SG/cla
08/20/2015
# Z-4. Amended.

CASE NO. Z2015132 CD

AN ORDINANCE 2015-08-20-0719

# 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 after notice and publication 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 South 176.1 feet of Lot 56, NCB 10615 from "R-5" Residential Single-Family District to "R-5 CD" Residential Single-Family District with Conditional Use Authorization for two (2) dwelling units.

**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 approves this Conditional Use so long as the attached site plan is adhered to. A site plan is attached as **Attachment "A"** and made a part hereof and incorporated herein for all purposes.

**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 30th, 2015.

**PASSED AND APPROVED** this 20th day of August, 2015.

M A Y O R
**Ivy R. Taylor**

**ATTEST:**

Leticia M. Vacek, City Clerk

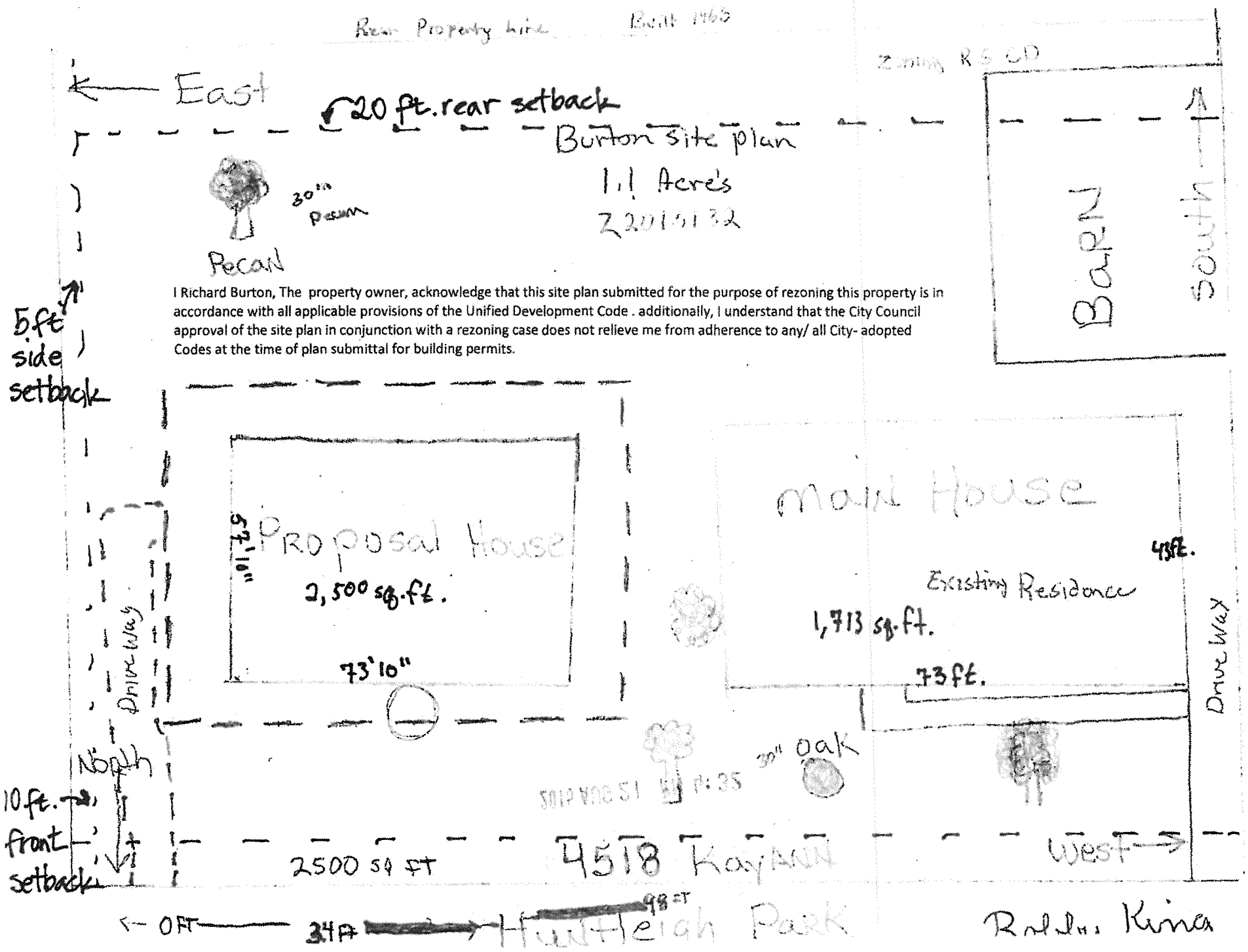
**APPROVED AS TO FORM:**

for Martha G. Sepeda, Acting City Attorney

| | |
|---|---|
| **Agenda Item:** | **Z-4** |
| **Date:** | 08/20/2015 |
| **Time:** | 02:19:18 PM |
| **Vote Type:** | Motion to Appr w Cond |
| **Description:** | ZONING CASE # Z2015132 (Council District 2): An Ordinance amending the Zoning District Boundary from "R-5" Residential Single-Family District to "RM-6" Residential-Mixed District on the South 176.1 Feet of Lot 56, NCB 10615 located at 4518 Kay Ann Drive. Staff recommends Approval. Zoning Commission recommends Denial. (Continued from August 6, 2015) |
| **Result:** | Passed |

| Voter | Group | Not Present | Yea | Nay | Abstain | Motion | Second |
|---|---|---|---|---|---|---|---|
| Ivy R. Taylor | Mayor | x | | | | | |
| Roberto C. Treviño | District 1 | | x | | | | |
| Alan Warrick | District 2 | | x | | | x | |
| Rebecca Viagran | District 3 | | x | | | | x |
| Rey Saldaña | District 4 | | x | | | | |
| Shirley Gonzales | District 5 | | x | | | | |
| Ray Lopez | District 6 | | x | | | | |
| Cris Medina | District 7 | | x | | | | |
| Ron Nirenberg | District 8 | | x | | | | |
| Joe Krier | District 9 | | x | | | | |
| Michael Gallagher | District 10 | | x | | | | |

Z2015132




I Richard Burton, 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 the City Council approval of the 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.

Attachment A