

AN ORDINANCE 2008-08-07-0674

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 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 Lots 21 and 36, Block B, NCB 11512 from "R-5" Residential Single-Family District to "R-5 S" Residential Single-Family District with a Specific Use Authorization for a Private University.

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 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 August 17, 2008.

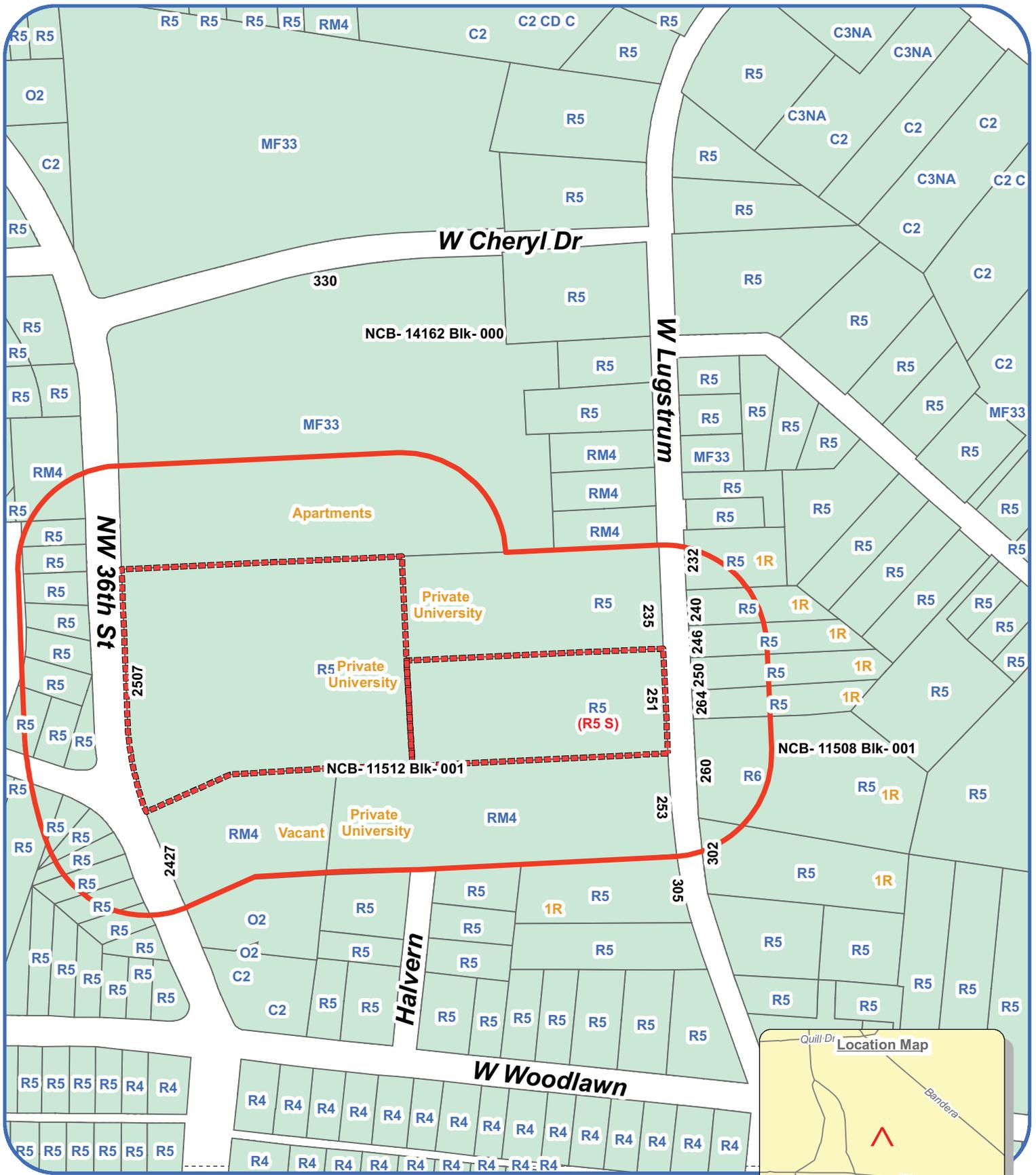
PASSED AND APPROVED this 7th day of August 2008.


