

AN ORDINANCE 7793 2

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. Z93066 CC

The rezoning and reclassification of property from Temporary "R-1" ERZD to "R-1" ERZD CC listed below as follows:

A 0.0977 acre tract of land out of NCB 17858 Huebner Road

The Environmental Protection Officer's recommendations are as follows:

(1) Prior to the release of any building permits the following shall be submitted to the release of any building permits the following shall be submitted to the Aquifer Studies Division, San Antonio Water System.

- (a) A set of site specific plans which must have a signed Engineers Seal from the State of Texas
- (b) A letter from the Texas Water Commission approving a Water Pollution Abatement Plan for the site or a letter from the Texas Water Commission exempting this site from the Water Pollution Abatement Plan.

- (2) That no hazardous chemicals shall be allowed to be stored on this tract.
- (3) The battery storage facility design must be approved by the Aquifer Studies Division.
- (4) That only a minimal amount of any pesticides, herbicides, or fertilizers, needed for landscape maintenance, shall be used. Should it be deemed that an amount used or type of chemical being used is considered hazardous to the Edwards Aquifer by the Aquifer Studies Division staff, its use shall be discontinued by the owner and/or operator.

- (5) If any solution openings, caves, sinkholes, or water wells are discovered on the property, during construction or blasting, the owner shall notify the Texas Water Commission at (210) 490-3096 and the Aquifer Studies Division at (210) 225-7461, Ext. 1303.
- (6) That the Aquifer Studies Division staff shall have the authority to inspect all facilities developed on the approximated 0.0977 acres to ensure that the approved recommendations are being strictly adhered to, during and after completion of the project.

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 May 1993.

ATTEST: Norma S. Rodriguez
City Clerk

John W. Wolf
MAYOR

APPROVED AS TO FORM: Tom Finley
for City Attorney

93-21

- ARTS & CULTURAL AFFAIRS
- AVIATION
- 7 BUILDING INSPECTIONS
- 7 BUILDING INSPECTIONS-HOUSE NUMBERING
- CITY ATTORNEY
 - MUNICIPAL COURT (REGINA)
 - 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
- COMMUNITY DEVELOPMENT
- COMMUNITY INITIATIVES
- CONVENTION & VISITORS BUREAU
- CONVENTION FACILITIES
- DOME DEVELOPMENT OFFICE
- ECONOMIC DEVELOPMENT
- FINANCE DIRECTOR
 - 1 ASSESSOR
 - CONTROLLER
 - GRANTS
 - RISK MANAGEMENT
 - TREASURY
- FIRE DEPARTMENT
- HOUSING TRUST
- INFORMATION SERVICES
- INTERNAL REVIEW
- LIBRARY
- MANAGEMENT SERVICES (BUDGET)
- MANAGEMENT SERVICES (PERSONNEL)
- MARKET SQUARE
- METROPOLITAN HEALTH DISTRICT
- MUNICIPAL COURTS
- 7 PARKS & RECREATION
- 1 PLANNING
 - DISABILITY ACCESS OFFICE
 - 1 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)
- 1 COMM. RECORDER
- MUNICIPAL CODE CORPORATION (PUBLISH)

ITEM NO. 4B
 MEETING OF THE CITY COUNCIL DATE: MAY 13 1993

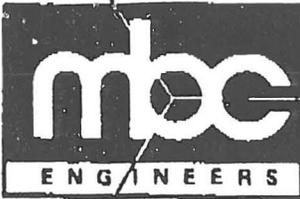
MOTION BY: Thorn SECONDED BY: Full Burke
 ORD. NO. 77932 ZONING CASE #29306d/ce

