

ZONING CASE: Z2004-084

City Council District NO. 9

Requested Zoning Change

From: "C-2 ERZD, C-3 ERZD" To "PUD C-2 ERZD"

Date: June 10, 2004

Scale: 1" = 300'

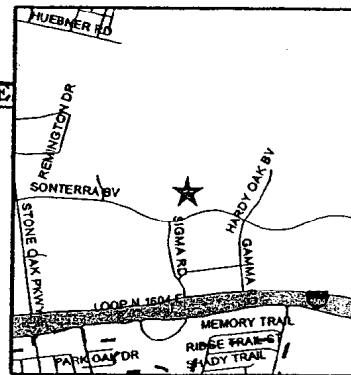
Subject Property

200' Notification

C-1
p.551



C:\APR_6_2004
(A.Z.)



CASE NO: Z2004084

Staff and Zoning Commission Recommendation - City Council

Date: June 10, 2004

Zoning Commission Meeting Date: May 18, 2004

Council District: 9

Ferguson Map: 516 F1

Appeal: No

Applicant:

Pape Dawson Engineers, Inc.

Owner:

William T. Ellis

Zoning Request: From C-2 ERZD Commercial Edwards Recharge Zone District and C-3 ERZD General Commercial Edwards Recharge Zone District to PUD C-2 ERZD Planned Unit Development, Commercial, Edwards Recharge Zone District

14.79 acres out of NCB 15669

Property Location: The north side of Sonterra Boulevard near Sigma Road

Proposal: To permit development flexibility

Neighborhood Association: None

Neighborhood Plan: None

TIA Statement: A Traffic Impact Analysis is not required

Staff Recommendation:

Approval. The existing flood plains and topography suggest PUD development at this location may be the most effective means to develop this site. The proposed PUD will protect the natural features of the site. PUD will encourage the preservation and enhancement of natural amenities. PUD can allow for a more efficient arrangement of land uses, buildings, circulation systems and infrastructure.

Zoning Commission Recommendation:

Approval

VOTE

FOR 9

AGAINST 0

ABSTAIN 1

RECUSAL 0

CASE MANAGER : Fred Kaiser 207-7942

SAN ANTONIO WATER SYSTEM
Interdepartment Correspondence Sheet

DEV. SERVICES

To: Zoning Commission Members

2004 APR 27 A 10:56

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, P.E., Karen Schubert, Resource Protection Specialist II, Aquifer Protection & Evaluation Section, File

Subject: Zoning Case Z2004084 (Creeside at Concord Park)

Date: April 27, 2004

SUMMARY

A request for a change in zoning has been made for an approximate 14.79-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 applicant, Mr. Matt Johnson of Pape-Dawson Engineers, Inc. The change in zoning has been requested to develop the property as a PUD. The site will be developed into several commercial lots. The site 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 north side of Sonterra Blvd. 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 retail/commercial buildings at a future date.

2. Surrounding Land Uses:

Reagan High School exists to the north of the property. The site to the east is undeveloped. A veterinary clinic is under construction to the west. Sonterra Blvd. bounds the southern portion of the property.

3. Geologic Features:

The Resource Protection Division of the San Antonio Water System conducted an evaluation on March 19, 2004 of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS staff Geologist, Mr. Gregory James, P.G., was present during the site evaluation. One geologic feature (S-11) was observed on the property. The feature was reassessed by Pape-Dawson Engineers, Inc. and it was determined that the feature is not sensitive. This feature consists of a closed depression located in an arroyo. This feature appears to be significant in that it has a capture area greater than 1.6-acres. Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site is underlain by the Leached and Collapsed Members of the Edwards Aquifer. Outcrops of these members were identified onsite. Additionally, staff reviewed the geologic assessment in the WPAP, prepared by Pape-Dawson Engineers, Inc. Based on our evaluation of the site, staff is in general agreement with the findings in the Geologic Assessment report.

4. Water Pollution Abatement Plan:

Creekside at Concord Park WPAP has been submitted to the TCEQ. The WPAP proposes the development of a road on the site. Either a Modification to this WPAP or a new WPAP submittal will be required for all lots within this development prior to construction of the lots.

