

AN ORDINANCE 2016-09-15-0720

**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 5.99 acres out of NCB 18886, located at 15832 Jones Maltsbeger Road, from "NP-10 ERZD" Neighborhood Preservation Edwards Recharge Zone District and "R-20" Residential Single-Family District to "PUD R-20" Planned Unit Development Residential Single-Family District and "PUD R-20 ERZD" Planned Unit Development 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 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 the 25<sup>th</sup> day of September 2016.

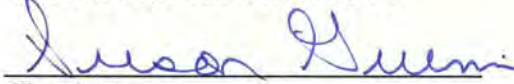
**PASSED AND APPROVED** this 15<sup>th</sup> day of September 2016.

  
M A Y O R  
Ivy R. Taylor

ATTEST:

  
\_\_\_\_\_  
Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
For City Attorney

<b>Agenda Item:</b>	<b>Z-11 ( in consent vote: Z-1, Z-4, Z-5, P-3, Z-7, Z-9, Z-10, Z-11, Z-12 )</b>						
<b>Date:</b>	09/15/2016						
<b>Time:</b>	02:08:54 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	ZONING CASE # Z2016185 ERZD (Council District 10): An Ordinance amending the Zoning District Boundary from "NP-10 ERZD" Neighborhood Preservation Edwards Recharge Zone District and "R-20" Residential Single-Family District to "PUD R-20" Planned Unit Development Residential Single-Family District and "PUD R-20 ERZD" Planned Unit Development Residential Single-Family Edwards Recharge Zone District on 5.99 Acres out of NCB 17194, located at 15832 Jones Maltsberger Road. Staff and Zoning Commission recommend Approval.						
<b>Result:</b>	Passed						
<b>Voter</b>	<b>Group</b>	<b>Not Present</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Motion</b>	<b>Second</b>
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				



22016185

FIELDNOTE DESCRIPTION  
FOR ZONING

A 0.201 acre, or 8,769 square feet more or less, tract of land out of that 53.852 acre tract described in deed to Matiraan, Ltd., a Texas Limited Partnership recorded in Volume 13285, Page 1746 of the Official Public Records of Bexar County, Texas, out of the N. Sanches Survey No. 354, A-40, NCB 18886. Said 0.201 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 east right-of-way line of Jones Maltsberger, a variable width right-of-way, the west line of said 53.852 acre tract, and from which the southwest corner of said 53.852 acre tract, the northwest corner of a variable width drainage easement recorded in Volume 9530, Page 83 of the Deed and Plat Records of Bexar County, Texas, bears S 02°59'51" E, a distance of 663.94 feet;

**THENCE:** N 02°59'51" W, along and with the east right-of-way line of said Jones Maltsberger, the west line of said 53.852 acre tract, a distance of 185.36 feet to a point, and from which the northwest corner of said 53.852 acre tract, the southwest corner of a 5.00 acre tract described in deed to Dorothy Kellogg recorded in Volume 10991, Page 1343 of said Official Public Records, bears N 02°59'51" W, a distance of 519.58 feet;

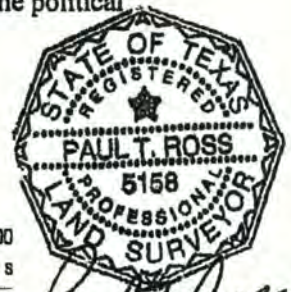
**THENCE:** Departing the east right-of-way line of said Jones Maltsberger, over and across said 53.852 acre tract, the following bearings and distances:

S 30°02'39" E, a distance of 208.07 feet to a point;

S 86°58'20" W, a distance of 94.61 feet to the POINT OF BEGINNING, and containing 0.201 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 8688-02 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:** September 13, 2016  
**JOB NO.** 8688-02  
**DOC. ID.** N:\CIVIL\8688-02\word\8688.02 FN 0.201ac.docx



TBPE Firm Registration #470 | TBPLS Firm Registration #10028800  
San Antonio | Austin | Houston | Fort Worth | Dallas  
Transportation | Water Resources | Land Development | Surveying | Environmental  
2000 NW Loop 410, San Antonio, TX 78213 T: 210.375.9000 www.Pape-Dawson.com

*Paul T. Ross*  
13 SEPT. 16

EXHIBIT "A"

"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."

5.00 ACRES  
DOROTHY KELLOGG  
VOL. 10991, PG. 1343 OPR



1 inch = 50'



## LEGEND



CALCULATED POINT

**Z2016185**

NCB 18886

**0.201 ACRES**  
(8,769 SQ. FT. MORE OR LESS)

53.852 ACRES  
MATIRAAN, LTD., A TEXAS LIMITED  
PARTNERSHIP  
VOL. 13285, PG. 1746 OPR

N. SANCHES SURVEY NO. 354  
ABSTRACT 40

**JONES MALTSBERGER**  
(VARIABLE WIDTH R.O.W.)

P.O.B.

