

# CITY OF SAN ANTONIO

## Zoning Commission Agenda

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

**Tuesday, October 4, 2011**  
**12:45 PM**

### ZONING COMMISSIONERS

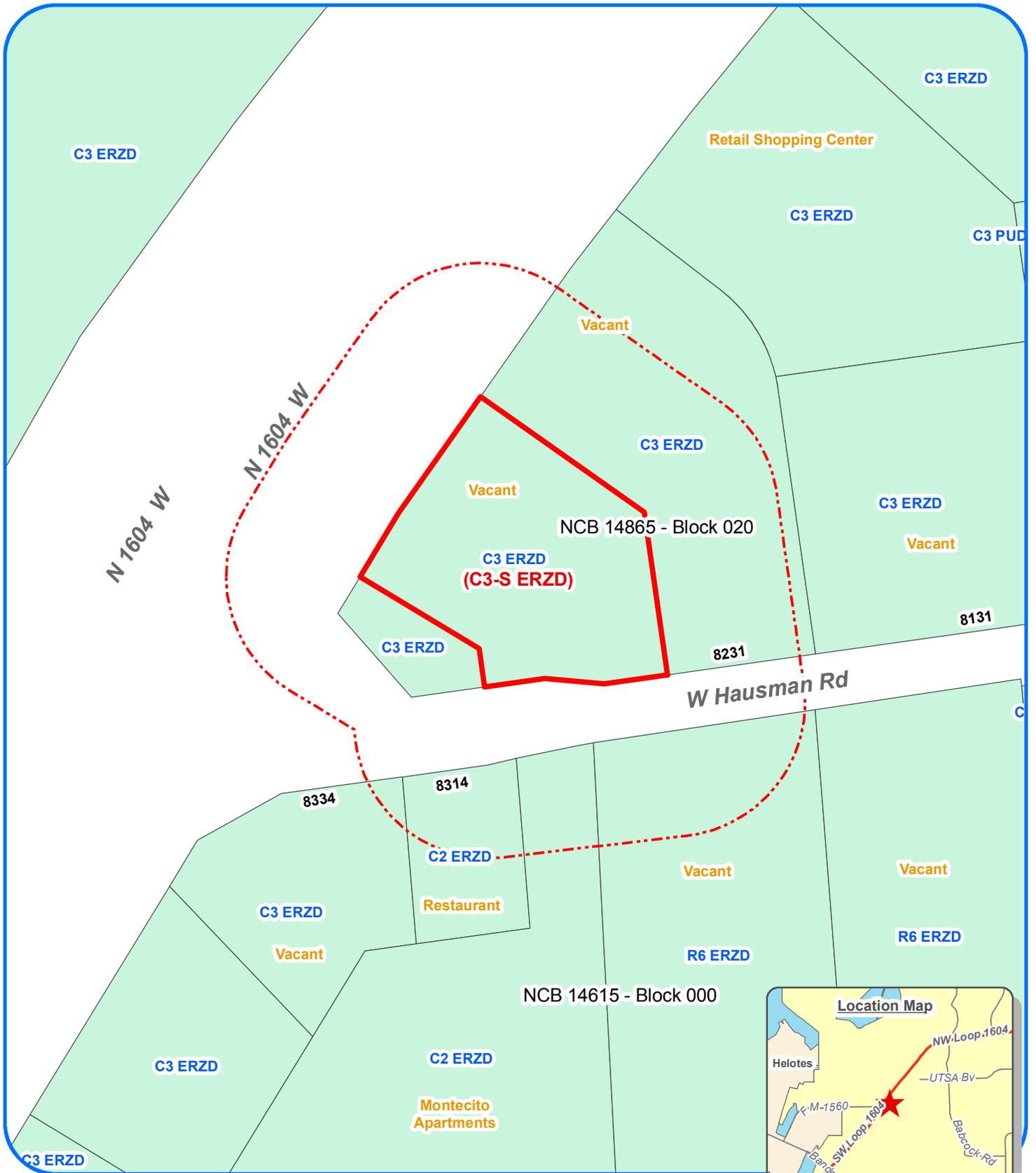
|  |                                   |
|--|-----------------------------------|
| Mariana Ornelas – District 1             | Christopher Martinez – District 6 |
| Dan Martinez – District 2                | David Christian – District 7      |
| Gerard P. Clancy – District 3            | Rick McNealy – District 9         |
| Orlando Salazar – District 4             | Milton R. McFarland – District 10 |
| Rachel Flores – District 5               | Brenna Nava – District Mayor      |
| Billy J. Tiller – District 8<br>Chairman |                                   |

1. **12:45 PM** - Work Session - discussion of policies and administrative procedures, and any items for consideration on the agenda for October 4, 2011.
2. **1:00 P.M.** Board Room– Call to Order.
3. Roll Call.
4. Pledge of Allegiance.
5. Approval of September 20, 2011 Zoning Commission Minutes.
6. **ZONING CASE NUMBER Z2011181 S ERZD (Council District 8):** A request for a change in zoning from “C-3 ERZD” General Commercial Edwards Recharge Zone District to “C-3 S ERZD” General Commercial Edwards Recharge Zone District with a Specific Use Authorization for a Hospital on 2.8 acres out of Lot 3, Block 20, NCB 16883 on a portion of the 8200 Block of Hausman Road.
7. **ZONING CASE NUMBER Z2011179 (Council District 2):** A request for a change in zoning from “R-6” Residential Single-Family District to “R-4” Residential Single-Family District on 62.273 acre tract of land out of NCB 35132. Foster Road and Foster Meadows Drive (Foster Meadow Subdivision).
8. **ZONING CASE NUMBER Z2011182 CD (Council District 7):** A request for a change in zoning from “R-5 AHOD” Residential Single-Family Airport Hazard Overlay District to “R-5 CD AHOD” Residential Single-Family Airport Hazard Overlay District with a Conditional Use for an Assisted Living Facility with no more than 16 residents on Lot 8, Block 1, NCB 11500, 208 Hope Drive.
9. **ZONING CASE NUMBER Z2011183 (Council District 2):** A request for a change in zoning from “MF-33 EP-1 AHOD” Multi-Family Facility Parking/Traffic Control Airport Hazard Overlay District to “O-1 IDZ EP-1 AHOD” Office Infill Development Zone Facility Parking/Traffic Control Airport Hazard Overlay District on Lot 18, Block 4, NCB 1326, except the south 5 feet, 710 Arthur Street.

10. **ZONING CASE NUMBER Z2011188 S (Council District 5):** A request for a change in zoning from “C-2 MC-1 RIO-4 AHOD” Commercial Metropolitan Corridor River Improvement Overlay Airport Hazard Overlay District to “C-2 S MC-1 RIO-4 AHOD” Commercial Metropolitan Corridor River Improvement Overlay Airport Hazard Overlay District with Specific Use Authorization for a Bar And/Or Tavern Without Cover Charge 3 or More Days Per Week on Lot 6, Lot 7, Lot 8 and Lot 9, Block 13, NCB 3132, 512 Roosevelt Avenue.
11. **ZONING CASE NUMBER Z2011189 (Council District 6):** A request for a change in zoning from “I-1 AHOD” General Industrial Airport Hazard Overlay District and “R-6 AHOD” Residential Single-Family Airport Hazard Overlay District to “I-2 AHOD” Heavy Industrial Airport Hazard Overlay District on Parcel 209 (formerly Parcel 23), NCB 18049 and Lot 2, Block 10, NCB 18050, save and except those portions conveyed to the City of San Antonio in Volume 14256, Page 1795-1801 and Volume 14256, Page 1802-1807, 7386 Grissom Road.
12. **ZONING CASE NUMBER Z2011190 CD (Council District 1):** A request for a change in zoning from “R-4 AHOD” Residential Single Family Airport Hazard Overlay District to “R-4 CD AHOD” Residential Single Family Airport Hazard Overlay District with a Conditional Use for a Non-Commercial Parking Lot on Lots 22 and 23 and the south 65 feet of Lot 21, Block 2, NCB 2074 also known as Lot 27, Block 2, NCB 2074, 718 Kentucky Avenue.
13. **ZONING CASE NUMBER Z2011191 (Council District 3):** A request for a change in zoning from “NP-8 AHOD” Neighborhood Preservation Airport Hazard Overlay District to “R-6 AHOD” Residential Single-Family Airport Hazard Overlay District on Lots 45, 46 and 47, Block 25, NCB 3819, 339 Channing.
14. **ZONING CASE NUMBER Z2011192 S (Council District 10):** A request for a change in zoning from “I-1 AHOD” General Industrial Airport Hazard Overlay District to “C-3 S AHOD” General Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Nightclub with cover charge three or more days per week on 4,215 square feet out of Lot 1, Block , NCB 12571, 8800 Broadway, #102.
15. **Executive Session:** consultation on attorney-client matters (real estate, litigation, personnel and security matters) as well as any of the above agenda items may be discussed.
16. **ADJOURNMENT.**

**Accessibility Statement**

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



# Zoning Case Notification Plan

## Case Z2011181 S ERZD

Council District 8

Scale: 1" approx. = 200 ft.

Subject Property Legal Description(s): A Portion of NCB 14865 - Block 020 - Lot 3

### Legend

- Subject Properties ——— (2.8 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  
 (08/23/2011 - E Hart)



# City of San Antonio

## Development Services Department

### Staff Report

To: Zoning Commission

Zoning Case #: Z2011181 S ERZD

Hearing Date: October 4, 2011

Property Owner: Fisher Brothers Properties, Ltd. (Trustee under the Hausman 15.89 Trust Agreement dated March 30, 2006) and K Partners Hausman, LP

Applicant: Emerus SA, Ltd.

Representative: Brown & Ortiz, P.C. c/o James Griffin

Location: A portion of the 8200 Block of Hausman Road, located at the northeast corner of Hausman Road and Loop 1604

Legal Description: 2.8 acres out of Lot 3, Block 20, NCB 16883

Total Acreage: 2.8 acres

City Council District: 8

Case Manager: Micah Diaz, Planner

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

### Proposed Zoning Change

**Current Zoning:** "C-3 ERZD" General Commercial Edwards Recharge Zone District

**Requested Zoning:** "C-3 S ERZD" General Commercial Edwards Recharge Zone District with a Specific Use Authorization for a Hospital

### 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 16, 2011. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on September 23, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on September 30, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

### Notices Mailed

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

**Neighborhood Associations:** None

**Planning Team Members:** 41 – North Sector Plan

**Applicable Agencies:** SAWS

## Property Details

**Property History:** The subject property was annexed in 1971 (Ordinance 39169), and was originally zoned “Temp R-1” Temporary Single Family Residence District. In a 1990 case, the property was rezoned “B-3 ERZD” Business Edwards Recharge Zone Overlay District. Upon adoption of the 2001 Unified Development Code, the previous zoning converted to the current “C-3 ERZD” General Commercial Edwards Recharge Zone Overlay District. The subject property is a 2.8-acre portion of a larger platted lot. The property is undeveloped.

**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:** East

**Current Base Zoning:** “C-3” General Commercial District

**Current Land Uses:** Storm water retention

**Direction:** West

**Current Base Zoning:** “C-3”

**Current Land Uses:** Undeveloped land and a shopping center

**Direction:** South

**Current Base Zoning:** “R-6” Residential Single-Family District, “C-2” Commercial District, and “C-3”

**Current Land Uses:** Undeveloped land, apartments, and a restaurant

**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”.

## Transportation

**Thoroughfare:** West Hausman Road

**Existing Character:** Secondary Arterial Type A; one lane in each direction with dedicated turn lanes for highway access

**Proposed Changes:** None known

**Thoroughfare:** Loop 1604

**Existing Character:** Expressway with two-lane, single-direction access roads

**Proposed Changes:** None known

**Public Transit:** VIA bus line 660 operates along Loop 1604, with multiple stops near 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:** On-site parking requirements for hospitals are determined by the gross floor area (GFA) of the structure.

Minimum – 1 parking space per 400 square feet of GFA

Maximum – 1 parking space per 100 square feet of GFA

The requisite site plan indicates a maximum building size of 25,000 square feet. The proposed use will be required to provide between 62.5 and 250 parking spaces. The site plan shows 83 parking spaces, including 8 ADA accessible 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 North Sector Plan area, and is identified as “Suburban Tier” in the future land use component of the plan. The requested zoning is not consistent with the adopted land use plan; however, the applicant has requested a plan amendment for “Regional Center”. Staff and Planning Commission recommend approval of the request.

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

Staff has found no evidence of likely adverse impacts related to the requested specific use authorization.

Specific use authorizations are required for those uses which are generally compatible with the land uses permitted by right in a zoning district, but which require individual review of their location, design and configuration in order to ensure the appropriateness of the use at a particular location within a given zoning district. Hospital uses are typically permitted by-right in the “C-3” General Commercial District, but require approval of a specific use authorization when located in the Edwards Aquifer Recharge Zone due to concerns related to disposal of medical and bio-hazardous materials that may be generated.

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

The subject property’s current “C-3” zoning is not consistent the with the North Sector Plan’s future land use designation. The uses permitted in the “C-3” zoning district are typically considered “regional commercial” uses and are most appropriate on large-acreage lots located at the intersections of and with direct access to expressways and arterial thoroughfares that can accommodate high levels of traffic generated by a regional customer base. The subject property meets the criteria for “Regional Center” designation within the North Sector Plan. Therefore, the existing “C-3” zoning district is suitable for the subject property and abutting parcels.

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

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

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

None.

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

The subject property is of sufficient size to accommodate the proposed hospital/emergency medical clinic while providing the required on-site parking and meeting impervious cover limits. The applicant’s site plan will require minor adjustments to correctly reflect impervious cover limits and required parking information.

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

SAWS Summary:

The property is classified as a Category 2 property.

No geologic features were observed on the property.

Impervious cover shall be limited to 65% of the property.

Recommendation of approval from the Resource Protection Division.

