

AN ORDINANCE 2014 - 09 - 18 - 0727

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 5.459 acres out of Lots 4, 5, 6, and 7, Block B, NCB 15705 from "MF-33 AHOD" Multi-Family Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District (on 3.618 acres) and "C-2 S AHOD" Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Convenience Store (With Gasoline And Carwash) (on 1.841 acres).

SECTION 2. The City Council authorizes additional fence height up to eight (8) feet along the western-most property line in accordance with Section 35-514(d)(2)D of the San Antonio City Code.

SECTION 3. A description of the property is attached as **Attachment "A"** and made a part hereof and incorporated herein for all purposes.

SECTION 4. 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 5. The City Council approves this Specific Use Authorization 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 6. 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 7. 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.

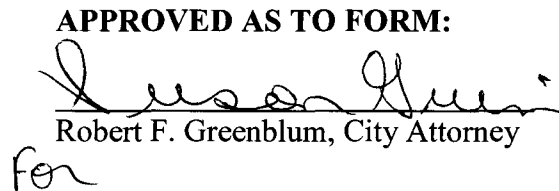
SECTION 8. This ordinance shall become effective September 28, 2014.

PASSED AND APPROVED this 18th day of September 2014.


M A Y O R
Ivy R. Taylor

ATTEST:

Leticia M. Vaccaro, City Clerk

APPROVED AS TO FORM:

Robert F. Greenblum, City Attorney
for

Agenda Item:	Z-10 (in consent vote: Z-1, P-1, Z-3, Z-4, Z-5, P-2, Z-6, P-4, Z-10)
Date:	09/18/2014
Time:	02:04:02 PM
Vote Type:	Motion to Approve
Description:	ZONING CASE # Z2014195 S (District 10): An Ordinance amending the Zoning District Boundary from "MF-33 AHOD" Multi-Family Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District (on 3.618 acres) and "C-2 S AHOD" Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Convenience Store (With Gasoline And Carwash) (on 1.841 acres) allowing a fence up to eight (8) feet in height along the western-most boundary of the 5.459 acre tract of land in accordance with Section 35-514 (d)(2) (D) of the Unified Development Code on 5.459 acres out of Lots 4, 5, 6, and 7, Block B, NCB 15705 located at 4980 Stahl Road and 14901 Durham Drive. Staff and Zoning Commission recommend approval pending the plan amendment. (Associated Plan Amendment 14056)
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Diego Bernal	District 1		x				
Keith Toney	District 2		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				x
Michael Gallagher	District 10		x			x	

1.674 ACRE TRACT
(72,919 Sq. Ft.)
110962-50002ti.DWG

FN NO. 110962-50002-3R
July 23, 2014
JOB NO. R0110962-50002

FIELDNOTE DESCRIPTION
LOT 1

OF A 1.674 ACRE TRACT LOCATED IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, BEING A PORTION OF LOT 5, BLOCK B, NCB 15705, FERTILE VALLEY FARMS SUBDIVISION, A SUBDIVISION OF RECORD IN VOLUME 3377, PAGES 76-78 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, SAME BEING THAT SAME PROPERTY CONVEYED TO THE FERTILE VALLEY FARMS IRREVOCABLE TRUST BY DEED OF RECORD IN VOLUME 15453, PAGE 592 OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS; SAID 1.674 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, WITH ALL BEARINGS BEING REFERENCED TO THE NORTH AMERICAN DATUM OF 1983, TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, USING A COMBINED SCALE FACTOR OF 1.00017:

BEGINNING AT A FOUND 1/2-INCH IRON ROD WITH COSTELLA CAP LOCATED IN THE WESTERLY RIGHT-OF-WAY LINE OF O'CONNOR ROAD (RIGHT-OF-WAY VARIES); SAID POINT BEING THE SOUTH CURVE RETURN AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY OF O'CONNOR ROAD AND THE SOUTH RIGHT-OF-WAY OF STAHL ROAD;

THENCE, S 29° 07' 24" E, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF O'CONNOR ROAD, A DISTANCE OF 216.62 FEET TO A FOUND 1/2-INCH IRON ROD AT THE SOUTHEAST CORNER OF SAID LOT 5 FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND; SAID POINT ALSO BEING THE NORTHEAST CORNER OF A CALLED 15-FOOT ALLEY;

THENCE, S 60° 54' 17" W, LEAVING THE WESTERLY RIGHT OF WAY LINE OF O'CONNOR ROAD, ALONG THE SOUTH LINE OF SAID LOT 5 AND THE NORTH LINE OF SAID 15-FOOT ALLEY, 278.00 FEET TO A SET 1/2-INCH IRON ROD WITH BPI CAP FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND;

