SG/lj
09/15/2016
Z-2

CASE NO. Z2016205 S

AN ORDINANCE 2016-09-15-0711

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 after notice and publication 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 8.351 acres out of NCB 17322 from "BP AHOD" Business Park Airport Hazard Overlay District and "C-3 AHOD" General Commercial Airport Hazard Overlay District to "I-2 S AHOD" Heavy Industrial Airport Hazard Overlay District with Specific Use Authorization for a Used Auto Parts Recycler.

SECTION 2. A description of the property is attached as **Attachment "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 **Attachment "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 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 7. This ordinance shall become effective the 25th day of September 2016.

PASSED AND APPROVED this 15th day of September 2016.

M A Y O R
Ivy R. Taylor

ATTEST:

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

For City Attorney

Agenda Item:	**Z-2 (in consent vote: P-1, Z-2)**
Date:	09/15/2016
Time:	02:09:46 PM
Vote Type:	Motion to Approve
Description:	ZONING CASE # Z2016205 S (Council District 2): An Ordinance amending the Zoning District Boundary from "BP AHOD" Business Park Airport Hazard Overlay District and "C-3 AHOD" General Commercial Airport Hazard Overlay District to "I-2 S AHOD" Heavy Industrial Airport Hazard Overlay District with Specific Use Authorization for a Used Auto Parts Recycler on 8.351 acres out of NCB 17332, located at 5834 IH 10 East. Staff recommends Denial. Zoning Commission recommends Approval, pending Plan Amendment. (Associated Plan Amendment 16058)
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Treviño	District 1		x				x
Alan Warrick	District 2		x			x	
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4	x					
Shirley Gonzales	District 5		x				
Ray Lopez	District 6	x					
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9	x					
Michael Gallagher	District 10		x				

TX LANDMARK SURVEYING

26254 IH 10 West, Suite 105 | Boerne, TX 78006 | 830.822.0394
TBPLS Firm No. 10164600

FIELD NOTES
FOR 8.351 ACRES OF LAND

BEING 8.351 acres of land out of the CLEMENTE TEJADA SURVEY No. 133, ABSTRACT No. 743, NCB 17322, Bexar County, Texas, said 8.351 being comprised of the THEISSEN FAMILY LIMITED PARTNERSHIP 3.595 acre tract (TRACT II), NCB 17322, recorded in Volume 8476, Page 982, Official Public Records of Bexar County, Texas (OPRBCT)(R1), PLUS 4.721 acres out of the THEISSEN FAMILY LIMITED PARTNERSHIP 11.414 acre tract (TRACT I), NCB 17322, recorded in Volume 8476, Page 982, OPRBCT (R1), PLUS 0.034 acres out of LOT 6, BLOCK 1, NCB 17322, THEISSEN SUBDIVISION recorded in Volume 9543, Page 153, Deed and Plat Records of Bexar County, Texas, (DPRBCT), said 8.351 acres being more particularly described by metes and bounds as follows:

BEGINNING at a found 1.5" metal pipe for the southwest corner of this tract and said THEISSEN FAMILY LIMITED PARTNERSHIP 11.414 acre tract, the southeast corner of the DTACTL-SAWAP LLC 10.00 acre tract recorded in Volume 17722, Page 2351, OPRBCT, on a northern boundary of the MARTINDALE ARMY AIRFIELD (TEXAS NATIONAL GUARD), no record information found;

THENCE North 05°23'40" East for 1015.01 feet (North 06°29'22" East for 1014.70 feet, R1) along the western boundary of this tract and said THEISSEN FAMILY LIMITED PARTNERSHIP 11.414 acre tract and said LOT 6, the eastern boundary of said DTACTL-SAWAP LLC 10.00 acre tract to a found MAG nail with aluminum washer stamped "TXLMS.COM RPLS #6002" for the northernmost corner of this tract, an interior corner of said LOT 6, an exterior corner of said DTACTL-SAWAP LLC 10.00 acre tract;

