

AN ORDINANCE 82 05 1

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. Z95044 CC

The rezoning and reclassification of property from Temporary "R-1" UC Single Family Residence Urban Corridor District and Temporary "R-1" ERZD (UC) Single Family Residence Edwards Recharge Zone Urban Corridor District to "B-3" UC Business Urban Corridor District and "B-3" ERZD (UC) Business Edwards Recharge Urban Corridor District listed below as follows:

Temporary "R-1" UC to "B-3" UC  
9.078 acres out of NCB 14852

Temporary "R-1" ERZD UC to "B-3" ERZD UC  
1.656 acres out of NCB 14852  
West Loop 1604

Provide that the following recommendations of the Aquifer Studies Office are incorporated herein and attached hereto for all purposes.

The Aquifer Studies Office recommendations are as follows:

NOTE: Base on information provided, this property is a Category I property. However, should this property's category change, it shall be developed in accordance with the provisions stated in Ordinance # 81491 governing development on the Edwards Recharge Zone.

1. Prior to the release of any building permits the following shall be submitted to the Aquifer Studies Division of the San Antonio Water System.
  - A. A Water Pollution Abatement Plan shall be submitted for each particular development/use within the area being considered for rezoning.

- 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 Water Pollution Abatement Plan.
  - D. A copy of each of the approved Water Pollution Abatement Plans.
2. Prior to the release of any building permits, a stormwater abatement design using a Stage 3 abatement facility for the proposed office/retail development shall be approved by the San Antonio Water System Aquifer Studies Division. This item shall also be addressed in the Water Pollution Abatement Plan.
  3. The owner/operator shall carry out four (4) sampling events of stormwater runoff through the approved pollution abatement structure on an annual basis. Both the influent and effluent at the approved pollution abatement structure shall be tested for Total Recoverable Petroleum Hydrocarbons (TRPH) by EPA Method 418.1 and Total Suspended Solids (TSS) by EPA Method 160.2 and the sampling events shall be at least four (4) weeks apart. Dependent on the final landscape design and amount of landscaping for the development, testing for Total Phosphorous (TP) by EPA Method 365.4 may be required at the discretion of the Aquifer Studies Division staff. Aquifer Studies Division shall be notified prior to sample collection and analytical tests results shall be provided to San Antonio Water System Aquifer Studies Division.
  4. The water well shall be plugged in accordance with State and Local regulations.
  5. That only a minimal amount of pesticides, herbicides, or fertilizers needed for landscape maintenance shall be used. Landscaped areas shall be sensitive to minimizing water needs (i.e., use of native plants).
  6. There will be no storage of hazardous substances on this property.
  7. That 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.
  8. If any solution opening, cave sinkholes, or water wells are found during excavation, construction, or blasting, the developer shall notify the Texas Natural Resource Conservation Commission at (210) 490-3096 and the Aquifer Studies Division of the San Antonio Water System at (210) 704-7303.

9. That the Aquifer Studies Division staff shall have the authority to inspect the site during and after construction to ensure that the approved recommendations are being strictly adhered to at the site.

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

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 13TH DAY OF APRIL 1995.

