



# CASE NO: Z2005280

## Staff and Zoning Commission Recommendation - City Council

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**Date:** May 18, 2006

**Zoning Commission Meeting Date:** April 18, 2006

**Council District:** 9

**Ferguson Map:** 482 B8

**Applicant:**

**Owner:**

Brown, P. C.

Reitmeyer Investments, Ltd.

**Zoning Request:** From "MF-33 ERZD" Multi-Family Edwards Recharge Zone District to "C-3 ERZD" General Commercial Edwards Recharge Zone District

18.56 acres out of NCB 16334

**Property Location:** 19100 Block of Blanco Road

Southeast side of Blanco Road 419.24 feet from Huebner Road and southwest side of Huebner Road 195.12 feet from Blanco Road

**Proposal:** Commercial Business Park

**Neighborhood Association** Sonterra Stone Oak Neighborhood Association

**Neighborhood Plan:** None

### Traffic Impact Analysis

A TIA report is required and has been submitted. The 18.6-acres is currently zoned MF-33 Single Family Residential use. The current zoning would have generated approximately 4,125 daily vehicle trips. The property is proposed to be C-3 Business Park and developed into professional offices, specialty retail, and restaurants. The proposed C-3 development is projected to generate 2,786 daily vehicle trips, a decrease of 1,339 vehicle trips per day. Typical development on C-3 zoning of this size would generate 8,697 average daily traffic, an increase of 4,582 vehicle trips per day. If the proposed site was to be developed differently from the proposed business park, a revised Level-2 or Level-3 TIA will be required at platting.

### Staff Recommendation:

#### Approval

The subject property is currently undeveloped and located southwest and southeast of the intersection of two major thoroughfares (Blanco Road and Huebner Road). "C-3" General Commercial District at this site would be a continuation of the commercial uses to the north. The subject property is adjacent to "C-2" Commercial Edwards Recharge Zone District to the north (vacant) and "R-6" Residential Single-Family Edwards Recharge Zone District across Huebner Road to the northwest (single-family dwellings) with "C-2" Commercial Edwards Recharge Zone District across Blanco Road to the north and northeast. An easement provides a buffer to the south. The requested rezoning is consistent with the development pattern along Blanco Road. The "C-3" General Commercial Districts permit general commercial activities designed to serve the community such as repair shops, wholesale businesses, warehousing and limited retail sales with some outdoor display of goods. "C-3" uses would be more appropriate than multi-family dwellings at this location. The calculation for 18.56 acres for the existing "MF-33" Multi-Family District would allow a potential of 614 multi-family dwellings.

Traffic circulation is better managed with multiple frontages that offer more flexibility in vehicular ingress and egress. The "C-3" zoning district is appropriate in order to complete the commercial node at the intersection of Blanco Road and Huebner Road. Many of the intense uses that are normally allowed in "C-3" would be prohibited at this location in the ERZD.

1. SAWS recommends approval of the proposed land use.
2. The property is classified as a Category 1 property.
3. SAWS recommends that the impervious cover on the site shall not exceed 90%

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## Staff and Zoning Commission Recommendation - City Council

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**Zoning Commission Recommendation:**

Approval with SAWS recommendations

**CASE MANAGER :** Pedro Vega 207-7980

**VOTE**

**FOR** 10

**AGAINST** 0

**ABSTAIN** 0

**RECUSAL** 0

**Z2005280**

**ZONING CASE NO. Z2005280** – April 18, 2006

Applicant: Brown, P. C.

Zoning Request: "MF-33" ERZD Multi Family Edwards Recharge Zone District to "C-3" ERZD General Commercial Edwards Recharge Zone District.

Ken Brown, 112 E. Pecan, representing the owner, stated they are proposing to develop a commercial business park on the subject property. He stated they have met with the neighborhood association and have their support. They did raise some concerns with nightclubs bars and car repair shops however the owner has agreed preparing restrictive covenants to prohibit those uses. He further stated they have been meeting with SAWS representatives regarding this request and have a Category 1 letter stating they would develop the 380 acres under 15 % impervious cover as a Master Plan Community.

Staff stated there were 42 notices mailed out to the surrounding property owners, 1 returned in opposition and 2 returned in favor and no response from Sonterra Stone Oak 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 Wright and seconded by Commissioner Robbins to recommend approval along with the requirement stated in SAWS report.

1. Property is located on 18.56 acres out of NCB 16334 at Blanco Road and Huebner Road.
2. There were 42 notices mailed, 1 returned in opposition and 2 in favor.
3. Staff recommends approval.

