

AN ORDINANCE 2018-08-02-0607

**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 32 and Lot 33, Block 1, NCB 14051 and 0.232 acres out of NCB 14051 from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "L S AHOD" Light Industrial Airport Hazard Overlay District with a Specific Use Authorization for a Construction Contractor Facility.

**SECTION 2.** A description of the 0.232 acres out of NCB 14051, 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.

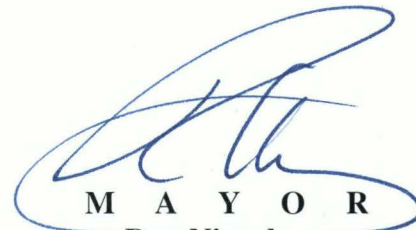
**SECTION 5.** All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and

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.

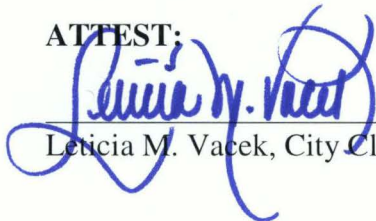
**SECTION 7.** This ordinance shall become effective August 12, 2018.

**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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for Andrew Segovia, City Attorney

<b>Agenda Item:</b>	Z-44 ( 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 # Z2018221 S (Council District 10): Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "L S AHOD" Light Industrial Airport Hazard Overlay District with Specific Use Authorization for a Construction Contractor Facility on Lot 32 and Lot 33, Block 1, NCB 14051 and 0.232 acres out of NCB 14051, located at 6614 Topper Run & 6618 Topper Run. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment 18066)						
<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-44

# **EXHIBIT “A”**



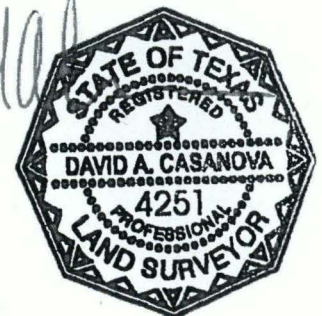
METES AND BOUNDS DESCRIPTION  
FOR ZONING

A 0.232 of an acre, more or less, tract of land being a portion of Lot 35, Block 1, Topperwein Industrial Park Unit 3 Subdivision recorded in Volume 9513, Page 123 of the Deed and Plat Records of Bexar County, Texas, in New City Block 14051 of the City of San Antonio, Bexar County, Texas. Said 0.232 of an acre tract also being the same 0.232 of an acre tract of land described in deed recorded in Volume 18065, Page 989 and also being a portion of that 2.055 acre tract described in Volume 18902, Page 12, both of the Official Public Records of Bexar County, Texas and being more fully described as follows:

- BEGINNING:** At a point for the south corner of Lot 34, Block 1 and on the northeast line of Lot 33, Block 1, both of said Topperwein Industrial Park Unit 3, also being a west corner of said Lot 35, from which the west corner of said Lot 34, the south right-of-way line of Topper Run, a 60-foot right-of-way, bears N 32°02'58" W, a distance of 194.66 feet;
- THENCE:** N 57°57'02" E, along and with the southeast line of said Lot 34, and a north line of said Lot 35, a distance of 100.00 feet to a point for the east corner of said Lot 34;
- THENCE:** S 32°02'58" E, over and across said Lot 35, a distance of 91.89 feet to a point;
- THENCE:** S 47°41'02" W, continuing over and across said Lot 35, a distance of 101.63 feet to a point on the southwest line of said Lot 35, the east corner of said Lot 33 and the north corner of a 20-foot drain, gas, electric telephone and cable TV right-of-way recorded in Volume 9583, Page 101 of the Deed and Plat Records of Bexar County, Texas;
- THENCE:** N 32°02'58" W, along and with the northeast line of said Lot 33, the southwest line of said Lot 35, a distance of 110.00 feet to the POINT OF BEGINNING, and containing 0.232 of an acre in the City of San Antonio, Bexar County, Texas. Said tract being described in accordance with an exhibit prepared under job number 9098-18 by Pape-Dawson Engineers, Inc.

"This document was prepared under 22TAC663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."

