

ORDINANCE 2020-03-19-0215

**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 2.99 acres out of NCB 17338 from "C-2 CD S ERZD" Commercial Edwards Recharge Zone District with Conditional Use and Specific Use Authorization for a Laboratory, "C-2 CD S ERZD" Commercial Edwards Recharge Zone District with Conditional Use and Specific Use Authorization for Outdoor Storage and "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 Laboratory - Research or Testing.

**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.

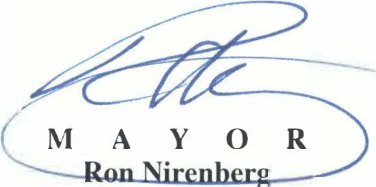
**SECTION 9.** All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

**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 March 29, 2020.

**PASSED AND APPROVED** this 19<sup>th</sup> day of March, 2020.



M A Y O R  
Ron Nirenberg

**ATTEST:**



Tina Flores, Acting City Clerk

**APPROVED AS TO FORM:**



Andrew Segovia, City Attorney



## City of San Antonio

### City Council

March 19, 2020

**Item: Z-14**

**Enactment Number:**

**File Number: 20-2478**

**2020-03-19-0215**

ZONING CASE Z-2019-10700310 CD S ERZD (Council District 10): Ordinance amending the Zoning District Boundary from "C-2 CD S ERZD" Commercial Edwards Recharge Zone District with Conditional Use and Specific Use Authorization for a Laboratory, "C-2 CD S ERZD" Commercial Edwards Recharge Zone District with Conditional Use and Specific Use Authorization for Outdoor Storage and "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 Laboratory - Research or Testing on 2.99 acres out of NCB 17338, located at 17115 Redland Road. Staff and Zoning Commission recommend Approval.

Councilmember Jada Andrews-Sullivan made a motion to adopt. Councilmember John Courage seconded the motion. The motion passed by the following vote:

**Aye:** 10 Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia,  
Gonzales, Cabello Havrda, Sandoval, Courage and Perry

**Absent:** 1 Pelaez

# EXHIBIT “A”



STATE OF TEXAS  
COUNTY OF BEXAR

**FIELD NOTE DESCRIPTION  
OF A 2.99 ACRE TRACT**

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

Being a 2.99 acre tract of land lying in the J. Escamilla Survey No. 353 1/2, Abstract No. 218, County Block 4954, Bexar County, Texas, said 2.99 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 2.99 acre tract being more particularly described as follows:

**COMMENCING:** at a point in the southwest right-of-way line of Redland Road (a varying with right-of-way) for the southwest corner of a 0.476 acre tract of land described as Street Right-of-Way to the City of San Antonio, dated September 10, 2015, and recorded in Volume 17471, Page 846, Official Public Records of Bexar County, Texas;

**THENCE:** along the southwest right-of-way line of the aforementioned Redland Road, S77°18'34"E, a distance of 16.99 feet to a point for a point of curvature of a curve to the right;

**THENCE:** continuing along the southwest right-of-way line of the aforementioned Redland Road, an arc distance of 150.66 feet with said curve to the right having a radius of 1,576.28 feet, a delta angle of 05°28'34" and a chord which bears S74°34'07"E, a distance of 150.60 feet to a point for the **PLACE OF BEGINNING** and the north corner of the herein described 2.99 acre tract;

**THENCE:** continuing along the southwest right-of-way line of the aforementioned Redland Road, an arc distance of 579.55 feet with said curve to the right having a radius of 1576.28 feet, a delta angle of 21°03'57", and a chord which bears S61°17'51"E, a distance of 576.29 feet to a point for the east corner of the herein described 2.99 acre tract;

**THENCE:** leaving the southwest right-of-way line of the aforementioned Redland Road, S36°54'11"W, a distance of 155.86 feet to a point for the southeast corner of the herein described 2.99 acre tract;

**THENCE:** S74°28'40"W, a distance of 304.57 feet to a point for the south corner of the herein described 2.99 acre tract;

**THENCE:** N13°46'46"W, a distance of 497.22 feet to the **PLACE OF BEGINNING** and containing 2.99 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 6<sup>th</sup> day of November 2019.



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

Job #19085  
November 6, 2019  
PLM

Attachment "A"

# EXHIBIT “B”

