



CASE NO: Z2002188

Zoning Commission Meeting Date: October 15, 2002

Council District: 8

Ferguson Map: 547 B1

Appeal: No

Applicant:

Harry Jewett

Owner

Sallie Woodul Turner c/o NBS Paine Webber
Trust Co.

Zoning Request:

From "C-3 ERZD" Commercial Edwards Recharge Zone District to "MF-25
ERZD" Multi-Family Edwards Recharge Zone District.

Parcel P-3, NCB 14867

Property Location:

12503 NW FM 1604

Applicants Proposal:

To permit apartments

Staff Recommendation:

Approval. "MF-25" is a downzoning from "C-3". "MF-25" is appropriate zoning for this location on FM 1604. This segment of FM 1604 has a mixture of "R-6", "C-1", "C-2" and "C-3" zoning.

Zoning Commission Recommendation:

Approval

VOTE

FOR	11
AGAINST	0
ABSTAIN	0
RECUSAL	0

Z2002188

ZONING CASE NO. Z2002188 October 15, 2002

Applicant: Harry Jewett

Zoning Request: "C-3" ERZD Commercial Edwards Recharge Zone District to
"MF-25" ERZD Multi Family Edwards Recharge Zone District.

Harry Jewett, 2611 N. Main, representing the owner, stated their intent is to develop an apartment complex. He further stated he feels this is an appropriate utilization for this site.

Staff stated there were 7 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

COMMISSION ACTION

The motion was made by Commissioner Morell seconded by Commissioner Grau to recommend approval.

1. Property is located on Parcel P-3, NCB 14867 at 12503 Northwest FM 1604.
2. There were 7 notices mailed, 0 returned in opposition and 1 in favor.
3. Staff recommends approval.

**AYES: Mehringer, Grau, Cardenas-Gamez, Kissling, McGowan, Hophan, Sherrill,
McAden, Avila, Morell, Martinez**

NAYS: None

THE MOTION CARRIED.

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.

SAN ANTONIO WATER SYSTEM
Interdepartment Correspondence Sheet

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LAND DEVELOPMENT
SERVICES DIVISION

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, Bruce Haby, Planner III, Aquifer Protection & Evaluation Section, File.

Subject: Zoning Case Z2002188 (12503 NW Loop 1604)

Date: September 30, 2002

SUMMARY

A request for a change in zoning has been made for an approximate 16.337-acre tract located on the city's northwest side. A change in zoning from "B-3NA ERZD" to "MF-25 ERZD", is being requested by the applicant Harry Jewett on behalf of the owner Sallie Woodul Turner c/o NBS Pain Weber Trust Company. The change in zoning will allow for the construction of a 255 unit multi-family development.

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

LOCATION

The subject tract is located in City Council District 8, on the northwest side of Loop 1604 south of Hausman Road. Approximately 16.337-acres subject tract is located within the Edwards Aquifer Recharge Zone as noted in (Figures 1 and 2).

SITE EVALUATION

The Aquifer Protection and Evaluation Section of the San Antonio Water System conducted an investigation of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. No significant recharge features were found during our site investigation.

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The approximate 16.337-acre tract is currently undeveloped and covered with a mixture of trees and brush. Staff reviewed the abandoned well files of the Groundwater Resource Protection Section of SAWS and no abandoned water wells were noted on the subject tract. Prior to any construction activities a Water Pollution Abatement Plan (WPAP) is required to be submitted to and approved by the Texas Commission on Environmental Quality (TCEQ). At that time, staff will conduct additional investigation of the property and review the Geologic Assessment. Based on hydrogeologic mapping of the Edwards Aquifer Recharge Zone, the Cyclic and Marine members are present at the surface. However, no exposed outcropping of Edwards formations were noted due to the property being covered in a layer of soil.

