

AN ORDINANCE 2008-09-18-0849

AMENDING THE TEXT AND LAND USE PLAN CONTAINED IN THE DOWNTOWN NEIGHBORHOOD PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY: ADDING THE FOLLOWING TEXT TO THE LAND USE PLAN SECTION, DISTRICT M, VISTA VERDE NEIGHBORHOOD: "DEVELOPMENT OF THE S. FRIO STREET, S. ALAMO STREET INTERSECTION AREA AS A COMMUNITY COMMERCIAL NODE"; AND AMENDING THE LAND USE PLAN BY CHANGING THE USE OF APPROXIMATELY 3.96-ACRES OF LAND LOCATED AT 1103 S. FRIO STREET FROM RESIDENTIAL LAND USE TO COMMERCIAL LAND USE.

* * * * *

WHEREAS, the Downtown Neighborhood Plan was adopted on May 13, 1999 by City Council as a component of the City Master Plan adopted May 29, 1997; and

WHEREAS, the Unified Development Code requires consistency between zoning and the Master Plan and Section 213.003 of the TEXAS LOCAL GOVERNMENT CODE allows amendment of the Master Plan following a public hearing and review by the Planning Commission; and

WHEREAS, a public hearing was held on July 23, 2008 by the Planning Commission allowing all interested citizens to be heard; and

WHEREAS, the San Antonio City Council has considered the effect of this amendment to the Master Plan of the City and has determined that it conforms to the approval criteria set forth in the Unified Development Code §35-420, Comprehensive, Neighborhood, Community, and Perimeter Plans; **NOW THEREFORE;**

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

SECTION 1. The Downtown Neighborhood Plan, a component of the Master Plan of the City, is hereby amended by adding the following text to the Land Use Plan section, District M, Vista Verde Neighborhood: "Development of the S. Frio Street, S. Alamo Street intersection area as a Community Commercial node"; and amending the Land Use Plan by changing the use of an approximately 3.96-acre tract of land located at 1103 S. Frio Street from Residential land use to Commercial land use. All portions of land mentioned are depicted in Attachments "I" and "II" attached hereto and incorporated herein for all purposes.

SECTION 2. This ordinance shall take effect September 28, 2008.

PASSED AND APPROVED on this 18th day of September 2008.


