

AN ORDINANCE 2015-09-17-0822

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 1.83 acres out of NCB 11711 from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Oversized Vehicle Sales, Service, and 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.

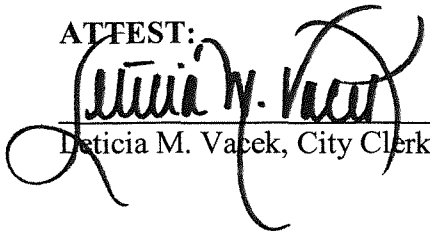
SECTION 6. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 7. This ordinance shall become effective September 27, 2015.


PASSED AND APPROVED this 17th day of September, 2015.


M A Y O R
Ivy R. Taylor

ATTEST:


Detricia M. Vacek, City Clerk

APPROVED AS TO FORM:


Martha G. Sepeda, Acting City Attorney
for

Agenda Item:	Z-2 (in consent vote: 46, P-1, Z-1, Z-2, Z-4, Z-6, Z-9, P-5)						
Date:	09/17/2015						
Time:	02:31:25 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2015263 CD (Council District 1): An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with Conditional Use for Oversized Vehicle Sales, Service and Storage on 1.83 acres out of NCB 11711, located at 6977 San Pedro Avenue. Staff and Zoning Commission recommend Approval.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Treviño	District 1		x				x
Alan Warrick	District 2		x			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				
Michael Gallagher	District 10		x				

METES AND BOUNDS

22015263

Lot 33, New City Block 11711, **SHEARER HILLS, UNIT 6**, an addition to the City of San Antonio, Bexar County, Texas according to the map and/or plat thereof recorded in Volume 7000, Page 32, Deed and Plat Records, Bexar County, Texas. Save and Except that portion described in Volume 5637, Page 429, Official Public Records, Bexar County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING: at a ½" iron pin found in the North line of said Lot 33 in the South line of a cul-de-sac at the West end of **W. MAPLEWOOD LANE**, at the Northeast corner of said Save and Except portion, for the most Northerly Northwest corner of this tract;

THENCE: along the South line of said cul-de-sac at the West end of said **W. MAPLEWOOD LANE** following along the arc of a curve to the Left an arc distance of 10.96 feet, said curve having a radius of 60.00 feet, a central angle of 10°27'41", tangent of 5.49 feet, and chord distance of 10.94 feet bearing N 66°21'40"E, to a ½" iron pin found at the Northwest corner of Lot 34, N.C.B. 11711, recorded in said plat Volume 7000, Page 32, for the Northeast corner of said Lot 33 and of this tract;

THENCE: **S 00°18'00"W**, along the East line of said Lot 33 and the West line of said Lot 34, a distance of **144.56 feet** to a ½" iron pin found, for an angle point;

THENCE: **S 89°42'00"E**, a distance of **5.00 feet** to a ½" iron pin found, for an angle point;

THENCE: **S 00°18'00"W**, a distance of **544.29 feet** to a ½" iron pin found in the North line of Lot 12, N.C.B. 11695, recorded in plat Volume 6200, Page 23, of said Bexar County Deed and Plat Records, said point also being the Southwest corner of Lot 29, N.C.B. 11711, **SHEARER HILLS, UNIT 6**, recorded in plat Volume 6700, Page 200, of said Bexar County Deed and Plat Records, for the Southeast corner of said Lot 33 and of this tract;

THENCE: **N 89°56'00"W**, a distance of **125.00 feet** to a ½" iron pin found at the Southeast corner of Lot 11, N.C.B. 11695, recorded in plat Volume 4700, Page 160, of said Bexar County Deed and Plat Records, for the Southwest corner of said Lot 33 and of this tract;

THENCE: **N 00°18'00"E**, along the East line of said Lot 11 and the West line of said Lot 33, a distance of **638.38 feet** to a ½" iron pin found in the East line of Lot 21, N.C.B. 11695, **MOUNT SACRED HEART SUBDIVISION**, recorded in plat Volume 9599, Page 97, of said Bexar County Deed and Plat Records, for the Southwest corner of said Save and Except portion and the Northwest corner of this tract;

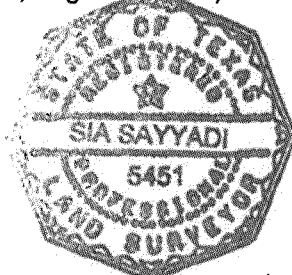
THENCE: **S 89°42'00"E**, along the South line of said Save and Except portion and the North line of this tract, a distance of **110.00 feet** to a ½" iron pin found, for an angle point;

THENCE: **N 00°18'00"E**, along the East line of said Save and Except portion, a distance of **46.54 feet** to the **POINT OF BEGINNING**, and containing **1.83 Acres** of land more or less.

