

# CITY OF SAN ANTONIO

## Zoning Commission Agenda

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

**Tuesday, May 17, 2011**

**12:45 PM**

### ZONING COMMISSIONERS

Mariana Ornelas – District 1

Dan Martinez – District 2

Andrew Anguiano – District 3

Orlando Salazar – District 4

Vacant – District 5

Christopher Martinez – District 6

David Christian – District 7

Rick McNealy – District 9

Milton R. McFarland – District 10

Brenna Nava – 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 May 17, 2011.
2. **1:00 P.M.** Board Room– Call to Order.
3. Roll Call.
4. Pledge of Allegiance.
5. Approval of May 3, 2011 Zoning Commission Minutes.
6. **ZONING CASE NUMBER Z2011071:** A request for a change in zoning from “C-3 AHOD” General Commercial Airport Hazard Overlay District to “C-3 IDZ AHOD” General Commercial Infill Development Zone Airport Hazard Overlay District on the south 50 feet of Lot 1 and all of Lot 2, Lot 3, Lot 4 and Lot 5, Block 1, NCB 2322, 105 South Zarzamora Street and 2918 West Commerce Street. (Council District 5)
7. **ZONING CASE NUMBER Z2011075 CD:** A request for a change in zoning from “R-6 AHOD” Residential Single-Family Airport Hazard Overlay District to “R-6 CD AHOD” Residential Single-Family Airport Hazard Overlay District with a Conditional Use for an Assisted Living Facility with six or more residents on Lot 29, Block 65, NCB 15859, 906 Rolling Rock. (Council District 4)
8. **ZONING CASE NUMBER Z2011101:** A request for a change in zoning from “C-3” General Commercial District and “C-3 GC-2” General Commercial Highway 151 Gateway Corridor Overlay District to “MF-33” Multi-Family District and “MF-33 GC-2” Multi-Family Highway 151 Gateway Corridor District on 21.611 acres out of NCB 17642, located along Highway 151 between Wiseman and West 1604 North. (Council District 6)
9. **ZONING CASE NUMBER Z2011110 S:** A request for a change in zoning from “C-2 AHOD S” Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Medical-Hospital to “C-2 AHOD S” Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Medical-Hospital with a maximum height of 111.53 feet on 0.061 acres out of Lot 9, Block 9, NCB 842, 1310 McCullough Avenue. (Council District 1)

10. **ZONING CASE NUMBER Z2011068 S:** A request for a change in zoning from “C-3NA AHOD” General Commercial Nonalcoholic Sales Airport Hazard Overlay District to “C-3NA S AHOD” General Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Specific Use Authorization for Machinery, Tools and Construction Equipment Sales and Service on 4.893 acres out of NCB 15172, 6600 Block of Southwest Loop 410. (Council District 4)
11. **ZONING CASE NUMBER Z2011092:** A request for a change in zoning from “H R-6 CD AHOD” Residential Single-Family Lavaca Historic Airport Hazard Overlay District with a Conditional Use for multi-family not to exceed three units to “H IDZ AHOD” Infill Development Zone Lavaca Historic Airport Hazard Overlay District with uses permitted in “MF-33” Multi-Family District and “C-1” Light Commercial District on Lot 23, Block 5, NCB 723, 115 Devine Street. (Council District 1)
12. **ZONING CASE NUMBER Z2011102 CD:** A request for a change in zoning from “C-3 AHOD” General Commercial Airport Hazard Overlay District and “C-2 AHOD” Commercial Airport Hazard Overlay District to “C-3 CD AHOD” General Commercial Airport Hazard Overlay District with a Conditional Use for Parking And/Or Storage - Long Term on 4.393 acres of land out of Lot 9, NCB 18288, 8233 Potranco Road. (Council District 6)
13. **ZONING CASE NUMBER Z2011108:** A request for a change in zoning from “MF-33 NCD-6 AHOD” Multi-Family Mahncke Park Neighborhood Conservation Airport Hazard Overlay District to “NC NCD-6 AHOD” Neighborhood Commercial Mahncke Park Neighborhood Conservation Airport Hazard Overlay District on Lot 5 and southwest triangle 50 feet of Lot 6, NCB 6244, 116 Elmhurst Avenue. (Council District 9)
14. **ZONING CASE NUMBER Z2011115:** A request for a change in zoning from “UD AHOD” Urban Development Airport Hazard Overlay District to “C-2 AHOD” Commercial Airport Hazard Overlay District on Lots 1 and 2, Block 3, NCB 18087, 9903 Hunters Pond. (Council District 3)
15. **ZONING CASE NUMBER Z2011116:** A request for a change in zoning from “C-3 AHOD” General Commercial Airport Hazard Overlay District and “C-2 AHOD CD” Commercial Airport Hazard Overlay District with a Conditional Use for a Self Service Storage to “R-6 AHOD” Residential Single-Family Airport Hazard Overlay District on 13.69-acre tract of land out of NCB 16554, 11095 North Graytown Road. (Council District 2)
16. **ZONING CASE NUMBER Z2011117 S:** A request for a change in zoning from “R-6 AHOD” Residential Single-Family Airport Hazard Overlay District to “C-3 AHOD S” General Commercial Airport Hazard Overlay District with a Specific Use Authorization for Storage-Outside (Screening from Public ROWs and Adjacent Property Required) on Parcel 74D, NCB 15248, 8331 S. W. Loop 410. (Council District 4)
17. **ZONING CASE NUMBER Z2011119:** A request for a change in zoning from “PUD MF-33 GC-1 MLOD” Planned Unit Development Multi-Family Hill Country Gateway Corridor Overlay Military Lighting Overlay District and “PUD C-3 GC-1 MLOD” Planned Unit Development General Commercial Hill Country Gateway Corridor Overlay Military Lighting Overlay District to “PUD C-3 GC-1 MLOD” Planned Unit Development General Commercial Hill Country Gateway Corridor Overlay Military Lighting Overlay District on 2.8306 acres out of NCB 16390, 25000 Block of IH 10 West. (Council District 8)
18. **ZONING CASE NUMBER Z2011120:** A request for a change in zoning from “I-1AHOD” General Industrial Airport Hazard Overlay District to “C-1 AHOD” Light Commercial Airport Hazard Overlay District on South irregular 96.5 feet of Lot 13, Block 31, NCB 3299, 107 Rigsby Avenue. (Council District 3)

19. **ZONING CASE NUMBER Z2011121 S:** A request for a change in zoning from “C-2 AHOD NCD-1” Commercial Airport Hazard Overlay South Presa/South St. Mary's Streets Neighborhood Conservation District to “C-2 AHOD NCD-1 S” Commercial Airport Hazard Overlay South Presa/South St. Mary's Streets Neighborhood Conservation District with a Specific Use Authorization for a Bar/Tavern on 0.0283 acre tract of land out of Lot 1, Block 4, NCB 732, 1014 South Presa Street. (Council District 1)
20. Amending Chapter 35, Unified Development Code of the City Code of San Antonio, Texas regarding regulation of uses within the River Improvement Overlay Districts to allow an existing use to be conforming.
21. **ZONING CASE NUMBER Z2011076-A:** A request for a change in zoning from “H I-2 AHOD RIO-6” Heavy Industrial Mission Historic Airport Hazard Overlay River Improvement Overlay District-6 to “H I-2 S AHOD RIO-6” Heavy Industrial Mission Historic Airport Hazard Overlay River Improvement Overlay District-6 with a Specific Use Authorization for Petroleum-Manufacturing or Processing on 17.615 acres out of NCB 10931, 7811 South Presa Street. (Council District 3)
22. **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.
23. **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-2011-071

Council District 5

Scale: 1" approx. = 120 Feet

Subject Property Legal Description(s): NCB 02322 - Block 001 - N 107.1 ft of Lot 2 and All of Lots 3, 4, & 5

#### Legend

- Subject Properties (0.74 Acres) ———
- 200' Notification Area - - - - -
- Current Zoning TEXT
- Requested Zoning Change (TEXT)
- 100-Year DFIRM Floodplain
- Single Family Residential 1R



Development Services Dept  
City of San Antonio  
(02/24/2011 - E Hart)

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



# City of San Antonio

## Development Services Department

### Staff Report

To: Zoning Commission  
Zoning Case #: Z2011071  
Hearing Date: May 17, 2011  
Property Owner: Shirley Gonzales  
Applicant: Brown & Ortiz, P. C.  
Representative: Brown & Ortiz, P. C.  
Location: 105 South Zarzamora Street and 2918 West Commerce Street  
Legal Description: South 50 feet of Lot 1 and all of Lot 2, Lot 3, Lot 4 and Lot 5, Block 1, NCB 2322  
Total Acreage: 0.74  
City Council District: 5  
Case Manager: Pedro Vega, Planner  
Case History: This is the second public hearing for this zoning request. Continuance (Applicant's request) from May 3, 2011.

### Proposed Zoning Change

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

**Requested Zoning:** "C-3 IDZ AHOD" General 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). Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on April 20, 2011. The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on April 13, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on April 29, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

### Notices Mailed

**Owners of Property within 200 feet:** 27

**Neighborhood Associations:** Prospect Hill Neighborhood Association, Avenida Guadalupe Association Inc. within 200 feet.

**Planning Team Members:** 22 (Guadalupe Westside Community Plan)

**Applicable Agencies:** None

### Property Details

**Property History:** The subject property is located within the City Limits as recognized in 1938. The subject property was originally zoned "H" Local Retail. In 2001 following the adoption of the Unified Development Code, the existing "C-3 AHOD" General Commercial Airport Hazard Overlay District converted from the previous "H" Local Retail.

**Topography:** The subject property is relatively flat and has no physical characteristics that are likely to affect the development.

## **Adjacent Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "C-3 AHOD"

**Current Land Uses:** Commercial Use

**Direction:** West

**Current Base Zoning:** "C-3 AHOD"

**Current Land Uses:** Commercial Use

**Direction:** East across South Zarzamora Street

**Current Base Zoning:** "C-3R AHOD"

**Current Land Uses:** Shopping Center

**Direction:** South across alley

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

**Current Land Uses:** Restaurant

**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 Zarzamora Street

**Existing Character:** Secondary arterial two lanes in each direction

**Proposed Changes:** None known.

**Thoroughfare:** West Commerce Street

**Existing Character:** Secondary arterial two lanes in each direction

**Proposed Changes:** None known.

**Public Transit:** The VIA number 75 and 76 bus lines operate along South Zarzamora Street and number 520 operates along West Commerce Street.

**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:** Minimum Parking Requirement: 1 per 300 sf GFA. Maximum Parking Requirement: 1 per 150 sf GFA.

## **Staff Analysis and Recommendation: Denial, inconsistent with the plan.**

**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 Guadalupe Westside Community Plan and is currently designated as "Community Commercial" which includes a range of medium intensity commercial uses that serve two or more neighborhoods. The corresponding zoning is "NC", "C-1", "C-2P", "O-1" and "UD". Therefore, the current and requested zoning district is inconsistent with the plan. The applicant has submitted a Master Plan Amendment that will be considered by the Planning Commission on May 11, 2011. Planning and Community Development Department Staff recommends Denial of the Master Plan Amendment.

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

The granting of the "IDZ" Infill Development Zone will not have an adverse impact on the neighborhood. The purpose for the requested zoning change is to allow for an expansion of the existing Bill's Pawn Shop.

**3. Suitability as Presently Zoned:**

The current "C-3 AHOD" General Commercial Airport Hazard Overlay District will allow a Pawn Shop by right. The "IDZ" district provides flexibility to the property owner in adhering to several typical development requirements, such as, setback limitations, parking, parks and open space, and buffer requirements.

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

Staff has found no indication of likely adverse effects on the public health, safety, or welfare. Bill's Pawn Shop currently exists on the south 50 feet of Lot 1 and Lot 2.

**5. Public Policy:**

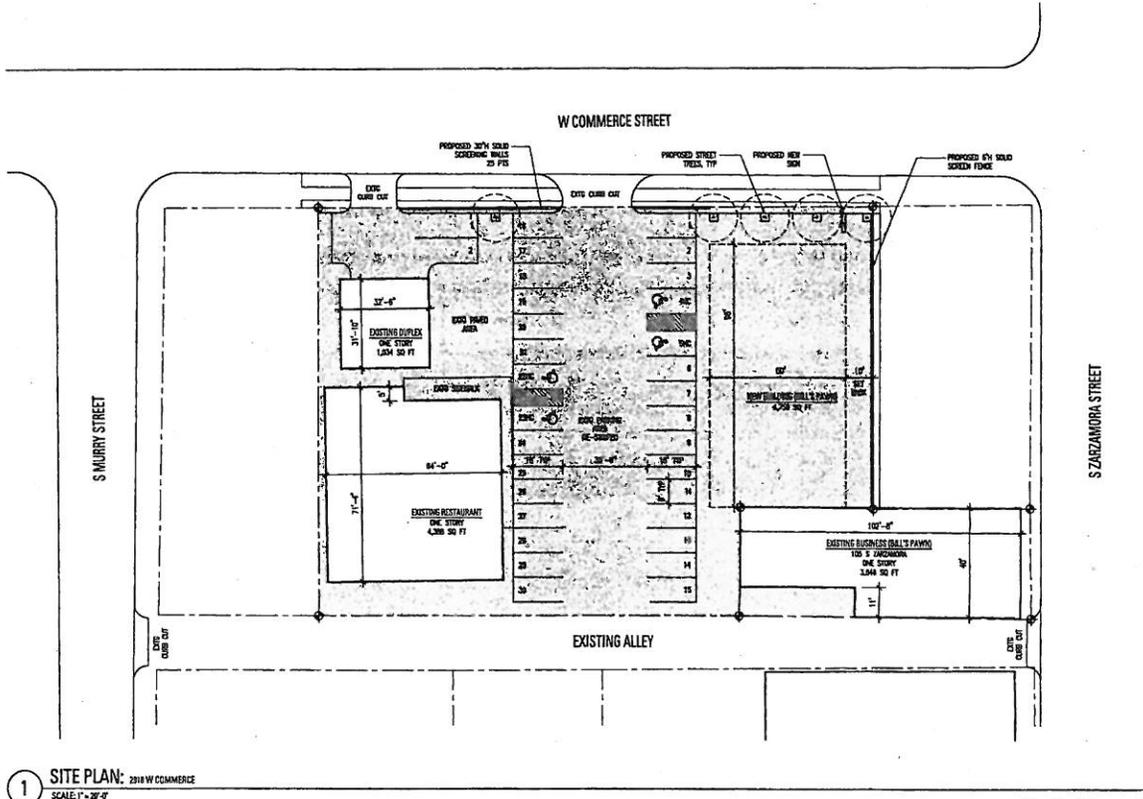
The request does not appear to conflict with any established public policy.

**6. Size of Tract:**

The subject property is 0.74 acres in size, which is adequate to accommodate a Pawn Shop (see site plan).

**7. Other Factors:**

A Pawn Shop requires a "C-3" zoning district to be permitted by-right, but it may be allowed in the "C-2" district with the approval of a Conditional Use and be consistent with the Guadalupe Westside Community Plan.



1 SITE PLAN: 2918 W COMMERCE  
SCALE: 1" = 20'-0"

### SITE PLAN REQUIREMENTS

NOTE: NUMBERING CORRESPONDS TO COSA REQUIREMENTS LIST

1) 0.74 ACRES TOTAL.

| BUILDING          | SQ FT       |
|-------------------|-------------|
| PAWN SHOP         | 3,646 SQ FT |
| RESTAURANT        | 4,388 SQ FT |
| DUPLEX            | 1,034 SQ FT |
| PROPOSED ADDITION | 4,752 SQ FT |

1b) SEE LEGEND FOR LOCATION OF EXISTING BUILDING AND PAVING.

|                  | EXISTING     | PROPOSED     |
|------------------|--------------|--------------|
| IMPERVIOUS COVER | 32,431 SQ FT | 32,386 SQ FT |

|                                  | EXISTING     | PROPOSED        |
|----------------------------------|--------------|-----------------|
| HARD SURFACE STREETS             | N/A          | N/A             |
| PARKING FACILITIES - LOT @ GRADE | 10,463 SQ FT | 10,463 SQ FT    |
| OUTDOOR MECHANICAL EQUIPMENT     | N/A          | N/A             |
| SIGNS                            | N/A          | 10 SQ FT APPROX |
| OTHER PAVED AREAS                | 12,299 SQ FT | 7,547 SQ FT     |

2) SEE PLAN GRAPHIC.

3) SEE PLAN GRAPHIC.

4) SEE PLAN GRAPHIC.

5) ALL EXISTING PAVED AREAS TO REMAIN (SHOWN SHADED) EXCEPT FOR FOOTPRINT OF PROPOSED BUILDING.

|                   | EXISTING                | PROPOSED  |
|-------------------|-------------------------|---|
| PAWN SHOP         | 3,646 SQ FT PAWN SHOP   | 3,646 SQ FT PAWN SHOP   |
| RESTAURANT        | 4,388 SQ FT RESTAURANT  | 4,388 SQ FT RESTAURANT  |
| DUPLEX            | 1,034 SQ FT RESIDENTIAL | 1,034 SQ FT RESIDENTIAL   |
| PROPOSED BUILDING |                         | 9,500 SQ FT PAWN SHOP 1ST & 2ND FLOORS<br>3,000 SQ FT RESIDENCE 3RD FLOOR |

NOTE: INTENDED USE OF PROPERTY IS AS EXISTS WITH THE ADDITION OF NEW BUILDING.

7) *James G. Ryan*, THE AUTHORIZED REPRESENTATIVE OF 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 UNITED 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.

