SG/cla
05/07/2015
Z-18. Amended.

CASE NO. Z2015094 S ERZD

AN ORDINANCE 2015-05-07-0398

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 0.997 acres of NCB 14866 from "R-6 MLOD ERZD" Residential Single Family Military Lighting Overlay Edwards Recharge Zone District to "O-1 S MLOD ERZD" Office Military Lighting Overlay Edwards Recharge Zone District with a Specific Use Authorization for a Non-Commercial Parking Lot.

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 City Council finds as follows:

A. The specific use will not be contrary to the public interest.
B. The specific use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district.
C. The specific use will be in harmony with the spirit and purpose as set forth in Section 35-423, Specific Use Authorization, of the Unified Development Code.
D. The specific use will not substantially weaken the general purposes or the regulations as set forth in Section 35-423, Specific Use Authorization, of the Unified Development Code.
E. The specific use will not adversely affect the public health, safety and welfare.

SECTION 4. The City Council approves this Specific Use Authorization so long as the attached site plan is adhered to. A site plan is attached as **Attachment "B"** and made a part hereof and incorporated herein for all purposes.

SECTION 5. 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 6. 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 7. 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 8. 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 9. 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 10. 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 11. 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 12. This ordinance shall become effective May 17, 2015.

PASSED AND APPROVED this 7th day of May, 2015.

M A Y O R
Ivy R. Taylor

ATTEST:

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

For Martha G. Sepeda, Acting City Attorney

Agenda Item:	**Z-18**
Date:	05/07/2015
Time:	02:15:26 PM
Vote Type:	Motion to Approve
Description:	ZONING CASE # Z2015094 S ERZD (District 8): An Ordinance amending the Zoning District Boundary from "R-6 MLOD ERZD" Residential Single- Family Military Lighting Overlay Edwards Recharge Zone District to "O-1 S MLOD ERZD" Office Military Lighting Overlay Edwards Recharge Zone District with a Specific Use Authorization for a Non-Commercial Parking Lot on 0.997 acres of NCB 14866 out of CB 4543 and CB 4547 located on a portion of the 7500 Block of North Loop 1604 West. 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				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			x	
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				

PAPE-DAWSON ENGINEERS
ANNIVERSARY

Z2015094

FIELD NOTES
FOR

A 0.997 of an acre or 43,433 square foot more or less, tract of land being out of a called 212.6 acre tract recorded in Volume 5669, Page 1222 of the Official Public Records of Bexar County, Texas and being out of the Gaetano Castillo Survey No. 353, Abstract 148, New City Block (N.C.B.) 14866 in Bexar County, Texas. Said 0.997 acre tract being more fully described as follows with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00:

BEGINNING: At a found TXDOT monument (Type II), the southeast corner of Lot 1, Block 5, Hills & Dales Estates Subdivision Unit 2, recorded in Volume 5140, Page 43 of the Deed and Plat Records of Bexar County, Texas, the west right-of-way line of F.M. 1604, a variable width right-of-way;

THENCE: S 46°43'07" W, along and with the west right-of-way line of said F.M. 1604, the east line of said 212.6 acre tract, a distance of 371.29 feet to a found TXDOT monument (Type III), the southeast corner of a Channel Easement recorded in Volume 4842, Page 141 of the Official Public Records of Bexar County, Texas;

THENCE: Departing the west right-of-way line of said F.M. 1604, the east line of said 212.6 acre tract, over and across said 212.6 acre tract, the following bearings and distances:

N 30°08'33" W, a distance of 119.22 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

N 30°37'27" E, a distance of 48.98 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

THENCE: N 11°20'44" W, a distance of 104.91 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson", the south line of Lot 2, Block 5 of said Hills & Dales Estates Subdivision Unit 2;

THENCE: N 89°01'02" E, along and with the south line of said Lot 2, a distance of 32.00 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

Attachment A

Z2015094

THENCE: N 88°51'02" E, along and with the south line of said Lot 2, at a distance of 58.27 feet passing a found mag nail with washer marked "Pape-Dawson" being the southeast corner of said Lot 2 and the southwest corner of said Lot 1, continuing along and with the south line of said Lot 1, for a total distance of 293.92 feet to the POINT OF BEGINNING and containing 0.997 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 and a survey description and map prepared under Job Number 9386-14 by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: December 4, 2014
REVISED: January 23, 2015
REVISED: February 05, 2015
REVISED: April 30, 2015
JOB NO. 9386-14
DOC. ID. N:\Survey14\14-9300\9386-14\Word\9386-14FN.docx
TBPE Firm Registration #470
TBPLS Firm Registration #100288-00

