

AN ORDINANCE 2017-12-07-0976

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 0.037 acres out of NCD 14859 from "ED MLOD-1 MSAO-1 ERZD" Entertainment District Camp Bullis Military Lighting Overlay Military Sound Attenuation Overlay Edwards Recharge Zone District to "ED S MLOD-1 MSAO-1 ERZD" Entertainment District Camp Bullis Military Lighting Overlay Military Sound Attenuation Overlay Edwards Recharge Zone District with Specific Use Authorization for a Wireless Telecommunication Tower.

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 on the property described by this ordinance shall not exceed 65%.

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.

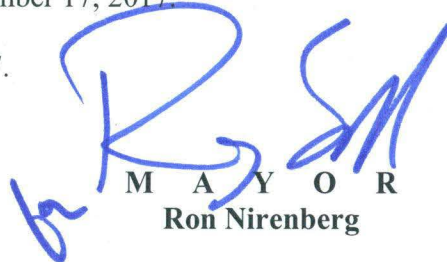
SECTION 9. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

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.

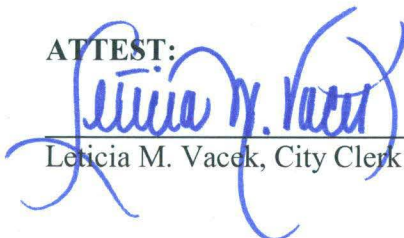
SECTION 11. If a court of competent jurisdiction enters a final judgment on the merits that is no longer subject to appeal and substantially limits or impairs the essential elements of sections one through five of this ordinance, then sections one through five are invalid and have no legal effect as 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 December 17, 2017.


PASSED AND APPROVED this 7th day of December 2017.


M A Y O R
Ron Nirenberg

ATTEST:


Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:


Andrew Segovia, City Attorney

Agenda Item:	Z-31 (in consent vote: 19, Z-1, Z-2, Z-6, P-4, Z-7, Z-8, Z-10, Z-11, P-5, Z-12, P-6, Z-13, P-7, Z-15, Z-16, Z-17, P-8, Z-18, Z-19, P-9, Z-20, Z-24, Z-25, Z-26, Z-27, Z-28, P-10, Z-29, Z-31, P-11, Z-32, Z-33, Z-35, P-13, Z-39)						
Date:	12/07/2017						
Time:	04:12:59 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2017217 S ERZD (Council District 8): An Ordinance amending the Zoning District Boundary from "ED MLOD-1 MSAO-1 ERZD" Entertainment District Camp Bullis Military Lighting Overlay Military Sound Attenuation Overlay Edwards Recharge Zone District to "ED S MLOD-1 MSAO-1 ERZD" Entertainment District Camp Bullis Military Lighting Overlay Military Sound Attenuation Overlay Edwards Recharge Zone District with Specific Use Authorization for a Wireless Telecommunication Tower on 0.037 acres out of NCD 14859, located at 16416 La Cantera Parkway. Staff and Zoning Commission recommend Approval.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ron Nirenberg	Mayor	x					
Roberto C. Treviño	District 1		x				
William Cruz Shaw	District 2		x				
Rebecca Viagran	District 3		x			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				
Clayton H. Perry	District 10		x				x

SG/lj
12/07/2017
Item No. Z-31

Exhibit "A"



22017217

FIELD NOTES
FOR
LEASE TRACT

A 0.037 of an acre, or 1,600 square feet, more or less, tract of land out of the Comanche Creek Irrigation Survey No. 437, Abstract 888, County Block 4742 now located in New City Block 14859 in the City of San Antonio, Bexar County, Texas. Said 0.037 of an acre also being out of a 618.58 acre tract described in Deed to La Cantera Development Company recorded in Volume 4735, Page 911 of the Official Public Records of Real Property of Bexar County, Texas. Said 0.037 of an acre tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00;

COMMENCING: At a point on the southeast right-of-way line of La Cantera Parkway, an 86-foot public right-of-way, dedicated in Volume 9525, Page 12-16 of the Deed and Plat Records of Bexar County, Texas and at the north most southwest corner of Lot 2, Block 9, N.C.B. 18339, Fiesta Texas Subdivision Unit-2 recorded in Volume 9531, Page 31 of the Deed and Plat Records of Bexar County, Texas;

THENCE: N 36°27'39" E, with the southeast right-of-way line of said La Cantera Parkway, a distance of 71.51 feet to a set 1/2" iron rod with a yellow cap marked "Pape-Dawson" at the westernmost corner of a 0.041 acre Utility and Access easement, surveyed concurrently;

THENCE: S 53°32'21" E, departing the southeast right-of-way line of said La Cantera Parkway, over and across said 618.58 acre tract and with the southwest line of said 0.041 acre easement, a distance of 88.87 feet to a set 1/2" iron rod with a yellow cap marked "Pape-Dawson" at the south corner of said 0.041 acre easement and being the POINT OF BEGINNING of herein described tract;

THENCE: Continuing over and across said 618.58 acre tract, the following bearings and distances:

N 36°27'39" E, a distance of 40.00 feet to a set 1/2" iron rod with a yellow cap marked "Pape-Dawson",

S 53°32'21" E, a distance of 40.00 feet to a set 1/2" iron rod with a yellow cap marked "Pape-Dawson",

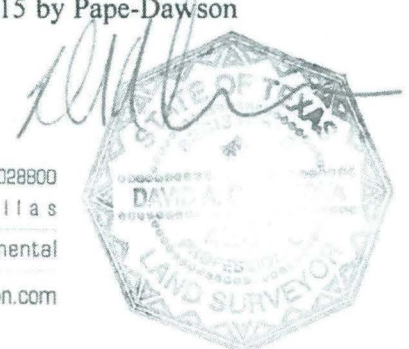
S 36°27'39" W, a distance of 40.00 feet to a set 1/2" iron rod with a yellow cap marked "Pape-Dawson", and

N 53°32'21" W, a distance of 40.00 feet to the POINT OF BEGINNING, and containing 0.037 of an acre in the City of San Antonio, Bexar County, Texas. Said tract being described in accordance with a survey made on the ground and a survey description and map prepared under job number 9428-15 by Pape-Dawson Engineers, Inc.

PREPARED BY:
DATE:
JOB NO.
DOC. ID.

Pape-Dawson Engineers, Inc.
April 6, 2016, May 2, 2016, May 17, 2016
9428-15
N:\Survey\15\15-9400\9428-15\Word\9428-15 FN 0.037 AC.docx
TBPE Firm Registration #470 | TBPLS Firm Registration #10028800

San Antonio | Austin | Houston | Fort Worth | Dallas
Transportation | Water Resources | Land Development | Surveying | Environmental
2000 NW Loop 410, San Antonio, TX 78213 T: 210.375.9000 www.Pape-Dawson.com



SG/lj
10/19/2017
Item No. Z-31

Exhibit "B"

ZONING MAP



PROPOSED SITE

ZONING DISTRICT LEGEND

ED - Entertainment District
ERZD - Edwards Recharge Zone District

ZONING SITE PLAN

SITE INFORMATION

JURISDICTION: CITY OF SAN ANTONIO TEXAS 78283
BEXAR COUNTY
Latitude 29°35'50.44"N, Longitude - 98°36'54.85"W
OCCUPANCY: N/A (UNMANNED)

USE: TELECOMMUNICATIONS FACILITY
ZONING FILE NO.:

CONSULTANT INFORMATION

VINCENT GERARD & ASSOCIATES
1715 S. CAPITOL OF TEXAS HWY
SUITE 207
AUSTIN, TEXAS 78746
PHONE: (512) 328-2693

VINCE HUEBINGER

CARRIER INFORMATION

T - MOBILE
NICOLE GURSKI
3801 S. CAPITOL OF TEXAS HWY, STE 300
AUSTIN, TX 78704
OFF. PHONE: (512) 454-8058
MOBILE PHONE: (512) 693-7082
EMAIL: nicole.gurski@T-Mobile.com

PROJECT TYPE

160' MONOPOLE TOWER SITE

DATE

JULY 6, 2017

SITE ADDRESS

16416 LA CANTERA PARKWAY
SAN ANTONIO, TX, 78256

LEGAL DESCRIPTION

PORTION OF 618.58 ACRE TRACT
LA CANTERA DEVELOPMENT COMPANY
(VOL. 4735, PG 911 O.P.R.)
N.C.B. 14859

TOWER OWNER

T - MOBILE
3801 S. CAPITOL OF TEXAS HWY
STE. 300, AUSTIN, TX 78704
OFF. PHONE: (512) 454-8058

SITE NAME:

LA CANTERA MALL / T - MOBILE

ADVERTISING IS PROHIBITED ANYWHERE ON A WTF, WITH THE EXCEPTION OF THE MINIMUM SIGNAGE AS REQUIRED BY THE FEDERAL COMMUNICATIONS COMMISSION (FCC) REGULATIONS OR NECESSARY FOR THE OPERATIONS OF A WTF.
AN IDENTIFICATION SIGN FOR EACH SERVICE PROVIDER RESPONSIBLE FOR THE OPERATION AND MAINTENANCE OF A WTF 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 WTF, AND SHALL PROVIDE THE NAME, ADDRESS, AND EMERGENCY NUMBER OF THE RESPONSIBLE SERVICE PROVIDER.

