

AN ORDINANCE 2012-06-21-0530

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 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 7.662 acres out of Lots 13, 14, 15, 16, 21, 22, 23 and 24, Block 108, NCB 7973 and Lots 1, 2 and 3, Block 1, NCB 13372 and portions of Lenard and Ella Street from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District, "MF-33 AHOD" Multi-Family Airport Hazard Overlay District and "C-2" AHOD" Commercial Airport Hazard Overlay District to "MF-33 S AHOD" Multi-Family Airport Hazard Overlay District with a Specific Use Authorization for a Daycare Center (on 2.312 acres) and "C-2NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District (on 5.35 acres).

SECTION 2. In accordance with Section 35-514(d)(2) of the Unified Development Code, the City Council authorizes a fence to be erected or altered of up to a height of eight (8) feet located around the proposed daycare center, as shown on the attached Specific Use Authorization site plan.

SECTION 3. A description of the property is attached as **Attachment "A"** and made a part hereof and incorporated herein for all purposes.

SECTION 4. 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 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 **Attachment "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 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.

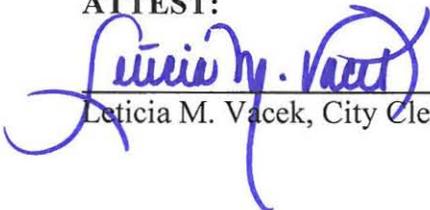
SECTION 8. This ordinance shall become effective July 1, 2012.

PASSED AND APPROVED this 21st day of June 2012.



M A Y O R
Julián Castro

ATTEST:



Leticia M. Vacek, City Clerk

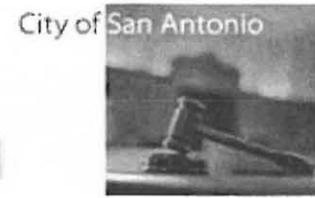
APPROVED AS TO FORM:



for _____
Michael D. Bernard, City Attorney



Request for
**COUNCIL
ACTION**



Agenda Voting Results - Z-7

Name:	Z-7						
Date:	06/21/2012						
Time:	04:45:33 PM						
Vote Type:	Motion to Appr w Cond						
Description:	ZONING CASE # Z2012138 S (District 4): An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District, "MF-33 AHOD" Multi-Family Airport Hazard Overlay District and "C-2" AHOD" Commercial Airport Hazard Overlay District to "MF-33 S AHOD" Multi-Family Airport Hazard Overlay District with a Specific Use Authorization for a Daycare Center (on 2.312 acres) and "C-2NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District (on 5.35 acres) on 7.662 acres out of Lots 13, 14, 15, 16, 21, 22, 23 and 24, Block 108, NCB 7973 and Lots 1, 2 and 3, Block 1, NCB 13372 and portions of Lenard and Ella Street located at 1201 Lenard (also known as 1406 and 1418 Fitch), 419, 323, 319, 311, 307 and 303 Berlin Avenue, and portions of Lenard and Ella Street. Staff recommends approval, pending plan amendment. Zoning Commission recommendation is pending the June 19, 2012 public hearing.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Diego Bernal	District 1		x			x	
Ivy R. Taylor	District 2		x				x
Leticia Ozuna	District 3	x					
Rey Saldaña	District 4	x					
David Medina Jr.	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7	x					
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x				
Carlton Soules	District 10	x					



From "R-4", "MF-33", and "C-2"
To "C-2NA"

LAND DEVELOPMENT ENVIRONMENTAL TRANSPORTATION WATER RESOURCES SURVEYING

FIELD NOTES

FOR ZONING - WESLEY CAMPUS EAST

A 5.350, or 233,054 square feet more or less, tract of land being comprised of 4.293 acres out of Lot 1 and all of Lot 3 of the Wesley Subdivision recorded in Volume 5140, Page 206, Lots 13-16 and 21-24 of the Columbia Heights Subdivision recorded in Volume 105, Page 14, both of the Deed and Plat Records of Bexar County, Texas, being out of that property in New City Blocks 13372 and 7973 conveyed to the Methodist Healthcare Ministries in instruments recorded in Volume 12218, Pages 1835-1839, Volume 15172, Pages 962-963, Volume 13379, Pages 587-588, Volume 13157, pages 946-947, Volume 15266, Pages 2399-2400 of the Official Public Records of Bexar County, Texas, a 0.023 acre portion of Lenard Street, and a 0.172 acre portion of Ella Street, in New City Blocks 7973 and 13372 of the City of San Antonio, Bexar County, Texas. Said 5.350 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:

COMMENCING At a set ½" iron rod with yellow cap marked "Pape-Dawson" at the northwest corner of the herein described tract, on the south right-of-way line of Fitch Avenue, a 60-foot right-of-way dedicated in the Columbia Heights subdivision recorded in Volume 105, Page 15, a point of tangency at the northwest corner of the aforementioned Lot 1, Block 1 of the Wesley Subdivision;

THENCE: N 89°50'58" E, with the south right-of-way line of said Fitch Avenue, the north line of said Lot 1, a distance of 34.48 feet to the POINT OF BEGINNING of the herein described tract;

THENCE: N 89°50'58" E, with the south right-of-way line of said Fitch Avenue, the north line of said Lot 1, a distance of 585.68 feet to a set iron rod with cap marked "Pape-Dawson";

THENCE: Along a tangent curve to the right, said curve having a radius of 15.00 feet, a central angle of 89°55'52", a chord bearing and distance of S 45°11'06" E, 21.20 feet, for an arc length of 23.54 feet to a set mag nail at a point of tangency;

THENCE: S 00°13'10" E, with the east line of said Lot 1, Block 1, originally the west right-of-way line of Ella Street., a 60-foot right-of-way dedicated in said Columbia Heights Subdivision, now closed, a distance of 285.10 feet to a found iron rod with cap marked "Pape-Dawson" at the south right-of-way line of Milvid Avenue, a 60-foot right-of-way also established in said Columbia Heights Subdivision;

Page 1 of 3.

East Tract
Methodist Healthcare Ministries.
Job 7070-20
5.350 Acres

From "R-4", "MF-33", and "C-2"
To "C-2NA"

- THENCE: N 89°50'58" E, crossing Ella Street with an extension of said south right-of-way line of Milvid Avenue, a distance of 60.00 feet to an "+" in concrete found at the northwest corner of Lot 1, Block 118 of N.C.B. 7974 of said Columbia Heights Subdivision;
- THENCE: S 00°13'10" E, with the east line of said Ella Street, the west line of said Lot 1, Block 118, a distance of 125.00 feet to a found iron rod with cap marked "Pape-Dawson" at the southwest corner of said Lot 1, Block 118, the northwest corner of Lot 134, N.C.B. 118;
- THENCE: S 89°50'58" W, with an extension of the rear line of said Block 118, the north line of that portion of Ella Street conveyed to Isidro Guzman by instrument recorded in Volume 9201, Pages 2186-2194 of the Official Public Records of Real Property of Bexar County, Texas, a distance of 60.00 feet to a found iron rod with cap marked "Pape-Dawson" at the northeast corner of Lot 24, Block 108, N.C.B. 7973 of said Columbia Heights Subdivision, the southeast corner of Lot 1, Block 1 of the aforementioned Wesley Subdivision;
- THENCE: S 00°13'10" E, with the east line of said Lot 24, Block 108, a distance of 125.07 feet to a found 5/8" iron rod at the southeast corner of said Lot 24, Block 108, on the north right-of-way line of Berlin Avenue, a 60-foot right-of-way dedicated in the aforementioned Columbia Heights Subdivision;
- THENCE: S 89°50'58" W, with the north right-of-way line of Berlin Avenue, a distance of 300.16 feet to the east right-of-way line of Lenard Street, a 50-foot right-of-way also dedicated in said Columbia Heights subdivision;
- THENCE: N 00°13'10" W, with the east line of Lenard Street, and continuing across the cul-de-sac established in the aforementioned Wesley Subdivision, a distance of 161.84 feet to a point;
- THENCE: N 34°06'48" E, crossing said cul-de-sac and continuing over and across said Lot 1, Block 1 of the Wesley Subdivision a distance of 59.19 feet to a point;
- THENCE: Over and across said Lot 1, Block 1 the following calls and distances:
N 00°13'10" W, a distance of 72.52 feet to a point;
N 57°40'39" W, a distance of 52.52 feet to a point;
S 89°50'58" W, a distance of 37.81 feet to a point;
N 00°09'02" W, a distance of 30.68 feet to a point;
S 89°50'58" W, a distance of 252.08 feet to a point;

East Tract
Methodist Healthcare Ministries.
Job 7070-20
5.350 Acres

From "R-4", "MF-33", and "C-2"
To "C-2NA"

N 00°09'02" W, a distance of 208.00 feet to the POINT OF BEGINNING, and containing 5.350 acres in the City of San Antonio, Bexar County, Texas. Said tract being described in accordance with a survey made on the ground in February 2012 and a survey description and map prepared under job number 7070-20 by Pape-Dawson Engineers, Inc.

