

AN ORDINANCE 2009-10-01-0789

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 0.293 of an acre out of NCB 14987 from "C-1" Light Commercial District to "C-1 S" Light Commercial District with a Specific Use Authorization for a Non-Commercial Parking Lot.

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 finds that the following conditions shall be met to insure compatibility with the surrounding properties:

- A. All on-site lighting shall be directed onto the site and point away from any residential zoning or uses using 90 degree or less cut-off fixtures; and
- B. There shall be no Ingress/Egress onto Freiling Drive.

SECTION 5. 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 6. 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 7. 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 8. This ordinance shall become effective October 11, 2009.

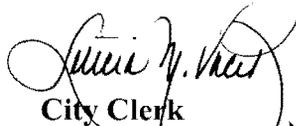
PASSED AND APPROVED this 1st day of October 2009.



M A Y O R

JULIÁN CASTRO

ATTEST:


City Clerk

APPROVED AS TO FORM:


for City Attorney

Agenda Item:	Z-4						
Date:	10/01/2009						
Time:	02:55:38 PM						
Vote Type:	Motion to Appr w Cond						
Description:	ZONING CASE # Z2009133 S (District 1): An Ordinance amending the Zoning District Boundary from "C-1" Light Commercial District to "C-1 S" Light Commercial District with a Specific Use Authorization for a non-commercial parking lot on 0.293 of an acre out of NCB 14987 located at 666 Freiling Drive & 6800 Park Ten Boulevard. Staff and Zoning Commission recommend approval with conditions.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Mary Alice P. Cisneros	District 1		x			x	
Ivy R. Taylor	District 2		x				
Jennifer V. Ramos	District 3		x				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					

70000122

Northstar Land Surveying, Inc.

9033 Aero St., Suite 207
San Antonio, Texas 78217
(210) 826-6228

Z2009133

FIELD NOTES FOR

A 0.075 ACRE TRACT OF LAND OUT OF LOT 1, NEW CITY BLOCK 14987, PARK TEN SUBDIVISION, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, ACCORDING TO PLAT THEREOF RECORDED IN VOLUME 7000, PAGE 62, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING: At a found TXDOT Type 3 monument at the intersection of the south right-of-way line of Freiling Drive and the east right-of-way line of Interstate 10, the northwest corner of a 30-foot ingress and egress easement as recorded in Volume 7318, Page 1679, Official Public Records of Real Property of Bexar County, Texas;

THENCE: North 89 degrees 34 minutes 19 seconds East (Bearings are based on Texas State Plane Coordinate System Grid Bearings), 64.54 feet, coincident with the south right-of-way line of Freiling Drive, the north line of the above mentioned 30-foot ingress and egress easement and a 0.388 acre tract as recorded in Volume 10885, page 207, Official Public Records of Real Property of Bexar County, Texas, to a found ½ inch iron rod, the northeast corner of the above mentioned 0.388 acre tract, the beginning of a non-tangent curve to the left;

THENCE: 43.32 feet with the northeast line of the 0.388 acre tract and the curve to the left, concave to the northeast, having a central angle of 15 degrees 25 minutes 38 seconds, a radius of 160.90 feet and a chord bearing and length of North 50 degrees 48 minutes 20 seconds West, 43.19 feet, to a set "X" on concrete, the end of this curve;

THENCE: South 57 degrees 45 minutes 27 seconds East, 17.85 feet, coincident with the northeast line of the 0.388 acre tract to a found ½ inch iron rod;

THENCE: South 04 degrees 32 minutes 51 seconds West, 3.08 feet, coincident with the east line of the 0.388 acre tract to a found ½ inch iron rod;

THENCE: South 58 degrees 27 minutes 45 seconds East, 49.73 feet, coincident with the northeast line of the 0.388 acre tract to a found ½ inch iron rod;

Continued

EXHIBIT A

Z2009133

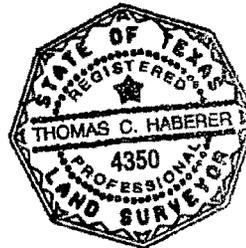
- THENCE:** South 01 degrees 07 minutes 08 seconds East, 44.19 feet, coincident with the east line of the above mentioned 0.388 acre tract, to a found ½ inch iron rod, the northwest corner of the above mentioned Lot 1, the southwest corner of Lot 4, New City Block 14987, Park Ten Subdivision, as recorded in Volume 7600, Pages 29-32, Deed and Plat Records of Bexar County, Texas, the northwest corner and **POINT OF BEGINNING** of the herein described tract;
- THENCE:** North 89 degrees 53 minutes 18 seconds East, 66.00 feet coincident with the south line of the above mentioned Lot 4, to a set ½ inch iron rod, the northeast corner of the herein described tract;
- THENCE:** South 00 degrees 16 minutes 51 seconds East, 49.26 feet, to a set ½ inch iron rod on the north line of Lot 54, New City Block 14987, Becker Veterinary Subdivision, as recorded in Volume 9578, Page 138, Deed and Plat Records of Bexar County, Texas, the southeast corner of the herein described tract;
- THENCE:** South 89 degrees 51 minutes 09 seconds West, 66.00 feet, coincident with the north line of Lot 54 to a set ½ inch iron rod, the southeast corner of the above mentioned 0.388 acre tract, the southwest corner of the herein described tract;
- THENCE:** North 00 degrees 16 minutes 51 seconds West, 49.30 feet, coincident with the east line of the 0.388 acre tract to the **POINT OF BEGINNING**, containing 0.075 acres.

These Field Notes are based on a survey made on the ground and a survey map prepared by employees of Northstar Land Surveying, Inc. who were working under my supervision.

Thomas C. Haberer

Thomas C. Haberer
Registered Professional Land Surveyor #4350

June 29, 2009
Job No. 6-09-0036_0.075



Northstar Land Surveying, Inc. Z2009133

**9033 Aero St., Suite 207
San Antonio, Texas 78217
(210) 826-6228**

FIELD NOTES FOR

A 0.218 ACRE TRACT OF LAND OUT OF A 0.3547 ACRE TRACT AS RECORDED IN VOLUME 9672, PAGE 1100, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS; BEING ALSO OUT OF LOT 4, NEW CITY BLOCK 14987, PARK TEN SUBDIVISION, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, ACCORDING TO PLAT THEREOF RECORDED IN VOLUME 7600, PAGES 29-32, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING: At a found TXDOT Type 3 monument at the intersection of the south right-of-way line of Freiling Drive and the east right-of-way line of Interstate 10, the northwest corner of a 30-foot ingress and egress easement as recorded in Volume 7318, Page 1679, Official Public Records of Real Property of Bexar County, Texas;

THENCE: North 89 degrees 34 minutes 19 seconds East (Bearings are based on Texas State Plane Coordinate System Grid Bearings), 64.54 feet, coincident with the south right-of-way line of Freiling Drive, the north line of the above mentioned 30-foot ingress and egress easement and a 0.388 acre tract as recorded in Volume 10885, page 207, Official Public Records of Real Property of Bexar County, Texas, to a found ½ inch iron rod, the northeast corner of the above mentioned 0.388 acre tract, the beginning of a non-tangent curve to the left;

THENCE: 43.32 feet with the northeast line of the 0.388 acre tract and the curve to the left, concave to the northeast, having a central angle of 15 degrees 25 minutes 38 seconds, a radius of 160.90 feet and a chord bearing and length of North 50 degrees 48 minutes 20 seconds West, 43.19 feet, to a set "X" on concrete, the end of this curve;

THENCE: South 57 degrees 45 minutes 27 seconds East, 17.85 feet, coincident with the northeast line of the 0.388 acre tract to a found ½ inch iron rod;

THENCE: South 04 degrees 32 minutes 51 seconds West, 3.08 feet, coincident with the east line of the 0.388 acre tract to a found ½ inch iron rod;

THENCE: South 58 degrees 27 minutes 45 seconds East, 49.73 feet, coincident with the northeast line of the 0.388 acre tract to a found ½ inch iron rod;

Continued

- THENCE:** South 01 degrees 07 minutes 08 seconds East, 44.19 feet, coincident with the east line of the above mentioned 0.388 acre tract, to a found ½ inch iron rod, the southwest corner of the above mentioned Lot 4, the northwest corner of Lot 1, New City Block 14987, Park Ten Subdivision, as recorded in Volume 7000, Page 62, Deed and Plat Records of Bexar County, Texas, the southwest corner and **POINT OF BEGINNING** of the herein described tract;
- THENCE:** North 01 degrees 07 minutes 08 seconds West, 44.19 feet, coincident with the east line of the above mentioned 0.388 acre tract, to a found ½ inch iron rod, the most easterly northeast corner of the 0.388 acre tract, an angle;
- THENCE:** North 58 degrees 27 minutes 45 seconds West, 49.73 feet, coincident with the northeast line of the 0.388 acre tract to a found ½ inch iron rod, an angle;
- THENCE:** North 04 degrees 32 minutes 51 seconds East, 3.08 feet, coincident with the east line of the 0.388 acre tract to a found ½ inch iron rod, an angle;
- THENCE:** North 57 degrees 45 minutes 27 seconds West, 17.85 feet, coincident with the northeast line of the 0.388 acre tract to a set "X" on concrete, the beginning of a curve to the right;
- THENCE:** 43.32 feet with the northeast line of the 0.388 acre tract and the curve to the right, concave to the northeast, having a central angle of 15 degrees 25 minutes 38 seconds, a radius of 160.90 feet and a chord bearing and length of North 50 degrees 48 minutes 20 seconds West, 43.19 feet to a found ½ inch iron rod on the south right-of-way line of Freiling Drive, the most northerly northeast corner of the 0.388 acre tract, the northwest corner of the herein described tract;
- THENCE:** North 89 degrees 46 minutes 39 seconds East, 47.83 feet, coincident with the south right-of-way line of Freiling Drive to a found ½ inch iron rod, the most northerly northeast corner of the herein described tract;
- THENCE:** South 00 degrees 23 minutes 19 seconds East, 10.03 feet, coincident with the west right-of-way line of Freiling Drive to a found ½ inch iron rod, a corner;
- THENCE:** North 89 degrees 27 minutes 56 seconds East, 109.18 feet, coincident with the south right-of-way line of Freiling Drive to a set ½ inch iron rod, the most easterly northeast corner of the herein described tract;

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THENCE: South 00 degrees 16 minutes 51 seconds East, 101.13 feet, to a set ½ inch iron rod on the south line of the above mentioned Lot 4, the southeast corner of the herein described tract;

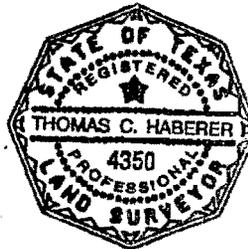
THENCE: South 89 degrees 53 minutes 18 seconds West, 66.00 feet, to the **POINT OF BEGINNING**, containing 0.218 acres.

These Field Notes are based on a survey made on the ground and a survey map prepared by employees of Northstar Land Surveying, Inc. who were working under my supervision.



Thomas C. Haberer
Registered Professional Land Surveyor #4350

June 29, 2009
Job No. 6-09-0036_0.218



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):

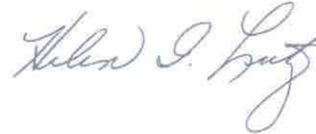
October 7, 2009

Subscribed and sworn to before me this 7th day of October, 2009, to certify which witness my hand and seal of office.

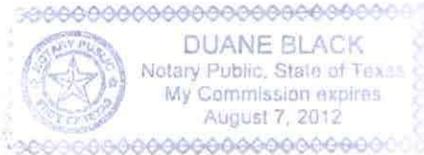
PUBLIC NOTICE

AN ORDINANCE
2009-10-01-0789

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: 0.293 of an acre out of NCB 14987 TO WIT: From "C-1" Light Commercial District to "C-1 S" Light Commercial District with a Specific Use Authorization for a Non-Commercial Parking Lot provided all conditions imposed by the City Council are adhered to. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".
10/7



Helen I. Lutz, Publisher



Notary Public in and for the State of Texas

Duane Black
Name of Notary

My commission expires August 7, 2012