**SAN ANTONIO WATER SYSTEM  
Interdepartmental Correspondence Sheet**

**RECEIVED  
11 SEP 13 AM 9:24**

**TO:** Zoning Commission Members

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

**COPIES TO:** Scott R. Halty, Director, Resource Protection & Compliance Department, Mike Barr, Environmental Protection Specialist III, Aquifer Protection & Evaluation Section, File

**SUBJECT:** Zoning Case Z2011181 (Hospital)

**LAND DEVELOPMENT  
SERVICES DIVISION**

**Date:** September 13, 2011

**SUMMARY:**

A request for a change in zoning has been made for an approximate 2.85-acre tract located on the city's northwest side. A change in zoning from **C-3 ERZD AHOD to C-3 S ERZD AHOD** is being requested by the applicant, Brown and Ortiz, P.C. The change in zoning has been requested to allow for a special use permit for a hospital/med clinic at this location. The property is classified as Category 2 property.

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

**LOCATION**

The subject property is located in City Council District 8, at the northeast corner of Hausman Road and Loop 1604. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

**SITE EVALUATION**

1. Development Description:

The proposed change is from C-3 ERZD AHOD to C-3 S ERZD AHOD and allow for a commercial development that will be a medical clinic. Currently the site is an undeveloped tract of land.

2. Surrounding Land Uses:

Retail development surrounds the tract on the east and north side of the proposed development. Loop 1604 and Hausman Roads bound the tract to the west and south.

3. Water Pollution Abatement Plan:

The Water Pollution Abatement Plan (WPAP) for Hausman / Loop 1604 was approved by the Texas Commission on Environmental Quality (TCEQ) on July 17, 2006. According to the geologic assessment in the WPAP, there are no sensitive geologic features located on the site.

4. Geologic Conditions:

The Resource Protection Division of the San Antonio Water System conducted an evaluation, on August 23, 2011 of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS staff Geologist, Joan B. Falkenberg, P.G., was present during the site evaluation.

- A. The subject site was observed as a single lot, currently undeveloped and in a natural state. The area is covered by a thick soil cover, large mature trees, tall grasses and scrub brush covering portions of the site. According to the geologic assessment, two manmade features were identified. These features consisted of an abandoned septic tank and abandoned well. The septic tank has not been sealed and the well shows to have been properly sealed. No significant geologic features were observed during the site visit.

The topography of the site is relatively flat with a slight slope from the northeast to the southwest. Stormwater occurring on the subject site would drain southwesterly to an unnamed tributary to French Creek.

- B. Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the site was underlain by the Cyclic and Marine Members of the Person Formation located within the Edwards Group. The thickness of this member is generally 80 to 90 feet and is characterized by graded cycles of thick to relatively thin beds of mudstone to packstone and milliolid grainstone.
- C. According to the FEMA Flood Insurance Maps, the site is not located within a 100-year floodplain area. Water flowing from this site will be treated by a water quality basin located at the southwest corner of the property.

## **ENVIRONMENTAL CONCERNS**

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

### **Site Specific Concerns:**

1. An abandoned septic system was observed on the site and there is potential for contamination of the Edwards Aquifer.
2. The improper handling and disposal of medical and bio-hazardous material to be generated 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 impervious cover shall not exceed 65% on the site.
2. The SAWS recommendation of 65% maximum impervious cover for the 2.85 acres is based on the fact that the tract has no sensitive geologic features, there is no floodplain on the tract, and the site is Category 2.
3. The abandoned septic system, along with any additional septic system that may be located on the site must be properly abandoned according to local, state (Texas Administrative Code Ch. 285.36), and federal law.
4. Outside storage of chemicals will not be permitted on the site.

5. Hazardous and/or contaminated material shall be placed in properly labeled containers and disposed of by a licensed waste hauler/bio-waste hauler. All medical waste shipping documents shall be available for inspection, upon request by the Aquifer Protection and Evaluation Section of SAWS. Incineration on site, of any waste, in any quantity shall be strictly prohibited.
6. The land uses within the zoned areas shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at that site. If the land use is listed as special use, a special permit must be obtained for that use. If the land use is listed as prohibited, that land use will not be permitted on that site.
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 SAWS at (210) 233-3526.
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) 233-3526.

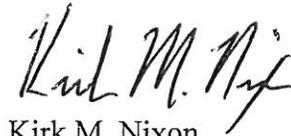
### General Recommendations

1. Prior to the release of any building permits the owner/operator of any Category 2 property shall submit an Aquifer Protection Plan to the Resource Protection Division of the San Antonio Water System.
2. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer Protection & Evaluation Section of the Resource Protection Division:
  - A. A copy of the Water Pollution Abatement Plan (WPAP) shall be submitted for each particular development/use within the area being considered for re-zoning,
  - B. A set of site specific plans which must have a signed Engineers Seal from Texas,
  - C. A WPAP approval letter from the Texas Commission on Environmental Quality,
  - D. A copy of the approved Water Pollution Abatement Plan.
3. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.
4. If a water quality basin is constructed on the property, the following is required:
  - A. Below grade basins shall not be allowed to be constructed on the site.
  - B. Prior to the start of the basin construction, the owner will notify San Antonio Water System at (210) 233-3526 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) 233-3526 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to San Antonio Water System, Aquifer Protection and Evaluation Section.
  - D. If the basin fails to drain properly, the owner will notify the Construction Section of the Resource Compliance Division at (210) 233-3564 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 SAWS.

5. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.
6. The Resource Protection Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

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



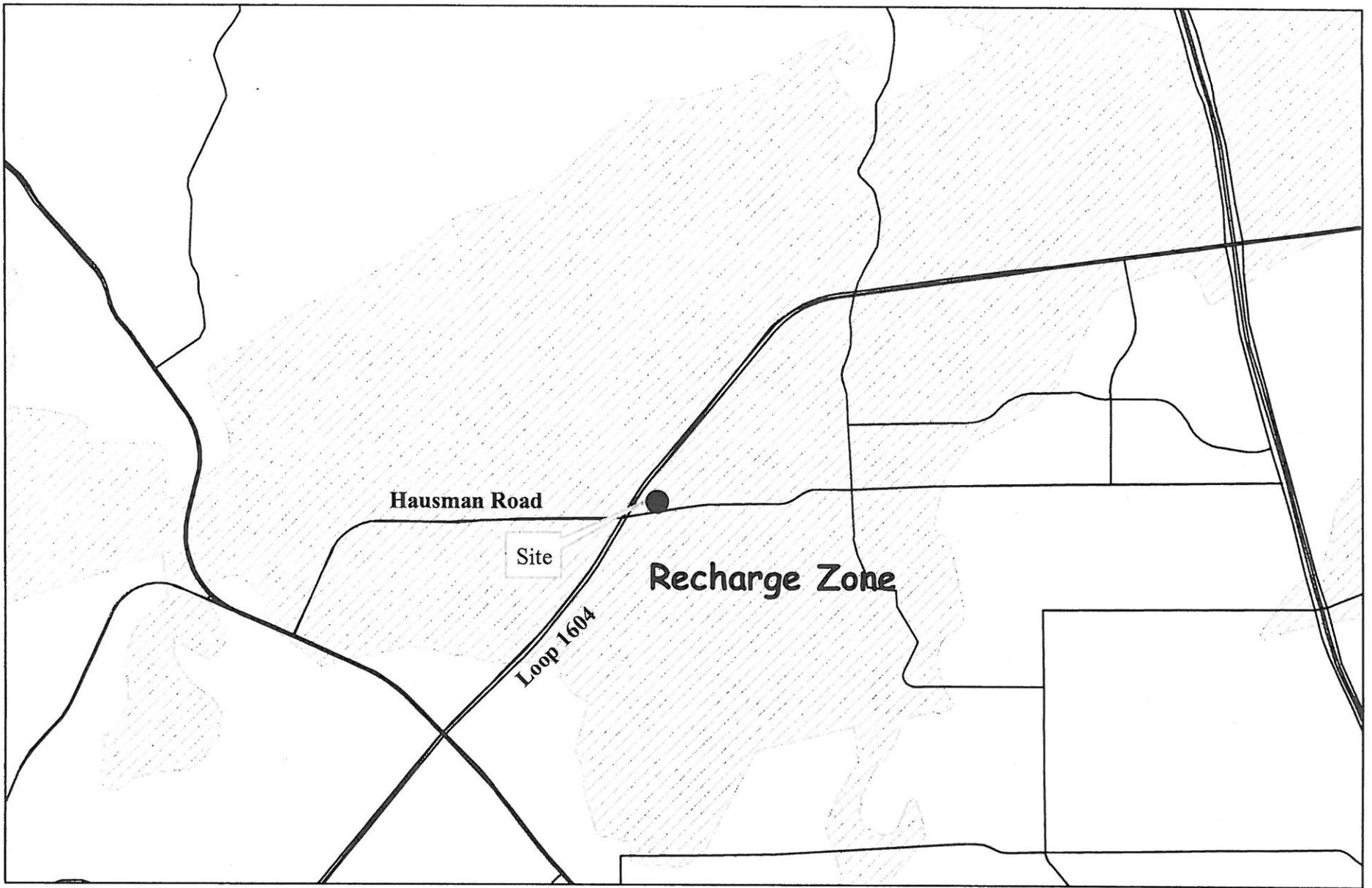
Kirk M. Nixon  
Manager  
Resource Protection Division

APPROVED:



Scott R. Halty  
Director,  
Resource Protection & Compliance Department

KMN:MJB

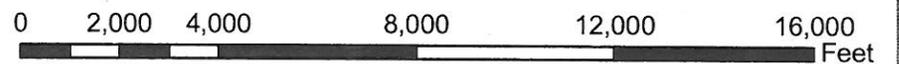


**Zoning Case No. Z2011181 Figure 1**

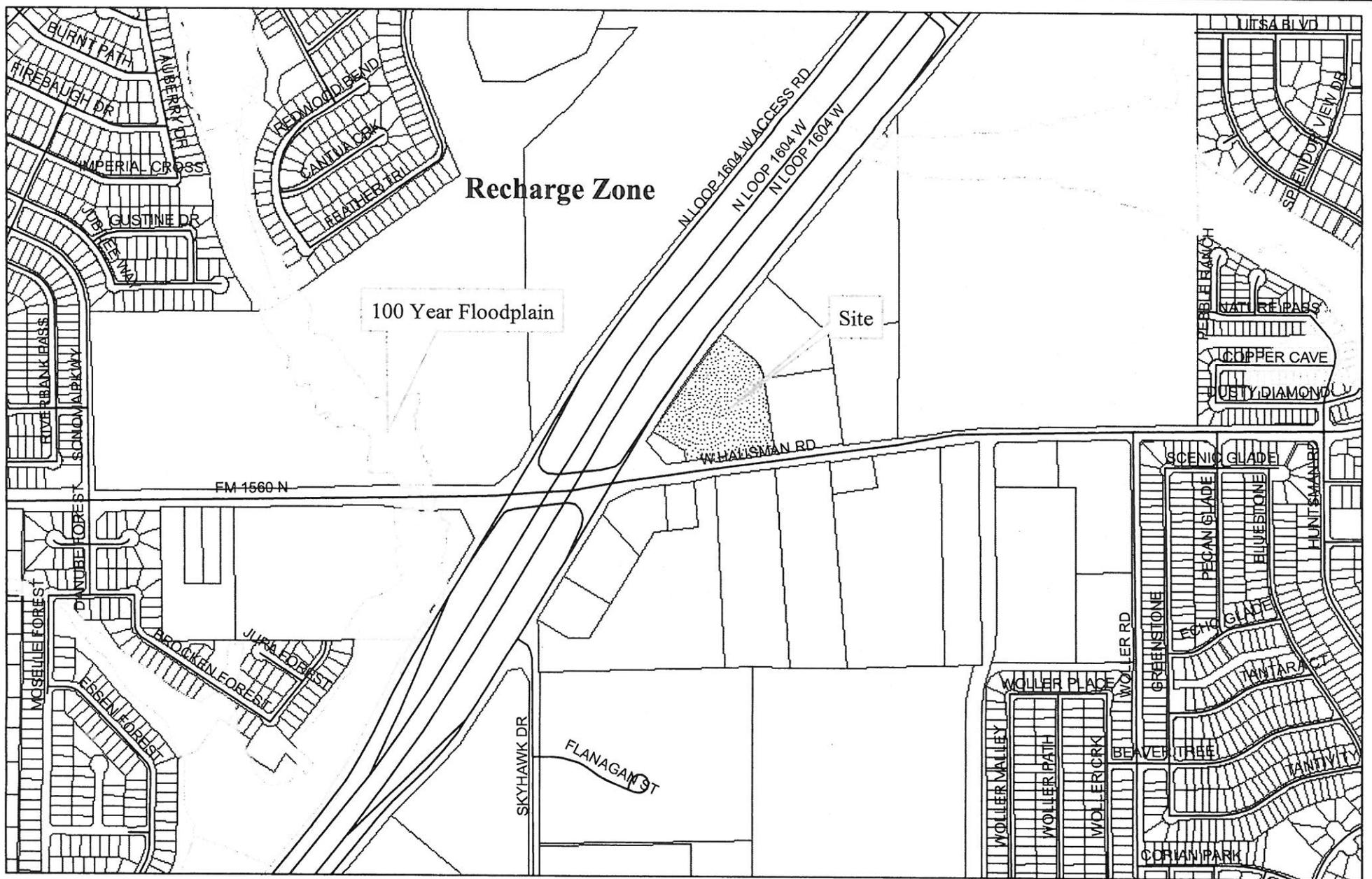
**Medical Clinic**

Map Page 513 C8

Map Prepared by Aquifer Protection and Evaluation MJB 8/18/2011



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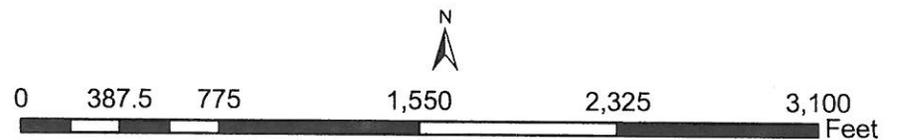


