

Z2008193

KENNETH W. BROWN, AICP
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PATRICK W. CHRISTENSEN
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ATTORNEYS AT LAW

PAUL M. JUAREZ
OF COUNSEL

112 E. PECAN STREET
SUITE 1360
SAN ANTONIO, TEXAS 78205
TELEPHONE: 210.299.3704
FAX: 210.299.4731

October 29, 2008

DEVELOPMENT SERVICES
RECEIVED
2008 OCT 30 AM 10:09

Ms. Micah Diaz
City of San Antonio
Development Services Department
1901 S. Alamo, 1st Floor
San Antonio, Texas 78204

Via Hand Delivery

Re: Amendment to Zoning Case Z2008193; Our File 9270.001

Dear Ms. Diaz:

The purpose of this correspondence is to formally amend the above referenced zoning case. We would like to change the request to reflect the following:

From: "R-20" Residential Single-Family District
To: "R-6 PUD" Residential Single-Family District Planned Unit Development

Enclosed with this correspondence is an updated Application for Change of Zoning to reflect the requested change. Please place this zoning case on your next available agenda.

If you have any questions, please do not hesitate to contact me.

Sincerely,

BROWN & ORTIZ, P.C.

BY: 

Patrick W. Christensen

PWC/lb

cc:

Enclosures: As stated



Application for Change of Zoning

PROPERTY DESCRIPTION **If the zoning request includes multiple zoning districts, please provide legal descriptions and acreage totals for each zoning district requested (attach additional pages, if necessary).**

Address: **11327 Dreamland**

Legal Description: _____ Total Acreage(s): **3.4320**

Lot: **1, 2, 3, and 4**

Block: **1**

NCB: **11670**

Current Zoning: **"R-20" Single Family District**

Requested Zoning: **"R-6 PUD" Single Family District**

Planned Unit Development

Field Notes Attached

City Council District: **8**

For all properties within 5 miles of Camp Bullis: Have you coordinated with the U.S. Fish and Wildlife Service?

PROPERTY OWNER(S) **This application MUST include the names of ALL property owners listed on the most recent Warranty Deed. Attach additional pages as needed.**

Individual Partnership Corporation Trust

Name(s): **Ted D. Lee & Jerelene W. Lee**

AP#: _____

Address: **1919 Parhaven Drive**

City, St. Zip: **San Antonio, Texas 78232**

Phone(s)

home: _____ work: _____ mobile: _____ fax: _____

E-mail: _____

REPRESENTATIVE

Name: **Brown & Ortiz, PC**

AP#: _____

Address: **112 E. Pecan, Suite 1360**

City, St. Zip: **San Antonio, Texas 78205**

Phone(s)

home: _____ work: _____ mobile: _____ fax: _____

E-mail: _____

APPLICANT

Agent Prospective Buyer Tenant

Name: **Patrick W. Christensen**

AP#: _____

Address: **112 E. Pecan, Suite 1360**

City, St. Zip: **San Antonio, Texas 78205**

Phone(s)

home: _____ work: **(210) 299-3704** mobile: _____ fax: **(210) 299-4731**

E-mail: **pwc@kbrownpc.com**

Statement of Purpose for Zoning Change Request

The Statement of Purpose for a zoning change request shall include the following minimum information. Statements of Purpose that do not contain the required minimum information may be returned to the applicant, possibly delaying the zoning case.

- Reason for requesting a change of zoning, including a description of all existing and proposed activities or continuing uses.
- Explanation of how the request is consistent and compatible with the City's Master Plan or specific Neighborhood/Community Plan; or explanation of intent to pursue a plan amendment if the request is inconsistent with the applicable plan.
- Statement that the request will not substantially nor permanently injure the property rights of the owner(s) of all real property affected by the proposed change in zoning.
- Statement that the request will not adversely affect the health, safety or welfare of the general public.

The purpose of the requested zoning district is to allow for a residential development at this location.

