

AN ORDINANCE **9 8 7 1 1**

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SAN ANTONIO BY AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, SECTION 35-304, OF THE CITY CODE OF SAN ANTONIO, TEXAS BY CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY.

* * * * *

WHEREAS, a public hearing was held regarding this amendment to the Official Zoning Map at which time parties in interest and citizens were given an opportunity to be heard; and

WHEREAS, the Zoning Commission has submitted a final report to the City Council regarding this amendment to the Official Zoning Map of the City of San Antonio; **NOW THEREFORE**,

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

SECTION 1. Chapter 35, Unified Development Code, Section 35-304, Official Zoning Map, of the City Code of San Antonio, Texas is amended so that it shall include the following described change of zoning classification of the following property:

CASE NUMBER Z2003173-12

A change in zoning from "DR" Development Reserve District to "RD" Rural Development District on CB 4296 P-10 ABS 374; CB 4297 P-4 ABS 13; and CB 4298 P-15B and P-17 ABS 421, located at 15895 South State Hwy 16 and 14885 Watson Road save and except the eastern 1,000 feet of Tract II fronting on State Hwy 16 which is changed from "DR" Development Reserve District to "MI-1" Mixed Light Industry District.

SECTION 2. A map of the properties attached as Exhibit "A" is made a part hereof and is incorporated herein for all purposes.

SECTION 3. The Interim Development Controls approved by Ordinance 97173 and extended by Ordinances 97879 and 98283 and which may be subsequently extended by any other ordinance are hereby terminated on the effective date of this ordinance for those properties receiving a final approved zoning by this ordinance.

SECTION 4. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

SECTION 5. The Director of Planning shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 6. This ordinance shall become effective January 25, 2004.

PASSED AND APPROVED this the 15th day of January, 2004.

M A Y O R
EDWARD D. GARZA

ATTEST:
City Clerk

APPROVED AS TO FORM:
City Attorney

MEETING OF THE CITY COUNCIL

ALAMODOME
ASSET MANAGEMENT
AVIATION
CITY ATTORNEY
MUNICIPAL COURT
REAL ESTATE (FASSNIDGE)
REAL ESTATE (WOOD)
RISK MANAGEMENT
CITY MANAGER
SPECIAL PROJECTS
CITY PUBLIC SERVICE - GENERAL MANAGER
CITY PUBLIC SERVICE - MAPS AND RECORDS
CODE COMPLIANCE
COMMERCIAL RECORDER
COMMUNITY INITIATIVES
CONVENTION AND VISITORS BUREAU
CONVENTION CENTER EXPANSION OFFICE
CONVENTION FACILITIES
COUNCIL OFFICES
CULTURAL AFFAIRS
CUSTOMER SERVICE/311 SYSTEM
DEVELOPMENT SERVICES
HOUSE NUMBERING
LAND DEVELOPMENT SERVICES
TRAFFIC & DRAINAGE PLAN REVIEW
ECONOMIC DEVELOPMENT
ENVIRONMENTAL SERVICES
SOLID WASTE
EXTERNAL RELATIONS
PUBLIC INFORMATION OFFICE
FINANCE - DIRECTOR
FINANCE - ASSESSOR
FINANCE - CONTROLLER
FINANCE - GRANTS
FINANCE - PUBLIC UTILITIES SUPERVISOR
FINANCE-TREASURY
FIRE DEPARTMENT
HOUSING AND COMMUNITY DEVELOPMENT
HUMAN RESOURCES (PERSONNEL)
INFORMATION SERVICES
INTERNAL REVIEW
INTERNATIONAL AFFAIRS
LIBRARY
MANAGEMENT & BUDGET (OFFICE OF) OMB
MAYOR'S OFFICE
METROPOLITAN HEALTH DISTRICT
MUNICIPAL CODE CORPORATION
MUNICIPAL COURT
NEIGHBORHOOD ACTION
PARKS AND RECREATION
MARKET SQUARE
YOUTH INITIATIVES
PLANNING DEPARTMENT - NEIGHBORHOOD PLNG; URBAN DESIGN/HISTORIC PRESERVATION
DISABILITY ACCESS OFFICE
POLICE DEPARTMENT
GROUND TRANSPORTATION
PUBLIC WORKS DIRECTOR
CAPITAL PROJECTS
CENTRAL MAPPING
ENGINEERING
PARKING DIVISION
REAL ESTATE DIVISION
TRAFFIC ENGINEERING
PURCHASING AND GENERAL SERVICES
SAN ANTONIO WATER SYSTEMS (SAWS)
VIA

