

AN ORDINANCE 2015-05-21-0451

**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 0.13 acre tract out of NCB 13965 from "NP-10 AHOD" Neighborhood Preservation Airport Hazard Overlay District to "NP-10 S AHOD" Neighborhood Preservation Airport Hazard Overlay District with a Specific Use Authorization for a Wireless Communication Facility.

**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 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 **Attachment "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.

SG/cia  
05/21/2015  
# Z-10

CASE NO. Z2015112 S

**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 May 31, 2015.

**PASSED AND APPROVED** this 21<sup>st</sup> day of May, 2015.

  
M A Y O R  
Ivy R. Taylor

ATTEST:

  
Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

  
Martha G. Sepeda, Acting City Attorney

for

<b>Agenda Item:</b>	<b>Z-10 ( in consent vote: Z-2, Z-3, Z-6, Z-7, Z-8, Z-9, P-1, Z-10, P-2, Z-11, P-3, Z-12, P-4, Z-13, Z-16, P-5 )</b>						
<b>Date:</b>	05/21/2015						
<b>Time:</b>	02:01:09 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	ZONING CASE # Z2015112 S (Council District 4): An Ordinance amending the Zoning District Boundary from "NP-10 AHOD" Neighborhood Preservation Airport Hazard Overlay District to "NP-10 S AHOD" Neighborhood Preservation Airport Hazard Overlay District with a Specific Use Authorization for a Wireless Communication Facility on 0.13 acre tract out of NCB 13965 located at 5524 Morey Road. Staff and Zoning Commission recommend Approval pending Plan Amendment (Associated Plan Amendment 15024).						
<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. Trevino	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				

**Z2015112**

**LESSEE'S LEASE AREA**

Being a 0.13 acre (5,625 square feet) parcel situated in NCB 13965, R. Herrera Survey, Abstract 311, Bexar County, Texas, out of the residue of "Tract B" of the Irrigated Subdivision according to the map or plat thereof recorded under Volume 642, Page 303 of the Plat Records of Bexar County, Texas, said 0.13 acre parcel more particularly described by metes and bounds as follows with all bearings based on Texas State Plane Coordinate System, South Central Zone, North American Datum 1983;

COMMENCING, at a 1/2-inch iron rod found in the south right-of-way line of Morey Road, for the northeast corner of a 9.106 acre tract conveyed to Cristoval M. Alcoser by Warranty Deed with Vendor's Lien recorded under Clerk's File No. 20010127964 of the Official Records of Bexar County, Texas, for the northwest corner of the residue of said Tract B;

THENCE, departing the south right-of-way line of said Morey Road, South 00°07'08" East, 27.00 feet along the east line of said 9.106 acre tract, and the west line of the residue of said Tract B to a point;

THENCE, departing the east line of said 9.106 acre tract, and the west line of said Tract B, North 89°47'22" East, 10.00 feet to a 5/8-inch iron rod set with cap (stamped "4833 Town & Country") for the northwest corner and POINT OF BEGINNING, of the herein described parcel;

THENCE, North 89°47'22" East, 75.00 feet to a 5/8-inch iron rod set with cap (stamped "4833 Town & Country") for the northeast corner of the herein described parcel;

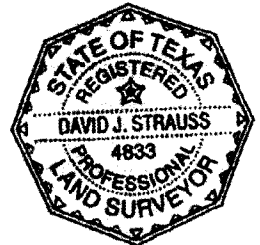
THENCE, South 00°07'08" East, 75.00 feet to a 5/8-inch iron rod set with cap (stamped "4833 Town & Country") for the southeast corner of the herein described parcel;

