

35

AN ORDINANCE

94789

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN.

* * * * *

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Section 35-3007 of the Unified Development Code which is Chapter 35 of the City Code and constitutes the comprehensive zoning ordinance of the City of San Antonio is hereby amended so that it shall hereafter include the following described changes of classification and the rezoning of the hereinafter designated property to-wit:

CASE NO. Z2001145

The rezoning and reclassification of property From "P-1 R-1" ERZD Single-Family Residence Planned Unit Development Edwards Recharge Zone District, Temporary "R-1" ERZD Single-Family Residence Edwards Recharge Zone District, "B-3" ERZD Business Edwards Recharge Zone District to "B-1" ERZD Business Edwards Recharge Zone District (171.32 acres) and "B-2" ERZD Business Edwards Recharge Zone District (43.06 acres) out of NCB 17701 on the property listed below as follows :

214.38 acre tract of land out of NCB 17701

Field notes describing the above mentioned tract are attached hereto and incorporated herein for all purposes.

Provided that the following recommendations of the Aquifer Protection & Evaluation Division of the San Antonio Water System are adhered to:

1. The following shall be submitted to the Aquifer Protection & Evaluation Division of the San Antonio Water System prior to the release of any building permits:
 - A. A WPWP shall be submitted for each particular development/use within the area being considered for re-zoning,
 - B. A set of site specific plans which must have a signed Engineers Seal from the State of Texas,
 - C. A letter from the Texas Natural Resource Conservation Commission approving each WPAP,
 - D. A copy of the approved WPAP.
2. All stormwater run off from the residential development shall be directed to a stormwater abatement system that shall be approved by the Aquifer Protection & Evaluation Division of the San Antonio Water System prior to the release of any building permits.
3. After the water pollution abatement structure construction is complete and prior to the start of business, the owner shall notify the Source Water & Watershed Protection Department at 210 704 - 7392 to schedule a site inspection.
4. If the water pollution abatement structure fails to drain properly, the owner shall notify the Source Water & Watershed Protection Department at 210 704 - 7392.
5. All water pollution abatement structures shall be properly maintained and kept free of trash and debris.
6. According to the provisions contained in the Edward Rules 30 TAC, Section 213.5 (b)(5), the WPAP applicant is responsible for maintaining the permanent water pollution abatement

abatement structures and all other BMP's after construction until such time as the maintenance obligation is either assumed in writing by another entity having ownership or control of the property (such as without limitation, an owner's association, a new property owner or lessee, a district, or municipality) or the ownership of the property is transferred to the entity. Such entity shall then be responsible for maintenance until another entity assumes such obligations in writing.

7. Landscaped areas shall be sensitive to minimizing water needs (i.e. use of native plants). The owner/operator of this development and each purchaser or occupant of an individual lot within this development shall be informed in writing about Best Management Practices (BMP) of 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 recognized authorities such as the Soil Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, etc. shall be used.

8. The owner/applicant of this development shall contact the San Antonio Water System at 210 704-7259 to obtain information about commercial conservation programs and rebate opportunities.

9. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal Law.

10. The City of San Antonio shall inspect all future construction of service laterals and sewer mains for proper construction according to State and City Regulations and Code.

11. If any solution openings, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Natural Resource Conservation Commission at 210 490 3096 and the Aquifer Protection & Evaluation Division of the San Antonio Water System at 210 704 7392.

12. The Aquifer Protection & Evaluation Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after the construction project.

Based on the evaluation of the property, the information submitted by the applicant, and the proposed land use, staff recommends approval provided the applicant agrees to abide by all recommendations contained in this document.

SECTION 2. All other provisions of Chapter 35, as amended, shall remain in full force and effect, including the penalties for violations as made and provided in Section 35 -1024.

SECTION 3. The Director of Planning shall change the zoning records and maps in accordance herewith and the same shall be available and open to the public for inspection.

SECTION 4. This ordinance is not severable.

PASSED AND APPROVED THIS 25th DAY OF October 2001

ATTEST: [Signature]
City Clerk

MAYOR: [Signature]
EDWARD D. GARZA

APPROVED AS TO FORM: [Signature]
CITY ATTORNEY

01-40

CASE NO: Z2001145

Zoning Commission Meeting Date: October 2, 2001

Council District: 9

Ferguson Map: 515 C 1

Appeal: No

Applicant:

Shavano Rogers c/o Bitterblue Inc.
Attn: Lloyd A. Denton

Owner:

Shavano Rogers c/o Bitterblue Inc.

Zoning Request:

From "P-1 R-1" ERZD Single-Family Residence Planned Unit Development Edwards Recharge Zone District, Temporary "R-1" ERZD Single-Family Residence Edwards Recharge Zone District, "B-3" ERZD Business Edwards Recharge Zone District to "B-1" ERZD Business Edwards Recharge Zone District (171.32 acres) and "B-2" ERZD Business Edwards Recharge Zone District (43.06 acres) out of NCB 17701

214.4 acre tract of land out of NCB 17701

Property Location:

NW Military Hwy @ 1604

North of 1604, east on NW Military Hwy

Applicants Proposal:

Mix use development - retail / office / apts.

Staff Recommendation:

Approval

The subject property is a vacant tract of land that has quarry uses to the west and north, properties to the south are vacant and zoned commercial. The subject property fronts on Northwest Military Highway, a primary arterial on the Major Thoroughfare Plan. "B-1" ERZD and "B-2" ERZD zoning is appropriate at this location and will provide retail spaces, offices and apartment uses that will support future developments to the south, west and east. The proposed "B-1" ERZD and "B-2" ERZD zoning allows a greater range of uses than the existing zonings.

Zoning Commission Recommendation:

Approval

VOTE

FOR	7
AGAINST	0
ABSTAIN	0
RECUSAL	0

Z2001145

ZONING CASE NO. Z2001145 October 2, 2001

Applicant: Shavano Rogers c/o Bitterblue Inc.

Zoning Request: From "P-1 R-1" ERZD Single-Family Residence Planned Unit Development Edwards Recharge Zone District, Temporary "R-1" ERZD Single-Family Residence Edwards Recharge Zone District, "B-3" ERZD Business Edwards Recharge Zone District to "B-1 ERZD Business Edwards Recharge Zone District (171.32 acres) and "B-2" Business Edwards Recharge Zone District (43.06 acres) out of NCB 17701.

Andy Guerrero, 8000 IH 10, representing the applicant, stated the purpose for this change is to develop mixed uses.

Staff stated there were 7 notices mailed out to the surrounding property owners, 0 returned in opposition and 3 returned in favor.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

COMMISSION ACTION

The motion was made by Commissioner McAden seconded by Commissioner Clamp to recommend approval.

1. Property is located on 214.4 acre tract of land out of NCB 17701 at NW Military Hwy @ 1604.
2. There were 7 notices mailed, 0 returned in opposition and 3 returned in favor.
3. Staff recommends approval.

AYES: Mehringer, Cardenas-Gamez, Kissling, McGowan, Clamp, McAden, Morell

NAYS: None

THE MOTION CARRIED.

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.

RECEIVED

SAN ANTONIO WATER SYSTEM 9:01
Interdepartment Correspondence Sheet

DEPT. OF PLANNING
LAND DEVELOPMENT
SERVICES DIVISION

To: Zoning Commission Members

From: Kirk M. Nixon, Manager, Aquifer Protection & Evaluation Division, San Antonio Water System

Copies To: Dwayne Rathburn, Director of Planning Programs, San Antonio Water System, Scott R. Halty, Director, Source Water & Watershed Protection Department, Bruce Haby, Planner III, Aquifer Protection & Evaluation Division, File.

Subject: Zoning Case Z2001145 (Bitter Blue Inc.)

Date: September 25, 2001

SUMMARY

A request for a change in zoning has been made for an approximate 214.4-acre tract located on the city's north side. A change in zoning from "R-1 and B-3 ERZD" to "B-1 and B-2 ERZD", is being requested by the applicant. The change in zoning will allow for the construction of a mixture of multi-family and office development. The area covered by the zoning request is classified as a Category 1 property.

LOCATION

The subject tract is located in City Council District 9, at the northeast corner of Loop 1604 and Northwest Military Highway. The property lies within the Edwards Aquifer Recharge Zone (Figures 1).

SITE EVALUATION

The Aquifer Protection & Evaluation Division of the San Antonio Water System conducted an investigation of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site.

The approximate 214.4-acre tract is currently undeveloped and covered with trees and brush. Staff did not observe potential recharge features or water wells during the investigation of the site. No water wells for the 214.4-acre tract were listed in the Water Well Listing from the Groundwater Resource Protection Division of SAWS. A Water Pollution Abatement Plan (WPAP) is required to be submitted to and approved by the Texas Natural Resource Conservation Commission (TNRCC) prior to construction. At that time, staff will conduct an additional investigation of the property and review the Geologic Assessment. The subject property represents the lowest most portion of the Edwards formation.

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LAND DEVELOPMENT
SERVICES DIVISION

The general direction of drainage is from the north to the south toward Olmos Creek. The property displays moderate topographic relief. The property is not located within the 100-Year Floodplain according to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) No. 48029C0256 E dated February 16, 1996.

ENVIRONMENTAL CONCERNS

The environmental concerns associated with residential and commercial development being constructed on the Edwards Aquifer Recharge Zone are:

1. The build-up of hydrocarbons and other pollutants on streets, parking lots and other paved areas which are then carried off in the first flush of stormwater run-off.
2. The improper use of pesticides, herbicides, or fertilizers needed for landscape maintenance that may be carried off in the first flush of stormwater run-off.
3. The proper construction of the sewer mains and service laterals to prevent wastewater from entering the subsurface
4. The proper design, construction, and maintenance of the water pollution abatement structure.

