

AN ORDINANCE

98665

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN.

* * * * *

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Section 35-304 of the Unified Development Code which is Chapter 35 of the City Code and constitutes the comprehensive zoning ordinance of the City of San Antonio is hereby amended so that it shall hereafter include the following described changes of classification and the rezoning of the hereinafter designated property to-wit:

CASE NO. Z2003226 C

The rezoning and reclassification of property from "R-4" Residential Single-Family District to "NC C" Neighborhood Commercial District with a conditional use for a sign shop on the property listed as follows:

Lots 37 and 55, Block 18, NCB 9221

SECTION 2. The City Council finds as follows: (1). Such use will not be contrary to the public interest. (2). Such use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district. (3). Such use will be in harmony with the spirit and purpose as set forth in Section 35-422, "Conditional Zoning" of the Unified Development Code. (4). The use will not substantially weaken the general purposes or the regulations as set forth in Section 35-422, "Conditional Zoning" of the Unified Development Code. (5). The use will not adversely affect the public health, safety and welfare.

SECTION 3. This Ordinance is hereby approved subject to the following conditions: (1) A six-foot solid screen fence shall be erected and maintained along the eastern property line, (2) No additional parking shall be added to the subject properties, (3) Hours of operations shall not be permitted on the subject properties before 7:00 a.m. or after 6:00 p.m., (4) Outside storage shall be prohibited both on the property and within any rights of way including the alleyway, (5) Refuse areas shall be fully screened from public view, and (6) The provisions of Chapter 28 of the Municipal Code, "Signs and Billboards", shall be followed as part of the conditional use.

SECTION 4. All other provisions of Chapter 35, as amended, shall remain in full force and effect, including the penalties for violations as made and provided in Section 35 -491.

SECTION 5. The Director of Planning shall change the zoning records and maps in accordance herewith and the same shall be available and open to the public for inspection.

PASSED AND APPROVED THIS 8th DAY OF January 2004

ATTEST: Yolanda L. Redman City Clerk MAYOR: [Signature]

APPROVED AS TO FORM: [Signature] CITY ATTORNEY 04-01

MEETING OF THE CITY COUNCIL

ALAMODOME
ASSET MANAGEMENT
AVIATION
CITY ATTORNEY
MUNICIPAL COURT
REAL ESTATE (FASSNIDGE)
REAL ESTATE (WOOD)
RISK MANAGEMENT
CITY MANAGER
SPECIAL PROJECTS
CITY PUBLIC SERVICE – GENERAL MANAGER
CITY PUBLIC SERVICE – MAPS AND RECORDS
CODE COMPLIANCE
COMMERCIAL RECORDER
COMMUNITY INITIATIVES
CONVENTION AND VISITORS BUREAU
CONVENTION CENTER EXPANSION OFFICE
CONVENTION FACILITIES
COUNCIL OFFICES
CULTURAL AFFAIRS
CUSTOMER SERVICE/311 SYSTEM
DEVELOPMENT SERVICES
HOUSE NUMBERING
LAND DEVELOPMENT SERVICES
TRAFFIC & DRAINAGE PLAN REVIEW
ECONOMIC DEVELOPMENT
ENVIRONMENTAL SERVICES
SOLID WASTE
EXTERNAL RELATIONS
PUBLIC INFORMATION OFFICE
FINANCE - DIRECTOR
FINANCE – ASSESSOR
FINANCE – CONTROLLER
FINANCE – GRANTS
FINANCE – PUBLIC UTILITIES SUPERVISOR
FINANCE-TREASURY
FIRE DEPARTMENT
HOUSING AND COMMUNITY DEVELOPMENT
HUMAN RESOURCES (PERSONNEL)
INFORMATION SERVICES
INTERNAL REVIEW
INTERNATIONAL AFFAIRS
LIBRARY
MANAGEMENT & BUDGET (OFFICE OF) OMB
MAYOR'S OFFICE
METROPOLITAN HEALTH DISTRICT
MUNICIPAL CODE CORPORATION
MUNICIPAL COURT
NEIGHBORHOOD ACTION
PARKS AND RECREATION
MARKET SQUARE
YOUTH INITIATIVES
PLANNING DEPARTMENT – NEIGHBORHOOD PLNG; URBAN DESIGN/HISTORIC PRESERVATION DISABILITY ACCESS OFFICE
POLICE DEPARTMENT
GROUND TRANSPORTATION
PUBLIC WORKS DIRECTOR
CAPITAL PROJECTS
CENTRAL MAPPING
ENGINEERING
PARKING DIVISION
REAL ESTATE DIVISION
TRAFFIC ENGINEERING
PURCHASING AND GENERAL SERVICES
SAN ANTONIO WATER SYSTEMS (SAWS)
VIA

