

AN ORDINANCE 2017-08-17-0596

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 0.274 acres out of NCB 12097 located at 2583 MacArthur View from "C-3R AHOD" General Commercial Restrictive Alcoholic Sales Airport Hazard Overlay District to "C-3R S AHOD" General Commercial Restrictive Alcoholic Sales Airport Hazard Overlay District with a Specific Use Authorization for a Construction Contractor's Facility with Outside Storage with Screening.

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 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 ordinance shall remain in full force and effect including the penalties for violations as made and

provided for in Section 35-491.

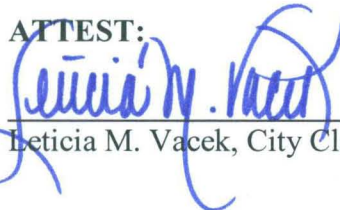
SECTION 6. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 7. This ordinance shall become effective the 27th day of August 2017.

PASSED AND APPROVED this 17th day of August 2017.

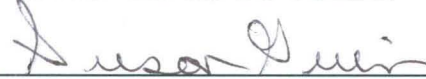

M A Y O R
For Ron Nirenberg

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

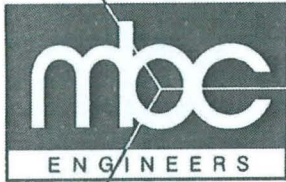


for Andrew Segovia, City Attorney

Agenda Item:	Z-21 (in consent vote: Z-2, P-1, Z-4, Z-5, Z-6, Z-7, Z-9, Z-11, Z-12, Z-14, Z-15, Z-19, Z-21, Z-22)						
Date:	08/17/2017						
Time:	02:13:31 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2017191 S (Council District 10): An Ordinance amending the Zoning District Boundary from "C-3R AHOD" General Commercial Restrictive Alcoholic Sales Airport Hazard Overlay District to "C-3R S AHOD" General Commercial Restrictive Alcoholic Sales Airport Hazard Overlay District with a Specific Use Authorization for a Construction Contractor's Facility with Outside Storage with Screening on 0.274 acres out of NCB 12097, located at 2583 MacArthur View. 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				x
Rebecca Viagran	District 3		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			x	
Clayton H. Perry	District 10		x				

SG/lj
08/17/2017
Item No. Z-21

Exhibit "A"



1035 Central Parkway North, San Antonio, Texas 78232
(210) 545-1122 FAX (210) 545-9302

TBPE Firm Registration #784 | TBPLS Firm Registration #10011700 | SBE Certified #214046463
www.mbcengineers.com

METES AND BOUNDS DESCRIPTION OF A 0.274 OF AN ACRE TRACT

A 0.274 OF AN ACRE (11,922 SQUARE FOOT) TRACT OF LAND BEING A PORTION OF LOT 31, NEW CITY BLOCK 12097, SOUTHWEST EXTERIORS SUBDIVISION, ACCORDING TO PLAT RECORDED IN VOLUME 9553, PAGE 3, DEED AND PLAT RECORDS, BEXAR COUNTY, TEXAS; SAID 0.274 OF AN ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a 1/2-Inch Iron Rod with cap stamped "RPLS 2024" Found on the Northeasterly right of way line of Macarthur View (platted as Bitters Road), a 60 foot public right of way, marking the most Westerly corner of said Lot 31, and being the most Southerly corner of Lot 20, New City Block 12097, Forbes Subdivision, according to plat recorded in Volume 9000, Page 6, Deed and Plat Records, Bexar County, Texas;


THENCE N 40° 40' 14" E a distance of 185.93 feet, departing the Northeasterly right of way line of said Macarthur View along the Northwesterly boundary line of said Lot 31, to a 1/2-Inch Iron Rod with cap stamped "RPLS 2024" Found on the Southwesterly right of way line of Sommers Drive, a variable width public right of way, and being the most Northerly corner of said Lot 31;

THENCE S 31° 41' 54" E a distance of 69.23 feet, along the Southwesterly right of way line of said Sommers Drive, to a 1/2-Inch Iron Rod with cap stamped "MBC Engineers" Set, being N 31° 41' 54" E a distance of 200.96 feet from a 1/2-Inch Iron Rod with cap stamped "RPLS 2024" Found;

THENCE S 38° 52' 23" W a distance of 162.76 feet, to a 1/2-Inch Iron Rod with cap stamped "MBC Engineers" Set on the Northeasterly right of way line of said Macarthur View and being N 51° 10' 09" W a distance of 183.69 feet from a 1/2-Inch Iron Rod with cap stamped "RPLS 2024" Found;

THENCE N 51° 10' 08" W a distance of 71.12 feet along the Northeasterly right of way line of said Macarthur View to the **POINT OF BEGINNING** and containing 0.274 of an acre of land, more or less as surveyed by Macina, Bose, Copeland, and Associates, Inc.

