

AN ORDINANCE 2018-08-02-0605

**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 1.463 acres out of NCB 8695 from "C-2 AHOD" Commercial Airport Hazard Overlay District and "C-2 MC-3 AHOD" Commercial Austin Highway Metropolitan Corridor Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with Conditional Use for an Auto and Light Truck Repair and "C-2 CD MC-3 AHOD" Commercial Austin Highway Metropolitan Corridor Airport Hazard Overlay District with Conditional Use for Auto and Light Truck Repair.

**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 August 12, 2018.

**PASSED AND APPROVED** this 2<sup>nd</sup> day of August 2018.



M A Y O R  
Ron Nirenberg

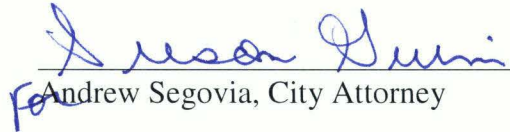
**ATTEST:**



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Leticia M. Vacek, City Clerk

**APPROVED AS TO FORM:**



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Andrew Segovia, City Attorney

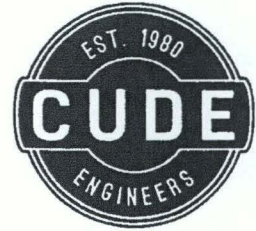
<b>Agenda Item:</b>	Z-43 ( in consent vote: Z-2, P-2, Z-3, Z-4, Z-5, P-3, Z-6, P-4, Z-7, Z-8, Z-12, Z-13, Z-14, P-8, Z-15, Z-16, Z-17, Z-18, Z-19, Z-22, Z-23, Z-24, Z-25, P-10, Z-29, Z-30, Z-31, Z-32, Z-33, P-11, Z-34, Z-35, Z-36, P-13, Z-38, Z-41, Z-42, Z-43, P-14, Z-44 )						
<b>Date:</b>	08/02/2018						
<b>Time:</b>	02:11:51 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	ZONING CASE # Z2018215 CD (Council District 10): Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District and "C-2 MC-3 AHOD" Commercial Austin Highway Metropolitan Corridor Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Auto and Light Truck Repair and "C-2 CD MC-3 AHOD" Commercial Austin Highway Metropolitan Corridor Airport Hazard Overlay District with a Conditional Use for Auto and Light Truck Repair on 1.463 acres out of NCB 8695, located at 1419 Austin Highway. Staff and Zoning Commission recommend Approval.						
<b>Result:</b>	Passed						
<b>Voter</b>	<b>Group</b>	<b>Not Present</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Motion</b>	<b>Second</b>
Ron Nirenberg	Mayor		x				
Roberto C. Treviño	District 1		x				x
William Cruz Shaw	District 2		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  
08/02/2018  
Item No. Z-43

# **EXHIBIT “A”**



Z2018215



**LEGAL DESCRIPTION  
1.463 ACRES OF LAND**

1.463 acres of land located in the Gonifacio Rodriguez Survey No. 131, Abstract No. 621, County Block 5078, N.C.B. 8695, City of San Antonio, Bexar County, Texas and being that same tract of land as conveyed to Jack Judson, Jr., as described in Volume 5216, Page 1316, Deed Records of Bexar County, Texas; said 1.463 acres being more particularly described as follows:

**BEGINNING**, at a found ½ inch iron rod located in the northwesterly right of way line of Austin Highway (Loop 368) and marking the southeasterly corner of Lot 48, Block B, N.C.B. 8695, Austin Highway SA Storage subdivision, according to the map or plat thereof recorded in Volume 9713, Page 179, Deed and Plat Records of Bexar County, Texas; said rod further marking the southwest corner of the herein described 1.463 acre tract;

**THENCE**, North 00deg 29' 17" West, leaving the northwesterly right of way line of Austin Highway and along the easterly line of said Lot 48, a distance of 357.06 feet, to a found ¾ inch iron pipe located in the southerly right of way line of Cloudhaven Drive;

**THENCE**, North 89deg 51' 17" East, along the southerly right of way line of Cloudhaven Drive and the southerly line of Lot 1, N.C.B. 9635, Skyline Addition, according to the map or plat thereof recorded in Volume 2575, Pages 69-70, Deed and Plat Records of Bexar County, Texas, a distance of 212.79 feet, to a found ½ inch iron rod located in the westerly line of Lot 42, Block B, N.C.B. 8695, Public Storage Incorporated No. 2 subdivision, according to the map or plat thereof recorded in Volume 9500, Page 194, Deed and Plat Records of Bexar County, Texas;

**THENCE**, South 00deg 25' 33" East, along the westerly line of said Lot 42, a distance of 242.24 feet, to a set ½ inch iron rod with "CUDE" cap located in the northwesterly right of way line of Austin Highway;

**THENCE**, South 61deg 23' 52" West, along the northwesterly right of way line of Austin Highway, a distance of 240.96 feet, to the **POINT OF BEGINNING** and containing 1.463 acres of land, more or less.

Basis of bearings is the Texas State Plane Coordinate System, South Central Zone (4204), NAD 83 (93).

*James W. Russell 4/17/18*

James W. Russell  
Registered Professional Land Surveyor No. 4230  
Cude Engineers  
4122 Pond Hill Road, Suite 101  
San Antonio, Texas 78231  
TBPLS Firm No. 10048500  
TBPE Firm No. 455



Job No. 03214.000.0  
January 24, 2018  
J.W.R.

Exhibit "A"

SG/lj  
08/02/2018  
Item No. Z-43

# **EXHIBIT “B”**

