

AN ORDINANCE 2008-01-17-0046

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 23.51 acres out of NCB 18333 from "MF-25" Multi-Family District and "MF-25" GC-1 Multi-Family Gateway Corridor Overlay District-1 to "C-2" Commercial District and "C-2" GC-1 Commercial Gateway Corridor Overlay District-1.

**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.

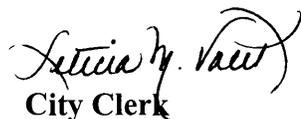
**SECTION 4.** The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

**SECTION 5.** This ordinance shall become effective on January 27, 2008.

**PASSED AND APPROVED** this 17th day of January, 2008.

  
M A Y O R

PHIL HARDBERGER

ATTEST:   
City Clerk

APPROVED AS TO FORM:   
City Attorney

<b>Agenda Item:</b>	<b>Z-13</b>						
<b>Date:</b>	01/17/2008						
<b>Time:</b>	04:10:44 PM						
<b>Vote Type:</b>	Motion to Appr w Cond						
<b>Description:</b>	ZONING CASE # Z2007316 (District 8): An Ordinance changing the zoning district boundary on 23.561 acres out of NCB 18333 from "MF-25" Multi-Family District and "MF-25" GC-1 Multi-Family Gateway Corridor Overlay District-1 to "C-2" Commercial District on 8.178 acres and "C-2" GC-1 Commercial Gateway Corridor Overlay District-1 on 15.383 acres, 20865 IH-10 West and 6932 Heuermann Road as requested by Kaufman and Associates, Applicant for Laredo Westover Hills Ltd., Owner. Staff recommends denial. Zoning Commission recommends approval.						
<b>Result:</b>	Passed						
<b>Voter</b>	<b>Group</b>	<b>Not Present</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Motion</b>	<b>Second</b>
Phil Hardberger	Mayor		x				
Mary Alice P. Cisneros	District 1		x				
Sheila D. McNeil	District 2		x				
District 3	District 3		x				
Philip A. Cortez	District 4		x				
Lourdes Galvan	District 5		x				
Delicia Herrera	District 6		x				
Justin Rodriguez	District 7		x				
Diane G. Cibrian	District 8		x			x	
District 9	District 9		x				
John G. Clamp	District 10		x				x

FIELD NOTES

FOR

A 23.51 acre, or 1,024,214 square feet more or less, tract of land being out of that 29.059 acre tract recorded in Volume 11769, Pages 2339-2348, of the Official Public Records of Real Property of Bexar County, Texas, in New City Block (N.C.B.) 18333, out of the James H. Cox Survey No. 22, Abstract 155, all in the City of San Antonio, Bexar County Texas. Said 23.51 acre tract being more fully described as follows with bearings derived from the Texas Coordinate System for the South Central Zone:

COMMENCING: At a found Texas Department of Transportation Monument with scribed "+" in brass plate at the south end of a cutback on Interstate Highway 10, a 315-foot right-of-way recorded in Volume 5335, Page 890-896 of the Official Public Records of Real Property of Bexar County, Texas, from the south right-of-way line of Heuermann Road, a 60-foot right-of-way recorded in Volume 980, Page 238 of the Deed and Plat Records of Bexar County, Texas, a northeast corner of a 5.49 acre tract recorded in Volume 12544, Pages 2229-2234 of the Official Public Records of Real Property, Bexar County, Texas;

THENCE: Along and with the west line of said Interstate Highway 10 the following calls and distances:

Along and with the east line of said 5.49 acre tract, along the arc of a curve to the right, said curve having a radius of 3654.83 feet, a central angle of 3°29'12", a chord bearing and distance of S 29°07'58" E, 222.38 feet, for an arc distance of 222.41 feet to a found ½" iron rod, the POINT OF BEGINNING of the herein describe tract, a point on curve, said point being a east corner of said 5.49 acre tract;

Along and with the east line of said 29.059 acre tract, along the arc of a curve to the right, said curve having a radius of 3654.83 feet, a central angle of 4°28'05", a chord bearing and distance of S 25°13'02" E, 284.94 feet, for an arc distance of 285.01 feet to a found ½" iron rod, the northeast corner of the remainder of Lot 8 recorded in Volume 5656, Pages 180-182 of the Deed and Plat Records of Bexar County, Texas, said Lot 8 being out of the H. Heuermann Subdivision recorded in Volume 642, Page 304 of the Deed and Plat Records of Bexar County, Texas, the southeast corner of said 29.059 acre tract;

