

AN ORDINANCE 2008-04-17-0326

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 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 0.311 acres out of NCB 2524 from "I-2" Heavy Industrial District to "C-2 CD" (CD-Auto Paint and Body) Commercial District with a Conditional Use for an Auto Paint and Body Facility.

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.

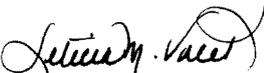
SECTION 6. This ordinance shall become effective on April 27, 2008.

PASSED AND APPROVED this 17th day of April 2008.



M A Y O R

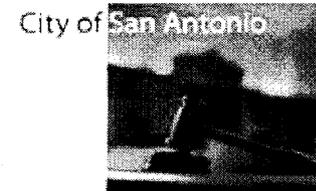
PHIL HARDBERGER

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
for City Attorney



Request for
COUNCIL
 ACTION



Agenda Voting Results - Z-2

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 # Z2008098 CD (District 5): An Ordinance changing the zoning district boundary from "I-2" Heavy Industrial District to "C-2 CD" (CD-Auto Paint and Body) Commercial District with a Conditional Use for an Auto Paint and Body Facility, on 0.311 acres out of NCB 2524, 514 Merida Street as requested by Salah Diab, Applicant for Merida & La Chapelle, Ltd., Owners. 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-2008-098

Council District 5
 Scale: 1" approx. = 100'

Subject Property Legal Description(s): A Portion of Lots 25, 27 and E 239.23 ft of Lot 26 and E 129.49 ft of N 196 ft of Tract TR-B - NCB 02524 - Block B

Legend

- Subject Property (0.311 Acres)
- 200' Notification Buffer
- Current Zoning R6
- Requested Zoning Change (R6)
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
 (02/26/2008)

FIELD NOTE DESCRIPTION**FOR**

BEING 0.311 ACRES OUT OF LOT 26, BLOCK B, NEW CITY BLOCK 2524, STEWART SUBDIVISION, RECORDED IN VOLUME 4600, PAGE 185, DEED AND PLAT RECORDS, BEXAR COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING: at a ½" iron rod set on the north right-of-way line of Hazel St., said point marking the point of curvature into S. Navidad St.;

THENCE: N 85° 02' 00" W 145.19 feet along the said north right-of-way line of Hazel St. to a ½" iron pin set;

THENCE: N 05° 30' 15" E 85.00 feet to a ½" iron rod set;

THENCE: S 85° 02' 00" ~~E~~ ^{SED} 160.01 feet to a ½" iron rod set, in the west R.O.W. line of Navidad Street;

THENCE: S 05° 30' 15" W 70.18 feet along said west right-of-way line of S. Navidad St. to a ½" iron rod found marking the point of curvature of a curve to the right into said Hazel St.;

THENCE: 23.34 feet along said curve to the right-having the following parameters:

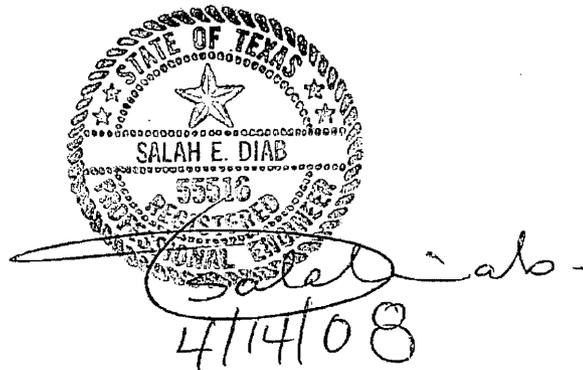
Radius= 15.00 feet

Tangent= 14.82 feet

Chord Bearing= S 50° 14' 07" W

Chord Length= 21.06 feet

To the **POINT OF BEGINNING.**

**EXHIBIT A**

Affidavit of Publisher

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: 0.311 acres out of NCB 2524 TO WIT: From "I-2" Heavy Industrial District to "C-2 CD" (CD-Auto Paint and Body) Commercial District with a Conditional Use for an Auto Paint and Body Facility 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

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

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 2008-04-17-0326 here to attached has been published in every issue of said newspaper on the following days, to wit:

04/21/2008.



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

