

AN ORDINANCE 2016-01-28-0060

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 3.630 acres out of NCB 16334 from "PUD R-6 MLOD MSAO AHOD ERZD" Planned Unit Development Residential Single-Family Camp Bullis Military Lighting Overlay Camp Bullis Military Sound Attenuation Overlay Airport Hazard Overlay Edwards Recharge Zone District to "O-1 MLOD MSAO AHOD ERZD" Office Camp Bullis Military Lighting Overlay Camp Bullis Military Sound Attenuation Overlay Airport Hazard Overlay Edwards Recharge Zone 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. 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 4. 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 5. 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.

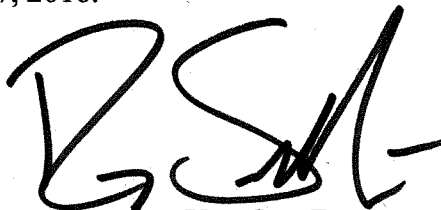
SECTION 6. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

SECTION 7. 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 8. 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 9. This ordinance shall become effective February 7, 2016.


PASSED AND APPROVED this 28th day of January, 2016.


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-21 (in consent vote: P-1, Z-1, Z-2, Z-3, Z-5, Z-7, Z-8, Z-9, Z-10, Z-13, Z-14, Z-15, Z-16, Z-17, Z-18, Z-21, Z-22) | | | | | | |
| Date: | 01/28/2016 | | | | | | |
| Time: | 02:04:47 PM | | | | | | |
| Vote Type: | Motion to Approve | | | | | | |
| Description: | ZONING CASE # Z2015059 ERZD (Council District 9): An Ordinance amending the Zoning District Boundary from "PUD R-6 MLOD MSAO AHOD ERZD" Planned Unit Development Residential Single-Family Camp Bullis Military Lighting Overlay Camp Bullis Military Sound Attenuation Overlay Airport Hazard Overlay Edwards Recharge Zone District to "O-1 MLOD MSAO AHOD ERZD" Office Camp Bullis Military Lighting Overlay Camp Bullis Military Sound Attenuation Overlay Airport Hazard Overlay Edwards Recharge Zone District on 3.630 acres out of NCB 16334 located at the 3000 to 4000 Block of westbound 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. Treviño | District 1 | | x | | | x | |
| Alan Warrick | District 2 | | x | | | | 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 | | | | |
| Joe Krier | District 9 | | x | | | | |
| Michael Gallagher | District 10 | | x | | | | |

FIELD NOTES
FOR
ZONING

A 3.630 acre, more or less, tract of land out of that 48.101 acre tract described in deed to Rogers 1604 Commercial, Ltd. recorded in Volume 15305, Page 689 of the Official Public Records of Bexar County, Texas, out of the Collin C. McCrae Survey No. 391, Abstract 482, in New City Block 16334 of the City of San Antonio, Bexar County, Texas. Said 3.630 acre tract being more fully described as follows:

COMMENCING: At a point on the north right-of-way line of Charles Anderson Loop 1604, F.M. 1604, a variable width right-of-way, the southwest corner of Lot 1, Block 14, Rogers 1604 Commercial Unit 2 Subdivision recorded in Volume 9669, Page 211 of the Deed and Plat Records of Bexar County, Texas;

THENCE: N 04°11'02" W, departing the north right-of-way line of said F.M. 1604, along and with the west line of said Lot 1, a distance of 553.01 feet to the POINT OF BEGINNING of the herein described tract;

THENCE: N 76°28'28" W, over and across said 48.101 acre tract, a distance of 29.14 feet to a point;

THENCE: S 63°38'22" W, continuing over and across said 48.101 acre tract, a distance of 162.19 feet to a point;

THENCE: S 86°01'36" W, over and across said 48.101 acre tract, a distance of 1829.13 feet to a point;

THENCE: N 03°56'06" W, continuing over and across said 48.101 acre tract, a distance of 49.13 feet to a point on the north line of said 48.101 acre tract;

