

AN ORDINANCE 2007-01-04-0018

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.

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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 the East 80.4 Feet of Lot 42, Block 9, NCB 2802 from "MF-33" Multi-Family District and "R-4" Residential Single-Family District to "C-2" Commercial District on the East 80 Feet and the South 132.5 Feet of Lot 42, Block 9, NCB 2802 and "R-4" (CD-Noncommercial Parking Lot) Residential Single-Family District with a Conditional Use for a Noncommercial Parking Lot on the East 80 Feet and the North 132.5 Feet of Lot 42, Block 9, NCB 2802.

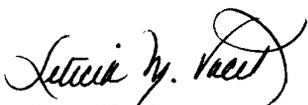
SECTION 2. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

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 on January 14, 2007.

PASSED AND APPROVED this 4th day of January, 2007.


M A Y O R
PHIL HARDBERGER

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
for City Attorney

Agenda Voting Results

Name: Z-1

Date: 01/04/07

Time: 02:19:03 PM

Vote Type: Multiple selection

Description: ZONING CASE #Z2006136 (District 1): An Ordinance changing the zoning district boundary from "MF-33" Multi-Family District and "R-4" Residential Single-Family District to "C-2" Commercial District on the East 80.4 feet of Lot 42, Block 9, NCB 2802, the 200 Block of East Hildebrand Avenue as requested by Olmos Park Village, L. P. c/o Steward Capital Ventures, LLC, General Partner, Applicant, for Olmos Park Village, L. P. c/o Steward Capital Ventures, LLC, General Partner, Owner. Staff recommends Denial, with a recommendation of "C-1" Light Commercial District. Zoning Commission recommends Approval.

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
SHEILA D. MCNEIL	DISTRICT 2		x		
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
DELICIA HERRERA	DISTRICT 6		x		
ELENA K. GUAJARDO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
KEVIN A. WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR PHIL HARDBERGER	MAYOR	Not present			

Affidavit of Publisher

STATE OF TEXAS
COUNTY OF BEXAR
S.A. - CITY CLERK

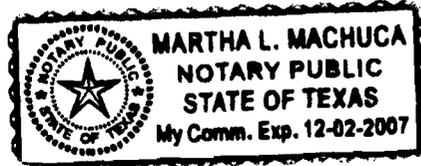
Before me, the undersigned authority, on this day personally appeared Helen I. [redacted] by me duly sworn, says on oath that she is Publisher of the Commercial Recorder, general circulation in the City of San Antonio, in the State and County aforesaid, and Ordinance 2007-01-04-0018 here to attached has been published in every issue of newspaper on the following days, to wit:

01/10/2007.

Helen I. [redacted]

Sworn to and subscribed before me this 10th day of of January, 2007.

Martha L. Machuca



PUBLIC NOTICE
ORDINANCE
2007-01-04-0018
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: The east 80.4 feet of Lot 42, Block 9, NCB 2802, TO WIT: From "MF-33" Multi-Family District and "R-4" Residential Single-Family District to "C-2" Commercial District and "R-4" (CD-Noncommercial Parking Lot) Residential Single Family District with a Conditional Use for a Noncommercial Parking Lot provided all conditions imposed by the City Council are adhered to. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".
1/10

Z2006136

ZONING CASE NO. Z2006136 – June 6, 2006

Applicant: Olmos Park Village, L. P. % Steward Capital Ventures, LLC, General Partner

Zoning Request: “MF-33” Multi Family District and “R-4” Residential Single Family District to “C-2” Commercial District.

Andy Guerrero, 3134 Renker, representing the owner, stated they requesting “C-2” to be consistent with the surrounding “C-2” zoning designation. He further stated they are intending to submit a plan amendment for this property. He stated he has been in contact with Monte Vista Neighborhood Association regarding this zoning request.

Staff stated there were 27 notices mailed out to the surrounding property owners, 0 returned in opposition and 3 returned in favor and no response from Monte Vista Neighborhood Association.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

FINDING OF CONSISTENCY OF THE MASTER PLAN

COMMISSION ACTION

The motion was made by Commissioner Westheimer and seconded by Commissioner Wright to find inconsistency with the neighborhood plan.

