

AN ORDINANCE 2016-09-15-0711

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.

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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 8.351 acres out of NCB 17322 from "BP AHOD" Business Park Airport Hazard Overlay District and "C-3 AHOD" General Commercial Airport Hazard Overlay District to "I-2 S AHOD" Heavy Industrial Airport Hazard Overlay District with Specific Use Authorization for a Used Auto Parts Recycler.

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 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 **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.

SG/lj
09/15/2016
Z-2

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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 the 25th day of September 2016.

PASSED AND APPROVED this 15th day of September 2016.

M A Y O R
Ivy R. Taylor

ATTEST:

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

City Attorney
For

Agenda Item:	Z-2 (in consent vote: P-1, Z-2)						
Date:	09/15/2016						
Time:	02:09:46 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2016205 S (Council District 2): An Ordinance amending the Zoning District Boundary from "BP AHOD" Business Park Airport Hazard Overlay District and "C-3 AHOD" General Commercial Airport Hazard Overlay District to "I-2 S AHOD" Heavy Industrial Airport Hazard Overlay District with Specific Use Authorization for a Used Auto Parts Recycler on 8.351 acres out of NCB 17332, located at 5834 IH 10 East. Staff recommends Denial. Zoning Commission recommends Approval, pending Plan Amendment. (Associated Plan Amendment 16058)						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Treviño	District 1		x				x
Alan Warrick	District 2		x			x	
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4	x					
Shirley Gonzales	District 5		x				
Ray Lopez	District 6	x					
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9	x					
Michael Gallagher	District 10		x				

TX LANDMARK SURVEYING

26254 IH 10 West, Suite 105 | Boerne, TX 78006 | 830.822.0394
TBPLS Firm No. 10164600

FIELD NOTES FOR 8.351 ACRES OF LAND

BEING 8.351 acres of land out of the CLEMENTE TEJADA SURVEY No. 133, ABSTRACT No. 743, NCB 17322, Bexar County, Texas, said 8.351 being comprised of the THEISSEN FAMILY LIMITED PARTNERSHIP 3.595 acre tract (TRACT II), NCB 17322, recorded in Volume 8476, Page 982, Official Public Records of Bexar County, Texas (OPRBCT)(R1), PLUS 4.721 acres out of the THEISSEN FAMILY LIMITED PARTNERSHIP 11.414 acre tract (TRACT I), NCB 17322, recorded in Volume 8476, Page 982, OPRBCT (R1), PLUS 0.034 acres out of LOT 6, BLOCK 1, NCB 17322, THEISSEN SUBDIVISION recorded in Volume 9543, Page 153, Deed and Plat Records of Bexar County, Texas, (DPRBCT), said 8.351 acres being more particularly described by metes and bounds as follows:

BEGINNING at a found 1.5" metal pipe for the southwest corner of this tract and said THEISSEN FAMILY LIMITED PARTNERSHIP 11.414 acre tract, the southeast corner of the DTACTL-SAWAP LLC 10.00 acre tract recorded in Volume 17722, Page 2351, OPRBCT, on a northern boundary of the MARTINDALE ARMY AIRFIELD (TEXAS NATIONAL GUARD), no record information found;

THENCE North 05°23'40" East for 1015.01 feet (North 06°29'22" East for 1014.70 feet, R1) along the western boundary of this tract and said THEISSEN FAMILY LIMITED PARTNERSHIP 11.414 acre tract and said LOT 6, the eastern boundary of said DTACTL-SAWAP LLC 10.00 acre tract to a found MAG nail with aluminum washer stamped "TXLMS.COM RPLS #6002" for the northernmost corner of this tract, an interior corner of said LOT 6, an exterior corner of said DTACTL-SAWAP LLC 10.00 acre tract;

THENCE South 10°12'54" East for 240.42 feet along an eastern boundary of this tract, through the interior of said LOT 6, through the interior of said THEISSEN FAMILY LIMITED PARTNERSHIP 11.414 acre tract to a set 1/2" rebar with plastic cap stamped "TXLMS.COM RPLS #6002" for an interior corner of this tract;

THENCE North 87°46'52" East for 353.41 feet along the northern boundary of this tract, through the interior of said THEISSEN FAMILY LIMITED PARTNERSHIP 11.414 acre tract, crossing a 20' wide ingress/egress easement recorded in Volume 7520, Page 1437, OPRBCT, to a set 1/2" rebar with plastic cap stamped "TXLMS.COM RPLS #6002" for the northeast corner of this tract on the western boundary of the ROSILLO CREEK DEV. LTD. 17.132 acre tract recorded in Volume 9955, Page 2109, OPRBCT;

THENCE South 00°29'46" East for 783.99 feet along the eastern boundary of this tract and said THEISSEN FAMILY LIMITED PARTNERSHIP 11.414 acre tract and said THEISSEN FAMILY LIMITED PARTNERSHIP 3.595 acre tract, a portion of the eastern boundary of said 20' wide access easement, the western boundary of said ROSILLO CREEK DEV. LTD. 17.132 acre tract to a found 1.5" metal pipe for the southeast corner of this tract and said THEISSEN FAMILY LIMITED PARTNERSHIP 3.595 acre tract, the southwest corner of said ROSILLO CREEK DEV. LTD. 17.132 acre tract, on the northern boundary of the ROSILLO CREEK DEV 20.000 acre tract recorded in Volume 9955, Page 2109, OPRBCT;

THENCE South 89°32'57" West for 209.76 feet (South 89°22'34" West for 209.72 feet, R1) along the southern boundary of this tract and said THEISSEN FAMILY LIMITED PARTNERSHIP 3.595 acre tract, the northern boundary of said ROSILLO CREEK 20.000 acre tract to a found 1.5" metal pipe for an angle point of this tract and said THEISSEN FAMILY LIMITED PARTNERSHIP 3.595 acre tract, the northwest corner of said ROSILLO CREEK 20.000 acre tract, a northeast corner of said MARTINDALE ARMY AIRFIELD;

THENCE South 89°36'23" West for 288.25 feet (South 89°13'29" West for 288.08 feet, R1) along the southern boundary of this tract and said THEISSEN FAMILY LIMITED PARTNERSHIP 3.595 acre tract and said THEISSEN FAMILY LIMITED PARTNERSHIP 11.414 acre tract, a northern boundary of said MARTINDALE ARMY AIRFIELD to the **POINT OF BEGINNING**.

CONTAINING: 8.351 acres of land.



The Basis of Bearings is Texas State Plane Coordinate System, NAD 1983, South Central Zone (4204). This description was based on a survey made on the ground under my supervision completed on April 26, 2016, from which an exhibit was prepared.

A handwritten signature in black ink, appearing to read "R. S. Rugloski", written over a horizontal line.

Robert S. Rugloski, RPLS #6002

Job #11603291 (DAK / RSR) | June 6, 2016 | Revised September 13, 2016

