

AN ORDINANCE 2008 - 03 - 20 - 0237

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 .853 acres out of NCB 14714, Save and Except 30 feet from the lot line adjacent to Lots 4 and 8, Block 4, NCB 14714 from "O-2" Office District to "O-2 S" Office District with a Specific Use Authorization for a Day Care Facility and 30 feet from the lot line adjacent to Lots 4 and 8, Block 4, NCB 14714 from "O-2" Office District to "O-1" Office District.

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 finds that the following conditions shall be met to insure compatibility with the surrounding properties:

- A. Height is limited to 25 feet for the subject property.
- B. Allowable hours of operations for the day care shall be 6:00 am to 7:00 pm.

- C. Outdoor lighting shall be arranged so the source of light is concealed from adjacent residential properties through the use of directional fixtures of ninety (90) degrees or less.

SECTION 5. 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 6. 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.

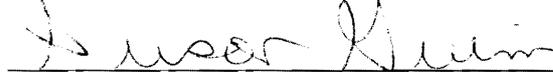
SECTION 7. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 8. This ordinance shall become effective on March 30, 2008.

PASSED AND APPROVED this 20th day of March 2008.


M A Y O R

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
For City Attorney

Z2008061

GE Reaves Engineering, Inc.

P.O. BOX 791793 • SAN ANTONIO, TEXAS • 78279-1793 • 210-490-4506

Metes and Bounds

0.853 Acre Tract
February 15, 2008

Being a portion of land within Lots 1, 2, and 3, Block 4, N.C.B. 14714, of Wood Land Manor, Unit 1, San Antonio, Texas, as recorded in Volume 2805, Page 219 of the Deed and Plat Records of Bexar County, Texas, said portion of land determined to lie outside of the Edwards Aquifer Recharge Zone and being more particularly described as follows;

Commencing; at a found ½" iron rod on the southeast right-of-way line of Huebner Road (variable width ROW) at the intersection of said ROW line and the south cutback line of Sleepy Hollow Drive (60' ROW),

Thence; North 84°09'05" East, 22.29 feet along said cutback line to a found ½" iron rod on the southwest ROW line of said Sleepy Hollow Drive;

Thence; South 49°26'00" East, 34.26 feet along said ROW line to the **POINT OF BEGINNING** and being the north corner of this tract being described herein;

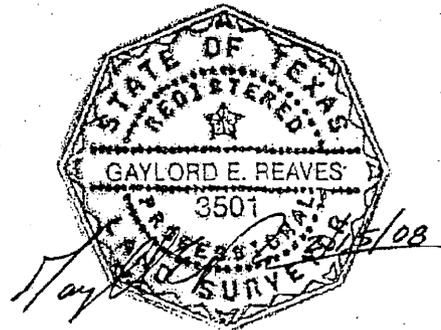
Thence; South 49°26'00" East, 91.92 feet along said ROW line to a found ½" iron rod being the north corner of Lot 8, Block 4, N.C.B. 14714 of said Wood Land Manor Subdivision, for the east corner of this tract being described herein;

Thence; South 42°13'58" West, 360.00 feet departing said ROW line and along the northwest line of said Lot 8 and Lot 4, Block 4, N.C.B. 14714 of said Wood Land Manor Subdivision to a found ½" iron rod on the northeast ROW line of Moonlight Way (60' ROW) being the west corner of said Lot 4, for the south corner of this tract being described herein;

Thence; North 49°26'00" West, 114.75 feet along said ROW line to a point for the west corner of this tract being described herein;

