

AN ORDINANCE 2008-04-03-0284

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SAN ANTONIO BY AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, SECTION 35-304, OFFICIAL ZONING MAP 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 4 and Lot 5, Block 20, NCB 14730 from "R-6 ERZD" Residential Single-Family Edwards Recharge Zone District to "R-6 ERZD" (CD- Professional Offices) Residential Single-Family Edwards Recharge Zone District with a Conditional Use for Professional Offices.

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.

SECTION 3. The City Council finds that the following conditions shall be met to insure compatibility with the surrounding properties:

- A. No exterior display or sign with the exception that a nameplate, not exceeding 3 square feet in area, may be permitted when attached to the front of the main structure.
- B. No construction features shall be permitted which would place the structure out of character with the surrounding neighborhood.
- C. Business or office hours of operations shall not be permitted before 7 a.m. or after 6 p.m.

SECTION 4. The owner or owner's agent shall inform any person leasing this tract or any portion of this tract that storage of chemicals and/or hazardous materials is not permitted. Provisions prohibiting the storage of chemicals and/or hazardous materials shall be included in the lease agreement. The owner or owner's agent shall provide a copy of the of the lease provisions regarding the storage of chemicals and/or hazardous materials to the Aquifer Protection and Evaluation Section of the San Antonio Water System for approval. The Aquifer Protection and Evaluation Section of the San Antonio Water System may randomly inspect, without notice, any or all facilities on the site to ensure compliance with this ordinance.

SECTION 5. All water pollution abatement structures or features approved by the Texas Commission on Environmental Quality shall be properly maintained and kept free of trash and debris. A water quality maintenance plan and schedule agreement signed by the property owner must be submitted to the Resource Protection Division of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. A water quality maintenance plan signed by the new owner must be submitted to the Resource Protection Division of SAWS.

SECTION 6. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing Groundwater Pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210/222-2204), or equivalent information produced by the U.S. Natural Resource Conservation Service, the Texas Department of Agriculture, or the U.S. Department of Agriculture shall be used.

SECTION 7. 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 8. 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 9. If a court of competent jurisdiction enters a final judgment on the merits that is no longer subject to appeal and substantially limits or impairs the essential elements of sections one through five of this ordinance, then sections one through five are invalid and have no legal effect as of the date of entry of such judgment notwithstanding any other ordinance or provision of the City Code of San Antonio.

SECTION 10. This ordinance shall become effective on April 13, 2008.

PASSED AND APPROVED this 3rd day of April 2008.

Mary Anne Cisneros

for M A Y O R

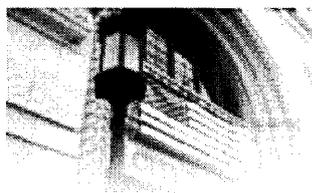
ATTEST:

Stephanie M. Vail
City Clerk

APPROVED AS TO FORM:

Susan D. Stein

City Attorney
for



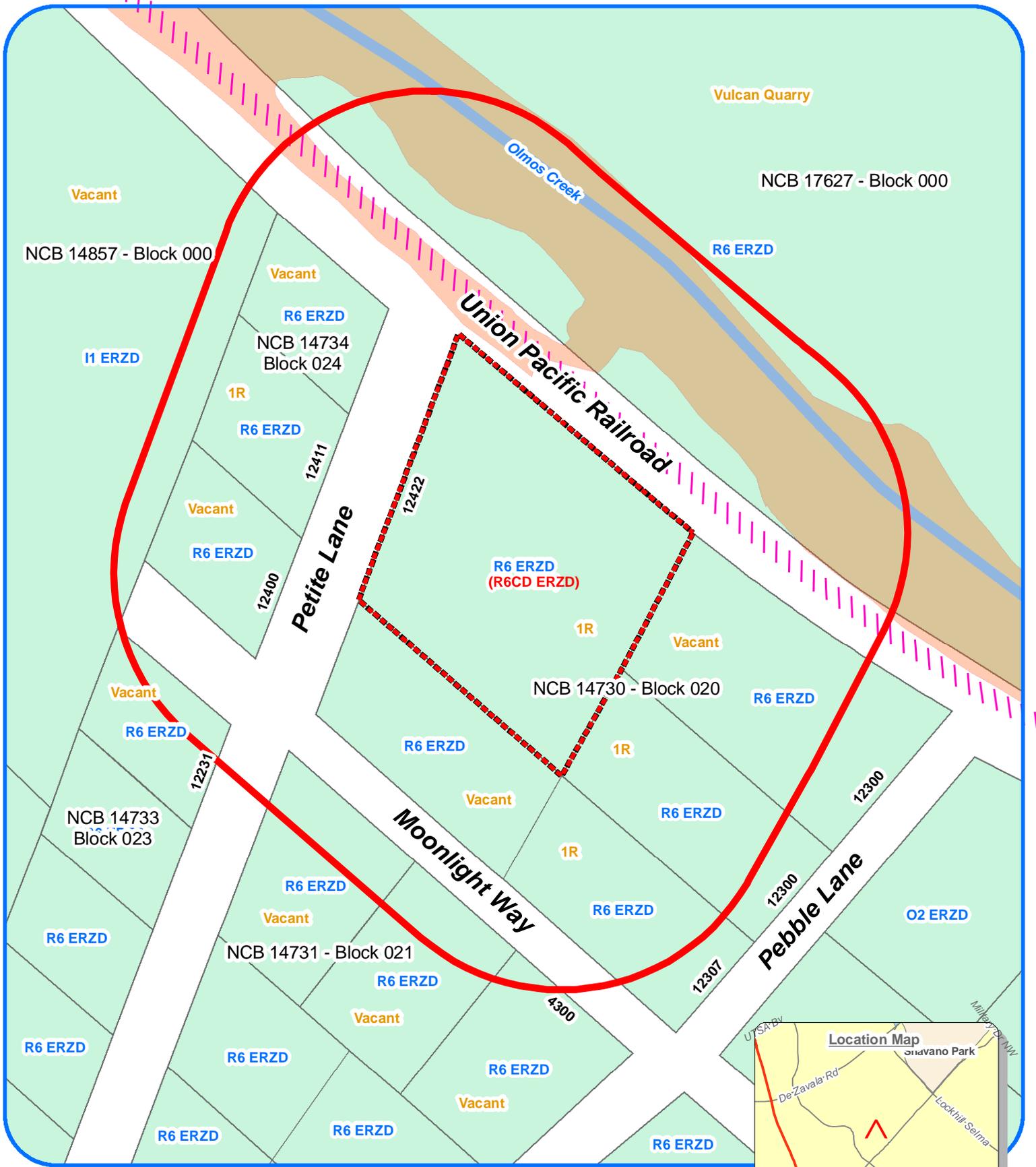
Request for
COUNCIL



Agenda Voting Results - Z-11

Name:	Z-11
Date:	04/03/2008
Time:	04:14:36 PM
Vote Type:	Motion to Approve
Description:	ZONING CASE # Z2008070 CD ERZD (District 8): An Ordinance changing the zoning district boundary from "R-6 ERZD" Residential Single-Family Edwards Recharge Zone District to "R-6 ERZD" (CD- Professional Offices) Residential Single-Family Edwards Recharge Zone District with a Conditional Use for Professional Offices on Lot 4 and Lot 5, Block 20, NCB 14730, 12422 Petite Lane as requested by Cedar Joiner, Applicant for Kirk K. Colyer, Owner. 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					
Delicia Herrera	District 6		x				
Justin Rodriguez	District 7		x				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 Z-2008-070 CD

Council District 8

Scale: 1" approx. = 120'

Subject Property Legal Description(s): Lots 4 and 5 - NCB 14730 - Block 020

Legend

- Subject Property (1.45 Acres)
- 200' Notification Buffer
- Current Zoning R6
- Requested Zoning Change (R6)
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(01/10/2008)

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 4 and Lot 5, Block 20, NCB 14730 TO WIT: From "R-6 ERZD" Residential Single-Family Edwards Recharge Zone District to "R-6 CD ERZD" (CD- Professional Offices) Residential Single-Family Edwards Recharge Zone District with a Conditional Use for Professional Offices provided all conditions imposed by the City Council are adhered to. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".
4/8

Before me, the undersigned authority, on this day personally appeared Helen I. Lutz, who being 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 2008-04-03-0284 here to attached has been published in every issue of said newspaper on the following days, to wit:

04/08/2008.

Helen I. Lutz

Sworn to and subscribed before me this 8th day of of April, 2008.

Martha L. Machuca

