

AN ORDINANCE 2011-10-06-0843

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 30.151 acres out of NCB 17700 from "QD S MLOD ERZD AHOD" Quarry Military Lighting Overlay Edwards Recharge Zone Airport Hazard Overlay District with a Specific Use Authorization for Blasting and Asphaltic Concrete and "QD CD S MLOD ERZD AHOD" Quarry Military Lighting Overlay Edwards Recharge Zone Airport Hazard Overlay District with a Conditional Use and a Specific Use Authorization for Blasting and Asphaltic Concrete to "MF-18 MLOD ERZD AHOD" Limited Density Multi-Family Military Lighting Overlay Edwards Recharge Zone Airport Hazard Overlay District on 8.552 acres and "C-2 MLOD ERZD AHOD" Commercial Military Lighting Overlay Edwards Recharge Zone Airport Hazard Overlay District on 21.599 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 65% on the commercially zoned areas and the impervious cover shall not exceed 50% on the multi-family zoned area.

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 October 16, 2011.

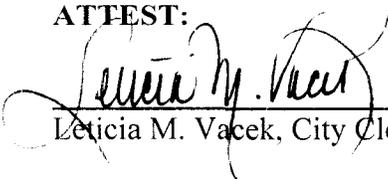
PASSED AND APPROVED this 6th day of October 2011.



M A Y O R

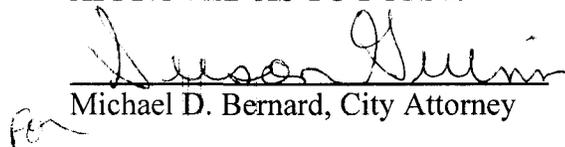
Julián Castro

ATTEST:

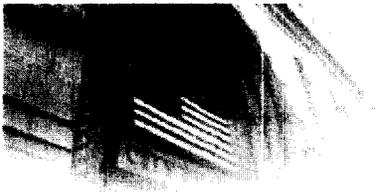


Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



Michael D. Bernard, City Attorney



Request for
COUNCIL
ACTION

City of San Antonio



Agenda Voting Results - Z-10

Name:	P-1, P-2, Z-1, Z-4, Z-6, Z-7, Z-8, Z-9, Z-10, Z-12						
Date:	10/06/2011						
Time:	02:20:15 PM						
Vote Type:	Motion to Approve						
Description:	<p>ZONING CASE # Z2011142 ERZD (District 8): An Ordinance amending the Zoning District Boundary from "QD S MLOD ERZD AHOD" Quarry Military Lighting Overlay Edwards Recharge Zone Airport Hazard Overlay District with a Specific Use Authorization for Blasting and Asphaltic Concrete and "QD CD S MLOD ERZD AHOD" Quarry Military Lighting Overlay Edwards Recharge Zone Airport Hazard Overlay District with a Conditional Use and a Specific Use Authorization for Blasting and Asphaltic Concrete to "MF-18 MLOD ERZD AHOD" Limited Density Multi-Family Military Lighting Overlay Edwards Recharge Zone Airport Hazard Overlay District on 8.552 acres and "C-2 MLOD ERZD AHOD" Commercial Military Lighting Overlay Edwards Recharge Zone Airport Hazard Overlay District on 21.599 acres on 30.151 acres out of NCB 17700 located northwest of the intersection of North Loop 1604 West and Northwest Military Highway. Staff recommends approval of C-2 and denial of MF-18. 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			x	
Ivy R. Taylor	District 2		x				
Jennifer V. Ramos	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				x
Elisa Chan	District 9		x				
Carlton Soules	District 10	x					



2011

LAND DEVELOPMENT ENVIRONMENTAL TRANSPORTATION WATER RESOURCES SURVEYING

FIELD NOTE DESCRIPTION
FOR
MF-18 ZONING

A 8.552 acre tract of land being out of a 95.5546 acre tract recorded in Volume 7431, Pages 1291-1294 of the Official Public Records of Real Property of Bexar County, Texas, out of the Collin C. McCrae Survey Number 391, Abstract 482, County Block 4782, now in New City Block (N.C.B.) 17700 in the City of San Antonio, Bexar County, Texas. Said 8.552 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 a set iron 1/2 inch rod with a yellow cap stamped "Pape Dawson" on the southwest right-of-way line of F.M. 1535, (Northwest Military Highway), for the north corner of a said 95.5546 acre tract and an east corner of a 379.311 acre tract recorded in Volume 2490, Pages 1505-1522 of the Official Public Records of Real Property of Bexar County, Texas;

