

AN ORDINANCE 2007-01-04-0043

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 34.514 acres out of NCB 18335 from "RM-4 S" Residential Mixed District with a Specific Use Permit for a Golf Course and "R-6 S" Residential Single Family District with a Specific Use Permit for a Golf Course to PUD "R-6" Planned Unit Development Residential Single 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.

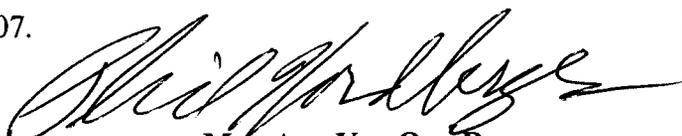
SECTION 3. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

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 on January 14, 2007.

PASSED AND APPROVED this 4th day of January, 2007.

ATTEST: 
City Clerk


MAYOR
PHIL HARBERGER

APPROVED AS TO FORM: 
City Attorney
for

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			



Property Description
of

2.591 acres of land in the City of San Antonio, N.C.B. 18335 out of a 415.64 acre tract designated as Tract 1 recorded in Volume 3153, Pages 319-326 of the Official Public Records of Bexar County, Texas; said 2.591 acres being more particularly described as follows:

Beginning: At a point on the Westerly boundary of a 243.436 acre tract designated as Tract II recorded in Volume 10503, Page 659 of the Official Public Records of Bexar County, Texas being the Southeast corner of a 11.639 acre tract of land recorded in Volume 2934, Page 638 of the Official Public Records of Bexar County, Texas; said point being N45°34'54"E (Deed), 686.71 feet from the Northeast Right of Way line of Babcock Road being the South corner of the herein described tract;

Thence: N33°08'15"W, 550.00 feet to a point for an angle;

Thence: N10°36'00"E, 593.71 feet to a point on the West boundary of said 243.436 acre tract being the North boundary of the herein described tract;

Thence: S10°23'24"E, 1061.53 feet with the West boundary of said 243.436 acre tract to the POINT OF BEGINNING, containing 2.591 acres of land.

Note: Bearings referenced to West boundary (N34°06'00"W) of 36.54 acre tract recorded in Volume 3399, Page 940 of the Official Public Records of Bexar County, Texas; said 36.54 acre tract located North of the subject property.

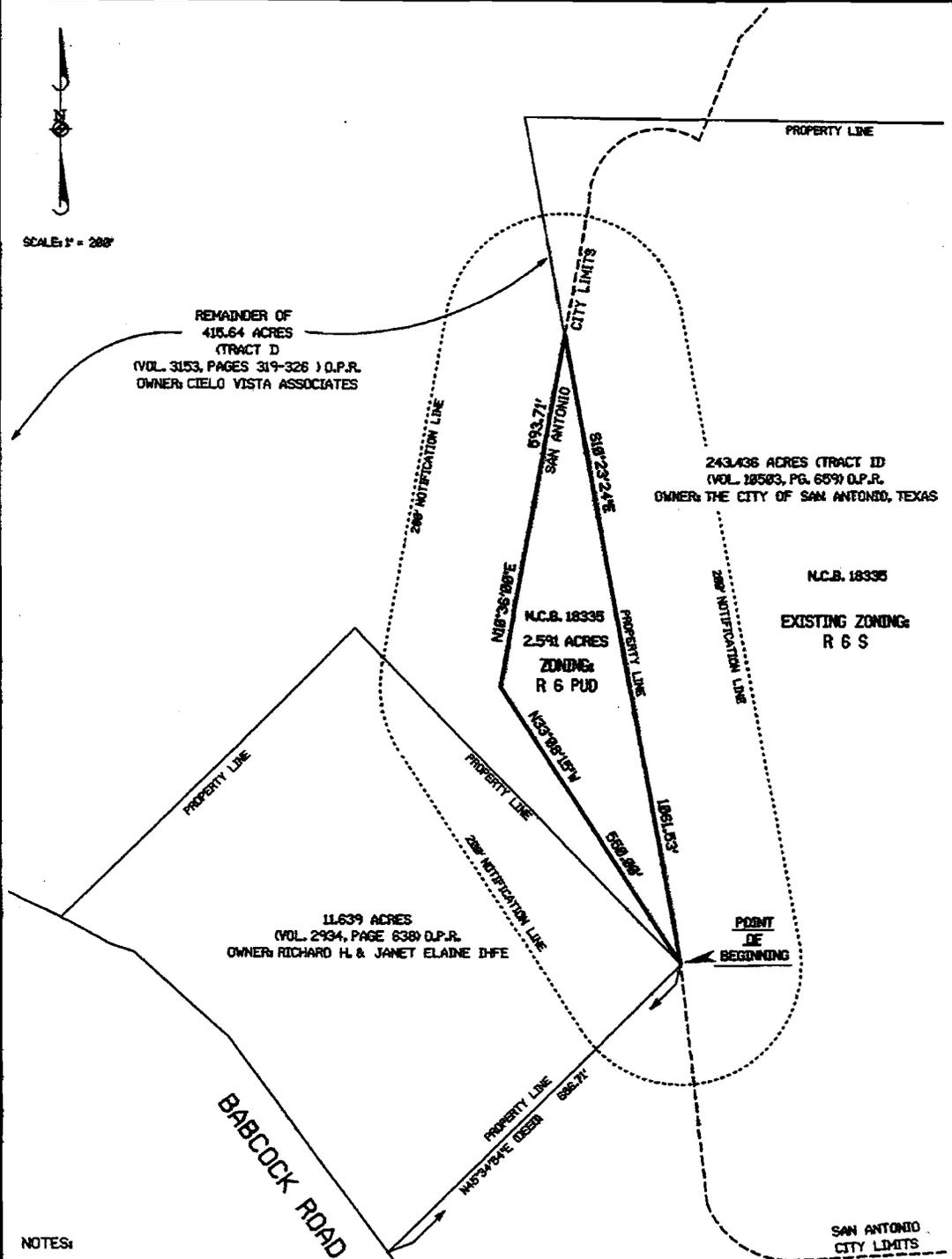
Reference is made to exhibit plat dated October 18, 2006 accompanying these field notes.

