

AN ORDINANCE 2014 - 08 - 21 - 0626

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 2 acres out of Parcel 18, NCB 17990 from "C-2 AHOD" Commercial Airport Hazard Overlay District and "NP-10 AHOD" Neighborhood Preservation Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Auto and Truck Parts/Accessory Installation – No Mechanical Service Permitted.

SECTION 2. A description of the property is attached as **Attachment "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 **Attachment "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.

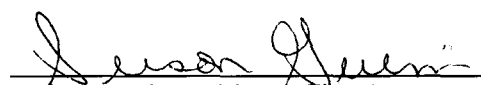
SECTION 7. This ordinance shall become effective August 31, 2014.

PASSED AND APPROVED this 21st day of August, 2014.


M A Y O R
Ivy R. Taylor

ATTBST:


Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:


Robert F. Greenblum, City Attorney
For

Agenda Item:	Z-5 (in consent vote: Z-1, P-1, Z-2, P-3, Z-4, Z-5, Z-6, Z-8, P-4, Z-9, Z-10, P-5, Z-11, Z-12, P-6, Z-13, Z-14)
Date:	08/21/2014
Time:	02:13:25 PM
Vote Type:	Motion to Approve
Description:	ZONING CASE # Z2014192 CD (District 2): An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District and "NP-10 AHOD" Neighborhood Preservation Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Auto and Truck Parts/Accessory Installation - No Mechanical Service Permitted on 2 acres out of Parcel 18, NCB 17990 located at 8265 IH-10 East. Staff and Zoning Commission recommend approval.
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy Taylor	Mayor		x				
Diego Bernal	District 1		x				
Keith Toney	District 2		x			x	
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				
Mari Aguirre-Rodriguez	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				x

TX LANDMARK SURVEYING

26254 IH 10 West, Suite 105 ♦ Boerne, TX 78006 ♦ 830.428.0290

FIELD NOTES FOR 2.000 ACRES OF LAND

BEING 2.000 acres of land out of the GUADALUPE TORRES SURVEY No. 38, ABSTRACT No. 789, NCB 17990, County Block 5090, Bexar County, Texas, said 2.000 acres being out of the PAUL J. VARGAS JR. 10.371 acre tract recorded in Volume 5673, Page 720, Deed & Plat Records of Bexar County, Texas (DPRBCT) (R1), said 2.000 acre tract being more particularly described by metes and bounds as follows:

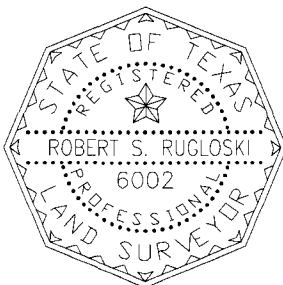
BEGINNING at a found 1/2" rebar with no identification for the southeast corner of this tract, the southwest corner of the MASON HILL PROPERTIES LLC 10.371 acre tract recorded in Volume 15588, Page 2077, DPRBCT, located on the northern ROW of INTERSTATE HIGHWAY 10, from which a found 1/2" rebar with plastic cap stamped "PAPE DAWSON" bears South 69° 49' 46" West for 1406.83 feet, for reference;

THENCE South 69° 49' 46" West (S 70° 05' 00" W R1) for 175.00 feet along the southern boundary line of this tract, the north ROW of the said INTERSTATE HIGHWAY 10, to a set 1/2" rebar with plastic cap "TX LANDMARK SURVEYING" for the southwest corner of this tract;


THENCE through the interior of said PAUL J. VARGAS JR. 10.371 acre tract, the following bearings and distances:

1. North 00° 27' 10" West for 528.94 feet along the west boundary line of this tract to a set 1/2" rebar with plastic cap "TX LANDMARK SURVEYING" for the northwest corner of this tract;
2. North 69° 49' 46" East for 175.00 feet along the north boundary line of this tract to a set 1/2" rebar with plastic cap "TX LANDMARK SURVEYING" for the northeast corner of this tract;

THENCE South 00° 27' 10" East (S 00° 08' 54" E) for 528.94 feet along the east boundary line of this tract, the west boundary line of said MASON HILL PROPERTIES LLC 10.371 acre tract, to the **POINT OF BEGINNING**;



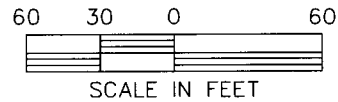
The Basis of Bearings is the Texas State Plane Coordinate System, NAD 1983, South Central Zone. This description was based on a survey made on the ground under my supervision completed on January 29, 2014, from which a survey exhibit was made.