*James G. Ryan*  
SIGNATURE

### SITE PLAN LEGEND

- EXISTING PAVING (IMPERVIOUS)
- EXISTING BUILDINGS
- PROPOSED BUILDING

PROJECT OFFICE:  
1114 SOUTH ST BALDU'S STREET  
SAN ANTONIO, TEXAS 78204

poteet architects

NO. 284504001  
REV. 2/8/2017  
EMAIL: [info@poteetarchitects.com](mailto:info@poteetarchitects.com)

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ARCHITECT

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DATE: 11.15.18      EXP. DATE: 3.31.20

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ENGINEER

---

DATE:      EXP. DATE:

2918  
WEST COMMERCE

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2918 W COMMERCE STREET  
SAN ANTONIO, TEXAS

OWNER:  
BILLY PAWN  
2918 W COMMERCE STREET  
SAN ANTONIO, TEXAS 78207

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| NO. | DATE | DESCRIPTION OF CODE |
|-----|------|---------------------|
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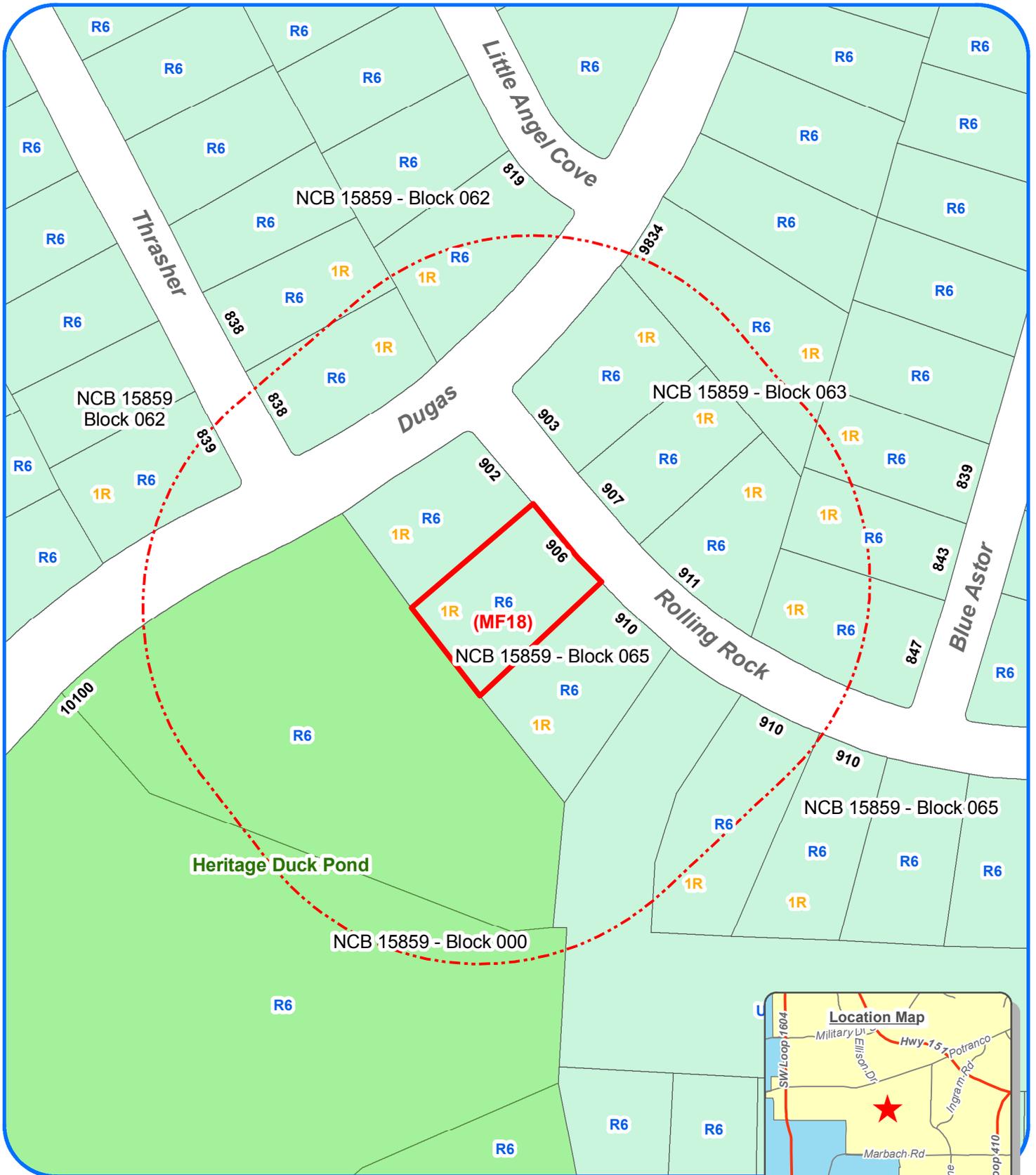
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JOB NO.: 0000      DRAWN BY: JV  
DATE: FEBRUARY 16, 2011      CHECKED:

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SHEET TITLE & NO.:      SITE PLAN

A1.0



**Zoning Case Notification Plan**

**Case Z-2011-075**

Council District 4

Scale: 1" approx. = 100 Feet

Subject Property Legal Description(s): NCB 15859 - Block 065 - Lot 29

**Legend**

- Subject Properties (0.223 Acres) ———
- 200' Notification Area - - - - -
- Current Zoning **TEXT**
- Requested Zoning Change **(TEXT)**
- 100-Year DFIRM Floodplain
- Single Family Residential **1R**



Development Services Dept  
City of San Antonio  
(03/21/2011 - E Hart)

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



# City of San Antonio

## Development Services Department

### Staff Report

To: Zoning Commission

Zoning Case #: Z2011075

Hearing Date: May 17, 2011

Property Owner: John Nlemadim

Applicant: John Nlemadim

Representative: Peter Uwakwe

Location: 906 Rolling Rock

Legal Description: Lot 29, Block 65, NCB 15859

Total Acreage: 0.2176

City Council District: 4

Case Manager: Micah Diaz, Planner

Case History: This is the third public hearing for this zoning case. The case was previously continued from the April 5<sup>th</sup> and 19<sup>th</sup> meetings, and the request was amended by the applicant at the last public hearing.

### Proposed Zoning Change

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

**Requested Zoning:** "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for an Assisted Living Facility with 6 or more residents

### Procedural Requirements

The request was publicly noticed in accordance with Section 403 of the Unified Development Code (UDC). The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on March 17, 2011. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on March 24, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on May 13, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

### Notices Mailed

**Owners of Property within 200 feet:** 18

**Neighborhood Associations:** Heritage Neighborhood Association

**Planning Team Members:** None

**Applicable Agencies:** None

## Adjacent Zoning and Land Uses

| Direction      | Current Base Zoning                      | Current Land Uses                          |
|----------------|--|--|
| All directions | "R-6" Residential Single-Family District | Single-family residences and a public park |

**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 | Existing Character                       | Proposed Changes |
|--------------|--|------------------|
| Rolling Rock | Local street; one lane in each direction | None known.      |
| Dugan Drive  | Local street; one lane in each direction | None known.      |
| Thrasher     | Local street; one lane in each direction | None known.      |

**Public Transit:** VIA bus line 613 operates along Potranco Road to the north, along Dugas Drive to the west, and along South Ellison Drive and Hayloft Lane to the south 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:** Parking requirements for assisted living facilities are determined as follows:

Minimum Parking Requirement: 0.3 of a space per room

Maximum Parking Requirement: 1 space per room

The existing facility provides two parking spaces in the driveway. The requisite site plan indicates \_\_\_\_ parking spaces, including one ADA accessible space. The property may accommodate 6 rooms with the existing parking.

## Staff Analysis and Recommendation: Approval

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

**Property History:** The subject property was annexed in 1995 (Ordinance 83136) 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 current "R-6" Residential Single-Family District. The surrounding neighborhood, including the subject property, was platted in 1981. The single-family residence was originally constructed in 1982, but currently is being used as an assisted living facility.

**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. The subject property is located within the “Suburban Tier” in the future land use component of the sector plan. Both the current and requested zoning are consistent with the land use designation.

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

Staff finds no evidence of likely adverse impacts on the surrounding neighborhood.

**3. Suitability as Presently Zoned:**

The existing single-family zoning district permits assisted living facilities and community homes with five or fewer residents, such as the one currently operated on the subject property. The purpose of the requested zoning change is to allow six or more residents in the existing facility. Approval of the requested conditional use may allow a small increase in the number of residents that can be accommodated at the existing assisted living facility. The actual number of permitted residents will be determined by the State of Texas, through the licensing and inspection process.

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

Staff has found no indication of likely adverse effects on the public health, safety, or welfare. Staff supports continued use of the subject property as an assisted living facility. Staff also does not object to allowing the facility to increase the number of residents; however, such an increase should be permitted in a way that does not upset the character of the surrounding neighborhood. The request of a conditional use allows the City to place a limit on the number of possible residents allowable at the facility. This ensures the character of the facility remains compatible with the surrounding neighborhood.

**5. Public Policy:**

None.

**6. Size of Tract:**

Regardless of the base zoning district, if the facility is permitted to house six or more residents it will be obligated to meet international building code requirements for larger congregated living facilities. Ultimately, the number of residents will be limited by the improvements made (including available parking) and the State of Texas licensing requirements.

**7. Other Factors:**

Per Section 35-422 of the Unified Development Code, the following conditions to conditional use requests in residential zoning district:

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

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

- 1. The facility shall be limited to a maximum of eight residents.

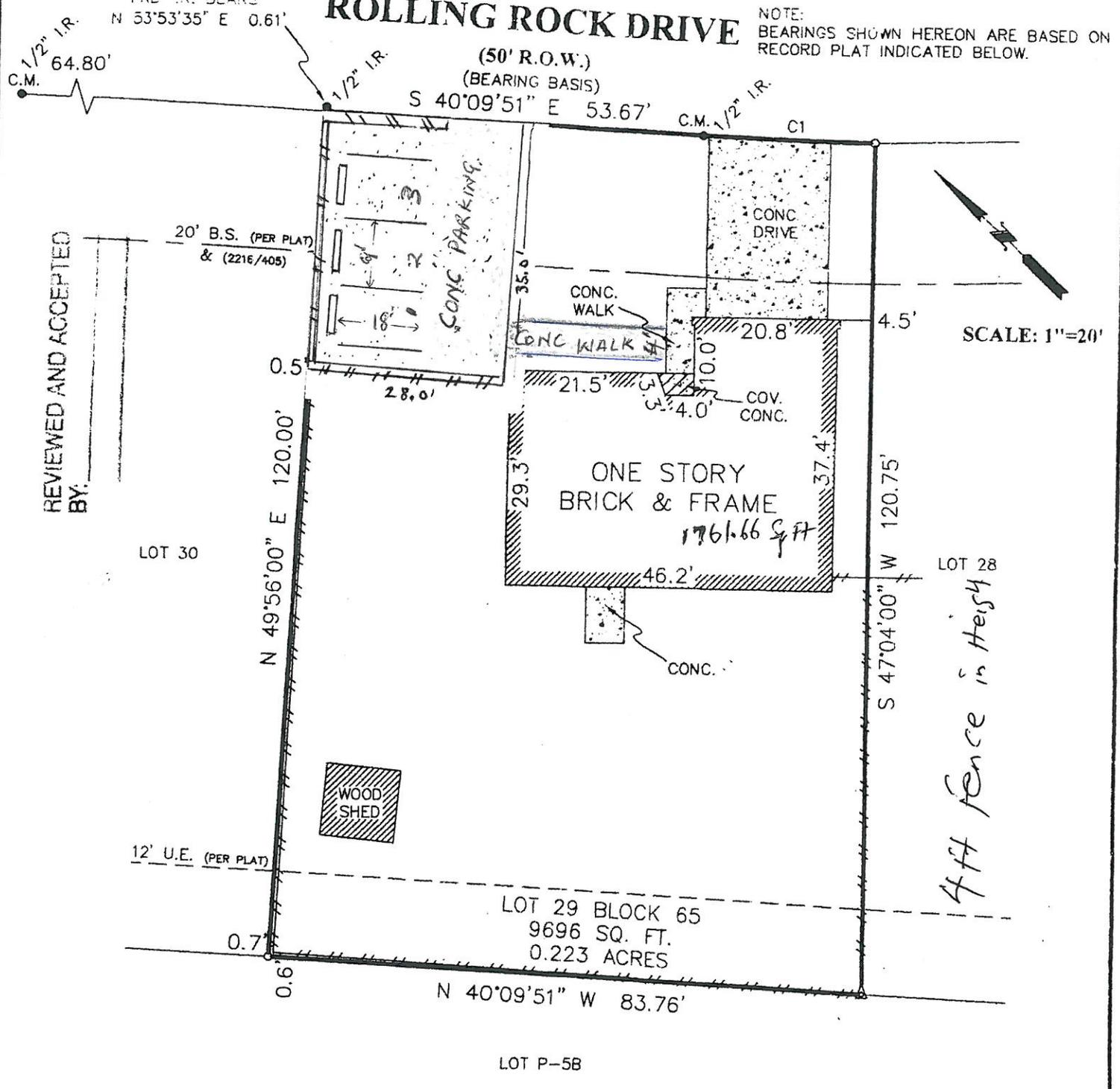
| CURVE | RADIUS  | ARC LENGTH | CHORD LENGTH | CHORD BEARING | DELTA ANGLE |
|-------|---------|------------|--------------|---------------|-------------|
| C1    | 480.37' | 24.06'     | 24.06'       | S 41°35'57" E | 02°52'11"   |

SCOPE OF WORK

FND I.R. BEARS  
N 53°53'35" E 0.61'

# ROLLING ROCK DRIVE

NOTE:  
BEARINGS SHOWN HEREON ARE BASED ON  
RECORD PLAT INDICATED BELOW.



REVIEWED AND ACCEPTED  
BY:

LOT 30

SCALE: 1"=20'

LOT 28

LOT 29 BLOCK 65  
9696 SQ. FT.  
0.223 ACRES

LOT P-5B

|  |                              |
|--|------------------------------|
| PROPERTY ADDRESS<br>906 ROLLING ROCK DRIVE | BORROWER<br>JOHN N. NLEMADIM |
|--|------------------------------|

906 Rolling Rock Dr  
San Antonio, Texas 78245

I, John N. Nlemadim, the property owner, acknowledge that this site plan submitted for the purpose of rezoning this property is in accordance with the all applicable provision of the unified Development Code. Additionally, we understand that Council approval of a site plan in conjunction with a rezoning case does not relieve us from adherence to any/all city adopted Code

NOTE: The only addition to Current existing structure is 3 car parking lot each measuring 9' by 18' and a side walk 4' by 21.5'

CONDITIONAL USE FOR AN ASSISTED  
LIVING FACILITY.



## Zoning Case Notification Plan

### Case Z-2011-101

Council District 6

Scale: 1" approx. = 600 Feet

Subject Property Legal Description(s): 21.611 acres out of NCB 17642

#### Legend

- Subject Properties ——— (21.611 Acres)
- 200' Notification Area - - - - -
- Current Zoning **TEXT**
- Requested Zoning Change **(TEXT)**
- 100-Year DFIRM Floodplain
- Single Family Residential **1R**



Development Services Dept  
City of San Antonio  
(03/29/2011 - E Hart)



# City of San Antonio

## Development Services Department

### Staff Report

To: Zoning Commission

Zoning Case #: Z2011101

Hearing Date: May 17, 2011

Property Owner: Stone Oak Park II, LP

Applicant: Brown & Ortiz, P. C.

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

Location: Located along Highway 151 between Wiseman and West 1604 North.

Legal Description: 21.611 acres out of NCB 17642

Total Acreage: 21.611

City Council District: 6

Case Manager: Brenda Valadez, Planner

Case History: This is the second public hearing for this zoning case. The case was previously continued from the May 3<sup>rd</sup> meeting.

#### **Proposed Zoning Change**

**Current Zoning:** "C-3" General Commercial District and "C-3 GC-2" General Commercial Highway 151 Gateway Corridor Overlay District

**Requested Zoning:** "MF-33" Multi-Family District and "MF-33 GC-2" Multi-Family Highway 151 Gateway Corridor 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 April 14, 2011. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on April 20, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on April 29, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

#### **Notices Mailed**

**Owners of Property within 200 feet:** 7

**Neighborhood Associations:** Mountainview Acres Neighborhood Coalition

**Planning Team Members:** None

**Applicable Agencies:** None

## **Property Details**

**Property History:** The subject property is undeveloped. The property was annexed in 1984 and was originally zoned "B-3" Business District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "C-3" General Commercial District. In a 2005 case, the GC-2 Highway 151 Gateway Corridor was applied to properties within 1,000 feet of the Highway 151 right of way between US Highway 90 and Loop 1604.

**Topography:** The property is relatively flat with a slight slope, and an abundance of grasses, shrubs and trees.

## **Adjacent Zoning and Land Uses**

**Direction:** North

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

**Current Land Uses:** Single-family residence, Vacant Land, Cell Tower

**Direction:** South

**Current Base Zoning:** C-3

**Current Land Uses:** Vacant land

**Direction:** East

**Current Base Zoning:** C-2 and R-6

**Current Land Uses:** Single-family residences, Vacant Land, Data Center

**Direction:** West

**Current Base Zoning:** C-3

**Current Land Uses:** Northwest Vista College, Wells Fargo

**Overlay and Special District Information:** Properties along Highway 151 are located within the "GC-2" Highway 151 Gateway Corridor District. Gateway Corridor overlay districts are meant to protect highway corridors that act as gateways to the city, from visual blight through site, structure, and signage design regulations.

## **Transportation**

**Thoroughfare:** Highway 151

**Existing Character:** Freeway; 8 lanes

**Proposed Changes:** None known.

**Thoroughfare:** Rogers Road

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

**Proposed Changes:** None known.

**Thoroughfare:** West Loop 1604 North

**Existing Character:** Freeway; 4 lanes

**Proposed Changes:** None known.

**Thoroughfare:** Wiseman Boulevard

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

**Proposed Changes:** None known.

**Public Transit:** The nearest VIA busline is the number 660 which operates along Wiseman Boulevard.

**Traffic Impact:** A level 2 Traffic Impact Analysis has been submitted.

**Parking Information:** Minimum Parking Requirement: 1.5 per unit.

Maximum Parking Requirement: 2 per unit.

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

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

### **1. Consistency:**

The subject property is located within the newly adopted West/Southwest Sector Plan and the majority of the property is designated as “Regional Commercial” land use. A small portion of the subject site is designated as “Mixed Use” land use. Both land use designations permit multi-family zoning, therefore the request is consistent with the proposed future land use designations.

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

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

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

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

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

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

The request is consistent with the adopted West/Southwest Sector Plan and will be required to adhere to the Highway 151 Gateway Corridor Overlay standards.

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

The subject property measures 21.611 acres, would appear to accommodate the multi-family development with adequate space for parking.

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

None.



## Zoning Case Notification Plan

### Case Z-2011-110 S

Council District 1

Scale: 1" approx. = 100 Feet

Subject Property Legal Description(s): A Portion of NCB 00842 - Block 009 - Lot 9

#### Legend

- Subject Properties ——— (0.061 Acres)
- 200' Notification Area - - - - -
- Current Zoning **TEXT**
- Requested Zoning Change **(TEXT)**
- 100-Year DFIRM Floodplain
- Single Family Residential **1R**



Development Services Dept  
City of San Antonio  
(04/18/2011 - E Hart)

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



# City of San Antonio Development Services Department Staff Report

To: Zoning Commission  
Zoning Case #: Z2011110 S  
Hearing Date: May 17, 2011  
Property Owner: Methodist Healthcare System of San Antonio, Ltd., LLP  
Applicant: Methodist Healthcare System of San Antonio, Ltd., LLP  
Representative: John Jacks, Drenner & Golden Stuart Wolff, Llp.  
Location: 1310 McCullough Avenue  
Legal Description: A 0.061 acre tract of land out of Lot 9, Block 9, NCB 842  
Total Acreage: 0.061  
City Council District: 1  
Case Manager: Pedro Vega, Planner  
Case History: This is the second public hearing for this zoning request. Continuance (Applicant's request) from May 3, 2011.

## Proposed Zoning Change

**Current Zoning:** "C-2 AHOD S" Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Medical-Hospital

**Requested Zoning:** "C-2 AHOD S" Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Medical-Hospital with a maximum height of 111.53 feet.

## Procedural Requirements

The request was publicly noticed in accordance with Section 403 of the Unified Development Code (UDC). Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on April 20, 2011. The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on April 13, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on April 29, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

## Notices Mailed

**Owners of Property within 200 feet:** 14

**Neighborhood Associations:** Tobin Hill Neighborhood Association

**Planning Team Members:** 14 (Tobin Hill Neighborhood Plan)

**Applicable Agencies:** None

## Property Details

**Property History:** The subject property is located within the City Limits as recognized in 1938. The subject property was originally zoned "E" Office District. In September of 1990, this property was the subject of zoning case Z90108, in which the applicant was granted "B-2 CC" Business District with City Council approval for a Medical-Hospital.

Upon adoption of the 2001 Unified Development Code, the previous zoning district converted to "C-2 AHOD S" Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Medical-Hospital.

**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 across East Laurel Street  
**Current Base Zoning:** "C-2 AHOD S" Medical-Hospital  
**Current Land Uses:** Metropolitan Methodist Hospital

**Direction:** South  
**Current Base Zoning:** "C-2 AHOD"  
**Current Land Uses:** Metropolitan Methodist Hospital

**Direction:** West  
**Current Base Zoning:** "C-2 AHOD"  
**Current Land Uses:** Metropolitan Methodist Hospital

**Direction:** East across Erie Street  
**Current Base Zoning:** "MF-33 AHOD"  
**Current Land Uses:** 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 Laurel Street  
**Existing Character:** Collector Street; one lane in each direction  
**Proposed Changes:** None known.

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

**Public Transit:** VIA bus lines 5 and 204 operate along McCullough Avenue; with multiple bus stops in close proximity to the subject property.

**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:** Minimum Parking Requirement: 1 per 400 sf of GFA. Maximum Parking Requirement: 1 per 100 sf 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 Tobin Hill Neighborhood Plan and is currently designated as "Public/Institutional". Therefore, the requested zoning district is consistent with the plan.

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

The granting of the Specific Use Authorization for a Medical-Hospital with a maximum height of 111.53 feet will not have an adverse impact on the neighborhood. The Metropolitan Methodist Hospital currently exists on the subject property and has maintained a long-term presence in the Tobin Hill Neighborhood.

**3. Suitability as Presently Zoned:**

The base zoning district will remain "C-2 AHOD S" Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Medical-Hospital, which is suitable for the property. The request is also suitable.

