

AN ORDINANCE 2015-02-19-0137

**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 1.346 acres out of Lots 18 and 19, Block 1, NCB 14756 from "O-1 ERZD MLOD-1" Office Edwards Recharge Zone Military Lighting Overlay District and "O-1 ERZD MLOD-1 UC-1" Office Edwards Recharge Zone Military Lighting Overlay IH-10/FM 1604 Urban Corridor District to "C-1" ERZD MLOD-1" Light Commercial Edwards Recharge Zone Military Lighting Overlay District and "C-1" ERZD MLOD-1 UC-1" Light Commercial Edwards Recharge Zone Military Lighting Overlay IH-10/FM 1604 Urban Corridor District on 0.280 acres out of NCB 14756 and "C-2NA" ERZD MLOD-1" Commercial Nonalcoholic Sales Edwards Recharge Zone Military Lighting Overlay District and "C-2NA" ERZD MLOD-1 UC-1" Commercial Nonalcoholic Sales Edwards Recharge Zone Military Lighting Overlay IH-10/FM 1604 Urban Corridor District on 1.066 acres out of NCB 14756.

**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 50%.

**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.

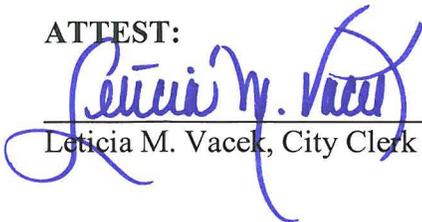
**SECTION 9.** If a court of competent jurisdiction enters a final judgment on the merits that is no longer subject to appeal and substantially limits or impairs the essential elements of sections one through five of this ordinance, then sections one through five are invalid and have no legal effect 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 March 1, 2015.

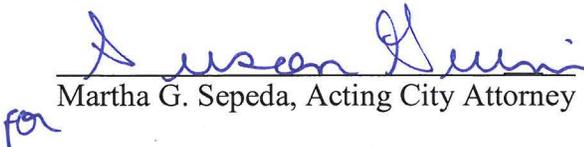
**PASSED AND APPROVED** this 19<sup>th</sup> day of February, 2015.

  
M A Y O R  
Ivy R. Taylor

**ATTEST:**

  
\_\_\_\_\_  
Leticia M. Vacek, City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
for Martha G. Sepeda, Acting City Attorney

<b>Agenda Item:</b>	<b>Z-13 ( in consent vote: P-6, Z-13 )</b>						
<b>Date:</b>	02/19/2015						
<b>Time:</b>	02:22:20 PM						
<b>Vote Type:</b>	Motion to Appr w Cond						
<b>Description:</b>	ZONING CASE # Z2015011 ERZD (District 8): An Ordinance amending the Zoning District Boundary from "O-1 ERZD MLOD-1" Office Edwards Recharge Zone Military Lighting Overlay District and "O-1 ERZD MLOD-1 UC-1" Office Edwards Recharge Zone Military Lighting Overlay IH-10/FM 1604 Urban Corridor District to "C-1" ERZD MLOD-1" Light Commercial Edwards Recharge Zone Military Lighting Overlay District and "C-1" ERZD MLOD-1 UC-1" Light Commercial Edwards Recharge Zone Military Lighting Overlay IH-10/FM 1604 Urban Corridor District on 0.280 acres out of NCB 14756 and "C-2NA" ERZD MLOD-1" Commercial Nonalcoholic Sales Edwards Recharge Zone Military Lighting Overlay District and "C-2NA" ERZD MLOD-1 UC-1" Commercial Nonalcoholic Sales Edwards Recharge Zone Military Lighting Overlay IH-10/FM 1604 Urban Corridor District on 1.066 acres out of NCB 14756 all on 1.346 acres out of NCB 14756 located at 7203 Green Glen. Staff and Zoning Commission recommend approval pending the plan amendment. (Associated Plan Amendment 14083) (Continued from January 15, 2015)						
<b>Result:</b>	Passed						
<b>Voter</b>	<b>Group</b>	<b>Not Present</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Motion</b>	<b>Second</b>
Ivy R. Taylor	Mayor		x				
Roberto C. Trevino	District 1		x				
Alan Warrick	District 2		x				
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7		x				x
Ron Nirenberg	District 8		x			x	
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				

