

AN ORDINANCE 2007-01-04-0036

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 186.526 acres out of NCB 15329 and NCB 15849, and 16.453 acres out of NCB 15359 from "C-3" General Commercial District and "I-1" General Industrial District to "MPCD" Master Planned Community District.

Portions of this property are located within the Gateway Corridor Overlay District-2 (GC-2) but this ordinance shall not alter or remove the overlay boundaries.

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. The City Council approves the Master Planned Community District so long as the attached site plan is adhered to. The site plan is attached as Exhibit "B" and made a part hereof and incorporated herein for all purposes.

SECTION 5. 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.

ATTEST: *Leticia M. Viced*
City Clerk

Phil Hardberger
M A Y O R
PHIL HARDBERGER

APPROVED AS TO FORM: *Dessa Duen*
for City Attorney

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			

Z2007009

**METES & BOUNDS DESCRIPTION
Rezoning Exhibit**

**September 28, 2006
Revised November 9, 2006**

BEING a 186.526-acre (8,125,064.04 sq. ft.) tract of land out of the J.W. McComley Survey No. 70, Abstract 470, County Block 4329, and the R.E. Sevy Survey No. 357, Abstract 709, County Block 4331, out of a 82.736-acre tract, New City Block 15329, a 64.666-acre tract, New City Block 15329, and a 39.124-acre tract, New City Block 15849, in the City of San Antonio, Bexar County, Texas, said 186.526-acre tract being more particularly described as follows:

BEGINNING at a ½" iron rod found at the west end of a circular cutoff at the intersection of the northerly R.O.W. line of Lakeside Parkway and the northwesterly R.O.W. line of Cable Ranch Road for the most southerly corner of the herein-described tract;

THENCE North 69°02'21" West, 1,141.41 feet along the northerly R.O.W. line of said Lakeside Parkway to a ½" iron rod found;

THENCE 472.13 feet along the northerly R.O.W. line of said Lakeside Parkway by a circular curve to the left having the following parameters:

Radius	= 1,054.47 feet
Chord Bearing	= North 81°52'24" West
Chord Distance	= 468.20 feet

to a ½" iron rod found;

THENCE South 85°17'49" West, 255.36 feet along the northerly R.O.W. line to a ½" iron rod found;

THENCE 265.55 feet along the northerly R.O.W. line of said Lakeside Parkway by a circular curve to the right having the following parameters:

Radius	= 895.00 feet
Chord Bearing	= North 86°11'02" West
Chord Distance	= 264.58 feet

to a ½" iron rod found;

THENCE North 77°41'02" West, 135.98 feet along the northerly R.O.W. line of said Lakeside Parkway to a ½" iron rod found at the east end of a circular cutoff at the intersection of the northerly R.O.W. line of said Lakeside Parkway and the easterly R.O.W. line of Ingram Road;

EXHIBIT A

To Ordinance No. _____
Passed on January 4, 2007

THENCE 36.77 feet along said cutoff by a circular curve to the right having the following parameters:

Radius	= 25.00 feet
Chord Bearing	= North 35°28'31" West
Chord Distance	= 33.55 feet

to a ½" iron rod found;

THENCE 1,300.82 feet along the easterly R.O.W. line of said Ingram Road by a circular curve to the right having the following parameters:

Radius	= 3,203.47 feet
Chord Bearing	= North 18°22'26" East
Chord Distance	= 1291.90 feet

to a ½" iron rod found;

THENCE North 30°00'34" East, 86.43 feet along the easterly R.O.W. line of said Ingram Road to a point;

THENCE cross R.O.W. of said Ingram Road to a ½" iron rod found at the west end of a circular cutoff at the intersection of the westerly R.O.W. line of said Ingram Road and the northerly R.O.W. line of Vista West Drive;

THENCE 460.08 feet along the northerly R.O.W. line of said Vista West Drive by a circular curve to the left having the following parameters:

Radius	= 3,943.00 feet
Chord Bearing	= North 61°02'59" West
Chord Distance	= 459.82 feet

to a ½" iron rod found;

THENCE North 64°01'35" West, 550.03 to a ½" iron rod found;

THENCE 943.08 feet along the northerly R.O.W. line of said Vista West Drive by a circular curve to the left having the following parameters:

Radius	= 1,743.00 feet
Chord Bearing	= North 79°31'57" West
Chord Distance	= 931.62 feet

to a ½" iron rod found;

THENCE 299.53 feet along the northerly R.O.W. line of said Vista West Drive by a circular curve to the right having the following parameters:

Radius	= 2,457.00 feet
Chord Bearing	= South 88°31'52" West

Chord Distance = 299.34 feet

to a ½" iron rod found in the east end of a circular cutoff at the intersection of the north R.O.W. line of said Vista West Drive and the east R.O.W. line of Hunt Lane;

THENCE 39.63 feet along the said circular cutoff by a circular curve to the right having the following parameters:

Radius	= 25.00 feet
Chord Bearing	= North 43°10'31" West
Chord Distance	= 35.61 feet

to a ½" iron rod found;

THENCE North 01°56'11" East, 308.30 feet along the east R.O.W. line of said Hunt Lane to a ½" iron rod found;

THENCE North 01°50'44" East, 694.57 feet along the east R.O.W. line of said Hunt Lane to a ½" iron rod found at the south end of a linear cutoff at the intersection of the east R.O.W. line of said Hunt Lane and the southeasterly R.O.W. line of said Potranco Road;

THENCE North 34°21'29" East, 62.95 feet along said linear cutoff to a ½" iron rod found;

THENCE North 66°02'03" East, 145.64 feet along the southwesterly R.O.W. line of said Potranco Road to a ½" iron rod found;

THENCE North 66°22'11" East, 1,233.05 feet along the southeasterly R.O.W. line of said Potranco Road to a ½" iron rod found at the west end of a linear cutoff at the intersection of the southeasterly R.O.W. line of said Potranco Road and the southwesterly R.O.W. line of State Hwy 151;

THENCE South 79°25'20" East, 87.64 feet along said linear cutoff to a ½" iron rod found;

THENCE South 45°52'45" East, 88.21 feet along the southwesterly R.O.W. line of said State Hwy 151;

THENCE 283.05 feet along the southwesterly R.O.W. line of said State Hwy 151 by a circular curve to the right having the following parameters:

Radius	= 2264.79 feet
Chord Bearing	= South 42°34'25" East
Chord Distance	= 282.63 feet

to a ½" iron rod found;

THENCE South 39°33'06" East, 436.49 feet along the southwesterly R.O.W. line of said State Hwy 151 to a ½" iron rod found;

THENCE South 39°10'06" East, 605.48 feet along the southwesterly R.O.W. line of said State Hwy 151 to a ½" iron rod found;

THENCE South 43°46'16" East, 219.31 feet along the southwesterly R.O.W. line of said State Hwy 151 to a ½" iron rod found;

THENCE South 47°27'41" East, 217.40 feet along the southwesterly R.O.W. line of said State Hwy 151 to a ½" iron rod found;

THENCE South 51°58'15" East, 265.99 feet along the southwesterly R.O.W. line of said State Hwy 151 to a ½" iron rod found at the north end of a linear cutoff at the intersection of the southwesterly R.O.W. line of said State Hwy 151 and the northwesterly R.O.W. line of said Ingram Road;

THENCE South 61°38'08" East, 314.44 feet across R.O.W. of said Ingram Road to the northeast end of a circular cutoff at the intersection of the southwesterly R.O.W. line of said State Hwy 151 and the southeasterly R.O.W. line of said Ingram Road;

THENCE South 66°06'01" East, 180.98 feet along the southwesterly R.O.W. line of said State Hwy 151 to a ½" iron rod found;

THENCE South 71°50'01" East, 300.56 feet along the southwesterly R.O.W. line of said State Hwy 151 to a ½" iron rod found;

THENCE South 67°32'40" East, 805.43 feet along the southwesterly R.O.W. line of said State Hwy 151 to a ½" iron rod found in the northwesterly line of a drainage easement;

THENCE South 67°32'12" East, 155.44 feet across said drainage easement along the southwesterly R.O.W. line of said State Hwy 151 to a ½" iron rod found;

THENCE South 67°46'40" East, 611.22 feet along the southwesterly R.O.W. line of said State Hwy 151 to a ½" iron rod found at the north end of a circular cutoff at the intersection of the southwesterly R.O.W. line of said State Hwy 151 and the northwesterly R.O.W. line of said Cable Ranch Road;

