

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

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

**Tuesday, April 16, 2013**  
**11:30 AM**

**ZONING COMMISSIONERS**

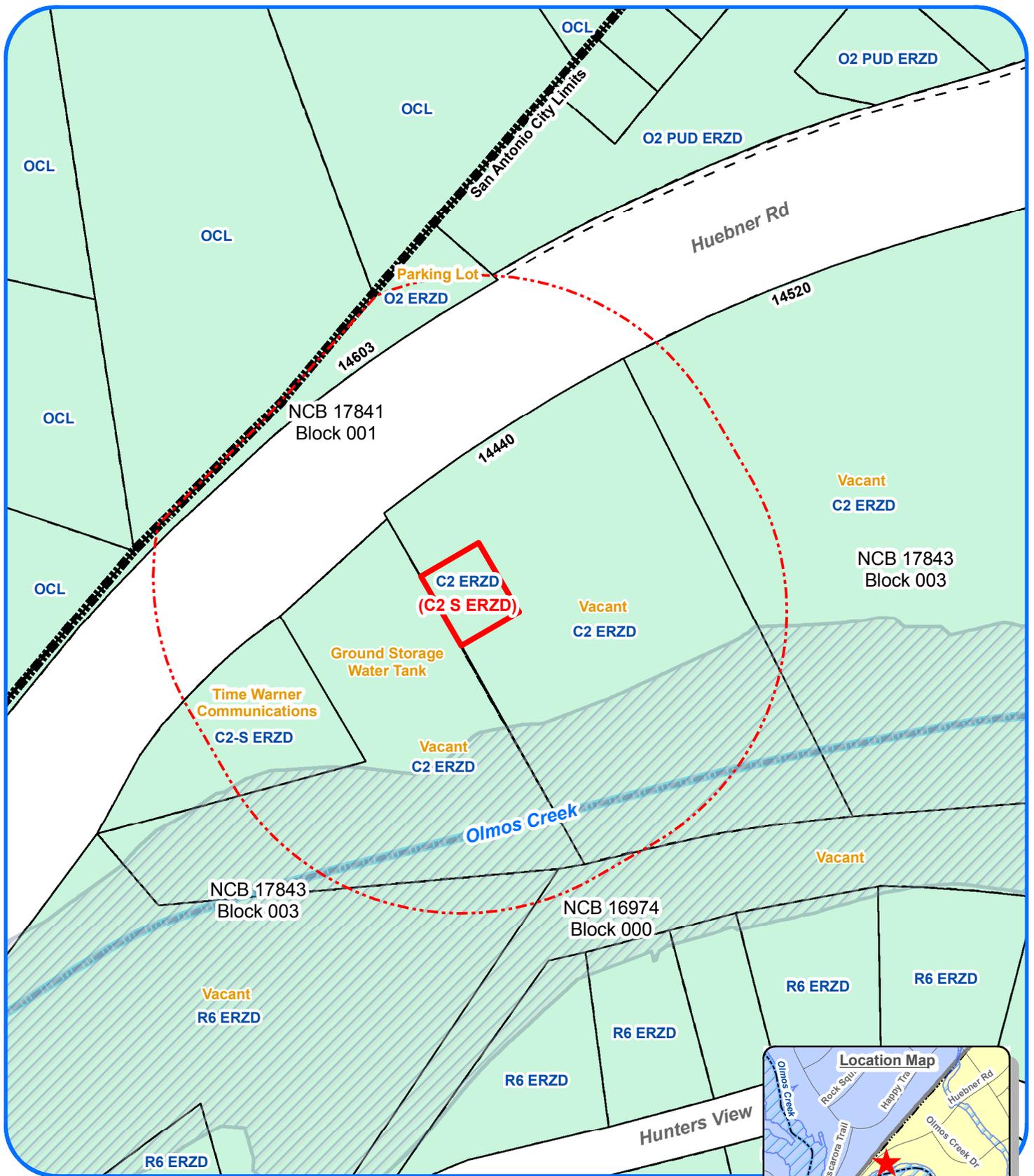
Mariana Ornelas – District 1	Santos Villarreal – District 7
Dan Martinez – District 2	Billy J. Tiller – District 8
Terry Boyd – District 3	Rick McNealy – District 9
Thomas Lopez – District 5	Milton R. McFarland – District 10
Christopher Martinez – District 6	Vacant – District Mayor
Orlando Salazar – District 4	
Chairman	

1. **11:30 AM** - Work Session – discussion of UDC Provisions, Policies and Administrative Procedures and any items for consideration on the agenda for April 16, 2013.
2. **1:00 P.M.** Board Room– Call to Order.
3. Roll Call.
4. Pledge of Allegiance.
5. Approval of the April 2, 2013 Zoning Commission Minutes.
6. **ZONING CASE NUMBER Z2013074 S ERZD (Council District 8):** A request for a change in zoning from “C-2 ERZD MLOD-1 AHOD” Commercial Edwards Recharge Zone Camp Bullis Military Lighting Overlay Airport Hazard Overlay District to “C-2 S ERZD MLOD-1 AHOD” Commercial Edwards Recharge Zone Camp Bullis Military Lighting Overlay Airport Hazard Overlay District with a Specific Use Authorization for a Wireless Communication System on 0.0689 of an acre out of Lot 4, Block 3, NCB 17843 on a portion of 14440 Huebner Road.
7. **ZONING CASE NUMBER Z2013081 ERZD (Council District 8):** A request for a change in zoning from “C-3 ERZD MLOD-1” General Commercial Edwards Recharge Zone Camp Bullis Military Lighting Overlay District and “C-3 ERZD MLOD-1 UC-1” General Commercial Edwards Recharge Zone Camp Bullis Military Lighting Overlay IH-10/FM 1604 Urban Corridor District to “MF-33 ERZD MLOD-1” Multi-Family Edwards Recharge Zone Camp Bullis Military Lighting Overlay District and “MF-33 ERZD MLOD-1 UC-1” Multi-Family Edwards Recharge Zone Camp Bullis Military Lighting Overlay IH-10/FM 1604 Urban Corridor District on 16.07 acres out of NCB 14859, 15502 Babcock Road.
8. **ZONING CASE NUMBER Z2013059 (Council District 1):** A request for a change in zoning from “C-3NA AHOD” General Commercial Nonalcoholic Sales Airport Hazard Overlay District to “IDZ AHOD” Infill Development Zone Airport Hazard Overlay District with uses permitted in “C-2” Commercial District and a Microbrewery on 0.47 of an acre out of Lots 85 and 86, Block 2, NCB 3099, 2806 North St. Mary's Street.

9. **ZONING CASE NUMBER Z2013018 CD (Council District 1):** A request for a change in zoning from “R-4 AHOD” Residential Single-Family Airport Hazard Overlay District to “R-4 CD AHOD” Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Professional Office on Lot 32, Block 2, NCB 9666, 2419 Basse Road.
10. **ZONING CASE NUMBER Z2013042 CD (Council District 7):** A request for a change in zoning from “R-6 AHOD” Residential Single-Family Airport Hazard Overlay District to “C-2 CD AHOD” Commercial Airport Hazard Overlay District with a Conditional Use for Storage - Outside (Under Roof and Screened) on 2.8876 acres out of Lot 7, NCB 17946, 8590 Bandera Road.
11. **ZONING CASE NUMBER Z2013076 (Council District 6):** A request for a change in zoning from “C-2NA CD” Commercial Nonalcoholic Sales District with a Conditional Use for a Mini Warehouse exceeding 2.5 acres to “MF-18” Limited Density Multi-Family District on 15.53 acres out of NCB 17635, NCB 34449, and NCB 34450, located north of Culebra Road at Lone Star Parkway.
12. **ZONING CASE NUMBER Z2013090 (Council District 2):** A request for a change in zoning from “UD AHOD” Urban Development Airport Hazard Overlay District and “MF-33 AHOD” Multi-Family Airport Hazard Overlay District to “RM-4 AHOD” Residential Mixed Airport Hazard Overlay District on 114.938 acres, “C-2 AHOD” Commercial Airport Hazard Overlay District on 2.8 acres, and “L AHOD” Light Industrial Airport Hazard Overlay District on 558.522 acres on 676.26 acres out of NCB 12867, NCB 17992, NCB 17993, NCB 17322, and NCB 35098 on portions of the 6000-6100 Blocks of Interstate Highway 10 East, the 1100 Block of North Foster Road, and the 6100 Block of FM 1346.
13. **ZONING CASE NUMBER Z2013100 (Council District 4):** A request for a change in zoning from “C-2 AHOD” Commercial Airport Hazard Overlay District to “MF-25 AHOD” Low Density Multi-Family Airport Hazard Overlay District on P-9, NCB 34393 on a portion of the 10000 Block of Potranco Road.
14. **ZONING CASE NUMBER Z2013102 (Council District 2):** A request for a change in zoning from “MF-33 HS RIO-2 UC-2 AHOD” Multi-Family Historic Significant River Improvement Overlay-2 Broadway Urban Corridor Airport Hazard Overlay District and “MF-33 HS RIO-2 AHOD” Multi-Family Historic Significant River Improvement Overlay-2 Airport Hazard Overlay District to “C-1 HS RIO-2 UC-2 AHOD” Light Commercial Historic Significant River Improvement Overlay-2 Broadway Urban Corridor Airport Hazard Overlay District and “C-1 HS RIO-2 AHOD” Light Commercial Historic Significant River Improvement Overlay-2 Airport Hazard Overlay District on Lot 14, NCB 965, 1611 North Alamo Street.
15. **Executive Session:** consultation on attorney-client matters (real estate, litigation, personnel and security matters) as well as any of the above agenda items may be discussed.
16. **ADJOURNMENT.**

#### **Accessibility Statement**

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



## Zoning Case Notification Plan

### Case Z-2013-074

Council District: 8

Scale: 1" approx. = 100 Feet

Subject Property Legal Description(s): NCB 17843 - BLK 003 - LOT E 195.62 FT OF 4

#### Legend

- Subject Properties ——— (0.068 Acres)
- 200' Notification Area - - - - -
- Current Zoning **TEXT**
- Requested Zoning Change **(TEXT)**
- 100-Year DFIRM Floodplain
- Single Family Residential **1R**



Development Services Dept  
City of San Antonio  
(04/12/2013 - R.Martinez)

**Note: All Current and Requested Zoning includes AHOD (Airport Hazard Overlay District) & MLOD (Military Lighting Overlay District)**



# City of San Antonio

## Development Services Department

### Staff Report

To: Zoning Commission

Zoning Case #: Z2013074 S ERZD

Hearing Date: April 16, 2013

Property Owner: F.A. McComas, Inc. (by Theresa McComas, Vice President)

Applicant: F.A. McComas, Inc. (by Theresa McComas, Vice President)

Representative: P.W. Christensen, P.C. (Patrick Christensen)

Location: A portion of 14440 Huebner Road

Legal Description: 0.0689 of an acre out of Lot 4, Block 3, NCB 17843

Total Acreage: 0.0689

City Council District: 8

Case Manager: Ian Benavidez, Planning Technician

Case History: This is the first public hearing for this case.

### **Proposed Zoning Change**

**Current Zoning:** "C-2 ERZD MLOD-1 AHOD" Commercial Edwards Recharge Zone Camp Bullis Military Lighting Overlay Airport Hazard Overlay District

**Requested Zoning:** "C-2 S ERZD MLOD-1 AHOD" Commercial Edwards Recharge Zone Camp Bullis Military Lighting Overlay Airport Hazard Overlay District with a Specific Use Authorization for a Wireless Communication System

### **Procedural Requirements**

The request was publicly noticed in accordance with Section 403 of the Unified Development Code (UDC). The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on March 29, 2013. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on April 3, 2013. Additionally, notice of this meeting was posted at city hall and on the city's internet website on April 12, 2013, in accordance with Section 551.043(a) of the Texas Government Code.

### **Notices Mailed**

**Owners of Property within 200 feet:** 11

**Neighborhood Associations:** Hunters Creek North Neighborhood Association

**Planning Team Members:** San Antonio International Airport Vicinity Land Use Plan (No Planning Team)

**Applicable Agencies:** The San Antonio Water System and The Camp Bullis Military Training Site

## **Property Details**

**Property History:** The subject property is currently undeveloped. The property was annexed in 1985 and was originally zoned "Temp R-1" Temporary Single Family Residence District. In 1986, the property was rezoned to "B-2 ERZD" Business Edwards Recharge Zone District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "C-2 ERZD" Commercial Edwards Recharge Zone District. The subject property is a small portion of a larger platted lot (Volume 9546, Page 141 of the Bexar County Plat Records).

**Topography:** The subject property does not include any abnormal physical features such as significant slope or inclusion in a flood plain.

## **Adjacent Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "O-2"

**Current Land Uses:** Parking lot

**Direction:** East

**Current Base Zoning:** "C-2"

**Current Land Uses:** Vacant

**Direction:** West

**Current Base Zoning:** "C2"

**Current Land Uses:** Utility service building, vacant

**Direction:** South

**Current Base Zoning:** "R-6"

**Current Land Uses:** Single Family Dwellings

**Overlay and Special District Information:** All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

All surrounding properties carry the "ERZD" Edwards Recharge Zone District. The "ERZD" does restrict permitted uses, due to the environmentally sensitive nature of the recharge zone. Per Chapter 34 of the City of San Antonio Code of Ordinances, the San Antonio Water System (SAWS) and City of San Antonio departments share regulatory jurisdiction over development within the "ERZD".

All surrounding properties carry the "MLOD" Military Lighting Overlay District, due to their proximity to Camp Bullis. The "MLOD" regulates outdoor lighting in an effort to minimize night-time light pollution and its effects on operations at the military installation.

## **Transportation**

**Thoroughfare:** Huebner Road

**Existing Character:** Primary Arterial Type A 120'; two lanes in each direction

**Proposed Changes:** None known

**Public Transit:** The nearest VIA line is the 97, which operates along Huebner Road.

**Traffic Impact:** A TIA report is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** Minimum Parking Requirement for a Wireless Communication System: 1 per service employee; Maximum Parking Allowance: N/A

## **Staff Analysis and Recommendation: Approval**

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

### **1. Consistency:**

The property is located within the San Antonio International Airport Vicinity Neighborhood Plan, and is currently designated as “Community Commercial” which includes a range of use classifications from low to medium intensity commercial and office. The base zoning district is consistent with the Future Land Use designation.

### **2. Adverse Impacts on Neighboring Lands:**

Staff has found no evidence of likely adverse impacts on surrounding properties.

### **3. Suitability as Presently Zoned:**

The uses permitted in the “C-2” zoning district are likely appropriate for the subject property. However, the zoning request will not change the base zoning district but allow for a wireless communication system subject to section 35-385(d) which requires a specific use authorization.

### **4. Health, Safety and Welfare:**

Staff has found no evidence of likely adverse impacts on the health, safety, and welfare of the surrounding community, provided the SAWS recommendations are adhered to.

### **5. Public Policy:**

The subject property is located within the boundaries of the Military Lighting Overlay District, which is a five-mile area surrounding Camp Bullis and located only within the City of San Antonio municipal boundaries. Any new development within the five mile area surrounding Camp Bullis must comply with the lighting standards established within this zoning overlay district.

The request does not appear to conflict with any public policy objective. The request is consistent with the San Antonio International Airport Vicinity Neighborhood Plan.

### **6. Size of Tract:**

The subject property is .0689 acres in size, which should be able to accommodate the proposed development with adequate space for parking.

### **7. Other Factors:**

The subject property is located within the Camp Bullis Awareness Zone/ Military Influence Area. In accordance with the signed Memorandum of Understanding between Fort Sam Houston and the City of San Antonio, zoning staff is not required to provide the Military with a copy of the zoning request due to the subject site being south of Loop 1604 and being less than 10 acres in size.

SAWS Summary:

The property is classified as a Category 2 property.

No sensitive geologic features were observed on the site.

The impervious cover shall not exceed 15% for the entire site.

SAWS staff recommends approval.

RECEIVED

13 MAR 26 PM 3: 36

**SAN ANTONIO WATER SYSTEM  
Interdepartmental Correspondence Sheet**

LAND DEVELOPMENT  
SERVICES DIVISION

**To:** Zoning Commission Members

**From:** Scott R. Halty, Director, Resource Protection and Compliance Department, San Antonio Water System

**Copies To:** Joan B. Falkenberg Geologist, Aquifer Protection and Evaluation, Andrew Wiatrek, Manager, Edwards Aquifer Watershed Protection; Michael Barr, Supervisor, Aquifer Protection and Evaluation

**Subject:** Zoning Case Z2013074 Skyway Towers

**Date:** March 18, 2013

**SUMMARY**

A request for a change in zoning has been made for an approximate 0.0689 acre portion of a larger 1.73 acre tract located within the Olmos Creek Business Park on the city's north side. A change in zoning from **C-2 ERZD AHOD MLOD** to **C-2 S ERZD AHOD MLOD** is being requested by the applicant, Mr. Patrick Christenson. The change in zoning has been requested to allow for a commercial use development, in particular Wireless Communication System (Cell Tower).

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

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

## LOCATION

The subject property is located in City Council District 8, at 12330 Huebner Road. The property lies entirely within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

## SITE EVALUATION

### 1. Development Description:

The proposed change is from a C-2 ERZD AHOD MLOD to C-2 S ERZD AHOD MLOD and will allow for the construction of a commercial special use development for a cell tower. Currently the site is covered in native vegetation and not developed.

### 2. Surrounding Land Uses:

The site is surrounded by vacant land to the south and east, to the west a small Time Warner Utility Service building and appurtenances and to the north an existing office complex across Huebner Road.

### 3. Water Pollution Abatement Plan:

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

### 4. Geologic Conditions:

The Edwards Aquifer and Watershed Protection Division of the San Antonio Water System conducted an evaluation, on February 8, 2013 of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS staff Geologist, Joan B. Falkenberg, P.G., was present during the site evaluation.

The site is covered by thick soil development, mature trees and brush and some outcropping of limestone bedrock. A geologic assessment is required as part of the WPAP process and any features will be noted on that report. No significant or sensitive recharge features were observed on-site. Stormwater falling on this site will drain southerly into Olmos Creek. According to the FEMA Flood Insurance Maps, the site is not located within a 100-year floodplain area.

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

The Cyclic and Marine Member of the Person Formation, within the Edwards Group, is characterized by extensive lateral porosity of both fabric and non-fabric makeup. This member is known as a water bearing member of the Edwards Aquifer, and is approximately 80 to 90 feet thick in full section.

The subject site was observed to be undeveloped. No sensitive geologic features, such as sinkholes, caves, creeks, or faults were observed on 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. The applicant is proposing an on-site generator for emergency back-up power.

### **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.
3. The proper storage and use of batteries or propane should a generator be necessary.

## **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 15% impervious cover for the entire site.
2. If any backup generator or alternate power supply is installed within the subject site, the applicant or property owner will be required to utilize propane or natural gas as a fuel supply. Under no circumstances may a diesel or gasoline powered backup generator be installed within the subject site.

3. Land uses that require an industrial designation, per the permitted use table shall not be allowed on the project site.
4. The land uses within the zoned areas shall be in conformance with the table of permitted uses at the time the 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.
5. 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 Edwards Aquifer and Watershed 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 Construction Monitoring Division of SAWS.
6. 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.
7. The applicant shall notify the Construction Monitoring Section of SAWS at (210) 233-3564 no later than 48 hours prior to the commencement of construction at the site.
8. 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 either above ground or at the surface; the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Edwards Aquifer and Watershed Protection Division of the San Antonio Water System at (210) 233-3522.

### **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 Edwards Aquifer and Watershed 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 Edwards Aquifer and Watershed 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, if applicable 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 Construction Monitoring Section of the San Antonio Water System at (210) 233-3564 to schedule a site inspection.
  - B. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Construction Monitoring Section at (210) 233-3564 to schedule a site inspection. Additionally, a maintenance plan and schedule should be developed and submitted to Edwards Aquifer and Watershed Protection Division of SAWS.
  - C. If the basin fails to drain properly, the owner will notify the Construction Monitoring Section 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 Edwards Aquifer and Watershed Protection Division at 233-3522.
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 Edwards Aquifer and Watershed 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.

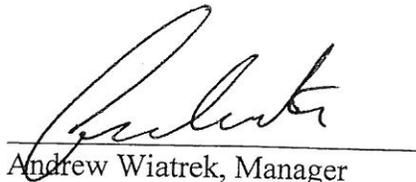
Zoning Commission Members  
Z2013074 Skyway Towers  
Page 6

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.

APPROVED:

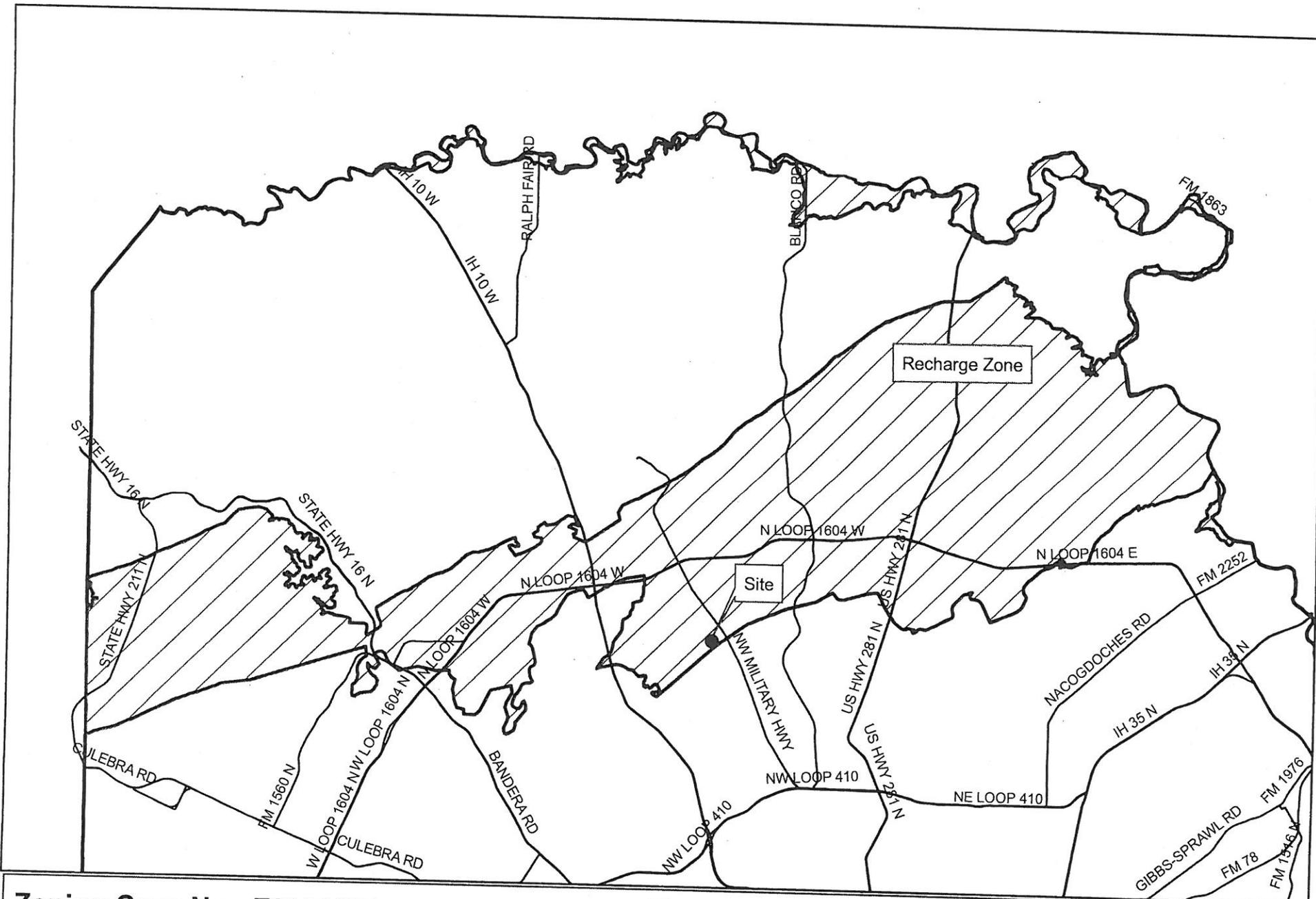


Scott R. Halty, Director  
Resource Protection & Compliance Department



Andrew Wiatrek, Manager  
Edwards Aquifer and Watershed Protection Division

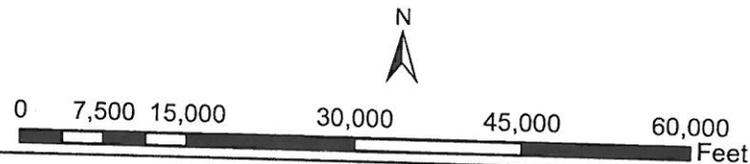
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**Zoning Case No.: Z2013074**  
**Zoning Case Name: Skyway Towers**  
**Map Page & Grid: 515 D8**

Map Prepared by Resourcer Protection PZG 03/19/2013

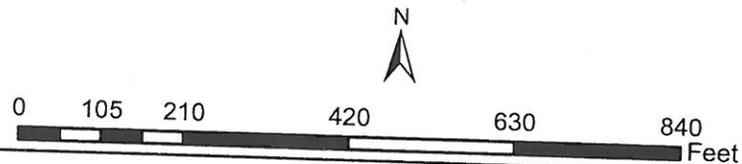
**Figure 1**

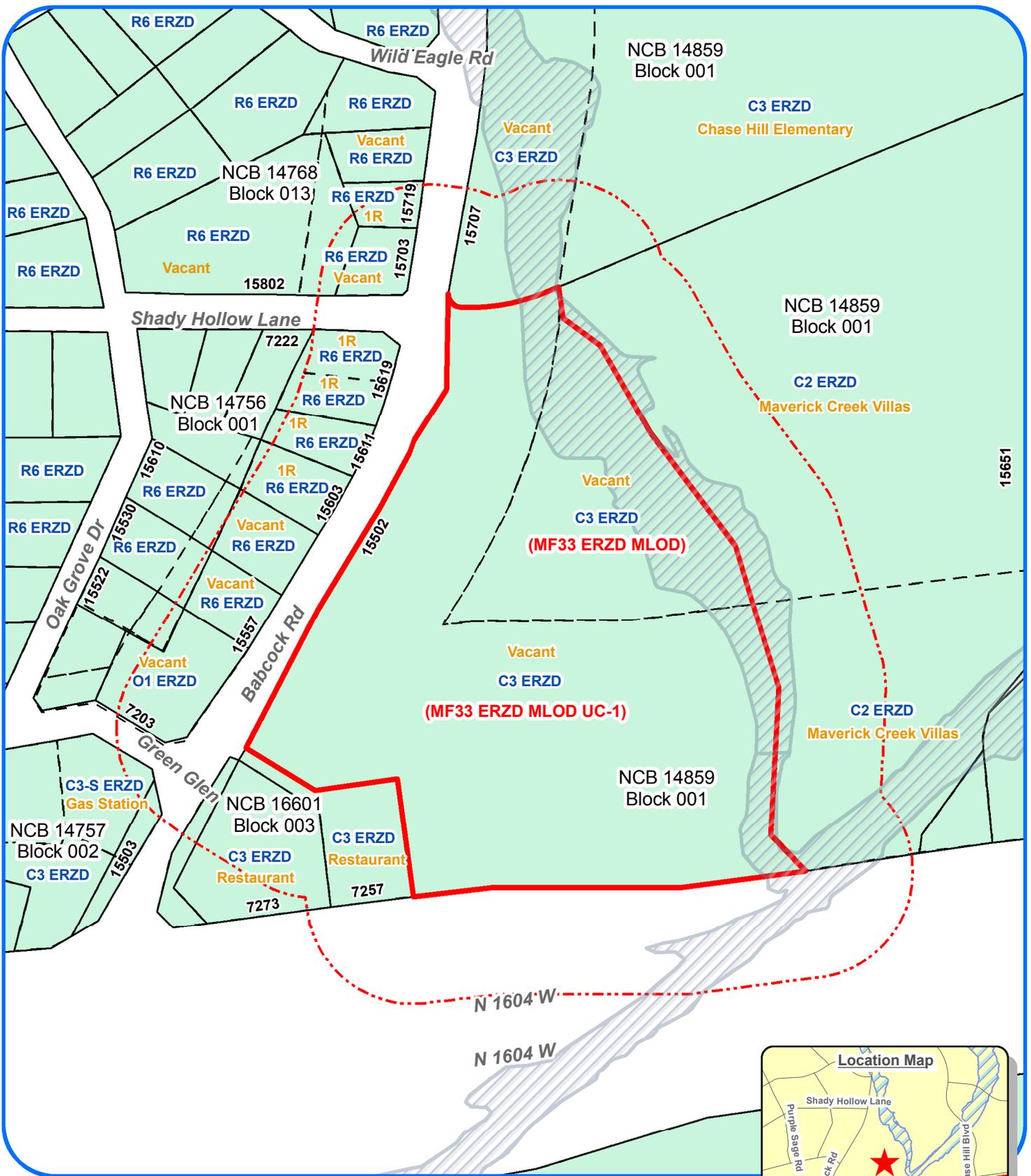




**Zoning Case No.: Z2013074**  
**Zoning Case Name: Skyway Towers**  
**Map Page & Grid: 515 D8**  
 Map Prepared by Resourcer Protection PZG 03/19/2013

**Figure 2**





## Zoning Case Notification Plan

### Case Z-2013-081 ERZD

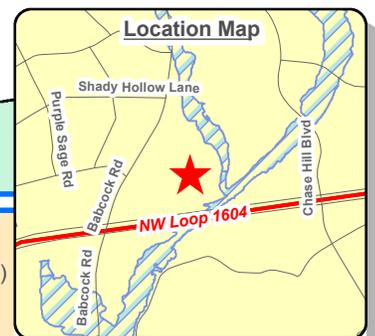
Council District: 8

Scale: 1" approx. = 250 Feet

Subject Property Legal Description(s): 16.07 acres out of NCB 14859

#### Legend

- Subject Properties  (16.070 Acres)
- 200' Notification Area
- Current Zoning **TEXT**
- Requested Zoning Change **(TEXT)**
- 100-Year DFIRM Floodplain
- Single Family Residential **1R**



Development Services Dept  
City of San Antonio  
(03/13/2013 - R.Martinez)

**Note: All Current and Requested Zoning includes MLOD (Military Lighting Overlay District).**



# City of San Antonio

## Development Services Department

### Staff Report

To: Zoning Commission  
Zoning Case #: Z2013081 ERZD  
Hearing Date: April 16, 2013  
Property Owner: Warner Lusardi Family Trust (by Warner Lusardi, Trustee)  
Applicant: Carter Acquisitions, LLC (by Robert Peterson, CEO)  
Representative: Brown & Ortiz, P.C. (James Griffin)  
Location: 15502 Babcock Road  
Legal Description: 16.07 acres out of NCB 14859  
Total Acreage: 16.07  
City Council District: 8  
Case Manager: Brenda V. Martinez, Planner  
Case History: This is the first public hearing for this zoning case.

### Proposed Zoning Change

**Current Zoning:** "C-3 ERZD MLOD-1" General Commercial Edwards Recharge Zone Camp Bullis Military Lighting Overlay District and "C-3 ERZD MLOD-1 UC-1" General Commercial Edwards Recharge Zone Camp Bullis Military Lighting Overlay IH-10/FM 1604 Urban Corridor District

**Requested Zoning:** "MF-33 ERZD MLOD-1" Multi-Family Edwards Recharge Zone Camp Bullis Military Lighting Overlay District and "MF-33 ERZD MLOD-1 UC-1" Multi-Family Edwards Recharge Zone Camp Bullis Military Lighting Overlay IH-10/FM 1604 Urban Corridor District

### Procedural Requirements

The request was publicly noticed in accordance with Section 403 of the Unified Development Code (UDC). The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on March 29, 2013. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on April 3, 2013. Additionally, notice of this meeting was posted at city hall and on the city's internet website on April 12, 2013, in accordance with Section 551.043(a) of the Texas Government Code.