(A verbal vote was taken.)

**AYES: Avila, Robbins, Rodriguez, Westheimer, Gadberry, Marshall, Sherrill,
Wright, Martinez, Stribling, Gray**

NAYS: None

THE MOTION CARRIED

COMMISSION ACTION

The motion was made by Commissioner Westheimer and seconded by Commissioner Marshall to recommend approval of “C-2” subject to plan amendment.

1. Property is located on the east 80.4 feet of Lot 42, Block 9, NCB 2802 at 200 Block of E. Hildebrand Avenue.
2. There were 27 notices mailed, 0 returned in opposition and 3 in favor.
3. Staff recommends approval.

Z2006136

**AYES: Avila, Robbins, Rodriguez, Westheimer, Gadberry, Marshall, Sherrill,
Wright, Martinez, Stribling, Gray**

NAYS: None

THE MOTION CARRIED

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.



ZONING CASE: Z2006-136

City Council District No. 1
Requested Zoning Change
From "MF-33" and "R-4"
To "C-2"

Date: October 19, 2006
Scale: 1" = 200'

- Subject Property
- 200' Notification



City of Fresno
 June 6, 2006





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

Agenda Item # Z-1
Council Meeting Date: 1/4/2007
RFCAs Tracking No: R-753

DEPARTMENT: Development Services

DEPARTMENT HEAD:

COUNCIL DISTRICT(S) IMPACTED:
Council District 1

SUBJECT:
Zoning Case Z2006136

SUMMARY:
From "MF-33" Multi-Family District and "R-4" Residential Single-Family District to "C-2" Commercial District

BACKGROUND INFORMATION:
Zoning Commission Meeting Date: June 06, 2006

Applicant: Olmos Park Village, L. P.% Steward Capital Ventures, LLC, General Partner

Owner: Olmos Park Village, L. P.% Steward Capital Ventures, LLC, General Partner

Property Location: 200 Block of East Hildebrand Avenue

Westside of Judson Street between Holand and East Hildebrand Avenue

The east 80.4 feet of Lot 42, Block 9, NCB 2802

Proposal: Coffee shop

Neighborhood Association: Monte Vista Historical Association

Neighborhood Plan: North Central Community Plan

Traffic Impact Analysis: A Traffic Impact Analysis (TIA) is not required

ISSUE:
The requested zoning district is inconsistent with the Neighborhood Commercial land use designation identified in the North Central Neighborhood Community Plan.

ALTERNATIVES:
"C-1" Commercial District

FISCAL IMPACT:

None. The applicant has paid the required zoning fees.

RECOMMENDATION:

Staff Recommendation: Denial, with an alternate recommendation of "C-1" Commercial District
Zoning Commission Recommendation: Approval

Inconsistent

The requested zoning district is inconsistent with the Neighborhood Commercial land use designation identified in the North Central Neighborhood Community Plan. A plan amendment is required for Regional Commercial.

The requested zoning does not conform to the North Central Neighborhoods Community Plan. The subject property is adjacent to "C-2" Commercial District to the west. "C-3" General Commercial District and "MF-33" Multi Family District to the east. The purpose of the rezoning is to build a coffee shop (Starbucks) on the subject property. The subject property is currently utilized as parking for the existing retail shopping center. "C-2" districts accommodate commercial and retail uses that are more intensive in character than "NC" and "C-1" uses, and which generate a greater volume of vehicular traffic and/or truck traffic.

ATTACHMENT(S):

File Description	File Name
Zoning Map	Z2006-136.pdf
Zoning Commission Minutes	Z2006136.pdf
Ordinance/Supplemental Documents	200701040018.pdf

DEPARTMENT HEAD AUTHORIZATIONS:

Roderick Sanchez Director (Interim) Development Services

APPROVED FOR COUNCIL CONSIDERATION:

Jelynn Burley Deputy City Manager

