

CASE NO: Z2004098 S

Staff and Zoning Commission Recommendation - City Council

Date: May 27, 2004

Zoning Commission Meeting Date: May 04, 2004

Council District: 3

Ferguson Map: 650 E5

Appeal: Yes

Applicant:

Sprint Spectrum

Owner:

James E. Porter

Zoning Request: From C-3 NA General Commercial Nonalcoholic Sales District to C-3 NA S General Commercial Nonalcoholic Sales District with Specific Use Authorization for a 150 foot Communication Tower

The east 60 feet of the north 40 feet of Lot 5, Block 1, NCB 7739

Property Location: 5314 South Flores Street

Proposal: To construct a 150 foot telecommunications tower

Neighborhood Association: None

Neighborhood Plan: South Central San Antonio Community Plan

TIA Statement: A traffic impact analysis is not required

Staff Recommendation:

Denial. The request for an "S" does not change the allowable uses in the existing district therefore the request is consistent with the South Central San Antonio Community Plan. Subject property is currently a used car lot. The aforementioned property abuts residential zoning and use to the north, and across Christy Street to the east. There is also residential zoning and use across East Harlan Avenue to the south. Section 35-388 (d)(2) of the Unified Development Code indicates that communication towers shall be spaced 200 feet from all residential zoning districts. The location of the requested zoning change for the proposed communication tower is immediately adjacent to existing residential zoning and use.

Zoning Commission Recommendation:

Denial

VOTE

FOR 9

AGAINST 1

ABSTAIN 0

RECUSAL 0

CASE MANAGER : Elvin J. Gant, Jr. 207-5876

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ZONING CASE NO. Z2004098 S – May 4, 2004

Applicant: Sprint Spectrum

Zoning Request: "C-3NA" General Commercial Nonalcoholic Sales District to "C-3NA"
S General Commercial Nonalcoholic Sales District with specific use
authorization for a 150-foot Communication Tower.

Mr. Fred, representing the applicant, stated the purpose of this request is to allow for a communication tower on the subject property to provide better service to their customers. He stated these communications towers are designed to fall in themselves in strong storms. He further stated they would not risk any danger to the adjoining residential homes. He stated he has met with Councilman Segovia to present his proposal.

Staff stated there were 22 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 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.

FINDING OF CONSISTENCY OF THE MASTER PLAN

COMMISSION ACTION

The motion was made by Commissioner Avila and seconded by Commissioner Cardenas-Gamez to find consistency of the neighborhood plan.

A unanimous vote was taken.

THE MOTION CARRIED

RECOMMENDATION ON ZONING CASE REQUEST.

COMMISSION ACTION

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

1. Property is located on the east 60 feet of the north 40 feet of Lot 5, Block 1, NCB 7739 at 5314 South Flores Street.
2. There were 22 notices mailed, 0 returned in opposition and 1 in favor.
3. Staff recommends denial.

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**AYES: Martinez, Grau, Cardenas-Gamez, Kissling, Dixon, Sherrill, McAden,
Avila, Stribling**

NAYS: Peel

THE MOTION CARRIED

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.