This document was prepared under 22TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the political subdivision for which it was prepared.

PREPARED BY: Pape-Dawson Engineers, Inc.

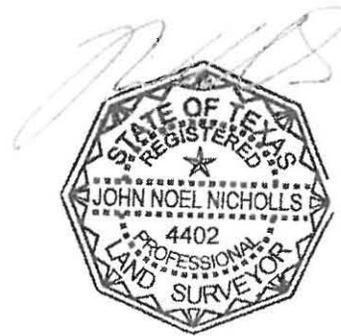
DATE: 25th May, 2012

Job No.: 7070-20

78070-20-ZoningEast.doc

TBPE Firm Registration #470

TBPLS Firm Registration #100288-00





From "R-4" and "MF-33"
To "MF-33 S" - Daycare Center

LAND DEVELOPMENT ENVIRONMENTAL TRANSPORTATION WATER RESOURCES SURVEYING

FIELD NOTES

FOR ZONING - WESLEY CAMPUS WEST

A 2.312 acre, or 100,721 square feet more or less, tract of land being comprised of 1.874 acres out of Lot 1 and all of Lot 3, Block 1 of the Wesley Subdivision recorded in Volume 5140, Page 206, and a 0.296 acre portion of Lenard Street in New City Block 13372 of the City of San Antonio, Bexar County, Texas. Said 2.312 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 set ½" iron rod with yellow cap marked "Pape-Dawson" at the northwest corner of the herein described tract, on the south right-of-way line of Fitch Avenue, a 60-foot right-of-way dedicated in the Columbia Heights subdivision recorded in Volume 105, Page 15, a point of tangency at the northwest corner of the aforementioned Lot 1, Block 1 of the Wesley Subdivision;

THENCE: N 89°50'58" E, with the south right-of-way line of said Fitch Avenue, the north line of said Lot 1, a distance of 34.48 feet to a point;

THENCE: Departing said right-of-way and over and across said Lot 1 the following calls and distances:

S 00°09'02" E, a distance of 208.00 feet to a point;

N 89°50'58" E, a distance of 252.08 feet to a point;

S 00°09'02" E, a distance of 30.68 feet to a point;

N 89°50'58" E, a distance of 37.81 feet to a point;

S 57°40'39" E, a distance of 52.52 feet to a point;

S 00°13'10" E, a distance of 72.52 feet to a point;

THENCE: S 34°06'48" W, crossing the south line of said Lot 1, Block 1, the line of that cul-de-sac for Lenard Street established in the aforementioned Wesley Subdivision, and continuing for a total distance of 59.19 feet to a point;

