

AN ORDINANCE **2017-05-18-0374**

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 on 0.641 acres out of Lot 5, NCB 12060 from "C-3R AHOD" General Commercial Restrictive Alcoholic Sales Airport Hazard Overlay District to "C-3 S AHOD" General Commercial Airport Hazard Overlay District with a Specific Use Authorization for an Auto Paint and Body Shop.

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.

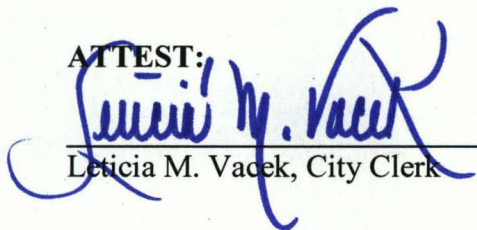
SECTION 6. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 7. This ordinance shall become effective the 28th day of May 2017.

PASSED AND APPROVED this 18th day of May 2017.


M A Y O R
Ivy R. Taylor

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



For Andrew Segovia, City Attorney

Agenda Item:	Z-18 (in consent vote: Z-1, Z-2, Z-3, Z-4, P-1, Z-5, Z-7, P-2, Z-8, Z-9, Z-11, P-3, Z-12, P-4, Z-13, P-5, Z-14, Z-15, Z-16, Z-18, P-6)						
Date:	05/18/2017						
Time:	02:06:04 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2017107 S (Council District 9): An Ordinance amending the Zoning District Boundary from "C-3R AHOD" General Commercial Restrictive Alcoholic Sales Airport Hazard Overlay District to "C-3 S AHOD" General Commercial Airport Hazard Overlay District with a Specific Use Authorization for an Auto Paint and Body Shop on 0.641 acres out of Lot 5, NCB 12060, located at 955 East Bitters Road. Staff and Zoning Commission recommend Approval.						
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				
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				

22017107



13300 OLD BLANCO ROAD
SAN ANTONIO, TEXAS 78216
FIRM #10194224

**PROPOSED ZONE CHANGE
CURRENT ZONING C3(R)
PROPOSED ZONING C3S (SPECIFIC USE FOR BODY SHOP)
955 E. BITTERS ROAD
SUITE'S 401, 415, 417, 423**

BEING A PROPOSED 0.399 (17,391 SQ.FT.) ACRES OUT OF A PORTION OF LOT 5, NEW CITY BLOCK (N.C.B.) 12060, BLUE RIDGE ESTATES SUBDIVISION, UNIT 2, VOLUME 9507, PAGE 83, DEED AND PLAT RECORDS, BEXAR COUNTY, TEXAS, BEING OUT OF THE WILLIAM B. HARRISON SURVEY, ABSTRACT 335, SECTION 80 AND BEING THE SAME TRACT DESCRIBED AS A 3.786 ACRE TRACT BY DEED RECORDED IN VOLUME 17638, PAGE 414, OFFICIAL PUBLIC RECORDS, BEXAR COUNTY, TEXAS; SAID 0.399 ACRE TRACT BEING LOCATED IN A COMMERCIAL STORE SITE (C.S.S.) ZONE AND BEING PROPOSED AS A GENERAL COMMERCIAL DISTRICT, SECTION 35-310.10 (C-3) ZONE ACCORDING TO THE ZONING DISTRICTS FOR THE CITY OF SAN ANTONIO, TEXAS, THE 0.399 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A FOUND 1/2 INCH STEEL REBAR (CONTROL MONUMENT) IN THE NORTHEAST LINE OF BITTERS ROAD (86' R.O.W.) FOR THE NORTHWEST CORNER OF A CALLED 6.433 ACRE TRACT CONVEYED TO PORT ANTONIO, LLC. AS RECORDED IN DEED, VOLUME 11316, PAGE 1169, OFFICIAL PUBLIC RECORDS, BEXAR COUNTY, TEXAS, FOR A CORNER HEREOF FROM WHICH A FOUND PUNCH HOLE BEARS N 47° 15' 00" W, A DISTANCE OF 220.00 FEET;