THENCE: S 00°08'00" E, departing the southwest right-of-way line of said F.M. 1535, along and with the west line of said 95.5546 acre tract and the east line of said 379.311 acre tract, a distance of 1741.57 feet to the southeast corner of said 379.311 acre tract and the northeast corner of the remaining portion of the 109.977 acre tract recorded in Volume 3098, Pages 1061-1063 of the Official Public Records of Real Property of Bexar County, Texas;

THENCE: S 00°12'05" E, along and with the west line of said 95.5546 acre tract and the east line of said 109.977 acre tract at a distance of 927.85 feet passing the southeast corner of a said 109.977 acre tract and the northeast corner of 146.9 acre tract recorded in Volume 12046, Pages 2065-2076 of the Official Public Records of Real Property of Bexar County, Texas, continuing with the west line of said 109.977 acre tract and the east line of said 146.9 acre tract, for a total distance of 1843.52 feet to a point;

THENCE: S 00°10'02" E, along and with the west line of said 95.5546 acre tract and the east line of said 146.9 acre tract, a distance of 75.50 feet to a point;

THENCE: Departing the west line of said 95.5546 acre tract and the east line of said 146.9 acre tract, continuing over and across said 95.5546 acre tract, the following bearings and distances:

N 60°11'32" E, a distance of 243.75 feet to a the POINT OF BEGINNING of the herein described tract;

N 60°11'32" E, a distance of 922.00 feet to a point;

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N 28°45'50" W, a distance of 658.20 feet to a point;

N 62°03'52" E, a distance of 87.01 feet to a point;

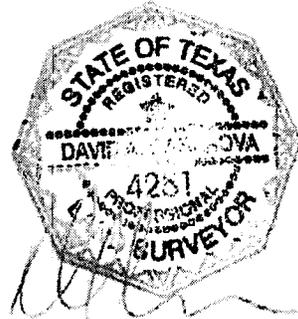
S 28°45'50" E, a distance of 978.27 feet to a point;

S 61°14'10" W, a distance of 1001.56 feet to a point;

N 30°08'05" W, a distance of 304.62 feet to the POINT OF BEGINNING and containing 8.552 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: May 20, 2011
JOB NO. 3869-01
DOC. ID. N:\CIVIL\3869-01\WORD\3869-01 FN 8.552 AC.doc
TBPE Firm Registration #470
TBPLS Firm Registration #100288-00





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LAND DEVELOPMENT ENVIRONMENTAL TRANSPORTATION WATER RESOURCES SURVEYING

FIELD NOTE DESCRIPTION
FOR
C-2 ZONING

A 8.068 acre tract of land being out of a 95.5546 acre tract recorded in Volume 7431, Pages 1291-1294 of the Official Public Records of Real Property of Bexar County, Texas, out of the Collin C. McCrae Survey Number 391, Abstract 482, County Block 4782, now in New City Block (N.C.B.) 17700 in the City of San Antonio, Bexar County, Texas. Said 8.068 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 a set iron 1/2 inch rod with a yellow cap stamped "Pape Dawson" on the southwest right-of-way line of F.M. 1535, (Northwest Military Highway), for the north corner of a said 95.5546 acre tract and an east corner of a 379.311 acre tract recorded in Volume 2490, Pages 1505-1522 of the Official Public Records of Real Property of Bexar County, Texas;

THENCE: S 00°08'00" E, departing the southwest right-of-way line of said F.M. 1535, along and with the west line of said 95.5546 acre tract and the east line of said 379.311 acre tract, a distance of 1742.14 feet to the southeast corner of said 379.311 acre tract and the northeast corner of the remaining portion of the 109.977 acre tract recorded in Volume 3098, Pages 1061-1063 of the Official Public Records of Real Property of Bexar County, Texas;

THENCE: S 00°12'05" E, along and with the west line of said 95.5546 acre tract and the east line of said 109.977 acre tract at a distance of 927.85 feet passing the southeast corner of a said 109.977 acre tract and the northeast corner of 146.9 acre tract recorded in Volume 12046, Pages 2065-2076 of the Official Public Records of Real Property of Bexar County, Texas, continuing with the west line of said 109.977 acre tract and the east line of said 146.9 acre tract, for a total distance of 1843.52 feet to a point;

THENCE: S 00°10'02" E, along and with the west line of said 95.5546 acre tract and the east line of said 146.9 acre tract, a distance of 75.50 feet to the POINT OF BEGINNING of the herein described tract;

