

AN ORDINANCE **2009-09-17-0758**

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 4.914 acres out of Block 16, NCB 1546 and Block 20, NCB 1551 from "MF-33" Multi-Family District to "C-3 NAS" General Commercial District with a Specific Use Authorization for a Correctional Facility (Transitional Home).

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 finds as follows:

- A.** The specific use will not be contrary to the public interest.
- B.** The specific use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district.
- C.** The specific use will be in harmony with the spirit and purpose as set forth in Section 35-423, Specific Use Authorization, of the Unified Development Code.
- D.** The conditional use will not substantially weaken the general purposes or the regulations as set forth in Section 35-423, Specific Use Authorization, of the Unified Development Code.
- E.** The specific use will not adversely affect the public health, safety and welfare.

SECTION 4. The City council approves this Specific Use Authorization 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 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 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 7. This ordinance shall become effective September 27, 2009.

PASSED AND APPROVED this 17th day of September 2009.



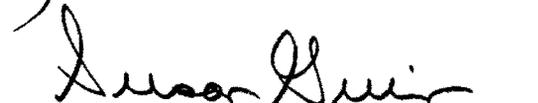
M A Y O R

ATTEST:



City Clerk

APPROVED AS TO FORM:



City Attorney

For

Agenda Item:	Z-3						
Date:	09/17/2009						
Time:	06:43:35 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2009130 S (District 2): An Ordinance amending the Zoning District Boundary from "MF-33" Multi-Family District to "C-3 NAS" General Commercial District Non-Alcoholic Sales with a Specific Use Authorization for a Correctional Facility (Transitional Home) on 4.914 acres out of Block 16, NCB 1546 and Block 20, NCB 1551 located on the north side of Yucca Street, between Hallie Avenue and Robeson. Staff recommends denial. Zoning Commission recommends approval with one condition.						
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			

Agenda Item:	Z-3						
Date:	09/17/2009						
Time:	06:34:45 PM						
Vote Type:	Motion to Deny						
Description:	ZONING CASE # Z2009130 S (District 2): An Ordinance amending the Zoning District Boundary from "MF-33" Multi-Family District to "C-3 NAS" General Commercial District Non-Alcoholic Sales with a Specific Use Authorization for a Correctional Facility (Transitional Home) on 4.914 acres out of Block 16, NCB 1546 and Block 20, NCB 1551 located on the north side of Yucca Street, between Hallie Avenue and Robeson. Staff recommends denial. Zoning Commission recommends approval with one condition.						
Result:	Failed						
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			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			
John G. Clamp	District 10		x				x

FIELD NOTES
FOR

A 4.914 acre, or 214,070 square feet more or less, tract of land out of Block 20, New City Block (N.C.B.) 1551 recorded in Volume 653, Page 344 of the Deed Records of Bexar County, Texas, and out of 1.736 acre a tract recorded in Quitclaim Deed, in Volume 3831, Pages 938-940 of the Official Public Records of Bexar County, Texas, in New City Block (N.C.B.) 1551 in the City of San Antonio, Bexar County, Texas. Said 4.914 acre tract being more fully described as follows, with bearings based on the North American Datum of 1983 (CORS 1996), from the Texas Coordinate System established for the South Central Zone.

BEGINNING: At a set ½" iron rod with yellow cap marked "Pape-Dawson", on the north right-of-way line of Yucca Street, a 50-foot public right-of-way, recorded in Volume 72, Page 519 of the Deed Records of Bexar County, Texas, for the southeast corner of Lot 24, Block 15, Section 5, of the Grandview Addition to the City of San Antonio, New City Block 1549, as recorded in Volume 869, Page 256, of the Deed Records of Bexar County, Texas, the southwest corner of the 1.736 acre tract, and the southwest corner of this tract;

THENCE: N 00°25'00" W, with the west line of the 1.736 acre tract, a distance of 473.93 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson", for the northwest corner of this tract;

THENCE: N 89°50'00" E, across the 1.736 acre tract, and Block 20 a distance of 312.88 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson", for the northeast corner of this tract;

THENCE: Across Block 20, the following calls and distances;

S 38°47'57" E, a distance of 300.98 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

S 00°07'43" W, a distance of 236.65 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson", in the north right-of-way line of Yucca Street, for the southeast corner of this tract;

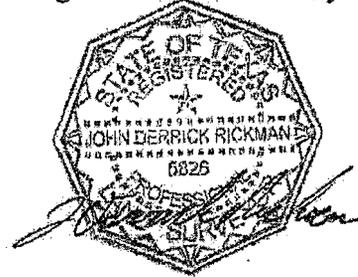
4.914 Acres
Job No.: 6743-03
Page 2 of 2

22009130 S

THENCE: S 89°35'00" W, with the north right-of-way line of Yucca Street, a distance of 497.50 feet to the POINT OF BEGINNING, and containing 4.914 acres in the City of San Antonio, Bexar County, Texas.

