

AN ORDINANCE 2009-06-04-0477

**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 2, Block 1, NCB 18829 from "C-3" General Commercial District to "C-3 S" General Commercial District with a Specific Use Authorization for a Check Cashing Facility.

**SECTION 2.** The City Council finds as follows:

- A. The specific use will not be contrary to the public interest.
- B. The specific use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district.
- C. The specific use will be in harmony with the spirit and purpose as set forth in Section 35-423, Specific Use Authorization, of the Unified Development Code.
- D. The conditional use will not substantially weaken the general purposes or the regulations as set forth in Section 35-423, Specific Use Authorization, of the Unified Development Code.
- E. The specific use will not adversely affect 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. Check cashing operations shall be limited to one suite within the retail strip center, at any given time.

**SECTION 4.** The City council approves this Specific Use Authorization so long as the attached site plan is adhered to. A site plan is attached as Exhibit "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 Planning and 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 June 14, 2009.

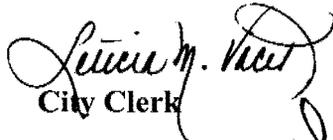
**PASSED AND APPROVED** this 4<sup>th</sup> day of June 2009.



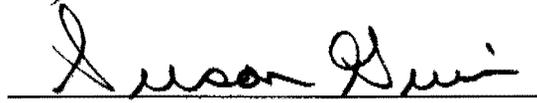
M A Y O R

JULIÁN CASTRO

ATTEST:

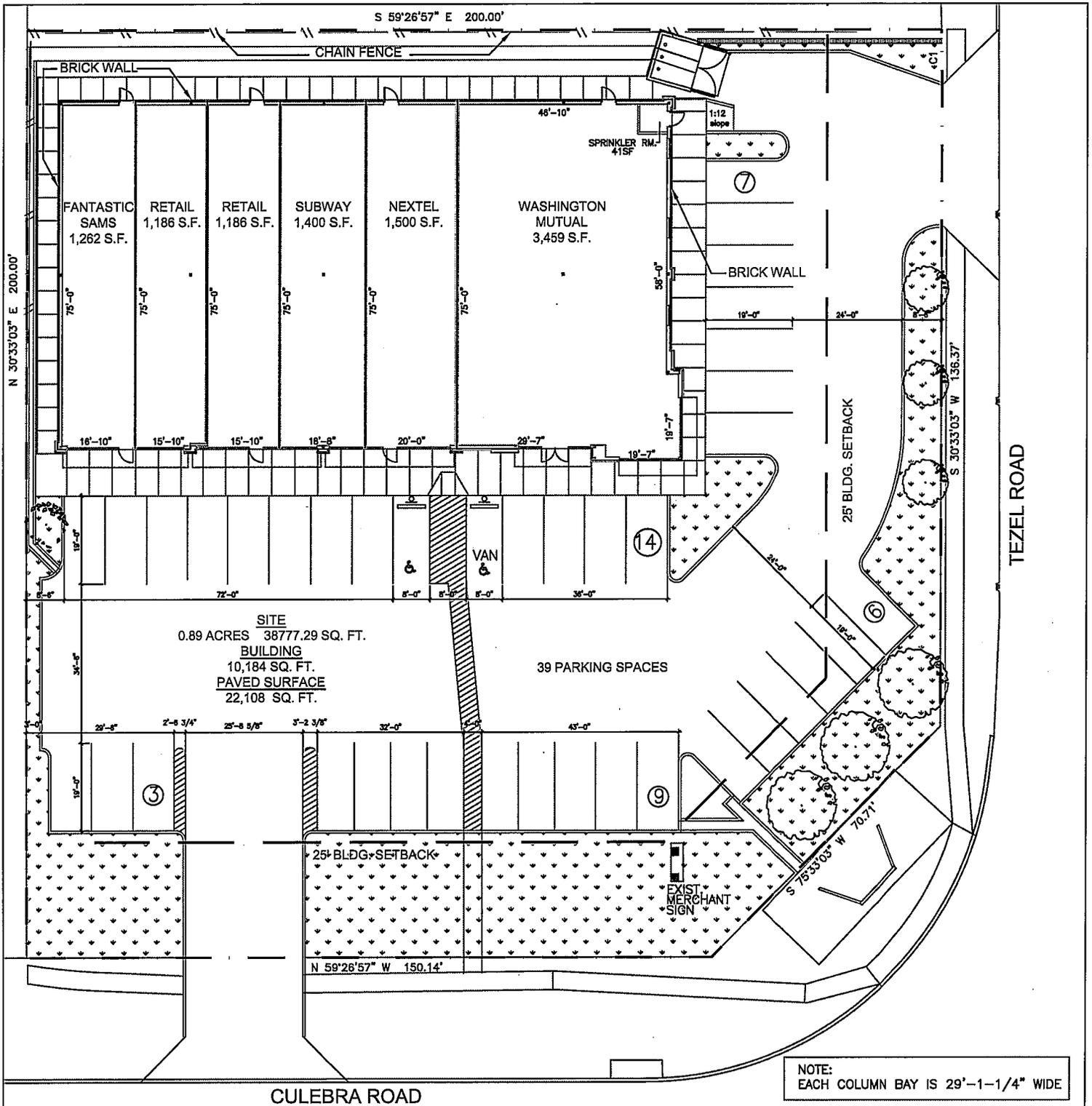
  
City Clerk

APPROVED AS TO FORM:

  
for City Attorney

<b>Agenda Item:</b>	<b>Z-4</b>						
<b>Date:</b>	06/04/2009						
<b>Time:</b>	03:01:47 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	ZONING CASE # Z2009085 S (District 6): An Ordinance amending the Zoning District Boundary from "C-3" General Commercial District to "C-3 S" General Commercial District with a Specific Use Authorization for a Check Cashing Facility on Lot 2, Block 1, NCB 18829 located at 9355 Culebra Road. Staff and Zoning Commission recommend Approval, with conditions.						
<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>
Julian Castro	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					
Ray Lopez	District 6		x			x	
Justin Rodriguez	District 7		x				
Diane G. Cibrian	District 8		x				x
Elisa Chan	District 9		x				
John G. Clamp	District 10		x				

