

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

**PUBLIC HEARING
TIME CERTAIN
ITEM NO 4.1B
2:00 PM**

TO: Mayor and City Council

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

SUBJECT: Master Plan Amendment #04027 – Southside Initiative Community Plan (Council Districts 3 and 4)

DATE: November 18, 2004

SUMMARY AND RECOMMENDATIONS

On September 23, 2004 City Council considered Zoning Case No. Z2004148, a City sponsored request to zone all properties within the Southside Initiative limited purpose annexation expansion area in a manner consistent with the newly amended Southside Initiative Plan approved on July 22, 2004. The rezoning was approved, save and except property owned by 13 individuals, which includes property owners that Zoning Commission had also recommended saving and excepting on September 21, 2004.

The above action kept the zoning for the aforementioned properties DR (Development Reserve), a temporary zoning associated with annexations, thus necessitating additional plan amendments and re-zonings to assign a permanent zoning consistent with the Southside Initiative goals and objectives.

After additional analysis, and several individual meetings with property owners, the Planning Department reached a compromise that it feels is in keeping with the goals and objectives of the plan, yet facilitates the projected needs of 9 of the 13 property owners (total of 12 properties). These owners agreed with Agriculture and Light Industry land use for their properties. Plan Amendment No. 04027, therefore, seeks to expand three of the existing Agriculture and Light Industry land use nodes, in addition to adding Agriculture and Light Industry Land uses near the intersection of Pleasanton Road and Neal Road (see attachment 2).

In determining whether Agriculture and Light Industry was appropriate at these locations, staff considered the following factors:

Land Use Intensity and Compatibility:

- The majority of the properties, 7 out of 12, are being used agriculturally. Four properties are vacant and unimproved, while 1 property is being used in a residential manner. All parcels border either currently vacant or agriculturally used properties, and are near the intersection of, or abutting, major arterials.

Staff Analysis – The amendment proposes to expand existing planned light industrial nodes that are placed near intersections, or adjacent to

major arterials. This change is expected to be compatible with existing land uses, and is in keeping with the Southside Initiative common idea to “concentrate industrial uses”.

Transportation Network:

- The Major Thoroughfare Plan identifies State Highway 16 as a Super Arterial Type B (200’ to 250’ ROW), and Applewhite Road as an Enhanced Secondary Arterial (120’ to 142’ ROW)

Staff Analysis –The amendment places the Agriculture and Light Industry uses at strategic locations along major roadways. There is expected to be no significant negative impact on the roadway system.

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. The Planning Commission held a public hearing on October 27, 2004 and recommended approval. A copy of the resolution is attached.

BACKGROUND INFORMATION

The Southside Initiative community developed a community plan in 2003 following the guidelines of the Community Building and Neighborhood Planning (CBNP) Process. 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 currently 80 square miles, includes over 8,069 people, and is bound by SW Loop 410 to the north, IH-35 to the west, IH-37 to the east, and extends south of the Medina River and Neal Road. 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

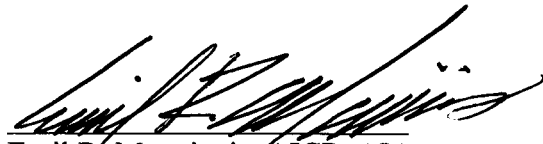
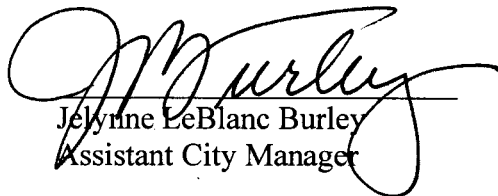

A Master Plan Amendment carries no specific financial commitment to immediate action by the City or partnering agencies.