**LEGAL DESCRIPTION  
TRACT 1  
0.280 ACRES  
OF LAND**

0.280 acres of land being a portion of Lot 18, Block 1, NCB 14756, Cuatro's Corner, according to the map or plat thereof recorded in Volume 9603, Page 208, Deed and Plat Records of Bexar County, Texas; said 0.280 acres being more particularly described as follows:

**COMMENCING**, at a found 1/2 inch iron rod located in the northerly line of Green Glen (60.00' right of way) and marking the southeasterly corner of said Lot 18, same being the southwesterly corner of Lot 19, Block 1, NCB 14756 of said Cuator's Corner;

**THENCE**, South 79deg 01' 03" West, along the northerly line of said Green Glen, a distance of 67.63 feet, to the **POINT OF BEGINNING** of the herein described tract of land;

**THENCE**, South 79deg 01' 03" West, continuing along the northerly line of Green Glen, a distance of 33.61 feet, to a set 1/2 inch iron rod with KHA cap;

**THENCE**, North 35deg 44' 51" West, continuing along the northerly line of Green Glen, a distance of 28.08 feet, to a set 1/2 inch iron rod with KHA cap located in the southeasterly line of Oak Grove (60.00' right of way);

**THENCE**, North 24deg 16' 08" East, along the southeasterly line of Oak Grove, a distance of 193.90 feet, to a set 1/2 inch iron rod with KHA cap; said rod further being the most northerly corner of said Lot 18;

**THENCE**, South 61deg 21' 02" East, leaving the southeasterly line of said Oak Grove and along the northeasterly line of said Lot 18, a distance of 73.35 feet, to a point;

**THENCE**, South 30deg 55' 51" West, crossing said Lot 18, a distance of 184.18 feet, to the **POINT OF BEGINNING** and containing 0.280 acres (12,197 square feet) of land, more or less.

*James W Russell 11/7/15*

James W. Russell  
Registered Professional Land Surveyor No. 4230  
Kimley-Horn and Associates, Inc.  
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San Antonio, Texas 78216  
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[jim.russell@kimley-horn.com](mailto:jim.russell@kimley-horn.com)  
TBPLS Firm No. 10193973



LEGAL DESCRIPTION

TRACT 2  
1.066 ACRES  
OF LAND

1.066 acres of land being a portion of Lot 18, Block 1, NCB 14756 and all of Lot 19, Block 1, NCB 14756, Cuatro's Corner, according to the map or plat thereof recorded in Volume 9603, Page 208, Deed and Plat Records of Bexar County, Texas; said 1.066 acres being more particularly described as follows:

**BEGINNING**, at a found brass disk marking the northeasterly end of a cutback corner at the intersection of northwesterly line of Babcock Road (variable width right of way) with the northerly line of Green Glen (60.00' right of way);

**THENCE**, South 75deg 54' 49" West, along said cutback corner, a distance of 42.07 feet, to a found ½ inch iron rod located in the northerly line of said Green Glen;

**THENCE**, North 59deg 00' 30" West, along the northerly line of said Green Glen, a distance of 151.87 feet, to a found ½ inch iron rod; said rod further marking the most westerly corner of said Lot 19, same being the southeasterly corner of said Lot 18;

**THENCE**, South 79deg 01' 03" West, continuing along the northerly line of Green Glen, a distance of 67.63 feet, to a set ½ inch iron rod with KHA cap;

**THENCE**, North 30deg 55' 51" East, crossing said Lot 18, a distance of 184.18 feet, to a set ½ inch iron rod with KHA cap located in the northeasterly line of said Lot 18;

**THENCE**, South 61deg 21' 02" East, along the northeasterly line of said Lot 18 and Lot 19, a distance of 111.90 feet, to a found ½ inch iron rod marking an interior corner of said Lot 19;

**THENCE**, North 24deg 15' 22" East, along the westerly line of said Lot 19, a distance of 89.67 feet, to a set ½ inch iron rod with KHA cap marking the most northerly corner of said Lot 19;

**THENCE**, South 61deg 15' 42" East, along the northeasterly line of said Lot 19, a distance of 143.76 feet, to a found brass disk locate in the northwesterly line of the aforesaid Babcock Road and marking the most easterly corner of said Lot 19;

