SG/cla
12/05/2013
Z-15

CASE NO. Z2013172 ERZD

AN ORDINANCE 2013-12-05-0892

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 25.8 acres out of Lots 9, 10, 11, 12, 13 and 14, NCB 18047 from "R-6 ERZD" Residential Single-Family Edwards Recharge Zone District to "PUD R-5 ERZD" Planned Unit Development Residential Single-Family Edwards Recharge Zone 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 30%.

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 December 15, 2013.

PASSED AND APPROVED this 5th day of December 2013.

M A Y O R
Julián Castro

ATTEST:

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

For

Michael D. Bernard, City Attorney

Agenda Item:	**Z-15**
Date:	12/05/2013
Time:	04:55:50 PM
Vote Type:	Motion to Approve
Description:	ZONING CASE # Z2013172 ERZD (District 8): An Ordinance amending the Zoning District Boundary from "R-6 ERZD" Residential Single-Family Edwards Recharge Zone District to "PUD R-5 ERZD" Planned Unit Development Residential Single-Family Edwards Recharge Zone District on 25.8 acres out of Lots 9, 10, 11, 12, 13 and 14, NCB 18047 located on a portion of the 11600, 11700 and 11800 Blocks of South Hausman Road. 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				
Cris Medina	District 7		x				x
Ron Nirenberg	District 8		x			x	
Joe Krier	District 9		x				
Carlton Soules	District 10		x				

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KFW SURVEYING

FIRM LICENSE NO. 10122300

FIELD NOTES
FOR

A 25.80 acre tract of land situated in the City of San Antonio, New City Block 18047, out of the Perry Davis Survey No. 267, Abstract No. 189, Bexar County, Texas and being all of a 9.995 acre tract of land known as Tracts 9 and 10, Bassett Subdivision, an unrecorded subdivision and conveyed to Vickery Mosaic TBY, LLC, of record in Volume 16135 Page 1221 of the Official Public Records of Bexar County, Texas, all of a 5.0 acre tract of land known as Tract 11, Bassett Subdivision, and conveyed to Vickery Mosaic, TBY, LLC of record in Volume 16135 Page 1229 of the Official Public Records of Bexar County, Texas, all of a 5.0 acre tract of land known as Tract 12, Bassett Subdivision, and conveyed to Wesley R. and Elanor J. Richardson of record in Volume 1730 Page 549 of the Official Public Records of Bexar County, Texas, a portion of a 5.0 acre tract of land known as Tract 13, Bassett Subdivision, and conveyed to Wesley R. and Elanor J. Richardson of record in Volume 2345 Page 189 of the Official Public Records of Bexar County, Texas and a portion of a 5.0 acre tract of land known as Tract 14, Bassett Subdivision, and conveyed to Vernon L. Griffith of record in Volume 2804 Page 937 of the Official Public Records of Bexar County, Texas. Said 25.80 acre tract of land being more particularly described by metes and bounds as follows with the bearings based on the North American Datum 1983, Texas South Central Zone 4204:

BEGINNING: At a found ½" iron rod with a plastic cap stamped "MW Cude" in the east right-of-way line of Hausman Road, a 50 foot right-of-way, for the northwest corner of a 0.834 of an acre tract of land, New City Block 18047, a portion of a 5.0 acre tract of land known as Tract 8, Bassett Subdivision, and conveyed to Anna M. Goodman of record in Volume 9260 Page 221 of the Official Public Records of Bexar County, Texas, and for the southwest corner of the 9.995 acre tract and the tract described herein, from which a found ½" iron rod in the east right-of-way line of Hausman Road, in the west line of the 0.834 acre tract, and for the northwest corner of a 30 foot wide ingress/egress easement of record in Volume 2980 Page 1495 of the Official Public Records of Bexar County, Texas, bears S 00° 10' 42" E, a distance of 155.94 feet;

THENCE: N 00° 10' 42" W, along and with the east right-of-way line of Hausman Road, and the west lines of Tracts 9, 10, 11, 12, and 13, Bassett Subdivision, a distance of 931.96 feet to a set ½" iron rod with a blue plastic cap stamped "KFW Surveying" for southwest corner of Tract 14, the northwest corner of Tract 13 and the tract described herein, from which a found ½" iron rod in the east right-of-way line of Hausman Road, for the northwest corner of Tract 14, and the southwest corner of a 5.0 acre tract of land known as Tract 15, Bassett Subdivision, and conveyed to Arthur and Gloria Monsivais Living Trust of record in Volume 7283 Page 1678 of the Official Public Records of Bexar County, Texas, bears N 00° 10' 42" W, a distance of 185.60 feet;

