

AN ORDINANCE 2006 - 0 1 - 2 6 - 0 1 4 0

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 9.031 acres out of Lots 7 and P-37, Block 128, NCB 15264 from "NP-8" Neighborhood Preservation District to "R-6" 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 February 5, 2006.

PASSED AND APPROVED this 26th day of January, 2006.

ATTEST: *Lucia M. Viced*
City Clerk

Phil Harberger
M A Y O R
PHIL HARBERGER

APPROVED AS TO FORM: *Jessie Qui*
For City Attorney

Agenda Voting Results

Name: Z-1 Motion to approve

Date: 01/26/06

Time: 02:08:44 PM

Vote Type: Multiple selection

Description: ZONING CASE #Z2005081 (District 4): An Ordinance amending the zoning boundary from "NP-8" Neighborhood Preservation District to "R-6" Residential Single-Family District on 9.031 acres out of Lot 7 and Lot P-37, Block 128, NCB 15264, 5834 South Sandy Valley as requested by Miam Enterprises Management, LLC, Applicant, for Miguel A. Vela, Owner(s). Staff and Zoning Commission recommend Denial.

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		x		

February 28, 2005

Z2005081

FIELD NOTES
9.031 Acres

For a parcel of land containing 9.031 acres of land and being a part of NCB 15264, and as recorded in Volume 4843, Page 450 of the Deed Records of Bexar County, Texas and being more particularly described to-wit:

Beginning at an iron pin being on the East right-of-way line of Five Palms Drive and being the Southwest corner of Lot 1, Block 128, Lackland City Subdivision, Unit 62, recorded in Volume 6600, Page 22, Deed & Plat records of Bexar County, and being the Northwest corner of this parcel;

THENCE; NE 77°-24'-52", a total distance of 207.49 feet, to an iron pin for a corner;

THENCE; SE 80°-22'-19", a total distance of 725.02 feet, to an iron pin for a corner;

THENCE; NE 09°-37'-41", a total distance of 121.00 feet, to an iron pin for a corner;

THENCE; SE 80°-22'-19", a total distance of 50.00 feet, to an iron pin for a corner;

THENCE; NE 09°-37'-41", a total distance of 76.09 feet, to an iron pin for a corner;

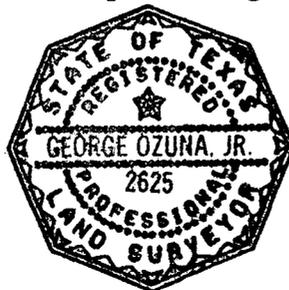
THENCE; SE 80°-22'-19", a total distance of 120.00 feet, to an iron pin, and being the Northeast corner of this parcel;

THENCE; SW 09°-37'-41", a total distance of 545.50 feet, to an iron pin, being on the North right-of-way of Ray Ellison Drive, and being the Southeast corner of this parcel;

THENCE; NW 80°-22'-19", a total distance of 1022.94 feet, along the North right-of-way lien of Ray Ellison Drive, to a point of curvature; being the Southwest corner of this parcel;

THENCE; along a curve to the right, having a radius of 25.00 feet, a central angle of 90°-01'-11", and an arc length of 39.28 feet to a point of tangency;

THENCE; along a curve to the left having a radius of 783.85 feet, a central angle of 18°-12'-33", and an arc length of 249.12 feet to the point of beginning.



George Ozuna Jr.
George Ozuna Jr., P.E., R.P.L.S.
Registered Professional Land Surveyor

02/28/05

EXHIBIT A

To Ordinance No. _____
Passed and approved on 01/26/06

CASE NO: Z2005081

Staff and Zoning Commission Recommendation - City Council

Zoning Commission continuance from April 19, 2005 and May 17, 2005. Final Action on June 21, 2005

Date: January 26, 2006

Zoning Commission Meeting Date: June 21, 2005

Council District: 4

Ferguson Map: 648 B7

Applicant: Miam Enterprises Management, LLC

Owner: Miguel A. Vela

Zoning Request: From "NP-8" Neighborhood Preservation District to "R-6" Residential Single-Family District

Property Location: 9.031 acres out of Lots 7 and P-37, Block 128, NCB 15264

5834 South Sandy Valley

Property located at the northeast corner of the intersection of Ray Ellison Boulevard and Five Palms Drive

Proposal: To develop single family homes

Neighborhood Association: People Active in Community Effort (PACE)

Neighborhood Plan: None

Traffic Impact Analysis:

A Traffic Impact Analysis is not required.