ENVIRONMENTAL RECOMMENDATIONS

The following are recommendations to address the environmental concerns associated with the construction of residential and commercial development on the Edwards Aquifer Recharge Zone:

1. The following shall be submitted to the Aquifer Protection & Evaluation Division of the San Antonio Water System prior to the release of any building permits:
 - A. A WPAP shall be submitted for each particular development/use within the area being considered for re-zoning,
 - B. A set of site specific plans which must have a signed Engineers Seal from the State of Texas,
 - C. A letter from the Texas Natural Resource Conservation Commission approving each WPAP,
 - D. A copy of the approved WPAP.
2. All stormwater run-off from the residential and commercial development shall be directed to a stormwater abatement system that shall be approved by the Aquifer Protection & Evaluation Division of the San Antonio Water System prior to the release of any building permits.

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DEPT. OF PLANNING
LAND DEVELOPMENT
PERMITS DIVISION

3. After the water pollution abatement structure construction is complete and prior to the start of business, the owner shall notify the Source Water & Watershed Protection Department at (210) 704-7392 to schedule a site inspection.
4. If the water pollution abatement structure fails to drain properly, the owner shall notify the Source Water & Watershed Protection Department at (210) 704-7392.
5. All water pollution abatement structures shall be properly maintained and kept free of trash and debris.
6. According to the provisions contained in the Edwards Rules 30 TAC, Section 213.5 (b)(5), the WPAP applicant is responsible for maintaining the permanent water pollution abatement structures and all other BMP's after construction until such time as the maintenance obligation is either assumed in writing by another entity having ownership or control of the property (such as without limitation, an owner's association, a new property owner or lessee, a district, or municipality) or the ownership of the property is transferred to the entity. Such entity shall then be responsible for maintenance until another entity assumes such obligations in writing.
7. Landscaped areas shall be sensitive to minimizing water needs (i.e. use of native plants). The owner/operator of this development and each purchaser or occupant of an individual lot within this development shall be informed in writing about Best Management Practices (BMP) of 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 recognized authorities such as the Soil Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, etc. shall be used.
8. The owner/applicant of this development shall contact the San Antonio Water System at (210) 704-7259 to obtain information about commercial conservation programs and rebate opportunities.
9. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.
10. The City of San Antonio shall inspect all future construction of service laterals and sewer mains for proper construction according to State and City Regulations and Code.
11. If any solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Natural Resource Conservation Commission at (210) 490-3096 and the Aquifer Protection & Evaluation Division of the San Antonio Water System at (210) 704-7392.

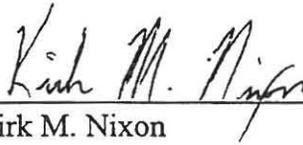
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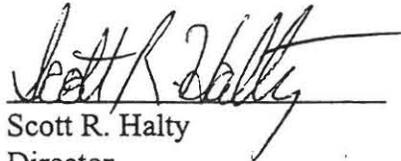
DEPT. OF PLANNING
LAND DEVELOPMENT
SERVICES DIVISION

12. The Aquifer Protection & Evaluation Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

Based on the evaluation of the property, the information submitted by the applicant, and the proposed land use, staff recommends approval provided the applicant agrees to abide by all recommendations contained in this document.

