

AN ORDINANCE 2008-08-21-0738

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 0.2 acres out of Lot 19, NCB 10616 from "R-5" Residential Single-Family District to "O-1" Office 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. 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 August 31, 2008.

PASSED AND APPROVED this 21st day of August 2008.


M A Y O R
PHIL HARDBERGER

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
for City Attorney

0.200 Acres (8720 sq. ft.)

A metes and bounds description of a 0.200 acre (8720 sq. ft.) tract of land situated in the City of San Antonio, Bexar County, Texas, out of Lot 19, N.C.B. 10616, SANTEX INTERNATIONAL SUBDIVISION, Unit 2, as recorded in Volume 9546, Page 200, of the Bexar County Plat Records, the herein described tract was previously Lot 4, Block 2, N.C.B. 10618, East Haven Addition, as recorded in Volume 2805, Page 122, of the Bexar County Plat Records:

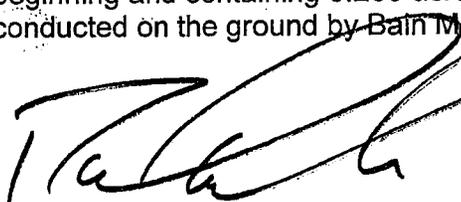
Beginning at an iron pin found for the southwest corner of the herein described tract, said corner also being the northwest corner of Lot 5, Block 2, N.C.B. 10618, East Haven Addition, as recorded in Volume 2805, Page 122, of the Bexar County Plat Records, said iron pin also being a point along the east right-of-way line of Highway Drive;

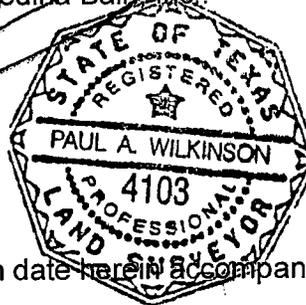
Thence N 03° 32' 24" W, 60.05 feet, along the west line of the herein described tract and along the east right-of-way line of Highway Drive to an iron pin found for the northwest corner of the herein described tract;

Thence N 88° 53' 05" E, 147.14 feet, along the north line of the herein described tract to the northeast corner of the herein described tract;

Thence S 00° 05' 59" E, 60.00 feet, along the east line of the herein described tract to a chain link fence corner post found for the southeast corner of the herein described tract, said corner also being the northeast corner of the above mentioned Lot 5, Block 2, N.C.B. 10618;

Thence S 88° 53' 05" W, 143.54 feet, along the south line of the herein described tract and along the north line of Lot 5, Block 2, N.C.B. 10618 to the point of beginning and containing 0.200 acres (8720 sq. ft.) of land according to a survey conducted on the ground by Bain Medina Bain, Inc.


 Paul A. Wilkinson, R.P.L.S.
 Project: C-1185
 A corresponding survey plat of even date herein accompanies this metes & bounds



THIS METES & BOUNDS IS THE PROPERTY OF BAIN MEDINA BAIN, INC. AND SHALL NOT BE USED FOR ANY PURPOSE WITHOUT THE WRITTEN CONSENT OF AN AUTHORIZED AGENT OF BAIN MEDINA BAIN, INC.; BAIN MEDINA BAIN, INC. ACCEPTS NO RESPONSIBILITY FOR THE USE OF THIS METES & BOUNDS FOR ANY PURPOSE AFTER SIX MONTHS FROM THE DATE INDICATED ON THIS METES & BOUNDS. ALL RIGHTS RESERVED. COPYRIGHT 2008. BAIN MEDINA BAIN, INC.
 Z:\My Documents\BW-CADD\C-1185(TexTruck)\TEXT\Metes & Bounds.doc

EXHIBIT A

Agenda Item:	Z-11 (in consent vote: Z-2, Z-5, Z-8, Z-10, Z-11, Z-12, Z-13, Z-14)						
Date:	08/21/2008						
Time:	04:29:10 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE #Z2008189 (District 2): An Ordinance amending the Zoning District Boundary from "R-5" Residential Single-Family District to "O-1" Office District on 0.2 acres out of Lot 19, NCB 10616 located at 4300 IH 10 East. 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				x
Sheila D. McNeil	District 2		x			x	
Jennifer V. Ramos	District 3		x				
Philip A. Cortez	District 4		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				

