

3B

AN ORDINANCE 98298

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 35-304 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. Z2003142

The rezoning and reclassification of property from "NP-10" Neighborhood Preservation District and "DR" Development Reserve District to "MF-25" Multi-Family District on the property listed as follows:

16.069 acres of land out of NCB 16622

Field notes describing the above mentioned tract are attached hereto and incorporated herein for all 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 -491.

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.

PASSED AND APPROVED THIS 9th DAY OF October 2013

ATTEST: Yolanda L. Ledesma City Clerk MAYOR: Edward D. Garza EDWARD D. GARZA

APPROVED AS TO FORM: [Signature] CITY ATTORNEY



# CASE NO: Z2003142

## Staff and Zoning Commission Recommendation - City Council

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City Council continuance from September 11, 2003

**Date:** October 09, 2003

**Zoning Commission Meeting Date:** August 19, 2003

**Council District:** 3

**Ferguson Map:** 684 D5

**Appeal:** No

**Applicant:**

Thomas Phillips and Harry Urey

**Owner:**

Thomas Phillips and Harry Urey

**Zoning Request:** From "NP-10" Neighborhood Preservation District and "DR" Development Reserve District to "MF-25" Multi-Family District

16.069 acres of land out of NCB 16622

**Property Location:** Southwest side of IH 37 South access road between Blue Wing Road and Highway 181

**Proposal:** Multi-Family dwellings

**Neighborhood Association:** None

**Neighborhood Plan:** The Southside Initiative Community Plan

**TIA Statement:** A level one traffic impact analysis is required

**Staff Recommendation:**

Approval. A plan amendment to the Southside Initiative Community Plan was approved by City Council on September 25, 2003 for "UD" Urban Development.

**Zoning Commission Recommendation:**

Approval

**VOTE**

**FOR** 11

**AGAINST** 0

**ABSTAIN** 0

**RECUSAL** 0

**CASE MANAGER :** Pedro Vega 207-7980

**Z2003142**

**ZONING CASE NO. Z2003142** – August 19, 2003

Applicant: Thomas Phillips and Harry Urey

Zoning Request: “NP-10” Neighborhood Preservation District and “DR” Development Reserve District to “MF-33” Multi-Family District.

Andy Johnston, 454 Soledad, representing the applicant, stated they are proposing to develop this property as an apartment complex. He stated this property was annexed and became part of the South Side Initiative Plan. He further stated they agree to amend their original request to “MF-25”. He also stated they would be providing greenbelts, parks and open space. He feels this would abide by the South Side Initiative Plan.

**FAVOR**

Ken Brown, 111 Soledad, stated he is in support of this request. He stated this project abides by the South Side Initiative Plan and feels this would compliment the area.

**OPPOSE**

Anthony Saunders, 268010 Old Camp Road, stated he is for new development however he is concerned with how this would affect his mother’s property values. He also expressed concerns with how this would be beneficial to the surrounding residents.

June Kochtik, 3415 Rock Creek Run, stated she is not in favor nor opposition however she would like to comment on the Southside Initiative Plan. She represents the Bexar Land Trust Organization. She stated they would like to offer to assist these residents within the Southside Initiative Plan to better understand how this would affect their property.

Janet Ruzza, 3076 Wright Carpenter, stated she is concerned with the impact it may have on their property. She stated she would like to continue to work with Mr. Moncivais and the Planning staff to better understand what would be allowed when this takes affect.

**REBUTTAL**

Ken Brown, stated they would not have a zoning classification that allows them to prove to the Texas Housing Community Affairs that it may be developed as a multi family site. He stated they have been continuously working with the surrounding property owners to address their concerns.

Staff stated there were 2 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor.

**Z2003142**

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 Dutmer and seconded by Commissioner McAden to recommend approval of "MF-25".

1. Property is located on 16.069 acres of land out of NCB 16622 at the Southwest side of IH 37.
2. There were 2 notices mailed, 0 returned in opposition and 0 in favor.
3. Staff recommends denial.

