SG/cla
02/19/2015
Z-11

CASE NO. Z2015046 CD

AN ORDINANCE 2015-02-19-0134

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 3.124 acres out of NCB 11493 from "MF-33 AHOD" Multi-Family Airport Hazard Overlay District to "C-2 AHOD CD" Commercial Airport Hazard Overlay District with a Conditional Use for Motor Vehicle Sales (Full Service).

SECTION 2. 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 3. A description of the property is attached as **Attachment "A"** and made a part hereof and incorporated herein for all purposes.

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 March 1, 2015.

PASSED AND APPROVED this 19th day of February 2015.

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-11 (in consent vote: 24, P-1, Z-1, P-3, P-4, Z-4, Z-5, Z-6, P-5, Z-10, Z-11, Z-17, Z-18)**
Date:	02/19/2015
Time:	02:09:47 PM
Vote Type:	Motion to Approve
Description:	ZONING CASE # Z2015046 CD (District 7): An Ordinance amending the Zoning District Boundary from "MF-33 AHOD" Multi-Family Airport Hazard Overlay District to "C-2 AHOD CD" Commercial Airport Hazard Overlay District with a Conditional Use for a Motor Vehicle Sales (Full Service) on a 3.124 acres of land, out of NCB 11493 located at 4712 Culebra Road. Staff and Zoning Commission recommend approval.
Result:	Passed

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

Z2015046 CD

METES AND BOUNDS

Being 3.124 acres of land, more or less, out of the Charles F. King Survey, Abstract 396, New City Block 11493, City of San Antonio, Bexar County, Texas, same being known as the East irregular 137.41 feet of the West 859.66 feet of Lot B, New City Block 11493, City of San Antonio, Bexar County, Texas, said 3.124 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 this 3.124 acres, same being a point on the West line of the City of San Antonio 3.442 acres (Volume 12038, Page 1025) and the East corner of the Monticello Manor, Ltd., 10.669 acres (Volume 6957, Page 58), same also being the **POINT OF BEGINNING;**

THENCE along the lines common to this 3.124 acres and said Monticello 10.669 acres the following courses and distances:

South 88 degrees 58 minutes 41 seconds West, a distance of 265.33 feet to a 1/2 inch iron rod set for the southwest corner of this 3.124 acres;

North 00 degrees 50 minutes 29 seconds West, a distance of 519.03 feet to a 1/2 inch iron rod found for the northwest corner of this 3.124 acres, same being the East corner of said Monticello 10.669 acres and on the South Right-Of-Way line of Culebra Road;

THENCE along the South Right-Of-Way line of said Culebra Road, North 90 degrees 00 minutes 00 seconds East, a distance of 224.45 feet to a 1/2 inch iron rod set for the upper northeast corner of this 3.124 acres, same being the intersection of the South Right-Of-Way line of said Culebra Road and the West line of the City of San Antonio Drainage Area;

THENCE along the line common to this 3.124 acres and said City of San Antonio Drainage Area, South 37 degrees 41 minutes 57 seconds East, a distance of 37.03 feet to a 1/2 inch iron rod set for an angle corner of this 3.124 acres, same being on the West line of said City of San Antonio Drainage Area and the North corner of the City of San Antonio 0.0251 acres (Volume 11130, Page 1135);

THENCE along the lines common to this 3.124 acres and said City of San Antonio 0.0251 acres the following courses and distances:

South 11 degrees 02 minutes 02 seconds East, a distance of 69.13 feet to a 1/2 inch iron rod set for the point of curvature of a curve to the left;

Along said curve to the left having a radius of 370.00 feet, an arc length of 45.41 feet, a chord length of 45.38 feet, a chord bearing of South 14 degrees 33 minutes 01 seconds East, and a delta angle of 07 degrees 01 minutes 56 seconds to a 1/2 inch iron rod set for the lower northeast corner of this 3.124 acres, same being the South corner of said City of San Antonio 0.0251 acres and on the West line of said City of San Antonio 3.442 acres;

THENCE along the line common to this 3.124 acres and said City of San Antonio 3.442 acres, South 00 degrees 10 minutes 53 seconds East, a distance of 373.16 feet to the **POINT OF BEGINNING**, and containing 3.124 acres of land, 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. A survey plat of the above described tract prepared this day is hereby attached to and made a part hereof. Bearings shown herein are based on actual GPS Observations, Texas State Plane Coordinates, South Central Zone, Grid.

