

**CITY OF SAN ANTONIO
INTERDEPARTMENTAL CORRESPONDENCE
PLANNING DEPARTMENT**

TO: Mayor and City Council

FROM: Emil R. Moncivais, AICP, AIA, Director, Planning Department

THROUGH: Terry M. Brechtel, City Manager

COPY: Jelynn LeBlanc Burley, Assistant City Manager; Roderick Sanchez, Assistant Director, Development Services Department; Nina Nixon-Mendez, Zenon F. Solis, File

SUBJECT: Master Plan Amendment #04009 – Southside Initiative Community Plan (Council District 3)

DATE: June 10, 2004

SUMMARY AND RECOMMENDATIONS

On April 8, 2004, City Council directed staff to work with property owners from Lehman Grain Co. property on an alternate zoning district other than Farm and Ranch District. In order to maintain the goals and objectives of the Southside Initiative Community Plan and consider an alternate development proposal from the property owner, staff is bringing forward a change in the land use plan that would allow for development other than uses allowed in the Farm and Ranch District. The City of San Antonio proposes to change the use of approximately 413 acres located 1100 feet west of the intersection at Blue Wing Road and Southton Road from Agricultural and Resource Protection land uses to Rural Living land use.

In determining whether Rural Living land use is appropriate at this location, staff considered the following factors:

Land Use Intensity and Compatibility:

- The property, which is currently vacant, is situated north of the confluence of the San Antonio River and the Salado Creek. Rural living land use adjoins the property to the west, and Agriculture land use is adjacent to the east in the vicinity of Salado Creek Wastewater Treatment Plant. The adjoining properties to the north are designated as Urban Living and Agriculture. A 1913 survey map for a single-family development with one-acre lots was filed for record with Bexar County in 1914. It has been the practice of the City of San Antonio to permit a property owner to develop under antiquated surveys provided that the survey has been recorded.

Staff Analysis – Rural Living land use would be compatible with the adjoining land use designations. “RD” Rural Development or “RE”

Residential Estate zoning would allow the property owner to develop in accordance with the existing survey on the property.

Transportation Network:

- The Major Thoroughfare Plan identifies Southton Road as an Enhanced Secondary Arterial (120' to 142' ROW). The proposed development can be accessed from Southton Road.

Staff Analysis – No significant impact.

Community Facilities:

- There are no major community facilities in the immediate area.

Staff Analysis – No significant impact.

Staff recommends approval of the Master Plan Amendment.

On May 26, 2004, Planning Commission held a public hearing and recommended denial of Rural Living land use. In its denial of the amendment, the Planning Commission indicated that the land uses remain agriculture and resource protection. A copy of the signed resolution is attached as requested by the Planning Commission.

BACKGROUND INFORMATION

The Southside Initiative community developed a community plan in 2003 following the guidelines of the Community Building and Neighborhood Planning (CBNP) Program. The Community Plan was a partnership effort of the Southside Initiative Community Planning Team, Southside Neighborhoods, the City's Planning Department, and the South San Antonio Chamber of Commerce. The plan area is 73.35 square miles, includes over 7,641 people, and is bound by SW Loop 410 to the north, IH-35 to the west, 1350 feet south of the Medina River as a southern boundary, and IH-37 to the east. The plan area is located in City Council Districts 3 and 4.

POLICY ANALYSIS

The May 3, 2001 Unified Development Code calls for consistency between zoning and the Comprehensive Master Plan, or any Neighborhood or Community Plans adopted as a component of the Master Plan. The consistency requirement is codified in Sections 35-105, 35-420 (h), and 35-421 (d) (3). Chapter 213.003 of the Local Government Code provides that a comprehensive plan may be amended by ordinance following a hearing at which the public is given the opportunity to give testimony and present written evidence and review by the Planning Commission.

FISCAL IMPACT

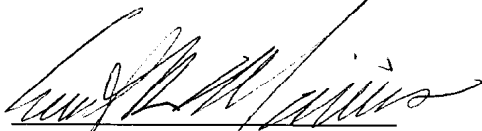
A Master Plan Amendment carries no specific financial commitment to immediate action by the City or partnering agencies.

COORDINATION

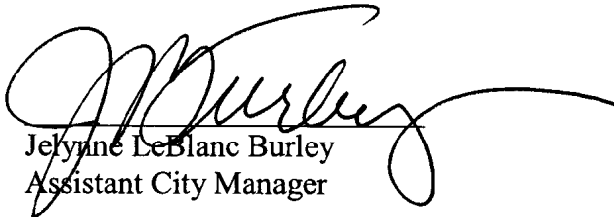
All registered Neighborhood Associations within the Southside Initiative Community Plan, and all property owners within 200 feet of the subject properties have been notified of the proposed amendment. Notice was also published in the Commercial Recorder.