### Notices Mailed

**Owners of Property within 200 feet:** 20

**Neighborhood Associations:** Hills & Dales Neighborhood Association is located within 200 feet.

**Planning Team Members:** 41 (North Sector Plan)

**Applicable Agencies:** The San Antonio Water System and The Camp Bullis Military Training Site

## **Property Details**

**Property History:** The subject property is currently undeveloped. The property was annexed in 1971 and was originally zoned "Temp R-1" Temporary Single-Family Residence District. In a 1972 case, the property was rezoned to "B-3" Business District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to "C-3" General Commercial District. The property is not platted.

**Topography:** The property does not include any abnormal physical features such as significant slope. However, a portion of the site along the east property line appears to be in the 100 year flood plain.

## **Adjacent Zoning and Land Uses**

**Direction:** North and West

**Current Base Zoning:** "C-3", "O-1" and "R-6"

**Current Land Uses:** Gas Station, Restaurants, Vacant Land, and Single-Family Residences

**Direction:** East

**Current Base Zoning:** "C-2"

**Current Land Uses:** Apartments

**Overlay and Special District Information:** All surrounding properties carry the "ERZD" Edwards Recharge Zone District. The "ERZD" does restrict permitted uses, due to the environmentally sensitive nature of the recharge zone. Per Chapter 34 of the City of San Antonio Code of Ordinances, the San Antonio Water System (SAWS) and City of San Antonio departments share regulatory jurisdiction over development within the "ERZD".

All surrounding properties carry the "MLOD" Military Lighting Overlay District, due to their proximity to Camp Bullis. The "MLOD" regulates outdoor lighting in an effort to minimize night-time light pollution and its effects on operations at the military installation.

## **Transportation**

**Thoroughfare:** North Loop 1604 West

**Existing Character:** Freeway; 10 lanes

**Proposed Changes:** None known.

**Thoroughfare:** Babcock Road

**Existing Character:** Secondary Arterial Type A Street; 1 lane in each direction

**Proposed Changes:** None known.

**Public Transit:** The nearest VIA bus line is the number 660 line, which operates along Babcock Road and the North Loop 1604 West Access Road.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is required, but can be deferred to the platting or permitting phase.

**Parking Information:** Multi-Family Dwellings - Minimum Parking Requirement: 1.5 spaces per unit. Maximum Parking Allowance: 2 spaces per unit.

## **Staff Analysis and Recommendation: Approval, pending the plan amendment**

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

### **1. Consistency:**

The subject property is located within the North Sector Plan and is currently designated as “Mixed Use Center” in the Future Land Use Plan. The requested “MF-33” Multi-Family District is inconsistent with the future land use designation. A plan amendment has been initiated to change the land use designation on the subject property to “General Urban Tier”. Planning Staff and Planning Commission recommend approval of the plan amendment request.

### **2. Adverse Impacts on Neighboring Lands:**

The proposed multi-family zoning is appropriate for the area. Multi-family zoning is most appropriate at the periphery of single-family neighborhoods, and along arterials or major thoroughfares where supporting infrastructure, such as public transportation and commercial facilities are present.

### **3. Suitability as Presently Zoned:**

The subject property’s current zoning is appropriate. The uses permitted in the “C-3” district are typically considered “regional commercial” uses, and are most appropriately located at the intersections of arterial thoroughfares and expressways, on large-acreage lots in an effort to minimize the impact of increased traffic, noise, and lighting on surrounding properties by ensuring sufficient area to accommodate building setbacks and landscape buffer requirements.

### **4. Health, Safety and Welfare:**

The attached SAWS report outlines potential environmental concerns. Staff has found no evidence of likely adverse impacts on the health, safety and welfare of the surrounding community, provided the SAWS recommendations are followed.

### **5. Public Policy:**

The subject property is located within the boundaries of the Military Lighting Overlay District, which is a five-mile area surrounding Camp Bullis and located only within the City of San Antonio municipal boundaries. Any new development within the five mile area surrounding Camp Bullis must comply with the lighting standards established within this zoning overlay district.

The existing “C-3” zoning is not consistent with the adopted “Mixed Use Center” land use designation.

### **6. Size of Tract:**

The subject property measures 16.07 acres. Should the requested rezoning be approved, the subject property could accommodate a multi-family development with up to approximately 530 dwelling units. The applicant is proposing approximately 240 dwelling units for the entire site.

### **7. Other Factors:**

The subject property is located within the Camp Bullis Awareness Zone/ Military Influence Area. In accordance with the signed Memorandum of Understanding between Fort Sam Houston and the City of San Antonio, zoning staff provided the Military with a copy of the rezoning request for review and comment. No comments have received.

SAWS identifies the subject property as a Category 1 property. SAWS staff recommends approval of the zoning request, provided that the impervious cover shall not exceed 62% on the site.

RECEIVED

SAN ANTONIO WATER SYSTEM  
Interdepartment Correspondence Sheet

APR 10 PM 2:27  
LAND DEVELOPMENT  
SERVICES DIVISION

**To:** Zoning Commission Members

**From:** Scott R. Halty, Director, Resource Protection and Compliance Department, San Antonio Water System

**Copies To:** Andrew Wiatrek, Manager, Aquifer Protection & Evaluation Section, Michael Barr, Supervisor, File

**Subject:** Zoning Case Z2013081 (UTSA Student Housing)

**Date:** March 27, 2013

### SUMMARY

A request for a change in zoning has been made for an approximate 16.07-acre tract located on the city's north side. A change in zoning from **C-3 ERZD MLOD-1** and **C-3 ERZD MLOD-1 UC-1** to **MF-33 ERZD MLOD-1** and **MF-33 ERZD MLOD-1 UC-1** is being requested by the applicant, Carter Acquisitions. The change in zoning has been requested to allow for construction of a multi-family residential development. The subject site is currently a Category 1 property, and also lies within a highway to arterial node.

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, northeast of the intersection of Babcock Road and Loop 1604. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

### SITE EVALUATION

1. Development Description:

The proposed change is from **C-3 ERZD MLOD-1** and **C-3 ERZD MLOD-1 UC-1** to **MF-33 ERZD MLOD-1** and **MF-33 ERZD MLOD-1 UC-1** and will allow for the construction of a multi-family residential development. Currently the site is undeveloped and covered in native vegetation.

2. Surrounding Land Uses:

Two restaurants lie to the southwest corner of the subject tract, single family residential properties lie to the west and northwest across from Babcock Road, an unnamed tributary to Leon Creek with a multi-family residential development beyond lies to the east and northeast, and Loop 1604 to the south.

1. Water Pollution Abatement Plan:

The Water Pollution Abatement Plan has not been submitted for the subject site. A WPAP for the proposed multi-family residential development will be required prior to approval of the building permit.

2. Geologic Conditions:

The Resource Protection Division of the San Antonio Water System conducted a site evaluation on February 15, 2013, of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS Environmental Geologist, Mr. Bruce Keels, P.G., was present during the site evaluation.

The subject site was observed as a single parcel, currently undeveloped, approximately 16.07 acres in area. The site was observed to be bounded on the east by an unnamed tributary to Leon Creek. An exposed sanitary sewer manhole and extensive stream scour was observed along the stream centerline in the southeast corner of the site. A paleo-spring feature was observed within the stream wall in the northeast corner of the site. A non-karst closed depression zone was observed in the northeast corner of the subject site. None of these features were considered to be sensitive. Multiple areas of promiscuously dumped waste material was observed throughout the central northern portion of the subject site.

Extensive exposure of bedrock was observed within the creekway. Little to moderate exposure of bedrock was observed throughout the remainder of the subject site. The site was observed to be moderately vegetated, with increasing amounts of vegetation in the northern portion of the site. A mapped fault is noted along the southeast corner of the subject site. No surface exposure of this fault was observed during the site visit.

The site appeared to slope slightly to the east. Stormwater occurring on the subject site would drain to the east toward the unnamed tributary to Leon Creek.

Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site is underlain by the Dolomitic Member of the Kainer Formation in the northwest corner of the site, the Cyclic and Marine Member of the Person Formation throughout the center of the site, and the Undivided Upper Confining Unit of the Edwards Aquifer in the southeast corner of the site.

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 Dolomitic Member of the Kainer Formation is characterized by the presence of massively bedded mudstone, grainstone, and recrystallized limestone with abundant chert nodules. The full section thickness of this member is approximately 110 to 130 feet thick.

The Undivided Upper Confining Unit is characterized by the presence of massive limestone with very low porosity and permeability throughout the formation. The full section thickness of this member is approximately 30 feet thick.

The subject site was observed to be undeveloped. No sensitive geologic features, such as sinkholes, caves, creeks, or faults were observed on the subject site.

## **ENVIRONMENTAL CONCERNS**

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

### **Site Specific Concerns**

1. A 100 year flood plain is located partially within the subject site, and immediately adjacent along the eastern edge of the property.

### **General Concerns**

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

## **ENVIRONMENTAL RECOMMENDATIONS**

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

### **Site Specific Recommendations**

1. The impervious cover shall not exceed 62% on the site, as shown and described on attachment 3.
2. A variable width flood plain buffer shall be required adjacent to the 100 year flood plain.
3. 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.
4. The owner of all water pollution abatement structures shall be responsible for properly maintaining the basin and ensure 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 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.D.A, shall be used.
6. The applicant shall notify the Construction Compliance Section of the Resource Compliance Division of SAWS at (210) 233-3537 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 SAWS at (210) 233-3537.

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) 233-3537.

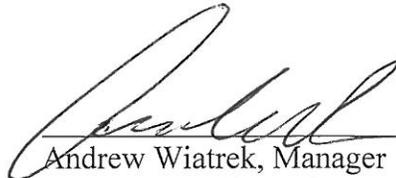
### **General Recommendations**

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,
  - D. A copy of the approved Water Pollution Abatement Plan.
3. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.
4. If a water quality basin is constructed on the property, the following is required:
  - A. Below grade basins shall not be allowed to be constructed on the site.
  - B. Prior to the start of basin construction, the owner will notify San Antonio Water System at (210) 233-3537 to schedule a site inspection.
  - C. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Aquifer Protection and Evaluation Section at (210) 233-3537 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to San Antonio Water System, Aquifer Protection and Evaluation Section.

- D. If the basin fails to drain properly, the owner will notify the Construction Section of the Resource Compliance Division at (210) 233-3537 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 SAWS.
5. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.
  6. The Resource Protection Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

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

APPROVED:

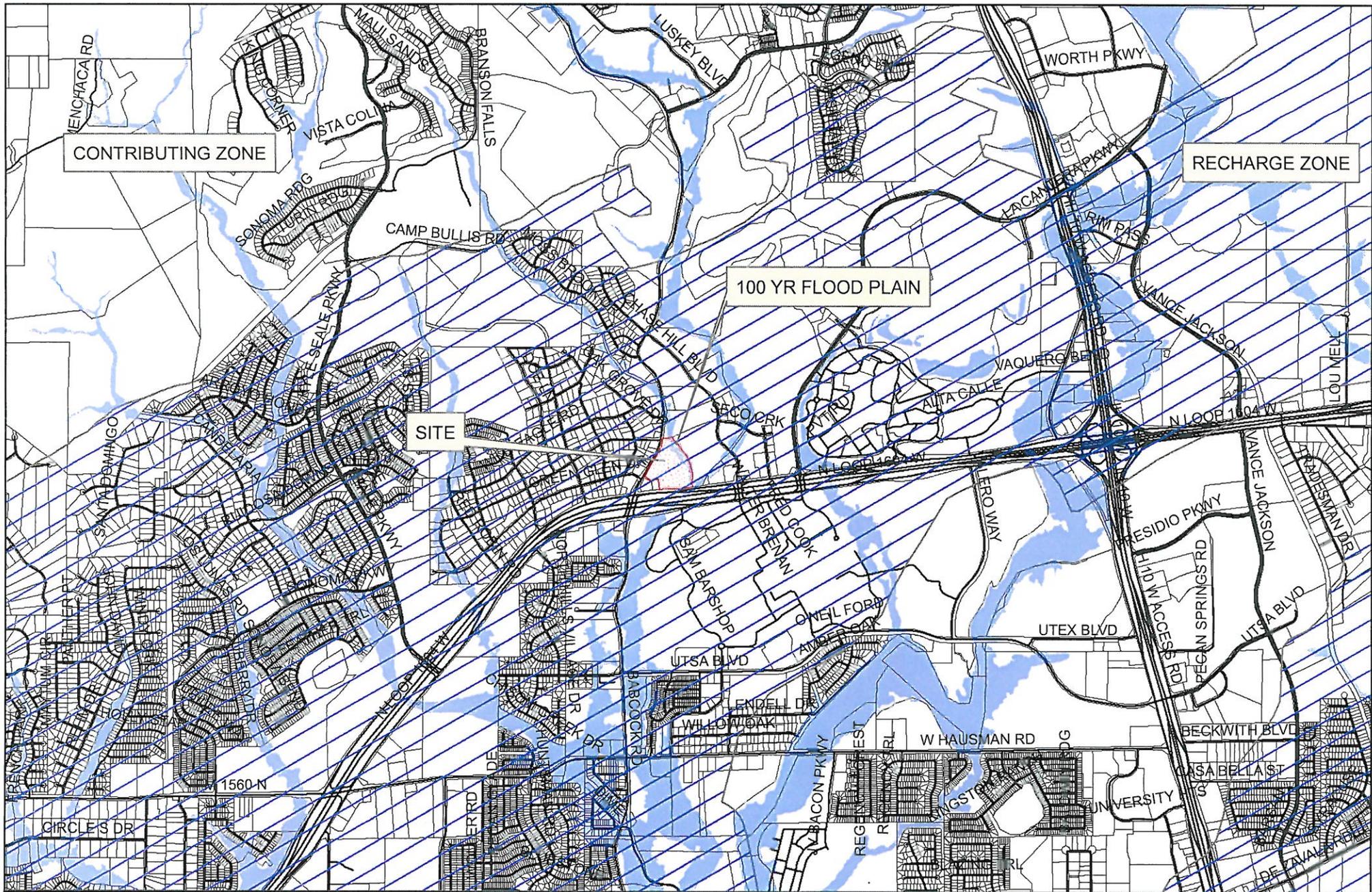


Andrew Wiatrek, Manager  
Edwards Aquifer and Watershed Protection Division



Scott R. Halty, Director  
Resource Protection and Compliance Department

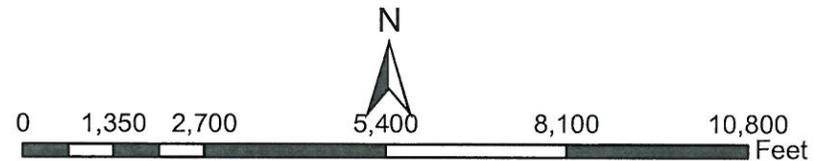
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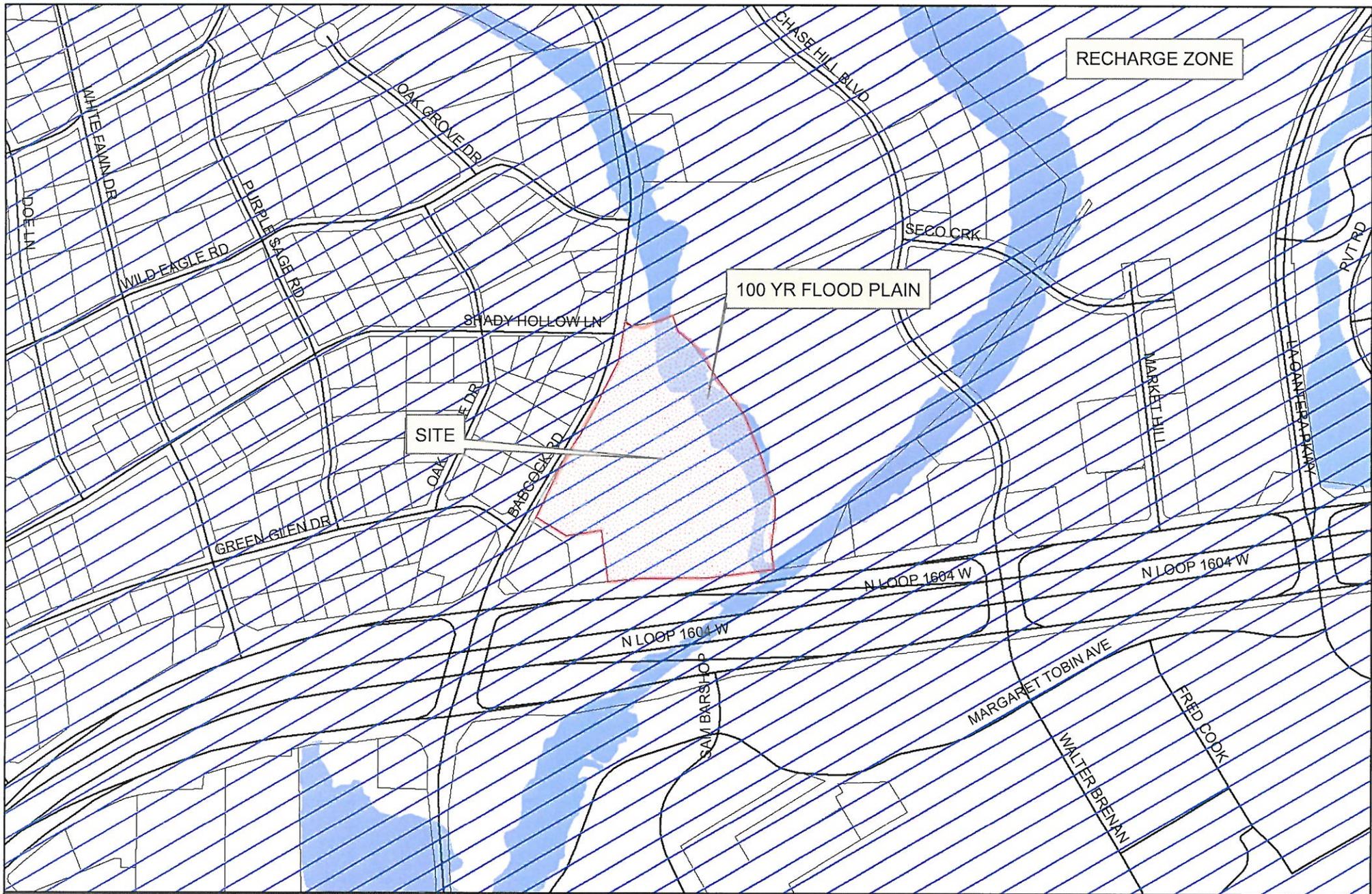


**ZONING CASE: WARNER LUSARDI**  
**ZONING NUMBER: Z2013081**

**FIGURE 1**

Map Prepared by Aquifer Protection and Evaluation BVK 2/14/2013

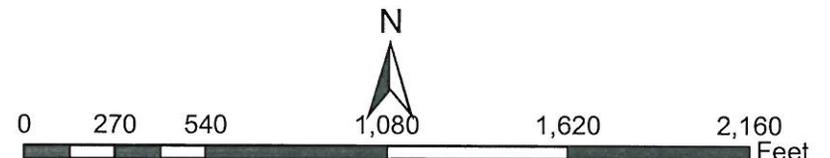




**ZONING CASE: WARNER LUSARDI**  
**ZONING NUMBER: Z2013081**

**FIGURE 2**

Map Prepared by Aquifer Protection and Evaluation BVK 2/14/2013

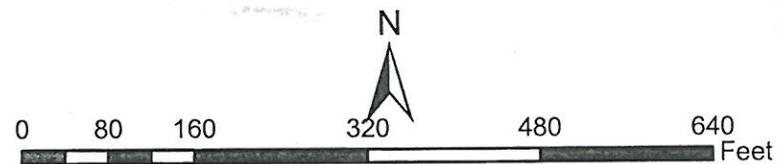


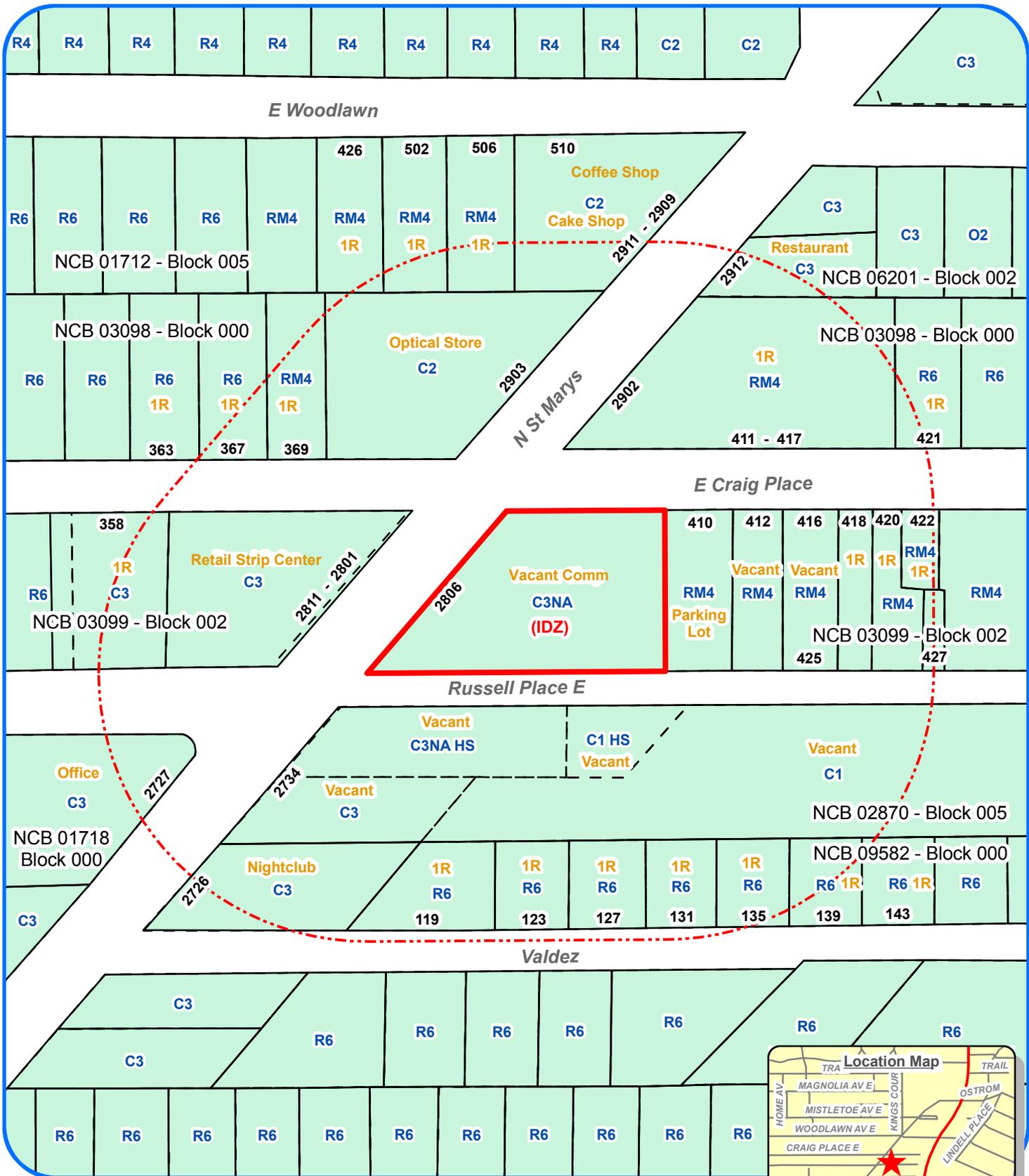


**ZONING CASE: WARNER LUSARDI**  
**ZONING NUMBER: Z2013081**

**FIGURE 3**

Map Prepared by Aquifer Protection and Evaluation BVK 3/25/2013





**Zoning Case Notification Plan**

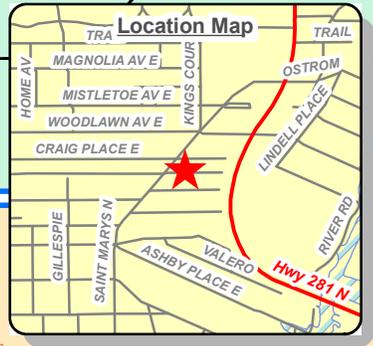
**Case Z-2013-059**

Council District: 1

Scale: 1" approx. = 100 Feet

Subject Property Legal Description(s): NCB 3099 - BLK 002 - 0.47 of an acre out of Lots 85 & 86

- Legend**
- Subject Properties ——— (0.470 Acres)
  - 200' Notification Area - - - - -
  - Current Zoning **TEXT**
  - Requested Zoning Change **(TEXT)**
  - 100-Year DFIRM Floodplain
  - Single Family Residential **1R**



Development Services Dept  
City of San Antonio  
(01/14/2013 - R Martinez)

**Note: All Current and Requested Zoning includes AHOD (Airport Hazard Overlay District).**



# City of San Antonio

## Development Services Department

### Staff Report

To: Zoning Commission

Zoning Case #: Z2013059

Hearing Date: April 16, 2013

Property Owner: Macnak Living Trust 2000

Applicant: Woolridge Finance, LLC

Representative: Malcolm T. Hartman

Location: 2806 North St. Mary's Street

Legal Description: 0.47 of an acre out of Lots 85 and 86, Block 2, NCB 3099

Total Acreage: 0.47

City Council District: 1

Case Manager: Brenda V. Martinez, Planner

Case History: This is the second public hearing for this zoning request. The case was continued from the February 5, 2013 meeting. Subsequently, the applicant postponed the case and amended the rezoning request.

### Proposed Zoning Change

**Current Zoning:** "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District

**Requested Zoning:** "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and a Microbrewery

### Procedural Requirements

The request was publicly noticed in accordance with Section 403 of the Unified Development Code (UDC). The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on March 29, 2013. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on April 3, 2013. Additionally, notice of this meeting was posted at city hall and on the city's internet website on April 12, 2013, in accordance with Section 551.043(a) of the Texas Government Code.

### Notices Mailed

**Owners of Property within 200 feet:** 30

**Neighborhood Associations:** The Tobin Hill Community Association

**Planning Team Members:** 13 (Tobin Hill Neighborhood Plan)

**Applicable Agencies:** None

## **Property Details**

**Property History:** The subject site is currently developed with a commercial structure measuring 2,488 square feet. According to the Bexar County Appraisal District, the commercial structure was constructed in 1955.

The property is located within the City Limits as they were recognized in 1938, and was originally zoned "L" First Manufacturing District. In a 1995 case, the property was rezoned to "B-3NA" Business Nonalcoholic Sales District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "C-3NA" General Commercial Nonalcoholic Sales District. The property is not platted in its current configuration.

**Topography:** The property does not include any abnormal physical features such as significant slope or inclusion in a flood plain.

## **Adjacent Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "RM-4" and "C-2"

**Current Land Uses:** Single-Family Residences, Optical Store, Bakery and Coffee Shop

**Direction:** South

**Current Base Zoning:** "R-6", "C-1" and "C-3"

**Current Land Uses:** Single-Family Residences, Vacant Land and a Nightclub

**Direction:** East

**Current Base Zoning:** "RM-4"

**Current Land Uses:** Parking Lot, Vacant Land and Single-Family Residences

**Direction:** West

**Current Base Zoning:** "C-3" and "R-6"

**Current Land Uses:** Retail Strip Center, Office and Single-Family Residences

**Overlay and Special District Information:** All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

## **Transportation**

**Thoroughfare:** North St. Mary's Street

**Existing Character:** Collector; 1 lane in each direction

**Proposed Changes:** None known

**Thoroughfare:** East Craig Place and East Russell Place

**Existing Character:** Local Streets; 1 lane in each direction

**Proposed Changes:** None known

**Public Transit:** The nearest VIA bus line is the number 8 line, which operates along North St. Mary's Street.

**Traffic Impact:** A Traffic Impact Analysis has been waived for the following reason: IDZ zoning is exempt from TIA requirements.

**Parking Information:** Off-street vehicle parking requirements are determined by use, and often size of the development. The zoning application refers generally to commercial uses. Therefore, staff cannot calculate the amount of parking that would be required of such a development. The "IDZ" Infill Development Zone District eliminates off-street vehicle parking requirements.

Although "IDZ" waives minimum parking requirements, the proposed uses listed in the rezoning application would normally be required to meet the following parking standards:

Alcohol – microbrewery - Minimum Parking Requirement: 1 per 2 seats. Maximum Parking Requirement: 1 per 1.5 seats.

## **Staff Analysis and Recommendation: Approval of “IDZ AHOD” Infill Development Zone Airport Hazard Overlay District with uses permitted in “C-2” Commercial District. Denial of the request for a Microbrewery**

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

### **1. Consistency:**

The subject property is located within the Tobin Hill Neighborhood Plan and is designated as Low Density Mixed Use in the future land use component of the plan. The Low Density Mixed Use designation includes a mix of low intensity residential and commercial uses. The requested “IDZ” base zoning district is consistent with the adopted land use plan.

The subject property is also located within the “North St. Mary’s Street Corridor” a sub-area within the Tobin Hill Neighborhood Plan, which encourages the creation of a walkable corridor with restaurants, art galleries, and retail shops that focus on neighborhood uses.

The current “C-3NA” zoning district is not consistent with the Low Density Mixed Use designation.

### **2. Adverse Impacts on Neighboring Lands:**

Although a significant amount of intense zoning and uses exist along North St. Mary’s Street, they are the result of out-dated zoning practices. The adjacent properties to the south and west (fronting along North St. Mary’s Street) have similar or more intense zoning districts, and thus the requested rezoning will have no adverse impact on these properties. However, the properties immediately to the west and east have single-family residential uses.

### **3. Suitability as Presently Zoned:**

The existing zoning is not appropriate for the subject property or the surrounding neighborhood. The current intense commercial zoning is the result of out-dated zoning practices that were once common. Current zoning practices would not place intense commercial zoning near established residential neighborhoods. The “C-3” zoning district typically allows Regional Commercial land uses, which are most appropriately located on large-acreage lots at intersections of highways and major arterials. North St. Mary’s Street is an established commercial corridor, but is not a major arterial thoroughfare; therefore, commercial development should be limited in scale and intensity.

### **4. Health, Safety and Welfare:**

The Infill Development Zone is meant to encourage redevelopment of vacant or under utilized properties by relaxing development standards such as building setbacks, landscape buffers and off-street parking requirements. However, the “IDZ” district is not meant to allow overly intense uses to the detriment of surrounding residences.

### **5. Public Policy:**

Although the requested “IDZ” base zoning district conforms to the Tobin Hill Neighborhood Plan, the additional “C-3” commercial use is not consistent with the Low Density Mixed Use designation.

### **6. Size of Tract:**

The subject property is 0.47 acres and appears to be of sufficient size to accommodate the proposed uses with the flexibility offered by the “IDZ” district.

### **7. Other Factors:**

Goal 5 of the Tobin Hill Neighborhood Plan encourages development that is compatible with “existing development and encourage design that takes into account the existing character and scale of the neighborhood”. It also has the objective to “promote development and businesses that are diverse, neighborhood-oriented and meet the needs of the neighborhood”.





# Zoning Case Notification Plan

## Case Z-2013-018

Council District: 1

Scale: 1" approx. = 100 Feet

Subject Property Legal Description(s): NCB 09666 - BLK 002 - LOT 032

### Legend

- Subject Properties (0.202 Acres) ———
- 200' Notification Area - - - - -
- Current Zoning TEXT
- Requested Zoning Change TEXT
- 100-Year DFIRM Floodplain ▨▨▨▨
- Single Family Residential 1R



Development Services Dept  
City of San Antonio  
(01/07/2013 - R Martinez)

**Note: All Current and Requested Zoning includes AHOD (Airport Hazard Overlay District).**



# City of San Antonio

## Development Services Department

### Staff Report

To: Zoning Commission  
Zoning Case #: Z2013018 CD  
Hearing Date: April 16, 2013  
Property Owner: Maria & Manuel Aguirre  
Applicant: Roger R. Jimenez  
Representative: Roger R. Jimenez  
Location: 2419 Basse Road  
Legal Description: Lot 32, Block 2, NCB 9666  
Total Acreage: 0.2025  
City Council District: 1  
Case Manager: Osniel Leon, Planner  
Case History: This is the first public hearing for the zoning case.

