

AN ORDINANCE 2019-03-21-0254

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 0.052 acres out of NCB 10734 from "R-5 S" Residential Single-Family District with Specific Use Authorization for a Wireless Communication System and "R-5" Residential Single-Family District to "R-5 S" Residential Single-Family District with Specific Use Authorization for a Wireless Communication System.

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.

SG/lj
03/21/2019
Z-6

CASE NO. Z-2018-900087 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 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:

Andrew Segovia, City Attorney

| | | | | | | | |
|---------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|------------|------------|----------------|---------------|---------------|
| Agenda Item: | Z-6 (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-2018-900087 S (Council District 2): Ordinance amending the Zoning District Boundary from "R-5 S" Residential Single-Family District with Specific Use Authorization for a Wireless Communication System and "R-5" Residential Single-Family District to "R-5 S" Residential Single-Family District with Specific Use Authorization for a Wireless Communication System on 0.052 acres out of NCB 10734 and NCB 11638, located at 323 Rice Road. 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 | | | | | |

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EXHIBIT “A”

OPEN RANGE, F.S.

39350 IH 10 West, Suite 1 | Boerne, TX 78006 | 830.428.0290
TBPLS Firm No. 10194069

323 RICE ROAD, SAN ANTONIO, TEXAS

**FIELD NOTES FOR A ZONING EXHIBIT
BEING 2,250 SQ. FT. (0.052 Acre)**

BEING 2,250 SQ. FT. (0.052 Acre) OF LAND OUT OF THE IGNACIO PEREZ SURVEY NO. 93, ABSTRACT NO. 570, OUT OF LOT 4A NEW CITY BLOCK 10734, BEXAR COUNTY, SAN ANTONIO, TEXAS, OUT OF THE SERGIO DE LA HUERTA AND WIFE MARIA SALAZAR 10.119 ACRE TRACT RECORDED IN DOCUMENT NO. 20060061143, OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS (OPRBCT), SAID 2,250 SQ. FT. TRACT BEING MORE FULLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID 10.119 ACRE TRACT, THE SOUTHEAST CORNER OF THE SUE CALBERG 3.067 ACRE TRACT RECORDED IN DOCUMENT NO. 20060309373, OPRBCT, ON THE WESTERN ROW OF WEST HEIN ROAD;

THENCE S90°00'00"W FOR A DISTANCE OF 585.00 FEET (S90°00'00"W, R1) ALONG THE NORTHERN BOUNDARY OF SAID DE LA HUERTA 10.119 ACRE TRACT, THE SOUTHERN BOUNDARY OF SAID CALBERG 3.067 ACRE TRACT TO A POINT;

THENCE S00°00'00"E FOR A DISTANCE OF 15.00 FEET THROUGH THE INTERIOR OF SAID DE LA HUERTA 10.119 ACRE TRACT TO A POINT FOR THE NORTHEAST CORNER OF THIS DESCRIBED TRACT AND THE POINT OF BEGINNING;

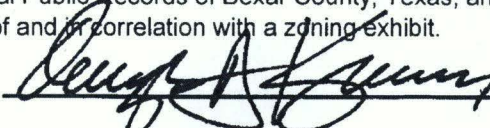
THENCE THROUGH THE INTERIOR OF SAID DE LA HUERTA 10.119 ACRE TRACT THE FOLLOWING COURES AND DISTANCES:

1. S00°00'00"E FOR A DISTANCE OF 45.00 FEET ALONG THE EASTERN BOUNDARY OF THIS TRACT TO A POINT FOR THE SOUTHEAST CORNER OF THIS TRACT;
2. S90°00'00"W FOR A DISTANCE OF 50.00 FEET ALONG THE SOUTHERN BOUNDARY OF THIS TRACT TO A POINT FOR THE SOUTHWEST CORNER OF THIS TRACT;
3. N00°00'00"W FOR A DISTANCE OF 45.00 FEET ALONG THE WESTERN BOUNDARY OF THIS TRACT TO A POINT FOR THE NORTHWEST CORNER OF THIS TRACT;
4. N90°00'00"E FOR A DISTANCE OF 50.00 FEET ALONG THE NORTHERN BOUNDARY OF THIS TRACT TO THE POINT OF BEGINNING.

CONTAINING: 2,250 SQ. FT. (0.052 ACRE) OF LAND



This document was prepared under 22 TAC§663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared. This description was based upon the current deed as recorded in Volume 12001, Page 1823, Official Public Records of Bexar County, Texas, and prepared as part of and in correlation with a zoning exhibit.

