

AN ORDINANCE 2008-10-16-0955

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.

* * * * *

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 the following:

From “I-2” Heavy Industrial District to “IDZ” Infill Development Zone with uses permitted in “R-6” Residential Single-Family District and “C-2 P” Commercial Pedestrian District

- NCB 1161, THE EAST ½ OF BLOCK D, LOTS 28 AND 29
- NCB 1162, THE EAST ½ OF BLOCK E, LOTS 28 AND 29
- NCB 1162, THE EAST ½ OF BLOCK E, LOT 6
- NCB 1162, THE EAST ½ OF BLOCK E, LOT 7
- NCB 1170, BLOCK 2, LOTS 1, 7, 8 AND 9
- NCB 1170, BLOCK 2, LOT 2
- NCB 1179, BLOCK 4, LOT 1
- NCB 1179, BLOCK 4, LOT 2
- NCB 1179, BLOCK 4, LOT 7
- NCB 1179, BLOCK 4, LOT 8
- NCB 1180, BLOCK 6, LOTS 1 AND 2

From “I-2” Heavy Industrial District to “IDZ” Infill Development Zone with uses permitted in “R-6” Residential Single-Family District and “C-2 P S” Commercial Pedestrian District with a Specific Use Authorization for a Wireless Communication Tower

- NCB 1154, THE EAST ½ OF BLOCK A, LOTS 6 AND 7

From "I-2" Heavy Industrial District to "IDZ" Infill Development Zone with uses permitted in "R-4" Residential Single-Family District and "C-2 P" Commercial Pedestrian District

NCB 1169, THE EAST ½ OF BLOCK H, THE WEST 30 FEET OF LOT C AND THE EAST 30 FEET OF LOT B

From "I-2" Heavy Industrial District to "IDZ" Infill Development Zone with uses permitted in "R-4 CD" Residential Single-Family District with a Conditional Use for a Triplex and "C-2 P" Commercial Pedestrian District

NCB 1169, EAST ½ OF BLOCK H, LOT A AND THE WEST 20 FEET OF LOT B, SAVE AND EXCEPT A PORTION OF LOT A CONVEYED TO THE CITY OF SAN ANTONIO AS RECORDED IN VOLUME 5657, PAGE 201 OF THE BEXAR COUNTY DEED RECORDS

From "I-2" Heavy Industrial District to "C-2 P CD" Commercial Pedestrian District with a Conditional Use for a Bar/ Tavern

NCB 1155, THE WEST ½ OF BLOCK A, LOTS 16 AND 17
NCB 1171, BLOCK 1, LOTS 3 AND 4, SAVE AND EXCEPT A PORTION OF LOT 4 CONVEYED TO SOUTHERN PACIFIC COMPANY AS RECORDED IN VOLUME 5561, PAGE 592 OF THE BEXAR COUNTY DEED RECORDS

From "I-2" Heavy Industrial District to "C-2 P CD" Commercial Pedestrian District with a Conditional Use for a Outside Storage

NCB 3136, BLOCK 4, LOTS 16 AND 17

From "I-2" Heavy Industrial District and "C-2" Commercial District to "R-6" Residential Single-Family District

NCB 3134, BLOCK 2, THE EAST 19 FEET OF LOT 6 AND THE WEST 21 FEET OF LOT 7

From "I-2" Heavy Industrial District to "R-6" Residential Single-Family District

ALL OF NCB 1160
ALL OF NCB 1161, SAVE AND EXCEPT LOTS 28, 29 AND 30
ALL OF NCB 1162, SAVE AND EXCEPT LOTS 6, 7, 28, 29 AND 30
ALL OF NCB 1163
ALL OF NCB 1168
ALL OF NCB 1170, SAVE AND EXCEPT LOTS 1, 7, 8, 9 AND LOT 2
ALL OF NCB 1171, SAVE AND EXCEPT LOTS 3 AND 4
ALL OF NCB 1178, SAVE AND EXCEPT LOT 1, 2, 3, 7, 8 AND 9
ALL OF NCB 1179, SAVE AND EXCEPT LOTS 1, 2, 7 AND 8
ALL OF NCB 1181, SAVE AND EXCEPT LOTS 1 AND 2

