

AN ORDINANCE 2009-06-18-0549

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 13, Block 17, NCB 16410 from "MF-33" Multi-Family District to "R-6 S" Residential Single-Family District with a Specific Use Authorization for Licensed Child Care.

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. Hours of operation shall be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday; closed Saturday and Sunday.

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.

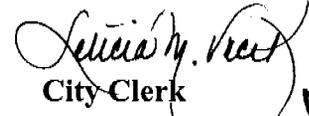
SECTION 6. The Director of Planning and Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 7. This ordinance shall become effective June 28, 2009.

PASSED AND APPROVED this 18th day of June 2009.



M A Y O R

ATTEST: 
City Clerk

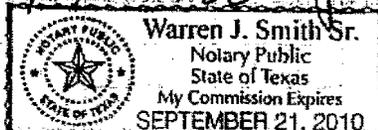
APPROVED AS TO FORM: 
for City Attorney

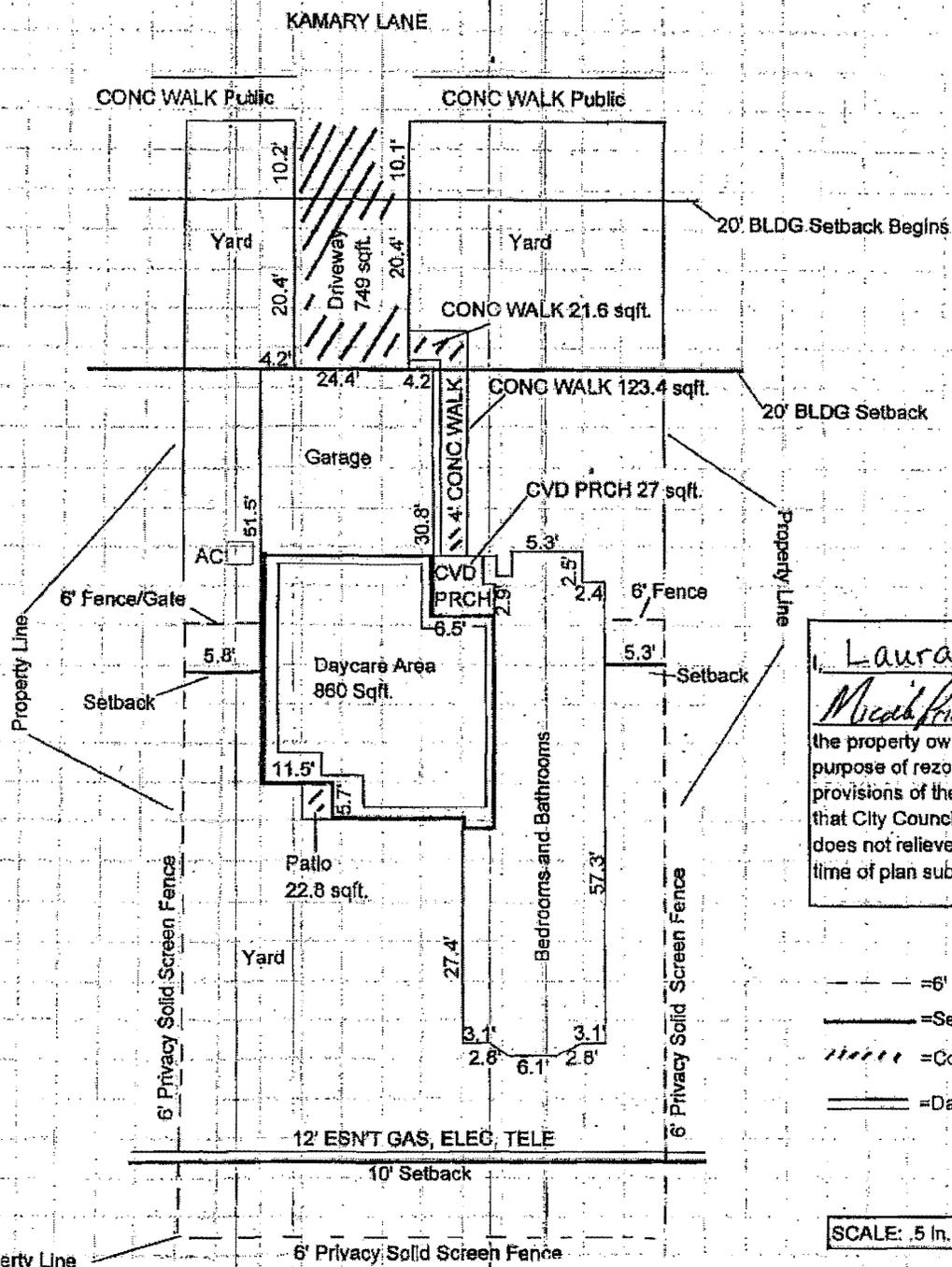
Agenda Item:	Z-16 (in consent vote: P-2, Z-6, Z-8, P-4, Z-9, Z-10, Z-16, Z-17)						
Date:	06/18/2009						
Time:	02:57:52 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2009072 S (District 10): An Ordinance amending the Zoning District Boundary from "MF-33" Multi-Family District to "R-6 S" Residential Single-Family District with a Specific Use Authorization for Licensed Child Care on Lot 13, Block 17, NCB 16410 located at 15043 Kamary Lane. Staff and Zoning Commission recommend Approval with conditions.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julian Castro	Mayor		x				
Mary Alice P. Cisneros	District 1		x				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				
Justin Rodriguez	District 7		x			x	
Diane G. Cibrian	District 8		x				
Elisa Chan	District 9		x				
John G. Clamp	District 10	x					

