

CITY OF SAN ANTONIO

Zoning Commission Agenda

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

Tuesday, October 18, 2011
12:45 PM

ZONING COMMISSIONERS

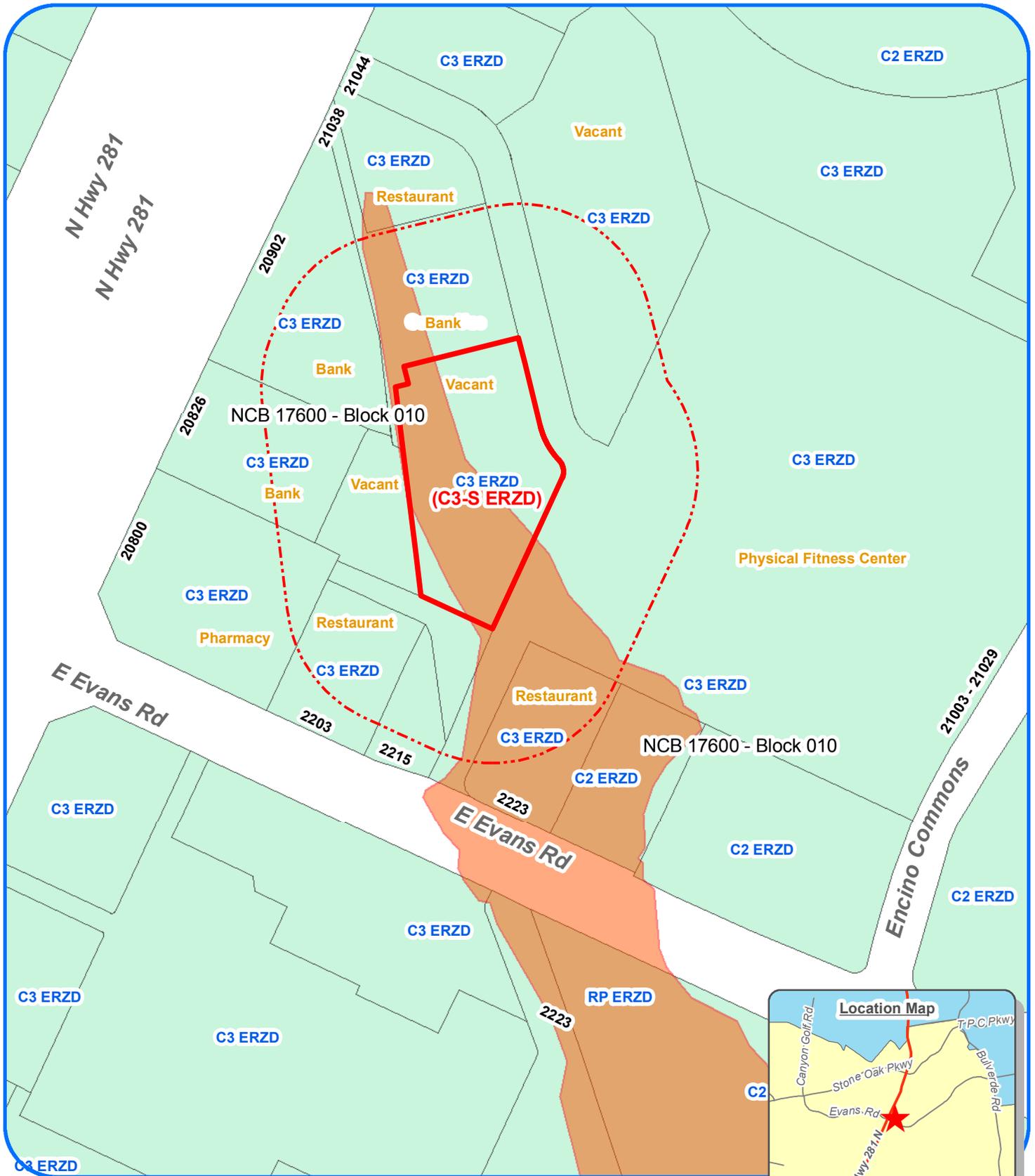
Mariana Ornelas – District 1	Christopher Martinez – District 6
Dan Martinez – District 2	David Christian – District 7
Gerard P. Clancy – District 3	Rick McNealy – District 9
Orlando Salazar – District 4	Milton R. McFarland – District 10
Rachel Flores – District 5	Brenna Nava – District Mayor
Billy J. 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 October 18, 2011.
2. **1:00 P.M.** Board Room– Call to Order.
3. Roll Call.
4. Pledge of Allegiance.
5. Approval of September 20, 2011 and October 4, 2011 Zoning Commission Minutes.
6. **ZONING CASE NUMBER Z2011199 S ERZD (Council District 9) POSTPONED:** A request for a change in zoning from “C-2 ERZD MLOD” Commercial Edwards Recharge Zone Military Lighting Overlay District to “C-2 S ERZD MLOD” Commercial Edwards Recharge Zone Military Lighting Overlay District with a Specific Use Authorization for a Bar and/or Tavern without cover charge 3 or more days per week on 0.492 acre tract out of Lot 5, Block 6, NCB 17606, 700 East Sonterra Boulevard.
7. **ZONING CASE NUMBER Z2011194 S ERZD (Council District 9):** A request for a change in zoning from “C-3 ERZD MLOD” General Commercial Edwards Recharge Zone Military Lighting Overlay District to “C-3 S ERZD MLOD” General Commercial Edwards Recharge Zone Military Lighting Overlay District with a Specific Use Authorization for a Car Wash on Lot 27, Block 10, NCB 17600, 21040 North US Hwy 281.
8. **ZONING CASE NUMBER Z2011124 S (Council District 6):** A request for a change in zoning from “C-3R AHOD” General Commercial Restrictive Alcoholic Sales Airport Hazard Overlay District to “C-3NA AHOD S” General Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Specific Use Authorization for a Contractor Facility on Lot 161, NCB 8237 (0.4003 acres), 539 Old Highway 90 West.

9. **ZONING CASE NUMBER Z2011178 (Council District 3):** A request for a change in zoning from “C-3” General Commercial District and “I-1” General Industrial District to “C-3NA” General Commercial Nonalcoholic Sales District on Lots 31 and 33, NCB 10846, 4606 and 4614 East Southcross Boulevard.
10. **ZONING CASE NUMBER Z2011196 (Council District 5):** A request for a change in zoning from “MF-33 AHOD” Multi-Family Airport Hazard Overlay District to “C-2 AHOD” Commercial Airport Hazard Overlay District on Lot 30 and Lot 31, Block 6, NCB 2137, 1919 and 1921 Lyons Street.
11. **ZONING CASE NUMBER Z2011198 (Council District 4):** A request for a change in zoning from “R-6 AHOD” Residential Single Family Airport Hazard Overlay District to “C-2 AHOD” Commercial Airport Hazard Overlay District on Lot 25, Block 4, NCB 15597, 6912 to 6938 West Military Drive.
12. **ZONING CASE NUMBER Z2011200 (Council District 5):** A request for a change in zoning from “I-1 AHOD” General Industrial Airport Hazard Overlay District to “C-3NA AHOD” General Commercial Nonalcoholic Sales Airport Hazard Overlay District on Lot 19, Block 17, NCB 3775, 1802 Culebra Road.
13. **ZONING CASE NUMBER Z2011202 (Council District 10):** A request for a change in zoning from “I-1 AHOD” General Industrial Airport Hazard Overlay District and “MF-33 AHOD” Multi-Family Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on Lots 1 and 2, Block 5, NCB 8699, 6310 and 6446 North New Braunfels Avenue.
14. **ZONING CASE NUMBER Z2011204 (Council District 3):** A request for a change in zoning from “MF-33 AHOD” Multi-Family Airport Hazard Overlay District to “C-2NA AHOD” Commercial Nonalcoholic Sales Airport Hazard Overlay District on Lots 9, 10, 11 and the south 11.55 feet of Lot 8, Block 3, NCB 9475, 7222, 7226 and 7230 Briar Place.
15. **ZONING CASE NUMBER Z2011206 (Council District 2):** A request for a change in zoning from “I-1 AHOD” General Industrial Airport Hazard Overlay District to “C-3NA AHOD” General Commercial Nonalcoholic Sales Airport Hazard Overlay District on 0.064 of an acre out of Lot 4, NCB 12168 on a portion of 2800 NE Loop 410.
16. Discussion and possible action to cancel the January 3, 2012 Zoning Commission meeting.
17. **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.
18. **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-2011-194 S

Council District 9

Scale: 1" approx. = 200 ft.

Subject Property Legal Description(s): NCB 17600 - Block 010 - Lot 27

Legend

- Subject Properties (1.691 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
(09/16/2011 - E Hart)

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



City of San Antonio Development Services Department Staff Report

To: Zoning Commission
Zoning Case #: Z2011194 S ERZD
Hearing Date: October 18, 2011
Property Owner: Promenade at Encino Commons, Ltd.
Applicant: BLN Properties No. 5, LLC
Representative: Klove Engineering, LLC (Kevin Love)
Location: 21040 North US Hwy 281; Located northeast of the intersection of North Highway 281 and East Evans Road.
Legal Description: Lot 27, Block 10, NCB 17600
Total Acreage: 1.691
City Council District: 9
Case Manager: Brenda Valadez, Planner
Case History: This is the first public hearing for this zoning case.

Proposed Zoning Change

Current Zoning: "C-3 ERZD MLOD" General Commercial Edwards Recharge Zone Military Lighting Overlay District

Requested Zoning: "C-3 S ERZD MLOD" General Commercial Edwards Recharge Zone Military Lighting Overlay District with a Specific Use Authorization for a Car Wash

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 September 29, 2011. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on October 5, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on October 14, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

Notices Mailed

Owners of Property within 200 feet: 11

Neighborhood Associations: None

Planning Team Members: 41 (North Sector Plan)

Applicable Agencies: The San Antonio Water System

Property Details

Property History: The subject property is currently undeveloped. The majority of the property was annexed in 1984, with the small remaining portion being annexed in 1985 and was originally zoned "Temp R-1" Temporary Single-Family Residence District. In a 1998 case the property was rezoned to "B-3" Business District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to "C-3" General Commercial District. A portion of the subject property contains a water quality basin. The applicant is requesting a zoning change in order to allow the construction of a car wash over the Edwards Recharge Zone.

Topography: The property has an abundance of grasses with a slight slope. A portion of the subject property also appears to be within the 100 year floodplain.

Adjacent Zoning and Land Uses

Direction: North
Current Base Zoning: C-3
Current Land Uses: Bank

Direction: South
Current Base Zoning: C-3
Current Land Uses: Restaurant

Direction: East
Current Base Zoning: C-3
Current Land Uses: Vacant land and a Gym

Direction: West
Current Base Zoning: C-3
Current Land Uses: Bank and Pharmacy

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

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

Transportation

Thoroughfare: North Highway 281
Existing Character: Freeway; 6 lanes
Proposed Changes: None known.

Thoroughfare: East Evans Road
Existing Character: Primary Arterial Type A; 2 lanes 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: Minimum Parking Requirement: 1 per 500 sf GFA including service bays, wash tunnels and retail areas. Maximum Parking Requirement: 1 per 375 sf GFA including service bays, wash tunnels and retail areas.

Staff Analysis and Recommendation: Approval

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

1. Consistency:

The subject property is located within the North Sector Plan area, and is identified as Regional Center in the Future Land Use component of the Plan. The zoning request is consistent with the adopted land use designation.

2. Adverse Impacts on Neighboring Lands:

Staff has found no evidence of likely adverse impacts on surrounding properties. The majority of surrounding properties are zoned for commercial uses and contain said types of uses. Staff finds the requested Specific Use Authorization to be appropriate as the subject property will maintain the current C-3 district (that is consistent with the sector plan) and has a site plan that accommodates appropriate vehicular circulation.

3. Suitability as Presently Zoned:

The existing C-3 zoning district is suitable. The requested Specific Use Authorization for a car wash is necessitated by the presence of the Edwards Recharge Zone District requirements

4. Health, Safety and Welfare:

The attached SAWS report outlines potential water quality concerns with the proposed car wash use. Staff has found no evidence of likely adverse impacts on the health, safety and welfare of the surrounding community, provided the SAWS recommendations are followed.

5. Public Policy:

The subject property is located within the 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 1.691 acres, which should be able to reasonably accommodate the proposed commercial use with adequate spaces for parking and loading as shown on the requisite site plan.

7. Other Factors:

SAWS identifies the subject property as a Category 1 property. SAWS staff recommends approval of the zoning request, provided that the impervious cover shall not exceed 59% on the site.

