

ORDINANCE

2021-04-15-0257

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 12.088 acres out of NCB 10578, from "R-5 EP-1 MLOD-3 MLR-1" Residential Single-Family Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District and "C-2 EP-1 MLOD-3 MLR-1" Commercial Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District to "IDZ-2 EP-1 MLOD-3 MLR-1" Medium Intensity Infill Development Zone Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District with uses permitted in "MF-50" Multi-Family District

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 approves this Infill Development Zone 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 4. 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.

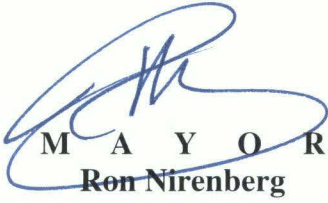
SECTION 5. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SG/lj
04/15/2021
Z-9

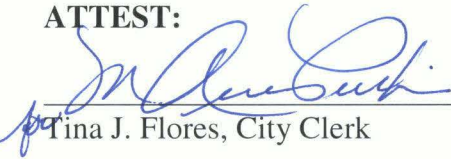
CASE NO. Z-2021-10700021

SECTION 6. This ordinance shall become effective April 25, 2021.


PASSED AND APPROVED this 15th day of April, 2021.


M A Y O R
Ron Nirenberg

ATTEST:


Tina J. Flores, City Clerk

APPROVED AS TO FORM:


for Andrew Segovia, City Attorney



City of San Antonio

City Council

April 15, 2021

Item: Z-9

File Number: 21-2869

Enactment Number:

2021-04-15-0257

ZONING CASE Z-2021-10700021 (Council District 2): Ordinance amending the Zoning District Boundary from "R-5 EP-1 MLOD-3 MLR-1" Residential Single-Family Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District and "C-2 EP-1 MLOD-3 MLR-1" Commercial Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District to "IDZ-2 EP-1 MLOD-3 MLR-1" Medium Intensity Infill Development Zone Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District with uses permitted in "MF-50" Multi-Family District on 12.088 acres out of NCB 10578, located at 3623 East Commerce Street. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment PA 2021-11600004)

Councilmember Shirley Gonzales made a motion to approve. Councilmember John Courage 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
04/15/2021
Item No. Z-9

Exhibit “A”

Z-2021-10700021

PA-2021-11600004



**METES AND BOUNDS DESCRIPTION
FOR A
12.088 ACRE TRACT OF LAND
“ZONING”**

BEING a 12.088 acre tract of land situated in the City of San Antonio, Bexar County, Texas, being out of N.C.B 10578 and being that same tract of land described as 12.129 acres in Volume 13725 Page 2273 of the official Public Records of Bexar County, Texas, and said 12.088 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a point on the northwest line of East Commerce St., said point being the Southeasterly corner of Lot 8, N.C.B. 10578, Second Baptist Arms Subdivision, and the Southerly corner of this herein described tract of land;

THENCE departing East Commerce Street and with the Northeasterly line of said Lot 8, N 42° 29' 00" W, a distance of 971.19 feet to a point for the Northerly corner of said Lot 8, an interior corner of this herein described tract of land;

THENCE S 36° 16' 49" W, along the northwest line of Lot, a distance of 459.25' to a point for the Westerly corner of said Lot 8, and a corner of this herein described tract of land;

THENCE N 42° 29' 00" W, a distance of 191.57' to a point on the Southeast side of the Salado Creek for the most westerly corner of this tract;

THENCE with the Southeast line of said Salado Creek, the following calls:

N 50° 07' 00" E, a distance of 76.76' feet to a point;

N 36° 37' 00" E, a distance of 90.67' to a point;

N 12° 36' 00" E, a distance of 180.80' to a point;

N 07° 27' 00" E, a distance of 128.10 feet to a point for a Westerly corner of a 22.636 acre tract of land as described in Volume 15854 Page 2256 of the Official Public Records of Bexar County, Texas, and being the most Northerly corner of this herein described tract of land;

THENCE S 72° 53' 53" E, a distance of 290.12 feet to a point for a corner;

THENCE departing said Northerly corner, and with the Southwesterly line of said 22.636 acre tract of land, S 73° 26' 00" E, a distance of 1036.08 feet to a point for an Easterly corner of this herein described tract of land;

S 01° 15' 00" E, a distance of 205.22 feet to a point for the Northeasterly corner of Lot 10, NCB 10578 Subdivision as recorded in Volume 5870, page 73 of the Deed and Plat Records of Bexar County, Texas;

Exhibit "A"

THENCE with the Northerly and Westerly lines of said 10578 Subdivision, the following calls:


S 64° 06' 00" W, a distance of 199.72 feet to a corner;

S 00° 03' 00" W, a distance of 139.02 feet to a point in the Northwesterly line of East Commerce Street, and being the Southwesterly corner of said NCB 10578 Subdivision, and a Southeasterly corner of this herein described tract of land;

THENCE with the Northwesterly line of East Commerce Street, S 64° 06' 00" W, a distance of 230.23 feet to the POINT OF BEGINNING, and containing 12.088 acres of land.

