

ORDINANCE 2020-08-20-0576

**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 0.533 acres out of NCB 10760 from "NP-15 MLOD-3 MLR-1" Neighborhood Preservation Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District to "NP-15 CD MLOD-3 MLR-1" Neighborhood Preservation Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District with a Conditional Use for a Noncommercial Parking Lot.

**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.

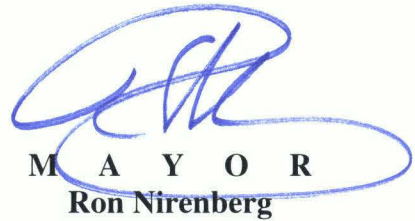
**SECTION 5.** All other provisions of Chapter 35 except those expressly amended by this

ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

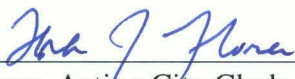
**SECTION 6.** The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

**SECTION 7.** This ordinance shall become effective April 30, 2020.

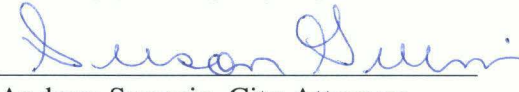
**PASSED AND APPROVED** this 20<sup>th</sup> day of August, 2020.

  
**M A Y O R**  
Ron Nirenberg

**ATTEST:**

  
\_\_\_\_\_  
Tina Flores, Acting City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
fa Andrew Segovia, City Attorney



## City of San Antonio

City Council  
August 20, 2020

Item: Z-14

Enactment Number:  
2020-08-20-0576

NAME	MOTION	SECOND	ABSTAIN	AYE	NAY	ABSENT
Ron Nirenberg Mayor				√		
Roberto Treviño Council District 1				√		
Jada Andrews-Sullivan Council District 2	√			√		
Rebecca Viagran Council District 3				√		
Adriana Rocha Garcia Council District 4				√		
Shirley Gonzales Council District 5				√		
Melissa Cabello Havrda Council District 6				√		
Ana Sandoval Council District 7		√		√		
Manny Pelaez Council District 8						√
John Courage Council District 9				√		
Clayton Perry Council District 10				√		

Comments:

---

---

---

---

---

*Office of the City Clerk*

SG  
08/20/2020  
Item No. Z-14

# **Exhibit “A”**



**METES AND BOUNDS**

Being 0.533 acres of land, more or less, being out of and a portion of Lot 14, New City Block 10760. J. Otis McCreless Subdivision, City of San Antonio, Bexar County, Texas, according to the Map or Plat thereof recorded in Volume 1625, Page 102, Deed and Plat records, Bexar County, Texas, said 0.533 acres being more particularly described by metes and bounds as follows:

**COMMENCING** at a 1/2 inch iron rod found for the southeast corner of said Lot 14, same being the southwest corner of the Alton M. Rousseau tract (Volume 9226, Page 1089) and on the North Right-of-Way of Elaine Road;

**THENCE** along the line common to said Lot 14 and said Rousseau tract, North 00 degrees 04 minutes 23 seconds East, a distance of 146.41 feet to a 1/2 inch iron rod set for the southeast corner of this 0.533 acres, same being the **POINT OF BEGINNING**;

**THENCE** over and across said Lot 14, South 89 degrees 22 minutes 47 seconds West, at a distance of 123.51 feet pass a 1/2 inch iron rod set for witness, and continuing in all for a total distance of 138.51 feet to a point for the southwest corner of this 0.533 acres, same being on the West line of said Lot 14 and on the East line of Lot 13, J. Otis McCreless Subdivision;

**THENCE** along the line common to this 0.533 acres, said Lot 13, and said Lot 14, North 00 degrees 04 minutes 44 seconds East, a distance of 167.69 feet to a 1/2 inch iron rod found for the northwest corner of this 0.533 acres, same being the northwest corner of said Lot 14 and the northeast corner of said Lot 13, same also being on the South line of Lot 13, Generation FCU Rigsby (Volume 20001, Page 44);

**THENCE** along the line common to this 0.533 acres, said Lot 14, and said Lot 13 (Rigsby), North 89 degrees 20 minutes 35 seconds East, a distance of 138.50 feet to a 1/2 inch iron rod found for the northeast corner of this 0.533 acres, same being the northeast corner of said Lot 14 and the northwest corner of Lot 33, L.A. Loessin Property (Volume 4181, Page 21);

**THENCE** along the line common to this 0.533 acres, said Lot 14, and said Lot 33, South 00 degrees 04 minutes 23 seconds West, a distance of 167.78 feet to the **POINT OF BEGINNING**, and containing 0.553 acres of land, more or less.

