

AN ORDINANCE 2011-02-17-0142

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.

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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 a 0.092 acre tract out of Lot 24, NCB 8694 from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for a Veterinary Hospital - Small Animals - (No Outside Runs, Pens and Paddocks Permitted).

SECTION 2. A description of the property is attached as **Attachment "A"** and made a part hereof and incorporated herein for all purposes.

SECTION 3. The City Council finds as follows:

- A. The conditional use will not be contrary to the public interest.
- B. The conditional use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district.
- C. The conditional use will be in harmony with the spirit and purpose for conditional uses as set forth in Section 35-422, Conditional Zoning, of the Unified Development Code.
- D. The conditional use will not substantially weaken the general purposes of the regulations as set forth in Section 35-422, Conditional Zoning, of the Unified Development Code.
- E. The conditional use will not affect adversely the public health, safety and welfare.

SECTION 4. The City council approves this Conditional Use so long as the attached site plan is adhered to. A site plan is attached as **Attachment "B"** and made a part hereof and incorporated herein for all purposes.

SECTION 5. 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.

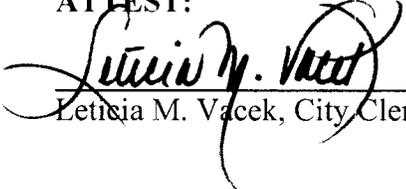
SECTION 6. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 7. This ordinance shall become effective February 27, 2011.

PASSED AND APPROVED this 17th day of February 2011.


MAYOR
Julián Castro

ATTEST:

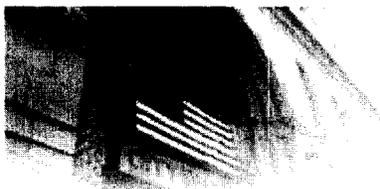


Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



Michael D. Bernard, City Attorney
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Request for
COUNCIL
ACTION

City of San Antonio



Agenda Voting Results - Z-2

Name:	Z-2, Z-3, Z-4, Z-5, Z-7, Z-9, Z-10, Z-12, Z-14, Z-15						
Date:	02/17/2011						
Time:	02:16:01 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2011047 CD (District 2): An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for a Veterinary Hospital - Small Animals - (No Outside Runs, Pens and Paddocks Permitted) on a 0.092 acre tract out of Lot 24, NCB 8694 located at 1242 Austin Highway (Suite 102). Staff and Zoning Commission recommend approval.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor	x					
Mary Alice P. Cisneros	District 1		x				
Ivy R. Taylor	District 2		x				
Jennifer V. Ramos	District 3		x				
Philip A. Cortez	District 4	x					
David Medina Jr.	District 5		x				
Ray Lopez	District 6		x				
Justin Rodriguez	District 7		x				
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x				x
John G. Clamp	District 10		x			x	

22011047CL

METES AND BOUNDS

Being 4025 square feet (0.092 acres) of land, more or less, and being Suite 102 in the Alamo Hills Shopping Center, situated in the City of San Antonio, Texas, said Suite 102 being more particularly described by metes and bounds as follows:

COMMENCING at the intersection of Austin Hwy. and Seidel, same being the **POINT OF COMMENCEMENT**;

THENCE along the centerline of said Austin Hwy., South 61 degrees 56 minutes 50 seconds West, a distance of 667.84 feet to a point;

THENCE departing the centerline of said Austin Hwy., South 27 degrees 59 minutes 13 seconds East, a distance of 370.78 feet to the northwest corner of said Suite 102, same also being the **POINT OF BEGINNING**;

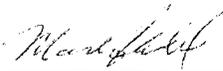
THENCE along the North wall of said Suite 102, North 69 degrees 09 minutes 37 seconds East, a distance of 43.12 feet to a point for the northeast corner of Suite 102, same being the northwest corner of Suite 104;

THENCE along the line common to this Suite 102 and said Suite 104, South 21 degrees 04 minutes 20 seconds East, a distance of 92.95 feet to a point for the southeast corner of this Suite 102;

THENCE along the South wall of this Suite 102, South 68 degrees 55 minutes 40 seconds West, a distance of 43.41 feet to a point for the southwest corner of this Suite 102;

THENCE along the West wall of this Suite 102, North 20 degrees 53 minutes 28 seconds West, a distance of 93.13 feet to the **POINT OF BEGINNING**, and containing 4025 square feet (0.092) acres of land, more or less.

I hereby certify that these field notes were prepared from an actual survey made on the ground under my supervision and are true and correct to the best of my knowledge and belief. All iron rods set are 1/2 inch rebar. A survey plat of the above described tract prepared this day is hereby attached to and made a part hereof.

