

AN ORDINANCE 87956

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN.

* * * * *

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

SECTION 1. Section 35-3007 of the Unified Development Code which is Chapter 35 of the City Code and constitutes the comprehensive zoning ordinance of the City of San Antonio is hereby amended so that it shall hereafter include the following described changes of classification and the rezoning of the hereinafter designated property to-wit:

CASE NO. Z97259

The rezoning and reclassification of property from "R-1" Single Family Residence District to "B-2" Business and "R-5" Single Family Residence District on the property listed below as follows:

"R-1" to "B-2"
9.420 acres and 29.978 acres out of NCB 16611

"R-1" to "R-5"
167.727 acres out of NCB 16611
Old Foster Road

Field notes describing the above mentioned tract are attached hereto and incorporated herein for purposes.

SECTION 2. All other provisions of Chapter 35, as amended, shall remain in full force and effect, including the penalties for violations as made and provided in Section 35 - 1024.

SECTION 3. The Director of Planning shall change the zoning records and maps in accordance herewith and the same shall be available and open to the public for inspection.

SECTION 4. This ordinance is not severable.

PASSED AND APPROVED THIS 11th DAY OF June 1978

ATTEST: [Signature] City Clerk

[Signature] MAYOR Howard W. Peak

APPROVED AS TO FORM: [Signature] CITY ATTORNEY

**ZONING DESCRIPTION FOR
R-5 ZONING**

BEING A 167.727 ACRE TRACT OF LAND OUT OF 207.125 ACRES, (CALLED 207.784 ACRES SAVE AND EXCEPT 0.689 ACRES), THE REMAINING PORTION OF THE 210 ACRE TRACT RECORDED IN VOLUME 1193, PAGE 219, DEED RECORDS OF BEXAR COUNTY, TEXAS, BEING ALSO OUT OF THE FRANCISCO CADENA SURVEY NUMBER 133, ABSTRACT NUMBER 134, NEW CITY BLOCK 16611, SAN ANTONIO, BEXAR COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING: At a set 1/2 inch iron rod, the northeast corner of the referenced 207.125 acre tract, the intersection of the south right-of-way line of Old Foster Rd. and the west right-of-way line of North Foster Road;

THENCE: South 89 degrees 53 minutes 21 seconds West, (bearings are based on grid bearings for the Texas State Plane Coordinate System), 492.05 feet with the south right-of-way line of Old Foster Rd. to a set 1/2 inch iron rod, the northeast corner and POINT OF BEGINNING of the herein described tract;

THENCE: South 00 degrees 28 minutes 40 seconds East, 1357.46 feet to a set 1/2 inch iron rod, an angle;

THENCE: North 89 degrees 31 minutes 20 seconds East, 33.53 feet to a set 1/2 inch iron rod, an angle;

THENCE: South 00 degrees 28 minutes 40 seconds East, 723.55 feet to a set 1/2 inch iron rod, an angle;

THENCE: North 89 degrees 31 minutes 20 seconds East, 254.49 feet to an angle;

THENCE: South 00 degrees 28 minutes 40 seconds East, 865.73 feet to a set 1/2 inch iron rod, the southwest corner of this tract;

THENCE: South 89 degrees 50 minutes 58 seconds East, 49.59 feet to a found 1/2 inch iron rod, the northwest corner of Lot 1, Precision Brake and Alignment Subdivision, as recorded in Volume 9519, Page 75, Deed and Plat Records of Bexar County, Texas;

THENCE: South 00 degrees 29 minutes 50 seconds East, 150.28 feet with the west line of Lot 1 to a found 1/2 inch iron rod on the north line of a 10.836 acre tract recorded in Volume 6628, Page 1611, Official Public Records of Real Property of Bexar County, Texas, the southeast corner of the herein described tract;

THENCE: North 89 degrees 46 minutes 27 seconds West, 1576.78 feet with the north lines of the 10.836 acre tract and Block 19, Sunrise Subdivision Unit 11 as recorded in Volume 9510, Pages 58-61, Deed and Plat Records of Bexar County, Texas, to a found 1 inch iron pipe, an angle point;

continued.....

