

ORDINANCE 2023-02-02-0070

AMENDING THE LAND USE PLAN CONTAINED IN THE NOGALITOS/SOUTH ZARZAMORA COMMUNITY PLAN, A COMPONENT OF THE COMPREHENSIVE MASTER PLAN OF THE CITY, BY CHANGING THE FUTURE LAND USE OF APPROXIMATELY 0.157 ACRES OF LAND LOCATED AT 815 BRIGHTON AVENUE, LEGALLY DESCRIBED AS 0.157 ACRES OUT OF NCB 8965, FROM "LOW DENSITY RESIDENTIAL" TO "NEIGHBORHOOD COMMERCIAL".

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WHEREAS, the Nogalitos/South Zarzamora Community Plan was adopted on September 2004 by City Council as a component of the City's Comprehensive Master Plan adopted May 29, 1997; and

WHEREAS, the Unified Development Code requires consistency between zoning and the Comprehensive Master Plan and Section 213.003 of the TEXAS LOCAL GOVERNMENT CODE allows amendment of the Comprehensive Master Plan following a public hearing and review by the Planning Commission; and

WHEREAS, a public hearing was held on December 14, 2022 by the Planning Commission allowing all interested citizens to be heard; and

WHEREAS, the San Antonio City Council has considered the effect of this amendment to the Comprehensive Master Plan of the City and has determined that it conforms to the approval criteria set forth in the Unified Development Code §35-420, Comprehensive, Neighborhood, Community, and Perimeter Plans; **NOW THEREFORE**;


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

SECTION 1. The Nogalitos/South Zarzamora Community Plan, a component of the Comprehensive Master Plan of the City, is hereby amended by changing the future land use of approximately 0.157 acres of land located at 815 Brighton Avenue, legally described as 0.157 acres out of NCB 8965, from "Low Density Residential" to "Neighborhood Commercial".

SECTION 2. All portions of land mentioned are depicted in **Attachment "I"** attached hereto and incorporated herein for all purposes. A description of the property is attached as **Attachment "II"** and made a part hereof and incorporated herein for all purposes.

SECTION 3. This ordinance shall take effect February 12, 2023.

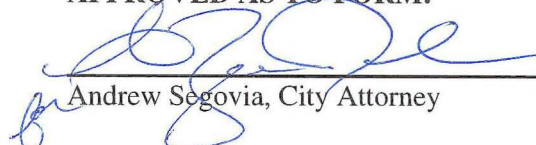
PASSED AND APPROVED on this 2nd day of February, 2023.


M A Y O R
Ron Nirenberg

ATTEST:


Debbie Racca-Sittre, City Clerk

APPROVED AS TO FORM:


Andrew Segovia, City Attorney



City of San Antonio

City Council Meeting February 2, 2023

18.

2023-02-02-0070

PLAN AMENDMENT CASE PA-2022-11600112 (Council District 5): Ordinance amending the Nogalitos/South Zarzamora Community Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use classification from "Low Density Residential" to "Neighborhood Commercial" on 0.157 acres out of NCB 8965, located at 815 Brighton Avenue. Staff recommends Denial. Planning Commission recommends Approval. (Associated Zoning Case Z-2022-10700322)

Councilmember Castillo moved to approve. Councilmember Rocha Garcia seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Pelaez, Courage, Perry

Absent: DISTRICT 7

[illegible]

ATTACHMENT ‘II’

Z-2022-10700322// PA-2022-11600112

METES AND BOUNDS DESCRIPTION
FOR

0.157 ACRES

0.157 ACRE (6839 SQUARE FEET) TRACT OF LAND CONSISTING OF 0.023 ACRES OUT OF LOT 21 AND 0.134 ACRES OUT OF LOT 22, BLOCK 9, NEW CITY BLOCK 8965, DIVISION GARDENS NO. 2, CITY OF SAN ANTONIO, AS RECORDED IN VOLUME 1625, PAGE 204, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, AND ALSO BEING SAME TRACT RECORDED IN VOLUME 10517, PAGE 1491, REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS DESCRIPTION AS FOLLOWS:

BEGINNING at a found TxDOT disc found at the northwest right-of-way of Interstate Highway 35 South and the north right-of-way of Brighton Street;

THENCE: along the north right-of-way of Brighton Street, West, a distance of 33.17 feet to an iron pin found at the southeast corner of Lot 23, for the southwest corner of this tract;

THENCE: departing the north right-of-way of Brighton Street, North, a distance of 125.00 feet to a fence post for the northwest corner of this tract;

THENCE: East, a distance of 76.26 feet to a fence post at the northwest right-of-way of Interstate Highway 35 South, for the northeast corner of this tract;

THENCE: along said northwest right-of-way of Interstate Highway 35, S 19°01'12" W, a distance of 132.22 feet to the POINT OF BEGINNING and containing 0.157 acres of land.



Armando A. Aranda
Registered Public Land Surveyor No. 1398

883
April 7, 2005
AAA/ang



Exhibit "A"
Attachment "II"