

AN ORDINANCE 2010-10-07-0876

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 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 14, Block 6, NCB 6094 from "MF-33 NCD-6 AHOD" Multi-Family Mahncke Park Neighborhood Conservation Airport Hazard Overlay District to "RM-4 CD NCD-6 AHOD" Residential Mixed Mahncke Park Neighborhood Conservation Airport Hazard Overlay District with a Conditional Use for an Art Studio.

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. There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of the main structure.
- B. No construction features shall be permitted which would place the structure out of character with the surrounding neighborhood.
- C. An art studio use shall be permitted to include instruction space and administrative offices.

- D. Permitted hours of operation shall be between 9:00 a.m. and 9:00 p.m., Monday through Saturday.
- E. On-site parking shall be limited, as indicated on the attached site plan. The remaining parking requirements shall be met through a cooperative parking agreement with an adjacent business owner.
- F. Outdoor classes shall not be permitted after sun-down.
- G. A six-foot tall, solid-screen fence shall be maintained along the property line of the side and rear yards where the subject property abuts residential uses.

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.

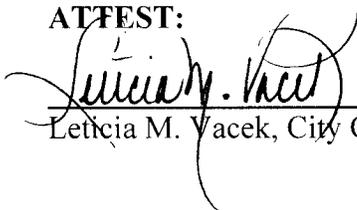
SECTION 6. The Director of Planning and Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 7. This ordinance shall become effective October 17, 2010.

PASSED AND APPROVED this 7th day of October 2010.


M A Y O R
Julián Castro

ATTEST:

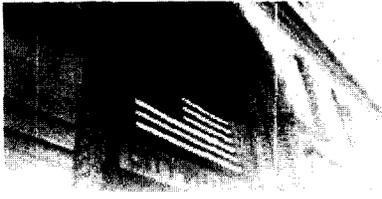


Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

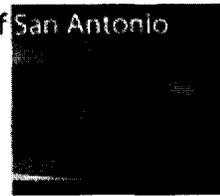


for Michael D. Bernard, City Attorney



Request for
**COUNCIL
 ACTION**

City of San Antonio



Agenda Voting Results - Z-10

| Name: | Z-10 | | | | | | |
|------------------------|--|-------------|-----|-----|---------|--------|--------|
| Date: | 10/07/2010 | | | | | | |
| Time: | 02:46:06 PM | | | | | | |
| Vote Type: | Motion to Appr w Cond | | | | | | |
| Description: | ZONING CASE # Z2010148 CD (District 9): An Ordinance amending the Zoning District Boundary from "MF-33 NCD-6 AHOD" Multi-Family Mahncke Park Neighborhood Conservation Airport Hazard Overlay District to "RM-4 CD NCD-6 AHOD" Residential Mixed Mahncke Park Neighborhood Conservation Airport Hazard Overlay District with a Conditional Use for an Art Studio on Lot 14, Block 6, NCB 6094 located at 200 and 202 Queen Anne Court. Staff and Zoning Commission recommend approval with conditions. | | | | | | |
| Result: | Passed | | | | | | |
| Voter | Group | Not Present | Yea | Nay | Abstain | Motion | Second |
| Julián Castro | Mayor | | x | | | | |
| Mary Alice P. Cisneros | District 1 | | x | | | | |
| Ivy R. Taylor | District 2 | | x | | | | |
| Jennifer V. Ramos | District 3 | | x | | | | |
| Philip A. Cortez | District 4 | | x | | | | |
| David Medina Jr. | District 5 | x | | | | | |
| Ray Lopez | District 6 | | x | | | | |
| Justin Rodriguez | District 7 | | x | | | | |
| W. Reed Williams | District 8 | | x | | | | x |
| Elisa Chan | District 9 | | x | | | x | |
| John G. Clamp | District 10 | | x | | | | |