This field note description is based on available and recorded information and not on an on-the-ground field survey.

Job No. 227305
October 18, 2006
JGR/jm



SCALE: 1" = 200'



REMAINDER OF
415.64 ACRES
(TRACT D
(VOL. 3153, PAGES 319-326) O.P.R.
OWNER: CIELO VISTA ASSOCIATES

243.436 ACRES (TRACT ID
(VOL. 18583, PG. 659) O.P.R.
OWNER: THE CITY OF SAN ANTONIO, TEXAS

N.C.B. 18335

EXISTING ZONING:
R 6 S

11.639 ACRES
(VOL. 2934, PAGE 638) O.P.R.
OWNER: RICHARD H. & JANET ELAINE DIFE

POINT
OF
BEGINNING

NOTES:

1.) BEARINGS REFERENCED TO WEST BOUNDARY
(N34°06'00"W) OF 36.54 ACRE TRACT RECORDED IN
VOLUME 3399, PAGE 948, OFFICIAL PUBLIC RECORDS
OF BEXAR COUNTY, TEXAS. SAID 36.54 ACRE TRACT
LOCATED NORTH OF THE SUBJECT PROPERTY.

2.) FIELD NOTES PREPARED.

EXHIBIT OF

2.591 ACRES OF LAND IN THE CITY OF SAN ANTONIO,
N.C.B. 18335 OUT OF A 415.64 ACRE TRACT DESIGNATED
AS TRACT I RECORDED IN VOLUME 3153, PAGES 319-326
OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY,
TEXAS.



ENGINEERS SURVEYORS PLANNERS
(210) 681-0351

16328 BANDERA RD. SAN ANTONIO, TEXAS 78250
WWW.MHCDC.COM

DATE: OCTOBER 18, 2006 JOB NO. 227385



Property Description
of

31.923 acres of land in the City of San Antonio, N.C.B. 18335 out of a 415.64 acre tract designated as Tract 1 recorded in Volume 3153, Pages 319-326 of the Official Public Records of Bexar County, Texas; said 31.923 acres of land being more particularly described as follows:

Commencing: At a point on the Northeast Right of Way line of Babcock Road being the Southwest corner of a 11.639 acre tract of land as described by Deed recorded in Volume 2934, Page 638 of the Official Public Records of Bexar County, Texas; said point also being on the Westerly boundary of a 243.436 acre tract of land as described by Deed recorded in Volume 10503, Page 659 of the Official Public Records of Bexar County, Texas;

Thence: With the Westerly boundary of said 243.436 acre tract, the following:

N45°34'54"E (Deed), 686.71 feet leaving the Northeast Right of Way line of Babcock Road with the Southeast boundary of said 11.639 acre tract being the Southeast corner of said 11.639 acre tract;

N10°23'24"W, 1427.26 feet to a point for an angle;

