

AN ORDINANCE 2006-06-01-0672

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 14.85 acres out of NCB 17673 from "C-3" General Commercial District and "ED" Entertainment District to PUD "MF-33" Planned Unit Development Multi-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.

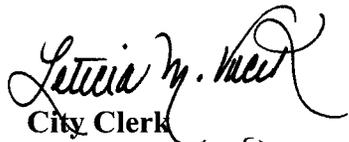
SECTION 4. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 5. This Ordinance shall become effective on June 11, 2006.

PASSED AND APPROVED this 1st day of June, 2006.


M A Y O R

PHIL HARDBERGER

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
for City Attorney

Agenda Voting Results

Name: Z-14.

Date: 06/01/06

Time: 07:42:44 PM

Vote Type: Multiple selection

Description: ZONING CASE #Z2006042 (District 6): An Ordinance changing the zoning district boundary from "C-3" General Commercial District and "ED" Entertainment District to PUD "MF-33" Planned Unit Development Multi-Family District on 14.85 acres out of NCB 17673, 9800 Block of Rogers Road as requested by Charles Martin Wender, Applicant, for Westover Hills Development Partners, L. P., Owner(s). Staff and Zoning Commission recommend Approval.

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
SHEILA D. MCNEIL	DISTRICT 2	Not present			
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4	Not present			
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	Not present			
MAYOR PHIL HARDBERGER	MAYOR	Not present			

FIELD NOTES
FOR

A 14.85 acre, or 647,004 square foot more or less, tract of land being comprised of all of a 9.157 acre tract and all of a 5.696 acre tract recorded in Volume 5191, Pages 1007-1046 of the Official Public Records of Real Property of Bexar County, Texas, out of the B.B.B. and C.R.R. Survey No. 402, Abstract 101, County Block 4398 of Bexar County, Texas, now in New City Block (N.C.B.) 17673 of the City of San Antonio, Bexar County, Texas. Said 14.85 acre tract being more fully described as follows, with the basis of bearings being the above referenced deeds for the 9.157 acre tract and the 5.696 acre tract:

COMMENCING: At the intersection of the east right of way line of Rogers Road, an 86-foot right-of-way as dedicated on the plat of Westover Hills, Unit 15 recorded in Volume 9524, Pages 153-155 of the Deed and Plat Records of Bexar County, Texas, and the southeast right of way line of Hyatt Resort Drive as dedicated on the plat of Hyatt San Antonio Resort Subdivision Unit 3 recorded in Volume 9550, Pages 127-129 of the Deed and Plat Records of Bexar County, Texas;

THENCE: S 14°08'51" E, along and with the east right of way line of Rogers Road, the west line of a 3.781 acre tract recorded in Volume 4903, Pages 1627-1640 of the Official Public Records of Real Property of Bexar County, Texas, a distance of 672.69 feet to a found ½" iron rod with yellow cap marked "Pape-Dawson", a point on the east right of way line of said Rogers Road, the northwest corner of said 9.157 acre tract and a southwest corner of said 3.781 acre tract for the POINT OF BEGINNING of herein described tract;

THENCE: N 77°47'50" E, departing the east right of way of said Rogers Road, along and with a north line of said 9.157 acre tract and a south line of said 3.781 acre tract, a distance of 241.58 feet to a found ½" iron rod with yellow cap marked "Pape-Dawson", a southwest corner of a 192.053 acre tract described in Volume 4903, Pages 1603-1612 of the Official Public Records of Real Property of Bexar County, Texas;

N 63°55'20" E, along and with a north line of said 5.696 acre tract and south line of said 192.053 acre tract, at a distance of 63.04 feet passing a found ½" iron rod with yellow cap marked "Pape-Dawson", the northeast corner of said 9.157 acre tract, the northwest corner of said 5.696 acre tract, the southeast corner of said 3.781 acre tract in all a total distance of 171.11 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

