

AN ORDINANCE 2014 - 10 - 02 - 0771

**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 on 1.299 acres out of a portion of Lot 37 (formerly known as Lot 35), NCB 8670 from "C-3R GC-2 AHOD" General Commercial Restrictive Alcoholic Sales Highway 151 Gateway Corridor Airport Hazard Overlay District to "C-2 CD GC-2 AHOD" Commercial Highway 151 Gateway Corridor Airport Hazard Overlay District with a Conditional Use for Auto Paint And Body - Repair With Outside Storage Of Vehicles And Parts Permitted But Totally Screened From View Of Adjacent Property Owners And Public Roadways.

**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. 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.
- B. No outdoor speaker or amplification systems shall be permitted.

**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.

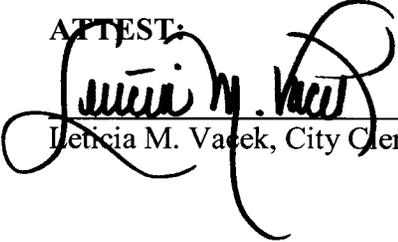
**SECTION 7.** The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

**SECTION 8.** This ordinance shall become effective October 12, 2014.

**PASSED AND APPROVED** this 2nd day of October 2014.

  
M A Y O R  
Ivy R. Taylor

ATTEST:

  
Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

  
Robert F. Greenblum, City Attorney  
For

<b>Agenda Item:</b>	Z-9
<b>Date:</b>	10/02/2014
<b>Time:</b>	04:09:35 PM
<b>Vote Type:</b>	Motion to Appr w Cond
<b>Description:</b>	ZONING CASE # Z2014176 CD (District 5): An Ordinance amending the Zoning District Boundary from "C-3R GC-2 AHOD" General Commercial Restrictive Alcoholic Sales Highway 151 Gateway Corridor Airport Hazard Overlay District to "C-2 CD GC-2 AHOD" Commercial Highway 151 Gateway Corridor Airport Hazard Overlay District with a Conditional Use for Auto Paint And Body - Repair With Outside Storage Of Vehicles And Parts Permitted But Totally Screened From View Of Adjacent Property Owners And Public Roadways on 1.299 acres out of a portion of Lot 37 (formerly known as Lot 35), NCB 8670 located on a portion of 2842 Castroville Road. Staff and Zoning Commission recommend approval with conditions.
<b>Result:</b>	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Diego Bernal	District 1		x				
Keith Toney	District 2		x				
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4	x					
Shirley Gonzales	District 5		x			x	
Ray Lopez	District 6		x				
Mari Aguirre-Rodriguez	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9	x					
Michael Gallagher	District 10		x				x

BEING 1.299 ACRE TRACT OUT OF LOT 37, IDA MUNK-DIAZ, N.C.B. 8670, RECORDED IN VOLUME 9673, PAGE 160-162, OF THE DEED AND PLATE RECORDS, BEXAR COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A ½" IRON ROD FOUND AT THE NORTHWEST CORNER OF SAID LOT 35, NEW CITY BLOCK 8670, IDA MUNK SUBDIVISION, RECORDED IN VOLUME 7800, PAGE 176, OF THE DEED AND PLAT RECORDS, BEXAR COUNTY, TEXAS ALSO BEING ON THE SOUTHERLY RIGHT OF WAY LINE OF CASTROVILLE ROAD AND HAVING TEXAS STATE PLANE COORDINATES – NAD83 – (4204), TEXAS SOUTH CENTRAL ZONE OF NORTHING: 13696602.0580 AND EASTING: 2100556.5180:

THENCE SOUTH 00°00'49" EAST ALONG THE WEST LINE OF SAID LOT 35 A DISTANCE OF 183.45 FEET TO A ½" IRON ROD SET FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED 1.299 ACRE TRACT;

THENCE NORTH 75°00'15" EAST ALONG THE NORTH LINE OF LOT 37, IDA MUNK – DIAZ, N.C.B. 8670, RECORDED IN VOLUME 9673, PAGE 160 -162 OF THE DEED AND PLAT RECORDS, BEXAR COUNTY, TEXAS. A DISTANCE OF 291.69 FEET TO A ½ INCH IRON ROD SET FOR THE NORTHEAST CORNER OF SAID LOT 37, BEING IN THE WEST LINE OF GARNER STEET, A VARIABLE WIDTH RIGHT OF WAY;

THENCE SOUTH 00°34'48" EAST ALONG THE EAST LINE OF SAID LOT 37, AND THE WEST LINE OF SAID GARNER STREET A DISTANCE OF 237.57 FEET TO POINT FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED 1.299 ACRE TRACT;

