

AN ORDINANCE 2019-04-18-0340

**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 1, Block 1, NCB 12897 from "C-2 MLOD-3 MLR-1 AHOD" Commercial Martindale Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "C-2NA CD MLOD-3 MLR-1 AHOD" Commercial Nonalcoholic Sales Martindale Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with Conditional Use for Motor Vehicle Sales (Full Service).

**SECTION 2.** 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 3.** The City Council finds that the following conditions shall be met to insure compatibility with the surrounding properties:

- A. Solid screen fencing along residential districts and uses.
- B. No temporary signs, pennants, flags or wind-waver signs.

**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 **Exhibit "A"** and made a part hereof and incorporated

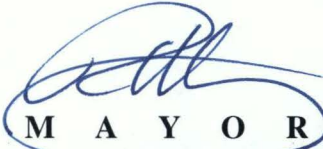
herein for all purposes.

**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.

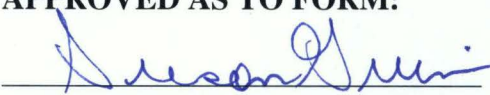
**SECTION 6.** The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

**SECTION 7.** This ordinance shall become effective April 28, 2019.

**PASSED AND APPROVED** this 18<sup>th</sup> day of April, 2019.

  
**M A Y O R**  
Ron Nirenberg

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

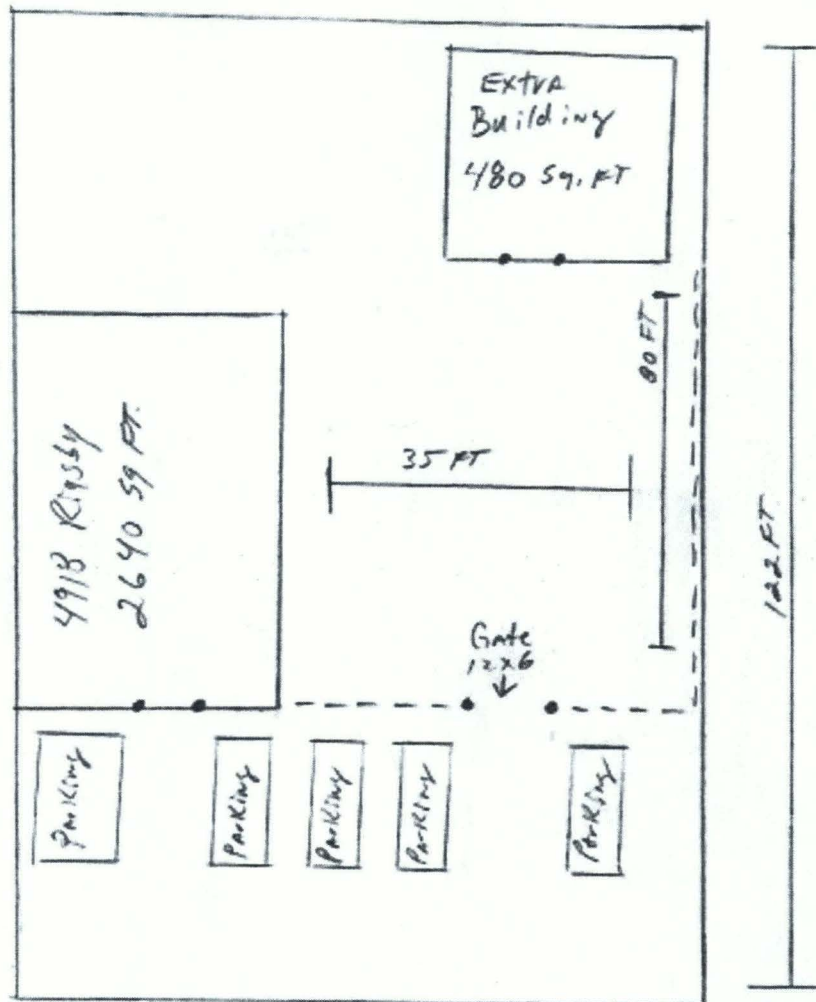
**APPROVED AS TO FORM:**  
  
for Andrew Segovia, City Attorney

<b>Agenda Item:</b>	<b>Z-7</b>						
<b>Date:</b>	04/18/2019						
<b>Time:</b>	02:25:02 PM						
<b>Vote Type:</b>	Motion to Appr w Cond						
<b>Description:</b>	ZONING CASE # Z-2019-10700016 CD (Council District 3): Ordinance amending the Zoning District Boundary from "C-2 MLOD-3 MLR-1 AHOD" Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "C-2 CD MLOD-3 MLR-1 AHOD" Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with Conditional Use for Motor Vehicle Sales (Full Service) on Lot 1, Block 1, NCB 12897, located at 4918 Rigsby Avenue. Staff and Zoning Commission recommend Approval, with Conditions.						
<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
Art A. Hall	District 2		x				
Rebecca Viagran	District 3		x			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				

# Site Plan for 4918 Rigsby

Ysmael S. Herrera III

I, Ysmael Herrera, the property owner acknowledge that the 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 all any City Adopted codes at the time of plan submitted for building permits.



- Square footage for building at 4918 Rigsby is 2640
- There are 5 parking spaces available in front of the building
- Fence on the right side of the building from front to back is 80ft
- Measurement from the building to the property line is 35 ft
- Entrance gate is 12x6.
- Building will be used for Auto Sales, Tire shop and Auto Repair.

Exhibit "A"