

ORDINANCE 2020-12-17-0948

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 0.414 acres out of NCB 13905 from "C-3R MLOD-3 MLR-1 AHOD" General Commercial Restrictive Alcoholic Sales Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "C-2 CD MLOD-3 MLR-1 AHOD" Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Conditional Use for a Welding Shop.

SECTION 2. A description of the property is attached as **Exhibit "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 **Exhibit "B"** and made a part hereof and incorporated herein for all purposes.

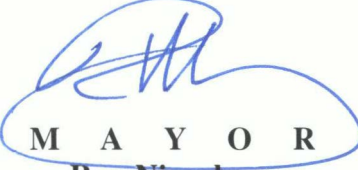
SECTION 5. All other provisions of Chapter 35 except those expressly amended by this

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 December 27, 2020.

PASSED AND APPROVED this 17th day of December, 2020.


M A Y O R
Ron Nirenberg

ATTEST:

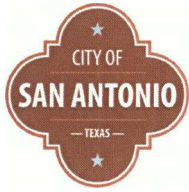


Tina J. Flores, City Clerk

APPROVED AS TO FORM:



for Andrew Segovia, City Attorney



City of San Antonio

City Council

December 17, 2020

Item: Z-8

File Number: 20-7191

Enactment Number:

2020-12-17-0948

ZONING CASE Z-2020-10700234 CD (Council District 2): Ordinance amending the Zoning District Boundary from "C-3R MLOD-3 MLR-1 AHOD" General Commercial Restrictive Alcoholic Sales Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "C-2 CD MLOD-3 MLR-1 AHOD" Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Conditional Use for a Welding Shop on 0.414 acres out of NCB 13905, located at 930 Peggy Drive. Staff and Zoning Commission recommend Approval.

Councilmember John Courage made a motion to approve. Councilmember Manny Pelaez seconded the motion. The motion passed by the following vote:

Aye: 11 Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Pelaez, Courage and Perry

SG
12/17/2020
Item No. Z-8

Exhibit “A”

FIELD NOTE DESCRIPTION TRACT FOR A 0.414 ACRE (18,015 SQUARE FOOT) TRACT OF LAND:

BEING A TRACT OR PARCEL OF LAND SITUATED IN BEXAR COUNTY, TEXAS AND BEING ALL OF LOT 15, BLOCK 4, OF COLISEUM DRIVE SUBDIVISION, NEW CITY BLOCK 13905, A SUBDIVISION IN BEXAR COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 2575, PAGE 189, PLAT RECORDS, BEXAR COUNTY, TEXAS (HEREINAFTER REFERRED TO AS "LOT 15"), LESS AND EXCEPT AND A PORTION OF SAID LOT CONVEYED TO THE STATE OF TEXAS IN A DEED RECORDED IN VOLUME 4015, PAGE 586, DEED RECORDS, BEXAR COUNTY, TEXAS (HEREINAFTER REFERRED TO AS "TXDOT TRACT"), AND BEING ALL OF THAT SAME TRACT CONVEYED TO LIUS HERIBERTO ESPINOZA IN A DEED RECORDED IN DOCUMENT NO. 20100109898, OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at an iron rod found on the east right-of-way line of Peggy Drive for the northwest corner of Lot 14 of the above-referenced subdivision (hereinafter referred to as "Lot 14"), also being the southwest corner of Lot 15, and the southwest corner and POINT OF BEGINNING of herein described tract:

THENCE with the east right-of-way line of Peggy Drive and the west line of Lot 15 and this tract North 00°02'28" West a distance of 57.96 feet to a TxDOT Highway Monument found for the south corner of the TxDOT Tract and an angle corner of this tract:

THENCE with the southeast line of the TxDOT Tract and the northwest line of this tract across Lot 15 North 35°04'00" East a distance of 41.00 feet to a TxDOT Highway Monument found on the southeast right-of-way line of Interstate 10 and the northwest line of Lot 15, for the east corner of the TxDOT Tract and an angle corner of this tract;

THENCE with the southeast right-of-way line of Interstate 10 and the northwest line of Lot 15 and this tract North 70°20'54" East a distance of 147.83 feet to an iron rod found for the northeast corner of this tract and Lot 15 and the northwest corner of a tract of land conveyed to Mehdi Nikkiah in a deed recorded in Document No. 20070069836, Official Public Records, Bexar County, Texas;

THENCE with the east line of this tract and Lot 15 and the west line of the Nikkah Tract South 00°03'57" East a distance of 141.75 feet to an iron rod found for the southeast corner of Lot 15 and this tract and the northeast corner of Lot 14;

THENCE with the south line of this tract and Lot 15 and the north line of Lot 14 North 89°49'07" West a distance of 162.90 feet to the POINT OF BEGINNING, containing 0.414 acres of land, more or less.