COORDINATION

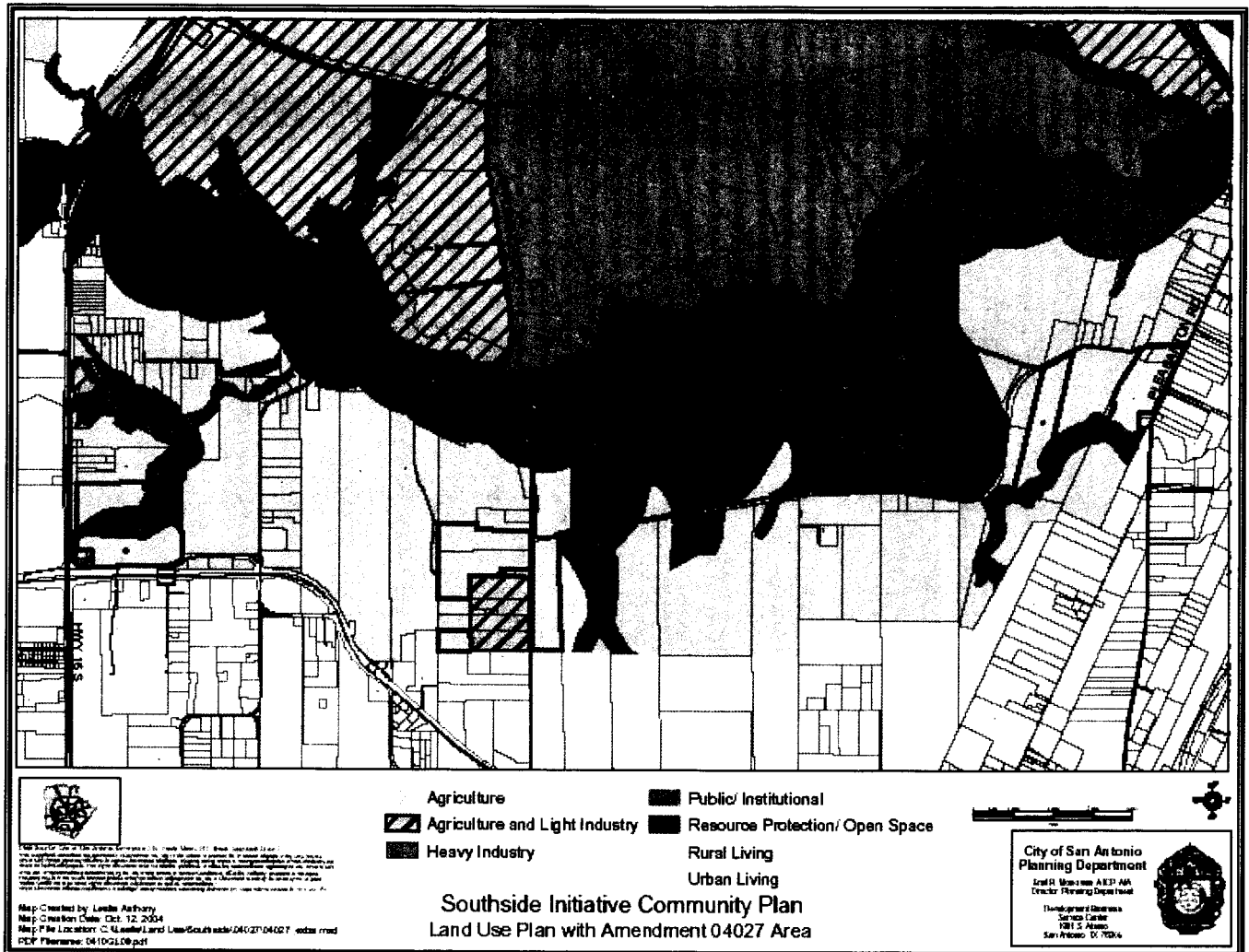
All registered Neighborhood Associations within the Southside Initiative Community Plan, and all property owners within 200 feet of the subject properties have been notified of the proposed amendment. Notice was also published in the Commercial Recorder.

SUPPLEMENTARY COMMENTS

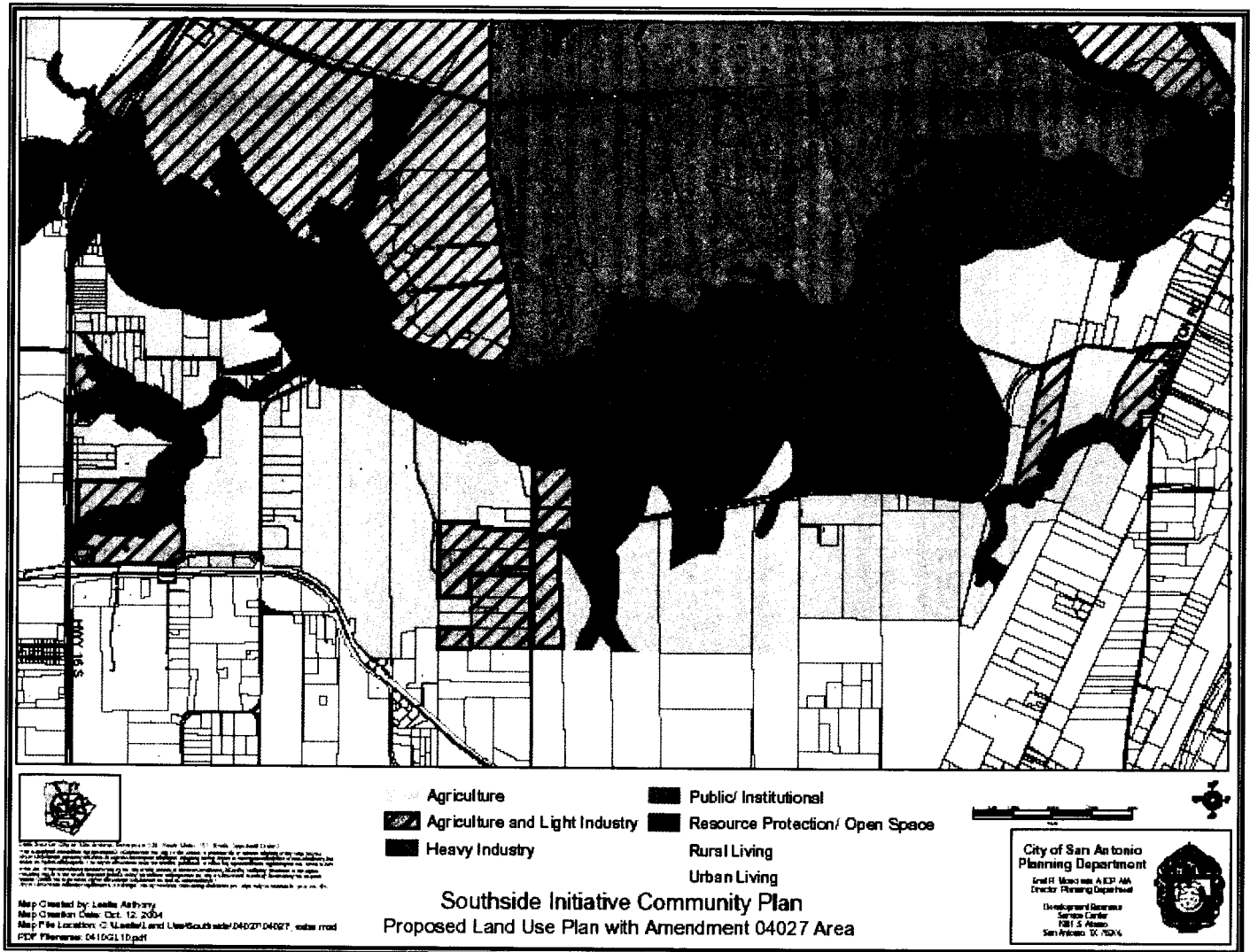
After the Planning Commission makes its recommendation regarding the request, the amendment is forwarded to the City Council for consideration. Independent from the Plan Amendment process, the Zoning Commission considered the rezoning of the property on November 2, 2004 and recommended approval of the rezoning. The rezoning case will be considered by City Council on November 18, 2004 with the Plan Amendment.