RESOL. _____ PETITION _____

	ROLLCALL	AYE	NAY
ROGER PEREZ DISTRICT 1		<input checked="" type="checkbox"/>	
FRANK PIERCE DISTRICT 2		<input checked="" type="checkbox"/>	
LYNDA BILLA BURKE DISTRICT 3		<input checked="" type="checkbox"/>	
REYNALDO NIETO DISTRICT 4		<input checked="" type="checkbox"/>	
JUAN F. SOLIS III DISTRICT 5		<input checked="" type="checkbox"/>	
HELEN AYALA DISTRICT 6		absent	
YOLANDA VERA DISTRICT 7		absent	
BILL THORNTON DISTRICT 8		<input checked="" type="checkbox"/>	
WEIR LABATT DISTRICT 9		<input checked="" type="checkbox"/>	
LYLE LARSON DISTRICT 10		<input checked="" type="checkbox"/>	
NELSON WOLFF MAYOR		absent	

NO, PROVIDED BY RECOMM'S OF ENV. PROT. OFFER ARE ADHERED TO

93-21



MACINA • BOSE • COPELAND and ASSOCIATES, INC
CONSULTING ENGINEERS AND LAND SURVEYORS

415 Breesport Drive, San Antonio, Texas 78216
(210) 349-0151 FAX (210) 349-9302

#293066

METES AND BOUNDS DESCRIPTION
FOR

A SOUTHWESTERN BELL TELEPHONE EASEMENT OUT OF THAT PORTION OF 67.6136 ACRES OUT OF THE HENRY JEFFERS SURVEY NO. 364, ABSTRACT NO. 388, COUNTY BLOCK 4987, AND OUT OF THE JAMES COGHILL SURVEY NO. 82, ABSTRACT NO. 142, COUNTY BLOCK 4786, ALL WITHIN NEW CITY BLOCK 17858, CITY OF SAN ANTONIO, AS RECORDED IN VOLUME 5274 PAGE 35 (WARRANTY DEED) OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS, DESCRIBED AS FOLLOWS:

- BEGINNING: At an $\frac{1}{4}$ " iron rod found in the east right-of-way line of Huebner Road being S 14°42'03" W 1,196.10 feet from the intersection of the east right-of-way line of Huebner Road with the south right-of-way line of Bitters Road as shown on the recorded subdivision plat of Deerfield Subdivision as recorded in Volume 9504 Page 20 of the Deed and Plat Records of Bexar County, Texas;
- THENCE: Southeasterly along a curve to the left having a radius of 15.00 feet, a central angle of 89°34'55", a tangent length of 14.89 feet, an arc length of 23.45 feet and a chord which bears S 30°05'24" E 21.14 feet to an $\frac{1}{4}$ " iron rod found for a point of tangency;
- THENCE: S 74°52'52" E 123.02 feet to an $\frac{1}{4}$ " iron rod found for a point of curvature;
- THENCE: Northeasterly along a curve to the left having a radius of 82.81 feet, a central angle of 42°19'27", a tangent length of 32.06 feet, an arc length of 61.17 feet and a chord which bears N 83°57'24" E 59.79 feet to an $\frac{1}{4}$ " iron rod set;
- THENCE: S 07°02'45" E 47.86 feet to an $\frac{1}{4}$ " iron rod set;
- THENCE: S 82°57'15" W 35.00 feet to an $\frac{1}{4}$ " iron rod set;
- THENCE: N 07°02'45" W 27.00 feet to an $\frac{1}{4}$ " iron rod set;
- THENCE: Northwesterly along a curve to the right having a radius of 98.81 feet, a central angle of 18°24'57", a tangent length of 16.02 feet, an arc length of 31.76 feet and a chord which bears N 84°05'20" W 31.62 feet to an iron pin set for a point of tangency;

293066

THENCE: N 74°52'52" W 137.79 feet to an ½" iron rod set in the east right-of-way line of Huebner Road;

THENCE: N 14°42'03" E 30.89 feet along the east right-of-way line of Huebner Road to the POINT OF BEGINNING and containing 0.0977 of an acre of land.

C-5405

June 3, 1992

PD/lk

Revised: March 17, 1993

Zoning Case No.: Z93066 CC

Date: April 20, 1993

Council District: 8

Appeal: No

Applicant: Phil Garay

Owner: Deerfield Land, Ltd.

