

AN ORDINANCE 2019-03-21-0255

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 B, Block E, NCB 646 from "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District to "RM-4 S AHOD" Residential Mixed Airport Hazard Overlay District Specific Use Authorization for a Daycare Center.

SECTION 2. 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 3. 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 "A"** and made a part hereof and incorporated herein for all purposes.

SECTION 4. 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 5. The Director of Development Services shall change the zoning records and maps


SG/lj
03/21/2019
Z-7

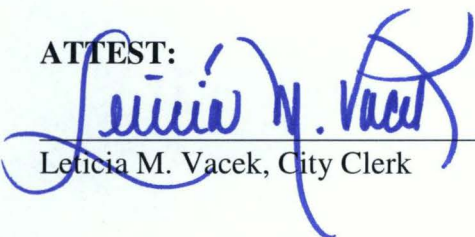
CASE NO. Z-2019-10700001 S

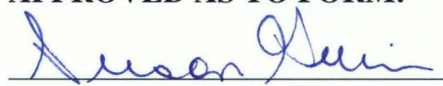
in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 6. This ordinance shall become effective March 31, 2019.

PASSED AND APPROVED this 21st day of March 2019.


M A Y O R
Ron Nirenberg

ATTEST:

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

For Andrew Segovia, City Attorney

Agenda Item:	Z-7 (in consent vote: Z-1, Z-2, Z-3, P-1, Z-4, P-2, Z-5, Z-6, Z-7, Z-8, Z-9, Z-13, Z-16)						
Date:	03/21/2019						
Time:	03:27:46 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z-2019-10700001 S (Council District 2): Ordinance amending the Zoning District Boundary from "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District to "RM-4 S AHOD" Residential Mixed Airport Hazard Overlay District with Specific Use Authorization for a Daycare Center on Lot B, Block E, NCB 646, located at 611 Virginia Boulevard. Staff and Zoning Commission recommend Approval.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ron Nirenberg	Mayor	x					
Roberto C. Treviño	District 1		x				
Art A. Hall	District 2		x				
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x			x	
Shirley Gonzales	District 5	x					
Greg Brockhouse	District 6		x				
Ana E. Sandoval	District 7		x				
Manny Pelaez	District 8	x					
John Courage	District 9		x				x
Clayton H. Perry	District 10	x					

SG/lj
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Item No. Z-7

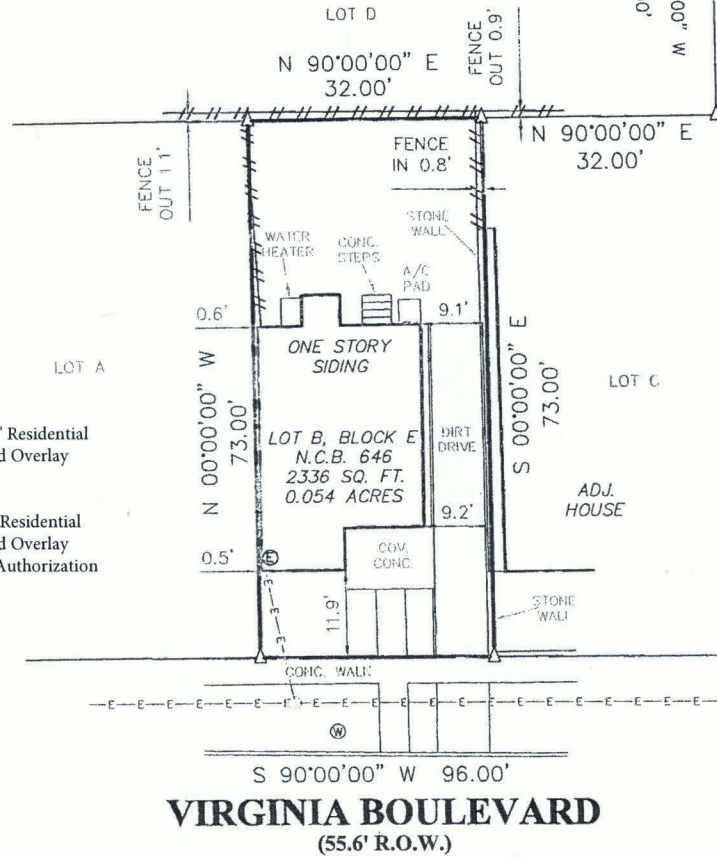
EXHIBIT “A”

Z-2019-1070001 S

NOTE:
NO RESTRICTIVE COVENANTS OF RECORD WERE FOUND.