Staff Recommendation:

Denial.

The subject property and surrounding properties to the north and west were rezoned to NP-8 by City Council on January 11, 2001. At that time, the neighborhood spoke against R-6 zoning and in favor of NP-8 because it better reflected the lot size of existing homes in the Five Palms area. Although there is property zoned R-6 to the east and R-5 to south of the subject property, staff recommends maintaining the existing NP-8 Zoning District to promote future growth that is in character with the existing lot size north of Ray Ellison Boulevard and along Five Palms Drive.

Zoning Commission Recommendation:

Denial

VOTE

FOR 10

AGAINST 0

ABSTAIN 0

RECUSAL 0

CASE MANAGER : Trish Wallace 207-0215

Z2005081

ZONING CASE NO. Z2005081 – April 19, 2005

Applicant: Miam Enterprises Management, LLC

Zoning Request: “NP-8” Neighborhood Preservation District to “R-6” Residential Single Family District.

Applicant/Representative not present.

Staff stated there were 35 notices mailed out to the surrounding property owners, 3 returned in opposition and 0 returned in favor and People Active in Community Efforts (PACE) is in opposition.

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 Avila and seconded by Commissioner Dutmer to recommend a continuance May 17, 2005.

1. Property is located on 9.031 acres out of Lots 7 and P-37, Block 128, NCB 15264 at 5834 South Sandy Valley.
2. There were 35 notices mailed, 3 returned in opposition and 0 in favor.
3. Staff recommends denial.

AYES: Martinez, Robbins, Kissling, Dutmer, Dixon, Sherrill, Avila, Stribling, Peel
NAYS: None

THE MOTION CARRIED

ZONING CASE NO. Z2005081 – May 17, 2005

Applicant: Miam Enterprises Management, LLC

Zoning Request: “NP-8” Neighborhood Preservation District to “R-6” Residential Single Family District.

Applicant/Representative not present.

Staff stated there were 35 notices mailed out to the surrounding property owners, 5 returned in opposition and 1 returned in favor and People Active in Community Efforts are undecided.

Z2005081

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 Avila and seconded by Commissioner Dixon to recommend a continuance until June 21, 2005.

1. Property is located on 9.031 acres out of Lots 7 and P-37, Block 128, NCB 15264 at 5834 South Sandy Valley.
2. There were 35 notices mailed, 5 returned in opposition and 1 in favor.
3. Staff recommends denial.

AYES: Martinez, Robbins, Dixon, Sherrill, McAden, Avila, Stribling, Peel

NAYS: None

THE MOTION CARRIED

ZONING CASE NO. Z2005081 – June 21, 2005

Applicant: Miam Enterprises Management, LLC

Zoning Request: "NP-8" Neighborhood Preservation District to "R-6" Residential Single Family District.

Paul Garcia, 811 S. Flores, representing the owner, stated the purpose of this zoning change is to develop a single-family home on the subject property. He stated he has been in contact with a representative from PACE on March 15, 2005 and have agreed to the recommendation as requested by PACE.

1. Prices of homes to start from \$89,000 to \$115, 000.
2. Facades of homes to be with brick, stone or stucco.
3. Homes to built with garages.
4. Construct 1 to 2 story homes only.

Staff stated there were 35 notices mailed out to the surrounding property owners, 5 returned in opposition and 1 returned in favor and People Active in Community Efforts (PACE) is in opposition.

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.

Z2005081

COMMISSION ACTION

The motion was made by Commissioner Avila and seconded by Commissioner Dutmer to recommend denial.

1. Property is located on 9.031 acres out of Lots 7 and P-37, Block 128, NCB 15264 at 5834 South Sand Valley.
2. There were 35 notices mailed, 5 returned in opposition and 1 in favor.
3. Staff recommends denial.