SUPPLEMENTARY COMMENTS

After the Planning Commission makes its recommendation regarding the request, the amendment is forwarded to the City Council for consideration. Independent from the Planning Commission, the Zoning Commission considered the rezoning of the property on May 18, 2004, and recommended denial of the proposed rezoning. The rezoning case will be considered by City Council on June 10, 2004 with the Plan Amendment.

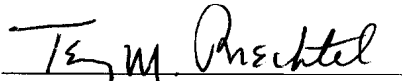


Emil R. Moncivais, AICP, AIA
Director, Planning Department



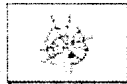
Jelynn LeBlanc Burley
Assistant City Manager

Approved:



Terry M. Brechtel
City Manager

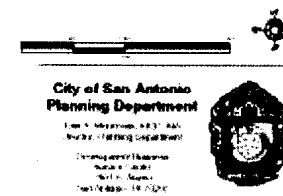
ATTACHMENT I
Land Use Plan as adopted June 26, 2003:



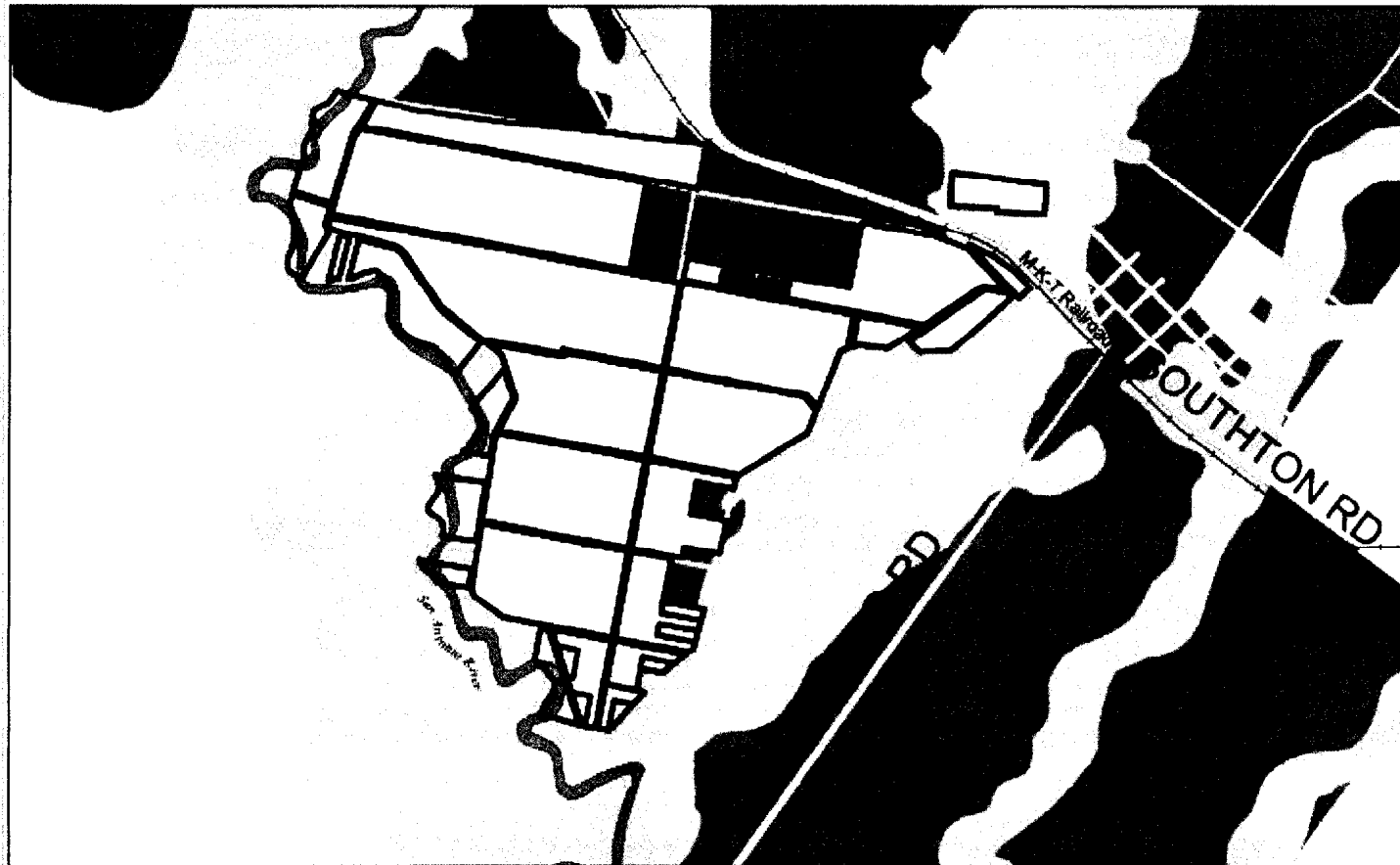
Map Created by: Leslie Arbores
 Map Date: May 7, 2004
 Map File Location: C:\Users\Southside\Land Use\Amend 04009.mxd
 PDF Filename: 04009.pdf