**AYES:** Avila, Robbins, Rodriguez, Gadberry, Marshall, Sherrill, Wright, Stribling, Gray

**NAYS:** None

**THE MOTION CARRIED**

**RESULTS OF NOTICE FOR COUNCIL HEARING**

To be provided at Council hearing.

2006 MAR 29 P 1:15

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

**Subject:** Zoning Case Z2005280 (Commercial Business Park)

**Date:** April 4, 2006

**SUMMARY**

A request for a change in zoning has been made for an approximate 18.6-acre tract located on the city's north side. A change in zoning from **MF-33 ERZD** to **C-3 ERZD** is being requested by the applicant, Brown, P.C., by Mr. Kenneth W. Brown. The change in zoning has been requested to allow a commercial business park development. 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 9, south of the intersection of Blanco Road and Huebner Road. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

**SITE EVALUATION**

1. Development Description:

The proposed change is from MF-33 ERZD to C-3 ERZD and will allow for the construction of a commercial development. Currently the site is covered in native vegetation and undeveloped.

2. Surrounding Land Uses:

A commercial development is adjacent to the northeast corner. Huebner Road bounds the western boundary. Blanco Road bounds the eastern and northern boundary. A power line easement bounds the western and southern portion of the property.

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 commencement of construction.

4. Geologic Conditions:

The Resource Protection Division of the San Antonio Water System conducted a field observation on December 13, 2005 of the referenced property to assess the geologic conditions present at the site. SAWS staff Geologist, Ms. Joan Falkenberg, P.G., was present during the site visit. No significant features were noted during the field observation as the geology was obscured by leaf litter, vegetation, and areas of thick soil cover. Limestone outcrops were visible at the surface in some areas and exhibited typical weathering features of exposed bedrock. Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the majority of the subject site was underlain by the Dolomitic Member and Cyclic and Marine Member of the Edwards Formation. A small portion of the tract is shown to be within the Basal Nodular Member of the Edwards Formation. Both the Cyclic Marine and Basal Nodular Members are located within the Person Formation and the Dolomitic Member within the Kainer Formation of the Edwards Group. A fault is shown to be in the vicinity of the subject tract and would account for the characteristic differences within the lithology of the Group. According to FEMA Flood Insurance Maps, no part of the subject property is within the 100 year floodplain.

## **ENVIRONMENTAL CONCERNS**

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

### **Site Specific Concerns**

1. The overall Greystone Country Estates encompasses 383.99 acres that includes the 18.56 acres for this zoning case. The initial agreement for the entire 383.99 acres is not to exceed 15% impervious cover.

Table 1. The following table shows the overall Greystone Development and how each unit is broken down by acreage and impervious cover. The unit that is being rezoned is Blanco Ridges Unit-2.

<b>Development</b>	<b>Acreage</b>	<b>Impervious Cover Area</b>	<b>Impervious Cover %</b>
Greystone Unit One	53.19 acres	11.304 acres	21.25%
Greystone Unit Two	282.348 acres	16.42 acres	5.82%
Greystone Unit Two (Lot 97 Replat)	31.454 acres	1.40 acres	4.45%
Blanco Ridges Unit 1	2.078 acres	2.078 acres	100.00%
Huebner Road	3.80 acres	1.727 acres	45.45%
Blanco Crossing	24.02 acres	6.005 acres	25.00%
Blanco Ridges Unit 2	18.56 acres	16.704 acres	90.00%
<b>Net Totals</b>	<b>383.996 acres</b>	<b>55.392 acres</b>	<b>14.97%</b>

*Source:* Civil Engineering Company, 2006.

### **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 for the subject property, known as Blanco Ridges Unit – 2, will not exceed 90% impervious cover. This property is part of an overall development that will not exceed 15%.

2. 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.
3. The owner of all water pollution abatement structures shall be responsible for properly maintaining the basin and that it is 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**

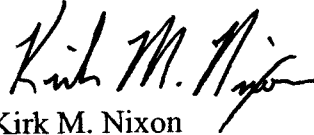
1. Prior to the release of any building permits the owner/operator of any Category 2 property shall submit an Aquifer Protection Plan to the Resource Protection Division of the San Antonio Water System.
2. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer 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.
  - 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.


Zoning Commission Members  
Z2005280 (Commercial Business Park)  
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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.



