

AN ORDINANCE 2012-04-05-0257

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 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 2.928 acres out of NCB 11128 from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Non-Commercial Parking Lot.

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 finds that the following conditions shall be met to insure compatibility with the surrounding properties:

- A. A 15 foot Type B landscape buffer shall be provided along property boundaries abutting single family residential zoning or uses;

- B. All on-site lighting shall be directed onto the site and point away from any residential zoning or uses;
- C. The parking lot shall be provided with a gate or other sufficient barrier against vehicle entry during the hours the facility served is closed;
- D. No advertising signs shall be permitted on the parking lot other than signs indicating the owner or lessee of the lot and to provide parking instructions.

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.

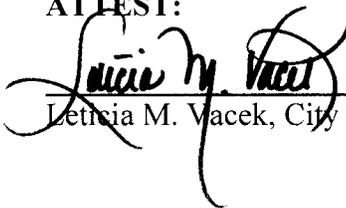
SECTION 7. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 8. This ordinance shall become effective April 15, 2012.

PASSED AND APPROVED this 5th day of April 2012.


M A Y O R
Julián Castro

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



Michael D. Bernard, City Attorney


22012078

METES AND BOUNDS

Being 2.928 acres of land, more or less, out of and a part of the East 207.2 feet of Tract 302, Block 29, NCB 11128, Harlandale Acre Tracts #8, according to the map or plat thereof recorded in Volume 980, Page 30, Deed and Plat Records, Bexar County, Texas, said East 207.2 feet of Tract 302 being that same property described as 3.800 acres recorded in a Deed to Abraham R. Gonzales recorded in Volume 2673, Page 432, Deed Records, Bexar County, Texas, said 2.928 acres being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found for the southeast corner of said East 207.2 feet of Tract 302, same being the southeast corner of said Tract 302 and the southeast corner of this 2.928 acres, same also being at the intersection of the West Right-of-Way line of Clamp Avenue and the North Right-of-Way line of W. Buchanan (W. Buchanan Boulevard per plat), same also being the **POINT OF BEGINNING**;

THENCE along the North Right-of-Way line of said W. Buchanan, North 90 degrees 00 minutes 00 seconds West (bearing basis), a distance of 207.20 feet to a 1/2 inch iron rod set for the southwest corner of this 2.928 acres, same being the southeast corner of the Alvin W. Bailey, et ux 1.3627 acre tract (Volume 6657, Page 543);

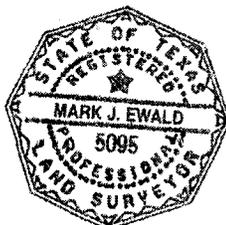
THENCE along the line common to this 2.928 acres and said Bailey 1.3627 acre tract, North 00 degrees 20 minutes 35 seconds East, a distance of 616.09 feet to a 1/2 inch iron rod set for the northwest corner of this 2.928 acres, same being the southwest corner of the Abraham R. Gonzales, et ux remainder of said 3.800 acres;

