

AN ORDINANCE 2009-05-21-0443

**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 52, Block 7, NCB 15930, save and except that portion of 3.122 acres out of NCB 15724 located within Lot 52, from "I-1" General Industrial District to "C-3 NA CD" General Commercial District, Nonalcoholic Sales with a Conditional Use for warehousing.

**SECTION 2.** A description of the property saved and excepted 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 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.

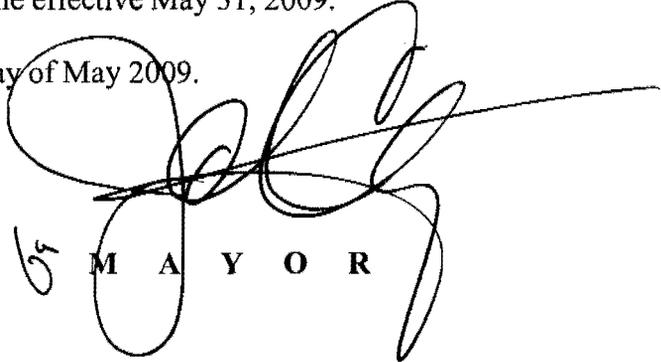
**SECTION 4.** The City council approves this Conditional Use so long as the attached site plan is adhered to. A site plan is attached as Exhibit "B" and made a part hereof and incorporated herein for all purposes.

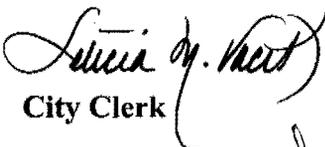
**SECTION 5.** All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35 -491.

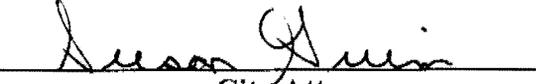
**SECTION 6.** The Director of Planning and Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

**SECTION 7.** This ordinance shall become effective May 31, 2009.

**PASSED AND APPROVED** this 21st day of May 2009.

  
M A Y O R

ATTEST:   
City Clerk

APPROVED AS TO FORM:   
for City Attorney

<b>Agenda Item:</b>	<b>Z-13 ( in consent vote: P-1, Z-3, Z-8, P-3, Z-13, Z-15 )</b>						
<b>Date:</b>	05/21/2009						
<b>Time:</b>	06:51:19 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	ZONING CASE # Z2009093 CD (District 10): An Ordinance amending the zoning district boundary from "I-1" General Industrial District to "C-3 NA CD" General Commercial District, Nonalcoholic Sales with a Conditional Use for warehousing on Lot 52, Block 7, NCB 15930 save and except that portion of 3.122 acres out of NCB 15724 located within Lot 52 located at 12200 Crownpoint. Staff recommends approval. Zoning Commission pending May 19, 2009 public hearing.						
<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				x
Sheila D. McNeil	District 2		x				
Jennifer V. Ramos	District 3	x					
Philip A. Cortez	District 4		x			x	
Lourdes Galvan	District 5		x				
Delicia Herrera	District 6		x				
Justin Rodriguez	District 7		x				
Diane G. Cibrian	District 8		x				
Louis E. Rowe	District 9		x				
John G. Clamp	District 10		x				

FIELD NOTES

Being a parcel of land containing 3.122 Acres out of the Thomas Barwick O.S. #324, situated within the corporate limits of the City of San Antonio in Bexar County, Texas, and being part of Parcel 3 and Parcel 3-A, NCB 15724, and being part of the same Tract 3 conveyed by Donald K. Franklin and wife, Katherine Franklin, to William M. Stiles and wife, Dorothy Lee Stiles by deed recorded in Volume 4429, Pages 482-485, Deed Records of said county; and part of a 1.90 Acre tract conveyed by Thomas Davine Smith, Jr. and wife, Mary Smith, to William M. Stiles and wife, Dorothy Lee Stiles by deed recorded in Volume 4447, Pages 486-487, Deed Records of said county, and being more particularly described as follows:

Beginning at an iron pin at the Southeast corner of above-mentioned Tract 3 for the most Southerly Southeast corner of the parcel of land herein described; said point being also the Southwest corner of Valley Forge Subdivision Unit 10 as recorded in Volume 8000, Page 139, Plat Records of Bexar County; said point of beginning bears N. 57° 00' 48" E., 388.60 feet and N. 29° 57' 44" W., 295.52 feet from a Texas Highway Department Right-of-Way Marker at the most Easterly corner of a corner clip at the Northeast corner of the intersection of Bludau-Bishop Road with I-35 Highway;