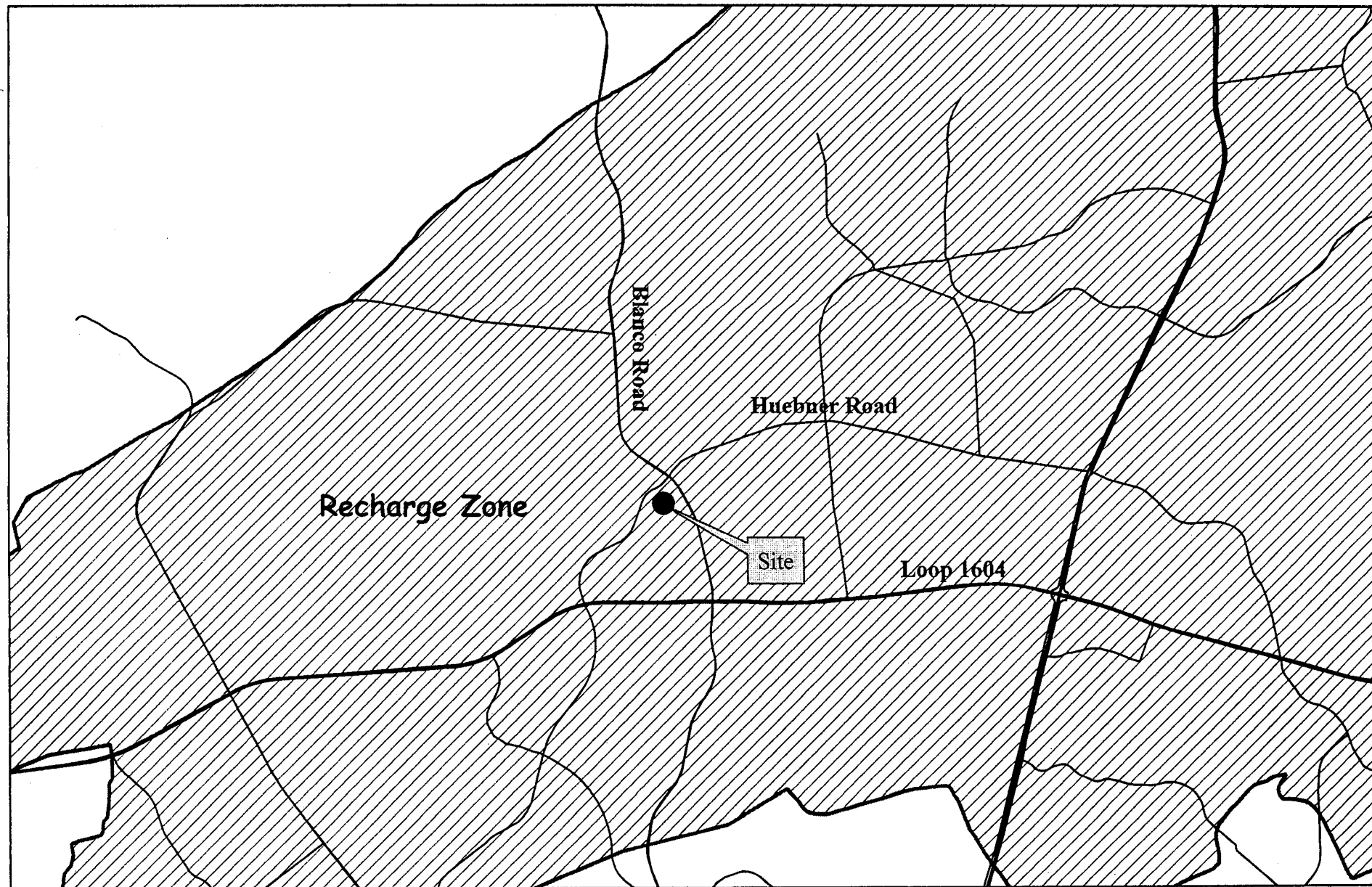
Kirk M. Nixon  
Manager  
Resource Protection Division

APPROVED:



Scott R. Halty  
Director,  
Resource Protection & Compliance Department

KMN:MJB



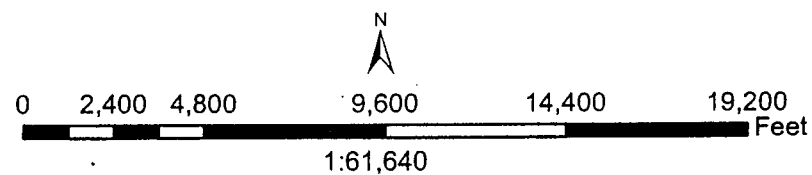
**Zoning Case No. Z2005280 Figure 1**

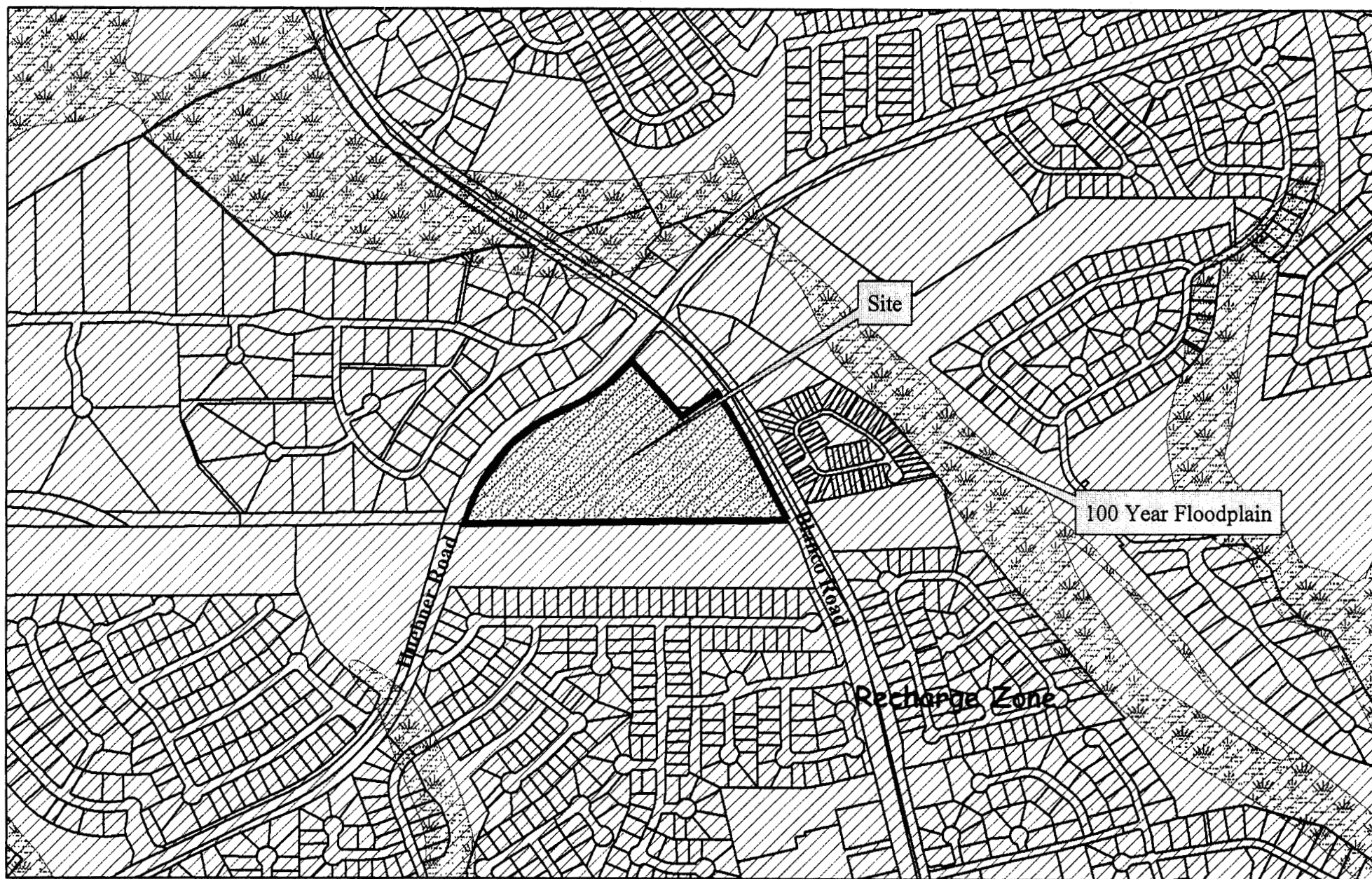
**Commercial Business Park**

**Map Page 482 B8**

**X=2133028 Y=13772953**

**Map Prepared by Aquifer Protection and Evaluation MJB 12/7/2005**





**Zoning Case No. Z2005280    Figure 2**

**Commercial Business Park**

**Map Page 482 B8**

**X=2133028 Y=13772953**

Map Prepared by Aquifer Protection and Evaluation MJB 12/1/2005

