

AN ORDINANCE 2017-08-03-0534

**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 Lot 4, Block 8, NCB 760, located at 412 Warren Street, from "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for a Triplex to "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for an Assisted Living Facility with up to 16 Residents.

**SECTION 2.** 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 3.** The City council approves this Conditional Use so long as the attached site plan is adhered to. A site plan is attached as **Exhibit "A"** and made a part hereof and incorporated herein for all purposes.

**SECTION 4.** 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 5.** The Director of Development Services shall change the zoning records and maps

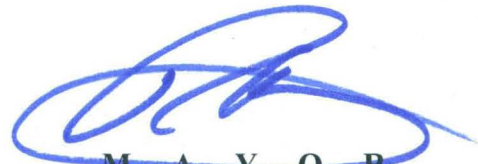
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08/03/2017  
# Z-2

CASE NO. Z2017167 CD


in accordance with this ordinance and the same shall be available and open to the public for inspection.

**SECTION 6.** This ordinance shall become effective the 13<sup>th</sup> day of August 2017.

**PASSED AND APPROVED** this 3<sup>rd</sup> 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

<b>Agenda Item:</b>	<b>Z-2</b>						
<b>Date:</b>	08/03/2017						
<b>Time:</b>	02:09:41 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	ZONING CASE # Z2017167 CD (Council District 1): An Ordinance amending the Zoning District Boundary from "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for a Triplex to "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for an Assisted Living Facility with up to 16 Residents on Lot 4, Block 8, NCB 760, located at 412 Warren Street. Staff recommends Denial. Zoning Commission recommends Approval with a Condition.						
<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>
Ron Nirenberg	Mayor		x				
Roberto C. Treviño	District 1		x			x	
William Cruz Shaw	District 2		x				x
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		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				
Clayton H. Perry	District 10		x				

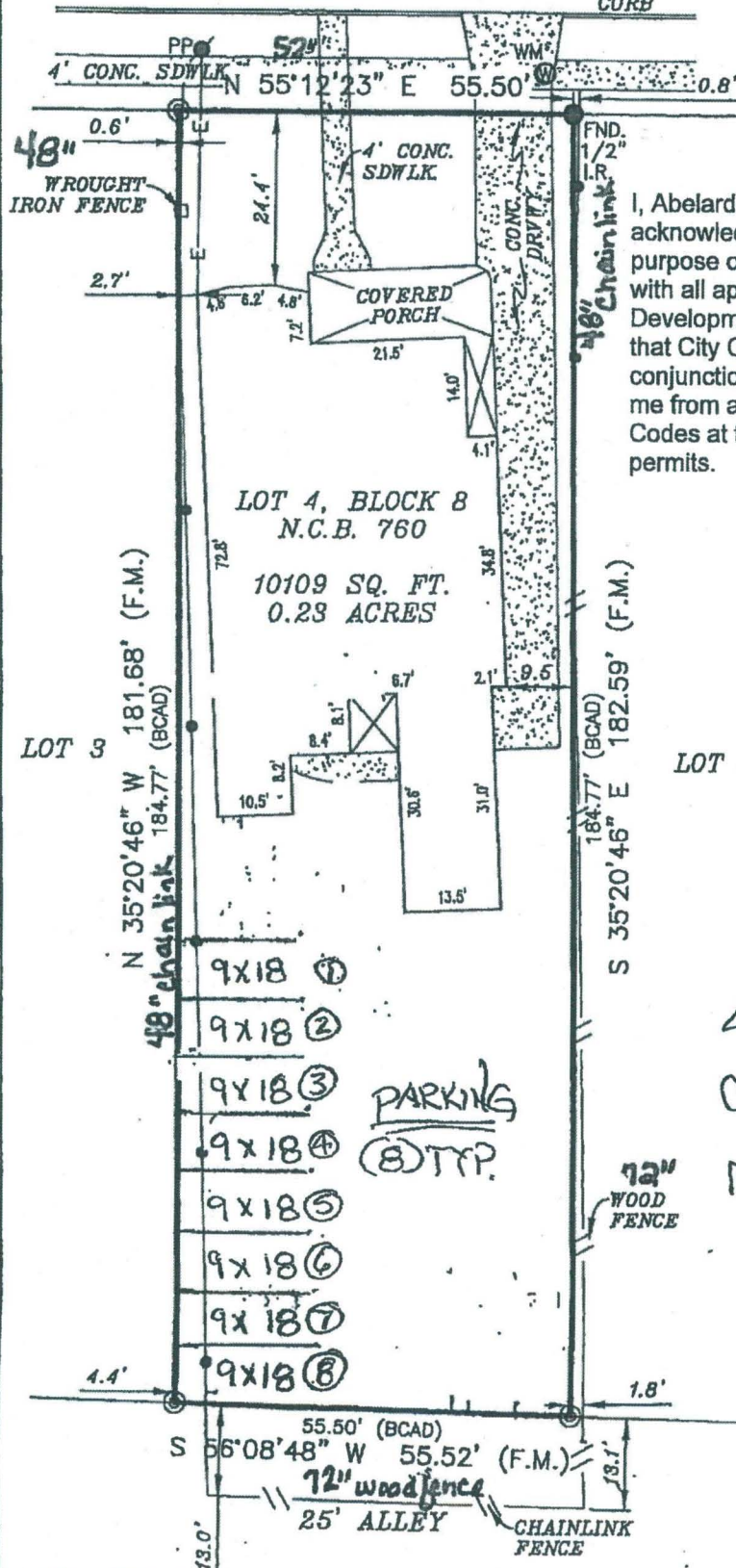
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# **Exhibit “A”**



22017167 CD

412 WARREN ST.  
(PUBLIC R.O.W.)



I, Abelardo Juarez, 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.

412 WARREN  
COGO INVESTMENTS  
MAY 11, 2017

Intended Use: Assisted Living facility for 16 or less residents

Exhibit "A"