

## ZONING CASE: Z2006-008

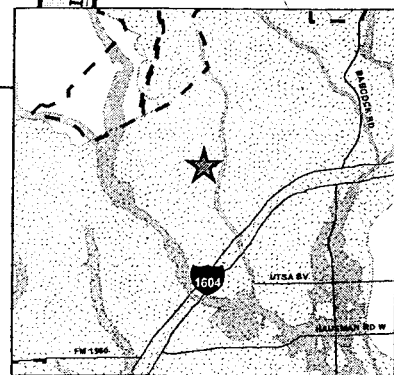
City Council District No. 3  
 Requested Zoning Change  
 From "DR ERZD" To "RM-6 ERZD"  
 Date: May 4, 2006  
 Scale: 1" = 300'

Subject Property

200' Notification



C:\Feb\_7\_2006



# CASE NO: Z2006008

## Staff and Zoning Commission Recommendation - City Council

**Date:** May 04, 2006

**Zoning Commission Meeting Date:** February 21, 2006

**Council District:** 8 **Ferguson Map:** 513 D-5

**Applicant:** Owner

Our Lady of the Atonement Catholic Church

Our Lady of the Atonement Catholic Church

**Zoning Request:** From "DR ERZD" Development Reserve Edwards Recharge Zone District to "RM-6 ERZD" Mixed Residential Edwards Recharge Zone District

Lot 15, Block 6, NCB 4547

**Property Location:** 15415 Red Robin Road

West side of Red Robin Lane and Wild Eagle Road

**Proposal:** To construct and expand an existing school and church

**Neighborhood Association:** Hills and Dales Neighborhood Association

**Neighborhood Plan:** None

### Traffic Impact Analysis:

A Traffic Impact Analysis has been submitted in 2004. Current zoning is R-6 and would generate 38 hourly trips developed as single family use. The property is owned by Our Lady of the Atonement Catholic Church. The parcel is proposed to be zoned RM-6 and developed with a church and private school, both expansions to existing facilities. The proposed development is projected to generate 205 weekday morning trips per hour and 184 Sunday morning trips per hour in addition to the existing traffic volumes from the site. Access to the site is from local streets in the Hills and Dales subdivision.

### Staff Recommendation:

Approval. The requested zoning from DR to RM-6 is for the expansion of an existing facility. RM-6 allows for the school and the church facility. The adjoining property is vacant and zoned DR. DR zoning is a temporary classification for annexed property. DR uses and development standards are those permitted in R-6.

SAWS recommendation is for approval. The property is classified as Category 1 property. The impervious cover shall not exceed 50% on the site.

### Zoning Commission Recommendation

Approval w/SAWS recommendations of 50%

**CASE MANAGER :** Richard Ramirez 207-5018

### VOTE

<b>FOR</b>	9
<b>AGAINST</b>	0
<b>ABSTAIN</b>	0
<b>RECUSAL</b>	0

**Z2006008**

**ZONING CASE NO. Z2006008** – February 21, 2006

Applicant: Our Lady of the Atonement Catholic Church

Zoning Request: "DR" ERZD Development Reserve Edwards Recharge Zone District to  
"RM-6" ERZD Mixed Residential Edwards Recharge Zone District.

Jeff Tandra, 12940 Country Parkway, stated upon annexation of this property in December 2005, the property was tentatively zone "DR". He stated they are requesting this change in zoning to allow for the expansion a private school on the subject property.

**FAVOR**

Michael Dolan, 3 Sanctuary, stated he is in support of this request. He stated the parish and the school provide a wonderful benefit to the community.

Father Christopher Phillips, 8015 Shady Hollow, stated strongly support this zoning change. He stated this academic year they have approximately 500 students enrolled which does give some relief to the overcrowded public schools.

Staff stated there were 8 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor and no response from Hills and Dales Neighborhood Association.

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 with all SAWS recommendations of 50% impervious cover and all of SAWS Recommendations.

SAWS Recommendations:

- a. SAWS recommends approval of the proposed land use.
- b. A category determination has not been submitted. Until such time the property is classified as a Category 2 property.
- c. SAWS recommends that the impervious cover on the site shall not exceed 30%.

