

CITY OF SAN ANTONIO
Zoning Commission Agenda

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

October 21, 2008
Tuesday, 12:00 PM

ZONING COMMISSIONERS

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

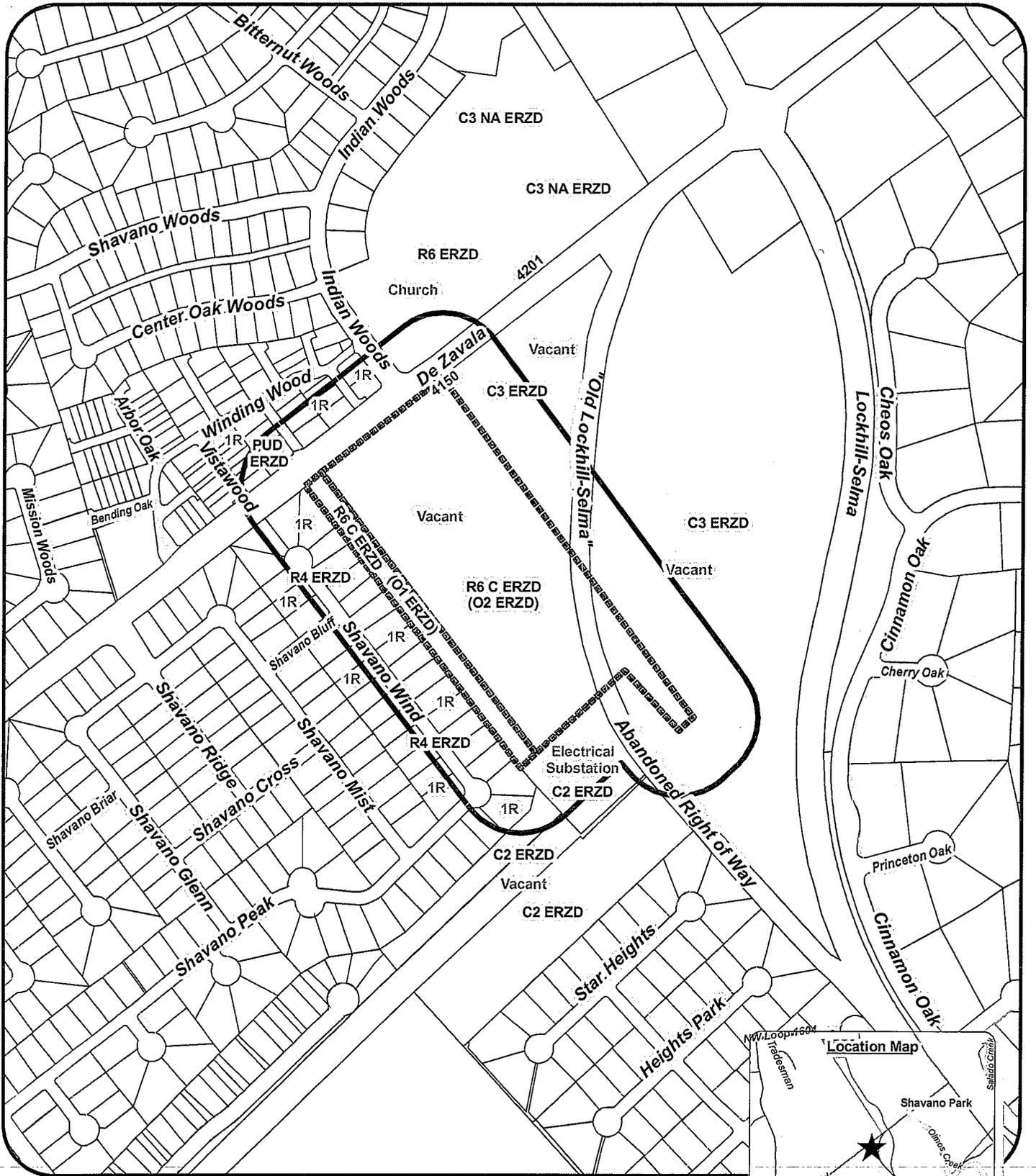
1. **12:00 PM - Work Session discussion of UDC amendments, policies and procedures, briefing on amendments to the Unified Development Code proposed as part of the biennial update process plus briefing by Staff regarding zoning case recommendations and all other items for consideration on the agenda for October 21, 2008, in the Tobin Room, 1901 South Alamo Street, Cliff Morton Development and Business Services Center.**
2. 1:00 P. M. – Call to Order – Board Room
3. Roll Call.
4. Pledge of Allegiance.
5. Approval of October 7, 2008 Minutes.
6. **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)
7. **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)

8. **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.
9. **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.
10. **ZONING CASE NUMBER Z2008114:** A request for a change in zoning from "R-4" Residential Single-Family District to "PUD MF-25" Planned Unit Development Multi-Family District on 6.189 acres out of Lot 320, Block 32, NCB 11131, 727 West Villaret Boulevard. (Council District 4)
11. **ZONING CASE NUMBER Z2008180:** A request for a change in zoning from "C-3" General Commercial District to "MF-33" Multi-Family District on a 12.114 acre tract of land out of Lot 5, Block 1, NCB 14858, approximately 302.47 feet north of Presidio Parkway and 416.15 feet west of Vance Jackson Road. (Council District 8)
12. **ZONING CASE NUMBER Z2008229:** A request for a change in zoning from "MI-1" Mixed Light Industrial District to "HE MI-1" Historic Exceptional, Mixed Light Industrial District on 0.1435 acres out of CB 4297, at the northeast corner of the State Highway 16 South and Lone Star Pass intersection. (Council District 4)
13. **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)
14. **ZONING CASE NUMBER Z2008266 S:** A request for a change in zoning from "C-3" General Commercial District to "C-3 S" General Commercial District with a Specific Use Authorization for a Wireless Communication System on 0.0198 acres out of NCB 11684, 3723 West Avenue. (Council District 1)
15. **ZONING CASE NUMBER Z2008271 CD:** A request for a change in zoning from "R-6" Residential Single-Family District to "R-6 CD" Residential Single-Family District with a Conditional Use for Multi-Family Dwellings not to exceed 15 units per acre or a total of 2 units on the south 68.5 feet of Lot 28 and Lot 29, Block 13, NCB 1955, 2793 and 2795 North Elmendorf Street. (Council District 7)
16. **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)
17. **ZONING CASE NUMBER Z2008276:** A request for a change in zoning from "C-2" Commercial District to "C-3" General Commercial District on Lot 14, Block 19, NCB 14035, 4302 Hyatt Place Drive. (Council District 8)

18. **ZONING CASE NUMBER Z2008277:** A request for a change in zoning from "C-3NA" Commercial Nonalcoholic Sales District to "C-2" Commercial District on Lots 7, 8, and 9, Block 1, NCB 8881, 2426 Culebra Road. (Council District 5)
19. **ZONING CASE NUMBER Z2008278 S:** A request for a change in zoning from "C-2 GC-1" Commercial, Gateway Corridor District and "O-1 GC-1" Office, Gateway Corridor District to "C-2 S GC-1" Commercial, Gateway Corridor District with a Specific Use Authorization for a bar/ tavern (0.19 acres) and "C-2 GC-1" Commercial, Gateway Corridor District (1.27 acres) on a 0.19 acre parcel out of Lot 131, Block 1, NCB 18338 and 1.27 acre parcel out of Lot 133, Block 1, NCB 18338, 23095 IH 10 West. (Council District 8)
20. Discussion and consideration regarding the potential placement of Zoning Case Z2008258 CD on the November 4, 2008 agenda at a time certain.
21. 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.
22. **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

Date: October 21, 2008 Zoning Commission continuance from October 02, 2008

Council District: 8

Ferguson Map: 515 B7

Applicant Name:

Owner Name:

Brown & Ortiz, P. C., Attorneys at Law

Rogers Shavano Ranch, Ltd.

Zoning Request: 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).

Property Location: 13.5873 acres out of NCB 17627 and NCB 18598

4150 DeZavala Road

On the south side of De Zavala Road, approximately 1250 feet east of Lockhill-Selma Road

Proposal: To allow office development

Neigh. Assoc. None

Neigh. Plan None

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

Staff Recommendation:

Approval.

The subject property, located on the south side of De Zavala Road, east of Lockhill-Selma Road, consists of approximately 13.59 acres of undeveloped land. The property was annexed into the city in December 1987 per ordinance 66021. Upon annexation, portions of the subject property were zoned "B-2 ERZD" and "B-3 ERZD" Business Edwards Recharge Zone Districts. In 1994, part of the property was rezoned to "P-1 R-1 ERZD", Planned Unit Development Single Family Residence Edwards Recharge Zone District, per ordinance 80947; which converted to "PUD R-6 ERZD" Planned Unit Development Residential Single-Family Edwards Recharge Zone District following the adoption of the 2001 Unified Development Code. The current zoning, "R-6 ERZD" (CD-Private High School) Residential Single-Family Edwards Recharge Zone District with a Conditional Use for a Private High School, was created in a 2003 zoning case, per ordinance 98081. Properties to the east are zoned "C-3" General Commercial District, and are currently undeveloped. Directly to the south of the subject property is an electrical substation which is zoned "C-2" Commercial District; with more commercially zoned undeveloped property farther south. Single-family residential developments exist on the other two sides of the subject property: "R-4" Residential Single-Family District to the west, with "R-6" Residential Single-Family District and "PUD R-6" Planned Unit Development to the north. There is also a church to the north of the subject property, across De Zavala Road. All of the surrounding properties are within the Edwards Recharge Zone Overlay District. The City's Major Thoroughfare Plan identifies both De Zavala and Lockhill-Selma Roads as Secondary Arterial "Type A" streets.

The applicant requests "O-2" Office District on 11.95 acres; with a 1.63-acre, 65-foot wide buffer of "O-1" Office District where the subject property abuts residential zoning to the west (as is required by the UDC). Staff finds the request to be an appropriate transition between the intense commercial zoning to the west and the low-density residential zoning to the east. "O-2" zoning districts are most appropriately located along

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.

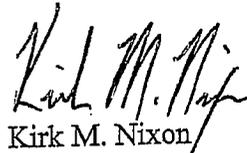
General Recommendations

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

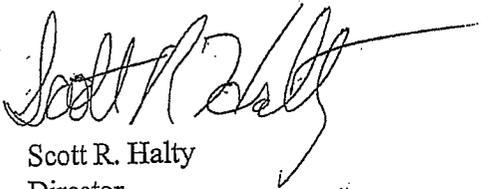
4. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.
5. The Resource Protection Division staff shall have the authority to inspect the site 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

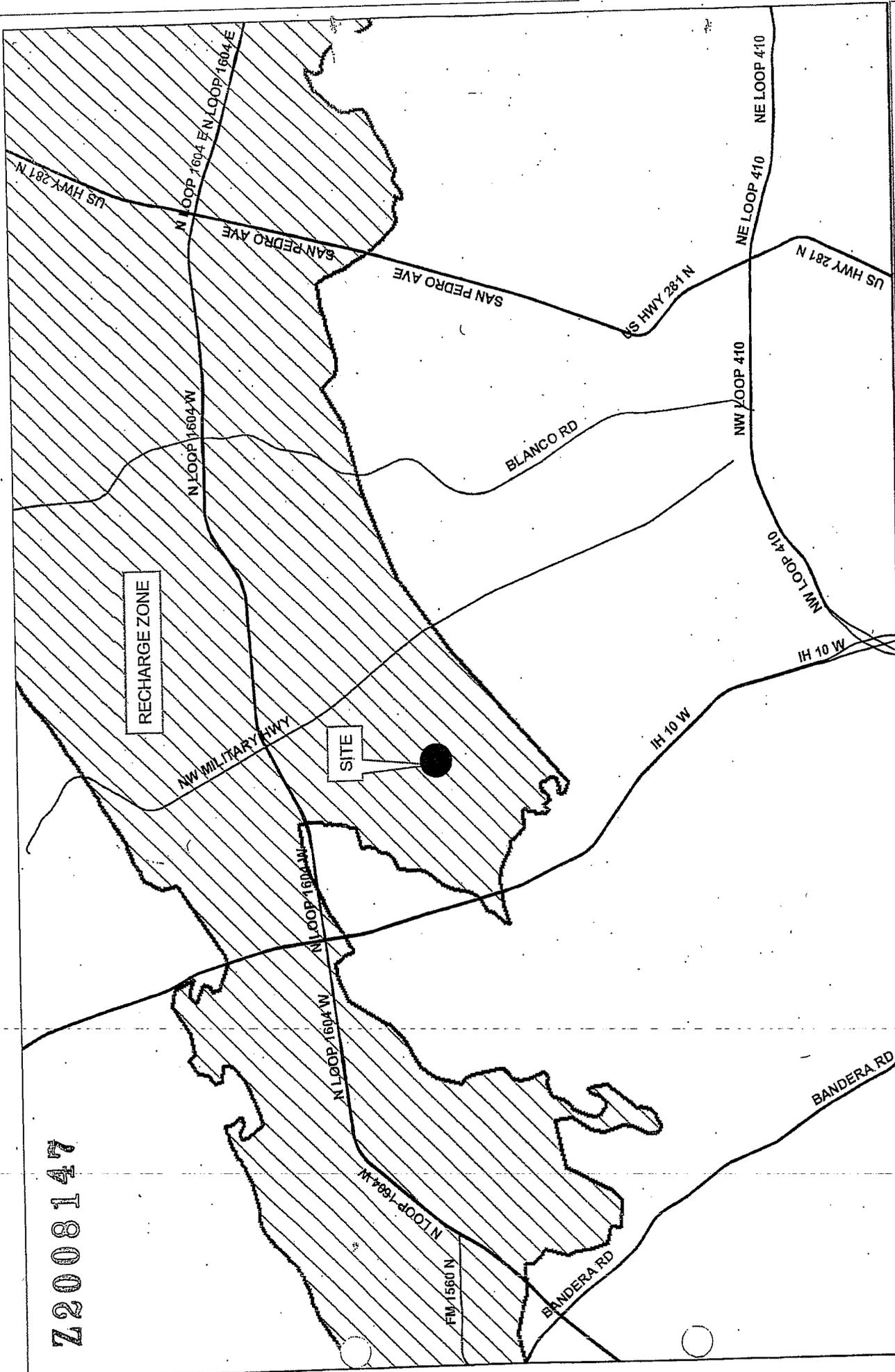
APPROVED:



