SG/lj
09/01/2016
Z-2 Amended

CASE NO. Z2016200 CD

AN ORDINANCE 2016-09-01-0668

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 0.408 acres of land out of NCB 11715 from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay 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 finds that the following conditions shall be met to ensure compatibility with the surrounding properties:

A. All on-site lighting shall be directed onto the site and point away from any surrounding residential uses.
B. A five-foot landscape buffer shall be maintained along the front of the property.
C. There shall be no temporary signage.

SECTION 5. The City council approves this Conditional Use so long as the attached site plan is adhered to. A site plan is attached as **Attachment "B"** and made a part hereof and incorporated herein for all purposes.

SECTION 6. 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 7. 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 8. This ordinance shall become effective 11th day of September 2016.

PASSED AND APPROVED this 1st day of September 2016.

Ivy R. Taylor

M A Y O R
Ivy R. Taylor

ATTEST:

Leticia M. Vacek

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

for City Attorney

Agenda Item:	**Z-2**
Date:	09/01/2016
Time:	02:34:34 PM
Vote Type:	Motion to Appr w Cond
Description:	ZONING CASE # Z2016200 CD (Council District 1): An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Motor Vehicle Sales (Full Service) on 0.408 acres out of NCB 11715, located at 9823 San Pedro Avenue. Staff and Zoning Commission recommend Approval with conditions.
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Treviño	District 1		x			x	
Alan Warrick	District 2		x				
Rebecca Viagran	District 3	x					
Rey Saldaña	District 4		x				x
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				

Z2016200

METES AND BOUNDS

Being 0.408 acres of land, more or less, out of Lot 28, Block 5, New City Block 11715, Blanco Heights Addition Subdivision, according to plat recorded in Volume 4900, Page 82, Deed and Plat Records of Bexar County, Texas, and being that same property conveyed by Special Warranty Deed recorded in Volume 5991, Page 48, Official Public Records of Bexar County, Texas and described by Deed recorded in Volume 5739, Page 770, Official Records of Bexar County, Texas, said 0.408 being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found for the southwest corner of this 0.408 acres, same being an angle corner of Lot 48, Blanco Heights Subdivision (Volume 7600, Page 63) and the **POINT OF BEGINNING;**

THENCE along the line common to this 0.408 acres and said Lot 48, North 21 degrees 42 minutes 00 seconds East, a distance of 80.00 feet to a point for the northwest corner of this 0.408 acres, which property corner bears North 04 degrees 28 minutes 50 seconds East 0.31 feet from the center of a fence post, same being the northeast corner of said Lot 48 and on the South line of a 14 feet Drainage Right-of-Way, North Star Hills Subdivision (Volume 4500, Page 224);

THENCE along the South line of said 14 feet drainage Right-of-Way, North 84 degrees 31 minutes 10 seconds East, a distance of 250.00 feet to a point for the northeast corner, same being along the West Right-of-Way line of San Pedro Avenue (U.S. Highway No. 281 North);

THENCE along the West Right-of-Way line of said San Pedro Avenue, South 21 degrees 42 minutes 00 seconds West, a distance of 80.00 feet to a point for the southeast corner of this 0.408 acres, same being the northeast corner of Lot 33, Block 5, NCB 11715, Blanco Heights Addition Subdivision (Volume 5870, Page 54);

THENCE along the line common to this 0.408 acres, said Cardenas Lot 33, South 84 degrees 31 minutes 10 seconds West (Bearing Basis), at a distance of 149.87 feet pass a 1/2 inch iron rod found for the northwest corner of said Lot 33 and an angle corner of said Lot 48, and continuing for a total distance of 250.00 feet to the **POINT OF BEGINNING**, and containing 0.408 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.

Mark J. Ewald
Registered Professional Land Surveyor
Texas Registration No. 5095
March 27, 2016

STATE OF TEXAS
REGISTERED
MARK J. EWALD
5095
PROFESSIONAL
LAND SURVEYOR

Exhibit "B"

EXHIBIT "A"

I, IIS REAL ESTATE HOLDINGS 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 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.

