

AGENDA ITEM NO. 24

**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, Gregory J. Baker, File

SUBJECT: Master Plan Amendment #04015 – Northwest Community Plan (Council District 7)

DATE: August 12, 2004

SUMMARY AND RECOMMENDATIONS

On December 19, 2003 the Development Services Department received zoning request Z2004020 from Rosin-Johnson, Inc. on behalf of Belmar Construction Co., to rezone approximately 48.33 acres of vacant land near the intersection of Bandera Road and Eckhert Road from I1 to R5, C2, and MF25 in order to facilitate the development of the Northwest Corridor Business Park POADP, to include a mixture of Commercial, Multi-Family, and Single-Family residential properties. Initial staff recommendation to Zoning Commission was denial, based on inconsistency with the Northwest Community Plan, which called for industrial land uses at that location. On July 6, 2004, Zoning Commission approved the request, contingent upon a Master Plan Amendment.

Parallel to the rezoning process, there was an on-going process on the part of Planning Department staff to update the land use plan component of the Northwest Community Plan, as required by the Unified Development Code (UDC). The Northwest Business Park POADP concept was integrated into the land use plan update, as the planning team considered it to be a reasonable proposal.

On May 27, 2004 the City Council recommended approval of the Northwest Community Plan Update, with the exception of the parcels immediately north of the business park currently at Eckhert and Bandera Roads, including the properties associated with the aforementioned zoning case. This action prevents the approval of the requested zoning until the Northwest Community Plan is amended appropriately.

On June 11, 2004, Rosin-Johnson, Inc. submitted Master Plan Amendment 04015 requesting to change the land use of the subject properties contained in the Northwest Community Plan, a component of the Master Plan of the City, from Industrial land use to Community Commercial, High Density Residential, and Single-Family Residential land uses (Attachment 2).

In determining whether Community Commercial, High Density Residential, and Single-Family Residential land uses are appropriate amendments to the Northwest Community Plan at this location, staff considered the following factors:

Land Use Intensity and Compatibility:

- The subject properties are currently vacant, and have been so for several years. The properties to the north, representing approximately 76 acres of land, are also vacant. All of the aforementioned properties are zoned industrial. South of the subject properties is a business park with uses ranging from auto parts sales, and repair, to offices, and a ground transportation shipping hub. The subject properties are bound by Bandera Road on the west and Leon Creek watershed on the east.

Staff Analysis –The proposed plan amendment would place three land uses in a rational order: higher intensity land uses along Bandera Road, and incrementally lower intensity land uses further east from Bandera Road. There would be up to approximately 150 feet of buffer (drainage easement plus Right-of-Way) separating the plan amendment land uses from the existing commercial uses to the south.

Transportation Network:

- The subject properties abut Bandera Road to the east, and will front Eckhert Road if developed as proposed. The Major Thoroughfare Plan identifies Bandera Road as a Primary Arterial Type A (120' ROW), and Eckhert Road as a Secondary Arterial Type A (86' ROW).

Staff Analysis – Right-of-Way dedication by the property developers would result in the extension of Eckhert Road, fulfilling the requirement of the Major Thoroughfare Plan for that area. No significant impact is expected.

Community Facilities:

- Elrod Elementary School (ES) is approximately ¾ mile from the plan amendment site.

Staff Analysis – No significant impact is expected.

Staff recommends approval of this amendment. Planning Commission heard the case on July 14, 2004 and recommended denial. A copy of the resolution is attached.

BACKGROUND INFORMATION

The neighborhoods and stakeholders of the Northwest Community, together with the City of San Antonio Planning Department, developed a community plan in 1998 following the guidelines of the Community Building and Neighborhood Planning (CBNP) Program. The plan area is 14.3 square miles, includes over 68,906 people, and is bound by Loop 1604 to the west, Bandera Road to the east, and Culebra and Grissom Roads on the south. The plan area is located in City Council Districts 6, 7, and 8.

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

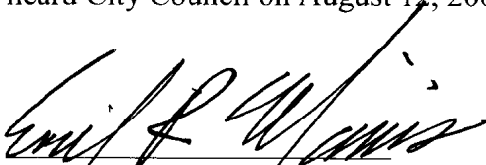
A Master Plan Amendment carries no specific financial commitment to immediate action by the City or partnering agencies.

COORDINATION

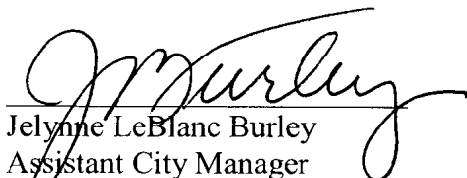
All registered Neighborhood Associations within the Northwest Community Plan, and all property owners within 200 feet of the subject properties, were notified of the proposed amendment. Notice was also published in the Commercial Recorder.

SUPPLEMENTARY COMMENTS

Independent from the Planning Commission, the Zoning Commission heard a rezoning request of the subject property on July 6, 2004 and recommended denial. The zoning case will also be heard City Council on August 12, 2004.



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



Jelynn LeBlanc Burley
Assistant City Manager

Approved:



Terry M. Brechtel
City Manager

RESOLUTION NO. 04-07-03

RECOMMENDING TO DENY THE AMENDMENT OF THE LAND USE PLAN CONTAINED IN THE NORTHWEST COMMUNITY PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE FROM INDUSTRIAL LAND USE TO COMMUNITY COMMERCIAL, MULTI-FAMILY, AND SINGLE FAMILY RESIDENTIAL LAND USES FOR AN AREA OF APPROXIMATELY 48.33 ACRES, LOCATED NEAR THE NORTHWEST QUADRANT OF THE INTERSECTION OF BANDERA ROAD AND ECKHERT ROAD.

