

AN ORDINANCE 2009-10-15-0844

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 0.273 of an acre out of Lot 9, Lot 10 and Lot 11, Block 7, NCB 1995 from "R-6 NCD-5" Residential Single Family Beacon Hill Area Neighborhood Conservation District to "C-2NA IDZ NCD-5" Commercial Nonalcoholic Sales Infill Development Zone Overlay Beacon Hill Area Neighborhood Conservation 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. The City council approves this Infill Development Zone Overlay District so long as the attached site plan is adhered to. A site plan is attached as **Exhibit "B"** and made a part hereof and incorporated herein for all purposes.

SECTION 4. 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 5. The Director of Planning and 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 6. This ordinance shall become effective October 25, 2009.

PASSED AND APPROVED this 15th day of October 2009.



M A Y O R
JULIÁN CASTRO

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
City Attorney
For



EXHIBIT "A"

STATE OF TEXAS
COUNTY OF BEXAR

0.273 ACRES
731 FREDERICKSBURG ROAD

Being 0.273 Acres, being a portion of Lots 9, 10, and 11, Block 7, New City Block 1995, Situated in the City of San Antonio, Bexar County, Texas.

Said 0.273 acre tract, being more particularly described by metes and bounds as follows:

COMMENCING: at a ½" iron rod found along the north right-of-way line of West Ashby Place for the southwest corner of Lot 9 and the southeast corner of Lot 8 conveyed to St. Anns Catholic Church along with Lots 1, 2, 3, 4, 5, 6, 7, a portion of Lots 9, 10, 11 And a portion of a 13 foot alley, Block 7, New City Block 1995 by Deed recorded in Volume 3321, Page 253 of the Deed Records of Bexar County, Texas, for the **POINT OF COMMENCEMENT** of this herein described tract;

THENCE: N. 01° 00' 00" E. with the common line of said Lot 9 and said Lot 8 a distance of 95.37 feet to a ½" iron rod found along same said common line for the west corner and **POINT OF BEGINNING** of this herein described tract;

THENCE: N. 01° 00' 00" E. (being bearing basis) continuing with the common line of said Lot 9 and said Lot 8, a distance of 64.10 feet to a "PK" nail set along the south line of a 13 foot alley for the northwest corner of said Lot 9 and the northeast corner of said Lot 8, and also being the northwest corner of this herein described tract;

THENCE: S. 89° 00' 00" E. with the south line of said 13 foot alley and crossing the common corner of said Lot 9 and said Lot 10, a distance of 73.84 feet to an "X" set along the southwest right-of-way of Fredericksburg Road for the southeast corner of said 13 foot alley and being the north corner of said Lot 10, and also being the northeast corner of this herein described tract;

THENCE: S. 45° 21' 25" E. with the southwest right-of-way line of Fredericksburg Road, in a southeast direction along the northeast wall of an existing building, crossing the common line of said Lot 10 and said Lot 11, a distance of 151.11 feet to a point along southwest right-of-way line of Fredericksburg Road said point lies along the northeast wall of said existing building for the southeast corner of this herein described tract;

THENCE: N. 89° 00' 00" W. leaving the southwest right-of-way line of Fredericksburg Road and within the limits of said existing building, crossing the common line of said

Lots 11, 10 and said Lot 9 a distance of 137.17 feet to a "PK" nail set for the southwest corner of this herein described tract;

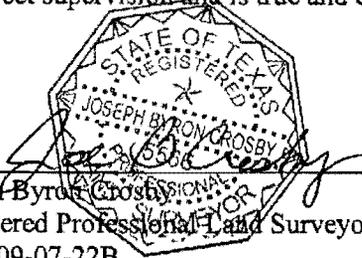
THENCE: N. 01° 00' 00" E. a distance of 12.30 feet to "PK" nail set for an angle point of this herein described tract;

THENCE: N. 41° 45' 00" W. a distance of 38.00 feet to a ½" iron rod found for an angle point of this herein described tract;