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

Staff has found no indication of likely adverse effects on the public health, safety, or welfare. Considering the current location of the hospital and the importance of such emergency facilities to the benefit of public health, the rezoning request shall not adversely affect the surrounding community. The Specific Use Authorization is critical to updating and expanding the ICU services to provide life saving services to the community.

**5. Public Policy:**

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

**6. Size of Tract:**

The proposed structure square footage will be 59,443 square feet in size. The applicant has submitted a site plan in order to comply with the Specific Use Authorization requirements.

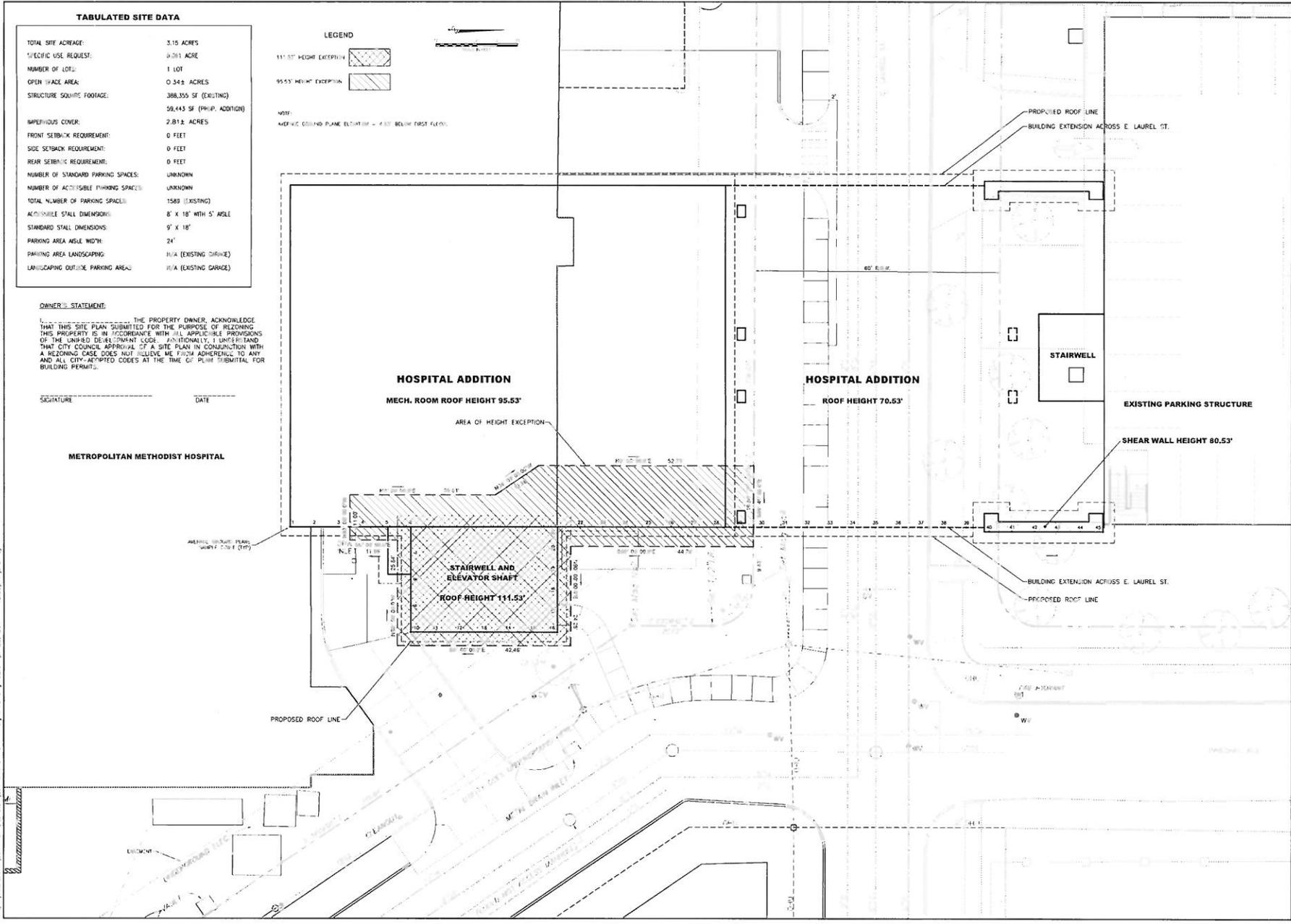
**7. Other Factors:**

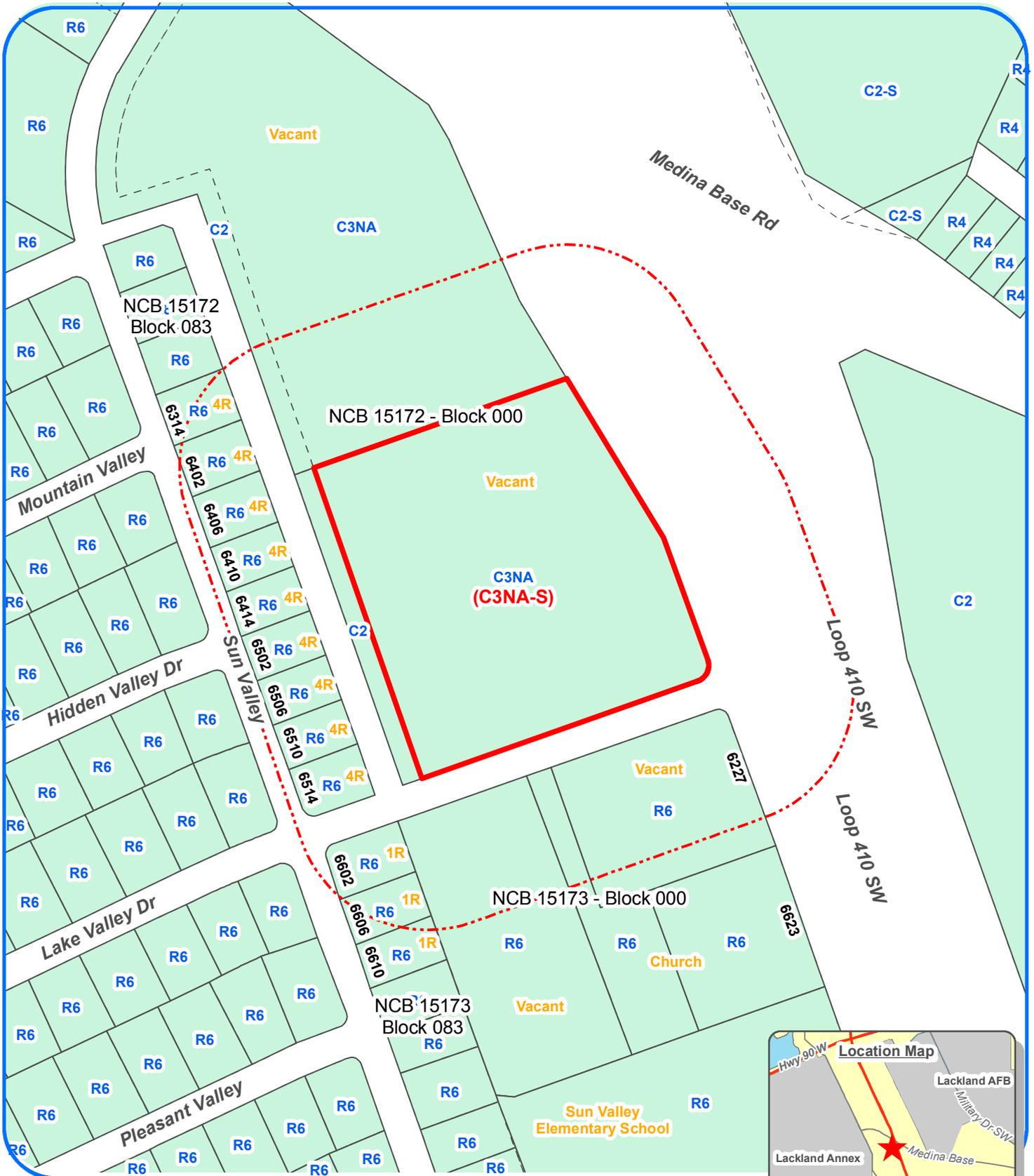
A Specific Use Authorization is requested to allow additional height in the current "C-2 AHOD S" zoning district to accommodate a vertical expansion of a portion of the existing Metropolitan Methodist Hospital.

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.

| REVISIONS |       |
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**C2.0**  
AREA OF HEIGHT  
EXCEPTION





## Zoning Case Notification Plan

### Case Z-2011-068 S

Council District 4

Scale: 1" approx. = 200 Feet

Subject Property Legal Description(s): 4.893 acres out of NCB 15172

#### Legend

- Subject Properties ——— (4.893 Acres)
- 200' Notification Area - - - - -
- Current Zoning TEXT
- Requested Zoning Change (TEXT)
- 100-Year DFIRM Floodplain ———
- Single Family Residential 1R



Development Services Dept  
City of San Antonio  
(02/23/2011 - E Hart)

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



# City of San Antonio

## Development Services Department

### Staff Report

To: Zoning Commission

Zoning Case #: Z2011068 S

Hearing Date: May 17, 2011

Property Owner: Twisted Sister, LP

Applicant: Arredondo Interest (Jerry Arredondo)

Representative: Arredondo Interest (Jerry Arredondo)

Location: 6600 Block of Southwest Loop 410; Located on the west side of Southwest Loop 410, north of Lake Valley Drive.

Legal Description: 4.893 acres out of NCB 15172

Total Acreage: 4.893

City Council District: 4

Case Manager: Brenda Valadez, Planner

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

#### **Proposed Zoning Change**

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

**Requested Zoning:** "C-3NA S AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Specific Use Authorization for Machinery, Tools and Construction Equipment Sales and 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 April 29, 2011. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on May 4, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on May 13, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

#### **Notices Mailed**

**Owners of Property within 200 feet:** 15

**Neighborhood Associations:** People Active in Community Effort

**Planning Team Members:** 30 (United Southwest Community Plan)

**Applicable Agencies:** None

## **Property Details**

**Property History:** The subject property is currently undeveloped. The property was annexed in 1972 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.

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

## **Adjacent Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** C-3

**Current Land Uses:** Vacant land

**Direction:** South

**Current Base Zoning:** R-6

**Current Land Uses:** Vacant land, church, school

**Direction:** East

**Current Base Zoning:** NA

**Current Land Uses:** SW Loop 410

**Direction:** West

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

**Current Land Uses:** Four-family dwellings, 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:** Medina Base Road

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

**Proposed Changes:** None known

**Thoroughfare:** SW Loop 410

**Existing Character:** Freeway; 8 lanes

**Proposed Changes:** None known

**Thoroughfare:** Lake Valley Drive

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

**Proposed Changes:** None known

**Thoroughfare:** Sun Valley

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

**Proposed Changes:** None known

**Public Transit:** VIA busline number 611 operates along Sun Valley and busline 616 operates along Medina Base Road.

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

**Parking Information:** Parking requirements for Machinery, Tools and Construction Equipment Sales and Service is determined by the size of the sales and service building(s).

Minimum Parking Requirement: 1 space per 500 square feet

Maximum Parking Requirement: 1 space per 375 square feet

## **Staff Analysis and Recommendation: Denial**

**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 United Southwest Community Plan and is currently appropriately designated as “Community Commercial” in the Future Land Use Plan. The zoning request is not consistent with the Future Land Use designation. A plan amendment has been initiated to change the land use designation on this property to Regional Commercial. The plan amendment was recommended for approval at the April 27, 2011 Planning Commission meeting. The Planning and Community Development Department recommends denial of the plan amendment.

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

The subject property is located on Southwest Loop 410 and Lake Valley Drive. Lake Valley Drive is a local street. The subject property’s location is most appropriate for Community Commercial uses, which would be consistent with the community plan and the C-2 Commercial District. This request would allow more intense land uses with direct access to the local street, which staff believes would be incompatible with the residential neighborhood to the west.

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

The existing zoning is not appropriate for the subject property or the surrounding neighborhood. The current intense commercial zoning is the result of out-dated zoning practices that were once common. Current zoning practices would not place intense commercial zoning near established residential neighborhoods. The C-3 zoning district is typically considered a Regional Commercial land use, which is most appropriately located on large-acreage lots at intersections of highways and major arterials. While staff recognizes that the current zoning is C-3 already, staff does not support increasing the intensity further by adding an industrial use via the specific use authorization.

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

The addition of the Specific Use Authorization would allow the addition of heavy commercial vehicular traffic at this intersection; potentially creating a safety and welfare concern.

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

The request is inconsistent with the adopted community plan, a component of the city’s master plan.

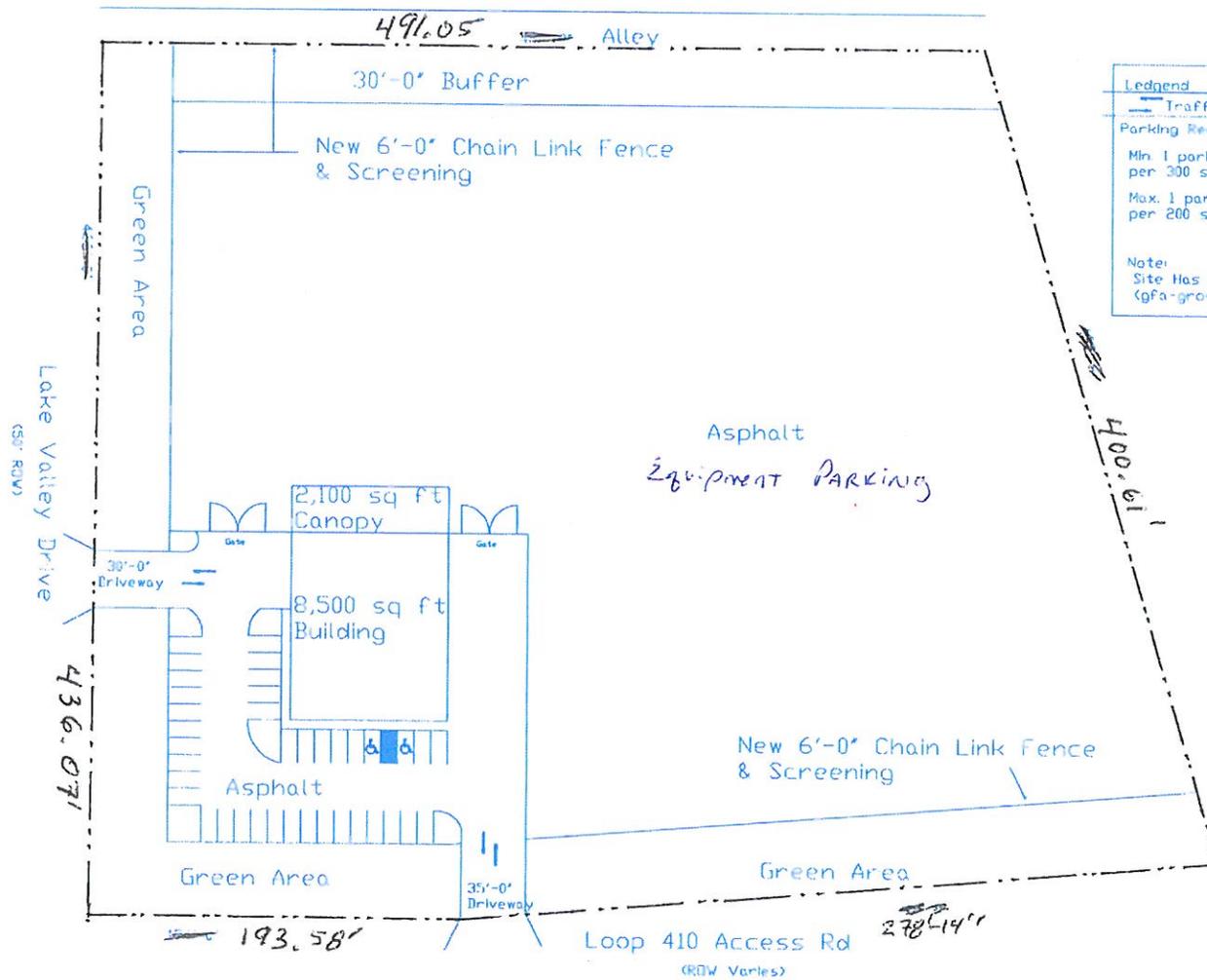
### **6. Size of Tract:**

The subject property is 4.893 acres, which would appear to reasonably accommodate the proposed use.

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

None.

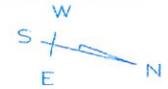
23011000



| Legend  |                     |
|---|---------------------|
|   | Traffic Flow        |
|   | Parking Requirement |
| Min. 1 parking space per 300 sq ft of gfa                     | 29                  |
| Max. 1 parking space per 200 sq ft of gfa                     | 43                  |
| Actual 38   |                     |
| Note:<br>Site Has No Existing Trees<br>(gfa-gross floor area) |                     |

We, Tejas Rental, the property owners, 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, we understand that City Council approval of a site plan in conjunction with a rezoning case does not relieve us from adherence to any/all City-adopted Codes.

Site Plan  
1"=100'-0"



NCB 15172 P-3HABS323

I Design  
P-D-U



## Zoning Case Notification Plan

### Case Z-2011-092

Council District 1

Scale: 1" approx. = 120 Feet

Subject Property Legal Description(s): NCB 00723 - Block 005 - Lot 23

#### Legend

- Subject Properties (0.18 Acres)
- 200' Notification Area
- Current Zoning **TEXT**
- Requested Zoning Change **(TEXT)**
- 100-Year DFIRM Floodplain
- Single Family Residential **1R**



Development Services Dept  
City of San Antonio  
(03/24/2011 - E Hart)

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



# City of San Antonio

## Development Services Department

### Staff Report

To: Zoning Commission  
Zoning Case #: Z2011092  
Hearing Date: May 17, 2011  
Property Owner: Hilary Scruggs dba Operative Holdings, LLC  
Applicant: Hilary Scruggs dba Operative Holdings, LLC  
Representative: Hilary Scruggs dba Operative Holdings, LLC  
Location: 115 Devine Street  
Legal Description: Lot 23, Block 5, NCB 723  
Total Acreage: 0.18 of an acre  
City Council District: 1  
Case Manager: Micah Diaz, Planner  
Case History: This is the first public hearing for this zoning request.

#### **Proposed Zoning Change**

**Current Zoning:** "H R-6 CD AHOD" Residential Single-Family Lavaca Historic Airport Hazard Overlay District with a Conditional Use for multi-family not to exceed three units

**Requested Zoning:** "H IDZ AHOD" Infill Development Zone Lavaca Historic Airport Hazard Overlay District with uses permitted in "MF-33" Multi-Family District and "C-1" Light 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 April 29, 2011. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on May 5, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on May 13, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

#### **Notices Mailed**

**Owners of Property within 200 feet:** 22

**Neighborhood Associations:** Lavaca Neighborhood Association

**Planning Team Members:** 12 – Lavaca Neighborhood Planning Team

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

#### **Property Details**

**Property History:** The subject property is located within the city limits as recognized in 1938, and was originally zoned "D" Apartment District. In a 1991 case, the property was rezoned to "R2A" Three and Four Family Residence District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to "RM-4" Residential Mixed District. In a 2006 City-initiated large-area rezoning case, the property was given the current

“R-6 CD” Residential Single-Family District with a Conditional Use for Multi-Family not to exceed three units. The subject property is located within the Lavaca Historic District, which was adopted in 2004. The property was platted in 2007, and is currently not developed.

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

## **Adjacent Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** “R-6” Residential Single-Family District

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

**Direction:** East

**Current Base Zoning:** “RM-4” Residential Mixed District

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

**Direction:** South and West

**Current Base Zoning:** “C-3NA” General Commercial Nonalcoholic Sales District, “C-2” Commercial District

**Current Land Uses:** Offices, retail center, commercial uses (under construction)

**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.

Properties to the north, east, and south east of the subject property are located within the Lavaca Historic District. Although the historic district does not restrict possible uses, it does require all construction plans be reviewed and approved by the City’s Historic and Design Review Commission (HDRC).

Properties to the west of the subject property, located along South Presa Street are located within the South Presa/South St. Mary’s Streets Neighborhood Conservation District (“NCD-1”). Neighborhood Conservation Districts are meant to preserve, protect, enhance and perpetuate the value of unique and distinctive residential neighborhoods or commercial districts.

## **Transportation**

**Thoroughfare:** South Presa Street, South St. Mary’s Street

**Existing Character:** Secondary Arterial Type “B”, one lane in each direction with sidewalks

**Proposed Changes:** None known

**Thoroughfare:** Devine Street, Eager, Leigh Street

**Existing Character:** Local streets

**Proposed Changes:** None known

**Public Transit:** VIA bus lines 36 and 242 operate along South Presa Street, with three additional lines in operation along South St. Mary’s Street.

**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. The site plan submitted by the applicant shows five parking spaces, one for each dwelling unit.

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

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

### **1. Consistency:**

The subject property is located within the Lavaca Neighborhood Plan. The property is split by two different land use designations: the front portion of the property is identified as “Mixed Use”, while the back portion is identified as “Low Density Residential”. The applicant is completing the plan amendment process to designate the entire property as “Mixed Use”. **At their May 11, 2011 hearing, the Planning Commission continued this case.**

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

Staff has found no evidence of adverse impacts that may be caused by approval of the requested zoning. The requested mix of multi-family and light commercial districts provides an appropriate transition between the single-family residences to the east and the more intense office uses and commercial corridor to the west.

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

The existing zoning district is appropriate for the subject property. However, the UDC no longer allows approval of conditional uses for dwelling units.

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

Staff has found no evidence that approval of the requested zoning change will adversely affect the health, safety or welfare of the general public.

### **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:**

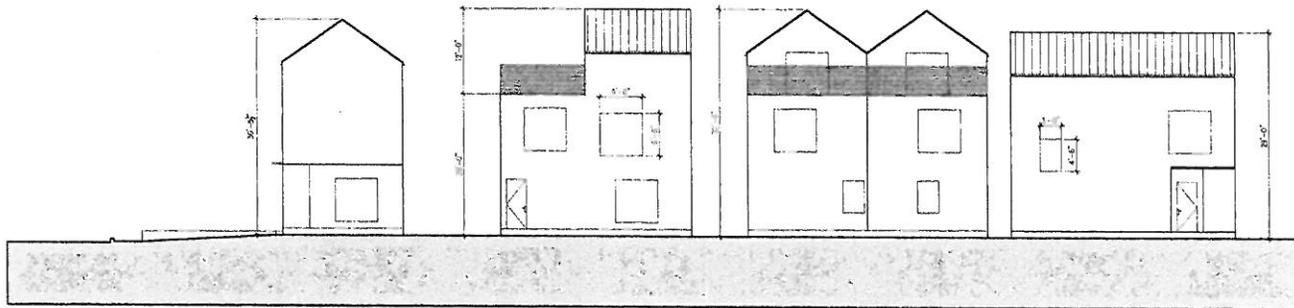
The subject property is very small, which may present challenges for development. The “IDZ” zoning district is meant to provide flexible standards for the development and reuse of underutilized parcels.

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

The uses permitted in the “MF-33” and “C-1” district are consistent with the emerging pattern of reuse and redevelopment along the South Presa Corridor. Additionally, the combined districts will permit live-work units, as shown on the submitted site plan.

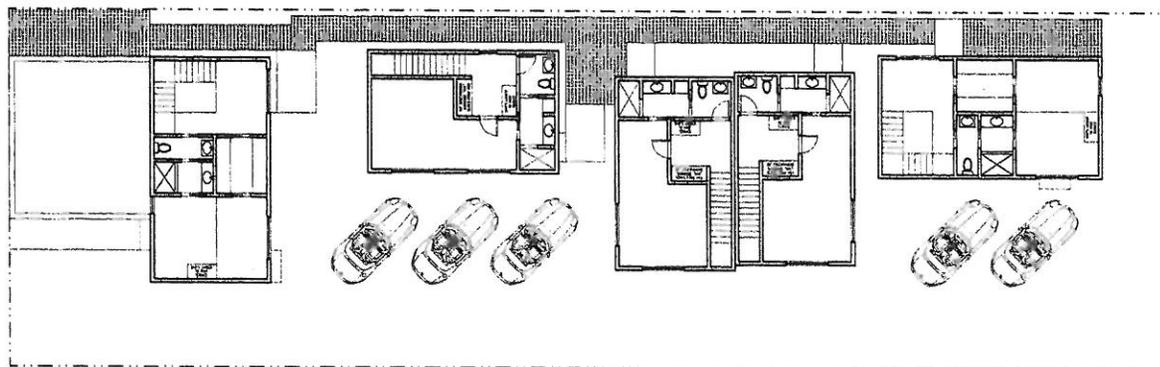
Z2011092

PRELIMINARY  
NOT FOR CONSTRUCTION



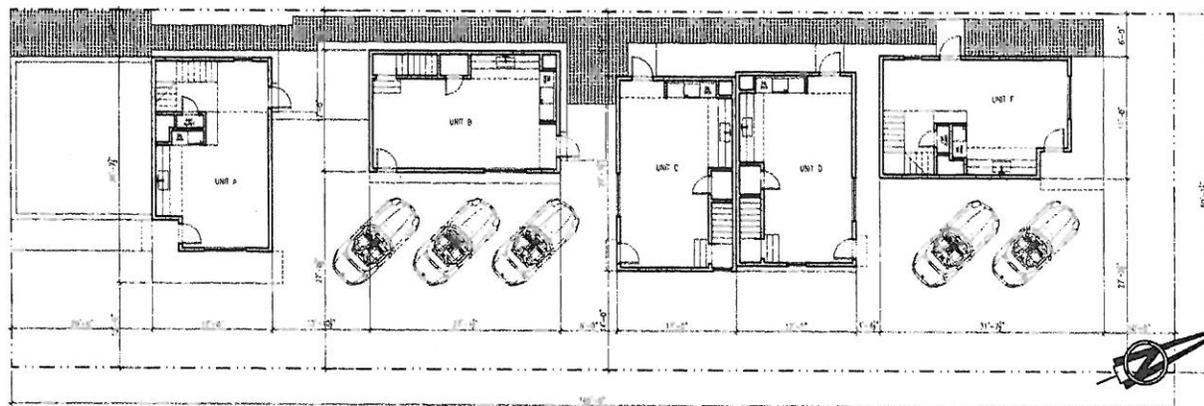
3 ELEVATION LOOKING WEST  
Scale: 1/8" = 1'-0"

DEVINE STREET



2 SECOND FLOOR  
Scale: 1/8" = 1'-0"

DEVINE STREET



1 FIRST FLOOR  
Scale: 1/8" = 1'-0"

Hilary Scruggs Design

A Limited Liability Company

200 East Grayson Suite 107  
San Antonio, Texas 78210  
1 (210) 222-8454  
1 (210) 222-8820

General Notes

PROJECT DATA:

ZONING DISTRICTS:  
115 DEVINE STREET  
SAN ANTONIO, TEXAS 78210  
LOT:  
BLOCK:  
R.F.#:  
SIZE: .18 ACRES  
EXISTING ZONING: R-24.5 M (LOK)  
PROPOSED ZONING: R-24.5 M (LOK)

LAND USE DIAGRAM:

LEGEND: LAND RECONFIGURATION LAND USE PLAN



(DIAGRAM NOT TO SCALE)

PRELIMINARY  
NOT FOR CONSTRUCTION

OWNER'S STATEMENT:

I HEREBY CERTIFY THAT THE ORIGINAL RECORDING COPY OF THIS PLAN SUBMITTED FOR THE PURPOSE OF RECORDING THIS PROJECT IS IN ACCORDANCE WITH ALL APPLICABLE PROVISIONS OF THE UNITED DEVELOPMENT CODE. ADDITIONALLY, I CERTIFY THAT CITY ENGINEER APPROVAL OF A WIRE FROM AN UNLICENSED WIRE INSTALLER SHALL NOT PREVENT ME FROM ATHERING TO APPLICABLE CITY APPROVED CODES AT THE TIME OF PLAN SUBMITTAL FOR RECORDING.

HILARY SCRUGGS DESIGN  
200 EAST GRAYSON SUITE 107  
SAN ANTONIO, TEXAS 78210

New Construction for  
(5) New Residences at

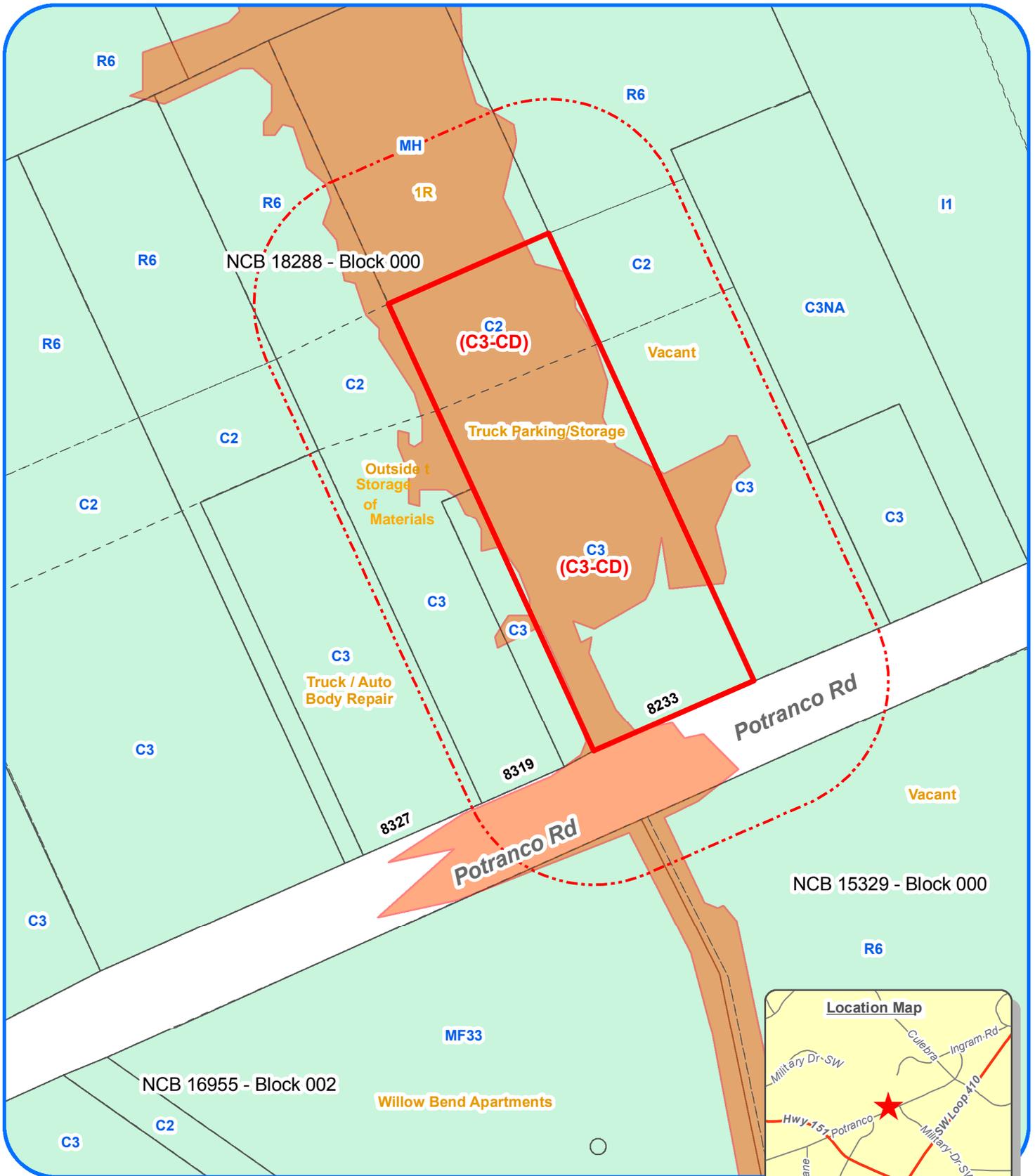
115 DEVINE STREET  
SAN ANTONIO, TX 78210

HSD PROJECT # 07002

1 March 2011  
Issued for Design Review

A  
01

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## Zoning Case Notification Plan

### Case Z-2011-102 CD

Council District 6

Scale: 1" approx. = 200 Feet

Subject Property Legal Description(s): A Portion of NCB 18288 - Block 000 - Lot 9

#### Legend

- Subject Properties ——— (4.393 Acres)
- 200' Notification Area - - - - -
- Current Zoning TEXT
- Requested Zoning Change (TEXT)
- 100-Year DFIRM Floodplain
- Single Family Residential 1R



Development Services Dept  
City of San Antonio  
(03/30/2011 - E Hart)

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



# City of San Antonio Development Services Department Staff Report

To: Zoning Commission  
Zoning Case #: Z2011102 CD  
Hearing Date: May 17, 2011  
Property Owner: Filiberto and Arnulfo Gonzalez  
Applicant: Beatriz Gonzalez  
Representative: Beatriz Gonzalez  
Location: 8233 Potranco Road  
Legal Description: Being 4.393 acres of land out of Lot 9, NCB 18288  
Total Acreage: 4.393  
City Council District: 6  
Case Manager: Pedro Vega, Planner  
Case History: This is the first public hearing for this zoning request.

## **Proposed Zoning Change**

**Current Zoning:** "C-3 AHOD" General Commercial Airport Hazard Overlay District and "C-2 AHOD" Commercial Airport Hazard Overlay District

**Requested Zoning:** "C-3 CD AHOD" General Commercial Airport Hazard Overlay District with a Conditional Use for Parking And/Or Storage - Long Term

## **Procedural Requirements**

The request was publicly noticed in accordance with Section 403 of the Unified Development Code (UDC). Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on April 6, 2011. The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on March 31, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on April 14, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

## **Notices Mailed**

**Owners of Property within 200 feet:** 10

**Neighborhood Associations:** None

**Planning Team Members:** None

**Applicable Agencies:** None

## **Property Details**

**Property History:** The property was annexed in December of 1994. The property was zoned Temporary "R-1" Single-Family Residence District upon annexation. In June of 1996, the 4.393 acre site was part of a large-area rezoning and was granted a zoning change from Temporary "R-1" Single Family Residence District to "B-3" Business District and "B-2" Business District. Upon adoption of the 2001 Unified Upon adoption of the 2001 Unified

Development Code, the previous zoning districts converted to the current "C-3 AHOD" General Commercial Airport Hazard Overlay District and "C-2 AHOD" Commercial Airport Hazard Overlay District.

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

### **Adjacent Zoning and Land Uses**

**Direction:** Northeast

**Current Base Zoning:** "C-3 AHOD" and "C-2 AHOD"

**Current Land Uses:** Vacant

**Direction:** Southwest

**Current Base Zoning:** "C-3 AHOD" and "C-2 AHOD"

**Current Land Uses:** Outside Storage of Materials

**Direction:** Northwest

**Current Base Zoning:** "MH AHOD"

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

**Direction:** Southeast across Potranco Road

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

**Current Land Uses:** 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:** Potranco Road

**Existing Character:** Secondary arterial two lanes in each direction with median

**Proposed Changes:** None known.

**Public Transit:** VIA bus line 620 operates along Potranco Road, with multiple bus stops in the vicinity of the subject property.

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

**Parking Information:** Minimum Parking Requirement: None. Maximum Parking Requirement: None.

### **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 West/Southwest Sector Plan adopted April 21, 2011. The zoning application was submitted before adoption of the Sector Plan.

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

The granting of the Conditional Use will not have an adverse impact on the neighborhood because the development pattern along Potranco Road supports intensive commercial uses. The nearest residential neighborhood is more than 1500 feet away; while access to the nearest residential neighborhood is almost 2600 feet away, along Potranco Road.

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

The current "C-3 AHOD" and "C-2 AHOD" zoning and proposed "C-3 CD AHOD" zoning are both appropriate for the area. 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. The granting of conditional zoning shall only be for the conditional use named in the ordinance (Parking And/Or Storage - Long Term) approving the conditional zoning district.

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

Staff has found no indication of likely adverse effects on the public health, safety, or welfare. A large portion of the subject property falls within the flood plain and is not developable for other uses. Existing flood plains and topography suggest Parking And/Or Storage - Long Term at this location may be the most reasonable use to this site. Flood plain development permits will be required by the City's Public Works Department.

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

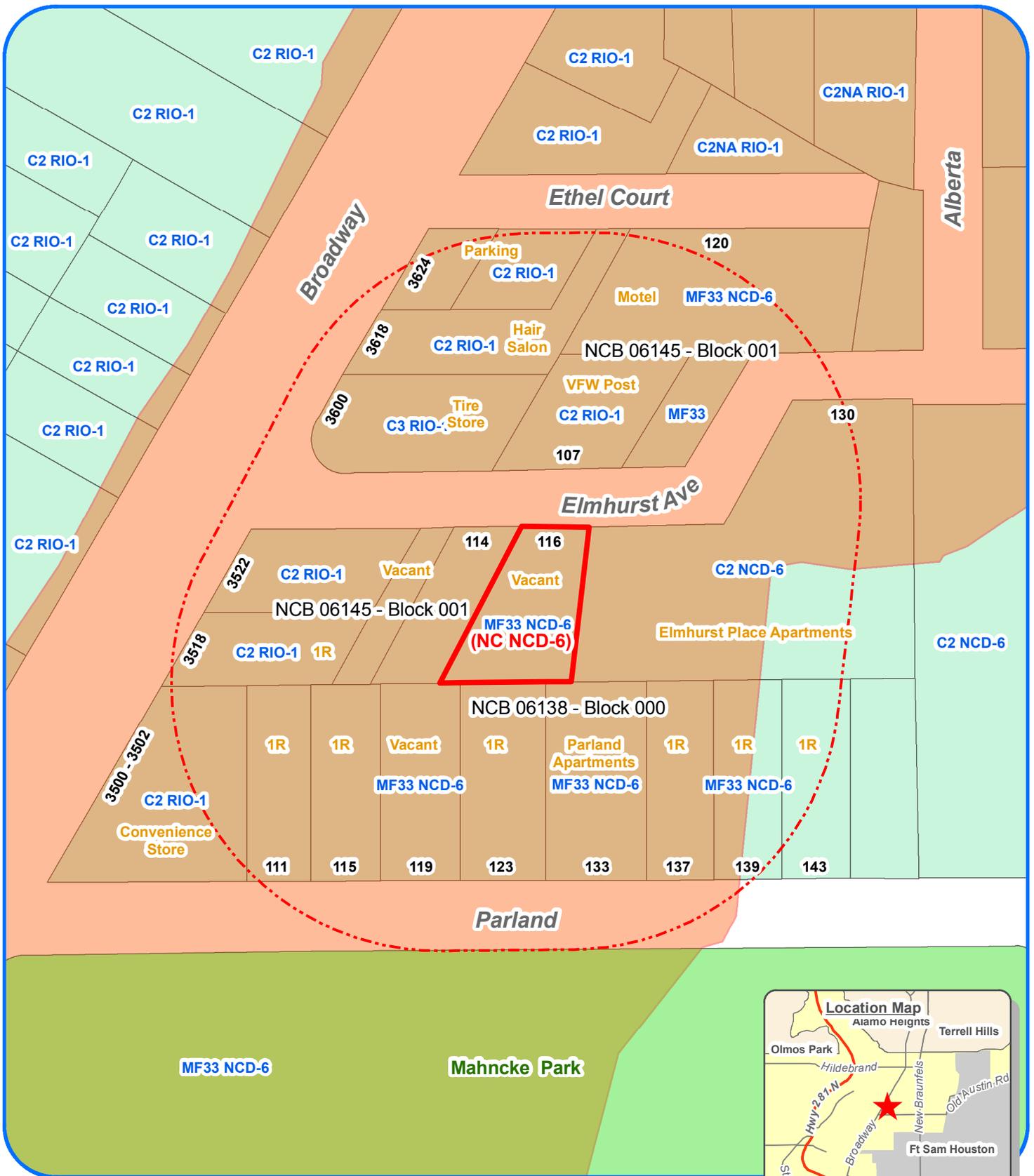
The request does not appear to conflict with any established public policy.

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

The 4.393 acre tract is of sufficient size to accommodate the requested zoning, as well as the proposed Parking And/Or Storage - Long Term use. The applicant has submitted a site plan to comply with the Conditional Use requirements.