#### **Proposed Zoning Change**

**Current Zoning:** "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District

**Requested Zoning:** "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Professional Office

#### **Procedural Requirements**

The request was publicly noticed in accordance with Section 403 of the Unified Development Code (UDC). The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on March 29, 2013. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on April 3, 2013. Additionally, notice of this meeting was posted at city hall and on the city's internet website on April 12, 2013, in accordance with Section 551.043(a) of the Texas Government Code.

#### **Notices Mailed**

**Owners of Property within 200 feet:** 19

**Neighborhood Associations:** North Central Neighborhood Association

**Planning Team Members:** 46 – Greater Dellview Area Community Plan

**Applicable Agencies:** None

## **Property Details**

**Property History:** The subject property was annexed in 1949, and was originally zoned "B" Residence District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "R-4" Residential Single-Family District.

The subject property is currently developed with two residential structures. According to the Bexar County Appraisal District, the existing residences were constructed in 1949 and 2006 and measure approximately 726 square feet and 880 square feet in size, respectively. The property was platted into its current configuration in 1949 (volume 2575, page 126 of the Bexar County Plat Records).

**Topography:** The property does not include any abnormal physical features such as slope or inclusion in a flood plain.

## **Adjacent Zoning and Land Uses**

**Direction:** North and East  
**Current Base Zoning:** "R-4"  
**Current Land Uses:** Single-family residences

**Direction:** West  
**Current Base Zoning:** "C-2"  
**Current Land Uses:** Auto sales, retail center, restaurant

**Direction:** South  
**Current Base Zoning:** "C-2", "C-2 CD", "C-1 CD", "R-6"  
**Current Land Uses:** Auto repair, vacant properties, single-family residence and a duplex

**Overlay and Special District Information:** All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

## **Transportation**

**Thoroughfare:** Basse Road  
**Existing Character:** Secondary Arterial Type A; 2 lanes in each direction with no sidewalks  
**Proposed Changes:** None known

**Thoroughfare:** Ennis Avenue  
**Existing Character:** Local Street; 1 lane in each direction with no sidewalks  
**Proposed Changes:** None known

**Public Transit:** The nearest VIA bus line is the number 505 line, which operates along Basse Road with stops immediately adjacent to the subject property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** Professional Office - Minimum Parking Requirement: 1 per 300 square foot GFA. Maximum Parking Requirement: 1 per 140 square foot GFA. Single-family Residence – Minimum Parking Requirement: 1 per Unit. The conditional use site plan shows 6 parking spaces and only the smaller structure being used as an office.

## **Staff Analysis and Recommendation: Approval with conditions**

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

### **1. Consistency:**

The property is located within the Greater Dellview Area Community Plan, and is currently designated as Low Density Residential in the Future Land Use Plan. The requested base zoning district is consistent with the future land use designation.

### **2. Adverse Impacts on Neighboring Lands:**

Staff finds the requested "R-4 CD" to be appropriate given that the subject property will continue to permit residential use. The application of a conditional use provides an opportunity to address the impact of the proposed use on surrounding properties by limiting the scope of use allowed.

### **3. Suitability as Presently Zoned:**

The existing single-family zoning is appropriate for the subject property and is consistent with the adopted future land use designation.

### **4. Health, Safety and Welfare:**

Staff has found no indication of a likely negative influence on public health, safety or welfare in relation to this zoning change request. The proposed office use may serve as an appropriate transition between the established residential neighborhood to the east and the commercial uses to the west and southwest.

### **5. Public Policy:**

The request does not appear to conflict with any public policy objective. The Greater Dellview Area Community Plan encourages office and neighborhood commercial uses at the intersections of residential streets and arterial thoroughfares.

### **6. Size of Tract:**

The subject property is 0.2025 of an acre in size, which should be able to reasonably accommodate the proposed professional office and required parking, as shown on the conditional use site plan.

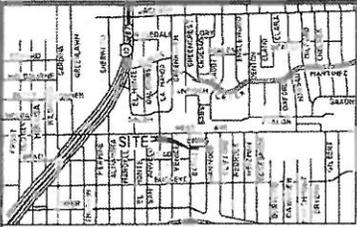
### **7. Other Factors:**

Should the Zoning Commission recommend approval, staff recommends the following conditions apply per Section 35-422(e)(3):

- A. There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of the main structure.
- B. No construction features shall be permitted which would place the structure out of character with the surrounding residential neighborhood.
- C. Business hours of operation shall not be permitted before 7:00 a.m. or after 6:00 p.m.

Staff recommends the following conditions in addition to those provided per Section 35-422(e)(3):

- D. Office uses shall be limited to a single unit.
- E. Any outside lighting shall be directed onto the site and away from surrounding residential uses.



LOCATION MAP  
NOT-TO-SCALE

- 1,742 SQ. FT. OF BLDG. AREA
- 3,482 SQ. FT. OF PAVED/CONCRETE AREA
- 5,224 TOTAL OF SQ. FT. OF IMPERVIOUS COVER

INTENDED USE:  
COMMERCIAL OFFICE

STATE OF TEXAS  
COUNTY OF BEXAR:  
I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION, AND THAT THERE ARE NO VISIBLE EASEMENTS OR ENCROACHMENTS OF BUILDINGS ON ADJOINING PROPERTY AND THAT ALL BUILDINGS ARE WHOLLY LOCATED ON THIS PROPERTY EXCEPT AS SHOWN ABOVE.

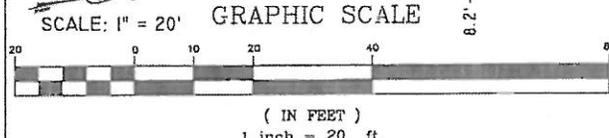
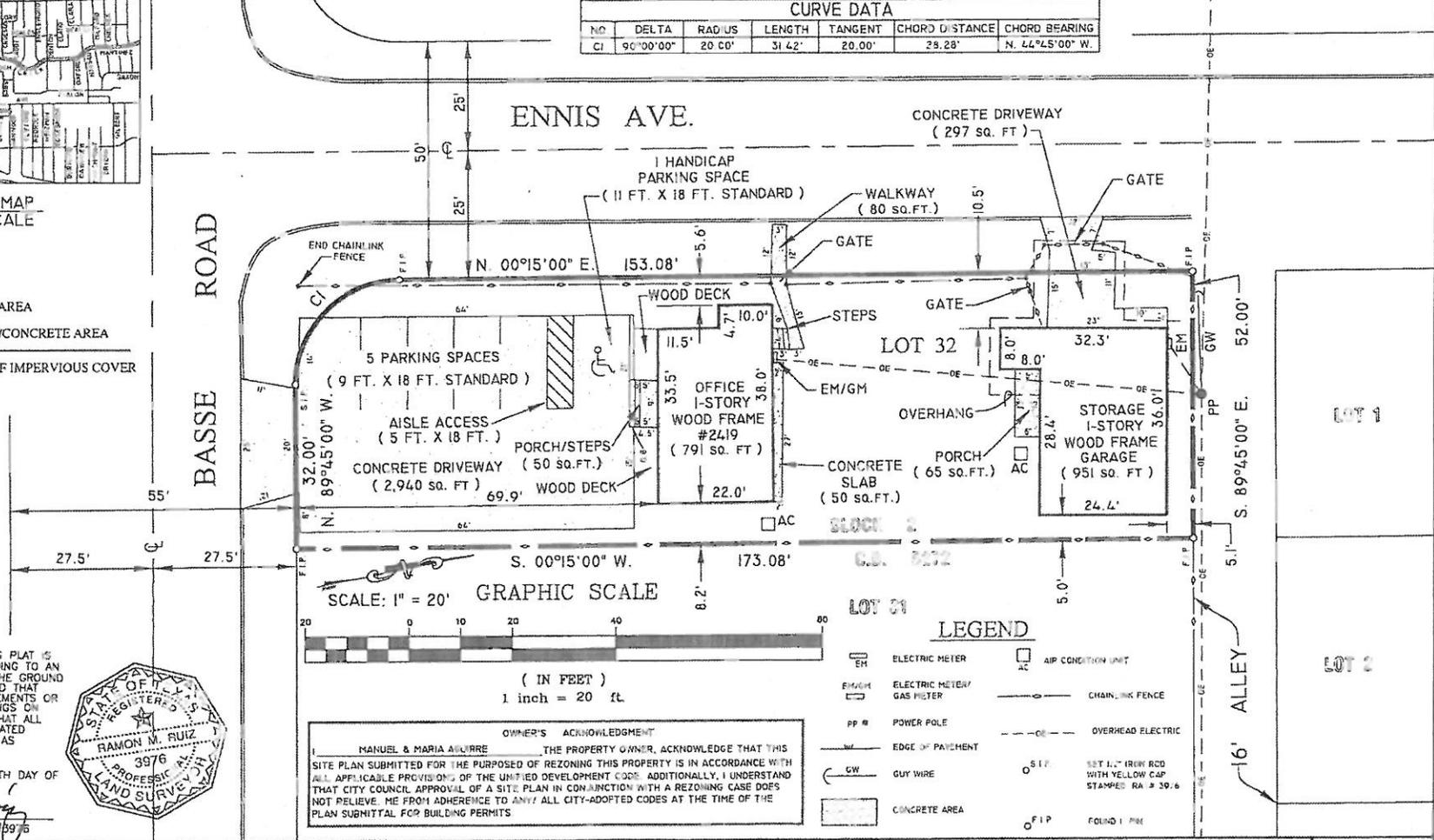
SURVEYED ON THIS THE 25TH DAY OF MARCH, 2013 A.D.  
*Ramon M. Ruiz*  
Ramon M. Ruiz, RPLS #3976



CURVE DATA						
NO.	DELTA	RAD. US.	LENGTH	TANGENT	CHORD DISTANCE	CHORD BEARING
C1	90°00'00"	20.00'	31.42'	20.00'	28.28'	N. 44°25'00" W.

BASSE ROAD

ENNIS AVE.



LEGEND

ELECTRIC METER	AIR CONDITION UNIT
ELECTRIC METER/GAS METER	CHAIN LINK FENCE
POWER POLE	OVERHEAD ELECTRIC
EDGE OF PAVEMENT	SET 1.1" IRON ROD WITH YELLOW CAP STAMPED RA # 39.6
GUY WIRE	FOUND 1 PIPE
CONCRETE AREA	

OWNER'S ACKNOWLEDGMENT  
MANUEL & MARIA ALVAREZ THE PROPERTY OWNER, ACKNOWLEDGE THAT THIS SITE PLAN SUBMITTED FOR THE PURPOSES OF REZONING THIS PROPERTY IS IN ACCORDANCE WITH ALL APPLICABLE PROVISIONS OF THE UNITED DEVELOPMENT CODE. ADDITIONALLY, I UNDERSTAND THAT CITY COUNCIL APPROVAL OF A SITE PLAN IN CONNECTION WITH A REZONING CASE DOES NOT RELIEVE ME FROM ADHERENCE TO ANY/all CITY-ADOPTED CODES AT THE TIME OF THE PLAN SUBMITTAL FOR BUILDING PERMITS



RUIZ & ASSOCIATES SURVEYING, INC.

4414 CENTERVIEW, SUITE 211  
SAN ANTONIO, TEXAS 78228  
PHONE: (210) 735-8514 Fax: (210) 735-8935  
Email: ruizandassociates@aol.com  
Web: www.ruizandassociatesurveying.com

JOB NUMBER: 2012-062  
DATE: 3/25/13  
DRAWN BY: J.S.  
APPROVED BY: R.M.R.

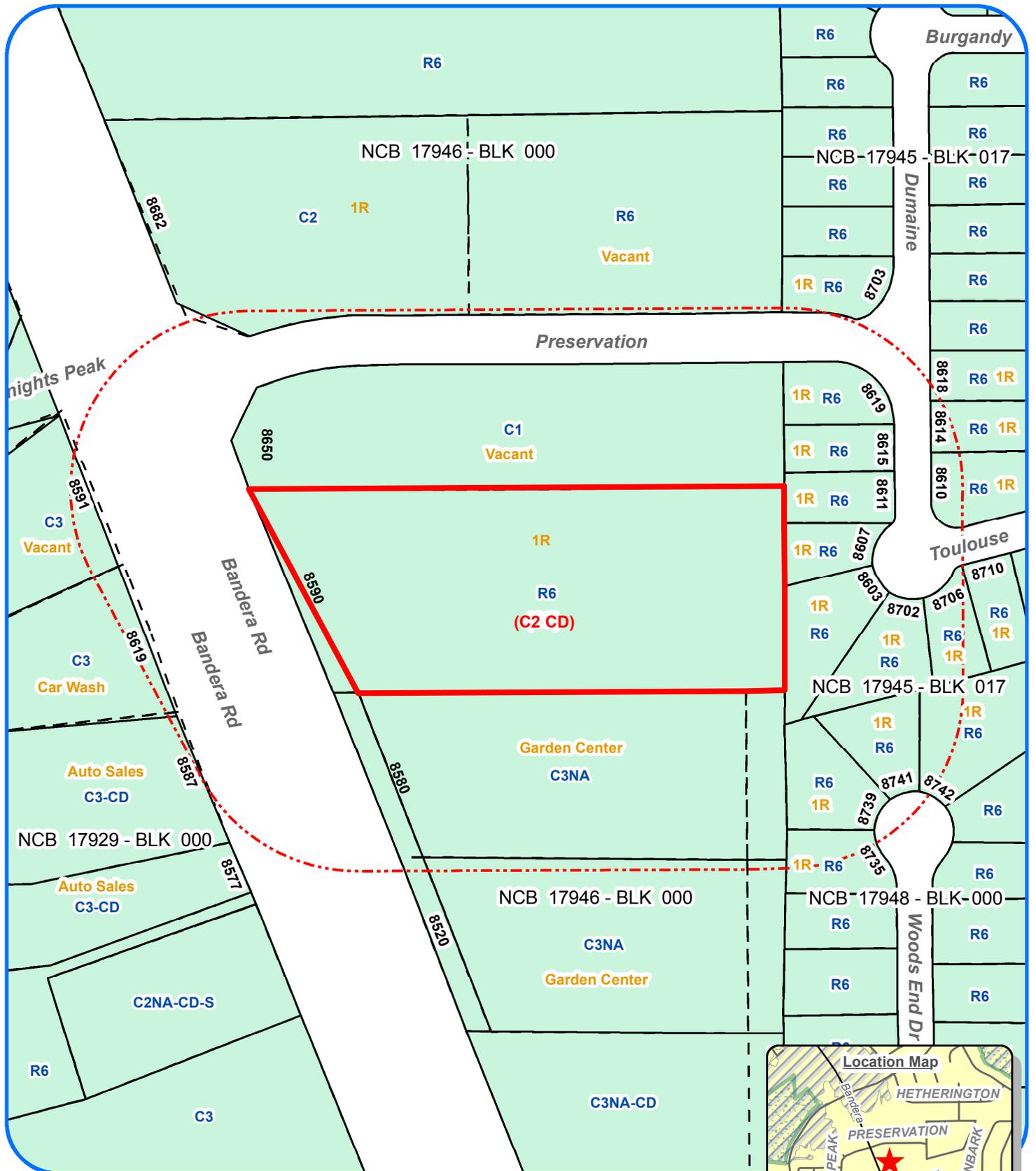
SITE PLAN SURVEY

FOR  
BEING LOT 32, BLOCK 2, N.C.B. 9666, WEST AVENUE PLACE SUBDIVISION,  
PLAT RECORDS BEXAR COUNTY, TEXAS. RECORDED IN VOL. 2575, PG. 126,  
PLAT RECORDS, BEXAR COUNTY, TEXAS.