STATE OF TEXAS
REGISTERED
G.E. BUCHANAN
4999
PROFESSIONAL
LAND SURVEYOR

Z2015094

DEED/PLAT REFERENCE

D.R. DEED RECORDS OF BEXAR COUNTY, TEXAS
D.P.R. DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
O.P.R. OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS

NOTES:

1) ½" IRON ROD WITH YELLOW CAP MARKED "PAPE-DAWSON" SET AT SUBJECT PROPERTY CORNERS UNLESS NOTED OTHERWISE.
2) THE BEARINGS FOR THIS SURVEY ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 NAD 83 (NA2011) EPOCH 2010.00.
3) ILLUSTRATED UTILITIES ARE BASED ON FOUND VISIBLE EVIDENCE. THE LOCATION AND DEPTH OF EXISTING UTILITIES SHOULD BE FIELD VERIFIED BEFORE CONSTRUCTION. THIS SURVEYOR DOES NOT HAVE KNOWLEDGE AS TO THE AVAILABILITY OF SERVICE TO, OR THE STATUS OF THE UTILITIES ON THIS SITE.
4) THE PROFESSIONAL SERVICES PROVIDED HEREWITH INCLUDE THE PREPARATION OF A FIELD NOTE DESCRIPTION.
5) THE SUBJECT PROPERTY IS WITHIN THE FOLLOWING FLOOD ZONE(S) AS DEPICTED ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (F.E.M.A.) FLOOD INSURANCE RATE MAP NUMBER 48029C0210G, DATED SEPTEMBER 29, 2010 FOR BEXAR COUNTY, TEXAS AND INCORPORATED AREAS. THIS DATA IS AVAILABLE ON THE WEBSITE WWW.MSC.FEMA.GOV.
ZONE A, DEFINED AS: "SPECIAL FLOOD HAZARD AREAS (SFHAS) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD; NO BASE FLOOD ELEVATIONS DETERMINED."
ZONE X (UNSHADED), DEFINED AS: "OTHER AREAS; AREAS DETERMINED TO BE OUTSIDE 0.2% ANNUAL CHANCE FLOODPLAIN."
FLOOD LIMIT LINES DO NOT REPRESENT THAT THE PROPERTY WILL OR WILL NOT FLOOD. SUCH LINES AND AREAS ARE FROM SAID FEDERAL EMERGENCY MANAGEMENT AGENCY DATA SOURCES AND ARE STATISTICAL ONLY. THE SURVEYOR ACCEPTS NO RESPONSIBILITY FOR THE ACCURACY OF SAID DATA.