**AYES: Martinez, Grau, Cardenas-Gamez, Kissling Dutmer, Dixon, McAden, Avila, Morell, Mehringer**

**NAYS: None**

**ABSTAIN: Sherrill**

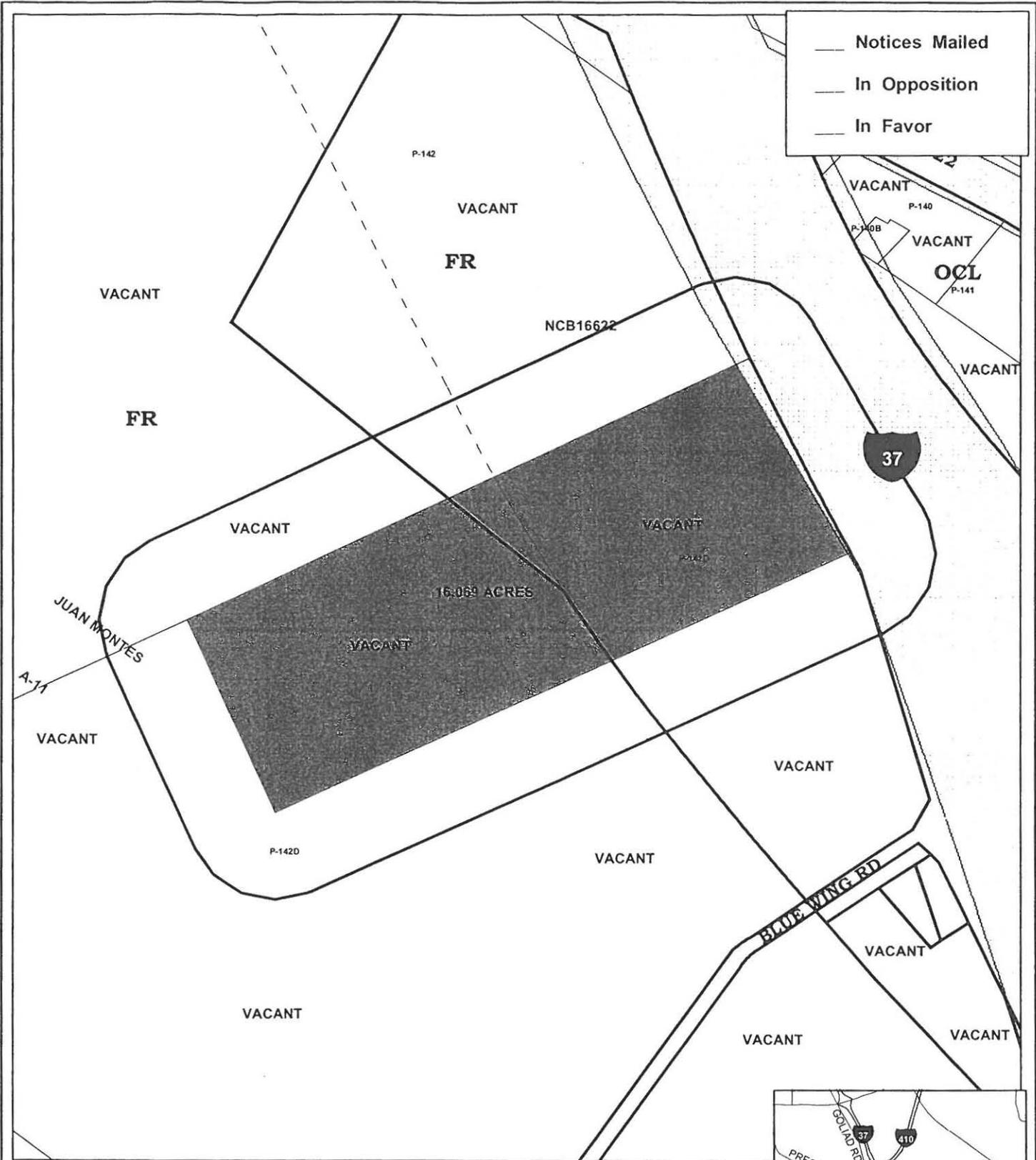
**THE MOTION CARRIED.**

RESULTS OF COUNCIL HEARING September 11, 2003

City Council granted a continuance until October 9, 2003

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.