This request will not substantially nor permanently injure the property rights of the owner(s) of all real property affected by the proposed change in zoning. This request does not adversely affect the health, safety, and welfare of the general public.

This application MUST include the signatures of ALL property owners listed on the most recent Warranty Deed. Attach additional pages as needed.

AUTHORIZATION BY PROPERTY OWNER(S)
(Required if Applicant or Representative is not the owner of the subject property.)

I, _____, swear and affirm that I am the
(property owner's printed name)
owner of the property at _____, as shown in the records of
(property address or legal description)
Bexar County, Texas, which is the subject of this application.

I, _____, the owner of the property to be
(property owner's printed name)
considered, give _____ permission to submit this application.
(applicant's printed name)

I authorize _____ to serve as my representative for this request.
(representative's printed name)

Property Owner Signature

Date

I have read, examined, and completed this application; and know the information I have provided to be true and correct. All provisions of laws and ordinances governing this application will be complied with, whether specified herein or not. The granting of a zoning change does not presume to give authority to violate or cancel the provisions of any other state or local law regulating the use of the subject property. I understand that City staff will visit and photograph the subject property; that a Rezoning Case Sign will be placed on the property; and that this application, including all submitted documents and staff photos relating to this zoning case are public information and can be made available through an Open Records Request per the Texas Public Information Act (Texas Government Code, Chapter 552).

Patrick W. Christensen

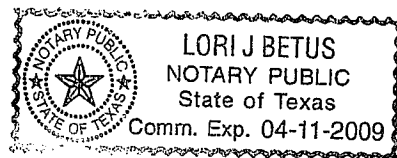
October 28 2008

Applicant Signature

Date

Sworn to and subscribed before me by Patrick W. Christensen on this 28th day
of October in the year 2008, to certify which witness my hand and seal of office.

Lorij Betus
Notary Public in and for the State of Texas



Traffic Impact Analysis (TIA) Threshold Worksheet

Complete this form as an aid to determine if your project requires a Traffic Impact Analysis Study. Unified Development Code, Article V, Section 35-502.

Project Name: **Dreamland Property**

Location: 11303 Dreamland

Applicant: **Brown & Ortiz, PC**

Address: 112 E. Pecan, Suite 1360, San Antonio, Texas 78205

Phone Number: (210) 299-3704

Owner Agent

Permit Type or Reason for TIA Study/Worksheet (Check one and indicate the number if known)

MDP # or POADP #:	Plat #:	Bldg. Permit #:	Other:
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Proposed Type of Development (Multiple building development or multi-occupancies may require additional tabulation sheets to determine total peak hour trips)

Anticipated Land/Building Use/Zoning	Size		Peak Hour? <i>PM</i>	Peak Hour Trip Rate (PHT Rate) <i>0.02 per unit</i>	Peak Hour Trips (PHT) <i>1777</i>	Peak Hour Trips (PHT) <i>10.54</i>	Trip Rate Source
	Acres	# of Units					
<i>R-6 PUD</i>	<i>3.4320</i>	<i>17-Units</i>					ITE Code: <i>240-270</i>

Previous Development on Site (Required for land with previous/current buildings occupied within 1 year of submittal or if Re-zoning property)

Previous Land/Building Use/Zoning	Size		Peak Hour? <i>PM</i>	Peak Hour Trip Rate (PHT Rate)	Peak Hour Trips (PHT)	Trip Rate Source
	Acres	# of Units				
<i>40-20'</i>	<i>3.4320</i>					ITE Code:

Previous TIA Report (if property has a TIA on file) TIA # _____

Peak Hour Trips Projected in TIA on file	Peak Hour Trips Projected in Updated Development Plan	Difference in PHT (Proposed PHT - Previous Development PHT or TIA PHT)
		(If over 100 additional trips or 10% of Level 3 TIA, a new TIA is required)
		<i>1777 Property is currently undeveloped</i>

Information Regarding the Person/Agency, who prepared the TIA

Prepared by: **Brown & Ortiz, PC** Date: **October 28, 2008**

Comments:

(For Official Use Only Do Not Write in this Box)