Scott R. Halty
Director
Resource Protection & Compliance Department

KMN:MAE

Z2008147



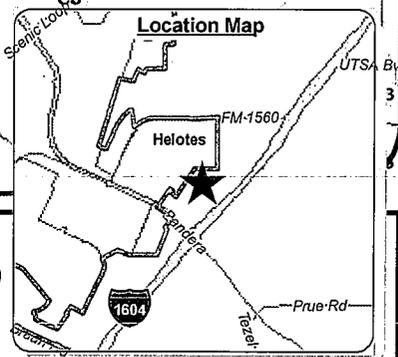
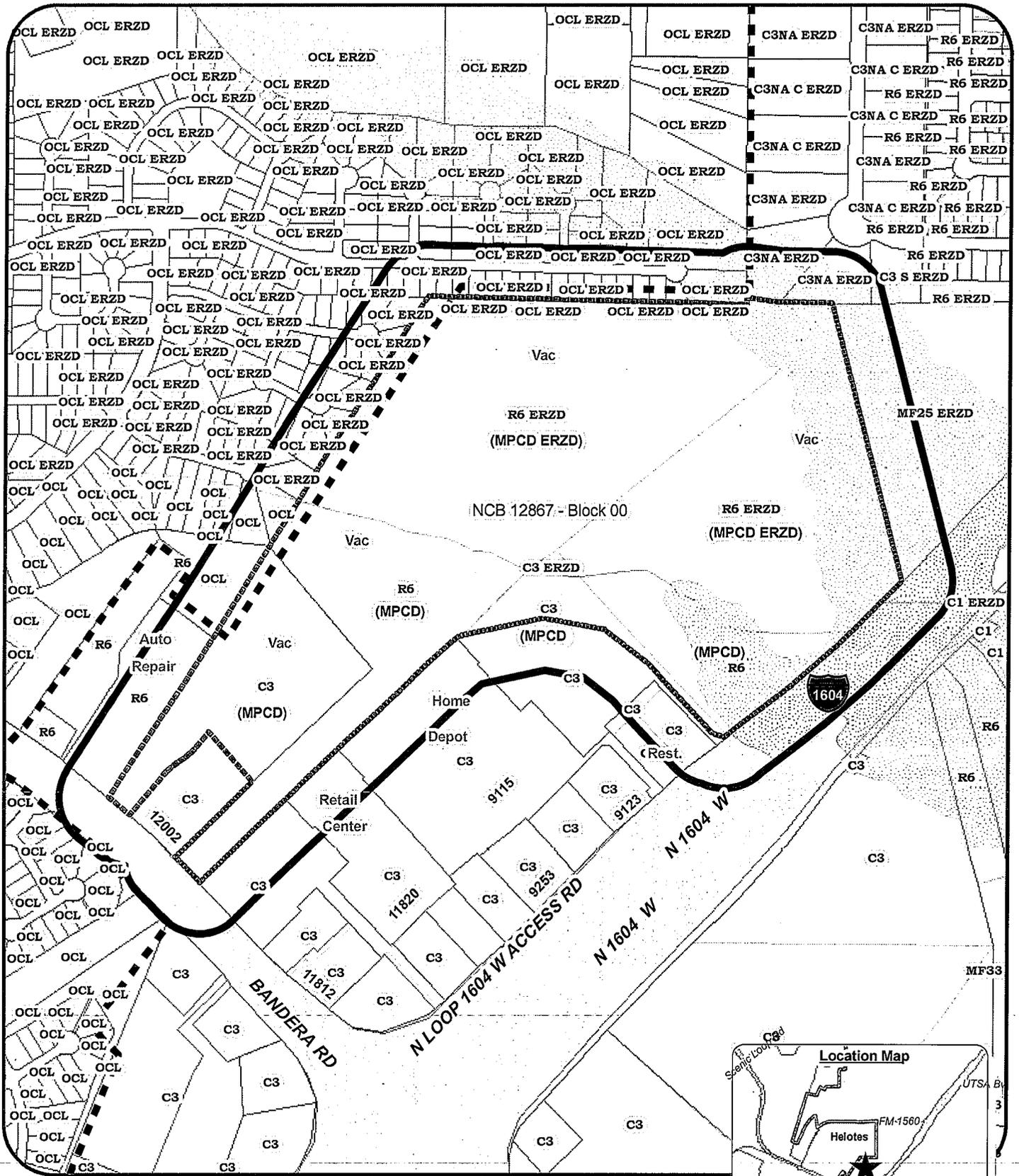
ZONING FILE: DE ZAVALA COMMERCIAL DEVELOPMENT (FIGURE 1)

ZONING ID: Z2008147

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

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

1 inch equals 6,985.586243 feet



Zoning Case Notification Plan

Case Z2008-188 ERZD

Council District 8
 Scale: 1" approx. = 500'
 Subject Property Legal Description(s): 81.13 acres out of NCB 14867

- Legend**
- Subject Property (81.13 acres)
 - 200' Notification Buffer
 - Current Zoning R6, C3
 - Requested Zoning Change (MPCD)
 - 100-Year FEMA Floodplain



City of San Antonio
 Planning - Development Services Dept.
 09/28/2008
 D. E. Castillo

CASE NO: Z2008188 ERZD

Final Staff Recommendation - Zoning Commission

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.

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.

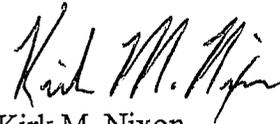
General Recommendations

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.

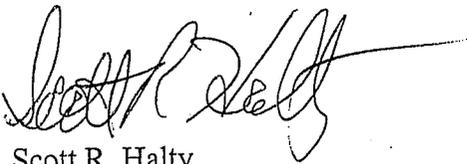
- D. If at any time the ownership of the property changes, the seller must inform the buyer of all requirements for maintenance of the Basin. A signed basin maintenance plan and schedule agreement, from the new owner, must be submitted to the Resource Protection Division.
5. The City of San Antonio shall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



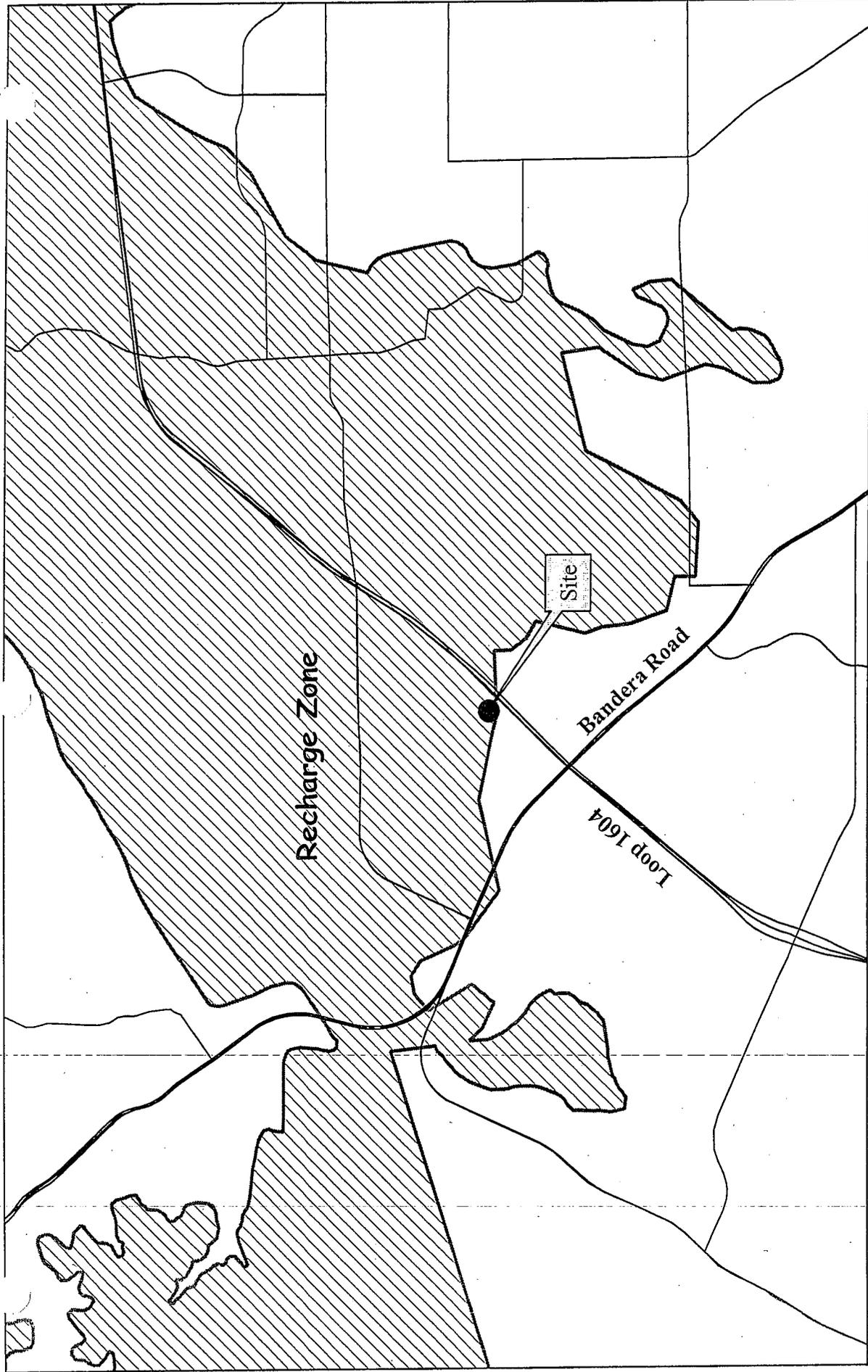
Kirk M. Nixon
Manager
Resource Protection Division

APPROVED:



Scott R. Halty
Director,
Resource Protection & Compliance Department

KMN:MJB



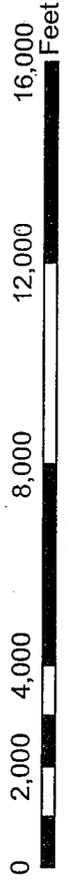
Zoning Case No. Z2008188 Figure 1

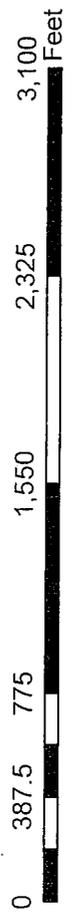
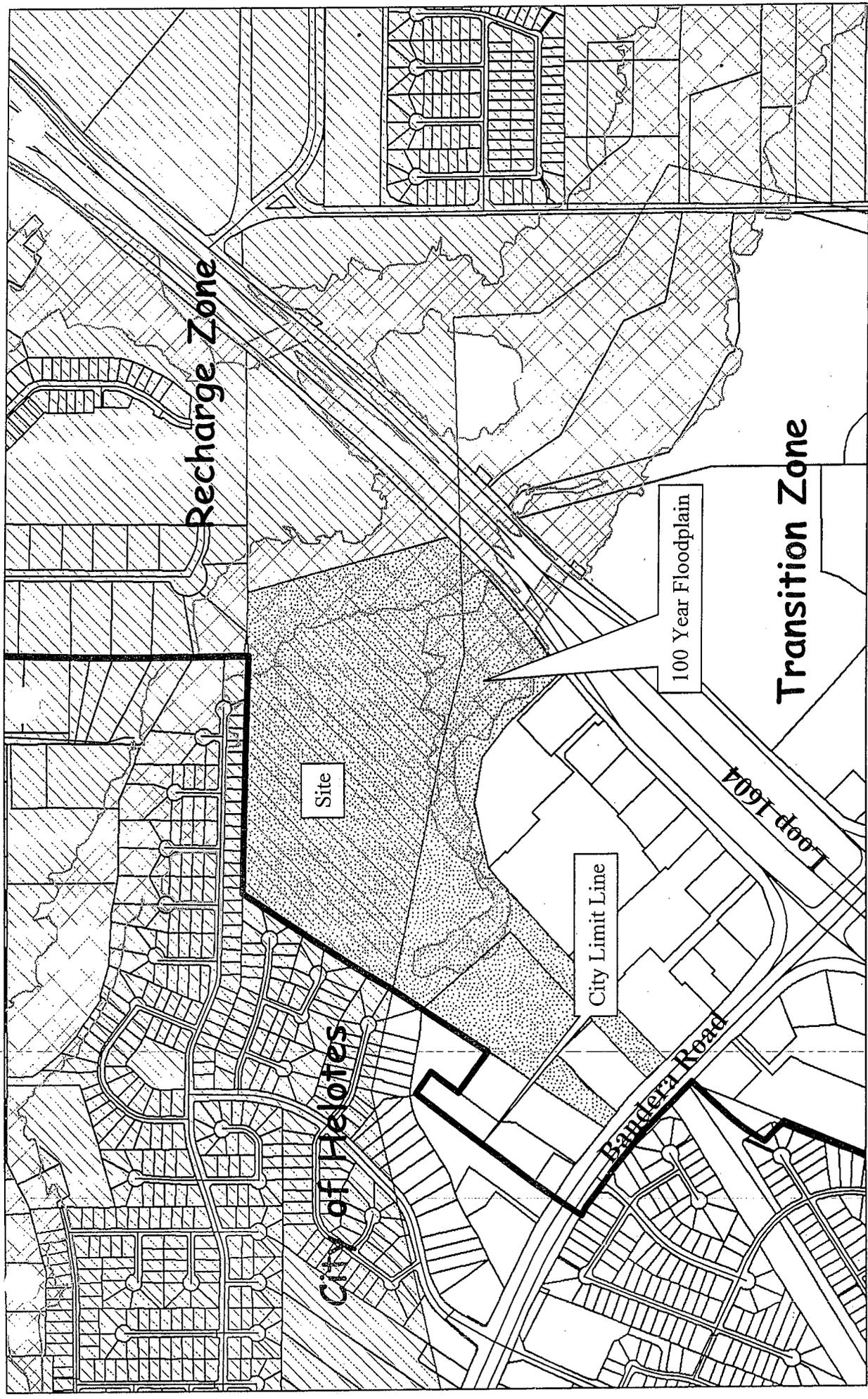
Master Planned Community (Kamary Commons)

Map Page 547 AI

X=2074780 Y=13751555

Map Prepared by Aquifer Protection and Evaluation MJB 7/18/2008





1:8,650

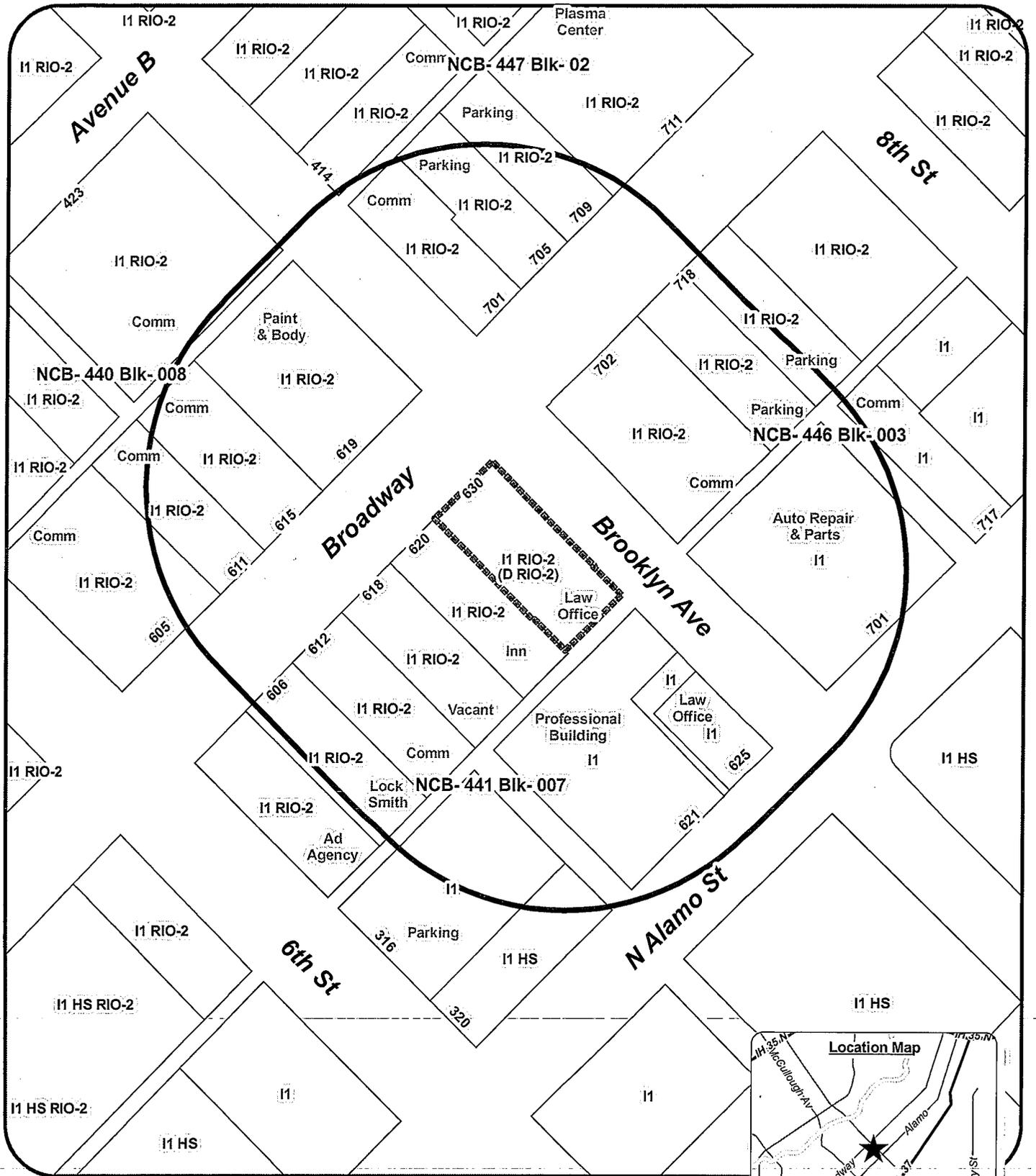
Zoning Case No. Z2008188 Figure 2

Master Planned Community

Map Page 547 A1

X=2074780 Y=13751555

Map Prepared by Aquifer Protection and Evaluation MJB 6/11/2008



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 Bk: 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: 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

CASE NO: Z2008211

Final Staff Recommendation - Zoning Commission

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:

- 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

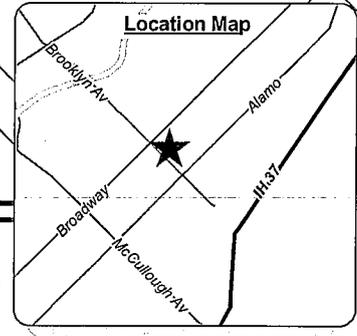
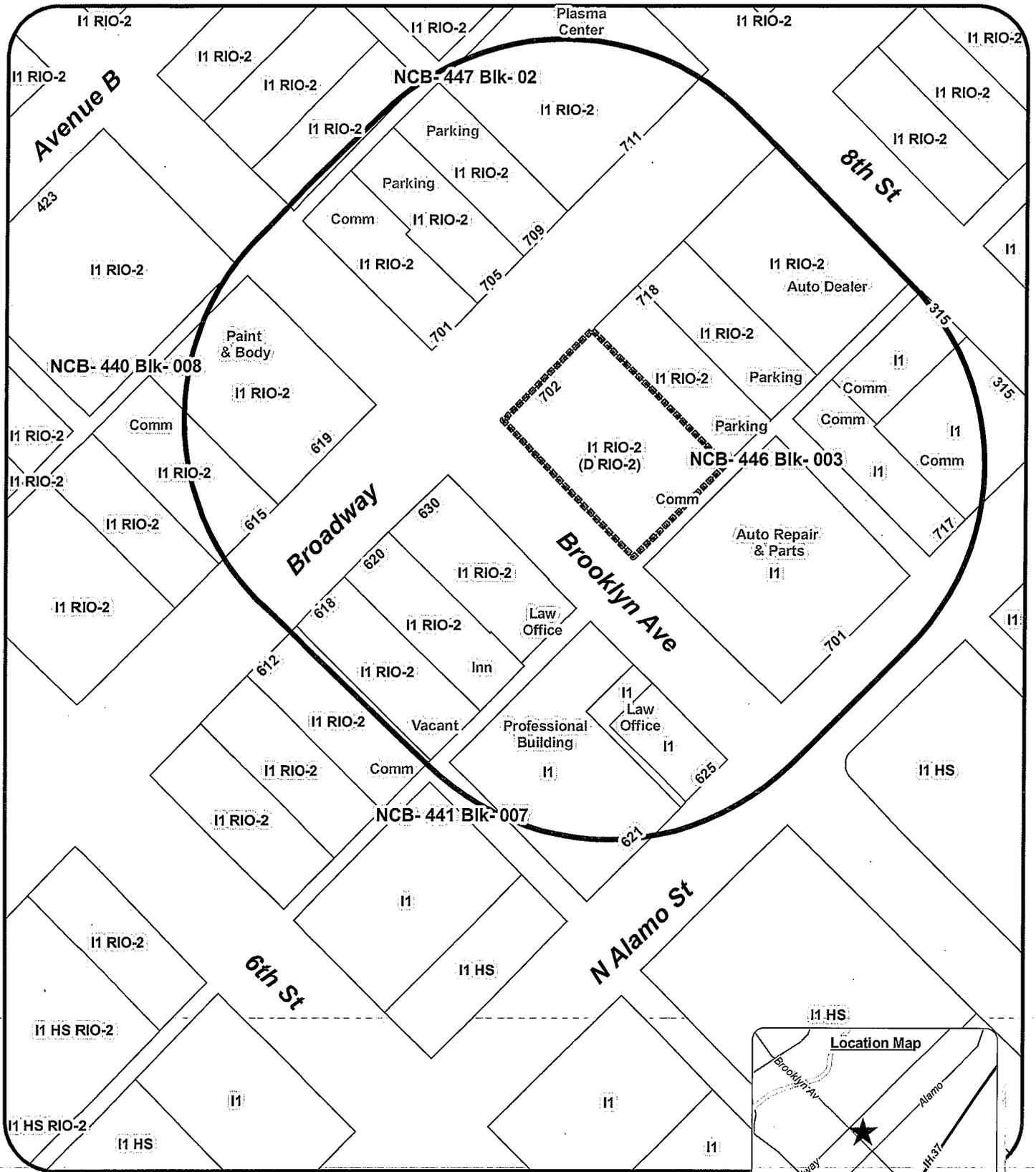
San Antonio River: Mission / Vision Statement

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 Blik: 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: October 21, 2008
Zoning Commission Continuance (Applicant Request)
From September 16

Council District: 1

Ferguson Map: 616 F4

Applicant Name:

Owner Name:

Gerardo Menchaca

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

CASE NO: Z2008212

Final Staff Recommendation - Zoning Commission

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:

- 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

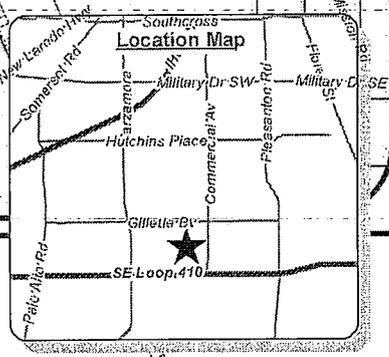
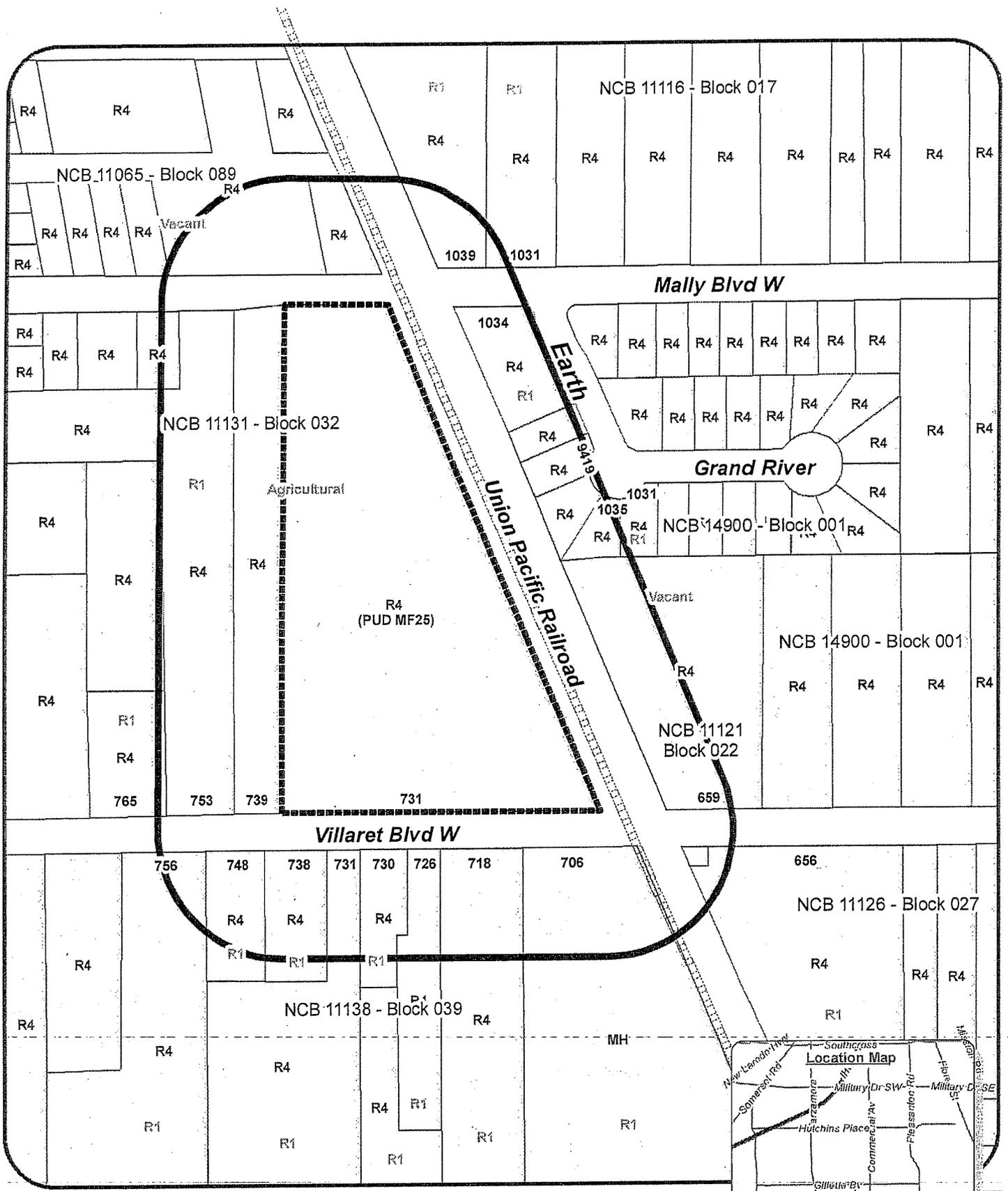
San Antonio River: Mission / Vision Statement

