

AN ORDINANCE 2013 - 09 - 05 - 0616

**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 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 Lot 304, the south 544.6 feet of the west 65 feet of Lot 303 or 303F, the east 192 feet of the south 340 feet of Lot 303 or 303A, the west 70 feet of the south 498.32 feet of Lot 302, and the east 192 feet of the south 340 feet of Lot 303 or 303A, Block 29, NCB 11128 from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Noncommercial Parking Lot.

**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. A 15 foot Type B landscape buffer shall be provided along property boundaries abutting single family residential zoning or uses.
- B. All on-site lighting shall be directed onto the site and point away from any residential zoning or uses.
- C. The parking lot shall be provided with a gate or other sufficient barrier against vehicle entry during the hours the facility served is closed.

- D. No advertising signs shall be permitted on the parking lot other than signs indicating the owner or lessee of the lot and to provide parking instructions.
- E. Ingress and egress shall be prohibited along West Villaret Boulevard.

**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 September 15, 2013.

**PASSED AND APPROVED** this 5<sup>th</sup> day of September 2013.

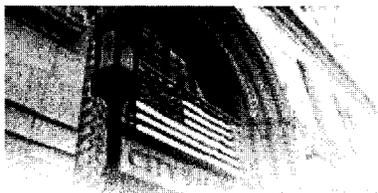
  
M A Y O R  
Julián Castro

**ATTEST:**

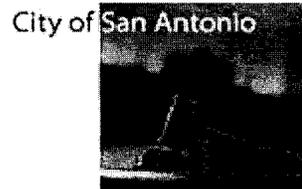
  
\_\_\_\_\_  
Leticia M. Vacek, City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Michael D. Bernard, City Attorney  
for



Request for  
**COUNCIL**  
ACTION



### Agenda Voting Results - Z-3

<b>Name:</b>	29, Z-2, Z-3, P-1, Z-4, Z-5, Z-7, Z-8, P-2, Z-9, Z-11, Z-13						
<b>Date:</b>	09/05/2013						
<b>Time:</b>	02:52:14 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	ZONING CASE # Z2013129 CD (District 3): An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Noncommercial Parking Lot on Lot 304, the south 544.6 feet of the west 65 feet of Lot 303 or Lot 303F, the east 192 feet of south 340 feet of Lot 303 or Lot 303A, and the west 70 feet of the south 498.32 feet of Lot 302, Block 29, NCB 11128 located at 358 and portions of 320 and 340 West Villaret Boulevard and 331 West Buchanan Boulevard. Staff and Zoning Commission recommend approval, with conditions.						
<b>Result:</b>	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Diego Bernal	District 1		x				
Ivy R. Taylor	District 2		x				x
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x			x	
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x				
Elisa Chan	District 9		x				
Carlton Soules	District 10		x				

9' X 18' PARKING STALLS  
 LOT 1 - 295 TOTAL SPACES  
 EMERGENCY OVERFLOW  
 323 TOTAL SPACES

4 LOTS  
 8.112 ACRES

NOTE:  
 PARKING LAYOUT IS SUBJECT TO CHANGE  
 FINAL DESIGN WILL BE DETERMINED BY  
 DESIGN CONSTRAINTS.

