

AN ORDINANCE 2014 - 09 - 18 - 0722

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.

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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 0.165 of an acre out of Lot 1, NCB 13856 from "C-3 AHOD" General Commercial Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Auto Paint And Body - 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 **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 operations shall not be permitted before 9:00 a.m. or after 6:00 p.m. Monday thru Friday

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 September 28, 2014.

PASSED AND APPROVED this 18th day of September 2014.



M A Y O R
Ivy R. Taylor

ATTEST:



Leticia M. Vicek, City Clerk

APPROVED AS TO FORM:



for Robert F. Greenblum, City Attorney

Agenda Item:	Z-7
Date:	09/18/2014
Time:	02:11:18 PM
Vote Type:	Motion to Appr w Cond
Description:	ZONING CASE # Z2014088 CD (District 7): An Ordinance amending the Zoning District Boundary from "C-3 AHOD" General Commercial Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Auto Paint And Body - Repair With Outside Storage Of Vehicles And Parts Permitted But Totally Screened From View Of Adjacent Property Owners And Public Roadways on 0.165 of an acre out of Lot 1, NCB 13856 located on a portion of 4623 Fredericksburg Road. Staff and Zoning Commission recommend approval with one condition. Hours of operations shall not be permitted before 9:00 a.m. or after 6:00 p.m. Monday thru Friday
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Diego Bernal	District 1		x				
Keith Toney	District 2		x				
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				x
Shirley Gonzales	District 5		x				
Ray Lopez	District 6	x					
Mari Aguirre-Rodriguez	District 7		x			x	
Ron Nirenberg	District 8	x					
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				



METES & BOUNDS DESCRIPTION

A 7,186.06 SF METAL BUILDING OUT OF LOT 1, NCB 13856, JACK GUENTHER SUBDIVISION, BEXAR COUNTY, TEXAS RECORDED IN VOLUME 5502, PAGE 4, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, SAID AREA IS ILLUSTRATED IN "EXHIBIT-A" AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

POINT OF COMMENCING at the north corner of Lot 1, NCB 13856, Jack Guenther Subdivision.

THENCE South 33°38'56" East, a distance of 52.29 feet to the north-west building corner.

POINT OF BEGINNING at the north-west building corner of the herein described 7,186.06 SF metal building.

THENCE along and with the northerly side of the said building, South 53°20'03" East, a distance of 50.38 feet to the northeast corner of the building.

THENCE along and with the easterly side of the said building, South 35°00'39" West, a distance of 76.20 feet to a corner.

THENCE South 54°06'32" East, a distance of 23.56 feet to a corner.

THENCE along and with the easterly side of the building, South 35°00'39" West, a distance of 46.0 feet to the south-east corner of the building.

THENCE along and with the southerly side of the building, North 52°39'08" West, a distance of 74.0 feet to the south-west corner of the building.

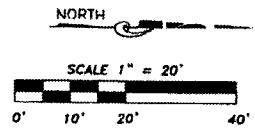
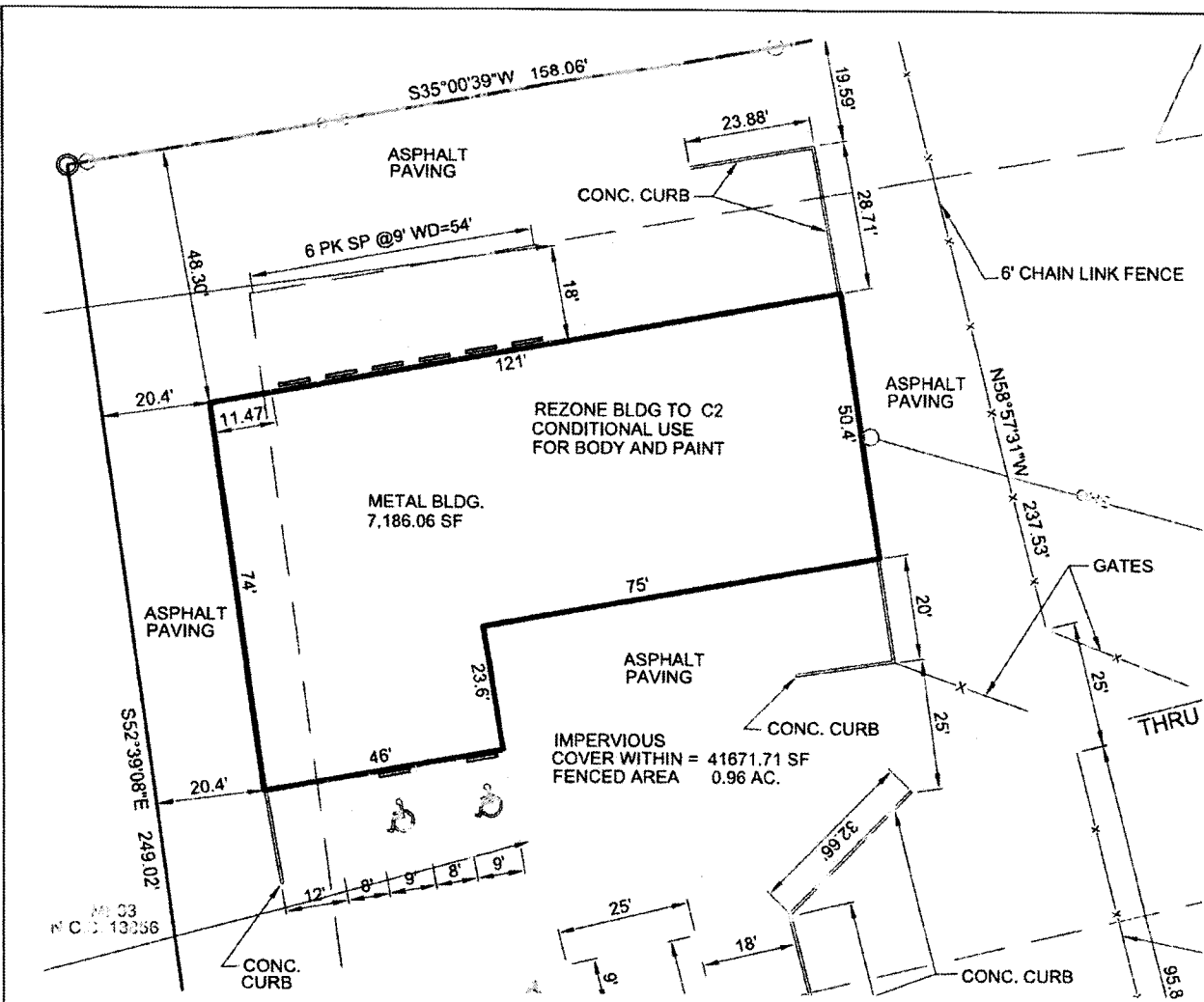
THENCE along and with the westerly side of the building, North 35°00'39" East, a distance of 121.0 feet to the north-west corner of the building herein described as the **POINT OF BEGINNING**.

 9/18/14

Harun Rashid,
Registered Professional Land Surveyor
Registration No. 6411

Attachment A





Blair Engineering, LLC
Professional Engineer
No. 13-0043
State of Texas

SITE PLAN
4623 FREDERICKSBURG RD.
CITY OF SAN ANTONIO
BEXAR COUNTY, TEXAS

JOB NO. 13-0043
DATE: 7-29-14
DRAWN BY: [blank]
CHECKED BY: [blank]
SHEET: 1

NOTE:
- 100% IMPERVIOUS COVER FOR SUBJECT PROPERTY.
- REQUIRED SETBACKS, BUFFERS, PARKING, AND ACCESS WILL BE PROVIDED ON THE PORTION OF THE PARENT TRACT NOT SUBJECT TO THIS REZONING REQUEST.

The following statement: "I, Humberto Reyes Aubert, President, Anrmstrong US Investments, Inc., 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.

LEGAL DESCRIPTION
0.165 OF AN ACRE (1,786.06 SF)
OUT OF LOT, NCB 13856
CITY OF SAN ANTONIO,
BEXAR COUNTY, TEXAS

ADDRESS:
4623 FREDERICKSBURG RD.
SAN ANTONIO, TEXAS 782201