse) Commercial District with a Conditional Use for a Mini Warehouse on Lot 11, Lot 12 and Lot 13, Block 3, NCB 17637, 5462, 5504 and 5514 Rogers Road. (Council District 6)

13. **ZONING CASE NUMBER Z2008269 CD:** A request for a change in zoning from “R-6” Residential Single Family District to “C-2 CD” (CD-Auto and Light Truck Repair) Commercial District with a Conditional Use for Auto and Light Truck Repair on the north 50 feet of Lot 168, Block 15, NCB 11111, 335 Moursund Boulevard. (Council District 3)

14. **ZONING CASE NUMBER Z2008275 S:** A request for a change in zoning from “I-1” General Industrial District to “I-2 S” Heavy Industrial District with a Specific Use Authorization for a Bulk Plant or Terminal on Lot 25, NCB 12867, 498 Pop Gunn Drive. (Council District 2)

15. **ZONING CASE NUMBER Z2008243:** A request for a change in zoning from “MF-33” Multi Family District to ‘C-1” Light Commercial District (0.901 acres) and ‘O-2” Office District (1.226 acres) on 2.12 acres out of NCB 14281 (P-116, NCB 14281), 4100 block of Gardendale Drive. (Council District 8)

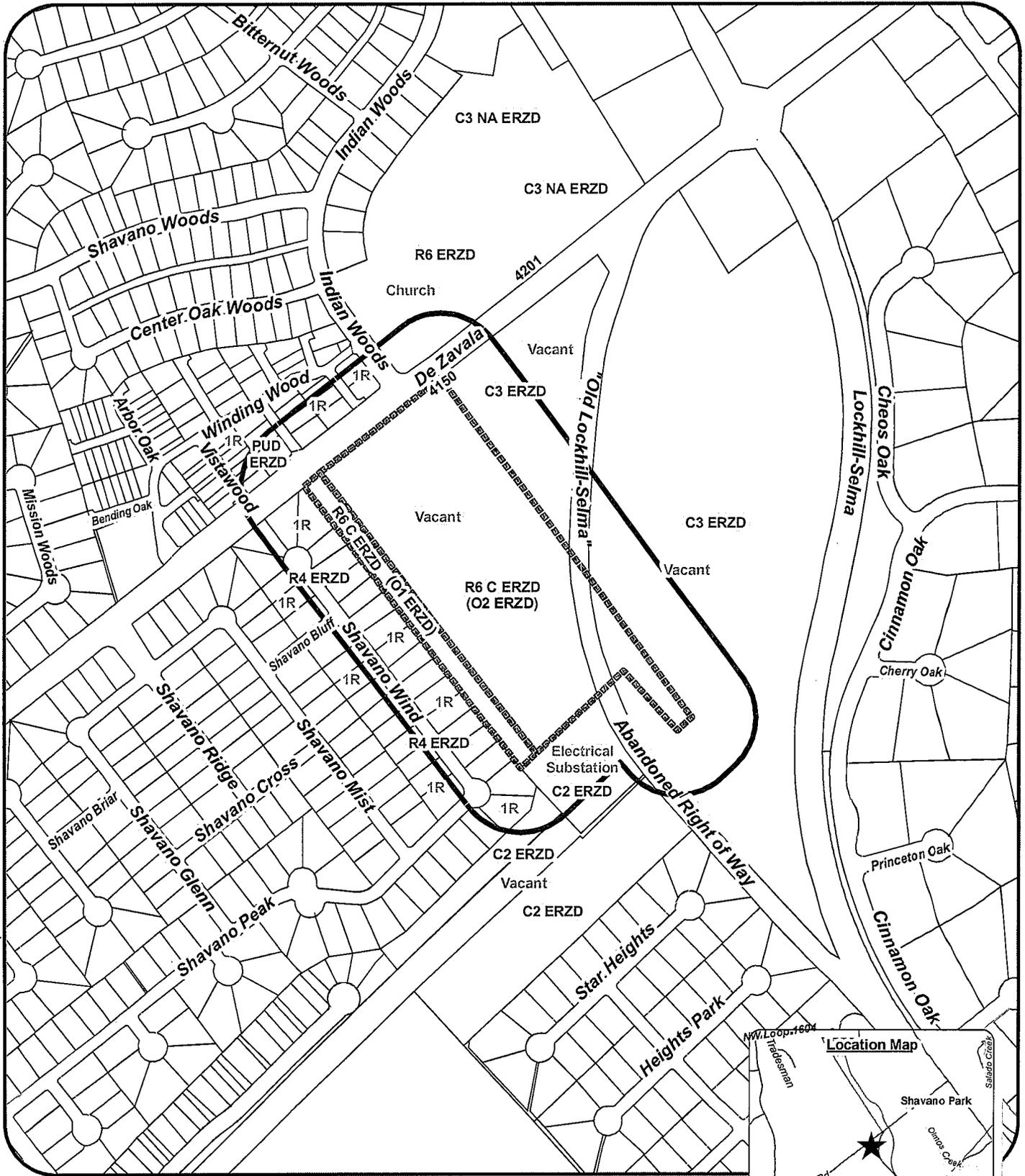
16. **ZONING CASE NUMBER Z2008279:** A request for a change in zoning from “R-6” Residential Single Family District and ‘C-1” Light Commercial District to ‘C-3” General Commercial District on 2.270 acres out of NCB 15552, the southwest corner of the intersection of Westrock & Westoak. (Council District 4)

17. **ZONING CASE NUMBER Z2008280:** A request for a change in zoning from “MF-33” Multi-Family District and “C-2” Commercial District to "MF-33 “IDZ” Multi-Family Infill Development Zone District on Lot 9 and the north 90.8 feet of Lots 7 and Lot 8, Block 11, NCB 1749, 120 East Myrtle Street and 623 Ogden Street. (Council District 1)

18. **ZONING CASE NUMBER Z2008281:** A request for a change in zoning from “R-6” Residential Single-Family District to “MF-33” Multi-Family District on Lot 8, Block 8, NCB 15508, 273 Altitude Drive. (Council District 4)
19. **ZONING CASE NUMBER Z2008282:** A request for a change in zoning from “R-4” Residential Single-Family District to “C-2P” Commercial Pedestrian District on Lot 17, Block 3, NCB 9764, 802 La Manda. (Council District 1)
20. **ZONING CASE NUMBER Z2008283:** A request for a change in zoning from “R-6” Residential Single Family District to “C-3NA” General Commercial District, Nonalcoholic Sales on Lot 12, Block 4, NCB 2047, 140 Princeton. (Council District 1)
21. **ZONING CASE NUMBER Z2009001 CD:** A request for a change in zoning from “R-20” Residential Single Family District to “R-20 CD” (CD-Professional Office) Residential Single Family District with a Conditional Use to allow a Professional Office on 0.631 acres out of Lots 1 and 2, Block 9, NCB 14709, a portion of 6325 Babcock Road. (Council District 8)
22. **ZONING CASE NUMBER Z2009005:** A request for a change in zoning from “RM-4 NCD-5” Residential Mixed Beacon Hill Area Neighborhood Conservation District to “HS RM-4 NCD-5” Historic Significant Residential Mixed Beacon Hill Area Neighborhood Conservation District on Lots 20, 21, 22, and 23, Block 35, NCB 1827, 1002 West Magnolia. (Council District 1)
23. **ZONING CASE NUMBER Z2009006:** A request for a change in zoning from “H C-2NA” Commercial Nonalcoholic Sales, Monticello Park Historic District to “HE H C-2NA” Commercial Nonalcoholic Sales, Monticello Park Historic District, Historic Exceptional on 0.2084 acres out of NCB 6692, 1909 Fredericksburg Road. (Council District 7)
24. Public hearing and consideration of amendments to the Unified Development Code as part of the 2008 biennial update program.
25. 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.
26. **ADJOURNMENT**

Accessibility Statement

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



Zoning Case Notification Plan

Case Z2008147 ERZD

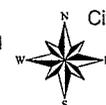
Council District 8

Scale: 1" approx. = 400

Subject Property Legal Description(s): 13.5873 Acres out of NCB 18598

Legend

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



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

CASE NO: Z2008147 ERZD

Final Staff Recommendation - Zoning Commission

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

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

SAWS Summary:

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

CASE MANAGER : Micah Diaz 207-5876

Z2008147

DEVELOPMENT SERVICES
RECEIVED

SAN ANTONIO WATER SYSTEM
Interdepartment Correspondence Sheet

2008 JUL 30 AM 10:36

To: Zoning Commission Members

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

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

Subject: Zoning Case Z2008147 (De Zavala Commercial Development)

Date: July 30, 2008

SUMMARY

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

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

LOCATION

The subject property is located in City Council District 8, at 4150 De Zavala Rd. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

SITE EVALUATION

1. Development Description:

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

2. Surrounding Land Uses:

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

3. Water Pollution Abatement Plan:

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

4. Geologic Conditions:

The Resource Protection Division of the San Antonio Water System conducted a site evaluation on April 15, 2008, of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS Environmental Geologist, Mr. Bruce Keels, P.G., was present during the site evaluation.

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

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

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

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

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

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

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

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

ENVIRONMENTAL CONCERNS

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

1. Standard Pollution/Abatement Concerns:

- A. The improper use of pesticides, herbicides, or fertilizers needed for landscape maintenance that may be carried off in the first flush of stormwater run-off.
- B. The build-up of hydrocarbons and other pollutants on streets, parking lots and other paved areas that are then carried off in the first flush of stormwater run-off.
- C. There will be no outside storage of hazardous materials with the potential for contamination of stormwater runoff.

Zoning Commission Members
Zoning Case Z2008147 (De Zavala Commercial Development)
Page 4

ENVIRONMENTAL RECOMMENDATIONS

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

Site Specific Recommendations

1. The impervious cover shall not exceed 50% on the site.
2. The subject property was originally zoned for commercial use and is currently a category 1 property. However, the property maintained an R-6 rezoning in 2003, prior to the impervious cover limit recommendations. Based on these conditions staff is recommending 50% impervious cover.
3. The land uses within the project site shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at the project site. If the land use is listed as special use, a special permit must be obtained for that use. If the land use is listed as not allowed, that land use will not be permitted on the project site.
4. The owner of all water pollution abatement structures shall ensure these structures are properly maintained and kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Resource Protection Division of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. The new owner must submit a signed water quality maintenance plan to the Resource Protection Division of SAWS.
5. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing Groundwater Pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210/222-2204), or equivalent information produced by the U.S. Natural Resource Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, shall be used.
6. The applicant shall notify the Construction Compliance Section of the Resource Compliance Division of SAWS at (210) 233-3564 no later than 48 hours prior to the commencement of construction at the site. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3526.

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

7. If any sensitive geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3526.

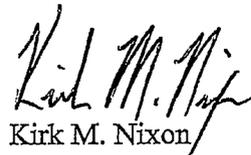
General Recommendations

1. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer Protection & Evaluation Section of the Resource Protection Division:
 - A. A copy of the Water Pollution Abatement Plan (WPAP) shall be submitted for each particular development/use within the area being considered for re-zoning,
 - B. A set of site specific plans which must have a signed Engineers Seal from the State of Texas,
 - C. A WPAP approval letter from the Texas Commission on Environmental Quality,
 - D. A copy of the approved Water Pollution Abatement Plan.
2. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal Law.
3. If a water quality basin is constructed on the property, the following is required:
 - A. Prior to the start of the basin construction, the owner will notify the Aquifer Protection and Evaluation Section of the San Antonio Water System at (210) 233-3526 to schedule a site inspection.
 - B. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Aquifer Protection and Evaluation Section at (210) 233-3526 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to SAWS Aquifer Protection and Evaluation Section.
 - C. If the basin fails to drain properly, the owner will notify the Construction Section of the Resource Compliance Division at (210) 233-3564 prior to any discharge of water.
 - E. If at any time the ownership of the property changes, the seller must inform the buyer of all requirements for maintenance of the Basin. A signed basin maintenance plan and schedule agreement, from the new owner, must be submitted to the Resource Protection Division of SAWS.

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

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

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



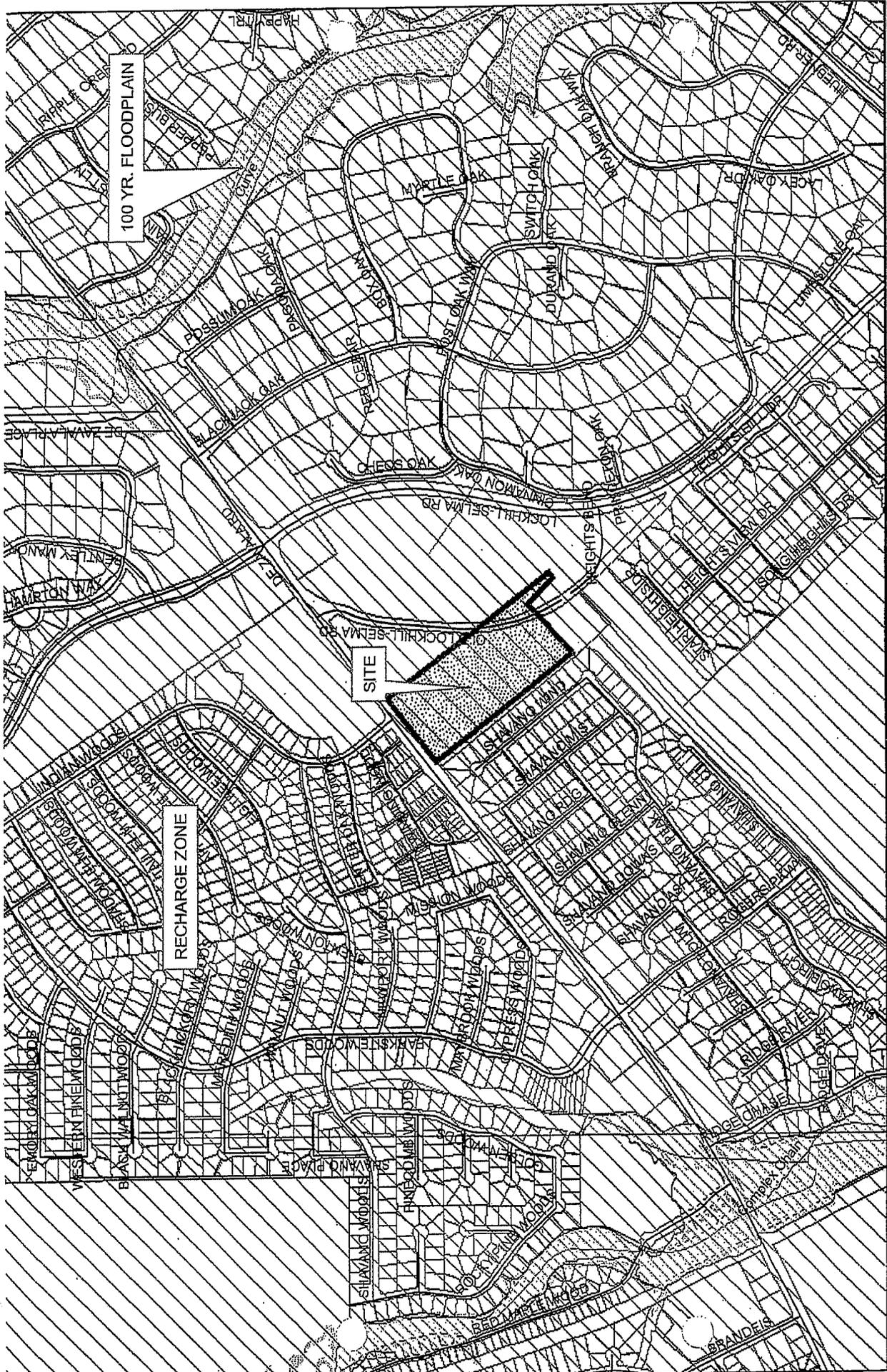
Kirk M. Nixon
Manager
Resource Protection Division

APPROVED:



Scott R. Halty
Director
Resource Protection & Compliance Department

KMN:MAE



ZONING FILE: DE ZAVALA COMMERCIAL DEVELOPMENT (FIGURE 2)

ZONING ID: Z2008147

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

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



1 inch equals 769.367249 feet

Z2008147

CASE NO: Z2008188 ERZD

Final Staff Recommendation - Zoning Commission

Date: November 04, 2008

Zoning Commission continuance (Applicant Request) from October 07, 2008 and October 21, 2008 (Applicant Request).

Council District: 8

Ferguson Map: 547 A1

Applicant Name:

Rudy Gonzalez

Owner Name:

Kamary Development, Ltd. and Dominion Building Systems Inc.

Zoning Request: From "C-3" General Commercial District; "R-6" Residential Single-Family District; "C-3" ERZD General Commercial Edwards Recharge Zone District and "R-6" ERZD Residential Single-Family Edwards Recharge Zone District to "MPCD ERZD" Master Planned Community Edwards Recharge Zone District and "MPCD" Master Planned Community District.

Property Location: 81.138 acres out of NCB 14867

9100 Block of North Loop 1604 West

On the north side of Bandera Road between North Loop 1604 West to the east and FM 1560 North to the west

Proposal: To allow a mixed use development

Neigh. Assoc.: None

Neigh. Plan None

TIA Statement: A Level 3 Traffic Impact Analysis will be required.

Staff Recommendation:

Approval

The subject property consists of undeveloped land with frontage on North Loop 1604 West as well as ingress/egress on Bandera Road. The property is adjacent to C-3 zoning to the west and southwest, MF-25 zoning to the east and property to the northwest is located outside the city limits of San Antonio (Helotes). The surrounding land uses consist of a commercial retail center to the southwest and apartments to the east. The city of Helotes is situated to the northwest. The property directly to the west, which is located at 12002 Bandera Road was the subject of a rezoning case (Z2004166) in which the applicant was granted a zoning change from R-6 Residential Single-Family District to C-3 General Commercial District.

The project site, consisting of about 81.14 acres, was annexed in February 1971 and December 1997 and rezoned to "R-1" Single-Family Residence District and "B-3" Business District in the years immediately following. The adoption of the 2001 Unified Development Code resulted in the existing zoning districts being converted to "R-6" Single-Family District and "C-3" General Commercial District.

Master Planned Community Districts are preferable when properties identified in a rezoning application are intended for mixed uses and consist of large acreages. This district promotes master planned communities that typically guarantee a comprehensive development that promotes compatibility and inner-connectivity within a mixed use project, traits that may be unavailable when lands are rezoned and developed independent of each other.

The purpose of the proposed rezone to MPCD is to develop a master planned community with a variety of residential (about 21.95 acres) and commercial (about 25 acres) uses. Mixed uses are proposed on an additional 34 acres. About 21 acres has been identified by the applicant as open space within the plan. Parks and designated open space are required in the MPCD on a percentage basis.

