

AN ORDINANCE **101554**

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 1, Block 1, NCB 13667 from "R-6" Residential Single-Family District to "C-2" Commercial District.

SECTION 2. 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 3. The Director of Planning 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 4. This ordinance shall become effective on October 23, 2005.

PASSED AND APPROVED this 13th day of October, 2005.

M A Y O R

ATTEST:
City Clerk

APPROVED AS TO FORM:
City Attorney

Agenda Voting Results

Name: Z-12.

Date: 10/13/05

Time: 02:20:45 PM

Vote Type: Multiple selection

Description: ZONING CASE #Z2005214 (District 8): An Ordinance changing the zoning district boundary from "R-6" Residential Single-Family District to "C-2" Commercial District on Lot 1, Block 1, NCB 13667, 9519 Fredericksburg Road as requested by Jennifer Smith and Sherri Lemons, Applicant, for Howard and Sharon Short, Owner(s). Staff has recommended approval and Zoning Commission has recommended approval.

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
SHEILA D. MCNEIL	DISTRICT 2		x		
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
DELICIA HERRERA	DISTRICT 6		x		
ELENA K. GUAJARDO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
KEVIN A. WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR PHIL HARDBERGER	MAYOR		x		

CASE NO: Z2005214

Staff and Zoning Commission Recommendation - City Council

Date: October 13, 2005

Zoning Commission Meeting Date: September 20, 2005

Council District: 8

Ferguson Map: 549 A6

Applicant:

Jennifer Smith and Sherri Lemons

Owner:

Howard and Sharon Short

Zoning Request: From "R-6" Residential Single-Family District to "C-2" Commercial District

Lot 1, Block 1, NCB 13667

Property Location: 9519 Fredericksburg Road

Westside of Fredericksburg Road south of Cinnamon Creek

Proposal: Donut and coffee shop (Daylight Donuts)

Neighborhood Association: None

Neighborhood Plan: None

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Approval.

The subject property is located on Fredericksburg Road a major thoroughfare. An RV Park with two buildings currently exists on the subject property. The subject property is surrounded by commercial zoned properties. The subject property is adjacent to "C-3" General Commercial District to the north (Diamond Shamrock) and to the south (Realtor Office). The "C-2" Commercial District would be appropriate at this location and consistent with development pattern along Fredericksburg Road. The applicant (Daylight Donuts) is currently located at 9606 Huebner Road.

Zoning Commission Recommendation:

Approval

VOTE

FOR 8

AGAINST 0

ABSTAIN 0

RECUSAL 0

CASE MANAGER : Pedro Vega 207-7980

Z2005214

ZONING CASE NO. Z2005214 – September 20, 2005

Applicant: Jennifer Smith and Sherri Lemons

Zoning Request: “R-6” Residential Single Family District to “C-2” Commercial District.

Jennifer Smith, 12347 Autumn Vista, stated they currently operate a donut shop around the corner from the subject property and would like to request this zoning change to relocate her donut shop.

Staff stated there were 14 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 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 Stribling and seconded by Commissioner Robbins to recommend approval.

1. Property is located on Lot 1, Block 1, NCB 13667 at 9519 Fredericksburg Road.
2. There were 14 notices mailed, 0 returned in opposition and 1 in favor.
3. Staff recommends approval.

AYES: Robbins, Rodriguez, Kissling, Marshall, McAden, Avila, Stribling, Gray

NAYS: None

THE MOTION CARRIED

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.

Affidavit of Publisher

PUBLIC NOTICE
AN ORDINANCE 101554
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 1, NCB 13667, From "R-6" Residential Single-Family District to "C-2" Commercial District. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".
10/20

STATE OF TEXAS
COUNTY OF BEXAR
S.A. - CITY CLERK

Before me, the undersigned authority, on this day personally appeared Helen I. Lutz, who being by me duly sworn, says on oath that she is Publisher of the Commercial Recorder, a newspaper of general circulation in the City of San Antonio, in the State and County aforesaid, and that the Ordinance 101554 here to attached has been published in every issue of said newspaper on the following days, to wit:

10/20/2005.



Sworn to and subscribed before me this 20th day of of October, 2005.



Notary Public in and for Bexar County, Texas.