Emil R. Moncivais, AICP, AIA
Director, Planning Department
Jelynn LeBlanc Burley
Assistant City Manager
J. Rolando Bono
Interim City Manager

Attachment 1
Southside Initiative Community Plan Land Use Plan as adopted:



Attachment 2
Southside Initiative Community Plan as amended:



RESOLUTION NO. 04-10-07

RECOMMENDING TO APPROVE / 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 LAND USE FROM AGRICULTURE TO AGRICULTURE AND LIGHT INDUSTRY FOR APPROXIMATELY 2.5 ACRES OF LAND AT 17730 STATE HWY. 16 S., LEGAL DESCRIPTION CB 4201 P-14L & P-42B, LOCATED NEAR THE INTERSECTION OF NOYES RD. AND STATE HWY. 16 S., APPROXIMATELY 32 ACRES OF LAND LOCATED AT 18840 STATE HWY. 16 S., LEGAL DESCRIPTION CB 4201 P-18C, NEAR THE INTERSECTION OF LAND BOUND BY STATE HWY. 16 SOUTH AND THE TRIBUTARY OF ELM CREEK, APPROXIMATELY 53 ACRES OF LAND NEAR THE NORTHEAST INTERSECTION STATE HWY. 16 S. AND LOOP 1604 S., LEGAL DESCRIPTION CB 4201 PT OF P-18 ABS 418, APPROXIMATELY 73 ACRES OF LAND IMMEDIATELY WEST OF THE INTERSECTION OF APPLEWHITE RD AND NEAL RD. FROM, LEGAL DESCRIPTIONS CB 4187 P-3A & P-3B ABS 169, AND CB 4187 P-15 ABS 169 12.401, APPROXIMATELY 3.5 ACRES OF LAND AT 19145 APPLEWHITE RD., LEGAL DESCRIPTIONS CB 4187 P-15A ABS 169, CB 4187 P-3H ABS 169, AND CB 4187 P-15B ABS 169, APPROXIMATELY 10 ACRES OF LAND, COMPRISING THE FURTHEST WEST 1/3 PORTION OF 19633 APPLEWHITE RD., LEGAL DESCRIPTION CB 4187 P-25 ABS 169 11.47, APPROXIMATELY 80 ACRES OF LAND, LEGAL DESCRIPTIONS CB-4013 P-125 ABS 577, AND CB 4013 P-1A ARB TR-B1, BOUND BY THE LIMITED PURPOSE ANNEXATION LINES TO THE SOUTH AND NORTH, APPROXIMATELY 53 ACRES OF LAND AT 310 NEAL RD., LEGAL DESCRIPTION CB 4180 P-8 ABS 611, AND APPROXIMATELY 56.3 ACRES OF LAND AT 17911 PLEASANTON RD., LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF PLEASANTON RD. AND NEAL RD., LEGAL DESCRIPTIONS CB 4012 P-4 ABS 9, CB 4012 P-4B ABS 9, AND CB 4012 P-228 ABS 9.

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 October 27, 2004 and **APPROVED** / **DENIED** the amendment on October 27, 2004.

WHEREAS, the San Antonio Planning Commission made a finding that _____
_____; 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 **APPROVAL** ~~DENIAL~~ as an amendment to the City's Comprehensive Master Plan.

PASSED AND APPROVED ON THIS 27th DAY OF OCTOBER 2004.

