

AN ORDINANCE 2009-12-03-0989

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.

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WHEREAS, a public hearing was held 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 8, Block 2, NCB 15329 from "C-3" General Commercial District and "C-3 GC-2" General Commercial Highway 151 Gateway Corridor Overlay District to "C-3 S" General Commercial District with a Specific Use Authorization for a Pay-Day Loan Agency and "C-3 GC-2 S" General Commercial Highway 151 Gateway Corridor Overlay District with a Specific Use Authorization for a Pay-Day Loan Agency.

SECTION 2. The City Council finds as follows:

- A. The specific use will not be contrary to the public interest.
- B. The specific use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district.
- C. The specific use will be in harmony with the spirit and purpose as set forth in Section 35-423, Specific Use Authorization, of the Unified Development Code.
- D. The conditional use will not substantially weaken the general purposes or the regulations as set forth in Section 35-423, Specific Use Authorization, of the Unified Development Code.
- E. The specific use will not adversely affect the public health, safety and welfare.

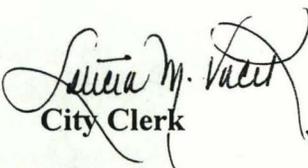
SECTION 3. The City council approves this Specific Use Authorization so long as the attached site plan is adhered to. A site plan is attached as **Exhibit "A"** and made a part hereof and incorporated herein for all purposes.

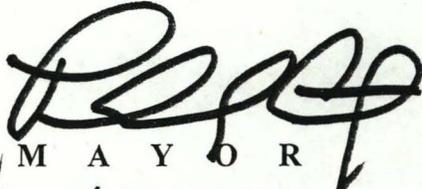
SECTION 4. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35 -491.

SECTION 5. The Director of Planning and 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 6. This ordinance shall become effective December 13, 2009.

PASSED AND APPROVED this 3rd day of December 2009.

