

34

AN ORDINANCE

98460

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. Z2003103

The rezoning and reclassification of property from "MH" Manufactured Housing District to "C-2" Commercial District on the property listed as follows:

43.2 acres out NCB 10979

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 13<sup>th</sup> DAY OF November 2003

MAYOR:

EDWARD D. GARZA

ATTEST:

City Clerk

APPROVED AS TO FORM:

CITY ATTORNEY

03-41

**MEETING OF THE CITY COUNCIL**

ALAMODOME
ASSET MANAGEMENT
AVIATION
CITY ATTORNEY
MUNICIPAL COURT
REAL ESTATE (FASSNIDGE)
REAL ESTATE (WOOD)
RISK MANAGEMENT
CITY MANAGER
SPECIAL PROJECTS
CITY PUBLIC SERVICE – GENERAL MANAGER
CITY PUBLIC SERVICE – MAPS AND RECORDS
CODE COMPLIANCE
COMMERCIAL RECORDER
COMMUNITY INITIATIVES
CONVENTION AND VISITORS BUREAU
CONVENTION CENTER EXPANSION OFFICE
CONVENTION FACILITIES
COUNCIL OFFICES
CULTURAL AFFAIRS
CUSTOMER SERVICE/311 SYSTEM
DEVELOPMENT SERVICES
HOUSE NUMBERING
LAND DEVELOPMENT SERVICES
TRAFFIC & DRAINAGE PLAN REVIEW
ECONOMIC DEVELOPMENT
ENVIRONMENTAL SERVICES
SOLID WASTE
EXTERNAL RELATIONS
PUBLIC INFORMATION OFFICE
FINANCE - DIRECTOR
FINANCE – ASSESSOR
FINANCE – CONTROLLER
FINANCE – GRANTS
FINANCE – PUBLIC UTILITIES SUPERVISOR
FINANCE-TREASURY
FIRE DEPARTMENT
HOUSING AND COMMUNITY DEVELOPMENT
HUMAN RESOURCES (PERSONNEL)
INFORMATION SERVICES
INTERNAL REVIEW
INTERNATIONAL AFFAIRS
LIBRARY
MANAGEMENT & BUDGET (OFFICE OF) OMB
MAYOR'S OFFICE
METROPOLITAN HEALTH DISTRICT
MUNICIPAL CODE CORPORATION
MUNICIPAL COURT
NEIGHBORHOOD ACTION
PARKS AND RECREATION
MARKET SQUARE
YOUTH INITIATIVES
PLANNING DEPARTMENT – NEIGHBORHOOD PLNG; URBAN DESIGN/HISTORIC PRESERVATION DISABILITY ACCESS OFFICE
POLICE DEPARTMENT
GROUND TRANSPORTATION
PUBLIC WORKS DIRECTOR
CAPITAL PROJECTS
CENTRAL MAPPING
ENGINEERING
PARKING DIVISION
REAL ESTATE DIVISION
TRAFFIC ENGINEERING
PURCHASING AND GENERAL SERVICES
SAN ANTONIO WATER SYSTEMS (SAWS)
VIA

AGENDA ITEM NUMBER: 3H.

DATE: NOV 13 2003

MOTION: Segovia Wm

ORDINANCE NUMBER: 98460

RESOLUTION NUMBER: \_\_\_\_\_

ZONING CASE NUMBER: Z 2003103

TRAVEL AUTHORIZATION: \_\_\_\_\_

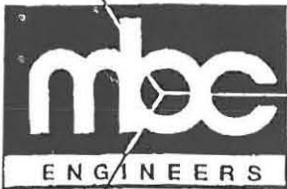
NAME	ROLL	AYE	NAY
ROGER O. FLORES JR. District 1		<i>absent</i>	
JOEL WILLIAMS District 2		/	
RON SEGOVIA District 3		/	
RICHARD PEREZ District 4		/	
PATTI RADLE District 5		/	
ENRIQUE M. BARRERA District 6		/	
JULIAN CASTRO District 7		/	
ART A. HALL District 8		/	
CARROLL SCHUBERT District 9		/	
CHRISTOPHER "CHIP" HAASS District 10		/	
EDWARD D. GARZA Mayor		/	

