

AN ORDINANCE 2019-03-21-0262

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 17.989 acres out of NCB 19219 from "C-3 MLOD-1 MLR-2 ERZD" General Commercial Camp Bullis Military Lighting Overlay Military Region 2 Edwards Recharge Zone District to "MF-33 MLOD-1 MLR-2 ERZD" Multi-Family Camp Bullis Military Lighting Overlay Military Region 2 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 65%.

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.

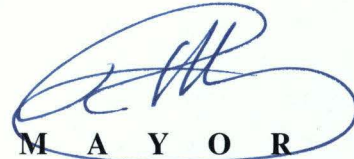
SECTION 7. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

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.

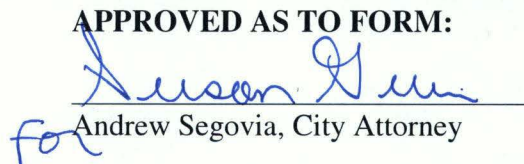
SECTION 10. This ordinance shall become effective March 31, 2019.

PASSED AND APPROVED this 21st day of March, 2019.


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-18						
Date:	03/21/2019						
Time:	03:33:25 PM						
Vote Type:	Motion to Appr w Cond						
Description:	ZONING CASE # Z2018276 ERZD (Council District 9): 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 17.989 acres out of NCB 19219, located in the 21000 block of North US Highway 281. 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				
Art A. Hall	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			x	
Clayton H. Perry	District 10	x					

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METES AND BOUNDS DESCRIPTION
FOR

A 17.989 acre, or 783,616 square feet more or less, tract of land being out of that 18.386 acre tract and that 3.700 acre tract described in deed to M2G Stone Oak, Ltd. recorded in Volume 12699, Page 190 and Volume 12699, Page 181, respectively, of the Official Public Records of Bexar County, Texas, out of the Eugene de la Rocha Survey No. 95, Abstract 633, County Block 4923, New City Block 19219 and William Brisbin Survey No. 89 1/2, Abstract 54, County Block 4900, in the City of San Antonio, Bexar County, Texas. Said 17.989 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 at the southeast corner of Lot 9, Block 25, Iheart Media Subdivision recorded in Volume 9680, Page 219 of the Deed and Plat Records of Bexar County, Texas, the southwest corner of the herein described tract;

THENCE: N 21°21'09" E, along and with the east line of said Lot 9, the west line of said 18.386 acre tract, a distance of 998.29 feet to a point at the northwest corner of said 18.386 acre tract, the re-entrant corner of said Lot 9, the northwest corner of the herein described tract;

THENCE: S 64°39'39" E, along and with the south line of said Lot 9, the south line of Lot 8, Block 25, New City Block 19219, Cactus Bluff Commercial Unit 2/III Subdivision recorded in Volume 9663, Page 142 of the said Deed and Plat Records, a distance of 863.80 feet to a point at the northwest corner of a 0.040 acre tract recorded in Volume 11988, Page 1228 of said Official Public Records;

THENCE: Departing the south line of said Lot 8, the north line of said 18.386 acre tract, along and with the common lines of said 18.386 acre tract and said 0.040 acre tract, the following bearings and distances:

S 02°52'26" W, a distance of 36.10 feet to a point;

S 64°39'39" E, a distance of 53.89 feet to a point;

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N 02°52'26" E, a distance of 36.10 feet to a point on the south line of said Lot 8, the north line of said 18.386 acre tract, the northeast corner of said 0.040 acre tract;

THENCE: S 64°39'39" E, along and with the south line of said Lot 8, the north line of said 18.386 acre tract, a distance of 10.41 feet to a point on the west right-of-way line of U.S. Highway 281, the southeast corner of said Lot 8, the northeast corner of said 18.386 acre tract and the herein described tract;

THENCE: Along and with the west right-of-way line of said U.S. Highway 281, the east line of said 18.386 acre tract and said 3.700 acre tract, the following bearings and distances:

S 03°38'17" W, a distance of 79.66 feet to a point;

S 19°16'56" W, a distance of 175.12 feet to a point;

THENCE: Departing the west right-of-way line of said U.S. Highway 281, over and across said 3.700 acre tract and said 18.386 acre tract, the following bearings and distances:

N 59°54'44" W, a distance of 254.51 feet to a point;

S 19°16'56" W, a distance of 724.17 feet to a point;

S 64°33'48" E, a distance of 251.45 feet to a point on the west right-of-way line of said U.S. Highway 281, the east line of said 18.386 acre tract;

THENCE: S 19°16'56" W, along and with the west right-of-way line of said U.S. Highway 281, the east line of said 18.386 acre tract, a distance of 50.19 feet to a point at the northeast corner of Lot 14, Block 64, New City Block 19219, Stone Ridge Market Retail Center Subdivision recorded in Volume 9618, Page 211 of said Deed and Plat Records, the southeast corner of the herein described tract;

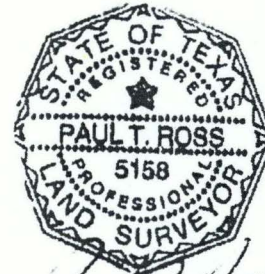
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THENCE: N 64°33'48" W, departing the west right-of-way line of said U.S. Highway 281, along and with the north lines of Lot 14, Lot 15 of said Stone Ridge Market Retail Center Subdivision, the south line of said 18.386 acre tract, a distance of 986.14 feet to the POINT OF BEGINNING, and containing 17.989 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 8704-05 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: July 3, 2018
JOB NO. 8704-05
DOC. ID. N:\CIVIL\8704-05\Word\8704-05 FN_17.989AC.docx



Paul T. Ross
03 JULY, 18