**Zoning Case No. Z2011181 Figure 2**

**Medical Clinic**

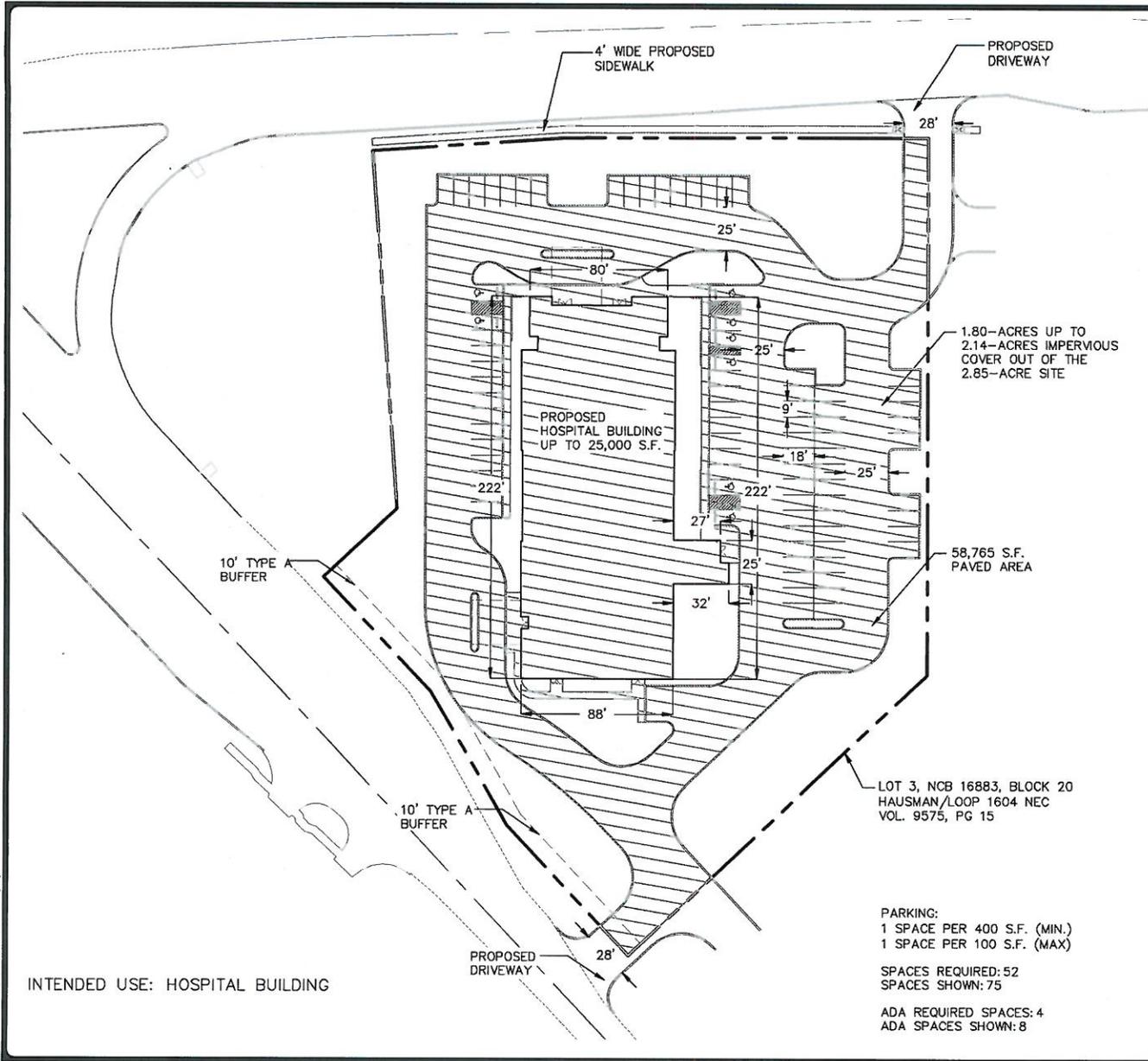
Map Page 513 C8

Map Prepared by Aquifer Protection and Evaluation MJB 8/18/2011

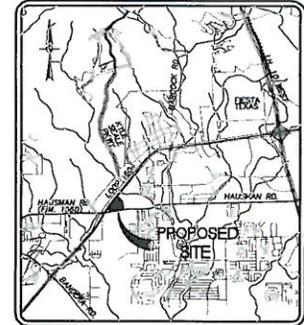


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22011181 S ERZD



INTENDED USE: HOSPITAL BUILDING

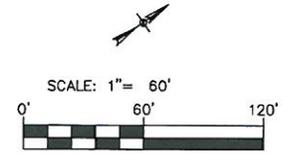


LOCATION MAP  
NTS

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

**LEGEND**

- PROPERTY LINE
- IMPERVIOUS COVER
- TYPE A BUFFER



PARKING:  
1 SPACE PER 400 S.F. (MIN.)  
1 SPACE PER 100 S.F. (MAX)

SPACES REQUIRED: 52  
SPACES SHOWN: 75

ADA REQUIRED SPACES: 4  
ADA SPACES SHOWN: 8

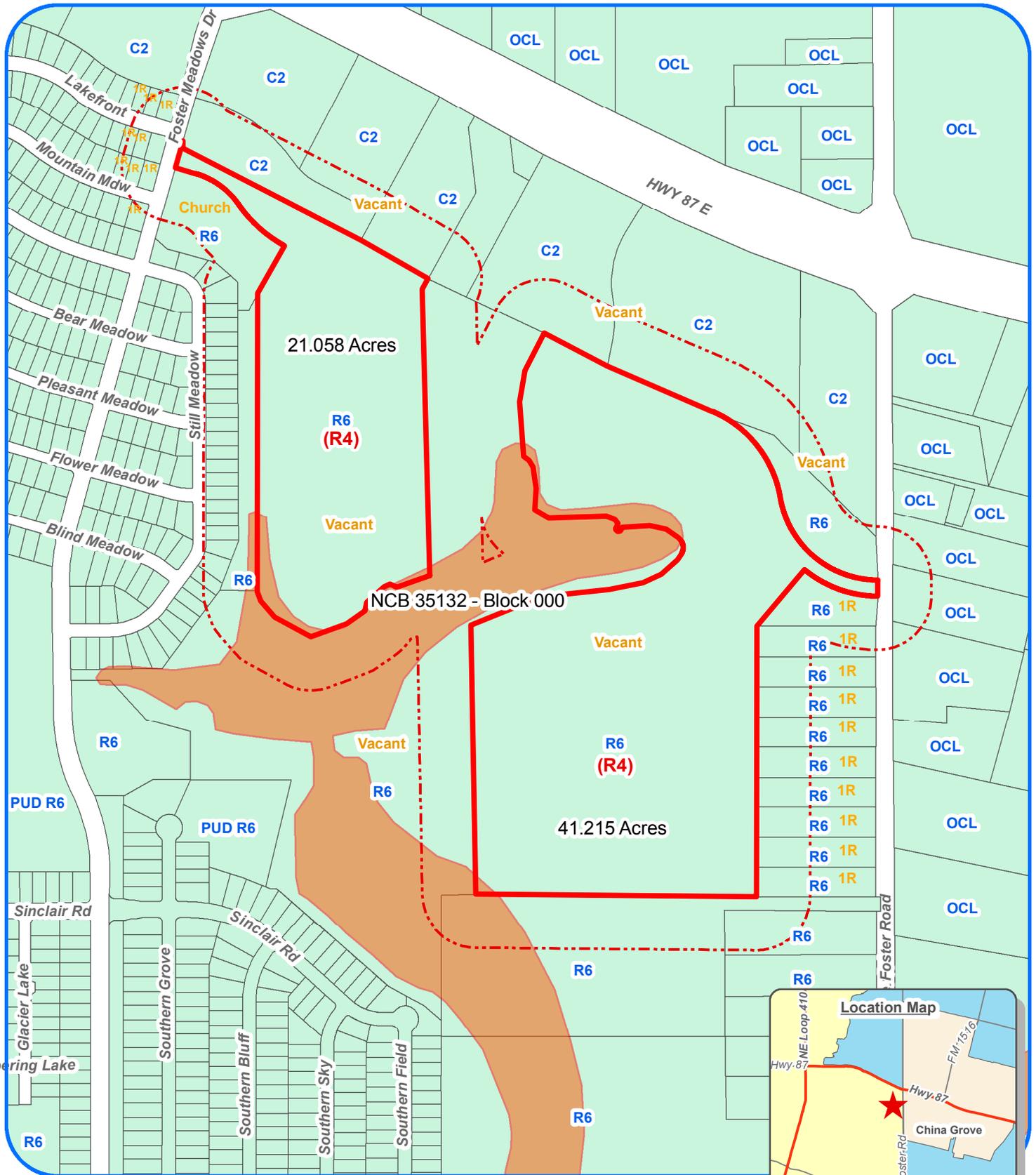
DATE: Aug 22, 2011, 11:55am User: D. Anderson  
 File: P:\16101\16101\Design\16101\16101.dwg  
 THIS DOCUMENT HAS BEEN PROVIDED FROM A DIGITAL FILE THAT HAS STORED AND/OR TRANSMITTED ELECTRONICALLY AND MAY HAVE BEEN IMPROPERLY ALIGNED. RELY ONLY ON PAINT HANDOFFS OR MARKS BEARING THE CONSULTANT'S ORIGINAL SIGNATURE AND SEAL.

**HAUSMAN/F.M. 1604**  
**SITE PLAN**  
**SITE PLAN EXHIBIT**

**PAPE-DAWSON**  
**ENGINEERS**

TEXAS BOARD OF PROFESSIONAL ENGINEERS, FIRM REGISTRATION # 176  
 555 EAST RAINBOW | SAN ANTONIO, TEXAS 78216 | PHONE: 210.775.8000  
 FAX: 210.775.8100

JOB NO. 0312-20  
 DATE: JULY 2011  
 DESIGNER: AD  
 CHECKED: CO. DRUMM, AR  
 SHEET: EXHIBIT 1



## Zoning Case Notification Plan

### Case Z-2011-179

Council District 2

Scale: 1" approx. = 500 ft.

Subject Property Legal Description(s): A Portion of NCB 35132 - Block 000 - Parcels P-87 & P-88

#### Legend

- Subject Properties  (62.273 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  
(08/23/2011 - E Hart)



# City of San Antonio

## Development Services Department

### Staff Report

To: Zoning Commission

Zoning Case #: Z2011179

Hearing Date: October 4, 2011

Property Owner: En Seguido, Ltd.

Applicant: Harry Jewett

Representative: Harry Jewett

Location: South of U.S. Highway 87 between Foster Road and Foster Meadows Drive (Foster Meadow Subdivision)

Legal Description: A 62.273 acre tract of land out of NCB 35132

Total Acreage: 62.273

City Council District: 2

Case Manager: Pedro Vega, Planner

Case History: This is the second public hearing for this zoning request. The case was continued from the September 20, 2011 meeting. The Zoning Commission failed to pass a motion for this case. The case is being expedited due to a scheduling error, and is now scheduled to be heard by the City Council on October 6, 2011.

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### **Proposed Zoning Change**

**Current Zoning:** "R-6" Residential Single-Family District

**Requested Zoning:** "R-4" Residential Single-Family 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 September 7, 2011. The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on September 1, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on September 16, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

### **Notices Mailed**

**Owners of Property within 200 feet:** 63

**Neighborhood Associations:** None

**Planning Team Members:** 30 (Eastern Triangle Community Plan)

**Applicable Agencies:** None

### **Property Details**

**Property History:** The subject property was annexed in December of 2000 and was originally zoned Temporary "R-1" Single-family Residence District. Upon adoption of the 2001 Unified Development Code, the previous zoning district converted to the current "R-6" Residential Single-Family District.

**Topography:** The subject property is relatively flat and has no physical characteristics that are likely to affect the development. There is a floodplain located between two areas designated for development.

## **Adjacent Zoning and Land Uses**

**Direction:** Northwest

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

**Current Land Uses:** Vacant Land

**Direction:** South

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

**Current Land Uses:** Floodplain and Vacant Land

**Direction:** East

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

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

**Direction:** West

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

**Current Land Uses:** Vacant Land

## **Transportation**

**Thoroughfare:** Foster Meadows Drive

**Existing Character:** Collector Street one lane in each direction.

**Proposed Changes:** None known.

**Thoroughfare:** Foster Road

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

**Proposed Changes:** Secondary Arterial Type A 86 foot ROW.

**Public Transit:** The VIA number 30 bus lines operate along U.S. Highway 87.

**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 unit. Maximum Parking Requirement: None

## **Staff Analysis and Recommendation: Denial. Pending Master Plan Amendment.**

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

### **1. Consistency:**

The subject property is located within the Eastern Triangle Community Plan and is currently designated as "Agriculture and Parks/Open Space" in the Future Land Use Plan. Agriculture uses provide primarily for the preservation of crop agriculture, ranching, and related agribusiness practices. Limited commercial uses directly serving agriculture uses, such as farmers markets, nurseries, and bed and breakfasts, are permitted. Single-family residential units are permitted on agricultural and ranch lands. Where residential uses are permitted, conservation subdivision design is encouraged to conserve open space and provide for continuation of agricultural uses. Parks/Open Space includes large, or linear, unimproved land where conservation is promoted and development is not encouraged due to presence of topographic constraints or institutional uses on the site. Therefore, the requested zoning district is inconsistent with the

plan. The applicant has submitted a Master Plan Amendment to “Low Density Residential” that was considered and approved by the Planning Commission on August 24, 2011. Planning and Community Development Department Staff recommends denial of the Master Plan Amendment with an alternate recommendation to “Rural Living” land use.

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

The granting of the "R-4" Residential Single-Family District could potentially have an adverse impact on the neighborhood. The rezoning case would allow a higher density residential development and would cause additional traffic.

**3. Suitability as Presently Zoned:**

The current "R-6" Residential Single-Family District allowing up to 7 dwelling units per gross acre (435 units) is more appropriate for the area. The granting of the "R-4" Residential Single-Family District will allow 11 dwelling units per gross acre (685 units).

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

Staff has found indication of likely adverse effects on the public health, safety, or welfare. The "R-4" Residential Single-Family District does not meet the criteria for large lot, low density residential development.

**5. Public Policy:**

The request does appear to conflict with the established Eastern Triangle Community Plan.