NCB 3134, BLOCK 2, LOT 20
NCB 3134, BLOCK 2, LOT 21
NCB 3134, BLOCK 2, LOT 9 AND THE EAST 35 FEET OF LOT 8
NCB 3134, BLOCK 2, THE EAST 27 FEET OF LOT 7 AND THE WEST 13 FEET OF LOT 8
NCB 3134, BLOCK 2, THE EAST 41.8 FEET OF LOT 18
NCB 3136, BLOCK 4, LOT 8
NCB 3136, BLOCK 4, THE NORTH 102.5 FEET OF LOT 9
NCB 3136, BLOCK 4, THE SOUTH 148 FEET OF LOT 18
NCB 3136, BLOCK 4, THE SOUTH 48 FEET OF LOT 9 & THE NORTH 2 FEET OF LOT 18

From "I-2" Heavy Industrial District to "R-6 CD" Residential Single-Family District with a Conditional Use for a Non-Commercial Parking Lot

NCB 3136, BLOCK 4, LOT 7

From "I-2" Heavy Industrial District to "R-6 CD" Residential Single-Family District with a Conditional Use for Multi-Family Dwellings not to exceed three units per acre or a total of 3 units

NCB 1178, BLOCK 3, LOTS 1, 2, 3, 7, 8 AND 9

From "I-2" Heavy Industrial District to "R-6 CD" Residential Single-Family District with a Conditional Use for Multi-Family Dwellings not to exceed ten units per acre or a total of 2 units

NCB 1181, BLOCK 5, LOTS 1 AND 2

From "I-2" Heavy Industrial District to "R-6 CD" Residential Single-Family District with a Conditional Use for Multi-Family Dwellings not to exceed eleven units per acre or a total of 2 units

NCB 1162, THE EAST ½ OF BLOCK E, LOT 30

From "I-2" Heavy Industrial District to "R-5" Residential Single-Family District

NCB 1155, THE WEST ½ OF BLOCK A, LOTS 18 AND 19
NCB 1155, THE WEST ½ OF BLOCK A, LOT 18C AND 19C
NCB 1155, THE WEST ½ OF BLOCK A, LOT 22

From "I-2" Heavy Industrial District to "R-4" Residential Single-Family District

ALL OF NCB 1169, SAVE AND EXCEPT LOT A, LOT B, AND THE WEST 30 FEET OF LOT C

ALL OF NCB 1180, SAVE AND EXCEPT LOTS 1 AND 2

From “I-1” General Industrial District to “O-2” Office District

NCB 12831, BLOCK 2, LOT 1

From “I-1” General Industrial District to “IDZ” Infill Development Zone with uses permitted in “R-6” Residential Single-Family District and “C-2 P S” Commercial Pedestrian District with a Specific Use Authorization for a Bus Maintenance Facility

NCB 17136, BLOCK 1, LOT 1

From “I-1” General Industrial District to “C-2 P” Commercial Pedestrian District

NCB 1269, BLOCK 1, LOT 17
NCB 1269, BLOCK 1, THE EAST 50 FEET OF LOT 10
NCB 1272, BLOCK 5, LOTS 1, 2, 3, 9, 10, 11 AND 12
NCB 1687, BLOCK 3, THE SOUTH 46.7 FEET OF LOT 1
NCB 1687, BLOCK 3, THE EAST 99.4 FEET OF LOT 9
NCB 1687, BLOCK 3, LOTS 10 AND 11
NCB 1692, BLOCK 7, LOTS 1, 2 AND 3

From “HS I-1” Historic Significant, General Industrial District to “HS C-2 P” Historic Significant, Commercial Pedestrian District

NCB 1269, BLOCK 1, LOT 9 AND THE WEST 2 FEET OF LOT 10

From “I-1” General Industrial District to “C-2 P S” Commercial Pedestrian District with a Specific Use Authorization for a Hotel/ Motel

NCB 12836, BLOCK 6, LOT 12

From “I-1” General Industrial District to “C-2 P CD” Commercial Pedestrian District with a Conditional Use for Warehousing

NCB 3137, TRACT 13
NCB 3137, TRACT 13

From “I-1” General Industrial District and “MF-33” Multi-Family District to “R-6” Residential Single-Family District

NCB 1269, BLOCK 1, LOTS 11 AND 12

From “I-1” General Industrial District to “R-6” Residential Single-Family District