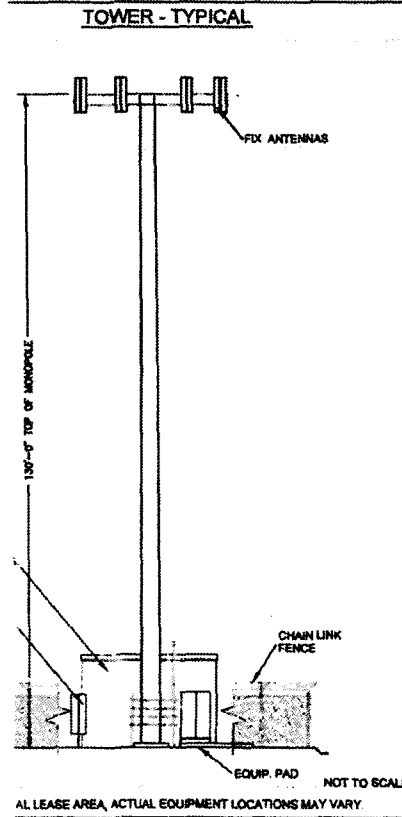
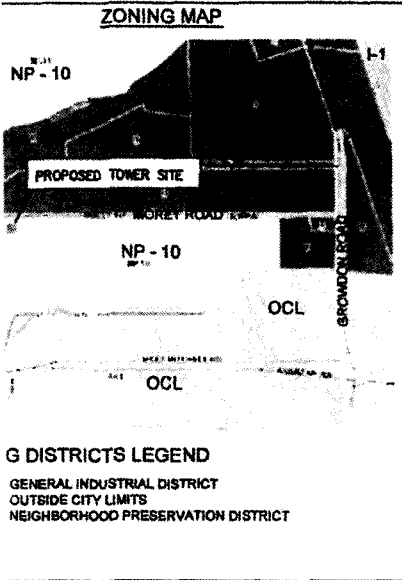
THENCE, South 89°47'22" West, 75.00 feet to a 5/8-inch iron rod set with cap (stamped "4833 Town & Country") for the southwest corner of the herein described parcel;

THENCE, North 00°07'08" West, 75.00 feet to the POINT OF BEGINNING, CONTAINING 0.13 acre (5,625 square feet) of land in Bexar County, Texas.

*David J. Strauss*

David J. Strauss, R.P.L.S. - #4833  
Town and Country Surveyors  
25307 Interstate 45 North  
The Woodlands, Texas 77380  
Tele # (281) 465-8730  
Job No. 3530-0001  
May 20, 2015

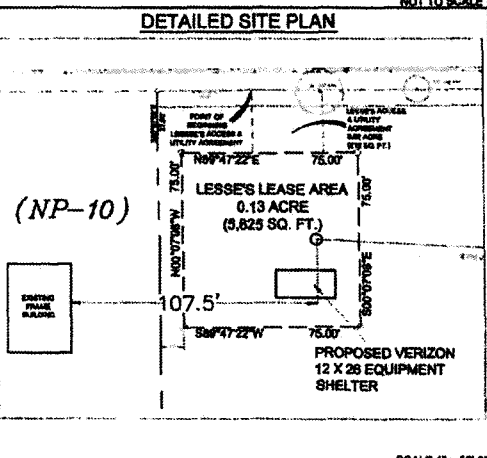
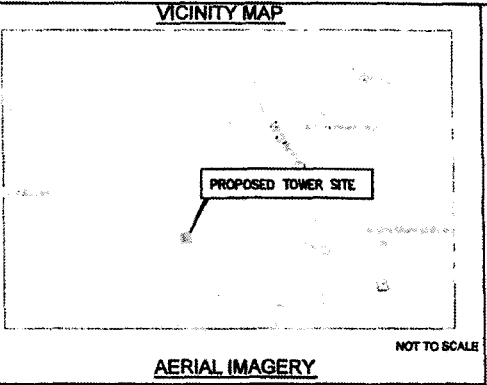
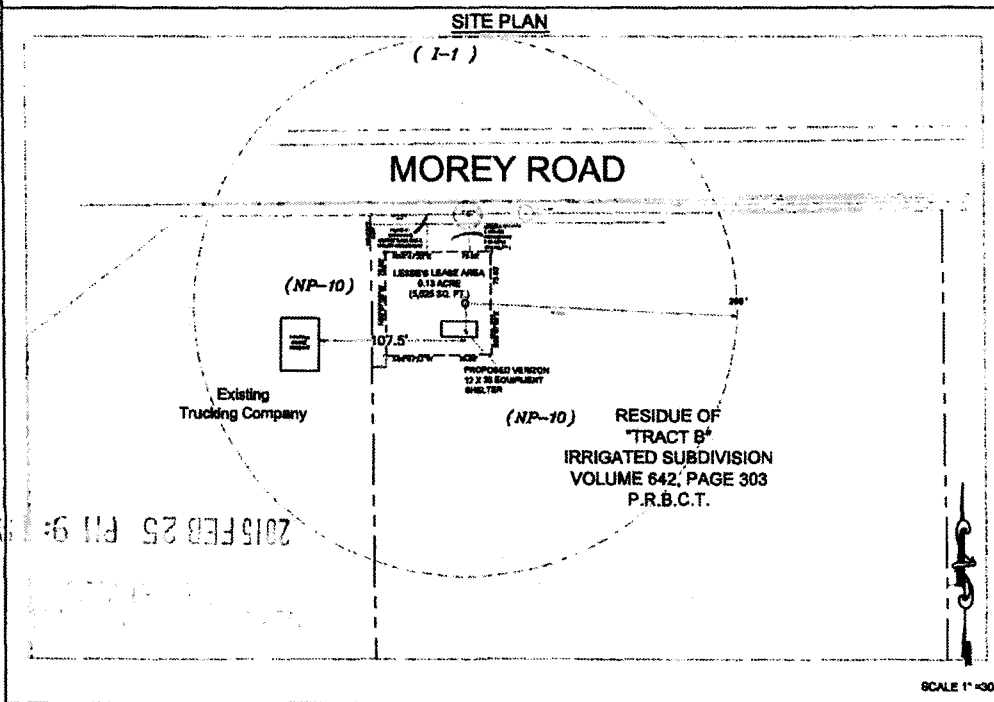




