

ORDINANCE 2020-01-16-0039

**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 3.439 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 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 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 for the outdoor storage area will not exceed 35% and the sales office building and parking area shall not exceed 30% on the 3.439-acre site. The overall 3.439-acre site shall not exceed 65% impervious cover.

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.

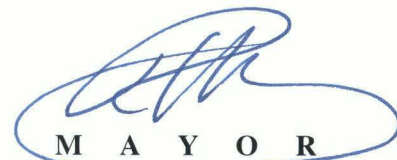
SECTION 9. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

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.

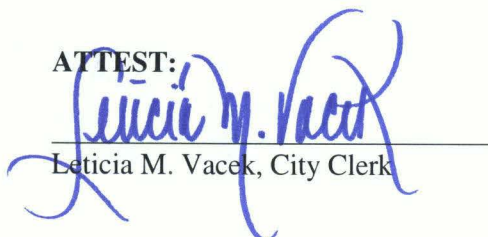
SECTION 11. If a court of competent jurisdiction enters a final judgment on the merits that is no longer subject to appeal and substantially limits or impairs the essential elements of sections one through five of this ordinance, then sections one through five are invalid and have no legal effect as 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 January 26, 2020.

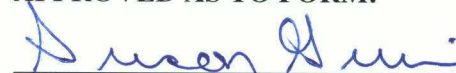
PASSED AND APPROVED this 16th day of January, 2020.


M A Y O R
Ron Nirenberg

ATTEST:

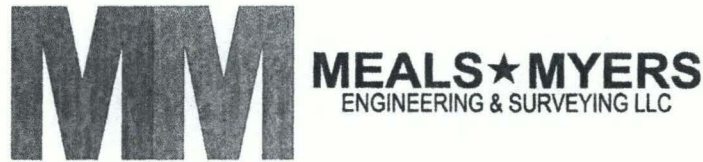

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:


for Andrew Segovia, City Attorney

SG/lj
01/16/2020
Item No. Z-28

EXHIBIT “A”



STATE OF TEXAS
COUNTY OF BEXAR

**FIELD NOTE DESCRIPTION
OF A 3.439 ACRE TRACT**

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

Being a 3.439 acre tract of land lying in the J. Escamilla Survey No. 353 1/2, Abstract No. 218, County Block 4954, Bexar County, Texas, said 3.439 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 3.439 acre tract being more particularly described as follows:

COMMENCING: at the most easterly south corner of the aforementioned Lot 4 and the west corner 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;

THENCE: along a southwest line of the aforementioned Lot 4, N52°59'26"W, a distance of 107.20 feet to a point for the **PLACE OF BEGINNING** and the south corner of the herein described 3.439 acre tract;

THENCE: continuing along a southwest line of the aforementioned Lot 4, N52°59'26"W, a distance of 490.70 feet to a point for an interior corner of said Lot 4 and the west corner of the herein described 3.439 acre tract;

THENCE: across the aforementioned Lot 4 the following five (5) courses and distances:

N37°00'34"E, a distance of 138.80 feet to a point for an angle point,

N74°28'47"E, a distance of 158.23 feet to a point for an angle point,

S84°53'53"E, a distance of 292.65 feet to a point for the east corner of the herein described 3.439 acre tract,

S02°48'09"W, a distance of 259.71 feet to a point for an angle point,

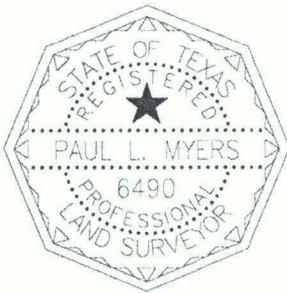
Exhibit "A"


S37°00'34"W, a distance of 204.28 feet to the **PLACE OF BEGINNING** and containing 3.439 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 26th day of August 2019.



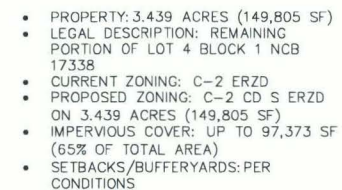

Paul L. Myers
Registered Professional Land Surveyor
No. 6490 – State of Texas

Job #19062
August 26, 2019
PLM

SG/lj
01/16/2020
Item No. Z-28

EXHIBIT “B”

REDLAND RD
RIGHT-OF-WAY WIDTH VARIES



I, JABLVB, 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."



A horizontal number line with four major tick marks labeled 0, 50, 100, and 200. The line is divided into four equal segments by these tick marks.

p. 218.829.1337 L. 218.829.1786
 www.fishbase.org www.fishbase.org

1811 South Alamo Street
San Antonio, Texas 78204

A 3.439 ACRE (149,805 SQUARE FEET) TRACT, OUT OF THE REMAINDER LOT 4, BLOCK 1, NEW CITY BLOCK 17338, BETHSDA TEMPLE SUBDIVISION, VOLUME 9551, PAGE 202, DEED AND PLAT RECORDS BEXAR COUNTY, TEXAS

Exhibit "A"

bits and all other project documents not at issue, available and if incorporated therein are instruments of service. All project documents are required property of LPA, INC. LPA and cannot be readily sent to the field for the very project or purpose except as described in the written agreement between LPA and Client. LPA hereby gives notice to the client that project documents are, respectively or alternatively (wherein) is not contrary to the understanding that all parties hereto also agree to help fund and defend LPA and LPA's Associates in the maximum legal extent against claims, demands, suits or liabilities arising directly or indirectly from a document, action.

Project documents describe design intent of work and are not a replacement of in-built or existing conditions. 10% and 30% Drawings and specifications are not a replacement for the accuracy of documents and are not final.

④ 正确答案: A。

Job. No. 1806512
Date 8/20/2019
Checked by
Scale 1" = 100'
ZONING EXHIBIT