ATTEST: [Signature]  
ASSISTANT City Clerk

[Signature]  
MAYOR

APPROVED AS TO FORM: [Signature]  
City Attorney

95-16

- ALAMODOME
- ARTS & CULTURAL AFFAIRS
- ASSET MANAGEMENT
- AVIATION
- BUILDING INSPECTIONS
- BUILDING INSPECTIONS-HOUSE NUMBERING
- CITY ATTORNEY
- MUNICIPAL COURT
- REAL ESTATE (FASSNIDGE)
- REAL ESTATE (WOOD)
- REAL ESTATE (HUBBARD)
- TRIAL SECTION
- CITY MANAGER
- TRAVIS BISHOP, ASST. TO CITY MGR.
- CODE COMPLIANCE
- INTERGOVERNMENTAL RELATIONS
- INTERNATIONAL RELATIONS
- YOUTH INITIATIVES
- CITY PUBLIC SERVICE-GENERAL MANAGER
- CITY PUBLIC SERVICE-MAPS & RECORDS
- COMMERCIAL RECORDER (PUBLISH)
- COMMUNITY INITIATIVES
- CONVENTION & VISITORS BUREAU
- CONVENTION FACILITIES
- DOME DEVELOPMENT OFFICE
- ECONOMIC DEVELOPMENT
- FINANCE DIRECTOR
- ASSESSOR
- CONTROLLER
- GRANTS
- RISK MANAGEMENT
- TREASURY
- FIRE DEPARTMENT
- HOUSING & COMMUNITY DEVELOPMENT
- INFORMATION SERVICES
- INTERNAL REVIEW
- LIBRARY
- MANAGEMENT SERVICES (BUDGET)
- MANAGEMENT SERVICES (PERSONNEL)
- MARKET SQUARE
- METROPOLITAN HEALTH DISTRICT
- MUNICIPAL COURTS
- PARKS & RECREATION
- PLANNING
- DISABILITY ACCESS OFFICE
- LAND DEVELOPMENT SERVICES
- POLICE DEPARTMENT
- POLICE DEPARTMENT-GROUND TRANSPORTATION
- PUBLIC INFORMATION OFFICE
- PUBLIC UTILITIES
- PUBLIC WORKS
- CAPITAL PROJECTS
- CENTRAL MAPPING
- ENGINEERING
- PARKING DIVISION
- REAL ESTATE (BILL TOUDOUZE)
- SOLID WASTE
- TRAFFIC ENGINEERING
- PURCHASING & GENERAL SERVICES
- SAN ANTONIO WATER SYSTEM (SAWS)
- MUNICIPAL CODE CORPORATION (PUBLISH)

ITEM NO. 4B  
 DATE: APR 13 1995

MEETING OF THE CITY COUNCIL  
 MOTION BY: Thornton SECONDED BY: Orta

ORD. NO. 82051 ZONING CASE #295044

RESOL. \_\_\_\_\_ PETITION \_\_\_\_\_

	ROLLCALL	AYE	NAY
ROGER PEREZ DISTRICT 1		✓	
RUTH MC-CLENDON DISTRICT 2		<i>[Signature]</i>	
LYNDA BILLA BURKE DISTRICT 3		<i>[Signature]</i>	
HENRY AVILA DISTRICT 4		✓	
JUAN F. SOLIS III DISTRICT 5		✓	
HELEN AYALA DISTRICT 6		✓	
BOB ROSS DISTRICT 7		✓	
BILL THORNTON DISTRICT 8		✓	
HOWARD PEAK DISTRICT 9		✓	
LYLE LARSON DISTRICT 10		✓	
NELSON WOLFF MAYOR		✓	

Approval, provided that the 9 recommendations of the Aquifer Studies Office are adhered to.

**95-16**

**Z95044**

**FIELD NOTES  
FOR  
9.078 ACRES OF LAND**

BEING 9.078 acres (395,435 square feet) of land out of a 23.841 acre tract located in the Elizabeth Jecker Survey No. 391-1/2, Abstract 389, New City Block 14852, City of San Antonio, Bexar County, Texas and being a portion of that certain 40 acre tract described in Volume 3671, Page 167 of the Deed Records of Bexar County, Texas, said 9.078 acres of land being more particularly described as follows:

BEGINNING at a 60d nail set at a cedar post found at the intersection of the north right-of-way line of F.M. Loop 1604 and the west right-of-way line of Lou Mell Rd. (Private), being the southeast corner of the herein described tract, which is located South 00°28'12" West 456.48 feet from the southeast corner of said 40 acre tract;

THENCE, South 82°38'00" West, with and along the north right-of-way line of F.M. Loop 1604 a distance of 918.99 feet to a 60d nail set at a cedar fence post for the southwest corner of the herein described tract;

THENCE, North 02°57'52" West, with and along the west line of said 23.841 acre tract and the herein described tract a distance 409.21 feet to a point for the northwest corner of the herein described tract;

THENCE, North 80°42'13" East a distance of 950.34 feet to a point for the northeast corner of the herein described tract, being in the west right-of-way line of Lou Mell Road (Private);

THENCE, South 00°40'56" West, with and along the east line of said 23.841 acre tract and the herein described tract and the west right-of-way line of Lou Mell Road (Private), a distance of 444.38 feet to the POINT-OF-BEGINNING.

