

AN ORDINANCE 2019-05-02-0372

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 0.301 acres out of NCB 15586 from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District on 0.075 acres and "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay with Conditional Use for a Noncommercial Parking Lot on 0.226 acres.

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 no 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 hours operation shall not be permitted before 7:00 a.m. or after 6:00 p.m.

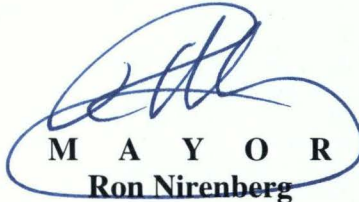
SECTION 5. The City council approves this Conditional Use so long as the attached site plan is adhered to. A site plan is attached as **Exhibit "B"** and made a part hereof and incorporated herein for all purposes.

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 May 12, 2019.

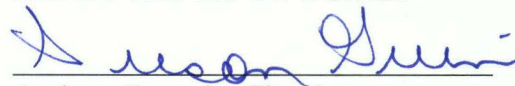
PASSED AND APPROVED this 2nd day of May, 2019.


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-5						
Date:	05/02/2019						
Time:	02:26:18 PM						
Vote Type:	Motion to Appr w Cond						
Description:	ZONING CASE # Z2018256 (Council District 6): Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District on Lot 15, Block 1, NCB 15586, located at 2311 Westward Drive. Staff recommends Denial, with an Alternate Recommendation. Zoning Commission recommends Denial. (Continued from April 18, 2019)						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ron Nirenberg	Mayor		x				
Roberto C. Treviño	District 1		x				
Art A. Hall	District 2		x				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				
Clayton H. Perry	District 10		x				

METES AND BOUNDS
For a 0.075 Acre Tract of Land

A **0.075 Acres** tract of land out of Lot 15, Block 1, New City Block 15586, **WESTWOOD VILLAGE SUBDIVISION UNIT 6**, recorded in Volume 4500, Page 164 of the Deed and Plat Records of Bexar County, Texas, being more particularly described by metes and bounds as follows:

BEGINNING: from a ½" iron pin found in a non-tangent curve in the North Right-of-Way line of **WESTWARD DRIVE** at the Southeast corner of said Lot 15, said point also being the Southwest corner of Lot 19, Block 1, New City Block 15586, **WESTWOOD VILLAGE SUBDIVISION UNIT 6 BSL**, recorded in Volume 9691, Page 140, of said Deed and Plat Records of Bexar County, Texas, for the Southeast corner of this tract;

THENCE: Along the North Right-of-Way line of said **WESTWARD DRIVE**, along said curve to the Left an arc distance of 22.70 feet, with a radius of 125.00 feet, central angle of 10° 24' 15", a chord of 22.67 feet bearing S 78° 14' 26" W to the Southwest corner of this tract;


THENCE: N 18°43'00"W, departing from the North Right-of-Way line of said **WESTWARD DRIVE**, a distance of **148.57 feet** to a point on the North line of said Lot 15, for the Northwest corner of this tract;

THENCE: N 89°30'00"E, a distance of **23.69 feet** to Northeast corner of said Lot 15, and of this tract;

THENCE: S 18°43'00"E (Bearing of Reference), a distance of **143.91 feet** to the **POINT OF BEGINNING**, and containing **0.075 Acres** of land more or less.

Job Number 13003

(Reference Bearing: Volume 9691, Page 140, D.P.R.)


Sia Sayyadi, R.P.L.S.
April 24, 2019

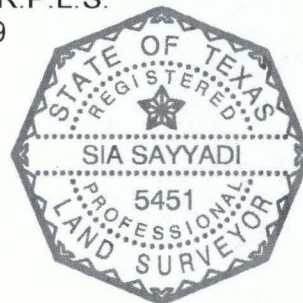


Exhibit "A"

METES AND BOUNDS
For a 0.226 Acre Tract of Land

A **0.226 Acres** tract of land out of Lot 15, Block 1, New City Block 15586, **WESTWOOD VILLAGE SUBDIVISION UNIT 6**, recorded in Volume 4500, Page 164 of the Deed and Plat Records of Bexar County, Texas, being more particularly described by metes and bounds as follows:

COMMENCING: from a ½" iron pin found in a non-tangent curve in the North Right-of-Way line of **WESTWARD DRIVE** at the Southeast corner of said Lot 15, said point also being the Southwest corner of Lot 19, Block 1, New City Block 15586, **WESTWOOD VILLAGE SUBDIVISION UNIT 6 BSL**, recorded in Volume 9691, Page 140, of said Deed and Plat Records of Bexar County, Texas, along said curve to the Left an arc distance of 22.70 feet, with a radius of 125.00 feet, central angle of 10° 24' 15", a chord of 22.67 feet bearing S 78° 14' 26" W to the **POINT OF BEGINNING**, and the Southeast corner of this tract;

THENCE: Continuing along the North Right-of-Way line of said **WESTWARD DRIVE**, along said curve to the Left an arc distance of 35.25 feet, with a radius of 125.00 feet, central angle of 16° 09' 19", a chord of 35.13 feet bearing S 64° 57' 40" W to the point of tangency;

THENCE: S 56°53'00"W, a distance of **7.03 feet** to the Southwest corner of said Lot 15, and of this tract;

THENCE: N 33°07'00"W, departing from the North Right-of-Way line of said **WESTWARD DRIVE**, a distance of **160.00 feet** to the Northwest corner of said Lot 15, and of this tract;

THENCE: N 56°53'00"E, a distance of **45.88 feet** to an angle point of said Lot 15, and of this tract;

THENCE: N 89°30'00"E, along the North line of said Lot 15, a distance of **39.02 feet** to Northeast corner of this tract;

THENCE: S 18°43'00"E (Bearing of Reference), a distance of **148.57 feet** to the **POINT OF BEGINNING**, and containing **0.226 Acres** of land more or less.

Job Number 13003

(Reference Bearing: Volume 9691, Page 140, D.P.R.)

Sia Sayyadi

Sia Sayyadi, R.P.L.S.

April 24, 2019



PROPOSED SOLID FENCE

N.C.B. 15586
BLOCK 1
LOT W. TRI. 117.71 FT.
OF 18

WESTWOOD VILLAGE
SUBDIVISION, UNIT 6
(Vol. 4500, Pg. 164 D.P.R.)

N.C.B. 15586
BLOCK 1
LOT E IRR 125 FT OF 1

Z2018256

WESTWOOD VILLAGE
SUBDIVISION, UNIT 6
(Vol. 4500, Pg. 164 D.P.R.)

N.C.B. 15586
BLOCK 1
LOT 15

PROPOSED
USE:
R-6 CD

9,835 SQ.FT.
= 0.226 ACRES

DRIVE THRU LANE

PROPOSED
USE:
C2 NA

3,282 SQ.FT.
= 0.075 ACRES

PROPOSED
BUILDING

4,450 S.F. ±
(Shaded Area)

DRIVE THRU LANE

BY PASS LANE

WESTWARD DR.
(50' R.O.W.)

W. MILITARY DR.
(86' RIGHT OF WAY)
(per Vol. 4500, Pg. 164 D.P.R.)

The case number Z2018256

Disclaimer statement:
"I, Reza Sehat, 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.

PRELIMINARY SITE PLAN
7011 W. MILITARY DR.
DD / BR

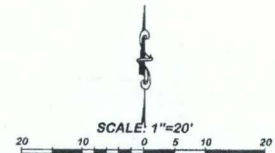


Exhibit "B"