

AN ORDINANCE      2012-02-16-0128

**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 2.872 acres out of Parcel 16, NCB 17700 from "C-2 ERZD MLOD-1 AHOD" Commercial Edwards Recharge Zone Camp Bullis Military Lighting Overlay Airport Hazard Overlay District to "MF-18 ERZD MLOD-1 AHOD" Limited Density Multi-Family Edwards Recharge Zone Camp Bullis Military Lighting Overlay Airport Hazard 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.

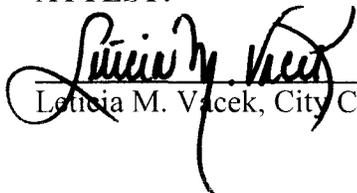
**SECTION 9.** If a court of competent jurisdiction enters a final judgment on the merits that is no longer subject to appeal and substantially limits or impairs the essential elements of sections one through five of this ordinance, then sections one through five are invalid and have no legal effect 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 February 26, 2012.

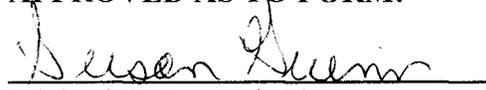
**PASSED AND APPROVED** this 16<sup>th</sup> day of February 2012.

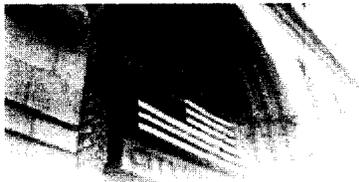
  
M A Y O R  
Julián Castro

**ATTEST:**

  
\_\_\_\_\_  
Leticia M. Vacek, City Clerk

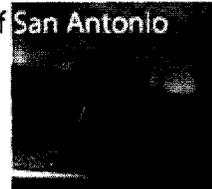
**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Michael D. Bernard, City Attorney  
for



Request for  
**COUNCIL**  
**ACTION**

City of San Antonio



### Agenda Voting Results - Z-11

<b>Name:</b>	P-1A, P-1B, Z-2, Z-3, Z-5, Z-8, Z-11, P-5, Z-12						
<b>Date:</b>	02/16/2012						
<b>Time:</b>	02:13:50 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	ZONING CASE # Z2012019 ERZD (District 8): An Ordinance amending the Zoning District Boundary from "C-2 ERZD MLOD-1 AHOD" Commercial Edwards Recharge Zone Camp Bullis Military Lighting Overlay Airport Hazard Overlay District to "MF-18 ERZD MLOD-1 AHOD" Limited Density Multi-Family Edwards Recharge Zone Camp Bullis Military Lighting Overlay Airport Hazard Overlay District on 2.872 acres out of Parcel 16, NCB 17700 located northwest of the intersection of North Loop 1604 West and Northwest Military Highway. Staff and Zoning Commission recommend approval.						
<b>Result:</b>	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				
Leticia Ozuna	District 3		x				
Rey Saldaña	District 4		x				x
David Medina Jr.	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7		x			x	
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x				
Carlton Soules	District 10		x				

LAND DEVELOPMENT ENVIRONMENTAL TRANSPORTATION WATER RESOURCES SURVEYING

FIELD NOTE DESCRIPTION  
FOR  
MF-18 ZONING

A 2.872 acre tract of land being out of a 95.5546 acre tract recorded in Volume 7431, Pages 1291-1294 of the Official Public Records of Real Property of Bexar County, Texas, out of the Collin C. McCrae Survey Number 391, Abstract 482, County Block 4782, now in New City Block (N.C.B.) 17700 in the City of San Antonio, Bexar County, Texas. Said 2.872 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;

COMMENCING: At a set iron ½ inch rod with a yellow cap stamped "Pape Dawson" on the southwest right-of-way line of F.M. 1535, (Northwest Military Highway), for the north corner of a said 95.5546 acre tract and an east corner of a 379.311 acre tract recorded in Volume 2490, Pages 1505-1522 of the Official Public Records of Real Property of Bexar County, Texas;

THENCE: S 27°55'24" E, along and with the southwest right-of-way line of said F.M. 1535 and the east line of said 95.5546 acre tract, a distance of 2146.24 feet to the POINT OF BEGINNING of the herein described tract;

THENCE: S 27°55'24" E, along and with the southwest right-of-way line of said F.M. 1535, and the east line of said 95.5546 acre tract, a distance of 397.21 feet to a point;

THENCE: Departing the southwest right-of-way line of said F.M. 1535 and the east line of said 95.5546 acre tract, over and across said 95.5546 acre tract, the following bearings and distances:

S 62°03'52" W, a distance of 549.53 feet to a point;

N 21°49'06" E, a distance of 614.83 feet to a point;

THENCE: N 62°04'36" E, a distance of 80.33 feet to the POINT OF BEGINNING and containing 2.872 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: Pape-Dawson Engineers, Inc.  
DATE: October 25, 2011  
JOB NO. 3869-01  
DOC. ID. N:\CIVIL\3869-01\WORD\3869-01 FN 2.872 AC.doc