# ZONING CASE: Z2003-142

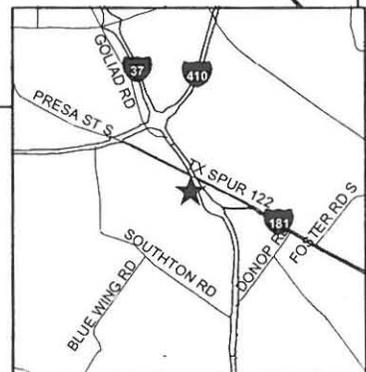
City Council District NO. 3  
 Requested Zoning Change  
 From: "NP-10" and "DR" To "MF-25"  
 Date: October 9, 2003  
 Scale: 1" = 300'

- Subject Property
- 200' Notification

T-13  
 p.684  
 D-5



C:\AUG\_19\_2003



Z2003142

DESCRIPTION

FOR A 16.069 ACRE TRACT OF LAND, NEW CITY BLOCK 16622, SITUATED IN THE JUAN MONTES SURVEY NO. 6, ABSTRACT NO. 11, IN BEXAR COUNTY, TEXAS, BEING PART OF THAT CERTAIN 198.7244 ACRE TRACT OF LAND DESCRIBED IN VOLUME 5405, PAGE 271 OF THE DEED RECORDS OF SAID 16.069 ACRE TRACT, AS SHOWN ON THE ACCOMPANYING SKETCH, IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a point for the northeast corner of said 79.851-acre tract, same being on the west right-of-way line of IH-37 (right-of-way width varies), same being the northeast corner hereof;

THENCE with the east line of said 79.851 acre tract and the west right-of-way line of IH-37 the following two (2) courses and distances:

- 1) S 30° 41' 20" E for a distance of 265.99 feet to an angle point, and
- 2) S 29° 36' 22" E for a distance of 234.01 feet to a point for the southeast corner hereof;

THENCE departing said line, through the interior of said 79.851-acre tract, the following two (2) courses and distances:

- 1) S 65° 32' 26" W, for a distance of 1433.08 feet to a point for the southwest corner hereof, and
- 2) N 24° 27' 34" W for a distance of 497.49 feet to a point on the north line of said 79.851 acre tract, for the northwest corner hereof;

THENCE with the north line of said 79.851-acre tract, N 65° 32' 26" E for a distance of 1383.22 feet to the POINT OF BEGINNING and containing 16.096 acres of land.

This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

  
R. David Strutton  
Registered Professional Land Surveyor No. 4312  
BAKER-AICKLEN & ASSOCIATES, INC.  
203 E. Main Street, Suite 201  
Round Rock, Texas 78664  
(512) 244-9620

June 16, 2003

Date

Job No.: 1262-4-001-19  
W:\PROJECTS\UNP PROP 15 AC\DOC\UNP-15AC.DOC



# Affidavit of Publisher

STATE OF TEXAS,

COUNTY OF BEXAR

CITY OF SAN ANTONIO

**PUBLIC NOTICE**  
**AN ORDINANCE 98298**  
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: 16.069 acres of land out of NCB 16622, From "NP-10" Neighborhood Preservation District and "DR" Development Reserve District to "MF-25" Multi-Family District. THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".  
10/15

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 98298 hereto attached has been published in every issue of said newspaper on the following days, to-wit: October 15, 2003.

  
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Sworn to and subscribed before me this 15th day of October, 2003.

  
\_\_\_\_\_  
Notary Public in and for Bexar County, Texas