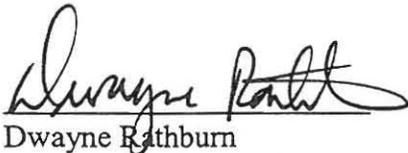


Kirk M. Nixon
Manager
Aquifer Protection & Evaluation



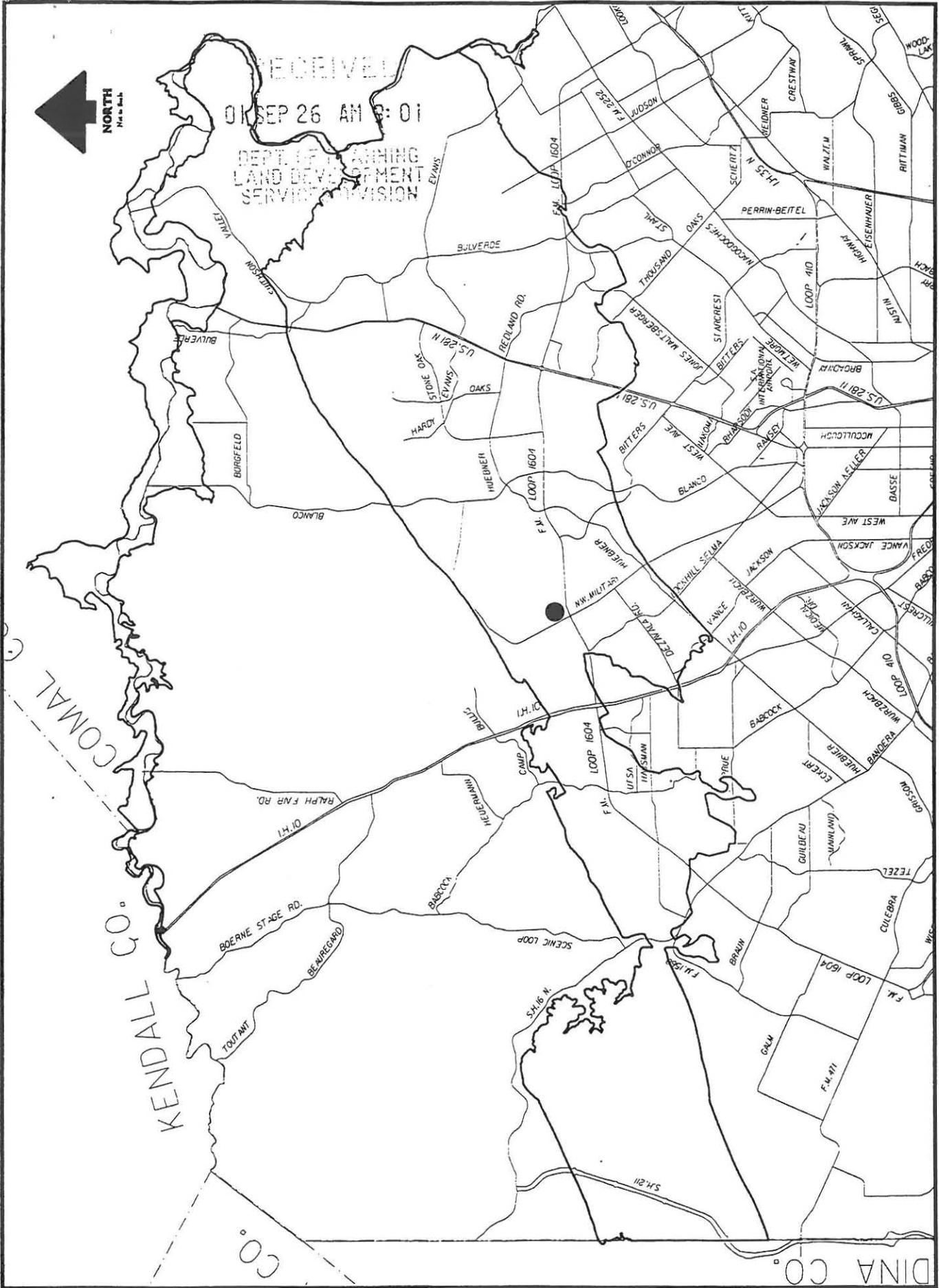
Scott R. Halty
Director
Source Water & Watershed Protection

APPROVED:



Dwayne Rathburn
Director of Planning Programs

KMN:BAH



214.4 acre tract
 Zoning Case Z2001145
 FIGURE I

● -Subject Site

PROPOSED "B-1" BUSINESS DISTRICT

FIELD NOTES

FOR

A 123.40 acre, or 5,375,304 square feet, tract of land being out of a 2,325.9942 acre tract recorded in Volume 5553, Pages 103-130 of the Official Public Records of Real Property of Bexar County, Texas, out of the Collin C. McRae Survey Survey No. 391, Abstract 482, New City Block 17701. Said 123.40 acre tract being more particularly described by metes and bounds as follows:

BEGINNING: At a point at the northern corner of the 130.0 Acre Simon Mall Tract recorded in Volume 4407, Page 1528 and Volume 4590, Page 1120 both of the Official Public Records of Real Property of Bexar County, Texas;

THENCE: N 62°07'13"W, a distance of 1300.00 feet to a point;

THENCE: N 27°53'29"W, a distance of 1012.63 feet to a point, said point being the northwesternmost corner of the herein described tract of land.

THENCE: N 62°07'13"E, a distance of 1900.00 feet to a point;

THENCE: N 54°07'13"E, a distance of 2079.57 feet to a point, said point being the northernmost corner of the herein described tract of land;

THENCE: S 11°26'43"E, a distance of 230.51 feet to a point;

THENCE: S 04°44'43"W, a distance of 306.54 feet to a point;

THENCE: S 41°26'39"W, a distance of 63.85 feet to a point;

THENCE: S 46°45'22"E, a distance of 32.88 feet to a point;

THENCE: S 87°03'59"E, a distance of 55.01 feet to a point;

THENCE: S 28°22'03"E, a distance of 780.46 feet to a point;

THENCE: S 41°34'30"E, a distance of 118.21 feet to a point, said point being the easternmost corner of the herein described tract of land;

THENCE: S 44°08'14"W, a distance of 716.36 feet to a point;

THENCE: S 20°38'54"W, a distance of 443.62 feet to a point;

THENCE: S 54°09'19"E, a distance of 210.66 feet to a point;

Field Notes
123.40 Acre Tract

THENCE: S 38°07'21"W, a distance of 515.86 feet to a point, at the northeast corner of the said Simon Mall Tract, said point also being the southernmost corner of the herein described tract of land;

THENCE: N 72°55'28"W, along the northeastern property line of the said Simon Mall Tract, a distance of 1511.54 feet to the POINT OF BEGINNING and containing 93.18 acres of land.

