

AN ORDINANCE 2008-08-07-0683

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 Parcel 18, Parcel 19, Parcel 19A, Parcel 20, Parcel 20A and Parcel 20B, NCB 17622 from "C-3 IH-1" General Commercial National Highway System High Priority Northeast Gateway Corridor Overlay District-1 and "I-1 IH-1" General Industrial National Highway System High Priority Northeast Gateway Corridor Overlay District-1 to "C-3R IH-1" General Commercial, Restrictive Alcohol Sales National Highway System High Priority Northeast Gateway Corridor Overlay District-1.

SECTION 2. 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 3. 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 4. This ordinance shall become effective August 17, 2008.

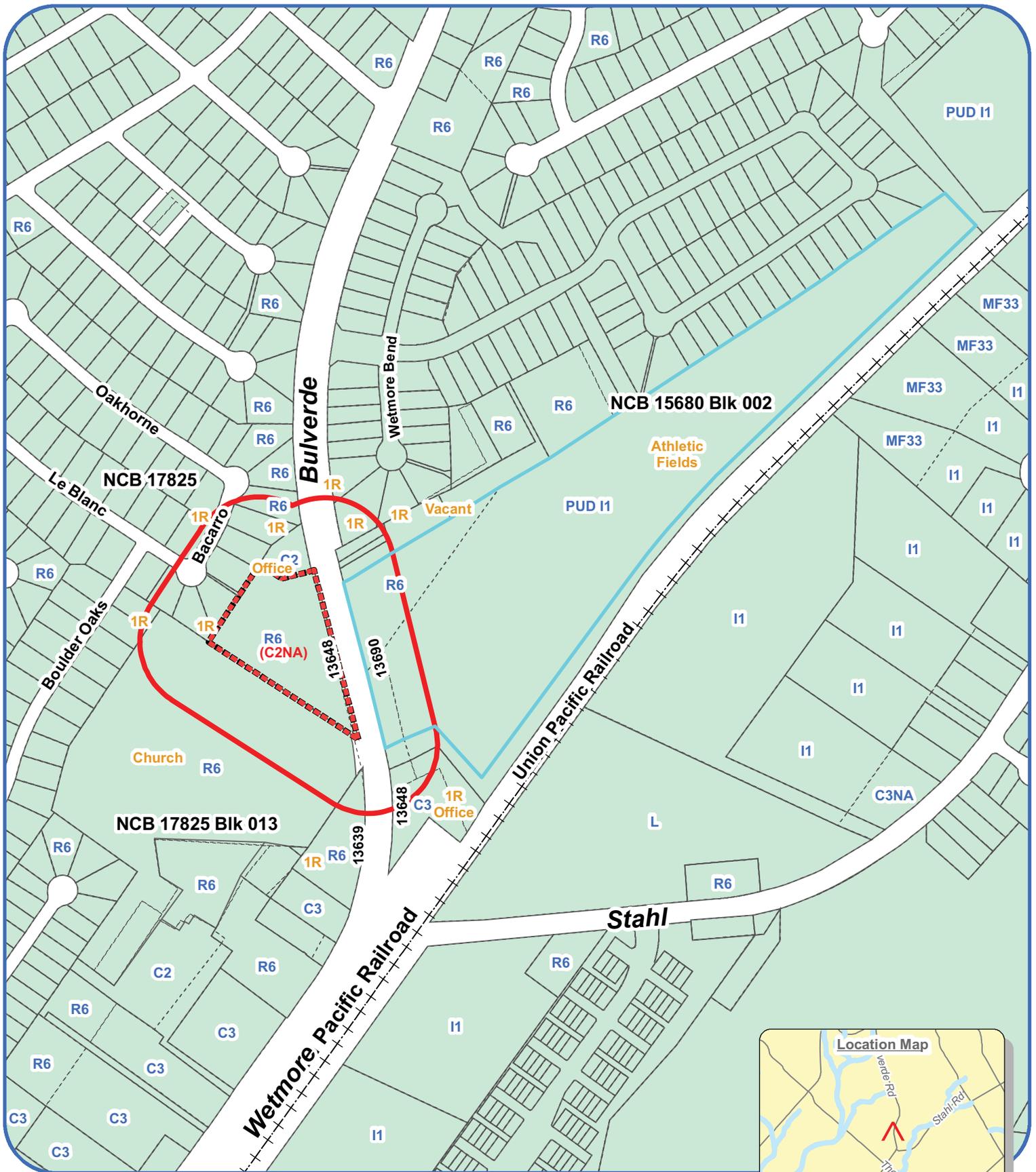
PASSED AND APPROVED this 7th day of August 2008.