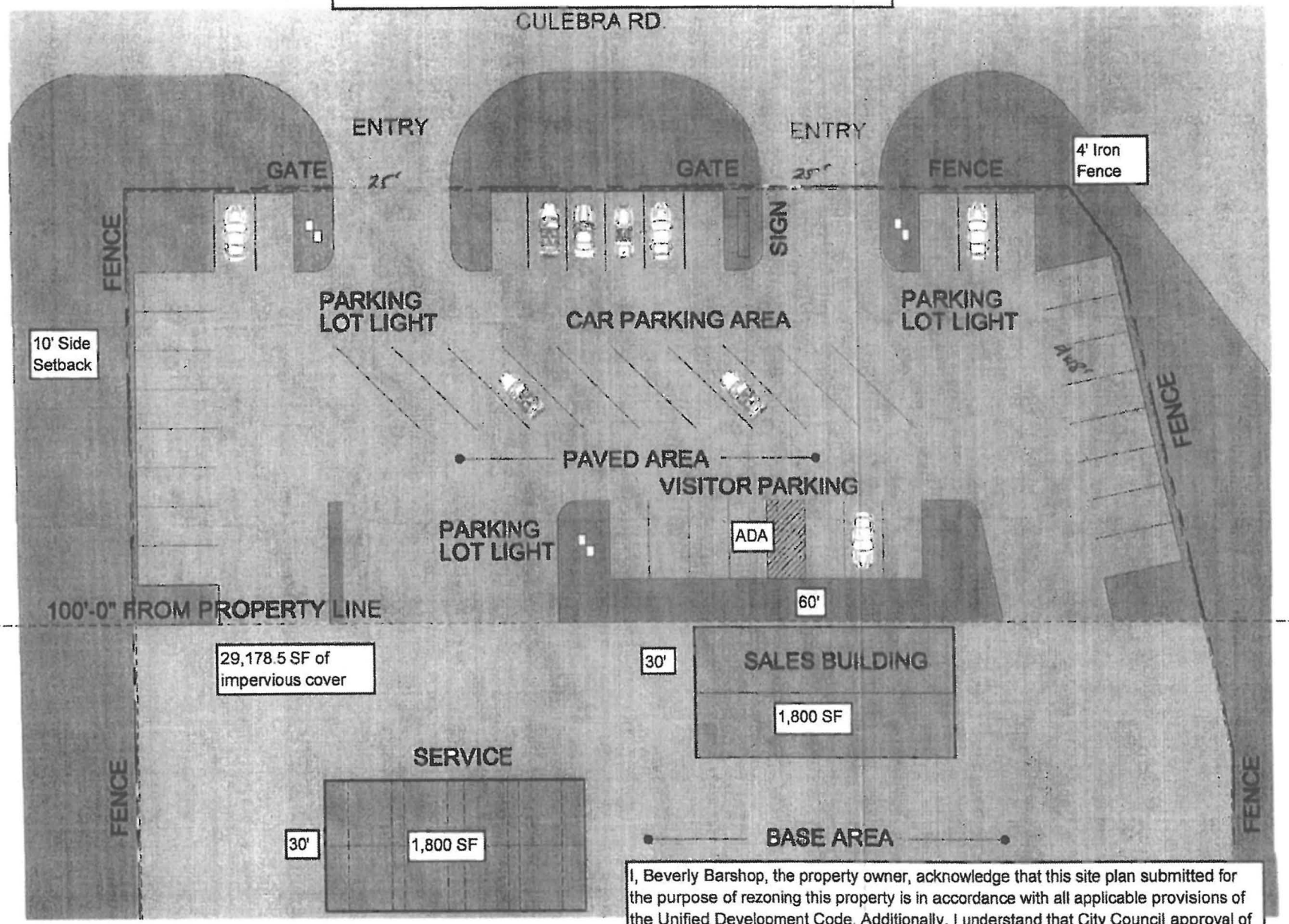
Mark J. Ewald
Registered Professional Land Surveyor
Texas Registration No. 5095
November 07, 2014

W:\Word\Metes and Bounds\62206.doc

Attachment A

Z2015046 CD

4712 Culebra Rezoning from MF-33 to C-2 CD for Auto Sales and Service



I, Beverly Barshop, 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 releive me from adherence to any/all City adopted Codes at the time of plan submittal for building permits.

(210) 212-7770

10-13-14

SITE PLAN

SCALE: 1"=30'-0" (when printed 8.5" x 11")

0 15 30 60 90

Attachment B