January 25, 1994  
Job No. 227-004-00

RECEIVED  
95 JAN 25 PM 2:06  
DEPT. OF PLANNING  
LAND DEVELOPMENT  
SERVICES DIVISION

**Z95044**

FIELD NOTES  
FOR  
1.656 ACRES OF LAND

BEING 1.656 acres (72,114 square feet) of land out of a 23.841 acre tract located in the Elizabeth Jecker Survey No. 391-1/2, Abstract 389, New City Block 14852, City of San Antonio, Bexar County, Texas and being a portion of that certain 40 acre tract described in Volume 3671, Page 167 of the Deed Records of Bexar County, Texas, said 1.656 acres of land being more particularly described as follows:

BEGINNING at a point for the southeast corner, being North 00°40'56" East 444.38 feet from a 60d nail set at a cedar post found at the intersection of the north right-of-way line of F.M. Loop 1604 and the west right-of-way line of Lou Mell Rd. (Private), said 60d nail being located South 00°28'12" West 456.48 feet from the southeast corner of said 40 acre tract;

THENCE, South 80°42'13" West a distance of 950.34 feet to a point for the southwest corner of the herein described tract;

THENCE, North 02°57'52" West, with and along the west line of said 23.841 acre tract and the herein described tract a distance 92.27 feet to a point for the northwest corner of the herein described tract;

THENCE, North 82°38'00" East, with and along a line 500 feet north of and parallel to said north right-of-way line of F.M. Loop 1604, a distance of 951.20 feet to a point for the northeast corner of the herein described tract, being in the west right-of-way line of Lou Mell Road (Private);

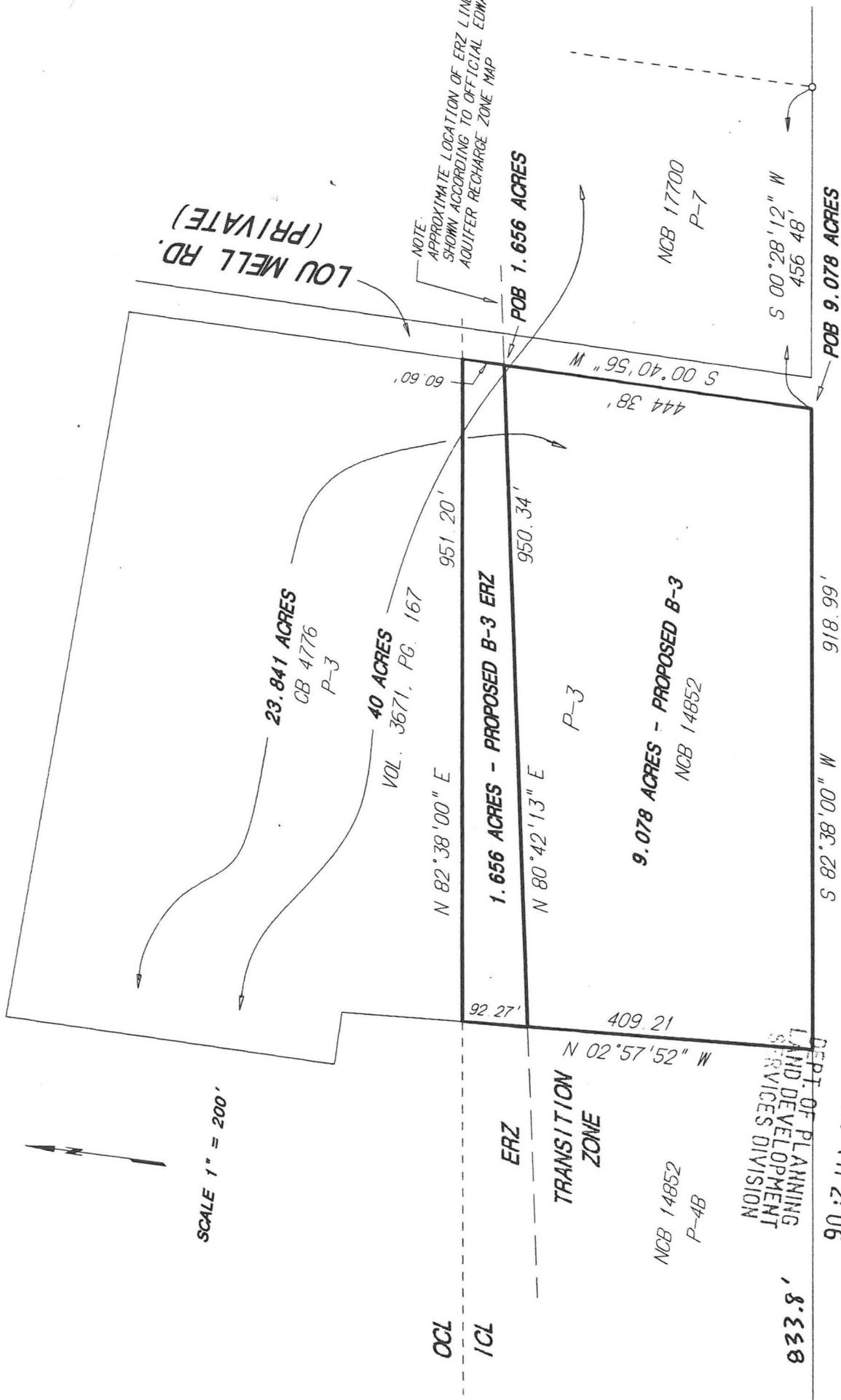
THENCE, South 00°40'56" West, with and along the east line of said 23.841 acre tract and the herein described tract and the west right-of-way line of Lou Mell Road (Private), a distance of 60.60 feet to the POINT-OF-BEGINNING.

