SG/cla
02/19/2015
Z-3. Amended.

CASE NO. Z2015068 S

AN ORDINANCE 2015-02-19-0124

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 1.031 acres out of NCB 929 from "D RIO-4 AHOD" Downtown River Improvement Overlay-4 Airport Hazard Overlay District and "D S RIO-4 AHOD" Downtown River Improvement Overlay-4 Airport Hazard Overlay District with a Specific Use Authorization for a Gasoline Filling Station (Without Repair or Carwash) to "D S RIO-4 AHOD" Downtown River Improvement Overlay-4 Airport Hazard Overlay District with a Specific Use Authorization for a Gasoline Filling Station (Without Repair or Carwash).

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

A. Gasoline storage tank(s) shall be double- walled and constructed of fiberglass material, and include a leak monitor within the interstitial space between the tank walls.
B. Underground fuel piping, from the fuel tank to each dispenser, shall be doubled walled.
C. Sumps shall be installed under each gasoline dispenser, including a liquid alarm sensor and dispenser cut-off safety system.
D. An anti-leak liner shall be installed within the gasoline storage tank hole and pipe chase area(s) to protect against fuel leakage into natural ground.
E. Each fuel tank shall be anchored to the ground with four concrete "deadmen" anchoring devices and permanent straps to secure each and to ensure that they remain in stable location.
F. All anti-leak monitors, once activated, shall disable the respective fuel dispenser or system until resolved, and notify monitoring personnel at HEB corporate offices.

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 **Attachment "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 March 1, 2015.

PASSED AND APPROVED this 19th day of February 2015.

Ivy R. Taylor

M A Y O R
Ivy R. Taylor

ATTEST:

Leticia M. Vacek

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

for

Martha G. Sepeda, Acting City Attorney

Z2015068

BURY

1.031 ACRES
(44,924 Sq. Ft.)
100010-50186SUP.DWG

FN NO. 100010-50186.97
JANUARY 5, 2015
JOB NO. 100010-50186

FIELD NOTE DESCRIPTION

OF A 1.031 ACRE (44,924 SQUARE FEET) TRACT OF LAND, BEING A PORTION OF THAT CERTAIN CALLED 2.497 ACRES KNOWN AS LOT 3, BLOCK 3, NEW CITY BLOCK (N.C.B.) 929, ARSENAL UNIT 2 SUBDIVISION AS RECORDED IN VOLUME 9655, PAGE 17 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY TEXAS; SAID 1.031 ACRES ARE MORE PARTICULARY DESCRIBED BY METES AND BOUNDS AS FOLLOWS WITH ALL BEARINGS BEING BASED ON THE WEST LINE OF SAID LOT 3, BEING N 64° 37′ 24″ W:

COMMENCING, AT A FOUND 1/2-INCH IRON ROD ON THE NORTHWEST RIGHT-OF-WAY LINE OF SOUTH MAIN STREET, FOR THE MOST SOUTHERN CORNER OF SAID LOT 3. BLOCK 3, N.C.B. 929; SAID POINT ALSO BEING THE MOST EASTERN CORNER OF A CALLED 2.265 ACRE, CITY OF SAN ANTONIO TRACT AS RECORDED IN VOLUME 6859, PAGE 515, BEXAR COUNTY DEED RECORDS;

THENCE, N 64° 37′ 24″ W, 365.84 FEET ALONG THE WESTERLY LINE OF SAID LOT 3 AND THE EASTERLY LINE OF SAID 2.265 ACRE CITY TRACT, TO A FOUND "X" IN CONCRETE ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SOUTH FLORES STREET FOR THE WEST CORNER OF SAID LOT 3;

THENCE, N 24° 49′ 04″ E, 130.05 FEET, ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SOUTH FLORES STREET AND THE NORTHWEST LINE OF SAID LOT 3, TO THE WEST CORNER AND **POINT OF BEGINNING** FOR THE HEREIN DESCRIBED TRACT OF LAND;

THENCE, CONTINUING ALONG THE NORTHWEST LINE OF SAID LOT 3 AND THE SOUTHEAST RIGHT-OF-WAY LINE OF SOUTH FLORES STREET AS FOLLOWS:

N 24° 49′ 04″ E, 170.21 FEET TO A POINT OF CURVATURE;

ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A CHORD OF N 70° 32′ 59″ E, 35.80 FEET, A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 91° 27′ 49″, A DISTANCE OF 39.91 FEET TO A POINT OF TANGENCY ON THE SOUTH RIGHT OF WAY LINE OF CESAR CHAVEZ BOULEVARD FOR CORNER;

THENCE, S 63° 43′ 07″ E, 208.64 FEET ALONG THE SOUTH RIGHT-OF-WAY LINE OF CESAR CHAVEZ BOULEVARD AND THE NORTH LINE OF SAID

Attachment A

LOT 3, TO A POINT FOR THE EAST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND;

THENCE, S 25° 10′ 10″ W, 189.88 FEET, TO A POINT FOR THE SOUTH CORNER OF THE HEREIN DESCRIBED TRACT OF LAND;

THENCE, N 65° 10′ 56″ W, 233.05 FEET, TO THE **POINT OF BEGINNING**, CONTAINING 1.031 ACRES (44,924 SQUARE FEET) OF LAND, MORE OR LESS.

