

ORDINANCE 2022-11-03-0865

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 12.939 acres out of NCB 18232, generally located in the 27000 Block of US Highway 281 North, from "C-2 GC-3 MLOD-1 MLR-2" Commercial US 281 North Gateway Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 2 District and "MXD GC 3 MLOD 1 MLR 2" Mixed Use US 281 North Gateway Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 2 District to "C-2 CD GC-3 MLOD-1 MLR-2" Commercial US 281 North Gateway Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 2 District with a Conditional Use for Motor Vehicle Sales (Full Service).

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 November 13, 2022.

PASSED AND APPROVED this 3rd day of November, 2022.

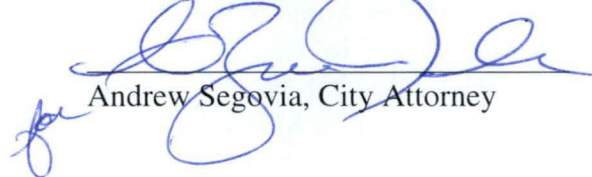


M A Y O R
Ron Nirenberg

ATTEST:


Debbie Racca-Sittre, City Clerk

APPROVED AS TO FORM:


for Andrew Segovia, City Attorney



City of San Antonio

City Council Meeting November 3, 2022

18.

2022-11-03-0865

ZONING CASE Z-2022-10700242 CD (Council District 9): Ordinance amending the Zoning District Boundary from "C-2 GC-3 MLOD-1 MLR-2" Commercial US 281 North Gateway Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 2 District and "MXD GC 3 MLOD 1 MLR 2" Mixed Use US 281 North Gateway Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 2 District to "C-2 CD GC-3 MLOD-1 MLR-2" Commercial US 281 North Gateway Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 2 District with a Conditional Use for Motor Vehicle Sales (Full Service) on 12.939 acres out of NCB 18232, generally located in the 27000 Block of US Highway 281 North. Staff and Zoning Commission recommend Approval.

Councilmember McKee-Rodriguez moved to Approve on the Consent Agenda. Councilmember Viagran seconded the motion. The motion carried by the following vote:

Aye:	Nirenberg, Bravo, McKee-Rodriguez, Viagran, Castillo, Cabello Havrda, Pelaez, Courage, Perry
Absent:	Rocha Garcia, Sandoval

Exhibit “A”



METES AND BOUNDS DESCRIPTION
FOR
ZONING

A 5.895 acre, more or less, tract of land comprised of Lot 901, Block 3, New City Block 18232, Bass Bulverde Commercial Subdivision recorded in Volume 20002, Page 696 of the Plat Records of Bexar County, Texas, remaining portion of Lot 1, Block 3, County Block 4864, US Brick/U.S. 281 Subdivision recorded in Volume 9538, Page 82 of the Deed and Plat Records of Bexar County, Texas and the remaining portion of that 36.17 acre tract described in deed to Bass/Bulverde Commercial, Ltd recorded in Volume 12220, Page 2205 of the Official Public Records of Bexar County, Texas, out of the Guadalupe College Survey No. 416, Abstract 266, County Block 4864, and out of the Henry Penshorn Survey No. 366, Abstract 590, County Block 4863, partially in New City Block 18232 of the City of San Antonio, Bexar County, Texas. Said 5.895 acre tract being more fully described as follows:

BEGINNING: At a found ½" iron rod with cap stamped "4020" on the east right-of-way line of Bulverde Road, a variable width right-of-way, for the northwest corner of 7.99 acre tract recorded in Volume 18238, Page 2185 of the Official Public Records of Bexar County, Texas and the southwest corner of said 36.17 acre tract;

THENCE: N 00°54'54" W, along and with the east right-of-way line of said Bulverde Road, the west line of said 36.17 acre tract, a distance of 176.52 feet to a point;

THENCE: N 15°12'02" W, continuing along and with the east right-of-way line of said Bulverde Road, the west line of said 36.17 acre tract, a distance of 8.56 feet to a point;

THENCE: Northwestly, continuing along and with the east right-of-way line of said Bulverde Road, the west line of said 36.17 acre tract, with a non-tangent curve to the left, said curve having a radius of 430.00 feet, a central angle of 05°25'10", a chord bearing and distance of N 09°08'21" W, 40.66 feet, for an arc length of 40.67 feet to a point on the south right-of-way line of Paul Harvill Lane, a variable width right-of-way dedicated on Volume 20002, Page 696 of the Plat Records of Bexar County, Texas;

Exhibit "A"

THENCE: Departing the east right-of-way line of said Bulverde Road, along and with the south right-of-way line of said Paul Harvill Lane, the following bearings and distances:

N 78°09'02" E, a distance of 13.01 feet to a point;

Northeasterly, along a non-tangent curve to the right, said curve having a radius of 35.00 feet, a central angle of 41°46'46", a chord bearing and distance of N 58°29'25" E, 24.96 feet, for an arc length of 25.52 feet to a point;

N 79°23'55" E, a distance of 12.31 feet to a point;

Northeasterly, along a tangent curve to the right, said curve having a radius of 362.50 feet, a central angle of 06°12'47", a chord bearing and distance of N 82°30'19" E, 39.29 feet, for an arc length of 39.31 feet to a point;

N 85°36'42" E, a distance of 54.85 feet to a point;

Northeasterly, along a tangent curve to the left, said curve having a radius of 445.00 feet, a central angle of 30°20'35", a chord bearing and distance of N 70°26'25" E, 232.92 feet, for an arc length of 235.67 feet to a point;

N 55°16'07" E, a distance of 106.58 feet to a point;

