

AN ORDINANCE 100954

**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 CLASSIFICATION 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 so that it shall include the following described change of zoning classification of 1.83 acres out of Lot 1, NCB 14088, from "O-2" Office District to "C-2 S" Commercial District with Specific Use Authorization for a Party House, Reception Hall/Ballroom, and Meeting Facilities with Catering.

**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 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 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 Planning 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 immediately upon passage if passed by eight or more votes otherwise this ordinance shall become effective June 5, 2005.

**PASSED AND APPROVED** this 26<sup>th</sup> day of May 2005.

**M A Y O R**  
EDWARD D. GARZA

**ATTEST:**

City Clerk

**APPROVED AS TO FORM:**

City Attorney



# Agenda Voting Results

**Name:** 4.21.

**Date:** 05/26/05

**Time:** 03:29:30 PM

**Vote Type:** Multiple selection

**Description:** ZONING CASE NUMBER Z2005091 S: The request of Fritzi Fredrick, Applicant, for Warmack-Texas Limited Partnership, Owner(s), for a change in zoning from "O-2" Office District to "C-2" S Commercial District with specific use authorization for a ballroom/catering on 1.83 acres out of Lot 1, NCB 14088 (9315 Broadway). Staff's recommendation was for approval. Zoning Commission recommended approval. (Council District 10)

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
JOEL WILLIAMS	DISTRICT 2		x		
RON H. SEGOVIA	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
ENRIQUE M. BARRERA	DISTRICT 6	Not present			
JULIAN CASTRO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
CARROLL SCHUBERT	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR ED GARZA	MAYOR	Not present			

## EXHIBIT A

To Ordinance No. \_\_\_\_\_  
Passed and Approved on  
May 26, 2005

## LEGAL DESCRIPTION

## SAN ANTONIO, BEXAR COUNTY, TEXAS

A tract or parcel of land containing 1.83 acres, more or less, out of the Antonio Perez Survey 10, Abstract 571, being part of Lot No. 1, in New City Block 14088 in the City of San Antonio, according to plat of Missouri-Pacific Railroad Company Two Industrial Tracts recorded in Volume 5700, Pages 115-116, of the Plat Records of Bexar County, Texas, said 1.83 acre tract being more particularly described as follows:

Commencing at an iron pipe on the northwesterly line of Broadway, being the most southerly corner of said Lot No. 1, and being 33.0 feet North  $42^{\circ}20'$  East from the northeasterly corner of Lot 1 in Block 3, New City Block 13597, Pape Industrial Park Subdivision, according to plat in Volume 4960, Page 7, of the Plat Records of Bexar County, Texas;

Thence North  $47^{\circ}55'$  West, along the northeasterly line of a 15-foot wide strip of land conveyed to the City of San Antonio by instrument recorded in Volume 3739, Page 358 of the Deed Records of Bexar County, Texas, and the southwesterly line of said Lot No. 1, 603.04 feet to a point for corner being the Point of Beginning;

Thence continuing North  $47^{\circ}55'$  West, along said northwesterly line of said 15-foot wide strip of land 196.96 feet to an iron pipe for corner;

Thence North  $41^{\circ}22'$  East 400.03 feet to an iron pipe for corner;

Thence South  $47^{\circ}55'$  East, 201.77 feet to a point for corner;

Thence South  $42^{\circ}03'17''$  West, 400.0 feet to the Point of Beginning.