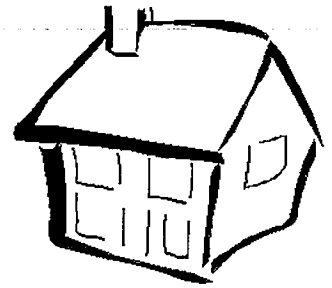
A TIA report is required. The consultant preparing the study must first meet with City staff to discuss the scope and requirements prior to submittal.
 A TIA report is not required. The traffic generated by the proposed development does not exceed the threshold requirements.
 The traffic impact analysis has been waived for the following reason(s):

Reviewed by: *D.A. Martinez* Date: *10-30-08*

Note: GFA = Gross Floor Area ITE = Institute of Transportation Engineers, Trip Generation, 7th Edition. 525 School Street, S. W., Suite 410, Washington DC 20024-2429; (202)554-8050. (bldg size) (Level 1 TIA required 101-500 PHT, Level 2 TIA 501-1000 PHT, Level 3 TIA over 1000 PHT)

CAN_NO	Property Address	OWNER	ADDRESS	CITY	STATE	ZIP
11670-001-0013	11327 DREAMLAND	Lee, Ted D & Jerelene W	1919 Parhaven Dr	San Antonio	TX	78232
11670-001-0050	11303 DREAMLAND	Lee, Ted D & Jerelene W	1919 Parhaven Dr	San Antonio	TX	78232
11670-001-0060	11225 DREAMLAND	Higbie, Richard L	11225 Dreamland Dr	San Antonio	TX	78230
11671-000-0016	NW MILITARY HWY	Voelcker Investment Group Ltd, c/o Israel Fogiel	800 IH 10 W, Suite 700	San Antonio	TX	78230
11671-000-0070	2447 LOCKHILL SELMA RD	Adithya LP	4420 FM 1960 W, Suite 224	Houston	TX	77068
11696-001-0090	2370 NW MILITARY HWY	VR Whispering Oaks Holdings LP	711 W Bay Area Blvd, Suite 602	Webster	TX	77598
11696-001-0100	2370 NW MILITARY HWY	VR Whispering Oaks Holdings LP	711 W Bay Area Blvd, Suite 602	Webster	TX	77598
13216-003-0040	11214 DREAMLAND	Lee, Jason Matthew	11214 Dreamland Dr	San Antonio	TX	78230
13216-003-0050	11218 DREAMLAND	Pruett, Lois C	10518 Auldine Dr	San Antonio	TX	78230
13216-003-0060	11302 DREAMLAND	Aguilar, Anthony Jr & Gabriel A	11302 Dreamland Dr	San Antonio	TX	78230
13216-003-0070	11306 DREAMLAND	Guzman, Herbert M & Dora H	29228 Oakview Bnd	San Antonio	TX	78230
13216-003-0080	11310 DREAMLAND	Wyatt, George L & Geneva L	11310 Dreamland Dr	San Antonio	TX	78015
13216-003-0090	11314 DREAMLAND	Fox, Faye R	11314 Dreamland Dr	Fair Oaks	TX	78230
13216-003-0100	11318 DREAMLAND	Migi, Otto R Jr & Diane L	11318 Dreamland Dr	San Antonio	TX	78230
13216-003-0110	11322 DREAMLAND	White, Carl L Jr & Wilma J	11322 Dreamland Dr	San Antonio	TX	78230
13216-003-0120	11326 DREAMLAND	Gonzales, Manuel & Blanca I Garza-Gonzales	11326 Dreamland Dr	San Antonio	TX	78230
13216-003-0130	11315 JANET LEE	Balderas, Marisol	11315 Janet Lee Dr	San Antonio	TX	78230
13216-003-0260	11311 JANET LEE	Hernandez, Brenda G	11311 Janet Lee Dr	San Antonio	TX	78230
13216-003-0270	11307 JANET LEE	Carrillo, Pedro & Amalia L	11307 Janet Lee Dr	San Antonio	TX	78230
13216-003-0280	11303 JANET LEE	Lane, Monroe Arthur & Carol A	11303 Janet Lee St	San Antonio	TX	78230
13216-003-0290	11215 JANET LEE	Tripp, Henry H & Florence Christine	11215 Janet Lee St	San Antonio	TX	78230
13216-003-0300	11211 JANET LEE	Arma Investments LLC	179 Paddington Way	San Antonio	TX	78209
13216-003-0310	11207 JANET LEE	Sands, Sandra	11207 Janet Lee Dr	San Antonio	TX	78230
14131-001-0020	2610 S WHISPER HILL	Tenner, Paul A & Patricia A	2610 Whisper Hill St	San Antonio	TX	78230
14131-001-0030	2606 S WHISPER HILL	Dady, Jason & Crystal	2606 Whisper Hill St	San Antonio	TX	78230
14131-001-0040	2602 S WHISPER HILL	Saks, Carl B & Cynthia	2602 Whisper Hill St	San Antonio	TX	78230
14131-001-0050	2603 S WHISPER HILL	Harper, Winona	2603 Whisper Hill	San Antonio	TX	78230
14131-001-0060	2607 S WHISPER HILL	Gentry, Leslie M & Sally K	2607 Whisper Hill	San Antonio	TX	78230
14131-001-0530	2610 S WHISPER DOVE	Galvan, Oscar George & Lucy B	2610 Whisper Dove	San Antonio	TX	78230
14131-001-0540	2606 S WHISPER DOVE	Maguire, Jack Russel Jr & Margaret Bryant Collins	2606 Whisper Dove St	San Antonio	TX	78230
14131-001-0550	2602 S WHISPER DOVE	Makowski, Michael A & Lora E	2602 Whisper Dove St	San Antonio	TX	78230
14131-001-0560	2603 S WHISPER DOVE	Garcia, Sylvia	2603 Whisper Dove	San Antonio	TX	78230
14131-001-0570	2607 S WHISPER DOVE	Lujan, Jorge Salas & Gabriela G	201 Venustiano Carranza	Aguascalientes	AGUASCALIENTES	Mexico
14131-001-0580	2611 S WHISPER DOVE	Balderas, Beverly J	2611 Whisper Dove St	San Antonio	TX	78230
Whispering Oaks Homeowners Association c/o Ed Einstein						
PO Box 78054						
San Antonio TX 78278-0454						
Brown & Ortiz, P.C.						
112 E Pecan, Suite 1360						
San Antonio TX 78205						