Zoning Request: Temporary "R-1" ERZD Single Family Residence Edwards Recharge Zone District to "R-1" ERZD CC Single Family Residence Edwards Recharge Zone District with special City Council approval for a utility infrastructure.

Property Location:

A 0.0977 acre tract of land out of NCB 17858 Huebner Road

Property is located on the southeast side of Huebner Road, 1,196 feet southwest of the intersection of Bitters Road and Huebner Road, having 30.89 feet on Huebner Road and a depth of 207.64 feet.

Zoning Commission Recommendation:

Approval, provided the Environmental Protection Officer's recommendations are as follows: (1) Prior to the release of any building permits the following shall be submitted to the Aquifer Studies Division, San Antonio Water System: (a) a set of site specific plans which must have a signed Engineers Seal from the State of Texas, (b) a letter from the Texas Water Commission approving a Water Pollution Abatement Plan for the site or a letter from the Texas Water Commission exempting this site from the Water Pollution Abatement Plan. (2) That no hazardous chemicals shall be allowed to be stored on this tract, (3) The battery storage facility design must be approved by the Aquifer Studies Division, (4) That only a minimal amount of any pesticides, herbicides, or fertilizers, needed for landscape maintenance, shall be used. Should it be deemed that an amount used or type of chemical being used is considered hazardous to the Edwards Aquifer by the Aquifer Studies Division staff, its use shall be discontinued by the owner and/or operator, (5) If any solution openings, caves, sinkholes, or water wells are discovered on the property, during construction or blasting, the owner shall notify the Texas Water Commission at (210) 490-3096 and the Aquifer Studies Division at (210) 225-7461, Ext. 1303, and (6) That the Aquifer Studies

VOTE:

FOR:	<u>6</u>
AGAINST:	<u>0</u>
ABSTAIN:	<u>0</u>

Division staff shall have the authority to inspect all facilities developed on the approximated 0.0977 acres to ensure that the approved recommendations are being strictly adhered to, during and after completion of the project.

Applicant's Proposal:

Telephone utility infrastructure.

Staff Recommendation:

Approval provided that the recommendation's of the Environmental Protection Officer are met.

1. The proposed use is to place a telephone vault to house telephone equipment to service the adjacent development.

ZONING CASE NO. Z93066 CC

Applicant: Phil Garay

Zoning request: Temporary "R-1" ERZD Single Family Residence Edwards Recharge Zone District to "R-1" ERZD CC Single Family Residence Edwards Recharge Zone District with special City Council approval for utility infrastructure

Mr. Phil Garay, 300 Convent, representing the owner, requested the change of zoning for telephone utility infrastructure. He stated that the structure will be used for storage of telephone equipment for Southwestern Bell.

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. McMahon and seconded by Mr. Olivarri, to recommend approval of the request from Temporary "R-1" ERZD Single Family Residence Edwards Recharge Zone District to "R-1" ERZD CC Single Family Residence Edwards Recharge Zone District with special City Council approval for a utility infrastructure for the following reasons:

1. Property is located on a 0.0977 acre tract of land out of NCB 17858, Huebner Road.
2. There were 4 notices mailed out, none returned in opposition and 1 returned in favor.
3. Staff recommended approval provided the Environmental Protection Officer's recommendations are met.
4. The Environmental Protection Officer's recommendations are as follows:
 - (1) Prior to the release of any building permits the following shall be submitted to the Aquifer Studies Division, San Antonio Water System:
 - (a) a set of site specific plans which must have a signed Engineers Seal from the State of Texas, (b) a letter from the Texas Water Commission approving a Water Pollution Abatement Plan for the site or a letter from the Texas Water Commission exempting this site from the Water Pollution Abatement Plan.
 - (2) That no hazardous chemicals shall be allowed to be stored on this tract,
 - (3) The battery storage facility design must be approved by the Aquifer Studies Division,
 - (4) That only a minimal amount of any pesticides, herbicides, or fertilizers, needed for landscape maintenance, shall be used. Should it be deemed that an amount used or type of chemical being used is considered hazardous to the Edwards Aquifer by the Aquifer Studies Division staff, its use shall be discontinued by the owner and/or operator,
 - (5) If any solution openings, caves, sinkholes, or water wells are discovered on the property, during construction or blasting, the owner shall notify the Texas Water Commission at (210) 490-3096 and the Aquifer Studies Division at (210) 225-7461, Ext. 1303, and
 - (6) That the Aquifer Studies Division staff shall have the authority to inspect all facilities developed on the approximated 0.0977 acres to ensure that the approved recommendations are being strictly adhered to, during and after completion of the project.