January 25, 1994  
Job No. 227-004-00

RECEIVED  
95 JAN 25 PM 2:06  
DEPT. OF PLANNING  
LAND DEVELOPMENT  
SERVICES DIVISION



SCALE 1" = 200'



DEPT. OF PLANNING  
LAND DEVELOPMENT  
SERVICES DIVISION

95 JAN 25 PM 2:06

RECEIVED

833.8

F.M. LOOP 1604

H 1 2 2 2 7

Zoning Case No.: Z95044

Date: March 7, 1995

Council District: 8

Appeal: No

Applicant: William T. Kaufman

Owner: River City  
Associates, L.L.C.

Zoning Request: Temporary "R-1" UC Single Family Residence Urban Corridor District and Temporary "R-1" ERZD UC Single Family Residence Edwards Recharge Zone Urban Corridor District to "B-3" UC Business Urban Corridor District and "B-3" ERZD UC Business Edwards Recharge Zone Urban Corridor District.

Property Location:

Temporary "R-1" ERZD UC to "B-3" ERZD UC  
1.656 acres out of NCB 14852

Temporary "R-1" UC to "B-3" UC  
9.078 acres out of NCB 14852

Properties are located on the north side of F.M. Loop 1604, 833.8 feet east of the intersection of Southern Pacific Railroad right of way and F.M. Loop 1604, the "B-3" UC zoning having 918.99 feet on F.M. Loop 1604 and a depth of 444.38 feet with the "B-3" ERZD UC, being 444.38 feet north of F.M. Loop 1604, having a width of 60.60 feet and a length of 951.20 feet.

Zoning Commission Recommendation:

Approval

VOTE:  
FOR 11  
AGAINST 0  
ABSTAIN 0

Applicants Proposal:

Utilize property for commercial.

Case History and Discussion:

1. Property has access to Loop 1604 and is located east of I.H. 10 West. Along Loop 1604 there are similar business zonings to the south and west.

2. To the south, across Loop 1604 there is "I-1" Light Industry zoning.
- 

Staff Recommendation:

Approval, provided that the recommendations of the Aquifer Studies Office met.

