

AN ORDINANCE 2008-08-07-0673

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 Lots 6 and 7, Block 9, NCB 6751 and Lots 15, 16, 17 and 18, Block 10, NCB 6752 from "MF-33" Multi-Family District to "MF-33 CD" (CD - Non-Commercial Parking Lot) Multi-Family District with a Conditional Use for a Non-Commercial Parking Lot.

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 5-foot landscape buffer and a six-foot tall wooden fence shall be provided along the east property line of the subject properties;
- B. All on-site lighting shall be directed onto the site and point away from any residential zoning or uses using 90 degree or less cut-off fixtures.

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 August 17th, 2008.

PASSED AND APPROVED this 7th day of August, 2008.


M A Y O R

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
for City Attorney

Agenda Item:	Z-6 (in consent vote: Z-1, Z-4, Z-5, Z-6, Z-8, Z-9, Z-10, P-1, Z-13, Z-14, Z-15, Z-16)						
Date:	08/07/2008						
Time:	05:21:01 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2008176 CD (District 5): An Ordinance amending the Zoning District Boundary from "MF-33" Multi-Family District to "MF-33 CD" (CD - Non-Commercial Parking Lot) Multi-Family District with a Conditional Use for a Non-Commercial Parking lot on Lots 6 and 7, Block 9, NCB 6751 and Lots 15, 16, 17 and 18, Block 10, NCB 6752 located at 122, 126 and 127 Calles Street and 460 and 462 Mercedes Street. Staff and Zoning Commission recommend approval with conditions.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Phil Hardberger	Mayor		x				
Mary Alice P. Cisneros	District 1		x				
Sheila D. McNeil	District 2		x				
Jennifer V. Ramos	District 3		x				
Philip A. Cortez	District 4		x				
Lourdes Galvan	District 5		x			x	
Delicia Herrera	District 6	x					
Justin Rodriguez	District 7		x				
Diane G. Cibrian	District 8		x				x
Louis E. Rowe	District 9		x				
John G. Clamp	District 10		x				



Zoning Case Notification Plan

Case Z2008176 CD

Council District 5

Scale: 1" approx. = 200'

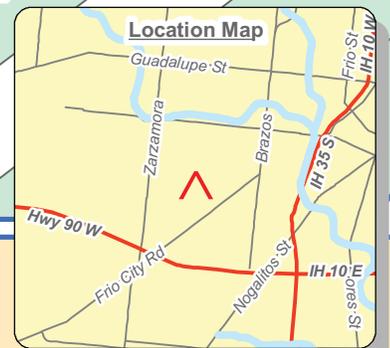
Subject Property Legal Description(s): Lots 6 & 7 Block 9 NBC 6751
And Lots 15, 16, 17, & 18 Block 10 NCB 6752

Legend

- Subject Property (0.489 Acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(5/29/2008)





AFFIDAVIT OF PUBLICATION

(COUNTY OF BEXAR)
(STATE OF TEXAS)

I, Lynette Nelson do solemnly swear that the notice was published 1 time(s) in the following publication(s):

Daily Commercial Recorder

A free weekly newspaper of general circulation published at San Antonio, Bexar County, Texas on the following dates:

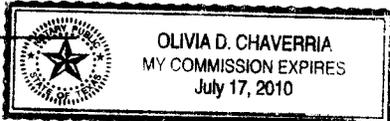
August 11, 2008

Lynette Nelson
Lynette Nelson

Subscribed and sworn before me, this

8th day of December, 2008

Olivia D. Chaverria
NOTARY PUBLIC SIGNATURE



Olivia D. Chaverria
Notary Public Printed/Typed Name

My Commission Expires: 07/17/2010

PUBLIC NOTICE

AN ORDINANCE 2008-08-07-0673

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 6 and 7, Block 9, NCB 6751 and Lots 15, 16, 17 and 18, Block 10, NCB 6752 TO WIT: From "MF-33" Multi-Family District to "MF-33 CD" (CD - Non-Commercial Parking Lot) Multi-Family District with a Conditional Use for a Non-Commercial Parking Lot provided all conditions imposed by the City Council are adhered to. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".
8/11