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

Staff finds the requested Conditional Use for Parking And/Or Storage - Long Term to be appropriate for the subject property due to its position within the floodplain and surrounding uses. The applicant is seeking a zoning change to "C-3 CD AHOD" General Commercial Airport Hazard Overlay District with a Conditional Use for Parking And/Or Storage - Long Term to bring existing use into compliance with the UDC. Further, the current base zoning is not changing.



## Zoning Case Notification Plan

### Case Z-2011-108

Council District 9

Scale: 1" approx. = 100 Ft.

Subject Property Legal Description(s): NCB 06144 - Block 000 - Lot 5 & SW Tri 50 ft of Lot 6

#### Legend

- Subject Properties (0.1839 Acres) ———
- 200' Notification Area - - - - -
- Current Zoning TEXT
- Requested Zoning Change (TEXT)
- 100-Year DFIRM Floodplain
- Single Family Residential 1R



Development Services Dept  
City of San Antonio  
(04/27/2011 - E Hart)

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



# City of San Antonio

## Development Services Department

### Staff Report

To: Zoning Commission  
Zoning Case #: Z2011108  
Hearing Date: May 17, 2011  
Property Owner: Jeanette Poore  
Applicant: Jeanette Poore  
Representative: Jeanette Poore  
Location: 116 Elmhurst Avenue  
Legal Description: Lot 5 and southwest triangle 50 feet of Lot 6, NCB 6244  
Total Acreage: 0.1839  
City Council District: 9  
Case Manager: Pedro Vega, Planner  
Case History: This is the first public hearing for this zoning request.

#### **Proposed Zoning Change**

**Current Zoning:** "MF-33 NCD-6 AHOD" Multi-Family Mahncke Park Neighborhood Conservation Airport Hazard Overlay District.

**Requested Zoning:** "NC NCD-6 AHOD" Neighborhood Commercial Mahncke Park Neighborhood Conservation 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 April 28, 2011. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on May 4, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on May 13, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

#### **Notices Mailed**

**Owners of Property within 200 feet:** 24

**Neighborhood Associations:** Mahncke Park Neighborhood Association

**Planning Team Members:** 21 (Mahncke Park Neighborhood Plan)

**Applicable Agencies:** None

## **Property Details**

**Property History:** The subject site is currently undeveloped. The property is located within the City Limits as they were recognized in 1936, and was originally zoned "D" Apartment District. Upon adoption of the Unified Development Code, the previous base zoning district converted to the current "MF-33 NCD-6 AHOD" Multi-Family Mahncke Park Neighborhood Conservation Airport Hazard Overlay District. The Neighborhood Conservation District was adopted January 17, 2008.

**Topography:** According to the most recent 100-year FEMA flood map, the subject property is located within the floodplain.

## **Adjacent Zoning and Land Uses**

**Direction:** North across Elmhurst Avenue  
**Current Base Zoning:** "C-2 RIO-1 AHOD"  
**Current Land Uses:** VFW Post 1533

**Direction:** South  
**Current Base Zoning:** "MF-33 NCD-6 AHOD"  
**Current Land Uses:** Single-Family Dwelling

**Direction:** East  
**Current Base Zoning:** "C-2 NCD-6 AHOD"  
**Current Land Uses:** Apartments

**Direction:** West  
**Current Base Zoning:** "MF-33 NCD-6 AHOD"  
**Current Land Uses:** 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.

The Mahncke Park Neighborhood Conservation District "NCD-6" addresses residential building design. It does not address non-residential uses

## **Transportation**

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

**Public Transit:** The nearest VIA bus lines are the numbers 7, 9, 10, 14, 209 and 214 lines which operate along Broadway 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:** Minimum Parking Requirement: 1 per 300 square feet of GFA. Maximum Parking Requirement: 1 per 200 square feet of GFA.

## **Staff Analysis and Recommendation: Approval, pending Master 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 and is currently designated as "Urban Multi-Family Residential" in the Future Land Use Plan. The zoning request is inconsistent with the Future Land Use designation. The applicant has submitted a Master Plan Amendment that was considered and Approved by the Planning Commission on May 11, 2011. Planning and Community Development Department Staff recommends Approval of the Master Plan Amendment.

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

The granting of the zoning request will not have an adverse impact on the neighborhood. The Neighborhood Commercial land use categories include uses that are compatible and may be placed in close proximity to residential uses.

**3. Suitability as Presently Zoned:**

By Unified Development Code, any type of residential or commercial development with overnight stays is prohibited in the floodplain. Therefore, the current "MF-33 NCD-6 AHOD" Multi-Family Mahncke Park Neighborhood Conservation Airport Hazard Overlay District is not appropriate as residential uses are prohibited.

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

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

**5. Public Policy:**

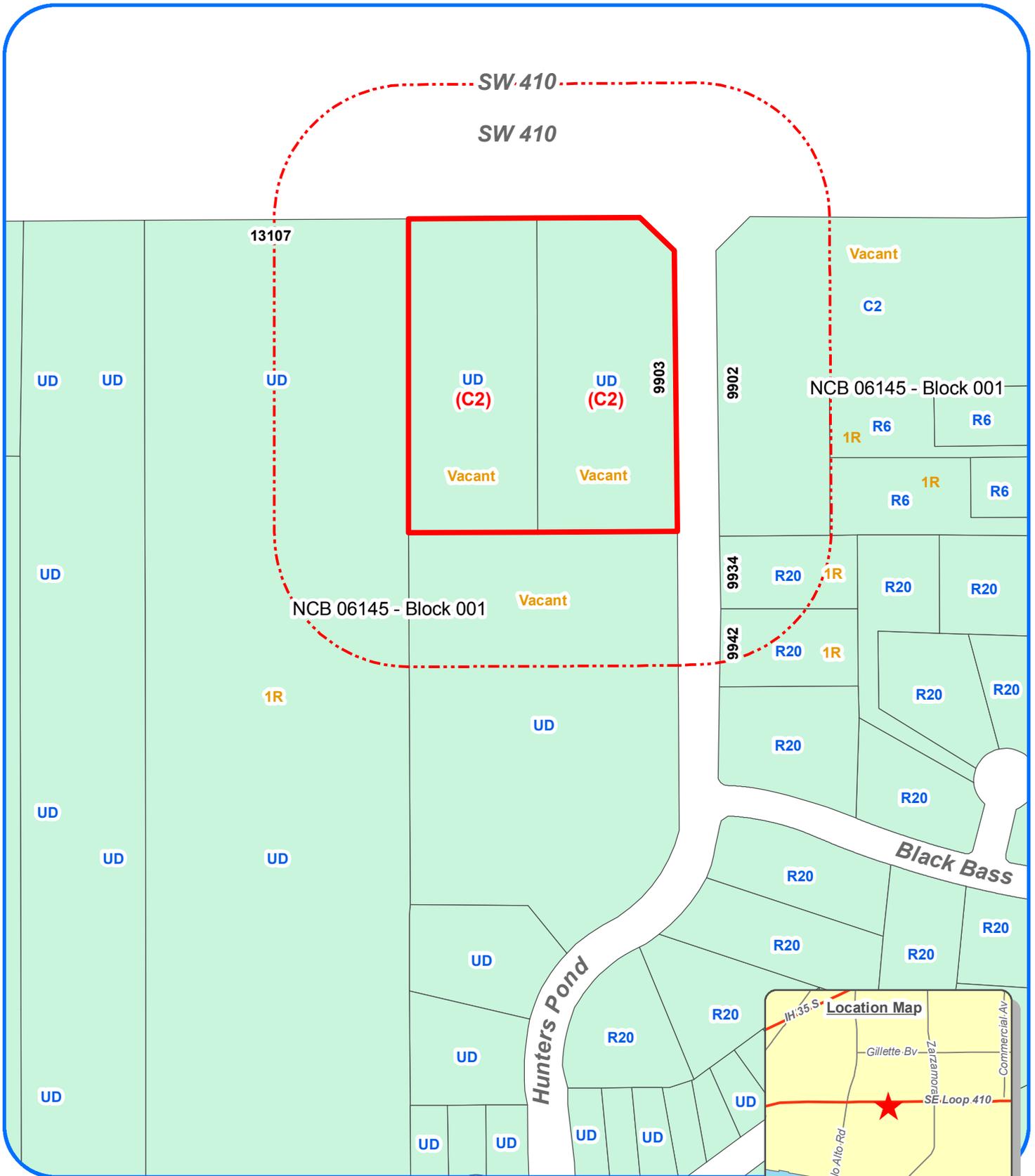
The request does not appear to conflict with any established public policy. The property is located within the Inner City Reinvestment Policy (ICRIP) area. The purpose of the ICRIP is to promote growth and development in the inner city, specifically in areas that are currently served by public infrastructure and transit, but underserved by residential and commercial real estate markets.

**6. Size of Tract:**

The subject property is 0.1839 acres, which should be able to reasonably accommodate the proposed commercial use.

**7. Other Factors:**

The proposed change from "Urban Multi-Family Residential" land use to "Neighborhood Commercial" land use completes the existing Neighborhood Commercial node adjacent to the subject property. The "NC NCD-6 AHOD" Neighborhood Commercial Mahncke Park Neighborhood Conservation Airport Hazard Overlay District is more appropriate for this location than "MF-33 NCD-6 AHOD" Multi-Family Mahncke Park Neighborhood Conservation Airport Hazard Overlay District due to its position within the floodplain.



## Zoning Case Notification Plan

### Case Z-2011-115

Council District 3

Scale: 1" approx. = 200 Ft.

Subject Property Legal Description(s): NCB 18087 - Block 003 - Lots 1 and 2

#### Legend

- Subject Properties ——— (4.665 Acres)
- 200' Notification Area - - - - -
- Current Zoning TEXT
- Requested Zoning Change (TEXT)
- 100-Year DFIRM Floodplain
- Single Family Residential 1R



Development Services Dept  
City of San Antonio  
(04/29/2011 - E Hart)

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



# City of San Antonio

## Development Services Department

### Staff Report

To: Zoning Commission

Zoning Case #: Z2011115

Hearing Date: May 17, 2011

Property Owner: Suren & Vidya Kamath

Applicant: Vickrey & Associates, Inc. (Brady Braggs)

Representative: Vickrey & Associates, Inc. (Brady Braggs)

Location: 9903 Hunters Pond; Located on the south side of Southwest Loop 410, west of Hunters Pond.

Legal Description: Lots 1 and 2, Block 3, NCB 18087

Total Acreage: 4.665

City Council District: 3

Case Manager: Brenda Valadez, Planner

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

#### **Proposed Zoning Change**

**Current Zoning:** "UD AHOD" Urban Development Airport Hazard Overlay District

**Requested Zoning:** "C-2 AHOD" 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 April 29, 2011. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on May 4, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on May 13, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

#### **Notices Mailed**

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

**Neighborhood Associations:** None

**Planning Team Members:** 31 (Heritage South Sector Plan)

**Applicable Agencies:** None

## **Property Details**

**Property History:** The subject property is undeveloped and was annexed in 2003 and after subsequent zoning cases is zoned UD Urban Development.

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

## **Adjacent Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** N/A

**Current Land Uses:** Southwest Loop 410

**Direction:** South

**Current Base Zoning:** UD

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

**Direction:** East

**Current Base Zoning:** C-2, R-20, R-6

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

**Direction:** West

**Current Base Zoning:** UD

**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:** SW Loop 410

**Existing Character:** Freeway; 10 Lanes

**Proposed Changes:** None known.

**Thoroughfare:** Hunters Pond

**Existing Character:** Local Street (Type B); 1 lane in each direction

**Proposed Changes:** None known.

**Public Transit:** VIA busline number 48 operates along Palo Alto Road.

**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: 0.3 space per bed

Maximum Parking Requirement: 1 space per bed

## **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 Heritage South Sector Plan and is currently designated as "General Urban Tier" in the Future Land Use Plan. 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 surrounding properties. Medium intensity commercial zoning is most appropriate along arterials or major thoroughfares.

**3. Suitability as Presently Zoned:**

The current UD zoning and proposed commercial zoning are both appropriate for the subject property. The corner across the street to the east carries the C-2 district and appears to be appropriately zoned. Staff believes the proposed use will not be incompatible with the surrounding land uses and overall character of the immediate 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.

**5. Public Policy:**

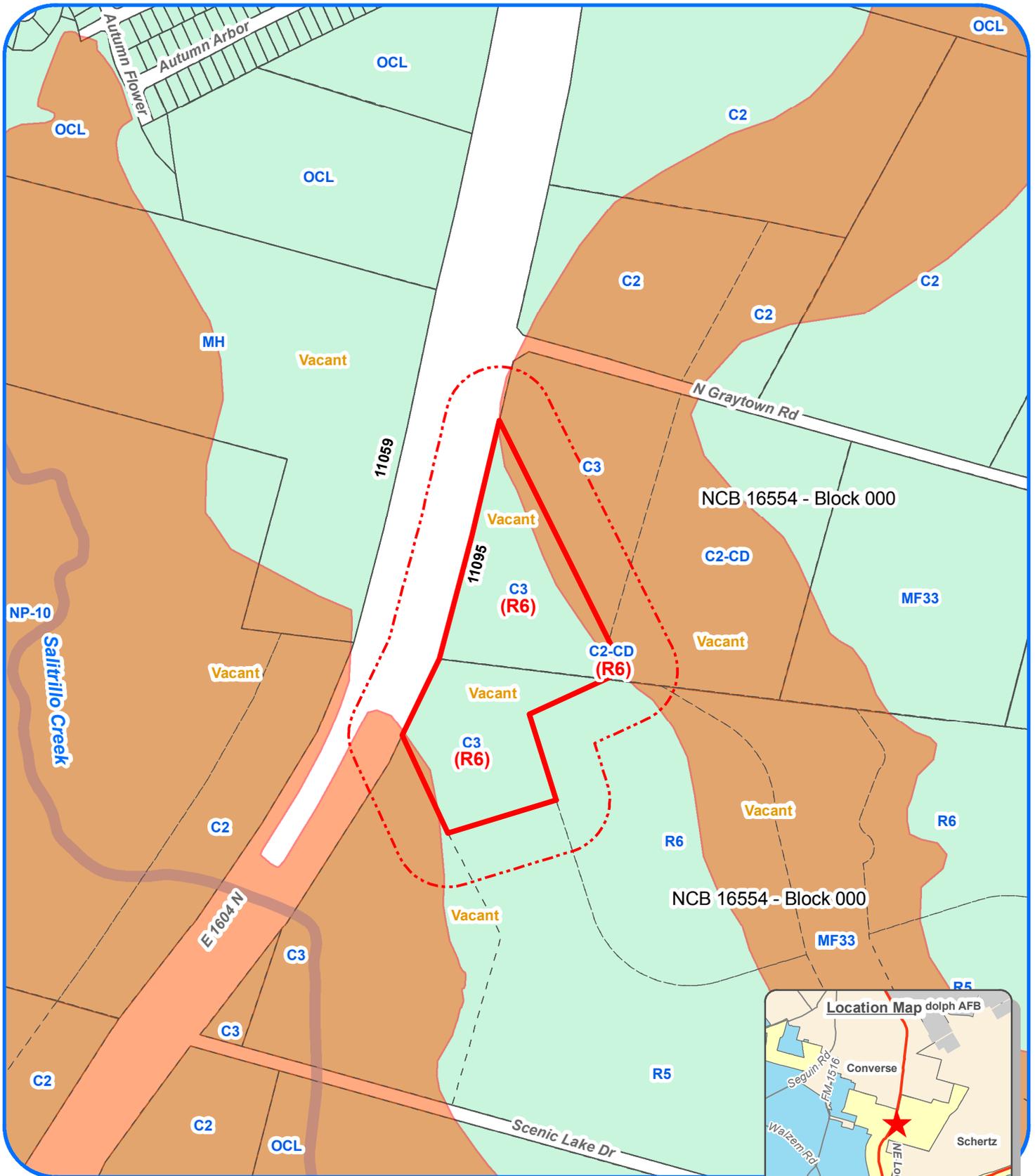
The request is consistent with the Sector Plan, which is a component of the City's Master Plan.

**6. Size of Tract:**

The subject property is 4.665 acres, which is of sufficient size to accommodate the proposed nursing facility use.

**7. Other Factors:**

None.



## Zoning Case Notification Plan

### Case Z-2011-116

Council District 2

Scale: 1" approx. = 500 Feet

Subject Property Legal Description(s): A Portion of NCB 16554 - Block 000 - Parcel P-1A Abs 678 and P-3 and P-6

#### Legend

- Subject Properties ——— (13.69 Acres)
- 200' Notification Area - - - - -
- Current Zoning **TEXT**
- Requested Zoning Change **(TEXT)**
- 100-Year DFIRM Floodplain
- Single Family Residential **1R**



Development Services Dept  
City of San Antonio  
(04/12/2011 - E Hart)

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



# City of San Antonio

## Development Services Department

### Staff Report

To: Zoning Commission  
Zoning Case #: Z2011116  
Hearing Date: May 17, 2011  
Property Owner: Velma Development, LLC c/o Gordon V. Hartman  
Applicant: Velma Development, LLC c/o Gordon V. Hartman  
Representative: KFW Engineers (Blaine Lopez, P. E.) Location:  
Location: 11095 North Graytown Road  
Legal Description: A 13.69 acre tract of land out of NCB 16554  
Total Acreage: 13.69  
City Council District: 2  
Case Manager: Pedro Vega, Planner  
Case History: This is the first public hearing for this zoning request.

#### Proposed Zoning Change

**Current Zoning:** "C-3 AHOD" General Commercial Airport Hazard Overlay District and "C-2 AHOD CD" Commercial Airport Hazard Overlay District with a Conditional Use for a Self Storage Facility.

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

#### Procedural Requirements

The request was publicly noticed in accordance with Section 403 of the Unified Development Code (UDC). The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on April 28, 2011. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on May 4, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on May 13, 2011, 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:** 31 (IH 10 East Corridor Perimeter Plan)

**Applicable Agencies:** None

#### Property Details

**Property History:** The subject site is currently undeveloped. The property was annexed in May of 1980. The property was zoned Temporary "R-1" Single-Family Residence District upon annexation. In August of 1985, the 13.69 acre site was part of a rezoning and was granted a zoning change from Temporary "R-1" Single Family Residence District to "B-3" Business District and "B-2" Business District. Upon adoption of the 2001 Unified Development Code, the previous zoning districts converted to the current "C-3 AHOD" General Commercial Airport Hazard Overlay District and "C-2 AHOD" Commercial Airport Hazard Overlay District.

In January of 2007, a portion of the 13.69 acre site was part of a rezoning and was granted a zoning change from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 AHOD CD" Commercial Airport Hazard Overlay District with a Conditional Use for a Mini Warehouse.

**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:** Northeast

**Current Base Zoning:** "C-3 AHOD" and "C-2 AHOD CD" (flood plain)

**Current Land Uses:** Vacant Land

**Direction:** South and Southeast

**Current Base Zoning:** "C-3 AHOD" and "R-5 AHOD" (flood plain)

**Current Land Uses:** Vacant Land

**Direction:** East

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

**Current Land Uses:** 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:** North Graytown Road

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

**Proposed Changes:** 86 feet of right-of-way

**Thoroughfare:** Northeast Loop 1604

**Existing Character:** Freeway

**Proposed Changes:** 250 to 500 feet of right-of-way

**Public Transit:** There are no VIA bus lines near the 13.69 acre site.

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

**Parking Information:** Minimum Parking Requirement: 1 per unit. Maximum Parking Requirement: N/A

## **Staff Analysis and Recommendation: Denial. Inconsistent with the Plan.**

**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 IH 10 East Corridor Perimeter Plan and is currently designated as "Neighborhood Commercial" in the Future Land Use Plan. The zoning request is inconsistent with the Future Land Use designation. The applicant has submitted a Master Plan Amendment that was considered and Approved by the Planning Commission on May 11, 2011. Planning and Community Development Department Staff recommends Denial of the Master Plan Amendment.

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

The granting of the "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District will not have an adverse impact on the neighborhood.