CASE NO: Z2008188 ERZD

Final Staff Recommendation - Zoning Commission

The applicant has submitted the required MPCD site plan with the zoning application. This site plan must be reviewed and receive a recommendation from the Zoning Commission. As the site plan is a component of the MPCD zoning district, the Council must also consider and take action on the site plan and language that reflects a mandatory adherence to the site plan must be contained in the zoning ordinance. The minimum requirements of a site plan are that proposed land uses, including single and multi-family residential uses, office uses and commercial uses must be identified on the plan by location, type, density and size. The applicant's site plan has been reviewed by various agencies and departments and meets this standard. Should an applicant request an amendment to an approved MPCD site plan, they may do so administratively if the city determines the amendment is a minor one. Should the amendment be a major one, the criteria being listed in Section 35-345(e)(2) of the Unified Development Code, the proposed amendment must be returned to the Zoning Commission and City Council for recommendation and approval.

SAWS Summary

1. SAWS recommends approval of the proposed land use.
2. SAWS currently identifies the property as a Category 1 property.
3. The impervious cover shall not exceed 50% on the recharge zone portion (48.228 acres) of the overall 81 acres.

CASE MANAGER : Brenda Valadez 207-7945

SAN ANTONIO WATER SYSTEM DEVELOPMENT SERVICES
Interdepartment Correspondence Sheet RECEIVED

2008 JUL 30 PM 1: 18

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 Z2008188 (Kamary Commons/Mixed Use Development)

Date: July 28, 2008

SUMMARY

A request for a change in zoning has been made for an approximate 81.138-acre tract located on the city's northwest side. A change in zoning from **R-6, R-6 ERZD and C-3, C-3 ERZD to MPCD (Master Planned Community District)** is being requested by the applicant, Kamary Development., by Mr. Rudy Gonzalez. The change in zoning has been requested to allow a mixed use development that will include commercial, multi-family, and residential. The property is classified as Category 1 property.

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

LOCATION

The subject property is located in City Council District 8, near the intersection of Loop 1604 and Bandera Road. A total of 48.228 acres of the property lies within the Edwards Aquifer Recharge Zone. The remaining 32.91 acres is not located on the recharge zone (Figures 1 and 2).

SITE EVALUATION

1. Development Description:

The proposed change is from R-6, C-3, R-6 ERZD, and C-3 ERZD to MPCD (Master Planned Community District) and will allow for the construction of a mixed – use development. Currently the site is covered in native vegetation and undeveloped with one abandoned house on a small portion of the site.

2. Surrounding Land Uses:

The City of Helotes is located to the north and west of the proposed development. The Bandera Trail Commercial/Retail Development is located to the south and east of the proposed development.

3. Water Pollution Abatement Plan:

The Kamary Commons Mixed Use Development Water Pollution Abatement Plan (WPAP) was approved for grading activities only by the Texas Commission on Environmental Quality (TCEQ) on February 19, 2008. Another WPAP will have to be submitted and approved by TCEQ prior to the commencement of construction. According to the geologic assessment in the WPAP, there are no naturally occurring, sensitive geologic features located on the site.

4. Geologic Conditions:

The Resource Protection Division of the San Antonio Water System conducted a site evaluation on June 12, 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 cleared for low level agricultural use, approximately 81.183 acres in area. No structures were observed on the site, other than a single family residential structure and associated outbuildings located at the southwestern end of the parent parcel. A domestic water well was observed adjacent to the residential structure.

No significant exposure of bedrock was observed throughout the property. The subject site was observed to have a very thick soil cover, several feet in thickness, resulting in significant vegetative cover. Additionally, significant amounts of imported fill material, consisting of soil and construction and demolition debris, has been placed along the southern and eastern portion of the site.

The site appeared to slope slightly to the east and southeast. Stormwater occurring on the subject site would drain to the east and southeast towards French Creek.

- B. Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the northern portion of the subject site is underlain by the Cyclic and Marine Member of the Person Formation of the Edwards Aquifer. The southern portion of the subject site was determined to be underlain by the Upper Confining Unit, Undivided. This could not be confirmed by visual observation due to a thick soil cover and imported fill material.

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

The Undivided Upper Confining Unit is characterized by the presence of massively bedded

gray to light tan limestone with relatively low porosity and permeability. This unit is considered to be the upper confining member of the Edwards Aquifer and tends to prevent subsurface migration of fluids.

- C. The subject site was observed to be covered with significant soil cover, several feet thick, and significant amounts of imported fill material. No sensitive geologic features, such as sinkholes, caves, creeks, or faults were observed on the subject site. However, a single residential water well was observed adjacent to the residential structure on the southwestern portion 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. An abandoned septic system was observed on the site, acting as a potential source of contamination.
2. A well was observed on the site and appears to be abandoned. There is potential for contamination of the Edwards Aquifer via the wells.
3. MPCD Zoning allows for certain industrial land uses that are not allowed over the recharge zone. According to the applicant the land use will be commercial, residential, and mixed use excluding industrial.

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 recharge zone portion (48.228 acres) of the overall 81.831 acres.

2. The SAWS recommendation of 50% maximum impervious cover is based on the existing R-6 and C-3 zoning of the subject property. R-6 is commonly used by San Antonio as a default zoning for annexed properties that do not have a developed land use at the time of annexation. The subject property is currently a Category 1, determined by SAWS and as such, under the Water Quality Ordinance No. 81491, would be entitled to 100% impervious cover. Given that the property did not require zoning prior to annexation and using Ordinance No. 81491 as a guide, SAWS worked with the applicant to achieve an impervious cover recommendation that addresses water quality protection.
3. Land uses that require an industrial designation, per the permitted use table shall not be allowed on the project site.
4. The abandoned septic systems, along with any additional septic system that may be located on the site must be properly abandoned according to City Code Chapter 34 Article V Division 2 Section 446.
5. The abandoned well, along with any additional wells that may be located on the site must be properly plugged according to the City Code Chapter 34, Division 2 Section 574 by a registered well driller.
6. A floodplain buffer shall be provided along the eastern and southern portions of the property as required in Ordinance No. 81491, Section 34-913.
7. 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.
8. 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.
9. 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.
10. The applicant shall notify the Construction Compliance Section of the Resource Compliance Division of SAWS at (210) 233-3564 no later than 48 hours prior to the commencement of construction at the

site. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3526.

11. If any sensitive geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3526.

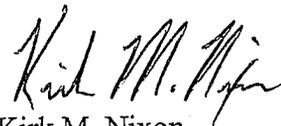
General Recommendations

1. Prior to the release of any building permits the owner/operator of any Category 2 property shall submit an Aquifer Protection Plan to the Resource Protection Division of the San Antonio Water System.
2. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer Protection & Evaluation Section of the Resource Protection Division:
 - A. A copy of the Water Pollution Abatement Plan (WPAP) shall be submitted for each particular development/use within the area being considered for re-zoning,
 - B. A set of site specific plans which must have a signed Engineers Seal from Texas,
 - C. A WPAP approval letter from the Texas Commission on Environmental Quality (TCEQ),
 - D. A copy of the approved Water Pollution Abatement Plan.
3. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.
4. If a water quality basin is constructed on the property, the following is required:
 - A. Prior to the start of the basin construction, the owner will notify the Aquifer Protection and Evaluation Section of the San Antonio Water System at (210) 233-3526 to schedule a site inspection.
 - B. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Aquifer Protection and Evaluation Section at (210) 233-3526 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to SAWS Aquifer Protection and Evaluation Section.
 - C. If the basin fails to drain properly, the owner will notify the Construction Section of the

Resource Compliance Division at (210) 233-3564 prior to any discharge of water.

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

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



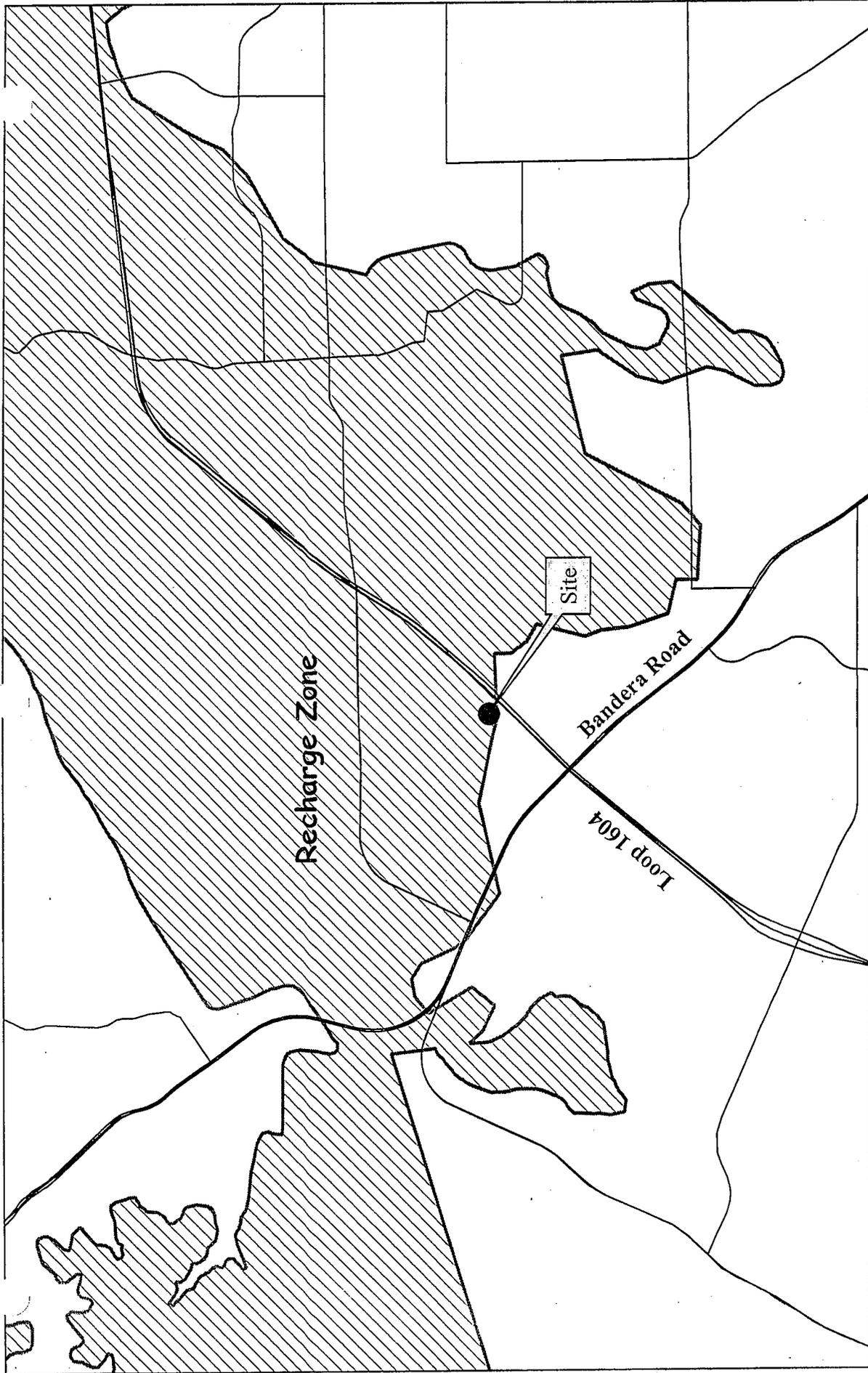
Kirk M. Nixon
Manager
Resource Protection Division

APPROVED:



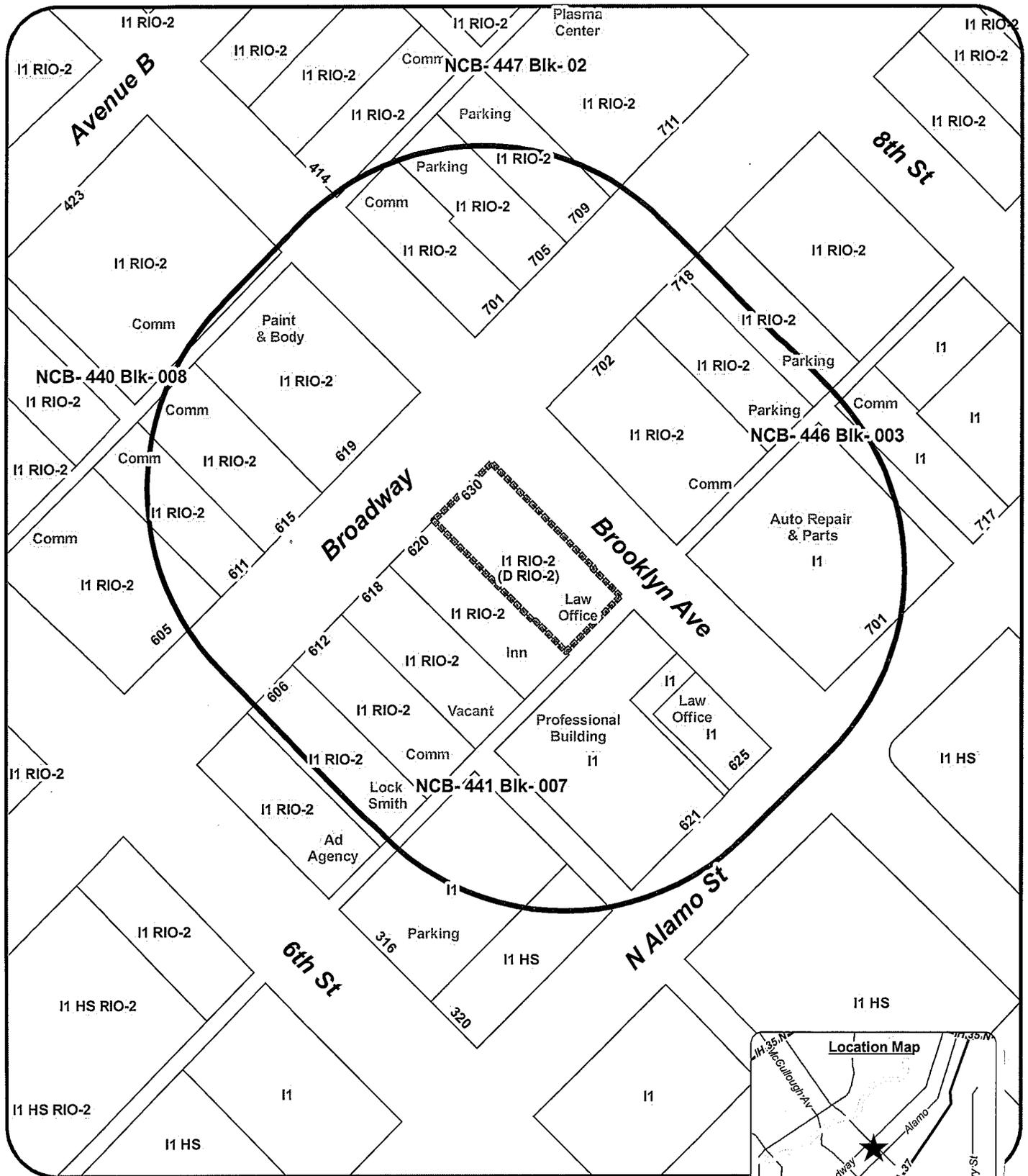
Scott R. Halty
Director,
Resource Protection & Compliance Department

KMN:MJB



1:45,988

Zoning Case No. Z2008188 Figure 1
Master Planned Community (Kamary Commons)
Map Page 547 A1
X=2074780 Y=13751555
Map Prepared by Aquifer Protection and Evaluation MJB 7/18/2008



Zoning Case Notification Plan

Case Z-2008-211

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

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

Legend

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



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

CASE NO: Z2008211

Final Staff Recommendation - Zoning Commission

Date: November 04, 2008

Postponed by Applicant on July 10, 2008. Zoning Commission Continuance (Applicant Request) From August 19, 2008, September 16, 2008 and October 21, 2008

Council District: 1

Ferguson Map: 616 F4

Applicant Name:
Gerardo Menchaca

Owner Name:
James Shaw and Kirsten Carabin

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

Property Location: 0.203 acres out of NCB 441

630 Broadway

On the southeast corner of Broadway and Brooklyn Avenue

Proposal: To allow mixed use development

Neigh. Assoc. None

Neigh. Plan Downtown Neighborhood Plan

TIA Statement: A traffic impact analysis is not required.

Staff Recommendation:

River Commission Recommendation:

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

Consistency with Plan:

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

Staff Recommendation:

Denial

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

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

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

CASE NO: Z2008211

Final Staff Recommendation - Zoning Commission

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

CASE MANAGER : Jacob Floyd 207-8318

Neighborhood and Urban Design Division

Zoning Case Review

Zoning Case No.: Z2008211

Address: 630 Broadway

Existing Zoning: I-1 RIO-2

Requested Zoning: D RIO-2

Registered Neighborhood Association(s): n/a

Neighborhood/Community/Perimeter Plan: Downtown Neighborhood Plan

Future Land Use for the site: Mixed Use

Analysis:

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

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

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

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

Request conforms to Land Use Plan

Request does not conform to Land Use Plan

Consistency not required because base zoning not changing

Staff Recommendation:

Approval Denial

Alternative Recommendation:

Reviewer: Andrea Gilles

Title: Senior Planner

Date: 7/2/2008

Manager Review: Nina Nixon-Mendez

Date: 7/3/2008

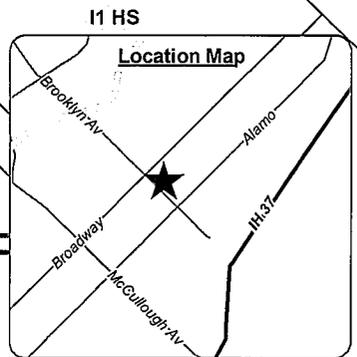
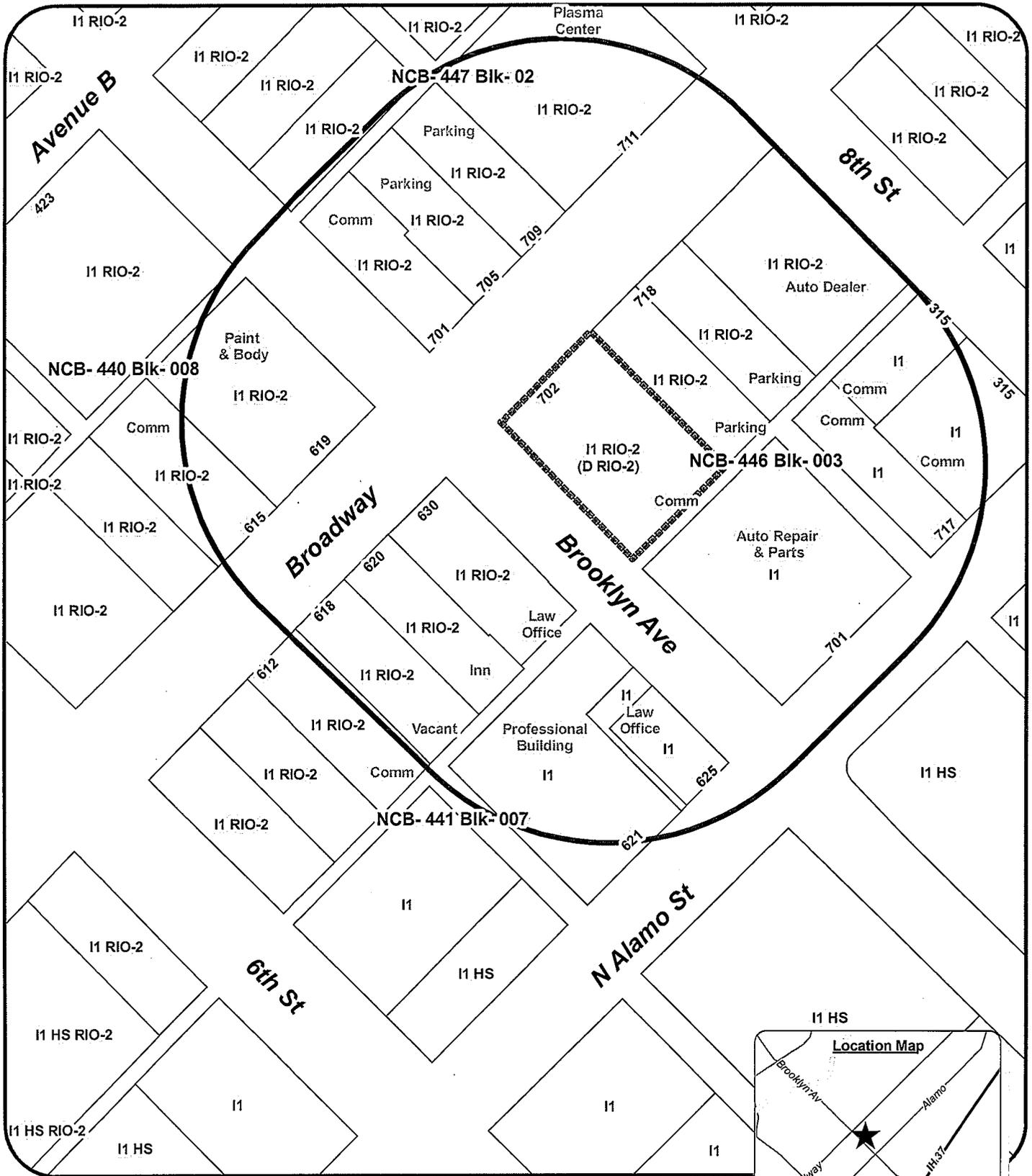
San Antonio River: Mission / Vision Statement

