

AN ORDINANCE 2017-12-07-0946

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 2.942 acres out of NCB 11715 from "C-2 AHOD" Commercial Airport Hazard Overlay District and "C-3 AHOD" General Commercial Airport Hazard Overlay District to "C-3 S AHOD" General Commercial Airport Hazard Overlay District with Specific Use Authorization for Auto Paint and Body Shop – Repair with Outside Storage of Vehicles and Parts Permitted but Totally Screened from View of Adjacent Property Owners and Public Roadways.

**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 specific use will not be contrary to the public interest.
- B. The specific use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district.
- C. The specific use will be in harmony with the spirit and purpose as set forth in Section 35-423, Specific Use Authorization, of the Unified Development Code.
- D. The specific use will not substantially weaken the general purposes or the regulations as set forth in Section 35-423, Specific Use Authorization, of the Unified Development Code.
- E. The specific use will not adversely affect 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. No outdoor speakers or voice amplification systems shall be permitted on the property except those required by law or necessary for emergency and/or safety purposes

**B.** Outside storage of parts and vehicles to be repaired must be screened to be totally blocked from view from adjacent property and public roadways.

**SECTION 5.** The City council approves this Specific Use Authorization 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 December 17, 2017.

**PASSED AND APPROVED** this 7<sup>th</sup> day of December 2017.



**M A Y O R**  
Ron Nirenberg

**ATTEST:**  
  
\_\_\_\_\_  
Leticia M. Vacek, City Clerk

**APPROVED AS TO FORM:**  
  
\_\_\_\_\_  
For Andrew Segovia, City Attorney

<b>Agenda Item:</b>	<b>Z-5 ( in consent vote: P-3, Z-5 )</b>						
<b>Date:</b>	12/07/2017						
<b>Time:</b>	04:16:01 PM						
<b>Vote Type:</b>	Motion to Appr w Cond						
<b>Description:</b>	ZONING CASE # Z2017298 S (Council District 1): An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District and "C-3 AHOD" General Commercial Airport Hazard Overlay District to "C-3 S AHOD" General Commercial Airport Hazard Overlay District with Specific Use Authorization for Auto Paint and Body Shop - Repair with Outside Storage of Vehicles and Parts Permitted but Totally Screened from View of Adjacent Property Owners and Public Roadways on 2.942 acres out of NCB 11715, located at 9631 San Pedro Avenue. Staff and Zoning Commission recommend Approval with Conditions, pending Plan Amendment. (Associated Plan Amendment 18002)						
<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>
Ron Nirenberg	Mayor	x					
Roberto C. Treviño	District 1		x			x	
William Cruz Shaw	District 2		x				x
Rebecca Viagran	District 3	x					
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Greg Brockhouse	District 6		x				
Ana E. Sandoval	District 7	x					
Manny Pelaez	District 8		x				
John Courage	District 9		x				
Clayton H. Perry	District 10		x				

SG/lj  
12/07/2017  
Item No. Z-5

# **Exhibit “A”**

# Z2017298<sub>s</sub>



FIELD NOTES  
FOR  
A 2.942 OF AN ACRE TRACT

A 2.942 acre tract of land, out of that 6.762 acre tract, N.C.B 11715 out of the San Marc Subdivision Plat recorded in Volume 7600 Page 65 Bexar County Deed and Plat Records in the City of San Antonio, Bexar County, Texas. Said 2.942 acres being more particularly described by metes and bounds as follows with the bearings based on the North American Datum of 1983, Texas South Central Zone:

**BEGINNING:** At a set ½" iron rod with blue plastic cap stamped "KFW SURVEYING", in the east line of Lorene Lane, a 55.00 foot wide right-of-way, for the northwest corner of Lot 42, Blanco Heights Subdivision of record in Volume 7700 Page 186 Bexar County Deed and Plat Records Bexar County, Texas, for the southwest corner of the 6.762 acre tract and the tract described herein;

**THENCE:** N 05°26'01" E, along and with the east line of Lorene Lane and the west line of the 6.762 acre tract and the tract described herein, a distance of **134.87 feet** to a set ½" iron rod with blue plastic cap stamped "KFW SURVEYING", for a point of curvature to the left;

**THENCE:** with the curve to the left having an arc of **301.51 feet**, a radius of **1437.50 feet**, a delta of 12°01'03" and a chord bears N 00°22'53" W, a distance of **300.96 feet** to a set ½" iron rod with blue plastic cap stamped "KFW SURVEYING", for the end of curve;

**THENCE:** N 06°23'24" W, continuing along and with the east line of Lorene Lane and the west line of the 6.762 acre tract and the tract described herein, a distance of **77.00 feet** to a set ½" iron rod with blue plastic cap stamped "KFW SURVEYING", for a point of curvature to the right at the intersection of Lorene Lane with McCarty Road, a 60.00 foot wide right-of-way, and a northwest corner of the 6.762 acre tract and the tract described herein;

**THENCE:** with the curve to the right having an arc of **5.89 feet**, a radius of **6.00 feet**, a delta of 56°15'04" and a chord bears N 38°36'36" E, a distance of **5.66 feet** to a set ½" iron rod with blue plastic cap stamped "KFW SURVEYING", for the end of curve;

**THENCE:** N 83°36'36" E, along and with the south line of McCarty Road and the north line of the 6.762 acre tract and the tract described herein, a distance of **52.64 feet** to a set ½" iron rod with blue plastic cap stamped "KFW SURVEYING", for a point of curvature to the right;

**THENCE:** with the curve to the right having an arc of **148.70 feet**, a radius of **387.31 feet**, a delta of 21°59'51" and a chord bears S 86°17'59" E, a distance of **147.79 feet** being a point on curve in the south line of McCarty Road, the north line of the 6.762 acre tract, for the northeast corner of the tract described herein;

