

AN ORDINANCE 2016-05-19-0371

**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 7, Block 3, NCB 6229 and 35 feet x 50 feet out of NCB 6229 from "R-4 NCD-6" Residential Single-Family Mahncke Park Neighborhood Conservation District to "R-4 CD NCD-6" Residential Single-Family Mahncke Park Neighborhood Conservation District with Conditional Use for a Hair Salon.

**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. There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of the main structure.
- B. No construction features shall be permitted which would place the structure out of character with the surrounding residential neighborhood.

C. Business or office hours of operations shall not be permitted before 7:00 a.m. or after 6:00 p.m., Monday thru Saturday.

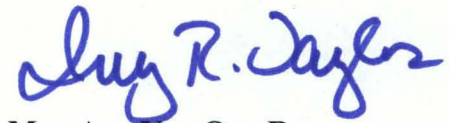
**SECTION 5.** The City council approves this Conditional Use so long as the attached site plan is adhered to. A site plan is attached as **ATTACHMENT "B"** and made a part hereof and incorporated herein for all purposes.

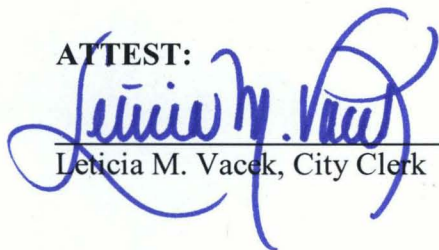
**SECTION 6.** All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35 -491.


**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 May 29, 2016.

**PASSED AND APPROVED** this 19<sup>th</sup> day of May, 2016.

  
M A Y O R  
Ivy R. Taylor

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

**APPROVED AS TO FORM:**  
  
\_\_\_\_\_  
Martha G. Sepeda, Acting City Attorney  
FO

<b>Agenda Item:</b>	<b>Z-1</b>						
<b>Date:</b>	05/19/2016						
<b>Time:</b>	03:40:34 PM						
<b>Vote Type:</b>	Motion to Deny						
<b>Description:</b>	ZONING CASE # Z2016098 CD (Council District 2): An Ordinance amending the Zoning District Boundary from "R-4 NCD-6" Residential Single-Family Mahncke Park Neighborhood Conservation District to "R-4 CD NCD-6" Residential Single-Family Mahncke Park Neighborhood Conservation District with a Conditional Use for a Hair Salon on 0.1886 acres of land out of NCB 6229 located at 143 Perry Court. Staff recommends Approval. Zoning Commission recommends Denial.						
<b>Result:</b>	Failed						
<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>
Ivy R. Taylor	Mayor			x			
Roberto C. Treviño	District 1		x				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					
Joe Krier	District 9	x					
Michael Gallagher	District 10			x			

<b>Agenda Item:</b>	<b>Z-1</b>						
<b>Date:</b>	05/19/2016						
<b>Time:</b>	03:41:15 PM						
<b>Vote Type:</b>	Motion to Appr w Cond						
<b>Description:</b>	ZONING CASE # Z2016098 CD (Council District 2): An Ordinance amending the Zoning District Boundary from "R-4 NCD-6" Residential Single-Family Mahncke Park Neighborhood Conservation District to "R-4 CD NCD-6" Residential Single-Family Mahncke Park Neighborhood Conservation District with a Conditional Use for a Hair Salon on 0.1886 acres of land out of NCB 6229 located at 143 Perry Court. Staff recommends Approval. Zoning Commission recommends Denial.						
<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>
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				x
Cris Medina	District 7	x					
Ron Nirenberg	District 8	x					
Joe Krier	District 9	x					
Michael Gallagher	District 10		x			x	

**EXHIBIT A**

22016098

**METES AND BOUNDS**

Being 0.201 acres of land, more or less, consisting of all of Lot 7, Block 3, New City Block 6229, Country Club Place, in the City of San Antonio, Bexar County, Texas according to the map or plat thereof recorded in Volume 368, Page 128, Deed and Plat Records, Bexar County, Texas, and a portion of land out of New City Block 6229, and being that same property described in a Release of Lien recorded in Volume 7037, Page 898, Official Public Records, Bexar County, Texas, said 0.201 acres being more particularly described by metes and bounds as follows:

**BEGINNING** at a 1/2 inch iron rod found for the northwest corner of this 0.201 acres, same being the northeast corner of Lot 22, Towneship Apartments Subdivision (Volume 9521, Page 89) and on the South Right-of-Way line of Burr Road, same also being the **POINT OF BEGINNING**;

**THENCE** along the South Right-of-Way line of said Burr Road, South 90 degrees 00 minutes 00 seconds East, a distance of 50.00 feet to a 1/2 inch iron rod set for the northeast corner of this 0.201 acres, same being the northwest corner of the Maria Nora Olivarez tract (Volume 7311, Page 538);

**THENCE** along the line common to this 0.201 acres and said Olivarez tract, South 00 degrees 59 minutes 00 seconds West, a distance of 174.99 feet (called 175.00 feet) to a 1/2 inch iron rod set for the southeast corner of this 0.201 acres, same being the southwest corner of said Olivarez tract and on the North Right-of-Way line of Perry Court;

**THENCE** along the North Right-of-Way line of said Perry Court, North 90 degrees 00 minutes 00 seconds West, a distance of 50.00 feet to a 1/2 inch iron rod set for the southwest corner of this 0.201 acres, same being the southeast corner of a 5 foot Right-of-Way Dedication (Volume 3583, Page 114);

**THENCE** along the West line of said Lot 7, North 00 degrees 59 minutes 00 seconds East, at a distance of 5.00 feet pass a 1/2 inch iron rod found for the southeast corner of said Lot 22, and continuing for a total distance of 174.99 feet (called 175.00 feet) to the **POINT OF BEGINNING**, and containing 0.201 acres of land, more or less.

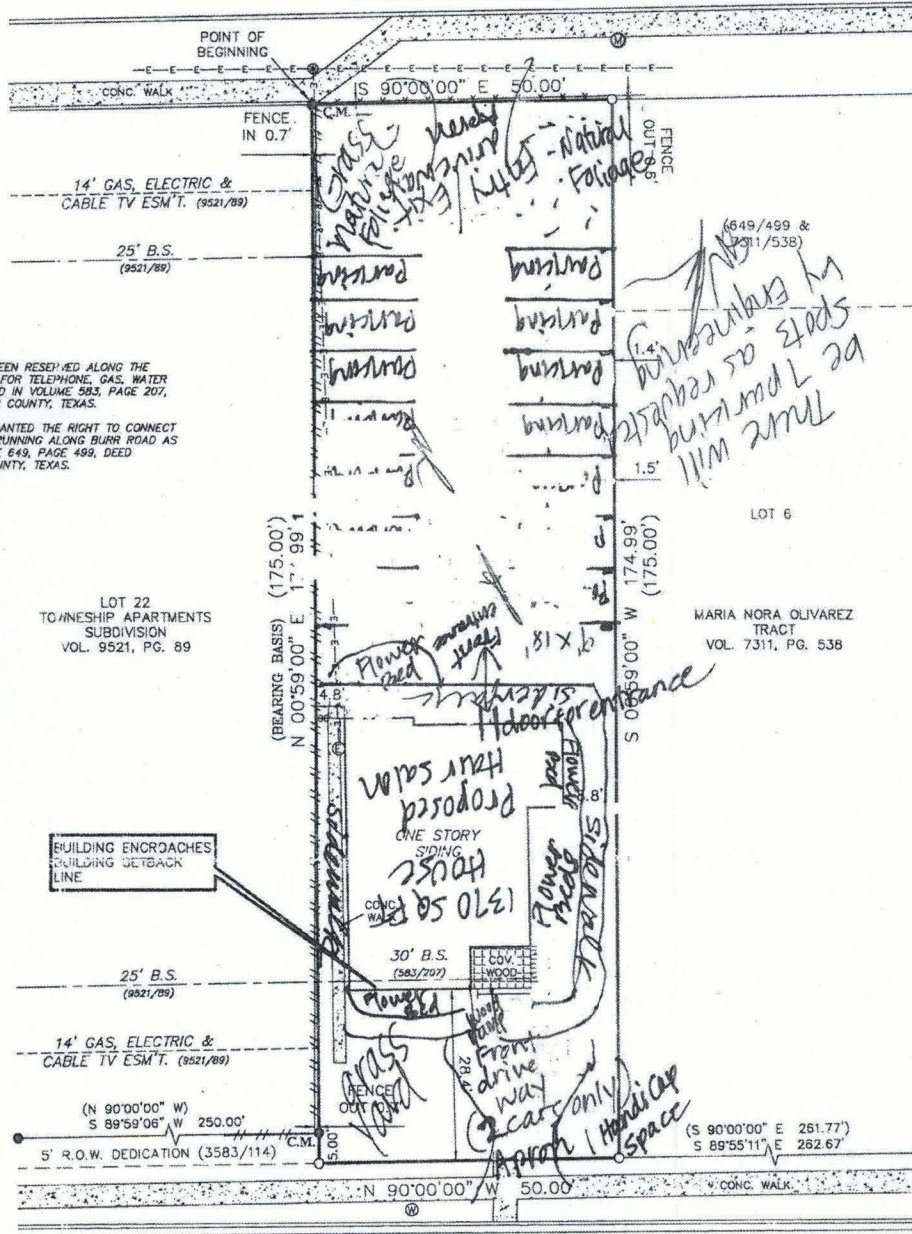
ATTACHMENT "A"

