

46

AN ORDINANCE

100406

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SAN ANTONIO BY AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, SECTION 35-304, OF THE CITY CODE OF SAN ANTONIO, TEXAS BY CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY.

* * * * *

WHEREAS, a public hearing was held regarding this amendment to the Official Zoning Map at which time parties in interest and citizens were given an opportunity to be heard; and

WHEREAS, the Zoning Commission has submitted a final report to the City Council regarding this amendment to the Official Zoning Map of the City of San Antonio; NOW THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Chapter 35, Unified Development Code, Section 35-304, Official Zoning Map, of the City Code of San Antonio, Texas is amended so that it shall include the following described change of zoning classification of the following property:

CASE NO. Z2005005

The change of zoning classification from "R-6" Residential Single-Family District to "R-5" Residential Single-Family District on 44.96 acres and "C-2" Commercial District on 5.95 acres out of NCB 18296 on the property listed as follows:

50.91 acres out of NCB 18296

SECTION 2. A description of the property is attached as Exhibit "A" and made a part hereof and incorporated herein for all purposes.

SECTION 3. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35 -491.

SECTION 4. The Director of Planning shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 5. This ordinance shall become effective immediately upon passage if passed by eight or more votes otherwise this ordinance shall become effective February 20, 2005.

PASSED AND APPROVED this 10th day of February 2005.

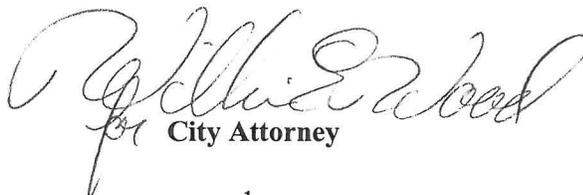


M A Y O R
EDWARD D. GARZA

ATTEST


City Clerk

APPROVED AS TO FORM


City Attorney

Agenda Voting Results

Name: 4G.

Date: 02/10/05

Time: 02:19:17 PM

Vote Type: Multiple selection

Description: ZONING CASE NUMBER Z2005005: The request of Obra Homes & Culebra-Galm, Ltd., Applicant, for Obra Homes & Culebra-Galm, Ltd., Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "R-5" Residential Single-Family District on 44.96 acres and "C-2" Commercial District on 5.95 acres, all out of NCB 18296 on 50.91 acres out of NCB 18296, 12891 FM 471 West. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 6)

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1	Not present			
JOEL WILLIAMS	DISTRICT 2		x		
RON H. SEGOVIA	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
ENRIQUE M. BARRERA	DISTRICT 6		x		
JULIAN CASTRO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
CARROLL SCHUBERT	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR ED GARZA	MAYOR		x		



FIELD NOTES
FOR
R-4
0.23 Acre Tract

Being a 0.23 acre tract of land out of the M.M.Y. Musquiz Survey No. 80, Abstract No. 467, County Block 4450, NCB 18296, City of San Antonio, in Bexar County, Texas; said 0.23 acres of land being out of a 370.47 acre tract recorded in Volume 10866, Page 739, of the Real Property Records of Bexar County, Texas; and being more particularly described by metes and bounds as follows:

COMMENCING at a found concrete highway right-of-way monument in the northeast right-of-way line of FM 471 (Culebra Road – ROW width varies) at the intersection of the eastern cutback line at Galm Road;

THENCE with the southeast right-of-way lines of Galm Road for the following calls:
N 21°24'05" W for a distance of 36.92 feet to a found ½" iron rebar with Cude Engineering cap;
N 24°29'55" E for a distance of 432.23 feet to the POINT OF BEGINNING; a found ½" rebar with Bexar County cap at the westernmost corner of the above referenced 370.47 acre tract bears N 24°29'55" E – 2682.49 feet;

THENCE N 24°29'55" E continuing with the right-of-way of Galm Road for a distance of 41.85 feet to point on the City Limit Line of the City of San Antonio, Texas;

THENCE through the interior of the above referenced 370.47 acre tract for the following calls:
S 66°00'52" E with said City Limit Line for a distance of 317.69 feet to a point;
With a non-tangent curve to the right having a radius of 373.00 feet and a central angle of 24°03'28", the chord bears N 79°44'34" W – 155.47 feet, for a distance of 156.62 feet to a point of tangency;
N 67°42'50" W for a distance of 167.11 feet;

To the POINT OF BEGINNING, and containing 0.23 acres of land, more or less.