AGENDA ITEM NUMBER: 4A

DATE: JAN 15 2004

MOTION: Seymour Seymour

ORDINANCE NUMBER: 98791

RESOLUTION NUMBER: _____

ZONING CASE NUMBER: Z2003173-12

TRAVEL AUTHORIZATION: _____

NAME	ROLL	AYE	NAY
ROGER O. FLORES JR. District 1		/	
JOEL WILLIAMS District 2		/	
RON SEGOVIA District 3		/	
RICHARD PEREZ District 4		/	
PATTI RADLE District 5		/	
ENRIQUE M. BARRERA District 6		/	
JULIAN CASTRO District 7		/	
ART A. HALL District 8		/	
CARROLL SCHUBERT District 9		/	
CHRISTOPHER "CHIP" HAASS District 10		/	
EDWARD D. GARZA Mayor		/	

Staff Recommendation: Approval, pending the approval of a plan amendment by the Planning Commission on November 12, 2003 and the City Council on December 4, 2003.

Zoning Commission: Approval.

across Watson Rd to north side of valley above that noise is a strong possibility

04-02

EXHIBIT "A"

PROPERTY DESCRIPTION

Map Reference Number	Bexar County Appraisal District Account Number	Property Description
0	042960000100	CB 4296 P-10 ABS 374 (74.484 ac), CB 4297 P-4 ABS 13 (30.406 ac), and CB 4298 P-17 ABS 421 (210.7 ac)
1	042960000154	CB 4298 P-15B ABS 421

MAP REFERENCE NUMBERS



CASE NO: Z2003173-12

Staff and Zoning Commission Recommendation - City Council

Zoning Commission continuance from September 16, 2003 and postponement from October 7, 2003. City Council postponement from December 4, 2003

Date: January 15, 2004

Zoning Commission Meeting Date: November 18, 2003

Council District: 3

Ferguson Map: 714 F3-715 A-3

Appeal: No

Applicant:

City of San Antonio

Owner:

Presto Tierra LLC

Zoning Request: From "DR" Development Reserve District to "RD" Rural Development District, save and except the eastern 1,000 feet of Tract B to be rezoned "MI-1" Mixed Light Industry District

(Tract A: CB 4298 P-15B ABS 421); (Tract B: CB 4296 P-10 ABS 374 74.484, CB 4297 P-4 ABS 13 30.406, CB 4298 P-17 ABS 421 210.739)

Property Location: 15895 State Hwy 16 S and 14885 Watson Road

The southwest corner of Watson Road and Hwy 16 South

Proposal: To implement the goals and objectives of the Southside Initiative Community Plan

Neighborhood Association: None

Neighborhood Plan: Southside Initiative Community Plan

TIA Statement: A traffic impact analysis is not required

Staff Recommendation:

Approval, pending the approval of a plan amendment by the Planning Commission on November 12, 2003 and the City Council on December 4, 2003. The recommended zoning will be consistent with the land use component to be adopted in the Southside Initiative Community Plan. The "MI-1" Mixed Light Industry District is appropriate for the Highway 16 corridor due to anticipated heavy commercial truck traffic that will accommodate adjacent "MI-1." Accordingly, commercial and industrial uses are allowed, but residential uses are prohibited, in an "MI-1" District. Residential and commercial uses are allowed in the "RD" Rural Development District, subject to pertinent development standards. Planning staff received a concept plan for the development of the subject property. The proposed uses can be accommodated under the Flex Development Plan Mixed Use pattern with the proposed zoning.

