

AN ORDINANCE 2009-11-05-0894

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 6.045 acres out of NCB 14859 and NCB 14864 from "R-6 ERZD GC-1 MLOD-1" Residential Single-Family Edwards Recharge Zone Hill Country Gateway Corridor Camp Bullis Military Lighting Overlay District-1 to "C-3 ERZD GC-1 MLOD-1" General Commercial Edwards Recharge Zone Hill Country Gateway Corridor Camp Bullis Military Lighting Overlay District-1.

SECTION 2. A description of the property is attached as **Exhibit "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 50%.

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 Planning and 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.

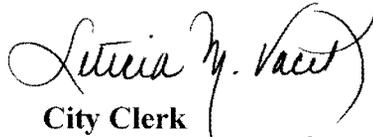
SECTION 9. If a court of competent jurisdiction enters a final judgment on the merits that is no longer subject to appeal and substantially limits or impairs the essential elements of sections one through five of this ordinance, then sections one through five are invalid and have no legal effect as of 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 November 15, 2009.

PASSED AND APPROVED this 5th day of November 2009.



M A Y O R
JULIÁN CASTRO

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
For City Attorney

Agenda Item:	Z-4 (in consent vote: Z-1, Z-4, Z-8, Z-9, Z-11, Z-12)						
Date:	11/05/2009						
Time:	02:14:58 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2009043 ERZD (District 8): An Ordinance amending the zoning district boundary from "R-6 ERZD GC-1 MLOD-1" Residential Single-Family Edwards Recharge Zone Hill Country Gateway Corridor Camp Bullis Military Lighting Overlay District-1 to "C-3 ERZD GC-1 MLOD-1" General Commercial Edwards Recharge Zone Hill Country Gateway Corridor Camp Bullis Military Lighting Overlay District-1 on 6.045 acres out of NCB 14859 and NCB 14864 located at 16206, 15819, & 16303 Old Fredericksburg Road. Staff and Zoning Commission recommend approval.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Mary Alice P. Cisneros	District 1		x				x
Ivy R. Taylor	District 2		x				
Jennifer V. Ramos	District 3		x			x	
Philip A. Cortez	District 4		x				
David Medina Jr.	District 5		x				
Ray Lopez	District 6		x				
Justin Rodriguez	District 7		x				
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x				
John G. Clamp	District 10		x				



LAND DEVELOPMENT ENVIRONMENTAL TRANSPORTATION WATER RESOURCES SURVEYING

FIELD NOTES

FOR

A 0.7110 of an acre, or 30,969 square feet square feet more or less, tract of land, being a portion of that 2.820 acre tract conveyed to La Cantera Development Company, by instrument recorded in Volume 13351, Pages 2299-2304 of the Official Public Records of Real Property of Bexar County, Texas, out of the Texas Central Railway Co. Survey No. 599, Abstract 1071, County Block 4762, now in New City Block 14864 of the City of San Antonio, Bexar County Texas. Said 0.7110 of an 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 pinched pipe on the east right-of-way line of Old Fredericksburg Road, a variable width right-of-way, nominally 100-feet, the northeast corner of said 2.820 acre tract, a southwest corner of a 5.085 acre tract conveyed to La Cantera Development Company by Warranty Deed, recorded in Volume 8161, Pages 557-561, of the Official Public Records of Bexar County, Texas, the northwest corner of the herein described tract;

THENCE: N 88°34'06" E, departing the east right-of-way line of said Old Fredericksburg Road, along and with the north line of said 2.820 acre tract and a south line of said 5.085 acre tract, a distance of 147.53 feet to a found pinched pipe at the northeast corner of the said 2.820 acre tract, a reentrant corner of the said 5.085 acre tract, for the northeast corner of the herein described tract;

THENCE: S 01°03'40" E, along and with the east line of said 2.820 acre tract, the west line of said 5.085 acre tract a distance of 173.51 feet to a point;

THENCE: S 90°00'00" W, departing east line of said 2.820 acre tract, the west line of said 5.085 acre tract, over and across said 2.820 acre tract a distance of 214.04 feet to a point on the east right-of-way line of said Old Fredericksburg Road, a point on the west line of said 2.820 acre tract;

Exhibit A

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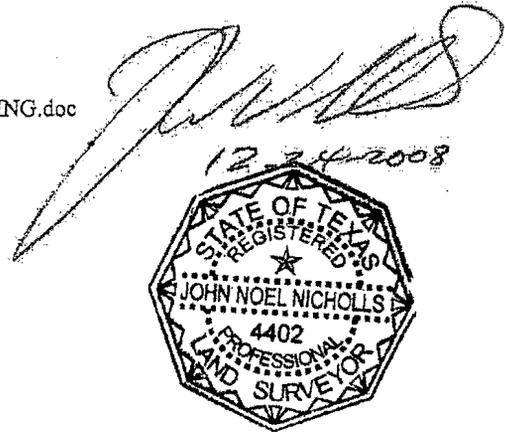
0.7110 Acre
Job No.: 4662-84

Z2009043

THENCE: N 20°27'27" E, along and with the east right-of-way line of said Old Fredericksburg Road, the west line of said 2.820 acre tract a distance of 181.22 feet to the POINT OF BEGINNING, and containing 0.7110 of an acre in the City of San Antonio, Bexar County, Texas, Said tract being described in accordance with a survey made on the ground of the parent 2.820 acre tract conducted by Pape Dawson Engineers, Inc., January 2008.

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: December 24, 2008
JOB No.: 4662-84
Doc ID: N:\CIVIL\4662-80\WORD\ FN-4662-84-NORTH ZONING.doc



72009043



LAND DEVELOPMENT ENVIRONMENTAL TRANSPORTATION WATER RESOURCES SURVEYING

FIELD NOTES

FOR

A 1.743 acre, or 75,937 square feet more or less, tract of land, being a portion of that 2.820 acre tract conveyed to La Cantera Development Company, by instrument recorded in Volume 13351, Pages 2299-2304 of the Official Public Records of Real Property of Bexar County, Texas, out of the Texas Central Railway Co. Survey No. 599, Abstract 1071, County Block 4762, now in New City Block 14864 of the City of San Antonio, Bexar County Texas. Said 1.743 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

COMMENCING: At a found pinched pipe on the east right-of-way line of Old Fredericksburg Road, a variable width right-of-way, nominally 100-feet, the northeast corner of said 2.820 acre tract, a southwest of a 5.085 acre tract conveyed to La Cantera Development Company by Warranty Deed, recorded in Volume 8161, Pages 557-561, of the Official Public Records of Bexar County, Texas;

THENCE: S 20°27'27" W, along and with the east right-of-way line of said Old Fredericksburg Road, the west line of said 2.820 acre tract a distance of 255.93 feet to the POINT OF BEGINNING of the herein described tract;

THENCE: S 90°00'00" E, departing the east right-of-way line of said Old Fredericksburg Road, the west line of said 2.820 acre tract, over and across said 2.820 acre tract a distance of 241.38 feet to a point on the west line of said 5.085 acre tract, the east line of said 2.820 acre tract;

THENCE: S 00°56'07" E, along and with the east line of said 2.820 acre tract, the west line of said 5.085 acre tract a distance of 241.81 feet to a found ½" iron rod at a southwest corner of said the 5.085 acre tract and the northwest corner of a 3.483 acre tract conveyed to Los Angeles International, recorded in Volume 3037, Pages 930-932, of the Official Public Records of Bexar County, Texas, for an angle point in the east line of the herein described tract;

THENCE: S 00°37'50" W, along and with a west line of said 3.483 acre tract a distance of 15.77 feet to a found ½" iron rod on the west line of said 3.483 acre tract, the southeast corner of said 2.820 acre tract and the northeast corner of a 3.520 acre tract conveyed to RAD Investments, Inc., by Warranty Deed, recorded in, Volume 13111, Pages 1470-1473, of the Official Public Records of Bexar County, Texas, for the southeast corner of the herein described tract;

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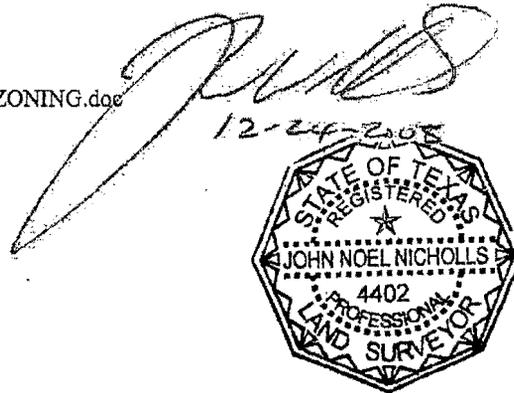
1.743 Acres
Job No.: 4662-84

THENCE: S 89°09'32" W, along and with the south line of the said 2.820 acre tract, the north line of said 3.483 acre tract, a distance of 343.15 feet to a found ½" iron rod at the southwest corner of the said 2.820 acre tract and the east right-of-way line of said Old Fredericksburg Road, and the southwest corner of the herein described tract;

THENCE: N 20°27'27" E, along and with the east right-of-way line of Old Fredericksburg Road a distance of 280.26 feet to the POINT OF BEGINNING, and containing 1.743 acres in the City of San Antonio, Bexar County, Texas. Said tract being described in accordance with a survey made on the ground of the parent 2.820 acre tract conducted by Pape Dawson Engineers, Inc., January 2008.