AGENDA ITEM NUMBER: 48

DATE: JAN 8 2004

MOTION: Hora wm

ORDINANCE NUMBER: 98665

RESOLUTION NUMBER: 7000

ZONING CASE NUMBER: E 2003226C

TRAVEL AUTHORIZATION: _____

NAME	ROLL	AYE	NAY
ROGER O. FLORES JR. District 1		—	
JOEL WILLIAMS District 2		—	
RON SEGOVIA District 3		absent	
RICHARD PEREZ District 4		absent	
PATTI RADLE District 5		—	
ENRIQUE M. BARRERA District 6		—	
JULIAN CASTRO District 7		—	
ART A. HALL District 8			
CARROLL SCHUBERT District 9		absent	
CHRISTOPHER "CHIP" HAASS District 10		absent	
EDWARD D. GARZA Mayor		—	

ZC: RECOMMENDED FORWARDING TO CITY COUNCIL
WITHOUT A RECOMMENDATION

STAFF: APPROVAL

*stipulate contract
by staff*

04-01

Z2003226 C

ZONING CASE NO. Z2003226 – December 2, 2003

Applicant: Jerry Arredondo

Zoning Request: "R-4" Residential Single Family District to "C-3NA" General Commercial Nonalcoholic Sales District

Jerry Arredondo, 9901 IH 10, representing the owner, stated he would like to amend their request to "NC" C as staff recommended. He further stated he has met with the surrounding neighbors and the neighborhood association who are in support of this request. He stated they are proposing to expand the existing sign shop.

Staff stated there were 31 notices mailed out to the surrounding property owners, 0 returned in opposition and 6 returned in favor and no response from Los Angeles Heights Neighborhood Association. Northmoor Neighborhood Association is in favor and a petition with 27 signatures in support was submitted.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

COMMISSION ACTION

The motion was made by Commissioner Kissling and seconded by Commissioner Cardenas-Gamez to recommend approval of "NC" C with the following conditions: a.) A six-foot solid screen fence shall be erected and maintained along the eastern property line; b.) No additional parking on the east 25 feet of Lot 37; c.) Business or office hours of operation shall not be permitted before 7 am or after 10 pm; d.) Outside storage shall be prohibited both on the property and within any rights of way including the alleyway; e.) Refuse areas must be fully screened from the public view; f.) The provisions of Chapter 28 of the Municipal Code, "Signs and Billboards" shall be followed as part of the conditional use.

AYES: Martinez, Cardenas-Gamez, Dixon, Kissling, Peel

NAYS: McAden

ABSTAIN: Grau, Dutmer, Avila

THE MOTION FAILED

2nd MOTION

CASE NO: Z2003226 C

Staff and Zoning Commission Recommendation - City Council

Date: January 08, 2004

Zoning Commission Meeting Date: December 02, 2003

Council District: 1

Ferguson Map: 582 C5

Appeal: No

Applicant:

Jerry Arredondo

Owner:

Richard F. and Martha A. McGoon

Zoning Request: From "R-4" Residential Single-Family District to "NC C" Neighborhood Commercial District with a conditional use for a sign shop

Lots 37 & 55, Block 18, NCB 9221

Property Location: 562 W. Mandalay and 563 W. Mariposa

Proposal: To allow expansion of a sign advertising company

Neighborhood Association: Northmoor Neighborhood Association and Northwest Los Angeles Heights Neighborhood Association (within 200 feet)

Neighborhood Plan: North Central Neighborhoods Community Plan

TIA Statement: A traffic impact analysis is not required

Staff Recommendation:

Approval. The North Central Neighborhoods Community Plan recommends neighborhood commercial at this location. "NC C" is an appropriate transition between "C-3 NA" to the west and "R-4" to the east. To prevent further encroachment of commercial uses into the Northmoor Neighborhood, the following conditions should be considered.

1. A six-foot solid screen fence shall be erected and maintained along the eastern property line.
2. No additional parking shall be added to the subject properties.
3. Hours of operations shall not be permitted on the subject properties before 7:00 am or after 6:00 pm.
4. Outside storage shall be prohibited both on the property and within any rights of way including the alleyway.
5. Refuse areas shall be fully screened from public view.
6. The provisions of Chapter 28 of the Municipal Code, "Signs and Billboards" shall be followed as part of the conditional use.

