

ZONING CASE: Z2005-284

City Council District No. 5

Requested Zoning Change

From "I-1 RIO-4" To "IDZ RIO-4"

Date: February 09, 2006

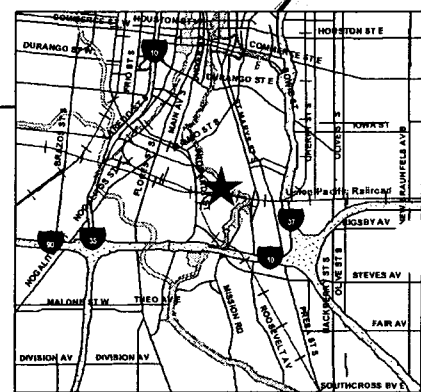
Scale: 1" = 300'

Subject Property

200' Notification



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CASE NO: Z2005284

Staff and Zoning Commission Recommendation - City Council

Date: February 09, 2006

Zoning Commission Meeting Date: January 17, 2006

Council District: 5 **Ferguson Map:** 616 E8

Applicant: James G. Lifshutz
Owner: Big Tex San Antonio

Zoning Request: From "I-1" RIO-4 General Industrial River Improvement Overlay District-4 to "IDZ" RIO-4 Infill Development Zone River Improvement Overlay District-4
7.528 acres out of NCB A-14

Property Location: 300 and 400 Block of Blue Star Street
Located between the San Antonio River and Missouri Pacific Railroad on Blue Star Street

Proposal: Mixed use facilities

Neighborhood Association: King William Neighborhood Association and Lone Star Neighborhood Association (within 200 feet)

Neighborhood Plan: Downtown Neighborhood Plan

Traffic Impact Analysis:

A Traffic Impact Analysis is not required for the "IDZ" Infill Development Zone District.

Staff Recommendation:

Consistent

The Downtown Land Use Plan recommends mixed-use development including multi-family uses with a maximum density of 40 units per acre.

Approval

The subject property is located between the San Antonio River and the Missouri Pacific Railroad on Blue Star Street. The property is located off of Probandt Street, which is classified as a secondary arterial. Currently there are art silos and structures located on the subject property. The applicant is proposing a mixed-use development including uses such as apartments, galleries, and offices. The proposed "IDZ" Infill Development Zone will permit any use allowed within any residential, office, neighborhood commercial, commercial, or downtown district. The Master Plan calls for infill development on vacant lots and the "IDZ" would promote development on these underutilized lots.

Zoning Commission Recommendation:

Approval with a density limit of 40 units per acre

CASE MANAGER : Robin Stover 207-7945

VOTE

FOR	8
AGAINST	2
ABSTAIN	0
RECUSAL	0

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ZONING CASE NO. Z2005284 – December 20, 2005

Applicant: James G. Lifshutz.

Zoning Request: "I-1" RIO-4 General Industrial River Improvement Overlay District 4 to IDZ" Rio-4 Infill Development Zone River Improvement Overlay District 4.

James Lifshutz, 215 W. Travis, stated that he is requesting the rezoning for redevelopment of the property with 150 apartment units and retail space. He further stated that the project is an expansion of the Blue Star Complex and represents the latest thinking in urban design and mixed-use design featuring pedestrian orientation in scale. He noted that Councilperson Radell has called several public meetings at which there has been ample community input.

FAVOR

Bill Fitzgivens, Executive Director of Blue Staff Center, stated that they fully support the development of Big Tex with the zoning change because they feel that it is important for the community and the Blue Star Complex.

Gloria Arecchi, 130 Crofton, stated that she lives directly across the subject property and she is very much in favor of the rezoning because she would rather prefer having a mixed use/residential property instead of heavy industrial.

Christopher Egan, 732 S. Alamo, Architect with Egan Martinez Design, stated that they are in support with the project because it is in keeping with the what they consider the lower end of the Southtown commercial development.

Mike Casey, 1212 S. Alamo, stated that he is in support of the request because he is in full support of the revitalization of South Alamo.

Mike Wiederhold, 203 King William, stated that he is in support of the request because he would like to see more residential and art opportunities in their neighborhood.

Penelope Boyer, 127 Callaghan Ave., stated that she is an active member in the Arts community and stated that she very strongly supports the request.

Julie Hooper, resident of King William Historic District and business owner, stated that she is very much in support of the request.

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Steve Endo, 1119 S. St. Mary's, stated the he is in support of the request. He further stated that he has attended the community meetings and the people that are opposing the rezoning are opposing other matters nothing related to the zoning. He stated that he is a member of the King William Neighborhood Association and the Southtown Neighborhood Association.