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

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

Guiding Principles:

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



Zoning Case Notification Plan

Case Z-2008-212

Council District 1

Scale: 1" approx. = 100'

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

Legend

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



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

CASE NO: Z2008212

Final Staff Recommendation - Zoning Commission

Date: November 04, 2008

Postponed by Applicant on July 10, 2008. Zoning Commission Continuance (Applicant Request) From August 19, 2008, September 16, 2008 and October 21, 2008

Council District: 1

Ferguson Map: 616 F4

Applicant Name:
Gerardo Menchaca

Owner Name:
James Shaw

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

Property Location: Lot 8 and the northeast 44.61 feet of Lot 7, Block 3, NCB 446
702 Broadway
On the northeast corner of Broadway and Brooklyn Avenue

Proposal: To allow mixed use development

Neigh. Assoc. None

Neigh. Plan Downtown Neighborhood Plan

TIA Statement: A traffic impact analysis is not required

Staff Recommendation:

River Commission Recommendation:

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

Consistency with Plan:

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

Staff Recommendation:

Denial

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

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

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

CASE NO: Z2008212

Final Staff Recommendation - Zoning Commission

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

CASE MANAGER : Jacob Floyd 207-8318

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2008212

Address: 702 Broadway

Existing Zoning: I-1 RIO-2

Requested Zoning: D RIO-2

Registered Neighborhood Association(s): n/a

Neighborhood/Community/Perimeter Plan: Downtown Neighborhood Plan

Future Land Use for the site: Mixed Use

Analysis:

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

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

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

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

Request conforms to Land Use Plan

Request does not conform to Land Use Plan

Consistency not required because base zoning not changing

Staff Recommendation:

Approval

Denial

Alternative Recommendation:

Reviewer: Andrea Gilles

Title: Senior Planner

Date: 7/2/2008

Manager Review: Nina Nixon-Mendez

Date: 7/3/2008

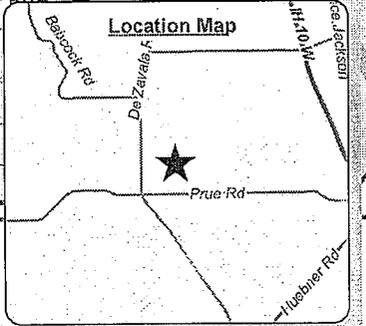
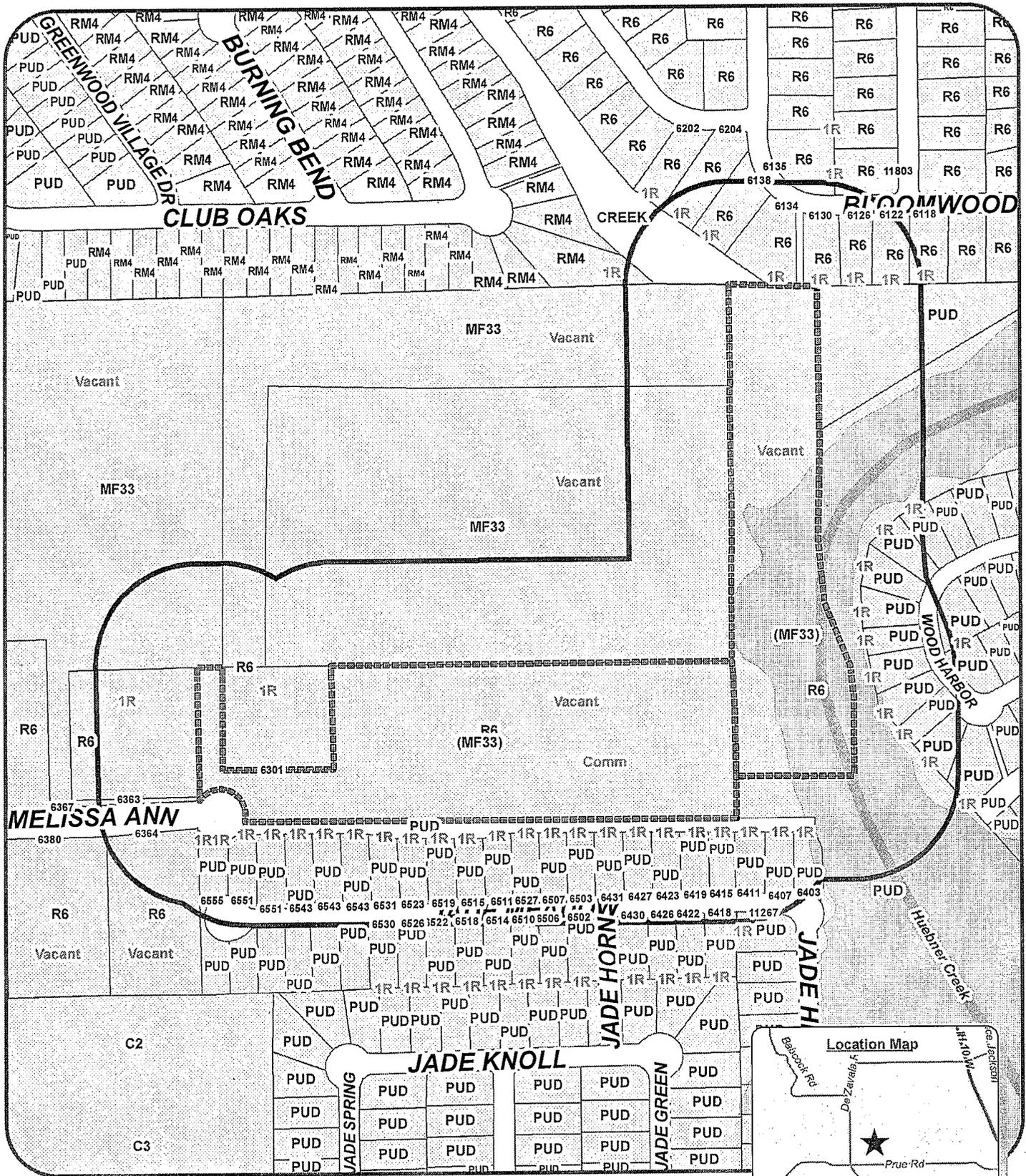
San Antonio River: Mission / Vision Statement

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

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



Zoning Case Notification Plan

Case Z-2008-253

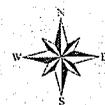
Council District 8

Scale: 1" approx. = 250'

Subject Property Legal Description(s): +/- 10.413 Acres out of NCB 14862 & 17204

Legend

- Subject Property (10.413 Acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(05/03/2008)

CASE NO: Z2008253

Final Staff Recommendation - Zoning Commission

Date: November 04, 2008

Zoning Commission continuance (Applicant's Request)
from October 07, 2008 and October 21, 2008.

Council District: 8

Ferguson Map: 548 B3

Applicant Name:
Brown & Ortiz, P. C.

Owner Name:
Q & M, LLC

Zoning Request: From "R-6" Residential Single-Family District to "MF-33" Multi Family District.

Property Location: 4.271 acres out of NCB 14862 and 6.142 acres out of NCB 17204

6301 Melissa Ann

At the eastern terminus of Melissa Ann Street, east of the Babcock Road intersection

Proposal: To allow for a multi family project

Neigh. Assoc. Tanglewood, Woodridge and Jade Oaks Neighborhood Associations, all within 200 feet.

Neigh. Plan Tanglewood Neighborhood Plan

TIA Statement: Level 1 Traffic Impact Analysis Study can be postponed until platting or permitting

Staff Recommendation:

The request conforms to the existing Land Use Plan and will not require a Plan Amendment. A finding of consistency is not required because the 1994 plan serves as a guide only. The development of multi-family housing units would be compatible on the remaining land fronting on and at the end of Melissa Ann.

Approval

The proposed rezoning is for property located on the northwest side of the City of San Antonio at the eastern terminus of Melissa Ann Street, approximately 1000 feet east of the Melissa Ann Street and Babcock Road intersection. The project site was annexed in 1972, totals 10.412 acres and consists of two undeveloped parcels in the Tanglewood Neighborhood Plan area. Following the adoption of the Unified Development Code in 2002, the existing "R-6" Residential Single-Family District converted from the previous "R-1" Residential District. Approximately 1.81 acres of the subject property abutting Huebner Creek, is within the 100 year floodplain. The surrounding zoning consists of "MF-33" Multi-Family District to the north and to the west of the subject property. There is "R-6" Residential Single Family District to the west of the southern parcel. Jade Oaks single family subdivision borders to the south. The eastern parcel is adjacent to Tanglewood single family subdivision to the north and Huebner Creek to the east. Even though the subject property is not within a neighborhood association, Tanglewood, Jade Oaks and Woodridge neighborhood associations are all within 200 feet.

The applicant has applied for "MF-33" Multi-Family District to consolidate the large tracts to the north and west in order to develop a multi-family residential development of approximately 25.63 acres. There are other multi-family zoned parcels in this area and the 1994 Tanglewood Neighborhood Plan calls for multi-family land use for this location. Babcock Road, a Secondary Arterial "Type A", will be accessible either via Melissa Ann Street or through other multi-family zoned parcels, if all these parcels are developed as indicated by the applicant. The existing transportation network and commercial facilities in the area support multi-family uses. The requested "MF-33" Multi-Family District would allow a medium density multi-family use which, based on the factor above, would be appropriate for this location. A small portion of the subject property to the east, where it is in the flood plain, may not be able to be developed and may be left as open space or a park. This case was initiated a few months ago with the case number Z2008165. Due to the surrounding neighborhoods' opposition, that case was withdrawn.

CASE MANAGER : John Osten 207-2187

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2008253

Address: 6301 Melissa Ann Street, San Antonio, Texas,

Existing Zoning: R6- Residential Single Family District

Requested Zoning: MF-33- Multi-Family Residential District

Registered Neighborhood Association: Tanglewoodridge Neighborhood Association

Neighborhood/Community/Perimeter Plan:

Tanglewoodridge Neighborhood Plan

Future Land Use for the site:

The Tanglewoodridge Neighborhood Plan states that the development of multi-family housing at the end of Melissa Ann Street would be compatible with the desires of the community. (p. 16). There are a number of properties in close proximity to 6301 Melissa Ann Street that currently have multi-family residential and commercial zoning. The proposed rezoning would not present an undue encroachment into existing residential and is supported by the Tanglewoodridge Neighborhood Plan text. The Tanglewood Neighborhood Plan is not a consistency plan, and therefore, does not require a consistency determination. Rather it is a guide for development in the area.

Other Comments:

The subject properties are two tracts located at the eastern end of Melissa Ann Street. The properties to the south and east are zoned PUD while the property directly to the north is zoned MF-33. The two properties to the northwest are zoned MF-33. There is a parcel zoned R-6 that appears to be encircled by the subject property which, based on aerial photography, appears to be developed. The subject properties are approximately 10.41 acres in size.

Analysis:

Request conforms to Land Use Plan

Request does not conform to Land Use Plan

Consistency review not applicable

Staff Recommendation:

Approval

Denial

Alternate Recommendation

Reviewer: Tyler Sorrells

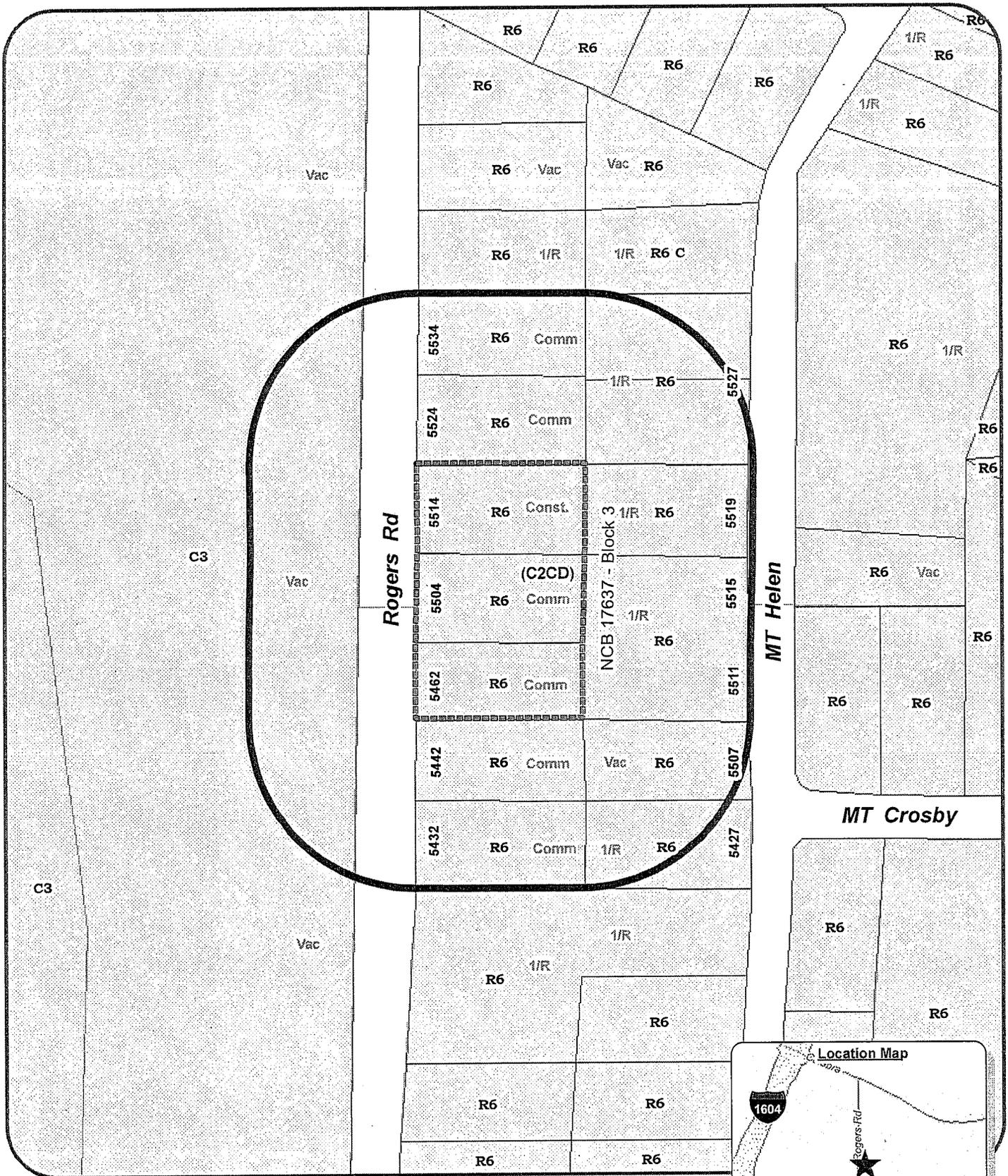
Title: Planner

Date: 08/18/2008

Manager Review: Nina Nixon-Mendez

Date: 08/19/2008

07/29/08



Zoning Case Notification Plan

Case Z2008-264 CD

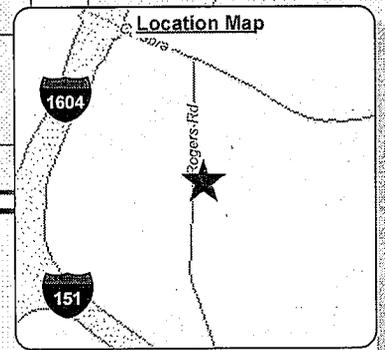
Council District 6

Scale: 1" approx. = 150'

Subject Property Legal Description(s): Lot 11,12,13 NCB.17637 BIK 3

Legend

- Subject Property (1.37 acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(C2CD)**
- 100-Year FEMA Floodplain



