

AN ORDINANCE 2008-10-16-0956

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 Lot 31, Block A, a/k/a Tract A, NCB 2523, save and except a portion of land described as 0.0087 acres out of Lot 31, NCB 2523 conveyed to the City of San Antonio as recorded in Volume 3975, Page 250 of the Bexar County Records from "I-1" General Industrial District to "L" Light Industrial District.

SECTION 2. A description of the property described as being 0.0087 acres saved and excepted out of Lot 31, NCB 2523 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 October 26, 2008.

PASSED AND APPROVED this 16th day of October 2008.



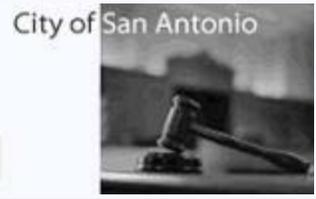
M A Y O R
PHIL HARDBERGER

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
for City Attorney



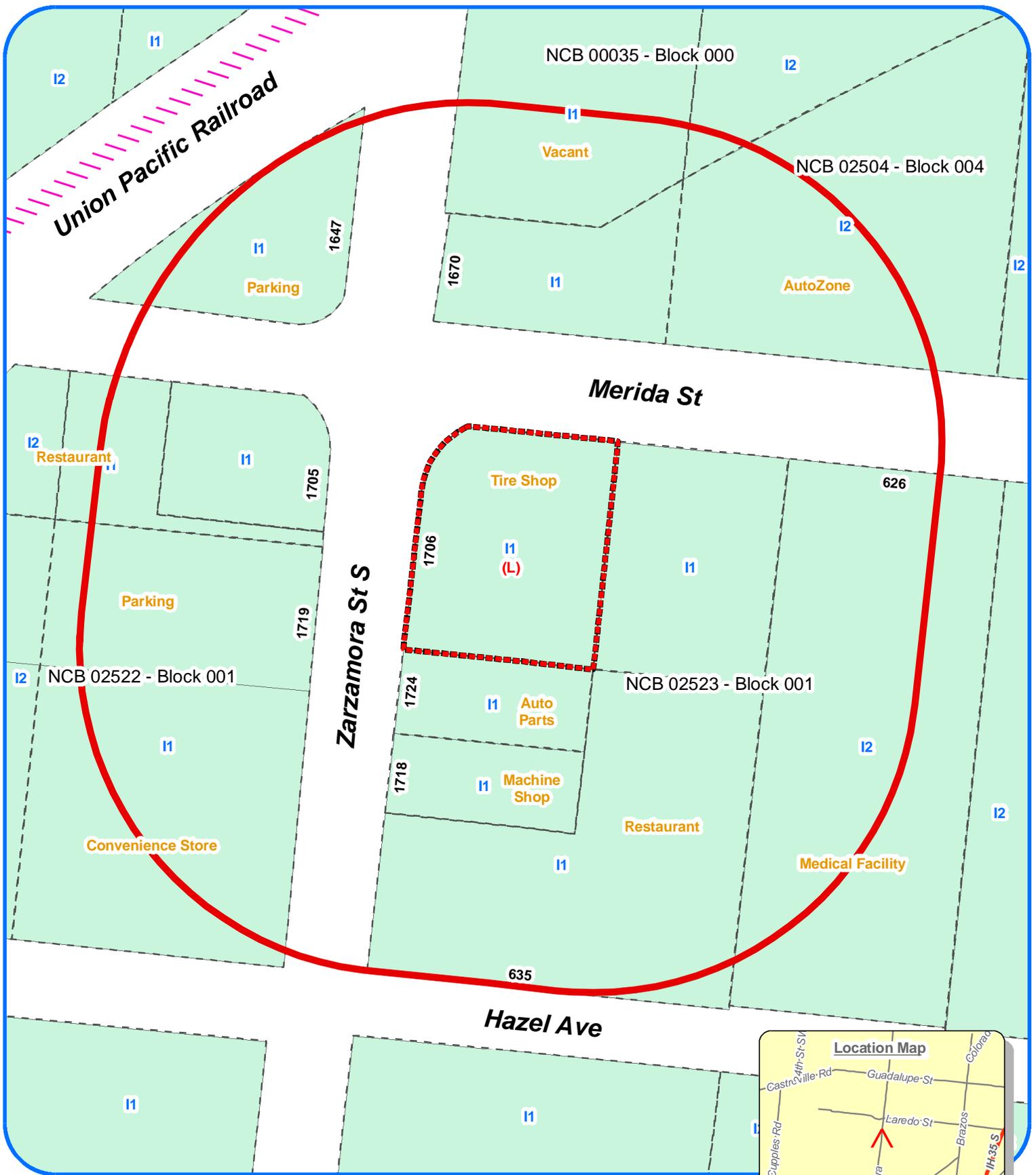
Request for
**COUNCIL
ACTION**



Agenda Voting Results - Z-10

Name:	Z-2, Z-3, Z-4, Z-5, Z-10, Z-11, Z-13, Z-14
Date:	10/16/2008
Time:	04:36:50 PM
Vote Type:	Motion to Approve
Description:	ZONING CASE # Z2008261 (District 5): An Ordinance changing the Zoning District Boundary from "I-1" General Industrial District to "L" Light Industrial District on Lot 31, Block A, a/k/a Tract A, NCB 2523, save and except a portion of land described as 0.0087 acres out of Lot 31, NCB 2523 located at 1706 South Zarzamora. Staff and Zoning Commission recommend Approval.
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Phil Hardberger	Mayor	x					
Mary Alice P. Cisneros	District 1		x				
Sheila D. McNeil	District 2		x				
Jennifer V. Ramos	District 3	x					
Philip A. Cortez	District 4	x					
Lourdes Galvan	District 5		x				
Delicia Herrera	District 6		x			x	
Justin Rodriguez	District 7		x				
Diane G. Cibrian	District 8		x				
Louis E. Rowe	District 9		x				
John G. Clamp	District 10		x				x



Zoning Case Notification Plan

Case Z-2008-261

Council District 5

Scale: 1" approx. = 80'

Subject Property Legal Description(s): NCB 2523 - Block 000 - Lot 31 Exc NE 29.71 ft

Legend

- Subject Property (approx. .4 Acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(09/05/2008)

Z2008261

ZONING CASE NUMBER Z2008261 (Council District 5) – September 16, 2008

A request for a change in zoning from “I-1” General Industrial District to “L” Light Industrial District on Lot 31, Block A, NCB 2523, save and except a portion of land described as 0.0087 acres out of Lot 31, NCB 2523, 1706 South Zarzamora. Staff recommends approval.

This case was approved by consent.