THENCE 39.45 feet along said cutoff by a circular curve to the right having the following parameters:

Radius	= 25.00 feet
Chord Bearing	= South 22°39'16" East
Chord Distance	= 35.48 feet

to a ½" iron rod found;

THENCE South 22°27'09" West, 1,412.41 feet along the northwesterly R.O.W. line of said Cable Ranch Road to a ½" iron rod found

THENCE 341.75 feet along the northwesterly R.O.W. line of said Cable Ranch Road by a circular curve to the left having the following parameters:

Radius	= 9,624.58 feet
Chord Bearing	= South 21°48'10" West
Chord Distance	= 341.73 feet

to a ½" iron rod found at the north end of a circular cutoff at the intersection of the northwesterly R.O.W. line of said Cable Ranch Road and the northerly R.O.W. line of said Lakeside Parkway;

THENCE 41.07 feet along said cutoff by a circular curve to the right having the following parameters:

Radius	= 25.00 feet
Chord Bearing	= South 63°53'54" West
Chord Distance	= 36.61 feet

to the POINT OF BEGINNING.

Stephen G. Cook
Registered Professional Land Surveyor
No. 5293

SGCE # 921-001-125A



Z2007009

METES AND BOUNDS DESCRIPTION

September 29, 2005

BEING a 16.453 acre tract of land out of J.W. McCamley Survey No.70, Abstract 470, County Block 4329, Bexar County, Texas, out of Blocks 34 and 48, New City Block 15359, in the City of San Antonio, Bexar County, Texas, Cable Ranch Subdivision recorded in Volume 105, Page 162, Deed and Plat Records, Bexar County, Texas, said 16.453 acre tract being more particularly described as follows:

BEGINNING at a ½" iron rod found at the north end of a circular cutoff at the intersection of the north Right-Of-Way line of Lakeside Parkway and the easterly R.O.W. line of Cable Ranch Road;

THENCE 337.31 feet along the easterly R.O.W. line of Cable Ranch Road by a circular curve to the right having the following parameters:

Radius = 9624.58 feet
Chord Bearing = North 17°27'59" East
Chord Distance = 337.30 feet

to a ½" iron rod found;

THENCE North 22°25'55" East, 550.17 feet along the easterly R.O.W. line of said Cable Ranch Road to a ½" iron rod found at the southwest end of a circular cutoff and the intersection of the easterly R.O.W. line of said Cable Ranch Road and the southerly R.O.W. line of Vista West Drive;

THENCE 23.87 feet along said cutoff by a circular curve to the right having the following parameters:

Radius = 15.00 feet
Chord Bearing = North 66°54'08" East
Chord Distance = 21.43 feet

to a ½" iron rod found;

THENCE South 67°32'32" East, 767.96 feet along the southerly R.O.W. line of said Vista West Drive to a ½" iron rod found for the most northerly corner of Lot 2, Westlakes Subdivision, Unit 15, recorded in Volume 9534, Page 160, Deed and Plat Records, Bexar County, Texas;

THENCE South 22°49'08" East, 14.10 feet along the westerly line of said Lot 2 to a ½" iron rod found;

THENCE South 22°26'48" West, 858.55 feet along the westerly line of said Lot 2 to a ½" iron rod found;

THENCE South $64^{\circ}04'11''$ West, 14.78 feet along the westerly line of said Lot 2 to a $\frac{1}{2}$ " iron rod found in the northerly R.O.W. line of said Lakeside Parkway for the most westerly corner of said Lot 2 and the most southerly corner of the herein described tract;

THENCE 381.36 feet along the northerly R.O.W. line of said Lakeside Parkway by a circular curve to the right having the following parameters:

Radius = 2250.00 feet
Chord Bearing = North $72^{\circ}53'09''$ West
Chord Distance = 380.90 feet

to a $\frac{1}{2}$ " iron rod found;

THENCE North $68^{\circ}59'40''$ West, 348.76 feet along the northerly R.O.W. line of said Lakeside Parkway to a $\frac{1}{2}$ " iron rod found at the south end of a circular cutoff at the intersection of the northerly R.O.W. line of said Lakeside Parkway and the easterly R.O.W. line of said Cable Ranch Road;

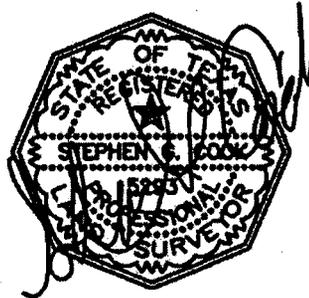
THENCE 37.70 feet along said cutoff by a circular curve to the right having the following parameters:

Radius = 25.00 feet
Chord Bearing = North $26^{\circ}35'08''$ west
Chord Distance = 34.23 feet

To the POINT OF BEGINNING.