THENCE South 10°12'54" East for 240.42 feet along an eastern boundary of this tract, through the interior of said LOT 6, through the interior of said THEISSEN FAMILY LIMITED PARTNERSHIP 11.414 acre tract to a set 1/2" rebar with plastic cap stamped "TXLMS.COM RPLS #6002" for an interior corner of this tract;

THENCE North 87°46'52" East for 353.41 feet along the northern boundary of this tract, through the interior of said THEISSEN FAMILY LIMITED PARTNERSHIP 11.414 acre tract, crossing a 20' wide ingress/egress easement recorded in Volume 7520, Page 1437, OPRBCT, to a set 1/2" rebar with plastic cap stamped "TXLMS.COM RPLS #6002" for the northeast corner of this tract on the western boundary of the ROSILLO CREEK DEV. LTD. 17.132 acre tract recorded in Volume 9955, Page 2109, OPRBCT;

THENCE South 00°29'46" East for 783.99 feet along the eastern boundary of this tract and said THEISSEN FAMILY LIMITED PARTNERSHIP 11.414 acre tract and said THEISSEN FAMILY LIMITED PARTNERSHIP 3.595 acre tract, a portion of the eastern boundary of said 20' wide access easement, the western boundary of said ROSILLO CREEK DEV. LTD. 17.132 acre tract to a found 1.5" metal pipe for the southeast corner of this tract and said THEISSEN FAMILY LIMITED PARTNERSHIP 3.595 acre tract, the southwest corner of said ROSILLO CREEK DEV. LTD. 17.132 acre tract, on the northern boundary of the ROSILLO CREEK DEV 20.000 acre tract recorded in Volume 9955, Page 2109, OPRBCT;

THENCE South 89°32'57" West for 209.76 feet (South 89°22'34" West for 209.72 feet, R1) along the southern boundary of this tract and said THEISSEN FAMILY LIMITED PARTNERSHIP 3.595 acre tract, the northern boundary of said ROSILLO CREEK 20.000 acre tract to a found 1.5" metal pipe for an angle point of this tract and said THEISSEN FAMILY LIMITED PARTNERSHIP 3.595 acre tract, the northwest corner of said ROSILLO CREEK 20.000 acre tract, a northeast corner of said MARTINDALE ARMY AIRFIELD;

