SG/cla
01/16/2014
Z-11. Amended.

CASE NO. Z2013159 CD

AN ORDINANCE 2014-01-16-0038

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 Lots 9 and 10, Block 49, NCB 7982 from "NC AHOD" Neighborhood Commercial Airport Hazard Overlay District to "C-1 CD AHOD" Light Commercial Airport Hazard Overlay District with a Conditional Use for Motor Vehicle Sales.

SECTION 2. In accordance with Section 35-514(d)(2)D of the Unified Development Code, the City Council authorizes a fence to be erected or altered up to a height of six (6) feet along the front yard.

SECTION 3. 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 4. 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 point away from any adjacent residential zoning or uses; and
B. Outdoor speaker and paging systems shall be prohibited.

SECTION 5. 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 6. 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 7. 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 8. This ordinance shall become effective January 26, 2014.

PASSED AND APPROVED this 16th day of January 2014.

M A Y O R
Julián Castro

ATTEST:

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

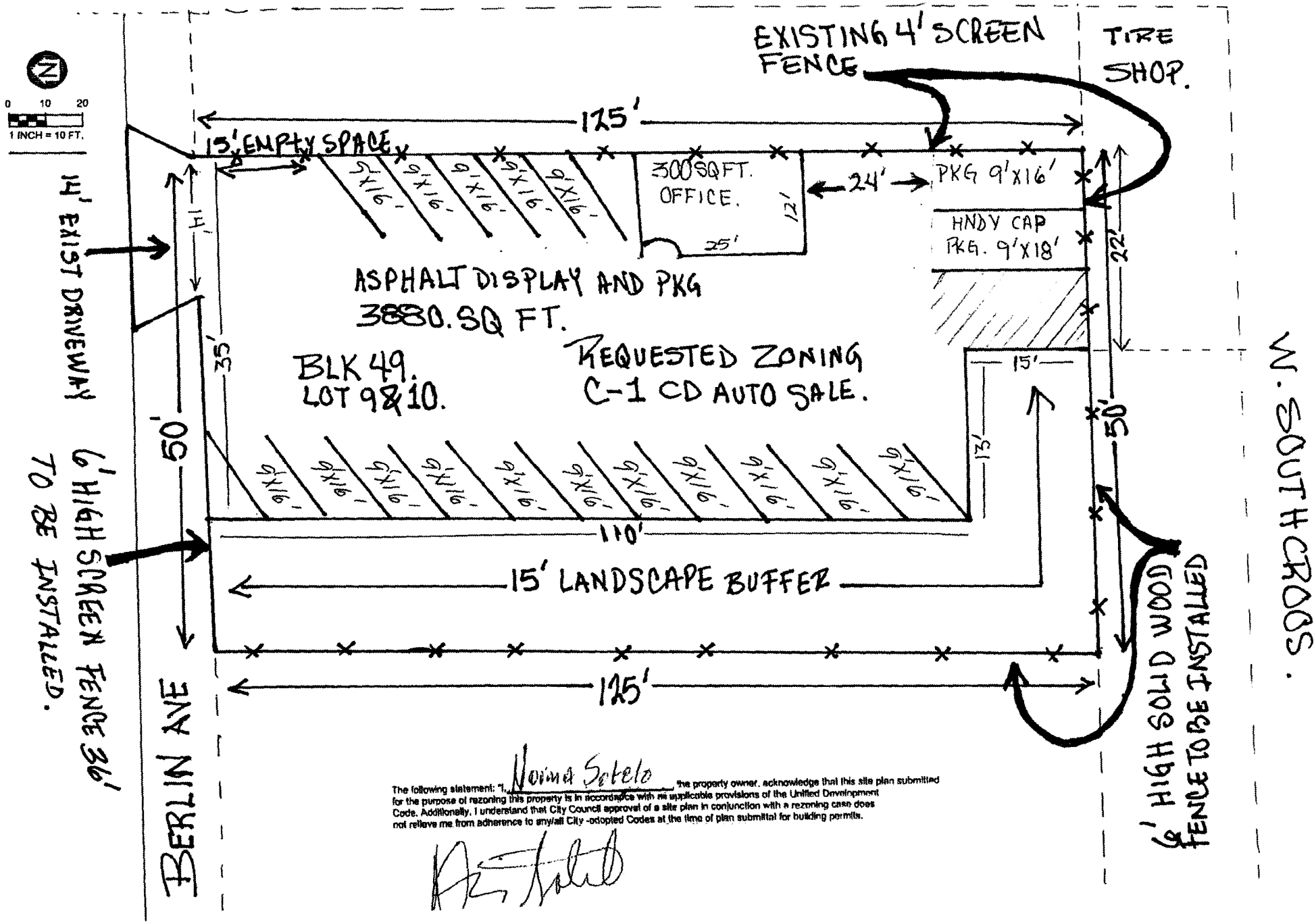
For Robert F. Greenblum, City Attorney

Agenda Item:	**Z-11**
Date:	01/16/2014
Time:	02:24:00 PM
Vote Type:	Motion to Approve
Description:	ZONING CASE # Z2013159 CD (District 5): An Ordinance amending the Zoning District Boundary from "NC AHOD" Neighborhood Commercial Airport Hazard Overlay District to "C-1 CD AHOD" Light Commercial Airport Hazard Overlay District with a Conditional Use for Motor Vehicle Sales allowing a fence up to six (6) feet in height along the front yard in accordance with Section 35-514 (d)(2)(D) of the Unified Development Code on Lots 9 and 10, Block 49, NCB 7982 located at 906 Berlin Avenue. Staff and Zoning Commission recommend denial. (Continued from October 17, 2013)
Result:	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			x	
Ray Lopez	District 6		x				
Cris Medina	District 7	x					
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Carlton Soules	District 10		x				

Z2013159 CD

S. ZARZAMORA ST.



The following statement: "I, Norma Sotelo the property owner, acknowledge that this site plan submitted for the purpose of rezoning this property is in accordance with the 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.

ATTACHMENT A