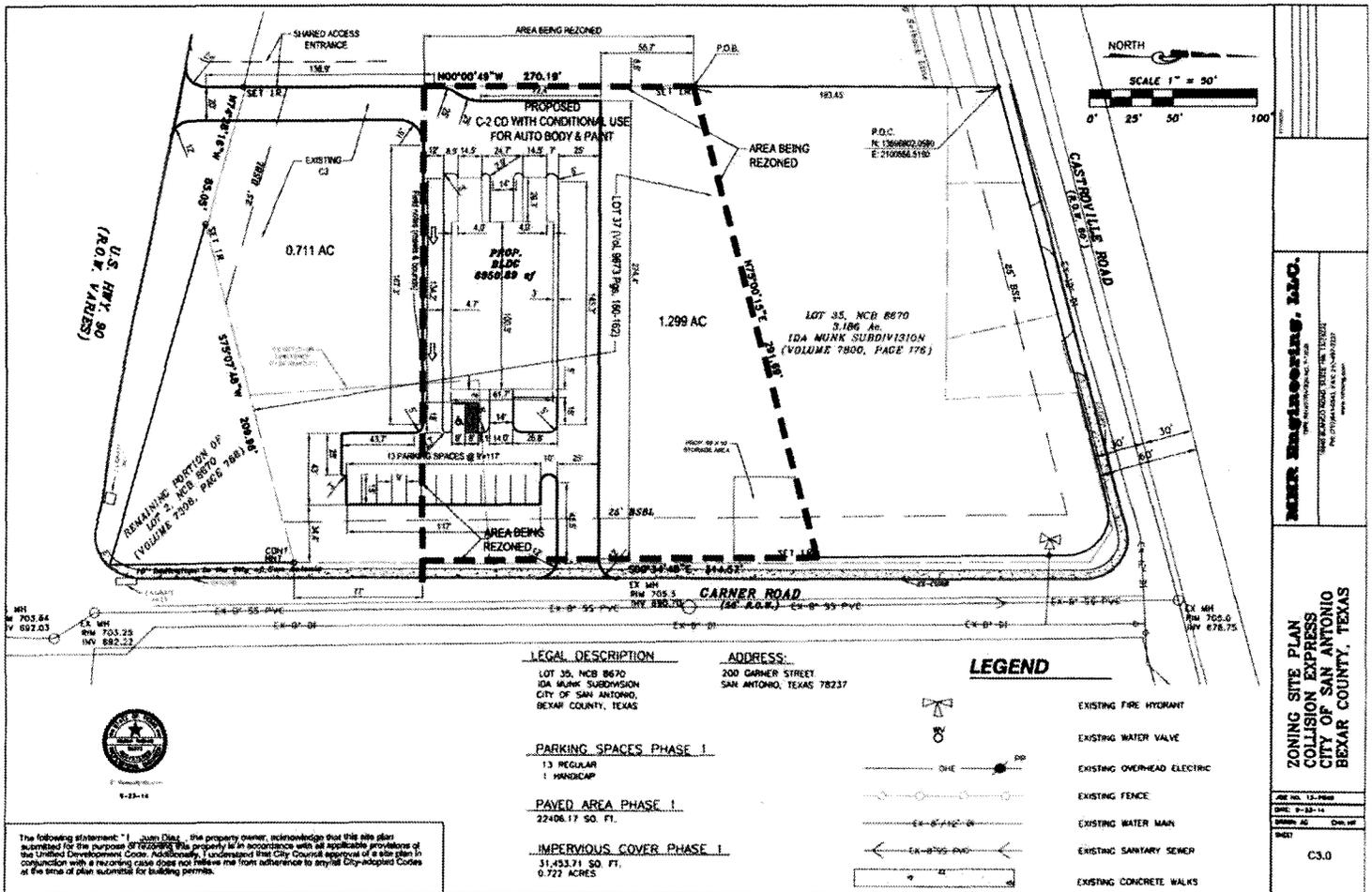
THENCE SOUTH 89°59'11" WEST A DISTANCE OF 284.10 FEET TO A POINT FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED 1.299 ACRE TRACT AND IN THE WEST LINE OF SAID LOT 37;

THENCE NORTH 00°00'49" WEST ALONG THE WEST LINE OF THE HEREIN DESCRIBED 1.299 ACRE TRACT AND ALSO SAID LOT 37 A DISTANCE OF 162.15 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.299 ACRES OF LAND MORE OR LESS.

*E. Elizondo*  
*9/24/2014*

The seal is an octagonal shape with a double border. The outer border contains the text "STATE OF TEXAS" at the top and "REGISTERED PROFESSIONAL LAND SURVEYOR" around the bottom. In the center, there is a five-pointed star above the name "ENRIQUE C. ELIZONDO" and the number "6386" below it.

Z2014176 CD



ATTACHMENT B