NCB 1269, BLOCK 1, THE EAST 43 FEET OF LOT 3

ALL OF NCB 12831, BLOCK 1, SAVE AND EXCEPT LOTS 2, 3, 9, 20, 21, 22, 30, 31, 32, 33, 34, AND 35

ALL OF NCB 12832, SAVE AND EXCEPT LOTS 3, 4, 5, 7, 8, AND 10

ALL OF NCB 12833, SAVE AND EXCEPT LOTS 1, 2, 4, 5, 6, 16, 17, 19, 21, 24, 25, AND 32

ALL OF NCB 12834, SAVE AND EXCEPT LOTS 1, 2, 3, 4, 7, 8, 11, 12, 14, 15, 17, 19, & 21

ALL OF NCB 12835, SAVE AND EXCEPT LOTS 8, 9, 10, 13, 20, AND 22

ALL OF NCB 12836, SAVE AND EXCEPT LOTS 9, 12, 13, 14, 15, 16, AND 19

From “I-1” General Industrial District to “R-6 CD” Residential Single-Family District with a Conditional Use for an Office

NCB 12835, BLOCK 5, LOT 8

From “I-1” General Industrial District to “R-6 CD” Residential Single-Family District with a Conditional Use for Non-Commercial Parking Lot

NCB 12831, BLOCK 1, LOTS 20, 21, 22, 30, 31, 32, 33, 34, AND 35

From “I-1” General Industrial District to “R-6 CD” Residential Single-Family District with a Conditional Use for a Duplex

NCB 12831, BLOCK 1, LOTS 2, 3, AND 9

NCB 12832, BLOCK 2, LOTS 3, 4, 5, 7, 8, AND 10

NCB 12833, BLOCK 3, LOTS 1, 2, 4, 5, 6, 16, 17, 19, 21, 24, 25, AND 32

NCB 12834, BLOCK 4, LOTS 1, 2, 3, 4, 7, 8, 11, 12, 14, 15, 17, 19, AND 21

NCB 12835, BLOCK 5, LOTS 9, 10, 13, 20, AND 22

NCB 12836, BLOCK 6, LOTS 9, 13, 14, 15, 16, AND 19

From “I-1” General Industrial District to “R-5” Residential Single-Family District

NCB 3138, BLOCK 6, LOT 19

From “C-2” Commercial District to “R-6” Residential Single-Family District

NCB 3133, BLOCK 1, LOTS 7 AND 8

NCB 3134, BLOCK 2, LOT 19

NCB 3134, BLOCK 2, LOT 3
NCB 3134, BLOCK 2, LOTS 4, 5 AND THE WEST 29 FEET OF LOT 6
NCB 3134, BLOCK 2, THE NORTH 97 FEET OF LOT 1
NCB 3134, BLOCK 2, THE NORTH 97 FEET OF LOT 2

From "C-2" Commercial District to "R-5" Residential Single-Family District

NCB 1692, BLOCK 7, LOT 4
NCB 3138, BLOCK 6, LOT 1

From "MF-33" Multi-Family District to "C-2 P CD" Commercial Pedestrian District with a Conditional Use for a Bar/ Tavern

NCB 3133, BLOCK 1, LOT 1

From "MF-33" Multi-Family District to "R-6" Residential Single-Family District

NCB 1269, BLOCK 1, LOTS 4, 5, 6, 7, 13, 14, AND 16
ALL OF NCB 1270, SAVE AND EXCEPT LOTS 12, 15 AND 16
ALL OF NCB 1271, SAVE AND EXCEPT LOT 9
NCB 1272, BLOCK 5, LOTS 4, 5, 6, 7, 8, 13, 14, 15, AND 16
NCB 3133, BLOCK 1, LOTS 2, 3, 4, 6, 9, 10, 11, 12, 14, 15 AND 16
NCB 3134, BLOCK 2, LOTS 10, 11, 12, 13, 14, AND 15

ALL OF NCB 3135

NCB 3136, BLOCK 4, LOTS 1, 2, 3, 4, 5, 6, 10, 11, 12, 14, AND 15

From "MF-33" Multi-Family District to "R-6 CD" Residential Single-Family District with a Conditional Use for a Triplex

