AN ORDINANCE 2019-04-04-0284

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 9 and Lot 10, Block 8, NCB 1891 from "C-2NA NCD-2 AHOD" Commercial Nonalcoholic Sales Alta Vista Neighborhood Conservation Airport Hazard Overlay District and "O-1 IDZ NCD-2 AHOD" Office Infill Development Zone Overlay Alta Vista Neighborhood Conservation Airport Hazard Overlay District to "IDZ NCD-2 AHOD" Infill Development Zone Alta Vista Neighborhood Conservation Airport Hazard Overlay District with uses permitted for Entertainment Venue (Indoor), Theater - Indoor With Two or Less Screens and/or Stages, and Studio - Fine or Performing Arts.

SECTION 2. The City council approves this Infill Development Zone 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 3. 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 4. 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 5. This ordinance shall become effective April 14, 2019.

PASSED AND APPROVED this 4th day of April, 2019.

M A Y O R
Ron Nirenberg

APPROVED AS TO FORM:

Andrew Segovia, City Attorney

Leticia M. Vacek, City Clerk

| Agenda Item: | Z-2 (in consent vote: P-1, Z-2) | | | | | | |
|--------------------|---|----------------|-----|-----|---------|--------|--------|
| Date: | 04/04/2019 | | | | | | |
| Time: | 02:10:15 PM | | | | | | |
| Vote Type: | Motion to Approve | | | | | | |
| Description: | ZONING CASE # Z-2018-900017 (Council District 1): Ordinance amending the Zoning District Boundary from "C-2NA NCD-2 AHOD" Commercial Nonalcoholic Sales Alta Vista Neighborhood Conservation Airport Hazard Overlay District and "O-1 IDZ NCD-2 AHOD" Office Infill Development Zone Overlay Alta Vista Neighborhood Conservation Airport Hazard Overlay District to "IDZ NCD-2 AHOD" Infill Development Zone Alta Vista Neighborhood Conservation Airport Hazard Overlay District with uses permitted for Entertainment Venue (Indoor), Theater - Indoor With Two or less Screens And/Or Stages, and Studio - Fine or Performing Arts on Lot 9 and Lot 10, Block 8, NCB 1891, located at 741 and 725 West Ashby Place. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment PA2018-900013) | | | | | | |
| Result: | Passed | | | | | | |
| Voter | Group | Not Present | Yea | Nay | Abstain | Motion | Second |
| Ron Nirenberg | Mayor | | X | | | | |
| Roberto C. Treviño | District 1 | | X | | × | х | |
| Art A. Hall | District 2 | | X | | | | х |
| Rebecca Viagran | District 3 | | X | | | | |
| Rey Saldaña | District 4 | х | | | | | |
| Shirley Gonzales | District 5 | | x | | | | |
| Greg Brockhouse | District 6 | X | | | | | |
| Ana E. Sandoval | District 7 | | X | | | | |
| Manny Pelaez | District 8 | X | | | | | |
| John Courage | District 9 | | X | | | | |
| Clayton H. Perry | District 10 | | X | | | | |

EXHIBIT "A"

Zoning Case No.Z2018-900017 and Plan Amendment Case No.PA 2018-900013 6' SETBACK PROVIDED (5' REQUIRED) I, San Antonio Little Theater, Inc., c/o George Green, the property owner, acknowledge DOCUMENTS ARE INCOMPLETE AND MAY NOT BE USED FOR REGULATORY APPROVAL, PERMIT, OR CONSTRUCTION. that this site plan submitted Requested change in zoning from C-2 NA and for the purpose of rezoning O-1 IDZ NCD-2 to IDZ with only Theater Indoor this property is in accordance w/ Two or Less Screens/Stages and Studiowith all applicable provisions Fine or Performing Arts uses and Plan of the Unified Development Code. Additionally, I Amendment from "Neighborhood Commercial" understand that the City to "Mixed Use" Council approval of a site plan in conjunction with a rezoning case does not relieve me from The adherence to any/all City Public adopted Codes at the time of Theater PROPOSED THEATER FOOTPRINT plan submittal for building 741 West Ashby Place San Antonio, TX 78212 Structure height to be no more than three stories. The Public Theater 800 West Ashby Place San Antonio, TX 78212 FLORES SCHEMATIC DESIGN NORTH HDRC EVALUATION AND 1' SETBACK PROVIDED (AS CLOSE AS POSSIBLE RECOMMENDED)

permits.

WEST ASHBY PLACE

Exhibit "A"

A1.01