

AN ORDINANCE 2018-10-18-0857

**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 0.1468 acres out of NCB 12104 and 0.0996 acres out of NCB 12104 from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 S AHOD" Commercial Airport Hazard Overlay District with Specific Use Authorization for Bar/Tavern.

**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 specific use will not be contrary to the public interest.
- B. The specific use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district.
- C. The specific use will be in harmony with the spirit and purpose as set forth in Section 35-423, Specific Use Authorization, of the Unified Development Code.
- D. The specific use will not substantially weaken the general purposes or the regulations as set forth in Section 35-423, Specific Use Authorization, of the Unified Development Code.
- E. The specific use will not adversely affect the public health, safety and welfare.

**SECTION 4.** The City council approves this Specific Use Authorization 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 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 October 28, 2018.

**PASSED AND APPROVED** this 18<sup>th</sup> day of October 2018.

  
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>	Z-20 ( in consent vote: Z-3, Z-4, Z-5, Z-6, P-2, Z-7, Z-8, Z-9, Z-10, Z-11, Z-12, Z-13, Z-14, Z-15, Z-18, Z-19, Z-20 )						
<b>Date:</b>	10/18/2018						
<b>Time:</b>	05:19:19 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	ZONING CASE # Z2018291 S (Council District 10): Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 S AHOD" Commercial Airport Hazard Overlay District with Specific Use Authorization for Bar/Tavern without cover charge 3 or more days per week on 0.1468 acres out of NCB 12104 and 0.0996 acres out of NCB 12104, located at 2510 Nacogdoches Road. Staff and Zoning Commission recommend Approval. (Continued from October 4, 2018)						
<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					
William Cruz Shaw	District 2		x			x	
Rebecca Viagran	District 3		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				x
John Courage	District 9	x					
Clayton H. Perry	District 10		x				

SG/lj  
10/18/2018  
Item No. Z-20

# **EXHIBIT “A”**

Z2018291

# Dye Enterprises

Engineers • Surveyors • Planners  
Texas Registered Firm F-2257

D. Scott Dye, P.E., R.P.L.S.

**0.0996 OF AN ACRE TRACT OF LAND  
COLONIAL PLAZA - NACOGDOCHES RD. & WAGONWHEEL  
CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS**

**BEING** a 0.0996 of an acre (4,339 square feet) tract of land out of Lot 12, New City Block (N.C.B.) 12104, Oak Forrest Estates, Unit 4, City of San Antonio, Bexar County, Texas as shown on the plat recorded in Volume 5300, Page 60 of the Deed and Plat Records of Bexar County, Texas; said 0.0996 of an acre tract of land being more particularly described by metes and bounds as follows with the bearings based upon the said plat:

**COMMENCING:** at the northeast corner of said Lot 12 and an interior corner of Lot 15, N.C.B. 12104, as shown on the plat of Oak Forrest Estates Unit 4 recorded in Volume 5502, Page 45 of the Deed and Plat Records of Bexar County Texas;

**THENCE:** North 80°56'26" West, a distance of 38.54 feet, upon, over and across said Lot 12 to the east corner of an existing building for the **POINT OF BEGINNING**;

**THENCE:** continuing upon, over and across said Lot 12 the following calls;

South 39°55'04" West, along the exterior wall of said existing building, a distance of 1.20 feet to a building corner;

North 50°04'56" West, along the exterior wall of said existing building, a distance of 0.50 feet to a building corner;

South 39°55'04" West, along the exterior wall of said existing building, a distance of 33.60 feet to a point on the existing wall;

South 50°04'56" East, departing said wall, a distance of 16.50 feet to a point;

South 39°55'04" West, a distance of 16.00 feet a point;

North 50°04'56" West, passing at a distance of 16.50 feet an existing building corner, continuing a total distance of 20.20 feet to an existing building corner;

South 39°55'13" West, along the exterior wall of said existing building, a distance of 0.10 feet to a building corner;

North 50°04'56" West, along the interior wall of said existing building, a distance of 73.13 feet to an interior building corner;

South 39°55'04" West, along the interior wall of said existing building, a distance of 0.30 feet to an interior building corner;

