

AN ORDINANCE

89254

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN.

* * * * *

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Section 35-3007 of the Unified Development Code which is Chapter 35 of the City Code and constitutes the comprehensive zoning ordinance of the City of San Antonio is hereby amended so that it shall hereafter include the following described changes of classification and the rezoning of the hereinafter designated property to-wit:

CASE NO. Z97261 B

The rezoning and reclassification of property from Temporary R-1 ERZD Single Family Residence Edwards Recharge Zone District to "B-2" ERZD Business Edwards Recharge Zone District on the property listed below as follows:

Lot 2,Block 2, NCB 19218
Stone Oak Parkway

Provided that the Aquifer Studies Office recommendations are followed as set out below:

1. If applicable, prior to the release of any building permits the owner/operator shall obtain a Letter of Certification from the Watershed Protection and Management Department of the San Antonio Water System.
2. All stormwater run-off from the commercial site shall be directed to a stormwater abatement system which shall be approved by the Aquifer Studies Division of the San Antonio Water System prior to the release of building permits.
3. Prior to the release of any building permits for additional developments, the following shall be submitted to the Aquifer Studies Division of the San Antonio Water System.
 - A. A Water Pollution Abatement Plan 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 letter from the Texas Natural Resource Conservation Commission approving each Water Pollution Abatement Plan,
 - D. A copy of the approved Water Pollution Abatement Plan.
4. Landscaped areas shall be sensitive to minimizing water needs (i.e. use of native plants). The owner/operator of this shall be informed in writing about best management practices 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 Soil Conservation Service, Texas Department of Agriculture, U. S. Department of Agriculture, etc. shall be used.
 5. The storage, handling, use and disposal of all over the counter hazardous material 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.
 6. The City of San Antonio shall inspect all future construction of service laterals and sewer mains for proper construction according to State and City Regulations and Code.
 7. If any solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Natural Resource Conservation Commission at (210) 490-3096 and the Aquifer Studies Division of the San Antonio Water System at (210) 704-7392.
 8. All stormwater water pollution abatement measure shall be properly maintained and kept free of all trash and debris.
 9. The Aquifer Studies Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after the project.
 10. All trash located on the property shall be disposed of property.

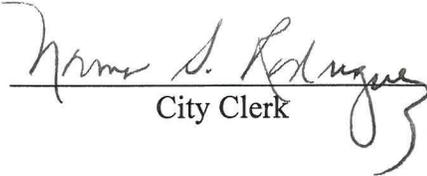
SECTION 2. All other provisions of Chapter 35, as amended, shall remain in full force and effect, including the penalties for violations as made and provided in Section 35 - 1024.

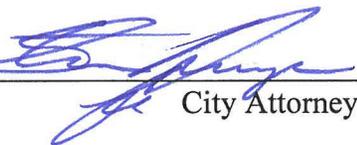
SECTION 3. The Director of Planning shall change the zoning records and maps in accordance herewith and the same shall be available and open to the public for inspection.

SECTION 4. This ordinance is not severable.

PASSED AND APPROVED this 11th day of February 19 99


M A Y O R
Howard W. Peak

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
City Attorney

99-06

Zoning Case No.: Z97261-B

Date: January 19, 1999

Council District: 9

Appeal: No

Applicant: City of San Antonio

Owner: Ted Sako

Zoning Request: Temporary "R-1" ERZD Single Family Residence Edwards Recharge Zone District to "B-2" ERZD Business Edwards Recharge Zone District.

Property Location:

Lot 2, Block 2, NCB 19218
Stone Oak Parkway

Property is located on the east side of Stone Oak Parkway, being 330 feet northwest of the intersection of Madison Oak Drive and Stone Oak Parkway, having 450 feet on Stone Oak Parkway and a maximum depth of 450 feet.

Applicants Proposal:

Dental clinic

Staff Recommendation:

Approval. The zoning requested is in conformance with the Stone Oak Master Plan and the principals used in designating zoning within the Stone Oak area. The site is platted and plans have been submitted for the construction of a dental clinic.

Zoning Commission Recommendation:

Approval

VOTE:

FOR	<u>9</u>
AGAINST	<u>0</u>
ABSTAIN	<u>0</u>

Z97261-B

ZONING CASE NO. Z97261-B

Applicant: City of San Antonio

Zoning Request: Temporary "R-1" ERZD Single Family Residence Edwards Recharge Zone District to "B-2" ERZD Business Edwards Recharge Zone District

Julie Rogers, SAWS, stated based on the environmental assessment of the property, and the proposed land use, staff recommends approval of the intended use as long as the applicant agrees to abide by all recommendations.

Bill Telford, Planning Manager, Planning Department, stated this property was annexed in 1997. He further stated the property and rezoning is in compliance with the Stone Oak Master Plan.

Staff stated there were 22 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor plus approval from Stone Oak.