LEGEND

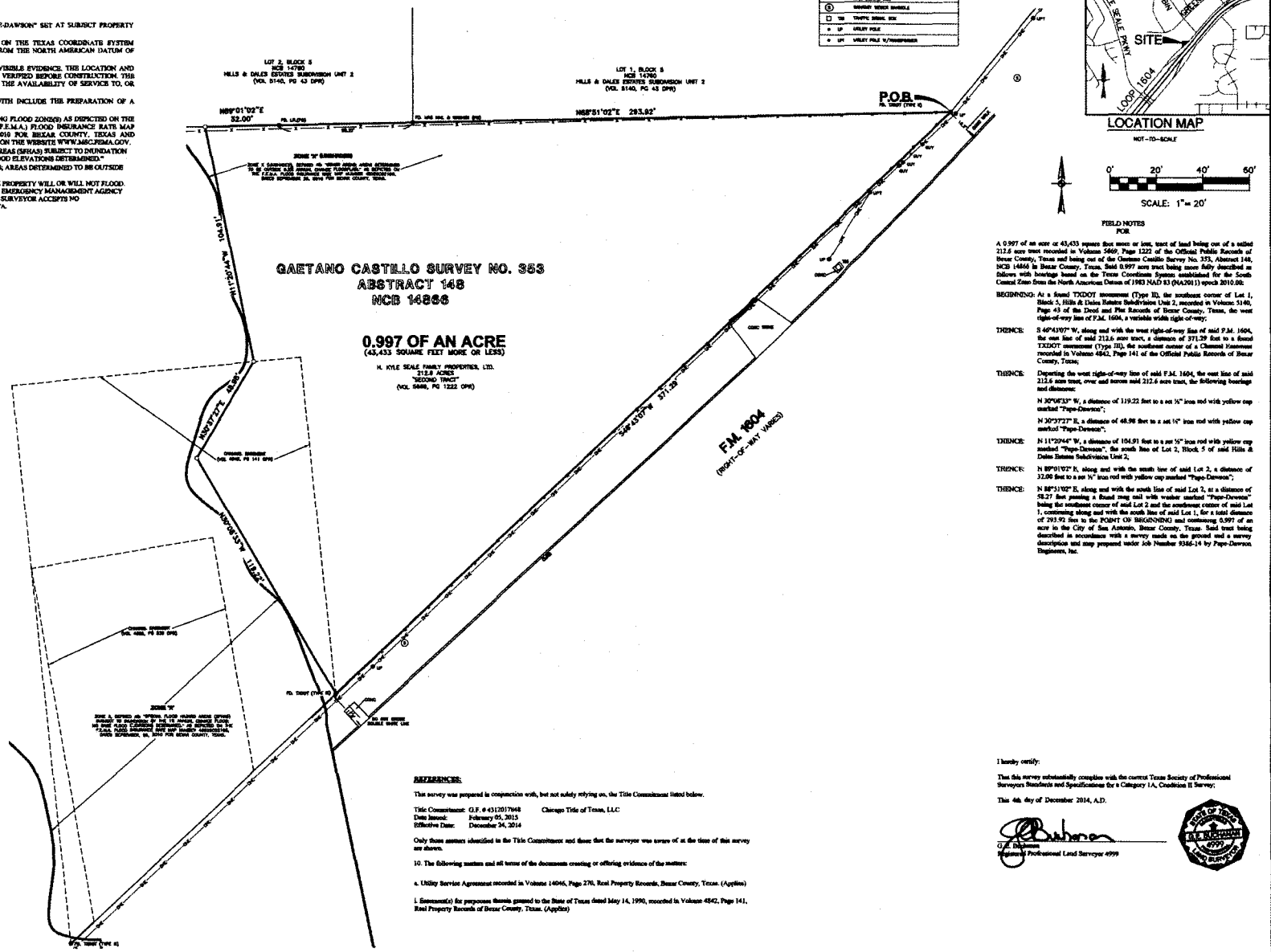
CONC.	CONCRETE
FN.	FENCE
I.R.	½" iron rod
P.P.	PAPE-DAWSON CAP
○	SET ½" I.R.P.P.

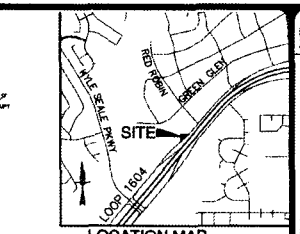
LINE LEGEND

	BARBED WIRE FENCE
	OVERHEAD ELECTRIC

SYMBOL LEGEND

	GUY ANCHOR
	ADVERTISING SIGN/UTILITY SIGN
	SANITARY SEWER MANHOLE
TS	TRAFFIC SIGNAL BOX
UP	UTILITY POLE
UPT	UTILITY POLE W/TRANSFORMER





LOCATION MAP
NOT-TO-SCALE

0' 20' 40' 60'
SCALE: 1"= 20'

FIELD NOTES
FOR

A 0.997 of an acre or 43,433 square feet more or less, tract of land being out of a called 212.6 acre tract recorded in Volume 5469, Page 1222 of the Official Public Records of Bexar County, Texas and being out of the Gaetano Castillo Survey No. 353, Abstract 148, NCB 14866 in Bexar County, Texas. Said 0.997 acre tract being more fully described as follows with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00:

BEGINNING: At a found TXDOT monument (Type II), the southeast corner of Lot 1, Block 5, Hills & Dales Estates Subdivision Unit 2, recorded in Volume 5140, Page 43 of the Deed and Plat Records of Bexar County, Texas, the west right-of-way line of F.M. 1604, a variable width right-of-way;

THENCE: S 46°43'07" W, along and with the west right-of-way line of said F.M. 1604, the east line of said 212.6 acre tract, a distance of 371.39 feet to a found TXDOT monument (Type III), the southeast corner of a Channel Easement recorded in Volume 4842, Page 141 of the Official Public Records of Bexar County, Texas;

THENCE: Departing the west right-of-way line of said F.M. 1604, the east line of said 212.6 acre tract, over and across said 212.6 acre tract, the following bearings and distances:

N 30°03'33" W, a distance of 119.22 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

N 30°37'27" E, a distance of 48.98 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