Zoning Description

167.727 Acres

Page 2 of 2

- THENCE: South 89 degrees 47 minutes 26 seconds West, 1299.59 feet with the north lines of Sunrise Subdivision Unit 12 (Small Lot Subdivision), and the remaining portion of a 100.147 acre tract recorded in Volume 1863, Page 341, Official Public Records of Real Property of Bexar County, Texas, to a found 1/2 inch iron rod, the southwest corner of the herein described tract, the southeast corner of a 93.471 acre tract recorded in Volume 6949, Page 1093, Official Public Records of Real Property of Bexar County, Texas;
- THENCE: North 00 degrees 28 minutes 51 seconds West, 2217.04 feet with the east line of the 93.471 acre tract, to a set 1/2 inch iron rod, the northwest corner of the herein described tract;
- THENCE: North 89 degrees 31 minutes 09 seconds East, 390.02 feet to a set 1/2 inch iron rod, an angle;
- THENCE: North 62 degrees 39 minutes 32 seconds East, 993.01 feet to a set 1/2 inch iron rod, an angle;
- THENCE: North 27 degrees 20 minutes 28 seconds West, 350.00 feet to a set 1/2 inch iron rod on the southeast right-of-way line of Seguin Road (F.M. 78), a corner of the herein described tract;
- THENCE: North 62 degrees 39 minutes 32 seconds East, 120.53 feet to a found concrete monument at the beginning of the line joining the southeast right-of-way line of Seguin Road (F.M. 78) to the south right-of-way line of Old Foster Rd., to a found Texas Department of Transportation Monument, an angle in the north line of the herein described tract;
- THENCE: North 75 degrees 39 minutes 16 seconds East, 195.46 feet with said line to a found Texas Department of Transportation Monument, an angle;
- THENCE: North 89 degrees 53 minutes 21 seconds East, 1123.72 feet with the south right-of-way line of Old Foster Rd. to the POINT OF BEGINNING, containing 167.727 acres.

Revised: June 5, 1998

**ZONING DESCRIPTION FOR
B-2 ZONING**

BEING A 9.420 ACRE TRACT OF LAND OUT OF 207.125 ACRES, (CALLED 207.784 ACRES, SAVE AND EXCEPT 0.689 ACRES) THE REMAINING PORTION OF THE 210 ACRE TRACT RECORDED IN VOLUME 1193, PAGE 219, DEED RECORDS OF BEXAR COUNTY, TEXAS, BEING ALSO OUT OF THE FRANCISCO CADENA SURVEY NUMBER 133, ABSTRACT NUMBER 134, NEW CITY BLOCK 16611, SAN ANTONIO, BEXAR COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

- BEGINNING: At a found 1/2 inch iron rod, the northwest corner of the referenced 207.125 acre tract, the northeast corner of a 93.471 acre tract of land recorded in Volume 6949, Page 1093, Official Public Records of Real Property of Bexar County, Texas, a point on the southeast right-of-way line of Seguin Road (F.M.78);
- THENCE: North 63 degrees 45 minutes 48 seconds East, (bearings are based on grid bearings for the Texas State Plane Coordinate System), 240.68 feet with the southeast right-of-way line of Seguin Road to a found Texas Department of Transportation monument, an angle;
- THENCE: North 62 degrees 39 minutes 32 seconds East, 1130.48 feet with the southeast right-of-way line of Seguin Road to a set 1/2 inch iron rod, an angle;
- THENCE: North 75 degrees 39 minutes 16 seconds East, 55.06 feet with the cutback joining the southeast right-of-way line of Seguin Road to the south right-of-way line of Old Foster Road, to a set 1/2 inch iron rod, the northeast corner of this tract;
- THENCE: South 00 degrees 28 minutes 40 seconds East, 322.41 feet to a set 1/2 inch iron rod, the southeast corner of this tract;
- THENCE: South 62 degrees 39 minutes 32 seconds West, 1119.51 feet to a set 1/2 inch iron rod, an angle;
- THENCE: South 89 degrees 31 minutes 09 seconds West, 280.00 feet to a set 1/2 inch iron rod on the west line of the 207.784 acre tract, the southwest corner of the herein described tract;
- THENCE: North 00 degrees 28 minutes 51 seconds West, 199.67 feet to the POINT OF BEGINNING, containing 9.420 acres.