**3. Suitability as Presently Zoned:**

The current "C-3 AHOD" General Commercial Airport Hazard Overlay District and "C-2 AHOD CD" Commercial Airport Hazard Overlay District with a Conditional Use for a Self Storage Facility is consistent with the IH 10 East Corridor Perimeter 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:**

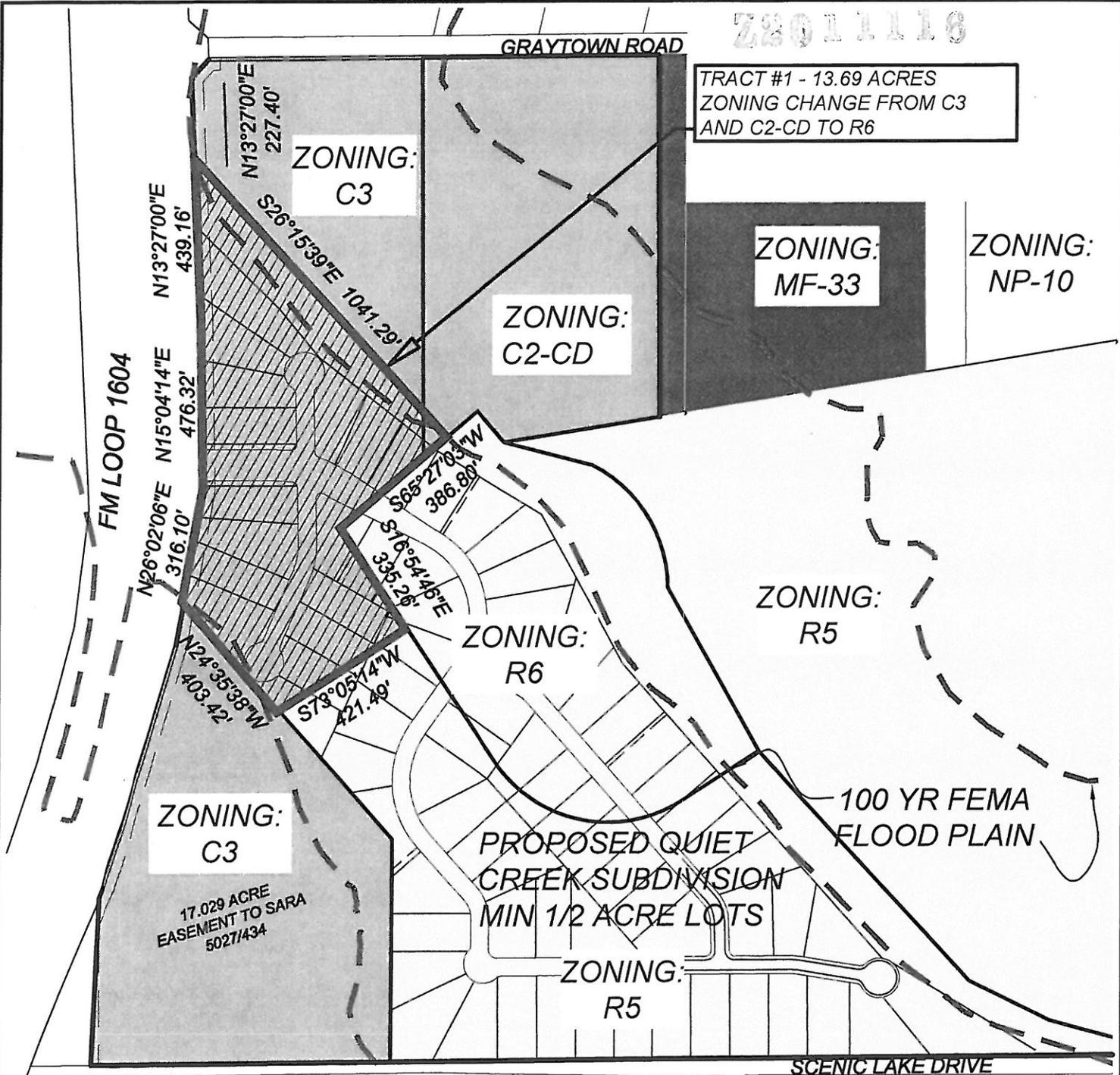
The request does not appear to conflict with any public policy objective.

**6. Size of Tract:**

The subject property is 13.69 acres, which should be able to reasonably accommodate the proposed residential development.

**7. Other Factors:**

The applicant reasoning for the rezoning is to develop a continuation of the proposed residential community that consists of ½ acre lots.



7201118

TRACT #1 - 13.69 ACRES  
ZONING CHANGE FROM C3  
AND C2-CD TO R6

FM LOOP 1604

GRAYTOWN ROAD

SCENIC LAKE DRIVE

ZONING: C3  
17.029 ACRE  
EASEMENT TO SARA  
50271434

ZONING: C2-CD

ZONING: MF-33

ZONING: NP-10

ZONING: R6

ZONING: R5

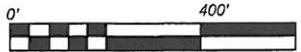
ZONING: R5

PROPOSED QUIET  
CREEK SUBDIVISION  
MIN 1/2 ACRE LOTS

100 YR FEMA  
FLOOD PLAIN



SCALE: 1"=400'



"THIS DOCUMENT WAS PREPARED UNDER 22TAC663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED."



LOCATION MAP  
N.T.S.

Date: Apr 01, 2011, 5:47am User: ID: blopez  
File: P:\2005\04\06\01\Design\Exhibits\Zoning Exhibit.dwg



7400 BLANCO, SUITE 200, SAN ANTONIO, TEXAS 78216  
PHONE (210) 979-8444 FAX (210) 979-8441

QUIET CREEK  
GRAYTOWN AND 1604  
ZONING EXHIBIT

|                   |              |               |
|-------------------|--------------|---------------|
| REVISIONS:        | ISSUE DATE:  |               |
| JOB NO. 204-00-01 | DESIGNER: BL | SHEET: 1 OF 1 |
| DATE: MARCH, 2011 | CHECKED: BL  |               |
| DRAWN: LG         |              |               |



## Zoning Case Notification Plan

### Case Z-2011-117 S

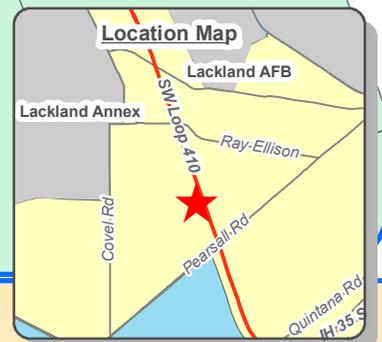
Council District 4

Scale: 1" approx. = 250 Feet

Subject Property Legal Description(s): NCB 15248 - Block 000 - Parcel P-74D

#### Legend

- Subject Properties ——— (9.066 Acres)
- 200' Notification Area - - - - -
- Current Zoning **TEXT**
- Requested Zoning Change **(TEXT)**
- 100-Year DFIRM Floodplain
- Single Family Residential **1R**



Development Services Dept  
City of San Antonio  
(04/26/2011 - E Hart)

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



# City of San Antonio Development Services Department Staff Report

To: Zoning Commission  
Zoning Case #: Z2011117 S  
Hearing Date: May 17, 2011  
Property Owner: Swinerton Incorporated  
Applicant: Linda Schowalter CFO/SVP  
Representative: Brown & Ortiz, P. C.  
Location: 8331 S. W. Loop 410  
Legal Description: Parcel 74D, NCB 15248  
Total Acreage: 9.0660  
City Council District: 4  
Case Manager: Pedro Vega, Planner  
Case History: This is the first public hearing for this zoning request.

## Proposed Zoning Change

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

**Requested Zoning:** "C-3 AHOD S" General Commercial Airport Hazard Overlay District with a Specific Use Authorization for Storage-Outside (Screening from Public ROWs and Adjacent Property Required).

## 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 April 28, 2011. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on May 4, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on May 13, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

## Notices Mailed

**Owners of Property within 200 feet:** 28

**Neighborhood Associations:** People Active In Community Efforts (PACE)

**Planning Team Members:** 30 (United Southwest Communities Plan)

**Applicable Agencies:** None

## Property Details

**Property History:** The subject site is currently a vacant storage warehouse and equipment shed. According to the Bexar County Appraisal District, the structures were constructed in 1975. The subject property was annexed in December of 1988 and was originally zoned Temporary "R-1" Single-family Residence District. Upon adoption of the 2001 Unified Development Code, the previous zoning district converted to "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District.

**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:** "R-6 AHOD"

**Current Land Uses:** Vacant Land

**Direction:** South

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

**Current Land Uses:** Vacant Land and Church

**Direction:** East

**Current Base Zoning:** S. W. Loop 410 Access Road

**Current Land Uses:** S. W. Loop 410 Access Road

**Direction:** West

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

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

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

## **Transportation**

**Thoroughfare:** S. W. Loop 410 Access Road

**Existing Character:** Expressway

**Proposed Changes:** None known.

**Public Transit:** There are no VIA bus lines near the 9.0660 acre site.

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

**Parking Information:** Minimum Parking Requirement: 1 per 600 sf of GFA. Maximum Parking Requirement: 1 per 350 sf of GFA.

## **Staff Analysis and Recommendation: Denial. Pending Master 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 United Southwest Communities Plan and is currently designated as "Community Commercial" in the Future Land Use Plan. The zoning request is inconsistent with the Future Land Use designation. The applicant has submitted a Master Plan Amendment that was considered and continued by the Planning Commission on May 11, 2011. Planning and Community Development Department Staff recommends Denial of the Master Plan Amendment.

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

The granting of the zoning request will have an adverse impact on the neighborhood.

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

The United Southwest Communities Plan provides guidance for economic development opportunities along S. W. Loop 410 between Valley Hi Drive and Old Pearsall Road. Goal 1 of the plan states, attract new

businesses, services and retail establishments to the United Southwest Communities and promote the implementation of strategies to attract commercial development. Further, action step 1.1.1. Seeks commercial (non-residential) zoning along S. W. Loop 410 between Valley Hi Drive and Old Pearsall Road.

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

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

**5. Public Policy:**

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

**6. Size of Tract:**

The subject property is 9.0660 acres, which should be able to reasonably accommodate the proposed use. The applicant has submitted a site plan in order to comply with the Specific Use Authorization requirements.

**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.

**DEVELOPER:**

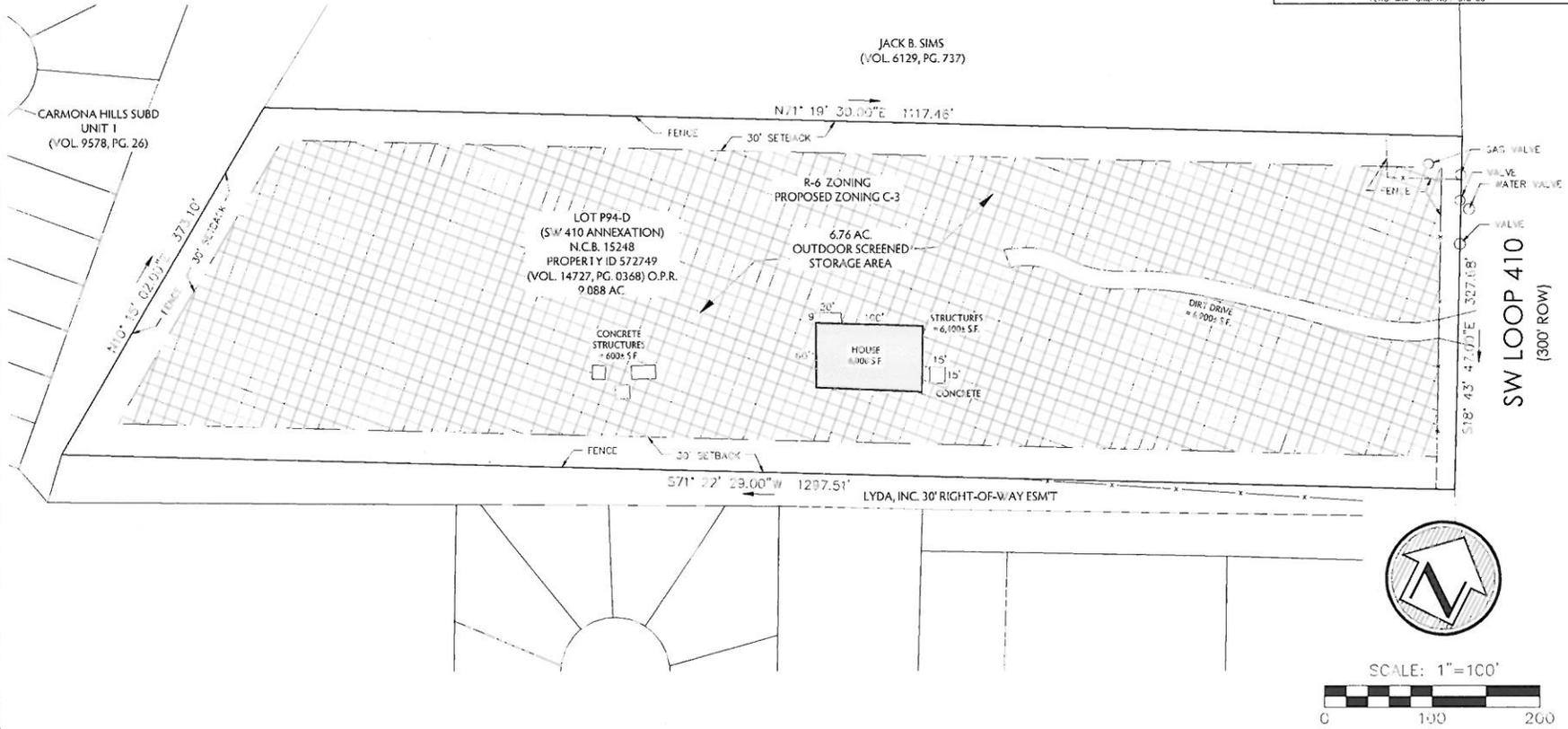
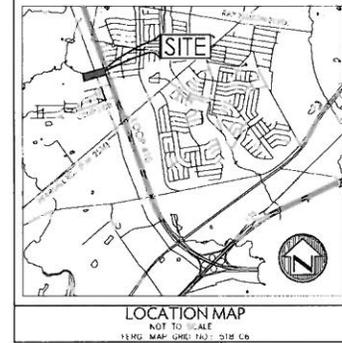
SWINERTON INCORPORATED  
210 TOWNSEND STREET  
SAN FRANCISCO, CA 94107  
CONTACT: LINDA SCHWALTER

**ENGINEER:**

M.W. CUDE ENGINEERS, LLC  
ATTN: CHRISTOPHER R. DICE, P.E.  
10325 BANDERA ROAD  
SAN ANTONIO, TEXAS 78250  
PHONE: (210) 681-2251  
FAX: (210) 523-7112  
EMAIL: cdice@mwcude.com

I, \_\_\_\_\_, 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

| # OF LOTS | ACREAGE |
|-----------|---------|
| 1         | 9.065   |



8331 SW LOOP 410

SITE PLAN EXHIBIT

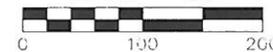
DATE: 2011-05-10

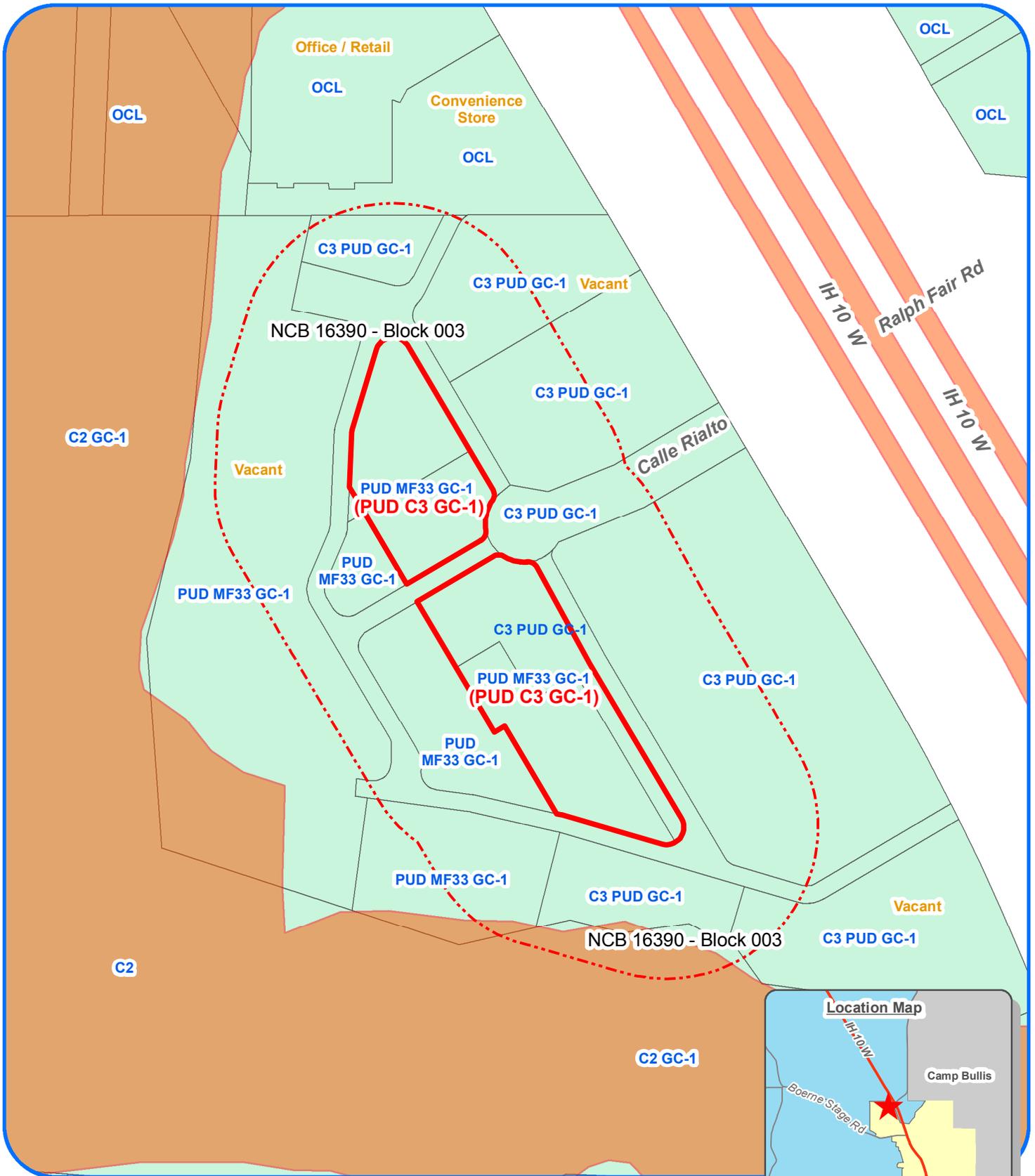
JOB NO. 102110-000

CUDE ENGINEERS  
10325 BANDERA ROAD  
SAN ANTONIO, TEXAS 78250  
TEL 210.681.2951 • FAX 210.523.7112  
WWW.MWCUDE.COM  
TBPB REGISTERED ENGINEERING  
FIRM #155



SCALE: 1"=100'





## Zoning Case Notification Plan

### Case Z-2011-119

Council District 8

Scale: 1" approx. = 200 Ft.

Subject Property Legal Description(s): 2.8306 acres out of NCB 16390

Note: All current and requested zoning includes (MLOD) Military Lighting Overlay District

#### Legend

- Subject Properties ——— (2.8306 Acres)
- 200' Notification Area - - - - -
- Current Zoning **TEXT**
- Requested Zoning Change **(TEXT)**
- 100-Year DFIRM Floodplain
- Single Family Residential **1R**



Development Services Dept  
City of San Antonio  
(04/26/2011 - E Hart)



# City of San Antonio

## Development Services Department

### Staff Report

To: Zoning Commission

Zoning Case #: Z2011119

Hearing Date: May 17, 2011

Property Owner: Fair Prospect LP

Applicant: Fair Prospect, LP

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

Location: 25000 Block of IH 10 West; Located on the west side of IH 10 West, north of Boerne Stage Road.