## ZONING EXHIBIT OF

A 0.201 ACRE, OR 8,769 SQUARE FEET MORE OR LESS, TRACT OF LAND OUT OF THAT 53.852 ACRE TRACT DESCRIBED IN DEED TO MATIRAAN, LTD., A TEXAS LIMITED PARTNERSHIP RECORDED IN VOLUME 13285, PAGE 1746 OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS, OUT OF THE N. SANCHES SURVEY NO. 354, A-40 NCB 18886

**PAPE-DAWSON  
ENGINEERS**

2000 NW LOOP 410 | SAN ANTONIO, TEXAS 78213 | PHONE: 210.375.6000  
FAX: 210.375.9010

TEXAS BOARD OF PROFESSIONAL ENGINEERS, FIRM REGISTRATION # 470  
TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, FIRM REGISTRATION # 10028800

N02°59'51"W 519.58'

ROW LINE  
DEED LINE

N02°59'51"W 185.36'

S30°02'39"E 208.07'

S86°58'20"W 94.61'

S02°59'51"E 663.94'

±130' TO  
FALL WAY DR.

VARIABLE WIDTH DRAINAGE EASEMENT  
(VOL. 9830, PG. 83 OPR)



*Paul T. Ross*  
13 SEPT. 16

Date: Sep 13, 2016, 1:23pm User ID: jrmv  
File: H:\CIVIL\8688-02\201609-02 0.201AC.dwg

SHEET 1 OF 1

JOB No.: 8688-02



Z2016185

FIELDNOTE DESCRIPTION  
FOR  
ZONING

A 3.308 acre, or 144,113 square feet more or less, tract of land out of that 53.852 acre tract described in deed to Matiraan, Ltd., a Texas Limited Partnership recorded in Volume 13285, Page 1746 of the Official Public Records of Bexar County, Texas, out of the N. Sanches Survey No. 354, A-40, NCB 18886. Said 3.308 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 within said 53.852 acre tract, for the southwest corner of the herein described tract, and from which the north corner of a variable width drainage easement recorded in Volume 9528, Page 28 of the Deed and Plat Records of Bexar County, Texas bears S 12°43'28" E, a distance of 208.78 feet;

**THENCE:** Over and across said 53.852 acre tract, the following bearings and distances:

N 18°46'42" W, a distance of 123.65 feet to a point;

N 34°45'10" E, a distance of 225.22 feet to a point, and from which a point on the east right-of-way line of said Jones Maltsberger, a variable width right-of-way, the southwest corner of a 5.00 acre tract described in deed to Dorothy Kellogg recorded in Volume 10991, Page 1746 of said Official Public Records, bears N 62°59'22" W, a distance of 995.85 feet;

N 73°42'41" E, a distance of 334.23 feet to a point;

S 16°17'19" E, a distance of 327.29 feet to a point;

N 79°14'38" E, a distance of 61.35 feet to a point;

S 09°40'13" E, a distance of 22.97 feet to a point;

22016185

S 82°53'28" W, a distance of 569.70 feet to the POINT OF BEGINNING, and containing 3.308 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 8688-02 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: September 13, 2016  
JOB NO. 8688-02  
DOC. ID. N:\CIVIL\8688-02\word\8688.02 FN 3.308ac.docx



*Paul T. Ross*

13 SEPT. 16

**JONES MALTSBERGER**  
(VARIABLE WIDTH R.O.W.)

5.00 ACRES  
DOROTHY KELLOGG  
VOL. 10991, PG. 1343 OPR

### LEGEND



CALCULATED POINT



1 inch = 100'



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."

N34°45'10"E 225.22'

**3.308 ACRES**  
(144,113 SQ. FT. MORE OR LESS)

N. SANCHES SURVEY NO. 354  
ABSTRACT 40

S16°17'19"E 327.29'

N79°14'38"E  
61.35'

S09°40'13"E  
22.97'

N18°46'42"W  
123.65'

S82°53'28"W 569.70'

NCB 18886  
53.852 ACRES  
MATIRAAN, LTD., A TEXAS LIMITED  
PARTNERSHIP  
(VOL. 13285, PG. 1746 OPR)

P.O.B.