PREPARED BY: Pape-Dawson Engineers, Inc.  
 DATE: April 30, 2018  
 JOB NO. 9098-18  
 DOC. ID. N:\Survey\18\18-9000\9098-18\Word\9098-17 FNZN-0.232 AC.docx  
 TBPE Firm Registration #470 | TBPLS Firm Registration #10028800  
 San Antonio | Austin | Houston | Fort Worth | Dallas  
 Transportation | Water Resources | Land Development | Surveying | Environmental  
 2000 NW Loop 410, San Antonio, TX 78213 T: 210.375.9000 www.Pape-Dawson.com

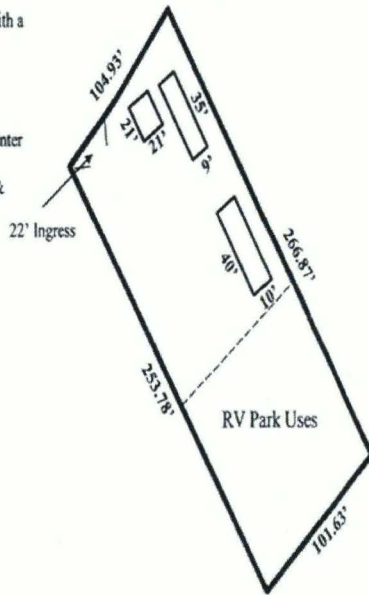


SG/lj  
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# **EXHIBIT “B”**

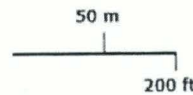
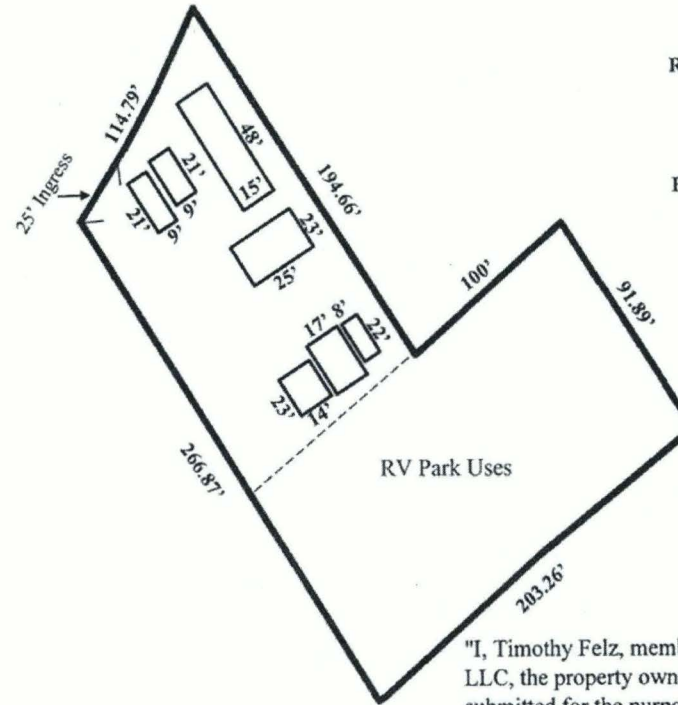
Z2018221

Address: 6614 Topper Run  
Current Zoning: "I-1 AHOD"  
Requested Zoning: "L S AHOD" with a Specific Use Authorization for a Construction Contractor Facility  
Sector Plan: North Sector  
Current Land Use: Suburban Tier  
Proposed Land Use: Specialized Center  
Acreage: 0.593  
Current/Proposed Uses: RV Uses & Construction Contractor Facility



"I, Timothy Felz, member of Toepperwein City View, LLC, 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."

Address: 6618 Topper Run  
Current Zoning: "I-1 AHOD"  
Requested Zoning: "L S AHOD" with a Specific Use Authorization for a Construction Contractor Facility  
Sector Plan: North Sector  
Current Land Use: Suburban Tier  
Proposed Land Use: Specialized Center  
Acreage: 0.883  
Current/Proposed Uses: RV Uses & Contractor Facility



"I, Timothy Felz, member of Toepperwein City View, LLC, 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."

Exhibit "B"