

## ZONING CASE: Z2004-163

City Council District NO. 9  
 Requested Zoning Change  
 From: "C-3 ERZD" To "MF-25 ERZD"  
 Date: January 27, 2005  
 Scale: 1" = 300'

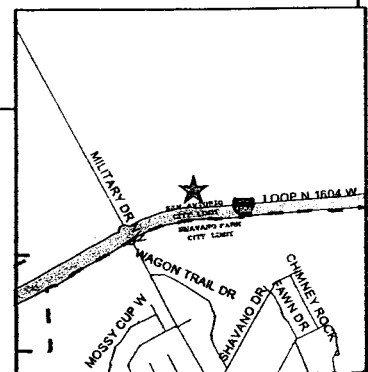
Subject Property

200' Notification

B-3  
 p.515



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# CASE NO: Z2004163

## Staff and Zoning Commission Recommendation - City Council

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Date: January 27, 2005

Zoning Commission Meeting Date: August 03, 2004

Council District: 9

Ferguson Map: 515 B3

**Applicant:**

Guefen Development Company

**Owner:**

Laredo/1604 Ltd.

**Zoning Request:**

From C-3 ERZD Commercial Edwards Recharge Zone District to MF-25  
ERZD Multi Family Edwards Recharge Zone District

20 acres out of NCB 17701

**Property Location:**

On the north side of North Loop 1604 West

**Proposal:**

To develop 374 multi family residential units

**Neighborhood  
Association:**

None

**Neighborhood Plan:**

None

**TIA Statement:**

A Level 3 Traffic Impact Analysis was provided for review. The analysis indicated that a number of on-site improvements should be provided by the developer.

**Staff Recommendation:**

Approval. The property is located at the edge of the NW Military and Loop 1604 commercial node. Salado Creek provides a natural buffer and recreational opportunities to the east. Adequate access will be provided by a collector system to NW Military as defined by the TIA. Staff was originally concerned with the proximity to the quarry but after closer review those concerns have been addressed. The subject property is buffered from the quarry by more than 2000 feet. The quarry has reached its southernmost boundary and will expand only to the north, away from this property. Furthermore, the quarry is subject to zoning conditions safeguarding nearby residents from quarry operations.

**Zoning Commission Recommendation:**

Approval

**VOTE**

FOR	9
AGAINST	0
ABSTAIN	0
RECUSAL	2

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

**Z2004163**

**ZONING CASE NO. Z2004163** – August 3, 2004

Applicant: Guefen Development Company

Zoning Request: "C-3" ERZD Commercial Edwards Recharge Zone District to "MF-25"  
ERZD Multi Family Edwards Recharge Zone District.

Andy Guerrero, 3134 Renker, representing the applicant, stated their intent is to construct 374-unit apartment complex on the subject property. He stated structures would be 3 stories in height. He further stated as part of this development there would be a thoroughfare provided along the perimeter of the property that would provide access to the proposed development. They are also proposing 70% impervious cover for this development. He also stated they would also provide detention ponds.

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

1. Property is located on P-14D, 41A, 39A and 38, NCB 17701 at North Loop 1604 West
2. There were 4 notices mailed, 0 returned in opposition and 0 in favor.
3. Staff recommends approval.

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

**NAYS:** None

**RECUSED:** Grau, Dutmer

**THE MOTION CARRIED**

**RESULTS OF NOTICE FOR COUNCIL HEARING**

To be provided at Council hearing.

**CITY OF SAN ANTONIO**  
**Development Services Department**

Interdepartmental Correspondence Sheet

**TO:** John Jacks (Planning Manager), Development Services Zoning Division  
**FROM:** Richard L. De La Cruz (Senior Engineer) Development Services TIA Division  
**COPIES TO:** File  
**SUBJECT:** 130-Acre Site at Loop 1604 and NW Military  
**DATE:** July 19, 2004

The Development Services TIA Division has reviewed the Level-3 Traffic Impact Analysis (TIA) for the 130-Acre Site. The analysis is in compliance with TIA Ordinance 91700.

This development is located on the northeast corner of the intersection of Loop 1604 and N.W. Military Highway, in north central San Antonio. The proposed 130-acre development is assumed to be mixed land-use development consisting of 1,040,000 square feet of Business Park, 1500 multi-family dwelling units and 160,000 square feet of shopping center. The projected build-out year for the development is 2006. Regional access to the site in the east-west direction will be provided by Loop 1604, and in the north-south direction will be provided by N.W. Military Highway. The site is expected to have two major access points, one each along Loop 1604 westbound (WB) Frontage Road (FR) and N.W. Military Highway.