Prepared by: Pape-Dawson Engineers, Inc.
Job No.: 3225-68
Date: May 21, 2001
Doc. Id.: 322568\Word\FN\010521A4

PROPOSED "B-1" BUSINESS DISTRICT
FIELD NOTES
FOR

A 47.92 acre, or 2,087,500 square feet, tract of land being out of a 2,325.9942 acre tract recorded in Volume 5553, Pages 103-130 of the Official Public Records of Real Property of Bexar County, Texas. out of the Collin C. McRae Survey Survey No. 391. Abstract 482, New City Block 17701. Said 47.92 acre tract being more particularly described by metes and bounds as follows:

BEGINNING : At a point at the northeast corner of the 130.0 Acre Simon Mall Tract recorded in Volume 4407, Page 1528 and Volume 4590, Page 1120 both of the Official Public Records of Real Property of Bexar County, Texas. Said point being the westernmost corner of the herein described tract of land;

THENCE: N 38°07'21"E, a distance of 515.86 feet to a point;

THENCE: N 54°09'19"W, a distance of 210.66 feet to a point;

THENCE: N 20°38'54"E, a distance of 443.62 feet to a point;

THENCE: N 44°08'14"E, a distance of 716.36 feet to a point, said point being the northernmost corner of the herein described tract of land;

THENCE: S 41°34'30"E, a distance of 103.21 feet to a point;

THENCE: S 48°14'50"E, a distance of 336.13 feet to a point;

THENCE: N 71°34'39"E, a distance of 138.09 feet to a point;

THENCE: S 59°23'55"E, a distance of 261.06 feet to a point;

THENCE: S 48°23'14"E, a distance of 505.16 feet to a point;

THENCE: S 42°25'25"E, a distance of 461.51 feet to a point, said point being the easternmost corner of the herein described tract of land;

THENCE: S 16°04'30"W, a distance of 81.35 feet to a point;

THENCE: S 45°51'03"W, a distance of 68.72 feet to a point;

THENCE: S 73°18'43"W, a distance of 161.78 feet to a point;

THENCE: S 88°33'03"W, a distance of 222.66 feet to a point;

Field Notes
47.92 Acre Tract

- THENCE: S 81°21'37"W, a distance of 143.00 feet to a point;
- THENCE: S 73°02'38"W, a distance of 203.80 feet to a point;
- THENCE: S 63°13'57"W, a distance of 964.68 feet to a point;
- THENCE: S 80°20'49"W, a distance of 340.50 feet to a point in the northeastern property line of said Simon Mall tract, said point being the southernmost corner of the herein described tract of land;
- THENCE: N 27°11'52"W, along said northeastern property line, a distance of 403.21 feet to the POINT OF BEGINNING and containing 47.92 acres of land.

Prepared by: Pape-Dawson Engineers, Inc.
Job No.: 3225-68
Date: June 29, 2000
Doc. Id.: 3225\68\Word\FM000623A.S

PROPOSED "B-2" BUSINESS DISTRICT
FIELD NOTES
FOR

A 0.2391 acre, or 10,415 square feet, tract of land being out of a 2,325.9942 acre tract recorded in Volume 5553, Pages 103-130 of the Official Public Records of Real Property of Bexar County, Texas, out of the R. Vargas Survey No. 80, Abstract 781, New City Block 17701. Said 0.2391 acre tract being more particularly described by metes and bounds as follows:

COMMENCING: At a point at the southeast corner of the 130.0 Acre Simon Mall Tract as recorded in Volume 4407, Page 1528 and Volume 4590, Page 1120 both of the Official Public Records of Real Property of Bexar County, Texas, said point being in the northern right-of-way line of Loop 1604 (a variable width right-of-way);

THENCE: N 86°03'54"E, along said northern right-of-way line, a distance of 3040.03 feet to a point;

THENCE: N 03°56'06"W, departing said northern right-of-way line, a distance of 500.00 feet to POINT OF BEGINNING and westernmost corner of the herein described tract of land;

THENCE: N 63°38'22"E, a distance of 159.85 feet to a point, said point being the northernmost corner of the herein described tract of land;

THENCE: S 76°28'28"E, a distance of 203.24 feet to a point, said point being the easternmost corner of the herein described tract of land;

THENCE: S 86°03'54"E, a distance of 341.63 to the POINT OF BEGINNING and containing 0.2391 of an acre of land.