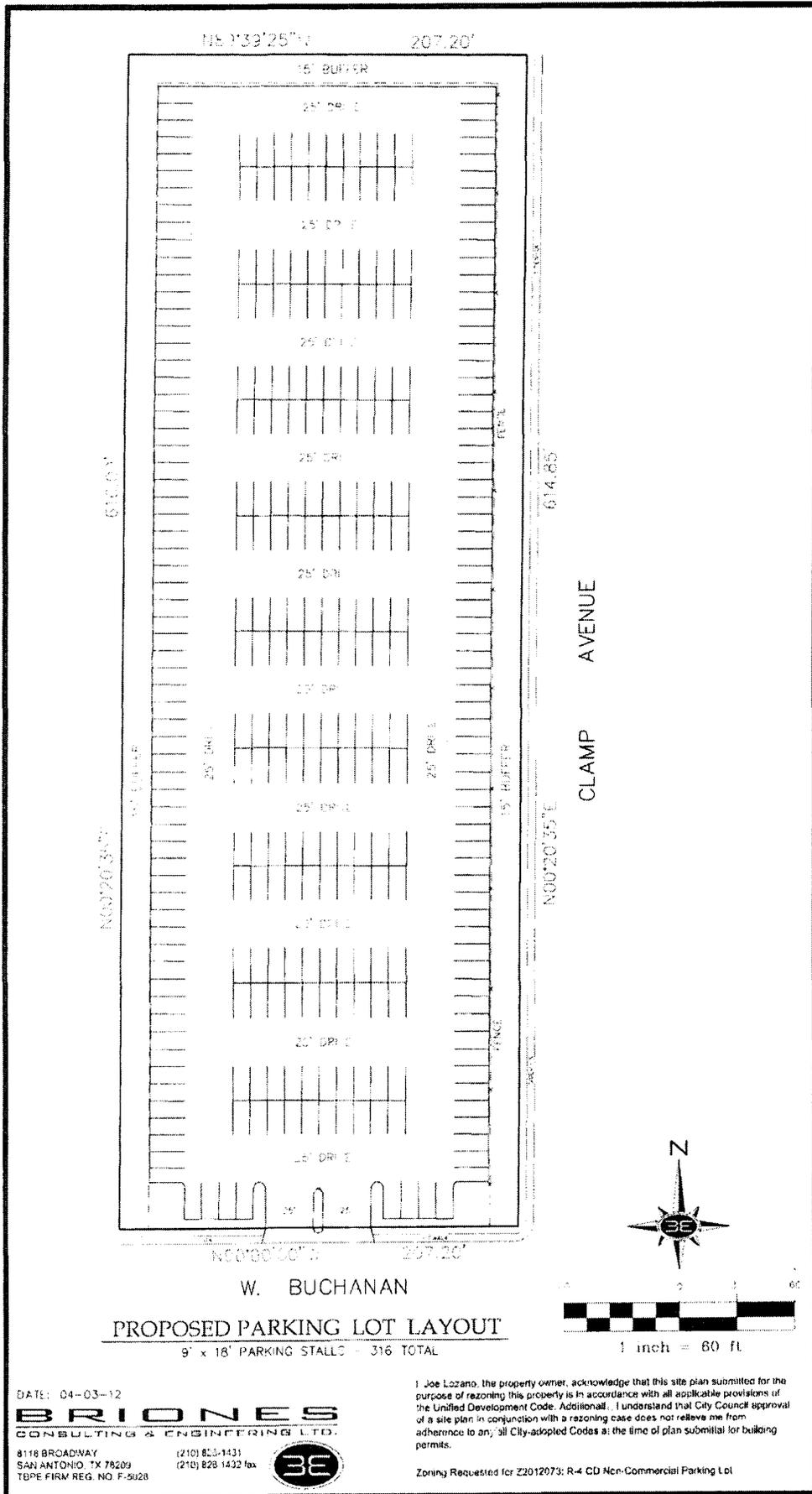
THENCE departing the West line of and severing said 3.800 acres South 89 degrees 39 minutes 25 seconds East, at a distance of 57.81 feet pass a 1/2 inch iron rod found, and continuing for a total distance of 207.20 feet to a 1/2 inch iron rod set for the northeast corner of this 2.928 acres, same being in the East line of said Tract 302 and in the East line of said 3.800 acres, same also being in the West Right-of-Way line of said Clamp Avenue;

THENCE along the West Right-of-Way line of said Clamp Avenue, South 00 degrees 20 minutes 35 seconds West, a distance of 614.85 feet to the **POINT OF BEGINNING** and containing 2.928 acres more or less;

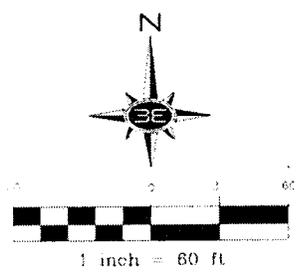
I hereby certify that these field notes were prepared from an actual survey made on the ground under my supervision and are true and correct to the best of my knowledge and belief. All iron rods set are 1/2 inch rebar. A survey plat of the above described tract prepared this day is hereby attached to and made a part hereof.

Mark J. Ewald
Registered Professional Land Surveyor
Texas Registration No. 5095
January 20, 2012





W. BUCHANAN
PROPOSED PARKING LOT LAYOUT
 9' x 18' PARKING STALLS = 316 TOTAL



DATE: 04-03-12
BRIONES
 CONSULTING & ENGINEERING LTD.
 8118 BROADWAY (210) 823-1431
 SAN ANTONIO, TX 78209 (210) 828-1432 fax
 T&E FIRM REG. NO. F-5028



I, Joe Lozano, 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.
 Zoning Requested for Z2012073: R-4 CD Non-Commercial Parking Lot