

ORDINANCE NO. 2224

AN ORDINANCE AMENDING ORDINANCE NO. 374 PASSED AND ENROLLED ON AUGUST 19, 1963, THE ZONING ORDINANCE OF THE CITY OF ALAMO HEIGHTS, BY REZONING THE PROPERTY KNOWN AS LOT 40, BLOCK 63, COUNTY BLOCK 4050, WHICH IS THE PROPERTY KNOWN AS 516 CIRCLE ST FROM BUSINESS DISTRICT (B-1) TO TWO-FAMILY DWELLING (2F-C) AND SETTING AN EFFECTIVE DATE.

WHEREAS, Texas Local Government Code Section 211.004 provides that zoning regulations and district boundaries must be adopted in accordance with a duly adopted Comprehensive Plan; and

WHEREAS, Texas Local Government Code Section 211.002 authorizes the City of Alamo Heights, Texas ("City"), as a home-rule municipality, to adopt, repeal or amend zoning district boundaries in order to promote the public health, safety and general welfare of the City; and

WHEREAS, the Planning and Zoning Commission, after a public hearing was held by it on May 06, 2024, recommended that the application by Sergio Galindo, owner, to rezone the western portion of the property known as Lot 40, Block 63, County Block 4050, which is the property currently known as 516 Circle St, from Business District (B-1) to Two-Family Dwelling (2F-C), be approved by the City Council of the City of Alamo Heights; and

WHEREAS, the City Council at a public meeting held by it on August 12, 2024 received said recommendation from the Planning and Zoning Commission and, after considering said recommendation and hearing the proponents and opponents to said recommendation, is of the opinion that the health, safety, morals, convenience, general welfare and orderly development of the city would be enhanced by changing the zoning of portions of such property to Two-Family Dwelling (2F-C) which is compatible with the present zoning and conforming uses of nearby property and with the character of the neighborhood, and would result in properties suitable for uses permitted by the zoning district as changed by this Ordinance and that such portions of properties should be so zoned.

WHEREAS, legal notice notifying the public of both public hearings on the property proposed to be rezoned, was posted on the City's official website and published in the SA Express News, a newspaper of general circulation in the City of Alamo Heights, with said publication provided more than fifteen (15) days prior to the public hearing before the City Council and Planning and Zoning Commission; and

WHEREAS, written notice of the above public hearings before the Planning & Zoning Commission and the City Council were sent to each owner of real property, as indicated on the approved tax roll of the City of Alamo Heights, within 200 feet of the property to be rezoned, with said notice provided more than ten (10) days prior to the initial public hearing of the City Council as cited above; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALAMO HEIGHTS, TEXAS:

THAT, the ordinance passed and enrolled on August 19, 1963, commonly referred to as the Zoning Ordinance of the City of Alamo Heights, being Ordinance No. 374, be and the same is hereby amended so as to rezone the western portion of Lot 40, Block 63, County Block 4050, which is the property currently known as 516 Circle St, from Business District (B-1) to Two-Family Dwelling (2F-C); and

THAT, the proposed zoning change would be more restrictive and in keeping with surrounding properties to the east. The rezone would also be returning the property to its original zoning designation; and

THAT, the official Zoning District Map provided for in Section 4 of the Zoning Ordinance No. 374, filed with and maintained by the Community Development Director, shall be amended and posted by the Community Development Director to show the zoning amendment provided for in this Ordinance; and

THAT, a copy of this Ordinance be filed in the Bexar County Real Property Records; and


THAT, the City Council finds that all required public notices for the rezoning of the Property have been published and the public hearings as required by Municipal Code of Ordinances and state law have been held to consider the application to amend the zoning district boundary; and

THAT, the City Council hereby finds the recitals in the preamble of this Ordinance to be true and correct and incorporates them as findings of fact; and

THAT, in the event that any provision of this Ordinance is held to be invalid, it is the intention of the City Council that this Ordinance be of no force and effect whatsoever; and

THAT, this Ordinance shall become effective immediately upon its passage.

PASSED AND APPROVED this the 12th day of August, 2024.



BOBBY ROSENTHAL, MAYOR

ATTEST:



ELSA T. ROBLES, CITY SECRETARY



APPROVED AS TO FORM:



FRANK J. GARZA, CITY ATTORNEY