

VACANT

- ☐ Notices Mailed
- ☐ In Opposition
- ☐ In Favor

P-4

R6 E.R.Z.D.

P-25

VACANT

C2 E.R.Z.D.

4.490 ACRES "C-2NA S ERZD"

P-2

VACANT

9 1/2 R R6 E.R.Z.D.

ENTRANCE

1

KIDS R KIDS

CRESCENT OAKS

VACANT

HARDY OAK BOULEVARD

C2NA S E.R.Z.D.

VACANT

VAC

VAC

VAC

VAC

VAC

VAC

VAC

VAC

VAC

VAC

VAC

VAC

VAC

VAC

VAC

VAC

VAC

VAC

VAC

OFFICE BLDG

VAC

VAC

VAC

VAC

VAC

VAC

VAC

VAC

VAC

VAC

VAC

VAC

VAC

VAC

8C2 E.R.Z.D.

9

10

VACANT

C2 E.R.Z.D.

VACANT

P-9

36
35
34
33
32
31
30
29
28
27
26

ZONING CASE:Z2002-239S

City Council District NO. 9

Requested Zoning Change

From: "R-6 ERZD" To "C-2NA S ERZD"

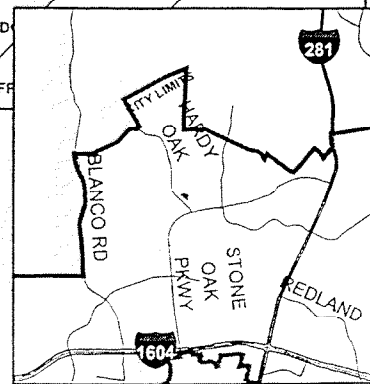
Date: January 23, 2003

Scale: 1' = 200'

☐ Subject Property

☐ 200' Notification

T-1
p.482
E-5



C:\DEC_3_2002

CASE NO: Z2002239S

Zoning Commission Meeting Date: December 03, 2002

Council District: 9

Ferguson Map: 482 E-5

Appeal: No

Applicant:

Misra Enterprises, L.P.

Owner

Misra Enterprises, L.P.

Zoning Request:

From "R-6 ERZD" Residential Single-Family Edwards Recharge Zone District to "C-2NA S ERZD" Commercial Non-Alcoholic Sales Edwards Recharge Zone District with a Specific Use Authorization for a gymnasium.

4.49 acres of land out of NCB 19217

Property Location:

21000 Block of Hardy Oak Boulevard

300 feet northeast of Hardy Oak Boulevard

Applicants Proposal:

To permit the expansion of the existing (Kids R Kids) daycare facility on the adjacent lot and add a gymnasium in the facility.

Staff Recommendation:

Approval. The subject property is currently vacant and adjacent to "C-2 ERZD" Commercial Edwards Recharge Zone District and "C-2NA S ERZD" Commercial Non-Alcoholic Sales Edwards Recharge Zone District. The proposed zoning will allow for the expansion of the existing (Kids R Kids) daycare facility and operation of a gymnasium. The "C-2NA S ERZD" zoning will enhance and maintain an existing (Kids R Kids) daycare facility with recreational programs to meet the needs of present and future residents of the neighborhood and community.

Zoning Commission Recommendation:

Approval

VOTE

FOR	8
AGAINST	0
ABSTAIN	0
RECUSAL	0

Z2002239 S

ZONING CASE NO. Z2002239 S December 3, 2002

COMMISSIONER GRAU WAS RECUSED FROM THIS CASE

Applicant: Misra Enterprises, L.P.

Zoning Request: "R-6" ERZD Residential Single Family Edwards Recharge Zone District to "C-2" S ERZD Commercial Edwards Recharge Zone District with Specific Use Authorization for a gymnasium.

Greg Senulis, 23705 IH 10 W., representing the applicant, stated he would like to amend his request to "C-2NA". He stated the purpose of this request is to expand their existing daycare facilities for a gymnasium.

OPPOSE

Mel Stevens, 222 S. West Monte Drive, stated he owns the property that is adjacent to the proposed gymnasium. He stated they are proposing to develop a gymnasium and feels that two facilities of the same operation would be not too appealing. He stated their project is in the permitting process.

