

AN ORDINANCE 2018-01-18-0057

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 0.4077 acres out of NCB 8593 from "C-2NA CD AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with Conditional Use for a Contractor Facility to "C-2NA CD AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with Conditional Use for Auto Sales/Full Service.

SECTION 2. A description of the property is attached as **Exhibit "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. Downward facing lighting.
- B. No outdoor amplification system.

C. There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of the main structure.

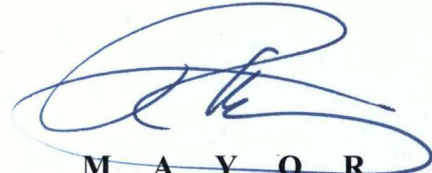
SECTION 5. The City council approves this Conditional Use so long as the attached site plan is adhered to. A site plan is attached as **Exhibit "B"** and made a part hereof and incorporated herein for all purposes.

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.

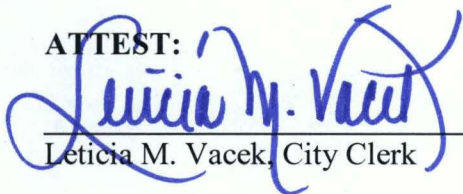
SECTION 8. This ordinance shall become effective January 28, 2018.

PASSED AND APPROVED this 18th day of January 2018.



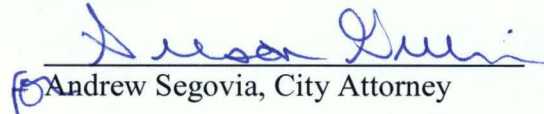
M A Y O R
Ron Nirenberg

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



Andrew Segovia, City Attorney

Agenda Item:	Z-32						
Date:	01/18/2018						
Time:	02:42:42 PM						
Vote Type:	Motion to Appr w Cond						
Description:	ZONING CASE # Z2018027 CD (Council District 5): An Ordinance amending the Zoning District Boundary from "C-2 NA CD AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with Conditional Use for a Contractor Facility to "C-2 NA CD AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with Conditional Use for Auto Sales/Full Service on 0.4077 acres out of NCB 8593, located at 2803 Castroville Road. Staff and Zoning Commission recommend Approval.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ron Nirenberg	Mayor		x				
Roberto C. Treviño	District 1		x				
William Cruz Shaw	District 2		x				
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x			x	
Greg Brockhouse	District 6		x				
Ana E. Sandoval	District 7		x				
Manny Pelaez	District 8		x				
John Courage	District 9		x				x
Clayton H. Perry	District 10		x				

22018027

**Metes and Bounds Description
for a 0.4077 Acre Tract**

Being 0.4077 acre (17,758 sq. ft.) of land being the remaining portion of Lots 40 and 41, New City Block 8593, Petaluma Gardens Addition, San Antonio, Bexar County, Texas, recorded in Volume 3377, Page 259 of the Deed and Plat Records of Bexar County, Texas; said 0.4077 acre (17,758 sq. ft.) tract being more particularly described as follows:

Beginning at a found iron rod located on the southeast right-of-way line of Castroville Road; said iron rod being the common northerly corner of the said remaining portion of Lot 40 and of the remaining portion of Lot 39, New City Block 8593, said Petaluma Gardens Addition; said iron rod also being the northwest corner of the said remaining portion of Lot 40 and of the tract herein described;

1. Thence N 74°51'50" E, 100.05 feet along the said southeast right-of-way line to an "X" etched in concrete set at the westerly end of a right-of-way curve return located at the southwest corner of the intersection of Castroville Road and S.W. 40th Street (A.K.A. Jasmine Lane); said "X" being at the beginning of a tangent curve to the right;
2. Thence Departing the said southeast right-of-way line, 31.36 feet along the said tangent right-of-way curve return to the right having a central angle of 89°51'10", a radius of 20.00 feet, and whose chord bearing and distance is S 60°12'35" E, 28.25 feet to an iron rod set at the southerly end of the said right-of-way curve return; said iron rod being located on the southwest right-of-way line of S.W. 40th Street and being the end of this curve;
3. Thence S 15°17'00" E, 128.59 feet along the said southwest right-of-way line to a found iron rod located at the common northerly corner of the said remaining portion of Lot 41 and of Lot 36, New City Block 8593, said Petaluma Gardens Addition; said iron rod also being the southeast corner of the said remaining portion of Lot 41 and of the tract herein described;

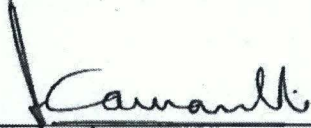
Exhibit "A"

Z2018027

4. Thence S 74°43'00" W, 120.00 feet departing the said southwest right-of-way line and along the common line between the said Lots 41, 40, and 36 to a found iron rod being the common southerly corner of the said Lots 40 and 39; said iron rod also being the southwest corner of the said remaining portion of Lot 40 and of the tract herein described;
5. Thence N 15°17'00" W, 148.85 feet departing the said common line between the said Lots 41, 40, and 36 and along the common line between the said Lots 40 and 39 to the **Point of Beginning** and containing 0.4077 acre (17,758 sq. ft.) of land, more or less.

