

AN ORDINANCE

2019-03-07-0194

**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 0.684 acres out of NCB 918 from "I-2 RIO-7E MLOD-2 MLR-2 AHOD" Heavy Industrial River Improvement Overlay Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "IDZ-2 RIO-7E MLOD-2 MLR-2 AHOD" Medium Intensity Infill Development Zone River Improvement Overlay Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with uses permitted in "C-2" Commercial District.

**SECTION 2.** A description of the property is attached as **Exhibit "A"** and made a part hereof and incorporated herein for all purposes.

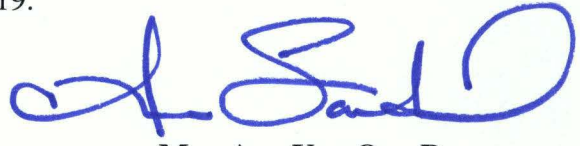
**SECTION 3.** The City council approves this Infill Development Zone so long as the attached site plan is adhered to. A site plan is attached as **Exhibit "B"** and made a part hereof and incorporated herein for all purposes.

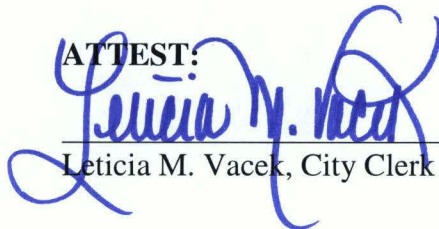
**SECTION 4.** All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

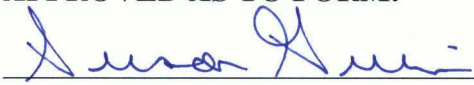
**SECTION 5.** The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

**SECTION 6.** This ordinance shall become effective March 17, 2019.

**PASSED AND APPROVED** this 7<sup>th</sup> day of March 2019.

  
M A Y O R  
Ron Nirenberg

ATTEST:  
  
\_\_\_\_\_  
Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:  
  
\_\_\_\_\_  
For Andrew Segovia, City Attorney

<b>Agenda Item:</b>	<b>Z-2 ( in consent vote: 25, 26, P-1, Z-1, Z-2, P-2, Z-3, P-3, Z-4, P-4, Z-5, Z-6, Z-8, Z-9, Z-10, P-5, Z-12 )</b>						
<b>Date:</b>	03/07/2019						
<b>Time:</b>	02:18:28 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	ZONING CASE # Z-2018-900079 (Council District 1): Ordinance amending the Zoning District Boundary from "I-2 RIO-7E MLOD-2 MLR-2 AHOD" Heavy Industrial River Improvement Overlay Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "IDZ-2 RIO-7E MLOD-2 MLR-2 AHOD" Medium Intensity Infill Development Zone River Improvement Overlay Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with uses permitted in "C-2" Commercial District on 0.684 acres out of NCB 918, located at 514 West Cevallos Street. 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 0.684 of an acre, more or less, tract of land comprised of a 0.579 of an acre portion of Lot 19, of the W. Cevallos Subdivision Unit 2 recorded in Volume 5580, Page 98 of the Deed and Plat Records of Bexar County, Texas and 0.133 of an acre out of that Tract A-6 of the City Engineers Map No. 14 of the City of San Antonio, Bexar County, Texas. Said 0.684 of an acre tract also being all of that 0.2726 acre tract and all of that 0.3957 acre tract, both described in Document No. 20180072833 of the Official Public Records of Bexar County, Texas, in New City Block 918 of the City of San Antonio, Bexar County, Texas. Said 0.684 of an acre tract being more fully described as follows:

- BEGINNING:** At a point on the southeast right-of-way line of Interstate Highway 35, a variable width right-of-way, the northwest corner of Lot 23, NCB 918, of the Westlands Subdivision Unit 1 recorded in Volume 9500, Page 119 of the Deed and Plat Records of Bexar County, Texas and the southwest corner of said 0.2726 of an acre tract;
- THENCE:** N 29°04'21" E, along and with the southeast right-of-way line of said Interstate Highway 35, the northwest line of said 0.2726 acre tract, a distance of 47.94 feet to a point, for the southwest corner of a 0.4919 acre tract recorded in Volume 16890, Page 469 of the Official Public Records of Bexar County, Texas;
- THENCE:** S 70°31'34" E, departing the southeast right-of-way line of said Interstate Highway 35, along and with the southwest line of said 0.4919 acre tract, and over and across said Tract A-6, passing the southwest line of said Lot 19, and continuing for a distance of 136.35 feet to a point for the southeast corner of said 0.4919 acre tract;
- THENCE:** N 28°43'37" E, continuing over and across said Lot 19, along and with the southeast line of said 0.4919 acre tract, a distance of 99.07 feet to a point;

THENCE: N 13°37'24" E, continuing over and across said Lot 19, along and with the southeast line of said 0.4919 acre tract, a distance of 86.50 feet to a point on the south right-of-way line of W. Cevallos Street, a variable width right-of-way dedicated in Volume 5580, Page 212 of the Deed and Plat Records of Bexar County, Texas, the north line of said Lot 19, the northeast corner of said 0.4919 acre tract, and the north, northwest corner of said 0.2726 acre tract;

THENCE: Southeasterly, along and with the south right-of-way line of said W. Cevallos Street, the north line of said Lot 19, the north line of said 0.2726 acre tract and said 0.394 acre tract, along a non-tangent curve to the right, said curve having a radial bearing of S 01°30'04" E, a radius of 357.00 feet, a central angle of 17°33'46", a chord bearing and distance of S 82°43'11" E, 109.00 feet, for an arc length of 109.43 feet to a point for the northern most northwest corner of said Lot 23, the northeast corner of said 0.394 acre tract;

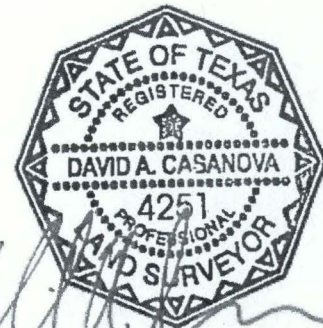
THENCE: S 13°33'38" W, departing the south right-of-way line of said W. Cevallos Street, along and with a northwest line of said Lot 23, the east line of said 0.394 acre tract, a distance of 99.45 feet to a point;

THENCE: S 41°45'16" W, continuing along and with a northwest line of said Lot 23, the east line of said 0.394 acre tract, a distance of 167.48 feet to a point for the southeast corner of said 0.394 acre tract and a reentrant corner of said Lot 23;

THENCE: N 70°35'20" W, along and with a north line of said Lot 23, the southwest line of said 0.394 acre tract and 0.2726 acre tract, a distance of 204.74 feet to the POINT OF BEGINNING, and containing 0.684 of an acre in the City of San Antonio, Bexar County, Texas.

"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: December 7, 2018  
JOB NO. 11739-01  
DOC. ID. N:\CIVIL\11739-01\Word\FNZN-0.684 AC.docx







LOCATION MAP

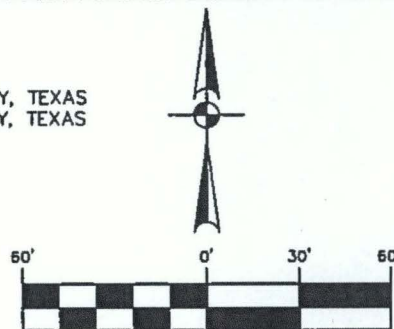
NOT-TO-SCALE

# LEGEND:

DR DEED RECORDS OF BEXAR COUNTY, TEXAS  
 OPR OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS  
 DPR DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS  
 PR PLAT RECORDS OF BEXAR COUNTY, TEXAS  
 FIR FOUND 1/2" IRON ROD

