

7A

AN ORDINANCE 97261

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN.

\* \* \* \* \*

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Section 35-304 of the Unified Development Code which is Chapter 35 of the City Code and constitutes the comprehensive zoning ordinance of the City of San Antonio is hereby amended so that it shall hereafter include the following described changes of classification and the rezoning of the hereinafter designated property to-wit:

CASE NO. Z2001223-2A

The rezoning and reclassification of property to designate those properties as part of River Overlay District 2 on the property listed as follows:

LOT 11, 12, 12A, 12B, 12C, 13, 14, NCB 3053

SECTION 2. All other provisions of Chapter 35, as amended, shall remain in full force and effect, including the penalties for violations as made and provided in Section 35 -491.

SECTION 3. The Director of Planning shall change the zoning records and maps in accordance herewith and the same shall be available and open to the public for inspection.

SECTION 4. This ordinance is not severable.

PASSED AND APPROVED THIS 27th DAY OF February 20 03

MAYOR: [Signature] EDWARD D. GARZA

ATTEST: [Signature] City Clerk

APPROVED AS TO FORM: [Signature] CITY ATTORNEY

03-08

ALAMODOME
ASSET MANAGEMENT
AVIATION
CITY ATTORNEY
MUNICIPAL COURT
REAL ESTATE (FASSNIDGE)
REAL ESTATE (WOOD)
RISK MANAGEMENT
CITY MANAGER
SPECIAL PROJECTS
CITY PUBLIC SERVICE – GENERAL MANAGER
CITY PUBLIC SERVICE – MAPS AND RECORDS
CODE COMPLIANCE
COMMERCIAL RECORDER
COMMUNITY INITIATIVES
CONVENTION AND VISITORS BUREAU
CONVENTION CENTER EXPANSION OFFICE
CONVENTION FACILITIES
COUNCIL OFFICES
CULTURAL AFFAIRS
CUSTOMER SERVICE/311 SYSTEM
DEVELOPMENT SERVICES
HOUSE NUMBERING
LAND DEVELOPMENT SERVICES
TRAFFIC & DRAINAGE PLAN REVIEW
ECONOMIC DEVELOPMENT
ENVIRONMENTAL SERVICES
SOLID WASTE
EXTERNAL RELATIONS
PUBLIC INFORMATION OFFICE
FINANCE - DIRECTOR
FINANCE – ASSESSOR
FINANCE – CONTROLLER
FINANCE – GRANTS
FINANCE – PUBLIC UTILITIES SUPERVISOR
FINANCE- TREASURY
FIRE DEPARTMENT
HOUSING AND COMMUNITY DEVELOPMENT
HUMAN RESOURCES (PERSONNEL)
INFORMATION SERVICES
INTERNAL REVIEW
INTERNATIONAL AFFAIRS
LIBRARY
MANAGEMENT & BUDGET (OFFICE OF) OMB
MAYOR'S OFFICE
METROPOLITAN HEALTH DISTRICT
MUNICIPAL CODE CORPORATION
MUNICIPAL COURT
NEIGHBORHOOD ACTION
PARKS AND RECREATION
MARKET SQUARE
YOUTH INITIATIVES
PLANNING DEPARTMENT –NEIGHBORHOOD PLNG; URBAN DESIGN/HISTORIC PRESERVATION
DISABILITY ACCESS OFFICE
POLICE DEPARTMENT
GROUND TRANSPORTATION
PUBLIC WORKS DIRECTOR
CAPITAL PROJECTS
CENTRAL MAPPING
ENGINEERING
PARKING DIVISION
REAL ESTATE DIVISION
TRAFFIC ENGINEERING
PURCHASING AND GENERAL SERVICES
SAN ANTONIO WATER SYSTEMS (SAWS)
VIA

AGENDA ITEM NUMBER: 7A.

