SG/cla
08/06/2015
Z-33

CASE NO. Z2015188 S ERZD

AN ORDINANCE 2015-08-06-0683

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 a 1.009 acre parcel of land out of NCB 34920 from "C-3 CD S ERZD" General Commercial Edwards Recharge Zone District with a Conditional Use and Specific Use Authorization for to allow for existing Warehousing and Printing Operations Distribution and Assembly Facility to "C-2 S ERZD" Commercial Edwards Recharge Zone District with a Specific Use Authorization for a Parking Garage.

SECTION 2. A description of the property is attached as **Attachment "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 **Attachment "B"** and made a part hereof and incorporated herein for all purposes.

SECTION 5. 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 6. 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 7. 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 8. 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 9. 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 10. 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 11. This ordinance shall become effective August 16, 2015.

PASSED AND APPROVED this 6th day of August 2015.

Ivy R. Taylor

M A Y O R
Ivy R. Taylor

ATTEST:

Leticia M. Vacek

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

for

Martha G. Sepeda, Acting City Attorney

Agenda Item:	**Z-33**
Date:	08/06/2015
Time:	03:18:29 PM
Vote Type:	Motion to Approve
Description:	ZONING CASE # Z2015188 ERZD (Council District 10): An Ordinance amending the Zoning District Boundary from "C-3 CD S ERZD" General Commercial Edwards Recharge Zone District with Conditional Use and a Specific Use Authorization for Warehousing and Printing Operations Distribution and Assembly Facility to "C-2 S ERZD" Commercial Edwards Recharge Zone District with Specific Use Authorization for a Parking Garage on a 1.009 acre parcel of land out of NCB 34920, located at 19500 Bulverde Road. Staff and Zoning Commission recommend Approval.
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Treviño	District 1		x				
Alan Warrick	District 2		x				x
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4	x					
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x			x	

Z2015188

PAPE-DAWSON ENGINEERS

FIELD NOTES
FOR
ZONING

A 1.009 acre, or 43,958 square feet more or less, tract of land out of Lot 1, Block 1, The Psychological Corporation Subdivision recorded in Volume 9548, Page 157-160 of the Deed and Plat Records of Bexar County, Texas, now in New City Block 34920 of the City of San Antonio, Bexar County, Texas. Said 1.009 acre tract being more fully described as follows:

COMMENCING: At a found ½" iron rod with cap marked "Pape-Dawson" on the east right-of-way of Bulverde Road, a variable width right-of-way - 125.7-foot at this point, at the northeast corner of a 1.602 acre tract recorded in Volume 10903, Page 359-379 of the Official Public records of real Property of Bexar County, Texas;

THENCE: N 44°37'49" E, departing the east right-of-way line of said Bulverde Road, over and across said Lot 1, a distance of 1028.91 feet to the POINT OF BEGINNING of the herein described tract;

THENCE: Continuing over and across said Lot 1 the following bearings and distances:

N 13°38'34" W, a distance of 130.25 feet to a point;

N 76°21'23" E, a distance of 337.50 feet to a point;

S 13°38'35" E, a distance of 130.25 feet to a point;

S 76°21'23" W, a distance of 337.50 feet to the POINT OF BEGINNING, and containing 1.009 acres in the City of San Antonio, Bexar County, Texas. Said tract being described in accordance with an exhibit prepared under job number 8587-05 by Pape-Dawson Engineers, Inc.

"This document was prepared under 22TAC663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."

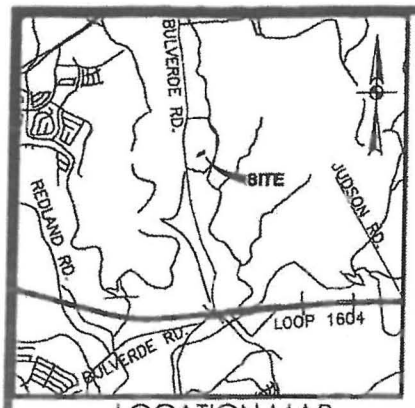
PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: April 10, 2015
JOB NO. 8587-05
DOC. ID. N:\CIVIL\8587-05\WORD\8587-05 FN-1.009 AC ZN.docx
TBPE Firm Registration #470
TBPLS Firm Registration #100288-00

STATE OF TEXAS REGISTERED JOHN NOEL NICHOLLS 4402 PROFESSIONAL LAND SURVEYOR

San Antonio | Austin | Houston | Fort Worth | Dallas
Transportation | Water Resources | Land Development | Surveying | Environmental
2000 NW Loop 410, San Antonio, TX 78213 T: 210.375.9000 www.Pape-Dawson.com

Attachment A

Z2015188



LOCATION MAP

NOT-TO-SCALE

LEGEND:

DR	DEED RECORDS OF BEXAR COUNTY, TEXAS
OPR	OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS
DPR	DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
FIR	FOUND 1/2" IRON ROD