# Z2009085



REQUEST FOR ZONING CHANGE TO C3S - CHECK CASHING FACILITY



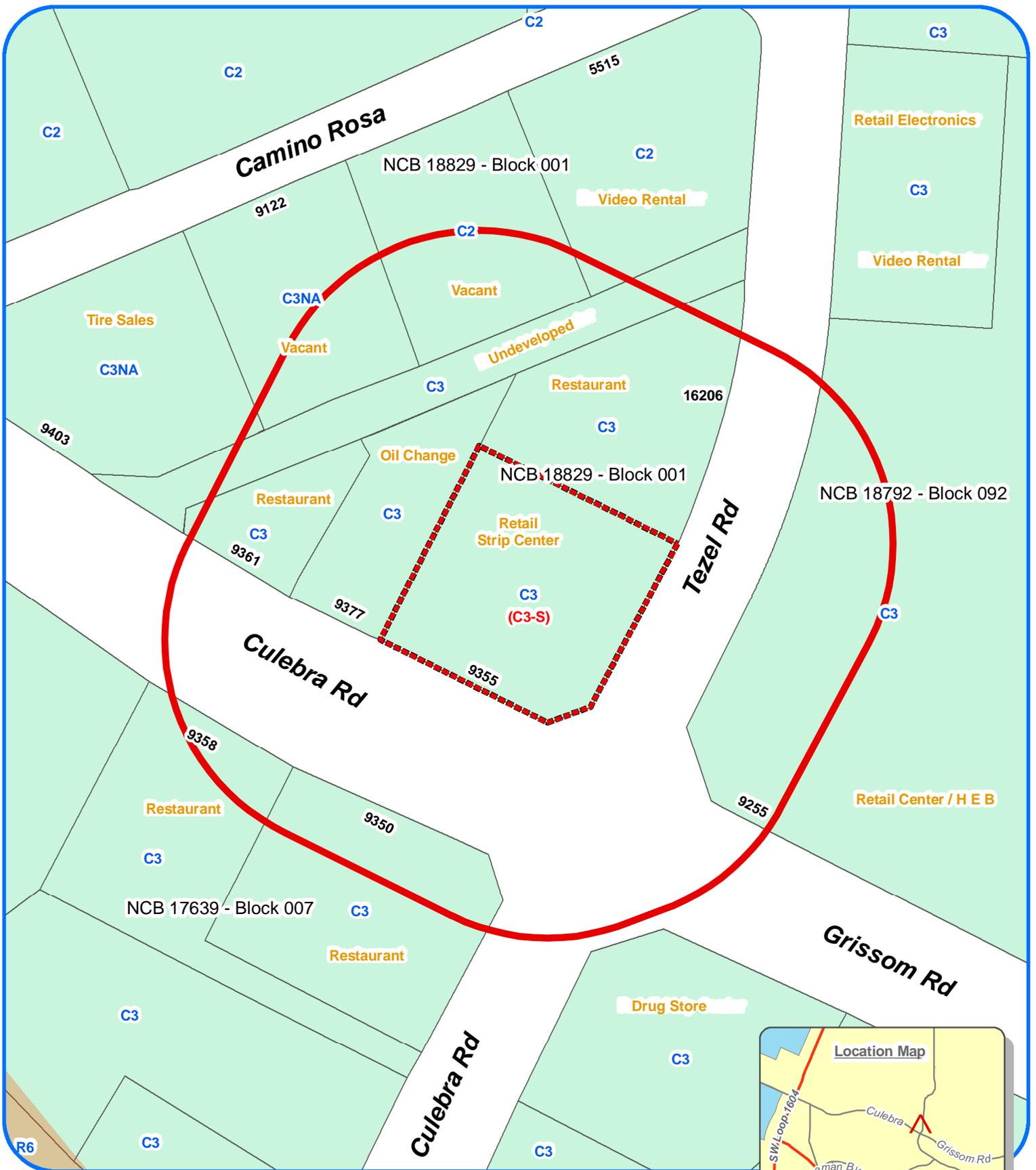
I, REALTY VENTURE VIII LP, THE PROPERTY OWNER, ACKNOWLEDGE THAT THIS SITE PLAN SUBMITTED FOR THE PURPOSES OF REZONING THIS PROPERTY IS IN ACCORDANCE WITH ALL APPLICABLE PROVISIONS OF THE UNITED DEVELOPMENT CODE. ADDITIONALLY, I UNDERSTAND THAT THE CITY COUNCIL APPROVAL OF A SITE PLAN IN CONJUNCTION WITH A REZONING CASE DOES NOT RELIEVE ME FROM ADHERENCE TO ANY / ALL CITY-ADOPTED CODES AT THE TIME OF PLAN SUBMITTAL FOR BUILDING PERMITS.

CULEBRA & TEZEL ROAD  
SAN ANTONIO, TEXAS

SCALE: 1 : 30

MOODY RAMBIN INTERESTS  
3003 W ALABAMA  
HOUSTON, TX 77098





# Zoning Case Notification Plan

## Case Z2009085 S

Council District 6

Scale: 1" approx. = 120 Feet

Subject Property Legal Description(s): NCB 18829 - Block 001 - Lot 2

### Legend

- Subject Property  (0.890 Acres)
- 200' Notification Buffer
- Current Zoning  R6
- Requested Zoning Change  (R6)
- 100-Year FEMA Floodplain



Planning & Development Services Dept  
City of San Antonio  
(04/08/2009 - E Hart)

**AFFIDAVIT OF PUBLICATION**

Before me, the undersigned authority, on this day personally appeared Helen I. Lutz, who being by me duly sworn, deposes and says that she is the Publisher of *The Hart Beat*; that said newspaper is generally circulated in San Antonio, Bexar County, Texas; that the attached notice was published in said newspaper on the following date(s):

**June 8, 2009**

Subscribed and sworn to before me this 8th day of June, 2009, to certify which witness my hand and seal of office.

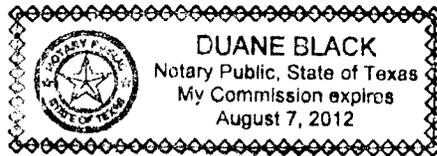
**PUBLIC NOTICE**

**AN ORDINANCE**  
**2009-06-04-0477**

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: Lot 2, Block 1, NCB 18829 TO WIT: From "C-3" General Commercial District to "C-3 S" General Commercial District with a Specific Use Authorization for a Check Cashing Facility provided all conditions imposed by the City Council are adhered to. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".  
6/8



*Helen I. Lutz, Publisher*



*Notary Public in and for the State of Texas*

Duane Black

*Name of Notary*

*My commission expires August 7, 2012*