Z2011194



EXISTING	PROPOSED	DESCRIPTION
---	---	PROPERTY LINE
---	---	ADJUSTMENT
---	---	BENCHMARK
---	---	UTILITY POLE
---	---	TRANSFORMER (SIZE VARIES)
---	---	PIPE HORIZONTAL
---	---	WATER MAIN
---	---	WATER METER
---	---	WATER METER VALVE
---	---	WATER MANHOLE
---	---	TELEPHONE RISER
---	---	ABLE TO REAR
---	---	ELECTRIC RISER
---	---	ELECTRIC METER
---	---	GAS METER
---	---	UNDERGROUND GAS PIPE
---	---	TELEPHONE RISER
---	---	TELEPHONE RISER
---	---	GRATE TRAP (SIZE VARIES)
---	---	STORMWATER MANHOLE (SIZE VARIES)
---	---	STORMWATER LINE
---	---	WATER LINE
---	---	WASTEWATER LINE
---	---	WASTEWATER LATERAL LINE
---	---	CUT LINE
---	---	UNDERGROUND ELECTRIC
---	---	UNDERGROUND GAS LINE
---	---	UNDERGROUND COMMUNICATION
---	---	ELECTRIC MANHOLE (SIZE VARIES)
---	---	WASTEWATER MANHOLE (SIZE VARIES)
---	---	STORMWATER MANHOLE (SIZE VARIES)
---	---	TELEPHONE MANHOLE (SIZE VARIES)
---	---	WASTEWATER CLEANOUT
---	---	WATER
---	---	FINISH
---	---	GRADE
---	---	CONTOUR
---	---	DIRECTION OF FLOW
---	---	SPAT ELEVATION
---	---	FINISH
---	---	CONCRETE PAVEMENT
---	---	ASPHALT PAVEMENT

BENCHMARKS

BM #1 - M&M BULL IN EXISTING ASPHALT LOCATED AT THE MOST SOUTHERN PROPERTY CORNER ALONG INDIAN BLOSSOM ESM (1/2) STREET. ELEVATION = 1017.25'

BM #2 - M&M BULL IN EXISTING ASPHALT LOCATED AT THE MOST WESTERN PROPERTY CORNER ALONG INDIAN BLOSSOM ESM (1/2) STREET. ELEVATION = 1014.4'

PROPERTY DESCRIPTION

TOTAL AREA: 1.00 AC
 CURRENT ZONING: C-3 (1.00 AC)
 FEET: 100' x 100'
 CITY: CEVILVA, DISTRICT: 5
 INTENDED PROPERTY USE: AUTOMATIC CAR WASH
 IMPERVIOUS COVER (BUILDING) = 3,760 SF
 IMPERVIOUS COVER (PAVING, SIDEWALKS, ETC) = 30,594 SF

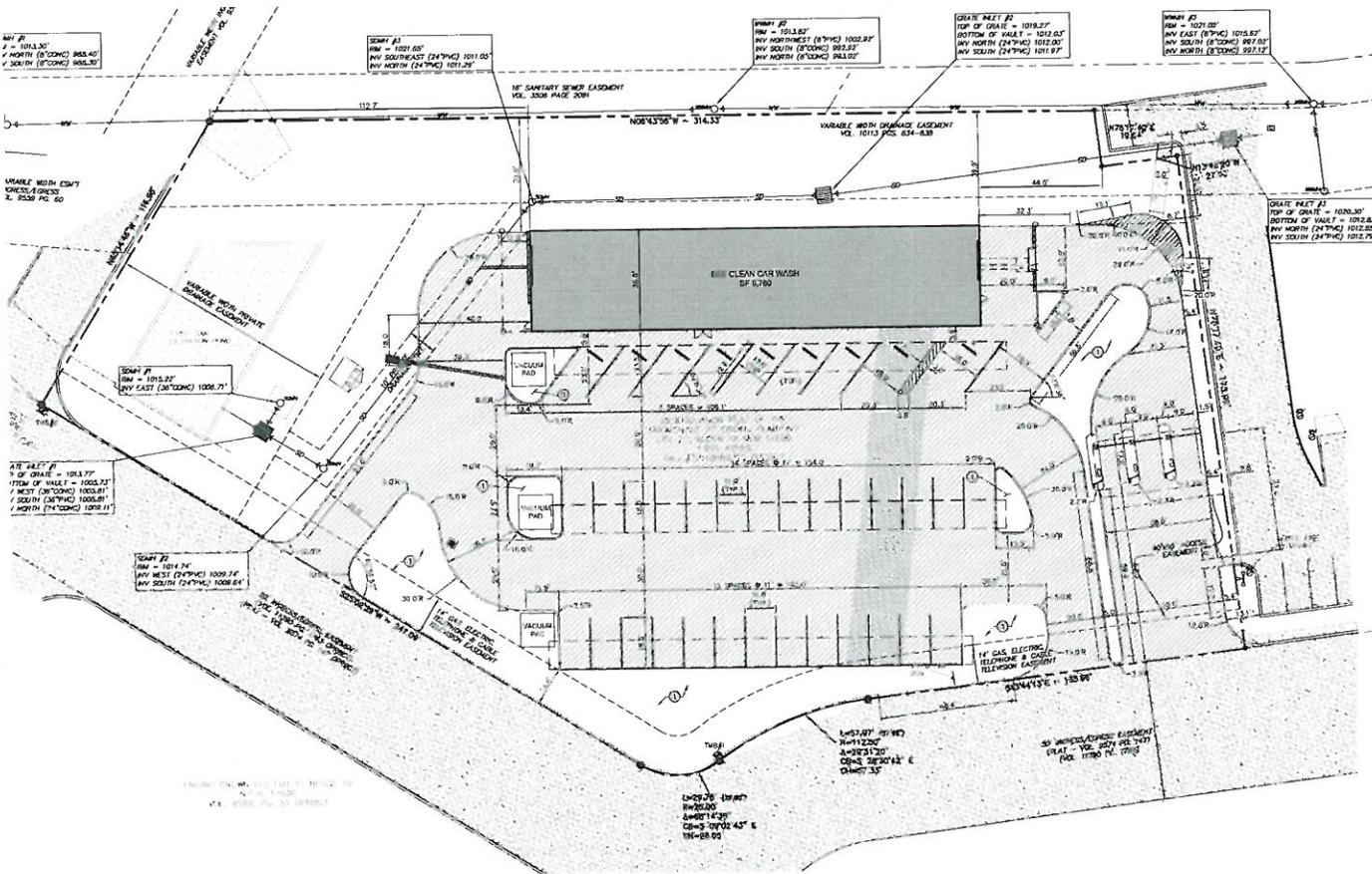
I, ENGINEER AT ENGINE EXHIBITS, INC., THE PROPERTY OWNER, ACKNOWLEDGE THAT THIS SITE PLAN SUBMITTED FOR THE PURPOSE OF RECORDING THIS PROPERTY IS IN ACCORDANCE WITH ALL APPLICABLE PROVISIONS OF THE UNIFIED DEVELOPMENT CODE. ADDITIONALLY, I HEREBY CERTIFY THAT CITY ENGINEER'S REVIEW OF A SITE PLAN IN CONNECTION WITH A RECORDING CASE DOES NOT BELIEVE ME FROM ADHERING TO ANY CITY-ADOPTED CODES AT THE TIME OF PLAN SUBMISSION.

KEY NOTES

- AREAS OF LANDSHARING

PARKING SUMMARY TABLE

VEHICLE USE	CARRIAGE
DRIVE-UP FLOOR AREA (124)	5,700 SF
PARKING STORAGE STALLS/SPACES	
MINIMUM REQUIRED PARKING	1 PER 100
MAXIMUM REQUIRED PARKING	1 PER 75
PROPOSED PARKING	12
MINIMUM REQUIRED PARKING	12
MAXIMUM REQUIRED PARKING	30
PROPOSED PARKING	12
MINIMUM REQUIRED (ADA)	1
REQUIRED VAN ACCESSIBLE STATION	1
REQUIRED VAN ACCESSIBLE STATION	1
PROPOSED V.E. VAN/BIKE STATION	1 (EXCLUDES VAN)



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 Professional Engineering Services
 www.kloveengineering.com (512) 885-6463



DATE	
REVISION	

BEE CLEAN #2
 21040 N. U.S. HIGHWAY 281
 SAN ANTONIO, TEXAS 78258
 ZONING EXHIBIT

APPROVAL BY	
TITLE	
DATE	08/15/11
DESIGN	

811
 Before you dig
 Call before you dig

DEVELOPMENT SERVICES
RECEIVED

2011 SEP 30 AM 9:22

SAN ANTONIO WATER SYSTEM
Interdepartmental Correspondence Sheet

To: Zoning Commission Members

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

Copies To: Scott R. Halty, Director, Resource Protection & Compliance Department, Patricia M. Garza, Environmental Protection Specialist III, Aquifer Protection & Evaluation Section, File

Subject: Zoning Case Z2011194 (Commercial Development)

Date: September 21, 2011

SUMMARY

A request for a change in zoning has been made for an approximate 1.691-acre tract located on the city's north side. A change in zoning from **C-3 ERZD** to **C-3 S ERZD** is being requested by the applicant, BLN Properties No. 5, LLC, through his engineer Mr. Kevin Love of KLOVE Engineering, LLC. During SAWS' review of the building permit it was noted that the subject property was not properly zoned for the proposed business on the subject property. Therefore the change in zoning has been requested to allow for the development of a car wash. The subject property is classified as a category 1 property.

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

LOCATION

The subject property is located in City Council District 9, at 21040 N US Hwy 281 north of Evans Road. The entire tract lies within the Edwards Aquifer Recharge Zone. (Figures 1 and 2).

SITE EVALUATION

1. Development Description:

The proposed change is from C-3 ERZD to C-3 S ERZD this will allow for the construction of the proposed Bee Clean Car Wash. Currently the site has been cleared and graded.

2. Surrounding Land Uses:

The subject property is surrounded by commercial development, associated parking and driveways.

3. Water Pollution Abatement Plan:

The Promenade at Encino Common Water Pollution Abatement Plan (WPAP) was approved by the Texas Commission on Environmental Quality (TCEQ) on August 21, 2006. The plan submittal covered an overall 4.801 acre of land that includes the subject property requesting rezoning. According to the geologic assessment in the WPAP, there were no sensitive geologic features located on the site. The best management practice or water quality basin was constructed with phase I of the overall TCEQ project no.2533.

4. Geologic Conditions:

The Resource Protection Division of the San Antonio Water System conducted a site evaluation on September 22, 2011, of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS Environmental Geologist, Mr. Bruce Keels, P.G., was present during the site evaluation.

The subject site was observed as a single parcel part of a multi-phased project, currently undeveloped, approximately 1.424 acres in area. Two water quality basins, one for the subject site and a larger basin treating adjacent properties were observed along the southern edge of the site.

No significant exposure of bedrock was observed throughout the property. The entire site was observed to be disturbed by previous site clearing and mass grading activity. The entire site was observed to be covered with several feet of imported fill material. The site appeared to slope slightly to the south and southeast. Stormwater occurring on the subject site would drain to the southeast towards an unnamed tributary to West Elm Creek.

Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site is underlain by the Dolomitic Member of the Kainer Formation of the Edwards Aquifer.

The Dolomitic Member of the Kainer Formation is characterized by the presence of massively bedded mudstone, grainstone, and recrystallized limestone with abundant chert nodules. The full section thickness of this member is approximately 110 to 130 feet thick. Due to the disturbed nature of the subject site, the local geology could not be visually confirmed.

ENVIRONMENTAL CONCERNS

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

Site Specific Concerns

1. The capture of detergents and chemicals used in the carwash process.
2. The proper containment of the first one and a half inch of stormwater run-off to the existing permanent best management practice on site.

General Concerns

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

ENVIRONMENTAL RECOMMENDATIONS

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

Site Specific Recommendations

1. The applicant agrees not to exceed 59% impervious cover for the entire site and has agreed to deed restrict the property in order to limit the impervious cover.
2. The car wash bay shall have a sump.
3. All wash water must be recycled or the proper permits obtained to allow for the discharge of wash water to the sanitary sewer system.
4. Due to the multi-phase project the applicant shall verify the operation of the existing permanent best management practice as designed by the engineer for the subject site prior to building permit release.
5. As a secondary safety measure the water quality basin shall be positioned and the site graded to capture the runoff from 100% of the facility.
6. Land uses that require an industrial designation, per the permitted use table shall not be allowed on the project site.

7. The owner of all water pollution abatement structures shall be responsible for properly maintaining the basin and that it is kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Resource Protection Division of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. The new owner must submit a signed water quality maintenance plan to the Resource Protection Division of SAWS.
8. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing Groundwater Pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210/222-2204), or equivalent information produced by the U.S. Natural Resource Conservation Service, Texas Department of Agriculture, U.S.D.A, shall be used.
9. The applicant shall notify the Construction Compliance Section of the Resource Compliance Division of SAWS at (210) 233-3564 no later than 48 hours prior to the commencement of construction at the site. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3520.
10. If any sensitive geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3520.

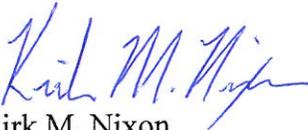
General Recommendations

1. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer Protection & Evaluation Section of the Resource Protection Division:
 - A. A copy of the Water Pollution Abatement Plan (WPAP) shall be submitted for each particular development/use within the area being considered for re-zoning,
 - B. A set of site specific plans which must have a signed Engineers Seal from Texas,
 - C. A WPAP approval letter from the Texas Commission on Environmental Quality (TCEQ),
 - D. A copy of the approved Water Pollution Abatement Plan.
2. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.

