

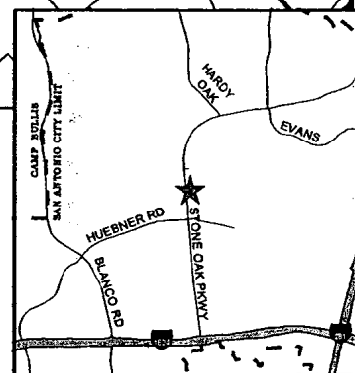
----- Notices Mailed
 ----- In Opposition
 ----- In Favor

ZONING CASE: Z2004-036

City Council District NO. 9
 Requested Zoning Change
 From: "C-2 ERZD" To "PUD C-2 ERZD"
 Date: March 25, 2004
 Scale: 1" = 200'

Subject Property
 200' Notification

E-7
 p482
 C:\MAR_2_2004
 (A.Z.)



CASE NO: Z2004036

Staff and Zoning Commission Recommendation - City Council

Date: March 25, 2004

Zoning Commission Meeting Date: March 02, 2004

Council District: 9

Ferguson Map: 482 E7

Appeal: No

Applicant:

Stone Oak Park II, Ltd.

Owner:

Stone Oak Park II, Ltd.

Zoning Request: From "C-2 ERZD" Commercial Edwards Recharge Zone District to "PUD C-2 ERZD" Planned Unit Development Commercial Edwards Recharge Zone District

3.861 acres out of NCB 19221

Property Location: North of the intersection of Stone Oak Parkway and Knights Cross Drive

Proposal: To construct a commercial business park

Neighborhood Association: Stone Oak Neighborhood Association

Neighborhood Plan: None

TIA Statement: A traffic impact analysis is not required

Staff Recommendation:

Approval. Subject property is undeveloped land that abuts "C-2 ERZD" zoning to the northeast, "PUD R-6 ERZD" zoning to the south, and across Stone Oak Parkway to the west. There is also "C-2 ERZD" zoning across Stone Oak Parkway to the northwest. The requested zoning is compatible with the zoning scheme in the area, and will have no adverse impact on other properties.

Zoning Commission Recommendation:

Approval

VOTE

FOR 10

AGAINST 0

ABSTAIN 0

RECUSAL 0

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

SAN ANTONIO WATER SYSTEM
Interdepartment Correspondence Sheet

DEV. SERVICES

2004 MAR -2 A 9:05

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 Z2004036 (Stone Oak IV)

Date: February 4, 2004

SUMMARY

A request for a change in zoning has been made for an approximate 3.86-acre tract located on the city's north side. A change in zoning from "C-2 ERZD" to "C-2 PUD ERZD" is being requested by the representative Rosin-Johnson, Inc. on behalf of the owner, Stone Oak Park II, Ltd. The change in zoning has been requested to allow for the owner to develop the property as an office/business park. The Property has been classified as Category 1 property.

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, along the eastern side of Stone Oak Parkway, north of Stonehew. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

SITE EVALUATION

1. Development Description:

The proposed change is from C-2 ERZD to C-2 PUD ERZD and will allow for the construction of an office/business park.

2. Surrounding Land Uses:

An apartment complex is located to the west of the site. The property to the immediate north and south is currently undeveloped, with plans to construct a single family community to the north and a retail office to the south. To the east is a single family residential subdivision. To the southeast is an existing general office development.

3. Geologic Features:

The Resource Protection Division of the San Antonio Water System conducted an evaluation on January 23, 2004 of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS staff Geologist, Gregory James, P.G., was present during the site evaluation. The site lies on the Dolomitic Member of the Edwards Formation. The site is predominately covered with approximately 10 feet of fill material. Near the eastern edge of the property, Edwards Limestone outcropping is present on the site not covered by the fill material. The Edwards Limestone contains fracturing and may indicate a fault zone that is referenced in the Geologic Site Assessment (GSA) prepared by Frost GeoSciences. The GSA rates the fault zone as both Sensitive (>40 pts) and Significant (>1.6 acre catchment). Staff is in general agreement with the findings of the Geologic Assessment report. No portion of the site lies within the FEMA 100 year floodplain.

4. Water Pollution Abatement Plan:

The Stone Oak IV development has a WPAP approved by the TCEQ on September 2, 2003.

ENVIRONMENTAL CONCERNS

The environmental concerns associated with this commercial 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 commercial development on the Edwards Aquifer Recharge Zone:

- 1. SAWS staff geologist shall be present during construction activities in the fault zone areas so that an assessment can be made concerning the features sensitivity and significance. If SAWS determines that further protective measures are required, the applicant and/or owner shall provide recommended protective measures that must be approved by SAWS.

2. Any hazardous and/or contaminated material shall be placed in properly labeled containers and disposed of by a licensed waste hauler. All hazardous and medical waste shipping documents shall be available for inspection, upon request by the Aquifer Protection and Evaluation Section of SAWS. Incineration on site, of any waste, in any quantity shall be strictly prohibited.
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 SAWS.
6. 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 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 that site.
7. 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.
8. The storage, handling, use and disposal of all 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.

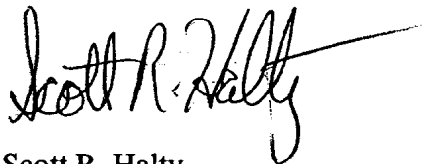
9. Landscaped areas shall be sensitive to minimizing water needs (i.e. use of native plants). The owner/operator of this development and each purchaser or occupant of an individual lot within this development shall be informed in writing about Best Management Practices (BMP) of pesticide and fertilizer 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.
10. 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.
11. 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.



