

ORDINANCE 2019-10-03-0835

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 0.5779 acres out of NCB 14160 from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for live entertainment without cover charge for 3 or more days a week.

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 finds that the following conditions shall be met to insure compatibility with the surrounding properties:

- A. Signage: no blade signs, plastic signs, or temporary signage.
- B. No outdoor amplification.
- C. Landscaping on ROW off of Evers Rd.
- D. Security at all events that are hosted.

E. Direct traffic towards 410 access road from Evers and from Glen Ridge Dr.

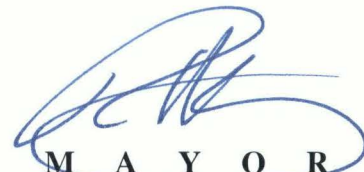
SECTION 5. The City council approves this Conditional Use so long as the attached site plan is adhered to. A site plan is attached as **Exhibit "B"** and made a part hereof and incorporated herein for all purposes.

SECTION 6. 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.

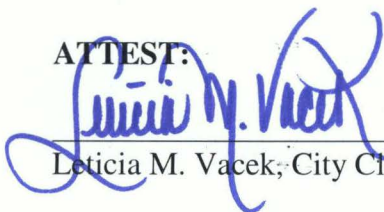
SECTION 7. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 8. This ordinance shall become effective October 13, 2019.


PASSED AND APPROVED this 3rd day of October, 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-13						
Date:	10/03/2019						
Time:	03:30:17 PM						
Vote Type:	Motion to Appr w Cond						
Description:	ZONING CASE Z-2019-10700153 CD (Council District 7): Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Live Entertainment without cover charge for 3 or more days a week on 0.5779 acres out of NCB 14160, located at 5455 Evers Road. Staff and Zoning Commission recommend Approval with Conditions. (Continued from September 19, 2019)						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ron Nirenberg	Mayor	x					
Roberto C. Treviño	District 1		x				
Jada Andrews-Sullivan	District 2		x				x
Rebecca Viagran	District 3		x				
Adriana Rocha Garcia	District 4		x				
Shirley Gonzales	District 5		x				
Melissa Cabello Havrda	District 6		x				
Ana E. Sandoval	District 7		x			x	
Manny Pelaez	District 8	x					
John Courage	District 9		x				
Clayton H. Perry	District 10		x				

SG/lj
10/03/2019
Z-13

EXHIBIT "A"

**METES AND BOUNDS DESCRIPTION
FOR A
0.5779 ACRE TRACT**

Being 0.5779 Acres (25,177 Sq. Ft.) of land out of Lot 2, Block 3, N.C.B. 14160, Rolling Ridge Apartment Subdivision, recorded in Volume 6200, Page 158 of the Deed and Plat Records of Bexar County, Texas and said 0.5779 Acre Tract being more particularly described as follows:

COMMENCING at a point being the north corner of said Lot 2, Block 3, N.C.B. 14160, for the Point of Commencement;

THENCE: S. 41° 24'00" W., 300.62 feet along the northwest line of said Lot 2, Block 3, N.C.B. 14160, to a point;

THENCE: S. 48° 36'00" E., 69.68 feet leaving the north line of said Lot 2, Block 3, N.C.B. 14160, to the **POINT OF BEGINNING** and being the northerly corner of the herein described tract and;

THENCE: S. 48° 40'59" E., 178.39 feet along the northeast line of this tract, to a point for the easterly corner of the herein described tract;

THENCE: S. 41° 22'08" W. 141.14 feet along the southeast line of this tract, to a point for the southerly corner of the herein described tract;

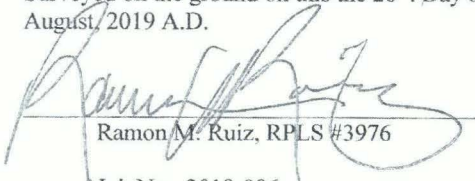
THENCE: N. 48° 40'39" W., 178.39 feet along the southwest line of this tract, to a point for the westerly corner of the herein described tract;

THENCE: N. 41° 22'08" E. 141.14 feet along the northwest line of this tract, to the **POINT OF BEGINNING** and containing 0.5779 Acres (25,177 Sq. Ft.) of land more or less.

