

**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. Z2004161 C

The rezoning and reclassification of property from "C-1" Light Commercial District to "C-2NA C" Commercial Nonalcoholic Sales District with a Conditional Use for a Homeless Shelter on the property listed as follows:

Lots 1 through 8, Block 1, NCB 9645

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. Curfew for residents shall be from 9:30 pm to 6:00am Monday through Thursday and 10:30 p.m. to 6:00 a.m. Friday through Sunday,

2. The natural buffer and a fence shall be maintained along the north property line, and
3. Outside lighting shall be directed downward onto the subject property and not emit any lighting on nearby residences on lots 1 through 5.

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.

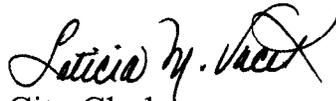
SECTION 5. The Director of Planning shall change the zoning records and maps in accordance herewith and the same shall be available and open to the public for inspection.

:SECTION 6. This ordinance is not severable

PASSED AND APPROVED this 23rd day of September, 2004.



M A Y O R
EDWARD D. GARZA

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
CITY ATTORNEY

Agenda Voting Results

Name: 4D. Motion for approval **99779**

Date: 09/23/04

Time: 04:02:48 PM

Vote Type: Multiple selection

Description: D. ZONING CASE NUMBER Z2004161 C: The request of The Center for Health Care Service, Applicant, for The Center for Health Care Services, Bexar County Mental Health Mental Retardation (MHMR), Owner(s), for a change in zoning from "C-1" Light Commercial District to "C-2 NA C" Commercial Nonalcoholic Sales District with a conditional use for a homeless shelter on Lots 1 through 8, Block 1, NCB 9645, 3551 Culebra Road. Staff's recommendation was for denial. Zoning Commission has recommended approval of "C-2 NA C" Commercial Nonalcoholic Sales District with a conditional use for a residential treatment facility with the following conditions: 1) Curfew for residents shall be 9:30 pm Monday through Thursday and 10:30 pm Friday through Sunday; 2) The natural buffer and a fence shall be maintained along the north property line; and 3) Outside lighting shall be directed downward onto the subject property and not emit any lighting on nearby residences. (Council District 7)

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
JOEL WILLIAMS	DISTRICT 2		x		
RON H. SEGOVIA	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4			x	
PATTI RADLE	DISTRICT 5		x		
ENRIQUE M. BARRERA	DISTRICT 6	Not present			
JULIAN CASTRO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
CARROLL SCHUBERT	DISTRICT 9	Not present			
CHIP HAASS	DISTRICT_10	Not present			
MAYOR ED GARZA	MAYOR		x		