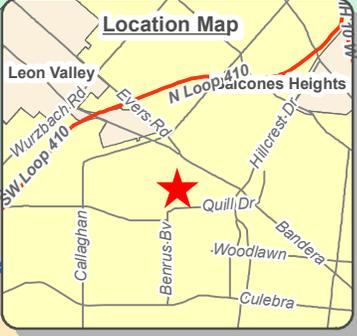
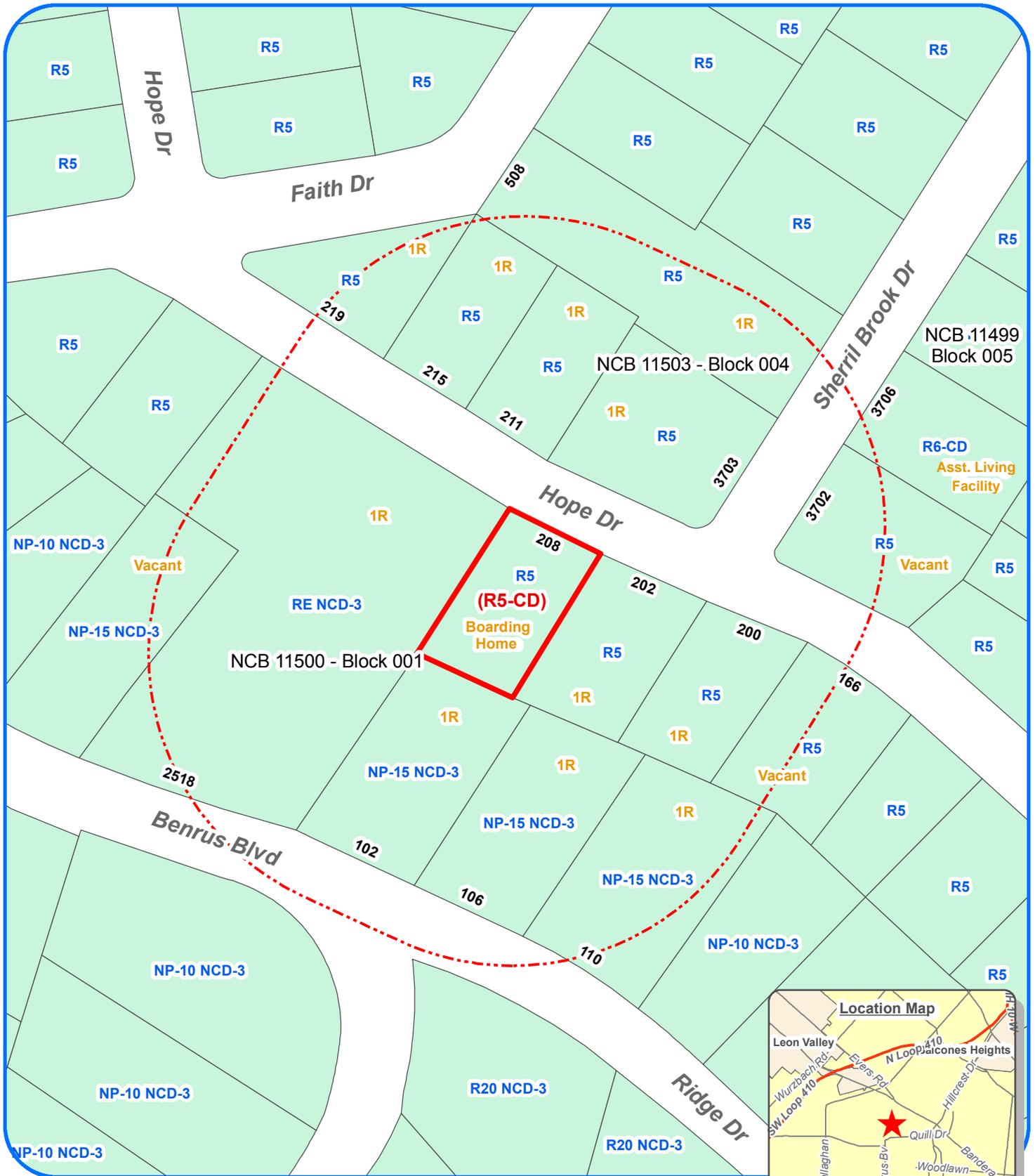
**6. Size of Tract:**

The 62.273 acre tract is of sufficient size to accommodate the development. Tract 1 is 21.058 acres and Tract 2 is 41.215 acres.

**7. Other Factors:**

The change of zoning will be to revise the zoning classification on 62.273 acres of the Foster Meadows Subdivision. The current "R-6" Residential Single-Family District requires a minimum 6,000 square foot lot size. The zoning classification requested is "R-4" Residential Single-Family District that requires a minimum 4,000 square foot lot size. This zoning case would allow the development of these lots for their intended use.

Rural Living supports the principles of preserving rural residential character while retaining open space and scenic corridors. The Rural Living classification may provide a transitional area between more urbanized dense development and significantly rural, open and agricultural land uses. Residential uses are composed mainly of single-family dwellings on individual estate lots.



## Zoning Case Notification Plan

# Case Z201182 CD

Council District 7

Scale: 1" approx. = 100 ft.

Subject Property Legal Description(s): NCB 11500 - Block 001 - Lot 8

### Legend

- Subject Properties (0.232 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  
(08/24/2011 - E Hart)

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



# City of San Antonio Development Services Department Staff Report

To: Zoning Commission  
Zoning Case #: Z2011182 CD  
Hearing Date: October 4, 2011  
Property Owner: Juan & Maria Gomez  
Applicant: Juan Gomez  
Representative: Christopher Shahan  
Location: 208 Hope Drive  
Legal Description: Lot 8, Block 1, NCB 11500  
Total Acreage: 0.2324  
City Council District: 7  
Case Manager: Micah Diaz, Planner  
Case History: This is the first public hearing for this zoning case.

## **Proposed Zoning Change**

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

**Requested Zoning:** "R-5 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for an Assisted Living Facility with no more than 16 residents

## **Procedural Requirements**

The request was publicly noticed in accordance with Section 403 of the Unified Development Code (UDC). The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on September 16, 2011. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on September 23, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on September 30, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

## **Notices Mailed**

**Owners of Property within 200 feet:** 16

**Neighborhood Associations:** Woodlawn Hills

**Planning Team Members:** 41 – North Sector Plan

**Applicable Agencies:** None

## **Property Details**

**Property History:** The subject property was annexed in 1952 (per Ordinance 18115), and was originally zoned "A" Single-Family Residence District. Upon adoption of the 2001 Unified Development Code, the previous zoning district converted to the current "R-6" Residential Single-Family District. The subject property was platted in 1955 (volume 3700, page 50). According to the Bexar County Appraisal District, the existing residence was constructed in 1974 and measures approximately 2200 square feet in size.

**Topography:** The subject property slopes significantly to the northeast.

## **Adjacent Zoning and Land Uses**

**Direction:** All directions

**Current Base Zoning:** "R-5" Residential Single-Family District

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

**Direction:** Northeast

**Current Base Zoning:** "R-6 CD" Residential Single-Family District with a Conditional Use for a Boarding Home for the Elderly

**Current Land Uses:** Assisted living facility (licensed for 11 beds by the State of Texas)

**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:** Hope Drive, Faith Drive, and Sherril Brooks Drive

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

**Proposed Changes:** None known

**Thoroughfare:** Benrus Boulevard

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

**Proposed Changes:** None known

**Public Transit:** Multiple VIA bus lines operate in the area surrounding the subject property; however, there are no stops in the immediate vicinity of the 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:** On-site parking requirements for assisted living facilities are determined by the number of resident rooms.

Minimum – 0.3 parking space per room

Maximum – 1 parking space per room

The applicant proposes 12 residents, housed in 6 rooms. Therefore, the proposed use will be required to provide at least 2, but not more than 6, delineated parking spaces (including one ADA van-accessible parking and loading space).

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

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

**1. Consistency:** The subject property is located within the North Sector Plan area. The subject property is located within the "Suburban Tier" in the future land use component of the sector plan. Both the current and requested zoning are consistent with the land use designation.

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

Staff supports continued use of the subject property as an assisted living facility with five or fewer residents. However, significantly increasing the number of residents at the subject property may be contrary to the character of the surrounding neighborhood. Additionally, a separate assisted living facility (operating with a State license for eleven residents) is located less than 200 feet from the subject property.

**3. Suitability as Presently Zoned:** The existing single-family zoning district permits assisted living facilities, community homes, and boarding homes with five or fewer residents, such as the one currently operated on the subject property. The purpose of the requested zoning change is to allow more than five, but not more than sixteen, residents in the existing facility. In addition to City regulations, the proposed facility will be subject to State of Texas licensing and inspections.

**4. Health, Safety and Welfare:** Staff has concerns regarding parking on the subject property. Although the requisite site plan identifies two parking spaces located in the existing circular driveway, the slope of the property may create problems for additional vehicles.

Hope Drive is a narrow, two-lane local street. Over-flow on-street parking may impede traffic in the area.

**5. Public Policy:** None.

**6. Size of Tract:** The applicant proposes no new construction on the subject property. The property is of sufficient size for the existing structure and driveway; however, the property's configuration may not accommodate additional on-site parking should it be required.

**7. Other Factors:** If the facility is permitted to house six or more residents it will be obligated to meet international building code requirements for larger congregated living facilities. Ultimately, the number of residents will be limited by the improvements made (including available parking) and the State of Texas licensing requirements.

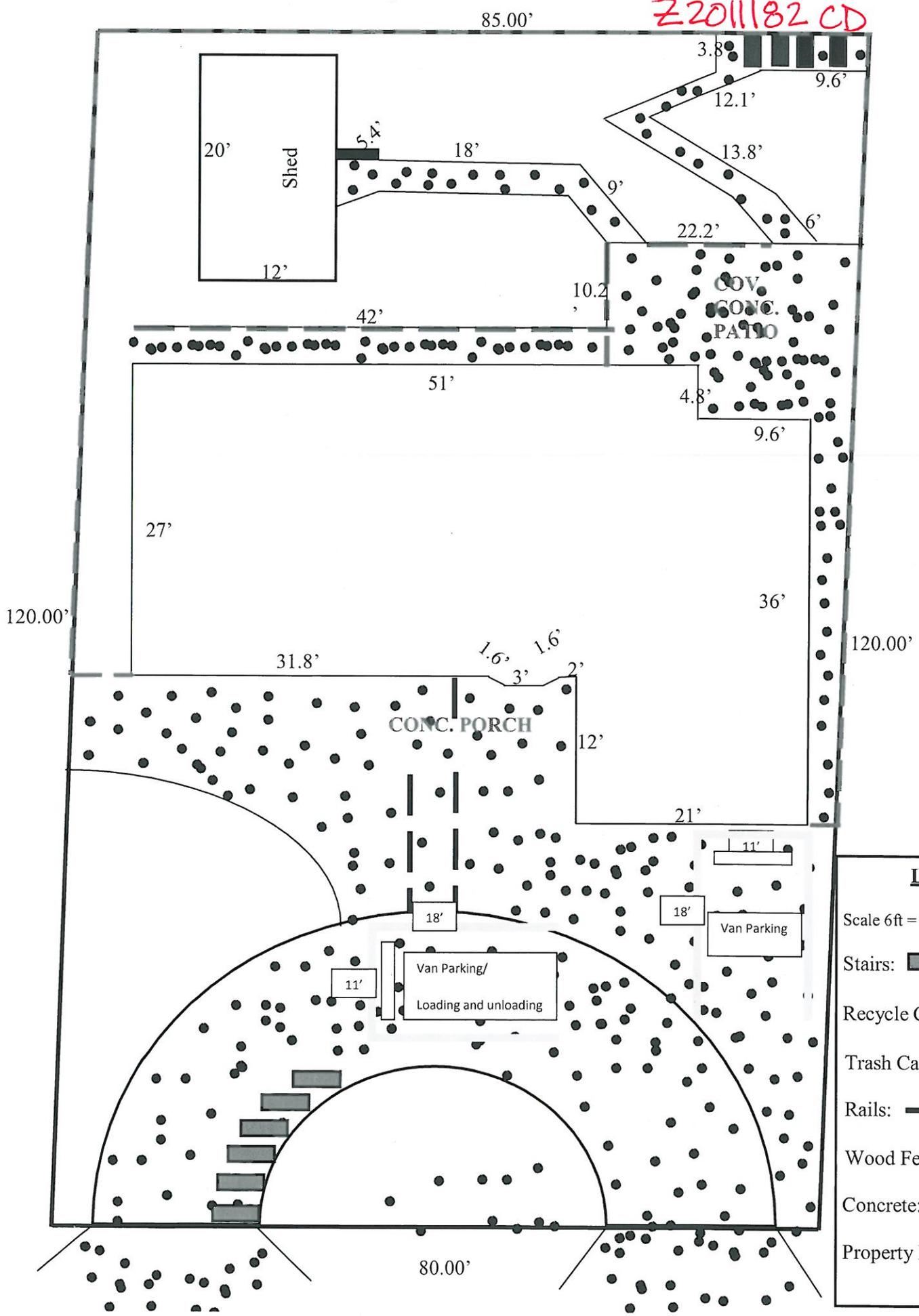
Per Section 35-422 of the Unified Development Code, the following conditions apply to all conditional use requests in residential zoning districts:

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

Should the requested zoning be approved, staff recommends waiver of the hours of operation limitation as the facility offers 24-hour care. Additionally, staff recommends the following condition:

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

Z2011182 CD



**Legend**

Scale 6ft = .5in ———

Stairs: [Stair symbol]

Recycle Can: [Recycle can symbol]

Trash Can: [Trash can symbol]

Rails: [Rail symbol]

Wood Fence: [Wood fence symbol]

Concrete: [Concrete symbol]

Property Line: [Property line symbol]



## Zoning Case Notification Plan

# Case Z-2011-183

Council District 2

Scale: 1" approx. = 100 ft.