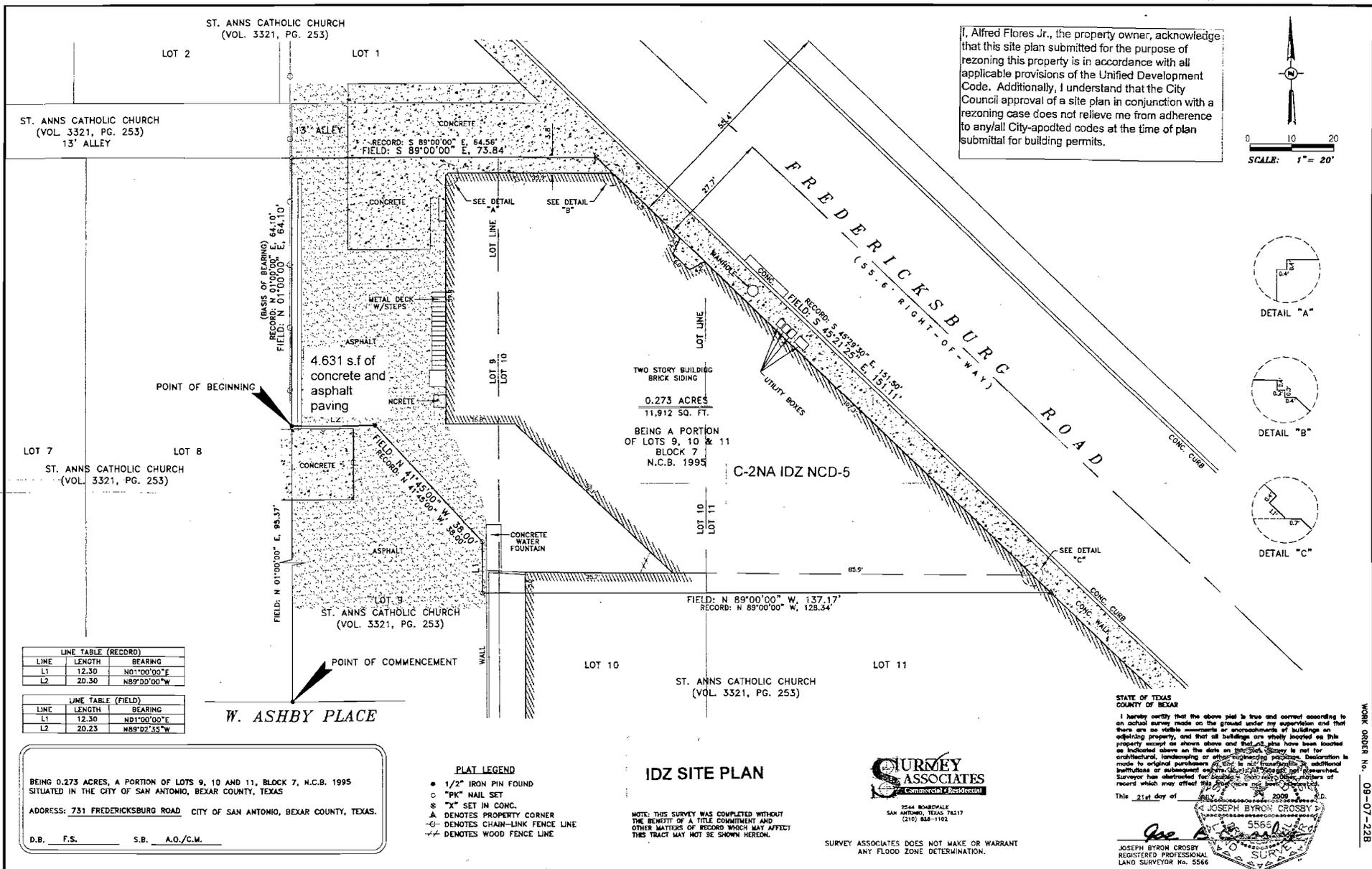
THENCE: N. 89° 02' 35" W. a distance of 20.23 feet to the **POINT OF BEGINNING** and containing 0.273 acres or 11,912 square feet of land more or less.

