

AN ORDINANCE 2017-08-03-0544

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 6.611 acres out of NCB 34400 from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with Conditional Use for a Funeral Home/Undertaking Parlor.

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 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 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.

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 the 13th day of August 2017.

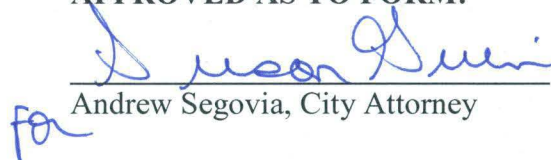
PASSED AND APPROVED this 3rd day of August 2017.


M A Y O R
Ron Nirenberg

ATTEST:


Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:


for Andrew Segovia, City Attorney

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|---------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|------------|------------|----------------|---------------|---------------|
| Agenda Item: | Z-14 (in consent vote: Z-1, Z-3, Z-4, P-1, Z-6, Z-7, Z-8, Z-12, Z-13, Z-14, P-5, Z-19, P-6, Z-20) | | | | | | |
| Date: | 08/03/2017 | | | | | | |
| Time: | 02:04:15 PM | | | | | | |
| Vote Type: | Motion to Approve | | | | | | |
| Description: | ZONING CASE # Z2017160 CD (Council District 6): An 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 Conditional Use for a Funeral Home/Undertaking Parlor on 6.611 acres out of NCB 34400, located in the 1500 Block of West Loop 1604. 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 | | | | |
| William Cruz Shaw | District 2 | | x | | | | |
| Rebecca Viagran | District 3 | | x | | | | |
| Rey Saldaña | District 4 | | x | | | | |
| Shirley Gonzales | District 5 | | x | | | | |
| Greg Brockhouse | District 6 | | x | | | | 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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08/03/2017
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Exhibit “A”



**FIELD NOTES
FOR
A 6.611 ACRE TRACT**

A 6.611 acre tract of land, out of the Thomas York Survey No. 201 ½, Abstract 825, New County Block 34400 and being out of a 10.46 acre tract of land conveyed to M2G Stone Oak, Ltd of record in Volume 17774 Page 899 of the Official Public Records of Real Property of Bexar County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a found Texas Department of Transportation Type II Monument, brass disc in concrete in the east right-of-way line of Charles Anderson Loop 1604, a variable width right-of-way, for the northwest corner of the 10.46 acre tract and the tract described herein;

THENCE: N 89°36'26" E along and with the north line of the 10.46 acre tract, a distance of 6.23 feet passing a found ½" iron rod for the southwest corner of a 0.5100 acre tract conveyed to Magnum Movers, LLC of record in Volume 17538 Page 39 of the Official Public Records of Bexar County, Texas and continuing for a total distance of 171.16 feet to a found ½" iron rod, for the southeast corner of a 0.5100 acre tract, and interior corner of the 10.46 acre tract and the tract described herein;

THENCE: N 00°26'49" W along and with the east line of the 0.5100 acre tract, a west line of the 10.46 acre tract and Lot 1, Block 1 of the Oak Creek Community-Unit 1, a subdivision plat of record in Volume 7600 Pages 230-235 of the Deed and Plat Records of Bexar County, Texas, a distance of 122.44 feet to a set 1/2" iron rod with Blue Plastic Cap Stamped "KFW Surveying", for the southwest corner of a termination right-of-way line of BonnyBray Lane, a 50' right-of-way, a northerly northwest corner of the 10.46 acre tract and the tract described herein;

THENCE: N 89°35'46" E along and with the south termination right-of-way line of BonnyBray Lane and a north line of the 10.46 acre tract, a distance of 50.00 feet to a set 1/2" iron rod with Blue Plastic Cap Stamped "KFW Surveying", for the southeast corner of a termination right-of-way line of BonnyBray Lane, an interior corner of the 10.46 acre tract and the tract described herein;

