

AN ORDINANCE 2017-03-02-0145

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 41, Block 26, NCB 15105 from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for an Assisted Living Facility for up to 12 Residents.

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.

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 the 12th day of March 2017.

PASSED AND APPROVED this 2nd day of March 2017.


M A Y O R
Ivy R. Taylor

ATTEST:



Leticia M. Vacek, City Clerk

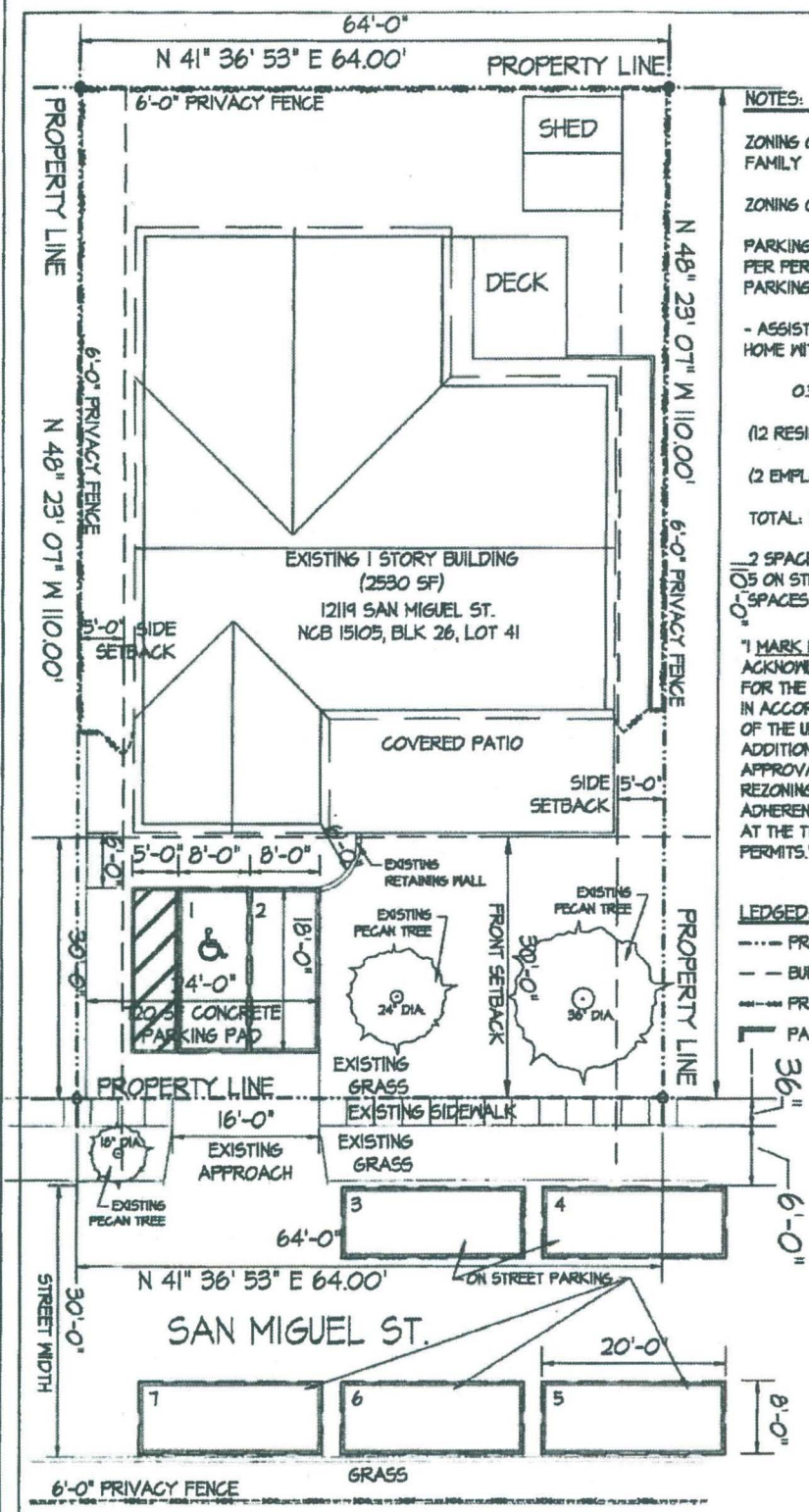
APPROVED AS TO FORM:



Andrew Segovia, City Attorney

Agenda Item:	Z-10						
Date:	03/02/2017						
Time:	02:17:51 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2017037 CD (Council District 10): An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for an Assisted Living Facility for up to 12 Residents on Lot 41, Block 26, NCB 15105, located at 12119 San Miguel Street. Staff and Zoning Commission recommend Denial. (Continued from February 9, 2017)						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Treviño	District 1		x				
Alan Warrick	District 2		x				
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4	x					
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7		x				x
Ron Nirenberg	District 8		x				
Joe Krier	District 9	x					
Michael Gallagher	District 10		x			x	

Z2017037



NOTES:

ZONING CHANGE FROM: "R6" RESIDENTIAL SINGLE FAMILY
R-6-CD
 ZONING CHANGE TO: "NC" NEIGHBORHOOD COMMERCIAL

PARKING REQUIREMENTS
 PER PERMITTED USE: TABLES 26-3a
 PARKING IN RESIDENTIAL US DISTRICTS.

- ASSISTED LIVING/ BOARDING HOME OR COMMUNITY HOME WITH 7 OR MORE RESIDENTS.

03 PER RESIDENT PLUS 1 PER EMPLOYEE

(12 RESIDENTS) x (03 MIN SPACE) = 36 SPACES

(2 EMPLOYEES) x (1 PER EMPLOYEE) = 2 SPACES

TOTAL: 36 + 2 = 38 OR 6 SPACES REQUIRED.

2 SPACES PROVIDE ON PROPERTY WITH AND ADDITION 05 ON STREET PARKING SPACES. FOR A TOTAL OF 7 SPACES

"I, MARK KYLE, THE PROPERTY OWNER, ACKNOWLEDGE THAT THIS SITE PLAN SUBMITTED FOR THE PURPOSE OF REZONING THIS PROPERTY IS IN ACCORDANCE WITH ALL APPLICABLE PROVISION 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."

LEGEND:

- PROPERTY LINE
- - - BUILDING SET BACK LINE
- PRIVACY FENCE
- ▭ PARKING SPACES

PLAN: SITE PLAN
 Scale: 1" = 20'-0"
 NORTH

Exhibit "A"

 NORTH	SITE PLAN S-10	Heart to Heart Assisted Living 12119 San Miguel San Antonio, TX 78233	 Dillard Architect Group 1401 N. Loop West, Suite 1000 Houston, Texas 77001 713.596.1111 dillardarchitect.com