

AN ORDINANCE

2009-02-19-0151

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.

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WHEREAS, a public hearing was held 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 19, NCB 12170 from "I-1" General Industrial District to "C-3NA S" General Commercial District, Nonalcoholic Sales with a Specific Use Authorization for an Auto Alarm and Radio Retail Store.

SECTION 2. The City Council finds as follows:

- A. The specific use will not be contrary to the public interest.
- B. The specific use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district.
- C. The specific use will be in harmony with the spirit and purpose as set forth in Section 35-423, Specific Use Authorization, of the Unified Development Code.
- D. The conditional use will not substantially weaken the general purposes or the regulations as set forth in Section 35-423, Specific Use Authorization, of the Unified Development Code.
- E. The specific use will not adversely affect the public health, safety and welfare.

SECTION 3. The City Council finds that the following conditions shall be met to insure compatibility with the surrounding properties:

- A. No motor vehicle sales shall be allowed on the subject property.
- B. No repossessed vehicle sales shall be allowed on the subject property.
- C. No storage of junk vehicles shall be allowed on the subject property.
- D. Business or office hours of operation shall not be permitted before 7:00 a.m. or after 7:00 p.m.

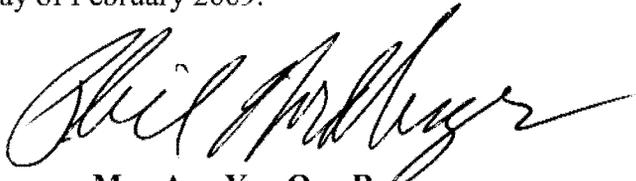
SECTION 4. The City council approves this Specific Use Authorization so long as the attached site plan is adhered to. A site plan is attached as Exhibit "A" and made a part hereof and incorporated herein for all purposes.

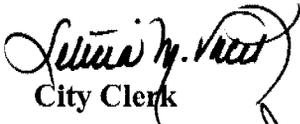
SECTION 5. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35 -491.

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.

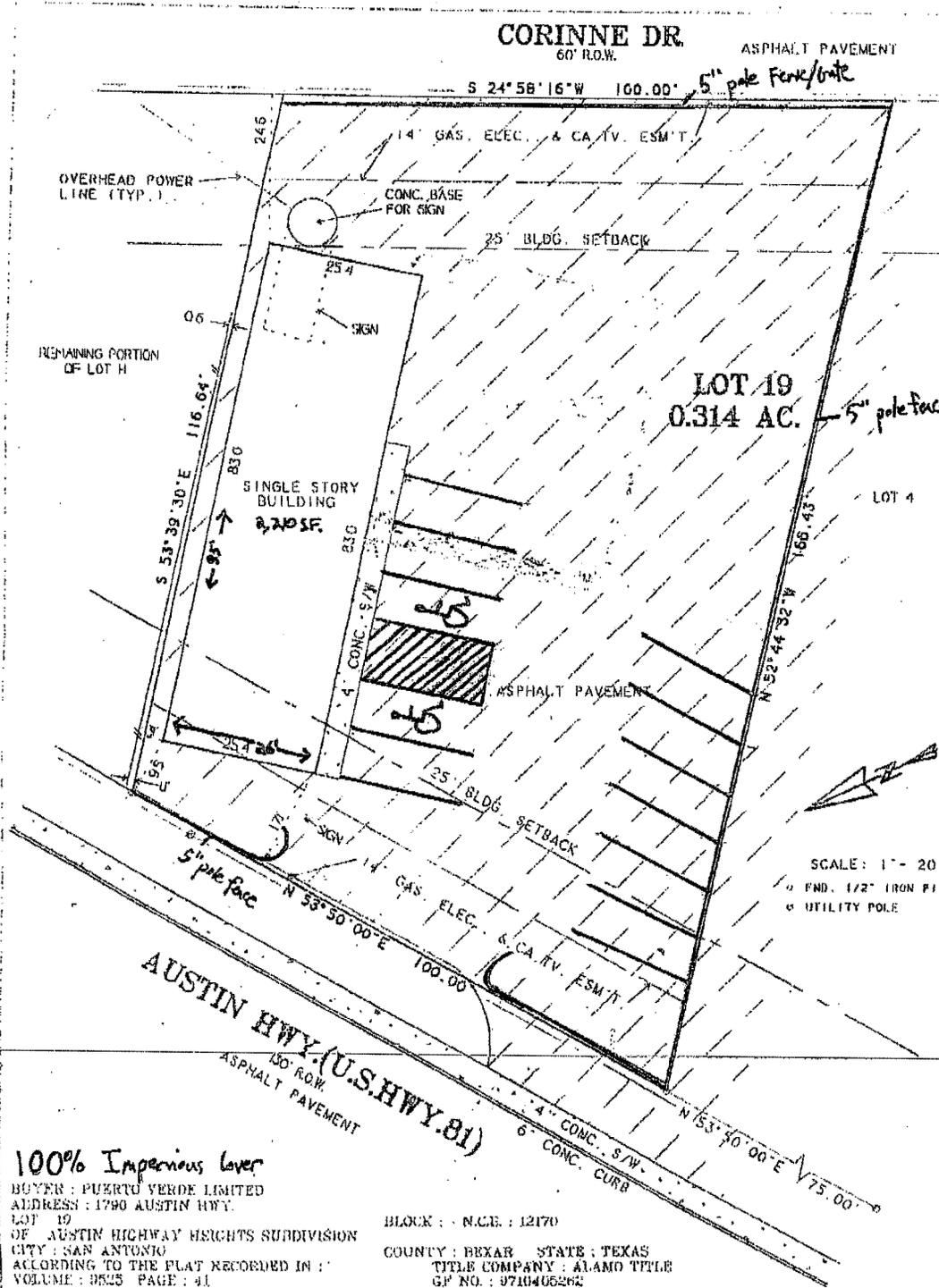
SECTION 7. This ordinance shall become effective March 1, 2009.