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.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: July 2, 2009
JOB NO. 6743-03
DOC. ID. N:\CIVIL\6743-03\FN6743-03 4.914 acre.doc



NOTE: PROPERTY TO BE REZONED (4.914 ACRES) IS PART OF A LARGER (23.211 ACRE) TRACT, UNDER COMMON OWNERSHIP, THAT HAS AN EXISTING FENCE. PROPERTY OWNER WILL COMPLY WITH THE UDC BUFFERYARD REQUIREMENTS FOR THE OVERALL TRACT. HANDICAP ACCESSIBLE SPACES WILL BE PROVIDED IN ACCORDANCE WITH TEXAS ACCESSIBILITY STANDARDS.

0.910 ACRES
 ABANDONED PORTION ANITA STREET
 FORMERLY ANNE STREET
 ABANDONED AND UNDER FENCE BY
 THE SISTERS OF THE HOLY GHOST

BLOCK 15
 N.C.B. 15-09
 REMAINDER OF N.C.B. 1549
 CONVEYED IN WARRANTY DEED
 WITH VENDORS LIEN
 MARCH 24, 1928
 (VOL.889 PG.256 D.R.)
 RELEASE
 MARCH 30, 1928
 (VOL.1021 PG.287 D.R.)
 ZONED "RM4"

0.549 ACRES
 ABANDONED PORTION
 OF SIDNEY STREET
 ABANDONED AND
 UNDER FENCE BY
 THE SISTERS OF
 THE HOLY GHOST

**SITE
 4.914
 ACRES**

MARTIN LUTHER
 KING DRIVE

23.211 ACRES

BLOCK 19
 N.C.B. 19-50
 WARRANTY DEED
 SULLIVAN TO SERVANTS
 OF THE HOLY GHOST
 APRIL 1, 1921
 (VOL.653 PG.344 D.R.)

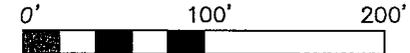
PARENT TRACT

OVERALL SITE
 SCALE 1"=600'

BLOCK 16
 N.C.B. 16-06
 REMAINDER OF N.C.B. 1546
 CONVEYED IN WARRANTY DEED
 WITH VENDORS LIEN
 MARCH 24, 1928
 (VOL.889 PG.256 D.R.)
 RELEASE
 MARCH 30, 1928
 (VOL.1021 PG.287 D.R.)
 ZONED "RM4"



SCALE : 1"=100'



LEGEND

- OVERALL PROPERTY BOUNDARY
- - - WALL
- - - FENCE/POST
- ▨ SIDEWALK/HARD SURFACE
- ▨ PAVEMENT
- 1 FACILITY NUMBER
- BI** ENTRANCE

