

ORDINANCE

2021 - 01 - 21 - 0037

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 Lot 26 and the west 60.10 feet of Lot 25, Block 1, NCB 10733 from "R-5 MLOD-3 MLR-1" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District to "R-5 CD MLOD-3 MLR-1" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District with a Conditional Use for two (2) dwelling units.

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.

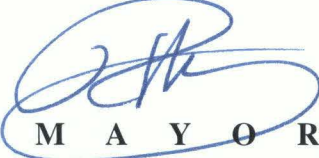
SG/lj
01/21/2021
Z-3

CASE NO. Z-2020-10700245 CD

530
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 January 31, 2021.

PASSED AND APPROVED this 21st day of January, 2021.



M A Y O R
Ron Nirenberg

ATTEST:



Tina J. Flores, City Clerk

APPROVED AS TO FORM:



Andrew Segovia, City Attorney
for



City of San Antonio

City Council

January 21, 2021

Item: Z-3

File Number: 20-7423

Enactment Number:

2021-01-21-0037

ZONING CASE Z-2020-10700245 CD (Council District 2): Ordinance amending the Zoning District Boundary from "R-5 MLOD-3 MLR-1" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District to "R-5 CD MLOD-3 MLR-1" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District with a Conditional Use for two (2) dwelling units on Lot 26 and the west 60.10 feet of Lot 25, Block 1, NCB 10733, located at 4427 North Hein Road. Staff and Zoning Commission recommend Approval.

Councilmember Roberto C. Treviño made a motion to approve. Councilmember Melissa Cabello Havrda 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
01/21/2021
Item No. Z-3

Exhibit "A"

CASE NUMBER 2-2020-10700245CD

LEGAL DESCRIPTION: NCR 10733 B1K1

LOT 26 AND W. 60.1 OF 25

4427 N. HEIN

Rezone from R-5 to R-5
CD for 2 dwelling units

TOTAL Acreage 0.5234

Sq FT. #1 1325

Sq FT #2 480

Sq FT Drives 2662.7

Open Space 18332.30

of Lots: 2. 1 Full 1 Partial

Intend Use: Residential

Zoning: From R-5

Proposed: To R-5-CD MLOD-3 MLR-1

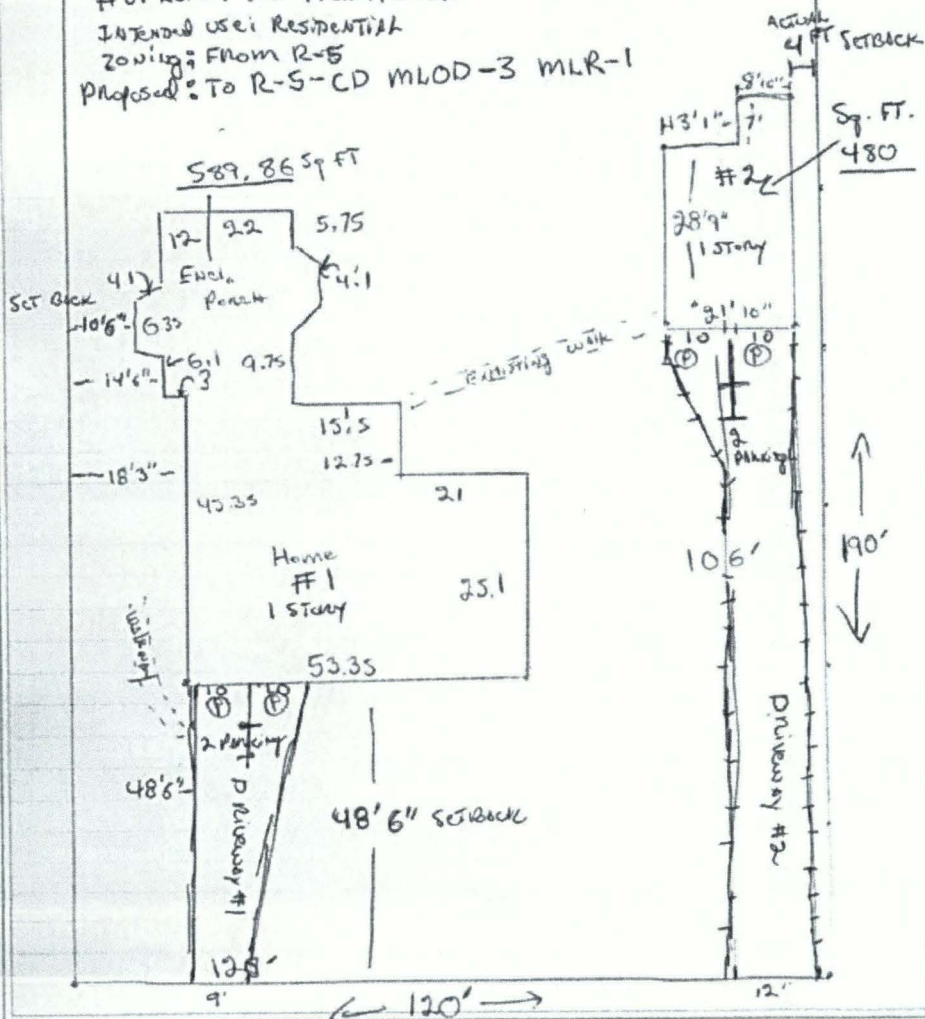
4 PARKING OFF STREET

Per BLD

1325 Sq FT #1

480 Sq FT #2

No Garage



7. The following statement: "I, John Heinen, 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 not relieve me from adherence to any/all City-adopted Codes at the time of plan submittal for building permits.

John Heinen