LOT 1 WILL BE CONSTRUCTED FOR NORMAL USE

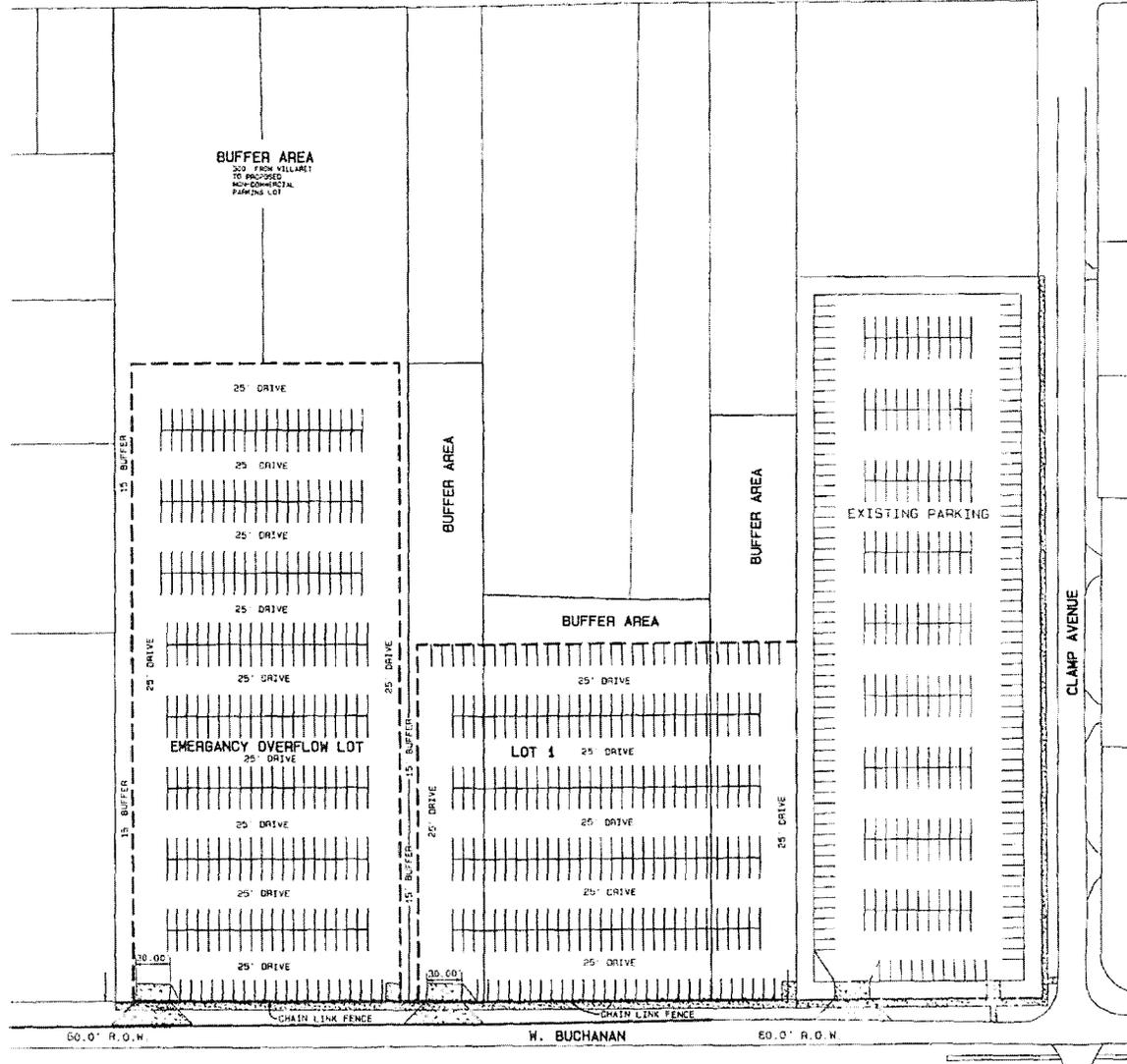
EMERGENCY OVERFLOW LOT WILL ONLY BE  
 USED BETWEEN THE HOURS OF 9:00 AM AND  
 1:00 PM, AND WILL ONLY BE USED ON AN AS  
 NEEDED BASIS

I, JOEL DAULEY, THE PROPERTY OWNER,  
 ACKNOWLEDGE THAT THIS SITE PLAN  
 SUBMITTED FOR THE PURPOSES 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 AREZONING CASE  
 DOES NOT RELIEVE ME FROM  
 ADHERENCE TO ANY/all CITY-ADOPTED  
 CODES AT THE TIME OF PLAN SUBMITTAL  
 FOR BUILDING PERMITS.

ZONING REQUESTED FOR A  
 R-4 CD NON-COMMERCIAL  
 PARKING LOT

**PROPOSED OVERFLOW PARKING LOT**

W. VILLARET BLVD



REVISION	DATE
1.	
2.	
3.	
4.	
5.	

TBPE FIRM # 13752

**TOMSU**  
 TOMSU GROUP, LLC  
 PO Box 591537  
 San Antonio, TX 78259  
 210-693-0695

**MISSION OPEN AIR MARKET**  
 ZONING EXHIBIT  
 PROPOSED EMERGENCY  
 OVERFLOW PARKING LOT

ACCOUNT: 00155.000  
 DATE: 2013-06-17  
 DESIGNED BY: SS  
 DRAWN BY: SS  
 CHECKED BY: TT  
 APPROVED BY: TT

DRAWING

SHEET 1  
 OF 1