NCB 3133, BLOCK 1, LOT 13

From "MF-33" Multi-Family District to "R-6 CD" Residential Single-Family District with a Conditional Use for a Duplex

NCB 1271, BLOCK 6, LOT 9
NCB 3133, BLOCK 1, LOT 5
NCB 3136, BLOCK 4, LOT 13

From “MF-33” Multi-Family District to “R-6 CD” Residential Single-Family District with a Conditional Use for Multi-Family Dwellings not to exceed 58 units per acre or a total of eight units

NCB 1269, BLOCK 1, LOT 15

From “MF-33” Multi-Family District to “R-6 CD” Residential Single-Family District with a Conditional Use for Multi-Family Dwellings not to exceed 57 units per acre or a total of eight units

NCB 1269, BLOCK 1, LOT 8

From “MF-33” Multi-Family District to “R-6 CD” Residential Single-Family District with a Conditional Use for Multi-Family Dwellings not to exceed 28 units per acre or a total of four units

NCB 1270, BLOCK 2, LOT 12

From “MF-33” Multi-Family District to “R-6 CD” Residential Single-Family District with a Conditional Use for Multi-Family Dwellings not to exceed 12 units per acre or a total of three units

NCB 1270, BLOCK 2, LOTS 15 AND 16

From “MF-33” Multi-Family District to “R-5” Residential Single-Family District

NCB 1687, BLOCK 3, LOTS 4, 5 AND 6

ALL OF NCB 1689, SAVE AND EXCEPT LOT 5

NCB 1692, BLOCK 7, LOT 5

ALL OF NCB 1693

From “MF-33” Multi-Family District to “R-5 CD” Residential Single-Family District with a Conditional Use for a Quadraplex

NCB 1689, BLOCK 4, LOT 5

From “MF-33” Multi-Family District to “R-5 CD” Residential Single-Family District with a Conditional Use for Multi-Family Dwellings not to exceed 11 units per acre or a total of three units

NCB 1687, BLOCK 3, LOTS 7 AND 8

SECTION 2. The City Council finds as follows:

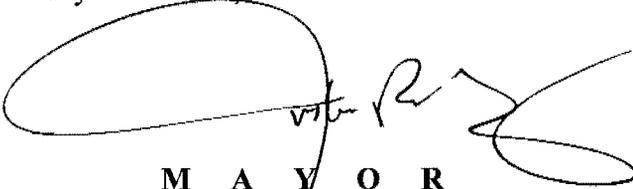
- A. The conditional use will not be contrary to the public interest.
- B. The conditional use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district.
- C. The conditional use will be in harmony with the spirit and purpose for conditional uses as set forth in Section 35-422, Conditional Zoning, of the Unified Development Code.
- D. The conditional use will not substantially weaken the general purposes of the regulations as set forth in Section 35-422, Conditional Zoning, of the Unified Development Code.
- E. The conditional use will not affect adversely the public health, safety and welfare.

SECTION 3. 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 4. 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 5. This ordinance shall become effective October 26, 2008.

PASSED AND APPROVED this 16th day of October, 2008.