The following on-site improvements, as well as, improvements along the project limits are recommendations and should be provided by the developer, on and before the completion of the 130-Acre Site, at no cost to the City of San Antonio:

- Widen and stripe the eastbound (EB) approach at Loop 1604 and NW. Military Highway to provide dual-lefts and two through lanes.
- Widen and stripe the southbound approach at Loop 1604 EBFR and N.W. Military Highway to provide a left-turn lane, a shared left-turn lane and a through lane.
- Widen and stripe the WB approach at Loop 1604 and N.W. Military Highway to provide dual-lefts, two through lanes and a right turn lane.
- Access point on N.W. Military Highway shall be located at least ¼ mile from the intersection of Loop 1604 WBFR and N.W. Military Highway.
- The developer should be responsible for upgrading the intersection of N. W. Military Highway and Access Driveway. This includes a sufficient left-turn storage lane on southbound N.W. Military Highway, with a bay taper and transition. All design criteria should follow standards set by the Texas Department of Transportation (TxDOT).
- Provide right-turn deceleration lanes at N.W. Military Highway Access Driveway and Loop 1604 Access Driveway. Right turn lane will reduce disruption to through traffic and reduce possibilities of rear-end collisions.

130 - Acre Site, Level 3 TIA


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7/20/2004

- The proposed traffic signal on N.W. Military Highway shall be warranted and approved by Public Works - Traffic Engineering UDC 35-506 (k) Traffic Signals.
- Driveway throat lengths shall comply with City of San Antonio UDC requirements, to facilitate the safe and efficient flow of traffic.
- All access driveways shall comply with UDC 35-506 (r) (8) Alignment.
- All access driveways shall provide clear sight distance along N.W. Military Highway and Loop 1604 to provide adequate obstruction free viewing distances for approaching traffic. All signage, landscaping, and improvements shall be selected and located so as to not block these clear sight distance areas.

It should be understood that the submitted TIA is a conceptual plan and therefore this document does not represent an approval for the internal site plan. Site circulation is important for this proposed development. Reduced number of driveways and cross access from the retail stores to the business park to the multi-family is encouraged in order to provide safe and efficient movement of traffic to and from, within and past, the proposed development, while minimizing the impact to non-site trips.

Approved by:

  
Richard L. De La Cruz, P.E.  
Senior Engineer  
Development Services TIA Division

ID 2004TIA0725

22004163

**SAN ANTONIO WATER SYSTEM**  
**Interdepartment Correspondence Sheet**

CITY SERVICES  
2004 JUL 11 A 10:34

**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 Z2004163 (20 Acre Tract)

**Date:** July 20, 2004

**SUMMARY**

A request for a change in zoning has been made for an approximate 20-acre tract located on the city's north side. A change in zoning from "C-3 ERZD" to "MF-25 ERZD" is being requested by the applicant, Gueren Development Company, represented by Ron Inscore. The change in zoning has been requested to allow for the owner to develop the site as a multifamily residential community.

**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 Loop 1604, east of NW Military. 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 ERZD and will allow for the construction of a 374 unit Class A multifamily residential community.

### **2. Surrounding Land Uses:**

The property surrounding the project site is currently undeveloped.

### **3. Geologic Features:**

The Resource Protection Division of the San Antonio Water System conducted an evaluation on July 2, 2004 of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS Senior Hydrogeologist, Mr. John Waugh, P.G., was present during the site evaluation and observed no significant recharge feature, although Edwards outcropping was visually apparent. Using the U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site is underlain by the Dolomitic Member of the Edwards Aquifer. A number of small closed depressions were noted on the property, however they did not appear to be either sensitive or significant features, due to their size and topographic positions. According to FEMA flood insurance maps, no part of the project site is located within the 100-year floodplain.

### **4. Water Pollution Abatement Plan:**

As of the date of this report, a Water Pollution Abatement Plan (WPAP) has not been submitted to the Texas Commission on Environmental Quality (TCEQ). A WPAP will be required to be submitted to and approved by the TCEQ prior to construction. Building permits will not be released until the WPAP is approved by TCEQ.

## **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**

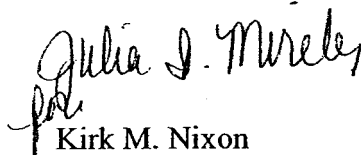
The following recommendations address the environmental concerns raised by the construction of this development on the Edwards Aquifer Recharge Zone:

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 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 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.

