

**AN ORDINANCE 2016-02-18-0147**

**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 0.0459 of an acre of land out of NCB 15670 from "C-2 MLOD ERZD" Commercial Military Lighting Overlay Edwards Recharge Zone District to "C-2 S MLOD ERZD" Commercial Camp Bullis Military Lighting Overlay Edwards Recharge Zone District with Specific Use Authorization for Wireless Communications System.

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

**SECTION 5.** 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 6.** 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 7.** 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 8.** 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 9.** 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.

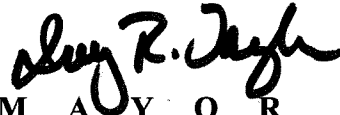
**SECTION 10.** If a court of competent jurisdiction enters a final judgment on the merits that is no longer subject to appeal and substantially limits or impairs the essential elements of sections one through five of this ordinance, then sections one through five are invalid and have no legal effect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

**SECTION 11.** This ordinance shall become effective February 28, 2016.

SG/cia  
02/18/2016  
# Z-26

CASE NO. Z2016011 S ERZD

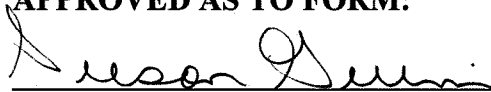
PASSED AND APPROVED this 18<sup>th</sup> day of February, 2016.

  
M A Y O R  
Ivy R. Taylor

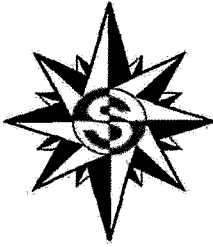
ATTEST:

  
\_\_\_\_\_  
Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
For Martha G. Sepeda, Acting City Attorney

<b>Agenda Item:</b>	Z-26 ( in consent vote: 32, Z-3, Z-4, Z-5, P-2, Z-7, Z-9, Z-10, Z-11, Z-12, P-5, Z-14, P-7, Z-16, P-8, Z-18, P-9, Z-19, Z-23, Z-26, P-11, Z-27, P-12, Z-28, P-13, Z-29, Z-30 )						
<b>Date:</b>	02/18/2016						
<b>Time:</b>	03:14:03 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	ZONING CASE # Z2016011 S ERZD (Council District 9): An Ordinance amending the Zoning District Boundary from "C-2 MLOD ERZD" Commercial Camp Bullis Military Lighting Overlay Edwards Recharge Zone District to "C-2 MLOD S ERZD" Commercial Camp Bullis Military Lighting Overlay Edwards Recharge Zone District with Specific Use Authorization for Wireless Communications System on approximately 0.0459 of an acre of land out of NCB 15670 located at 88 Trailcrest Street. Staff and Zoning Commission recommend Approval.						
<b>Result:</b>	Passed						
<b>Voter</b>	<b>Group</b>	<b>Not Present</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Motion</b>	<b>Second</b>
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					
Ron Nirenberg	District 8		x				x
Joe Krier	District 9		x				
Michael Gallagher	District 10		x			x	



**SOLIS-KANAK & ASSOCIATES, INC.**  
**PROFESSIONAL LAND SURVEYORS**

Firm License  
No. 10140200

Lease Area

Z2016011

Field notes for a 0.0459 of an acre lease area being that same 0.046 of an acre tract of land described in an Assignment of Leases and Rents to Celltex Site Services, Inc. recorded in Document No. 20100072258 Official Public Records Bexar County, Texas (OPRBCT), being out of Lot 41, Block 9, New City Block (NCB) 15670 of Trailcrest 1604 Subdivision recorded in Volume 9532, Page 61 Deed and Plat Records Bexar County, Texas (DPRBCT), and being more particularly described by metes and bounds as follows with all bearings being based on Texas State Plane Coordinates South Central Zone (NAD 83);

