

AN ORDINANCE 2008-10-16-0953

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 4.106 acres out of Lot 2, NCB 14525 from "I-1" General Industrial District to "C-3" General Commercial District.

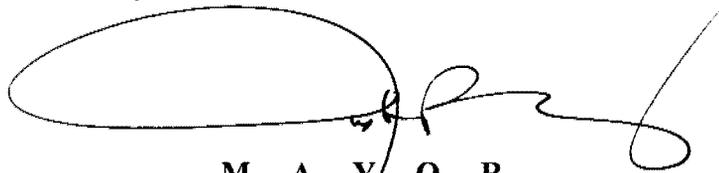
SECTION 2. A description of the property is attached as Exhibit "A" and made a part hereof and incorporated herein for all purposes.

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 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



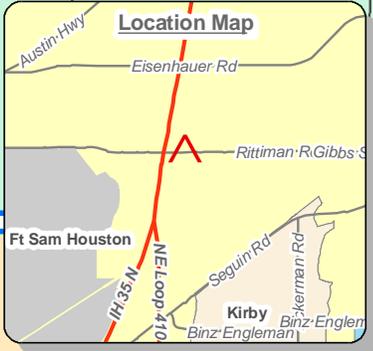
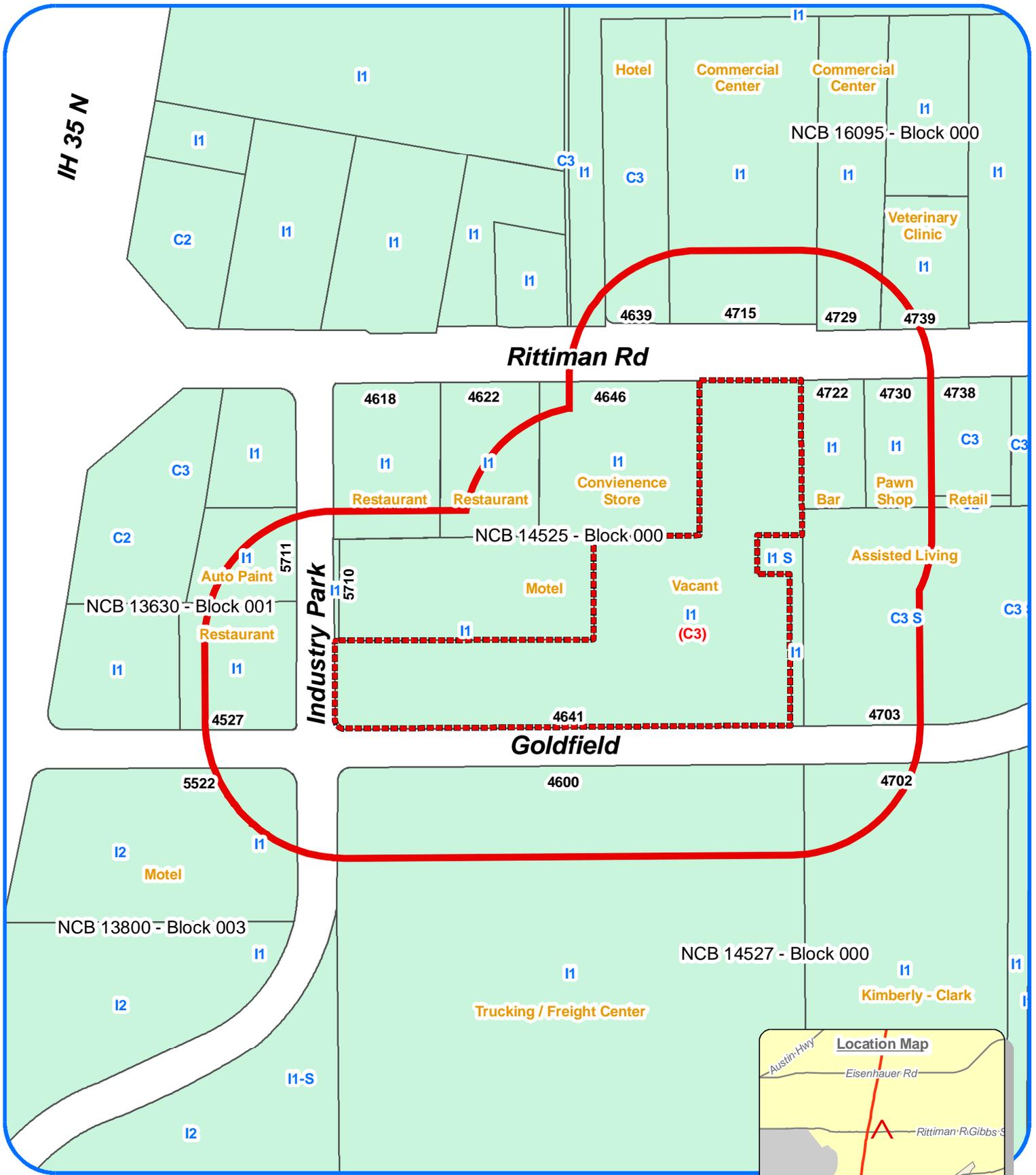
Request for
**COUNCIL
ACTION**



