

AN ORDINANCE 2010-03-18-0233

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.

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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, Block 73, NCB 16334 from "C-2 ERZD AHOD MLOD-1" Commercial Edwards Recharge Zone Airport Hazard Overlay Military Lighting Overlay District-1 to "C-2 CD ERZD AHOD MLOD-1" Commercial Edwards Recharge Zone Airport Hazard Overlay Military Lighting Overlay District-1 with a Conditional Use for Storage - Outside (Screening from Public Rights-of-Way and Adjacent Property Required).

SECTION 2. 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 3. The City council approves this Conditional Use Authorization so long as the attached site plan is adhered to. A site plan is attached as **Exhibit "A"** and made a part hereof and incorporated herein for all purposes.

SECTION 4. The City Council finds that the following conditions shall be met to insure compatibility with the surrounding properties:

- A. Outside storage shall be limited to Class 2 storage, which shall include lawn furniture and lawn accessories.
- B. The proposed transparent fence as shown on the site plan, shall be sufficient to fulfill the screening requirements of UDC Section 35-525 Outdoor Storage Standards.

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 Planning and 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.

SG/cla
03/18/2010
Z-3. Amended.

CASE NO. Z2010029 CD ERZD

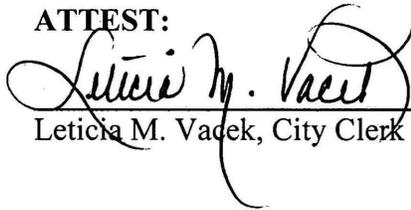
SECTION 10. This ordinance shall become effective March 28, 2010.

PASSED AND APPROVED this 18th day of March 2010.



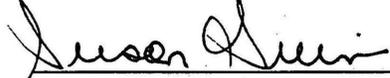
M A Y O R
Julián Castro

ATTEST:

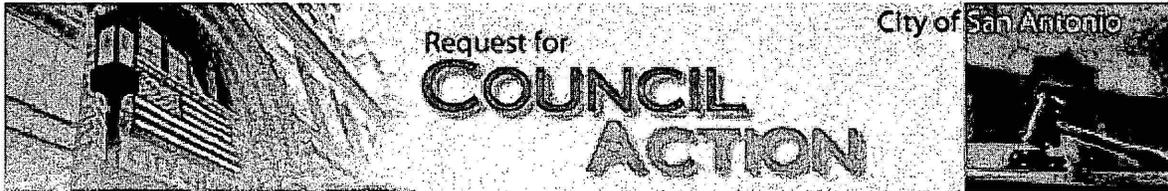


Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



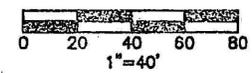
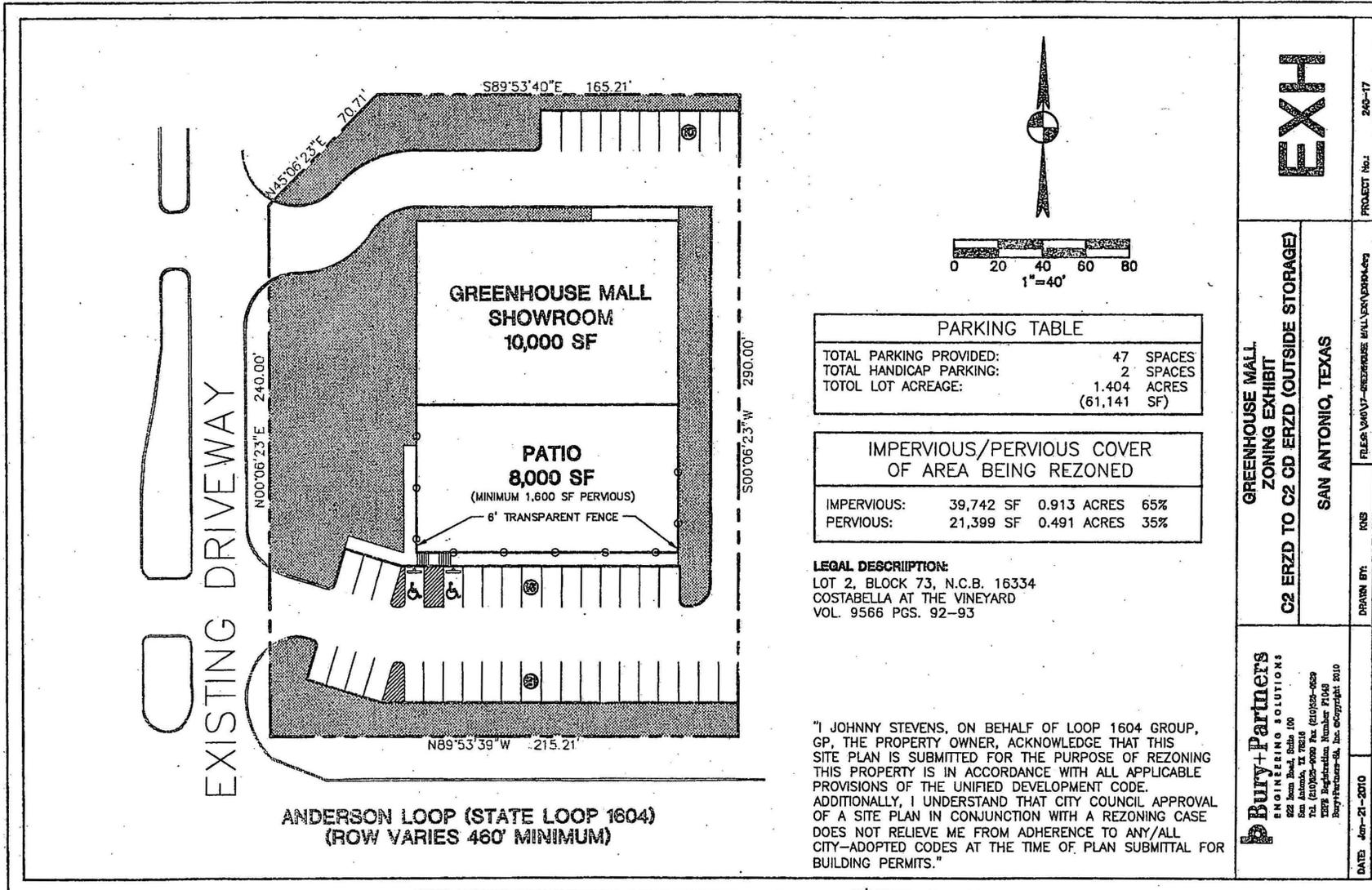
for Michael Bernard, City Attorney



