

AN ORDINANCE 2016-09-01-0673

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 3.03 acres of land out of NCB 17844 located at 13409 and 13411 George Road from "R-6 MLOD AHOD" Residential Single-Family Camp Bullis Military Lighting Overlay Airport Hazard Overlay District to "R-6 CD MLOD AHOD" Residential Single-Family Camp Bullis Military Lighting Overlay Airport Hazard Overlay District with Conditional Use for a Medical Office.

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:

- 1. No construction features shall be permitted which would place the structure out of character with the surrounding residential neighborhood.

2. Business hours of operation for the general public shall not be permitted before 7:00 a.m. or after 6:00 p.m.
3. Business days of operation for the general public shall be Monday thru Friday.

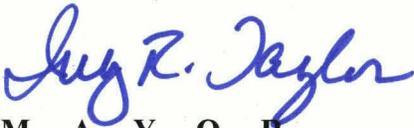
SECTION 5. The City council approves this Conditional Use so long as the attached site plan is adhered to. A site plan is attached as **Exhibit "B"** and made a part hereof and incorporated herein for all purposes.

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 11th day of September 2016.

PASSED AND APPROVED this 1st day of September 2016.

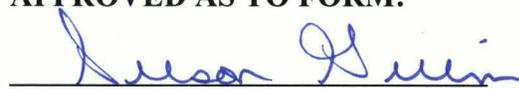

M A Y O R
Ivy R. Taylor

ATTEST:

APPROVED AS TO FORM:



Leticia M. Vacek, City Clerk



City Attorney
Fa

Agenda Item:	Z-7						
Date:	09/01/2016						
Time:	02:59:54 PM						
Vote Type:	Motion to Appr w Cond						
Description:	ZONING CASE # Z2016199 CD (Council District 8): An Ordinance amending the Zoning District Boundary from "R-6 MLOD AHOD" Residential Single-Family Camp Bullis Military Lighting Overlay Airport Hazard Overlay District to "R-6 CD MLOD AHOD" Residential Single-Family Camp Bullis Military Lighting Overlay Airport Hazard Overlay District with Conditional Use for a Medical Office on 3.03 acres out of NCB 17844, located at 13409 and 13411 George Road. Staff and Zoning Commission recommend 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				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					
Ron Nirenberg	District 8		x			x	
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				

EXHIBIT "A"

METES & BOUNDS DESCRIPTION

OF A 2.39 ACRE (CALLED 2.3895 ACRE) TRACT OF LAND SITUATED IN THE JAMES B. THOMPSON SURVEY NO. 84, NEW CITY BLOCK 17844, CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, BEING THE SAME PROPERTY AS CONVEYED FROM WILMA J. PLAYER TO DAVID M. PLAYER ET AL BY WARRANTY DEED RECORDED IN VOLUME 13530, PAGE 2339, REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a found 1/2" iron rod in the northerly R.O.W. line of George Road (a 60' Public R.O.W.) for the southeast corner of the herein described tract, the southwest corner of a called 0.2668 acre tract as conveyed to Earl Arnold in Vol. 8392, Pg. 1237, Real Property Records of Bexar County, Texas;

THENCE along and with said R.O.W., generally along a fence, South 58°50'00" West, a distance of 140.73 feet to a point of reference at fence corner for the southwest corner of the herein described tract, the southeast corner of a called 3.806 acre tract as conveyed to Richard L. Thies and Marilyn W. Thies in Vol. 14534, Pg. 386, Real Property Records of Bexar County, Texas;

THENCE along and with the easterly boundary of said Thies Tract, North 36°58'55" West, a distance of 556.78 feet (called North 36°58'55" West, a distance of 556.94 feet) to a set 1/2" iron rod for the northwest corner of the herein described tract, the south corner of a tract of land known as the remaining portion of a called 1.113 acre tract as conveyed to Richard L. Thies and Marilyn W. Thies in Vol. 14534, Pg. 386, Real Property Records of Bexar County, Texas;

THENCE along and with the common boundary of the herein described tract and said Thies Tract, North 58°50'59" East, a distance of 235.69 feet (called North 58°50'59" East, a distance of 235.25 feet) to a found 1/2" iron rod for the northeast corner of the herein described tract, the northwest corner of a called 1.004 acre tract as conveyed to Beisha Holdings, Inc. in Vol. 8380, Pg. 1115, Real Property Records of Bexar County, Texas;

THENCE along and with the southwesterly boundary line of said Beisha Tract, generally along a fence, South 27°03'42" East, a distance of 190.70 feet (called South 27°12'31" East, a distance of 190.98 feet) to a found 1/2" iron rod at fence corner for an angle point of the herein described tract, the southwest corner of a called 1.241 acre tract as conveyed to SJR-George Rd, LTD. in Vol. 6345, Pg. 1751, Real Property Records of Bexar County, Texas and the northwest corner of Lot 7, Block 26, N.C.B. 17850, Country Home Subdivision, as recorded in Vol. 9509, Pg. 184, Deed and Plat Records of Bexar County, Texas;

THENCE along and with the westerly boundary line of said Lot 7, generally along a fence, South 27°15'22" East, a distance of 105.03 feet (called South 27°07'02" East, a distance of 105.07 feet) to a found 1/2" iron rod for an angle

point of the herein described tract, the south corner of said Lot 7, the north west corner of said Arnold Tract;

THENCE along and with the westerly boundary line of said Arnold Tract, South 27°14'47" East, a distance of 259.45 feet (called South 27°17'55" East, a distance of 259.26 feet) to the POINT OF BEGINNING and containing 2.39 acres, more or less.

