

AN ORDINANCE 2013-06-06-0410

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 15.931 acres out of NCB 14859 from "C-3 ERZD MLOD-1" General Commercial Edwards Recharge Zone Camp Bullis Military Lighting Overlay District and "C-3 ERZD MLOD-1 UC-1" General Commercial Edwards Recharge Zone Camp Bullis Military Lighting Overlay IH-10/FM 1604 Urban Corridor District to "MF-33 ERZD MLOD-1" Multi-Family Edwards Recharge Zone Camp Bullis Military Lighting Overlay District and "MF-33 ERZD MLOD-1 UC-1" Multi-Family Edwards Recharge Zone Camp Bullis Military Lighting Overlay IH-10/FM 1604 Urban Corridor District.

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 62%.

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.

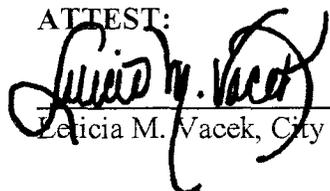
SECTION 8. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

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 June 16th, 2013.

PASSED AND APPROVED this 6th day of June, 2013.

ATTEST:

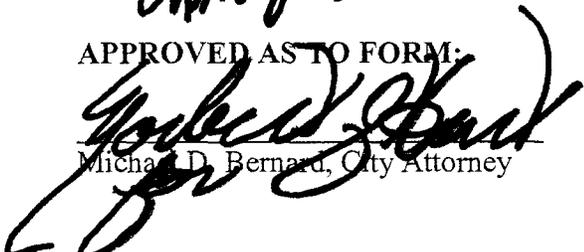


Leticia M. Vacek, City Clerk

M A Y O R

Julián Castro

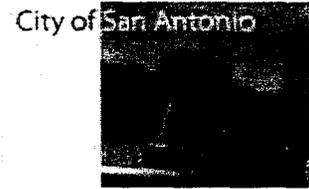

APPROVED AS TO FORM:



Michael D. Bernard, City Attorney



Request for
COUNCIL
ACTION



Agenda Voting Results - Z-12

| | | | | | | | |
|---------------------|---|--------------------|------------|------------|----------------|---------------|---------------|
| Name: | Z-12 | | | | | | |
| Date: | 06/06/2013 | | | | | | |
| Time: | 02:26:04 PM | | | | | | |
| Vote Type: | Motion to Appr w Cond | | | | | | |
| Description: | ZONING CASE # Z2013081 ERZD (District 8): An Ordinance amending the Zoning District Boundary from "C-3 ERZD MLOD-1" General Commercial Edwards Recharge Zone Camp Bullis Military Lighting Overlay District and "C-3 ERZD MLOD-1 UC-1" General Commercial Edwards Recharge Zone Camp Bullis Military Lighting Overlay IH-10/FM 1604 Urban Corridor District to "MF-33 ERZD MLOD-1" Multi-Family Edwards Recharge Zone Camp Bullis Military Lighting Overlay District and "MF-33 ERZD MLOD-1 UC-1" Multi-Family Edwards Recharge Zone Camp Bullis Military Lighting Overlay IH-10/FM 1604 Urban Corridor District on 16.07 acres out of NCB 14859 located at 15502 Babcock Road. Staff and Zoning Commission recommend approval. (Continued from May 16, 2013) | | | | | | |
| 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 | | | | |
| Rebecca Viagran | 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 | | | | x |
| Carlton Soules | District 10 | | x | | | | |

Z 2013081 ER21



LAND DEVELOPMENT ENVIRONMENTAL TRANSPORTATION WATER RESOURCES SURVEYING

FIELD NOTES
FOR
ZONING

A 15.931 acre, or 693,969 square feet, tract of land being out of that 38.71 acres recorded in Volume 6500, Page 1683-1692 out of that 200.000 acre tract recorded in Volume 1834, Page 37-48 of the Official Public Records of Real Property of Bexar County, Texas, out of the Jose M. Perez Survey No. 436, Abstract 593, County Block 4723, now in New City Block (N.C.B.) 14859 of the City of San Antonio, Bexar County, Texas and being more particularly described as follows with bearings based on the Texas Coordinate System for the South Central Zone:

BEGINNING: At a found iron rod, at the southeast corner of Lot 2, Block 3, N.C.B. 16601 the University Hills Unit 8-B recorded in Volume 9539, Page 38 of the Deed and Plat Records of Bexar County, Texas, said point being on the north right-of-way line of Charles Anderson Loop - Loop 1604, a variable width right-of-way;

THENCE: N 07°40'02" W, along and with the east line of the said Lot 2 (bearing given by plat as N 07°25'43" W) at a distance of 221.00 feet passing a found ½" iron rod with cap marked Castella at the northeast corner of said Lot 2 and continuing over and across said 38.71 acre tract for a total distance of 250.01 feet to a point;

THENCE: Over and across said 38.71 acre tract the following calls and distances:
S 82°19'58" W, a distance of 118.11 feet to a point;
S 41°45'05" W, a distance of 31.93 feet to a point;

