

AN ORDINANCE 2014 - 01 - 16 - 0043

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 9.654 acres out of Lots 2, 5 and 7, Block 4, NCB 15671 from "C-3 ERZD MLOD-1" General Commercial Edwards Recharge Zone Camp Bullis Military Lighting Overlay District and "C-3 S ERZD MLOD-1" General Commercial Edwards Recharge Zone Camp Bullis Military Lighting Overlay District with a Specific Use Authorization for Business Uses to "MF-33 ERZD MLOD-1" Multi-Family Edwards Recharge Zone Camp Bullis Military Lighting Overlay 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 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.

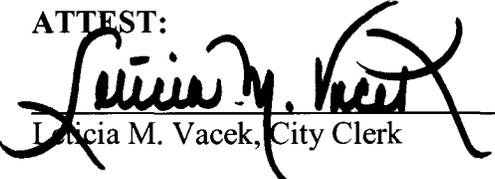
SECTION 9. If a court of competent jurisdiction enters a final judgment on the merits that is no longer subject to appeal and substantially limits or impairs the essential elements of sections one through five of this ordinance, then sections one through five are invalid and have no legal effect as of 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 January 26, 2014.

PASSED AND APPROVED this 16th day of January 2014.


MAYOR
Julián Castro

ATTEST:


Lúcia M. Vacek, City Clerk

APPROVED AS TO FORM:


Robert F. Greenblum, City Attorney
For

Agenda Item:	Z-16						
Date:	01/16/2014						
Time:	02:15:45 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2013217 ERZD (District 9): 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 S ERZD MLOD-1" General Commercial Edwards Recharge Zone Camp Bullis Military Lighting Overlay District with a Specific Use Authorization for Business Uses to "MF-33 ERZD MLOD-1" Multi-Family Edwards Recharge Zone Camp Bullis Military Lighting Overlay District on 9.654 acres out of Lots 2, 5 and 7, Block 4, NCB 15671 located on portions of the 1800 and 1900 Blocks of East Sonterra Boulevard, the 1800 Block of North Loop 1604 East, and the 18400 Block of North US Highway 281. Staff and Zoning Commission recommend approval.						
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				
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				x
Cris Medina	District 7	x					
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x			x	
Carlton Soules	District 10		x				

BURY

9.654 ACRES
 (420,508 Sq. Ft.)
 101219-50005ex1R4.DWG

FN NO. 101219-50005-1R5
 JULY 17, 2013
 JOB NO. 101219-50005

FIELD NOTE DESCRIPTION

OF A 9.654 ACRE TRACT OF LAND LOCATED IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, BEING A PORTION OF LOT 2, BLOCK 4, LOT 5, BLOCK 4 AND LOT 7, BLOCK 4, NCB 15671, LEGACY SUBDIVISION, A SUBDIVISION OF RECORD IN VOLUME 9564, PAGES 150-155 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS; SAID 9.654 ACRES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, WITH ALL BEARINGS BEING REFERENCED TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SONTERRA BOULEVARD AS SHOWN ON PLAT OF LEGACY SUBDIVISION AS RECORDED IN VOLUME 9564, PAGES 150-155, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, BEING N 28° 34' 01" W:

COMMENCING, AT A SET ½ INCH IRON ROD WITH BPI CAP LOCATED IN THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SONTERRA BOULEVARD (86' R.O.W.), BEING IN THE IRREGULAR NORTHERLY LINE OF SAID LOT 7, BLOCK 4, SAME BEING THE NORTHEASTERLY CORNER OF SAID LOT 2, BLOCK 4;

THENCE, N 28° 34' 01" W, ALONG A PORTION OF THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SONTERRA BOULEVARD, BEING A PORTION OF THE NORTHERLY LINE OF SAID LOT 2, BLOCK 4, A DISTANCE OF 118.04 FEET TO A SET ½ INCH IRON ROD WITH BPI CAP FOR THE **POINT OF BEGINNING**, OF THE HEREIN DESCRIBED TRACT;