THENCE, S 41° 49' 00" W, ALONG THE NORTH LINE OF THE SAID PORT ANTONIO, LLC. TRACT, A DISTANCE OF 229.99 FEET TO A CALCULATED POINT, FOR A CORNER HEREOF;

THENCE, N 48° 11' 00" W, DEPARTING THE NORTH LINE OF THE PORT ANTONIO, LLC. TRACT AND ACROSS AND INTO SAID 3.786 ACRE TRACT A DISTANCE OF 46.70 FEET TO A CALCULATED CORNER AT A 5 FT. BY 5 FT. BUILDING OFFSET FOR THE POINT OF BEGINNING;

THENCE, CONTINUING ACROSS AND INTO THE 3.786 ACRE TRACT THE FOLLOWING FOUR (4) COURSES AND DISTANCES:

1. N 48° 21' 29" W, A DISTANCE OF 59.97 FEET TO A CALCULATED CORNER AT A 5 FT. BY 5 FT. BUILDING OFFSET, FOR A CORNER HEREOF;

2. N 41° 38' 31" E, A DISTANCE OF 290.00 FEET TO A CALCULATED CORNER AT A 5 FT. BY 5 FT. BUILDING OFFSET, FOR A CORNER HEREOF;

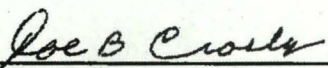
Z2017107

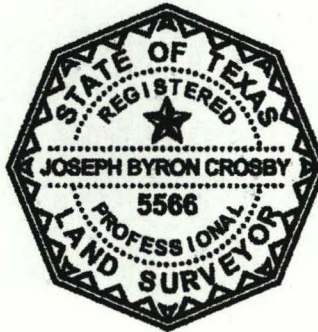
3. S 48° 21' 29" E, A DISTANCE OF 59.97 FEET TO A CALCULATED CORNER AT A 5 FT. BY 5 FT. BUILDING OFFSET, FOR A CORNER HEREOF;

4. S 41° 38' 31" W, A DISTANCE OF 290.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.399 ACRES OF LAND MORE OR LESS.

BEARINGS AND DISTANCE ARE BASED FROM DEED RECORDED IN VOLUME 17638, PAGE 414, OFFICIAL PUBLIC RECORDS, BEXAR COUNTY, TEXAS.

THIS SURVEY WAS PREPARED FROM AN ON THE GROUND SURVEY PERFORMED UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.


JOE B. CROSBY
RPLS # 5566
02/7/2017



Z2017107



13300 OLD BLANCO ROAD
SAN ANTONIO, TEXAS 78216
FIRM #10194224

**PROPOSED ZONE CHANGE
CURRENT ZONING C3(R)
PROPOSED ZONING C3S (SPECIFIC USE FOR BODY SHOP)
951 E. BITTERS ROAD
SUITES 501, 511, 523, 530**

BEING A PROPOSED 0.242 (10,556 SQ.FT.) ACRES OUT OF A PORTION OF LOT 5, NEW CITY BLOCK (N.C.B.) 12060, BLUE RIDGE ESTATES SUBDIVISION, UNIT 2, VOLUME 9507, PAGE 83, DEED AND PLAT RECORDS, BEXAR COUNTY, TEXAS, BEING OUT OF THE WILLIAM B. HARRISON SURVEY, ABSTRACT 335, SECTION 80 AND BEING THE SAME TRACT DESCRIBED AS A 3.786 ACRE TRACT BY DEED RECORDED IN VOLUME 17638, PAGE 414, OFFICIAL PUBLIC RECORDS, BEXAR COUNTY, TEXAS; SAID 0.242 ACRE TRACT BEING LOCATED IN A COMMERCIAL STORE SITE (C.S.S.) ZONE AND BEING PROPOSED AS A GENERAL COMMERCIAL DISTRICT, SECTION 35-310.10 (C-3) ZONE ACCORDING TO THE ZONING DISTRICTS FOR THE CITY OF SAN ANTONIO, TEXAS, THE 0.242 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A FOUND 3/8 INCH STEEL REBAR FOR THE NORTH CORNER OF A CALLED 0.6770 ACRE TRACT CONVEYED TO VIZZA WASH AS RECORDED IN DEED, VOLUME 5443, PAGE 664, OFFICIAL PUBLIC RECORDS, BEXAR COUNTY, TEXAS, THE SAME POINT LYING ON THE EAST LINE OF A CALLED 3.9030 ACRE TRACT CONVEYED TO FH REDONDO. LP, AS RECORDED IN VOLUME 17015, PAGE 725, OFFICIAL PUBLIC RECORDS, BEXAR COUNTY, TEXAS, FOR A CORNER HEREOF;

