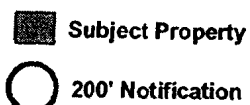
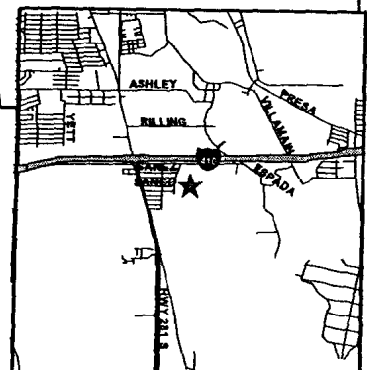


ZONING CASE: Z2003-173-5A

City Council District NO. 3
 Requested Zoning Change
 From: "DR,R-6,C-3NA" To "FR"
 Date: December 4, 2003
 Scale: 1" = 500'



P.683
 B-5



CASE NO: Z2003173-5A

Staff and Zoning Commission Recommendation - City Council

Zoning Commission continuance from September 16, 2003 and postponement from October 7, 2003

Date: December 04, 2003

Zoning Commission Meeting Date: November 04, 2003

Council District: 3

Ferguson Map: 683

Appeal: Yes

Applicant:

City of San Antonio

Owner:

Peter Marshall

Zoning Request: From "DR" Development Reserve District, "R-6" Residential Single-Family District, and "C-3 NA" General Commercial Nonalcoholic Sales District to "FR" Farm and Ranch District

NCB 11039 BLK LOT TR-B 5.6 AC & CB 4283 P-50 ABS 769 36.493

Property Location: 1818 East Chavaneaux

South of, but not adjacent to, Loop 410 and east of Roosevelt Avenue

Proposal: To implement the goals and objectives of the Southside Initiative Community Plan

Neighborhood Association: None

Neighborhood Plan: Southside Initiative Community Plan

TIA Statement: A traffic impact analysis is not required.

Staff Recommendation:

Approval. The proposed zoning is consistent with the land use component of the Southside Initiative Community Plan. The proposed zoning allows community development patterns that reflect and preserve the rural character and culture of the southside community. The current use of the subject property is vacant agricultural and is located west of historic Mission Espada. The "FR" District allows future agricultural, low density residential, and commercial village center development.

Zoning Commission Recommendation:

Denial

VOTE

FOR 7

AGAINST 1

ABSTAIN 1

RECUSAL 0

CASE MANAGER : Trish Wallace 207-0215

Z2003173-5A

ZONING CASE NO. Z2003173 – September 16, 2003

Applicant: City of San Antonio

Zoning Request: "DR" Development Reserve; "R-4", "R-5", "R-6" Residential Single Family District; "MF-25" and "MF-33" Multi Family District, "MH" Manufactured Home; "PUD" Planned Unit Development; "NP-10" Neighborhood Preservation; "C-2" Light Commercial District; "C-3" General Commercial District; "C-2NA" Commercial Nonalcoholic Sales District; "C-3NA" Commercial Nonalcoholic Sales District; "C-3R" General District Restrictive Alcohol Sales District; "I-1" General Industrial District and "I-2" Heavy Industrial District to "UD" Urban Development District, "RD" Rural Development District, "FR" Farm and Ranch District, "MI-1" Mixed Light Industry District, "MHP" Manufactured Housing Park, "R-4" Residential Single Family District.

Bill Telford, Special Project Coordinator, stated zoning by state statute must be consistent with a City's adopted master Plan. Therefore the zoning considered for the Southside Initiative area must be consistent with the Southside Initiative Land Use Plan. He stated city staff and stakeholders, in the community forums, formulated the goals and objectives for a Community Master Plan. He further stated the new zoning districts provide for more parks and open space; more restrictive sign standards; higher landscaping standards, and requires design criteria for some structures. Subdivisions with existing development and/or approved Preliminary Overall Area Development Plan (POADP) or Master Development Plans (MDP) are not being rezoned to ensure that development within the project may proceed as presently approved. Recently approved zoning cases for properties within the Southside Initiative Plan boundary within the past six months shall retain their current zoning.

OPPOSE

James Langford, 14420-3 Old Somerset Road, stated he is in opposition of this proposed plan. He does not support the increase in urban development. He expressed concerns with the present high volume of traffic in the area and feels this would only add to the existing problem.

JanRuzza, 3076 Wright Carpenter Road, stated she is in support of the recommendations made by the Planning Department. She did express concerns with a traffic impact analysis not being required.

Tom Wood, 11373 Southton Road, stated he owns 50 acres within this area and is concerned with this would affect his property.

Ken Brown, 111 Soledad, representing several property owners, stated he would like having several properties removed from this proposed plan. He would like tract 14, Philips tract. This tract is approximately 80 acres. It is currently in the Farm and Ranch District. He further stated staff has agreed to bring it back and a Rural District. The next tract is 15. It is approximately 180 acres owned by Hugo Gutierrez. This case has been postponed until October 7, 2003. The following tract is the Blue Wing Club, which is currently a Hunting Club. He stated it is currently under the Farm and Ranch District and would like to remain Farm and Ranch. Tract 13 is approximately 500 acres, which is owned by John Schaffer. It currently has 500 single-family lots. Harry Hausman owns the next tract, which is approximately 50 acres. It is currently platted for single-family use. It is currently in the Farm and Ranch District and requested that it be pulled and brought back and Rural or Urban District. The Marshall tract which is 30 acres, it is Farm and Ranch District. He is requested this be considered as Urban District. Tract 12, Arcinega tract is approximately 200 acres and is Rural District. He stated they have a master plan that calls for a higher density to seek an Urban District. Tract 8, it currently has Farm and Ranch District. They are requesting Mixed Light Industry District. Tract 7 is Hunter's Pond and would like to be considered under Urban District. Tract 2 is Ballard One Tract and would like to remain "C-3". Tract 5 Ballard Two Tract is approximately 440 acres and is requesting base district consideration.

