

CASE NO: Z2004191 S

Staff and Zoning Commission Recommendation - City Council

Date: October 14, 2004

Zoning Commission Meeting Date: September 07, 2004

Council District: 8

Ferguson Map: 514 F5

Appeal: No

Applicant:

Rod Robertson

Owner:

Rod Robertson

Zoning Request: From C-3NA ERZD General Commercial, Nonalcoholic Sales Edwards Recharge Zone District to C-3NA S ERZD General Commercial, Nonalcoholic Sales Edwards Recharge Zone District with Specific Use Authorization for an Office Warehouse (Flex Space)

Lot 1, Block 102, NCB 18612

Property Location: 16210 University Oak

Southeast side of University Oak between Shavano Oak and Lockhill-Selma Road

Proposal: Office warehouse (flex space)

Neighborhood Association: None

Neighborhood Plan: None

TIA Statement: A traffic impact analysis is not required

Staff Recommendation:

Approval. The subject property is undeveloped and located within the University Oak Business Park. The subject property is adjacent to C-3NA ERZD General Commercial District, Nonalcoholic Sales Edwards Recharge Zone District to the south, I-1 ERZD General Industrial Edwards Recharge Zone District across University Oak to the northwest and City of Shavano Park to the northeast. An Office Warehouse (Flex Space) is permitted in C-3 General Commercial District, but requires a Specific Use Authorization by City Council to be permitted in the Edwards Recharge Zone District. Staff's recommendation of approval is based on the site evaluation of the property by the San Antonio Water System (SAWS) recommendation of approval.

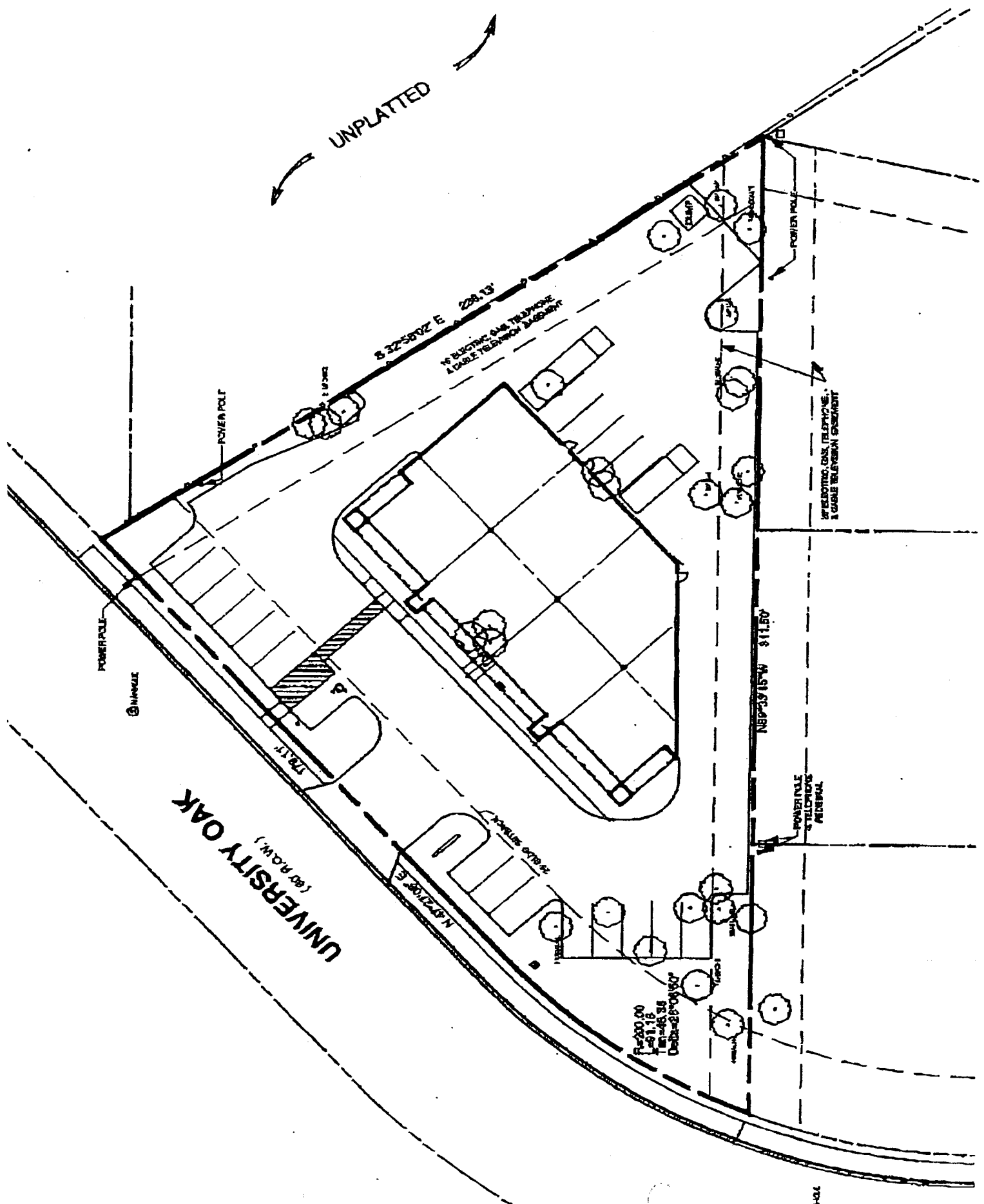
Zoning Commission Recommendation:

Approval

VOTE

FOR	9
AGAINST	0
ABSTAIN	0
RECUSAL	0

CASE MANAGER : Pedro Vega 207-7980



SAN ANTONIO WATER SYSTEM
Interdepartment Correspondence Sheet

DEV. SERVICES
2004 AUG 24 A 9:24

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 Z2004191 (University Oaks - Warehouse)

Date: August 17, 2004

SUMMARY

A request for a change in zoning has been made for an approximate 0.84-acre tract located on the city's northwest side. A change in zoning from "C-3 NA ERZD" to "C-3 NA S ERZD" is being requested by the applicant, represented by Andrew Guerrero. The change in zoning has been requested to allow for the construction and operation of a warehouse.

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 8, along University Oak south of Lockhill-Selma. 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 NA ERZD" to "C-3 NA S ERZD" and will allow for the construction of a warehouse facility.

2. Surrounding Land Uses:

Retail offices and warehouse facilities are located to the south of the site. The remaining property surrounding the project is undeveloped.

3. Geologic Features:

The Resource Protection Division of the San Antonio Water System conducted an evaluation on August 5, 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. Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site was underlain by the Cyclic and Marine Members of the Edwards Aquifer. This could not be verified due to alluvium and fill material covering the site. The Cyclic and Marine Members are known to develop caverns and possesses extensive lateral porosity. It is generally 80 to 90 feet thick in full section. An inferred fault is located on the northwest portion of the project site. This fault exposes the Upper Confining Unit Undivided to the northwest and the Cyclic and Marine Member to the southeast. No surface expression of this fault was observed. According to FEMA flood insurance maps, no part of the site is located within the 100-year floodplain.

4. Water Pollution Abatement Plan:

The project is contained within the University Oaks Business Park WPAP approved by the Texas Department of Water Resources on April 25, 1984.

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.

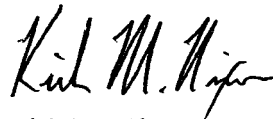
ENVIRONMENTAL RECOMMENDATIONS

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

1. The applicant shall notify the Construction Compliance Section of SAWS at (210) 704-1158 no later than 48 hours prior to the commencement of construction at the site.
2. All leasees shall be informed, in the lease agreement, that storage of chemicals and/or hazardous materials is not permitted. A copy of the standard lease agreement should also be submitted to SAWS for review. Staff from the Aquifer Protection and Evaluation Section of SAWS reserves the right to randomly inspect, without notice, any or all units to ensure compliance.
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 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. The storage, handling, use and disposal of any 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.
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.

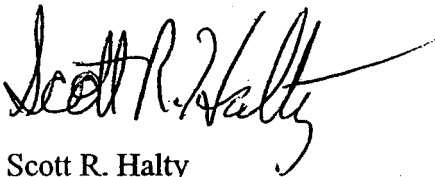
9. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.
10. Staff from the Resource Protection Division of SAWS shall have the authority to inspect 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



