

**AN ORDINANCE 2010-10-07-0871**

**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 a 8.902 acre tract of land out of NCB 35733 and NCB 18337 from "O-1 GC-1 MLOD-1" Office Hill Country Gateway Corridor Overlay Military Lighting Overlay District, "C-2 GC-1 MLOD-1" Commercial Hill Country Gateway Corridor Overlay Military Lighting Overlay District, "C-2 CD GC-1 MLOD-1" Commercial Hill Country Gateway Corridor Overlay Military Lighting Overlay District with a Conditional Use for a Office Warehouse and Motel and "C-1 S GC-1 MLOD-1" Light Commercial Hill Country Gateway Corridor Overlay Military Lighting Overlay District with a Specific Use Authorization for a restaurant, theater, and sale of alcoholic beverages incidental to consumption of food sales to "C-2 CD GC-1 MLOD-1" Commercial Hill Country Gateway Corridor Overlay Military Lighting Overlay District with a Conditional Use for Motor Vehicles Sales - Full Service.

**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 conditional use will not be contrary to the public interest.
- B.** The conditional use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district.
- C.** The conditional use will be in harmony with the spirit and purpose for conditional uses as set forth in Section 35-422, Conditional Zoning, of the Unified Development Code.
- D.** The conditional use will not substantially weaken the general purposes of the regulations as set forth in Section 35-422, Conditional Zoning, of the Unified Development Code.
- E.** The conditional use will not affect adversely the public health, safety and welfare.

**SECTION 4.** The City council approves this Conditional Use 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 Planning and 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.

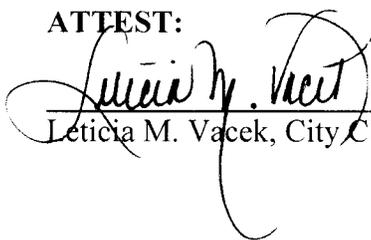
**SECTION 7.** This ordinance shall become effective October 17, 2010.

**PASSED AND APPROVED** this 7<sup>th</sup> day of October 2010.



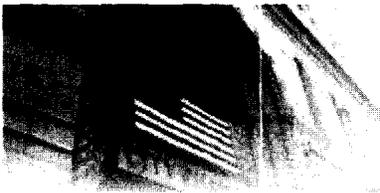
**M A Y O R**  
**Julián Castro**

**ATTEST:**

  
\_\_\_\_\_  
Leticia M. Vacek, City Clerk

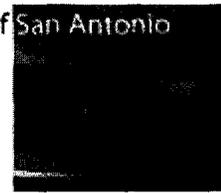
**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
for Michael Bernard, City Attorney



Request for  
**COUNCIL  
ACTION**

City of San Antonio



## Agenda Voting Results - Z-5

<b>Name:</b>	Z-4, Z-5, Z-6, Z-7, Z-8, Z-9, P-4, Z-13						
<b>Date:</b>	10/07/2010						
<b>Time:</b>	02:22:36 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	ZONING CASE # Z2010096 CD (District 8): An Ordinance amending the Zoning District Boundary from "O-1 GC-1 MLOD-1" Office Hill Country Gateway Corridor Overlay Military Lighting Overlay District, "C-2 GC-1 MLOD-1" Commercial Hill Country Gateway Corridor Overlay Military Lighting Overlay District, "C-2 CD GC-1 MLOD-1" Commercial Hill Country Gateway Corridor Overlay Military Lighting Overlay District with a Conditional Use for a Office Warehouse and Motel and "C-1 S GC-1 MLOD-1" Light Commercial Hill Country Gateway Corridor Overlay Military Lighting Overlay District with a Specific Use Authorization for a restaurant, theater, and sale of alcoholic beverages incidental to consumption of food sales to "C-2 CD GC-1 MLOD-1" Commercial Hill Country Gateway Corridor Overlay Military Lighting Overlay District with a Conditional Use for Motor Vehicles Sales - Full Service on a 8.902 acre tract of land out of NCB 35733 and NCB 18337 located on the 21400 Block of Interstate Highway 10 West. Staff and Zoning Commission recommend approval.						
<b>Result:</b>	Passed						
<b>Voter</b>	<b>Group</b>	<b>Not Present</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Motion</b>	<b>Second</b>
Julián Castro	Mayor		x				
Mary Alice P. Cisneros	District 1		x				
Ivy R. Taylor	District 2		x				
Jennifer V. Ramos	District 3		x			x	
Philip A. Cortez	District 4		x				
David Medina Jr.	District 5	x					
Ray Lopez	District 6		x				
Justin Rodriguez	District 7		x				
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x				
John G. Clamp	District 10		x				x