Subject Property Legal Description(s): NCB 01326 - Block 004 - Lot 18 Exc S 5 ft

### Legend

- Subject Properties (0.0864 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  
(08/24/2011 - E Hart)

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



# City of San Antonio

## Development Services Department

### Staff Report

To: Zoning Commission  
Zoning Case #: Z2011183  
Hearing Date: October 4, 2011  
Property Owner: City Build Community Development Corporation  
Applicant: Ruben Fechner  
Representative: Ruben Fechner  
Location: 710 Arthur Street  
Legal Description: Lot 18, Block 4, NCB 1326, except the south 5 feet  
Total Acreage: 0.0864  
City Council District: 2  
Case Manager: Pedro Vega, Planner  
Case History: This is the first public hearing for this zoning request.

#### **Proposed Zoning Change**

**Current Zoning:** "MF-33 EP-1 AHOD" Multi-Family Facility Parking/Traffic Control Airport Hazard Overlay District

**Requested Zoning:** "O-1 IDZ EP-1 AHOD" Office Infill Development Zone Facility Parking/Traffic Control 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 September 21, 2011. The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on September 15, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on September 30, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

#### **Notices Mailed**

**Owners of Property within 200 feet:** 32

**Neighborhood Associations:** Harvard Place/Eastlawn Neighborhood Association

**Planning Team Members:** 25 (Arena District/Eastside Community Plan)

**Applicable Agencies:** None

#### **Property Details**

**Property History:** The subject property is located within the City Limits as recognized in 1938. The subject property was originally zoned "C" Apartment District. In 2001 following the adoption of the Unified Development Code, the existing "MF-33 EP-1 AHOD" Multi-Family Facility Parking/Traffic Control Airport Hazard Overlay District

converted from the previous "C" Apartment 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:** "MF-33 EP-1 AHOD" Multi-Family Facility Parking/Traffic Control Airport Hazard Overlay District

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

**Direction:** North across Arthur Street

**Current Base Zoning:** "MF-33 EP-1 AHOD" Multi-Family Facility Parking/Traffic Control Airport Hazard Overlay District

**Current Land Uses:** Wheatley Courts Apartments

**Direction:** West

**Current Base Zoning:** "MF-33 EP-1 AHOD" Multi-Family Facility Parking/Traffic Control Airport Hazard Overlay District

**Current Land Uses:** Church

**Direction:** East

**Current Base Zoning:** "MF-33 EP-1 AHOD" Multi-Family Facility Parking/Traffic Control Airport Hazard Overlay District

**Current Land Uses:** Vacant Land

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

**"EP" Facility Parking/Traffic Control Districts:** The purpose of this district is to establish regulations to regulate parking and traffic in and around large facilities that attract large amounts of vehicle traffic. Specific purposes of these facility parking/traffic control districts are as follows: To regulate parking of vehicles in areas not properly zoned for commercial parking. To reduce aesthetic and traffic problems for persons and businesses in these areas. To reduce visual blight, congestion, and wear and tear on city streets. To increase access for emergency vehicles in these areas.

### **Transportation**

**Thoroughfare:** Arthur Street

**Existing Character:** Local Access Street one lane in each direction

**Proposed Changes:** None known.

**Public Transit:** The VIA number 22 and 222 bus lines operate along North Gevers Street

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

**Parking Information:** The "IDZ" Infill Development Zone District eliminates off-street parking requirements.

### **Staff Analysis and Recommendation: Approval. Pending Master Plan Amendment.**

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

#### **1. Consistency:**

The subject property is located within the Arena District/Eastside Community Plan and is currently designated as "Medium Density Residential" land use provides for small lot single-family development, accessory dwellings, duplexes, cottage houses, triplexes, fourplexes and townhomes. Therefore, the requested zoning district is inconsistent with the plan. The applicant has submitted a Master Plan Amendment to "Public/Institutional" that was considered and approved by the Planning Commission on September 28, 2011. Planning and Community Development Department Staff recommend Approval of the Master Plan Amendment. The proposed "Public/Institutional" land use classification would accommodate additional community services.

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

The granting of the "O-1 IDZ EP-1 AHOD" Office Infill Development Zone Facility Parking/Traffic Control Airport Hazard Overlay District will not have an adverse impact on the neighborhood. The subject property will provide a gathering place for community meetings, supervised community recreation, public use computers, family literacy, reading and job training.

**3. Suitability as Presently Zoned:**

The current "MF-33 EP-1 AHOD" Multi-Family Facility Parking/Traffic Control Airport Hazard Overlay District and proposed "O-1 IDZ EP-1 AHOD" Office Infill Development Zone Facility Parking/Traffic Control Airport Hazard Overlay District are both appropriate for the area. The "O-1 IDZ EP-1 AHOD" Office Infill Development Zone Facility Parking/Traffic Control Airport Hazard Overlay District will provide an opportunity for a reuse of the existing vacant 2,000 square foot structure.

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

Staff has found no indication of likely adverse effects on the public health, safety, or welfare. The requested zoning change is in accordance with the community plan that encourages an increase in the provision of community/social services to the Eastside community. H.I.S. BridgeBuilders has been active in the Wheatley Courts area since the late summer of 2006.

**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.

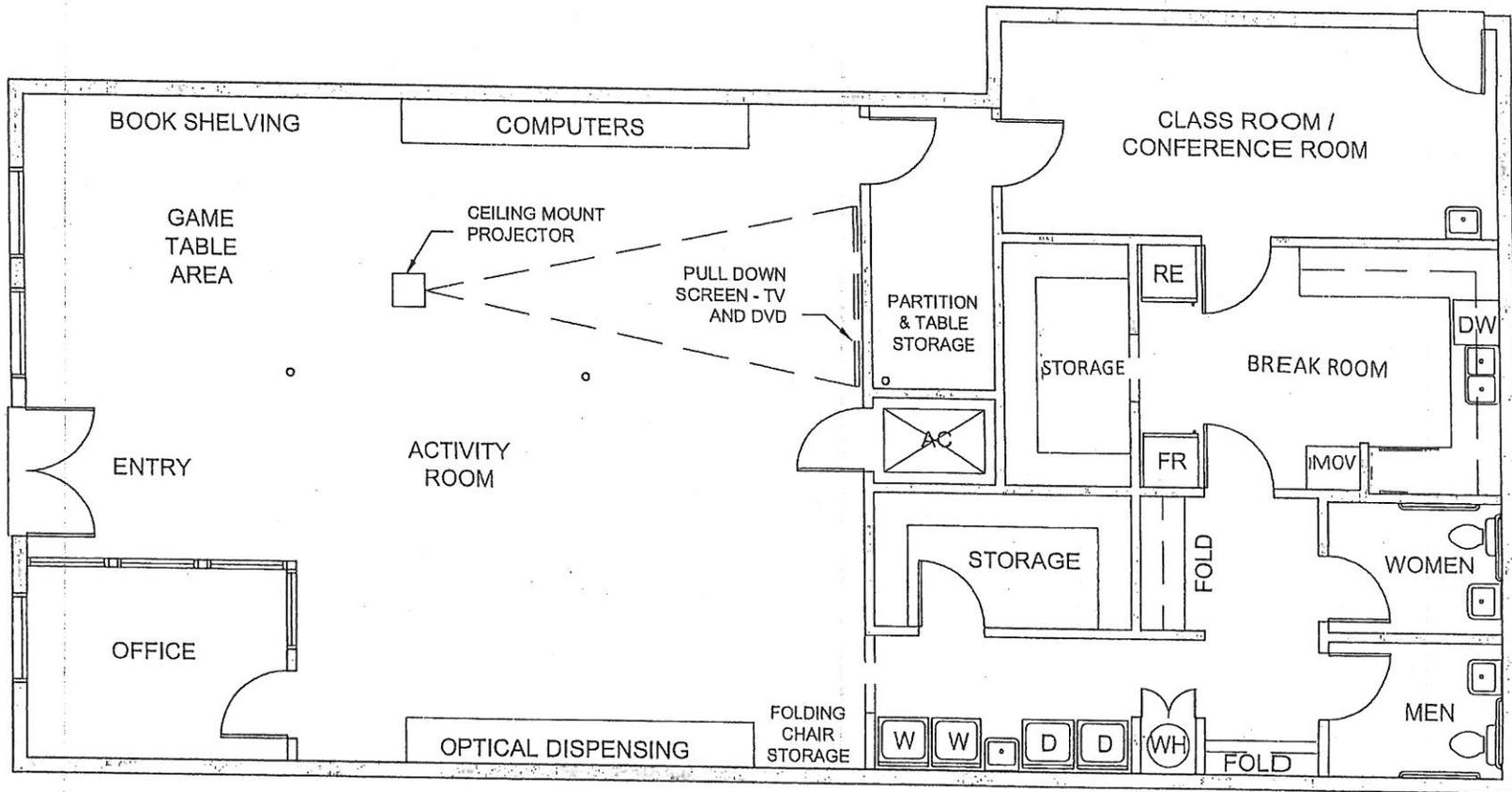
**6. Size of Tract:**

The 0.0864 acre tract is of sufficient size to accommodate the proposed use. The existing vacant structure will be refurbished to serve as a gathering place.

**7. Other Factors:**

The "IDZ" district provides flexibility to the property owner in adhering to several typical development requirements such as setback limitations, parking, parks and open space, and buffer requirements.

The purpose of the office districts is to accommodate well-designed development sites that provide excellent transportation access, make the most efficient use of existing infrastructure and provide for orderly transitions and buffers between uses.



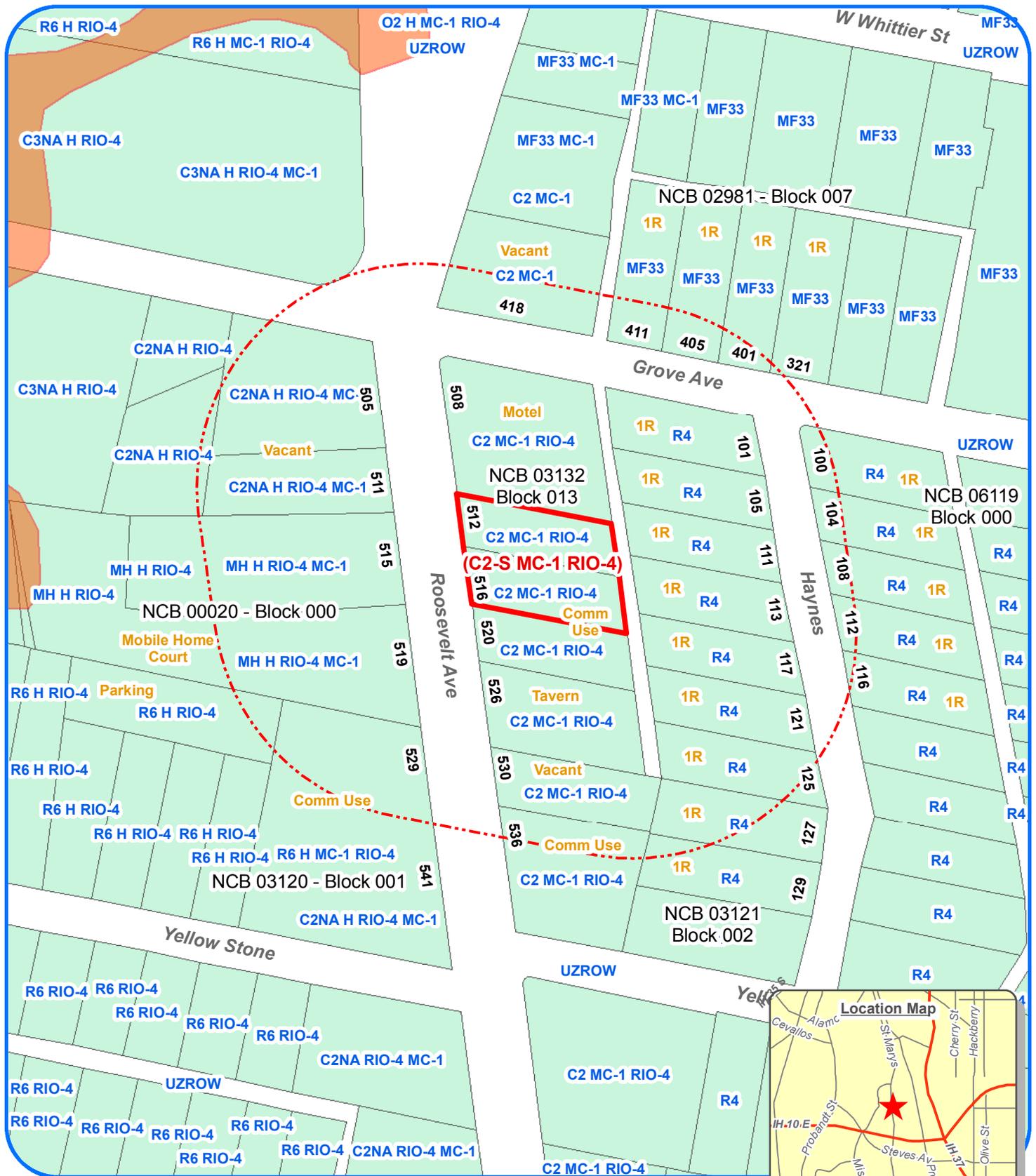
# A Gathering Place

710 Arthur St, San Antonio, Texas

02.22.2011



GRAPHIC SCALE: 1/8" = 1'-0"



## Zoning Case Notification Plan

# Case Z-2011-188 S

Council District 5

Scale: 1" approx. = 120 ft.

Subject Property Legal Description(s): NCB 03132 - Block 013 - Lots 6, 7, 8 and 9

### Legend

- Subject Properties (0.3214 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  
(09/15/2011 - 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 #: Z2011188 S  
Hearing Date: October 4, 2011  
Property Owner: Joe C and Consuelo M Gonzalez  
Applicant: Jesse Ramos  
Representative: Russell Dean Felan  
Location: 512 Roosevelt Avenue  
Legal Description: Lot 6, Lot 7, Lot 8 and Lot 9, Block 13, NCB 3132  
Total Acreage: 0.3214  
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:** "C-2 MC-1 RIO-4 AHOD" Commercial Metropolitan Corridor River Improvement Overlay Airport Hazard Overlay District.

**Requested Zoning:** "C-2 S MC-1 RIO-4 AHOD" Commercial Metropolitan Corridor River Improvement Overlay Airport Hazard Overlay District with Specific Use Authorization for a Bar And/Or Tavern Without Cover Charge 3 or More Days Per Week.

