

4F

AN ORDINANCE 95604

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 35-304 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-

CASE NO. Z2002031

The rezoning and reclassification of property from "C-3" Commercial District and "I-1" General Industrial District to "MXD" Mixed Use District on the property listed as follows:

P-5, NCB 10920

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 -491.

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 April 2002, Mayor Antonio R. Martinez, Mayor

MAYOR: Edward D. Garza, PRO TEM

ATTEST: [Signature] City Clerk

EDWARD D. GARZA PRO TEM

APPROVED AS TO FORM: [Signature] CITY ATTORNEY

02-15

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:

4F

DATE:

APR 11 2002

MOTION:

Carpenter

James

ORDINANCE NUMBER:

95604

RESOLUTION NUMBER:

ZONING CASE NUMBER:

Z 2002031

TRAVEL AUTHORIZATION:

NAME	ROLL	AYE	NAY
BOBBY PEREZ District 1		<i>absent</i>	
JOHN H. SANDERS District 2		✓	
ANTONINETTE "TONI" MOORHOUSE District 3		✓	
ENRIQUE "KIKE" MARTIN District 4		✓	
DAVID A. GARCIA District 5		✓	
ENRIQUE M. BARRERA District 6		✓	
JULIAN CASTRO District 7		✓	
BONNIE CONNER District 8		✓	
CARROLL W. SCHUBERT District 9		✓	
DAVID CARPENTER District 10		✓	
EDWARD D. GARZA Mayor		ABSENT	

ZC: APPROVAL

STAFF: APPROVAL

02-15

CASE NO: Z2002031

Continuance from March 5, 2002.

Zoning Commission Meeting Date: March 19, 2002

Council District: 3

Ferguson Map: 683 F3

Appeal: No

Applicant:

H.L.H Development, L.P.

Owner:

H.L.H. Development, L.P.

Zoning Request: From "C-3" Commercial District and "I-1" General Industrial District to "MXD" Mixed Use District.
P-5, NCB 10920

Property Location: 9102 South Presa

Applicants Proposal: To provide concentrated residential, retail, services, office and mixed uses

Staff Recommendation:

Approval.

The "MXD" Mixed Use District will provide concentrated residential, retail, services, offices and uses for the area. "MXD" zoning will provide a downzoning from "C-3" and "I-1". The subject property has existing "C-3" zoning to the west and south, "NP-10" zoning to the east and Brooks Air Force Base to the north is being converted into a research office campus. The "MXD" zoning is compatible with the surrounding zoning and will encourage future development for the area. The Aviation Department does not oppose this development, furthermore, a declaration of notice should be placed on all residential property in this development. This type of development meets the definition of compatible land use as prescribed by Federal Aviation Regulation Part 150.

Zoning Commission Recommendation

Approval

VOTE

FOR	9
AGAINST	0
ABSTAIN	0
RECUSAL	0

Z2002031

ZONING CASE NO. Z2002031 March 5, 2002

Applicant: H.L.H. Development, L. P.

Zoning Request: "C-3" Commercial District and "I-1" General Industrial District to "MXD" Mixed Use District.

Jerry Rankin, Aviation Department, stated this property is in an Airport Awareness Zone, which are located one mile and a half around Stinson Airport. On the proposed property as it exists, it is outside of any 65 DNL noise capability land use. Stinson Airport is will be developed in the Master Plan to extend the major runway to include up to 5,000 feet which will allow jet traffic. He further stated with this expansion of the runway the property would be inside the 65 DNL. Therefore, if the mixed development is allowed they ask the developer to include a notice covents on the land to advise the people of the possible noise.

Craig Bloom, 228 Losoya Street, representing the applicant, stated they of the have met with the representative from Stinson Airport and are aware of the circumstances surrounding the noise program. He furthers stated they have voluntarily included any information that would be available to any potential homebuyers. He also stated there are many uses within this development that would enhance the community. There is also single-family housing development that will be approximately 400 to 450 units.