1. The front façade and other exterior walls that are visible from IH-10 shall collectively consist of a minimum of sixty percent (60%) of stone materials.
2. Parking lot screening on the IH-10 frontage shall, at the time of planting, consist of five (5) gallon minimum landscaping materials. In accordance with the Hill Country Gateway Corridor Overlay Standards, such landscaping shall reach a minimum height of four (4) feet at maturity.
3. All on-site pole signage shall not exceed twenty-five feet (25ft) in height and shall be internally illuminated.
4. No animated, moving, flashing, or other digital signs may be erected on the property.
5. Final tree canopy coverage for the property, as defined by Section 35-523 of the Unified Development Code, shall be a minimum of thirty-five percent (35%).
6. The square footage of buildings on the property may be reduced by any amount from the square footage stated on the site plans. The parking areas and other features shown on such site plans may be reduced accordingly in the event the square footage of a building is reduced beyond what is stated on the site plans.
7. No outdoor speakers shall be permitted on the property except those required by law or necessary for emergency and/or safety purposes.

22010096 CD



Field Notes for a 2.516 Acre Tract of Land

Being a 2.516 acre tract of land being part of Tract 6, Traylor Resubdivision recorded in Volume 980, Page 238, Plat Records, Bexar County, Texas and part of that certain 10.195 acre tract conveyed to Jomo Ltd., a Texas Limited Partnership recorded in Volume 13466, Pages 404-410, Official Public Records, Bexar County, Texas, said 2.516 acre tract being more particularly described by metes and bounds as follows:

**Beginning** at a ½" iron rod set with an orange "MTR ENG" plastic cap in a south line of the above referenced 10.195 acre tract for the southeast corner of the herein described tract, said point bears, North 89 degrees 57 minutes 23 seconds West, a distance of 117.10 feet from a 1" pipe found at the eastern most southeast corner of said 10.195 acre tract;

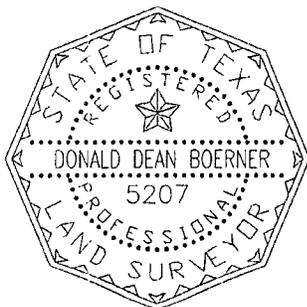
**Thence**, with the south line of said 10.195 acre tract, North 89 degrees 57 minutes 23 seconds West, a distance of 351.13 feet to a ½" iron rod set with an orange "MTR ENG" plastic cap for the southwest corner of the herein described tract;

**Thence**, severing said 10.195 acre tract, North 00 degrees 00 minutes 54 seconds East, a distance of 312.29 feet to a ½" iron rod set with an orange "MTR ENG" plastic cap for the northwest corner of the herein described tract;

**Thence**, South 89 degrees 54 minutes 57 seconds East, a distance of 351.13 feet to a ½" iron rod set with an orange "MTR ENG" plastic cap for the northeast corner of the herein described tract;

**Thence**, South 00 degrees 00 minutes 54 seconds West, a distance of 312.05 feet to the **Place of Beginning** and containing 2.516 acres of land.

Note: A survey plat of the above described tract was prepared. Basis of bearing was established from the 10.195 acre tract.



A handwritten signature in black ink, appearing to read "D. Boerner", written over a horizontal line.

