SG/cla
06/18/2015
Z-2

CASE NO. Z2015139 CD

AN ORDINANCE 2015-06-18-0606

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 0.21 acre being all of Lot 7 and a portion of Lot 8, Block 12, NCB 755 from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for 3 Dwelling Units.

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 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 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 June 28, 2015.

PASSED AND APPROVED this 18th day of June, 2015.

M A Y O R
Ivy R. Taylor

ATTEST:

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

for Martha G. Sepeda, Acting City Attorney

Agenda Item:	**Z-2 (in consent vote: 72, 73, 74, Z2, Z5, Z6, Z7, P1, Z11, P2, Z12, Z13, Z14, Z17, P3, Z18, P4, Z19, Z20)**
Date:	06/18/2015
Time:	02:50:29 PM
Vote Type:	Motion to Approve
Description:	ZONING CASE # Z2015139 CD (Council District 1): An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for three (3) Dwelling Units on Lot 7 and a Part of Lot 8, Block 12, NCB 755, located at 421 Warren. Staff and Zoning Commission recommend Approval. (Continued from May 21, 2015)
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Trevino	District 1		x			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				
Ron Nirenberg	District 8		x				x
Joe Krier	District 9	x					
Michael Gallagher	District 10		x				

METES & BOUNDS DESCRIPTION

OF A 0.21 ACRE TRACT OF LAND BEING ALL OF LOT 7 AND A PORTION OF LOT 8, BLOCK 12, NEW CITY BLOCK 755, CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, BEING THE SAME TRACT OF LAND AS DESCRIBED IN VOLUME 6319, PAGE 1810, REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at a found pipe in the northerly R.O.W. line of Warren St. (a Public R.O.W.) said pipe marking the southeast corner of Lot 5, Block 1 and the southwest corner of Lot 4, Block 1;

THENCE along and with said R.O.W., South 56°14'03" West, a distance of 100.08 feet to a point of reference located North 26°25'49" West, a distance of 0.79 feet from a found fence corner post for the **POINT OF BEGINNING** and southeast corner of the herein described tract, the southwest corner of a called 0.210 acre tract as conveyed to Robert Timothy Smith in Vol. 12652, Pg. 998, Real Property Records of Bexar County, Texas;

THENCE along and with said R.O.W., South 56°14'03" West, a distance of 54.00 feet (called South 56°15'00" West, a distance of 54.00 feet) to a point of reference located North 25°54'49" East, a distance of 0.84 feet from a found fence corner post for the southwest corner of the herein described tract, the southwest corner of a tract known as the south 104.5 feet of the west 46' of Lot 8;

THENCE into and across said Lot 8, North 34°39'47" West, a distance of 180.51 feet (called North 34°47'00" West, a distance of 182.00 feet) to a point of reference located South 89°40'13" West, a distance of 0.92 feet from a found fence corner post for the northwest corner of the herein described tract, the northeast corner of a tract known as the north 41 feet west 46' of Lot 8, a point in the southerly R.O.W. line of a 27.6 foot alley known as Utica;

THENCE along and with said R.O.W., North 55°52'44" East, a distance of 49.30 feet (called North 56°15'00" East, a distance of 49.30 feet) to a found ½" iron rod for the northeast corner of the herein described tract, the northwest corner of said Smith Tract;

THENCE along and with the common boundary of the herein described tract and said Smith Tract, South 36°09'00" East, a distance of 180.95 feet (called South 36°09'00" East, a distance of 182.00 feet) to the **POINT OF BEGINNING** and containing 0.21 acres, more or less.

