

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

**PUBLIC HEARING  
TIME CERTAIN  
ITEM NO 4.1B**

**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 #04012 – Arena District/Eastside Community Plan Component (Council District 2)

**DATE:** September 9, 2004

**SUMMARY AND RECOMMENDATIONS**

On May 17, 2004, Downey Partners LTD submitted a plan amendment to change approximately 0.2858 of an acre at 102 Essex Street in the Arena District/Eastside Community Land Use Plan from Medium Density, Single-Family and Mixed Residential land use to Neighborhood Commercial land use. The proposed site is currently RM4 (Mixed Residential) zoning district and is proposed to change to RM4-C (Mixed Residential) zoning district with conditions. The request is to create a non-commercial parking area for employees of the existing wholesale food distributor immediately west of Cherry Road. The company receives and delivers food for Military Commissaries.

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

**Land Use Intensity and Compatibility:**

- The subject property is vacant and is adjacent to single-family residential uses to the north, east and southeast. An un-permitted, non-commercial parking lot used for employee vehicles and commercial trucks/trailers exists to the south and the distribution center is west of the subject property.

**Staff Analysis** – The applicant states he has between 40 and 45 employees and needs additional parking spaces to fill demand. The applicant has approximately 18 parking stalls at the distribution center on Cherry Street. The subject property is 75 feet by 150 feet; and, the applicant plans a 40-foot by 80-foot parking area on the site, which could provide 8 parking spaces. The conditional zoning recommended by the Zoning Commission states no more than 15 parking spaces would be allowed. There is a vacant warehouse to the rear of the distribution center with possible leasing opportunity for parking and storage area if needed. The request of the applicant to create further parking, generates additional encroachment into a well-established

neighborhood with homes dating back 30 years and more. The Cherry Street boundary is a clear distinction between the residential neighborhood and the industrial uses to the west.

Transportation Network:

- The subject property abuts Essex Street and Cherry Street. Both Essex and Cherry are Local Type B residential streets.

**Staff Analysis** – Essex and Cherry Streets are used for residential and industrial access. No future impact expected.

Community Facilities:

- No Community Facilities in the immediate area.

**Staff Analysis** – No impact expected.

Staff recommends denial of the Master Plan Amendment. The Planning Commission held a public hearing on July 14, 2004 and recommended denial. A copy of the resolution is attached.

**BACKGROUND INFORMATION**

The Arena District/Eastside Community, together with four funding partners, Bexar County, City of San Antonio, Community Economic Revitalization Agency, and the San Antonio Spurs, developed a community plan under the Community Building and Neighborhood Planning (CBNP) Program. The Metropolitan Planning Organization through its Eastside Multi-Modal Alternatives Plan jointly participated in the community planning process. Both reports comprise the Arena District/Eastside Community Plan. The planning area is bound by IH-35 and the Government Hill Neighborhood Plan boundary on the north; IH-Loop 410 on the east, IH-10 on the south, and IH-37/US281 and the Downtown Neighborhoods Plan boundary (Monumental) on the west. The plan area is approximately 7.9 square miles and includes about 32,062 residents located in City Council District 2. The Arena District/Eastside Community Plan was adopted by City Council on December 4, 2003.

**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**

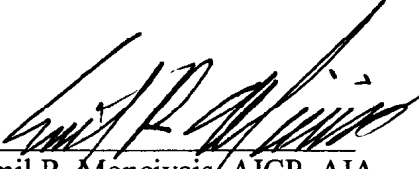
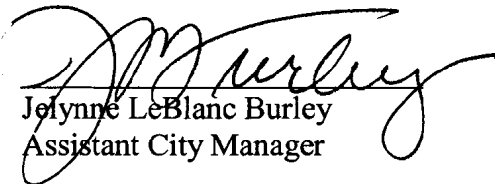
A Master Plan Amendment carries no specific financial commitment to immediate action by the City or partnering agencies.

## **COORDINATION**

All registered Neighborhood Associations within the Arena District / Eastside Community Plan, all Planning Team Members and all property owners within 200 feet of the subject property have been notified of the proposed amendment. Notice was also published in the Commercial Recorder.