Zoning Commission Recommendation:

Forward to City Council without a recommendation

VOTE

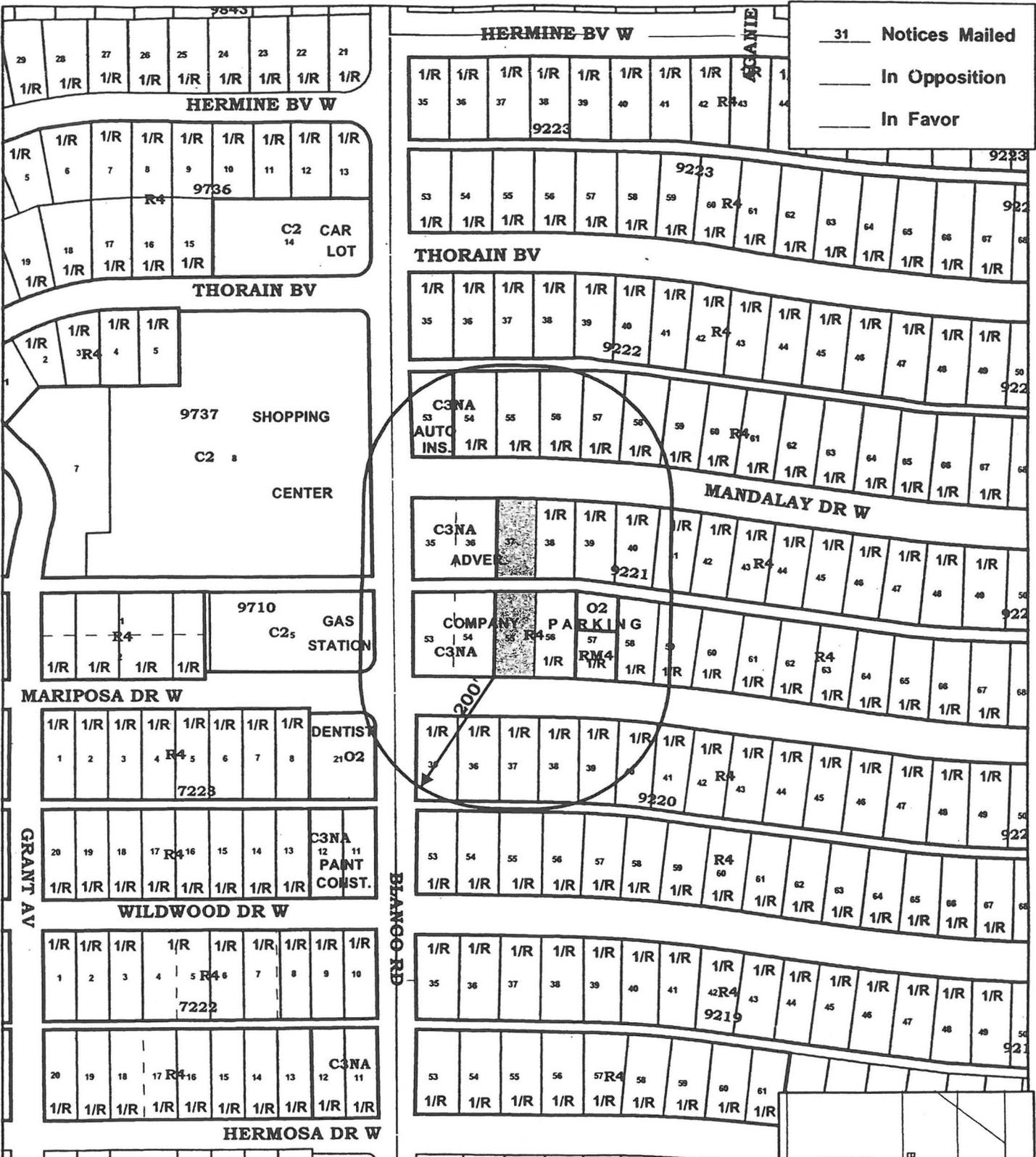
FOR 9

AGAINST 0

ABSTAIN 0

RECUSAL 0

CASE MANAGER : Eric Dusza 207-7442



31 Notices Mailed
 _____ In Opposition
 _____ In Favor

ZONING CASE: Z2003-226 C

City Council District NO. 1
 Requested Zoning Change
 From: "R-4" To "NC C"
 Date: January 8, 2004
 Scale: 1" = 200'

- Subject Property
- 200' Notification

T-0
 p.582
 C-5



PUBLIC NOTICE

AN ORDINANCE 98665

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 37 & 55, Block 18, NCB 9221, From "R-4" Residential Single-Family District to "NC C" Neighborhood Commercial District with a conditional use for a sign shop. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".
1/16

Affidavit of Publisher

STATE OF TEXAS,
COUNTY OF BEXAR
CITY OF SAN ANTONIO

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 City of San Antonio-City Clerk-Ordinance 98665 hereto attached has been published in every issue of said newspaper on the following days, to-wit: January 16, 2004.

Helen I. Lutz

Sworn to and subscribed before me this 16th day of January, 2004.

Stella A. Orozco
_____ **Notary Public in and for Bexar County, Texas**

