

AN ORDINANCE 2014 - 09 - 18 - 0715

**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 Lots 15 and 16, Block A, NCB 632 from "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District to "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for Caterers and Catering Shop (No On-Premises Food Services) on Lot 15, Block A, NCB 632 and "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Parking Lot - Noncommercial on Lot 16, Block A, NCB 632.

**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 residential neighborhood.
- C. Business or office hours of operations shall not be permitted before 7:00 a.m. or after 6:00 p.m.
- D. All on-site lighting shall be directed onto the site and point away from any residential zoning or uses.
- E. The noncommercial parking lot shall be provided with a gate or other sufficient barrier against vehicle entry during the hours the facility served is closed;
- F. No advertising signs shall be permitted on the parking lot other than signs indicating the owner or lessee of the lot and to provide parking instructions.

**SECTION 4.** The City Council approves this Conditional Use 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.

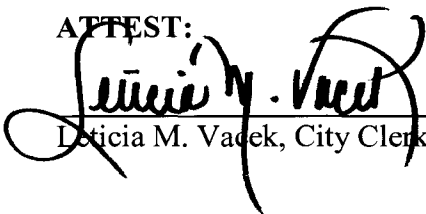
**SECTION 5.** All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35 -491.

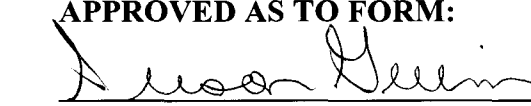
**SECTION 6.** The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

**SECTION 7.** This ordinance shall become effective September 28, 2014.

**PASSED AND APPROVED** this 18th day of September, 2014.

  
M A Y O R  
Ivy R. Taylor

ATTEST:  
  
Leticia M. Vadek, City Clerk

APPROVED AS TO FORM:  
  
for Robert F. Greenblum, City Attorney

<b>Agenda Item:</b>	<b>Z-2</b>
<b>Date:</b>	09/18/2014
<b>Time:</b>	02:10:13 PM
<b>Vote Type:</b>	Motion to Appr w Cond
<b>Description:</b>	ZONING CASE # Z2014210 CD (District 2): An Ordinance amending the Zoning District Boundary from "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District to "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for Caterers and Catering Shop (No On-Premises Food Services) on Lot 15, Block A, NCB 632 and "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Parking Lot - Noncommercial on Lot 16, Block A, NCB 632 located at 217 and 223 Cactus Street. Staff and Zoning Commission recommend approval with conditions.
<b>Result:</b>	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Diego Bernal	District 1		x				
Keith Toney	District 2		x			x	
Rebecca Viagran	District 3		x				x
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Ray Lopez	District 6	x					
Mari Aguirre-Rodriguez	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				