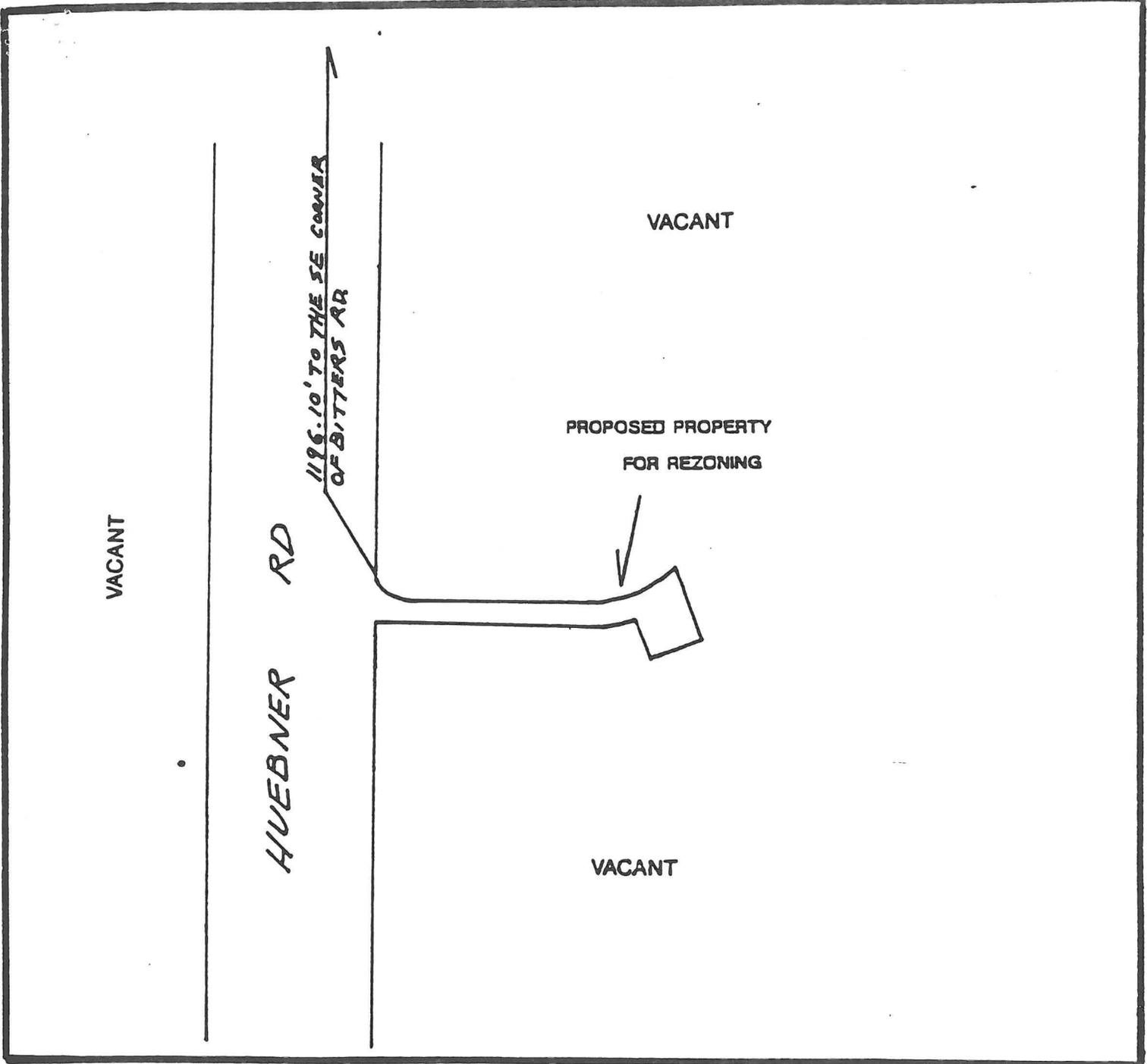
Page 2

Zoning Case No. Z93066

AYES: McMahon, Olivarri, Brown, Estrada, Grant, Williams

NAYS: None

THE MOTION CARRIED.



SITE OVERVIEW

ZONING CASE Z93066



SCALE: 1" = 100'

FIGURE 2

_____ NOTICES MAILED
 _____ IN OPPOSITION
 _____ IN FAVOR

B-3
 E.R.Z.D.