ZONING CASE NO. Z95044

Applicant: William T. Kaufman

Zoning Request: Temporary "R-1" UC Single Family Residence Urban Corridor District and Temporary "R-1" ERZD UC Single Family Residence Edwards Recharge Zone Urban Corridor District to "B-3" UC Business Urban Corridor District and "B-3" ERZD UC Business Edwards Recharge Zone Urban Corridor District.

Mr. William T. Kaufman, representing the owner, requested the change of zoning to utilize the property for commercial uses. He stated the appropriate use for the area is a retail office setting.

Staff stated there were 4 notices mailed out to the surrounding property owners, none returned in opposition and 1 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 Mr. Williams and seconded by Mr. Bode to recommend approval of the request as submitted provided that the recommendation of the Aquifer Studies Office are met for the following reasons:

1. Property is located on 1.656 acres out of NCB 14852 and 9.078 acres out of NCB 14852 on the north side of F.M. Loop 1604, 833.8 feet east of the intersection of Southern Pacific Railroad right of way.
2. There were 4 notices mailed out, none returned in opposition and 1 returned in favor.
3. Staff recommended approval, provided that the recommendations of the Aquifer Studies Office are met.

Z95044

3

AYES: Reyes, Uresti, Bode, Olivarri, Arellano, Thuss, Dudley,  
Brown, Menendez, Williams, McMahon  
NAYS: None

THE MOTION CARRIED.

**SAN ANTONIO WATER SYSTEM**  
**Interdepartment Correspondence Sheet**

**To:** City Council Members

**From:** Scott R. Halty, Division Manager, Aquifer Studies Division, Department of Water Resources, San Antonio Water System

**Copies To:** Rebecca Quintanilla Cedillo, Vice President of Planning, San Antonio Water System, Kirk M. Nixon, Water Resource Planner (ERZD), Aquifer Studies Division, File

**Subject:** Zoning Case Z95044 (Schoenfeld Materials) REVISED

**Date:** March 13, 1995

**SUMMARY**

A request for a change in zoning has been made by Bill Kaufman, acting for the owner River City Associates, L.L.C. for an approximate 10.734 acre tract of land. The requested change from Temporary "R-1" and Temporary "R-1"ERZD to "B-3" and "B-3" ERZD will allow for the construction of an office/retail development. NOTE: Additional information was received on March 6, 1995 and presented to the Zoning Commission on March 7, 1995, which has prompted the revision of this report.

**LOCATION**

The subject tract is located in City Council District 8 west of the intersection of Lou Mell Road (Private Road) and Loop 1604 Access Road. The Edwards Aquifer Recharge Zone crosses the subject tract in a northeast - southwest direction with approximately 1.656 acres of the total 10.734 acres of the site being located within the Edwards Aquifer Recharge Zone. The remaining portion of the tract is located in the Edwards Aquifer Transition Zone (Figures 1 and 2).

**SITE ASSESSMENT**

An investigation was made to assess the geologic conditions which exist at this site and any environmental concerns which may occur from the development of the subject property.

The property is currently undeveloped and is covered by primarily oak trees, juniper trees and natural grasses. Several areas of construction debris dumping were observed on the site. One water well was observed on the subject site. The property displays low topographic relief. The general direction of drainage is to the south where it will enter tributaries of the Olmos Creek.

The Edwards Group can be found outcropping across the northern portion of the tract. The Edwards Group where it is not exposed, is covered with a soil layer which varies to approximately 18 inches in depth. There were no visible significant recharge features observed on the subject tract. Several areas of the exposed Edwards bedrock exhibited solution features and fractures. The majority of these features were soil-filled thus limiting their recharge capabilities.

## ENVIRONMENTAL CONCERNS

The environmental concerns associated with this proposed office/retail development are as follows:

1. One water well was observed on the site.
2. The proper construction of service laterals and sewer mains to prevent wastewater from entering into the subsurface.
3. Improper use of pesticides, herbicides, or fertilizers needed for landscape maintenance which may be carried off in the first flush of stormwater run-off.
4. The buildup 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 and the proper delivery of the stormwater run-off to the existing drainageways.