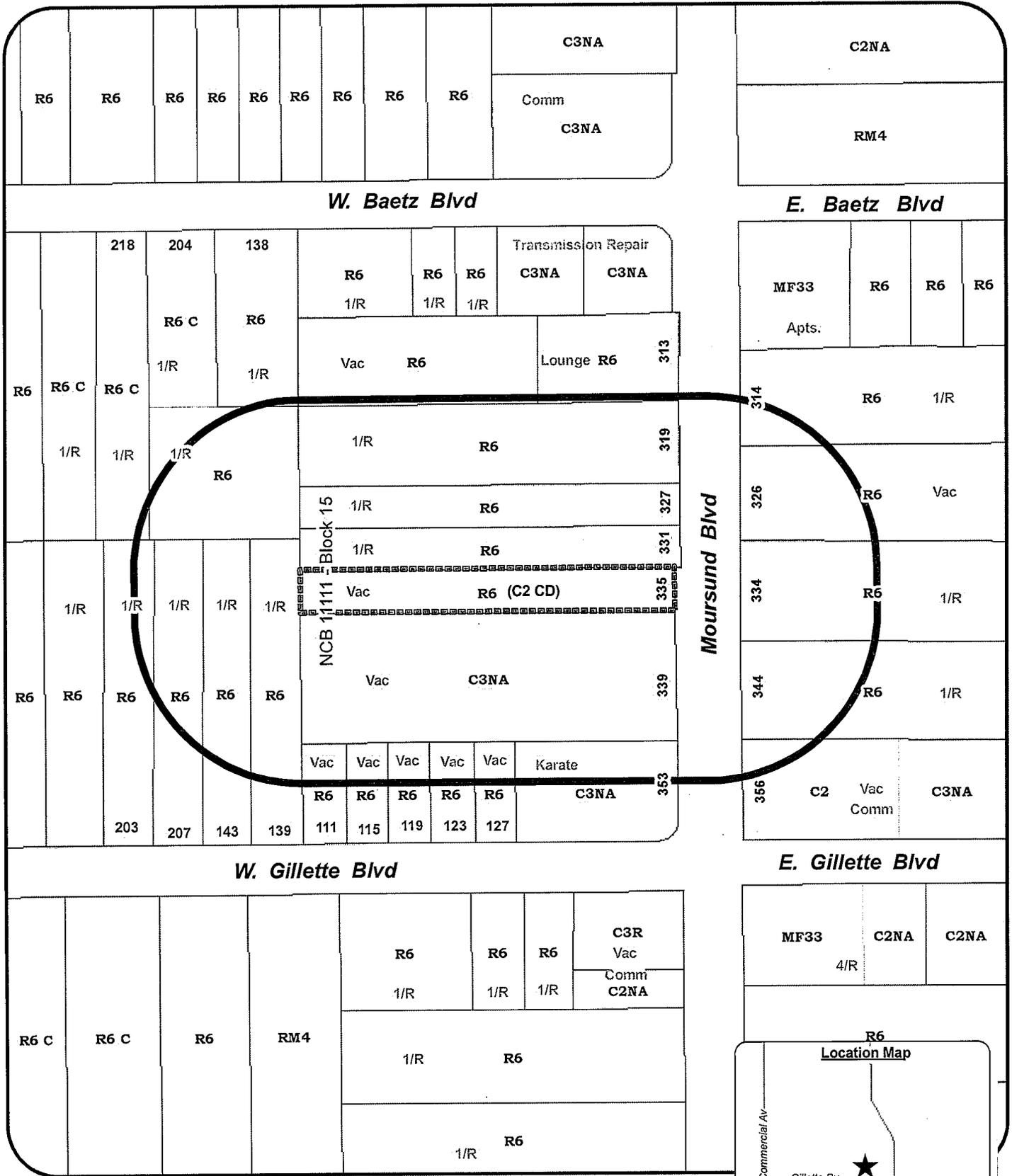
City of San Antonio
 Planning - Development Services Dept.
 09/22/2008
 D. E. Castillo

CASE NO: Z2008264 CD

Final Staff Recommendation - Zoning Commission

The conditional zoning procedure is designed to provide for a land use within an area that is not permitted by the established zoning district but, due to individual site consideration or unique development requirements may be compatible with adjacent land uses under given conditions. The applicant will have to comply with all current site development standards to receive a Certificate of Occupancy, which include parking, landscaping, exterior lighting and the issuance of building and other supplemental permits.

CASE MANAGER : Pedro Vega 207-7980



Zoning Case Notification Plan

Case Z2008269

Council District 3

Scale: 1" approx. = 150'

Subject Property Legal Description(s): North 50 Feet of Lot 168, Block 15, NCB 11111

Legend

Subject Property (0.49 acres)

200' Notification Buffer

Current Zoning R6

Requested Zoning Change (C2 CD)

100-Year FEMA Floodplain



City of San Antonio
 Planning - Development Services Dept.
 09/22/2008
 D. E. Castillo

CASE NO: Z2008269 CD

Final Staff Recommendation - Zoning Commission

Date: November 04, 2008 Zoning Commission continuance (Applicant Request)
from October 07, 2008

Council District: 3

Ferguson Map: 682 D3

Applicant Name:

Jorge A. Flores

Owner Name:

Jorge A. Flores

Zoning Request: From "R-6" Residential Single Family District to "C-2 CD" (CD-Auto and Light Truck Repair) Commercial District with a Conditional Use for Auto and Light Truck Repair.

Property Location: The north 50 feet of Lot 168, Block 15, NCB 11111

335 Moursund Boulevard

On the west side of Moursund Boulevard, north of Gillette Boulevard

Proposal: To allow an auto repair facility

Neigh. Assoc. Kingsborough Ridge Neighborhood Association is within 200 feet

Neigh. Plan None

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

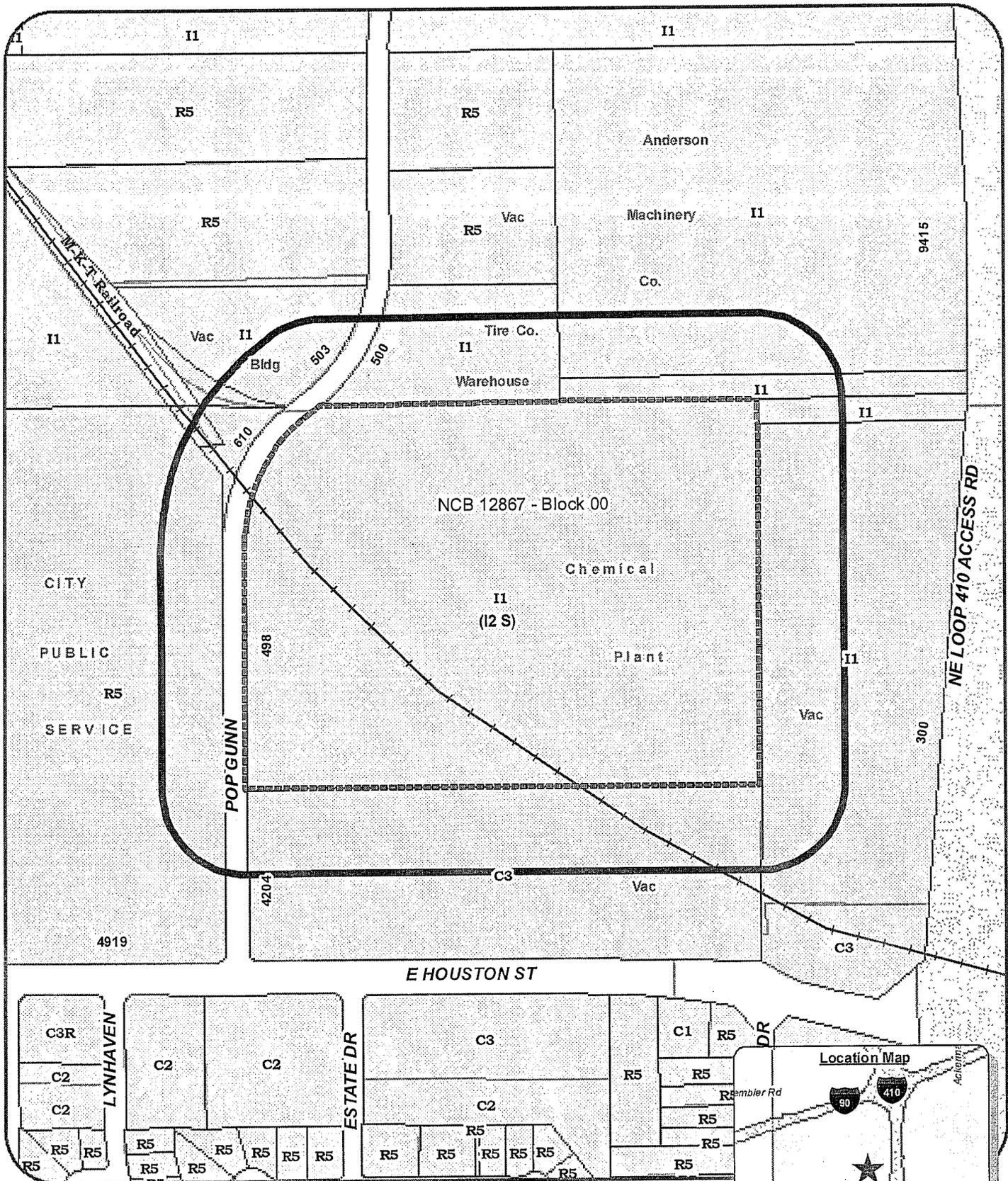
Staff Recommendation:

Denial.

The subject property is located on the west side of Moursund Boulevard, north of East Gillette Boulevard. Due to the proximity of the subject property to the Stinson Municipal Airport, this application was reviewed by the Aviation Department. The subject property is outside of the noise contours, and the requested commercial zoning district is compatible with Federal Aviation Regulation Part 150. The property is approximately 0.49 acres of undeveloped land that was annexed in September 1952, per ordinance 18115. The subject property was originally zoned "B" Residence District. In 1987, as part of a city initiated large-area rezoning case, the property was rezoned to "R-1" Single Family Residence District. Upon the adoption of the 2001 Unified Development Code, the previous zoning converted to the current "R-6" Residential Single-Family District. Surrounding zoning includes a mix of "MF-33" Multi-Family District, "C-2NA" Commercial Nonalcoholic Sales District, "C-2" Commercial District, "C-3NA" General Commercial Nonalcoholic Sales District, and "C-3R" Restricted Commercial District, which exists at the intersections of Moursund Boulevard at East Gillette and Baetz Boulevards. Other surrounding zoning includes "R-6" to the north, south, east, and west; with a few Conditional Uses for 2-dwelling units, and one parcel of "RM-4" Residential Mixed District. Surrounding land uses include a karate school, pool hall, transmission shop, apartments, and multiple vacant commercial properties near the intersections of Moursund Boulevard at East Gillette and Baetz Boulevards. Other surrounding land uses consist primarily of single-family homes and vacant residential lots.

The applicant requests "C-2 CD" (CD-Auto and Light Truck Repair) Commercial District with a Conditional Use for Auto and Light Truck Repair. Staff finds the request to be inappropriate given the location of the subject property and the surrounding land uses. Although there are a number of commercially zoned lots in the area, most are appropriately located at intersections. The subject property is located away from the intersection, abutting and adjacent to established residential uses. Many of the surrounding commercial lots are currently vacant. Staff believes the area would be better served through the redevelopment of existing commercial lots, rather than creating additional commercial properties. Furthermore, the subject property is not well suited for commercial development. The lot is 50-feet wide, by 435-feet deep. Should the requested zoning be approved, a "Type B" 15-foot landscape buffer would be required where the subject property abuts residential zoning or uses; thus limiting construction to a narrow portion of the lot.

CASE MANAGER : Micah Diaz 207-5876



Zoning Case Notification Plan

Case Z2008-275

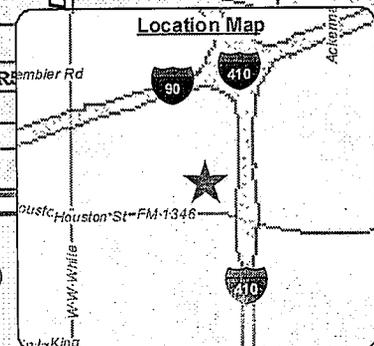
Council District 2

Scale: 1" approx. = 300'

Subject Property Legal Description(s): Lot 25, NCB 12867, Blk 00

Legend

- Subject Property: [Thick Black Border] (24.94 acres)
- 200' Notification Buffer: [Dashed Line]
- Current Zoning: II
- Requested Zoning Change: (I2 S)
- 100-Year FEMA Floodplain: [Wavy Line]



City of San Antonio
 Planning - Development Services Dept.
 09/25/2008
 D. E. Casillo

CASE NO: Z2008275 S

Final Staff Recommendation - Zoning Commission

Date: November 04, 2008

Zoning Commission continuance (Applicant's Request)
from October 21, 2008.

Council District: 2

Ferguson Map: 618 F5

Applicant Name:
Brown & Ortiz, P. C.

Owner Name:
Flint Hills Resources, L. P.

Zoning Request: From "I-1" General Industrial District to "I-2 S" Heavy Industrial District with a Specific Use Authorization for a Bulk Plant or Terminal.

Property Location: Lot 25, NCB 12867

498 Pop Gunn Drive

On the north side of the northeast corner of Pop Gunn Drive and East Houston Street intersection.

Proposal: To bring existing facility into conformance and to allow for expansion

Neigh. Assoc. None

Neigh. Plan None

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

Staff Recommendation:

Approval

The subject property totals approximately 23.94 acres and is currently occupied by a fuel storage plant and terminal. This property is located on the east side of the City and is near the northeast corner of the Pop Gunn Drive and East Houston Street intersection. This area was annexed into the City on September 19, 1957. The subject property is currently zoned "I-1" General Industrial District and is located within the southwest quadrant of the Interstate IH-10 and Loop 410 intersection, where similar heavy industrial uses exist. There is a concentration of similar fuel storage and terminal uses in the vicinity due to the existing Corpus Christi – San Antonio oil pipeline and other similar infrastructure.

Surrounding uses around the subject property are of an industrial nature. The property to the south is zoned "C-3" and is currently undeveloped. Property to the west, across from Pop Gunn Drive, is zoned "R-5" and occupied by a CPS equipment facility. Properties to the north are zoned "I-1" and occupied by a tire warehouse/wholesale and a machinery company. The property to the east, along the Loop 410 access road, is zoned "I-1" and is currently undeveloped. There are railroad tracks at the north side of the subject property, which are used as an access point for bulk transportation.

The applicant has requested the zoning change in order to bring the existing use into conformity with the current provisions of the Unified Development Code and to enable the owner to add an off-loading facility and additional storage tank. These additions are proposed for ethanol fuel. Under previous zoning regulations, this type of use was a permitted use in the "I-1" Light Industry district. The current Unified Development Code requires that the bulk plant and terminal use be permitted only in the "I-2" Heavy Industrial District with the approval of a Specific Use Authorization. The application of zoning is designed to concentrate similar districts and uses and to prevent conflicts between incompatible uses.

CASE MANAGER : John Osten 207-2187

CASE NO: Z2008243

Final Staff Recommendation - Zoning Commission

Date: November 04, 2008

Council District: 8

Ferguson Map: 549 B7

Applicant Name:
Heidi J. Arneson

Owner Name:
Sint Maarten, LLC

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

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

4100 block of Gardendale Drive

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

Proposal: To allow office development

Neigh. Assoc. None

Neigh. Plan None

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

Staff Recommendation:

Approval.

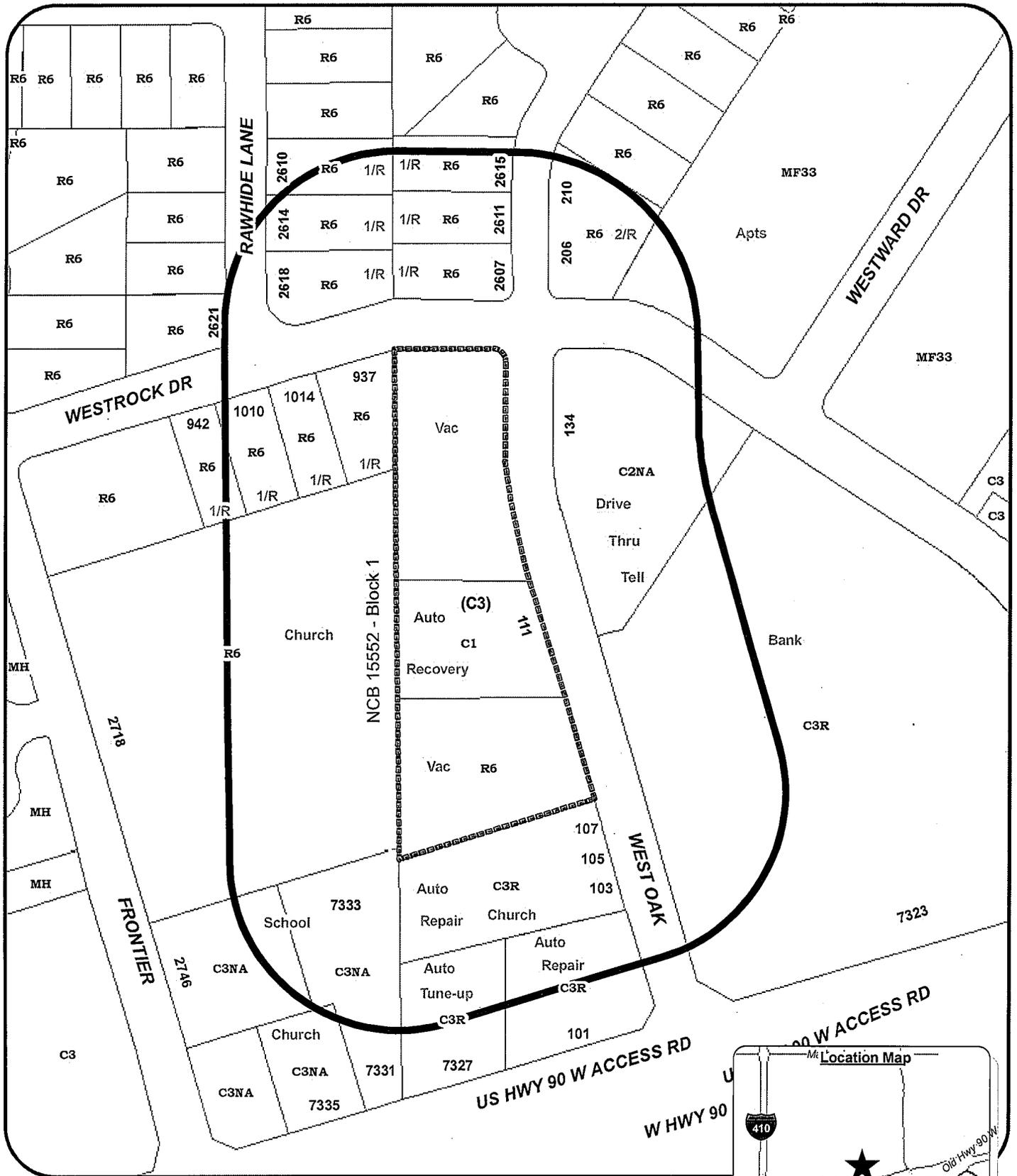
The subject property is located on the north side of Gardendale, between Datapoint and Wurzbach Road. The property consists of approximately 2.12 acres of undeveloped land. There are two easements on the property: a 16-foot wide sewer easement that runs diagonally across the western portion of the property;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

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

This case has been fast-tracked, and is scheduled to be heard by the City Council on November 20, 2008.

CASE MANAGER:

Micah Diaz 207-5876



Zoning Case Notification Plan

Case Z2008-279

Council District 4

Scale: 1" approx. = 150'

Subject Property Legal Description(s): 2.270 acres out of NCB 15552

Legend

- Subject Property (2.270 acres)
- 200' Notification Buffer
- Current Zoning R6,C1
- Requested Zoning Change (C3)
- 100-Year FEMA Floodplain



City of San Antonio
 Planning - Development Services Dept.
 10/20/2008
 D. E. Castillo

CASE NO: Z2008279

Final Staff Recommendation - Zoning Commission

Date: November 04, 2008

Council District: 4

Ferguson Map: 613 E8

Applicant Name:

Owner Name:

Brown & Ortiz, P. C.

