

AN ORDINANCE 2008-08-07-0679

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 3.223 acres out of NCB 7015 and NCB A-53 from "R-5" Residential Single-Family District to "MF-50" Multi-Family District.

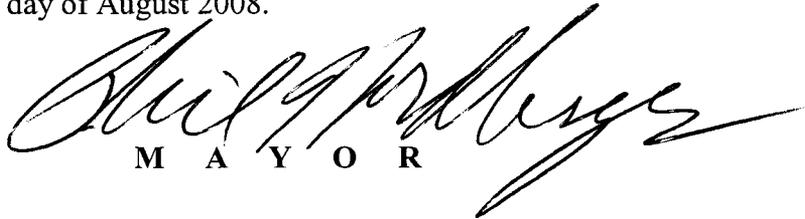
SECTION 2. A description of the property is attached as Exhibit "A" and made a part hereof and incorporated herein for all purposes.

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 August 17, 2008.

PASSED AND APPROVED this 7th day of August 2008.


M A Y O R

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
For City Attorney

Agenda Item:	Z-12 (in consent vote: P-2, Z-12)						
Date:	08/07/2008						
Time:	05:13:16 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2008158 (Districts 1 & 9): An Ordinance amending the Zoning District Boundary from "R-5" Residential Single-Family District to "MF-50" Multi-Family District on 3.223 acres out of NCB 7015, located at 647 East Hildebrand Avenue. 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				
Louis E. Rowe	District 9		x			x	
John G. Clamp	District 10		x				



Zoning Case Notification Plan

Case Z-2008-158

Council District 9
Scale: 1" approx. = 250'

Subject Property Legal Description(s): 3.223 Acres out of NCB 7015

- Legend**
- Subject Property (3.223 Acres) -----
 - 200' Notification Buffer —————
 - Current Zoning **R6**
 - Requested Zoning Change **(R6)**
 - 100-Year FEMA Floodplain —————



City of San Antonio - Development Services Dept
(5/6/2008)

FIELD NOTES

FOR

A 3.223 acre, or 140,381 square foot more or less, tract of land being all of a called 2.709 acre tract recorded in Volume 5995 Pages 588-590 of the Deed Records of Bexar County, Texas, situated in New City Block (N.C.B.) 7015 of the City of San Antonio, Bexar County, Texas and being all of a 400-foot by 55.6-foot tract of land quitclaimed from the City of San Antonio to the San Antonio Independent School District recorded in Volume 5995, Pages 581-583 of the Deed Records of Bexar County, Texas, the north half being situated in City Block A-53 of the City of San Antonio, Bexar County, Texas. Said 3.223 acre tract being more fully described as follows with the basis of bearings derived from the North American Datum of 1983 (CORS 96) from the Texas Coordinate System established for the South Central Zone:

BEGINNING: At a set ½" iron rod with yellow cap marked "Pape-Dawson," the northeast corner of said called 2.709 acre tract, a point in the south right of way line of the remaining portion of old Hildebrand Avenue as noted in Volume 5995, Pages 581-583 of the Deed Records of Bexar County, Texas and a point in the west right of way line of Devine Road, a 60 foot right of way:

THENCE: S 00°58'27"E, departing the south right of way line of said remaining portion of Old Hildebrand Avenue, along and with the east line of said called 2.709 acre tract and the west right of way line of said Devine Road, a distance of 250.25 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson," a point of curvature;

THENCE: Southwesterly, along the arc of a curve to the right, departing the west right of way line of said Devine Road, along and with the southeast line of said called 2.709 acre tract and a north line of East Hildebrand Road, an 86 foot right of way as shown on the Trinity University Subdivision Plat, Unit 4 recorded in Volume 9516, Page 123 of the Deed and Plat Records of Bexar County, Texas, said curve having a radius of 25.00 feet, a central angle of 94°53'50", a chord bearing and distance of S 46°28'28" W, 36.83 feet, for an arc length of 41.41 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson," a point of compound curvature;

THENCE: Along and with the south line of said called 2.709 acre tract and the north right of way line of said East Hildebrand Road the following calls and distances:

Northwesterly, along the arc of a curve to the right, said curve having a radius of 963.50 feet, a central angle of 30°00'24", a chord bearing and distance of N

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71°04'25" W, 498.85 feet, for an arc length of 504.60 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson," a point of reverse curvature;