Agenda Voting Results - Z-3

Name:	Z-3						
Date:	03/18/2010						
Time:	02:21:56 PM						
Vote Type:	Motion to Appr w Cond						
Description:	ZONING CASE #Z2010029 CD ERZD (District 9): An Ordinance amending the Zoning District Boundary from "C-2 ERZD AHOD MLOD-1" Commercial Edwards Recharge Zone Airport Hazard Overlay Military Lighting Overlay District-1 to "C-2 CD ERZD AHOD MLOD-1" Commercial Edwards Recharge Zone Airport Hazard Overlay Military Lighting Overlay District-1 with a Conditional Use for Storage - Outside (Screening from Public Rights-of-Way and Adjacent Property Required) on Lot 2, Block 73, NCB 16334 located at 1623 Loop 1604 West. Staff and Zoning Commission recommend approval with one condition.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Mary Alice P. Cisneros	District 1	x					
Ivy R. Taylor	District 2		x				
Jennifer V. Ramos	District 3		x				
Leticia Cantu	District 4		x				
David Medina Jr.	District 5		x				
Ray Lopez	District 6		x				
Justin Rodriguez	District 7		x				
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x			x	
John G. Clamp	District 10		x				x

Z2010029 CD ERZD



PARKING TABLE		
TOTAL PARKING PROVIDED:	47	SPACES
TOTAL HANDICAP PARKING:	2	SPACES
TOTOL LOT ACREAGE:	1.404	ACRES
	(61,141	SF)

IMPERVIOUS/PERVIOUS COVER OF AREA BEING REZONED			
IMPERVIOUS:	39,742 SF	0.913 ACRES	65%
PERVIOUS:	21,399 SF	0.491 ACRES	35%

LEGAL DESCRIPTION:
 LOT 2, BLOCK 73, N.C.B. 16334
 COSTABELLA AT THE VINEYARD
 VOL. 9566 PGS. 92-93

"I JOHNNY STEVENS, ON BEHALF OF LOOP 1604 GROUP, GP, THE PROPERTY OWNER, ACKNOWLEDGE THAT THIS SITE PLAN IS 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."

Bury+Partners ENGINEERING SOLUTIONS 622 Kern Blvd, Suite 100 San Antonio, TX 78218 Tel: (210)252-0000 Fax: (210)252-0629 2025 Registration Number F1048 BuryPartners-04, Inc. ©Copyright 2010	GREENHOUSE MALL ZONING EXHIBIT C2 ERZD TO C2 CD ERZD (OUTSIDE STORAGE)	SAN ANTONIO, TEXAS	PROJECT No.: 240-17
			DRAWN BY: RNS FILE# 140107-ERZD-GREENHOUSE MALL EXHIBIT
DATE: Jan-21-2010			EXH

EXHIBIT A