Lackland Baptist Church & Daniel R. Ramon

Zoning Request: From "R-6" Residential Single Family District and "C-1" Light Commercial District to "C-3" General Commercial District.

Property Location: 2.270 acres out of NCB 15552

The southwest corner of the intersection of Westrock & Westoak.

Proposal: To allow motor vehicle sales and a non-commercial parking lot.

Neigh. Assoc. Lackland Terrace Neighborhood Association

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Denial as requested and approval of C-2 CD (CD-Motor Vehicle Sales)

The subject property consists of undeveloped land and a portion of the property is currently occupied by an auto recovery business. The property is adjacent to R-6 zoning to the north and west, C-3 zoning to the south and C-2 and C-3 zoning to the east. Surrounding land uses consist of residential dwellings to the north; a church to the east; auto repair facilities to the south and the Security Service Federal Credit Union to the east.

The applicant is requesting a zoning change to allow a non-commercial parking lot that would provide additional parking for employees of the Security Service Federal Credit Union, which is located at 7323 US Highway 90 West. Additionally, a portion of the subject property is proposed to also be utilized for motor vehicle sales. The applicant has indicated to staff that the Security Service Federal Credit Union will sell repossessed vehicles to Security Service patrons. If the vehicles are not sold they will then be sent to another facility where they will be auctioned off.

A significant amount of C-3 zoning exists within the vicinity of the subject property. Therefore, the requested commercial use would be appropriate at this location and would not be out of character with the neighboring properties. The subject property is bound by existing commercial zoning to the east and south making commercial development of the property appropriate as well. However, C-3 zoning is most appropriate at the intersections of major thoroughfares, arterials or commercial nodes. A C-2 CD would permit the requested motor vehicle sales and would prohibit many of the more intense C-3 uses which would adversely affect the residential dwellings adjacent to the subject property.

The application of a conditional use provides an opportunity to limit the impact of the proposed use on surrounding properties. The C-2 CD zoning classification would limit the scope of use allowed and restrict future occupancy should the use cease for an extended period of time.

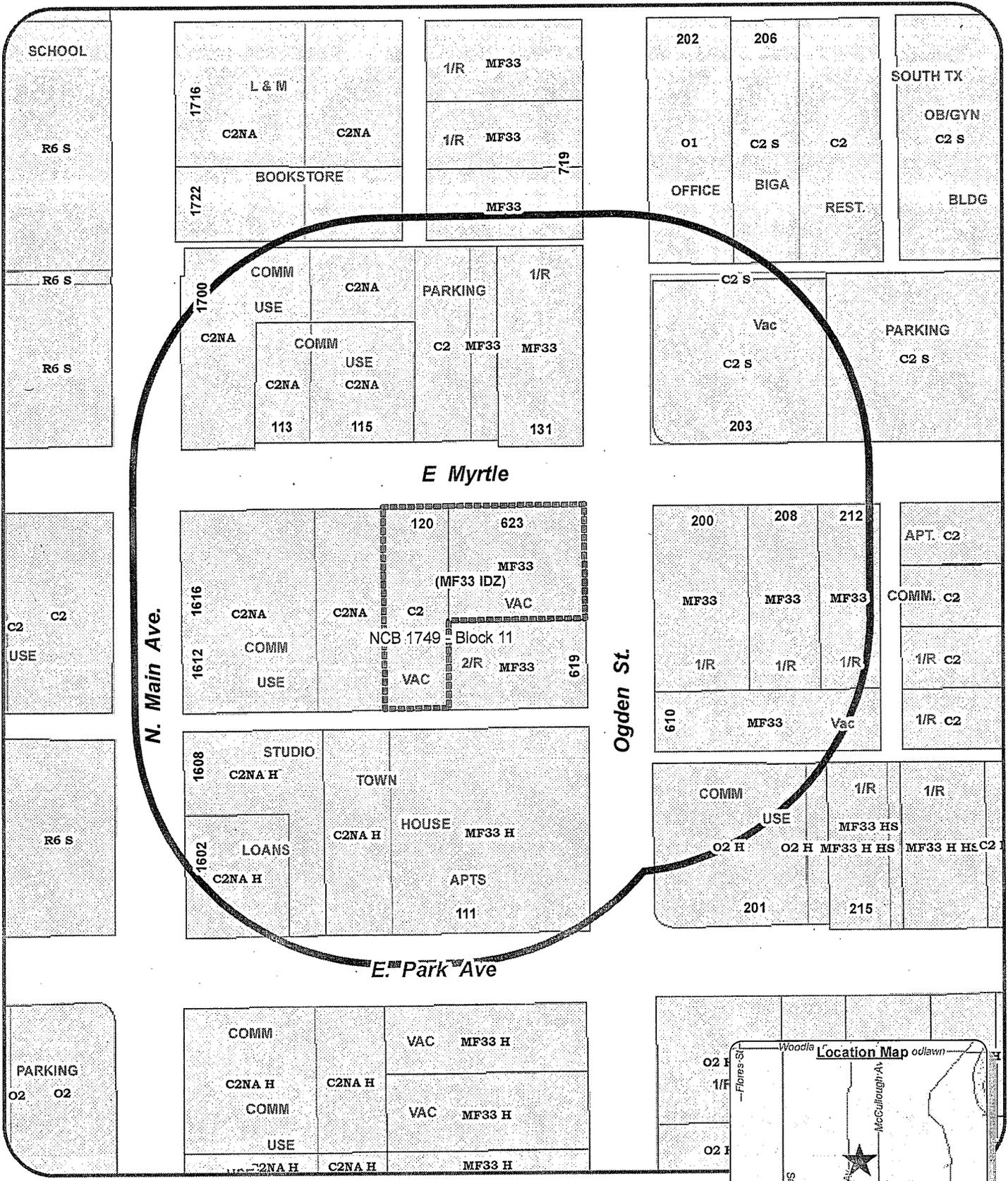
Should the Zoning Commission recommend approval, staff recommends the following conditions:

CASE NO: Z2008279

Final Staff Recommendation - Zoning Commission

1. All on-site lighting shall be directed onto the site and point away from any residential zoning or uses using 90 degree or less cut-off fixtures;
2. All vehicles must be currently licensed and no junk vehicles will be allowed; and
3. A 6-foot tall, solid screen fence shall be maintained where the subject property abuts residential zoning or uses.

CASE MANAGER : Brenda Valadez 207-7945



Zoning Case Notification Plan

Case Z2008-280

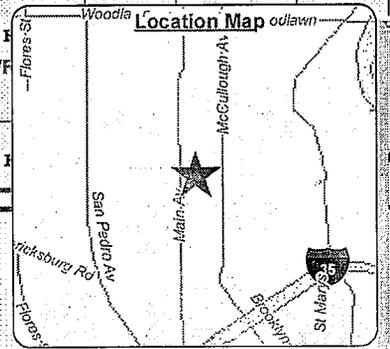
Council District 1

Scale: 1" approx. = 100'

Subject Property Legal Description(s): Lot 9, N. 90.8 FT of 7.8 NCB 1749, Bk 11

Legend

- Subject Property 0.417 acres
- 200' Notification Buffer
- Current Zoning MF33 & C2
- Requested Zoning Change (MF33 IDZ)
- 100-Year FEMA Floodplain



City of San Antonio
 Planning - Development Services Dept.
 09/25/2008
 D. E. Castillo

CASE NO: Z2008280

Final Staff Recommendation - Zoning Commission

Date: November 04, 2008

Council District: 1

Ferguson Map: 616 E2

Applicant Name:
Brownstone Traditions SA, Ltd.

Owner Name:
UrbanGrid, LLC

Zoning Request: From "MF-33" Multi-Family District and "C-2" Commercial District to "MF-33 IDZ" Multi-Family Infill Development Zone District.

Property Location: Lot 9 and the north 90.8 feet of Lot 7 and Lot 8, Block 11, NCB 1749

120 East Myrtle Street and 623 Ogden Street

At the southwest corner of the East Myrtle Street and Ogden Street intersection

Proposal: To allow for townhome development

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

Neigh. Plan Tobin Hill Neighborhood Plan

TIA Statement: IDZ does not require a Traffic Impact Analysis (TIA) study.

Staff Recommendation:

Consistent

The zoning change request conforms to the land use plan and furthers the goals and objectives established in the Tobin Hill Neighborhood Plan. The subject property is currently vacant and the future land use is High Density Mixed Use.

Approval

The applicant is requesting a "MF-33 IDZ" Multi-Family Infill Development Zone District to create an infill development of 6 townhomes. The subject properties are located within the city limits as they existed in 1940, which is an area identified as eligible for the Infill Development Zone district either as a base zoning district or as an overlay zoning district. The applicant has requested MF-33 as a base zone with IDZ as the overlay zone in order to accommodate the proposed multi-family use and also seeks the relaxation of the development standards offered by the IDZ designation. The purpose for an Infill Development Zone (IDZ) is to encourage and facilitate development on vacant property or the redevelopment of underutilized buildings or structures within existing developed areas. The subject property is located within an area where adaptive re-use of property is encouraged. Given the existing use pattern in the area and the location of the subject property, the proposed infill development is appropriate for and suitable to the area.

The subject properties consist of undeveloped land and total approximately 0.417 acres. The properties are currently split-zoned, "MF-33" Multi-Family District and "C-2" Commercial District. The adoption of the 2001 UDC resulted in the "R-3" Multi-Family Residence District and "B-2" Business District being converted to "MF-33" Multi-Family District and "C-2" Commercial District. Property to the north across East Myrtle Street is zoned "MF-33" Multi-Family District and "C-2" Commercial District. Property to the east across Ogden Street is zoned "MF-33" Multi-Family District with "C-2NA" Commercial, Nonalcoholic Sales District to the west. Property to the south is zoned "H MF-33" Multi-Family, Tobin Hill Historic District and "H C-2NA" Commercial Nonalcoholic Sales, Tobin Hill Historic District.

Infill Development Zones provide flexible standards for the development and reuse of underutilized parcels. Urban design standards are required in order maintain a neighborhood commercial scale, to promote

CASE NO: Z2008280

Final Staff Recommendation - Zoning Commission

pedestrian activity, and to maintain the unique character of the center. Pedestrian circulation is required as are common parking areas.

CASE MANAGER : Pedro Vega 207-7980

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2008280

Existing Zoning: MF-33 and C2

Requested Zoning: MF-33 IDZ

Registered Neighborhood Association(s): Tobin Hill

Neighborhood/Community/Perimeter Plan: Tobin Hill Neighborhood Plan

Future Land Use for the site: High Density Mixed Use

Analysis:

The applicant is requesting a MF-33 IDZ to create an infill development of 6 townhomes. The subject property is currently vacant and the future land use is High Density Mixed Use. High Density Mixed Use land use calls for a "blend of higher density residential with retail, office, entertainment, or other land uses." The neighborhood plan calls for the development of mixed use projects where appropriate (objective 2.2.3, pg. 48), the promotion of housing diversity that sustains all ages and economic groups (objective 2.4, pg. 51), and the facilitation of quality infill residential development where appropriate (objective 2.2.1, pg 46). The subject property is located a block away from San Antonio Community College and the higher density residential use will provide a buffer between the high traffic area of the college and the adjacent residential development.

The zoning change request conforms to the land use plan and furthers the goals and objectives established in the Tobin Hill Neighborhood Plan.

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: Lauren Edlund

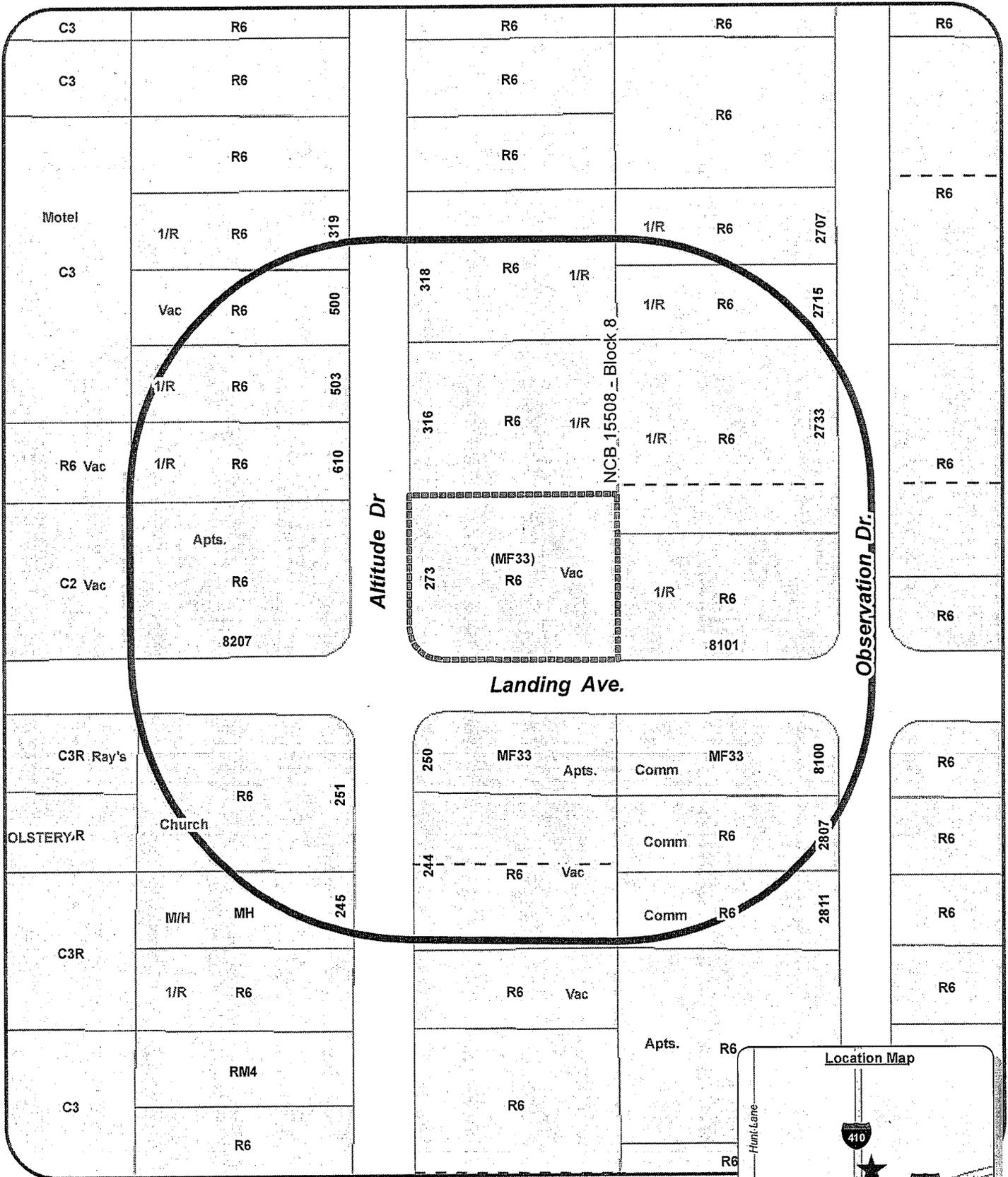
Title: Planner

Date: 09/23/08

Manager Review: Nina Nixon-Mendez

Title: Planning Manager

Date: 10/09/08



Zoning Case Notification Plan

Case Z2008-281

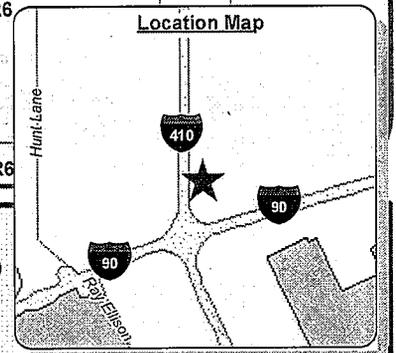
Council District 4

Scale: 1" approx. = 100'

Subject Property Legal Description(s): Lot 8, NCB 15508, Block 8

Legend

- Subject Property (0.4335 acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(MF33)**
- 100-Year FEMA Floodplain



City of San Antonio
 Planning - Development Services Dept.
 10/9/2008
 D. E. Castillo

CASE NO: Z2008281

Final Staff Recommendation - Zoning Commission

Date: November 04, 2008

Council District: 4

Ferguson Map: 613 C8

Applicant Name:
Bobby Perez for Broll Homes, L. P.

Owner Name:
Broll Homes, L. P.

Zoning Request: From "R-6" Residential Single-Family District to "MF-33" Multi-Family District.

Property Location: Lot 8, Block 8, NCB 15508

273 Altitude Drive

At the northeast corner of the Altitude Drive and Landing Avenue intersection

Proposal: To allow for a multi-family development

Neigh. Assoc. Lackland Terrace Neighborhood Association

Neigh. Plan None

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

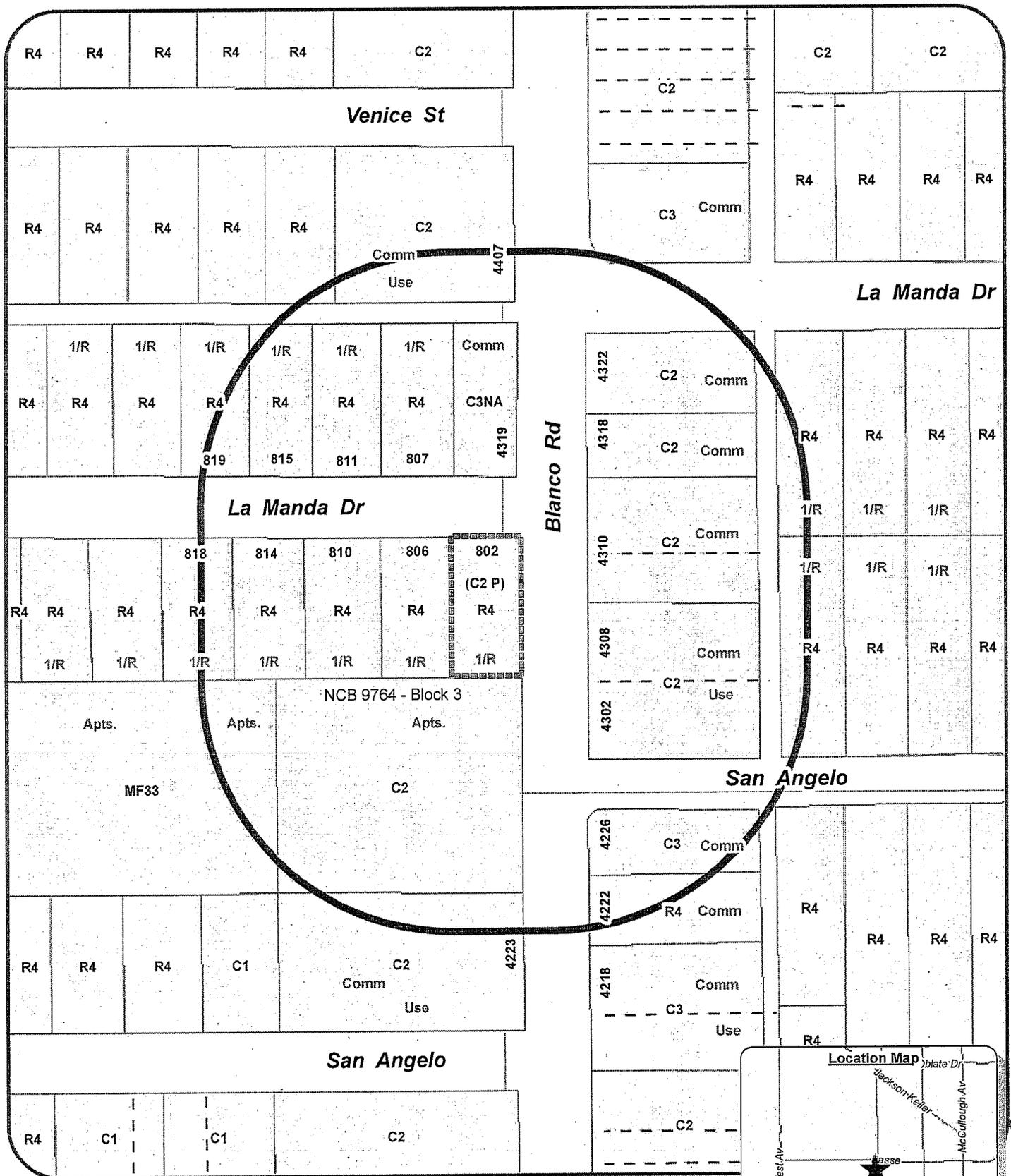
Staff Recommendation:

Approval

The subject property is located on the City's west side. This vacant property is situated at the northeast corner of the Altitude Drive and Landing Avenue intersection. Altitude Drive is a local access street. The property's current "R-6" Residential Single-Family District converted from Temporary "R-1" Single-Family Residence District upon adoption of the UDC's current zoning classifications in 2001. Properties to the south across Landing Avenue and to the west across Altitude Drive are occupied by similar multi-family uses and are zoned "R-6" Residential Single-Family District and "MF-33" Multi-Family District. Properties to the north and east are zoned "R-6" Residential Single-Family District and consist of single-family dwellings. This property is within the Lackland Terrace Neighborhood Association.

