

ORDINANCE 2019-11-07-0933

**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 0.354 acres out of NCB 495 from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Auto Rental.

**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.

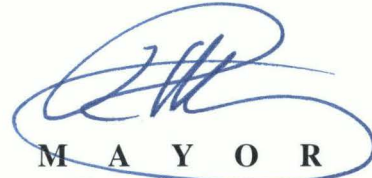
**SECTION 4.** The City council approves this Conditional Use so long as the attached site plan is adhered to. A site plan is attached as **Exhibit "B"** and made a part hereof and incorporated herein for all purposes.

**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.

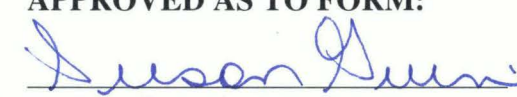
**SECTION 6.** The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

**SECTION 7.** This ordinance shall become effective November 17, 2019.

**PASSED AND APPROVED** this 7<sup>th</sup> day of November, 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-9 ( in consent vote: P-3, Z-9 )</b>   |                    |            |            |                |               |               |
|------------------------|--|--------------------|------------|------------|----------------|---------------|---------------|
| <b>Date:</b>           | 11/07/2019   |                    |            |            |                |               |               |
| <b>Time:</b>           | 02:31:55 PM  |                    |            |            |                |               |               |
| <b>Vote Type:</b>      | Motion to Approve  |                    |            |            |                |               |               |
| <b>Description:</b>    | ZONING CASE Z-2019-10700207 CD (Council District 2): Ordinance amending the Zoning District Boundary from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Auto Rental on 0.354 acres out of NCB 495, located at 1403 North Pine Street, 1405 North Pine Street and 527 Duval. Staff recommends Denial, with an Alternate Recommendation. Zoning Commission recommends Approval. (Associated Plan Amendment PA-2019-11600059) |                    |            |            |                |               |               |
| <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             |
| Jada Andrews-Sullivan  | District 2   |                    | x          |            |                | x             |               |
| Rebecca Viagran        | District 3   |                    | x          |            |                |               |               |
| Adriana Rocha Garcia   | District 4   |                    | x          |            |                |               |               |
| Shirley Gonzales       | District 5   |                    | x          |            |                |               |               |
| Melissa Cabello Havrda | 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          |            |                |               |               |

SG/lj  
11/07/2019  
# Z-9

# EXHIBIT “A”



**FIELD NOTES  
FOR**

A 0.354 acre (15,440 SF) tract, being out of the a portion of the north and the south 45.14 feet of Lot 14 and 15, Block 19, NCB 495 and the south ½ of Lots 10, 11, 12, and 13 Block 2, of NCB 495, San Antonio, Bexar County, Texas.

**BEGINNING:** At a an iron pin set, being the intersection of the West line of Pine Street and the North line of Duval Street, and being the Point of Beginning:

**THENCE:** Along the north right of way line of Duval Street, S 89°33'11" W, a distance of 171.04 feet to a set ½ iron pin for an angle point and being the most southwesterly corner of this tract;

**THENCE** Departing the north right of way line of Duval Street, N 00°26'49" W, a distance of 90.27 feet to a set ½" iron pin for an angle point and being the most northwesterly corner of this tract;

**THENCE:** Along the north line of this tract N 89°33'11" E, a distance of 171.04 feet to a set ½ iron pin for an angle point and being the most northeasterly corner of this tract and on the westerly right of way of Pine Street;

**THENCE:** Along the west right of way line of Pine Street, S 00°26'49" E, a distance of 90.27 feet to the Point of Beginning and containing 0.354 acres of land.

Job No.: 19-22

Date: October 4, 2019

Revised Date: October 11, 2019



*Thomas Flores*

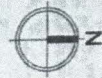
Exhibit "A"

SG/lj  
11/07/2019  
# Z-9

# EXHIBIT “B”



I, Kai Biton 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 with a rezoning case to any/all city adopt codes at the time of Plan Submittal for Building permits.



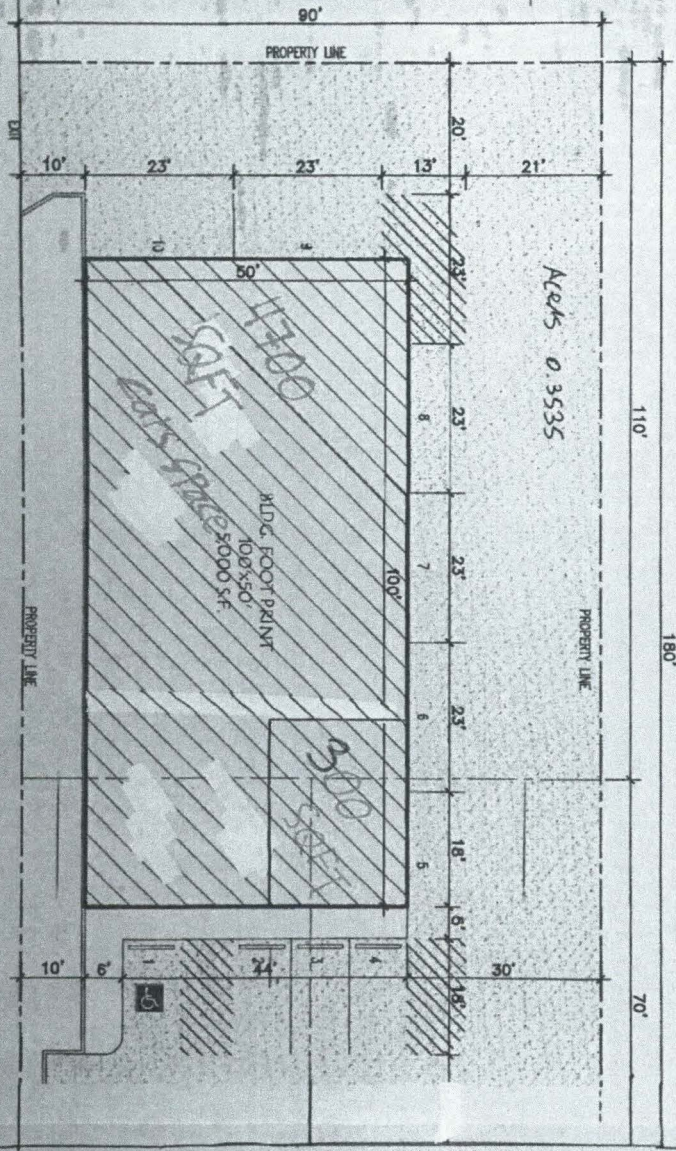
01

SITE PLAN  
1"=20'-0"

Z-2019-10700207 CD

Farm Residential single Family to commercial  
with a conditional use for Auto rental

DUVAL ST.



N. Pine ST.

Exhibit "B"