

ZONING CASE: Z2005-291

City Council District No. 9

Requested Zoning Change

From "R-4 ERZD" To PUD "R-4 ERZD"

Date: January 26, 2006

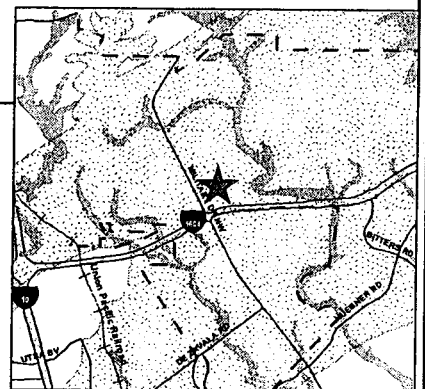
Scale: 1" = 500'

Subject Property

200' Notification



C:\Dec_6_2005



CASE NO: Z2005291

Staff and Zoning Commission Recommendation - City Council

Date: January 26, 2006

Zoning Commission Meeting Date: January 17, 2006

Council District: 9 **Ferguson Map:** 515 B-3

Applicant: Owner

Kaufman and Associates, Inc. McMillin Texas Development, LLC.

Zoning Request: From "R-4 ERZD" Residential Single-Family Edwards Recharge Zone District to PUD "R-4 ERZD" Planned Unit Development Residential Single-Family Edwards Recharge Zone District

74.595 acres out of NCB 17701

Property Location: Northwest Military Highway and Loop 1604 West

17300 Block of NW Military Highway

Proposal: Flexability of development design

Neighborhood Associatio None

Neighborhood Plan: None

Traffic Impact Analysis:

A Traffic Impact Analysis is required, and has previously been submitted. The TIA report indicates that the 74.64-acres is proposed to be developed with as many as 368 single-family lots. The proposed development is projected to generate 3,521 daily vehicle trips. Texas Department of Transportation (TxDOT) is requiring a right turn lane on N.W. Military at the proposed subdivision entrance. The TIA Division recommends support of re-zoning.

Staff Recommendation:

Approval.

The subject property was rezoned to "R-4 ERZD", June 9, 2005. The requested zoning to PUD "R-4 ERZD" will allow for design flexibility.

The subject property is located north of the intersection of two major thoroughfares, Northwest Military Highway and North Loop 1604 West. The subject property is currently undeveloped. The surrounding properties are vacant and are zoned commercial to the north and south, residential to the east, and quarry to the west. The subject property is adjacent to a large quarry. A strip of commercial zoned property separates the site from the quarry to the north.

SAWS recommends approval with conditions.

Zoning Commission Recommendation

Approval with SAWS recommendations, maximum of 375 units and 50% impervious cover

CASE MANAGER : Richard Ramirez 207-5018

VOTE

FOR	10
AGAINST	0
ABSTAIN	0
RECUSAL	0

Z2005291

ZONING CASE NO. Z2005291 – January 17, 2006

Applicant: Kaufman & Associates, Inc.

Zoning Request: "R-4" ERZD Residential Single-Family Edwards Recharge Zone
District to PUD "R-4" "ERZD Planned Unit Development Residential
Single Family Edward Recharge Zone District

Lucy Gentry, 100 W. Houston, representing the owner, stated the purpose of the PUD designation would be to provide private streets and the gated community. She stated there would be no more than 375 residential units on the subject property. She further stated they are in agreement with SAWS recommendation of 50% impervious cover.

Staff stated there were 8 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 Robbins to recommend approval of "R-4" PUD ERZD .

1. Property is located on 74.595 acres out of NCB 17701 at Northwest Military Highway and Loop 1604 West.
2. There were 8 notices mailed, 0 returned in opposition and 0 in favor.
3. Staff recommends approval.

AYES: Martinez, Robbins, Rodriguez, Kissling, Marshall, Sherrill, McAden, Avila, Stribling, Gray

NAYS: None

THE MOTION CARRIED

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.