## **SUPPLEMENTARY COMMENTS**

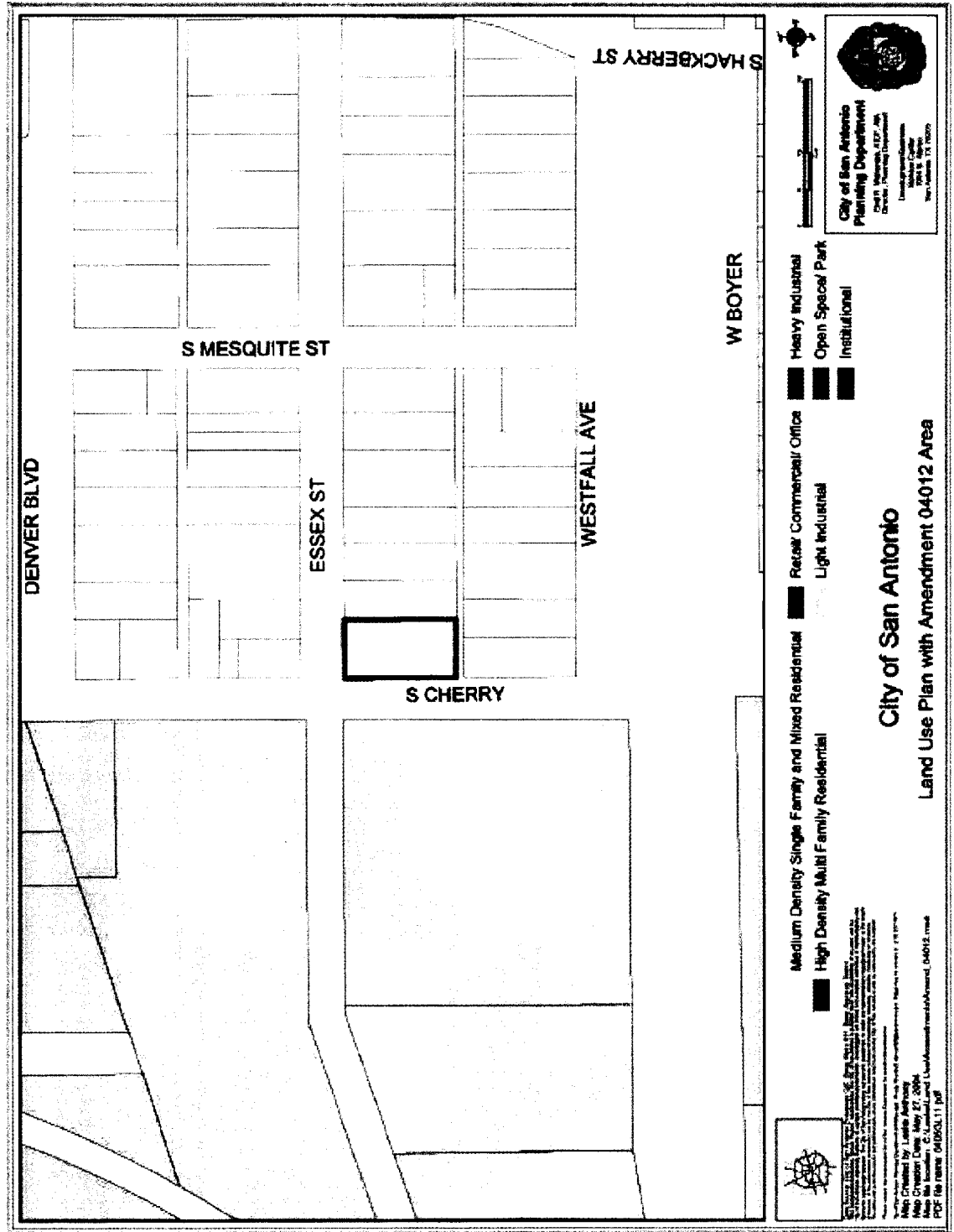
After the Planning Commission makes its recommendation regarding the request, the amendment is forwarded to the City Council for consideration. Independent from the Plan Amendment process, the Zoning Commission considered the rezoning of the property on May 8, 2004 and recommended approval with conditions. City Council continued this case from August 12, 2004 to September 9, 2004. The rezoning case will be considered by City Council on September 9, 2004 with the Plan Amendment.

  
Emil R. Moncivais, AICP, AIA  
Director, Planning Department  
Jolynne LeBlanc Burley  
Assistant City Manager

