

AN ORDINANCE 2007-03-01-0245

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SAN ANTONIO BY AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, SECTION 35-304, OFFICIAL ZONING MAP 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 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 1.592 acres out of NCB 16331 from “C-3 R” ERZD General Commercial Restrictive Alcohol Sales Edwards Recharge Zone District to “C-3” ERZD General Commercial Edwards Recharge Zone District.

SECTION 2. A description of the property is attached as Exhibit "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%.

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 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 on March 11, 2007.

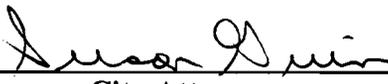
PASSED AND APPROVED this 1st day of March, 2007.



M A Y O R

PHIL HARDBERGER

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
For City Attorney

Agenda Voting Results

Name: Z-1. ZONING CASE # Z2007025

Date: 03/01/07

Time: 03:16:42 PM

Vote Type: Multiple selection

Description: Z-1. ZONING CASE # Z2007025 (District 9): An Ordinance changing the zoning district boundary from "C-3 R ERZD" General Commercial, Restrictive Alcohol Sales, Edwards Recharge Zone District to "C-3 ERZD" General Commercial Edwards Recharge Zone District on 1.592 acres out of NCB 16331, 195 North Loop 1604 West as requested by Kauffman & Associates, Inc., Applicant for LL&R Cornerstone, Ltd., Owner. Staff recommends Approval. Zoning Commission recommendation pending February 20, 2007.

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
SHEILA D. MCNEIL	DISTRICT 2		x		
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5			x	
DELICIA HERRERA	DISTRICT 6		x		
ELENA K. GUAJARDO	DISTRICT 7			x	
ART A. HALL	DISTRICT 8		x		
KEVIN A. WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR PHIL HARDBERGER	MAYOR		x		

Field Notes for a 1.592 Acre Tract of Land

Being a 1.592 acre tract of land being out of the Rudolph Froebel Survey No. 382, Abstract No. 926, New City Block 16331, Bexar County, Texas, said 1.592 acre tract also being a portion of that certain 3.839 acre tract conveyed to LL&R Cornerstone, Ltd., a Texas Limited Partnership by deed recorded in Volume 12266, Pages 470-476, Official Public Records, Bexar County, Texas, said 1.592 acre tract being more particularly described by metes and bounds as follows:

Beginning at point in the northwest right-of-way line of F.M. Loop 1604 for the southeast corner of the herein described tract, the southeast corner of the above referenced 3.839 acre tract, the southwest corner of Lot 17, Block 1, Hagee Subdivision recorded in Volume 9565, Page 201, Plat Records, Bexar County, Texas;

Thence, with the northwest right-of-way line of F.M. Loop 1604, the southeast line of said 3.839 acre tract, South 82 degrees 25 minutes 26 seconds West, a distance of 222.37 feet to a point for angle and South 83 degrees 28 minutes 44 seconds West, a distance of 108.48 feet to a point for the southwest corner of the herein described tract, the southwest corner of said 3.839 acre tract, the southeast corner of Lot 8, Block 1, Cornerstone Subdivision recorded in Volume 9536, Page 15, Plat Records, Bexar County, Texas;

Thence, departing the northwest right-of-way line of F.M. Loop 1604, with a southwest line of said 3.839 acre tract, a northeast line of Lot 8, Block 1, North 50 degrees 32 minutes 02 seconds West, a distance of 13.92 feet to a point for angle and North 04 degrees 33 minutes 13 seconds West, a distance of 190.10 feet to a point for the northwest corner of the herein described tract;

Thence, departing a northeast line of Lot 8, Block 1, severing said 3.839 acre tract, North 83 degrees 28 minutes 44 seconds East, a distance of 109.78 feet to a point for angle and North 82 degrees 25 minutes 26 seconds East, a distance of 238.87 feet to a point in an easterly line of said 3.839 acre tract, a westerly line of the aforementioned Lot 17, Block 1, said point being the northeast corner of the herein described tract;

Thence, with an easterly line of said 3.839 acre tract, a westerly line of said Lot 17, Block 1, the following three courses and distances:

South 08 degrees 54 minutes 42 seconds East, a distance of 87.81 feet to a point for angle;

South 11 degrees 31 minutes 46 seconds West, a distance of 65.86 feet to a point for angle;

And South 08 degrees 54 minutes 42 seconds East, a distance of 50.00 feet to the Place of Beginning and containing 1.592 acres of land.

