

AN ORDINANCE 2008-08-07-0681

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 Lots 89, 90, 91, NCB 11882 from "R-5" Residential Single-Family District to "C-1" Light Commercial District.

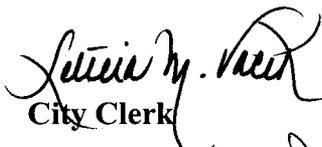
SECTION 2. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35 -491.

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 August 17, 2008.

PASSED AND APPROVED this 7th day of August 2008.


M A Y O R

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
City Attorney
for

Agenda Item:	Z-14 (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 # Z2008191 (District 9): An Ordinance changing the Zoning District Boundary from "R-5" Residential Single-Family District to "C-1" Light Commercial District on Lots 89, 90, 91, NCB 11882 located at 1539 East Sandalwood Lane. Staff and Zoning Commission recommend approval.						
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				



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

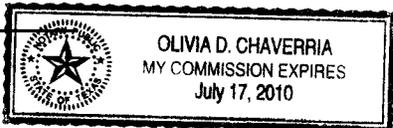
Lynette Nelson

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 2008-08-07-0681

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 89, 90, 91, NCB 11882 TO WIT: From "R-5" Residential Single-Family District to "C-1" Light Commercial District. "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-14
Council Meeting Date: 8/7/2008
RFCA Tracking No: R-3619

DEPARTMENT: Development Services

DEPARTMENT HEAD: Roderick Sanchez

COUNCIL DISTRICT(S) IMPACTED:
Council District 9

SUBJECT:
Zoning Case Z2008191

SUMMARY:
From "R-5" Residential Single-Family District to "C-1" Light Commercial District.

BACKGROUND INFORMATION:

Zoning Commission Meeting Date: July 15, 2008

Applicant: Inspire Community Fine Art Center for San Antonio

Owner: Oscar and Nancy Cortes

Property Location: 1539 East Sandalwood Lane

Lots 89, 90, 91, NCB 11882

At the Northwest corner of East Sandalwood Lane and Everest Avenue intersection

Proposal: To allow an art center

Neighborhood Association: None

Neighborhood Plan: None

TIA Statement: A Traffic Impact Analysis is not required.

ISSUE:

The applicant originally requested the "C-2" Commercial District. At the July 15, 2008, Zoning Commission public hearing, the application was amended and the request is now to rezone the subject property to the "C-1" Light Commercial District. Staff and Zoning Commission support the amended request.

ALTERNATIVES:

A denial of this zoning case will result in the subject property retaining the current "R-5" Residential Single-Family District zoning, prohibiting the proposed art center.

FISCAL IMPACT:

None. The applicant has paid the required zoning fees.

RECOMMENDATION:

Staff and Zoning Commission (10-0) recommend approval.

The subject property is located on the north side of the City. This is a developed 0.4821 acre property situated at the northwest corner of the East Sandalwood Lane and Everest Avenue intersection. Subject property was annexed on September 05, 1946. The existing "R-5" Single Family Residential zoning on the property converted from "A" zoning with the adoption of the 2001 UDC. Current structure on the property is a vacant Church. The properties to the west, north and east are zoned "R-5". The block where the subject property is located consists of single family dwellings. Properties across Everest Avenue have non-residential uses as well as the single-family residential uses along West Woodlawn Drive. Property to the south of the subject property is zoned "MF-33" and is occupied by apartments.

The applicant is requesting "C-1" Light Commercial District zoning to allow their existing Fine Art Center, which is located on West Sunset Road and only a block away from the subject property, to relocate to this location. Staff believes that a Fine Art Center would be a good use of this parcel developed with a vacant church. Neighborhood oriented Light Commercial District would be appropriate on East Sandalwood Lane or Everest Avenue which are only local streets. There is another available and less intense zoning district which will allow the proposed use. Since the existing aggregate built area is exceeding 3,000 sq ft, which is the maximum requirement for "NC" Neighborhood Commercial District, "C-1" Light Commercial District appears to be able to meet the needs of the applicant. Therefore, "C-1" would be a more appropriate zoning district for this request.

The uses permitted within the "C-1" commercial districts shall occur within completely enclosed structures. There will be no external sound system, and outdoor storage or display is not permitted.

ATTACHMENT(S):

File Description	File Name
Zoning Commission Minutes	Z2008191.pdf
Location Map	Z2008191.pdf
Voting Results	
Ordinance/Supplemental Documents	200808070681.pdf

DEPARTMENT HEAD AUTHORIZATIONS:

Roderick Sanchez Director Development Services

APPROVED FOR COUNCIL CONSIDERATION:

T.C. Broadnax Assistant City Manager