THENCE: Departing the west line of said 95.5546 acre tract and the east line of said 146.9 acre tract, continuing over and across said 95.5546 acre tract, the following bearings and distances:

N 60°11'32" E, a distance of 243.78 feet to a point;

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S 30°08'05" E, a distance of 763.45 feet to a point, the northwest right-of-way line of Charles Anderson Loop F.M. 1604, a variable width right-of-way and the southeast line of the said 95.5546 acre tract;

THENCE: With the northwest right-of-way line of the Charles Anderson Loop F.M. 1604, the southeast line of the said 95.5546 acre tract the following bearings and distances:

S 59°17'14" W, a distance of 33.86 feet to a found highway monument with a brass plate;

S 62°01'24" W, a distance of 449.23 feet to a found highway monument with a brass plate;

S 48°57'07" W, a distance of 154.04 feet to a set iron ½ inch rod with a yellow cap stamped "Pape Dawson";

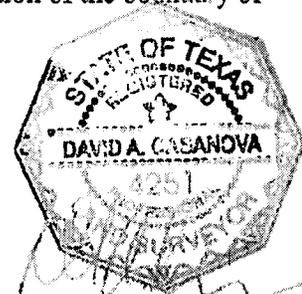
S 62°05'19" W, a distance of 55.87 feet to a found ½ inch iron rod, the southeast corner of Lot 3, Block 1, The Ridge (East) Subdivision recorded in Volume 9606, Page 9 of the Deed and Plat Records of Bexar County, Texas, the south corner of said 95.5546 acre tract;

THENCE: N 00°16'37" W, departing the northwest right-of-way line of the Charles Anderson Loop F.M. 1604, along and with the west line of said 95.5546 acre tract and the east line of Lot 3 and Lot 2 of the previously mentioned The Ridge (East) Subdivision, a distance of 425.96 feet to a found ½ inch iron rod, the southeast corner of said 146.9 acre tract and the northeast corner of said Lot 2;

THENCE: N 00°10'02" W, along and with the west line of the said 95.5546 acre tract and the east line of said 146.9 acre tract, a distance of 468.48 feet to the POINT OF BEGINNING and containing 8.068 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: May 20, 2011
JOB NO. 3869-01
DOC. ID. N:\CIVIL\3869-01\WORD\3869-01 FN 8.068 AC.doc
TBPE Firm Registration #470
TBPLS Firm Registration #100288-00



**PAPE-DAWSON
ENGINEERS**



2201 11-09

LAND DEVELOPMENT ENVIRONMENTAL TRANSPORTATION WATER RESOURCES SURVEYING

FIELD NOTE DESCRIPTION
FOR
C-2 ZONING

A 13.531 acre tract of land being out of a 95.5546 acre tract recorded in Volume 7431, Pages 1291-1294 of the Official Public Records of Real Property of Bexar County, Texas, out of the Collin C. McCrae Survey Number 391, Abstract 482, County Block 4782, now in New City Block (N.C.B.) 17700 in the City of San Antonio, Bexar County, Texas. Said 13.531 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;

BEGINNING: At a set iron 1/2 inch rod with a yellow cap stamped "Pape Dawson" on the southwest right-of-way line of F.M. 1535, (Northwest Military Highway), for the north corner of a said 95.5546 acre tract and an east corner of a 379.311 acre tract recorded in Volume 2490, Pages 1505-1522 of the Official Public Records of Real Property of Bexar County, Texas;

THENCE: S 27°55'24" E, along and with the southwest right-of-way line of said F.M. 1535 and the east line of said 95.5546 acre tract, a distance of 2543.44 feet to a point;

THENCE: Departing the southwest right-of-way line of said F.M. 1535 and the east line of said 95.5546 acre tract, over and across said 95.5546 acre tract, the following bearings and distances:

S 62°03'52" W, a distance of 549.53 feet to a point;

N 21°49'06" E, a distance of 614.83 feet to a point;

N 27°56'14" W, a distance of 930.57 feet to a point

S 62°03'46" W, a distance of 560.20 feet to a point, on the west line of said 95.5546 acre tract and the east line of said 379.311 acre tract;

THENCE: N 00°08'00" W, along and with the west line of said 95.5546 acre tract and the east line of said 379.311 acre tract, a distance of 1374.32 feet to the POINT OF BEGINNING and containing 13.531 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: July 6, 2011
JOB NO. 3869-01
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