

AN ORDINANCE 2017-12-07-0957

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 3.113 acres out of NCB 18229 from "C-2 AHOD" Commercial Airport Hazard Overlay District and "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Truck Maintenance and Repair.

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 December 17, 2017.

PASSED AND APPROVED this 7th day of December 2017.


M A Y O R
Ron Nirenberg

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



for Andrew Segovia, City Attorney

Agenda Item:	Z-13 (in consent vote: 19, Z-1, Z-2, Z-6, P-4, Z-7, Z-8, Z-10, Z-11, P-5, Z-12, P-6, Z-13, P-7, Z-15, Z-16, Z-17, P-8, Z-18, Z-19, P-9, Z-20, Z-24, Z-25, Z-26, Z-27, Z-28, P-10, Z-29, Z-31, P-11, Z-32, Z-33, Z-35, P-13, Z-39)						
Date:	12/07/2017						
Time:	04:12:59 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2017283 CD (Council District 2): An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District and "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with Conditional Use for Truck Maintenance and Repair on 3.113 acres out of NCB 18229, located at 12518 IH-10 East. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment 17087)						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ron Nirenberg	Mayor	x					
Roberto C. Treviño	District 1		x				
William Cruz Shaw	District 2		x				
Rebecca Viagran	District 3		x			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				
Clayton H. Perry	District 10		x				x

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Exhibit "A"

FIELD NOTES
FOR LOT 38, BLOCK 2, NCB 18229
3.113 ACRES (135602.28 SQUARE FEET)

BEING 3.113 acres (135602.28 square feet) of land, Lot 38, Block 2, NCB 18229, out of the ADL Commercial Subdivision, Plat Number 160592, an unrecorded plat, in Bexar County, Texas, described as 10.469 acres of land in which 8.471 acres, plus or minus, out of the Joseph Peasley Survey No. 318, Abstract 584, and 1.998 acres of land, plus or minus, also being out of the Walter W. Palmer Survey No. 319, Abstract 586, and being also out of 9.087 acres of land in deed unto Fernando Vazquez-Padilla and Cecilia S. Vazquez, in Volume 12428, Page 198 (O.P.R.B.C.T.) Official Public Records of Bexar County, Texas, and all that 2.00 acres of land in deed unto Fernando Vazquez-Padilla and Cecilia S. Vazquez in Volume 16673, Page 1519 (O.P.R.B.C.T.) Official Public Records of Bexar County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING from an iron rod found on the southeast right-of-way (ROW) line of Interstate Highway 10 (320' ROW) being 0.78 mile, 4118.4 feet plus or minus, southwest of the intersection of Farm to Market Road 1518 and Interstate Highway 10, being the northern most corner of the aforementioned plat and being the north corner of Lot 37, CB 5085 of the aforementioned plat also being the northwest corner of Tex-Mix Subdivision, Lot 35, Block 2, NCB 18229, Volume 9678, Page 6, (O.P.R.B.C.T.) Official Public Records of Bexar County, Texas;

THENCE, departing the common corner of the aforementioned plat and Tex-Mix Subdivision along the southeast right-of-way of Interstate Highway 10 and the common line of Lot 37, CB 5085, along the arc of a curve to the right, said curve having a radius of 2899.90 feet, a central angle of 0°21'01", a chord bearing and distance of South 76°06'35" West 17.50 feet, for an arc distance of 17.73 feet to a TxDOT monument;

LOT 38, BLOCK 2, NCB 18229
ADL COMMERCIAL SUBDIVISION

THENCE, South $76^{\circ}17'50''$ West, along the common line of Interstate Highway 10 and Lot 37 CB 5085 of the aforementioned plat 57.29 feet to a iron rod found being the northwest corner of Lot 37 CB 5085 and the most north corner of the herein described tract for the **POINT OF BEGINNING**;

THENCE, South $15^{\circ}11'34''$ East, along the common line of Lot 38, Block 2, NCB 18229 and Lot 37 CB 5085 of the aforementioned plat 401.77 feet to a iron rod found for the east corner of the herein described tract;

