

AN ORDINANCE 2007-01-04-0031

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 1.079 acres out of NCB 18164 from "R-6" Residential Single Family District to "C-3" General Commercial District.

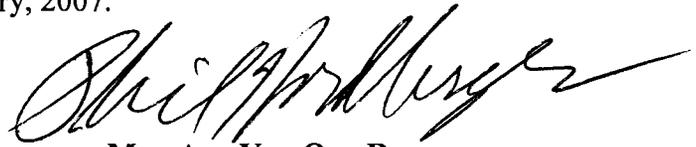
SECTION 2. A description of the property is attached as Exhibit "A" and made a part hereof and incorporated herein for all purposes.

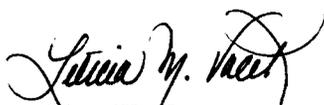
SECTION 3. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

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 effective on January 14, 2007.

PASSED AND APPROVED this 4th day of January, 2007.


M A Y O R
PHIL HARDBERGER

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
City Attorney
for

Agenda Voting Results

Name: Consent Zoning Items 3,4,6,8,9,13,14,15,16,18,19,22,25,26,30,31,35

Date: 01/04/07

Time: 02:23:02 PM

Vote Type: Multiple selection

Description:

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
SHEILA D. MCNEIL	DISTRICT 2		x		
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
DELICIA HERRERA	DISTRICT 6		x		
ELENA K. GUAJARDO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
KEVIN A. WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR PHIL HARDBERGER	MAYOR	Not present			

Northstar Land Surveying, Inc.

**9033 Aero St., Suite 207
San Antonio, Texas 78217
(210) 826-6228**

72007033

ZONING DESCRIPTION FOR

A 1.079 ACRE TRACT OF LAND OUT OF A 236.74 ACRE TRACT CONVEYED IN GENERAL WARRANTY DEED FROM ALLEN C. AND MARY JO LUDWIG AND FREDERICK F. LUDWIG, TO LIN INDRIIO, INC., AS RECORDED IN VOLUME 11413, PAGE 2500, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS; BEING ALSO OUT OF THE JOHN BARRETT SURVEY NUMBER 66, SECTION 2, ABSTRACT NUMBER 47, NEW CITY BLOCK 18164, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING: At a found 1/2 inch iron rod on the west right-of-way line of Cagnon Road, the north corner of a cut-back right-of-way line joining the west right-of-way line of Cagnon Road and the north right-of-way line of U.S. Highway 90.

THENCE: South 35 degrees 28 minutes 32 seconds West (Bearings are based on Texas State Plane Coordinate System Grid Bearings), 80.76 feet coincident with the aforementioned cut-back right-of-way line, to a found 1/2 inch iron rod on the north right-of-way line of U.S. Highway 90, an angle;

THENCE: South 71 degrees 46 minutes 50 seconds West, 449.63 feet coincident with the north right-of-way line of U.S. Highway 90, to a found TxDOT Type 2 Monument, an angle;

THENCE: South 34 degrees 00 minutes 21 seconds East, 46.74 feet coincident with the east right-of-way line of U.S. Highway 90, to a found TxDOT Type 2 Monument, an angle;

THENCE: South 71 degrees 44 minutes 51 seconds West, 589.05 feet coincident with the north right-of-way line of U.S. Highway 90, to a found TxDOT Type 2 Monument, an angle;

THENCE: South 73 degrees 16 minutes 18 seconds West, 597.45 feet coincident with the north right-of-way line of U.S. Highway 90, to a found TxDOT Type 2 Monument, an angle;

THENCE: South 77 degrees 21 minutes 02 seconds West, 692.35 feet coincident with the north right-of-way line of U.S. Highway 90, to a found TxDOT Type 2 Monument, an angle;

THENCE: South 79 degrees 20 minutes 25 seconds West, 382.14 feet to a found TxDOT Type 2 Monument, the southwest corner of the 236.74 acre tract, the southeast corner of a 243.366 acre tract as recorded in Volume 10484, Page 1100, Official Public Records of Real Property of Bexar County, Texas, the southwest corner and **POINT OF BEGINNING** of the herein described tract;

Continued...