Thence S. 60° 01' 32" W., 50.00 feet to a point for the most Southerly Southwest corner of this parcel;

Thence N. 29° 58' 28" W., 345.65 feet to a point for the most Southerly Northwest corner of this parcel;

Thence N. 55° 10' 48" E., 74.49 feet to a point for an interior corner of the parcel of land herein described;

Thence N. 30° 00' 51" W., 703.96 feet to a point for an interior corner of this parcel;

Thence S. 59° 21' 33" W., 506.15 feet to a point for an interior corner of this parcel;

Thence S. 34° 25' 55" E., 210.36 feet to a point for the most Westerly Southeast corner of this parcel;

Thence S. 55° 34' 05" W., 60.00 feet to a point on the Northeast right-of-way line of Bludau-Bishop Road for the most Westerly Southwest corner of this parcel;

Thence N. 34° 25' 55" W., 289.50 feet along said Northeast right-of-way line of Bludau-Bishop Road to an iron pin for the most Northerly Northwest corner of this parcel; the same being also the Northwest corner of above-mentioned Tract 3, and the same being also the Southwest corner of Lot 1, Block 7, NCB 15930, Valley Forge Subdivision Unit 1 as recorded in Volume 6800, Page 223 Plat Records of Bexar County;

Thence N. 59° 21' 33" E. along the Southeast line of said Valley Forge Subdivision, Unit 1, at 547.07 feet the Northeast corner of above-mentioned Tract 3, a total distance of 647.07 feet to an iron pin for the Northeast corner of above-mentioned 1.90 Acre Tract and of this parcel;

Thence S. 30° 00' 51" E., 823.66 feet along the Southwest line of Valley Forge Subdivision, Unit 4, as recorded in Volume 7300, Page 221 Plat Records of Bexar County, to an iron pin for the Southeast corner of said 1.90 Acre Tract; the same being the Southwest corner of said Valley Forge Subdivision, Unit 4; and the same being also a Southeast corner of the parcel of land herein described;

**EXHIBIT A**

Z2009093

Thence S.  $55^{\circ} 10' 48''$  W., 99.61 feet to an iron pin for the Southwest corner of said 1.90 Acre Tract; the same being the Northwest corner of Valley Forge Subdivision, Unit 10, as recorded in Volume 8000, Page 139, Plat Records of Bexar County; the same also being an interior corner of the parcel of land herein described;

Thence S.  $29^{\circ} 58' 28''$  E., 299.46 feet to the place of beginning and containing 3.122 Acres (136,007 Sq. Ft.) of land.

