

AN ORDINANCE 2012 - 11 - 01 - 0863

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 after notice and publication 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 A8 and A9, NCB 909 from "HE D H RIO-3 AHOD" Historic Exceptional Downtown Main and Military Plaza Historic River Improvement Overlay-3 Airport Hazard Overlay District to "HE D S H RIO-3 AHOD" Historic Exceptional Downtown Main and Military Plaza Historic River Improvement Overlay-3 Airport Hazard Overlay District with a Specific Use Authorization for a Mobile Food Court.

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.

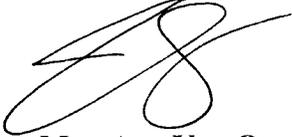
SECTION 3. The City Council approves this Specific Use Authorization so long as the attached site plan is adhered to. A site plan is attached as **Attachment "A"** and made a part hereof and incorporated herein for all purposes.

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.

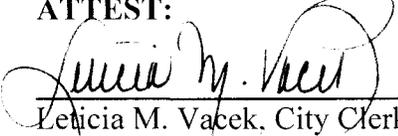
SECTION 5. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 6. This ordinance shall become effective November 11, 2012.

PASSED AND APPROVED this 1st day of November 2012.

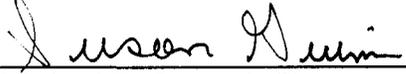

M A Y O R
Julián Castro

ATTEST:

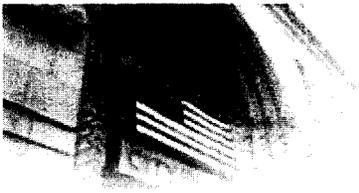


Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

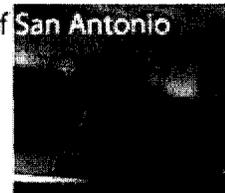


for Michael D. Bernard, City Attorney



Request for
COUNCIL
 ACTION

City of San Antonio



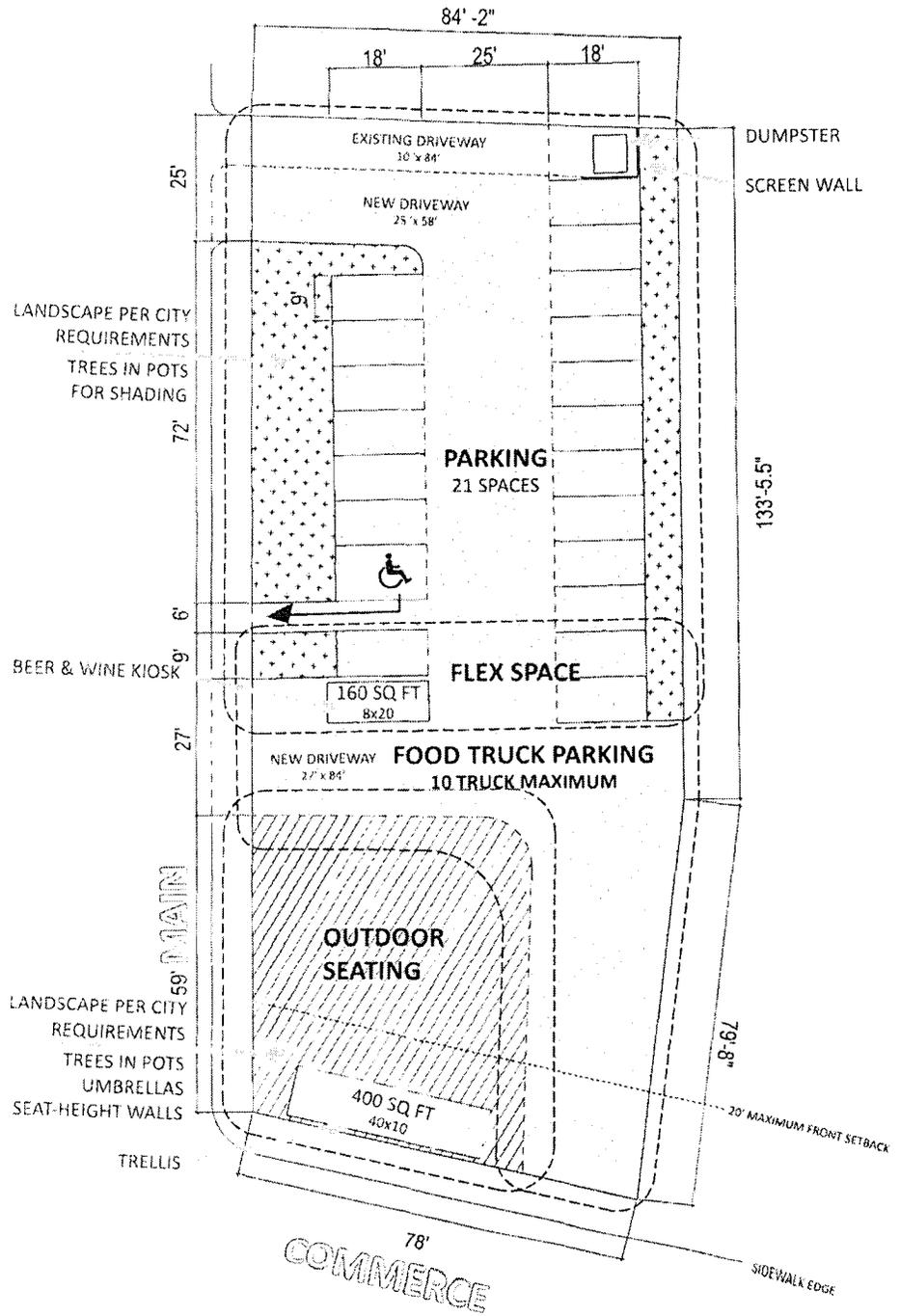
Agenda Voting Results - Z-4

Name:	Z-4						
Date:	11/01/2012						
Time:	02:25:55 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2012205 S (District 1): An Ordinance amending the Zoning District Boundary from "HE D H RIO-3 AHOD" Historic Exceptional Downtown Main and Military Plaza Historic River Improvement Overlay-3 Airport Hazard Overlay District to "HE D S H RIO-3 AHOD" Historic Exceptional Downtown Main and Military Plaza Historic River Improvement Overlay-3 Airport Hazard Overlay District with a Specific Use Authorization for a Mobile Food Court on Lots A8 and A9, NCB 909 located at 101 and 103 East Commerce Street and 100 North Main Avenue. Staff and Zoning Commission recommend approval.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Diego Bernal	District 1		x			x	
Ivy R. Taylor	District 2		x				
Leticia Ozuna	District 3		x				
Rey Saldaña	District 4		x				x
David Medina Jr.	District 5	x					
Ray Lopez	District 6		x				
Cris Medina	District 7		x				
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x				
Carlton Soules	District 10		x				

Z2012205S

* MPL Family Limited Partnership, the property owners, acknowledge that this site plan submitted for the purpose of rezoning this property is in accordance with all applicable provisions of the Unified Development Code. Additionally, I understand that the City Council approval of a site plan in conjunction with a rezoning case does not relieve me from adherence to any/all City-adopted Codes at the time of plan submittal for building permits.

* Permanent restroom facilities will be provided off-site in accordance with Section 403.1 of the 2012 International Plumbing Code



	PERVIOUS COVER:	3,189 SQ FT
	IMPERVIOUS COVER:	11,088 SQ FT
	LANDSCAPING:	2,293 SQ FT
TOTAL SITE AREA:		16,870 SQ FT

NCB 909 BLK LOT A8 & A 9 Proposed Uses

CURRENT ZONING: D H HE RIO-3
 PROPOSED USE: MOBILE FOOD COURT
 REQUESTED ZONING: D H HE RIO-3S

ATTACHMENT A