

AN ORDINANCE 2008-06-05-0504

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 DISTRICT BOUNDARY 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 by changing the zoning district boundary of 27.004 acres out of NCB 17639 from "R-6" Residential Single Family District to "C-3 R" General Commercial District, Restrictive Alcohol Sales (4.179 acres) and "C-2" Commercial District (22.825 acres).

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 Development Services 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 on June 15, 2008.

PASSED AND APPROVED this 5th day of June 2008



**M A Y O R
PHIL HARDBERGER**

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
for City Attorney



Request for
**COUNCIL
ACTION**

City of San Antonio



Agenda Voting Results - Z-9

Name:	Z-1, P-1, Z-7, Z-8, Z-9, Z-10, P-2, Z-12, Z-13						
Date:	06/05/2008						
Time:	03:03:21 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2007197 (District 6): An Ordinance changing the zoning district boundary from "R-6" Residential Single Family District to "C-3 R" General Commercial District, Restrictive Alcohol Sales (4.179 acres) and "C-2" Commercial District (22.825 acres) all on 27.004 acres out of NCB 17639, 10148 and 9936 Culebra Road as requested by Jay Khadem, Applicant for Jay Khadem, Owner. Staff and Zoning Commission recommend approval.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Phil Hardberger	Mayor		x				
Mary Alice P. Cisneros	District 1		x			x	
Sheila D. McNeil	District 2		x				
Jennifer V. Ramos	District 3		x				
Philip A. Cortez	District 4		x				
Lourdes Galvan	District 5		x				
Delicia Herrera	District 6	x					
Justin Rodriguez	District 7		x				
Diane G. Cibrian	District 8		x				x
Louis E. Rowe	District 9		x				
John G. Clamp	District 10		x				

Z2007197

ZONING CASE NUMBER Z2007197 (Council District 6) – August 21, 2007

The request of Jay Khadem, Applicant, for Jay Khadem, Owner(s), for a change in zoning from “R-6” Residential Single Family District to “C-3” General Commercial District (17.59 acres) and “MF-33” Multi-Family District (10.34 acres) on 27.75 acres out of NCB 17639, 9936 Culebra Road. Staff recommends approval.

Arnie Gonzalez, representative, requesting a continuance. He stated he is proposing commercial and multi family development.

The following citizen(s) appeared to speak:

Shaukat Zakaria, spoke in opposition.

Staff stated there were 23 notices mailed out to the surrounding property owners, 0 returned in opposition and 5 returned in favor.

COMMISSION ACTION

The motion was made by Commissioner Martinez and seconded by Commissioner Hawkins to recommend a continuance until September 18, 2007.

AYES: Avila, Robbins, Valadez, Gadberry, Hawkins, Sherrill, Martinez, Gray

NAY: None

THE MOTION CARRIED

ZONING CASE NUMBER Z2007197 (Council District 6) – September 18, 2007

The request of Jay Khadem, Applicant, for Jay Khadem, Owner(s), for a change in zoning from “R-6” Residential Single Family District to “C-3” General Commercial District (17.59 acres) and “MF-33” Multi-Family District (10.34 acres) on 27.75 acres out of NCB 17639, 9936 Culebra Road. Staff recommends approval.

Arnie Gonzalez, representative, requesting a continuance to meet with the surrounding property owner to address their concerns.

Z2007197

The following citizen(s) appeared to speak:

Sue Carter, spoke in opposition.

Jan Wells, spoke in opposition.

Shaukat Zakaria, spoke in opposition.

Staff stated there were 23 notices mailed out to the surrounding property owners, 0 returned in opposition and 5 returned in favor and staff has received 3 calls expressing opposition.

COMMISSION ACTION

The motion was made by Commissioner Martinez and seconded by Commissioner Gadberry to recommend a continuance until October 16, 2007.

**AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Martinez,
R. Valadez, Gray**

NAY: None

THE MOTION CARRIED

On October 16, 2007, Zoning Case Z2007197 was postponed as per the applicant's request.

ZONING CASE NUMBER Z2007197 (Council District 6) – May 6, 2008

The request of Jay Khadem, Applicant, for Jay Khadem, Owner(s), for a change in zoning from "R-6" Residential Single Family District to "C-3" R General Commercial District, Restrictive Alcoholic Sales (4.179 acres) and "C-2" Commercial District (22.825 acres) on 27.004 acres out of NCB 17639, 10148 and 9936 Culebra Road. Staff recommends approval.

This case was approved by consent.

Staff stated there were 23 notices mailed out to the surrounding property owners, 2 returned in opposition and 10 returned in favor and Hidden Meadow Community Association is in favor.