THENCE: N 11°20'44" W, a distance of 104.91 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson", the south line of Lot 2, Block 5 of said Hills & Dales Estates Subdivision Unit 2;

THENCE: N 89°01'02" E, along and with the south line of said Lot 2, a distance of 32.00 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson";

THENCE: N 88°51'02" E, along and with the south line of said Lot 2, at a distance of 58.27 feet passing a found mag nail with washer marked "Pape-Dawson" being the southeast corner of said Lot 2 and the southwest corner of said Lot 1, continuing along and with the south line of said Lot 1, for a total distance of 293.92 feet to the POINT OF BEGINNING and containing 0.997 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 and a survey description and map prepared under Job Number 9386-14 by Pape-Dawson Engineers, Inc.

REFERENCES:

This survey was prepared in conjunction with, but not solely relying on, the Title Commitment listed below.

Title Commitment: G.F. # 4312017948 Chicago Title of Texas, LLC
Date Issued: February 05, 2015
Effective Date: December 24, 2014

Only those easmnts identified in the Title Commitment and those that the surveyor was aware of at the time of this survey are shown.

10. The following matters and all terms of the documents creating or offering evidence of the matters:

a. Utility Service Agreement recorded in Volume 14046, Page 270, Real Property Records, Bexar County, Texas. (Applies)

i. Easement(s) for purposes therein granted to the State of Texas dated May 14, 1990, recorded in Volume 4842, Page 141, Real Property Records of Bexar County, Texas. (Applies)

I hereby certify:

That this survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A, Condition II Survey;

This 4th day of December 2014, A.D.

G.E. Buchanan
Registered Professional Land Surveyor 4999

STATE OF TEXAS
G.E. BUCHANAN
4999
REGISTERED
PROFESSIONAL
LAND SURVEYOR

NO.	REVISIONS	DATE
1	ADD BUYING, CHANGED TO FIELD NOTES & DRAWING	04-15-15
2	CHANGED COMMITMENT & REFERENCE TO FIRM	05-05-15
3	ADDED TBPLS, SURVEYOR'S STAMP	06-30-15

PAPE-DAWSON ENGINEERS
2000 NW LOOP 410 | SAN ANTONIO, TEXAS 78213 | PHONE: 210.375.9000
TEXAS BOARD OF PROFESSIONAL ENGINEERS, FIRM REGISTRATION # 470
TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, FIRM REGISTRATION # 10028801

LAND TITLE SURVEY

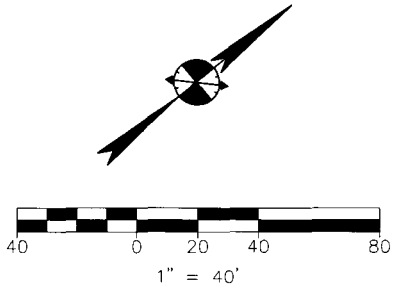
A 0.997 OF AN ACRE OR 43,433 SQUARE FOOT MORE OR LESS, TRACT OF LAND BEING OUT OF A CALLED 212.6 ACRE TRACT RECORDED IN VOLUME 5469, PAGE 1222 OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS AND BEING OUT OF THE GAETANO CASTILLO SURVEY NO. 353, ABSTRACT 148, NCB 14866 IN BEXAR COUNTY, TEXAS

JOB NO. 9386-14
DATE DECEMBER 2014
CHECKED GEB DRAWN YVG
CIVIL JOB NO.
REFERENCE 8015-00
SHEET 1 OF 1

Date: Apr 30, 2015, 3:17pm User: D. Williamson
File: S:\Survey\9386-14\9386-14_0997ac-14.dwg

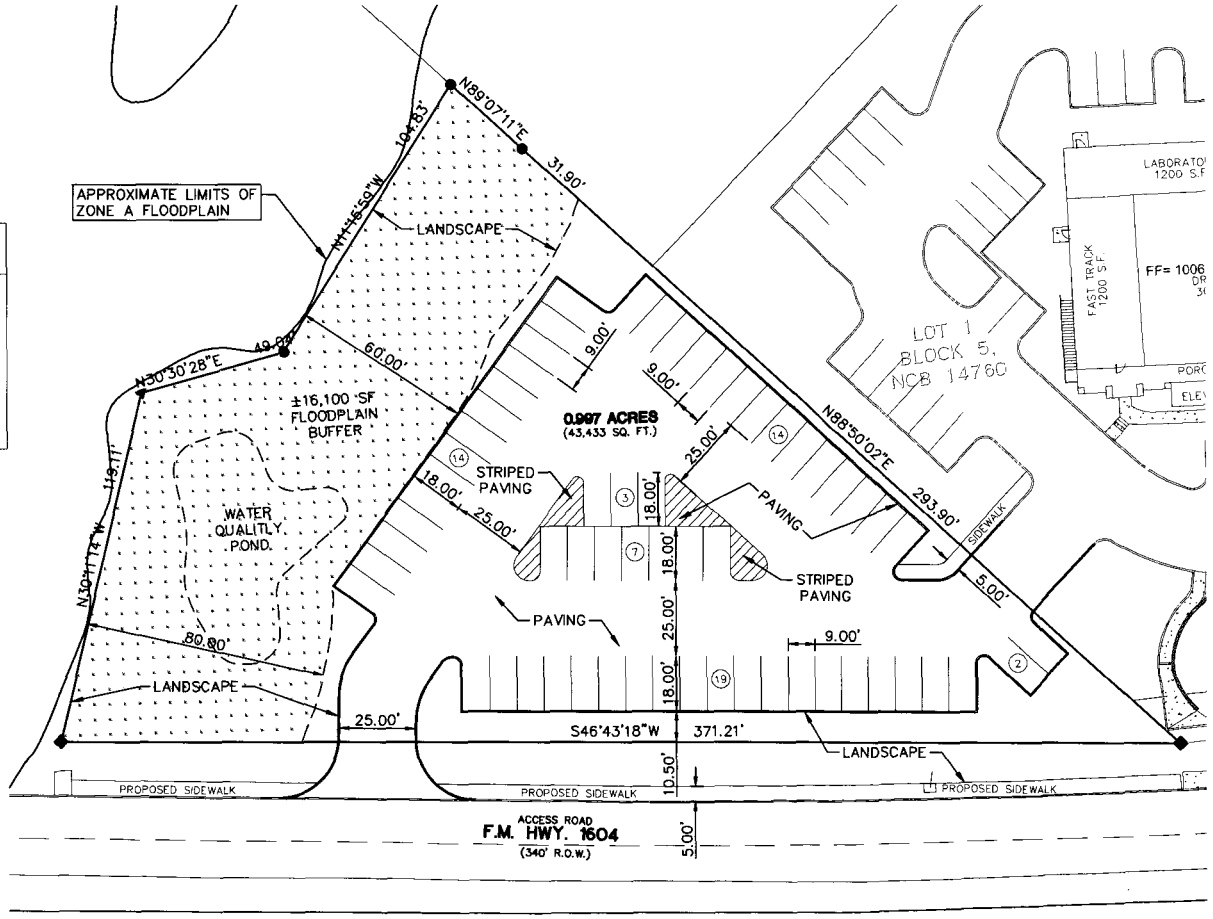
PROJECT NAME: 7579 N LOOP 1604 W

Z2015094



PROJECT INFORMATION	
ADDRESS:	7579 N. LOOP 1604 SAN ANTONIO, TEXAS
SITE AREA:	0.997 ACRES (43,433 SF)
PARKING:	59 STALLS (9'X18') 25' DRIVE AISLES (WIDTH)
IMPERVIOUS COVER:	21,000 SF

I, DR. RAMON REYES, THE PROPERTY OWNER, ACKNOWLEDGE THAT THIS SITE PLAN SUBMITTED FOR THE PURPOSE OF REZONING THIS PROPERTY IS IN ACCORDANCE WITH ALL APPLICABLE PROVISIONS OF THE UNIFIED DEVELOPMENT CODE. ADDITIONALLY, I UNDERSTAND THAT CITY COUNCIL APPROVAL OF THIS SITE PLAN IN CONJUNCTION WITH A REZONING CASE DOES NOT RELIEVE ME FROM ADHERENCE TO ANY/ALL CITY-ADOPTED CODES AT THE TIME OF PLAN SUBMITTAL FOR BUILDING PERMITS.



7579 N. LOOP 1604
SAN ANTONIO, TX

CONCEPTUAL SITE PLAN EXHIBIT

BURY
922 Isom Road, Suite 100
San Antonio, TX 78216
Tel. (210) 525-9090 Fax (210) 525-0529
TBPE # F-1048 TBPLS # F-10107501
Copyright © 2015

DATE: 1/13/15 | SCALE: 1"=40' | DRAWN BY: STAFF | FILE: G:\100331\50002\20 EXHIBITS\EXHIBITS\100331025XH03.DWG | PROJECT No.: 100331-50002

Attachment B