

AN ORDINANCE **99246**

**AMENDING CHAPTER 35 OF THE CITY CODE
THAT CONSTITUTES THE COMPREHENSIVE
ZONING ORDINANCE OF THE CITY OF SAN
ANTONIO BY CHANGING THE CLASSIFICATION
OF AND REZONING CERTAIN PROPERTY
DESCRIBED HEREIN.**

* * * * *

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Section 35-304 of the Unified Development Code which is Chapter 35 of the City Code and constitutes the comprehensive zoning ordinance of the City of San Antonio is hereby amended so that it shall hereafter include the following described changes of classification and the rezoning of the hereinafter designated property to-wit:

CASE NO. Z2004074 C

The rezoning and reclassification of property from C-2 NA C Commercial Nonalcoholic Sales District with conditional use for a Print Shop to C-2 NA C Commercial Nonalcoholic Sales District with conditional use for a contractors facility with outside storage on the property listed as follows:

Lot 1, Block 4, NCB 16051

SECTION 2. The City Council finds as follows:

- (1). Such use will not be contrary to the public interest.
- (2). Such use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district.
- (3). Such use will be in harmony with the spirit and purpose as set forth in Section 35-422, "Conditional Zoning" of the Unified Development Code.
- (4). The use will not substantially weaken the general purposes or the regulations as set forth in Section 35-422, "Conditional Zoning" of the Unified Development Code.
- (5) The use will not adversely affect the public health, safety and welfare.

SECTION 3. The City Council approves this Conditional Use Zoning so long as the following conditions are met:

- (1) There shall be no outside storage of heavy equipment.
- (2) Heavy equipment shall be defined as self-powered, self-propelled or towed mechanical devices, equipment and vehicles of the nature customarily used for agriculture, mining, industry, business, transportation, building, or construction; such as, tandem axle trucks,

NJH/sc [05/27/04]

Item L

backhoes, trenchers, loaders, tractors, bulldozers, graders, cranes, forklifts or similar like equipment.

SECTION 4. All other provisions of Chapter 35, as amended, shall remain in full force and effect, including the penalties for violations as made and provided in Section 35-491.

SECTION 5. The Director of Planning shall change the zoning records and maps in accordance herewith and the same shall be available and open to the public for inspection .

SECTION 6. This Ordinance is not severable.

PASSED AND APPROVED this 27th day of May, 2004.

Ron H. Brown
M A Y O R

ATTEST: *Jalanda L. Ledner*
City Clerk

APPROVED AS TO FORM: *[Signature]*
CITY ATTORNEY

04-21

MEETING OF THE CITY COUNCIL

ALAMODOME
ASSET MANAGEMENT
AVIATION
CITY ATTORNEY
MUNICIPAL COURT
REAL ESTATE (FASSNIDGE)
REAL ESTATE (WOOD)
RISK MANAGEMENT
CITY MANAGER
SPECIAL PROJECTS
CITY PUBLIC SERVICE - GENERAL MANAGER
CITY PUBLIC SERVICE - MAPS AND RECORDS
CODE COMPLIANCE
COMMERCIAL RECORDER
COMMUNITY INITIATIVES
CONVENTION AND VISITORS BUREAU
CONVENTION CENTER EXPANSION OFFICE
CONVENTION FACILITIES
COUNCIL OFFICES
CULTURAL AFFAIRS
CUSTOMER SERVICE/311 SYSTEM
DEVELOPMENT SERVICES
HOUSE NUMBERING
LAND DEVELOPMENT SERVICES
TRAFFIC & DRAINAGE PLAN REVIEW
ECONOMIC DEVELOPMENT
ENVIRONMENTAL SERVICES
SOLID WASTE
EXTERNAL RELATIONS
PUBLIC INFORMATION OFFICE
FINANCE - DIRECTOR
FINANCE - ASSESSOR
FINANCE - CONTROLLER
FINANCE - GRANTS
FINANCE - PUBLIC UTILITIES SUPERVISOR
FINANCE- TREASURY
FIRE DEPARTMENT
HOUSING AND COMMUNITY DEVELOPMENT
HUMAN RESOURCES (PERSONNEL)
INFORMATION SERVICES
INTERNAL REVIEW
INTERNATIONAL AFFAIRS
LIBRARY
MANAGEMENT & BUDGET (OFFICE OF) OMB
MAYOR'S OFFICE
METROPOLITAN HEALTH DISTRICT
MUNICIPAL CODE CORPORATION
MUNICIPAL COURT
NEIGHBORHOOD ACTION
PARKS AND RECREATION
MARKET SQUARE
YOUTH INITIATIVES
PLANNING DEPARTMENT -NEIGHBORHOOD PLNG;
URBAN DESIGN/HISTORIC PRESERVATION
DISABILITY ACCESS OFFICE
POLICE DEPARTMENT
GROUND TRANSPORTATION
PUBLIC WORKS DIRECTOR
CAPITAL PROJECTS
CENTRAL MAPPING
ENGINEERING
PARKING DIVISION
REAL ESTATE DIVISION
TRAFFIC ENGINEERING
PURCHASING AND GENERAL SERVICES
SAN ANTONIO WATER SYSTEMS (SAWS)
VIA

AGENDA ITEM NUMBER: 5L

DATE: MAY 27 2004

MOTION: Castro Barrera

ORDINANCE NUMBER: 99246

RESOLUTION NUMBER: _____

ZONING CASE NUMBER: Z2004-074 C

TRAVEL AUTHORIZATION: _____

NAME	ROLL	AYE	NAY
ROGER O. FLORES JR. District 1		<i>absent</i>	
JOEL WILLIAMS District 2		<i>/</i>	
RON SEGOVIA District 3		<i>/</i>	
RICHARD PEREZ District 4		<i>/</i>	
PATTI RADLE District 5		<i>/</i>	
ENRIQUE M. BARRERA District 6		<i>/</i>	
JULIAN CASTRO District 7		<i>/</i>	
ART A. HALL District 8		<i>- /</i>	
CARROLL SCHUBERT District 9		<i>/</i>	
CHRISTOPHER "CHIP" HAASS District 10		<i>/</i>	
EDWARD D. GARZA Mayor		<i>absent</i>	

Staff Recommendation: Approval

Zoning Commission Recommendation: Approval

Approved by CD NAC w/conditions as noted on attachment

04-21

Affidavit of Publisher

PUBLIC NOTICE

AN ORDINANCE 99246

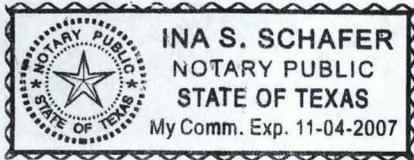
AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: Lot 1, Block 4, NCB 16051 From C-2 NA C Commercial Nonalcoholic Sales District with conditional use for a Print Shop to C-2 NA C Commercial Nonalcoholic Sales District with conditional use for a contractors facility with outside storage. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".
6/9

STATE OF TEXAS,
COUNTY OF BEXAR
CITY OF SAN ANTONIO

Before me, the undersigned authority, on this day personally appeared Helen I. L. by me duly sworn, says on oath that she is Publisher of the Commercial Recorder, a newspaper circulation in the City of San Antonio, in the State and County aforesaid, City of San Antonio-City Clerk-Ordinance 99246 hereto attached has been published in every issue of said newspaper on the following days, to-wit: June 9, 2004.

Helen I. L. [Signature]

Sworn to and subscribed before me this 9th day of June, 2004.



Ina S. Schaffer [Signature]

Notary Public in and for Bexar County, Texas

*Conditionally
Presented by
Councilman
Carter 52*

Zoning May 27, 2004

L. Z2004074: request for a change from "C-2 NA C" Commercial Non alcoholic Sales District with a conditional use for a print shop to "C-2 NA C" Commercial Nonalcoholic Sales District with a conditional use for a contractors facility with outside storage, 8531 Leslie Rd. Staff and Zoning Commission recommend approval.