THENCE: S 62°46'23" W, departing the west line of said Interstate Highway 10, along and with the north line of said Lot 8, the south line of said 29.0595 acre tract, a distance of 856.79 feet to a found iron rod marked "Baker," the northwest corner

23.51 Acres  
Job No. 9327-07

72007316

of said Lot 8, a northeast corner of a 242.471 acre tract recorded in Volume 12602, Pages 1845-1852 of the Official Public Records of Real Property of Bexar County, Texas;

THENCE: S 62°40'52" W, departing the north line of said Lot 8, along and with the north line of said 242.471 acre tract, the south line of said 29.059 acre tract, a distance of 837.32 feet to a found ½" iron rod, the southwest corner of said 29.059 acre tract, a reentrant corner of said 242.471 acre tract;

THENCE: N 01°04'24" E, a distance of 191.48 feet to a found ½" iron rod pipe, the southeast corner of a 0.854 of an acre tract recorded in Volume 11646, Pages 1450-1454 of the Official Public Records of Real Property of Bexar County, Texas, from which a found fence post bears S 82°54'46" W a distance of 2.2 feet, the west line of said 29.059 acre tract description bears S 89°48'44" W a distance of 4.2 feet, and a corner of said 242.471 acre tract description bears S 89°19'04" W, a distance of 8.3 feet, called as a fence post, not located;

THENCE: N 00°50'23" W, along and with the east line of said 0.854 of an acre tract, a distance of 370.43 feet to a found ½" iron rod, a northeast corner of said 0.854 acre tract, a southeast corner of a called 40-foot road in the description of a 31.07 acre tract recorded in Volume 7930, Pages 9-13 of the Official Public Records of Real Property of Bexar County, Texas and Volume 12097, Pages 1233-1235 of the Official Public Records of Real Property, of Bexar County, Texas, the southwest corner of a 5.08 acre tract recorded in Volume 11768, Pages 1009-1014 of the Official Public Records of Real Property, of Bexar County, Texas, said 5.08 acres being part of said 29.059 acre tract;

THENCE: N 00°08'39" W, along and with the east line of said called 40-foot road, the west line of said 5.08 acre tract, a distance of 738.32 feet set ½" iron rod with a yellow cap marked "Pape-Dawson," the northwest corner of said 5.08 acre tract and said 29.059 acre tract, on the south right-of-way line of said Heuermann Road;

THENCE: Along and with the north line of said 5.08 acre tract the following calls and distances:

S 89°55'39" E, along and with the south right-of-way line of said Heuermann Road, a distance of 299.31 feet to a found ½" iron rod, the northwest corner of a 1.003 acre tract recorded in Volume 5449, Pages 335-338 of the Official Public Records of Real Property of Bexar County, Texas, the northeast corner of said 5.08 acre tract;

23.51 Acres  
Job No. 9327-07

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S 00°23'49" E, departing the south right-of-way line of said Heuermann Road, along and with the west line of said 1.003 acre tract, a distance of 287.70 feet found ½" iron pipe, the southwest corner of said 1.003 acre tract;

N 89°47'55" E, departing the east line of said 5.08 acre tract, along and with the south line of said 1.003 acre tract, a distance of 149.54 feet found ½" iron pipe, the southeast corner of said 1.003 acre tract;

N 00°09'24" W, along and with the east line of said 1.003 acre tract, a distance of 291.36 feet found ½" iron pipe, on the south right-of-way line of said Heuermann Road, the northeast corner of said 1.003 acre tract;

S 89°48'48" E, along and with the south line of said Heuermann Road, a distance of 241.59 feet found ½" iron rod, an angle point;

N 89°45'05" E, continuing along the south right-of-way line of said Heuermann Road, a distance of 58.06 feet to a set ½" iron rod with a yellow cap marked "Pape-Dawson," the northwest corner of said 5.49 acre tract;