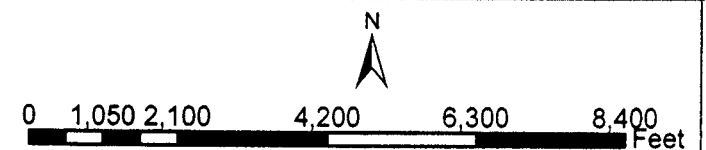
Zoning Case: Z2004191 Figure 1

University Oaks - Warehouse

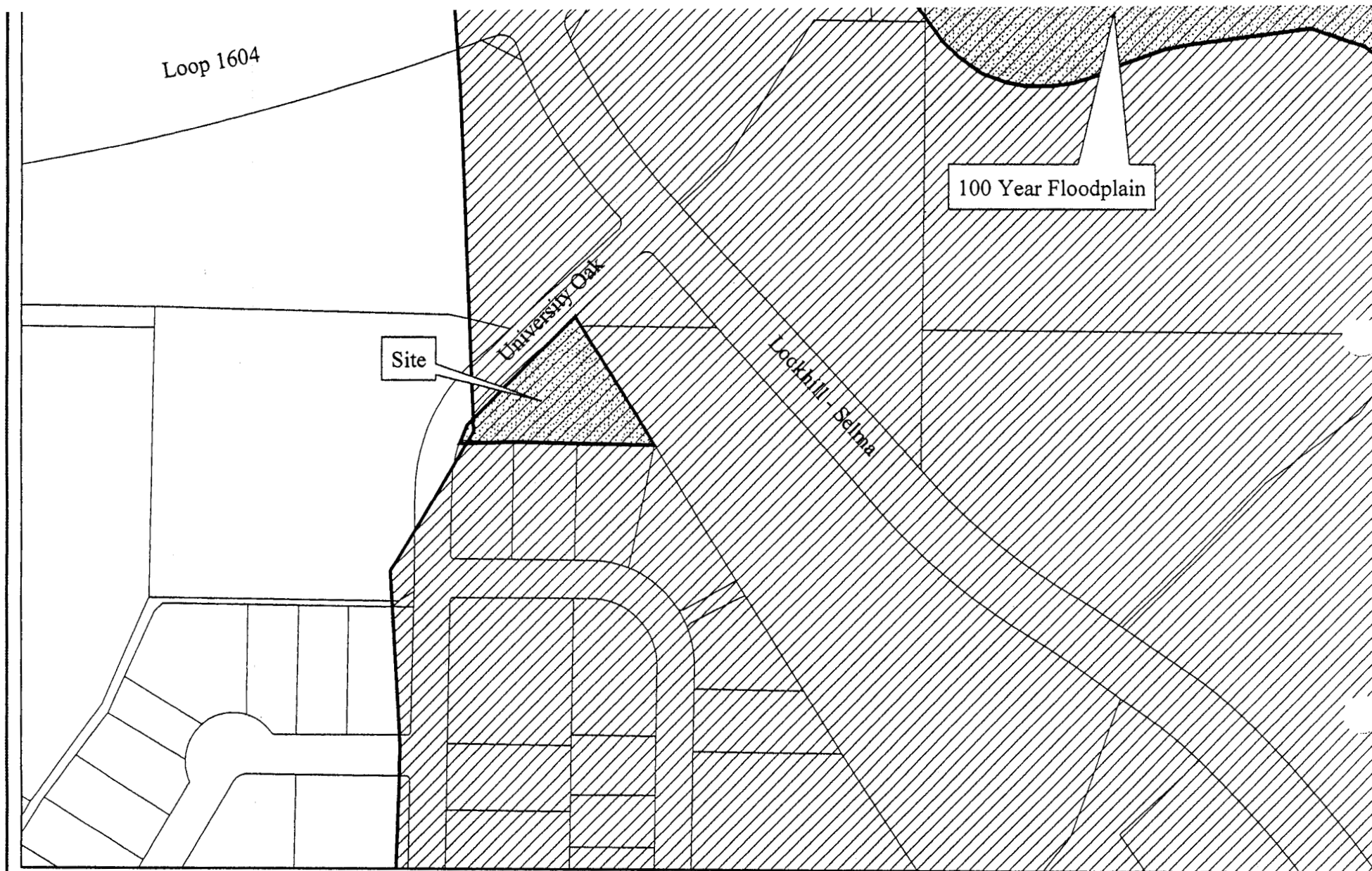
Map Page 514 F5

X = 2102918 Y=13762828

Map Prepared by Aquifer Protection and Evaluation KJS 8/9/2004



1:32,415



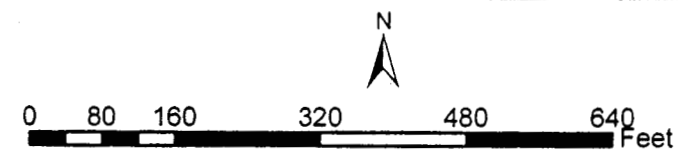
Zoning Case: Z2004191 Figure 2

University Oaks - Warehouse

Map Page 514 F5

X = 2102918 Y=13762828

Map Prepared by Aquifer Protection and Evaluation KJS 8/9/2004



1:2,532

Z2004191 S

ZONING CASE NO. Z2004191 S – September 7, 2004

Applicant: Rob Robertson

Zoning Request: "C-3NA" ERZD General Commercial, Nonalcoholic Sales Edwards
Recharge Zone District to "C-3NA" S ERZD General Commercial
Nonalcoholic Sales Edwards Recharge Zone District with a Specific Use
Authorization for an Office Warehouse (Flex Space).

Andy Guerrero, 3134 Renker, representing the applicant, stated they are requesting this change in zoning to allow for office warehouse facility on the subject property. He further stated they have also agreed to abide by SAWS recommendations.

Staff stated there were 9 notices mailed out to the surrounding property owners, 0 returned in opposition and 4 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 Stribling and seconded by Commissioner McAden to recommend approval.

1. Property is located on Lot 1, Block 102, NCB 18612 at 16210 University Oak.
2. There were 9 notices mailed, 0 returned in opposition and 4 in favor.
3. Staff recommends approval.

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

NAYS: None

RECUSE: Grau, Dutmer

THE MOTION CARRIED

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.