M A Y O R
PHIL HARDBERGER

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
City Attorney
Fa



Request for
**COUNCIL
ACTION**



Agenda Voting Results - Z-6

Name:	Z-6
Date:	10/16/2008
Time:	04:42:32 PM
Vote Type:	Motion to Approve
Description:	ZONING CASE # Z2008233 CD S (District 2): An Ordinance amending the Zoning District Boundary from I-2" Heavy Industrial District, "I-1" General Industrial District, "HS I-1" Historic Significant, General Industrial District, "C-2" Commercial District and "MF-33" Multi-Family District to "C-2 P" Commercial Pedestrian District, "C-2 P CD" Commercial Pedestrian District with a Conditional Use for a Bar or Tavern, "C-2 P CD" Commercial Pedestrian District with a Conditional Use for Outside Storage, "C-2 P CD" Commercial Pedestrian District with a Conditional Use for Warehousing, "C-2 P HS" Historic Significant, Commercial Pedestrian District, "C-2 P S" Commercial Pedestrian District with a Specific Use Authorization for a Hotel/Motel, "IDZ R-4 CD, C-2 P" Infill Development Zone with uses permitted in R-4 Residential Single-Family District with a Conditional Use for a Duplex and C-2 P Commercial Pedestrian District, "IDZ R-6, C-2 P" Infill Development Zone with uses permitted in R-6 Residential Single-Family District and C-2 P Commercial Pedestrian District, "IDZ R-6, C-2 P S" Infill Development Zone with uses permitted in R-6 Residential Single-Family District and C-2 P S Commercial Pedestrian District with a Specific Use Authorization for a Bus Maintenance Facility, "IDZ R-6, C-2 P S" Infill Development Zone with uses permitted in R-6 Residential Single-Family District and C-2 P S Commercial Pedestrian District with a Specific Use Authorization for a Wireless Communication Tower, "O-2" Office District, "R-4" Residential Single-Family District, "R-5" Residential Single-Family District, "R-5 CD" Residential Single-Family District with a Conditional Use for a Fourplex, "R-5 CD" Residential Single-Family District with a Conditional Use for a Multi-Family Dwelling, "R-6" Residential Single-Family District, "R-6 CD" Residential Single-Family District with a Conditional Use for a Duplex, "R-6 CD" Residential Single-Family District with a Conditional Use for an Office, "R-6
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			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				

Ft Sam Houston

Carson E

Carson E

Colita

New Braunfels Av N

Sandmeyer

Mason

Benton

Stafford

Calhoun

IH-35 N

Legend

- Subject Properties
- 200' Notification Buffer
- R5 & R6 Residential Single-Family District
- C2P Commercial, Pedestrian District
- C2P HS Commercial, Pedestrian District, Historically Significant
- 1 Conditional Use for Multi-Family Dwellings
- 2 Conditional Use for a Fourplex
- 3 Conditional Use for a Triplex
- 4 Conditional Use for a Duplex



Council District 2
Scale: 1" approx. = 150'

Produced by the City of San Antonio
Development Services Department
(08/06/2008)

Government Hill - Phase I Proposed Zoning Changes

Case #Z-2008-233

Sheet 1 of 4



**Government Hill - Phase I
Proposed Zoning Changes**

Case #Z-2008-233

Sheet 2 of 4

Legend

- Subject Properties
- 200' Notification Buffer
- R5 & R6 Residential Single-Family District
- C2P Commercial, Pedestrian District
- 3 Conditional Use for a Triplex
- 4 Conditional Use for a Duplex
- 5 Conditional Use for a Bar/Tavern
- 6 Conditional Use for a Non-Commercial Parking Lot
- 7 Conditional Use for Outside Storage
- 8 Conditional Use for Warehousing



Council District 2
Scale: 1" approx. = 150'





**Government Hill - Phase I
Proposed Zoning Changes**

Case #Z-2008-233

Sheet 4 of 4

Legend

- Subject Properties
- 200' Notification Buffer
- IDZ Infill Development Zone
- O2 Office District
- R4 and R6 Residential Single-Family District
- C2P Commercial, Pedestrian District

- 1 Conditional Use for Multi-Family Dwellings
- 4 Conditional Use for a Duplex
- 5 Conditional Use for a Bar / Tavern
- 6 Conditional Use for a Non-Commercial Parking Lot
- 9 Conditional Use for an Office

Council District 2
Scale: 1" approx. = 250'



Produced by the City of San Antonio
Development Services Department
(08/06/2008)