## ENVIRONMENTAL RECOMMENDATIONS

The following are recommendations put forth to address the environmental concerns raised by the construction of this proposed office/retail development on the Edwards Aquifer Recharge Zone if this zoning case is approved:

**NOTE: Based on information provided, this property is a Category 1 property. However, should this property's category change, it shall be developed in accordance with all the provisions stated in Ordinance # 81491 governing development on the Edwards Recharge Zone.**

1. Prior to the release of any building permits the following shall be submitted to the Aquifer Studies Division of the San Antonio Water System.
  - A. A Water Pollution Abatement Plan 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 Water Pollution Abatement Plan.
  - D. A copy of each of the approved Water Pollution Abatement Plans.
2. Prior to the release of any building permits, a stormwater abatement design using a Stage 3 abatement facility for the proposed office/retail development shall be approved by the San Antonio Water System Aquifer Studies Division. This item shall also be addressed in the Water Pollution Abatement Plan.

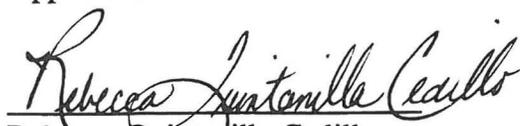
3. The owner/operator shall carry out four (4) sampling events of stormwater runoff through the approved pollution abatement structure on an annual basis. Both the influent and effluent at the approved pollution abatement structure shall be tested for Total Recoverable Petroleum Hydrocarbons (TRPH) by EPA Method 418.1 and Total Suspended Solids (TSS) by EPA Method 160.2 and the sampling events shall be at least four (4) weeks apart. Dependent on the final landscape design and amount of landscaping for the development, testing for Total Phosphorous (TP) by EPA Method 365.4 may be required at the discretion of the Aquifer Studies Division staff. Aquifer Studies Division staff shall be notified prior to sample collection and analytical tests results shall be provided to San Antonio Water System Aquifer Studies Division.
4. The water well shall be plugged in accordance with State and Local regulations.
5. That only a minimal amount of pesticides, herbicides, or fertilizers needed for landscape maintenance shall be used. Landscaped areas shall be sensitive to minimizing water needs (i.e., use of native plants).
6. There will be no storage of hazardous substances on this property.
7. That 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.
8. If any solution openings, caves sinkholes, or water wells are found during excavation, construction, or blasting, the developer shall notify the Texas Natural Resource Conservation Commission at (210) 490-3096 and the Aquifer Studies Division of the San Antonio Water System at (210) 704-7303.
9. That the Aquifer Studies Division staff shall have the authority to inspect the site during and after construction to ensure that the approved recommendations are being strictly adhered to at the site.