EXHIBIT A

To Ordinance No. _____
Passed on June 1, 2006

Field Notes

14.85 Acres - Westover Hills Townhouses

Page 2 of 3

S 52°22'02" E, along and with an east line of said 5.696 acre tract and a west line of said 192.053 acre tract, a distance of 430.42 feet to a found ½" iron rod with yellow cap marked "Pape-Dawson";

S 38°42'27" E, along and with an east line of said 5.696 acre tract and a west line of said 192.053 acre tract, a distance of 368.18 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

S 38°34'24" W, along and with the south line of said 5.696 acre tract and a north line of said 192.053 acre tract, at a distance of 452.58 feet, passing a found ½" iron rod with yellow cap marked "Pape-Dawson", the southwest corner of said 5.696 acre tract, the southeast corner of said 9.157 acre tract, the northwest corner of said 192.053 acre tract, the northeast corner of a 3.416 acre tract described in said Volume 4903, Pages 1627-1640 and continuing along and with a north line of said 3.416 acre tract and a south line of said 9.157 acre tract, for a total distance of 536.48 feet to a found ½" iron rod with yellow cap marked "Pape-Dawson";

S 38°12'07" W, along and with the south line of said 9.157 acre tract and a north line of said 3.416 acre tract, a distance of 89.29 feet to a found ½" iron rod with yellow cap marked "Pape-Dawson";

S 26°34'53" W, along and with a south line of said 9.157 acre tract and a north line of said 3.416 acre tract, a distance of 288.30 feet to a found ½" iron rod with yellow cap marked "Pape-Dawson", a point in the east right of way line of said Rogers Road:

Northwesterly, along the arc of a curve to the right, along and with the east right of way line of said Rogers Road, said curve have a radial bearing of N 60°12'00" E, a radius of 3842.60 feet, a central angle of 15°39'09", a chord bearing and distance of N 21°58'25" W, 1046.48 feet, for an arc length of 1049.75 feet to a found ½" iron rod with yellow cap marked "Pape-Dawson";