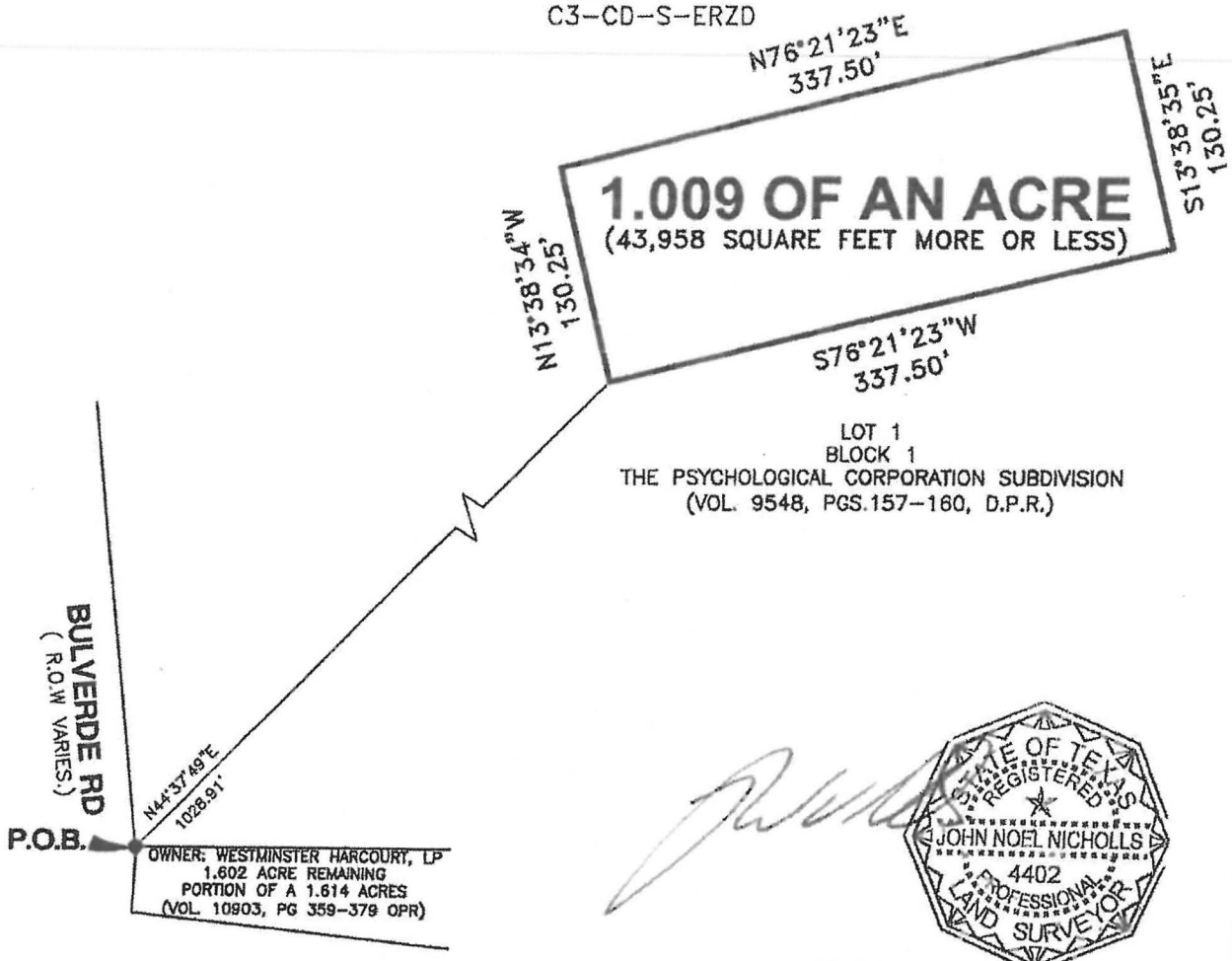
NOTES:

1. THE PROFESSIONAL SERVICES PROVIDED HEREWITH INCLUDE THE PREPARATION OF A FIELD NOTE DESCRIPTION.
2. "THIS DOCUMENT WAS PREPARED UNDER 22TAC663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED."

1 inch = 100'

100' 0' 50' 100'

ZONED:
C3-CD-S-ERZD



STATE OF TEXAS
REGISTERED
JOHN NOEL NICHOLLS
4402
PROFESSIONAL
LAND SURVEYOR

EXHIBIT
FOR
ZONING

A 1.009 ACRE, OR 43,958 SQUARE FEET MORE OR LESS, TRACT OF LAND OUT OF LOT 1, BLOCK 1, THE PSYCHOLOGICAL CORPORATION SUBDIVISION RECORDED IN VOLUME 9548, PAGE 157-160 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, NOW IN NEW CITY BLOCK 34920 OF THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS.