Revised: June 5, 1998

**ZONING DESCRIPTION FOR
B-2 ZONING**

BEING A 29.978 ACRE TRACT OF LAND OUT OF 207.125 ACRES, (CALLED 207.784 ACRES, SAVE AND EXCEPT 0.689 ACRES), THE REMAINING PORTION OF THE 210 ACRE TRACT RECORDED IN VOLUME 1193, PAGE 219, DEED RECORDS OF BEXAR COUNTY, TEXAS, BEING ALSO OUT OF THE FRANCISCO CADENA SURVEY NUMBER 133, ABSTRACT NUMBER 134, NEW CITY BLOCK 16611, SAN ANTONIO, BEXAR COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING: At a set 1/2 inch iron rod, the northeast corner of the referenced 207.125 acre tract, the intersection of the south right-of-way line of Old Foster Rd. and the west right-of-way line of North Foster Road, the non-tangent beginning of a curve to the right, the northeast corner of the herein described tract;

THENCE: 359.20 feet with the west right-of-way line of North Foster Road and the curve to the right, concave to the west, which has a central angle of 14 degrees 46 minutes 50 seconds, a radius of 1392.41 feet, and a chord bearing and length of South 07 degrees 51 minutes 12 seconds East, (bearings are based on grid bearings for the Texas State Plane Coordinate System), 358.21 feet to a found 1/2 inch iron rod, the non-tangent end of the curve;

THENCE: South 00 degrees 28 minutes 40 seconds East, 2591.09 feet with the west right-of-way line of North Foster Road to a found 1/2 inch iron rod, the most easterly southeast corner of the 207.125 acre tract and of this tract, the northeast corner of Lot 1, Precision Brake and Alignment Subdivision as recorded in Volume 9519, Page 75, Deed and Plat Records of Bexar County, Texas;

THENCE: North 89 degrees 50 minutes 58 seconds West, 250.02 feet to a set 1/2 inch iron rod, the southwest corner of this tract;

THENCE: North 00 degrees 28 minutes 40 seconds West, 865.73 feet to an angle;

THENCE: South 89 degrees 31 minutes 20 seconds West, 254.49 feet to a set 1/2 inch iron rod, an angle;

THENCE: North 00 degrees 28 minutes 40 seconds West, 723.55 feet to a set 1/2 inch iron rod, an angle;

THENCE: South 89 degrees 31 minutes 20 seconds West, 33.53 feet to a set 1/2 inch iron rod, an angle;

continued.....

PAGE 2 OF 2
29.978 ACRE TRACT

THENCE: North 00 degrees 28 minutes 40 seconds West, 1357.46 feet to a set 1/2 inch iron rod on the south right-of-way line of Old Foster Rd., the northwest corner of this tract;

THENCE: North 89 degrees 53 minutes 21 seconds East, 492.05 feet with the south right-of-way line of Old Foster Rd., to the POINT OF BEGINNING, containing 29.978 acres.

Revised: June 5, 1998

Zoning Case No.: Z97259

Date: April 21, 1998

Council District: 2

Appeal: No

Applicant: Armadillo Construction Co. Inc.

Owner: Nicole Dyke &
John Davenport
Trust

Zoning Request: "R-1" Single Family Residence District to "R-5" Single Family Residence District and "B-2" Business District.

Property Location:

"R-1" to "R-5"

167.727 acres out of NCB 16611

"R-1" to "B-2"

9.420 acres and 29.978 acres out of NCB 16611

Seguin Road, Old Foster Road and North Foster Road.

Properties are located on the south side of Old Foster Road, between North Foster and Seguin Road.