West Tract
Methodist Healthcare Ministries.
Job 7070-20
2.312 Acres

Z2012138 S

From "R-4" and "MF-33"
To "MF-33 S" - Daycare Center

- THENCE: S 00°13'10" E, passing the southeast corner of said cul-de-sac, and continuing with the east right-of-way line of Lenard Street established as a 50-foot right-of-way in the Columbia Heights Subdivision recorded in Volume 105, Page 105 of the Deed and Plat Records of Bexar County, Texas, for a total distance of 161.84 feet, to the north right-of-way line of Berlin Avenue, a 60-foot right-of-way also established in said Columbia Heights subdivision;
- THENCE: S 89°50'58" W, with the north right-of-way line of Berlin Avenue, crossing the right-of-way of Lenard Street, a distance of 50.00 feet to a found 1" iron pipe at the southeast corner of Lot 24, Block 98, N.C.B. 7972 of the Columbia Heights Subdivision;
- THENCE: N 00°13'10" W, a distance of 125.07 feet to a set iron rod with cap marked "Pape-Dawson" at the northeast corner of said Lot 24, Block 98, on the south line of the aforementioned Lot 1, Block 1 of the Wesley Subdivision;
- THENCE: S 89°50'58" W, with the rear line of said Block 98, the south line of said Lot 1, Block 1, a distance of 250.00 feet to a set iron rod with cap marked "Pape-Dawson" at the northeast corner of Lot 2, Block 1 of said Wesley Subdivision, the northwest corner of Lot 15 of said Block 98;
- THENCE: S 00°13'10" E, with the east line of said Lot 2, Block 1, the west line of said Lot 15, Block 98, a distance of 125.07 feet to a found iron rod with cap marked "Pape-Dawson" at the southwest corner of said Lot 15, Block 98, the southeast corner of Lot 2, Block 1 on the north right-of-way of Berlin Avenue;
- THENCE: S 89°50'58" W, with the north line of Berlin Avenue, a distance of 35.02 feet to a found iron rod with cap marked "Pape-Dawson" at a point of curvature;
- THENCE: Along a tangent curve to the right, following the west line of said Lot 2, said curve having a radius of 15.00 feet, a central angle of 89°55'52", a chord bearing and distance of N 45°11'06" W, 21.20 feet, for an arc length of 23.54 feet to a set iron rod with cap marked "Pape-Dawson";
- THENCE: N 00°13'10" W, with the west line of said Lot 2, Block 1, and continuing with the west line of said Lot 1, Block 1, a distance of 520.15 feet to a found ½" iron rod for a point of curvature;

Z2012138 S

West Tract
Methodist Healthcare Ministries.
Job 7070-20
2.312 Acres

From "R-4" and "MF-33"
To "MF-33 S" - Daycare Center

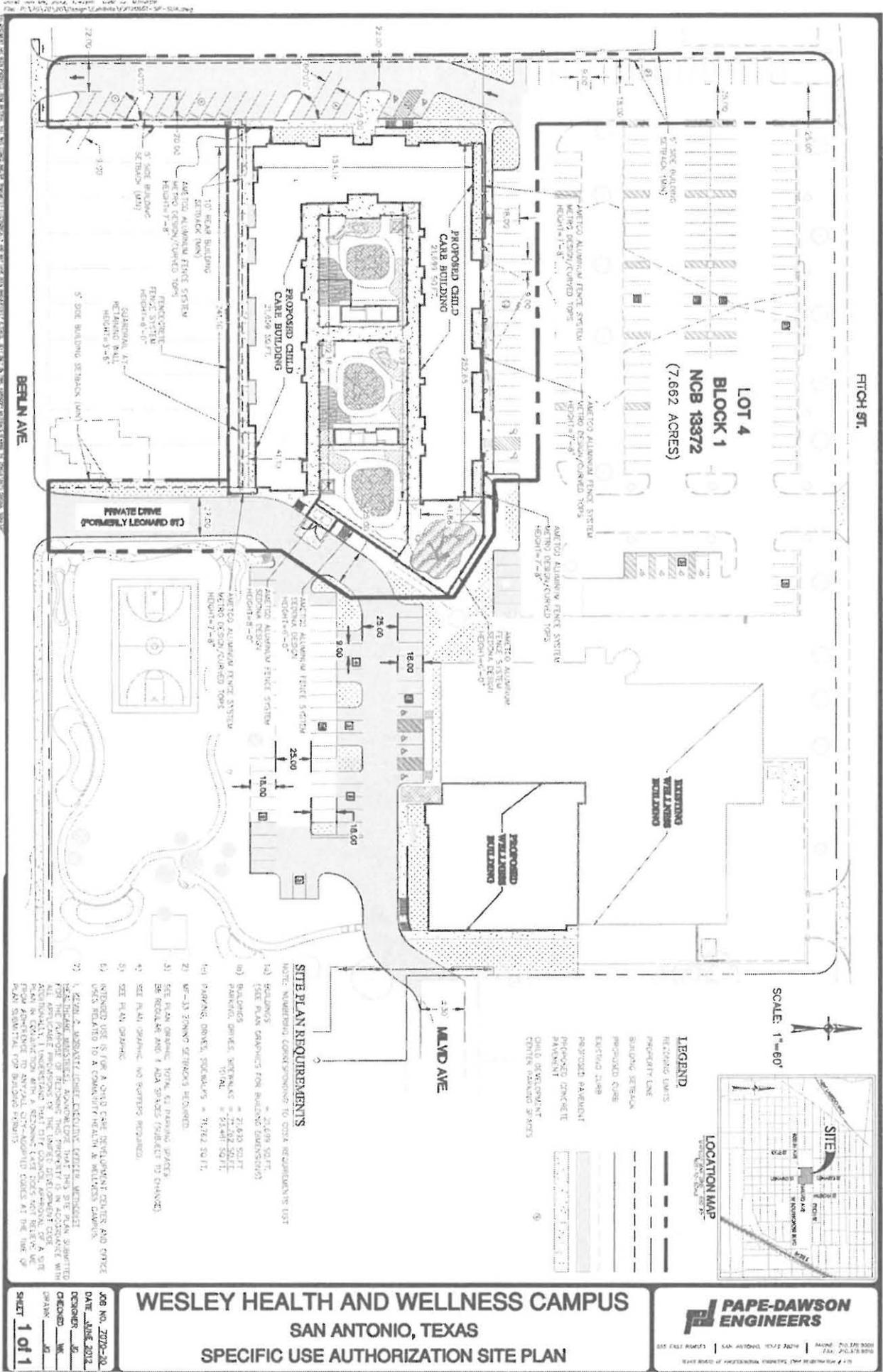
THENCE: Along a tangent curve to the right, said curve having a radius of 15.00 feet, a central angle of $90^{\circ}04'08''$, a chord bearing and distance of $N 44^{\circ}48'54'' E$, 21.23 feet, for an arc length of 23.58 feet to the POINT OF BEGINNING, and containing 2.312 acres in the City of San Antonio, Bexar County, Texas. Said tract being described in accordance with a survey made on the ground in February 2012 and a survey description and map prepared under job number 7070-20 by Pape-Dawson Engineers, Inc.