Donald Dean Boerner  
Registered Professional Land Surveyor  
No. 5207 Job # 10046

22010096 CD



Field Notes for a 2.596 Acre Tract of Land

Being a 2.596 acre tract of land being part of Lot 1, New City Block 18337, City of San Antonio, Evelyn Wilkins Subdivision recorded in Volume 9554, Page 137, Plat Records, Bexar County, Texas, part of Tract 6, Traylor Resubdivision recorded in Volume 980, Page 238, Plat Records, Bexar County, Texas, part of that certain 2.121 acre tract conveyed to Jomo Ltd., a Texas Limited Partnership recorded in Volume 13622, Pages 909-916, Official Public Records, Bexar County, Texas and part of that certain 10.195 acre tract conveyed to Jomo Ltd., a Texas Limited Partnership recorded in Volume 13466, Pages 404-410, Official Public Records, Bexar County, Texas, said 2.596 acre tract being more particularly described by metes and bounds as follows:

**Beginning** at a ½" iron rod set with an orange "MTR ENG" plastic cap in the southwest right-of-way line of Interstate Highway No. 10, the northeast line of the above referenced 2.121 acre tract, the northeast line of the above referenced Lot 1 for the northeast corner of the herein described tract, said point bears, South 30 degrees 44 minutes 39 seconds East, a distance of 69.79 feet from a ½" iron rod found at the northeast corner of Lot 1, the northeast corner of said 2.121 acre tract;

**Thence**, with the southwest right-of-way line of Interstate Highway No. 10, the northeast line of the said 2.121 acre tract, the northeast line of Lot 1, South 30 degrees 44 minutes 39 seconds East, a distance of 201.33 feet to an iron rod found with a yellow plastic cap (unidentifiable) for the eastern most southeast corner of the herein described tract, the eastern most southeast corner of said 2.121 acre tract, the northeast corner of Lot 2, New City Block 18337, Transworld Leasing Subdivision recorded in Volume 9574, Page 123, Plat Records, Bexar County, Texas;

**Thence**, departing the southwest right-of-way line of Interstate Highway No. 10, with a south line of said 2.121 acre tract, the north line of Lot 2, North 89 degrees 51 minutes 01 seconds West, a distance of 249.16 feet to an iron rod found with a yellow plastic cap (unidentifiable) at the northwest corner of Lot 2, a corner of said 2.121 acre tract;

**Thence**, with the east line of said 2.121 acre tract, the west line of Lot 2, South 00 degrees 05 minutes 18 seconds West, a distance of 140.19 feet to an iron rod found with a yellow plastic cap (unidentifiable) for the southern most southeast corner of the herein described tract, the southern most southeast corner of said 2.121 acre tract, the southwest corner of Lot 2;

**Thence**, with a south line of said 2.121 acre tract, North 89 degrees 48 minutes 24 seconds West, a distance of 135.69 feet to a 1" iron pipe found at the southwest corner of said 2.121 acre tract, the eastern most southeast corner of the above referenced 10.195 acre tract;

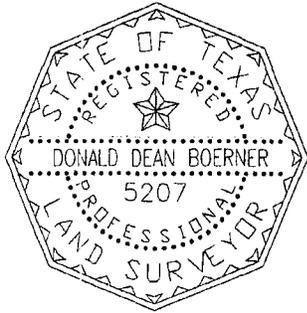
**Thence**, with a south line of said 10.195 acre tract, North 89 degrees 57 minutes 23 seconds West, a distance of 117.10 feet to a ½" iron rod set with an orange "MTR ENG" plastic cap for the southwest corner of the herein described tract;

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**Thence**, severing said 10.195 acre tract, North 00 degrees 00 minutes 54 seconds East, a distance of 312.05 feet to a ½" iron rod set with an orange "MTR ENG" plastic cap for the northwest corner of the herein described tract;

**Thence**, continuing through said 10.195 acre tract and the 2.121 acre tract, South 89 degrees 54 minutes 57 seconds East, a distance of 117.08 feet to a ½" iron rod set with an orange "MTR ENG" plastic cap for angle and North 89 degrees 58 minutes 10 seconds East, a distance of 282.08 feet to the **Place of Beginning** and containing 2.596 acres of land.

Note: A survey plat of the above described tract was prepared. Basis of bearing was established from the 2.121 acre tract.



A handwritten signature in black ink, appearing to read "D. Boerner", written over a horizontal line.

