

AN ORDINANCE 2014 - 02 - 20 - 0114

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 Lot 19, NCB 12172 from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District, "R-5 MC-3 AHOD" Residential Single-Family Austin Highway/Harry Wurzbach Metropolitan Corridor Overlay Airport Hazard Overlay District, "C-3R AHOD" General Commercial Restrictive Alcohol Sales Airport Hazard Overlay District and "C-3R MC-3 AHOD" General Commercial Restrictive Alcohol Sales Austin Highway/Harry Wurzbach Metropolitan Corridor Overlay Airport Hazard Overlay District to "C-2 CD" Commercial Austin Highway/Harry Wurzbach Metropolitan Corridor Overlay Airport Hazard Overlay District with a Conditional Use for Oversized Vehicle and Marine Storage on 2.568 acres and "C-2 S" Commercial Austin Highway/Harry Wurzbach Metropolitan Corridor Overlay Airport Hazard Overlay District with a Specific Use Authorization for a Bar And/Or Tavern Without Cover Charge 3 or More Days Per Week on 1.072 acres; the "MC-3" Austin Highway/Harry Wurzbach Metropolitan Corridor Overlay District and the "AHOD" Airport Hazard Overlay District remaining unchanged.

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. The specific use will not be contrary to the public interest.
- G. The specific use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district.
- H. The specific use will be in harmony with the spirit and purpose as set forth in Section 35-423, Specific Use Authorization, of the Unified Development Code.
- I. The specific use will not substantially weaken the general purposes or the regulations as set forth in Section 35-423, Specific Use Authorization, of the Unified Development Code.
- J. The specific use will not adversely affect the public health, safety and welfare.

SECTION 4. The City Council approves this Conditional Use and Specific Use Authorization so long as the attached site plans are adhered to. The site plans are 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 March 2, 2014.

PASSED AND APPROVED this 20th day of February 2014.


M A Y O R
Julián Castro

ATTEST:


Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:


Robert F. Greenblum, City Attorney
for

Agenda Item:	Z-5 (in consent vote: Z-2, P-1, Z-3, Z-5, Z-6, Z-8, P-2, Z-10, Z-12, Z-15, P-5, Z-16)						
Date:	02/20/2014						
Time:	02:16:05 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2014055 CD S (District 2): An Ordinance amending the Zoning District Boundary from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District, "R-5 MC-3 AHOD" Residential Single-Family Austin Highway/Harry Wurzbach Metropolitan Corridor Overlay Airport Hazard Overlay District, "C-3R AHOD" General Commercial Restrictive Alcoholic Sales Airport Hazard Overlay District and "C-3R MC-3 AHOD" General Commercial Restrictive Alcoholic Sales Austin Highway/Harry Wurzbach Metropolitan Corridor Overlay Airport Hazard Overlay District to "C-2 CD" Commercial District with a Conditional Use for Oversized Vehicle and Marine Storage on 2.568 acres and "C-2 S" Commercial District with a Specific Use Authorization for a Bar And/Or Tavern Without Cover Charge 3 or More Days Per Week on 1.072 acres; the "MC-3" Austin Highway/Harry Wurzbach Metropolitan Corridor Overlay District and the "AHOD" Airport Hazard Overlay District remaining unchanged on Lot 19, NCB 12172 located at 1916 Austin Highway. Staff and Zoning Commission recommend approval.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Diego Bernal	District 1		x			x	
Ivy R. Taylor	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				

Z2034055



- Engineers
- Surveyors
- Planners

Moy Tarin Ramirez Engineers, LLC

ZONING NOTES
For

C-2 S
BAR and/or Tavern
w/out Cover charge 3 or more
days per week

A 1.072 ACRE TRACT OF LAND OUT OF LOT 19, N.C.B. 12172, D.M.V SUBDIVISION, AS RECORDED IN VOLUME 9569, PAGE 170 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING: At a 3/8" iron rod found on the south right-of-way line of Loop 368 (Austin Highway, 120 ft. right-of-way) for the northernmost corner of Lot 19, N.C.B. 12172 and the northernmost corner of the herein described tract;

THENCE: Departing the north right-of-way line of Loop 368 (Austin Highway, 120 ft. right-of-way) and with the east boundary line of Lot 19, N.C.B. 12172, South 46 degrees 01 minute 29 seconds East, 156.18 feet to an angle point for the southeast corner of this tract;

THENCE: Departing the east boundary line of Lot 19, N.C.B. 12172, South 53 degrees 04 minutes 33 seconds West, 420.41 feet to a point on the east right-of-way line of Holbrook Road (60 ft. right-of-way) for the southwest corner of this tract;

THENCE: Along the east right-of-way line of Holbrook Road and with a curve to the right having a central angle of 5 degrees 24 minutes 07 seconds, a radius of 530.00 feet, a tangent length of 25.00 feet, an arc length of 49.97 feet and a chord which bears North 10 degrees 45 minutes 46 seconds West, 49.95 feet to a point of tangency;