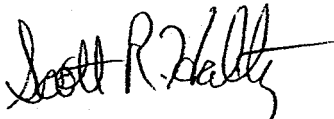
6. The storage, handling, use and disposal of all hazardous materials within this development shall be consistent with the labeling of those materials. This is to include any chemicals stored on site for swimming pool maintenance. Failure to comply with the label warnings may constitute a violation of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

Zoning Commission Members  
Z2004163 (20 Acre Tract)  
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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.

  
for  
Kirk M. Nixon  
Manager  
Resource Protection Division

APPROVED:

  
Scott R. Halty  
Director,  
Resource Protection & Compliance Department

KMN:KJS



**Zoning Case Z2004163**

**Figure 1**

20 Acre Tract

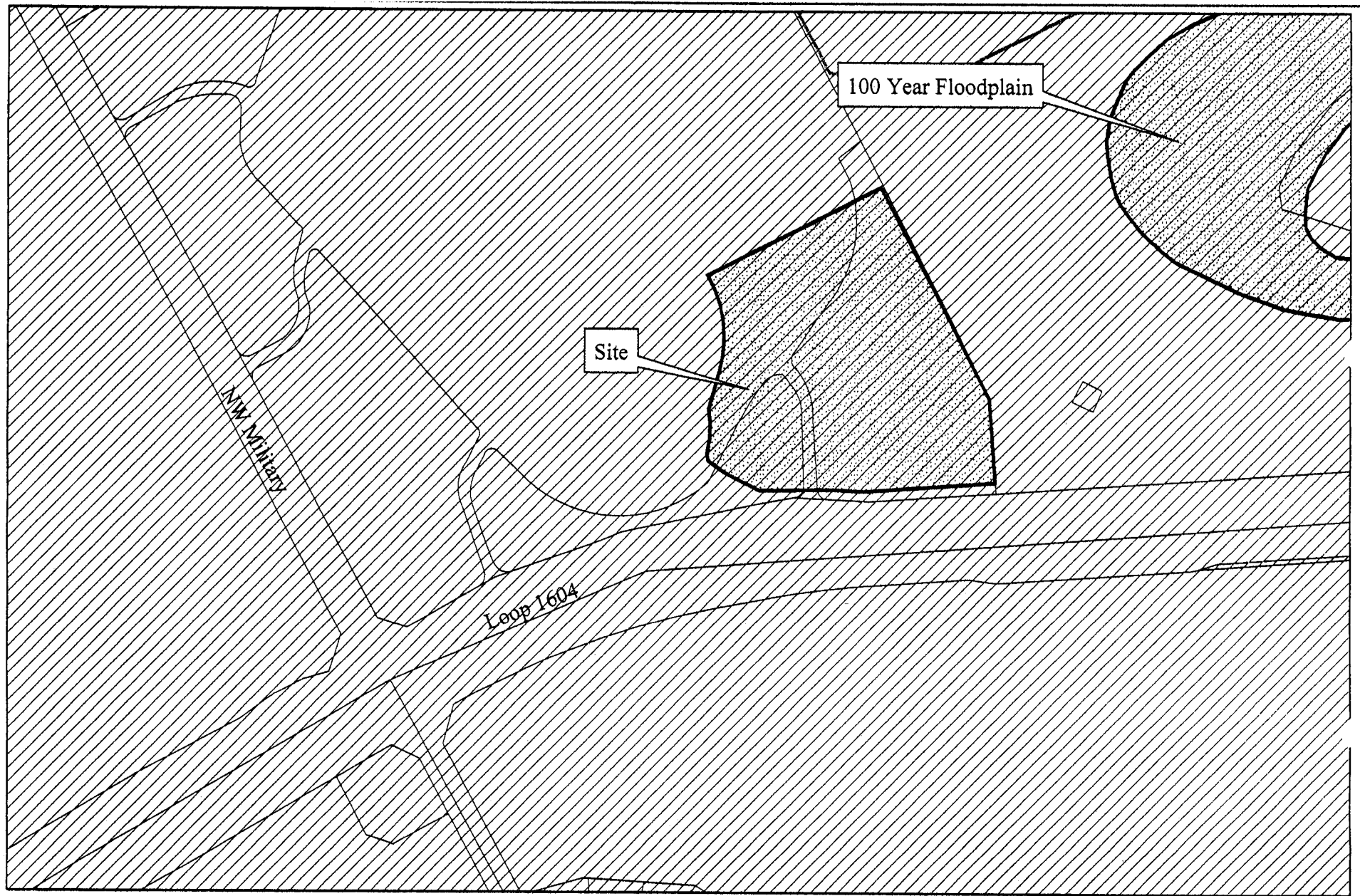
Map Page 515 B3

X = 2108645 Y=13766901

Map Prepared by Aquifer Protection and Evaluation KJS 7/6/2004



1:72,814



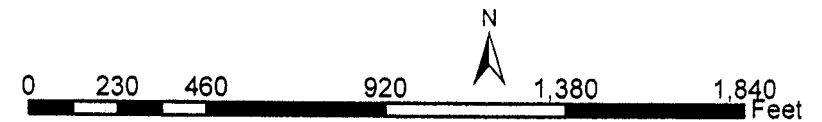
**Zoning Case Z2004163 Figure 2**

**20 ACRE TRACT**

Map Page 515 B3

X = 2108645 Y=13766901

Map Prepared by Aquifer Protection and Evaluation KJS 6/28/2004



1:5,925