SG/cla
06/19/2014
Z-19. Amended.

CASE NO. Z2014006 ERZD

AN ORDINANCE 2014-06-19-0501

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 4.49 acres out of NCB 19217 from "C-2NA S ERZD MLOD-1" Commercial Nonalcoholic Sales Edwards Recharge Zone Camp Bullis Military Lighting Overlay District with a Specific Use Authorization for a Gymnasium to "R-6 PUD ERZD MLOD-1" Residential Single-Family Planned Unit Development Edwards Recharge Zone Camp Bullis Military Lighting 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 45%.

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 June 29, 2014.

PASSED AND APPROVED this 19th day of June 2014.

M A Y O R
Julián Castro

ATTEST:

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

For Robert F. Greenblum, City Attorney

Agenda Item:	**Z-19**
Date:	06/19/2014
Time:	02:35:31 PM
Vote Type:	Motion to Appr w Cond
Description:	ZONING CASE # Z2014006 ERZD (District 9): An Ordinance amending the Zoning District Boundary from "C-2NA S ERZD MLOD-1" Commercial Nonalcoholic Sales Edwards Recharge Zone Camp Bullis Military Lighting Overlay District with a Specific Use Authorization for a Gymnasium to "R-6 PUD ERZD MLOD-1" Residential Single-Family Planned Unit Development Edwards Recharge Zone Camp Bullis Military Lighting Overlay District on 4.49 acres out of NCB 19217 located on a portion of the 21700 and 21800 Blocks of Hardy Oak Boulevard. 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				
Rebecca Viagran	District 3	x					
Rey Saldaña	District 4	x					
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x			x	
Michael Gallagher	District 10		x				x

Z2014006

CUDE
ENGINEERS SURVEYORS PLANNERS

Metes and Bounds
4.494 Acres
Tract "B"
San Antonio, Bexar County, Texas

Being 4.494 acres of land, New City Block 19217 in the City of San Antonio, Texas situated in the Beaty, Seale & Forwood Survey No. 9, Abstract No. 112, County Block 4933, Bexar County, Texas out of a called 29.363 acre tract described by Warranty Deed recorded in Volume 9320, Page 921 of the Official Public Records of Bexar County, Texas, said 4.494 acres being more particularly described as follows:

Commencing: at a 1/2-inch found iron rod with cap stamped "MOY" on the northeast right-of-way line of Hardy Oak (variable width right-of-way) for a point of curvature being the west most south corner of a 7.208 acre tract of land designated as Parcel 12 recorded in Volume 13283, Page 636 of the Official Public Records of Bexar County, Texas;

Thence: departing the northeast right-of-way line of Hardy Oak, along the south line of said 7.208 acre tract and curve to the left having a radius of 25.00 feet, a delta angle of 90° 00' 00", an arc length of 39.27 feet, of which the chord bears North 88° 20' 56" East, 35.36 feet to a 1/2-inch found iron rod with cap stamped "MW CUDE" at the point of tangency of said curve and being the east most south corner of said 7.208 acre tract;

Thence: North 43° 20' 56" East, along the southeast line of said 7.208 acre tract, a distance of 275.00 feet to a1/2-inch found iron rod with cap stamped "MW CUDE" being the East corner of said 7.208 acre tract and being the **POINT OF BEGINNING** for the west corner of this tract herein described;

Thence: crossing said 29.363 acre tract, the following courses and distances:

North 42° 47' 37" East, a distance of 219.95 feet to a 1/2-inch set iron rod with cap stamped "MW CUDE" for the northwest corner of this tract herein described;

South 70° 00' 00" East, a distance of 470.00 feet to a 1/2-inch set iron rod with cap stamped "MW CUDE" for the northeast corner of this tract herein described;

South 06° 54' 43" West, a distance of 504.92 feet to a 1/2-inch set iron rod with cap stamped "MW CUDE" on the northeast boundary line of Block 8, MESA COMMERCIAL as recorded in Volume 9546, Page 53 of the Deed and Plat Records of Bexar County, Texas being the south corner of this tract herein described, said iron rod bears North 46°39'04" West along the northeast boundary line of said Block 8, MESA COMEERCIAL, a distance of 120.00 feet from a 1/2-inch found iron rod with cap stamped "GIBBONS" for the south corner of said 29.363 acre tract;

Attachment A

CUDE
ENGINEERS SURVEYORS PLANNERS

Thence: North 46° 39' 04" West along the northeast boundary line and passing the North corner of said Block 8, MESA COMMERCIAL, and crossing said 29.363 acre tract, a distance of 729.97 feet to the **POINT OF BEGINNING** and containing 195,772 square feet or 4.494 acres of land, more or less.

Note: Basis of Bearing is northeast boundary line of MESA COMMERCIAL as recorded in Volume 9546, Page 53 of the Deed and Plat Records of Bexar County, Texas.

Reference is made to survey plat dated November 7, 2013 accompanying these field notes.

Job No. 01074.730
Date November 7, 2013
JGR

STATE OF TEXAS
REGISTERED
KEITH C. KEPPLER
6271
PROFESSIONAL
LAND SURVEYOR

11/13/13