The general direction of drainage is from the north to the south toward French Creek. The property displays low topographic relief. Based on our analysis, a small portion of the subject property is located within the 100-Year Floodplain according to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) No. 48029C0421E dated February 16, 1996. If applicable, floodplain buffering zones shall be established parallel to all flood plain areas as established in Section 34-913 of the Aquifer Protection Ordinance 81491.

ENVIRONMENTAL CONCERNS

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

1. The build-up of hydrocarbons and other pollutants on streets, parking lots and other paved areas, which are then carried off in the first flush of stormwater run-off.
2. 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.
3. The proper construction of the sewer mains and service laterals to prevent wastewater from entering the subsurface
4. The proper design, construction, and maintenance of the water pollution abatement structure.

ENVIRONMENTAL RECOMMENDATIONS

The following are recommendations to address the environmental concerns associated with the construction of this residential development on the Edwards Aquifer Recharge Zone:

1. The following shall be submitted to the Aquifer Protection & Evaluation Section of the San Antonio Water System prior to the release of any building permits:

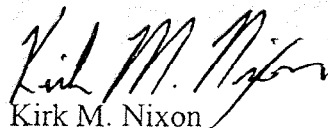
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- A. A WPAP shall be submitted for each particular development/use within the area being considered for re-zoning.
 - B. A set of site specific plans which must have a signed Engineers Seal from the State of Texas,
 - C. A letter from the Texas Commission on Environmental Quality approving each WPAP,
 - D. A copy of the approved WPAP.
2. All stormwater run-off from commercial or residential development shall be directed to a stormwater abatement system that shall be approved by the Resource Protection & Compliance Department of the San Antonio Water System prior to the release of any building permits.
 3. After the water pollution abatement structure construction is complete and prior to the start of business, the owner shall notify the Resource Protection & Compliance Department at (210) 704-1103 to schedule a site inspection.
 4. If the water pollution abatement structure fails to drain properly, the owner shall notify the Resource Protection & Compliance Department at (210) 704-7392.
 5. If applicable, floodplain buffering zones shall be established parallel to all flood plain areas as established in Section 34-913 of the Aquifer Protection Ordinance 81491.
 6. All water pollution abatement structures shall be properly maintained and kept free of trash and debris.
 7. According to the provisions contained in the Edwards Rules 30 TAC, Section 213.5 (b)(5), the WPAP applicant is responsible for maintaining the permanent water pollution abatement structures and all other BMP's after construction until such time as the maintenance obligation is either assumed in writing by another entity having ownership or control of the property (such as without limitation, an owner's association, a new property owner or lessee, a district, or municipality) or the ownership of the property is transferred to the entity. Such entity shall then be responsible for maintenance until another entity assumes such obligations in writing.
 7. Landscaped areas shall be sensitive to minimizing water needs (i.e. use of native plants). The owner/operator of this development shall be informed in writing about Best Management Practices (BMP) of 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 recognized authorities such as the Natural Resource Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, etc. shall be used.

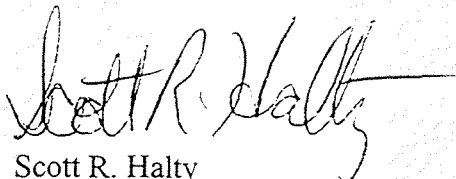
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8. The owner/applicant of this development shall contact the San Antonio Water System at (210) 704-7259 to obtain information about commercial conservation programs and rebate opportunities.
9. The storage, handling, use and disposal of all over the 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.
10. The City of San Antonio shall inspect all future construction of service laterals and sewer mains for proper construction according to State and City Regulations and Code.
11. If any 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) 704-7392.
12. The Resource Protection & Compliance Department 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.