M A Y O R

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
For City Attorney

Agenda Item:	Z-8 (in consent vote: Z-1, Z-4, Z-5, Z-6, Z-8, Z-9, Z-10, P-1, Z-13, Z-14, Z-15, Z-16)						
Date:	08/07/2008						
Time:	05:21:01 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2008203 S (District 7): An Ordinance amending the Zoning District Boundary from "R-5" Residential Single-Family District to "R-5 S" Residential Single-Family District with a Specific Use Authorization for a Private University on Lots 21 and 36, Block B, NCB 11512 located at 251 Ligustrum. Staff and Zoning Commission recommend approval.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Phil Hardberger	Mayor		x				
Mary Alice P. Cisneros	District 1		x				
Sheila D. McNeil	District 2		x				
Jennifer V. Ramos	District 3		x				
Philip A. Cortez	District 4		x				
Lourdes Galvan	District 5		x			x	
Delicia Herrera	District 6	x					
Justin Rodriguez	District 7		x				
Diane G. Cibrian	District 8		x				x
Louis E. Rowe	District 9		x				
John G. Clamp	District 10		x				



Zoning Case Notification Plan

Case Z-2008-203 S

Council District 7

Scale: 1" approx. = 250'

Subject Property Legal Description(s): Lot: 21 and 36 Blk: B NCB: 11512

Legend

- Subject Property (8.705 Acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(6/24/2008)

EXHIBIT A

Z2008203

THE FAMILY LIFE CENTER

BUILDING SQUARE FOOTAGE
FIRST FLOOR 3,800
SECOND FLOOR 5,600
TOTAL: 14,400 SF

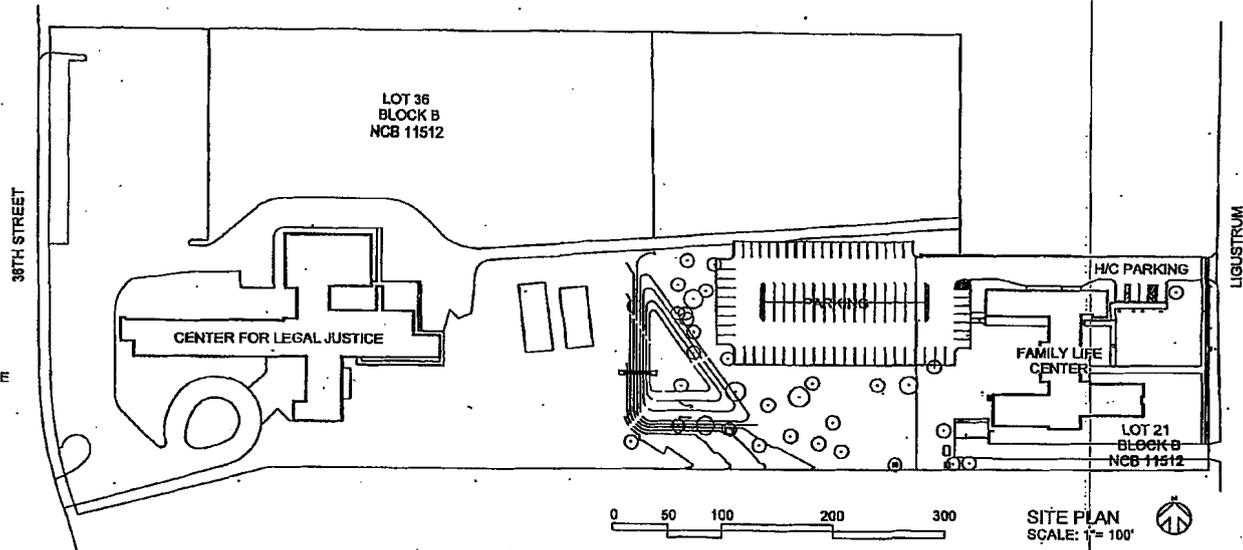
PARKING SPACES
(ALL AISLES ARE 25' WIDE)

NEW PARKING
STANDARD (8 X 18): 53
COMPACT (8 X 16): 27
H/C (8 X 18): 4
EXISTING: 3
TOTAL SPACES: 97

THE CENTER FOR LEGAL JUSTICE

BUILDING SQUARE FOOTAGE
TOTAL: 28,000 SF

PARKING SPACES
TOTAL SPACES: 105



LOTS 21 AND 36 ARE PART OF
AN AMENDING PLAT OF
WOODLAWN HILLS
BEING LOTS 21, 22 AND 36, BLOCK "B", NCB 11512,
SAN ANTONIO, BEXAR COUNTY, TEXAS, RECORDED IN
VOLUME 642, PAGE 94, DEED AND PLAT RECORDS,
BEXAR COUNTY, TEXAS

PROJECT DESCRIPTION: FAMILY LIFE CENTER

THE BUILDING ON LIGUSTRUM IS A WOOD FRAME STRUCTURE THAT IS
CURRENTLY BEING USED AS A CONVENT BY THE MARIANIST SISTERS.

ST. MARY'S UNIVERSITY INTENDS TO USE THE BUILDING
FOR A GRADUATE STUDIES PROGRAM. THE SPACES WILL BE
USED FOR FACULTY AND STAFF OFFICES, THERAPY ROOMS
AND CLASSROOMS.