208.78'

S12°43'28"E

VARIABLE WIDTH  
DRAINAGE EASEMENT  
VOL. 9528, PG. 58 OPR



**PAPE-DAWSON  
ENGINEERS**

2000 NW LOOP 410 | SAN ANTONIO, TEXAS 78213 | PHONE: 210.375.9000  
FAX: 210.375.9010

TEXAS BOARD OF PROFESSIONAL ENGINEERS, FIRM REGISTRATION # 470  
TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, FIRM REGISTRATION # 10028900

### ZONING EXHIBIT OF

A 3.308 ACRE, OR 144,113 SQUARE FEET  
MORE OR LESS, TRACT OF LAND OUT OF  
THAT 53.852 ACRE TRACT DESCRIBED IN  
DEED TO MATIRAAN, LTD., A TEXAS LIMITED  
PARTNERSHIP RECORDED IN VOLUME 13285,  
PAGE 1746 OF THE OFFICIAL PUBLIC RECORDS  
OF BEXAR COUNTY, TEXAS, OUT OF THE N.  
SANCHES SURVEY NO. 354, A-40, NCB 18886

SHEET 1 OF 1  
JOB No.: 8688-02



22016185

FIELDNOTE DESCRIPTION  
FOR ZONING

A 2.475 acre, or 107,802 square feet more or less, tract of land out of that 53.852 acre tract described in deed to Matiraan, Ltd., a Texas Limited Partnership recorded in Volume 13285, Page 1746 of the Official Public Records of Bexar County, Texas, out of the N. Sanches Survey No. 354, A-40, NCB 18886. Said 2.475 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 east right-of-way line of Jones Maltsberger, a variable width right-of-way, the southwest corner of said 53.852 acre tract, the northwest corner of a variable width drainage easement recorded in Volume 9530, Page 83 of the Deed and Plat Records of Bexar County, Texas;

**THENCE:** N 02°59'51" W, along and with the east right-of-way line of said Jones Maltsberger, the west line of said 53.852 acre tract, a distance of 503.45 feet to a point, and from which the northwest corner of said 53.852 acre tract, the southwest corner of a 5.00 acre tract described in deed to Dorothy Kellogg recorded in Volume 10991, Page 1343 of said Official Public Records, bears N 02°59'51" W, a distance of 865.43 feet;

**THENCE:** Departing the east right-of-way line of said Jones Maltsberger, over and across said 53.852 acre tract, the following bearings and distances:

N 66°45'11" E, a distance of 155.30 feet to a point;

S 23°22'42" E, a distance of 174.47 feet to a point;

S 19°27'38" E, a distance of 273.19 feet to a point on the north line of said variable width drainage easement, the south line of said 53.852 acre tract;

*PR*

Z2016185

THENCE: S 62°07'11" W, along and with the south line of said 53.852 acre tract, the north line of said variable width drainage easement, a distance of 312.93 feet to the POINT OF BEGINNING, and containing 2.475 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 8688-02 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: September 13, 2016  
JOB NO. 8688-02  
DOC. ID. N:\CIVIL\8688-02\word\8688.02 FN 2.475ac.docx



*Paul T. Ross*  
13 SEPT. 16

"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."

5.00 ACRES  
DOROTHY KELLOGG  
VOL. 10991, PG. 1343 OPR

22016185



1 Inch = 100'



## LEGEND



CALCULATED POINT

NCB 18886

53.852 ACRES  
MATIRAAN, LTD., A TEXAS LIMITED  
PARTNERSHIP  
VOL. 13285, PG. 1748 OPR

N. SANCHES SURVEY NO. 354  
ABSTRACT 40

**JONES MALTSBERGER**  
(VARIABLE WIDTH R.O.W.)



*Paul T. Ross*

13 SEPT. 16

P.O.B.

**2.475 ACRES**  
(107,802 SQ. FT. MORE OR LESS)

N02°59'51"W 503.45'

ROW LINE  
DEED LINE

±130' TO  
FALL WAY DR.

N66°45'11"E 155.30'

S23°22'42"E 174.47'

S19°32'22"E 383.71±

S62°07'11"W 312.93'

VARIABLE WIDTH DRAINAGE  
EASEMENT  
(VOL. 9530, PG. 83 DPR)

FALL CREEK SUBDIVISION  
UNIT 2  
(VOL. 9530, PG. 83 DPR)

## ZONING EXHIBIT OF

A 2.475 ACRE, OR 107,802 SQUARE FEET MORE OR LESS, TRACT OF LAND OUT OF THAT 53.852 ACRE TRACT DESCRIBED IN DEED TO MATIRAAN, LTD., A TEXAS LIMITED PARTNERSHIP RECORDED IN VOLUME 13285, PAGE 1746 OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS, OUT OF THE N. SANCHES SURVEY NO. 354, A-40, NCB 18886

SHEET 1 OF 1

JOB No.: 8688-02

**PAPE-DAWSON  
ENGINEERS**

2000 NW LOOP 410 | SAN ANTONIO, TEXAS 78213 | PHONE: 210.378.9000  
FAX: 210.373.9010

TEXAS BOARD OF PROFESSIONAL ENGINEERS, FIRM REGISTRATION # 470  
TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, FIRM REGISTRATION # 10029800

Date: Sep 13, 2016, 1:21pm User ID: pcrusa  
File: H:\CIVIL\8688-02\EXHIBIT-02 2.475AC.dwg