I hereby certify that these Metes and Bounds were prepared from an actual survey made on the ground under my supervision and are true and correct to the best of my knowledge and belief. A Site Map of the above described tract was also prepared on this day and is hereby attached to and made a part hereof.

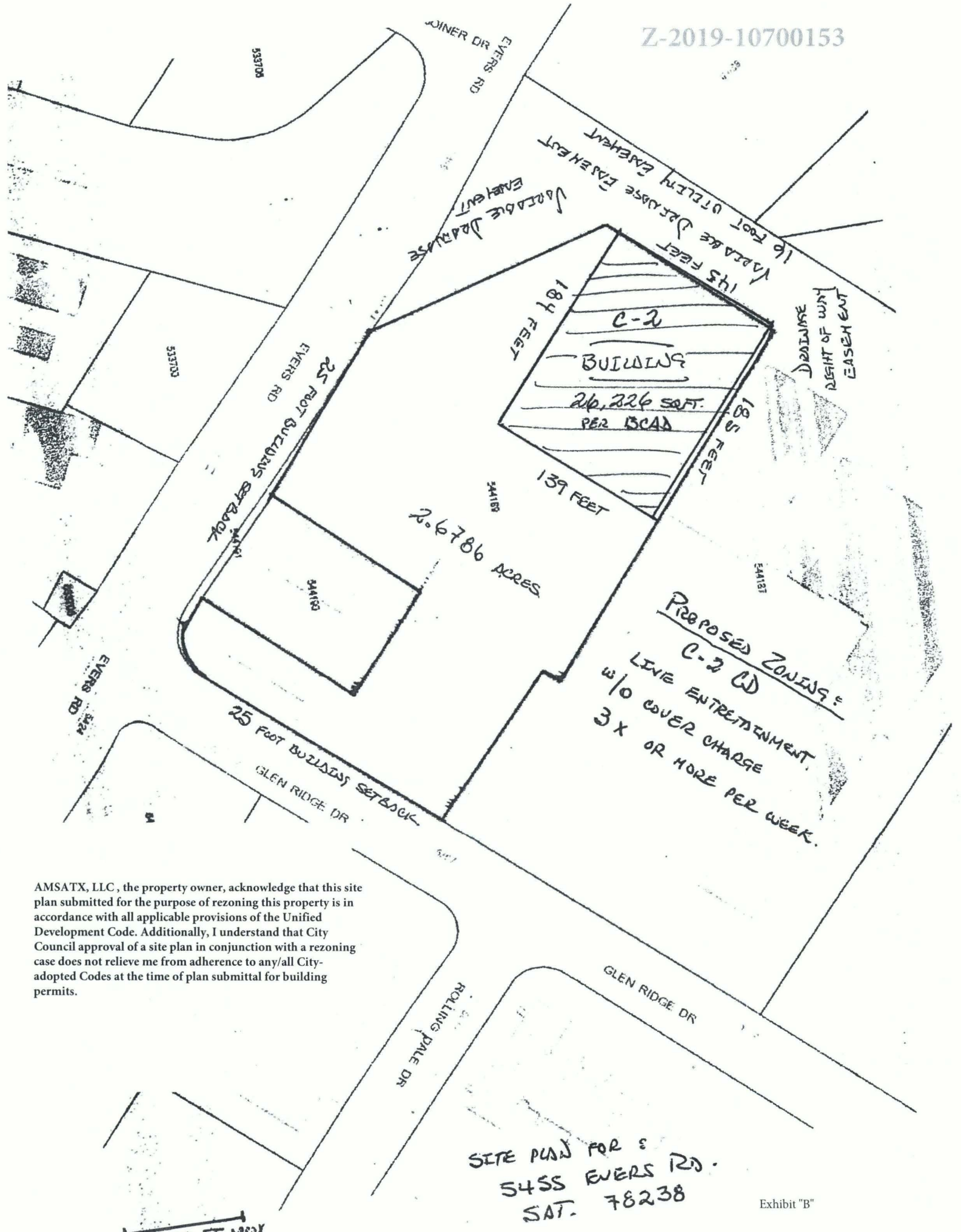


Surveyed on the ground on this the 28th. Day of August, 2019 A.D.


