SG/cla
02/18/2016
Z-22. Amended.

CASE NO. Z2016036 CD

AN ORDINANCE 2016-02-18-0143

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 0.233 acres of land out of NCB 14702 from "O-2" High Rise Office District to "C-2 CD" Commercial District with Conditional Use for Automotive and Light Truck Repair.

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.
F. Garbage receptacles screened.
G. Monument signage only.
H. No outside speakers.
I. Cut-off lighting only; light source no higher than 15-feet.
J. 6-foot masonry or solid wood fence at the rear of the property.
K. Type D buffer on any part of the property adjoining interior parcels zoned or used for residential.
L. 50-foot structure setback from the rear property line.
M. Hours of operation limited to 8:30 a.m. to 6:30 p.m., Monday through Friday.

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 February 28, 2016.

PASSED AND APPROVED this 18th day of February, 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-22**
Date:	02/18/2016
Time:	03:15:40 PM
Vote Type:	Motion to Appr w Cond
Description:	ZONING CASE # Z2016036 CD (Council District 8): An Ordinance amending the Zoning District Boundary from "O-2" Office District to "C-2 CD" Commercial District with Conditional Use for Automotive and Light Truck Repair on 0.233 acres of land out of NCB 14702, located at 9617 Huebner Road. Staff recommends Approval. Zoning Commission recommends Approval, with Conditions.
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Treviño	District 1		x				
Alan Warrick	District 2		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			x	
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				x

Z2016036

MACINA • BOSE • COPELAND and ASSOCIATES, INC
CONSULTING ENGINEERS AND LAND SURVEYORS
Texas Registered Engineering Firm F-784
1035 Central Parkway North, San Antonio, Texas 78232
(210) 545-1122 FAX (210) 545-9302
www.mbcengineers.com

EXHIBIT"B"
LEGAL DESCRIPTION FOR
AREA TO BE REZONED (C2-CONDITIONAL USE)

Being 0.233 Acres of land out of the remaining portion of Lot 15, Block 2, New City Block 14702, Oakland Estates Subdivision recorded in Volume 980, Page 281A of the Deed and Plat Records of Bexar County. Texas and being more particularly described as follows:

Commencing at a ½" iron rod found for the most northeasterly corner of Lot 15; said corner being the common lot corner to Lot 50, Block 2, New City Block 14702, Replat Establishing Oakland Estates 305 Subdivision, as recorded in Volume 9567, Page 179,Deed and Plat Records of Bexar County, Texas;

THENCE: Along and with the common lot line to Lots 15 and 50, Block 2, New City Block 14702, S 49°00'00" E, 67.04 feet to a calculated point for a corner,

THENCE: Departing from said common lot line to Lots 15 and 50, S 41°00'00" W 29.72 feet to a calculated point for the **POINT OF BEGINNING** of the herein described tract;

THENCE: S 49°00'00" E, 90.00 feet to a calculated point for a corner,

THENCE: S 41° 00' 00" W, 113.00 feet to a calculated point for a corner,

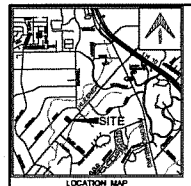
THENCE: N 49°00'00" W, 90.00 feet to a calculated point for a corner,

THENCE: N 41° 00' 00" E, 113.00 feet to the **Point of Beginning** and containing 0.233 Acres of land.

2-15-16
STATE OF TEXAS
ROBERT A. COPELAND JR.
70868
LICENSED
PROFESSIONAL ENGINEER

P:\1073\31351-BlackJack Speed Shop - Re-Zoning\Letters\0.233 ac 021516.doc

Attachment A



LOCATION MAP
NOT TO SCALE

Z2016036

EXHIBIT "A"

LEGAL DESCRIPTION FOR 9617 HUEBNER ROAD

A tract of land containing 1.728 Acre of land and being the remaining portion of Lot 18, Block 2, New City Block 14798, Oakland Estates Subdivision recorded in Volume 980, Page 281A of the Plat Records of Bexar County, Texas and this 1.728 Acre Tract of land being more particularly described as follows:

Beginning at an iron pin found on the new north right of way line of Huebner Road at the east line of said Lot 18, for the southeast corner of the herein described tract, and said point bears S 40 54'15" W, 1186.36 feet from the west right of way line of Blackfoot Road;

THENCE: S 44° 54'15" W, 298.06 feet along the new south right of way line of Huebner Road, to an iron pin found at the south line of said Lot 18, for the southwest corner of the herein described tract;

THENCE: N 49° 08' 00" W, 376.84 feet leaving the south right of way line of Huebner Road and along the west line of said Lot 18 with fence line, to a 1/2" iron pipe found at a fence corner post, being the northwest corner of said Lot 18 and of the herein described tract;

THENCE: N 41° 08' 00" E, 280.86 feet along the north line of said Lot 18 with fence line, to an iron pin found at a fence corner post, being the northeast corner of said Lot 18 and of the herein described tract;

THENCE: S 49° 00' 00" E, 376.31 feet along the east line of said Lot 18 with fence line, to the Point of Beginning and containing 1.728 Acres of land.

EXHIBIT "B"

LEGAL DESCRIPTION FOR
AREA TO BE REZONED (C3-CONDITIONAL USE)

Being 0.268 Acres of land out of the remaining portion of Lot 18, Block 2, New City Block 14798, Oakland Estates Subdivision recorded in Volume 980, Page 281A of the Deed and Plat Records of Bexar County, Texas and being more particularly described as follows:

Commencing at a ½" iron rod found for the most northwesterly corner of Lot 18; said corner being the common lot corner to Lot 56, Block 2, New City Block 14798, Replat Establishing Oakland Estates 308 Subdivision, as recorded in Volume 9587, Page 179, Deed and Plat Records of Bexar County, Texas;

THENCE: Along and with the common lot line to Lots 18 and 56, Block 2, New City Block 14798, S 49°09'00" E, 67.04 feet to a calculated point for a corner;

THENCE: Departing from said common lot line to Lots 18 and 56, S 41°09'00" W, 28.72 feet to a calculated point for the POINT OF BEGINNING of the herein described tract;

THENCE: S 49°09'00" E, 80.00 feet to a calculated point for a corner;

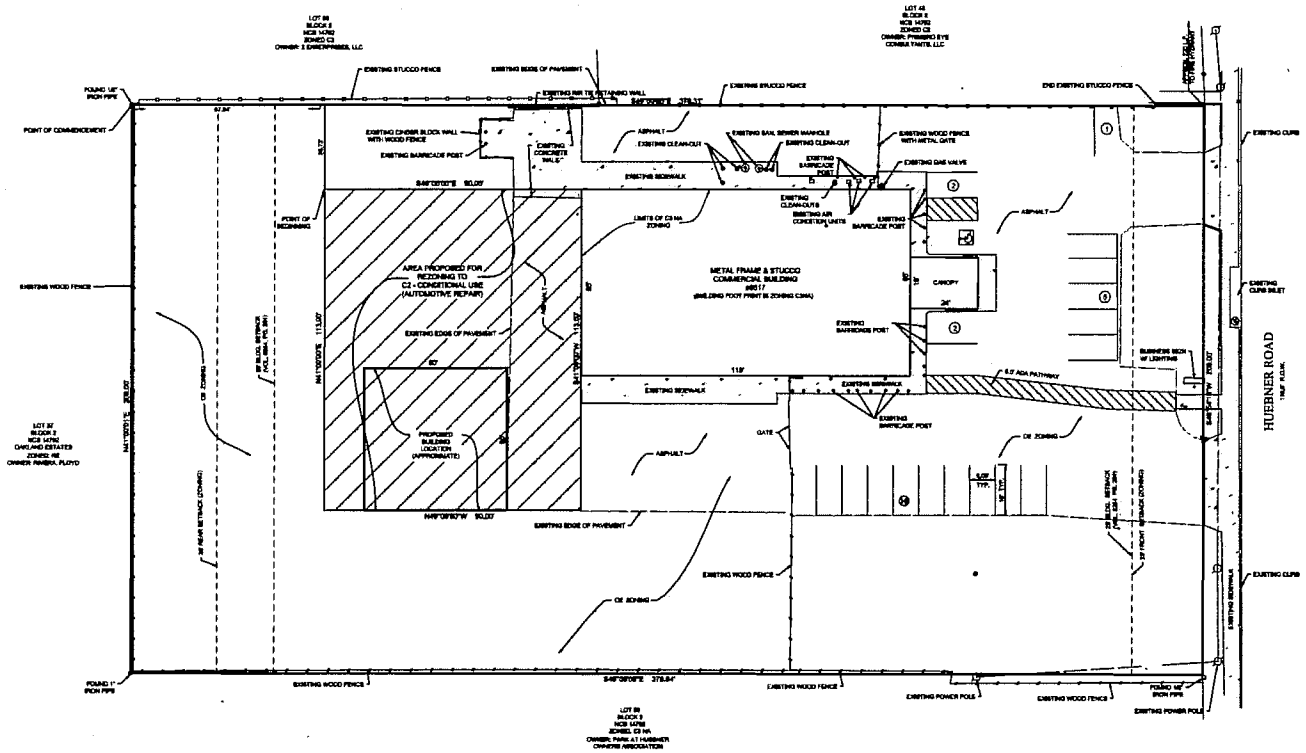
THENCE: S 41° 09' 00" W, 113.00 feet to a calculated point for a corner;