OPPOSE

Frank Monaco, 9011 Old Corpus Christi Road, stated he does not support this zoning request. He further stated his business is adjacent to the subject property. He stated his company manufactures architectural cast stone. He is concerned that allowing this mixed development of residential, day care facilities and other businesses will occur problems with the noise that will come from his business.

Staff stated there were 17 notices mailed out to the surrounding property owners, 2 returned in opposition and 3 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 Hophan and seconded by Commissioner Cardenas-Gamez to recommend a continuance until March 19, 2002.

1. Property is located on P-5, NCB 10920 at 9102 South Presa.

Z2002031

2. There were 17 notices mailed, 2 returned in opposition and 3 returned in favor.
3. Staff recommends approval.

AYES: Mehringer, Cardenas-Gamez, Kissling, McGowan, Hophan, Clamp, McAden, Morell, Martinez

NAYS: None

ABSTAIN: Garza

THE MOTION CARRIED.

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.

Z2002031

ZONING CASE NO. Z2002031 March 19, 2002

Applicant: H.L.H. Development, L. P.

Zoning Request: "C-3" Commercial District and "I-1" General Industrial District to
"MXD" Mixed Use District.

Craig Bloom, 228 Losoya Street, representing the applicant, stated they are proposing to develop residential, retail, services, office and mixed uses.

OPPOSE

Frank Monaco, 9011 Old Corpus Christi Road, stated is not in favor of this zoning request. He further stated his architectural cast stone manufacturing facility is adjacent to the subject property. He expressed concerns with the mixed development of residential, day care facilities and other businesses will occur problems with the noise that will come from his business.

REBUTTAL

Craig Bloom, stated he has been in contact with the surrounding neighbors and Mr. Monaco. He further stated Mr. Monaco's property is approximately 100 yards from the fence of the proposed development.

Staff stated there were 17 notices mailed out to the surrounding property owners, 2 returned in opposition and 4 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 Hophan and seconded by Commissioner Garza to recommend approval.

1. Property is located on P-5, NCB 10920 at 9102 South Presa.
2. There were 17 notices mailed, 2 returned in opposition and 4 returned in favor.
3. Staff recommends approval.

**AYES: Mehringer, Kissling, McGowan, Hophan, Clamp, McAden, Garza, Morell,
Martinez**

NAYS: None

THE MOTION CARRIED.

