

**AN ORDINANCE**      **101676**

**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 DISTRICT BOUNDARY OF CERTAIN PROPERTY.**

\* \* \* \* \*

**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 by changing the zoning district boundary of Lots 10 and 11, Block 10, NCB 13961 from "R-6" Residential Single-Family District to "R-6" (CD - Non-Commercial Parking Lot) Residential Single-Family District with a Conditional Use for a Non-Commercial Parking Lot on the North 50 feet of Lots 10 and 11, Block 10, NCB 13961 and "R-6" Residential Single-Family District to "C-2 NA" (CD - Food Products - Wholesale Warehouse) Commercial Non-Alcoholic Sales District with a Conditional Use for a Food Products - Wholesale Warehouse of Lots 10 and 11, save and except the North 50 feet, Block 10, NCB 13961.

**SECTION 2.** The City Council finds as follows:

- A. The conditional use will not be contrary to the public interest.
- B. The conditional use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district.
- C. The conditional use will be in harmony with the spirit and purpose for conditional uses as set forth in Section 35-422, Conditional Zoning, of the Unified Development Code.
- D. The conditional use will not substantially weaken the general purposes of the regulations as set forth in Section 35-422, Conditional Zoning, of the Unified Development Code.
- E. The conditional use will not affect adversely the public health, safety and welfare.

**SECTION 3.** The City Council finds that the following conditions shall be met to insure compatibility with the surrounding properties:

- A. No heavy commercial vehicle access on Zupan Lane
- B. No setback or buffer variance
- C. Removal of medal fence and installation of fence that meets code.
- D. No dumpsters on "R-6" portion of the subject property.

**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 Development Services 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 shall become effective on November 20, 2005.

**PASSED AND APPROVED** this 10<sup>th</sup> day of November, 2005.

ATTEST: *Leticia N. Reed*  
City Clerk

*Phil Hardberger*  
M A Y O R  
PHIL HARDBERGER

APPROVED AS TO FORM: *Yusef D. Ward*  
City Attorney

# Agenda Voting Results

**Name:** Z-13.

**Date:** 11/10/05

**Time:** 03:11:20 PM

**Vote Type:** Multiple selection

**Description:** ZONING CASE #Z2005217 CD (District 6): An Ordinance changing the zoning district boundary from "R-6" Residential Single-Family District to "R-6" (CD - Non-Commercial Parking Lot) Residential Single-Family District with a Conditional Use for a Non-Commercial Parking Lot on the North 50 feet of Lots 10 and 11, Block 10, NCB 13961 and "R-6" Residential Single-Family District to "C-2NA" (CD - Food Products - Wholesale Warehouse) Residential Single-Family District with a Conditional Use for a Food Products - Wholesale Warehouse on Lots 10 and 11, save and except the North 50 feet, of Lots 10 and 11, Block 10, NCB 13961, 5470 Zupan Lane as requested by Porter Poultry & Egg Company, Inc. , Applicant, for Porter Poultry & Egg Company, Inc., Owner(s). Staff has recommended denial and Zoning Commission has recommended approval.

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
SHEILA D. MCNEIL	DISTRICT 2	Not present			
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
DELICIA HERRERA	DISTRICT 6		x		
ELENA K. GUAJARDO	DISTRICT 7	Not present			
ART A. HALL	DISTRICT 8		x		
KEVIN A. WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR PHIL HARDBERGER	MAYOR		x		