Robert S. Rugloski
RPLS #6002 ♦ Job #11404101 - 2.000 AC ♦ May 1, 2014 (JB, RSR)

Attachment A

SURVEY EXHIBIT

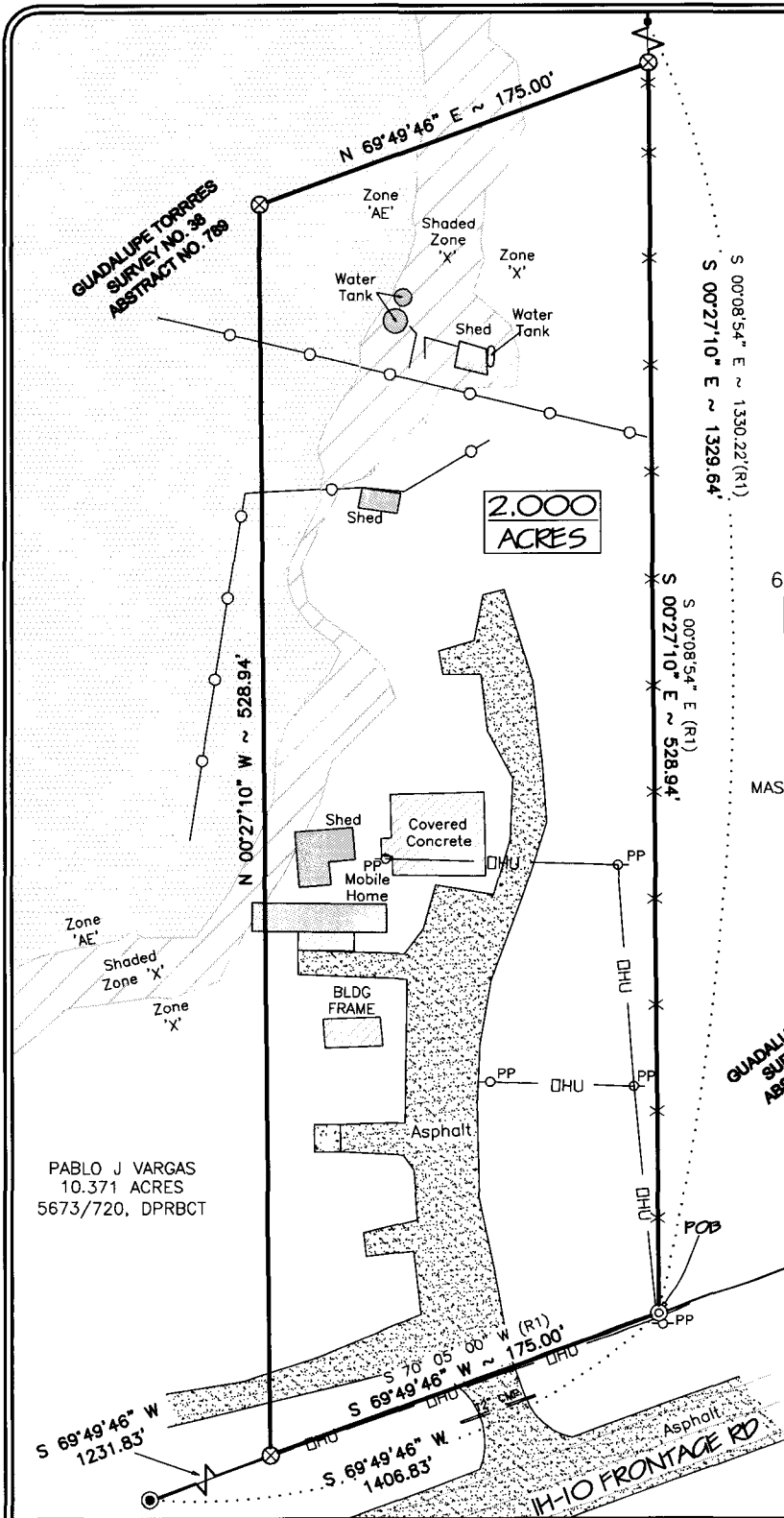
2,000 acres of land out of the
 GUADALUPE TORRES SURVEY No. 38,
 ABSTRACT No. 789, NCB 17990,
 County Block 5090, Bexar County,
 Texas, said 2,000 acres being out of
 the PAUL J. VARGAS JR. 10,371 acre
 tract recorded in Volume 5673, Page
 720, Deed & Plat Records of Bexar
 County, Texas