LAND OWNER

LA CANTERA DEVELOPMENT COMPANY, LLC
9830 COLONNADE BLVD.
SAN ANTONIO, TEXAS 78230-2209

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 UNITED 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.

(NOT FOR CONSTRUCTION)

ZONING SITE PLAN

THIS SITE COMPLES THE CITY OF SAN ANTONIO TELECOMMUNICATION TOWERS UDC SECTION 58-385

VICINITY MAP



PROPOSED SITE

NOT TO SCALE

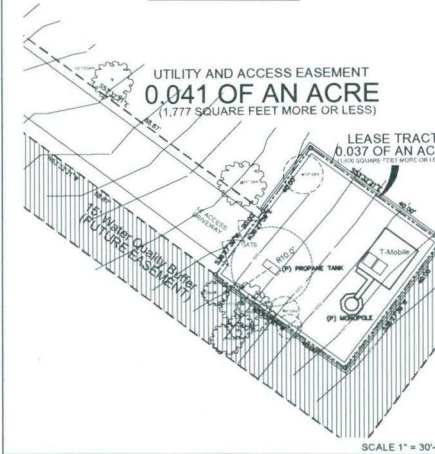
AERIAL IMAGERY



PROPOSED SITE

NOT TO SCALE

DETAIL SITE PLAN



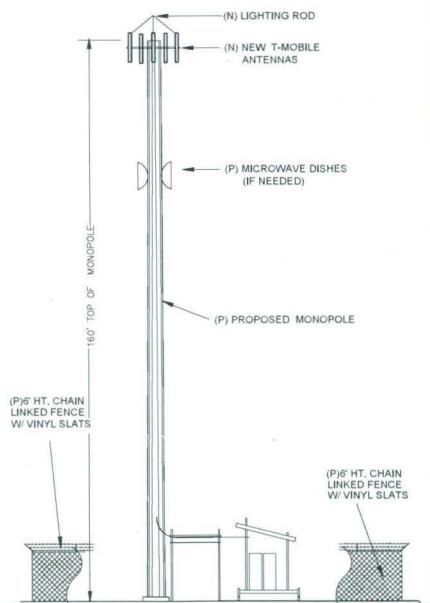
APPROVAL BOX

ORIGINAL SUBMITTAL DATE:

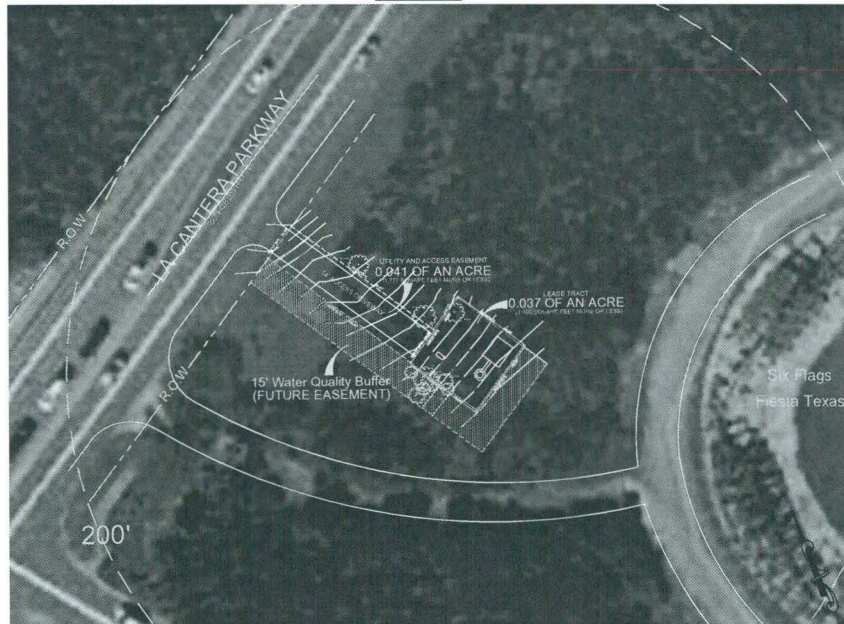
ACCEPTED FOR APPROVAL:

CITY OF SAN ANTONIO, TEXAS

TOWER - TYPICAL



SITE PLAN



Impervious Cover - 6.12 Acre tract - 2,846 sf impervious cover/0.065 Ac = 1.06%

Z2017217 S ERZD Exhibit "B"



ZONING SITE PLAN
LA CANTERA MALL
T - MOBILE WIRELESS
LA CANTERA PARKWAY
SAN ANTONIO, TEXAS 78204



VINCENT GERARD & ASSOCIATES
LAND PLANNING & ZONING CONSULTANTS
1715 CAPITAL OF TEXAS HWY SOUTH, STE. 207
AUSTIN, TEXAS 78748
(512) 328-2693 • vgerard@vga.net