CITY OF SAN ANTONIO
Zoning Commission Agenda

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

Tuesday, January 15, 2013
12:45 PM

ZONING COMMISSIONERS

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

1. **12:45 PM -** Work Session – discussion of policies and administrative procedures and any items for consideration on the agenda for January 15, 2013.

2. **1:00 P.M.** Board Room– Call to Order.

3. Roll Call.

4. Pledge of Allegiance.

5. Approval of the December 18, 2012 Zoning Commission Minutes.

6. **ZONING CASE NUMBER Z2012214 ERZD (Council District 8):** A request for a change in zoning from "MF-18 MLOD-1 AHOD ERZD" Limited Density Multi-Family Camp Bullis Military Lighting Overlay Airport Hazard Overlay Edwards Recharge Zone District to "C-2 MLOD-1 AHOD ERZD" Commercial Camp Bullis Military Lighting Overlay Airport Hazard Overlay Edwards Recharge Zone District on 6.366 acres out of NCB 17700 on a portion of the northwest corner of Northwest Military Highway and Loop 1604.

7. **ZONING CASE NUMBER Z2013008 S (Council District 5):** A request for a change in zoning from "HE H D AHOD" Historic Exceptional Downtown Cattleman Square Historic Airport Hazard Overlay District to "HE H C-2 S IDZ AHOD" Historic Exceptional Commercial Cattleman Square Historic Infill Development Zone Airport Hazard Overlay District with a Specific Use Authorization for a Bail Bond Agency on 0.309 of an acre out of NCB 284; 820, 824, 828, and 830 West Commerce Street.

8. **ZONING CASE NUMBER Z2012172 (Council District 9):** A request for a change in zoning from "R-4 NCD-6" Residential Single-Family Mahncke Park Neighborhood Conservation District to "MF-33 NCD-6" Multi-Family Mahncke Park Neighborhood Conservation District on Lots 27, 28, 29 and 30, Block 3, NCB 6229, 149 and 153 Perry Court and 152 and 156 Burr Road.

9. **ZONING CASE NUMBER Z2012225 (Council District 1):** A request for a change in zoning from "MF-33 AHOD" Multi-Family Airport Hazard Overlay District to "C-1 AHOD" Light Commercial Airport Hazard Overlay District on Lots 33A and 34A, the east 10 feet of the north 92.8 feet of Lot 32A, and the north 29 feet of Lot 35A, Block 19, NCB 2083, 1623 North Sabinas.

10. **ZONING CASE NUMBER Z2013030 (Council District 1):** A request for a change in zoning from "MF-33 AHOD" Multi-Family Airport Hazard Overlay District and "C-3 AHOD" General Commercial Airport Hazard Overlay District to "MF-65 IDZ AHOD" Urban Multi-Family Infill Development Zone Airport Hazard Overlay District on Lots 3, 4, 5, 6 and 14, Block 3, NCB 1726; 211, 215, 219 East Courtland Place, 2003 and 2011 McCullough Avenue.

11. **ZONING CASE NUMBER Z2013036 (Council District 2):** A request for a change in zoning from "RM-4" Residential Mixed District to "C-2" Commercial District on Lots 10 and 11, Block 2, NCB 12892 on a portion of 4734 Rigsby Avenue.

12. **ZONING CASE NUMBER Z2013037 S (Council District 3):** A request for a change in zoning from "C-2NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District to "C-2 S AHOD" Commercial Airport Hazard Overlay District with a Specific Use Authorization for Party House/Reception Hall/Meeting Facilities on Lots 33, 34, 35 and 36, Block 24, NCB 7712, 5608 and 5614 South Flores Street.

13. **ZONING CASE NUMBER Z2013038 (Council District 7):** A request for a change in zoning from "C-2NA H AHOD" Commercial Nonalcoholic Sales Monticello Park Historic Airport Hazard Overlay District to "C-1 IDZ H AHOD" Light Commercial Infill Development Zone Monticello Park Historic Airport Hazard Overlay District on 0.142 of an acre out of Lot 1, Block 1, NCB 6692, 1921 Fredericksburg Road.

14. **ZONING CASE NUMBER Z2013039 CD (Council District 4):** 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 a Funeral Home on Lot 1, Block 14, NCB 15505, 251 Altitude Drive.

15. **ZONING CASE NUMBER Z2013041 S (Council District 1):** A request for a change in zoning from "FBZ T5-1 RIO-2 AHOD" Form Base Zone Transect Zone 5-1 River Improvement Overlay-2 Airport Hazard Overlay District to "FBZ T5-1 S RIO-2 AHOD" Form Base Zone Transect Zone-1 River Improvement Overlay-2 Airport Hazard Overlay District with a Specific Use Authorization for a Primary Use Parking Lot on Lot 1, Block 26, NCB 783, 201 Arden Grove.

16. **ZONING CASE NUMBER Z2013043 (Council District 1):** A request for a change in zoning from "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District on Lot 13, Block 4, NCB 830, 923 East Elmira Street.

17. **ZONING CASE NUMBER Z2013044 (Council District 2):** A request for a change in zoning from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-1 IDZ AHOD" Light Commercial Infill Development Zone Airport Hazard Overlay District on Lot 19, Block 6, NCB 3138, 404 Stafford.

18. **ZONING CASE NUMBER Z2013047 (Council District 8):** A request for a change in zoning from "R-5 MLOD-1" Residential Single-Family Camp Bullis Military Lighting Overlay District, "R-5" Residential Single-Family District, "MF-25" Low Density Multi-Family District, and "C-2" Commercial District to "R-5" Residential Single-Family District, "MF-18" Limited Density Multi-Family District, and "MF-18 MLOD-1" Limited Density Multi-Family Camp Bullis Military Lighting Overlay District on 68.022 acres out of NCB 14861 on a portion of the 6700 Block of Babcock Road.

19. **ZONING CASE NUMBER Z2013048 (Council District 2):** A request for a change in zoning from "O-2 AHOD" High-Rise Office Airport Hazard Overlay District to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "MF-33" Multi-Family District and "C-2" Commercial District on 0.078 of an acre out of Block 2, NCB 982, 516 East Grayson Street.

20. **ZONING CASE NUMBER Z2013050 (Council District 5):** A request for a change in zoning from "MF-33 IDZ AHOD" Multi-Family Infill Development Zone Airport Hazard Overlay District to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with Multi-Family uses not to exceed 68 units per acre on Lots A7, A8 and A9, Block 100, NCB 273, 325 Colima Street.

21. **ZONING CASE NUMBER Z2013051 CD (Council District 8):** A request for a change in zoning from "MPCD GC-1 MLOD-1" Master Planned Community Hill Country Gateway Corridor Camp Bullis Military Lighting Overlay District to "C-2 CD GC-1 MLOD-1" Commercial Hill Country Gateway Corridor Camp Bullis Military Lighting Overlay District with a Conditional Use for Motor Vehicle Sales (Full Service) on 10.8 acres out of NCB 14858, on a portion of the 15000 Block of Interstate Highway 10 West.

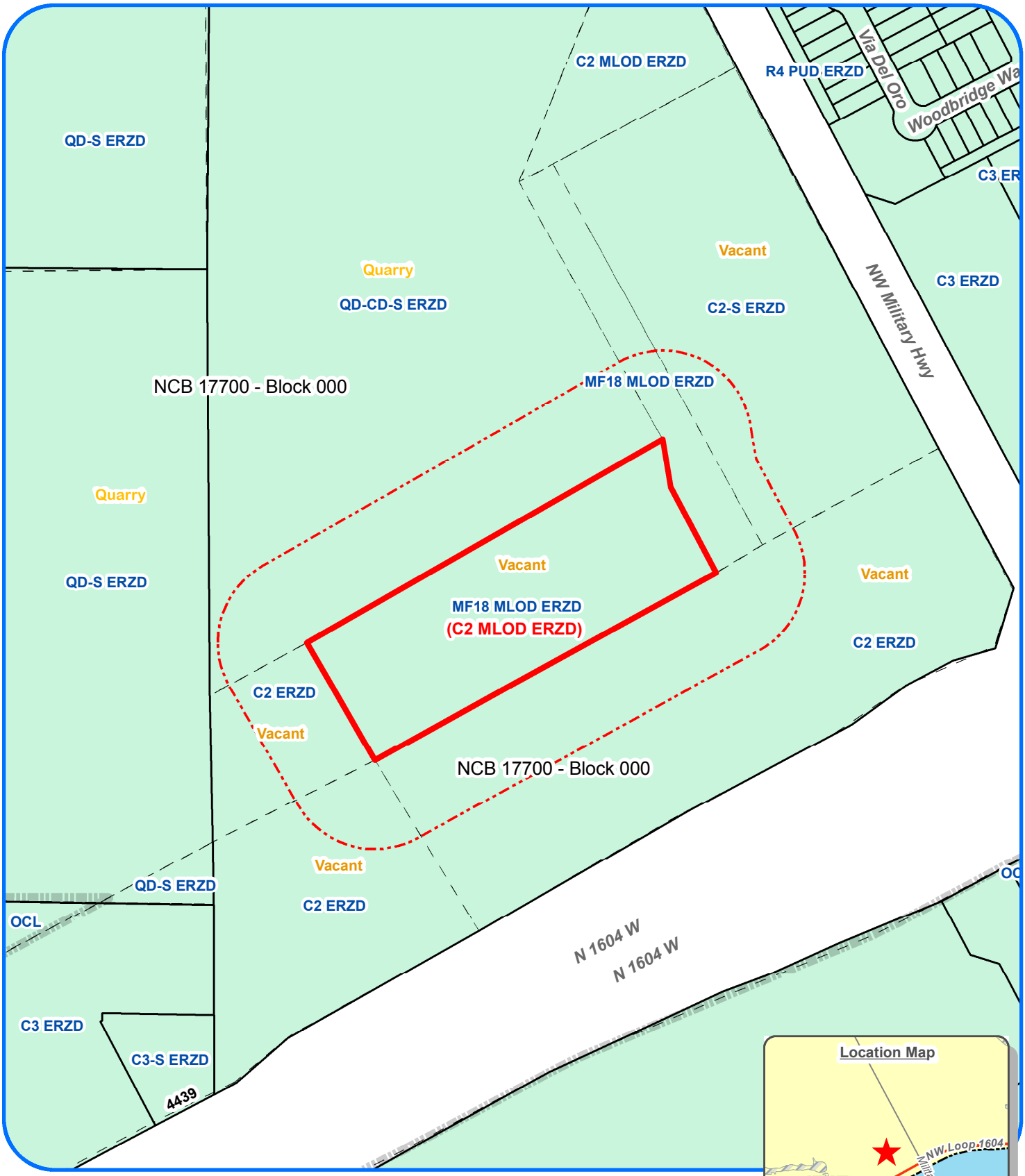
22. **ZONING CASE NUMBER Z2013052 (Council District 6):** A request for a change in zoning from "C-3NA GC-2 MAOZ-2 AHOD" General Commercial Nonalcoholic Sales Highway 151 Gateway Corridor Military Airport Overlay Zone-2 Airport Hazard Overlay District, "C-3 GC-2 MAOZ-2 AHOD" General Commercial Highway 151 Gateway Corridor Military Airport Overlay Zone-2 Airport Hazard Overlay District, "I-1 MAOZ-2 AHOD" General Industrial Military Airport Overlay Zone-2 Airport Hazard Overlay District, "I-1 GC-2 AHOD" General Industrial Highway 151 Gateway Corridor Airport Hazard Overlay District, and "I-1 GC-2 MAOZ-2 AHOD" General Industrial Highway 151 Gateway Corridor Military Airport Overlay Zone-2 Airport Hazard Overlay District to "C-3 MAOZ-2 AHOD" General Commercial Military Airport Overlay Zone-2 Airport Hazard Overlay District, "C-3 GC-2 AHOD" General Commercial 151 Gateway Corridor Airport Hazard Overlay District, and "C-3 GC-2 MAOZ-2 AHOD" General Commercial Highway 151 Gateway Corridor Military Airport Overlay Zone-2 Airport Hazard Overlay District on Lot 22, Block 6, NCB 11379, 5707 State Highway 151.

23. **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.

24. **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-2012-214

Council District 8

Scale: 1" approx. = 300 Feet

Legend

Subject Properties	(6.366 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
(10/02/2012 - R Martinez)

Subject Property Legal Description(s): NCB 17700 BLK LOT P-16 "ROGERS TRACT" ANNEXATION

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 #:	Z2012214 ERZD
Hearing Date:	January 15, 2013
Property Owner:	Rogers 1604 Commercial, Ltd. (by Lloyd A. Denton, Jr., President)
Applicant:	Rogers 1604 Commercial, Ltd. (by Lloyd A. Denton, Jr., President)
Representative:	Brown & Ortiz, P.C. (c/o James Griffin)
Location:	A portion of the northwest corner of Northwest Military Highway and Loop 1604
Legal Description:	6.366 acres out of NCB 17700
Total Acreage:	6.366
City Council District:	8
Case Manager:	Timothy Mulry, Planner
Case History:	This is the first public hearing for this zoning request.

Proposed Zoning Change

Current Zoning: "MF-18 MLOD-1 AHOD ERZD" Limited Density Multi-Family Camp Bullis Military Lighting Overlay Airport Hazard Overlay Edwards Recharge Zone District

Requested Zoning: "C-2 MLOD-1 AHOD ERZD" Commercial Camp Bullis Military Lighting Overlay Airport Hazard Overlay Edwards Recharge Zone 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 December 21, 2012. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on January 2, 2013. Additionally, notice of this meeting was posted at city hall and on the city's internet website on January 11, 2013, in accordance with Section 551.043(a) of the Texas Government Code.

Notices Mailed

Owners of Property within 200 feet: 1

Neighborhood Associations: None

Planning Team Members: 40 (North Sector Plan)

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

Property Details

Property History: The subject property was annexed in 1985 and was originally zoned "Temp R-1" Temporary Single-Family Residence District. In a 1998 case, the property was rezoned to "QD CC" Quarry District with City Council approval for Blasting and Asphaltic Concrete. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to "QD CD S" Quarry District with a Conditional Use and a Specific Use Authorization for Blasting and Asphaltic Concrete. In a 2011 case, the subject property was rezoned to "MF-18" Limited Density Multi-Family District. The property is currently undeveloped.

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

Adjacent Zoning and Land Uses

Direction: North, West
Current Base Zoning: "QD CD S" with a conditional use and a specific use authorization for blasting and asphaltic concrete, "C-3"
Current Land Uses: Quarry

Direction: South, East
Current Base Zoning: "C-2", "C-3", "R-4 PUD"
Current Land Uses: Commercial uses, single-family residences, vacant land

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.

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 Loop 1604 West
Existing Character: Freeway; 8 lanes
Proposed Changes: None known

Thoroughfare: Northwest Military Highway
Existing Character: Primary Arterial Type A; 2 lanes in each direction
Proposed Changes: None known

Public Transit: The nearest VIA bus line is the 97, which operates along Northwest Military Highway.

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 retail commercial uses. Parking requirements are determined by the use and, often, size of the development. Therefore, staff cannot calculate future parking requirements for the subject property. However, the property as a whole is of sufficient size to accommodate a commercial structure and parking. The requested zoning district does not carry specific locational requirements for 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 property is located within the North Sector Plan and is currently designated as Suburban Tier in the future land use section of the plan. The Suburban Tier designation calls for retail services such as service stations, professional offices, restaurants, supermarkets, clinics, and hotels. The zoning request is consistent with the future land use designation.

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

   The requested zoning is an expansion of the current "C-2" located at the corner of the intersection of Northwest Military Highway and North Loop 1604. Staff finds no likely adverse impacts on neighboring lands as medium intensity commercial zoning is most appropriate along arterials or major thoroughfares.

3. **Suitability as Presently Zoned:**

   The existing zoning is not appropriate for the subject property. The property is directly adjacent to the Martin-Marrietta quarry, which currently has a specific use authorization and a conditional use for blasting and asphaltic concrete. Multi-family development directly adjacent to the current egress/ingress of the quarry as well as the typical noise, dust and large truck traffic generated by a quarry operation could have negative impacts on any proposed multi-family development.

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

   Staff has found no likely significant affects on the health, safety and welfare of the surrounding community.

5. **Public Policy:**

   The request does not appear to conflict with any public policy objective. The request is consistent with the North Sector Plan.

6. **Size of Tract:**

   The subject property is 6.366 acres in size, and is large enough to accommodate uses permitted in the "C-2"district.

7. **Other Factors:**

   SAWS identifies the subject property as a Category 2 property. SAWS staff recommends approval of the zoning request, provided that the impervious cover shall not exceed 50% on the site.

   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, the zoning request was not provided to the Military for review or comment because the subject property is less than 10 acres in size and does not abut the military installation.

SAN ANTONIO WATER SYSTEM
Interdepartment Correspondence Sheet

RECEIVED
12 DEC -7 PM 1:32
LAND DEVELOPMENT SERVICES DIVISION

To: Zoning Commission Members

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

Copies To: Mike Barr, Environmental Protection Specialist III, Aquifer Protection & Evaluation Section, File

Subject: Zoning Case Z2012214 (NW Military and Loop 1604 Commercial)

Date: December 7, 2012

SUMMARY

A request for a change in zoning has been made for an approximate 6.366-acre tract located on the city's north side. A change in zoning from **MF-18 ERZD MLOD-1 AHOD to C-2 ERZD MLOD-1 AHOD** is being requested by the applicant, Rogers 1604 Commercial, Ltd. The change in zoning has been requested to allow for commercial operations within a retail development. The property is classified as Category 2 property.

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

LOCATION

The subject property is located in City Council District 8, northwest of the intersection of NW Military 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 MF-18 ERZD MLOD-1 AHOD to C-2 ERZD MLOD-1 AHOD and will allow for the construction of a commercial retail development. Currently the site is undeveloped and covered in native vegetation.

2. Surrounding Land Uses:

A commercial quarry operation lies along the western and northern edges of the subject tract, with retail properties adjacent to the east. Loop 1604 and a convenience store with gasoline station and vacant undeveloped land lies south of the subject tract. Retail properties lie east of the tract.

3. Water Pollution Abatement Plan:

The Water Pollution Abatement Plan (WPAP) for Martin Marrietta Materials Rogers Ranch Modification was approved by the Texas Commission on Environmental Quality (TCEQ) on September 3, 1999. According to the geologic assessment in the WPAP, no sensitive geologic features were located on the site. A new WPAP for the proposed commercial development will be required prior to approval of the building permit.

4. Geologic Conditions:

The Resource Protection Division of the San Antonio Water System conducted a site evaluation on September 17, 2012, of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS Environmental Geologist, Mr. Bruce Keels, P.G., was present during the site evaluation.

A. The subject site was observed as undeveloped property, 6.366 acres in area, and as a subparcel to an existing rock quarrying operation. The subject property was observed to be vacant and heavily vegetated throughout.

Moderate exposure of bedrock was observed throughout the subject site. Soil cover within the site appeared to be few to several inches thick, with most observed rock exposure consisting of detached float rock, with varying amounts of fractured and unfractured bedrock. A mapped fault was identified along the northern boundary of the subject site, but no surface exposure was noted. Moderate amounts of dumped fill material were observed within the site. A manmade drainage feature was noted to the north of the subject site draining into the adjacent quarry pit area. No significant geologic features were observed within the property boundaries.

The site appeared to slope gently to the south and west. Stormwater occurring on the subject site, after being treated, would drain to the north into the adjacent quarry working pit, or to the south and west into an unnamed tributary to Olmos 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 of the Edwards Aquifer.

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.

No significant or sensitive geologic features, other than the above noted manmade quarry pit to the north of the site. One mapped fault was noted to transect the northern boundary site in a northeast to southwest direction, however no surface expression of this fault was noted.

ENVIRONMENTAL CONCERNS

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

General Concerns

1. The improper use of pesticides, herbicides, or fertilizers needed for landscape maintenance that may be carried off in the first flush of stormwater run-off.

2. The build-up of hydrocarbons and other pollutants on streets, parking lots and other paved areas that are then carried off in the first flush of stormwater run-off.

ENVIRONMENTAL RECOMMENDATIONS

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

Site Specific Recommendations

1. The impervious cover shall not exceed 50% on the site.

2. 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.

3. 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.

4. 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 form 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.

5. 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.

6. 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.

City Regulations and Code.