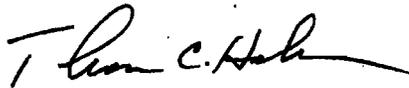
EXHIBIT A

To Ordinance No. _____
Passed on January 4, 2007

Z2007033

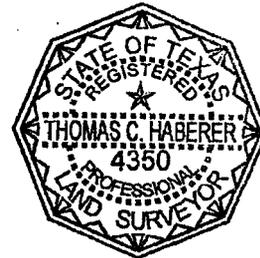
- THENCE:** North 00 degrees 24 minutes 38 seconds West, 263.41 feet coincident with the east line of the above referenced 243.366 acre tract, the west line of the 236.74 acre tract, to the northwest corner of the herein described tract, a point on the City of San Antonio City Limit line;
- THENCE:** North 81 degrees 29 minutes 00 seconds East, 72.56 feet coincident with the City of San Antonio City Limit line, to the beginning of a curve to the left;
- THENCE:** 103.76 feet coincident with the City of San Antonio City Limit line and with said curve to the left, concave to the north, which has a central angle of 01 degree 07 minutes 22 seconds, a radius of 5294.55 feet, and a chord bearing and length of North 80 degrees 55 minutes 19 seconds East, 103.76 feet to the northeast corner of the herein described tract, the non-tangent beginning of a curve to the left;
- THENCE:** 204.45 feet with said curve to the left, concave to the east, which has a central angle of 07 degrees 37 minutes 53 seconds, a radius of 1535.00 feet, and a chord bearing and length of South 07 degrees 37 minutes 53 seconds East, 204.30 feet, to the end of the curve, the most easterly southeast corner of the herein described tract;
- THENCE:** South 34 degrees 16 minutes 50 seconds East, 70.64 feet to a point on the north right-of-way line of U.S. Highway 90, the most southerly southeast corner of the herein described tract;
- THENCE:** South 79 degrees 20 minutes 25 seconds West, 156.71 feet to the **POINT OF BEGINNING**, containing 1.079 acres.

These Field Notes, for zoning purposes only and not to be used for the conveyance of property, are based on a survey made on the ground in December of 2004 by employees of Northstar Land Surveying, Inc. who were working under my supervision, and on the current proposed plat of West Pointe Gardens Unit 1.



Thomas C. Haberer
Registered Professional Land Surveyor #4350

October 20, 2006
Job No. 12-05-0114-Zoning2.



Affidavit of Publisher

**AMENDING CHAPTER 35
OF THE CITY CODE THAT
CONSTITUTES THE COM-
PREHENSIVE ZONING ORDI-
NANCE OF THE CITY OF SAN
ANTONIO BY CHANGING THE
CLASSIFICATION AND RE-
ZONING OF CERTAIN PROP-
ERTY DESCRIBED HEREIN
AS: 1.079 acres of NCB 18164,
TO WIT: From "R-6" Residential
Single Family District to "C-3"
General Commercial District.
*THE PENALTY FOR VIOLA-
TION IS A FINE NOT TO
EXCEED \$1,000.00*.
1/10**

STATE OF TEXAS

COUNTY OF BEXAR

S.A. - CITY CLERK

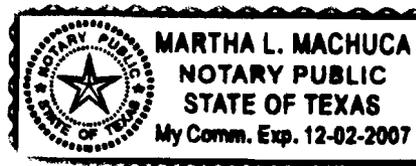
Before me, the undersigned authority, on this day personally appeared Helen I. Lutz, who being by me duly sworn, says on oath that she is Publisher of the Commercial Recorder, a newspaper of general circulation in the City of San Antonio, in the State and County aforesaid, and that the Ordinance 2007-01-04-0031 here to attached has been published in every issue of said newspaper on the following days, to wit:

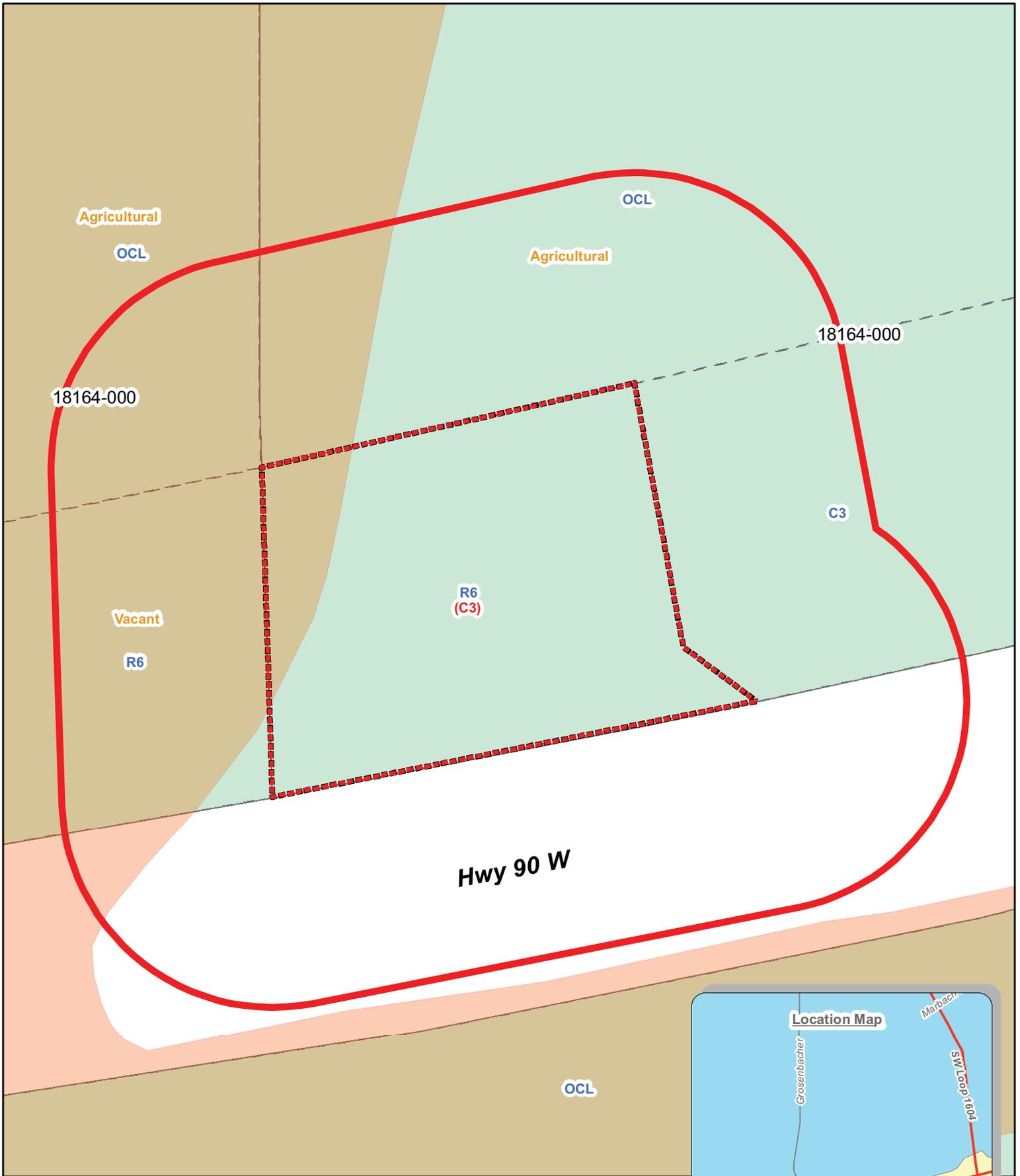
01/10/2007.

Helen I. Lutz

Sworn to and subscribed before me this 10th day of of January, 2007.