Thence: S89°16'38"E, 306.10 feet with the Northerly boundary of said 243.436 acre tract to the POINT OF BEGINNING being the Southwesterly corner of the herein described tract;

Thence: With the Northwesterly boundary of the herein described tract, the following:

N21°58'56"E, 146.17 feet leaving the North boundary of said 243.436 acre tract to a point for an angle;

N43°10'36"E, 669.42 feet to a point for an angle;

N70°42'55"E, 1000.21 feet to a point for an angle;

N42°33'37"E, 381.70 feet to a point for an angle;

Thence: S88°40'16"E, 105.72 feet to a point being the most Northerly Northwest corner of said 243.436 acre tract and being the Northeast corner of the herein described tract;

Thence: With the Northerly boundary of said 243.436 acre tract, the following:

S00°42'39"W, 1133.48 feet to a point for an angle;

S75°55'00"W, 500.44 feet to a point for an angle;

S28°15'55"W, 326.86 feet to a point for an angle;

N47°48'09"W, 446.29 feet to a point for an angle;

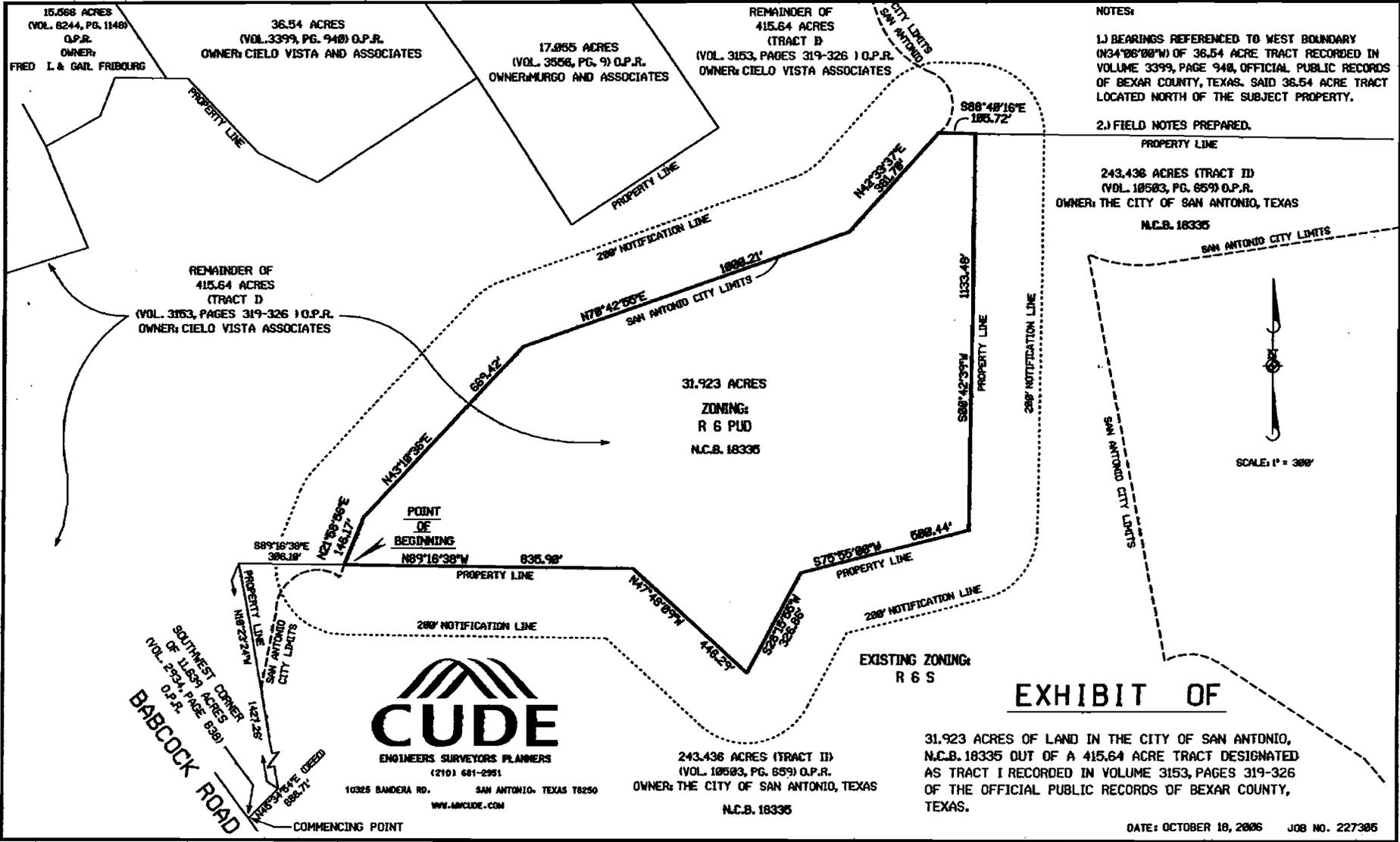
N89°16'38"W, 835.90 feet to the POINT OF BEGINNING, containing 31.923 acres of land.

