

AN ORDINANCE 2009-06-18-0534

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 the south 54.9 feet of the north 108.9 feet of Lots 13, 14 and 15, Block 24, NCB 2094 from "I-1" General Industrial District to "C-2 NA CD" Commercial District, Nonalcoholic Sales with a Conditional Use for Motor Vehicle Sales.

SECTION 2. 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 3. The City Council finds that the following conditions shall be met to insure compatibility with the surrounding properties:

- A. A six-foot tall, solid screen fence shall be maintained where the subject property abuts residential zoning or uses;
- B. A 15-foot, Type B landscape buffer shall be required where the subject property abuts residential zoning or uses;
- C. All on-site lighting shall be directed onto the site and point away from any residential zoning or uses using 90-degree or less cut-off fixtures;

- D. Business or office hours of operation shall not be permitted before 7:00 a.m. or after 7:00 p.m.;
- E. Not more than ten vehicles shall be on site, for sale, at any given time.

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 "A" and made a part hereof and incorporated herein for all purposes.

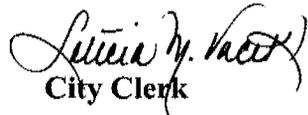
SECTION 5. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35 -491.

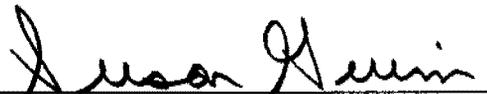
SECTION 6. The Director of Planning and Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 7. This ordinance shall become effective June 28, 2009.

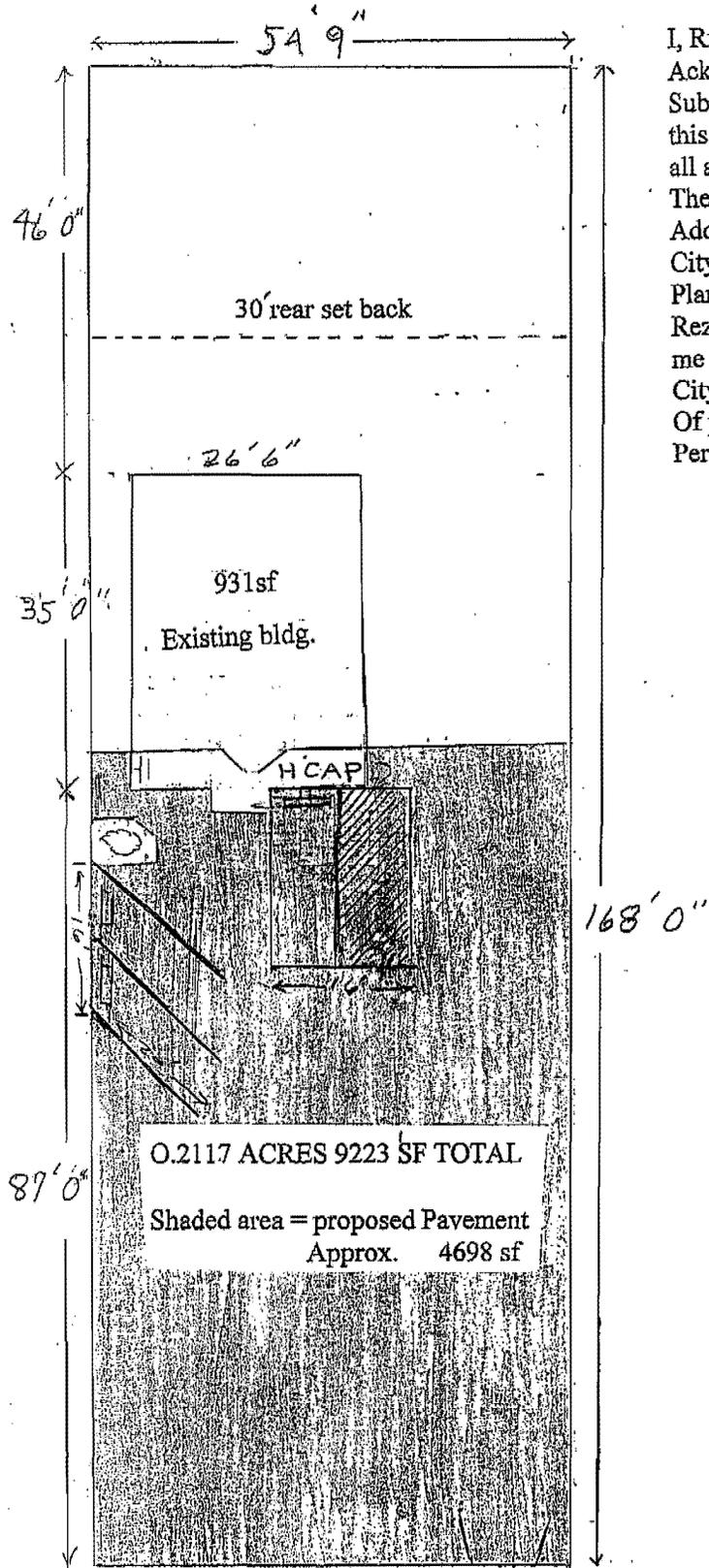
PASSED AND APPROVED this 18th day of June 2009.


