

AN ORDINANCE 2019-01-17-0091

**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 0.771 acres out of NCB 17647 from "C-2 MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region-2 Airport Hazard Overlay District and "C-3 MLOD-2 MLR-2 AHOD" General Commercial Lackland Military Lighting Overlay Military Lighting Region-2 Airport Hazard Overlay District to "C-2 CD MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region-2 Airport Hazard Overlay District with Conditional Use for Auto and Light Truck Repair.

**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.

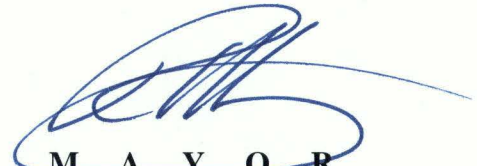
**SECTION 4.** The City council approves this Conditional Use so long as the attached site plan is adhered to. A site plan is attached as **Exhibit "B"** and made a part hereof and incorporated herein for all purposes.


**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 January 27, 2019.

**PASSED AND APPROVED** this 17<sup>th</sup> day of January 2019.

  
M A Y O R  
Ron Nirenberg

**ATTEST:**  
  
Leticia M. Vacek, City Clerk

**APPROVED AS TO FORM:**  
  
Andrew Segovia, City Attorney  
for

|                     |   |                    |            |            |                |               |               |
|---------------------|---|--------------------|------------|------------|----------------|---------------|---------------|
| <b>Agenda Item:</b> | <b>Z-47 ( in consent vote: Z-2, Z-3, Z-4, Z-5, P-1, Z-6, Z-7, Z-8, Z-9, Z-12, P-3, Z-14, P-4, Z-15, Z-16, Z-18, Z-19, P-5, Z-20, P-6, Z-21, Z-27, P-9, Z-28, Z-29, Z-30, Z-32, Z-33, Z-34, Z-35, Z-37, Z-38, Z-39, P-10, Z-40, Z-41, Z-44, Z-45, Z-46, Z-47, P-11, Z-49, Z-50, Z-51 )</b>   |                    |            |            |                |               |               |
| <b>Date:</b>        | 01/17/2019  |                    |            |            |                |               |               |
| <b>Time:</b>        | 02:22:27 PM   |                    |            |            |                |               |               |
| <b>Vote Type:</b>   | Motion to Approve   |                    |            |            |                |               |               |
| <b>Description:</b> | ZONING CASE # Z-2018-900048 CD (Council District 6): Ordinance amending the Zoning District Boundary from "C-2 MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region-2 Airport Hazard Overlay District and "C-3 MLOD-2 MLR-2 AHOD" General Commercial Lackland Military Lighting Overlay Military Lighting Region-2 Airport Hazard Overlay District to "C-2 CD MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region-2 Airport Hazard Overlay District with Conditional Use for Auto and Light Truck Repair on 0.771 acres out of NCB 17647, generally located at the intersection of West Loop 1604 and West Military Drive. Staff and Zoning Commission recommend Approval. |                    |            |            |                |               |               |
| <b>Result:</b>      | Passed  |                    |            |            |                |               |               |
| <b>Voter</b>        | <b>Group</b>  | <b>Not Present</b> | <b>Yea</b> | <b>Nay</b> | <b>Abstain</b> | <b>Motion</b> | <b>Second</b> |
| Ron Nirenberg       | Mayor   |                    | x          |            |                |               |               |
| Roberto C. Treviño  | District 1  |                    | x          |            |                | x             |               |
| Art A. Hall         | 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          |            |                |               |               |



# EXHIBIT “A”

**METES AND BOUNDS DESCRIPTION  
FOR ZONING**

A 0.771 of an acre, or 33,600 square feet more or less, tract of land, being Lot 9, Block 2, of the West Creek Phase 3 Subdivision, an approved but unrecorded plat, Plat No. 180292. Said Lot 9 being a 0.109 of an acre portion of Lot 4, Block 2 of the Westcreek Mini Storage 2 Subdivision recorded on Volume 9559, Page 90 of the Deed and Plat Records of Bexar County, Texas and 0.662 of an acre portion of Lot 7, Block 2 of the West Creek Phase 2 Subdivision recorded in Volume 20001, Page 367 of the Plat Records of Bexar County, Texas, in New City Block 17647 of the City of San Antonio, Bexar County, Texas. Said 0.771 of an acre tract being more fully described as follows:

**BEGINNING:** At a point on the east right-of-way line of State Loop 1604, a variable width right-of-way, the southwest corner of said Lot 9, and a northwest corner of Lot 11, Block 2 of said West Creek Phase 3, from which the northwest corner of Lot 5, Block 2 of the Fischer Neighborhood Market #30 recorded in Volume 9712, Page 126 of the Deed and Plat Records of Bexar County, Texas bears S 00°22'54" E, a distance of 212.00 feet;

**THENCE:** N 00°22'54" W, along and with the east right-of-way line of said State Loop 1604, the west line of said Lot 9, at a distance of 16.56 feet passing the northwest corner of said Lot 4 and continuing for a total distance of 120.00 feet to a point for the northwest corner of said Lot 9, the southwest corner of Lot 10, Block 2 of said West Creek Phase 3;

**THENCE:** N 89°40'15" E, departing the east right-of-way line of said State Loop 1604, along and with the north line of said Lot 9, the south line of said Lot 10, over and across said Lot 7, a distance of 280.00 feet to a point for the northeast corner of said Lot 9, the southeast corner of said Lot 10 and on a west line of said Lot 11;

**THENCE:** S 00°22'54" E, continuing over and across said Lot 7, at a distance of 102.49 feet passing the south line of said Lot 7, the north line of said Lot 4 and continuing for a total distance of 120.00 feet to a point for the southeast corner of said Lot 9, a reentrant corner of said Lot 11;

**THENCE:** S 89°40'15" W, along and with the south line of said Lot 9, over and across said Lot 4, a distance of 280.00 feet to the POINT OF BEGINNING, and containing 0.771 of an acre in the City of San Antonio, Bexar County, Texas. Said tract being described in accordance with an exhibit prepared under job number 9283-18 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:** November 9, 2018  
**JOB NO.** 9283-18  
**DOC. ID.** N:\Survey18\18-9200\9283-18\WORD\9283-18 FNZN-0.771 AC.docx

TBPE Firm Registration #470 | TBPLS Firm Registration #10028800

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2000 NW Loop 410, San Antonio, TX 78213 T: 210.375.9000 [www.Pape-Dawson.com](http://www.Pape-Dawson.com)

**Exhibit "A"**



# **EXHIBIT “B”**



## Exhibit "B"