

CASE NO: Z2003055

Staff and Zoning Commission Recommendation - City Council

Date: May 08, 2003

Zoning Commission Meeting Date: April 15, 2003

Council District: 8

Ferguson Map: 548 F2

Appeal: No

Applicant:

Housing 2000, Inc

Owner:

Huebner Land Partnership, Ltd

Zoning Request: From "C-3 ERZD" General Commercial Edwards Recharge Zone District and "I-1 ERZD" General Industrial Edwards Recharge Zone District to "MF-25 ERZD" Multi-Family Edwards Recharge Zone District

18 acres out of P-25, NCB 14857

Property Location:

12000 Block of Vance Jackson Road

Proposal: To construct a Multi-Family complex

Neighborhood Association: None

Neighborhood Plan: None

TIA Statement: A traffic impact analysis is required.

Staff Recommendation:

Approval.

The abutting property to the west of subject property has existing residential use and zoning. There is also an existing nonconforming apartment complex to the south. The requested MF-25 zoning is compatible with other residential uses of properties in the neighboring area, and will have no adverse impact on them.

Zoning Commission Recommendation:

Approval

VOTE

FOR 9

AGAINST 1

ABSTAIN 0

RECUSAL 0

CASE MANAGER : Elvin J. Gant, Jr. 207-5876

ZONING CASE NO. Z2003055 April 15, 2003

Applicant: Housing 2000, Inc.

Zoning Request: "C-3" ERZD General Commercial Edwards Recharge Zone District and "I-1" ERZD General Industrial Edwards Recharge Zone District to "MF-25" ERZD Multi-Family Edwards Recharge Zone District.

Amelia Lopez-Phelps, 703 West 7th St., representing the applicant, stated there are proposing to develop a 240 units three story residential complex on the subject property. She stated this would be compatible with the existing surrounding development. This would be a gated community. She stated she has been in contact with the representative from Procom who was going to present this to the president of the neighborhood association and have not received a response. She also stated they would be providing a 30 foot vegetated buffer between the adjoining property owners and the subject property.

Staff stated there were 24 notices mailed out to the surrounding property owners, 2 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 Morell and seconded by Commissioner Grau to recommend approval.

1. Property is located on 18 acres out of NCB 14857 at 12000 Block of Vance Jackson Road.
2. There were 24 notices mailed, 2 returned in opposition and 2 in favor.
3. Staff recommends approval.

**AYES: Martinez, Grau, Cardenas-Gamez, Kissling, McGowan, 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 I. Mireles, PE, Karen Schubert, Planner III, Aquifer Protection & Evaluation Section, File

Subject: Zoning Case Z2003055 (Vance Jackson Apartments)

Date: April 1, 2003

SUMMARY

A request for a change in zoning has been made for an approximate 16.82-acre tract located on the city's northwest side. A change in zoning from "C3-ERZD and I-1 ERZD" to "MF-25 ERZD" is being requested by the applicant Lopez-Phelps and Associates on behalf of the owner, Huebner Land Partnership, Ltd. The change in zoning has been requested to allow for the development of an apartment complex.

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 Aquifer Protection & Evaluation 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 property is located in City Council District 8 on Vance Jackson, north of Huebner Road. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

SITE EVALUATION

1. Development Description:

The site is currently being utilized for agricultural purposes. The change in zoning will allow for the development of a low-density, multi-family community. The developed site will consist of approximately 240 multifamily residential units. The density will be approximately 18 units per acre.

2. Surrounding Land Uses:

The 16.82 acres will be partitioned out of a 45-acre tract, the remaining acres are undeveloped, currently utilized for cattle grazing. Vulcan quarry is located immediately north of the subject property. Apartment complexes are located to the south and east of the property. Single family residential homes are located immediately west of the property.

3. Geologic Features:

The Resource Protection Division of the San Antonio Water System conducted a site investigation on March 28, 2003 of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. A significant amount of fill material was present on the site. Trash and debris was also found on the property. No significant recharge features were noted during our site investigation, although Edwards outcropping was observed. The Edwards, on the site, is the uppermost member. In some areas it can show the development of features. As noted, no features were observed, nor were there any records of features on the site.

4. Water Pollution Abatement Plan:

As of the date of this report, a Water Pollution Abatement Plan has not been submitted to the Texas Commission on Environmental Quality. A WPAP will be required to be submitted and approved by TCEQ prior to construction.

ENVIRONMENTAL CONCERNS

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

1. Geologic Concerns:

- A. A portion of the property lies within the floodplain, and the potential addition of sediment load due to the increase of impervious cover on the site.

2. Standard Pollution/Abatement Concerns:

- A. 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.
- B. 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.

