

AN ORDINANCE 2008 - 12 - 04 - 1124

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 DISTRICT BOUNDARY OF CERTAIN PROPERTY.

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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 by changing the zoning district boundary of Lot 25, NCB 12867 from "I-1" General Industrial District to "I-2 S" Heavy Industrial District with a Specific Use Authorization for a Bulk Plant or Terminal.

SECTION 2. The City Council finds as follows:

- A. The specific use will not be contrary to the public interest.
- B. The specific use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district.
- C. The specific use will be in harmony with the spirit and purpose as set forth in Section 35-423, Specific Use Authorization, of the Unified Development Code.
- D. The conditional use will not substantially weaken the general purposes or the regulations as set forth in Section 35-423, Specific Use Authorization, of the Unified Development Code.
- E. The specific use will not adversely affect the public health, safety and welfare.

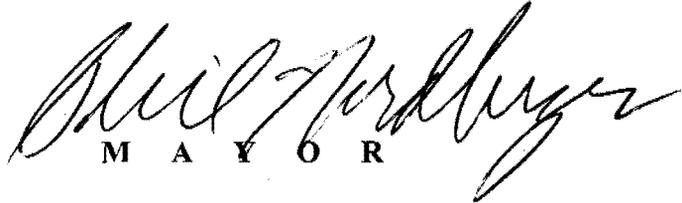
SECTION 3. The City council approves this Specific Use Authorization so long as the attached site plan is adhered to. A site plan is attached as Exhibit "A" and made a part hereof and incorporated herein for all purposes.

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.

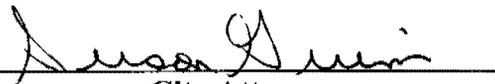
SECTION 5. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 6. This ordinance shall become effective December 14, 2008.

PASSED AND APPROVED this 4th day of December, 2008.


