



# City of San Antonio

## Legislation Details (With Text)

**File #:** 15-3441

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 6/2/2015

**Title:** ZONING CASE # Z2015181 ERZD (Council District 10): A request for a change in zoning from "QD-S AHOD ERZD" Quarry Airport Hazard Overlay Edwards Recharge Zone District with Specific Use Authorization use permit for Blasting and Asphaltic Concrete to "R-6 PUD AHOD ERZD" Residential Single-Family Planned Unit Development Airport Hazard Overlay Edwards Recharge Zone District approximately 8.289 acres of land out of Lot P-5, NCB 34917 and Lot P-1, NCB 34958 generally located in the 5600 Block of East Evans Road. Staff recommends Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2015181 Location Map, 2. Z2015181 ERZD SAWS REPORT

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** 10

**SUBJECT:**

Zoning Case Z2015181 ERZD

**SUMMARY:**

**Current Zoning:** "QD-S AHOD ERZD" Quarry Airport Hazard Overlay Edwards Recharge Zone District with Specific Use Authorization for Blasting and Asphaltic Concrete

**Requested Zoning:** "PUD R-6 AHOD ERZD" Planned Unit Development Residential Single-Family Airport Hazard Overlay Edwards Recharge Zone District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 2, 2015. This case is expedited to the June 18, 2015 Council hearing.

**Case Manager:** Oscar Aguilera, Planner

**Property Owner:** Fair Oaks Mosaic TBY, LCC (c/o Blake Yantis, Director)

**Applicant:** Mosaic Development (c/o Blak Yantis, Manager)

**Representative:** Brown and Ortiz, P.C.

**Location:** 5600 Block of East Evans Road

**Legal Description:** Lot P-5 NCB 34917 and Lot P-1 NCB 34958

**Total Acreage:** 8.289 acres

### **Notices Mailed**

**Owners of Property within 200 feet:** 5

**Registered Neighborhood Associations within 200 feet:** None

**Planning Team:** North Sector Plan -39

**Applicable Agencies:** SAWS & Camp Bullis

### **Property Details**

**Property History:** The subject property was annexed in July 5, 1998 (Ordinance # 87819) and was originally zoned Temporary "R-1 ERZD" Single-Family Residence Edwards Recharge Zone District. In September 17, 2001, the property was rezoned to "QD S ERZD" Quarry Edwards Recharge Zone District with a Specific Use Authorization for Blasting and Asphaltic Concrete (Ordinance #94539).

**Topography:** The majority of the property is covered in heavy vegetation made up of wild grasses, shrubs, trees, and ravines. The property shows some water or quarry work erosion that produced ravines within a portion of the property. The subject property falls within the Edward Recharge Zone. Note that there is some protected wildlife in the area according to Camp Bullis staff. Therefore, the property will require a CoSA Habitat Compliance Form.

### **Adjacent Base Zoning and Land Uses**

**Direction:** North, South, East and West

**Current Base Zoning:** QD

**Current Land Uses:** Vacant and Single-Family Residential

**Overlay and Special District Information:** All surrounding properties carry the "ERZD" Edwards Recharge Zone District. The "ERZD" does restrict permitted uses, due to the environmentally sensitive nature of the recharge zone. Per Chapter 34 of the City of San Antonio Code of Ordinances, the San Antonio Water System (SAWS) and City of San Antonio departments share regulatory jurisdiction over development within the "ERZD".

All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The AHOD does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

### **Transportation**

**Thoroughfare:** None. Property does not have frontage. Near East Evans Road

**Existing Character:** N/A

**Proposed Changes:** N/A

**Public Transit:** There is no public transit located within the immediate vicinity of the subject property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. The traffic generated by the proposed

development does not exceed the threshold requirements.

**Parking Information:** Dwelling - 1 Family: 1 per unit. Maximum Parking Requirement: N/A

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the zoning request will result in the subject property retaining the Quarry District zoning.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval.

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

**1. Consistency:**

The property is located within the North Sector Plan and is designated as Specialized Center. The “PUD R-6” Planned Unit Development Residential Single-Family zoning district is not consistent with the adopted land use designation. The applicant has applied for a Plan Amendment to change the designation to Community Commercial. Staff and the Planning Commission recommended approval of the Plan Amendment.

**2. Adverse Impacts on Neighboring Lands:**

Staff has found no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request.

**3. Suitability as Presently Zoned:**

The “PUD R-6” Planned Unit Development Residential Single-Family zoning district is appropriate for the subject property and will not have any negative effects on the future development.

**4. Health, Safety and Welfare:**

Staff has found no indication of likely adverse effects on the public health, safety, or welfare.

**5. Public Policy:**

The request does not appear to conflict with any public policy objective.

**6. Size of Tract:**

The subject property is approximately 8.289 acres in size, which should be able to reasonably accommodate the proposed development with adequate space for parking.

**7. Other Factors:**

**SAWS Site Specific Recommendations:**

1. The impervious cover shall not exceed 40% on the site.
2. Wells that are no longer in use or abandoned shall be properly plugged in accordance with SAWS

water well plugging procedures. The Ground Water Resource Protection Section should be notified at (210) 233-3546 upon discovery and plugging of such wells.

3. 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.
4. 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 Aquifer Protection & Evaluation Section 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 Aquifer Protection & Evaluation Section of SAWS.
5. 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.
6. The applicant shall notify the Construction Monitoring 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 and the Aquifer Protection & Evaluation Section of SAWS at (210) 233-3522.