

AN ORDINANCE 2015-06-18-0619

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 an 0.148 of an acre out of Lot 14, Block 4, NCB 17851 from "C-2 AHOD MLOD ERZD" Commercial Edwards Recharge Zone Military Lighting Overlay Airport Hazard Overlay District to "MF-18 AHOD MLOD ERZD" Limited Density Multi-Family Edwards Recharge Zone Military Lighting Overlay Airport Hazard Overlay 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. 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% for the multi-family development..

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.

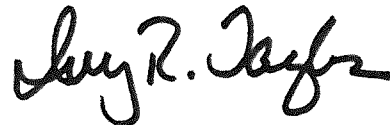
SECTION 7. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

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.

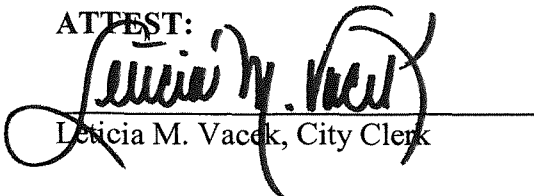
SECTION 10. This ordinance shall become effective June 28, 2015.

PASSED AND APPROVED this 18th day of June, 2015.

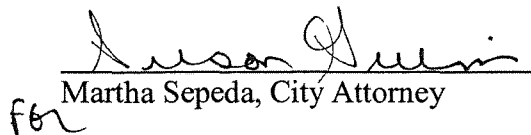


M A Y O R
Ivy R. Taylor

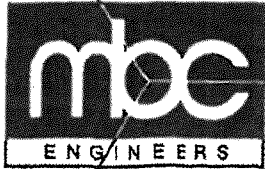
ATTEST:


Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:


for Martha Sepeda, City Attorney

Agenda Item:	Z-15						
Date:	06/18/2015						
Time:	02:31:47 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2015202 ERZD (Council District 8): An Ordinance amending the Zoning District Boundary from "C-2 MLOD AHOD ERZD" Commercial Military Lighting Overlay Airport Hazard Overlay Edwards Recharge Zone District to "MF-18 MLOD AHOD ERZD" Limited Density Multi-Family Military Lighting Overlay Airport Hazard Overlay Edwards Recharge Zone District being 0.148 of an acre a portion of Lot 14, Block 4, NCB 17851 located at 14811 Huebner Road. Staff recommends Approval. Zoning Commission recommendation pending the June 16, 2015 Zoning Commission hearing.						
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				



MAGINA • BOSE • COPELAND and ASSOCIATES, INC
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(210) 545-1122 FAX (210) 545-9302
www.mbcengineers.com

LEGAL DESCRIPTION
0.148 ACRE TRACT

22010201

BEING 0.148 OF AN ACRE (6,450 SQUARE FEET +/-) TRACT OF LAND OUT OF LOT 14, BLOCK 4, NEW CITY BLOCK 17851, PLATINUM SHAVANO OAKS APARTMENTS, A SUBDIVISION OF RECORD IN VOLUME 9646, PAGE 67-68, DEED AND PLAT RECORDS BEXAR COUNTY, TEXAS, (D.P.R.B.Co.TX.), BEING IN THE CITY OF SAN ANTONIO, BEING OUT OF THE JAMES B. THOMPSON SURVEY No. 84, ABSTRACT No. 740, BEXAR COUNTY, TEXAS, SAID 0.148 OF AN ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-Inch Iron Rod with Yellow Plastic Cap Stamped "MBC ENGINEERS" Found in the Curving Northwesterly Right-of-Way, (R.O.W.), Line of Huebner Road, (110-foot wide R.O.W.), being the Eastern Most Corner of Lot 12 of said Platinum Shavano Oaks Apartments Subdivision, being the Eastern Most South Corner of Lot 14 for the **POINT OF BEGINNING**;

THENCE N 33°47'17" W, (Bearing Basis) departing the Curving Northerly R.O.W. of Huebner Road with the Northeast Line of Lot 12, being the Eastern Most South Line of Lot 14 a distance of 148.54 feet to a calculated point, from which a 1/2-Inch Iron Rod with Yellow Plastic Cap Stamped "MBC ENGINEERS" Found for a Point of Intersection (P.I.) in the Northeast Line of Lot 12, being the Eastern Most South Line of Lot 14 bears N 33°47'17" W a distance of 37.93 feet:

THENCE departing the Northeast Line of Lot 12, being the Eastern Most South Line of Lot 14, traversing over, across, and through Lot 14 the following two (2) courses and distances:

- 1.) N 42°25'38" E, a distance of 26.87 feet to a calculated point, and
- 2.) S 47°34'22" E, a distance of 145.00 feet to a calculated point in the Northwesterly R.O.W. Line of Huebner Road, being the Eastern Most South Line of Lot 14, from which a 1/2-Inch Iron Rod with Yellow Plastic Cap Stamped "MBC ENGINEERS" Found for the Northeast Corner of Lot 14, bears N 42°25'38" E a distance of 1072.33 feet:

THENCE with the Northwesterly R.O.W. Line of Huebner Road, being the East Line of Lot 14 the following two (2) courses and distances:

- 1.) S 42°25'38" W, a distance of 20.59 feet to a 1/2-Inch Iron Rod with Yellow Plastic Cap Stamped "MBC ENGINEERS" Found for a Point of Curvature, (P.C.) of a Curve to the Right, and

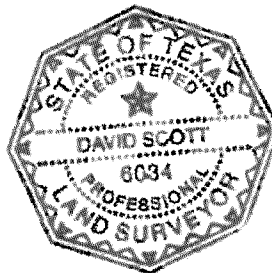


23010202

2.) 41.69 feet following the arc of said curve to the right having a radius of 1177.55 feet, a delta angle of $02^{\circ}01'42''$, tangents of 20.85 feet, and a chord which bears $S 43^{\circ}26'29'' W$, a distance of 41.68 feet to the **POINT OF BEGINNING** and containing 0.148 of an acre of land, (6,450 SQUARE FEET +/-) more or less as surveyed by Macina, Bose, Copeland, and Associates, Inc. under the direct supervision of David Scott, R.P.L.S.

Note: A Survey Sketch Exhibit is made a part hereof and shall accompany this instrument as Sheet 3 of 3.

I, David Scott, Registered Professional Land Surveyor No. 6034, do hereby affirm that this description is based on the results of a survey made on the ground by the firm of Macina, Bose, Copeland and Associates, Inc., of which a survey map has been prepared.



David Scott 5.6.15
David Scott, R.P.L.S. No.6034
TBPLS FIRM REGISTRATION #10011700

31233-1175
May 06, 2015-DS