Z2007197

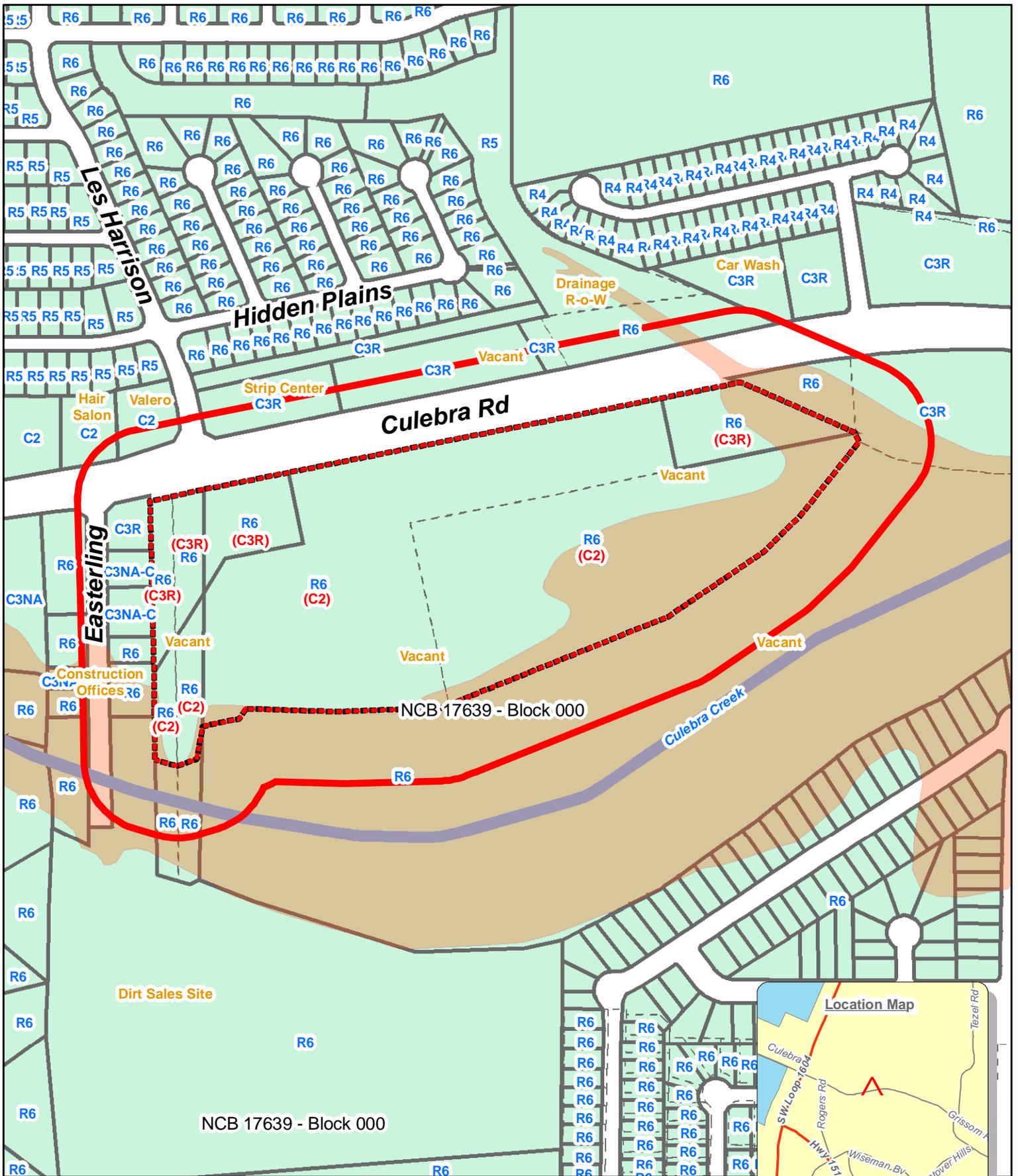
COMMISSION ACTION

The motion was made by Commissioner Gadberry and seconded by Commissioner Wright to recommend approval.

**AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Myers, Wright,
Martinez**

NAY: None

THE MOTION CARRIED



Zoning Case Notification Plan

Case Z-2007-197



Council District 6

Scale: 1" approx. = 350'

Subject Property Legal Description(s): Part of Lots P-6, P-10, and P-11 - NCB 17639 - Block 000

Legend

- Subject Property - - - - - (27.004 Acres)
- 200' Notification Buffer —————
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain

Produced by the City of San Antonio
Development Services Department
(04/18/2008)

Z2007197



16003 Chase Hill Blvd.
San Antonio, Texas 78255
210 722 esol (3765)

**EXHIBIT
FIELD NOTES
FOR C3R ZONING**

Being a 1.672 acre tract of land, out of Parcel P-6 within the G. W. Lewis survey no. 189, abstract no. 441, new city block 17639, as described in instrument recorded in Volume 9473, Pg. 244 of the Official Public Records of Real Property of Bexar County, Texas, and being more particularly described by metes and bounds as follows:

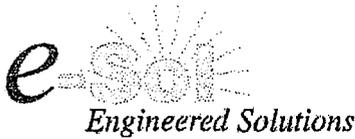
- BEGINNING:** At a point on the on the south line of Culebra Road, a 120 foot right-of-way, and north line of said parcel P-6 ;
- THENCE:** N 78-29-53 E, a distance of 222.36 feet, along the said right-of-way, to an angle point;
- THENCE:** S 66-23-35 E, departing from said right-of-way, a distance of 347.75 feet, to an angle point;
- THENCE:** S 78-29-53 W, a distance of 505.97 feet, to an angle point;
- THENCE:** N 11-44-57 W, a distance of 200.00 feet, to the POINT OF BEGINNING and containing 1.672 acres, in San Antonio, Bexar County, Texas.



