

AN ORDINANCE 2019-02-21-0168

**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 3.347 acres out of NCB 17338 from "C-2 ERZD" Commercial Edwards Recharge Zone District to "C-2 CD S ERZD" Commercial Edwards Recharge Zone District with Conditional Use and Specific Use Authorization for Outside Storage.

**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 finds that the following conditions shall be met to insure compatibility with the surrounding properties:

- A.** There shall be a fifty foot (50') setback for all outdoor storage and buildings from Redland Road.
- B.** There shall be a combination of solid and/or landscape screening on three sides of the property, including a roof like structure, for any outside storage on the Subject Property.
- C.** The property owner will not operate past 90 calendar days from City Council's approval of the conditional rezoning without a permanent, habitable structure.



**SECTION 5.** 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 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.

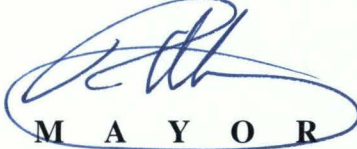
**SECTION 11.** If a court of competent jurisdiction enters a final judgment on the merits that is no longer subject to appeal and substantially limits or impairs the essential elements of sections one through five of this ordinance, then sections one through five are invalid and have no legal effect as of the date of entry of such judgment notwithstanding any other ordinance or provision of the City Code of San Antonio.

SG/lj  
02/21/2019  
# Z-18 Amended

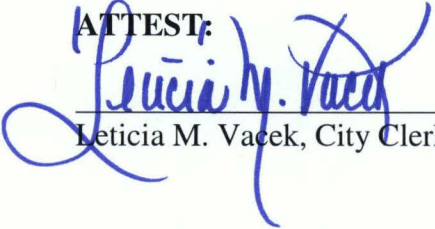
CASE NO. Z2018-900015 CD S ERZD

**SECTION 12.** This ordinance shall become effective March 3, 2019.

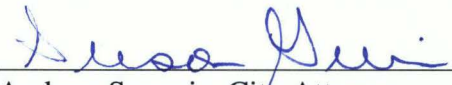
**PASSED AND APPROVED** this 21<sup>st</sup> day of February 2019.

  
**M A Y O R**  
Ron Nirenberg

**ATTEST:**

  
\_\_\_\_\_  
Leticia M. Vacek, City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
For Andrew Segovia, City Attorney

<b>Agenda Item:</b>	<b>Z-18</b>						
<b>Date:</b>	02/21/2019						
<b>Time:</b>	03:48:53 PM						
<b>Vote Type:</b>	Motion to Appr w Cond						
<b>Description:</b>	ZONING CASE # Z-2018-900015 CD S ERZD (Council District 10): Ordinance amending the Zoning District Boundary from "C-2 ERZD" Commercial Edwards Recharge Zone District to "C-2 CD S ERZD" Commercial Edwards Recharge Zone District with Conditional Use and Specific Use Authorization for Outside Storage on 3.347 acres out of NCB 17338, located at 17115 Redland Road. Staff and Zoning Commission recommend Approval.						
<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>
Ron Nirenberg	Mayor		x				
Roberto C. Treviño	District 1	x					
Art A. Hall	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			x	





**MEALS★MYERS**  
ENGINEERING & SURVEYING LLC

**Z-2018-900015**  
**CD S ERZD**

STATE OF TEXAS  
COUNTY OF BEXAR

**FIELD NOTE DESCRIPTION  
OF A 3.347 ACRE TRACT**

Note: This field note description is for Re-Zoning purposes, this is not to be used to convey property.

