

AN ORDINANCE 2015-11-19-1000

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 P-33, NCB 17970 from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-1 CD AHOD" Light Commercial Airport Hazard Overlay District with Conditional Use for a Variety Store with Outdoor Display.

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. Maintain a thirty (30) foot buffer between the residential area and the rear of the property.

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 November 29, 2015.

PASSED AND APPROVED this 19th day of November, 2015.

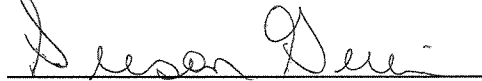

M A Y O R
Ivy R. Taylor

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



Martha G. Sepeda, Acting City Attorney

Agenda Item:	Z-21
Date:	11/19/2015
Time:	02:38:44 PM
Vote Type:	Motion to Appr w Cond
Description:	ZONING CASE # Z2015283 CD (Council District 7): An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-1 CD AHOD" Light Commercial Airport Hazard Overlay District with a Conditional Use for a Variety Store with Outdoor Display on Lot P-33, NCB 17970, located at 8151 Eckhert Road. Staff recommends Approval. Zoning Commission recommends Approval with Conditions.
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Treviño	District 1		x				
Alan Warrick	District 2		x				
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Ray Lopez	District 6	x					
Cris Medina	District 7		x			x	
Ron Nirenberg	District 8		x				x
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				

DESCRIPTION OF 1.856 ACRES

22015283

BEING 1.856 acres of land situated in the Maria G. De Los Santos Survey, Abstract 664, N.C.B. 17970, City of San Antonio, Bexar County, Texas, and further described by metes and bounds as follows:

BEGINNING (P.O.B.) at a found iron rod for the Northwest corner of this tract and Northeast corner of a 3.704 acre tract of land described in deed to GMEJR Partners, LTD., a Texas Limited Partnership, recorded in Document #20050000758, Official Public Records Bexar County, Texas, also being in the Southeast line of John Marshall Subdivision, Unit 3, recorded in Volume 8000, Page 161, Plat Records of Bexar County, Texas;

THENCE North 34°45'00" East, generally along a fence line, a distance of 208.71 feet, to a set iron rod with cap marked "RPLS 5069", for the North corner of this tract at the Northwest corner of John Marshall Subdivision, Unit 1C, recorded in Volume 9503, Page 14, Plat Records Bexar County, Texas;

THENCE South 55°15'00" East, a distance of 387.48 feet, to a set iron rod with cap marked "RPLS 5069", for the Southeast corner of this tract, in the Northwest right-of-way line of Eckhert Road;

THENCE South 34°45'00" West, along the Northwest right-of-way line of Eckhert Road, a distance of 208.70 feet, to the Southwest corner of this tract, from which a found iron rod for the Southwest corner of a 3.704 acre tract of land, described in deed to GMEJR Partners, LTD., a Texas Limited Partnership, recorded in Document #20050000758, Official Public Records Bexar County, Texas, bears: South 34°50'36" West, a distance of 417.35 feet;

THENCE North 55° 15'00" West, at 0.85 feet passing a found iron rod, and continuing for a total distance of 387.36 feet, to the POINT OF BEGINNING containing 1.856 acres of land.

Bearings in this description are based on the Deed Record Southwest line of the original Edgar Menn 2.0 acre tract of land, recorded in Volume 2613, Page 212, Deed Records of Bexar County, Texas.

Plat of even date accompanies this metes and bounds description.