Agenda Voting Results - Z-5

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 # Z2008260 (District 2): An Ordinance amending the Zoning District Boundary from "I-1" General Industrial District to "C-3" General Commercial District on 4.106 acres out of Lot 2, NCB 14525 located at 4641 Goldfield Street. 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-2008-260

Council District 2

Scale: 1" approx. = 200'

Subject Property Legal Description(s): A Portion of NCB 14525 - Block 000 - E 149.96 ft of Lot 2 and NCB 13631 - Block 000 - 1' Strip of Tr 4 or P100

Legend

- Subject Property (4.106 Acres)
- 200' Notification Buffer
- Current Zoning R6
- Requested Zoning Change (R6)
- 100-Year FEMA Floodplain



Z2008260

Sinclair & Associates, Inc.

3201 Cherry Ridge, Suite A101
San Antonio, Texas 78230
210-341-4518

June 28, 2007

4.106 acres out of
Lot 2
New City Block 14525
Pinson Subdivision
City of San Antonio

THE STATE OF TEXAS
COUNTY OF BEXAR

FIELDNOTES OF A SURVEY OF

4.106 acres out of Lot 2, New City Block 14525, Pinson Subdivision, City of San Antonio as shown by plat of record in Volume 6600 at page 232 of the Plat Records of Bexar County, Texas, and being more particularly described by metes and bounds, as surveyed, as follows:

Beginning at an iron bar found set in the ground in the south right-of-way line of Rittiman Road, the northeast corner of Lot 2, New City Block 14525, Pinson Subdivision, City of San Antonio as shown by plat of record in Volume 6600 at page 232 of the Plat Records of Bexar County, Texas, the northwest corner of Lot 5, New City Block 14525, Pinson Subdivision, City of San Antonio as shown by plat of record in Volume 7200 at page 126 of the Plat Records of Bexar County, Texas, for the northeast corner of this tract;

Thence S 0°12'49" E with the east boundary line of said Lot 2 and the west boundary line of said Lot 5 at 199.58 feet an iron bar found set in the ground, the southwest corner of said Lot 5 and the northwest corner of Lot 8, said Pinson Subdivision recorded in Volume 7200 at page 126, and continuing on the same course and by the same count with the east boundary line of said Lot 2 and the west boundary line of said Lot 8 an overall distance of 239.82 feet to an ½" iron bar with an orange cap marked "Sinclair and Associates" set in the ground, the northeast corner of a 0.0964-acre tract of land described in deed of record in Volume 11104 at page 2027 of the Official Public Records of Bexar County, Texas, for a southeast corner of this tract;

Thence S 89°51'16" W crossing said Lot 2 with the north boundary line of said 0.0964-acre tract a distance of 70.00 feet to an ½" iron bar with an orange cap marked "Sinclair and Associates" set

Z2008260

in the ground, the northwest corner of said 0.0964-acre tract, for a reentrant corner of this tract;

Thence S 0°28'44" E with the west boundary line of said 0.0964-acre tract a distance of 60.00 feet to an ½" iron bar with an orange cap marked "Sinclair and Associates" set in the ground, the southwest corner of said 0.0964-acre tract, for a reentrant corner of this tract;

Thence N 89°51'16" E with the south boundary line of said 0.0964-acre tract a distance of 49.72 feet to an ½" iron bar with an orange cap marked "Sinclair and Associates" set in the ground, the northwest corner of a 20-foot Access and Utility Easement described in deed of record in Volume 11104 at page 2027 of the Official Public Records of Bexar County, Texas, for the a northeast corner of this tract;

Thence S 0°12'49" E with the west boundary line of said 20-foot Access and Utility Easement a distance of 234.23 feet to an ½" iron bar with an orange cap marked "Sinclair and Associates" set in the ground in the north right-of-way line of Goldfield and the south boundary line of said Lot 2, the southwest corner of said 20-foot Access and Utility Easement, for the southeast corner of this tract;

