

AN ORDINANCE **2006-06-01-0661**

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 6.592 acres out of NCB 11688 from "R-4" Residential Single Family District and "MF-33" Multi-Family District to "MF-40" 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-2.

Date: 06/01/06

Time: 06:50:50 PM

Vote Type: Multiple selection

Description: ZONING CASE #Z2006086 (District 1): An Ordinance changing the zoning district boundary from "R-4" Residential Single-Family District and "MF-33" Multi-Family District to "MF-40" Multi-Family District on 6.592 acres out of NCB 11688, 1600 Block of Jackson-Keller Road as requested by Stephen Raub, Applicant, for Endure Commercial Capital, 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		x		
ROLAND GUTIERREZ	DISTRICT 3	<i>Not Present gk</i>			
RICHARD PEREZ	DISTRICT 4	Not present			
PATTI RADLE	DISTRICT 5		x		
DELICIA HERRERA	DISTRICT 6	Not present			
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		x		

72006086



CIVIL ENGINEERING CONSULTANTS
DON DURDEN, INC.
11550 IH 10 West, Suite 395
San Antonio, TX 78230-1037
T: 210-641-9999 F: 210-641-6440

March 1, 2006
Job No. E0286700

DESCRIPTION OF A 6.592 ACRE TRACT OF LAND

Being 6.592 acres of land in New City Block (N.C.B.) 11688, San Antonio, Bexar County, Texas, being out of a 15.939 acre tract of land described in Volume 10617, Page 24, Official Public Records of Real Property, Bexar County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a point on the common line of said 15.939 acre tract and a Variable Width Drainage Easement described in Volume 2815, Page 369, Deed Records, Bexar County, Texas, being the southwesterly corner of Lot 4, Block 11, N.C.B. 12726, shown on the plat of Parkway Plaza Subdivision, recorded in Volume 9502, Page 216, Deed and Plat Records, Bexar County, Texas, the **POINT OF BEGINNING**, the most southeasterly corner of this tract;

THENCE coincident with said common line, the following six (6) courses:

North 86°54'48" West, a distance of 153.43 feet to a point, an angle point;

North 65°32'10" West, a distance of 38.39 feet to a point, an angle point;

North 44°55' 07" West, a distance of 180.04 feet to a point, an angle point;

North 40°55'35" West, a distance of 134.26 feet to a point, an angle point;

North 55°47'11" West, a distance of 67.36 feet to a point, an angle point;

North 88°29'13" West, a distance of 49.29 feet to a point, the common corner of said 15.939 acre tract and Lot 48, Lincoln Village Subdivision, recorded in Volume 9501, Pages 219-220, Deed and Plat Records, Bexar County, Texas, a westerly corner of this tract;

THENCE North 02°14'57" East, coincident with the common line of the 15.939 acre tract and said Lot 48, a distance of 621.58 feet to a point, an angle point;

EXHIBIT A

To Ordinance No. _____
Passed on June 1, 2006

Z2006086

Page 2
March 1, 2006
Job No. E0286700
6.592 acre tract

THENCE North 40°41'39" East, continuing coincident with said common line, a distance of 16.38 feet to a point, a common corner of the 15.939 acre tract and a 0.315 of one acre tract of land, said tract also being a 50-foot wide Drainage Easement recorded in Volume 4771, Page 541, Deed Records, Bexar County, Texas, and a 50-foot wide Ingress-Egress Easement, recorded in Volume 6833, Page 115, Official Public Records of Real Property, Bexar County, Texas, the most northerly corner of this tract;

THENCE coincident with the common line, being the northeasterly line of the 15.939 acre tract, the southwesterly line of said 0.315 of one acre tract, and Lots 1 and 2, Block 2, and a cul-de-sac at the southerly end of Lavay's Drive, all shown on the subdivision plat of Perry Dillon Subdivision Unit-1, recorded in Volume 4960, Page 171, Deed and Plat Records, Bexar County, Texas, the following four (4) courses:

South 50°22'09" East, a distance of 50.01 feet to a point, a reentrant corner:

North 40°41'39" East, a distance of 22.34 feet to a point, the most westerly corner of said Lot 1, a northerly corner of this tract;

South 50°22'09" East, a distance of 300.00 feet to a point on the westerly right-of-way line of said Lavay's Drive (R.O.W.-50'), the most southerly corner of said Lot 2, the beginning of a non-tangent curve;

Curving to the left, having a radius of 50.00 feet, a central angle of 219°01'13", an arc length of 191.13 feet, a chord bearing of South 08°48'58" East, and a chord distance of 94.26 feet to a point, the end of this curve, a corner of this tract;

THENCE South 50°58'01" East, departing said cul-des-sac, crossing the 15.939 acre tract, a distance of 210.32 feet to a point on the westerly line of the aforementioned Block 11, Parkway Plaza Subdivision, the most northeasterly corner of this tract;

THENCE continuing across the 15.939 acre tract, coincident with said westerly line of said Parkway Plaza Subdivision, the following three (3) courses:

South 39°01'59" West, a distance of 39.98 feet to a point, the beginning of a non-tangent curve;

Curving to the left, having a radius of 80.00 feet, a central angle of 246°20'36", an arc length of 343.96 feet, a chord bearing of South 24°07'10" East, and a chord distance of 133.93 feet to a point, the end of this curve;

Z2006086

Page 3
March 1, 2006
Job No. E0286700
6.592 acre tract

South 03°05'12" West, a distance of 341.08 feet to the **POINT OF BEGINNING**, and containing 6.592 acres of land, more or less.

"This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."

CASE NO: Z2006086

Staff and Zoning Commission Recommendation - City Council

Date: June 01, 2006

Zoning Commission Meeting Date: May 02, 2006

Council District: 1

Ferguson Map: 582 B1

Appeal:

Applicant: Owner
Stephen Raub Endure Commercial Capital

Zoning Request: From "R-4" Residential Single-Family District and "MF-33" Multi-Family District to "MF-40" Multi-Family District

6.592 acres out of NCB 11688

Property Location: 1600 Block of Jackson-Keller Road
Jackson-Keller Road, South of NW Loop 410

Proposal: To Develop an Apartment Community

Neighborhood Association: Dellview Area Neighborhood Association

Neighborhood Plan: Greater Dellview Area Community Plan

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

Staff Recommendation:

Consistent

The proposed MF-40 zoning district is consistent with the land use designation of the property identified in the Greater Dellview Area Community Plan. The Plan identifies this property for mixed use, promoting an integration of residential and commercial uses.

Approval

The proposed multi-family zoning is compatible with the existing multi-family zoning in the immediate area and direct access onto an arterial street is available. Additionally, many commercial services are within a short distance and the proposed development is along a public transit route, with stops in close proximity to the entrance.

The subject property, which has remained undeveloped, was annexed into the city in 1952 and consists of about 6.5 acres. The property is currently zoned R-4, although a small portion of the property adjacent to the French Chalet Apartments to the north is presently zoned MF-33. The R-4 zoning would permit more than 60 units where the proposed multi-family zoning would allow more than 240 units.

The applicant is proposing a multi-family development of about 250 units. In addition to the multi-story apartment buildings, a three story parking garage is also proposed. The MF-40 district has a height limit of 60 feet. The Olmos Creek Drainage Channel abuts the south property line and the remainder of the property is bordered by MF-33 zoning to the east (The Enclave Luxury High Rise Apartments), west (Lincoln

CASE NO: Z2006086

Staff and Zoning Commission Recommendation - City Council

Village Apartments) and north (French Chalet Apartments). There is also an undeveloped parcel with existing C-2 zoning to the north that will be incorporated into the overall multi-family development. Jackson-Keller Elementary School and single family dwellings are further north, across Jackson-Keller Road, and are located within Castle Hills.

Vehicular access to the property will likely be limited to Lavays Drive, currently a cul-de-sac unavailable for through traffic and used primarily by residents of the French Chalet Apartments for access and overflow parking. The intersection of Lavays and Jackson-Keller is not signalized and, like the 300 or so occupants of The Enclave, residents of this future development will likely be restricted to a single access point onto Jackson-Keller.