**SPECIAL USE PERMIT / ZONING SITE PLAN**

**PROJECT TYPE**  
130' monopole & Verizon Equipment

<b>SITE INFORMATION</b>	<b>DATE</b>	<b>SITE NAME:</b>
JURISDICTION: CITY OF SAN ANTONIO, TEXAS 78227 BEXAR COUNTY Latitude 29°23'30.11" N, Longitude - 98°33'59.27" W OCCUPANCY: N/A (UNMANNED) USE: TELECOMMUNICATIONS FACILITY ZONING FILE NO.:	DECEMBER 16, 2014	VERIZON / DIMSTED
<b>CONTACT INFORMATION</b>	<b>LEGAL DESCRIPTION</b>	<b>CONSULTANTS</b>
VINCE HUEBINGER VINCENT GERARD & ASSOCIATES 1715 S. CAPITAL OF TEXAS HWY SUITE 207 AUSTIN, TEXAS 78746 PHONE: (512) 328-2893	NOB 13965 BLK LOT TR B.C. D. & E 89.720 AC RESIDUE OF TRACT B, IRRIGATED SUBDIVISION VOL. 642, PAGE 303 P.R.B.C.T.	VINCENT GERARD & ASSOCIATES 1715 S. CAPITAL OF TEXAS HWY SUITE 207 AUSTIN, TEXAS 78746 PHONE: (512) 328-2893 VINCE HUEBINGER
<b>CARRIER INFORMATION</b>	<b>NOT FOR CONSTRUCTION PURPOSES</b>	
VERIZON WIRELESS KANDI VONGSOMBATH MNG. REAL ESTATE & REGULATORY 7 VILLAGE CIRCLE SUITE 400 WESTLAKE TX 76282 PHONE: (617) 961-2598 EMAIL: <a href="mailto:VengsoL.vongsombath@vzw.com">VengsoL.vongsombath@vzw.com</a>	*LORRAINE WAITERS, 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 REZONE CASE DOES NOT RELIEVE ME FROM ADHERENCE TO ANY / ALL CITY-ADOPTED CODES AT THE TIME OF PLAN SUBMITTAL FOR BUILDING PERMITS.*	



**APPROVAL BOX**

ORIGINAL SUBMITTAL DATE:

ACCEPTED FOR APPROVAL:

CITY OF SAN ANTONIO, TEXAS

VERIZON - DIMSTED ZONING / SUP EXHIBIT  
VINCENT GERARD & ASSOCIATES