

AN ORDINANCE 2013-03-21-0211

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 10.8 acres out of NCB 14858 from "MPCD GC-1 MLOD-1" Master Planned Community Hill Country Gateway Corridor Overlay Camp Bullis Military Lighting Overlay District to "C-2 CD GC-1 MLOD-1" Commercial Hill Country Gateway Corridor Overlay Camp Bullis Military Lighting Overlay District with a Conditional Use for Motor Vehicle 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.

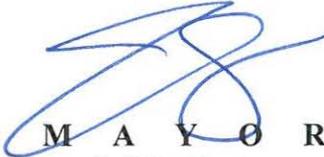
SECTION 4. The City Council approves this Conditional Use so long as the attached site plan is adhered to. A site plan is attached as **Attachment "B"** and made a part hereof and incorporated herein for all purposes.

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.

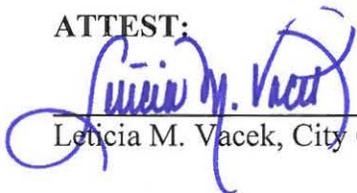
SECTION 6. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 7. This ordinance shall become effective March 31, 2013.

PASSED AND APPROVED this 21st day of March, 2013.


M A Y O R
Julián Castro

ATTEST:



Leticia M. Vacek, City Clerk

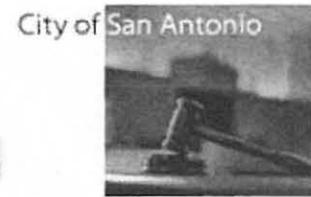
APPROVED AS TO FORM:



Michael D. Bernard, City Attorney
FOR



Request for
**COUNCIL
ACTION**



Agenda Voting Results - Z-13

Name:	34, Z-5, P-2, Z-6, Z-7, Z-8, P-4, Z-9, Z-10, P-6, Z-12, Z-13						
Date:	03/21/2013						
Time:	02:13:19 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2013051 CD (District 8): An Ordinance amending the Zoning District Boundary from "MPCD GC-1 MLOD-1" Master Planned Community Hill Country Gateway Corridor Overlay Camp Bullis Military Lighting Overlay District to "C-2 CD GC-1 MLOD-1" Commercial Hill Country Gateway Corridor Overlay Camp Bullis Military Lighting Overlay District with a Conditional Use for Motor Vehicle Sales (Full Service) on 10.8 acres out of NCB 14858 located on a portion of the 15000 Block of Interstate Highway 10 West. Staff recommends approval. Zoning Commission recommendation pending the March 19, 2013 public hearing.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Diego Bernal	District 1		x				
Ivy R. Taylor	District 2		x				x
Leticia Ozuna	District 3	x					
Rey Saldaña	District 4		x			x	
David Medina Jr.	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7		x				
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x				
Carlton Soules	District 10		x				

FIELD NOTES
FOR
ZONING

A 10.800 acre, or 470,447 square feet more or less, tract of land comprised of 5.124 acres out of Lot 2, Block 1, Fiesta Northwest Crossing Unit 1 Subdivision recorded in Volume 9552, Page 143 of the Deed and Plat Records of Bexar County, Texas and 5.224 acres out of a 14.3 acre tract recorded in Volume 15763, Pages 273-289 of the Official Public Records of Bexar County, Texas, both conveyed to Cumberland Serengeti IH10, L.P., out of the Anselmo Pru Survey No. 20, Abstract 574 and the R.C. Hawkins Survey No. 337, Abstract 329, now in New City Block (N.C.B.) 14858 of the City of San Antonio, Bexar County, Texas. Said 10.800 acre tract being more fully described as follows, with bearings based on the North American Datum of 1983 (CORS 1996), from the Texas Coordinate System established for the South Central Zone:

- BEGINNING: At a found "+" in concrete, at the northeast end of the cutback line at the intersection of the east right-of-way line of Interstate Highway 10, a variable width right-of-way and the south right-of-way line of Presidio Parkway, an 86-foot right-of-way dedicated in the Umbell Oaks Unit 2 Subdivision recorded in Volume 9589, Pages 159-160 of the Deed and Plat Records of Bexar County, Texas;
- THENCE: N 79°10'57" E, along and with the south right-of-way line of said Presidio Parkway, a distance of 358.52 feet to a found ½" iron rod with yellow cap stamped "VICKERY";
- THENCE: Northeasterly, continuing along and with the south right-of-way line of said Presidio Parkway, along a tangent curve to the left, said curve having a radius of 1551.00 feet, a central angle of 21°34'37", a chord bearing and distance of N 68°24'55" E, 479.52 feet, for an arc length of 582.96 feet to a point;
- THENCE: S 16°50'42" E, departing the south right-of-way line of said Presidio Parkway, over and across said 14.30 acre tract, a distance of 514.98 feet to a point on the south line of said 14.30 acre tract;
- THENCE: S 73°09'18" W, along and with the south line of said 14.30 acre tract a distance of 477.18 feet to a found ½" iron rod with yellow cap stamped "VICKERY" on the east line of Lot 3, Block 2 of the North Point West Subdivision recorded in Volume 9554, Page 147 of the Deed and Plat Records of Bexar County, Texas;

10.800 Acres
 Job No. 7880-11
 Page 2 of 2

- THENCE: N 15°55'10" W, along and with the east line of said Lot 3, a distance of 13.18 feet to a found ½" iron rod;
- THENCE: S 74°03'21" W, along and with the northwest line of said Lot 3, a distance of 536.02 feet to a found ½" iron rod with cap marked "VICKERY" on the east right-of-way line of Interstate Highway 10, a variable width right-of-way;
- THENCE: Northwesterly, with the east right-of-way line of said Interstate Highway 10, the west line of said 14.30 acre tract, along a non-tangent curve to the right, said curve having a radial bearing of N 76°54'52" E, a radius of 5511.55 feet, a central angle of 04°34'01", a chord bearing and distance of N 13°42'22" W, 439.19 feet, for an arc length of 439.31 feet to a found ½" iron rod with cap marked "Vickery" at the southwest corner of a cutback of said Interstate Highway 10 and said Presidio Parkway;
- THENCE: N 34°00'34" E, a distance of 70.65 feet to the POINT OF BEGINNING, and containing 10.800 acres in the City of San Antonio, Bexar County, Texas.

"This document was prepared under 22TAC663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."

PREPARED BY: Pape-Dawson Engineers, Inc.
 DATE: December 14, 2012
 REVISED: February 8, 2013
 Job No.: 7880-11
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 TBPE Firm Registration #470
 TBPLS Firm Registration #100288-00