The applicant has applied for "MF-33" Multi-Family District in order to develop a multi-family development. The site contains approximately 120 feet of frontage along Altitude Drive with a maximum depth of 162.50 feet along Landing Avenue. The calculation for 0.4335 acres proposed for the "MF-33" Multi-Family District would allow a potential of 14 units. The applicant is proposing a multi-family development that would consist of 12 units. Multi-family dwellings are most appropriate on the periphery of single-family neighborhoods, along arterials or major thoroughfares where supporting infrastructure such as transportation services and commercial facilities are available. Altitude Drive is considered a local access street, however, the subject property is within close proximity to U.S. Highway 90, and the SW Loop 410 Access Road is located one block away. There are various commercial facilities available along U.S. Highway 90 and SW Loop 410 for potential residents. In addition, the proposed development is an extension of the multi-family community that has already been established along Altitude Drive and Landing Avenue. Staff believes that the proposed use is appropriate for the subject location and supports the request for a multi-family zoning designation.

CASE MANAGER : Pedro Vega 207-7980



Zoning Case Notification Plan

Case Z2008-282

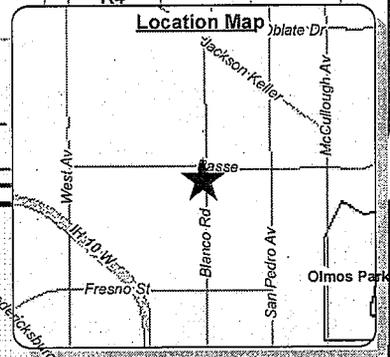
Council District 1

Scale: 1" approx. = 100'

Subject Property Legal Description(s): Lot 17, NCB 9764, Block 3

Legend

- Subject Property (0.1505 acres)
- 200' Notification Buffer
- Current Zoning **R4**
- Requested Zoning Change **(C2 P)**
- 100-Year FEMA Floodplain



City of San Antonio
 Planning - Development Services Dept.
 10/13/2008
 D. E. Cestilo

CASE NO: Z2008282

Final Staff Recommendation - Zoning Commission

Date: November 04, 2008

Council District: 1

Ferguson Map: 582 C4

Applicant Name:

Ivan Cortes

Owner Name:

Ivan Cortes

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

Property Location: Lot 17, Block 3, NCB 9764

802 La Manda

At the southwest corner of La Manda Boulevard and Blanco Road

Proposal: To allow a restaurant

Neighborhood Association:

Northwest Los Angeles Heights Neighborhood Association; Northmoor Neighborhood Association is within 200 feet

Neighborhood Plan: Greater Dellview Area Community Plan

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

Staff Recommendation:

Consistent

The Greater Dellview Community Plan encourages Neighborhood Commercial Uses to be located at intersections of residential streets and arterials, and within walking distance of neighborhood residential areas, or along arterials where already established. The existing Land Use designation supports the request made by the applicant. Although a Land Use Plan Amendment will not be required for this request, staff supports the zoning change as submitted.

Approval

The subject property was annexed in July 1949 and totals approximately 0.1505 acres. There is an existing single-family dwelling on the subject property that measures approximately 6555 square feet and was constructed in 1959. In 2002 following the adoption of the Unified Development Code, the existing "R-4" Residential Single-Family District converted from the previous "B" Residence District. "C-2" Commercial District zoning currently exists to the south of the subject property and across Blanco Road to the east. Property to the north across La Manda Boulevard is zoned "C-3NA" General Commercial District, Nonalcoholic Sales; property to the west is zoned "R-4" Residential Single Family District. Single-family dwellings are located immediately to the west of the subject property, with a multi-family apartment complex located to the south, and a hair salon to the north across La Manda Boulevard. There are various retail uses to the east across Blanco Road.

The applicant has applied for "C-2P" in order to operate a small restaurant. The subject property is located on the southwest corner of La Manda Boulevard and Blanco Road, and there are numerous commercial uses along Blanco Road beginning at the intersection of Blanco Road and Basse Road. The maximum front setback in a "C-2P" district is thirty-five (35) feet to accommodate and encourage pedestrian activity and discourage front yard parking lots. This zoning category is identical to the "C-2" designation with the exception of the maximum setback. "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

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2008282

Existing Zoning: R-4

Requested Zoning: C-2P

Registered Neighborhood Association(s): Northwest Los Angeles Heights

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

Future Land Use for the site: Neighborhood Commercial

Other Comments:

The subject property is located on a corner lot; along Blanco Road, a neighborhood commercial corridor.

Analysis:

The applicant is requesting a zoning change from R-4 to C2P to allow a "small restaurant". The property is located in the Northwest Los Angeles Heights Neighborhood Association, and within the Greater Dellview Area Community Plan. Although the subject property is zoned R-4 for low density residential uses, the future land use category is Neighborhood Commercial. Single family residences are immediately to the west of the property, a multi-family apartment complex is to the south, a hair salon to the north, and various retail shops to the east. Restaurants and neighborhood commercial uses line Blanco Avenue, serving as a buffer to the low density residential uses to the interior of both sides of Blanco Avenue.

The Greater Dellview Community Plan encourages Neighborhood Commercial Uses to be located at intersections "of residential streets and arterials, and within walking distance of neighborhood residential areas, or along arterials where already established." This portion of Blanco Avenue is identified as a Secondary Arterial Type B in the Major Thoroughfare Plan.

The existing Land Use designation supports the request made by the applicant. Although a Land Use Plan Amendment will not be required for this request, staff supports the zoning change as submitted.

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

Consistency not required because base zoning not changing.

Staff Recommendation:

Approval pending a plan amendment

Denial Alternate Recommendation:

This request does not require a Plan Amendment to remain consistent with the Community Plan. Staff supports the zoning request from R-4 to C-2P.

Reviewer: Gary Edenburn

Title: Senior Planner

Date: 10/09/08

Manager Review: Nina Nixon-Mendez

Title: Planning Manager

Date: 10/09/08

03/28/2008



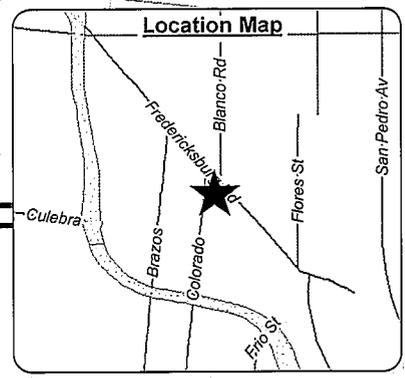
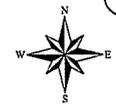
Zoning Case Notification Plan

Case Z2008-283

Council District 1
 Scale: 1" approx. = 300'
 Subject Property Legal Description(s): Lot 12, NCB 2047, Blk 4

Legend

- Subject Property (0.19 acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(C3NA)**
- 100-Year FEMA Floodplain



City of San Antonio
 Planning - Development Services Dept.
 10/13/2008
 D. E. Castillo

CASE NO: Z2008283

Final Staff Recommendation - Zoning Commission

Date: November 04, 2008

Council District: 1

Ferguson Map: 616 C2

Applicant Name:

Omar Urdiales

Owner Name:

Omar Ovidio Urdiales

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

Property Location: Lot 12, Block 4, NCB 2047

140 Princeton

The southeast corner of the intersection of Princeton and North Colorado Street.

Proposal: To allow an auto repair facility

Neigh. Assoc. None

Neigh. Plan Midtown Neighborhoods Neighborhood Plan

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Inconsistent

The Midtown Neighborhoods Neighborhood Plan designates the subject property as Low Density Residential. The applicant submitted a plan amendment to change the land use designation on October 28, 2008 and it will be heard by the Planning Commission on December 10, 2008.

Denial

The subject property is occupied by a vacant commercial structure, which has ingress/egress on North Colorado Street (a Secondary Arterial "Type B" street). The property is adjacent to C-3 zoning to the north, R-6 zoning to the east and south and O-2 zoning to the west. Surrounding land uses consist of an auto repair facility to the north and residential dwellings to the east, west and south.

The applicant is requesting a zoning change to allow an auto repair facility. The requested C-3 zoning and proposed use would not be compatible with the surrounding zoning districts and current uses in the vicinity. C-3 zoning and uses are most appropriate at the intersections of major thoroughfares, arterials or commercial nodes. The commercial node has formed at the intersection of North Colorado Street and Fredericksburg Road, which is located north of the subject property. Further, single family development exists to the east and south of the subject property. C-3 uses are not recommended adjacent to residential uses. C-3 zoning should be separated from residential single-family neighborhoods using transitional zoning districts. Given the uses permitted within the requested zoning district and the adjacent homes, C-3 would be too intense at this location.

The owner was issued a citation for constructing the commercial structure without building permits. The applicant has indicated to staff that the owner was not aware that R-6 zoning did not allow an auto repair facility. If this request is approved, the owner will have to comply with all current site development standards to receive a Certificate of Occupancy, which include parking, landscaping and setbacks. The commercial

CASE NO: Z2008283

Final Staff Recommendation - Zoning Commission

structure currently encroaches into the required setbacks. If the zoning request is approved by the City Council, the owner would be required to seek a variance from the Board of Adjustment, in order to bring the structure into compliance with the C-3 development standards.

CASE MANAGER : Brenda Valadez 207-7945

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2008283

Address: 140 Princeton

Existing Zoning: R-6

Requested Zoning: C-3 NA

Registered Neighborhood Association(s): NA

Neighborhood/Community/Perimeter Plan: Midtown Neighborhoods Plan

Future Land Use for the site: Low Density

Analysis:

The subject property is approximately 0.1993 acres of vacant land; the subject property sits on the corner of Princeton and Colorado. The applicant is seeking a zoning change from R-6 to C-3 NA in order to construct an auto repair building and office.

The future land use in the Midtown Neighborhoods Plan designates 140 Princeton as Low Density. The Midtown Neighborhoods Plan also designates the properties to the north, south, east, and west as Low Density Residential. The property to the north is a currently zoned C3-NA business. The properties to the east and south are established residential homes currently zoned R-6. To the west is an O2-C zoned developed property. Objective 2.2 in the Midtown Neighborhoods Plan states "Maintain the historic character of the neighborhoods' housing while building on the increased demand for area homes to attract reinvestment by new families." Also one of the neighborhoods' highest priorities is to "conserve the existing housing stock" as stated in the Land Use Classification Description. It is also important to note that the plan only goes up to Neighborhood Commercial and does not designate Community Commercial anywhere in the Future Land Use.

The proposed use does not comply with the goals stated in the the Midtown Neighborhood Plan and does not include a designated Community Commercial node.

Other Comments:

Request does not comply with the Midtown Neighborhoods Plan. Placing Community Commercial abutting Low Density residential homes does not enhance the character of the neighborhood. A plan amendment would be required. The majority of this block is residential with the exception of commercial along Fredericksburg Road.

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

Consistency not required because base zoning not changing

Staff Recommendation:

Approval Pending Plan Amendment Denial

Alternate Recommendation:

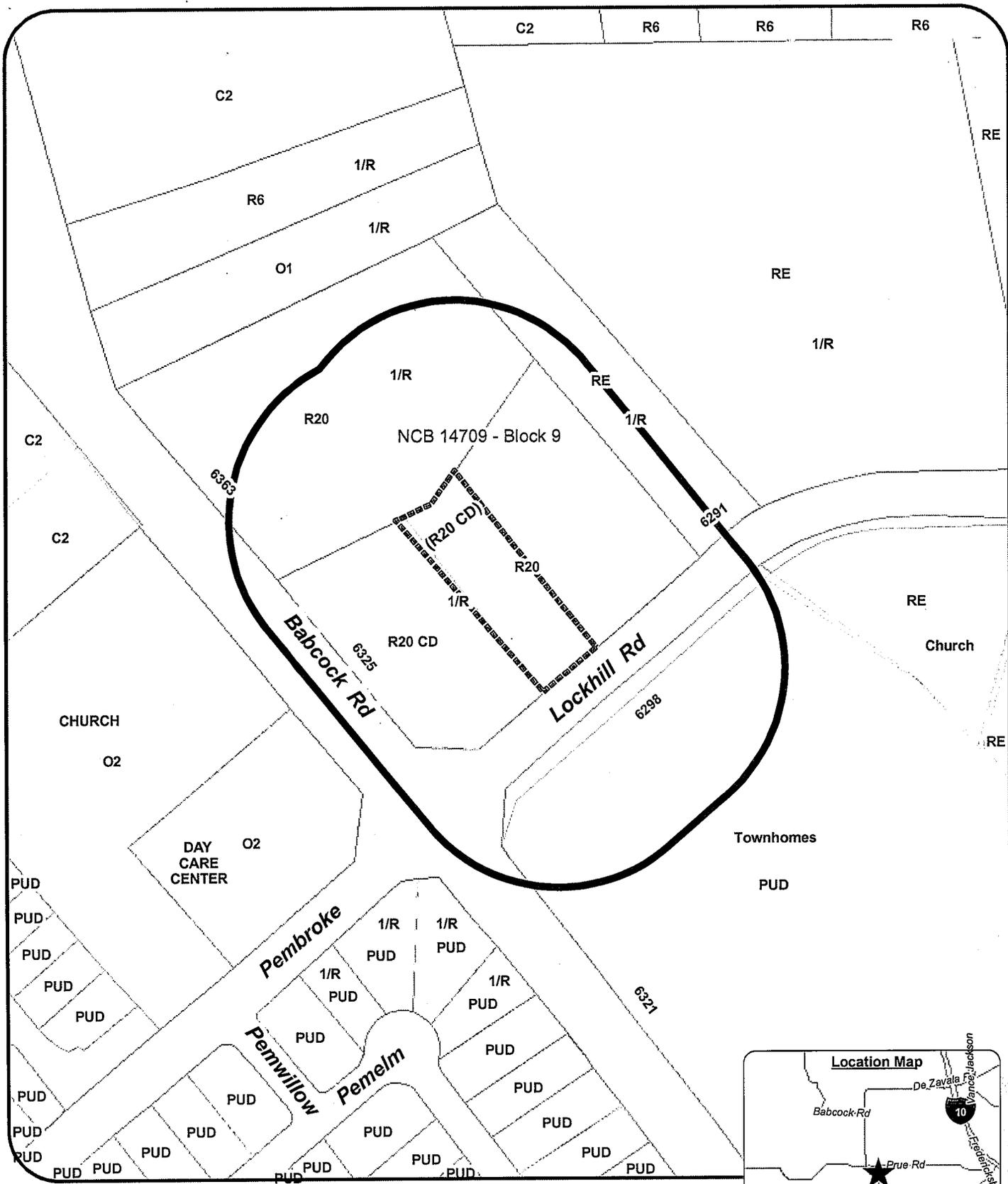
Reviewer: Sidra Maldonado

Title: Planner

Date: 10/06/08

Manager Review: Nina Nixon-Mendez

Date: 10/09/08



Zoning Case Notification Plan

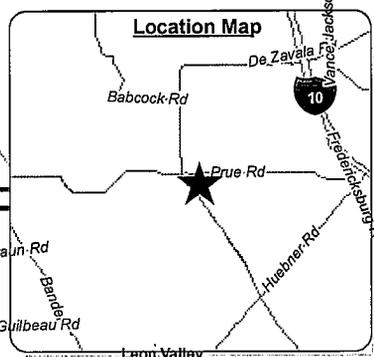
Case Z2009001 CD

Council District 8
 Scale: 1" approx. = 150'

Subject Property Legal Description(s): 0.631 area out of Lots 1 and 2, Block 9, NCB 14709

Legend

- Subject Property (0.63 acres)
- 200' Notification Buffer
- Current Zoning **R20**
- Requested Zoning Change **(R20 CD)**
- 100-Year FEMA Floodplain



City of San Antonio
 Planning - Development Services Dept.
 10/13/2008
 D. E. Castillo

CASE NO: Z2009001 CD

Final Staff Recommendation - Zoning Commission

Date: November 04, 2008

Council District: 8

Ferguson Map: 548 B4

Applicant Name:

6325 Babcock Road, LLC

Owner Name:

6325 Babcock Road, LLC

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

Property Location: 0.631 acres out of Lots 1 and 2, Block 9, NCB 14709

A portion of 6325 Babcock Road

On the north side of Lockhill Road, approximately 160 feet east of Babcock Road

Proposal: To allow a dental 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 (TIA) is not required.

Staff Recommendation:

A finding of consistency is not required because there is no request to change the base zoning district. The Oakland Estates Neighborhood Plan designates Low-Density Residential as the future land use for the subject property.

Denial.

The subject property is located on the north side of Lockhill Road, east of Babcock Road. The subject property is a 0.631-acre portion of a larger 2.6-acre parcel. There are five existing structures on the lot, including a single-family home (approximately 1,978 square feet, built in 1957) and four accessory structures. The subject property was annexed in 1972, per ordinance 41426. The property was originally zoned "Temp R-1" Temporary Single Family Residence District. In 1999, the property was rezoned to "R-1" Single Family Residence District. Upon the adoption of the 2001 Unified Development Code, the previous "R-1" converted to "R-6" Residential Single-Family District. In a 2007 City-initiated case, the property was rezoned to "R-20" Residential Single-Family District, in accordance with the Oakland Estates Neighborhood Plan. In March of 2008, a one-acre portion of the property was rezoned to "R-20 CD" (CD-Professional Office) to allow for a dental office. The 0.631-acre portion that is the subject of this rezoning request is currently zoned "R-20", and directly abuts the existing "R-20 CD" area.

