

AN ORDINANCE 2007-01-04-0033

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:

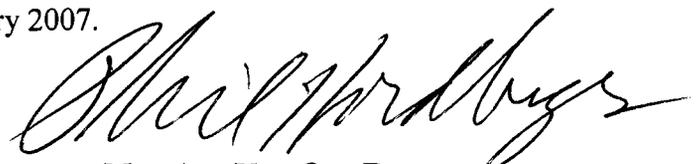
SECTION 1. Chapter 35, Unified Development Code, Section 35-304, Official Zoning Map, of the City Code of San Antonio, Texas is amended by changing the zoning district boundary of Lot 38 and Lot 39, Block 4, NCB 7926 from "C-3 R" General Commercial Restrictive Alcoholic Sales District and "R-4" Residential Single-Family District to "R-4" Residential Single-Family 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: Consent Zoning Items 3,4,6,8,9,13,14,15,16,18,19,22,25,26,30,31,35

Date: 01/04/07

Time: 02:23:02 PM

Vote Type: Multiple selection

Description:

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

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 38 and 39, Block 4, NCB 7926, TO WIT: From "C-3R" General Commercial Restrictive Alcoholic Sales District, and "R-4" Residential Single Family District to "R-4" Residential Single Family. THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00.

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

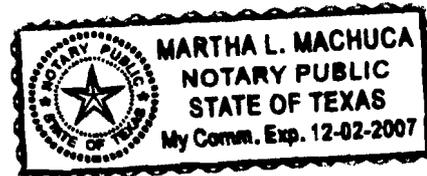
Before me, the undersigned authority, on this day personally appeared Helen I. Luja by me duly sworn, says on oath that she is Publisher of the Commercial Recorder, a general circulation in the City of San Antonio, in the State and County aforesaid, and Ordinance 2007-01-04-0033 here to attached has been published in every issue of said newspaper on the following days, to wit:

01/10/2007.

Helen I. Luja

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

Martha L. Machuca



Z2007038

ZONING CASE NUMBER Z2007038 (Council District 5) – December 5, 2006

The request of Francisco J. Morales, Applicant, for Francisco J. Morales, Owner(s), for a change in zoning from “C-3R” General Commercial Restrictive Alcoholic Sales District, and “R-4” Residential Single Family District to “R-4” Residential Single Family District on Lots 38 and 39, Block 4, NCB 7926, 1451 Chalmers Avenue. Staff recommended approval.

Francisco Morales, owner, proposing to develop a single family home.

FINDING OF CONSISTENCY OF THE MASTER PLAN

COMMISSION ACTION

The motion was made by Commissioner Rodriguez and seconded by Commissioner Marshall to find consistent with the neighborhood plan.

(A verbal vote was taken)

AYES: Avila, Robbins, Rodriguez, Gadberry, Marshall, Sherrill, Wright, Briones

NAYS: None

THE MOTION CARRIED

COMMISSION ACTION

The motion was made by Commissioner Rodriguez and seconded by Commissioner Gadberry to recommend approval.

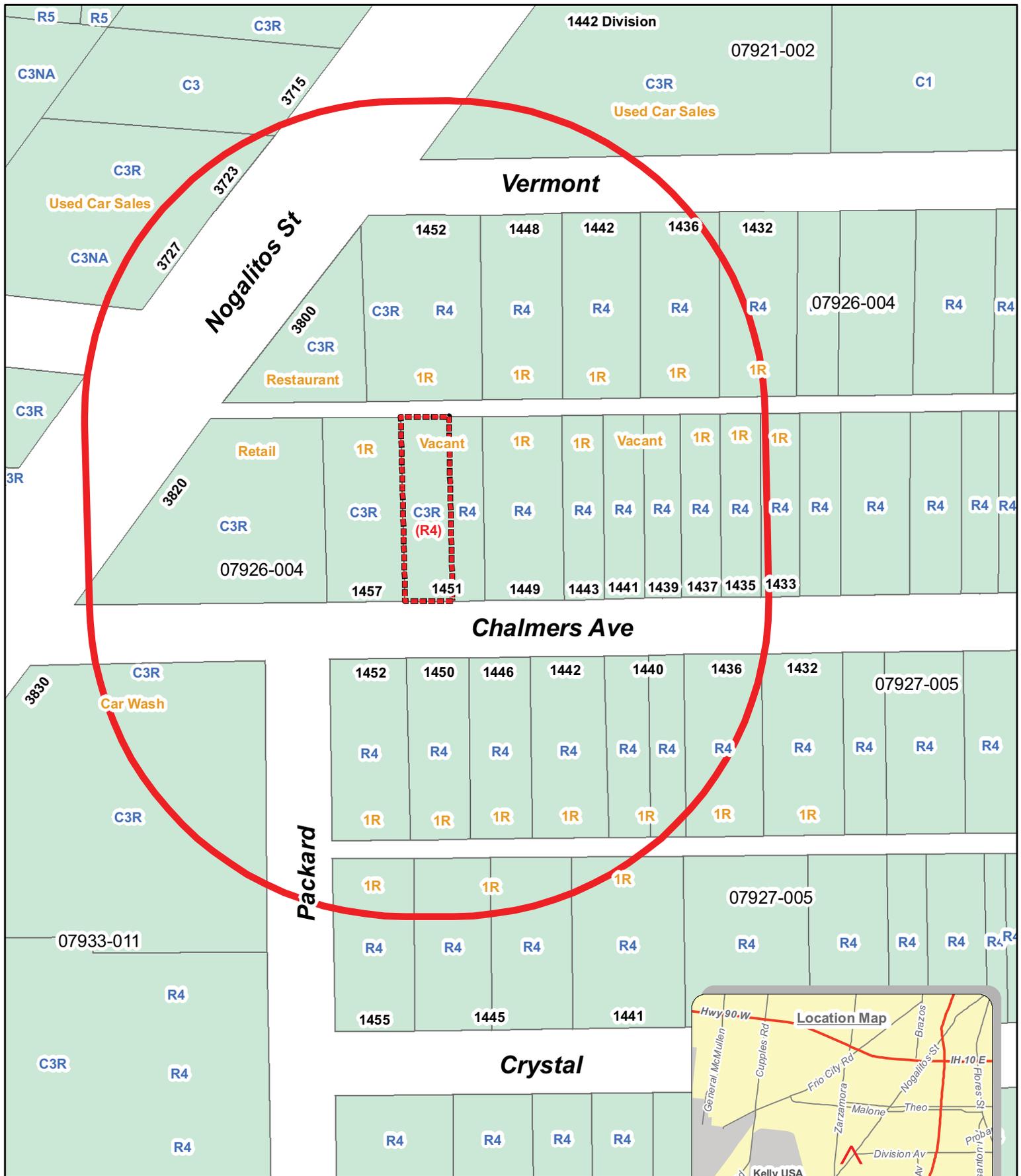
AYES: Avila, Robbins, Rodriguez, Gadberry, Marshall, Sherrill, Wright, Briones

NAYS: None

THE MOTION CARRIED

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.



Zoning Case Notification Plan

Case Z-2007-038

Council District 5
 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





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

Agenda Item # Z-18
Council Meeting Date: 1/4/2007
RFCAs Tracking No: R-866

DEPARTMENT: Development Services

DEPARTMENT HEAD: Roderick Sanchez

COUNCIL DISTRICT(S) IMPACTED:
Council District 5

SUBJECT:
Zoning Case Z2007038

SUMMARY:

From "C-3R" General Commercial Restrictive Alcoholic Sales District, and "R-4" Residential Single Family District to "R-4" Residential Single Family District.

BACKGROUND INFORMATION:

Zoning Commission Meeting Date: December 5, 2006

Applicant: Francisco J. Morales

Owner: Francisco J. Morales

Property Location: 1451 Chalmers Avenue

Lots 38 and 39, Block 4, NCB 7926

East of Chalmers Avenue and Nogalitos Street

Proposal: For residential development

Neighborhood Association: Palm Heights Neighborhood Association within 200 feet

Neighborhood Plan: Nogalitos/South Zarzamora Community Plan

TIA Statement: A Traffic Impact Analysis is not required.

ISSUE:
None.

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

FISCAL IMPACT:
None. The applicant has paid the required zoning fees.

RECOMMENDATION:

Staff and Zoning Commission (8-0) recommend Approval.

The subject property is currently vacant and located on Chalmers Avenue. The property is adjacent to R-4 zoning to the north, south and east, and C-3 R zoning to the west. The surrounding land uses consist of single-family residential dwellings to the north, south and east and commercial uses to the west.

The applicant's request is to construct a single-family residence. The zoning request is compatible with the surrounding neighborhood and will not be out of character with the existing lots in the area.

The R-4 Residential Single-Family District would be appropriate and compatible at this location. The requested zoning will not adversely affect the surrounding area nor will the subject property suffer any detrimental effects as a result of the rezoning.

The requested R-4 Residential Single-Family District is a beneficial down zoning from the existing C-3 R General Commercial Restrictive Alcoholic Sales District. Residential Single-Family Districts are encouraged in areas where adequate public facilities and services exist with the capacity to serve development. The site is located in an area where there is accessibility to commercial facilities and traffic circulation to major thoroughfares; Division Avenue (a Secondary Arterial "Type B" street) to the north and IH 35 South (a freeway) to the east.

ATTACHMENT(S):

File Description	File Name
Location Map	Z2007038.pdf
Zoning Commission Minutes	Z2007038.pdf
Ordinance/Supplemental Documents	200701040033.pdf

DEPARTMENT HEAD AUTHORIZATIONS:

Roderick Sanchez Director (Interim) Development Services

APPROVED FOR COUNCIL CONSIDERATION:

Jelynn Burley Deputy City Manager

