

AN ORDINANCE 2018-08-16-0653

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 0.093 acres out of NCB 14848 from "C-3 MLOD-1 AHOD ERZD" General Commercial Camp Bullis Military Lighting Overlay Airport Hazard Overlay Edwards Recharge Zone District to "C-3 S MLOD-1 AHOD ERZD" General Commercial Camp Bullis Military Lighting Overlay Airport Hazard Overlay District Edwards Recharge Zone District with a Specific Use Authorization for Motor Vehicle Sales.

SECTION 2. A description of the property is attached as **Exhibit "A"** and made a part hereof and incorporated herein for all purposes.

SECTION 3. The City Council finds as follows:

- A. The specific use will not be contrary to the public interest.
- B. The specific use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district.
- C. The specific use will be in harmony with the spirit and purpose as set forth in Section 35-423, Specific Use Authorization, of the Unified Development Code.
- D. The specific use will not substantially weaken the general purposes or the regulations as set forth in Section 35-423, Specific Use Authorization, of the Unified Development Code.
- E. The specific use will not adversely affect the public health, safety and welfare.

SECTION 4. The City council approves this Specific Use Authorization so long as the attached site plan is adhered to. A site plan is attached as **Exhibit "B"** and made a part hereof and incorporated herein for all purposes.

SECTION 5. This change of zoning district boundary is conditioned on the requirement that the impervious cover will not change.

SECTION 6. The owner or owner's agent shall inform any person leasing this tract or any portion of this tract that storage of chemicals and/or hazardous materials is not permitted. Provisions prohibiting the storage of chemicals and/or hazardous materials shall be included in the lease

agreement. The owner or owner's agent shall provide a copy of the lease provisions regarding the storage of chemicals and/or hazardous materials to the Aquifer Protection and Evaluation Section of the San Antonio Water System for approval. The Aquifer Protection and Evaluation Section of the San Antonio Water System may randomly inspect, without notice, any or all facilities on the site to ensure compliance with this ordinance.

SECTION 7. All water pollution abatement structures or features approved by the Texas Commission on Environmental Quality shall be properly maintained and kept free of trash and debris. A water quality maintenance plan and schedule agreement signed by the property owner must be submitted to the Resource Protection Division of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. A water quality maintenance plan signed by the new owner must be submitted to the Resource Protection Division of SAWS.

SECTION 8. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing Groundwater Pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210/222-2204), or equivalent information produced by the U.S. Natural Resource Conservation Service, the Texas Department of Agriculture, or the U.S. Department of Agriculture shall be used.


SECTION 9. 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 10. 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 11. If a court of competent jurisdiction enters a final judgment on the merits that is no longer subject to appeal and substantially limits or impairs the essential elements of sections one through five of this ordinance, then sections one through five are invalid and have no legal effect as of the date of entry of such judgment notwithstanding any other ordinance or provision of the City Code of San Antonio.

SECTION 12. This ordinance shall become effective August 26, 2018.


PASSED AND APPROVED this 16th day of August 2018.


M A Y O R
Ron Nirenberg

ATTEST:


Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:


for Andrew Segovia, City Attorney

Agenda Item:	Z-18 (in consent vote: 27, Z-3, Z-4, Z-5, Z-6, P-2, Z-7, P-4, Z-11, Z-14, Z-15, P-5, Z-18, Z-19)						
Date:	08/16/2018						
Time:	02:05:32 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2018234 S ERZD (Council District 8): Ordinance amending the Zoning District Boundary from "C-3 MLOD-1 AHOD ERZD" General Commercial Camp Bullis Military Lighting Overlay Airport Hazard Overlay Edwards Recharge Zone District to "C-3 S MLOD-1 AHOD ERZD" General Commercial Camp Bullis Military Lighting Overlay Airport Hazard Overlay Edwards Recharge Zone District with a Specific Use Authorization for Motor Vehicle Sales on 0.093 acres out of NCB 14848, located at 14886 Tradesman Drive. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment 18071)						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ron Nirenberg	Mayor		x				
Roberto C. Treviño	District 1		x				x
William Cruz Shaw	District 2		x				
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
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			x	
Clayton H. Perry	District 10		x				

SG/lj
08/16/2018
Item No. Z-18

EXHIBIT “A”

Field Notes for a Tract of Land Containing 0.093 acre
(4,053.60 square feet) of Land

Being a tract of land 50.67 feet by 80.00 feet, containing 0.093 acre (4,053.60 square feet) being a portion of Lot 4, Block 7, New City Block 14848 (3.181 acres) in the City of San Antonio, Bexar County, Texas, as shown on the subdivision plat of Tradesman Quarry, as recorded in Volume 9631, Pages 64-68, of the Official Public Records of Bexar County, Texas being more particularly described as follows;

Commencing at the northeast corner of said Lot 4, being a found iron rod with a yellow plastic cap stamped "PAPE DAWSON";

Thence, across said Lot 4, the following two (2) courses:

South 41 degrees 27 minutes 39 seconds West, a distance of 148.97 feet to the northeast corner of the existing Tradesman Drive Flex Space building, having Texas South Central State Plane Coordinates of: Northing 13,759,460.7186 and Easting 2,101,111.5047;

Thence, with the easterly face of said building, South 02 degrees, 45 minutes 11 seconds East, a distance of 75.55 feet to the Point of Beginning, having Texas South Central State Plane Coordinates of: Northing 13,759,385.2547 and Easting 2,101,115.1335, being the northeast corner of the herein described tract;

Thence, continuing with the easterly face of said building, South 02 degrees 45 minutes 11 seconds East, a distance of 50.67 feet to the southeast corner of the herein described tract;

Thence, across said building, South 87 degrees 14 minutes 49 seconds West, a distance of 80.00 feet, to the westerly face of said building, being the southwest corner of the herein described tract;

Thence, with the westerly face of said building, North 02 degrees, 45 minutes 11 seconds West, a distance of 50.67 feet, to a point being the northwest corner of the herein described tract;

Thence, across said building, North 87 degrees 14 minutes 49 seconds East, a distance of 80.00 feet to the Point of Beginning, containing 0.093 acre (4,053.60 square feet) of land.

Being all of spaces 132 and 134, Phase IV, Tradesman Drive Flex Space, as shown shaded on the attached exhibit, and being made a part of this description.

Note: Basis of bearing and coordinates cited were established from the State Plane Coordinate System, North American Datum of 1983, Texas South Central Zone. An Exhibit of even date was prepared for and is made a part of this description.



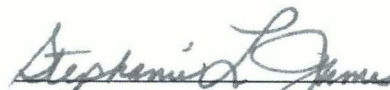

Stephanie Linn James, R.P.L.S.
Registered Professional Land Surveyor No. 5950

Exhibit "A"

SG/lj
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EXHIBIT “B”

72018234

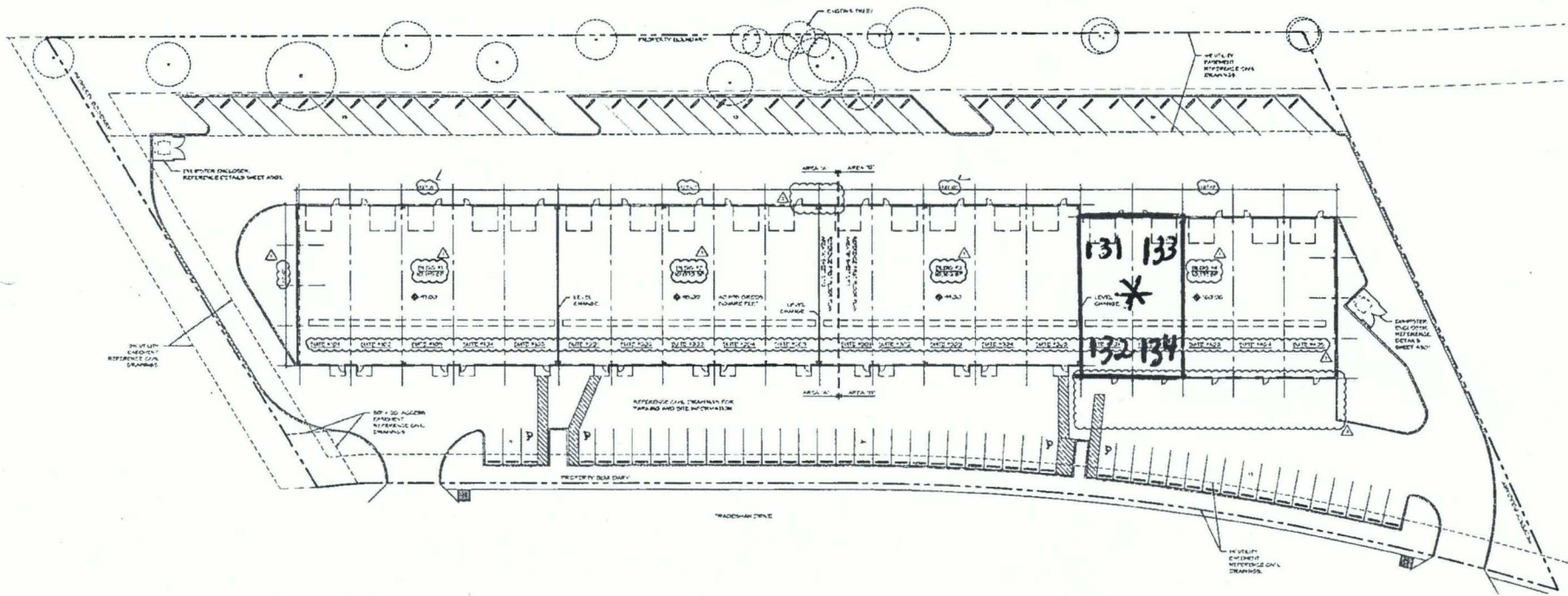


Exhibit "B"

Existing Zoning: C-3 ERZD

Proposed Zoning: C-3 (s) ERZD (Motor Vehicle Sales)

Existing Building: 40,604 sq. ft.

Proposed Rezoning: 4,050 sq. ft. (Impervious)

Parking: Existing 85 Parking Spaces Available

Setbacks: No Setbacks required for Existing C-3 zoning



14886 Tradesman Dr.
 San Antonio, Texas 78249

I, Bernardo Serra, 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 a building permits.