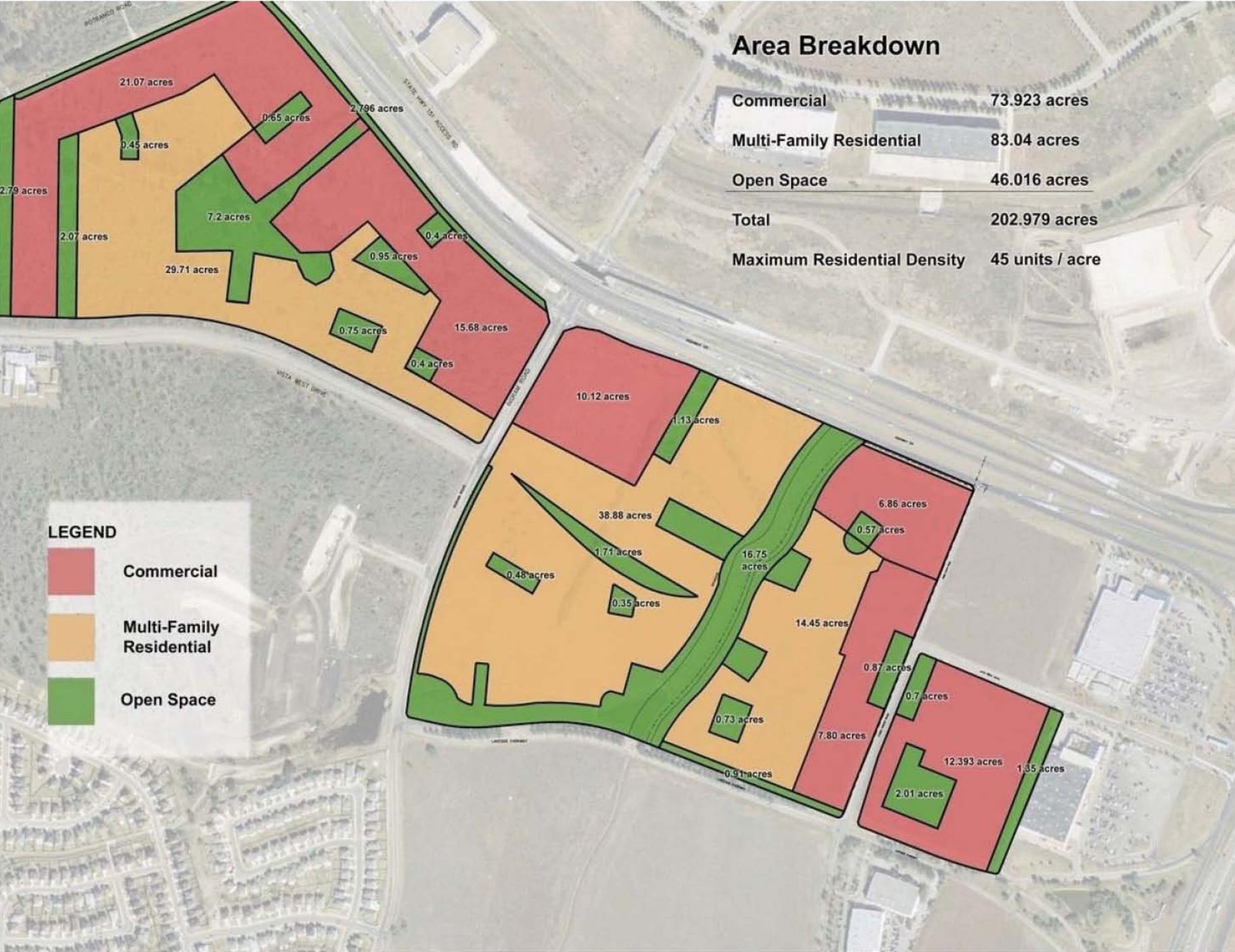
Stephen G. Cook
Registered Professional Land Surveyor
No. 5293