THENCE, N 29° 07' 24" W, 259.93 FEET, TO A SET 1/2-INCH IRON ROD WITH BPI CAP ON THE SOUTH RIGHT OF WAY LINE OF STAHL ROAD FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, N 59° 29' 33" E, ALONG THE SOUTH RIGHT-OF-WAY LINE OF STAHL ROAD, BEING THE NORTHERLY LINE OF SAID LOT 5, BLOCK B, A DISTANCE OF 226.86 FEET TO A SET 1/2-INCH IRON ROD WITH BPI CAP

AT THE POINT OF CURVATURE AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF STAHL ROAD AND THE WESTERLY RIGHT-OF-WAY LINE OF O'CONNOR ROAD;

THENCE, ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF $91^{\circ} 19' 05''$, AN ARC LENGTH OF 79.69 FEET AND A CHORD BEARING S $74^{\circ} 50' 59''$ E, A DISTANCE OF 71.52 FEET TO THE POINT OF BEGINNING, CONTAINING 1.674 ACRES (72,919 SQUARE FEET) OF LAND, MORE OR LESS.

Hal B Lane 7/25/14
HAL B. LANE III, R.P.L.S DATE
TEXAS REGISTRATION NUMBER 4690
BURY-SAN, INC.
ENGINEERS & SURVEYORS
922 ISOM ROAD, SUITE #100
SAN ANTONIO, TEXAS 78216



0.167 ACRE TRACT
(7275 Sq. Ft.)
110962-50002ti.DWG

FN NO. 110962-50002-4
July 23, 2014
JOB NO. R0110962-50002

FIELDNOTE DESCRIPTION
LOT 2

OF A 0.167 ACRE TRACT LOCATED IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, BEING A PORTION OF LOT 6, BLOCK B, NCB 15705, FERTILE VALLEY FARMS SUBDIVISION, A SUBDIVISION OF RECORD IN VOLUME 3377, PAGES 76-78 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, SAME BEING THAT SAME PROPERTY CONVEYED TO THE FERTILE VALLEY FARMS IRREVOCABLE TRUST BY DEED OF RECORD IN VOLUME 15453, PAGE 592 OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS; SAID 0.167 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, WITH ALL BEARINGS BEING REFERENCED TO THE NORTH AMERICAN DATUM OF 1983, TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, USING A COMBINED SCALE FACTOR OF 1.00017:

BEGINNING AT A FOUND 1/2-INCH IRON ROD ON THE WEST RIGHT-OF-WAY LINE OF O'CONNOR ROAD (RIGHT-OF-WAY VARIES); SAID POINT BEING THE NORTHEAST CORNER OF SAID LOT 6 AND THE SOUTHEAST CORNER OF A CALLED 15-FOOT ALLEY;

THENCE, S 29° 12' 48" E, 26.05 FEET, ALONG THE WEST RIGHT-OF-WAY LINE OF O'CONNOR ROAD, TO A SET 1/2-INCH IRON ROD WITH BPI CAP FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND;

THENCE, S 60° 52' 36" W, 278.14 FEET, TO A SET 1/2-INCH IRON ROD WITH BPI CAP FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND;

THENCE, N 29° 07' 24" W, 26.34 FEET, TO A SET 1/2-INCH IRON ROD WITH BPI CAP ON THE SOUTH LINE OF SAID 15-FOOT ALLEY, FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND;

THENCE, N 60° 56' 15" E, 278.10 FEET, ALONG THE NORTH LINE OF SAID LOT 6 AND THE SOUTH LINE OF SAID 15-FOOT ALLEY, TO THE POINT OF BEGINNING, CONTAINING 0.167 ACRES (7275 SQUARE FEET) OF LAND, MORE OR LESS.

Hal B. Lane III *7/25/14*

HAL B. LANE III, R.P.L.S DATE
TEXAS REGISTRATION NUMBER 4690
BURY-SAN, INC.
ENGINEERS & SURVEYORS
922 ISOM ROAD, SUITE #100
SAN ANTONIO, TEXAS 78216



1.345 ACRE TRACT
(58,588 Sq. Ft.)
110962-50002ti.DWG

FN NO. 110962-50002-6
July 23, 2014
JOB NO. R0110962-50002

FIELDNOTE DESCRIPTION
LOT 3

OF A 1.345 ACRE TRACT LOCATED IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, BEING A PORTION OF LOT 5, AND A PORTION OF LOT 4, BLOCK B, NCB 15705, FERTILE VALLEY FARMS SUBDIVISION, A SUBDIVISION OF RECORD IN VOLUME 3377, PAGES 76-78 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, SAME BEING THAT SAME PROPERTY CONVEYED TO THE FERTILE VALLEY FARMS IRREVOCABLE TRUST BY DEED OF RECORD IN VOLUME 15453, PAGE 592 OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS; SAID 1.345 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, WITH ALL BEARINGS BEING REFERENCED TO THE NORTH AMERICAN DATUM OF 1983, TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, USING A COMBINED SCALE FACTOR OF 1.00017:

BEGINNING, AT A FOUND 1/2-INCH IRON ROD AT THE SOUTHWEST CORNER OF SAID LOT 4; SAID POINT ALSO BEING THE SOUTHEAST CORNER OF LOT 3, AS CONVEYED TO LORD OF THE HARVEST CHURCH IN VOLUME 6079, PAGE 345 OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS; SAID CORNER ALSO BEING ON THE NORTH LINE OF A CALLED 15-FOOT ALLEY;

THENCE, N 29° 05' 25" W, 255.33 FEET ALONG THE EAST LINE OF LOT 3 AND THE WEST LINE OF LOT 4, TO A SET 1/2-INCH IRON ROD WITH BPI CAP ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STAHL ROAD FOR THE NORTHWEST CORNE OF THE HEREIN DESCRIBED TRACT OF LAND;

THENCE, N 59° 29' 33" E, AT 210.04 FEET, PASSING THE NORTHEAST CORNER OF LOT 4 AND THE NORTHWEST CORNER OF LOT 5, IN ALL A DISTANCE OF 226.91 FEET, TO A SET 1/2-INCH IRON ROD WITH BPI CAP FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND;

THENCE, S 29° 07' 24" E, 260.93 FEET, TO A SET 1/2-INCH IRON ROD WITH BPI CAP ON THE NORTH LINE OF SAID 15-FOOT ALLEY AND THE SOUTH LINE OF SAID LOT 5, FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND;

THENCE, S 60° 54' 17" W, ALONG THE NORTH LINE OF SAID 15-FOOT ALLEY, AT 17.07 FEET, PASSING THE SOUTHWEST CORNER OF LOT 5 AND THE SOUTHEAST CORNER OF LOT 4, IN ALL A DISTANCE OF 226.99 FEET, TO THE POINT OF BEGINNING, CONTAINING 1.345 ACRES (58,588 SQUARE FEET) OF LAND, MORE OR LESS.

Hal B. Lane III 7/25/14
HAL B. LANE III, R.P.L.S DATE
TEXAS REGISTRATION NUMBER 4690
BURY-SAN, INC.
ENGINEERS & SURVEYORS
922 ISOM ROAD, SUITE #100
SAN ANTONIO, TEXAS 78216



COPY

2.273 ACRE TRACT
(99,012 Sq. Ft.)
110962-50002ti.DWG

FN NO. 110962-50002-5
July 23, 2014
JOB NO. R0110962-50002

FIELDNOTE DESCRIPTION

LOT 4

OF A 2.273 ACRE TRACT LOCATED IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, BEING A PORTION OF LOT 6, AND ALL OF LOT 7, BLOCK B, NCB 15705, FERTILE VALLEY FARMS SUBDIVISION, A SUBDIVISION OF RECORD IN VOLUME 3377, PAGES 76-78 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, SAME BEING THAT SAME PROPERTY CONVEYED TO THE FERTILE VALLEY FARMS IRREVOCABLE TRUST BY DEED OF RECORD IN VOLUME 15453, PAGE 592 OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS; SAID 2.273 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, WITH ALL BEARINGS BEING REFERENCED TO THE NORTH AMERICAN DATUM OF 1983, TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, USING A COMBINED SCALE FACTOR OF 1.00017:

COMMENCING, AT A FOUND 1/2-INCH IRON ROD ON THE WEST RIGHT-OF-WAY LINE OF O'CONNOR ROAD (RIGHT-OF-WAY VARIES); SAID POINT BEING THE NORTHEAST CORNER OF SAID LOT 6 AND THE SOUTHEAST CORNER OF A CALLED 15-FOOT ALLEY;

THENCE, S 29° 12' 48" E, 26.05 FEET, ALONG THE WEST RIGHT-OF-WAY LINE OF O'CONNOR ROAD, TO A SET 1/2-INCH IRON ROD WITH BPI CAP FOR THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED TRACT OF LAND;

THENCE, S 29° 12' 48" E, 183.99 FEET, ALONG THE WEST RIGHT-OF-WAY LINE OF O'CONNOR ROAD, TO A FOUND 1/2-INCH IRON ROD AT THE SOUTHEAST CORNER OF SAID LOT 6 AND THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND; SAID POINT BEING THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF O'CONNOR ROAD AND THE NORTH RIGHT-OF-WAY LINE OF DURHAM STREET (60' RIGHT-OF-WAY);

THENCE, S 60° 53' 55" W, ALONG THE NORTH RIGHT-OF-WAY LINE OF DURHAM STREET, AT 296.09 FEET PASSING THE SOUTHWEST CORNER OF SAID LOT 6 AND THE SOUTHEAST CORNER OF SAID LOT 7, IN ALL A DISTANCE OF 506.01 FEET, TO A FOUND 1/2-INCH IRON ROD AT THE SOUTHWEST CORNER OF SAID LOT 7 FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND; SAID POINT ALSO BEING THE SOUTHEAST CORNER OF LOT 8, AS CONVEYED TO LORD OF THE HARVEST


CHURCH IN VOLUME 6079, PAGE 345 OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS;

THENCE, N 29° 00' 42" W, 210.38 FEET, TO A SET 1/2-INCH IRON ROD WITH BPI CAP ON THE SOUTH LINE OF SAID 15-FOOT ALLEY, FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND;

THENCE, N 60° 56' 15" E, ALONG THE SOUTH LINE OF SAID 15-FOOT ALLEY, AT 210.08 FEET, PASSING THE NORTHEAST CORNER OF LOT 7 AND THE NORTHWEST CORNER OF LOT 6, IN ALL A DISTANCE OF 227.17 FEET, TO A SET 1/2-INCH IRON ROD WITH BPI CAP TO AN ANGLE POINT CORNER;

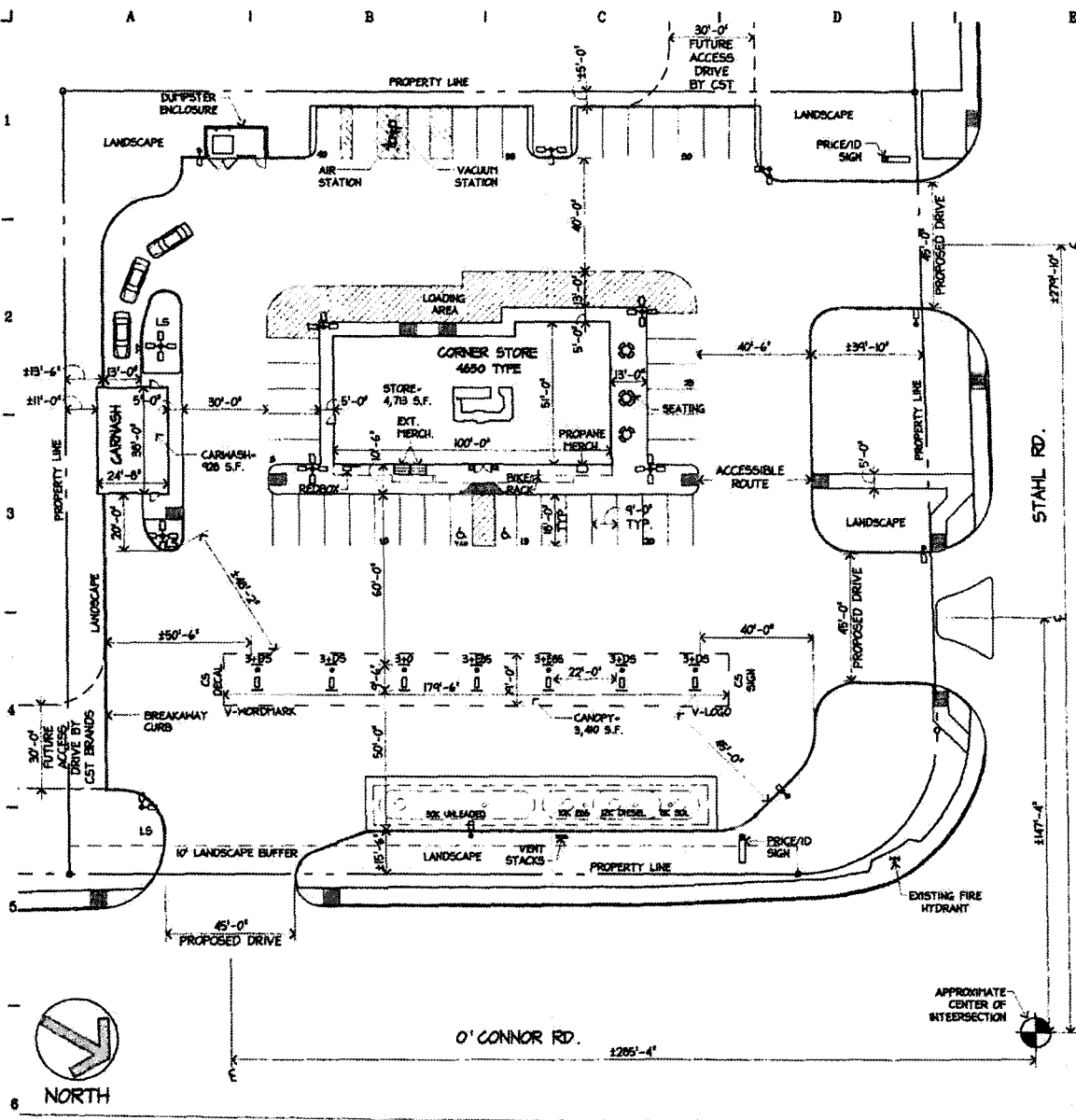
THENCE, S 29° 07' 24" E, 26.34 FEET, INTO SAID LOT 6, TO A SET 1/2-INCH IRON ROD WITH BPI CAP FOR AN INTERIOR CORNER FOR THE HEREIN DESCRIBED TRACT OF LAND;

