

AN ORDINANCE 2007-01-18-0106

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 Lot A-6, NCB 13806 from “R-6” IH-1 Residential Single Family National Highway System High Priority Corridor District-1 to “C-2” IH-1 (CD-Landscape Materials Sales and Storage) Commercial National Highway System High Priority Corridor District-1 with a Conditional Use for Landscape Materials Sales and Storage on the East 380 Feet of Lot A-6, NCB 13806 and to “I-1” IH-1 General Industrial National Highway System High Priority Corridor District-1 on the remaining portion of Lot A-6, NCB 13806.

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. A 25 foot Type D buffer shall be provided along the South and East property lines of the subject property, where the subject property abuts existing R-6 single family residential zoning.

B. Commercial and industrial access to the subject property shall be limited to Lot 13, NCB 13806. No commercial or industrial access shall be allowed via Overlook Drive.

C. Hours of operation shall be limited to the hours between 6 a.m. and 8 p.m.

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 January 28, 2007.

PASSED AND APPROVED this 18th 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-17.

Date: 01/18/07

Time: 04:49:18 PM

Vote Type: Multiple selection

Description: ZONING CASE #Z2007048 CD (District 10): An Ordinance changing the zoning district boundary from "R-6" IH-1 Residential Single Family National Highway System High Priority Corridor District 1 to "C-2" IH-1 (CD-Landscape Materials Sales and Storage)Commercial National Highway System High Priority Corridor District 1 with a conditional use for landscape materials sales and storage on the Eastern 380.00' of Lot A-6 and "I-1" IH-1 General Industrial National Highway System High Priority Corridor District 1 on the remaining portion of Lot A-6, NCB 13806, 102 Joe Lee as requested by A and O Home Investors, Applicant, for Mark Ambrose, Owner. Staff and Zoning Commission recommend Approval with Conditions.

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		x		

Affidavit of Publisher

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

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 A-6, NCB 13806; TO WIT: From "R-6" IH-1 Residential Single Family National Highway System High Priority Corridor District 1 to "C-2" IH-1 (CD-Landscape Materials Sales and Storage) Commercial National Highway System High Priority Corridor District 1 with a conditional use for landscape materials sales and storage on the Eastern 380.00' of Lot A-6 and "I-1" IH-1 General Industrial National Highway System High Priority Corridor District 1 on the remaining portion of Lot A-6, NCB 13806 provided all conditions imposed by the City Council are adhered to. *THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00*.
1/25

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 2007-01-18-0106 here to attached has been published in every issue of newspaper on the following days, to wit:

01/25/2007.

Helen I. [redacted]

Sworn to and subscribed before me this 25th day of of January, 2007.

Martha L. Machuca



