

ORDINANCE 2019-11-07-0946

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 7.879 acres out of NCB 16390 from "C-2 GC-1 MLOD-1 MLR-1" Commercial Hill Country Gateway Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 1 District to "C-2 CD GC-1 MLOD-1 MLR-1" Commercial Hill Country Gateway Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 1 District with Conditional Use for a Theater (Indoor, Permitting Over two (2) screens).

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

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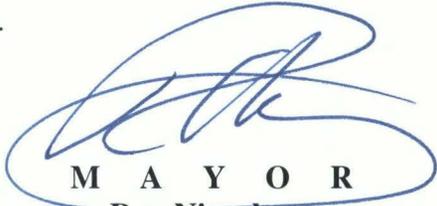
CASE NO. Z-2019-10700231 CD

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.

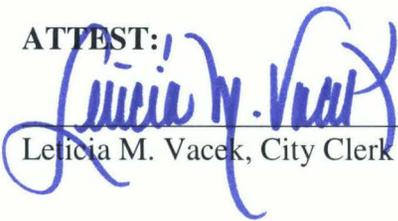
SECTION 7. This ordinance shall become effective November 17, 2019.

PASSED AND APPROVED this 7th day of November, 2019.



M A Y O R
Ron Nirenberg

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



fo _____
Andrew Segovia, City Attorney

Agenda Item:	Z-24 (in consent vote: 31, 32, Z-1, Z-2, Z-5, P-2, Z-7, Z-8, Z-10, Z-11, Z-12, Z-13, P-5, Z-16, Z-20, Z-21, Z-23, Z-24, Z-25, Z-26)
Date:	11/07/2019
Time:	02:20:43 PM
Vote Type:	Motion to Approve
Description:	ZONING CASE Z-2019-10700231 CD (Council District 8): Ordinance amending the Zoning District Boundary from "C-2 GC-1 MLOD-1 MLR-1" Commercial Hill Country Gateway Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 1 District to "C-2 CD GC-1 MLOD-1 MLR-1" Commercial Hill Country Gateway Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 1 District with Conditional Use for a Theater (Indoor, Permitting Over two (2) screens) on 7.879 acres out of NCB 16390, located at 24515 Interstate Highway 10 West. 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				
Jada Andrews-Sullivan	District 2		x				
Rebecca Viagran	District 3	x					
Adriana Rocha Garcia	District 4		x				
Shirley Gonzales	District 5		x				
Melissa Cabello Havrda	District 6		x				
Ana E. Sandoval	District 7	x					
Manny Pelaez	District 8		x				x
John Courage	District 9		x			x	
Clayton H. Perry	District 10		x				

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EXHIBIT “A”

**METES AND BOUNDS DESCRIPTION
FOR ZONING**

A 7.879 acre, or 343,211 square feet more or less, tract of land out of Lot 1, Block 3 of the Boerne Stage Crossing Subdivision recorded in Volume 9559, Pages 197-204 of the Deed and Plat Records of Bexar County, Texas in New City Block 16390 of the City of San Antonio, Bexar County, Texas. Said 7.879 acre tract being more fully described as follows:

COMMENCING: At a found ½" iron rod on the west right-of-way line of Interstate Highway 10, a variable width public right-of-way, at the northeast corner of said Lot 3;

THENCE: N 87°27'00" W, departing the west right-of-way line of said Interstate Highway 10, with the north line of said Lot 3, a distance of 391.76 feet to the POINT OF BEGINNING of the herein described tract;

THENCE: Over and across said Lot 3 the following bearings and distances:

S 19°54'26" E, a distance of 154.47 feet to a point;

S 73°39'45" E, a distance of 58.92 feet to a point;

S 19°54'35" E, a distance of 367.99 feet to a point;

S 70°05'17" W, a distance of 588.36 feet to a point on the west line of said Lot 3, the east line of Stage Run Unit 1 Subdivision recorded in Volume 9553, Page 105 of the Deed and Plat Records of Bexar County, Texas;

THENCE: N 19°54'43" W, with the west line of said Lot 3, the east line of said Stage Run Unit 1 Subdivision, at a distance of 161.31 feet, passing the southeast corner of Stage Run Unit 2 Subdivision recorded in Volume 9564, Page 149 of the Deed and Plat Records of Bexar County, Texas, continuing for a total distance of 578.05 feet to a point;