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 Plummer and seconded by Commissioner Williams to recommend approval on the following reasons:

1. Property is located on Lot 2, Block 2, NCB 19218 at Stone Oak Parkway.
2. There were 22 notices mailed, 0 returned in opposition and 1 returned in favor plus approval from Stone Oak.
3. Staff recommends approval.

AYES: Carpenter, Earl, Williams, Emerson, Plummer, Galvan, Hophan, Anderson, Galloway

NAYS: None

THE MOTION CARRIED.

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.

**SAN ANTONIO WATER SYSTEM
Interdepartment Correspondence Sheet**

RECEIVED
98 DEC 16 PM 1:33
SAN ANTONIO WATER SYSTEM
ADMINISTRATIVE SERVICES

To: Zoning Commission Members

From: Kirk M. Nixon, Manager, Aquifer Studies Division, San Antonio Water System

Copies To: Rebecca Quintanilla Cedillo, Vice President of Planning, San Antonio Water System, Scott R. Halty, Director, Watershed Protection and Management Department, Julie Rogers, Planner III, Aquifer Studies Division, File

Subject: Zoning Case Z97261-B (Stone Oak - Dental Office)

Date: December 16, 1998

SUMMARY

A request for a change in zoning has been made by the City of San Antonio for an approximate 3.395-acre tract located on the city's north side. This requested change in zoning is from "Temporary R-1 ERZD" to "B-2 ERZD". The area covered by the zoning request has previously been determined to be a Category 2 property.

LOCATION

The subject tract is located in City Council District 9 on the east side of Stone Oak Parkway approximately 300 north of Madison Oak Drive. The 3.395-acre subject area lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

SITE ASSESSMENT

An investigation was made by the San Antonio Water System, Aquifer Studies Division to assess the geologic conditions that exist at this site and to observe any environmental concerns. In addition, a copy of the geologic assessment, which was prepared for a Water Pollution Abatement Plan (WPAP), was used to compare field observations and the location of features on the site.

The property is currently undeveloped and is covered with trees, brush and natural grasses. There are several areas of construction debris and a piece of abandoned construction equipment located on the site. Several areas of exposed Edwards bedrock exhibited solution features and fractures. The majority of these features were soil-filled thus limiting their recharge capabilities. No potential recharge features were observed on the site.

The property displays low to moderate topographic relief. The general direction of the drainage flows to the west and south towards an unnamed tributary of Panther Springs Creek. The site is bordered on all sides by undeveloped land.

ENVIRONMENTAL CONCERNS

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

1. The proper handling and disposal of medical and hazardous waste generated on-site.
2. The build-up of hydrocarbons and other pollutants on streets, parking lots and other paved areas which are then carried off in the first flush of stormwater run-off.
3. Improper use of pesticides, herbicides, or fertilizers needed for landscape maintenance that may be carried off in the first flush of stormwater run-off.
4. The proper construction of the sewer mains and service laterals to prevent wastewater from entering the subsurface.
5. The presence of moderate amounts of trash, including construction debris and one piece of abandoned construction equipment.

ENVIRONMENTAL RECOMMENDATIONS

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

1. If applicable, prior to the release of any building permits the owner/operator shall obtain a Letter of Certification from the Watershed Protection and Management Department of the San Antonio Water System.
2. All stormwater run-off from the commercial site shall be directed to a stormwater abatement system which shall be approved by the Aquifer Studies Division of the San Antonio Water System prior to the release of building permits.

3. Prior to the release of any building permits for additional developments, the following shall be submitted to the Aquifer Studies Division of the San Antonio Water System:
 - A. A Water Pollution Abatement Plan shall be submitted for each particular development/use within the area being considered for re-zoning,
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5. 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.
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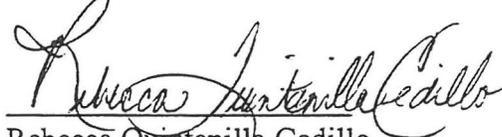
9. The Aquifer Studies Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.
10. All trash located on the property shall be disposed of properly.

Based on the environmental assessment of the property, and the proposed land use, staff recommends approval of the intended use as long as the applicant, developer and/or owner agree to abide by all recommendations made in this document.