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: December 24, 2008
JOB No.: 4662-84
Doc ID: N:\CIVIL\4662-80\WORD\ FN-4662-84-SOUTH ZONING.doc



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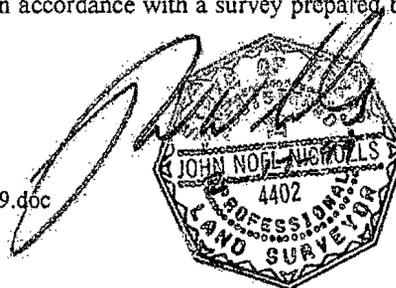


FIELD NOTES
FOR

A 3.591 acre, or 156,400 square feet, tract of land comprised of all of Lot 11, a 2.1 acre tract described in instrument recorded in Volume 5785, Page 260-262 and all of Lot 14, a 1.4 acre tract described in instrument recorded in Volume 5793, Page 914-915 of the Deed Records of Bexar County, out of the Texas Central Railroad Survey No. 599, Abstract 1071, County Block 4762 now in New City Block (N.C.B.) 14859 of the City of San Antonio of Bexar County, Texas. Said 3.591 acres bounded on the north by Lot 12, a 2.37 acre tract, described in instrument recorded in Volume 5114, Page 1531-1534, on the west by the remainder of a 618.58 acre tract described in instrument recorded in Volume 4735, Page 911-919, on the south by a 0.99 acre tract described in instrument recorded in Volume 5074, Page 1207-1208 of the Official Public Records of Real Property of Bexar County, said adjoining tracts being previously surveyed as a whole. The said 3.591 acres being further described by metes and bounds as follows:

- BEGINNING** at a found 1" iron pipe, called for the northeast corner of the said 0.99 acre tract, the southeast corner of this tract, on the west right-of-way line of Old Fredericksburg Road, a 100-foot right-of-way;
- THENCE:** N 88°57'35" W, along and with the north line of the said 0.99 acre tract a distance of 367.72 feet (by deed a call of N 87°18' W, 367.5 feet) to a set ½" iron rod with yellow cap marked "Pape Dawson", a called iron rod searched for and not found, on the east line of the said 618.58 acre tract;
- THENCE:** N 00°57'35" W, along and with the east line of the said 618.58 acre tract at 14.5 feet passing a fence corner and continuing for a total distance of 321.78 feet (by deed calls a combined distance of 315.85 feet) to a set ½" iron rod with yellow cap marked "Pape Dawson" for the northwest corner of the said Lot 11 at the southwest corner of the said 2.37 acre tract, Lot 12, a called iron rod searched for and not found;
- THENCE:** N 83°04'37" E, along and with the south line of the said 2.37 acre tract, Lot 12, a distance of 523.55 feet (by deed call N 82°41' E, 518.5 feet) to a set ½" iron rod with yellow cap marked "Pape Dawson" at the northeast corner of the said 2.37 acre tract, on the west right-of-way line of Old Fredericksburg Road, the northeast corner of the said Lot 11;
- THENCE:** S 20°21'27" W, along and with the west right-of-way line of Old Fredericksburg Road and generally along the east side of a 1-foot wall a distance of 241.43 feet (by deed call S 21°17' W, 242 feet) to a found ¾" iron pipe, taken for that stake called for the northeast corner of the 1.4 acre tract;
- THENCE:** S 20°47'07" W, along and with the west right-of-way line of Fredericksburg Road a distance of 176.67 feet (by deed call S 21°17', 171.44 feet) to the POINT OF BEGINNING, and containing 3.591 acres in the City of San Antonio, Bexar County, Texas. Said tract being described in accordance with a survey prepared by Pape Dawson Engineers Inc..

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: February 13, 1999
JOB No.: 9063-99
DOC.ID.: n:\survey99\9100-99\9063-99.doc



PAPE-DAWSON ENGINEERS, INC.

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