SG/gg
04-07-2016
# Z-14

CASE NO. Z2016026CD

AN ORDINANCE 2016-04-07-0260

**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 0.510 acres of land out of Lot P-36, NCB 34400 from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2NA CD AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with Conditional Use for a Moving Company.

**SECTION 2.** A description of the property is attached as **Attachment "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 **Attachment "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 April 17, 2016.

**PASSED AND APPROVED** this 7th day of April, 2016.

**M A Y O R**
**Ivy R. Taylor**

**ATTEST:**

**Leticia M. Vacek, City Clerk**

**APPROVED AS TO FORM:**

for **Martha G. Sepeda, Acting City Attorney**

| | |
|---|---|
| **Agenda Item:** | **Z-14 ( in consent vote: 21, Z-1, Z-2, Z-3, Z-6, P-1, Z-7, Z-8, Z-9, Z-10, Z-11, Z-14, P-2, Z-16, P-3, Z-18, Z-19, Z-20 )** |
| **Date:** | 04/07/2016 |
| **Time:** | 02:08:48 PM |
| **Vote Type:** | Motion to Approve |
| **Description:** | ZONING CASE # Z2016026 CD (Council District 6): An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2NA CD AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with Conditional Use for a Moving Company on 0.510 acres of land out of NCB 34400 generally located in the 1800 Block of Loop 1604 North and Kilmarnoch. Staff and Zoning Commission recommend Approval. |
| **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 | | | x | |
| Rebecca Viagran | District 3 | | x | | | | |
| Rey Saldaña | District 4 | | 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 | | | | |

**Barrera Land Surveying**
436 Breesport
San Antonio, Texas 78216
(210) 444-9023
(210) 444-9479 (fax)
**dbinsatx@yahoo.com**

STATE OF TEXAS

COUNTY OF BEXAR

LEGAL DESCRIPTION
For
(FM Loop 1604 - 0.5100 AC TRACT)

FIELD NOTES describing a 0.5100 acre tract of land being part and out of Lot P-36, New City Block 34400, City of San Antonio, Bexar County, Texas, being that same tract of land recorded in Volume 16790, Page 135, Official Public Records, Bexar County, Texas:

**BEGINNING:** At a brass monument disk labeled "834" on the east right-of-way line of FM Loop 1604 also being a corner of this herein described tract;

**THENCE:** N 89°51'01" E, a distance of 185.13 feet to a set ½" steel rod with a yellow cap marked "RPLS 5286", for the a corner of this herein described tract;

**THENCE:** S 00°08'59" E, a distance of 121.11 feet to a set ½" steel rod with a yellow cap marked "RPLS 5286", for the a corner of this herein described tract;

**THENCE:** N 90°00'00" W, a distance of 178.69 feet to a set ½" steel rod with allow cap marked "RPLS 5286" on the ease right-of-way line of FM Loop 1604, for the a corner of this herein described tract;

**THENCE:** N 07°53'50" W, a distance of 47.79 feet along the east right-of-way line of FM Loop 1604 to a set ½" steel rod with allow cap marked "RPLS 5286", for the a corner of this herein described tract;

**THENCE:** N 00°08'59" W, a distance of 73.29 feet along the east right-of-way line of FM Loop 1604 to the **POINT OF BEGINNING;**

Containing 0.5100 acres of land (22,4459.21 SQ.FT.) more or less. Survey prepared this date.