Bearing Basis- N. 01° 00'00" E. – as measured from the Bexar County Appraisal Maps of Bexar County, Texas.

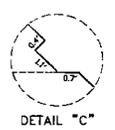
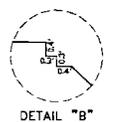
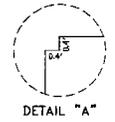
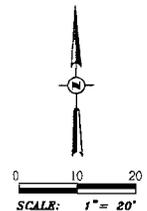
I hereby certify that this survey was performed upon the ground, on July 21, 2009 under my direct supervision and is true and correct to the best of my knowledge.



Joseph Byron Crosby
Registered Professional Land Surveyor No. 5566
WO #09-07-22B



I, Alfred Flores Jr., 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 the City Council approval of a site plan in conjunction with a rezoning case does not relieve me from adherence to any/all City-adopted codes at the time of plan submittal for building permits.



LINE TABLE (RECORD)		
LINE	LENGTH	BEARING
L1	12.30	N01°00'00"E
L2	20.30	N89°00'00"W

LINE TABLE (FIELD)		
LINE	LENGTH	BEARING
L1	12.30	N01°00'00"E
L2	20.23	N89°02'33"W

BEING 0.273 ACRES, A PORTION OF LOTS 9, 10 AND 11, BLOCK 7, N.C.B. 1995 SITUATED IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS
 ADDRESS: 731 FREDERICKSBURG ROAD CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS.
 D.B. _____ F.S. _____ S.B. _____ A.O./C.M. _____

- PLAT LEGEND**
- 1/2" IRON PIN FOUND
 - "PK" NAIL SET
 - ⊗ "M" SET IN CONG.
 - ▲ DENOTES PROPERTY CORNER
 - △ DENOTES CHAIN-LINK FENCE LINE
 - DENOTES WOOD FENCE LINE

IDZ SITE PLAN

NOTE: THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A TITLE COMMITMENT AND OTHER MATTERS OF RECORD WHICH MAY AFFECT THIS TRACT MAY NOT BE SHOWN HEREON.



SURVEY ASSOCIATES DOES NOT MAKE OR WARRANT ANY FLOOD ZONE DETERMINATION.

STATE OF TEXAS
 COUNTY OF BEXAR

I hereby certify that the above plat is true and correct according to an actual survey made on the ground under my supervision and that there are no visible encroachments or encroachments of buildings on adjoining property, and that all buildings are properly located on this property except as shown above and that all lines have been located as indicated above on the site on 08/27/2009. My commission expires on 08/27/2011. My additional qualifications or subsequent experience has been researched. Surveyor has obtained the necessary consent of the owners of record which may affect this tract and has been obtained.

This 21st day of August 2009

JOSEPH BYRON CROSSBY
 5566
 REGISTERED PROFESSIONAL LAND SURVEYOR No. 5566

WORK ORDER No. 09-07-228

Agenda Item:	Z-10 (in consent vote: Z-2, Z-6, Z-10, Z-11)						
Date:	10/15/2009						
Time:	03:57:17 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2009127 (District 1): An Ordinance amending the Zoning District Boundary from "R-6 NCD-5" Residential Single-Family Beacon Hill Area Neighborhood Conservation District to "C-2NA IDZ NCD-5" Commercial Nonalcoholic Sales Infill Development Zone Overlay Beacon Hill Area Neighborhood Conservation District on 0.273 of an acre out of Lot 9, Lot 10 and Lot 11, Block 7, NCB 1995 located at 731 Fredericksburg Road. 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				x
Philip A. Cortez	District 4		x			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				
John G. Clamp	District 10		x				