**Commencing:** at a found mag nail (N 13769236.43, E 2135372.95) marking an interior corner of said Lot 41 and the upper northwest corner of Lot 42, Block 9, NCB 15670 of said Trailcrest 1604 Subdivision, from which a found ½" iron bar (N 13769123.29, E 2135748.92) lying on the east line of Lot 34, Block 9, NCB 15670, St. Thomas Episcopal Church Subdivision recorded in Volume 9504, Page 221 DPRBCT, marking the upper southeast corner of said Lot 41 and the northeast corner of said Lot 42 bears S 76° 10' 37" E (Bearing Basis) 392.58 feet (called S 76° 13' 15" E, 392.50 feet);

**Thence:** S 13° 46' 03" W, 93.00 feet (called S 13° 45' 25" W, 93.00 feet), along the lower east line of said Lot 41 and the upper west line of said Lot 42, to a found ½" iron bar marking the lower southeast corner of said Lot 41, an interior corner of said Lot 42 and the southeast corner and the **Place of Beginning** of the herein described lease area;

**Thence:** N 76° 13' 57" W, 40.00 feet (called N 76° 07' 44" W, 40.00 feet), along the lower south line of said Lot 41, the lower north line of said Lot 42 and the south line of the herein described lease area, to a found ½" iron bar with cap (RPLS 4020) marking the southwest corner of the herein described lease area;

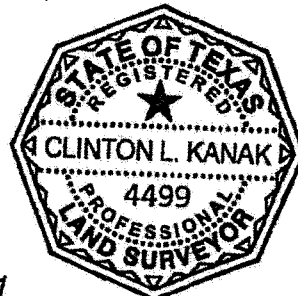
**Thence:** N 13° 46' 03" E, 50.00 feet (called N 13° 41' 27" E, 50.00 feet), along the west line of the herein described lease area, to a set ½" iron bar with cap (Solis-Kanak) for the northwest corner of the herein described lease area;

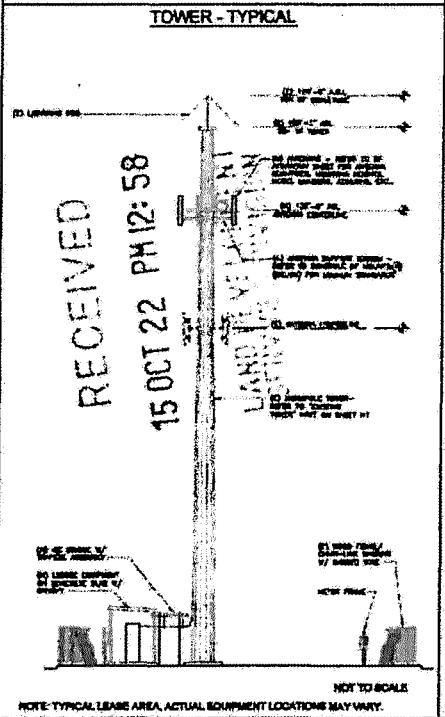
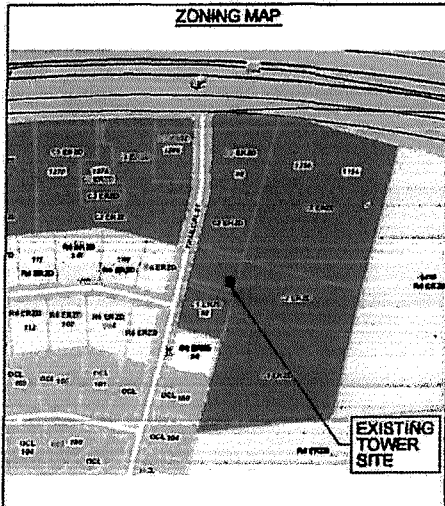
**Thence:** S 76° 13' 57" E, 40.00 feet (called S 76° 07' 44" E, 40.00 feet), along the north line of the herein described lease area, to a found ½" iron bar with cap (RPLS 4020) marking the northeast corner of the herein described lease area lying on the lower east line of said Lot 41 and the upper west line of said Lot 42;

**Thence:** S 13° 46' 03" W, 50.00 feet (called S 13° 41' 27" W, 50.00 feet), along the lower east line of said Lot 41, the upper west line of said Lot 42 and the east line of the herein described lease area, to the **Place of Beginning** and containing 0.0459 of an acre of lease area more or less.