Northwesterly, along the arc of a curve to the left, said curve having a radius of 1049.50 feet, a central angle of 7°25'11", a chord bearing and distance of N 59°46'49" W, 135.82 feet, for an arc length of 135.91 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson," a point of reverse curvature;

Northwesterly, along the arc of a curve to the right, said curve having a radius of 25.00 feet, a central angle of 63°11'09", a chord bearing and distance of N 31°53'50" W, 26.19 feet, for an arc length of 27.57 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

THENCE: N 00°18'37"W, along and with the west line of said called 2.709 acre tract, a distance of 19.78 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson," the northwest corner of said called 2.709 acre tract, a point in the north right of way line of said East Hildebrand Road and a point in the south line of the aforementioned 400-foot by 55.6-foot parcel;

THENCE: N 89°41'23"W, along and with a north right of way line of said East Hildebrand Avenue and the south line of said aforementioned 400-foot by 55.6-foot parcel, a distance of 0.88 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

THENCE: N 00°20'45"W, along and with the west line of aforementioned 400-foot by 55.6-foot parcel, a distance of 55.60 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson," the northwest corner of said 400-foot by 55.6-foot parcel, a point in the south line of a called 6.00 acre tract recorded in Volume 6598, Pages 1212-1216 of the Official Public Records of Real Property of Bexar County, Texas and a point in the north right of way line of said East Hildebrand Avenue;

THENCE: N 89°41'23"E, departing the north right of way line of said East Hildebrand Road, along and with the north line of said 400-foot by 55.6-foot tract, at a distance of 175.21 passing a found ½" iron rod, at a distance of 205.73 feet, passing a found ½" iron rod, at a distance of 250.85 feet and continuing for a total distance of 400.00 feet to a found ½" iron rod, the southeast corner of said called 6.00 acre tract, the northeast corner of said 400-foot by 55.6-foot tract, the northwest corner of the remaining portion of Old Hildebrand as noted in Volume 5995, Pages 581-583 of the Deed Records of Bexar County, Texas and the southeast corner of a called 0.870 acre tract recorded in Volume

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6673, Pages 1737-1740 of the Official Public Records of Real Property of Bexar County, Texas;

THENCE: S 00°20'45"E, along and with the east line of aforementioned 400-foot by 55.6-foot parcel and the west line of the said remaining portion of Old Hildebrand Road, a distance of 55.60 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson," the southeast corner of said 400-foot by 55.6-foot parcel, a point in the north line of the aforementioned 2.709 acre tract and the southwest corner of the said remaining portion of Old Hildebrand Avenue;

THENCE: N 89°41'23"E, along and with the north line of said called 2.709 acre tract and the south right of way line of said remaining portion of Old Hildebrand Avenue, a distance of 226.53 feet (called 225.00 feet) to the POINT OF BEGINNING and containing 3.223 acres in the City of San Antonio, Bexar County, Texas. Said tract being described in accordance with a survey made on the ground and a survey map prepared by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: August 31, 2006
REVISED: September 01, 2006
REVISED: July 23, 2007
REVISED: July 30, 2008
JOB No.: 9254-06
DOC.ID. N:\Survey06\6-9300\9254-06\WORD\9254-06FN.doc



G. E. Buchanan
08/31/2006



AFFIDAVIT OF PUBLICATION

(COUNTY OF BEXAR)
(STATE OF TEXAS)

I, Lynette Nelson do solemnly swear that
the notice was published 1 time(s) in
the following publication(s):

Daily Commercial Recorder

PUBLIC NOTICE

AN ORDINANCE 2008-08-07-0679

AMENDING CHAPTER 35 OF THE
CITY CODE THAT CONSTITUTES THE
COMPREHENSIVE ZONING ORDI-
NANCE OF THE CITY OF SAN ANTONIO
BY CHANGING THE CLASSIFICATION
AND REZONING OF CERTAIN PROPER-
TY DESCRIBED HEREIN AS: 3.223 acres
out of NCB 7015 and NCB A-53 TO WIT:
From "R-5" Residential Single-Family
District to "MF-50" Multi-Family District.
"THE PENALTY FOR VIOLATION IS A
FINE NOT TO EXCEED \$1,000.00".
8/11

A free weekly newspaper of general
circulation published at San Antonio, Bexar
County, Texas on the following dates:

August 11, 2008

Lynette Nelson

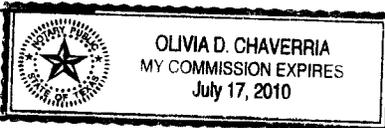
Lynette Nelson

Subscribed and sworn before me, this

8th day of December, 2008

Olivia D. Chaverria

NOTARY PUBLIC SIGNATURE



Olivia D. Chaverria
Notary Public Printed/Typed Name

My Commission Expires: 07/17/2010



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

Agenda Item # Z-12
Council Meeting Date: 8/7/2008
RFCAs Tracking No: R-3621

DEPARTMENT: Development Services

DEPARTMENT HEAD: Roderick Sanchez

COUNCIL DISTRICT(S) IMPACTED:
Council District 9

SUBJECT:
Zoning Case Z2008158

SUMMARY:
From "R-5" Residential Single-Family District to "MF-50" Multi-Family District.

BACKGROUND INFORMATION:
Zoning Commission Meeting Date: June 03, 2008

Applicant: Kaufman & Associates, Inc.
Owner: Koontz/McCombs 1, Ltd.

Property Location: 647 East Hildebrand Avenue

3.223 Acres Out of NCB 7015

Northwest corner of East Hildebrand Avenue and Devine Road intersection

Proposal: To allow a condominium project

Neighborhood Association: None

Neighborhood Plan: North Central Neighborhoods Community Plan

TIA Statement: A Traffic Impact Analysis is not required.

ISSUE:
None.

ALTERNATIVES:
A denial of the request will result in the subject property retaining the current "R-5" Residential Single Family District zoning, restricting future land use to single family detached dwellings at a

maximum of 9 units per acre.

FISCAL IMPACT:

None. The applicant has paid the required zoning fees.

RECOMMENDATION:

Staff and Zoning Commission (10-0) recommend approval.

The requested multi-family district is inconsistent with the land use designation identified in the North Central Neighborhoods Community Plan. The North Central Neighborhoods Community Plan identifies future land uses as Public Institutional and an amendment to High Density Residential land use is required. On May 28, 2008, the Planning Commission recommended approval of an amendment to High Density Residential.

The subject property is undeveloped and totals approximately 3.223 acres. This property is situated on the northwest corner of the East Hildebrand Avenue and Devine Road intersection. The subject property is currently zoned "R-5" Residential Single-Family District. This area was annexed in 1938. The zoning on this property converted from "A" to "R-5" following the adoption of the current zoning districts in 2002. The northern portion of the subject property was previously owned by the San Antonio Independent School District and is currently being used as a roadway (Old Hildebrand Avenue), a short-cut between East Hildebrand Avenue and Devine Road.

There are various uses around the subject property. The lot immediately north of the subject property is zoned "R-5" and is occupied by a San Antonio Water Systems facility. There is also a single-family residential dwelling with "R-5" zoning to the north of the subject property along Devine Road. The lot to the east of the subject property is also zoned "R-5" and is occupied by the University of the Incarnate Word School of Pharmacy. The southeast corner of the intersection of East Hildebrand and Devine Road (this portion of Devine Road is also known as Stadium Drive) is zoned "O-2" and occupied by a high-rise condominium. The property to the south, across from East Hildebrand Avenue, is zoned "R-5" and occupied by the Trinity University main campus. Consequently, there are single-family uses to the north and west of the subject property. Two private higher education institutions as well as a municipal stadium are located to the south and east of the property. A high-rise condominium is also located to the southeast. Community oriented commercial uses can be found to the west along East Hildebrand Avenue and McCullough Avenue. Highway 281, an expressway, is also located fairly close to the east of the subject property.

Low density single family residential zoning and uses are not appropriate for this centrally located lot. The subject property's easy access to major thoroughfares, institutional and commercial uses, as well as the existence of a similar structure in the immediate area makes this request acceptable. High density residential is an appropriate use for this undeveloped lot as an infill project.

ATTACHMENT(S):

File Description	File Name
Location Map	Z2008158.pdf
Zoning Commission Minutes	Z2008158.pdf
Voting Results	

[Ordinance/Supplemental Documents](#)

200808070679.pdf

DEPARTMENT HEAD AUTHORIZATIONS:

Roderick Sanchez Director Development Services

APPROVED FOR COUNCIL CONSIDERATION:

T.C. Broadnax Assistant City Manager