

AN ORDINANCE 2008-10-02-0895

**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 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 3.046 acres out of Lot 10, Block 1, NCB 16911 from "C-2" Commercial District to "C-2 CD" (CD-Mini Warehouse) Commercial District with a Conditional Use for a Mini Warehouse exceeding 2.5 acres.

**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 insure compatibility with the surrounding properties:

- A. All structures on the subject property shall be restricted to one story;
- B. No outdoor speakers are permitted on the subject property;
- C. A 20-foot landscape buffer shall be provided along the west property line of the subject property;

- D. All on-site lighting shall be directed onto the site and point away from any residential zoning or uses using 90 degree or less cut-off fixtures;
- E. Doors to all storage units will not be visible to adjoining properties.

**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 12, 2008.

**PASSED AND APPROVED** this 2<sup>nd</sup> day of October 2008.



M A Y O R  
PHIL HARDBERGER

ATTEST:   
City Clerk

APPROVED AS TO FORM:   
For City Attorney



Request for  
**COUNCIL  
ACTION**

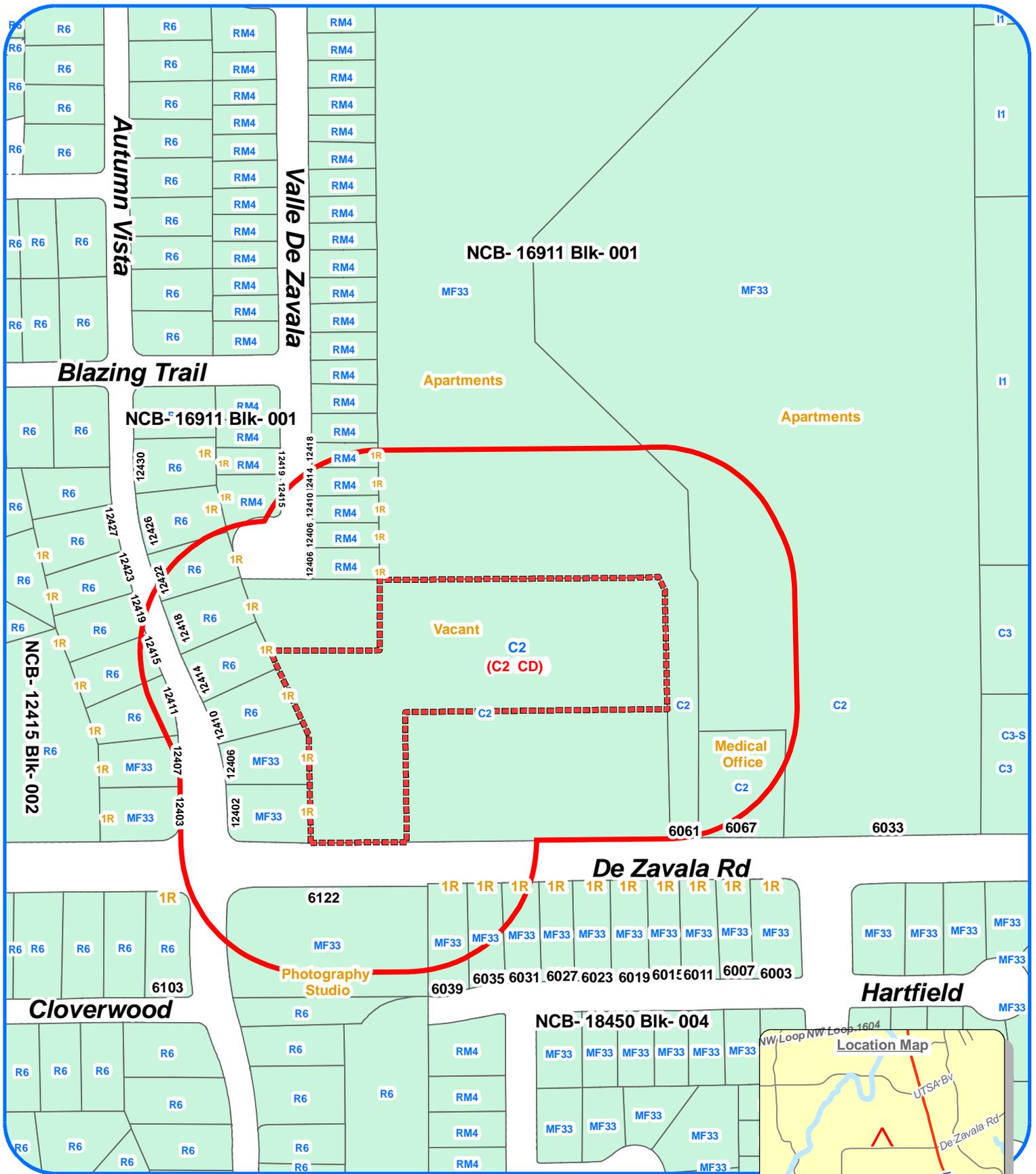
City of San Antonio



**Agenda Voting Results - Z-3**


<b>Name:</b>	Z-3
<b>Date:</b>	10/02/2008
<b>Time:</b>	04:21:49 PM
<b>Vote Type:</b>	Motion to Appr w Cond
<b>Description:</b>	ZONING CASE #Z2008208 CD (District 8): An Ordinance amending the Zoning District Boundary from "C-2" Commercial District to "C-2 CD" (CD-Mini Warehouse) Commercial District with a Conditional Use for a Mini Warehouse exceeding 2.5 acres on 3.046 acres out of Lot 10, Block 1, NCB 16911 located at 6061 De Zavala Road. Staff and Zoning Commission recommend approval with conditions.
<b>Result:</b>	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Phil Hardberger	Mayor		x				
Mary Alice P. Cisneros	District 1		x				
Sheila D. McNeil	District 2	x					
Jennifer V. Ramos	District 3	x					
Philip A. Cortez	District 4		x				
Lourdes Galvan	District 5		x				
Delicia Herrera	District 6		x				
Justin Rodriguez	District 7		x				
Diane G. Cibrian	District 8		x			x	
Louis E. Rowe	District 9		x				
John G. Clamp	District 10		x				x



# Zoning Case Notification Plan

## Case Z2008208 CD

Council District 8

Scale: 1" approx. = 200'

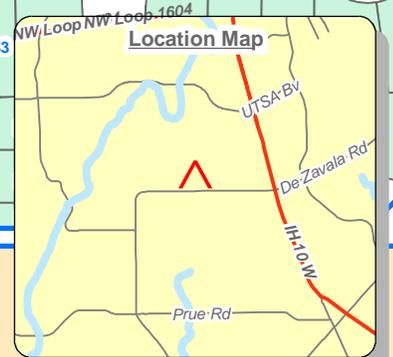
Subject Property Legal Description(s): 3.046 acres out of Lot: 10 Blk: 001 NCB: 16911

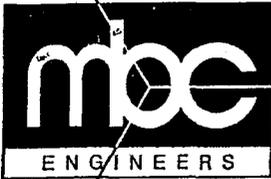
### Legend

- Subject Property  (3.046 Acres)
- 200' Notification Buffer
- Current Zoning R6
- Requested Zoning Change (R6)
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept  
(6/24/2008)





MACINA · BOSE · COPELAND and ASSOCIATES, INC  
CONSULTING ENGINEERS AND LANDSURVEYORS

1035 Central Parkway North, San Antonio, Texas 78232  
(210) 545-1122 FAX (210) 545-9302  
www.mbcengineers.com

Z2008208

METES AND BOUNDS  
DESCRIPTION OF

A 3.046 OF AN ACRE (132,703 SQUARE FEET) TRACT OUT OF LOT 10, BLOCK 1, DE ZAVALA PARK SUBDIVISION (PLAT REFERENCE: VOLUME 9500, PAGE 48), NEW CITY BLOCK 16911, CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED IN A CLOCKWISE MANNER AS FOLLOWS:

- COMMENCING: At a found ½" iron rod and a cap "MBC" at the southeast corner of said Lot 10, same being the southernmost southwest corner of Lot 11, Block 1, De Zavala Park Subdivision (Plat Reference: Volume 9500, Page 48) and a monument in the north right-of-way line of De Zavala Road, an 86 foot public right-of-way (right-of-way width based on found monummentation in the area);
- THENCE: S 89°08'00" W, 430.94 feet, along and with the north right-of-way line of said De Zavala Road, to a set ½" iron rod and cap "MBC" at the POINT OF BEGINNING of this tract;
- THENCE: S 89°08'00" W, 149.06 feet, continuing along and with said De Zavala right-of-way line, to a set ½" iron rod and cap "MBC" at the southeast corner of Lot 1, Block 1, De Zavala Trails Subdivision (Plat reference: Volume 8900, Page 170);
- THENCE: N 01°12'16" W, 157.38 feet, along and with the common line of the herein remaining portion of Lot 10 and the eastern lines of said Lot 1 and a portion of the eastern line of Lot 2 of said De Zavala Trails Subdivision, at an angle point in said eastern line of Lot 2, to a found ½" iron rod;

Z2008208

THENCE: N 24°52'29" W, 152.30 feet, along and with the common line of the herein described remaining portion of Lot 10 and the eastern line(s) of Lots 2, 3, 4 and a portion of Lot 5 of said De Zavala Trails Subdivision, to a point;

THENCE: N 89° 08' 00" E, 174.15 feet to a point;

THENCE: N 00°52'00" W, 100.69 feet to a set ½" iron rod and cap "MBC" at the southeast corner of said Lot 11;

THENCE: N 89°08'00" E, 444.24 feet, along and with the common line of said Lots 10 and 11, to a set ½" iron rod and cap "MBC";

THENCE: S 00°57'39" E, 197.22 feet, generally along the back of a concrete curb, to a point;

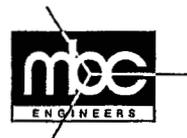
THENCE: S 89°08'00" W, 406.76 feet to a point;

THENCE: S 00°52'00" E, 199.97 feet to the POINT OF BEGINNING.

I, I. Ray Inman, Registered Professional Land Surveyor do hereby affirm that this description is based on the results of a survey made on the ground of the herein referenced Lot 10 by the firm of Macina, Bose, Copeland and Associates, Inc., of which a survey map has been prepared.

  
I. RAY INMAN REG. NO. 4496  
REGISTERED PROFESSIONAL LAND SURVEYOR

29860-0975  
June 13, 2008  
Revised: August 4, 2008  
IRI/yyd



**Z2008208 CD**

**ZONING CASE NUMBER Z2008208 CD (Council District 8) – July 15, 2008**

A request for a change in zoning from “C-2” Commercial District to “C-2 CD” (CD-Mini Warehouse) Commercial District with a Conditional Use for a Mini Warehouse exceeding 2.5 acres on 3.046 acres out of Lot 10, Block 1, NCB 16911, 6061 De Zavala Road. Staff recommends approval with conditions.

This case was approved by consent.

Staff stated there were 15 notices mailed out to the surrounding property owners, 4 returned in opposition and 1 returned in favor and River Road Neighborhood Association is in favor. Staff mailed 13 notices to the Planning Team.

**COMMISSION ACTION**

The motion was made by Commissioner Gadberry and seconded by Commissioner Hawkins to recommend approval.

**AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers,  
Wright, Martinez, R. Valadez, Gray**

**NAY: None**

**THE MOTION CARRIED**



**CITY OF SAN ANTONIO**  
**Request for Council Action**

Agenda Item # Z-3  
Council Meeting Date: 10/2/2008  
RFCA Tracking No: R-3923

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**DEPARTMENT:** Planning & Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICT(S) IMPACTED:**  
Council District 8

**SUBJECT:**  
Zoning Case Z2008208 CD

**SUMMARY:**  
From "C-2" Commercial District to "C-2 CD" (CD-Mini Warehouse) Commercial District with a Conditional Use for a Mini Warehouse exceeding 2.5 acres.

