

AN ORDINANCE 2018-04-19-0318

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 0.7038 acres out of Lot C, Lot 26, and Lot 27, NCB 8602 also known as 4803 South Flores Street, from "C-3NA AHOD" General Commercial NonAlcoholic Sales Airport Hazard Overlay District and "C-2NA AHOD" Commercial NonAlcoholic Sales Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with Conditional Use for Construction Contractor Facility with Outside Storage.

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

SG/lj
04/19/2018
Z-13

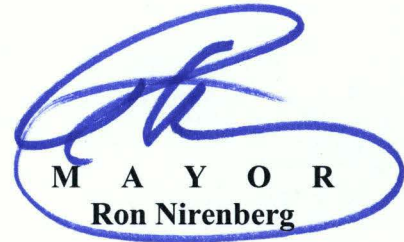
CASE NO. Z2018114 CD

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 April 29, 2018.

PASSED AND APPROVED this 19th day of April 2018.



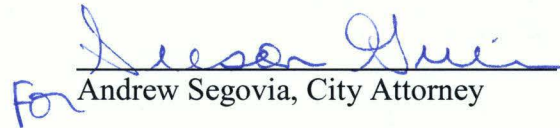
M A Y O R
Ron Nirenberg

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



For Andrew Segovia, City Attorney

Agenda Item:	Z-13 (in consent vote: 29, P-1, Z-2, Z-3, Z-5, Z-6, Z-8, Z-9, Z-10, Z-11, Z-13, P-3, Z-14, Z-15, Z-16, Z-17)						
Date:	04/19/2018						
Time:	02:19:50 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2018114 CD (Council District 5): Ordinance amending the Zoning District Boundary from "C-3NA AHOD" General Commercial NonAlcoholic Sales Airport Hazard Overlay District and "C-2NA AHOD" Commercial NonAlcoholic Sales Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with Conditional Use for Construction Contractor Facility with Outside Storage on Lot C, Lot 26, and Lot 27 (save and except the west 8.5 feet), NCB 8602, located at 4803 South Flores Street. Staff and Zoning Commission recommend Approval.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ron Nirenberg	Mayor		x				
Roberto C. Treviño	District 1		x			x	
William Cruz Shaw	District 2		x				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				
Clayton H. Perry	District 10		x				

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EXHIBIT “A”

STATE OF TEXAS

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Z2018114

COUNTY OF BEXAR

A TRACT OR PARCEL OF LAND CONTAINING 0.7038 ACRES, (30,656 SQUARE FEET), BEING A PORTION OF LOTS 26 AND 27, BLOCK 18, TOMMINS RESUBDIVISION, A SUBDIVISION IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 642, PAGE 226, OF THE PLAT RECORDS OF BEXAR COUNTY, TEXAS, ALONG WITH AND IN ADDITION TO A PORTION OF LOT 19, BLOCK 2, NEW CITY BLOCK 8602, MISSION RIDGE ADDITION TO THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 105, PAGE 189, OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, SAID 0.7038 ACRE TRACT OF LAND BEING THAT CERTAIN CALLED 0.7139 ACRE TRACT OF LAND AS CONVEYED TO DEBORAH ANN FARAGOZA BY INSTRUMENT RECORDED IN DOCUMENT CF NO. 20170243716 OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: (BEARING BASIS: DOCUMENT CF NO. 20170243716 OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS).

BEGINNING at a cut "x" set for the intersection of the south line of West Hart Avenue with the southwesterly line of South Flores Street, same being the northeast corner of said Lot 26, same being the northeast corner and POINT OF BEGINNING of the herein described tract;

Thence, S 19°47'00" E, along the southwesterly line of South Flores Street, same being the common line of said Lot 26, pass at a distance of 66.50 feet a calculated point for the east common corner of said Lots 26 and 27, pass at a distance of 133.00 feet a calculated point for the southeast corner of said Lot 27, same being the northeast corner of the remainder of said Lot 19, and continuing for a total distance of 194.43 feet to a cut "x" set for the east common corner of said Lot 19 and Lot 20, Block 2, New City Block 8602, of said Mission Ridge Addition, same being the northeast corner of that certain tract of land as conveyed to Jose Leopoldo Morquecho and Wife, Cecilia M. Morquecho by instrument recorded in Volume 2862, Page 577, of the Deed Records of Bexar County, Texas, same being the southeast corner of the herein described tract;

