

AN ORDINANCE 2017-12-07-0947

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 Lot 51, Block 6, NCB 11716 and 3.247 acres out of NCB 11716 from "C-2 AHOD" Commercial Airport Hazard Overlay District and "C-3 AHOD" General Commercial Airport Hazard Overlay District to "C-3 S AHOD" General Commercial Airport Hazard Overlay District with Specific Use Authorization for an Auto Paint and Body Shop.

SECTION 2. A description of the 3.247 acres of property, recorded in Volume 08661, Page 00232 of the Official Public Records of Real Property Bexar County, 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 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 approves this Specific Use Authorization 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

SG/lj
12/07/2017
Z-6

CASE NO. Z2017297 S

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 17, 2017.

PASSED AND APPROVED this 7th day of December 2017.


M A Y O R
Ron Nirenberg

ATTEST:


Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:


fa Andrew Segovia, City Attorney

Agenda Item:	Z-6 (in consent vote: 19, Z-1, Z-2, Z-6, P-4, Z-7, Z-8, Z-10, Z-11, P-5, Z-12, P-6, Z-13, P-7, Z-15, Z-16, Z-17, P-8, Z-18, Z-19, P-9, Z-20, Z-24, Z-25, Z-26, Z-27, Z-28, P-10, Z-29, Z-31, P-11, Z-32, Z-33, Z-35, P-13, Z-39)						
Date:	12/07/2017						
Time:	04:12:59 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2017297 S (Council District 1): An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District and "C-3 AHOD" General Commercial Airport Hazard Overlay District to "C-3 S AHOD" General Commercial Airport Hazard Overlay District with Specific Use Authorization for an Auto Paint and Body Shop on Lot 51, Block 6, NCB 11716 and 3.247 acres of land out of NCB 11716, located at 9714 and 9626 San Pedro Avenue. Staff and Zoning Commission recommend Approval.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ron Nirenberg	Mayor	x					
Roberto C. Treviño	District 1		x				
William Cruz Shaw	District 2		x				
Rebecca Viagran	District 3		x			x	
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Greg Brockhouse	District 6		x				
Ana E. Sandoval	District 7		x				
Manny Pelaez	District 8		x				
John Courage	District 9		x				
Clayton H. Perry	District 10		x				x

SG/lj
12/07/2017
Item No. Z-6

Exhibit "A"

72017297



2000-0203523

WARRANTY DEED

Date: November 1, 2000

Grantor: Clyde J.B Johnson, Jr. and Dorothy M. Johnson

Grantor's Mailing Address: 606 Arcadia, San Antonio, Bexar County, Texas 78209

Grantee: Clyde Johnson & Sons Hereford Ranch, LTD, a Texas Limited Partnership

Grantee's Mailing Address: 3795 FM 1863, Bulverde, Comal County, Texas 78163

Consideration: Ten and No/100 Dollars, and other good and valuable consideration

Property (including any improvements): Three contiguous tracts of land comprising a total of 5.328 acres of land more or less situated in Bexar County, Texas and more particularly described in Exhibits A, B, and C attached hereto and made a part hereof for all purposes.

Reservations from and Exceptions to Covenant and Warranty: Any reservation or exception recorded in the Deed Records of Bexar County, Texas.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and to hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty, when the claim is by, through, or under Grantor but not otherwise.

When the context requires, singular nouns and pronouns include the plural.

EXECUTED this the 1st day of November, 2000.

Clyde J.B. Johnson, Jr., Grantor

Dorothy M. Johnson, Grantor

WEL 08661 PS 00232

STATE OF TEXAS §
 §
COUNTY OF BEXAR §

22017297

This instrument was acknowledged before me on the 1st day of November, 2000, by Clyde J.B. Johnson, Jr.



Mirabel Martinez
Notary Public, State of Texas

Mirabel Martinez
Typed Name of Notary

My Commission Expires: 12-9-00

STATE OF TEXAS §
 §
COUNTY OF BEXAR §

This instrument was acknowledged before me on the 1st day of November, 2000, by Dorothy M. Johnson.

After Filing Return To:

Clyde Johnson, III
420 Baltimore
San Antonio, Texas 78215

Mirabel Martinez
Notary Public, State of Texas

Mirabel Martinez
Typed Name of Notary

My Commission Expires: 12-9-00



VOL 08561 PS 00233

EXHIBIT A

FIELD NOTES FOR A 3.247 ACRE TRACT OF LAND

Being 3.247 acres of land out of Lot 44, Block 6, NCB 11716, Blanco Heights Subdivision, as recorded in Volume 5502, Page 100, Deed and Plat Records of Bexar County, Texas and being more particularly described as follows:

- BEGINNING: At the Westernmost point of cutback of the Southern Right-of-Way line intersection of Ramsey Road and U.S. Highway 281 North (San Pedro Avenue);
- THENCE: South 21° 35' West, 914.54 feet along the East Right-of-Way line of U.S. Highway 281 North, to a point for a Northern corner and POINT OF BEGINNING of this tract;
- THENCE: South 46° 58' East, 276.54 feet along a Northeast property line of this tract and the Southwest property line of a 1.031 acre tract to a point for an interior corner of this tract and the Southernmost corner of the 1.031 acre tract;
- THENCE: North 43° 02' East, 147.00 feet along a Northwest property line of this tract and the Southeast property line of a 1.031 acre tract to a point along a Northwest property line of this tract and being the Easternmost corner of the 1.031 acre tract and the Southern corner of Lot 51, Block 6, NCB 11716;
- THENCE: North 31° 57' East, 128.04 feet along a Northwest property line of this tract and the Southeast property line of Lot 51, Block 6, NCB 11716 to a point for the Northernmost corner of this tract and the Easternmost corner of Lot 51, Block 6, NCB 11716;
- THENCE: South 46° 58' East, 242.09 feet along a Northeast property line of this tract to a point for the Easternmost corner of this tract;
- THENCE: South 31° 57' West, 417.79 feet along the Southeast property line to a point for the Southernmost corner of this tract;
- THENCE: North 46° 58' West, 520.37 feet along the Southwest property line to a point in the East Right-of-Way line of U.S. Highway 281 North for the Westernmost corner of this tract;
- THENCE: North 21° 35' East, 147.57 feet along a Northwest property line and East Right-of-Way line of U.S. Highway 281 North to a point for a Northern corner and POINT OF BEGINNING of this tract, and containing 3.247 acres of land, more or less.

VOL 08661 PG 00234

22017297

EXHIBIT B

FIELD NOTES FOR A 1.031 ACRE TRACT OF LAND

Being 1.031 acres of land out of Lot 44, Block 6, NCB 11716, Blanco Heights Subdivision, as recorded in Volume 5502, Page 100, Deed and Plat Records of Bexar County, Texas, and being more particularly described as follows:

BEGINNING: At the Westernmost point of cutback of the Southern Right-of-Way line intersection of Ramsey Road and U.S. Highway 281 North (San Pedro Avenue);

THENCE: South 21° 35' West, 914.54 feet along the East Right-of-Way line of U.S. Highway 281 North, to a point for the Westernmost corner and POINT OF BEGINNING of this tract;

HENCE: North 21° 35' East, 157.94 feet along the East Right-of-Way line of U.S. Highway 281 North and the Northwest property line of this tract to a point for the Northernmost corner of this tract and the Westernmost corner of Lot 51, Block 6, NCB 11716;

THENCE: South 46° 58' East, 334.30 feet along the Northeast property line of this tract and the Southwest property line of Lot 51 to a point for the Easternmost corner of this tract and the Southern corner of Lot 51;

THENCE: South 43° 02' West, 147.00 feet along the Southeast property line of this tract to a point for the Southernmost corner of this tract;

THENCE: North 46° 58' West, 276.54 feet along the Southwest property line of this tract to a point for the Westernmost corner and POINT OF BEGINNING of this tract, and containing 1.031 acres of land, more or less.

EXHIBIT B

VDL 08661 PG 00235

A

EXHIBIT C

One acre of land, all improvements thereon described as follows:

One acre out of Lot 32, Block 6 (NCB 11716) of Blanco Heights Subdivision in San Antonio, Bexar County, Texas; according to a plat recorded in Volume 900 at Page 331 of Deed and Plat Records of Bexar County, Texas; and one acre being described by metes and bounds as follows:

COMMENCING at the point where the most northerly boundary line of said Lot 32 intersects with the most easterly boundary line of San Pedro Avenue;

THENCE, S 46° 50' E, with the most northerly boundary line of said Lot 32, a distance of 359.06' for corner;

THENCE, S 31° 57' W, and parallel to the easterly boundary line of said San Pedro Avenue, a distance of 120.04' for corner;

THENCE N 46° 50' W, and parallel to the most northerly boundary line of said Lot 32, a distance of 334.3' to the most easterly boundary line of San Pedro Avenue for corner;

THENCE, N 21° 36' E, with the most easterly boundary line of San Pedro Avenue, a distance of 135.0' to the place of beginning;

The said premises has been commonly known as 9714 San Pedro Avenue, San Antonio, Texas and includes a free standing building or approximately 12,500 square feet.