MASON HILL PROPERTIES LLC
 10.371 ACRES
 15588/2077, DPRBCT

GUADALUPE TORRES
 SURVEY NO. 38
 ABSTRACT NO. 789

HANDY DAN
 DISTRIBUTION CENTER
 UNIT 1, BLOCK 3
 8600/187 DPRBCT



2,000
 ACRES

PABLO J VARGAS
 10.371 ACRES
 5673/720, DPRBCT

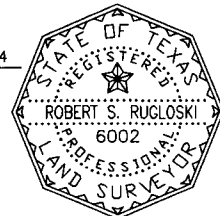
SURVEY NOTES

- (1) CLIENT: KLOVE Engineering
 - (2) SITS: 8265 Interstate 10 Frontage Rd, Converse, TX 78109
 - (3) DATE OF SURVEY COMPLETION: April 16, 2014
 - (4) DATE OF LAST REVISION: June 25, 2014 (JB, RSR)
 - (5) BASIS OF BEARINGS is the Texas State Plane Coordinate System, NAD 1983, South Central Zone (4204), Vertical Datum is NAVD 1988.
 - (6) FEMA FIRM PANEL 48029C0430G, dated September 29, 2010, shows a portion of the scaled location of the subject property to be located Zone 'AE' which is a special flood hazard area (SFHA).
- REFERENCES:
 R1 - Volume 5673, Page 720, DPRBCT, Gift Deed
- ⊗ Set 1/2" rebar w/ cap "TXLANDMARK SURVEYING"
 - ⊙ Found 1/2" rebar w/ no identification
 - ⊕ Found 1/2" rebar w/ plastic cap stamped "PAPE DAWSON"
- DPRBCT Deed & Plat Records of Bexar County, Texas
- CALC Point
 - PP Power Pole
 - Chain Link Fence
 - DHU Overhead Utilities
 - X Wire Fence

