

**CITY OF SAN ANTONIO
PLANNING DEPARTMENT
CITY COUNCIL AGENDA MEMORANDUM**

TO: Mayor and City Council

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

SUBJECT: Master Plan Amendment #04029 – Highlands Community Plan
(Council District 3)

DATE: December 9, 2004

SUMMARY AND RECOMMENDATIONS

Santos S. Martinez, Jr., submitted an application requesting a Master Plan Amendment to the Highlands Community Plan, a component of the Master Plan of the City. The applicant requests amending the Land Use Plan by changing the use of approximately 0.2049-acre at 103 Glamis Avenue from Medium Density Residential land use to Neighborhood Commercial land use. In his request, the applicant discusses using the property for a professional accounting and tax office, which is currently zoned R-4. 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 currently a home-based insurance and accounting business. All adjacent properties are single-family residential. There are no other business uses on Glamis Avenue.

Staff Analysis – This is a well-established neighborhood. There are no transitional uses along the east side S. Gevers. The proposed use will visually impact and change the character of the residential area through an office use. The medium density residential land use acts as a buffer between the regional commercial use to the west and the low-density residential uses to the east of the subject property. The former McCreless Mall is located west of the subject property and the land use is regional commercial. A Super HEB development is planned for the former mall.

Transportation Network:

- The subject property is a residential property located on the corner of Glamis Avenue.

Staff Analysis – There would be no significant impact on transportation in this area. Ingress and egress from the parking lot is planned for the side yard adjacent to S. Gevers.

Community Facilities:

- There are no major community facilities in the immediate area.
Staff Analysis – No significant impact.

Staff recommends denial of the amendment to Neighborhood Commercial land use. The Planning Commission held a public hearing on November 10, 2004 and recommended denial. A copy of the resolution is attached.

BACKGROUND INFORMATION

The Highlands Community Plan was a partnership effort of the Highlands Park neighborhood, the Highland Hills neighborhood, the Southeast Highland Hills Good Neighbor Crime Watch, and the City's Planning Department. The plan area includes more than 30,000 residents and is bound by Highway 90/IH-10 to the north; Clark, Hiawatha, Pecan Valley, Southcross Streets and Salado Creek to the east; Military Highway to the south; and IH-37 to the west. The area includes Council District 3.

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

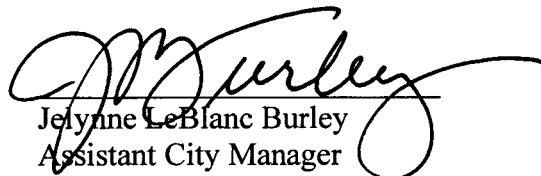
All registered Neighborhood Associations within the Highlands Community Plan area, all Planning Team Members and all property owners within 200 feet of the subject property have been notified of the proposed amendment. Notice was also published in the Commercial Recorder.