THENCE: N 49°09'00" W, 80.00 feet to a calculated point for a corner;

THENCE: N 41° 09' 00" E, 113.00 feet to the Point of Beginning and containing 0.233 Acres of land.

NORTH

SCALE: 1" = 20'



SITE INFORMATION

1. LEGAL DESCRIPTION: 1.728 ACRES OF LAND BEING THE REMAINING PORTION OF LOT 18, BLOCK 2, NEW CITY BLOCK 14798, OAKLAND ESTATES SUBDIVISION AS RECORDED IN VOLUME 980, PAGE 281A, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS.
2. TOTAL ACREAGE = 1.728
3. TOTAL LOT(S) = 1.0
4. IMPERVIOUS COVER = 0.798 / 35,388.4 (43.37%) ACRES/SQ.FT.
5. TOTAL AREA OF PAVED SURFACES = 0.58 / 25,418 ACRES/SQ.FT.
6. USES - EXISTING: AUTOMOTIVE LIGHT TRUCK SERVICE & REPAIR
7. PARKING: EXISTING: 30 SPACES
   18 REGULAR / 1 ADA
8. CITY COUNCIL DISTRICT : 8

I, TIMOTHY THEODORE DUNCAN, THE PROPERTY OWNER, ACKNOWLEDGE THAT THIS SITE PLAN SUBMITTED 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 ANYTIME CITY ADOPTED CODES AT THE TIME OF PLAN SUBMITTAL FOR BUILDING PERMITS.

STATE OF TEXAS
TIMOTHY A. DUNCAN
70868
REGISTERED
PROFESSIONAL ENGINEER

PRIMARY CONTACT:
TONY PIRNA

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CONSULTING ENGINEERS AND LAND SURVEYORS
1035 Central Parkway North, San Antonio, Texas 78232
(210) 545-1122 Fax (210) 545-9202 www.mbcengineers.com
FIRM REGISTRATION NUMBER: T.B.P.E. F-7044 T.B.P.L.S. 10011700
mbc ENGINEERS

BLACKJACK SPEEDSHOP REZONING
9617 HUEBNER ROAD
SAN ANTONIO, TEXAS
ZONING EXHIBIT

REVISIONS			
DATE	DESCRIPTION	BY	

PLAT ID#
APP#
DESIGN TP
DRAWN RT
CHECKED
DATE 11/11/2016
JOB NO. 21351-1873
SHT 1 OF 1

Attachment B