Note: A Survey Sketch that is made a part hereof and shall accompany this instrument.

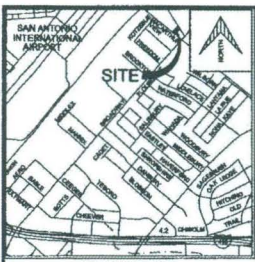

06/28/17
Joel Christian Johnson, R.P.L.S.
TBPLS Firm Registration 10011700



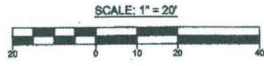
Date: June 28, 2017
Job No: 31794-1474

SG/lj
08/17/2017
Item No. Z-21

Exhibit “B”

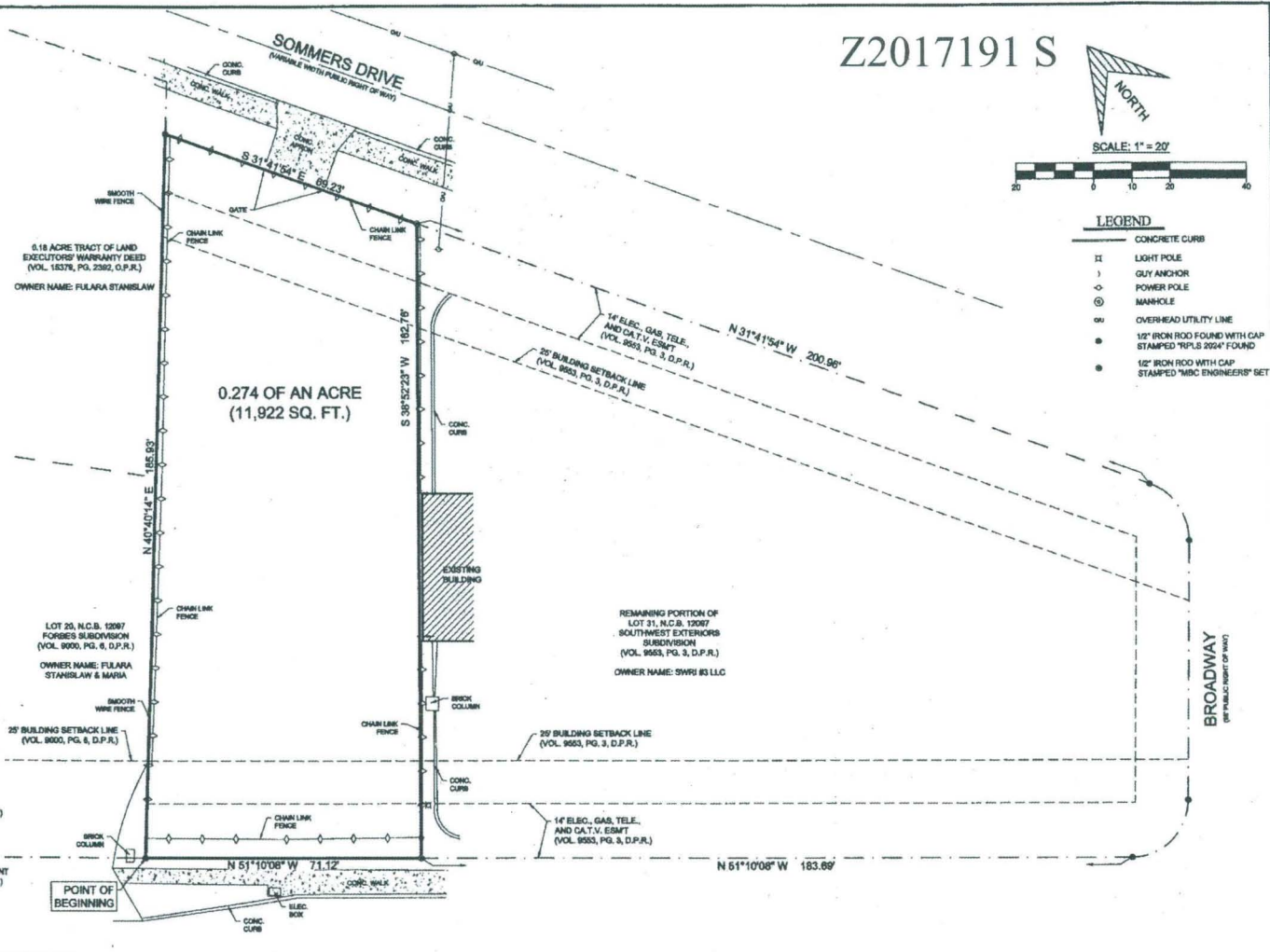


Z2017191 S



LEGEND

- CONCRETE CURB
- II LIGHT POLE
- 1 GUY ANCHOR
- POWER POLE
- MANHOLE
- OVER-HEAD UTILITY LINE
- 12" IRON ROD FOUND WITH CAP STAMPED "RPLS 2024" FOUND
- 12" IRON ROD WITH CAP STAMPED "MBC ENGINEERS" SET



METES AND BOUNDS DESCRIPTION OF A 0.274 OF AN ACRE TRACT
 A 0.274 OF AN ACRE (11,922 SQUARE FOOT) TRACT OF LAND BEING A PORTION OF LOT 31, NEW CITY BLOCK 12067, SOUTHWEST EXTERIORS SUBDIVISION, ACCORDING TO PLAT RECORDED IN VOLUME 9553, PAGE 3, DEED AND PLAT RECORDS, BEXAR COUNTY, TEXAS; SAID 0.274 OF AN ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 12-INCH IRON ROD WITH CAP STAMPED "RPLS 2024" FOUND ON THE NORTHEASTERLY RIGHT OF WAY LINE OF MACARTHUR VIEW (PLATTED AS BITTERS ROAD), A 80 FOOT PUBLIC RIGHT OF WAY, MARKING THE MOST WESTERLY CORNER OF SAID LOT 31, AND BEING THE MOST SOUTHERLY CORNER OF LOT 20, NEW CITY BLOCK 12067, FORBES SUBDIVISION, ACCORDING TO PLAT RECORDED IN VOLUME 9553, PAGE 3, DEED AND PLAT RECORDS, BEXAR COUNTY, TEXAS;