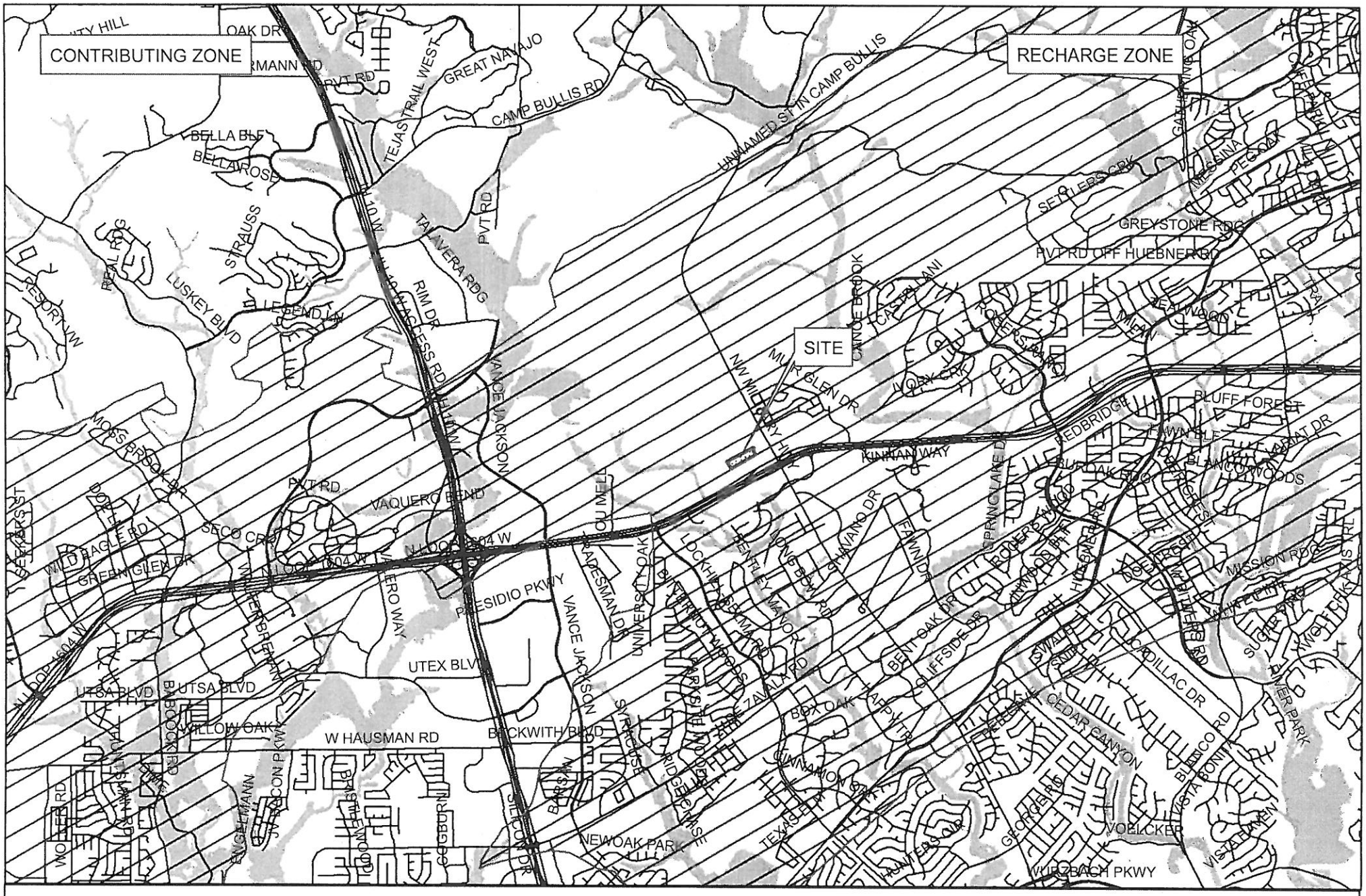
6. The Resource Protection Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

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:

Scott R. Halty
Director,
Resource Protection & Compliance Department

SRH:bvk



ZONING CASE: NW MILITARY AND LOOP 1604 COMMERCIAL
ZONING NUMBER: Z2012214

FIGURE 1

Map Prepared by Aquifer Protection and Evaluation BVK 9/28/2012

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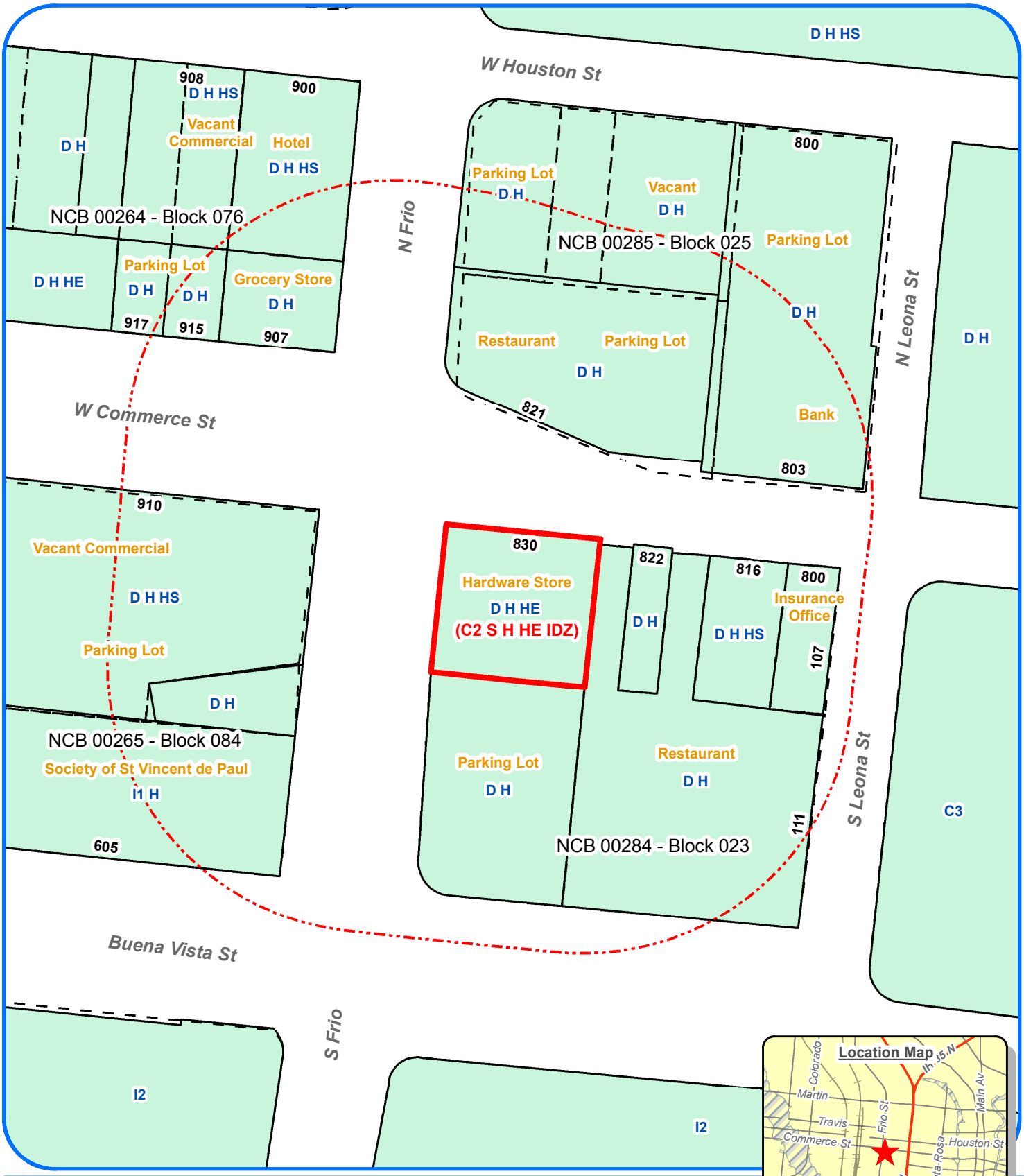
0 2,125 4,250 8,500 12,750 17,000 Feet

ZONING CASE: NW MILITARY AND LOOP 1604 COMMERCIAL
ZONING NUMBER: Z2012214 **FIGURE 2**

Map Prepared by Aquifer Protection and Evaluation BVK 9/28/2012



Zoning Case Notification Plan

Case Z-2013-008

Council District: 5

Scale: 1" approx. = 100 Feet

Legend

Subject Properties	(0.309 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
(10/31/2012 - R Martinez)

Subject Property Legal Description(s): NCB 284 BLK 23 LOT E 14.2 OF 1, 2 & W 45.6 OF 3 ARB A2

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 #:	Z2013008 S
Hearing Date:	January 15, 2013
Property Owner:	Laura E. Gonzalez
Applicant:	Jerry Arredondo
Representative:	Jerry Arredondo
Location:	820, 824, 828, and 830 West Commerce Street
Legal Description:	0.309 of an acre out of NCB 284
Total Acreage:	0.309
City Council District:	5
Case Manager:	Osniel Leon, Planner
Case History:	This is the second public hearing for this case. The case was continued from the November 20, 2012 meeting.

Proposed Zoning Change

Current Zoning: "HE H D AHOD" Historic Exceptional Downtown Cattleman Square Historic Airport Hazard Overlay District

Requested Zoning: "HE H C-2 S IDZ AHOD" Historic Exceptional Commercial Cattleman Square Historic Infill Development Zone Airport Hazard Overlay District with a Specific Use Authorization for a Bail Bond Agency

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 November 2, 2012. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on November 7, 2012. Additionally, notice of this meeting was posted at city hall and on the city's internet website on January 11, 2013, in accordance with Section 551.043(a) of the Texas Government Code.

Notices Mailed

Owners of Property within 200 feet: 17

Neighborhood Associations: None

Planning Team Members: 67 – Downtown Neighborhood Plan

Applicable Agencies: City of San Antonio Office of Historic Preservation

Property Details

Property History: The subject site is currently developed with a structure measuring 11,934 square feet. According to the Bexar County Appraisal District, the structure was built in 1910.

The property is located within the City Limits as they were recognized in 1938, and was originally zoned under the 1938 zoning code. In a 1979 case, the property was rezoned to "B-4" Central Business District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "D" Downtown District.

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

Adjacent Zoning and Land Uses

Direction: All
Current Base Zoning: "D"
Current Land Uses: Restaurant, parking lot, bank, grocery store, vacant property, insurance office

Direction: Southwest
Current Base Zoning: "I-1"
Current Land Uses: 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.

The subject property and a number of surrounding properties carry the "HE" Historic Exceptional or "HS" Historic Significant landmark designations, signifying the historic architectural character or cultural significance of the structure or location. Historic Landmark designations do not affect the possible uses of the property, but do regulate the exterior aesthetic of the structure.

The surrounding properties are located in the Cattleman Square Historic District, which was adopted in 1985. Historic districts do not regulate use of the property, but do enforce building exterior design standards meant to maintain the architectural character or cultural significance of the designated area. Building plans and permit applications will be subject to review by the Office of Historic Preservation and the Historic and Design Review Commission (HDRC) prior to any permits being issued.

Transportation

Thoroughfare: West Commerce Street
Existing Character: Primary Arterial Type B; one-way with 3 lanes and sidewalks.
Proposed Changes: None Known

Thoroughfare: Frio Street
Existing Character: Secondary Arterial Type A; 2 lanes in each direction with a center turn lane and sidewalks.
Proposed Changes: None Known

Thoroughfare: Buena Vista Street
Existing Character: Local Street; one-way with 3 lanes and sidewalks.
Proposed Changes: None Known

Thoroughfare: Leona Street
Existing Character: Local Street; 1 lane in each direction with sidewalks.
Proposed Changes: None Known

Public Transit: The nearest VIA bus lines are the 20, 66, 68, 70, 75, 76, and 79 which operate along Commerce Street with stops immediately adjacent to the subject property.

Traffic Impact: A Traffic Impact Analysis (TIA) is not required. Infill Development Zone requests are exempt from the TIA requirement.

Parking Information: On-site vehicle parking requirements for office and commercial uses are determined by size of the use. The rezoning application refers to general office uses (including a bail bond agency) and multi-family residential uses. Staff cannot calculate the likely total parking requirement at this time. The "IDZ" Infill Development Zone District eliminates off-street parking requirements. The requisite site plan shows 9 existing parking spaces on the subject property.

Multi-Family Residence – Minimum Parking Requirement: 1.5 per unit. Maximum Parking Requirement: 2 per unit.

Loan Office – Minimum Parking Requirement: 1 per 1000 square feet of GFA. Maximum Parking Requirement: 1 per 200 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 subject property is located within the Downtown Neighborhood Plan area, and is identified as Mixed Use in the Future Land Use component of the plan. The zoning request is consistent with the adopted land use designation.

   The subject property is located within the Cattleman Square area, a subarea within the Downtown Neighborhood Plan that encourages residential and commercial mixed use development.

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

   The granting of the "C-2 S" Commercial District with a Specific Use Authorization for a Bail Bond Agency is not likely to have an adverse impact on the neighboring lands. The zoning request will provide a mix of services and functions to the business and resident populations in the area.

3. **Suitability as Presently Zoned:**

   Both the existing and requested zoning are suitable for the subject property. The property's current "D" designation provides a concentrated downtown retail, service, office and mixed uses.

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 subject property is located within the Cattleman Square Historic District and carries the "HE" Historic Exceptional historic designation. Historic districts and designations do not affect the possible uses of the property, but do regulate the exterior aesthetic of the structure through standards meant to maintain the architectural character or cultural significance of the designated area. Building plans and permit applications will be subject to review by the Office of Historic Preservation and the Historic and Design Review Commission (HDRC) prior to any permits being issued.

6. **Size of Tract:**

   The subject property measures 13,100 square feet and would appear to be of sufficient size to accommodate the proposed uses with the flexibility offered by the "IDZ" district. The applicant has submitted a site plan in order to comply with the Specific Use Authorization requirements.

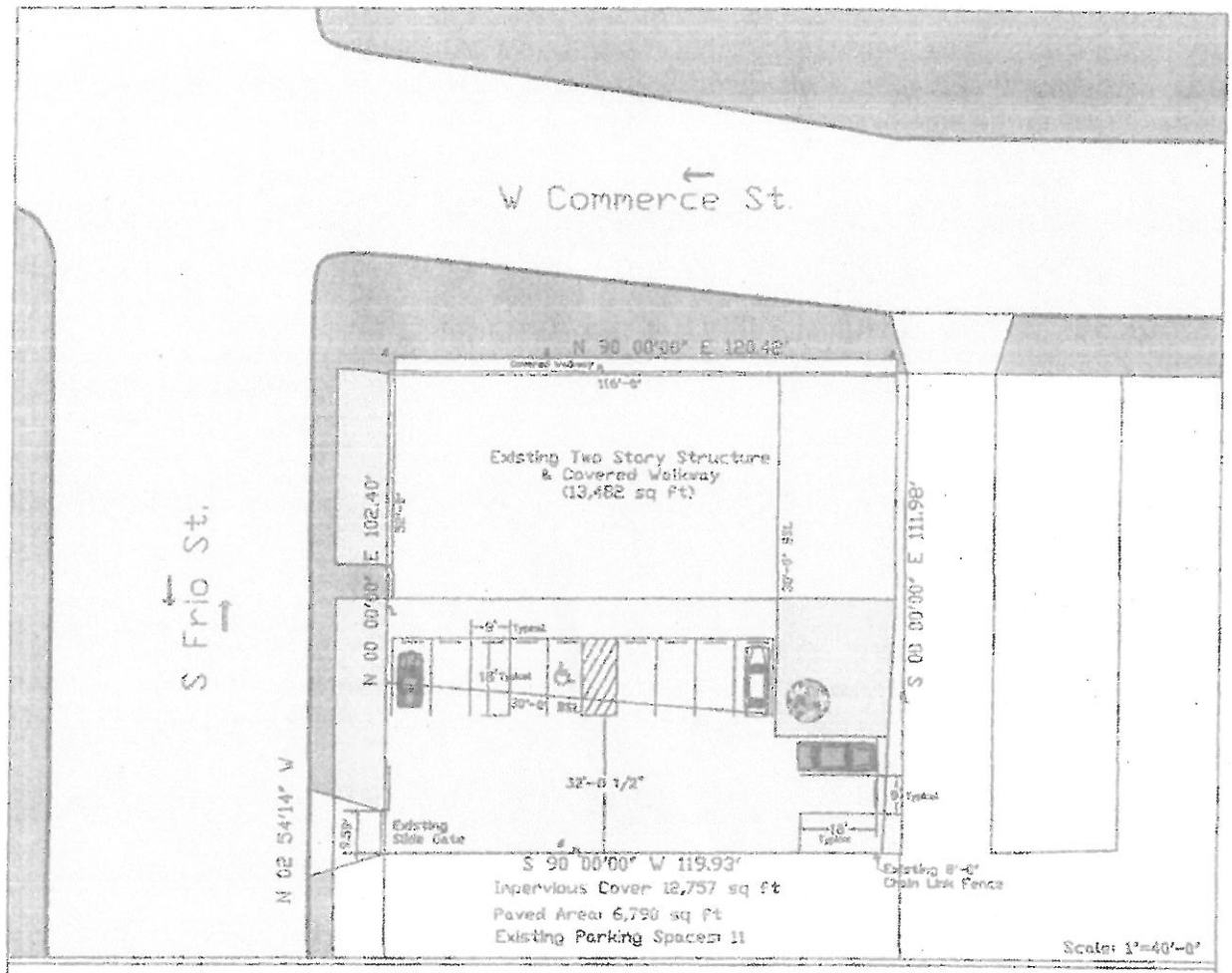
7. **Other Factors:**

   The property has an existing 8-foot fence along the rear property line. According to Section 35-514 (d)(2)(D) "additional fence height is permitted by the City Council pursuant to a rezoning or Specific Use Authorization." Based on surrounding land uses and the layout of the property, staff does not oppose the applicant's request for the additional fence height.

   The "C-2" district allows up to 10 residential units per acre when developed in conjunction with retail, office, or industrial uses. Section 35-381 of the UDC limits the location of such residential units; only nonresidential uses are permitted on the ground floor of the structure in a mixed use building.

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

   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.



830 W. Commerce Site Plan

Tdesign
11/9/12 RV2

NCB 284 BLK 23 LOT E 14.2 OF 1, 2 & W 45.6 OF 3 ARB A2 (0.309 acres)
Plat: Volume: 9300 & Page: 77

I, Laura E Gonzalez, the property owner, acknowledge that this site plan submitted for the purpose of rezoning 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 rezoning case does not relieve me from adherence to any/all City-adopted Codes at the time of plan submittal for building permits.

Neighborhood Plan: Downtown Plan
Future Land Use: Mixed Used Development
Existing Zoning: D H HE
Proposed Zoning: H HE C2-S IDZ
(S=Bail Bond Agency)

10
0 20
Property Line

Development Services Dept
City of San Antonio
(07/11/2012 - R Martinez)

Zoning Case Notification Plan

Case Z-2012-172

Council District 9

Scale: 1" approx. = 120 Feet

Subject Property Legal Description(s): NCB 6229 - BLK 3 - LOT 27,28,29 & 30

Legend

Subject Properties	(0.4018 Acres)
200' Notification Area	
Current Zoning	TEXT
Requested Zoning Change	(TEXT)
100-Year DFIRM Floodplain	
Single Family Residential	1R

City of San Antonio
Development Services Department
Staff Report

To:	Zoning Commission
Zoning Case #:	Z2012172
Hearing Date:	January 15, 2013
Property Owner:	University of the Incarnate Word (Douglas B. Endley, Vice President, Business & Finance)
Applicant:	University of the Incarnate Word (Douglas B. Endley, Vice President, Business & Finance)
Representative:	Kaufman & Killen, Inc.
Location:	149 and 153 Perry Court and 152 and 156 Burr Road
Legal Description:	Lots 27, 28, 29 and 30, Block 3, NCB 6229
Total Acreage:	0.4018
City Council District:	9
Case Manager:	Pedro Vega, Planner
Case History:	This zoning case was previously presented as a request for a noncommercial parking lot at the August 7 and September 4, 2012 Zoning Commission public hearings. However, the applicant postponed the case and amended the request; therefore this is the first public hearing for the current zoning change request.

Proposed Zoning Change

Current Zoning: "R-4 NCD-6" Residential Single-Family Mahncke Park Neighborhood Conservation District

Requested Zoning: "MF-33 NCD-6" Multi-Family Mahncke Park Neighborhood Conservation 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 December 21, 2012. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on January 2, 2013. Additionally, notice of this meeting was posted at city hall and on the city's internet website on January 11, 2013, in accordance with Section 551.043(a) of the Texas Government Code.

Notices Mailed

Owners of Property within 200 feet: 26

Neighborhood Associations: Mahncke Park Neighborhood Association

Planning Team Members: 21 (Mahncke Park Neighborhood Plan)

Applicable Agencies: None

Property Details

Property History: The subject property is located within the city limits as recognized in 1938, 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 consists of four platted lots and is currently undeveloped.

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

Adjacent Zoning and Land Uses

Direction: East
Current Base Zoning: "PUD MF-33” Planned Unit Development Multi-Family District
Current Land Uses: Single-Family Dwellings

Direction: West
Current Base Zoning: "R-4" Residential Single-Family District
Current Land Uses: Single-Family Dwellings and Apartments

Direction: South across Perry Court
Current Base Zoning: "R-4" Residential Single-Family District
Current Land Uses: Single-Family Dwellings

Direction: North across Burr Road
Current Base Zoning: “OCL” Outside City Limits (the properties are zoned “MF-D” Multi-Family District under the Alamo Heights zoning ordinance)
Current Land Uses: Single-Family Dwellings

Overlay and Special District Information: The Mahncke Park Neighborhood Conservation District (NCD-6) is an overlay zoning district that contains design guidelines for rehabilitation of existing residential and commercial development. Property owners, together with Planning & Community Development staff, develop the design guidelines. These guidelines can address building materials, height, size, massing, signage, sidewalk location, etc.

Transportation

Thoroughfare: Perry Court
Existing Character: Local Street; one lane in each direction; sidewalks
Proposed Changes: None known.

Thoroughfare: Burr Road
Existing Character: Local Street; one lane in each direction; partial sidewalks
Proposed Changes: None known.

Public Transit: VIA bus lines 8 and 509 operate along North New Braunfels Avenue with a bus stop at Burr Road and North New Braunfels Avenue.

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

Parking Information: The on-site vehicle parking requirements for multi-family uses are determined by the number of dwelling units; while parking requirements for off-campus student housing are determined by the number of beds

Multi-Family Dwellings - Minimum requirement: 1.5 per unit. Maximum allowance: 2 per unit.
School Housing (off-campus) – Minimum requirement: 1 per 2 beds. Maximum allowance: 1 per bed

<u>Staff Analysis and Recommendation:</u> 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 Mahncke Park Neighborhood Plan area, and is identified as "Urban Single Family Residential" in the Future Land Use component of the Plan. The requested "MF-33" base zoning district is not consistent with the adopted land use designation. The applicant has applied for a plan amendment to change the future land use designation to "Compact Multi-Family Residential". "Compact Multi-Family Residential" provides for compact development consisting of the full spectrum of residential types. This classification includes apartments and condominiums at a density generally greater than 14 dwellings units per acre. Staff and the Planning Commission recommend approval of the requested plan amendment.

2. Adverse Impacts on Neighboring Lands:

Granting of the **"**MF-33" Multi-Family District is not likely to have an adverse impact on the neighboring lands. The subject property is surrounded by a variety of zoning designations and a range of residential densities. The proposed development would provide additional student housing for the University of the Incarnate Word, which is located at 4301 Broadway Street.

3. Suitability as Presently Zoned:

Both the current and requested zoning districts are appropriate for the subject property. The property is currently undeveloped; therefore approval of the requested **"**MF-33" Multi-Family District will not result in a loss of existing housing stock. There is a developed property that is classified as "Compact Multi-Family Residential" further west on the same block as the subject properties.

4. Health, Safety and Welfare:

Staff has found no indication of likely adverse effects on the public health, safety, or welfare. The proposed development is approximately 700 feet from the boundary of the University of the Incarnate Word Campus and approximately 150 feet west of the San Antonio Country Club. The properties to the north are within the corporate limits of the City of Alamo Heights and are designated as multi-family.

5. Public Policy:

The request does not appear to conflict with an public policy objective.

6. Size of Tract:

The subject property is 0.4018 of an acre in size, which will accommodate the proposed development. The **"**MF-33" Multi-Family District would allow up to 13 units. The subject property is one of very few undeveloped lots in the area.

7. Other Factors:

The integrity of residential development in the area would be further protected by the Mahncke Park Neighborhood Conservation District (NCD-6) and its residential design guidelines. These design standards will be applied during the building permitting process and will further ensure compatibility with adjacent development.

Zoning Case Notification Plan

Case Z-2012-225

Council District: 1

Scale: 1" approx. = 100 Feet

Legend

Subject Properties	(0.188 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
(12/10/2012 - R Martinez)

Subject Property Legal Description(s): NCB 02083 - BLK 019 - LOT 33A, 34A, E 10 OF N 92.8 OF 32A & N 29 OF 35A

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 #:	Z2012225
Hearing Date:	January 15, 2012
Property Owner:	Raymond P. and Elena H. Quesada
Applicant:	Raymond P. Quesada
Representative:	Raymond P. Quesada
Location:	1623 North Sabinas
Legal Description:	Lots 33A and 34A, the East 10 feet of the north 92.8 feet of Lot 32A, and the north 29 feet of Lot 35A, Block 19, NCB 2083
Total Acreage:	0.1322
City Council District:	1
Case Manager:	Pedro Vega, Planner
Case History:	This is the first public hearing for this zoning case.

Proposed Zoning Change

Current Zoning: "MF-33 AHOD" Multi-Family Airport Hazard Overlay District

Requested Zoning: "C-1 AHOD" Light Commercial 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 December 21, 2012. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on January 2, 2013. Additionally, notice of this meeting was posted at city hall and on the city's internet website on January 11, 2013, in accordance with Section 551.043(a) of the Texas Government Code.

Notices Mailed

Owners of Property within 200 feet: 28

Neighborhood Associations: Gardendale Neighborhood Association

Planning Team Members: None

Applicable Agencies: None

Property Details

Property History: The subject property is located within the City Limits as recognized in 1938, and was originally zoned "C" Apartment District. Upon the adoption of the 2001 Unified Development Code, the previous base zoning district converted to "MF-33" Multi-Family District. According to the Bexar County Appraisal District, the existing single-family dwelling was constructed in 1948 and measure approximately 696.0 square feet in size. The property is not platted in its current configuration.

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: West, South, and Southeast
Current Base Zoning: "MF-33" Multi-Family District
Current Land Uses: Single-Family Dwellings

Direction: North across Culebra Road
Current Base Zoning: "R-4" Residential Single-Family District
Current Land Uses: Single-Family Dwellings

Direction: East across North Sabinas
Current Base Zoning: "I-1" General Industrial District
Current Land Uses: Office Warehouse

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: Culebra Road
Existing Character: Primary Arterial Type A; three lanes in each direction with center median and turn lanes.
Proposed Changes: None known

Thoroughfare: North Sabinas
Existing Character: Local Street; one lane in each direction
Proposed Changes: None known

Public Transit: The nearest VIA bus lines are the 82, 88, 282 and 288, which operate along Culebra Road with multiple 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: The rezoning application refers to proposed outdoor retail sales of textiles, which is considered dry goods retail. Parking requirements for retail uses are determined by structure size, and would not apply for an outdoor use. The requested "C-1" district requires parking be located behind the principal structure.

Dry Goods – Retail
Minimum requirement: 1 per 300 square feet of GFA; Maximum allowance: 1 per 200 square feet of GFA

<u>Staff Analysis and Recommendation:</u> Denial.

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

1. **Consistency:**

   The subject property is not located within a Neighborhood, Community or Sector Plan area; therefore, a finding of consistency is not required.

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

   Granting of "C-1" Light Commercial District may have an adverse impact on the neighboring lands. Although Culebra Road is identified as a Primary Arterial "Type A" roadway in the City's Major Thoroughfare Plan, the property is located on a predominantly residential block surrounded by residential uses on small lots. Although many residential properties along Culebra Road are transitioning to small commercial and office uses, this redevelopment pattern is not present along the blocks encompassing or surrounding the subject property. Instead, the residential-to-commercial transition occurs further to the west, near the major intersection with Zarzamora. Additionally, the applicant proposes an outdoor retail use, which is strictly prohibited in the “C-1” zoning district.

3. **Suitability as Presently Zoned:**

   The existing “MF-33” Multi-Family District is not entirely appropriate for the subject property and surrounding neighborhood because the existing uses are predominantly single-family residences. However, single-family development is permitted by-right within multi-family zoning districts. Retaining the residential zoning will maintain existing neighborhood integrity and character.

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

   Staff has found indication of likely adverse effects on the public health, safety, and welfare. Staff believes that light commercial uses would not be appropriate due to the subject property’s size and surrounding uses.

   Landscape buffers are typically required between commercial and residential development in an effort to mitigate the effects of traffic and lighting generated by commercial uses. However, landscape buffer requirements are determined by abutting zoning districts. No landscape buffer is required between “C-1” and “MF-33” districts; therefore, the surrounding residences may not be adequately protected from commercial development on the subject property.

5. **Public Policy:**

   The subject property and the proposed development meet the criteria of the Inner City Reinvestment Infill Policy (ICRIP). This policy provides development fee waivers to applicants and grant funded reimbursement for city departments, in an effort to encourage redevelopment of under-utilized urban properties.

6. **Size of Tract:**

   The subject property is 0.1322 of an acre in size, which may not be able to accommodate commercial development, including building setbacks and parking while also providing sufficient protective measures for the surrounding residential neighborhood.

7. **Other Factors:**

   This site is an integral part of an existing neighborhood. "C-1" Light Commercial District at this location may start an undesirable trend of commercial encroachment that can be harmful to the neighborhood.

Zoning Case Notification Plan

Case Z-2013-030

Council District: 1

Scale: 1" approx. = 120 Feet

Legend

Subject Properties	(0.799 Acres)
200' Notification Area	
Current Zoning	TEXT
Requested Zoning Change	(TEXT)
100-Year DFIRM Floodplain	
Single Family Residential	1R

Subject Property Legal Description(s): NCB 01726 - BLK 003 - LOTS 3, 4, 5, 6 and 14

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

Development Services Dept
City of San Antonio
(11/28/2012 - R Martinez)

City of San Antonio
Development Services Department
Staff Report

To:	Zoning Commission
Zoning Case #:	Z2013030
Hearing Date:	January 15, 2013
Property Owner:	John Steinke (by Paul Steinke, Attorney-In-Fact)
Applicant:	Carlos Lomelin
Representative:	Hector Islas, GKW Inc.
Location:	211, 215, 219 East Courtland Place, 2003 and 2011 McCullough Avenue
Legal Description:	Lots 3, 4, 5, 6 and 14, Block 3, NCB 1726
Total Acreage:	0.7995
City Council District:	1
Case Manager:	Timothy Mulry, Planner
Case History:	This is the first public hearing for this zoning request.

Proposed Zoning Change

Current Zoning: "MF-33 AHOD" Multi-Family Airport Hazard Overlay District and "C-3 AHOD" General Commercial Airport Hazard Overlay District

Requested Zoning: "MF-65 IDZ AHOD" Urban Multi-Family Infill Development Zone 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 December 21, 2012. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on January 2, 2013. Additionally, notice of this meeting was posted at city hall and on the city's internet website on January 11, 2013, in accordance with Section 551.043(a) of the Texas Government Code.

Notices Mailed

Owners of Property within 200 feet: 42

Neighborhood Associations: Tobin Hill Community Association; the Monte Vista Historical Association is located within 200 feet of the subject property.

Planning Team Members: 13 (Tobin Hill Neighborhood Plan)

Applicable Agencies: None

Property Details

Property History: The subject property is located within the City Limits as they were recognized in 1938, and was originally zoned "D" Apartment District and "F" Local Retail District. In a 1995 City-initiated case, the property was rezoned to "R-3" Multiple-Family Residence District and "B-3" Business District (Ordinance 83331). Following the adoption of the 2001 Unified Development Code, the previous base zoning districts converted to "MF-33" Multi-Family District and "C-3" General Commercial District, respectively. The subject property includes two single-family residential structures, both of which were constructed in 1929 and are approximately 2,000 square feet in size. The remainder of the subject property is undeveloped. The properties are platted in their current configuration (volume 368, page 38 of the Bexar County Deed and Plat Records).

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

Adjacent Zoning and Land Uses

Direction: North
Current Base Zoning: "MF-33", "O-1", "C-3"
Current Land Uses: Retail store, gas station, office, duplexes

Direction: South, West
Current Base Zoning: "MF-33", "C-2", "C-3NA"
Current Land Uses: Tire shop, duplexes, apartments, vacant land

Direction: East
Current Base Zoning: "C-3", "C-3NA"
Current Land Uses: Car wash, bar, vacant land

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: McCullough Avenue
Existing Character: Secondary Arterial Type B; 2 lanes in each direction with sidewalks
Proposed Changes: None known

Thoroughfare: East Courtland Place, Ogden Street
Existing Character: Local Street; 1 lane in each direction with sidewalks
Proposed Changes: None known

Public Transit: The nearest VIA bus line is the 5, which operates along McCullough Avenue.

Traffic Impact: A Traffic Impact Analysis is not required. Infill Development Zone (IDZ) requests are exempt from the TIA requirement.

Parking Information: The "IDZ" Infill Development Zone District eliminates off-street parking requirements. Although "IDZ" waives minimum parking requirements, the requested multi-family use would normally be required to meet the following parking standards:

Minimum Parking Requirement: 1.5 spaces per unit. Maximum Parking Allowance: 2 spaces per unit.

<u>Staff Analysis and Recommendation:</u> 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 Tobin Hill Neighborhood Plan, and is currently designated as Low Density Mixed Use in the future land use section of the plan. The zoning request is not consistent with the future land use designation. A plan amendment has been submitted, requesting to change the future land use designation to High Density Residential. Planning Staff recommends approval of the related plan amendment request. The Planning Commission continued the plan amendment case to their January 23, 2013 public hearing; therefore, the Zoning Commission will need to continue this case.

   The adopted Tobin Hill Neighborhood Plan precedes more recent UDC provisions related to the Multi-Family zoning districts. The plan document does not include "MF-65" as a recommended zoning district within the High Density Residential classification. However, the plan does recommend "MF-40", which offered the highest available multi-family density at the time the plan was adopted. Planning Staff determined that the "MF-65" base zoning district meets the original intent of the land use plan and is consistent with the High Density Residential 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 located on an arterial thoroughfare, near established commercial nodes, in an area that includes a wide range of residential densities. Furthermore, the subject property is in close proximity to both San Antonio College and the Metropolitan Methodist Hospital and Cancer Center.

3. **Suitability as Presently Zoned:**

   The existing "MF-33" and "C-3" zoning districts are not consistent with the adopted future land use designation; although the surrounding commercial and multi-family land uses and zoning are consistent with the subject property's current zoning.

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

   Staff has found no indication of likely adverse effects on the public health, safety or welfare. Staff has concerns about the "IDZ" portion of the zoning request as it relates to parking. Although "IDZ" waives off-street parking requirements, preliminary designs offered by the applicant do include significant parking on the ground floor of the development. In addition to the proposed parking, the subject property is located in an area with ample access to public transit, and within walking distance of local institutional and commercial nodes.

5. **Public Policy:**

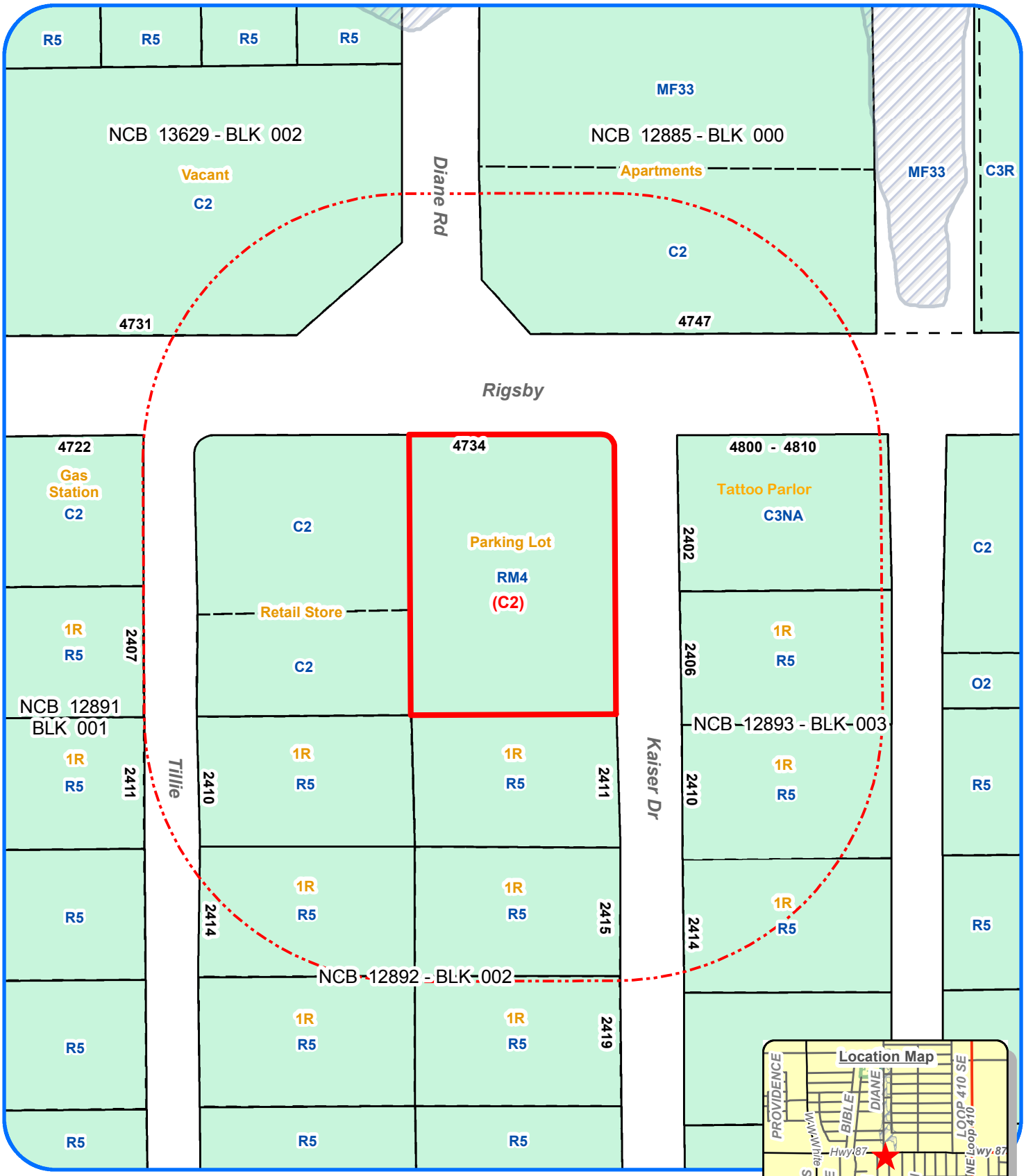
   The subject property and the proposed development meet the criteria of the Inner City Reinvestment Infill Policy (ICRIP). This policy provides development fee waivers to applicants and grant funded reimbursement for city departments, in an effort to encourage redevelopment of under-utilized urban properties.

6. **Size of Tract:**

   The subject property is approximately 0.7995 acres in size which should be able to accommodate the proposed multi-family use with the flexibility offered by the "IDZ" district.

7. **Other Factors:**

   The "IDZ" Infill Development Zone is meant to provide flexible standards for the development and reuse of underutilized parcels. Any new buildings within the "IDZ" district must be compatible in massing to buildings on abutting lots and abutting block faces. At the time of applying for building permits, the applicant will be required to meet two of the five design criteria specified in Section 35-343 of the UDC.



Zoning Case Notification Plan

Case Z-2013-036

Council District: 2

Scale: 1" approx. = 100 Feet

Subject Property Legal Description(s): NCB 12892 - BLK 002 - LOT 10 & 11

Legend

Subject Properties	(0.671 Acres)
200' Notification Area	
Current Zoning	TEXT
Requested Zoning Change	(TEXT)
100-Year DFIRM Floodplain	
Single Family Residential	1R

N S E W

Development Services Dept
City of San Antonio
(1/4/2013 - R Martinez)

City of San Antonio
Development Services Department
Staff Report

To:	Zoning Commission
Zoning Case #:	Z2013036
Hearing Date:	January 15, 2013
Property Owner:	Bar-Peso Parnters, L.P. (by Meyer Marcus, Manager, Mesita Investors, LLC, General Partner)
Applicant:	San Antonio Design Group, Inc. (by J.A. "Tony" Saucedo, Jr.)
Representative:	Tony Saucedo
Location:	A portion of 4734 Rigsby Avenue
Legal Description:	Lots 10 and 11, Block 2, NCB 12892
Total Acreage:	0.671
City Council District:	2
Case Manager:	Pedro Vega, Planner
Case History:	This is the first public hearing for this zoning case.

Proposed Zoning Change

Current Zoning: "RM-4" Residential Mixed District

Requested Zoning: "C-2" Commercial 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 December 21, 2012. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on January 2, 2013. Additionally, notice of this meeting was posted at city hall and on the city's internet website on January 11, 2013, in accordance with Section 551.043(a) of the Texas Government Code.

Notices Mailed

Owners of Property within 200 feet: 15

Neighborhood Associations: Jupe Manor Neighborhood Association; the Dellcrest Area Neighborhood Association is within 200 feet of the subject property.

Planning Team Members: 53 (Eastern Triangle Community Plan)

Applicable Agencies: None

Property Details

Property History: The subject property was annexed in 1957, and was originally zoned “A” Single-Family Residence District. In a 1970 case, the property was rezoned to “R-2” Two Family Residence District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "RM-4" Residential Mixed District. The property consists of two platted lots (volume 3025, page 324) and is as a parking lot used by the neighboring retail store.

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: West
Current Base Zoning: “C-2” Commercial District
Current Land Uses: Retail Store

Direction: East across Kaiser Drive
Current Base Zoning: “R-5” Residential Single-Family District and “C-2NA” Commercial Nonalcoholic Sales District
Current Land Uses: Tattoo Parlor and Single-Family Dwelling

Direction: South
Current Base Zoning: “R-5” Residential Single-Family District
Current Land Uses: Single-Family Dwellings

Direction: North across Rigsby Avenue
Current Base Zoning: “C-2” Commercial District
Current Land Uses: Apartments

Transportation

Thoroughfare: Rigsby Avenue
Existing Character: Primary Arterial Type A (120 feet); two lanes in each direction with sidewalks.
Proposed Changes: None known

Thoroughfare: Kaiser Drive
Existing Character: Local Street; one lane in each direction with sidewalks
Proposed Changes: None known

Public Transit: VIA bus line 30 operates along Rigsby Avenue.

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: Parking requirements for retail uses are determined by the size of the use. Variety Store - Retail - Minimum Parking Requirement: 1 per 300 square feet of GFA. Maximum Parking Requirement: 1 per 200 square feet of GFA.

<u>Staff Analysis and Recommendation:</u> 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 Eastern Triangle Community Plan, and is currently designated as "Community Commercial" in the Future Land Use component of the plan. "Community Commercial" can serve as an appropriate buffer between an arterial and low density residential uses. The requested "C-2" base zoning district is consistent with the Future Land Use designation.

2. Adverse Impacts on Neighboring Lands:

Granting of the "C-2" Commercial District will not have an adverse impact on the neighboring lands. Rigsby Avenue is designated as a major arterial on the major thoroughfare plan; therefore, it is reasonable to expect commercial development in the area. The subject property is surrounded by a variety of zoning designations, ranging from single-family residential to commercial.

3. Suitability as Presently Zoned:

The existing "RM-4" Residential Mixed District may not be appropriate for the subject property as new residential development is not likely due to the property's location on a major thoroughfare. Approval of the requested "C-2" district would allow expansion of the existing retail store on the adjacent lot, while also supporting a pattern of development that is consistent with the Eastern Triangle Community Plan. Community Commercial uses are meant to serve a customer base from the immediate surrounding area.

4. Health, Safety and Welfare:

Staff has found no indication of likely adverse effects on the public health, safety, or welfare. Staff supports its intended use of the subject property as a Community Commercial use.

5. Public Policy:

The request does not appear to conflict with any public policy objective. The zoning change request is in accordance with the City's Master Plan. Goal 3: Create an environment of entrepreneurship, productivity and innovation in San Antonio that promotes business start-up and business growth. Goal 4: Provide economic opportunities in targeted areas, particularly within Loop 410.

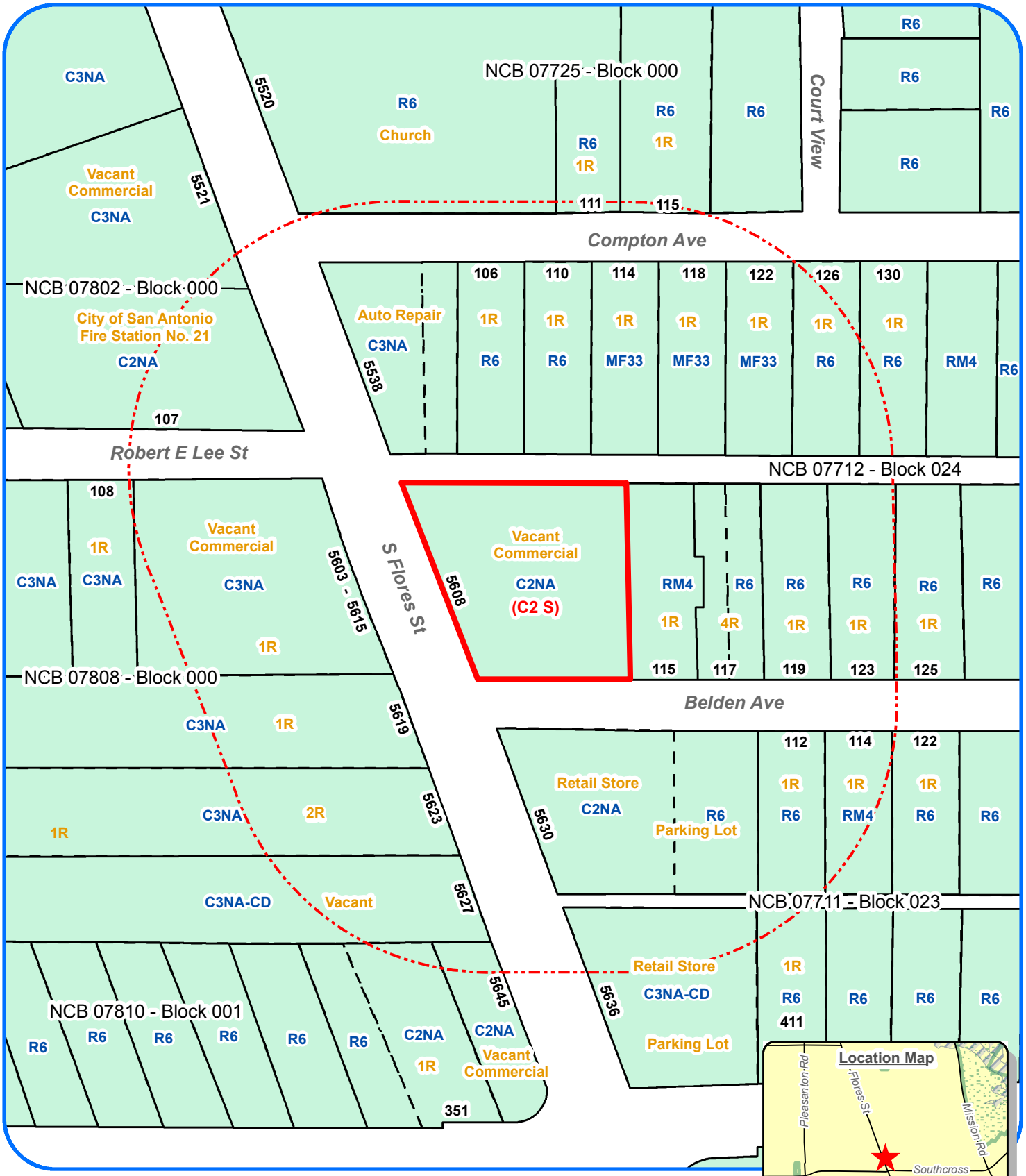
The Eastern Triangle Community Plan encourages the creation of new business development within existing commercial corridors such as Rigsby Avenue.

6. Size of Tract:

The subject property is 0.671 acres in size, which should be able to reasonably accommodate expansion of the existing retail store and required parking.

7. Other Factors:

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



Zoning Case Notification Plan

Case Z-2013-037 S

Council District: 3

Scale: 1" approx. = 100 Feet

Legend

Subject Properties (0.459 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
(12/3/2012 - R Martinez)

Subject Property Legal Description(s): NCB 07712 - BLK 024 - LOT 33, 34, 35 and 36

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 #:	Z2013037 S
Hearing Date:	January 15, 2013
Property Owner:	Louis C. Garcia
Applicant:	Louis C. Garcia
Representative:	Louis C. Garcia
Location:	5608 and 5614 South Flores Street
Legal Description:	Lots 33, 34, 35 and 36, Block 24, NCB 7712
Total Acreage:	0.4594
City Council District:	3
Case Manager:	Brenda V. Martinez
Case History:	This is the first public hearing for this zoning case.

Proposed Zoning Change

Current Zoning: "C-2NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District

Requested Zoning: "C-2 S AHOD" Commercial Airport Hazard Overlay District with a Specific Use Authorization for Party House/Reception Hall/Meeting Facilities

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 December 21, 2012. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on January 2, 2013. Additionally, notice of this meeting was posted at city hall and on the city's internet website on January 11, 2013, in accordance with Section 551.043(a) of the Texas Government Code.

Notices Mailed

Owners of Property within 200 feet: 33

Neighborhood Associations: None

Planning Team Members: 15 (South Central San Antonio Community Plan)

Applicable Agencies: None

Property Details

Property History: The subject property consists of four platted lots (volume 105, page 338). The property was annexed in 1944 and was originally zoned "J" Commercial District. In a 1996 case, the property was rezoned to "B-2NA" Business Nonalcoholic Sales District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "C-2NA" Commercial Nonalcoholic Sales District. The property is currently developed with a commercial structure measuring 9,639 square feet that was built in 1945.

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-3" and "R-6"
Current Land Uses: Auto Repair and Single-Family Residences

Direction: South
Current Base Zoning: "C-2" and ""R-6"
Current Land Uses: Retail Store and a Parking Lot

Direction: East
Current Base Zoning: "RM-4"and "R-6"
Current Land Uses: Single-Family Residences and a Fourplex

Direction: West
Current Base Zoning: "C-3"
Current Land Uses: Vacant Commercial Structure, Single-Family Residences and a Triplex

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: South Flores Street
Existing Character: Secondary Arterial Type B Street; 2 lanes in each direction
Proposed Changes: None known

Thoroughfare: Belden Avenue
Existing Character: Local Street; 1 lane in each direction
Proposed Changes: None known

Public Transit: The nearest VIA bus lines are the number 43 and 243 lines, which operate along South Flores Street.

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

Parking Information: The UDC does not list parking requirements specifically for reception halls. The closest listing similar to a reception hall would either be Dance Hall (Minimum: 1 per 2 seats; Maximum: 1 per 1.5 seats) or Clubhouse – Private including Lodges and Meeting Halls (Minimum: 1 per 3 persons; Maximum: N/A).

The requisite site plan shows 14 existing parking spaces on the subject property, and indicates the property owner's intent to utilize an adjacent property and cooperative parking agreements to fulfill the parking requirement.

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 subject property is located within the South Central San Antonio Community Plan area, and is identified as Mixed Use in the Future Land Use component of the Plan. The "C-2" base zoning district is consistent with the adopted land use designation.

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

   Staff finds the requested Specific Use Authorization to be appropriate as the subject property will maintain the current "C-2" district that is consistent with the South Central San Antonio Community Plan. The majority of properties fronting along the 5600 block of South Flores Street are zoned for commercial uses.

   The requisite site plan indicates no new construction and no changes from the property's current configuration. Staff feels the proposed use will be compatible with the surrounding land uses and overall character of the community.

3. **Suitability as Presently Zoned:**

   The existing "C-2" zoning district is suitable for the subject property. The "C-2" district accommodates commercial and retail uses that are more intensive in character than neighborhood or light commercial, and which generate a greater volume of vehicular or truck traffic. Medium intensity commercial zoning is most appropriate along arterials or major thoroughfares.

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

   Staff finds no evidence likely negative impacts on public health, safety or welfare related to the proposed use.

5. **Public Policy:**

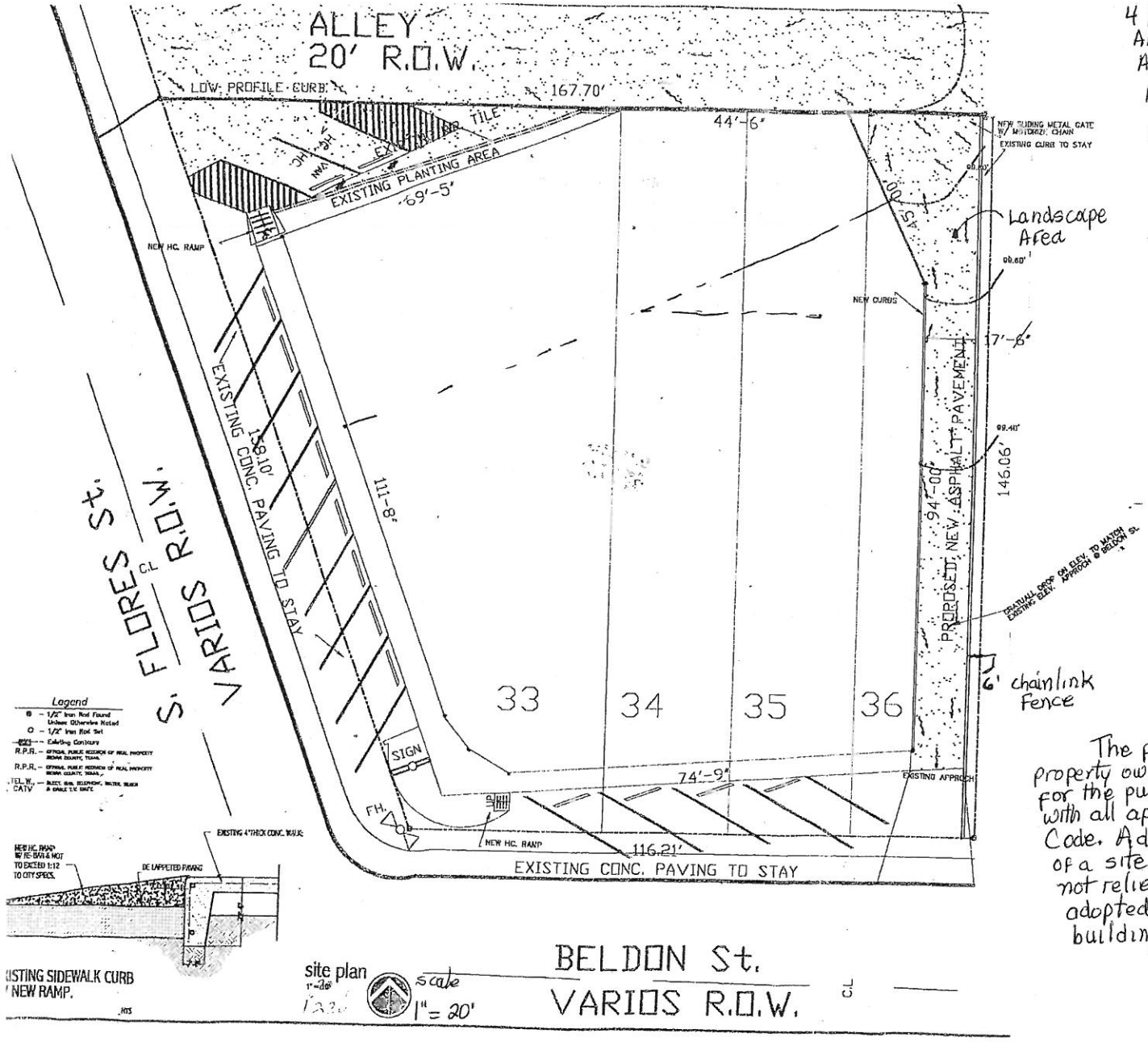
   The request does not appear to conflict with any public policy objective. The request is consistent with the South Central San Antonio Community Plan.

6. **Size of Tract:**

   The subject property is 0.4594 acres. Staff recognizes that the current configuration of the property does not provide for sufficient off-street parking. The property currently has 14 parking spaces. According to the property owner, additional parking will be provided off-site at the property located at 5623 South Flores Street. This property has "C-3" zoning, which would allow a non-commercial parking lot. Further, the property owner also intends to enter into a cooperative parking plan agreement with the property owner located at 5630 South Flores Street.

7. **Other Factors:**

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



4 lots Total Acres: .4594
All Building Sq.ft: 9639
All Paved and Asphalt Areas Sq.ft.: 8000 Sq.ft.
14 OFF street Parking stalls including 2 HC Parking stalls

Propose use: Banquet/Reception Hall
impervious coverage: 17,639 SQFT
Setback will remain as Existing.

The building is existing setback and landscape buffers will be required for any new construction. Additional parking will be provided off-site as well as through a cooperative parking Plan Agreement

The following statement: I Louis C. Garcia, the property owner, acknoledge that this site plan submited for the purpose 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 conjuction with a rezoning case does not relieve me from adherence to any all City-adopted Codes at the time of plan submittal for building permits.

22013037

Zoning Case Notification Plan

Case Z-2013-038

Council District: 7

Scale: 1" approx. = 100 Feet

Legend

Subject Properties	(0.140 Acres)
200' Notification Area	
Current Zoning	TEXT
Requested Zoning Change	(TEXT)
100-Year DFIRM Floodplain	
Single Family Residential	1R

Subject Property Legal Description(s): NCB 06692 - BLK 001 - LOT N W 108.2 FEET OF 1

Development Services Dept
City of San Antonio
(12/20/2012 - 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 #:	Z2013038
Hearing Date:	January 15, 2013
Property Owner:	1921 Deco Building, LLC (by David Komet, Manager)
Applicant:	David Komet
Representative:	David Komet
Location:	1921 Fredericksburg Road
Legal Description:	0.142 of an acre out of Lot 1, Block 1, NCB 6692
Total Acreage:	0.142
City Council District:	7
Case Manager:	Ian Benavidez, Planning Technician
Case History:	This is the first public hearing for this zoning case.

Proposed Zoning Change

Current Zoning: "C-2NA H AHOD" Commercial Nonalcoholic Sales Monticello Park Historic Airport Hazard Overlay District

Requested Zoning: "C-1 IDZ H AHOD" Light Commercial Infill Development Zone Monticello Park Historic 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 December 21, 2012. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on January 2, 2013. Additionally, notice of this meeting was posted at city hall and on the city's internet website on January 11, 2013, in accordance with Section 551.043(a) of the Texas Government Code.

Notices Mailed

Owners of Property within 200 feet: 28

Neighborhood Associations: Monticello Park Neighborhood Association; the Jefferson Neighborhood Association, Woodlawn Lake Community Association, and Keystone Neighborhood Association are all within 200 feet of the subject property.

Planning Team Members: 19 - Near Northwest Community Plan

Applicable Agencies: Office of Historic Preservation

Property Details

Property History: The subject property is located within the City Limits as they were recognized in 1938, and was originally zoned "F" Local Retail District. In a 1987 case, the property was rezoned to "B-2" Business District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "C-2" Commercial District. The subject property is not platted in its current configuration and is undeveloped.

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, East
Current Base Zoning: "C-3", "C-2", "C-2NA"
Current Land Uses: Woodlawn Theatre and Retail Center, ice cream shop, parking lot, liquor store, vacant land

Direction: South
Current Base Zoning: "C-2NA"
Current Land Uses: Auto sales, credit union, vacant commercial building

Direction: West
Current Base Zoning: "C-2" "O2" "R6" "RM-4"
Current Land Uses: Office, adult day care and health center, 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.

The subject property and surrounding neighborhood are located within the Monticello Park Historic District, which was adopted in 1995. Historic districts do not regulate use of the property, but do enforce building exterior design standards meant to maintain the architectural character or cultural significance of the designated area. Building plans and permit applications will be subject to review by the Office of Historic Preservation and the Historic and Design Review Commission (HDRC) prior to any permits being issued

Transportation

Thoroughfare: Fredericksburg Road
Existing Character: Secondary Arterial Type A; 2 lanes in each direction with sidewalks
Proposed Changes: None known

Thoroughfare: Donaldson Avenue
Existing Character: Minor Street; 2 lanes in each direction with sidewalks
Proposed Changes: None known

Thoroughfare: West Lynwood, North Elmendorf
Existing Character: Local Streets; 1 lane in each direction with sidewalks
Proposed Changes: None known

Public Transit: The nearest VIA bus lines are the 91, 92, 96, 97, and 520, which operate along Fredericksburg Road with multiple stops immediately adjacent to the subject property.

Traffic Impact: A Traffic Impact Analysis is not required. Infill Development Zone (IDZ) requests are exempt from the TIA requirement.

Parking Information: Typically, parking requirements are determined by the use and, often, size of the development. The zoning request generally refers to proposed light commercial uses; therefore staff cannot calculate the parking requirement at this time. The "IDZ" Infill Development Zone waives off-street parking requirements.

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 Near Northwest Community Plan and is currently designated as Neighborhood Commercial in the future land use component of the plan. The requested "C-1 IDZ" district is consistent with the adopted land use designation. The Neighborhood Commercial designation calls for offices, professional services, and shop front retail uses that are pedestrian oriented. Neighborhood Commercial uses should be located at the intersection of a collector and local street or where an existing commercial area has been established.

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.

3. **Suitability as Presently Zoned:**

   The existing "C-2NA" district is not consistent with the adopted land use designation. The size and shape of the property are likely to impede any future development under the current zoning. The flexibility of the "IDZ" overlay district will allow infill development that is appropriate along the Fredericksburg Road corridor. The surrounding commercial uses and location along Fredericksburg Road make this property appropriate for the "C-1 IDZ" district.

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 subject property and the proposed development meet the criteria of the Inner City Reinvestment Infill Policy (ICRIP). This policy provides development fee waivers to applicants and grant funded reimbursement for city departments, in an effort to encourage redevelopment of under-utilized urban properties.

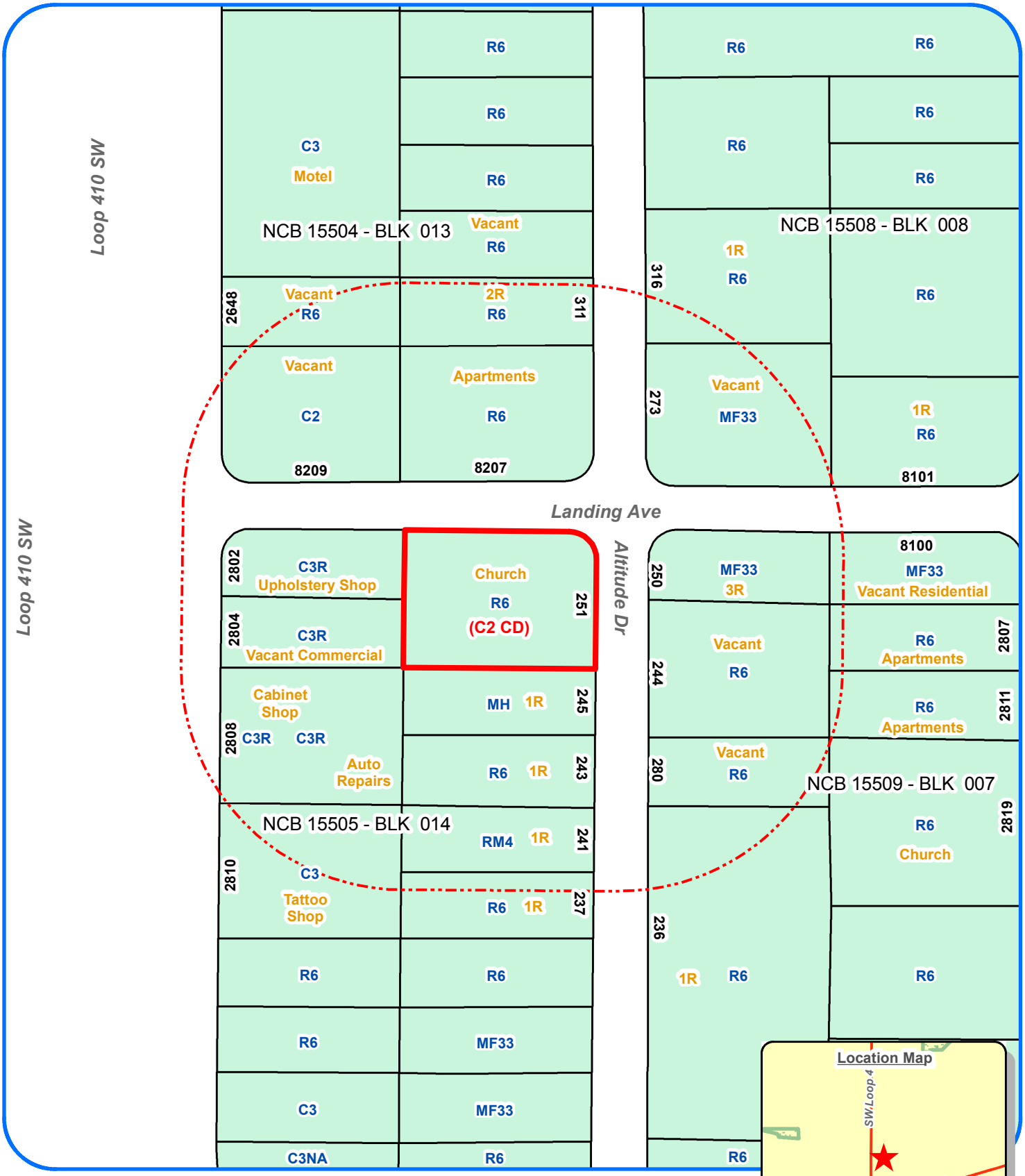
6. **Size of Tract:**

   The property is 0.142 acres in size and appears to be large enough to accommodate the proposed uses with the flexibility offered by the "IDZ" district. The relatively small size of the lot and structure would limit any potential commercial activity to an appropriate smaller scale.

7. **Other Factors:**

   The "IDZ" Infill Development Zone is meant to provide flexible standards for the development and reuse of underutilized parcels. Any new buildings within the "IDZ" district must be compatible in massing to buildings on abutting lots and abutting block faces. At the time of applying for building permits, the applicant will be required to meet the urban design criteria specified in Section 35-343(m) of the UDC.

   The subject property is located within the Monticello Park Historic District. All construction plans must be reviewed by the City's Historic and Design Review Commission prior to the issuance of permits to ensure the new construction maintains the historic character of the district.



Zoning Case Notification Plan

Case Z-2013-039

Council District: 4

Scale: 1" approx. = 120 Feet

Subject Property Legal Description(s): NCB 15505 - BLK 014 - LOT 001

Legend

Subject Properties	(0.371 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
(12/3/2012 - 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 #:	Z2013039 CD
Hearing Date:	January 15, 2013
Property Owner:	Maria G. Mendiola
Applicant:	Maria G. Mendiola
Representative:	Maria G. Mendiola
Location:	251 Altitude Drive
Legal Description:	Lot 1, Block 14, NCB 15505
Total Acreage:	0.3719
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: "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 a Funeral Home

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 December 21, 2012. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on January 2, 2013. Additionally, notice of this meeting was posted at city hall and on the city's internet website on January 11, 2013, in accordance with Section 551.043(a) of the Texas Government Code.

Notices Mailed

Owners of Property within 200 feet: 24

Neighborhood Associations: Lackland Terrace Neighborhood Association

Planning Team Members: 35 – West/Southwest Sector Plan

Applicable Agencies: None

Property Details

Property History: The property was annexed in 1968 and was originally zoned "Temp R-1" Temporary Single-Family Residence District. Upon adoption of the Unified Development Code, the previous zoning district converted to the current "R-6" Residential Single-Family District. The subject site is currently developed as a church measuring 2,922 square feet in size. According to the Bexar County Appraisal District, the structure was built in 1986.

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

Adjacent Zoning and Land Uses

Direction: North
Current Base Zoning: "R-6", "C-2", "MF-33"
Current Land Uses: Apartments, undeveloped land, single-family residence

Direction: South
Current Base Zoning: "MH", "R-6", "RM-4"
Current Land Uses: Single-family residences

Direction: East
Current Base Zoning: "C-3R", "C-3"
Current Land Uses: Auto repairs, tattoo shop, vacant property, cabinet shop, upholstery shop

Direction: West
Current Base Zoning: "MF-33", "R-6"
Current Land Uses: Undeveloped property, single-family residence, apartments, 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: Altitude Drive and Landing Avenue
Existing Character: Local Streets; 1 lane in each direction with sidewalks.
Proposed Changes: None Known

Public Transit: The nearest VIA bus line is the 617 which operate along Gunsmoke Drive located east of 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: Funeral Home – Minimum Parking Requirement: 1 vehicle space per 4 seats. Maximum Parking Requirement: 1 vehicle space per 2 seats.

The subject property includes 34 existing parking spaces, including two ADA-compliant spaces.

<u>Staff Analysis and Recommendation:</u> 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 area, and is identified as Civic Center in the Future Land Use component of the plan. The Civic Center designation reflects the property's previous church use, but does not accommodate the proposed funeral home use. A plan amendment has been initiated, requesting to change the land use designation to General Urban Tier. Staff and Planning Commission recommend approval of the plan amendment request.