THENCE: N 58°51'38" W, a distance of 158.17 feet to a point on the on the east right-of-way line of Babcock Road, a variable width right-of-way, the west line of the said 200.000 acre tract, from which a found ½" iron rod at the northern most corner of said Lot 2 bears S 27°09'52" W, a distance of 15.04 feet;

THENCE: Along and with the easterly right-of-way line of Babcock Road as follows:
N 27°09'52" E, a distance of 276.23 feet to a found Texas Department of Transportation (TxDOT) monument with brass plate;
N 31°12'16" E, a distance of 222.86 feet to a found iron rod with cap marked "Pape-Dawson", at a point of curvature;
Northeasterly, and northerly, with a curve to the left, said curve having a radial bearing of N 58°51'37" W a radius of 849.02 feet, a central angle of 09°34'07", a chord bearing and distance of N 26°21'20" E, 141.63 feet, for an arc length of 141.79 feet to a found ½" iron rod at a point of intersection of a non-tangent line;
N 32°06'29" E, a distance of 112.00 feet to a found ½" iron rod, at an angle point;

15.931 Acres
Babcock-1604
6009-00

N 00°50'02" E, a distance of 179.29 feet to found iron rod with cap marked "Pape-Dawson" at a point of cusp, the westerly southwest corner of a 12.407 acre tract recorded in Volume 5066, Page 525-530 of the Official Public Records of Real Property of Bexar County, Texas, the southwest corner of that dedication to right-of-way of the Chase Hill Elementary Subdivision recorded in Volume 9534, Page 42 of the deed and Plat Records of Bexar County, Texas;

THENCE: Southerly, southeasterly, and easterly, with a curve to the left, said curve having a radius of 25.00 feet, a central angle of 89°59'37", a chord bearing and distance of S 44°09'47" E, 35.35 feet, for an arc length of 39.27 feet to a set ½" iron rod with cap marked "Pape-Dawson" at a point of tangency;

THENCE: S 89°09'35" E, a distance of 8.88 feet to a set ½" iron rod with cap marked "Pape-Dawson" at a point of curvature;

THENCE: Easterly, with a curve to the left, said curve having a radius of 370.00 feet, a central angle of 23°06'45", a chord bearing and distance of N 79°17'03" E, 148.24 feet, passing a found ½" iron rod at the curve return of Lot 20, Block 1, New City Block 14859 of said Chase Hill Elementary and continuing with the south line of said Lot 20 for a total arc length of 149.25 feet to found ½" iron rod with yellow cap marked "Pape-Dawson" at a point of tangency, in the south line of said Lot 20;

THENCE: N 67°43'40" E, a distance of 28.89 feet to a found iron rod with cap marked "Pape-Dawson" on the west line of a 15-foot wide sanitary sewer easement as shown on plat of the University Hills Subdivision Unit 1 recorded in Volume 7600, Page 222 of the Deed and Plat Records of Bexar County, Texas, the northwest corner of Lot 21, Block 1, Topanga Apartments Subdivision recorded in Volume 9538, Page 179 of said Deed and Plat Records and the northeast corner of this tract;

THENCE: Departing said south line of Lot 20 and with the west line of said 15-foot sanitary sewer easement and said Lot 21, Block 1, being the west line of said Topanga Apartments Subdivision the following calls and distances:

S 08°13'30" W, a distance of 58.72 feet to a found ½" iron rod with yellow cap marked "Pape Dawson";

S 54°03'44" E, a distance of 85.72 feet to a found ½" iron rod with yellow cap marked "Pape Dawson";

S 29°56'03" E, a distance of 188.76 feet to a found ½" iron rod with yellow cap marked "Pape Dawson";

15.931 Acres
Babcock-1604
6009-00

S 37°11'59" E, a distance of 263.79 feet to a found ½" iron rod with yellow cap marked "Pape Dawson";

S 17°12'00" E, a distance of 277.36 feet to a found ½" iron rod with yellow cap marked "Pape Dawson";

S 02°43'09" W, a distance of 275.20 feet to a found ½" iron rod with yellow cap marked "Pape Dawson";

S 43°42'00" E, a distance of 93.74 feet to a found ½" iron rod with yellow cap marked "Pape Dawson" on the aforementioned north right-of-way line of Loop 1604 and being the southwest corner of said Lot 21, said point also being the southeast corner of this tract;

THENCE: With the north right-of-way line of Loop 1604 the following calls and distances:

S 82°19'58" W, (bearing S 82°34'17" W by TxDOT) a distance of 231.14 feet to a found ½" iron rod;

S 89°33'07" W, (bearing S 89°47'26" W by TxDOT) a distance of 358.09 feet to a found ½" iron rod;

THENCE: S 82°19'58" W, (bearing S 82°34'17" W by TxDOT) a distance of 127.82 feet to the POINT OF BEGINNING, and containing 15.931 acres in the City of San Antonio, Bexar County, Texas. Said tract being described in accordance with a survey made on the ground on 12th April, 2013- and a survey description and map prepared under job number 9107-13 by Pape-Dawson Engineers.

"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 1, 2013

Job No: 6009-00, 9107-13

File: N:\survey13\13-9100\9107-13\word\9107-13 zoning fieldnotes.docx

TBPE Firm Registration # 470

TBPLS Firm Registration #100288-00.