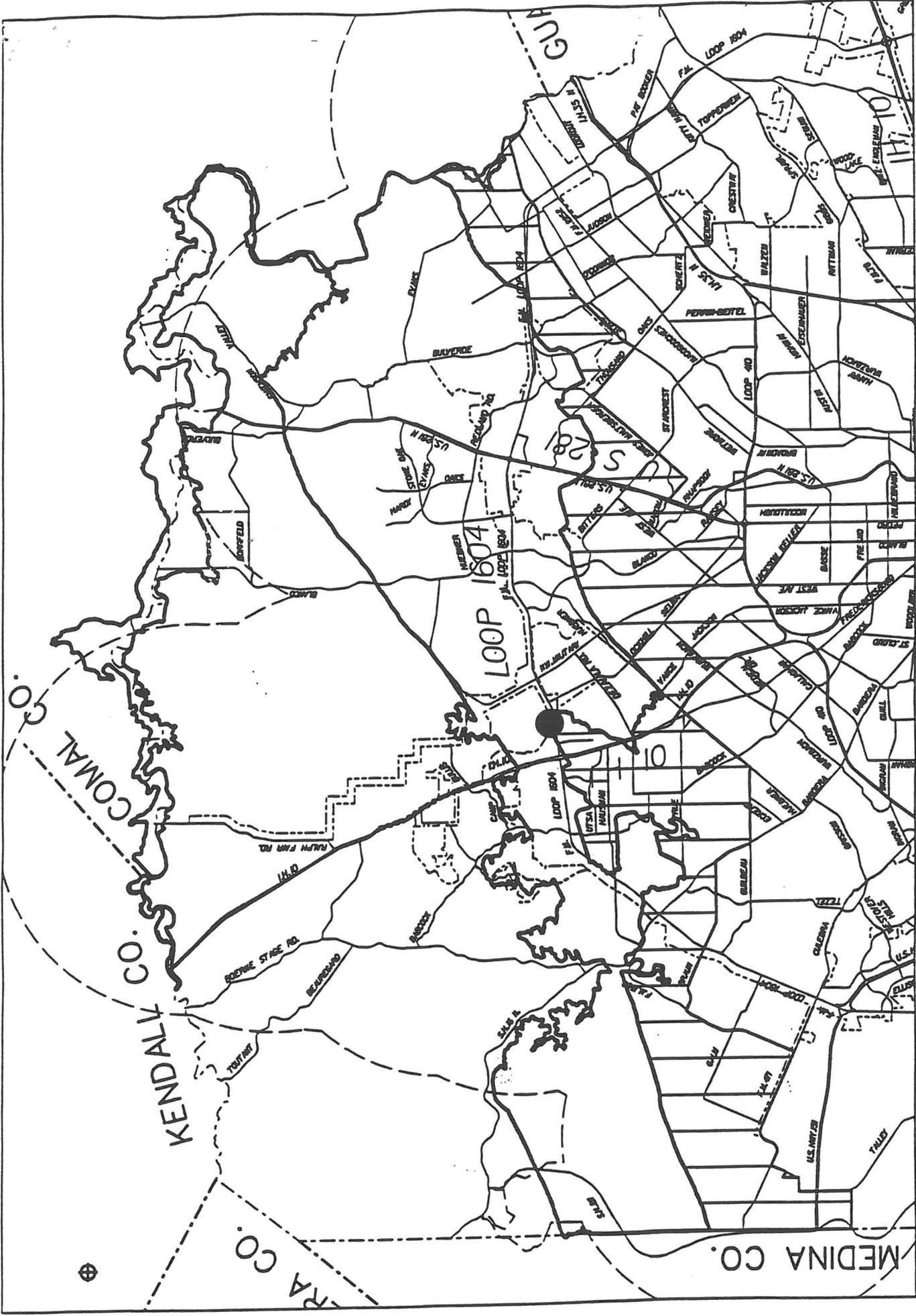
Based on the environmental assessment of the property, and the proposed landuse, staff recommends approval of the requested zoning change.

  
Scott R. Halty  
Division Manager

SRH:kmn

Approved:

  
Rebecca Quintanilla Cedillo  
Vice President of Planning  
San Antonio Water System



