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AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN.

* * * * *

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Section 35-304 of the Unified Development Code which is Chapter 35 of the City Code and constitutes the comprehensive zoning ordinance of the City of San Antonio is hereby amended so that it shall hereafter include the following described changes of classification and the rezoning of the hereinafter designated property to-wit:

CASE NO. Z2002117

The rezoning and reclassification of property from "I-2" Heavy Industrial District to "C-3 NA" Commercial Nonalcoholic Sales District on the property listed as follows:

5.5 acres out of NCB 11186

Field notes describing the above mentioned tract are attached hereto and incorporated herein for all purposes.

SECTION 2. All other provisions of Chapter 35, as amended, shall remain in full force and effect, including the penalties for violations as made and provided in Section 35 -491. SECTION 3. The Director of Planning shall change the zoning records and maps in accordance herewith and the same shall be available and open to the public for inspection. SECTION 4. This ordinance is not severable.

PASSED AND APPROVED THIS 8th DAY OF August 20 02

MAYOR: [Signature]

EDWARD D. GARZA

ATTEST: [Signature] City Clerk

APPROVED AS TO FORM: [Signature] CITY ATTORNEY



MEETING OF THE CITY COUNCIL

ALAMODOME
ASSET MANAGEMENT
AVIATION
CITY ATTORNEY
MUNICIPAL COURT
REAL ESTATE (FASSNIDGE)
REAL ESTATE (WOOD)
RISK MANAGEMENT
CITY MANAGER
SPECIAL PROJECTS
CITY PUBLIC SERVICE – GENERAL MANAGER
CITY PUBLIC SERVICE – MAPS AND RECORDS
CODE COMPLIANCE
COMMERCIAL RECORDER
COMMUNITY INITIATIVES
CONVENTION AND VISITORS BUREAU
CONVENTION CENTER EXPANSION OFFICE
CONVENTION FACILITIES
COUNCIL OFFICES
CULTURAL AFFAIRS
CUSTOMER SERVICE/311 SYSTEM
DEVELOPMENT SERVICES
HOUSE NUMBERING
LAND DEVELOPMENT SERVICES
TRAFFIC & DRAINAGE PLAN REVIEW
ECONOMIC DEVELOPMENT
ENVIRONMENTAL SERVICES
SOLID WASTE
EXTERNAL RELATIONS
PUBLIC INFORMATION OFFICE
FINANCE - DIRECTOR
FINANCE – ASSESSOR
FINANCE – CONTROLLER
FINANCE – GRANTS
FINANCE – PUBLIC UTILITIES SUPERVISOR
FINANCE- TREASURY
FIRE DEPARTMENT
HOUSING AND COMMUNITY DEVELOPMENT
HUMAN RESOURCES (PERSONNEL)
INFORMATION SERVICES
INTERNAL REVIEW
INTERNATIONAL AFFAIRS
LIBRARY
MANAGEMENT & BUDGET (OFFICE OF) OMB
MAYOR'S OFFICE
METROPOLITAN HEALTH DISTRICT
MUNICIPAL CODE CORPORATION
MUNICIPAL COURT
NEIGHBORHOOD ACTION
PARKS AND RECREATION
MARKET SQUARE
YOUTH INITIATIVES
PLANNING DEPARTMENT –NEIGHBORHOOD PLNG; URBAN DESIGN/HISTORIC PRESERVATION
DISABILITY ACCESS OFFICE
POLICE DEPARTMENT
GROUND TRANSPORTATION
PUBLIC WORKS DIRECTOR
CAPITAL PROJECTS
CENTRAL MAPPING
ENGINEERING
PARKING DIVISION
REAL ESTATE DIVISION
TRAFFIC ENGINEERING
PURCHASING AND GENERAL SERVICES
SAN ANTONIO WATER SYSTEMS (SAWS)
VIA

AGENDA ITEM NUMBER: 5H

DATE: AUG 8 2002

MOTION: Martin Garza

ORDINANCE NUMBER: 96158

RESOLUTION NUMBER: _____

ZONING CASE NUMBER: 22002117

TRAVEL AUTHORIZATION: _____

NAME	ROLL	AYE	NAY
BOBBY PEREZ District 1		<i>absent</i>	
JOHN H. SANDERS District 2		<i>absent</i>	
ANTONIETTE "TONI" MOORHOUSE District 3		<i>absent</i>	
ENRIQUE "KIKE" MARTIN District 4		/	
DAVID A. GARCIA District 5		/	
ENRIQUE M. BARRERA District 6		/	
JULIAN CASTRO District 7		/	
BONNIE CONNER District 8		/	
CARROLL W. SCHUBERT District 9		/	
DAVID CARPENTER District 10		/	
EDWARD D. GARZA Mayor		/	