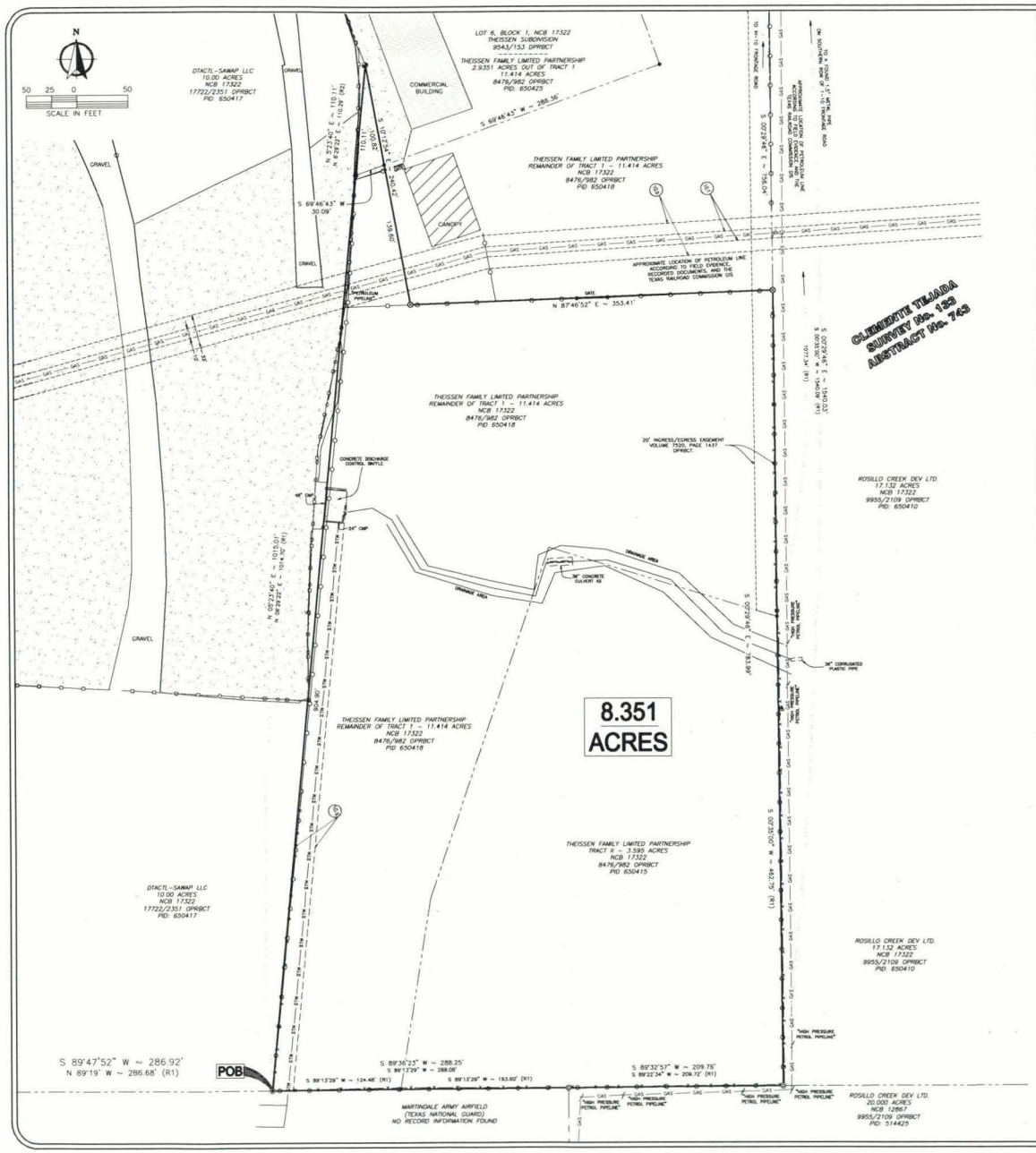
THENCE South 89°36'23" West for 288.25 feet (South 89°13'29" West for 288.08 feet, R1) along the southern boundary of this tract and said THEISSEN FAMILY LIMITED PARTNERSHIP 3.595 acre tract and said THEISSEN FAMILY LIMITED PARTNERSHIP 11.414 acre tract, a northern boundary of said MARTINDAL ARMY AIRFIELD to the **POINT OF BEGINNING**.

CONTAINING: 8.351 acres of land.

The Basis of Bearings is Texas State Plane Coordinate System, NAD 1983, South Central Zone (4204). This description was based on a survey made on the ground under my supervision completed on April 26, 2016, from which an exhibit was prepared.

Robert S. Rugloski, RPLS #6002
Job #11603291 (DAK / RSR) | June 6, 2016 | Revised September 13, 2016

Attachment "A"



ALTA / NSPS LAND TITLE SURVEY

BEING 8.351 acres of land out of the CLEMENTE TEJADA SURVEY No. 133, ABSTRACT No. 743, NCB 17322, Bexar County, Texas, said 8.351 being comprised of the THEISSEN FAMILY LIMITED PARTNERSHIP 3.595 acre tract (TRACT II), NCB 17322, recorded in Volume 8476, Page 982, Official Public Records of Bexar County, Texas, PLUS 4.721 acres out of the THEISSEN FAMILY LIMITED PARTNERSHIP 11.414 acre tract (TRACT I), NCB 17322, recorded in Volume 8476, Page 982, Official Public Records of Bexar County, Texas, PLUS 0.034 acres out of LOT 6, BLOCK 1, NCB 17322, THEISSEN SUBDIVISION recorded in Volume 9543, Page 153, Deed and Plat Records of Bexar County, Texas

Together with the Easement Estate for the benefit of the above described 3.595 acre tract (TRACT II), NCB 17322, created by that certain Warranty Deed dated June 12, 1998, recorded in Volume 7520, Page 1437, Official Public Records of Bexar County, Texas, and being over and across a 0.492 acre tract, situated in the CLEMENTE TEJADA SURVEY No. 133, ABSTRACT No. 743, NCB 17322, in the City of San Antonio, Bexar County, Texas.

