

AN ORDINANCE 2009-12-03-0994

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 Lots 8 and 9, NCB 7668 from "H R-5" Residential Single-Family Mission Historic District to "H R-5 CD" Residential Single-Family Mission Historic District with a Conditional Use to allow a non-commercial parking lot.

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. 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;
- B. The parking lot shall be provided with a gate or other sufficient barrier against vehicle entry during the hours the facility served is closed;
- C. A 5 foot landscape buffer shall be provided along the north, east and west property lines of the subject property; and

D. No advertising signs shall be permitted on the parking lot other than signs indicating the owner or lessee of the lot and to provide parking instructions.

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.

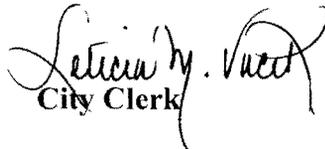
SECTION 5. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35 -491.

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 December 13, 2009.

PASSED AND APPROVED this 3rd day of December 2009.

ATTEST:


City Clerk


M A Y O R
JULIÁN CASTRO

APPROVED AS TO FORM:



for City Attorney

Agenda Item:	Z-7						
Date:	12/03/2009						
Time:	04:31:09 PM						
Vote Type:	Motion to Appr w Cond						
Description:	ZONING CASE # Z2010006 CD (District 3): An Ordinance amending the Zoning District Boundary from "H R-5" Residential Single-Family Mission Historic District to "H R-5 CD" Residential Single-Family Mission Historic District with a Conditional Use to allow a non-commercial parking lot on Lots 8 and 9, NCB 7668 located at 539 and 543 East White Avenue. Staff and Zoning Commission recommend approval with conditions.						
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			x	
Philip A. Cortez	District 4		x				
David Medina Jr.	District 5		x				
Ray Lopez	District 6	x					
Justin Rodriguez	District 7	x					
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x				
John G. Clamp	District 10		x				

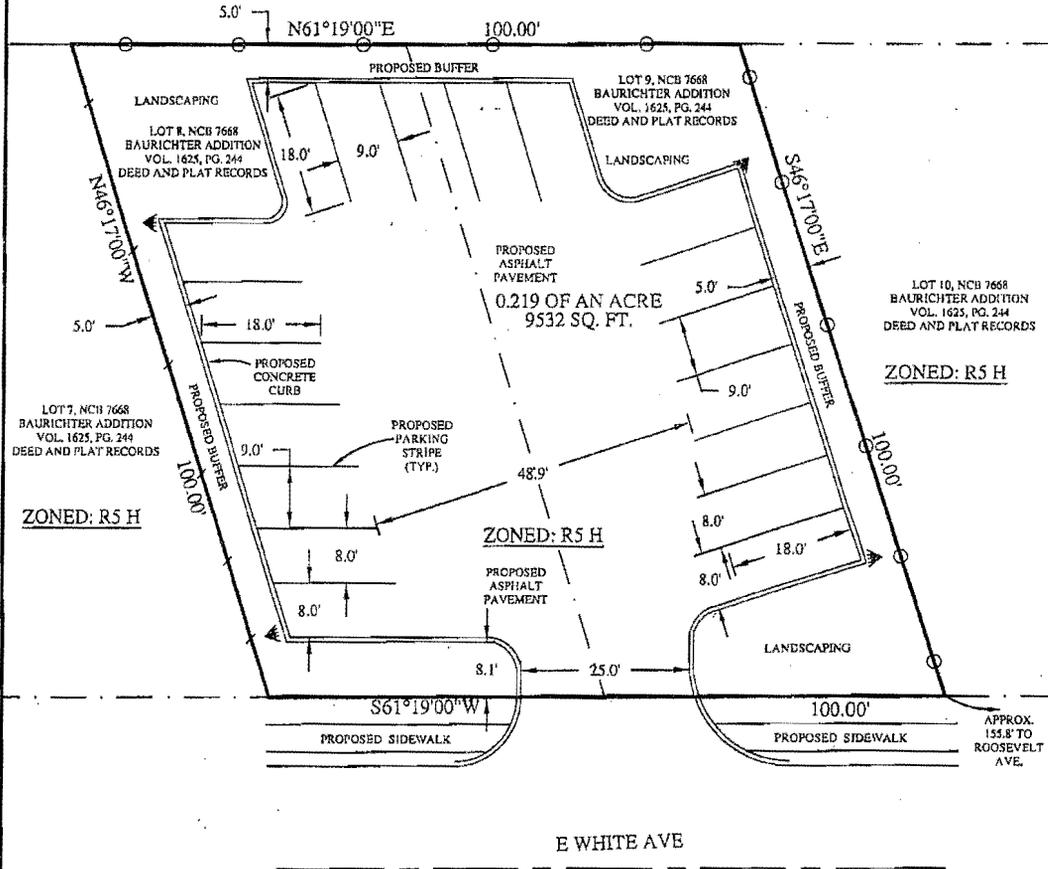
Z2010006

STATISTICS

PROPOSED IMPERVIOUS COVER - 0.153 OF AN ACRE (6,651 SQ. FT.) (00%)

ZONED: R5 H

LOT 15, NCB 7668
BAURICHTER ADDITION
VOL. 1625, PG. 244
DEED AND PLAT RECORDS



ZONED: R5 H

ZONED: R5 H

E WHITE AVE



THIS IS NOT A BOUNDARY SURVEY

SITE PLAN

PROPOSED PARKING LOT
539 & 543 E WHITE, SAN ANTONIO, TX

LOTS 8 AND 9, NEW CITY BLOCK 7668,
BAURICHTER ADDITION, IN THE CITY OF SAN
ANTONIO, BEXAR COUNTY, TEXAS ACCORDING
TO PLAT RECORDED IN VOLUME 1625, PAGE 244,
DEED AND PLAT RECORDS BEXAR COUNTY,
TEXAS.

NOTES

1. THIS SITE PLAN WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT AND MAY NOT SHOW ALL EASEMENTS OR OTHER MATTERS AFFECTING THIS PROPERTY.
2. THIS SITE PLAN MUST BE APPROVED BY THE CITY OF SAN ANTONIO DEVELOPMENT SERVICES PRIOR TO CONSTRUCTION.
3. OWNER/BUILDER SHALL OBTAIN ALL APPLICABLE BUILDING PERMITS PRIOR TO ANY CONSTRUCTION.

I, FELIX HUIZAR, 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.

REVISION: DECEMBER 3, 2009 - ADDED OWNER ACKNOWLEDGEMENT.

JOHNSON SURVEYING, INC.

Registered Professional Land Surveyor
2548 E. BITTERS, SAN ANTONIO, TX 78217
(210) 858-9838 • (210) 247-6138 fax

- PROPOSED SHIELDED LIGHTING
- LEGEND
- EXISTING CONCRETE
 - EXISTING CHAIN LINK FENCE
 - EXISTING WOOD FENCE

DATE: OCTOBER 11, 2009
JOHNSON SURVEYING, INC. JOB NO. _____
CLIENT: ARTHUR GARCIA

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