STAFF: APPROVAL

ZC: APPROVAL

02-29 1

FIELD NOTES
FOR

A 5.500 acre, or 239,580 square feet more or less, tract of land out of a 62.0 acre tract recorded in Volume 7164, Pages 711-716 of the Official Public Records of Real Property of Bexar County, Texas out of the A.J. Leslie Survey No. 99, Abstract 447, County Block 4291 now in New City Block (N.C.B.) 11186 of the City of San Antonio, Bexar County, Texas. Said 5.500 acre tract being more fully described for Zoning purposes as follows:

- BEGINNING At a point at the intersection of the north right-of-way line of Interstate Highway 35 (a 300-foot right-of-way) recorded in Volume 3527, Pages 71-74 of the Deed Records of Bexar County, Texas and Navajo Street (an 80-foot right of way);
- THENCE: N 25°20'17"W, departing the said right-of-way line of Interstate Highway 35, along and with the east right-of-way line of Navajo Street a distance of 446.52 feet to a point and being a point of curvature of a curve to the left;
- THENCE: Along the arc of said curve to the left, said curve having a radius of 326.48 feet, a central angle of 35°43'11", a chord bearing and distance of N 43°11'52" W, 200.26 feet, along and with the east right-of-way line of Navajo Street, a distance of 203.54 feet to a point;
- THENCE: N 64°39'43"E, departing said right-of-way line of Navajo Street, a distance of 431.55 feet to a point;
- THENCE: S 25°20'17"E, at a distance of 99.70 feet pass the northwest corner of Lot 1, Block 2, in N.C.B. 13401, out of the IH 35/Yarrow Blvd. Subdivision recorded in Volume 9548, Page 214, of the Deed and Plat Records of Bexar County, Texas, continuing with the northwest line of said Lot 1 a total distance of 637.23 feet to a point being on the north right-of-way line of Interstate Highway 35, the southwest corner of said Lot 1;
- THENCE: S 64°40'39"W, departing the northwest line of said Lot 1 along and with the north right-of-way line of Interstate Highway 35, a distance of 370.13 feet to the POINT OF BEGINNING and containing 5.500 acres in 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..

CASE NO: Z2002117

Zoning Commission Meeting Date: July 16, 2002

Council District: 4

Ferguson Map: 649 E8

Appeal: No

Applicant:

Shaw Texas Investments, LLC c/o
Bitterblue, Inc.

Owner

Shaw Texas Investments, LLC c/o Bitterblue, Inc.

Zoning Request: From "I-2" Heavy Industrial District to "C-3 NA" Commercial Nonalcoholic Sales District.

5.5 acres out of NCB 11186

Property Location: 8015 IH 35 S

Applicants Proposal: To develop property as an auto dealership

Staff Recommendation:

Approval. The requested zoning is a downzoning from "I-2". The subject property is located on the I-35 frontage road. The requested zoning and proposed use would be appropriate at this location. The "NA" designation is appropriate due to the nearby theological school.

Zoning Commission Recommendation:

Approval

VOTE

FOR	7
AGAINST	0
ABSTAIN	0
RECUSAL	0

Z2002117

ZONING CASE NO. Z2002117 July 16, 2002

Applicant: Shaw Texas Investments, L. L. C. c/o Bitterblue, Inc.

Zoning Request: "I-2" Heavy Industrial District to "C-3" Commercial District.

Andy Guerrero, 8000 IH 10 W., representing the applicant, stated they are requesting this change in zoning to allow this property be used for a new automobile dealership. The property is currently zoned "I-2" which does not allow this use. He further stated he agrees to amend their request to a "C-3NA".

Staff stated there were 6 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

COMMISSION ACTION

The motions was made by Commissioner Avila and seconded by Commissioner McAden to recommend approval of "C-3NA".

1. Property is located on 5.5 acres out of NCB 11186 at 8015 IH 35 S.
2. There were 6 notices mailed, 0 returned in opposition and 1 in favor.
3. Staff recommends denial of requested and approval of "C-3NA".