THENCE: N 70°05'30" E, departing the east line of said Stage Run Unit 2, over and across said Lot 3, a distance of 222.51 feet to a point;

THENCE: N 01°42'29" E, continuing over and across said Lot 3, a distance of 102.49 feet to a point on the north line of said Lot 3;

THENCE: S 87°27'00" E, with the north line of said lot 3, a distance of 303.65 feet to the POINT OF BEGINNING and containing 7.879 acres in the City of San Antonio, Bexar County, Texas. Said tract being described in conjunction with an exhibit prepared under job number 8622-10 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: August 20, 2019

JOB NO. 8622-10

DOC. ID. N:\CIVIL\8622-10\WORD\8622-10 FNZN-7.879 AC.docx

TBPE Firm Registration #470 | TBPLS Firm Registration #10028800

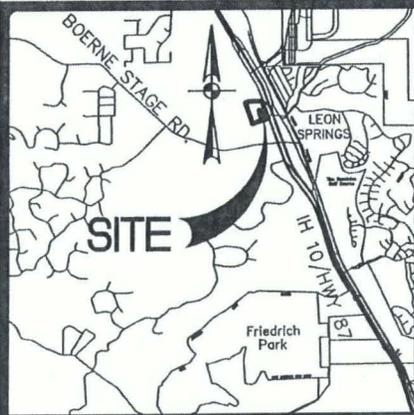
San Antonio | Austin | Houston | Fort Worth | Dallas

Transportation | Water Resources | Land Development | Surveying | Environmental

2000 NW Loop 410, San Antonio, TX 78213 T: 210.375.9000 www.Pape-Dawson.com

Exhibit "A"





LOCATION MAP

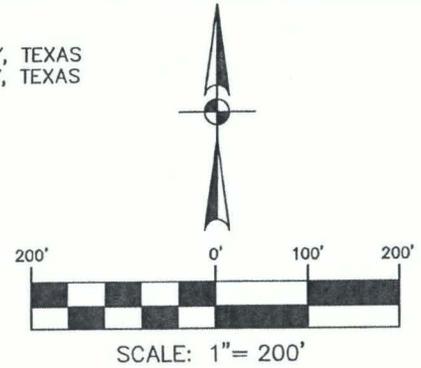
NOT-TO-SCALE

LEGEND:

- DR DEED RECORDS OF BEXAR COUNTY, TEXAS
- OPR OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS
- DPR DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
- PR PLAT RECORDS OF BEXAR COUNTY, TEXAS
- FIR FOUND 1/2" IRON ROD