M A Y O R
PHIL HARDBERGER

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
for City Attorney



Request for
**COUNCIL
ACTION**

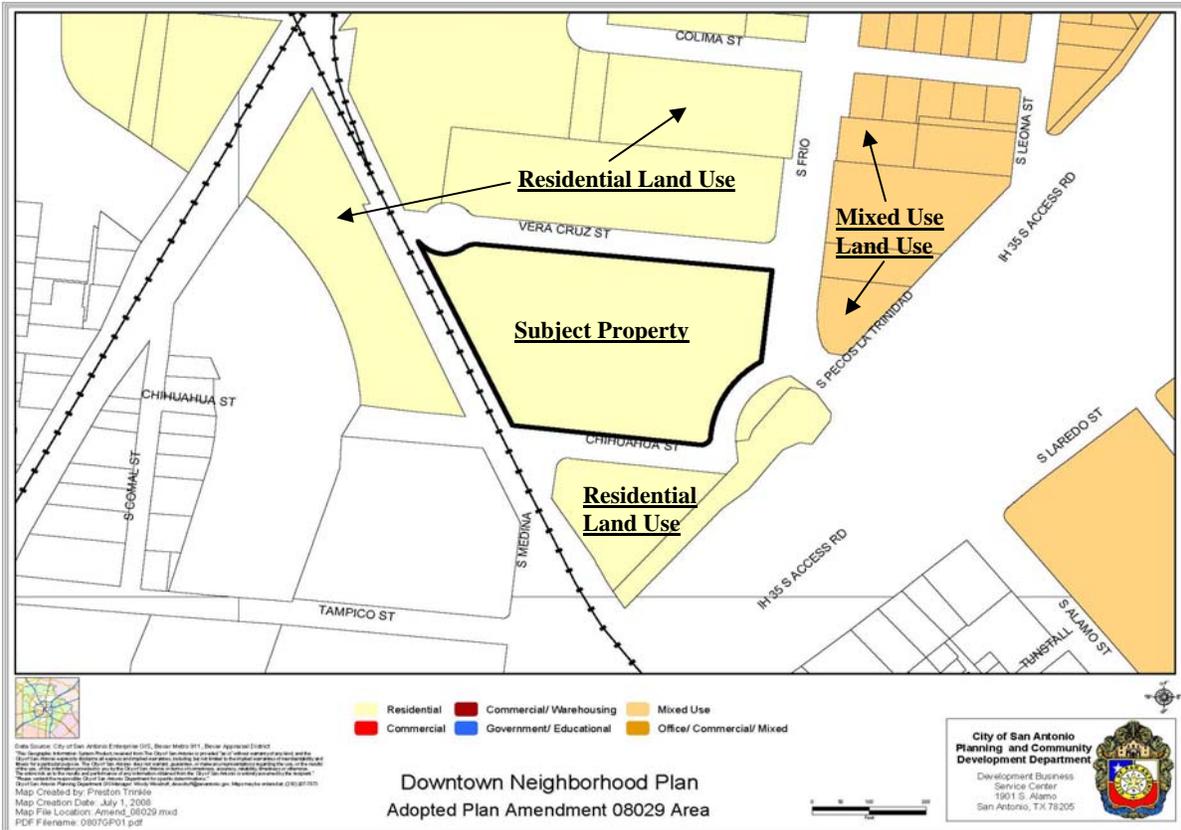


Agenda Voting Results - P-1

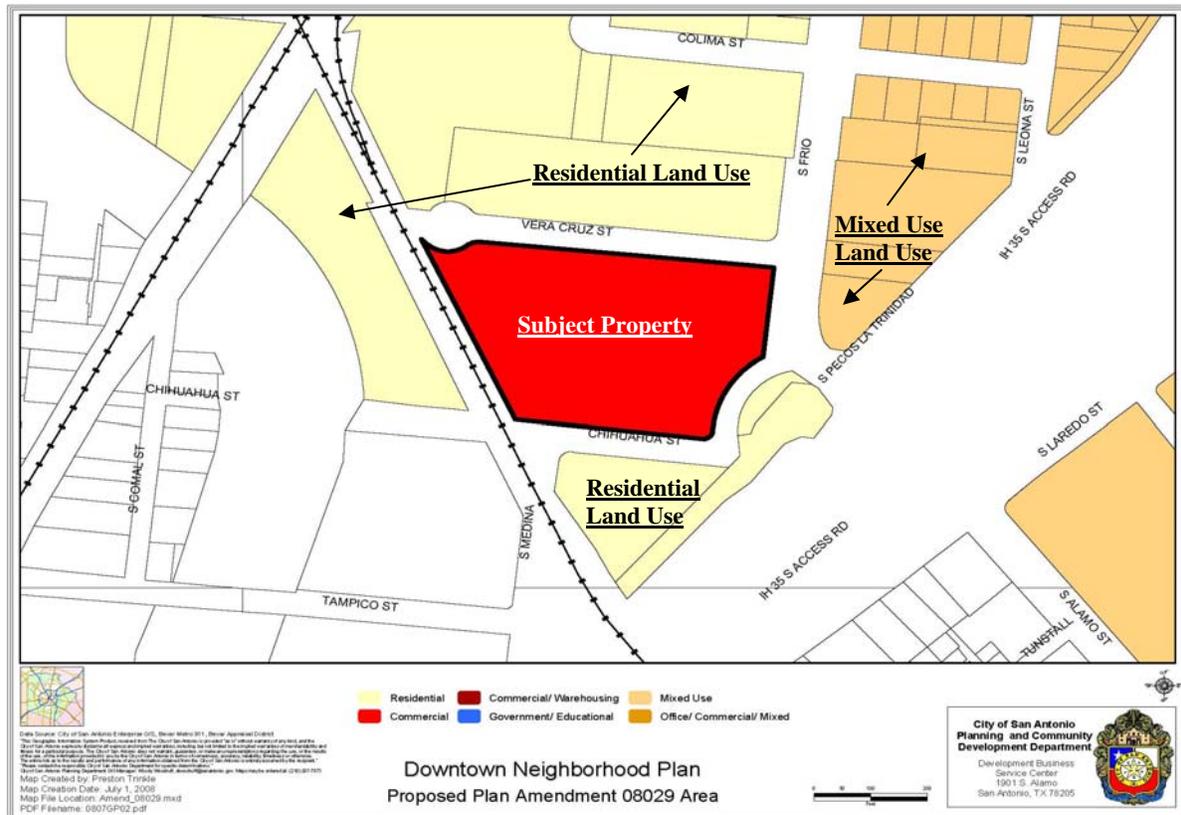
Name:	Z-2, Z-3, Z-4, Z-5, Z-6, Z-7, Z-9, Z-10, Z-12, P-1, Z-13, Z-14, Z-15, Z-16, Z-17, Z-18, Z-19, Z-22, Z-23, Z-25, Z-29, Z-30, Z-33, Z-34
Date:	09/18/2008
Time:	02:35:17 PM
Vote Type:	Motion to Approve
Description:	PLAN AMENDMENT # 08029 (District 5): An Ordinance amending the land use plan in the Downtown Neighborhood Plan, a component of the Master Plan of the City, by changing the use of a 3.9563 acre tract of land located at 1103 S. Frio St. from Residential to Commercial and adding to the text contained in the Land Use Plan section, District M, Vista Verde Neighborhood to include: " Development of the S. Frio Street, S. Alamo Street intersection area as a Community Commercial node." Staff and Planning Commission recommend approval. (Associated Zoning Case Z2008199)
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

Land Use Plan as Adopted



Proposed Amendment



ATTACHMENT II

Proposed text amendment to Page 10 of the Land Use Plan section, District M, Vista Verde Neighborhood, of the Downtown Neighborhood Plan:

Text as adopted:

- M. Vista Verde Neighborhood – Expansion of housing into warehouse areas located to the west of Frio Street. Alazan Creek becomes a linear park for all new and old surrounding neighborhoods. Existing Vista Verde single family densities remain constant at a maximum of 10 units per gross acre located east of Frio Street.

Proposed text amendment:

- M. Vista Verde Neighborhood – Expansion of housing into warehouse areas located to the west of Frio Street. Alazan Creek becomes a linear park for all new and old surrounding neighborhoods. Existing Vista Verde single family densities remain constant at a maximum of 10 units per gross acre located east of Frio Street.
Development of the S. Frio Street, S. Alamo Street intersection area as a community commercial node.

ATTACHMENT II

Proposed text amendment to Page 10 of the Land Use Plan section, District M, Vista Verde Neighborhood, of the Downtown Neighborhood Plan:

Text as adopted:

- M. Vista Verde Neighborhood – Expansion of housing into warehouse areas located to the west of Frio Street. Alazan Creek becomes a linear park for all new and old surrounding neighborhoods. Existing Vista Verde single family densities remain constant at a maximum of 10 units per gross acre located east of Frio Street.

Proposed text amendment:

- M. Vista Verde Neighborhood – Expansion of housing into warehouse areas located to the west of Frio Street. Alazan Creek becomes a linear park for all new and old surrounding neighborhoods. Existing Vista Verde single family densities remain constant at a maximum of 10 units per gross acre located east of Frio Street.
Development of the S. Frio Street, S. Alamo Street intersection area as a community commercial node.

