

AN ORDINANCE 2007-01-04-0037

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:

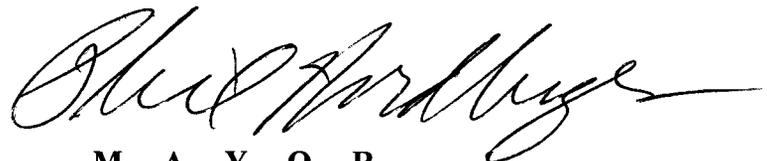
SECTION 1. Chapter 35, Unified Development Code, Section 35-304, Official Zoning Map, of the City Code of San Antonio, Texas is amended by changing the zoning district boundary of Lot 45 and Lot 46, Block 10, NCB 13961 from "R-6" Residential Single Family District to "C-3 NA" General Commercial Nonalcoholic Sales District.

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-23

Date: 01/04/07

Time: 03:14:19 PM

Vote Type: Multiple selection

Description: ZONING CASE # Z2006286 (Council 6): An Ordinance changing the zoning district boundary from "R-6" Residential Single Family District to "C-3NA" Commercial District Nonalcoholic Sales on Lot 45 and Lot 46, Block 10, NCB 13961, 2247 Herbert Lane as requested by Manuel A. Garza, Applicant, for Jose Cervantes, Owner. Staff and Zoning Commission recommend Denial.

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

PUBLIC NOTICE
ORDINANCE
2007-01-04-0037
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: Lots 45 and 46, Block 10, NCB 13961, TO WIT: From "R-6" Residential Single Family District to "C-3NA" Commercial District Nonalcoholic Sales. *THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00*.
1/10

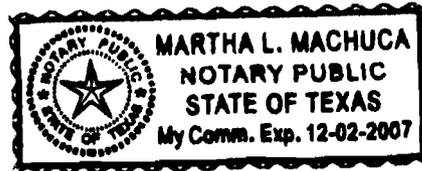
Before me, the undersigned authority, on this day personally appeared Helen I. [redacted] by me duly sworn, says on oath that she is Publisher of the Commercial Recorder, a newspaper of general circulation in the City of San Antonio, in the State and County aforesaid, and that the Ordinance 2007-01-04-0037 here to attached has been published in every issue of said newspaper on the following days, to wit:

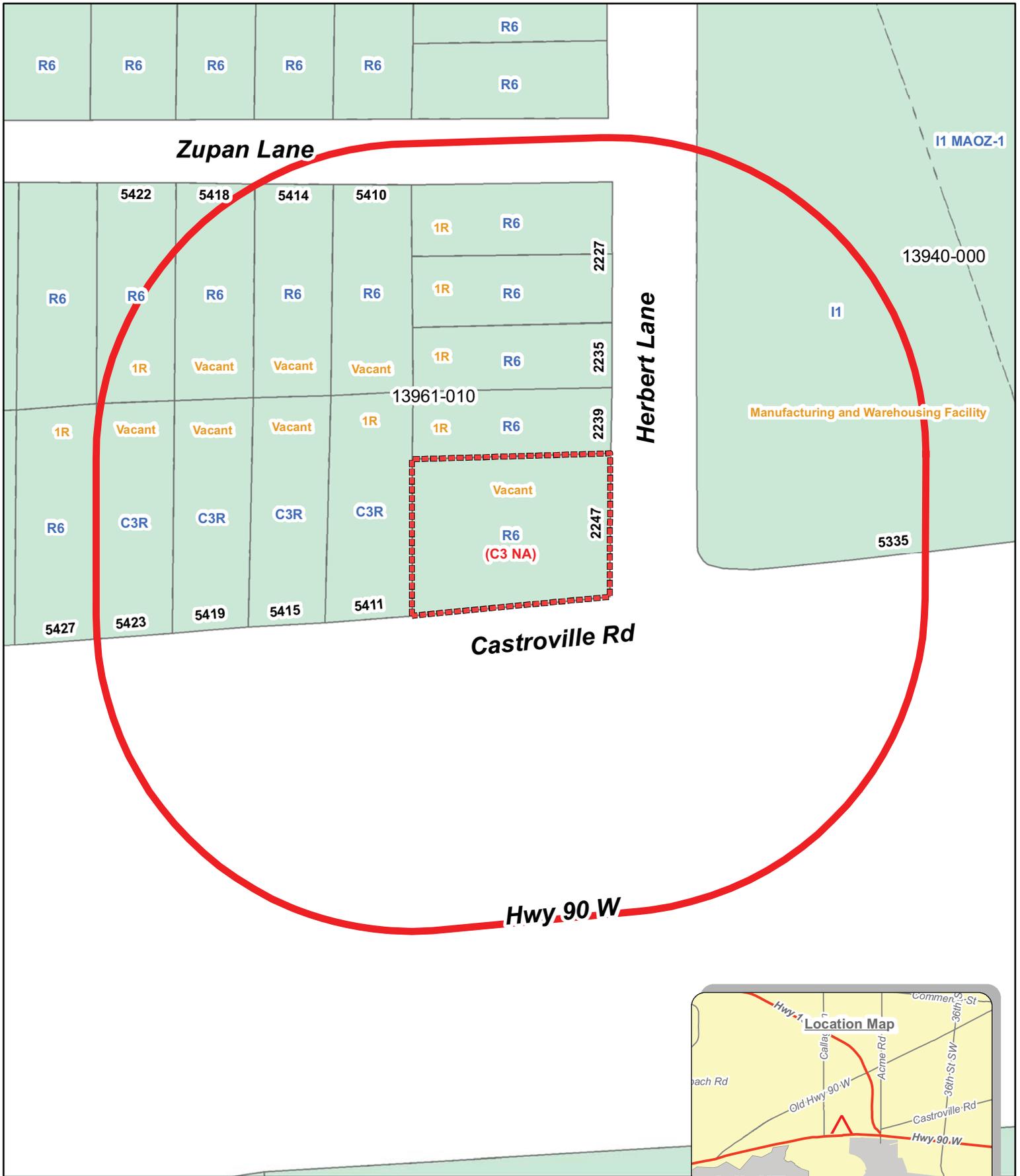
01/10/2007.