NOTE:
BEARINGS SHOWN HEREON ARE ASSUMED.

I, Ana Mercenario, the Property owner, acknowledge that this site plan submitted for the purpose of rezoning this property is in accordance with all applicable provision of the unified development code. Additionally, I understand that City Council approval of a site plan, in conjunction with a rezoning case does relieve me from adherence to any/all city adopted codes at the time of plan submitted for building permit.



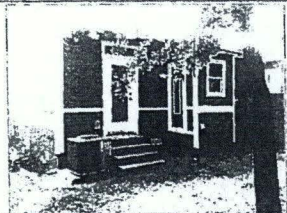
From: "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District

To: "RM-4 S AHOD" Residential Mixed Airport Hazard Overlay District Specific Use Authorization for a Daycare Center.

THIS SURVEY IS ACKNOWLEDGED AND IS ACCEPTED:

Exhibit "A"

FLOOD ZONE INTERPRETATION: IT IS THE RESPONSIBILITY OF ANY INTERESTED PERSONS TO VERIFY THE ACCURACY OF FEMA FLOOD ZONE DESIGNATION OF THIS PROPERTY WITH FEMA AND LOCAL OFFICIALS, AND TO DETERMINE THE EFFECT THAT SUCH DESIGNATION MAY HAVE REGARDING THE INTENDED USE OF THE PROPERTY. The property made the subject of this survey appears to be included in a FEMA Flood Insurance Rate Map (FIRM), identified as Community No. 48029C, Panel No. 0415 G, which is Dated 09-29-2010. By scaling from that FIRM appears that all or a portion of the property may be in Flood Zone(s) X-1. Because this is a boundary survey, the survey did not take any actions to determine the Flood Zone status: surveyed property other than to interpret the information set out on FEMA's FIRM, as described above. THIS SURVEYOR DOES NOT CERTIFY THE ACCURACY OF THIS INTERPRETATION OF THE ZONES, which may not agree with the interpretations of FEMA or state or local officials, and which may not agree with the tract's actual conditions. More information concerning FEMA's Flood Hazard Areas and Zones may be found at <https://msc.fema.gov/portal>.



Property Address:
611 VIRGINIA BOULEVARD
Property Description:
LOT B, (A SUBDIVISION OF LOTS 14 AND 16), BLOCK NEW CITY BLOCK 646, SITUATED WITHIN THE CORPORATE LIMITS OF THE CITY OF SAN ANTONIO, BEXAR COUNTY TEXAS.

Owner:
ANA PAULA MERCENARIO

FIRM REGISTRATION NO. 10111700
Westar Alamo
LAND SURVEYORS, LLC.
P.O. BOX 1545 BOERNE, TEXAS 78006
PHONE (210) 372-9500 FAX (210) 372-9999

LEGEND
▲ = CALCULATED POINT
● = FND 1/2" IRON ROD
() = RECORD INFORMATION
B.S. = BUILDING SETBACK
C.M. = CONTROLLING MONUMENT
⊙ = POWER POLE
--- = WOOD FENCE
⊕ = ELECTRIC METER
⊗ = WATER METER

STATE OF TEXAS
REGISTERED
MARK J. EWALD
5095
PROFESSIONAL
LAND SURVEYOR

I, MARK J. EWALD, Registered Professional Land Surveyor, State of Texas, do hereby certify that the above plat represents actual survey made on the ground under supervision, and there are no discrepancies, shortages in area or boundary lines, or any encroachment or overlap improvements, to the best of my knowledge and belief, except as shown herein.

MARK J. EWALD
Registered Professional Land Surveyor
Texas Registration No. 5095