AYES: Mehringer, Kissling, McGowan, Hophan, McAden, Avila, Martinez

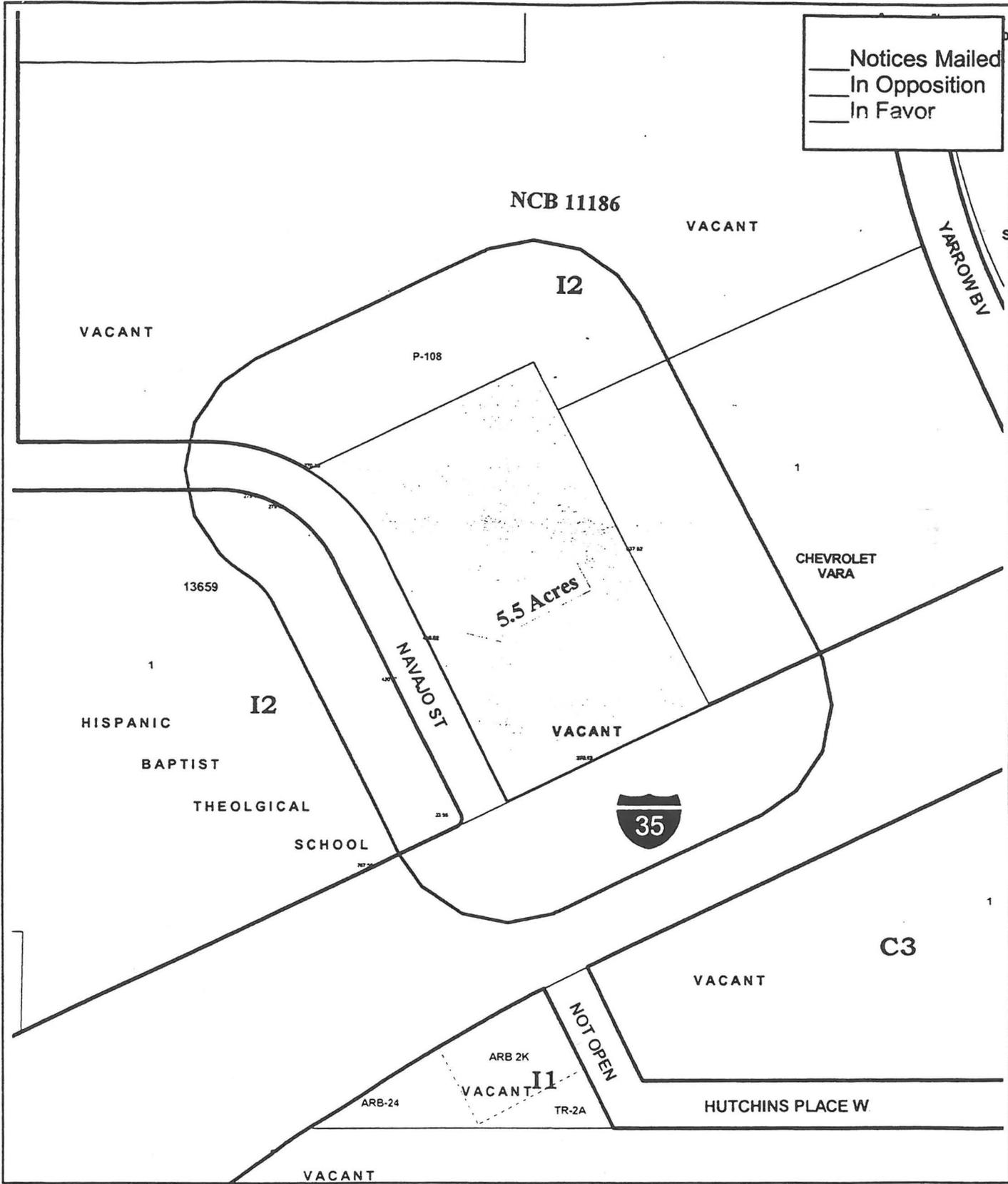
NAYS: None

THE MOTION CARRIED.

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.

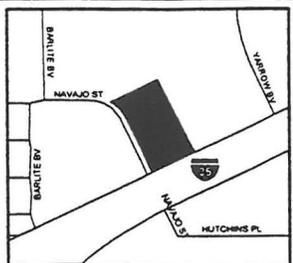
Notices Mailed
 _____ In Opposition
 _____ In Favor



ZONING CASE: Z2002-117

City Council District NO. 4
 Requested Zoning Change
 From: "I-2" To: "C-3NA"
 Date: AUG. 8, 2002
 Scale: 1" = 200"

 Subject Property
 200' Notification



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Affidavit of Publisher

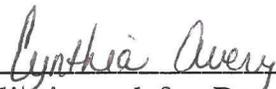
PUBLIC NOTICE
AN ORDINANCE 96158
AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 5.5 acres out of NCB 11186, From "I-2" Heavy Industrial District to "C-3 NA" Commercial Nonalcoholic Sales District. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".
8/13

STATE OF TEXAS,
COUNTY OF BEXAR
CITY OF SAN ANTONIO

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 City of San Antonio City Clerk- Public Notice...Ordinance 96158 hereto attached has been published in every issue of said newspaper on the following days, to-wit: August 13, 2002.



Sworn to and subscribed before me this 13th day of August, 2002.



Notary Public in and for Bexar County, Texas