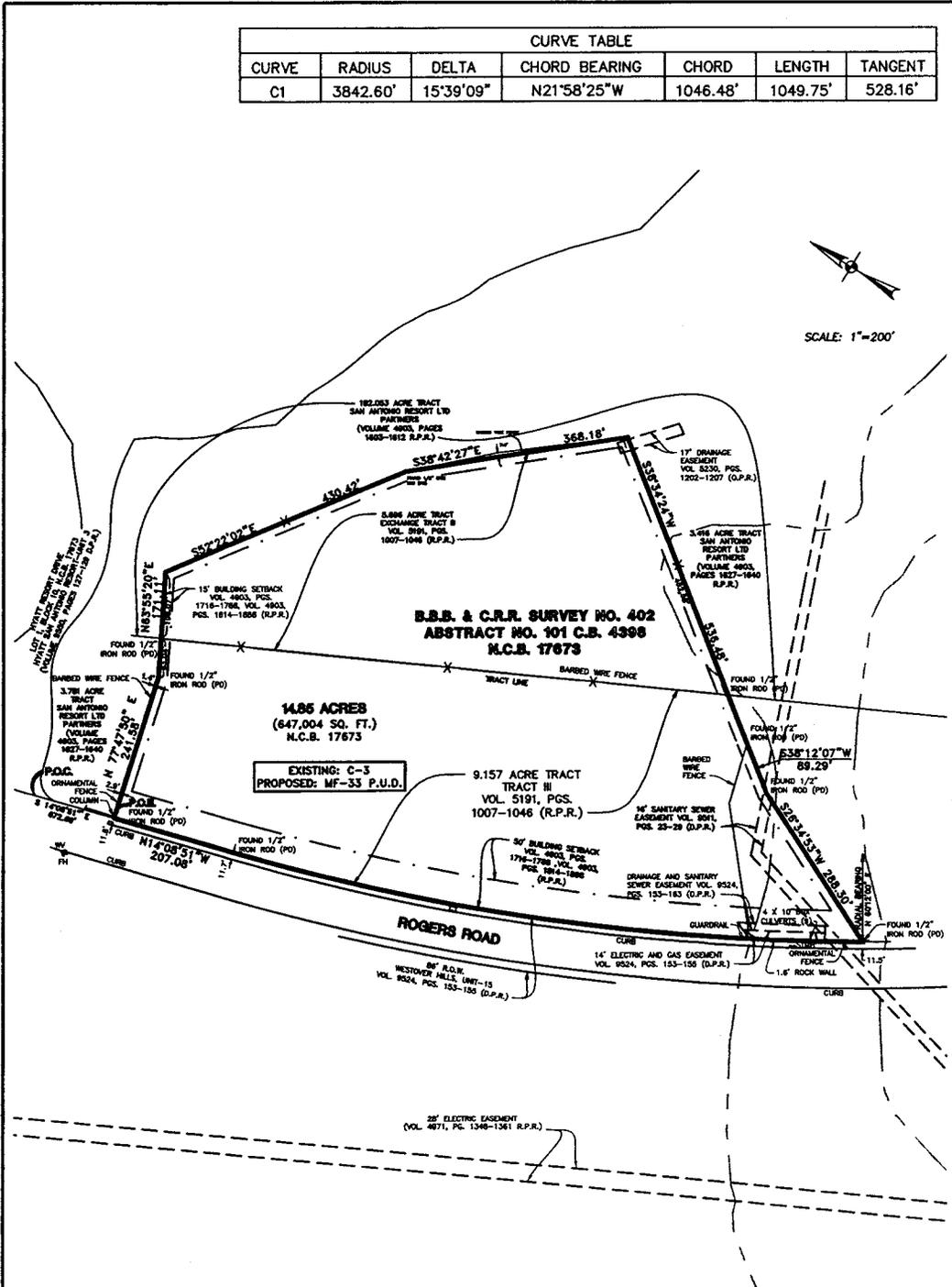
N 14°08'51" W, along and with the east right of way line of said Rogers Road, a distance of 207.08 feet to the POINT OF BEGINNING and containing 14.85 acres in the City of San Antonio, Bexar County, Texas. Said tract being described in accordance with a survey made on the ground and a survey map prepared by Pape-Dawson Engineers, Inc.

Field Notes
14.85 Acres – Westover Hills Townhouses
Page 3 of 3

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: Jan 06, 2006
JOB No.: 6421-00
DOC.ID: P:\6421\00\WORK\FIELD NOTES\060106-FieldNotes.doc

72006042

CURVE TABLE						
CURVE	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH	TANGENT
C1	3842.60'	15°39'09"	N21°58'25"W	1046.48'	1049.75'	528.16'



LEGEND

- D.P.R. = DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
- O.P.R. = OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS
- N.C.B. = NEW CITY BLOCK
- P.O.B. = POINT OF BEGINNING

**14.85 ACRES • ROGERS ROAD
RE-ZONING EXHIBIT**

CURRENT ZONING: 'C-3'
PROPOSED ZONING: 'MF - 33 P.U.D.'



Z2006042

ZONING CASE NO. Z2006042 – February 21, 2006

Applicant: Charles Martin Wender

Zoning Request: “C-3” General Commercial District and “ED” Entertainment District to PUD “MF-33” Planned Unit Development Multi-Family District.

Charles Wender, representing the owner, stated the purpose of this zoning change is to allow development of townhomes on the subject property.

Staff stated there were 6 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor.

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 Martinez and seconded by Commissioner McAden to recommend approval.

1. Property is located on 14.85 acres out of NCB 17673 at 9800 Block of Rogers Road.
2. There were 6 notices mailed, 0 returned in opposition and 2 in favor.
3. Staff recommends approval.

