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AN ORDINANCE **99100**

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.

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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. Z2004076 C

The rezoning and reclassification of property from "R-4" Residential Single-Family District and "R-4 H" Residential Single-Family Historic District to "R-4 C" Residential Single-Family District with conditional use for a non-commercial parking lot on Lots 6 through 10 and "R-4 H C" Residential Single-Family Historic District with conditional use for a non-commercial parking lot on Lot 11 on the property listed as follows:

Lots 6 through 11, Block 51, NCB 2745

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. The City Council approves this Special Use Permit so long as the following conditions are met:

- 1) signs shall be limited to three (3) square feet in area in accordance with 35-422 (e) (3);
- 2) five (5) foot buffer with Type A plant materials (as required in the UDC) shall be constructed along the perimeter of the site;
- 3) a six (6) foot solid fence shall be maintained along the property line adjoining Lot 11 and Lot 12, Block 51, NCB 2745; and
- 4) exterior lighting fixtures shall not emit a significant amount of fixture total output above a vertical cut-off angle of ninety degrees.

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.

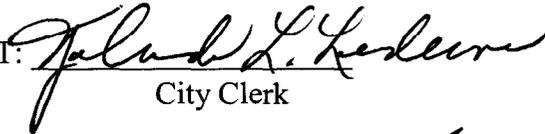
SECTION 5. The Director of Planning shall change the zoning records and maps in accordance herewith and the same shall be available and open to the public for inspection.

SECTION 6. This ordinance is not severable.

PASSED AND APPROVED this 22nd day of April, 2004.



M A Y O R
EDWARD D. GARZA

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
City Attorney