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

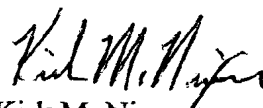
The following recommendations address the environmental concerns raised by the construction of this development on the Edwards Aquifer Recharge Zone:

- 1. 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 SAWS.
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 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.
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 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.
7. If a water quality basin is constructed on the property, the following is required:
 - A. Prior to the start of the basin construction, the owner will notify the SAWS Aquifer Protection and Evaluation Section at (210) 704-7305 to schedule a site inspection.
 - B. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Aquifer Protection and Evaluation Section at (210) 704-7305 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to SAWS Aquifer Protection and Evaluation Section.
 - C. If the basin fails to drain properly, the owner will notify the Construction Section of the Resource Compliance Division at (210) 704-1158 prior to any discharge of water.

- D. If at any time the ownership of the property changes, the seller must inform the buyer of all requirements for maintenance of the Basin. A signed basin maintenance and schedule agreement from the new owner must be submitted to the Resource Protection Division of SAWS.
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 Natural Resource Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, etc. shall be used.
9. 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.
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.

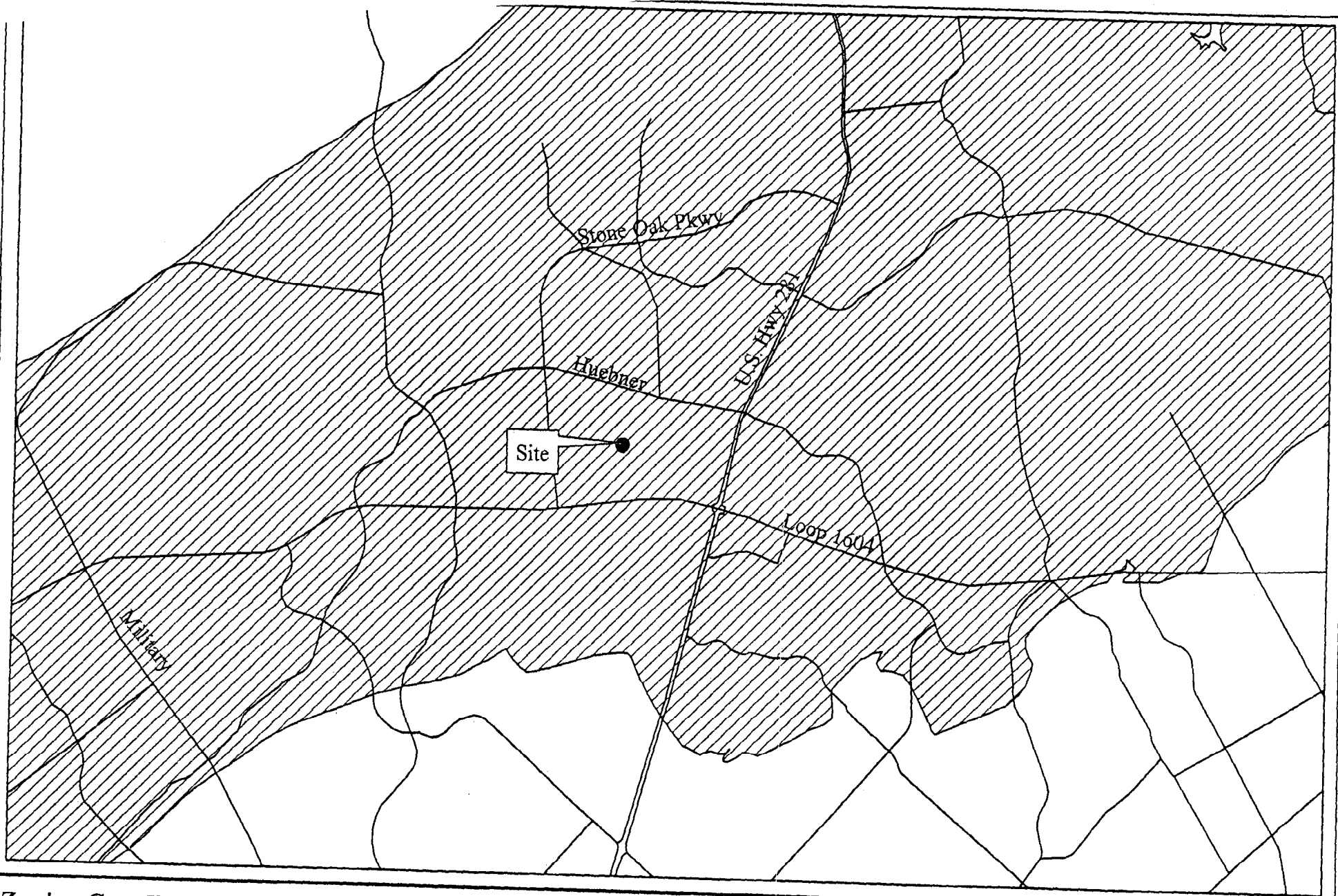
Based on the site evaluation of the property, and the information submitted by the applicant, staff recommends approval provided that the applicant agrees to abide by all recommendations contained in this document.