Martha L. Machuca





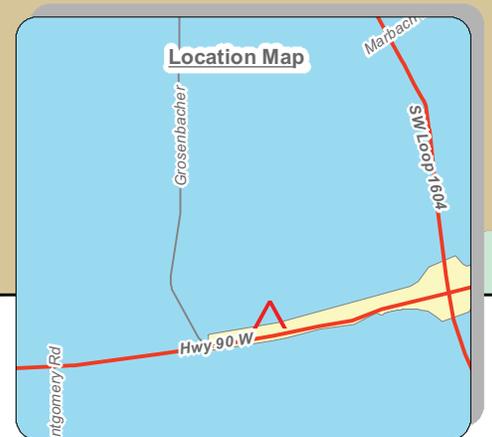
Zoning Case Notification Plan

Case Z-2007-033

Council District 4
 Scale: 1" approx. = 120'



Legend	
Subject Property	Red dashed line
200' Notification Buffer	Red solid line
Property Address	12345
Current Zoning	Blue
Requested Zoning Change	(Red)
Land Use	Orange
NCB - Block	54321-123
100-Year FEMA Floodplain	Yellow



Z2007033

ZONING CASE NUMBER Z2007033 (Council District 4) – December 5, 2006

The request of Brown, P. C., Applicant, for Harlach Farms, Ltd., Owner(s), for a change in zoning from “R-6” Residential Single Family District to “C-3” General Commercial District on 1.079 acres of NCB 18164, South and West of the intersection of Cagnon & IH 90. Staff recommended approval.

Patrick Christensen, representative, proposing to develop a commercial project.

COMMISSION ACTION

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

AYES: Avila, Robbins, Rodriguez, Gadberry, Marshall, Sherrill, Wright, Briones

NAYS: None

THE MOTION CARRIED

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.



**CITY OF SAN ANTONIO
Request for Council Action**

Agenda Item # Z-16
Council Meeting Date: 1/4/2007
RFCAs Tracking No: R-879

DEPARTMENT: Development Services

DEPARTMENT HEAD: Roderick Sanchez

COUNCIL DISTRICT(S) IMPACTED:
Council District 4

SUBJECT:
Zoning Case Z2007033

SUMMARY:

From "R-6" Residential Single Family District to "C-3" General Commercial District.

BACKGROUND INFORMATION:

Zoning Commission Meeting Date: December 05, 2006

Applicant: Brown, P. C.

Owner: Harlach Farms, Ltd.

Property Location: 1.079 acres of NCB 18164

South and West of the intersection of Cagnon and US Hwy 90

Approximate corner of Cagnon and US Hwy 90

Proposal: To allow for commercial development

Neighborhood Association: None

Neighborhood Plan: None

TIA Statement: A Traffic Impact Analysis (TIA) is not required. A TIA was previously submitted and approved for MDP # 003-06; West Pointe Gardens

ISSUE:

None.

ALTERNATIVES:

Staff does not have an alternate recommendation.

FISCAL IMPACT:

None. The applicant has paid the required zoning fees.

RECOMMENDATION:

Staff and Zoning Commission (8-0) recommend Approval.

The subject property is part of a large 237.87-acre tract of land proposed for mixed-use development. A large majority of this development will be located outside the City Limits. The adjacent property to the east is zoned C-3 and was recently rezoned within the last year (Z2006004). Intense commercial development is encouraged at the intersection of major thoroughfares. This property is located at the proposed intersection of Cagnon Road and Highway 90. Cagnon Road will serve as a major arterial, linking the commercial uses of the site and expanding the commercial node.

There is an approved MDP (MDP # 003-06; West Pointe Gardens) corresponding with the development as a whole. It indicates that Cagnon Road will be widened and diverted to the west to make an intersection at this portion of the property. The intersection will be an 85 ft. ROW, which includes the eastern portion of the piece of land in question.

ATTACHMENT(S):

File Description	File Name
Zoning Commission Minutes	Z2007033.pdf
Zoning Map	Z2007033.pdf
Ordinance/Supplemental Documents	200701040031.pdf

DEPARTMENT HEAD AUTHORIZATIONS:

Roderick Sanchez Director (Interim) Development Services

APPROVED FOR COUNCIL CONSIDERATION:

Jelynn Burley Deputy City Manager