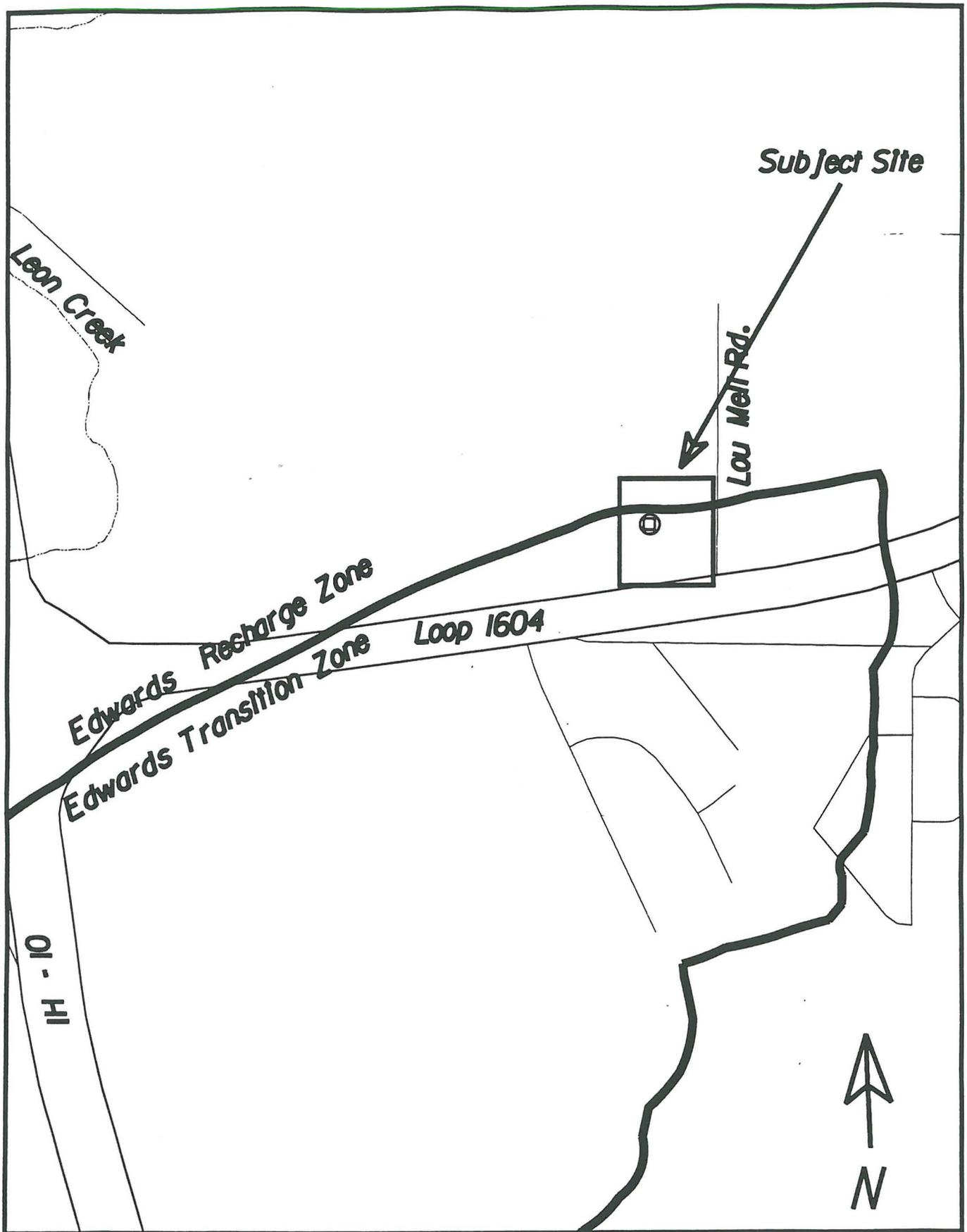
Not to scale

● Subject Site -

Zoning Case Z95044

Figure 1





Not To Scale

Zoning Case Z95044

☐ Water Well

Figure 2



# Affidavit of Publisher

STATE OF TEXAS,

COUNTY OF BEXAR

CITY OF SAN ANTONIO

Before me, the undersigned authority, on this day pe

Helen I. Lutz

, who being l

says on oath that she is Publisher

Recorder, a newspaper of general circulation in the City of San Antonio, in the State and County aforesaid, and that the An Ordinance #82051

hereto attached has been published in every issue of said newspaper on the following days, to-wit: April 19, 1995.

*Helen I. Lutz*

Sworn to and subscribed before me this 19th day of April, 1995.

*Irrene S. Palencia*

Notary Public in and for Bexar County, Texas



**PUBLIC NOTICE**  
**AN ORDINANCE 82051**  
AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 9.078 ACRES OUT OF NCB 14852 FROM TEMPORARY "R-1" UC SINGLE FAMILY RESIDENCE URBAN CORRIDOR DISTRICT TO "B-3" UC BUSINESS URBAN CORRIDOR DISTRICT; AND 1.656 ACRES OUT OF NCB 14852 FROM TEMPORARY "R-1" ERZD UC TO "B-3" ERZD UC BUSINESS EDWARDS RECHARGE ZONE URBAN CORRIDOR DISTRICT; WEST LOOP 1604; PROVIDED THAT THE NINE (9) RECOMMENDATIONS OF THE AQUIFER STUDIES OFFICE ARE ADHERED TO. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".  
4/19