

AN ORDINANCE 2009-03-05-0177

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 0.0476 of an acre out of Lot 18, NCB 13718 from "C-3" General Commercial District to "C-3 S" General Commercial District with a Specific Use Authorization to allow a Pay Day Loan Agency.

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 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 conditional 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 the attached site plan is adhered to. A site plan is attached as Exhibit "B" and made a part hereof and incorporated herein for all purposes.

SECTION 5. 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 6. 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 7. This ordinance shall become effective March 15, 2009.

PASSED AND APPROVED this 5th day of March 2009.

ATTEST:

Sevick M. Vacco
City Clerk

Jennifer Ranus for
MAYOR
PHIL HARDBERGER

APPROVED AS TO FORM:

Nessa Quinn
for
City Attorney

**METES & BOUNDS DESCRIPTION OF A
0.0476 ACRE TRACT OF LAND AS A POLITICAL SUBDIVISION
CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS**

Being 0.0476 acre (2,075 square feet) political subdivision of a tract of land located in Lot 18, N.C.B. 13718 and being a portion of that certain 48.66-acre tract of land recorded as the replat and subdivision establishing Park North A as described in Volume 9569, Pages 83-87 of the Deed and Plat Records of Bexar County, Texas, said 0.0476-acre tract being more particularly described as follows (all bearings referenced to the replat and subdivision establishing Park North A);

COMMENCING at a found 1/2" iron rod with a Pape-Dawson cap for the southwest corner of the aforementioned Park North A Subdivision, said iron rod being in the east right-of-way of Blanco Road (variable width right-of-way);

Thence, along said east right-of-way, the following three (3) courses:

North 00°24'22" West, a distance of 210.78 feet to a point;

North 89° 16'43" East, a distance of 13.78 feet to a point;

Thence North 00°14'24" West, a distance of 231.51 feet to a point;

Thence, leaving said east right-of-way, North 89°45'36" East, a distance of 86.07 feet to the southwest corner of an existing building for the **POINT OF BEGINNING** of the herein described tract;

Thence, along the west side of said building, North 00°12'01" East, a distance of 20.75 feet to a point;

Thence, leaving the west side of said building and continuing through said building, South 89°47'59" East, a distance of 100.00 feet to a point on the east side of said building;

Thence, continuing along the east side of said building, South 00°12'01" West, a distance of 20.75 feet to the southeast corner of said building;

Thence, continuing along the south side of said building, North 89°47'59" West, a distance of 100.00 feet to the **POINT OF BEGINNING**, containing 0.0476 acre (2,075 square feet) of land.

EXHIBIT A



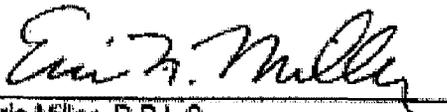
Job No. 2240-001S
November 20, 2008
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This document was prepared under 22 TAC §663.21, does not reflect the results of an on-the-ground survey, and is not to be used to convey or establish interest in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

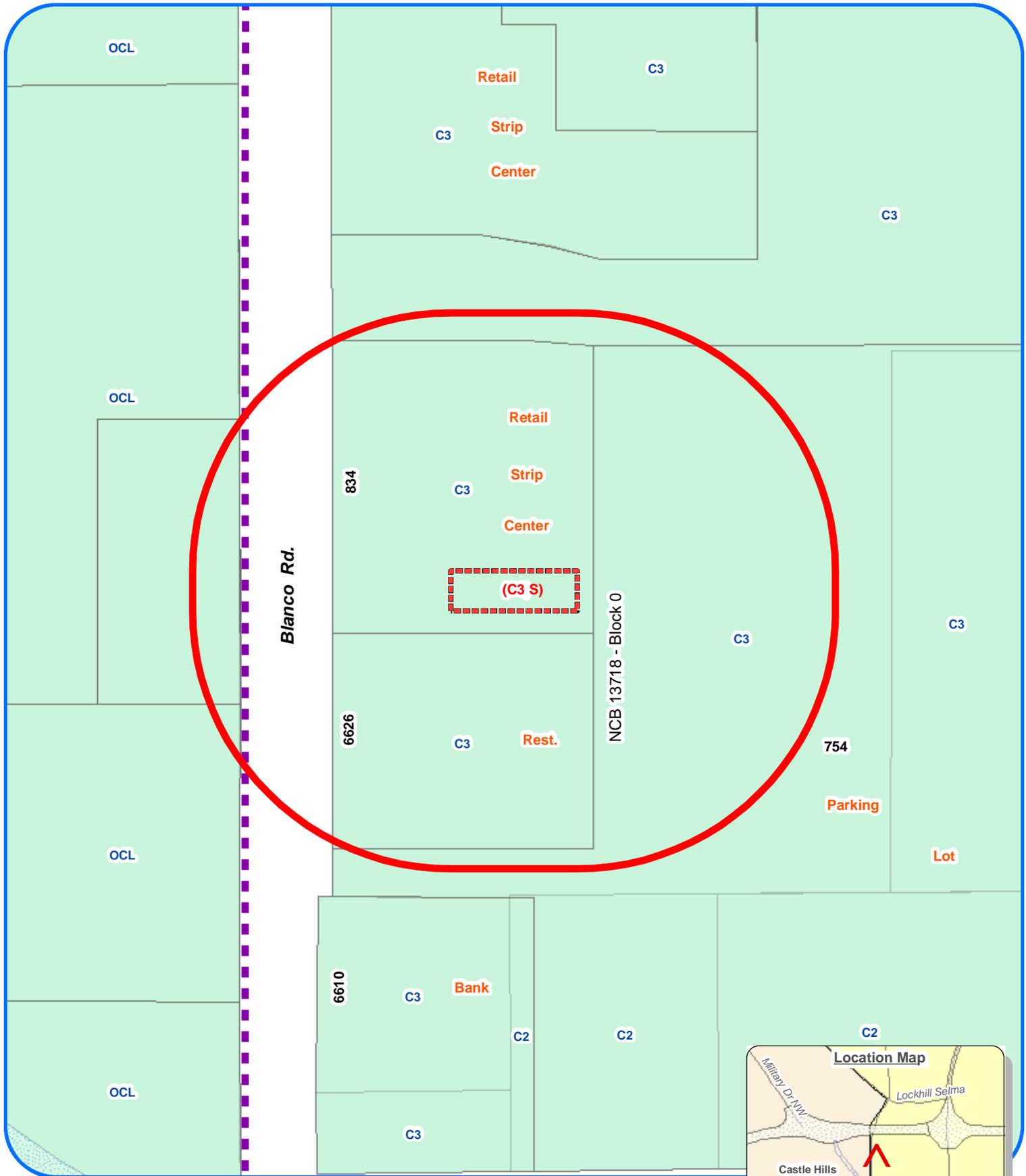
Job No. 2240-001S
EM m&b 2,075 sf
November 20, 2008

