

4m

AN ORDINANCE

99366

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. Z2004124

The rezoning and reclassification of property from R-5 and R-6 Residential Single- Family District to C-3 General Commercial District on the property listed as follows:

Northeast 261.8 feet of Lot 25, NCB 13662

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 .

PASSED AND APPROVED this 24th day of June, 2004.

ATTEST:

Stacia M. Reed
City Clerk

[Signature]
M A Y O R
EDWARD D. GARZA

APPROVED AS TO FORM:

[Signature]
CITY ATTORNEY

04-24

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: 4M

DATE: JUN 24 2004

MOTION: Hall/Pay

ORDINANCE NUMBER: 99366

RESOLUTION NUMBER: _____

ZONING CASE NUMBER: 7 2004124

TRAVEL AUTHORIZATION: _____

NAME	ROLL	AYE	NAY
ROGER O. FLORES JR. District 1			<input checked="" type="checkbox"/>
JOEL WILLIAMS District 2		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
RON SEGOVIA District 3		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
RICHARD PEREZ District 4		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
PATTI RADLE District 5		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
ENRIQUE M. BARRERA District 6		ABSENT	
JULIAN CASTRO District 7		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
ART A. HALL District 8		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
CARROLL SCHUBERT District 9		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
CHRISTOPHER "CHIP" HAASS District 10		absent	
EDWARD D. GARZA Mayor		absent	

ZC: APPROVAL

STAFF: APPROVAL

04-24

EXHIBIT A

A 2.0653 acre tract of land out of a 2.232 acre tract as described in Exhibit "C" as recorded in Volume 7630, Page 110 of the Official Public Records of Real Property, Bexar County, Texas, said 2.232 acre tract of land being out of a 5.79 acre tract out of a 10.79 acre tract as recorded in Volume 4303, Page 49, of Deed and Plat Records of Bexar County, Texas, and being out of the Trinidad Guerrero Survey No. 88, C.B. 4443 and the Manuel Tejada Survey No. 89, C.B. 4445, and being more particularly described by metes and bounds as follows:

BEGINNING at a found ½" rebar found for the most northerly corner of said 2.232 acre tract, said rebar being the True Point of Beginning of the property being described;

THENCE S 48° 57' 43" E, 368.98 feet (S 48° 43' 46" E, 369.57 feet record) (S 48° 58' 15" E, 368.90 feet record, per Deed recorded in Volume 6521, Page 1517) to a found ½" rebar;

THENCE S 41° 14' 43" W, 225.44 feet (S 41° 16' 14" W record) to a set 5/8" rebar with cap;

THENCE N 41° 02' 23" W, 68.02 feet to a set 5/8" rebar with cap;

THENCE S 41° 10' 48" W, 11.12 feet to a set 5/8" rebar with cap;

THENCE N 48° 22' 58" W, 13.31 feet to a set bridge nail in asphalt;

THENCE S 42° 39' 55" W, 11.19 feet to a set bridge nail in asphalt;

THENCE N 48° 43' 45" W, 157.37 feet to a set bridge nail in asphalt;

THENCE S 41° 16' 15" W, 24.03 feet to a set bridge nail in asphalt in the southwesterly line of said 2.232 acre tract;

THENCE N 49° 01' 46" W, 133.48 feet along the southwesterly line of said 2.232 acre tract to a set 5/8" rebar with cap in the southeasterly right of way line of Marriott Drive;

THENCE N 41° 52' 20" E, 261.80 feet (N 41° 44' 22" E, 263.30 feet record) along the southeasterly right of way line of Marriott Drive to the True Point of Beginning of the property being described and containing 89,964 square feet or 2.0653 acres of land more or less.

Not part of legal description –

For informational purposes only:

2.0653 acre parking lot, located
adjacent to 8401 Datapoint Drive,
San Antonio, Texas

003111

resa 31/parking lot/Exh A legal for parking lot.doc
6/24/2002

EXHIBIT B

1. Shortages in area.
2. Homestead or community property or survivorship rights, if any, of any spouse of owner.
3. Any titles or rights asserted by anyone, including, but not limited to, persons, the public, corporations, governments or other entities:
 - a. to tidelands, or lands comprising the shores or beds of navigable or perennial rivers and streams, lakes, bays, gulfs or oceans, or
 - b. to lands beyond the line of the harbor or bulkhead lines as established or changed by any government, or
 - c. to filled-in lands, or artificial islands, or
 - d. to statutory water rights, including riparian rights, or
 - e. to the area extending from the line of mean low tide to the line of vegetation, or the rights of access to that area or easement along and across that area.
4. Ad valorem taxes for the year 2002 from and after the date hereof and subsequent years.
5. 20-foot wide electric and telephone easement and 28-foot wide sanitary sewer and electric easement, as set out in the plat recorded as Volume 9512, page 108, Deed and Plat Records of Bexar County, Texas.
6. Overhead electric easement, as set out in an agreement recorded as Volume 3361, page 495, Deed Records of Bexar County, Texas.
7. Terms and conditions of the parking agreements recorded as Volume 7105, page 799, Deed Records of Bexar County, Texas; and Volume 1589, page 237, Volume 1606, page 521 (assumption recorded in Volume 7263, page 1503), Volume 6514, page 1100, Volume 7340, page 1644, and Volume 7630, page 110, all in the Official Public Records of Real Property of Bexar County, Texas.
8. 20-foot wide electric easement, as set out in an agreement recorded as Volume 7251, page 986, Deed Records of Bexar County, Texas.