Legal Description: 2.8306 acres out of NCB 16390

Total Acreage: 2.8306

City Council District: 8

Case Manager: Brenda Valadez, Planner

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

#### **Proposed Zoning Change**

**Current Zoning:** "PUD MF-33 GC-1 MLOD" Planned Unit Development Multi-Family Hill Country Gateway Corridor Overlay Military Lighting Overlay District and "PUD C-3 GC-1 MLOD" Planned Unit Development General Commercial Hill Country Gateway Corridor Overlay Military Lighting Overlay District

**Requested Zoning:** "PUD C-3 GC-1 MLOD" Planned Unit Development General Commercial Hill Country Gateway Corridor Overlay 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 April 29, 2011. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on May 4, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on May 13, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

#### **Notices Mailed**

**Owners of Property within 200 feet:** 3

**Neighborhood Associations:** None

**Planning Team Members:** 42 (North Sector Plan)

**Applicable Agencies:** None.

## **Property Details**

**Property History:** The subject property is currently undeveloped. The property was annexed in 2001. Upon annexation, the entire property was zoned "DR" Development Reserve District. In a 2002 zoning case, the property was rezoned "C-2" Commercial District. In 2003, in a city-initiated case, the "GC-1" Hill Country Gateway Corridor Overlay District was added to the property. 2006 rezoning case rezoned the property to "PUD C-3 GC-1" Planned Unit Development General Commercial Hill Country Gateway Corridor Overlay District. In 2009, the property was rezoned to "PUD MF-33 GC-1" Planned Unit Development Multi-Family Hill Country Gateway Corridor Overlay District.

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

## **Adjacent Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** C-3

**Current Land Uses:** Vacant Land and Commercial Uses

**Direction:** South

**Current Base Zoning:** C-3, C-2 and MF-33

**Current Land Uses:** Vacant Land

**Direction:** East

**Current Base Zoning:** C-3

**Current Land Uses:** Vacant Land

**Direction:** West

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

**Current Land Uses:** Vacant Land

**Overlay and Special District Information:** 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:** IH 10 West

**Existing Character:** Freeway; 8 lanes

**Proposed Changes:** None known.

**Thoroughfare:** Ralph Fair

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

**Proposed Changes:** None known.

**Public Transit:** There is no mass transit service currently available to the subject property.

**Traffic Impact:** A Traffic Impact Analysis is not required.

**Parking Information:** The zoning request generally refers to proposed retail commercial uses. Parking requirements are determined by 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: Denial of C-3 and Approval of C-2 pending the plan amendment**

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

### **1. Consistency:**

The subject property is located within the North Sector Plan, and is designated as Rural Estate Tier in the Future Land Use Plan component. The applicant has requested amending the future land use designation to Regional Center. Planning Commission and Planning and Community Development staff recommend denial of the request for Regional Center and approval of the Suburban Tier land use classification. Zoning staff recommends an alternate district of C-2 which is consistent with the Suburban Tier land use classification.

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

Staff finds the requested zoning to be inappropriate; however, the alternate recommendation is reasonable as it is consistent with the pattern of development in the area. Changing the zoning from a multi-family zoning designation to medium intensity commercial zoning (C-2) will not have an adverse impact on any neighboring properties. Additionally, the nearby single-family neighborhoods have separate road access and are buffered from the proposed commercial and multi-family development by a large, densely vegetated drainage easement.

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

The current 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.

### **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.

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

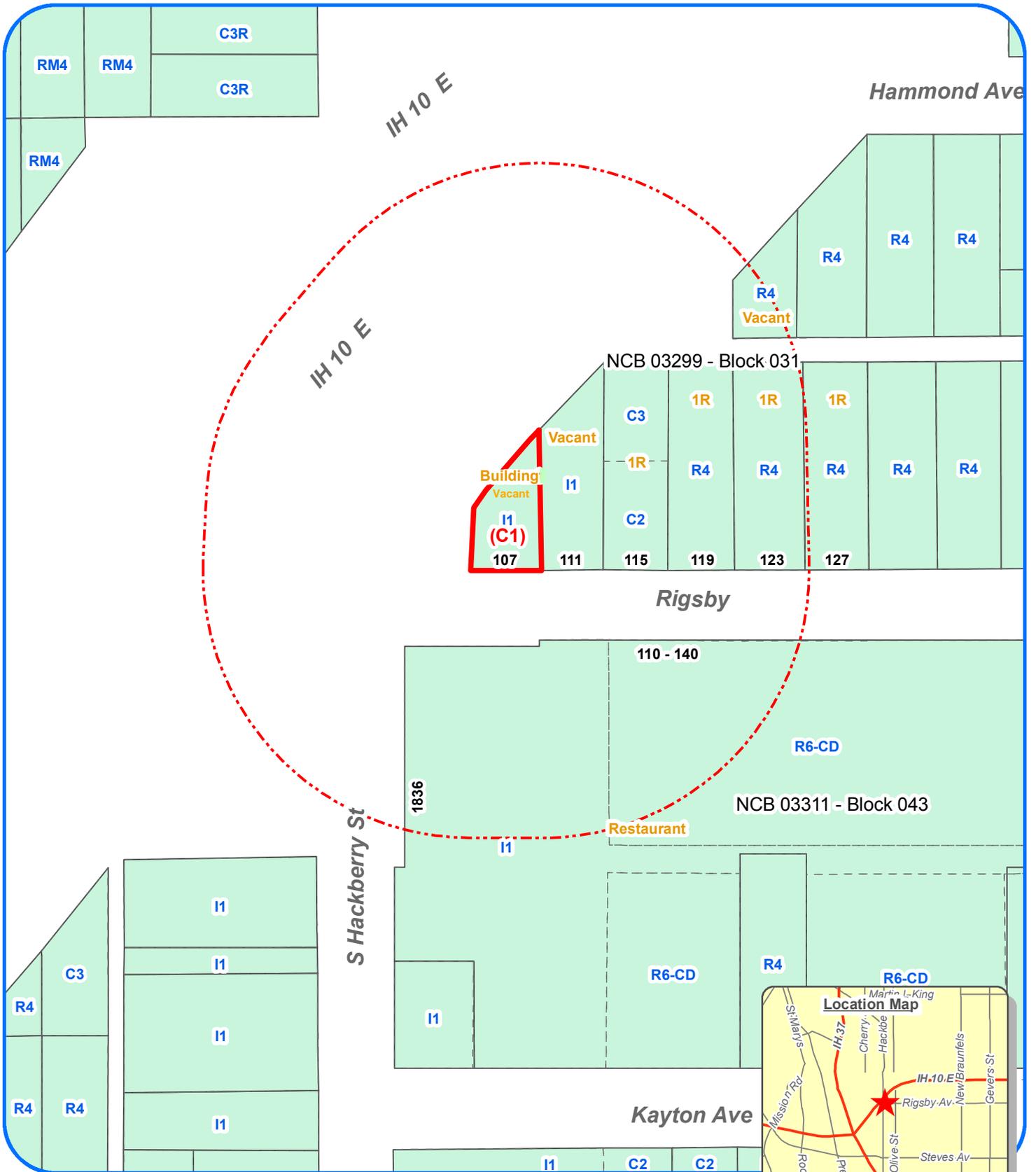
The subject property is located within the Camp Bullis Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding between Fort Sam Houston and the City of San Antonio, the Garrison Commander did not review the rezoning request because the tract is smaller than 10 acres and is not immediately adjacent to Camp Bullis.

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

The subject property is 2.8306 acres, which should be able to reasonably accommodate the proposed commercial use.

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

None.



## Zoning Case Notification Plan

### Case Z-2011-120

Council District 3

Scale: 1" approx. = 100 Ft.

Subject Property Legal Description(s): NCB 03299 - Block 031 - S Rr 96.5 ft of Lot 13

#### Legend

- Subject Properties (0.0801 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  
(05/03/2011 - E Hart)

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



# City of San Antonio

## Development Services Department

### Staff Report

To: Zoning Commission

Zoning Case #: Z2011120

Hearing Date: May 17, 2011

Property Owner: Thomas and Marianne Hernandez

Applicant: Thomas and Marianne Hernandez

Representative: Ronald Aguillen

Location: 107 Rigsby Avenue

Legal Description: South irregular 96.5 feet of Lot 13, Block 31, NCB 3299

Total Acreage: 0.0801

City Council District: 3

Case Manager: Pedro Vega, Planner

Case History: This is the first public hearing for this zoning request. It was requested by City Council that the rezoning of this property be expedited for City Council consideration on May 19, 2011.

### Proposed Zoning Change

**Current Zoning:** "I-1AHOD" General Industrial 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). Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on May 4, 2011. The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on April 28, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on May 13, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

### Notices Mailed

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

**Neighborhood Associations:** Highland Park Neighborhood Association

**Planning Team Members:** 40 (Highlands Community Plan)

**Applicable Agencies:** None

### Property Details

**Property History:** The subject properties are located within the area recognized as the city limits in 1938, and were originally zoned "J" Commercial District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "I-1AHOD" General Industrial Airport Hazard Overlay District.

**Topography:** The subject property is relatively flat and has no physical characteristics that are likely to affect the use.

## Adjacent Zoning and Land Uses

**Direction:** North

**Current Base Zoning:** Interstate Highway 10

**Current Land Uses:** Interstate Highway 10

**Direction:** West across South Hackberry Street

**Current Base Zoning:** Interstate Highway 10

**Current Land Uses:** Interstate Highway 10

**Direction:** East

**Current Base Zoning:** "I-1AHOD" General Industrial Airport Hazard Overlay District

**Current Land Uses:** Vacant

**Direction:** South across Rigsby Avenue

**Current Base Zoning:** "I-1AHOD" General Industrial Airport Hazard Overlay District

**Current Land Uses:** Restaurant

**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:** Rigsby Avenue

**Existing Character:** Collector Street two lanes in each direction

**Proposed Changes:** None known.

**Thoroughfare:** South Hackberry Street

**Existing Character:** Secondary arterial two lanes in each direction

**Proposed Changes:** None known

**Public Transit:** VIA bus lines 30, 32 and 230 operate along Rigsby Avenue and South Hackberry Street, with multiple bus stops in the vicinity of the subject property.

**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:** Minimum Parking Requirement: 1 per 3 persons. Maximum Parking Requirement: N/A

## Staff Analysis and Recommendation: Approval

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

### **1. Consistency:**

The subject property is not located within a Neighborhood or Community Plan.

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

The "C-1 AHOD" Light Commercial Airport Hazard Overlay District is a downzoning from the current "I-1 AHOD" General Industrial Airport Hazard Overlay District.

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

The current "I-1AHOD" General Industrial Airport Hazard Overlay District is not appropriate for the area. The "C-1 AHOD" Light Commercial Airport Hazard Overlay District supports a consistent zoning pattern and allows more flexibility.

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

Staff has found no indication of likely adverse effects on the public health, safety, or welfare. No external sound systems or live music shall be allowed. No outdoor storage or display of goods shall be permitted except for outdoor dining.

**5. Public Policy:**

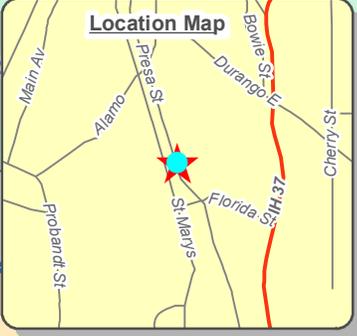
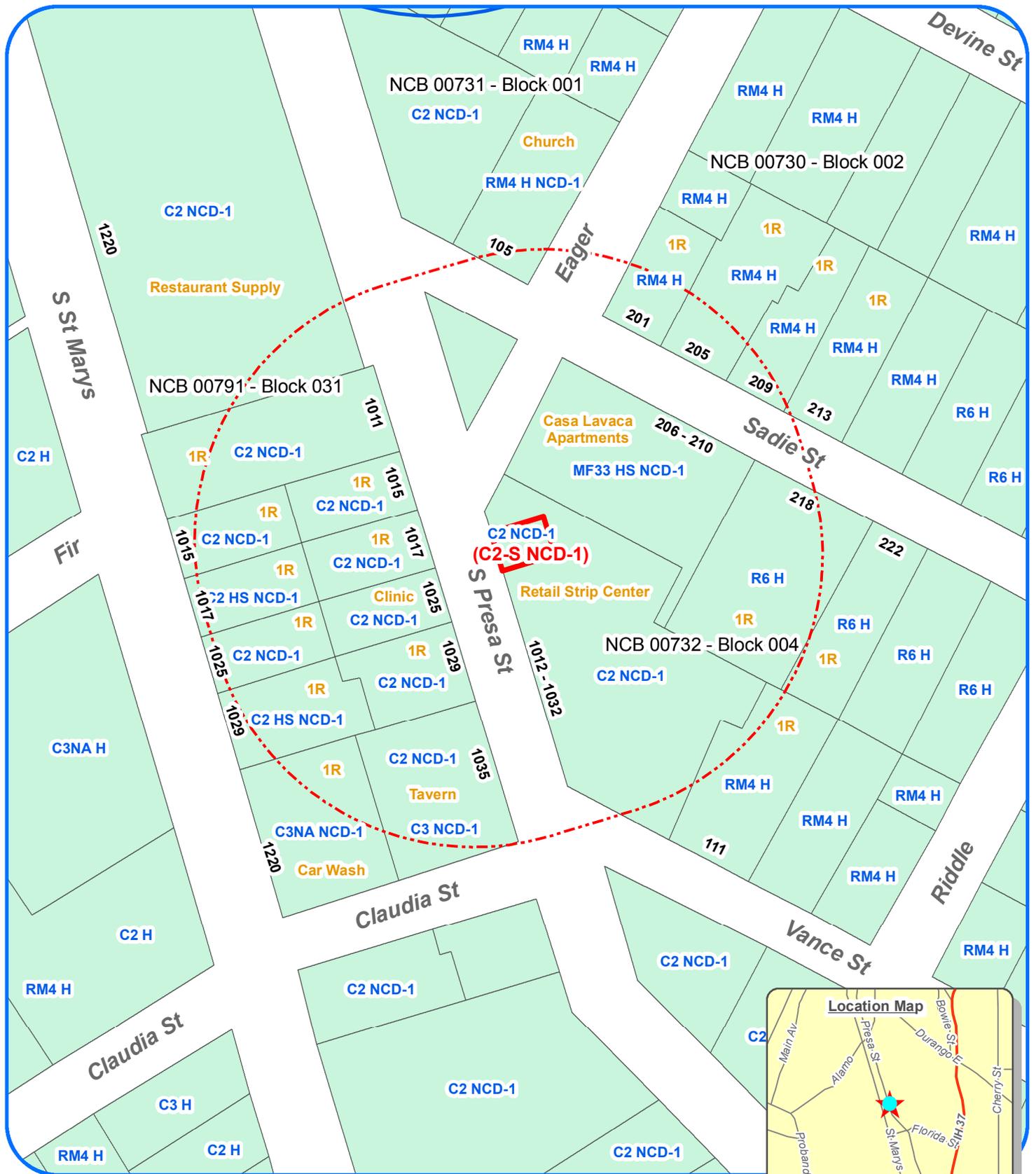
The request does not appear to conflict with any established public policy. The property is located within the Inner City Reinvestment Policy (ICRIP) area. The purpose of the ICRIP is to promote growth and development in the inner city, specifically in areas that are currently served by public infrastructure and transit, but underserved by residential and commercial real estate markets.

**6. Size of Tract:**

The building is 947 square feet in size, which is adequate space for a Cake Shop.

**7. Other Factors:**

"C-1" districts accommodate neighborhood commercial uses and are considered appropriate buffers between residential uses and "C-2" and "C-3" districts and uses.



## Zoning Case Notification Plan

# Case Z-2011-121 S

Council District 1

Scale: 1" approx. = 100 Ft.

Subject Property Legal Description(s): A Portion of NCB 00732 - Block 004 - Lots 9, 10 & the SW 134.98 ft of Lot 11 & S Irr 45.96 ft of Lots 1 thru 3

### Legend

- Subject Properties (0.0283 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  
(05/03/2011 - E Hart)

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



# City of San Antonio

## Development Services Department

### Staff Report

To: Zoning Commission  
Zoning Case #: Z2011121 S  
Hearing Date: May 17, 2011  
Property Owner: Jerry Torres Properties, LLC  
Applicant: Michael Castillo  
Representative: Roger R. Jimenez  
Location: 1014 South Presa Street  
Legal Description: A 0.0283 acre tract of land out of Lot 1, Block 4, NCB 732  
Total Acreage: 0.0283  
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:** "C-2 AHOD NCD-1" Commercial Airport Hazard Overlay South Presa/South St. Mary's Streets Neighborhood Conservation District.

**Requested Zoning:** "C-2 AHOD NCD-1 S" Commercial Airport Hazard Overlay South Presa/South St. Mary's Streets Neighborhood Conservation District with a Specific Use Authorization for a Bar And/Or Tavern Without Cover Change 3 or More Days Per Week.

#### **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 April 28, 2011. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on May 4, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on May 13, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

#### **Notices Mailed**

**Owners of Property within 200 feet:** 28

**Neighborhood Associations:** Lavaca Neighborhood Association

**Planning Team Members:** 12 (Lavaca Neighborhood Plan)

**Applicable Agencies:** None

#### **Property Details**

**Property History:** The subject site is currently developed with a multi-tenant structure. According to the Bexar County Appraisal District, the structure was constructed in 1914. The property is located within the City Limits as they were recognized in 1936, and was originally zoned "J" Commercial District. In December of 1991, the 0.0283 acre site was part of a city initialed rezoning that changed the zoning to "B-2" Business District. Upon adoption of

the Unified Development Code, the previous base zoning district converted to the current "C-2 AHOD NCD-1" Commercial Airport Hazard Overlay South Presa/South St. Mary's Streets Neighborhood Conservation District. The South Presa/South St. Mary's Streets Neighborhood Conservation District was adopted November 14, 2002.

**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:** Northwest

**Current Base Zoning:** "C-2 AHOD NCD-1"

**Current Land Uses:** Restaurant

**Direction:** Southeast

**Current Base Zoning:** "C-2 AHOD NCD-1"

**Current Land Uses:** Commercial Use

**Direction:** Northeast

**Current Base Zoning:** "MF-33 HS AHOD NCD-1"

**Current Land Uses:** Apartments

**Direction:** Southwest across South Presa Street

**Current Base Zoning:** "C-2 AHOD NCD-1"

**Current Land Uses:** Commercial Uses

**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.

**Neighborhood Conservation District:** Within the City of San Antonio there are many unique and distinctive residential neighborhoods or commercial districts which contribute significantly to the overall character and identity of the city. They are worthy of preservation and protection, but may lack sufficient historical, architectural or cultural significance at the present time to be designated as historic districts. As a matter of public policy, the city council aims to preserve, protect, enhance, and perpetuate the value of these residential neighborhoods or commercial districts through the establishment of neighborhood conservation districts.

## **Transportation**

**Thoroughfare:** South Presa Street

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

**Proposed Changes:** None known.

**Public Transit:** The nearest VIA bus lines are the number 36 and 242 lines which operate along South Presa 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:** Minimum Parking Requirement: 1 per 100 sf of GSF. Maximum Parking Requirement: 1 per 75 sf of GSF.

## **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 Lavaca Neighborhood Plan and is currently designated as “Mixed Use” in the Future Land Use Plan. The zoning request is consistent with the Future 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 (which is consistent with the community plan). The addition of the Cantina would be minimal given the side of the site.

**3. Suitability as Presently Zoned:**

The current C-2 commercial zoning is appropriate for the area. Medium intensity commercial zoning is most appropriate along arterials or major thoroughfares.

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

Staff has found no indication of likely adverse effects on the public health, safety or welfare. The property is currently used for commercial purposes and is part of the commercial development pattern along this portion of South Presa Street.

**5. Public Policy:**

The request does not appear to conflict with any public policy objective. The request is consistent with the future land use plan.

**6. Size of Tract:**

The subject property is 0.0283 acres, which should be able to reasonably accommodate the proposed Bar And/Or Tavern Without Cover Change 3 or More Days Per Week (J & O Cantina). The applicant has submitted a site plan in order to comply with the Specific Use Authorization requirements.

**7. Other Factors:**

The Bar/Tavern does not violate the rule that a facility that applies for a liquor license be more 300 feet from a School, Church, Day Care Center or Hospital.

