

AN ORDINANCE 101892

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 the east 59.8 feet of the south 160 feet of Lot 8, Block 3, NCB 8581 from "R-6" Residential Single-Family District to "R-6" (CD for an Home Health Care Administrative Office) Residential Single-Family District with a Conditional Use for an Home Health Care Administrative Office.

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. There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of the main structure.
- B. No construction features shall be permitted which would place the structure out of character with the surrounding neighborhood.
- C. Business or office hours of operations shall not be permitted before 7:00 a.m. or before 6:00 p.m.
- D. The office shall be limited to two nonresident employees.

SECTION 3. 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.

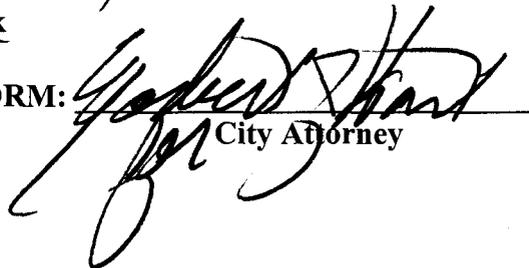
SECTION 4. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 5. This ordinance shall become effective on December 25, 2005.

PASSED AND APPROVED this 15th day of December, 2005.


M A Y O R

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
City Attorney

Agenda Voting Results

Name: Z-3.

Date: 12/15/05

Time: 04:23:07 PM

Vote Type: Multiple selection

Description: ZONING CASE #Z2005244 CD (District 3): An Ordinance changing the zoning boundary from "R-6" Residential Single-Family District to "R-6" (CD-for a Home Health Care Administrative Office) Residential Single-Family District with a Conditional Use for an Home Health Care Administrative Office on the east 59.8 feet of the south 160 feet of Lot 8, Block 3, NCB 8581, 201 Rayburn Drive as requested by Augustine & Norma Estrada, Applicant, for Augustine & Norma Estrada, Owner(s). Staff and Zoning Commission have recommended approval.

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
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		x		
MAYOR PHIL HARDBERGER	MAYOR		x		

CASE NO: Z2005244 CD

Staff and Zoning Commission Recommendation - City Council

Date: December 15, 2005

Zoning Commission Meeting Date: November 01, 2005

Council District: 3

Ferguson Map: 650 C7

Applicant:
Augustine & Norma Estrada

Owner:
Augustine & Norma Estrada

Zoning Request: From "R-6" Residential Single-Family District to "R-6 (CD for an Home Health Care Administrative Office)" Residential Single-Family District with a Conditional Use for an Home Health Care Administrative Office

The east 59.8 feet of the south 160 feet of Lot 8, Block 3, NCB 8581

Property Location: 201 Rayburn Drive

Northwest corner of the intersection Oppenheimer Avenue and Rayburn Drive

Proposal: For an administrative office

Neighborhood Association: None

Neighborhood Plan: South Central San Antonio Community Plan

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Consistent

The future land use on this property is for low density single-family residential.

Approval

The subject property is located at the intersection of Oppenheimer Avenue and Rayburn Drive. The properties to the north, west, and southwest are occupied by single-family homes and the properties to the immediate south and east are occupied by commercial uses. Currently, existing on the subject property is a single-family residence and an accessory structure operating as an office. The office does not have customer intake. The employees receive phone calls and then contact the employees in the field to make home visits. There are currently 3 employees working in the office, two of which live at the home.

Due to the nature of this business, an office use would be appropriate at this location. There is little or no traffic to the location and the majority of the work is contained within the building.

The following conditions shall apply to the operation of nonresidential conditional uses permitted within any residential district, unless otherwise approved by the City Council:

1. There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of the main structure.
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 6:00 p.m.

Staff Recommended Additional Condition:

4. Limited to 2 nonresident employees

Zoning Commission Recommendation:

Approval

<u>VOTE</u>	
FOR	11
AGAINST	0
ABSTAIN	0
RECUSAL	0

CASE MANAGER : Robin Stover 207-7945

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2005244

Existing Zoning: R-6

Requested Zoning: R-6C

Registered Neighborhood Association(s):
N/A

Neighborhood/Community/Perimeter Plan:
South Central San Antonio Community Plan

Future Land Use for the site:
Low Density Residential

Other Comments:

The Plan advocates for commercial development along commercial corridors, while this property is located on a residential street. The Plan also encourages enhanced landscaping on commercial properties.

Analysis:

Request conforms to Land Use Plan

Request does not conform to Land Use Plan

Staff Recommendation:

Supports

Recommends Denial

Alternate Recommendation

Conditions on this zoning should include adequate buffering and landscaping to screen the proposed office use from the residential uses adjacent to the property to the west and north.

Reviewer: Andrew Holubeck

Title: Planner II

Date: 5/11/05

Manager Review: Nina Nixon-Mendez

Date: 5/12/2005

Z2005244 CD

ZONING CASE NO. Z2005244 CD -- November 1, 2005

Applicant: Augustine & Norma Estrada

Zoning Request: "R-6" Residential Single Family District to "R-6" (CD for an Office)
Residential Single Family District with a Conditional Use for an Office.

