SG/cla
03/05/2015
# Z-5

CASE NO. Z2015081 CD

AN ORDINANCE 2015-03-05-0167

# 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 3.004 acres out of NCB 18226 from "C-2 AHOD" Commercial Airport Hazard Overlay District and "NP-10 AHOD" Neighborhood Preservation Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Manufactured Home/Oversize Vehicle Sales, Service or Storage.

**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 15, 2015.

**PASSED AND APPROVED** this 5th day of March, 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

| | |
|---|---|
| **Agenda Item:** | **Z-5 ( in consent vote: Z-1, Z-3, P-1, Z-4, P-2, Z-5, Z-6, Z-7, Z-8, Z-10, Z-11, Z-12, Z-13, Z-16, Z-18 )** |
| **Date:** | 03/05/2015 |
| **Time:** | 02:36:01 PM |
| **Vote Type:** | Motion to Approve |
| **Description:** | ZONING CASE # Z2015081 CD (District 2): An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District and "NP-10 AHOD" Neighborhood Preservation Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Manufactured Home/Oversized Vehicle Sales, Service or Storage on 3.004 acres out of NCB 18226 located at 11460 Interstate Highway 10 East. Staff and Zoning Commission recommend approval pending Plan Amendment (Associated Plan Amendment Case #15014). |
| **Result:** | Passed |

| Voter | Group | Not Present | Yea | Nay | Abstain | Motion | Second |
|---|---|---|---|---|---|---|---|
| Ivy R. Taylor | Mayor | | x | | | | |
| Roberto C. Trevino | District 1 | | x | | | | |
| Alan Warrick | District 2 | | 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 | | | x | |
| Michael Gallagher | District 10 | | x | | | | x |

Gibbons Surveying & Mapping, Inc.

Z2015081

**FIELD NOTES FOR 3.004 ACRES**

OUT OF NEW CITY BLOCK 18226, CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, BEING OUT OF THE EDGAR HARLOHS 150.00 ACRE TRACT DESCRIBED BY DEED RECORDED IN VOLUME 694, PAGE 328 OF THE DEED RECORDS OF BEXAR COUNTY, TEXAS, BEING OUT OF THE A. ZAMORA SURVEY NUMBER 36, ABSTRACT NUMBER 839, COUNTY BLOCK 5083, BEXAR COUNTY, TEXAS, COMPRISED OF A 1.004 ACRE TRACT DESCRIBED BY DEED RECORDED IN VOLUME 8878, PAGE 1818 OF THE REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS, AND A 2.000 ACRE TRACT DESCRIBED BY DEED RECORDED IN VOLUME 5391, PAGE 247 OF THE REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING:** At a set ½" iron rod stamped "GIBBONS" on the south right of way line of Interstate Highway 10 (public right of way, width varies), being approximately 1373' in a southerly direction from the intersection of Pfeil Road, being the northwest corner of a 7.336 acre tract in the name of Gail McCaffrey as recorded in Volume 16010, Page 316 of the Real Property Records of Bexar County, Texas, the northeast corner of said 1.004 acre tract and of the herein described tract;

**THENCE:** South 29°21'29" West (bearings are based on GPS observations, datum is NAD '83) at 409.25' pass a found 1" iron pipe marking the common south corners of the 1.004 and 2.000 acre tracts, and continuing for a total distance of 715.76' to a found 1" iron pipe on the northwest line of a 28.664 acre tract in the name of Gail McCaffrey as recorded in Volume 16010, Page 316 of the Real property Records of Bexar County, Texas, the southeast corner of a 4.00 acre tract in the name of Luis Cepeda as recorded in Volume 13671, Page 654 of the Real property Records of Bexar County, Texas, the south corner of the 2.000 acre tract and of this tract;

**THENCE:** North 20°37'56" West 469.50' to a found 1" iron pipe on the aforementioned south right of way line of Interstate Highway 10, the northeast corner of the Cepeda tract, the northwest corner of the 2.000 acre tract and of this tract;

**THENCE:** North 69°22'02" East with the south right of way line of Interstate Highway 10 at 234.84' pass a found 1" iron pipe marking the common north corners of the 2.000 and 1.004 acre tracts, and continuing for a total distance of 463.64' to a found 1" iron pipe, an angle point;

**THENCE:** North 75°39'44" East 85.09' with the south right of way line of Interstate Highway 10 to the **POINT OF BEGINNING** of this tract and containing 3.004 acres (130,857 square feet) of land in San Antonio, Texas.

Gary A. Gibbons

Gary A. Gibbons, R.P.L.S. #4716
**GIBBONS SURVEYING & MAPPING, INC.**
Date: December 26, 2014; Job No.: 14-4519
Doc I.D.: fn 3acres IH10; GAG/ps

STATE OF TEXAS
REGISTERED
GARY ARTHUR GIBBONS
4716
PROFESSIONAL
LAND SURVEYOR

GIBBONS SURVEYING & MAPPING, INC.
150 West Rhapsody Drive, San Antonio, TX 78216
(210) 366-4600 www.gibbonssurveying.com
TBPLS Firm No. 10119900