3. If a water quality basin is constructed on the property, the following is required:
 - A. Below grade basins shall not be allowed to be constructed on the site.
 - B. Prior to the start of the basin construction, the owner will notify the Aquifer Protection and Evaluation Section of the San Antonio Water System at (210) 233-3520 to schedule a site inspection.
 - C. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Aquifer Protection and Evaluation Section at (210) 233-3520 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to SAWS Aquifer Protection and Evaluation Section.
 - D. If the basin fails to drain properly, the owner will notify the Construction Section of the Resource Compliance Division at (210) 233-3564 prior to any discharge of water.
 - E. If at any time the ownership of the property changes, the seller must inform the buyer of all requirements for maintenance of the Basin. A signed basin maintenance plan and schedule agreement, from the new owner, must be submitted to the Resource Protection Division.
4. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.
5. The Resource Protection Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

Zoning Commission Members
Z2011194 (Commercial Development – Bee Clean Car Wash)
Page 6

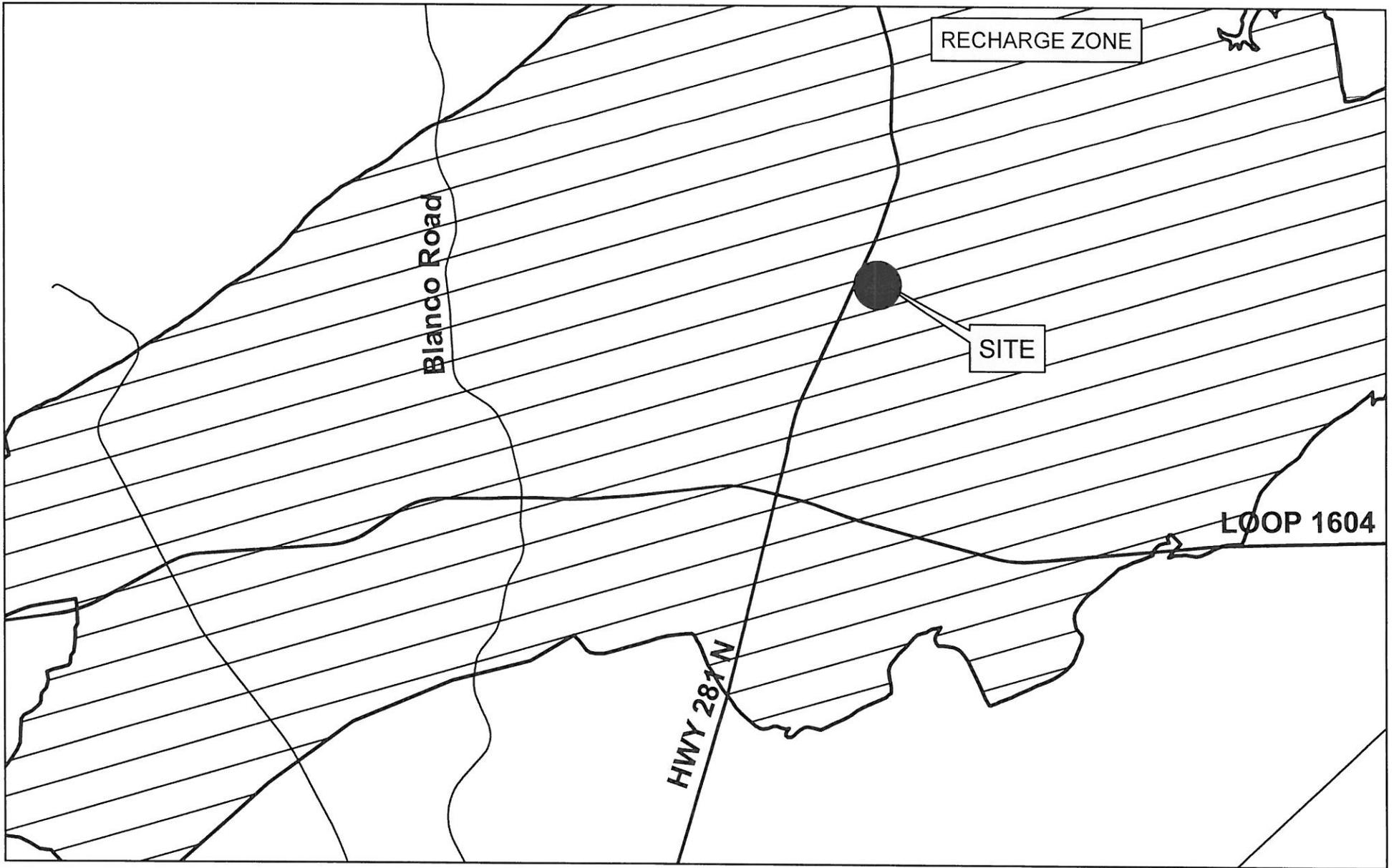
Based on the site evaluation of the property, and the information submitted by the applicant, staff recommends **approval** of the proposed land use. Additionally, SAWS staff recommends that the applicant, or any future owner, comply with the above recommendations in regards to the development of the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


Kirk M. Nixon
Manager
Resource Protection Division

APPROVED:


Scott R. Halty
Director
Resource Protection & Compliance Department

KMN:PMG



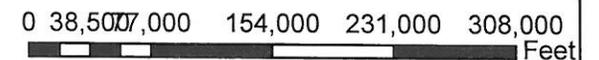
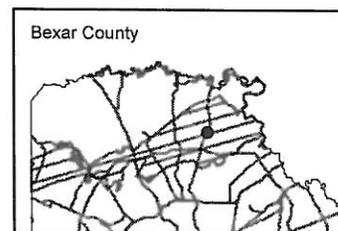
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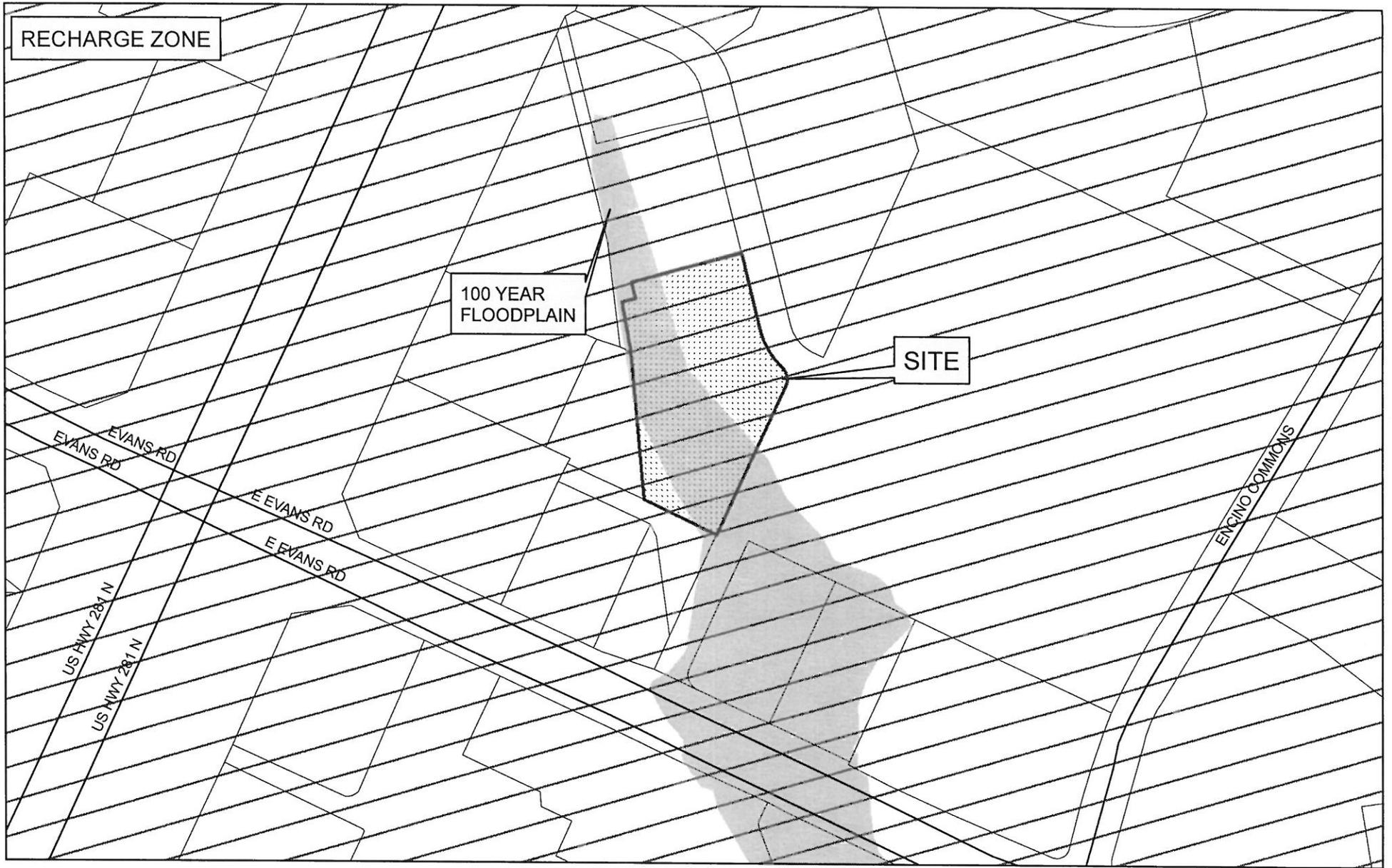
FIGURE 1

Bee Clean Car Wash
aka Promenade at Encino Commons - Phase II

Map Book Page & Grid: 483 D6

Map Prepared by Aquifer Protection & Evaluation PMG 09/19/2011





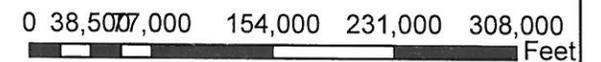
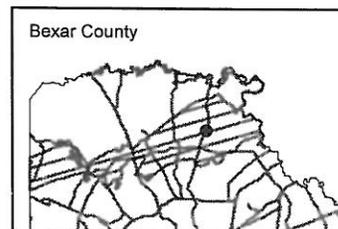
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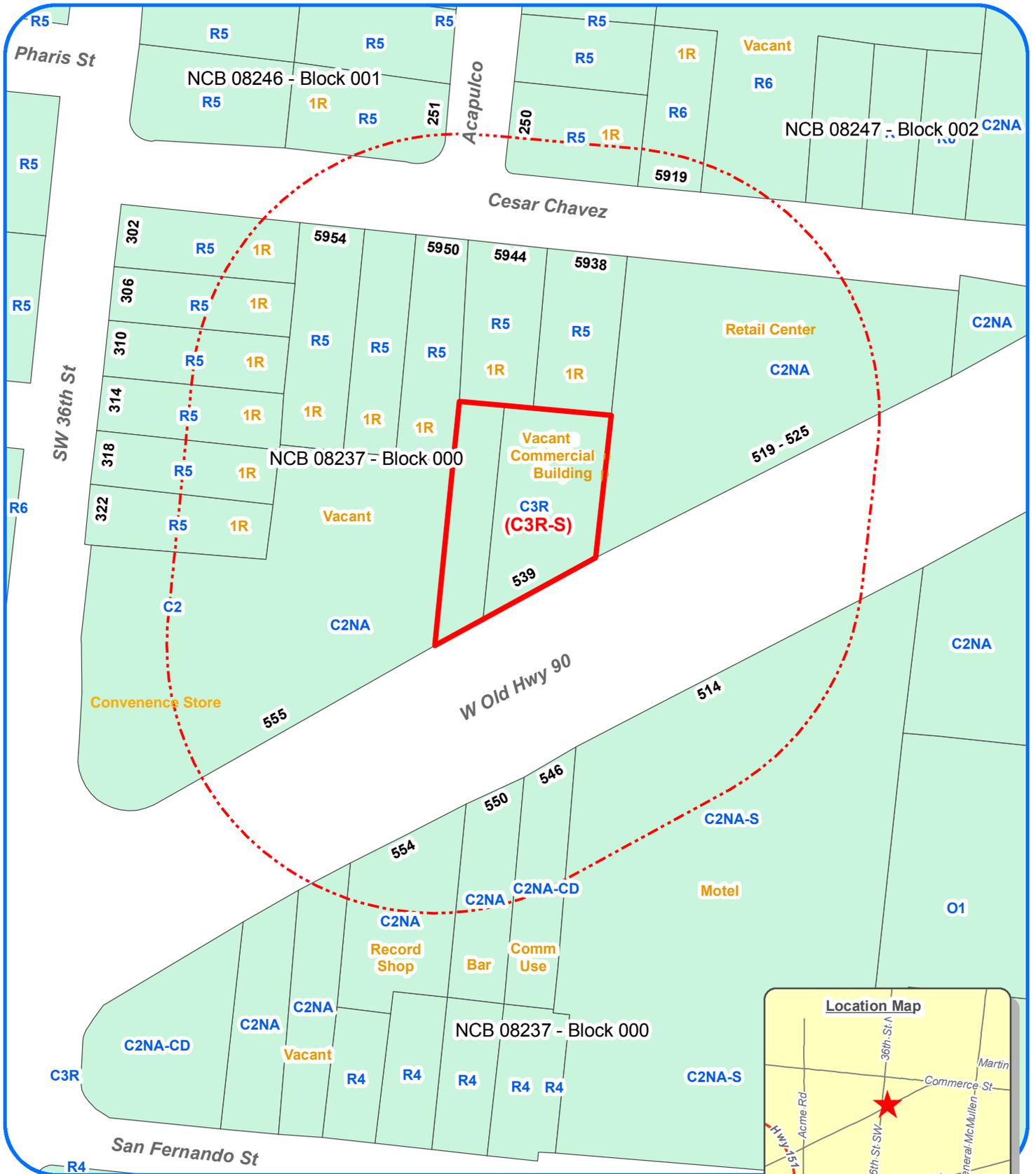
FIGURE 2

Bee Clean Car Wash
aka Promenade at Encino Commons - Phase II

Map Book Page & Grid: 483 D6

Map Prepared by Aquifer Protection & Evaluation PMG 09/19/2011





Zoning Case Notification Plan

Case Z-2011-124 S

Council District 6

Scale: 1" approx. = 100 ft.

Subject Property Legal Description(s): NCB 08237 - Block 000 - Lots 142, 143 and 144

Legend

- Subject Properties ——— (0.4003 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
(07/27/2011 - 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 #: Z2011124 S

Hearing Date: October 18, 2011

Property Owner: Patricia Ann Olaez-Burton

Applicant: Patricia Ann Olaez-Burton & Leon R. Ojeda

Representative: Patricia Ann Olaez-Burton

Location: 539 Old Highway 90 West

Legal Description: Lot 161, NCB 8237

Total Acreage: 0.4003

City Council District: 6

Case Manager: Pedro Vega, Planner

Case History: This is the first public hearing for this zoning request. This case was heard on August 16, 2011 by Zoning Commission and on September 15, 2011 by City Council. City Council sent the case back to Zoning Commission for the consideration of a non-alcoholic sales designation. The case is being expedited and is now scheduled to be heard by the City Council on October 20, 2011.

Proposed Zoning Change

Current Zoning: "C-3R AHOD" General Commercial Restrictive Alcoholic Sales Airport Hazard Overlay District

Requested Zoning: "C-3NA AHOD S" General Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Specific Use Authorization for a Contractor Facility

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 October 5, 2011. The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on September 29, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on October 14, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

Notices Mailed

Owners of Property within 200 feet: 26

Neighborhood Associations: Community Workers Council Los Jardines Neighborhood Association within 200 feet

Planning Team Members: 90 (West/Southwest Sector Plan)

Applicable Agencies: None

Property Details

Property History: The subject property was annexed in October of 1944 and was originally zoned “F” Local District. In October of 1990, the 0.4003 acre site was part of a large area rezoning that change the zoning to "B-3R" Restrictive Business District. In 2001 following the adoption of the Unified Development Code, the existing "C-3R AHOD" General Commercial Restrictive Alcoholic Sales Airport Hazard Overlay District converted from the previous "B-3R" Restrictive Business District.