Prepared by: Pape-Dawson Engineers, Inc.
Job No: 3225-68
Date: June 29, 2000
DocId: 3225681Word\FM000629a1

PROPOSED "B-2" BUSINESS DISTRICT
FIELD NOTES
FOR

A 39.49 acres, or 1,720,500 square feet, tract of land being out of the 130.0 Acre Simon Mall Tract recorded in Volume 4407, Page 1528 and Volume 4590, Page 1120 both of the Official Public Records of Real Property of Bexar County, Texas out of the Collin C McRae Survey No. 391, Abstract 482, New City Block 17701. Said 39.49 acre tract being more particularly described by metes and bounds as follows:

- BEGINNING: At a point in the eastern right-of-way line of N.W. Military Highway (a 120-foot right-of-way), said point being the northwest corner of said Simon Mall Tract and the westernmost corner of the herein described tract of land;
- THENCE: N 62°07'13"E, departing said east right-of-way of N.W. Military Highway, along the northern property line of said Simon Mall Tract, a distance of 1,300.00 feet to a point, said point being the northernmost corner of said Simon Mall Tract and of the herein described tract of land;
- THENCE: S 72°55'28"E, along the northeast property line of said Simon Mall Tract, a distance of 1,511.54 feet to a point, said point being the easternmost corner of the herein described tract of land;
- THENCE: S 55°57'20"W, departing said northeast property line, a distance of 719.90 feet to a point of curvature;
- THENCE: Southwesterly and westerly, along the arc of a curve to the right, said curve having a radius of 1,200.00 feet, a central angle of 35°23'03", a chord bearing and distance of S 74°31'13" W, 729.37 feet, and an arc length of 741.09 feet to a point of tangency;
- THENCE: N 87°47'16"W, 415.68 feet to a point of curvature;
- THENCE: Westerly and southwesterly, along the arc of a curve to the left, said curve having a radius of 1,200.00 feet, a central angle of 29°28'10", a chord bearing and distance of S 77°28'39" W, 610.43 feet, and an arc length of 617.21 feet to the POINT OF BEGINNING and containing 39.49 acres of land.

Prepared by: Pape-Dawson Engineers, Inc.
Job No: 3225-68
Date: June 29, 2000
DocId: 322568\Word\FN000628A2

PROPOSED "B-2" BUSINESS DISTRICT

FIELD NOTES
FOR

A 3.341 acres, or 145,550 square feet, tract of land being out of a 2,325.9942 acre tract recorded in Volume 5553, Pages 103-130 of the Official Public Records of Real Property of Bexar County, Texas, out of the Collin C. McRae Survey No. 391, Abstract 482, New City Block 17701. Said 3.341 acre tract being more particularly described by metes and bounds as follows:

COMMENCING: At a point at the northeast corner of the 130.0 Acre Simon Mall Tract recorded in Volume 4407, Page 1528 and Volume 4590, Page 1120 both of the Official Public Records of Real Property of Bexar County, Texas;

THENCE: S 27°11'52"E, along the eastern property line of said Simon Mall Tract, a distance of 403.21 feet to the POINT OF BEGINNING and the northwestern corner of the herein described tract of land;

THENCE: N 80°20'49"E, a distance of 340.50 feet to a point, said point being the northeast corner of the herein described tract of land;

THENCE: S 24°37'24"W, a distance of 379.22 feet to a point;

THENCE: S 44°46'43"E, a distance of 189.38 feet to a point;

THENCE: S 00°02'52"W, a distance of 156.98 feet to a point;

THENCE: S 40°11'09"E, a distance of 285.72 feet to a point;

THENCE: S 75°51'10"E, a distance of 308.39 feet to a point;

THENCE: S 89°27'16"E, a distance of 292.93 feet to a point;

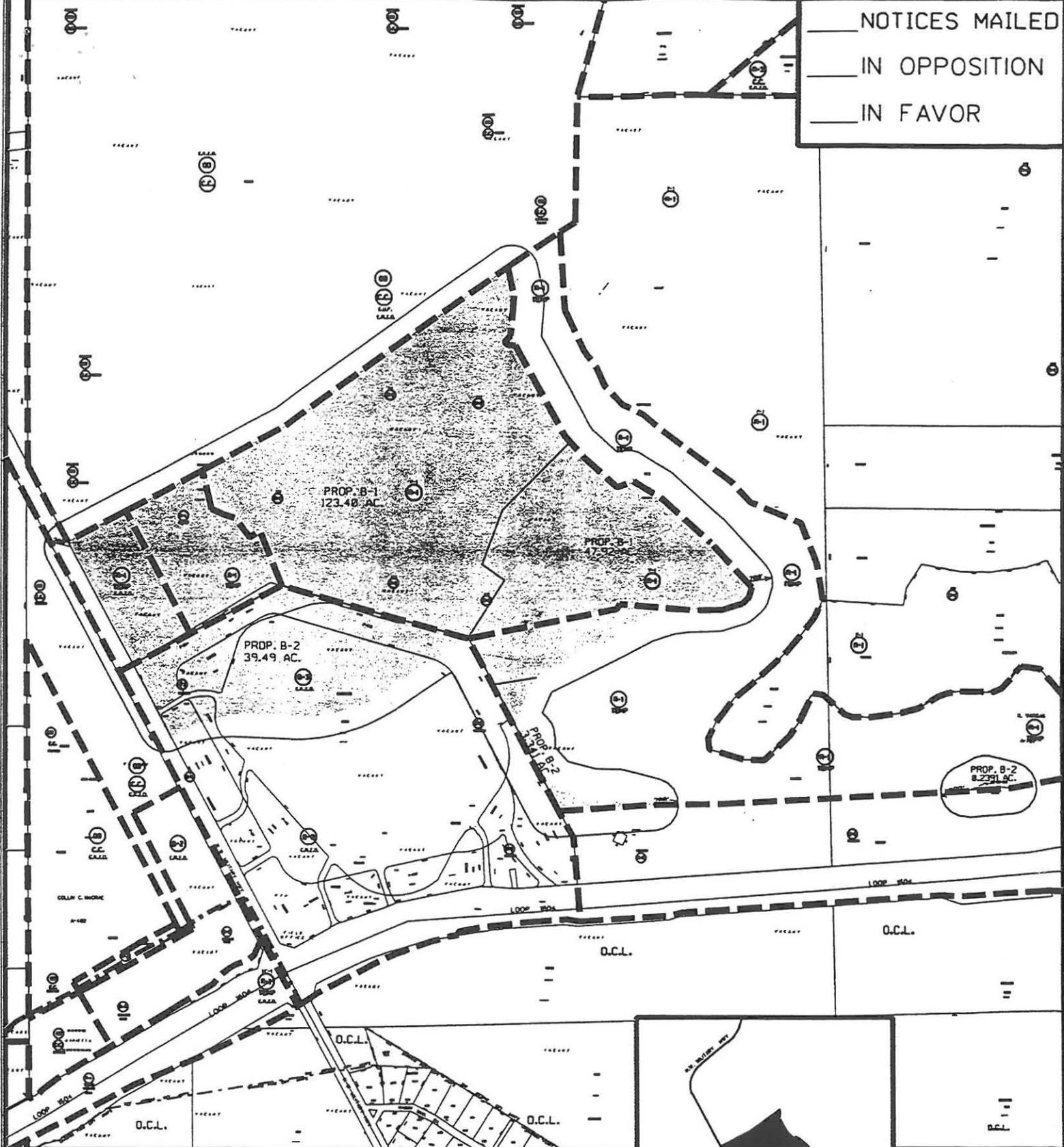
THENCE: S 76°09'54"E, a distance of 141.60 feet to a point, said point being the southeast corner of the herein described tract of land;

THENCE: S 86°03'54"W, a distance of 733.32 feet to a point in the eastern property line of said Simon Mall Tract, said point being the southwest corner of the herein described tract of land;

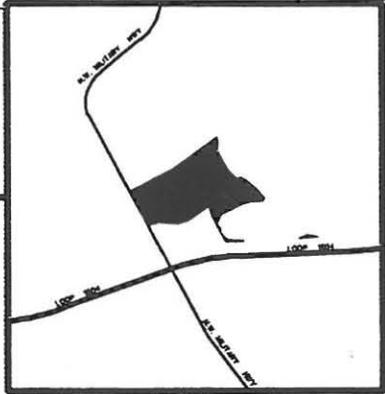
THENCE: N 27°11'52"W, along said eastern property line, a distance of 1,078.97 feet to the POINT OF BEGINNING and containing 3.341 acres of land.

Prepared by: Pape-Dawson Engineers, Inc.
Job No: 3225-68
Date: June 29, 2000
DocId: 3225681\Word\FM000628a3

_____ NOTICES MAILED
 _____ IN OPPOSITION
 _____ IN FAVOR



ZONING CASE Z2001-145
 CITY COUNCIL DISTRICT NO: 9
 REQUESTED ZONING CHANGE
 FROM "P-1R-1"ERZD, "B-3"ERZD TO "B-1" ERZD &
 TEMP "R-1" ERZD "B-2"ERZD
 DATE OCT. 25, 2001
 SCALE 1" = 1015'



Affidavit of Publisher

PUBLIC NOTICE

AN ORDINANCE 94789

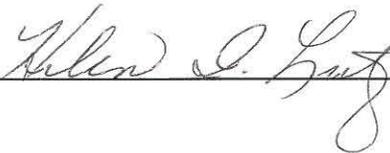
AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND ZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 214.38 acre tract of land out of NCB 17701, From "P-1 R-1" ERZD Single-Family Residence Planned Unit Development Edwards Recharge Zone District, Temporary "R-1" ERZD Single-Family Residence Edwards Recharge Zone District, "B-3" ERZD Business Edwards Recharge Zone District to "B-1" ERZD Business Edwards Recharge Zone District (171.32 acres) and "B-2" ERZD Business Edwards Recharge Zone District (43.06 acres) out of NCB 17701, Provided that the following recommendations of the Aquifer Protection & Evaluation Division of the San Antonio Water System are adhered to: "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".
11/1

STATE OF TEXAS,

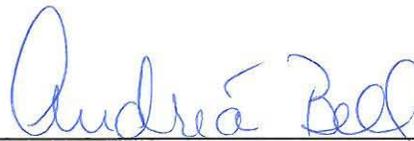
COUNTY OF BEXAR

CITY OF SAN ANTONIO

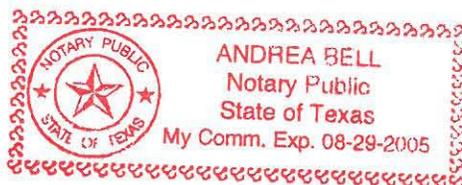
Before me, the undersigned authority, on this day personally appeared Helen I. Lutz, who being by me duly sworn, says on oath that she is the publisher of the Commercial Recorder, a newspaper of general circulation in the City of San Antonio, in the State and County aforesaid, and that the Ordinance of the City of San Antonio City Clerk-Ordinance 94789 hereto attached has been published in the newspaper on the following day, to-wit: November 1, 2001.



Sworn to and subscribed before me this 1st day of November, 2001.



Notary Public in and for Bexar County, Texas



MEETING OF THE CITY COUNCIL

ALAMODOME
ASSET MANAGEMENT
AVIATION
CITY ATTORNEY
MUNICIPAL COURT
REAL ESTATE (FASSNIDGE)
REAL ESTATE (WOOD)
RISK MANAGEMENT
CITY MANAGER
SPECIAL PROJECTS
CITY PUBLIC SERVICE - GENERAL MANAGER
CITY PUBLIC SERVICE - MAPS AND RECORDS
CODE COMPLIANCE
1 COMMERCIAL RECORDER
COMMUNITY INITIATIVES
CONVENTION AND VISITORS BUREAU
CONVENTION CENTER EXPANSION OFFICE
CONVENTION FACILITIES
COUNCIL OFFICES
CULTURAL AFFAIRS
CUSTOMER SERVICE/311 SYSTEM
1 DEVELOPMENT SERVICES
HOUSE NUMBERING
LAND DEVELOPMENT SERVICES
TRAFFIC & DRAINAGE PLAN REVIEW
ECONOMIC DEVELOPMENT
ENVIRONMENTAL SERVICES
SOLID WASTE
EXTERNAL RELATIONS
PUBLIC INFORMATION OFFICE
FINANCE - DIRECTOR
1 FINANCE - ASSESSOR
FINANCE - CONTROLLER
FINANCE - GRANTS
FINANCE - PUBLIC UTILITIES SUPERVISOR
FINANCE- TREASURY
FIRE DEPARTMENT
HOUSING AND COMMUNITY DEVELOPMENT
HUMAN RESOURCES (PERSONNEL)
INFORMATION SERVICES
INTERNAL REVIEW
INTERNATIONAL AFFAIRS
LIBRARY
MANAGEMENT & BUDGET (OFFICE OF) OMB
MAYOR'S OFFICE
METROPOLITAN HEALTH DISTRICT
MUNICIPAL CODE CORPORATION
MUNICIPAL COURT
NEIGHBORHOOD ACTION
PARKS AND RECREATION
MARKET SQUARE
YOUTH INITIATIVES
1 PLANNING DEPARTMENT -NEIGHBORHOOD PLNG; URBAN DESIGN/HISTORIC PRESERVATION
DISABILITY ACCESS OFFICE
POLICE DEPARTMENT
GROUND TRANSPORTATION
PUBLIC WORKS DIRECTOR
CAPITAL PROJECTS
CENTRAL MAPPING
ENGINEERING
PARKING DIVISION
REAL ESTATE DIVISION
TRAFFIC ENGINEERING
PURCHASING AND GENERAL SERVICES
SAN ANTONIO WATER SYSTEMS (SAWS)
VIA

AGENDA ITEM NUMBER:

3J
OCT 25 2001

DATE:

MOTION: *Schubert*

Carpenter
94789

ORDINANCE NUMBER:

RESOLUTION NUMBER:

ZONING CASE NUMBER:

22001145

TRAVEL AUTHORIZATION:

NAME	ROLL	AYE	NAY
BOBBY PEREZ District 1		✓	
JOHN H. SANDERS District 2		<i>absent</i>	
ANTONETTE "TONI" MOOREHOUSE District 3		/	
ENRIQUE "KIKE" MARTIN District 4		/	
DAVID A. GARCIA District 5		<i>absent</i>	
ENRIQUE M. BARRERA District 6		✓	
JULIAN CASTRO District 7		✓	
BONNIE CONNER District 8		/	
CARROLL SCHUBERT District 9		/	
DAVID CARPENTER District 10		✓	
ED GARZA Mayor		<i>absent</i>	

ZC: APPROVAL

STAFF: APPROVAL

01-40