

AN ORDINANCE 2015-04-02-0272

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.

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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 a 13.773 acre tract of land out of Block 27, NCB 17600 from "C-3 MLOD-1 ERZD" General Commercial Camp Bullis Military Lighting Overlay Edwards Recharge Zone District to "MF-33 MLOD-1 ERZD" Multi-Family Camp Bullis Military Lighting Overlay Edwards Recharge Zone 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. 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 4. 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 5. 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 6. 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 7. 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.

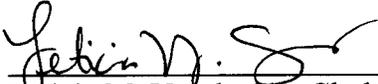
SECTION 8. If a court of competent jurisdiction enters a final judgment on the merits that is no longer subject to appeal and substantially limits or impairs the essential elements of sections one through five of this ordinance, then sections one through five are invalid and have no legal effect as of the date of entry of such judgment notwithstanding any other ordinance or provision of the City Code of San Antonio.

SECTION 9. This ordinance shall become effective April 12, 2015.

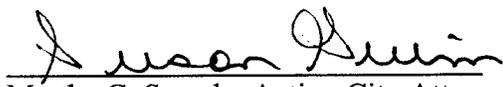
PASSED AND APPROVED this 2nd day of April 2015.


M A Y O R
Ivy R. Taylor

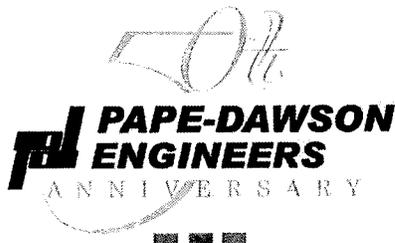
ATTEST:


Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:


Martha G. Sepeda, Acting City Attorney

Agenda Item:	Z-23						
Date:	04/02/2015						
Time:	02:34:31 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2014208 ERZD (District 9): An Ordinance amending the Zoning District Boundary from "C-3 MLOD-1 ERZD" General Commercial Camp Bullis Military Lighting Overlay Edwards Recharge Zone District to "MF-33 MLOD-1 ERZD" Multi-Family Camp Bullis Military Lighting Overlay Edwards Recharge Zone District on a 13.773 acre tract of land out of Block 27, NCB 17600 located at 21938 and 21802 Encino Commons. Staff and Zoning Commission recommend Approval.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Trevino	District 1		x				
Alan Warrick	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



FIELD NOTES
FOR
ZONING

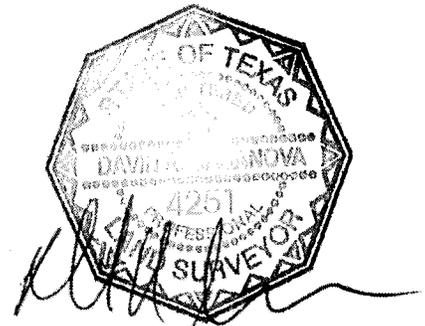
A 13.773 acre, or 599,944 square feet more or less, tract of land comprised of all of Lot 11, Block 27 and 7.304 acres of Lot 12, Block 27, NCB 17600, Franklin Park Stone Oak recorded in Volume 9609, Page 41 of the Deed and Plat Record of Bexar County, Texas. Said 13.773 acre tract being more fully described as follow:

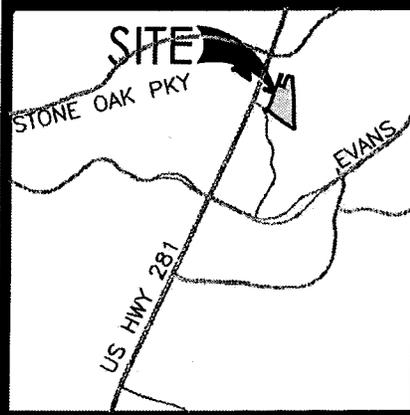
- BEGINNING:** At a point on the northeast right-of-way line of Encino Commons, a 60-foot right-of-way recorded in Volume 9555, Page 36-39 of the Deed and Plat Records of Bexar County, Texas, the southwest corner of said Lot 11, the south most corner of said Lot 12;
- THENCE:** N 68°55'02" E, departing the northeast right-of-way line of said Encino Commons, along and with the northwest line of said Lot 11, the southeast line of said Lot 12, a distance of 62.65 feet to a point;
- THENCE:** Northeasterly, continuing along and with the northwest line of said Lot 11, the southeast line of said Lot 12, along a tangent curve to the left, said curve having a radius of 215.00 feet, a central angle of 49°38'35", a chord bearing and distance of N 44°05'44" E, 180.51 feet, for an arc length of 186.28 feet to a point;
- THENCE:** N 19°16'27" E, continuing along and with the northwest line of said Lot 11, the southeast line of said Lot 12, at a distance of 111.90 feet passing the northwest corner of said Lot 11, and continuing over and across said Lot 12 for a total distance of 621.89 feet to a point;
- THENCE:** Along a curve concave to the northeast said curve having a radius of 18.00 feet, a central angle of 90°00'00", a chord bearing and distance of S 25°43'34" E, 25.46 feet, for an arc length of 28.27 feet to a point on the northerly line of said Lot 12, the southwest line of Lot 5, Block 27, Encino Commons Subdivision recorded in Volume 9598, Page 5 of the Deed and Plat Records of Bexar County, Texas;
- THENCE:** S 70°43'33" E, along and with the southwest line of said Lot 5, the north line of said Lot 12, a distance of 132.23 feet to a point;
- THENCE:** N 19°16'27" E, along and with the southeast line of said Lot 5, a northwest line of said Lot 12, a distance of 298.46 feet to a point;
- THENCE:** S 87°15'58" E, along and with the north line of said Lot 12, a distance of 92.79 feet to a point on the west line of a 40' Drainage, Sanitary Sewer and Utility Easement recorded in Volume 9598, Page 5 of the Deed and Plat Records of Bexar County, Texas;

- THENCE: S 05°36'55" E, over and across said Lot 12, along and with the west line of said 40' Drainage, Sanitary Sewer and Utility Easement, a distance of 523.98 feet to a point;
- THENCE: S 01°40'01" E, continuing over and across said Lot 12, along and with the west line of said 40' Drainage, Sanitary Sewer and Utility Easement, a distance of 298.38 feet to a point on the north line of said Lot 11, the south line of said Lot 12;
- THENCE: S 82°47'00" E, along and with the north line of said Lot 11, the south line of said Lot 12, a distance of 40.49 feet to the northeast corner of said Lot 11, the southeast corner of said Lot 12;
- THENCE: S 01°40'01" E, along and with the east line of said Lot 11, a distance of 633.58 feet to a point for the southeast corner of said Lot 11, on the northeast line of Lot 1, Block 11, Bristol Park at Encino Commons, Phase 11 recorded in Volume 9559, Page 182 of the Deed and Plat Records of Bexar County, Texas.
- THENCE: Along and with the southwest line of said Lot 11 the following bearings and distances:
 - N 59°08'15" W, a distance of 363.54 feet to a point;
 - N 52°10'39" W, a distance of 429.08 feet to a point;
 - N 35°46'12" W, a distance of 86.74 feet to a point;
 - S 67°53'06" W, a distance of 128.62 feet to a point on the northeast right-of-way line of said Encino Commons;
- THENCE: N 21°03'55" W, along and with the northeast right-of-way line of said Encino Commons, a distance of 39.24 feet to the POINT OF BEGINNING, and containing 13.773 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: September 3, 2014, Revised: March 23, 2015
 JOB NO. 6079-10
 DOC. ID. N:\CIVIL\6079-10\WORD\6079-10 FN-13.773 AC ZN.docx
 TBPE Firm Registration #470
 TBPLS Firm Registration #100288-00





LOCATION MAP

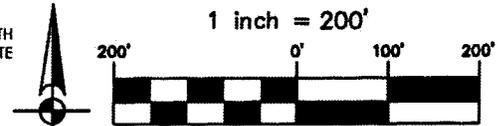
NOT-TO-SCALE

- ① 18' DRAINAGE EASEMENT (VOL. 9609, PG. 41 DPR)
- ② VARIABLE WIDTH INGRESS/EGRESS EASEMENT (VOL. 9609, PG. 41 DPR)
- ③ VARIABLE WIDTH ACCESS, SANITARY SEWER, DRAINAGE, WATER AND UTILITY EASEMENT (VOL. 9598, PG 5 DPR)

NOTES:

1. THE PROFESSIONAL SERVICES PROVIDED HERewith INCLUDE THE PREPARATION OF A FIELD NOTE DESCRIPTION.
2. "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."

- ② 16' SANITARY SEWER EASEMENT (VOL. 9598, PG 5 DPR)
- ③ 40' DRAINAGE, SANITARY SEWER AND UTILITY EASEMENT (VOL. 9598, PG 5 DPR)
- ④ 16' SANITARY SEWER EASEMENT (VOL. 9555, PGS 36-39 DPR)
- ⑤ VARIABLE WIDTH DRAINAGE EASEMENT (PUBLIC) (VOL. 9555, PGS 36-39 DPR)
- ⑥ VARIABLE WIDTH DRAINAGE EASEMENT (PRIVATE) (VOL. 9555, PGS 36-39 DPR)
- ⑦ VARIABLE WIDTH DRAINAGE EASEMENT (VOL. 9526, PG 97 DPR)
- ⑧ 5' ELEC, GAS, TELEPHONE, AND CATV EASEMENT (VOL. 9544, PG 63 DPR)



LEGEND:

- OPR OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS
- DPR DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS

CURVE TABLE					
CURVE	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	215.00'	49°38'35"	N44°05'44"E	180.51'	186.28'
C2	18.00'	90°00'00"	S25°43'34"E	25.46'	28.27'

LINE TABLE			LINE TABLE		
LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
L1	N68°55'02"E	62.65'	L8	S82°47'00"E	40.49'
L2	N19°16'27"E	621.89'	L9	S01°40'01"E	633.58'
L3	S70°43'33"E	132.23'	L10	N59°08'15"W	363.54'
L4	N19°16'27"E	298.46'	L11	N52°10'39"W	429.08'
L5	S87°15'58"E	92.79'	L12	N35°46'12"W	86.74'
L6	S05°36'55"E	523.98'	L13	S67°53'06"W	128.62'
L7	S01°40'01"E	298.38'	L14	N21°03'55"W	39.24'