REBUTTAL

Greg Senulis, 23705 IH 10 W., stated this is an existing daycare center and they are requesting the change to expand their facilities to build a gymnasium for the children in the daycare.

Staff stated there were 13 notices mailed out to the surrounding property owners, 2 returned in opposition and 3 returned in favor and Stone Oak Property Owners Association is 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 Sherrill to recommend approval of "C-2NA" S ERZD for a gymnasium.

1. Property is located on 4.49 acres of land out of NCB 19217 at 21000 Block of Hardy Oaks Boulevard.
2. There were 13 notices mailed, 2 returned in opposition and 2 returned in favor.
3. Staff recommends denial as requested and approval "C-2NA" S ERZD.

Z2002239 S

AYES: Mehringer, Kissling, McGowan, Hophan, Sherrill, McAden, Avila, Martinez

NAYS: None

ABSTAIN: Avila

RECUSED: Grau

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.

SAN ANTONIO WATER SYSTEM
Interdepartment Correspondence Sheet

NOV 14 PM 2:25

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, Karen Schubert, Planner III, Aquifer Protection & Evaluation Section, File.

Subject: Zoning Case #Z2002239 located at 21756 Hardy Oak Blvd.

Date: November 15, 2002

SUMMARY

A request for a change in zoning has been made for an approximate 4.49-acre tract located at 21756 Hardy Oak Boulevard on the city's north side. A change in zoning from "R-6 ERZD" to "C-2 S ERZD", is being requested by the applicant and owner, Misra Enterprises, L.P. The change in zoning will allow for the expansion of an adjacent daycare facility, which includes construction of a gymnasium on the site. 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 Hardy Oak Boulevard and Stone Oak Parkway. 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 an investigation of the referenced property to evaluate any environmental concerns present at the site. The subject property can be described as an unimproved tract of land that has been cleared and partially leveled with approximately 8 to 10 feet of fill material. The general direction of drainage is south towards an existing drainage area. The site lies within the Upper Salado Creek watershed.

According to FEMA flood insurance rate map No. 48029C0140, the subject site is located outside the 100-year flood plain.

The 4.49-acre tract has a Water Pollution Abatement Plan (WPAP) approved by the Texas Commission on Environmental Quality (TCEQ) on June 9, 1999. A modification to the WPAP will be required since the original WPAP submitted does not provide for any impervious cover. Staff evaluated the geologic assessment and was in general agreement with the described assessment. The Edwards Kainer Formation, Dolomic member outcrops on the southern portion of the site. Additional outcropping was not evident due the extensive amount of fill present on site. No sensitive recharge features were listed in the Geologic Assessment portion of the WPAP nor were any observed during the site evaluation.

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 Texas Commission on Environmental Quality approving each WPAP,
 - D. A copy of the approved WPAP.
2. All stormwater run-off from the commercial development shall be directed to a stormwater abatement system that shall be reviewed by the Resource Protection Division of the San Antonio Water System prior to the release of any building permits.
 3. 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.
 4. 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.
 5. 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 Soil Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, etc. shall be used.
 6. 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.
 7. 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.
 8. 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.

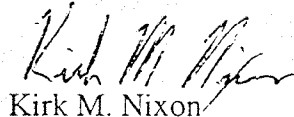
Zoning Commission Members
Z2002239 (21756 Hardy Oak Blvd.)

Page 4

9. 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 Division of the San Antonio Water System at (210) 704-7392.
10. 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 environmental assessment of the property and the proposed land use, staff recommends approval provided the applicant agrees to abide by all recommendations contained in this document.