Helen I. [redacted]

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

Martha L. Machuca





Zoning Case Notification Plan

Case Z-2006-286

Council District 6
 Scale: 1" approx. = 80'



- Legend**
- Subject Property
 - 200' Notification Buffer
 - Property Address **12345**
 - Current Zoning **Blue**
 - Requested Zoning Change **(Red)**
 - Land Use **Orange**
 - NCB - Block **54321-123**
 - 100-Year FEMA Floodplain



Z2006286

ZONING CASE NUMBER Z2006286 (Council District 6) – November 21, 2006

The request of Manuel A. Garza, Applicant, for Jose Cervantes, Owner(s), for a change in zoning from “R-6” Residential Single Family District to “C-3NA” Commercial District Nonalcoholic Sales on Lots 45 and 46, Block 10, NCB 13961, 2247 Herbert Lane. Staff recommended denial.

Jose Cervantes, owner, proposing an auto glass repair shop.

The following citizen(s) appeared to speak:

Beatrice Lopez, spoke in favor.

COMMISSION ACTION

The motion was made by Commissioner Martinez and seconded by Commissioner Gadberry to recommend denial.

**AYES: Avila, Robbins, Rodriguez, Westheimer, Gadberry, Sherrill, Martinez,
Briones**

NAYS: None

THE MOTION CARRIED

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.



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

Agenda Item # Z-23
Council Meeting Date: 1/4/2007
RFCA Tracking No: R-887

DEPARTMENT: Development Services

DEPARTMENT HEAD: Roderick Sanchez

COUNCIL DISTRICT(S) IMPACTED:
Council District 6

SUBJECT:
Zoning Case Z2006286

SUMMARY:
Zoning Request: From "R-6" Residential Single Family District to "C-3NA" Commercial District
Nonalcoholic Sales

BACKGROUND INFORMATION:
Zoning Commission Meeting Date: November 21, 2006

Owner: Jose Cervantes

Applicant: Manuel A. Garza

Property Location: Lots 45 and 46, Block 10, NCB 13961
2247 Herbert Lane
At the intersection of Castroville Road and Herbert Lane

Proposal: To allow for an auto repair and glass shop

Neighborhood Association: None

Neighborhood Plan: None

Traffic Impact Analysis: A Traffic Impact Analysis is not required

ISSUE:
This case is not considered to be controversial.

ALTERNATIVES:
A Denial of the request will not allow the proposed land use.

FISCAL IMPACT:

None. All zoning fees have been paid by the applicant.

RECOMMENDATION:

Staff and Zoning Commission (8-0) recommend Denial

The subject property is currently undeveloped. To the north of the subject property exists R-6 Single Family Residential zoning, while I-1 MAOZ-1 Industrial Military Airport Overlay zoning exists to the east of the subject property (across Herbert Lane). US Highway 90 West exists to the south of the subject property, while C-3R General Commercial District zoning exists to the west of the subject property.

The zoning request, for C-3NA Commercial Nonalcoholic Sales District zoning, would not be appropriate for the surrounding area. R-6 Single Family Residential zoning exists to the north of the subject property, and the subject property is surrounded on its western and eastern sides by both General Commercial and Industrial zoning. The intensity being requested, in this case C-3NA Commercial zoning, would be inappropriate given the location and size of the parcel being rezoned. Due to setback and ingress/egress requirements on the site, the request would be inappropriate for the surrounding area. A zoning designation which would allow smaller scale commercial uses would be more appropriate for the subject property than the current zoning request.

ATTACHMENT(S):

File Description	File Name
ZC Minutes	Z2006286.pdf
Location Map	Z2006286.pdf
Ordinance/Supplemental Documents	200701040037.pdf

DEPARTMENT HEAD AUTHORIZATIONS:

Roderick Sanchez Director (Interim) Development Services

APPROVED FOR COUNCIL CONSIDERATION:

Jelynn Burley Deputy City Manager