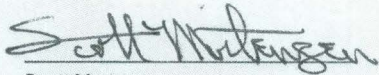
THENCE, South $29^{\circ}33'28''$ West, along the common line of said Lot 38, Block 2, NCB 18229 and Lot 37, CB 5085, of the aforementioned plat 87.84 feet to a iron rod found being the south corner of the herein described tract, also being the east corner of Lot 39, Block 2, NCB 18229 of the aforementioned plat;

THENCE, North $60^{\circ}25'10''$ West, departing said Lot 37, CB 5085, along the common line of said Lot 38, Block 2, NCB 18229, and Lot 39, Block 2, NCB 18229, of the aforementioned plat 642.47 feet to a iron rod found on the southeast right-of-way of Interstate Highway 10 (320' ROW) for the west corner of the herein described tract;

THENCE, departing said Lot 39, Block 2, NCB 18229, along the southeast right-of-way of Interstate Highway 10 and with the common line of Lot 38, Block 2, NCB 18229, of the aforementioned plat, an arc to the right, said curve having a radius of 2829.96 feet, a central angle of $7^{\circ}59'49''$, a chord bearing and distance of North $72^{\circ}21'38''$ East 394.65 feet, for an arc distance of 394.98 feet to a TxDOT monument;

THENCE, North $76^{\circ}17'50''$ East, along the southeast line of said Interstate Highway 10 right-of-way with the common line of Lot 38, Block 2, NCB 18229, of the aforementioned plat, 138.23 feet to the **POINT OF BEGINNING** and containing 3.113 acres (135602.28 square feet) of land.

All bearings are based on the Texas State Plane Coordinate System, North American Datum of 1983 (1993 Adj.), South Central Zone. Distances are in surface U.S. Survey feet and may be converted to grid by dividing by the Combined Scale Factor of 1.00017 (C.S.F.)



Scott Mortensen
Registered Professional Engineer 104102

9/17/17

Date

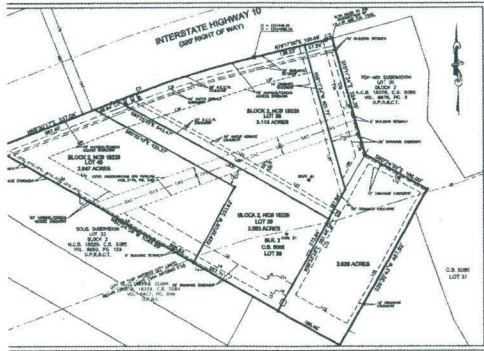
Mortensen Architectural Engineering
195 W. Arrowhead Drive
San Antonio, Texas 78228
Phone 210-801-4330



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Exhibit “B”