John Cooke, 2503 Old Gate, stated he would like his property to remain its "C-3" zoning designation.

Andy Guerrero, 3134 Ranker, representing Jesus M. Vasquez, stated he is requesting his property be excluded from the proposed rezoning.

Gabe Zapata, stated is requesting their support in excluding Mr. Vasquez property from the proposed rezoning plan.

Elvin Rolson, 1370 Patten Way, stated is requesting a continuation. He stated they are in the process of redevelopment 400 acres for residential use.

Cuahtemoc Valencia, 10011 Moursund Blvd., stated he would like his 20 acres tract of land maintain its industrial use. He currently operates a Flea Market.

Wayne Hensley, 10703 Moursund Blvd., stated he would like to maintain his current "C-3" zoning designation. He currently operates a tavern.

Tom Flores, 12915 Jones Maltsberger, representing Mr. Jones, stated they are requesting their property be excluded from the proposed rezoning plan.

Z2003173-5A

Mamie Gilleland, 16800 Hwy. 281 S. stated she has owned this property since 1970. She stated it is approximately 20 acres and is requesting to maintain its manufacturing home zoning designation.

Edgar Dodson, 2432 S. W. Loop 410, stated has owned 3 parcel of property for 35 years. He stated his operates a house moving business. He further stated he is requesting his property be excluded from the proposed rezoning plan.

Alice Morrison, stated her property is currently zoned commercial. She is requested a Urban Development District zoning designation.

Maria Foley, 11245 Applewhite, stated her property is approximately 32 acres and is currently use as a mobile home park. She stated her only concern is would this proposed rezoning plan have a negative impact on their property.

Jackie Mitchell, Watson Road, stated her property is currently zoned Farm and Ranch District and would like to request it be considered for Rural District.

R. Burrell Day, 5531 Wayes Road, stated he operates a ranch and would like to request a continuance of his property to maintain its existing use.

Staff stated there were 2,600 notices mailed out to the surrounding property owners, 29 returned in opposition and 33 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 Dutmer and seconded by Commissioner Avila to recommend approval of the requested rezoning, except the continue to October 7, 2003, those property owners of which requested a continuance at the public hearing, and to postpone those properties requested postponement by the City of San Antonio.

1. An area generally bound by Loop 410 to the north, Interstate Highway 37 to the east, the San Antonio city limits to the south (1350 feet south of the centerline of the Medina River) and Interstate Highway 35 to the west.
2. There were 2, 600 notices mailed, 29 returned in opposition and 23 in favor.
3. Staff recommends approval.

**AYES: Martinez, Grau, Cardenas-Gamez, Kissling, Dutmer, Dixon, McAden,
Avila, Morell, Peel**

NAYS: None

Z2003173-5A

THE MOTION CARRIED

ZONING CASE NO. Z2003173-5 WAS NOT CONSIDERED ON OCTBER 7, 2003

ZONING CASE NO. Z2003173-5A – November 4, 2003

Applicant: City of San Antonio

Zoning Request: "DR" Development Reserve District, "R-6" Residential Single Family, and "C-3NA" General Commercial Nonalcoholic Sales District to "FR" Farm and Ranch District.

City staff represented this case.

OPPOSE

Ken Brown, 111 Soledad, stated this is another case that they have been working with staff and was under the impression that an agreement had been reached. He stated their intent was for "R-6" Conditional for multi-family purposes. He feels this property is not suitable for Farm and Ranch use. He stated it does not fit the characteristic of Farm and Ranch use. Therefore he is requesting this case be denied.

Nettie Sandoval, 5310 Fair Ridge, stated the "RD" rural district has been the heritage of the residence in the Southside. She stated she feels this request is not suitable for this area.

REBUTTAL

Trisha Wallace, Zoning Division, stated the land use plan has some of the "UD" district along Loop 410. She stated the Planning Department has not offered to make a City initiated land use plan the zoning department is recommending.

Nina Nixon-Mendez, Neighborhood Division, stated there were numerous reasons why this large area was designated agricultural. She stated the existing use was taken into consideration along with the proximity to the San Antonio River as well as the flood plain area and the oil extraction in this area. She further stated at this time the City is not prepared to support a plan amendment. The applicant, in the future, may submit an application for a plan amendment.

Staff stated there were 15 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor.

Z2003173-5A

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 Cardenas-Gamez to recommend denial.

1. Property is located on NCB 11039, Lot TR-B 5.6 acres and CB 4283, P-50, ABS 769 (36.493).
2. There were 15 notices mailed, 0 returned in opposition and 1 in favor.
3. Staff recommends approval.

AYES: Martinez, Grau, Cardenas-Gamez, Dutmer, Dixon, Avila, Peel

NAYS: Sherrill

ABSTAIN: McAden

THE MOTION CARRIED.

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.