Staff stated there were 14 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor.

COMMISSION ACTION

The motion was made by Commissioner Gadberry and seconded by Commissioner R. Valadez to recommend approval.

AYES: Sherrill, Robbins, J. Valadez, Gadberry, Myers, R. Valadez, Gray

NAY: None

THE MOTION CARRIED

Z2008261

Commerce Land Title 90041674 \$7.00

2004321

now 10/03/90

Parcel: 1325A

Return to:

Project: Stockyard/Produce Market Area
Street and Drainage Improvements

Real Estate Division
City of San Antonio
P. O. Box 839966
San Antonio, Tx. 78283-3966

WARRANTY DEED

STATE OF TEXAS |

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BEXAR |

THAT, GERTRUDE BAETEN, a widow, hereinafter referred to as "GRANTOR", of the County of Bexar, State of Texas, for and in consideration of the sum of ONE THOUSAND EIGHT HUNDRED AND NO/100 (\$1,800.00) DOLLARS, to her in hand paid by the GRANTEE, the receipt of which is hereby acknowledged, has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto the CITY OF SAN ANTONIO, hereinafter referred to as "GRANTEE", a municipal corporation, of the County of Bexar, State of Texas, whose mailing address is P.O. Box 839966, San Antonio, Texas 78283-3966, all of the following described real property situated within the corporate limits of the City of San Antonio, Bexar County, Texas, to-wit:

BEING 0.0087 acres of land, out of Lot 31, New City Block 2523, as recorded in Volume 3975, Page 250, Deed and Plat Records of Bexar County, Texas and being more particularly described by metes and bounds as shown on Exhibit "A" attached hereto and made a part hereof.

It is further understood and agreed that the consideration received by the GRANTOR is also in full payment for all damages to the remaining property, if any, of the GRANTOR.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said GRANTEE, its successors and assigns forever; and GRANTOR does hereby bind herself, her heirs, executors and administrators to WARRANT and FOREVER DEFEND all and singular the said premises unto the said GRANTEE, its successors and assigns, against every person whatsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this the 7th day of November, A.D., 1990.

Gertrude Baeten
GERTRUDE BAETEN, a widow

EXHIBIT A

JUL 9 4 7 PAGE 0775

Z2008261

WARRANTY DEED - PARCEL 13258 - Page 2

STATE OF TEXAS |
COUNTY OF BEXAR |

This instrument was acknowledged before me on this the 8th day of November, 1990 by GERTRUDE BARTON, a widow.