PASSED AND APPROVED this 19th day of February 2009.


M A Y O R

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
for City Attorney



Site Plan
Z2009031 S

100% Impervious Cover

BUYER: PUERTO VERDE LIMITED
 ADDRESS: 1790 AUSTIN HWY.
 LOT 19
 OF AUSTIN HIGHWAY HEIGHTS SUBDIVISION
 CITY: SAN ANTONIO
 ACCORDING TO THE PLAT RECORDED IN:
 VOLUME: 9525 PAGE: 41

BLOCK: N.C.E.: 12170
 COUNTY: BEXAR STATE: TEXAS
 TITLE COMPANY: ALAMO TITLE
 GP NO.: 9710406262

FLOOD NOTE: ACCORDING TO FLOOD INSURANCE RATE MAP PANEL NUMBER 40029C0456 THIS PROPERTY IS NOT IN FLOOD ZONE "A". IT IS IN ZONE "X".

THIS PROPERTY IS SUBJECT TO RESTRICTIVE COVENANTS AND EASEMENTS RECORDED IN:
 VOL.: 1591 PG.: 549 VOL.: 5401 PG.: 534

DYE ENTERPRISES
 4047 STAHL ROAD, SUITE 3
 SAN ANTONIO, TEXAS 78217
 TEL. (210) 569-4123
 FAX (210) 599-4191



STATE OF TEXAS
 COUNTY OF BEXAR

