

AN ORDINANCE 2008-04-17-0328

**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 Lot 1 and Lot 2, Block 3, NCB 17634 from "R-6" Residential Single-Family District to "C-2 S" Commercial District with a Specific Use Authorization for a Hotel.

**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 finds that the following conditions shall be met to insure compatibility with the surrounding properties:

- A. Provide for an 8-foot fence along the western property line.
- B. Outdoor lighting shall be arranged so the source of light is concealed from adjacent residential properties through the use of directional fixtures of ninety (90) degrees or less.
- C. A 4 story height restriction for any structure on the subject property.
- D. No Ingress/Egress onto Misty Woods unless required by city code, traffic impact analysis or the Texas Department of Transportation, as applicable.

E. Signage may not exceed the height of the building and shall have no flashing, flickering, moving or blinking illumination.

**SECTION 4.** 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 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 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.

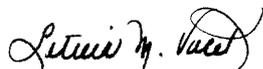
**SECTION 7.** This ordinance shall become effective on April 27, 2008.

**PASSED AND APPROVED** this 17<sup>th</sup> day of April, 2008.



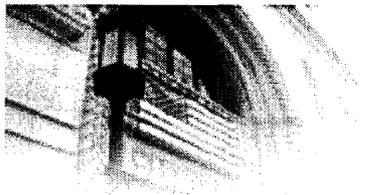
M A Y O R  
PHIL HARDBERGER

ATTEST:

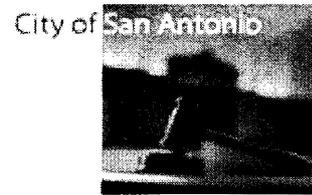
  
City Clerk

APPROVED AS TO FORM:

  
for City Attorney

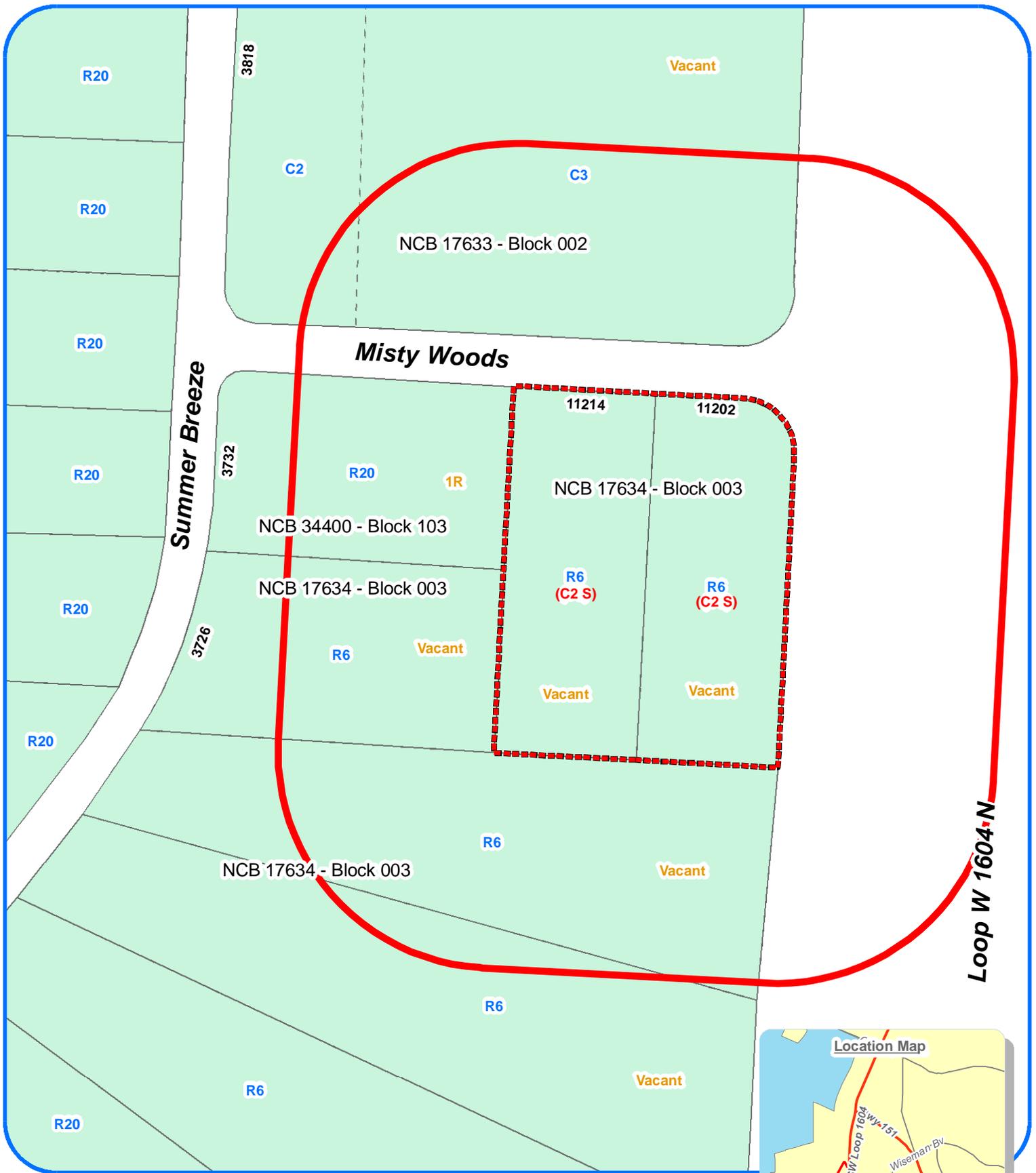


Request for  
**COUNCIL**  
ACTION



**Agenda Voting Results - Z-4**

<b>Name:</b>	Z-2, Z-3, Z-4, Z-8, P-1, Z-9, Z-11						
<b>Date:</b>	04/17/2008						
<b>Time:</b>	02:55:16 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	ZONING CASE # Z2008054 S (District 6): An Ordinance changing the zoning district boundary from "R-6" Residential Single-Family District to "C-2 S" Commercial District with a Specific Use Authorization for a Hotel, on Lot 1 and Lot 2, Block 3, NCB 17634, 11202 and 11214 Misty Woods Street as requested by Sahi-Grant, LLC, Applicant for Jerry Lee and Loretta F. Wendel, Owners. Staff and Zoning Commission recommend approval with conditions.						
<b>Result:</b>	Passed						
<b>Voter</b>	<b>Group</b>	<b>Not Present</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Motion</b>	<b>Second</b>
Phil Hardberger	Mayor		x				
Mary Alice P. Cisneros	District 1	x					
Sheila D. McNeil	District 2		x				
Jennifer V. Ramos	District 3		x				x
Philip A. Cortez	District 4		x				
Lourdes Galvan	District 5		x				
Delicia Herrera	District 6		x			x	
Justin Rodriguez	District 7		x				
Diane G. Cibrian	District 8		x				
Louis E. Rowe	District 9		x				
John G. Clamp	District 10	x					



**Zoning Case Notification Plan**

**Case Z2008054 S**

Council District 6

Scale: 1" approx. = 120'

Subject Property Legal Description(s): Lots 1 and 2 - NCB 17634 - Block 003

**Legend**

- Subject Property  (2.05 Acres)
- 200' Notification Buffer
- Current Zoning R6
- Requested Zoning Change (R6)
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept  
(12/11/2007)



**Affidavit of Publisher**

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 and Lot 2, Block 3, NCB 17634 TO WIT: From "R-6" Residential Single-Family District to "C-2" S Commercial District with a Specific Use Authorization for a Hotel provided all conditions imposed by the City Council are adhered to. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".  
4/21

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 2008-04-17-0328 here to attached has been published in every issue of said newspaper on the following days, to wit:

04/21/2008.

*Helen I. Lutz*  
\_\_\_\_\_

Sworn to and subscribed before me this 21st day of of April, 2008.

*Martha L. Machuca*  
\_\_\_\_\_

