

ORDINANCE 2020-12-03-0866

**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 2.89 acres out of NCB 12886 from "R-5 MLOD-3 MLR-1" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District to "R-5 CD MLOD-3 MLR-1" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District with a Conditional Use for a Transitional Home.

**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 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.

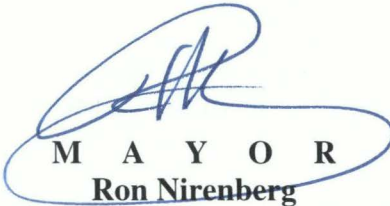
**SECTION 5.** All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and

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 December 13, 2020.


**PASSED AND APPROVED** this 3<sup>rd</sup> day of December, 2020.

  
**M A Y O R**  
**Ron Nirenberg**

**ATTEST:**

  
\_\_\_\_\_  
Tina J. Flores, City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
for Andrew Segovia, City Attorney



# City of San Antonio

## City Council

December 03, 2020

**Item: Z-9**

**File Number: 20-6725**

**Enactment Number:**

**2020-12-03-0866**

ZONING CASE Z-2020-10700199 CD (Council District 2): Ordinance amending the Zoning District Boundary from "R-5 MLOD-3 MLR-1" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District to "R-5 CD MLOD-3 MLR-1" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District with a Conditional Use for a Transitional Home on 2.89 acres out of NCB 12886, generally located in the 1500 block of Semlinger Road. Staff and Zoning Commission recommend Approval.

Councilmember Shirley Gonzales made a motion to approve. Councilmember Roberto C. Treviño seconded the motion. The motion passed by the following vote:

**Aye:** 8 Nirenberg, Treviño, Viagran, Gonzales, Sandoval, Pelaez, Courage and Perry

**Nay:** 2 Andrews-Sullivan and Cabello Havrda

**Abstain:** 1 Rocha Garcia

SG  
12/03/2020  
Item No. Z-9

# Exhibit "A"



**DESCRIPTION FOR  
A 2.890 ACRE TRACT**

A **2.890 acre** tract of land situated in the Juan Manuel Urrigas Survey Number 94, Abstract No. 770, N.C.B. 12886 in the City of San Antonio, Bexar County, Texas and being the remainder of that called 2.955 acre tract of land as conveyed to Emmanuel African Methodist Episcopal Church and recorded November 21, 1995 in Volume 6597, Page 1323 of the Official Public Records of Bexar County, Texas (O.P.R.), said 2.890 acre tract being more particularly described by metes and bounds as follows:

**BEGINNING** at a calculated point in the easterly right-of-way line of Semlinger Road (variable width R.O.W.) for the southwest corner of that called 475.92 square feet tract of land as conveyed to City of San Antonio for a 3.0' wide R.O.W. dedication and recorded November 3, 2005 in Volume 11746, Page 1174 in the O.P.R. for the most westerly northwest corner of said 2.955 acre tract and the tract described herein;

**THENCE: N 89°48'04" E**, along and with the southerly line of said 475.92 square feet tract, passing at a distance of 3.00 feet a 1/2" iron rod with a yellow plastic cap stamped K. M. NG. SAT #2432 found for the southeast corner of said 475.92 square feet tract and the southwest corner of the remainder of that called 0.37 acre tract of land as conveyed to Atilano Garza and A. Elizabeth Vasquez-Garza and recorded June 20, 1995 in Volume 6452, Page 86 in the O.P.R., and continuing along the southerly line of said 0.37 acre tract and a northerly line of said 2.955 acre tract for a total distance of **99.86 feet** to a 1" iron pipe found for the southeast corner of said 0.37 acre tract;

**THENCE: N 00°35'30" W**, along and with the easterly line of said 0.37 acre tract and a westerly line of said 2.955 acre tract, a distance of **158.91 feet** to a 1" iron pipe found in the southerly line of that called 20' wide drainage ditch tract as conveyed to County of Bexar and recorded December 5, 1940 in Volume 1857, Page 389 in the Deed Records of Bexar County for the northeast corner of said 0.37 acre tract and the most northerly northwest corner of said 2.955 acre tract and the tract described herein;

**THENCE: N 89°42'20" E**, along and with the northerly line of said 2.955 acre tract and the southerly line of said 20' drainage ditch tract, a distance of **333.60 feet** to a 2" aluminum disk stamped TEXAS DEPARTMENT OF TRANSPORTATION R.O.W. MONUMENT found for the northwest corner of that called 0.1927 acre PARCEL 79 as conveyed to State of Texas and recorded August 19, 2019 in Document Number 20190162901 in the O.P.R. for the northeast corner of the tract described herein, and being in the new westerly right-of-way line of Interstate Loop 410 (variable width R.O.W.), and for the beginning of a curve, and from which point a TXDOT Type I monument found for the original northeast corner of said 2.955 acre tract bears N 89°42'20" E, a distance of 14.21 feet, and also from which point a 2" aluminum disk stamped TEXAS DEPARTMENT OF TRANSPORTATION R.O.W. MONUMENT found in the northerly line of said 20' drainage ditch tract bears N00°43'09" W, a distance of 19.73 feet;

**THENCE:** along and with the new westerly right-of-way line of Interstate Loop 410 and the westerly line of said 0.1927 acre tract, the following three (3) courses:

1. With a non-tangent curve to the **left** having an arc of **128.33 feet**, a radius of **7584.50 feet**, a delta of **00°58'10"**, and a chord bears **S 01°23'10" E**, a chord distance of **128.33 feet** to a 2" aluminum disk stamped TEXAS DEPARTMENT OF TRANSPORTATION R.O.W. MONUMENT found for a point of reverse curvature;
2. With said reverse curve to the **right** having an arc of **81.54 feet**, a radius of **2960.50 feet**, a delta of **01°34'41"**, and a chord bears **S 01°04'52" E**, a chord distance of **81.54 feet** to a found 2" aluminum disk stamped TEXAS DEPARTMENT OF TRANSPORTATION R.O.W. MONUMENT;
3. **S 00°17'31" E**, a distance of **147.51 feet** a calculated point in the northerly line of Lot 38, N.C.B. 12886, EMMANUEL A.M.E. CHURCH SUBDIVISION, a plat of record in Volume 9511, Page 75 in the Deed and

Exhibit "A"



Plat Records of Bexar County (D.P.R.) for the southeast corner of the tract described herein, and from which point a 1/2" iron rod found for the original southeast corner of said 2.955 acre tract and the original northeast corner of said Lot 38 bears N 89°45'13" E, a distance of 10.62 feet;

**THENCE: S 89°45'13" W**, along and with the northerly line of said Lot 38 and the southerly line of said 2.955 acre tract, a distance of **336.26 feet** to a 1/2" iron rod found in the easterly line of the remainder of that called 0.37 acre tract of land as conveyed to Maxine Garza and recorded August 24, 2015 in Volume 17419, Page 86 in the O.P.R. for the southwest corner of said 2.955 acre tract and the tract described herein, and from which point a 1/2" iron rod found for the southeast corner of said 0.37 acre tract bears S 00°26'13" E, a distance of 21.04 feet;

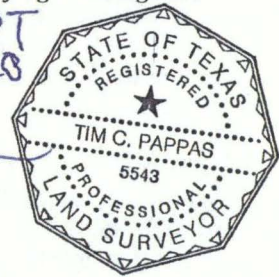
**THENCE: N 00°26'13" W**, along and with the easterly line of said 0.37 acre tract and a westerly line of said 2.955 acre tract, a distance of **137.96 feet** to a 1/2" iron rod found for the northeast corner of said 0.37 acre tract;

**THENCE: S 89°55'07" W**, along and with the northerly line of said 0.37 acre tract and a southerly line of said 2.955 acre tract, passing at a distance of 96.70 feet the northeast corner of that called 477 square feet tract of land as conveyed to City of San Antonio for a 3.0' wide R.O.W. dedication and recorded November 15, 2005 in Volume 11770, Page 1738 in the O.P.R. and from which point a 1/2" iron rod found bears N 82°12'02" W, a distance of 0.67 foot, and continuing along the northerly line of said 477 square feet tract for a total distance of **99.70 feet** to a calculated point in the easterly right-of-way line of Semlinger Road;

**THENCE: N 00°11'02" W**, along and with the easterly right-of-way line of Semlinger Road, a distance of **60.00 feet** to the **POINT OF BEGINNING** and containing **2.890 acres** more or less in the City of San Antonio, Bexar County, Texas, and being described in accordance with a survey prepared by KFW Surveying. Bearings are based on NAD83 Texas State Plane South Central Zone.