Motion for approval of C-2 NA C Commercial Nonalcoholic Sales District with conditional use for a contractors facility with outside storage with the following condition:

There shall be no outside storage of heavy equipment. Heavy equipment shall be defined as self-powered, self-propelled or towed mechanical devices, equipment and vehicles of the nature customarily used for agriculture, mining, industry, business, transportation, building, or construction; such as, tandem axle trucks, backhoes, trenchers, loaders, tractors, bulldozers, graders, cranes, forklifts or similar like equipment.

Unfortunately this definition is not in our code otherwise you could just reference the section of the code. Staff will be working on some amendments to the zoning code including adding some definitions. This will be one of them.

CASE NO: Z2004074 C

Staff and Zoning Commission Recommendation - City Council

City Council continuance from May 13, 2004

Date: May 27, 2004

Zoning Commission Meeting Date: April 06, 2004

Council District: 7

Ferguson Map: 546 C8

Appeal: No

Applicant:

Kaufman & Associates, Inc.

Owner:

South Texas Contracting Partners

Zoning Request: From C-2 NA C Commercial Nonalcoholic Sales District with conditional use for a Print Shop to C-2 NA C Commercial Nonalcoholic Sales District with conditional use for a contractors facility with outside storage

Lot 1, Block 4, NCB 16051

Property Location: 8531 Leslie Road

Proposal: To allow office for contracting company with some outside storage

Neighborhood Association: None

Neighborhood Plan: None

TIA Statement: A traffic impact analysis is not required

Staff Recommendation:

Approval. The property is surrounded by "C-3" zoning and uses except to the north, which is ranch land and "R-6" zoning. To the rear of the property is a mini-storage facility and to the south is a large garden supply company. The subject property is currently zoned "C-2 NA C" Commercial Nonalcoholic Sales District with conditional use for a Print Shop. The requested zoning is to change the conditional use to a contractor's facility with outside storage. The Outdoor Storage Standards in the Unified Development Code will require appropriate screening and buffering to adjacent properties. The proposed conditional use is consistent with other uses in the immediate area.

Zoning Commission Recommendation:

Approval

VOTE

FOR 10

AGAINST 0

ABSTAIN 0

RECUSAL 0

CASE MANAGER : Richard Ramirez 207-5018

Z2004074 C

ZONING CASE NO. Z2004074 C – April 6, 2004

Applicant: Kaufman & Associates, Inc.

Zoning Request: “C-2 NA C” Commercial Nonalcoholic Sales District with conditional use for a Print Shop to “C-2 NA” C Commercial Nonalcoholic Sales District with conditional use for a contractor’s facility with outside storage

Rob Killen, 100 W. Houston, representing the owner, stated they are requesting this change in zoning to allow office for contracting company with some outside storage.

Staff stated there were 3 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

COMMISSION ACTION

The motion was made by Commissioner Sherrill and seconded by Commissioner Dutmer to recommend approval

1. Property is located on Lot 1, Block 4, NCB 16051 at 8531 Leslie Road
2. There were 3 notices mailed, 0 returned in opposition and 0 in favor.
3. Staff recommends approval.

AYES: Martinez, Grau, Cardenas-Gamez, Kissling, Dutmer, Dixson, Sherrill, Avila, Stribling, Peel