THENCE N 40° 40' 14" E A DISTANCE OF 185.83 FEET, DEPARTING THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID MACARTHUR VIEW ALONG THE NORTHWESTERLY BOUNDARY LINE OF SAID LOT 31, TO A 12-INCH IRON ROD WITH CAP STAMPED "RPLS 2024" FOUND ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF SOMMERS DRIVE, A VARIABLE WIDTH PUBLIC RIGHT OF WAY, AND BEING THE MOST NORTHERLY CORNER OF SAID LOT 31;

THENCE S 31° 41' 54" E A DISTANCE OF 69.23 FEET, ALONG THE SOUTHWESTERLY RIGHT OF WAY LINE OF SAID SOMMERS DRIVE, TO A 12-INCH IRON ROD WITH CAP STAMPED "MBC ENGINEERS" SET BEING IN 31° 41' 54" E A DISTANCE OF 200.96 FEET FROM A 12-INCH IRON ROD WITH CAP STAMPED "RPLS 2024" FOUND;

THENCE S 38° 12' 23" W A DISTANCE OF 162.78 FEET, TO A 12-INCH IRON ROD WITH CAP STAMPED "MBC ENGINEERS" SET ON THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID MACARTHUR VIEW AND BEING IN 31° 41' 54" W A DISTANCE OF 183.86 FEET FROM A 12-INCH IRON ROD WITH CAP STAMPED "RPLS 2024" FOUND;

THENCE N 51° 10' 08" W A DISTANCE OF 71.12 FEET ALONG THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID MACARTHUR VIEW TO THE POINT OF BEGINNING AND CONTAINING 0.274 OF AN ACRE OF LAND, MORE OR LESS AS SURVEYED BY MACINA, BOSE, COPELAND, AND ASSOCIATES, INC.

SCHEDULE B ITEMS
 100. THE FOLLOWING MATTERS AS ESTABLISHED AND SHOWN ON PLAT RECORDED IN VOLUME 9553, PAGE 3, DEED AND PLAT RECORDS, BEXAR COUNTY, TEXAS:

- 1) ELECTRIC, GAS, TELEPHONE AND CABLE TV EASEMENT, 14 FEET WIDE ALONG THE BITTERS ROAD, SOMMERS DRIVE AND THE BROADWAY PROPERTY LINES, (SHOWN HEREON)
- 2) BUILDING SETBACK LINE, 25 FEET FROM THE BITTERS ROAD AND THE SOMMERS DRIVE PROPERTY LINES, (SHOWN HEREON)
- 3) RIGHT OF WAY DEDICATION, 12.5 FEET WIDE ALONG THE SOMMERS DRIVE PROPERTY LINE. (DEDICATION IS SHOWN AS PART OF SOMMERS STREET RIGHT OF WAY)
100. GAS PIPELINE EASEMENT GRANTED TO UNITED GAS PIPE LINE COMPANY BY INSTRUMENT RECORDED IN VOLUME 1931, PAGE 132, DEED RECORDS OF BEXAR COUNTY, TEXAS. (NOT PLOTTABLE)
100. TERMS AND CONDITIONS OF CONSENT AND INDEMNITY AGREEMENTS WITH THE CITY OF SAN ANTONIO, RECORDED IN VOLUME 11589, PAGE 2427 AND VOLUME 11788, PAGE 1926, REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS. (NOT PLOTTABLE)
100. ELECTRIC EASEMENT GRANTED TO THE SAN ANTONIO PUBLIC SERVICE COMPANY BY INSTRUMENT RECORDED IN VOLUME 1823, PAGE 246, DEED RECORDS OF BEXAR COUNTY, TEXAS. (NOT PLOTTABLE)

SURVEYOR NOTES:
 1) BASED ON A MAP TO MAP TRANSFER (BY VISUAL INSPECTION OR SCALING ONLY) THE SUBJECT PROPERTY HEREON IS SHOWN TO BE LOCATED IN FLOOD ZONE "X" (UNSHADED) ON COMMUNITY PANEL NUMBER 4802502866 F DATED SEPTEMBER 26, 2010, OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP. FLOOD ZONE DEFINITION:
 ZONE X (UNSHADED): AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
 FOR MORE INFORMATION PLEASE CONSULT FLOOD MAP(S).

- 2) MACINA, BOSE, COPELAND AND ASSOCIATES, INC. (MBC) AND/OR THEIR EMPLOYEES HAVE NOT MADE AN INDEPENDENT ABSTRACT OF TITLE IN REFERENCE TO THE PROPERTY SHOWN ON THIS SURVEY OR THE PROPERTY ADJACENT TO THIS SURVEY. MBC HAS RELIED ON A TITLE COMMITMENT FURNISHED BY FIRST AMERICAN TITLE INSURANCE COMPANY AND MBC OFFERS NO GUARANTEES, EXPRESSED OR IMPLIED, AS TO THE ACCURACY OR COMPLETENESS OF THE HEREIN REFERENCED TITLE COMMITMENT.
 OF NO. 1-172094
 EFFECTIVE DATE: JUNE 16, 2017
 ISSUED DATE: JUNE 23, 2017
- 3) MEASUREMENTS ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM GRID SOUTH CENTRAL ZONE ESTABLISHED BY GPS.
- 4) ONLY VISIBLE UTILITY FEATURES SHOWN HEREON. CALL 811 FOR UTILITY LOCATES PRIOR TO CONSTRUCTION.
- 5) THE SUBJECT PROPERTY IS SUBJECT TO SUBDIVISION PLATTING REQUIREMENTS IN ACCORDANCE WITH THE CITY OF SAN ANTONIO UNIFIED DEVELOPMENT CODE AND ORDINANCES.

The following statement: "I, MARK GRANADOS, 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."



THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 7, 8, 9, 11, 13 AND 14 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON JUNE 22, 2017.

Joel Christian Johnson
 JOEL CHRISTIAN JOHNSON
 R.F.L.S. NO. 5578

Exhibit "B"

REVISIONS:			
DATE	No.	DESCRIPTION	BY

ALTANSPS TITLE SURVEY OF
 A 0.274 OF AN ACRE (11,922 SQUARE FOOT) TRACT OF LAND BEING A PORTION OF LOT 31, NEW CITY BLOCK 12067, SOUTHWEST EXTERIORS SUBDIVISION, ACCORDING TO PLAT RECORDED IN VOLUME 9553, PAGE 3, DEED AND PLAT RECORDS, BEXAR COUNTY, TEXAS.



MACINA • BOSE • COPELAND & ASSOC., INC.
 CONSULTING ENGINEERS AND LAND SURVEYORS

1035 Central Parkway North, San Antonio, Texas 78232
 (210) 546-1122 Fax (210) 545-6302 www.mbcengineers.com
 FIRM REGISTRATION NUMBER: T.B.P.E. F-784 & T.B.P.L.S. 10011700

DESIGN: JC
 DRAWN: JC
 CHECKED: JC
 DATE: 06-28-2017
 JOB NO.: 31794-1474
 SHEET: 1 OF 1

Date: Jun 28, 2017, 11:58am User: JD Johnson Layout: Layout1
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