

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. Z2004228 C

The rezoning and reclassification of property from "R-6" Residential Single-Family District to "R-6 C" Residential Single-Family District with Conditional Use for a Daycare Center on the property listed as follows:

2.596 acre tract of land out of NCB 15837

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 Conditional Use Permit so long as the following conditions are met:

- 1.) In addition to a nameplate, not exceeding three (3) square feet in area, attached to the front of the main structure, there shall be allowed a monument sign to be constructed within the front yard not exceeding forty (40) square feet in area.
- 2.) No construction features shall be permitted which would place the structure out of character with the surrounding neighborhood.
- 3.) Business or office hours of operations shall not be permitted before 7:00 a.m. or after 7:00 p.m.

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.

SECTION 7. This ordinance shall become effective immediately upon passage if passed by eight or more votes otherwise this ordinance shall become effective November 28, 2004.

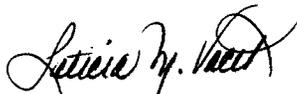
PASSED AND APPROVED this 18th day of November, 2004.



M A Y O R

EDWARD D. GARZA

ATTEST:


City Clerk

APPROVED AS TO FORM:


CITY ATTORNEY

Agenda Voting Results

Name: 4S.

Date: 11/18/04

Time: 05:34:12 PM

Vote Type: Multiple selection

Description: ZONING CASE NUMBER Z2004228 C: The request of Nader Shahsavary (Happyland Daycare), Applicant, for Nader Shahsavary, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "R-6" C Residential Single-Family District with conditional use for a daycare center on 2.596 acre tract of land out of NCB 15837, 4168 Stahl Road. Staff's recommendation was for approval. The Zoning Commission recommended approval with the following conditions: 1) In addition to a nameplate, not exceeding three (3) square feet in area, attached to the front of the main structure, there shall be allowed a monument sign to be constructed within the front yard not exceeding forty (40) square feet in area; 2) No construction features shall be permitted which would place the structure out of character with the surrounding neighborhood; and 3) Business or office hours of operations shall not be permitted before 7:00 a.m. or after 7:00 p.m.

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1	Not present			
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	Not present			
ART A. HALL	DISTRICT 8	Not present			
CARROLL SCHUBERT	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR ED GARZA	MAYOR		x		