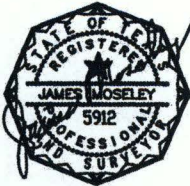
Thence, West, along the common line of said Lots 19 and 20, in part along the common line of said Morquecho Tract and the common line of that certain tract of land as conveyed to Irma Rosario Esquivel by instrument recorded in Volume 2105, Page 880, of the Deed Records of Bexar County, Texas, a distance of 205.79 feet to a capped (Precision Surveyors), iron rod set on the common line of that certain tract of land as conveyed to Alfredo A. Carrillo and Ernestine G. Carrillo, Trustees, by instrument recorded in Document CF No. 20060201216 of the Official Public Records of Bexar County, Texas, for the northwest corner of said Esquivel Tract, same being the southwest corner of the herein described tract;

Thence, North, across said Lot 19, along the common line of said Carrillo Tract, a distance of 57.80 feet to a capped (Precision Surveyors), iron rod set on the common line of the remainder of said Lot 19, same being the common line of that certain tract of land as conveyed to Elidia Sanchez by instrument recorded in Document CF No. 20120045634 of the Official Public Records of Bexar County, Texas, for the northeast corner of said Carrillo Tract, same being a corner of the herein described tract;

Thence, East, along the common line of said Sanchez Tract, a distance of 7.78 feet to a capped (Precision Surveyors), iron rod set on the common line of said Lot 27 for the southeast corner of said Sanchez Tract, same being a corner of the herein described tract;

Thence, North, across said Lots 27 and 26, along the common line of said Sanchez Tract, a distance of 125.15 feet to a capped (Precision Surveyors), iron rod set on the south line of West Hart Avenue, same being the common line of said Lot 26, for the northeast corner of said Sanchez Tract, same being the northwest corner of the herein described tract;

Thence, East, along the south line of West Hart Avenue, same being the common line of said Lot 26, a distance of 132.20 feet to the POINT OF BEGINNING and containing 0.7038 acres or 30,656 square feet of land, more or less.



See Drawing Attached

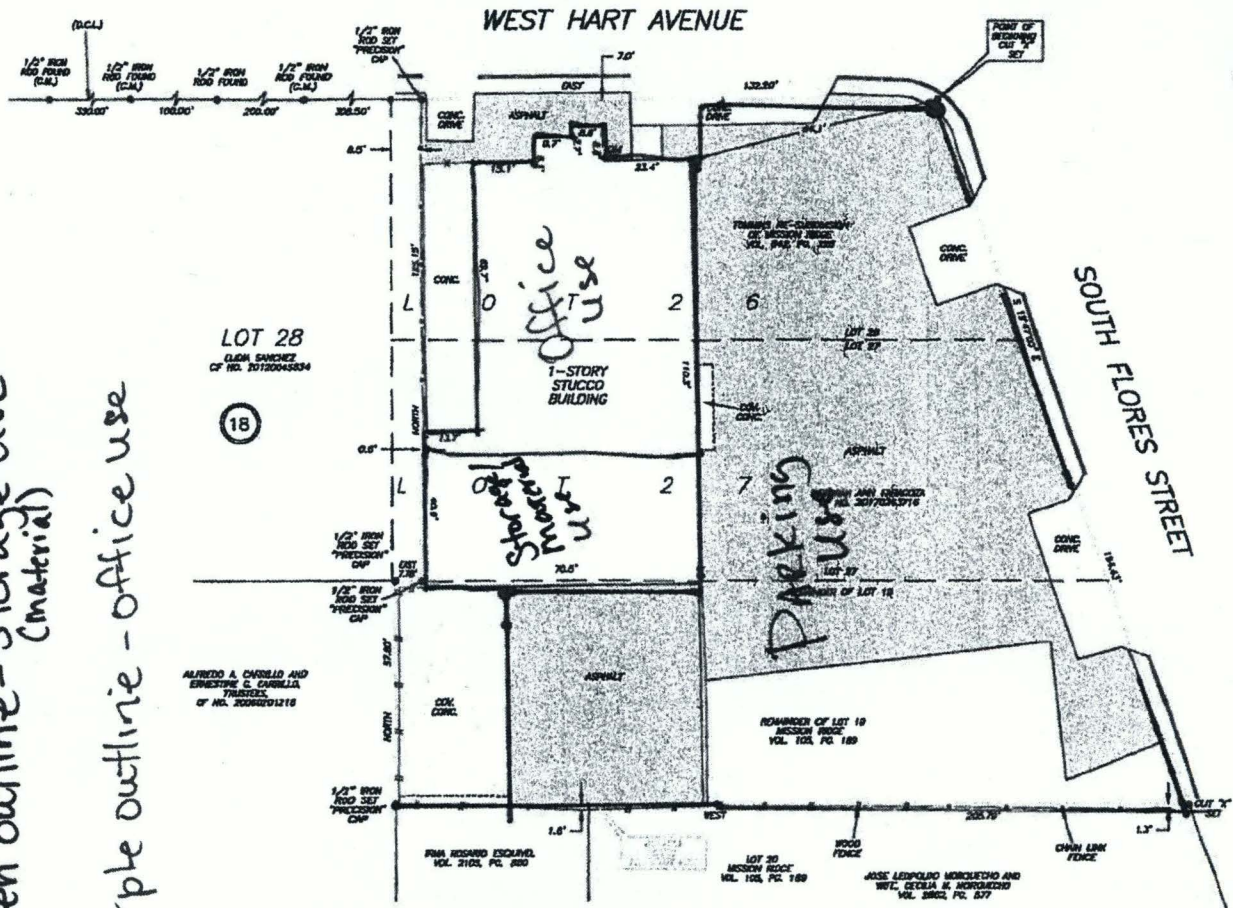
James E. Moseley
Registered Professional Land Surveyor,
No. 5912
Job No. SA2018-01104
February 5, 2018