STATE OF TEXAS §

COUNTY OF BEXAR §

January 15, 2015

Attachment A

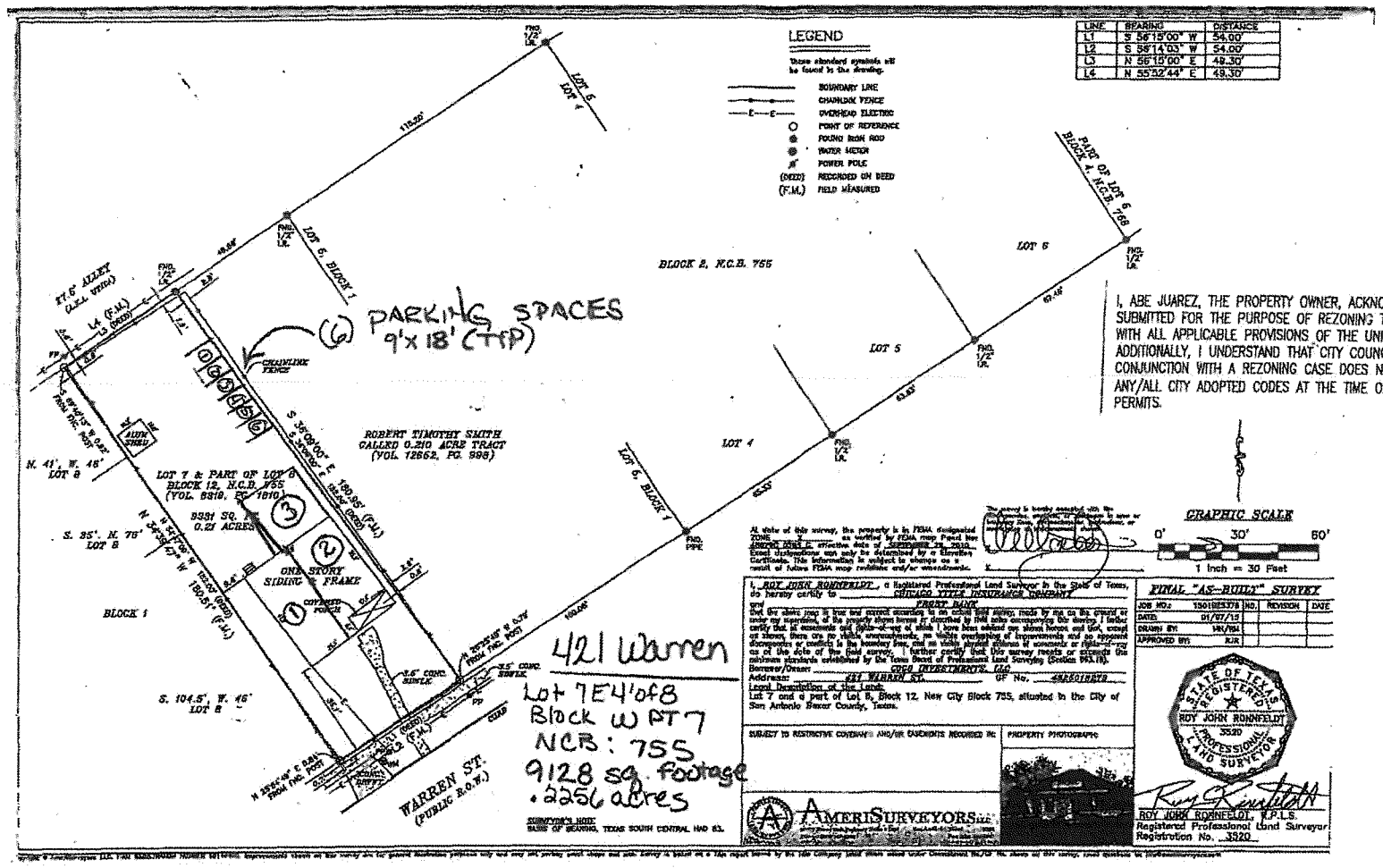
It is hereby certified that the above description was prepared from an actual survey on the ground of the described tract made under my supervision.

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

STATE OF TEXAS
REGISTERED
ROY JOHN RONNFELDT
3520
PROFESSIONAL
LAND SURVEYOR

Z2015139

Z201513



I, ABE JUAREZ, 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.

Currently zoned: RH AHOD
Requested zoning: RH AHOD w/ conditions for 3 Units

Attachment B