BEING 8.351 acres of land out of the CLEMENTE TEJADA SURVEY No. 133, ABSTRACT No. 743, NCB 17322, Bexar County, Texas, said 8.351 being comprised of the THEISSEN FAMILY LIMITED PARTNERSHIP 3.595 acre tract (TRACT II), NCB 17322, recorded in Volume 8476, Page 982, Official Public Records of Bexar County, Texas, PLUS 4.721 acres out of the THEISSEN FAMILY LIMITED PARTNERSHIP 11.414 acre tract (TRACT I), NCB 17322, recorded in Volume 8476, Page 982, Official Public Records of Bexar County, Texas, PLUS 0.034 acres out of LOT 6, BLOCK 1, NCB 17322, THEISSEN SUBDIVISION recorded in Volume 9543, Page 153, Deed and Plat Records of Bexar County, Texas

BEGINNING at a found 1.5" metal pipe for the southwest corner of this tract and said THEISSEN FAMILY LIMITED PARTNERSHIP 11.414 acre tract, the southeast corner of the DTACTL-SAWAP LLC 10.00 acre tract recorded in Document No. 20160038277, OPRBCT, on a northern boundary of the MARTINDALE ARMY AIRFIELD (TEXAS NATIONAL GUARD), no record information found;

THENCE North 05°23'40" East for 1015.01 feet (North 06°29'22" East for 1014.70 feet, R1) along the western boundary of this tract and said THEISSEN FAMILY LIMITED PARTNERSHIP 11.414 acre tract and said LOT 6, the eastern boundary of said DTACTL-SAWAP LLC 10.00 acre tract to a found MAG nail with aluminum washer stamped "TXLMS.COM RPLS #6002" for the northernmost corner of this tract, an interior corner of said LOT 6, an exterior corner of said DTACTL-SAWAP LLC 10.00 acre tract;

THENCE South 10°12'54" East for 240.42 feet along an eastern boundary of this tract, through the interior of said LOT 6, through the interior of said THEISSEN FAMILY LIMITED PARTNERSHIP 11.414 acre tract to a set 1/2" rebar with plastic cap stamped "TXLMS.COM RPLS #6002" for an interior corner of this tract;

THENCE North 87°46'52" East for 353.41 feet along the northern boundary of this tract, through the interior of said THEISSEN FAMILY LIMITED PARTNERSHIP 11.414 acre tract, crossing a 20' wide ingress/egress easement recorded in Volume 7520, Page 1437, OPRBCT, to a set 1/2" rebar with plastic cap stamped "TXLMS.COM RPLS #6002" for the northeast corner of this tract on the western boundary of the ROSILLO CREEK DEV. LTD. 17.132 acre tract recorded in Volume 9955, Page 2109, OPRBCT;

THENCE South 00°29'46" East for 783.99 feet along the eastern boundary of this tract and said THEISSEN FAMILY LIMITED PARTNERSHIP 11.414 acre tract and said THEISSEN FAMILY LIMITED PARTNERSHIP 3.595 acre tract, a portion of the eastern boundary of said 20' wide access easement, the western boundary of said ROSILLO CREEK DEV. LTD. 17.132 acre tract to a found 1.5" metal pipe for the southeast corner of this tract and said THEISSEN FAMILY LIMITED PARTNERSHIP 3.595 acre tract, the southwest corner of said ROSILLO CREEK DEV. LTD. 17.132 acre tract, on the northern boundary of the ROSILLO CREEK DEV 20.000 acre tract recorded in Volume 9955, Page 2109, OPRBCT;