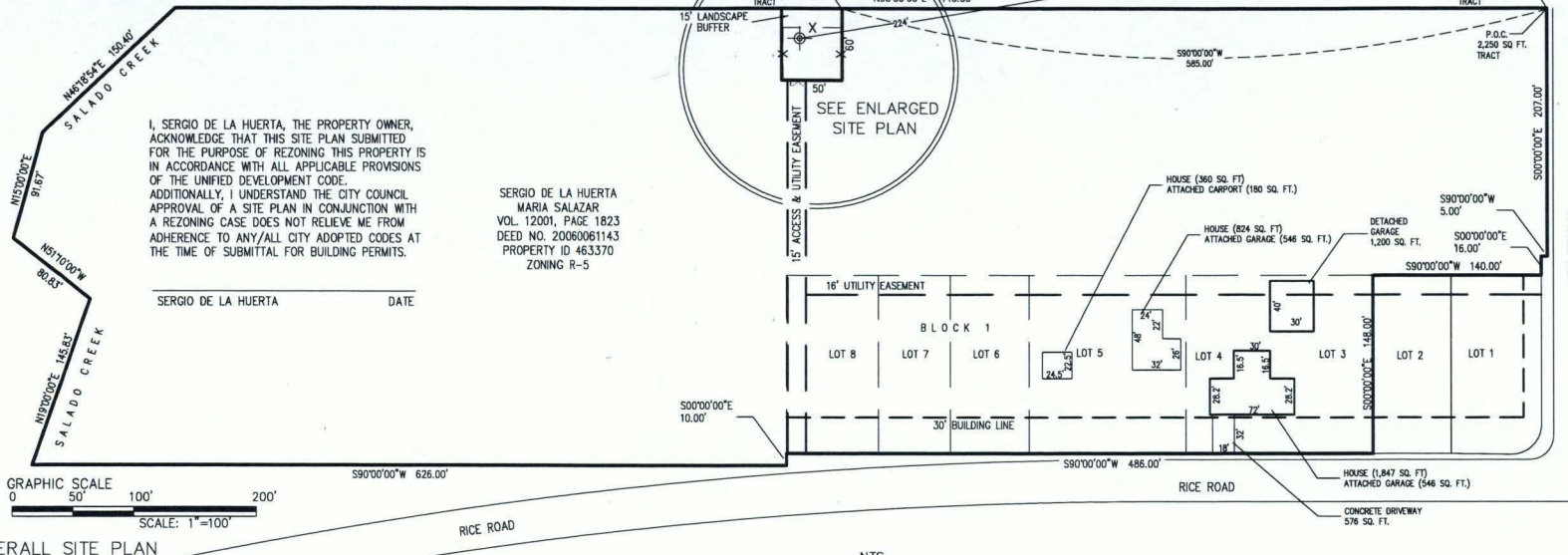

 A handwritten signature in black ink, appearing to read "Douglas A. Kramer", written over a horizontal line.

Douglas A. Kramer, RPLS #6632
Job #11808011 (TMM/DAK) | rev. December 20, 2018

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EXHIBIT “B”

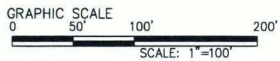
Z-2018-900087



I, SERGIO DE LA HUERTA, 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 THE 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 SUBMITTAL FOR BUILDING PERMITS.

SERGIO DE LA HUERTA
MARIA SALAZAR
VOL. 12001, PAGE 1823
DEED NO. 20060061143
PROPERTY ID 463370
ZONING R-5

SERGIO DE LA HUERTA DATE



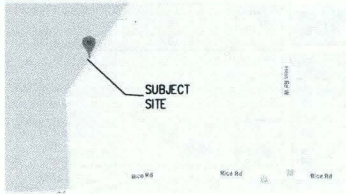
OVERALL SITE PLAN

NTS

1) SITE REQUIRES INFREQUENT MAINTENANCE VISITS. WHEN NECESSARY, MAINTENANCE VEHICLE SHALL BE PARKED WITHIN THE FENCED AREA OF THE SITE OR ON THE EASEMENT AREA.

2) UNMANNED TELECOMMUNICATIONS FACILITY

NOTES



VICINITY MAP

NTS

SITE NAME: DE LA HUERTA
SITE NUMBER: SA02107-A
SITE ADDRESS: 323 RICE ROAD
SAN ANTONIO, TX 78220
OWNERS NAME: SERGIO DE LA HUERTA
OWNERS ADDRESS: 323 RICE ROAD
SAN ANTONIO, TX 78220
PROPERTY ID: 463370
NET AREA OF UNDERLYING PARCEL(S): 10.119 ACRES M/L
LATITUDE: 28.410113° NORTH LONGITUDE: 98.416213° WEST
NOTES: 1. LATITUDE AND LONGITUDE DATUM - NAD 83/92

