

AN ORDINANCE 2018-09-06-0708

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 8.523 acres out of NCB 17338 from "C-2 ERZD" Commercial Edwards Recharge Zone District and "MF-33 ERZD" Multi-Family Edwards Recharge Zone District to "C-2 CD S ERZD" Commercial Edwards Recharge Zone District with Conditional Use for a Laboratory and a Specific Use Authorization for a Laboratory on 3.675 acres out of NCB 17338 and "C-2 ERZD" Commercial Edwards Recharge Zone District on 4.848 acres out of NCB 17338.

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 conditional use will not be contrary to the public interest.
- B. The conditional use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district.
- C. The conditional use 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. The conditional use 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 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 60%.

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.

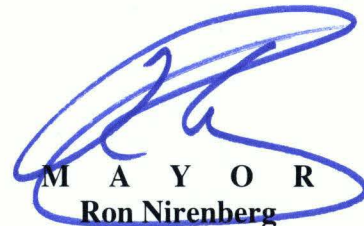
SECTION 9. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

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.

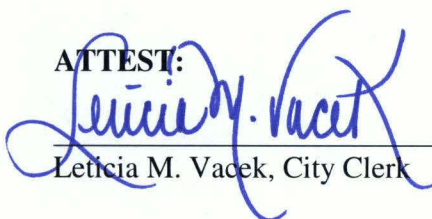
SECTION 11. If a court of competent jurisdiction enters a final judgment on the merits that is no longer subject to appeal and substantially limits or impairs the essential elements of sections one through five of this ordinance, then sections one through five are invalid and have no legal effect as 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 September 16, 2018.

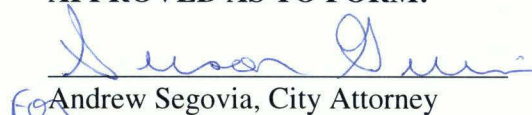
PASSED AND APPROVED this 6th day of September 2018.


M A Y O R
Ron Nirenberg

ATTEST:


Leticia M. Vacek, City Clerk

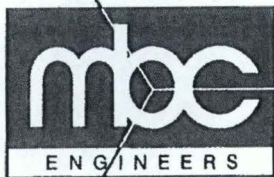
APPROVED AS TO FORM:


for Andrew Segovia, City Attorney

Agenda Item:	Z-19 (in consent vote: 19, Z-1, P-1, Z-2, P-2, Z-3, P-3, Z-4, Z-5, Z-12, Z-14, Z-15, Z-16, Z-17, Z-18, Z-19)						
Date:	09/06/2018						
Time:	02:53:47 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2018153 CD S ERZD (Council District 10): Ordinance amending the Zoning District Boundary from "C-2 ERZD" Commercial Edwards Recharge Zone District and "MF-33 ERZD" Multi-Family Edwards Recharge Zone District to "C-2 CD S ERZD" Commercial Edwards Recharge Zone District with Conditional Use and Specific Use Authorization for a Laboratory on 3.675 acres out of NCB 17338 and "C-2 ERZD" Commercial Edwards Recharge Zone District on 4.848 acres out of NCB 17338, located at 17115 Redland Road. 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			x	
William Cruz Shaw	District 2		x				
Rebecca Viagran	District 3		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				x
Clayton H. Perry	District 10		x				

SG/lj
09/06/2018
Item No. # Z-19

EXHIBIT “A”



Z2018153

MACINA • BOSE • COPELAND and ASSOCIATES, INC
CONSULTING ENGINEERS AND LAND SURVEYORS

1035 Central Parkway North, San Antonio, Texas 78232
(210) 545-1122 FAX (210) 545-9302
TBPE Firm Registration #784 | TBPLS Firm Registration #10011700 | SBE Certified #214046463
www.mbcengineers.com

**METES AND BOUNDS DESCRIPTION TO
ACCOMPANY ZONING EXHIBIT "AREA 1"**

BEING A 4.848 ACRE (211,194 SQUARE FEET) TRACT, OUT OF LOT 4, BLOCK 1, NEW CITY BLOCK 17338, BETHESDA TEMPLE SUBDIVISION, VOLUME 9551, PAGE 202, DEED AND PLAT RECORDS, BEXAR COUNTY, TEXAS; AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2-inch Iron Rod with cap stamped "MBC Engineers" Set on the Southerly right of way line of Redland Road, a variable width public right of way, and marking the most Northerly corner of said Lot 4;

THENCE S 19° 50' 34" E a distance of 246.62 feet, departing the Southerly right of way line of said Redland Road along the Westerly boundary line of said Lot 4, to the **POINT OF BEGINNING**;

THENCE along the Zoning Boundary Line between MF-33 ERZD and C2 ERZD, the following calls:

S 61° 01' 06" E a distance of 161.89 feet to a Point;

S 47° 06' 18" E a distance of 332.75 feet to a Point;

S 31° 39' 33" E a distance of 607.06 feet to a Point on the Easterly boundary line of said Lot 4;

THENCE S 41° 33' 29" W a distance of 31.56 feet, along the Easterly boundary line of said Lot 4 to a 1/2-inch Iron Rod with cap stamped "MBC Engineers" Set, marking the most Southerly corner of said Lot 4;

THENCE the along the Southwesterly boundary line of said Lot 4, the following calls:

N 52° 59' 26" W a distance of 597.89 feet to a 1/2-inch Iron Rod Found;

S 62° 17' 14" W a distance of 109.90 feet to a 1/2-inch Iron Rod Found;

N 25° 51' 21" W a distance of 249.76 feet to a 1/2-inch Iron Rod Found;

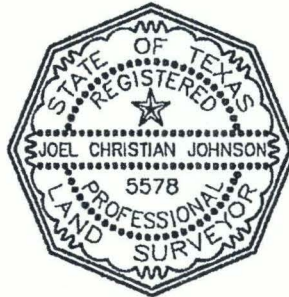
N 40° 58' 05" W a distance of 112.37 feet to a 1/2-inch Iron Rod Found marking the most Westerly corner of said Lot 4;

20018153

THENCE N 19° 50' 34" E a distance of 231.61 feet, along the Northwesterly boundary line of said Lot 4, to the **POINT OF BEGINNING** and containing 4.848 Acres more or less as surveyed by Macina, Bose, Copeland, and Associates, Inc.

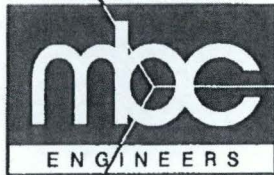
Note: A Survey Sketch that is made a part hereof and shall accompany this instrument.

 03/07/18
Joel Christian Johnson, R.P.L.S.
TBPLS Firm Registration 10011700



Date: March 7, 2018
Job No: 31948-1476

Exhibit "A"



22018150

MACINA • BOSE • COPELAND and ASSOCIATES, INC
CONSULTING ENGINEERS AND LAND SURVEYORS

1035 Central Parkway North, San Antonio, Texas 78232
(210) 545-1122 FAX (210) 545-9302
TBPE Firm Registration #784 | TBPLS Firm Registration #10011700 | SBE Certified #214046463
www.mbcengineers.com

**METES AND BOUNDS DESCRIPTION
TO ACCOMPANY ZONING EXHIBIT "AREA 2"**

BEING A 3.675 ACRE (160,083 SQUARE FEET) TRACT, OUT OF LOT 4, BLOCK 1, NEW CITY BLOCK 17338, BETHESDA TEMPLE SUBDIVISION, VOLUME 9551, PAGE 202, DEED AND PLAT RECORDS, BEXAR COUNTY, TEXAS; AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2-inch Iron Rod with cap stamped "MBC Engineers" Set on the Southerly right of way line of Redland Road, a variable width public right of way, and marking the most Northerly corner of said Lot 4;

THENCE S 19° 50' 34" E a distance of 25.20 feet, departing the Southerly right of way line of said Redland Road along the Westerly boundary line of said Lot 4, to the **POINT OF BEGINNING**;

THENCE departing the Westerly boundary line of said Lot 4, along curve to the right having the following parameters: Radius=1569.28 feet, Arc Length=320.14 feet, Chord Bearing = S 71° 24' 13" E and a Chord Distance of 319.59 feet, to a Point;


THENCE S 15° 31' 13" E a distance of 324.34 feet to a Point;

THENCE S 74° 28' 47" W a distance of 362.13 feet to a Point;

THENCE N 15° 31' 13" W a distance of 450.42 feet to a Point on the Westerly boundary line of said Lot 4;

THENCE N 19° 50' 34" E a distance of 93.67 feet, along the Northwesterly boundary line of said Lot 4, to the **POINT OF BEGINNING** and containing 3.675 Acres more or less as surveyed by Macina, Bose, Copeland, and Associates, Inc.