  
M A Y O R

ATTEST:   
City Clerk

APPROVED AS TO FORM:   
for City Attorney

<b>Agenda Item:</b>	<b>Z-16 ( in consent vote: Z-1, Z-4, Z-5, Z-6, Z-8, Z-9, Z-10, P-1, Z-13, Z-14, Z-15, Z-16 )</b>						
<b>Date:</b>	08/07/2008						
<b>Time:</b>	05:21:01 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	ZONING CASE # Z2008184 (District 10): An Ordinance amending the Zoning District Boundary from "C-3 IH-1" General Commercial National Highway System High Priority Northeast Gateway Corridor Overlay District-1 and "I-1 IH-1" General Industrial National Highway System High Priority Northeast Gateway Corridor Overlay District-1 to "C-3R IH-1" General Commercial, Restrictive Alcohol Sales National Highway System High Priority Northeast Gateway Corridor Overlay District-1 on Parcel 18, Parcel 19, Parcel 19A, Parcel 20, Parcel 20A and Parcel 20B, NCB 17622 located at 12222, 12230 and 12258 Interstate Highway 35 North. Staff and Zoning Commission recommend approval.						
<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				
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				x
Louis E. Rowe	District 9		x				
John G. Clamp	District 10		x				



# Zoning Case Notification Plan

## Case Z-2008-172

Council District 10

Scale: 1" approx. = 150'

Subject Property Legal Description(s): Lot P-36 NCB: 15679

### Legend

- Subject Property  (2.4190 Acres)
- 200' Notification Buffer
- Current Zoning R6
- Requested Zoning Change (R6)
- 100-Year FEMA Floodplain



San Antonio Airport  
 City of San Antonio - Development Services Dept  
 (6/4/2008)



**AFFIDAVIT OF PUBLICATION**  
(COUNTY OF BEXAR)  
(STATE OF TEXAS)

I, Lynette Nelson do solemnly swear that the notice was published 1 time(s) in the following publication(s):

Daily Commercial Recorder  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

A free weekly newspaper of general circulation published at San Antonio, Bexar County, Texas on the following dates:

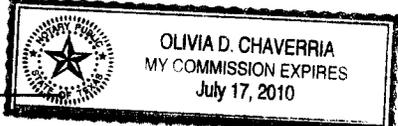
August 11, 2008  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Lynette Nelson  
\_\_\_\_\_  
Lynette Nelson

Subscribed and sworn before me, this  
8th day of December, 2008

Olivia D. Chaverria  
\_\_\_\_\_  
NOTARY PUBLIC SIGNATURE

Olivia D. Chaverria  
\_\_\_\_\_  
Notary Public Printed/Typed Name  
My Commission Expires: 07/17/2010



**PUBLIC NOTICE**

**AN ORDINANCE 2008-08-07-0683**

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: Parcel 18, Parcel 19, Parcel 19A, Parcel 20, Parcel 20A and Parcel 20B, NCB 17622 TO WIT: From "C-3 IH-1" General Commercial National Highway System High Priority Northeast Gateway Corridor Overlay District-1 and "I-1 IH-1" General Industrial National Highway System High Priority Northeast Gateway Corridor Overlay District-1 to "C-3R IH-1" General Commercial, Restrictive Alcohol Sales National Highway System High Priority Northeast Gateway Corridor Overlay District-1. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".  
8/11



**CITY OF SAN ANTONIO  
Request for Council Action**

Agenda Item # Z-16  
Council Meeting Date: 8/7/2008  
RFCA Tracking No: R-3549

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICT(S) IMPACTED:**  
Council District 10

**SUBJECT:**  
Zoning Case Z2008184

**SUMMARY:**  
From "C-3 IH-1" General Commercial National Highway System High Priority Northeast Gateway Corridor Overlay District-1 and "I-1 IH-1" General Industrial National Highway System High Priority Northeast Gateway Corridor Overlay District-1 to "C-3R IH-1" General Commercial, Restrictive Alcohol Sales National Highway System High Priority Northeast Gateway Corridor Overlay District-1.