SGCE # 999-999-963D



Area Breakdown

Commercial	73.923 acres
Multi-Family Residential	83.04 acres
Open Space	46.016 acres
Total	202.979 acres
Maximum Residential Density	45 units / acre



LEGEND

- Commercial
- Multi-Family Residential
- Open Space

Affidavit of Publisher

STATE OF TEXAS
COUNTY OF BEXAR
S.A. - CITY CLERK

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: 100.000 acres out of NCB 15329 and NCB 15849 and 16.453 acres out of NCB 15359. TO WIT: From "C-3" General Commercial District and "I-1" General Industrial District to "MPCD" Master Planned Community District. Portions of this property are located within the Gateway Corridor Overlay District-2 (GC-2) and the applicant is not proposing to remove or alter the overlay boundary. *THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00*.
1/10

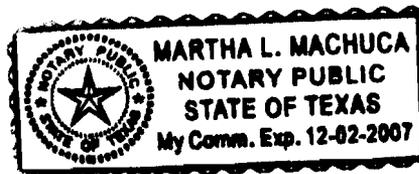
Before me, the undersigned authority, on this day personally appeared Helen I. L. by me duly sworn, says on oath that she is Publisher of the Commercial Recorder, a general circulation in the City of San Antonio, in the State and County aforesaid, and Ordinance 2007-01-04-0036 here to attached has been published in every issue 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



Z2007009

ZONING CASE NUMBER Z2007009 (Council District 6) – November 21, 2006

The request of Brown, P.C., Applicant, for Carlton Holdings, LP, Owner(s), for a change in zoning from “C-3” General Commercial District, “C-3” “GC-2” General Commercial Gateway Corridor Overlay District-2, “I-1” General Industrial District and “I-1” “GC-2” General Industrial Gateway Corridor Overlay District-2 to “MPCD” Master Planned Community District and “MPCD” “GC-2” Master Planned Community Gateway Corridor Overlay District-2 on 186.526 acres out of NCB 15329 and NCB 15849 and 16.453 acres out of NCB 15359, 8000 Block of State Highway 151. Staff recommended approval.

Daniel Ortiz, representative, proposing to develop a mixed-use community.

COMMISSION ACTION

The motion was made by Commissioner Martinez and seconded by Commissioner Briones to recommend approval