Zoning Commission Recommendation:

Approval

CASE MANAGER : Matthew Taylor 207-5876

VOTE

FOR	10
AGAINST	0
ABSTAIN	0
RECUSAL	0

Z2006086

ZONING CASE NO. Z2006086 – April 18, 2006

Applicant: Stephen Raub

Zoning Request: “R-4” Residential Single Family District and “MF-33” Multi Family District to “MF-40” Multi Family District.

Alan Lindskog, 11550 IH 10 West, representing the applicant, stated he would like to request a continuance on this case. He stated they have received a call from representatives from Dellview Area Neighborhood Association and they would like to meet and further discuss this project.

Staff stated there were 8 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no response from Dellview Area Neighborhood Association. Staff mailed 33 notices to the Planning Team.

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 Gray and seconded by Commissioner Robbins to recommend a continuance until May 2, 2006.

1. Property is located on 6.592 acre out of NCB 11688 at 1600 Block of Jackson Keller Road.
2. There were 8 notices mailed, 0 returned in opposition and 0 in favor.
3. Staff recommends approval.

AYES: Avila, Robbins, Rodriguez, Gadberry, Marshall, Sherrill, Wright, Stribling, Gray

NAYS: None

THE MOTION CARRIED

ZONING CASE NO. Z2006086 – May 2, 2006

Applicant: Stephen Raub

Zoning Request: “R-4” Residential Single Family District and “MF-33” Multi Family District to “MF-40” Multi Family District.

Z2006086

Alan Lindskog, 11550 IH 10 West, representing the applicant, stated this case was continued from April 18th meeting to meet with representatives of Dellview Neighborhood Association and he feels they have their support. He stated they are proposing to develop an apartment community on the subject property. He further stated their request is consistent with the Greater Dellview Area Community Plan. The Plan identifies this property for mixed use, promoting an integration of residential and commercial uses.

FAVOR

Marianna Orneales, President of Dellview Neighborhood Association, stated they have met with Mr. Lindskog to discuss his proposal and strongly support this development.

Staff stated there were 8 notices mailed out to the surrounding property owners, 0 returned in opposition and 4 returned in favor. Staff mailed 31 notices to the Planning Team. Staff has not received a response from Dellview Neighborhood Association however they have been informed that the applicant has continued to meet with the representatives from Dellview 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.

FINDING OF CONSISTENCY OF THE MASTER PLAN

COMMISSION ACTION

The motion was made by Commissioner Westheimer and seconded by Commissioner Sherrill to find consistency with the neighborhood plan.

(A verbal vote was taken)

**AYES: Avila, Robbins, Rodriguez, Westheimer, Gadberry, Sherrill, Wright,
Martinez, Stribling, Gray**

NAYS: None

THE MOTION CARRIED

COMMISSION ACTION

The motion was made by Commissioner Westheimer and seconded by Commissioner Sherrill to recommend approval.

Z2006086

1. Property is located on 6.592 acres out of NCB 11688 at 1600 Block of Jackson-Keller Road.
2. There were 8 notices mailed, 0 returned in opposition and 4 in favor.
3. Staff recommends approval.

