

ORDINANCE 2020-06-04-0389

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 on 10.201 acres out of NCB 12694 from "C-3 AHOD" General Commercial Airport Hazard Overlay District and "I-1 AHOD" General Industrial Airport Hazard Overlay District to "I-1 S AHOD" General Industrial Airport Hazard Overlay District with a Specific Use Authorization for Outside Storage (Open With No Screening Required).

SECTION 2. A description of the property recorded in Warranty Deed, Document No. 20080061509, of the Official Public Record of Real Property of Bexar County, 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 June 14, 2020.

PASSED AND APPROVED this 4th day of June, 2020.




M A Y O R
Ron Nirenberg

ATTEST:



Tina Flores, Acting City Clerk

APPROVED AS TO FORM:



For Andrew Segovia, City Attorney



City of San Antonio

City Council

June 04, 2020

Item: Z-15

Enactment Number:

File Number: 20-3334

2020-06-04-0389

ZONING CASE Z-2020-10700043 S (Council District 9): Ordinance amending the Zoning District Boundary from "C-3 AHOD" General Commercial Airport Hazard Overlay District and "I-1 AHOD" General Industrial Airport Hazard Overlay District to "I-1 S AHOD" General Industrial Airport Hazard Overlay District with a Specific Use Authorization for Outside Storage (Open With No Screening Required) on 10.201 acres out of NCB 12694, located at 306 West North Loop Road. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment PA-2020-11600011)

Councilmember John Courage made a motion to approve. Councilmember Rebecca Viagran seconded the motion. The motion passed by the following vote:

Aye: 11 Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Pelaez, Courage and Perry

SG
06/04/2020
Item No. Z-15

EXHIBIT “A”

SCANNED

Z-2020-1070043 S



Notice of confidentiality rights: If you are a natural person, you may remove or strike any of the following information from this instrument before it is filed for record in the public records: your Social Security number or your driver's license number.

SPECIAL WARRANTY DEED

ZACHRY CORPORATION, a Delaware corporation, whose mailing address is P.O. Box 241948, San Antonio, Texas 78224 ("Grantor"), for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the sufficiency of which is hereby acknowledged and confessed, has GRANTED and CONVEYED, and by these presents does GRANT and CONVEY unto **ZACHRY CONSTRUCTION CORPORATION (FORMERLY KNOWN AS ZCC CORPORATION)**, a Delaware corporation, whose mailing address is P.O. Box 241948, San Antonio, Texas 78224 ("Grantee"), all those certain lots, tracts or parcels of land more particularly described on Exhibit A attached hereto and incorporated herein by this reference for all purposes, together with all the improvements, structures and fixtures situated thereon, and all appurtenances, rights and privileges thereunto attached or in anywise belonging (the "Property");

EXCEPT THAT, this conveyance is expressly made subject to (a) ad valorem taxes, assessments and other governmental levies, fees or charges imposed with respect to the Property for the year 2008 and all subsequent years; (b) zoning, building code and other land use laws regulating the use or occupancy of the Property or the activities conducted thereon imposed by any governmental authority having jurisdiction over the Property; (c) the easements of which Grantee has actual or constructive knowledge and (d) those restrictions and encumbrances that are of record as of the Effective Date stated below (collectively, the "Permitted Encumbrances");

TO HAVE AND TO HOLD the Property unto GRANTEE, its successors and assigns forever, and GRANTOR does hereby bind itself, its successors and assigns to forever warrant and defend said premises unto GRANTEE, its successors and assigns, against the lawful claims of any person now claiming or to claim the same or any part thereof by through or under Grantor, but not otherwise, subject only to the Permitted Encumbrances.

In addition, Grantor hereby conveys to Grantee, for the same consideration set forth above and subject to the Permitted Encumbrances, all of Grantor's right, title and interest, if any, in and to any development rights, air rights, water, water rights, wastewater or other utility rights, water stock relating to the land, strips and gores, streets, alleys, easements, rights-of-way, public ways, or other rights of Grantor appurtenant, abutting or adjoining the Property.