- Bearings shown are based on the southeast right of way line of Galm Road called as N 24°29'55" E in the deed recorded in Volume 10838, Page 279 of the Real Property Records of Bexar County, Texas.

I hereby certify that this description conforms to the minimum standards set forth by the Texas Board of Professional Land Surveying according to an actual survey made on the ground by employees of "Denham Ramones Engineering and Associates, Inc."

Date: *December 20, 2004*

Gary B Neill

Gary B. Neill
R.P.L.S. #3964



Warning: Only those copies with the Signature and Seal in red should be relied upon.



FIELD NOTES
FOR
R-4
44.73 Acre Tract

Being a 44.73 acre tract of land out of the M.M.Y. Musquiz Survey No. 80, Abstract No. 467, County Block 4450, NCB 18296, City of San Antonio, in Bexar County, Texas; said 44.73 acres of land being out of a 370.47 acre tract recorded in Volume 10866, Page 739, of the Real Property Records of Bexar County, Texas; and being more particularly described by metes and bounds as follows:

COMMENCING at a found concrete highway right-of-way monument in the northeast right-of-way line of FM 471 (Culebra Road – ROW width varies) at the intersection of the eastern cutback line at Galm Road;

THENCE S 66°00'52" E with the northeast right-of-way line of FM 471 for a distance of 515.00 feet to the POINT OF BEGINNING;

THENCE through the interior of the above referenced 370.47 acre tract for the following calls:
N 23°59'08" E for a distance of 500.00 feet to a point on the City Limit Line of the City of San Antonio, Texas;
S 66°00'52" E with said City Limit Line for a distance of 845.31 feet to an angle point;
S 65°05'30" E with said City Limit Line for a distance of 1286.09 feet to an angle point;
S 65°30'14" E with said City Limit Line for a distance of 1766.32 feet to a point on the southeast line of the before mentioned 370.47 acre tract;

THENCE S 24°10'20" W for a distance of 500.01 feet to found 1" iron pipe at the southeast corner of the 370.47 acre tract on the northeast right-of-way line of FM 471; said pipe being the southeast corner of this description;

THENCE with the northeast right of way of FM 471 (Culebra Road) for the following calls:
N 65°30'14" W for a distance of 1770.95 feet to a found concrete ROW monument;
N 65°05'30" W for a distance of 1283.86 feet to a found concrete ROW monument;
N 66°00'52" W for a distance of 841.28 feet;

To the POINT OF BEGINNING, and containing 44.73 acres of land, more or less.

44.73 Acre Tract
Page 2 of 2

- Bearings shown are based on the southeast right of way line of Galm Road called as N 24°29'55" E in the deed recorded in Volume 10838, Page 279 of the Real Property Records of Bexar County, Texas.

I hereby certify that this description conforms to the minimum standards set forth by the Texas Board of Professional Land Surveying according to an actual survey made on the ground by employees of "Denham Ramones Engineering and Associates, Inc."

Date: *December 20, 2004*

Gary B Neill

Gary B. Neill
R.P.L.S. #3964



Warning: Only those copies with the Signature and Seal in red should be relied upon.



FIELD NOTES
FOR
C-3
3.78 Acre Tract

Being a 3.78 acre tract of land out of the M.M.Y. Musquiz Survey No. 80, Abstract No. 467, County Block 4450, NCB 18296, City of San Antonio, in Bexar County, Texas; said 3.78 acres of land being out of a 370.47 acre tract recorded in Volume 10866, Page 739, of the Real Property Records of Bexar County, Texas; and being more particularly described by metes and bounds as follows:

BEGINNING at a found concrete highway right-of-way monument in the northeast right-of-way line of FM 471 (Culebra Road – ROW width varies) at the intersection of the eastern cutback line at Galm Road;

THENCE with the southeast right-of-way lines of Galm Road for the following calls:

N 21°24'05" W for a distance of 36.92 feet to a found ½" iron rebar with Cude Engineering cap;

N 24°29'55" E for a distance of 332.16 feet to a point;

THENCE through the interior of the above referenced 370.47 acre tract for the following calls:

S 67°42'50" E for a distance of 170.97 feet to point;

With a tangent curve to the left having a radius of 473.00 feet and a central angle of 21°07'56", the chord bears S 78°16'48" E – 173.47 feet, for a distance of 174.46 feet to point;

S 66°00'52" E for a distance of 97.90 feet to a point for the northeast corner of this description;

S 23°59'08" W for a distance of 400.00 feet to a point on the northeast right-of-way line of FM 471; said point being the southeast corner of this description; a found concrete highway monument bears S 66°00'52" E - 941.28 feet;

THENCE N 66°00'52" W with the northeast right-of-way line of FM 471 for a distance of 415.00 feet to the POINT OF BEGINNING, and containing 3.78 acres of land, more or less.