Staff Recommendation:

Denial as requested and approval of "R-5" on everything except the north 600 feet of the east 500 feet, being the northeast portion of the property, to be "B-3".

Zoning Commission Recommendation:

Approval.

VOTE:

FOR 8

AGAINST 1

ABSTAIN 0

Applicants Proposal:

Commercial and middle low housing development.

Case History and Discussion:

1. Property fronts onto Seguin Road, a primary arterial 110 foot right-of-way six lane highway and North Foster Road, a secondary arterial 86 foot right-of-way four lane street.

Z97259

2. Subject property was part of the "Sunrise Zoning Plan", which was approved by City Council November 21, 1995. This was a plan to update the zoning of this area after annexation.

ZONING CASE NO. Z97259

Applicant: Armadillo Construction Co., Inc.

Zoning Request: "R-1" Single Family Residence District to "R-5" Single Family Residence District and "B-3" Business District.

Ken Brown, representative, stated the tract is a total of approximately 210 acres. The purposed use will be for commercial and middle low housing development. There will be 800 units to be built. He further stated they would agree to a deed restriction on the property.

Staff stated there were 118 notices mailed out to the surrounding property owners, 1 returned in opposition and 4 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 Galloway and seconded by Commissioner Falcone to recommend approval of "R-5" and "B-2" for the following reasons:

1. Property is located on 9.420 acres and 29.978 acres out of NCB 16611 and 167.727 acres out of NCB 16611 on Seguin Road, Old Foster Road and North Foster Road.
2. There were 118 notices mailed, 1 returned in opposition and 4 returned in favor.
3. Staff recommends denial as requested and approval of "R-5" on everything except the north 600 feet of the east 500 feet, being the northeast portion of the property, to be "B-2".

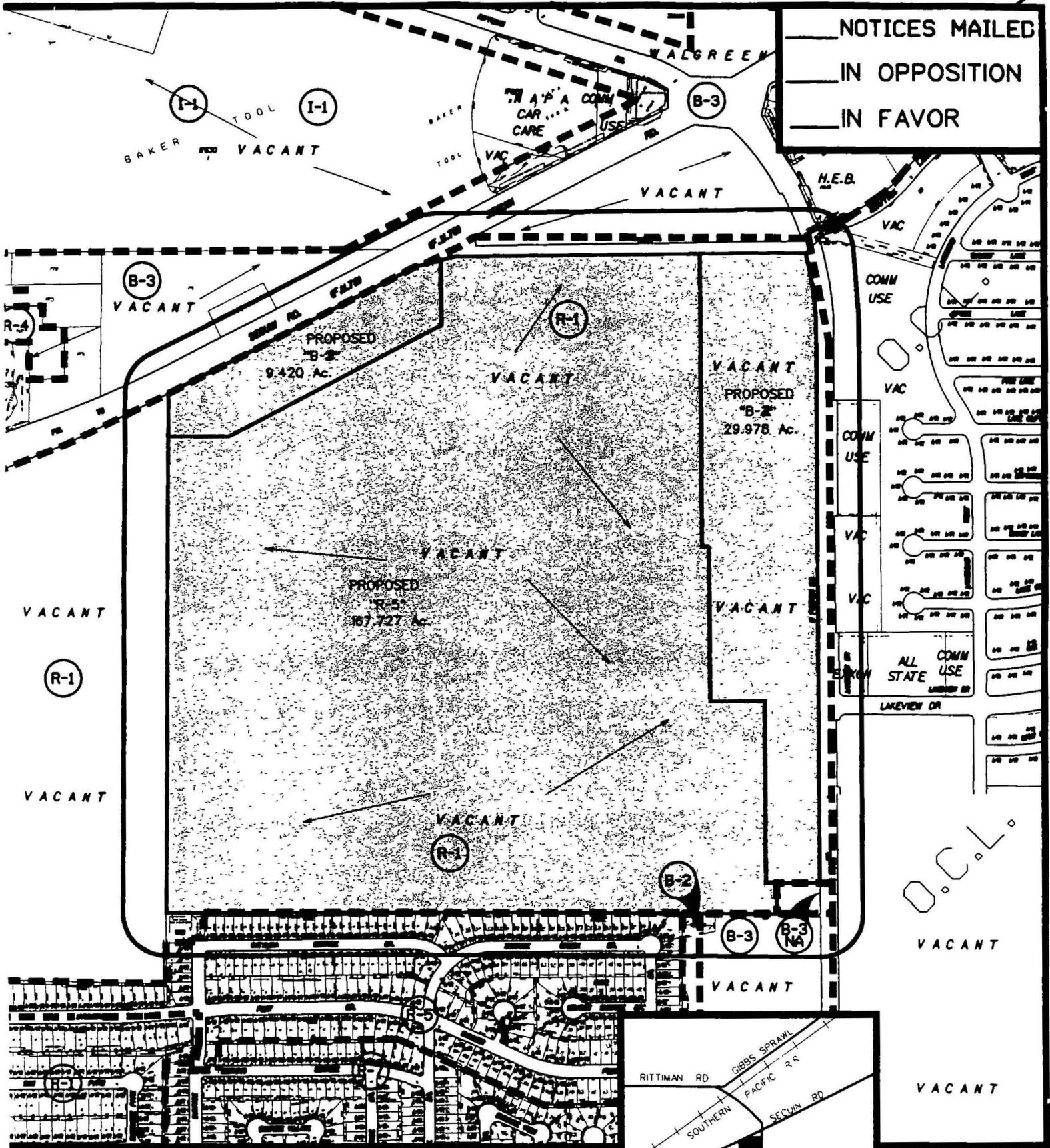
AYES: Carpenter, Williams, Emerson, Hophan, Sanchez, Falcone, Anderson, Galloway