s:\closing\resa31\parking lot\Exh B deed exceptions

Any provision herein which restricts the sale, or use of the described real property because of race is invalid and unenforceable under Federal law
 STATE OF TEXAS, COUNTY OF BEXAR
 I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me and was duly RECORDED in the Official Public Record of Real Property of Bexar County, Texas on:

JUL 12 2002



Gerry Rickhoff
 COUNTY CLERK BEXAR COUNTY, TEXAS

Doc# 20020369968
 # Pages 5
 07/12/2002 09:39:54 AM
 Filed & Recorded in
 Official Records of
 BEXAR COUNTY
 GERRY RICKHOFF
 COUNTY CLERK
 Fees \$17.00

CASE NO: Z2004124

Staff and Zoning Commission Recommendation - City Council

Date: June 24, 2004

Zoning Commission Meeting Date: June 01, 2004

Council District: 8

Ferguson Map: 549 A7

Appeal: No

Applicant:

Kathy Brady/Trammell Crow Company

Owner:

Principal Global Investors

Zoning Request: From R-5 and R-6 Residential Single- Family District to C-3 General Commercial District

Northeast 261.8 feet of Lot 25, NCB 13662

Property Location: Northeast of the intersection of Fredericksburg Road and Marriott Drive

Proposal: To extend an existing parking lot

Neighborhood Association: None

Neighborhood Plan: None

TIA Statement: A traffic impact analysis is not required

Staff Recommendation:

Approval. Subject property is an extension of an existing parking lot. The property owner purchased subject property from the City Church of San Antonio, Inc. There is C-3 zoning abutting the property to the north and northeast, and across Marriott Drive to the northwest. The requested zoning is compatible with the commercial use of properties in the area.

Zoning Commission Recommendation:

Approval

<u>VOTE</u>	
FOR	8
AGAINST	0
ABSTAIN	0
RECUSAL	0

CASE MANAGER : Elvin J. Gant, Jr. 207-5876

Z2004124

ZONING CASE NO. Z2004124 – June 1, 2004

Applicant: Kathy Brady/Trammell Crow Company

Zoning Request: “R-5” and “R-6” Residential Single Family District to “C-3” General Commercial District.

Alan Linkskog, 11550 IH 10, representing the applicant, stated the purpose of this zoning change is to extend an existing parking lot.

Staff stated there were 8 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 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 motion was made by Commissioner Stribling and seconded by Commissioner McAden to recommend approval.

1. Property is located northeast 261.8 feet of Lot 25, NCB 13662 at the northeast of the intersection of Fredericksburg Road and Marriott Drive.
2. There were 8 notices mailed, 0 returned in opposition and 2 in favor.
3. Staff recommends approval.