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: Northeast

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

Current Land Uses: Retail Center

Direction: Southwest

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

Current Land Uses: Vacant Land

Direction: North

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

Current Land Uses: Single-Family Dwellings

Direction: South across Old Highway 90 West

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

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.

Transportation

Thoroughfare: Old Highway 90 West

Existing Character: Secondary arterial two lanes in each direction

Proposed Changes: None known.

Public Transit: The VIA number 76 and 276 bus lines operate along Old Highway 90 West.

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 1,500 sf GFA. Maximum Parking Requirement: 1 per 300 sf 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 West/Southwest Sector Plan and is currently designated as “Regional Center”. The “Regional Center” land use classification includes high density residential uses as well as office and regional commercial uses. The commercial component includes “big box” retail, shopping malls, movie theaters, hospitals, office parks, wholesalers, and light manufacturing. Therefore, the current and requested zoning district is consistent with the plan.

2. Adverse Impacts on Neighboring Lands:

The granting of the Specific Use Authorization will not have an adverse impact on the neighborhood. This current proposal is in direct alignment with public policy objectives. The Old Highway 90 Corridor Comprehensive rezoning was approved by City Council on May 5, 2011. The rezoning request was initiated by the City of San Antonio and properties located along the Old Highway 90 corridor were rezoned to zoning districts compatible with the existing land uses.

3. Suitability as Presently Zoned:

The current "C-3R AHOD" General Commercial Restrictive Alcoholic Sales Airport Hazard Overlay District and proposed "C-3NA AHOD S" General Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Specific Use Authorization for a Contractor Facility are both appropriate for the area. "C-3" districts are designed to provide for more intensive commercial uses and are typically characterized as community and regional shopping centers. The Specific Use Authorization for a Contractor Facility will provide an opportunity for a reuse of the existing commercial property.

4. Health, Safety and Welfare:

Staff has found no indication of likely adverse effects on the public health, safety, or welfare. Additionally, the surrounding residential neighborhoods are protected or buffered by development standards that would be required of new commercial development since the "C-3" zoning district has been in place for a number of decades. The "C-3NA AHOD S" General Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Specific Use Authorization for a Contractor Facility is in accordance with the community plan and City's Master Plan. Goal 3: Create an environment of entrepreneurship, productivity and innovation in San Antonio that promotes business start-up and business growth. Goal 4: Provide economic opportunities in targeted areas, particularly within Loop 410.

District regulations within the "C-3NA" districts are the same as in "C-3" districts except that no sales of alcoholic beverages for on-premises or off-premises consumption shall be permitted.

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 0.4003 acre tract is of sufficient size to accommodate the proposed Contracting Facility. The applicant has submitted a site plan in order to comply with the Specific Use Authorization requirements. The owner of the subject property also owns the adjacent properties located at 5944 and 5938 West Durango Boulevard. The rezoning request will allow new infill development along Old Highway 90 West.

7. Other Factors:

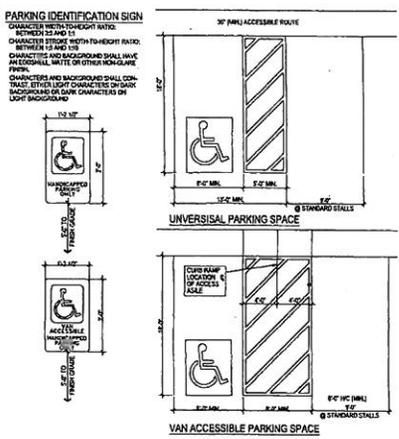
In 2011, the subject property was excluded from the Old Highway 90 Corridor large area rezoning case (Z2011088 CD S). The purpose of the Old Highway 90 Corridor rezoning initiative was to reduce the visual chaos and create a more attractive corridor to enhance or complement the area by phasing out intensive commercial uses. The intention of the rezoning was to attract more neighborhood oriented businesses.

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

The applicant has submitted two site plans. One site plan meets the zoning district requirements, the other requires the following variance: A 10-foot, 6-inch variance to the 30-foot minimum side setback requirement of the "C-3" district when abutting a residential zoning district, in order to allow a 19-foot, 6-inch side setback; and a 30-foot variance to the 30-foot minimum rear setback requirement of the "C-3" district when abutting a residential zoning district, in order to allow a structure on the north rear property line. (Variances granted by Board of Adjustment on July 11, 2011)

NOTE:
SITE PLAN "A" WILL REQUIRE BOARD OF ADJUSTMENT APPROVAL OF VARIANCES FROM SIDE AND REAR BUILDING SETBACK REQUIREMENTS AND LANDSCAPE BUFFER REQUIREMENT.

We, Patricia Burton & Leon R. Cjeda, 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 does not relieve us from adherence to any/all City-adopted Codes at the time of plan submital for building permits.



SETBACKS

FRONT:	0
REAR:	30' (SEE NOTE)
SIDE:	30' (SEE NOTE)

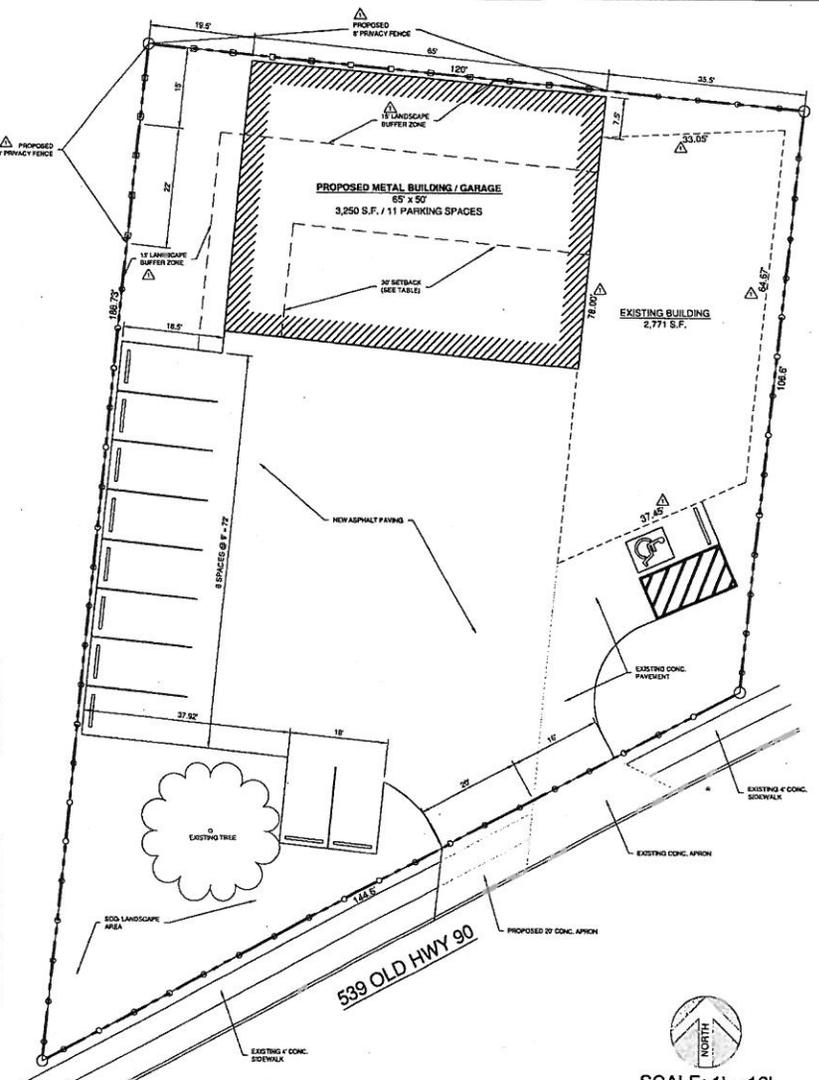
NOTE: 30' IS VEHICLE ADJUSTING RECREATIONAL ZONING OR USES

ZONING SYNOPSIS

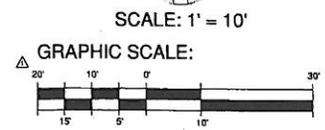
LAND AREA:	17,363 S.F.
BUILDING AREA:	4,921 S.F.
OPEN AREA:	15,124 S.F.
ROAD SURFACE:	4,296 S.F.
TOTAL IMPERVIOUS COVER:	15,165 S.F.
ZONING DISTRICT:	C-3
ADJACENT CODE:	C-2R & R-4
ZONING REFINEMENT:	O.A. & S. (FOR A CONTRACTOR FACILITY)
TOTAL PARKING SPACES:	11

LEGEND

- PROPERTY LINE
- EXISTING FENCE
- PROPOSED FENCE



LEGAL DESCRIPTION
N.C.B.: 8237 LOT: 161
539 OLD HWY 90
SAN ANTONIO, TEXAS



ARCHITECT



PATRICIA BURTON & LEON R. CJEDA
539 OLD HWY 90
SAN ANTONIO, TEXAS
LOT NO.: 161 N.C.B.: 8237
LEON GENERAL CONSTRUCTION
(210) 844-2871

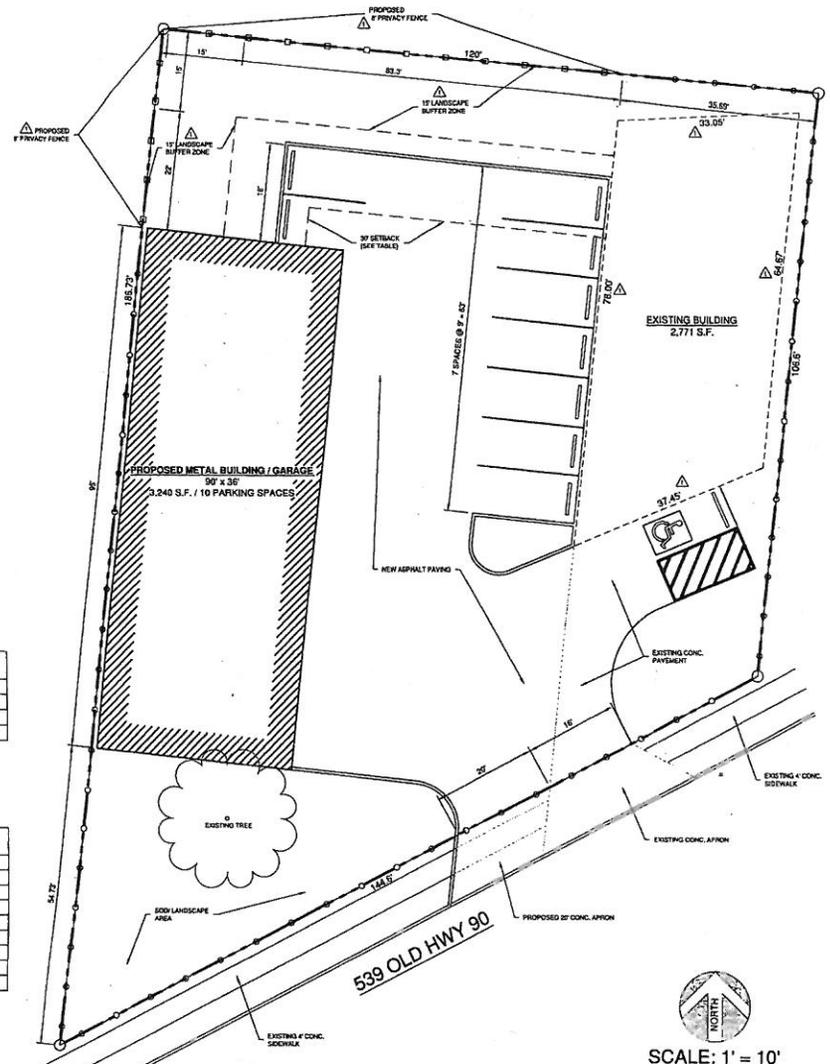
DIMENSIONAL SITE & PAVING PLAN A

REVISIONS

△	4/8/11	M.H.
△	4/12/11	M.H.
△	4/16/11	M.H.

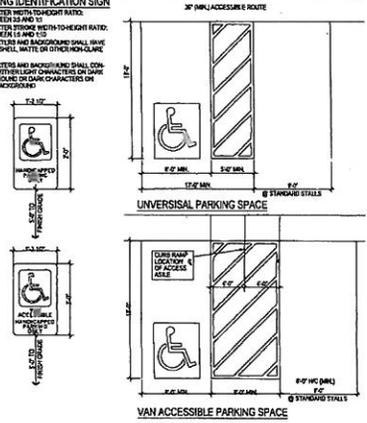
PROJECT # 00539
DATE: 3/20/11
DRAWN: M.H.
CHECKED BY: M.H.
SHEET #
1 OF 1

We, Patricia Burton & Leon R. Ojeda, 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 at the time of plan submittal for building permits.



