SG/cla
06/19/2014
Z-21

CASE NO. Z2014138 S ERZD

AN ORDINANCE 2014-06-19-0505

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 Lot 2 NCB 17866 from "R-6 ERZD MLOD-1" Single-Family Residential Edwards Recharge Zone Camp Bullis Military Lighting Overlay District to "C-3NA S ERZD MLOD-1" General Commercial Nonalcoholic Sales Edwards Recharge Zone Camp Bullis Military Lighting Overlay District with a Specific Use Authorization for a Construction Contractor Facility on 3.511 acres and "I-1 S ERZD MLOD-1" General Industrial Edwards Recharge Zone Camp Bullis Military Lighting Overlay District with a Specific Use Authorization for a Construction Contractor Facility on 3.904 acres.

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 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 5. 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 6. 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 7. 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 8. 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 9. 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 10. This ordinance shall become effective June 29, 2014.

PASSED AND APPROVED this 19th day of June 2014.

M A Y O R
Julián Castro

ATTEST:

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

For Robert F. Greenblum, City Attorney

Agenda Item:	**Z-21 (in consent vote: P-9, Z-21)**
Date:	06/19/2014
Time:	02:49:33 PM
Vote Type:	Motion to Approve
Description:	ZONING CASE # Z2014138 S ERZD (District 9): An Ordinance amending the Zoning District Boundary from "R-6 ERZD MLOD-1" Single-Family Residential Edwards Recharge Zone Camp Bullis Military Lighting Overlay District to "C-3NA S ERZD MLOD-1" General Commercial Nonalcoholic Sales Edwards Recharge Zone Camp Bullis Military Lighting Overlay District with a Specific Use Authorization for a Construction Contractor Facility on 3.511 acres and "I-1 S ERZD MLOD-1" General Industrial Edwards Recharge Zone Camp Bullis Military Lighting Overlay District with a Specific Use Authorization for a Construction Contractor Facility on 3.904 acres all on Lot 2 NCB 17866 located at 18952 Redland Road. Staff recommends denial. Zoning Commission recommends approval pending the plan amendment as requested. (Associated Plan Amendment Case 14038)
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Diego Bernal	District 1		x				
Ivy R. Taylor	District 2		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				x
Joe Krier	District 9		x			x	
Michael Gallagher	District 10		x				

DESCRIPTION
OF

3.511 acres of land out of Lot 2, N.C.B. 17866 in the City of San Antonio, County Block 4952, Bexar County, Texas, Redland Hills Subdivision recorded in Volume 8500, Page 155, Deed and Plat Records of Bexar County, Texas, and being more particularly described as follows:

BEGINNING: At a point on the North right-of-way line of Redland Road (60.00 foot right-of-way)for the southwest corner of said Lot 2 and the southwest corner of this tract described herein;

Thence: North 22° 58' 00" East, departing the North right-of-way line of Redland Road along the west boundary line of said Lot 2, a distance of 490.00 feet to a point for the northwest corner of this tract described herein;

Thence: South 64° 50' 57" East, crossing said Lot 2, a distance of 310.08 feet to a point on the east boundary line of said Lot 2 for the northeast corner of this tract described herein;

Thence: South 15° 13' 29" West, along the east boundary line of said Lot 2, a distance of 385.30 feet to a point on the North right-of-way line of said Redland Road for the southeast corner of said Lot 2 and the southeast corner of this tract herein described;

Thence: Along the North right-of-way line of Redland Road, the following courses and distances;

South 86° 57' 00" West, a distance of 37.96 feet to a point of curvature of a curve to the right;

Thence: Along said curve to the right having a delta of 24° 40' 39", a radius of 789.02 feet, an arc length of 339.83 feet, of which the chord bears North 80° 42' 43" West, a distance of 337.21 feet to the **POINT OF BEGINNING** and containing 3.511 acres of land.

AND

3.904 acres of land out of Lot 2, N.C.B. 17866 in the City of San Antonio, County Block 4952, Bexar County, Texas, Redland Hills Subdivision recorded in Volume 8500, Page 155, Deed and Plat Records of Bexar County, Texas, and being more particularly described as follows:

BEGINNING: At a point on the west boundary line of said Lot 2 being North 22° 58' 00" East, a distance of 490.00 feet from the southwest corner of said Lot 2, for the southwest corner of this tract described herein;

Thence: North 22° 58' 00" East, along the west boundary line of said Lot 2, a distance of 660.81 feet to a point for the northwest corner of said Lot 2 and of this tract described herein;

Thence: South 53° 50' 47" East, along the north boundary line of said Lot 2, a distance of 231.71 feet to a point being the northeast corner of said Lot 2 and of this tract described herein;

Thence: South 15° 13' 29" West, along the east boundary line of said Lot 2, a distance of 625.47 feet to a point for southeast corner of this tract herein described;

Attachment A

Thence: North 64° 50' 57" West, over and across said Lot 2, a distance of 310.08 feet to the **POINT OF BEGINNING** and containing 3.904 acres of land.