*Douglas E. Bell*

Douglas E. Bell, P.E.  
Registered Public Surveyor

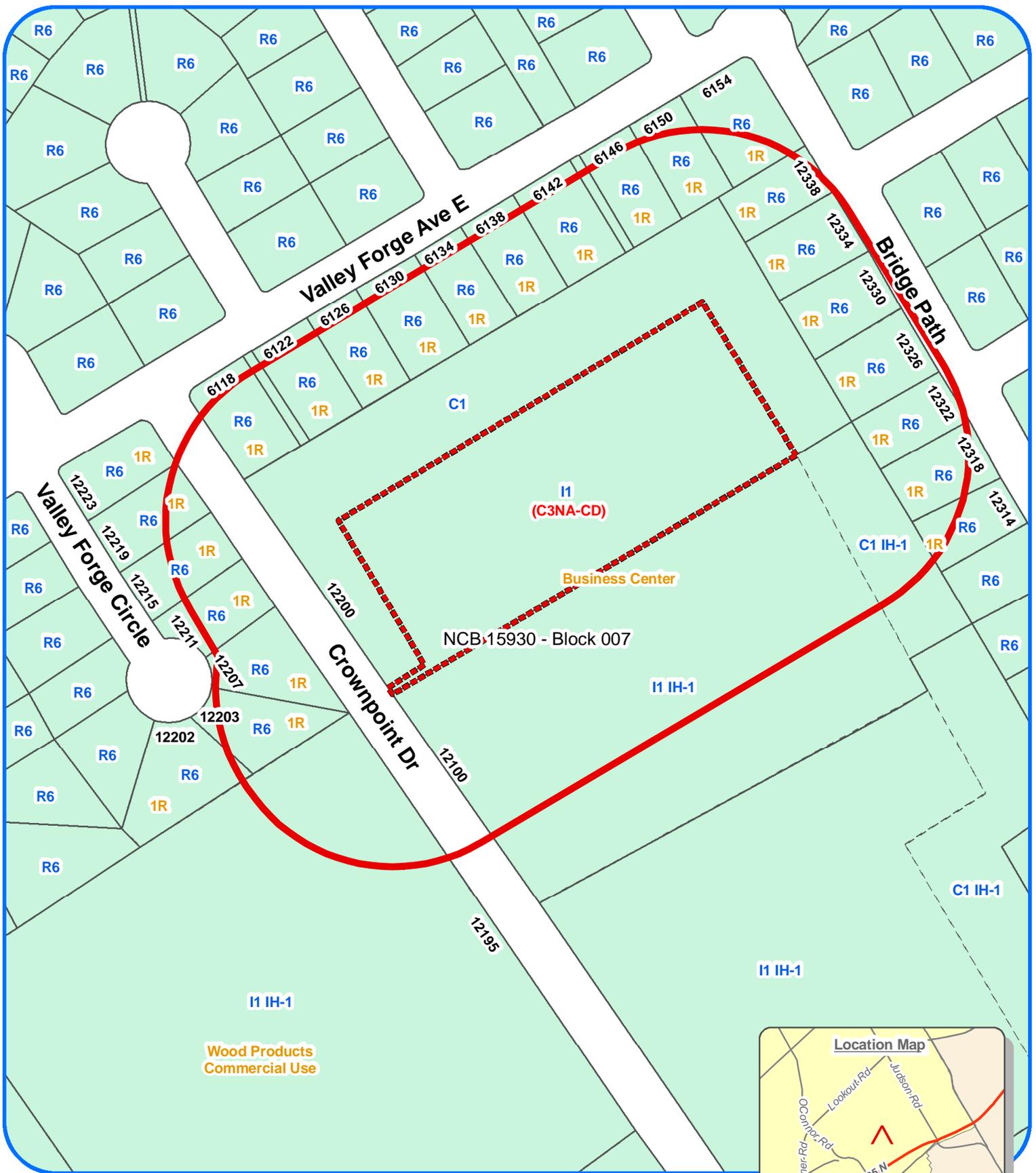


Job No. 82509

December 2, 1982.

RECEIVED  
1982 DEC -2 PM 3:32  
DEPT. OF REVENUE  
COURT HOUSE





# Zoning Case Notification Plan

## Case Z-2009-093 CD

Council District 10  
 Scale: 1" approx. = 150 Feet  
 Subject Property Legal Description(s): A Portion of NCB 15930 - Block 007 - Lot 52

### Legend

- Subject Property  (2.35 Acres)
- 200' Notification Buffer
- Current Zoning TEXT
- Requested Zoning Change TEXT
- 100-Year FEMA Floodplain



Planning & Development Services Dept  
 City of San Antonio  
 (05/04/2009 - 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):

**May 29, 2009**

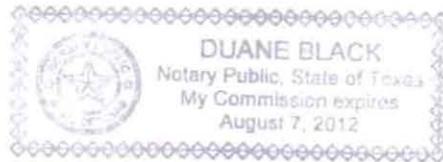
Subscribed and sworn to before me this 29th day of May, 2009, to certify which witness my hand and seal of office.

**PUBLIC NOTICE**

**AN ORDINANCE**  
**2009-05-21-0443**

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: Lot 52, Block 7, NCB 15930 save and except that portion of 3.122 acres out of NCB 15724 located within Lot 52 TO WIT: From "I-1" General Industrial District to "C-3 NA CD" General Commercial District, Nonalcoholic Sales with a Conditional Use for warehousing provided all conditions imposed by the City Council are adhered to. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".  
5/29

*Helen I. Lutz, Publisher*



*Notary Public in and for the State of Texas*

Duane Black

*Name of Notary*

*My commission expires August 7, 2012*