PARKING IDENTIFICATION SIGN

CHARACTERISTICS TO TAKEOFF FACTS:
 BETWEEN 28 AND 110
 CHARACTERISTICS FROM WIDTH TO HEIGHT RATIO:
 BETWEEN 1.0 AND 1.10
 CHARACTERISTICS FROM BACKGROUND SHALL HAVE
 AN EQUAL OR GREATER CONTRAST WITH THE BACKGROUND
 CHARACTERISTICS FROM BACKGROUND SHALL HAVE
 TRIPLE STRIKED LIGHT CHARACTERS OR LIGHT
 BACKGROUND WITH DARK CHARACTERS OR
 LIGHT BACKGROUND

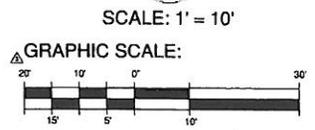


SETBACKS	
FRONT:	0
REAR:	30' (SEE NOTE)
LEFT:	30' (SEE NOTE)
RIGHT:	30' (SEE NOTE)
NOTE: 30' IS WHERE AMITTING RESIDENTIAL ZONING OR USES	

ZONING SYNOPSIS	
LAND AREA:	12,563 S.F.
BUILDING AREA:	5,041 S.F.
OPEN AREA:	10,194 S.F.
HAZARD SURFACE:	6,880 S.F.
TOTAL IMPERVIOUS COVER:	12,243 S.F.
ZONING DISTRICT:	C-3
ADJACENT SIDE:	C-3A & B-3
ZONING REQUIREMENT:	0-3 R & B (FOR A CONTRACTOR FACILITY)
TOTAL PARKING SPACES:	18

LEGEND	
---	PROPERTY LINE
○	EXISTING FENCE
○	PROPOSED FENCE

LEGAL DESCRIPTION
 N.C.B.: 8237 LOT: 161
 539 OLD HWY 90
 SAN ANTONIO, TEXAS



ARCHITECT

Herrera Designs
 ARCHITECTS & DESIGNERS
 344 E. PUEBLO
 SAN ANTONIO, TEXAS 78201
 PH: (210) 775-8448
 EMAIL: hdesigns@hdesigns.com

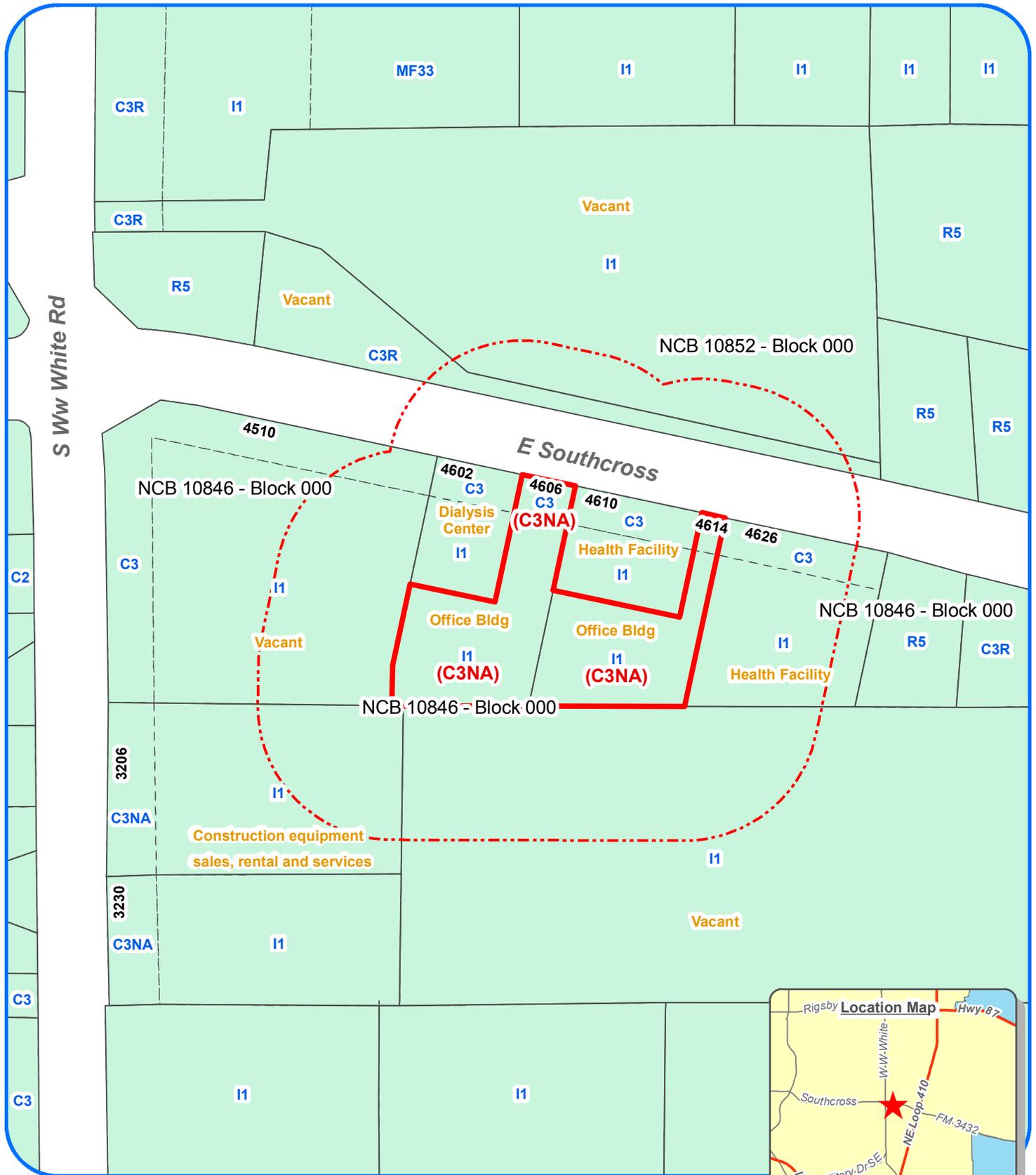
PATRICIA BURTON & LEON R. OJEDA
539 OLD HWY 90
 SAN ANTONIO, TEXAS
 LOT NO.: 161 N.C.B.: 8237
 LEON GENERAL CONSTRUCTION
 (210) 844-0971

DIMENSIONAL SITE & PAVING PLAN B

REVISIONS	
4/2/11	M.H.
4/16/11	M.H.

PROJECT # 00539
 DATE: 3/29/11
 DRAWN: M.H.
 CHECKED BY: M.H.

SHEET #
1 OF 1



Zoning Case Notification Plan

Case Z-2011-178

Council District 3

Scale: 1" approx. = 200 ft.

Subject Property Legal Description(s): NCB 10846 - Block 000 - Lots 31 and 33

Legend

- Subject Properties ——— (2.08 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
(09/21/2011 - E Hart)



City of San Antonio

Development Services Department

Staff Report

To: Zoning Commission

Zoning Case #: Z2011178

Hearing Date: October 18, 2011

Property Owner: Zarma One, LLC

Applicant: Zarma One, LLC

Representative: P.W. Christensen, PC c/o Patrick W. Christensen

Location: 4606 and 4614 East Southcross Boulevard

Legal Description: Lots 31 and 33, NCB 10846

Total Acreage: 2.08

City Council District: 3

Case Manager: Andreina Dávila-Quintero, Planner

Case History: This is the first public hearing for this zoning case. This case was postponed at the September 20, 2011 Zoning Commission Public Hearing per request of the applicant to amend the request by adding the "NA" Nonalcoholic Sales alcohol restricted district to the proposed base zoning district.

Proposed Zoning Change

Current Zoning: "C-3" General Commercial District and "I-1" General Industrial District

Requested Zoning: "C-3NA" General Commercial Nonalcoholic Sales 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 September 30, 2011. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on October 5, 2011. Additionally, notice of this meeting was posted at City Hall and on the City's internet website on October 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: Pecan Valley Neighborhood Association. The Lower Southeast Side Neighborhood Association is located within two hundred (200) feet of the subject properties.

Planning Team Members: None

Applicable Agencies: None

Property Details

Property History: A small portion of Lot 33 was annexed in 1952 (Ordinance No. 18115). The remainder of the subject properties was annexed in 1957 (Ordinance No. 25568). The subject properties were originally zoned “A” Single Family Residence District. On February 20, 1986, the City Council approved the rezoning of the subject properties to “B-3” Business District and “I-1” Light Industry District (Ordinance No. 62378). Upon the adoption of the 2001 UDC, the previous base zoning districts were converted to the current “C-3” General Commercial and “I-1” General Industrial districts, respectively. On December 5, 2003, the Alexanders Medical Park subdivision plat was recorded in the Records of Deeds and Plats of Bexar County, Texas (Volume 9559, Page 113), which created Lots 31 and 33 of the subject properties.

The subject properties consist of two (2), approximately 8,040-square foot vacant office buildings (4606 and 4614), which were built in 2008 according to the Bexar County Appraisal District.

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

Adjacent Zoning and Land Uses

Direction: North

Current Base Zoning: “C-3R” Restrictive Commercial District and “I-1” General Industrial District

Current Land Uses: Vacant and medical office/facility

Direction: South

Current Base Zoning: “I-1” General Industrial District

Current Land Uses: Construction equipment sales, rental and services, and vacant

Direction: East

Current Base Zoning: “C-3” General Commercial District and “I-1” General Industrial District

Current Land Uses: Medical office/facility

Direction: West

Current Base Zoning: “C-3” General Commercial District and “I-1” General Industrial District

Current Land Uses: Vacant and medical office/facility

Overlay and Special District Information: The subject properties are not within an overlay or special district.

Transportation

Thoroughfare: East Southcross Boulevard

Existing Character: Secondary Arterial Type A, two (2) lanes each way

Proposed Changes: None known

Thoroughfare: South WW White Road

Existing Character: Primary Arterial Type A, two (2) lanes each way. The intersection of East Southcross Boulevard and South WW White Road is approximately four hundred twenty four (424) feet west of the subject properties.

Proposed Changes: None known

Public Transit: VIA bus line 515 operates along East Southcross Boulevard in front of the subject properties with bus stops located on the properties to the north and east of the subject properties, and at the intersection of East Southcross Boulevard and South WW White Road. The bus stop at the intersection of East Southcross Boulevard and South WW White Road connects to bus lines 28 and 550/551. VIA bus line 28 runs to the City’s downtown. VIA bus line 550/551 is a Loop Skip Service that runs to several park and rides facilities and transit centers along Loop 410, Military Highway and WW White 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: Table 526-3 of the UDC establishes the minimum and maximum number of parking spaces required on a property, which will be determined by the existing and proposed uses and size of the structures. The applicant is proposing to open a medical clinic/hospital with in-patient care on the subject properties. This medical type use requires a minimum of one (1) parking space for every four hundred (400) square feet of floor area. For the two (2) buildings, a minimum of forty (40) parking spaces are required.

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 properties are not located within a Neighborhood or Community Plan. However, one (1) of the goals of the City's Master Plan is to ensure that proposed land uses and development are compatible in their use, character and size to the site and the surrounding areas. The subject properties are currently split-zoned with the northern portion as "C-3" General Commercial District and the remainder as "I-1" General Industrial District. The applicant is proposing to rezone the entire property to "C-3NA" General Commercial Nonalcoholic Sales District to develop a medical clinic/hospital with in-patient care. A number of the properties to the north, east and west of the subject properties are of similar size, and were developed with medical uses. The existing buildings will become part of an existing medical plaza with the abutting Lots 32 and 34 to the north of the subject properties.

Pursuant to Section 35-310.10(d)(3) of the UDC, the district regulations within the "C-3NA" General Commercial Nonalcoholic Sales districts are the same as in "C-3" General Commercial districts except that no sales of alcoholic beverages for on-premises or off-premises consumption shall be permitted. Due to the similarity in district regulations, the "C-3NA" General Commercial Nonalcoholic Sales zoning district is best located at intersections of major thoroughfares, and at nodes formed by highways and major arterials. The subject properties are located on a Secondary Arterial between two (2) major thoroughfares: Loop 410 (highway) and South WW White Road (primary arterial). While most of this section of East Southcross Boulevard is currently undeveloped, the existing conditions of the area allow the potential development and intense uses of the "C-3NA" General Commercial Nonalcoholic Sales District. The proposed zoning and allowable uses on the subject properties are consistent with the surrounding land uses and the area.

2. Adverse Impacts on Neighboring Lands:

The proposed zoning district and development will not have any adverse impact on the neighboring properties. The subject properties are surrounded by other properties of similar size and use. The proposed medical clinic/hospital on the subject properties will be part of the existing medical plaza located on the abutting Lots 32 and 34 to the north of the southern portion of the subject properties. The proposed zoning district is compatible with and appropriate to the area.

3. Suitability as Presently Zoned:

As previously stated, the district regulations within the "C-3NA" General Commercial Nonalcoholic Sales districts are the same as in the "C-3" General Commercial districts with the exception of permitting the sales of alcoholic beverages for on-premises or off-premises consumption. The "C-3" General Commercial District allows medical uses, to include clinics and hospitals by right in accordance with Table 312-2, Nonresidential Use Matrix, of the UDC. However, these uses are not allowed within the "I-1" General Industrial District, where the existing buildings are located. The current "I-1" General Industrial District resulted from the conversion of the 1965 "I-1" Light Industry District, which allowed medical type uses by right. The conversion of the zoning districts that resulted from the adoption of the 2001 UDC made the properties no longer suitable as presently zoned for the proposed uses on the subject properties or future development along East Southcross Boulevard.

4. Health, Safety and Welfare:

The proposed zoning district will not adversely impact the health, safety and welfare of the public. The proposed "C-3NA" General Commercial Nonalcoholic Sales District will allow the subject properties to be developed with similar uses as those within the vicinity, in particular along East Southcross Boulevard.

5. Public Policy:

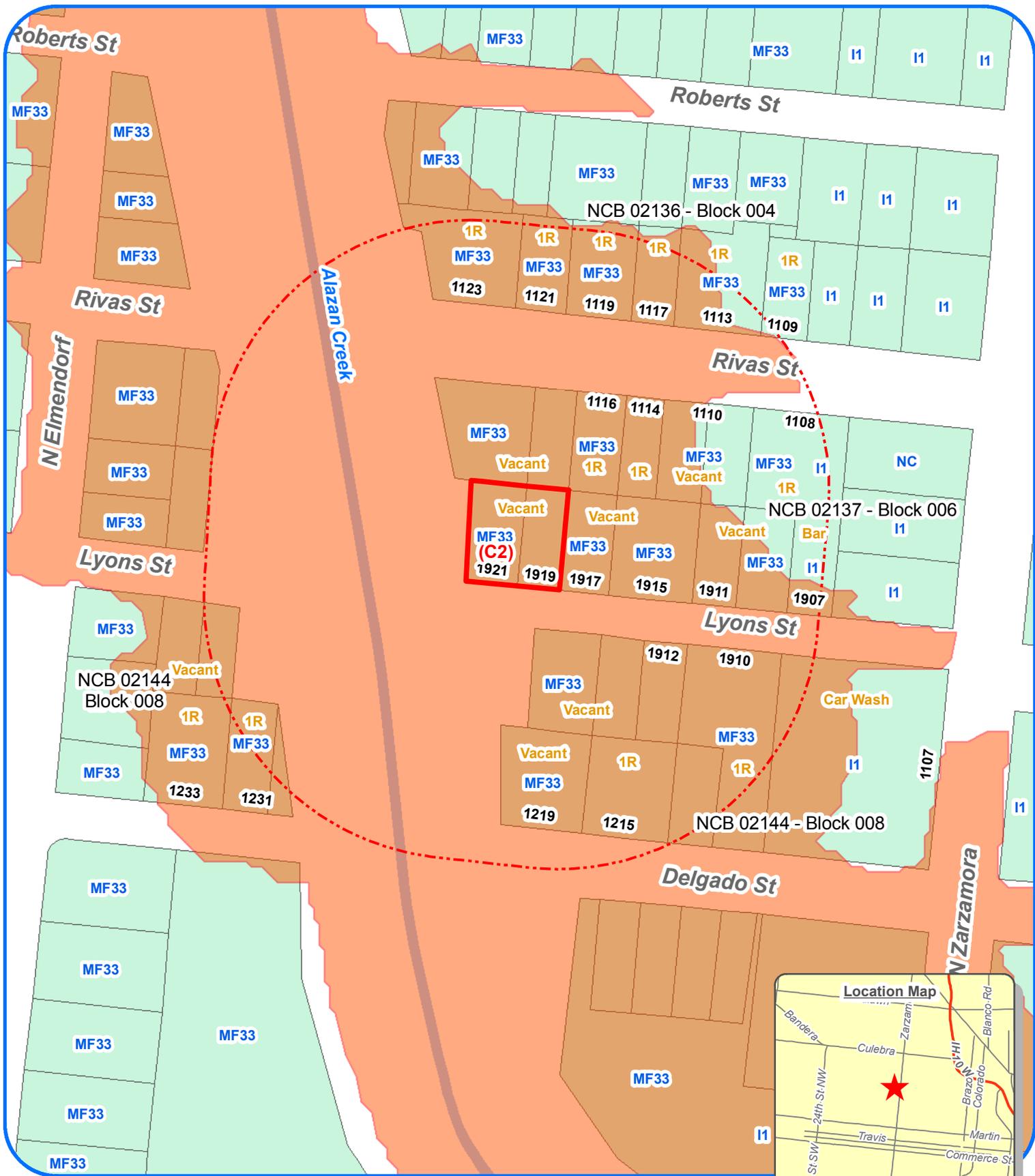
To the present, staff is not aware of any public policies that conflict with the proposed rezoning of the subject properties.

6. Size of Tract:

The subject properties comprise a total area of approximately two (2) acres, which is adequate size for the proposed zoning district. Additionally, the subject properties comply with the 20-foot minimum lot street frontage requirement of the “C-3” General Commercial District as established by the UDC.

7. Other Factors:

While the subject properties are not located within a neighborhood or community plan, it should be noted that the properties to the north of East Southcross Boulevard are located within the Eastern Triangle Community Plan, and have a Regional Commercial Future Land Use (“FLU”) designation. According to the Eastern Triangle Community Plan, “C-3” General Commercial District is permitted within the Regional Commercial FLU designation. While staff recognizes that the subject properties are not located within the boundaries of this community plan, it is appropriate planning practice to recommend that both block-faces develop in a cohesive, thoughtful pattern. Therefore, and due to the similarity in the district regulations of the “C-3” General Commercial and “C-3NA” General Commercial Nonalcoholic Sales zoning districts, the proposed “C-3NA” General Commercial Nonalcoholic Sales zoning district is also consistent with the recommended future development along East Southcross Boulevard.



Zoning Case Notification Plan

Case Z-2011-196

Council District 5

Scale: 1" approx. = 100 ft.

Subject Property Legal Description(s): NCB 02137 - Block 006 - Lots 30 and 31

Legend

- Subject Properties (0.1186 Acres)
- 200' Notification Area
- Current Zoning
- Requested Zoning Change
- 100-Year DFIRM Floodplain
- Single Family Residential
- 1R



Development Services Dept
City of San Antonio
(10/06/2011 - 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 #: Z2011196
Hearing Date: October 18, 2011
Property Owner: Jose R. Gonzalez
Applicant: Alfredo C. Esparza
Representative: Alfredo C. Esparza
Location: 1919 and 1921 Lyons Street
Legal Description: Lot 30 and Lot 31, Block 6, NCB 2137
Total Acreage: 0.1186
City Council District: 5
Case Manager: Pedro Vega, Planner
Case History: This is the first public hearing for this zoning request.

Proposed Zoning Change

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

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). Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on October 5, 2011. The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on September 29, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on October 14, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

Notices Mailed

Owners of Property within 200 feet: 35

Neighborhood Associations: Gardendale Neighborhood Association and Prospect Hill Neighborhood Association within 200 feet

Planning Team Members: None

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 "C" Apartment District. Upon adoption of the Unified Development Code, the previous base zoning district converted to the current "MF-33 AHOD" Multi-Family 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 Alazan Creek and the resulting flood plain. According to the most recent 100-year FEMA flood map, the subject property is located entirely within the floodplain.

Adjacent Zoning and Land Uses

Direction: North

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

Current Land Uses: Vacant Land

Direction: East

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

Current Land Uses: Vacant Land

Direction: West

Current Base Zoning: Alazan Creek

Current Land Uses: Alazan Creek

Direction: South

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

Current Land Uses: Vacant Land and Alazan Creek

Transportation

Thoroughfare: Lyons Street (Dead-end Street)

Existing Character: Local Access Street one lane in each direction

Proposed Changes: None known.

Public Transit: The VIA number 520 bus line operate along North Zarzamora 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 500 sf GFA including service bays, wash tunnels and retail areas. Maximum Parking Requirement: 1 per 375 sf GFA including service bays, wash tunnels and retail areas.

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, Community or Sector Plan area.

2. Adverse Impacts on Neighboring Lands:

The granting of the zoning request will not have an adverse impact on the neighborhood. Since surrounding properties are vacant and undeveloped and due to the presence of the floodplain unlikely to be developed with the uses for which they are zoned.

3. Suitability as Presently Zoned:

Staff supports rezoning the property to a commercial designation. The property's current "MF-33 AHOD" Multi-Family Airport Hazard Overlay District is not appropriate as the property is not likely to be used for residential development. Further, being that the current use of the property is not residential, there will be no loss of housing stock in this neighborhood.

4. Health, Safety and Welfare:

Staff has found no indication of likely adverse effects on the public health, safety, or welfare. Should the zoning change be approved, a 30-foot rear building setback and 10-foot side building setback will be required where the subject property abuts residential zoning or uses. These development standards will serve to mitigate the possible effects of increased noise and traffic on the subject property. The City's Public Works Department will examine adverse stormwater impacts on the surrounding properties at the time of platting and building permits.

5. Public Policy:

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

6. Size of Tract:

The subject property is 0.1186 acres, which should be able to reasonably accommodate the proposed use.

7. Other Factors:

The subject property falls within the 100 year flood plain and is not developable for other uses. Existing flood plains and topography suggest commercial uses 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, and the applicant will need to demonstrate that unflooded access can be provided to the property.



Zoning Case Notification Plan

Case Z-2011-198

Council District 4

Scale: 1" approx. = 150 ft.

Subject Property Legal Description(s): NCB 15597 - Block 004 - Lot 25

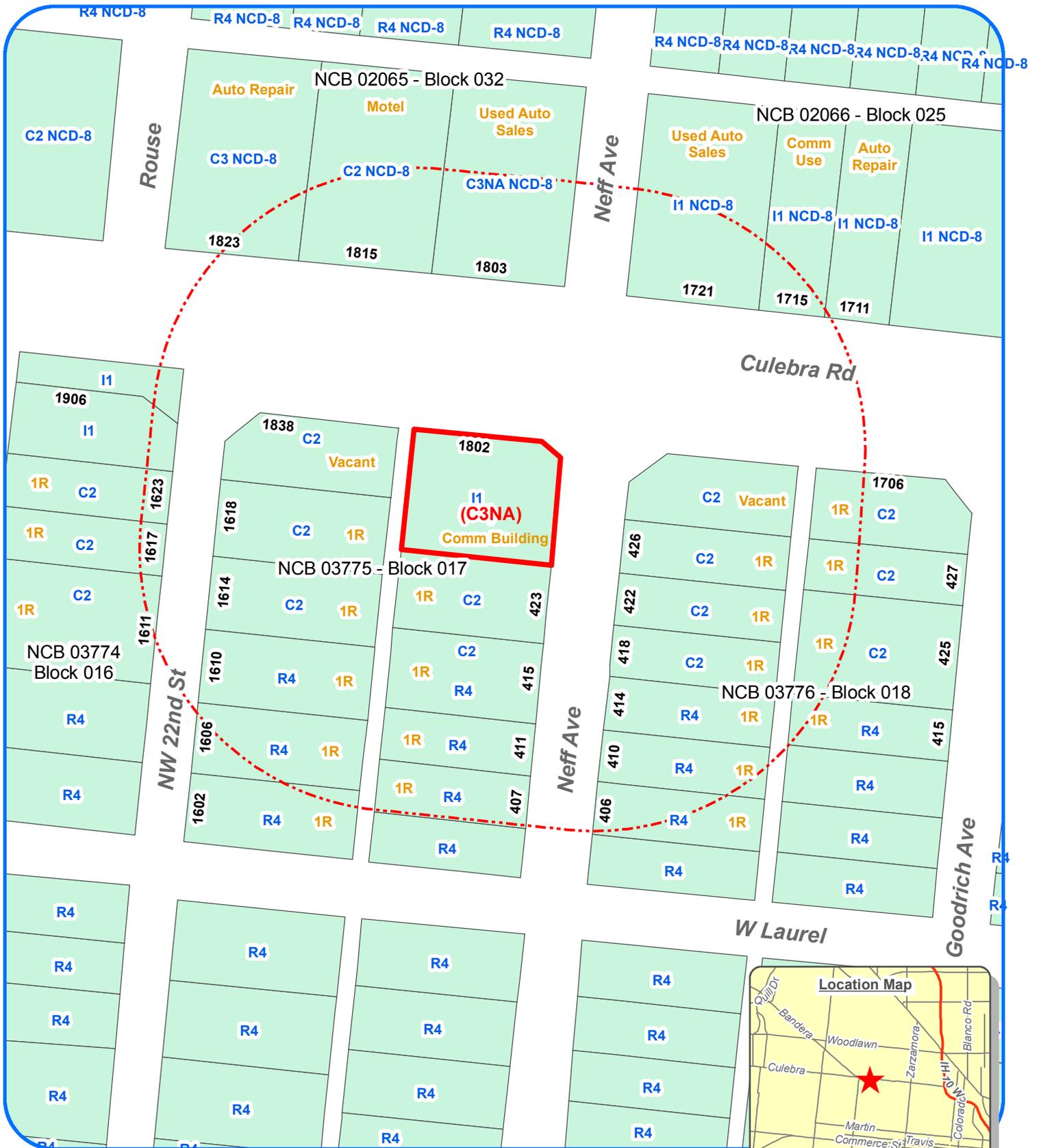
Legend

- Subject Properties ——— (1.934 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
(09/21/2011 - E Hart)

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



Zoning Case Notification Plan

Case Z-2011-200

Council District 5

Scale: 1" approx. = 100 ft.

Subject Property Legal Description(s): NCB 03775 - Block 017 - Lot 19

Legend

- Subject Properties ——— (0.3196 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
(09/21/2011 - 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 #: Z2011198

Hearing Date: October 18, 2011

Property Owner: Frost National Bank, Trustee and its successor trustees of Don Elliott Residuary Trust A, Don Elliott Residuary Trust B, Don Elliott Residuary Trust No. 3, Don Elliott Residuary Trust No. 4, Lillie Mae Elliott Residuary Trust A and Lillie Mae Elliott Residuary Trust B

Applicant: Andrew C. Guerrero

Representative: Andrew C. Guerrero

Location: 6912 to 6938 West Military Drive; Located on the east side of West Military Drive between Westward Drive to the north and Westfield Drive to the south.

Legal Description: Lot 25, Block 4, NCB 15597

Total Acreage: 1.934

City Council District: 4

Case Manager: Brenda Valadez, Planner

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

Proposed Zoning Change

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

Requested Zoning: "C-2 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 September 29, 2011. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on October 5, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on October 14, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

Notices Mailed

Owners of Property within 200 feet: 29

Neighborhood Associations: Cable - Westwood Association

Planning Team Members: 37 (West/Southwest Sector Plan)

Applicable Agencies: None

Property Details

Property History: The subject site is currently developed with a multi-tenant structure measuring 17,040 square feet in total. According to the Bexar County Appraisal District, the structure was constructed in 1975. The subject property was annexed in 1972, and was originally zoned "Temp R-1" Temporary Single-Family Residence District. Upon adoption of the Unified Development Code, the previous base zoning district converted to the current "R-6" Single-Family Residential District.

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

Adjacent Zoning and Land Uses

Direction: North
Current Base Zoning: C-2
Current Land Uses: Restaurant

Direction: South
Current Base Zoning: C-2
Current Land Uses: Gas Station and Auto Repair

Direction: East
Current Base Zoning: R-6
Current Land Uses: Single-Family Residences

Direction: West
Current Base Zoning: C-3
Current Land Uses: Restaurant, Tire Shop and an Auto Service Facility

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: West Military Drive
Existing Character: Secondary Arterial Type A; 2 lanes in each direction
Proposed Changes: None known.

Public Transit: The nearest VIA buslines are the number 613 and 615 lines which operate along West Military Drive.

Traffic Impact: A Traffic Impact Analysis is required.