The building Size is approximately 672 square feet

The Property will have a minimum of 2 parking spaces. (Reality about 40)

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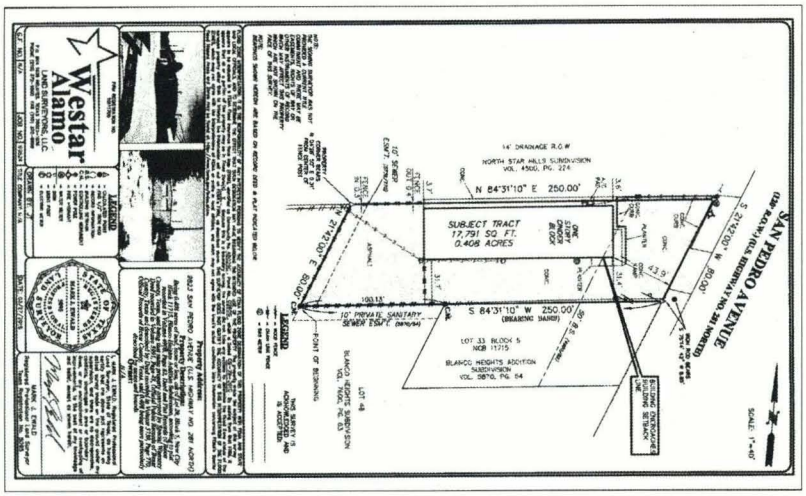
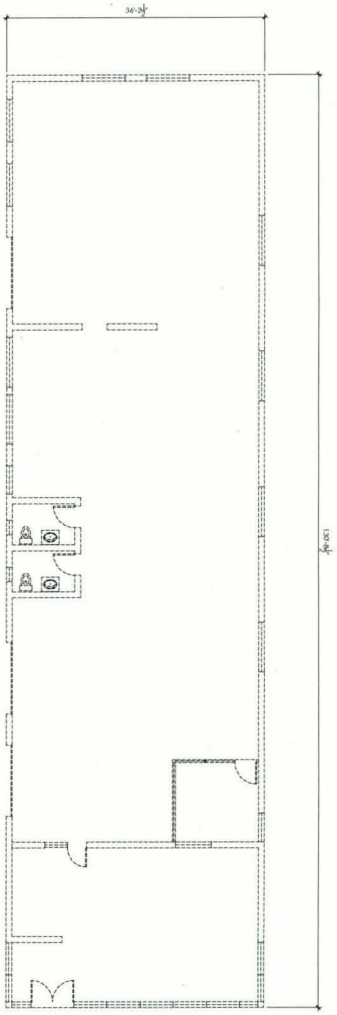
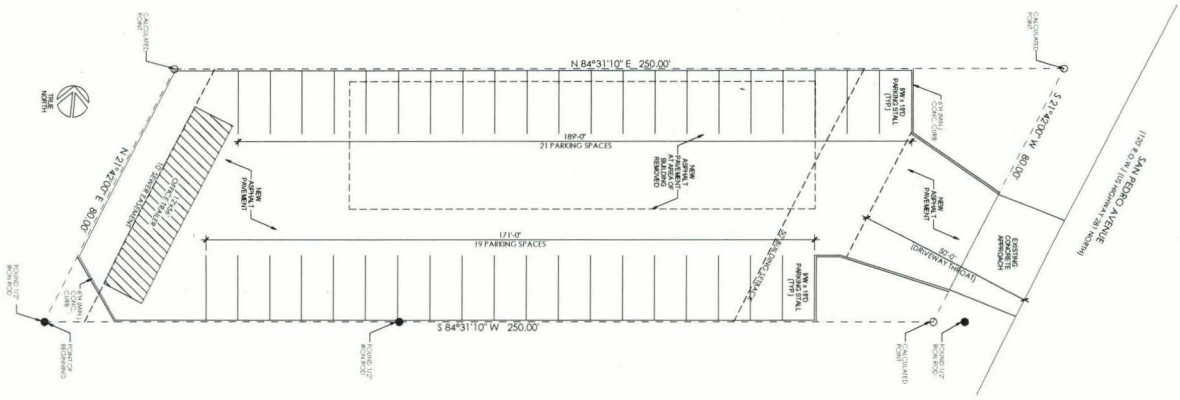


EXISTING SITE PLAN SURVEY
SCALE: AS SHOWN



EXISTING/DEMO FLOOR PLAN
SCALE: 1/8" = 1'-0"



PROPOSED SITE PLAN
SCALE: 1/16" = 1'-0"

Attachment B

A-1.0	SHEET TITLE: EXISTING SITE PLAN, PROPOSED SITE PLAN & DEMOLITION PLAN JOB: MIS ION SCALE: AS SHOWN DATE: 7/26/16 DRAWN BY: PDM	MISSION MITSUBISHI 9823 SAN PEDRO AVE. SAN ANTONIO, TEXAS 78216	REVISION DATE: