

AN ORDINANCE 2019-02-21-0162

**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 0.2169 acres out of NCB 6138 from "MF-33 UC-2 NCD-6 AHOD" Multi-Family Broadway Urban Corridor Mahncke Park Neighborhood Conservation Airport Hazard and "MF-33 NCD-6 AHOD" Multi-Family Mahncke Park Neighborhood Conservation Airport Hazard to "MF-33 CD UC-2 NCD-6 AHOD" Multi-Family Broadway Urban Corridor Mahncke Park Neighborhood Conservation Airport Hazard Overlay District with Conditional Use for Professional Office and "MF-33 CD NCD-6 AHOD" Multi-Family Mahncke Park Neighborhood Conservation Airport Hazard Overlay District with Conditional Use for Professional Office.

**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.

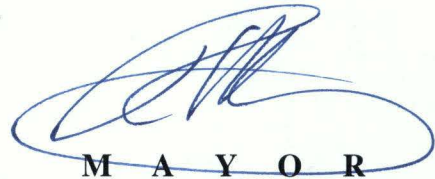
**SECTION 4.** The City council approves this Conditional Use so long as the attached site plan is adhered to. A site plan is attached as **Exhibit "B"** and made a part hereof and incorporated herein for all purposes.

**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.

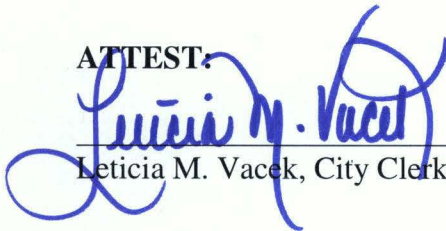
**SECTION 6.** The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

**SECTION 7.** This ordinance shall become effective March 3, 2019.


**PASSED AND APPROVED** this 21<sup>st</sup> day of February 2019.

  
**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-10 ( in consent vote: 28, 29, Z-1, Z-2, Z-3, P-2, Z-5, P-4, Z-7, Z-8, Z-10, Z-11, P-5, Z-12, Z-16, Z-17, Z-19 )</b>						
<b>Date:</b>	02/21/2019						
<b>Time:</b>	02:56:23 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	ZONING CASE # Z-2018-900075 CD (Council District 2): Ordinance amending the Zoning District Boundary from "MF-33 UC-2 NCD-6 AHOD" Multi-Family Broadway Urban Corridor Mahncke Park Neighborhood Conservation Airport Hazard and "MF-33 NCD-6 AHOD" Multi-Family Mahncke Park Neighborhood Conservation Airport Hazard to "MF-33 CD UC-2 NCD-6 AHOD" Multi-Family Broadway Urban Corridor Mahncke Park Neighborhood Conservation Airport Hazard Overlay District with Conditional Use for Professional Office and "MF-33 CD NCD-6 AHOD" Multi-Family Mahncke Park Neighborhood Conservation Airport Hazard Overlay District with Conditional Use for Professional Office on 0.2169 acres out of NCB 6138, located at 123 Parland Place. Staff and Zoning Commission recommend Approval.						
<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	
Art A. Hall	District 2		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				x
Clayton H. Perry	District 10		x				

SG/lj  
02/21/2019  
Item No. Z-10

# **EXHIBIT “A”**



Z-2018-900075 CD

**METES AND BOUNDS DESCRIPTION  
FOR A 0.216 ACRE TRACT OF LAND**

January 30, 2019

Being a 0.216 acre tract of land, more or less, consisting of the West 25 feet of Lot 40 and the East 37.5 feet of Lot 41, New City Block 6138, Mahncke Park Place, recorded in Vol. 642, Pg. 111, Deed and Plat Records of Bexar County, Texas and being more particularly described by metes and bounds as follows:

**BEGINNING:** at ½" iron rod found along the north Right-of-Way line of Parland Place (47' width) and the southwest corner of a tract, deeded to the City of San Antonio, Bexar County Appraisal District reference ID# 371470, for the southwest corner and the **POINT OF BEGINNING** of this tract;

**THENCE:** North 00°00'15" West, departing said Parland Place, a distance of 150.00 feet to a point being the northwest corner of this tract;

**THENCE:** North 90°00'00" East, a distance of 63.16 feet to a point for the northeast corner of this tract;

**THENCE:** South 00°15'03" West, a distance of 150.00 feet to an "X" found on a retaining along the north line of said Parland Place for the southeast corner of this tract;

**THENCE:** South 90°00'00" West, a distance of 62.51 feet to the **POINT OF BEGINNING** and containing a 0.216 acre tract of land, more or less, according to a survey made on the ground;

SouthCentral Surveyors of Texas



Peter A. Aguirre, R.P.L.S.

