

2007-03-15-0301

AN ORDINANCE 2007-03-15-03 ✓ (15)

**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 Lot 17, Block 1, NCB 16331 from "C-2" ERZD Commercial Edwards Recharge Zone District and "C-3 R" ERZD General Commercial Restrictive Alcohol Sales Edwards Recharge Zone District to "C-2" S ERZD Commercial Edwards Recharge Zone District with Specific Use Permit for a Hotel.

**SECTION 2.** 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 3.** 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 "A" and made a part hereof and incorporated herein for all purposes.

**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 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.

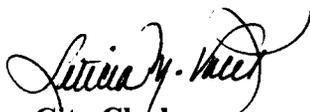
**SECTION 8.** The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

**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 on March 25, 2007.

**PASSED AND APPROVED** this 15th day of March, 2007.

ATTEST:

  
City Clerk

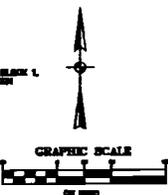
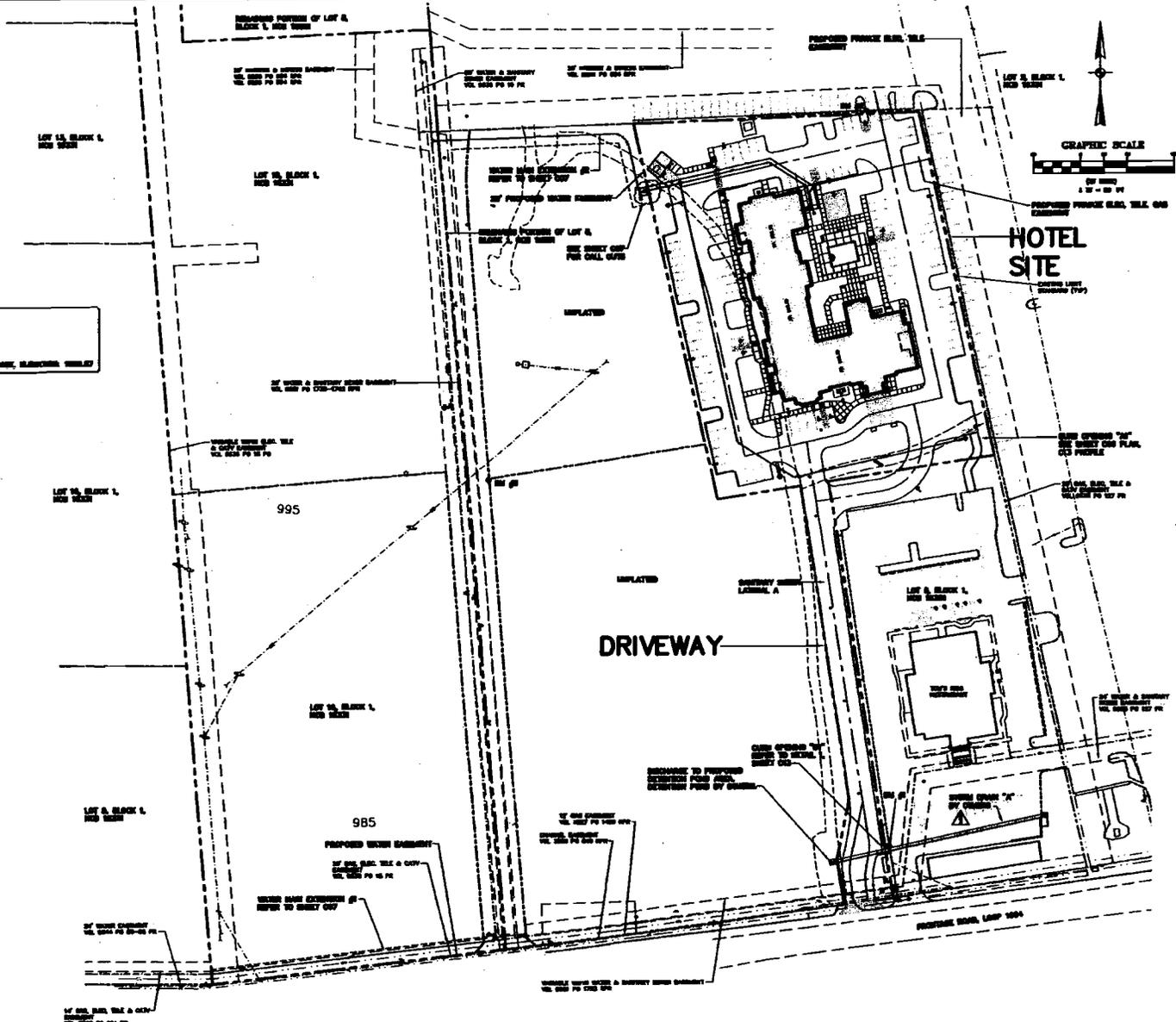
  
M A Y O R  
PHIL HARDBERGER

APPROVED AS TO FORM:

  
Fa City Attorney

22007115

THIS SITE LOCATED ON LOT 12, BLOCK 1, NEW YORK, TOWNSHIP  
 IMPROVEMENT, PLAT 100000, RECORDED IN VOLUME 1000, PAGE  
 100, WITH COUNTY CLERK'S OFFICE.



**IMPROVEMENTS**  
 SEE PLAN FOR THE WALL, FOLDED IN TOP OF CURB, BARRICADE WALLS  
 SEE PLAN FOR THE WALL, FOLDED IN TOP OF CURB, BARRICADE WALLS  
 SEE PLAN FOR THE WALL, FOLDED IN TOP OF CURB, BARRICADE WALLS

**HOMEWOOD SUITES**  
 NUMBER OF STORIES: 5  
 HEIGHT: 53'  
 NUMBER OF ROOMS: 106  
 IMPERVIOUS COVER: 75%

PROJECT NO.	22007115
DATE	1/12/2007
SCALE	AS SHOWN
DESIGNED BY	CEC
CHECKED BY	
APPROVED BY	
DATE	
PROJECT NAME	HOMERIDGE MOBILITY GROUP
PROJECT ADDRESS	HOMERIDGE MOBILITY GROUP
CITY	PHOENIX, ARIZONA
COUNTY	PHOENIX, ARIZONA
STATE	ARIZONA
COUNTRY	USA
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EXHIBIT A

**Affidavit of Publisher**

STATE OF TEXAS  
COUNTY OF BEXAR  
S.A. - CITY CLERK

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: Lot 17, Block 1, NCB 16331 TO WIT: From "C-2" ERZD Commercial Edwards Recharge Zone District and "C-3 R" ERZD General Commercial Restrictive Alcohol Sales Edwards Recharge Zone District to "C-2" S ERZD Commercial Edwards Recharge Zone District with Specific Use Permit for a Hotel. THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00.  
3/20

Before me, the undersigned authority, on this day personally appeared Helen I. L. by me duly sworn, says on oath that she is Publisher of the Commercial Recorder, a general circulation in the City of San Antonio, in the State and County aforesaid, and Ordinance 2007-03-15-0301 here to attached has been published in every issue newspaper on the following days, to wit:

03/20/2007.

*Helen I. Lutz*

Sworn to and subscribed before me this 20th day of of March, 2007.

*Martha L. Machuca*