THENCE, N 41° 49' 00" E, ALONG THE SAID EAST LINE OF THE FH REDONDO, LP, TRACT A DISTANCE OF 258.35 FEET TO A CALCULATED POINT, FOR A CORNER HEREOF;

THENCE, S 48° 11' 00" E, DEPARTING THE EAST LINE OF REDONDO TRACT AND ACROSS AND INTO SAID 3.786 ACRE TRACT A DISTANCE OF 73.06 FEET TO A CALCULATED CORNER AT A 5 FT. BY 5 FT. BUILDING OFFSET, FOR THE POINT OF BEGINNING;

THENCE, CONTINUING ACROSS AND INTO THE 3.786 ACRE TRACT THE FOLLOWING FOUR (4) COURSES AND DISTANCES:

1. N 42° 42' 31" E, A DISTANCE OF 70.33 FEET TO A CALCULATED CORNER AT A 5 FT. BY 5 FT. BUILDING OFFSET, FOR A CORNER HEREOF;

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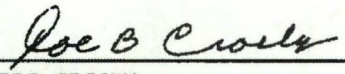
2. S 47° 17' 29" E, A DISTANCE OF 150.08 FEET TO A CALCULATED CORNER AT A 5 FT. BY 5 FT. BUILDING OFFSET, FOR A CORNER HEREOF;

3. S 42° 42' 31" W, A DISTANCE OF 70.33 FEET TO A CALCULATED CORNER AT A 5 FT. BY 5 FT. BUILDING OFFSET, FOR A CORNER HEREOF;

4. N 47° 17' 29" W, A DISTANCE OF 150.08 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.242 ACRES OF LAND MORE OR LESS

BEARINGS AND DISTANCE ARE BASED FROM DEED RECORDED IN VOLUME 17638, PAGE 414, OFFICIAL PUBLIC RECORDS, BEXAR COUNTY, TEXAS.

THIS SURVEY WAS PREPARED FROM AN ON THE GROUND SURVEY PERFORMED UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.


JOE B. CROSBY
RPLS # 5566
02/7/2017

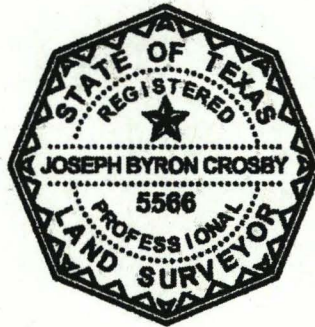


Exhibit "A"

CJS SPECIFIC USE FOR AUTO BODY SHOP.

I, RAMI KOTEL - DIRECTOR OF ASHEER PROPERTIES, LLC, 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/CITY-ADOPTED CODES AT THE TIME OF PLAN SUBMITTAL FOR BUILDING PERMITS.

Scale: 1" = 60'

18" SANITARY SEWER
ENRIT
VOL. 8502, PG. 141

CALLED
0.6770 ACRE
CONVEYED TO
VZZA WASH
VOL. 5443, PG. 864

LINE	BEARING	DISTANCE
L1	N 41°49'00" E	104.16'
L2	N 71°49'00" E	36.99'
L3	N 41°49'00" E	83.50'
L4	N 48°11'00" W	46.70'
L5	N 48°21'29" W	59.97'
L6	S 48°21'29" E	59.97'
L7	S 48°11'00" E	73.06'
L8	N 42°42'31" E	70.33'
L9	S 42°42'31" W	70.33'

N 47°15'00" W 220.00'
E BITTERS ROAD
86' R.O.W.
(VOL. 9695, PG. 200)

Exhibit "B"

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