Note: Bearings referenced to West boundary (N34°06'00"W) of a 36.54 acre tract Volume 3399, Page 940 of the Official Public Records of Bexar County, Texas; said 36.54 acre tract located North of the subject property.

Reference is made to exhibit plat dated October 18, 2006 accompanying these field notes.

This field note description is based on available and recorded information and not on an on-the-ground field survey.

Job No. 227305
October 18, 2006
JGR/jm



15.698 ACRES
(VOL. 8244, PG. 1148)
O.P.R.
OWNER: FRED L. & GAIL FROBourg

36.54 ACRES
(VOL. 3399, PG. 948) O.P.R.
OWNER: CIELO VISTA AND ASSOCIATES

17.855 ACRES
(VOL. 3556, PG. 9) O.P.R.
OWNER: MURGO AND ASSOCIATES

REMAINDER OF
415.64 ACRES
(TRACT D)
(VOL. 3153, PAGES 319-326) O.P.R.
OWNER: CIELO VISTA ASSOCIATES

REMAINDER OF
415.64 ACRES
(TRACT D)
(VOL. 3153, PAGES 319-326) O.P.R.
OWNER: CIELO VISTA ASSOCIATES

31.923 ACRES
ZONING:
R 6 PUD
N.C.B. 18335

243.436 ACRES (TRACT II)
(VOL. 10583, PG. 859) O.P.R.
OWNER: THE CITY OF SAN ANTONIO, TEXAS
N.C.B. 18335

NOTES:
1.) BEARINGS REFERENCED TO WEST BOUNDARY
(N34°08'00"W) OF 36.54 ACRE TRACT RECORDED IN
VOLUME 3399, PAGE 948, OFFICIAL PUBLIC RECORDS
OF BEXAR COUNTY, TEXAS. SAID 36.54 ACRE TRACT
LOCATED NORTH OF THE SUBJECT PROPERTY.
2.) FIELD NOTES PREPARED.

SOUTHWEST CORNER
OF 145.9 ACRES
(VOL. 2734, PAGE 538)
O.P.R.
BABCOCK ROAD
COMMENCING POINT



10325 BANDERA RD. SAN ANTONIO, TEXAS 78250
(210) 681-2951
WWW.AMCUDE.COM

243.436 ACRES (TRACT II)
(VOL. 10583, PG. 859) O.P.R.
OWNER: THE CITY OF SAN ANTONIO, TEXAS
N.C.B. 18335

EXISTING ZONING:
R 6 S

EXHIBIT OF

31.923 ACRES OF LAND IN THE CITY OF SAN ANTONIO,
N.C.B. 18335 OUT OF A 415.64 ACRE TRACT DESIGNATED
AS TRACT I RECORDED IN VOLUME 3153, PAGES 319-326
OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY,
TEXAS.

DATE: OCTOBER 18, 2006 JOB NO. 227385

Affidavit of Publisher

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: 34.514 acres out of NCB 18335, TO WIT: From "R-4" S Residential Mixed District with Specific Use Permit for a Golf Course and "R-6" S Residential Single-Family District with Specific Use Permit for a Golf Course to PUD "R-6" Planned Unit Development Residential Single-Family District. **THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00.**
1/10

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

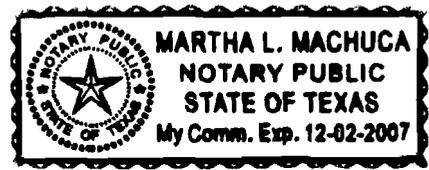
Before me, the undersigned authority, on this day personally appeared Helen I. Lu... by me duly sworn, says on oath that she is Publisher of the Commercial Recorder, a general circulation in the City of San Antonio, in the State and County aforesaid, and Ordinance 2007-01-04-0043 here to attached has been published in every issue of newspaper on the following days, to wit:

01/10/2007.

Helen I. Lu...

Sworn to and subscribed before me this 10th day of of January, 2007.