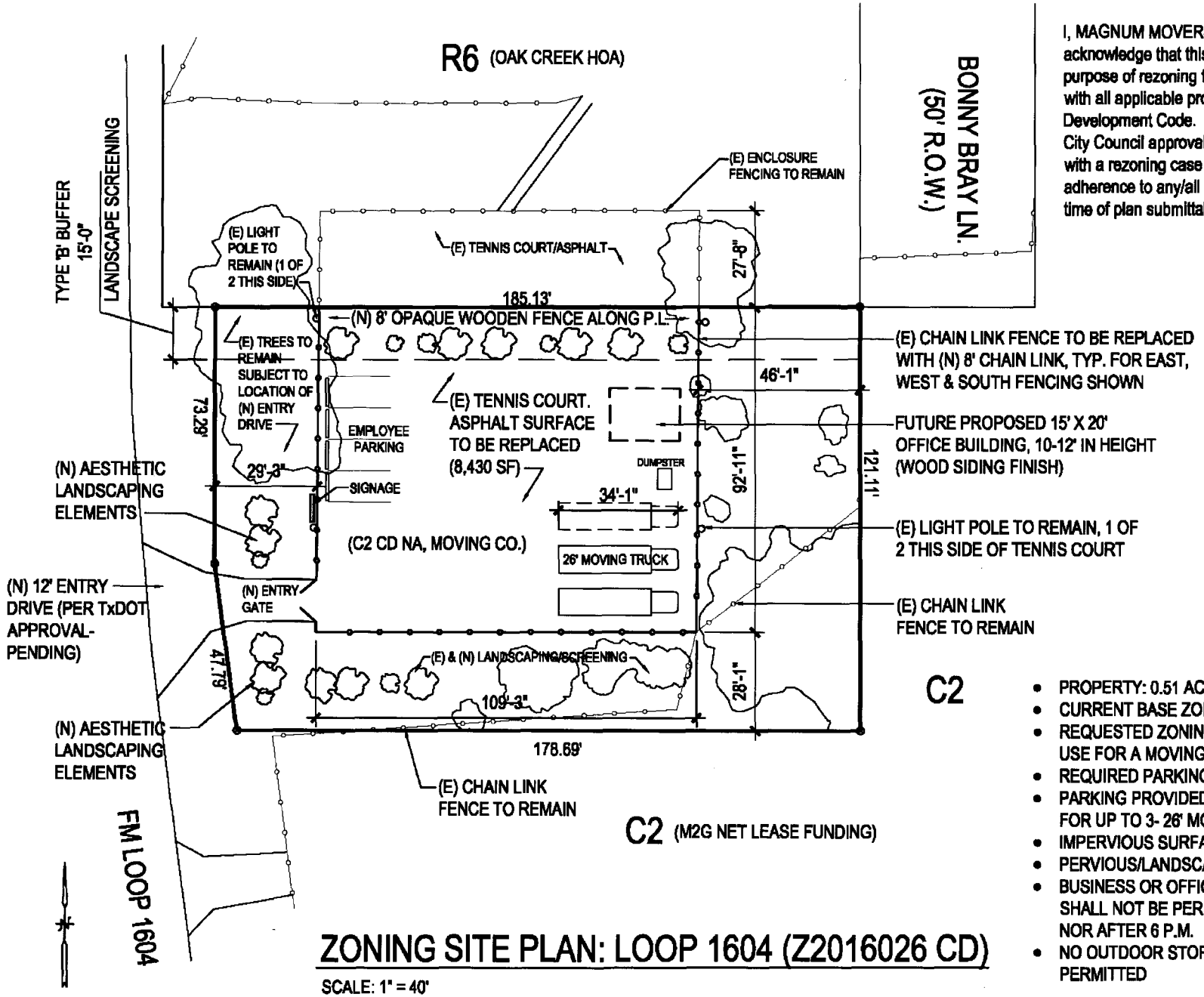
Date: 10-29-2015

STATE OF TEXAS REGISTERED DAVID BARRERA 5286 PROFESSIONAL LAND SURVEYOR

David Barrera, R.P.L.S. No. 5286

# Attachment "A"

I, MAGNUM MOVERS, 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




- PROPERTY: 0.51 ACRES (22,215 SF)
- CURRENT BASE ZONING: R-6
- REQUESTED ZONING: C-2 CD, CONDITIONAL USE FOR A MOVING COMPANY
- REQUIRED PARKING: N/A
- PARKING PROVIDED: 4- 9' X 18' AND PARKING FOR UP TO 3- 26' MOVING TRUCKS
- IMPERVIOUS SURFACE: UP 10,500 SF
- PERVIOUS/LANDSCAPE: 11,700 SF
- BUSINESS OR OFFICE HOURS OF OPERATION SHALL NOT BE PERMITTED BEFORE 7 A.M. NOR AFTER 6 P.M.
- NO OUTDOOR STORAGE OF MATERIALS PERMITTED

## ZONING SITE PLAN: LOOP 1604 (Z2016026 CD)

SCALE: 1" = 40'

0' 20' 40' 80'

**Attachment "B"**