

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

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

TO: Mayor and City Council

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

SUBJECT: Master Plan Amendment #04018 – Oakland Estates Neighborhood Plan Component (Council District 8)

DATE: November 18, 2004

SUMMARY AND RECOMMENDATIONS

This item was continued by City Council from September 9, 2004 and October 14, 2004 to November 18, 2004.

On July 29, 2004, Jerry Arredondo on behalf of William Hooks submitted a Plan Amendment to amend the text that describes commercial nodes to add the “intersection of Oakland and Huebner” to Chapter III Zoning and Land Use, Section A. Zoning, in the Oakland Estates Neighborhood Plan. The applicant proposes to add specific use and conditional use designations to the existing commercially zoned property in order to construct a mini-warehouse and office warehouse. The plan’s text currently identifies commercial nodes at Prue-Babcock, Huebner-Babcock, Prue-Fredericksburg, and Huebner-Fredericksburg. A future land use map is not contained in the plan.

In determining whether the text request is appropriate at this location, staff considered the following factors:

Land Use Intensity and Compatibility:

- The subject properties are currently vacant. The properties fronting the intersection of Oakland and Huebner Roads are commercial, consisting of HEB and automotive uses.

Staff Analysis – The subject properties along with properties fronting both sides of Huebner Road are zoned commercially and are currently being used commercially or are vacant. The addition of a commercial node at the location reflects existing uses. Buffers, fencing and lighting adjacent to residential areas could be addressed through conditional and specific use zoning to mitigate potential nuisances.

Transportation Network:

- The subject properties are located west of Oakland Road, and south of Huebner Road. Oakland Road is a Local Type B, while the Major Thoroughfare Plan identifies Huebner Road as a Primary Arterial Type A (120’ ROW).

Staff Analysis – The subject properties have full access to Oakland Road and Huebner Road with no significant impact expected.

Community Facilities:

- There are no major community facilities in the immediate area.

Staff Analysis – No significant impact.

Staff recommends approval of the Master Plan Text Amendment.

The Planning Commission held a public hearing on August 25, 2004 and recommended approval. A copy of the resolution is attached.

BACKGROUND INFORMATION

The Oakland Estates Neighborhood Association developed a neighborhood plan under the 1989 Community Building and Neighborhood Planning (CBNP) Process. The Oakland Estates planning area encompasses 937 acres bound by Prue Road to the north, a small portion of Fredericksburg Road to the northeast, Huebner Road to the southeast and Babcock Road to the southwest. The Oakland Estates Neighborhood Plan was adopted by City Council on August 31, 2000, and is identified in Section 35-420 (h) of the Unified Development Code as a plan for which rezoning shall be consistent.

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

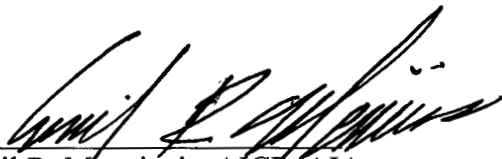

A Master Plan Amendment carries no specific financial commitment to immediate action by the City or partnering agencies.

COORDINATION

All registered Neighborhood Associations, Planning Team Members within the Oakland Estates Neighborhood 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 July 6, 2004 and recommended approval. The rezoning case will be considered by City Council on October 14, 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
Neighborhood Plan Text as Adopted

III. ZONING AND LAND USE

A. Zoning

It is recommended that the existing zoning (see attached zoning map) remain unchanged to maintain the country-like conditions and life style that property owners now enjoy.

This neighborhood plan recognizes that under the Unified Development Code a property owner has the right to request rezoning. The property owner would address all environmental issues that are set forth by the City of San Antonio guidelines and regulations, such as drainage, flooding, pollution, traffic, and noise, that might arise from rezoning within Oakland Estates. However, it should be remembered that the majority of property owners want to maintain low density residential zoning and are not in favor of commercial zoning throughout the Oakland Estates Neighborhood.

The neighborhood understands that a common development pattern is for commercial and business activities to locate at the main intersections of arterial roads (i.e. commercial nodes). In the Oakland Estates Neighborhood, these types of "commercial nodes" are formed at the intersections of Prue-Babcock, Huebner-Babcock, Prue-Fredericksburg, and Huebner-Fredericksburg.