EXCEPT AS TO THE SPECIAL WARRANTY OF TITLE SET FORTH ABOVE, IT IS EXPRESSLY UNDERSTOOD AND AGREED THAT (A) THE GRANT AND CONVEYANCE OF THE PROPERTY IS "AS-IS", "WHERE-IS" AND "WITH ALL FAULTS" OF ANY KIND INCLUDING BUT NOT LIMITED TO ANY MATTER, FACT OR CONDITION PERTAINING TO OR AFFECTED BY ANY APPLICABLE LAW, RULE OR REGULATION PERTAINING TO WATER, AIR, WASTE OR ENVIRONMENTAL PROTECTION (WHETHER ABOVE, WITHIN, UNDER OR ADJACENT TO THE



PROPERTY), AND (B) GRANTOR HAS NOT MADE AND DOES NOT MAKE ANY REPRESENTATIONS OR WARRANTIES, EXPRESS OR IMPLIED, AND EXPRESSLY DISCLAIMS WARRANTIES, EXPRESS OR IMPLIED, AS TO THE FITNESS, ENVIRONMENTAL COMPLIANCE, HANDICAPPED ACCESSIBILITY LAW COMPLIANCE, ELECTROMAGNETIC FIELD EXPOSURE LEVELS, AREA, CONDITION, QUALITY, QUANTITY, CHARACTER, SIZE, VALUE OF THE PROPERTY OR IMPROVEMENTS THEREON, EXPENSES, DESCRIPTION, MERCHANTABILITY OR HABITABILITY OF THE PROPERTY, FITNESS OF THE PROPERTY FOR A PARTICULAR PURPOSE OR OTHERWISE.

Grantee, by its acceptance hereof, hereby assumes payment of all ad valorem taxes, assessments and other governmental levies, fees or charges imposed with respect to the 2008 calendar year and subsequent calendar years, each to the extent attributable to all or any portion of the Property.

Grantee's address is set forth in the first paragraph of this Special Warranty Deed.

The effective date of this conveyance is January 1, 2008 (referred to herein as "Effective Date").

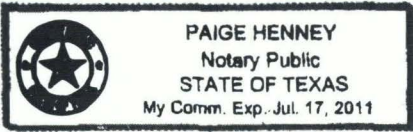
GRANTOR:

ZACHRY CORPORATION

By: 
Name: Joseph A. Watt
Title: Sr. Vice President

STATE OF TEXAS §
 §
COUNTY OF BEXAR §

This instrument was acknowledged before me on the 26th day of March, 2008, by Timothy A. Watt, who is Sr. Vice President of Zachry Corporation.



Paige Henney
Notary Public in and for the State of Texas

[Stamp or Seal]

EXHIBIT A

PROPERTY DESCRIPTION

Number 1:

Being a 10.201 acre tract out of Lots 1 and 2, Block 1, N.C.B. 12694, in a Subdivision of "A 111.740 acre tract", recorded in Volume 5580, Page 265, Deed and Plat Records, Bexar County, Texas and being more particularly described as follows:

Beginning at an iron pin set on the South R.O.W. line of North Loop Road which bears N 65° 33' 33" E 109.63' and S 87° 02' 57" E 200.00 with said South R.O.W. line of North Loop Road from its intersection with the East R.O.W. line of West Avenue;

Thence S 87° 02' 57" E with the South R.O.W. line of North Loop Road at 300.00' pass the most northerly corner of the aforementioned Lot 1 and continue for a total distance of 1216.97' with said South R.O.W. line of North Loop Road to an iron pin set for a corner of the aforementioned Lot 2 and also the Northeast corner of this tract;

Thence S 05° 50' 27" E 300.00' with an East line of the aforementioned Lot 2 and also the East line of this tract to an iron pin set for the Southeast corner of this tract;

Thence S 80° 48' 19" W 462.64' to an iron pin set for an angle;

Thence S 88° 23' 06" W 183.89' to an iron pin set for an angle;

Thence N 79° 33' 12" W 256.42' to an iron pin set for an angle;

Thence N 72° 34' 13" W 385.24' to an iron pin set for the Southwest corner of the tract herein described;

Thence N 02° 57' 03" E 278.69' to the point of beginning and containing 10.201 acres of land, more or less.

Any provision herein which restricts the sale, or use of the described real property because of race is invalid and unenforceable under Federal law STATE OF TEXAS, COUNTY OF BEXAR
I hereby certify that this instrument was FILED in File Number Sequence on this date and at the time stamped hereon by me and was duly RECORDED in the Official Public Record of Real Property of Bexar County, Texas on:

Doc# 20080061509 Fees: \$28.00
03/26/2008 12:11PM # Pages 4
Filed & Recorded in the Official Public
Records of BEXAR COUNTY
GERARD RICKHOFF COUNTY CLERK