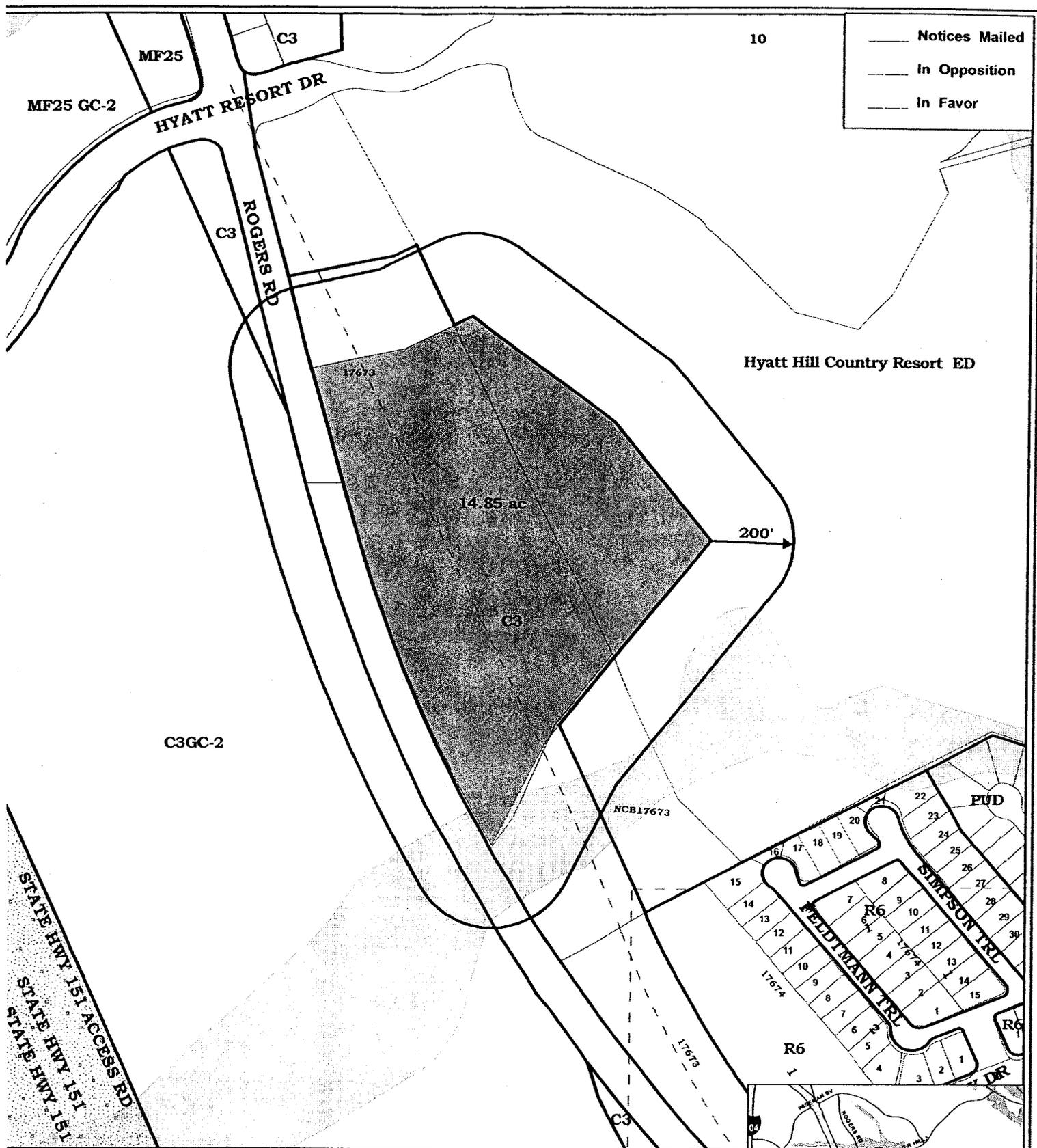
AYES: Avila, Robbins, Rodriguez, Gadberry, Sherrill, McAden, Martinez, Stribling, Gray

NAYS: None

THE MOTION CARRIED

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.



ZONING CASE: Z2006-042

City Council District No. 6
 Requested Zoning Change
 From "C-3" and "ED" To "MF-33 PUD"
 Date: June 1, 2006
 Scale: 1" = 300'

-  Subject Property
-  200' Notification