Parking Information: Parking requirements are determined by use and, often, size of the development. The property is already developed with sufficient parking to accommodate the established uses.

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 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. The majority of surrounding properties, save those to the east and southeast, are zoned for commercial uses.

3. Suitability as Presently Zoned:

Staff supports rezoning the property to a commercial designation. The property’s current R-6 designation is not appropriate as the property is not likely to be used for residential development. A C-2 commercial designation would be more compatible with the surrounding zoning and would allow uses more in character with surrounding development than the existing residential district.

4. Health, Safety and Welfare:

Staff has found no indication of likely adverse effects on the public health, safety or welfare. There is an established pattern of retail uses along this portion of West Military Drive.

5. Public Policy:

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

6. Size of Tract:

The subject property is 1.934 acres, which is of sufficient size to accommodate the existing commercial uses.

7. Other Factors:

When C-2 zoning abuts R-6 zoning, a 15-foot wide, Type B landscape buffer is required. As the subject property is currently developed, no new construction is proposed, the proposed commercial use will not be required to conform to the buffer regulations unless new construction occurs.



City of San Antonio

Development Services Department

Staff Report

To: Zoning Commission
Zoning Case #: Z2011200
Hearing Date: October 18, 2011
Property Owner: Douglas C. Gonzalez
Applicant: Alfredo C. Esparza
Representative: Alfredo C. Esparza
Location: 1802 Culebra Road
Legal Description: Lot 19, Block 17, NCB 3775
Total Acreage: 0.3196
City Council District: 5
Case Manager: Pedro Vega, Planner
Case History: This is the first public hearing for this zoning request.

Proposed Zoning Change

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

Requested Zoning: "C-3NA AHOD" General Commercial Nonalcoholic Sales 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 October 5, 2011. The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on September 29, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on October 14, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

Notices Mailed

Owners of Property within 200 feet: 38

Neighborhood Associations: None

Planning Team Members: None

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 "F" Local Retail District. In a 1966 case, the property was rezoned to "I-1" Light Industry District. Upon adoption of the Unified Development Code, the previous base zoning district converted to the current "I-1 AHOD" 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: South

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

Current Land Uses: Single-Family Dwelling

Direction: West

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

Current Land Uses: Vacant Land and Single-Family Dwelling

Direction: East across Feff Avenue

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

Current Land Uses: Vacant Land and Single-Family Dwelling

Direction: North across Culebra Road

Current Base Zoning: "C-3NA NCD-8 AHOD" General Commercial Nonalcoholic Sales Neighborhood Conservation District-8 Airport Hazard Overlay District

Current Land Uses: Commercial Use

Transportation

Thoroughfare: Culebra Road

Existing Character: Primary Arterial two lanes in each direction with left and right turn median.

Proposed Changes: None known.

Thoroughfare: Neff Avenue

Existing Character: Local Access Street one lane in each direction

Proposed Changes: None known.

Public Transit: The VIA number 282 and 288 bus lines operate along Culebra Road.

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 500 sf GFA including service bays, wash tunnels and retail areas. Maximum Parking Requirement: 1 per 375 sf GFA including service bays, wash tunnels and retail areas.

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, Community or Sector Plan area. The request is consistent with existing zoning scheme of the area which has "C-2", "C-3" and "I-1" districts.

2. Adverse Impacts on Neighboring Lands:

The granting of the zoning request will not have an adverse impact on the neighborhood. Surrounding existing land uses are commercial in character and the proposed zoning change is consistent with these uses.

3. Suitability as Presently Zoned:

The "I-1" district accommodates areas of heavy and concentrated fabrication, manufacturing and industrial uses which are suitable based upon adjacent land uses, access to transportation and the availability of public services and facilities. It is the intent of this district to provide an environment for industries that is unencumbered by nearby residential or commercial development. "I-1" must be located in areas where conflicts with other uses can be minimized to promote orderly transitions and buffers between uses. These districts are located for convenient access for existing and future arterial thoroughfares and railway lines.

The current "I-1 AHOD" General Industrial Airport Hazard Overlay District is not appropriate for the area. The "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District will provide an opportunity for a reuse of the existing building and will be consistent with the current uses along Culebra Road. The rezoning request to "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District is a less intense use than the existing "I-1 AHOD" General Industrial Airport Hazard Overlay District.

4. Health, Safety and Welfare:

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

5. Public Policy:

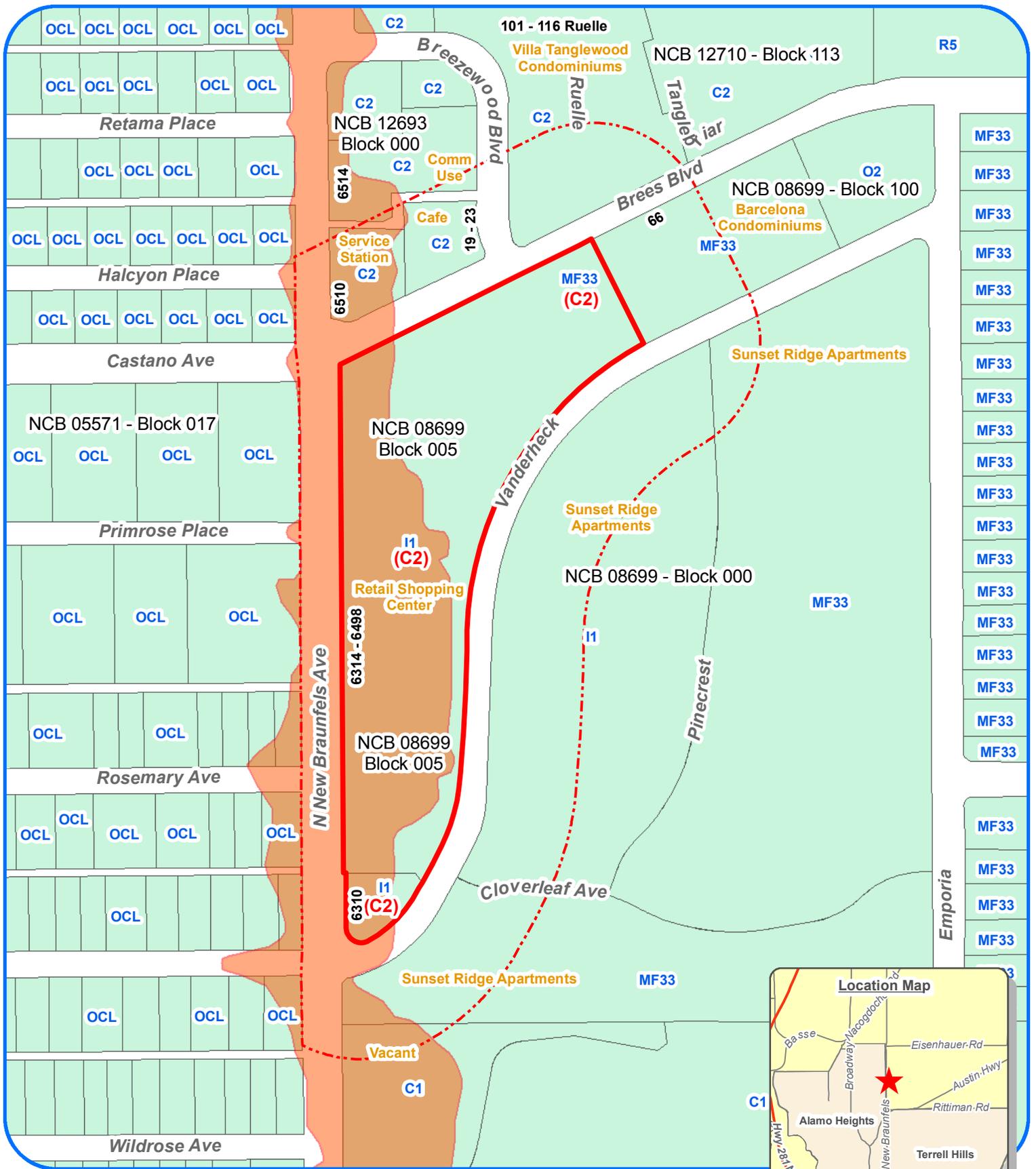
The "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District is in accordance with the City's Master Plan. Goal 3: Create an environment of entrepreneurship, productivity and innovation in San Antonio that promotes business start-up and business growth. Goal 4: Provide economic opportunities in targeted areas, particularly within Loop 410.

6. Size of Tract:

The property is of sufficient size to accommodate the proposed use and required parking. The property is currently developed with a 2,450 square foot commercial building built in 1974.

7. Other Factors:

District regulations within the "C-3NA" districts are the same as in "C-3" districts except that no sales of alcoholic beverages for on-premises or off-premises consumption shall be permitted.



Zoning Case Notification Plan

Case Z2011202

Council District 10

Scale: 1" approx. = 250 ft.

Subject Property Legal Description(s): NCB 08699 - Block 005 - Lots 1 and 2

Legend

- Subject Properties (8.093 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
(09/28/2011 - E Hart)

Note: All Current and Requested Zoning includes the "AHOD" Airport Hazard Overlay District.



City of San Antonio

Development Services Department

Staff Report

To: Zoning Commission
Zoning Case #: Z2011202
Hearing Date: October 18, 2011
Property Owner: Sunset Ridge Shopping Center, LP
Applicant: Kaufman & Killen, Inc.
Representative: Kaufman & Killen, Inc.
Location: 6310 and 6446 North New Braunfels Avenue
Legal Description: Lots 1 and 2, Block 5, NCB 8699
Total Acreage: 8.093 acres
City Council District: 10
Case Manager: Micah Diaz, Planner
Case History: This is the first public hearing for this zoning case.

Proposed Zoning Change

Current Zoning: "I-1 AHOD" General Industrial Airport Hazard Overlay District and "MF-33 AHOD" Multi-Family 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 September 30, 2011. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on October 7, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on October 14, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

Notices Mailed

Owners of Property within 200 feet: 188

Neighborhood Associations: Terrell Heights Neighborhood Association

Planning Team Members: 40 – Northeast Inner Loop Neighborhood Plan

Applicable Agencies: Aviation Department

Property Details

Property History: The subject properties were annexed in 1945 (Ordinance 2942) and were originally zoned "D" Apartment District and "J" Commercial District. Upon adoption of the 2001 Unified Development Code, the previous base zoning districts converted to the current "MF-33" Multi-Family District and "I-1" General Industrial District, respectively. The subject properties were platted into the current configuration in 1987 (volume 9517, page 122). According to the Bexar County Appraisal District, the existing retail center buildings are approximately 103,640 square feet in total size. The buildings were constructed and expanded between 1950 and 1988.

Topography: The subject properties slope to the southwest, with a significant portion of the property being located within the 100-year flood plain.

Adjacent Zoning and Land Uses

Direction: North

Current Base Zoning: "C-2" Commercial District

Current Land Uses: Gas/service station, restaurants, retail centers, and condominiums

Direction: East

Current Base Zoning: "MF-33" Multi-Family District and "I-1" General Industrial District

Current Land Uses: Condominiums and apartments

Direction: South

Current Base Zoning: "MF-33" and "C-1" Light Commercial District

Current Land Uses: Apartments and undeveloped land

Direction: West

Current Base Zoning: "OCL" Outside City Limits (Alamo Heights)

Current Land Uses: Single-family residences and a church

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

Transportation

Thoroughfare: North New Braunfels Avenue

Existing Character: Secondary Arterial Type B; two lanes in each direction with partial sidewalks

Proposed Changes: None known.

Thoroughfare: Brees Boulevard, Vanderheck, Cloverleaf Avenue, and Breezewood Boulevard

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

Proposed Changes: None known

Public Transit: VIA bus line 505 operates along New Braunfels Avenue, with bus stops adjacent to the subject properties. Other lines operate in the area.

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

Parking Information: Parking requirements for retail and service uses are typically determined by the gross floor area of the specified use; therefore, staff cannot determine how many spaces will be required for the subject properties. However, the existing shopping center currently provides 433 parking spaces.

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 Northeast Inner Loop Neighborhood Plan area, and is identified as “Neighborhood Commercial” in the Future Land Use component of the plan. Neither the existing nor the requested zoning is consistent with the property’s future land use designation. The applicant has requested amending the designation to “Community Commercial”. Both staff and Planning Commission recommend approval of the plan amendment.

Neighborhood commercial land uses include low-intensity retail, office and services uses and are most appropriately located at the intersections of collector and local streets. The neighborhood commercial land use designation is typically considered consistent with light commercial and office zoning districts. However, the “NC” Neighborhood Commercial, “C-1” Light Commercial and “O-1” Office districts carry building size restrictions that make these districts best suited for small lots. The subject properties total more than eight acres in size; and as such, are not well suited for zoning districts that have maximum building sizes.

2. Adverse Impacts on Neighboring Lands:

Staff has found no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. Denial of the request could allow industrial uses on the subject property.

3. Suitability as Presently Zoned:

The existing industrial zoning is inappropriate for the subject property as the “I-1” district allows uses that generate heavy truck traffic, as well as increased noise, lighting, and air pollution. The properties’ location is not suited to future industrial uses due to the surrounding established residential neighborhoods.

4. Health, Safety and Welfare:

Staff has found no indication of a likely negative influence on public health, safety or welfare in relation to this zoning change request. Should the property be used for the industrial uses permitted in the existing zoning district, public health, safety and welfare could be at risk because of the subject property’s proximity to residential uses.

5. Public Policy:

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

The subject property can be easily identified with the Community Commercial land use designation, as defined in the Northeast Inner Loop Neighborhood Plan. The property is located along an arterial thoroughfare which is also an established commercial corridor. The existing shopping center serves a customer base that is made up of multiple neighborhoods, but does not tend to draw customers from a larger, regional area. The design of the existing center encourages use of public transit, as well as pedestrian and bicycle traffic, which make the facility easily accessible to surrounding residents.

6. Size of Tract:

The size of the subject property is sufficient to accommodate the existing structures and required parking. At this time, no new construction or expansion is planned.

7. Other Factors:

None.