Zoning Commission Recommendation:

Approval

VOTE

FOR 9

AGAINST 0

ABSTAIN 0

RECUSAL 0

CASE MANAGER : Mona Lisa Faz 207-7945

Z2003173-12

ZONING CASE NO. Z2003173 – September 16, 2003

Applicant: City of San Antonio

Zoning Request: “DR” Development Reserve; “R-4”, “R-5”, “R-6” Residential Single Family District; “MF-25” and “MF-33” Multi Family District, “MH” Manufactured Home; “PUD” Planned Unit Development; “NP-10” Neighborhood Preservation; “C-2” Light Commercial District; “C-3” General Commercial District; “C-2NA” Commercial Nonalcoholic Sales District; “C-3NA” Commercial Nonalcoholic Sales District; “C-3R” General District Restrictive Alcohol Sales District; “I-1” General Industrial District and “I-2” Heavy Industrial District to “UD” Urban Development District, “RD” Rural Development District, “FR” Farm and Ranch District, “MI-1” Mixed Light Industry District, “MHP” Manufactured Housing Park, “R-4” Residential Single Family District.

Bill Telford, Special Project Coordinator, stated zoning by state statute must be consistent with a City’s adopted master Plan. Therefore the zoning considered for the Southside Initiative area must be consistent with the Southside Initiative Land Use Plan. He stated city staff and stakeholders, in the community forums, formulated the goals and objectives for a Community Master Plan. He further stated the new zoning districts provide for more parks and open space; more restrictive sign standards; higher landscaping standards, and requires design criteria for some structures. Subdivisions with existing development and/or approved Preliminary Overall Area Development Plan (POADP) or Master Development Plans (MDP) are not being rezoned to ensure that development within the project may proceed as presently approved. Recently approved zoning cases for properties within the Southside Initiative Plan boundary within the past six months shall retain their current zoning.

OPPOSE

James Langford, 14420-3 Old Somerset Road, stated he is in opposition of this proposed plan. He does not support the increase in urban development. He expressed concerns with the present high volume of traffic in the area and feels this would only add to the existing problem.

JanRuzza, 3076 Wright Carpenter Road, stated she is in support of the recommendations made by the Planning Department. She did express concerns with a traffic impact analysis not being required.

Tom Wood, 11373 Southton Road, stated he owns 50 acres within this area and is concerned with this would affect his property.

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Ken Brown, 111 Soledad, representing several property owners, stated he would like having several properties removed from this proposed plan. He would like tract 14, Philips tract. This tract is approximately 80 acres. It is currently in the Farm and Ranch District. He further stated staff has agreed to bring it back and a Rural District. The next tract is 15. It is approximately 180 acres owned by Hugo Gutierrez. This case has been postponed until October 7, 2003. The following tract is the Blue Wing Club, which is currently a Hunting Club. He stated it is currently under the Farm and Ranch District and would like to remain Farm and Ranch. Tract 13 is approximately 500 acres, which is owned by John Schaffer. It currently has 500 single-family lots. Harry Hausman owns the next tract, which is approximately 50 acres. It is currently platted for single-family use. It is currently in the Farm and Ranch District and requested that it be pulled and brought back and Rural or Urban District. The Marshall tract which is 30 acres, it is Farm and Ranch District. He is requested this be considered as Urban District. Tract 12, Arcinega tract is approximately 200 acres and is Rural District. He stated they have a master plan that calls for a higher density to seek an Urban District. Tract 8, it currently has Farm and Ranch District. They are requesting Mixed Light Industry District. Tract 7 is Hunter's Pond and would like to be considered under Urban District. Tract 2 is Ballard One Tract and would like to remain "C-3". Tract 5 Ballard Two Tract is approximately 440 acres and is requesting base district consideration.

John Cooke, 2503 Old Gate, stated he would like his property to remain its "C-3" zoning designation.

Andy Guerrero, 3134 Ranker, representing Jesus M. Vasquez, stated he is requesting his property be excluded from the proposed rezoning.

Gabe Zapata, stated is requesting their support in excluding Mr. Vasquez property from the proposed rezoning plan.

Elvin Rolson, 1370 Patten Way, stated is requesting a continuation. He stated they are in the process of redevelopment 400 acres for residential use.

