

AN ORDINANCE 2013-03-07-0165

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 0.014 of an acre out of Lot 5, NCB 12104 from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for a Tattoo Parlor.

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.

SECTION 4. The City Council finds that the following conditions shall be met to insure compatibility with the surrounding properties:

- A. Hours of operation shall not be before 9 a.m. or after 9 p.m.; and

B. Signage on the building shall be no more than one sign including the word "tattoo" and shall be limited to 10-inch size lettering.

SECTION 5. 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 6. 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.

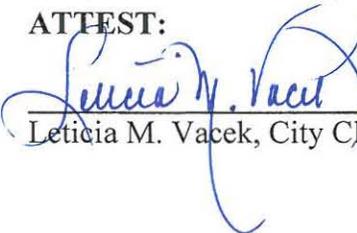
SECTION 7. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 8. This ordinance shall become effective March 17, 2013.

PASSED AND APPROVED this 7th day of March 2013.

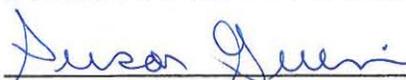

M A Y O R
Julián Castro

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



for Michael D. Bernard, City Attorney

**CROSS BRANCH
SURVEYING**
2379 N.E. LOOP 410, NO. 5
SAN ANTONIO, TEXAS 78217
(210) 828-1102

72619058

STATE OF TEXAS
COUNTY OF BEXAR

0.014 ACRE
1321 N.E. LOOP 410

Description of a 0.014 acre (628.44 square feet) tract of land out of Lot 5, New City Block 12104, Oak Forest Estates, Unit 4 according to plat thereof recorded in Volume 6100, Page 11 of the Deed and Plat Records of Bexar County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a ½" iron rod found in the north right-of-way line of Interstate Highway Loop 410 (Loop 410) for the southwest corner of Lot 20 of the abovementioned Oak Forest Estates, Unit 4, and being the southeast corner of said Lot 5, said corner also being the **POINT OF COMMENCEMENT** of this herein described tract;

THENCE, N 00° 14' 30" W, (being bearing basis) leaving the north right-of-way line of Loop 410 and with the common line of said Lot 5 and Lot 20, a distance of 103.00 feet to point in said common line of said Lot 5 and Lot 20;

THENCE, N 89° 47' 26" W, leaving the common line of said Lot 5 and Lot 20, a distance of 2.13 feet to the east face of existing building, continuing with the south wall of said existing building a total distance of 84.12 feet to the southeast corner and **POINT OF BEGINNING** of this herein described tract;

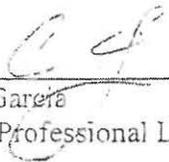
THENCE, the following calls

1. N 89° 47' 26" W, a distance of 10.70 feet to a point in the south wall of said existing building;
2. N 00° 12' 34" E, a distance of 4.50 feet to a point in a south wall of said existing building;
3. N 89° 47' 26" W, a distance of 6.20 feet to a point in the west wall of said existing building;
4. N 00° 12' 34" E, a distance of 34.40 feet to a point in the north wall of said existing building;
5. S 89° 47' 26" E, a distance of 16.90 feet to a point in the north wall of said existing building;
6. S 00° 12' 34" W, a distance of 38.80 feet in and across said existing building to the to the **POINT OF BEGINNING** of this herein described tract, containing 0.014 acres, 628.44 square feet of land more or less.

721-2038

Bearing basis – S 00° 14' 30" E, the east line of said Lot 5, Oak Forest Estates, Unit 4, according to plat thereof recorded in Volume 6100, Page of the Deed and Plat Records of Bexar County, Texas.

I hereby certify that this survey was performed upon the ground, on December 21, 2012 Under my direct supervision and is true and correct to the best of my knowledge.



Caesar A. Garcia
Registered Professional Land Surveyor No. 5904

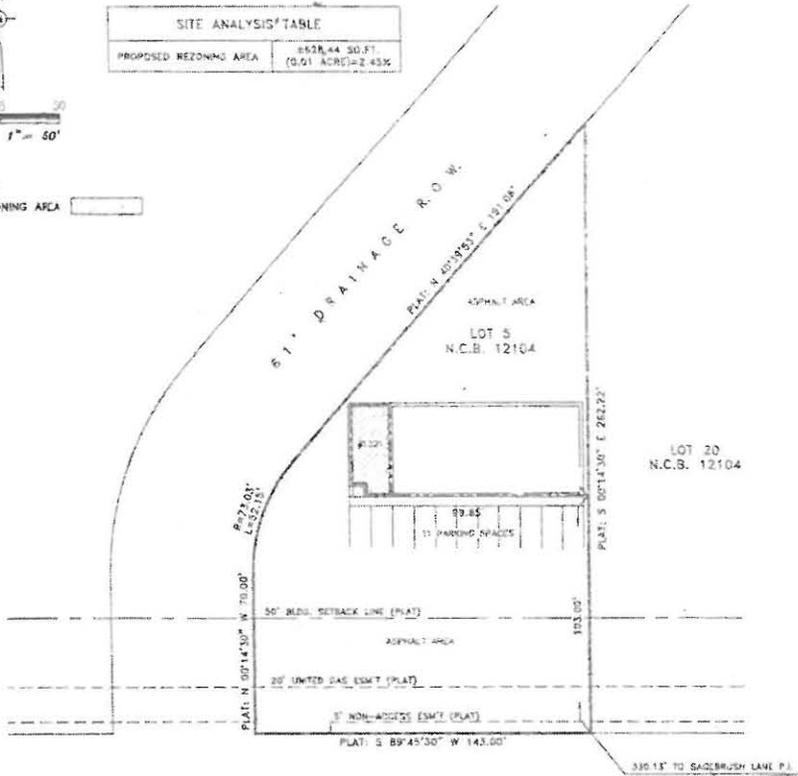


oak forest estates, unit 4



SITE ANALYSIS TABLE	
PROPOSED REZONING AREA	628.44 SQ. FT. (0.01 ACRES)=2.43%

PLAT LEGEND
PROPOSED REZONING AREA



INTERSTATE HIGHWAY LOOP 410
(300' RIGHT-OF-WAY)

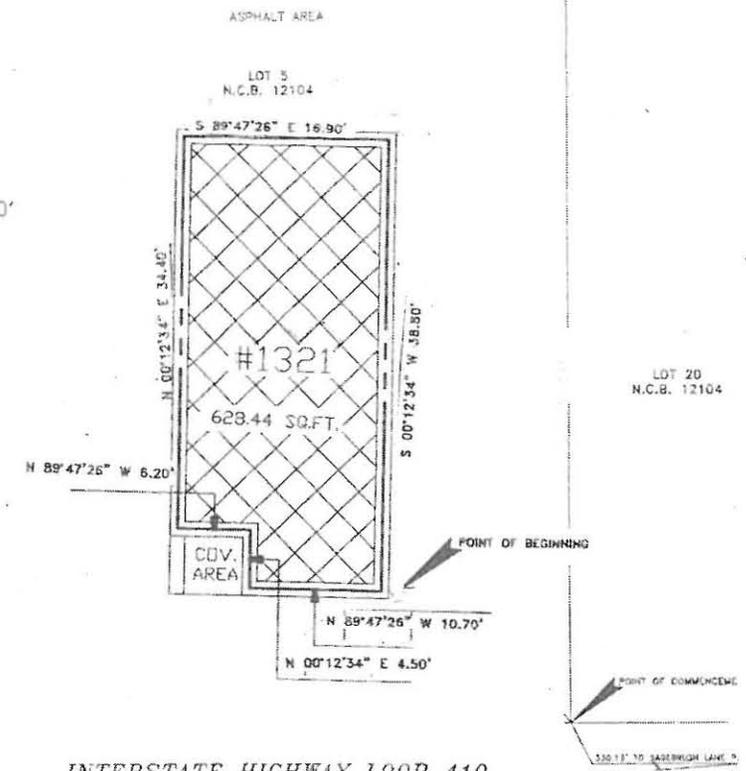
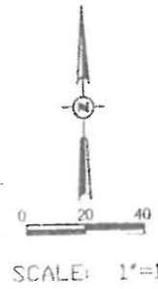
- NOTES:
- 1.) 100% IMPERVIOUS COVER FOR THE PROPERTY REZONED.
 - 2.) REZONING TO O-2 CONDITIONAL (TATTOO SHOP)
 - 3.) Parking spaces in retail shopping center where tattoo shop is located.

LOT PORTION OF LOT 5, NEW CITY BLOCK 12104
 SUBDIVISION OAK FOREST ESTATES, UNIT 4
 VOLUME 6100 PAGE 11 DEED & PLAT RECORDS
 ADDRESS: 1321 N.E. LOOP 410
 CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS.
 D.B. F.S. S.B. A.D.

Clark D. Boelen 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.

Cross Branch
SURVEYING
 7209 AVE. 500' 410' RD 2
 SAN ANTONIO, TEXAS 78217
 (512) 328-1160
 CROSS BRANCH SURVEYING DOES NOT
 MAKE OR WARRANT ANY FLOOD ZONE
 DETERMINATION.

DETAIL



INTERSTATE HIGHWAY LOOP 410
(300' RIGHT-OF-WAY)

22013058