THENCE: Along and with the north line of said 48.101 acre tract the following bearings and distances:

N 76°04'33" E, a distance of 328.79 feet to a point;

S 83°22'17" E, a distance of 86.11 feet to a point;

N 69°59'58" E, a distance of 88.41 feet to a point;

N 89°32'30" E, a distance of 497.51 feet to a point;

Page 1 of 2

Z2015059

3.630 Acres
Job No.: 8267-05
Page 2 of 2

S 86°22'48" E, a distance of 297.91 feet to a point;

S 89°56'27" E, a distance of 222.59 feet to a point;

N 68°23'38" E, a distance of 83.92 feet to a point;

N 49°27'04" E, a distance of 131.49 feet to a point;

N 89°07'15" E, a distance of 58.33 feet to a point;

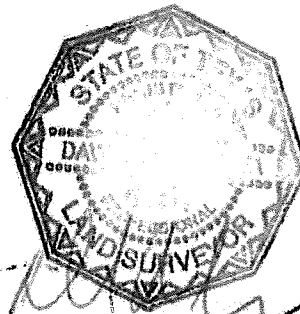
S 79°42'48" E, a distance of 233.04 feet to a point;

S 89°19'35" E, a distance of 29.85 feet to a point for the northwest corner of said Lot 1;

THENCE: S 04°11'02" E, along and with the west line of said Lot 1, a distance of 16.79 feet to the POINT OF BEGINNING, and containing 3.630 acres in the City of San Antonio, Bexar County, Texas.

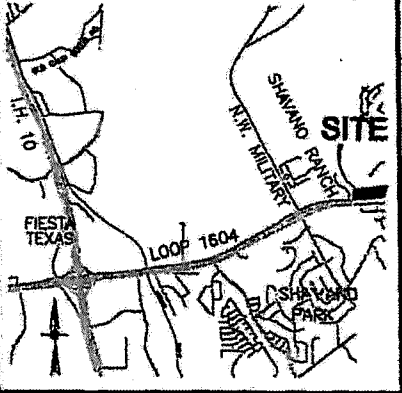
"This document was prepared under 22TAC663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: November 19, 2014, Revised: December 11, 2014
JOB NO. 8267-05
DOC. ID. N:\CIVIL\8267-05\WORD\8267-05 FN-3.630 AC ZN.docx
TBPE Firm Registration #470
LBPLS Firm Registration #100288-00



**PAPE-DAWSON
ENGINEERS**

Z2015059

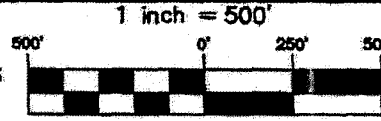


LOCATION MAP

NOT-TO-SCALE

LEGEND:

- DR DEED RECORDS OF BEXAR COUNTY, TEXAS
- OPR OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS
- DPR DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
- FR FOUND 1/2" IRON ROD



NOTES:

1. THE PROFESSIONAL SERVICES PROVIDED HERewith INCLUDE THE PREPARATION OF A FIELD NOTE DESCRIPTION.
2. 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.