"This document was prepared under 22 TAC §663.21, 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."

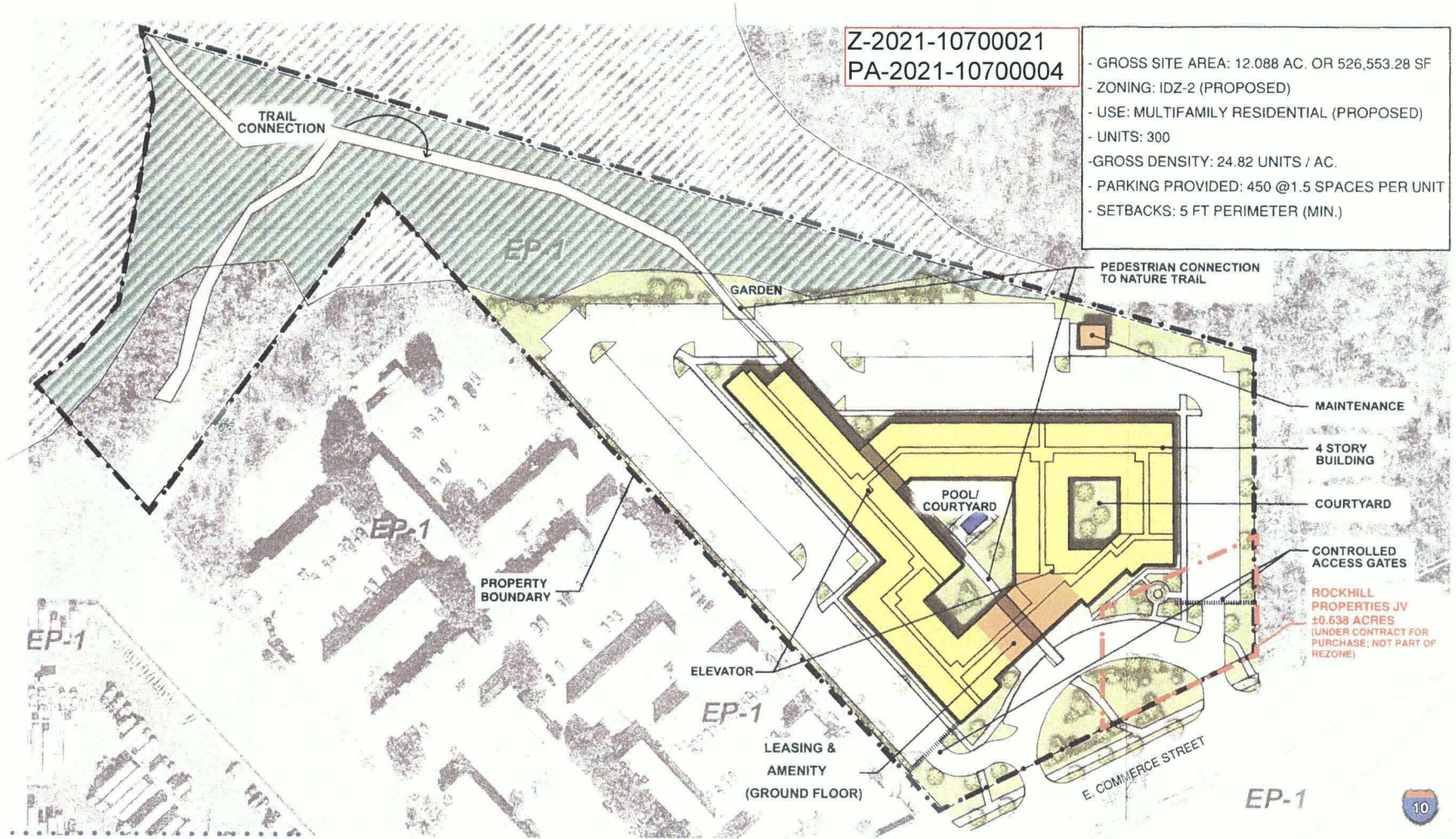
Bearings based on deeds and plats as referenced herein.


Drew A. Mawyer
Registered Professional Land Surveyor No. 5348
TBPLS Firm Registration #10191500
5151 W. SH 46, NEW BRAUNFELS, TX 78132
STF003-3623 E Commerce 121220



SG
04/15/2021
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Exhibit “B”



Alamo
ARCHITECTS

**3623 E COMMERCE ST MULTIFAMILY -
OPTION 4**

JANUARY 20, 2021

Exhibit "B"

Site Plan

Scale: 1" = 300'



Current Zoning: "R-5 EP-1 MLOD-3 MLR-1" Residential Single-Family Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 3 District and "C-2 EP-1 MLOD-3 MLR-1" Commercial Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 3 District
Requested Zoning: "IDZ-2 EP-1 MLOD-3 MLR-1" Medium Intensity Infill Development Zone Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 3 District with uses permitted in "MF-50" Multi-Family District

"I, Gurinda Akhtar, 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."