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

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

Guiding Principles:

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



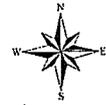
Zoning Case Notification Plan

Case Z-2008-114

Council District 4
 Scale: 1" approx. = 200'
 Subject Property Legal Description(s):

Legend

- Subject Property (6.2 Acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



City of San Antonio Development Services Dept
 (03/16/2008)

CASE NO: Z2008114

Final Staff Recommendation - Zoning Commission

Date: October 21, 2008

Zoning Commission Continuance (Applicant Request)
from April 1, 2008. Postponed by Applicant April 15, 2008.

Council District: 4

Ferguson Map: 483 E3

Applicant Name:

Brown & Ortiz, P. C. Attorneys at Law

Owner Name:

NICDAR, Inc. (Rudy Gonzales, President)

Zoning Request: From "R-4" Residential Single-Family District to "PUD MF-25" Planned Unit Development Multi-Family District.

Property Location: 6.189 acres out of Lot 320, Block 32, NCB 11131

727 West Villaret Boulevard

At the northwest corner of West Villaret Boulevard and Union Pacific Railroad R-O-W

Proposal: To Allow a Multi-Family Development

Neigh. Assoc.: None

Neigh. Plan: None

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

Staff Recommendation:

Denial

The subject property is located on the south side of San Antonio, on the north side of West Villaret Boulevard. The surrounding zoning consists of "R-4" Residential Single-Family District to the west and to the south across West Villaret Boulevard. "MH" Manufactured Housing District is also located to the south across West Villaret Boulevard. To the east of the subject property is the right-of-way line of Union Pacific Railroad and there is vacant land to the north (West Mally Boulevard is not existing). The project site contains 6.189 acres of undeveloped land and is proposed to contain approximately 125 dwelling units. The proposed Planned Unit Development will consist of 30 lots with four-family dwellings per lot. The site contains approximately 508.09 feet of frontage along the north right-of-way of West Villaret Boulevard. The calculation for 6.189 acres proposed for the PUD "MF-25" Planned Unit Development Multi-Family District would allow a potential of 155 multi-family dwellings. Multi-family dwellings are most appropriate on the periphery of a single-family neighborhood along arterials or major thoroughfares where supporting infrastructure such as transportation services and commercial facilities are available. The proposed zoning district would allow a density that zoning section staff believes would be too intense for the surrounding property owners and infrastructure.

The subject property was annexed in 1952, and upon adoption of the 2001 Unified Development Code, the existing "R-4" Residential Single-Family District converted from the previous "B" Residence District.

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

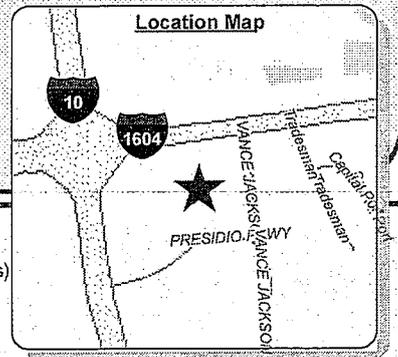
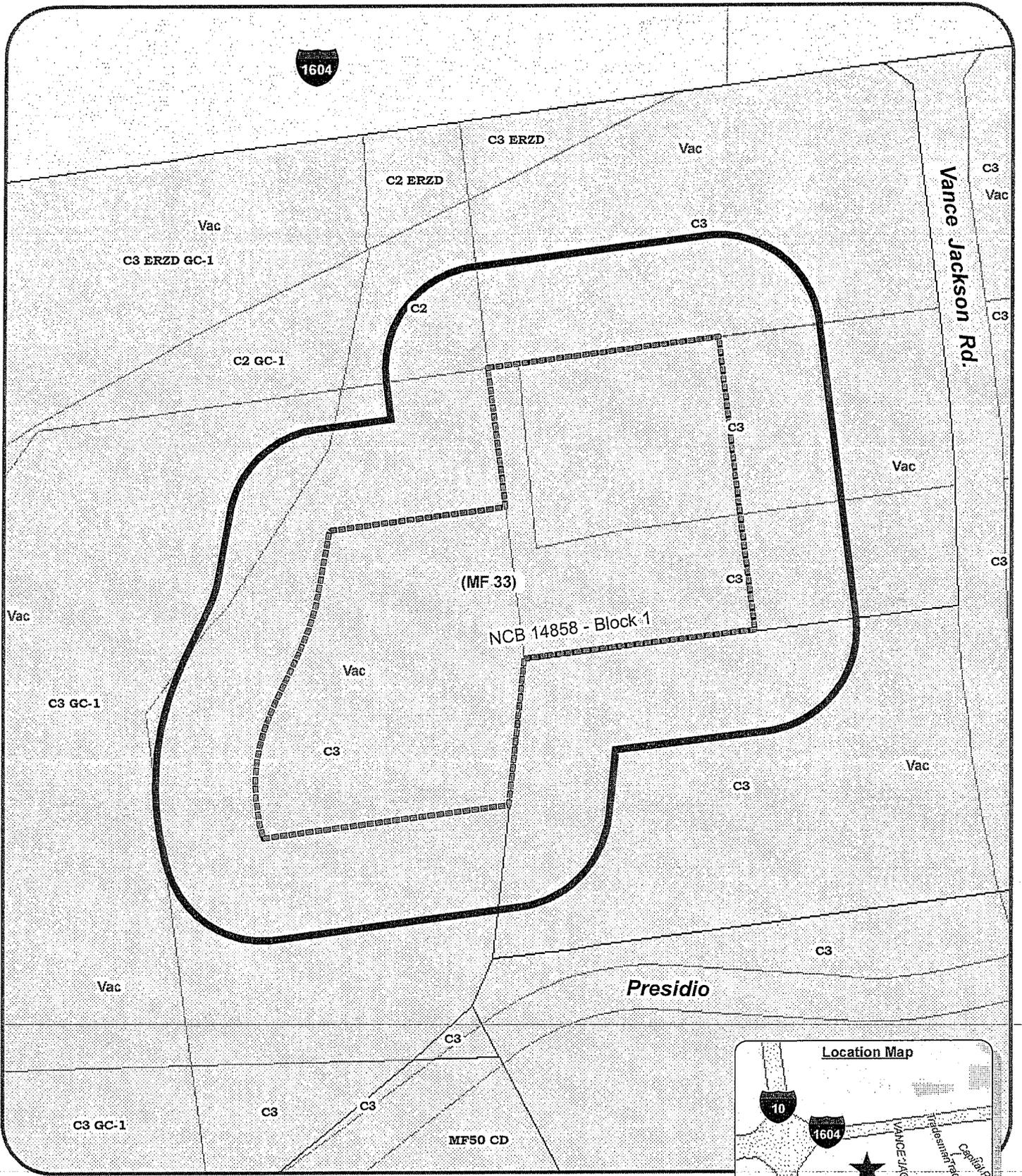
Multi-family residence limited density "MF-25" district is the designation for a multi-family use with a maximum

CASE NO: Z2008114

Final Staff Recommendation - Zoning Commission

density of up to 25 units per acre, depending on unit size. An "MF-25" district may include a mixture of single family and multi-family uses or may be applied in an area for which limited density multi-family use is desired. An "MF-25" district may be used as a transition between a single family and higher intensity uses.

CASE MANAGER : Pedro Vega 207-7980



Zoning Case Notification Plan

Case Z2008-180

Council District 8

Scale: 1" approx. = 250'

Subject Property Legal Description(s): 12.114 acres out of Lot 5, Block 1, NCB 14858

Legend

Subject Property (12.114 acres)

200' Notification Buffer

Current Zoning **C3**

Requested Zoning Change **(MF33)**

100-Year FEMA Floodplain



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

CASE NO: Z2008180

Final Staff Recommendation - Zoning Commission

Date: October 21, 2008

Zoning Commission Continuance (Applicant Request)
from October 7, 2008.

Council District: 8

Ferguson Map: 514 D5

Applicant Name:
Kaufman & Associates, Inc.

Owner Name:
IH-10 Loop 1604 Partners, Ltd.

Zoning Request: From "C-3" General Commercial District to "MF-33" Multi-Family District.

Property Location: A 12.114 acre tract of land out of Lot 5, Block 1, NCB 14858

Approximately 302.47 feet north of Presidio Parkway and 416.15 feet west of Vance Jackson Road

East of Interstate Highway 10 and south of Loop 1604 West

Proposal: To develop multi-family dwellings

Neigh. Assoc. None

Neigh. Plan None

TIA Statement: A Level 3 Traffic Impact Analysis (TIA) has been submitted for review.

Staff Recommendation:

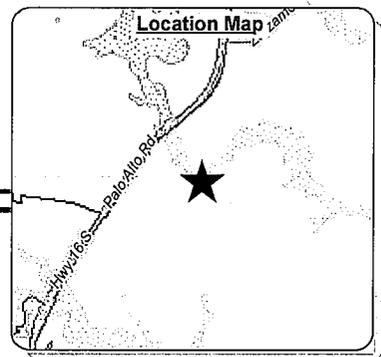
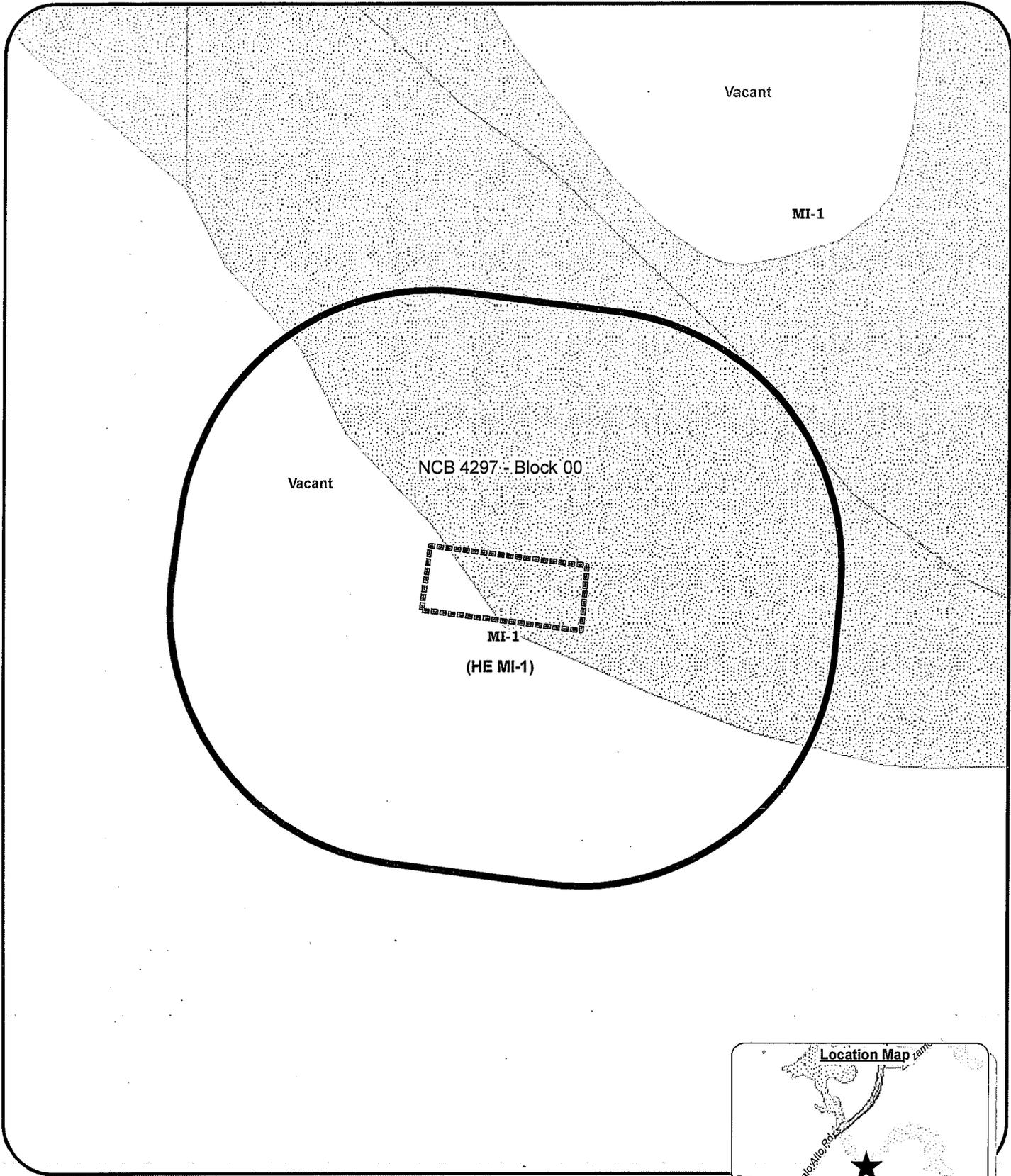
Approval