THENCE: N 00°04'52" E along and with the east right-of-way line of BonnyBray Lane and a west line of the 10.46 acre tract, a distance of 28.00 feet to a found 1/2" iron rod, for the southwest corner of Lot 1, Block 3 of the Oak Creek Community-Unit 1, a north corner of the 10.46 acre tract and the tract described herein;

THENCE: along and with the south, southwest and northwest lines of Lots 1-10, Block 3 of the Oak Creek Community-Unit 1 and the north, northeast and southeast lines of the 10.46 acre tract, the following five (5) courses:

1. N 89°34'04" E, a distance of 134.90 feet to found ½" iron rod, for the southeast corner of Lot 1, the southwest corner of Lot 2, an angle point of the 10.46 acre tract and the tract described herein,
2. S 70°48'52" E, a distance of 175.25 feet to a set 1/2" iron rod with Blue Plastic Cap Stamped "KFW Surveying", for the south corner of Lot 3, the northwest corner of Lot 5, an angle point of the 10.46 acre tract and the tract described herein,
3. S 29°31'22" E, a distance of 235.87 feet to a found cotton spindle, for an angle point of Lot 6, the 10.46 acre tract and the tract described herein,
4. S 45°17'18" E, a distance of 280.07 feet to a found 1/2" iron rod in the southeast line of Lot 9, for the north corner of Lot 10, an easterly corner of the 10.46 acre tract and the tract described herein, and

Exhibit "A"

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5. **S 44°39'40" W**, a distance of **54.29 feet** to a set **1/2" iron rod with Blue Plastic Cap Stamped "KFW Surveying"** in the northwest line of Lot 10 and southeast line of the 10.46 acre tract, for the southeast corner of the tract described herein;

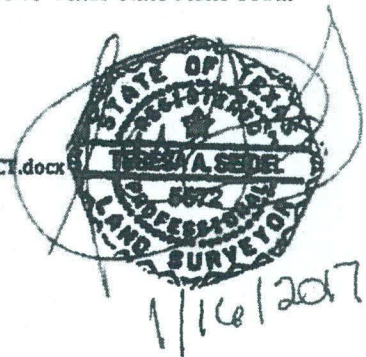
THENCE: S 89°28'52" W, into and across the 10.46 acre tract, a distance of **754.17 feet** to a set **1/2" iron rod with Blue Plastic Cap Stamped "KFW Surveying"** in the east right-of-way line of Charles Anderson Loop 1604, for the southwest corner of the tract described herein, from which a found Texas Department of Transportation Type II Monument bears **S 00°23'07" W**, a distance of **263.34 feet** to and angle point and continuing **S 06°12'02" E**, a distance of **100.58 feet**;

THENCE: Along and with the east right-of-way line of Charles Anderson Loop 1604 and the west line of the 10.46 acre tract, the following two (2) courses:

1. **N 00°23'07" W**, a distance of **15.70 feet** to a found Texas Department of Transportation Type II Monument, for an angle point of the 10.46 acre tract and the tract described herein, and
2. **N 07°21'54" W**, a distance of **339.44 feet** to the **POINT OF BEGINNING** and containing **6.611 acres** or **287,990 square feet** more or less, in Bexar County, Texas. Said tract being described in accordance with a survey prepared by KFW Surveying. Bearings are based on NAD83 Texas State Plane South Central Zone.

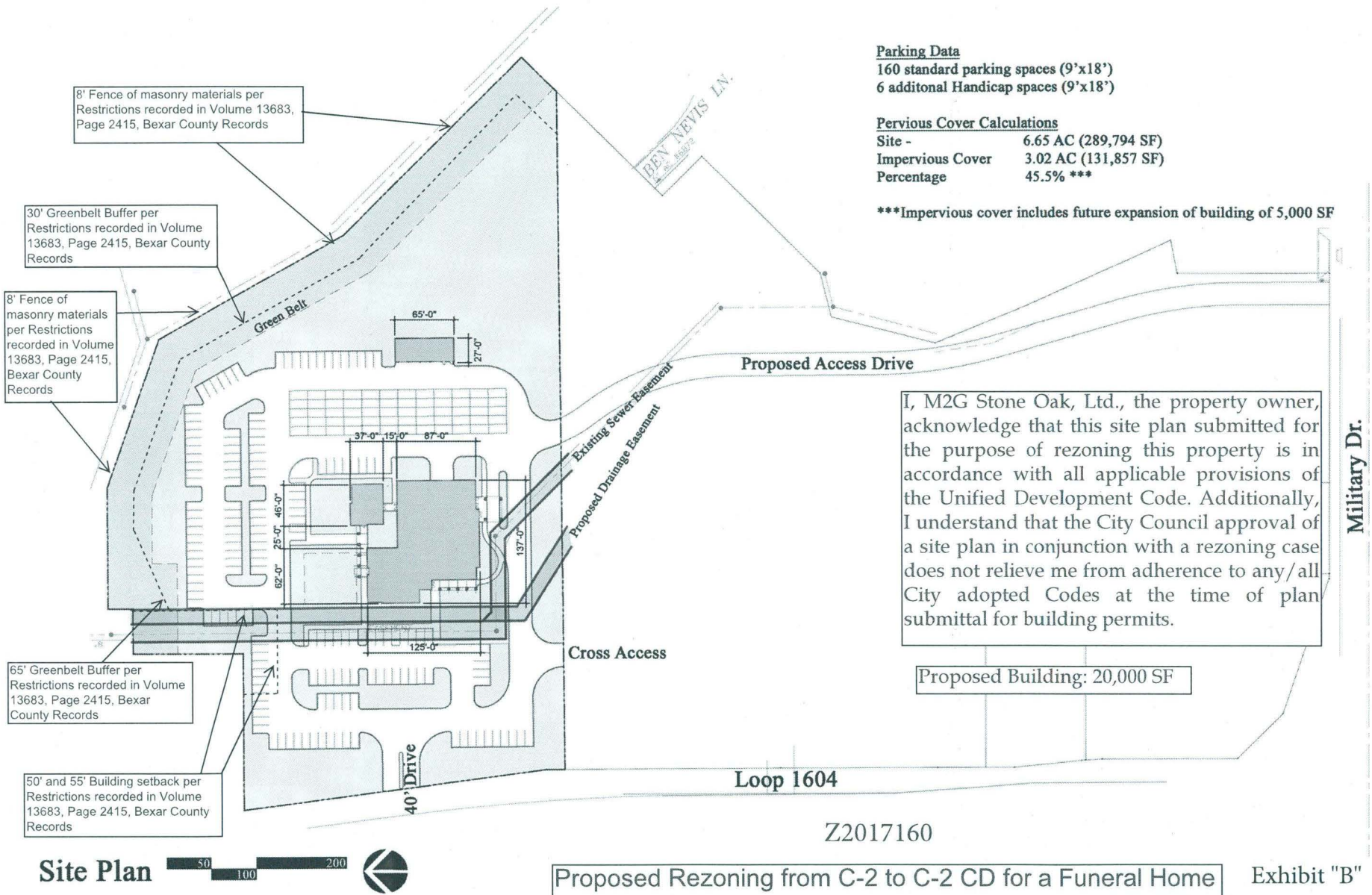
Job No.: 16-131
Prepared by: KFW Surveying
Date: January 9, 2017
File:

S:\Draw 2016\16-131 Westcreek Survey\DOCS\FN 6.611AC TRACT.docx



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Exhibit “B”



Proposed Porter Loring Northwest

chesneymoralespartners,inc.
 architecture/interior design
 4901 Broadway, Suite 250, San Antonio, Texas 78209
 710.528.9481 • 710.528.9777 • 1244 Form Reg 4812102
 chesneymorales.com