

AN ORDINANCE 2013-05-02-0315

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 13.693 acres out of Parcel 4C, NCB 17701 from "C-1 ERZD MLOD-1 AHOD" Light Commercial Edwards Recharge Zone Camp Bullis Military Lighting Overlay Airport Hazard Overlay District to "C-2 ERZD MLOD-1 AHOD" Commercial 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 65%.

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 May 12th, 2013.

PASSED AND APPROVED this 2nd day of May, 2013.


M A Y O R
Julián Castro

ATTEST:

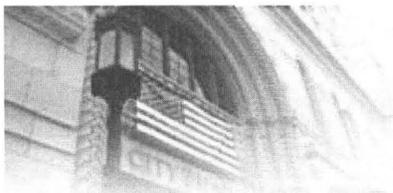


Leticia M. Vacek, City Clerk

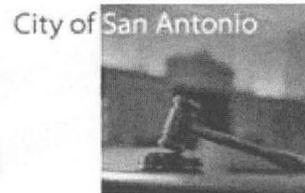
APPROVED AS TO FORM:



Michael D. Bernard, City Attorney
FO



Request for
**COUNCIL
ACTION**



Agenda Voting Results - Z-15

Name:	Z-15						
Date:	05/02/2013						
Time:	02:49:33 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2013067 ERZD (District 9): An Ordinance amending the Zoning District Boundary from "C-1 ERZD MLOD-1 AHOD" Light Commercial Edwards Recharge Zone Camp Bullis Military Lighting Overlay Airport Hazard Overlay District to "C-2 ERZD MLOD-1 AHOD" Commercial Edwards Recharge Zone Camp Bullis Military Lighting Overlay Airport Hazard Overlay District on 13.693 acres out of Parcel 4C, NCB 17701 located on a portion of the 17500 Block of Northwest Military Highway. 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				
Leticia Ozuna	District 3		x				
Rey Saldaña	District 4		x				
David Medina Jr.	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7	x					
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x			x	
Carlton Soules	District 10		x				x

FIELD NOTES
FOR
ZONING

A 13.693 acre, more or less, tract of land, out of that 190.5 acre tract conveyed to Rogers 1604 Commercial, Ltd. in deed recorded in Volume 11309, Pages 1351-1358 of the Official Public Records of Bexar County, Texas, out of the Collin C. McCrae Survey No. 391, Abstract 482, in New City Block (N.C.B.) 17701 of the City of San Antonio, Bexar County, Texas. Said 13.693 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:

- BEGINNING: At a found ½" iron rod with yellow cap stamped "Pape-Dawson" on the northeast right-of-way of N.W. Military, a 120-foot right-of-way, the west corner of Presidio Heights Subdivision, Unit 2B, recorded in Volume 9591, Page 173 of the Deed and Plat Records of Bexar County, Texas, the south corner of the herein described tract;
- THENCE: N 27°55'24" W, along and with the northeast right-of-way line of said N.W. Military, the southwest line of said 190.5 acre tract, a distance of 1012.96 feet to a found ½" iron rod with yellow cap stamped "Pape-Dawson";
- THENCE: N 62°04'02" E, along and with the northwest line of said 190.5 acre tract, a distance of 588.80 feet to a found ½" iron rod with yellow cap stamped "Pape-Dawson" for a west corner of a 167.5190 acre tract recorded in Volume 15305, Pages 390-402 of the Official Public records of Real Property of Bexar County, Texas;
- THENCE: S 27°55'24" E, along and with the southwest line of said 167.5190 acre tract, a distance of 1013.04 feet to a found ½" iron rod with yellow cap stamped "Pape-Dawson" for a corner of said 167.5190 acre tract, on the northwest line of said Presidio Heights Subdivision Unit 2B;
- THENCE: S 62°04'32" W, along and with the northwest line of said Presidio Heights Subdivision Unit 2B, a distance of 588.80 feet to the POINT OF BEGINNING, and containing 13.693 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: January 17, 2013

Job No.: 4426-68

4426-68 13.693 AC ZONING.docx

TBPE Firm Registration #470

TBPLS Firm Registration #100288-00

Page 1 of 1





LOCATION MAP

MAPSCO MAP GRID: 51582
NOT-TO-SCALE

REMAINING PORTION OF A 2325.9942 ACRES
(VOL. 5553, PGS. 103 O.P.R.)

440.2 ACRE QUARRY LEASE
ZONED QD-S MSAO-1

N 62°04'02" E 588.80'

FD. 1/2" I.R. (PD)

ROGERS 1604 COMMERCIAL, LTD
190.5 ACRES
(VOL. 11309, PGS. 1351-1358 O.P.R.)

N 27°55'24" W 1012.96'

**ZONING TRACT
13.693 ACRES**

ZONED C1 ERZD

SHAVANO ROGERS RANCH NORTH NO. 3 LTD
167.5190 ACRES
(VOL. 15305, PGS. 390-402 O.P.R.)

S 27°55'24" E 1013.04'

ZONED R6



**EXHIBIT
FOR ZONING**

A 13.693 ACRE, MORE OR LESS, TRACT OF LAND, OUT OF THAT 190.5 ACRE TRACT CONVEYED TO ROGERS 1604 COMMERCIAL, LTD. IN DEED RECORDED IN VOLUME 11309, PAGES 1351-1358 OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS, OUT OF THE COLLIN C. MCCRAE SURVEY NO. 391, ABSTRACT 482, IN NEW CITY BLOCK (N.C.B.) 17701 OF THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS.



535 EAST RAMSEY | SAN ANTONIO TEXAS 78216 | PHONE: 210.375.9000
FAX: 210.375.9010
TEXAS BOARD OF PROFESSIONAL ENGINEERS, FIRM REGISTRATION # 470
TEXAS BOARD OF PROFESSIONAL LAND SURVEYORS, FIRM REGISTRATION # 102269-00

LEGEND:

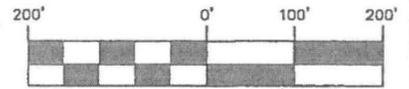
- DR DEED RECORDS OF BEXAR COUNTY, TEXAS
- OPR OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS
- DPR DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
- FIR FOUND 1/2" IRON ROD

NOTES:

1. THE PROFESSIONAL SERVICES PROVIDED HEREWITH INCLUDE THE PREPARATION OF A FIELD NOTE DESCRIPTION.
2. THE BEARINGS ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 (CORS 1996), FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE.



SCALE: 1" = 200'



NW MILITARY HWY. FM. 1535
(120-FOOT R.O.W.)

S 62°04'32" W 588.80'
PRESIDIO HEIGHTS SUBDIVISION,
UNIT 28 P.U.D.
(VOL. 9591, PG. 173 D.P.R.)

P.O.B.

FD. 1/2" I.R. (PD)

FD. 1/2" I.R. (PD)

ZONED R4

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