The project site is located in northwest San Antonio, east of Interstate Highway 10 and south of Loop 1604 West. The project site, consisting of about 12.114 acres, was annexed in February of 1971 and December of 1972, and was zoned to "B-3" Business District in 1973. The adoption of the 2001 Unified Development Code resulted in the "B-3" Business District being converted to "C-3" General Commercial District. The existing zoning surrounding the subject property is "C-3" General Commercial District and "C-2" Commercial District. There is undeveloped land to the west, east, north and south. The subject 12.114 acre tract of land is undeveloped and is part of the overall future development of the area. The project site is not located within a Neighborhood Association or Community Plan.

The applicant has applied for "MF-33" Multi-Family District in order to allow for a multi-family development. The calculation for 12.114 acres proposed for the "MF-33" Multi-Family District would allow a potential of 399 multi-family dwellings. 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. Major thoroughfares within the project site include Interstate Highway 10; Loop 1604 West, Vance Jackson Road and Presidio Parkway, a collector street. There are various commercial facilities available along Interstate Highway 10 and Loop 1604 West. Staff believes that the proposed use is appropriate for the project location and would support a request for a multi-family zoning designation.

Due to the subject property's location within the Camp Bullis Awareness Zone, this application was reviewed by the City's Office of Military Affairs and the Camp Bullis Military Installation. Seeing that the subject property is located south of Loop 1604 and is not immediately adjacent to Camp Bullis, the Garrison Commander has no comment on the zoning request.

CASE MANAGER: Pedro Vega 207-7980



Zoning Case Notification Plan

Case Z2008-229

Council District 4

Scale: 1" approx. = 100'

Subject Property Legal Description(s): NCB 4297, P-2 ABS 13

Legend

- Subject Property (0.14 acres)
- 200' Notification Buffer
- Current Zoning **MI-1**
- Requested Zoning Change **(HE MI-1)**
- 100-Year FEMA Floodplain



City of San Antonio
 Planning - Development Services Dept.
 10/7/2008
 D. E. Castillo

CASE NO: Z2008229

Final Staff Recommendation - Zoning Commission

Date: October 21, 2008

Postponed from the August 5, 2008 ZC hearing. Zoning Commission continuance (Commissioner Request) from September 16, 2008 and October 7, 2008

Council District: 4

Ferguson Map: 715 B3

Applicant Name:

COSA Historic Preservation Office

Owner Name:

Bret D. and Billy T. Mitchell

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

Property Location: .1435 acres out of CB 4297

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

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

Proposal: To designate Historic Exceptional

Neigh. Assoc. None

Neigh. Plan City South Community Plan

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

Staff Recommendation:

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

Approval

The subject property, annexed as limited purpose in 2003 and full purpose in 2006, totals approximately .1435 acres. The subject property is occupied by a vacant residential structure and chapel. The subject property was zoned "MI-1" by City Council on September 25, 2003 (Ordinance #98228.)

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

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

The City South Management Authority met on August 26, for a briefing on the case and took no action on the item. CSMA recommends that City Council take no action on this request until a smaller footprint for the historic structures is agreed upon by both the property owner and the Historic Preservation Office. At the

CASE NO: Z2008229

Final Staff Recommendation - Zoning Commission

September 16, 2008 Zoning Commission hearing, the Historic Preservation Office amended the original request of 551 acres to .1435 acres in order to identify the footprint for the historic structures.

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

CASE MANAGER : Leslie Zavala 207-0215



HISTORIC AND DESIGN REVIEW COMMISSION
CERTIFICATE OF APPROPRIATENESS

June 04, 2008

CITY OF SAN ANTONIO

HDRC CASE NO: 2008-175
ADDRESS: South Highway 16
LEGAL DESCRIPTION: CB4297 P-2 ABS 13
PUBLIC PROPERTY: No
HISTORIC DISTRICT:
LANDMARK DISTRICT:
APPLICANT: COSA, 1901 S Alamo
OWNER: Bret D. and Billy T. Mitchell
TYPE OF WORK: Finding of Historic Significance

REQUEST:

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

RECOMMENDATION:

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

COMMISSION ACTION:

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

Ann Benson McGlone
Historic Preservation Officer

22008229

City Landmark Designation

HDRC CASE NO.

KNOWN AS: Perez-Linn Ranch Home,
41BX549

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

Geographic ID: 04297-000-0024

LEGAL DESCRIPTION: CB4297 P-2
ABS 13

ZONING: MI- 1

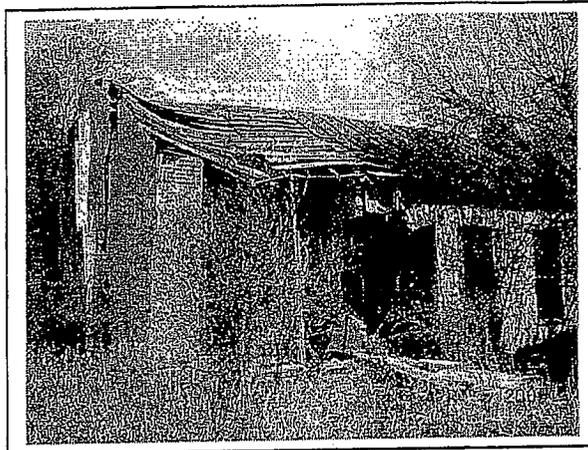
COUNCIL DISTRICT: 4

HISTORIC DISTRICT

LANDMARK: Finding of Historical Significance

APPLICANT: City of San Antonio

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



TYPE OF WORK:

ARCHAEOLOGICAL SITE NO. 41BX549

HISTORY:

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



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

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

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

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

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

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

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

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

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

REQUEST: Finding of Historical Significance

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

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2008229

Address: South Highway 16

Existing Zoning: MI-1

Requested Zoning: MI-1 HE

Registered Neighborhood Association(s): NA

Neighborhood/Community/Perimeter Plan: Southside Initiative Community Plan

Future Land Use for the site: Agriculture and Light Industry

Analysis:

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

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

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

Request conforms to Land Use Plan

Request does not conform to Land Use Plan

Consistency not required because base zoning not changing

Staff Recommendation:

Approval

Denial

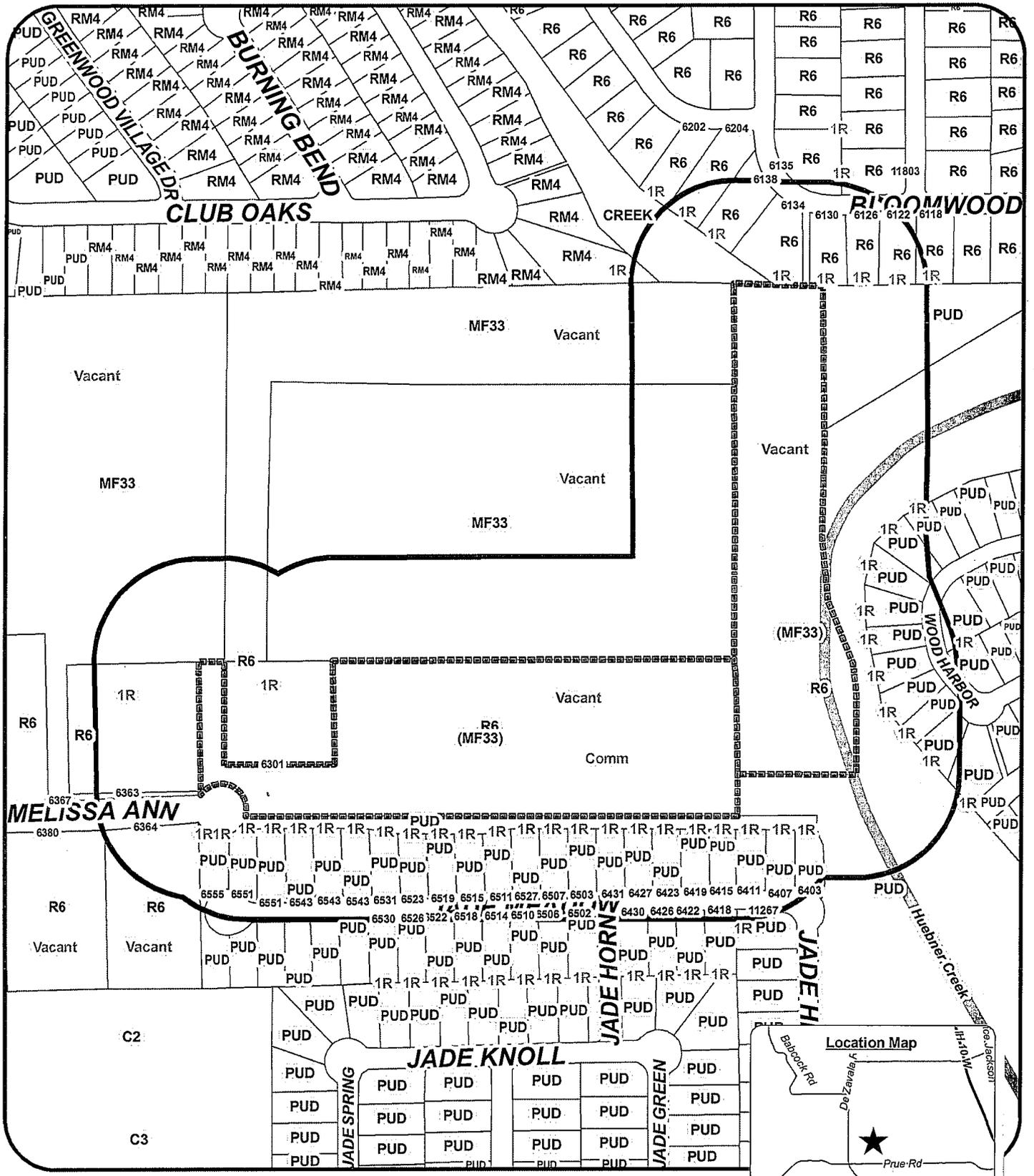
Reviewer: Lauren Edlund

Title: Planner

Date: 07/18/2008

Manager Review: Nina Nixon-Mendez

Date: 07/25/2008



Zoning Case Notification Plan

Case Z-2008-253

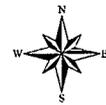
Council District 8

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
(09/03/2008)

CASE NO: Z2008253

Final Staff Recommendation - Zoning Commission

space or a park. This case has been initiated few months ago with the case number Z2008165. Due to the surrounding neighborhoods' opposition, the case has been 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

