

ORDINANCE 2022-05-19-0382

**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 Lots 19-A (4.0482 acres), CB 4865; P-4D, CB 4900; P-19B (0.189 acres), CB 4865; P-4A (20.1759 acres), CB 4900; P-19D (0.069 acres), P-19E (0.137 acres), CB 4865; P-4B (11.6729 acres), P-4E (10.7031 acres), CB 4900; and P-3A (0.5333 acres), CB 4926 from "C-2 CD GC-3 MLOD-1 MLR-2 ERZD" Commercial US 281 North Gateway Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District with a Conditional Use for a Home Improvement Center with Outside Storage and Grocery Store, "C-2 CD MLOD-1 MLR-2 ERZD" Commercial Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District with a Conditional Use for a Home Improvement Center with Outside Storage and Grocery Store, "C-3 GC-3 MLOD-1 MLR-2 ERZD" General Commercial US 281 North Gateway Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District and "C-3 MLOD-1 MLR-2 ERZD" General Commercial Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District to "MXD GC-3 MLOD-1 MLR-2 ERZD" Mixed Use US 281 North Gateway Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District with a maximum density of 18 (eighteen) units per acre and "MXD MLOD-1 MLR-2 ERZD" Mixed Use Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District with a maximum density of 18 (eighteen) units per acre.

SECTION 2. 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 the percentage prescribed by the San Antonio Water System in accordance with Chapter 34.

SECTION 3. The City council approves this Mixed Use District 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 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.

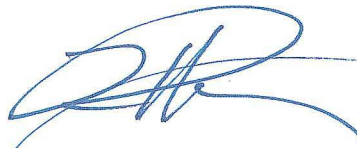
SECTION 7. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

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 May 29, 2022.

PASSED AND APPROVED this 19th day of May, 2022.


M A Y O R
Ron Nirenberg

ATTEST:


Debbie Racca-Sittre, City Clerk

APPROVED AS TO FORM:


Andrew Segovia, City Attorney



City of San Antonio

City Council Meeting May 19, 2022

21.

2022-05-19-0382

ZONING CASE Z-2021-10700353 ERZD (Council District 9): Ordinance amending the Zoning District Boundary from "C-2 CD GC-3 MLOD-1 MLR-2 ERZD" Commercial US 281 North Gateway Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District with a Conditional Use for a Home Improvement Center with Outside Storage and Grocery Store, "C-2 CD MLOD-1 MLR-2 ERZD" Commercial Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District with a Conditional Use for a Home Improvement Center with Outside Storage and Grocery Store, "C-3 GC-3 MLOD-1 MLR-2 ERZD" General Commercial US 281 North Gateway Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District and "C-3 MLOD-1 MLR-2 ERZD" General Commercial Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District to "MXD GC-3 MLOD-1 MLR-2 ERZD" Mixed Use US 281 North Gateway Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District with a maximum density of 18 units per acre and "MXD MLOD-1 MLR-2 ERZD" Mixed Use Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District with a maximum density of 18 units per acre on Lots 19-A (4.0482 acres), CB 4865; P-4D, CB 4900; P-19B (0.189 acres), CB 4865; P-4A (20.1759 acres), CB 4900; P-19D (0.069 acres) and P-19E (0.137 acres), CB 4865; P-4B (11.6729 acres) and P-4E (10.7031 acres), CB 4900; and P-3A (0.5333 acres), CB 4926, located at 2440 Celebration Drive and 2455 Celebration Drive, and 25560 US Highway 281 North. Staff, SAWS and Zoning Commission recommend Approval. (Associated Plan Amendment PA-2021-11600121)

Councilmember Courage moved to approve with amended site plan. Councilmember Viagran seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Sandoval, Courage, Pelaez, Castillo

Absent: Rocha Garcia, Perry, Cabello Havrda

Z-2021-10700353 ERZD

US Highway 281 & Overlook Parkway, San Antonio, TX

Gross Density: 18 units/acre

Acreage - 57.20 Acres

Current Zoning - C-2 CD for a Home Improvement Center/Storage/Grocery Store MLOD-1 MLR-2 Camp Bullis ERZD GC-3 & C-3 MLOD-1 MLR-2 Camp Bullis ERZD GC-3

Requested Zoning - MXD MLOD-1 MLR-2 Camp Bullis ERZD GC-3

Sector Plan - North Sector Plan

Current Land Use Designation - Suburban Tier

Proposed Land Use Designation - Mixed Use Center

I, William L. Hutton, Director of 281/Overlook GP. LLC, General Partner of 281/Overlook Partners, LP, 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.

The multi-family portion of the rezoning area may be gated, provided that the gates are open during regular business hours. In the event the City's Code is amended to lessen restrictions on gating in MXD zoning, this note shall no longer apply.

NOTE: Access points shown subject to change.