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04/19/2018
Item No. Z-13

EXHIBIT "B"

2018114

Blue outline - parking use
 Green outline - storage use (material)
 Purple outline - office use



GF NO. SAT-44-400041800056-DD ALAMO TITLE
 ADDRESS: 480.3 SOUTH FLORES STREET
 SAN ANTONIO, TEXAS 78214
 BORROWER: DUNCAN R. SMITH

0.7038 ACRES

TRACT 1:
 A PORTION OF LOTS 26 AND 27,
 BLOCK 18
 TOMMINS RESUBDIVISION
 A SUBDIVISION IN THE CITY OF SAN ANTONIO,
 BEXAR COUNTY, TEXAS
 ACCORDING TO THE PLAT THEREOF RECORDED
 IN VOLUME 842, PAGE 226 DEED AND PLAT RECORDS
 OF BEXAR COUNTY, TEXAS

TRACT 2:
 PART OF ORIGINAL LOT 19, BLOCK 2
 NEW CITY BLOCK 8602
 MISSION RIDGE ADDITION
 TO THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS
 ACCORDING TO THE PLAT THEREOF RECORDED
 IN VOLUME 105, PAGE 189 DEED AND PLAT RECORDS
 OF BEXAR COUNTY, TEXAS

SCALE: 1" = 30'

Exhibit "B"

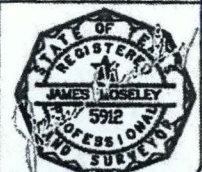
THIS PROPERTY DOES NOT LIE WITHIN THE
 100 YEAR FLOOD PLAIN AS PER FEMA
 PANEL NO. 6800C ON 10/15/00
 MAP REVISION 04/20/2010
 EDGE
 BASED ONLY ON VISUAL EXAMINATION OF MAPS.
 MODIFICATIONS OF FEMA MAPS PREVENT EXACT
 DETERMINATION WITHOUT DETAILED FIELD STUDY.

A SURFACE INVESTIGATION
 WAS BEYOND THE SCOPE OF THIS SURVEY

B.C.L. = DIRECTIONAL CONTROL LINE
 RECORD NUMBER: 01102045718
 ORIGIN: E.T. JR.

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE
 ON THE GROUND, THAT THE PLAT CORRECTLY
 REPRESENTS THE FACTS FOUND AT THE
 TIME OF SURVEY AND THAT THERE ARE NO
 ENCUMBRANCES APPARENT ON THE GROUND,
 EXCEPT AS SHOWN HEREON. THIS SURVEY IS
 CERTIFIED FOR THIS TRANSACTION ONLY AND
 ABSTRACTING THEREIN IN THE ABSENCE
 OF A RECORDED TITLE COMMITMENT WILL BE
 HELD UPON IN PROOF OF THIS SURVEY.

JAMES E. MOSELEY
 PROFESSIONAL LAND SURVEYOR
 NO. 5912
 JOB NO. 020019-01104
 FEBRUARY 02, 2018



1-800-LANDSURVEY
 www.precisionurveyors.com

201-496-1506 FAX 201-496-1867 210-820-4941 FAX 210-829-1555
 850 THOMASVILLE STREET SUITE 108 HOUSTON, TEXAS 77070 1777 MC LOOP 410 SUITE 600 SAN ANTONIO, TEXAS 78201
 FIRM NO. 10063700



PRECISION
 surveyors

I, Duncan R. Smith, 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 does not relieve me from adherence to any/all city adopted codes at the time of plan submitted for