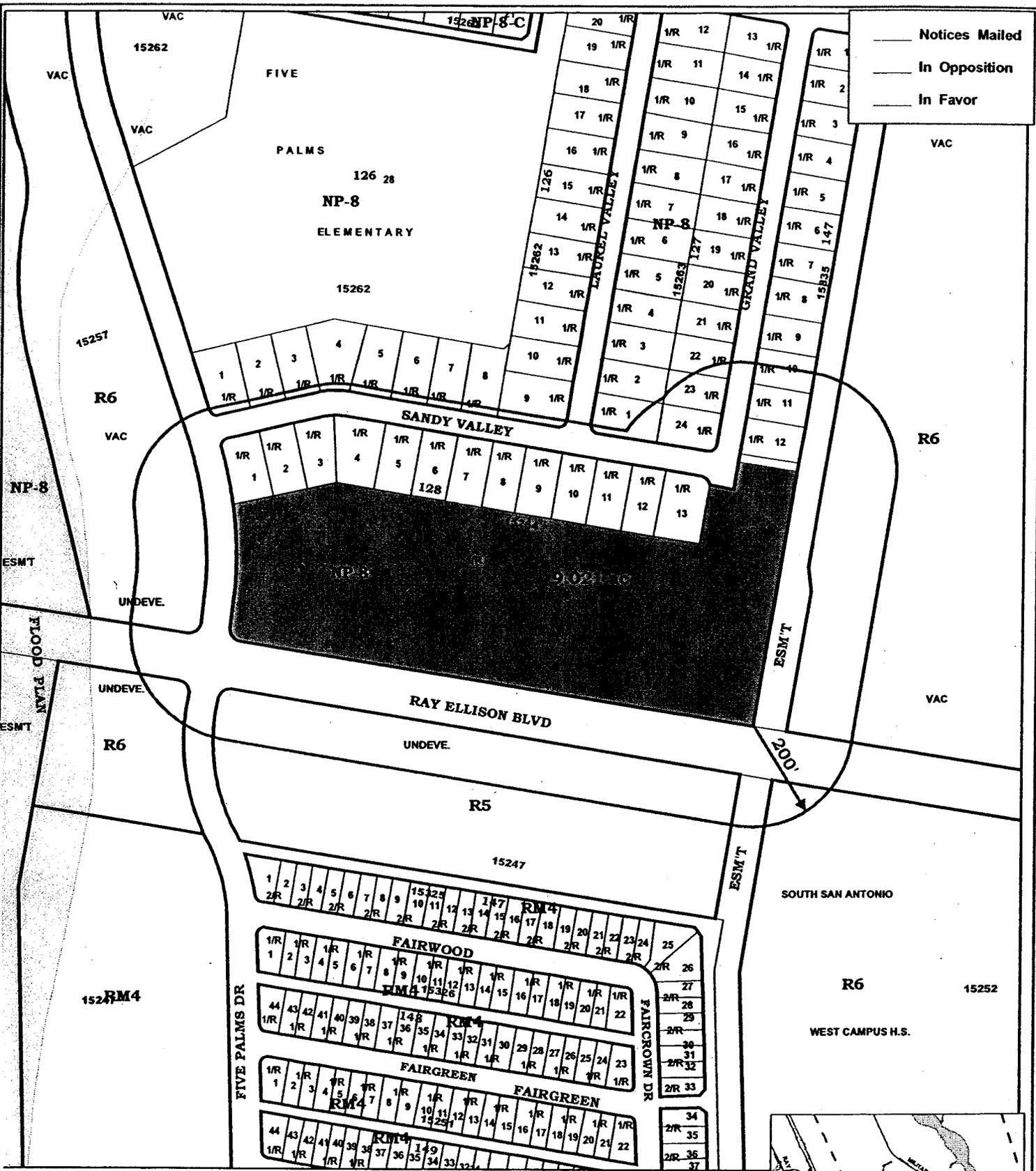
AYES: Martinez, Robbins, Rodriguez, Kissling, Dutmer, Sherrill, McAden, Avila, Stribling, Peel

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: Z2005-081

City Council District NO. 2
 Requested Zoning Change
 From: "NP-8" To "R-6"
 Date: January 26, 2006
 Scale: 1" = 200'

 Subject Property
 200' Notification