SHEET

1  
of 1

Z2013028



## Zoning Case Notification Plan

### Case Z-2013-042 CD

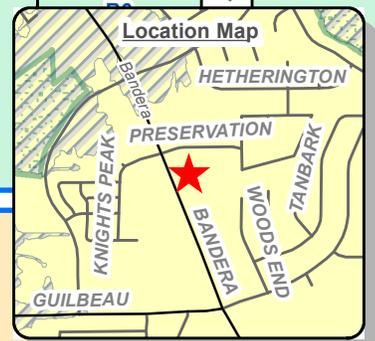
Council District: 7

Scale: 1" approx. = 150 Feet

Subject Property Legal Description(s): 2.887 acres out of NCB 17946

#### Legend

- Subject Properties ——— (2.887 Acres)
- 200' Notification Area - - - - -
- Current Zoning TEXT
- Requested Zoning Change (TEXT)
- 100-Year DFIRM Floodplain
- Single Family Residential 1R



Development Services Dept  
City of San Antonio  
(1/3/2013 - R Martinez)

**Note: All Current and Requested Zoning includes AHOD (Airport Hazard Overlay District).**



# City of San Antonio

## Development Services Department

### Staff Report

To: Zoning Commission

Zoning Case #: Z2013042 CD

Hearing Date: April 16, 2013

Property Owner: Sistemas Profesionales De Enalance International, Inc. (by Guillermo Adolfo Otero Salazar, Director)

Applicant: Roger R. Jimenez

Representative: Roger R. Jimenez

Location: 8590 Bandera Road

Legal Description: 2.8876 acres out of Lot 7, NCB 17946

Total Acreage: 2.8876

City Council District: 7

Case Manager: Brenda V. Martinez

Case History: This is the first public hearing for this zoning case.

---

### **Proposed Zoning Change**

**Current Zoning:** "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District

**Requested Zoning:** "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Storage - Outside (Under Roof and Screened)

### **Procedural Requirements**

The request was publicly noticed in accordance with Section 403 of the Unified Development Code (UDC). The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on March 29, 2013. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on April 3, 2013. Additionally, notice of this meeting was posted at city hall and on the city's internet website on April 12, 2013, in accordance with Section 551.043(a) of the Texas Government Code.

### **Notices Mailed**

**Owners of Property within 200 feet:** 26

**Neighborhood Associations:** None

**Planning Team Members:** 18 (Huebner/Leon Creeks Community Plan)

**Applicable Agencies:** None

## **Property Details**

**Property History:** The property was annexed in 1985 and was originally zoned “Temp R-1” Temporary Single-Family Residence District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to “R-6” Residential Single-Family District. The property is developed with a residential structure measuring approximately 1,788 square feet in size that was built in 1963. The property was platted in 1947, but a portion was later conveyed as right-of-way for Bandera Road.

**Topography:** The property does not include any abnormal physical features such as significant slope or inclusion in a flood plain.

## **Adjacent Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** “C-2”, “C-1” and “R-6”

**Current Land Uses:** Vacant Land

**Direction:** South

**Current Base Zoning:** “C-3NA”

**Current Land Uses:** Garden Center

**Direction:** East

**Current Base Zoning:** “R-6”

**Current Land Uses:** Single-Family Residences

**Direction:** West

**Current Base Zoning:** “C-3” and “C-2”

**Current Land Uses:** Vacant Land, Car Wash and Auto Sales

**Overlay and Special District Information:** All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

## **Transportation**

**Thoroughfare:** Bandera Road

**Existing Character:** Primary Arterial Type A Street; 2 lanes in each direction

**Proposed Changes:** None known.

**Public Transit:** The nearest VIA bus line is the number 605 line, which operates along Bandera Road.

**Traffic Impact:** A Traffic Impact Analysis is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** Storage – outside (screening from public R.O.W.s and adjacent property required) - Minimum Parking Requirement: 1 per 600 square feet of GFA. Maximum Parking Allowance: 1 per 350 square feet of GFA.

## **Staff Analysis and Recommendation: Approval**

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

### **1. Consistency:**

The property is located within the Huebner/Leon Creeks Community Plan and is currently designated as "Community Commercial" in the future land use component of the plan. The requested base zoning district is consistent with the Future Land Use designation.

### **2. Adverse Impacts on Neighboring Lands:**

Staff has found no evidence of likely adverse impacts on surrounding properties. The majority of properties fronting along Bandera Road are zoned for commercial uses. Further, medium intensity commercial zoning is most appropriate along arterials or major thoroughfares.

### **3. Suitability as Presently Zoned:**

The existing "R-6" Residential Single-Family District is not appropriate for the subject property. The subject property is one of the few remaining residential properties on Bandera Road, a Primary Arterial Type A and a heavily traveled thoroughfare for the area. Residential development is not likely due to the property's location and surrounding pattern of development.

The "C-2" Commercial District would be appropriate at this location; therefore staff supports the request.

### **4. Health, Safety and Welfare:**

Staff has found no indication of likely adverse effects on the public health, safety, or welfare. There is an established pattern of commercial zoning along this block of Bandera Road. The purpose of landscaping, screening, and buffer requirements is to provide standards that will protect the health, safety and general welfare of the community.

### **5. Public Policy:**

The request does not appear to conflict with any established public policy objective. The requested base zoning district is consistent with the adopted land use plan.

### **6. Size of Tract:**

The subject property is 2.8876 acres, which should be able to reasonably accommodate the proposed use.

### **7. Other Factors:**

The "C-2" base zoning district does not allow outdoor storage or display of goods.

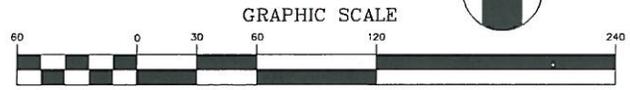
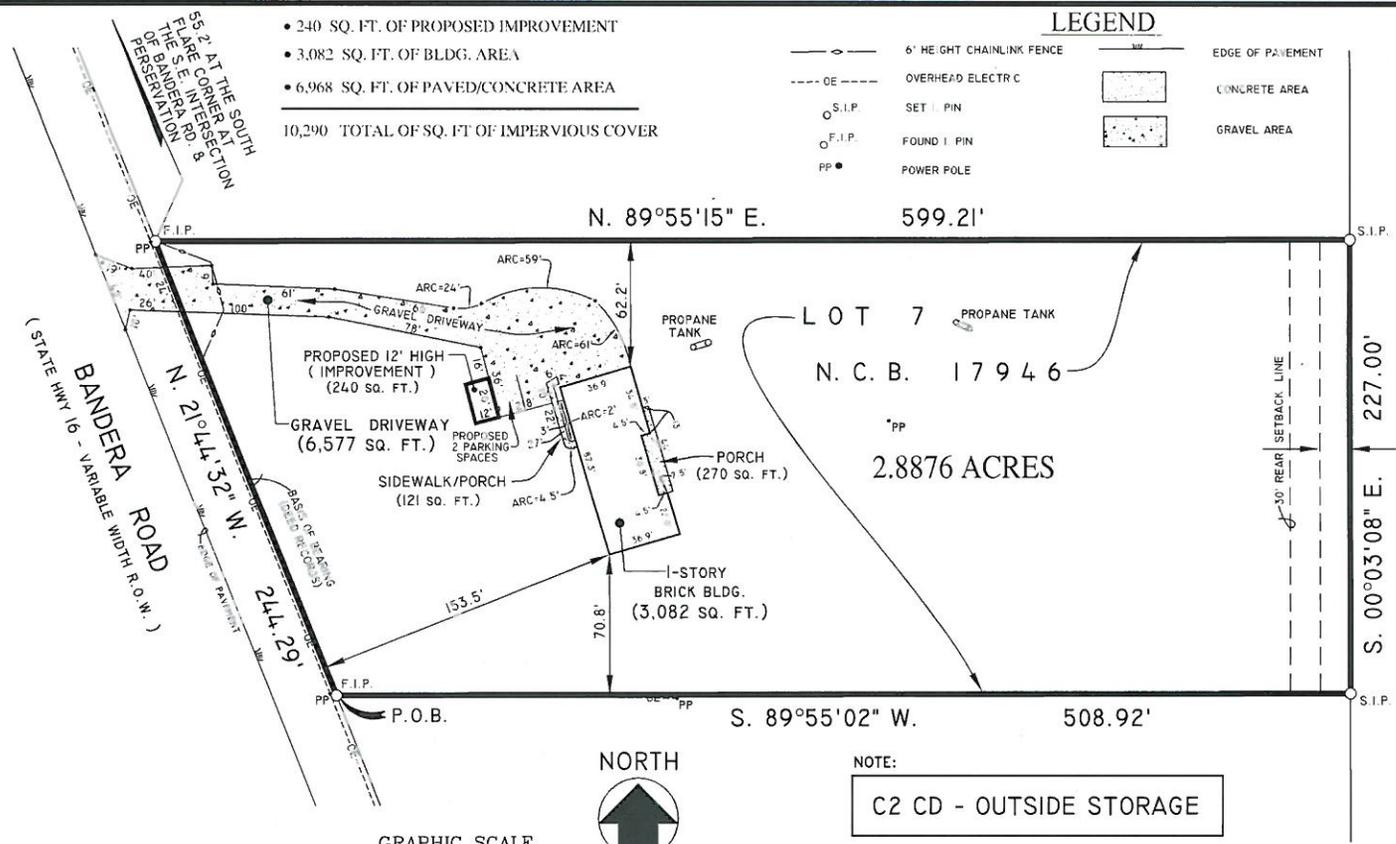
The applicant is requesting a conditional use for outdoor storage (under roof and screened), which is shown on the site plan. The conditional use, if approved will apply to the entire 2.8876 acre tract. However, outdoor storage uses will be limited to the 240 square foot area specified on the site plan. Any expansion of the outdoor storage area beyond what is shown on the site plan will require additional rezoning.

22013042CD

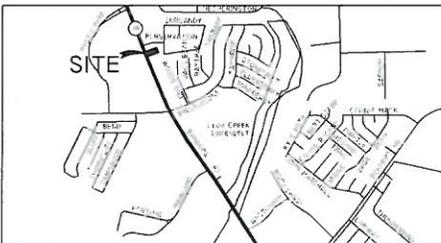
**LEGEND**

- 6' HEIGHT CHAINLINK FENCE
- DE --- OVERHEAD ELECTR C
- S.I.P. SET I PIN
- F.I.P. FOUND I PIN
- PP ● POWER POLE
- ▭ EDGE OF PAVEMENT
- ▭ CONCRETE AREA
- ▭ GRAVEL AREA

- 240 SQ. FT. OF PROPOSED IMPROVEMENT
- 3,082 SQ. FT. OF BLDG. AREA
- 6,968 SQ. FT. OF PAVED/CONCRETE AREA
- 10,290 TOTAL OF SQ. FT OF IMPERVIOUS COVER



NOTE:  
C2 CD - OUTSIDE STORAGE



**RUIZ & ASSOCIATES SURVEYING, INC.**  
 4414 CENTERVIEW, SUITE 211  
 SAN ANTONIO, TEXAS 78228  
 PHONE: (210) 719-8511 Fax: (210) 719-2018  
 Email: rruiz@ruizasurveying.com  
 Web: www.ruizasurveying.com

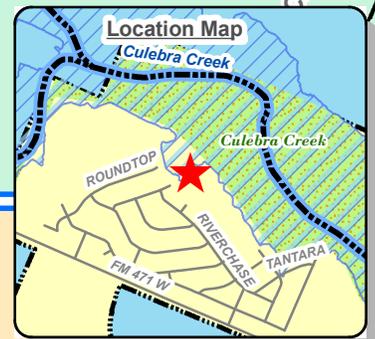
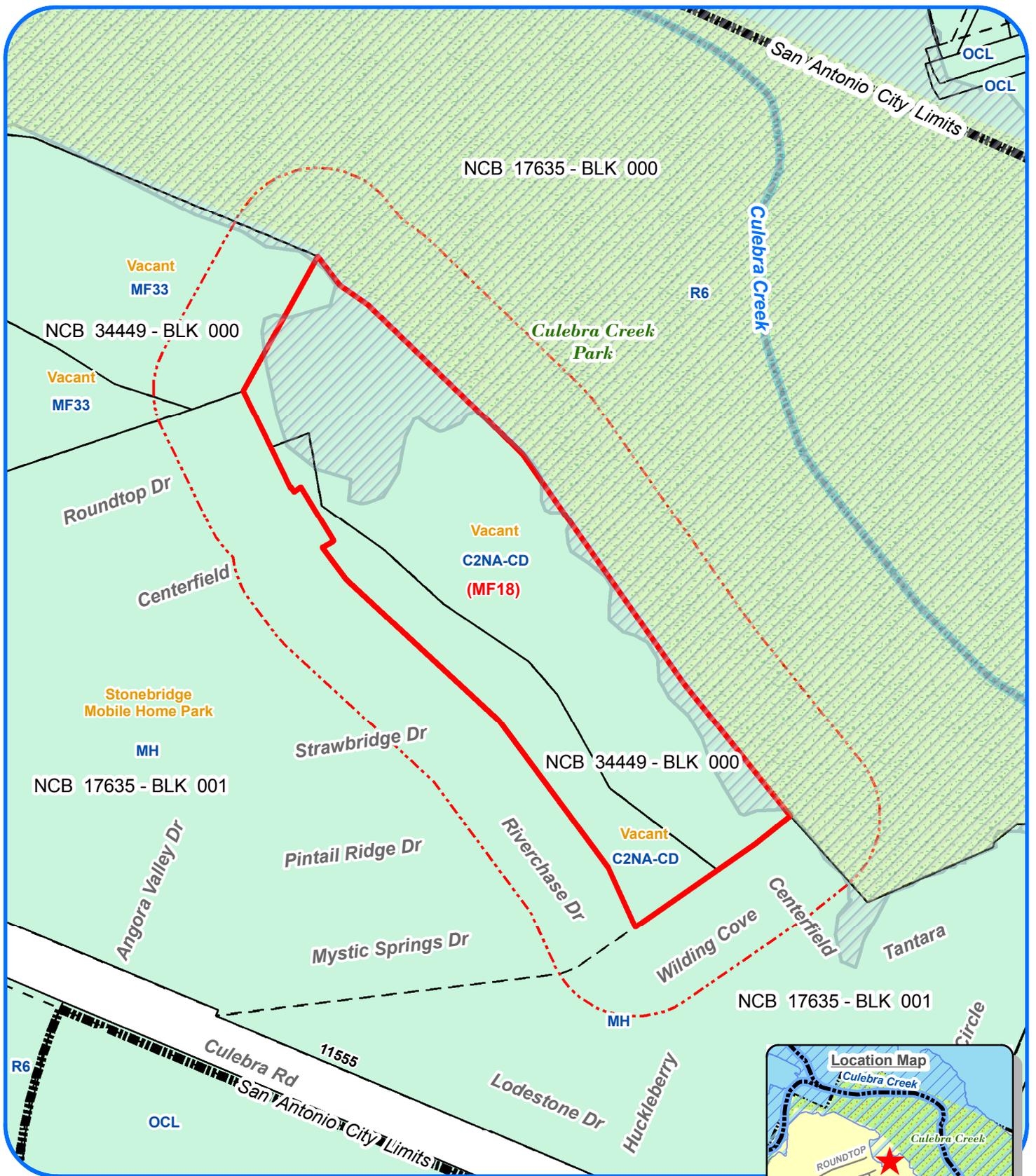
**OWNER'S ACKNOWLEDGMENT**  
 GUILLERMO O. SILLAZAR THE PROPERTY OWNER, ACKNOWLEDGE THAT THIS SITE PLAN SUBMITTED FOR THE PURPOSES OF RELYING THIS PROPERTY IS IN ACCORDANCE WITH ALL APPLICABLE PROVISIONS OF THE UNIFIED DEVELOPMENT CODE. ADDITIONALLY, I UNDERSTAND THAT CITY COUNCIL APPROVAL OF A SITE PLAN IN CONJUNCTION WITH A RESTORING C.U.F.C.'S NOT RELIEVE ME FROM ADHERENCE TO ANY/ ALL CITY-ADOPTED CODES AT THE TIME OF THE PLAN SUBMITTAL FOR BUILDING PERMITS.