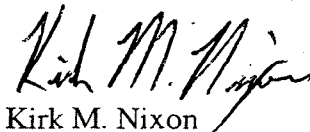
ENVIRONMENTAL RECOMMENDATIONS

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

1. Development within the floodplain and floodplain buffer zones must be in accordance with Ordinance No. 81491 governing development on the Edwards Aquifer Recharge Zone in the Floodplain Preservation Area(s).
2. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 704-7305.
3. 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.
4. The land uses within the MF-25 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 the site.
5. 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 the State of Texas,
 - C. A WPAP approval letter from the Texas Commission on Environmental Quality (TCEQ),
 - D. A copy of the approved Water Pollution Abatement Plan.
6. 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. This is to include any chemicals stored on site for swimming pool maintenance. Failure to comply with the label warnings may constitute a violation of Federal law.


7. 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 Natural Resource Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, etc. shall be used.
8. 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.
9. 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 as long as the applicant agrees to abide by all recommendations contained in this document.

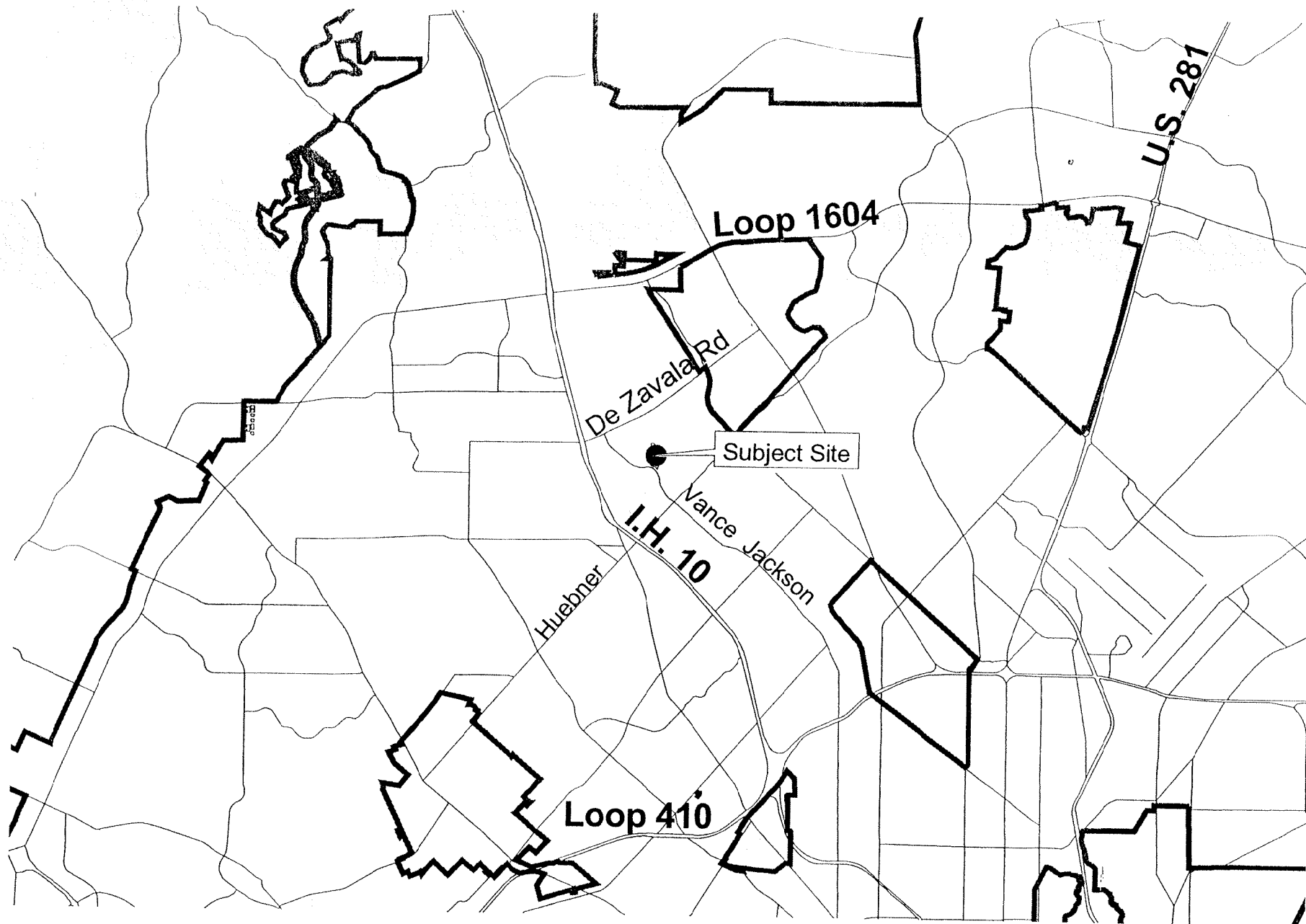


Kirk M. Nixon
Manager
Resource Protection Division

APPROVED:



Scott R. Halty
Director,
Resource Protection & Compliance Department



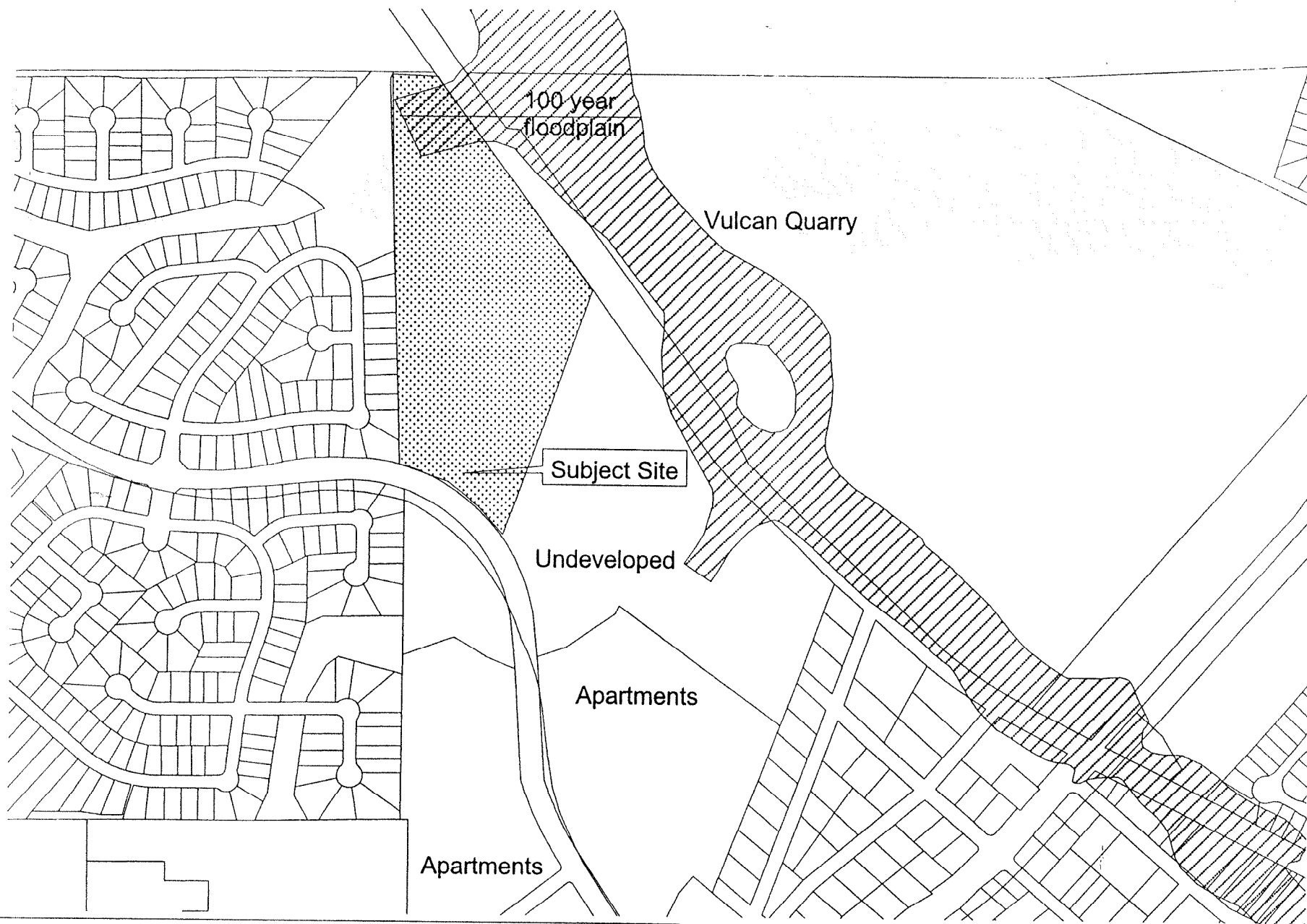
Vance Jackson Apartments

Z2003055

Figure 1

Map Prepared by Resource Protection & Compliance Department KJS 3/31/2003





Vance Jackson Apartments

Z2003055

Figure 2

Map Prepared by Resource Protection & Compliance Department KJS 3/31/2003

