

AN ORDINANCE

2017-04-06-0230

**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 10.673 acres out of NCB 18218 from "C-2 MLOD-1 ERZD" Commercial Camp Bullis Military Lighting Overlay Edwards Recharge Zone District and "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.

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 50%.

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.

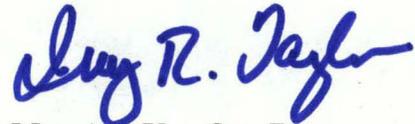
SECTION 7. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

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.

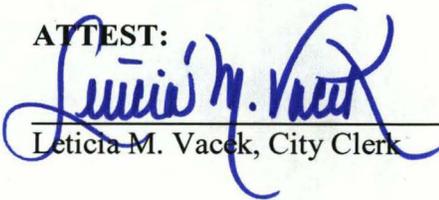
SECTION 9. If a court of competent jurisdiction enters a final judgment on the merits that is no longer subject to appeal and substantially limits or impairs the essential elements of sections one through five of this ordinance, then sections one through five are invalid and have no legal effect as of 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 16th day of April 2017.

PASSED AND APPROVED this 6th day of April 2017.


M A Y O R
Ivy R. Taylor

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



Andrew Segovia, City Attorney
For

Agenda Item:	Z-20 (in consent vote: Z-1, Z-2, Z-3, Z-4, Z-5, P-1, Z-7, Z-8, Z-9, Z-10, Z-11, Z-12, Z-13, Z-14, Z-15, Z-16, P-2, Z-17, Z-18, P-3, Z-20, P-4, Z-21, P-5, Z-22, P-6)						
Date:	04/06/2017						
Time:	02:13:12 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2016040 ERZD (Council District 9): An Ordinance amending the Zoning District Boundary from "C-2 MLOD-1 ERZD" Commercial Camp Bullis Military Lighting Overlay Edwards Recharge Zone District and "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 10.673 acres of land out of NCB 18218, generally located in the 23000 Block of North U.S. Highway 281. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment 16010)						
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				
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				x
Michael Gallagher	District 10		x				

Z2016040

METES & BOUNDS DESCRIPTION

October 19, 2009

BEING a 4.826-acre tract out of the Wm. Brisban Survey No. 89-1/2, Abstract No. 54, county Block 4900, Bexar County, Texas and the Wm. Brisban Survey No. 396-1/2, Abstract No. 55, County Block 4923, Bexar County, Texas, New City Block 18218, in the City of San Antonio, Bexar County, Texas out of a 101.3-acre tract recorded in Volume 7681, Pages 412-418, Official Public Records, Bexar County, Texas, said 4.826-acre tract being more particularly described as follows:

BEGINNING at a ½" iron rod found in the south line of Lot 21, Winchester Hills subdivision recorded in Volume 9521, Pages 168-171, Deed and Plat Records, Bexar County, Texas and the northeast corner of the herein described tract, said iron rod found being South 87°14'05" East 265.93 feet along the south line of said Lot 21 from the southwest corner of said Lot 21;

THENCE 522.53 feet along the east line of said 10.673-acre tract by a circular curve to the left having the following parameters:

Radius	= 975.00 feet
Chord Bearing	= South 14°33'58" East
Chord Distance	= 516.29 feet

to a ½" iron rod found for the southeast corner of the herein-described tract;

THENCE South 76°48'13" West, 207.25 feet along the south line of said 10.673-acre tract to a ½" iron rod found in the south line of said 101.3-acre tract;

THENCE 375.38 feet across said 10.673-acre tract by a circular curve to the right having the following parameters:

Radius	= 1175.00 feet
Chord Bearing	= North 17°51'30" West
Chord Distance	= 373.79 feet

to a point;

THENCE North 87°14'05" West, 71.35 feet across said 10.673-acre tract to a point;

THENCE South 82°47'39" West, 471.36 feet across said 10.673-acre tract to a ½" iron rod found;

THENCE North 16°35'21" East, 218.54 feet across said 10.673-acre tract to the southwest corner of Lot 22, Winchester Hills Subdivision recorded in Volume 9521, Pages 168-171, Deed and Plat Records, Bexar County Texas;

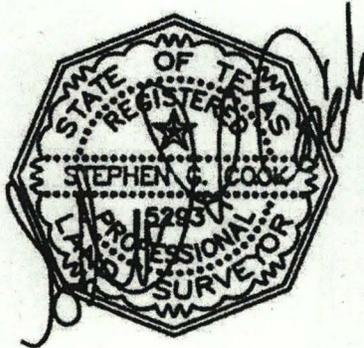
Exhibit "A"

Z2016040

THENCE North 82°47'23" East, 400.61 feet along the south line of said Lot 22 to a ½" iron rod found for the southeast corner of said Lot 22 and the southwest corner of said Lot 21;

THENCE South 87°14'05" East 265.93 feet along the south line of said Lot 21 to the POINT OF BEGINNING

Stephen G. Cook
Registered Professional Land Surveyor
No. 5293



2016040

METES & BOUNDS DESCRIPTION

October 19, 2009

BEING a 5.847-acre tract out of the Wm. Brisban Survey No. 89-1/2, Abstract No. 54, county Block 4900, Bexar County, Texas and the Wm. Brisban Survey No. 396-1/2, Abstract No. 55, County Block 4923, Bexar County, Texas, New City Block 18218, in the City of San Antonio, Bexar County, Texas out of a 101.3-acre tract recorded in Volume 7681, Pages 412-418, Official Public Records, Bexar County, Texas, said 5.847 acre tract being more particularly described as follows:

BEGINNING at a ½" iron rod found in the north line of said 101.3-acre tract for the most westerly corner of the herein-described tract said ½" iron rod set being North 82°44'15" East, 150.84 feet along the north line of said 101.3 acre tract from a ½" iron rod found in the easterly Right-Of-Way (R.O.W.) line of U.S. Highway 281 for the northwest corner of said 101.3-acre tract;

THENCE North 82°44'15" East, 599.31 feet along the north line of said 101.3-acre tract to an ½" iron rod found;

THENCE North 82°47'39" East, 471.36 feet across said 10.673 acre tract to a point;

THENCE South 87°14'05" East, 71.35 across said 10.673-acre tract to the northeast corner of the herein described tract;

THENCE 375.38 feet across said 10.673-acre tract by a circular curve to the left having the following parameters:

Radius	= 1175.00 feet
Chord Bearing	= South 17°51'30" East
Chord Distance	= 373.79 feet

to a point in the south line of said 10.673-acre tract for the southeast corner at the herein described tract;

THENCE South 76°48'13" West, 378.22 feet along the south line of said 10.673-acre tract to a ½' iron rod found in the south line of said 10.673 acre tract;

THENCE North 36°23'07" West, 172.80 feet along the south line of said 10.673-acre tract to a ½" iron rod found;

THENCE South 82°40'39" West, 147.29 feet along the south line of said 10.673-acre tract to a ½" iron rod found;

THENCE North 07°12'44" West, 178.85 feet along the west line of said 10.673-acre tract to a ½" iron rod found;

2016040

THENCE South 82°43'11" West, 592.65 feet along the south line of said 10.673-acre tract to a ½" iron rod found;

THENCE North 13°20'13" West, 90.46 feet along the west line of said 101.3-acre tract to the POINT OF BEGINNING.

Stephen G. Cook
Registered Professional Land Surveyor
No. 5293

