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AN ORDINANCE 100256

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 CLASSIFICATION 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 so that it shall include the following described change of zoning classification of the following property:

CASE NO. Z2004276 S

The change of zoning classification from C-3NA MAOZ-1 General Commercial, Nonalcoholic Sales Military Airport Overlay District and C-3NA General Commercial District, Nonalcoholic Sales to L S MAOZ-1 Light Industrial Military Airport Overlay District with a Specific Use Authorization for a Contractor's Facility and L S Light Industrial District with a Specific Use Authorization for a Contractor's Facility on the property listed as follows:

Lot 36, NCB 8670

SECTION 2. The City Council finds as follows:

- A.** The specific use will not be contrary to the public interest.
- B.** The specific use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district.
- C.** The specific use will be in harmony with the spirit and purpose as set forth in Section 35-423, Specific Use Authorization, of the Unified Development Code.
- D.** The specific use will not substantially weaken the general purposes or the regulations as set forth in Section 35-423, Specific Use Authorization, of the Unified Development Code.
- E.** The specific use will not adversely affect the public health, safety and welfare.

SECTION 3. The City Council approves this Specific Use Authorization so long as the attached site plan is adhered to. A site plan is attached as Exhibit "A" and made a part hereof and incorporated herein for all purposes.

SECTION 4. 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 5. The Director of Planning 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 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 January 23, 2004.

PASSED AND APPROVED this 13th day of January 2004.



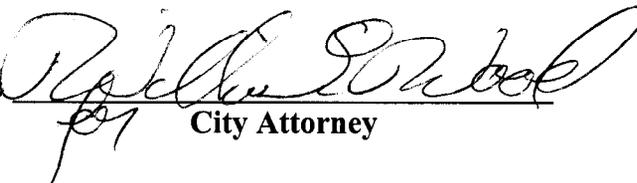
M A Y O R
EDWARD D. GARZA

ATTEST:



City Clerk

APPROVED AS TO FORM:



City Attorney

Agenda Voting Results

Name: 4R.

Date: 01/13/05

Time: 03:38:54 PM

Vote Type: Multiple selection

Description: ZONING CASE NUMBER Z2004276 S: The request of Jose H. Perez, Applicant, for Jose H. Perez (FAIRWAY Landscape & Nursery Inc.), Owner(s), for a change in zoning from "C-3NA" MAOZ-1 General Commercial, Nonalcoholic Sales Military Airport Overlay District and "C-3NA" General Commercial District, Nonalcoholic Sales to "L" S MAOZ-1 Light Industrial Military Airport Overlay District with a specific use authorization for a contractor's facility and "L" S Light Industrial District with a specific use authorization for a contractor's facility on Lot 36, NCB 8670 (1.332 acres), 2848 Castroville Road. Staff's recommendation was for approval. Zoning Commission recommended approval. (Council District 6)

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		x		
JULIAN CASTRO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
CARROLL SCHUBERT	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR ED GARZA	MAYOR	Not present			