

ORDINANCE 2022-09-15-0703

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 the south 100 feet of Lot 1 and the west 26.9 feet of the south 100 feet of Lot 2, Block 11, NCB 1749, located at 1602 North Main Avenue, "C-2NA H UC-5 AHOD" Commercial Nonalcoholic Sales Historic Tobin Hill Main Avenue/McCullough Avenue Urban Corridor Airport Hazard Overlay District to "C-2 CD IDZ H UC-5 AHOD" Commercial Infill Development Zone Overlay Historic Tobin Hill Main Avenue/McCullough Avenue Urban Corridor Airport Hazard Overlay District with a Conditional Use for a Bar and/or Tavern.

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. Conditions:
 - 1. No live outdoor entertainment.
 - 2. Food Truck Hours of Operation will not extend past the following times: Monday-Thursday: 12:00 AM, Friday and Saturday: 1:00 AM, and Sunday: 11:00 PM.


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 **Exhibit "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 25, 2022.

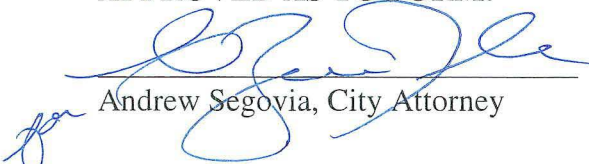
PASSED AND APPROVED this 15th day of September 2022.


M A Y O R
Ron Nirenberg

ATTEST:


Debbie Racca-Sittre, City Clerk

APPROVED AS TO FORM:


for Andrew Segovia, City Attorney



City of San Antonio

City Council Meeting September 15, 2022

9.

2022-09-15-0703

ZONING CASE Z-2022-10700203 CD (Council District 1): Ordinance amending the Zoning District Boundary from "C-2NA H UC-5 AHOD" Commercial Nonalcoholic Sales Historic Tobin Hill Main Avenue/McCullough Avenue Urban Corridor Airport Hazard Overlay District to "C-2 CD IDZ H UC-5 AHOD" Commercial Infill Development Zone Overlay Historic Tobin Hill Main Avenue/McCullough Avenue Urban Corridor Airport Hazard Overlay District with a Conditional Use for a Bar and/or Tavern on the south 100 feet of Lot 1 and the west 26.9 feet of the south 100 feet of Lot 2, Block 11, NCB 1749, located at 1602 North Main Avenue. Staff recommends Approval. Zoning Commission recommends Approval with Conditions.

Councilmember Bravo moved to Approve with Conditions. Councilmember Castillo seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Pelaez, Courage, Perry

Absent: Sandoval

EXHIBIT “A”

Z-2022-10700203 CD

From: "C-2NA H UC-5 AHOD" Commercial Nonalcoholic Sales Historic Tobin Hill Main Avenue/McCullough Avenue Urban Corridor Airport Hazard Overlay District

To: "C-2 CD IDZ H UC-5 AHOD" Commercial Infill Development Zone Overlay Historic Tobin Hill Main Avenue/McCullough Avenue Urban Corridor Airport Hazard Overlay District with a Conditional Use for a Bar and/or Tavern

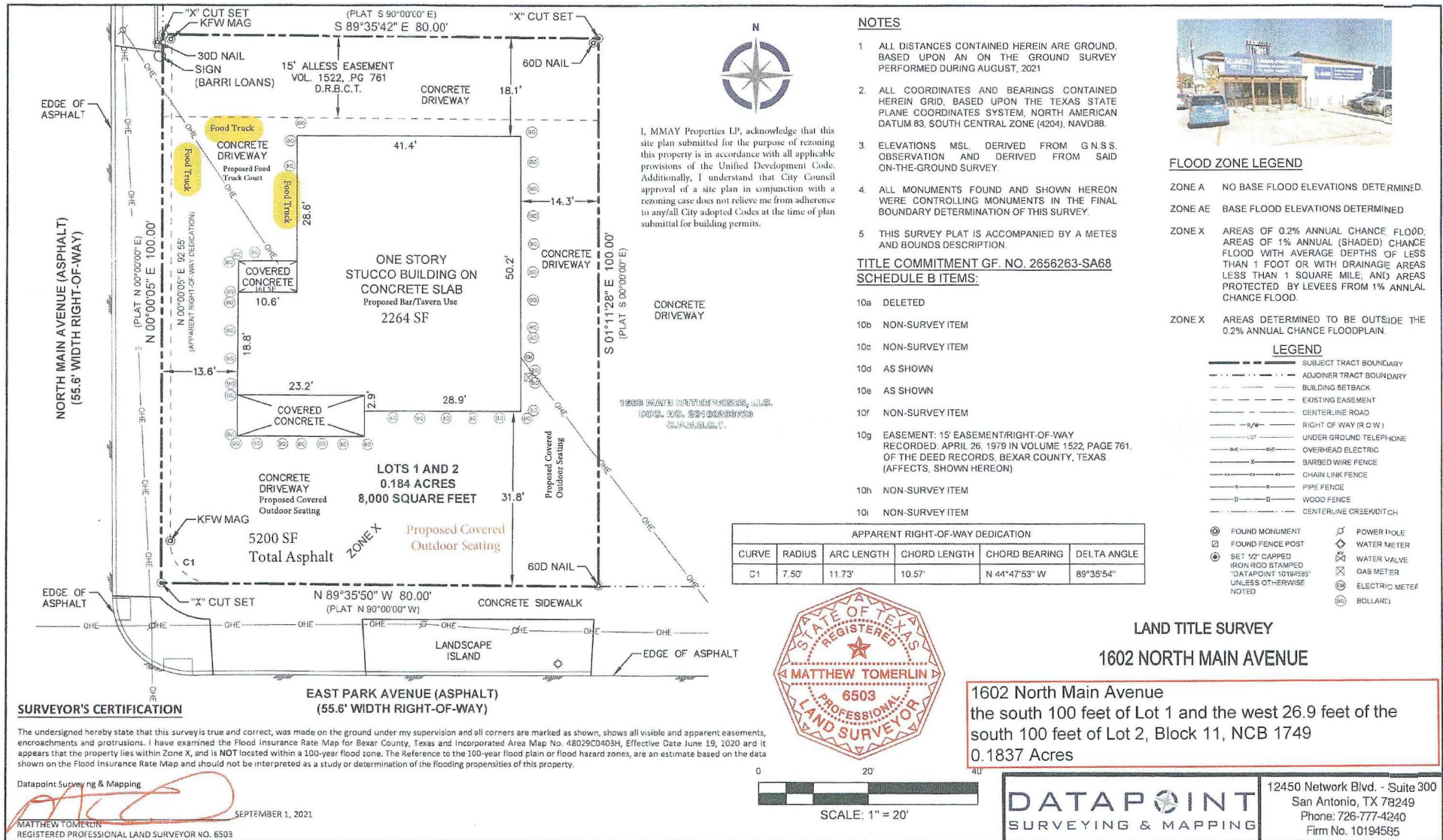


Exhibit "A"