

AN ORDINANCE 2008-04-17-0333

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 a 0.4028 acre tract of land out of Lot 6, Block 4, NCB 8780 from "I-2" Heavy Industrial District to "C-2" (CD-Motor Vehicle Sales) Commercial District with a Conditional Use for Motor Vehicle Sales.

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 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. 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.

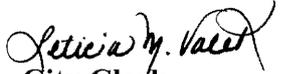
SECTION 5. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 6. This ordinance shall become effective on April 27, 2008.

PASSED AND APPROVED this 17th day of April, 2008.



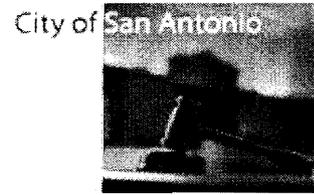
M A Y O R
PHIL HARDBERGER

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
For City Attorney

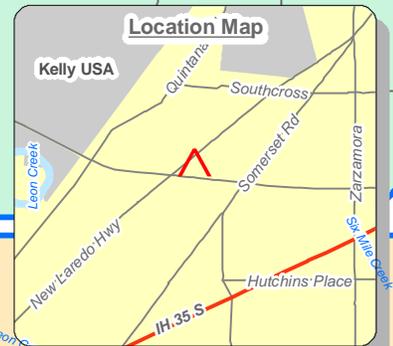
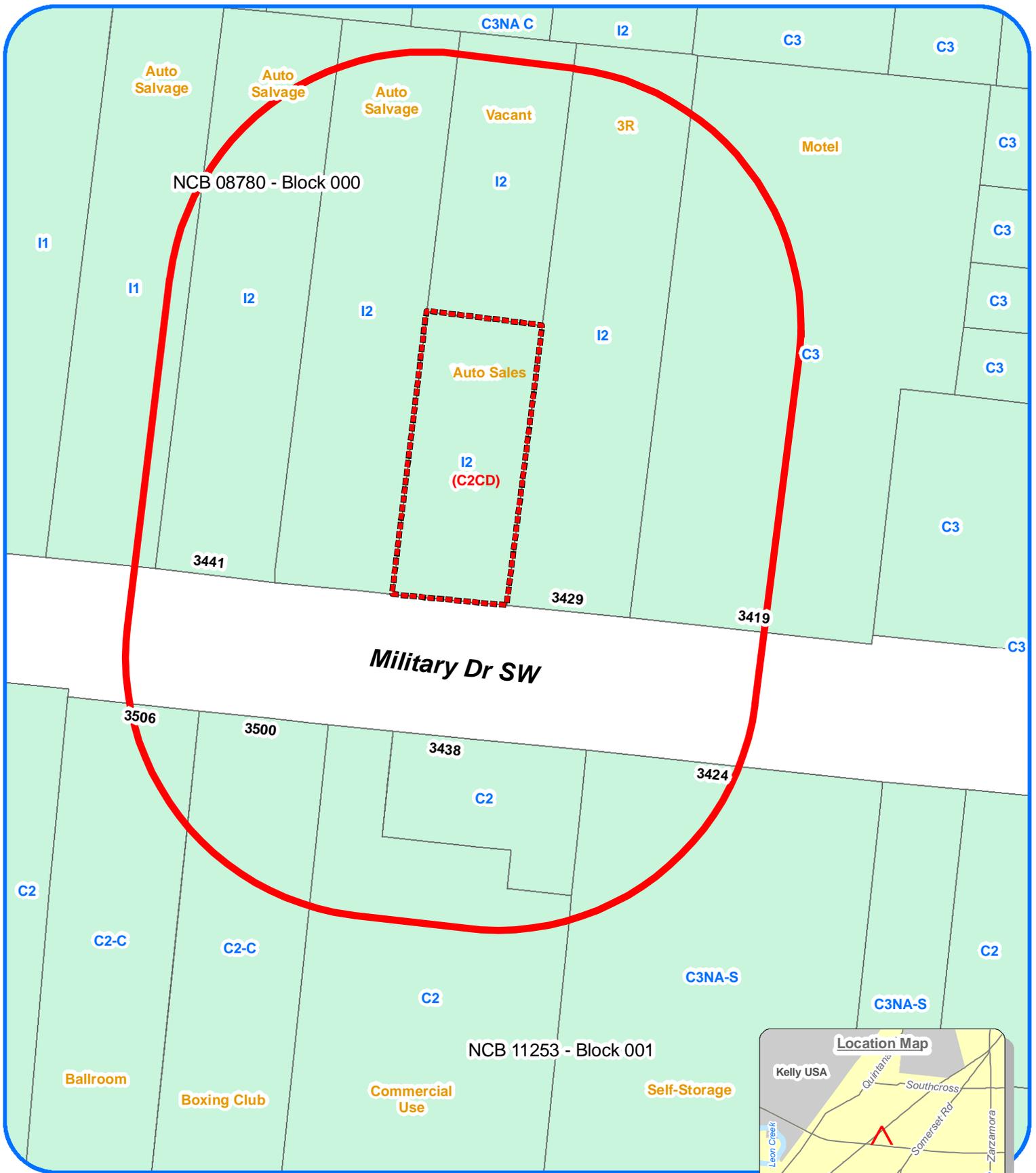