#### **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 September 21, 2011. The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on September 15, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on September 30, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

#### **Notices Mailed**

**Owners of Property within 200 feet:** 35

**Neighborhood Associations:** Roosevelt Park Neighborhood Association

**Planning Team Members:** 16 (South Central San Antonio Community Plan)

**Applicable Agencies:** None

#### **Property Details**

**Property History:** The subject property is located within the City Limits as recognized in 1938. The subject property was originally zoned "J" Commercial District. In October of 2009, the subject property was part of a large area

rezoning that change the zoning to "C-2 MC-1 RIO-4 AHOD" Commercial Metropolitan Corridor River Improvement Overlay 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:** Southeast

**Current Base Zoning:** "C-2 MC-1 RIO-4 AHOD" Commercial Metropolitan Corridor River Improvement Overlay Airport Hazard Overlay District

**Current Land Uses:** Commercial Use

**Direction:** Northwest

**Current Base Zoning:** "C-2 MC-1 RIO-4 AHOD" Commercial Metropolitan Corridor River Improvement Overlay Airport Hazard Overlay District

**Current Land Uses:** Motel

**Direction:** East

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

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

**Direction:** West across Roosevelt Avenue

**Current Base Zoning:** "MH H MC-1 RIO-4 AHOD" Manufactured Housing Mission Historic Metropolitan Corridor River Improvement Overlay Airport Hazard Overlay District

**Current Land Uses:** Mobile Home Park

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

**River Improvement Overlay District "RIO 4":** The purpose of these districts is to establish regulations to protect, preserve and enhance the San Antonio River and its improvements by establishing design standards and guidelines.

**Metropolitan Corridors:** These corridors shall follow arterial streets or expressways in developed portions of the city and shall be directed toward reduction of existing visual clutter, improved design features and preservation of developed areas of the city.

### **Transportation**

**Thoroughfare:** Roosevelt Avenue

**Existing Character:** Secondary arterial one lane in each direction

**Proposed Changes:** None known.

**Public Transit:** The VIA number 34, 42, 232 and 242 bus lines operate along Roosevelt Avenue.

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

**Parking Information:** Minimum Parking Requirement: 1 per 100 sf GSF. Maximum Parking Requirement: 1 per 75 sf GSF.

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

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

#### **1. Consistency:**

The subject property is located within the South Central San Antonio Community Plan and is currently designated as "Mixed Use" land use provides for a concentrated blend of residential, retail, professional service, office, entertainment, leisure and other related uses at increased densities to create a pedestrian-oriented environment. Therefore, the requested zoning district is consistent with the plan.

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

The granting of the Specific Use Authorization for a Bar And/Or Tavern Without Cover Charge 3 or More Days Per Week will have an adverse impact on the area and will limit the potential to accomplish the vision for properties along Roosevelt Avenue.

**3. Suitability as Presently Zoned:**

The current "C-2 MC-1 RIO-4 AHOD" Commercial Metropolitan Corridor River Improvement Overlay Airport Hazard Overlay District is appropriate. The "C-2" Commercial District permits a general commercial activity designed to serve the community.

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

Staff has found indication of likely adverse effects on the public health, safety, or welfare.

**5. Public Policy:**

The Roosevelt Corridor Reinvestment Plan was created through community based processes in which residents, property owners, business owners, neighborhood associations, public/institutional groups and other area stakeholders were given an opportunity to identify short-term, mid-range and long-term goals and objectives. The land use goals and objectives are designed to protect the quality of life of existing and future residents.

The Roosevelt Corridor Reinvestment Plan strategy 3.1 expresses the desire to reduce opportunities for the establishment of high intensity commercial uses (bars, motels, car sales lots, auto repair) outside of higher intensity commercial nodes.

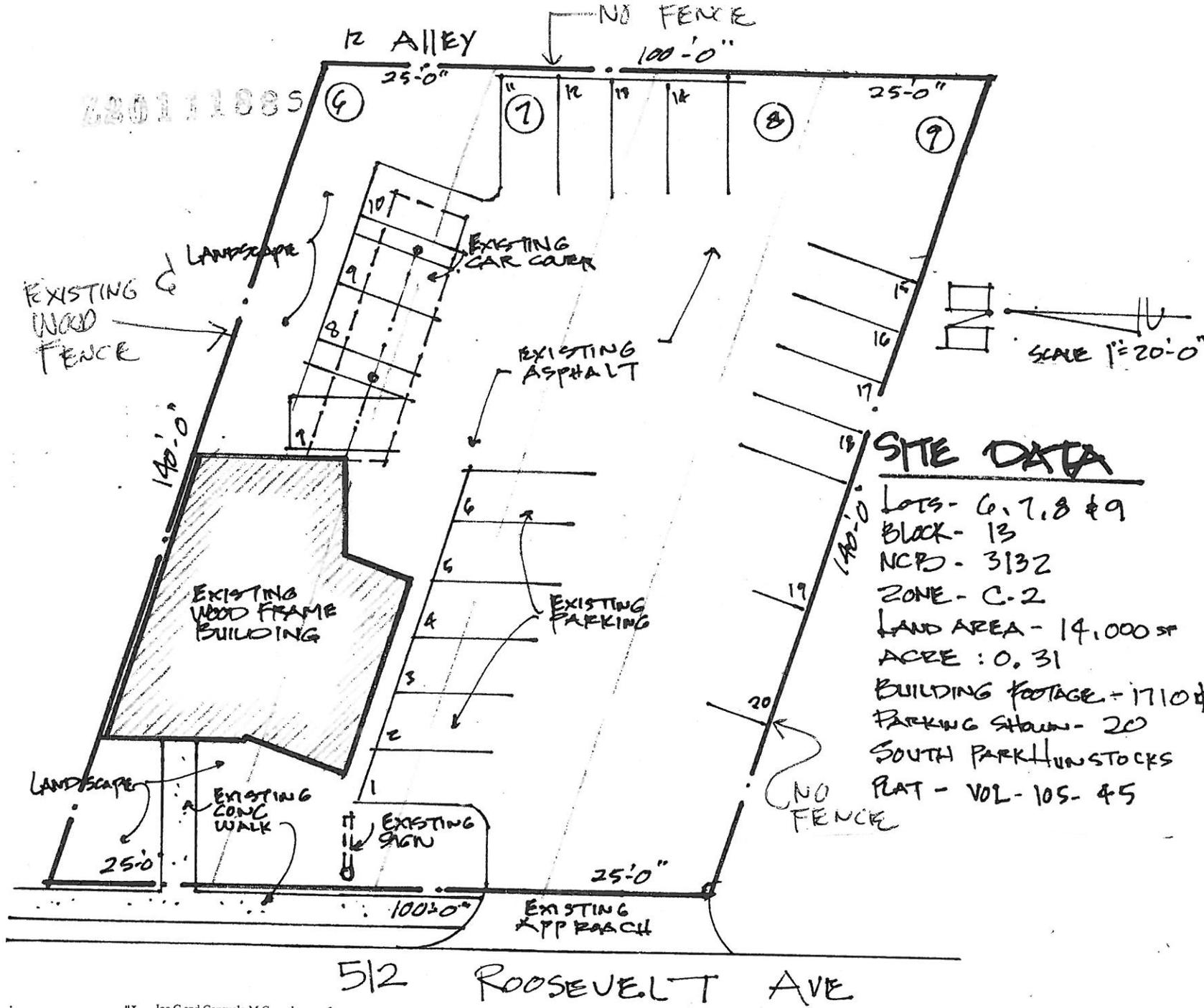
The purpose of the Roosevelt Avenue Metropolitan Corridor rezoning initiative was to reduce the visual chaos and create a more attractive corridor to enhance or complement the area by phasing out intensive commercial uses. The intention of the rezoning was to attract more neighborhood oriented businesses.

**6. Size of Tract:**

The 0.3214 acre tract is of sufficient size to accommodate the proposed use. The applicant has submitted a site plan in order to comply with the Specific Use Authorization requirements.

**7. Other Factors:**

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



**SITE DATA**

LOTS - 6, 7, 8 & 9  
 BLOCK - 13  
 NCD - 3132  
 ZONE - C-2  
 LAND AREA - 14,000 SF  
 ACRE : 0.31  
 BUILDING FOOTAGE - 1710 LF  
 PARKING SHOWN - 20  
 SOUTH PARK HUNSTOCKS  
 PLAT - VOL - 105 - 45

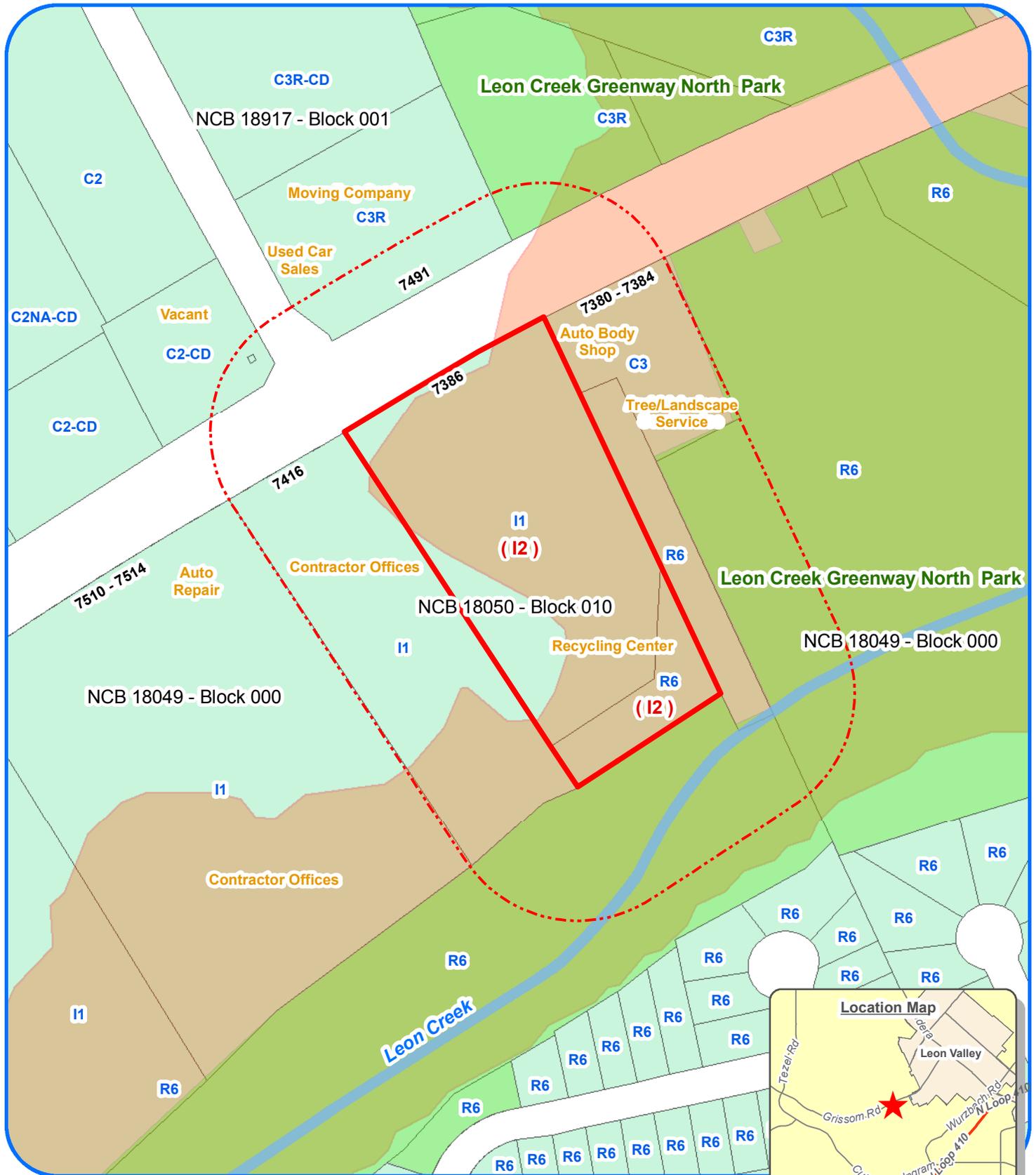
ALL RIGHTS RESERVED  
 THE CITY OF CHICAGO OFFICIAL RECORDS DEPARTMENT  
 PLAT AND RECORDS DIVISION  
 120 N. LAUREL STREET, CHICAGO, IL 60602  
 (773) 348-2200  
 FOR MORE INFORMATION, VISIT US ONLINE AT [www.chicago.gov](http://www.chicago.gov)

FILED 08/18/11  
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 CIVIL ENGINEER  
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512 ROOSEVELT

JOB NO.  
 DRAWN BY: R. Felan  
 DATE: AUG 18, 11  
 SHEET: A-1

The following statement: "I, Joe C and Consuelo M Gonzalez, the property owner, acknowledge that this site plan submitted for the purpose of rezoning this property is in accordance with all applicable provisions of the Unified Development Code. Additionally, I understand that City Council approval of a site plan in conjunction with a rezoning case does not relieve me from adherence to any/all City-adopted Codes at the time of plan submittal for building permits.



### Zoning Case Notification Plan

## Case Z2011189

Council District 6

Scale: 1" approx. = 200 ft.

Subject Property Legal Description(s): NCB 18050 - Block 010 - Irr 347.42 ft of Lot 2 and NCB 18049 - Parcel 209

#### Legend

- Subject Properties ——— (4.31 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  
(09/15/2011 - 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 #: Z2011189  
Hearing Date: October 4, 2011  
Property Owner: LBT Enterprises, Inc.  
Applicant: Habib Erkan, Jr.  
Representative: Habib Erkan, Jr.  
Location: 7386 Grissom Road  
Legal Description: Parcel 209 (formerly Parcel 23), NCB 18049 and Lot 2, Block 10, NCB 18050, save and except those portions conveyed to the City of San Antonio in Volume 14256, Page 1795-1801 and Volume 14256, Page 1802-1807  
Total Acreage: 4.173  
City Council District: 6  
Case Manager: Micah Diaz, Planner  
Case History: This is the first public hearing for this zoning case.