ZC: Approval

Staff: Approval

*Continue to address transition period w/ residents of area*

**03-41**



Z 2003103

ZONING NOTES

A 43.2 ACRE TRACT, BEING 27.8 ACRES OUT OF INDIAN HILLS MOBILE HOME PARK (PLAT REFERENCE: VOLUME 6500, PAGE 13) AND A 16.7 ACRE TRACT OUT OF A CALLED 36.4334 ACRE TRACT (DEED REFERENCE: VOLUME 4701, PAGE 1153), OUT OF THE WILLIAM SMALL SURVEY NO. 26, CITY OF SAN ANTONIO, BEXAR OCUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED IN A CLOCKWISE MANNER AS FOLLOWS:

- BEGINNING:** At the southwest corner of said Indian Hills Mobile Home Park, said point also being in the north right-of-way line of S.E. Military Drive;
- THENCE:** S 89°48'12" W, 404.61 feet, along and with the north right-of-way line of said S.E. Military Drive, to a point;
- THENCE:** N 00°07'10" E, 195.33 feet to a point;
- THENCE:** S 89°48'12" W, 378.39 feet to a point in an easterly line of Costa Dorada, Ltd. Subdivision;
- THENCE:** The following courses and distances along the easterly boundary of said Costa Dorada Ltd. subdivison:
  - N 00°07'10" E, 309.66 feet to a point;
  - N 89°13'57" E, 210.00 feet to a point;
  - N 00°07'10" W, 620.74 feet to a point in the south line of Meadow Brook Estates (Plat Reference: Volume 3025, Page 299);
- THENCE:** N 89°49'34" E, 1,634.10 feet, along the south line of said Meadow Brook Estates, to a point;
- THENCE:** S 00°43'18" E, 1,127.22 feet to a point in the north right-of-way line of S.E. Military Drive;
- THENCE:** S 89°48'12" W, 1,694.14 feet, along and with the north right-of-way line of said S.E. Military Drive to the **POINT OF BEGINNING** of the herein described 43.2 acre tract.

28629-1467  
May 8, 2003  
IRI/mns



LOCATION MAP  
NOT TO SCALE

MEADOW BROOK ESTATES

(VOL. 3025, PG. 299)

N89°49'34"E

1634.1'

559.05'

1075.05'

620.74'

N00°07'10"W

A PORTION OF  
A CALLED 36.4334  
ACRE TRACT  
(VOL. 4701, PG. 1153)

A PORTION OF  
INDIAN HILLS MOBILE HOME PARK  
(VOL. 6500, PG. 13)

43.2 ACRES



SCALE: 1" = 200'

REMAINING PORTION OF  
INDIAN HILLS MOBILE HOME PARK  
(VOL. 6500, PG. 13)

LOT 14  
N.C.B. 10979  
(VOL. 9557, PG. 65)

COSTA DORADA LTD.

(VOL. 8591, PG. 226)

N89°13'57"E

210.00'

402.23'

N00°07'10"E

309.66'

S89°48'12"W

378.39'

N00°07'10"E

195.33'

N44°45'12"W

82.18'

N89°13'57"W

105.92'

214.49'

404.61'

1075.04'

1694.14'

N00°07'10"E

42.42'

S89°48'12"W

POINT OF BEGINNING

S.E. MILITARY DRIVE

(RIGHT OF WAY VARIES)



