

ORDINANCE 2021-04-15-0254

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 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 Lot 36 and Lot 39, NCB 10613 from "C-3 MLOD-3 MLR-1" General Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District to "C-3 CD MLOD-3 MLR-1" General Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District with Conditional Use for a Construction Trades Contractor with Outside Storage.

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 approves this Conditional Use 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.

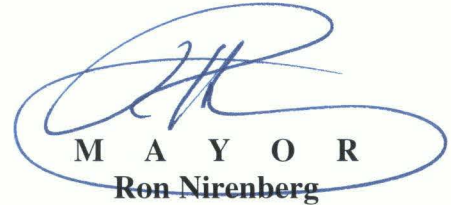
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04/15/2021
Z-7

CASE NO. Z-2020-10700305 CD

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.

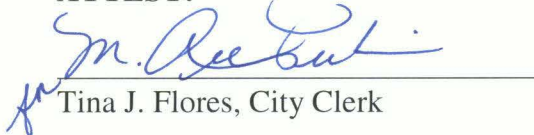
SECTION 6. This ordinance shall become effective April 25, 2021.

PASSED AND APPROVED this 15th day of April, 2021.



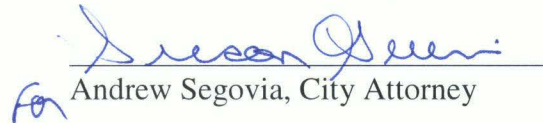
M A Y O R
Ron Nirenberg

ATTEST:



Tina J. Flores, City Clerk

APPROVED AS TO FORM:



Andrew Segovia, City Attorney



City of San Antonio

City Council

April 15, 2021

Item: Z-7

File Number: 21-2857

Enactment Number:

2021-04-15-0254

ZONING CASE Z-2020-10700305 CD (Council District 2): Ordinance amending the Zoning District Boundary from "C-3 MLOD-3 MLR-1" General Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District to "C-3 CD MLOD-3 MLR-1" General Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District with Conditional Use for a Construction Trades Contractor with Outside Storage on Lot 36 and Lot 39, NCB 10613, located at 146 North WW White Road. Staff recommends Denial. Zoning Commission recommends Approval.

Councilmember Rebecca Viagran made a motion to approve. Councilmember Ana E. Sandoval seconded the motion. The motion passed by the following vote:

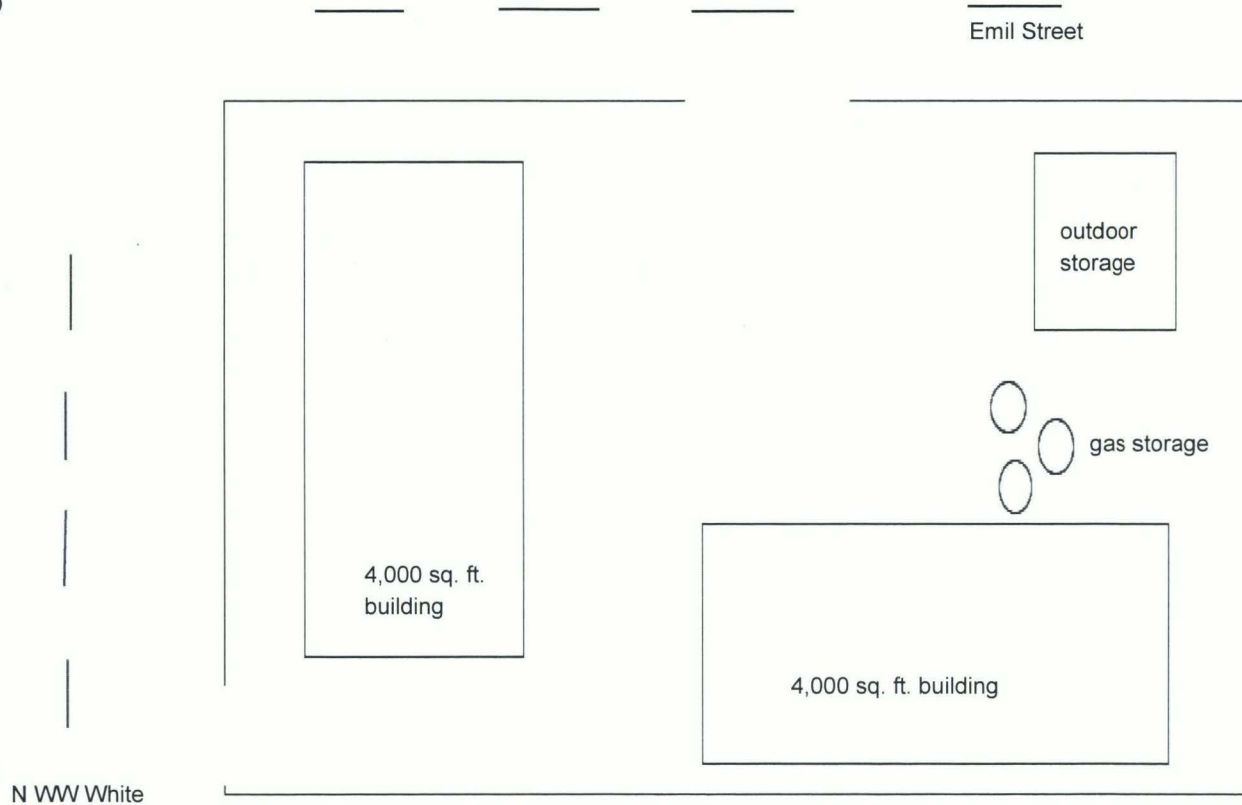
Aye: 11 Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Pelaez, Courage and Perry

SG
04/15/2021
Item No. Z-7

Exhibit “A”

Z-2020-10700305 CD

146 & 156 N WW White Road
From: C-3 MOD-3
TO: C-3 CD MLOD-3 with
a conditional use permit for
Construction Trade Contractors (to include
Welding, Fleet Refueling, Gas Storage,
and outside storage)



I, the Estate of Frank Silva, the property owner, 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 City Council approval of a site plan in conjunction with a rezoning case does

Exhibit "A"