Certified this 20th day of November, 2008.



Eric Miller, R.P.L.S.
Registered Professional Land Surveyor
Texas Registration No. 5910
Vickrey & Associates, Inc.





Zoning Case Notification Plan

Case Z2009-034 S

Council District 1

Scale: 1" approx. = 100'

Subject Property Legal Description(s): 0.0476 of an acre out of NCB 13718

Legend

- Subject Property (0.0476 acres)
- 200' Notification Buffer
- Current Zoning C3
- Requested Zoning Change (C3 S)
- 100-Year FEMA Floodplain



METES & BOUNDS DESCRIPTION OF A
0.0476 ACRE TRACT OF LAND AS A POLITICAL SUBDIVISION
CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS

Being 0.0476 acre (2,075 square feet) political subdivision of a tract of land located in Lot 16, N.C.B. 13718 and being a portion of that corner 48.66-acre tract of land recorded on the metes and bounds plat entitled "Metes and Bounds Description of a 0.0476 Acre Tract of Land as a Political Subdivision, City of San Antonio, Bexar County, Texas" and being more particularly described as follows (all bearings and distances are true bearings and distances):

COMMENCING at a found 1/2" iron rod with a Pipe-Dawson cap for the southwest corner of the aforementioned Park, Norm A. Subdivision, said iron rod being in the east right-of-way of Blanco Road (variable width right-of-way);

Thence, along said east right-of-way, the following three (3) courses:

North 00°29'22" West, a distance of 210.78 feet to a point;

North 89°16'43" East, a distance of 13.78 feet to a point;

Thence, North 00°14'24" West, a distance of 231.51 feet to a point;

Thence, leaving said east right-of-way, North 89°45'36" East, a distance of 86.07 feet to the southwest corner of an existing building for the **POINT OF BEGINNING** of the herein described tract;

Thence, along the west side of said building, North 00°12'01" East, a distance of 20.75 feet to a point;

Thence, leaving the west side of said building and continuing through said building, South 89°47'59" East, a distance of 100.00 feet to a point on the east side of said building;

Thence, continuing along the east side of said building, South 00°12'01" West, a distance of 20.75 feet to the southeast corner of said building;

Thence, continuing along the south side of said building, North 89°47'59" West, a distance of 100.00 feet to the **POINT OF BEGINNING**, containing 0.0476 acre (2,075 square feet) of land.