ATTACHMENT A

25.80 ACRES
JOB NO. 13-084

THENCE: N 89° 44' 59" E, departing the east right-of-way line of Hausman Road, and along and with the common line between Tract 13 and Tract 14, a distance of 278.95 feet to a point for an angle of the tract described herein;

THENCE: Into and across Tract 13 the following four (4) courses and distances:

1) S 67° 48' 29" E, a distance of 238.48 feet to a point for an angle of the tract described herein;
2) N 89° 52' 26" E, a distance of 44.85 feet to a point for an angle of the tract described herein;
3) N 73° 04' 55" E, a distance of 196.76 feet to a point for an angle of the tract described herein, and
4) N 89° 46' 20" E, a distance of 119.57 feet to a point for an interior corner of the tract described herein;

THENCE: N 00° 13' 39" W, continuing across Tract 13 and into and across Tract 14 a distance of 121.00 feet to a point for an interior corner of the tract described herein;

THENCE: N 63° 02' 43" W, continuing across Tract 14, a distance of 216.86 feet to a point in the north line of Tract 14 and the south line of Tract 15, for an angle of the tract described herein;

THENCE: N 89° 46' 05" E, along and with the common line between Tract 14 and Tract 15, a distance of 514.36 feet to a found ½" iron rod in a west line of Lot 89, Block 19, River Mist Subdivision of record in Volume 9570 Page 114 of the Deed and Plat Records of Bexar County, Texas, for the southeast corner of Tract 15 and for the northeast corner of Tract 14 and the tract described herein;

THENCE: Along and with the east lines of Tract 14 and a west line of Lot 89 the following two (2) courses and distance:

1) S 01° 36' 12" W, a distance of 74.24 feet to a found ½" iron rod for an angle point of the tract described herein, and
2) S 00° 09' 53" W, a distance of 110.77 to a found ½" iron rod for the southeast corner of Tract 14, an angle of Lot 89, the northeast corner of Tract 13, and an angle of the tract described herein;

THENCE: S 00° 29' 29" W, along and with the east line of Tract 13 and a west line of Lot 89, a distance of 185.99 feet to a found ½" iron rod for an angle point of Lot 89, for the southeast corner of Tract 13, the northeast corner of Tract 12 and the tract described herein;

THENCE: S 00° 29' 35" W, along and with the east line of Tract 12 and a west line of Lot 89, a distance of 185.66 feet to a found ½" iron rod for an angle point for Lot 89, the

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southeast corner of Tract 12, the northeast corner of Tract 11, and an angle of the tract described herein;

THENCE: S 00° 08' 44" E, along and with an east line of Tract 11 and a west line of Lot 89, a distance of 37.39 feet to a found ½" iron rod for the southwest corner of Lot 89, the northwest corner of Lot 88 and a west corner of a tract of land designated as drainage right-of-way, Block 1, of the Oaks of French Creek Subdivision, Unit 2, of record in Volume 9537 Page 219 of the Official Public Records of Bexar County, Texas, and for an angle of the tract described herein;

THENCE: S 00° 00' 17" W, along and with an east line of Tract 11 and the west line of Lot 88, a distance of 149.28 feet to a found ½" iron rod for an angle of Lot 88, the southeast corner of Tract 11, the northeast corner of Tracts 10, and an angle of the tract described herein;

THENCE: S 00° 25' 38" E, along and with the east line of Tracts 9 and 10, and a west line of the Oaks of French Creek, Unit 2, a distance of 369.56 feet to a point for the northeast corner of a 2.496 acre tract of land known as Tract 8, Bassett Subdivision, and conveyed to Anna Maya Goodman of record in Volume 5113 Page 1319 of the Official Public Records of Bexar County, Texas, the southeast corner of Tracts 9 and the tract described herein;

THENCE: S 89° 32' 07" W, along and with the south line of Tracts 9 and the north line of the remaining portions of Tract 8, a distance of 1167.40 feet to the **POINT OF BEGINNING** and containing 25.80 acres in the City of San Antonio, Bexar County, Texas.

"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:	KFW Surveying
JOB NO.:	13-084
DATE:	October 04, 2013
DOC. ID:	S:\Draw 2013\13-084 Vickery Grove\DOCS\Field Notes-25.80 acres zoning.doc

STATE OF TEXAS
REGISTERED
TERESA A. SEIDEL
5672
PROFESSIONAL
LAND SURVEYOR

10/04/2013