Donald Dean Boerner  
Registered Professional Land Surveyor  
No. 5207 Job # 10046

Z2010096 CD



• Engineers  
• Surveyors  
• Planners

**Moy Tarin Ramirez Engineers, LLC**

Field Notes for a 1.009 Acre Tract of Land

Being a 1.009 acre tract of land being part of Lot 1, New City Block 18337, City of San Antonio, Evelyn Wilkins Subdivision recorded in Volume 9554, Page 137, Plat Records, Bexar County, Texas, part of Tract 6, Traylor Resubdivision recorded in Volume 980, Page 238, Plat Records, Bexar County, Texas, part of that certain 2.121 acre tract conveyed to Jomo Ltd., a Texas Limited Partnership recorded in Volume 13622, Pages 909-916, Official Public Records, Bexar County, Texas and part of that certain 10.195 acre tract conveyed to Jomo Ltd., a Texas Limited Partnership recorded in Volume 13466, Pages 404-410, Official Public Records, Bexar County, Texas, said 1.009 acre tract being more particularly described by metes and bounds as follows:

**Beginning** at a ½" iron rod found in the southwest right-of-way line of Interstate Highway No. 10 for the northeast corner of the herein described tract the northeast corner of the above referenced Lot 1, the northeast corner of the above referenced 2.121 acre tract;

**Thence**, with the southwest right-of-way line of Interstate Highway No. 10, the northeast line of the said 2.121 acre tract, the northeast line of Lot 1, South 30 degrees 44 minutes 39 seconds East, a distance of 69.79 feet to a ½" iron rod set with an orange "MTR ENG" plastic cap for the southeast corner of the herein described tract;

**Thence**, departing the southwest right-of-way line of Interstate Highway No. 10, severing said 2.121 acre tract and the above referenced 10.195 acre tract, South 89 degrees 58 minutes 10 seconds West, a distance of 282.08 feet to a ½" iron rod set with an orange "MTR ENG" plastic cap for angle and North 89 degrees 54 minutes 57 seconds West, a distance of 468.21 feet to a ½" iron rod set with an orange "MTR ENG" plastic cap for the southwest corner of the herein described tract;

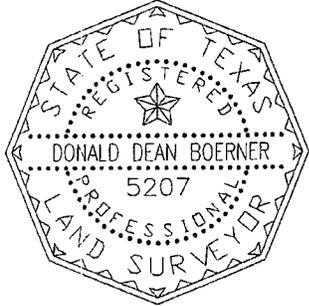
**Thence**, North 00 degrees 00 minutes 54 seconds East, a distance of 60.00 feet to a ½" iron rod set with an orange "MTR ENG" plastic cap in a north line of said 10.195 acre tract for the northwest corner of the herein described tract;

**Thence**, with the north line of said 10.195 acre tract, South 89 degrees 54 minutes 57 seconds East, a distance of 468.23 feet to a 1" iron pipe found at the eastern most northeast corner of said 10.195 acre tract, the northwest corner of Lot 1, the northwest corner of said 2.121 acre tract;

**Thence**, with the north line of Lot 1, the north line of said 2.121 acre tract, North 89 degrees 58 minutes 10 seconds East, a distance of 246.37 feet to the **Place of Beginning** and containing 1.009 acres of land.

Note: A survey plat of the above described tract was prepared. Basis of bearing was established from the 2.121 acre tract.

Z2010096 CD



A handwritten signature in black ink, appearing to read "D. D. Boerner", written over a horizontal line.

