



# CASE NO: Z2003232

## Staff and Zoning Commission Recommendation - City Council

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**Date:** February 12, 2004

**Zoning Commission Meeting Date:** January 20, 2004

**Council District:** 9

**Ferguson Map:** 483 B4

**Appeal:** No

**Applicant:**

Harrison Worldwide Enterprises, Inc.

**Owner:**

Harrison Worldwide Enterprises, Inc.

**Zoning Request:** From "C-3 ERZD" General Commercial Edwards Recharge Zone District to "PUD MF-25 ERZD" Planned Unit Development Multi-Family Edwards Recharge Zone District

33.49 acres out of NCB 19218

**Property Location:** Northside of Stone Oak Parkway between Evans Road and U.S. Highway 281

Stone Oak Parkway at Oakland Bend

**Proposal:** To allow for a multi-family or townhouse development.

**Neighborhood Association:** Stone Oak Property Owners Association

**Neighborhood Plan:** None

**TIA Statement:** A Traffic Impact Analysis is not required

**Staff Recommendation:**

Approval. This will result in a reduction in the quantity of existing "C-3" zoning in Stone Oak. This proposal provides a transition between existing "C-3" zoning and residential PUD to the west.

**Zoning Commission Recommendation:**

Approval

**VOTE**

**FOR** 11

**AGAINST** 0

**ABSTAIN** 0

**RECUSAL** 0

**CASE MANAGER :** Fred Kaiser 207-7942

**Z2003232**

**ZONING CASE NO. Z2003232** – January 20, 2004

Applicant: Harrison Worldwide Enterprises, Inc.

Zoning Request: “C-3” ERZD General Commercial Edwards Recharge Zone District to  
PUD “MF-25” ERZD Multi Family Planned Unit Development  
Edwards Recharge Zone District.

Matt Harrison, 2371 Oak Pebble, representing the owner, stated this is 33 ½ acres that was originally part of the Stone Oak Master Plan that was approved. He further stated they are proposing to develop approximately 220 units townhomes on the subject property. He stated their zoning request would be a down zoning and feels this would have no adverse affect on the surrounding area.

Staff stated there were 14 notices mailed out to the surrounding property owners, 0 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 Grau to recommend approval.

1. Property is located on 33.49 acres out of NCB 19218 at Stone Oak Parkway and Oakland Blend.
2. There were 14 notices mailed, 0 returned in opposition and 3 in favor.
3. Staff recommends approval.

**AYES: Martinez, Grau, Cardenas-Gamez, Kissling, Dutmer, Dixon, Sherrill,  
McAden, Avila, Stribling, Peel**

**NAYS: None**

**THE MOTION CARRIED**

**RESULTS OF NOTICE FOR COUNCIL HEARING**

To be provided at Council hearing.

**SAN ANTONIO WATER SYSTEM  
Interdepartment Correspondence Sheet**

**Z2003232**

**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 Z2003232 (Estancia/Stone Oak)

**Date:** January 12, 2004

**SUMMARY**

A request for a change in zoning has been made for an approximate 33.49-acre tract located on the city's north side. A change in zoning from C-3 ERZD to MF-25 PUD ERZD is being requested by the owner, Mr. Matt Harrison, represented by Mr. Dennis Rion, P.E. of Pape-Dawson Engineers, Inc. The change in zoning has been requested to allow for the owner to construct a multifamily residential development.

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 for the entire site, by the Aquifer Protection & Evaluation Division. Based on the information provided, a portion of 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".

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

**LOCATION**

The subject property is located in City Council District 9, on the southern side of Stone Oak, west of U.S. Hwy 281. 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 to MF-25 PUD ERZD and will allow for the construction of a townhouse community. Currently the property is undeveloped.

2. Surrounding Land Uses:

Single-family residential homes exist to the northeast of the property. The remaining property surrounding the site is undeveloped.

3. Geologic Features:

The Resource Protection Division of SAWS conducted an evaluation on November 20, 2003 of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS staff Geologist, Greg James, P.G., was present during the site evaluation. This site possesses outcrops of the Kainer Formation of the Edwards Limestone. Some outcrops of vuggy limestone were noted. While some solution cavities were noted on the property, none appear to be sensitive. There appears to be little potential for the transmission of water to the subsurface at this site. The property does not lie within the FEMA 100 year floodplain.

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 development being constructed on the Edwards Aquifer Recharge Zone are:

1. 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 development on the Edwards Aquifer Recharge Zone:

- 1. The storage, handling, use and disposal of all hazardous materials within this development shall be consistent with the labeling of those materials. This is to include any swimming pool chemicals used for maintenance. Failure to comply with the label warnings may constitute a violation of Federal law.

