

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

TO: Mayor and City Council

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

THROUGH: Terry M. Brechtel, City Manager

COPIES: Jelynn LeBlanc Burley, Assistant City Manager; Andrew Martin, City Attorney

SUBJECT: Amending Ordinance No. 99479 to extend the Interim Development Controls from September 30, 2004 to January 28, 2005 for certain areas annexed for limited purposes on August 1, 2004

DATE: September 30, 2004

SUMMARY AND RECOMMENDATIONS

This is an amendment to Ordinance No. 99479, approved July 22, 2004, that established interim development controls on new permits including zoning, platting, and development plan approvals for properties situated over the area annexed by the City for limited purposes on August 1, 2004. Staff has worked with property owners on several properties on alternate development proposals. In order to continue this process, staff is requesting that Interim Development Controls be extended for 120 days for their properties. To accommodate the requests, staff proposes to extend the development controls from September 30, 2004, to January 28, 2005, for certain parcels, to complete necessary plan amendment proposals to the Planning Commission and present any new zoning proposals to the Zoning Commission for adoption by City Council.

Staff recommends approval of the ordinance.

BACKGROUND INFORMATION

Under initiatives taken by the City of San Antonio to plan accordingly for the balanced growth of our City and to create new opportunities for economic development, Mayor and Council approved the annexation of 56.96 square miles (approximately 5000 parcels) for limited purposes on January 5, 2003.

The Southside Initiative Community Plan was adopted by City Council on June 26, 2003. Subsequently, staff began a zoning proposal consistent with the land use component of the community plan. The City extended this annexation on August 1, 2004, to include 6.41 square miles, south of the Medina River. In order to give the City the opportunity to develop a rezoning proposal consistent with the comprehensive plan, protect natural resources, ensure the compatibility of existing and proposed uses, and allow for planning of adequate infrastructure, City Council adopted interim development controls over the area.

On September 23, 2004, City Council approved the rezoning of the Southside Initiative Expansion Area, save and except properties owned by thirteen (13) separate property owners. A map illustrating the properties is attached. City Council also directed staff to bring forward an ordinance extending the interim development controls for these areas. Extending the interim development controls for an additional 120 days will give the City the opportunity to implement the necessary land use amendments and subsequent zoning changes consistent with the Southside Initiative Community Plan based on their proposals. The City is proposing to extend the interim development controls until January 28, 2005.

This ordinance is applicable only to certain parcels removed from the zoning plan by City Council on September 23, 2004.

POLICY ANALYSIS

The proposed amended ordinance will continue to suspend the acceptance of new applications and issuance of new permits including zoning, platting and development approvals. "Permit" as defined under Chapter 245 of the Local Government Code means a license, certificate, approval, registration, consent, permit, or other form of authorization required by law, rule, regulation, or ordinance that a person must obtain to perform an action or initiate, continue, or complete a project for which the permit is sought. Applications for permits including zoning, subdivision plats and development plans filed prior to the enactment of this ordinance will not be subject to this restriction.

This ordinance also maintains an appeal process. Any landowner adversely affected by the proposed terms of the ordinance shall have the right to appeal to the City Council and seek waiver of the terms as applicable to his/her property. The terms of appeal and provisions thereof are defined in the original ordinance.

FINANCIAL IMPACT

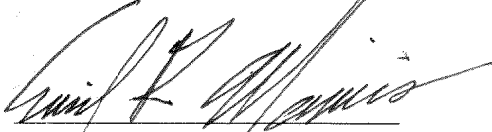
The adoption of this ordinance carries no specific financial commitment by the City.

COORDINATION

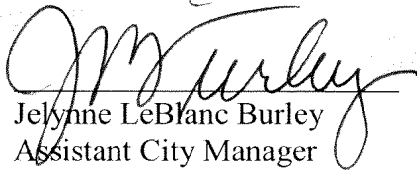
This item was coordinated with the City Attorney's Office.

SUPPLEMENTARY COMMENTS

Action on this item will support the previous efforts under limited purpose annexation, the work undertaken by the Urban Land Institute, and the community's involvement in development of the Southside Initiative Community Plan.

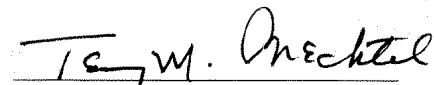


Emil R. Moncivais, AICP, AIA
Director of Planning



Jelynn LeBlanc Burley
Assistant City Manager

Approved:



Terry M. Brechtel
City Manager