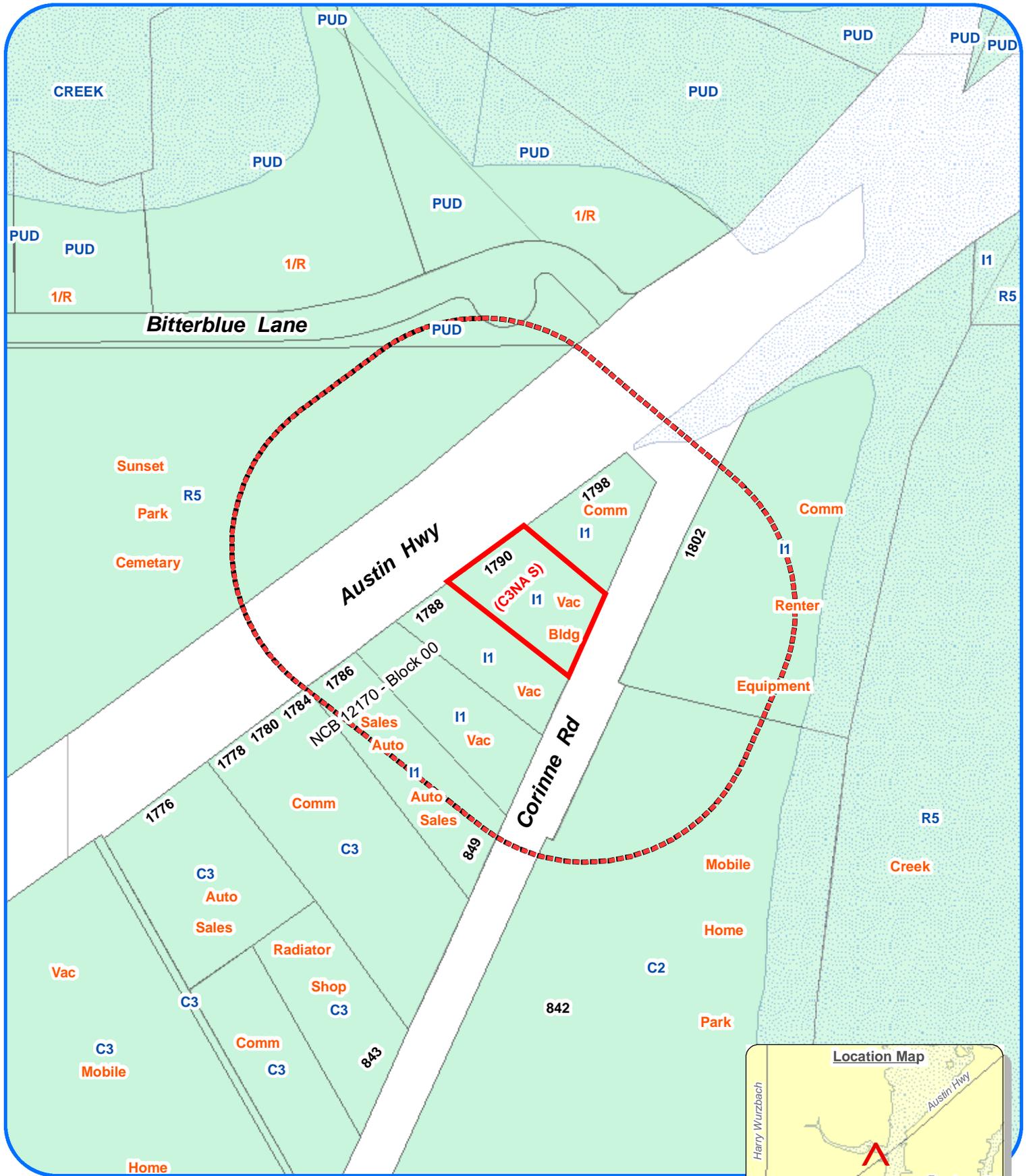
THE ABOVE SURVEY WAS PREPARED FROM AN ACTUAL SURVEY MADE OF THE GROUND UNDER MY SUPERVISION AND THERE ARE NO APPARENT EASEMENTS, ENCUMBRANCES OR ENCROACHMENTS EXCEPT AS SHOWN.

THIS 17 DAY OF JULY 1967 A.D.
 DAVID W. DYE III R.P.L.S. NO. 4734

DRAWN BY: MSE
 JOB NO.: 97101
 FIELD WORK COMPLETED: 7-16-67

THIS SURVEY IS ACKNOWLEDGED
 AND ACCEPTED BY:

EXHIBIT A



Zoning Case Notification Plan

Case Z2009-031S

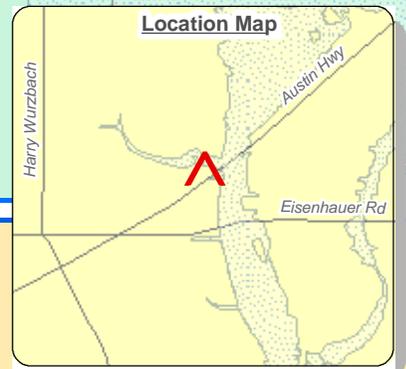
Council District 10

Scale: 1" approx. = 150'

Subject Property Legal Description(s): NCB 12170, Lot 19, Block 00

Legend

- Subject Property (0.314 acres)
- 200' Notification Buffer
- Current Zoning I1
- Requested Zoning Change (C3NA S)
- 100-Year FEMA Floodplain



City of San Antonio
 Planning - Development Services Dept.
 12/30/2008
 D. E. Castillo