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

   Granting of the "C-2 CD" Commercial District with a Conditional Use for a Funeral Home is not likely to have an adverse impact on the neighboring lands. Although the property has residential zoning, it is developed with a nonresidential structure. The rezoning request will allow adaptive reuse of the property at a scale that is appropriate for the surrounding neighborhood. The subject property is in close proximity to both Loop 410 and State Highway 90. The existing transportation infrastructure can support any additional demand, if any, generated by the requested zoning change.

   No new construction is proposed for the funeral home use; however, any future construction on the site will trigger building setback and landscape buffer requirements where the subject property abuts residential zoning.

3. **Suitability as Presently Zoned:**

   The existing zoning district may be suitable for the property's location; but the existing nonresidential structure makes future residential development unlikely. Further, being that the current use of the property is not residential, the change of use will not result in the loss of existing housing stock.

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 established public policy.

6. **Size of Tract:**

   The subject property is 0.3719 acres and appears to be of sufficient size to accommodate the proposed use.

7. **Other Factors:**

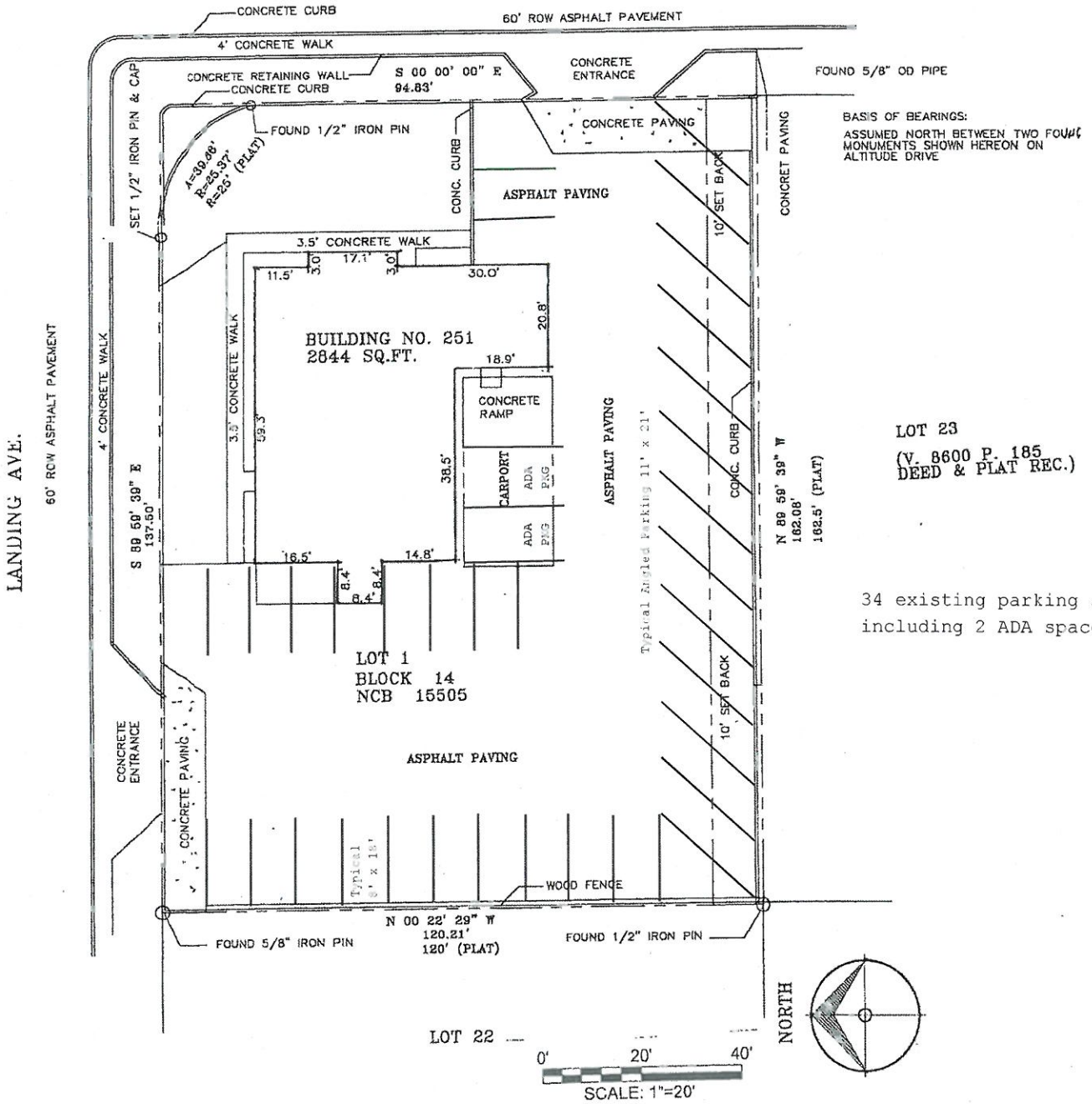
   The "C-2" Commercial District permits general commercial activities designed to serve the community and promote a broad range of commercial operations and services necessary for large regions of the city, providing community balance. No outdoor storage or display of goods shall be permitted except for outdoor dining.

   The conditional zoning procedure is designed to provide for a land use within an area that is not permitted by the established zoning district but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions.

Z2013039 CD

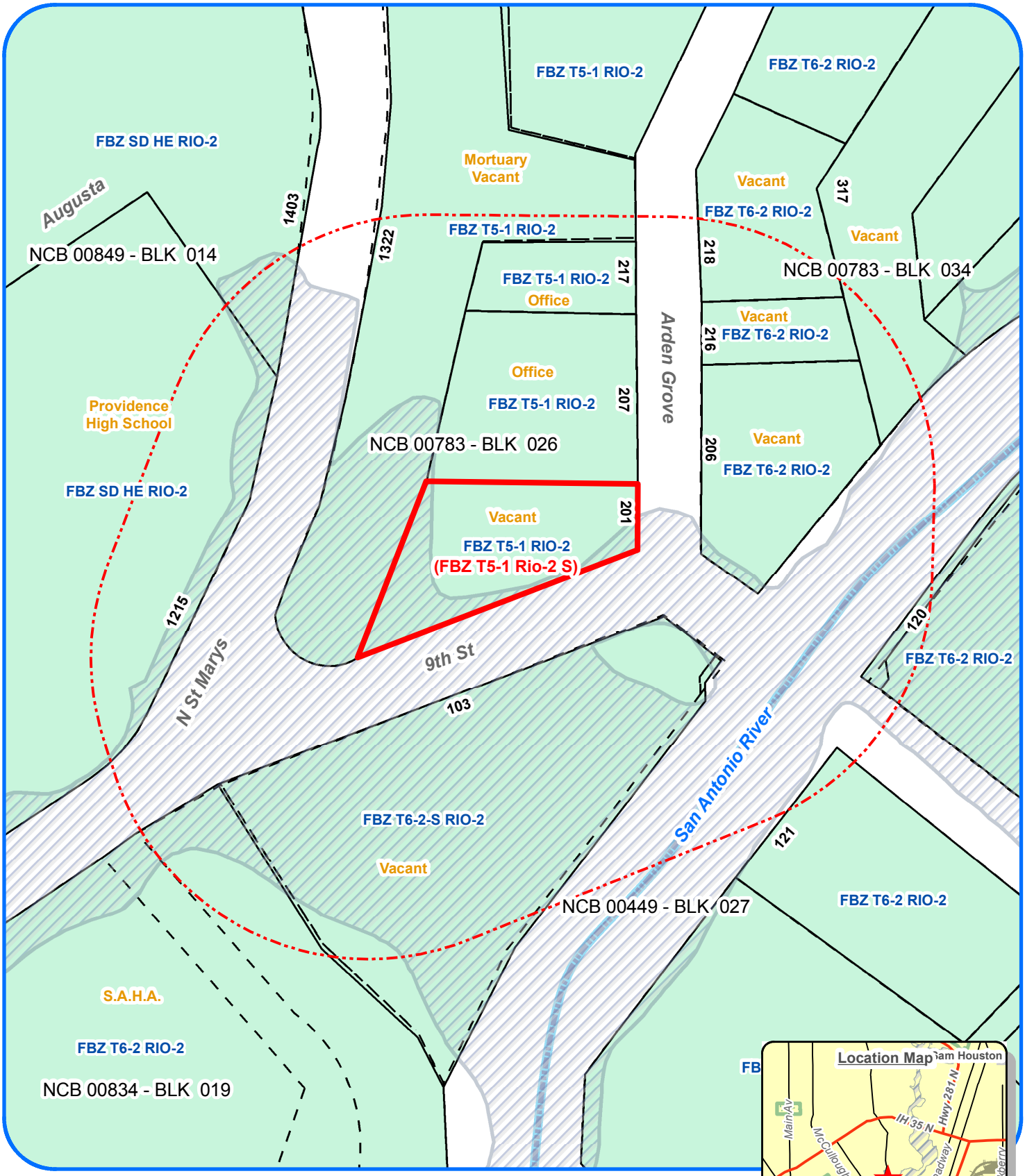
THAT THIS SITE PLAN SUBMITTED FOR THE PURPOSE OF REZONING THIS PROPERTY IS IN ACCORDANCE WITH ALL APPLICABLE PROVISION OF THE UNIFIED DEVELOPMENT CODE ADDITIONALLY, I UNDERSTAND THAT CITY COUNCIL APPROVAL OF A SITE PLAN IN CONJUNCTION WITH A REZONING CASE DOES NOT RELIEVE ME FROM ADHERENCE TO ANY/ ALL CITY ADOPTED CODES AT THE TIME OF PLANS SUBMITTAL FOR BUILDING PERMITS

ALTITUDE DRIVE



34 existing parking spaces including 2 ADA spaces

.3719 ACRES
REQUESTING "C2 CD" WITH A CONDITIONAL USE FOR A FUNERAL HOME



Zoning Case Notification Plan

Case Z-2013-041

Council District: 1

Scale: 1" approx. = 100 Feet

Subject Property Legal Description(s): NCB 00783 - BLK 026 - LOT 001

Legend

Subject Properties	(0.348 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
(12/10/2012 - 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 #:	Z2013041 S
Hearing Date:	January 15, 2013
Property Owner:	Paradigm Hotel SA River Walk, LP (by Tim Sanford, Managing Member)
Applicant:	Paradigm Hotel SA River Walk, LP (by Tim Sanford, Managing Member)
Representative:	Tim Sanford
Location:	201 Arden Grove; at the northwest corner of Arden Grove and 9th Street
Legal Description:	Lot 1, Block 26, NCB 783
Total Acreage:	0.3483
City Council District:	1
Case Manager:	Trenton Robertson, Planner
Case History:	This is the first public hearing for this zoning case.

Proposed Zoning Change

Current Zoning: "FBZ T5-1 RIO-2 AHOD" Form Base Zone Transect Zone 5-1 River Improvement Overlay-2 Airport Hazard Overlay District

Requested Zoning: "FBZ T5-1 S RIO-2 AHOD" Form Base Zone Transect Zone-1 River Improvement Overlay-2 Airport Hazard Overlay District with a Specific Use Authorization for a Primary Use Parking Lot

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 December 21, 2012. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on January 2, 2013. Additionally, notice of this meeting was posted at city hall and on the city's internet website on January 11, 2013, in accordance with Section 551.043(a) of the Texas Government Code.

Notices Mailed

Owners of Property within 200 feet: 15

Neighborhood Associations: Downtown Residents Association

Planning Team Members: 66-Downtown Neighborhood Plan

Applicable Agencies: 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 "J" Commercial District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to "I-1" General Industrial District. In a 2010 case, the property was rezoned to the current "FBZ T5-1" Form Base Zone Transect Zone 5-1 District. The subject property is located within the River Improvement Overlay-2 District. The subject property is not platted and is undeveloped.

Topography: The subject property is located within a floodplain. The San Antonio River is located to the south and east of the subject property.

Adjacent Zoning and Land Uses

Direction: North
Current Base Zoning: "FBZ T5-1"
Current Land Uses: Office and vacant

Direction: South and east
Current Base Zoning: "FBZ T6-2 S" and "FBZ T6-2"
Current Land Uses: Vacant and commercial center

Direction: West
Current Base Zoning: "FBZ SD HE"
Current Land Uses: School

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: Arden Grove and 9th Street
Existing Character: Local; one lane in each direction with partial sidewalks
Proposed Changes: None known

Thoroughfare: North St. Marys
Existing Character: Secondary Arterial Type "B"; one lane in each direction with sidewalks.
Proposed Changes: None known.

Public Transit: VIA bus line 8 operates along North St. Marys, west of the subject property.

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

Parking Information: There are no parking requirements for parking lots as a primary use.

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 Downtown Neighborhood Plan and is currently designated as Mixed Use in the future land use component of the plan. The requested "FBZ T5-1" base zoning district is consistent with the adopted land use designation.

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

   Staff finds the requested specific use to be appropriate. The UDC was recently amended to allow parking lots as a primary use within the form based zoning districts. The proposed parking lot is meant to accommodate the hotel currently under construction south of the subject property.

3. **Suitability as Presently Zoned:**

   The existing "FBZ T5-1" zoning district is appropriate for the subject property. The "FBZ T5-1" zoning district was specifically designed and implemented for the River North area.

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

   Staff has found no indication of likely negative influence on public health, safety or welfare in relation to this zoning change request.

5. **Public Policy:**

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

6. **Size of Tract:**

   The subject property is 0.3483 acres in size, which should be able to reasonably accommodate the proposed parking lot and the "FBZ" design standards.

7. **Other Factors:**

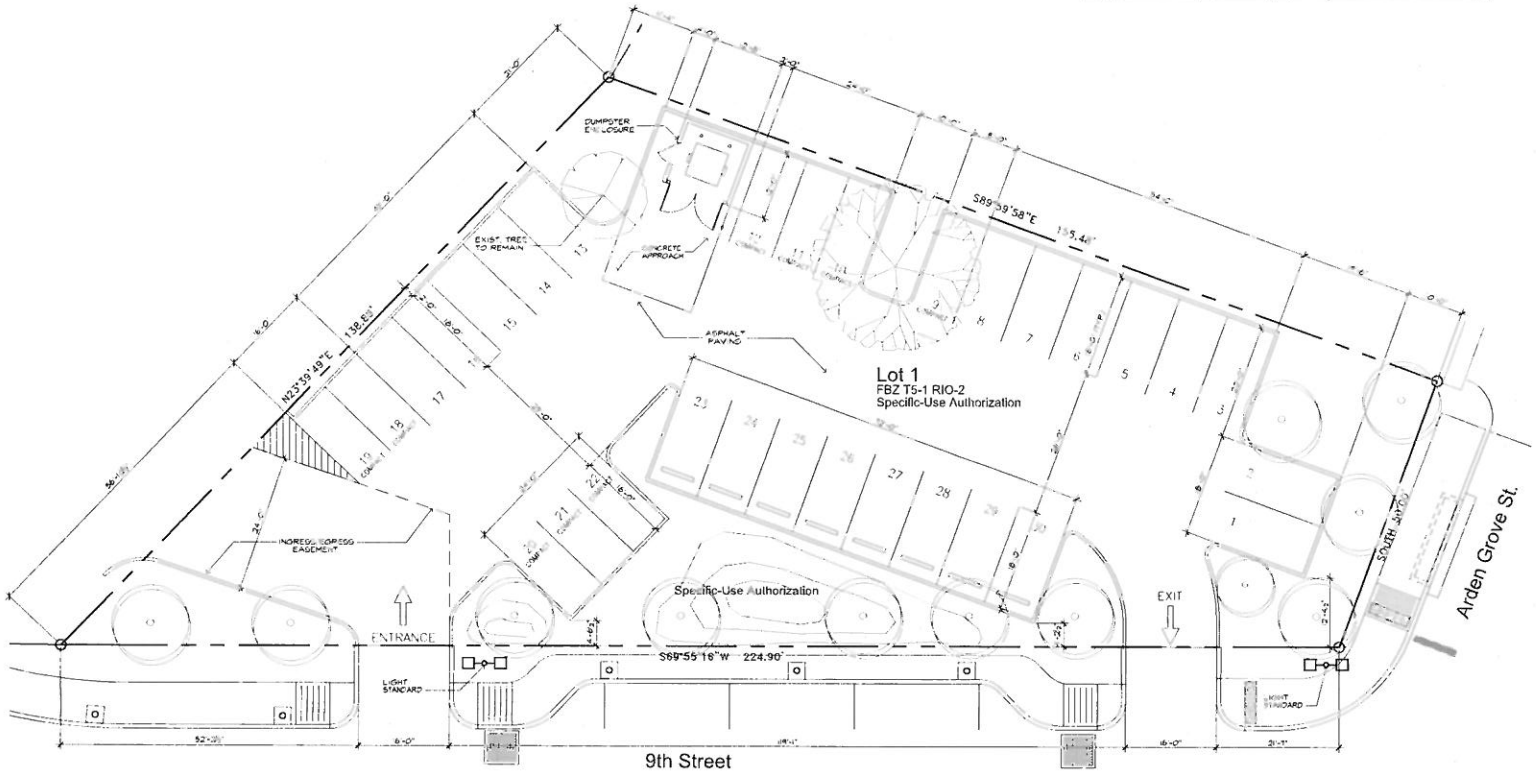
   None.

I, TIM K. SANFORD, THE PROPERTY OWNER, ACKNOWLEDGE THAT THIS SITE PLAN SUBMITTED FOR THE PURPOSE OF REZONING 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 REZONING CASE DOES NOT RELIEVE ME FROM ADHERENCE TO ANY/ALL CITY-ADOPTED CODES AT THE TIME OF PLAN SUBMITTAL FOR BUILDING PERMITS.

PARADIGM HOTEL SA RIVER WALK, LP
PARADIGM HOTEL GROUP, LLC, — GENERAL PARTNERS

BY: _____
TIM K. SANFORD, MANAGING MEMBER

LEGAL DESCRIPTION:	
ADDRESS	201 ARDEN GROVE STREET
LOT	1
BLOCK	26
NCB	763
ZONING	FBZ T5-1 RIO-2 FORMED BASED ZONING & RIVER IMPROVEMENT OVERLAY DISTRICT
PLAT NO.	VOLUME 9599, PAGES 247-250 (DEED RECORDS)
PARKING :	
AREA	10,887 SQUARE FEET (TOTAL PAVED AREA)



1 Architectural Site Plan
SCALE: 1" = 10'-0"

(IN FEET)
1 INCH = 10 FEET

DTM Architects, LLC
David T. Mangum
1103 D. Zarzamora Road
San Antonio, Texas 78209
Tel. 210-[illegible]
Fax. 210-[illegible]
dtm@dtmarchitects.com

NCARB CERTIFIED

AIA

Specific Use Authorization
for
Parking Lot 1
201 Arden Grove Street
San Antonio, Texas 78215

CONSULTANTS

DTM ARCHITECTS

EXPIRATION DATE _____

DATE: _____

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ARCHITECTURAL DRAWINGS AND SPECIFICATIONS AS INSTRUMENTS OF SERVICE ARE AND SHALL REMAIN THE PROPERTY OF DTM ARCHITECTS WHETHER THE PROJECT FOR WHICH THEY WERE MADE IS EXECUTED OR NOT. THEY ARE NOT TO BE USED FOR OTHER PROJECTS OR EXTENSIONS TO THIS PROJECT EXCEPT BY AGREEMENT IN WRITING AND WITH APPROPRIATE COMPENSATION TO DTM ARCHITECTS.

REVISIONS

job no. 11-1125b
date [illegible]
drawn by [illegible]
chk'd by ETM
prj. mgr. ETM

Sheet
A1.1
of 0

Parking Lot 1 Site Plan

Zoning Case Notification Plan

Case Z-2013-043

Council District: 1

Scale: 1" approx. = 100 Feet

Legend

Subject Properties	(0.300 Acres)
200' Notification Area	
Current Zoning	TEXT
Requested Zoning Change	(TEXT)
100-Year DFIRM Floodplain	
Single Family Residential	1R

N W E S

Development Services Dept
City of San Antonio
(01/08/2013 - R Martinez)

Subject Property Legal Description(s): NCB 00830 - BLK 004 - LOT 013

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 #:	Z2013043
Hearing Date:	January 15, 2013
Property Owner:	Rosanna del Carmen Escudero
Applicant:	Jose Eduardo de la Garza
Representative:	Jose Eduardo de la Garza
Location:	923 East Elmira Street
Legal Description:	Lot 13, Block 4, NCB 830
Total Acreage:	0.3007
City Council District:	1
Case Manager:	Pedro Vega, Planner
Case History:	This is the first public hearing for this zoning request.

Proposed Zoning Change

Current Zoning: "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District

Requested Zoning: "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial 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 December 21, 2013. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on January 2, 2013. Additionally, notice of this meeting was posted at city hall and on the city's internet website on January 11, 2013, in accordance with Section 551.043(a) of the Texas Government Code.

Notices Mailed

Owners of Property within 200 feet: 22

Neighborhood Associations: Tobin Hill Community Association

Planning Team Members: 13 (Tobin Hill Neighborhood Plan)

Applicable Agencies: None

Property Details

Property History: The subject property is located within the city limits as recognized in 1938 and was originally zoned “D” Apartment District. In a 1995 case, the property was rezoned to “R-2” Two Family Residence District. Upon adoption of the Unified Development Code, the previous base zoning district converted to the current "RM-4" Residential Mixed District. The property is undeveloped.

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 West
Current Base Zoning: “C-2P” Commercial Pedestrian District and “C-3NA” General Commercial Nonalcoholic Sales District
Current Land Uses: Credit Union

Direction: Southeast across East Elmira Street
Current Base Zoning: “C-2P” Commercial Pedestrian District and “C-3R” General Commercial Restrictive Alcoholic Sales District
Current Land Uses: Vacant Lots

Direction: Northeast across McLane
Current Base Zoning: “MF-33” Multi-Family District and “RM-4” Residential Mixed District
Current Land Uses: Single-family residences, duplexes, and apartments

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: East Elmira Street
Existing Character: Local Street; one lane in each direction with sidewalks
Proposed Changes: None known.

Thoroughfare: McLane
Existing Character: Local Street; one lane in each direction.
Proposed Changes: None known.

Public Transit: The nearest VIA bus lines are the 7 and 8, which operate along North St. Mary’s.

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

Parking Information: Food - Restaurant or Cafeteria - Minimum Parking Requirement: 1 per 100 square feet of GFA. Maximum Parking Requirement: 1 per 40 square feet of GFA. Infill Development Zone waives off-street parking requirements.

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 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" includes 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 located within the "North St. Mary's Street Corridor" 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.

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 "IDZ" zoning district is meant to provide flexible standards for the development and reuse of underutilized parcels. This area is in the process of revitalization and rezoning this property to "IDZ" will encourage and promote the revitalization goals the Future Land Use Plan.