CELCO Surveying
301 Main Plaza, Suite 387
New Braunfels, Texas 78130
Firm Registration No. 10193975
PHONE: 830-214-5109
FAX: 866-571-8323
e-mail: eddie@celeosurveying.com



BY: GEORGE E. LUCAS
R.P.L.S. No. 4160
State of Texas
October 28, 2020
2020-1932

Exhibit "A"

SG
12/17/2020
Item No. Z-8

Exhibit “B”

Z-2020-10700234 CD

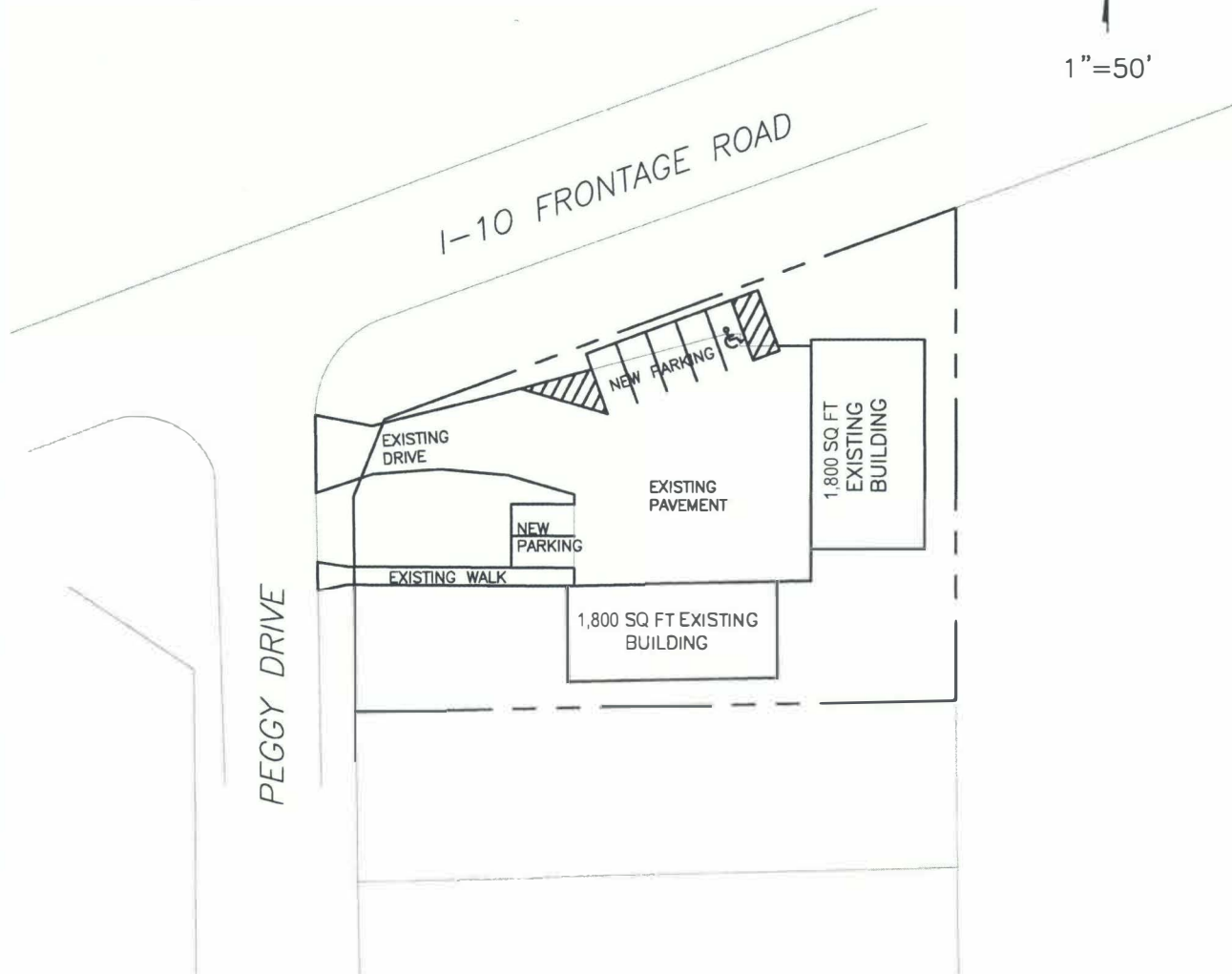
CURRENT ZONING: C-3R
REQUESTED ZONING:
C-2 CD FOR A WELDING
SHOP

NOTES:

1. PROPERTY DESCRIPTION = LOT 15 (REMAINDER), BLOCK 4, NCB 13905
COLISEUM PARK GARDENS SUBDIVISION
2. EXISTING IMPERVIOUS COVER = 9,505 SF
PROPOSED ADDITIONAL IMPERVIOUS COVER = 753 SF
3. 0' SETBACKS ALL SIDES PER UDC SEC. 35-310.01



1"=50'



I, LUIS ESPINOZA, THE PROPERTY OWNER, 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.

930 PEGGY DRIVE ZONING SITE PLAN

Exhibit "B"