4047 Stahl Road, Suite #3 • San Antonio • Texas 78217  
Phone (210) 599-4123 • Fax (210) 599-4191  
[dycenterprises@satx.rr.com](mailto:dycenterprises@satx.rr.com)

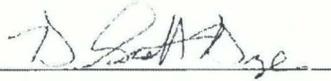
Exhibit "A"

Z2018291

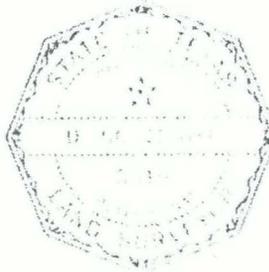
North 50°04'56" West, along the exterior wall of said existing building, a distance of 3.20 feet to a building corner;

North 39°55'04" East, along the exterior wall of said existing building, a distance of 51.20 feet to a building corner;

South 50°04'56" East, along the exterior wall of said existing building, a distance of 80.53 feet to the **POINT OF BEGINNING** and containing 0.0996 of an acre (4,339 square feet) of land. This description is for zoning purposes only and is based upon a 2007 survey by Dye Enterprises.



D. Scott Dye, R.P.L.S. #5315  
Job # 070184.02  
Date: July 9, 2018



Z2018291

# Dye Enterprises

Engineers • Surveyors • Planners  
Texas Registered Firm F-2257

D. Scott Dye, P.E., R.P.L.S.

**0.1468 OF AN ACRE TRACT OF LAND  
COLONIAL PLAZA - NACOGDOCHES RD. & WAGONWHEEL  
CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS**

**BEING** a 0.1468 of an acre (6,397 square feet) tract of land out of Lot 12, New City Block (N.C.B.) 12104, Oak Forrest Estates, Unit 4, City of San Antonio, Bexar County, Texas as shown on the plat recorded in Volume 5300, Page 60 of the Deed and Plat Records of Bexar County, Texas; said 0.1468 of an acre tract of land being more particularly described by metes and bounds as follows with the bearings based upon the said plat:

**COMMENCING:** at the east corner of said Lot 12 and the west corner of Lot 14, N.C.B 12104, as shown on the plat of Oak Forrest Estates Unit 4 recorded in Volume 5300, Page 176 of the Deed and Plat Records of Bexar County, Texas;

**THENCE:** North 76°27'12" West, upon, over and across said Lot 12 a distance of 71.99 feet, to the east corner of an existing building for the **POINT OF BEGINNING**;

**THENCE:** continuing upon, over and across said Lot 12 the following calls;

South 39°55'04" West, along the exterior wall of said existing building, passing at a distance of 81.10 feet a building corner, continuing a total distance of 94.10 feet to a point;

North 50°04'56" West, a distance of 65.90 feet to an existing building corner;

North 39°55'04" East, along the exterior wall of said existing building, a distance of 13.00 feet to a building corner;

North 50°04'56" West, along the interior wall of said existing building, a distance of 0.20 feet to an interior building corner;

North 39°55'04" East, along the interior wall of said existing building, a distance of 60.60 feet to an interior building corner;

North 50°04'56" West, along an existing interior building wall, a distance of 10.57 feet to a building corner;

North 39°55'04" East, along the exterior wall of said existing building, a distance of 20.00 feet to building corner;

South 50°04'56" East, along the exterior wall of said existing building, a distance of 75.40 feet a building corner;

North 39°55'04" East, along the exterior wall of said existing building, a distance

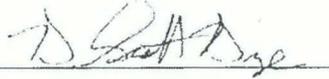
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Exhibit "A"

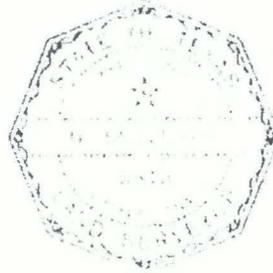
Z2018291

of 0.50 feet a building corner;

South 50°04'56" East, along the exterior wall of said existing building, a distance of 1.27 feet to the **POINT OF BEGINNING** and containing 0.1468 of an acre (6,397 square feet) of land. This description is for zoning purposes only and is based upon a 2007 survey by Dye Enterprises.



D. Scott Dye, R.P.L.S. #5315  
Job # 070184.02  
Date: July 9, 2018



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# **EXHIBIT “B”**