# CASE NO: Z2005091 S

## Staff and Zoning Commission Recommendation - City Council

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**Date:** May 26, 2005  
**Zoning Commission Meeting Date:** May 17, 2005  
**Council District:** 10  
**Ferguson Map:** 551 C7

**Applicant:**

Fritzi Fredrick

**Owner:**

Warmack-Texas Limited Partnership

**Zoning Request:** From O-2 Office District to C-2 S Commercial District with a Specific Use Authorization for a Party House/Ballroom, Reception Hall, and Meeting Facility with Catering

1.83 acres out of Lot 1, NCB 14088

**Property Location:**

9315 Broadway

Northwest side of Broadway

**Proposal:**

Ballroom/Catering

**Neighborhood Association:**

None

**Neighborhood Plan:**

None

**TIA Statement:**

A Traffic Impact Analysis is not required

**Staff Recommendation:**

Approval

The subject property has an existing business (N. Broadway Performing Arts Center) and is located on Broadway, a major thoroughfare. The subject property is located in an existing Industrial Business Park with offices and service centers. The subject property is adjacent to I-1 General Industrial District to the northwest and southwest, C-2 Commercial District to the southwest, O-2 Office District to the northeast and R-6 Residential Single-Family District across Broadway to the southeast. The C-2 S Commercial District is consistent and in character with the development pattern along Broadway.

**Zoning Commission Recommendation:**

Approval

**VOTE**

FOR	8
AGAINST	0
ABSTAIN	1
RECUSAL	0

**CASE MANAGER :** Pedro Vega 207-7980



Z2005091 S

ZONING CASE NO. Z2005091 S – May 17, 2005

Applicant: Fritzi Fredrick

Zoning Request: “O-2” Office District to “C-2” S Commercial District with Specific Use Authorization for a Party House/Ballroom, Reception Hall and Meeting Facility with Catering.

Mrs. Cuellar, representing the applicant, stated they are requesting this change in zoning to allow the facility to be use as a reception hall with catering services. She stated this zoning change would also allow Mr. Fredrick to provide dancing lessons and other activities for the public.

**FAVOR**

Fritzi Fredrick, applicant, stated they are currently in operating and have a Certificate of Occupancy for their business however she would also like to provide catering services to public which is the purpose of this zoning request.

Staff stated there were 19 notices mailed out to the surrounding property owners, 0 returned in opposition and 3 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 Robbins and seconded by Commissioner McAden to recommend approval.

1. Property is located on 1.83 acres out of Lot 1, NCB 14088 at 9315 Broadway.
2. There were 19 notices mailed, 0 returned in opposition and 3 in favor.
3. Staff recommends approval.