Lot No. 2242, 0015
November 20, 2008
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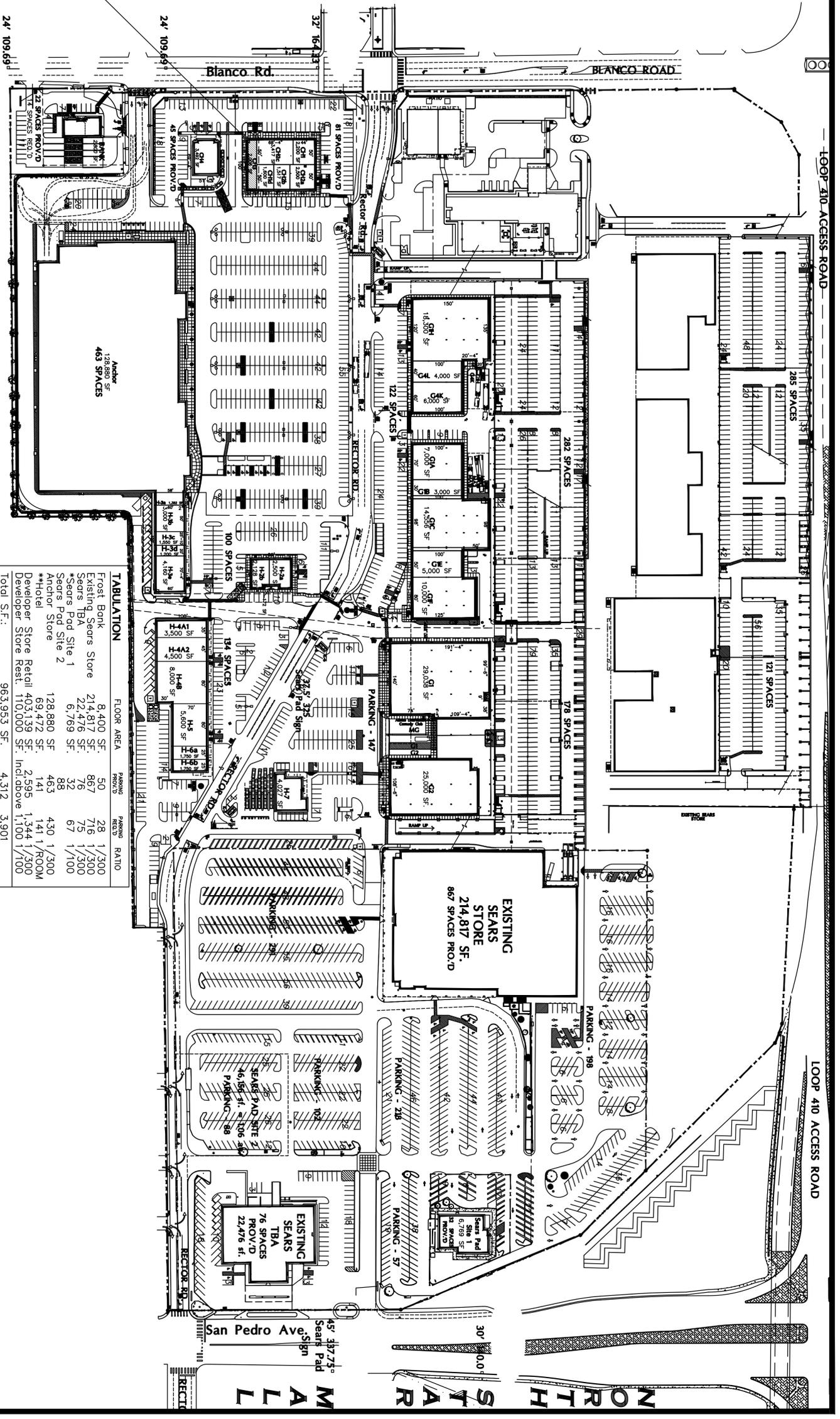
This document was prepared under 22 TAC §683.21. It does not reflect the results of an on-site survey, and is not to be used to convey or establish interest in real property. It is intended solely for informational purposes and does not constitute a configuration of the boundary of the political subdivision for which it was prepared.

Certified this 20th day of November, 2008

Carly M. Miller
E.C. Miller, R.P.L.S.
Registered Professional Land Surveyor
Texas Registration No. 6910
Vickrey & Associates, Inc.



PROPOSED CASH STORE LOCATION



| TABULATION | FLOOR AREA | PARKING PROVIDED | PARKING RATIO |
|------------------------|--------------------|------------------|---------------|
| Frost Bank | 8,400 SF. | 50 | 1/300 |
| Existing Sears Store | 214,817 SF. | 867 | 1/300 |
| Sears TBA | 22,476 SF. | 75 | 1/300 |
| *Sears Pad Site 1 | 6,769 SF. | 32 | 67 |
| Sears Pad Site 2 | 128,880 SF. | 88 | 1/100 |
| Anchor Store | 69,472 SF. | 463 | 1/300 |
| Developer Store Retail | 403,139 SF. | 141 | 1/300 |
| Developer Store Rest. | 110,000 SF. | 2,595 | 1,344 |
| | | Incl. above | 1/100 |
| Total S.F.: | 963,953 SF. | 4,312 | 3,901 |

*Pad Site 1 parked w/ remainder of Sears' Tract.
**Includes 110 spaces on Developers Tract some of which are exclusive to Hotel Tract.

INTERSTATE HIGHWAY LOOP 410 @ BLANCO ROAD

CITY OF SAN ANTONIO, TEXAS

SITE PLAN
SCALE: 100' = 1"