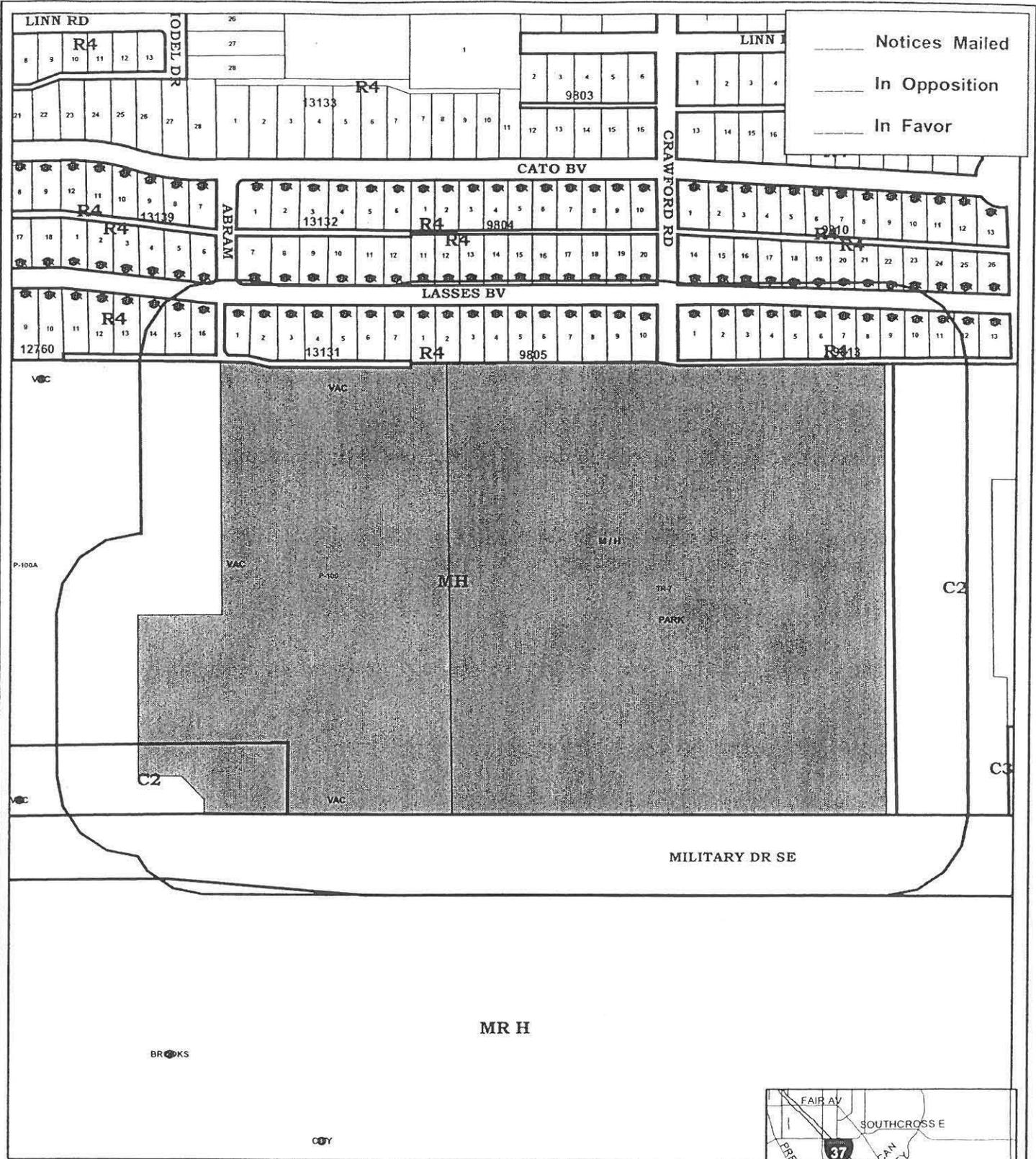
1035 Central Parkway North  
San Antonio, Texas 78232  
(210) 545-1122  
FAX (210) 545-9302

DRAWN FGG  
DATE 05-07-03  
JOB NO. 28629-1467

ZONING SKETCH

22003/03

p:\1467\28629-Brooks Corner Ph II\design\Exhibit\8629 ex1 zoning.dgn 05/29/2003 05:24:23 PM Jgomez



# ZONING CASE: Z2003-103

City Council District NO. 3  
 Requested Zoning Change  
 From: "MH" To "C2"  
 Date: November 13, 2003  
 Scale: 1" = 350'