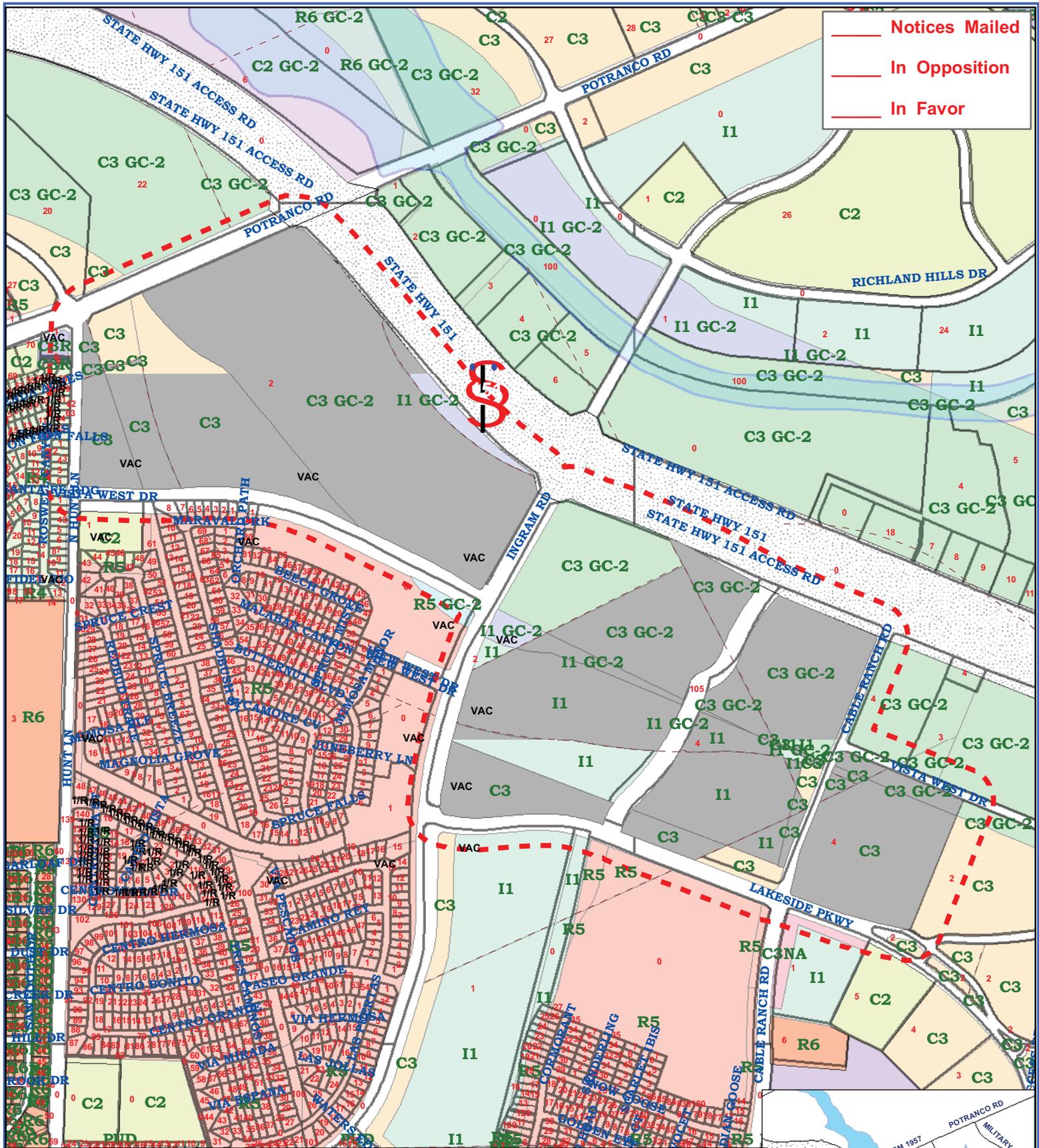
AYES: Avila, Robbins, Rodriguez, Westheimer, Gadberry, Sherrill, Martinez, Briones

NAYS: None

THE MOTION CARRIED

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.



— Notices Mailed
— In Opposition
— In Favor

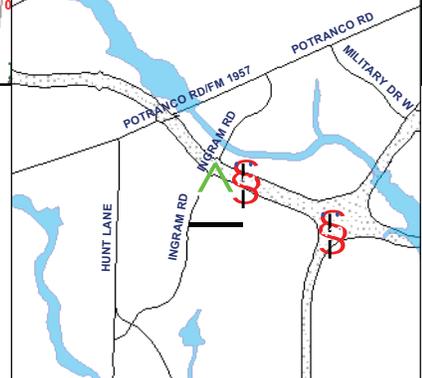
ZONING CASE: Z2007-009

City Council District No. 6
 Requested Zoning Change
 From: "C-3" GC-2, "C-3," "I-1" GC-2, and "I-1"
 To: "MPCD" GC-2 and "MPCD"
 Date: January 4, 2007
 Scale: 1" = 800'

Subject Property
 200' Notification



C:\Nov_7_2006





CITY OF SAN ANTONIO
Request for Council Action

Agenda Item # Z-22
Council Meeting Date: 1/4/2007
RFCA Tracking No: R-792

DEPARTMENT: Development Services

DEPARTMENT HEAD: Roderick Sanchez

COUNCIL DISTRICT(S) IMPACTED:
Council District 6

SUBJECT:
Zoning Case Z2007009

SUMMARY:

From "C-3" General Commercial District and "I-1" General Industrial District to "MPCD" Master Planned Community District. Portions of this property are located within the Gateway Corridor Overlay District-2 (GC-2); however, the applicant is not proposing to alter or remove the overlay boundary.

BACKGROUND INFORMATION:

Zoning Commission Meeting Date: November 21, 2006

Applicant: Brown, P.C.

