

AN ORDINANCE **83315**

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 35-3007 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. Z95239

The rezoning and reclassification of property from "B-3" Business District to "B-2" Business District listed below as follows:

2.11 acres out of NCB 19142
Bandera Road

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 35-1024.

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 14th DAY OF December 1975.

ATTEST: [Signature]
City Clerk

[Signature]
MAYOR

APPROVED AS TO FORM: [Signature]
City Attorney

FIELD NOTES

FOR

A 2.11 acres, or 91,799 square feet, tract of land out of a 19.36 acre tract of land out of a 3.297 acre tract and a 0.015 acre tract recorded in Volume 4151, Pages 1526-1533, a 10.500 acre tract and a 21.807 acre tract recorded in Volume 4151, Pages 1517-1525 of the Official Public Records of Real Property of Bexar County, Texas, out of the Jose Almeda Survey No. 81, Abstract 26, County Block 4017 of Bexar County, Texas. Said 2.11 acres being further described by metes and bounds as follows:

BEGINNING at a point at the west corner of Lot 1, Block 1, County Block 4017 of the RFG Subdivision, recorded in Volume 9516, Page 154 of the Deed and Plat Records of Bexar County, Texas, on the northeast right-of-way line of Bandera Road, State Highway 16, a 180-foot right-of-way, said point being the southernmost corner of this tract, the Point of Beginning of said 19.36 acre tract, and lies on the southwest line of the aforementioned 10.500 acre tract.

THENCE: N 57°17'13" W, along and with the said northeast right-of-way line of Bandera Road and the south line of the said 19.36 acre tract a distance of 207.83 feet to a point for the southwest corner of this tract and a southerly corner of a newly created 16.13 acre tract (field notes attached);

THENCE: N 09°34'52" E, upon, over and across the said 19.36 acre tract along and with an interior line of the newly created 16.13 acre tract a distance of 250.00 feet to a point for the northwest corner of this tract;

THENCE: S 82°32'22" E, continuing upon, over and across the said 19.36 acre tract with the interior line of the newly created 16.13 acre tract a distance of 320.00 feet to a point on the west right-of-way line of Prue Road a 60-foot right-of-way and in the east line of the said 19.36 acre tract;

THENCE S 00°01'45" W, along and with the said west right-of-way line of Prue Road and east line of 19.36 acre tract a distance of 250.00 feet to a point at the northeast corner of said Lot 1, Block 1 of the RFG subdivision;

THENCE: N 57°17'13" W, departing the west right-of-way line of Prue Road

with the northeast line of the RFG subdivision a distance of 118.38 feet to a point;

THENCE: S 32°42'47" W, with the northwest line of the RFG subdivision a distance of 156.00 feet to the POINT OF BEGINNING and containing 2.11 acres in Bexar County, Texas.

PREPARED BY: PAPE-DAWSON CONSULTING ENGINEERS, INC.
DATE: November 14, 1994
JOB NO.: 3500-04
DOC. ID.: L:Pape/Vol3/Bandera

Zoning Case No.: Z95239

Date: November 7, 1995

Council District: 8

Appeal: No

Applicant: French Creek
Partners, Ltd.

Owner: French Creek
Partners, Ltd.

Zoning Request: "B-3" Business District to "B-2" Business District.

Property Location:

2.11 acres out of NCB 19142
Bandera Road

Property is located on the northeast side of Bandera Road, 120 feet northwest of the intersection of Bandera Road and Prue Road, having 207.83 feet on Bandera Road and 250 feet on Prue Road.

Zoning Commission Recommendation:

Approval

| | |
|--------------|----------|
| <u>VOTE:</u> | |
| FOR | <u>8</u> |
| AGAINST | <u>0</u> |
| ABSTAIN | <u>0</u> |

Applicants Proposal:

Multi-family development

Case History and Discussion:

1. Property was zoned "B-3" along with the adjacent "B-2" zoning on February 9, 1995.
2. Property fronts onto Bandera Road, a primary arterial for the area. Along this arterial business zonings and uses have been established.

Staff Recommendations:

Approval

ZONING CASE NO. Z95239

Applicant: French Creek Partners, Ltd.

Zoning Request: "B-3" Business District to "B-2" Business District.

Mr. Brice Moczgema, representing the owner, stated they are requesting the change of zoning for multi-family development.

Staff stated there were 11 notices mailed out to the surrounding property owners, none 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 Mr. McMahon and seconded by Mr. Williams to recommend approval of the request as submitted for the following reasons:

1. Property is located on 2.11 acres out of NCB 19142, on the northeast side of Bandera Road.
2. There were 11 notices mailed out, none returned in opposition and 2 returned in favor.
3. Staff recommended approval.

AYES: Williams, Reyes, Bode, McMahon, Thuss, Menendez, Vazquez, Brown

NAYS: None

THE MOTION CARRIED.