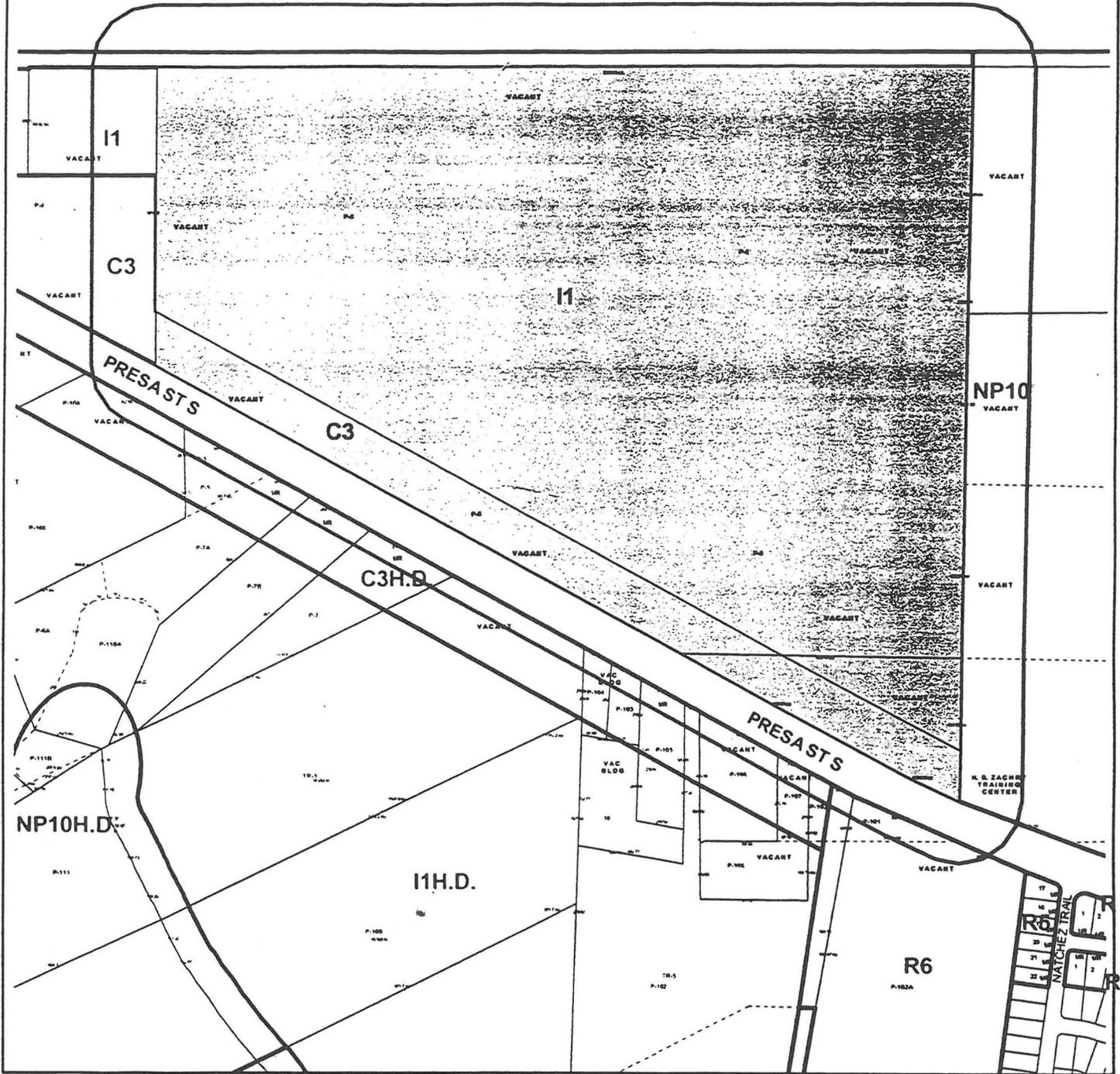
RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.

Notices Mailed
 In Opposition
 In Favor

BROOKS A.F.B.

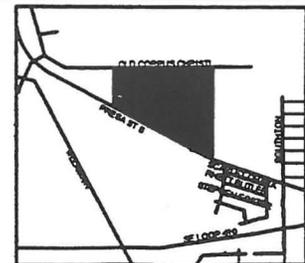
BROOKS A.F.B.



ZONING CASE: Z2002-031

City Council District NO. 3
 Requested Zoning Change
 From: "C-3,I-1" To: "MXD"
 Date: APR. 11, 2002
 Scale: 1" = 475"

 Subject Property
 200' Notification



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: P-5, NCB 10920, From "C-3" Commercial District and "I-1" General Industrial District to "MXD" Mixed Use District. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".
4/17

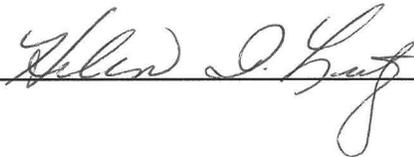
Affidavit of Publisher

STATE OF TEXAS,

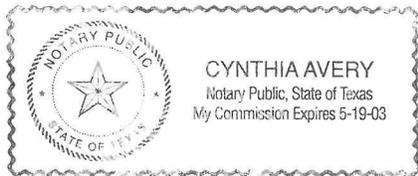
COUNTY OF BEXAR

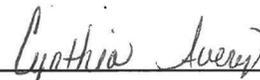
CITY OF SAN ANTONIO

Before me, the undersigned authority, on this day personally appeared Helen I. Lutz, who being by me duly sworn, says on oath that she is Publisher of the Commercial Recorder, a newspaper of general circulation in the City of San Antonio, in the State and County aforesaid, and that the City of San Antonio City Clerk - Public Notice - Ordinance 95604 hereto attached has been published in every issue of said newspaper on the following days, to-wit: April 17, 2002.



Sworn to and subscribed before me this 17th day of April, 2002.





Notary Public in and for Bexar County, Texas