Z2008233 CD S

ZONING CASE NUMBER Z2008233 CD S (Council District 2) – September 16, 2008

A request for a change in zoning from ‘I-2’ Heavy Industrial District, ‘I-1’ General Industrial District, ‘HS I1’ Historic Significant, General Industrial District, ‘C-2’ Commercial District and ‘MF-33’ Multi-Family District to ‘C-2 P’ Commercial Pedestrian District, ‘C-2 P CD’ Commercial Pedestrian District with a Conditional Use for a Bar or Tavern, ‘C-2 P CD’ Commercial Pedestrian District with a Conditional Use for Outside Storage, ‘C-2 P CD’ Commercial Pedestrian District with a Conditional Use for Warehousing, ‘C-2 P HS’ Historic Significant, Commercial Pedestrian District, ‘C-2 P S’ Commercial Pedestrian District with a Specific Use Authorization for a Hotel/Motel, ‘IDZ R-4 CD, C-2 P’ Infill Development Zone with uses permitted in ‘R-4’ Residential Single-Family District with a Conditional Use for a Duplex and Commercial Pedestrian District, ‘IDZ R-6, C-2 P’ Infill Development Zone with uses permitted in ‘R-6’ Residential Single-Family District and Commercial Pedestrian District, ‘IDZ R-6, C-2 P S’ Infill Development Zone with uses permitted in ‘R-6’ Residential Single-Family District and Commercial Pedestrian District with a Specific Use Authorization for a Bus Maintenance Facility, ‘IDZ R-6, C-2 P S’ Infill Development Zone with uses permitted in R-6 Residential Single-Family District and Commercial Pedestrian District with a Specific Use Authorization for a Wireless Communication Tower, ‘O-2’ Office District, ‘R-4’ Residential Single-Family District, ‘R-5’ Residential Single-Family District, ‘R-5 CD’ Residential Single-Family District with a Conditional Use for a Fourplex, ‘R-5 CD’ Residential Single-Family District with a Conditional Use for a Multi-Family Dwelling, ‘R-6’ Residential Single-Family District, ‘R-6 CD’ Residential Single-Family District with a Conditional Use for a Duplex, ‘R-6 CD’ Residential Single-Family District with a Conditional Use for an Office, ‘R-6 CD’ Residential Single-Family District with a Conditional Use for a Triplex, ‘R-6 CD’ Residential Single-Family District with a Conditional Use for a Commercial Parking Lot, and ‘R-6 CD’ Residential Single-Family District with a Conditional Use for a Multi-Family Dwelling on Multiple properties bounded by Ft. Sam Houston to the north and east, IH 35 to the south and New Braunfels to the west. Staff recommends approval of Phase I, pending the Government Hill Plan Update.

City staff represented this case.

The following citizen(s) appeared to speak:

Dan Steinke, representing Government Hill Alliance, stated they strongly support this zoning request. He stated this would help preserve and maintain the residential character of the neighborhood. He further stated they have attended many meetings and continuously been working with City Staff regarding this rezoning.

Alexander Villarreal, stated he own property within this proposed zoning area and would like to request his property be exempt from this project. He is concerned with the negative impact this change would have on his property.

Z2008233 CD S

Robert Brown, stated he is concerned with how this proposed zoning change will affected the neighborhood. He feels more time is needed to assess the information.

Staff stated there were 508 notices mailed out to the surrounding property owners, 6 returned in opposition and 6 returned in favor and Government Hill Alliance is in favor. Staff mailed 10 notices to the Planning Team.

FINDING OF CONSISTENCY OF THE MASTER PLAN

COMMISSION ACTION

The motion was made by Commissioner Gray and seconded by Commissioner Robbins to find inconsistent with the neighborhood plan.

(A verbal vote was taken)

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Wright, Martinez, Gray

NAYS: None

THE MOTION CARRIED

COMMISSION ACTION

The motion was made by Commissioner Gray and seconded by Commissioner Robbins to recommend approval of Phase I pending the Government Hill Plan Update.

AYES: Sherrill, Robbins, Westheimer, Gadberry, Wright, Martinez, Gray

NAYS: None

ABSTAIN: J. Valadez

THE MOTION CARRIED



AFFIDAVIT OF PUBLICATION

(COUNTY OF BEXAR)
(STATE OF TEXAS)

I, Lynette Nelson do solemnly swear that the notice was published 1 time(s) in the following publication(s):

Daily Commercial Recorder

A newspaper of general circulation published at San Antonio, Bexar County, Texas on the following dates:

October 20, 2008

Order# 20396390

ORDINANCE 2008-10-16-0956

Lynette Nelson

Lynette Nelson

Subscribed and sworn before me, this

20th day of February, 2009

Olivia D. Chaverria

NOTARY PUBLIC SIGNATURE

Olivia D. Chaverria

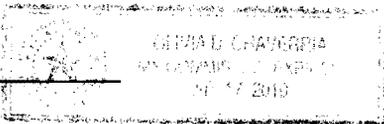
Notary Public Printed/Typed Name

My Commission Expires: 07/17/2010

PUBLIC NOTICE

AN ORDINANCE 2008-10-16-0956

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 31, Block A, NCB 2523, save and except a portion of land described as 0.0087 acres out of Lot 31, NCB 2523 TO WIT: From "I-1" General Industrial District to "L" Light Industrial District. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".
10/20