Augustine Estrada, 201 Rayburn Drive, owner, stated he is requesting this change in zoning to allow for an office on the subject property. He stated he is agreeable with staff's conditions.

Staff stated there were 16 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 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 Farias and seconded by Commissioner Avila to find consistency with the neighborhood plan.

(A verbal vote was taken)

AYES: Martinez, Robbins, Rodriguez, Kissling, Farias, Marshall, Sherrill, McAden, Avila, Stribling, Gray

NAYS: None

THE MOTION CARRIED

COMMISSION ACTION

The motion was made by Commissioner Farias and seconded by Commissioner Avila to recommend approval

1. Property is located on the east 59.8 feet of the south 160 feet of Lot 8, Block 3, NCB 8581 at 201 Rayburn Drive.
2. There were 16 notices mailed, 0 returned in opposition and 1 in favor.
3. Staff recommends approval.

AYES: Martinez, Robbins, Rodriguez, Kissling, Farias, Marshall, Sherrill, McAden, Avila, Stribling, Gray

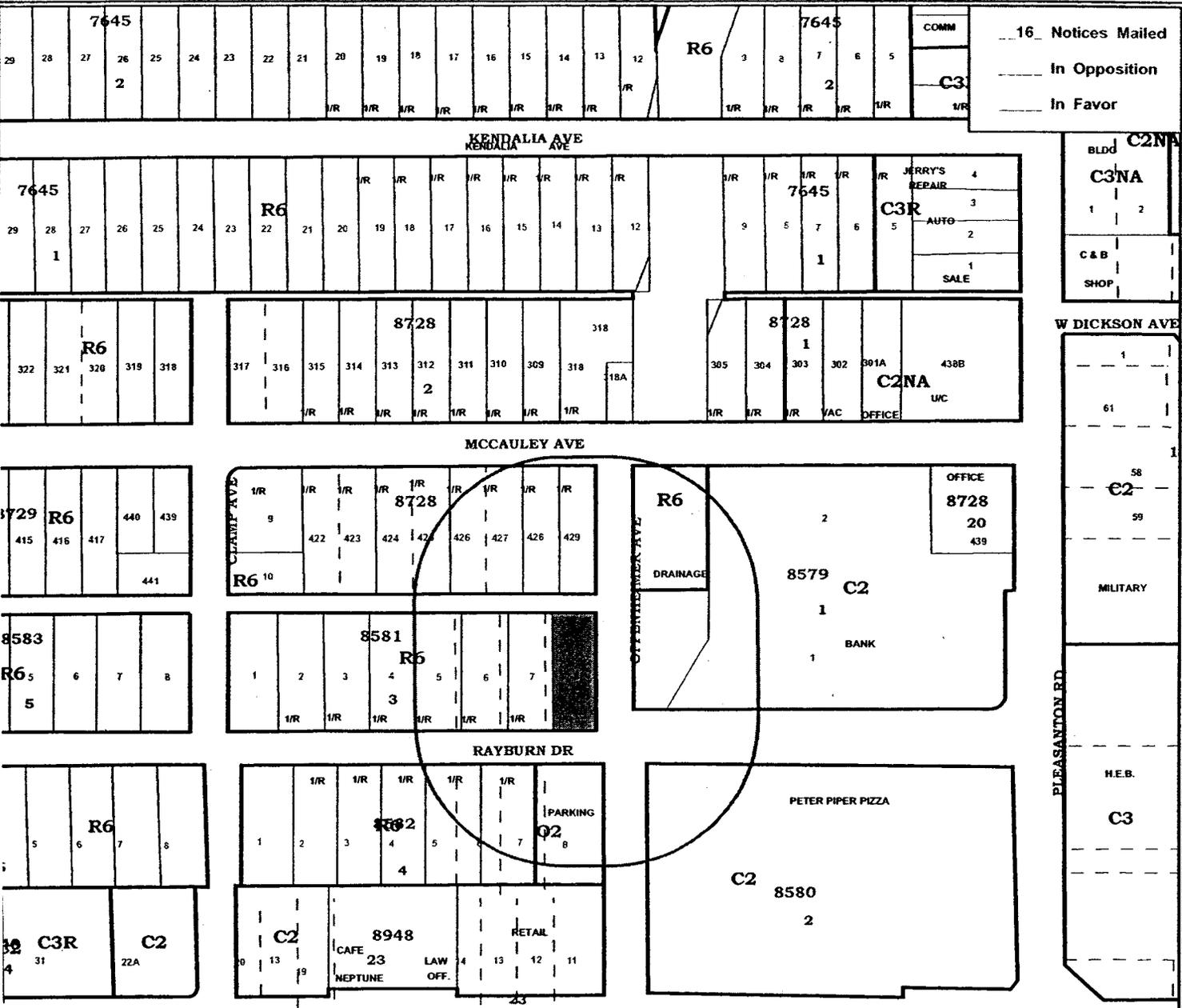
NAYS: None

THE MOTION CARRIED

Z2005244 CD

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.



16 Notices Mailed
 In Opposition
 In Favor

ZONING CASE: Z2005-244 CD

City Council District No. 3
 Requested Zoning Change
 From "R-6" To "R-6 CD"
 Date: December 15, 2005
 Scale: 1" = 200'

- Subject Property
- 200' Notification