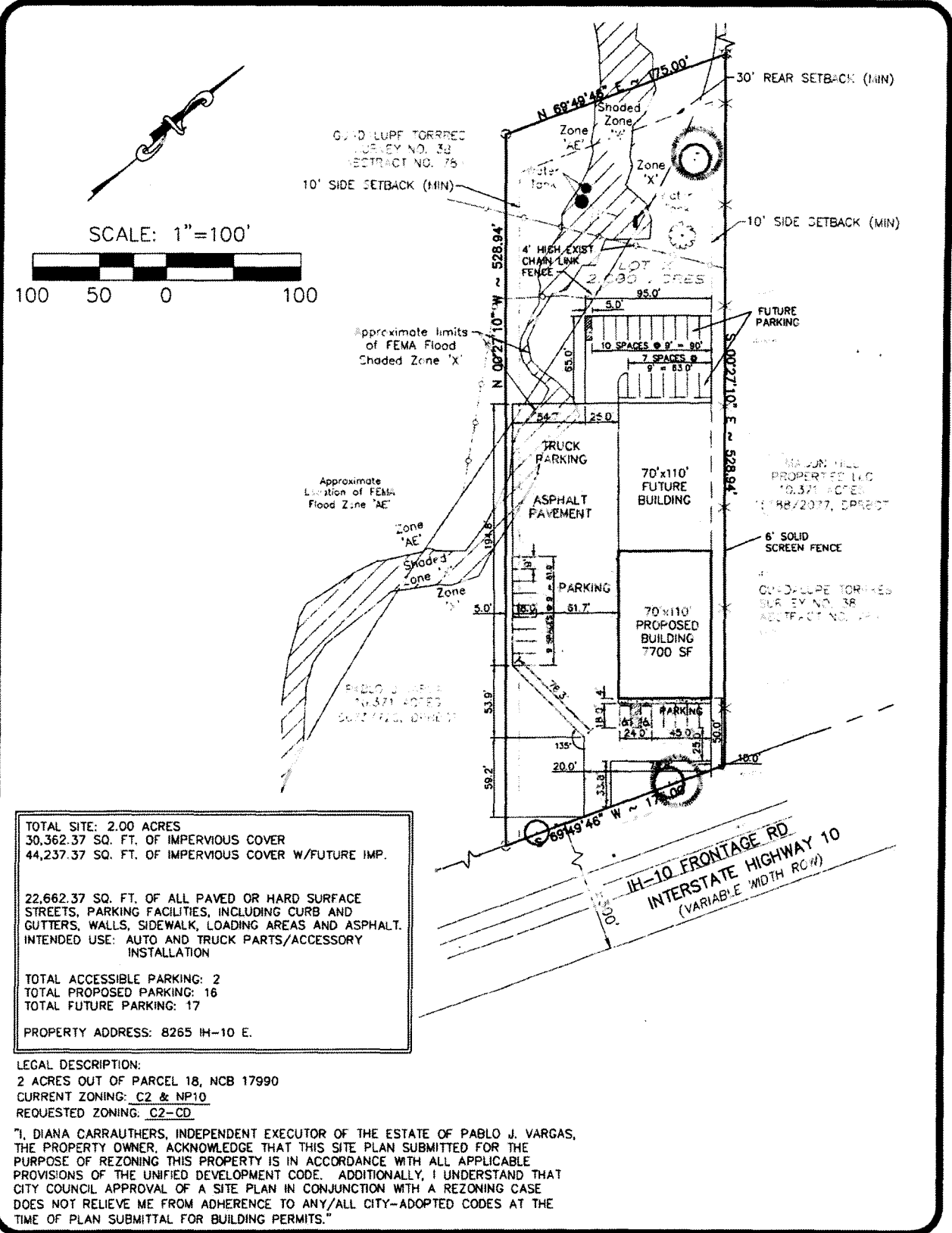
CERTIFICATION

I hereby certify this survey was made on the ground under my supervision; this plat correctly represents the facts found at the time of the survey; and except as shown hereon there are no visible protrusions or intrusions of improvements across boundary lines.

Robert S. Rugloski
 June 25, 2014
 Robert S. Rugloski, TX RPLS #6002
 TX Registered Surveying Firm #10164600
 Texas Landmark Surveying, LLC
 26254 IH 10 West, Suite 105
 Boerne, Texas 78006
 JOB #11404101



Z2014192



TOTAL SITE: 2.00 ACRES
 30,362.37 SQ. FT. OF IMPERVIOUS COVER
 44,237.37 SQ. FT. OF IMPERVIOUS COVER W/FUTURE IMP.

22,662.37 SQ. FT. OF ALL PAVED OR HARD SURFACE
 STREETS, PARKING FACILITIES, INCLUDING CURB AND
 GUTTERS, WALLS, SIDEWALK, LOADING AREAS AND ASPHALT.
 INTENDED USE: AUTO AND TRUCK PARTS/ACCESSORY
 INSTALLATION

TOTAL ACCESSIBLE PARKING: 2
 TOTAL PROPOSED PARKING: 16
 TOTAL FUTURE PARKING: 17

PROPERTY ADDRESS: 8265 IH-10 E.

LEGAL DESCRIPTION:
 2 ACRES OUT OF PARCEL 18, NCB 17990
 CURRENT ZONING: C2 & NP10
 REQUESTED ZONING: C2-CD

"I, DIANA CARRAUTHERS, INDEPENDENT EXECUTOR OF THE ESTATE OF PABLO J. VARGAS,
 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."

Date: 6/26/14, Page: 1
 Title: Site Plan Exhibit B

PROJECT NO.
DATE: 6/26/14
DRAWN BY: JM DESIGNED BY: JN
SCALE: 1" = 100'

EMPIRE CHROME
 8265 IH-10 E.
 CONVERSE, TEXAS
SITE EXHIBIT

Klove
ENGINEERING
 Site Development Engineering Services
 Firm No. 10042
 www.kloveengineering.com (214) 485-5663

ATTACHMENT B