If commercial establishments are built on those parcels already zoned commercial, adequate landscaping and design criteria to preserve the country property atmosphere of adjoining residential properties should be encouraged. A 25 foot buffer zone and solid fence or wall should be encouraged for commercial zoning. The buffer zone should preserve and supplement natural vegetation to maintain a natural setting within the City's appropriate structure size and placement and staying within City policies.

The Oakland Estates Neighborhood Association will be notified of any and all zoning change requests within the Oakland Estates boundaries by City Zoning and Planning as per the revised Neighborhood Notification Program.

1 ACRE MINIMUM LOT SIZE: This neighborhood plan, recognizes the R-1 zoned two (2) to three (3) acre average home sites, recommended that the property owners maintain the suggested minimum lot size of one acre.

Recognizing that a majority of the property along Prue Road currently is zoned R-1 (R-1 provides for a minimum lot size of 6,000 sq. ft.), this neighborhood plan recommends that any development under the R-1 zoning district maintain a country-like environment. Property owners will strive to preserve and supplement natural vegetation to maintain a natural setting within the City's appropriate structure size and placement and staying within City policies. This neighborhood plan defines maintain a country-like environment as encouraging: the maintenance of the existing, natural landscape as much as possible, the supplementation of existing landscaping, building setbacks that provide for visual buffering, and a natural vegetation border between houses.

It is the desire of the majority of property owners that high density housing such as R-7 residential zoning, R-3 apartments, duplexes, R-4 mobile home parks, and any other high density-type housing not be permitted to be zoned within the Oakland Estates Neighborhood boundaries.

Attachment 2
Proposed Text Amendment

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RESOLUTION NO. 04-08-04

RECOMMENDING TO APPROVE THE AMENDMENT TO THE TEXT THAT DESCRIBES COMMERCIAL NODES TO ADD THE "INTERSECTION OF OAKLAND AND HUEBNER" TO CHAPTER III ZONING AND LAND USE, SECTION A. ZONING, IN THE OAKLAND ESTATES NEIGHBORHOOD PLAN.

WHEREAS, City Council approved the Oakland Estates Neighborhood Plan as an addendum to the Master Plan on August 31, 2000; 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 August 25, 2004 and **APPROVED** the amendment on August 25, 2004.

WHEREAS, the San Antonio Planning Commission made a finding that the affected neighborhood association as a leading member of the planning team supported this amendment and the Planning Commission relies on that support to determine consistency; and

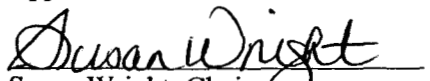
WHEREAS, the San Antonio Planning Commission has considered the effect of this amendment to the Master Plan and found the amended plan to be **CONSISTENT** with City policies, plans and regulations and in conformance with the *Unified Development Code*, Section 35-420, therefore meeting all requirements; and

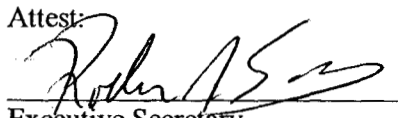
NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO:

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

PASSED AND APPROVED ON THIS 25th DAY OF AUGUST 2004.

Approved:


Susan Wright, Chairperson
San Antonio Planning Commission

Attest:

Executive Secretary
San Antonio Planning Commission

AN ORDINANCE

AMENDING THE TEXT CONTAINED IN THE OAKLAND ESTATES NEIGHBORHOOD PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE TEXT THAT DESCRIBES COMMERCIAL NODES TO ADD THE "INTERSECTION OF OAKLAND AND HUEBNER" TO CHAPTER III ZONING AND LAND USE, SECTION A. ZONING, IN THE OAKLAND ESTATES NEIGHBORHOOD PLAN.

*** * * * ***

WHEREAS, the Oakland Estates Neighborhood Plan was adopted on August 31, 2000 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 August 25, 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 Oakland Estates Neighborhood Plan, a component of the Master Plan of the City, is hereby amended by changing the text that describes commercial nodes to add the "intersection of Oakland and Huebner" to Chapter III Zoning and Land Use, section A. Zoning, in the Oakland Estates Neighborhood Plan. All portions of text 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

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