Kirk M. Nixon
Manager
Resource Protection Division

APPROVED:


Scott R. Halty
Director,
Resource Protection & Compliance Department

KMN:KJS



Zoning Case Z2004084

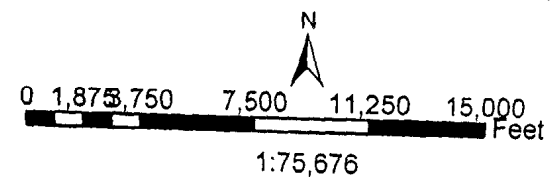
Figure 1

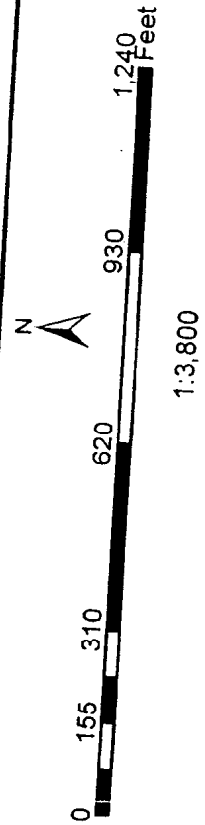
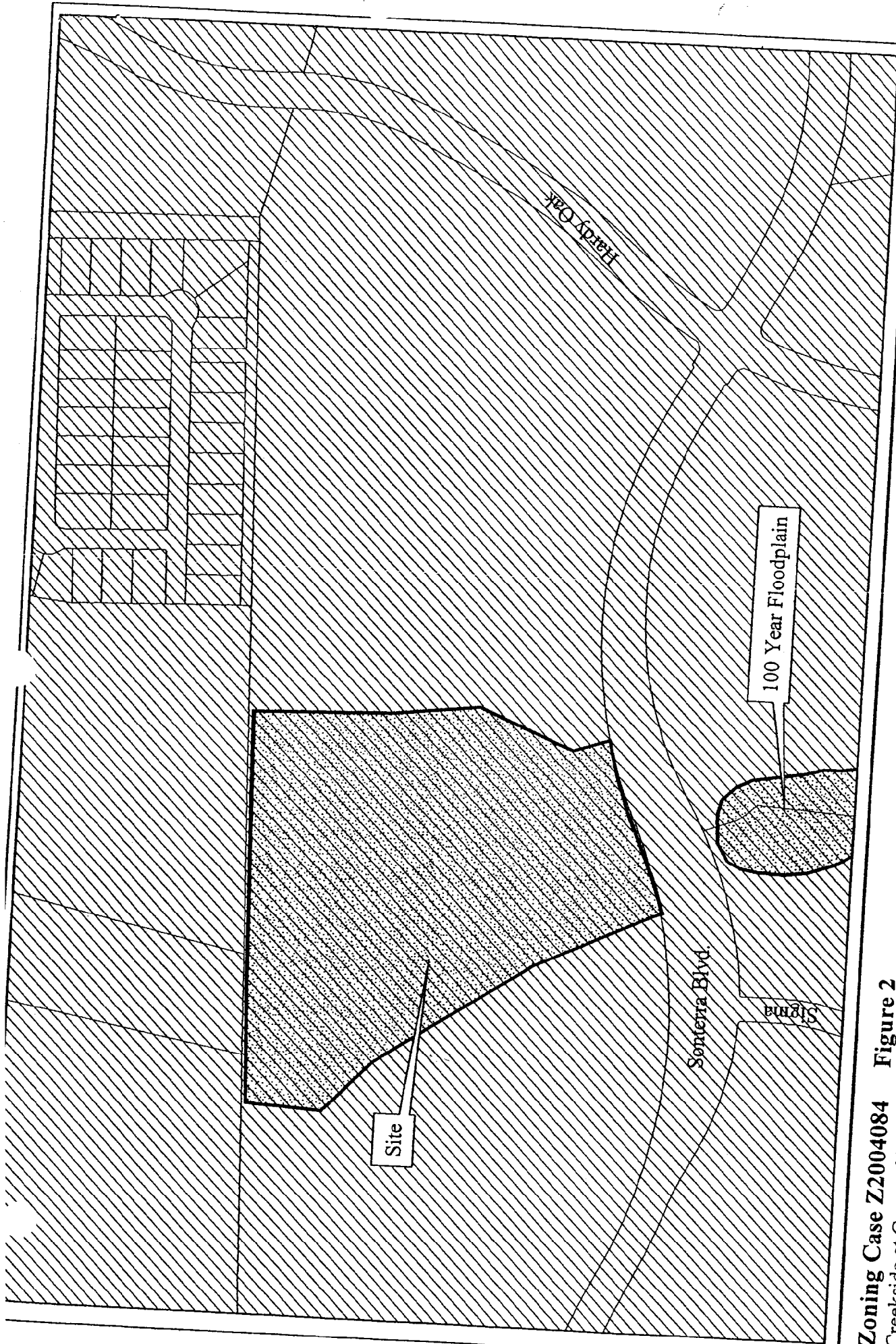
Creekside at Concord Park