Surrounding zoning includes "RE" Residential Estate District and "R-20" to the east; "PUD MF-33" Planned Unit Development Multi-Family District to the south; "O-2" Office District and "C-2" Commercial District to the west and northwest along Babcock Road; with "R-6", "O-1" Office and "C-2" to the north. Surrounding land uses include single-family homes to the north; a church, townhomes, and single-family homes to the south and southeast; a childcare facility, church, and retail store to the west and northwest; with single-family homes and a mobile home park to the north.

The applicant requests this zoning change in order to expand plans for a proposed dental office. The applicant's stated intent is to move the existing residential structure to the rear portion of the lot, in order to

CASE NO: Z2009001 CD

Final Staff Recommendation - Zoning Commission

build a new "one-story, low-profile" structure along Babcock Road. The applicant also indicated that the additional 0.6-acre portion is needed to accommodate the septic system that would be required for the new dental office.

Staff finds the request to be inappropriate as it could establish a pattern of commercial encroachment into the single-family residential neighborhood. In the March 2008 rezoning case that created the existing one-acre conditional use, the applicant stated that the remaining 1.6 acres would remain residential in order to provide a buffer between the commercial uses along Babcock Road and the residential uses along Lockhill Road. Babcock Road is identified as a Secondary Arterial "Type A" thoroughfare; and as such, is suited for some commercial development. However, Lockhill Road is a local street, along which exist multiple-acre single-family lots. Staff prefers to limit commercial development to the Babcock corridor, maintaining the interior lots along Lockhill as large-acre, single-family residential.

Should the Zoning Commission recommend approval of the requested zoning, staff recommends the same conditions which apply to the existing abutting conditional use:

1. No construction features shall be permitted which would place the structure out of character with the surrounding neighborhood.
2. Allowable hours of operation shall not be permitted before 7:00 am or after 8:00 pm.
3. One sign, fifty (50) square feet in area, may be permitted on the property. Signage shall be limited to one sign for all commercial development.

CASE MANAGER : Micah Diaz 207-5876

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2009001

Address: 6325 Babcock Road

Existing Zoning: R-20

Requested Zoning: R-20 CD Conditional
Use for Professional Offices

Registered Neighborhood Association(s): Oakland Estates Neighborhood Association

Neighborhood/Community/Perimeter Plan: Oakland Estates Neighborhood Plan

Future Land Use for the site: Low Density Residential

Analysis:

The property is a 0.631 acre tract located on the northeast quadrant of Lockhill Road and Babcock Road. There is an existing residential structure located on the property. The applicant is proposing expansion of an existing dental office located on the property immediately adjacent to the west.

The Future Land Use Map of the Oakland Estates Neighborhood Plan categorizes this property as Low Density Residential. The land use classification includes single-family residential development on individual lots. The category does include certain non-residential uses such as schools, places of worship, and parks. The plan also provides a series of land use patterns for properties throughout the planning area. The preferred land use pattern for lots interior to Babcock Road are single-family residential estate lots which would allow individual lots of no less than 15,000 square feet. The lot is currently zoned R-20 which is a preferred zoning category for both the Low Density Residential and Low Density Residential Estate classifications. The future land use plan provides Community Commercial nodes at the Prue Road and Babcock Road intersection, the Huebner Road and Prue Road intersection, as well as a community commercial corridor along Huebner Road. Commercial development in one of these areas would be more appropriate by avoiding commercial encroachment into areas designated as residential in the 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

Staff Recommendation:

Approval Denial Alternate Recommendation

A consistency review is not required due to the base zoning remaining the same. However, the proposed rezoning is inconsistent with both the Future Land Use Plan map and plan objectives that promote single-family development in the planning area

Reviewer: Tyler Sorrells

Title: Planner

Date: 10/07/08

Manager Review: Nina Nixon-Mendez

Date: 10/09/08

W Huisache Ave

			1016		1002
R6 NCD-5	R6 NCD-5	R6 NCD-5	R6 NCD-5	R6 NCD-5 PARKING	R6 NCD-5 Community Center
4/R	1/R	2/R			

944				
RM4 NCD-5	R6 NCD-5	R6 NCD-5	R6 NCD-5	MF33 NCD-5
4/R	4/R	1/R	1/R	Apts

1/R						
R6 NCD-5						
		1019	1017	1011	1007	1001

		1/R	1/R
CHURCH		R6 NCD-5	R6 NCD-5
	R6 NCD-5 937		

W Magnolia Ave

	1026	1020	1014	1010	1002
R6 NCD-5	RM4 NCD-5	R6 NCD-5	R6 NCD-5	R6 NCD-5	RM4 NCD-5 (HS RM4 NCD-5)
1/R	2/R	1/R	1/R	1/R	4/R
NCB 1827 - Block 35					

946	942	930	
RM4 NCD-5	RM4 NCD-5	R6 NCD-5	CHURCH
4/R	2/R		

3/R	2/R	1/R	2/R	2/R	2/R	2/R	1/R
R6 NCD-5	RM4 NCD-5	R6 NCD-5	RM4 NCD-5	R6 NCD-5	RM4 NCD-5	RM4 NCD-5	R6 NCD-5
	1027	1023	1019 1017	1015	1011	1005	1001

2/R	2/R		
RM4 NCD-5	RM4 NCD-5	R6 NCD-5	MF33 NCD-5
		Parking	
945 947	943 941	R6 NCD-5	

Grant Ave

W Mistletoe

R6 NCD-5					
1/R	1/R	1/R	1/R	1/R	1/R

R6 NCD-5	R6 NCD-5		
1/R	1/R		



Zoning Case Notification Plan

Case Z2009005

Council District 1

Scale: 1" approx. = 100'

Subject Property Legal Description(s): Lots 20,21,22,23, Block 35, NCB 1827

Legend

- Subject Property (0.287 acres)
- 200' Notification Buffer
- Current Zoning **RM4 NCD-5**
- Requested Zoning Change **(HS RM4 NCD-5)**
- 100-Year FEMA Floodplain



City of San Antonio
Planning - Development Services Dept.
10/15/2008
D. E. Castillo

CASE NO: Z2009005

Final Staff Recommendation - Zoning Commission

Date: November 04, 2008

Council District: 1

Ferguson Map: 616 D1

Applicant Name:

Owner Name:

COSA Historic Preservation Office

Raymond E. Carranza

Zoning Request: From "RM-4 NCD-5" Residential Mixed Beacon Hill Area Neighborhood Conservation District to "HS RM-4 NCD-5" Historic Significant Residential Mixed Beacon Hill Area Neighborhood Conservation District.

Property Location: Lots 20, 21, 22, and 23, Block 35, NCB 1827

1002 West Magnolia

On the southwest corner of W Magnolia Avenue and Grant Avenue

Proposal: To designate as Historic Significant

Neigh. Assoc. Beacon Hill Neighborhood Association

Neigh. Plan Midtown Neighborhood Plan

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

Staff Recommendation:

A finding of consistency is not required because there is no change to the base zoning district. The Midtown Neighborhood Plan designates Low Density Residential as the future land use for the subject property.

Approval.

The subject property, located on the southwest corner of West Magnolia Avenue and Grant Avenue, is approximately 0.287 acres in size. The existing multi-family residence and garage apartment measure approximately 4,800 square feet, and were built circa 1910. Currently, the subject property consists of 4 dwelling units: three in the main house, and one accessory dwelling. Upon adoption of the 2001 Unified Development Code, the existing "RM-4" Residential Mixed District converted from the previous "R-2" Two Family Residence District. The Beacon Hill Area Neighborhood Conservation District was created in December 2005. Surrounding zoning includes "R-6 NCD-5" Residential Single-Family Beacon Hill Area Neighborhood Conservation District and "RM-4 NCD-5" Residential Mixed Beacon Hill Area Neighborhood Conservation District in all directions; with a few "MF-33 NCD-5" Multi-Family Beacon Hill Area Neighborhood Conservation District zoned lots to the east of the subject property. Surrounding land uses include a mix of single-family homes, duplexes, triplexes, and quadplexes; with two apartment buildings to the northeast. Additionally, there are three churches and an affiliated community center in the vicinity.

The Historic Preservation Office requested a finding of Historic Significance based on the evaluation criteria in Section 35-607 for the Designation of Historic Districts and Landmarks. On September 3, 2008, the Historic and Design Review Commission agreed with the Historic Preservation Office and is recommending approval of a finding of Historic Significance based on the following criteria:

1. The property's embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, or method of construction, or use of indigenous materials;
2. the property's unique location or singular physical characteristics that make it an established or familiar visual feature; and

CASE NO: Z2009005

Final Staff Recommendation - Zoning Commission

3. the property's historical, architectural, or cultural integrity of location, design, materials, and workmanship.

Acting as the applicant for the zoning case, the Historic Preservation Office requests a zoning change to "HS RM-4 NCD-5" Historic Significant Residential Mixed Beacon Hill Area Neighborhood Conservation District. As there is no proposed change to the land use of the subject property, Planning and Development Services Department staff recommends approval.

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

CASE MANAGER : Micah Diaz 207-5876



CITY OF SAN ANTONIO

HISTORIC AND DESIGN REVIEW COMMISSION CERTIFICATE OF APPROPRIATENESS

September 03, 2008

HDRC CASE NO: 2008-268

ADDRESS: 1002 W. Magnolia Ave.

LEGAL DESCRIPTION: NCB 1827 BLK 35 LOT 20 AND 21, 22, 23

PUBLIC PROPERTY:

HISTORIC DISTRICT: Monticello Park Historic District

LANDMARK DISTRICT:

APPLICANT: City of San Antonio, P.O. Box 839966
Historic Preservation

OWNER: Raymond E Raymond

TYPE OF WORK: Finding of Historic Significance

REQUEST:

The applicant is requesting a Certificate of Appropriateness for a Finding of Historic Significance and a recommendation from the Historic Design Review Commission to the Zoning Commission and the City Council for designation of Historic Significant for the property at 1002 W Magnolia Ave.

SIGNIFICANCE STATEMENT ON THE PROPERTY LOCATED AT 1002 W. MAGNOLIA

The property at 1002 W. Magnolia is located within Beacon Hill Tract 3 and is part of the Beacon Hill Area Neighborhood Conservation District (NCD). The Beacon Hill neighborhood was initially platted in 1907. The first "addition" was incorporated in 1908, with Tracts 2 and 3 following soon after. The last two tracts were composed of smaller, more affordable lots, "where fortune smiles on the man of limited means." Beacon Hill developed as one of several early twentieth-century suburbs spawned by the burgeoning streetcar system (<http://www.mysanantonio.com/news/metro/stories>). The neighborhood today is composed of a variety of housing styles including Neoclassical, Folk Victorian, and Spanish Eclectic, with a proliferation of Craftsman-style bungalows. The property at 1002 W. Magnolia is located on the south side of the street between Grant and Michigan Avenues. The house and a small rear outbuilding appear on the 1911 Sanborn map as one of only two dwellings constructed on the block. City directories identify John and Alice B. Jackson as the owners in 1915, still with only one other home occupied on the block. J.M. Trosper was the homeowner in 1927-28, and by that time six additional houses had been built.

The Neoclassical-style residence at 1002 W. Magnolia was constructed circa 1910. The two-and-a-half-story frame house features a hipped roof with two-story front, side,

and rear-gabled projections, minimal wooden eave brackets, and a standing-seam metal roof. The two-story rear ell is not identified on the 1911 Sanborn map and appears to have been added ca. 1925. A two-story porch wraps around the façade and east side elevation. The porch features fluted Ionic columns and a wooden balustrade at the second floor. The balustrade on the first floor of the porch has been removed. The front and side projections from the main block appear to have originally been part of the open front porch (according to the 1911 Sanborn map) but have been enclosed. The gently curved bays of the enclosures are flanked by full-height engaged Ionic columns. Small Palladian-motif windows are located in the gable ends. The house is sheathed in wood clapboard siding, and a wide wood band molding separates the first and second floors. Fenestration includes both single and paired windows. A small, hipped-roof Officer outbuilding is located behind the house and appears to be the same structure identified on the 1911 Sanborn map.

The house is sited on a prominent corner lot at W. Magnolia and Grant Avenue. It is one of several two-story residences on the block, with the balance composed of bungalows and small circa 1920s single-story houses. As one of the two oldest structures on the street, the house remains a significant example of initial housing types constructed in the neighborhood. It is a good and representative example of the Classical Revival style popular in the early decades of the twentieth century and is distinguishable as an earlier house type among the larger number of 1920s bungalows within the neighborhood.

RECOMMENDATION:

The staff recommends approval of this request for a Finding of Historic Significance. Staff has determined that the building at 1002 W. Magnolia qualifies for historic landmark status based on the following criteria:

- Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, or method of construction, or use of indigenous materials (35-607(b)(5));
- Its unique location or singular physical characteristics that make it an established or familiar visual feature (35-607(b)(7));
- Its historical, architectural, or cultural integrity of location, design, materials, and workmanship (35-607(b)(8));

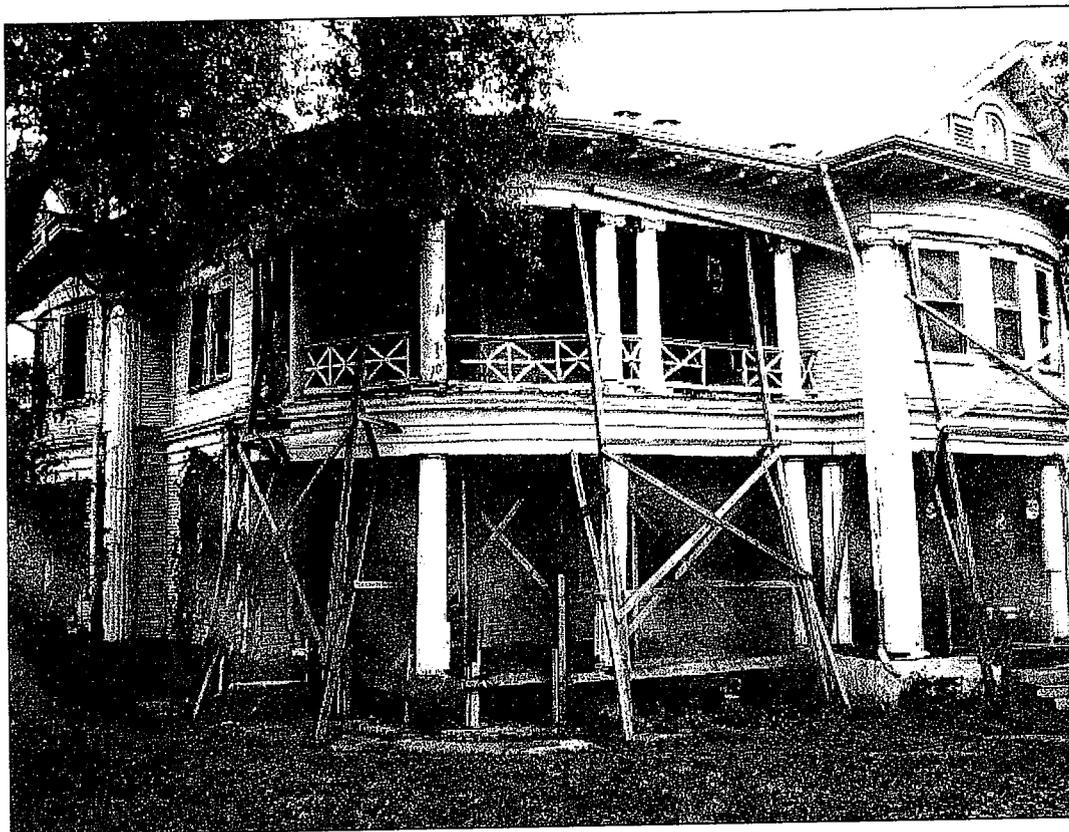
COMMISSION ACTION:

Approval of a Finding of Historic Significance and a recommendation from the Historic Design Review Commission to the Zoning Commission and the City Council for designation of Historic Significance for the property at 1002 W Magnolia Ave.

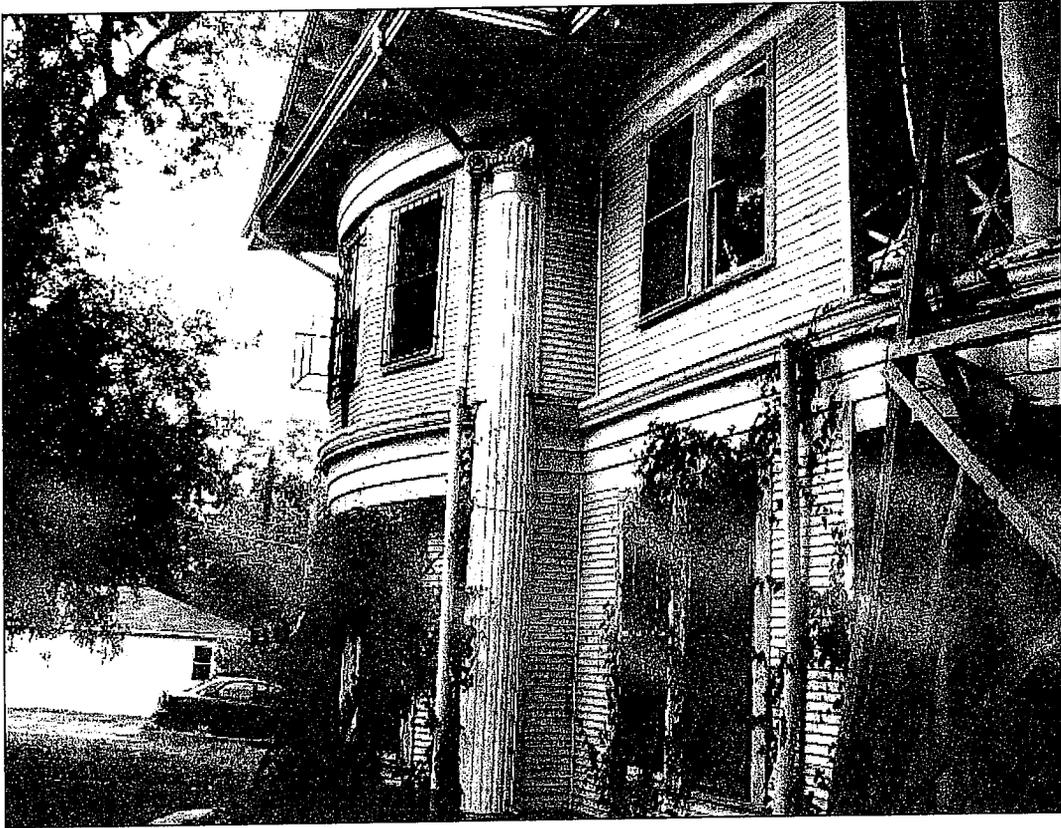


Kay Hindes
Interim Historic Preservation

1002 W. Magnolia



1002 W. Magnolia



A RESOLUTION 2008-10-02-0047R

**DIRECTING PLANNING AND DEVELOPMENT SERVICES
DEPARTMENT STAFF TO INITIATE A CHANGE IN THE ZONING
DISTRICT BOUNDARY OF PROPERTY LOCATED AT 1002 W
MAGNOLIA DRIVE AS HISTORIC SIGNIFICANT.**

* * * * *

WHEREAS, the Historic and Design Review Commission approved a finding of Historic Significance and the Historic Preservation Office is requesting concurrence from City Council to move forward with the Historic Designation of 1002 W. Magnolia Drive; and

WHEREAS, City Council desires to initiate a change in the zoning district boundary of property to a zoning district compatible with current use and the surrounding area in accordance with Chapter 211 of the Texas Local Government Code and Article III of the San Antonio Unified Development Code; NOW THEREFORE;

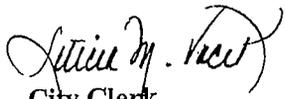
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

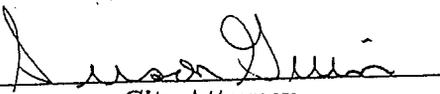
Section 1. The City Council hereby directs City Staff to initiate a change in the zoning district boundary of property located at 1002 W. Magnolia Drive to Historic Significant.