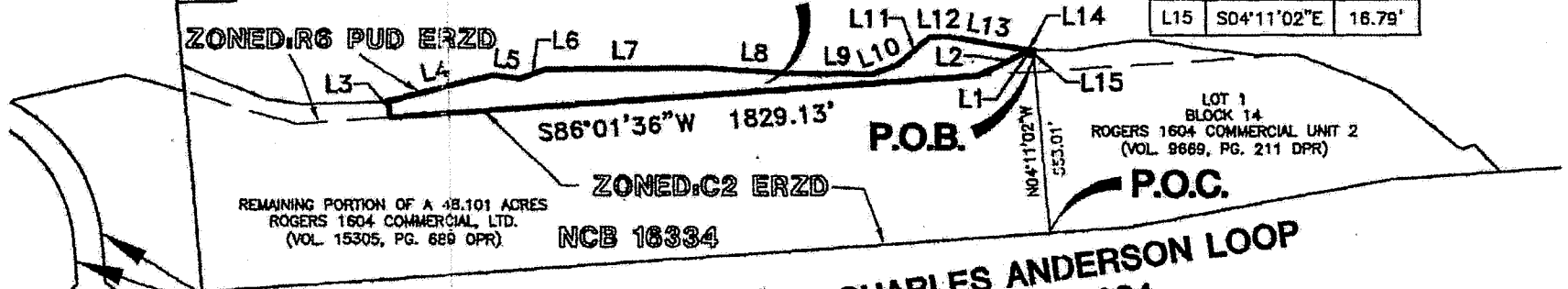


| LINE TABLE | | |
|------------|-------------|---------|
| LINE | BEARING | LENGTH |
| L1 | N76°28'28"W | 29.14' |
| L2 | S63°38'22"W | 162.19' |
| L3 | N03°56'06"W | 49.13' |
| L4 | N76°04'33"E | 328.79' |
| L5 | S83°22'17"E | 86.11' |
| L6 | N69°59'58"E | 88.41' |
| L7 | N89°32'30"E | 497.51' |
| L8 | S86°22'48"E | 297.91' |
| L9 | S89°56'27"E | 222.59' |
| L10 | N68°23'38"E | 83.92' |
| L11 | N49°27'04"E | 131.49' |
| L12 | N89°07'15"E | 58.33' |
| L13 | S79°42'48"E | 233.04' |
| L14 | S89°19'35"E | 29.85' |
| L15 | S04°11'02"E | 16.79' |

**COLLIN C. McCRAE SURVEY NO. 391
ABSTRACT 482
NCB 16334**

REMAINING PORTION OF 2,325.9942 ACRES
(VOL. 5553, PGS. 103-130 O.P.R.)

3.630 ACRES



REMAINING PORTION OF A 48.101 ACRES
ROGERS 1604 COMMERCIAL, LTD.
(VOL. 15305, PG. 689 OPR)

NCB 16334

LOT 1
BLOCK 14
ROGERS 1604 COMMERCIAL UNIT 2
(VOL. 9669, PG. 211 DPR)

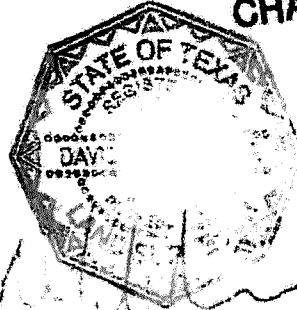
P.O.C.

SHAVANO RANCH
(VARIABLE WIDTH RIGHT-OF-WAY)
(VOL. 9574, PG. 166 D.P.R.)

**CHARLES ANDERSON LOOP
F.M. 1604**
(VARIABLE WIDTH R.O.W.)

EXHIBIT
FOR
ZONING

A 3.630 ACRE, MORE OR LESS, TRACT OF LAND OUT OF THAT 48.101 ACRE TRACT DESCRIBED IN DEED TO ROGERS 1604 COMMERCIAL, LTD. RECORDED IN VOLUME 15305, PAGE 689 OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS, OUT OF THE COLLIN C. MCCRAE SURVEY NO. 391, ABSTRACT 482, IN NEW CITY BLOCK 16334 OF THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS.



**PAPE-DAWSON
ENGINEERS**

2000 WY LOOP 410 | SAN ANTONIO TEXAS 78217 | PHONE: 210.326.8920
FAX: 210.375.8016

THESE BOARDS OF PROFESSIONAL ENGINEERS ARE MEMBERSHIP & ARE
THESE BOARDS OF PROFESSIONAL ENGINEERS ARE MEMBERSHIP & ARE
Copyright © 2014 Pape-Dawson Engineers, Inc. All Rights Reserved.

REVISED: DECEMBER 11, 2014

SHEET 1 OF 1

JOB No.: 8267-05