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 September 7, 2004

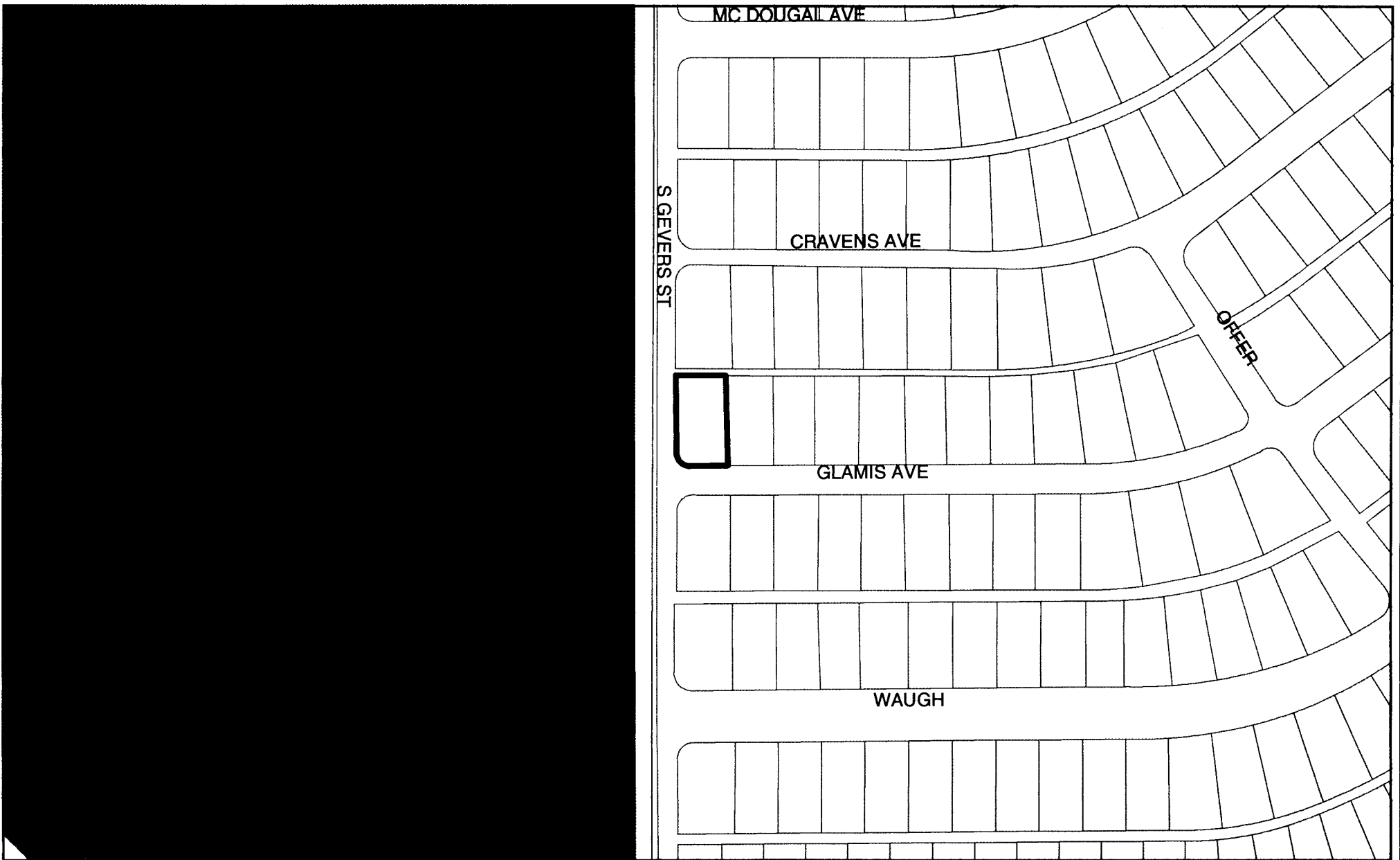
and recommended approval. The zoning case will be considered by City Council on December 9, 2004 with the Plan Amendment.


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


Jelynnne LeBlanc Burley
Assistant City Manager

Approved:


J. Rolando Bono
Interim City Manager



- Low Density Residential
 Medium Density Residential
 Neighborhood Commercial

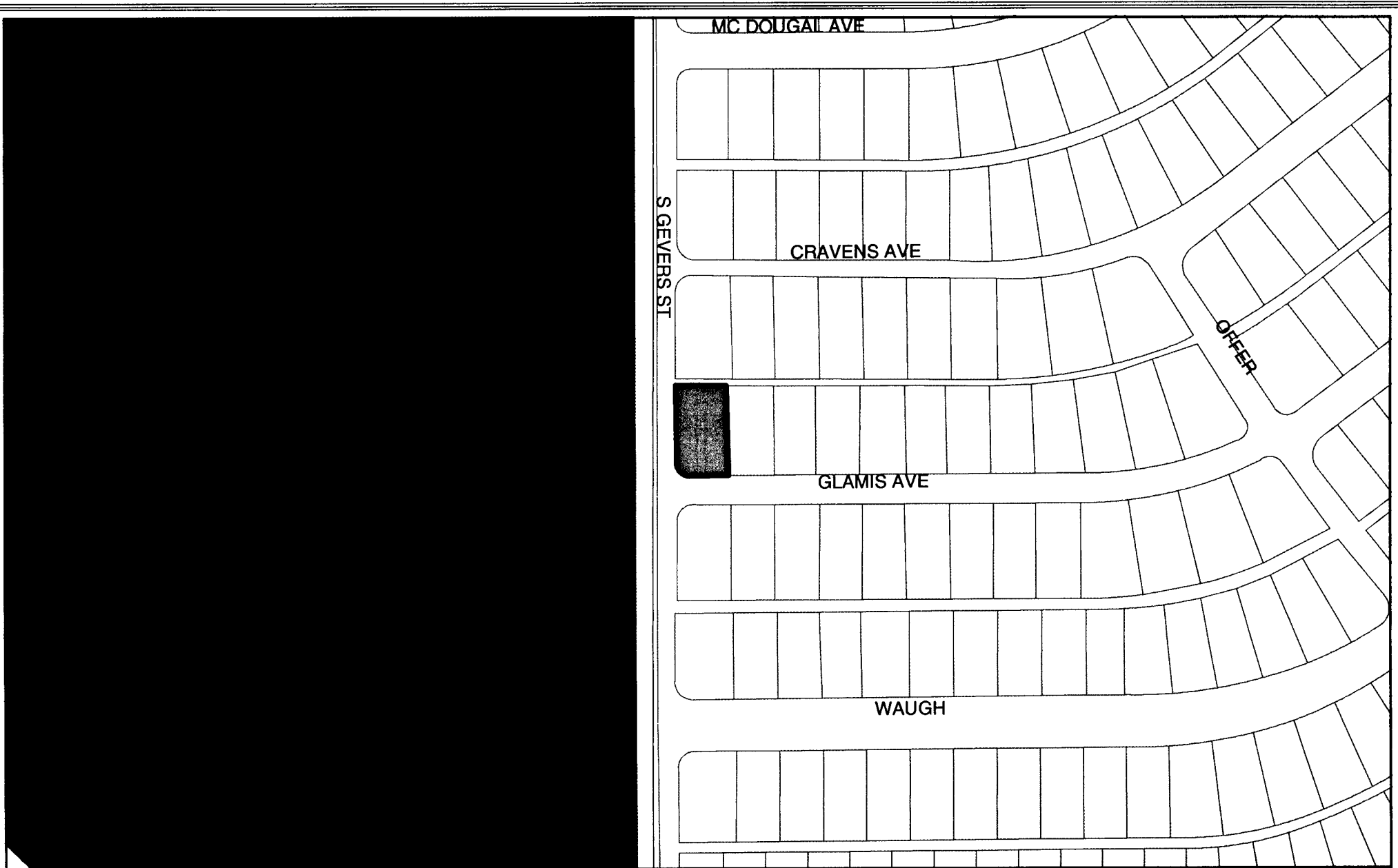


Data Source: City of San Antonio Enterprise GIS, Bexar Metro 911, Bexar Appraisal District
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 Please contact the responsible City of San Antonio Department for specific determinations.
 City of San Antonio Planning Department GIS Manager: Woody Woodruff, woodruff@sanantonio.gov. Maps may be ordered at: (210) 207-7879
 Map Created by: Leslie Anthony
 Map Creation Date: Oct. 20, 2004
 Map file location: C:\Leslie\Land Use\Amendments\Amend_04029.mxd
 PDF file name: 0410GL21.pdf

City of San Antonio Land Use Plan with Amendment 04029 Area

City of San Antonio
Planning Department
 Emil R. Moncivais, AICP, AIA
 Director, Planning Department
 Development Business
 Service Center
 1901 S. Alamo
 San Antonio, TX 78205





Data Source: City of San Antonio Enterprise GIS, Base: Metro 911, Base: Appraisal District
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Please contact the responsible City of San Antonio Department for specific determinations.

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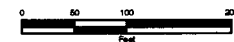
Map Created by: Leslie Anthony

Map Creation Date: Oct. 20, 2004

Map file location: C:\Leslie\Land Use\Amendments\Amend_04029.mxd

PDF file name: 0410GL22.pdf

- ☐ Low Density Residential ☐ Medium Density Residential
☒ Neighborhood Commercial



City of San Antonio
Planning Department

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

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City of San Antonio

Proposed Land Use Plan with Amendment 04029 Area

AN ORDINANCE

AMENDING THE LAND USE PLAN CONTAINED IN THE HIGHLANDS COMMUNITY PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF APPROXIMATELY 0.2049-ACRES LOCATED AT 103 GLAMIS AVENUE FROM MEDIUM DENSITY RESIDENTIAL LAND USE TO NEIGHBORHOOD COMMERCIAL USE.

*** * * * ***

WHEREAS, the Highlands Community Plan, was adopted on April 4, 2002 by 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 November 10, 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 Highlands Community Plan, a component of the Master Plan of the City, is hereby amended by changing the use of approximately 0.2049-acres located at 103 Glamis Avenue from Medium Density Residential land use to Neighborhood Commercial 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 December 19, 2004.

PASSED AND APPROVED on this 9th day of December 2004.