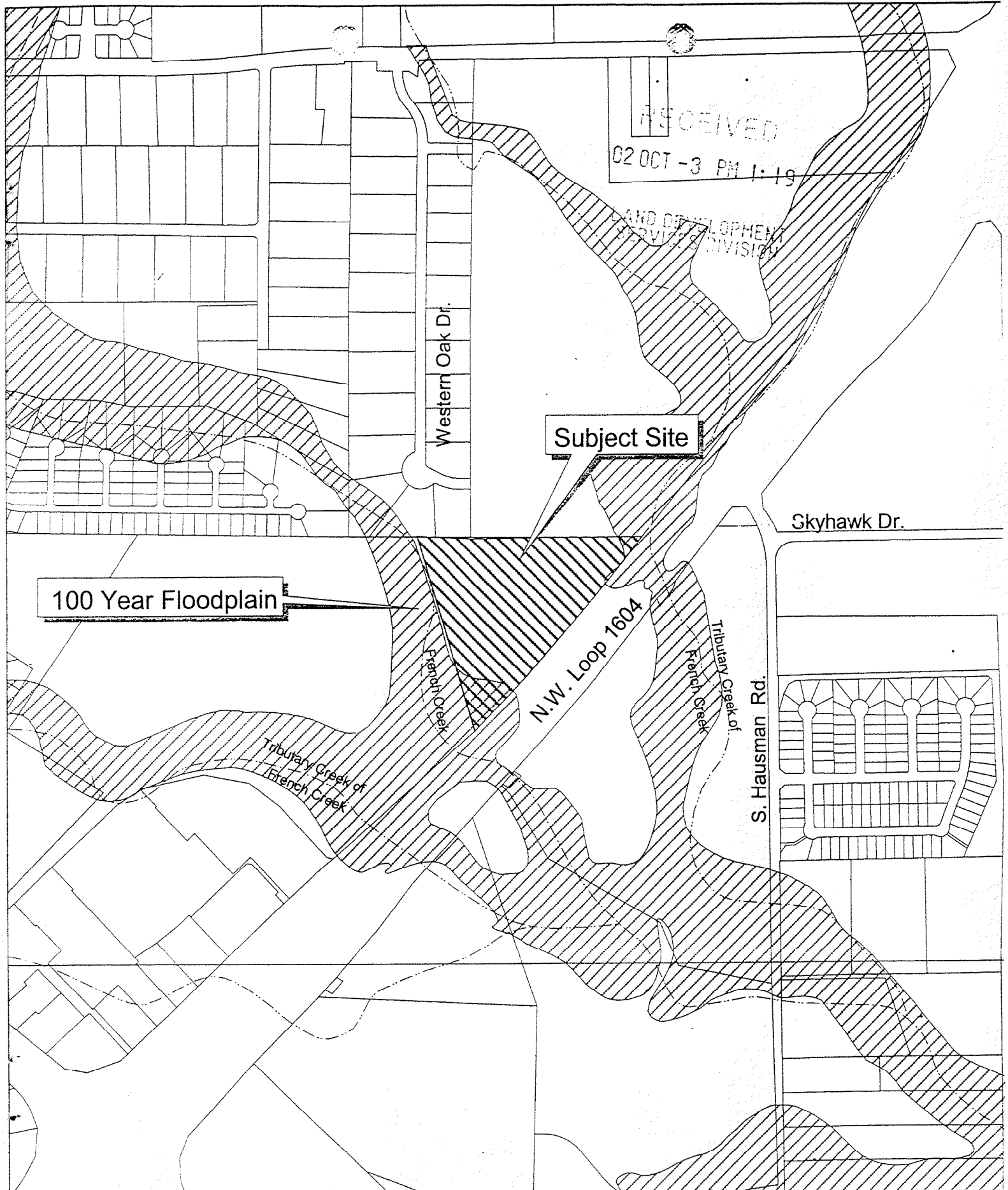
Based on the evaluation of the property, the information submitted by the applicant, and the proposed land use, staff recommends approval provided the applicant agrees to abide by all recommendations contained in this document.


Kirk M. Nixon
Manager
Resource Protection Division

APPROVED:


Scott R. Halty
Director
Resource Protection & Compliance Department

KMN:BAH



12503 N.W. F.M. 1604
Zoning Case Number Z2002188