SAN ANTONIO WATER SYSTEM
Interdepartment Correspondence Sheet

Z2005291
SERVICES

2006 JAN -5 P 12:41

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., Mike Barr, Resource Protection Specialist II, Aquifer Protection & Evaluation Section, File

Subject: Zoning Case Z2005291 (Presidio Heights)

Date: January 3, 2006

SUMMARY

A request for a change in zoning has been made for an approximate 74.595-acre tract located on the city's north side. A change in zoning from "R-4" ERZD to "R-4 PUD" ERZD is being requested by the applicant, Kaufman and Associates, Inc. The change in zoning has been requested to allow for the development of a single - family residential subdivision. The property is classified as Category 1 property. The change is to allow for the residential subdivision to be gated.

Based on the site evaluation of the property, and the information submitted by the applicant, SAWS staff recommends **approval** of the proposed land use. Should the city council rezone the property that is the subject of this report, the San Antonio Water System recommends that any development on that property after the zoning classification has been changed should be restricted as stated in the environmental recommendations section of this report.

LOCATION

The subject property is located in City Council District 9, near the northeast corner of Loop 1604 and N.W. Military. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

SITE EVALUATION

1. Development Description:

The proposed change is from "R-4" ERZD to "R-4 PUD" ERZD and will allow for the construction of single - family residential subdivision. Currently the site is covered in native vegetation and undeveloped.

2. Surrounding Land Uses:

Quarry operations surround most of the property, to the north and west of the site. The remaining property that surrounds the site is currently undeveloped.

3. Water Pollution Abatement Plan:

As of the date of this report, a 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 the commencement of construction.

4. Geologic Conditions:

The Resource Protection Division of the San Antonio Water System conducted an evaluation on April 11, 2005 of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS staff Geologist, Ms. Joan B. Faulkenberg, P.G., was present during the site evaluation and observed no sensitive recharge features, although Edwards outcropping was visually apparent. Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site was underlain by the Dolomitic Member of the Edwards Aquifer. Identification of geologic units was partially obscured due to soil development and coverage by mulch.

The Dolomitic Member is known to be porous and relatively permeable. It is generally 110 to 130 feet thick. An inferred fault traverses across the eastern portion of the property, however no surface expression was observed in the field. According to FEMA Flood Insurance Maps, no part of the subject site is located within the 100-year floodplain.

ENVIRONMENTAL CONCERNS

The environmental concerns associated with this development being constructed on the Edwards Aquifer Recharge Zone are:

General Concerns

1. 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.
2. 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:

Site Specific Recommendations

1. The impervious cover shall not exceed 50% on the site.
2. The land uses within the project site 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 the project 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 not allowed, that land use will not be permitted on the project site.
3. The owner of all water pollution abatement structures shall ensure these structures are properly maintained and kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Resource Protection Division of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. The new owner must submit a signed water quality maintenance plan to the Resource Protection Division of SAWS.
4. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for 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 the U.S. Natural Resource Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, shall be used.
5. The applicant shall notify the Construction Compliance Section of the Resource Compliance Division of SAWS at (210) 233-3564 no later than 48 hours prior to the commencement of construction at the site. 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) 233-3526.

6. If any sensitive 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) 233-3526.

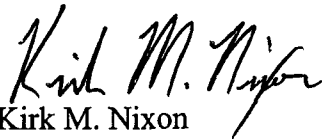
General Recommendations

1. 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.
2. 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.
3. 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.
4. 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) 233-3526 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) 233-3526 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to SAWS Aquifer Protection and Evaluation Section.

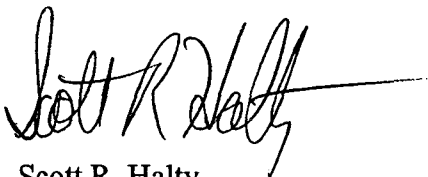
Zoning Commission Members
Z2005291 (Presidio Heights)
Page 5

- C. If the basin fails to drain properly, the owner will notify the Construction Section of the Resource Compliance Division at (210) 233-3564 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.
- 5. 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.
- 6. 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** of the proposed land use. Additionally, SAWS staff recommends that the applicant, or any future owner, comply with the above recommendations in regards to the development of the subject property.