NAYS: Earl

THE MOTION CARRIED

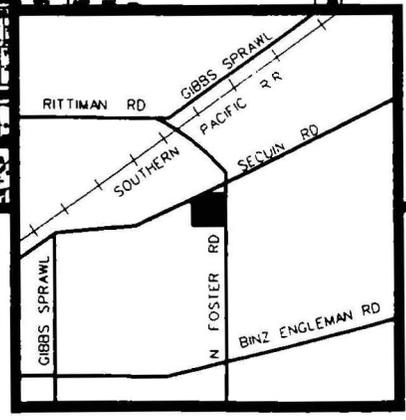
RESULTS OF NOTICES FOR COUNCIL HEARING

To be provided at Council hearing.



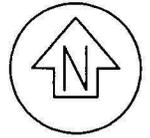
_____ NOTICES MAILED
 _____ IN OPPOSITION
 _____ IN FAVOR

ZONING CASE Z97259
 CITY COUNCIL DISTRICT NO: 2
 REQUESTED ZONING CHANGE
 FROM "R-1" TO "B-2"/"R-5"
 DATE JUNE 11, 1998
 SCALE 1"=600'



DEPARTMENT OF PLANNING
 SAN ANTONIO TEXAS

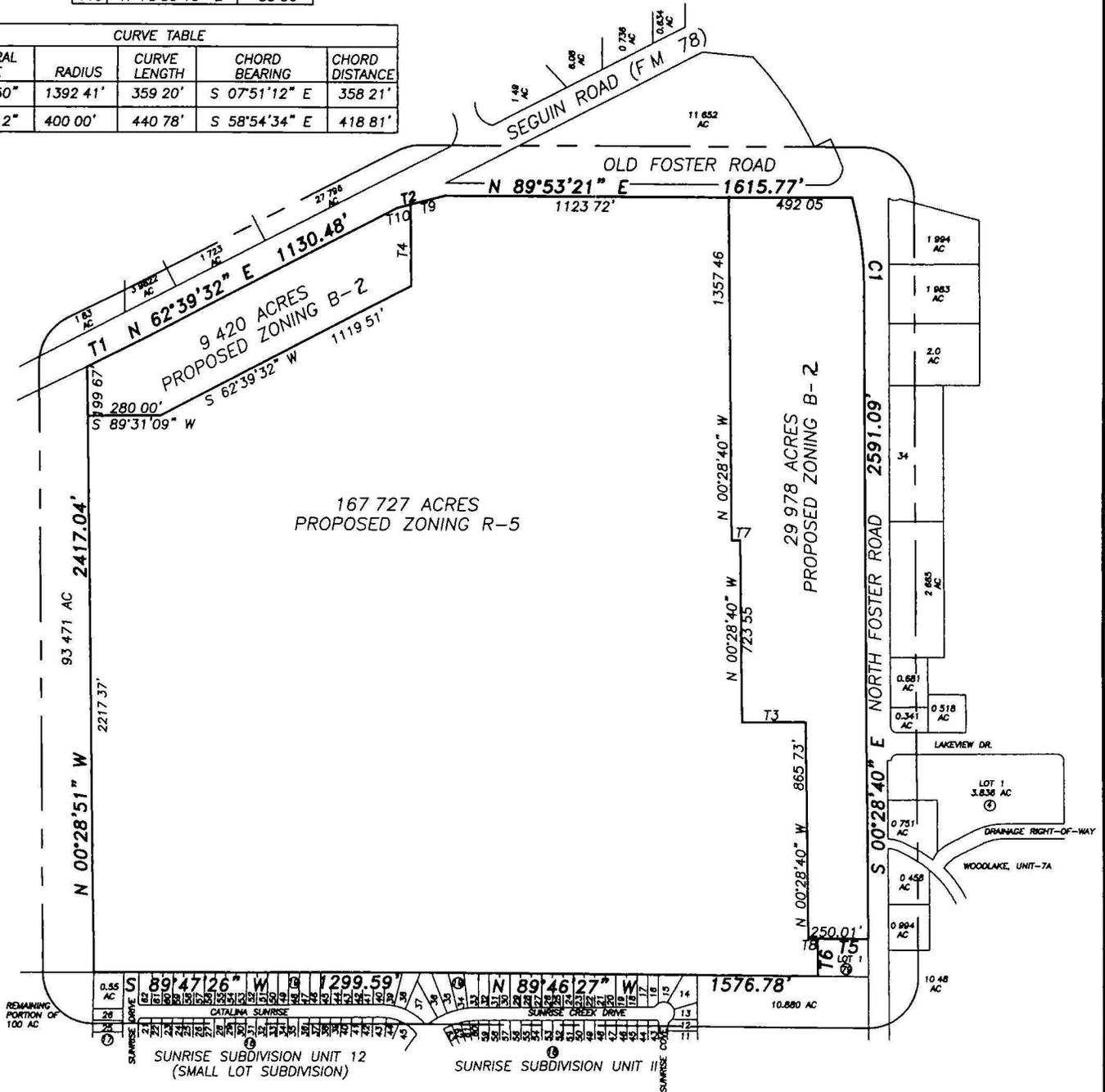
ZONING SKETCH FOR 207.125 ACRES



SCALE 1" = 600'

LINE TABLE		
T1	N 63°45'48" E	240 68'
T2	N 75°39'16" E	195 46'
T3	S 89°31'20" W	254 49'
T4	S 00°28'40" E	322 41'
T5	N 89°50'58" W	200 43'
T6	S 00°29'50" E	150 28'
T7	S 89°31'20" W	33 53'
T8	S 89°50'58" E	49 59'
T9	N 75°39'16" E	140 40'
T10	N 75°39'16" E	55 06'

CURVE TABLE					
	CENTRAL ANGLE	RADIUS	CURVE LENGTH	CHORD BEARING	CHORD DISTANCE
C1	14°46'50"	1392 41'	359 20'	S 07°51'12" E	358 21'
C2	63°08'12"	400 00'	440 78'	S 58°54'34" E	418 81'



Affidavit of Publisher

STATE OF TEXAS,

COUNTY OF BEXAR

CITY OF SAN ANTONIO

Before me, the undersigned authority, on this day
Helen I. Lutz, who being by me duly sworn, says on oath
of the Commercial Recorder, a newspaper of general circulation in the City of
San Antonio, in the State and County aforesaid, and that the Public Notice - An
Ordinance #87956 hereto attached has been published in every issue of said
newspaper on the following days, to-wit: June 18, 1998.

