

AN ORDINANCE 2015-01-15-0042

**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 Lots 46 & 47, Block 21, NCB 8877 from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-1 CD AHOD" Light 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.** 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 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 "A"** 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.

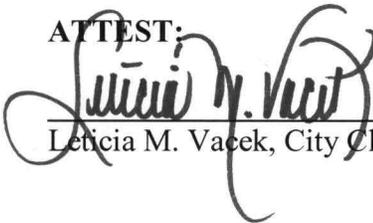
**SECTION 6.** The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

**SECTION 7.** This ordinance shall become effective January 25, 2015.

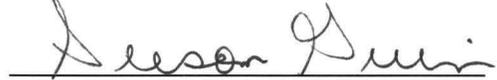
**PASSED AND APPROVED** this 15th day of January 2015.

  
M A Y O R  
Ivy R. Taylor

ATTEST:

  
\_\_\_\_\_  
Leticia M. Vacek, City Clerk

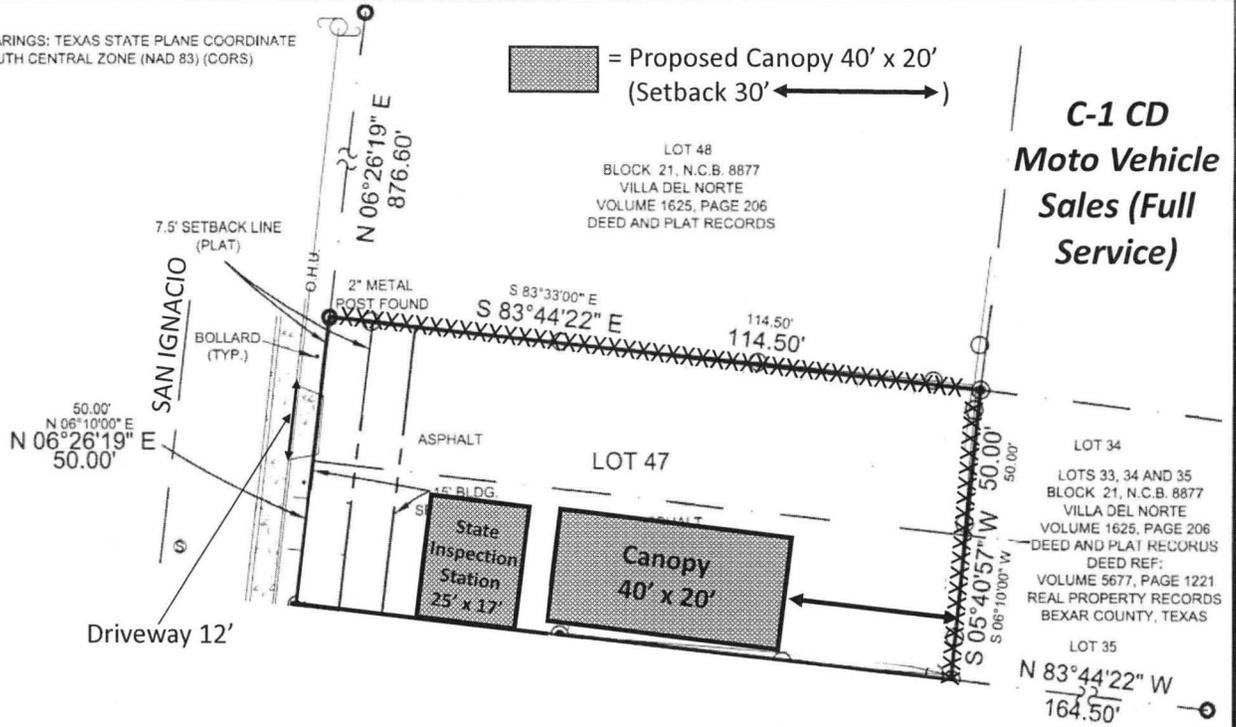
APPROVED AS TO FORM:

  
\_\_\_\_\_  
Martha G. Sepeda, Acting City Attorney  
for

<b>Agenda Item:</b>	Z-21 ( in consent vote: 17, 18, 20, P-2, Z-2, Z-3, Z-4, Z-5, Z-6, Z-7, Z-8, Z-9, Z-10, Z-11, Z-14, Z-15, Z-16, Z-20, Z-21, Z-22, Z-23, P-5, Z-25, Z-26, Z-27, Z-31, Z-33, Z-34 )						
<b>Date:</b>	01/15/2015						
<b>Time:</b>	02:08:52 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	ZONING CASE # Z2014238 CD (District 5): An Ordinance amending the Zoning District Boundary from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-1 CD AHOD" Light Commercial Airport Hazard Overlay District with a Conditional Use for Motor Vehicle Sales (Full Service) on Lots 46 & 47, Block 21, NCB 8877 located at 112 North San Ignacio Avenue. Staff and Zoning Commission recommend approval.						
<b>Result:</b>	Passed						
<b>Voter</b>	<b>Group</b>	<b>Not Present</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Motion</b>	<b>Second</b>
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				x
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x			x	
Michael Gallagher	District 10		x				

SUBJECT TO THE FOLLOWING RECORDED RESTRICTIVE COVENANTS AND/OR EASEMENTS ACCORDING TO SCHEDULE B OF TITLE COMMITMENT ISSUED BY TRINITY TITLE OF TEXAS, LLC ISSUED JULY 9, 2014, G.F. NO. 18048NC:  
 VOL. 1625, PAGE 206, DEED AND PLAT RECORDS VOL. 2767, PAGE 98, DEED RECORDS VOL. 5783, PAGE 414, DEED RECORDS

NOTE:  
 BASIS OF BEARINGS: TEXAS STATE PLANE COORDINATE SYSTEM - SOUTH CENTRAL ZONE (NAD 83) (CORS)



**PROPERTY SIZE:**

Total Square Footage: 5,725 sq. ft.

**PROPOSED CANOPY:**

Total Square Footage: 800 sq. ft.

**PROPOSED STATE INSPECTION STATION:**

Total Square Footage: 425 sq. ft.

**ASPHALT:**

Total Square Footage: 5,725 sq. ft.

**PARKING SPACES:**

The required parking spaces will be located on our adjacent lot (5119 W. Commerce St.) and addressed through a parking agreement.

**FENCE:**

Height: 6 ft. (Solid Screen)  
 Plan Symbols: XXXXXXXXXXXX

**NOTE:**

The Buffer Yard requirement will be reduced through section 35-510 No. 4b.

I, Damazo Garza, 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.