Exhibit "A"

**THENCE: S 06°38'10" E**, leaving the south line of McCarty Road and over and across the 6.762 acre tract, a distance of **241.18 feet** to a point for an interior corner of the tract described herein;

**THENCE: N 83°34'56" E**, continuing over and across the 6.762 acre tract, a distance of **66.08 feet** to a point for a corner of the tract described herein;

**THENCE: S 06°08'45" E**, continuing over and across the 6.762 acre tract, a distance of **246.67 feet** to a point in the north line of Lot 42, the south line of the 6.762 acre tract, for the southeast corner of the tract described herein;

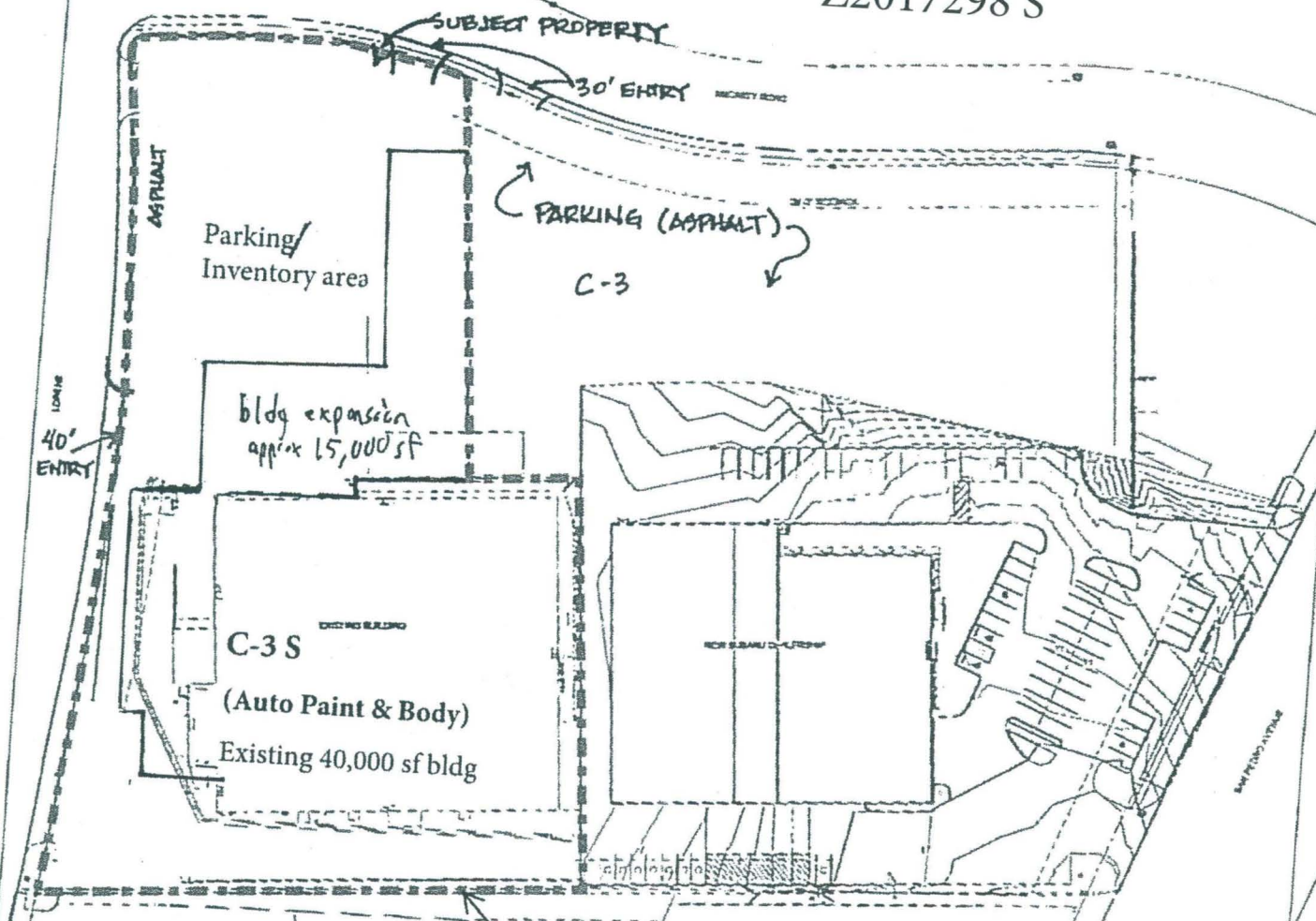
**THENCE: S 83°51'15" W**, along and with the north line of Lot 42, the south line of the 6.762 acre tract and the tract described herein, a distance of **327.35 feet** to the **POINT OF BEGINNING** and containing 2.924 acres in the City of San Antonio, Bexar County, Texas. Said tract described in accordance with an exhibit prepared by KFW Surveying. Bearings are based on NAD83 Texas State Plane South Central Zone.

"This document was prepared under 22TAC663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."

Job No.: 14-058  
Prepared by: KFW Surveying  
Date: November 29, 2017  
File: S:\Draw 2017\17-067 9631 San Pedro-North Park Subaru\DOCS\FN 2.924ac Re-Zoning



Z2017298 S



Subject Property (2.942 ac)

I, [Signature] 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.

- CURRENT ZONING : C-2 AHOD ; C-3 AHOD
- REQUESTED ZONING: C-3 (Specific USE FOR AUTO PAINT & BODY) AHOD
- PROPERTY : 2.942 ac (128,153 s.f.- see field notes)
- 100% IMPERVIOUS
- PARKING : PROVIDED PER UDC

9207 ZONING SITE PLAN

SCALE: 1"=100'