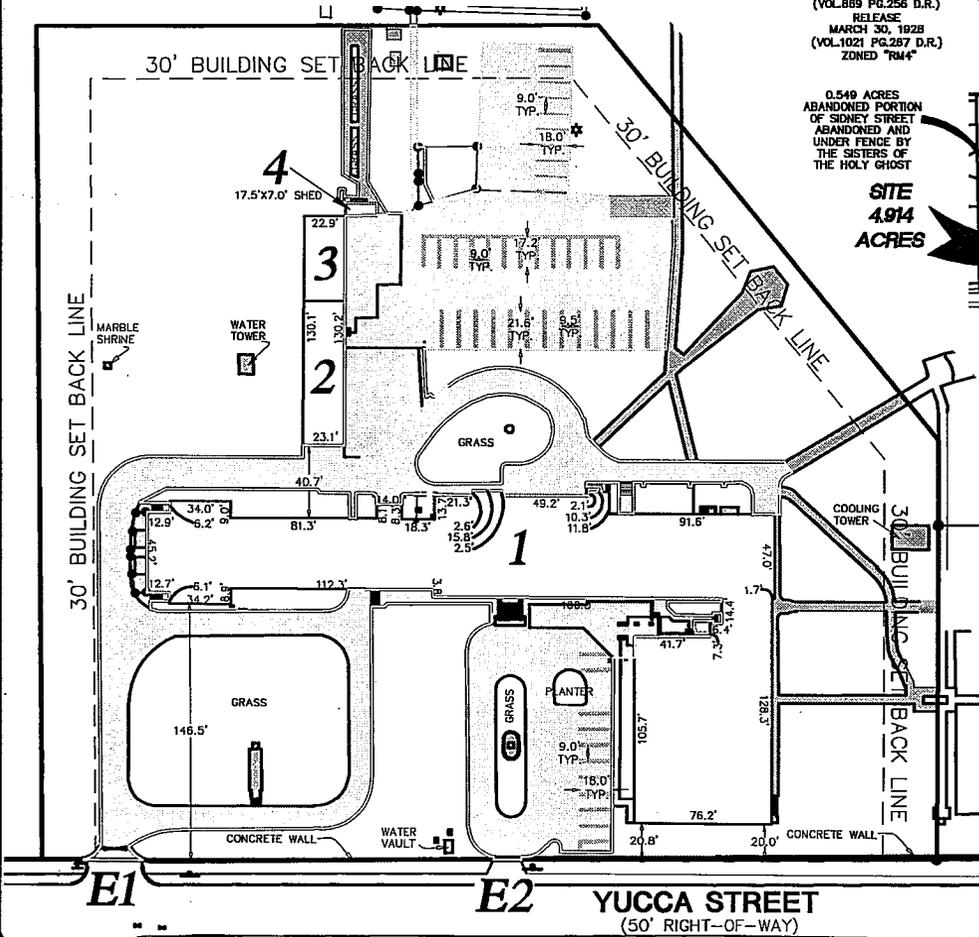
SITE 4.914 ACRES

IMPERVIOUS COVER	
BUILDING 1	81,436 SF
BUILDING 2	1,840 SF
BUILDING 3	1,150 SF
BUILDING 4	120 SF
PAVEMENT	50,632 SF
SIDEWALK	8,711 SF
TOTAL IC	143,889 SF

PARKING 44 SPACES

EXISTING ZONING MF33
 PROPOSED ZONING C3
 CURRENT USE - MULTI-FAMILY RESIDENTIAL CONVENT
 PROPOSED USE - TRANSITIONAL HOUSING

I, JOHN ROBERTS, FOR RIDGEMONT INVESTMENT GROUP, LLC, WHICH WILL BE RESPONSIBLE FOR THE PROPOSED DEVELOPMENT SHOWN ON THIS SITE PLAN, 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 A REZONING CASE DOES NOT RELIEVE ME FROM ADHERENCE TO ANY/ALL CITY-ADOPTED CODES AT THE TIME OF PLAN SUBMITTAL FOR BUILDING PERMITS.



