

ORDINANCE 2019-08-08-0623

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 0.097 acres out of NCB 17727 from "O-2 ERZD" Office High Rise Edwards Recharge Zone District to "C-2 S EZRD" Commercial 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.

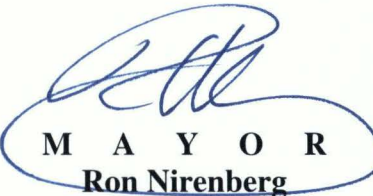
SECTION 5. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and

provided for in Section 35-491.


SECTION 6. 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 7. This ordinance shall become effective August 18, 2019.

PASSED AND APPROVED this 8th day of August, 2019.



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-22 (in consent vote: 25, Z-2, Z-5, P-1, Z-6, Z-7, Z-8, Z-9, Z-10, P-2, Z-11, Z-13, Z-14, Z-18, Z-19, Z-20, Z-22)						
Date:	08/08/2019						
Time:	02:43:32 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE Z-2018-900070 S ERZD (Council District 9): Ordinance amending the Zoning District Boundary from "O-2 ERZD" Office High Rise Edwards Recharge Zone District to "C-2 S EZRD" Commercial Edwards Recharge Zone District with Specific Use Authorization for a Wireless Telecommunication Tower on 0.097 acres out of NCB 17727, located at 1552 Emerald Forest Drive. 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				
Jada Andrews-Sullivan	District 2		x				
Rebecca Viagran	District 3		x			x	
Dr. Adriana Rocha Garcia	District 4		x				
Shirley Gonzales	District 5		x				
Melissa Cabello Havrda	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				

Exhibit “A”

LEASE AREA
EMERALD FOREST
HEMPHILL

All that tract or parcel of land lying and being in the George Voss Survey No. 340 1/2, NCB 17727, Parcel 13E, Abstract No. 788, City of San Antonio, Bexar County, Texas, and being a part of the lands owned by Frank J. Sitterle Jr, as recorded in Volume 17618, Page 23, Bexar County Records, Texas, and being more particularly described as follows:

To find the point of beginning, COMMENCE at a 1/2-inch rebar with cap Brown found at the right-of-way intersection of Emerald Forest Drive (having a variable width right-of-way) and Charles Anderson Loop (having a variable width right-of-way) having a Texas Grid North, NAD83, South Central Zone value of N: 13766351.8676, E: 2150280.7420; thence running along said right-of-way of Emerald Forest Drive, North 51°45'00" East, 74.23 feet to a point; thence, North 19°11'23" East, 95.99 feet to a point having a Texas Grid North, NAD83, South Central Zone value of N: 13766488.4790, E: 2150370.5899; thence leaving said right-of-way and running, North 36°51'39" West, 1296.89 feet to a point; thence North 21°00'05" East, 119.24 feet to a point on the Lease Area; thence running along said Lease Area, North 68°59'55" West, 32.50 feet to a point and the true POINT OF BEGINNING; Thence, North 21°00'05" East, 65.00 feet to a point; Thence, South 68°59'55" East, 65.00 feet to a point; Thence, South 21°00'05" West, 65.00 feet to a point; Thence, North 68°59'55" West, 65.00 feet to a point and the true POINT OF BEGINNING.

Bearings are based on Texas State Plane Coordinate System (NAD 83) South Central Zone.

Said tract contains 0.0970 acres (4,225 square feet), more or less, as shown in a survey prepared for B & T Group by Point to Point Land Surveyors, Inc. dated June 26, 2018, and last revised November 21, 2018.



Justin Kyle Lawrence
TX RPLS # 6589
Point to Point Land Surveyors, Inc.
1010 Pennsylvania Avenue
McDonough, GA 30253
TX Registration # 10194197



Exhibit "A"


40' ACCESS & UTILITY EASEMENT
EMERALD FOREST
HEMPHILL

Together with a 40-foot wide Ingress-Egress and Utility Easement (being 20 feet either side of centerline) lying and being in the George Voss Survey No. 340 ½, NCB 17727, Parcel 13E, Abstract No. 788, City of San Antonio, Bexar County, Texas, and being a part of the lands owned by Frank J. Sitterle Jr, as recorded in Volume 17618, Page 23, Bexar County Records, Texas, and being described by the following centerline data:

To find the point of beginning, COMMENCE at a ½-inch rebar with cap Brown found at the right-of-way intersection of Emerald Forest Drive (having a variable width right-of-way) and Charles Anderson Loop (having a variable width right-of-way) having a Texas Grid North, NAD83, South Central Zone value of N: 13766351.8676, E: 2150280.7420; thence running along said right-of-way of Emerald Forest Drive, North 51°45'00" East, 74.23 feet to a point; thence, North 19°11'23" East, 95.99 feet to a point having a Texas Grid North, NAD83, South Central Zone value of N: 13766488.4790, E: 2150370.5899 and the true POINT OF BEGINNING; Thence leaving said right-of-way and running, North 36°51'39" West, 1296.89 feet to a point; Thence North 21°00'05" East, 119.24 feet to the ENDING at a point on the Lease Area.

Bearings are based on Texas State Plane Coordinate System (NAD 83) South Central Zone.

As shown in a survey prepared for B & T Group by Point to Point Land Surveyors, Inc. dated October 19, 2018, and last revised June 26, 2019.


Justin Kyle Lawrence
TX RPLS # 6589
Point to Point Land Surveyors, Inc.
1010 Pennsylvania Avenue
McDonough, GA 30253
TX Registration # 10194197



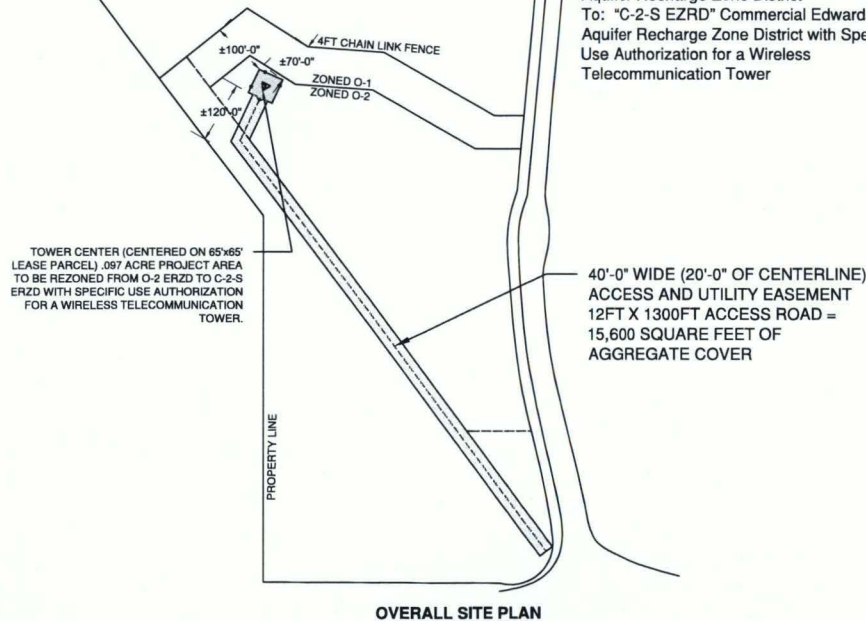
SG/lj
08/08/2019
Z-22

Exhibit “B”

Z-2018-900070 S ERZD

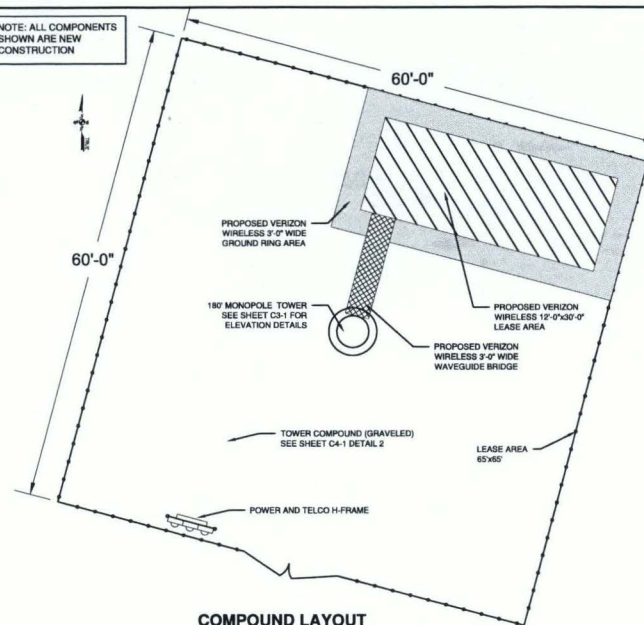
WE, FRANK J. SITTERLE, JR. AND JEFF BUELL, THE PROPERTY OWNERS, ACKNOWLEDGE THAT THIS SITE PLAN SUBMITTED FOR THE PURPOSE OF REZONING THIS PROPERTY IS IN ACCORDANCE WITH ALL APPLICABLE PROVISIONS OF THE UNIFIED DEVELOPMENT CODE. ADDITIONALLY, WE UNDERSTAND THAT CITY COUNCIL APPROVAL OF A SITE PLAN IN CONJUNCTION WITH A REZONING CASE DOES NOT RELIEVE US FROM ADHERENCE TO ANY/ALL CITY ADOPTED CODES AT THE TIME OF PLAN SUBMITTAL FOR BUILDING PERMITS.

