

AN ORDINANCE

2012-04-05-0262

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 204.509 acres out of NCB 17701 and 16334 from "C-2 ERZD AHOD MLOD" Commercial Edwards Recharge Zone Airport Hazard Overlay Military Lighting Overlay District, "C-1 ERZD AHOD MLOD" Light Commercial Edwards Recharge Zone Airport Hazard Overlay Military Lighting Overlay District, "MF-25 ERZD AHOD MLOD" Multi-Family Edwards Recharge Zone Airport Hazard Overlay Military Lighting Overlay District, "R-6 ERZD AHOD MSAO MLOD" Residential Single-Family Edwards Recharge Zone Airport Hazard Overlay Military Sound Attenuation Overlay Military Lighting Overlay District and "R-6 ERZD AHOD MLOD" Residential Single-Family Edwards Recharge Zone Airport Hazard Overlay Military Lighting Overlay District to "PUD R-6 ERZD AHOD MLOD" Planned Unit Development Residential Single-Family Edwards Recharge Zone Airport Hazard Overlay Military Lighting Overlay District on 191.202 acres, "PUD R-6 ERZD AHOD MSAO MLOD" Planned Unit Development Residential Single-Family Edwards Recharge Zone Airport Hazard Overlay Military Sound Attenuation Overlay Military Lighting Overlay District on 11.733 acres and "C-2 ERZD AHOD MLOD" Commercial Edwards Recharge Zone Airport Hazard Overlay Military Lighting Overlay District on 1.574 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. 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 30%.

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.

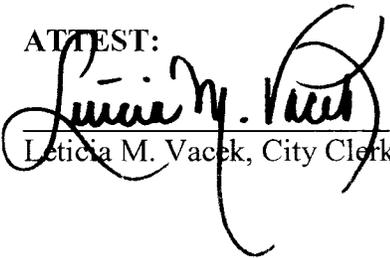
SECTION 10. This ordinance shall become effective April 15, 2012.

PASSED AND APPROVED this 5th day of April 2012.



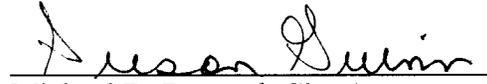
M A Y O R
Julián Castro

ATTEST:

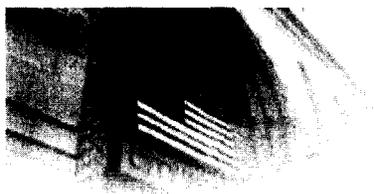


Leticia M. Vacek, City Clerk

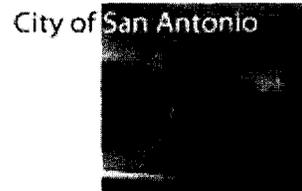
APPROVED AS TO FORM:



Michael D. Bernard, City Attorney
For



Request for
COUNCIL
ACTION



Agenda Voting Results - Z-10

Name:	Z-10						
Date:	04/05/2012						
Time:	03:56:59 PM						
Vote Type:	Motion to Approve						
Description:	<p>ZONING CASE # Z2012007 ERZD (District 9): An Ordinance amending the Zoning District Boundary from "C-2 ERZD AHOD MLOD" Commercial Edwards Recharge Zone Airport Hazard Overlay Military Lighting Overlay District, "C-1 ERZD AHOD MLOD" Light Commercial Edwards Recharge Zone Airport Hazard Overlay Military Lighting Overlay District, "MF-25 ERZD AHOD MLOD" Multi-Family Edwards Recharge Zone Airport Hazard Overlay Military Lighting Overlay District, "R-6 ERZD AHOD MSAO MLOD" Residential Single-Family Edwards Recharge Zone Airport Hazard Overlay Military Sound Attenuation Overlay Military Lighting Overlay District and "R-6 ERZD AHOD MLOD" Residential Single-Family Edwards Recharge Zone Airport Hazard Overlay Military Lighting Overlay District to "PUD R-6 ERZD AHOD MLOD" Planned Unit Development Residential Single-Family Edwards Recharge Zone Airport Hazard Overlay Military Lighting Overlay District on 191.202 acres, "PUD R-6 ERZD AHOD MSAO MLOD" Planned Unit Development Residential Single-Family Edwards Recharge Zone Airport Hazard Overlay Military Sound Attenuation Overlay Military Lighting Overlay District on 11.733 acres and "C-2 ERZD AHOD MLOD" Commercial Edwards Recharge Zone Airport Hazard Overlay Military Lighting Overlay District on 1.574 acres on 204.509 acres out of NCB 17701 and NCB 16334 located northeast of the intersection of Northwest Military Highway and North Loop 1604 West. Staff recommends approval of "PUD R-6" on the 11.733 acre tract and approval of "C-2" on the 1.574 acre tract and denial of "PUD R-6" on the 191.202 acre tract. Zoning Commission recommends approval.</p>						
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				
Leticia Ozuna	District 3		x				
Rey Saldaña	District 4		x				
David Medina Jr.	District 5	x					
Ray Lopez	District 6		x				
Cris Medina	District 7		x				