Cuauhtemoc Valencia, 10011 Moursund Blvd., stated he would like his 20 acres tract of land maintain its industrial use. He currently operates a Flea Market.

Wayne Hensley, 10703 Moursund Blvd., stated he would like to maintain his current "C-3" zoning designation. He currently operates a tavern.

Tom Flores, 12915 Jones Maltsberger, representing Mr. Jones, stated they are requesting their property be excluded from the proposed rezoning plan.

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Mamie Gilleland, 16800 Hwy. 281 S. stated she has owned this property since 1970. She stated it is approximately 20 acres and is requesting to maintain its manufacturing home zoning designation.

Edgar Dodson, 2432 S. W. Loop 410, stated has owned 3 parcel of property for 35 years. He stated his operates a house moving business. He further stated he is requesting his property be excluded from the proposed rezoning plan.

Alice Morrison, stated her property is currently zoned commercial. She is requested a Urban Development District zoning designation.

Maria Foley, 11245 Applewhite, stated her property is approximately 32 acres and is currently use as a mobile home park. She stated her only concern is would this proposed rezoning plan have a negative impact on their property.

Jackie Mitchell, Watson Road, stated her property is currently zoned Farm and Ranch District and would like to request it be considered for Rural District.

R. Burrell Day, 5531 Wayes Road, stated he operates a ranch and would like to request a continuance of his property to maintain its existing use.

Staff stated there were 2,600 notices mailed out to the surrounding property owners, 29 returned in opposition and 33 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 Dutmer and seconded by Commissioner Avila to recommend approval of the requested rezoning, except the continue to October 7, 2003, those property owners of which requested a continuance at the public hearing, and to postpone those properties requested postponement by the City of San Antonio.

1. An area generally bound by Loop 410 to the north, Interstate Highway 37 to the east, the San Antonio city limits to the south (1350 feet south of the centerline of the Medina River) and Interstate Highway 35 to the west.
2. There were 2, 600 notices mailed, 29 returned in opposition and 23 in favor.
3. Staff recommends approval.

AYES: Martinez, Grau, Cardenas-Gamez, Kissling, Dutmer, Dixon, McAden, Avila, Morell, Peel

NAYS: None

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THE MOTION CARRIED

ZONING CASE NO. Z2003173-5 WAS NOT CONSIDERED ON OCTOBER 7, 2003

ZONING CASE NO. Z2003173-12 – November 18, 2003

Applicant: City of San Antonio

Zoning Request: “DR” Development Reserve District to “Rd” Rural Development District, save and except the eastern 1,000 feet of Tract II and the eastern 1,000 feet of Tract II to be rezoned “MI-1” Mixed Light Industry District.

Nina Nixon-Mendez, Planning Department, stated they have met with the representative to discuss several options that could be utilized for the property based on their site concept.

Chris Garcia, Planning Department, stated they have provided three different concepts, which utilized all the uses that originally requested by the applicant. He stated they have designated “MI-1” District on the eastern portion so the applicant may develop mixed commercial uses along with multi family and single family uses. He further stated a portion of the property lies within the flood plain and was able to utilize that to increase the density.

FAVOR

James Gray, 2425 Broadway, representing the owner, stated he has been working with the Planning staff to discuss their flex option for development. He stated he would like to request this case be granted the “MI-1” zoning.

Staff stated there were 27 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 Dutmer and seconded by Commissioner Sherrill to recommend approval.

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1. Property located on CB 4296, P-10, ABS 374 (74.484), CB 4297, P-4, ABS 13 (30.406), CB 4298, P-17, ABS 421 (210.739), CB 4298, P-15B, ABS 421.
2. There were 27 notices mailed, 0 returned in opposition and 0 in favor.
3. Staff recommends approval.