This document was prepared under 22TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the political subdivision for which it was prepared.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: 25th May, 2012
Job No.: 7070-20
78070-20-ZoningWest.doc
TBPE Firm Registration #470
TBPLS Firm Registration #100288-00



Z2012138 S



ATTACHMENT B

SITE PLAN REQUIREMENTS

NOTE: NUMERICAL CORRESPONDENCE TO CODE REQUIREMENTS LIST

1) BUILDINGS = 21,639 SQ. FT.
 (SEE PLAN DRAWINGS FOR BUILDING DIMENSIONS)

2) DRIVEWAYS = 21,639 SQ. FT.
 (SEE PLAN DRAWINGS FOR DRIVEWAY DIMENSIONS)

3) SEE PLAN DRAWING FOR PARKING SPACES

4) SEE PLAN DRAWING FOR SETBACKS REQUIRED

5) SEE PLAN DRAWING

6) INTENDED USE IS FOR A CHILD CARE DEVELOPMENT CENTER AND OFFICE USES RELATED TO A COMMUNITY HEALTH & WELLNESS CAMPUS.

7) A ZONING & SUBDIVISION LICENSE APPLICATION, GENERAL METRICULET PLAN, DRAINAGE MASTERPLAN, AND/OR OTHER THAT THIS SITE PLAN SUBMITTED FOR THE PURPOSE OF PERFORMING THE NECESSARY ENGINEERING AND ARCHITECTURAL DESIGNING THAT THE COMMUNITY HEALTH & WELLNESS CAMPUS IS IN COMPLIANCE WITH THE CITY OF SAN ANTONIO'S ZONING AND SUBDIVISION CODES AND REGULATIONS. THE CITY ENGINEER'S REVIEW OF THIS PLAN SHALL BE LIMITED TO THE TECHNICAL ASPECTS OF THE SITE PLAN AND SHALL NOT BE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED HEREON.

DATE: JUNE 2012
 DRAWN: [Name]
 CHECKED: [Name]
 SHEET 1 of 1

WESLEY HEALTH AND WELLNESS CAMPUS
 SAN ANTONIO, TEXAS
 SPECIFIC USE AUTHORIZATION SITE PLAN

LEGEND

- RECORDED LIMITS
- PROPERTY LINE
- SETBACK SETBACK
- PROPOSED CURB
- EXISTING CURB
- PROPOSED PARKING
- PROPOSED DRIVEWAY PAVEMENT
- CHILD DEVELOPMENT CENTER PARKING SPACES

LOCATION MAP

SCALE: 1"=60'

Pape-Dawson Engineers
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 FAX: 781.576.8010
 STATE BOARD OF PROFESSIONAL ENGINEERS, ENGINE EXAMINER NO. 4170