WHEREAS, City Council approved the Northwest Community Plan Update as an addendum to the Master Plan on May 27, 2004; 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 July 14, 2004 and **DENIED** the amendment on July 15, 2004 in a 5 to 2 vote.

WHEREAS, the San Antonio Planning Commission made a finding that the land uses are incompatible; and

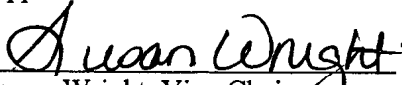
WHEREAS, the San Antonio Planning Commission has considered the effect of this amendment to the Master Plan as it pertains to land use intensity, compatibility, community facilities, and the transportation network and found the amended plan to be **INCONSISTENT** with City policies, plans and regulations 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:

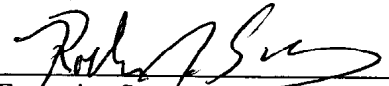
SECTION 1: The amendment to the Northwest Community Plan attached hereto and incorporated herein by reference is recommended to the City Council with this Commission's recommendation for **DENIAL** as an amendment to the City's Comprehensive Master Plan.

PASSED AND APPROVED ON THIS 14 DAY OF JULY 2004.

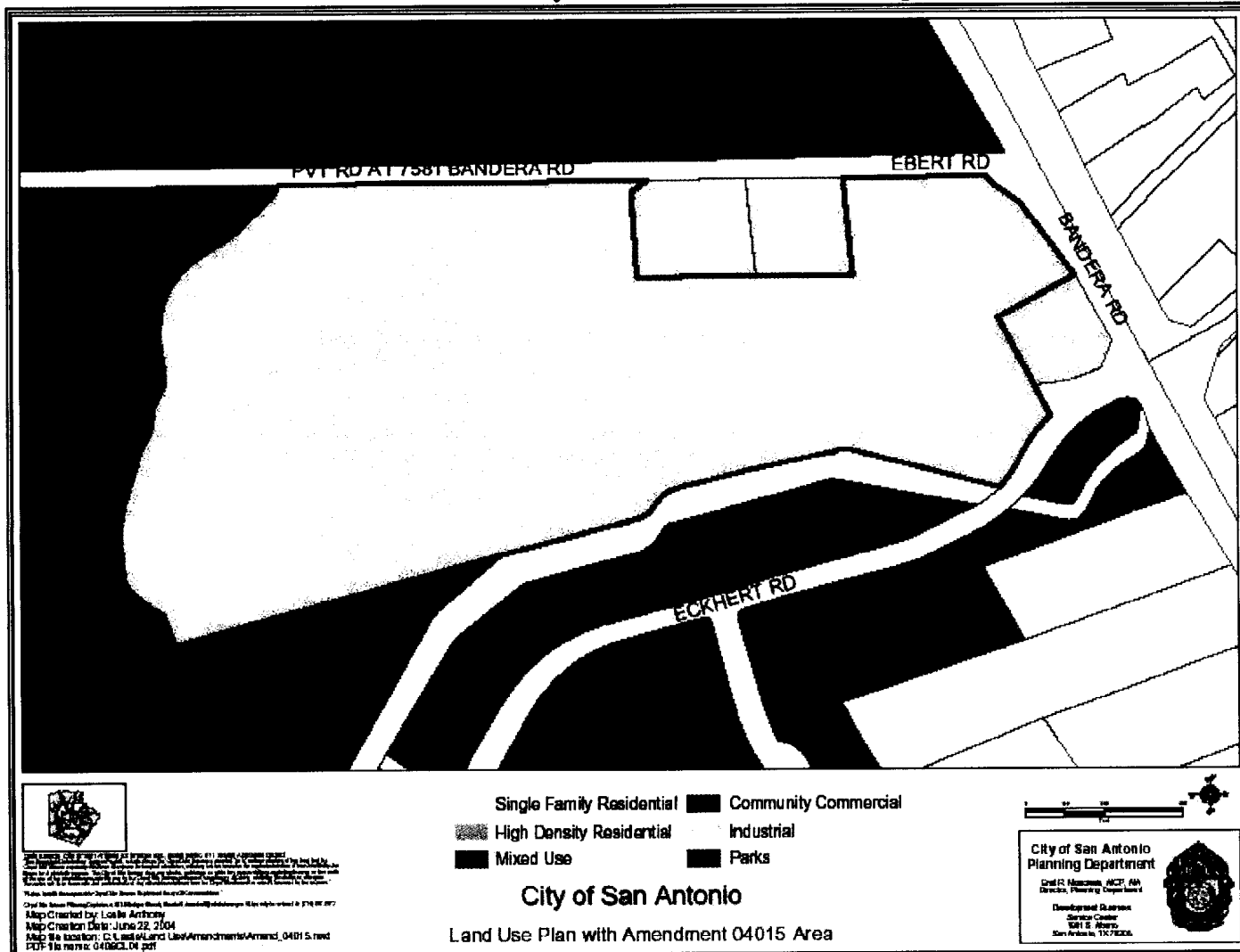
Approved:


Susan Wright, Vice-Chairperson
San Antonio Planning Commission

Attest:


Executive Secretary
San Antonio Planning Commission

Attachment 1
Northwest Community Plan Land Use Plan as adopted:



**Amendment 2
Northwest Community Plan Land Use Plan as amended:**