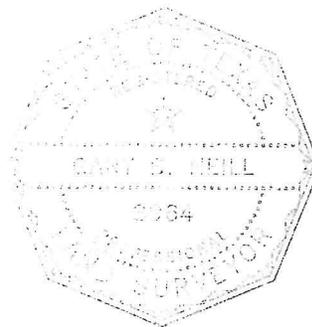
- Bearings shown are based on the southeast right of way line of Galm Road called as N 24°29'55" E in the deed recorded in Volume 10838, Page 279 of the Real Property Records of Bexar County, Texas.

I hereby certify that this description conforms to the minimum standards set forth by the Texas Board of Professional Land Surveying according to an actual survey made on the ground by employees of "Denham Ramones Engineering and Associates, Inc."

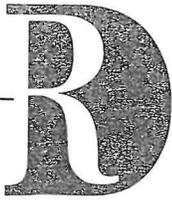
Date: *December 20, 2004*

Gary B. Neill

Gary B. Neill
R.P.L.S. #3964



Warning: Only those copies with the Signature and Seal in red should be relied upon.



FIELD NOTES
FOR
C-2
2.17 Acre Tract

Being a 2.17 acre tract of land out of the M.M.Y. Musquiz Survey No. 80, Abstract No. 467, County Block 4450, NCB 18296, City of San Antonio, in Bexar County, Texas; said 2.17 acres of land being out of a 370.47 acre tract recorded in Volume 10866, Page 739, of the Real Property Records of Bexar County, Texas; and being more particularly described by metes and bounds as follows:

COMMENCING at a found concrete highway right-of-way monument in the northeast right-of-way line of FM 471 (Culebra Road – ROW width varies) at the intersection of the eastern cutback line at Galm Road;

THENCE with the southeast right-of-way lines of Galm Road for the following calls:

N 21°24'05" W for a distance of 36.92 feet to a found ½" iron rebar with Cude Engineering cap;

N 24°29'55" E for a distance of 332.16 feet the POINT OF BEGINNING; a found ½" rebar with Bexar County cap at the westernmost corner of the above referenced 370.47 acre tract bears N 24°29'55" E – 2782.56 feet;

THENCE N 24°29'55" E continuing with the right-of-way of Galm Road for a distance of 100.07 feet to a ½" rebar with Denham-Ramones Engineering plastic cap;

THENCE through the interior of the above referenced 370.47 acre tract for the following calls:

S 67°42'50" E for a distance of 167.11 feet to a ½" rebar with Denham-Ramones Engineering plastic cap;

With a tangent curve to the left having a radius of 373.00 feet and a central angle of 24°03'28", the chord bears S 79°44'34" E – 155.47 feet, for a distance of 156.62 feet to a point on the City Limit Line of the City of San Antonio, Texas;

S 66°00'52" E with said City Limit Line for a distance of 219.35 feet to a point;

S 23°59'08" W for a distance of 500.00 feet to ½" rebar with Denham-Ramones Engineering plastic cap on the northeast right-of-way line of FM 471; said rebar being the southeast corner of this description; a found concrete highway monument bears S 66°00'52" E - 841.28 feet;

THENCE N 66°00'52" W with the northeast right-of-way line of FM 471 for a distance of 100.00 feet to a point; a concrete highway monument at the point of commencing bears N 66°00'52" W – 415.00 feet;

THENCE returning through the interior of the 370.47 acre tract for the following calls:

2.17 Acre Tract

Page 2 of 2

N 23°59'08" E for a distance of 400.00 feet to a point for a re-entrant corner of this description;
N 66°00'52" W for a distance of 97.90 feet to a point;
With a non-tangent curve to the left having a radius of 473.00 feet and a central angle of 21°07'56", the chord bears N 78°16'48" W – 173.47 feet, for a distance of 174.46 feet to point of tangency;
N 67°42'50" W for a distance of 170.97 feet;

To the POINT OF BEGINNING, and containing 2.17 acres of land, more or less.

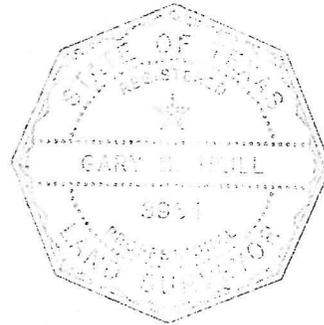
- Bearings shown are based on the southeast right of way line of Galm Road called as N 24°29'55" E in the deed recorded in Volume 10838, Page 279 of the Real Property Records of Bexar County, Texas.