PUBLIC NOTICE
AN ORDINANCE 87956
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 9.420 ACRES AND 29.978 ACRES OUT OF NCB 16611 FROM "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT; AND 167.727 ACRES OUT OF NCB 16611 TO "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-5" SINGLE FAMILY RESIDENCE DISTRICT; OLD FOSTER ROAD. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".
6/18

Helen I. Lutz

Sworn to and subscribed before me this 18th day of June, 1998.

Estella M. Vasquez
_____ Notary Public in and for Bexar County, Texas



MEETING OF THE CITY COUNCIL

ALAMODOME
ARTS & CULTURAL AFFAIRS
ASSET MANAGEMENT
AVIATION
BUDGET & MANAGEMENT ANALYSIS
BUILDING INSPECTIONS
HOUSE NUMBERING
CITY ATTORNEY
MUNICIPAL COURT
REAL ESTATE (FASSNIDGE)
REAL ESTATE (WOOD)
RISK MANAGEMENT
CITY MANAGER
SPECIAL PROJECTS - FRANCES GONZALES
CITY PUBLIC SERVICE - GENERAL MANAGER
CITY PUBLIC SERVICE - MAPS AND RECORDS
CODE COMPLIANCE
COMMERCIAL RECORDER
COMMUNITY INITIATIVES
COMMUNITY RELATIONS
PUBLIC INFORMATION
CONVENTION AND VISITORS BUREAU
CONVENTION CENTER EXPANSION OFFICE
CONVENTION FACILITIES
ECONOMIC DEVELOPMENT
FINANCE - DIRECTOR
FINANCE - ASSESSOR
FINANCE - CONTROLLER
FINANCE - GRANTS
FINANCE - TREASURY
FIRE DEPARTMENT
HOUSING AND COMMUNITY DEVELOPMENT
HUMAN RESOURCES (PERSONNEL)
INFORMATION SERVICES
INTERGOVERNMENTAL RELATIONS
INTERNAL REVIEW
INTERNATIONAL AFFAIRS
LIBRARY
METROPOLITAN HEALTH DISTRICT
MUNICIPAL CODE CORPORATION
MUNICIPAL COURT
PARKS AND RECREATION
MARKET SQUARE
PLANNING DEPARTMENT
DISABILITY ACCESS OFFICE
LAND DEVELOPMENT SERVICES
POLICE DEPARTMENT
GROUND TRANSPORTATION
PUBLIC WORKS DIRECTOR
CAPITAL PROJECTS
CENTRAL MAPPING
ENGINEERING
PARKING DIVISION
REAL ESTATE DIVISION
SOLID WASTE
TRAFFIC ENGINEERING
PURCHASING AND GENERAL SERVICES
SAN ANTONIO WATER SYSTEMS (SAWS)
VIA
YOUTH INITIATIVES

AGENDA ITEM NUMBER: 4N

DATE: JUN 11 1998

MOTION: Prodo

ORDINANCE NUMBER: 87956

RESOLUTION NUMBER: _____

ZONING CASE NUMBER: 297259

TRAVEL AUTHORIZATION: _____

NAME	ROLL	AYE	NAY
ROGER FLORES, II District 1			ABSENT
MARIO SALAS District 2			ABSENT
DEBRA GUERRERO District 3		✓	
RAUL PRADO District 4		✓	
RICK VASQUEZ District 5		✓	
JOSE MENENDEZ District 6			absent
ED GARZA District 7		✓	
ROBERT MARBUT District 8		✓	
TIM BANNWOLF District 9		✓	
JEFF S. WEBSTER District 10		✓	
HOWARD W. PEAK Mayor		✓	

PROPONENT: R-5 AND B-2. for commercial and middle low-income housing development.

ZONING COMM: Approval.

CITY STAFF: R-5 on everything except the north 600 feet of the east 500 feet, being the northeast portion of the property, which is to be B-3.

98-23