**THENCE**, along the northwesterly line of Babcock Road, the following courses:

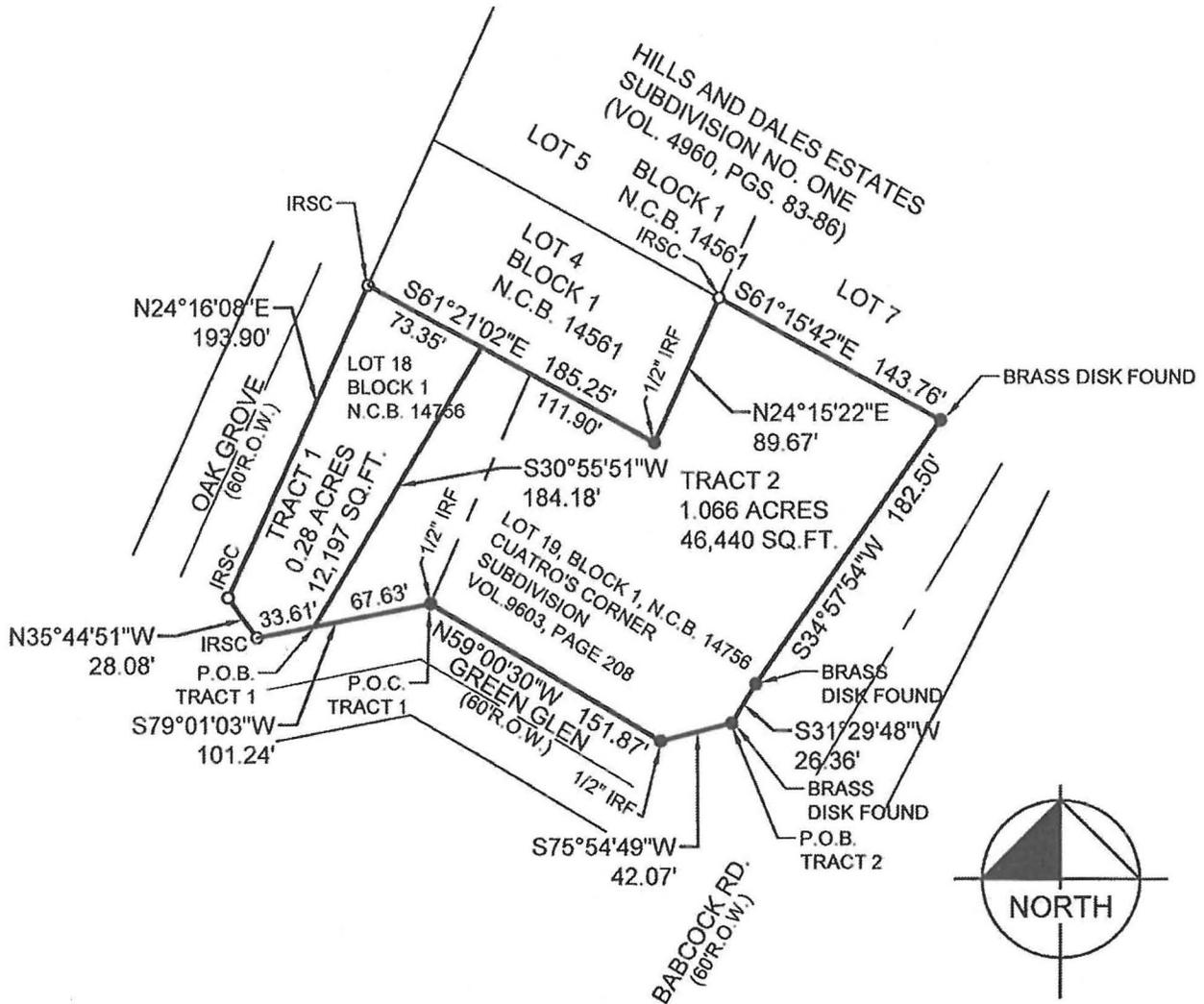
South 34deg 57' 54" West, a distance of 182.50 feet, to a found brass disk;

South 31deg 29' 48" West, a distance of 26.36 feet, to the **POINT OF BEGINNING** and containing 1.066 acres (46,440 square feet) of land, more or less.

*James W. Russell 1/7/15*

James W. Russell  
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TBPLS Firm No. 10193973





**ZONING EXHIBIT**

0.280 acres of land being a portion of Lot 18, and 1.066 acres of land being a portion of lot 18, and all of lot 19, Block 1, NCB 14756, Cuatro's Corner, according to the map or plat thereof recorded in Volume 9603, Page 208, Deed and Plat Records of Bexar County, Texas.

JAMES W. RUSSELL  
 REGISTERED PROFESSIONAL  
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1"=100'	MAV	JWR	01/07/2015	068802017	1 OF 3