APPROVED:



Kirk M. Nixon
Manager, Resource Protection Division

KMN:KJS

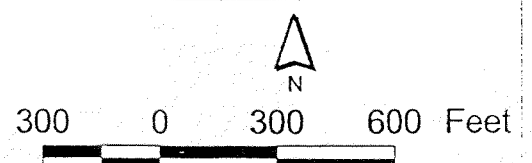


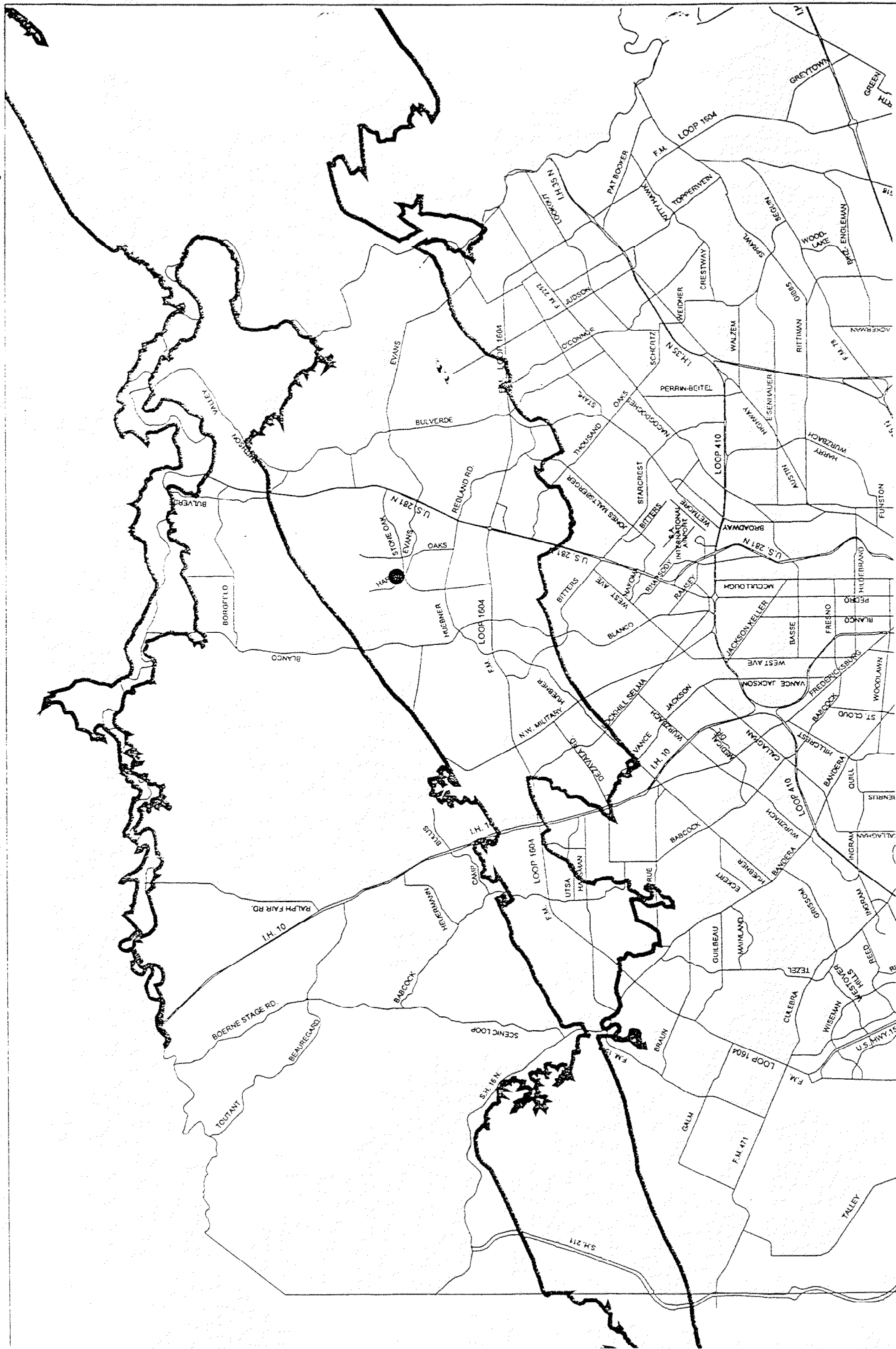
21756 Hardy Oaks Blvd.
Z2002239

Figure 2

*** Subject property is outside floodplain**

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





21756 Hardy Oaks Blvd.
Z2002239 Figure 1