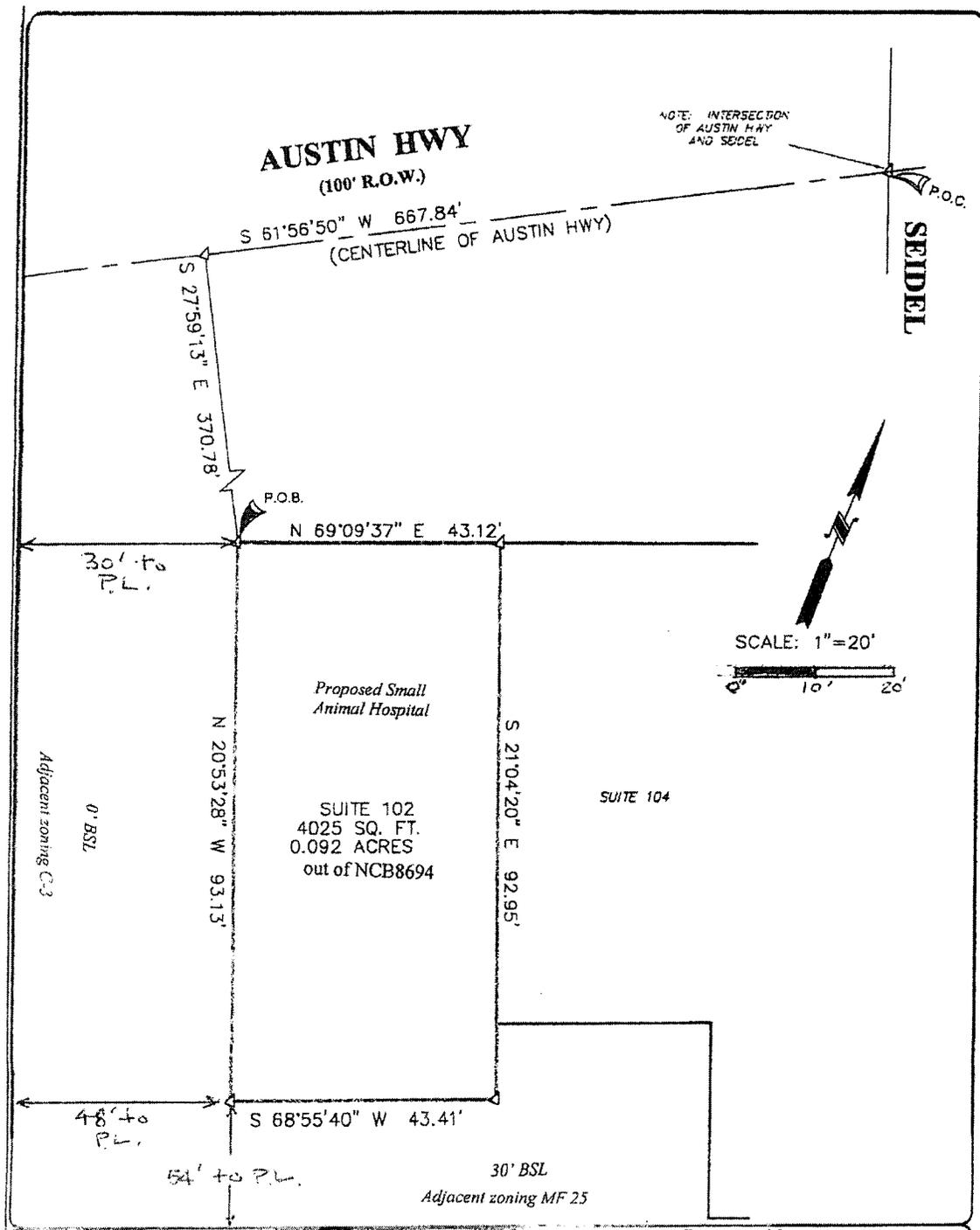


Mark J. Ewald
Registered Professional Land Surveyor
Texas Registration No. 5095
December 16, 2010



Attachment A

202011047 CD



All required Parking and ADA spaces and loading areas with landscaping is provided for the proposed Small hospital as part of the existing shopping center.

Property Address:
1242 AUSTIN HWY SUITE 102
Property Description:
Being 4025 square feet (0.092 acres) out of NCB8694

Proposed Small Animal Hospital will be located within a Shopping Center that is located on an 11.6375 acre tract, areas of impervious cover and paved or hard surfaces are calculated as part of the center.

The following statement: "I, Aberfeldy LTD Partnership, the property owner, acknowledge that this site plan submitted for the purpose of rezoning this property is in accordance with all applicable provisions of the Unified Development Code. Additionally, I understand that City Council approval of a site plan in conjunction with are zoning case does not relieve me from adherence to any/all City-adopted Codes at the time of plan submittal for building permits.

Attachment B