72009072 S

15043 Kamary LN
San Antonio, TX: 78247

HOME: 1747 Sqft.
Acreage: 0.1841
Childcare Area: 860 sqft.
Impervious Cover: 2690.8

3/17/2009 *Warren J. Smith Sr.*




Laura Price Laura Price
Mica Price
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.

- - - - - = 6' Privacy Solid Screen Fence
- = Setback
- ||||| = Conc Walk, Patio, PRCH, Driveway
- ===== = Daycare Area

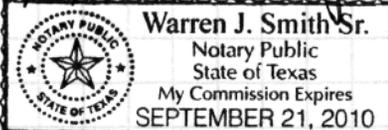
SCALE: .5 in. = 10 ft.

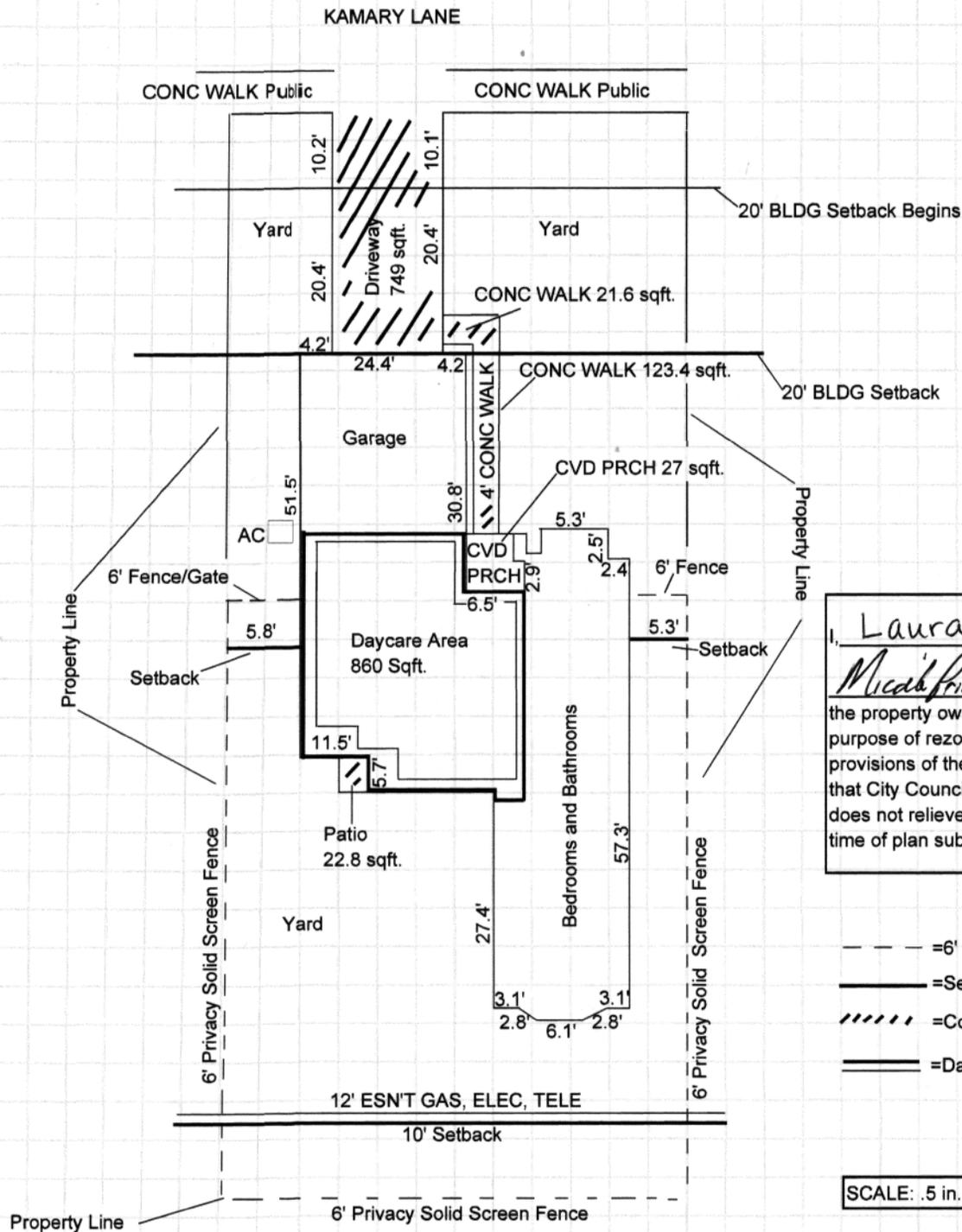
Mica Price
Laura Price

Exhibit A

15043 Kamary LN
San Antonio, TX. 78247

HOME: 1747 Sqft.
Acreage: 0.1641
Childcare Area: 860 sqft.
Impervious Cover: 2690.8

3/17/2009 *Wu*

 Warren J. Smith Sr.
Notary Public
State of Texas
My Commission Expires
SEPTEMBER 21, 2010