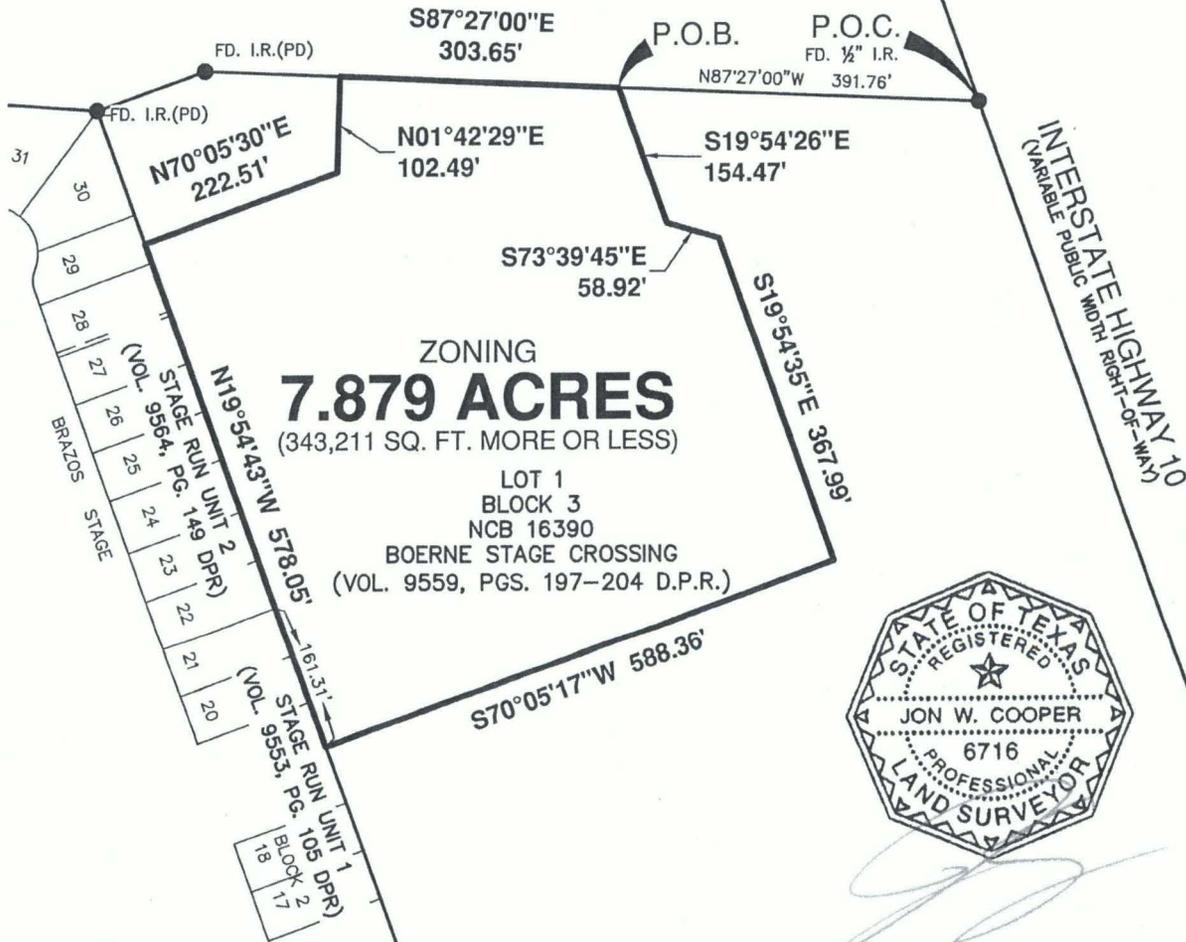
NOTES:

1. THIS EXHIBIT IS ISSUED IN CONJUNCTION WITH A METES AND BOUNDS DESCRIPTION PREPARED UNDER JOB NO. 8622-10 BY PAPE-DAWSON ENGINEERS, INC.
2. 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."



SCALE: 1" = 200'

PORTION OF A 122.6 ACRES
BOERNE STAGE CROSSING, LP
(VOL. 8540, PGS. 940-947, O.P.R.)



ZONING
7.879 ACRES
(343,211 SQ. FT. MORE OR LESS)

LOT 1
BLOCK 3
NCB 16390
BOERNE STAGE CROSSING
(VOL. 9559, PGS. 197-204 D.P.R.)



[Handwritten Signature]

EXHIBIT
FOR ZONING

A 7.879 ACRE, OR 343,211 SQUARE FEET MORE OR LESS, TRACT OF LAND OUT OF LOT 1, BLOCK 3 OF THE BOERNE STAGE CROSSING SUBDIVISION RECORDED IN VOLUME 9559, PAGE 197-204 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS IN NEW CITY BLOCK 16390 OF THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS.

Date: Aug 20, 2019, 9:46am User ID: Midlans File: N:\CIVIL\8622-10\8622-10 ZN-7.879 AC.dwg



SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TBPE FIRM REGISTRATION #470 | TBPLS FIRM REGISTRATION #10028800

AUGUST 20, 2019

SHEET 1 OF 1
JOB No.: 8622-10

REFERENCE:

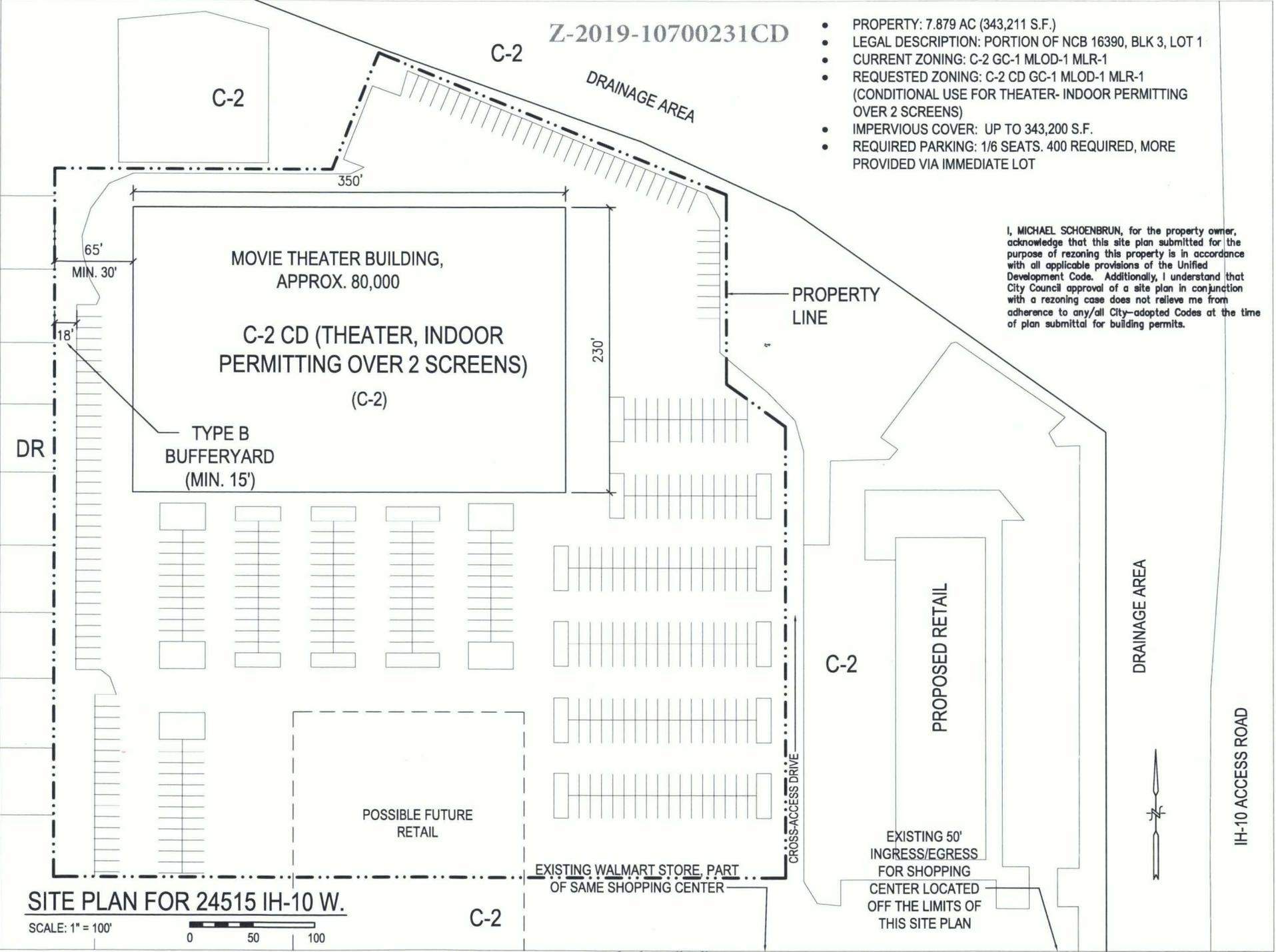
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EXHIBIT “B”

Z-2019-10700231CD

- PROPERTY: 7.879 AC (343,211 S.F.)
- LEGAL DESCRIPTION: PORTION OF NCB 16390, BLK 3, LOT 1
- CURRENT ZONING: C-2 GC-1 MLOD-1 MLR-1
- REQUESTED ZONING: C-2 CD GC-1 MLOD-1 MLR-1 (CONDITIONAL USE FOR THEATER- INDOOR PERMITTING OVER 2 SCREENS)
- IMPERVIOUS COVER: UP TO 343,200 S.F.
- REQUIRED PARKING: 1/6 SEATS. 400 REQUIRED, MORE PROVIDED VIA IMMEDIATE LOT

I, MICHAEL SCHOENBRUN, for 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.



SITE PLAN FOR 24515 IH-10 W.

SCALE: 1" = 100' 0 50 100

Exhibit "B"