**BACKGROUND INFORMATION:**  
**Zoning Commission Meeting Date:** June 17, 2008

**Applicant:** Brown and Ortiz, P. C., Attorneys at Law  
**Owner:** 12222 IH-35 North, LLC and Nafstar International, LLC

**Property Location:** 12222, 12230 and 12258 Interstate Highway 35 North

Parcel 18, Parcel 19, Parcel 19A, Parcel 20, Parcel 20A and Parcel 20B, NCB 17622

Between Interstate Highway 35 North and Randolph Boulevard.

**Proposal:** To conform zoning with existing land uses

**Neighborhood Association:** None

**Neighborhood Plan:** None

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

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current "C-3" General Commercial District and "I-1" General Industrial District zoning as well as the continuation of a non-conforming use.

**FISCAL IMPACT:**

None. The applicant has paid the required zoning fees.

**RECOMMENDATION:**

Staff and Zoning Commission (9-0) recommend approval.

The subject property is located on the northeast side of San Antonio along Interstate Highway 35 North and Randolph Boulevard, south of their intersection with Judson Road. There is an existing auto sales and car rental on the subject property that totals approximately 1.377 acres. This area was annexed by the City of San Antonio on December 31, 1984. Upon adoption of the 2001 Unified Development Code, the previous "B-3" Business District and "I-1" Light Industry District converted to "C-3" General Commercial respectively and "I-1" General Industrial Districts. The Corridor Overlay District was adopted in 2004. Before the adoption of the 2001 Unified Development Code, motor vehicle sales and automobile rental were permitted uses in the "B-3" Business District and "I-1" Light Industry District. The current "I-1 IH-1" district does not allow an auto sales or car rental. "C-3 IH-1" General Commercial National Highway System High Priority Northeast Gateway Corridor Overlay District and "I-1 IH-1" General Industrial National Highway System High Priority Northeast Gateway Corridor Overlay District currently exists to the southwest of the subject property. Property to the southeast across Randolph Boulevard is outside of the San Antonio City Limits (Live Oak). Land uses immediately adjacent to the subject property consist of an auto dealership.

The applicant has applied for "C-3 IH-1" General Commercial National Highway System High Priority Northeast Gateway Corridor Overlay District to bring the current site into conformity with today's zoning regulations. The applicant is not requesting to alter or remove the Overlay District. The request would be a down zoning from the existing "I-1 IH-1". The proposed "C-3 IH-1" would be appropriate at this location considering its prominent location at the intersection to an expressway and arterial. The requested zoning district would be compatible with the existing uses on the subject property and surrounding properties. The subject property is not within a Neighborhood Association or Neighborhood Plan.

"NHS" National Highway System High Priority Corridor Districts - Within the city there are Interstate Highways that contribute to domestic and international trade between the United States, Canada and Mexico. Significant infrastructure improvements have been or will be completed to further facilitate trade and commerce and contribute to the economic development initiatives of the City of San Antonio. To preserve, enhance, and perpetuate the value of these Interstate Highways the City Council has established the National Highway System ("NHS") High Priority Corridor overlay zoning district; Northeast Gateway Corridor District (IH-1); June 24, 2004.

District regulations within the "C-3R" district are the same as in "C-3" districts except that no sales of alcoholic beverages for on-premises consumption shall be permitted.

**ATTACHMENT(S):**

File Description	File Name
<a href="#">Zoning Map</a>	Z2008184.pdf
<a href="#">Zoning Commission Minutes</a>	Z2008184.pdf
<a href="#">Voting Results</a>	
<a href="#">Ordinance/Supplemental Documents</a>	200808070683.pdf

**DEPARTMENT HEAD AUTHORIZATIONS:**

Roderick Sanchez Director Development Services

**APPROVED FOR COUNCIL CONSIDERATION:**

T.C. Broadnax Assistant City Manager