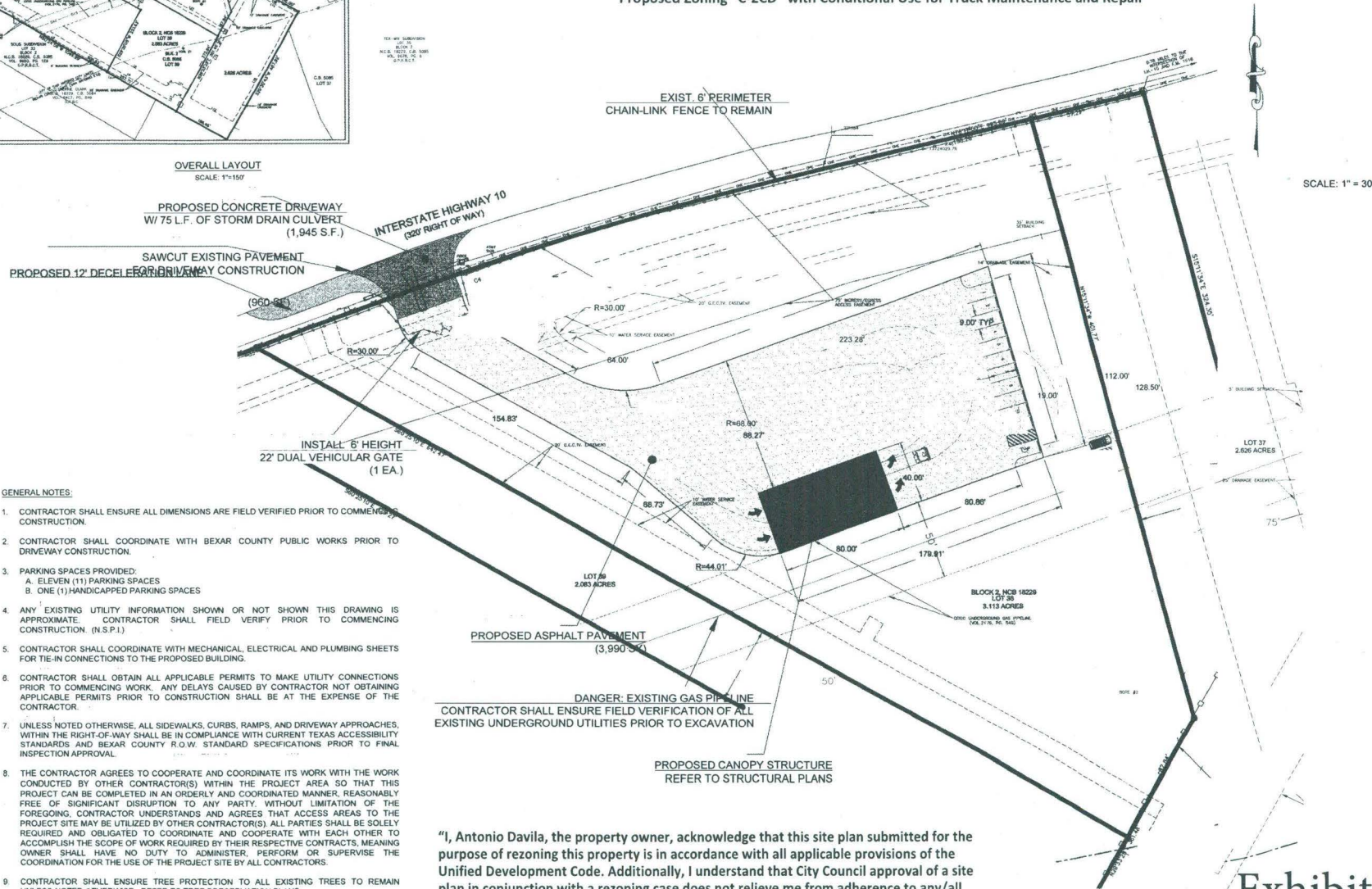
Z2017283 CD



OVERALL LAYOUT
SCALE: 1"=150'

- LEGEND**
- FOUND IRON ROD
 - FOUND TWOOD MONUMENT
 - SET IRON ROD
 - SOIL ANALYSIS BORE
 - EXISTING GAS LINE
 - CHAIN LINK FENCE

Currently Zoned "R-" and "C-2"
Proposed Zoning "C-2CD" with Conditional Use for Truck Maintenance and Repair



SCALE: 1" = 30'