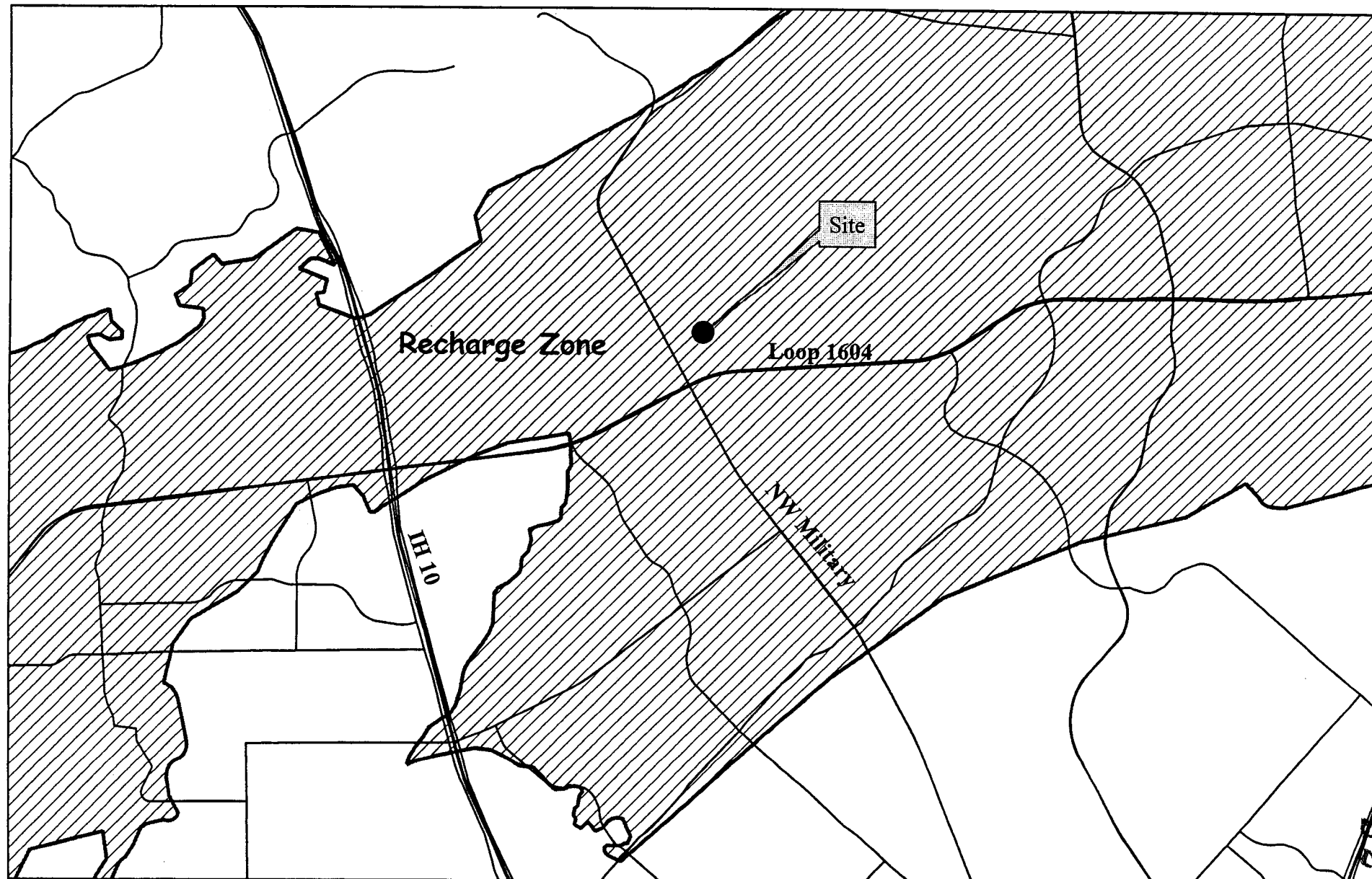

Kirk M. Nixon
Manager
Resource Protection Division

APPROVED:



Scott R. Halty
Director,
Resource Protection & Compliance Department

KMN:MJB



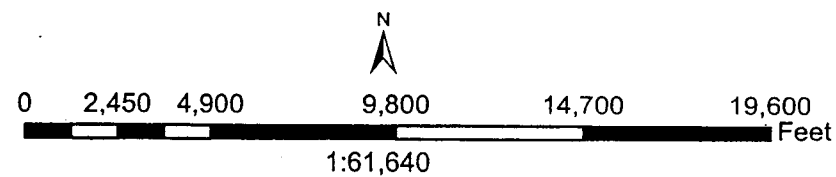
Zoning Case No. Z2005291 Figure 1

Presidio Heights

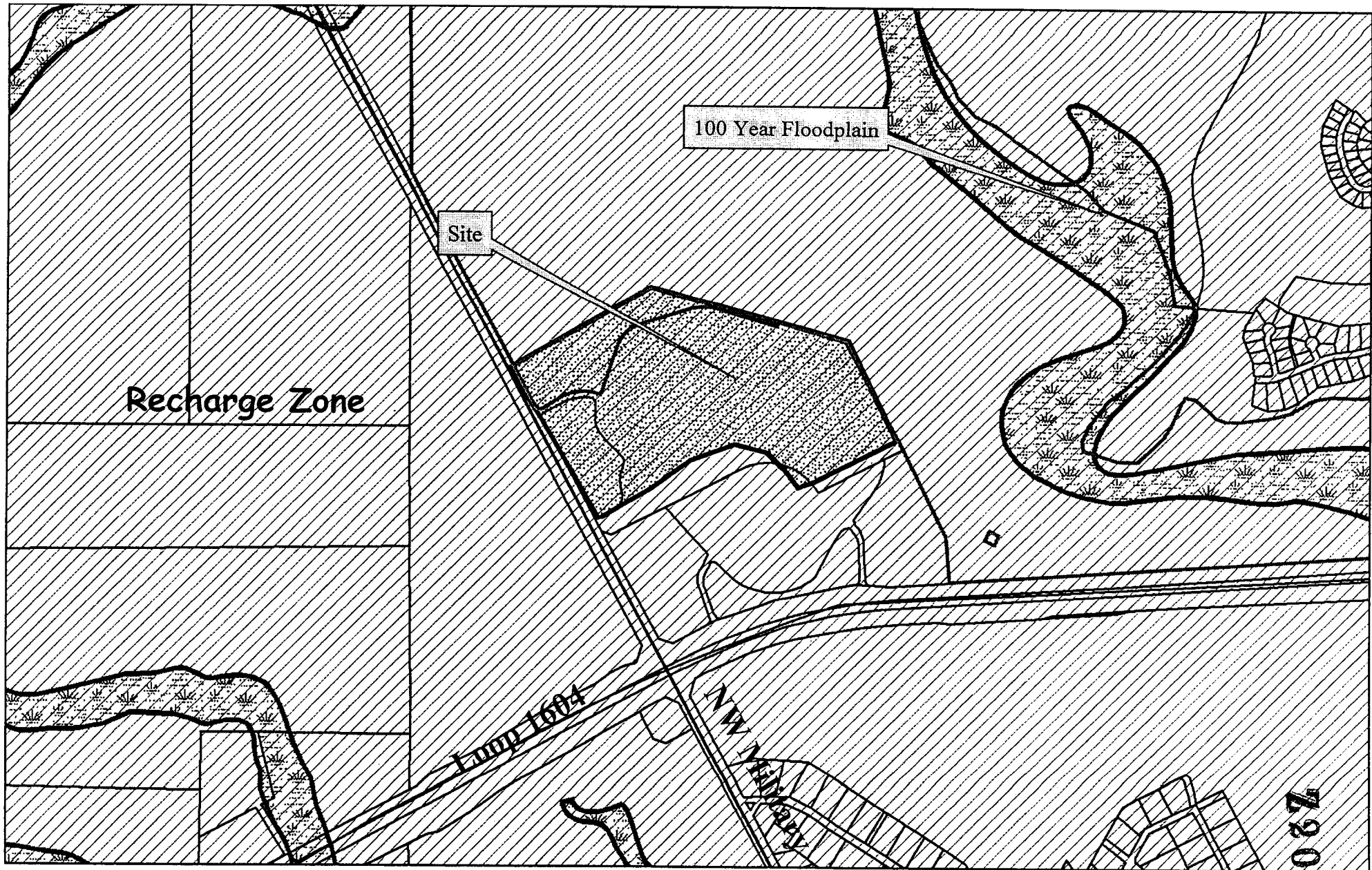
Map Page 515 B3

X=2107282 Y=13767971

Map Prepared by Aquifer Protection and Evaluation MJB 12/23/2005



Z2005291



Zoning Case No. Z2005291 Figure 2

Presidio Heights

Map Page 515 B3

X=2107282 Y=13767971

Map Prepared by Aquifer Protection and Evaluation MJB 12/14/2005

