

AN ORDINANCE **2011-05-05-0364**

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 after notice and publication 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 Parcel 100, Parcel 126 and Parcel 126A, NCB 17365 (2.8030 acres) from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Professional Office.

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. No exterior display or sign with the exception that a nameplate, not exceeding 3 square feet in area, may be permitted when attached to the front of the main structure.
- B. No construction features shall be permitted which would place the structure out of character with the surrounding neighborhood.

- C. Business or office hours of operations shall not be permitted before 7 a.m. or after 6 p.m. This shall not prohibit any employee from being at the property outside of the business hours.
- D. The Declarant agrees that any lighting installed on the Property shall be directed downward and away from the adjacent residential areas adjacent to the Property ("dark-sky" or "90-degree cut-off" light fixtures).
- E. Declarant agrees that noise from the Property shall be kept at a minimum and shall not permit unreasonable noises such as loud outdoor music or excessive animal noise.
- F. Declarant agrees to construct and maintain a six foot (6 ft.) wooden privacy fence along a portion of the northern property line of the Property where the primary structure and future parking areas are located. Declarant shall begin construction of the fence within sixty (60) days of the date this Declaration is recorded.

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 **Attachment "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.

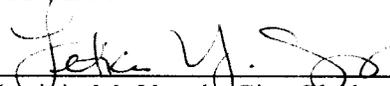
SECTION 6. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 7. This ordinance shall become effective May 15, 2011.

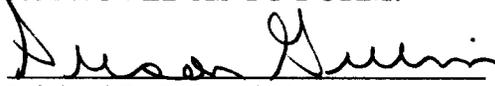
PASSED AND APPROVED this 5th day of May 2011.

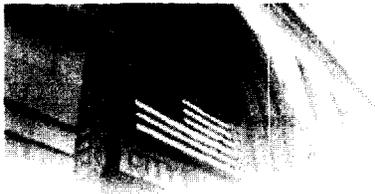

M A Y O R
Julián Castro

ATTEST:


for Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:


for Michael D. Bernard, City Attorney



Request for
COUNCIL
ACTION

City of San Antonio



Agenda Voting Results - Z-6

Name:	Z-6						
Date:	05/05/2011						
Time:	02:26:18 PM						
Vote Type:	Motion to Appr w Cond						
Description:	ZONING CASE # Z2010156 CD (District 10): An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Professional Office on Parcel 100, Parcel 126 and Parcel 126A, NCB 17365 (2.8030 acres) located at 4144 Jung Road. Staff and Zoning Commission recommend approval with conditons.						
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				
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			x	

Z2010156 CD

SITE PLAN

DEVELOPER:

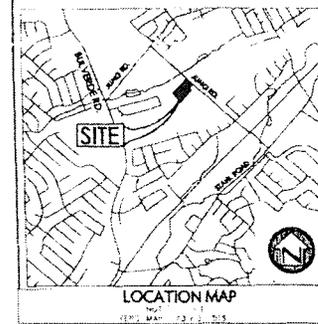
THE NUNLEY FIRM
1580 SOUTH MAIN STREET, SUITE 200
SAN ANTONIO, TEXAS 78006
PHONE: (830) 816-3333
FAX: (830) 816-3388
CONTACT: CECIL BAIN

ENGINEER:

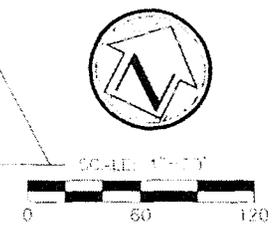
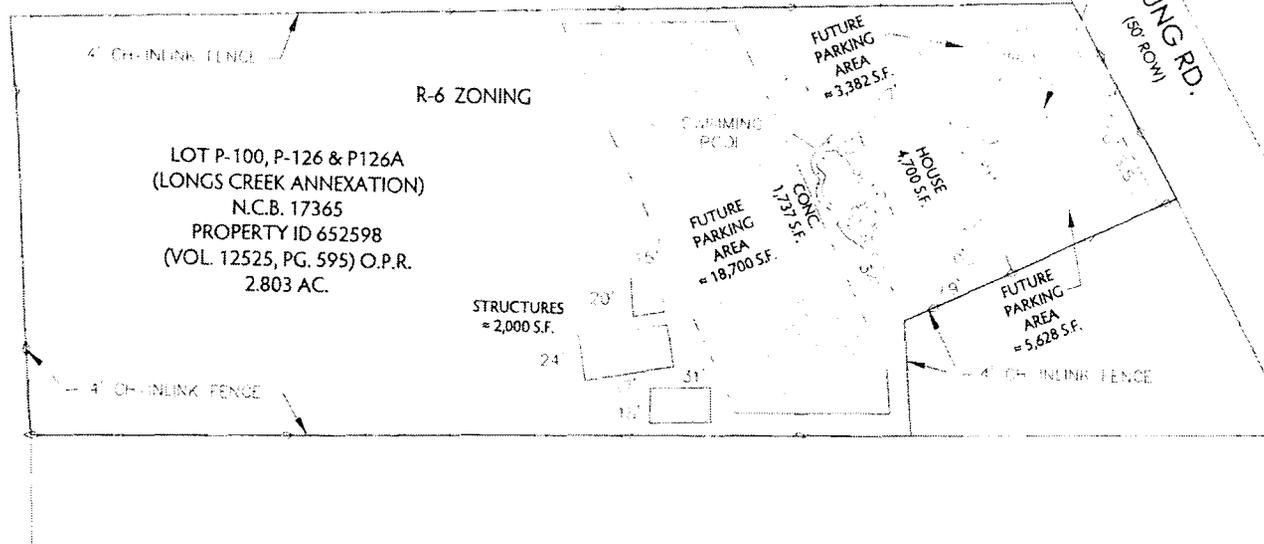
M.W. CUDE ENGINEERS, LLC
ATTN: CHRISTOPHER R. DICE, P.E.
10325 BANDERA ROAD
SAN ANTONIO, TEXAS 78250
PHONE: (210) 681-2951
FAX: (210) 523-7117
EMAIL: cdice@mwcu.de.com

I, Veronica Montelongo, 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

LOT #	ACREAGE
1	2.803



PROPOSED USE: CONDITIONAL USE AUTHORIZATION FOR AN OFFICE.



4144 JUNG ROAD
SITE PLAN PERMIT

CUDE ENGINEERS
10325 BANDERA ROAD
SAN ANTONIO, TEXAS 78250
TEL 210.681.2951 • FAX 210.523.7117
WWW.MWCUDE.COM
TYPE REGISTERED ENGINEERING
FROM #495