I hereby certify that this description conforms to the minimum standards set forth by the Texas Board of Professional Land Surveying according to an actual survey made on the ground by employees of "Denham Ramones Engineering and Associates, Inc."

Date: *December 20, 2004*

Gary B Neill

Gary B. Neill
R.P.L.S. #3964



Warning: Only those copies with the Signature and Seal in red should be relied upon.

CASE NO: Z2005005

Staff and Zoning Commission Recommendation - City Council

Date: February 10, 2005

Zoning Commission Meeting Date: January 18, 2005

Council District: 6

Ferguson Map: 545 B8

Appeal: No

Applicant: Owner

Obra Homes & Culebra-Galm, Ltd.

Obra Homes & Culebra-Galm, Ltd.

Zoning Request: From R-6 Residential Single-Family District to R-5 Residential Single-Family District on 44.96 acres and C-2 Commercial District on 5.95 acres out of NCB 18296

50.91 acres out of NCB 18296

Property Location: 12891 FM 471 West

North east corner of Galm Road and Culebra Road

Proposal: Commercial and residential use

Neighborhood Association: None

Neighborhood Plan: None

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Approval. The subject property is a small part of a large development, which will contain a small portion of commercial zoning and the remaining residential zoning. The subject property is vacant undeveloped land and surrounded by undeveloped land.

Zoning Commission Recommendation

Approval

CASE MANAGER : Richard Ramirez 207-5018

VOTE

FOR 10

AGAINST 0

ABSTAIN 0

RECUSAL 0

Z2005005

ZONING CASE NO. Z2005005 – January 18, 2005

Applicant: Obra Homes & Culebra-Galm, Ltd.

Zoning Request: “R-6” Historic Residential Single Family District to “R-4” Residential Single Family District on 44.96 acres, “C-3” General Commercial District on 3.78 acres and “C-2” Commercial District on 2.17 acres out of NCB 18296.

Chad Kerry, 900 Isom, representing the applicant, stated at this time he would like to amend their request to “R-5” and “C-2”. He stated the subject property would be part of a larger master plan project. The major of the property will be residential with some commercial use.

Staff stated there were 3 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor.

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.

COMMISSION ACTION

The motion was made by Commissioner Peel and seconded by Commissioner Sherrill to recommend approval of “R-5” and “C-2”.

1. Property is located on 50.91 acres out of NCB 18296 at 12891 FM 471 West.
2. There were 3 notices mailed, 0 returned in opposition and 0 in favor.
3. Staff recommends approval.

AYES: Martinez, Robbins, Kissling, Dutmer, Dixon, Sherrill, McAden, Avila, Stribling, Peel

