

AN ORDINANCE 2008-06-19-0620

**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 Lot 15, Block 62, NCB 7217 from "R-4" Residential Single-Family District to "R-4 CD" (CD-Non-Commercial Parking Lot) Residential Single-Family District with a Conditional Use for a Non-Commercial 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. 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;
- B. The parking lot shall be provided with a gate or other sufficient barrier against vehicle entry during the hours the facility is closed;
- C. A 10 foot "Type A" landscape buffer shall be provided along the west property line of the subject property; and
- D. All on-site lighting shall be directed onto the site and point away from any residential

zoning or uses using 90 degree or less cut-off fixtures.

**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.

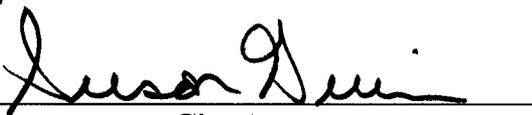
**SECTION 5.** The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

**SECTION 6.** This ordinance shall become effective on June 29, 2008.

**PASSED AND APPROVED** this 19th day of June 2008.

  
M A Y O R  
PHIL HARDBERGER

ATTEST:   
City Clerk

APPROVED AS TO FORM:   
FO City Attorney



Request for  
**COUNCIL  
ACTION**



**Agenda Voting Results - Z-3**

<b>Name:</b>	Z-3, Z-4, P-1, Z-5, Z-6, Z-7, Z-10, Z-11, Z-13, Z-18
<b>Date:</b>	06/19/2008
<b>Time:</b>	05:29:34 PM
<b>Vote Type:</b>	Motion to Approve
<b>Description:</b>	ZONING CASE # Z2008151 CD (District 1 ): An Ordinance changing the zoning district boundary from "R-4" Residential Single-Family District to "R-4 CD" (CD-Non-Commercial Parking Lot) Residential Single-Family District with a Conditional Use for a Non-Commercial Parking Lot on Lot 15, Block 62, NCB 7217, 919 Fresno as requested by V & E Management Corp., Applicant for Rosa M Porter c/s Leticia T Leon, Owner. Staff and Zoning Commission recommend approval, with conditions.
<b>Result:</b>	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Phil Hardberger	Mayor		x				
Mary Alice P. Cisneros	District 1		x				x
Sheila D. McNeil	District 2		x				
Jennifer V. Ramos	District 3		x				
Philip A. Cortez	District 4	x					
Lourdes Galvan	District 5		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-2008-151CD**

**Legend**

- Subject Property  ( 0.15 Acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



Council District 1  
 Scale: 1" approx. = 80'

Subject Property Legal Description(s): Lot N 132.50Ft of 15  
 Block 062 NCB 7217

City of San Antonio - Development Services Dept  
 (5/8/2008)



# Zoning Case Notification Plan

## Case Z-2008-151CD

Council District 1  
Scale: 1" approx. = 80'

Subject Property Legal Description(s): Lot N 132.50Ft of 15 Block 062 NCB 7217

### Legend

- Subject Property  ( 0.15 Acres)
- 200' Notification Buffer
- Current Zoning R6
- Requested Zoning Change (R6)
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept  
(5/8/2008)

**Z2008151 CD**

**ZONING CASE NUMBER Z2008151 CD (Council District 1) – May 20, 2008**

The request of V & E Management Corp., Applicant, for Rosa M Porter c/s Leticia T Leon, Owner(s), for a change in zoning from “R-4” Residential Single-Family District to “R-4” CD (CD-Non-Commercial Parking Lot) Residential Single-Family District with a Conditional Use for a Non-Commercial Parking Lot on Lot 15, Block 62, NCB 7217, 919 Fresno. Staff recommends approval with conditions.

This case was approved by consent.

Staff stated there were 31 notices mailed out to the surrounding property owners, 1 returned in opposition and 0 returned in favor. Staff mailed 30 notices to the Planning Team.

**COMMISSION ACTION**

The motion was made by Commissioner Gadberry and seconded by Commissioner Robbins to recommend approval.

**AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Martinez,  
R. Valadez, Gray**

**NAY: None**

**THE MOTION CARRIED**



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

Agenda Item # Z-3  
Council Meeting Date: 6/19/2008  
RFCAs Tracking No: R-3471

---

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICT(S) IMPACTED:**  
Council District 1

**SUBJECT:**  
Zoning Case Z2008151 CD

**SUMMARY:**

From "R-4" Residential Single-Family District to "R-4 CD" (CD-Non-Commercial Parking Lot) Residential Single-Family District with a Conditional Use for a Non-Commercial Parking Lot.

**BACKGROUND INFORMATION:**

**Zoning Commission Meeting Date:** May 20, 2008

**Applicant:** V & E Management Corp.

**Owner:** Rosa M Porter c/s Leticia T Leon

**Property Location:** 919 Fresno

Lot 15, Block 62, NCB 7217

West of the intersection of Fresno and Blanco Road

**Proposal:** To allow a parking lot

**Neighborhood Association:** Northwest Los Angeles Heights Neighborhood Association

**Neighborhood Plan:** Greater Dellview Area Community Plan

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

**ISSUE:**

The Northwest Los Angeles Heights Neighborhood Association is in favor of the rezoning request.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current "R-4" Residential Single Family District zoning, restricting future land use to single family detached dwellings at a maximum of 11 units per acre, prohibiting the proposed non-commercial parking lot which is only allowed in the "R-4" district with the approval of a conditional use.

**FISCAL IMPACT:**

None. The applicant has paid the required zoning fees.

**RECOMMENDATION:**

Staff and Zoning Commission (9-0) recommend approval, with the following conditions: 1. 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; 2. The parking lot shall be provided with a gate or other sufficient barrier against vehicle entry during the hours the facility served is closed; 3. A 10 foot "Type A" landscape buffer shall be provided along the west property line of the subject property; and 4. All on-site lighting shall be directed onto the site and point away from any residential zoning or uses using 90 degree or less cut-off fixtures.

Since the base zone is not changing, a finding of consistency is not required. The Greater Dellview Area Community Plan identifies future land use for the subject property as Low Density Residential.

The subject property is occupied by a vacant residential dwelling with frontage on Fresno (a Secondary Arterial "Type B" street). The property is adjacent to R-4 zoning to the north, south and west and C-3 zoning to the east. The surrounding land uses consist of single-family dwellings to the north, south and west as well as vacant land to the east.

The applicant is requesting a rezoning to allow a non-commercial parking lot that would provide additional parking for employees of a food service establishment, which is currently under construction and will be located at 3009 Blanco Road. Staff finds the zoning request to be appropriate given the subject property's location near a major arterial and the prevalence of commercial zoning to the east. The application of a conditional use provides an opportunity to limit the impact of the proposed use on surrounding properties and specifically the residential property located next door at 923 Fresno. The R-4 (CD-Non-Commercial Parking Lot) would limit the scope of the use allowed and restrict future occupancy should the use cease for 12 consecutive months. Additionally, the proposed zoning district and use of the property are consistent with the current development pattern along this portion of Fresno Road as there are parcels in the immediate vicinity which may be developed with these types of uses in the future since they have existing commercial and office zoning districts.

Should the City Council approve this request, Staff and Zoning Commission recommend the following conditions:

1. 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;
2. The parking lot shall be provided with a gate or other sufficient barrier against vehicle entry during the hours the facility served is closed;
3. A 10 foot "Type A" landscape buffer shall be provided along the west property line of the subject property; and
4. All on-site lighting shall be directed onto the site and point away from any residential zoning or

uses using 90 degree or less cut-off fixtures.

**ATTACHMENT(S):**

File Description	File Name
<a href="#">Zoning Commission Minutes</a>	Z2008151 CD.pdf
<a href="#">Location Map</a>	Z2008151.pdf
<a href="#">Voting Results</a>	
<a href="#">Ordinance/Supplemental Documents</a>	200806190620.pdf

**DEPARTMENT HEAD AUTHORIZATIONS:**

Roderick Sanchez Director Development Services

**APPROVED FOR COUNCIL CONSIDERATION:**

T.C. Broadnax Assistant City Manager