Ramon M. Ruiz, RPLS #3976
Job No.: 2019-086

SG/lj
10/03/2019
Z-13

EXHIBIT “B”



AMSATX, LLC, 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.

SITE PLAN FOR 5455 EVERS RD.
SAT. 78238

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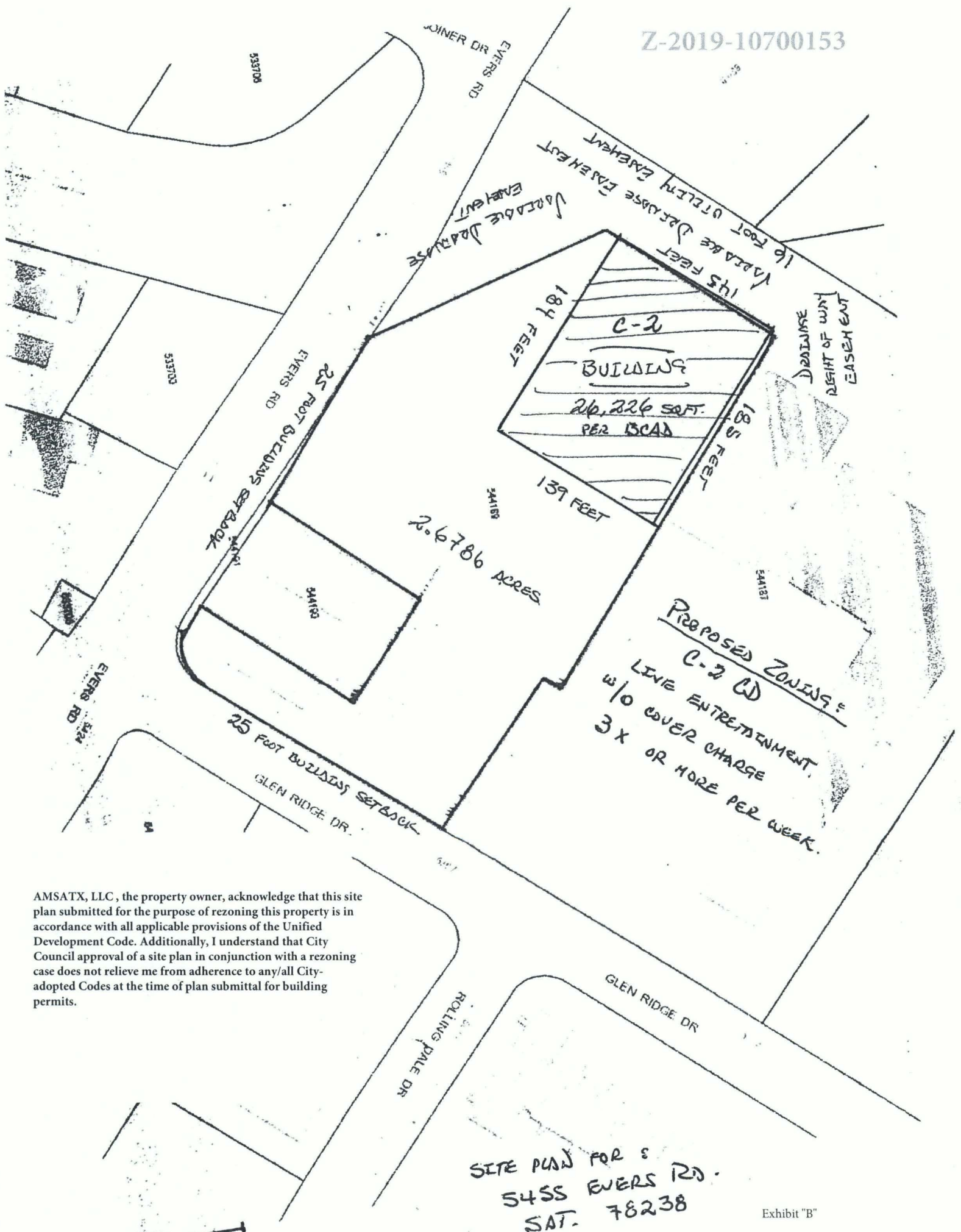
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