M A Y O R

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
For City Attorney



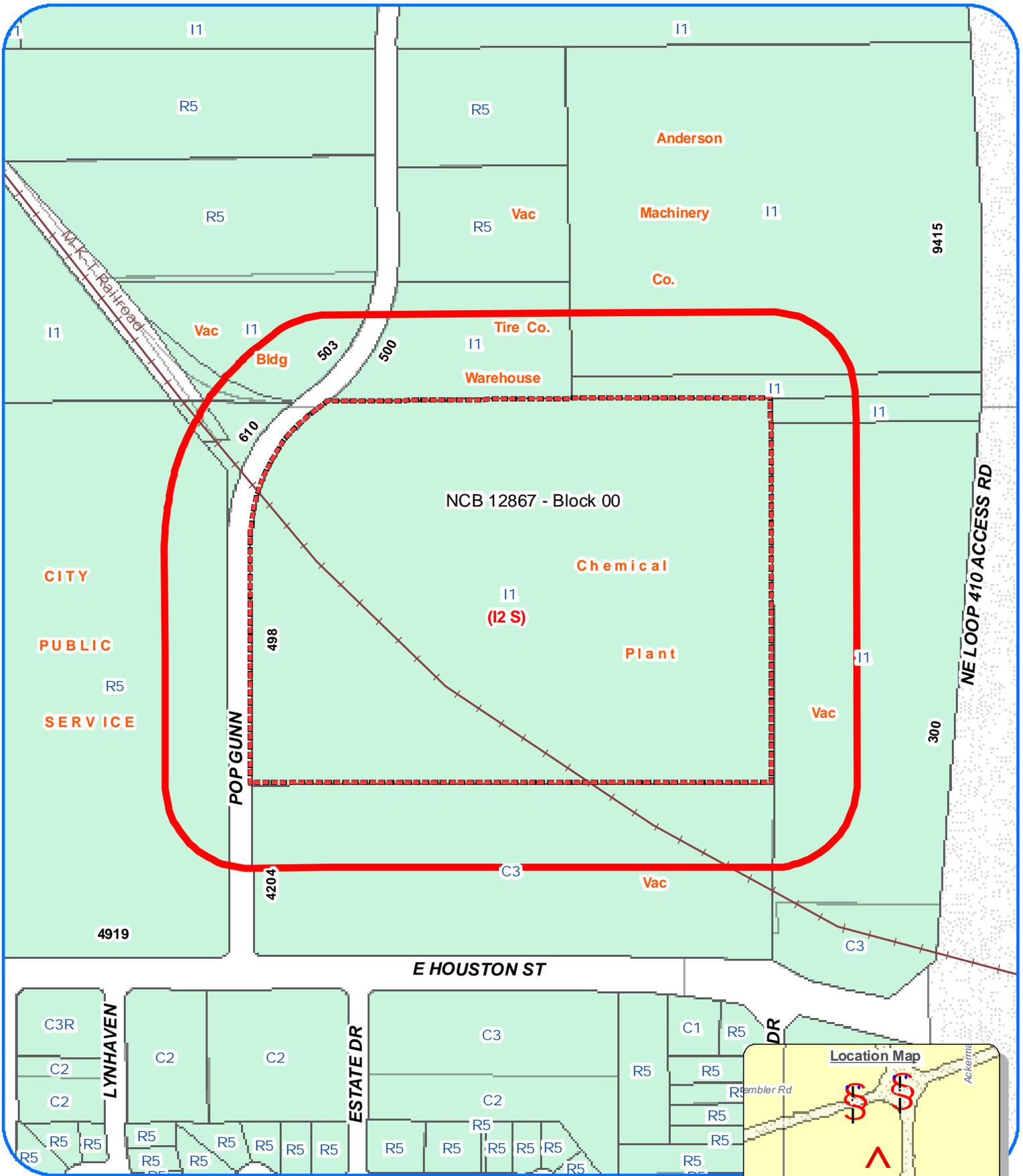
Request for
**COUNCIL
ACTION**



Agenda Voting Results - Z-12

Name:	P-1, P-2, P-3, Z-2, Z-3, Z-9, Z-11, Z-12, P-5, P-6, Z-15, Z-17
Date:	12/04/2008
Time:	05:10:07 PM
Vote Type:	Motion to Approve
Description:	ZONING CASE Z2008275 S (District 2): An Ordinance amending the Zoning District Boundary from "I-1" General Industrial District to "I-2 S" Heavy Industrial District with a Specific Use Authorization for a Bulk Plant or Terminal on Lot 25, NCB 12867 located at 498 Pop Gunn Drive. Staff and Zoning Commission recommend approval.
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Phil Hardberger	Mayor		x				
Mary Alice P. Cisneros	District 1	x					
Sheila D. McNeil	District 2		x				
Jennifer V. Ramos	District 3		x				
Philip A. Cortez	District 4		x				
Lourdes Galvan	District 5	x					
Delicia Herrera	District 6		x			x	
Justin Rodriguez	District 7		x				
Diane G. Cibrian	District 8		x				
Louis E. Rowe	District 9	x					
John G. Clamp	District 10		x				x



Zoning Case Notification Plan

Case Z2008-275

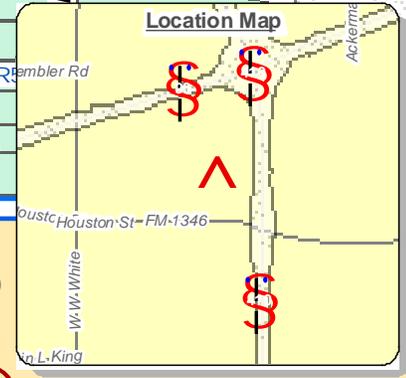
Council District 2

Scale: 1" approx. = 300'

Subject Property Legal Description(s): Lot 25, NCB 12867, Blk 00

Legend

- Subject Property (24.94 acres)
- 200' Notification Buffer
- Current Zoning I1
- Requested Zoning Change I2 S
- 100-Year FEMA Floodplain



Z2008275 S

ZONING CASE NUMBER Z2008275 S (Council District 2) – November 18, 2008

A request for a change in zoning from “I-1” General Industrial District to “I-2 S” Heavy Industrial District with a Specific Use Authorization for a Bulk Plant or Terminal on Lot 25, NCB 12867, 498 Pop Gunn Drive. Staff recommends approval.