MAR 26 2008

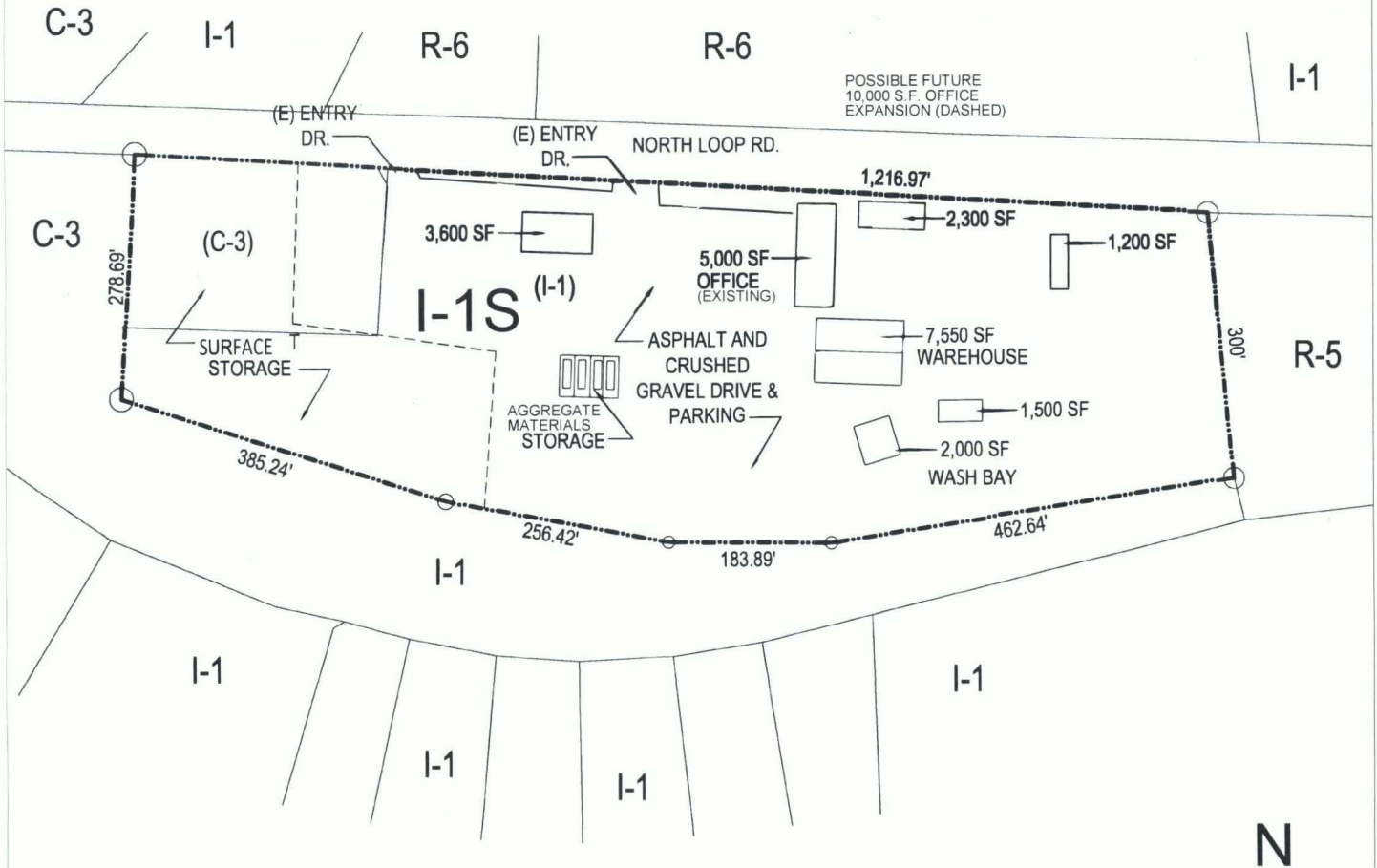


Gerard Rickhoff
COUNTY CLERK BEXAR COUNTY, TEXAS

SG
06/04/2020
Item No. Z-15

EXHIBIT “B”

Z2020-10700043 S



- PROPERTY: 10.201 ACRES (444,747 S.F.)
- LEGAL DESCRIPTION: NCB 12694 BLK. 1, PORTIONS OF LOTS 1 & 2
- CURRENT ZONING: I-1 AHOD, C-3 AHOD
- **REQUESTED ZONING: I-1 S (SPECIFIC USE FOR STORAGE- OUTSIDE, OPEN WITH NO SCREENING REQUIRED)**
- IMPERVIOUS COVER: UP TO 100%
- SETBACKS/BUFFERYARDS AS REQUIRED IN THE UDC

I, TARA SNOWDEN, 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.

ZONING SITE PLAN: 306 WEST NORTH LOOP ROAD

SCALE: 1" = 200'



Exhibit "A"