Being a 3.347 acre tract of land lying in the J. Escamilla Survey No. 353 1/2, Abstract No. 218, County Block 4954, Bexar County, Texas, said 3.347 acre tract also being a portion of Lot 4, Block 1, N.C.B. 17338, Bethesda Temple Subdivision as recorded in Volume 9551, Page 202, Deed and Plat Records of Bexar County, Texas, also being a portion of a 15.177 acre tract of land as described and recorded in Document No. 20180175987, Official Public Records of Bexar County, Texas; said 3.347 acre tract being more particularly described as follows:

**BEGINNING:** at a point in the southeast line of the aforementioned Lot 4 and the northwest line of Lot 1, Block 1 of Christ Redeemer Church Subdivision as recorded in Volume 9503, Page 170, Deed and Plat Records of Bexar County, Texas, for the east corner of the herein described 3.347 acre tract;

**THENCE:** along the southeast line of the aforementioned Lot 4 and the northwest line of the aforementioned Lot 1, S41°25'24"W, a distance of 154.43 feet to a point for the most easterly south corner of the herein described 3.347 acre tract;

**THENCE:** leaving the southeast line of the aforementioned Lot 4 and the northwest line of the aforementioned Lot 1 the following three (3) courses and distances:

N39°27'24"W, a distance of 267.26 feet to a point for an interior corner of the herein described 3.347 acre tract,

S89°57'59"W, a distance of 245.11 feet to a point for the most westerly south corner of the herein described 3.347 acre tract, and

N15°31'13"W, a distance of 448.58 feet to a point in the south right-of-way line of Redland Road for the north corner of the herein described 3.347 acre tract, said point also lying in a non-tangent curve to the right;

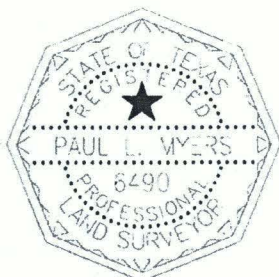
Exhibit "A"


**THENCE:** along the south right-of-way line of the aforementioned Redland Road, an arc distance of 833.77 feet with said curve to the right having a radius of 1576.28 feet, a delta angle of  $30^{\circ}18'23''$ , and a chord which bears  $S50^{\circ}38'21''E$ , a distance of 824.08 feet to the **PLACE OF BEGINNING** and containing 3.347 acres of land.

- Notes:
1. This does not represent an on the ground survey.
  2. Calls are based on record information.
  3. This field note description is for zoning purposes only, this is not to be used to convey property.

I, Paul L. Myers, a Registered Professional Land Surveyor, do hereby certify that the above field notes were prepared by me using record information and does not represent an on the ground survey. This is for Re-Zoning and is not to be used to convey property.

