

CASE NO: Z2003202 SC

Staff and Zoning Commission Recommendation - City Council

Date: January 08, 2004

Zoning Commission Meeting Date: November 04, 2003

Council District: 3

Ferguson Map: 650 D2

Appeal: Yes

Applicant:

Ismael Galvan

Owner:

Stanford & Zulema Muller

Zoning Request: From "R-6 RIO-4" Residential Single-Family, River Improvement Overlay District to "C-3 SC" General Commercial District with Specific Use Authorization for a Contractor Facility and Conditional Use for Outside Storage

Block 1, NCB 3400

Property Location: 1910 Probandt

Proposal: For a material yard with outside storage

Neighborhood Association: Englewood Neighborhood Association and Thelka Neighborhood Association
Neighborhood Plan: South Central San Antonio Plan

TIA Statement: A Traffic Impact Analysis is not required

Staff Recommendation:

Denial. The South Central San Antonio Plan defines low density residential development for this location and this proposal is not consistent with the plan. The Historic Preservation Office recommends denial of this request because the proposed development is incompatible with all of the River Overlay design objectives. The outside storage of materials and equipment is incompatible with the existing character of the neighborhood. Staff does not recommend removal of the property from the River Improvement Overlay.

Zoning Commission Recommendation:

VOTE

Send to City Council without a recommendation

FOR 0

AGAINST 0

ABSTAIN 0

RECUSAL 0

CASE MANAGER : Fred Kaiser 207-7942

**CITY OF SAN ANTONIO
INTERDEPARTMENTAL MEMORANDUM**

TO: Fred Kaiser, Development Services Department
FROM: Ann Benson McGlone, Historic Preservation Officer
COPIES: Roderick Sanchez, Assistant Director; File
SUBJECT: Zoning Case Z2003202
DATE: October 14, 2003

The property located at 1910 Probandt is currently zoned "R-6 RIO-4", Residential Single-Family, River Improvement Overlay District 4. The applicant's request is to rezone the property to "C-3 C" Commercial District with a conditional use for a material yard with outside storage.

The Historic Preservation staff recommends denial of this request. The applicant is asking to be removed from the River Improvement Overlay (RIO). The purpose of the RIO is to establish regulations to protect, preserve and enhance the San Antonio River and its improvements by establishing design standards and guidelines for properties located near the River. The RIO prevents negative impacts caused by incompatible development and promotes new compatible development.

The design objectives for RIO-4 are:

1. Encourage urban quality mixed-use developments.
2. Preserve and enhance the historic character as well as emphasize street scene.
3. Encourage new development in clustered nodes.

The proposed development on the subject property is incompatible with all of these design objectives and with the basic purpose of the RIO. Furthermore, outside storage is a prohibited use in the RIO.

The community was directly involved with the development of the RIO through many public meetings. The City Council recognized the RIO Ordinance as an effective tool for the protection of the River through its adoption of RIO-4 on June 27, 2002. It would be inappropriate to remove any property from any of the RIO Districts.



Ann Benson McGlone
Historic Preservation Officer

Z2003202 S C

ZONING CASE NO. Z2003202 S C – November 4, 2003

Applicant: Ismael Galvan

Zoning Request: "R-6" RIO-4 Residential Single Family River Improvement Overlay District to "C-2" S C General Commercial District with a Specific Use Authorization for a Contractor Facility and Conditional Use for outside storage.

Ismael Galvan, applicant, stated he is requesting this change in zoning to allow the material yard with outside storage. He stated he is in the contracting field and owns to dump truck and would like to store his truck on the subject property. He also intends to sell sand, base, top soil and gravel from the subject property.

FAVOR

Stanford Muller, 1910 Probandt, owner of the property, stated has lease the property to Mr. Galvan so that he may operate his business.

OPPOSE

Ann McGlone, Historic Preservation Officer, stated she the proposed request is not consistent with the River Improvement Overlay plan. She stated the proposed development is incompatible with all the River Overlay objectives. She stated the outside storage of materials and equipment is incompatible with the existing character of the neighborhood. Therefore she is requesting this case be denied.

Staff stated there were 12 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and no response from Englewood and Thelka Neighborhood Association.

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.

AYES: Dutmer, Dixon, Avila

NAYS: Martinez, Cardenas-Gamez, Sherrill, McAden, Peel

THE MOTION FAILED

Z2003202 S C

COMMISSION ACTION

The motion was made by Commissioner Cardenas-Gamez and seconded by Commissioner Peel to recommend denial.

1. Property is located on Block 1, NCB 3400 at 1910 Probandt.
2. There were 12 notices mailed, 0 returned in opposition and 1 in favor.
3. Staff recommends denial.

AYES: Cardenas-Gamez, Sherrill, McAden, Peel

NAYS: Martinez, Dutmer, Dixon, Avila

THE MOTION FAILED

This case was forward to City Council with no recommendation from Zoning Commission.

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.