



# CASE NO: Z2002243

**Zoning Commission Meeting Date:** December 17, 2002

**Council District:** 9

**Ferguson Map:** 515 F2

**Appeal:** No

**Applicant:**

Concordia Group

**Owner**

Concordia Group

**Zoning Request:**

From "R-6 ERZD" Residential Single-Family Edwards Recharge Zone District to "C-2 NA ERZD" Commercial, Nonalcoholic Sales Edwards Recharge Zone District.

2.26 acres out of NCB 16334

**Property Location:**

Blanco Springs near North Loop 1604

**Applicants Proposal:**

To match the remaining portion of the lot

**Staff Recommendation:**

Approval. The proposal is a logical extension of existing "C-2" zoning. This unusual triangular piece of property was caused by ownership and annexation. The site is located on F.M. 1604. When combined with the existing "C-2" zoning, the subject property can provide retail and service uses to the apartments to the north and the school to the west.

**Zoning Commission Recommendation**

Approval

**VOTE**

**FOR** 10

**AGAINST** 0

**ABSTAIN** 0

**RECUSAL** 0

Z2002243

ZONING CASE NO. Z2002243 December 17, 2002

Applicant: Concordia Group

Zoning Request: "R-6" ERZD Residential Single Family Edwards Recharge Zone District to "C-2" ERZD Commercial Edwards Recharge Zone District.

Ron Haygar, 745 E. Mulberry, representing the owner, stated they mailed out courtesy notices to the surrounding property owners to inform them of this zoning change. He stated he has also been in contact with the representative of the neighborhood association. He further stated the purpose of this request is to match the remaining portion of the lot.

**OPPOSE**

Mary Nelson, 18102 Beargrass Ct., stated she has met with the applicant. She stated the subject property abuts a residential area. She expressed concerns with vandalism, the high noise levels and the traffic congestion this change may occur.

**REBUTTAL**

Ron Haygar, stated he understands Mrs. Nelson's concerns however the purpose of a "C-2" request is due to the square footage of the property. He stated he would amend his request to a "C-2NA".

Staff stated there were 8 notices mailed out to the surrounding property owners, 3 returned in opposition and 2 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 McAden and seconded by Commissioner Grau to recommend approval of "C-2NA ERZD.

1. Property is located on 2.26 acres out of NCB 16334 at Blanco Springs near North Loop 1604.
2. There were 8 notices mailed, 3 returned in opposition and 2 returned in favor.
3. Staff recommends approval.

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

**NAYS: None**

THE MOTION CARRIED.

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.

**SAN ANTONIO WATER SYSTEM  
Interdepartment Correspondence Sheet**

**To:** Zoning Commission Members

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

**Copies To:** Scott R. Halty, Director, Resource Protection & Compliance Department, Julia Mireles, Supervisor, Aquifer Protection and Evaluation Section, Karen Schubert, Planner III, Aquifer Protection & Evaluation Section, File.

**Subject:** Zoning Case No. Z2002243 (Vineyard Springs Business Park)

**Date:** December 3, 2002

**SUMMARY**

A request for a change in zoning has been made for an approximate 2.26-acre tract located on Blanco Springs Rd. on the city's north side. A change in zoning from "R-6 ERZD" to "C-2 ERZD", is being requested by the applicant and owner Concordia Group. The change in zoning will allow for the construction of a commercial development. No site specific category determination has been requested as of the date of this report.

**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 Resource 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 9, at the northeast corner of Blanco Springs and Loop 1604. The property is located on the Edwards Aquifer Recharge Zone (Figures 1 and 2).

**SITE EVALUATION**

The Aquifer Protection & Evaluation Section of the San Antonio Water System conducted a site investigation of the referenced property to evaluate any environmental concerns present. The subject property can be described as an unimproved tract of land covered with a mixture of native trees and grasses. A large brush pile on site indicates previous clearing activities and explains the occurrence of the high number of closed depressions found on site. The closed depressions are soil filled, therefore restricting recharge. Sparse limestone outcropping was also noted on the site. The general direction of drainage is east towards an existing concrete drainage culvert. According to FEMA flood insurance rate map No. 48029C0257, the subject site is located outside the 100-year flood plain.

The 2.26-acre tract is part of a larger development that holds a Water Pollution Abatement Plan (WPAP) approved by the Texas Commission on Environmental Quality (TCEQ) on November 27, 2001. Staff evaluated the geologic assessment and based on our observations are in general agreement with the described assessment. No sensitive recharge features were listed in the Geologic Assessment portion of the WPAP.

### **ENVIRONMENTAL CONCERNS**

The environmental concerns associated with this commercial 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.

### **ENVIRONMENTAL RECOMMENDATIONS**

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

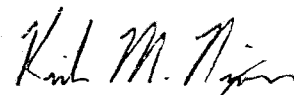
1. The following shall be submitted to the Resource Protection Division of the San Antonio Water System prior to the release of any building permits:
  - A. A WPAP shall be submitted for each particular development/use within the area being considered for re-zoning,
  - B. A set of site specific plans which must have a signed Engineers Seal from the State of Texas,
  - C. A letter from the TCEQ approving each WPAP,
  - D. A copy of the approved WPAP,
  - E. An Aquifer Protection Plan, if required.

2. All stormwater run-off from the commercial development shall be directed to a water pollution abatement structure that shall be reviewed by the Resource Protection Division 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) 704-7305 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) 704-7305.
5. All water pollution abatement structures shall be properly maintained and kept free of trash and debris.
6. 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. The land uses within the commercial 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 prohibited, that land use will not be permitted on that site.
8. Landscaped areas shall be sensitive to minimizing water needs (i.e. use of native plants). The owner/operator of this development and each purchaser or occupant of an individual lot within 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 Soil Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, etc. shall be used.
9. 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.

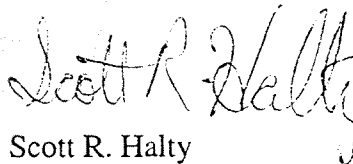
shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.

11. 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.
12. 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 Aquifer Protection & Evaluation Section of the San Antonio Water System at (210) 704-7305.
13. 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 investigation of the property 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



Scott R. Halty  
Director, Resource Protection & Compliance  
Department

APPROVED:

KMN:KJS



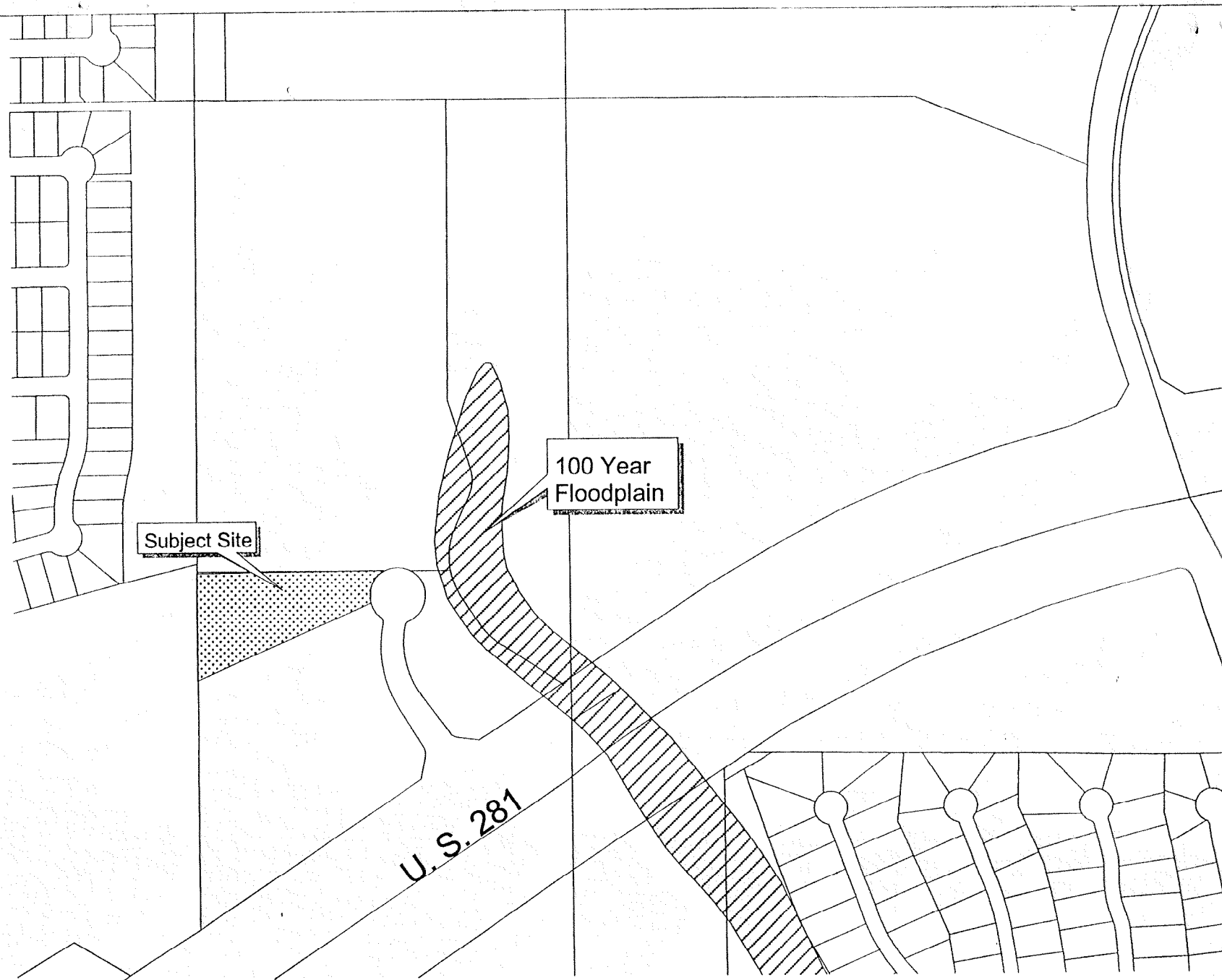
**Blanco Springs (Vineyard Springs Business Park)**

Z2002243

Figure 1

Map Prepared by Resource Protection & Compliance Department KJS 11/13/2002





**Blanco Springs (Vineyard Springs Business Park)**

Z2002243

Figure 2

Map Prepared by Resource Protection & Compliance Department KJS 11/13/2002