RESOLUTION NO. 08-07-02

RECOMMENDING TO APPROVE THE AMENDMENT OF THE DOWNTOWN NEIGHBORHOOD PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY ADDING TEXT TO THE LAND USE PLAN SECTION, DISTRICT M, VISTA VERDE NEIGHBORHOOD, AND BY CHANGING THE USE FROM RESIDENTIAL TO COMMERCIAL LAND USE FOR AN AREA OF APPROXIMATELY 3.96-ACRES LOCATED AT 1103 S. FRIO STREET.

WHEREAS, City Council approved the Downtown Neighborhood Plan as an addendum to the Master Plan on May 13, 1999; and

WHEREAS, the May 3, 2001 Unified Development Code requires consistency between zoning and the Master Plan as specified in Sections 35-105, 35-420 (h), and 35-421 (d) (3); and

WHEREAS, Chapter 213.003 of the Texas Local Government Code provides that the Master Plan may be amended by ordinance following a public hearing and review by the Planning Commission; and

WHEREAS, the San Antonio Planning Commission held a public hearing on July 23, 2008 and **APPROVED** the amendment on July 23; and

WHEREAS, the San Antonio Planning Commission has considered the effect of this amendment to the Master Plan as it pertains to land use intensity, compatibility, community facilities, and the transportation network and found the amended plan to be **CONSISTENT** with City policies, plans and regulations and in conformance with the *Unified Development Code*, Section 35-420, therefore meeting all requirements; and

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO:

SECTION 1: The amendment to the Downtown Neighborhood Plan attached hereto and incorporated herein by reference is recommended to the City Council with this Commission's recommendation for **APPROVAL** as an amendment to the City's Comprehensive Master Plan.

PASSED AND APPROVED ON THIS 23rd DAY OF JULY 2008.

Approved


Murray H. Van Eman, Chairman
San Antonio Planning Commission

Attest:


Executive Secretary
San Antonio Planning Commission



CITY OF SAN ANTONIO Request for Council Action

Agenda Item # P-1
Council Meeting Date: 9/18/2008
RFCA Tracking No: R-3716

DEPARTMENT: Planning and Community
Development

DEPARTMENT HEAD: T.C. Broadnax

COUNCIL DISTRICT(S) IMPACTED:
Council District 5

SUBJECT:
Plan Amendment 08029

SUMMARY:

Neighborhood/Community/Perimeter Plan: **Downtown Neighborhood Plan**
Request to amend the Land Use Plan designation from **Residential** to **Commercial**
and add to the **text** contained in the **Land Use Plan section, District M, Vista Verde Neighborhood** to include: "**Development of the S. Frio Street, S. Alamo Street intersection area as a Community Commercial node**".

BACKGROUND INFORMATION:

Applicant: Ruben Díaz

Owner: Society of St. Vincent DePaul of the Archdiocese of San Antonio

Property Location: 1103 S. Frio St.

Acreage: 3.9563

Current Land Use of site: Warehouse – St. Vincent DePaul

Adjacent Land Uses:

N: Commercial – Micro Inn Hotel & Suites

E: Vacant

S: Industrial

W: Industrial

ISSUE:

LAND USE ANALYSIS:

The applicant has applied for an amendment to the Land Use Plan to allow for a thrift/retail store within an existing St. Vincent DePaul warehouse/office structure. The subject property is located in the 'M' District of the Downtown Neighborhood Plan which, when the plan was adopted in 1999, was categorized as the Vista Verde Neighborhood District and states: "Expansion of housing into warehouse areas located to the west of Frio Street. Alazan Creek becomes a linear park for all new and old surrounding neighborhoods. Existing Vista Verde single family densities remain constant at a maximum of 10 units per gross acre located east of Frio Street" (pg. 12). The portion of District M within which the subject property is located is currently designated Residential on the Plan's Land Use map.