Patrick A. Fox R.P.L.S. # 5069
April 3, 2015

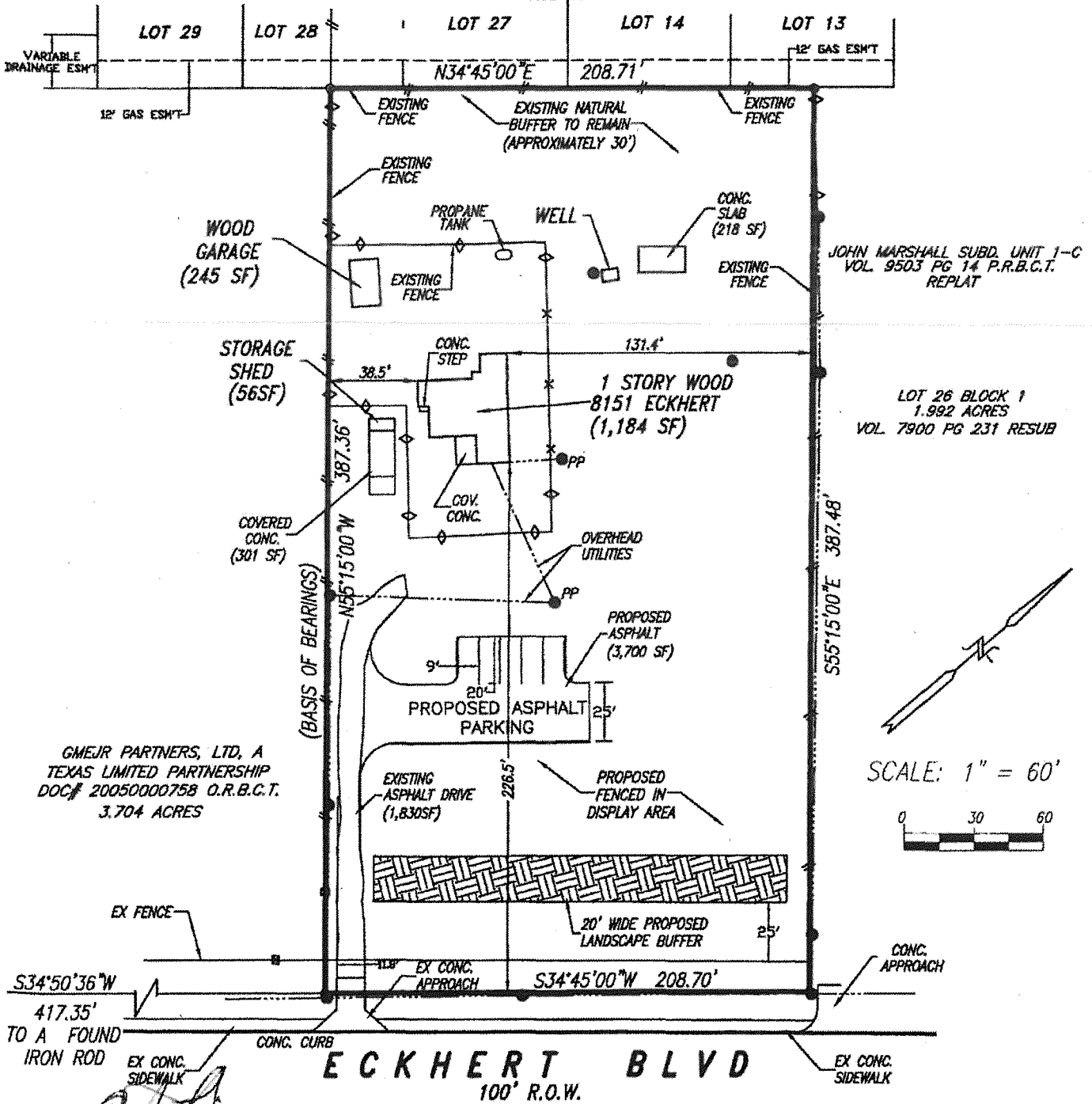
22015283

8151 ECKHERT - SITE PLAN

JOHN MARSHALL SUBD. UNIT 3
VOL. 8000 PG 161 P.R.B.C.T.

JOHN MARSHALL SUBD. UNIT 1
VOL. 6900 PG 147 P.R.B.C.T.

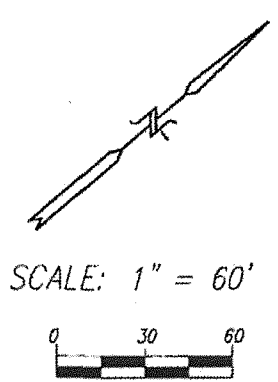
NCB 17952



GMEJR PARTNERS, LTD, A TEXAS LIMITED PARTNERSHIP
DOC# 20050000758 O.R.B.C.T.
3.704 ACRES

JOHN MARSHALL SUBD. UNIT 1-C
VOL. 9503 PG 14 P.R.B.C.T.
REPLAT

LOT 26 BLOCK 1
1.992 ACRES
VOL. 7900 PG 231 RESUB



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.

A. HINOJOSA ENGINEERING
TEXAS FIRM REGISTRATION NO. 9585
9323 WILDSTONE PLACE
SAN ANTONIO, TEXAS 78254
PHONE (210) 241-6465 FAX (210) 495-4746