

ORDINANCE 2021-05-06-0321

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 45.689 acres out of NCB 17725 from "NP-10 ERZD" Neighborhood Preservation Edwards Recharge Zone District to "R-6 ERZD" Residential Single-Family 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 shall not exceed 30%.

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

138 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 May 16, 2021.

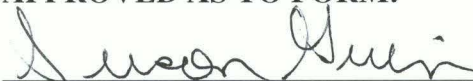
PASSED AND APPROVED this 6th day of May, 2021.


M A Y O R
Ron Nirenberg

ATTEST:


Tina J. Flores, City Clerk

APPROVED AS TO FORM:


Andrew Segovia, City Attorney
fo



City of San Antonio

City Council

May 06, 2021

Item: Z-11

File Number: 21-3008

Enactment Number:

2021-05-06-0321

ZONING CASE Z-2020-10700307 ERZD (Council District 10): Ordinance amending the Zoning District Boundary from "NP-10 ERZD" Neighborhood Preservation Edwards Recharge Zone District to "R-6 ERZD" Residential Single-Family Edwards Recharge Zone District on 45.689 acres out of NCB 17725, located at 17204 Jones Maltsberger Road and 17210 Bulverde Road. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment PA2020-11600083)

Councilmember John Courage made a motion to approve. Councilmember Adriana Rocha Garcia seconded the motion. The motion passed by the following vote:

Aye: 11 Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Pelaez, Courage and Perry

SG
05/06/2021
Item No. Z-11

Exhibit “A”



METES AND BOUNDS DESCRIPTION
FOR A ZONING CHANGE

A 45.689 acre, or 1,990,226 square feet more or less, tract of land out of the remaining portion of that called 100.03 acre tract conveyed to Allen Eisenhower Autry and described as "Fourth Tract" in deed recorded in Volume 4217, Page 186 of the Deed Records of Bexar County Texas, situated in the J. Escamia Survey No. 356 ½, Abstract 218, the J. Goll Survey No. 430, Abstract 297, the J. Goll Survey No. 354, Abstract 281, the G. Voss Survey No. 340 ½, Abstract 788, and the M.M. Seay Survey No. 340, Abstract 911, in New City Block 17725 of the City of San Antonio, Bexar County, Texas. Said 45.689 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 the east corner of said 45.689 acre tract, the south corner of Lot 21, Block 1, Bulverde 17 Acre Tract Subdivision recorded in Volume 9662, Page 182 of the Deed and Plat Records of Bexar County, Texas, on the northwest right-of-way line of Bulverde Road, a variable width public right-of-way, the southeast line of said 100.03 acre tract;
- THENCE:** S 23°42'58" W, departing said east corner, with the northwest right-of-way line of said Bulverde Road, and the southeast line of said called 100.03 acre tract, a distance of 68.88 feet to a point the southeast corner of said 45.689 acre tract, the east corner of a called 12.98 acre tract conveyed to Christine Ann Garza by deed recorded in Volume 14062, Page 1552 of the Official Public Records of Bexar County, Texas;
- THENCE:** N 36°40'06" W, departing the northwest right-of-way line of said Bulverde Road, with the southwesterly line of said 45.689 acre tract, also being the northeast line of said called 12.98 acre tract, a distance of 41.22 feet to a point a southerly corner of said 45.689 acre tract, at the northeast corner of said 12.98 acre tract;
- THENCE:** S 82°01'01" W, with the south line of said 45.689 acre tract and the north line of said called 12.98 acre tract, a distance of 1292.61 feet to a point for a re-entrant corner of said 45.689 acre tract and the northwest corner of said called 12.98 acre tract;
- THENCE:** S 09°54'38" E, with an easterly line of said 45.689 acre tract and the west line of said called 12.98 acre tract, a distance of 479.11 feet to a point for a southerly corner of said 45.689 acre tract and the southwest corner of said called 12.98 acre tract, on the north line of Redland Springs Subdivision Unit 4 recorded in Volume 9523, Page 98 of the Deed and Plat Records of Bexar County, Texas, also being the south line of said called 100.03 acre tract;

- THENCE: S 82°12'07" W, with the south line of said 45.689 acre tract and said called 100.03 acre tract, the north line of said Redland Springs Subdivision Unit 4, a distance of 622.76 feet to a point for the southwest corner of said 45.689 acre tract, the southeast corner of Lot 2, Block 1, Jones Maltsberger Middle School Subdivision recorded in Volume 9522, Page 79 of the Deed and Plat Records of Bexar County, Texas;
- THENCE: N 07°47'51" W, departing the north line of said Redland Springs Subdivision Unit 4 along the west line of said 45.689 acre tract, and the east line of said Lot 2, at a distance of 1426.70 feet passing the northeast corner of said Lot 2 on the south right-of-way line of Jones Maltsberger Road, a variable width public right-of-way, and continuing with said right-of-way line, for a total distance of 1440.54 feet to a point for the northwest corner of said 45.689 acre tract, on the south right-of-way line of said Jones Maltsberger Road, and the north line of said called 100.03 acre tract;
- THENCE: N 78°35'32" E, along and with the south right-of-way line of said Jones Maltsberger Road, the north line of said called 100.03 acre tract, a distance of 1388.12 feet to a point for the northeast corner of said 45.689 acre tract;
- THENCE: S 36°51'50" E, along and with the northeast line of said 45.689 acre tract, with the south right-of-way line of said Jones Maltsberger Road, at a distance of 6.52 feet departing the south right of way line of said Jones Maltsberger Road and continuing with the southwest line of said Lot 21, for a total distance of 1169.66 feet to the POINT OF BEGINNING and containing 45.689 acres in the City of San Antonio, Bexar County, Texas. Said tract being described in conjunction with a survey made on the ground and a survey map prepared under job number 9197-20 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: November 9, 2020
JOB NO. 9197-20
DOC. ID. N:\Survey20\20-9100\9197-20\Word\9197-20 FN 45.689 AC.docx