NAYS: None

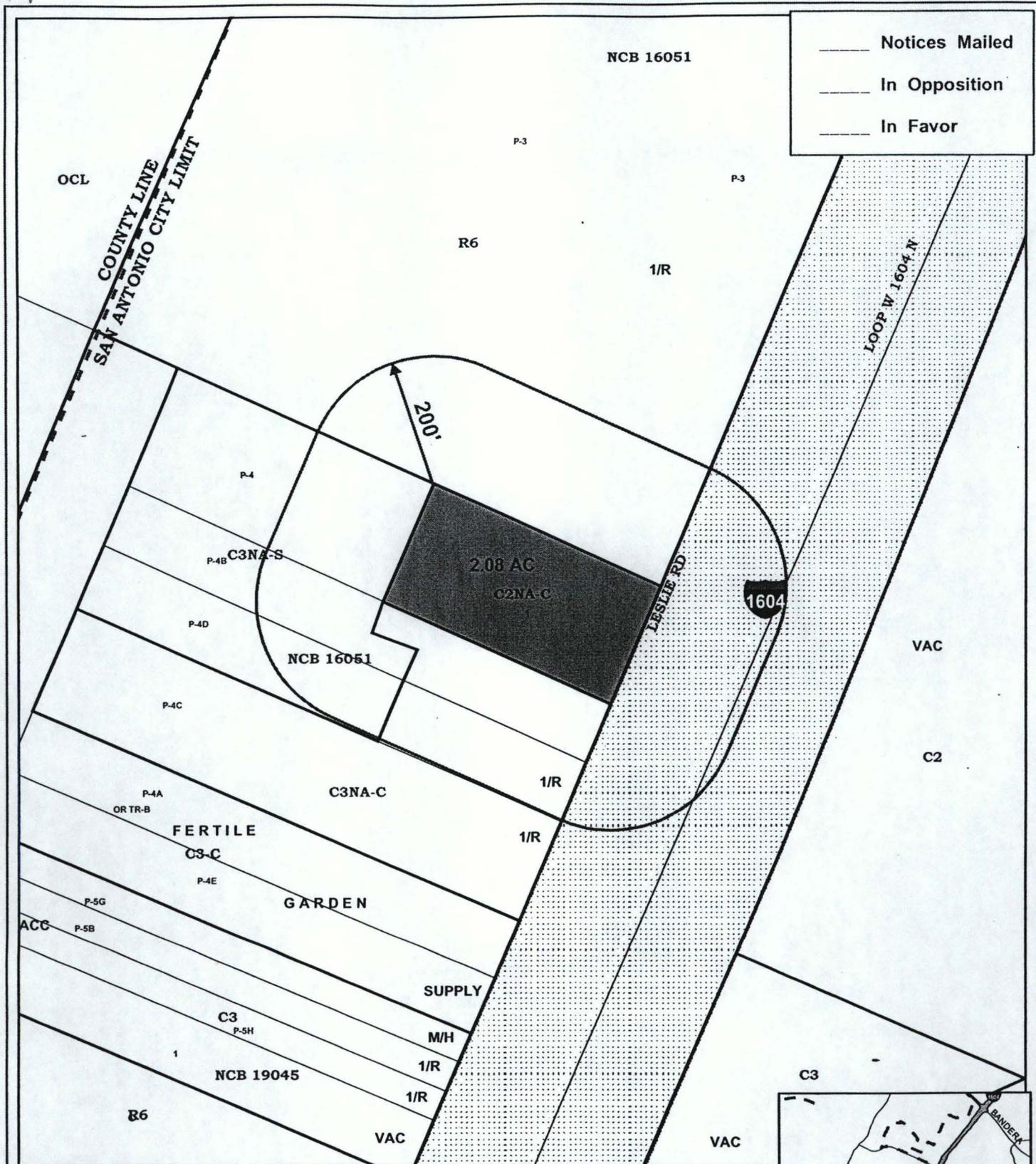
THE MOTION CARRIED.

RESULTS OF COUNCIL HEARING May 13, 2004

City Council granted a continuance until May 27, 2004

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.



_____ Notices Mailed
 _____ In Opposition
 _____ In Favor

ZONING CASE: Z2004-074 C

City Council District NO. 7
 Requested Zoning Change
 From: "C-2NA C" To "C-2NA C"
 Date: May 27, 2004
 Scale: 1" = 200'

Subject Property
 200' Notification

C-8
p.546



C:\APR_6_2004