Section 2. This Resolution shall be effective on October 12, 2008.

PASSED AND APPROVED this 2nd day of October, 2008.


M A Y O R
PHIL HARDBERGER

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
City Attorney
for

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2009005

Address: 1002 W. Magnolia #1

Existing Zoning: RM-4 NCD-5

Requested Zoning: RM-4 HS NCD-5

Registered Neighborhood Association(s): Beacon Hill Neighborhood Association

Neighborhood/Community/Perimeter Plan: Midtown Neighborhoods Plan

Future Land Use for the site: Low Density Residential

Analysis:

The subject parcel is designated Low Density Residential in the Midtown Neighborhoods Land Use Plan. The surrounding land use designations are also Low Density Residential. One of this neighborhoods' highest priorities is to conserve the existing housing stock and character of the area (pg. 43). Objective 2.2 of the Plan is to "Maintain the historic character of the neighborhoods' housing while building on the increased demand for area homes to attract reinvestment by new families" (pg. 35). Action 2.2.1 builds upon this through the recommendation to "investigate historic and/or conservation districts to maintain the style and character of the area's housing" (pg. 35).

The City's Historic Division staff completed an analysis of the integrity of the property and found this property to be of Historical Significance. As part of the recommendation to HDRC, Historic staff states that the house is a "representative example of Classical Revival style" and that "as one of the two oldest structures on the street, the house remains a significant example of initial housing types constructed in the neighborhood".

San Antonio Master Plan Policies also address historic preservation by stating as a goal to "preserve and enhance the City's historic resources" (pg. 44). Additionally the Master Plan maintains that, urban design goals should reflect "enhancement of the City's important historic and cultural characteristics" (pg. 42). Granting this request would satisfy goals and objectives established in the San Antonio Master Plan Policies and the Midtown Neighborhoods Plan.

The base zoning is not changing; therefore a finding of consistency with the Land Use Plan is not required. Staff defers to Historic Staff determination and Master and Neighborhood Plan goals, and supports a recommendation of approval.

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

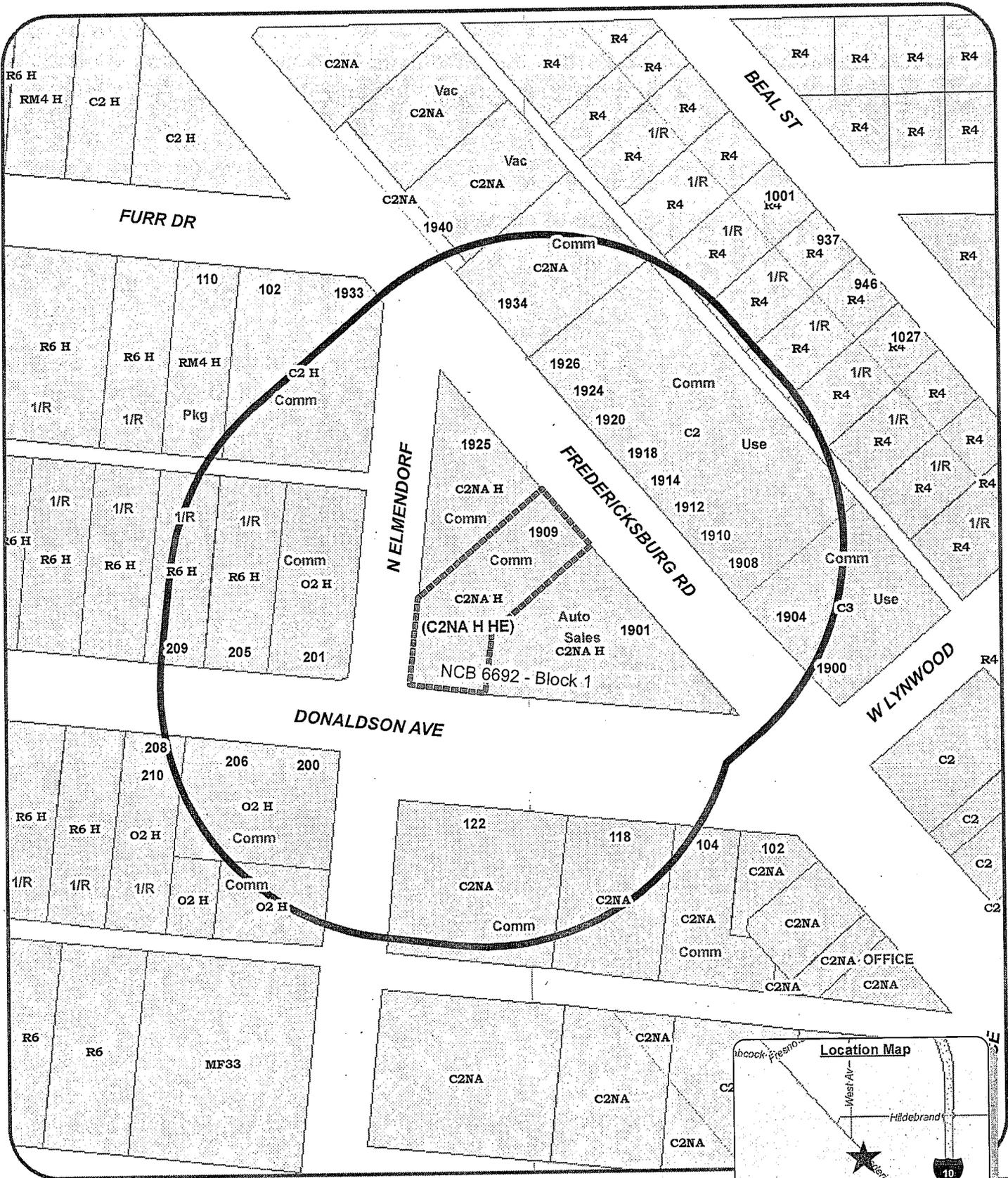
Consistency not required because base zoning not changing

Staff Recommendation:

Approval Denial

Reviewer: Andrea Gilles **Title:** Sr. Management Analyst **Date:** 10/07/08

Manager Review: Nina Nixon-Mendez **Date:** 10/09/08



Zoning Case Notification Plan

Case Z2009-006

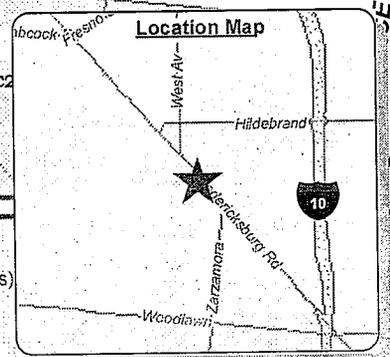
Council District 7

Scale: 1" approx. = 100'

Subject Property Legal Description(s): E IRRG. 58 ft of W 166.2 Lot E, NCB 6692, Blk 1

Legend

- Subject Property (0.2084 acres)
- 200' Notification Buffer
- Current Zoning C2NA H
- Requested Zoning Change (C2NA H HE)
- 100-Year FEMA Floodplain



City of San Antonio
 Planning - Development Services Dept.
 10/20/2008
 D. E. Castillo

CASE NO: Z2009006

Final Staff Recommendation - Zoning Commission

Date: November 04, 2008

Council District: 7

Ferguson Map: 582 A8

Applicant Name:

City Of San Antonio Historic
Preservation Office

Owner Name:

Specialty Merchandise of San Antonio

Zoning Request: From "H C-2NA" Commercial Nonalcoholic Sales, Monticello Park Historic District to "HE H C-2NA " Historic Exceptional, Commercial Nonalcoholic Sales, Monticello Park Historic District.

Property Location: A 0.2084 acre tract of land out of Block 1, NCB 6692
1909 Fredericksburg Road

On the southwest side of Fredericksburg Road, between North Elmendorf and Donaldson Avenue

Proposal: To designate Historic Exceptional

Neighborhood Association: Jefferson Neighborhood Association, Monticello Park Neighborhood Association and Los Angeles Heights/Keystone Neighborhood Association within 200 feet.

Neighborhood Plan: Near Northwest Community Plan

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

Staff Recommendation:

A finding of consistency is not required because there is no change to the base zoning district. The Near Northwest Community Plan designates the area as Neighborhood Commercial with architecture that maintains the neighborhood character. One of the goals in the Near Northwest Plan calls for preserving and enhancing the character of the area as well as celebrating its history and culture. The preservation of this building is important to Goal 2 of the plan which states, "Ensure the Near NW Community's business corridors are filled with a mix of uses including professional offices, residences and busy shops, providing neighbors an attractive place to walk for shopping, playing, working and relaxing both day and night."(p.22)

Approval.

The subject property is located within the original city limits, is approximately 0.2084 acres and is located in a triangle-shaped piece of land between Fredericksburg Road and North Elmendorf, north of Donaldson Avenue. There is an existing vacant Spanish Colonial Revival-style commercial building on the subject property, which is located within the Monticello Park Historic District. The subject property was originally zoned "H B-2NA" Business Nonalcoholic Sales, Monticello Park Historic District; and converted to the current "H C-2NA" Commercial Nonalcoholic Sales, Monticello Park Historic District in 2002. Surrounding zoning includes "H C-2NA" Commercial Nonalcoholic Sales, Monticello Park Historic District to the northwest and southeast, and "C-2" Commercial District across Fredericksburg Road to the east.

This is a city-initiated case, with the City of San Antonio Historic Preservation Office acting as the applicant. The Historic Preservation Office requested a finding of Historic Significance based on the evaluation criteria in Section 35-607 for the Designation of Historic Districts and Landmarks. On September 3, 2008, the Historic and Design Review Commission agreed with San Antonio Historic Preservation Office Staff and is recommending approval of a finding of Historic Significance based on the following criteria: 1. It serves as a visible reminder of the cultural heritage of the community; 2. It embodies distinguishing characteristics of an

CASE NO: Z2009006

Final Staff Recommendation - Zoning Commission

architectural style valuable for the study of period, type, method of construction or use of indigenous materials; 3. Its historical, architectural and cultural integrity of location, design, material and workmanship. As there is no proposed change to the land use of the subject property, Zoning Staff recommends approval.

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

CASE MANAGER : Pedro Vega 207-7980



Z2009006

CITY OF SAN ANTONIO

HISTORIC AND DESIGN REVIEW COMMISSION CERTIFICATE OF APPROPRIATENESS

September 03, 2008

HDRC CASE NO: 2008-270
ADDRESS: 1909 Fredericksburg Rd
LEGAL DESCRIPTION: NCB 6692 BLK 1 LOT E IRRG 58 FEET OF
W 166.2 FEET
PUBLIC PROPERTY:
HISTORIC DISTRICT: Monticello Park Historic District
LANDMARK DISTRICT:
APPLICANT: City of San Antonio, P.O. Box 839966
Historic Preservation
OWNER: Specialty Merchandise of San Antonio
TYPE OF WORK: Demolition and Finding of Historic Significance
(HE Designation)

REQUEST:

The applicant is requesting a Certificate of Appropriateness for a Finding of Historic Significance and a recommendation from the Historic Design Review Commission to the Zoning Commission and the City Council for designation of Historic Exceptional for the property at 1909 Fredericksburg Rd.

STATEMENT OF SIGNIFICANCE FOR THE PROPERTY LOCATED AT 1909 FREDERICKSBURG ROAD

The property at 1909 Fredericksburg Road is a Spanish Colonial Revival-style commercial building within the Monticello Park Local Historic District. The structure shares a triangular parcel of land, between Donaldson Avenue and N. Elmendorf Street, with other small commercial buildings. What remains today is the northern half of the original structure. The southern half of the building, which extended nearly to Donaldson Avenue, has been demolished. The building was completed in 1925 as the Parkmoor, a shopping center designed for owners J. Frank Gallagher (a former city treasurer and U.S.A.F. Major), and druggists J.W. Blaize and J.E. Gallagher. The structure housed the Gallagher-Blaize Drug Company, complete with a soda fountain, an ice cream manufacturing plant (for the drug store), and a refrigeration system in the basement. In addition to the drug store, space in the building was dedicated to other proposed shops including a food store, ladies' store, and a "hair bobbing shop" (SA Light, June 14, 1925 and SA Express, June 16, 1925). In the 1927-28 City Directory occupants included the Parkmoor Drug Store, Parkmoor Cleaners, Parkmoor Barbershop, and the Parkmoor Grocery. No other addresses within the 1900 block were listed.

At the time of construction, Fredericksburg Road served as a major thoroughfare in and out of San Antonio, and the building was reportedly located within one of the fastest growing sections of the city (SA Light, June 14, 1925). The building was designed by San Antonio architects Phelps and Dewees.

The original design of the building featured a front-gabled section at either end separated by a linear multi-bay section with a flat roof and gabled parapets. Only the northern half of the building remains today. Spanish Colonial Revival-style elements include the red tile roof, stucco cladding, and elaborate plaster ornamentation on the front-gabled façade. The three windows of the gabled end section are separated by pilasters featuring shell motifs, cartouches, and a decorative vent. An arched doorway at the north end of the façade has been enclosed. The three bays of the linear section Officer are composed of single doors flanked by windows and include turned spindle work at the door surrounds and operable hopper transoms. A brick water table extends across the lower façade.

Although altered from its original size, the 1909 Fredericksburg Road building remains a good example of the Spanish Colonial Revival style popular in the 1920s and is one of the few buildings of this style surviving in the area. It is a reflection of the development period of Monticello Park, as the neighborhood grew into one of the city's most desirable areas in the 1920s. It is significant for its location along an important early twentieth-century commercial corridor, and at the time of construction, it was touted as the first community store in the city to incorporate a design compatible with surrounding residential architecture (SA Light, 1925).

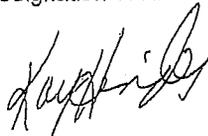
RECOMMENDATION:

The staff recommends approval of this request for a Finding of Historic Exceptional. Staff has determined that the building at 1909 Fredericksburg Rd. qualifies for historic landmark status based on the following criteria:

- Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, or method of construction, or use of indigenous materials (35-607(b)(5));
- Its historical, architectural, or cultural character as a particularly fine or unique example of a utilitarian structure, including but not limited to, bridges, acequias, gas stations, transportation shelters, or other commercial structures (35-607(b)(6));
- Its unique location or singular physical characteristics that make it an established or familiar visual feature (35-607(b)(7));
- Its historical, architectural, or cultural integrity of location, design, materials, and workmanship (35-607(b)(8));

COMMISSION ACTION:

Approval of a Finding of Historic Significance and a recommendation from the Historic Design Review Commission to the Zoning Commission and the City Council for designation of Historic Exceptional for the property at 1909 Fredericksburg Rd.



Kay Hindes
Interim Historic Preservation

A RESOLUTION 2008-10-02-0046R

**DIRECTING PLANNING AND DEVELOPMENT SERVICES
DEPARTMENT STAFF TO INITIATE A CHANGE IN THE ZONING
DISTRICT BOUNDARY OF PROPERTY LOCATED AT 1909
FREDERICKSBURG ROAD AS HISTORIC EXCEPTIONAL.**

* * * * *

WHEREAS, the Historic and Design Review Commission approved a finding of Historic Significance and the Historic Preservation Office is requesting concurrence from City Council to move forward with the Historic Designation of 1909 Fredericksburg Road; and

WHEREAS, City Council desires to initiate a change in the zoning district boundary of property to a zoning district compatible with current use and the surrounding area in accordance with Chapter 211 of the Texas Local Government Code and Article III of the San Antonio Unified Development Code; **NOW THEREFORE**;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

Section 1. The City Council hereby directs City Staff to initiate a change in the zoning district boundary of property located at 1909 Fredericksburg Road to Historic Exceptional.

Section 2. This Resolution shall be effective on October 12, 2008.

PASSED AND APPROVED this 2nd day of October, 2008.



**M A Y O R
PHIL HARDBERGER**

ATTEST:



City Clerk

APPROVED AS TO FORM:



City Attorney

Neighborhood and Urban Design Division

Zoning Case Review

Zoning Case No.: Z2009006

Address: 1909 Fredericksburg

Existing Zoning: C2NA H

Requested Zoning: C2NA H HE

Registered Neighborhood Association(s): Monticello Park

Neighborhood/Community/Perimeter Plan: Near Northwest Community Plan

Future Land Use for the site: Neighborhood Commercial

Analysis:

The subject property is approximately 0.2084 acres and is located in a triangle-shaped piece of land between Fredericksburg Road and Elmendorf, north of Donaldson of an existing historic district. The subject property is located in the Near Northwest Community Plan. The Land Use Plan designates the area containing the subject property as Neighborhood Commercial with architecture that maintains the neighborhood character.

The structure is eligible for historic designation based on the following:

1. It serves as a visible reminder of the cultural heritage of the community;
2. It embodies distinguishing characteristics of an architectural style valuable for the study of period, type, method of construction or use of indigenous materials;
3. Its historical, architectural and cultural integrity of location, design, material and workmanship.

One of the goals in the Near Northwest Plan calls for preserving and enhancing the character of the area as well as celebrating its history and culture.

The preservation of this building is important to Goal 2 of the plan which states, "Ensure the Near NW Community's business corridors are filled with a mix of uses including professional offices, residences and busy shops, providing neighbors an attractive place to walk for shopping, playing, working and relaxing both day and night."(p.22)

It also supports numerous Action Steps, such as 2.1.5 which states "Investigate a Neighborhood Conservation District for the Deco District Area" (p.23), 2.2.2: stresses to "Encourage new business development to locate in existing commercial areas in need of revitalization and promote existing business enhancement."(p.25) and 3.3.3 encourages to "Investigate Neighborhood Conservation Districts as a way to protect the architectural character of the neighborhood."(p.32)

Other Comments: Consistency is not required because the base zoning is not changing.

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: 10/06/08

Manager Review: Nina Nixon-Mendez

Date: 10/06/08