Z2008189

ZONING CASE NUMBER Z2008189 (Council District 2) – July 15, 2008

A request for The 4300 Highway 90 East Limited Partnership, Owner(s), for a change in zoning from “R-5” Residential Single-Family District to ‘O-1” Office District on 0.2 acres out of Lot 19, Block 19, NCB 10616, 4300 IH 10 East. Staff recommends approval.

This case was approved by consent.

Staff stated there were 11 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor.

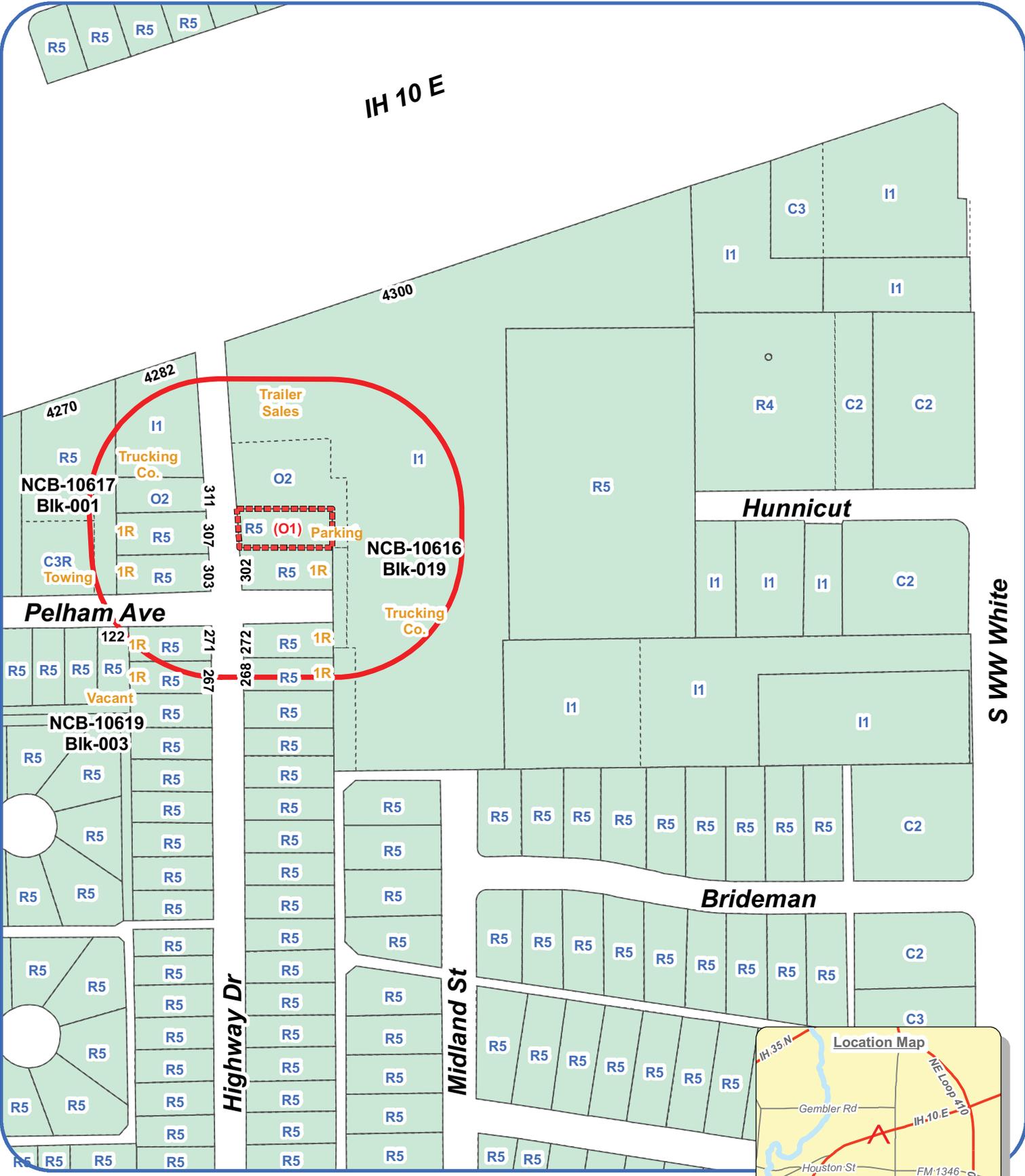
COMMISSION ACTION

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

**AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers,
Wright, Martinez, R. Valadez, Gray**

NAY: None

THE MOTION CARRIED



Zoning Case Notification Plan

Case Z2008189

Council District 2

Scale: 1" approx. = 200'

Subject Property Legal Description(s): 0.2 Acres out of Lot 19 Blk: 019 NCB: 10616

Legend

- Subject Property (0.200 Acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(6/18/2008)



**CITY OF SAN ANTONIO
Request for Council Action**

Agenda Item # Z-11
Council Meeting Date: 8/21/2008
RFCAs Tracking No: R-3686

DEPARTMENT: Development Services

DEPARTMENT HEAD: Roderick Sanchez

COUNCIL DISTRICT(S) IMPACTED:
Council District 2

SUBJECT:
Zoning Case Z2008189

SUMMARY:
From "R-5" Residential Single-Family District to "O-1" Office District.

BACKGROUND INFORMATION:
Zoning Commission Meeting Date: July 15, 2008

Applicant: The 4300 Highway 90 East Limited Partnership
Owner: The 4300 Highway 90 East Limited Partnership

Property Location: 4300 IH 10 East

0.2 acres out of Lot 19, Block 19, NCB 10616

The east side of Highway Drive, south of IH 10 East

Proposal: To allow an employee parking lot

Neighborhood Association: None

Neighborhood Plan: None

TIA Statement: A Traffic Impact Analysis (TIA) is not required.

ISSUE:
None.

ALTERNATIVES:
A denial of the request will result in the subject property retaining the current "R-5" Residential

Single Family District zoning, restricting future land use to single family detached dwellings at a maximum of 9 units per acre, prohibiting the proposed office use.

FISCAL IMPACT:

None. The applicant has paid all the required zoning fees.

RECOMMENDATION:

Staff and Zoning Commission (11-0) recommend approval.

The subject property consists of approximately 0.2 acres located on the east side of Highway Drive, south of IH 10 East. The subject property is a small portion of a larger 7.07 acre lot, which is used by a trailer sales company and a trucking company. The subject portion of the lot is currently fenced, paved, and is used as truck parking. The property was annexed in 1952, per ordinance 18115 and was originally zoned "A" Single Family Residence District. The original zoning converted to "R-5" Residential Single-Family District upon the adoption of the 2001 Unified Development Code. Surrounding zoning includes "R-5" to the south, southeast, and southwest; and "O-2" Office District and "I-1" General Industrial District to the west, north, and east. There is a mix of zoning districts along the south side of IH 10 including single-family residential, commercial and industrial districts. Surrounding land uses include single-family homes to the south, southeast, and southwest; with trucking, trailer, and towing companies to the north, east, and west. There are gas stations, restaurants, and a church in close proximity to the north along IH 10 East and east along South W. W. White Road.

The applicant requests "O-1" Office District to bring the existing parking lot into compliance. Staff finds the request to be appropriate. The requested zoning would allow the legal continuation of a long-existing use. The requested "O-1" zoning district also provides an adequate buffer between the "I-1" zoning to the north and east, and the residential homes to the south.

ATTACHMENT(S):

File Description	File Name
Zoning Commission Minutes	Z2008189.pdf
Location Map	Z2008189.pdf
Voting Results	
Ordinance/Supplemental Documents	200808210738.pdf

DEPARTMENT HEAD AUTHORIZATIONS:

Roderick Sanchez Director Development Services

APPROVED FOR COUNCIL CONSIDERATION:

T.C. Broadnax Assistant City Manager