RESULTS OF NOTICES FOR COUNCIL HEARING FOR NOVEMBER 21, 1995

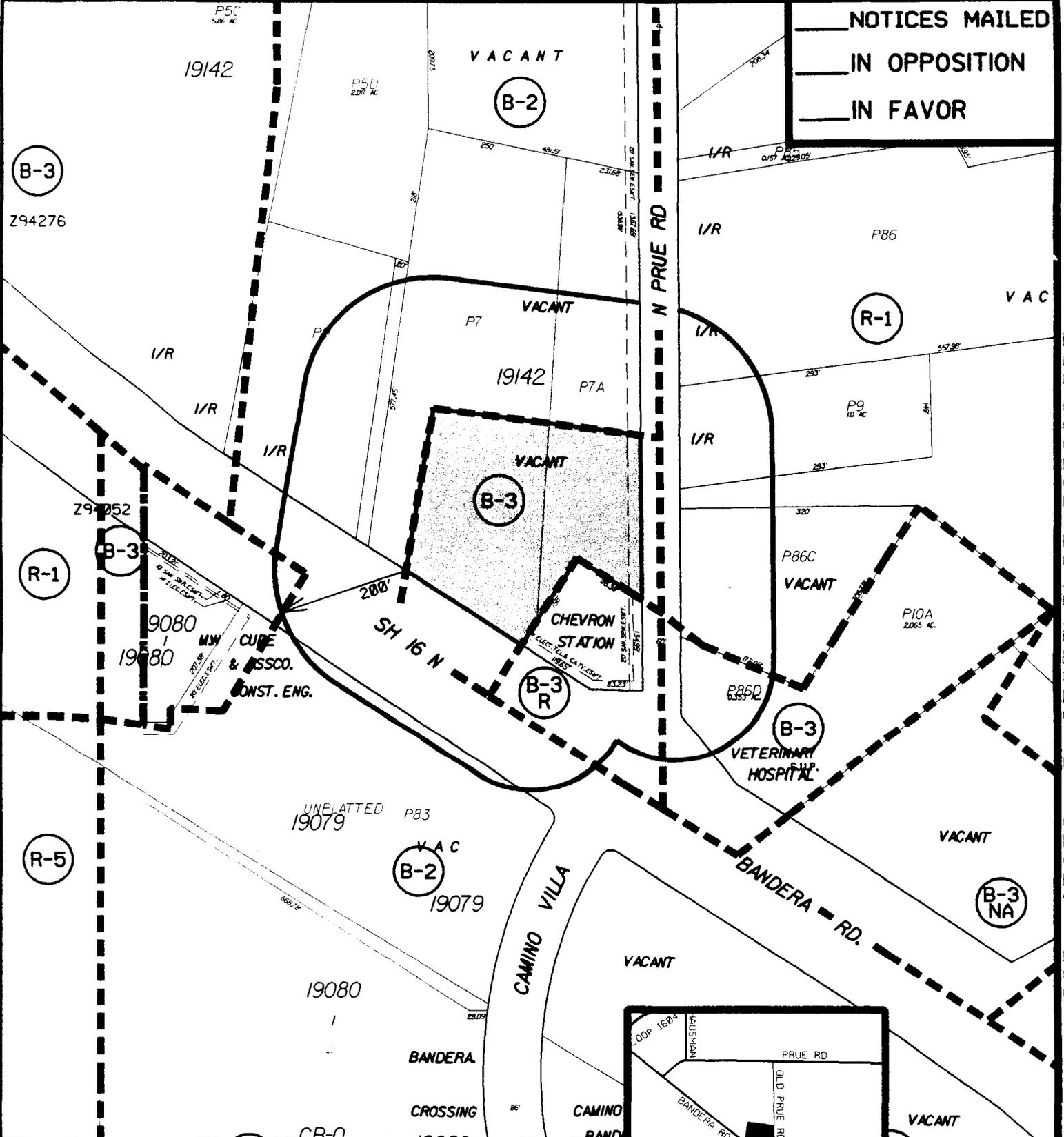
There were 11 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor.

The City Council granted a continuance on this case until December 14, 1995.

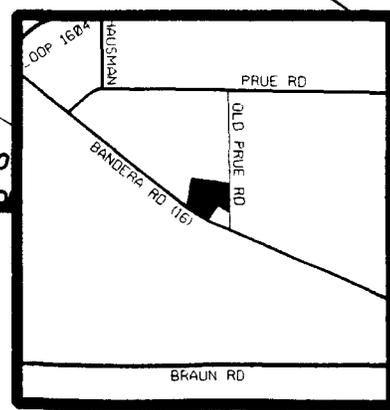
RESULTS OF NOTICES FOR COUNCIL HEARING

To be provided at Council hearing.

NOTICES MAILED
 IN OPPOSITION
 IN FAVOR



ZONING CASE Z95239
 CITY COUNCIL DISTRICT NO: 8
 REQUESTED ZONING CHANGE
 FROM 'B-3' TO 'B-2'
 DATE DECEMBER 14, 1995
 SCALE 1"=200'



**DEPARTMENT OF PLANNING
 SAN ANTONIO, TEXAS**

W. OF AQUA, 1995, GENERAL EXHIBIT, PLOT 795239 PRE

Affidavit of Publisher

12-14-95

STATE OF TEXAS,
COUNTY OF BEXAR
CITY OF SAN ANTONIO

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 2.11 ACRES OUT OF NCB 19142; BANDERA ROAD; FROM "B-3" BUSINESS DISTRICT TO "B-2" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".
12/21

Before me, the undersigned authority, on this day personally appeared Stella Orozco, who being by me duly sworn, says on oath that she is Legal Editor of the Commercial Recorder, a newspaper of general circulation in the City of San Antonio, in the State and County aforesaid, and that the Public Notice-An Ordinance #83315 hereto attached has been published in every issue of said newspaper on the following days, to-wit: December 21, 19 95.

Stella Orozco

Sworn to and subscribed before me this 21st day of December, 19 95.

Stella M Vasquez
Notary Public in and for Bexar County, Texas

