

AN ORDINANCE 2014 - 09 - 18 - 0725

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 Lots 15 and 18, Block 11, NCB 19216 from "C-3 MSAO-1 MLOD-1 ERZD" General Commercial Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay Edwards Recharge Zone District to "C-3 S MSAO-1 MLOD-1 ERZD" General Commercial Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay Edwards Recharge Zone District with a Specific Use Authorization for a Construction Contractor Facility.

SECTION 2. 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 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 65%.

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.

SG/cia
09/18/2014
Z-9

CASE NO. Z2014180 S ERZD

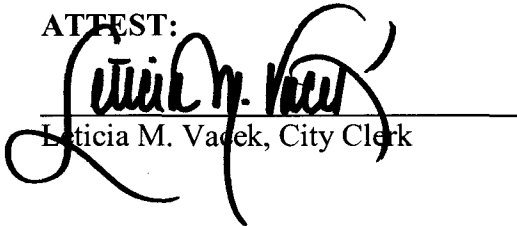
SECTION 11. This ordinance shall become effective September 28, 2014.

PASSED AND APPROVED this 18th day of September 2014.



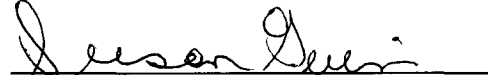
M A Y O R
Ivy R. Taylor

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



for
Robert F. Greenblum, City Attorney

Agenda Item:	Z-9 (in consent vote: P-3, Z-9)
Date:	09/18/2014
Time:	02:21:08 PM
Vote Type:	Motion to Approve
Description:	ZONING CASE # Z2014180 S ERZD (District 9): An Ordinance amending the Zoning District Boundary from "C-3 MSAO-1 MLOD-1 ERZD" General Commercial Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay Edwards Recharge Zone District to "C-3 S MSAO-1 MLOD-1 ERZD" General Commercial Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay Edwards Recharge Zone District with a Specific Use Authorization for a Construction Contractor Facility on Lots 15 and 18, Block 11, NCB 19216 located on a portion of the 20900 - 21000 Blocks of Gathering Oak. Staff and Zoning Commission recommend approval pending the plan amendment. (Associated Plan Amendment 14059)
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Diego Bernal	District 1		x				
Keith Toney	District 2		x				
Rebecca Viagran	District 3		x				x
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Ray Lopez	District 6	x					
Mari Aguirre-Rodriguez	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x			x	
Michael Gallagher	District 10		x				

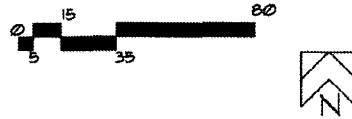
Z2014180 S ERZD

Z2014180 For a Proposed Zoning Change from C-3 ERZD to C-3 S ERZD for a Construction Contractor Facility

Due to surrounding Commercial zoning there are no required fences or setbacks

Total Rezoning Area: 0.833 Acres
No Parking Spaces are located within the rezoning area.

Parking and access will be from the adjacent Lot 19 to the North.
Access to the site will be from Gathering Oaks.

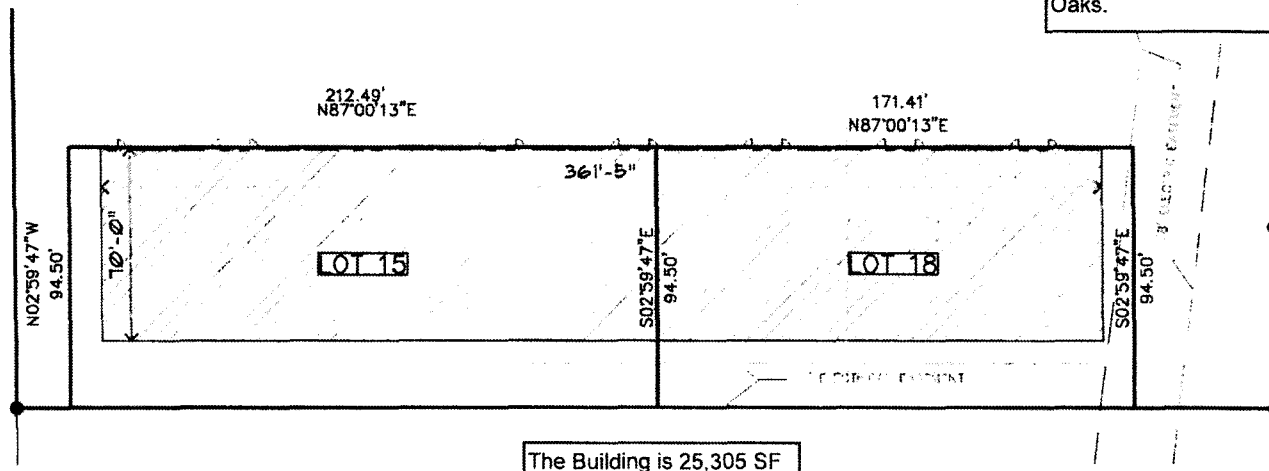


SCALE (WHEN PRINTED @ 8 1/2" X 11") 1/64" = 1'-0"

Legal Description: Lots 15 & 18, Block 11, NCB 19216, San Antonio, Bexar County, Texas

Proposed Impervious Cover within the rezoning area: 23,600 SF

GATHERING OAKS



The Building is 25,305 SF

I, Norman Reitmeyer, of Productive Management Partners, Ltd., the property owner, 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 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.