STATE OF TEXAS  
 COUNTY OF BEXAR:  
 I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION, AND THAT THERE ARE NO VISIBLE EASEMENTS OR ENCROACHMENTS OF BUILDINGS ON ADJOINING PROPERTY AND THAT ALL BUILDINGS ARE WHOLLY LOCATED ON THIS PROPERTY EXCEPT AS SHOWN ABOVE.  
 SURVEYED ON THIS THE 26th DAY OF MARCH, 2013 A.D.

Ramon M. Ruiz, RPLS #3976

**PLAT SHOWING**  
 2.8876 ACRES LOT 7, N.C.B. 17946, LIVE OAK ESTATES, CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, DEED AND PLAT RECORDED IN VOL. 2222, PG. 159, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS.

RAS NO. 2012-045



## Zoning Case Notification Plan

### Case Z-2013-076

Council District: 6

Scale: 1" approx. = 300 Feet

Subject Property Legal Description(s): NCB 34449 - BLK 000 - LOT Portions of 19G, P-19E, P-60B, P-11

#### Legend

- Subject Properties (15.530 Acres)
- 200' Notification Area
- Current Zoning **TEXT**
- Requested Zoning Change **(TEXT)**
- 100-Year DFIRM Floodplain
- Single Family Residential **1R**



Development Services Dept  
City of San Antonio  
(02/18/2013 - R Martinez)



# City of San Antonio

## Development Services Department

### Staff Report

To: Zoning Commission  
Zoning Case #: Z2013076  
Hearing Date: April 16, 2013  
Property Owner: Culebra 46, L.P. (Kenneth E. Saunders, Manager)  
Applicant: Culebra 46, L.P. (Kenneth E. Saunders, Manager)  
Representative: Brown & Ortiz, P.C. (James Griffin)  
Location: Culebra Road at Lone Star Parkway  
Legal Description: 15.53 acres out of NCB 17635, NCB 34449, and NCB 34450  
Total Acreage: 15.53  
City Council District: 6  
Case Manager: Pedro Vega, Planner  
Case History: This is the first public hearing for this zoning case.

#### **Proposed Zoning Change**

**Current Zoning:** "C-2NA CD" Commercial Nonalcoholic Sales District with a Conditional Use for a Mini Warehouse exceeding 2.5 acres

**Requested Zoning:** "MF-18" Limited Density Multi-Family District

#### **Procedural Requirements**

The request was publicly noticed in accordance with Section 403 of the Unified Development Code (UDC). The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on March 29, 2013. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on April 3, 2013. Additionally, notice of this meeting was posted at city hall and on the city's internet website on April 12, 2013, in accordance with Section 551.043(a) of the Texas Government Code.

#### **Notices Mailed**

**Owners of Property within 200 feet:** 8

**Neighborhood Associations:** None

**Planning Team Members:** 35 (West/Southwest Sector Plan)

**Applicable Agencies:** City of San Antonio Parks & Recreation Department

## **Property Details**

**Property History:** The subject property was annexed in 2000. The property was originally zoned "Temp R-1" Temporary Single Family Residence District, "B-3" Business District, and "R-4" Manufactured Home Residence District. Upon adoption of the 2001 Unified Development Code, the previous base zoning districts converted to "R-6" Residential Single-Family District, "C-3" General Commercial District, and "MH" Manufacturing Housing District, respectively. In a 2008 zoning case, the property was rezoned to "C-2NA CD" Commercial Nonalcoholic Sales District with a Conditional Use for a Mini Warehouse exceeding 2.5 acres. The property is undeveloped and unplatted.

**Topography:** The property does not include any abnormal physical features such as significant slope. However, small portions of the site near the northeast property line appear to be in the 100 year flood plain.

## **Adjacent Zoning and Land Uses**

**Direction:** Northeast

**Current Base Zoning:** "R-6"

**Current Land Uses:** Culebra Creek Park

**Direction:** Northwest

**Current Base Zoning:** "MF-33"

**Current Land Uses:** Undeveloped Land

**Direction:** Southwest and Southeast

**Current Base Zoning:** "MH"

**Current Land Uses:** Mobile Home Park

## **Transportation**

**Thoroughfare:** Culebra Road

**Existing Character:** Primary Arterial Type A; two lanes in each direction with sidewalks and median for control of right and left turns.

**Proposed Changes:** None known.

**Public Transit:** The nearest VIA bus line is the 660, which operates along Culebra Road and Westwood Loop, southeast of the subject property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) study will be required; however the study may be deferred to the permitting phase of the project.

**Parking Information:** Multi-Family Dwellings - Minimum Parking Requirement: 1.5 per unit. Maximum Parking Requirement: 2 per unit.

## **Staff Analysis and Recommendation: Approval.**

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

### **1. Consistency:**

The property is located within the West/Southwest Sector Plan, and is currently designated as Suburban Tier in the Future Land Use component of the plan. Suburban Tier provides for a range of residential densities, from single-family to multi-family. The requested "MF-18" Limited Density Multi-Family District is consistent with the Future Land Use designation.

### **2. Adverse Impacts on Neighboring Lands:**

Granting of the "MF-18" is not likely to have an adverse impact on the neighboring lands and appropriate for the area. The subject property is surrounded by soccer fields, a large mobile home park, and a public park. This area is in the process of revitalization and rezoning the property will encourage and promote the revitalization goals of the plan.

### **3. Suitability as Presently Zoned:**

Both the current "C-2NA CD" and proposed "MF-18" districts are consistent with the adopted land use plan. Eliminating the possibility of commercial land uses between residential uses and the public park would lessen potential negatives impacts, such as lighting and noise generated by future commercial development on the subject property.

### **4. Health, Safety and Welfare:**

Staff has found no indication of likely adverse effects on the public health, safety, or welfare. The requested "MF-18" zoning district is compatible with the residential character of the adjacent manufactured homes along Culebra Road and immediate proximity to Culebra Creek Park.

### **5. Public Policy:**

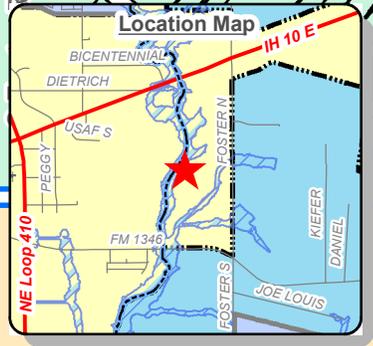
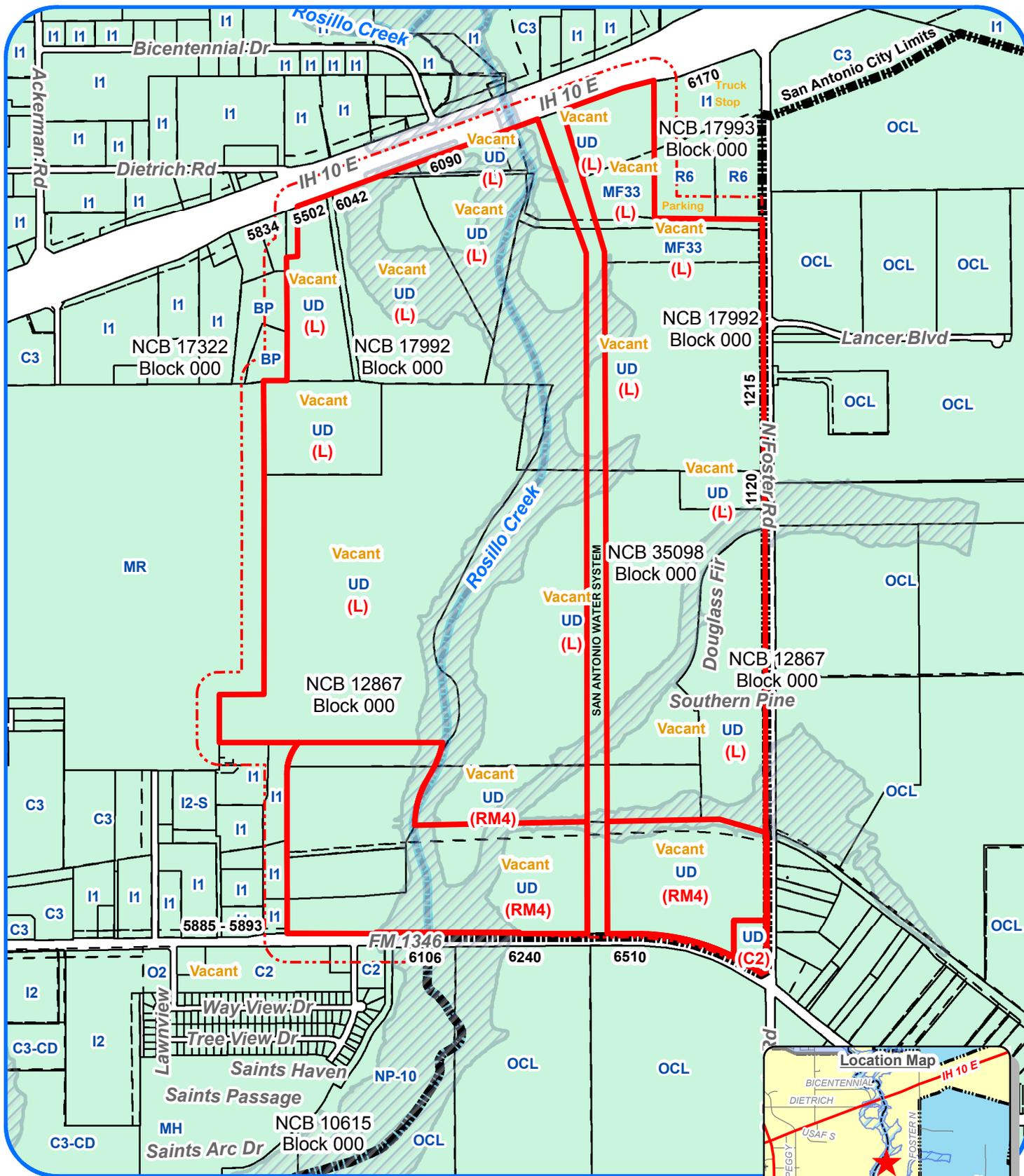
The request does not appear to conflict with any public policy objective. Goal HOU-1 of the West/Southwest Sector Plan: Provide a range of housing types and prices to accommodate all residents within the Sector and within the same neighborhood.

### **6. Size of Tract:**

The subject property is 15.53 of an acre in size, which should be able to reasonably accommodate the proposed multi-family dwelling complex.

### **7. Other Factors:**

None.



## Zoning Case Notification Plan

### Case Z-2013-090

Council District: 2

Scale: 1" approx. = 1200 Feet

Subject Property Legal Description(s): NCB Portions of 12867, 17992, 17993, 17322, and 35098

#### Legend

- Subject Properties ——— (676.260 Acres)
- 200' Notification Area - - - - -
- Current Zoning **TEXT**
- Requested Zoning Change **(TEXT)**
- 100-Year DFIRM Floodplain
- Single Family Residential **1R**



Development Services Dept  
City of San Antonio  
(03/28/2013 - R.Martinez)

**Note: All Current and Requested Zoning includes AHOD (Airport Hazard Overlay District).**



# City of San Antonio

## Development Services Department

### Staff Report

To: Zoning Commission

Zoning Case #: Z2013090

Hearing Date: April 16, 2013

Property Owner: Rosillo Creek Development, Ltd. (by Jaime Arechiga, Manager of Rosillo Creek Management, LLC, General Partner)

Applicant: Jaime Arechiga

Representative: Jaime Arechiga

Location: Portions of the 6000-6100 Blocks of Interstate Highway 10 East, the 1100 Block of North Foster Road, and the 6100 Block of FM 1346

Legal Description: 676.26 acres out of NCB 12867, NCB 17992, NCB 17993, NCB 17322, and NCB 35098

Total Acreage: 676.26

City Council District: 2

Case Manager: Pedro Vega, Planner

Case History: This is the first public hearing for this zoning request.

### **Proposed Zoning Change**

**Current Zoning:** "UD AHOD" Urban Development Airport Hazard Overlay District and "MF-33 AHOD" Multi-Family Airport Hazard Overlay District

**Requested Zoning:** "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District on 114.938 acres, "C-2 AHOD" Commercial Airport Hazard Overlay District on 2.8 acres, and "L AHOD" Light Industrial Airport Hazard Overlay District on 558.522 acres

### **Procedural Requirements**

The request was publicly noticed in accordance with Section 403 of the Unified Development Code (UDC). Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on April 3, 2013. The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on March 29, 2013. Additionally, notice of this meeting was posted at city hall and on the city's internet website on April 12, 2013, in accordance with Section 551.043(a) of the Texas Government Code.

### **Notices Mailed**

**Owners of Property within 200 feet:** 40

**Neighborhood Associations:** None

**Planning Team Members:** 29 (IH-10 East Corridor Perimeter Plan)

**Applicable Agencies:** None

## **Property Details**

**Property History:** Portions of the 676.26 acre tract were annexed in 1964, 1992 and 2000; the entire tract was originally zoned “Temp-R1” Temporary Single-Family District. In 1986 and 1987 zoning cases, the 676.26 acre tract was rezoned to “R-4” Mobile Home Residence District, “B-3” Business District and “I-1” Light Industry District. Upon adoption of the 2001 Unified Development Code, the previous base zoning districts converted to “MH” Manufactured Housing District, “C-3” General Commercial District and “I-1” General Industrial District, respectively. In a 2004 case, 462.69 acres was rezoned to “R-5” Residential Single-Family District, “MF-33” Multi-Family District and “C-2” Commercial District. In a 2006 case, the majority of the property was rezoned to the current "UD" Urban District.

**Topography:** The 676.26 acre tract is relatively flat and has physical characteristics that are likely to affect development. The overall scale of any development will be somewhat limited due to the presence of Rosillo Creek and the resulting flood plain.

## **Adjacent Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** “R-6” and “I-1”

**Current Land Uses:** Vacant Land, Parking, Truck Stop and Freeway

**Direction:** West

**Current Base Zoning:** “C-3”, “BP”, “I-1” and “MR”

**Current Land Uses:** Vacant Land, Goodyear Tires, Auto Salvage, Industrial Park and Military Base

**Direction:** East across North Foster Road

**Current Base Zoning:** Outside City Limits

**Current Land Uses:** Single-Family Dwellings, Vacant Land and Industrial Businesses

**Direction:** South across FM 1364

**Current Base Zoning:** Outside City Limits, “C-2” and “NP-10”

**Current Land Uses:** Vacant Land and Single-Family Dwellings

## **Transportation**

**Thoroughfare:** Interstate Highway 10 East

**Existing Character:** Freeway 250 feet-500 feet; two lanes in each direction with access roads

**Proposed Changes:** None known.

**Thoroughfare:** North Foster Road

**Existing Character:** Secondary Arterial Type A; one lane in each direction.

**Proposed Changes:** None known.

**Thoroughfare:** FM 1364

**Existing Character:** Secondary Arterial Type A; one lane in each direction and two lanes in each direction with a center turn lane

**Proposed Changes:** None known.

**Public Transit:** The nearest VIA bus line is the number 25, which operates along FM 1364 to Regal View near the 676.26 acre site.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is required, but can be deferred to the platting or permitting phase. A traffic engineer must be present at the Zoning Commission hearing.

**Parking Information:** The zoning request generally refers to proposed residential, commercial and light industrial uses. Parking requirements are determined by use and, often, by size of the development; therefore, staff cannot calculate future parking requirements for the 676.26 acre tract. However, the property as a whole is of sufficient size to accommodate development and parking.

## **Staff Analysis and Recommendation: Approval**

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

### **1. Consistency:**

The 676.26 acre tract is located within the IH-10 East Corridor Perimeter Plan, and is identified as Business Park, Medium Density Residential and Community Commercial in the Future Land Use component of the Plan. The requested zoning districts are consistent with the Future Land Use designations. The adopted land use designations are the result of a plan amendment request that was approved by City Council on March 21, 2013, which was meant to accommodate the requested zoning change.

### **2. Adverse Impacts on Neighboring Lands:**

Granting of the zoning request is not likely to have an adverse impact on the neighborhood Lands. The area surrounding the 676.26 acre tract is compatible with the range of proposed land uses and should have minimal impact on adjacent properties.

