

AN ORDINANCE 2016-10-06-0778

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.

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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 1.757 acres out of NCB 8205 from "C-1 AHOD" Light Commercial Airport Hazard Overlay District and "C-3 AHOD" General Commercial Airport Hazard Overlay District to "C-2 CD AHOD" General Commercial Airport Hazard Overlay District with a Conditional use for a Funeral Home.

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.** There shall be not exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of the main structure.
- B.** No construction features shall be permitted which would place the structure out of character with the surrounding residential neighborhood.
- C.** Business or office hours of operation shall not be permitted before 7:00 a.m. or after 6:00 p.m.

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 the 16th day of October 2016.

PASSED AND APPROVED this 6th day of October 2016.

M A Y O R
Ivy R. Taylor

ATTEST:

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

for City Attorney

Agenda Item:	Z-5						
Date:	10/06/2016						
Time:	02:12:37 PM						
Vote Type:	Motion to Appr w Cond						
Description:	ZONING CASE # Z2016215 (Council District 3): An Ordinance amending the Zoning District Boundary from "C-1 AHOD" Light Commercial Airport Hazard Overlay District and "C-3 AHOD" General Commercial Airport Hazard Overlay District to "C-3 AHOD" General Commercial Airport Hazard Overlay District on 1.757 acres out of NCB 8205, located in the 300 Block of SW Military Drive. Staff and Zoning Commission recommend Approval.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Treviño	District 1		x				x
Alan Warrick	District 2	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			x	

22016215

Northstar Land Surveying, Inc.

9033 Aero St., Suite 207

San Antonio, Texas 78217

(210) 826-6228

TBPLS FIRM REGISTRATION NUMBER 10193967

**FIELD NOTES FOR
REZONING**

A 1.757 ACRE TRACT OF LAND OUT OF THE 5.324 AND 3.27 ACRE TRACTS AS RECORDED IN VOLUME 16992, PAGE 1296, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS; AND BEING ALSO OUT OF A PORTION OF LOT 1, NEW CITY BLOCK 8205, JEROME FRANK SUBDIVISION, SAN ANTONIO, BEXAR COUNTY, TEXAS, ACCORDING TO PLAT THEREOF RECORDED IN VOLUME 4900, PAGE 188, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING: At a set ½ inch iron rod on the north right-of-way line of SW Military Drive, the southeast corner of a 0.024 acre tract as recorded in Volume 5769, Page 873, Official Public Records of Real Property of Bexar County, Texas, the southwest corner of the herein described tract;

THENCE: North 00 degrees 18 minutes 17 seconds West, (Bearings are based on the Texas State Plane Coordinate System Grid) coincident with the east line of the above referenced 0.024 acre tract, at 5.00 feet, pass a found ½ inch iron rod 1.95 feet left of the line, and continuing a total distance of 116.50 feet to a set ½ inch iron rod, the northeast corner of the 0.024 acre tract, a corner of the herein described tract;

THENCE: South 89 degrees 44 minutes 28 seconds West, coincident with the north line of the 0.024 acre tract, at 9.03 feet, pass the east line of the above referenced Lot 1 and northwest corner of the 0.024 acre tract, the most easterly northeast corner of a 0.062 acre tract as recorded in Volume 4610, Page 795, Official Public Records of Real Property of Bexar County, Texas, and continuing a total distance of 19.80 feet coincident with a north line of the above referenced 0.062 acre tract, to a set ½ inch iron rod, a corner of the 0.062 acre tract, a corner of the herein described tract;

THENCE: North 00 degrees 14 minutes 56 seconds West, 94.70 feet coincident with an east line of the above referenced 0.062 acre tract, to a set ½ inch iron rod on the north line of Lot 1, the most northerly northeast corner of the 0.062 acre tract, a corner of the herein described tract;

Continued

EXHIBIT "A"

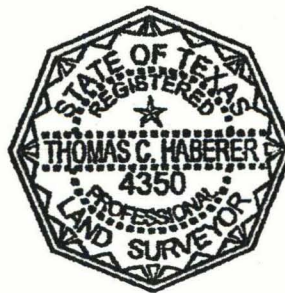
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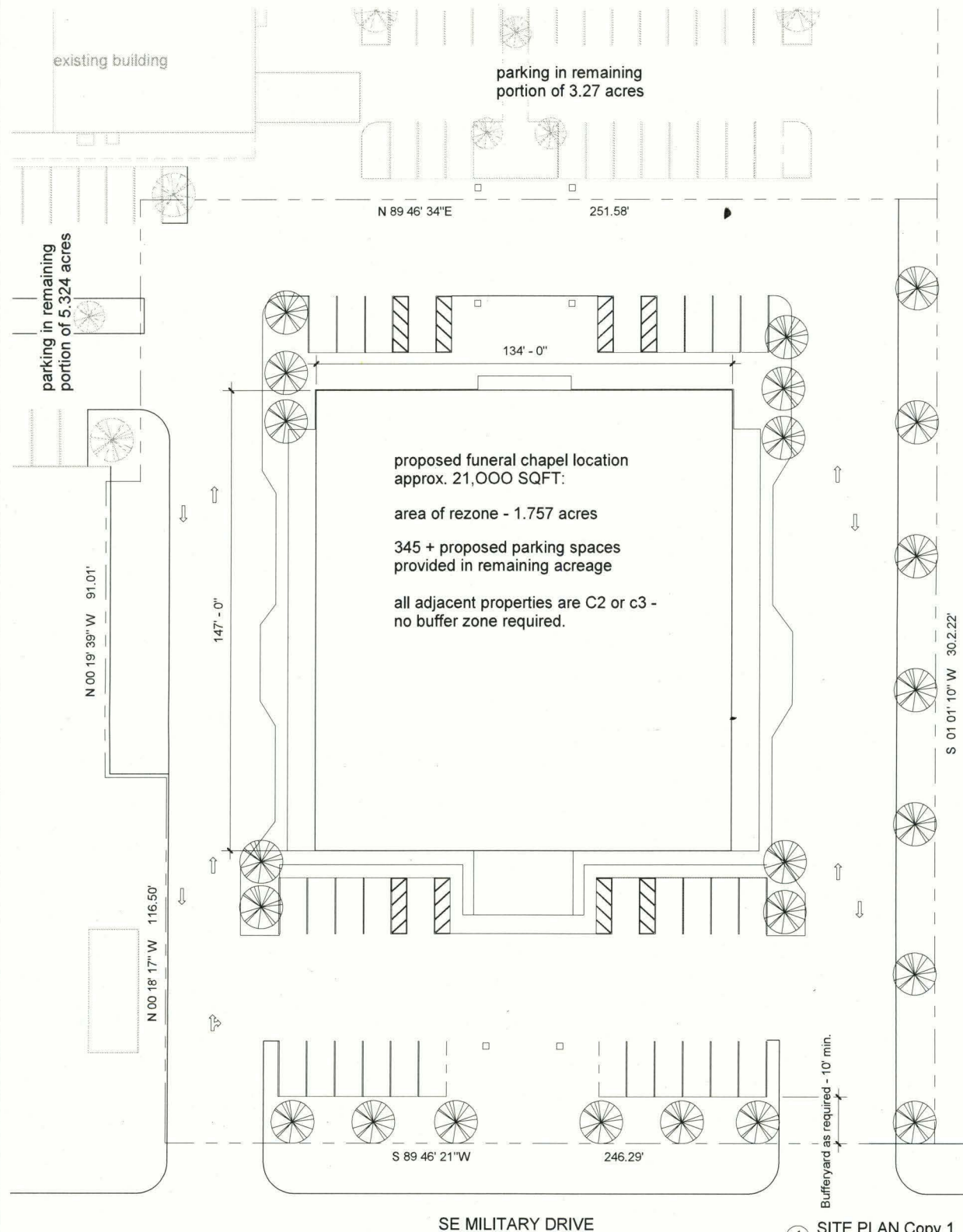
- THENCE:** North 89 degrees 43 minutes 33 seconds East, 10.68 feet coincident with the north line of Lot 1, to a set ½ inch iron rod, the northeast corner of Lot 1, a corner of the herein described tract;
- THENCE:** North 00 degrees 19 minutes 39 seconds West, 91.01 feet, to a set ½ inch iron rod, the northwest corner of the herein described tract;
- THENCE:** North 89 degrees 46 minutes 34 seconds East, 251.58 feet to a set ½ inch iron rod, the northwest corner of Lot 5, Grantree III Subdivision as recorded in Volume 9502, Page 182, Deed and Plat Records of Bexar County, Texas, the most westerly southwest corner of Lot 7, Southwest Junction Subdivision, Unit-3 as recorded in Volume 9518, Page 80, Deed and Plat Records of Bexar County, Texas, the northeast corner of the herein described tract, from which a found ½ inch iron rod bears North 50 degrees 48 minutes 27 seconds East, 0.38 feet and another bears South 20 degrees 29 minutes 42 seconds West, 2.98 feet;
- THENCE:** South 01 degrees 01 minutes 10 seconds East, 302.22 feet, coincident with the west line of the above referenced Lot 5, to a set ½ inch iron rod on the north right-of-way line of SW Military Drive, the southeast corner of the herein described tract;
- THENCE:** South 89 degrees 46 minutes 21 seconds West, 246.29 feet coincident with the north right-of-way line of SW Military Drive, to the **POINT OF BEGINNING**, containing 1.757 acres.

These Field Notes are based on a survey made on the ground and a survey map prepared by employees of Northstar Land Surveying, Inc. who were working under my supervision.

Thomas C. Haberer

Thomas C. Haberer
Registered Professional Land Surveyor #4350
July 12, 2016
Job No. 1-16-002_Rezoning





① SITE PLAN Copy 1
1" = 30'-0"

I Sergio Bravo the representative of the property owner (MPII) acknowledge the site plan submitted for the purpose of rezoning. This property is in accordance with all applicable portions of the Unified Development Code. Additionally I understand that the City Council approval of the site plan is in conjunction with the re-zoning case does not relive me from the adherence to any/all City adopted codes at the time of plan submittal for building permits.

300 MILITARY DRIVE
REZONE PLAN

EXHIBIT "B"

Date 10-10-16

A104