

AN ORDINANCE 2018-06-07-0424

**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 0.1111 of an acre out of NCB 8289 from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with Conditional Use for Auto Upholstery.

**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.

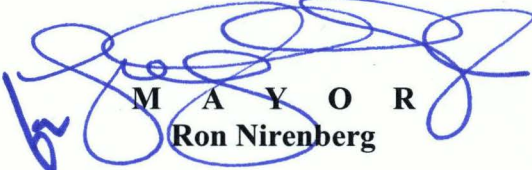
**SECTION 4.** The City council approves this Conditional Use so long as the attached site plan is adhered to. A site plan is attached as **Exhibit "B"** and made a part hereof and incorporated herein for all purposes.

**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.

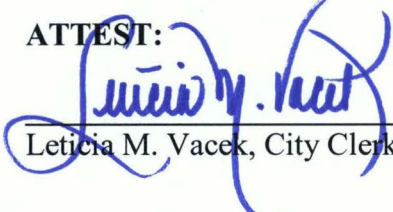
**SECTION 6.** The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

**SECTION 7.** This ordinance shall become effective June 17, 2018.

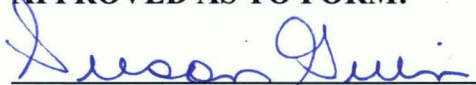
**PASSED AND APPROVED** this 7<sup>th</sup> day of June 2018.

  
M A Y O R  
Ron Nirenberg

**ATTEST:**

  
\_\_\_\_\_  
Leticia M. Vacek, City Clerk

**APPROVED AS TO FORM:**

  
for \_\_\_\_\_  
Andrew Segovia, City Attorney

<b>Agenda Item:</b>	<b>Z-5 ( in consent vote: 21, Z-2, P-1, Z-3, Z-5, Z-6, Z-7, Z-8, Z-9 )</b>						
<b>Date:</b>	06/07/2018						
<b>Time:</b>	02:15:45 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	ZONING CASE # Z2018159 CD (Council District 5): 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 Auto Upholstery on 0.1111 of an acre out of NCB 8289, located at 747 North General McMullen Drive. 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  
06/07/2018  
Item No. Z-5

# **EXHIBIT “A”**



Z2018159 CD

**METES AND BOUNDS DESCRIPTION  
FOR A  
0.119 ACRE TRACT OF LAND**

May 31, 2018

Being a westerly portion of Lots 17 & 18, Block 1, N.C.B. 8289,, Villa Aldama Addition, a subdivision of record in volume 1625, at page 240, Deed and Plat Records of Bexar County, Texas, commonly known as 747 N. General McMullen. Said 0.119 of an acre being more particularly described by metes and bounds as follows:

**COMMENCING:** at a found 1/2" iron rod on the East Right of Way Line of N. San Augustine, said point being the southwest corner of Lot 41, Blk 1, N.C.B. 8289, the Exxon Subdivision, of record in volume 9514, at page 63 of the Deed and Plat Records of Bexar County Texas;

**THENCE:** South 06°08'00" West, along said east right-of-way line a distance of 150.00 feet to a 1/2-inch iron rod set for the northwest corner of said Lot 17, for the northwest corner and **POINT OF BEGINNING** of this tract;

**THENCE:** South 82°28'59" East, departing said right-of-way line a distance of 104.77 feet to a found "X" in Concrete on the west right-of-way line of N. General McMullen for the northeast corner of this tract;

**THENCE:** South 09°42'54" West, along said west right-of-way line a distance of 50.04 feet to a 1/2-inch iron rod set in asphalt for the southeast corner of this tract;

**THENCE:** North 82°27'14" West, departing said right-of-way line a distance of 102.81 feet to a found fence post on said east right-of-way line of N. San Augustine for the southwest corner of this tract;

**THENCE:** North 06°08'00" East, along said east right-of-way line a distance of 49.95 feet to the **POINT OF BEGINNING** and containing a 0.119 acre tract of land, more or less, according to a survey made on the ground;