City of San Antonio

Development Services Department

Staff Report

To: Zoning Commission
Zoning Case #: Z2011204
Hearing Date: October 18, 2011
Property Owner: Beaver Meadows Properties, Ltd.
Applicant: Beaver Meadows Properties, Ltd.
Representative: Brown & Ortiz, P. C. (James Griffin)
Location: 7222, 7226 and 7230 Briar Place
Legal Description: Lots 9, 10, 11 and the south 11.55 feet of Lot 8, Block 3, NCB 9475
Total Acreage: 0.5207 of an acre
City Council District: 3
Case Manager: Micah Diaz, Planner
Case History: This is the first public hearing for this zoning case.

Proposed Zoning Change

Current Zoning: "MF-33 AHOD" Multi-Family Airport Hazard Overlay District and "C-1 AHOD" Light Commercial Airport Hazard Overlay District

Requested Zoning: "C-2NA AHOD" Commercial Nonalcoholic Sales 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 September 30, 2011. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on October 7, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on October 14, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

Notices Mailed

Owners of Property within 200 feet: 26

Neighborhood Associations: Harlandale Park Neighborhood Association

Planning Team Members: 14 – Stinson Airport Vicinity Land Use Plan

Applicable Agencies: Aviation Department

Property Details

Property History: The subject property was annexed in 1947 (Ordinance 4745), and was originally zoned "C" Apartment District. In a 1997 case, Lot 8 was rezoned to "B-1" Business District. Upon adoption of the 2001 Unified Development Code, the previous base zoning districts converted to the current "MF-33" Multi-Family District and "C-1" Light Commercial District, respectively. The subject property consists of three full lots (Lots 9-11) and a

partial portion of a fourth lot (Lot 8); therefore platting may be required prior to the issuance of building permits. Staff was unable to identify a recorded plat that created the properties current configuration. According to the Bexar County Appraisal District, the existing structure measures approximately 2,590 square feet in size and was built in 1997. Medical clinics were permitted in the previous "C" Apartment District; however, the use became nonconforming when the 2001 Unified Development Code was adopted.

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

Adjacent Zoning and Land Uses

Direction: North

Current Base Zoning: "C-1" Light Commercial District, "MF-33" Multi-Family District, and "I-1" General Industrial District

Current Land Uses: undeveloped land, parking lot, single-family residence, and storage

Direction: East

Current Base Zoning: "MF-33", "C-2" Commercial District, and "C-3" General Commercial District

Current Land Uses: Single-family residences, churches, WIC clinic, and appliance sales

Direction: South

Current Base Zoning: "MF-33"

Current Land Uses: Single-family residences

Direction: West

Current Base Zoning: "MF-33" and "C-3"

Current Land Uses: Harlandale Park, undeveloped land, and a trade school

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

Transportation

Thoroughfare: Briar Place and Vado Place West

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

Proposed Changes: None known

Thoroughfare: Emilie Street and Green Oak

Existing Character: Local streets; one lane in each direction; dead end into commercial development

Proposed Changes: None known

Thoroughfare: Southwest Military Drive and South Flores Street

Existing Character: Arterial thoroughfares

Proposed Changes: None known

Public Transit: Multiple VIA bus lines operate along Military Drive and Flores Street, with stops in close proximity to the subject property.

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

Parking Information: Off-street vehicle parking requirements for medical clinics are determined by the Gross Floor Area (GFA) of the building. The proposed structure will be required to provide between 15.225 and 60.9 spaces.

Minimum: 1 parking space per 400 square feet of GFA

Maximum: 1 parking space per 100 square feet of GFA

Staff Analysis and Recommendation: Denial, with an alternate recommendation of “O-1” Office District.

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

1. Consistency: The subject properties are located in the Stinson Airport Vicinity Land Use Plan area, and are currently identified “Low Density Residential” in the Future Land Use component of the plan. The zoning request is not consistent with the adopted land use designation; therefore, the applicant also requests amending the designation to “Community Commercial”. Staff recommends denial; Planning Commission recommends denial of the requested “Community Commercial” designation with an alternate recommendation of approval for a “Neighborhood Commercial” designation.

Community commercial land uses are most appropriately located at intersections of arterial thoroughfares and should provide landscape buffering when adjacent to residential uses. The properties located along Military Drive and South Flores Street are part of an existing Community Commercial node; however, the subject properties extend into a residential area and are surrounded by residential uses on three sides.

The property is well suited for low-intensity office uses, such as the existing dental clinic. Many low-intensity office and service uses are permitted in the “O-1” Office District, which is consistent with the “Neighborhood Commercial” land use designation. The applicant has expressed uncertainty when approached with these alternate zoning and land use options, but has not explained why these alternatives are not feasible.

2. Adverse Impacts on Neighboring Lands: The existing use and proposed expansion are not likely to create adverse impacts on the surrounding properties. However, the requested “C-2NA” district allows a wide range of retail and service uses that could increase traffic, lighting, and noise which would negatively impact neighboring residences. A few additional uses that are permitted in the “C-2NA” that are not permitted in the “O-1” district include billiard hall, miniature golf, oil/lube/tune-up shop, tire repair, large appliance repair, gas station, retail store, and gunsmith. The wide range of uses permitted in the requested zoning district is too intense for the subject property’s location; while the uses permitted in the “O-1” district are better suited for the area.

3. Suitability as Presently Zoned: The existing multi-family zoning may be appropriate for the subject properties given their location at the periphery of a low-density residential neighborhood as well as their proximity to major commercial corridors and the intersection of two major thoroughfares. However, the existing zoning is not consistent with the adopted low-density residential land use designation. Also, the existing office development makes future residential construction unlikely.

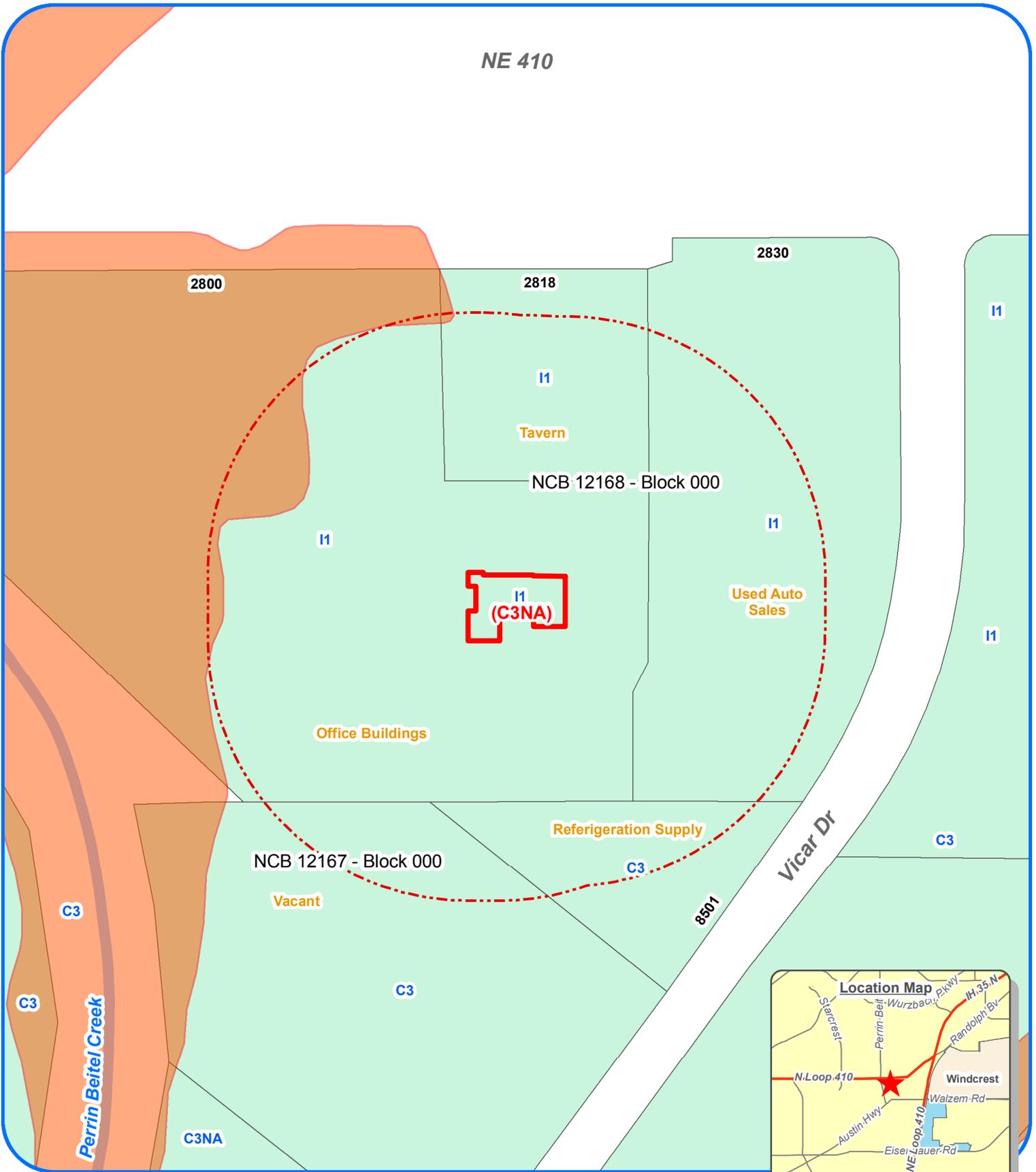
4. Health, Safety and Welfare: Increased vehicle traffic that would likely accompany the variety of retail uses permitted in the “C-2NA” district may pose a threat to the public health, safety and welfare of the neighborhood surrounding the subject property.

5. Public Policy: The requested zoning is inconsistent with the adopted land use plan. Additionally, the proposed use may be accomplished through approval of a lower-intensity plan amendment and zoning change request.

6. Size of Tract: Should the subject property area be platted into a single lot, it will be of sufficient size to accommodate the proposed clinic use, building expansion, and required parking. However, the existing individual lots are not adequate for most types of commercial development.

7. Other Factors: The requested “C-2NA” district is inappropriate for properties abutting residential uses unless significant buffering and other protective measures are taken. Unlike building setback requirements which are triggered by the abutting zoning district and the existing use, buffers are triggered by zoning district only. Therefore, the City cannot require or enforce installation of landscape buffers because none are required when the “C-2NA” district abuts properties with multi-family zoning.

NE 410



Zoning Case Notification Plan

Case Z2011206

Council District 2
 Scale: 1" approx. = 100 ft.
 Subject Property Legal Description(s): A Portion of NCB 12168 - Block 000 - Lot 4

Legend

- Subject Properties (0.064 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
 (09/26/2011 - 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 #: Z2011206
Hearing Date: October 18, 2011
Property Owner: Northcross Business Center, Ltd.
Applicant: Lauri Connell
Representative: P. W. Christensen, PC (Patrick Christensen)
Location: A portion of 2800 NE Loop 410
Legal Description: 0.064 of an acre out of Lot 4, NCB 12168
Total Acreage: 0.064 of an acre
City Council District: 2
Case Manager: Micah Diaz, Planner
Case History: This is the first public hearing for this zoning case

Proposed Zoning Change

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

Requested Zoning: "C-3NA AHOD" General Commercial Nonalcoholic Sales 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 September 30, 2011. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on October 7, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on October 14, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

Notices Mailed

Owners of Property within 200 feet: 6

Neighborhood Associations: Village North One Neighborhood Association

Planning Team Members: None

Applicable Agencies: Aviation Department

Property Details

Property History: The subject property was annexed in 1952 (Ordinance 18115), and was originally zoned "A" Single Family Residence District. In a 1963 case, the property was rezoned "F" Local Retail District. In a 1974 case, the property was rezoned "I-1" Light Industry District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "I-1" General Industrial District. The property was platted into its current configuration in 1976 (volume 7800, page 60). According to the Bexar County Appraisal District, the existing office/warehouse space measures approximately 41,800 square feet in size, consists of three separate buildings, and was built in 1977.

Topography: The subject property does not include significant slope; however, the western half of the lot is located within the flood plain.

Adjacent Zoning and Land Uses

Direction: North and east

Current Base Zoning: "I-1" General Industrial District

Current Land Uses: Bar, motor vehicle sales

Direction: South

Current Base Zoning: "C-3" General Commercial District

Current Land Uses: Refrigeration supply, undeveloped land

Direction: West

Current Base Zoning: "C-3"

Current Land Uses: Perrin Beitel Creek

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: Northeast Loop 410

Existing Character: Expressway with multi-land access road

Proposed Changes: None known

Thoroughfare: Vicar Drive

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

Proposed Changes: None known

Public Transit: No public transit lines operate in the immediate vicinity; however, VIA bus lines do operate to the west along Perrin Beitel.

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: Off-street vehicle parking requirements for adult day care facilities are determined by Gross Floor Area (GFA).

Minimum – 1 parking space per 375 square feet of GFA

Maximum – 1.5 parking spaces per 375 square feet of GFA

The proposed facility measures 2,970 square feet in size; and, therefore, will be required to provide between 7.44 and 11.16 spaces. The subject property is consists of a single suite in a larger office park which includes parking for all suites.

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 any Neighborhood, Community, or Sector Plan area; therefore, consistency review is not required.

2. Adverse Impacts on Neighboring Lands:

Staff finds no evidence of likely adverse impacts on neighboring properties related to the zoning request.

3. Suitability as Presently Zoned:

The existing industrial zoning district is appropriate as the subject property is located with expressway frontage, in an existing business park setting. The other existing uses in the business park include a church, dance studio, office and warehouse uses, and a pest control company. Some existing uses are nonconforming and would be better accommodated by commercial zoning.

4. Health, Safety and Welfare:

Staff has found no indication of a likely negative influence on public health, safety or welfare in relation to this zoning change request. As the request includes the "NA" Nonalcoholic Sales designation, the zoning will not allow bar, nightclub, or liquor store uses.

5. Public Policy:

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

6. Size of Tract:

The subject property consists of a single suite in a larger established business park

7. Other Factors:

None.