### **3. Suitability as Presently Zoned:**

Both the current and requested zoning districts are appropriate for the 676.26 acre tract. The property will be served by Interstate Highway 10 East to the north, North Foster Road to the east and FM 1346 to the south and is in close proximity to Loop 410 to the west.

### **4. Health, Safety and Welfare:**

Staff has found no indication of likely adverse effects on the public health, safety, or welfare. The 676.26 acre tract is undeveloped land and is surrounded by a mix of uses and zoning districts. Staff has some concerns with the zoning request placing light industrial zoning in close proximity to residential zoning. However, development standards such as building setbacks and landscape buffers, as well as the creek and natural topography of the property should serve to mitigate the impacts of more intense uses on neighboring residences.

### **5. Public Policy:**

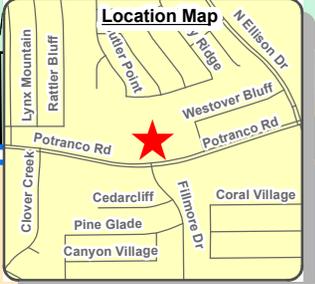
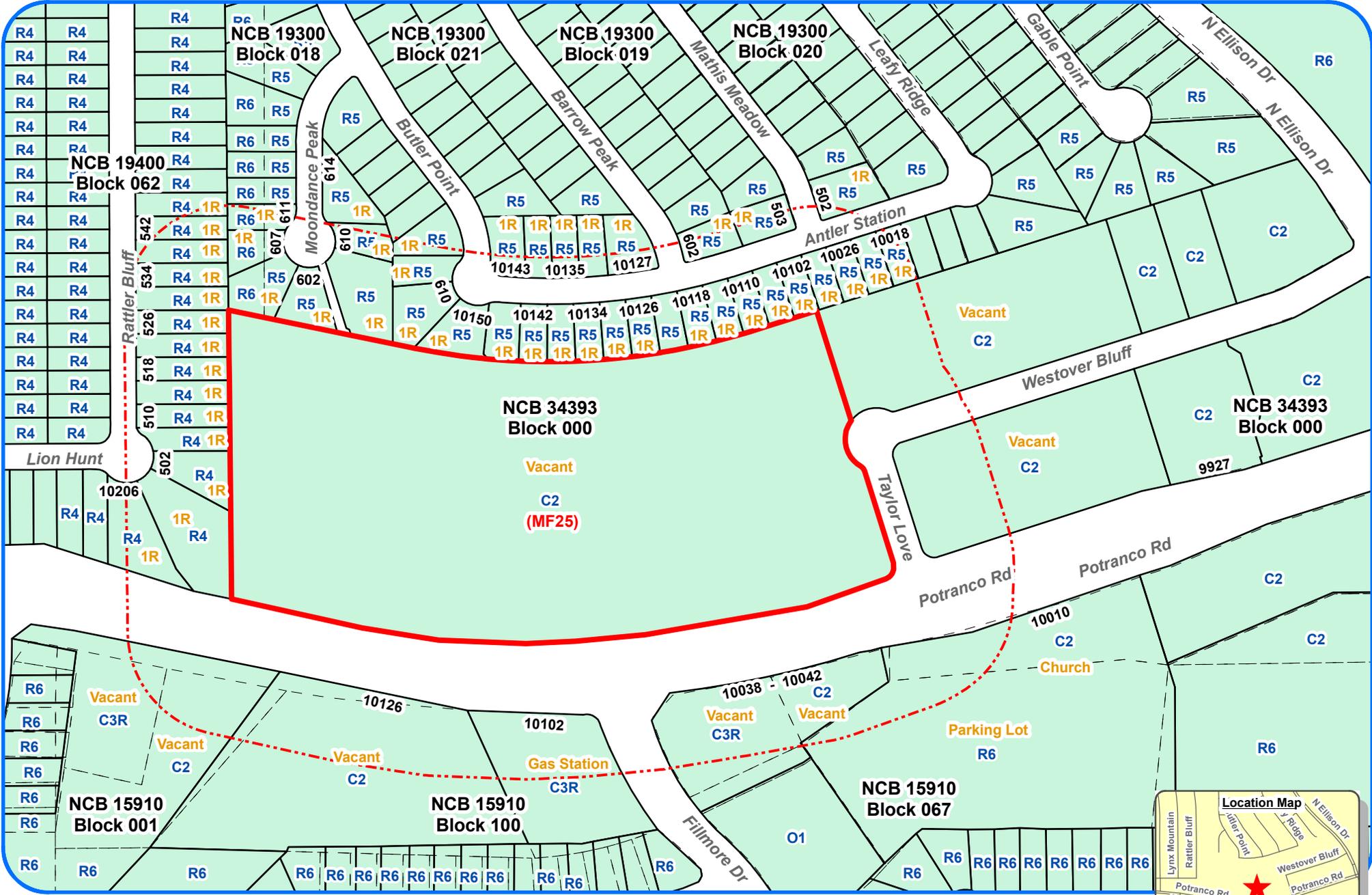
The proposed "RM-4" Residential Mixed District, "C-2" Commercial District and "L" Light Industrial District would meet the IH-10 East Corridor Perimeter Plan objective of promoting economic growth in the area and enhancing the diversity of the area's land uses.

### **6. Size of Tract:**

The subject property is 676.26 acres in size, which should be able to reasonably accommodate the proposed development.

### **7. Other Factors:**

None.



**Zoning Case Notification Plan**  
**Case Z-2013-100**

Council District 4  
 Scale: 1" approx. = 250 Feet  
 Subject Property Legal Description(s): NCB 34393 - BLK 000 - LOT P-9

**Note: All Current and Requested Zoning includes AHOD (Airport Hazard Overlay District).**

**Legend**

- Subject Properties (15.110 Acres) ————
- 200' Notification Area - - - - -
- Current Zoning **TEXT**
- Requested Zoning Change **(TEXT)**
- 100-Year DFIRM Floodplain [Hatched Box]
- Single Family Residential **1R**



# City of San Antonio

## Development Services Department

### Staff Report

To: Zoning Commission

Zoning Case #: Z2013100

Hearing Date: April 16, 2013

Property Owner: Westover Hills Properties, L. P. (aka West Hills Properties, L. P.), by Westover Hills Development, Inc. (its GP), by Robert Geringer, President

Applicant: Westover Hills Properties, L.P. (aka West Hills Properties, L.P.) (by Robert Geringer, President of Westover Hills Development, Inc., General Partner)

Representative: Brown & Ortiz, P.C. (James Griffin)

Location: A portion of the 10000 Block of Potranco Road

Legal Description: 15.11 acres out of Parcel 9, NCB 34393

Total Acreage: 15.11

City Council District: 4

Case Manager: Osniel Leon, Planner

Case History: This is the first public hearing for this zoning case.

### Proposed Zoning Change

**Current Zoning:** "C-2 AHOD" Commercial Airport Hazard Overlay District

**Requested Zoning:** "MF-25 AHOD" Low Density Multi-Family Airport Hazard Overlay District

### Procedural Requirements

The request was publicly noticed in accordance with Section 403 of the Unified Development Code (UDC). The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on March 29, 2013. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on April 3, 2013. Additionally, notice of this meeting was posted at city hall and on the city's internet website on April 12, 2013, in accordance with Section 551.043(a) of the Texas Government Code.

### Notices Mailed

**Owners of Property within 200 feet:** 57

**Neighborhood Associations:** None

**Planning Team Members:** 35 - West/Southwest Sector Plan

**Applicable Agencies:** None

## **Property Details**

**Property History:** The subject property is undeveloped. The subject property was annexed in 2000 and was originally zoned "Temp R-1" Temporary Single-Family Residence District. Upon adoption of the 2001 Unified Development Code, the previous base zoning districts converted to "R-6" Residential Single-Family District. In a 2002 large-area case, the site was rezoned to the current "C-2" Commercial District. The property is not platted.

**Topography:** The property does not include any abnormal physical features such as slope or inclusion in a floodplain.

## **Adjacent Zoning and Land Uses**

**Direction:** North and West

**Current Base Zoning:** "R-5", "R-4"

**Current Land Uses:** Single-family residences

**Direction:** South and East

**Current Base Zoning:** "C-3R", "C-2", "R-6"

**Current Land Uses:** Undeveloped land, gas station, parking lot, church

**Overlay and Special District Information:** All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

## **Transportation**

**Thoroughfare:** Potranco Road

**Existing Character:** Primary Arterial Type A 120'; 2 lanes in each direction with sidewalks and a center turn lane

**Proposed Changes:** None known

**Thoroughfare:** Taylor Love and Westover Bluff

**Existing Character:** Local Streets; 1 way in each direction with no sidewalks

**Proposed Changes:** None known

**Public Transit:** The nearest VIA bus line is the number 620 line, which operates along Potranco Road.

**Traffic Impact:** The Traffic Impact Analysis has been waived for the zoning change request. A Traffic Impact Analysis will be required at platting or permitting. A traffic engineer familiar with the project must be present at the zoning commission meeting.

**Parking Information:** Multi-Family Dwellings - Minimum Parking Requirement: 1.5 per unit. Maximum Parking Requirement: 2 per unit.

## **Staff Analysis and Recommendation: Approval, pending plan amendment**

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

### **1. Consistency:**

The subject property is located within the West/Southwest Sector Plan and is currently designated as “Suburban Tier” in the Future Land Use Plan. A plan amendment has been initiated to change the land use designation on the subject property to “General Urban Tier”. Planning Staff recommends approval. The Planning Commission continued the request to their April 24<sup>th</sup> public hearing. The zoning case will need to be continued, in accordance with Section 35-421(d)(1) of the UDC.

### **2. Adverse Impacts on Neighboring Lands:**

Multi-family development is appropriate for this location, as the property is located on the periphery of a single-family residential neighborhood. Additionally, medium density residential uses provide a suitable transition between single-family uses and major thoroughfare corridors that are likely to include commercial and high density multi-family uses.

### **3. Suitability as Presently Zoned:**

Both the existing and requested zoning districts are appropriate for the subject property. Staff believes the proposed use will be compatible with the surrounding land uses and overall character of the community.

### **4. Health, Safety and Welfare:**

Staff has found no indication of likely adverse effects on the public health, safety or welfare.

### **5. Public Policy:**

The request does not appear to conflict with any public policy objective should the land use plan be amended.

### **6. Size of Tract:**

The subject property is 15.11 of an acre in size, which should be able to reasonably accommodate the proposed multi-family dwelling complex.

### **7. Other Factors:**

None.



# Zoning Case Notification Plan

## Case Z-2013-102

Council District: 2  
 Scale: 1" approx. = 100 Feet  
 Subject Property Legal Description(s): NCB 00965 - BLK 000 - LOT 014

Legend	
Subject Properties	(0.149 Acres)
200' Notification Area	
Current Zoning	<b>TEXT</b>
Requested Zoning Change	<b>(TEXT)</b>
100-Year DFIRM Floodplain	
Single Family Residential	<b>1R</b>



Development Services Dept  
 City of San Antonio  
 (04/03/2013 - R.Martinez)

**Note: All Current and Requested Zoning includes AHOD (Airport Hazard Overlay District).**



# City of San Antonio Development Services Department Staff Report

To: Zoning Commission  
Zoning Case #: Z2013102  
Hearing Date: April 16, 2013  
Property Owner: R A Coker, LLC (by Robert A Coker, President)  
Applicant: Women's Comprehensive Clinic for Internal Medicine, PLLC (by Rosemary Castoreno, President and Sean Daly, Business Manager)  
Representative: Sean Daly  
Location: 1611 North Alamo Street  
Legal Description: Lot 14, NCB 965  
Total Acreage: 0.1492  
City Council District: 2  
Case Manager: Trenton Robertson, Planner  
Case History: This is the first public hearing for this zoning case.

## **Proposed Zoning Change**

**Current Zoning:** "MF-33 HS RIO-2 UC-2 AHOD" Multi-Family Historic Significant River Improvement Overlay-2 Broadway Urban Corridor Airport Hazard Overlay District and "MF-33 HS RIO-2 AHOD" Multi-Family Historic Significant River Improvement Overlay-2 Airport Hazard Overlay District

**Requested Zoning:** "C-1 HS RIO-2 UC-2 AHOD" Light Commercial Historic Significant River Improvement Overlay-2 Broadway Urban Corridor Airport Hazard Overlay District and "C-1 HS RIO-2 AHOD" Light Commercial Historic Significant River Improvement Overlay-2 Airport Hazard Overlay District

## **Procedural Requirements**

The request was publicly noticed in accordance with Section 403 of the Unified Development Code (UDC). The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on March 29, 2013. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on April 3, 2013. Additionally, notice of this meeting was posted at city hall and on the city's internet website on April 12, 2013, in accordance with Section 551.043(a) of the Texas Government Code.

## **Notices Mailed**

**Owners of Property within 200 feet:** 21

**Neighborhood Associations:** Government Hill Alliance; the Downtown Residents Association is located within 200 feet.

**Planning Team Members:** 10-Government Hill Neighborhood Plan

**Applicable Agencies:** City of San Antonio Office of Historic Preservation

## **Property Details**

**Property History:** The subject property is located within the city limits as recognized in 1938, and was originally zoned "D" Apartment District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "MF-33" Multi-Family District. The "HS" Historic Significant designation was adopted through a 1998 rezoning case. The subject property is located within the River Improvement Overlay-2 and the Broadway Urban Corridor districts. The subject property is developed with a residential structure measuring 2,585 square feet in size that was built in 1940.

**Topography:** The subject property does not include any abnormal physical features such as significant slope or inclusion in a flood plain.

## **Adjacent Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "MF-33", "C-3" and "I-1"

**Current Land Uses:** Auto repair, parking lot, office and vacant

**Direction:** South

**Current Base Zoning:** "C-3" and "I-1"

**Current Land Uses:** Parking lot, office, auto sales, art studio, apartments

**Direction:** East

**Current Base Zoning:** "MF-33" and "C-2"

**Current Land Uses:** Office and parking lot

**Direction:** West

**Current Base Zoning:** "I-1"

**Current Land Uses:** Office and limousine service

**Overlay and Special District Information:** All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

All surrounding properties carry the "RIO" River Overlay District, due to their proximity to the San Antonio River. The purpose of these districts is to establish regulations to protect, preserve and enhance the San Antonio River and its improvements by establishing design standards and guidelines.

## **Transportation**

**Thoroughfare:** North Alamo Street

**Existing Character:** Local; two lanes in each direction with partial sidewalks

**Proposed Changes:** None known

**Thoroughfare:** Casa Blanca

**Existing Character:** Local; one lane in each direction with sidewalks

**Proposed Changes:** None known

**Thoroughfare:** Broadway

**Existing Character:** Secondary Arterial Type B 70'-86'; two lanes in each direction with sidewalks

**Proposed Changes:** None known

**Public Transit:** VIA bus lines 9, 10, 14, 209 and 214 operates along Broadway Street, west of the subject property.

**Traffic Impact:** A TIA report is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** Service- Professional Office - Minimum Parking Requirement: 1 per 300 square-feet GFA. Maximum Parking Requirement: 1 per 140 square-feet GFA.

## **Staff Analysis and Recommendation: Approval**

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

### **1. Consistency:**

The property is located within the Government Hill Neighborhood Plan and is currently designated as Mixed-Use in the future land use component of the plan. The requested "C-1" base zoning district is consistent with the adopted land use designation.

### **2. Adverse Impacts on Neighboring Lands:**

Staff has found no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The subject property is within a neighborhood that has been established as a commercial center. The subject property is surrounded by a mix of commercial uses ranging from auto repair to an art studio. The proposed office use will not cause any additional adverse impacts on the neighboring lands.

### **3. Suitability as Presently Zoned:**

Both the current and requested zoning districts are appropriate for the subject property.

### **4. Health, Safety and Welfare:**

Staff has found no indication of likely adverse effects on the public health, safety, or welfare.

### **5. Public Policy:**

The request does not appear to conflict with any public policy objective

### **6. Size of Tract:**

The subject property is approximately 0.1492 acres in size, which should be able to reasonably accommodate the proposed professional office.

### **7. Other Factors:**

None.