M A Y O R

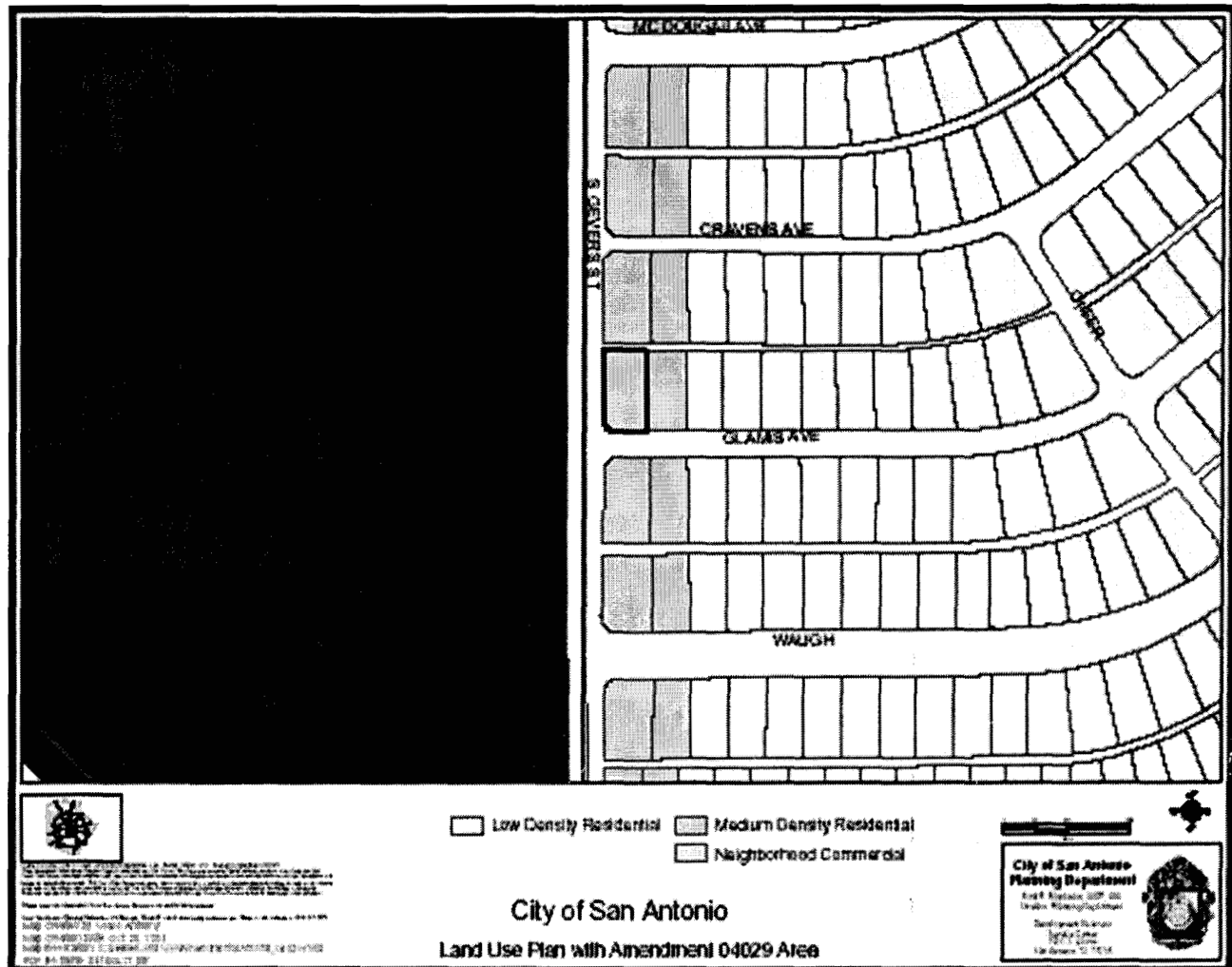
ATTEST:

City Clerk

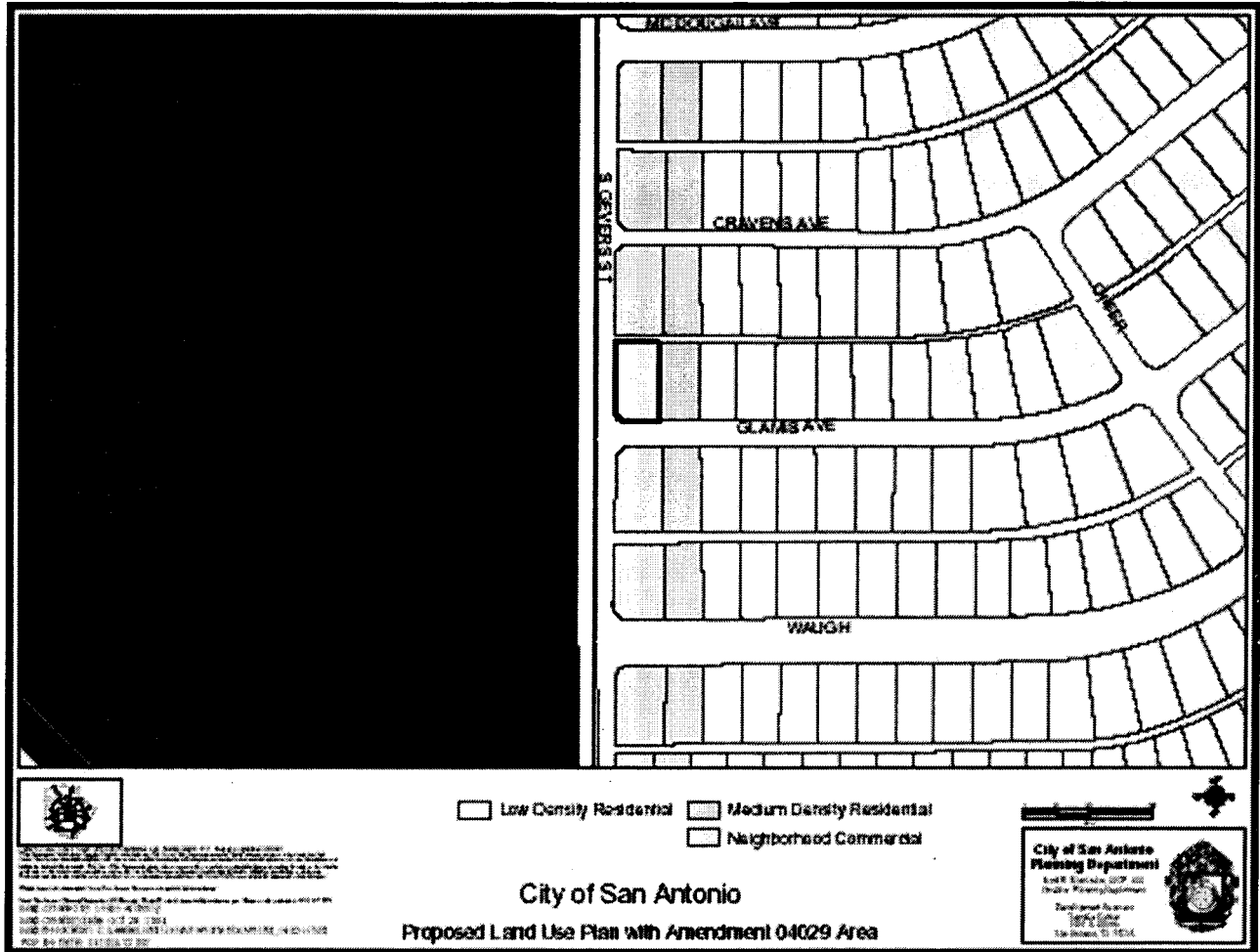
APPROVED AS TO FORM:

City Attorney

ATTACHMENT I
Land Use Plan as adopted April 4, 2002:



ATTACHMENT II **Proposed Amendment:**



RESOLUTION NO.

RECOMMENDING TO DENY THE AMENDMENT OF THE LAND USE PLAN CONTAINED IN THE HIGHLANDS COMMUNITY PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE FROM MEDIUM DENSITY RESIDENTIAL TO NEIGHBORHOOD COMMERCIAL FOR AN AREA OF APPROXIMATELY 0.2049 ACRE LOCATED AT 103 GAMIS.

WHEREAS, City Council approved the Highlands Community Plan as an addendum to the Master Plan on April 4th, 2002; 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 November 10, 2004 and **DENIED** the amendment on November 10, 2004.

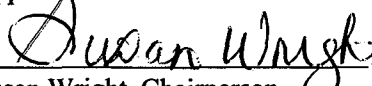
WHEREAS, the San Antonio Planning Commission has considered the effect of this amendment to the Master Plan as it pertains to land use intensity, compatibility, community facilities, and the transportation network and found the amended plan to be **INCONSISTENT** with City policies, plans and regulations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

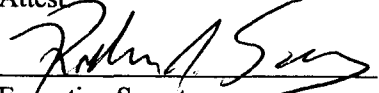
SECTION 1: The amendment to the IH 10 East Corridor Perimeter Plan attached hereto and incorporated herein by reference is recommended to the City Council with this Commission's recommendation for **DENIAL** as an amendment to the City's Comprehensive Master Plan.

PASSED AND APPROVED ON THIS 10th DAY OF NOVEMBER 2004.

Approved:


Susan Wright, Chairperson
San Antonio Planning Commission

Attest:


Executive Secretary
San Antonio Planning Commission