

AN ORDINANCE 2018-04-19-0321

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 0.792 of an acre out of NCB 15670 from "C-3R MLOD-1 ERZD" General Commercial Restrictive Alcoholic Sales Camp Bullis Military Lighting Overlay Edwards Recharge Zone District to "C-3 MLOD-1 ERZD" General Commercial Camp Bullis Military Lighting Overlay Edwards Recharge Zone District.

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 remains unchanged.

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.

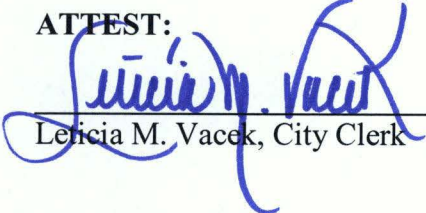
SECTION 9. If a court of competent jurisdiction enters a final judgment on the merits that is no longer subject to appeal and substantially limits or impairs the essential elements of sections one through five of this ordinance, then sections one through five are invalid and have no legal effect as of 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 April 29, 2018.


PASSED AND APPROVED this 19th day of April 2018.


M A Y O R
Ron Nirenberg

ATTEST:


Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:


For Andrew Segovia, City Attorney

Agenda Item:	Z-15 (in consent vote: 29, P-1, Z-2, Z-3, Z-5, Z-6, Z-8, Z-9, Z-10, Z-11, Z-13, P-3, Z-14, Z-15, Z-16, Z-17)						
Date:	04/19/2018						
Time:	02:19:50 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2018107 ERZD (Council District 9): Ordinance amending the Zoning District Boundary from "C-3R MLOD-1 ERZD" General Commercial Restrictive Alcoholic Sales Camp Bullis Military Lighting Overlay Edwards Recharge Zone District to "C-3 MLOD-1 ERZD" General Commercial Camp Bullis Military Lighting Overlay Edwards Recharge Zone District on 0.792 of an acre out of NCB 15670, located at 18195 San Pedro Avenue. Staff and Zoning Commission recommend Approval.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ron Nirenberg	Mayor		x				
Roberto C. Treviño	District 1		x			x	
William Cruz Shaw	District 2		x				x
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Greg Brockhouse	District 6	x					
Ana E. Sandoval	District 7		x				
Manny Pelaez	District 8		x				
John Courage	District 9		x				
Clayton H. Perry	District 10		x				

SG/lj
04/19/2018
Item No. Z-15

EXHIBIT “A”



Z2018107ERZD

METES AND BOUNDS DESCRIPTION FOR

A 0.792 acre, or 34,478 square feet more or less, tract of land being the remainder of Lot 39, Block 9, New City Block 15670, JSM Subdivision recorded in Volume 9529, Page 220 of the Deed and Plat Records of Bexar County, Texas, same being all of Lot 39, Block 9, New City Block 15670, of said JSM Subdivision, save and except that portion deeded to the State of Texas recorded in Volume 11923, Page 1422 of the Official Public Records of Bexar County, Texas. Said 0.792 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 point on the northwest right-of-way line of U.S. Highway 281, the northeast line of a tract described in deed to Vizza Wash, L.P. recorded in Volume 12412, Page 2192 of said Official Public Records, the south corner of the herein described;

THENCE: N 75°50'04" W, departing the northwest right-of-way line of said U.S. Highway 281, along and with the northeast line of said Vizza tract, a distance of 133.91 feet to a point at the re-entrant corner of said Vizza tract, the west corner of the herein described tract;

THENCE: N 14°11'59" E, along and with the southeast lines of Vizza tract, the southeast line of the remainder of Lot 38, Block 9, New City Block 15670, Alanna Jean Subdivision, recorded in Volume 9528, Page 165 of said Deed and Plat Records, a distance of 326.49 feet to a point on the southwest right-of-way line of said U.S. Highway 281, the east corner of said remainder of Lot 38, the north corner of the herein described tract;

THENCE: Along and with southwest and northwest right-of-way lines of said U.S. Highway 281, the following bearings and distances:

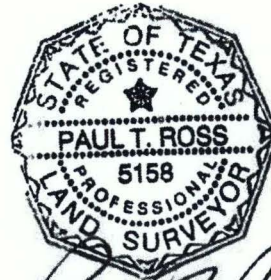
Southeasterly, along a curve to the right, said curve having a radius of 579.00 feet, a central angle of 20°31'33", a chord bearing and distance of S 26°15'48" E, 206.32 feet, for an arc length of 207.42 feet to a point;

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S 14°11'30" W, a distance of 169.44 feet to the POINT OF BEGINNING, and containing 0.792 acres 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 3275-12 by Pape-Dawson Engineers, Inc.

"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: January 18, 2018
JOB NO. 3275-12
DOC. ID. N:\CIVIL\3275-12\Word\3275-12 FN.docx



Paul T. Ross
18 JAN. 18

Exhibit "A"