

ORDINANCE 2019-08-22-0688

**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 1 and Lot 2, Block 9, NCB 8965 from "R-5 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "RM-6 CD MLOD-2 MLR-2 AHOD" Residential Mixed Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with Conditional Use for a Professional Office.

**SECTION 2.** 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 3.** The City council approves this Conditional Use 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.


SG/lj  
08/22/2019  
# Z-21

CASE NO. Z-2019-10700134CD

**SECTION 5.** 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 6.** This ordinance shall become effective September 1, 2019.


**PASSED AND APPROVED** this 22<sup>nd</sup> day of August, 2019.

  
**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-21 ( in consent vote: P-2, Z-2, P-3, Z-3, Z-4, Z-5, Z-6, Z-8, Z-9, Z-10, Z-11, P-5, Z-12, Z-13, P-6, Z-14, Z-15, Z-16, Z-17, Z-19, Z-20, P-7, Z-21, Z-22, Z-23 )
<b>Date:</b>	08/22/2019
<b>Time:</b>	03:57:11 PM
<b>Vote Type:</b>	Motion to Approve
<b>Description:</b>	ZONING CASE Z-2019-10700134 CD (Council District 5): Ordinance amending the Zoning District Boundary from "R-5 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "RM-6 CD MLOD-2 MLR-2 AHOD" Residential Mixed Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with Conditional Use for a Professional Office on Lot 1 and Lot 2, Block 9, NCB 8965, located at 868 Keats Avenue. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment Case PA-2019-11600036)
<b>Result:</b>	Passed

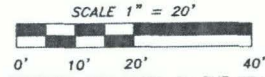
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ron Nirenberg	Mayor		x				
Roberto C. Treviño	District 1		x			x	
Jada Andrews-Sullivan	District 2	x					
Rebecca Viagran	District 3		x				
Dr. Adriana Rocha Garcia	District 4		x				
Shirley Gonzales	District 5		x				
Melissa Cabello Havrda	District 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				

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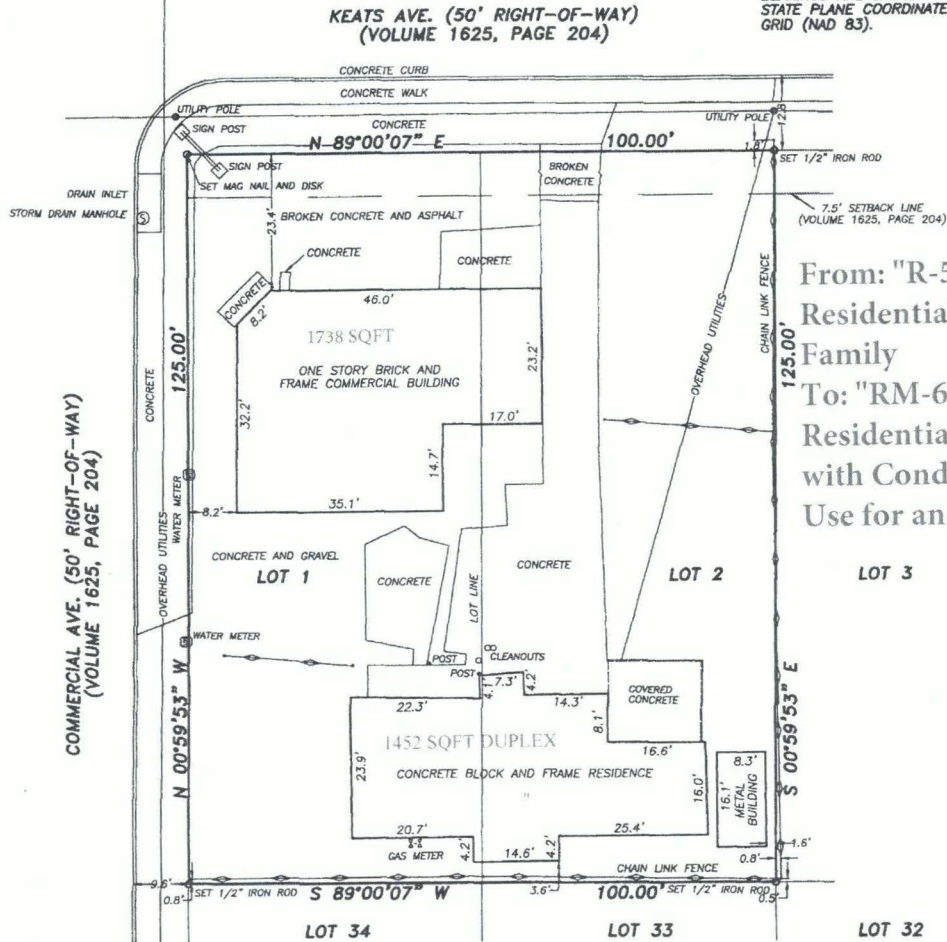
# EXHIBIT "A"

"I, David Benavides, 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 of any/all City adopted Codes at the time of plan submittal for building permits."

Z-2019-10700134 CD



BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM GRID (NAD 83).



From: "R-5"  
Residential Single-Family  
To: "RM-6 CD"  
Residential Mixed  
with Conditional  
Use for an Office

ADDRESS 868 KEATS AVE.  
 LOTS 1 AND 2 BLOCK 9 NCB 8965  
 OF DIVISION GARDENS, NO. 2  
 CITY SAN ANTONIO COUNTY BEXAR STATE TEXAS  
 ACCORDING TO THE PLAT RECORDED IN VOLUME 1625 PAGE 204 SURVEY REQUESTED BY: ANGEL HARRINGTON  
 REFERENCE NO. SAT-06-4000061801621-LR

Exhibit "A"

FLOOD NOTE: ACCORDING TO FLOOD INSURANCE RATE MAP PANEL NUMBER 48029C0395C THIS PROPERTY IS NOT IN FLOOD ZONE "A".

THIS PROPERTY IS SUBJECT TO RESTRICTIVE COVENANTS AND EASEMENTS RECORDED IN:  
 VOL. 1625 PAGE 204 VOL. \_\_\_\_\_ PAGE \_\_\_\_\_ VOL. \_\_\_\_\_ PAGE \_\_\_\_\_ VOL. \_\_\_\_\_ PAGE \_\_\_\_\_  
 VOL. \_\_\_\_\_ PAGE \_\_\_\_\_ VOL. \_\_\_\_\_ PAGE \_\_\_\_\_ VOL. \_\_\_\_\_ PAGE \_\_\_\_\_



**NORTHSTAR LAND SURVEYING, INC.**  
 9033 AERO ST., SUITE 105  
 SAN ANTONIO, TEXAS 78217  
 (210) 826-6228  
 TBPLS FIRM REGISTRATION NUMBER 10193967

JOB NO. 10-18-023

BUYER: MLR RENOVATIONS, LLC  
 DRAWN BY: CAM  
 DISK NUMBER: 1-2018

STATE OF TEXAS  
 COUNTY OF BEXAR

I HEREBY CERTIFY THAT THE ABOVE PLAT WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION AND THAT ALL BUILDINGS ARE WHOLLY LOCATED ON THIS PROPERTY AND THAT THERE ARE NO VISIBLE EASEMENTS OR ENCROACHMENTS EXCEPT AS SHOWN.

THIS 4th DAY OF OCTOBER 2018 A.D.

*Thomas C. Haberer*

THOMAS C. HABERER  
 REGISTERED PROFESSIONAL LAND SURVEYOR #4350



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