**Z2006008**

1. Property is located on Lot 15, Block 6, NCB 4547 at 15415 Red Robin Road.
2. There were 8 notices mailed, 0 returned in opposition and 2 in favor.
3. Staff recommends approval.

**AYES: Avila, Robbins, Rodriguez, Gadberry, Sherrill, McAden, Martinez,  
Stribling, Gray**

**NAYS: None**

**THE MOTION CARRIED**

**RESULTS OF NOTICE FOR COUNCIL HEARING**

To be provided at Council hearing.

SERVICES

**SAN ANTONIO WATER SYSTEM**  
**Interdepartment Correspondence Sheet** 2006 FEB -2 P 2: 20

**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 Z2006008 (Our Lady of Atonement Catholic Church)

**Date:** February 7, 2006

## SUMMARY

A request for a change in zoning has been made for an approximate 4.5-acre tract located on the city's northwest side. A change in zoning from **DR ERZD** to **RM-6 ERZD** is being requested by the applicant, Our Lady of Atonement Catholic Church. The change in zoning has been requested to allow for the construction of a private school and church expansion. The property is classified as Category 1 property.

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 8, near Red Robin Road and Kyle Seale Pkwy. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

## SITE EVALUATION

### 1. Development Description:

The proposed change is from **DR ERZD** to **RM-6 ERZD** and will allow for the construction of a private school and church expansion. Currently the site has been graded and is covered in fill.

2. Surrounding Land Uses:

Currently the overall site is an existing church that is located immediately east of the proposed expansion site. An undeveloped lot and Kyle Seale Pkwy is located to the west of the site. Grandview Subdivision is currently under construction to the north of the site. Hills and Dales Subdivision is located to the south of the site.

3. Water Pollution Abatement Plan:

The Our Lady of Atonement Catholic Church Water Pollution Abatement Plan (WPAP) was approved by the Texas Commission on Environmental Quality (TCEQ) on April 16, 2004. There were a total of five geologic features. Two features are rated as being sensitive (S-1 and S-5). Feature S-1 is a solution-enlarged fracture and feature S-5 is a fault. As per the WPAP and approval by TCEQ, both of these features have been sealed with fill material.

4. Geologic Conditions:

The Resource Protection Division of the San Antonio Water System conducted an evaluation, on January 6, 2006, 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.

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. This could not be confirmed during the site evaluation due to grading activities at the site.

Permeability within the Dolomitic Member is generally associated with structural features. Some matrix permeability is possible, but this is also usually associated with structural features such as bedding planes. The Dolomitic Member is generally 110 to 130 feet thick in full section.

No significant features were observed on the project site.

## **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**

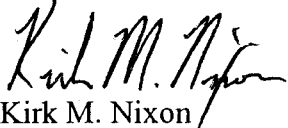
1. The impervious cover shall not exceed 50% on the site.
2. The owner of all water pollution abatement structures shall ensure these structures are properly maintained and kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Resource Protection Division of 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.
3. 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.
4. 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.

**General Recommendations**

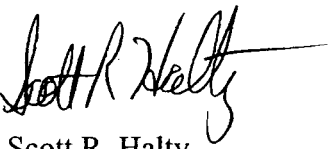
1. Prior to the release of any building permits the owner/operator of any Category 2 property shall submit an Aquifer Protection Plan to the Resource Protection Division of the San Antonio Water System.
2. The land uses within the project site shall be in conformance with the table of permitted uses 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. 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.
4. 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.
5. 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.

- 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.
- 6. 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.
  - 7. 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.

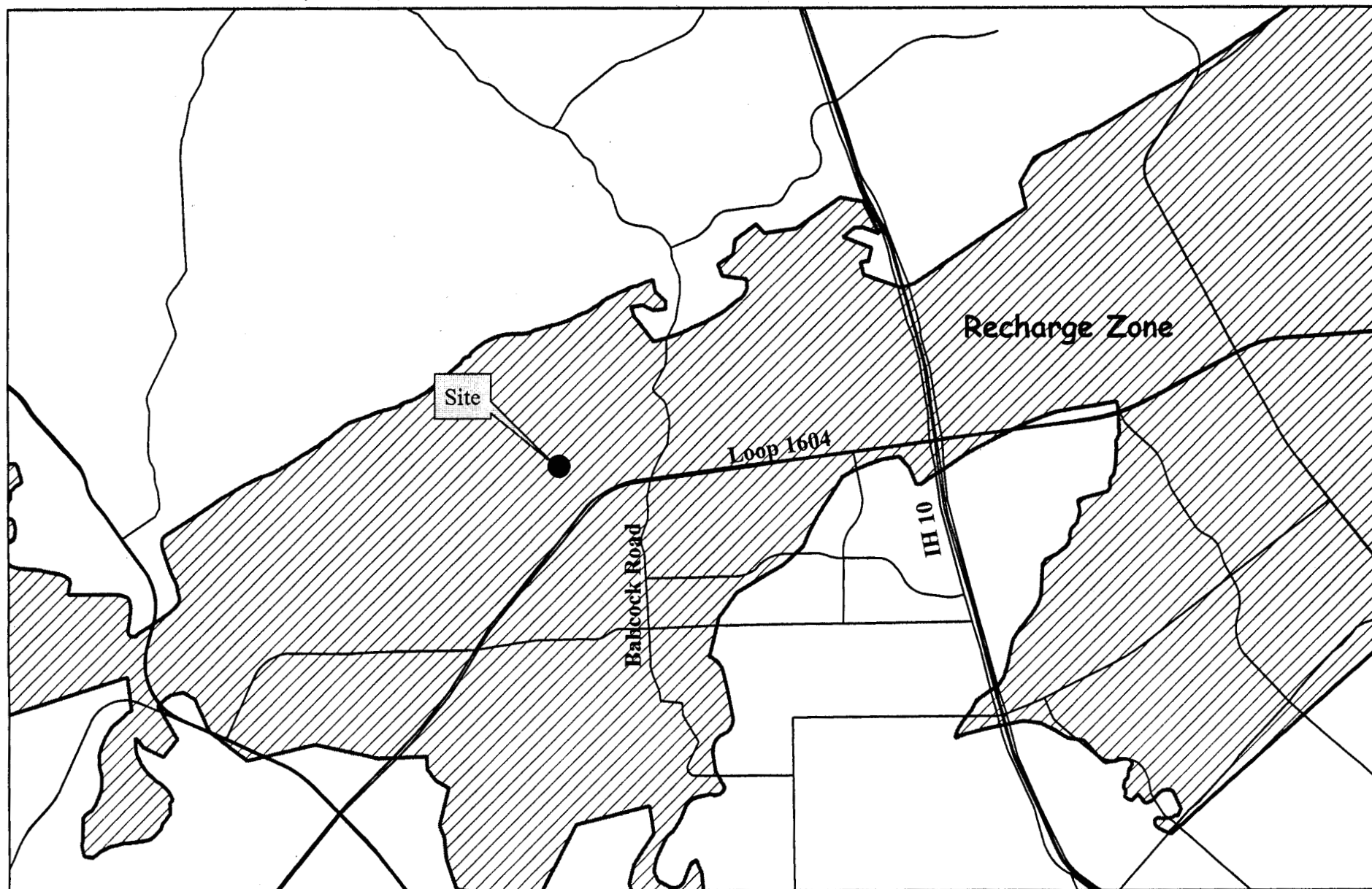
Based on the site evaluation of the property, and the information submitted by the applicant, staff recommends **approval** of the proposed land use. Additionally, SAWS staff recommends that the applicant, or any future owner, comply with the above recommendations in regards to the development of the subject property.

  
Kirk M. Nixon  
Manager  
Resource Protection Division

APPROVED:

  
Scott R. Halty  
Director,  
Resource Protection & Compliance Department

KMN:MJB



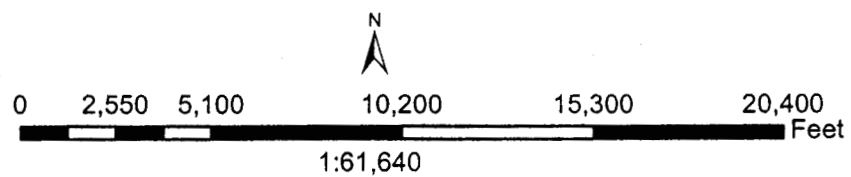
**Zoning Case No. Z2006008 Figure 1**

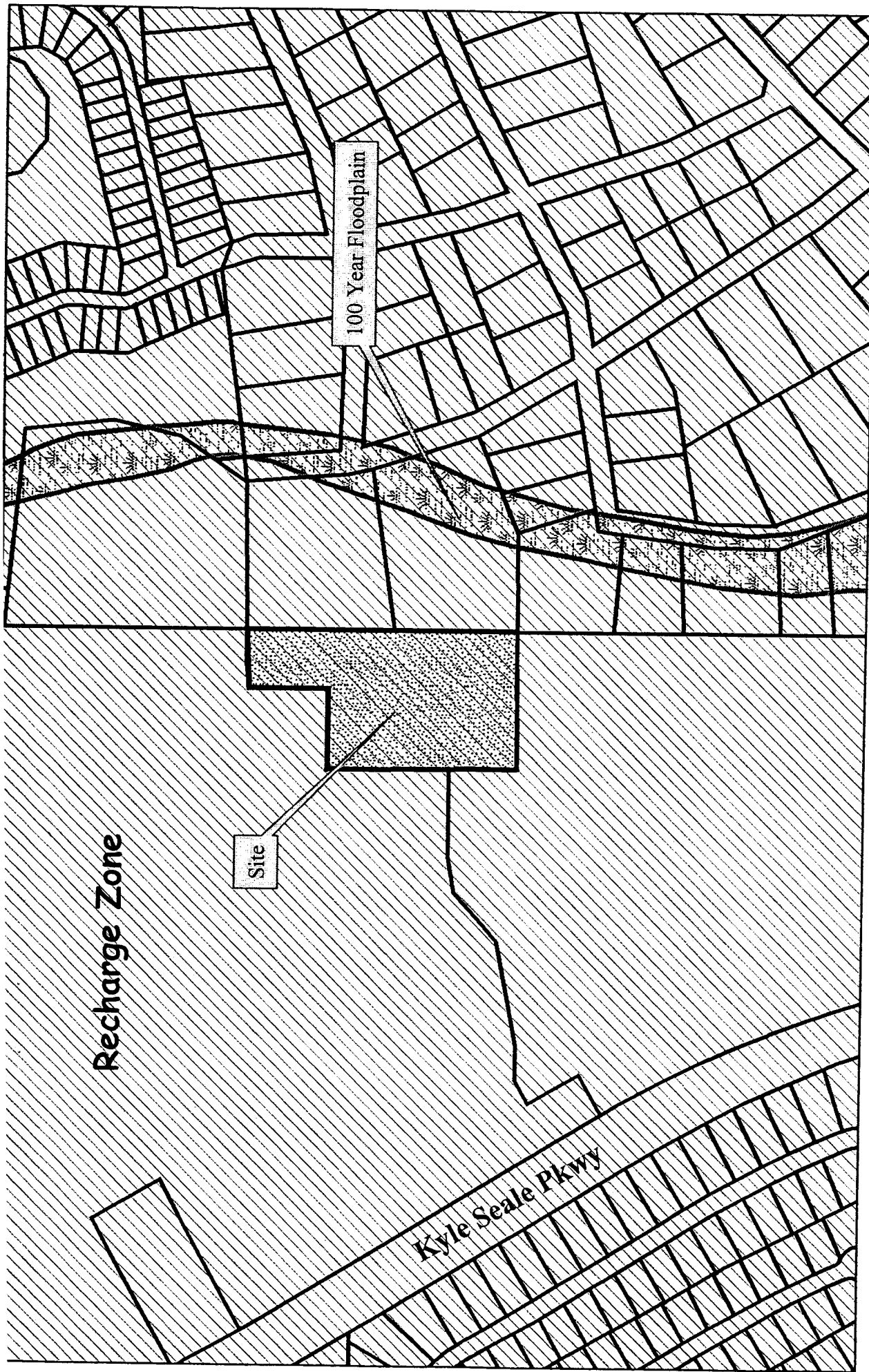
**Our Lady of Atonement Catholic Church**

**Map Page 513 D5**

**X=2081237 Y=13761366**

Map Prepared by Aquifer Protection and Evaluation MJB 1/10/2006





**Zoning Case No. Z2006000 Figure 2**

Our Lady of Atonement Catholic Church

Map Page 513 D5

X=2081237 Y=13761366

Map Prepared by Aquifer Protection and Evaluation MJB 1/10/2006

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