Northeasterly, along a tangent curve to the right, said curve having a radius of 362.50 feet, a central angle of 43°05'42", a chord bearing and distance of N 76°48'58" E, 266.27 feet, for an arc length of 272.65 feet to a point;

S 81°38'11" E, a distance of 107.68 feet to a point;

5.895 Acres
Job No. 9189-22
Page 3 of 3

Southeasterly, along a tangent curve to the right, said curve having a radius of 15.00 feet, a central angle of $88^{\circ}47'09''$, a chord bearing and distance of $S\ 37^{\circ}14'37''\ E$, 20.99 feet, for an arc length of 23.24 feet to a point on the west right-of-way line of U.S. Highway 281, 400-foot right-of-way;

THENCE: Southwesterly, along and with the west right-of-way line of said U.S. Highway 281, along a compound curve to the right, said curve having a radius of 12400.00 feet, a central angle of $01^{\circ}40'24''$, a chord bearing and distance of $S\ 07^{\circ}59'10''\ W$, 362.12 feet, for an arc length of 362.13 feet to a found TxDot monument (Type III) at the southeast corner of said 36.17 acre tract, the northeast corner of said 7.99 acre tract;

THENCE: $S\ 85^{\circ}27'27''\ W$, departing the west right-of-way line of said U.S. Highway 281, along and with the south line of said 36.17 acre tract, the north line of said 7.99 acre tract, a distance of 765.89 feet to the POINT OF BEGINNING and containing 5.895 acres in the City of San Antonio, Bexar County, Texas. Said easement tract being described in conjunction with an exhibit prepared under job number 9189-22 by Pape-Dawson Engineers, Inc.

"This document was prepared under 22TAC138.95, 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: August 18, 2022
JOB NO. 9189-22
DOC. ID. N:\Survey22\22-9100\9189-22\Word\9189-22 FN-5.895 AC.docx





METES AND BOUNDS DESCRIPTION
FOR
ZONING

A 7.044 acre, more or less, tract of land, out of the remaining portion of that 36.17 acre tract described in deed to Bass/Bulverde Commercial, Ltd recorded in Volume 12220, Page 2205 of the Official Public Records of Bexar County, Texas, and a portion of Lot 2, Block 3, North Central Business Park recorded in Volume 9543, Page 172 of the Deed and Plat Records of Bexar County, Texas, out of the Guadalupe College Survey No. 416, Abstract 266, County Block 4864. Said 7.044 acre tract being more fully described as follows:

- BEGINNING:** At a found TxDot monument (Type III) on the west right-of-way line of U.S. Highway 281, a 400-foot right-of-way, for the southeast corner of a 8.59 acre tract recorded in Volume 17394, Page 1582 Official Public Records of Bexar County, Texas and the northeast corner of said 36.17 acre tract;
- THENCE:** S 06°43'36" W, along and with the west right-of-way line of said U.S. Highway 281, a distance of 1108.82 feet to a point for the north right-of-way line of Paul Harvill Lane, a variable width right-of-way dedicated in Volume 20002, Page 696 of the Plat Records of Bexar County, Texas;
- THENCE:** Southwesterly, along and with the north right-of-way line of said Pal Harvill Lane, with a tangent curve to the right, said curve having a radius of 15.00 feet, a central angle of 91°38'13", a chord bearing and distance of S 52°32'42" W, 21.51 feet, for an arc length of 23.99 feet to a point;
- THENCE:** N 81°38'11" W, continuing along and with the north right-of-way line of said Pal Harvill Lane, a distance of 107.97 feet to a point;
- THENCE:** Southwesterly, continuing along and with the north right-of-way line of said Pal Harvill Lane, along a tangent curve to the left, said curve having a radius of 430.00 feet, a central angle of 19°36'34", a chord bearing and distance of S 88°33'32" W, 146.45 feet, for an arc length of 147.17 feet to a found ½" iron rod with yellow cap stamped "Pape-Dawson" for the southeast corner of a 20.126 acre tract recorded in Document No. 20180245790 of the Official Public Records of Bexar County, Texas;

7.044 Acres
Job No. 9189-22
Page 2 of 2

THENCE: N 06°42'45" E, departing the north right-of-way line of said Paul Harvill Lane, along and with the east line of said 20.126 acre tract, over and across said Lot 2, a distance of 1177.96 feet to a found Mag Nail and Washer stamped "Pape-Dawson" for the northeast corner of said 20.126 acre tract, on the south line of said 8.59 acre tract;

THENCE: S 75°33'09" E, along and with the south line of said 8.59 acre tract, the north line of said 36.17 acre tract, a distance of 271.07 feet to the POINT OF BEGINNING and containing 7.044 acres in the City of San Antonio, Bexar County, Texas. Said easement tract being described in conjunction with an exhibit prepared under job number 9189-22 by Pape-Dawson Engineers, Inc.

"This document was prepared under 22TAC138.95, 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: August 18, 2022
JOB NO. 9189-22
DOC. ID. N:\Survey22\22-9100\9189-22\Word\9189-22 FN-7.044 AC.docx



Exhibit “B”

Zoning Site Plan:
Z-2022-10700242 CD

Current Zoning: C-2

Requested Zoning:
C-2 CD for use as
Motor Vehicle Sales
(Full Service)

I, Bass/Bulverde Commercial Ltd., 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 UDC. 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.

OCL

OCL

OCL

MXD

Max. 80,000
Sq. Ft.
Proposed
Building

Paul Harvill Ln

C-2

ED

C-2 CD
(Motor
Services)

C-2

Entry Drive

Pursuant to
COSA's UDC,
setbacks are
not required,
as this
property does
not abut a
residential use
or district.



Exhibit "B"