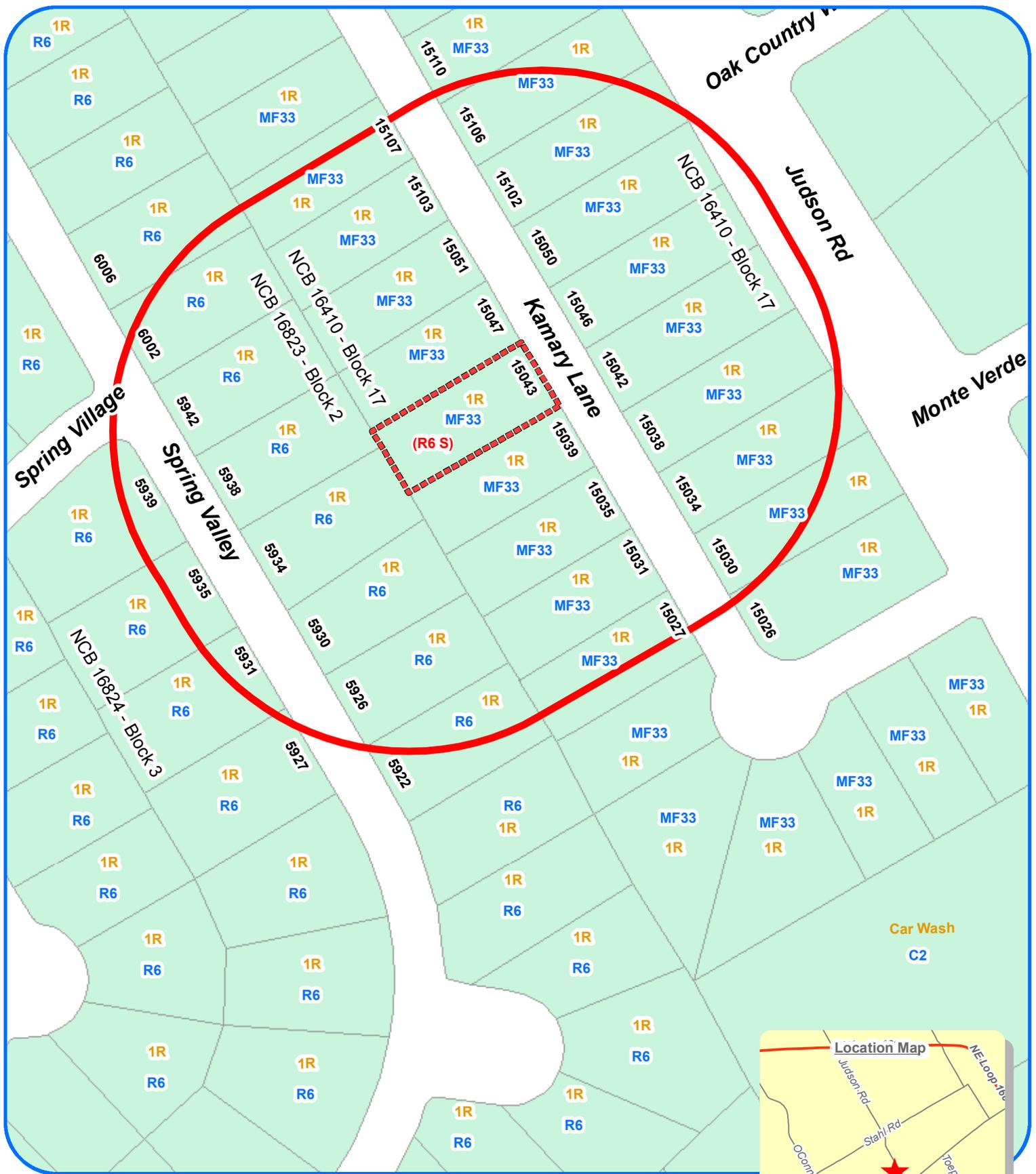


Laura Price
Laura Price
Mick Price
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- - - =6' Privacy Solid Screen Fence
- =Setback
- //// =Conc Walk, Patio, PRCH, Driveway
- == =Daycare Area

SCALE: .5 in. =10 ft.

Mick Price
Little Jack Joe K



Zoning Case Notification Plan

Case Z2009072 S

Council District 10

Scale: 1" approx. = 100'

Subject Property Legal Description(s): Lot 13, Block 17, NCB 16410

Legend

- Subject Property (0.1641 Acres)
- 200' Notification Buffer
- Current Zoning MF33
- Requested Zoning Change (R5)
- 100-Year FEMA Floodplain



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 22, 2009

Subscribed and sworn to before me this 22nd day of June, 2009, to certify which witness my hand and seal of office.

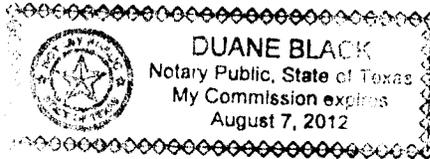
PUBLIC NOTICE

AN ORDINANCE
2009-06-18-0549

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 13, Block 17, NCB 16410 TO WIT: From "MF-33" Multi-Family District to "R-6 S" Residential Single-Family District with a Specific Use Authorization for Licensed Child Care provided all conditions imposed by the City Council are adhered to. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".
6/22



Helen I. Lutz, Publisher



Notary Public in and for the State of Texas

Duane Black

Name of Notary

My commission expires August 7, 2012