THENCE: Continuing with the east right-of-way line of Holbrook Road, North 08 degrees 03 minutes 42 seconds West, 40.03 feet to a point of curvature;

THENCE: Northeasterly with a curve to the right having a central angle of 50 degrees 44 minutes 42 seconds, a radius of 25.00 feet, a tangent length of 11.86 feet, an arc length of 22.14 feet, and a chord which bears North 17 degrees 18 minutes 39 seconds East, 21.43 feet to a point of tangency on the south right-of-way line of Loop 368 (Austin Highway, 120 ft. right-of-way) for the northwest corner of this tract;

THENCE: With the south right-of-way line of Loop 368 (Austin Highway, 120 ft. right-of-way), North 42 degrees 41 minutes 00 seconds East, 342.59 feet to the POINT OF BEGINNING, and containing 1.072 acres of land.

Note: These field notes were prepared for zoning purposes from the subdivision plat of the D.M.V. Subdivision and do not represent an on-the-ground boundary survey.

12770 C

49 • TBPE F-5297



ATTACHMENT A



ZONING NOTES
For

A 2.568 ACRE TRACT OF LAND OUT OF LOT 19, N.C.B. 12172, D.M.V. SUBDIVISION, AS RECORDED IN VOLUME 9569, PAGE 170 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING: At a ½" iron rod found on the south right-of-way line of Loop 368 (Austin Highway, 120 ft. right-of-way) for the northernmost corner of Lot 19, N.C.B. 12172 and the northernmost corner of the herein described tract;

THENCE: Departing the north right-of-way line of Loop 368 (Austin Highway, 120 ft. right-of-way) and with the east boundary line of Lot 19, N.C.B. 12172, South 46 degrees 01 minute 29 seconds East, 156.18 feet to an angle point for the northeast corner of this tract and the POINT OF BEGINNING:

THENCE: With the east boundary line of Lot 19, N.C.B. 12172, South 12 degrees 18 minutes 59 seconds East, 68.63 feet to an angle point;

THENCE: South 12 degrees 34 minutes 12 seconds East, 351.35 feet to a point for the southeast corner of Lot 19, N.C.B. 12172 and the southeast corner of this tract;

THENCE: With the south boundary line of lot 19, N.C.B. 12172, South 88 degrees 29 minutes 24 seconds West, 371.47 feet to a point on the east right-of-way line of Holbrook Road (60-ft right-of-way) for the southwest corner of Lot 19, N.C.B. 12172 and the southwest corner of this tract;

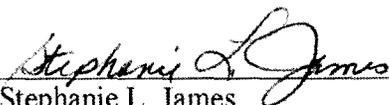
THENCE: Along the east right-of-way line of Holbrook Road (60-ft. right-of-way), North 19 degrees 23 minutes 32 seconds West, 121.52 feet to a point of curvature;

THENCE: Continuing with the east right-of-way line of Holbrook Road (60-ft right-of-way) with a curve to the right having a central angle of 5 degrees 55 minutes 43 seconds, a radius of 530.00 feet, a tangent length of 27.44 feet, an arc length of 54.84 feet and a chord which bears North 16 degrees 25 minutes 41 seconds West, 54.82 feet to a point for the northwest corner of this tract;

THENCE: Departing the east right-of-way line of Holbrook Road (60-ft right-of-way), North 53 degrees 04 minutes 33 seconds East, 420.41 feet to the POINT OF BEGINNING and containing 2.568 acres of land.

Note: These field notes were prepared for zoning purposes from the subdivision plat of the D.M.V. Subdivision and do not represent an on-the-ground boundary survey.



