

AN ORDINANCE 2011-05-19-0421

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.

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WHEREAS, a public hearing was held after notice and publication 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 2.111 acres out of NCB 14890 from "R-6 MLOD" Residential Single-Family Military Lighting Overlay District to "C-2 S MLOD" Commercial Military Lighting Overlay District with a Specific Use Authorization for a Gasoline Filling Station with a Car Wash.

SECTION 2. A description of the property is attached as **Attachment "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 specific 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 approves this Specific Use Authorization so long as either of the two attached site plans are adhered to, and upon obtaining appropriate authorizations from the Board of Adjustment if applicable. Site plans are attached as **Attachment "B"** and **Attachment "C"** and made a part hereof and incorporated herein for all purposes.

SECTION 5. The City Council exempts the requirement to provide the residential fencing protection along the property boundary adjacent to an existing single family use, in accordance with Chapter 35, Article V, Division 3, Section 35-514(e)(3).

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 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.

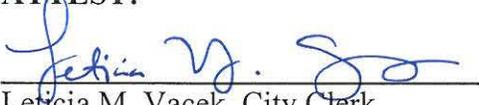
SECTION 8. This ordinance shall become effective May 29, 2011.

PASSED AND APPROVED this 19th day of May 2011.

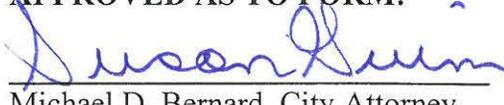


M A Y O R
Julián Castro

ATTEST:

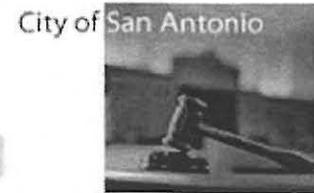
for 
Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:


Michael D. Bernard, City Attorney *for*



Request for
**COUNCIL
ACTION**



Agenda Voting Results - Z-3

Name:	Z-3						
Date:	05/19/2011						
Time:	02:31:10 PM						
Vote Type:	Motion to Appr w Cond						
Description:	ZONING CASE # Z2011035 S (District 8): An Ordinance amending the Zoning District Boundary from "R-6 MLOD" Residential Single-Family Military Lighting Overlay District to "C-2 S MLOD" Commercial Military Lighting Overlay District with a Specific Use Authorization for a Gasoline Filling Station with a Carwash on 2.111 acres out of NCB 14890; a portion of the 13600 Block of Interstate Highway 10 West, located at the southwest corner of the intersection at UTSA Boulevard. Staff and Zoning Commission recommend approval.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Mary Alice P. Cisneros	District 1		x				
Ivy R. Taylor	District 2		x				
Jennifer V. Ramos	District 3		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			x	
Elisa Chan	District 9		x				x
John G. Clamp	District 10		x				

EXHIBIT " A "

LAND DEVELOPMENT ENVIRONMENTAL TRANSPORTATION WATER RESOURCES SURVEYING

FIELD NOTES
FOR

A 2.111 acre, or 91,963 square feet, more or less, tract of land out of the Anselmo Pru Survey Number 20, Abstract 574, New City Block 14890 in the City of San Antonio, Bexar County, Texas. Said 2.111 acres also being out of a 170.137 acre tract of land described in Volume 4958, Pages 758-767 of the Official Public Records of Real Property of Bexar County, Texas. Said 2.111 acre tract being more fully described as follows, with bearings based on the North American Datum of 1983 (CORS 1996), from the Texas Coordinate System established for the South Central Zone;

- BEGINNING: At a found Texas Department of Transportation right-of-way monument, type II, on the south right-of-way line of UTSA Boulevard, an 86-foot right-of-way, at the west end of a cut back line at the southwest corner of the intersection of Interstate Highway 10 and UTSA Boulevard;
- THENCE: With said cut back line, South 60°42'29" East a distance of 141.34 feet to a found Texas Department of Transportation right-of-way monument, type II, on the west right-of-way line of Interstate Highway 10, a variable width right-of-way;
- THENCE: With the west right-of-way line of Interstate Highway 10, South 15°41'11" East a distance of 115.31 feet to a found Texas Department of Transportation right-of-way monument, type II, at a point of curvature;
- THENCE: Continuing with said right-of-way line and along a tangent curve to the right, said curve having a radius of 22700.33 feet, a central angle of 00°09'36", a chord bearing and distance of South 15°36'23" East, 63.38 feet, for an arc length of 63.38 feet to a set iron rod with a yellow cap marked "Pape Dawson";
- THENCE: Departing said right-of-way line and over and across said 170.137 acre tract, South 80°24'13" West a distance of 393.65 feet to a set iron rod with a yellow cap marked "Pape Dawson";
- THENCE: Continuing over and across said 170.137 acre tract, North 06°40'22" West a distance of 249.78 feet to a set iron rod with a yellow cap marked "Pape Dawson" on the south right-of-way line of said UTSA Boulevard;
- THENCE: With the south right-of-way line of UTSA Boulevard, along a non-tangent curve concave to the north, said curve having a radial bearing of North 08°17'51" West, a radius of 1188.92 feet, a central angle of 07°23'40", a chord bearing and distance of North 78°00'19" East, 153.33 feet, for an arc length of 153.44 feet to a found Texas Department of Transportation right-of-way monument, type II, at a point of tangency;

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Z2011035

2.111 Acres
Job No.: 9143-10
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THENCE: Continuing with the south right-of-way line of UTSA Boulevard, North 74°18'29" East a distance of 99.39 feet to the POINT OF BEGINNING, and containing 2.111 acres in the City of San Antonio, Bexar County, Texas, Said tract being described in accordance with a survey made on the ground and a survey map prepared by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: October 13, 2010
JOB NO. 9143-10
DOC. ID. N:\Survey10\10-9100\9143-10\WORD\2.111Ac FNs.doc



