

AN ORDINANCE 2010-10-07-0874

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 0.0610 of an acre out of NCB 13663 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 nightclub without cover charge 3 or more days per week.

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 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.

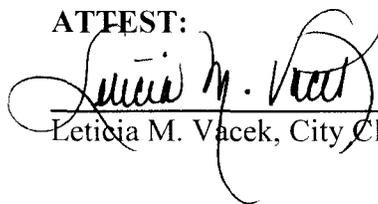
SECTION 6. The Director of Planning and Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 7. This ordinance shall become effective October 17, 2010.

PASSED AND APPROVED this 7th day of October 2010.


M A Y O R
Julián Castro

ATTEST:

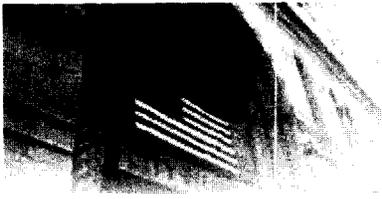


Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

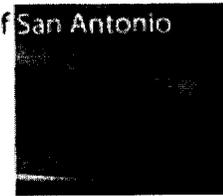


for Michael D. Bernard, City Attorney



Request for
**COUNCIL
ACTION**

City of San Antonio



Agenda Voting Results - Z-8

Name:	Z-4, Z-5, Z-6, Z-7, Z-8, Z-9, P-4, Z-13						
Date:	10/07/2010						
Time:	02:22:36 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2010147 CD (District 8): An Ordinance amending the Zoning District Boundary 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 Nightclub Without Cover Charge 3 or More Days Per Week on 0.0610 of an acre out of NCB 13663 located at 7401 Wurzbach Road. Staff recommends approval. Zoning Commission recommendation pending the October 5, 2010 public hearing.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Mary Alice P. Cisneros	District 1		x				
Ivy R. Taylor	District 2		x				
Jennifer V. Ramos	District 3		x			x	
Philip A. Cortez	District 4		x				
David Medina Jr.	District 5	x					
Ray Lopez	District 6		x				
Justin Rodriguez	District 7		x				
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x				
John G. Clamp	District 10		x				x

Z2010147

DEVELOPMENT SERVICES
RECEIVED

2010 AUG 23 PM 12:00

Barrera Land Surveying
7715 Mainland Drive, Suite 114
San Antonio, Texas 78250
(210) 444-9023

STATE OF TEXAS

COUNTY OF BEXAR

LEGAL DESCRIPTION
For
0.0610 of an Acre Tract

Field notes describing a 0.0610 of an acre tract of land, being out and part Lot 11, New City Block 13663, Oak Hills Park Subdivision, Unit -3, according to Plat recorded in Volume 6900, Page 56 of the Deed Records of Bexar County, Texas. Said 0.0610 of an acre tract of land, being more particularly described as follows:

COMMENCING: At a found ½" steel pin at the northeast right-of-way line of Wurzbach Road and the east corner of said Lot 11, S 76°48'30" E, a distance of 133.67 feet to east corner of this herein described tract, for the POINT OF BEGINNING;

THENCE: S 41°46'07" W, a distance of 25.40 feet, to a point and on an arc of a curve to the right, for a corner of this herein described tract;

THENCE: Along the arc of a curve to the right having a central angle of 46°13'02", a radius of 67.39 feet, an arc length of 54.36 feet, a chord bearing of N 48°13'53" W and a chord distance of 52.90 feet, to a point for a corner of this herein described tract;

THENCE: N 48°13'53" W, a distance of 16.90 feet, to a point for a corner of this herein described tract;

THENCE: S 41°46'07" W, a distance of 6.70 feet, to a point for a corner of this herein described tract;

THENCE: N 48°13'53" W, a distance of 20.20 feet, to a point for a corner of this herein described tract;

THENCE: N 41°46'07" E, a distance of 32.10 feet, to a point for a corner of this herein described tract;

THENCE: S 48°13'53" E, a distance of 53.50 feet, to a point for a corner of this herein described tract;

THENCE: N 41°46'07" E, a distance of 3.70 feet, to a point for a corner of this herein described tract;

THENCE: S 48°13'53" E, a distance of 12.30 feet, to a point for a corner of this herein described tract;

THENCE: S 41°46'07" W, a distance of 3.70 feet, to a point for a corner of this herein described tract;

Attachment A

Z2010147

THENCE: S 48°13'53" E, a distance of 24.20 feet, to the **POINT OF BEGINNING**,

Containing 0.0610 of an acre of land (2659 SQ.FT.) more or less.
Plat of survey prepared this date.