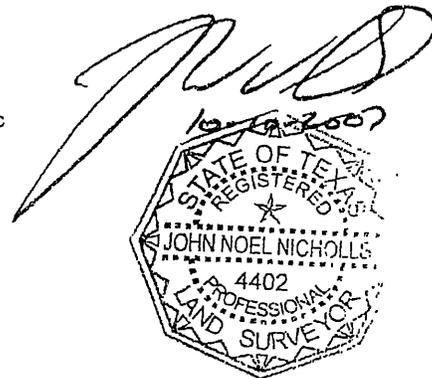
THENCE: Departing the south right-of-way line of said Heuermann Road, along and with the west line of said 5.49 acre tract:

S 00°15'42" E, a distance of 300.04 feet to a found iron rod marked "Aces;"

S 20°46'25" E, a distance of 266.25 feet to a found iron rod marked "Aces;"

THENCE: N 62°44'15" E, along and with the south line of said 5.49 acre tract, a distance of 610.41 feet to the POINT OF BEGINNING and containing 23.51 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.

PREPARED BY: Pape-Dawson Engineers, Inc.  
DATE: October 10, 2007  
JOB No.: 9327-07  
DOC.ID: N:\Survey07\7-9400\9327-07\9327-07fn.doc



Affidavit of Publisher

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

**PUBLIC NOTICE**

AN ORDINANCE  
2008-01-17-0046

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 23.51 acres out of NCB 18333 TO WIT From "MF-25" Multi-Family District and "MF-25" GC-1 Multi-Family Gateway Corridor Overlay District-1 to "C-2" Commercial District and "C-2" GC-1 Commercial Gateway Corridor Overlay District-1. THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00.  
1/23

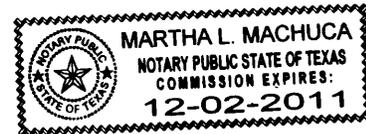
Before me, the undersigned authority, on this day personally appeared Helen I. Lutz, who being by me duly sworn, says on oath that she is Publisher of the Commercial Recorder, a newspaper of general circulation in the City of San Antonio, in the State and County aforesaid, and that the Ordinance 2008-01-17-0046 here to attached has been published in every issue of said newspaper on the following days, to wit:

01/23/2008.

*Helen I. Lutz*  
\_\_\_\_\_

Sworn to and subscribed before me this 23rd day of of January, 2008.