DATE: FEB 27 2003

MOTION: Perez Sanders

ORDINANCE NUMBER: 97261

RESOLUTION NUMBER: \_\_\_\_\_

ZONING CASE NUMBER: 22001223-2A

TRAVEL AUTHORIZATION: \_\_\_\_\_

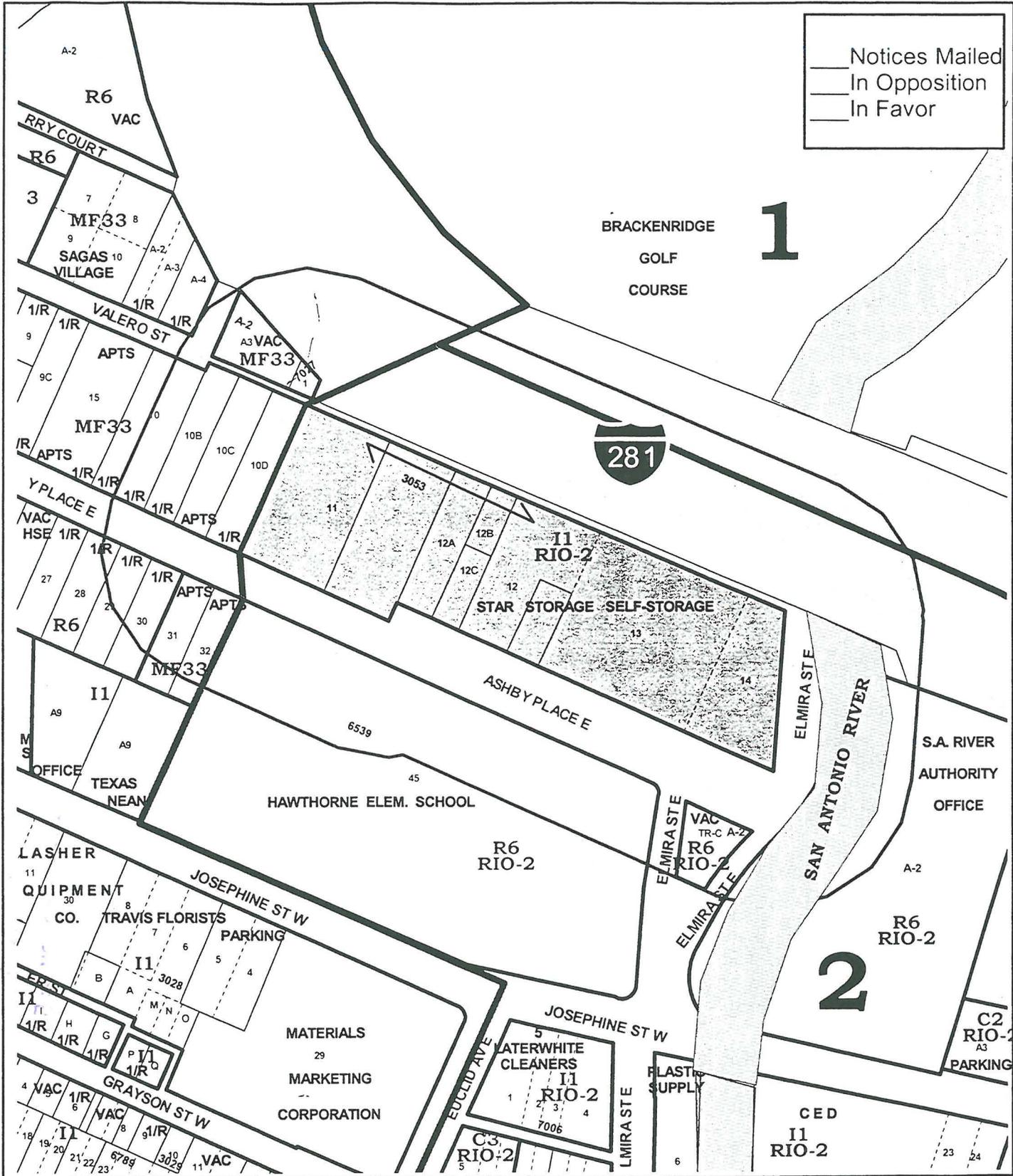
NAME	ROLL	AYE	NAY
BOBBY PEREZ District 1		✓	
JOHN H. SANDERS District 2		✓	
ANTONIETTE "TONI" MOORHOUSE District 3		✓	
ENRIQUE "KIKE" MARTIN District 4		✓	
NORA X. HERRERA District 5		✓	
ENRIQUE M. BARRERA District 6		✓	
JULIAN CASTRO District 7		✓	
BONNIE CONNER District 8		<del>✓</del>	
CARROLL SCHUBERT District 9		✓	
DAVID CARPENTER District 10		✓	
EDWARD D. GARZA Mayor		✓	