**Attachment A**

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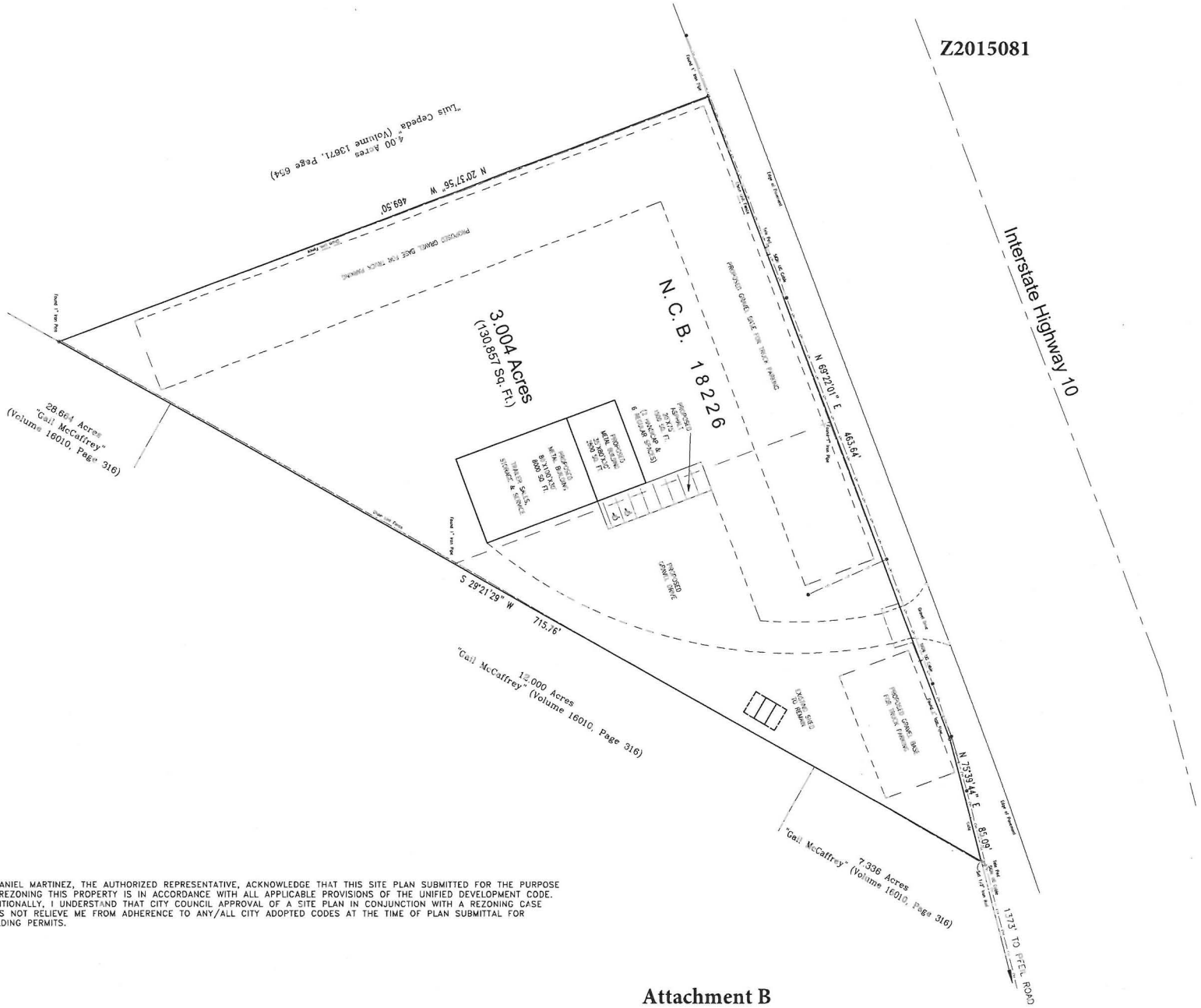
Z2015081




I, DANIEL MARTINEZ, THE AUTHORIZED REPRESENTATIVE, ACKNOWLEDGE THAT THIS SITE PLAN SUBMITTED FOR THE PURPOSE OF REZONING THIS PROPERTY IS IN ACCORDANCE WITH ALL APPLICABLE PROVISIONS OF THE UNIFIED DEVELOPMENT CODE. ADDITIONALLY, I UNDERSTAND THAT CITY COUNCIL APPROVAL OF A SITE PLAN IN CONJUNCTION WITH A REZONING CASE DOES NOT RELIEVE ME FROM ADHERENCE TO ANY/ALL CITY ADOPTED CODES AT THE TIME OF PLAN SUBMITTAL FOR BUILDING PERMITS.

**Attachment B**

## A SITE PLAN

3.004 acres of land out of New City Block 18226, City of San Antonio, Bexar County, Texas, being out of the Edgar Harlohs 150.00 acre tract described by deed recorded in Volume 694, Page 328 of the Deed Records of Bexar County, Texas, being out of the A. Zamora Survey Number 36, Abstract Number 839, County Block 5083, Bexar County, Texas, comprised of a 1.004 acre tract described by deed recorded in Volume 8876, Page 1818 of the Real property Records of Bexar County, Texas, and a 2.00 acre tract described by deed recorded in Volume 5391, Page 247 of the Real property Records of Bexar County, Texas,

gibbons Surveying & Mapping, Inc.
P.O. Box 720170, San Antonio, Texas 78270-0576
7270 Culebra Road (210) 558-2500
(Fax) 558-4873

| | |
|---|---|
| drawn by | DMB |
| check by | G. GIBBONS |
| date | 12/26/2014 |
| job no. | 14-4519-01 D |