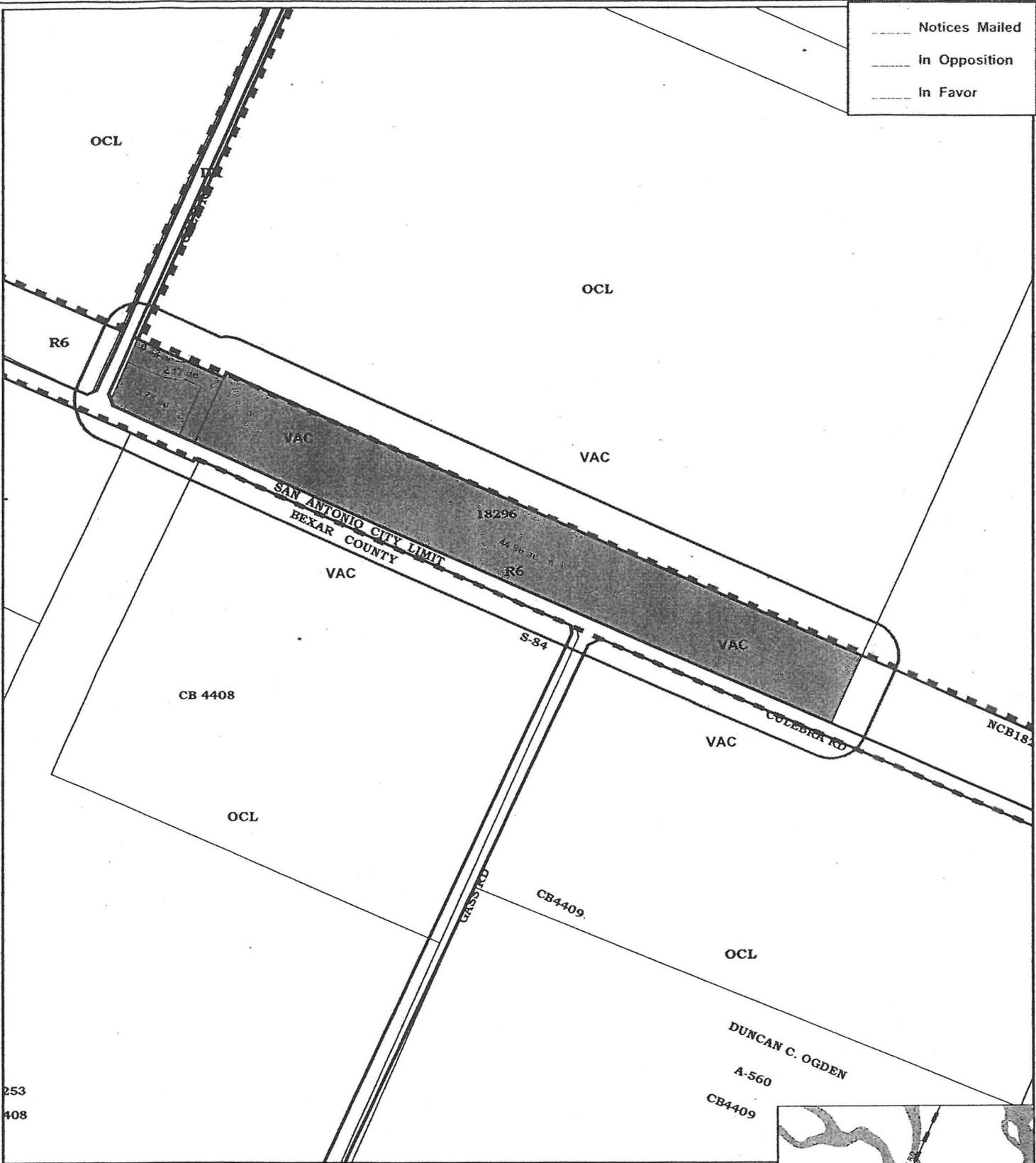
NAYS: None

THE MOTION CARRIED

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.

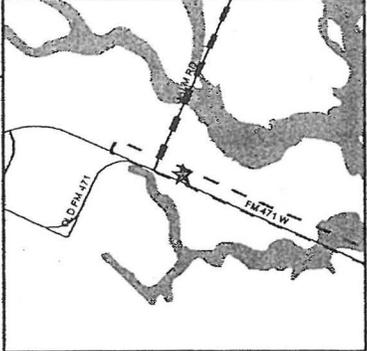
- - - - Notices Mailed
 - - - - In Opposition
 - - - - In Favor



ZONING CASE: Z2005-005

City Council District NO. 6
 Requested Zoning Change
 From: "R-6" To "R-5 and C-2"
 Date: February 10, 2005
 Scale: 1" = 700'

■ Subject Property
 ○ 200' Notification



PUBLIC NOTICE

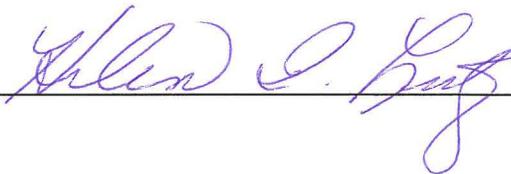
AN ORDINANCE 100406

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 50.91 acres out of NCB 18296, From R-6 Residential Single-Family District to R-5 Residential Single-Family District on 44.96 acres and C-2 Commercial District on 5.95 acres out of NCB 18296. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".
2/14

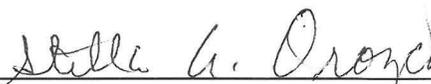
Affidavit of Publisher

STATE OF TEXAS,
COUNTY OF BEXAR
CITY OF SAN ANTONIO

Before me, the undersigned authority, on this day personally appeared Helen I. Lutz, who being by me duly sworn, says on oath that she is Publisher of the Commercial Recorder, a newspaper of general circulation in the City of San Antonio, in the State and County aforesaid, and that the City Of San Antonio-City Clerk-Ordinance 100406 hereto attached has been published in every issue of said newspaper on the following days, to-wit: February 14, 2005.



Sworn to and subscribed before me this 14th day of February, 2005.



Notary Public in and for Bexar County, Texas