Job No.: 20-088  
Prepared by: KFW Surveying  
Date: August 31, 2020  
File: S:\Draw 2020\20-088 1600 Semlinger Road\DOCS\20-088 2.890 AC TCP 083120.doc

23 SEPT  
2020  
*[Handwritten Signature]*



SG  
12/03/2020  
Item No. Z-9

# Exhibit “B”

From: R-5 MLOD3  
 To: R-5 CD MLOD3  
 for a Transitional  
 Home

Z2020-10700199 CD

The Emmanuel African Methodist Episcopal Church, 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.

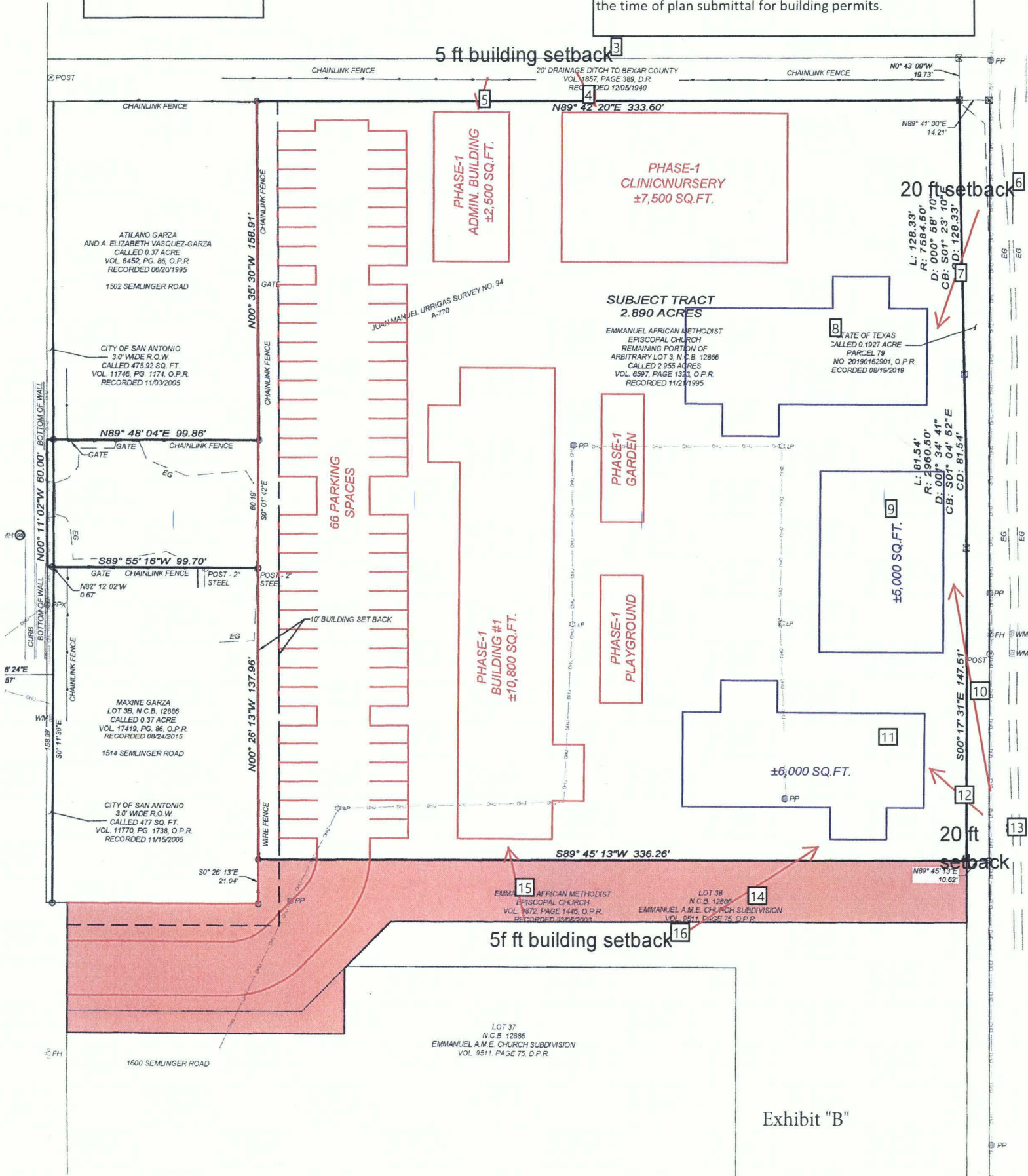


Exhibit "B"