I hereby certify that these field notes were prepared from an actual survey made on the ground under my supervision and are true and correct to the best of my knowledge and belief. A survey plat of the above described tract prepared this day is hereby attached to and made a part hereof. Bearings shown herein are based on actual GPS observations, Texas State Plane Coordinates, South Central Zone, Grid.



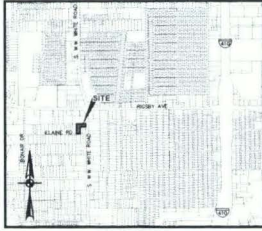
Mark J. Ewald  
Registered Professional Land Surveyor  
Texas Registration No. 5095  
August 1, 2019



Exhibit "A"

SG  
08/20/2020  
Item No. Z-14

# Exhibit “B”



LOCATION MAP

RE-ZONING NOTE

I, JESUS MANCERA & ROBERTINA RODRIGUEZ-PATINA, 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/ALL CITY-ADOPTED CODES AT THE TIME OF PLAN SUBMITTAL FOR BUILDING PERMITS.

Z2020-10700115 CD



**ENGINEERING**  
F-12563  
A+ ENGINEERING LLC  
STRUCTURAL • CIVIL ENGINEERING  
1000 Vance Jackson Rd., San Antonio, Texas  
Ph: (210) 591-4629  
401 Congress Ave., Suite 1540 Austin, Texas  
Ph: (512) 298-3360  
www.A+Engineering.com Copyright © 2020

DATE: 6/30/2020  
JOSEPH E. TOBER, P.E.  
LICENSED ENGINEER  
TX. NO. 108618  
NOTE: THESE DRAWINGS  
ARE INCOMPLETE AND MAY  
NOT BE USED FOR  
REGULATORY APPROVAL  
PERMIT OR CONSTRUCTION  
F-12563  
THIS DOCUMENT EXPIRES 12  
MONTHS FROM THE DATE OF  
SIGNATURE

**PRELIMINARY - NOT FOR CONSTRUCTION**  
**TAQUERIA AGAVE DE JALISCO**  
**RESTAURANT**  
1953 S. W.W. WHITE ROAD  
SAN ANTONIO, TEXAS 78222

REVISIONS		
No.	Description	Date

Drawing Name:  
**DIMENSIONAL CONTROL PLAN**  
Date: June 30, 2020  
Job No: 19-3150  
Drawn by: JLM  
Sheet No:

**C2.0**

IMPERVIOUS / PERVIOUS COVER	
OPEN SPACE / LANDSCAPE	9,512 SF
BUILDING	3,738 SF
ASPHALT	28,826 SF
CONCRETE	819 SF

SITE SUMMARY	
PROPERTY (AC)	1.04 AC
BUILDING (SF)	3,738 SF
PARKING REQUIRED (1/1000FA)	37
PARKING PROVIDED	39
HC SPACES PROVIDED	2
BIKE SPACES PROVIDED	6

TNDOT NOTE

ALL SIDEWALKS, CURBS, RAMPS, AND DRIVE APPROACHES IN THE RIGHT OF WAY SHALL BE IN COMPLIANCE WITH CURRENT TEXAS ACCESSIBILITY STANDARDS AND CITY OF SAN ANTONIO DESIGN STANDARDS PRIOR TO FINAL INSPECTION APPROVAL.

