

AN ORDINANCE **99357**

**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. Z2004132 C**

The rezoning and reclassification of property From "R-5" Residential Single-Family to "L" Light Industrial District on 0.26 acres out of NCB 10597 and 1.73 acres out of NCB 10598 and from "R-5" Residential Single Family to "C-3 C" General Commercial District with Conditional Use for a Food Bank Distribution Center on 1.48 acres out of NCB 10598 on the property listed as follows:

3.47 acres out of NCB 10598 and NCB 10597

Field notes describing the above mentioned tract are attached hereto and incorporated herein for all purposes.

**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) 30 foot wide Type E buffer yard is required along Deitrich Road and along that portion of the west property line zoned C-3C.
- 2) Only one (1) monument sign is permitted on Deitrich Road that shall not exceed 6 feet in height and 32 square feet in sign message area.

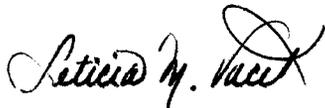
3) Driveway access from Deitrich Road to the property shall be located within the eastern 25 percent of the Dietrich Road frontage and the driveway/entrance shall be designed and designated by signage and pavement markings to allow ingress only from Deitrich Road onto the subject property. This condition shall only apply to tractor semi-trailers defined by the U.S. Dept of Transportation, Commercial Vehicle Information System as a combination vehicle consisting of a power unit (tractor) and a semi-trailer.

**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 24<sup>th</sup> day of June, 2004.

ATTEST:

  
City Clerk

  
M A Y O R  
EDWARD D. GARZA

APPROVED AS TO FORM:

  
CITY ATTORNEY