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.

Z C-2NCD-1 to C-2NCD-1 S FOR J & O CANTINA

Z20111215

**LIMITS OF SUP  
(0.0283 ACRES)  
(1236 SQ. FT.)**

**LEGEND**

- ◇— CHAINLINK FENCE
- //— WOOD FENCE
- OE— OVERHEAD ELECTRIC
- S.I.P. SET 1/2" IRON ROD WITH YELLOW CAP STAMPED: RAS# 3976
- F.I.P. FOUND I. PIN
- PP● POWER POLE
- PP/TRANS● POWER POLE/TRANSFORMER
- CONCRETE CURB
- FH FIRE HYDRANT
- SSMH SANITARY SEWER MANHOLE
- ▨ CONCRETE AREA

**RUIZ & ASSOCIATES SURVEYING, INC.**  
 4414 CENTERVIEW, SUITE 211 \* SAN ANTONIO, TX. 78228  
 Phone: (210) 735-8514 Fax: (210) 738-2835  
 Email: ruizandassociates@sbcglobal.net  
 Web: www.ruizassociatessurveying.com

**ZONING CHANGE REQUEST: FROM C-2NCD-1 TO C-2NCD-1 S**

**SITE MAP  
FOR  
J & O CANTINA  
SITE ADDRESS: 1014 SOUTH PRESA ST.**

BEING (0.0283 AC.) (1236 SQ. FT) 789 SQ. FT OUT OF LOT 1,  
 131 SQ. FT. OUT OF LOT 2 AND 321 SQ. FT. OUT OF LOT 9,  
 BLOCK 4, N.C.B. 732, CITY OF SAN ANTONIO, OUT OF A TRACT  
 AS RECORDED IN VOL. 13072, PG. 1640, REAL PROPERTY RECORDS  
 OF BEXAR COUNTY, TEXAS.

The following statement: "I, JERRY TORRES  
 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.

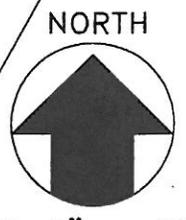
STATE OF TEXAS  
 COUNTY OF BEXAR:

I HEREBY CERTIFY THAT THE ABOVE  
 PLAT IS TRUE AND CORRECT ACCORDING  
 TO AN ACTUAL SURVEY MADE ON THE  
 GROUND UNDER MY SUPERVISION.

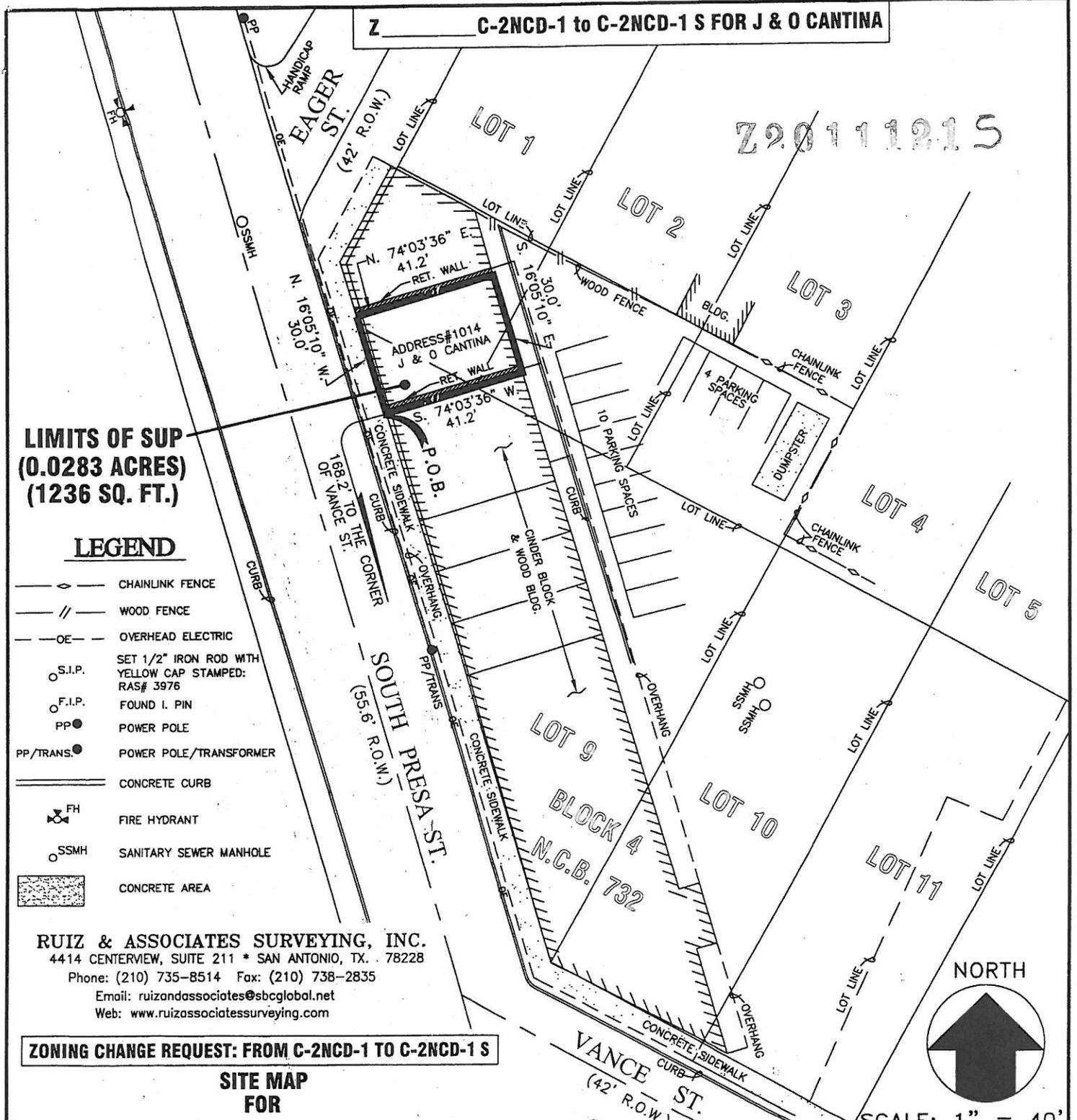
SURVEYED ON THIS THE 8TH DAY OF  
 APRIL, 2011 A.D.

Ramon M. Ruiz, RPLS #3976

RAS NO. 2011-025



SCALE: 1" = 40'



**CITY OF SAN ANTONIO  
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT**

To: City of San Antonio Zoning Commission

From: T.C. Broadnax, Assistant City Manager / Interim Director  
Department of Planning and Community Development

Subject: UDC Amendment to Chapter 35

Date: May 17, 2011

**Background**

The River Improvement Overlay (RIO) ordinance was adopted in 2002 to protect the significant public investment in the San Antonio River by ensuring quality design. This amendment is to include a provision to 35-338(c)(3) that a refinery use or petroleum manufacturing or processing use existing prior to the effective date of the RIO ordinance be considered a conforming use if the Official Zoning Map is amended in accordance with the provisions of Section 35-421.

There are six (6) River Improvement Overlay (RIO) districts. Each district represents a distinguishable environment along the San Antonio River. RIO-3 is the most urban and developed district while RIO-6 is much more pastoral and undeveloped. In March 2011, amendments to Chapter 35 in reference to the RIO districts were approved by City Council Ordinance. The current amendment being proposed was not included as part of the amendments to the RIO ordinance earlier this year, therefore, a separate amendment is being brought forward.

In March 2010, a City Council Request was passed directing staff to initiate a land use analysis along the South Presa Corridor from IH-10 to Loop 410 to recommend to City Council a comprehensive rezoning and corridor overlay district for the area. A significant portion of the South Presa Metropolitan Corridor planning area falls within RIO-5 and RIO-6.

**Issue**

As a result of the South Presa Metropolitan Corridor Overlay District planning process, it was determined that an amendment to the RIO was necessary in order to address the extent of the land use and zoning issues along the corridor. The proposed amendment would allow an existing, nonconforming refinery use or petroleum manufacturing or processing use, currently prohibited in the RIO, to be permitted in a RIO district by amendment to the Official Zoning Map in accordance with the provisions of Section 35-421. Permitting the described use within the RIO would allow for a zoning change request to bring such a use into conformance, allowing for improvements/upgrades to be made. RIO design guidelines and standards would remain in place and adherence would be required.

**Next Steps**

This item is scheduled for City Council consideration on May 19, 2011.

**Recommendation**

Staff recommends approval.

**Proposed Amendment to the Unified Development Code**  
**(Chapter 35 of the City Code)**

**35-338. “RIO” River Improvement Overlay Districts.**

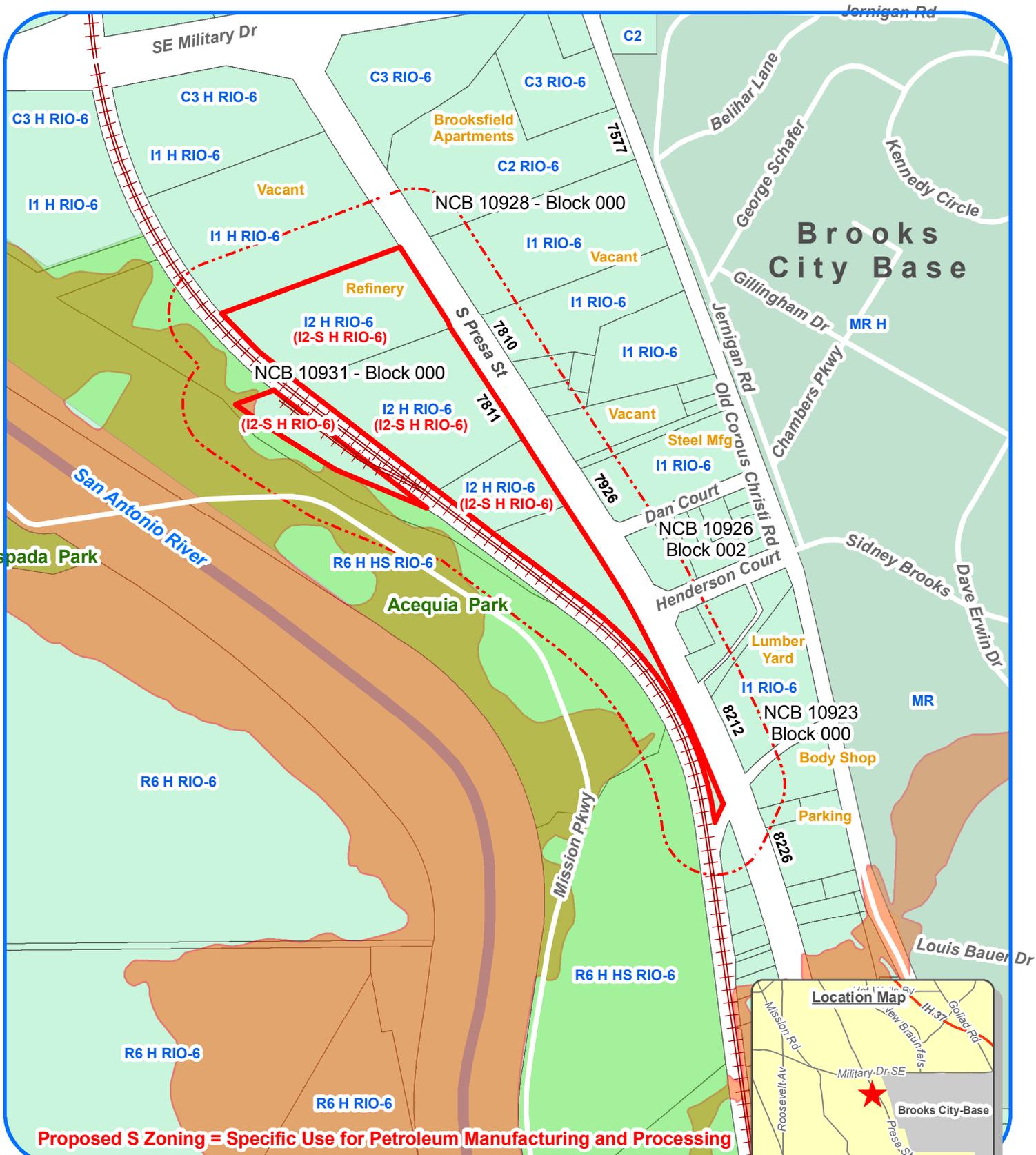
\*\*\*\*

**(c) Uses.**

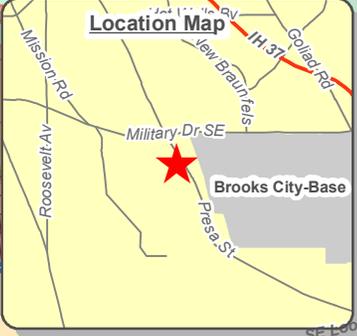
\*\*\*\*

- (3) Nonconforming Structures and Uses.** Any structure or use which presently exists in a river improvement overlay district which was lawfully authorized by ordinance or regulations existing prior to the effective date of the river improvement overlay districts may continue and may be maintained, modified or repaired as authorized and in accordance with the provisions of article VII division 1 of this chapter (entitled "nonconforming uses"), provided however, that a refinery use or a petroleum manufacturing or processing use existing prior to the effective date of this subsection may be allowed by amendment to the Official Zoning Map in accordance with the provisions of Section 35-421.

\*\*\*\*



**Proposed S Zoning = Specific Use for Petroleum Manufacturing and Processing**



### Zoning Case Notification Plan

## Case Z-2011-076A

Council District 3

Scale: 1" approx. = 500 Ft.

Subject Property Legal Description(s): NCB 10931 - Block 000 - Lots 1, 2, 3, 12, 15, and Part of Tracts TR-7A Arb TR-3 and TR-8A

#### Legend

- Subject Properties (18.01 Acres) ———
- 200' Notification Area - - - - -
- Current Zoning **TEXT**
- Requested Zoning Change **(TEXT)**
- 100-Year DFIRM Floodplain
- Single Family Residential **1R**



Development Services Dept  
City of San Antonio  
(04/28/2011 - E Hart)

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



# City of San Antonio

## Planning and Community Development Department

### Staff Report

To: Zoning Commission

Zoning Case #: Z2011076-A

Hearing Date: May 17, 2011

Property Owner: NuStar Refining, LLC

Applicant: City of San Antonio

Representative: City of San Antonio

Location: 7811 South Presa Street

Legal Description: 17.615 acres out of NCB 10931

Total Acreage: 17.615

City Council District: 3

Case Manager: Andrea Gilles, Planning Manager

Case History: This is the first public hearing for this rezoning request. This is an amendment to Zoning Case Z2011076 that was heard by the Zoning Commission on April 5, 2011.

### Proposed Zoning Change

**Current Zoning:** "H I-2 AHOD RIO-6" Heavy Industrial Mission Historic Airport Hazard Overlay River Improvement Overlay District-6

**Requested Zoning:** "H I-2 S AHOD RIO-6" Heavy Industrial Mission Historic Airport Hazard Overlay River Improvement Overlay District-6 with a Specific Use Authorization for Petroleum Manufacturing or Processing

### 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 April 28, 2011. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on May 4, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on April 15, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

### Notices Mailed

**Owners of Property within 200 feet:** 23

**Neighborhood Associations:** Roosevelt Park, Riverside South, Mission San Jose, East Pyron/Symphony Lane, and Hot Wells

**Community Organization:** South Central Alliance of Neighborhoods and the San Antonio Conservation Society

**Planning Team Members:** 26 – South Presa Corridor Planning Team

**Applicable Agencies:** Stinson Airport Vicinity stakeholders (15), National Park Service, San Antonio River Authority, Office of Historic Preservation, and Aviation Department

## Adjacent Zoning and Land Uses

| Direction | Current Base Zoning   | Current Land Uses  |
|-----------|---|--|
| North     | “H I-1 RIO-6” General Industrial Mission Historic River Improvement Overlay District-6 and “H C-3 RIO-6” General Commercial Mission Historic River Improvement Overlay District-6   | Vacant   |
| East      | “I-1 RIO-6” General Industrial River Improvement Overlay District-6 and “C-3 RIO-6” General Commercial River Improvement Overlay District-6   | Vacant, outside storage, steel fabrication, bar, computer repair store, and hardware store |
| South     | “H I-2 HS RIO-6” Heavy Industrial Historic Significant Mission Historic River Improvement Overlay District-6, “H I-1 RIO-6” General Industrial Mission Historic River Improvement Overlay District-6, and “H R-6 HS RIO-6” Residential Single-Family Historic Significant Mission Historic River Improvement Overlay District-6 | Parkland and auto-repair   |
| West      | “H I-2 HS RIO-6” Heavy Industrial Historic Significant Mission Historic River Improvement Overlay District-6 and “H R-6 HS RIO-6” Residential Single-Family Historic Significant Mission Historic River Improvement Overlay District-6  | Parkland and railroad  |

**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 properties lie within the “RIO-6” River Improvement Overlay District-6 due to their proximity to the San Antonio River. The purpose of this district is to establish regulations to protect, preserve, and enhance the San Antonio River and its improvements by establishing design standards and guidelines. Building permits within these overlay districts require a certificate of appropriateness. The subject property is also within the “H” Mission Historic District.

## Transportation

| Thoroughfare       | Existing Character   | Proposed Changes |
|--------------------|--|------------------|
| South Presa        | Secondary Arterial Type A, 1 to 2 lanes in each direction          | None known       |
| Southeast Military | Primary Arterial Type A, 3 lanes in each direction and a turn lane | None known       |

**Public Transit:** VIA bus line 36 runs along South Presa Street.

**Traffic Impact:** TIA requirement is waived for City Council initiated cases.

**Parking Information:** Parking requirements are based on individual use.

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

**Topography:** The property slopes down from east to west away from South Presa Street toward the railroad tracks and San Antonio River in the rear of the property. Nearest to South Presa Street, the elevation is approximately 566 feet. To the west or rear of the property, the elevation is approximately 548 feet. Over the widest part of the property, this equates to approximately 3% slope.

**Property History:** From north to the south, the character of the proposed South Presa Metropolitan Corridor transitions from an urban character with smaller buildings placed closer together that promote walkability to a more rural character with buildings set farther apart. The proposed South Presa Metropolitan Corridor is located near many of the historic sites along the San Antonio River including burial grounds, acequias, and San Juan Capistrano Mission. The portion of the corridor north of Ada Street and Webb was part of the area known as the original thirty-six square miles of the City. The remainder of the corridor was annexed in three annexations from 1944 to 1957. The area north of Southeast Military Drive was primarily built between the 1920s and 1950s. In the northern portion of the corridor, there are some structures that are over one hundred years old including the State Hospital main building that was established just north of Southeast Military Drive along Presa Street in 1892. South of Southeast Military Drive several large vacant parcels remain. Several of the vacant parcels are owned by the National Park Service, San Antonio River Authority, and the City of San Antonio. The majority of areas south of Southeast Military Drive that were developed were developed between the 1970s and the present day. Most of the recent developments have been single family homes on four thousand square foot lots near the newly built Mission Academy. Improvements to the San Antonio River as part of the Historic Mission Reach, development at Brooks City Base, multiple privately owned and funded mixed-use developments, and other catalytic projects in the area including the Stinson Airport expansion are expected to drive redevelopment along South Presa Street. The subject property re-certified its legally non-conforming use as a refinery in 2010.

**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 Stinson Airport Vicinity Land Use Plan. The zoning change is currently inconsistent with the land use plan. A plan amendment has been filed in order for this property to be consistent with the proposed zoning change.

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

The specific use authorization is to allow for improvements to the current use of the property for petroleum processing. The zoning change request is to allow the existing use to continue and to improve.

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

The existing zoning does not allow the current use of the property for petroleum processing to be improved. The current legally non-conforming use status limits the ability of the property owner to make necessary repairs to the aging structure under the current zoning district.

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

In order to mitigate and address public health, safety, or welfare concerns related to the existing petroleum processing, the new property owner will be able to make needed repairs to the facility to make it safer for workers as well as neighboring residents and businesses under the requested zoning change.

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

The Stinson Airport Vicinity Land Use Plan was adopted as a component of the City's Master Plan in 2009.

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

17.615 acres

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

None.