

ORDINANCE

2021-12-16-1017

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 0.0275 acres out of NCB 14866 from "DR ERZD" Development Reserve Edwards Recharge Zone District to "RP S ERZD" Resource Protection Edwards Recharge Zone District with a Specific Use Authorization for a Wireless Communication System.

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 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 **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.

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.

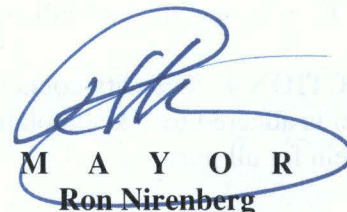
SECTION 9. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

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 December 26, 2021.

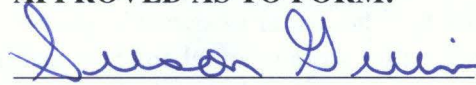
PASSED AND APPROVED this 16th day of December, 2021.


M A Y O R
Ron Nirenberg

ATTEST:


Debbie Racca-Sittre, Acting City Clerk

APPROVED AS TO FORM:


For Andrew Segovia, City Attorney



City of San Antonio

City Council Meeting December 16, 2021

71.

2021-12-16-1017

ZONING CASE Z-2020-10700203 S ERZD (Council District 8): Ordinance amending the Zoning District Boundary from "DR ERZD" Development Reserve Edwards Recharge Zone District to "RP S ERZD" Resource Protection Edwards Recharge Zone District with a Specific Use Authorization for a Wireless Communication System on 0.0275 acres out of NCB 14866, located at 325 Pueblo Pintado. Staff and Zoning Commission recommend Approval. (Continued from December 2, 2021)

Councilmember Pelaez moved to approve. Councilmember Courage seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Bravo, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Sandoval, Pelaez, Courage, Perry

No: McKee-Rodriguez



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METES AND BOUNDS
DESCRIPTION OF A
0.0275 ACRE TRACT OF LAND

A Metes and Bounds description of a 0.0275 acre (1,200 square feet) tract of land situated in the Caledonio Cadena Survey Number 422, Abstract Number 186, New City Block 14866, City of San Antonio, Bexar County, Texas; being a portion of that certain Lot 41, Block 22 of Sonoma Ranch Unit 4-B Subdivision, plat of which is recorded in Volume 9571, Page 110 of the Bexar County Deed and Plat Records; being the same Lot 41 described in instrument to SR Homeowner's Association, Inc. recorded in Volume 13235, Page 2008 of the Bexar County Real Property Records; and being more particularly described as follows:

COMMENCING at a 1/2-inch iron rod found situated in the northerly right-of-way line of Pueblo Pintado (50' wide private street) and marking the southeast corner of Lot 7, Block 20 of Sonoma Ranch Unit 4-A Subdivision, plat of which is recorded in Volume 9564, Page 208 of the Bexar County Deed and Plat Records, and marking the southwest corner of Lot 43, Block 22 of aforesaid Sonoma Ranch Unit 4-B;

THENCE, North 00°42'52" West, 200.00 feet along the common line of said Lots 43 and 7 to a point marking the northeast corner of Lot 7;

THENCE, over-and-across said Lot 41 and along the westerly line of a proposed 0.3140 acre right-of-way for ingress/egress and utilities the following two (2) courses and distances:

1. North 59°50'52" West, 52.43 feet to a point for corner;
2. North 00°42'52" West, 79.69 feet to a "P-K" nail (with shiner stamped "JONES CARTER") set for the southwest corner of the proposed leased premises and the POINT OF BEGINNING;

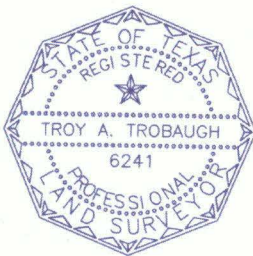
THENCE, North 00°42'52" West, 40.00 feet to a "P-K" nail (with shiner stamped "JONES CARTER") set for the northwest corner of the proposed leased premises

THENCE, North 89°17'08" East, 30.00 feet to a 1/2-inch iron rod (with cap stamped "JONES CARTER") set for the northeast corner of the proposed leased premises

THENCE, South 00°42'52" East, 40.00 feet to a "P-K" nail (with shiner stamped "JONES CARTER") set for the southeast corner of the proposed leased premises

THENCE, South 89°17'08" West, 30.00 feet to the POINT OF BEGINNING, containing 0.0275 acre of land in Bexar County, Texas as shown on Drawing No. 14188 filed under Job No. 01946-0592-00 in the office of JONES|CARTER, San Antonio, Texas.

Note: The bearings shown hereon are Texas State Coordinate System GRID, South Central Zone (NAD'83), as determined by Global Positioning System (GPS). The unit of linear measurement is U.S. Survey Feet. Please review the record instruments cited herein to compare the survey bearings and distances with the record calls.



JONES|CARTER, INC.
Texas Board of Professional Land Surveyors Registration No.100461-05

Troy A. Trobaugh

Troy A. Trobaugh
Registered Professional Land Surveyor #6241

Signature Date: April 3, 2020

Exhibit "A"