-  Subject Property
-  200' Notification

T-18  
 p.651  
 F-7



# CASE NO: Z2003103

## Staff and Zoning Commission Recommendation - City Council

City Council continuance from October 9, 2003

**Date:** November 13, 2003

**Zoning Commission Meeting Date:** June 17, 2003

**Council District:** 3

**Ferguson Map:** 652 A7

**Appeal:** No

**Applicant:** Jim Burke, Burke Properties  
**Owner:** Burke Properties, Ltd.

**Zoning Request:** From "MH" Manufactured Housing District to "C-2" Commercial District  
43.2 acres out NCB 10979

**Property Location:** 3143 Military Drive  
On the north side of S.E. Military Drive east of New Braunfels Avenue

**Proposal:** Commercial retail pad sites

**Neighborhood Association:** Highland Hills Neighborhood Association

**Neighborhood Plan:** South Central San Antonio Community Plan

**TIA Statement:** A traffic impact analysis is not required

### Staff Recommendation:

Approval. The South Central San Antonio Community Plan calls for General Commercial at this location. The subject property has "R-4" zoning to the north and "C-2 and C-3" to the east and west, with "MR H" to the south. The proposed zoning conforms to the development scheme of the area, and will not have an adverse impact on the neighboring community.

### Zoning Commission Recommendation

Approval

<u>VOTE</u>	
FOR	10
AGAINST	0
ABSTAIN	0
RECUSAL	0

**CASE MANAGER :** Richard Ramirez 207-5018

**Z2003103**

**ZONING CASE NO. Z2003103** – June 17, 2003

Applicant: Jim Burke, Burke Properties

Zoning Request: “MH” Manufactured Housing District to “C-2” Commercial District.

Jim Burke, 4414 Pecan Grove, applicant, stated he is requesting this change in zoning to allow the subject property to be used as a commercial retail pad site.

David Monach, 8700 Crownhill, stated they have started the redevelopment in this area. He stated this commercial pad site would be consistent with the surrounding commercial uses. He further stated the community plan does not reflect its current uses and they are in the process of amending the plan. He feels this would be good for the community.

**OPPOSE**

Robert Elizondo, 3126 Lasse, stated his residence abuts the subject property. He is in opposition of this request. He expressed concerns with the high volume of traffic that will occur due to this development.

Josefa Tamez, 3234 Lasse, stated her residence also abuts the subject property. She also expressed concerns with the traffic congestion and drainage issues within this area.

**REBUTTAL**

David Monach, 8700 Crownhill, stated this is the first stage of revitalization on the South side and feels this development would be good for the community.

Staff stated there were 77 notices mailed out to the surrounding property owners, 4 returned in opposition and 2 returned in favor and no response from the Highland Hills Neighborhood Association.

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 Hophan and seconded by Commissioner Cardenas-Gamez to recommend approval pending an amendment to the Community Plan.

**Z2003103**

1. Property is located on 44.5 acres out of NCB 10079 at 3143 Military Drive.
2. There were 77 notices mailed, 4 returned in opposition and 2 in favor.
3. Staff recommends denial.

**AYES: Martinez, Grau, Cardenas-Gamez, Kissling, Hophan, Sherrill, McAden,  
Avila, Morell, Mehringer**

**NAYS: None**

**THE MOTION CARRIED.**

RESULTS OF COUNCIL HEARING October 9, 2003

City Council granted a continuance until November 13, 2003

RESULTS OF NTOICE FOR COUNCIL HEARING

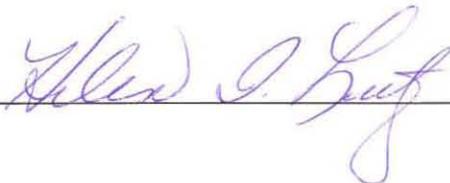
To be provided at Council hearing.

# Affidavit of Publisher

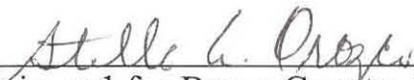
STATE OF TEXAS,  
COUNTY OF BEXAR  
CITY OF SAN ANTONIO

**PUBLIC NOTICE**  
**AN ORDINANCE 98460**  
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: 43.2 acres out NCB 10979 From "MH" Manufactured Housing District to "C-2" Commercial District.  
"THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".  
11/19

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 98460 hereto attached has been published in every issue of said newspaper on the following day, to-wit: November 19, 2003.

  
\_\_\_\_\_

Sworn to and subscribed before me this 19th day of November, 2003.

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