STATE OF TEXAS §

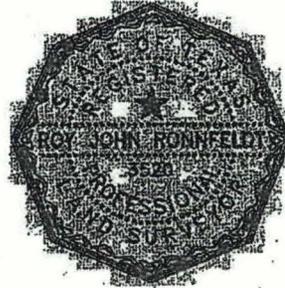
February 14, 2013

COUNTY OF BEXAR §

It is hereby certified that the above description was prepared from an actual survey on the ground of the described tract made under my supervision.



Roy John Ronnfeldt,
Registered Professional Land Surveyor
Registration No. 3520



Z2016199

Zoning Site Plan

Legal Description: 3.03 acres out of NCB 17844

13409 & 13411 George Road

Current Zoning: R-6 MLOD AHOD
Requested Zoning: R-6 CD MLOD AHOD with a Conditional Use for a Medical Office

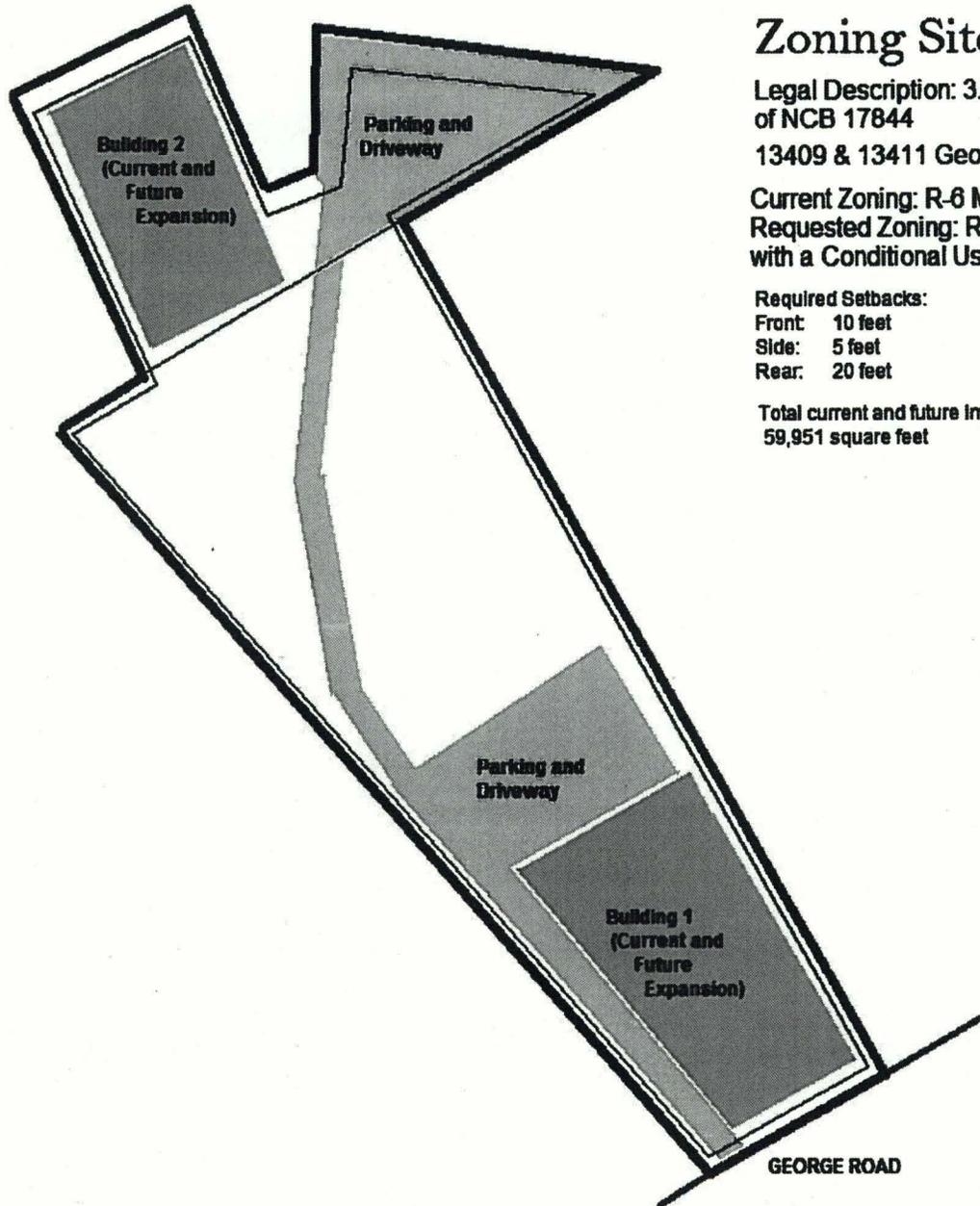
Required Setbacks:

Front: 10 feet

Side: 5 feet

Rear: 20 feet

Total current and future Impervious Cover:
59,951 square feet



"I, David Player, 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."

EXHIBIT "B"