Your neighborhood may be changing...



Important zoning information is included that may affect your property

You are invited to attend an important public hearing because you are an owner of property within 200 feet of a proposed property zoning change. By attending this hearing, you will have the opportunity to express your opinion supporting or opposing the proposed zoning change outlined below. You are encouraged to attend this public hearing.

Please complete and return the enclosed card prior to the scheduled hearing date indicating if you are IN FAVOR or OPPOSED to the proposed zoning change.

**Este aviso contiene información muy importante, la cual pueda afectar su propiedad. Para obtener más información en español, favor comunicarse telefono 207-7980.*

The Development and Business Services Center is wheelchair accessible. Accessible parking spaces are located on the north and south sides of the building. Auxiliary aids and services are available upon request. Interpreters for the deaf must be requested at least forty-eight hours prior to the hearing by calling 207-7245 V/TTY for assistance.

Zoning Case No: Z2008193

Notice of Public Hearing by the San Antonio Zoning Commission

When: 1 p.m., Tuesday, December 02, 2008

Where: Cliff Morton Development and Business Services Center - 1st Floor Board Room, 1901 South Alamo St.

Property Description: Lots 1, 2, 3, and 4, Block 1, NCB 11670 ; 11327 Dreamland. The west corner of Dreamland and Lockhill Selma Road

Proposed Zoning Change: From "R-20" Residential Single-Family District to "PUD R-6" Planned Unit Development Residential Single-Family District.