A plat of even date accompanies this metes and bounds description.

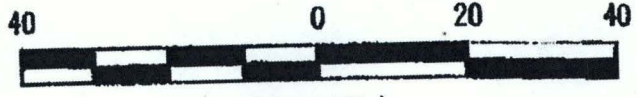




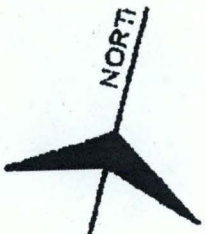
Adalberto Camarillo
Registered Professional Land Surveyor
No. 3929
September 15, 2017

Exhibit "A"

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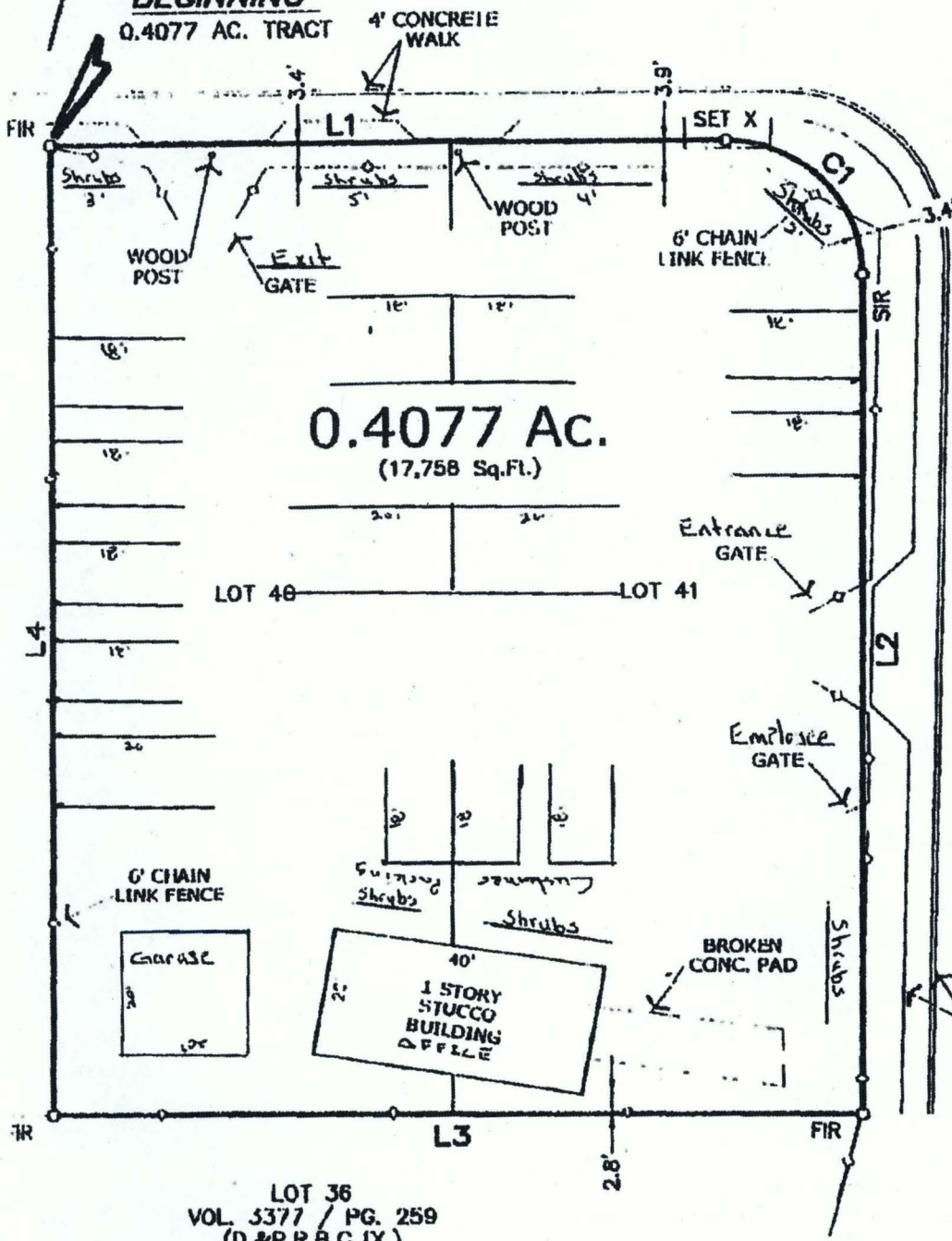
(IN FEET)
1 INCH = 40 FEET



CASTROVILLE ROAD

(R.O.W. VARIES)

POINT of BEGINNING
0.4077 AC. TRACT



0.4077 Ac.
(17,758 Sq.Ft.)

S.W. 40th STREET
(50' R.O.W. - A.K.A. JASMINE LANE)

LOT 36
VOL. 5377 / PG. 259
(D.&P.R.B.C. IX.)

"I, Ilene Lopez, 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."