3. Suitability as Presently Zoned:

Both the current "RM-4" and proposed "IDZ" districts are consistent with the Tobin Hill Neighborhood Plan land use designation. However, the subject property is not likely to be used for residential development due to the surrounding pattern of development. Further, being that the current use of the property is vacant, there will be no loss of housing stock in this neighborhood.

4. Health, Safety and Welfare:

Staff has found no indication of likely adverse effects on the public health, safety, or welfare due to this request. The "IDZ" district is meant to encourage and facilitate development on vacant, bypassed lands, or the redevelopment of underutilized buildings or structures, within existing built-up areas.

5. Public Policy:

The requested **"**IDZ" Infill Development Zone District with uses permitted in "C-2" Commercial District is consistent with the adopted land use designation, which is a component of the City's Master Plan. Goal 4: Support existing businesses in the neighborhood and create and provide opportunities for future businesses.

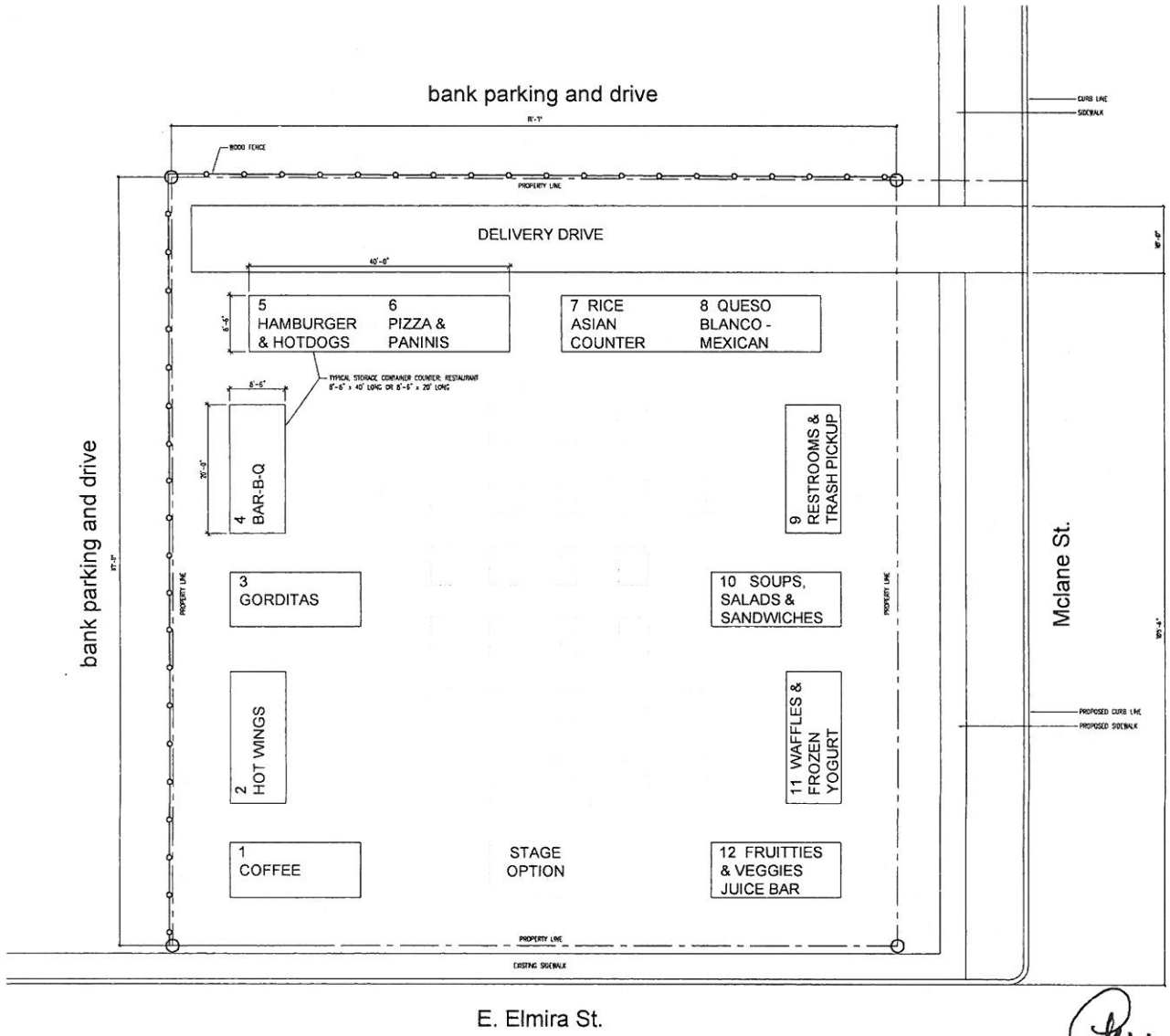
The subject property and the proposed development meet the criteria of the Inner City Reinvestment Infill Policy (ICRIP). This policy provides development fee waivers to applicants and grant funded reimbursement for city departments, in an effort to encourage redevelopment of under-utilized urban properties.

6. Size of Tract:

The subject property is 0.3007 acres and appears to be of sufficient size to accommodate the proposed development with the flexibility offered by the "IDZ" district, as shown on the "IDZ" site plan.

7. Other Factors:

The "C-2" district accommodates commercial and retail uses that are more intensive in character than neighborhood or light commercial. Outdoor storage and display of merchandise are prohibited except for outdoor dining.



1 CONCEPT SITE PLAN
SCALE: 1/8" = 1'-0"

GENERAL INFORMATION

NEIGHBORHOOD: TOBIN HILL
CURRENT ZONING: R4L-4
ZONING REQUEST: IDZ WITH USES PERMITTED IN C-2
FUTURE LAND USE: LOW DENSITY MIXED USE

ADDRESS: 923 E. ELMIRA ST.
SAN ANTONIO, TEXAS 78212

LEGAL DESCRIPTION
PROPERTY ACREAGE: .3007
LOT: 13
BLOCK: 4
NCB: 830

Land Use: Retail Service

I, Rosanna Ede Panter, the property owner, acknowledge that this site plan submitted for the purpose of rezoning 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 rezoning case does not relieve me from adherence to any/all City-adopted Codes at the time of plan submittal for building permits.

CONSULTANT

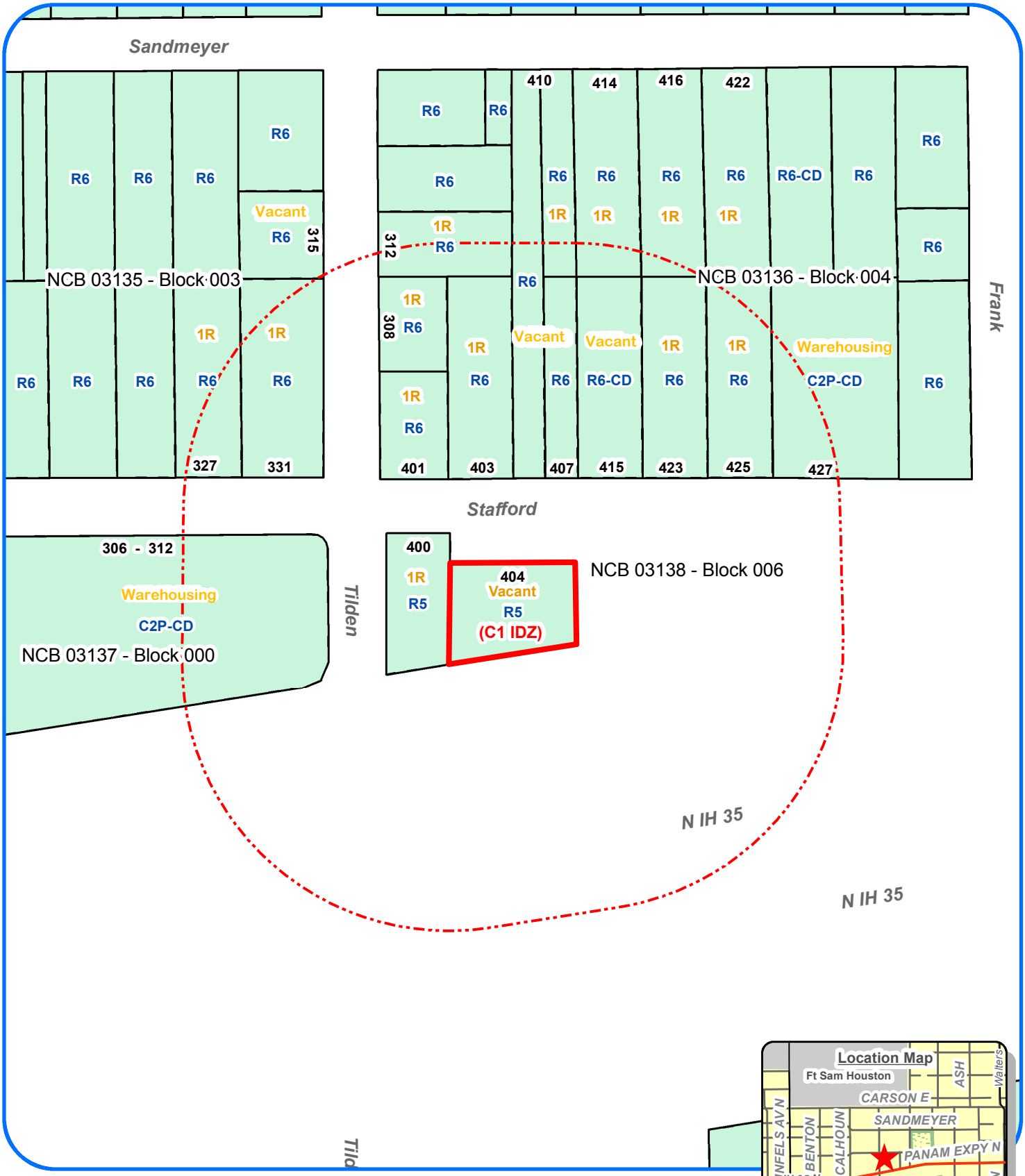
Contained Food Park
923 E. Elmira St.
San Antonio, Texas 78212

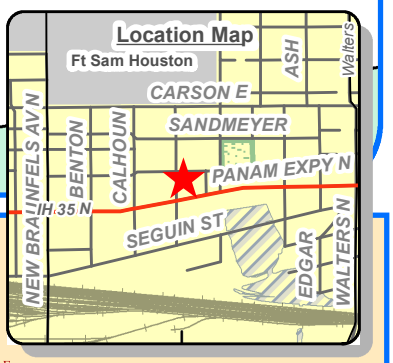
REVISION
NO. DATE DESCRIPTION

SHEET TITLE
SITE PLAN

DATE
DECEMBER 5, 2012

SHEET NUMBER
A1.0





Zoning Case Notification Plan

Case Z-2013-044

Council District: 2

Scale: 1" approx. = 100 Feet

Legend

Subject Properties	(0.152 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
(12/19/2012 - R Martinez)

Subject Property Legal Description(s): NCB 03138 - BLK 006 - LOT 019

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 #:	Z2013044
Hearing Date:	January 15, 2013
Property Owner:	Heidi L. Mummau
Applicant:	Heidi L. Mummau
Representative:	Heidi L. Mummau
Location:	404 Stafford
Legal Description:	Lot 19, Block 6, NCB 3138
Total Acreage:	0.1521
City Council District:	2
Case Manager:	Timothy Mulry, Planner
Case History:	This is the first public hearing for this zoning request.

Proposed Zoning Change

Current Zoning: "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District

Requested Zoning: "C-1 IDZ AHOD" Light Commercial Infill Development Zone 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 December 21, 2012. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on January 2, 2013. Additionally, notice of this meeting was posted at city hall and on the city's internet website on January 11, 2013, in accordance with Section 551.043(a) of the Texas Government Code.

Notices Mailed

Owners of Property within 200 feet: 19

Neighborhood Associations: Government Hill Alliance

Planning Team Members: 10 (Government Hill Neighborhood Plan)

Applicable Agencies: None

Property Details

Property History: The property is located within the City Limits as they were recognized in 1938, and was originally zoned "C" Apartment District. In a 1963 case, the property was rezoned to "J" Commercial District (Ordinance 31792). Following the adoption of the 2001 Unified Development Code, the previous base zoning district converted to "I-1" General Industrial District. In a 2008 City-initiated case, the property was rezoned to "R-5" Residential Single-Family District (Ordinance 2008-10-16-0955). The property was platted into its current configuration on August 22, 1963 (Volume 4960, Page 249 of the Deed and Plat Records of Bexar County, Texas). The property is currently undeveloped, with the exception of a billboard.

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

Adjacent Zoning and Land Uses

Direction: North
Current Base Zoning: "R-6" and "R-6 CD"" with a conditional use for a duplex
Current Land Uses: Single-family residences and undeveloped lots

Direction: Northeast
Current Base Zoning: "R-6" and "C-2P CD" with a conditional use for warehousing
Current Land Uses: Single-family residences and warehousing

Direction: West and Northwest
Current Base Zoning: "R-5", "R-6", "C-2P CD" with a conditional use for warehousing
Current Land Uses: Single-family residences and warehousing

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: Interstate Highway 35
Existing Character: Freeway; 3 lanes in each direction with one-way, three-lane access roads
Proposed Changes: None known

Thoroughfare: Stafford and Tilden
Existing Character: Local Streets; 1 lane in each direction
Proposed Changes: None known

Public Transit: The nearest VIA bus line is the 21, which operates along Interstate Highway 35.

Traffic Impact: A Traffic Impact Analysis is not required. Infill Development Zone (IDZ) requests are exempt from the TIA requirement.

Parking Information: Infill Development Zone waives off-street parking requirements. Typically, parking requirements are determined by the use and, often, size of the development. The zoning request refers to proposed light commercial uses.

<u>Staff Analysis and Recommendation:</u> 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 Government Hill Neighborhood Plan, and is currently designated as Low Density Residential in the future land use section of the plan. The zoning request is not consistent with the future land use designation. A plan amendment has been submitted, requesting to change the future land use designation to Neighborhood Commercial. The Government Hill Neighborhood Plan recommends that Neighborhood Commercial uses be located at the intersections of residential streets, within established commercial areas, along collectors, and within walking distance of residential areas. Both the requested "C-1" base zoning district and the location of the subject property are consistent with the Neighborhood Commercial land use designation. Planning Staff and Planning Commission recommend approval of the plan amendment request.

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

   The requested "IDZ" overlay would waive the requirement for a Type B 15-foot landscape buffer where the subject property abuts the residential property to the east.

3. **Suitability as Presently Zoned:**

   The existing "R-5" zoning district is consistent with the adopted future land use designation. The surrounding residential properties make this a suitable property for low density residential uses. However, the property's location on the IH-35 access road makes future residential development unlikely.

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

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

5. **Public Policy:**

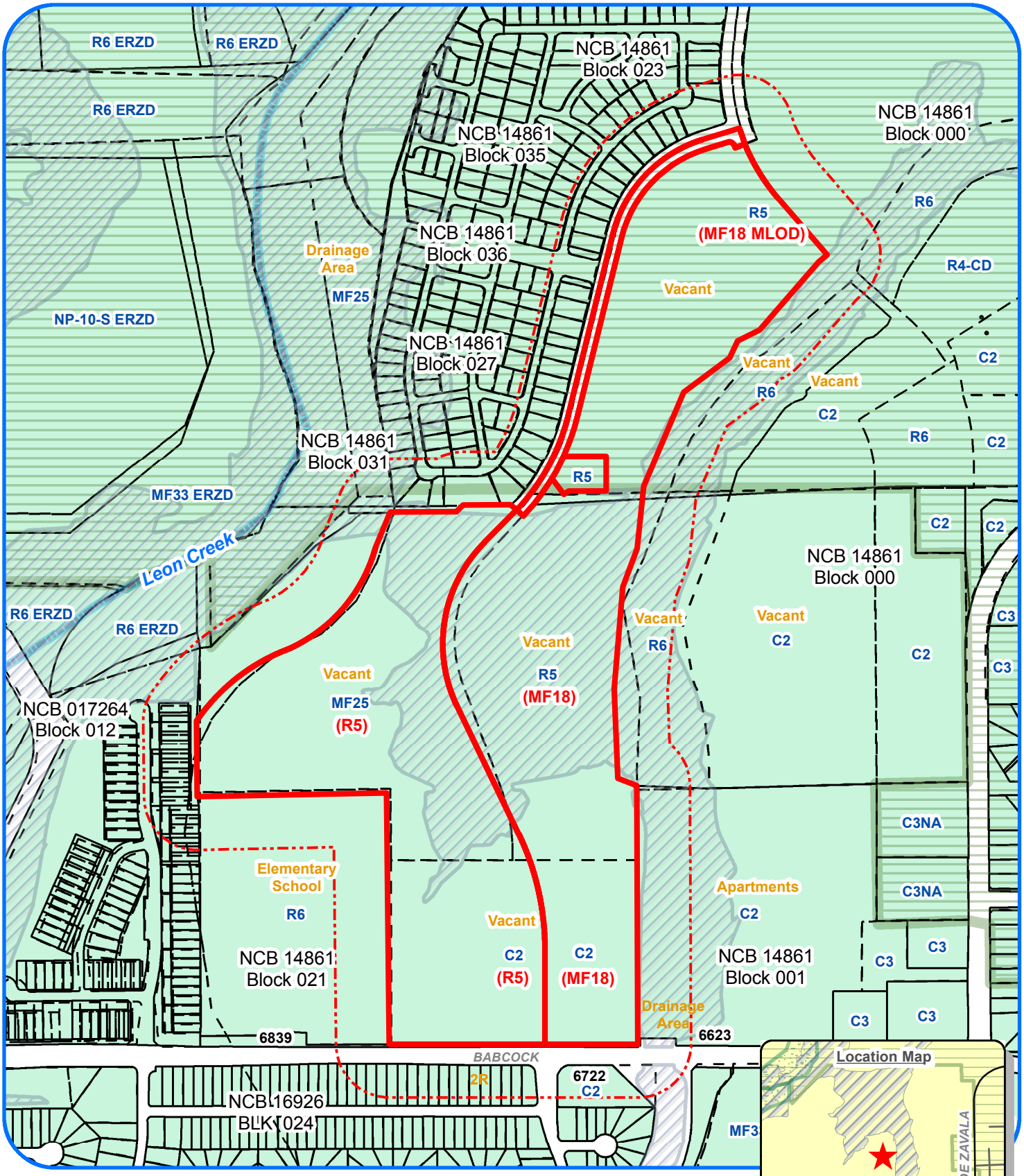
   The subject property and the proposed development meet the criteria of the Inner City Reinvestment Infill Policy (ICRIP). This policy provides development fee waivers to applicants and grant funded reimbursement for city departments, in an effort to encourage redevelopment of under-utilized urban properties.

6. **Size of Tract:**

   The subject property is 0.1521 acres in size, which should be able to accommodate small light commercial uses and limited parking.

7. **Other Factors:**

   None.



Zoning Case Notification Plan

Case Z-2013-047

Council District: 8

Scale: 1" approx. = 500 Feet

Subject Property Legal Description(s): 68.022 acres out of NCB 14861

Legend

Subject Properties	(68.022 Acres)
200' Notification Area	
Current Zoning	TEXT
Requested Zoning Change	(TEXT)
100-Year DFIRM Floodplain	
Single Family Residential	1R

Military Lighting Overlay District (MLOD)

Development Services Dept
City of San Antonio
(12/21/2012 - R Martinez)

City of San Antonio
Development Services Department
Staff Report

To:	Zoning Commission
Zoning Case #:	Z2013047
Hearing Date:	January 15, 2013
Property Owner:	SLF IV/Legacy NWSA, L.P. (by Steven Saxon, President of Legacy Capital Company II, General Partner of Legacy Capital Partners II, Ltd., General Partner)
Applicant:	SLF IV/Legacy NWSA, L.P. (by Steven Saxon, President of Legacy Capital Company II, General Partner of Legacy Capital Partners II, Ltd., General Partner)
Representative:	Kaufman & Killen, Inc.
Location:	Northwest of the intersection of Babcock Road and De Zavala Road
Legal Description:	68.022 acres out of NCB 14861
Total Acreage:	68.022
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: "R-5 MLOD-1" Residential Single-Family Camp Bullis Military Lighting Overlay District, "R-5" Residential Single-Family District, "MF-25" Low Density Multi-Family District, and "C-2" Commercial District

Requested Zoning: "R-5" Residential Single-Family District, "MF-18" Limited Density Multi-Family District, and "MF-18 MLOD-1" Limited Density Multi-Family Camp Bullis Military Lighting 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 December 21, 2012. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on January 2, 2013. Additionally, notice of this meeting was posted at city hall and on the city's internet website on January 11, 2013, in accordance with Section 551.043(a) of the Texas Government Code.

Notices Mailed

Owners of Property within 200 feet: 110

Neighborhood Associations: Oxbow Neighborhood Association is within 200 feet of the subject property.

Planning Team Members: 41 (North Sector Plan)

Applicable Agencies: The Camp Bullis Military Training Site

Property Details

Property History: The subject property is currently undeveloped. The property was annexed in 1972 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 the "R-6" Residential Single-Family District. In a 2007 rezoning case (Z2006281), the subject property was rezoned to "R-5" Residential Single-Family District, "MF-25" Low Density Multi-Family District and "C-2" Commercial District.

Topography: The subject property is relatively flat. The overall scale of any development will be somewhat limited due to the presence of Leon Creek and the resulting flood plain. According to the most recent 100-year FEMA flood map, portions of the subject property are located within the floodplain.

Adjacent Zoning and Land Uses

Direction: North
Current Base Zoning: "R-5"
Current Land Uses: Vacant Land

Direction: South
Current Base Zoning: "C-2" and "RM-4"
Current Land Uses: Vacant Land and Two-Family Dwellings

Direction: East
Current Base Zoning: "R-6" and "C-2"
Current Land Uses: Vacant Land and Apartments

Direction: West
Current Base Zoning: "R-6" and "RM-4"
Current Land Uses: Vacant Land and Single-Family Residences

Overlay and Special District Information: Some of the 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: Babcock Road
Existing Character: Secondary Arterial Type A Street; 2 lanes in each direction
Proposed Changes: None known

Public Transit: The nearest VIA bus lines are the number 604 line, which operates along Spring Time Drive and De Zavala Road and the number 605 line, which operates along Babcock Road and Hausman Road.

Traffic Impact: A Traffic Impact Analysis is not required. Mitigation is required per TIA approval letter 2006TIA0673.

Parking Information: Single-family residences are required to provide one parking space per unit.