*Clinton L. Kanak*

Clinton L. Kanak, R.P.L.S.  
Registered Professional Land Surveyor, No. 4499  
Date: October 8, 2015  
G:\Jobs2015\15-0155\Lease Area.doc





**SPECIAL USE PERMIT SITE PLAN**

**PROJECT TYPE**  
EXISTING 150' TOWER SITE

**SITE INFORMATION**  
 JURISDICTION: CITY OF SAN ANTONIO, TEXAS 78232  
 BEZAR COUNTY  
 Lot/Block 2873/30,46" N. Longitude - 98°28'28.58" W  
 OCCUPANCY: N/A (UNIMPAVED)  
 USE: UNIMPAVED TELECOMMUNICATIONS FACILITY  
 ZONING FILE NO.:

**DATE**  
OCTOBER 12, 2015

**SITE NAME:**  
VERIZON / NORTHWOODS

**SITE ADDRESS**  
1354 N LOOP 1804 EAST  
SAN ANTONIO, TX, 78232

**LEGAL DESCRIPTION**  
LOT 41 BLOCK 9 N.C.B. 15670  
CALLED 4.472 ACRES  
VOL. 9532, PG. 61 OPRECT

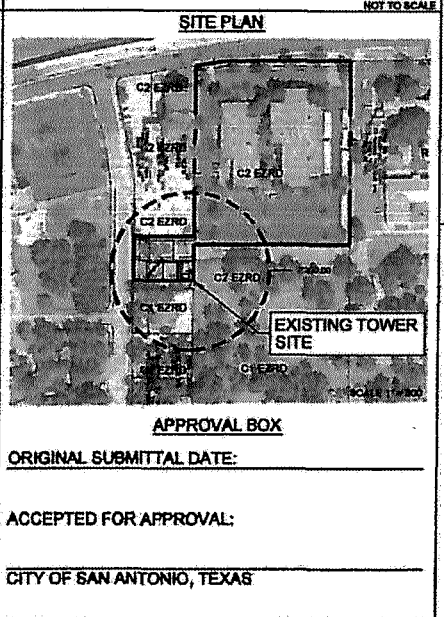
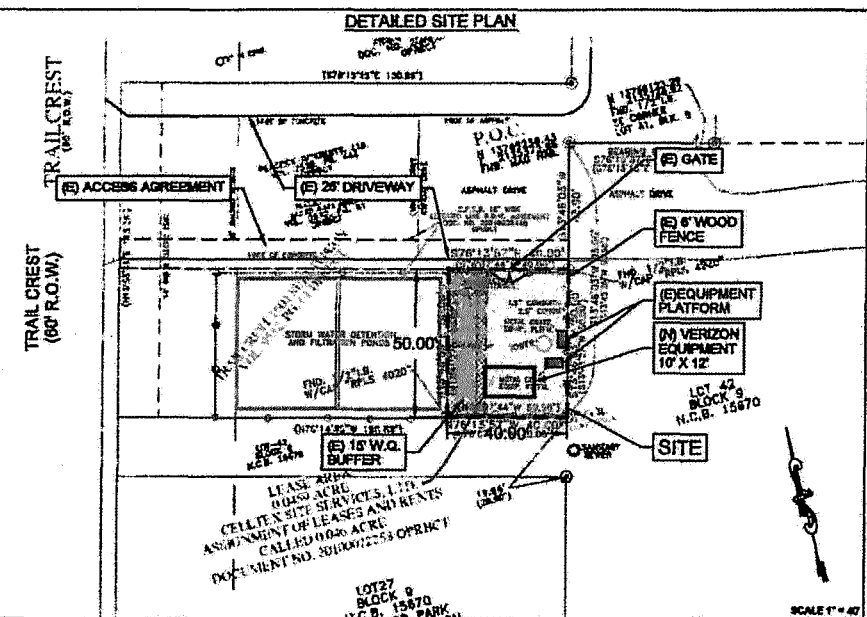
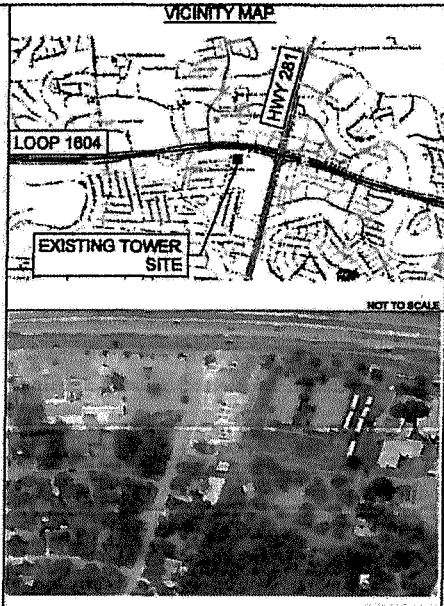
**CONTACT INFORMATION**  
VINCE HUEBNER  
VINCENT GERARD & ASSOCIATES  
1715 S. CAPITAL OF TEXAS HWY  
SUITE 207  
AUSTIN, TEXAS 78748  
PHONE: (512) 328-2683

**LEGAL DESCRIPTION**  
LOT 41 BLOCK 9 N.C.B. 15670  
CALLED 4.472 ACRES  
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**CONSULTANTS**  
VINCENT GERARD & ASSOCIATES  
1715 S. CAPITAL OF TEXAS HWY  
SUITE 207  
AUSTIN, TEXAS 78748  
PHONE: (512) 328-2683  
VINCE HUEBNER

**CARRIER INFORMATION**  
VERIZON WIRELESS  
KANDI VONGSOMBATH  
LAND, REAL ESTATE & REGULATORY  
7 WILKIE CIRCLE  
SUITE 400  
WESTLAKE TX 78222  
PHONE: (817) 361-2586  
EMAIL: kvongsa@verizonwireless.com

**NOT FOR CONSTRUCTION PURPOSES**  
ADVERTISING IS PROHIBITED ANYWHERE ON A WTP, WITH THE EXCEPTION OF THE  
SIGNAGE REQUIRED AS REQUIRED BY THE FEDERAL COMMUNICATIONS COMMISSION  
(FCC) REGULATIONS OR NECESSARY FOR THE OPERATIONS OF A WTP.  
AN IDENTIFICATION SIGN FOR EACH SERVICE PROVIDER RESPONSIBLE FOR THE  
OPERATION AND MAINTENANCE OF A WTP AT THE SITE, NOT LARGER THAN TWO  
SQUARE FEET, SHALL BE POSTED AT A LOCATION FROM WHICH IT CAN BE EASILY READ  
FROM OUTSIDE THE PERIMETER OF THE WTP, AND SHALL PROVIDE THE NAME,  
ADDRESS, AND EMERGENCY NUMBER OF THE RESPONSIBLE SERVICE PROVIDER.



**VERIZON wireless**

**VERIZON - NORTHWOODS  
ZONING EXHIBIT  
VERIZON COMMUNICATIONS  
1354 N LOOP 1804 EAST #TEL  
SAN ANTONIO, TX 78232**

**VINCENT GERARD & ASSOCIATES  
LAND, REAL ESTATE & REGULATORY CONSULTANTS  
1715 S. CAPITAL OF TEXAS HWY  
SUITE 207  
AUSTIN, TEXAS 78748  
(512) 328-2683**

**Z2016011**