

AN ORDINANCE 2006-05-18-0618

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SAN ANTONIO BY AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, SECTION 35-304, OFFICIAL ZONING MAP 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 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 15, Block 6, NCB 14761 from "DR ERZD" Development Reserve Edwards Recharge Zoning District to "RM-6 ERZD" Mixed Residential Edwards Recharge Zone District.

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 50%.

SECTION 3. 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 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 4. 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 5. 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 6. 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 7. 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.

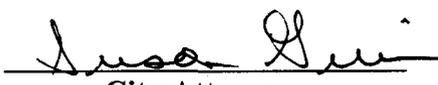
SECTION 8. If a court of competent jurisdiction enters a final judgment on the merits that is no longer subject to appeal and substantially limits or impairs the essential elements of sections one through five of this ordinance, then sections one through five are invalid and have no legal effect as of the date of entry of such judgment notwithstanding any other ordinance or provision of the City Code of San Antonio.

SECTION 9. This Ordinance shall become effective on May 28, 2006.

PASSED AND APPROVED this 18th day of May, 2006.

ATTEST: 
City Clerk


M A Y O R
PHIL HARBERGER

APPROVED AS TO FORM: 
for City Attorney

Agenda Voting Results

Name: Z-11.

Date: 05/18/06

Time: 06:30:26 PM

Vote Type: Multiple selection

Description: ZONING CASE #Z2006008 (District 8): An Ordinance amending the zoning district boundary from "DR ERZD" Development Reserve Edwards Recharge Zone District to "RM-6 ERZD" Mixed Residential Edwards Recharge Zone District on Lot 15, Block 6, NCB 4547, 15415 Red Robin Road as requested by Our Lady of the Atonement Catholic Church, Applicant, for Our Lady of the Atonement Catholic Church, Owner(s). Staff and Zoning Commission recommend Approval.

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1	Not present			
SHEILA D. MCNEIL	DISTRICT 2		x		
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5			x	
DELICIA HERRERA	DISTRICT 6		x		
ELENA K. GUAJARDO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
KEVIN A. WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10	Not present			
MAYOR PHIL HARDBERGER	MAYOR	Not present			

CASE NO: Z2006008

Staff and Zoning Commission Recommendation - City Council

City Council continuance from May 4, 2006

Date: May 18, 2006

Zoning Commission Meeting Date: February 21, 2006

Council District: 8

Ferguson Map: 513 D-5

Applicant:

Owner:

Our Lady of the Atonement Catholic Church

Our Lady of the Atonement Catholic Church

Zoning Request: From "DR ERZD" Development Reserve Edwards Recharge Zone District to "RM-6 ERZD" Mixed Residential Edwards Recharge Zone District

Lot 15, Block 6, NCB 14761

Property Location: 15415 Red Robin Road

West side of Red Robin Lane and Wild Eagle Road

Proposal: To construct and expand an existing school and church

Neighborhood Association: Hills and Dales Neighborhood Association

Neighborhood Plan: None

Traffic Impact Analysis

A Traffic Impact Analysis has been submitted in 2004. Current zoning is R-6 and would generate 38 hourly trips developed as single family use. The property is owned by Our Lady of the Atonement Catholic Church. The parcel is proposed to be zoned RM-6 and developed with a church and private school, both expansions to existing facilities. The proposed development is projected to generate 205 weekday morning trips per hour and 184 Sunday morning trips per hour in addition to the existing traffic volumes from the site. Access to the site is from local streets in the Hills and Dales subdivision.

Staff Recommendation:

Approval. The requested zoning from DR to RM-6 is for the expansion of an existing facility. RM-6 allows for the school and the church facility. The adjoining property is vacant and zoned DR. DR zoning is a temporary classification for annexed property. DR uses and development standards are those permitted in R-6.

SAWS recommendation is for approval. The property is classified as Category 1 property. The impervious cover shall not exceed 50% on the site.

Zoning Commission Recommendation:

Approval w/SAWS recommendations of 50%

VOTE

FOR 9

AGAINST 0

ABSTAIN 0

RECUSAL 0

CASE MANAGER : Richard Ramirez 207-5018

Z2006008

ZONING CASE NO. Z2006008 – February 21, 2006

Applicant: Our Lady of the Atonement Catholic Church

Zoning Request: “DR” ERZD Development Reserve Edwards Recharge Zone District to
“RM-6” ERZD Mixed Residential Edwards Recharge Zone District.

Jeff Tandra, 12940 Country Parkway, stated upon annexation of this property in December 2005, the property was tentatively zone “DR”. He stated they are requesting this change in zoning to allow for the expansion a private school on the subject property.

FAVOR

Michael Dolan, 3 Sanctuary, stated he is in support of this request. He stated the parish and the school provide a wonderful benefit to the community.

Father Christopher Phillips, 8015 Shady Hollow, stated strongly support this zoning change. He stated this academic year they have approximately 500 students enrolled which does give some relief to the overcrowded public schools.

Staff stated there were 8 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor and no response from Hills and Dales Neighborhood Association.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

COMMISSION ACTION

The motion was made by Commissioner Stribling and seconded by Commissioner McAden to recommend approval with all SAWS recommendations of 50% impervious cover and all of SAWS Recommendations.

