

CASE NO: Z2004140

Staff and Zoning Commission Recommendation - City Council

Date: August 12, 2004

Zoning Commission Meeting Date: July 20, 2004

Council District: 9

Ferguson Map: 483 A3

Appeal: No

Applicant: Owner:

CR 2-B, Ltd. CR 2-B, Ltd.

Zoning Request: From C-1 ERZD Light Commercial Edwards Recharge Zone District to PUD R-6 ERZD Planned Unit Development Residential Single-Family Edwards Recharge Zone District

3.228 acres out of NCB 19217

Property Location: Canyon Golf Road 5625 feet from Stone Oak Parkway and at the City Limits

Proposal: For residential single-family use

Neighborhood Association: Champions Ridge, Champions Estates and Stone Oak

Neighborhood Plan: None

TIA Statement: A Traffic Impact Analysis is not required

Staff Recommendation:

Approval. The subject property is undeveloped. The subject property is part of a proposed PUD R-6 ERZD residential development. The adjacent property to the south and east is zoned PUD R-6 ERZD. PUD R-6 is typical development for this area.

Zoning Commission Recommendation:

Approval

CASE MANAGER : Fred Kaiser 207-7942

VOTE

FOR	8
AGAINST	0
ABSTAIN	0
RECUSAL	2

2004 JUN 23 A 10:00
SERVICES

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

Subject: Zoning Case Z2004140 (Champions Ridge U-2B)

Date: June 15, 2004

SUMMARY

A request for a change in zoning has been made for an approximate 3.22-acre tract located on the city's north side. A change in zoning from "C-1 ERZD" to "R-6 PUD ERZD" is being requested by the owner. The change in zoning has been requested to allow for the owner to develop the property as residential.

As of the date of this report, an official request for a site-specific 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".

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 west side of Canyon Golf Road south of Wilderness Oak. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

SITE EVALUATION

1. Development Description:

The proposed change is from C-1 ERZD to R-6 PUD ERZD and will allow for the construction of a residential subdivision. The property will be part of the Champions Ridge Subdivision.

Zoning Commission Members
Z2004140 (Champions Ridge U-2B)
Page 2

2. Surrounding Land Uses:

The property to the east is residential. The remaining property surrounding the site is undeveloped.

3. Geologic Features:

The Resource Protection Division of the San Antonio Water System conducted an evaluation on May 27, 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 and observed no significant recharge feature, although Edwards outcropping was visually apparent. Additionally, staff reviewed the geologic assessment in the WPAP, prepared by M.W. Cude & Associates, Inc., and no potential recharge features were discovered on the site. Based on our evaluation, staff is in general agreement with the findings of the Geologic Assessment report.

4. Water Pollution Abatement Plan:

The site is contained within the SAWS File No. 0006009 Champions Ridge PUD Modification Water Pollution Abatement Plan (WPAP). The Texas Commission on Environmental Quality (TCEQ) approved the WPAP on January 24, 2001.

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).

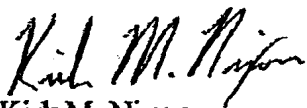
Zoning Commission Members
 Z2004140 (Champions Ridge U-2B)
 Page 3

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 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 up to date 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. 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 Aquifer Protection and Evaluation Section of the San Antonio Water System 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.

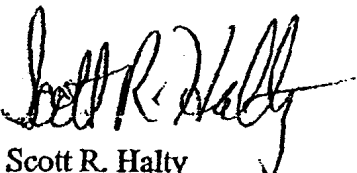
Zoning Commission Members
Z2004140 (Champions Ridge U-2B)
Page 4

- 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 plan and schedule agreement, from the new owner, must be submitted to the Resource Protection Division.
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.

