

AN ORDINANCE 2018-09-06-0696

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 1.120 acres out of NCB 13806 from "C-2 CD IH-1 AHOD" Commercial Northeast Gateway Corridor Airport Hazard Overlay District with Conditional Use for Landscape Materials, Sales, and Supplies to "C-2 CD IH-1 AHOD" Commercial Northeast Gateway Corridor Airport Hazard Overlay District with Conditional Use for Exterminator.

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.

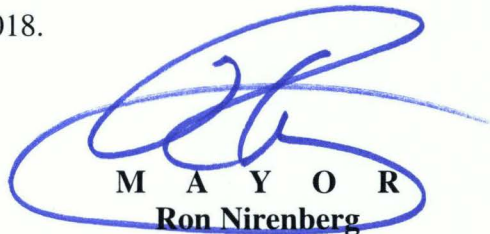
SECTION 5. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and

provided for in Section 35-491.

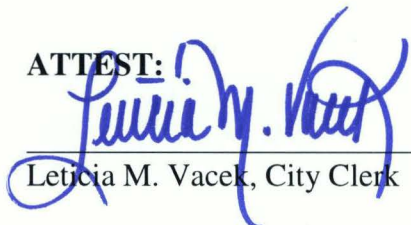
SECTION 6. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 7. This ordinance shall become effective September 16, 2018.

PASSED AND APPROVED this 6th day of September 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-5 (in consent vote: 19, Z-1, P-1, Z-2, P-2, Z-3, P-3, Z-4, Z-5, Z-12, Z-14, Z-15, Z-16, Z-17, Z-18, Z-19)						
Date:	09/06/2018						
Time:	02:53:47 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2018265 CD (Council District 2): Ordinance amending the Zoning District Boundary from "C-2 CD IH-1 AHOD" Commercial Northeast Gateway Corridor Airport Hazard Overlay District with Conditional Use for Landscape Materials, Sales, and Supplies to "C-2 CD IH-1 AHOD" Commercial Northeast Gateway Corridor Airport Hazard Overlay District with Conditional Use for Exterminator on 1.120 acres out of NCB 13806, located at 102 Joe Lee 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				
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				x
Clayton H. Perry	District 10		x				

SG/lj
09/06/2018
Item No. # Z-5

EXHIBIT “A”

**METES AND BOUNDS DESCRIPTION
FOR ZONING**

A 1.120 acre, or 48,801 square feet more or less, tract of land out of that Tract 1 described in deed to RWJ Properties, Inc. recorded in Volume 14697, Page 1245 of the Official Public Records of Bexar County, Texas, out of the M. A. De Los Santos Coy Survey No. 306, Abstract 135, New City Block 13806 of the City of San Antonio, Bexar County, Texas. Said 1.120 acre tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00;

BEGINNING: At a found ½ inch iron rod with cap marked "DYE" on the south line of Lot 16, New City Block 13806 Gajeske Commercial Subdivision recorded in Volume 9714, Page 23 of the Deed and Plat Records of Bexar County, Texas, the northeast corner of Lot 14, New City Block 13806 ABC Pest and Lawn Service Subdivision recorded in Volume 9583, Page 174 of said Deed and Plat Records, same being Tract 2 described in deed to said RWJ Properties, Inc, the northwest corner of the herein described tract, and from which a found ½ inch iron rod on the southeast right-of-way line of Interstate Highway 35, a 300 foot right-of-way, the west corner of said Lot 16, the north corner of said Tract 2 bears, S 89°41'30" W, a distance of 4.33 feet to a set ½ inch iron rod with cap marked "Pape-Dawson", N 89°49'10" W, a distance of 134.35 feet to a found ½ inch iron rod, N 24°48'14" W, a distance of 255.28 feet;

THENCE: N 89°41'30" E, along and with the south line of said Lot 16, the north line of said Tract 1, passing at a distance of 358.86 feet to the southeast corner of said Lot 16, the southwest corner of Lot 8, New City Block 13806 Weidner Rd. Supply Warehouse Subdivision recorded in Volume 9606, Page 97 of said Deed and Plat Records continuing for a total distance of 380.03 feet to a set ½ inch iron rod with cap marked "Pape-Dawson" at the northwest corner of a tract described in deed to Rodolfo Antonio Ramos & Julissa Gonzalez-Gomez recorded in Volume 18297, Page 1715 of said Official Public Records, the northeast corner of the herein described tract;

S 00°05'35" E, departing the south line of said Lot 8, along and with the west line of said Ramos tract, the east line of the herein described tract, a distance of 126.92 feet to a found ½ inch iron rod at the northeast corner of a tract described in deed to Lura N. & Sherry D. Daffin recorded in Volume 14924, page 585 of said Official Public Records, the southeast corner of the herein described tract;

Z2018265

THENCE: Departing the west line of said Ramos tract, along and with the north line of said Daffin tract, the north lines of a tract described in deed to Prisela Juarez recorded in Volume 13823, Page 1938, a tract described in deed to Rosalia O. Juarez recorded in Volume 15213, Page 1856, a tract described in deed to Scott Styles recorded in Volume 14924, Page 585, a tract described in deed to Irene A. Arriaga recorded in Volume 14971, Page 2135 of said Official Public Records, the north line of Lot 2, Block J, New City Block 13763, Morningside Park Subdivision Unit 1, recorded in Volume 9526, Page 136 of said Deed and Plat Records, the following bearings and distances:

S 89°12'58" W, a distance of 149.09 feet to a found 1 inch iron pipe for an angle point;

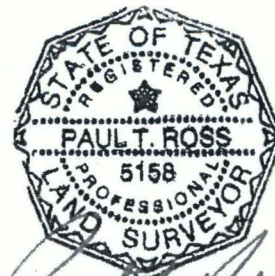
S 89°16'46" W, a distance of 201.19 feet to a found ½ inch iron rod at the northeast corner of said Lot 2, the northwest corner of said Arriaga tract;

S 89°25'54" W, a distance of 29.79 feet to a set ½ inch iron rod with cap marked "Pape-Dawson" at the southeast corner of said Tract 2 and said Lot 14, the southwest corner of the herein described tract;

THENCE: N 00°05'00" W, a distance of 129.74 feet to the POINT OF BEGINNING, and containing 1.120 acres in the City of San Antonio, Bexar County, Texas. Said tract being described in accordance with a survey made on the ground and a survey description and map prepared under job number 11612-00 by Pape-Dawson Engineers, Inc.

"This document was prepared under 22TAC663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: March 23, 2018
JOB NO. 11612-00
DOC. ID. N:\CIVIL\11612-00\Word\EX11612-00_ZN_FN.docx



Paul T. Ross
23 MARCH, 18

Exhibit "A"

EXHIBIT “B”

Z2018265



LOCATION MAP
NOT-TO-SCALE

LEGAL DESCRIPTION: 1.120 ACRES OUT OF TRACT 1 RECORDED IN V. 14697, PG. 1245, OPR

LAND INFORMATION

PROPERTY SIZE	IMPERVIOUS COVER
1.120 ACRES	48,801 SQ FT

DISCLAIMER STATEMENT:

I, RWJ PROPERTIES, LLC, THE PROPERTY OWNER, ACKNOWLEDGE THAT THE 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 THE 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.

JOB NO. 11612-00
DATE MARCH 2016
DESIGNER CEL
CHECKED DRAWN JQ
SHEET EX 1.0

ABC HOME & COMMERCIAL SERVICES

SAN ANTONIO, TEXAS

SITE PLAN

Exhibit "B"

PAPE-DAWSON ENGINEERS

SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH |
2000 NW LOOP 410-1 SAN ANTONIO, TX 78213
P.E. FIRM REGISTRATION #470 P. T.B.P.L. FIRM REGISTRATION
1 0 0 2 8 8 0