Zoning Commission: Approval

Staff: Approval to take  
immediate effect

03-08

\_\_\_\_\_ Notices Mailed  
 \_\_\_\_\_ In Opposition  
 \_\_\_\_\_ In Favor



**ZONING CASE: Z2001-223-2A**

City Council District NO. 1  
 Requested Zoning Change  
 From: "I-1" To: "I-1 RIO-2"  
 Date: February 27, 2003  
 Scale: 1" = 200'

 Subject Property  
 200' Notification



# CASE NO: Z2001223-2A

## Staff and Zoning Commission Recommendation - City Council

Continuance from May 7 and 21, 2002. City Council continuance August 8, August 22, 2002, September 26, October 10, and December 12, 2002

**Date:** February 27, 2003

**Zoning Commission Meeting Date:** June 18, 2002

**Council District:** 1

**Ferguson Map:** 583 B7

**Appeal:** No

**Applicant:**

City of San Antonio

**Owner:**

Borden Park LP

**Zoning Request:** To designate those properties as part of River Overlay District 2

LOT 11, 12, 12A, 12B, 12C, 13, 14, NCB 3053

**Property Location:** 815, 825, 835, 837, 841, 875 East Ashby Place

**Proposal:** The purpose of these districts is to establish regulations to protect, preserve and enhance the San Antonio River by establishing design standards and guidelines for properties located near the river.

**Neigh. Assoc. :** Tobin Hill Neighborhood Association and Tobin Hill Residents Association

**Neighborhood Plan :** Tobin Hill Neighborhood Plan

**TIA Statement:** A Traffic Impact Analysis is not required.

**Staff Recommendation:**

Approval. The property, will be part of a district that will protect and enhance the overall character of the San Antonio River. The districts will promote consistency in the development process. It will prevent the negative impacts caused by incompatible and insensitive development and promote new compatible development.

**Zoning Commission Recommendation:**

Approval

**VOTE**

**FOR** 7

**AGAINST** 0

**ABSTAIN** 1

**RECUSAL** 0

**CASE MANAGER :** Richard Ramirez 207-5018, John Jacks 207-7206

Z2001223-2A

**REBUTTAL**

Ann McGlone, Historic Preservation Officer, stated the River Improvement Overlay is a design overlay and will not change the base zoning of the property. There will be some use restrictions that will be imposed. She further stated that businesses that are already in operation would have non-conforming rights.

Staff stated there were 358 notices mailed out to the surrounding property owners, 10 returned in opposition and 14 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 motions was made by Commissioner McGowan and seconded by Commissioner Kissling to recommend approval.

**AYES: Mehringer, Kissling, McGowan, McAden**

**NAYS: Hophan, Morell, Martinez**

**ABSTAIN: Cardenas-Gamez, Clamp**

**THE MOTION FAILED.**

**COMMISSION ACTION**

The motion was made by Commissioner Morell and seconded by Commissioner Clamp to recommend approval with excluding Ken Brown (Borden's Site) and Harry Jewett's (Oak Farms Site) property to be continued on may 21, 2002.