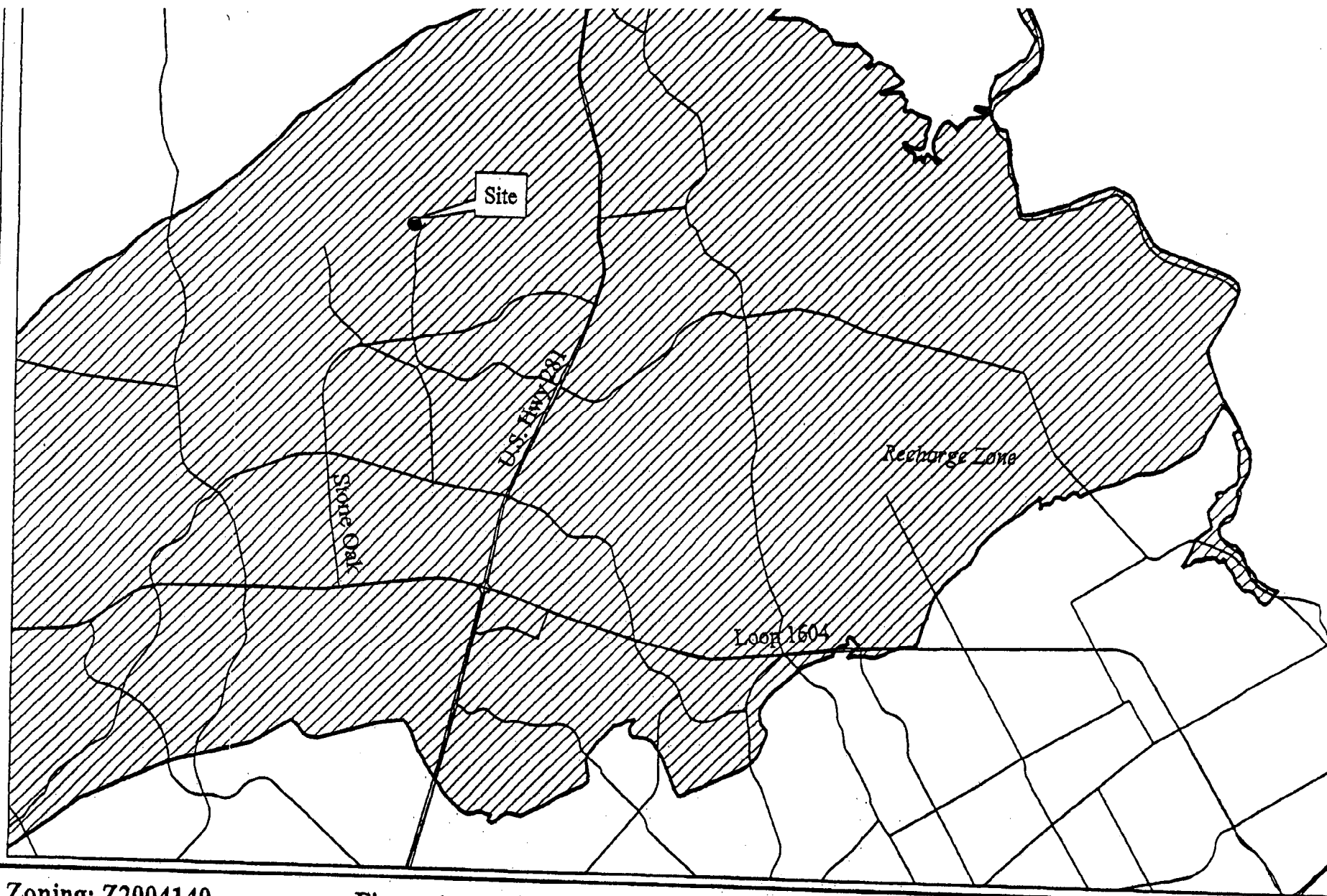
Based on the site evaluation of the property, and the information submitted by the applicant, staff recommends approval provided that the applicant agrees to abide by all recommendations contained in this document.


Kirk M. Nixon
Manager
Resource Protection Division

APPROVED:


Scott R. Halty
Director,
Resource Protection & Compliance Department

KMN:KJS



Zoning: Z2004140

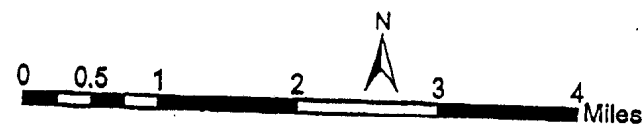
Champions Ridge U-2B

Map Page 483 A3

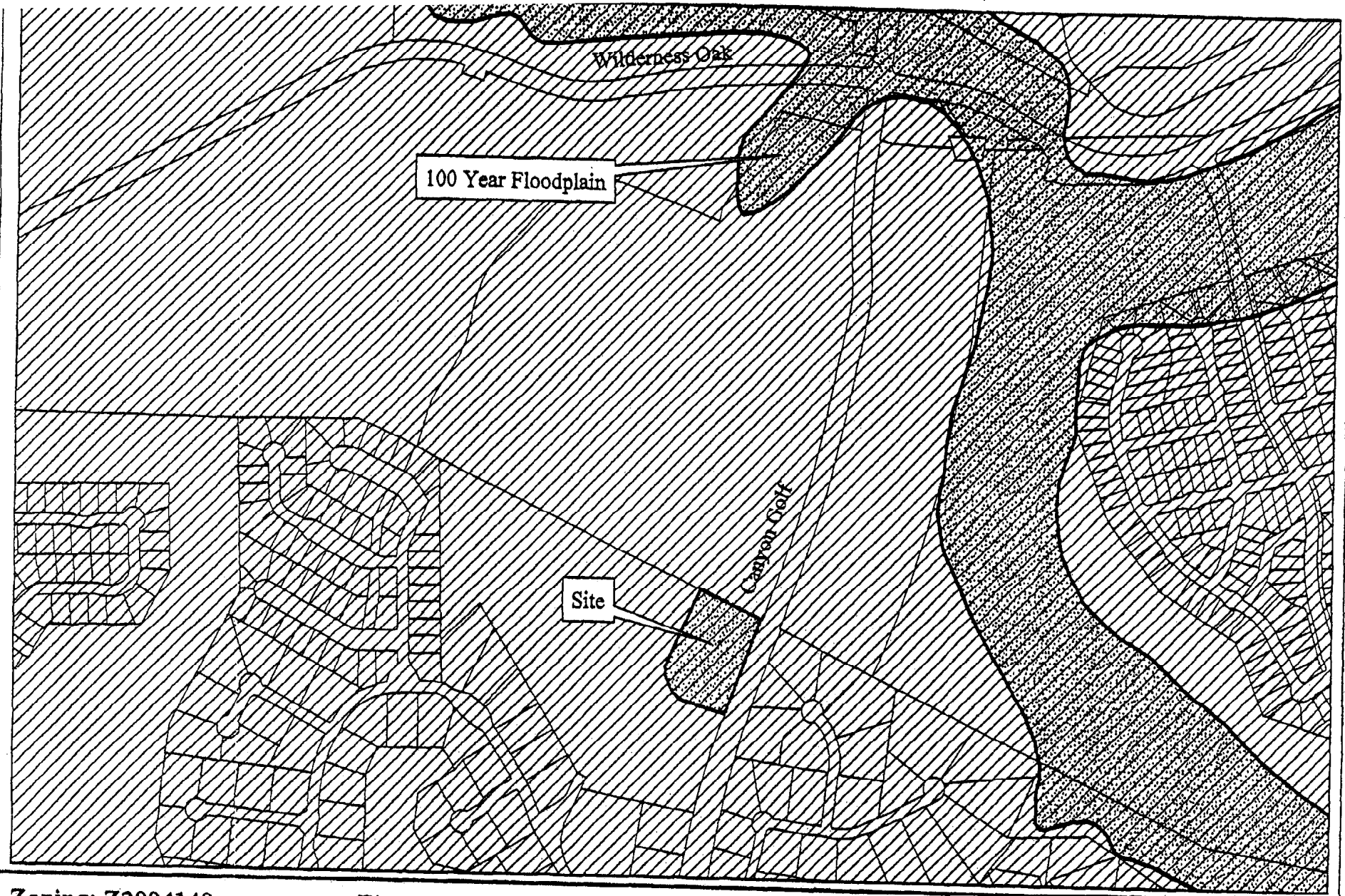
X = 2133523 Y=13787643

Map Prepared by Aquifer Protection and Evaluation KJS 6/1/2004

Figure 1



1:84,246



Zoning: Z2004140

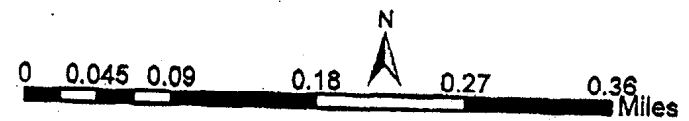
Figure 2

Champions Ridge U-2B

Map Page 483 A3

X = 2133523 Y=13787643

Map Prepared by Aquifer Protection and Evaluation KJS 6/1/2004



1:7,158

Z2004140

ZONING CASE NO. Z2004140 – July 20, 2004

Commissioner Grau was recused from this case.

Applicant: CR 2-B, Ltd.

Zoning Request: "C-2" ERZD Light Commercial Edwards Recharge Zone District to
PUD "R-6" Planned Unit Development Residential Single Family
Edwards Recharge Zone District.

Commissioner Dutmer was recused from this case.

Applicant/Representative not present.

Staff stated there were 4 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no response from Champion Ridge, Champions Estates and Stone Oak Neighborhood Associations.

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 Dixon to recommend a continuance until August 17, 2004.

1. Property is located on 3.228 acres out of NCB 19217 at Canyon Golf Road at the City Limits.
2. There were 4 notices mailed, 0 returned in opposition and 0 in favor.
3. Staff recommends approval.

AYES: Martinez, Cardenas-Gamez, Kissling, Dixon, McAden, Avila, Stribling,
Peel

NAYS: None

RECUSED: Grau, Dutmer

THE MOTION CARRIED

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.