

AN ORDINANCE 2006-05-18-0617

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.

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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 by changing the zoning district boundary of Lot P-11 D, NCB 17971 from "R-6" Residential Single-Family District to "RM-4" (CD-Multi-Family Dwellings) Residential Mixed District with a Conditional Use for Multi-Family Dwellings.

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. This change of zoning district boundary is conditioned on the requirement that density shall not exceed 18 dwelling units per acre to insure compatibility with the surrounding properties.

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 May 28, 2006.

PASSED AND APPROVED this 18th day of May, 2006.



M A Y O R
PHIL HARBERGER

ATTEST:


City Clerk

APPROVED AS TO FORM:



For City Attorney

Agenda Voting Results

Name: Z-10.

Date: 05/18/06

Time: 06:28:14 PM

Vote Type: Multiple selection

Description: ZONING CASE #Z2006056 CD (District 7): An Ordinance amending the zoning district boundary from "R-6" Residential Single-Family District to ""RM-4" (CD-Multi-Family Dwellings) Residential Mixed District with a Conditional Use for Multi-Family Dwellings not exceeding 18 units per acre on Lot P-11D, NCB 17971, 7800 Block of Woodchase Drive as requested by Salah Diab, Applicant, for Milton Zaiontz, Owner(s). Staff and Zoning Commission recommend Approval with conditions.

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1	Not present			
SHEILA D. MCNEIL	DISTRICT 2		x		
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		x		
ART A. HALL	DISTRICT 8		x		
KEVIN A. WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10	Not present			
MAYOR PHIL HARDBERGER	MAYOR	Not present			

CASE NO: Z2006056 CD

Staff and Zoning Commission Recommendation - City Council

Date: May 18, 2006

Zoning Commission Meeting Date: March 07, 2006

Council District: 7

Ferguson Map: 547 F8

Applicant:

Owner:

Salah Diab

Milton Zaiontz

Zoning Request:

From "R-6" Residential Single-Family District to "RM-4" (CD-Multi-Family Dwellings) Residential Mixed District with a Conditional Use for Multi-Family Dwellings not to exceed 18 units per acre

Parcel-11D, NCB 17971

Property Location:

Southeast of the intersection of Woodchase Drive and Coastal Lane

7800 Block of Woodchase Drive

Proposal:

To develop multi family dwellings

Neighborhood Association

None

Neighborhood Plan:

Huebner/Leon Creeks Community Plan

Traffic Impact Analysis

A Traffic Impact Analysis is not required.

Staff Recommendation:

Consistent

The proposed zoning district conforms to the Huebner/Leon Creek Community Plan. The future land use for this site is High Density Residential.

Approval

The surrounding properties are zoned for residential use. The properties to the north, west, and south contain developed apartments.

The property was previously zoned Temporary R-1 Residential District. The zoning was converted from Temp R-1 to R-6 Residential Single-Family District with the adoption of the 2001 Unified Development Code (UDC).

The proposed multi-family district is appropriate at this site. The requested zoning district would permit the development of roughly 187 units on the property. The current zoning district would permit the development of roughly 67 units. In addition, the construction of multi-family dwellings at this location would serve as an infill development project. The change in zoning would conform to the surrounding land uses.

Zoning Commission Recommendation:

Approval

VOTE

FOR 10

AGAINST 0

ABSTAIN 1

RECUSAL 0

CASE MANAGER : Pedro Vega 207-7980

Z2006056 CD

ZONING CASE NO. Z2006056 – March 7, 2006

Applicant: Salah Diab

Zoning Request: “R-6” Residential Single Family District to “MF-25” Multi Family District.

Salah Diab, 6735 IH 35, representing the owner, stated he is requesting this change in zoning to allow for development of a multi family development of approximately 120 units. He stated staff has indicated their proposal is consistent with the neighborhood plan. He further stated he is agreeable to an “RM-4” C zoning designation.

Staff stated there were 26 notices mailed out to the surrounding property owners, 1 returned in opposition and 3 returned in favor.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

FINDING OF CONSISTENCY OF THE MASTER PLAN

COMMISSION ACTION

The motion was made by Commissioner Sherrill and seconded by Commissioner Martinez to find consistency with the neighborhood plan.

(A verbal vote was taken)

AYES: Robbins, Rodriguez, Westheimer, Gadberry, Marshall, Sherrill, Wright, Martinez, Stribling, Gray

NAYS: None

ABSTAIN: Avila

THE MOTION CARRIED

COMMISSION ACTION

The motion was made by Commissioner Sherrill and seconded by Commissioner Westheimer to recommend approval of “RM-4” C with a Conditional Use for a Multi Family not to exceed 18 units per acre.

Z2006056 CD

1. Property is located on Lot P-11D, NCB 17971, southeast of the intersection of Woodchase Drive and Costal Lane.
2. There were 26 notices mailed, 1 returned in opposition and 3 in favor.
3. Staff recommends approval.

**AYES: Avila, Robbins, Rodriguez, Westheimer, Gadberry, Marshall, Sherrill,
Wright, Martinez, Stribling, Gray**

NAYS: None

THE MOTION CARRIED

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.