Questions? Contact, Case Manager Micah Diaz 207-5876

How the zoning process works...

At a Zoning Commission hearing, several cases will be heard. Each case will be allocated a maximum hearing time of one hour. Proponents and opponents of the zoning change each will be allowed 30 minutes for their presentations (a maximum of 5 minutes per speaker). Proponent rebuttal will be limited to one speaker and 5 minutes. A recommendation made by the Commission regarding the zoning change will then move to City Council for final consideration.

If you would like to speak at the public hearing, please sign a roster located at the entrance of the building. You must sign up BEFORE the beginning of the hearing, so arrive at least 10 minutes early.

If you would like to utilize audio/video capabilities during your presentation, the case manager must receive all material at least 24 hours prior to the zoning hearing.

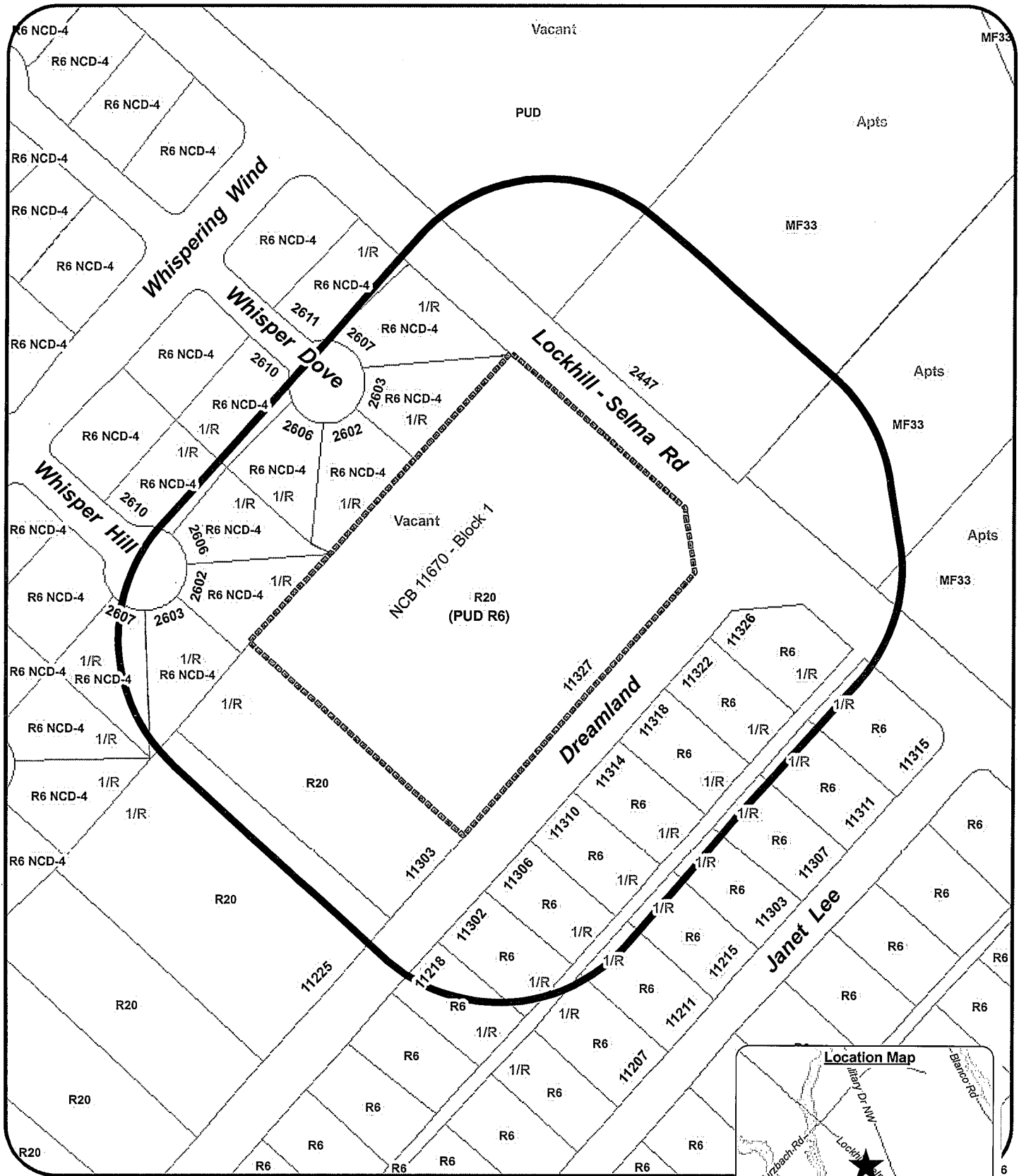
Additional information concerning this rezoning request and the zoning process can be obtained from the Development Services Department, Zoning Division, 1901 South Alamo Street or by calling the Case Manager at the above phone number.

