AN ORDINANCE 2018-04-05-0239

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 the South 91.1 feet of Lot 27, 28, 29, 30, 31, and 32, Block 21, NCB 1620 from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Food, Mobile Vending (Base Operations).

SECTION 2. 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 3. The City council approves this Conditional Use so long as the attached site plan is adhered to. A site plan is attached as **Exhibit "A"** and made a part hereof and incorporated herein for all purposes.

SECTION 4. 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 5. 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.

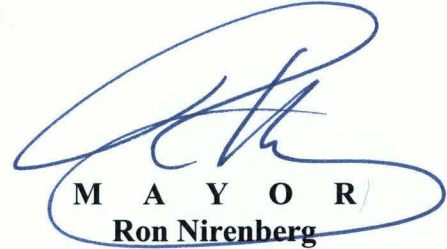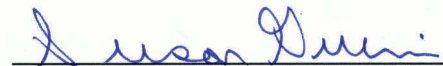**SECTION 6.** This ordinance shall become effective April 15, 2018.

PASSED AND APPROVED this 5th day of April 2018.

M A Y O R
Ron Nirenberg

ATTEST:

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

Andrew Segovia, City Attorney

Agenda Item:	Z-13 (in consent vote: Z-1, Z-2, Z-3, Z-4, Z-7, Z-8, P-1, Z-9, Z-10, P-2, Z-11, Z-12, P-3, Z-13, Z-14, P-4, Z-15, Z-16, Z-19, Z-21, Z-25, Z-28, P-7, Z-29, P-8, Z-30)
Date:	04/05/2018
Time:	02:09:44 PM
Vote Type:	Motion to Approve
Description:	ZONING CASE # Z2018100 CD (Council District 2): An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Food, Mobile Vending (Base Operations) on the South 91.1-feet of Lots 27, Lot 28, Lot 29, Lot 30, Lot 31, and Lot 32, Block 21, NCB 1620, located at 1430 South New Braunfels Avenue. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment 18027)
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				

Exhibit "A"

I, Angel Payan Tenorio, the property owner, acknowledge that this site plan submitted for the purpose of recording this property is in accordance with the 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.

BUYER: DIEGO RODRIGUEZ

ADDRESS: 1430 S. NEW BRAUNFELS

TITLE COMPANY: —

G.F. NO.:

LOT: THE SOUTH 91' OF LOTS 27, 28, 29, 30, 31 & 32

BLOCK: 21

N.C.B: 1620

SUBDIVISION: SOUTH HEIGHTS ADDITION

CITY: SAN ANTONIO

COUNTY: BEXAR

STATE: TEXAS

THIS PROPERTY IS SUBJECT TO RECORDED RESTRICTIVE COVENANTS AND/OR EASEMENTS AS FOLLOWS:

VOLUME 248 PAGE 227 DEED RECORDS OF BEXAR COUNTY, TEXAS
VOLUME XXX PAGE XXX REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS
VOLUME XXX PAGE XXX REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS
VOLUME XXX PAGE XXX REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS
VOLUME XXX PAGE XXX REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS
VOLUME XXX PAGE XXX REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS

PLAT RECORDED IN: VOLUME 10746 PAGE 1234 DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS

SOUTH CENTRAL SURVEYORS OF TEXAS

P.O. BOX 100442
SAN ANTONIO, TEXAS 78201
PHONE: 210-534-6700
FAX: 210-534-9673

REVISED: 12/18/2006

DRAWN BY: HART

JOB NO: 6-0291-001

FIELD WORK COMP: 12/13/2006

NOTES:
1. UNDERGROUND UTILITY INSTALLATIONS, UNDERGROUND IMPROVEMENTS, FOUNDATIONS AND/OR OTHER UNDERGROUND ITEMS OR EASEMENTS ARE NOT LOCATED BY THIS SURVEY.
2. THE PURPOSE OF THIS SURVEY IS FOR USE IN OBTAINING TITLE INSURANCE AND/OR FINANCING AND SHOULD NOT BE USED FOR CONSTRUCTION PURPOSES.
3. THIS SURVEY IS PREPARED FOR THE EXCLUSIVE USE AND BENEFIT OF THE PARTIES LISTED HEREON. LIABILITY TO THIRD PARTIES MAY NOT BE TRANSFERRED OR ASSIGNED.
4. SET PINS TO BE COMPLETED UPON RECEIPT OF FINAL PAYMENT.

PETER AGUIRRE
REGISTERED PROFESSIONAL LAND SURVEYOR
5464
STATE OF TEXAS

LOT 34

LOT 33

(BEARING BASIS)
S00°00'00"E 91.00'(RECORD)
S00°00'00"E 91.00'(FIELD)

NORTH 49' OF LOT 32

NORTH 49' OF LOT 31

NORTH 49' OF LOT 30

NORTH 49' OF LOT 29

NORTH 49' OF LOT 28

NORTH 49' OF LOT 27

SOUTH 91' OF LOT 32

SOUTH 91' OF LOT 31

SOUTH 91' OF LOT 30

SOUTH 91' OF LOT 29

SOUTH 91' OF LOT 28

SOUTH 91' OF LOT 27

N90°00'00"E 150.00'(RECORD)
N90°00'00"E 150.00'(FIELD)

BLOCK 21
N.C.B. 1620
COMMERCIAL CONVENIENCE STORE

DENVER BLVD.
(50.0' R.O.W. ASPHALT PAVEMENT)

N90°00'00"W 150.00'(RECORD)
N90°00'00"W 150.00'(FIELD)

N00°00'00"E 91.00'(FIELD)
N00°00'00"E 91.00'(RECORD)

S. NEW BRAUNFELS
(50.0' R.O.W. ASPHALT PAVEMENT)

NOTE: THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT, CONFLICTS IN TITLE OR EASEMENTS ARE NOT CERTIFIED HEREON. FIELD CONDITIONS ARE AS SHOWN.

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT THE ABOVE PLAT IS TRUE AND CORRECT ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THERE ARE NO VISIBLE ENCROACHMENTS OF BUILDINGS OR ADJOINING PROPERTIES AND THAT ALL BUILDINGS ARE WHOLLY LOCATED ON THIS PROPERTY OR AS SHOWN ABOVE.

THIS 14th DAY OF DECEMBER 2006, A.D.

PETER A. AGUIRRE, R.P.L.S. 5464

GRAPHIC SCALE
1" = 20'

Z20181000

Exhibit "A"