THENCE South 89°32'57" West for 209.76 feet (South 89°31'43" West for 209.72 feet, R1) along the southern boundary of this tract and said THEISSEN FAMILY LIMITED PARTNERSHIP 3.595 acre tract, the northern boundary of said ROSILLO CREEK 20.000 acre tract to a found 1.5" metal pipe for an angle point of this tract and said THEISSEN FAMILY LIMITED PARTNERSHIP 3.595 acre tract, the northwest corner of said ROSILLO CREEK 20.000 acre tract, a northeast corner of said MARTINDALE ARMY AIRFIELD;

THENCE South 89°36'23" West for 288.25 feet (South 89°13'29" West for 288.08 feet, R1) along the southern boundary of this tract and said THEISSEN FAMILY LIMITED PARTNERSHIP 3.595 acre tract and said THEISSEN FAMILY LIMITED PARTNERSHIP 11.414 acre tract, a northern boundary of said MARTINDAL ARMY AIRFIELD to the POINT OF BEGINNING.

CONTAINING 8.351 acres of land.

TITLE COMMITMENT

THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR. A Title Commitment was provided by First American Title Insurance Company, GF No. 2016007TB with an effective date of March 28, 2016 and an issue date of April 4, 2016. The Exceptions from Coverage included on Schedule B of the Title Commitment have been listed below. Easements, building setbacks, and other restrictions that Affect Subject Property (ASP) have been noted below. Items that can be plotted are Shown Hereon (SH), Items which are Not Plottable (NP), or a Blanket Easement (BE) or Not Applicable (NA) are noted as well.

Title Commitment Schedule "B" Exceptions:

1.a Volume 4585, Page 486, OPRBCT. (All Tracts)(see 10.b below)
1.b Volume 9543, Page 153, OPRBCT. (ALL NP) A portion of this tract is part of the platted lot, LOT6, BLOCK 1, NCB 17322, Theissen Subdivision
10.a Volume 997, Page 634, OPRBCT. 20 ft wide (max) Pipeline Easement following unspecified location of pipeline, telegraph, and telephone lines and appurtenances. (BE, ASP, NP)
10.b Volume 2177, Page 428, OPRBCT; Volume 2961, Page 472, ORBCT; Volume 2925, Page 197, ORBCT Pipeline Easement (ASP, SH; Blanket easement changed to 33 ft wide easement)
10.c Volume 4585, Page 486, OPRBCT. 0.25 acre Perpetual easement to the United States of America (Tract 1)(ASP, NO DESCRIPTION IN DOCUMENT)
10.d Volume 9543, Page 153, OPRBCT. 40' Setback for Future Highway Widening (NA-Affects Lot 6 to North only)
10.e Volume 9543, Page 153, OPRBCT. Additional 25' Setback (NA-Affects Lot 6 to North only)
10.f Volume 8129, Page 131, OPRRPBCT. Underground Communications Systems Easement (ASP, SH)
10.g Volume 8614, Page 487, OPRRPBCT. Drainage Easement (ASP, SH)

SURVEY NOTES

(1) CLIENT: Dan Snyder
SITUS: 5834 IH-10, San Antonio, Texas
PROJECT No.: 11603291

(2) DATE FIELD SURVEY COMPLETED: April 26, 2016
DATE OF LAST REVISION: June 6, 2016 (DAK/RSR)

(3) THE BASIS OF BEARINGS is the State Plane Coordinate System, NAD 1983, Texas South Central Zone (4204).

(4) FEMA FIRM Panels 48029C0410C, 48029C0420C, 48029C0430C, and 48029C0440C, all with an effective date of September 29, 2010, show the subject property to be located within Flood Zone "X", which IS NOT a Special Flood Hazard Area (SFHA).