Martha L. Machuca



Z2007032

ZONING CASE NUMBER Z2007032 S (Council District 8) – November 21, 2006

The request of Earl and Associates, PC, Applicant, for Monte Cristo Developers, LLC, Owner(s), for a change in zoning from “RM-4” S Residential Mixed District with Specific Use Permit for a Golf Course and “R-6” S Residential Single-Family District with Specific Use Permit for a Golf Course to PUD “R-6” Planned Unit Development Residential Single-Family District on 34.514 acres out of NCB 18335, 20000 Block of Babcock Road and 21000 Block of Cielo Vista Drive. Staff recommended approval.

Grant Gaines, representative, proposing to develop a single-family residential community.

COMMISSION ACTION

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

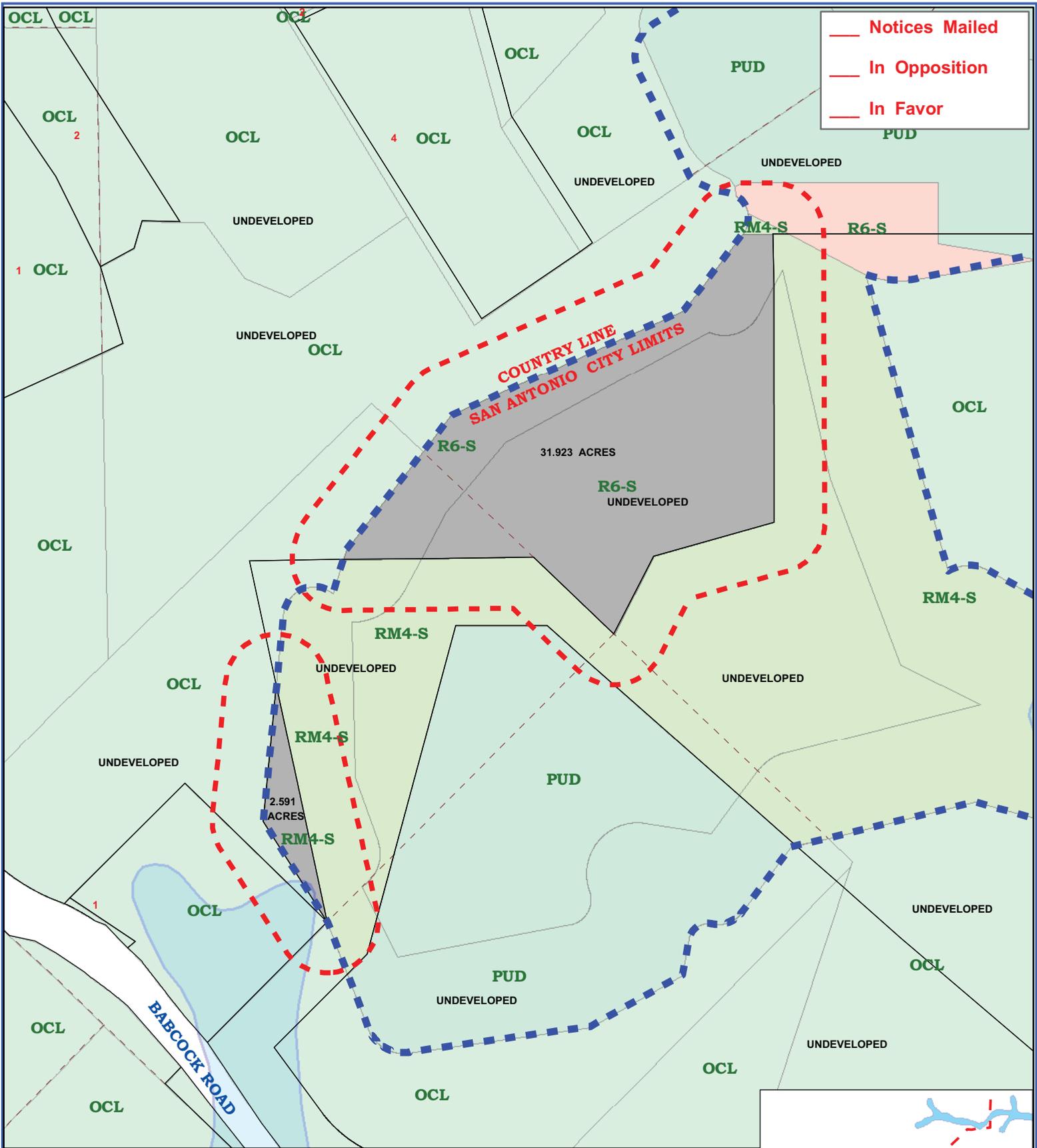
AYES: Avila, Robbins, Rodriguez, Westheimer, Gadberry, Sherrill, Martinez, Briones

NAYS: None

THE MOTION CARRIED

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.



