



# CASE NO: Z2003173-3B

## Staff and Zoning Commission Recommendation - City Council

Zoning Commission continuance from September 16, 2003, October 7, 2003 and November 4, 2003. City Council postponement from December 4, 2004

**Date:** April 08, 2004

**Zoning Commission Meeting Date:** November 18, 2003

**Council District:** 3

**Ferguson Map:** 717 B5

**Appeal:** Yes

**Applicant:**  
City of San Antonio

**Owner:**  
S. Flores-Rabel RD JNT Venture

**Zoning Request:** From "DR" Development Reserve District to "RD" Rural Development District

CB 4006 P-80C, P-81, and P-81A

**Property Location:** 16260 FM 1937

South US 281 area

**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 "Rural Living" land use designation in the Southside Initiative Community Plan. The proposed "RD" District allows a variety of community development patterns that reflect and preserve the rural character and culture of the southside community. The subject property contains approximately two hundred (200) acres. The "RD" District allows low density residential and commercial development.

### Zoning Commission Recommendation:

Denial

### VOTE

**FOR** 7

**AGAINST** 2

**ABSTAIN** 0

**RECUSAL** 0

**CASE MANAGER :** Richard Ramirez 207-5018

**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.

Cuauhtemoc 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.

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**

**THE MOTION CARRIED**

**ZONING CASE NO. Z2003173-3 – October 7, 2003**

Applicant: City of San Antonio

Zoning Request: "DR" Development Reserve District to "RD" Rural Development District.

City staff represented this case.

**OPPOSE**

Ken Brown, 111 Soledad, representing the owner of Tract 3, stated his client has owned the property for 12 years. He stated the property has had a previous Preliminary Overall Area Development Plan (POADP) and has had a conceptional plan and a continuation of rights. He further stated they have been working on an alternative plan. He stated he would like to request a 30-day continuance.

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 a continuance on Tract 3 until November 4, 2003.

1. Property is located along South US 281 area.
2. Staff recommends approval.

**AYES: Martinez, Cardenas-Gamez, Kissling, Dutmer, Dixon, Sherrill, Avila, Peel**

**NAYS: None**

**ABSTAIN: McAden**

**THE MOTION CARRIED.**

**A SEPARATE VOTE WAS TAKEN ON TRACTS 1 AND 2 OF ZONING CASE Z2003173-3.**

**COMMISSION ACTION**

The motion was made by Commissioner Dutmer and seconded by Commissioner Avila to recommend approval of Tracts 1 and 2.

1. Property is located along South US 281 area.
2. Staff recommends approval.

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

**NAYS: None**

**THE MOTION CARRIED.**

**ZONING CASE NO. Z2003173-3B** – November 4, 2003

Applicant: City of San Antonio

Zoning Request: "DR" Development Reserve District to "RD" Rural Development District.

City staff represented this case.

**OPPOSE**

Ken Brown, 111 Soledad, stated he would like to request a continuance until November 18, 2003 to continue to work with staff to further discuss this case.

**REBUTTAL**

Nina Nixon-Mendez, Planning Department, stated they have been working with Mr. Brown on this case. She further stated would like to present the site concept plan based on the "RD" flex development plan that could be developed for this property. She stated this call for a mixed used development plan.

Joe Mendoza, Planning Department, stated the applicant submitted a concept that identified approximately 1,019 units. He stated they have designed several concepts. The first concept was to accommodate 734 units, which are the gross units. The second concept would provide him with higher density of multi-family, town homes and duplexes at approximately 956 dwelling units. He stated the third concept would to have approximately 1,474 dwelling units, which would eliminate the town homes and the duplexes.

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 a continuance until November 18, 2003.

1. Property is located on CB 4006, P-80C, ABS 3 and CB 4006, P-81 and P-81
2. Staff recommends approval.

**Z2003173-3B**

**AYES: Martinez, Grau, Kissling, Dutmer, Dixon, Sherrill, McAden, Avila, Peel**  
**NAYS: None**

**THE MOTION CARRIED.**

RESULTS OF COUNCIL HEARING December 4, 2003

City Council granted a continuance until April 8, 2004

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.