

**AN ORDINANCE 2016-02-18-0146**

**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 Lot 18, Block 13, NCB 13827 from "C-2 MLOD-1 AHOD ERZD" Commercial Military Lighting Overlay Airport Hazard Overlay Edwards Recharge Zone District to "C-2 CD S MLOD-1 AHOD ERZD" Commercial Military Lighting Overlay Airport Hazard Overlay Edwards Recharge Zone District with a Conditional Use and Specific Use for an Office Warehouse.

**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.
- E. A six-foot tall, solid screen fence shall be maintained where the subject property abuts residential zoning or uses.
- F. All on-site lighting shall be directed onto the site and point away from any residential zoning or uses using 90-degree or less cut-off fixtures.

**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.** This change of zoning district boundary is conditioned on the requirement that the impervious cover on the property described by this ordinance shall not exceed 60%.

**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.

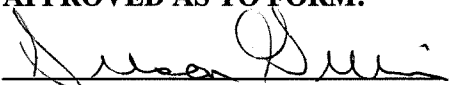
**PASSED AND APPROVED** this 18<sup>th</sup> day of February, 2016.

  
M A Y O R  
Ivy R. Taylor

ATTEST:

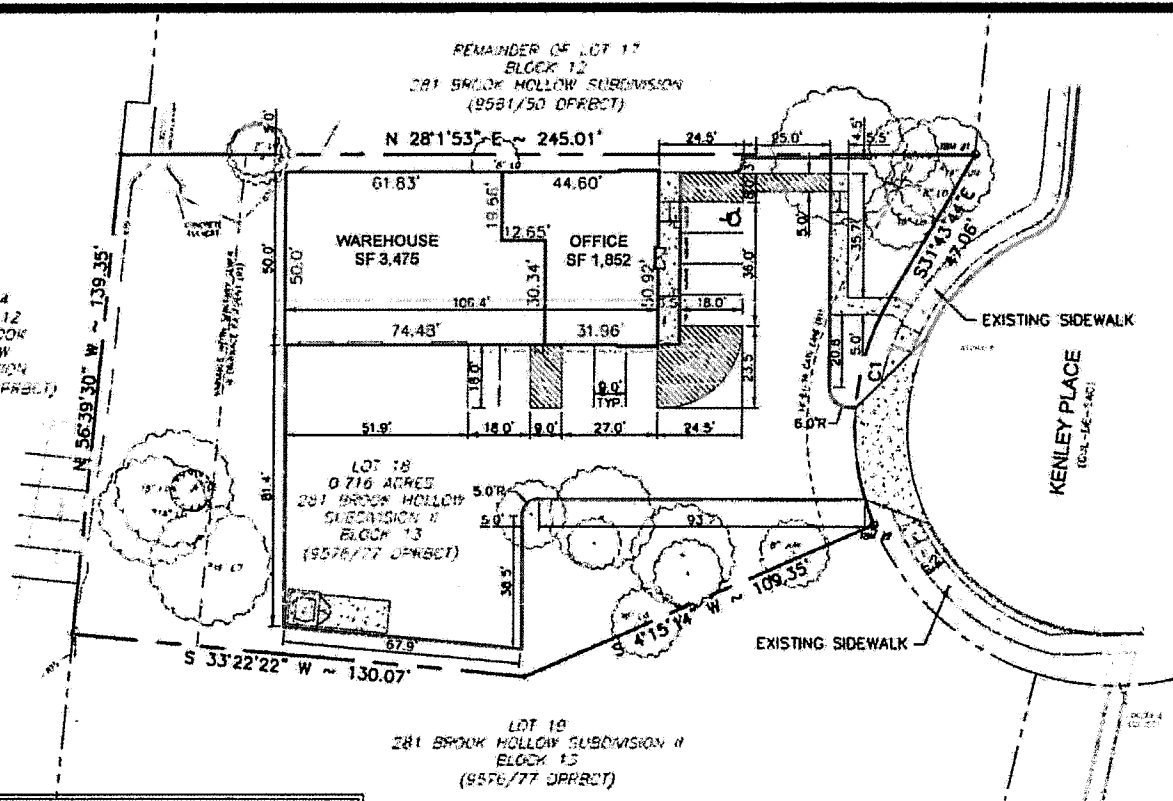
  
Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

  
Martha G. Sepeda, Acting City Attorney

<b>Agenda Item:</b>	<b>Z-25</b>						
<b>Date:</b>	02/18/2016						
<b>Time:</b>	03:32:12 PM						
<b>Vote Type:</b>	Motion to Appr w Cond						
<b>Description:</b>	ZONING CASE # Z2015093 CD S ERZD (Council District 9): An Ordinance amending the Zoning District Boundary from "C-2 MLOD-1 AHOD ERZD" Commercial Camp Bullis Military Lighting Airport Hazard Overlay Edwards Recharge Zone District to "C-2 CD S MLOD-1 AHOD ERZD" Commercial Camp Bullis Military Lighting Airport Hazard Overlay Edwards Recharge Zone District with a Conditional Use and Specific Use Authorization for an Office Warehouse on Lot 18, Block 13, NCB 13827 located at 139 Kenley Place. Staff and Zoning Commission recommend Approval, with Conditions.						
<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					
Joe Krier	District 9		x			x	
Michael Gallagher	District 10		x				x

LOT 14  
BLOCK 12  
281 BROOK  
HOLLOW  
SUBDIVISION  
(9501/50 DPRBCT)

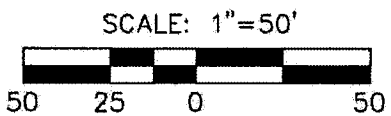


TOTAL SITE: 0.716 ACRES  
18,208.80 SQ. FT. OF IMPERVIOUS COVER  
5,327 SQ. FT. OF BUILDING TO BE REZONED  
12,857.28 SQ. FT. OF ALL PAVED OR HARD SURFACE  
STREETS, PARKING FACILITIES, INCLUDING CURB AND  
GUTTERS, WALLS, SIDEWALK, LOADING AREAS AND ASPHALT.  
INTENDED USE: WAREHOUSE/OFFICE

TOTAL ACCESSIBLE PARKING: 1  
TOTAL PROPOSED PARKING: 9

PROPERTY ADDRESS: 139 KENLEY PLACE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	75.00'	68.64'	66.27'	S 57°57'49" E	52°26'15"



LEGAL DESCRIPTION:

LOT 18, BLOCK 13, NCB 13827 281 BROOK HOLLOW SUBDIVISION II RECORDED IN VOLUME 9576, PAGE 77 DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS (DPRBCT). COSA PLAT ID NUMBER 050261.

CURRENT ZONING: C-2 ERZD MLOD-1 AHOD  
REQUESTED ZONING: C-2 CD S ERZD MLOD-1 AHOD *for office warehouse*

*of Antonio Cruz*  
I, *of Antonio Cruz*, 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 BUILDING PERMITS."

**K LOVE ENGINEERING**  
Site Development Engineering Services  
P.O. Box 11007  
www.kloveengineering.com (210) 486-5483

**MC TILE**  
139 KENLEY PLACE  
SAN ANTONIO, TEXAS 78232  
SITE EXHIBIT

PROJECT NO.  
DATE: 01/05/15  
DRAWN BY: JIM DESIGNED BY: JIN  
SCALE: 1" = 100'

22015093