**AYES: Martinez, Robbins, Kissling, Dutmer, Dixson, Sherrill, McAden, Avila, Stribling, Peel**

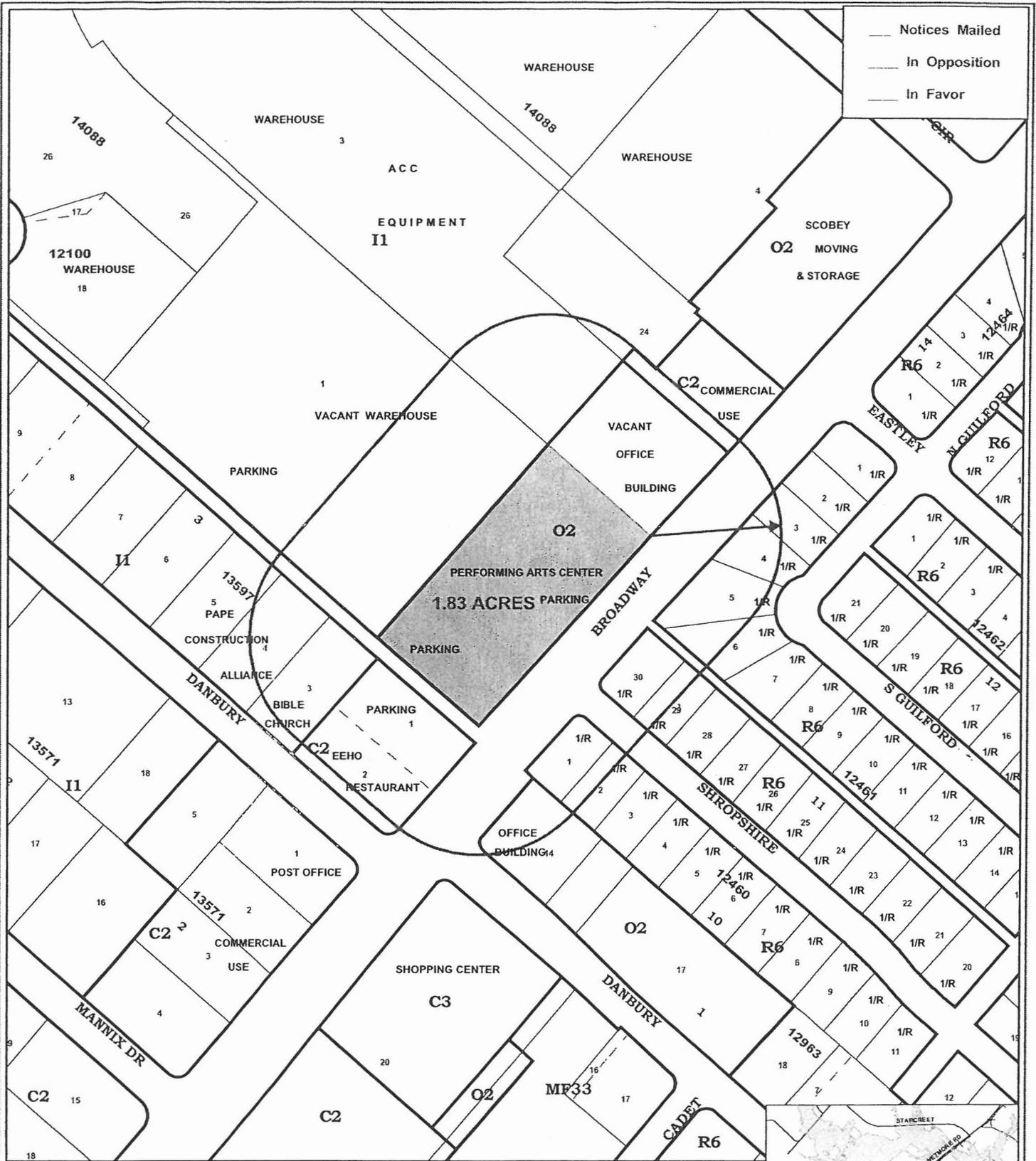
**NAYS: None**

**THE MOTION CARRIED**

Z2005091 S

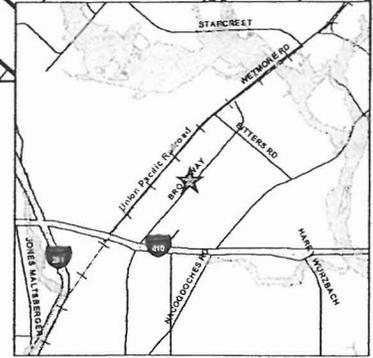
RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.



**ZONING CASE: Z2005-091 S**  
 City Council District NO. 10  
 Requested Zoning Change  
 From: O-2 To C-2 S  
 Date: May 26, 2005  
 Scale: 1" = 200'

  
 Subject Property  
 200' Notification



Affidavit of Publisher

**PUBLIC NOTICE**  
**AN ORDINANCE 100954**  
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: 1.83 acres out of Lot 1, NCB 14088, From O-2 Office District to C-2 S Commercial District with a Specific Use Authorization for a Party House/Ballroom, Reception Hall, and Meeting Facility with Catering. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

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

Before me, the undersigned authority, on this day personally appeared Helen I. Lutz, w  
duly sworn, says on oath that she is Publisher of the Commercial Recorder, a newspaper  
circulation in the City of San Antonio, in the State and County aforesaid, and that the Ordinance 100954  
hereto attached has been published in every issue of said newspaper on the following days, to wit:

06/01/2005.

*Helen I. Lutz*  
\_\_\_\_\_

Sworn to and subscribed before me this 1st day of of June, 2005.

*Ina S. Schafer*  
\_\_\_\_\_  
Notary Public in and for Bexar County, Texas.