Armando A. Aranda
4/18/08

EXHIBIT A

Z2007197



16003 Chase Hill Blvd.
San Antonio, Texas 78255
210 722 esol (3765)

**EXHIBIT
FIELD NOTES
FOR C3R ZONING**

Being 2.507 acre tract of land, out of Parcel P-6 within the G. W. Lewis survey no. 189, abstract no. 441, new city block 17639, as described in instrument recorded in Volume 9473, Pg. 244 of the Official Public Records of Real Property of Bexar County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING: At a point on the on the south line of Culebra Road, a 120 foot right-of-way, and north line of said parcel P-6 ;

THENCE: N 77-58-58 E, a distance of 153.83 feet, along the said right-of-way, to an angle point;

THENCE: N 78-29-53 E, a distance of 237.46 feet, to an angle point;

THENCE: S 11-44-57 E, departing from said right-of-way, a distance of 200.00 feet, to an angle point;

THENCE: S 79-16-13 W, a distance of 219.58 feet, to an angle point;

THENCE: S 31-33-23 W, a distance of 374.82 feet, to an angle point;

THENCE: N 00-45-49 W, a distance of 20.08 feet, to an angle point;

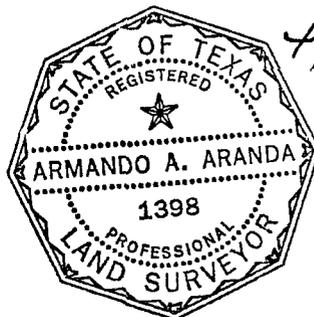
THENCE: N 01-29-51 W, a distance of 74.92 feet, to an angle point;

THENCE: N 01-29-43 W, a distance of 150.08 feet, to an angle point;

THENCE: N 01-36-57 W, a distance of 100.18 feet, to an angle point;

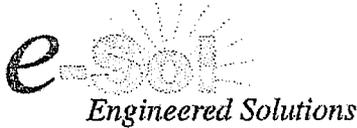
THENCE: N 01-18-41 W, a distance of 131.60 feet, to the POINT OF BEGINNING and containing 2.507 acres, in San Antonio, Bexar County, Texas.

Armando A. Aranda



4/18/08

Z2007197



16003 Chase Hill Blvd.
San Antonio, Texas 78255
210 722 esol (3765)

**EXHIBIT
FIELD NOTES
FOR C2 ZONING**

Being a 22.825 acre tract of land, out of Parcel P-6 within the G. W. Lewis survey no. 189, abstract no. 441, new city block 17639, as described in instrument recorded in Volume 9473, Pg. 244 of the Official Public Records of Real Property of Bexar County, Texas, and being more particularly described by metes and bounds as follows:

- BEGINNING:** At a point on the on the south line of Culebra Road, a 120 foot right-of-way, and north line of said parcel P-6 ;
- THENCE:** N 78-29-53 E, a distance of 24.22 feet, along the said south line of Culebra Road to an angle point;
- THENCE:** N 79-18-59 E, a distance of 700.07 feet, to an angle point;
- THENCE:** N 78-29-53 E, a distance of 325.84 feet, to an angle point;
- THENCE:** S 11-44-57 E, departing from said right-of-way, a distance of 200.00 feet, to an angle point;
- THENCE:** N 78-29-53 E, a distance of 505.97 feet, to an angle point;
- THENCE:** S 23-51-34 E, a distance of 27.38 feet, to an angle point;
- THENCE:** S 38-38-14 W, a distance of 273.50 feet, to an angle point;
- THENCE:** S 45-51-04 W, a distance of 132.19 feet, to an angle point;
- THENCE:** S 55-49-41 W, a distance of 316.21 feet, to an angle point;
- THENCE:** S 68-16-54 W, a distance of 682.37 feet, to an angle point;
- THENCE:** S 88-32-02 W, a distance of 262.41 feet, to an angle point;
- THENCE:** N 88-13-39 W, a distance of 275.02 feet, to an angle point;
- THENCE:** S 31-33-59 W, a distance of 34.23 feet, to an angle point;
- THENCE:** S 78-25-06 W, a distance of 104.71 feet, to an angle point;
- THENCE:** S 09-33-12 W, a distance of 91.78 feet, to an angle point;
- THENCE:** S 71-55-40 W, a distance of 55.08 feet, to an angle point;
- THENCE:** N 73-57-59 W, a distance of 62.50 feet, to an angle point;
- THENCE:** N 00-45-49 W, a distance of 238.87 feet, to an angle point;

Z2007197

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C2 ZONING
22.825 acre

THENCE: N 31-33-23 E, a distance of 374.82 feet, to an angle point;

THENCE: N 79-16-13 E, a distance of 219.58 feet, to an angle point;

THENCE: N 11-44-57 W, a distance of 200.00 feet, to THE POINT OF BEGINNING and containing 22.825 acres, in San Antonio, Bexar County, Texas.

Armando A. Aranda

4/18/08