SouthCentral Surveyors of Texas

Peter A. Aguirre, R.P.L.S.  
Registration No. 5464  
Job # 18-5078-013

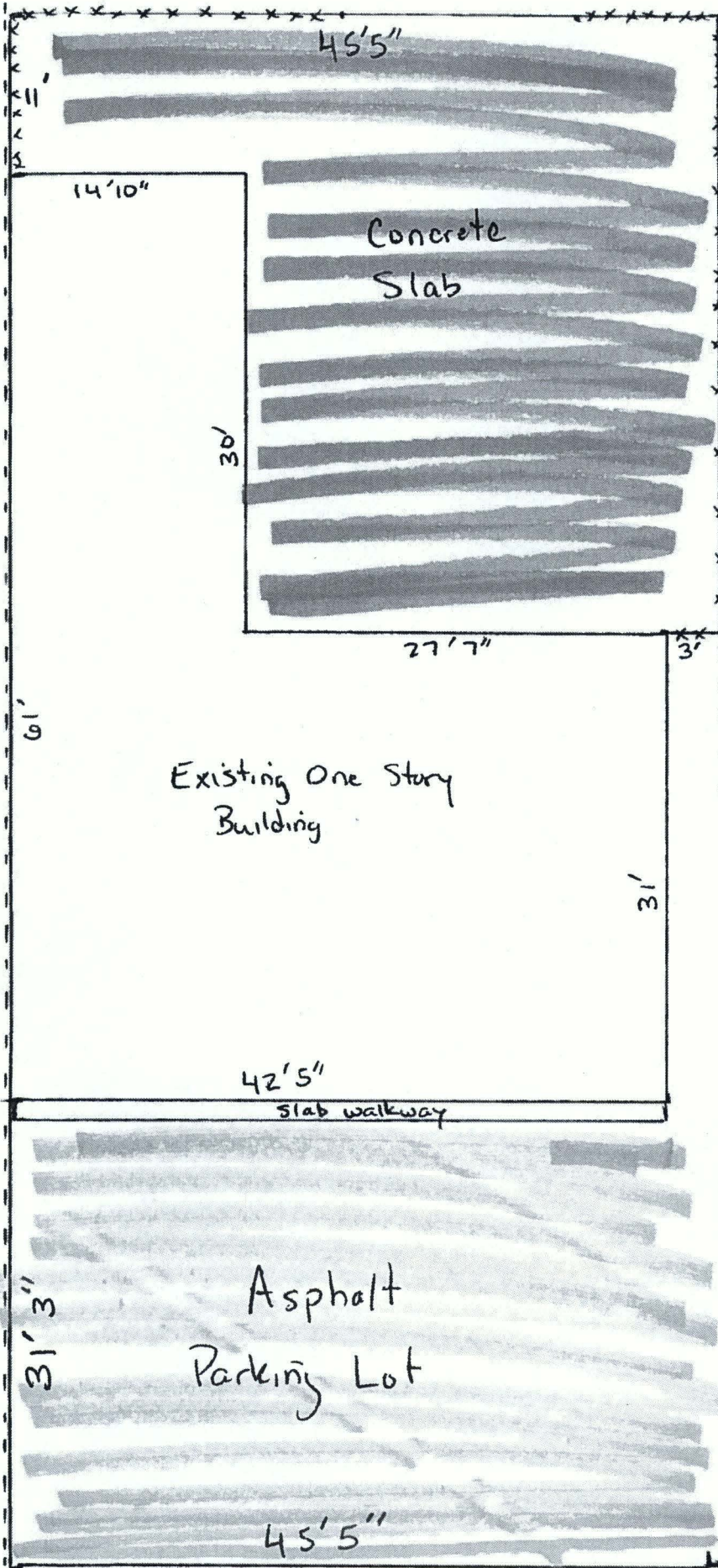
A drawing of even job number and date was also prepared.



Exhibit "A"

SG/lj  
06/07/2018  
Item No. Z-5

# **EXHIBIT “B”**



fence

Concrete Slab

Existing One Story Building

Asphalt Parking Lot

Ingress/Egress

Property Line - - -

The following statement; I, Thomas Casias, 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

GENERAL McMULLEN

Exhibit "B"