OPPOSE

Mary Ozuna, 140 Simon, stated that she is a member of the South Central Planning Committee and the South Central Plan. She further stated that she is opposed to the proposed development because she is concerned that the notices that were mailed out had a discrepancy on the Council District – she pointed out that on the map it stated District 1 and on the notice it has District 5.

Margarita Maldonado, 841 E. Guenther, stated that she is opposed because the she received a notice that had a discrepancy on the Council District. She further stated that she attended a community meeting and at that time she asked the developer questions regarding contamination of the property. She also stated that she is concerned about an emergency management plan, what would happen is there was a train derailment; she would also like to see a Traffic Impact Study done in the area. She asked that the request be denied.

Ellen Garza, 824 E. Guenther, stated that she is opposed to the proposed rezoning and asked that the request be denied. She further stated that she is a member of the Fields of Missions Neighborhood Association.

Santiago Escobedo, 631 Mission St., stated that he is opposed to the proposed rezoning because he is concerned there they have not received any type of assurance that the property was cleared of asbestos contamination. He stated that he is not against the development but would like to see a environmental report and asked that the Commission deny the request.

Anita Anderson, 829 E. Guenther, stated that she is opposed to the rezoning because she is concerned about the public safety issues. She further stated she has issues with the Union Pacific train derailments and environmental hazards.

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REBUTTAL

James Lifshutz, 215 W. Travis, gave a brief history of the property, W.R. Grace was a tenant at Big Tex during in the 50s' and 70s'. He further stated that he had an environmental company do additional testing on the site around the building, part of which Grace occupied. He stated that he also had a great deal of environmental work done, which was addressed to him, and it indicated no hazardous materials were found on the site. He stated that he would prefer not to have the case continued and asked the Commission to take action on this case today.

Staff stated there were 31 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no response from the King William Neighborhood Association and Lone Star Neighborhood Association.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

FINDING OF CONSISTENCY OF THE MASTER PLAN

COMMISSION ACTION

The motion was made by Commissioner Rodriguez and seconded by Commissioner Avila to find consistency with the neighborhood plan.

AYES: Martinez, Robbins, Rodriguez, Sherrill, Avila, Gray, McAden, Kissling

NAYS: None

THE MOTION CARRIED

COMMISSION ACTION

The motion was made by Commissioner Rodriguez and seconded by Commissioner Avila deny the request.

AYES: Martinez, Rodriguez, Avila,

NAYS: Robbins, Sherrill, Gray, McAden

ABSTAIN: Kissling

THE MOTION FAILED

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Second motion

COMMISSION ACTION

The motion was made by Commissioner Gray and seconded by Commissioner Robbins to approve the request.

AYES: Martinez, Robbins, Sherrill, McAden, Gray

NAYS: Rodriguez, Kissling, Avila

THE MOTION FAILED

Third motion

COMMISSION ACTION

The motion was made by Commissioner Sherrill and seconded by Commissioner McAden for a continuance until January 17, 2006.

1. Property is located on 7.528 acres out of NCB A-14 at 300-400 Blue Star.
2. There were 31 notices mailed, 0 returned in opposition and 0 in favor.
3. Staff recommends approval.

AYES: Sherrill, McAden, Robbins, Gray

NAYS: Martinez, Rodriguez, Kissling, Avila

THE MOTION FAILED.

***THE CASE WAS AUTOMATICALLY CONTINUED UNTIL JANUARY 17, 2006
DUE TO A LACK OF MAJORITY VOTE.***

ZONING CASE NO. Z2005284 – January 17, 2006

Applicant: James G. Lifshutz

Zoning Request: "I-1" "RIO-4" General Industrial River Improvement Overlay District 4
to "IDZ" "RIO-4" Infill Development Zone River Improvement
Overlay District 4.

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James Lifshutz, 215 W. Travis, applicant, stated this 7-½ acre tract, which is adjacent to the 6-acre Blue Star Arts Complex which is a project he developed. He stated the purpose of this zoning change is to allow redevelopment of Big Tex property to expand Blue Star Complex. He stated he is proposing 150 apartment units and 50,000 square feet of commercial space. He further stated they have designed the density the improvements to be limited by the single entry/exit to the property.

FAVOR

Julie Hooper, 210 King William, stated she feels Mr. Lifshutz project would be good for the community. She state his proposal is consistent with the master plan of the area and feels this property is appropriate for this type of development.

Patrick Shearer, 228 E. Cevallos, stated he also is in support of Mr. Lifshutz request. He feels this area is appropriate for the type of development. He feels retaining the industrial zoning designation would invite an industrial business to come into the neighborhood and have which have a negative impact on the River and the community. He further stated this development is consistent with neighborhood plan of the area.

OPPOSE

Sanitago Escobedo, 631 Mission Street, stated this area is filled with asbestos and expressed health concerns for the community. He stated as this project is being develop it will stir up the asbestos along with any other contaminant which would cause a health hazard to the residents in the immediate area. He also expressed concerns with the egress/ingress of this development. He would like to know how if an emergency occurs how and where would the tenants be directed.

Anita Anderson, 829 E. Guenther, stated she also is in opposition of this project. She expressed concerns with the egress/ingress and concerns with the railroad tracks being so close to the proposed development. She stated there have been two derailments on these tracks and is concerned with how the tenants would escape from an emergency situation such as this. She feels having residential development in this area is inappropriate.

Margarita Maldonado, 841 E. Guenther, stated would like to express the same concerns as Mr. Escobedo and Mrs. Anderson. She stated these tracks are very active which go directly thru the property or adjacent to the subject property. She stated these trains carry hazard chemicals, waste, scrap metal and other unhealthy substances that would pose a threat to this development. She feels the loud blurring whistle of the trains and engines running at all hours of the day and night would have a negative impact on this new apartment complex.

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David Newman, City Environmental Services Mgr., stated the environmental issue in this case is an issue between the State of Texas and the property owner. He stated they have met with the regional manager of the State of Texas on this environmental issue and was informed that they would work with the developer on this issue and would make sure the developer complies with all State and Federal Regulations respective to Asbestos or any other environmental rules.

REBUTTAL

James Lifshutz, applicant, stated he does not feel environmental issues with a zoning change. He stated he intends comply with State and Federal Regulations with the environmental issues as the development progresses.

Staff stated there were 32 notices mailed out to the surrounding property owners, 2 returned in opposition and 9 returned in favor and no response from King William and Lone Star Neighborhood Association.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

FINDING OF CONSISTENCY OF THE MASTER PLAN

COMMISSION ACTION

The motion was made by Commissioner Rodriguez and seconded by Commissioner McAden to find consistency with the neighborhood plan.

AYES: Martinez, Robbins, Rodriguez, Kissling, Marshall, Sherrill, McAden, Avila, Stribling, Gray

NAYS: None

THE MOTION CARRIED

COMMISSION ACTION

The motion was made by Commissioner Rodriguez and seconded by Commissioner Avila to recommend denial.

AYES: Martinez, Rodriguez, Kissling, Avila

NAYS: Robbins, Marshall, Sherrill, McAden, Stribling, Gray

THE MOTION FAILED

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COMMISSION ACTION

The motion was made by Commissioner Robbins and seconded by Commissioner McAden to recommend approval with multi family not exceeding 4 units per acre.

1. Property is located on 7.528 acres out of NCB A14, 300-400 Blue Star.
2. There were 32 notices mailed, 2 returned in opposition and 9 in favor.
3. Staff recommends approval.

AYES: Martinez, Robbins, Kissling, Marshall, Sherrill, McAden, Stribling, Gray

NAYS: Rodriguez, Avila

THE MOTION CARRIED

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.

**CITY OF SAN ANTONIO
INTERDEPARTMENTAL MEMORANDUM**

TO: Robin Stover, Development Services Department

FROM: Brian Chandler, Senior Planner, Historic Preservation Division

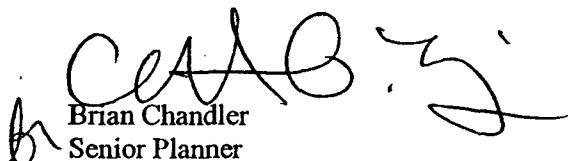
COPIES: Roderick Sanchez, Assistant Director; File

SUBJECT: Zoning Case Z2005038

DATE: March 7, 2005

The property located at the 300-400 blocks of Blue Star Street is currently zoned "I-1 RIO-4" General Industrial, River Improvement Overlay District 4. The applicant's request is to rezone the property to "IDZ RIO-4" Infill Development Zone, River Improvement Overlay District 4 to develop a mixed-use facility.

The Historic Preservation Division regulates the River Improvement Overlay Districts. The Historic Preservation staff recommends approval of this request. The Infill Development Zone District is designed to provide flexible standards for the development and reuse of underutilized parcels. Any new construction or renovation of the existing buildings would have to meet the provisions of the River Improvement Overlay District Ordinance, which protects, preserves and enhances the San Antonio River and its improvements by establishing design standards and guidelines for properties located near the river.


Brian Chandler
Senior Planner
Historic Preservation Division
Planning Department