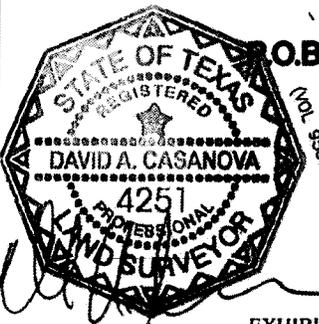
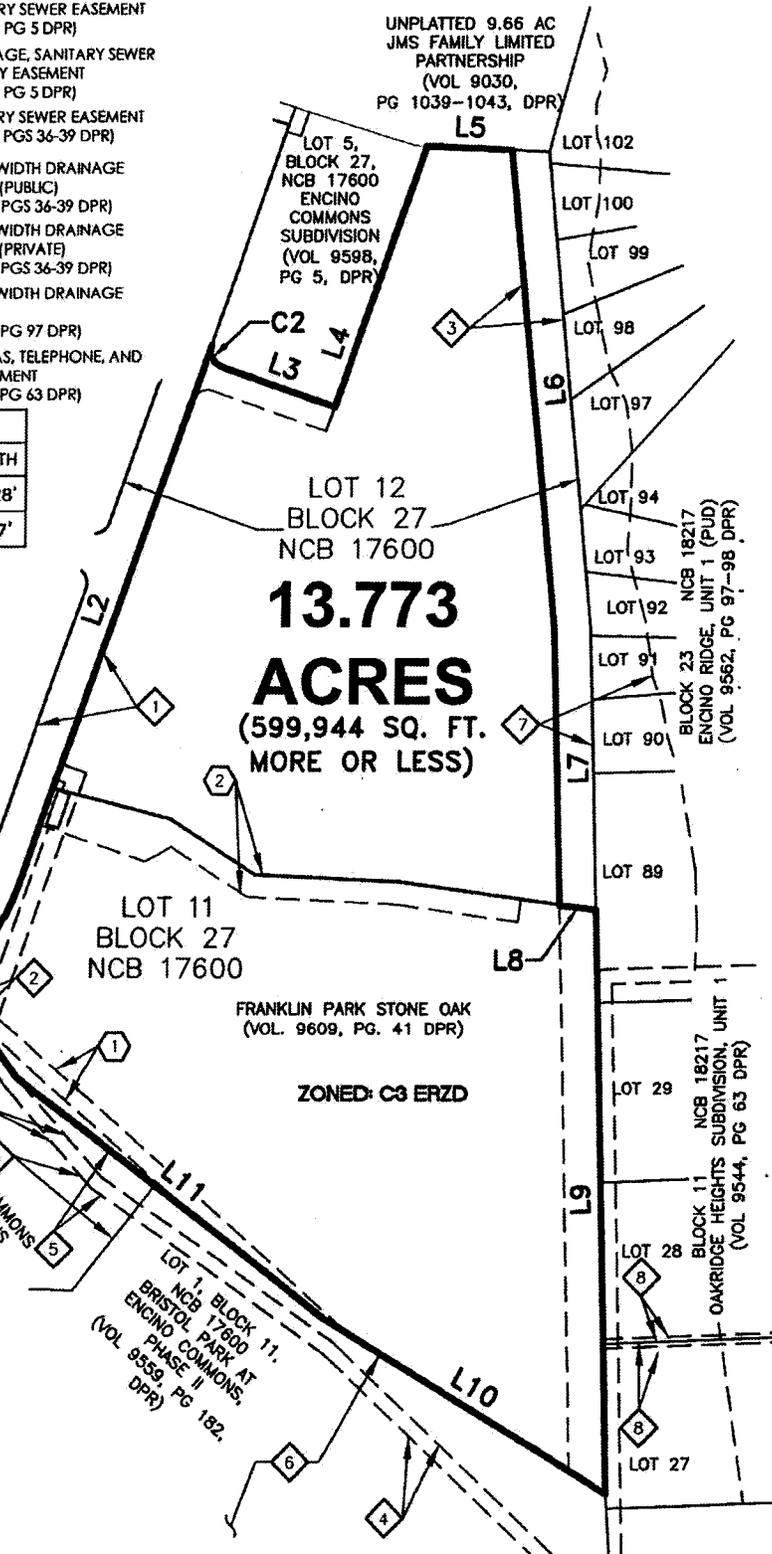


EXHIBIT FOR ZONING

A 13.773 ACRE, OR 599,944 SQUARE FEET MORE OR LESS, TRACT OF LAND COMPRISED OF ALL OF LOT 11, BLOCK 27 AND 7.304 ACRES OF LOT 12, BLOCK 27, NCB 17600, FRANKLIN PARK STONE OAK RECORDED IN VOLUME 9609, PAGE 41 OF THE DEED AND PLAT RECORD OF BEXAR COUNTY, TEXAS.



3000 HWY LOOP 410 | SAN ANTONIO TEXAS 78213 | PHONE: 210.375.9000 FAX: 210.378.8010
 TEXAS BOARD OF PROFESSIONAL ENGINEERS, FIRM REGISTRATION # 470
 TEXAS BOARD OF PROFESSIONAL LAND SURVEYORS, FIRM REGISTRATION # 100208-00



Date: Mar 23, 2015, 10:45am User ID: Mfidmes
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