100 Year Flood Plain
 Agriculture
 Agriculture and Light Industry
 Heavy Industry
 Public/ Institutional
 Resource Protection/ Open Space
 Rural Living
 Urban Living

Southside Initiative Community Plan
Land Use Plan with Amendment 04009 Area



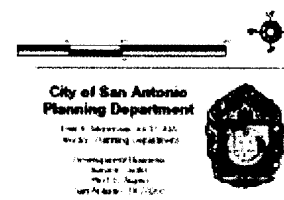
ATTACHMENT II Proposed Amendment:



Map Created by: Leslie Anderson
Map Created on: 04/07/2004
Map File Location: C:\Users\lindsey\Documents\Land Use\Amend 04009.mxd
PDF Filename: 040090100.pdf

- 100 Year Flood Plain
- Agriculture
- Agriculture and Light Industry
- Heavy Industry
- Public/ Institutional
- Resource Protection/ Open Space
- Rural Living
- Urban Living

Southside Initiative Community Plan Proposed Land Use Plan with Amendment 04009 Area



RESOLUTION NO.

RECOMMENDING TO DENY THE AMENDMENT OF THE LAND USE PLAN CONTAINED IN THE SOUTHSIDE INITIATIVE COMMUNITY PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE FROM AGRICULTURE AND RESOURCE PROTECTION LAND USES TO RURAL LIVING LAND USE FOR AN AREA OF APPROXIMATELY 413 ACRES, LOCATED APPROXIMATELY 1100 FEET WEST OF THE INTERSECTION AT BLUE WING ROAD AND SOUTHTON ROAD.

WHEREAS, City Council approved the Southside Initiative Community Plan as an addendum to the Master Plan on June 26, 2003; and

WHEREAS, the May 3, 2001 Unified Development Code requires consistency between zoning and the Master Plan as specified in Sections 35-105, 35-420 (h), and 35-421 (d) (3); and

WHEREAS, Chapter 213.003 of the Texas Local Government Code provides that the Master Plan may be amended by ordinance following a public hearing and review by the Planning Commission; and

WHEREAS, the San Antonio Planning Commission held a public hearing on May 26, 2004 and **DENIED** the amendment on May 26, 2004 in a unanimous vote.

WHEREAS, the San Antonio Planning Commission made a finding that the land uses should remain resource protection and agriculture as provided in the original plan; and

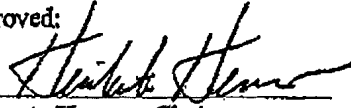
WHEREAS, the San Antonio Planning Commission has considered the effect of this amendment to the Master Plan as it pertains to land use intensity, compatibility, community facilities, and the transportation network and found the amended plan to be **CONSISTENT / INCONSISTENT** with City policies, plans and regulations and in conformance with the *Unified Development Code*, Section 35-420, therefore meeting all requirements; and

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO:

SECTION 1: The amendment to the Southside Initiative Community Plan attached hereto and incorporated herein by reference is recommended to the City Council with this Commission's recommendation for **DENIAL** as an amendment to the City's Comprehensive Master Plan.

PASSED AND APPROVED ON THIS 26th DAY OF MAY 2004.

Approved:


Heriberto Herrera, Chairperson
San Antonio Planning Commission

5/26/04

Attest:


Executive Secretary
San Antonio Planning Commission

AN ORDINANCE

AMENDING THE LAND USE PLAN CONTAINED IN THE SOUTHSIDE INITIATIVE COMMUNITY PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF APPROXIMATELY 413 ACRES LOCATED APPROXIMATELY 1100 FEET WEST OF THE INTERSECTION AT BLUE WING ROAD AND SOUTHTON ROAD FROM AGRICULTURE AND RESOURCE PROTECTION LAND USES TO RURAL LIVING LAND USE.

*** * * * ***

WHEREAS, the Southside Initiative Community Plan was adopted on June 26, 2003 by the City Council as a component of the City Master Plan adopted May 29, 1997; and

WHEREAS, the Unified Development Code requires consistency between zoning and the Master Plan and Section 213.003 of the TEXAS LOCAL GOVERNMENT CODE allows amendment of the Master Plan following a public hearing and review by the Planning Commission; and

WHEREAS, a public hearing was held on May 26, 2004 by the Planning Commission allowing all interested citizens to be heard; and

WHEREAS, the San Antonio City Council has considered the effect of this amendment to the Master Plan of the City and has determined that it conforms to the approval criteria set forth in the Unified Development Code §35-420, Comprehensive, Neighborhood, Community, and Perimeter Plans; **NOW THEREFORE**;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The Southside Initiative Community Plan, a component of the Master Plan of the City, is hereby amended by changing the use of approximately 413-acres located 1100 feet west of the intersection at Blue Wing Road and Southton Road from Agriculture and Resource Protection land uses to Rural Living land use. All portions of land mentioned are more specifically described in Attachment "I" and "II" attached hereto and incorporated herein for all purposes.