Registration No. 5464

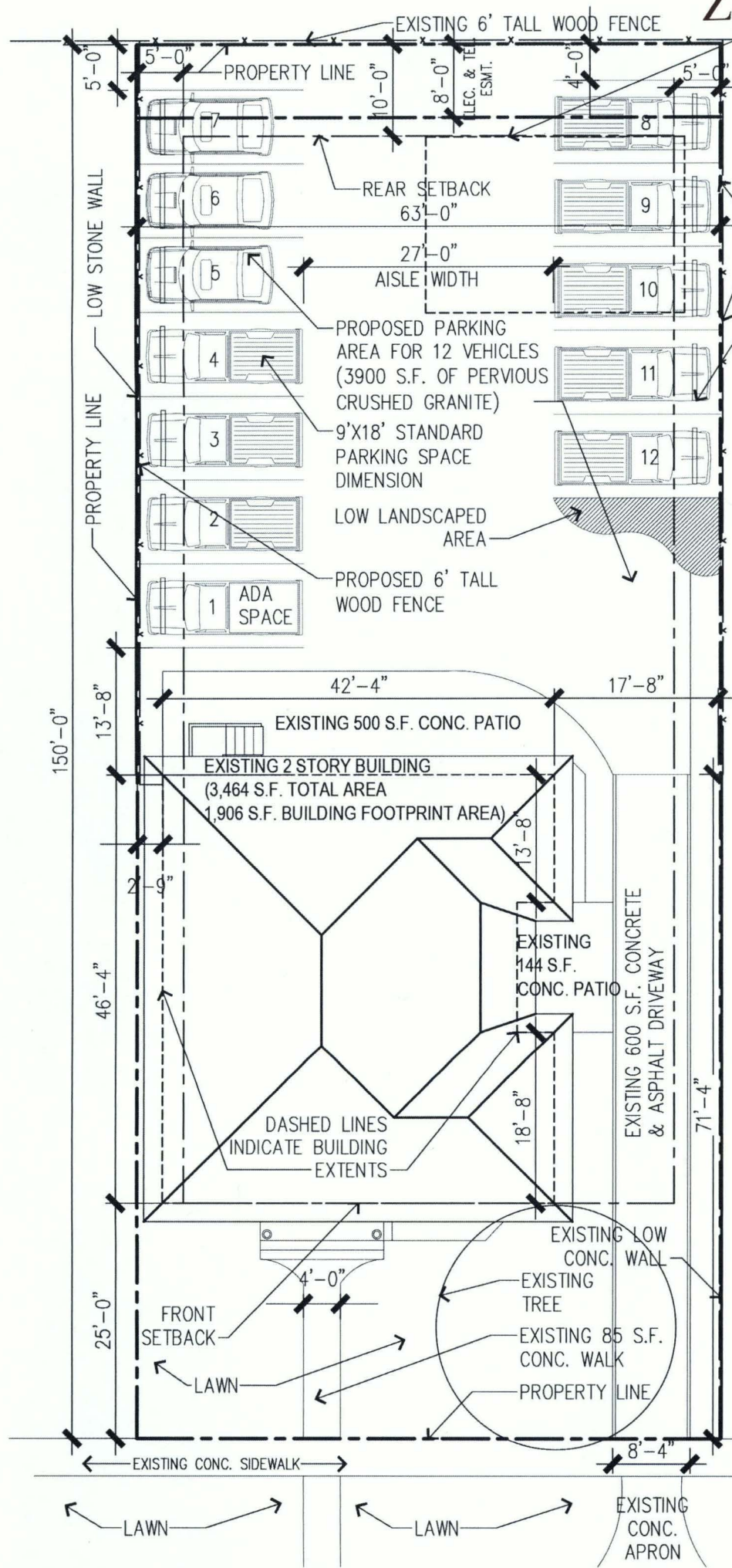
Job # 19-0014-001

A drawing of even job number and date was also prepared.

**Exhibit "A"**

SG/lj  
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# **EXHIBIT “B”**



DASHED LINES INDICATE FOOTPRINT OF EXISTING 648 S.F. GARAGE STRUCTURE, BUILT IN 1988, WHICH IS IN A CURRENT STATE OF DISREPAIR, AND IS TO BE REMOVED

PROPERTY LINE

EXISTING 6' TALL WOOD FENCE

COMMERCIAL PARKING BLOCKS AT ALL REQUIRED PARKING SPACES

123 Parland Pl.  
San Antonio, TX 78209

Current Zoning Designation: MF-33  
Proposed Zoning Designation: Base MF-33 to remain, Conditional Use Permit to allow of use as an Office.

Site Plan  
Drawing Scale:  $\frac{1}{16}'' = 1'-0''$

The proposed improvements to 123 Parland Pl, (the addition of rear parking & subsequent removal of the dangerous existing garage structure), are designed to accommodate it's proposed use as an office space

"*Timothy H. Brown*" 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

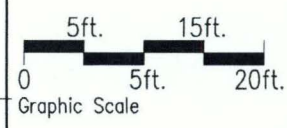


Exhibit "B"