CITY OF SAN ANTONIO
Request for Council Action

Agenda Item # Z-6
Council Meeting Date: 10/16/2008
RFCA Tracking No: R-3958

DEPARTMENT: Planning & Development Services

DEPARTMENT HEAD: Roderick Sanchez

COUNCIL DISTRICT(S) IMPACTED:
Council District 2

SUBJECT:
Zoning Case Z2008233 CD S

SUMMARY:

From: "I-2" Heavy Industrial District, "I-1" General Industrial District, "HS I-1" Historic Significant, General Industrial District, "C-2" Commercial District and "MF-33" Multi-Family District

To: "C-2 P" Commercial Pedestrian District, "C-2 P CD" Commercial Pedestrian District with a Conditional Use for a Bar or Tavern, "C-2 P CD" Commercial Pedestrian District with a Conditional Use for Outside Storage, "C-2 P CD" Commercial Pedestrian District with a Conditional Use for Warehousing, "C-2 P HS" Historic Significant, Commercial Pedestrian District, "C-2 P S" Commercial Pedestrian District with a Specific Use Authorization for a Hotel/ Motel, "IDZ R-4 CD, C-2 P" Infill Development Zone with uses permitted in R-4 Residential Single-Family District with a Conditional Use for a Duplex and Commercial Pedestrian District, "IDZ R-6, C-2 P" Infill Development Zone with uses permitted in R-6 Residential Single-Family District and Commercial Pedestrian District, "IDZ R-6, C-2 P S" Infill Development Zone with uses permitted in R-6 Residential Single-Family District and Commercial Pedestrian District with a Specific Use Authorization for a Bus Maintenance Facility, "IDZ R-6, C-2 P S" Infill Development Zone with uses permitted in R-6 Residential Single-Family District and Commercial Pedestrian District with a Specific Use Authorization for a Wireless Communication Tower, "O-2" Office District, "R-4" Residential Single-Family District, "R-5" Residential Single-Family District, "R-5 CD" Residential Single-Family District with a Conditional Use for a Fourplex, "R-5 CD" Residential Single-Family District with a Conditional Use for a Multi-Family Dwelling, "R-6" Residential Single-Family District, "R-6 CD" Residential Single-Family District with a Conditional Use for a Duplex, "R-6 CD" Residential Single-Family District with a Conditional Use for an Office, "R-6 CD" Residential Single-Family District with a Conditional Use for a Triplex, "R-6 CD" Residential Single-Family District with a Conditional Use for a Commercial Parking Lot, and "R-6 CD" Residential Single-Family District with a Conditional Use for a Multi-Family Dwelling.

BACKGROUND INFORMATION:

Zoning Commission Meeting Date: September 16, 2008

Applicant: City of San Antonio

Owner: Multiple Property Owners

Property Location: Multiple properties bounded by Ft. Sam Houston to the north and east, IH 35 to the south and New Braunfels to the west

Proposal: To conform zoning with existing land uses.

Neighborhood Association: Government Hill Alliance

Neighborhood Plan: Government Hill Neighborhood Plan

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

ISSUE:

The zoning request, initiated by the City of San Antonio, is to rezone properties within the Government Hill Neighborhood Association boundaries, so the existing uses of these properties may be brought into conformity with the current provisions of the Unified Development Code. Per direction from City Council, Staff has conducted a study of these properties and is recommending a rezoning proposal that would be compatible with the current uses, while attempting to provide consistency with current and proposed adjacent zoning districts.

ALTERNATIVES:

A denial of the zoning request will result in the subject properties retaining the current "I-2" Heavy Industrial District, "I-1" General Industrial District, "HS I-1" Historic Significant, General Industrial District, "C-2" Commercial District and "MF-33" Multi-Family District zoning classifications and could result in non-conforming land uses in these zoning districts, which would require each individual property owner to apply for a rezoning if they wish to alter, rebuild, or create an addition to their home or business.

FISCAL IMPACT:

The applicant is the City of San Antonio. No rezoning fees are required.

RECOMMENDATION:

Staff and Zoning Commission recommend approval of Phase 1 pending the Government Hill Plan Update.

