

AN ORDINANCE 2008-06-05-0495

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 1.098 acres out of NCB 15823 and 0.236 acres out of NCB 17247 from "PUD MF-33" Planned Unit Development Multi-Family District to "C-3NA" General Commercial District, Nonalcoholic Sales.

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 June 15, 2008.

PASSED AND APPROVED this 5th day of June 2008.


M A Y O R

ATTEST: 
City Clerk

PHIL HARDBERGER

APPROVED AS TO FORM: 
for City Attorney



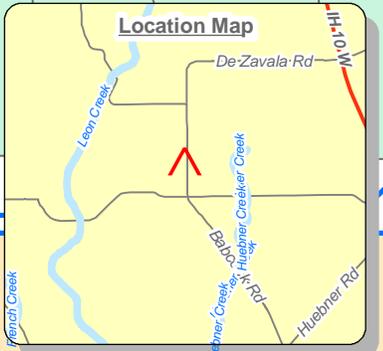
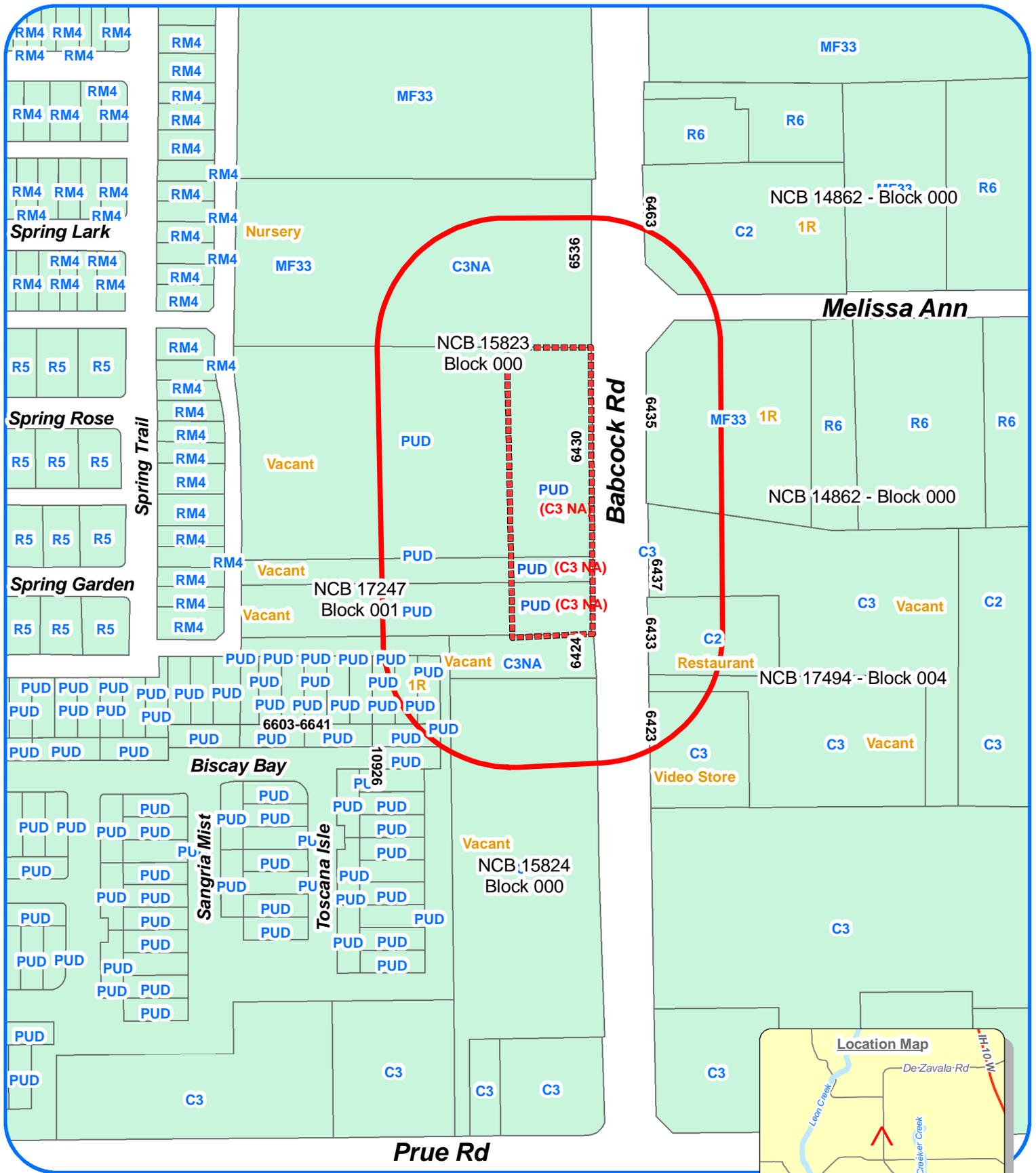
Request for
**COUNCIL
ACTION**



Agenda Voting Results - Z-1

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 # Z2008148 (District 8): An Ordinance changing the zoning district boundary from "PUD MF-33" Planned Unit Development Multi-Family District to "C-3NA" General Commercial District, Non Alcoholic Sales, on 1.098 acres out of NCB 15823 and 0.236 acres out of NCB 17247, 6430 Babcock Road as requested by Paul Tausch, Applicant for Tausch & Kansal Joint Venture, 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				



Zoning Case Notification Plan

Case Z-2008-148

Council District 8

Scale: 1" approx. = 500'

Subject Property Legal Description(s): Lot 1.098 Acres out of NCB 15823 and .236 Acres out of NCB 17247

Legend

- Subject Property (1.334 Acres)
- 200' Notification Buffer
- Current Zoning R6
- Requested Zoning Change (R6)
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(4/24/2008)

Dye Enterprises

Engineers • Surveyors • Planners

D. Scott Dye, P.E., R.P.L.S.

April 03, 2008

Re: 1.334 Acres
6430 Babcock Road
San Antonio, Texas

LEGAL DESCRIPTION Exhibit "A-1"

BEING a 1.334 acre tract consisting of 0.977 acre out of a 4.094 acre tract according to the deed recorded in Volume 13337, Page 560 of the Real Property Records of Bexar County, Texas, 0.236 acre out of Lot 3, Block 1, New City Block 17247, Jansen Subdivision, according to the plat thereof recorded in Volume 9564, Page 192, of the Deed and Plat Records of Bexar County, Texas, and 0.121 acre out of a 0.503 acre tract according to the deed recorded in Volume 13156, Page 1070, of the Real Property Records of Bexar County, Texas, said 1.334 acre tract being more particularly described as follows:

BEGINNING at a point on the west right-of-way line of Babcock Road (80 feet wide) for the northeast corner of said 4.094 acre tract and the herein described tract;

THENCE: S.01°07'54"E., along said right-of-way line and the east line of said 0.4094 acre tract, a distance of 327.09 feet to a point for the southeast corner of said 4.094 acre tract and an angle point of said right-of-way line and the herein described tract;

THENCE: S.89°24'22"W., along the south line of said 4.094 acre tract, a distance of 2.95 feet to a point for the northeast corner of the above mentioned Lot 3, said also being a reentrant corner of said right-of-way line and the herein described tract;

THENCE: S.01°08'01"E., continuing along said right-of-way line and the with the east line of said Lot 3, a distance of 80.86 feet to a point for the southeast corner of said Lot 3, and being on the north line of the above mentioned 0.503 acre tract, said point also being a reentrant corner of said right-of-way line and the herein described tract;

THENCE: N.89°24'22"E., with said right-of-way line and the north line of said 0.503 acre tract, a distance of 2.94 feet to a point for the northeast corner of said 0.503 acre tract and also being an angle point for said right-of-way line and the herein described tract;

4047 Stahl Rd. #3 • San Antonio • Texas 78217
Phone (210) 599-4123 • Fax (210) 599-4191

EXHIBIT A

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1.334 acres

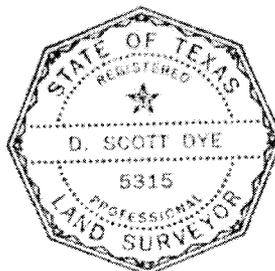
THENCE: S.01°07'52"E., continuing along said right-of-way line and the east line of said 0.503 acre tract, a distance of 40.45 feet to a found ½" steel rod for the southeast corner of said 0.503 acre tract and the herein described tract, said rod also being the northeast corner of a 0.307 acre tract recorded in Volume 6911, Page 1425, of the Real Property Records of Bexar County, Texas;

THENCE: S.89°24'22"W., departing said right-of-way line with the common line of said 0.503 acre tract and said 0.307 acre tract, a distance of 130.01 feet to a point for the southwest corner of the herein described tract;

THENCE: N.01°07'54"W., upon, over and across said 0.503 acre tract, said Lot 3 and said 4.094 acre tract (respectively), passing at a distance of 40.45 feet the common line of said 0.503 acre tract and said Lot 3, passing at a distance of 121.31 feet the common line of said Lot 3 and said 4.094 acre tract and continuing for a total distance of 449.25 feet to a point on the north line of said 4.094 acre tract for the northwest corner of the herein described tract, said point also being on the south line of Lot 2, Block 1, New City Block 17247, Senneff Subdivision, according to the plat thereof recorded in Volume 9531, Page 61, of the Deed and Plat Records of Bexar County, Texas;

THENCE: N.89°46'50"E., with the common line of said 4.094 acre tract and said Lot 2, a distance of 130.02 feet to the **POINT OF BEGINNING** and containing 1.334 acres of land, more or less.

Notes: The bearings for this legal description are based on the above mentioned recorded plat of Jansen Subdivision, recorded in Volume 9564, Page 192, of the Deed and Plat Records of Bexar County, Texas.



D. Scott Dye

D. Scott Dye, R.P.L.S. #5315
Job No. 060351-00

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Z2008148

ZONING CASE NUMBER Z2008148 (Council District 8) – May 6, 2008

The request of Paul Tausch, Applicant, for Tausch & Kansal Joint Venture, Owner(s), for a change in zoning from PUD “MF-33” Planned Unit Development Multi-Family District to “C-3” General Commercial District on 1.098 acre out of NCB 15823 and 0.236 acre out of NCB 17247, 6430 Babcock Road.

Staff recommends approval.

This case was approved by consent.

Paul Tausch, applicant, stated he would like to amend his request to “C-3NA”.

Staff stated there were 19 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and Babcock North Resident Association is in support with conditions.

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