Note: Bearings used in this description are referenced to plat of Redland Hills Subdivision recorded in Volume 8500, Page 155, Deed and Plat Records of Bexar County, Texas

Drawing Exhibit accompanying this description of even date.

This document was prepared under 22 TAC 663.21, 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.

Wayne A. Seewald
Registered Professional Land Surveyor
Texas No. 3695

Date: June 12, 2014
J.G.R.

STATE OF TEXAS
REGISTERED
WAYNE A. SEEWALD
3695
PROFESSIONAL
LAND SURVEYOR

Wayne Seewald

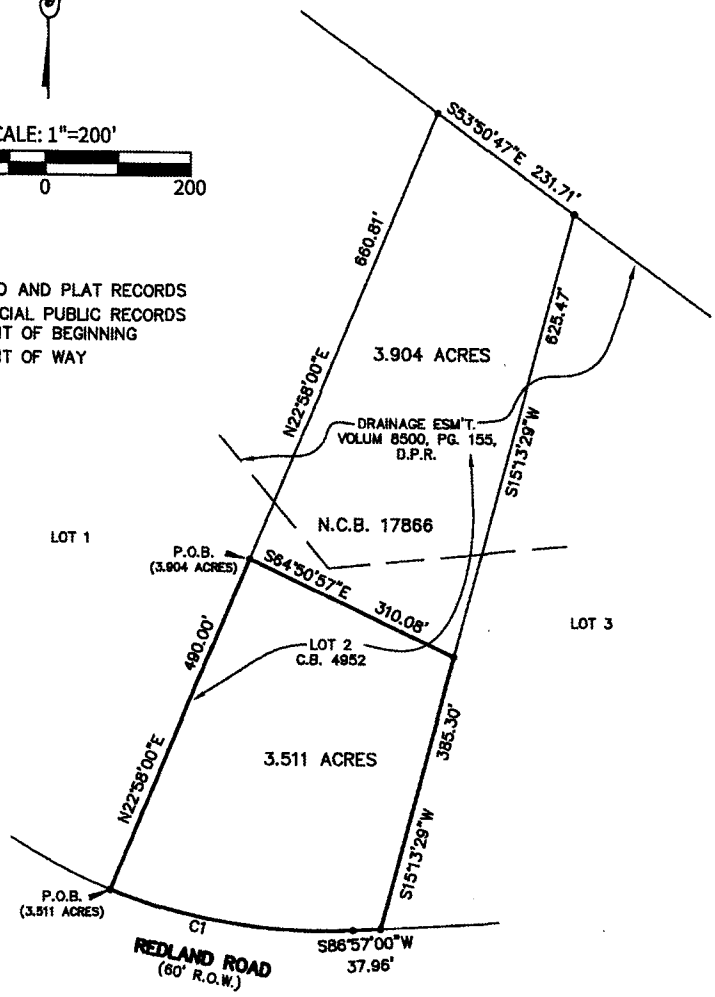
C#	DELTA	RADIUS	LENGTH	BEARING	CHORD
C1	24°40'39"	789.02'	339.83'	N80°42'43"W	337.21'

SCALE: 1"=200'

200 100 0 200

LEGEND

D.P.R. = DEED AND PLAT RECORDS
O.P.R. = OFFICIAL PUBLIC RECORDS
P.O.B. = POINT OF BEGINNING
R.O.W. = RIGHT OF WAY



NOTES:

1. Basis of Bearing is plat of Redland Hills Subdivision recorded in Volume 8500, Page 155, Deed and Plat Records of Bexar County, Texas.
2. Field notes prepared and accompanying this Exhibit of even date.
3. This document was prepared under 22 TAC 663.21, 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.

EXHIBIT
OF

3.511 acres of land out of Lot 2, N.C.B. 17866 in the City of San Antonio, County Block 4952, Bexar County, Texas, Redland Hills Subdivision recorded in Volume 8500, Page 155, Deed and Plat Records of Bexar County, Texas.

and

3.904 acres of land out of Lot 2, N.C.B. 17866 in the City of San Antonio, County Block 4952, Bexar County, Texas, , Redland Hills Subdivision recorded in Volume 8500, Page 155, Deed and Plat Records of Bexar County, Texas.

CUDE ENGINEERS
4122 POND HILL RD. • SUITE 101
SAN ANTONIO, TEXAS 78231
TEL 210.681.2951 • FAX 210.523.7112
WWW.CUDEENGINEERS.COM
TBPE REGISTERED ENGINEERING
FIRM #455

DATE June 12, 2014

REPRODUCTION OF THE ORIGINAL SIGNED AND SEALED PLAN AND/OR ELECTRONIC MEDIA MAY HAVE BEEN INADVERTENTLY ALTERED. CONTRACTOR IS RESPONSIBLE FOR VERIFYING THE SCALE OF THE DOCUMENT AND CONTACTING CUDE ENGINEERS TO VERIFY DISCREPANCIES PRIOR TO CONSTRUCTION.

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