

ORDINANCE

2022-09-15-0705

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 1.99 acres out of NCB 12175, located at 4042 Rittiman Road, from "R-5 MLOD-3 MLR-2 AHOD" Residential Single-Family Martindale Army Air Field Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District and "C-3 MLOD-3 MLR-2 AHOD" General Commercial Martindale Army Air Field Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "C-2 CD MLOD-3 MLR-2 AHOD" Commercial Martindale Army Air Field Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use for Landscaping Materials - Sales and Storage.

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.

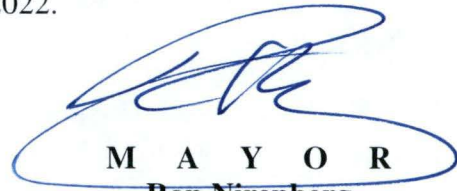
SECTION 4. The City council approves this Conditional Use so long as the attached site plan is adhered to. A site plan is attached as **Exhibit "B"** and made a part hereof and incorporated herein for all purposes.

2050-21-90-SS05
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 25, 2022.

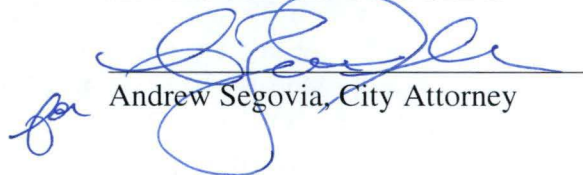
PASSED AND APPROVED this 15th day of September, 2022.


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 September 15, 2022

11.

2022-09-15-0705

ZONING CASE Z-2022-10700197 CD (Council District 2): Ordinance amending the Zoning District Boundary from "R-5 MLOD-3 MLR-2 AHOD" Residential Single-Family Martindale Army Air Field Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District and "C-3 MLOD-3 MLR-2 AHOD" General Commercial Martindale Army Air Field Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "C-2 CD MLOD-3 MLR-2 AHOD" Commercial Martindale Army Air Field Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use for Landscaping Materials - Sales and Storage on 1.99 acres out of NCB 12175, located at 4042 Rittiman Road. Staff and Zoning Commission recommend Approval.

Councilmember Viagran moved to Approve on Zoning Consent. Councilmember Cabello Havrda seconded the motion. The motion carried by the following vote:

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

Absent: Sandoval

EXHIBIT “A”

FIELD NOTES FOR 1.07 ACRES

BEING 1.07 acres of land out of a called 3.6346 acre tract of record in Volume 6194, Page 1484 of the Real Property Records of Bexar County, Texas and consisting of a portion of Tract B, New City Block 12175, City of San Antonio, Bexar County, Texas and a portion of Lot 10 as shown on McKeon Subdivision of record in Volume 5940, Page 62 of the Deed and Plat Records of Bexar County, Texas said 1.07 acres being further described by metes and bounds as follows:

BEGINNING at a found 1/2" iron rod in the south right-of-way line of Rittiman Road, a variable width right-of-way, for the northwest corner of said Lot 10 and the herein described tract;

THENCE upon the north line of said Lot 10 and the south right-of-way line of Rittiman Road, Easterly, with a curve to the right, having a radius of 1,867.08 feet, a central angle of 06° 25' 09", a chord bearing and distance of South 83° 47' 54" East, 209.07 feet and an arc length of 209.18 feet to a found 1/2" iron rod for the northwest corner of said Lot 17;

THENCE South 14° 17' 22" West, a distance of 178.08 feet upon the west line of said Lot 17 to a set 1/2" iron rod for the westernmost southwest corner of said Lot 17;


THENCE South 40° 01' 25" East, a distance of 36.17 feet upon the southwest line of said Lot 17 to a set 1/2" iron rod for the southernmost southwest corner of said Lot 17 in the north right-of-way line of Aina Lane, a 60 foot right-of-way, for the southeast corner of the herein described tract;

THENCE South 88° 37' 11" West, a distance of 245.49 feet upon said north right-of-way line of Aina Lane to a set 1/2" iron rod for the southwest corner of herein described tract;

THENCE North 14° 17' 23" East, a distance of 236.07 feet crossing said Tract B to the POINT OF BEGINNING and containing 1.07 acres of land in the City of San Antonio, Bexar County, Texas.

Survey plat provided with this description.

ALAMO CONSULTING ENGINEERING
& SURVEYING, INC.


Kevin Conroy, R.P.L.S.#4198
September 29, 1997

Job No.#0825-00
Document: fn/1997/091011.ru



APR 9 3 30 PM 1999

EXHIBIT A, PAGE 1

FIELD NOTES FOR 0.92 ACRES

BEING 0.92 acres of land out of Tract B, New City Block 12175, City of San Antonio, Bexar County, Texas and being out of a called 3.6346 acre tract of record in Volume 6194, Page 1484 of the Real Property Records of Bexar County, Texas said 0.92 acres being further described by metes and bounds as follows:

BEGINNING at a found 1/2" iron rod for the easternmost end of a cutback line at the intersection of the northerly line of Aina Lane, a 60 foot right-of-way and the easterly line of Holbrook Road, a 60 foot right-of-way;

THENCE North 71° 47' 55" West, a distance of 74.97 feet along said cutback line to a found 1/2" iron rod for the northernmost end of said cutback line;

THENCE North 37° 57' 55" West, a distance of 180.10 feet upon the easterly right-of-way line of Holbrook Road to a found 1/2" iron rod for the southernmost end of a cutback line at the intersection of said easterly line of Holbrook Road and the southerly line of Rittiman Road, a variable width right-of-way;

THENCE North 27° 08' 51" East, a distance of 50.40 feet upon said cutback line to a set 1/2" iron rod for the easternmost end of said cutback line;

THENCE North 82° 21' 23" East, a distance of 240.78 feet upon the southerly right-of-way line of Rittiman Road to a found 1/2" iron rod for the northeast corner of the herein described tract;

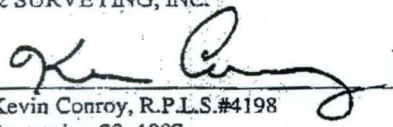
THENCE South 02° 59' 31" West, a distance of 13.03 feet upon said right-of-way line to a found 1/2" iron rod for the northwest corner of Lot 10 as shown on McKeon Subdivision of record in Volume 5940, Page 62 of the Deed and Plat Records of Bexar County, Texas and an angle point of the herein described tract;

THENCE South 14° 17' 23" West, a distance of 236.07 feet crossing said Tract B to a set 1/2" iron rod in the north right-of-way line of said Aina Lane for the southeast corner of the herein described tract;

THENCE South 88° 37' 11" West, a distance of 20.68 feet upon the northerly right-of-way line of Aina Lane to the POINT OF BEGINNING and containing 0.92 acres of land in the City of San Antonio, Bexar County, Texas.

Survey plat provided with this description.

ALAMO CONSULTING ENGINEERING
& SURVEYING, INC.


Kevin Conroy, R.P.L.S.#4198
September 29, 1997



Job No #0825-00
Document: fn/1997/091010.na

EXHIBIT A, PAGE 2

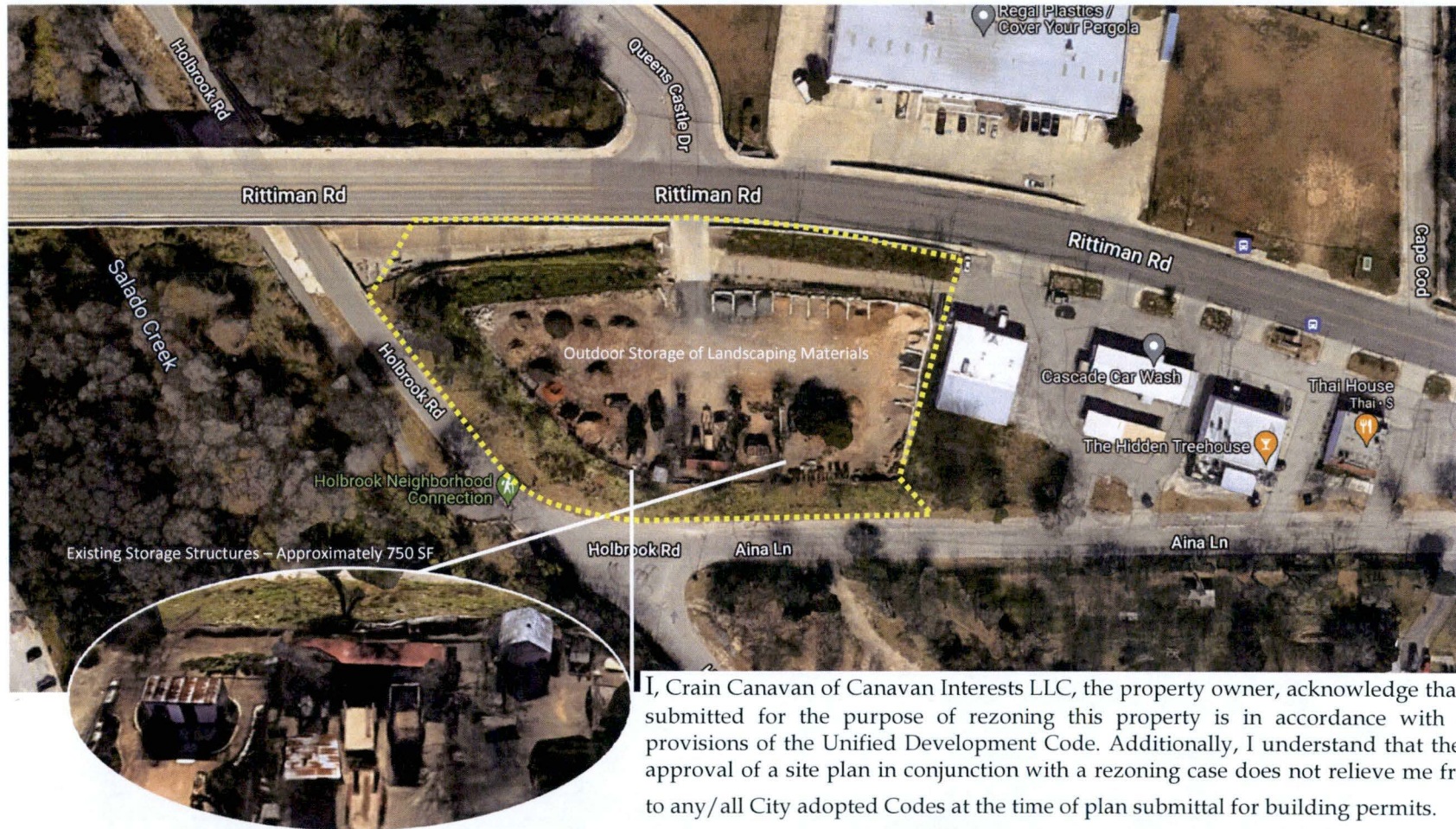
VOL 9390 PP 1070

EXHIBIT “B”

Z2022-10700197

4042 Rittiman Conditional Use Site Plan:

A request for rezoning from R-5 and C-3 to C-2 CD with a conditional use for Landscaping Materials Sales and Storage (Existing Use)



I, Crain Canavan of Canavan Interests LLC, 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 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.

Property Details:

NCB 12175 BLK LOT TR-B & W TRI 209.30 FT OF 10 (NON ADJ PROP)
1.99 Acres

Exhibit "B"