Job Number 15011

(See Attached Drawing)

(Reference Bearing: Volume 7000, Page 32 D.P.R.)



A handwritten signature in cursive script that reads "Sia Sayyadi".

Sia Sayyadi, R.P.L.S.

July 21, 2015

2428287

WARRANTY DEED

STATE OF TEXAS

S

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BEXAR

S

That ALLAN CONSTRUCTION CO., INC., F/K/A TRANS-TEXAS EQUIPMENT CO., INC., acting herein by and through its officer thereunto duly authorized, hereinafter called Grantor (whether one or more), in consideration of the sum of Ten and no/100 DOLLARS (\$10.00) and other good and valuable considerations, to said grantor in hand paid by GEORGE WACHSLER AND DOROTHY WACHSLER, hereinafter called Grantee (whether one or more), whose mailing address is 7206 Westboro San Antonio, Texas 78229, the receipt of which is hereby acknowledged; has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY unto the Grantee above named, all that certain property situated in Bexar County, Texas, described as follows, to wit:

Field notes of a 0.358 of an acre tract of land situated in the City of San Antonio, Bexar County, Texas out of Lot 33, New City Block 11711, Shearer Hills Unit 6 Subdivision as recorded in Volume 7000, Page 32 of the Plat Records of Bexar County, Texas, and being more particularly described in the EXHIBIT "A" attached hereto; TOGETHER WITH a 0.011 of an acre non-exclusive Ingress and Egress Easement situated in the City of San Antonio, Bexar County, Texas out of Lot 33, New City Block 11711, Shearer Hills Unit 6 Subdivision as recorded in Volume 7000, Page 32 of the Plat Records of Bexar County, Texas, and being more particularly described in the EXHIBIT "B" attached hereto and made a part hereof; SAVE AND EXCEPT and there is hereby reserved unto the Grantor herein, its successors and assigns an exclusive water line easement, over, upon, across and under that portion of said 0.358 acre tract where said water line is presently situated. This water line easement is to run with the land immediately South of the tract herein conveyed, (the remaining part of Lot 33) and Grantor herein further reserves for itself, its successors and assigns, an ingress and egress easement over, upon and across said water line easement, for the purposes of maintaining, repairing, replacing and/or servicing said existing water line.

TO HAVE AND TO HOLD the said premises, together with the rights, hereditaments and appurtenances thereto belonging, unto the said Grantee above named, Grantee's heirs, successors and assigns forever. And Grantor does hereby bind Grantor's successors and assigns to WARRANT AND FOREVER DEFEND the title to said property unto the said Grantee above named, Grantee's heirs, successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

This conveyance is made subject to any and all restrictions, easements, setback lines, covenants, conditions, reservations, terms and provisions of record affecting the property herein conveyed.

EXECUTED ON THIS THE 22nd DAY OF April, 1993.

ALLAN CONSTRUCTION CO., INC.

BY: C. I. V. P.

"Save and Except"
Parcel

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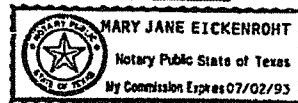
STATE OF TEXAS
COUNTY OF BEXAR

(Acknowledgment)

§
§

This instrument was acknowledged before me on the 22nd day of April, 1993, by Henry S. Cherry, Executive V. Pres. of ALLAN CONSTRUCTION CO., INC., of behalf of said corporation.

My commission expires:



Mary Jane Eickenroht
Notary Public, State of Texas
Notary's printed name: _____

PREPARED IN THE OFFICE OF
WEST & WEST ATTORNEYS, P.C.
8000 VANTAGE, BUILDING A
SAN ANTONIO, TEXAS 78230

ORIGINAL DOW

Return To: George Wachsker
6700 Post Oak Lane #133
San Antonio, Tx 78217

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Exhibit A

BAKER
SURVEYING, INC.