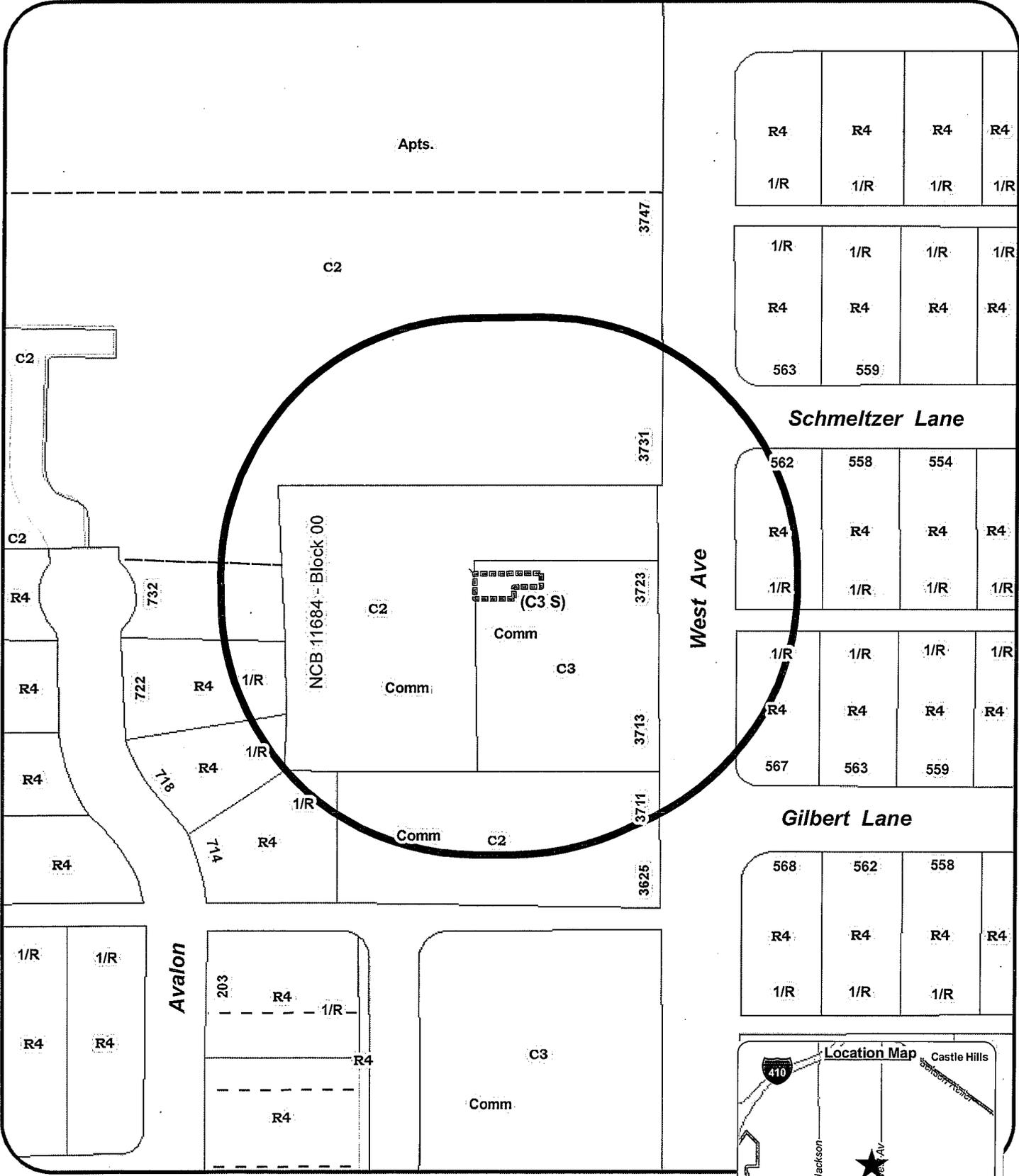
Reviewer: Tyler Sorrells

Title: Planner

Date: 08/18/2008

Manager Review: Nina Nixon-Mendez

Date: 08/19/2008



R4	R4	R4	R4
1/R	1/R	1/R	1/R

1/R	1/R	1/R	1/R
R4	R4	R4	R4
563	559		

Schmelzner Lane

562	558	554	
R4	R4	R4	R4
1/R	1/R	1/R	1/R

1/R	1/R	1/R	1/R
R4	R4	R4	R4
567	563	559	

Gilbert Lane

568	562	558	
R4	R4	R4	R4
1/R	1/R	1/R	



Zoning Case Notification Plan

Case Z2008-266 S

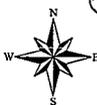
Council District 1

Scale: 1" approx. = 100'

Subject Property Legal Description(s): Lot 25 NCB 11684 Blk 00

Legend

- Subject Property (0.0198 acres)
- 200' Notification Buffer
- Current Zoning **C3**
- Requested Zoning Change **(C3 S)**
- 100-Year FEMA Floodplain



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

CASE NO: Z2008266 S

Final Staff Recommendation - Zoning Commission

Date: October 21, 2008

Council District: 1

Ferguson Map: 582 A4

Applicant Name:

T-Mobile Wireless

Owner Name:

Fuller's Alamo Safe & Lock

Zoning Request: From "C-3" General Commercial District to "C-3 S" General Commercial District with a Specific Use Authorization for a Wireless Communication System.

Property Location: 0.0198 acres out of NCB 11684

3723 West Avenue

On the west side of West Avenue, between Nassau to the south and South Amnon Drive to the north

Proposal: To allow a Wireless Communication System

Neigh. Assoc. Dellview Area Neighborhood Association. North Central Neighborhood Association is within 200 feet.

Neigh. Plan Greater Dellview Area Community Plan

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

A finding of consistency is not required because there is no change to the base zoning district. The Greater Dellview Area Community Plan calls for Neighborhood Commercial land use for the subject property.

Denial

The subject property is located within a parking area for a retail safe and lock business, which has ingress/egress on West Avenue (a Secondary Arterial "Type B" street). The property is adjacent to C-2 zoning to the north, south and west and R-4 zoning to the east across West Avenue. The surrounding land uses consist of an apartment complex to the north, a post office and residential neighborhood to the west, commercial retail uses to the south and residential dwellings to the east across West Avenue.

The applicant has applied for a Specific Use Authorization in order to construct a wireless communication system with accessory support structures on approximately 0.0198 acres (862 square feet) of the commercial property. This system is proposed to consist of a 120-foot tall monopole and an equipment shelter. According to the applicant, this location is a preferred site to eliminate gaps in cellular phone service in the area. The Unified Development Code sets a standard of 200 feet for separation between wireless communication systems and residential districts and uses; there are at least five residential properties within 200 feet from the proposed wireless communication system site.

Staff believes that a wireless communication tower, as proposed, at this location would not advance the goals of the Greater Dellview Area Community Plan. The Plan encourages uses that would enhance the aesthetic quality of the area, and discourages commercial encroachment into residential areas. Although wireless communication systems are not explicitly addressed in the plan, the plan goals imply that such structures are an impediment to the aesthetic of the neighborhood. This segment of West Avenue is characterized by overhead utility lines and street lamps; a factor taken into account when the Plan goals were developed.

CASE NO: Z2008266 S

Final Staff Recommendation - Zoning Commission

Staff encourages the applicant to consider co-location or clustering of the proposed wireless communication system with other existing wireless systems in the vicinity, and/or to consider stealth design. Should the Zoning Commission recommend approval of the Specific Use Authorization, it is possible that concerns may be addressed by placing conditions on the height or other elements of the proposed monopole. If approved, the surrounding commercial business(es) would need to meet the parking standards of the UDC.

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

CASE MANAGER : Brenda Valadez 207-7945

Neighborhood and Urban Design Division

Zoning Case Review

Zoning Case No.: Z2008266

Existing Zoning: C-3

Requested Zoning: Special Use Permit

Registered Neighborhood Association(s): Dellview Area

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

Future Land Use for the site: Neighborhood Commercial

Other Comments:

The subject property is located within a residential area. It currently serves neighborhood commercial and retail uses.

Analysis:

The applicant is requesting a Special Use Permit to allow a cell communications tower within 200' of a residential area. The proposed monopole tower will be 123' above grade, and the plans show a 7' chain-link fence surrounding the 863 square ft. leased site area. The subject property currently serves as a retail safe & lock business. A single family residential area is immediately to the east of the property, a neighborhood commercial shopping strip to the south, single family residences to the east, and a multi-family apartment complex to the north. The proposed location is in the Greater Dellview Area Community Plan.

There are 3 existing cell communication towers within a one-mile radius of the proposed location. Additionally, there are several communication towers along Loop 410 and I-10.

The Greater Dellview Area Community Plan calls for "enhanced neighborhood environments through improvements to the utility network". Action Step 9.3.2 asks to "explore converting above ground electrical utilities to an underground network to help beautify the neighborhood. . . ". Additionally, the community expresses the desire to place future utilities under ground in an effort to promote and improve the neighborhood corridors. **Goal 2** (Neighborhood Commercial Revitalization) of the Greater Dellview Area Community Plan calls for specific actions steps in order to "promote the growth and development of local businesses and create attractive and viable commercial environments that draw new customers and diverse businesses." **Goal 3** of the plan addresses type, form and appearance of commercial development by "proactively promoting best urban planning practices and ensuring commercial environments that are clean, safe, attractive, and compliant with city codes, and respectful of adjacent neighborhood residential uses."

A cellular communications tower at this location does not support these specific goals outlined in the Greater Dellview Area Community Plan.

Although cell phone towers are not explicitly addressed, this portion of the plan implies that such structures are an impediment to the aesthetic of the neighborhood. The goal, according to this section, is to beautify the neighborhood by eliminating, burying, or hiding utility structures.

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:

Although this request does not require a Plan Amendment to remain consistent with the Community Plan, staff recommends denial based on the proximity of the cell tower to residential areas and the desire to

03/28/2008

Neighborhood and Urban Design Division Zoning Case Review

minimize the negative aesthetic impact of utility placement within commercial corridors as expressed in the Greater Dellview Area Community Plan. Co-locating communication antenna and equipment is preferred, and staff recommends utilizing existing area cell towers as alternative sites for this proposal.

Reviewer: Gary Edenburn

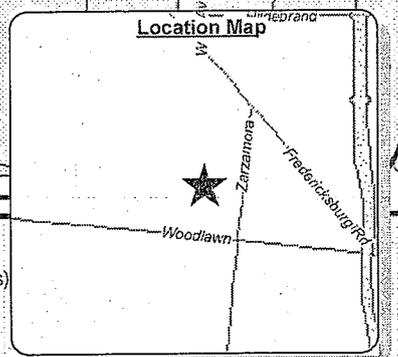
Title: Senior Planner

Date: 09/02/08

Manager Review: Nina Nixon-Mendez

Title: Planning Manager

Date: 10/16/08



Zoning Case Notification Plan

Case Z2008-271CD

Council District 7

Scale: 1" approx. = 100'

Subject Property Legal Description(s): South 68.5 feet of Lot 28 and 29 NCB 1955 Blk 13

Legend

- Subject Property (0.1299 acres)
- 200' Notification Buffer
- Current Zoning **R5**
- Requested Zoning Change **(R6CD)**
- 100-Year FEMA Floodplain



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

CASE NO: Z2008271 CD

Final Staff Recommendation - Zoning Commission

Date: October 21, 2008

Council District: 7

Ferguson Map: 582 A8

Applicant Name:
Theodore C. Rodriguez, Jr.

Owner Name:
Theodore C. Rodriguez, Jr.

Zoning Request: From "R-6" Residential Single-Family District to "R-6" (CD-Multi-Family Dwellings) Residential Single-Family District with a Conditional Use for Multi-Family Dwellings not to exceed 15 units per acre or a total of 2 units..

Property Location: The south 68.5 feet of Lot 28 and Lot 29, Block 13, NCB 1955

2793 and 2795 North Elmendorf Street

On the west side of North Elmendorf Street, approximately 96 feet south of West Huisache Avenue, having 68.5 feet of frontage on North Elmendorf Street with a maximum depth of 82.70 feet.

Proposal: To separate two rental units

Neigh. Assoc. Jefferson/Woodlawn Lake Neighborhood Association

Neigh. Plan Near Northwest Community Plan

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

Staff Recommendation:

A finding of consistency is not required because there is no change to the base zoning district. The Near Northwest Community Plan calls for Medium Density Residential land use for the subject property. The Near Northwest Community Plan defines this land use category as including single family houses, duplexes, triplexes, fourplexes, townhomes, cottage housing, and accessory dwelling units. The proposed rezoning would meet the requirements of the Medium Density Residential definition and will not require a plan amendment to the Near Northwest Community Plan.

Approval

The subject property is located within the original city limits and totals approximately 0.1299 acres. The subject property is occupied by two existing single-family dwellings and has frontage on North Elmendorf Street, a local street. There is an existing single-family dwelling on the subject property that measures approximately 1323 square feet and was constructed in 1934, as well as an existing garage apartment that measures approximately 676 square feet and was constructed in 1934. Both structures were constructed prior to the application of city zoning regulations. In 2002 following the adoption of the Unified Development Code, the existing "R-6" Residential Single-Family District zoning converted from the previous "R-1" Single-Family Residence District. The subject property is adjacent to "R-6" Residential Single-Family District zoning to the west, south, and north (single-family dwellings) as well as across North Elmendorf Street to the east (school). The applicant is the owner of the single-family dwelling located at 1804 West Huisache Avenue.

The applicant is requesting a change of zoning in order to allow for two meters at the subject property location. Although the general area is primarily zoned "R-6" Residential Single-Family District, multiple properties along W. Huisache Avenue and W. Magnolia Avenue have both primary residences and garage apartments. Seeing that there is an existing mix of residential uses in the general area, a conditional use for two dwelling units would be compatible with the surrounding neighborhood. The zoning request would be appropriate at this location and is consistent with the Near Northwest Community Plan.

CASE NO: Z2008271 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

Neighborhood and Urban Design Division

Zoning Case Review

Zoning Case No.: Z2008271

Existing Zoning: R-6

Requested Zoning: RM-6

Registered Neighborhood Association(s):

Jefferson/Woodlawn Lake

Neighborhood/Community/Perimeter Plan:

Near Northwest Community Plan

Future Land Use for the site:

Medium Density Residential land use

The Near Northwest Community Plan defines this land use category as including single family houses, duplexes, triplexes, fourplexes, townhomes, cottage housing, and accessory dwelling units. Certain non-residential uses, such as schools, places of worship and parks, are appropriate within these areas and should be centrally located to provide easy accessibility.