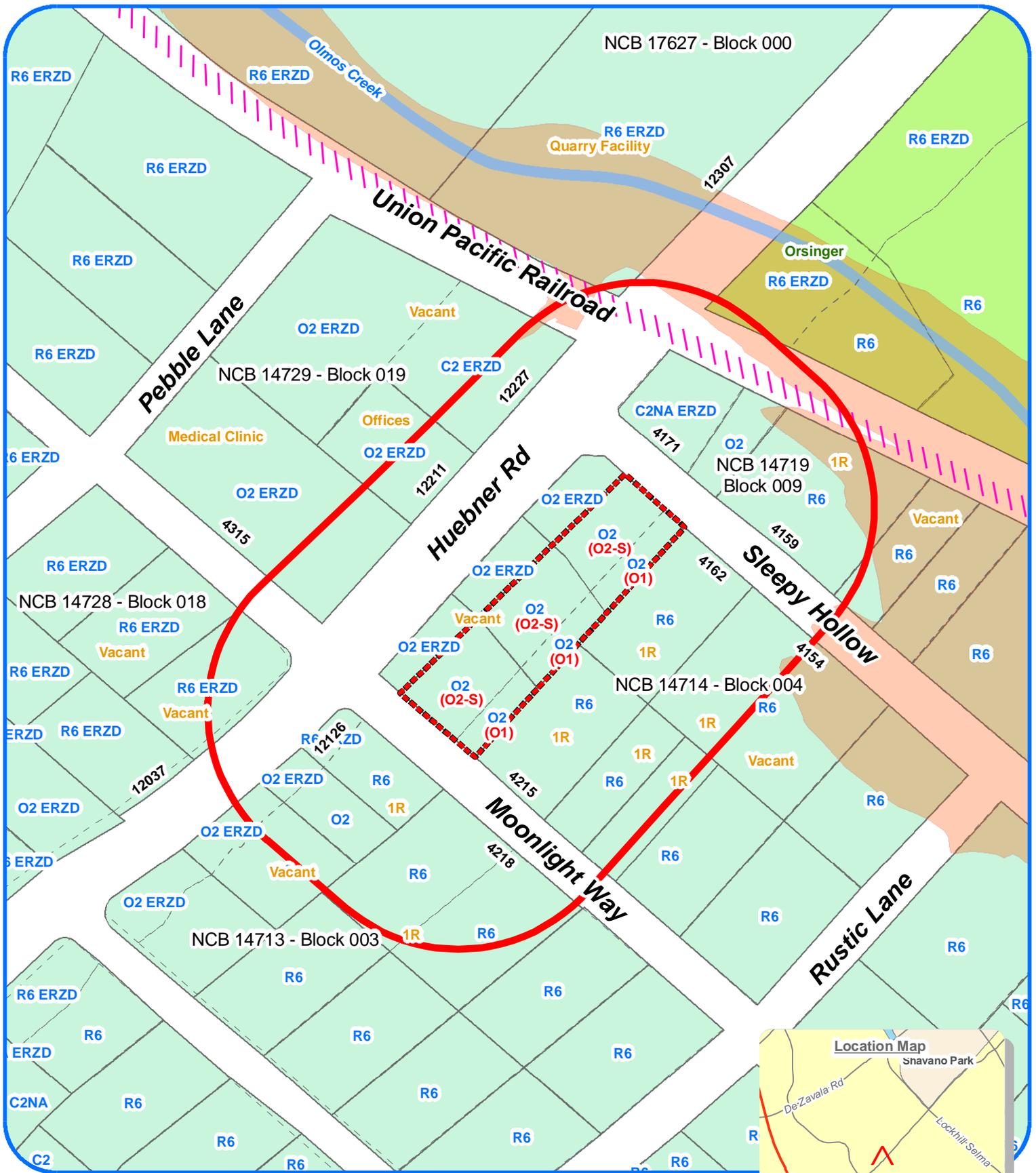
Thence; North 45°49'51" East, 361.38 feet departing said ROW line and crossing said Lots 1, 2, and 3 to the **POINT OF BEGINNING** and containing 0.853 acres of land, more or less.

Gaylord E. Reaves, RPLS 3501



FN23134H

EXHIBIT A



Zoning Case Notification Plan

Case Z2008061

Council District 8

Scale: 1" approx. = 150'

Subject Property Legal Description(s): A Portion of SE 126.16 ft of Lot 1, a Portion of SE 145.24 ft of Lot 2, and a Portion of SE 126.16 ft of Lot 3
NCB 14714 - Block 004

Legend

- Subject Property (0.853 Acres)
- 200' Notification Buffer
- Current Zoning R6
- Requested Zoning Change (R6)
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(03/05/2008)

Affidavit of Publisher

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: 853 acres out of NCB 14714 TO WIT: From "O-2" Office District to "O-2 S" Office District with a Specific Use Authorization for a Day Care Facility and "O-1" Office District provided all conditions imposed by the City Council are adhered to. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".
3/25

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

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 Ordinance 2008-03-20-0237 here to attached has been published in every issue of said newspaper on the following days, to wit:

03/25/2008.

Helen I. Lutz

Sworn to and subscribed before me this 25th day of of March, 2008.

Martha L. Machuca