Thence S 89°47'11" W with the north right-of-way line of Goldfield and the south boundary line of said Lot 2 a distance of 688.83 feet to an ½" iron bar with an orange cap marked "Sinclair and Associates" set in the ground at the point of curve of a circular curve to the right having a radius of 15.00 feet joining the north right-of-way line of Goldfield and the east right-of-way line of Industry Park Drive, the southwest corner of said Lot 2, for the southwest corner of this tract;

Thence curve right along the arc of said circular curve to the right having a radius of 15.00 feet joining the north right-of-way line of Goldfield and the east right-of-way line of Industry Park Drive and the southwest boundary line of said Lot 2, through a central angle of 90°09'33", a chord bearing and distance of N 45°08'02" W – 21.24 feet, a distance of 23.60 feet to an ½" iron bar with an orange cap marked "Sinclair and Associates" set in the ground in the east right-of-way line of Industry Park Drive, a southwest corner of said Lot 2, for a southwest corner of this tract;

Thence N 0°03'16" W with the east right-of-way line of Industry Park Drive and the west boundary line of said Lot 2 a distance of 121.14 feet to an iron bar found set in the ground, the southwest corner of Lot 11, New City Block 14525, Industry Park Drive Subdivision, City of San Antonio as shown by plat of record in Volume 9510 at page 181 of the Plat Records of Bexar County, Texas, for the most westerly northwest corner of this tract;

Thence N 89°51'33" E crossing said Lot 2 with the south boundary line of said Lot 11 a distance of 400.00 feet to an ½" iron bar with an orange cap marked "Sinclair and Associates" set in the ground, the southeast corner of said Lot 11, for a reentrant corner of this tract;

Thence N 0°03'16" W with the east boundary line of said Lot 11 a distance of 160.03 feet to an ½" iron bar with an orange cap marked "Sinclair and Associates" set in the ground in the south

Z2008260

boundary line of Lot 13, New City Block 14525, Racetrac Petroleum Subdivision, City of San Antonio as shown by plat of record in Volume 9534 at page 115 of the Plat Records of Bexar County, Texas for a northwest corner of this tract;

Thence N 89°51'33" E with the south boundary line of said Lot 13 a distance of 164.65 feet to an iron bar found set in the ground, the southeast corner of said Lot 13, for a reentrant corner of this tract;

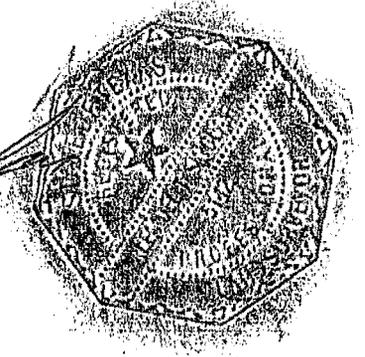
Thence N 0°08'27" W with the east boundary line of said Lot 13 a distance of 239.18 feet to an iron bar found set in the ground in the south right-of-way line of Rittiman Road and the north boundary line of said Lot 2, the northeast corner of said Lot 13, for the most northerly northwest corner of this tract;

Thence S 89°58'41" E with the south right-of-way line of Rittiman Road and the north boundary line of said Lot 2 a distance of 158.10 feet to the point of beginning.

Containing 4.106 acres (178,845 square feet) of land, more or less.

SINCLAIR & ASSOCIATES, INC


Lemuel T. Sinclair,
Registered Professional Land
Surveyor No. 5142



LTS
cc:file

Z2008260

ZONING CASE NUMBER Z2008260 (Council District 2) – September 16, 2008

A request for a change in zoning from ‘I-1’ General Industrial District to ‘C-3’ General Commercial District on Lot 2, NCB 14525, 4641 Goldfield Street. Staff recommends approval.

This case was approved by consent.

Staff stated there were 23 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and Park Village Neighborhood Association is 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

Z2008182 S

ZONING CASE NUMBER Z2008182 S (Council District 5) – August 19, 2008

A request for a change in zoning from “R-6” Residential Single-Family District to “I-1 S” General Industrial District with a Specific Use Authorization for Metal Products Fabrication on Lots 23 and 24, Block 5, NCB 11370, 2634 Southwest 34th Street. Staff recommends denial.

Applicant/Representative not present.