The minimum parking requirement for multi-family dwellings in a MF-18 zoning designation is 1.5 per unit and the maximum parking requirement is 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 North Sector Plan and is currently designated as "Suburban Tier" in the Future Land Use Section. The zoning request is consistent with the Future 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 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 such uses can support existing and planned commercial development. The site is located in an area with existing single-family, two-family, multi-family and commercial uses as well as appropriate traffic circulation to major thoroughfares (Babcock Road and De Zavala Road). The proposed use will be compatible with the surrounding land uses and overall character of the community.

3. **Suitability as Presently Zoned:**

   The adopted North Sector Plan identifies the subject property as "Suburban Tier" in the Future Land Use component of the plan. The existing "MF-25" zoning district is inconsistent with the adopted land use plan.

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. The request is consistent with the North Sector Plan.

6. **Size of Tract:**

   The "R-5" district requires a minimum lot size of 5,000 square feet and allows up to 9 dwelling units per acre. Should the requested rezoning be approved, the subject property may accommodate a residential development with up to approximately 259 dwelling units. The applicant is estimating 126 to 140 single-family lots for the site.

   The subject property that is proposed to be rezoned to "MF-18" measures 39.223 acres. According to the representative the 39.223 acre tract will be divided into two separate tracts of land. Should the requested rezoning be approved, the subject property could accommodate a multi-family development with up to approximately 706 dwelling units. The applicant is estimating 365 dwelling units for the site.

7. **Other Factors:**

   A portion of 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, the Garrison Commander did not review the zoning request because the tract is located south of Loop 1604.

   Portions of the subject property fall within the 100 year flood plain. Storm water management and development within a floodplain are regulated through Section 35-504 and Appendix F of the Unified Development Code and the City of San Antonio Department of Public Works. Any future proposed development shall be reviewed for compliance with storm water and floodplain regulations.

Zoning Case Notification Plan

Case Z-2013-048

Council District: 2

Scale: 1" approx. = 100 Feet

Legend

Subject Properties	(0.078 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
(01/02/2013 - R Martinez)

Subject Property Legal Description(s): 0.078 of an acre out of Blk 2, NCB 00982

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 #:	Z2013048
Hearing Date:	January 15, 2013
Property Owner:	Abington Holdings LLC (by Patrick Shearer, Managing Member)
Applicant:	Patrick Shearer
Representative:	Patrick Shearer
Location:	516 East Grayson Street
Legal Description:	0.078 of an acre out of Block 2, NCB 982
Total Acreage:	0.078
City Council District:	2
Case Manager:	Brenda V. Martinez, Planner
Case History:	This is the first public hearing for this zoning case.

Proposed Zoning Change

Current Zoning: "O-2 AHOD" High-Rise Office Airport Hazard Overlay District

Requested Zoning: "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "MF-33" Multi-Family District and "C-2" Commercial 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 December 21, 2012. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on January 2, 2013. Additionally, notice of this meeting was posted at city hall and on the city's internet website on January 11, 2013, in accordance with Section 551.043(a) of the Texas Government Code.

Notices Mailed

Owners of Property within 200 feet: 25

Neighborhood Associations: Government Hill Alliance; The Downtown Residents Association is within 200 feet of the subject property.

Planning Team Members: 10 (Government Hill Neighborhood Plan)

Applicable Agencies: None

Property Details

Property History: The property is located within the City Limits as they were recognized in 1938, and was originally zoned "E" Office District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "O-2" High-Rise Office District. The subject site is not platted and is currently developed with a residential structure measuring 768 square feet that was built in 1940.

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: "I-1"
Current Land Uses: Vacant Land, Single-Family Residences and a Church

Direction: South
Current Base Zoning: "C-2", "O-2" and "I-1"
Current Land Uses: Vacant Land and SAISD Warehouse and Bus Parking Lot

Direction: East
Current Base Zoning: "C-1" and "O-2"
Current Land Uses: Thrift Store and Vacant Land

Direction: West
Current Base Zoning: "C-2"
Current Land Uses: 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: East Grayson Street
Existing Character: Local Street; 1 lane in each direction
Proposed Changes: None known.

Public Transit: The nearest VIA bus line is the number 20 line, which operates along East Grayson Street and Austin Street.

Traffic Impact: A Traffic Impact Analysis is not required. Infill Development Zone ("IDZ") requests are exempt from the TIA requirement.

Parking Information: Off-street vehicle parking requirements are determined by use, and often size or density of the development. The zoning application refers generally to mixed use development, possibly including a mix of residential, office, and retail 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.

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 subject property is located within the Government Hill Neighborhood Plan area, and is identified as Mixed Use in the Future Land Use component of the Plan. The "IDZ" 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 "IDZ" zoning district is meant to provide flexible standards for the development and reuse of underutilized parcels. Further, the "IDZ" district includes design criteria intended to create infill development that is proportional to surrounding development.

   The subject property is surrounded by a variety of zoning designations, ranging from office to industrial, many of which are meant to accommodate large office or manufacturing uses. This area is in the process of revitalization and rezoning the project will encourage and promote the revitalization goals in the Future Land Use Plan.

3. **Suitability as Presently Zoned:**

   The existing "O-2" zoning is not appropriate for the subject property or the surrounding neighborhood. The high-rise office zoning was established by the zoning district conversion that accompanied the adoption of the 2001 Unified Development Code, which resulted in overly intense zoning located near a residential neighborhood. Current zoning practices would not place intense high-rise office zoning in or near established residential neighborhoods. In order to provide sustainable development, land uses should transition from more intense uses to less intense uses.

   The subject property is located in close proximity to high-intensity mixed-use redevelopment along Broadway, North Alamo Street, and East Grayson Street, with access to public transit.

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

   Staff has found no evidence of likely negative impacts on public health, safety or welfare related to the zoning request. The "IDZ" district is meant to encourage and facilitate development on vacant, bypassed lands, or the redevelopment of underutilized buildings or structures, within existing built-up areas.

5. **Public Policy:**

   The subject property and the proposed development meet the criteria of the Inner City Reinvestment Infill Policy (ICRIP). This policy provides development fee waivers to applicants and grant funded reimbursement for city departments, in an effort to encourage redevelopment of under-utilized urban properties.

6. **Size of Tract:**

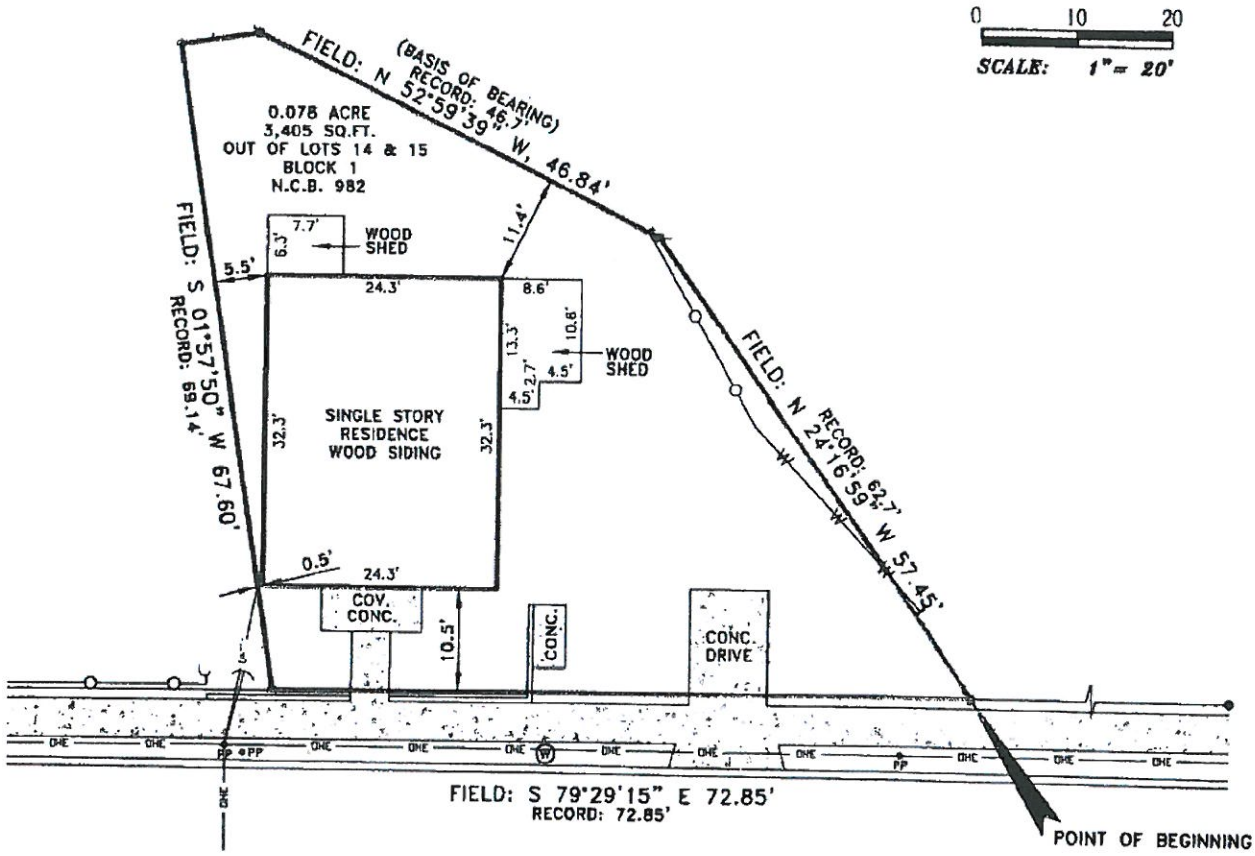
   The subject property is 0.078 acres and appears to be of sufficient size to accommodate the proposed development with the flexibility offered by the "IDZ" district.

7. **Other Factors:**

   None.

IDZ with uses permitted in C-2 And MF-33

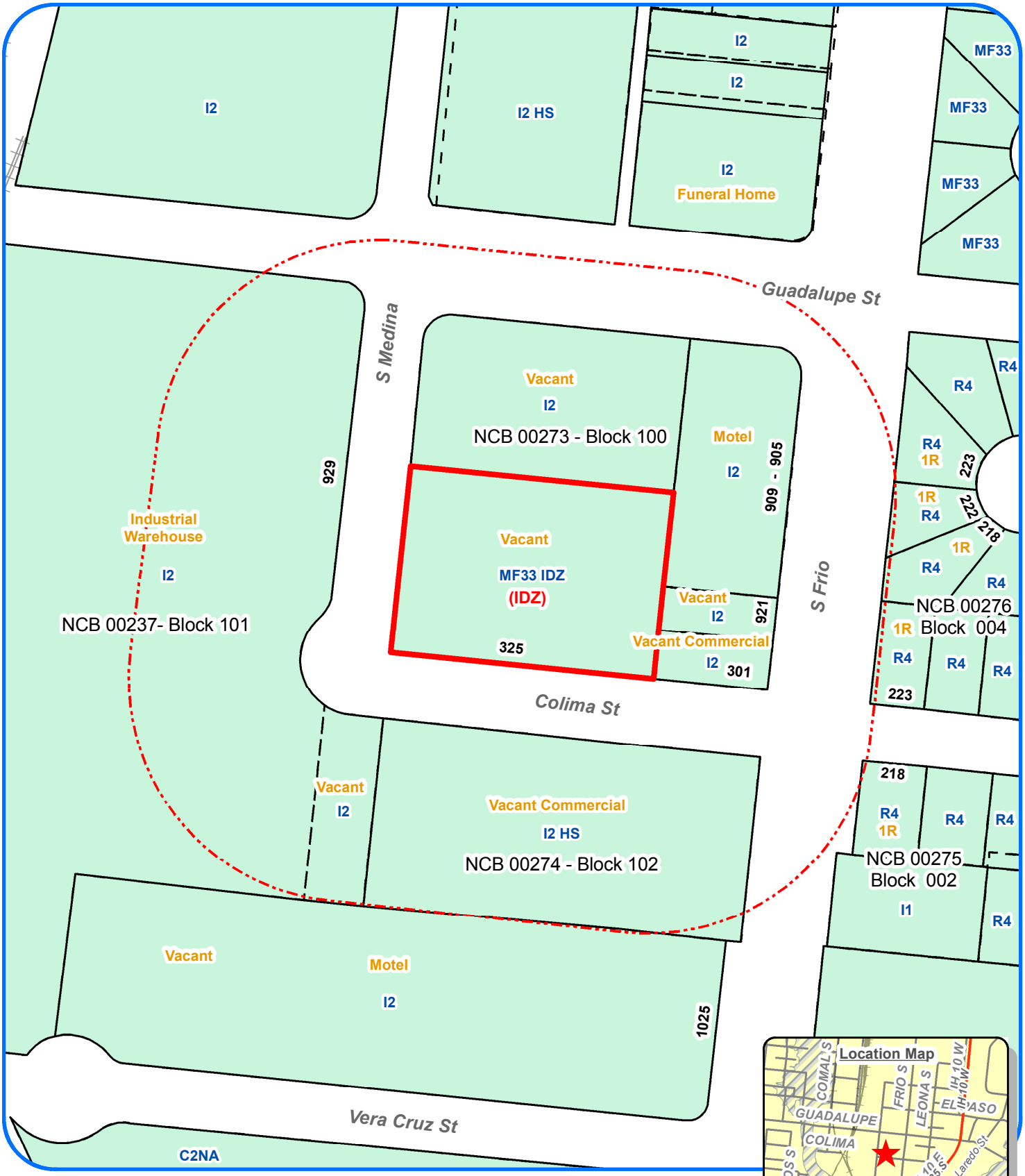
Z2012048



E. GRAYSON ST

I, Patrick Shearer, on behalf of Abington Holdings LLC, the property owner, acknowledge that this site plan submitted for the purpose of rezoning 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 rezoning case does not relieve me from adherence to any/all City-adopted Codes at the time of plan submittal for building permits.

Uses: residential, live-work, office, retail



Zoning Case Notification Plan

Case Z-2013-050

Council District: 5

Scale: 1" approx. = 120 Feet

Subject Property Legal Description(s): NCB 00273 - BLK 100 - LOT A-7, A-8 & A-9

Legend

Subject Properties	(0.920 Acres)
200' Notification Area	
Current Zoning	TEXT
Requested Zoning Change	(TEXT)
100-Year DFIRM Floodplain	
Single Family Residential	1R

N W E S

Development Services Dept
City of San Antonio
(1/2/2013 - 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 #:	Z2013050
Hearing Date:	January 15, 2013
Property Owner:	South Frio Development, LLC
Applicant:	Michael Wibracht, Manager
Representative:	Mark Tolley, Director of Real Estate
Location:	325 Colima Street
Legal Description:	Lots A7, A8 and A9, Block 100, NCB 273
Total Acreage:	0.92
City Council District:	5
Case Manager:	Osniel Leon, Planner
Case History:	This is the first public hearing for this zoning case. The case has been expedited to City Council for consideration on Thursday, January 17, 2013.

Proposed Zoning Change

Current Zoning: "MF-33 IDZ AHOD" Multi-Family Infill Development Zone Airport Hazard Overlay District

Requested Zoning: "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with Multi-Family uses not to exceed 68 units per acre

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 December 21, 2012. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on January 2, 2013. Additionally, notice of this meeting was posted at city hall and on the city's internet website on January 11, 2013, in accordance with Section 551.043(a) of the Texas Government Code.

Notices Mailed

Owners of Property within 200 feet: 13

Neighborhood Associations: None

Planning Team Members: 67 – Downtown Neighborhood Plan

Applicable Agencies: None

Property Details

Property History: The subject property is located within the City Limits as they were recognized in 1938 and was originally zoned "L" First Manufacturing District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to "I-2" Heavy Industrial District. In a 2009 case, the property was rezoned to the current "MF-33 IDZ" Multi-Family Infill Development Zone District. The subject property is undeveloped and is not platted in its current configuration.

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
Current Base Zoning: "I-2"
Current Land Uses: Undeveloped land, motel

Direction: East
Current Base Zoning: "I-2", "R-4"
Current Land Uses: Storage warehouse, single-family residences

Direction: West and South
Current Base Zoning: "I-2", "MF-33 IDZ"
Current Land Uses: Undeveloped land, warehouse, motel

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.

Some surrounding properties carry the "HS" Historic Significant landmark designation, signifying the historic architectural character or cultural significance of the structure or location. Historic Landmark designations do not affect the possible uses of the property, but do regulate the exterior aesthetic of the structure.

Transportation

Thoroughfare: South Frio
Existing Character: Secondary Arterial Type A; 2 lanes in each direction with sidewalks
Proposed Changes: None Known

Thoroughfare: Colima Street and South Medina Street
Existing Character: Local Streets; 1 lane in each direction with sidewalks
Proposed Changes: None Known

Public Transit: The nearest VIA bus lines are the number 68 line and 268 line, which operate along South Frio and Guadalupe, north of the subject property.

Traffic Impact: A Traffic Impact Analysis (TIA) has been waived. Infill Development Zone (IDZ) is exempt from TIA requirements.

Parking Information: Parking requirements for multi-family residential uses are determined by the total number of dwelling units. Minimum Parking Requirement: 1.5 spaces per unit. Maximum Parking Requirement: 2 spaces per unit. The "IDZ" Infill Development Zone District eliminates off-street vehicle parking requirements.

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 Downtown Neighborhood Plan, and is currently designated as Residential in the Future Land Use Plan. The requested "IDZ" base zoning district and proposed multi-family density are consistent with the Future Land Use designation. The plan encourages expansion of housing into warehouse areas located west of Frio Street.

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 "IDZ" zoning district is meant to provide flexible standards for the development and reuse of underutilized parcels. Further, the "IDZ" district includes design criteria for new construction intended to create infill development that is proportional to surrounding development. The site is located in an area where there is accessibility to public services and traffic circulation to major thoroughfares.

3. **Suitability as Presently Zoned:**

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

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

   Staff has found no evidence of likely negative impacts on public health, safety or welfare related to the zoning request. The "IDZ" district is meant to encourage and facilitate development on vacant, bypassed lands, or the redevelopment of underutilized buildings or structures, within existing built-up areas.

5. **Public Policy:**

   The subject property and the proposed development meet the criteria of the Inner City Reinvestment Infill Policy (ICRIP). This policy provides development fee waivers to applicants and grant funded reimbursement for city departments, in an effort to encourage redevelopment of under-utilized urban properties.

   The City's Master Plan encourages the preservation and revitalization of housing and promotes targeted infill housing in neighborhoods, particularly older neighborhoods located inside Loop 410.

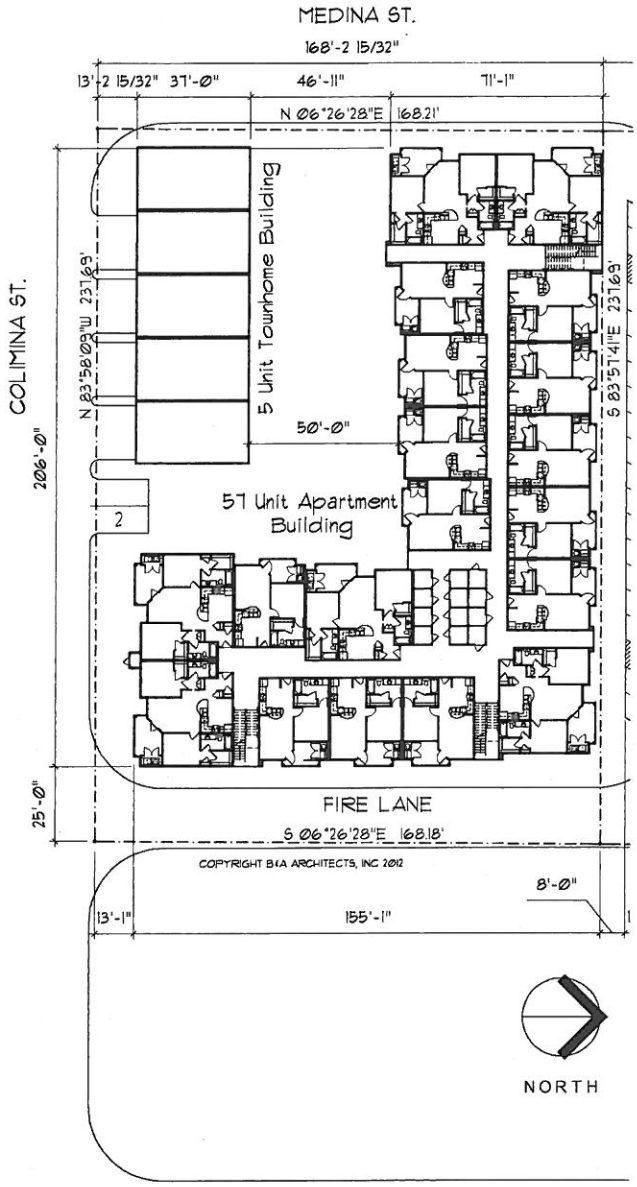
6. **Size of Tract:**

   The subject property is 0.92 acres and appears to be of sufficient size to accommodate the proposed development with the flexibility offered by the "IDZ" district.

7. **Other Factors:**

   The subject property additionally lies within an area referred to in the Center City Strategic Framework Plan as a "growth area". The Framework Plan, as adopted in 2012, recommends an additional 7,500 residential dwelling units in the downtown area. The applicant is proposing to build 62 units on the subject property.