Z2016098

BURR ROAD

(60' R.O.W.)

ELECTRIC, TELEPHONE, GAS, ANCHOR, SERVICE, OVERHANG UTILITY, AND TRANSFORMER EASEMENT



AN EASEMENT HAS BEEN RESEVED ALONG THE REAL LINE OF LOT 7 FOR TELEPHONE, GAS, WATER AND SEWER RECORDED IN VOLUME 583, PAGE 207, DEED RECORD, BEXAR COUNTY, TEXAS.

THIS PROPERTY IS GRANTED THE RIGHT TO CONNECT TO THE SEWER LINE RUNNING ALONG BURR ROAD AS RECORDED IN VOLUME 649, PAGE 499, DEED RECORDS, BEXAR COUNTY, TEXAS.

LOT 22  
TOWNSHIP APARTMENTS  
SUBDIVISION  
VOL. 9521, PG. 89

MARIA NORA OLIVAREZ  
TRACT  
VOL. 7311, PG. 538

BUILDING ENCRACHES  
BUILDING SETBACK  
LINE

PERRY COURT

(50' R.O.W.)

ELECTRIC, TELEPHONE, GAS, ANCHOR, SERVICE, OVERHANG UTILITY, AND TRANSFORMER EASEMENT

THIS PROPERTY AND/OR SE RECORDS ON

NOTE: BEARINGS S FOR TOWNSHIP

We, Andrew Guerra and Georgina Terry, the property owners, 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, we understand that City Council approval of a site plan in conjunction with a rezoning case does not relieve us from adherence to any/all City adopted Codes at the time of plan submittal for building permits

I of Lot 7, Block 1, San Antonio, Bear del in Volume 308, and a portion of land city described in a icial Public Records, nularly described by

RY

istered Professional of Texas, do hereby plot represents on the ground under my are no discrepancies, are or boundary lines, or overlapping of least of my knowledge shown herein.

ATTACHMENT "B"

Alamo

LAND SURVEYORS, L.L.C.

P.O. BOX 1038 HELOTES, TEXAS 78023-1038

PHONE (210) 372-9500 FAX (210) 372-9990

- ☐ WOOD FENCE
- ⊕ POWER POLE
- ⊖ ELECTRIC METER
- ⊙ WATER METER
- ⊗ SEWER MANHOLE

DRAWN BY: JR

may not agree with the interpretation of Texas or State or local officials, and which may not agree with the tract's actual conditions. More information concerning FEMA's Special Flood Hazard Areas and Zones may be found at <http://www.fema.gov/index.shtml>.



MARK J. EWALD

Registered Professional Land Surveyor  
Texas Registration No. 5095