Richard A. Nelson
NOTARY PUBLIC in and for the State of
T E X A S

RICHARD A. NELSON
NOTARY'S PRINTED NAME

MY COMMISSION EXPIRES: 11/17/94

VOL 947 PAGE 727

Z2008261

Parcel 13258

MAY 18, 1990
Revised July 20, 1990

METES AND BOUNDS DESCRIPTION
FOR
0.0087 ACRES OF LAND (377.73 SQ. FT.)
Parcel No.

BEING 0.0087 Acres of land, out of Lot 31 N.C.B. 2523 as recorded in Volume 3975 page 250 Deed and Plat Records of Bexar County, Texas and being further described as follows:

Beginning at an iron pin found at the Southwest corner of Lot 31 N.C.B. 2523, as recorded in Volume 3975 Page 250, Deed and Plat records of Bexar County, Texas said point being on the west row. line of Zarzamora street, Thence North 06 Degrees 40 Minutes 00 Seconds a distance of 130.00 feet an angle point, to the beginning of a 15.00 foot tangent curve, concave to the Southeast; said point being the Point-of-Beginning of the herein described tract:

THENCE Northeasterly, along said curve, through a central angle of 89 Degrees 27 Minutes 00 Seconds an arc distance of 23.42 feet;

THENCE South 83 Degrees 53 Minutes 00 Seconds East a distance of 29.71 feet to an angle point, to the beginning of a 45.0 foot tangent curve, concave to the Southeast,

THENCE Southwesterly, along said curve, through a central angle of 89 Degrees 27 Minutes 00 Seconds an arc distance of 70.25 feet;

THENCE North 06 Degrees 40 Minutes 00 Seconds East a distance of 29.71 feet to the Point-of-Beginning and containing 0.0087 Acres of Land.

Glenn E. Galbraith
Glenn E. Galbraith, R.P.S. 1917



July 9 1990 PAGE 0723

RECEIVED
JUL 27 1990

ROW ACQUISITION

EXHIBIT, "A"

Z2008261

Any provision herein which reads the word, "MAY", or any of the derivatives "SHALL", "PROPERTY",
"SUCCESSION", "ESTATE", "TRUST", "WILL", "TESTAMENT", "DEED", "CONTRACT", "AGREEMENT", "OBLIGATION",
"THE STATE OF TEXAS", "COUNTY OF DEKALB", "COUNTY OF HENRY", "COUNTY OF FULTON", or "COUNTY OF GWINNETT", is hereby
I hereby certify that this instrument was FILED in File Number [blank] on the
date and at the time stated herein by me, and was duly RECEIVED in the
Official Public Records of FULTON County, Georgia, Texas on

NOV 16 1990



Richard D. [Signature]
COUNTY CLERK DEKALB COUNTY, GEORGIA

RECORDED
NOV 15 P 3 39

JULY 9 4 7 PAGED 729



S.A. - City Clerk

PUBLIC NOTICE

AN ORDINANCE 2008-10-16-0955

AFFIDAVIT OF PUBLICATION

(COUNTY OF BEXAR)
(STATE OF TEXAS)

I, Lynette Nelson do solemnly swear that the notice was published 1 time(s) in the following publication(s):

Daily Commercial Recorder

A newspaper of general circulation published at San Antonio, Bexar County, Texas on the following dates:

October 20, 2008

Order# 20396390

ORDINANCE 2008-10-16-0955

Lynette Nelson

Lynette Nelson

Subscribed and sworn before me, this 20th day of February, 2009

Olivia D. Chaverria

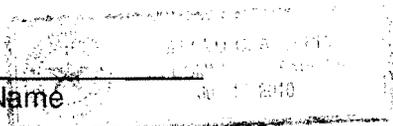
NOTARY PUBLIC SIGNATURE

Olivia D. Chaverria

Notary Public Printed/Typed Name

My Commission Expires: 07/17/2010

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: Multiple properties bounded by Ft. Sam Houston to the north and east, IH 35 to the south and New Braunfels to the west. TO WIT: From "I-2" Heavy Industrial District, "I-1" General Industrial District, "HS I-1" Historic Significant, General Industrial District, "C-2" Commercial District and "MF-33" Multi-Family District to "C-2 P" Commercial Pedestrian District, "C-2 P CD" Commercial Pedestrian District with a Conditional Use for a Bar or Tavern, "C-2 P CD" Commercial Pedestrian District with a Conditional Use for Outside Storage, "C-2 P CD" Commercial Pedestrian District with a Conditional Use for Warehousing, "C-2 P HS" Historic Significant, Commercial Pedestrian District, "C-2 P S" Commercial Pedestrian District with a Specific Use Authorization for a Hotel/ Motel, "IDZ R-4 CD, C-2 P" Infill Development Zone with uses permitted in R-4 Residential Single-Family District with a Conditional Use for a Duplex and Commercial Pedestrian District, "IDZ R-6, C-2 P" Infill Development Zone with uses permitted in R-6 Residential Single-Family District and Commercial Pedestrian District with a Specific Use Authorization for a Bus Maintenance Facility, "IDZ R-6, C-2 P S" Infill Development Zone with uses permitted in R-6 Residential Single-Family District and Commercial Pedestrian District with a Specific Use Authorization for a Wireless Communication Tower, "O-2" Office District, "R-4" Residential Single-Family District, "R-5" Residential Single-Family District, "R-5 CD" Residential Single-Family District with a Conditional Use for a Fourplex, "R-5 CD" Residential Single-Family District with a Conditional Use for a Multi-Family Dwelling, "R-6" Residential Single-Family District, "R-6 CD" Residential Single-Family District with a Conditional Use for a Duplex, "R-6 CD" Residential Single-Family District with a Conditional Use for an Office, "R-6 CD" Residential Single-Family District with a Conditional Use for a Triplex, "R-6 CD" Residential Single-Family District with a Conditional Use for a Commercial Parking Lot, and "R-6 CD" Residential Single-Family District with a Conditional Use for a Multi-Family Dwelling. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".
10/20





CITY OF SAN ANTONIO
Request for Council Action

Agenda Item # Z-10
Council Meeting Date: 10/16/2008
RFCA Tracking No: R-3996

DEPARTMENT: Planning & Development Services

DEPARTMENT HEAD: Roderick Sanchez

COUNCIL DISTRICT(S) IMPACTED:
Council District 5

SUBJECT:
Zoning Case Z2008261

SUMMARY:
From "I-1" General Industrial District to "L" Light Industrial District.

BACKGROUND INFORMATION:
Zoning Commission Meeting Date: September 16, 2008

Applicant: Gilbert H. Castanon

Owner: Rene Baeten Trustee

Property Location: 1706 South Zarzamora

Lot 31, Block A, NCB 2523, save and except a portion of land described as 0.0087 acres out of Lot 31, NCB 2523

The southeast corner of the South Zarzamora and Merida Street intersection.

Proposal: To allow for an auto repair facility.

Neighborhood Association: None

Neighborhood Plan: None

TIA Statement: A Traffic Impact Analysis is not required.

ISSUE:
None.

ALTERNATIVES:

A denial of the request will result in the subject property retaining the current industrial zoning,

restricting future uses to those of an industrial nature and prohibiting the proposed auto repair facility.

FISCAL IMPACT:

None. The applicant has paid the required zoning fees.

RECOMMENDATION:

Staff and Zoning Commission (7-0) recommend approval.

The subject property is a developed 0.4074-acre parcel located on the west side of the city. This property is situated at the southeast corner of the South Zarzamora and Merida Street intersection. This area is within the original city limits. The existing commercial structure measures approximately 1926 square feet and was built in 1960. This structure is currently being used as a tire shop. The subject property's previous "J" zoning converted to "I-1" General Industrial District upon the adoption of the Unified Development Code in 2001. The prevalence of industrial zoning in the area is most likely due to the proximity of the rail line. All of the surrounding properties to all directions are zoned "I-1" and are occupied by various commercial uses including a restaurant, auto parts store, and a gas station. This portion of South Zarzamora Street is developed with mostly medium intensity community oriented commercial uses. South Zarzamora Street is a Primary Arterial "Type B".

The applicant is requesting "L" Light Industrial District, in order to allow for an auto repair facility. Staff finds the request to be appropriate given the surrounding zoning and land uses and the existing use of the subject property. Specifically, the request is compatible with the commercial nature of development along South Zarzamora Street. Additionally, this down zoning request is beneficial considering the intensity of the surrounding properties.

ATTACHMENT(S):

File Description	File Name
Location Map	Z2008261.pdf
Zoning Commission Minutes	Z2008261.pdf
Voting Results	
Ordinance/Supplemental Documents	200810160956.pdf

DEPARTMENT HEAD AUTHORIZATIONS:

Roderick Sanchez Director Planning & Development Services

APPROVED FOR COUNCIL CONSIDERATION:

T.C. Broadnax Assistant City Manager