Approved:


Susan Wright, Chairperson
San Antonio Planning Commission

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 LAND USE FROM AGRICULTURE TO AGRICULTURE AND LIGHT INDUSTRY FOR APPROXIMATELY 2.5 ACRES OF LAND AT 17730 STATE HWY. 16 S., LEGAL DESCRIPTION CB 4201 P-14L & P-42B, LOCATED NEAR THE INTERSECTION OF NOYES RD. AND STATE HWY. 16 S., APPROXIMATELY 32 ACRES OF LAND LOCATED AT 18840 STATE HWY. 16 S., LEGAL DESCRIPTION CB 4201 P-18C, NEAR THE INTERSECTION OF LAND BOUND BY STATE HWY. 16 SOUTH AND THE TRIBUTARY OF ELM CREEK, APPROXIMATELY 53 ACRES OF LAND NEAR THE NORTHEAST INTERSECTION STATE HWY. 16 S. AND LOOP 1604 S., LEGAL DESCRIPTION CB 4201 PT OF P-18 ABS 418, APPROXIMATELY 73 ACRES OF LAND IMMEDIATELY WEST OF THE INTERSECTION OF APPLEWHITE RD AND NEAL RD. FROM, LEGAL DESCRIPTIONS CB 4187 P-3A & P-3B ABS 169, AND CB 4187 P-15 ABS 169 12.401, APPROXIMATELY 3.5 ACRES OF LAND AT 19145 APPLEWHITE RD., LEGAL DESCRIPTIONS CB 4187 P-15A ABS 169, CB 4187 P-3H ABS 169, AND CB 4187 P-15B ABS 169, APPROXIMATELY 10 ACRES OF LAND, COMPRISING THE FURTHEST WEST 1/3 PORTION OF 19633 APPLEWHITE RD., LEGAL DESCRIPTION CB 4187 P-25 ABS 169 11.47, APPROXIMATELY 80 ACRES OF LAND, LEGAL DESCRIPTIONS CB-4013 P-125 ABS 577, AND CB 4013 P-1A ARB TR-B1, BOUND BY THE LIMITED PURPOSE ANNEXATION LINES TO THE SOUTH AND NORTH, APPROXIMATELY 53 ACRES OF LAND AT 310 NEAL RD., LEGAL DESCRIPTION CB 4180 P-8 ABS 611, AND APPROXIMATELY 56.3 ACRES OF LAND AT 17911 PLEASANTON RD., LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF PLEASANTON RD. AND NEAL RD., LEGAL DESCRIPTIONS CB 4012 P-4 ABS 9, CB 4012 P-4B ABS 9, AND CB 4012 P-228 ABS 9.

*** * * * ***

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 October 27, 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 land use from Agriculture to Agriculture and Light Industry for approximately 2.5 acres of land at 17730 State Hwy. 16 S., legal description CB 4201 P-14l & P-42b, located near the intersection of Noyes Rd. and State Hwy. 16 S., approximately 32 acres of land located at 18840

State Hwy. 16 S., legal description CB 4201 P-18c, near the intersection of land bound by state hwy. 16 South and the tributary of Elm Creek, approximately 53 acres of land near the northeast intersection of State Hwy. 16 S. and Loop 1604 S., legal description CB 4201 PT of P-18 ABS 418, approximately 73 acres of land immediately west of the intersection of Applewhite Rd. and Neal Rd. from, legal descriptions CB 4187 P-3A & P-3B ABS 169, and CB 4187 P-15 ABS 169 12.401, approximately 3.5 acres of land at 19145 Applewhite Rd., legal descriptions CB 4187 P-15A ABS 169, CB 4187 P-3H ABS 169, and CB 4187 P-15b ABS 169, approximately 10 acres of land, comprising the furthest west 1/3 portion of 19633 Applewhite Rd., legal description CB 4187 P-25 ABS 169 11.47, approximately 80 acres of land, legal descriptions CB-4013 P-125 ABS 577, and CB 4013 P-1A ARB TR-B1, bound by the limited purpose annexation lines to the south and north, approximately 53 acres of land at 310 Neal Rd., legal description CB 4180 P-8 ABS 611, and approximately 56.3 acres of land at 17911 Pleasanton Rd., located at the Southwest corner of the intersection of Pleasanton Rd. and Neal Rd., legal descriptions CB 4012 P-4 ABS 9, CB 4012 P-4B ABS 9, and CB 4012 P-228 ABS 9. 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 November 28, 2004.

PASSED AND APPROVED on this 18th day of November 2004.

