

AN ORDINANCE 2009-08-20-0668

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.

* * * * *

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 0.0509 of an acre out of NCB 18218 from "C-2 ERZD" Commercial Edwards Recharge Zone District to "C-2 S ERZD" Commercial Edwards Recharge Zone District with a Specific Use Authorization to allow a bar/tavern.

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. The City Council finds as follows:

- A. The specific use will not be contrary to the public interest.
- B. The specific use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district.
- C. The specific use will be in harmony with the spirit and purpose as set forth in Section 35-423, Specific Use Authorization, of the Unified Development Code.
- D. The conditional use will not substantially weaken the general purposes or the regulations as set forth in Section 35-423, Specific Use Authorization, of the Unified Development Code.
- E. The specific use will not adversely affect the public health, safety and welfare.

SECTION 4. The City council approves this Specific Use Authorization so long as the attached site plan is adhered to. A site plan is attached as **Exhibit "B"** and made a part hereof and incorporated herein for all purposes.

SECTION 5. 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 6. 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 7. 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 8. 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 9. The Director of Planning and 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.

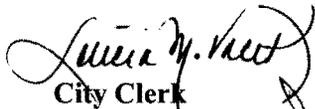
SECTION 10. This ordinance shall become effective August 30, 2009.

PASSED AND APPROVED this 20th day of August 2009.

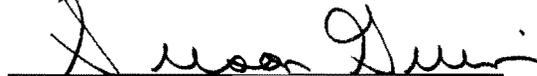


M A Y O R
JULIÁN CASTRO

ATTEST:


City Clerk

APPROVED AS TO FORM:


For City Attorney

FIELD NOTES

FOR

A 0.0509 acre, or 2,219 square feet more or less, tract of land being out of Lot 3, Block 10 of the Stone Oak Commons Subdivision recorded in Volume 9580, Pages 58-62 of the Deed and Plat Records of Bexar County, Texas, in New City Block (N.C.B.) 18218 in the City of San Antonio, Bexar County, Texas. Said 0.0509 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 point on the back of curb, from which the south corner of Lot 3 bears S 57°41'19" E, a distance of 341.11 feet, the southwest corner bears S 49°37'46" W, a distance of 199.78 and the south corner of building "A" bears S 35°36'44" W, a distance of 102.2 feet;

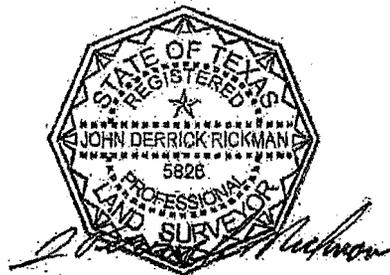
THENCE: N 57°18'27" W, at a distance of 10.7 passing the interior southeast wall of building "A", continuing at a distance of 79.7 feet passing the interior northwest wall of building "A", continuing for a total distance of 84.50 feet to a point on the back of curb;

THENCE: N 32°41'33" E, with the back of curb, a distance of 26.26 feet to a point;

THENCE: S 57°18'27" E, departing the back of curb, at a distance of 4.8 feet passing the interior northwest wall of building "A", continuing at a distance of 73.8 feet passing the interior southeast wall of building "A", continuing for a total distance of 84.50 feet to a point on the back of curb;

THENCE: S 32°41'33" W, with the back of curb, a distance of 26.26 feet to the **POINT OF BEGINNING**, and containing 0.0509 of an acre in the City of San Antonio, Bexar County, Texas, Said tract being described in accordance with a survey made on the ground and a survey map prepared by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: March 30, 2009
JOB NO. 6438-02
DOC. ID. N:\CIVIL\6438-02\WORD\6438-02FN.doc