W. Reed Williams	District 8		x				
Elisa Chan	District 9		x			x	
Carlton Soules	District 10		x				x

FIELD NOTES
FOR

A 11.733 acre, or 5111,109 square feet, more or less, tract of land being out of the remaining portion of a 2325.9942 acre tract recorded in Volume 5553, Pages 103-130 of the Official Public Records of Real Property of Bexar County, Texas, out of the Collin C. McCrae Survey Number 391, Abstract 482, in New City Block 16334 in the City of San Antonio, Bexar County, Texas. Said 11.733 acres tract being more fully described as follows, with bearings based on the North American Datum of 1983 (CORS 1996), from the Texas Coordinate System established for the South Central Zone;

BEGINNING: At the northwest corner of a 165.8 acre tract recorded in Volume 9570, Pages 91-104 of the Official Public Records of Real Property of Bexar County, Texas;

THENCE: Along and with the west line of said 165.8 acre tract, the following bearings and distances:

S 04°34'24" W, a distance of 385.34 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

S 05°19'16" W, a distance of 302.40 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

S 03°57'32" E, a distance of 467.78 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

S 03°22'06" E, a distance of 356.26 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

S 24°55'40" E, a distance of 344.36 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

S 36°30'52" E, a distance of 161.48 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

S 25°01'02" E, a distance of 151.55 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

S 43°52'35" E, a distance of 195.67 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

S 64°19'14" E, a distance of 181.32 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

S 51°35'12" E, a distance of 194.12 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

S 53°57'31" E, a distance of 653.45 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

S 43°11'53" E, a distance of 218.33 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

S 67°47'38" E, a distance of 177.94 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

THENCE: Departing the west line of said 165.8 acre tract, over and across said remaining portion of a 2325.9942 acre tract, the following bearings and distances:

S 03°30'10" E, a distance of 78.38 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

S 22°07'58" W, a distance of 133.30 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

N 67°52'02" W, a distance of 155.25 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

N 38°25'56" W, a distance of 78.86 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

N 44°19'24" W, a distance of 71.12 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

N 37°11'37" W, a distance of 288.91 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

N 56°04'03" W, a distance of 876.69 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

N 42°19'18" W, a distance of 183.12 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

N 34°01'43" W, a distance of 327.98 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

N 25°15'35" W, a distance of 67.04 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

N 39°52'57" W, a distance of 69.47 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

Northwesterly, along a non-tangent curve to the right, said curve having a radial bearing of N 59°21'13" E, a radius of 1800.00 feet, a central angle of 06°53'54", a chord bearing and distance of N 27°11'50" W, 216.59 feet, for an arc length of 216.72 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

N 06°40'09" W, a distance of 72.72 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

Northwesterly, along a non-tangent curve to the right, said curve having a radial bearing of N 68°29'25" E, a radius of 1780.00 feet, a central angle of 15°29'25", a chord bearing and distance of N 13°45'52" W, 479.77 feet, for an arc length of 481.23 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

N 00°03'25" E, a distance of 663.06 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

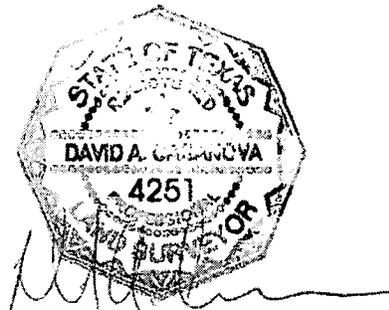
N 13°53'02" E, a distance of 272.45 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

N 29°07'48" E, a distance of 79.22 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

N 04°34'24" E, a distance of 100.39 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson", and

N 89°51'27" E, a distance of 85.50 feet to the POINT OF BEGINNING, and containing 11.733 acres in the City of San Antonio, Bexar County, Texas. Said tract being described in accordance with a survey made on the ground and a survey map prepared by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.
JOB No.: 9270-11
DATE: October 31, 2011
DOC. ID. N:\Survey\11\11-9200\9270-11\WORD\11.733 AC.doc
TBPE Firm Registration #470
TBPLS Firm Registration #100288-00





LAND DEVELOPMENT ENVIRONMENTAL TRANSPORTATION WATER RESOURCES SURVEYING

FIELD NOTE DESCRIPTION
FOR
C-2 ZONING

A 1.574 acre tract of land out of the Collin C. McCrae Survey Number 391, Abstract 482, partly in New City Block 17701 and partly in New City Block 16334 in the City of San Antonio, Bexar County, Texas. Said 1.574 acre tract being out of a 190.5 acre tract recorded in Volume 11309, Pages 1351-1358 and the remaining portion of a 2325.9942 acre tract recorded in Volume 5553, Pages 103-130, both of the Official Public Records of Real Property of Bexar County, Texas. Said 1.574 acre tract being more fully described as follows, with bearings based on the North American Datum of 1983 (CORS 1996), from the Texas Coordinate System established for the South Central Zone:

COMMENCING: At the south end of a cutback line at the intersection of the east right-of-way line of Shavano Ranch, a variable width right-of-way recorded in Volume 9574, Page 166 of the Deed and Plat Records of Bexar County, Texas and the northwest right-of-way line of F.M. Loop 1604, a variable width right-of-way;

THENCE: Along and with the east right-of-way line of said Shavano Ranch, the following bearings and distances:

N 48°56'06" W, a distance of 70.37 feet to a point;

N 03°56'06" W, a distance of 132.69 feet to a point;

Northwesterly, along a tangent curve to the left, said curve having a radius of 544.89 feet, a central angle of 26°32'32", a chord bearing and distance of N 17°12'22" W, 250.17 feet, for an arc length of 252.42 feet to a point;

Northwesterly, along a compound curve to the left, said curve having a radial bearing of S 59°31'21" W, a radius of 502.68 feet, a central angle of 28°54'49", a chord bearing and distance of N 44°56'03" W, 250.99 feet, for an arc length of 253.67 feet to the POINT OF BEGINNING;

Northwesterly, along a curve to the left, said curve having a radial bearing of S 30°36'32" W, a radius of 502.68 feet, a central angle of 02°49'56", a chord bearing and distance of N 60°48'26" W, 24.85 feet, for an arc length of 24.85 feet to a point;

THENCE: Departing the east right-of-way line of said Shavano Ranch, over and across said 190.5 acre tract and said remaining portion of a 2325.9942 acre tract, the following bearings and distances:

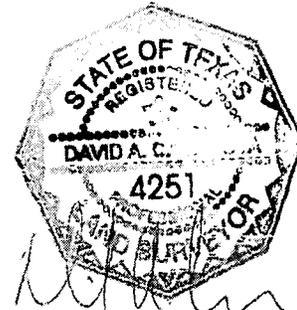
72012007

1.574 Acres
Job No. 9270-11
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N 77°06'31" E, a distance of 364.83 feet to a point;
S 73°50'13" E, a distance of 539.39 feet to a point;
S 86°01'36" W, a distance of 267.75 feet to a point;
N 76°12'12" W, a distance of 141.60 feet to a point;
N 89°29'34" W, a distance of 292.93 feet to a point;
N 75°53'28" W, a distance of 159.29 feet to the POINT OF BEGINNING and
containing 1.574 acres in the City of San Antonio, Bexar County, Texas.

"This document was prepared under 22TAC663.21, 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."

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: October 13, 2011
JOB NO. 9270-11
DOC. ID. N:\Survey11\11-9200\9270-11\WORD\ZONING 1.574 AC.doc
TBPE Firm Registration #470
TBPLS Firm Registration #100288-00





FIELD NOTE DESCRIPTION
FOR
R-6, PUD ZONING

A 191.202 acre tract of land out of the Collin C. McCrae Survey Number 391, Abstract 482, partly in New City Block 17701 and partly in New City Block 16334 in the City of San Antonio, Bexar County, Texas. Said 191.202 acre tract being out of a 190.5 acre tract recorded in Volume 11309, Pages 1351-1358 and the remaining portion of a 2325.9942 acre tract recorded in Volume 5553, Pages 103-130, both of the Official Public Records of Real Property of Bexar County, Texas. Said 191.202 acre tract being more fully described as follows, with bearings based on the North American Datum of 1983 (CORS 1996), from the Texas Coordinate System established for the South Central Zone:

COMMENCING: At the south end of a cutback line at the intersection of the east right-of-way line of Shavano Ranch, a variable width right-of-way recorded in Volume 9574, Page 166 of the Deed and Plat Records of Bexar County, Texas and the northwest right-of-way line of F.M. Loop 1604, a variable width right-of-way;

THENCE: Along and with the east right-of-way line of said Shavano Ranch, the following bearings and distances:

N 48°56'06" W, a distance of 70.37 feet to a point;

N 03°56'06" W, a distance of 132.69 feet to a point;

Northwesterly, along a tangent curve to the left, said curve having a radius of 544.89 feet, a central angle of 26°32'32", a chord bearing and distance of N 17°12'22" W, 250.17 feet, for an arc length of 252.42 feet to a point;