ATTEST: 
City Clerk

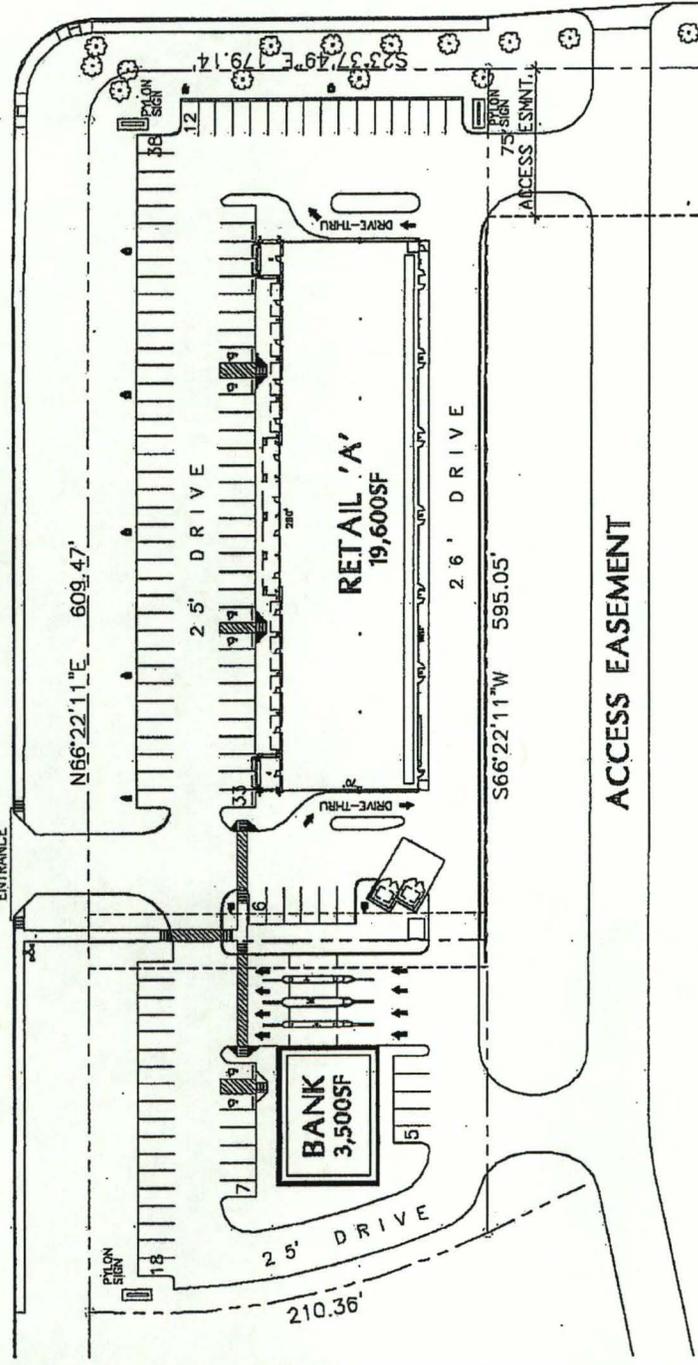

M A Y O R
for JULIÁN CASTRO

APPROVED AS TO FORM: 
for City Attorney

Agenda Item:	Z-2 (in consent vote: Z-1, Z-2)						
Date:	12/03/2009						
Time:	03:37:16 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2010001 S (District 6): An Ordinance amending the Zoning District Boundary - from "C-3" General Commercial District and "C-3 GC-2" General Commercial Highway 151 Gateway Corridor Overlay District to "C-3 S" General Commercial District with a Specific Use Authorization for a Pay-Day Loan Agency and "C-3 GC-2 S" General Commercial Highway 151 Gateway Corridor Overlay District with a Specific Use Authorization for a Pay-Day Loan Agency on Lot 8, Block 2, NCB 15329 located at 8802 Potranco Road. Staff and Zoning Commission recommend approval.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor	x					
Mary Alice P. Cisneros	District 1		x				x
Ivy R. Taylor	District 2		x				
Jennifer V. Ramos	District 3		x				
Philip A. Cortez	District 4		x				
David Medina Jr.	District 5		x				
Ray Lopez	District 6	x					
Justin Rodriguez	District 7		x			x	
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x				
John G. Clamp	District 10		x				

RICHLAND HILLS DR.
(RIGHT-OF-WAY VARIES)

POTRANCO ROAD
(120' RIGHT-OF-WAY)



CONCEPTUAL SITE DEVELOPMENT PLAN

SCALE GRAPHIC



NOTE:

THIS CONCEPTUAL SITE PLAN IS FOR MARKETING PURPOSES ONLY, AND HAS BEEN PREPARED FOR CLIENT BASED UPON PRELIMINARY AVAILABLE SITE INFORMATION DEEMED RELIABLE. ALL DIMENSIONS, GRADES, AND AREA CALCULATIONS ARE SUBJECT TO VERIFICATION AND MODIFICATION BY A PROFESSIONAL CIVIL ENGINEER FOR COMPLIANCE WITH ALL NATIONAL, STATE, AND LOCAL REGULATIONS.

SITE TABULATIONS

SITE AREA:	+/-2.9 AC. (TOTAL)
BUILDING AREA:	
RETAIL 'A'	19,600 SF
BANK	3,500 SF
TOTAL:	23,100 SF
PARKING:	
PROVIDED:	
RETAIL 'A'	89 SPACES
BANK	30 SPACES
TOTAL:	119 SPACES

The intended use of the property is for retail and service oriented business, including but not limited to a pay day loan agency.

The following statement: "I, Potranco Richland Hills LP, 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.

AFFIDAVIT OF PUBLICATION

Before me, the undersigned authority, on this day personally appeared Helen I. Lutz, who being by me duly sworn, deposes and says that she is the Publisher of *The Hart Beat*; that said newspaper is generally circulated in San Antonio, Bexar County, Texas; that the attached notice was published in said newspaper on the following date(s):

December 7, 2009

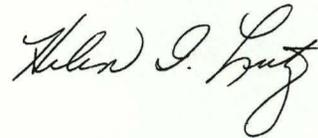
Subscribed and sworn to before me this 7th day of December, 2009, to certify which witness my hand and seal of office.

PUBLIC NOTICE

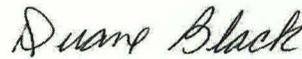
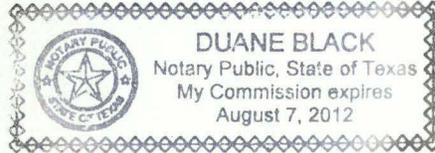
**AN ORDINANCE
2009-12-03-0989**

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 8, Block 2, NCB 15329 TO WIT: From "C-3" General Commercial District and "C-3 GC-2" General Commercial Highway 151 Gateway Corridor Overlay District to "C-3 S" General Commercial District with a Specific Use Authorization for a Pay-Day Loan Agency and "C-3 GC-2 S" General Commercial Highway 151 Gateway Corridor Overlay District with a Specific Use Authorization for a Pay-Day Loan Agency provided all conditions imposed by the City Council are adhered to. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

12/7



Helen I. Lutz, Publisher



Notary Public in and for the State of Texas

Duane Black

Name of Notary

My commission expires August 7, 2012