The recommended rezoning proposal is inconsistent with the land use designations identified in the Government Hill Neighborhood Plan. However, the Government Hill Neighborhood Plan is currently undergoing a plan update and the recommended rezoning proposal will be consistent with the proposed Future Land Use Plan. On August 27, 2008, the Planning Commission recommended approval of the plan update.

The zoning request, initiated by the City of San Antonio, is to rezone properties within the Government Hill Neighborhood Association boundaries so the existing uses of these properties may be brought into conformity with the current provisions of the Unified Development Code. Per direction from City Council, Staff has conducted a study of these properties and is recommending a rezoning proposal that would be compatible with the current uses, while attempting to provide consistency with current and proposed adjacent zoning districts.

The Government Hill Neighborhood Association is generally bound by Ft. Sam Houston on the north and east, Duval Street and the railroad tracks to the south, and Broadway to the west. The rezoning effort has been divided into three phases; Phase 1 includes the area generally bounded by Ft. Sam to the north and east, IH 35 to the south and New Braunfels to the west, Phase 2 is the area generally bounded by Ft. Sam and Josephine Street to the north, New Braunfels to the east, IH 35 to the south and Hackberry to the west and Phase 3 includes the area generally bounded by Josephine Street to the north, Hackberry to the east, IH 35 to the south and Broadway to the west. If necessary, Phase 4 will include the area south of IH 35 to Duval Street and the railroad tracks.

The majority of the parcels in Phase 1 of the Government Hill neighborhood contain residential uses (approximately 328 Single-Family and 56 Duplex or Multi-Family, out of 432 total parcels). The neighborhood also contains approximately 48 parcels dedicated to commercial use, which are mainly located along North New Braunfels Avenue and North Walters Street. There are approximately 56 vacant parcels.

Despite its residential character, the vast majority of this neighborhood is zoned "I-2" Heavy Industrial District, "I-1" General Industrial District and "MF-33" Multi-Family District. The neighborhood was previously zoned "L" First Manufacturing District, "J" Commercial District and "C" Apartment District, under the 1938 Unified Development Code (UDC). Upon adoption of the 2001 UDC, the 1938 zoning districts were converted to the current zoning districts. The "L" First Manufacturing zoning district converted to "I-2" Heavy Industrial District, the "J" Commercial zoning district converted to "I-1" General Industrial District and the "D" Apartment District converted to "MF-33" Multi-Family District.

These high-intensity zoning districts have the potential to present major problems to the residents of the Government Hill neighborhood. For instance, under the current zoning for the area, nothing would legally prevent a major manufacturing facility from operating directly adjacent to a single-family home. Additionally, all housing and many retail and service oriented uses are not permitted in an "I-2" Heavy Industrial or "I-1" General Industrial district. Therefore, almost every land use in these zoning districts will become non-conforming, which means each individual property owner would be faced with applying for a rezoning if they wish to alter, rebuild, or create an addition to their home or business. This rezoning request is necessary in order to provide for the most appropriate zoning for the current land uses; thus protecting current property owners from future non-conforming uses.

Staff supports the request being that the multiple zoning districts proposed are consistent with this area of Government Hill. Additionally, this request would constitute a down-zoning from "I-2" Heavy Industrial and "I-1" General Industrial zoning districts. Industrial uses are not appropriate within residential neighborhoods. This down-zoning would remove potentially harmful land-uses from the area, making the requested rezoning appropriate.

Staff invited all property owners to an Open House on January 29, 2008 at St. Paul's Episcopal Church. The proposed rezoning map was presented to the attendees, along with general information about the rezoning process. Additional meetings with smaller neighborhood groups were held as requested, including a meeting with the Ft. Sam Houston Area Business Association on March 27, 2008.

ATTACHMENT(S):

File Description

File Name

Location Map #1	Z2008233Plain1.pdf
Location Map #2	Z2008233Plain2.pdf
Location Map #3	Z2008233Plain3.pdf
Location Map #4	Z2008233Plain4.pdf
Zoning Commission Minutes	Z2008233 CD S.pdf
Voting Results	
Ordinance/Supplemental Documents	200810160955.pdf

DEPARTMENT HEAD AUTHORIZATIONS:

Roderick Sanchez Director Planning & Development Services

APPROVED FOR COUNCIL CONSIDERATION:

T.C. Broadnax Assistant City Manager