ORIGINAL DEM

Field notes of a 0.358 of an acre tract of land situated in the City of San Antonio, Bexar County, Texas out of Lot 33, New City Block 11711, Shearer Hills Unit 6 Subdivision as recorded in Volume 7000, Page 32 of the Plat Records of Bexar County, Texas and being more particularly described by metes and bounds as follows:
(Note: all iron pins set are 1/2" rebar with a yellow plastic cap stamped "Baker Surveying".)

Beginning at an "x" set in concrete in the west line of a cul-de-sac at the west end of Maplewood Lane for the northernmost northeast corner of this tract and being the northernmost northeast corner of Lot 33.

Thence in a southeasterly direction around said cul-de-sac and the arc of a curve to the left having a radius of 60.00 feet and a central angle of 144° 26' 26" a distance of 151.22 feet to an iron pin set for the easternmost northeast corner of this tract.

Thence S 00° 18' 00" W. 46.54 feet to an iron pin set for the southeast corner of this tract.

Thence N 89° 42' 00" W. 110.00 feet to an iron pin set in the west line of said Lot 33 and the east line of a Lot 11, New City Block 11695 for the southwest corner of this tract.

Thence N 00° 18' 00" E. 138.42 feet with the west line of Lot 33 and the east line of Lot 11 to an iron pin set for the northwest corner of this tract and being the northwest corner of Lot 33 and the southwest corner of a 25 foot Drain Easement.

Thence S 89° 42' 00" E. 42.10 feet with the north line of Lot 33 and the south line of said Drain Easement to the place of beginning and containing 0.358 of an acre of land according to a survey on the ground on March 22, 1993 by Baker Surveying Inc.

Job NO. 93-048

Amil M. Baker, Jr.
AMIL M. BAKER, JR.
REGISTERED PROFESSIONAL LAND SURVEYOR
1469

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Exhibit-B

BAKER
SURVEYING, INC.

ORIGINAL DATA

Field notes of a 0.011 of an acre Ingress and Egress Easement situated in the City of San Antonio, Bexar County, Texas out of Lot 33, New City Block 11711, Shearer Hills Unit 6 Subdivision as recorded in Volume 7000, Page 32 of the Plat Records of Bexar County, Texas and being more particularly described by metes and bounds as follows: (Note: all iron pins set are 1/2" rebar with a yellow plastic cap stamped "Baker Surveying".)

Beginning at a point in the south line of a cul-de-sac at the west end of Maplewood Lane for the easternmost northeast corner of this tract and being the easternmost northeast corner of Lot 33 and the northwest corner of Lot 34.

Thence S 00° 18' 00" W. 50.98 feet with the east line of Lot 33 and the west line of Lot 34 to a point for the southeast corner of this easement.

Thence N 89° 42' 00" W. 10.00 feet to an iron pin set for the southwest corner of this easement and being the southeast corner of a 0.358 of an acre tract, this day surveyed.

Thence N 00° 18' 00" E. 46.88 feet with the east line of the 0.358 of an acre tract to an iron pin set in the south line of said cul-de-sac for the northwest corner of this easement and the northeast corner of the 0.397 of an acre tract.

Thence in an easterly direction with said cul-de-sac and the arc of a curve to the left having a radius of 60.00 feet and a central angle of 10° 27' 48" a distance of 10.95 feet to the place of beginning and containing 0.011 of an acre of land according to a survey on the ground on March 22, 1993 by Baker Surveying Inc.

Job NO. 93-048

Amil M. Baker, Jr.
AMIL M. BAKER, JR.
REGISTERED PROFESSIONAL LAND SURVEYOR
1469

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Any provision herein which restricts the sale, rental, or use of the described REAL PROPERTY because of Race, Color, Religion, Sex, Marital Status, Familial Status, or National Origin is invalid and unenforceable under FEDERAL LAW, STATE OF TEXAS, and the laws of the County of Bexar. I hereby certify that this instrument was FILED in the Public Records on the date and at the time stamped hereon by me, and was duly RECORDED, in the Official Public Records of Real Property of Bexar County, Texas on

APR 27 1993



Robert D. Green
COUNTY CLERK BEXAR COUNTY, TEXAS

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FILED IN MY OFFICE
ROBERT D. GREEN
COUNTY CLERK BEXAR CO.
1993 APR 26 PM 4:07