Note: A Survey Sketch that is made a part hereof and shall accompany this instrument.


03/07/18
Joel Christian Johnson, R.P.L.S.
TBPLS Firm Registration 10011700



Date: March 7, 2018
Job No: 31948-1476

SURVEYOR'S NOTES:
1. BEARINGS ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM SOUTH CENTRAL ZONE, NAD 83.

2. NO IMPROVEMENTS SHOWN. ZONING EXHIBIT ONLY CALLS OUT FOR UTILITY LOCATES PRIOR TO CONSTRUCTION.

3. THIS BOUNDARY EXHIBIT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT, AND MAY NOT SHOW ALL EASEMENTS OR OTHER MATTERS THAT AFFECT THIS PROPERTY.

4. METES AND BOUNDS DESCRIPTION IN PREPARED ON THE SAME DATE SHALL ACCOMPANY THIS EXHIBIT.

Curve Table					
Curve #	Radius	Length	Delta	Chord Bearing	Chord Length
C1	1569.28'	320.14'	11°14'19"	S 71°24'13" E	319.59'

LEGEND

1/2" IRON ROD W/ CAP
"MBC" SET
1/2" IRON ROD FOUND



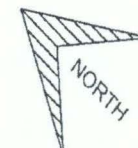
AREA 1



AREA 2



AREAS 1 AND 2



SCALE: 1" = 100'



Exhibit "A"



JOEL C. JOHNSON

R.P.L.S. #5578

07-07-18

LOT 6, BLOCK 1, N.C.B. 17338
STARBUCKS PARK
(VOL. 9604, PG. 30, D.P.R.)

POINT OF
BEGINNING
OF AREA 1

POINT OF
BEGINNING
OF AREA 2

POINT OF
COMMENCING

REDLAND ROAD
(VARIABLE WIDTH PUBLIC RIGHT OF WAY)

25' BLDG. SETBACK
(VOL. 9551, PG. 202, D.P.R.)

14' GAS, ELEC, TELE
& CATV EASEMENT
(VOL. 9551, PG. 202, D.P.R.)

64' CPSB TRANSMISSION
LINE EASEMENT
(VOL. 5189, PGS. 388-390)
(VOL. 9551, PG. 202)

28' C.P.S.B. EASEMENT
(VOL. 12019, PG. 1574)

LOT 4, BLOCK 1, N.C.B. 17338
BETHESDA TEMPLE SUBDIVISION
(VOL. 9551, PG. 202 D.P.R.)

LOT 1, BLOCK 1, N.C.B. 17338
CHRIST REDEEMER CHURCH SUBD
(VOL. 9503, PG. 170, D.P.R.)

AREA 2
3.675 ACRES
(160,083 SQ. FT.)

AREA OF AREA 2 WITHIN
EXISTING MF-33 ERZD
ZONING=0.624 OF AN ACRE

AREA 1
4.848 ACRES
(211,194 SQ. FT.)

28' C.P.S.B. EASEMENT
(VOL. 12019, PG. 1574)

28' C.P.S.B. EASEMENT
(VOL. 12019, PG. 1574)

4.574 ACRES
(VOL. 14970, PG. 179, O.P.R.)

ZONING EXHIBIT OF

AREA 1: A 4.848 ACRE (211,194 SQUARE FEET) TRACT, OUT OF LOT 4, BLOCK 1, NEW CITY BLOCK 17338, BETHESDA TEMPLE SUBDIVISION, VOLUME 9551, PAGE 202, DEED AND PLAT RECORDS, BEXAR COUNTY, TEXAS.

AREA 2: A 3.675 ACRE (160,083 SQUARE FEET) TRACT, OUT OF LOT 4, BLOCK 1, NEW CITY BLOCK 17338, BETHESDA TEMPLE SUBDIVISION, VOLUME 9551, PAGE 202, DEED AND PLAT RECORDS, BEXAR COUNTY, TEXAS.