THENCE, N 60° 52' 36" E, 278.14 FEET, TO THE **POINT OF BEGINNING**, CONTAINING 2.273 ACRES (99,012 SQUARE FEET) OF LAND, MORE OR LESS.



DATE 7/25/14
HAL B. LANE III, R.P.L.S
TEXAS REGISTRATION NUMBER 4690
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922 ISOM ROAD, SUITE #100
SAN ANTONIO, TEXAS 78216





CAD SURVEY & CODE VERIFICATION NEEDED
 SITE PLAN WAS CONSTRUCTED FROM
 INFORMATION PROVIDED BY CST, AND IS
 THEREFORE ONLY AN APPROXIMATION. IT DOES
 NOT NECESSARILY REPRESENT THE FULL EXTENT
 OF PROPERTY, DEVELOPER, AND CODE
 REQUIREMENTS.

PROJECT DATA
 A 1.937 ACRE TRACT OUT OF LOT 5 & 6, BLOCK B, NCB 15706

BUILDING TYPE: 4650
 LOT SIZE: 84,363 S.F. (1.937 ACRES)
 IMPERVIOUS COVER: 66,599 S.F. (78%)
 CORNER STORE (4,713 S.F.) + CARWASH (928 S.F.) = 5,641 S.F.
 IMPERVIOUS (66,599 S.F.) - BUILDINGS (5,641 S.F.) = 60,958 S.F.
 PARKING SPACES PROVIDED = 40

REQUEST A REZONING CHANGE FROM MF-33 MULTI-FAMILY
 RESIDENCE TO C-2 5 COMMERCIAL DISTRICT WITH SPECIFIC USE
 AUTHORIZATION FOR CONVENIENCE STORE WITH GASOLINE AND
 CARWASH.

I, CLYDE B. GOLDSMITH, ROSENSTEIN FAMILY LP, AND FERTILE
 VALLEY FARMS IRREVOCABLE TRUST, 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.

LANDSCAPE
 REQ. BUFFER TREES: 24
 PARKING LOT SHADE 25% OF THE PARKING AREA
 STREET TREE REQUIRED = 11

PARKING
 MIN. 1 PER 1000 GFA (5) AND
 MAX 10 PER 1000 GFA (50)
 PROVIDED = 40

NOTE: REFER TO SUP TRACT EXHIBIT FOR PROPERTY LINE
 INFORMATION AND FIELD NOTES.



PROJECT 4650 PROTOTYPE
CST CORNER STORE 1067
 O'CONNOR RD & STAHL RD SAN ANTONIO, TX
CONCEPT SITE PLAN
 SHEET TITLE

TRACT No. 1414

12/17/13

NO.	DATE	REVISIONS
1	11/20/13	
2	05/17/14	
3	05/17/14	
4	05/18/14	
5	05/18/14	
6	05/14/14	
7	05/14/14	
8	04/26/14	
9	05/14/14	
10	06/17/14	
11	06/17/14	
12	07/17/14	

SHEET NO.

A1.1