Request for
COUNCIL
ACTION



Agenda Voting Results - Z-11

Name:	Z-2, Z-3, Z-4, Z-8, P-1, Z-9, Z-11						
Date:	04/17/2008						
Time:	02:55:16 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE Z2008104 CD (District 4): An Ordinance changing the zoning district boundary from "I-2" Heavy Industrial District to "C-2" (CD-Motor Vehicle Sales) Commercial District with a Conditional Use for Motor Vehicle Sales, on a 0.4028 acre tract of land out of Lot 6, Block 4, NCB 8780, 3441 S. W. Military Drive, as requested by Robert Villarreal, Applicant for Eric Morales, Owner. 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				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					



Zoning Case Notification Plan

Case Z-2008-104 CD

Council District 4

Scale: 1" approx. = 100'

Subject Property Legal Description(s): A Portion of W 79.75 ft of N 440 ft of Lot 6 - NCB 08780 - Block 004

Legend

- Subject Property (0.4028 Acres)
- 200' Notification Buffer
- Current Zoning R6
- Requested Zoning Change (R6)
- 100-Year FEMA Floodplain

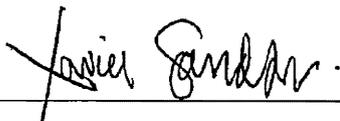


City of San Antonio - Development Services Dept
(03/06/2008)

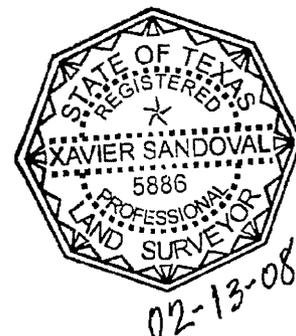
**A Metes and Bounds Description
for Zoning Purposes**

Being 0.4028 of an acre (17,545 square feet) out of Lot 6, Block 4, New City Block (N.C.B.) 8780, Somerset Place Subdivision, Third Filing, in the City of San Antonio, Bexar County Texas, as recorded in Volume 642, Page 27 of the Deed and Plat Records of Bexar County, Texas, the said 0.4028 of an acre tract being out of a portion of the West 79.75 feet of the North 440 feet, Lot 6, Block 4, N.C.B 8780, of the said Somerset Place Subdivision, Third Filing, as described in Volume 12560, Page 2284 of the Official Public Records of Bexar County Texas, the said 0.4028 of an acre tract being more particularly described for zoning purposes only, as follows:

- BEGINNING: at a 5/8 inch rebar with a nut found for the southwest corner of the West 79.75 feet of the North 440 feet of said portion of Lot 6, Block 4, N.C.B. 8780, Somerset Place Subdivision, Third Filing,
- THENCE: East, along and with the north Right-of-Way of S.W. Military Drive, a distance of 79.75 feet to a point for a corner of the herein described tract for zoning purposes only;
- THENCE: North, along and with the east boundary line of the West 79.75 feet of the North 440 feet of said portion of Lot 6, Block 4, N.C.B. 8780, Somerset Place Subdivision, Third Filing, a distance of 220 feet to a point for a corner of the herein described tract for zoning purposes only;
- THENCE: West, crossing the West 79.75 of the North 440 feet of said portion of Lot 6, Block 4, N.C.B. 8780, Somerset Place Subdivision, Third Filing, a distance of 79.75 feet to a point for a corner of the herein described tract for zoning purposes only;
- THENCE: South, along and with the west boundary line of the West 79.75 of the North 440 feet of said portion of Lot 6, Block 4, N.C.B. 8780, Somerset Place Subdivision, Third Filing, a distance of 220 feet to the **POINT OF BEGINNING** of the herein described tract and containing 0.4028 of an acre (17,545 square feet) more or less, for zoning purposes only.



Xavier Sandoval
Registered Professional Land Surveyor
Texas Registration No. 5886



Source of Bearing: Volume 642, Page 27 of the Deed and Plat Records of Bexar County, Texas.

This description is intended for zoning only and not for any other purpose.

Affidavit of Publisher

STATE OF TEXAS
COUNTY OF BEXAR
S.A. - CITY CLERK

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: A 0.4028 acre tract of land out of Lot 6, Block 4, NCB 8780 TO WIT: From "I-2" Heavy Industrial District to "C-2" (CD-Motor Vehicle Sales) Commercial District with a Conditional Use for a Motor Vehicle Sales provided all conditions imposed by the City Council are adhered to. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".
4/21

Before me, the undersigned authority, on this day personally appeared Helen I. Lutz, who being by me duly sworn, says on oath that she is Publisher of the Commercial Recorder, a newspaper of general circulation in the City of San Antonio, in the State and County aforesaid, and that the Ordinance 2008-04-17-0333 here to attached has been published in every issue of said newspaper on the following days, to wit:

04/21/2008.

Helen I. Lutz

Sworn to and subscribed before me this 21st day of of April, 2008.

Martha L. Machuca