22010148 CD

Queen Ann Court

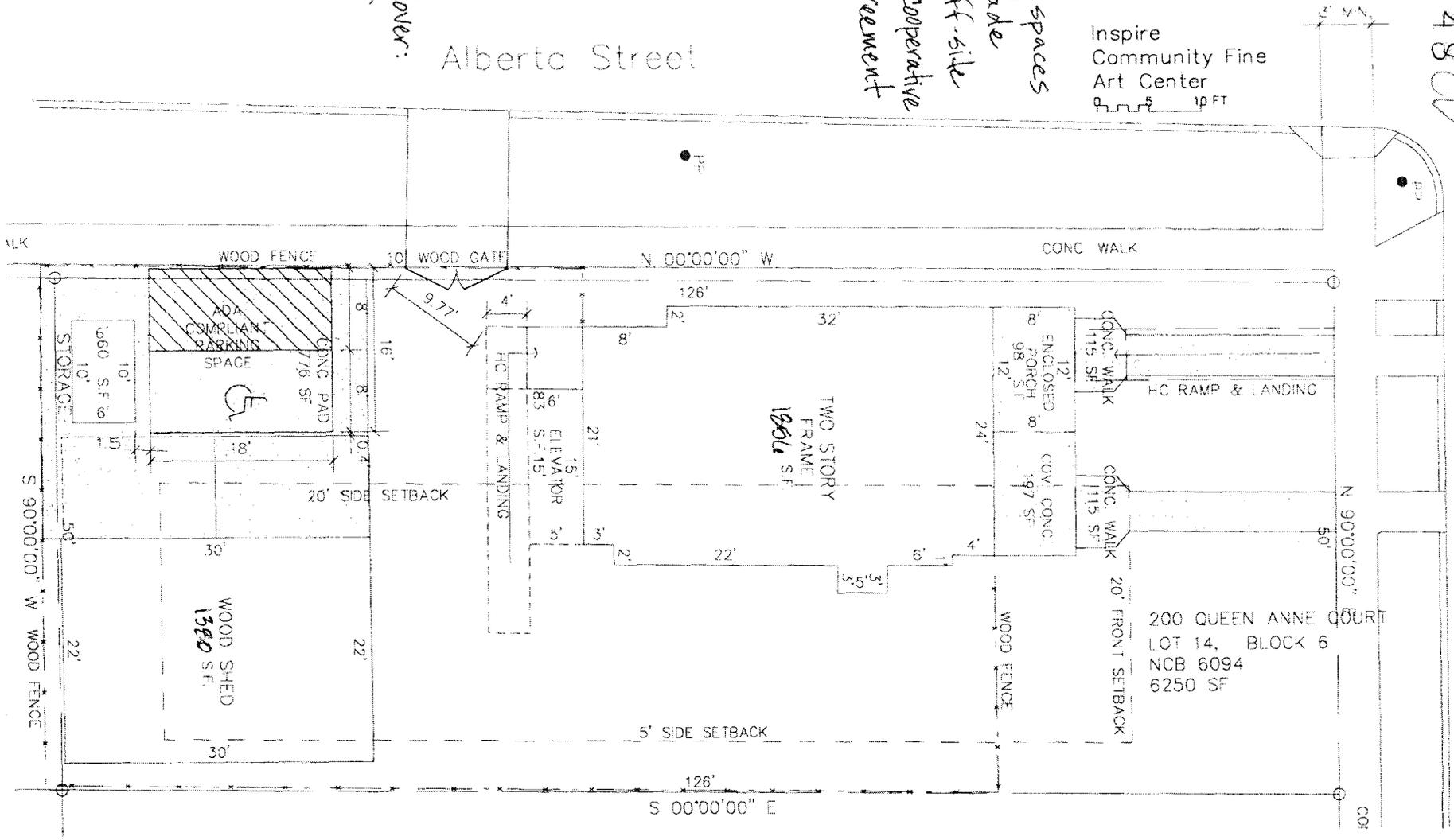


Inspire Community Fine Art Center
5 10 FT

6 parking spaces shall be made available off-site through a cooperative parking agreement

Impervious Cover: 2775 SF

Alberta Street



Attachment A

7. The following statement: Susan M. Ortega the property owner, acknowledge that this site plan submitted for the purpose 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 a rezoning case does not relieve me from adherence to any/all City-adopted Codes at the time of plan submittal for building permits.