THENCE, LEAVING THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SONTERRA BOULEVARD, INTO AND ACROSS SAID LOT 2, BLOCK 4, SAID LOT 7, BLOCK 4, AND SAID LOT 5, BLOCK 4, THE FOLLOWING COURSES:

S 61° 26' 06" W, A DISTANCE OF 367.30 FEET TO A SET ½ INCH IRON ROD WITH BPI CAP;

SOUTHWESTERLY, ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 112.50 FEET, A CENTRAL ANGLE OF 43° 55' 01", AN ARC LENGTH OF 86.23 FEET AND A CHORD BEARING: S 83° 23' 36" W, A DISTANCE OF 84.14 FEET TO A SET ½ INCH IRON ROD WITH BPI CAP;

N 74° 38' 53" W, A DISTANCE OF 508.13 FEET TO A SET PK NAIL FOR THE SOUTHWESTERLY CORNER HEREOF;

N 15° 21' 07" E, A DISTANCE OF 412.70 FEET TO A SET PK NAIL;

ATTACHMENT A

S 74° 38' 53" E, A DISTANCE OF 156.12 FEET TO A SET ½ INCH IRON ROD WITH BPI CAP;

N 15° 21' 07" E, A DISTANCE OF 149.82 FEET TO A SET ½ INCH IRON ROD WITH BPI CAP;

N 46° 10' 13" E, A DISTANCE OF 54.69 FEET TO A SET PK NAIL;

N 15° 21' 43" E, A DISTANCE OF 116.37 FEET TO A SET PK NAIL IN THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SONTERRA BOULEVARD;

THENCE, ALONG THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SONTERRA BOULEVARD, THE FOLLOWING COURSES:

SOUTHEASTERLY, ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 650.00 FEET, A CENTRAL ANGLE OF 02° 30' 18", AN ARC LENGTH OF 28.42 FEET AND A CHORD BEARING S 69° 28' 48" E, A DISTANCE OF 28.41 FEET TO A SET PK NAIL;

S 73° 26' 39" E, PASSING AT A DISTANCE OF 28.51 FEET A FOUND PK NAIL MARKING THE NORTHEASTERLY CORNER OF SAID LOT 5, BLOCK 4, BEING THE NORTHWESTERY CORNER OF SAID LOT 7, BLOCK 4, AND CONTINUING FOR A TOTAL DISTANCE OF 53.34 FEET TO A SET PK NAIL;

SOUTHEASTERLY, ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 657.00 FEET, A CENTRAL ANGLE OF 35° 01' 25", AN ARC LENGTH OF 401.61 FEET AND A CHORD BEARING S 46° 04' 43" E, A DISTANCE OF 395.39 FEET TO A SET ½ INCH IRON ROD WITH BPI CAP;

S 28° 34' 01" E, A DISTANCE OF 342.72 FEET TO THE **POINT OF BEGINNING**, CONTAINING AN AREA OF 9.654 ACRES (420,508 SQ. FT.) OF LAND, MORE OR LESS.