M A Y O R

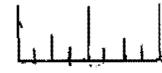
ATTEST: 
City Clerk

APPROVED AS TO FORM: 
City Attorney
fa

Agenda Item:	Z-2						
Date:	06/18/2009						
Time:	03:05:55 PM						
Vote Type:	Motion to Appr w Cond						
Description:	ZONING CASE # Z2009095 CD (District 1): An Ordinance amending the Zoning District Boundary from "I-1" General Industrial District to "C-2 NA CD" Commercial District, Nonalcoholic Sales with a Conditional Use for Motor Vehicle Sales on the south 54.9 feet of the north 108.9 feet of Lots 13, 14 and 15, Block 24, NCB 2094 located at 1506 North Zarzamora. Staff recommends Approval with conditions. The Zoning Commission recommendation pending June 16, 2009 public hearing.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julian Castro	Mayor		x				
Mary Alice P. Cisneros	District 1		x			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
Ray Lopez	District 6		x				
Justin Rodriguez	District 7		x				
Diane G. Cibrian	District 8		x				
Elisa Chan	District 9		x				
John G. Clamp	District 10	x					



I, Rudy R. Rivas, property owner, Acknowledge that this site plan Submitted for The purpose of rezoning this Property 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 bldg. Permits.



scale: 1' = 16 feet

1506 N. ZARZAMORA
 0.2117 ACRES
 The south 54.9 feet of the north 108.9 feet of
 Lots 13, 14 and 15 -- Block 24 -- NCB 2094

Total impervious area 5629 sf

Intended use is auto sales



Zoning Case Notification Plan

Case Z2009095 CD

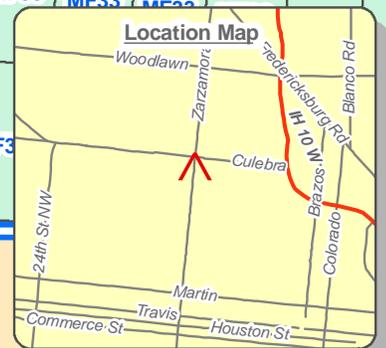
Council District 1

Scale: 1" approx. = 100 Feet

Subject Property Legal Description(s): NCB 02094 - Block 024 - The South 54.9 feet of the North 108.9 feet of Lots 13, 14, and 15

Legend

- Subject Property (0.2117 Acres)
- 200' Notification Buffer
- Current Zoning TEXT
- Requested Zoning Change TEXT
- 100-Year FEMA Floodplain



Planning & Development Services Dept
 City of San Antonio
 (04/28/2009 - E Hart)

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):

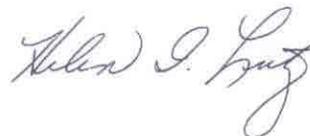
June 22, 2009

Subscribed and sworn to before me this 22nd day of June, 2009, to certify which witness my hand and seal of office.

PUBLIC NOTICE

AN ORDINANCE
2009-06-18-0534

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: The south 54.9 feet of the north 108.9 feet of Lots 13, 14 and 15, Block 24, NCB 2094 TO WIT: From "I-1" General Industrial District to "C-2 NA CD" Commercial District, Nonalcoholic Sales with a Conditional Use for Motor Vehicle Sales provided all conditions imposed by the City Council are adhered to. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".
6/22



Helen I. Lutz, Publisher



Notary Public in and for the State of Texas

Duane Black

Name of Notary

My commission expires August 7, 2012