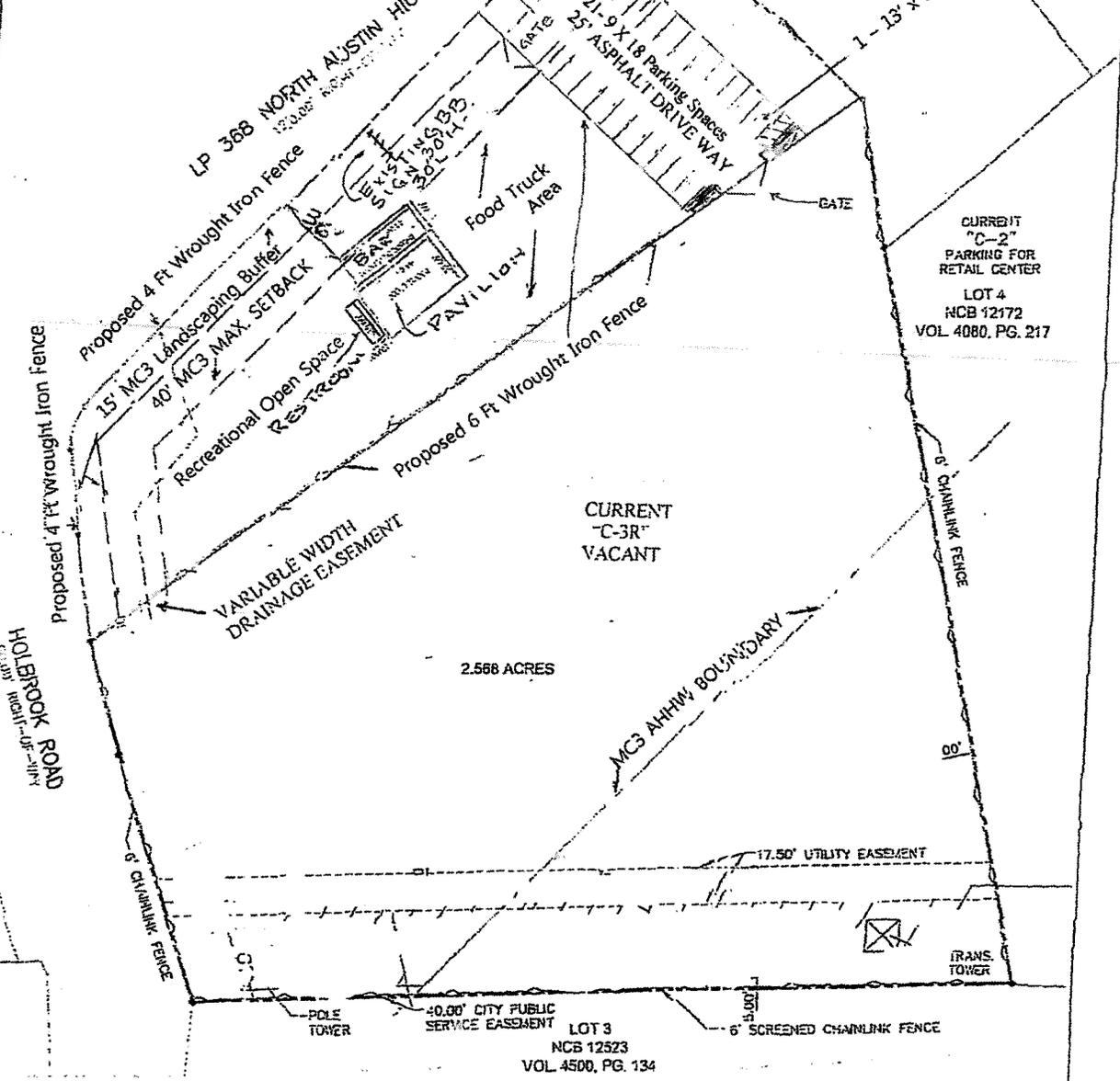
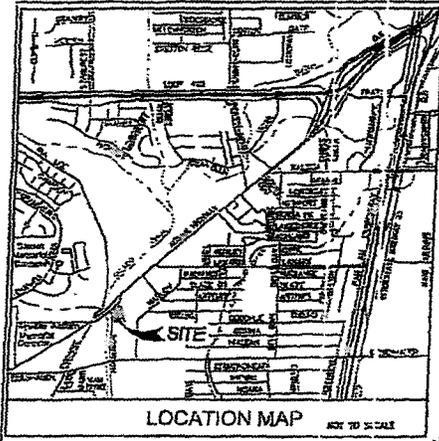

Stephanie L. James
Registered Professional Land Surveyor
No. 5950 Job # 11015.02.E34B

22014055 CS



SCALE: 1"=30'
GRAPHIC SCALE

I, STANLEY C. ALLEN, 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 CONNECTION 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.



ASPHALT AREA: 9455 SQ. FT.
 PROPOSED BUILDING AREA: 2340 SQ. FT.
 IMPERVIOUS COVER - 1.1795 SQ. FEET

LOT 3
 NCB 12523
 VOL 4500, PG. 134
 CURRENT
 "1A4"
 MANUFACTURED HOME AREA

SITE PLAN
"C-2 S" FOR BAR AND/OR TAVERN
WITHOUT COVER CHARGE

1916 AUSTIN HIGHWAY
 @ HOLBROOK
 LOT 19, NCB 12172
 D.M.V. SUBDIVISION
 VOLUME 9589, PAGE 170

MTR
 Moy Tatin Ramirez Engineers, LLC
 P.O. Box 142, Ft. Worth, TX 76101
 Phone: (817) 336-1100 Fax: (817) 336-1101
 San Antonio, Texas 78241 Fax: (214) 336-3633

ATTACHMENT B

DATE: 12-12-2013 PROJ #13089

At: Austin Hwy - Holbrook, Final Utility Drawings \ Exhibits \ 13089_Parking - Exhibit.dwg