Z2013050



The Birdsong Peanut Factory Lofts

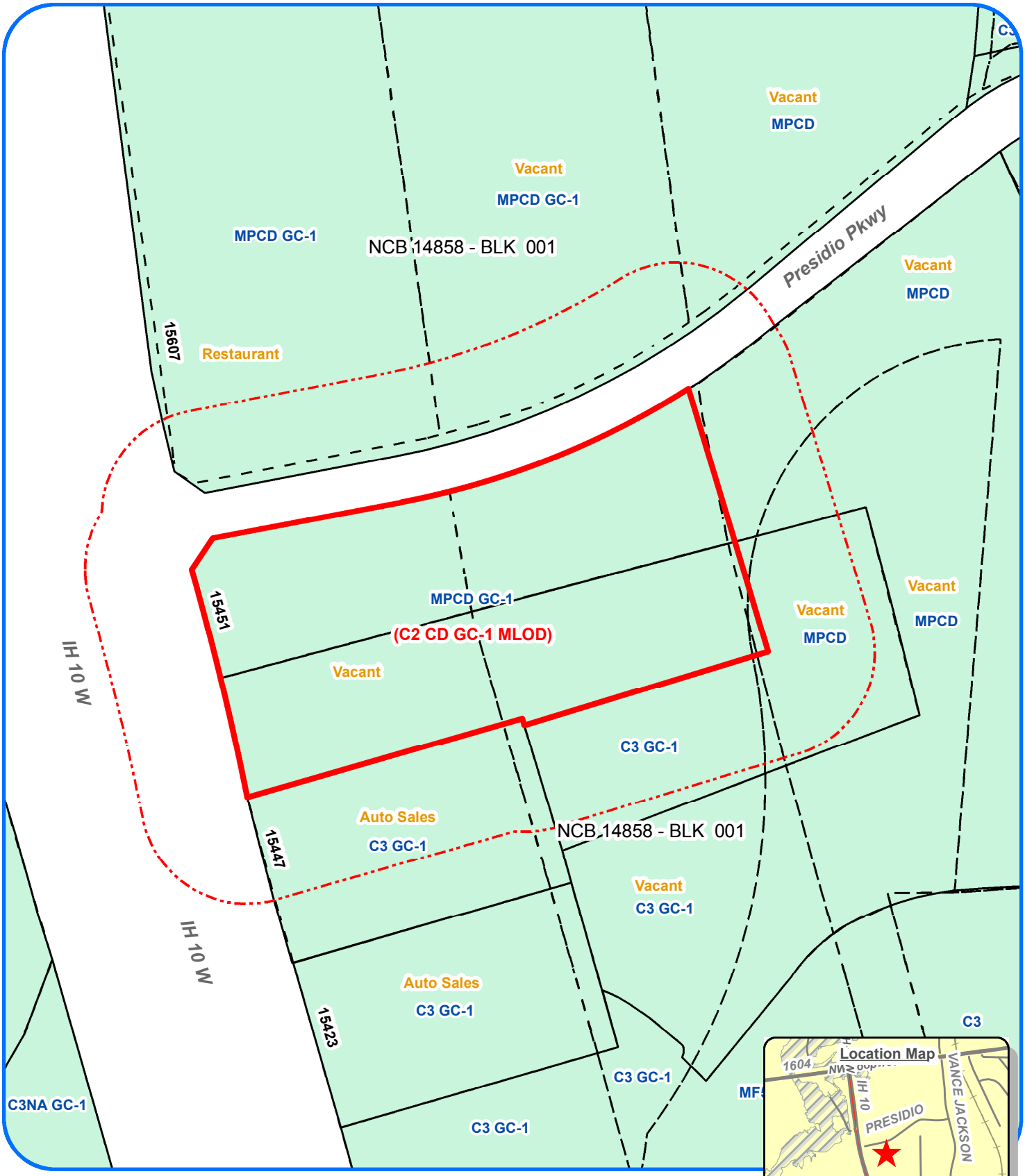
San Antonio, Texas

Sc: 1" = 40'-0"

MATRIX	
TOWNHOMES	5
FLATS	57
TOTAL UNITS	62

12.14.12

I, Michael Wilbright, the property owner, acknowledge that this site plan submitted for the purpose of rezoning 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 rezoning case does not relieve me from adherence to any/all City-adopted Codes at the time of plan submittal for building permits.



Zoning Case Notification Plan

Case Z-2013-051

Council District: 8

Scale: 1" approx. = 250 Feet

Legend

Subject Properties	(10.800 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
(01/03/2013 - R Martinez)

Subject Property Legal Description(s): NCB 14858 - BLK 001 - LOT P9 & N IRR 215.10 FT OF 2 (FIESTA NRTHWST CRSSNG UT-1)

City of San Antonio
Development Services Department
Staff Report

To:	Zoning Commission
Zoning Case #:	Z2013051 CD
Hearing Date:	January 15, 2013
Property Owner:	Cumberland Serengeti IH 10 LP (by Chip Field, Manager)
Applicant:	Cumberland Serengeti IH 10 LP (by Chip Field, Manager)
Representative:	Brown & Ortiz, P.C. (c/o James Griffin)
Location:	A portion of the 15000 Block of Interstate Highway 10 West
Legal Description:	10.8 acres out of NCB 14858
Total Acreage:	10.8
City Council District:	8
Case Manager:	Osniel Leon, Planner
Case History:	This is the first public hearing for this zoning case.

Proposed Zoning Change

Current Zoning: "MPCD GC-1 MLOD-1" Master Planned Community Hill Country Gateway Corridor Camp Bullis Military Lighting Overlay District

Requested Zoning: "C-2 CD GC-1 MLOD-1" Commercial Hill Country Gateway Corridor Camp Bullis Military Lighting Overlay District with a Conditional Use for Motor Vehicle Sales (Full Service)

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 December 21, 2012. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on January 2, 2013. Additionally, notice of this meeting was posted at city hall and on the city's internet website on January 11, 2013, in accordance with Section 551.043(a) of the Texas Government Code.

Notices Mailed

Owners of Property within 200 feet: 6

Neighborhood Associations: None

Planning Team Members: 41 – North Sector Plan

Applicable Agencies: Camp Bullis Military Installation

Property Details

Property History: The subject site is currently undeveloped. The property was annexed in 1971 and was originally zoned “B-3” Business District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to "C-3" General Commercial District. In 2012, the property was rezoned to “MPCD” Master Planned Community District. The property is not platted.

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: “MPCD”
Current Land Uses: Restaurant, undeveloped land

Direction: South
Current Base Zoning: “C-3”
Current Land Uses: Auto sales, undeveloped land

Overlay and Special District Information: Some 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 "MLOD" Military Lighting Overlay District, due to their proximity to Camp Bullis. The "MLOD" does not restrict permitted uses, but does regulate outdoor lighting in an effort to minimize night-time light pollution and its effects on operations at the military installation.

The Hill Country Gateway Corridor District (“GC-1”) provides site development standards for properties within 1,000 feet of Interstate 10 between UTSA Blvd and the northern City Limits. The standards primarily address building placement, landscaping, building materials and signage to promote a coordinated development scheme for the Corridor. A Certificate of Compliance review is performed by the Planning & Community Development Department.

Transportation

Thoroughfare: Interstate Highway 10 West
Existing Character: Expressway
Proposed Changes: None known

Thoroughfare: Presidio Parkway
Existing Character: Collector Street; 1 lane in each direction
Proposed Changes: None known

Public Transit: The nearest VIA bus lines are the 93, 94, 97, 603, and 660, which operate from the University Park / Ride located at the intersection of Interstate Highway 10 West and Loop 1604 West.

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: Minimum Parking Requirement: 1 per 500 square feet GFA of sales and service building. Maximum Parking Requirement: 1 per 375 square feet GFA of sales and service building.

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 subject property is located within the North Sector Plan and is currently designated as Mixed Use Center in the Future Land Use component of the Plan. The requested base zoning district is consistent with adopted land use designation.

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

   The granting of the Conditional Use for a Motor Vehicle Sales will not have an adverse impact on the neighborhood. The majority of surrounding properties are zoned for intense commercial uses.

3. **Suitability as Presently Zoned:**

   Both the existing and requested zoning are appropriate as the subject property is located on an expressway. The proposed auto sales use is compatible with the surrounding land uses and overall character of the area.

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

   Staff has found no indication of likely adverse effects on the public health, safety, or welfare due to this request. There is an established pattern of commercial uses along this portion of Interstate Highway 10 West, including several other auto sales facilities

5. **Public Policy:**

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

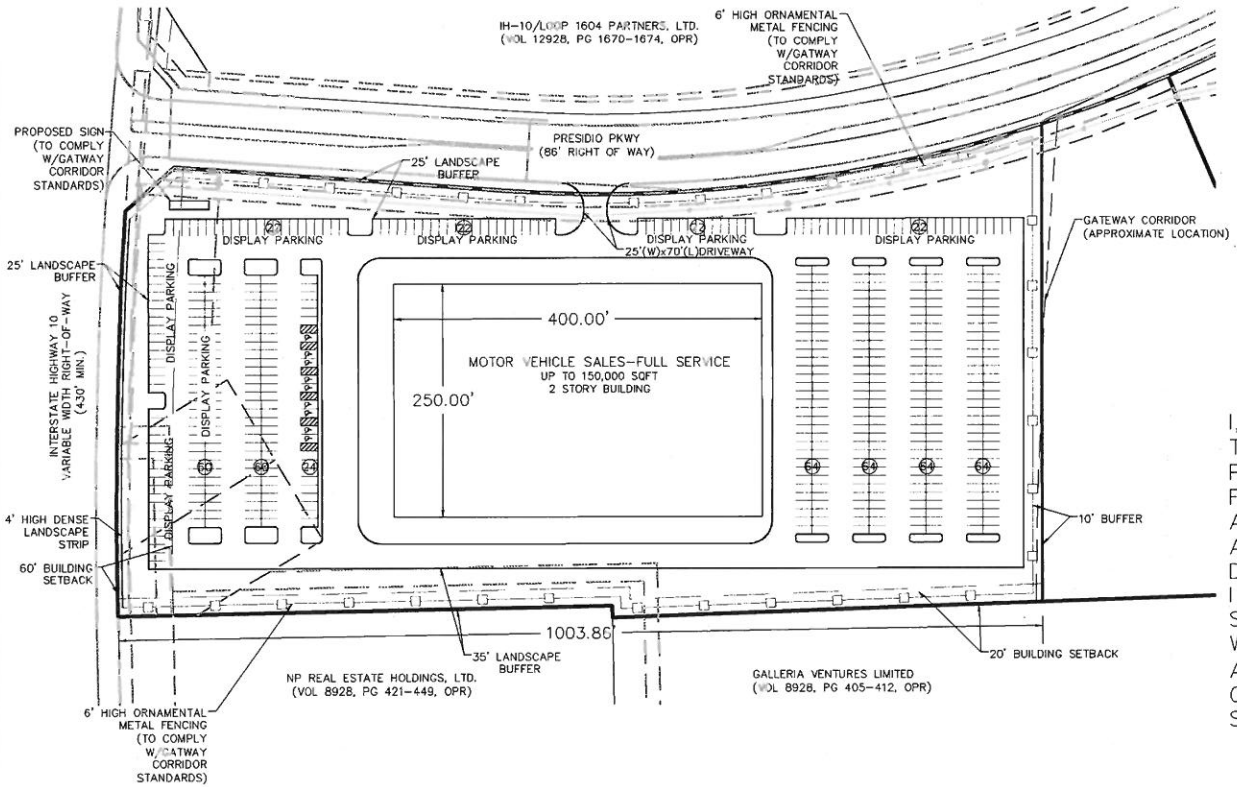
6. **Size of Tract:**

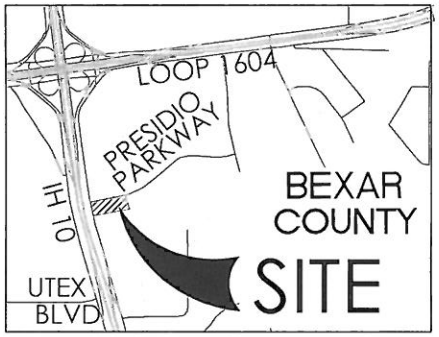
   The subject property is of sufficient size (10.8 acres) to accommodate the proposed development. The applicant has submitted a site plan in order to comply with the Conditional Use requirements

7. **Other Factors:**

   A portion of 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, the Garrison Commander did not review the zoning request because the tract is located south of Loop 1604.

   The conditional zoning procedure is designed to provide for a land use within an area that is not permitted by the established zoning district but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions.





MAPSCO MAP GRID: 514C7
NOT-TO-SCALE

I,_____(CUMBERLAND SERENGETI IH-10, LP)_____,
THE PROPERTY OWNER, ACKNOWLEDGE THAT THIS SITE PLAN SUBMITTED
FOR THE PURPOSE OF REZONING 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 REZONING CASE DOES NOT RELIEVE ME FROM ADHERENCE TO ANY/ALL
CITY-ADOPTED CODES AT THE TIME OF PLAN SUBMITTAL FOR BUILDING PERMITS.

SITE DATA

TOTAL LAND AREA	100%	10.80 ACRES(470448.00 SQFT.)
TOTAL BUILDING AREA	31.9%	UP TO 150,000 SQFT.
LANSCAPE AREA	34.1%	110000 SQFT.
IMPERVIOUS AREA	65.9%	359000 SQFT.

PARKING

PARKING SPACE TYPE	9'-0"(W) X 18'-0"(D)
REQUIRED MINIMUM (EXCLUDING DISPLAY)	300
REQUIRED MAXIMUM (EXCLUDING DISPLAY)	400
ADA ASSESSABLE PARKING	9
DISPLAY PARKING	183
TOTAL (EXCLUDING DISPLAY)	340

SCALE: 1"=200'

200' 0' 100' 200'

JOB NO. 7880-07
DATE DECEMBER 2012
DESIGNER EC
CHECKED TD DRAWN EC
SHEET 1 of 1

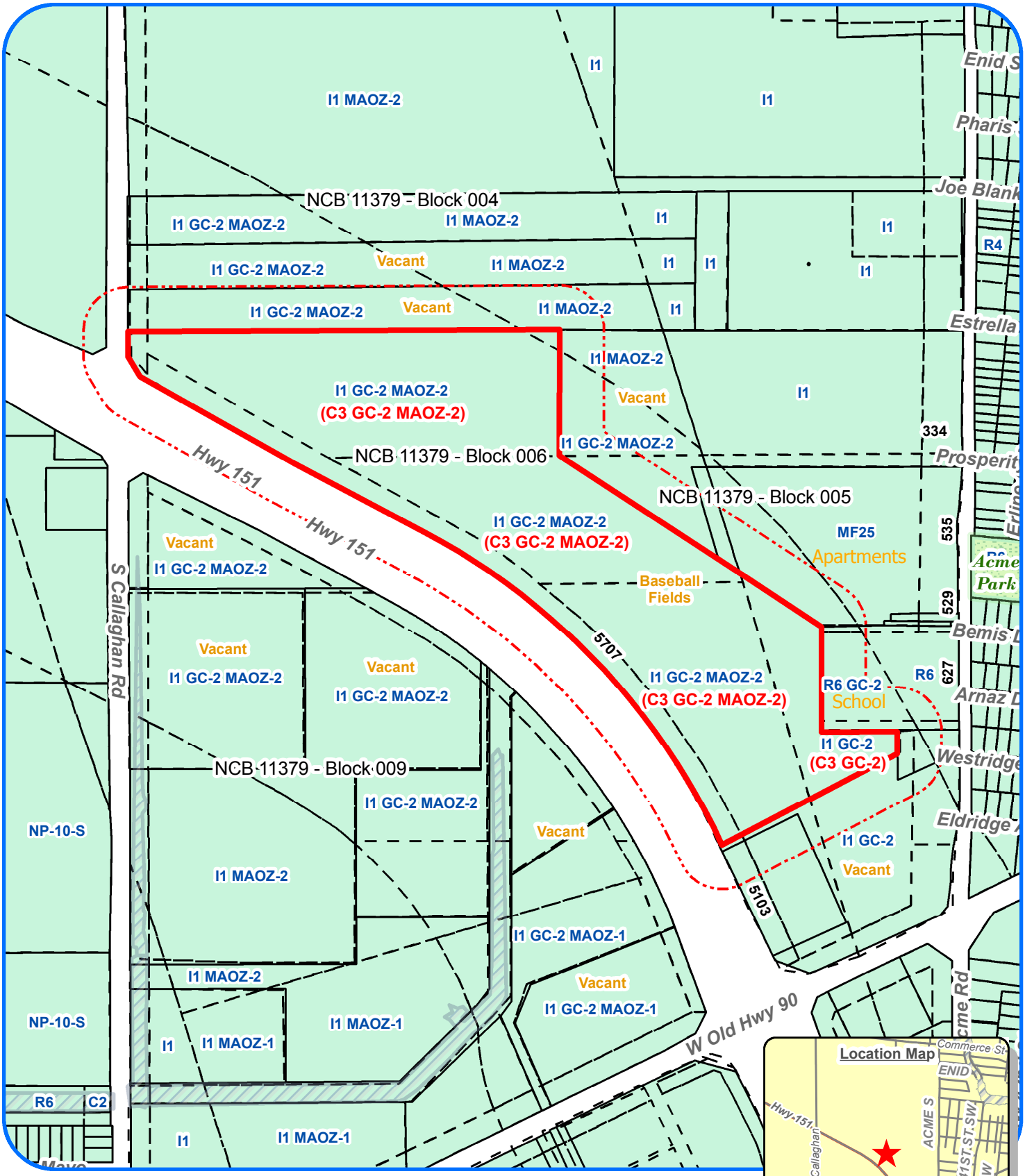
DISTRICT NORTH BMW

SAN ANTONIO, TEXAS

ZONING SITE PLAN

PAPE-DAWSON ENGINEERS
555 EAST RAMSEY | SAN ANTONIO, TEXAS 78216 | PHONE: 210.375.9000 FAX: 210.375.9010
TEXAS BOARD OF PROFESSIONAL ENGINEERS, FIRM REGISTRATION # 470

Date: Dec 19, 2012, 2:31pm User ID: ECorona
File: P:\78\80\07\Design\Civil\Exhibits\121213 DN BMW ZONING PLAN.dwg
THIS DOCUMENT HAS BEEN PRODUCED FROM MATERIAL THAT WAS STORED AND/OR TRANSMITTED ELECTRONICALLY AND MAY HAVE BEEN INADVERTENTLY ALTERED. RELY ONLY ON FINAL HARDCOPY MATERIALS BEARING THE CONSULTANT'S ORIGINAL SIGNATURE AND SEAL.



Zoning Case Notification Plan

Case Z-2013-052

Council District: 6

Scale: 1" approx. = 600 Feet

Legend

Subject Properties	(59.910 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
(1/2/2013 - R Martinez)

Subject Property Legal Description(s): NCB 11379 (MISSIONS BASEBALL ACADEMY MAOZ) - BLOCK 006 - LOT 022

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 #:	Z2013052
Hearing Date:	January 15, 2013
Property Owner:	City of San Antonio
Applicant:	San Antonio Mission's CARE Baseball (by Burl Yarbrough)
Representative:	Burl Yarbrough
Location:	5707 State Highway 151
Legal Description:	Lot 22, Block 6, NCB 11379
Total Acreage:	59.91
City Council District:	6
Case Manager:	Trenton Robertson, Planner
Case History:	This is the first public hearing for this zoning case. The case has been expedited to City Council for consideration on Thursday, January 17, 2013.

Proposed Zoning Change

Current Zoning: "C-3NA GC-2 MAOZ-2 AHOD" General Commercial Nonalcoholic Sales Highway 151 Gateway Corridor Military Airport Overlay Zone-2 Airport Hazard Overlay District, "C-3 GC-2 MAOZ-2 AHOD" General Commercial Highway 151 Gateway Corridor Military Airport Overlay Zone-2 Airport Hazard Overlay District, "I-1 MAOZ-2 AHOD" General Industrial Military Airport Overlay Zone-2 Airport Hazard Overlay District, "I-1 GC-2 AHOD" General Industrial Highway 151 Gateway Corridor Airport Hazard Overlay District, and "I-1 GC-2 MAOZ-2 AHOD" General Industrial Highway 151 Gateway Corridor Military Airport Overlay Zone-2 Airport Hazard Overlay District

Requested Zoning: "C-3" General Commercial District; all overlay districts remain unchanged

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 December 21, 2012. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on January 2, 2013. Additionally, notice of this meeting was posted at city hall and on the city's internet website on January 11, 2013, in accordance with Section 551.043(a) of the Texas Government Code.

Notices Mailed

Owners of Property within 200 feet: 10

Neighborhood Associations: Community Workers Council

Planning Team Members: 35 - West/Southwest Sector Plan

Applicable Agencies: United States Air Force

Property Details

Property History: The subject property was annexed in 1966. In 1986 and 1988, portions of the property were rezoned to "B-3NA" Nonalcoholic Sales 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 the current "C-3NA" General Commercial Nonalcoholic Sales District, "C-3" General Commercial District, and "I-1" General Industrial District, respectively. The property was platted into its current configuration in 2011 (Volume 9631, Page 104 of the Deed and Plat Records of Bexar County, Texas).

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, south and west
Current Base Zoning: "I-1"
Current Land Uses: Undeveloped land

Direction: East
Current Base Zoning: "MF-25", "R-6" and "I-1"
Current Land Uses: Undeveloped land, school and apartment complex

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.

The subject property and surrounding properties located to the north, west, and south carry the "MAOZ-2" Military Airport Overlay Zone, due to their proximity to military airport takeoff and final approach paths. The City of San Antonio has designated the military airport overlay zones in order to promote the public health, safety, peace, comfort, convenience and general welfare of the inhabitants of military airport environs and to prevent the impairment of military airfields and the public investment.

The Highway 151 Gateway Corridor District ("GC-2") provides site development standards for properties within 1,000 feet of Highway 151 between Highway 90 and the western City Limits. The standards primarily address building placement, landscaping, building materials and signage to promote a coordinated development scheme for the Corridor. A Certificate of Compliance review is performed by the Planning & Community Development Department

Transportation

Thoroughfare: Highway 151
Existing Character: Freeway 250'-500'; two lanes and access roads in each direction.
Proposed Changes: None known

Public Transit: VIA bus line 75 operates along South Acme Road, east of the subject property; while VIA bus line 76 operates along Old Highway 90, south of the subject property.

Traffic Impact: A full Traffic Impact Analysis study has been completed (#TIA20110601).

Parking Information:
Athletic Fields
Minimum requirement: 1 space per 6 seats, or 1 space per 30 square feet of GFA if no permanent seats
Maximum allowance: 1 space per 4 seats, or 1 space per 50 square feet of GFA if no permanent seats

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 Civic Center in the future land use component of the plan. The Civic Center designation is meant to accommodate public, governmental, institutional, and religious uses. The proposed athletic facility is a City, County, and nonprofit organization joint project that is consistent with the Civic Center 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.

3. **Suitability as Presently Zoned:**

   Both the existing and proposed zoning districts are appropriate for the subject property. However, the existing split-zoning on the property is the result of outdated zoning practices that created commercial buffers surrounding industrial uses. The practice is not widely used today as the split-zoning creates obstacles for cohesive development.

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

   Staff has found no indication of likely negative influence on public health, safety or welfare in relation to this zoning change request.

5. **Public Policy:**

   This rezoning request was initiated by City Council resolution. The project is one of 13 youth and amateur sports facilities that were funded through the Bexar County Community Venues Program which was approved by Bexar County voters in 2008. In January 2010, City Council approved a license agreement with the Missions Baseball Care Foundation for development, maintenance and use of the 59.9 acre site for a five year term with up to seven (7) five year renewal options.

6. **Size of Tract:**

   The subject property is 59.91 acres in size, which should be able to reasonably accommodate the proposed sports complex.

7. **Other Factors:**

   The subject property is located within the Lackland Military Influence Area and the Military Airport Overlay Zone, both requiring notification of the zoning request be sent to the United States Air Force. Comments issued by the Joint Base San Antonio indicate support for the zoning change request and proposed project.