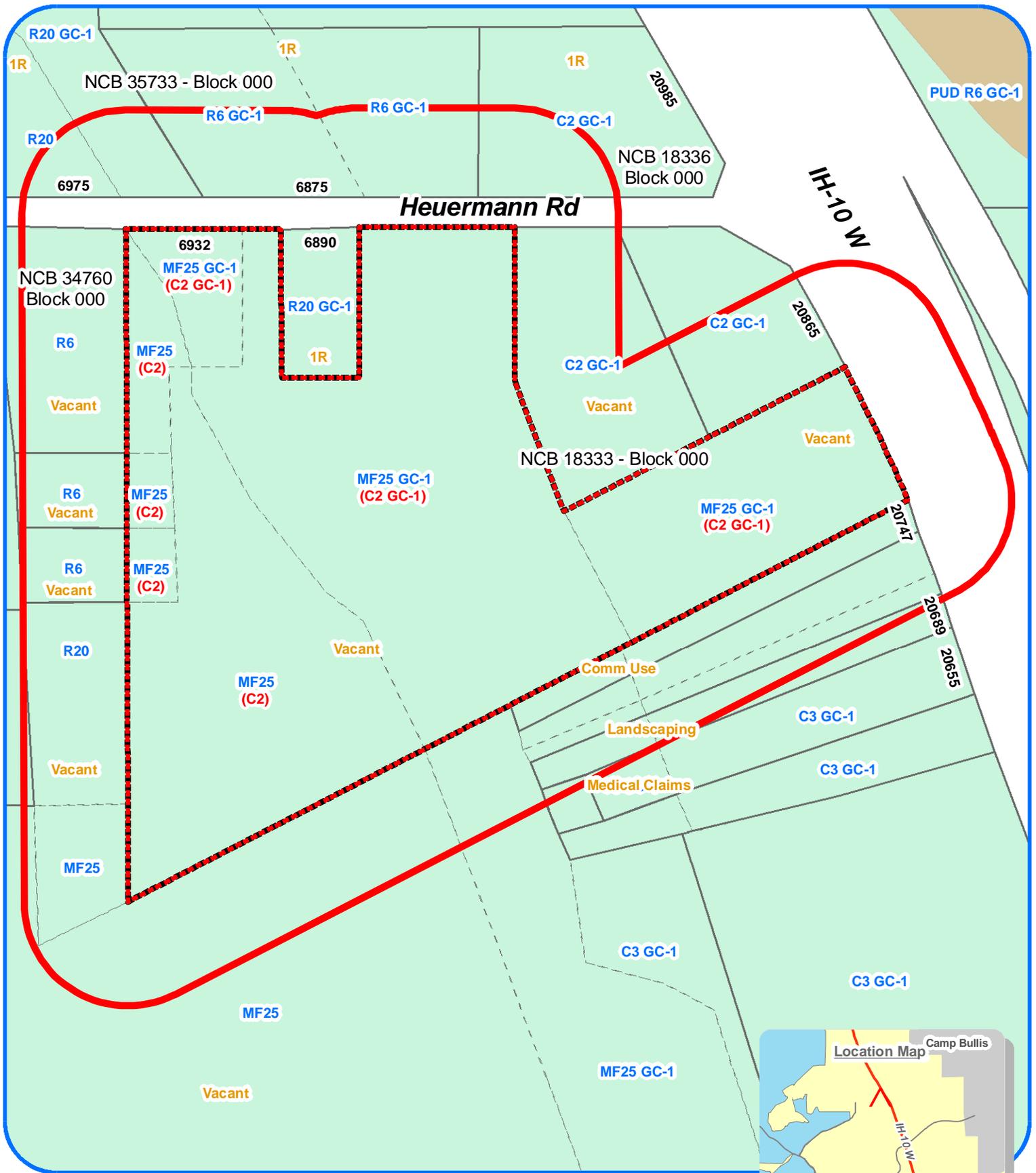
*Martha L. Machuca*  
\_\_\_\_\_



\* INCORPORATE INTO  
MINUTES

• Item Z-13 Z2007316

- The project will not exceed four (4) stories in building height.
- The developer will not utilize the project for the following primary uses permitted in the C-2 zoning district:
  - (a) Animal cemetery and pet grooming;
  - (b) Auto services involving glass tinting, oil lube/tune-up, auto alarm and radio retail/installation, retail parts sales, vehicle inspection station, and tire repair for auto or truck;
  - (c) Manufacturing, other than uses compatible with C2 zoning;
  - (d) Processing, other than uses compatible with C2 zoning;
  - (e) Portable building sales; and
  - (f) Major appliance repair, cemetery or mausoleum, food bank, charitable clothing center, convenience store or gasoline filling station, lawnmower repair/service, pawn shop and self-storage facility.
- Although a large majority of the site falls within the Hill Country Gateway Corridor, the standards of the overlay district will apply as though the entire site is within the gateway corridor which includes the use of non-reflective building materials.
- The developer will consult with a Friedrich Wilderness Park representative on the appropriate plantings for the site
- Developer will observe the 1 ac open space requirement as required in previously executed deed restrictions for the property.



## Zoning Case Notification Plan

# Case Z-2007-316

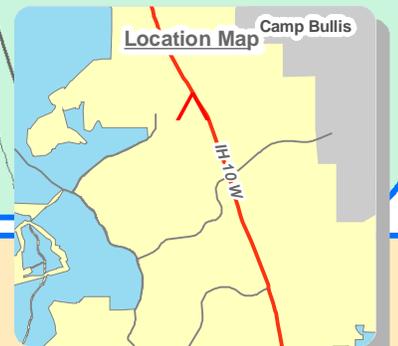
Council District 8

Scale: 1" approx. = 250'

Subject Property Legal Description(s): Parcel P-38 - NCB 18333 - Block 000

### Legend

- Subject Property  (23.51 Acres)
- 200' Notification Buffer
- Current Zoning R6
- Requested Zoning Change (R6)
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept  
(11/07/2007)