AYES: Cardenas-Gamez, Kissling, Dutmer, Dixon, Sherrill, McAden, Avila, Peel

NAYS: None

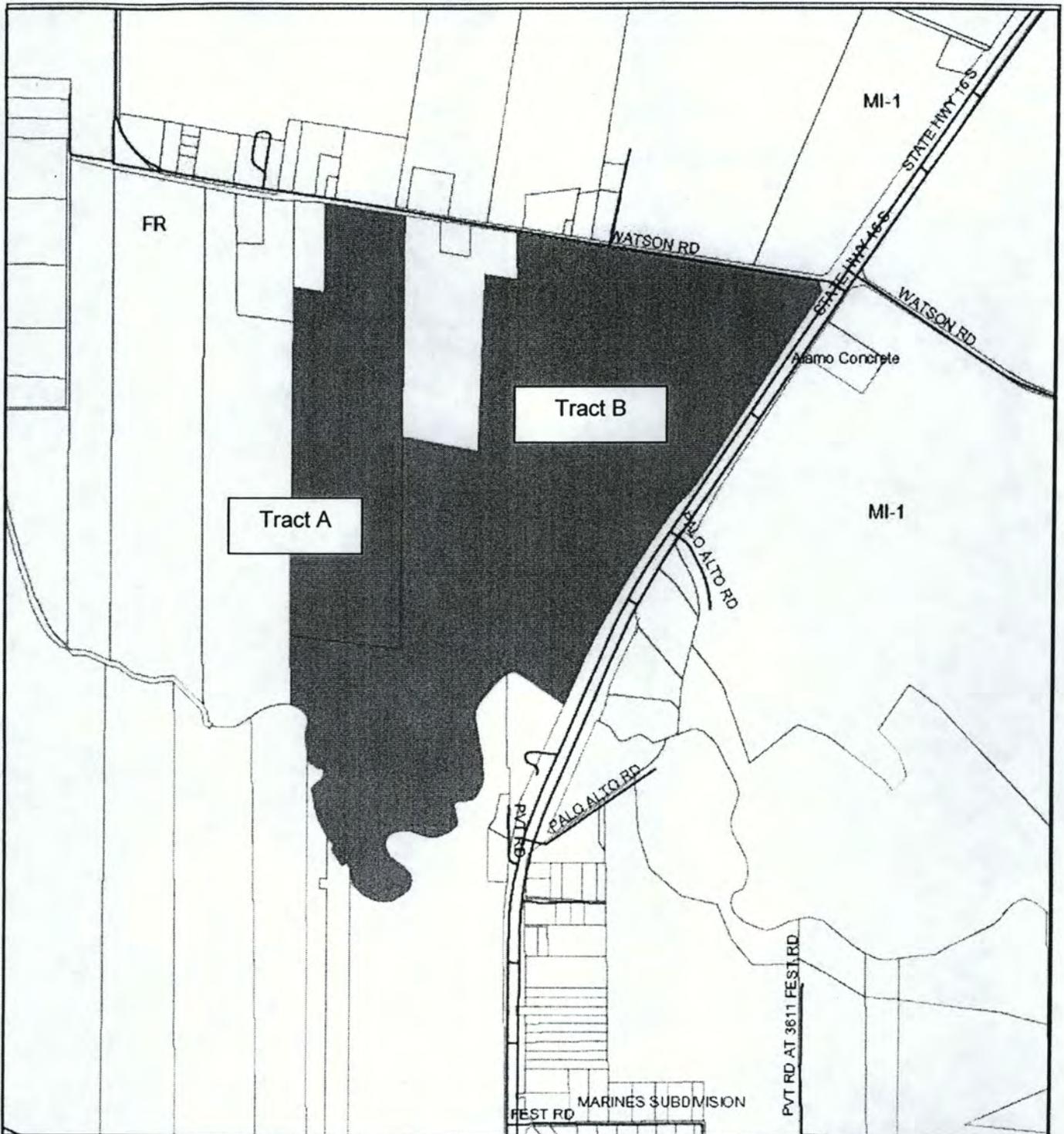
THE MOTION CARRIED

RESULTS OF COUNCIL HEARING December 4, 2003

City Council granted a continuance until January 15, 2004

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.



ZONING CASE: Z2003173-12

City Council District No. 3
 Requested Zoning Change
 From: "DR" To "RD" and "MI-1"
 Date: JANUARY 15, 2004