# NOTES:

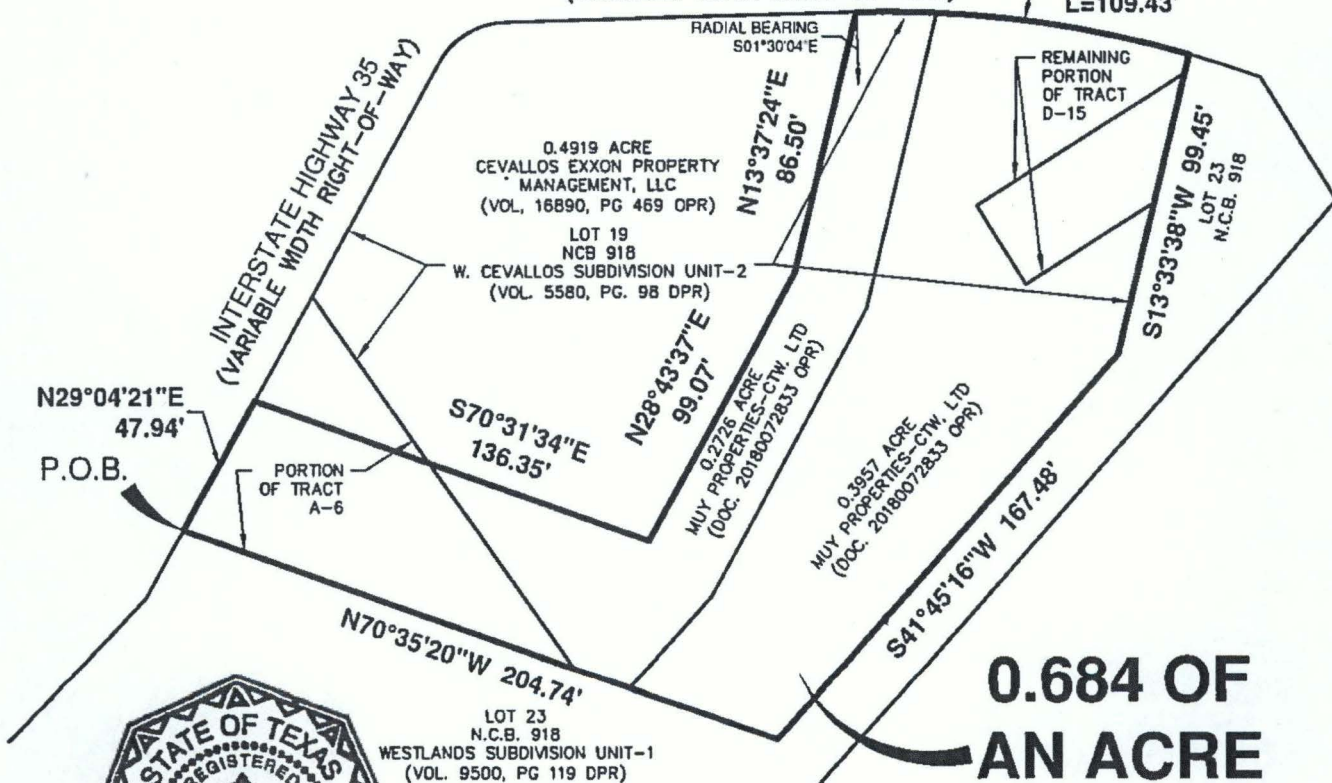
1. THIS EXHIBIT IS ISSUED IN CONJUNCTION WITH A METES AND BOUNDS DESCRIPTION PREPARED UNDER JOB NO. 11739-01 BY PAPE-DAWSON ENGINEERS, INC.
2. THIS DOCUMENT WAS PREPARED UNDER 22TAC663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS 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.



