

AN ORDINANCE 2017-12-07-0960

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 19.43 acres of land out of NCB 10597 from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "I-2 S AHOD" Heavy Industrial Airport Hazard Overlay District with Specific Use Authorization for Used Automotive Parts Recycler.

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 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 4. The City council approves this Specific Use Authorization 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

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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 7, 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-15 (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 # Z2017301 S (Council District 2): An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "I-2 S AHOD" Heavy Industrial Airport Hazard Overlay District with Specific Use Authorization for Used Automotive Parts Recycler on 19.43 acres out of NCB 10597, generally located in the 2100 block of Ackerman Road. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment 17093)						
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”

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FIELD NOTES
FOR
A 19.431 OF AN ACRE TRACT

A 19.431 acre or 846,404 square feet more or less, tract of land, out of that 73.839 acre tract conveyed to CIP Land Partners, LP., by Special Warranty Deed with Vendors Lien recorded in Volume 14983, Page 650 of the Official Public Records of Bexar County, Texas, out of the J. Garraty Survey No. 19, Abstract 258, the Julian Diaz Survey No. 133 ½, Abstract 190, C.B. 5097, and the J. Chappell Survey No. 322. Abstract 884, C.B. 5094. And all of the said 19.431 acre tract is situated in N.C.B. 10597, of the City of San Antonio, Bexar County Texas, and being more particularly described by metes and bounds as follows:

BEGINNING: At a found ½" iron rod with plastic cap stamped "VICKERY" in the south line of Kirby Terrace Unit 3, Phase 2, Drain right-of-way recorded in Volume 6200, Pages 239-240 of the Deed and Plat Records of Bexar County, Texas, being the northwest corner of Lot 1, Block 2, N.C.B. 17977, of the Southwest Masonry Subdivision recorded in Volume 9558, Page 160 of the Deed and Plat Records of Bexar County, Texas, for the most northerly northeast corner of the 73.839 acre tract and the tract described herein;

THENCE: S 00°38'55" E, Leaving the south right-a-way Drain line of Kirby Terrace, along and with the east line of Lot 1, the west line of the 73.839 acre tract and the tract described herein, a distance of **390.15 feet** to a found PK Nail for the southwest corner of Lot 1, an interior corner of the 73.839 acre tract, and an angle point of the tract described herein;

THENCE: S 00°45'03" E, leaving the south line of Lot 1, the north line of the 73.839 acre tract, into and across the 73.839 acre tract, a distance of **124.65 feet** to a found ½" iron rod with plastic cap stamped "VICKERY" for the northeast corner of a called 35.107 acre tract conveyed to New Texas Auto Auction Services, LP., recorded in Volume 13833, Page 199 of the Official Public Records of Bexar County, Texas, an interior corner of the 73.839 acre tract, and the southeast corner of the tract described herein;

THENCE: S 89°23'34" W, along and with the north line of the 35.107 acre tract, the south line of the 73.839 acre tract and the tract described herein, a distance of **1127.40 feet** to a set ½" iron rod with blue plastic cap stamped "KFW SURVEYING", being a point in the north line of the 35.107 acre tract, the south line of the 73.839 acre tract, for the southwest corner of the tract described herein;

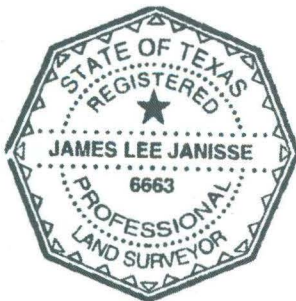
Exhibit "A"

THENCE: N 00°36'26" W, leaving the north line of the 35.107 acre tract, the south line of the 73.839 acre tract and into and across the 73.839 acre tract, a distance of **910.02 feet** to a set ½" iron rod with blue plastic cap stamped "KFW SURVEYING" in the south right-a-way Drain line of Kirby Terrace, the north line of the 73.839 acre tract, for the northwest corner of the tract described herein;

THENCE: along and with the south right-a-way Drain line of Kirby Terrace, the north line of the 73.839 acre tract and the tract described herein the following five (5) courses:

1. **S 89°34'30" E**, a distance of **104.50 feet** to a set ½" iron rod with blue plastic cap stamped "KFW SURVEYING" for the beginning of a curve to the right, from which a found ½" iron rod with plastic cap stamped "VICKERY" bears N 18°19'46" E, at a distance of 1.62 feet,
2. With the curve to the right having an arc of **416.20 feet**, a radius of **899.88 feet**, a delta of 26°29'59" and a chord bears **S 76°19'31" E**, a distance of **412.50 feet** to a set ½" iron rod with blue plastic cap stamped "KFW SURVEYING" for the end of curve, from which a found bent ½" iron rod with plastic cap stamped "VICKERY" bears N 41°51'51" E, at a distance of 0.53 feet,
3. **S 63°04'31" E**, a distance of **616.05 feet** to a found ½" iron rod with an illegible plastic cap for an angle point,
4. **S 75°56'07" E**, a distance of **37.55 feet** to a found ½" iron rod with plastic cap stamped "VICKERY" for an angle point, and
5. **N 85°31'36" E**, a distance of **40.05 feet** to the **POINT OF BEGINNING** and containing 19.431 acres in the City of San Antonio, Bexar County, Texas. Said tract described in accordance with an exhibit prepared by KFW Surveying. Bearings are based on NAD83 Texas State Plane South Central Zone.