Staff stated there were 12 notices mailed out to the surrounding property owners, 1 returned in opposition and 0 returned in favor and Eastern Triangle Neighborhood Association is not in opposition.

COMMISSION ACTION

The motion was made by Commissioner Gadberry and seconded by Commissioner Westheimer to recommend approval.

AYES: Sherrill, McFarland, Westheimer Gadberry, Myers, Wright, Gray

NAY: None

THE MOTION CARRIED



CITY OF SAN ANTONIO
Request for Council Action

Agenda Item # Z-12
Council Meeting Date: 12/4/2008
RFCA Tracking No: R-4221

DEPARTMENT: Planning & Development
Services

DEPARTMENT HEAD: Roderick Sanchez

COUNCIL DISTRICT(S) IMPACTED:
Council District 2

SUBJECT:
Zoning Case Z2008275 S

SUMMARY:
From "I-1" General Industrial District to "I-2 S" Heavy Industrial District with a Specific Use Authorization for a Bulk Plant or Terminal.

BACKGROUND INFORMATION:
Zoning Commission Meeting Date: November 18, 2008

Applicant: Brown & Ortiz, P. C.

Owner: Flint Hills Resources, L. P.

Property Location: 498 Pop Gunn Drive

Lot 25, NCB 12867

On the east side of Pop Gunn Drive, north of East Houston Street.

Proposal: To bring existing facility into conformance and to allow for expansion.

Neighborhood Association: None

Neighborhood Plan: None

TIA Statement: A Traffic Impact Analysis (TIA) is not required.

ISSUE:

None.

ALTERNATIVES:

A denial of the zoning request will result in the subject property retaining the current "I-

1" General Industrial District zoning classification. The existing fuel storage plant and terminal use would be considered non-conforming and expansion of the current use would be prohibited.

FISCAL IMPACT:

None. The applicant has paid the required zoning fees.

RECOMMENDATION:

Staff and Zoning Commission (7-0) recommend approval.

The subject property totals approximately 23.94 acres and is currently occupied by a fuel storage plant and terminal. This property is located on the east side of the City and is near the northeast corner of the Pop Gunn Drive and East Houston Street intersection. This area was annexed into the City on September 19, 1957. The subject property is currently zoned "I-1" General Industrial District and is located within the southwest quadrant of the Interstate IH-10 and Loop 410 intersection, where similar heavy industrial uses exist. There is a concentration of similar fuel storage and terminal uses in the vicinity due to the existing Corpus Christi – San Antonio oil pipeline and other similar infrastructure.

Surrounding uses around the subject property are of an industrial nature. The property to the south is zoned "C-3" and is currently undeveloped. Property to the west, across from Pop Gunn Drive, is zoned "R-5" and occupied by a CPS equipment facility. Properties to the north are zoned "I-1" and occupied by a tire warehouse/wholesale and a machinery company. The property to the east, along the Loop 410 access road, is zoned "I-1" and is currently undeveloped. There are railroad tracks at the north side of the subject property, which are used as an access point for bulk transportation.

The applicant has requested the zoning change in order to bring the existing use into conformity with the current provisions of the Unified Development Code and to enable the owner to add an off-loading facility and additional storage tank. These additions are proposed for ethanol fuel. Under previous zoning regulations, this type of use was a permitted use in the "I-1" Light Industry district. The current Unified Development Code requires that the bulk plant and terminal use be permitted only in the "I-2" Heavy Industrial District with the approval of a Specific Use Authorization. The application of zoning is designed to concentrate similar districts and uses and to prevent conflicts between incompatible uses.

ATTACHMENT(S):

File Description	File Name
Location Map	Z2008275.pdf
Site Plan	Z2008275 S_site plan.pdf
Zoning Commission Minutes	Z2008275 S.pdf
Voting Results	
Ordinance/Supplemental Documents	200812041124.pdf

DEPARTMENT HEAD AUTHORIZATIONS:

Roderick Sanchez Director Planning & Development Services

APPROVED FOR COUNCIL CONSIDERATION:

T.C. Broadnax Assistant City Manager