From: "O-2 ERZD" Office High Rise Edwards Aquifer Recharge Zone District
To: "C-2-S ERZD" Commercial Edwards Aquifer Recharge Zone District with Specific Use Authorization for a Wireless Telecommunication Tower

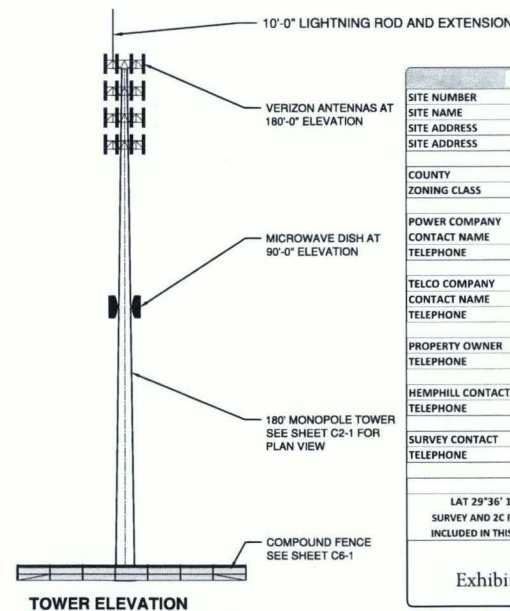


OVERALL SITE PLAN

NOTE: ALL COMPONENTS SHOWN ARE NEW CONSTRUCTION



COMPOUND LAYOUT



TOWER ELEVATION

PROJECT DATA

SITE NUMBER	1552
SITE NAME	Emerald Forest
SITE ADDRESS	TBD
COUNTY	Bexar
ZONING CLASS	
POWER COMPANY	CPS Energy
CONTACT NAME	
TELEPHONE	210-353-3333
TELCO COMPANY	SBC Communications, Inc.
CONTACT NAME	
TELEPHONE	210-352-6971
PROPERTY OWNER	Frank J. Sitterle Jr & Jeff Buell
TELEPHONE	210-494-9192
HEMPHILL CONTACT	JOHN HEMPHILL
TELEPHONE	918-605-5639
SURVEY CONTACT	POINT TO POINT
TELEPHONE	678-565-4430

2C COORDINATES

LAT 29°36' 15.11" LONG -98° 25' 47.75"
SURVEY AND 2C PROVIDED BY SURVEY COMPANY INC. AND INCLUDED IN THIS SET OF DRAWINGS FOR REFERENCE ONLY.

Exhibit "B"



HEMPHILL®
1305 NORTH LOUISVILLE AVE
TULSA, OK 74115
(918) 834-2200



SPECIALTY TELECOMMUNICATIONS SERVICES, LLC
PROFESSIONAL ENGINEERS AND CONSULTANTS
13431 BROADWAY EXT, SUITE 120
OKLAHOMA CITY, OK 73114
(405) 753-7167

PROJECT NO: 1552
DRAWN BY: SLT
CHECKED BY: DJP/JRH

ISSUED FOR:

APPROVAL

REV	DATE	DESCRIPTION
0	4/1/18	APPROVAL

SAMUAL T. CURTIS, P.E.
TEXAS NO. 117377

SCALE
N.T.S.

1552
EMERALD FOREST

SHEET NUMBER: C1-3
REVISION: 0