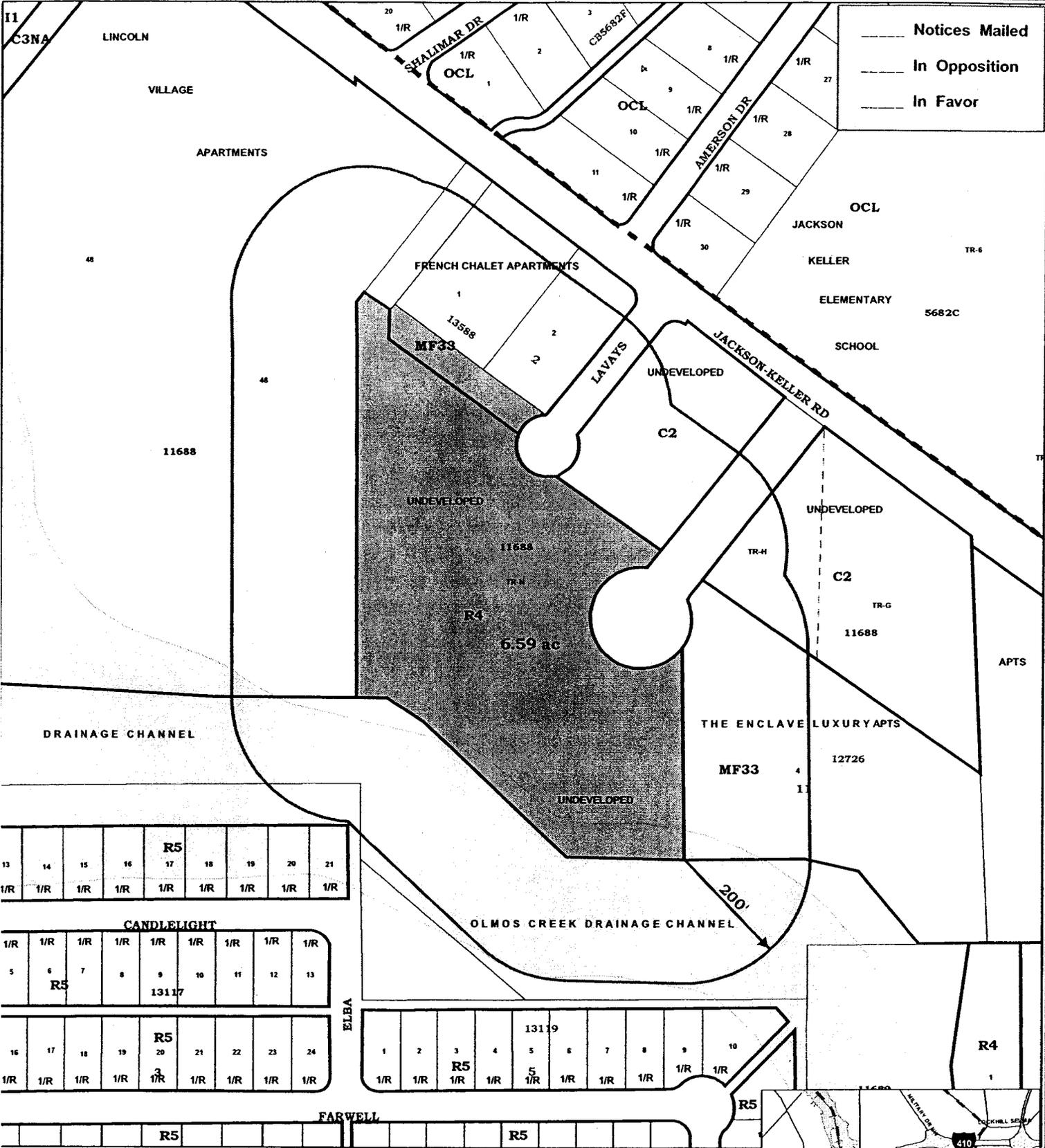
**AYES: Avila, Robbins, Rodriguez, Westheimer, Gadberry, Sherrill, Wright,
Martinez, Stribling, Gray**

NAYS: Rodriguez

THE MOTION CARRIED

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.



- - - - Notices Mailed
 - - - - In Opposition
 - - - - In Favor

13	14	15	16	R5	17	18	19	20	21
1/R									

CANDLELIGHT									
1/R	1/R	1/R	1/R	1/R	1/R	1/R	1/R	1/R	1/R
5	6	7	8	R5	9	10	11	12	13
					13117				

16	17	18	19	R5	21	22	23	24
1/R								

1	2	3	4	13119	6	7	8	9	10
1/R	1/R	R5	1/R	5 1/R	1/R	1/R	1/R	1/R	1/R

R5					R5				
----	--	--	--	--	----	--	--	--	--

ZONING CASE: Z2006-086

City Council District No. 1
 Requested Zoning Change
 From "R-4" and "MF-33"
 To "MF-40"

Date: June 1, 2006
 Scale: 1" = 200'

Subject Property
 200' Notification