1025 Central Parkway North
San Antonio, Texas 78222
(210) 545-1122 FAX (210) 545-9302
FIRM REGISTRATION NUMBER:
T.R.P.E. F.784 & T.B.P.L.S. 10011700

DATE: 03-07-2018
JOB NO. 31948-1478
SHEET 1 OF 1

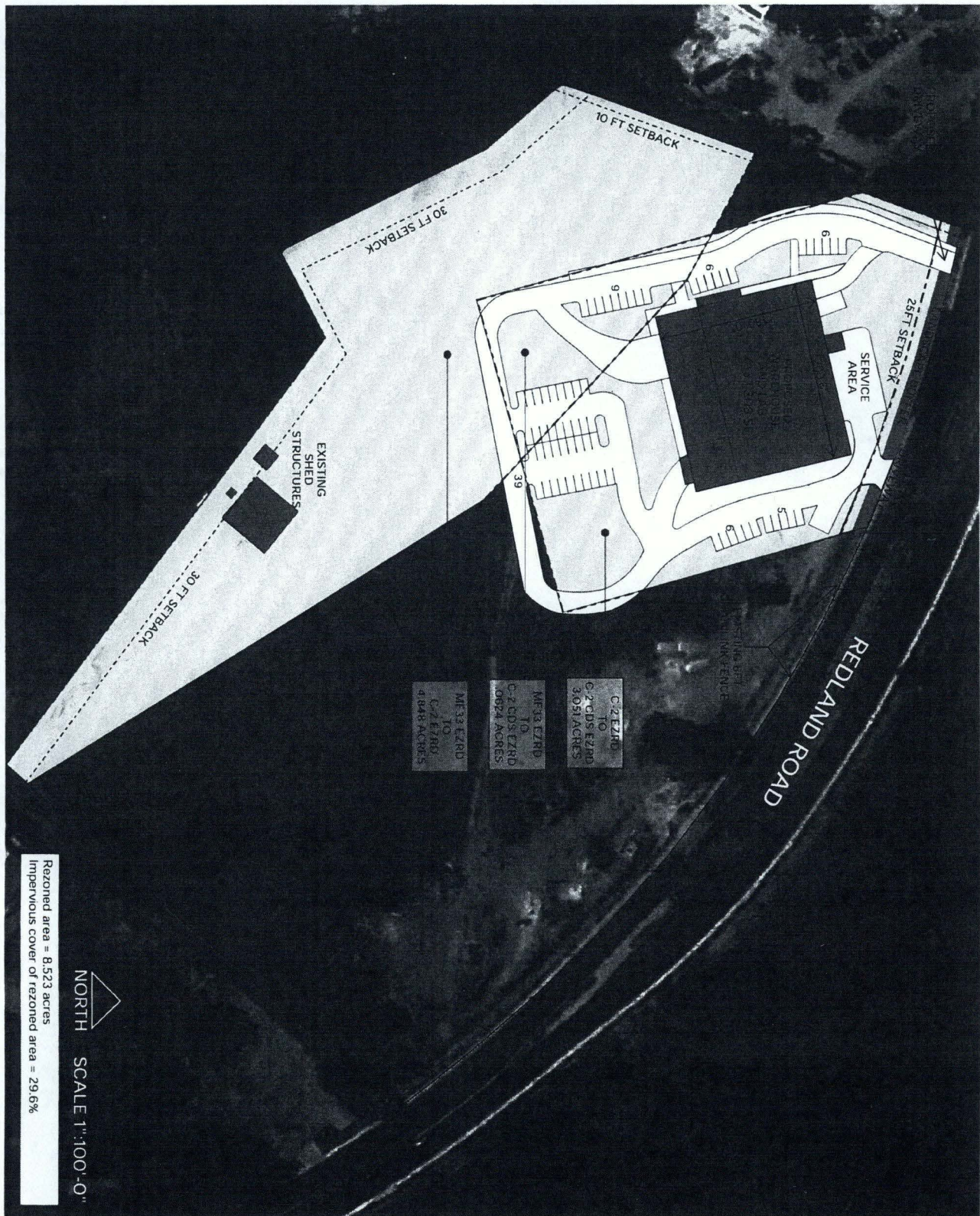
2018153

SG/lj
09/06/2018
Item No. # Z-19

EXHIBIT “B”

CONDITIONAL / SPECIFIC USE SITE PLAN FOR LABORATORY
17115 REDLAND ROAD, SAN ANTONIO TX 78247
April 18, 2018

LPA
+
TOBIN SMITH ARCHITECT



Z2018153

I, Bethesda Christian Institute 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.

Exhibit "B"