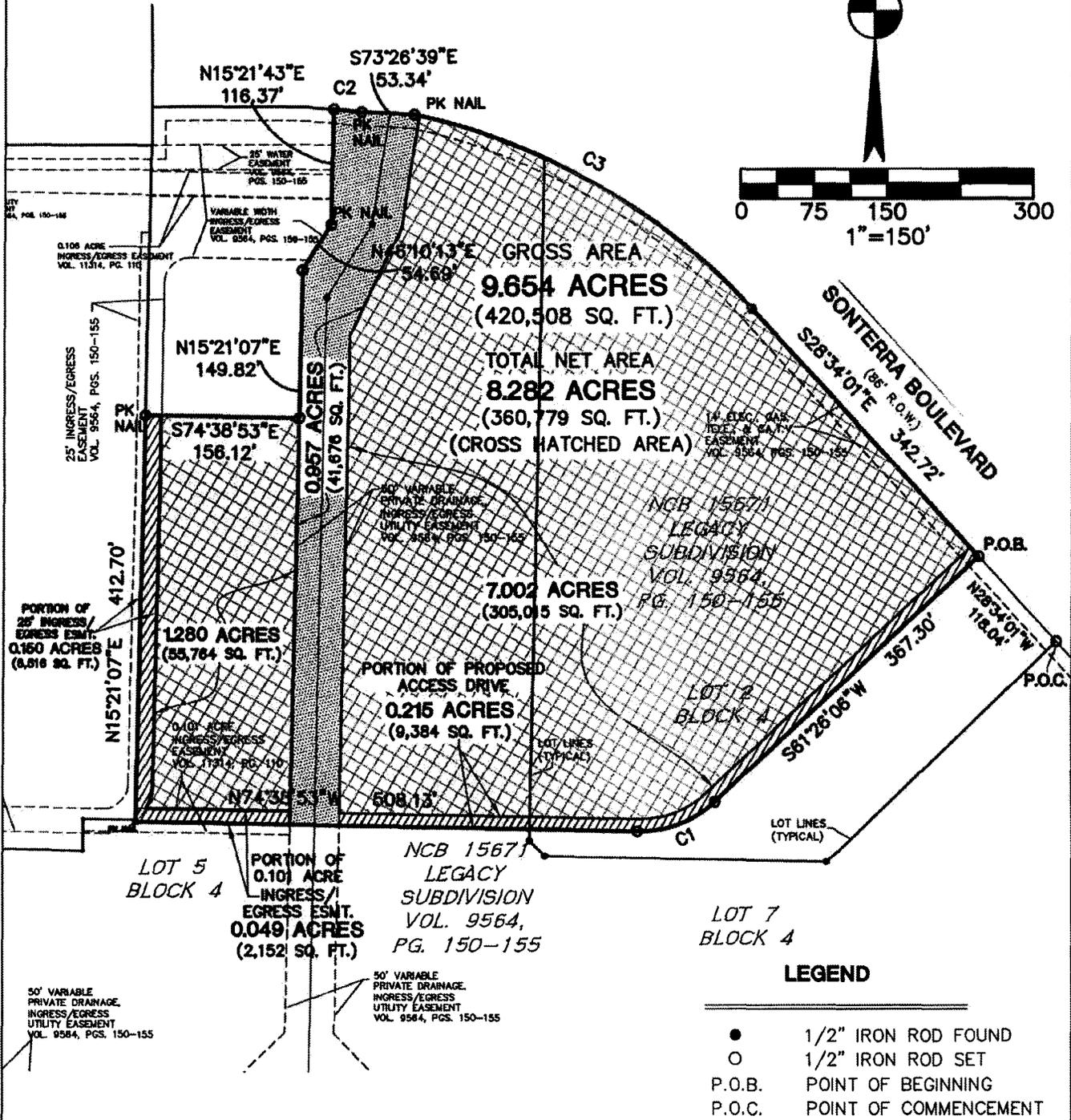
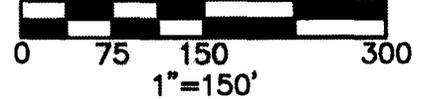
Hal B. Lane III 01/09/14
HAL B. LANE III
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NUMBER 4690
BURY+PARTNERS, INC.
922 ISOM ROAD, SUITE 100
SAN ANTONIO, TEXAS 78216
210/525-9090



CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD DIRECTION	CHORD
C1	43°55'01"	112.50	86.23	S83°23'36"W	84.14
C2	02°30'18"	650.00	28.42	S69°28'48"E	28.41
C3	35°01'25"	657.00	401.61	S46°04'43"E	395.39

Z2013217 ERZD



LEGEND

- 1/2" IRON ROD FOUND
- 1/2" IRON ROD SET
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT

BURY

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 San Antonio, TX 78218
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 TBPE Registration Number F-1048
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SKETCH TO ACCOMPANY DESCRIPTION OF

OF A 9.654 ACRE TRACT OF LAND LOCATED IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, BEING A PORTION OF LOT 2, BLOCK 4, LOT 5, BLOCK 4 AND LOT 7, BLOCK 4, NCB 15671, LEGACY SUBDIVISION, A SUBDIVISION OF RECORD IN VOLUME 9564, PAGES 150-155 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS

EMBREY PARTNERS