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## Proposed Zoning Change

**Current Zoning:** "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District and "I-1 AHOD" General Industrial Airport Hazard Overlay District

**Requested Zoning:** "I-2 AHOD" Heavy Industrial 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 16, 2011. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on September 23, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on September 30, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

## Notices Mailed

**Owners of Property within 200 feet:** 12

**Neighborhood Associations:** None

**Planning Team Members:** 37 – West/Southwest Sector Plan

**Applicable Agencies:** None

## Property Details

**Property History:** The subject property was annexed in 1985 (Ordinance 61624), and was originally zoned "Temp R-1" Temporary Single Family Residence District. In a 1988 case, a large portion of the subject property was split-

zoned “B-3R” Restrictive Business District (along the street frontage) and “I-1” Light Industry District. The “B-3R” portion of the parcel was later conveyed to accommodate the widening of Grissom Road. The southern-most portion of the subject property was not included in the 1988 zoning case. Upon adoption of the 2001 Unified Development Code, the previous “Temp R-1” and “I-1” base zoning districts converted to the current “R-6” Residential Single-Family District and “I-1” General Industrial District, respectively. According to the Bexar County Appraisal District, the existing office space measures 4,284 square feet in size and was constructed in 1970, while the warehouse space measures 32,690 square feet and was constructed in 1975. The subject property is comprised of an unplatted parcel and a portion of a previously platted lot (volume 9519, page 153). The subject property has been used as a recycling facility since 1996.

**Topography:** Much of the subject property is located within the floodplain. The property abuts Leon Creek and the Leon Creek Greenway Park.

## **Adjacent Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** “C-3R” General Commercial Restrictive Alcohol Sales District

**Current Land Uses:** Auto sales, moving company, vehicle storage, and city park

**Direction:** East

**Current Base Zoning:** “C-3” General Commercial District and “R-6” Residential Single-Family District

**Current Land Uses:** Auto paint and body shop, ornamental landscaping contractor, and city park

**Direction:** South

**Current Base Zoning:** “R-6”

**Current Land Uses:** Leon Creek

**Direction:** West

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

**Current Land Uses:** Contractor facilities and auto repair

**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:** Grissom Road

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

**Proposed Changes:** None known

**Thoroughfare:** Heath Road

**Existing Character:** Local street; one lane in each direction

**Proposed Changes:** none known

**Public Transit:** VIA bus line 610 operates along Grissom Road with two stops directly adjacent to the subject property.

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

**Parking Information:** There are no off-street parking requirements specific to recycling facilities in the Unified Development Code.

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

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

### **1. Consistency:**

The subject property is located within the West/Southwest Sector Plan area, and is designated as “Suburban Tier” in the future land use component of the plan. The requested zoning is not consistent with the future land use designation. The applicant has requested a plan amendment for “Specialized Center”. Staff recommends denial and Planning Commission recommends approval of the plan amendment request.

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

The “I-2” Heavy Industrial District is meant to accommodate the most intense industrial and manufacturing uses which tend to be highly hazardous, environmentally severe in character and generate very high volumes of truck traffic. The “I-2” district should provide sites for activities which involve major transportation terminals, and manufacturing facilities that have a greater impact on the surrounding area than industries found in the “L” Light Industrial District or “I-1” General Industrial District.

The heavy industrial and manufacturing uses permitted in the “I-2” district could have significant environmental repercussions on the neighboring Leon Creek.

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

The existing industrial zoning is not consistent with the adopted future land use designation. Many of the surrounding properties carry overly intense industrial and commercial zoning that does not conform to the North Sector Plan and that is not compatible with the abutting greenway.

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

Recycling facilities with indoor storage and processing are permitted in the existing “I-1” zoning district. However, the existing facility has expanded into the abutting residentially zoned area and has added outdoor operations. Recycling centers with outside processing and storage require heavy industrial zoning. Typically, when heavy industrial zoning abuts residential zoning, 40-foot wide, Type F landscape buffers are required. As the subject property is currently developed without buffers, no new construction is proposed, and the abutting residentially zoned property is a natural area, installation of landscape buffers will not be required.

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

Recycling facilities are subject to additional regulations within Chapter 16 of the City of San Antonio Code of Ordinances. These regulations are not enforced through the zoning process.

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

Recycling facilities with indoor storage and processing are permitted in the existing “I-1” zoning district. However, the existing facility has expanded into the abutting residentially zoned area and has added outdoor operations. Recycling centers with outside processing and storage require heavy industrial zoning. Typically, when heavy industrial zoning abuts residential zoning, 40-foot wide, Type F landscape buffers are required. As the subject property is currently developed, no new construction is proposed, and the abutting residentially zoned property is a natural area, the proposed heavy industrial use will not be required to provide landscape buffers.

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

None.



**Zoning Case Notification Plan**

**Case Z-2011-190 CD**

Council District 1

Scale: 1" approx. = 100 ft.

Subject Property Legal Description(s): NCB 02074 - Block 002 - Lots 22, 23 and S 65 ft of Lot 21 aka Lot 27, Block 2, NCB 2074

**Legend**

- Subject Properties (0.443 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  
(09/15/2011 - 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 #: Z2011190 CD

Hearing Date: October 4, 2011

Property Owner: West End Baptist Church

Applicant: Civil Engineering Consultants

Representative: Civil Engineering Consultants (Paul Mathis, P. E.)

Location: 718 Kentucky Avenue; Located on the south side of Kentucky Avenue between North Calaveras to the west and North Navidad to the east.

Legal Description: Lots 22 and 23 and the south 65 feet of Lot 21, Block 2, NCB 2074 also known as Lot 27, Block 2, NCB 2074.

Total Acreage: 0.443

City Council District: 1

Case Manager: Brenda Valadez, Planner

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

### Proposed Zoning Change

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

**Requested Zoning:** "R-4 CD AHOD" Residential Single Family Airport Hazard Overlay District with a Conditional Use for a Non-Commercial Parking Lot

### Procedural Requirements

The request was publicly noticed in accordance with Section 403 of the Unified Development Code (UDC). The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on September 15, 2011. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on September 21, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on September 30, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

### Notices Mailed

**Owners of Property within 200 feet:** 31

**Neighborhood Associations:** None

**Planning Team Members:** 21 (Near Northwest Community Plan)

**Applicable Agencies:** None

## **Property Details**

**Property History:** The subject site is undeveloped. The property is located within the City Limits as they were recognized in 1936, and was originally zoned "B" Residence District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "R-4" Residential Single-Family District.

**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:** R-4

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

**Direction:** South

**Current Base Zoning:** R-4, O-2

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

**Direction:** East

**Current Base Zoning:** R-4

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

**Direction:** West

**Current Base Zoning:** R-4

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

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

## **Transportation**

**Thoroughfare:** Kentucky Avenue

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

**Proposed Changes:** None known

**Thoroughfare:** North Navidad

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

**Proposed Changes:** None known

**Thoroughfare:** North Calaveras

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

**Proposed Changes:** None known

**Public Transit:** The nearest VIA buslines are the numbers 82, 88, 282 and 288, which operate along Culebra Road.

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

**Parking Information:** N/A

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

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

### **1. Consistency:**

The property is located within the Near Northwest Community Plan and is currently designated as “Urban Low Density Residential” in the Future Land Use Plan. The zoning request is consistent with the Future Land Use designation.

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

Staff finds the requested Conditional Use to be appropriate given that the subject property will remain R-4 and will continue to permit residential development. The Conditional Use will only permit the parking lot. Additionally, the request would alleviate potential on-street parking issues due to larger services.

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

The current residential zoning is appropriate for the area. Staff finds this request reasonable due to the location of the subject property and the existing similarly zoned properties in the immediate area. The application of a conditional use provides an opportunity to limit the impact of the proposed use on surrounding properties. The proposed parking lot would provide additional parking for the West End Baptist Church, which is located at 925 Culebra Road.

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

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

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

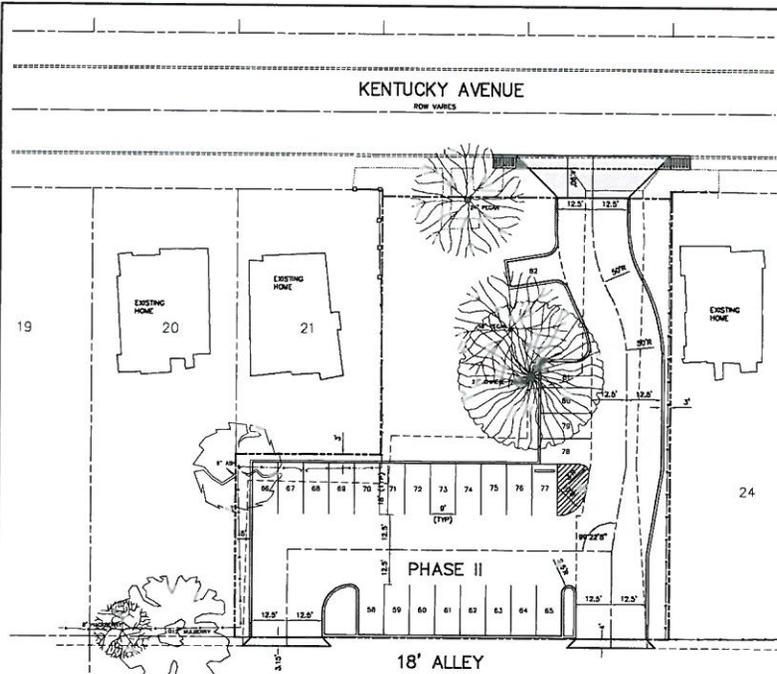
The request does not appear to conflict with any established public policy objective.

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

The 0.443 acre tract is of sufficient size to accommodate the requested zoning, as well as the proposed use.

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

None.



I, John P. Smith, Owner's Representative (Head of Building Committee for West End Baptist Church, an Unincorporated Association), acknowledge that this site plan submitted for the purpose of rezoning this property is in accordance with all applicable provisions of the Unified Development Code. Additionally, I understand that City Council approval of a site plan in conjunction with a rezoning case does not relieve me from adherence to any/all City-adopted Codes at the time of plan submittal for building permits.

**ZONING CASE POINTS:**

1. TABULATION OF ACREAGE IN PROPOSED DEVELOPMENT: 0.443 AC (LOT 27)
2. TOTAL LOTS: 1 (LOT 27)
3. AREA OF OPEN SPACE: 0.165 AC
4. AREA OF IMPERVIOUS COVER: 0.278 AC
5. REQUIRED SETBACKS:
  - R-4 FRONT SETBACK: 10'
  - R-4 SIDE SETBACK: 5'
  - R-4 REAR SETBACK: 20'
6. INTENDED USE OF PROPERTY IS: PRIVATE, NON-COMMERCIAL PARKING LOT
7. NO EXISTING STRUCTURES ON PROPOSED LOT 27 (TO BE REZONED)
8. 82 PROPOSED PARKING SPACES, 4 ADA SPACES (ALL IN PHASE I AREA - SOUTH OF 18' ALLEY)
9. 25 PROPOSED PARKING SPACES IN PHASE II (TO BE REZONED)
10. ALL PROPOSED DRIVEWAY APRONS ARE CSA STANDARD 45" FROM PROPERTY LINE TO EXISTING PAVEMENT EDGE
11. PHASE I IS PROPOSED PARKING LOT SOUTH OF 18' ALLEY; PHASE II IS PROPOSED PARKING LOT NORTH OF 18' ALLEY (AREA BEING REZONED)

**RECEIVED**  
**11 SEP -2 AM 7:57**  
**LAND DEVELOPMENT**  
**SERVICES DIVISION**

THE SEAL, APPROVED OR THE DOCUMENT WAS  
 REVIEWED BY OTHER, SUBJECT TO THE  
 REQUIREMENTS OF THE PROFESSIONAL SEAL OF THE  
 DOCUMENT IN THIS PROFESSIONAL SEAL OF THE  
 PROFESSIONAL ENGINEER IS IN FULL COMPLIANCE WITH  
 THE REQUIREMENTS OF THE PROFESSIONAL SEAL OF THE  
 PROFESSIONAL ENGINEER AND THE SEAL IS ON  
 FILE IN THE OFFICE OF THE PROFESSIONAL  
 AVAILABLE FOR EXAMINATION UPON REQUEST

**Kohutek**  
 Engineering & Planning, Inc.  
 3300 East University Avenue  
 Georgetown, Texas 78626  
 PHONE: 817-946-5842 FAX: 817-946-5852

|       |      |          |
|-------|------|----------|
| NO. 1 | DATE | REVISION |
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**SITE PLAN - ZONING CASE**  
**WEST END BAPTIST CHURCH PARKING LOT ADDITIONS**  
 925 CULEBRA ROAD, SAN ANTONIO, TX 78201  
**PROPOSED LOT 27**

DATE: 1SEP11  
**ZC**



## Zoning Case Notification Plan

### Case Z-2011-191

Council District 3

Scale: 1" approx. = 120 ft.

Subject Property Legal Description(s): NCB 03819 - Block 025 - Lots 45, 46, and 47

#### Legend

- Subject Properties (0.207 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 AHOD Zoning (Airport Hazard Overlay District).**



# City of San Antonio Development Services Department Staff Report

To: Zoning Commission  
Zoning Case #: Z2011191  
Hearing Date: October 4, 2011  
Property Owner: R J & P Development, LLC  
Applicant: Mark S. Brown, P.E. c/o Jones & Carter, Inc.  
Representative: Mark S. Brown, P.E. c/o Jones & Carter, Inc.  
Location: 339 Channing  
Legal Description: Lots 45, 46, and 47, Block 25, NCB 3819  
Total Acreage: 0.207 of an acre  
City Council District: 3  
Case Manager: Micah Diaz, Planner  
Case History: This is the first public hearing for this zoning case.

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## **Proposed Zoning Change**

**Current Zoning:** "NP-8 AHOD" Neighborhood Preservation Airport Hazard Overlay District

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

## **Procedural Requirements**

The request was publicly noticed in accordance with Section 403 of the Unified Development Code (UDC). The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on September 16, 2011. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on September 23, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on September 30, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

## **Notices Mailed**

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

**Neighborhood Associations:** Southeast Citizens Committee and Highland Park Neighborhood Association

**Planning Team Members:** 37 – Highland Community Plan

**Applicable Agencies:** None

## Property Details

**Property History:** The subject property is located within the city limits as they were recognized in 1938, and were originally zoned "B" Residence District. In a 2000 case, the property was rezoned to "R-1a" Single-Family Residence District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "NP-8" Neighborhood Preservation District. The property is platted, but remains undeveloped.