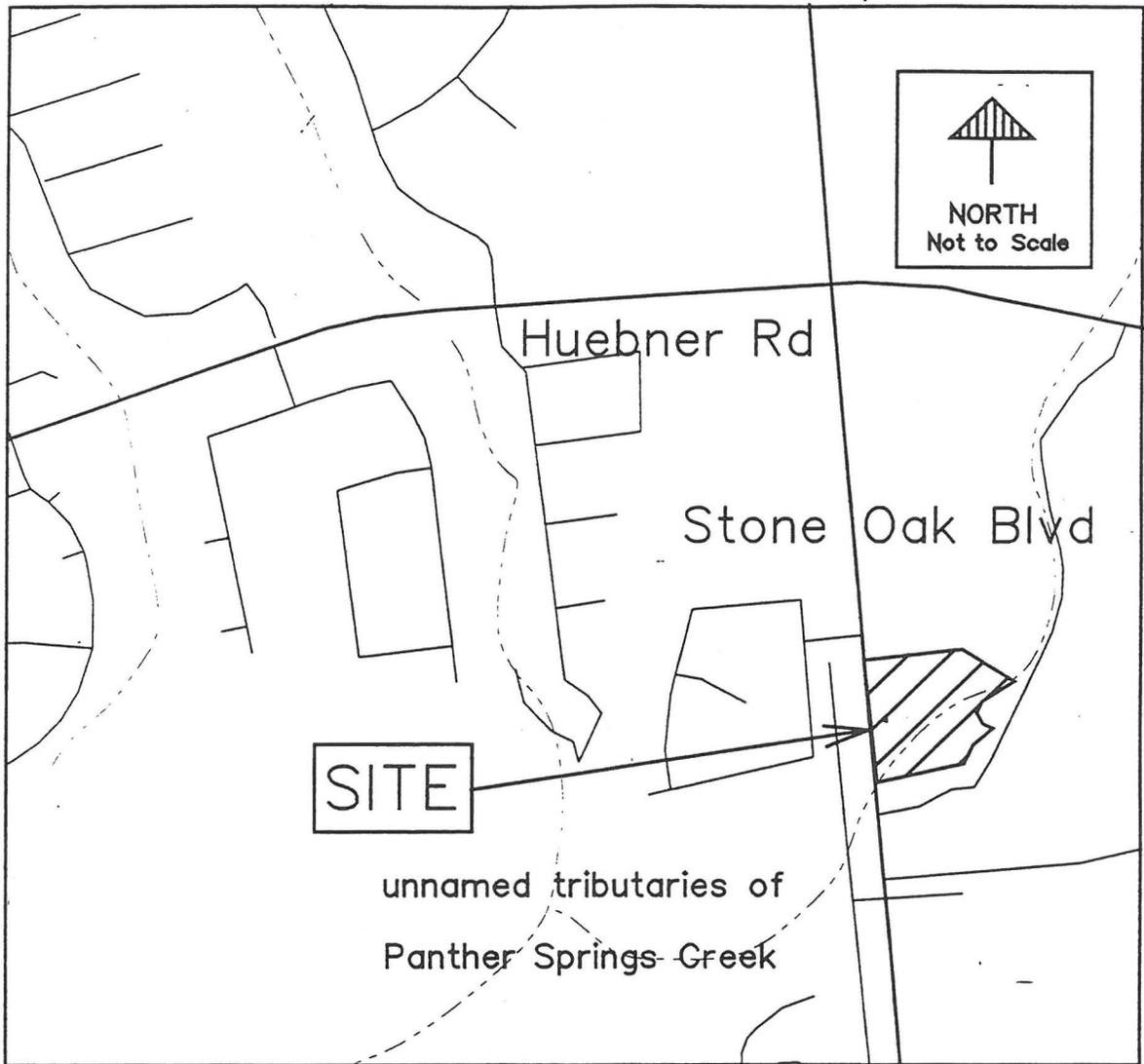

Kirk M. Nixon
Manager, Aquifer Studies


Scott R. Halty
Director, Watershed Protection & Management

APPROVED:


Rebecca Quintanilla Cedillo
Vice President, Planning

KMN:JPR



Stone Oak - Sako Sub. (Dental Ofc.)
Zoning Case Z970261-B

Figure 2

Affidavit of Publisher

STATE OF TEXAS,

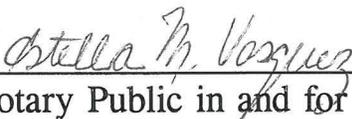
COUNTY OF BEXAR

CITY OF SAN ANTONIO

Before me, the undersigned authority, on this day
Helen I. Lutz, who being by me duly sworn, says on oath
of the Commercial Recorder, a newspaper of general circulation in the City of
San Antonio, in the State and County aforesaid, and that the Public Notice - An
Ordinance #89254 hereto attached has been published in every issue of said
newspaper on the following days, to-wit: February 18, 1999.



Sworn to and subscribed before me this 18th day of February, 1999.


_____ Notary Public in and for Bexar County, Texas



PUBLIC NOTICE
AN ORDINANCE 89254
AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 2, BLOCK 2, NCB 19218; STONE OAK PARKWAY; FROM TEMPORARY "R-1" ERZD SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "B-2" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT; PROVIDED THAT THE TEN (10) RECOMMENDATIONS OF THE AQUIFER STUDIES OFFICE ARE ADHERED TO. THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".
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