Other Comments:

The subject property is located on the west side of N.Elmendorf in between W. Huisache Ave and W. Magnolia Ave. The Near Northwest Community Plan Future Land Use Plan map identifies the subject property as Medium Density Residential land use. The community plan defines Medium Density Residential as described above. The proposed rezoning would meet the requirements of the Medium Density Residential definition and will not require a master plan amendment to the Near Northwest Community Plan. There are currently two near-by properties that are designated multi-family (MF-33) located to the east on Huisache.

Analysis:

Request conforms to Land Use Plan

Request does not conform to Land Use Plan

Staff Recommendation:

Supports

Recommends Denial

Alternate Recommendation

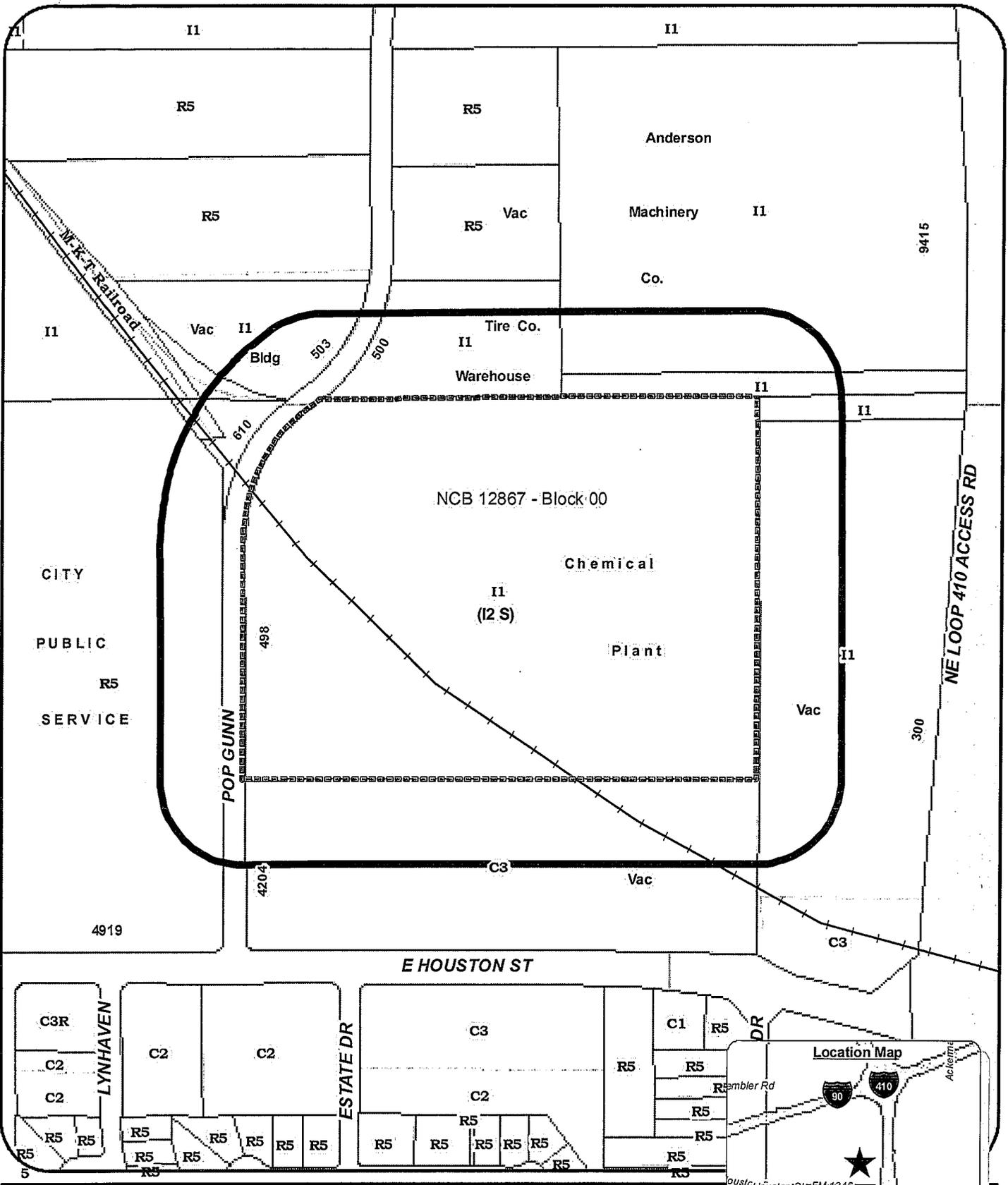
Reviewer: Brad Smilgin

Title: Planner

Date: 9/17/2008

Manager Review: Nina Nixon-Mendez

Date: 9/18/2008



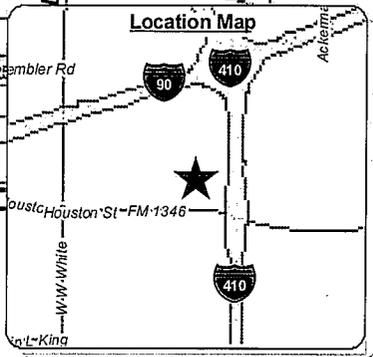
Zoning Case Notification Plan

Case Z2008-275

Council District 2
 Scale: 1" approx. = 300'
 Subject Property Legal Description(s): Lot 25, NCB 12867, Blk 00

Legend

Subject Property		(24.94 acres)
200' Notification Buffer		
Current Zoning	I1	
Requested Zoning Change	(I2 S)	
100-Year FEMA Floodplain		



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

CASE NO: Z2008275 S

Final Staff Recommendation - Zoning Commission

Date: 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:

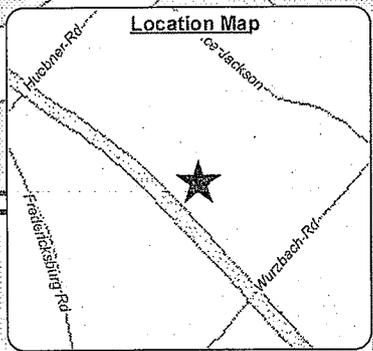
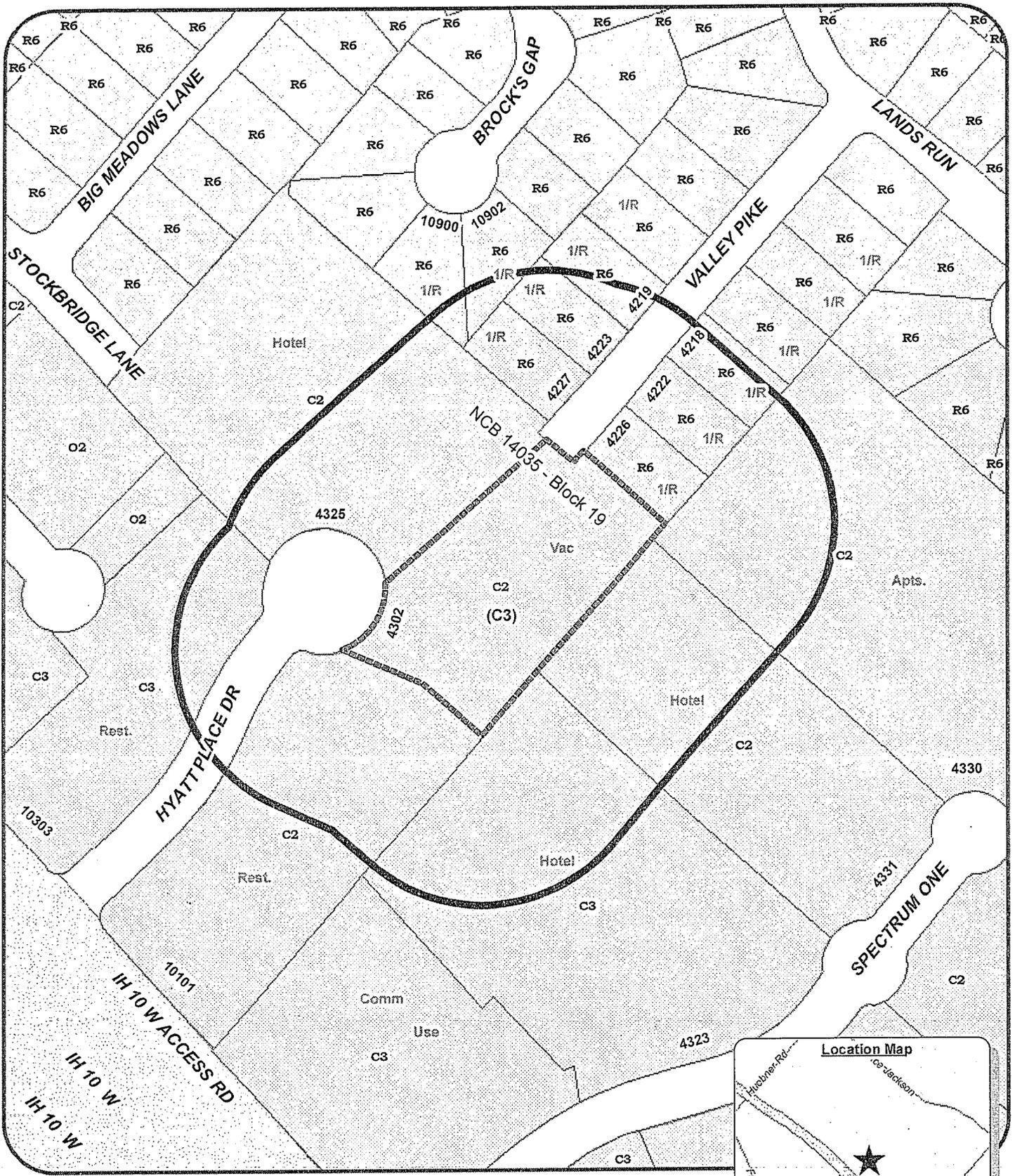
Approval

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 at this side of the City 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 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



Zoning Case Notification Plan

Case Z2008-276

Council District 8

Scale: 1" approx. = 150'

Subject Property Legal Description(s): Lot 14, NCB 14035, Blk 19

Legend

- Subject Property (1.5 acres)
- 200' Notification Buffer
- Current Zoning **C2**
- Requested Zoning Change **(C3)**
- 100-Year FEMA Floodplain



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

CASE NO: Z2008276

Final Staff Recommendation - Zoning Commission

Date: October 21, 2008

Council District: 8

Ferguson Map: 549 B4

Applicant Name:
L. M. P. Creek, Ltd.

Owner Name:
L. M. P. Creek, Ltd.

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

Property Location: Lot 14, Block 19, NCB 14035

4302 Hyatt Place Drive

On the east side of Hyatt Place Drive

Proposal: To allow for a Hotel

Neigh. Assoc. Vance Jackson Neighborhood Association

Neigh. Plan None

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

Staff Recommendation:

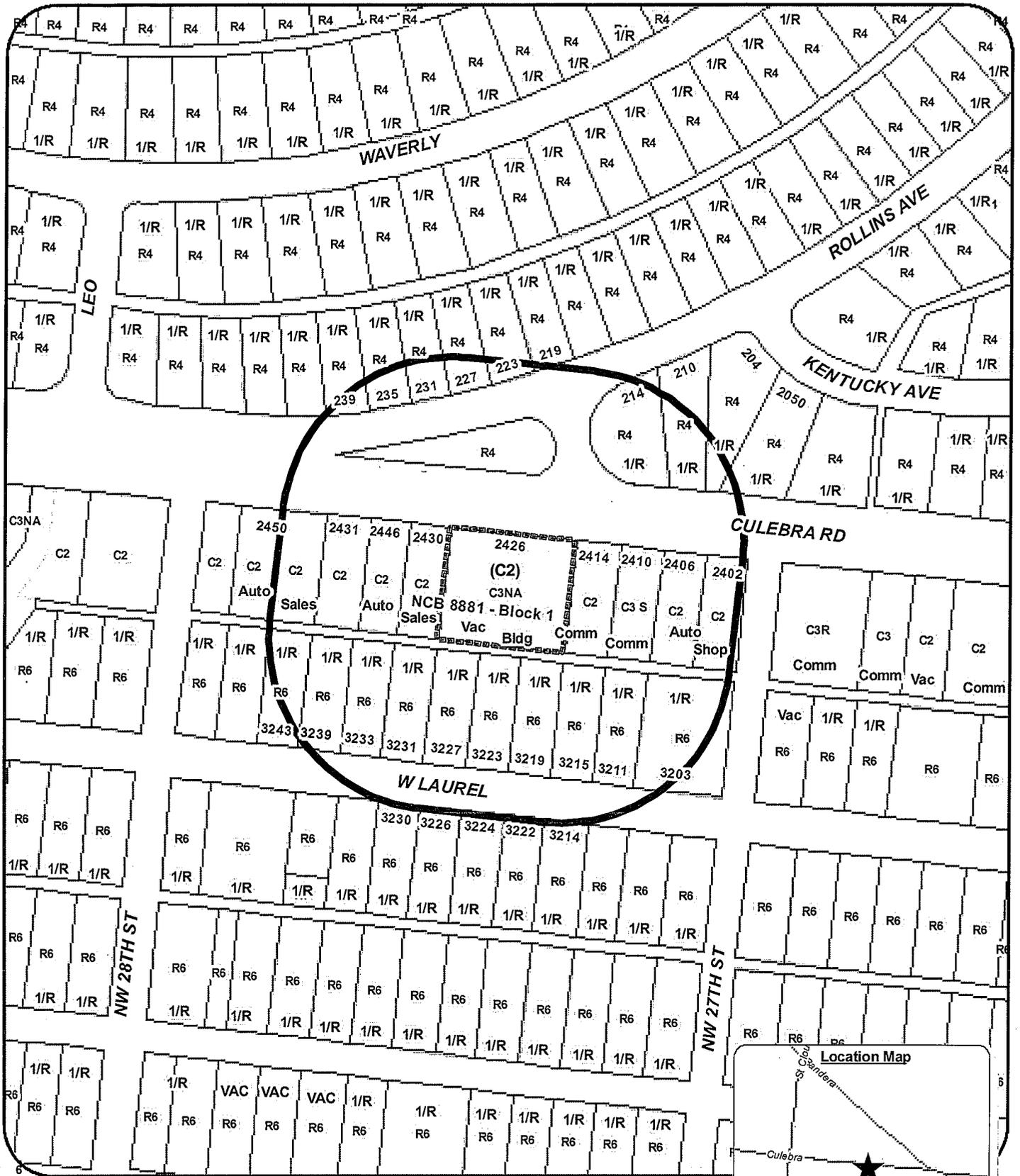
Approval

The subject property is located on the north side of the City of San Antonio. The project site consists of 1.477 acres of undeveloped land and is located on Hyatt Place Drive, just east of Interstate Highway 10 (Robert F McDermott Freeway). The project site was annexed 1971, and zoned "B-2" Business District under the provisions of the 1965 zoning code. The "B-2" Business District was converted to "C-2" Commercial District upon adoption of the 2001 Unified Development Code. "C-3" General Commercial District zoning and "C-2" Commercial District zoning is located northwest, southwest, and southeast of the subject property. "R-6" Residential Single-Family District zoning is located northeast of the subject property. The surrounding uses consist of single-family dwellings to the northeast; hotels to the northwest and southeast; and a restaurant to the southwest.

The applicant has applied for C-3 zoning in order to develop a hotel. A hotel in this area would be an appropriate land use given the subject property's location within close proximity to Interstate Highway 10 (Robert F McDermott Freeway). Expansion of "C-3" zoning onto this property does fit into the characteristics of the area and a low to mid-rise hotel would blend in with the existing commercial and hotel uses.

The maximum height permitted in the "C-3" zoning district is 35 feet, but any portion of a structure in any zoning district may be erected to exceed the height limit established in § 35-310.01, Table 310-1, provided that such portion is located back from the side and rear setback lines one (1) foot for each two (2) foot of height in excess of the height limit prescribed in such section. If this zoning request is approved, a 30 foot building setback will be required from the lot line which abuts a residential use or residential zoning district. A Type C buffer of 15 feet with landscaping materials will be required to screen and separate the requested zoning district from adjoining residential zoning district. A fence with a minimum height of six (6) feet and two (2) one-half (½) inches thick shall be required where the land use abuts a residential district. The fence, wall or berm is required in addition to the trees and shrubs required by the UDC.

CASE MANAGER: Pedro Vega 207-7980



Zoning Case Notification Plan

Case Z2008-277

Council District 5
 Scale: 1" approx. = 150'
 Subject Property Legal Description(s): Lot 7,8,9, NCB 8881, Blk 1

- Legend**
- Subject Property (18.75 acres)
 - 200' Notification Buffer
 - Current Zoning **C3NA**
 - Requested Zoning Change **(C2)**
 - 100-Year FEMA Floodplain



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

CASE NO: Z2008277

Final Staff Recommendation - Zoning Commission

Date: October 21, 2008

Council District: 5

Ferguson Map: 615D2

Applicant Name:
Steve Mireles

Owner Name:
Steve Mireles

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

Property Location: Lots 7, 8, and 9, Block 1, NCB 8881

2426 Culebra Road

On the south side of Culebra Road, between Northwest 27th Street and Northwest 28th Street

Proposal: To allow for a restaurant with alcohol sales

Neigh. Assoc. Prospect Hill Neighborhood Association, Woodlawn Lake Neighborhood Association is within 200 feet.

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required.

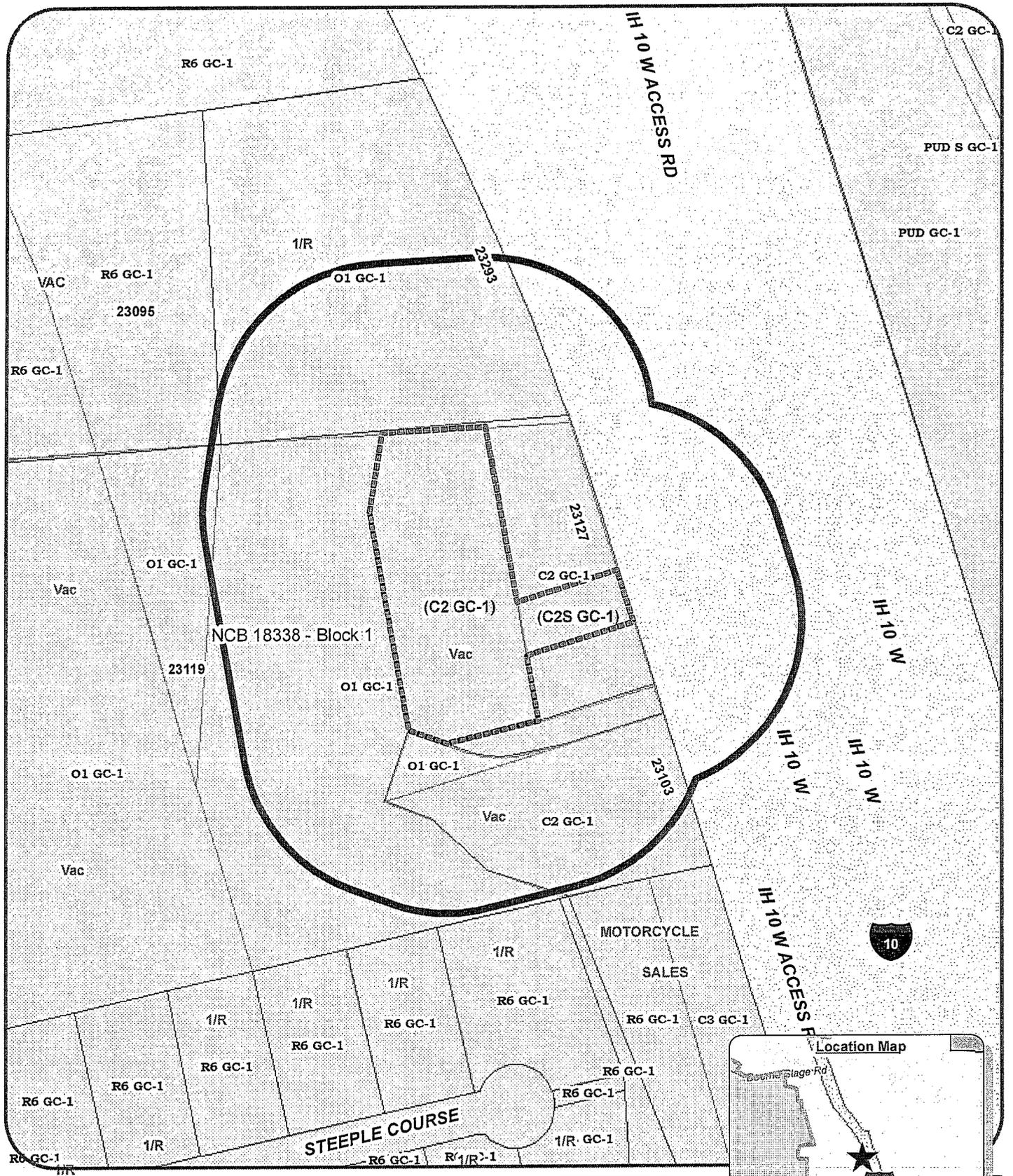
Staff Recommendation:

Approval

The subject property is developed and totals approximately 0.4222 acres. This parcel is located on the west side of the City and this area was annexed on September 06, 1945. The zoning on this parcel converted from "B-3NA" to "C-3NA" following the adoption of the Unified Development Code in 2001. Property to the east of the subject property is zoned "C-2" Commercial District and is occupied by a massage parlor. Property to the west is zoned "C-2" and is occupied by an automobile sales business. Properties to the south are zoned "R-6" Residential Single-Family District and they are occupied by single-family residential structures. Property to the north, across Culebra Road, is an "R-4" Residential Single-Family District zoned residential neighborhood. This portion of Culebra Road is Secondary Arterial "Type A".

The applicant is requesting this zoning change in order to serve alcohol in conjunction to food, on the premises. This request of down zoning from "C-3 NA" to "C-2" Commercial District is appropriate for this location and it would be beneficial for the neighborhood. This type of community oriented commercial zoning can be appropriate along major arterials where existing vehicular traffic would support the businesses. Many similar uses, including restaurants with alcohol sales, are located along the same side of Culebra Road. No outdoor storage or display of goods are permitted in C-2 except for outdoor dining.

CASE MANAGER : John Osten 207-2187



Zoning Case Notification Plan

Case Z2008-278 S

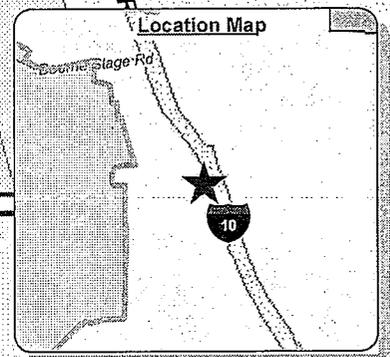
Council District 8

Scale: 1" approx. = 150'

Subject Property Legal Description(s): Portions of Lots 131,133, NCB 12867, Blk 00

Legend

- Subject Property (1.46 acres)
- 200' Notification Buffer
- Current Zoning **C2, O1 GC-1**
- Requested Zoning Change **(C2 S, C2 GC-1)**
- 100-Year FEMA Floodplain



City of San Antonio
 Planning - Development Services Dept.
 09/26/2008
 D. E. Casillo

CASE NO: Z2008278 S

Final Staff Recommendation - Zoning Commission

Date: October 21, 2008

Council District: 8

Ferguson Map: 479 F3

Applicant Name:
Salah Diab, P. E.

Owner Name:
George Atallah

Zoning Request: From "C-2 GC-1" Commercial, Gateway Corridor District and "O-1 GC-1" Office, Gateway Corridor District to "C-2 S GC-1" Commercial, Gateway Corridor District with a Specific Use Authorization for a bar/ tavern (0.19 acres) and "C-2 GC-1" Commercial, Gateway Corridor District (1.27 acres).

Property Location: A 0.19 acre parcel out of Lot 131, Block 1, NCB 18338 and 1.27 acre parcel out of Lot 133, Block 1, NCB 18338

23095 IH 10 West

On the west side IH 10 West

Proposal: To allow for a Bar/ Tavern and Medical Office

Neigh. Assoc. None

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis (TIA) has been submitted for review.

Staff Recommendation:

Approval

The project site is located in northwest San Antonio and has frontage on the IH 10 West access road. The project site was annexed in December of 2000 and totals approximately 1.46 acres. The Hill Country Gateway Corridor Overlay, "GC-1," was applied to the project site in May of 2003. In 2005, the project site was approved for a split zoning, "C-2 GC-1" Commercial, Gateway Corridor District and "O-1 GC-1" Office, Gateway Corridor District. Zoning surrounding the subject property consists of "C-2 GC-1" Commercial, Gateway Corridor District and "O-1 GC-1" Office, Gateway Corridor District.

The applicant is requesting "C-2 S GC-1" to allow a bar/ tavern on 0.19 acres within the proposed commercial multi-tenant building. The Specific Use Authorization for a bar/ tavern is proposed for a portion of the multi-tenant building on the site but does not extend beyond the footprint of the Specific Use Authorization site plan. The applicant is also requesting to rezone 1.27 acres of "O-1 GC-1" property to "C-2 CG-1" to allow for commercial uses. The existing "O-1 GC-1" along the rear of the project site serves as an adequate transition of zoning between the existing and proposed zoning. 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. The zoning request would be appropriate for this location, which has direct access to IH 10 West.

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

CASE MANAGER : Pedro Vega 207-7980

SITE PLAN



GRAPHIC SCALE
1 INCH = 50 FT.

- NOTE: A. THE AREA IS PART OF THE, ATTACHED" ONE DOMINION PLACE SUBDIVISION"
APPROVED MASTER PLAN.
B. BUILDING NO.1- UNDER CONSTRUCTION/ALMOST COMPLETE.
C. PROPOSED BAR IS A PART OF BUILDING NO.1
D. THE REQUESTED ZONING IS FOR THE INDIVIDUAL USE ONLY.

PROPOSED BAR AREA - 0.053 ACRES(2325 SQ.FT)
BAR + SIDEWALK -0.102 ACRES

LINE TABLE		
LINE	LENGTH	BEARING
L1	21.52	S72°35'09"W
L2	5.98	S17°24'51"E

IH-10