SECTION 2. This ordinance shall take effect on June 16, 2004.

PASSED AND APPROVED on this 10th day of June 2004.

M A Y O R

ATTEST:

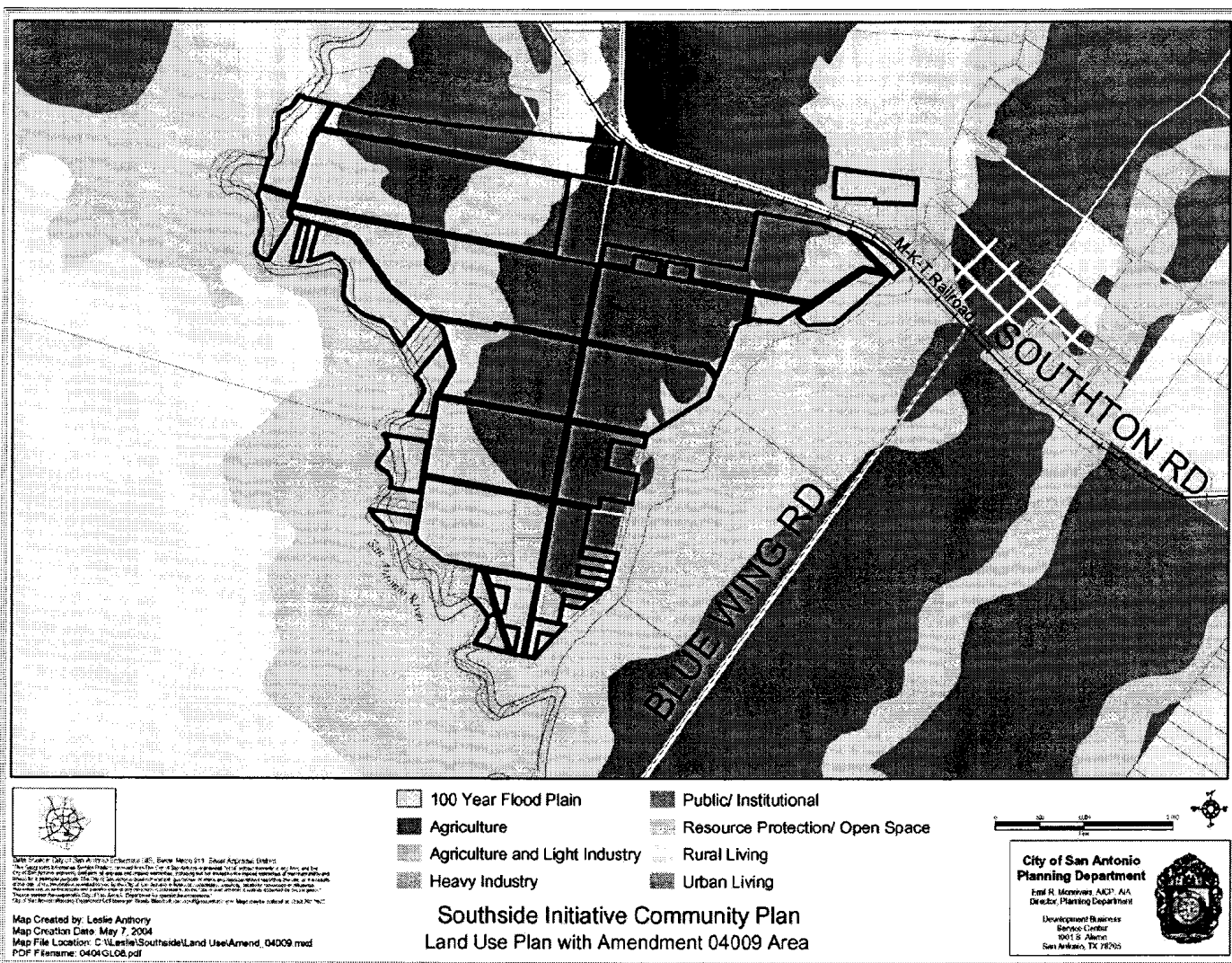
City Clerk

APPROVED AS TO FORM:

City Attorney

ATTACHMENT I

LAND USE PLAN AS ADOPTED JUNE 26, 2003:



ATTACHMENT II PROPOSED AMENDMENT:

