

AN ORDINANCE 2015-05-07-0397

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 Lot 1, Block 101, NCB 18611 Except the North 5 Feet from "C-3NA ERZD MLOD AHOD" General Commercial Nonalcoholic Sales Edwards Recharge Zone Camp Bullis Military Lighting Overlay Airport Hazard Overlay District to "C-2 CD S ERZD MLOD AHOD" Commercial Edwards Recharge Zone Camp Bullis Military Lighting Overlay Airport Hazard Overlay District with a Conditional Use and Specific Use Authorization for an Alcohol Micro-Distillery.

SECTION 2. The City Council finds the conditional and specific use:

- A. will not be contrary to the public interest.
- B. will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district.
- C. 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. will not substantially weaken the general purposes of the regulations as set forth in Section 35-422, Conditional Zoning, of the Unified Development Code.

SECTION 3. 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 "A"** and made a part hereof and incorporated herein for all purposes.

SECTION 4. The site is fully developed and the proposed zoning change will not increase the impervious cover as the subject site is requesting the zoning change to allow a micro-distillery. This change of zoning district boundary is conditioned on the following requirements:

SG/cia
05/07/2015
Z-17

CASE NO. Z2015104 CD S ERZD

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 May 17, 2015.

PASSED AND APPROVED this 7th day of May 2015.

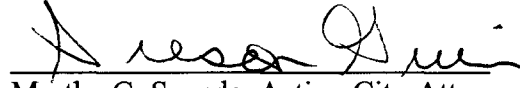

M A Y O R
Ivy R. Taylor

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



For Martha G. Sepeda, Acting City Attorney

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|---------------------|--|--------------------|------------|------------|----------------|---------------|---------------|
| Agenda Item: | Z-17 | | | | | | |
| Date: | 05/07/2015 | | | | | | |
| Time: | 02:14:23 PM | | | | | | |
| Vote Type: | Motion to Approve | | | | | | |
| Description: | ZONING CASE # Z2015104 CD S ERZD (District 8): An Ordinance amending the Zoning District Boundary from "C-3NA MLOD AHOD ERZD" General Commercial Nonalcoholic Sales Camp Bullis Military Lighting Overlay Airport Hazard Overlay Edwards Recharge Zone District to "C-2 CD S MLOD AHOD ERZD" Commercial Camp Bullis Military Lighting Overlay Airport Hazard Overlay Edwards Recharge Zone District with a Conditional Use and Specific Use Authorization for an Alcohol Micro-Distillery on Lots 1, Block 101, NCB 18611 located at 16104 University Oak. Staff and Zoning Commission recommend Approval. | | | | | | |
| Result: | Passed | | | | | | |
| Voter | Group | Not Present | Yea | Nay | Abstain | Motion | Second |
| Ivy R. Taylor | Mayor | | x | | | | |
| Roberto C. Trevino | District 1 | | x | | | | |
| Alan Warrick | District 2 | | x | | | | |
| Rebecca Viagran | District 3 | | x | | | | |
| Rey Saldaña | District 4 | | x | | | | 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 | | | | |

- A. No outside storage of chemicals shall be allowed.
- B. No more than 38,400 gallons of distilled product should be stored on location per year.
- C. No more than 200 gallons of propylene glycol shall be used and stored on site.
- D. A secondary containment shall be in place to hold up to 1.5 times of the distilling tanks, to prevent spills from entering the storm drain and/or sewer collection system.

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.

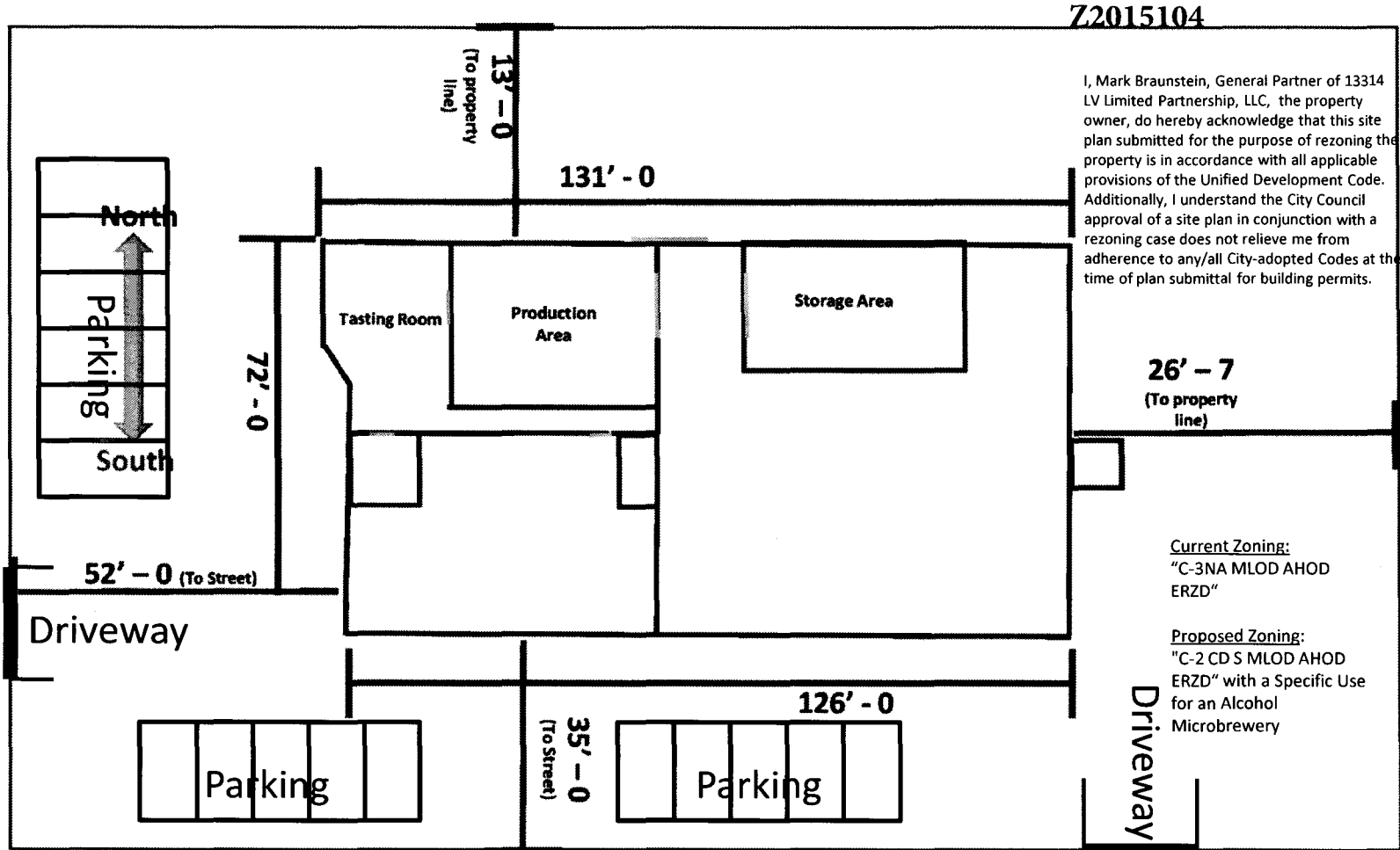
SECTION 7. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. 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

University Oak



72015104

I, Mark Braunstein, General Partner of 13314 LV Limited Partnership, LLC, the property owner, do hereby acknowledge that this site plan submitted for the purpose of rezoning the property is in accordance with all applicable provisions of the Unified Development Code. Additionally, I understand the 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 building permits.

26' - 7
(To property line)

Current Zoning:
"C-3NA MLOD AHOD ERZD"

Proposed Zoning:
"C-2 CD S MLOD AHOD ERZD" with a Specific Use for an Alcohol Microbrewery

Driveway

Shavano Oak