PAPE-DAWSON ENGINEERS
555 EAST RANSEY | SAN ANTONIO TEXAS 78216 | PHONE: 210.375.9000 FAX: 210.375.9010
TEXAS BOARD OF PROFESSIONAL ENGINEERS, FIRM REGISTRATION # 470
TEXAS BOARD OF PROFESSIONAL LAND SURVEYORS, FIRM REGISTRATION # 100288-00

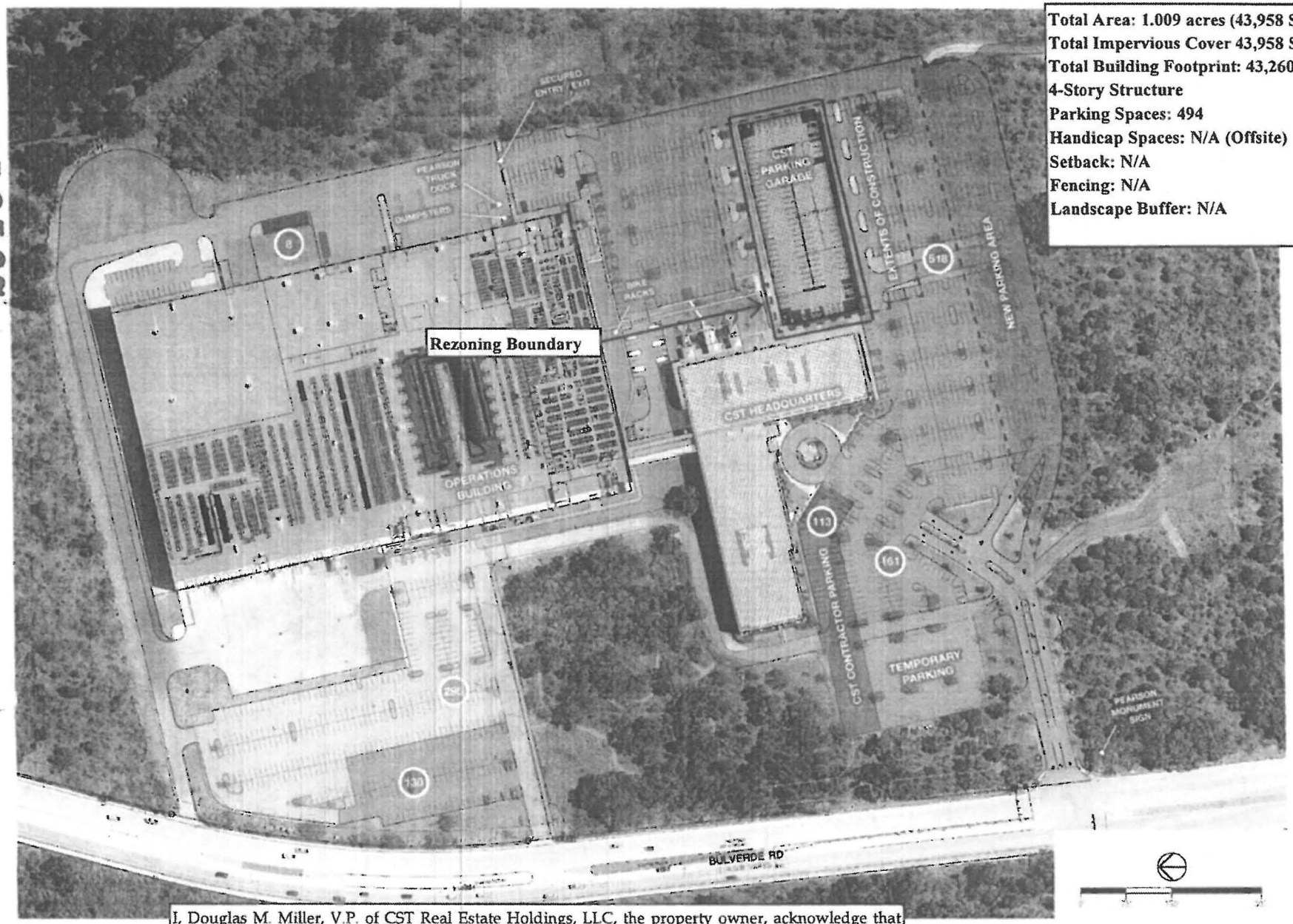
SHEET 1 OF 1

APRIL 10, 2015 JOB No.: 8587-05

Date: Apr 10, 2015, 1:11pm User ID: MHolmes
File: N:\CIVIL\8587-05\8587-05 ZN-1.009 AC.dwg

19500 Bulverde Rezoning from C-3 CD S PC-1 ERZD to C-2 S PC-1 ERZD with Conditional District for Parking Garage

Total Area: 1.009 acres (43,958 SF)
Total Impervious Cover 43,958 SF
Total Building Footprint: 43,260 SF
4-Story Structure
Parking Spaces: 494
Handicap Spaces: N/A (Offsite)
Setback: N/A
Fencing: N/A
Landscape Buffer: N/A



I, Douglas M. Miller, V.P. of CST Real Estate Holdings, LLC, 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 the 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.

RVK

RVK designs and delivers exceptional solutions that positively impact the quality of people and their environments.

Attachment B

2015188