M A Y O R

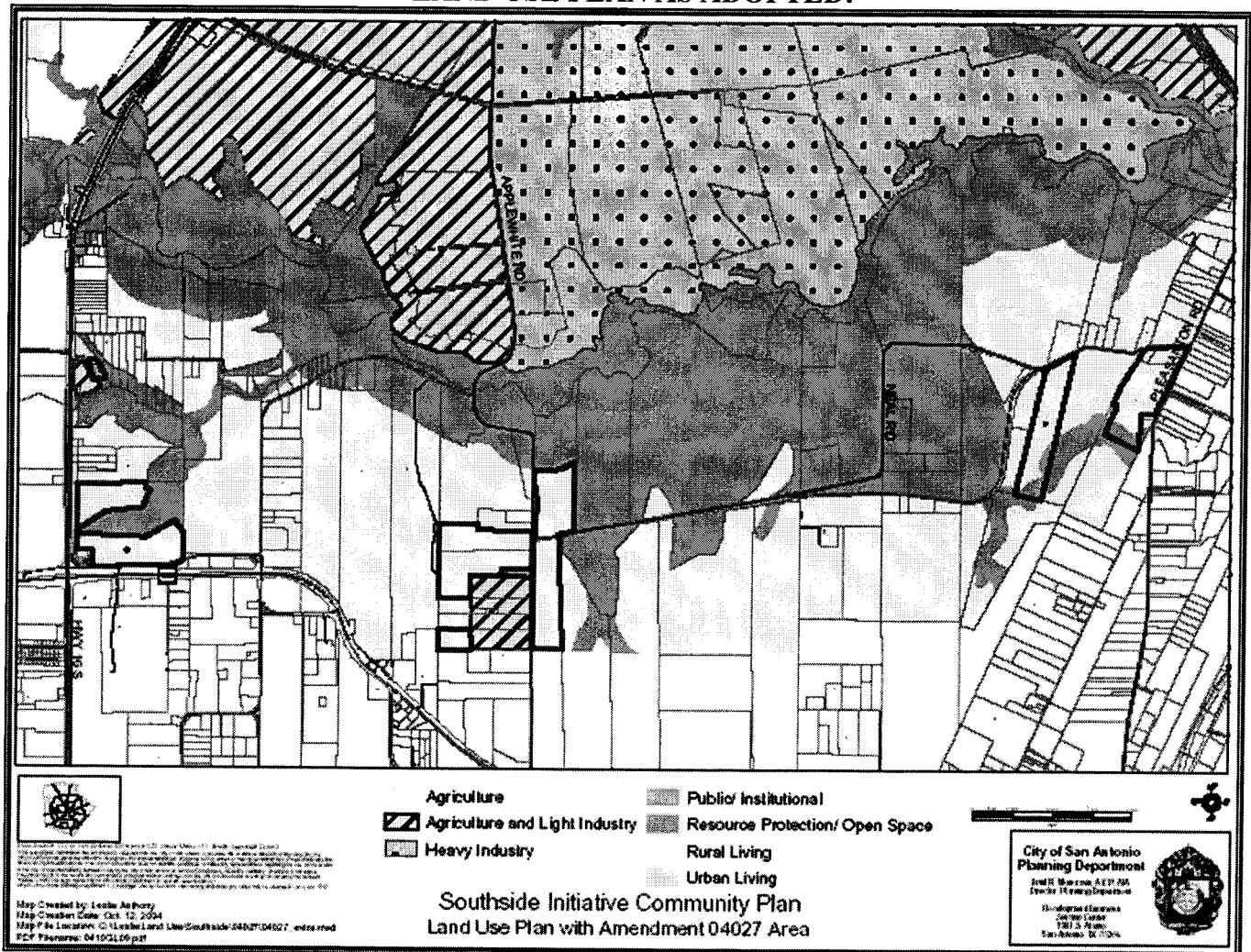
ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

ATTACHMENT I LAND USE PLAN AS ADOPTED:



ATTACHMENT II PROPOSED AMENDMENT:

