

AN ORDINANCE 2012-10-04-0793

**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 Lot 12, Block 24, NCB 13559 from "O-2" High Rise Office District, "C-2" Commercial District and "C-2NA" Commercial Nonalcoholic Sales District to "C-2 CD" Commercial District with a Conditional Use for Motor Vehicle Sales and allowing a fence up to 8 feet in height along the northeast property line in accordance with Section 35-514(d)(2)(D) of the Unified Development Code.

**SECTION 2.** The City Council authorizes additional fence height in accordance with Section 35-514(d)(2)D of the Unified Development Code, by permitting a fence to be erected or altered up to a height of eight (8) feet along the northeast property line.

**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 **Attachment "A"** 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.

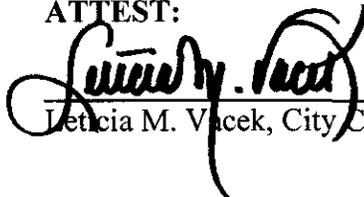
**SECTION 6.** The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

**SECTION 7.** This ordinance shall become effective October 14, 2012.

**PASSED AND APPROVED** this 4<sup>th</sup> day of October, 2012.

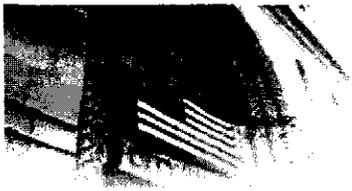
  
M A Y O R  
Julián Castro

**ATTEST:**

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

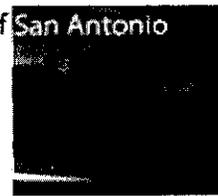
**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
For Michael D. Bernard, City Attorney



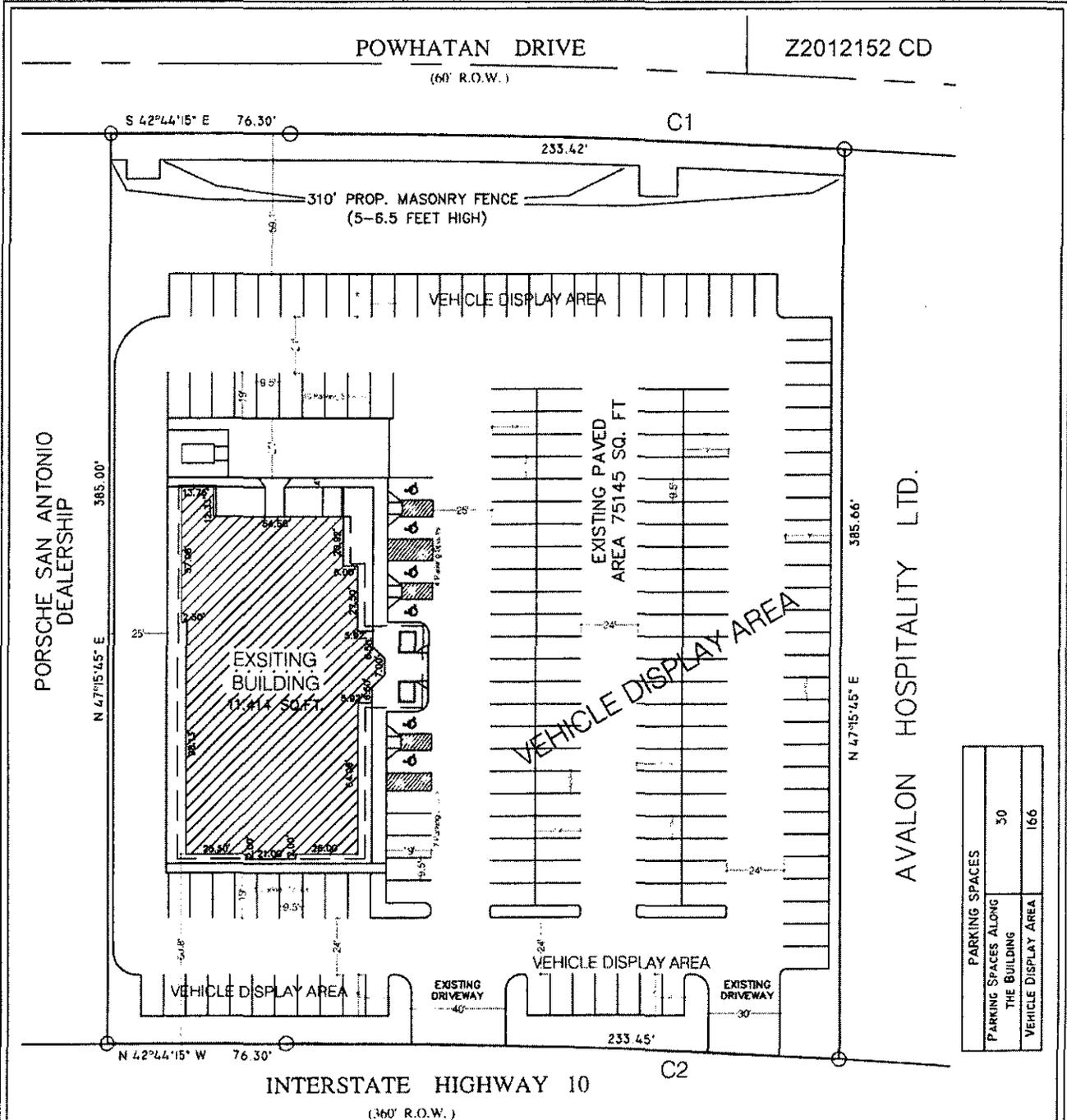
Request for  
**COUNCIL**  
**ACTION**

City of San Antonio



## Agenda Voting Results - Z-9

<b>Name:</b>	Z-2, Z-5, P-1, Z-6, P-2, Z-7, Z-9						
<b>Date:</b>	10/04/2012						
<b>Time:</b>	02:16:01 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	ZONING CASE # Z2012152 CD (District 8): An Ordinance amending the Zoning District Boundary from "O-2" High Rise Office District, "C-2" Commercial District and "C-2NA" Commercial Nonalcoholic Sales District to "C-2 CD" Commercial District with a Conditional Use for Motor Vehicle Sales allowing a fence upto 8 feet in height along the northeast property line in accordance with Section 35-514(d)(2)(D) of the Unified Development Code; on Lot 12, Block 24, NCB 13559 located at 9451 Interstate Highway 10 West. Staff and Zoning Commission recommend approval.						
<b>Result:</b>	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Diego Bernal	District 1		x				x
Ivy R. Taylor	District 2		x				
Leticia Ozuna	District 3		x				
Rey Saldaña	District 4		x				
David Medina Jr.	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7		x				
W. Reed Williams	District 8		x			x	
Elisa Chan	District 9		x				
Carlton Soules	District 10		x				

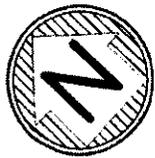


PARKING SPACES	
PARKING SPACES ALONG THE BUILDING	30
VEHICLE DISPLAY AREA	166

I/WE, EXPERT CAPITAL MANAGEMENT, LTD. & AZIZ AMERICAN ENTERPRISES I, LTD., THE PROPERTY OWNERS, 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/WE UNDERSTAND THAT CITY COUNCIL APPROVAL OF A SITE PLAN IN CONJUNCTION WITH A REZONING CASE DOES NOT RELIEVE US FROM ADHERENCE TO ANY/ALL CITY-ADOPTED CODES AT THE TIME OF PLAN SUBMITTAL FOR BUILDING PERMITS.

**ZONING INFORMATION**

EXISTING ZONING	C2
REQUESTED ZONING	C2CD FOR AUTO SALES



**GRAPHIC SCALE**  
1 INCH = 60 FT.

AREA	
IMPERVIOUS AREA (BUILDING+PAVED AREA)	86559 S. F.

CURVE TABLE					
CURVE	CHRD BRG	LENGTH	RADIUS	DELTA	CHORD
C1	S39°43'34"E	442.00	4204.72	06°01'23"	441.80
C2	N39°43'34"W	401.52	3819.72	06°01'23"	401.34



**Seda Consulting Engineers, Inc.**  
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 e-mail: seditg@satnet.com  
 CIVIL • STRUCTURAL • ENVIRONMENTAL • PLANNER

**9451 IH-10 WEST**

**ATTACHMENT A**