SCALE: 1" = 60'

R=357.00'  
 Delta=17°33'46"  
 CB=S82°43'11"E  
 CD=109.00'  
 L=109.43'

W. CEVALLOS ST.  
 (VARIABLE WIDTH RIGHT-OF-WAY)



0.684 OF  
 AN ACRE



**PAPE-DAWSON ENGINEERS**

SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS  
 2000 HW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000  
 TSPE FIRM REGISTRATION #470 | TSPS FIRM REGISTRATION #10028800

# METES AND BOUNDS DESCRIPTION FOR ZONING

A 0.684 OF AN ACRE, MORE OR LESS, TRACT OF LAND COMPRISED OF A 0.579 OF AN ACRE PORTION OF LOT 19, OF THE W. CEVALLOS SUBDIVISION UNIT 2 RECORDED IN VOLUME 5580, PAGE 98 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS AND 0.133 OF AN ACRE OUT OF THAT TRACT A-6 OF THE CITY ENGINEERS MAP NO. 14 OF THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS. SAID 0.684 OF AN ACRE TRACT ALSO BEING ALL OF THAT 0.2726 ACRE TRACT AND ALL OF THAT 0.3957 ACRE TRACT, BOTH DESCRIBED IN DOCUMENT NO. 20180072833 OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS, IN NEW CITY BLOCK 918 OF THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS.

DECEMBER 7, 2018

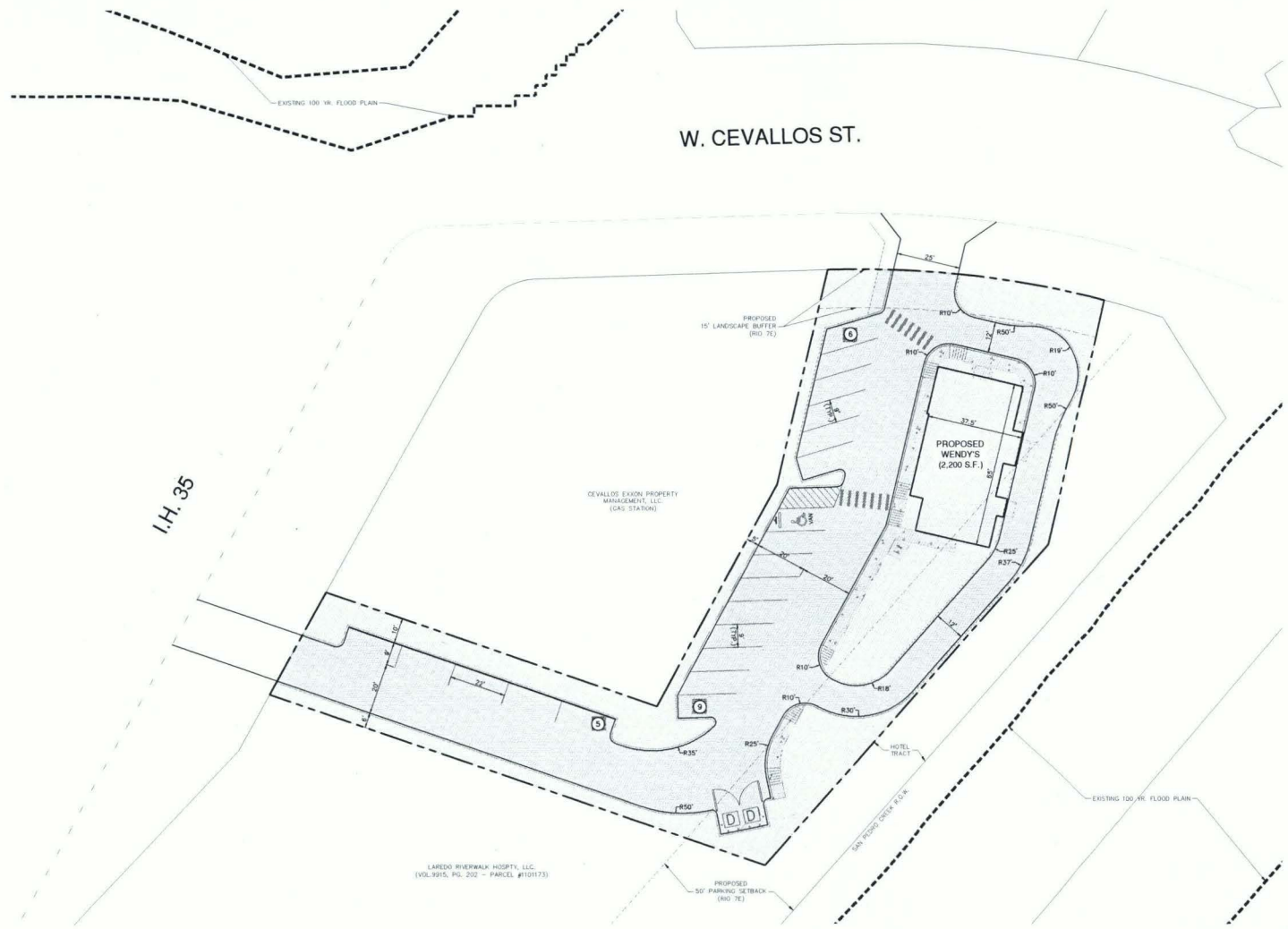
SHEET 1 OF 1  
 JOB No.: 11739-01

SG/lj  
03/07/2019  
Item No. Z-2

# **EXHIBIT “B”**



Proposed Zoning CHnage from I-2 RIO-7E AHOD to IDZ-2 RIO-7E AHOD with uses allowed in C-2



SITE / PARKING SUMMARY TABLE	
SITE ZONING	I-2
SITE ACREAGE	0.666 ACRES
BUILDING USE	FAST FOOD w/DRIVE THRU
MINIMUM PARKING RATIO	2,200 SF
BUILDING SQUARE FOOTAGE	2,200 SF
PARKING SPACE STANDARDS	
MINIMUM PARKING RATIO	1:150 SF
MAXIMUM PARKING RATIO	1:40 SF
MIN./MAX. ALLOWABLE PARKING	15 MIN./55 MAX.
PROPOSED PARKING	20
ACCESSIBLE PARKING	
REQUIRED ACCESSIBLE PARKING	-
REQUIRED WITH VAN ACCESS PARKING	1
PROPOSED ACCESS PARKING	-
PROPOSED VAN ACCESS PARKING	1
BICYCLES SPACES	
MINIMUM REQUIRED SPACES	4
ACTUAL/PROPOSED SPACES	4

IMPERVIOUS COVER TABLE	
SITE ACREAGE	29,098 S.F.
PERVIOUS AREA	8,751 S.F.
IMPERVIOUS AREA	2,200 S.F.
BLDG AREA	2,200 S.F.
STREETS, SIDEWALKS & DUMPSTER AREA	18,147 S.F.
TOTAL IMPERVIOUS AREA	20,347 S.F.
IMPERVIOUS AREA %	69.9%

**LEGEND**

- [Pattern] DENOTES PERVIOUS COVER
- [Pattern] DENOTES BLDG. IMPERVIOUS COVER
- [Pattern] DENOTES STREETS, SIDEWALKS & DUMPSTER IMPERVIOUS COVER

I, Mary Properties, CTW, Ltd., THE PROPERTY OWNER, ACKNOWLEDGE THAT THIS SITE PLAN SUBMITTED FOR THE PURPOSE OF RE-ZONING THIS PROPERTY IS IN ACCORDANCE WITH ALL APPLICABLE PROVISIONS OF THE UNIFIED DEVELOPMENT CODE. ADDITIONALLY, I UNDERSTAND CITY COUNCIL APPROVAL OF A SITE PLAN IN CONJUNCTION WITH A RE-ZONING CASE DOES NOT RELIEVE ME FROM ADHERENCE TO ANY/CITY-ADOPTED CODES AT THE TIME OF PLAN SUBMITTAL FOR BUILDING PERMIT.

**WENDY'S RESTAURANT**  
514 W. CEVALLOS ST.  
SAN ANTONIO, TEXAS

SCALE: 1"= 20'  
0' 20' 40' 60'

**PAPE-DAWSON ENGINEERS**  
SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS  
3000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000  
TYPE & FORM RE-CONSTRUCTION #470 - 1, TYPE & FORM RE-CONSTRUCTION #1000000

Exhibit "B"