THE SITE IS NOT LOCATED IN THE ERZD.

THE AREA OF ALL PAVED OR OTHERWISE HARD SURFACES IS 46,200 SF

THE SETBACKS ON THIS PROPERTY ARE:

FRONT: 10'
SIDE: 5'
BACK: 10'

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AFFIDAVIT OF PUBLICATION

(COUNTY OF BEXAR)
(STATE OF TEXAS)

I, Lynette Nelson do solemnly swear that the notice was published 1 time(s) in the following publication(s):

Daily Commercial Recorder

A free weekly newspaper of general circulation published at San Antonio, Bexar County, Texas on the following dates:

August 11, 2008

Lynette Nelson

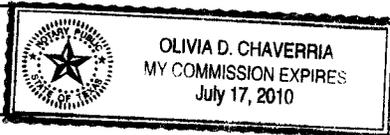
Lynette Nelson

Subscribed and sworn before me, this
8th day of December, 2008

Olivia D. Chaverria

NOTARY PUBLIC SIGNATURE

Olivia D. Chaverria
Notary Public Printed/Typed Name
My Commission Expires: 07/17/2010



PUBLIC NOTICE

AN ORDINANCE 2008-08-07-0674

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: Lots 21, 22 and 36, Block B, NCB 11512 TO WIT: From "R-5" Residential Single-Family District to "R-5 S" Residential Single-Family District with a Specific Use Authorization for a Private University provided all conditions imposed by the City Council are adhered to. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".
8/11



**CITY OF SAN ANTONIO
Request for Council Action**

Agenda Item # Z-8
Council Meeting Date: 8/7/2008
RFCAs Tracking No: R-3624

DEPARTMENT: Development Services

DEPARTMENT HEAD: Roderick Sanchez

COUNCIL DISTRICT(S) IMPACTED:
Council District 7

SUBJECT:
Zoning Case Z2008203 S

SUMMARY:
From "R-5" Residential Single-Family District to "R-5 S" Residential Single-Family District with a Specific Use Authorization for a Private University.

BACKGROUND INFORMATION:
Zoning Commission Meeting Date: July 15, 2008

Applicant: St. Mary's University
Owner: Dr. Charles Cotrell

Property Location: 251 West Ligustrum

Lots 21 and 36, Block B, NCB 11512

The west side of West Ligustrum bound by West Cheryl Drive to the north and West Woodlawn to the south

Proposal: To allow a private university

Neighborhood Association: University Park Neighborhood Association

Neighborhood Plan: None

TIA Statement: A Traffic Impact Analysis(TIA) is not required.

ISSUE:
None.

ALTERNATIVES:

A denial of the request will result in the subject property retaining the current "R-5" Residential Single Family District zoning, restricting future land use to single family detached dwellings at a maximum of 9 units per acre.

FISCAL IMPACT:

None. The applicant has paid the required zoning fees.

RECOMMENDATION:

Staff and Zoning Commission (11-0) recommend approval.

The subject property consists of the St. Mary's University Counseling and Family Life Center along the west Right-of-way line of West Ligustrum and the St. Mary's University Center for Legal Justice along the east right of way line of NW 36th Street. The subject properties are encompassed by residential zonings districts; "R-5" and "R-6" Residential Single Family District, "RM-4" Residential Mixed District and "MF-33" Multi-Family District.

The applicant is requesting the "R-5 S" to permit the relocation of the Graduate School Counseling and PHD Counseling and Family Therapy Programs to the 251 W. Ligustrum property. In addition, the "R-5 S" zoning is being requested for the University Center for Legal Justice at 2507 NW 36th Street. The rezoning of the NW 36th Street location is necessary in order to provide for the most appropriate zoning for the current land use; thus protecting the property owner from future non-conforming uses.

Seeing that for many years the uses on the property were for the university functions and that the proposed uses are a continuation, the "R-5 S" zoning is appropriate at the location and would not impact the health, safety and welfare of the area. The site plan does indicate that a landscape buffer will be provided for the parking lot located on the lot fronting W. Ligustrum, therefore limiting any negative impact to adjacent properties.

ATTACHMENT(S):

File Description	File Name
Zoning map	Z2008203.pdf
Zoning Commission Minutes	Z2008203 S.pdf
Site Plan	Z2008203 S Site Plan.pdf
Voting Results	
Ordinance/Supplemental Documents	200808070674.pdf

DEPARTMENT HEAD AUTHORIZATIONS:

Roderick Sanchez Director Development Services

APPROVED FOR COUNCIL CONSIDERATION:

T.C. Broadnax Assistant City Manager