

AN ORDINANCE 2008-05-15-0419

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 A4, NCB 2569 from "IDZ" Infill Development Zone with uses permitted in "R-4" Single-Family Residential District and "NC" Neighborhood Commercial District to "IDZ" Infill Development Zone with uses permitted in "C-2 NA" (CD-Theater-Outdoor including Drive-In and Amphitheaters) Commercial District, Nonalcoholic Sales with a Conditional Use for a Theater-Outdoor including Drive-In and Amphitheaters.

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 pointed away from any residential zoning or uses using 90 degree or less cut-off fixtures
- B. Allowable hours of operations shall not be permitted before 9:00 am or after 11:00 pm.
- C. 3.One 3-foot by 3-foot sign may be permitted at the entrance to the property.

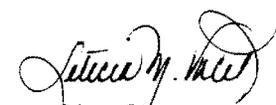
SECTION 4. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35 -491.

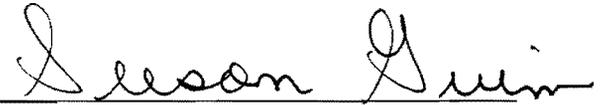
SECTION 5. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 6. This ordinance shall become effective on May 25, 2008.

PASSED AND APPROVED this 15th day of May 2008.

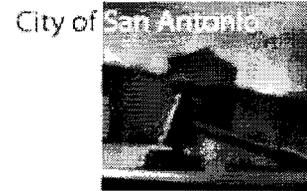

M A Y O R

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
For City Attorney

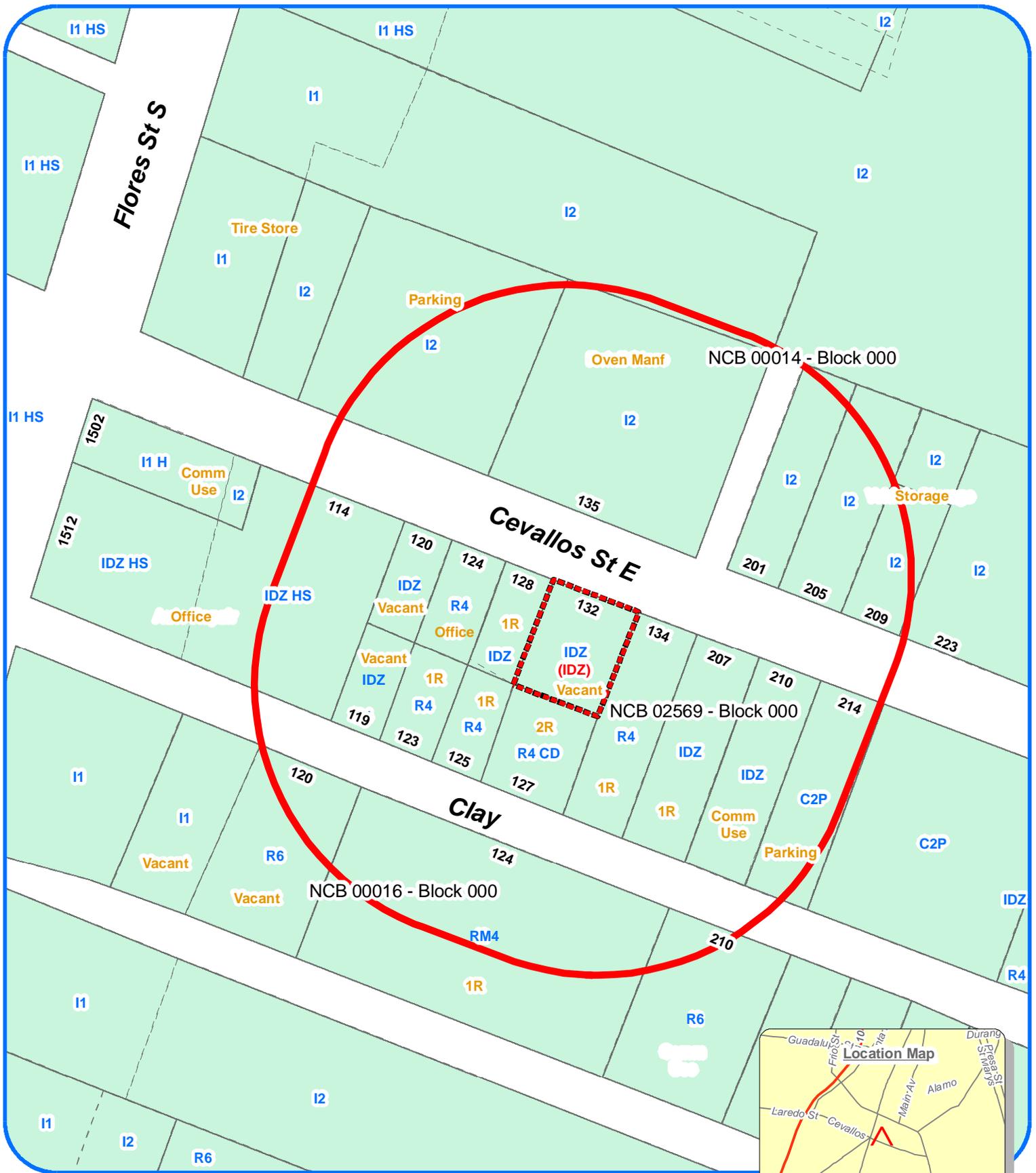


Request for
COUNCIL



Agenda Voting Results - Z-12

Name:	Z-12						
Date:	05/15/2008						
Time:	08:00:12 PM						
Vote Type:	Motion to Appr w Cond						
Description:	ZONING CASE # Z2008089 CD (District 5): An Ordinance changing the zoning district boundary from "IDZ" Infill Development Zone with uses permitted in "R-4" Single-Family Residential District and "NC" Neighborhood Commercial District to "IDZ" Infill Development Zone with uses permitted in "C-2 CD" (CD-Theater-Outdoor including Drive-In and Amphitheaters) Commercial District with a Conditional Use for a Theater-Outdoor including Drive-In and Amphitheaters on Lot A4, NCB 2569, 132 East Cevallos as requested by Rick and Angela Martinez, Applicant for Patrick S. Shearer, Owner. Staff recommends Denial. Zoning Commission recommends approval with conditions.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Phil Hardberger	Mayor	x					
Mary Alice P. Cisneros	District 1		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	
Delicia Herrera	District 6	x					
Justin Rodriguez	District 7	x					
Diane G. Cibrian	District 8		x				
Louis E. Rowe	District 9		x				
John G. Clamp	District 10		x				x



Zoning Case Notification Plan

Case Z-2008-089

Council District 5

Scale: 1" approx. = 100'

Subject Property Legal Description(s): Lot A4 - NCB 02569 - Block 000

Legend

- Subject Property (0.1503 Acres)
- 200' Notification Buffer
- Current Zoning R6
- Requested Zoning Change (R6)
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(02/08/2008)

Affidavit of Publisher

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

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 HEREINAS: Lot A4, NCB 2569 TO WIT: From "IDZ" Infill Development Zone with uses permitted in "R-4" Single-Family Residential District and "NC" Neighborhood Commercial District to "IDZ" Infill Development Zone with uses permitted in "C-2 NA" (CD-Theater-Outdoor including Drive-In and Amphitheaters) Commercial District, Nonalcoholic Sales with a Conditional Use for a Theater-Outdoor including Drive-In and Amphitheaters provided all conditions imposed by the City Council are adhered to. THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00.

Before me, the undersigned authority, on this day personally appeared Helen I. ^{5/19} 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 2008-05-15-0419 here to attached has been published in every issue of said newspaper on the following days, to wit:

05/19/2008.

Helen I. Lopez

Sworn to and subscribed before me this 19th day of of May, 2008.

Martha L. Machuca