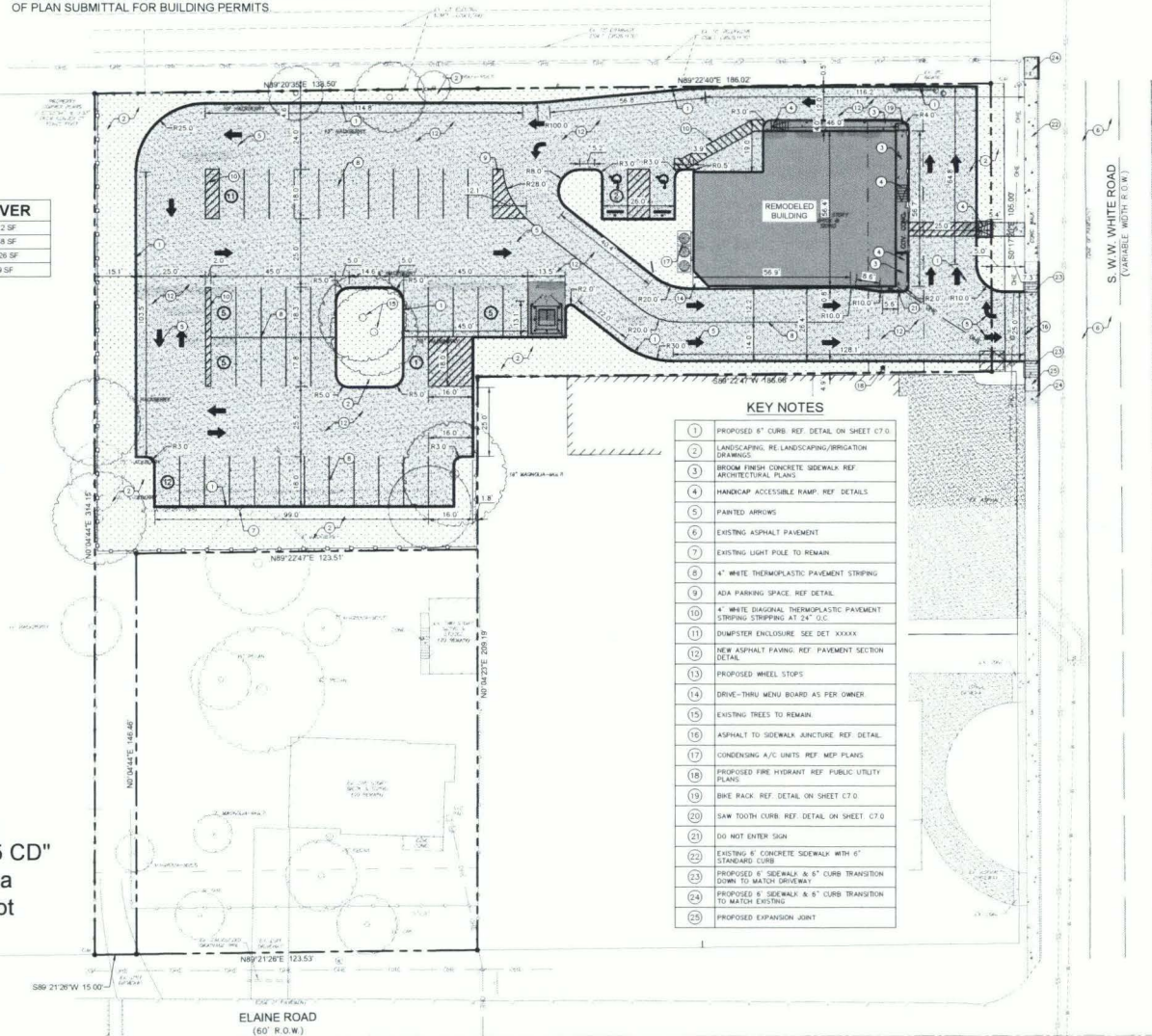
RE-ZONING/INTENDED USE NOTE

THE INTENDED USE OF THE CURRENT PROPERTY IS A NON-COMMERCIAL PARKING LOT TO PROVIDE ADDITIONAL PARKING SPACES TO THE COMMERCIAL RESTAURANT LOCATED WITHIN THE SAME DEVELOPMENT.

**0.533 acres out of  
NCB 10760**

Current zoning: "NP-15"

Requested zoning: "NP-15 CD"  
with a Conditional Use for a  
Noncommercial Parking Lot



KEY NOTES

- PROPOSED 6" CURB REF. DETAIL ON SHEET C7.0
- LANDSCAPING, RE-LANDSCAPING/IRRIGATION DRAWINGS
- BROOM FINISH CONCRETE SIDEWALK REF. ARCHITECTURAL PLANS
- HANDICAP ACCESSIBLE RAMP REF. DETAILS
- PAINTED ARROWS
- EXISTING ASPHALT PAVEMENT
- EXISTING LIGHT POLE TO REMAIN
- 4" WHITE THERMOPLASTIC PAVEMENT STRIPING
- ADA PARKING SPACE REF. DETAIL
- 4" WHITE DIAGONAL THERMOPLASTIC PAVEMENT STRIPING STRIPING AT 24" O.C.
- DUMPSTER ENCLOSURE SEE DET XXXXX
- NEW ASPHALT PAVING REF. PAVEMENT SECTION DETAIL
- PROPOSED WHEEL STOPS
- DRIVE-THRU MENU BOARD AS PER OWNER
- EXISTING TREES TO REMAIN
- ASPHALT TO SIDEWALK ANCHURE REF. DETAIL
- CONDENSING A/C UNITS REF. MEP PLANS
- PROPOSED FIRE HYDRANT REF. PUBLIC UTILITY PLANS
- BIKE RACK REF. DETAIL ON SHEET C7.0
- SAW TOOTH CURB REF. DETAIL ON SHEET C7.0
- DO NOT ENTER SIGN
- EXISTING 4" CONCRETE SIDEWALK WITH 6" STANDARD CURB
- PROPOSED 6" SIDEWALK & 6" CURB TRANSITION DOWN TO MATCH DRIVEWAY
- PROPOSED 6" SIDEWALK & 6" CURB TRANSITION TO MATCH EXISTING
- PROPOSED EXPANSION JOINT

Exhibit "B"