SG/cla
05/07/2015
Z-19. Amended.

CASE NO. Z2015107 CD

AN ORDINANCE 2015-05-07-0399

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 82, Block 28, NCB 16840 from "C-2" Commercial District to "C-2 CD" Commercial District with a Conditional Use for an Auto and Light Truck Repair Facility.

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. A 20-foot buffer where the commercial zoning district abuts a residential zoning district to include 15-feet of Type B landscaping, and an additional 5 feet area free of buildings.
B. Consultation shall be initiated with the City Arborist to select appropriate landscaping.
C. An 8 feet solid masonry, or fiber cement wall system, fence as illustrated in the site plan shall be maintained where the subject property abuts residential zoning or uses.

D. Collection of any on-site dumpsters shall be limited to the hours of 7am to 9pm and dumpsters must be screened on at least 3 sides.

E. All onsite lighting shall be directed onto the site and point away from any residential zoning or uses.

F. No outdoor speaker or amplification systems shall be permitted.

G. Hours of Operation for the Auto and Light Truck Repair use (the Conditional Use) shall be limited to the hours of 7am to 6pm Monday through Friday and 8am to 4pm on Saturday (closed Sunday). Garage doors will close when the repair shop closes.

H. Auto and Light Truck Repair use will only occur within the footprint shown on the Conditional Use site plan.

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 May 17, 2015.

PASSED AND APPROVED this 7th day of May 2015.

Ivy R. Taylor

M A Y O R
Ivy R. Taylor

ATTEST:

Leticia M. Vacek

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

For Susan Guinn

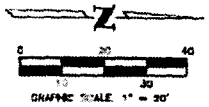
Martha G. Sepeda, Acting City Attorney

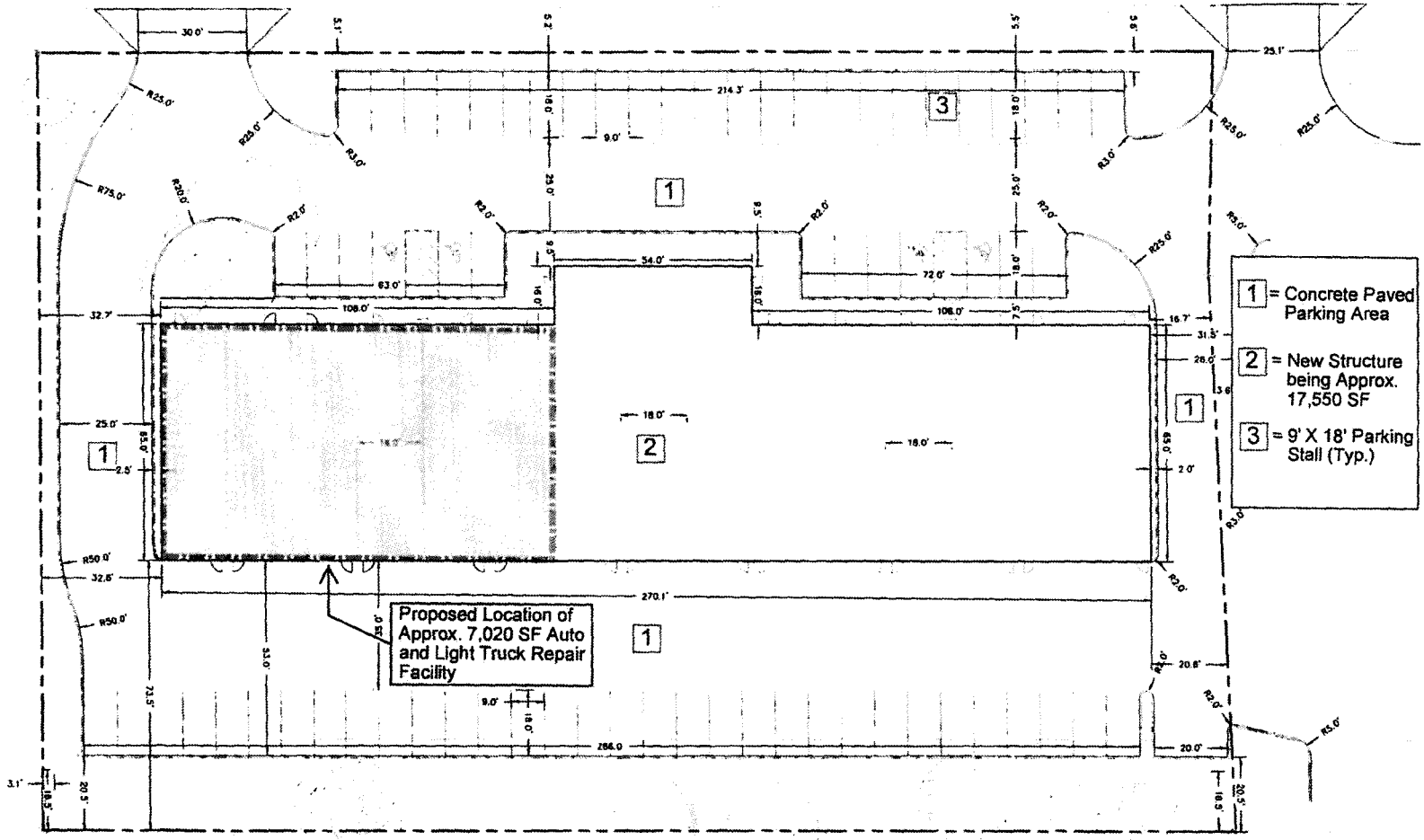
Agenda Item:	**Z-19**
Date:	05/07/2015
Time:	02:18:15 PM
Vote Type:	Motion to Appr w Cond
Description:	ZONING CASE # Z2015107 CD (District 8): An Ordinance amending the Zoning District Boundary from "C-2" Commercial District to "C-2 CD" Commercial District with a Conditional Use for an Auto and Light Truck Repair Facility on Lot 82, Block 28, NCB 16840 located at 6563 Babcock Road. Staff and Zoning Commission recommend Approval. (Continued from April 16, 2015)
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				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				

Z2015107

Zoning Site Plan-
6563 Babcock Rd





- Property: 6563 Babcock Rd (NCB 16840 BLK 28 Lot 82
- (E) Zoning: C-2
- Zoning Requested: C-2 CD, Conditional Use for Auto and Light Truck Repair
- A Side Setback of 25' and a Rear Setback of 30' Are Required and Provided Per Table 310-1
- Type 'B' 15-Foot Landscape Bufferyard Required
- 17,550 SF Structure to be constructed (Auto and Light Truck Repair Facility to Occupy Approx. 7,020 SF; 35 Parking Spaces Required (1 Per 500 SF GFA)
- 69 Parking Spaces provided (Including 4 Accessible Stalls)
- 33,312 SF Impervious Coverage (Concrete)

Attachment A

I, Morton Forshpan President of Forshpan Capital, LLC General Partner of The Point Shopping Center, LP, 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 note relieve me from adherence to any all City-adopted Codes at the time of plan submittal for building permits