Map Page 482 F1

X = 2132747 Y=13772184

Map Prepared by Aquifer Protection and Evaluation KJS 3/29/2004





Zoning Case Z2004084 Figure 2

Creekside at Concord Park
Map Page 482 F1

X = 2132747 Y = 13772184

Map Prepared by Aquifer Protection and Evaluation KJS 4/26/2004

Z2004084

ZONING CASE NO. Z2004084 – May 18, 2004

Applicant: Pape Dawson Engineers, Inc.

Zoning Request: "C-2" ERZD Commercial Edwards Recharge Zone District and "C-3" ERZD General Commercial Edwards Recharge Zone District to "C-2" ERZD PUD Commercial Edwards Recharge Zone Planned Unit Development District.

Andy Guerrero, 3134 Renker, representing the applicant, stated they are requesting this change in zoning to allow for a Planned Unit Development (PUD) on the subject property. He stated they are purposing to construct an office garden complex. He stated the PUD designation would allow for some flexibility in the design of the planned due to the topography of the land

Matt Johnson, 555 E Ramsey, representing the owner, stated they have met with the representatives from San Antonio Waters Systems (SAWS) and have submitted a Water Pollution Abatement Plan, which was approved. In addition to the Water Pollution Abatement Plan they have also submitted a San Antonio Sewer Collection System to Texas Commission on Environmental Quality (TCEQ), which has also been approved. The impervious cover for this area would be 55%.

Staff stated there were 8 notices mailed out to the surrounding property owners, 0 returned in opposition and 3 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 Peel and seconded by Commissioner Grau to recommend approval.

1. Property is located on 14.79 acres out of NCB 15669 at the north side of Sonterra Boulevard near Sigma Road.
2. There were 8 notices mailed, 0 returned in opposition and 3 in favor.
3. Staff recommends approval.

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

NAYS: None

ABSTAIN: Dutmer

Z2004084

THE MOTION CARRIED

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.