Donald Dean Boerner  
Registered Professional Land Surveyor  
No. 5207 Job # 10046



CIVIL ENGINEERING CONSULTANTS  
DON DURDEN, INC.  
11550 IH 10 West, Suite 395  
San Antonio, TX 78230-1037  
T: 210-641-9999 F: 210-641-6440

Job No.: S0280700  
November 15, 2005

### DESCRIPTION OF A 2.781 ACRE TRACT OF LAND

Being 2.781 acres of land in New City Block, (N.C.B.) 18337, San Antonio, Bexar County, Texas, out of Tract 7, Traylor Resubdivision, recorded in Volume 980, Page 238, Deed and Plat Records, Bexar County, Texas, being the same tract described in Volume 11164, Page 46, Official Public Records of Real Property, Bexar County, Texas, and more particularly described by metes and bounds as follows:

**BEGINNING** at a Texas Depart of Transportation Type II right-of-way monument found on the north right-of-way line of Oak Drive, (R.O.W. ~ 50'), as shown on said plat of Traylor Resubdivision, at the southwest end of the cutback line from the southwesterly right-of-way line of Interstate Highway 10, (R.O.W. Varies ~ 313' min.), a southeasterly corner of this tract;

**THENCE** South 89°49'34" West, coincident with the common line of said Tract 7 and said north right-of-way line, distance of 412.19 feet, (Deed = 214.75 feet) to a point at the southeasterly corner of a 1.145 acre tract of land described in Volume 10422, Page 893, Official Public Records of Real Property, Bexar County Texas, the southwest corner of this tract, from which a 1/2" rebar found at the southwest corner of said 1.145 acre tract bears South 89°49'34" West, a distance of 264.07 feet, and a 1/2" rebar found bears South 00°19'32" East, a distance of 0.27 feet;

**THENCE** North 00°19'32" West, departing said right-of-way line, coincident with the east line of said 1.145 acre tract, a distance of 295.74 feet, (Deed = 296.1 feet), to a 1/2" rebar found, on the south line of Lot 1, Evelyn Wilkins Subdivision, recorded in Volume 9554, Page 137, Deed and Plat records, Bexar County, Texas, at the northeast corner of the 1.145 acre tract, the northwesterly corner of this tract;

**THENCE** North 89°54'13" East, coincident with the south line of said Lot 1, passing at a distance of 336.71 feet, a 1/2" rebar found, and continuing a total distance of 337.02 feet, (Deed = 335.77 feet) to a point on aforementioned southwesterly right-of-way line Interstate Highway 10, at the southeasterly corner of Lot 1, the northeasterly corner of this tract;

Z2010096 CD

Job No. S0280700  
November 15, 2005

**THENCE** South 30°56'11" East, coincident with said right-of-way line, distance of 243.96 feet, (Deed = 245.04 feet) to a Texas Department of Transportation Type II right-of-way monument found at the northeast end of a cutback line from the aforementioned north right-of-way line of Oak Drive, a southeasterly corner of this tract;

**THENCE** South 29°30'49" West, coincident with said cutback line, distance of 98.59 feet, (Deed = 98.60 feet) to the **POINT OF BEGINNING** and containing 2.781 acres, 121,140 square feet, of land, more or less.