NOTE: SPECIFIC USE AUTHORIZATION PLAN OF EVEN DATE TO ACCOMPANY THIS LEGAL DESCRIPTION.

"This document was prepared under 22 TAC §663.21, 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."

Hal S Lane 1-5-15

HAL B. LANE III
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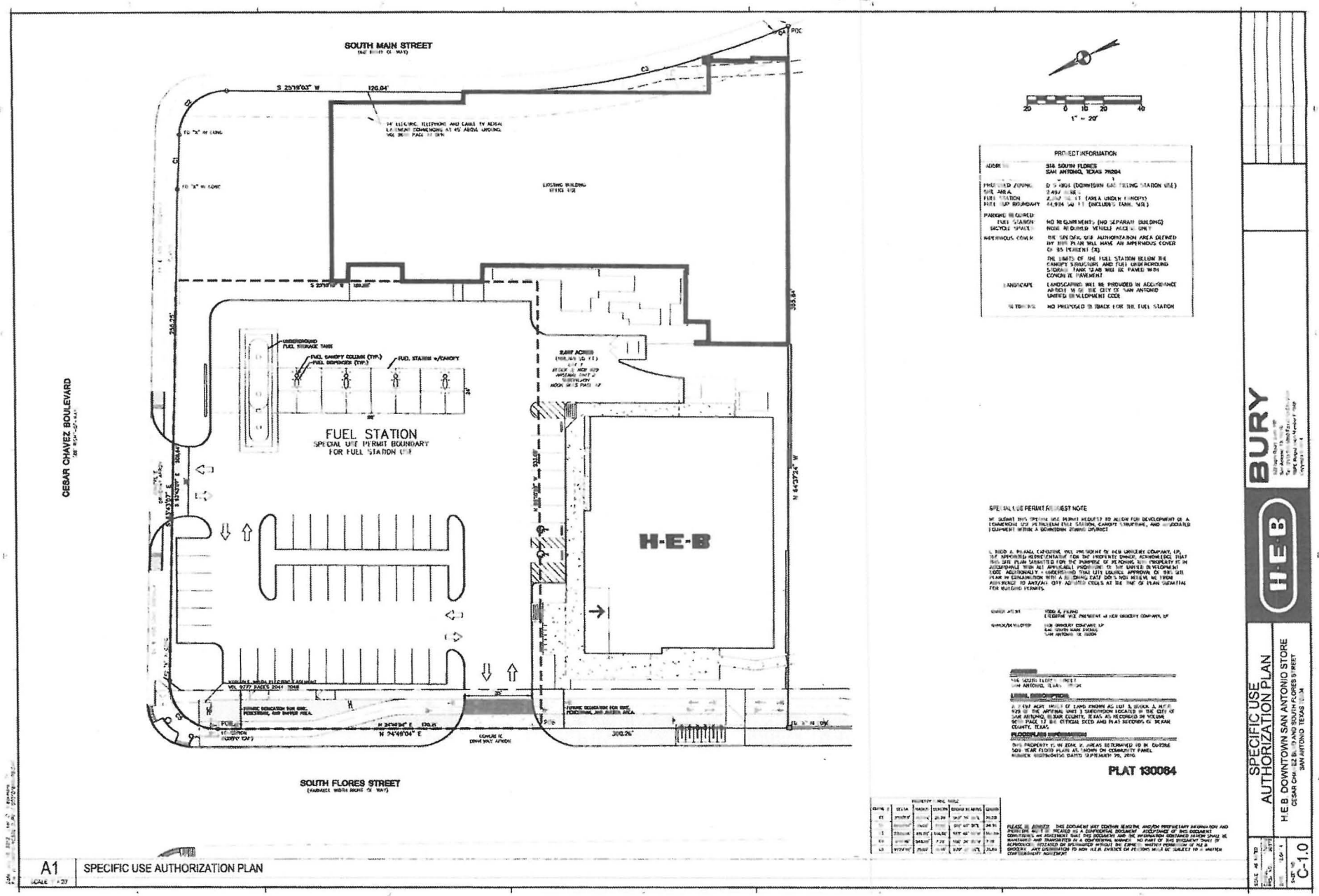
Z2015068



Attachment B