- GENERAL NOTES:**
1. CONTRACTOR SHALL ENSURE ALL DIMENSIONS ARE FIELD VERIFIED PRIOR TO COMMENCING CONSTRUCTION.
 2. CONTRACTOR SHALL COORDINATE WITH BEXAR COUNTY PUBLIC WORKS PRIOR TO DRIVEWAY CONSTRUCTION.
 3. PARKING SPACES PROVIDED:
A. ELEVEN (11) PARKING SPACES
B. ONE (1) HANDICAPPED PARKING SPACES
 4. ANY EXISTING UTILITY INFORMATION SHOWN OR NOT SHOWN THIS DRAWING IS APPROXIMATE. CONTRACTOR SHALL FIELD VERIFY PRIOR TO COMMENCING CONSTRUCTION (N.S.P.I.)
 5. CONTRACTOR SHALL COORDINATE WITH MECHANICAL, ELECTRICAL AND PLUMBING SHEETS FOR TIE-IN CONNECTIONS TO THE PROPOSED BUILDING.
 6. CONTRACTOR SHALL OBTAIN ALL APPLICABLE PERMITS TO MAKE UTILITY CONNECTIONS PRIOR TO COMMENCING WORK. ANY DELAYS CAUSED BY CONTRACTOR NOT OBTAINING APPLICABLE PERMITS PRIOR TO CONSTRUCTION SHALL BE AT THE EXPENSE OF THE CONTRACTOR.
 7. UNLESS NOTED OTHERWISE, ALL SIDEWALKS, CURBS, RAMPS, AND DRIVEWAY APPROACHES, WITHIN THE RIGHT-OF-WAY SHALL BE IN COMPLIANCE WITH CURRENT TEXAS ACCESSIBILITY STANDARDS AND BEXAR COUNTY R.O.W. STANDARD SPECIFICATIONS PRIOR TO FINAL INSPECTION APPROVAL.
 8. THE CONTRACTOR AGREES TO COOPERATE AND COORDINATE ITS WORK WITH THE WORK CONDUCTED BY OTHER CONTRACTOR(S) WITHIN THE PROJECT AREA SO THAT THIS PROJECT CAN BE COMPLETED IN AN ORDERLY AND COORDINATED MANNER, REASONABLY FREE OF SIGNIFICANT DISRUPTION TO ANY PARTY, WITHOUT LIMITATION OF THE FOREGOING, CONTRACTOR UNDERSTANDS AND AGREES THAT ACCESS AREAS TO THE PROJECT SITE MAY BE UTILIZED BY OTHER CONTRACTOR(S). ALL PARTIES SHALL BE SOLELY REQUIRED AND OBLIGATED TO COORDINATE AND COOPERATE WITH EACH OTHER TO ACCOMPLISH THE SCOPE OF WORK REQUIRED BY THEIR RESPECTIVE CONTRACTS. MEANING OWNER SHALL HAVE NO DUTY TO ADMINISTER, PERFORM OR SUPERVISE THE COORDINATION FOR THE USE OF THE PROJECT SITE BY ALL CONTRACTORS.
 9. CONTRACTOR SHALL ENSURE TREE PROTECTION TO ALL EXISTING TREES TO REMAIN UNLESS NOTED OTHERWISE. REFER TO TREE PRESERVATION PLANS.

DANGER: EXISTING GAS PIPELINE
CONTRACTOR SHALL ENSURE FIELD VERIFICATION OF ALL EXISTING UNDERGROUND UTILITIES PRIOR TO EXCAVATION

PROPOSED CANOPY STRUCTURE
REFER TO STRUCTURAL PLANS

"I, Antonio Davila, 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."



ISRO ENGINEERING SERVICES, P.L.L.C.
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LIVE OAK, TEXAS 78233
TBPB REGISTRATION NO.: F-14466
PHONE (214) 793-8136
MOBILE (660) 236-5615
ISRO.GROUP@GMAIL.COM



DATE: AUGUST 15, 2017

PROJECT

Davila
Commercial
Building
12508 E. I.H. 10
San Antonio, TX
78109

OWNER

Leonardo Davila
3 ADL Enterprises INC
109 E. Dulling Ct.
San Antonio, TX
78223

PROJECT NUMBER
ISRO JOB NO. 038

CONSTRUCTION DOCS

REVISIONS

NO. DATE DESCRIPTION BY ISSUE

CONSULTANT

SHEET TITLE
SITE PLAN

DATE

August 15, 2017

SHEET NUMBER

MAX LENGTH ON
STANDARD SHEET

August 15, 2017

SHEET NUMBER

Exhibit "B"

C3