E.R.Z.D.
 P-1
 R-1

E.R.Z.D.
 R-1
 TEMP

E.R.Z.D.
 B-3



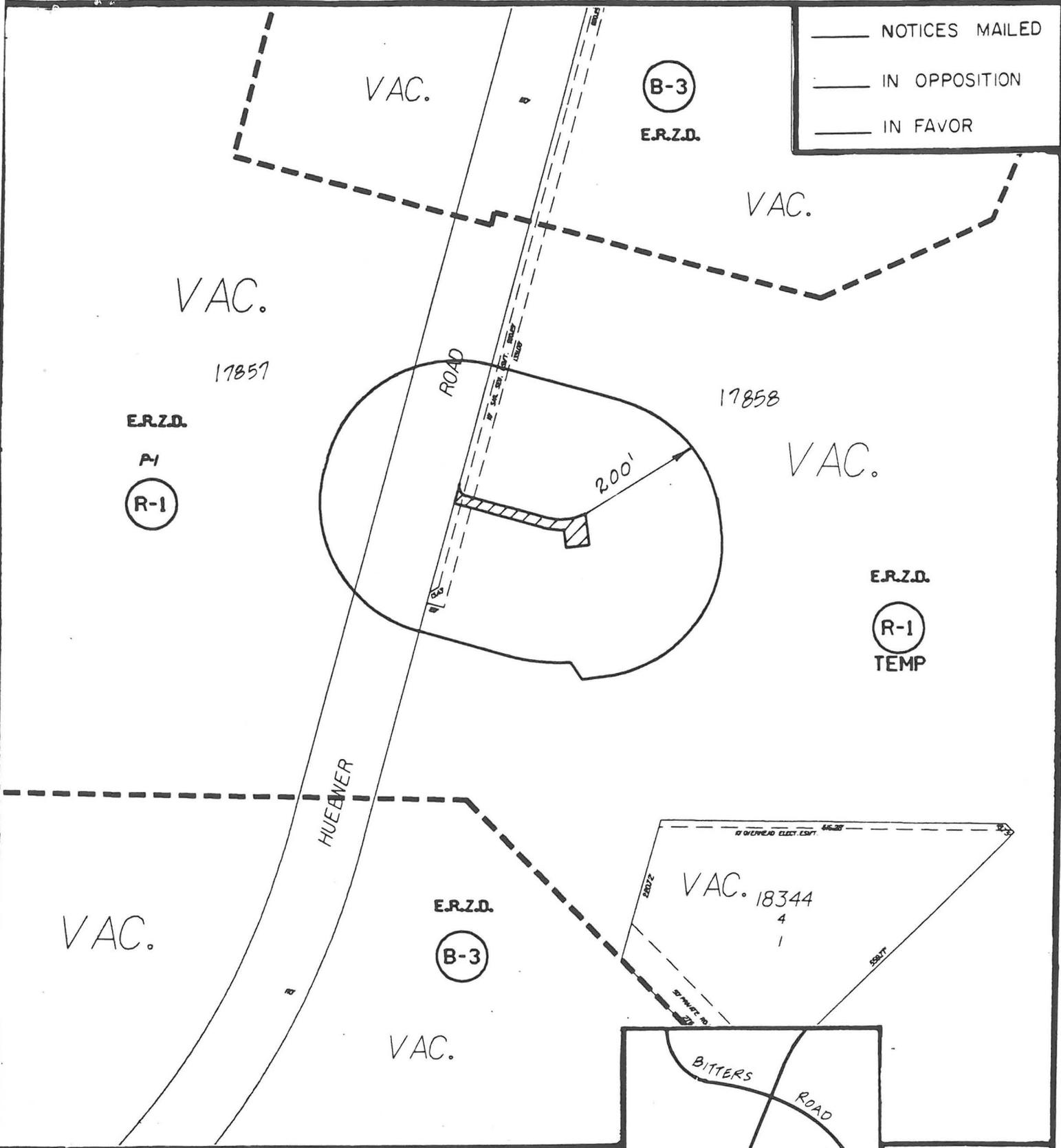
ZONING CASE Z93066CC

CITY COUNCIL DISTRICT NO: 8

REQUESTED ZONING CHANGE
 FROM TEMP "R-1"ERZD TO "R-1"ERZD CC
 DATE MAY 13, 1993 FOR A UTILITY
 INFRASTRUCTURE



DEPARTMENT OF PLANNING
 SAN ANTONIO, TEXAS



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 A 0.0977 ACRE TRACT OF LAND OUT OF ZNCB 17858, HUEBNER ROAD, FROM TEMPORARY "R-1" ERZD SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "R-1" ERZD CC SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT WITH SPECIAL CITY CODE

Affidavit of Publisher

THE STATE OF TEXAS,

COUNTY OF BEXAR

CITY OF SAN ANTONIO

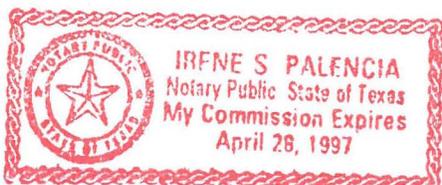
Before me, the undersigned authority, on this day personally appeared William A. Johnson, who being by me duly sworn, says on oath that he is Publisher of the Commercial Recorder, a newspaper of general circulation in the City of San Antonio, in the State and County aforesaid, and that the An Ordinance #77932 hereto attached has been published in every issue of said newspaper on the following days, to-wit: May 17, 1993.

William A. Johnson

Sworn to and subscribed before me this 17th day of May, 1993.

Irene S. Palencia

Notary Public in and for Bexar County, Texas



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 A 0.0977 ACRE TRACT OF LAND OUT OF NCB 17858, HUEBNER ROAD, FROM TEMPORARY "R-1" ERZD SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "R-1" ERZD CC SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR A UTILITY INFRASTRUCTURE, PROVIDED THAT THE SIX (6) RECOMMENDATIONS OF THE ENVIRONMENTAL PROTECTION OFFICER ARE ADHERED TO. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".
5/17

Affidavit of Publisher

THE STATE OF TEXAS,
COUNTY OF BEXAR
CITY OF SAN ANTONIO

Before me, the undersigned authority, on this
appeared William A. Johnson
being by me duly sworn, says on oath that he is 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 An Ordinance #77932
hereto attached has been published in every issue of said newspaper on
the following days, to-wit: May 17, 1993

William A. Johnson

Sworn to and subscribed before me this 17th day of May, 1993.

Irrene S. Palencia

Notary Public in and for Bexar County, Texas