**BACKGROUND INFORMATION:**  
**Zoning Commission Meeting Date:** July 15, 2008

**Applicant:** SCM Management, Inc.  
**Owner:** SCM Management, Inc.

**Property Location:** 6061 De Zavala Road

3.046 acres out of Lot 10, Block 1, NCB 16911

The north side of De Zavala Road, approximately 300 feet east of the Autumn Vista intersection

**Proposal:** To allow for a mini-warehouse exceeding 2.5 acres

**Neighborhood Association:** Tanglewood Residents Association and Hart Ranch Unit One are within 200 feet

**Neighborhood Plan:** None

**TIA Statement:** A Traffic Impact Analysis (TIA) is not required.

**ISSUE:**

This property is located within the Camp Bullis Awareness Zone (Five (5) mile buffer). The subject property is less than 10 acres and is located south of Loop 1604; a representative from Camp Bullis has reviewed the rezoning request and has indicated to staff that there are no concerns with the proposed development.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current commercial zoning, allowing many commercially-oriented uses permitted by the current C-2 district, and prohibiting the proposed Mini-warehouse use.

**FISCAL IMPACT:**

None. The applicant has paid the required zoning fees.

**RECOMMENDATION:**

Staff and Zoning Commission (11-0) recommend approval with the following conditions: 1. All structures on the subject property shall be restricted to one story; 2. No outdoor speakers are permitted on the subject property; 3. A 20-foot landscape buffer shall be provided along the west property line of the subject property; 4. All on-site lighting shall be directed onto the site and point away from any residential zoning or uses using 90 degree or less cut-off fixtures; and 5. Doors to all storage units will not be visible to adjoining properties.

The subject property was annexed in 1972, totals approximately 3.046 acres and is currently undeveloped. Upon adoption of the 2001 Unified Development Code, the existing C-2 zoning converted from the previous B-2 zoning. The C-2 zoning district does not allow a mini-warehouse exceeding 2.5 acres.

"C-2" Commercial District zoning currently exists to the east of the subject property. Property to the west is zoned "R-6" Residential Single-Family District and "MF-33" Multi-Family District. Property to the north of the subject property is zoned "MF-33" Multi-Family District and "RM-4" Residential Mixed District. Property to the south across De Zavala Road is zoned "MF-33" Multi-Family District. Land uses immediately adjacent to the proposed development consist of an apartment complex to the north and east of the subject property. There are triplexes and single-family homes to the west. There is a photography studio and single-family homes to the south across De Zavala Road.

The applicant has applied for C-2 CD in order to allow for a mini-warehouse exceeding 2.5 acres. The subject property has frontage on De Zavala Road, a Secondary Arterial Type A. There are multiple properties with commercial zoning along the north side of De Zavala road between IH-10 and Autumn Vista. The proposed zoning change to allow for a commercial development of the subject property is appropriate for this location.

The conditional zoning procedure is designed to provide for a land use within an area that is not permitted by the established zoning district but, due to individual site consideration or unique development requirements may be compatible with adjacent land uses under given conditions. The applicant will have to comply with all current site development standards to receive a Certificate of Occupancy, which include parking, landscaping, exterior lighting and the issuance of building and other supplemental permits.

Should the City Council approve this request, staff and Zoning Commission recommends the following conditions:

1. All structures on the subject property shall be restricted to one story;
2. No outdoor speakers are permitted on the subject property;
3. A 20-foot landscape buffer shall be provided along the west property line of the subject property;
4. All on-site lighting shall be directed onto the site and point away from any residential zoning or uses using 90 degree or less cut-off fixtures;
5. Doors to all storage units will not be visible to adjoining properties.

**ATTACHMENT(S):**

File Description

[Location Map](#)

[Zoning Commission Minutes](#)

[Voting Results](#)

[Ordinance/Supplemental Documents](#)

File Name

Z2008208.pdf

Z2008208 CD.pdf

200810020895.pdf

**DEPARTMENT HEAD AUTHORIZATIONS:**

Roderick Sanchez Director Planning & Development Services

**APPROVED FOR COUNCIL CONSIDERATION:**

T.C. Broadnax Assistant City Manager