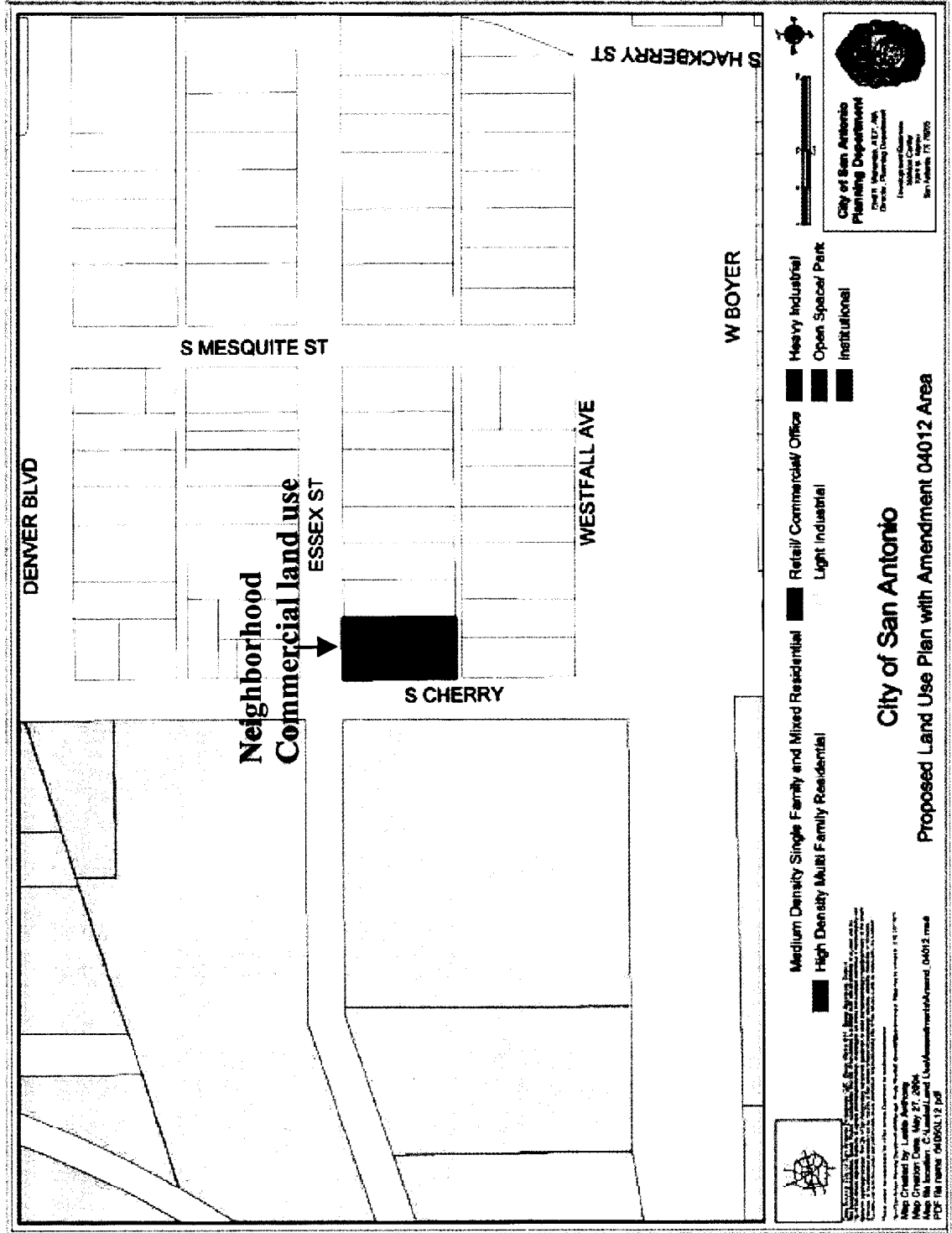
Approved:

  
for Terry M. Brechtel  
City Manager

# Attachment 1 Arena District / Eastside Community Land Use Plan as adopted:



**Attachment 2  
Arena District / Eastside Community Plan as proposed:**



RESOLUTION NO. 04-07-05

**RECOMMENDING TO DENY THE AMENDMENT OF THE LAND USE PLAN CONTAINED IN THE ARENA DISTRICT/EASTSIDE COMMUNITY PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE FROM MEDIUM DENSITY, SINGLE FAMILY AND MIXED RESIDENTIAL LAND USE TO NEIGHBORHOOD COMMERCIAL LAND USE FOR AN AREA OF APPROXIMATELY .2858-ACRES LOCATED AT 102 ESSEX ROAD.**

**WHEREAS**, City Council approved the Arena District/Eastside Community Plan as an addendum to the Master Plan on December 4, 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 July 14, 2004 and **DENIED** the amendment on July 14, 2004 in a unanimous vote.

**WHEREAS**, the San Antonio Planning Commission made a finding that Cherry Street is a clear boundary between existing industrial uses and well established residential uses; and

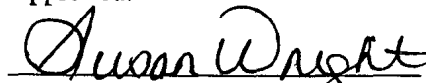
**WHEREAS**, the San Antonio Planning Commission has considered the effect of this amendment to the Master Plan as it pertains to land use intensity, compatibility, community facilities, and the transportation network and found the amended plan to be **INCONSISTENT** with City policies, plans and regulations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

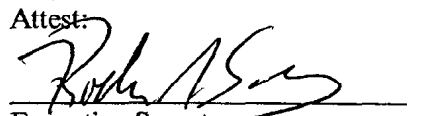
**SECTION 1:** The amendment to the Arena District/Eastside Community Plan attached hereto and incorporated herein by reference is recommended to the City Council with this Commission's recommendation for **DENIAL** as an amendment to the City's Comprehensive Master Plan.

**PASSED AND APPROVED ON THIS 14<sup>th</sup> DAY OF JULY 2004.**

Approved:

  
Susan Wright, Vice-Chairperson  
San Antonio Planning Commission

Attest:

  
Executive Secretary  
San Antonio Planning Commission