The following citizen(s) appeared to speak:

Rodolfo Klebahn, spoke in opposition. He is concerns with the health and safety of the surrounding property owners.

Staff stated there were 21 notices mailed out to the surrounding property owners, 1 returned in opposition and 0 returned in favor and no response from Thompson Community Association. Staff mailed 47 notices to the planning team.

COMMISSION ACTION

The motion was made by Commissioner J. Valadez and seconded by Commissioner Gadberry to recommend denial.

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

NAY: None

THE MOTION CARRIED



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

PUBLIC NOTICE

AN ORDINANCE 2008-10-16-0953

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: 4.106 acres out of Lot 2, NCB 14525 TO WIT: From "I-1" General Industrial District to "C-3" General Commercial District. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".
10/20

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

October 20, 2008

Order# 20396390

ORDINANCE 2008-10-16-0953

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





CITY OF SAN ANTONIO
Request for Council Action

Agenda Item # Z-5
Council Meeting Date: 10/16/2008
RFCA Tracking No: R-3933

DEPARTMENT: Planning & Development Services

DEPARTMENT HEAD: Roderick Sanchez

COUNCIL DISTRICT(S) IMPACTED:
Council District 2

SUBJECT:
Zoning Case Z2008260

SUMMARY:

From "I-1" General Industrial District to "C-3" General Commercial District.

BACKGROUND INFORMATION:

Zoning Commission Meeting Date: September 16, 2008

Applicant: Paresh Patel

Owner: Arthur and Eunice Y. Laubach

Property Location: 4641 Goldfield Street

A 4.106 acres out of Lot 2, NCB 14525

At the northeast corner of Industry Park Drive and Goldfield Street, having 158.10 feet on Rittiman Road.

Proposal: To allow the development of a hotel and restaurant.

Neighborhood Association: Park Village Neighborhood Association

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 industrial zoning, restricting future uses to those of an industrial nature and prohibiting the proposed commercial

development.

FISCAL IMPACT:

None. The applicant has paid the required zoning fees.

RECOMMENDATION:

Staff and Zoning Commission (8-0) recommend approval.

The subject property was annexed in October of 1966 and totals approximately 4.106 acres. The existing use of the property is outside storage of materials, equipment, trucks, trailers, vehicles and is not screened from view of public roadways. The subject property was zoned "I-1" Light Industry District, which was approved by the City Council in 1975. Upon adoption of the 2001 Unified Development Code, the existing "I-1" General Industrial District converted from the previous "I-1" Light Industry District. The "I-1" zoning district does not allow Hotels and Restaurants. The site is not within a Neighborhood Association or Community Plan.

"I-1" General Industrial District zoning currently exists to the north of the subject property and across Goldfield Street to the south. Property to the east of the subject property is zoned "C-3 S" General Commercial District Specific Use Authorization for a Transitional Home and "I-1" General Industrial District. Property to the west across Industry Park Drive is zoned "I-1" General Industrial District. Land uses immediately adjacent to the proposed development consist of a hotel and corner store to the north of the subject property and Trucking Motor Freight across Goldfield Street to the south. There is a restaurant located to the west of the subject property across Industry Park Drive and a bar and transitional home to the west.

The applicant has applied for "C-3" General Commercial District to allow the development of commercial uses including a hotel and restaurant on the project site. Most of the "I-1" zoned property within 200 feet is occupied by "C-2" or "C-3" uses. There are various commercial and industrial uses along Goldfield Street.

The "C-3" General Commercial District would compliment the commercial development pattern beginning at the intersection of Rittiman Road and Interstate Highway 35. The "C-3" General Commercial District will also provide flexibility for future use of the property. The requested rezoning is a reduction in intensity from "I-1" General Industrial District to "C-3" General Commercial District. The requested C-3 zoning would not be out of character with the commercial trend in the area. "C-3" General Commercial Districts are typically characterized as community and regional shopping centers, power centers and should also incorporate shared internal circulation and limited curb cuts to arterial streets. No outdoor storage is permitted. Outdoor operations and display shall be permitted in areas which are screened. Staff has no objections to this request at this location.

ATTACHMENT(S):

File Description	File Name
Zoning Map	Z2008260.pdf
Zoning Commission Minutes	Z2008260.pdf
Voting Results	
Ordinance/Supplemental Documents	200810160953.pdf

DEPARTMENT HEAD AUTHORIZATIONS:

Roderick Sanchez Director Planning & Development Services

APPROVED FOR COUNCIL CONSIDERATION:

T.C. Broadnax Assistant City Manager