JOB NO. 7454-00
 DATE JULY 2009
 DESIGNER CCT
 CHECKED *** DRAWN MW
 SHEET 1 OF 1

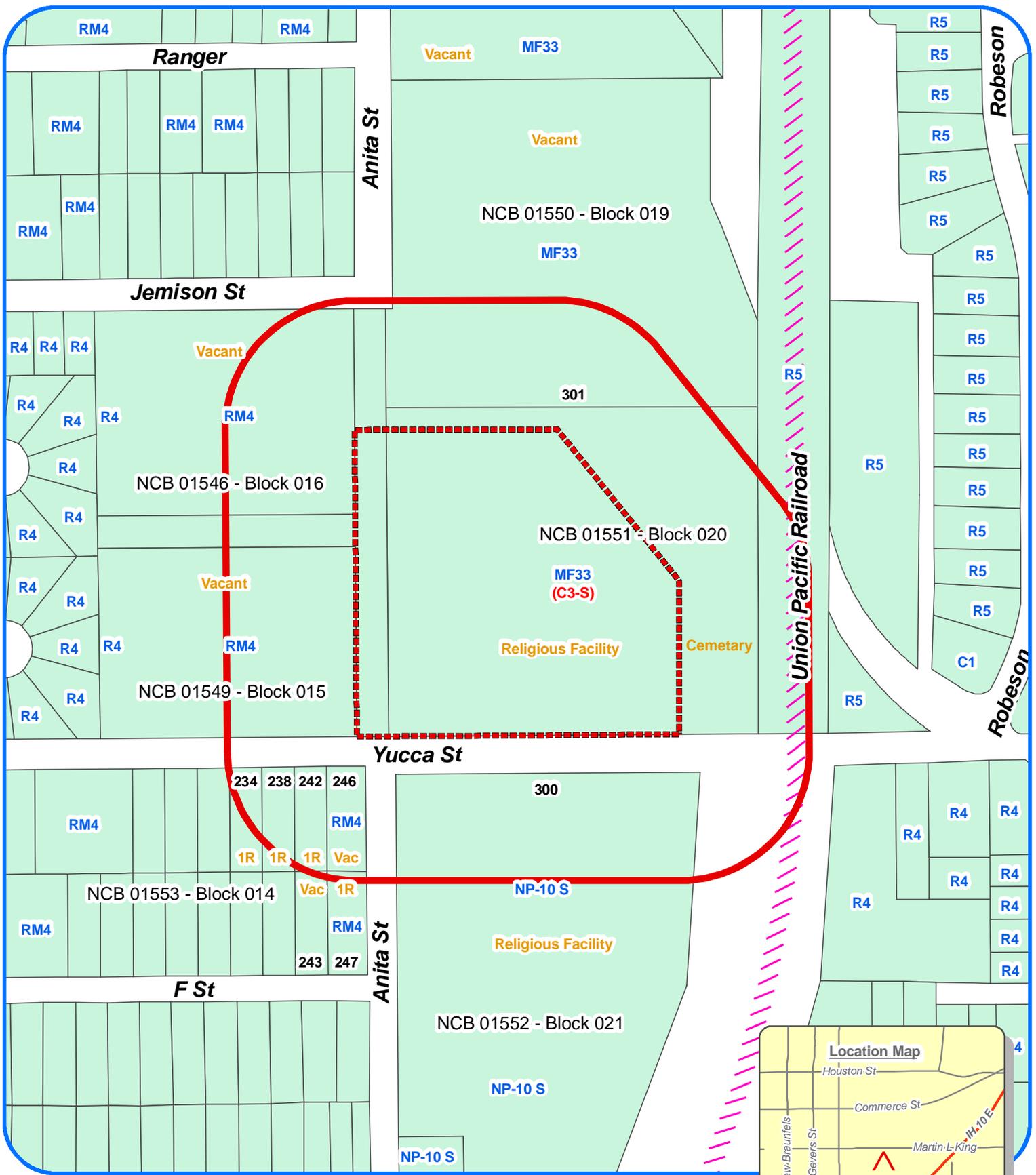
**CROSSPOINTS
 CAMPUS PLAN
 ZONING EXHIBIT**



555 EAST RAMSEY | SAN ANTONIO, TEXAS 78216 | PHONE: 210.375.9000
 FAX: 210.375.9010
 TEXAS BOARD OF PROFESSIONAL ENGINEERS, FIRM REGISTRATION # 470

REVISIONS:

720091305



Zoning Case Notification Plan

Case Z-2009-130

Council District 2

Scale: 1" approx. = 200 Feet

Subject Property Legal Description(s): 4.914 acres out of Block 16, NCB 1546 and Block 20, NCB 1551

Legend

- Subject Property (4.914 Acres)
- 200' Notification Buffer
- Current Zoning **TEXT**
- Requested Zoning Change **(TEXT)**
- 100-Year FEMA Floodplain



Planning & Development Services Dept
 City of San Antonio
 (07/14/2009 - E Hart)

AFFIDAVIT OF PUBLICATION

Before me, the undersigned authority, on this day personally appeared Helen I. Lutz, who being by me duly sworn, deposes and says that she is the Publisher of ***The Hart Beat***; that said newspaper is generally circulated in San Antonio, Bexar County, Texas; that the attached notice was published in said newspaper on the following date(s):

October 14, 2009

Subscribed and sworn to before me this 14th day of October, 2009, to certify which witness my hand and seal of office.

PUBLIC NOTICE

CORRECTION

AN ORDINANCE
2009-09-17-0758

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: 4.914 acres out of Block 16, NCB 1546 and Block 20, NCB 1551 TO WIT: From "MF-33" Multi-Family District to "C-3NA S" General Commercial Nonalcoholic Sales District with a Specific Use Authorization for a Correctional Facility (Transitional Home) provided all conditions imposed by the City Council are adhered to. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

10/14



Helen I. Lutz, Publisher



Notary Public in and for the State of Texas

Duane Black

Name of Notary

My commission expires August 7, 2012