**Topography:** The 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:** "R-6" Residential Single-Family District and "NP-8" Neighborhood Preservation District

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

**Direction:** West and East

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

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

**Direction:** South

**Current Base Zoning:** "R-6", "RM-4" Residential Mixed District and "MF-33" Multi-Family District

**Current Land Uses:** Single-family, duplex, and multi-family residences

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

## Transportation

**Thoroughfare:** Channing, South Mittman Street, Cosgrove Street

**Existing Character:** Local streets; one lane each way with no center stripe and no sidewalks

**Proposed Changes:** None known

**Public Transit:** No public transit lines operate in the general area surrounding 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:** Single-family residences are required to provide one parking space per dwelling unit.

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

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

### **1. Consistency:**

The subject property is located within the Highlands Community Plan, and is designated as “Low Density Residential” in the future land use component of the plan. Both the existing and requested zoning districts are consistent with the adopted land use plan.

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

Staff finds no evidence of likely adverse impacts on neighboring properties.

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

The existing and requested zoning districts allow the same uses. The “NP-8” district carries a minimum lot size requirement of 8,000 square feet, while the “R-6” district requires 6,000 square feet of land.

The surrounding neighborhood includes single-family development on lots ranging from 6,000 to 10,000 square feet in size, with a limited number of lots as large as 20,000 square feet.

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

Staff finds no evidence of likely negative impacts on the public health, safety or welfare.

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

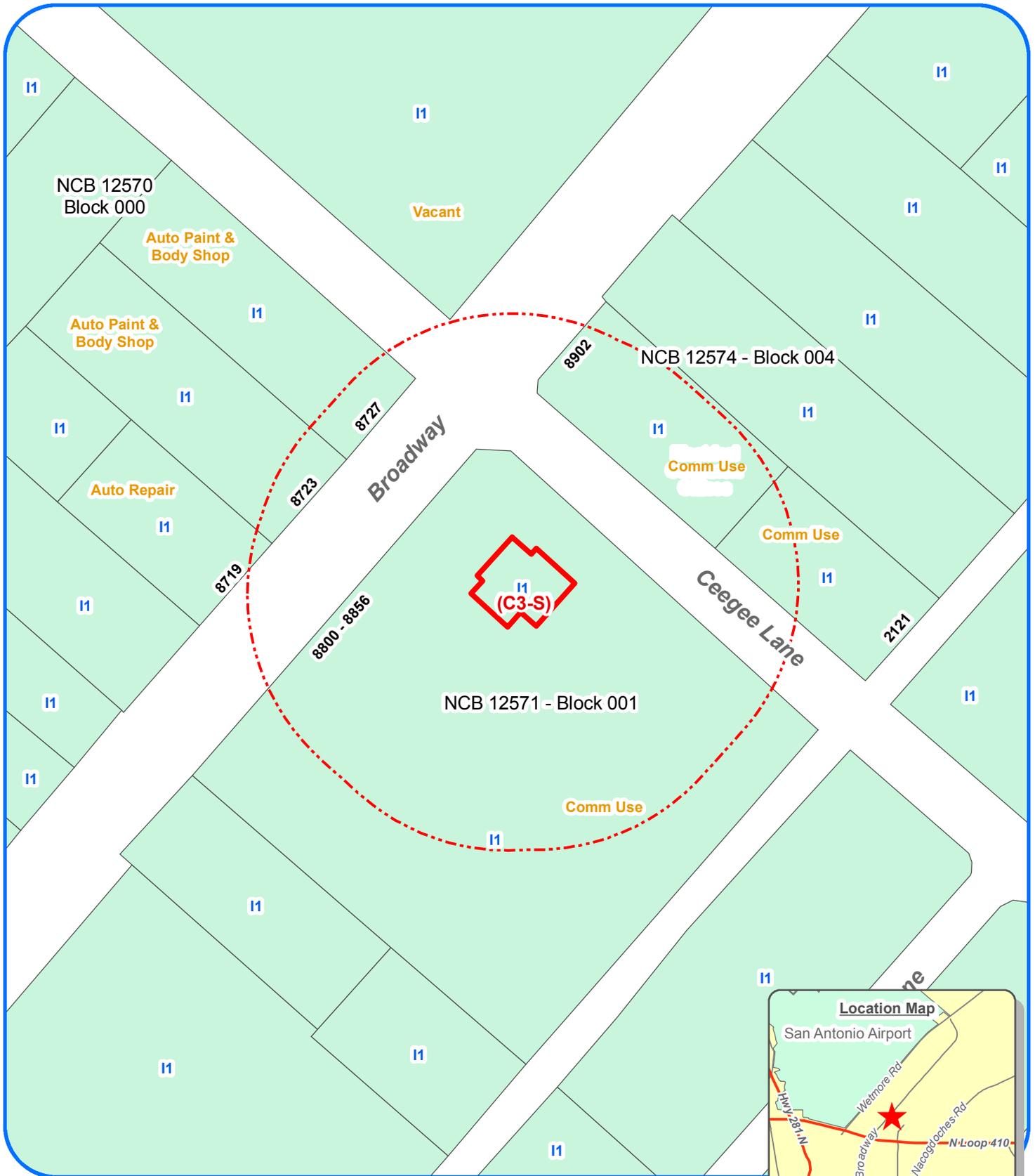
None.

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

The subject property is of sufficient size to accommodate residential development. “R-6” zoning was approved for the surrounding properties located northwest and west of the subject property. The area will likely be replatted into 6,000 square foot lots.

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

None.



## Zoning Case Notification Plan

### Case Z-2011-192 S

Council District 10

Scale: 1" approx. = 120 ft.

Subject Property Legal Description(s): 0.0967 of an acre out of NCB 12571

#### Legend

- Subject Properties (0.0967 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 AHOD Zoning (Airport Hazard Overlay District).**



# City of San Antonio

## Development Services Department

### Staff Report

To: Zoning Commission

Zoning Case #: Z2011192 S

Hearing Date: October 4, 2011

Property Owner: CC Citrus Park, LLC

Applicant: Brenda Dove

Representative: Brian Harris

Location: 8800 Broadway, #102; Located southwest of the intersection of Broadway and Ceegee Lane

Legal Description: 4,215 square feet (0.0967 of an acre) out of Lot 1, Block 1, NCB 12571

Total Acreage: 0.0967

City Council District: 10

Case Manager: Brenda Valadez, 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-3 S AHOD" General Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Nightclub with cover charge three or more days per week

### **Procedural Requirements**

The request was publicly noticed in accordance with Section 403 of the Unified Development Code (UDC). The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on September 15, 2011. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on September 21, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on September 30, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

### **Notices Mailed**

**Owners of Property within 200 feet:** 6

**Neighborhood Associations:** None

**Planning Team Members:** San Antonio International Airport Vicinity Land Use Plan

**Applicable Agencies:** Aviation

## **Property Details**

**Property History:** The subject site is currently developed with a multi-tenant structure measuring 77,764 square feet in total. According to the Bexar County Appraisal District, the 77,764 square foot structure was constructed in 1979. The subject property was annexed in 1952. The subject property was originally zoned "J" Commercial District. Upon adoption of the Unified Development Code, the previous base zoning district converted to the current "I-1" General Industrial 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:** I-1

**Current Land Uses:** Vacant land

**Direction:** South

**Current Base Zoning:** I-1

**Current Land Uses:** Commercial uses

**Direction:** East

**Current Base Zoning:** I-1

**Current Land Uses:** Commercial uses

**Direction:** West

**Current Base Zoning:** I-1

**Current Land Uses:** Auto Repair, Auto Paint and Body and 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:** Broadway

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

**Proposed Changes:** None known

**Thoroughfare:** Ceegee Lane

**Existing Character:** Local B Street; 2 lanes in each direction

**Proposed Changes:** None known

**Public Transit:** The nearest VIA busline is the number 9 line which operate along Broadway.

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

**Parking Information:** Parking requirements for a nightclub are determined by the building area gross square footage, which includes accessory uses such as offices, kitchens, restrooms, storage areas, mechanical and dressing rooms.

Minimum Parking Requirement: 1 space per 100 square feet of GSF

Maximum Parking Requirement: 1 space per 75 square feet of GSF

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

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

### **1. Consistency:**

The property is located within the San Antonio International Airport Vicinity Land Use Plan and is currently designated as “Light Industrial” 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 are zoned for commercial and industrial uses and contain said type of uses.

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

The adopted San Antonio International Airport Vicinity Land Use Plan identifies the subject property as Light Industrial and all surrounding areas as Light Industrial and Regional Center in the Future Land Use component of the plan. The existing I-1 zoning district is inconsistent with the adopted land use plan.

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

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

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

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

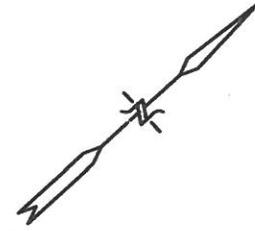
### **6. Size of Tract:**

The subject property is 0.0967 of an acre, which should be able to reasonably accommodate the proposed commercial use with adequate spaces for parking and loading.

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

Should the zoning request be granted, the applicant has been made aware that they will be responsible for following the Texas Alcoholic Beverage Commission (TABC) minimum distance requirements, which prohibits the sell of alcohol within 300 feet of a church, school or hospital. There is a church located in the shopping center since 2003.

I, WAYNE KAO, PRESIDENT OF CC CITRUS PARK, LLC, THE PROPERTY OWNER, ACKNOWLEDGE THAT THIS SITE PLAN SUBMITTED FOR THE PURPOSE OF REZONING THIS PROPERTY IS IN ACCORDANCE WITH ALL APPLICABLE PROVISIONS OF THE UNIFIED DEVELOPMENT CODE. ADDITIONALLY, I UNDERSTAND THAT CITY COUNCIL APPROVAL OF A SITE PLAN IN CONJUNCTION WITH A REZONING CASE DOES NOT RELIEVE ME FROM ADHERENCE TO ANY/ALL CITY-ADOPTED CODES AT THE TIME OF PLAN SUBMITTAL FOR BUILDING PERMITS.

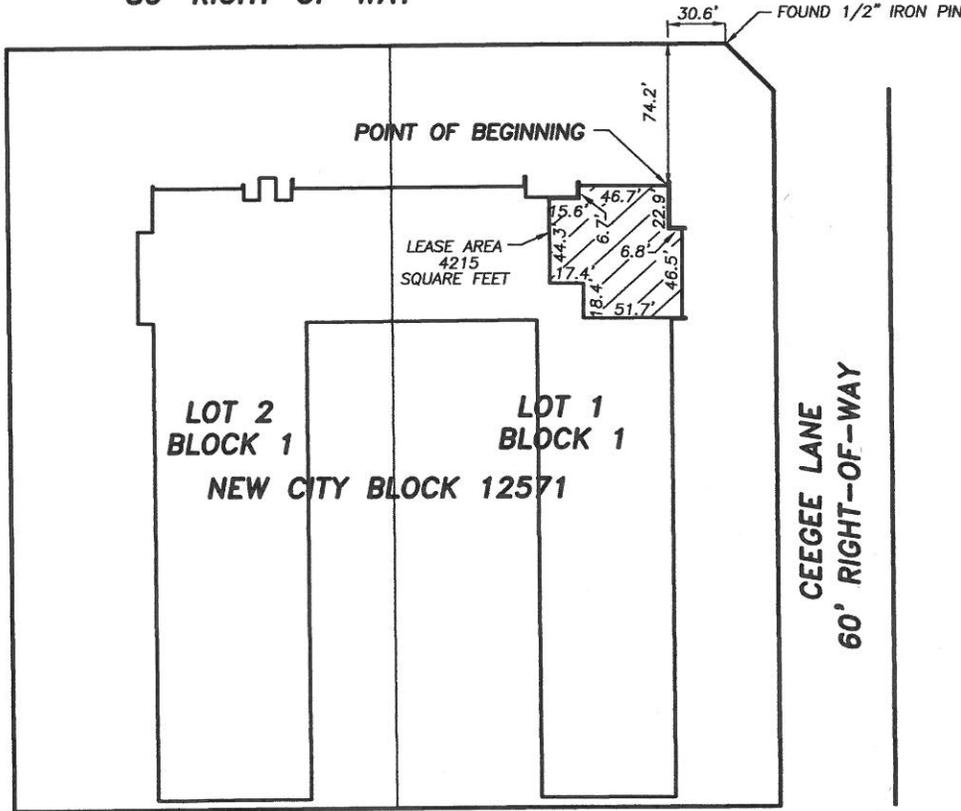


SCALE 1" = 100'



0' 50' 100' 200'

BROADWAY  
80' RIGHT-OF-WAY



30' ALLEY

CEECEE LANE  
60' RIGHT-OF-WAY

NOTE: SETBACKS, PARKING, LANDSCAPING AND INFRASTRUCTURE IS PROVIDED ON THE ENTIRE LOT & IS NOT SUBJECT TO REZONING.

NOTE:  
IMPERVIOUS COVER IS 4215 SF.

THE INTENDED USE OF THIS PROPERTY TO BE REZONED IS A NITE CLUB.



NORTHSTAR LAND SURVEYING, INC.  
9033 AERO ST., SUITE 105  
SAN ANTONIO, TEXAS 78217  
(210) 826-6228

REZONING SKETCH OF  
8800 BROADWAY, SUITE 102  
4,215 SQUARE FEET OUT OF LOT 1, BLOCK 1,  
NEW CITY BLOCK 12571, TOWN AND COUNTRY ESTATES  
UNIT 1, SAN ANTONIO, BEXAR COUNTY, TEXAS,  
ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME  
3700, PAGE 120 OF THE DEED AND PLAT RECORDS  
OF BEXAR COUNTY, TEXAS.

DRAWN BY: JOHN RAMON  
JOB NO. 8-11-0033