Job No.: 14-058
Prepared by: KFW Surveying
Date: November 20, 2017
File: S:\Draw 2014\14-058 Loop 410 Cornerstone – Tracts 2 & 3\DOCS\FN 19.431.ac



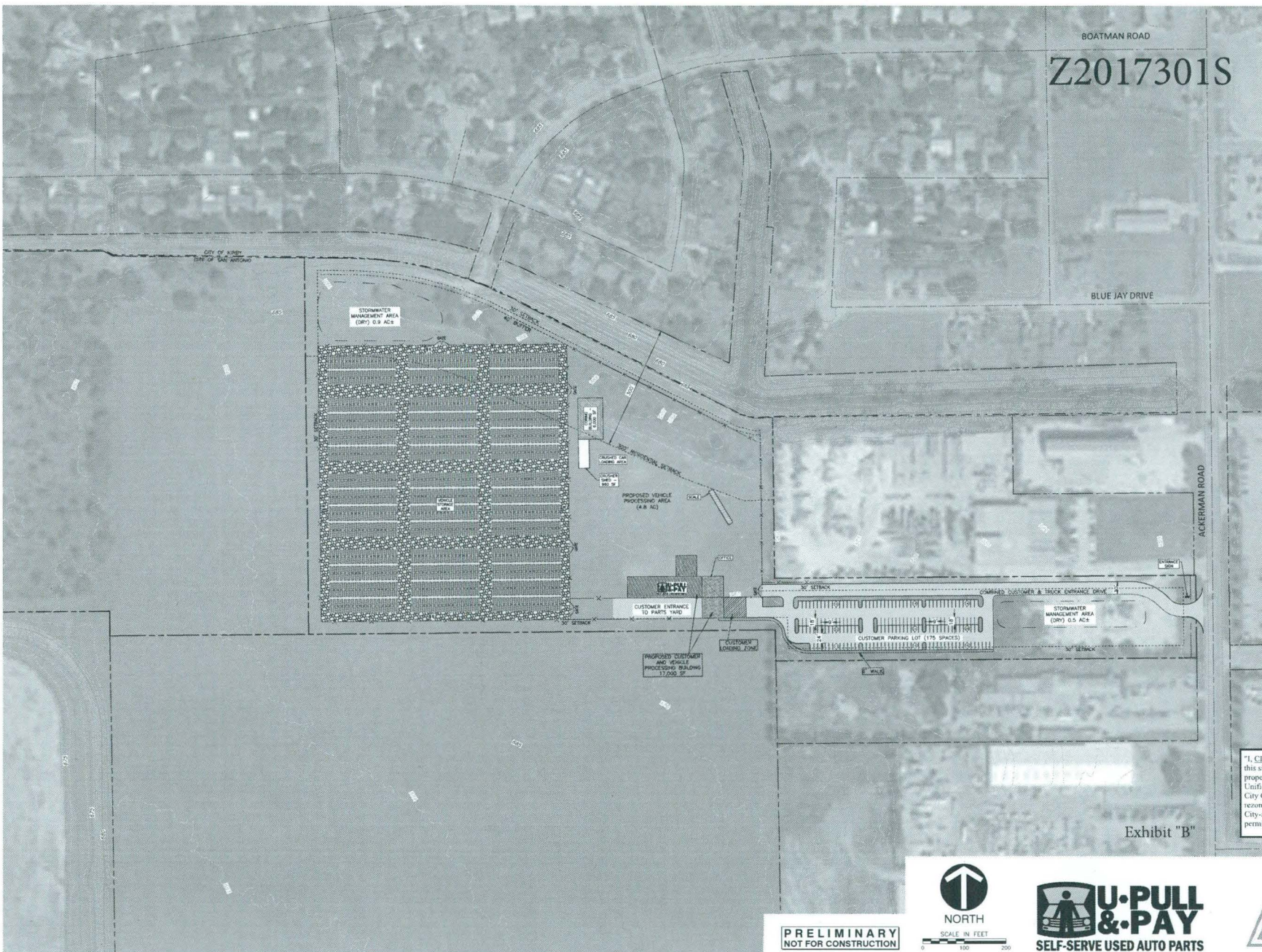
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Exhibit "B"

BOATMAN ROAD
Z2017301S

- LEGEND**
- EXISTING PROPERTY BOUNDARY
 - PROPOSED PARKING STALL LOCUS
 - VEHICLE FOR SELF-SERVE USED AUTO PARTS
 - PROPOSED FENCE
 - EXISTING ZONING BOUNDARY
 - FEMA FLOOD ZONE
 - STORMWATER MANAGEMENT AREA
 - PROPOSED CUSTOMER ENTRANCE/VEHICLE STORAGE AREA PAVEMENT (APPROXIMATELY 1.5 ACRES)
 - PROPOSED VEHICLE PROCESSING AREA & VEHICLE STORAGE ASSESSMENT SURFACE (APPROXIMATELY 1.1 ACRES)
 - PROPOSED CUSTOMER STORE BUILDING & OFFICE
 - PROPOSED VEHICLE PROCESSING BUILDINGS
 - PROPOSED ASPHALT PARKING DRIVES, CONCRETE SIDEWALKS (APPROXIMATELY 1.1 ACRES)

- ZONING**
- EXISTING ZONING: I-1 AHOD
 - PROPOSED ZONING: I-2 AHOD S



"I, CIP Land Partners, 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."

Exhibit "B"

**PRELIMINARY
 NOT FOR CONSTRUCTION**