ZONING CASE Z201410 CD

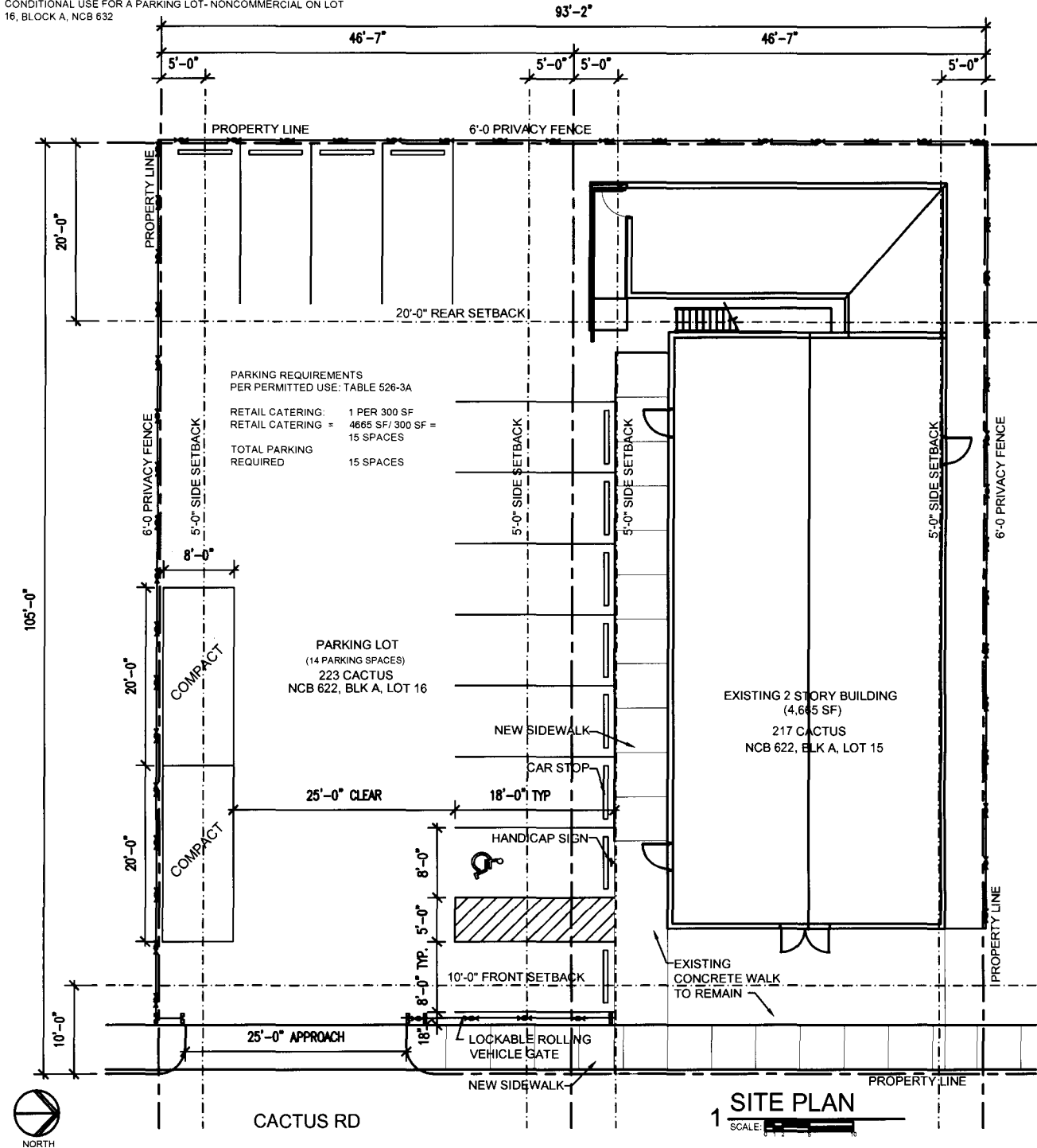
ZONING CHANGE FROM: "RM-4 AHOD" RESIDENTIAL MIXED AIRPORT HAZARD OVERLAY DISTRICT.

ZONING CHANGE TO: "R-6 CD" RESIDENTIAL SINGLE-FAMILY DISTRICT WITH A CONDITIONAL USE FOR CATERERS AND CATERING SHOP (NO ON-PREMISES FOOD SERVICES) ON LOT 15, BLOCK A NCB 632 AND "R-6 CD" RESIDENTIAL SINGLE-FAMILY DISTRICT WITH A CONDITIONAL USE FOR A PARKING LOT-NONCOMMERCIAL ON LOT 16, BLOCK A, NCB 632

**NOTE:**  
THE FOLLOWING ITEMS TO BE ADDRESSED IN AEVR APPLICATION.

- 1.) PARKING LOT DRIVEWAY THROAT LENGTH LESS THAN THE RECOMMENDED 20'-0"
- 2.) UNABLE TO PROVIDE ONE VEHICLE STACKING AT DRIVEWAY THROAT.
- 3.) PARKING LOT SHORT (1) SPACE OF THE REQUIRED 15 SPACES.

**I TONY GRADNEY, THE PROPERTY OWNER ACKNOWLEDGE THAT THIS SITE PLAN SUBMITTED FOR THE PURPOSE OF REZONING THIS PROPERTY WITH ALL APPLICABLE PROVISION 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.**



**PARKING REQUIREMENTS PER PERMITTED USE: TABLE 526-3A**

RETAIL CATERING:	1 PER 300 SF
RETAIL CATERING =	4665 SF / 300 SF =
	15 SPACES
<b>TOTAL PARKING REQUIRED</b>	<b>15 SPACES</b>

**PARKING LOT**  
(14 PARKING SPACES)  
223 CACTUS  
NCB 622, BLK A, LOT 16

**EXISTING 2 STORY BUILDING**  
(4,645 SF)  
217 CACTUS  
NCB 622, BLK A, LOT 15

CACTUS RD

**1 SITE PLAN**  
SCALE: 1" = 10'-0"

<p>Drawn By: _____</p> <p>Checked By: _____</p> <p>Sheet Date: _____</p> <p>Project No.: _____</p> <p>Sheet No.: _____</p> <p>Scale: _____</p>	<p><b>SITE PLAN</b></p>	<p><b>CACTUS ROAD BUILDING</b></p> <p>217/223 CACTUS RD SAN ANTONIO, TX 78202</p>	<p>Scale: _____</p> <p>North Arrow: _____</p>	 <p><b>Dillard Architect Group</b> 788 Riggsby Avenue San Antonio, Texas (210) 531-0000 office (210) 531-0074 fax dillarchgrp@aol.net</p>
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