Date: 7-10-2010



David Barrera, R.P.L.S. No. 5286



Job No. 006-10

NEW ESTABLISHMENT LOCATED AT
7401 WURZBACH
SAN ANTONIO, TEXAS
(ZONING)

NO.	LENGTH	DIRECTION
L1	18.90'	N48°13'53"W
L2	8.70'	S41°48'07"W
L3	3.70'	N41°48'07"E
L4	12.30'	S48°13'53"E
L5	3.70'	S41°48'07"W

CI
L=54.30'
R=87.30'
D=481°3'01"
C=52.90'
CB=N48°13'53"W

DETAIL I
N.T.S.

LOT 16
NCB 13663
(1.997 ACRES)

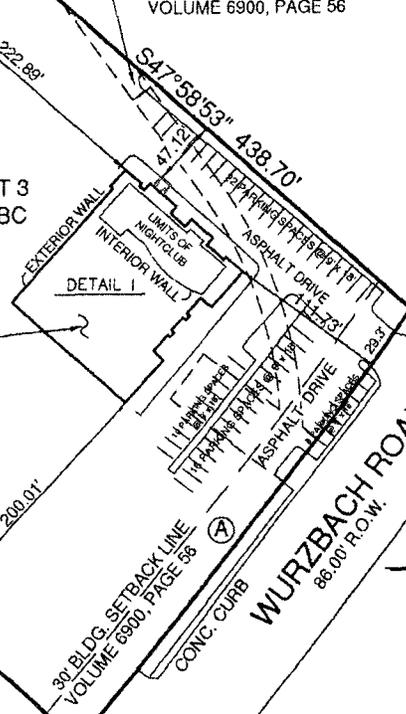
LOT 16
NCB 13663
(1.997 ACRES)

LOT 11
NCB 13663
OAK HILLS PARK, UNIT 3
VOL 6900, PG 56 DPRBC

EXISTING
STUCCO
BUILDING
(12,805 SQ.FT.)

LOT 12
(4.082 ACRES)
OAK HILLS PARK, UNIT 3
VOL 7100, PG 114 DPRBC

15' DRAINAGE ESMT.
VOLUME 6900, PAGE 56



Ⓐ
L=383.30'
R=4903.92'
D=04°28'42"
C=383.20'
CB=N37°34'06"E

NOTES:

1. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. THERE MAY BE ADDITIONAL BUILDING SETBACKS, RESTRICTIONS, OR EASEMENTS THAT MAY AFFECT THE PROPERTY THAT ARE NOT SHOWN HEREON. OWNER/BUILDER SHALL VERIFY ALL OF THE ABOVE PRIOR TO CONSTRUCTION.
2. C2-CD (NIGHTCLUB)
3. 0.0610 AC. ACRES SITE HAS 100% IMPERVIOUS COVER.

THE FOLLOWING STATEMENT: I, JAVIER ARGUELLO, 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.

PLAT OF PROPERTY

REFERENCE: VOLUME 6900, PAGE 56 DPRBC

PROPERTY ADDRESS: 7401 WURZBACH
SAN ANTONIO, TEXAS

LOT 10. NEW CITY BLOCK 13663, OAK HILLS PARK, UNIT 3, CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, ACCORDING TO PLAT THEREOF RECORDED IN VOLUME 6900, PAGE 56, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS.

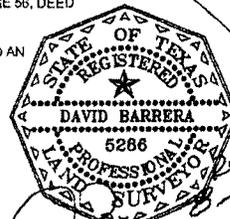
THIS IS TO CERTIFY THAT THE ABOVE PLAT IS TRUE AND CORRECT ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION.

DATE: JULY 9, 2010
JOB NUMBER: 006-10
BUYER: JAVIER ARGUELLO
REVISED: AUGUST 16, 2010



BARRERA LAND SURVEYING

7715 MAINLAND #114
SAN ANTONIO, TEXAS 78250
(210) 523-9996 PHONE
(210) 523-9995 FAX
DBINSA@YAHOO.COM



DAVID BARRERA
R.P.L.S. NO. 5286

SCALE: 1" = 100'

DRAWN BY: RG

CHECKED BY: DB