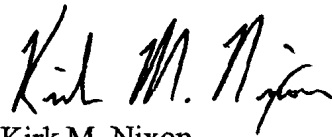
2. The land uses within the MF-25 zoned areas shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at that site. If the land 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.
3. 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).
4. 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.
5. 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.
6. 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.
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.

**Z2003232**

Zoning Commission Members  
Z2003232 (Estancia/ Stone Oak)  
Page 4

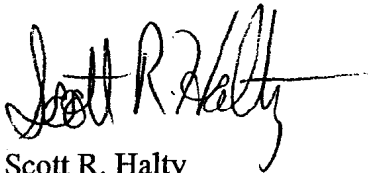
9. The Resource Protection Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

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



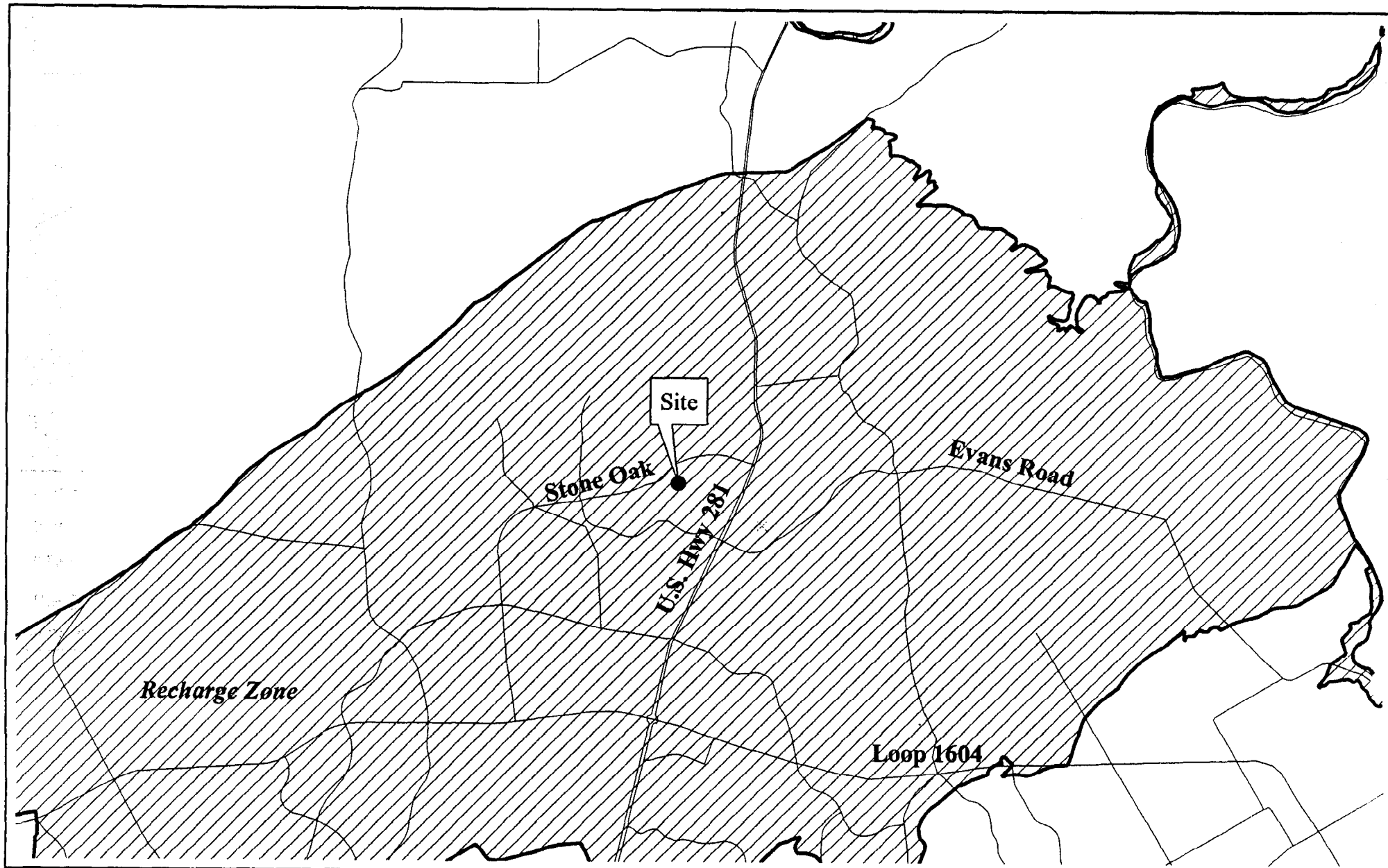
Kirk M. Nixon  
Manager  
Resource Protection Division

APPROVED:



Scott R. Halty  
Director,  
Resource Protection & Compliance Department

KMN:KJS



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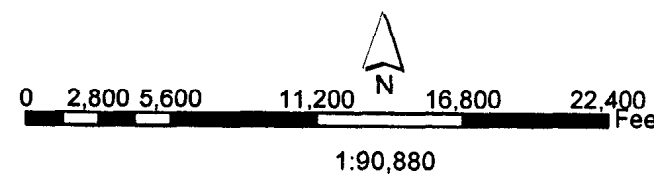
Figure 1

Map Page 483 B4

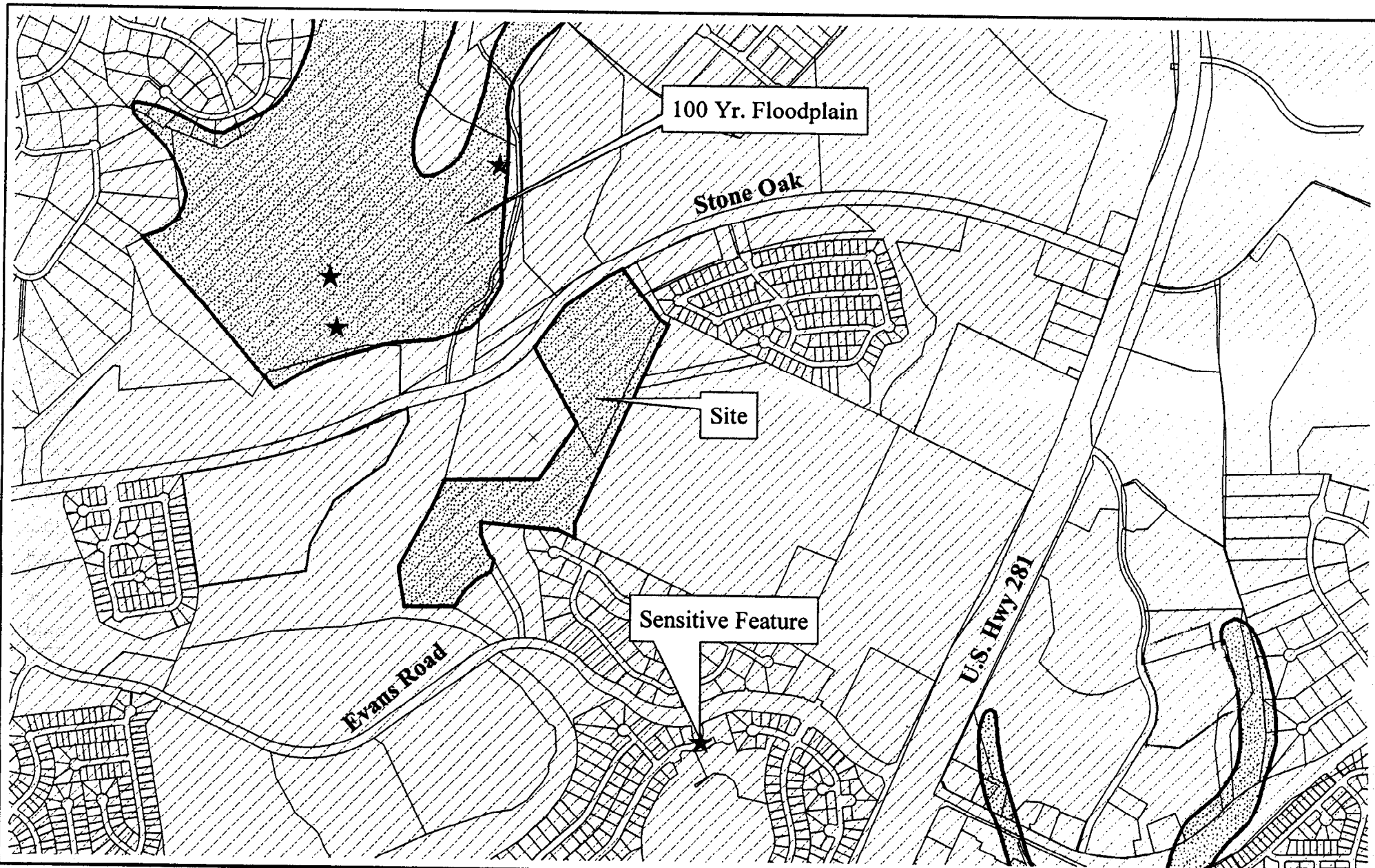
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Map prepared by Aquifer Protection & Evaluation KJS 11/20/2003

**Z2003232**







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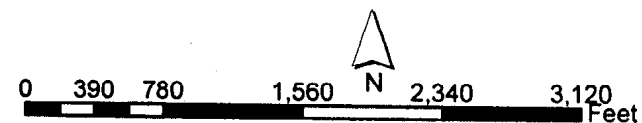
Figure 2

Map Page 483 B4

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Map prepared by Aquifer Protection & Evaluation KJS 11/20/2003

**Z2003232**



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