PROJECT INFORMATION

- ① NEW 85' COLOCATABLE MONOPOLE
- ② NEW CONCRETE FOUNDATION
- ③ CONCRETE EQUIPMENT PAD
- ④ ICE-BRIDGE
- ⑤ EQUIPMENT CABINET
- ⑥ 8' WOODEN STOCKADE FENCE
- ⑦ 12' SWINGING LOCKABLE ENTRY GATE
- ⑧ UTILITY BACK-BOARD

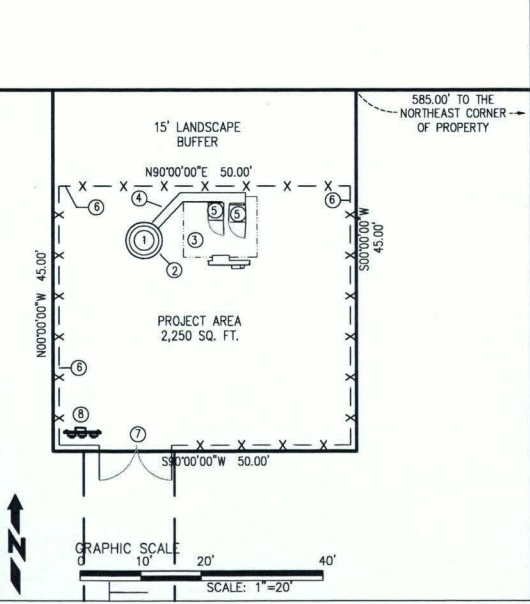
KEYNOTES

BEING 10.119 ACRES OF LAND COMPRISED OF LOTS 3 THRU 8, BLOCK 1, N.E.C.B. 11638, BOLDT TERRACE, UNIT 1, VOLUME 4305, PAGE 173, AN ADDITION TO THE CITY OF SAN ANTONIO DEED AND PLAT RECORDED IN BEXAR COUNTY, TEXAS, AND THAT STRIP OF LAND OUT OF THE NORTHERN PORTION OF LOTS 1 AND 2, RECORDED IN VOLUME 4533, PAGE 114, AND VOLUME 6443, PAGE 841, BOTH BEING OUT OF IGNACIO PEREZ SURVEY NO 93, ABSTRACT NUMBER 570, NEW CITY BLOCK 10734, SAN ANTONIO, BEXAR COUNTY, TEXAS, AS FOLLOWS:

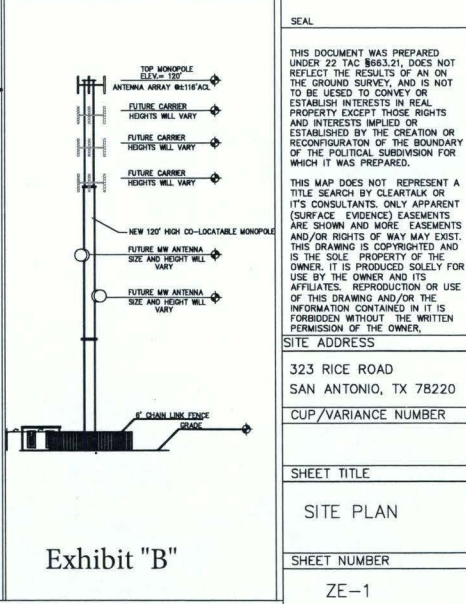
BEGINNING AT THE NORTHEAST CORNER OF SAID 10.119 ACRE TRACT, THE NORTHEAST CORNER OF THAT CALLED 9.018 ACRE TRACT OF LAND OUT OF TRACTS 4A AND 26, THE SOUTHEAST CORNER OF THE 3.067 ACRE TRACT RECORDED IN VOLUME 9637, AT PAGE 155, FOR THE POINT OF BEGINNING. THENCE WITH THE WESTERN RIGHT OF WAY LINE OF HEIN RD., W. AND WITH THE EASTERN PROPERTY LINE OF THE CALLED 9.103 ACRE TRACT, S00°00'00"E FOR A DISTANCE OF 207.00 FEET, TO AN IRON BAR SET IN THE GROUND, A CORNER OF THE TRACT HEREIN DESCRIBED; THENCE, THENCE, WITH THE RIGHT OF WAY LINE OF HEIN RD., W. AND WITH THE EASTERN PROPERTY LINE OF THE CALLED 9.103 ACRE TRACT, S90°00'00"W, FOR A DISTANCE OF 5.00 FEET, TO AN IRON BAR FOUND, SET IN THE GROUND, A CORNER OF THE TRACT HEREIN DESCRIBED; THENCE, WITH THE NEW RIGHT OF WAY OF HEIN RD., W. AND WITH THE EASTERN LINE OF THE SAID VOL. 4533, PAGE 114-115, VOLUME 6443, PAGES 841-842, S00°00'00"E, FOR A DISTANCE OF 16.00 FEET TO A FOUND IRON BAR, A POINT ON THE WESTERN RIGHT OF WAY LINE OF HEIN RD., W. THE NORTHEAST CORNER OF LOT 1, BLOCK 1, RECORDED IN VOLUME 10086, AT PAGE 134, BEXAR COUNTY, TEXAS, A CORNER OF THE TRACT HEREIN DESCRIBED; THENCE, WITH THE SOUTHERN LINE OF THE TRACT DESCRIBED IN VOL. 4533, PAGE 114 AND 115, AND IN VOL. 6443, PAGE 841-842, D.R., S90°00'00"W A DISTANCE OF 14.00 FEET, TO AN IRON BAR, SET IN THE GROUND, THE NORTHEAST CORNER OF THE SAID LOT 3, THE NORTHWEST CORNER OF THE SAID LOT 2, A CORNER OF THE TRACT HEREIN DESCRIBED; THENCE, WITH THE COMMON LINES OF LOTS 2 AND 3, S00°00'00"E FOR A DISTANCE OF 148.00 FEET TO AN IRON BAR FOUND, THE MOST SOUTHERN CORNER OF LOTS 2, AND 3, A POINT ON THE NORTHERN RIGHT OF WAY OF RICE ROAD, A CORNER OF THE TRACT HEREIN DESCRIBED; THENCE, WITH THE NORTHERN RIGHT OF WAY OF RICE ROAD, THE SOUTHERN LINE OF SAID LOTS 3 THRU 8, S90°00'00"W, FOR A DISTANCE OF 486.00 FEET, TO AN IRON BAR SET IN THE GROUND, THE SOUTHWEST CORNER OF SAID LOT 8, A CORNER OF THE TRACT HEREIN DESCRIBED; THENCE, LEAVING SAID LOT 8, WITH AN INTERIOR LINE OF TRACT 4A, S00°00'00"E A DISTANCE OF 10.00 FEET, TO A SET IRON BAR, A CORNER OF SAID TRACT 4A, A POINT ON THE NORTH RIGHT OF WAY LINE OF RICE ROAD, A CORNER OF THE TRACT HEREIN DESCRIBED; THENCE, WITH THE SOUTH LINE OF SAID TRACT 4A, S00°00'00"W, FOR A DISTANCE OF 626.00 FEET TO A SET IRON BAR A POINT IN THE EAST BANK OF THE SALADO CREEK, A CORNER OF THE TRACT HEREIN DESCRIBED; THENCE, WITH THE SALADO CREEK THE FOLLOWING FOUR CALLS: N19°00'00"E, A DISTANCE OF 145.83 FEET; N51°10'00"W, A DISTANCE OF 80.83 FEET; N15°00'00"E, A DISTANCE OF 91.67 FEET; N46°18'54"E, A DISTANCE OF 150.40 FEET; TO THE NORTHWEST CORNER OF SAID TRACT 4A, A CORNER OF THE TRACT HEREIN DESCRIBED; THENCE, WITH THE SOUTH LINE OF THE SAID 3.067 ACRE TRACT, THE NORTH LINE OF SAID TRACT 4A, N90°00'00"E FOR A DISTANCE OF 1140.00 FEET TO THE POINT OF BEGINNING, AND CONTAINING 10.119 ACRES OF LAND, MORE OR LESS.

DESCRIPTION

UNDERLYING PARCEL



ENLARGED SITE PLAN



TOWER ELEVATION



NTCH-NM, LLC
P.O. BOX 1976
WRIGHTWOOD, CA 92397

SA02107-A
DE LA HUERTA

DATE RELEASE: 8/2/2018

| REVISIONS | | |
|-----------|----------|----------|
| NO. | DATE | ISSUE |
| 1 | 12-17-18 | compound |
| 2 | | |
| 3 | | |
| 4 | | |
| 5 | | |

DRAWN BY: ALLAN SMITHEE

SEAL

THIS DOCUMENT WAS PREPARED UNDER 22 TAC 8663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

THIS MAP DOES NOT REPRESENT A TITLE SEARCH BY CLEAR TALK OR ITS CONSULTANTS. ONLY APPARENT (SURFACE EVIDENCE) EASEMENTS ARE SHOWN AND MORE EASEMENTS AND/OR RIGHTS OF WAY MAY EXIST. THIS DRAWING IS COPYRIGHTED AND IS THE SOLE PROPERTY OF THE OWNER. IT IS PRODUCED SOLELY FOR USE BY THE OWNER AND ITS AFFILIATES. REPRODUCTION OR USE OF THIS DRAWING AND/OR THE INFORMATION CONTAINED IN IT IS FORBIDDEN WITHOUT THE WRITTEN PERMISSION OF THE OWNER.

SITE ADDRESS
323 RICE ROAD
SAN ANTONIO, TX 78220
CUP/VARIANCE NUMBER
SHEET TITLE
SITE PLAN
SHEET NUMBER
ZE-1