SAWS Recommendations:

- a. SAWS recommends approval of the proposed land use.
- b. A category determination has not been submitted. Until such time the property is classified as a Category 2 property.
- c. SAWS recommends that the impervious cover on the site shall not exceed 30%.

Z2006008

1. Property is located on Lot 15, Block 6, NCB 4547 at 15415 Red Robin Road.
2. There were 8 notices mailed, 0 returned in opposition and 2 in favor.
3. Staff recommends approval.

**AYES: Avila, Robbins, Rodriguez, Gadberry, Sherrill, McAden, Martinez,
Stribling, Gray**

NAYS: None

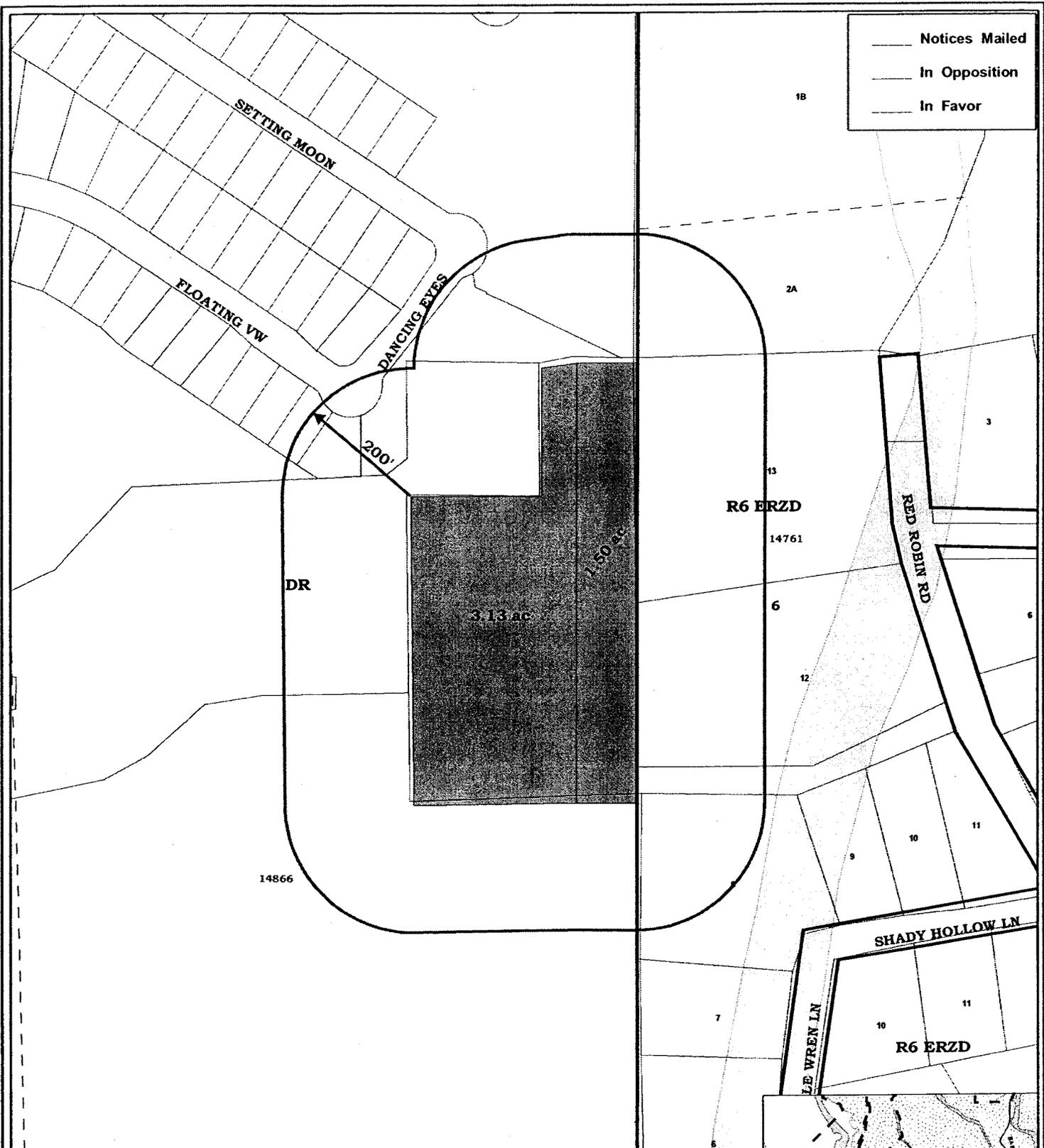
THE MOTION CARRIED

RESULTS OF COUNCIL HEARING May 4, 2006

City Council granted a continuance until May 18, 2006

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.



ZONING CASE: Z2006-008

City Council District No. 3
 Requested Zoning Change
 From "DR ERZD" To "RM-6 ERZD"
 Date: May 18, 2006
 Scale: 1" = 300'

- Subject Property
- 200' Notification



C:Feb. 7, 2006