Northwesterly, along a compound curve to the left, said curve having a radial bearing of S 59°31'21" W, a radius of 502.68 feet, a central angle of 31°44'46", a chord bearing and distance of N 46°21'01" W, 274.97 feet, for an arc length of 278.52 feet to the POINT OF BEGINNING;

Northwesterly, along a curve to the left, said curve having a radial bearing of S 27°46'36" W, a radius of 502.68 feet, a central angle of 04°11'23", a chord bearing and distance of N 64°19'06" W, 36.75 feet, for an arc length of 36.76 feet to a point;

N 65°01'26" W, a distance of 45.91 feet to a point;

N 63°39'56" W, a distance of 160.57 feet to a point;

Northwesterly, along a non-tangent curve to the right, said curve having a radial bearing of N 26°19'43" E, a radius of 365.00 feet, a central angle of 65°53'27", a chord bearing and distance of N 30°43'34" W, 397.00 feet, for an arc length of 419.75 feet to a point;

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- N 02°13'10" E, a distance of 111.78 feet to a point, the northeast corner of said Shavano Ranch;
- THENCE: N 87°46'50" W, along and with the north line of said Shavano Ranch, a distance of 70.00 feet to a point, the west right-of-way line of said Shavano Ranch and the east line of Presidio Heights Unit 2A Subdivision recorded in Volume 9600, Page 170 of the Deed and Plat Records of Bexar County, Texas;
- THENCE: N 02°13'10" E, along and with the north line of said Presidio Heights Unit 2A Subdivision, a distance of 4.05 feet to a point
- THENCE: N 27°13'41" W, along and with the north line of said Presidio Heights Unit 2A Subdivision and the north line of the remaining portion of a 74.64 acre tract recorded in Volume 11353, Pages 152-159 of the Official Public Records of Bexar County, Texas, a distance of 690.17 feet to a point;
- THENCE: N 72°57'14" W, along and with the north line of said 74.64 acre tract and the north line of Presidio Heights Unit 2B Subdivision recorded in Volume 9591, Page 173 of the Deed and Plat Records of Bexar County, Texas, a distance of 1511.93 feet to a point;
- THENCE: S 62°04'32" W, along and with the north line of said Presidio Heights Unit 2B Subdivision, a distance of 710.25 feet to a point;
- THENCE: N 27°55'24" W, departing the north line of said Presidio Heights Unit 2B Subdivision and over and across said 190.5 acre tract, a distance of 1013.04 feet to a point, the north line of said 190.5 acre tract;
- THENCE: N 62°04'02" E, along and with the north line of said 190.5 acre tract, a distance of 1310.90 feet to a point;
- THENCE: N 54°04'02" E, along and with the north line of said 190.5 acre tract and over and across said remaining portion of a 2325.9942 acre tract, a distance of 2078.80 feet to a point;
- THENCE: Over and across said remaining portion of a 2325.9942 acre tract, the following calls and distances:
S 11°29'02" E, a distance of 232.05 feet to a point;
S 04°42'24" W, a distance of 306.54 feet to a point;
S 41°24'20" W, a distance of 63.85 feet to a point;
S 46°47'41" E, a distance of 32.88 feet to a point;
S 87°06'17" E, a distance of 55.01 feet to a point;
S 28°24'22" E, a distance of 780.46 feet to a point;

S 41°36'48" E, a distance of 221.42 feet to a point;
S 48°17'09" E, a distance of 336.13 feet to a point;
N 71°32'20" E, a distance of 138.09 feet to a point;
S 59°26'14" E, a distance of 261.06 feet to a point;
S 48°25'33" E, a distance of 505.16 feet to a point;
S 42°27'43" E, a distance of 461.51 feet to a point;
S 16°02'12" W, a distance of 81.35 feet to a point;
S 00°19'20" W, a distance of 231.12 feet to a point;
S 38°31'02" W, a distance of 375.13 feet to a point;
S 48°58'48" W, a distance of 398.96 feet to a point;
S 15°35'55" W, a distance of 411.66 feet to a point;
S 88°43'35" W, a distance of 179.70 feet to a point, the east line of said 190.5 acre tract;

THENCE: S 04°01'10" E, along and with the east line of said 190.5 acre tract, a distance of 279.06 feet to a point;

THENCE: Over and across said 190.5 acre tract, the following calls and distances:

N 73°50'13" W, a distance of 185.96 feet to a point;

S 77°06'31" W, a distance of 364.83 feet to the POINT OF BEGINNING and containing 191.202 acres in the City of San Antonio, Bexar County, Texas.

"This document was prepared under 22TAC663.21, 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."

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: October 13, 2011
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DOC. ID. N:\Survey11\11-9200\9270-11\WORD\ZONING 191.202 AC.doc
TBPE Firm Registration #470
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