ZONING CASE: Z2007-032

City Council District No. 8
Requested Zoning Change
From "RM-4"S and "R-6"S
To PUD "R-6"

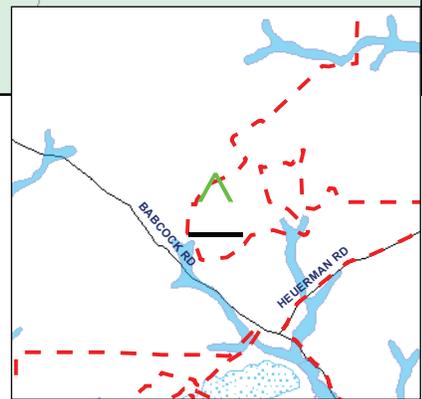
Date: January 4, 2007

Scale: 1" = 500'

- Subject Property
- 200' Notification



C:\Nov_7_2006





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

Agenda Item # Z-30
Council Meeting Date: 1/4/2007
RFCA Tracking No: R-800

DEPARTMENT: Development Services

DEPARTMENT HEAD: Roderick Sanchez

COUNCIL DISTRICT(S) IMPACTED:
Council District 8

SUBJECT:
Zoning Case Z2007032

SUMMARY:
From "RM-4" S Residential Mixed District with Specific Use Permit for a Golf Course and "R-6" S Residential Single-Family District with Specific Use Permit for a Golf Course to PUD "R-6" Planned Unit Development Residential Single-Family District

BACKGROUND INFORMATION:
Zoning Commission Meeting Date: November 21, 2006

Applicant: Earl and Associates, PC

Owner: Monte Cristo Developers, LLC

Property Location: 20000 Block of Babcock Road and 21000 Block of Cielo Vista Drive

34.514 acres out of NCB 18335

Northeast of Babcock Road

Proposal: To Develop a Single-Family Residential Community

Neighborhood Association: Friends of Friedrich Wilderness Park

Neighborhood Plan: None

Traffic Impact Analysis: A Traffic Impact Analysis (TIA) is not required

ISSUE:
None

ALTERNATIVES:

Staff does not have an alternate recommendation.

FISCAL IMPACT:

None. The applicant has paid the required zoning fees.

RECOMMENDATION:

Staff Recommendation: Approval

Zoning Commission Recommendation: Approval (8-0)

The subject properties are vacant undeveloped land and surrounded by undeveloped land. The subject properties consist of about 34.594 acres out of a larger tract of about 198.597 acres. The subject properties are a small part of a larger development with access along Babcock Road and Cielo Vista Drive. To the west and northwest of the subject property exists property, which is undeveloped and outside San Antonio city limits. The requested PUD "R-6" will decrease the allowable density from 7 units to 5 units. The zoning request for a Planned Unit Development Residential Single-Family District would be appropriate at this site.

If the requested residential single-family planned unit development zoning is approved, a PUD plan must be reviewed and approved by the Planning Commission.

The PUD Planned Unit Development District is established to provide flexibility in the planning and construction of development projects by allowing a combination of uses developed in accordance with an approved plan that protects adjacent properties and to encourage the preservation and enhancement of natural amenities and cultural resources; to protect the natural features of a site that relate to its topography, shape and size; and to provide for a minimum amount of open space. In addition, the Planned Unit Development District is designed to provide for a more efficient arrangement of land uses, buildings, circulation systems and infrastructure and it allows for private streets and gated entrances for new subdivisions.

The subject properties were annexed into the City of San Antonio in October 7 of 1991. The subject properties were zoned "R-1" CC and "R-6" CC on March 26, 1992 under the provisions of the 1965-zoning ordinance. The "R-1" CC and "R-6" CC zone was subsequently converted to "R-6" S and "RM-4" S upon adoption of the 2001 UDC.

ATTACHMENT(S):

File Description	File Name
Zoning Map	Z2007-032.pdf
Zoning Commission Minutes	Z2007032.pdf
Ordinance/Supplemental Documents	200701040043.pdf

DEPARTMENT HEAD AUTHORIZATIONS:

Roderick Sanchez Director (Interim) Development Services

APPROVED FOR COUNCIL CONSIDERATION:

Jelynn Burley Deputy City Manager