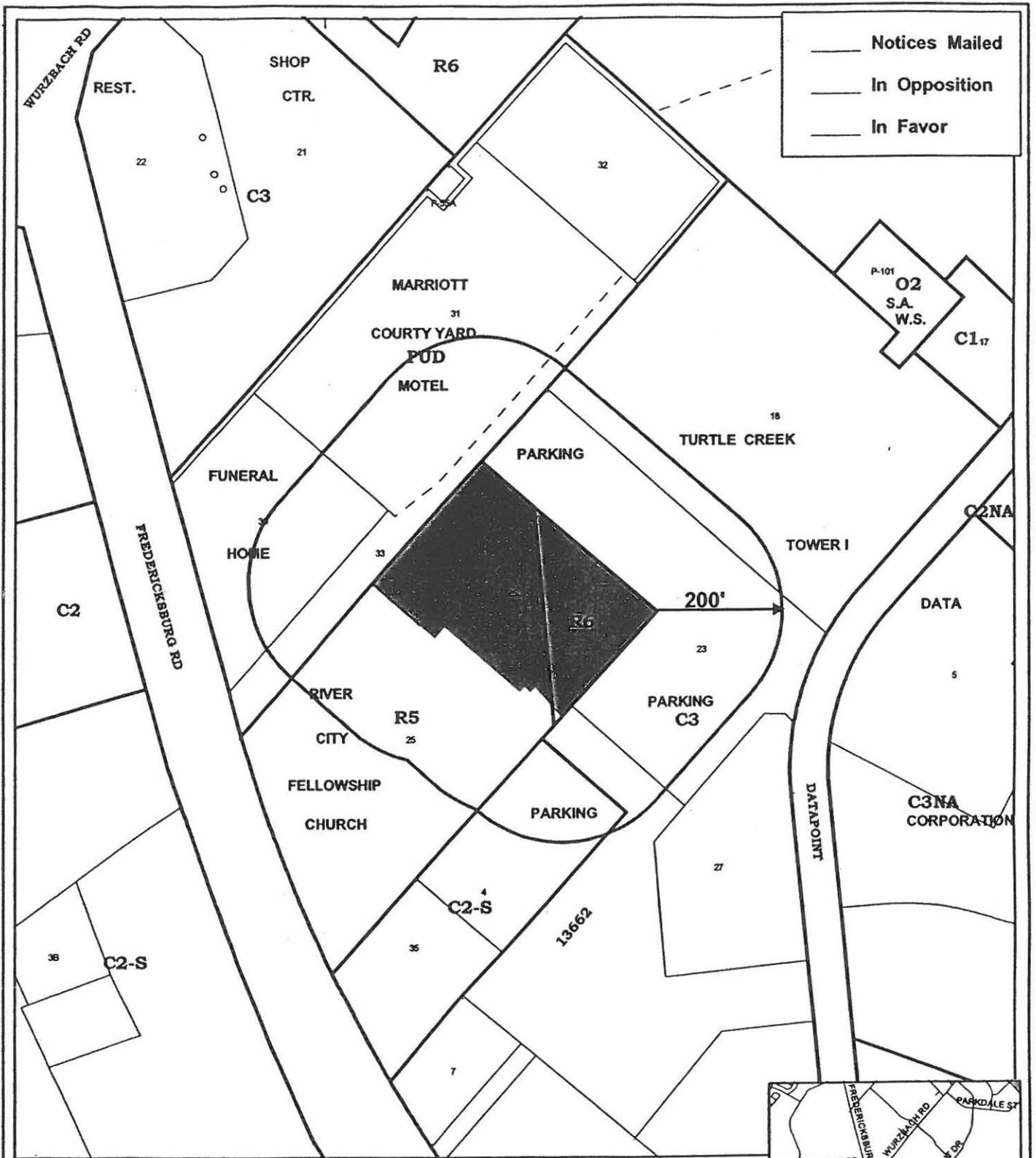
AYES: Martinez, Grau, Dutmer, Dixon, McAden, Avila, Stribling, Peel

NAYS: None

THE MOTION CARRIED

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.



ZONING CASE: Z2004-124

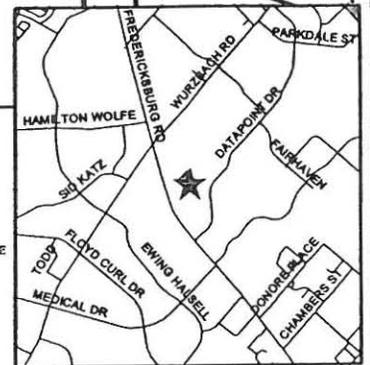
City Council District No. 8
 Requested Zoning Change
 From: "R-5,R-6" To "C-3"
 Date: June 24, 2004
 Scale: 1" = 200'

- Subject Property
- 200' Notification

A-3
 P.650



C:\juse_1_2004
 (A. Z.)



Affidavit of Publisher

STATE OF TEXAS,

COUNTY OF BEXAR

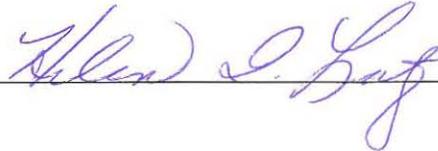
CITY OF SAN ANTONIO

PUBLIC NOTICE

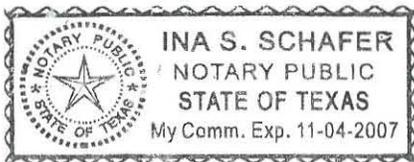
AN ORDINANCE 99366

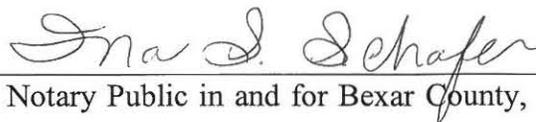
AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND ZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: Northeast 261.8 feet of Lot 25, NCB 13662, From R-5 and R-6 Residential Single-Family District to C-3 General Commercial District. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".
7/2

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-Ordinance 99366 hereto attached has been published in every issue of said newspaper on the following day, to-wit: July 2, 2004.



Sworn to and subscribed before me this 2nd day of July, 2004.





Notary Public in and for Bexar County, Texas