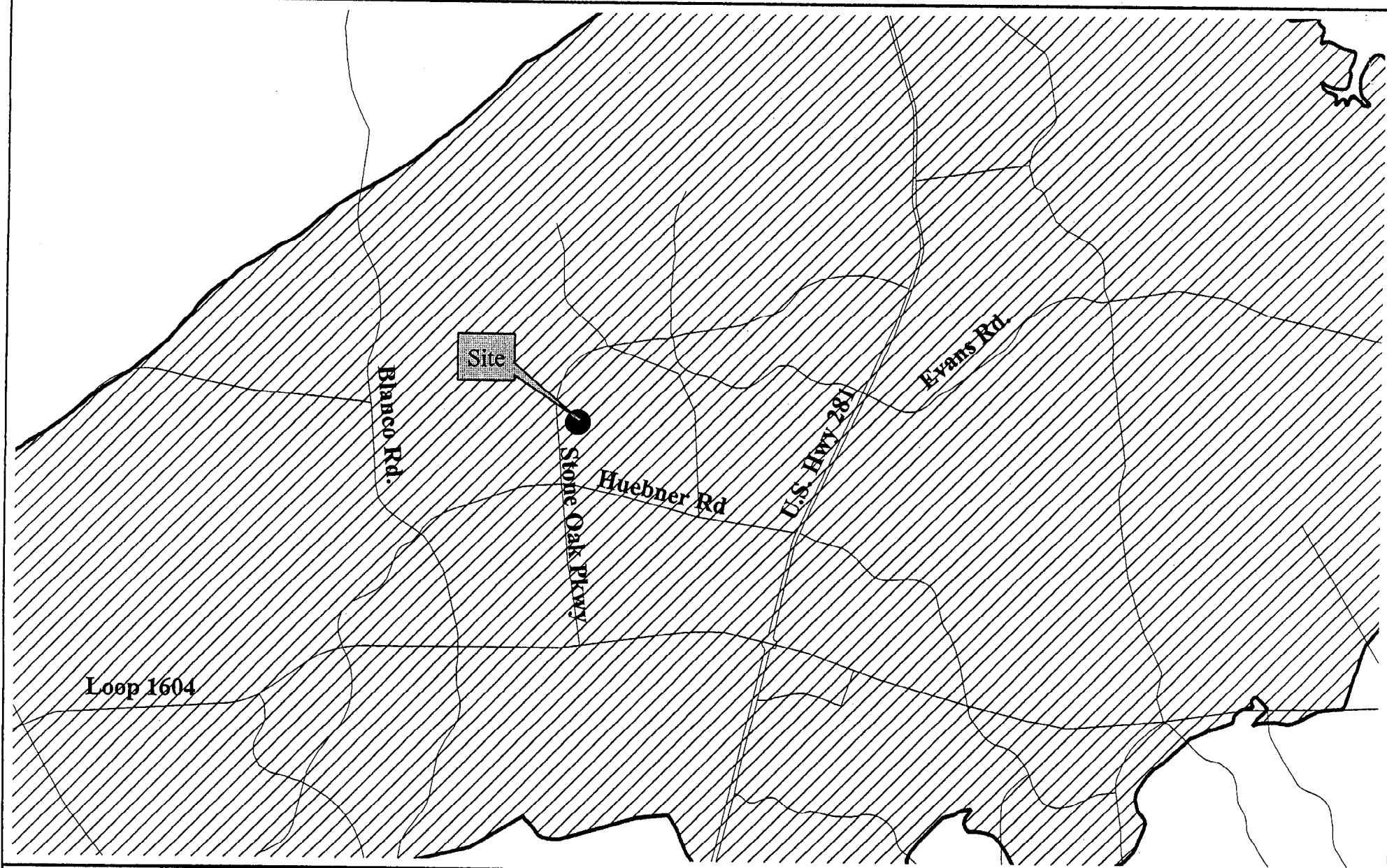
Kirk M. Nixon
Manager
Resource Protection Division

APPROVED:



Scott R. Halty
Director,
Resource Protection & Compliance Department

KMN:KJS



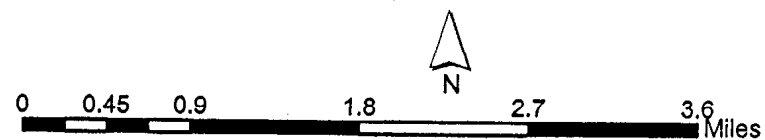
Zoning Case # Z2004036 Figure 1

Stone Oak IV

Map Page 482 E7

X= 2129020 Y=13777231

Map prepared by Aquifer Protection & Evaluation KJS 1/30/2004



1:65,652



Zoning Case # Z2004036 Figure 2

Stone Oak IV

Map Page 482 E7

X= 2129020 Y=13777231

Map prepared by Aquifer Protection & Evaluation KJS 1/30/2004



1:7,049

Z2004036

ZONING CASE NO. Z2004036 – March 2, 2004

Applicant: Stone Oak Parkway II, Ltd.

Zoning Request: "C-2" ERZD Commercial Edwards Recharge Zone District to PUD "C-2" ERZD Planned Unit Development Commercial Edwards Recharge Zone District.

Roy Rosin, representing the applicant, stated the purpose of requesting a PUD designation is that a planned unit development provides control and the ability to maintain the facilities. He stated they are proposing development of commercial business park. He further stated he has been in contact with the neighborhood association who are in support of this request.

Staff stated there were 14 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and no response from Stone Oak Property Neighborhood Association.

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 Peel and seconded by Commissioner Grau to recommend approval.

1. Property is located on 3.8761 acres out of NCB 19221 at Stone Oak Parkway and Knights Cross Drive
2. There were 14 notices mailed, 0 returned in opposition and 1 in favor.
3. Staff recommends approval.

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

NAYS: None

THE MOTION CARRIED

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.