(5) Monuments found or set at all corners or referenced by witness markers as noted on the plan.

(6) REFERENCES: The references listed below were used in the determination of the boundary retracement. Adjoiner information as listed on the plan is for informational purposes only.

R1 – Volume 8476, Page 982, OPRBCT, Warranty Deed – Theissen Family Ltd Partnership 11.414 acres (Tract I and Tract II)
R2 – Volume 9543, Page 153, OPRBCT, PLAT – Theissen Subdivision

(7) All observed above ground utilities were located.

(8) At the time the field survey was conducted, there was no observed visible evidence of earth moving or building construction.

(9) No portion of this property was observed to be used as a solid waste dump, sump, or sanitary landfill.

(10) At the time the field survey was completed, there was no known proposed or observed construction or changes of streets or sidewalks.

(11) This property has access to a public ROW, IH-10 Frontage Road via existing ingress/regress access easement recorded in Volume 7520, Page 1437, OPRBCT.

(12) PARKING TABULATION – Parking spaces are not defined

Texas Society of Professional Surveyors
Member

LEGEND

- Found 1.5" metal pipe
- Found 1" metal pipe
- Found MAG nail w/ aluminum washer stamped "TXLMS.COM RPLS #6002"
- Set 1/2" rebar w/ plastic cap stamped "TXLMS.COM RPLS #6002"
- Found concrete monument
- Calculated Point

DPRBCT Deed & Plat Records, Bexar County, Texas
RPRBCT Real Property Records, Bexar County, Texas
OPRBCT Official Public Records, Bexar County, Texas
M&R Measured and Record
BSL Building Setback Line
PUE Public Utility Easement
G,E,T,CATV Gas, Electric, Telephone & Cable TV Easement

- X — Wire Fence
- Chainlink Fence
- Wood Fence
- GAS — Underground Gas
- COM — Underground Communications
- PWR — Underground Electric
- WTR — Underground Waterline
- WW — Waste Waterline
- OHU — Overhead Utilities

- Power Pole
- Light Pole
- Guy Wire
- Gas Valve
- Water Valve
- Fire Hydrant
- Irrigation Control Valve
- Sign
- Dumpster Enclosure
- Handicap Sign
- Bollard
- Storm Drain Manhole
- Communications Manhole
- Wastewater Manhole
- Electric Manhole
- Gas Meter
- Cable Pedestal
- Clean out
- Stub out
- Electric Vaults
- Water Meter
- CATV Pedestal
- Telephone Pedestal
- Mailbox
- Electric Meter
- Electric Transformer
- A/C Units on pad
- Grate

LOCATION MAP

REVISIONS

REV	DATE	DESCRIPTION	DWG	CHK
	5/06/2016	ISSUE FOR REVIEW	DAK	RSR
A	9/13/2016	ADDED NCB 17322 TO DESC.	DAK	RSR
B				
C				
D				
E				

SURVEYOR'S CERTIFICATION

TO: THEISSEN FAMILY LIMITED PARTNERSHIP; DTACTL-SAWAP, LLC; FIRST AMERICAN TITLE INSURANCE COMPANY; THEIR SUCCESSORS AND/OR ASSIGNS:

THIS IS TO CERTIFY THAT THIS MAP AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 7a1, 8, 9, 11, 13, 14, & 16 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON April 26, 2016.

DATE OF MAP: June 3, 2016

Revised September 13, 2016
DATE

Robert S. Rugloski, RPLS #6002
TBPLS Surveying Firm #10164600
Email: info@landmarksurveying.net
JOB #11603291 (DAK/RSR)

TEXAS LANDMARK SURVEYING
26254 IH 10 West, Suite 108, Boerne, TX 78006
www.LandmarkSurveying.net (830) 428-0290

STATE OF TEXAS REGISTERED ROBERT S. RUGLOSKI 6002 PROFESSIONAL LAND SURVEYOR

SHEET 1 OF 1

Attachment B