1. Property generally those properties no more than 2000 feet from the San Antonio River from US 281 on the north to Fourth Street on the south.
2. There were 358 notices mailed, 10 returned in opposition and 14 returned in favor.
3. Staff recommends approval.

**AYES: Cardenas-Gamez, Kissling, Hophan, Clamp, McAden, Morell, Martinez**

**NAYS: Mehringer, Kissling, McGowan**

**THE MOTION CARRIED.**

**RESULTS OF NOTICE FOR COUNCIL HEARING**

To be provided at Council hearing.

**Z2001223-2A**

Staff stated there were 358 notices mailed out to the surrounding property owners, 10 returned in opposition and 14 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 Kissling and seconded by Commissioner McAden to recommend approval.

**AYES: Mehringer, Kissling, Hophan, McAden, Morell**

**NAYS: Clamp**

**ABSTAIN: Cardenas-Gamez, Martinez**

**THE MOTION FAILED.**

**COMMISSION ACTION**

The motion was made by Commissioner Morell and seconded by Commissioner Clamp to recommend a continuance until June 18, 2002.

1. Property is located on Lot 11, 12, 12A, 12B, 12C, 13, 14, NCB 3053 at 815, 825, 835, 837, 841, 875 East Ashby Place.
2. There were 358 notices mailed, 10 returned in opposition and 14 returned in favor.
3. Staff recommends approval.

**AYES: Mehringer, Cardenas-Gamez, Hophan, Clamp, McAden, Morell, Martinez**

**NAYS: Kissling**

**THE MOTION CARRIED.**

**RESULTS OF NOTICE FOR COUNCIL HEARING**

To be provided at Council hearing.

**Z2001223-2A**

1. Property is located on Lot 11, 12, 12A, 12B, 12C, 13 and 14, NCB 3053 at 815, 825, 835, 837, 841, & 875 East Ashby Place.
2. Staff recommends approval.

**AYES: Mehringer, Kissling, McGowan, Hophan, McAden, Morell, Martinez**

**NAYS: None**

THE MOTION CARRIED.

RESULTS OF COUNCIL HEARING August 8, 2002

City Council granted a continuance on this case until August 22, 2002.

RESULTS OF COUNCIL HEARING August 22, 2002

City Council granted a continuance on this case until September 26, 2002.

RESULTS OF COUNCIL HEARING September 26, 2002

City Council granted a continuance on this case until October 8, 2002.

RESULTS OF COUNCIL HEARING October 8, 2002.

City Council granted a continuance on this case until December 12, 2002.

RESULTS OF COUNCIL HEARING December 12, 2002.

City Council granted a continuance on this case until February 27, 2003.

RESULTS OF NOTICE FOR COUNCIL HEARING

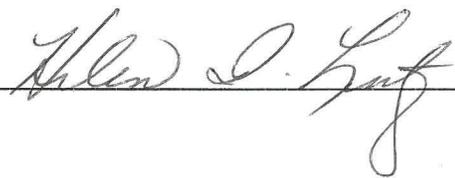
To be provided at Council hearing.

# Affidavit of Publisher

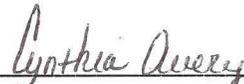
**PUBLIC NOTICE**  
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12B, 12C, 13, 14, NCB 3053,  
To designate those properties  
as part of River Overlay District  
2. "THE PENALTY FOR VIOLA-  
TION IS A FINE NOT TO  
EXCEED \$1,000.00".  
3/5

STATE OF TEXAS,  
COUNTY OF BEXAR  
CITY OF SAN ANTONIO

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 City of San Antonio - City Clerk - Ordinance 97261 hereto attached has been published in every issue of said newspaper on the following days, to-wit: March 5, 2003.

  
\_\_\_\_\_

Sworn to and subscribed before me this 5th day of March, 2003.

  
\_\_\_\_\_  
Notary Public in and for Bexar County, Texas