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

Agenda Item # Z-6
Council Meeting Date: 8/7/2008
RFCAMemo Tracking No: R-3562

DEPARTMENT: Development Services

DEPARTMENT HEAD: Roderick Sanchez

COUNCIL DISTRICT(S) IMPACTED:
Council District 5

SUBJECT:
Zoning Case Z2008176 CD

SUMMARY:
From "MF-33" Multi-Family District to "MF-33 CD" (CD - Non-Commercial Parking Lot) Multi-Family District with a Conditional Use for a Non-Commercial Parking Lot.

BACKGROUND INFORMATION:
Zoning Commission Meeting Date: June 17, 2008

Applicant: Calles St. Church of God
Owner: Calles St. Church of God

Property Location: 122, 126 and 127 Calles Street and 460 and 462 Mercedes Street

Lots 6 and 7, Block 9, NCB 6751 and Lots 15, 16, 17 and 18, Block 10, NCB 6752

The west side of Cibolo Street between Mercedes Street and Calles Street, to also include the southwest corner of Cibolo Street and Calles Street

Proposal: To allow for a parking lot

Neighborhood Association: None

Neighborhood Plan: None

TIA Statement: A Traffic Impact Analysis (TIA) is not required.

ISSUE:
None.

ALTERNATIVES:

A denial of the request will result in the subject property retaining the existing multi-family zoning district, prohibiting the proposed parking lot use.

FISCAL IMPACT:

None. The applicant has paid the required zoning fees.

RECOMMENDATION:

Staff and Zoning Commission (9-0) recommend approval with the following conditions: 1. A 5-foot landscape buffer and a six-foot tall wooden fence shall be provided along the east property line of the subject properties; 2. All on-site lighting shall be directed onto the site and point away from any residential zoning or uses using 90 degree or less cut-off fixtures.

The subject property is within the original city limits, totals approximately 0.5234 acres and is currently undeveloped. Upon adoption of the 2001 Unified Development Code, the existing MF-33 zoning converted from the previous C zoning. "R-4" Residential Single-Family District zoning currently exists to the north, east and south of the subject property. Property to the west across Cibolo Street is zoned "R-4" Residential Single-Family District and "MF-33" Multi-Family District. Land uses immediately adjacent to the proposed development consist of single-family homes the north, east and south of the subject property. There are single-family homes and a church to the west across Cibolo Street.

The applicant has applied for MF-33 CD in order to bring an existing non-commercial parking lot use into compliance and to allow for additional parking for the Calles Street Church of God located at 210 Calles Street. The subject property location is within close proximity of the existing church and the request will provide an opportunity to remove parked vehicles from the surrounding neighborhood streets. The application of a conditional use provides an opportunity to limit the impact of the proposed use on the surrounding properties; specifically the residential property located to the east. Staff finds the zoning request to be appropriate for the subject property location.

The conditional zoning procedure is designed to provide for a land use within an area that is not permitted by the established zoning district but, due to individual site considerations, or unique development requirements, may be compatible with adjacent land uses under given conditions. The applicant will have to comply with all current site development standards to receive a building permit, which include parking, landscaping, exterior lighting and the issuance of other supplemental permits. Seeing that the base residential zoning is not proposed to be changed, the property may at any time be developed for residential uses.

Should the City Council approve this request, staff and Zoning Commission recommend the following conditions:

1. A 5-foot landscape buffer and a six-foot tall wooden fence shall be provided along the east property line of the subject properties;
2. All on-site lighting shall be directed onto the site and point away from any residential zoning or uses using 90 degree or less cut-off fixtures.

ATTACHMENT(S):

--	--

File Description	File Name
Location Map	Z2008176.pdf
Zoning Commission Minutes	Z2008176 CD.pdf
Voting Results	
Ordinance/Supplemental Documents	200808070673.pdf

DEPARTMENT HEAD AUTHORIZATIONS:

Roderick Sanchez Director Development Services

APPROVED FOR COUNCIL CONSIDERATION:

T.C. Broadnax Assistant City Manager