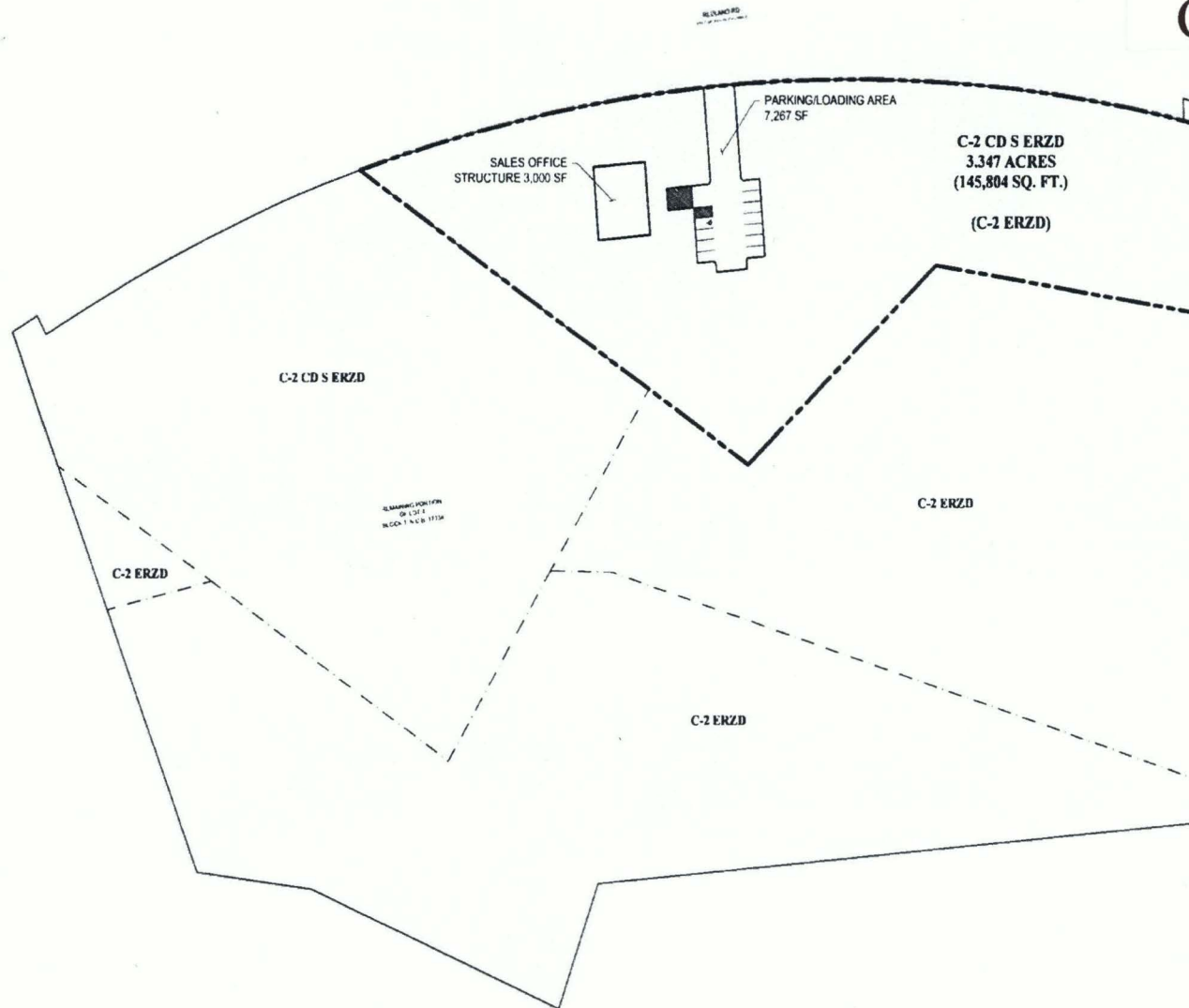
Date 19<sup>th</sup> day of October 2018.



  
Paul L. Myers  
Registered Professional Land Surveyor  
No. 6490 – State of Texas

Job #18071  
October 19, 2018  
PLM

# Z-2018-900015 CD S ERZD



- PROPERTY: 3.347 ACRES (145,804 SF)
- LEGAL DESCRIPTION: REMAINING PORTION OF LOT 4, BLOCK 1, NEW CITY BLOCK 17338
- CURRENT ZONING: C-2 ERZD
- PROPOSED ZONING: C-2 CD S ERZD ON 3.347 ACRES (145,804 SF)
- IMPERVIOUS COVER: UP TO 94.77%
- SETBACKS/BUFFERYARDS: PER CONDITIONS
- REQUIRED PARKING: 1/300 GFA

I, JABLYB, LLC, c/o John Bellinger, 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."



LPA

- Lot 4, Block 1, New City Block 17338
- Page 1 of 1

City of Austin, Texas  
San Antonio, Texas

## ZONING EXHIBIT OF

A 3.347 ACRE (145,804 SQUARE FEET) TRACT, OUT OF THE REMAINDER LOT 4, BLOCK 1, NEW CITY BLOCK 17338, BETHESDA TEMPLE SUBDIVISION, VOLUME 9551, PAGE 202, DEED AND PLAT RECORDS BEXAR COUNTY, TEXAS

The use of this plan requires that all other utilities and easements shown on previous maps of this property be shown in accordance with the City of Austin's standards for utility easements. The City of Austin reserves the right to modify this plan at any time without notice.

These documents shall be subject to the City of Austin's standards for utility easements. The City of Austin reserves the right to modify this plan at any time without notice.

Job No. 1806511  
Date 10/12/2018  
City of Austin  
Scale 1" = 100'  
ZONING EXHIBIT

Exhibit "B"