Currently, the land uses surrounding the subject parcel include: Commercial to the north (a hotel), vacant parcels to the east, and Industrial to the south and west. Further to the east, at the IH-35 access Road and S. Alamo Street intersection is a U.S. Post Office and a Chinese restaurant. The requested Commercial land use, along with the corresponding text amendment to District M, specifically identifying the area as a Community Commercial node, would provide for medium intensity commercial uses, including medium scale retail providers, grocery stores, convenience stores with gas stations, medium sized restaurants, etc. These uses should be located in a nodal fashion, near the intersection of collectors and arterials, or the intersection of two arterials. The request would be appropriate at this location given the adjacent mix of uses and immediate proximity to IH- 35 and to S. Frio and S. Alamo Streets, both secondary arterials.

The Land Use Plan as currently written does not distinguish between the varying levels of Commercial land use intensity. The proposed text amendment would remedy that issue in District M. Amending the subject property land use to Commercial without a corresponding text amendment specifying Community Commercial uses, would allow for C-3 zoning, a category that relates to certain land uses too intense for this area. Single-family residences do exist to the northeast of the subject parcel along Frio Street. In addition, several parcels along S. Alamo St. to the southeast of the IH-35 overpass were recently amended to Mixed Use land use. The existing transportation infrastructure could support a Community Commercial node around the subject location. In addition, uses at the Community Commercial level of intensity are consistent with the current pattern of development and would be an appropriate transition between the diverse uses that exist within the nearby vicinity.

Minimal Impact

TRANSPORTATION/INFRASTRUCTURE ANALYSIS:

Major Thoroughfare Plan Designations: Both S. Frio St. and S. Alamo St. are Secondary Arterials Type A with 86' of ROW.

Other streets: IH-35 and the S. Pecos La Trinidad Access Road are adjacent to the east.

Comments: VIA Bus Service is provided near the S. Frio, Pecos/La Trinidad Access Road intersection. Existing infrastructure is sufficient to support the applicant's request.

Minimal Impact

COMMUNITY FACILITIES ANALYSIS:

Nearby Public Facilities: none

Minimal Impact

ALTERNATIVES:

No action will maintain the current land use designation of Residential.

FISCAL IMPACT:

None. A Master Plan Amendment carries no specific financial commitment to immediate action by the City or partnering agencies.

RECOMMENDATION:

STAFF RECOMMENDATION:

Approval

Comments: The request, in conjunction with a corresponding text amendment, is appropriate at this location given the surrounding mix of uses and immediate proximity to IH- 35 and to S. Frio and S. Alamo Streets.

PLANNING COMMISSION RECOMMENDATION:

Meeting & Public Hearing Date: July 23, 2008

Approval Resolution Attached
Newspaper Publication Date of Public Hearing: 7/3/2008
No. Notices mailed 10 days prior to Public Hearing: 134
Registered Neighborhood Association(s) Notified: Government Hill Alliance, Historic Gardens HOA, Dignowity Hill NA, Downtown Residents Assoc., St. Paul Square Owners Assoc., Prospect Hill Neighborhood Assoc., Nevada Street NA, King William NA

**ZONING COMMISSION SUPPLEMENTAL INFORMATION:
Z2008199**

Current zoning district: I-2
Proposed zoning district: C-2 NA
Zoning Commission Public Hearing Date: July 15, 2008
Approval

ATTACHMENT(S):

File Description	File Name
Adopted and Proposed Land Use Maps	Attachment 1 - For B&W Copies_08029.doc
Proposed Text Amendment	Attachment 2_Text Amendment_08029.doc
Planning Commission Resolution	Signed Resolution.pdf
Voting Results	
Ordinance/Supplemental Documents	200809180849.pdf

DEPARTMENT HEAD AUTHORIZATIONS:

Patrick Howard Assistant Director Planning and Community Development

APPROVED FOR COUNCIL CONSIDERATION:

T.C. Broadnax Assistant City Manager