Any provision herein which restricts the sale, or use of the described real property because of race is invalid and unenforceable under Federal law STATE OF TEXAS, COUNTY OF BEXAR I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me and was duly RECORDED in the Official Public Records of Bexar County, Texas on:

DEC 05 2000



Gerry Rickhoff
COUNTY CLERK BEXAR COUNTY, TEXAS

Filed for Record in:
BEXAR COUNTY, TX
GERRY RICHHOFF, COUNTY CLERK

On Dec 01 2000
At 4:44pm

Receipt #: 390379
Recording: 11.00
Doc/Mgmt: 6.00
Doc/Num : 2000-0203623
Deputy -Edward V. Lopez

EXHIBIT C

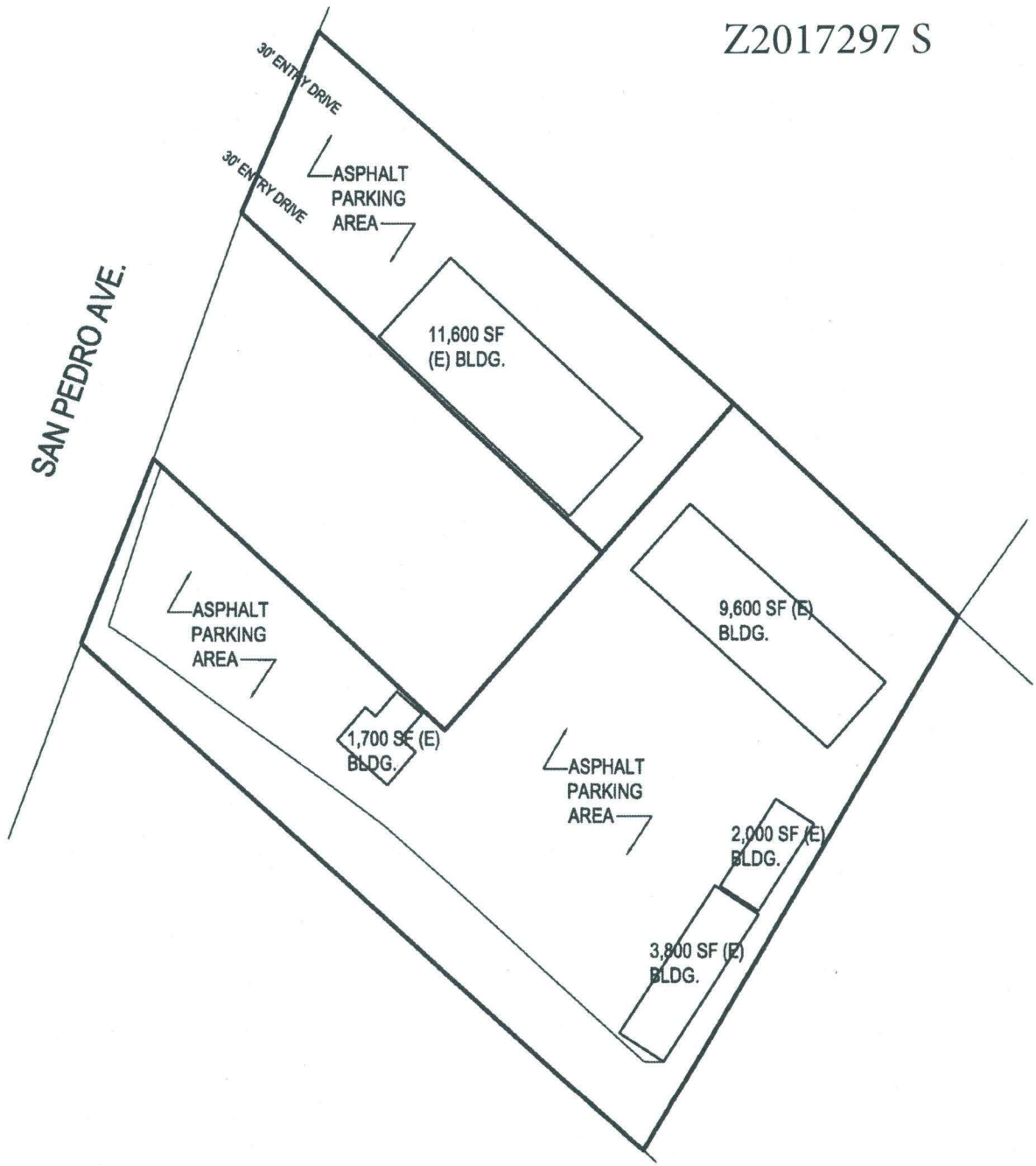
VOL 08661 PG 00235

SG/lj
12/07/2017
Item No. Z-6

Exhibit "B"

Z2017297 S

SAN PEDRO AVE.



- PROPERTY: 4.297 ACRES (187,177 S.F.)
- LEGAL DESCRIPTION: NCB 11716, BLK 6, LOTS 51 & PORTION OF 44
- CURRENT ZONING: C-3 AHOD & C-2 AHOD
- REQUESTED ZONING: C-3 S (SPECIFIC USE FOR AUTO PAINT & BODY)
- IMPERVIOUS COVER: 187,177 S.F.
- SETBACKS/BUFFERYARDS: NONE REQUIRED- ALL BASE ZONING IS C-2 OR C-3
- REQUIRED PARKING: PROVIDED PER UDC

9714 & 9626 SAN PEDRO ZONING SITE PLAN

SCALE: 1" = 100'



I, Michael Johnson, 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.