Owner: Carlton Holdings, LP

Property Location: 186.526 acres out of NCB 15329 and NCB 15849 and 16.453 acres out of NCB 15359

8000 Block of State Highway 151

Highway 151, Generally Bound by Potranco Road, SW Loop 410, Vista West and Lakeside Parkway

Proposal: To Develop a Mixed Use Community

Neighborhood Association: None

Neighborhood Plan: None

TIA Statement: A Level-3 Traffic Impact Analysis is required and has been submitted.

ISSUE:

None.

ALTERNATIVES:

A denial of the request will result in the subject property retaining the existing commercial and industrial zoning districts, prohibiting the proposed mixed use development.

FISCAL IMPACT:

None. The applicant has paid the required zoning fees.

RECOMMENDATION:

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

The Master Planned Community zoning district is encouraged when properties consist of large acreages and are intended for mixed land uses within a comprehensive development. This district is a special district that promotes compatibility within mixed use developments, allowing a more efficient arrangement of land uses, structures and inner-connectivity, characteristics that may be difficult to achieve when adjacent lands are zoned and developed independent of each other.

The subject properties are undeveloped, consisting of four separate parcels and totaling just over 200 acres. These lands were annexed into the city in phases, the first annexation occurring in December of 1984, followed by additional annexations in May of 1986 and December of 1989. The existing C-3 and I-1 zoning districts were applied in March of 1990 (Ordinance #71278) and the overlay district (GC-2) was applied to those portions of the property within 1,000 feet of the Highway 151 right-of-way in April of 2005. Most of the existing commercial and industrial zoning districts were applied to the properties in this area between 1986 and 2000 and the area to the north, at the northwest corner of Highway 151 and Loop 410, is rapidly transitioning into a regional power center.

The MPCD allows uses permitted in all residential, office and commercial zoning districts. The proposed development is to consist of about 74 acres of office and commercial uses and about 83 acres of multi-family residential use at a maximum density of 45 units per acre, with about 46 acres of open space. The amount of open space is determined, by percentage, based on the acreage of residential and non-residential land uses. As expected, most of the non-residential uses will be located along the property frontages and at intersections while the residential uses will be oriented more towards the interior of the development. The Unified Development Code requires the applicant to contact the school district the proposed MPCD development is to be located in to address any increased demands on the existing educational system.

The properties are generally bound by several thoroughfares and streets: Highway 151 (Freeway), Potranco Road (Primary Arterial Type A), Ingram Road and Hunt Lane (Secondary Arterial Type A), and Vista West, Lakeside Parkway and Cable Ranch Road (collectors). The lands to the south are mostly zoned R-5, and the ongoing development of single family residential uses is steadily approaching Vista West and Lakeside Parkway. This R-5 zoning dates to May of 1999 (Ordinance #89843) and there is one tract remaining along Ingram Road south of Lakeside Parkway with industrial zoning. There is also significant single family residential development west of Hunt Lane. Potranco, Ingram and Cable Ranch Roads provide direct access to Highway 151, while

Lakeside Parkway provides connectivity to Loop 410. The streets within the actual development may be either public or private.

The applicants have submitted the required site plan with the zoning application. As the site plan is a component of the MPCD zoning district, the Zoning Commission must make a recommendation on both the zoning district and site plan, and the City Council must also consider and take action on the site plan. The minimum requirements of a site plan are that proposed land uses, including single and multi-family residential uses, office and commercial uses and the required open space must be identified on the plan by location, type, density and size. Language reflecting the mandatory adherence to the site plan must be contained in the zoning ordinances for all approved MPCD's and, should the applicant request an amendment to an approved MPCD site plan, they may do so administratively if the city determines the amendment is a minor one. Should the amendment be a major one, the criteria determining the scope of the amendment being listed in Section 35-345(e)(2) of the Unified Development Code, the proposed amendment must be returned to the Zoning Commission and City Council for recommendation and approval.

ATTACHMENT(S):

File Description	File Name
Location Map	Z2007-009.pdf
Zoning Commission Minutes	Z2007009.pdf
MPCD Site Plan	Z2007009mpcdsiteplan.pdf
Ordinance/Supplemental Documents	200701040036.pdf

DEPARTMENT HEAD AUTHORIZATIONS:

Roderick Sanchez Director (Interim) Development Services

APPROVED FOR COUNCIL CONSIDERATION:

Jelynn Burley Deputy City Manager