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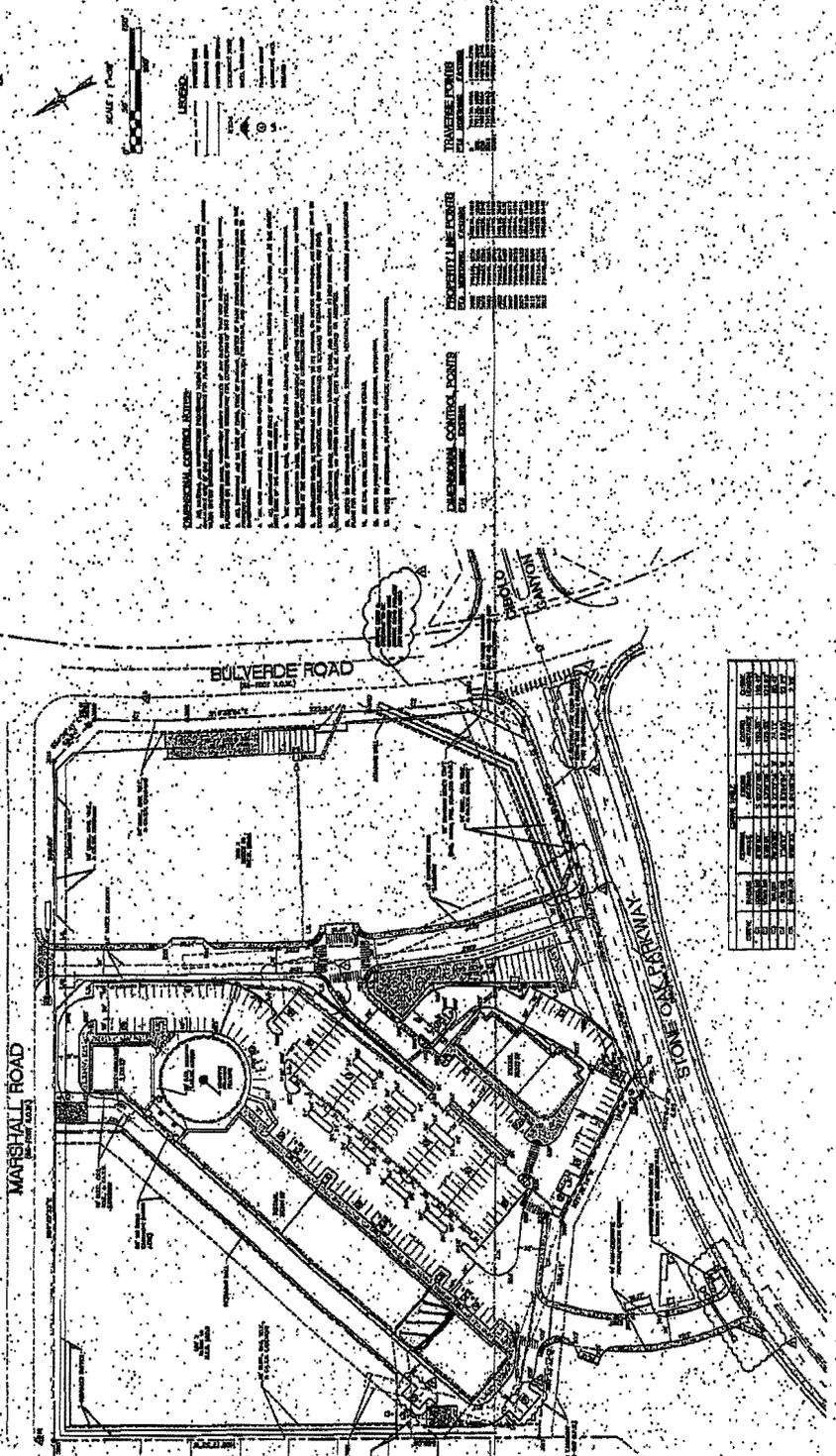
PAPER DAWSON ENGINEERS
ARCHITECTS



ARCHITECT
MDN

DIAGONAL CONTROL PLAN SHEET
STONE OAK COMMONS
BUILDING NO. 8000
MAY 1998

C180



LEVELS

LEVEL	FINISH
1st Floor	3'-0" above ground
2nd Floor	6'-0" above ground
3rd Floor	9'-0" above ground
4th Floor	12'-0" above ground
5th Floor	15'-0" above ground
6th Floor	18'-0" above ground
7th Floor	21'-0" above ground
8th Floor	24'-0" above ground
9th Floor	27'-0" above ground
10th Floor	30'-0" above ground
11th Floor	33'-0" above ground
12th Floor	36'-0" above ground
13th Floor	39'-0" above ground
14th Floor	42'-0" above ground
15th Floor	45'-0" above ground
16th Floor	48'-0" above ground
17th Floor	51'-0" above ground
18th Floor	54'-0" above ground
19th Floor	57'-0" above ground
20th Floor	60'-0" above ground
21st Floor	63'-0" above ground
22nd Floor	66'-0" above ground
23rd Floor	69'-0" above ground
24th Floor	72'-0" above ground
25th Floor	75'-0" above ground
26th Floor	78'-0" above ground
27th Floor	81'-0" above ground
28th Floor	84'-0" above ground
29th Floor	87'-0" above ground
30th Floor	90'-0" above ground
31st Floor	93'-0" above ground
32nd Floor	96'-0" above ground
33rd Floor	99'-0" above ground
34th Floor	102'-0" above ground
35th Floor	105'-0" above ground
36th Floor	108'-0" above ground
37th Floor	111'-0" above ground
38th Floor	114'-0" above ground
39th Floor	117'-0" above ground
40th Floor	120'-0" above ground
41st Floor	123'-0" above ground
42nd Floor	126'-0" above ground
43rd Floor	129'-0" above ground
44th Floor	132'-0" above ground
45th Floor	135'-0" above ground
46th Floor	138'-0" above ground
47th Floor	141'-0" above ground
48th Floor	144'-0" above ground
49th Floor	147'-0" above ground
50th Floor	150'-0" above ground

GENERAL NOTES

1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
2. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND ALL APPLICABLE REGULATIONS.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.
4. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
5. ALL UTILITIES SHALL BE PROTECTED AND DEEPER THAN INDICATED.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.
7. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL AUTHORITIES.
8. THE CONTRACTOR SHALL MAINTAIN A RECORD OF ALL CHANGES AND CORRECTIONS.
9. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING LANDSCAPE AND PLANTING.

BENCHMARKS

NO.	DESCRIPTION	MARK	COORDINATES
1	STONE OAK COMMONS	1	1234567.89
2	STONE OAK COMMONS	2	1234567.89
3	STONE OAK COMMONS	3	1234567.89
4	STONE OAK COMMONS	4	1234567.89
5	STONE OAK COMMONS	5	1234567.89
6	STONE OAK COMMONS	6	1234567.89
7	STONE OAK COMMONS	7	1234567.89
8	STONE OAK COMMONS	8	1234567.89
9	STONE OAK COMMONS	9	1234567.89
10	STONE OAK COMMONS	10	1234567.89

ADDRESS: 8000 BULVERDE ROAD, SAN ANTONIO, TX 78229

LEGAL DESCRIPTION: 100% INTEREST IN THE SOUTHWEST CORNER OF THE SE 1/4 OF SECTION 10, T12N, R12E, S10W, BEXAR COUNTY, TEXAS.

EXHIBIT B