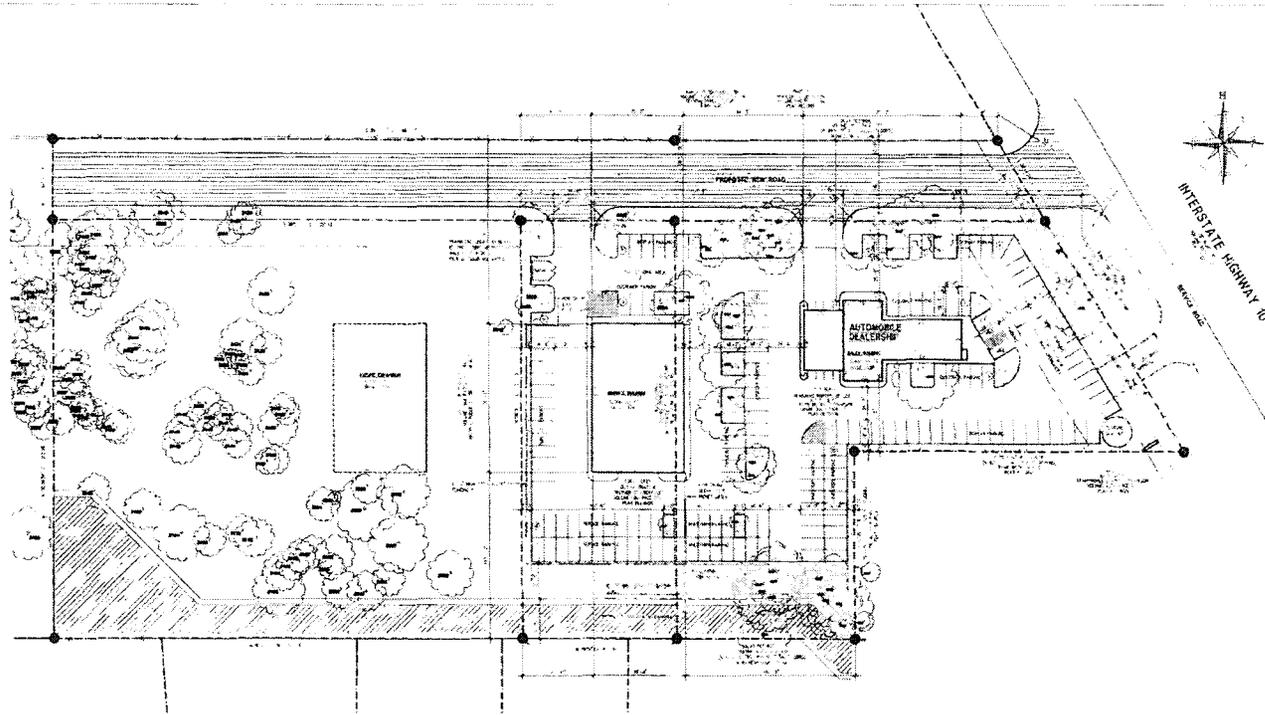
I hereby certify that this description was prepared from a survey made on the ground by employees of Civil Engineering Consultants. The basis of bearings recited herein is Texas Department of Transportation right-of-way maps for Interstate Highway 10. There is a plat of survey with like job number.



Dion P. Albertson R.P.L.S. # 4963



Z2010096 CD



AUTOMOBILE DEALERSHIP DEVELOPMENT  
 FOR: C.J.K. II  
 SAN ANTONIO, TX

McINTOSH  
 ARCHITECTURE  
 INC.  
Robert J. McIntosh, AIA  
 10000 N. Loop West  
 Suite 1000  
 Dallas, Texas 75243

**SITE DATA:**

TOTAL LUMP AREA	100,000 SQ. FT. (2.25 AC.)
TOTAL BUILDING F.O.A.	27,000 SQ. FT.
OFFICE BLDG. F.O.A.	18,000 SQ. FT. (40,000 SQ. FT. TOTAL)
SALES BLDG. F.O.A.	9,000 SQ. FT. (20,000 SQ. FT. TOTAL)
<b>USE</b>	
OFFICE	27,000 SQ. FT. (60,000 SQ. FT. TOTAL)
SALES	9,000 SQ. FT. (20,000 SQ. FT. TOTAL)
OFFICE AREA	27,000 SQ. FT. (60,000 SQ. FT. TOTAL)
SALES AREA	9,000 SQ. FT. (20,000 SQ. FT. TOTAL)
<b>USE</b>	
OFFICE	27,000 SQ. FT. (60,000 SQ. FT. TOTAL)
SALES	9,000 SQ. FT. (20,000 SQ. FT. TOTAL)
<b>USE</b>	
OFFICE	27,000 SQ. FT. (60,000 SQ. FT. TOTAL)
SALES	9,000 SQ. FT. (20,000 SQ. FT. TOTAL)

**JOMO, LTD**  
 THE CLIENT HAS REVIEWED AND APPROVED THIS SITE PLAN AND ALL INFORMATION CONTAINED HEREIN. THE CLIENT HAS REVIEWED AND APPROVED THIS SITE PLAN AND ALL INFORMATION CONTAINED HEREIN. THE CLIENT HAS REVIEWED AND APPROVED THIS SITE PLAN AND ALL INFORMATION CONTAINED HEREIN.



Sheet  
 Project: 001  
 File:  
 Date: 11/15/10  
 Scale:  
 Revision Dates:  
 11/15/10  
 Sheet Name:  
**SITE PLAN**  
 Sheet Number:  
**P-2**