Why Is your Input Important In this case?

- Zoning can create or change the character of your neighborhood and your community.
- Through public participation, the City has a better understanding of what residents want to see in the development of their neighborhoods and surrounding community.
- Your input can affect the decision of the Zoning Commission or City Council on the proposed zoning change.

CITY OF SAN ANTONIO
DEVELOPMENT SERVICES DEPARTMENT

www.sanantonio.gov/dsd



Zoning Case Notification Plan

Case Z2008193

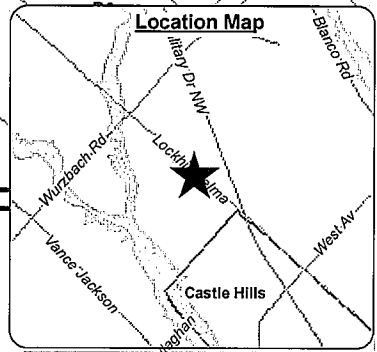
Council District 8

Scale: 1" approx. = 150'

Subject Property Legal Description(s): Lots 1, 2, 3, 4, Block 1, NCB 11670

Legend

- Subject Property (3.432 acres)
- 200' Notification Buffer
- Current Zoning **R20**
- Requested Zoning Change **(PUD R6)**
- 100-Year FEMA Floodplain



City of San Antonio
 Planning - Development Services Dept.
 10/31/2008
 D. E. Castillo

CASE NO Z2008193

Preliminary Staff Recommendation - Zoning Commission

Date: December 02, 2008

Council District: 8

Ferguson Map: 549 F4

Applicant Name:

Brown & Ortiz, P. C.

Owner Name:

Ted and Jerelene Lee

Zoning Request: From "R-20" Residential Single-Family District to "PUD R-6" Planned Unit Development Residential Single-Family District

Property Location: Lots 1, 2, 3, and 4, Block 1, NCB 11670

11327 Dreamland

The west corner of Dreamland and Lockhill Selma Road

Proposal: To allow residential development

Neighborhood Association: Whispering Oaks Neighborhood Association is within 200 feet.

Neighborhood Plan: None

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

Preliminary Staff Recommendation / SUBJECT TO CHANGE:

Pending further staff review.

- Subject property is approximately 3.432 acres in size, and is currently undeveloped.
- Subject property is located on the west corner of Dreamland and Lockhill-Selma Road, and was annexed in 1968.
- The subject property is within 200 feet of the Whispering Oaks Neighborhood Association.
- The subject property is not located within a Neighborhood or Community Plan.
- Upon annexation, the subject property was zoned "A". In a 1991 City-initiated large-area rezoning case, the subject property was rezoned to "R-8". Upon the adoption of the 2001 Unified Development Code, the previous zoning district converted to the current "R-20" district.
- Surrounding zoning includes "R-6 NCD-4" to the northwest, "PUD MF-25" to the north, "MF-33" to the east, "R-6" to the south, and "R-20" to the southwest.
- Surrounding land uses include single-family homes to the northwest, west and south; apartments to the east; and undeveloped land to the north.
- The requested zoning change will allow higher density residential single-family development.

CASE MANAGER : Micah Diaz 207-5876