

AN ORDINANCE 2017-05-18-0371

**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 2.470 acres out of Lot P-8B, NCB 14615, located at 8130 West Hausman Road from "MF-18 ERZD" Limited Density Multi-Family Edwards Recharge Zone District to "C-2 ERZD" Commercial 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 the 28<sup>th</sup> day of May 2017.

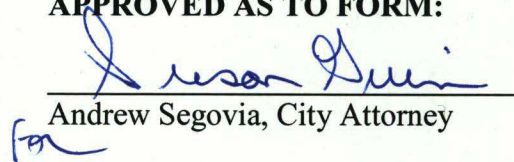
**PASSED AND APPROVED** this 18<sup>th</sup> day of May 2017.

  
M A Y O R  
Ivy R. Taylor

**ATTEST:**

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

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Andrew Segovia, City Attorney

<b>Agenda Item:</b>	<b>Z-15 ( in consent vote: Z-1, Z-2, Z-3, Z-4, P-1, Z-5, Z-7, P-2, Z-8, Z-9, Z-11, P-3, Z-12, P-4, Z-13, P-5, Z-14, Z-15, Z-16, Z-18, P-6 )</b>						
<b>Date:</b>	05/18/2017						
<b>Time:</b>	02:06:04 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	ZONING CASE # Z2017090 ERZD (Council District 8): An Ordinance amending the Zoning District Boundary from "MF-18 ERZD" Limited Density Multi-Family Edwards Recharge Zone District to "C-2 ERZD" Commercial Edwards Recharge Zone District on 2.470 acres out of Lot P-8B, NCB 14615, located at 8130 West Hausman 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				





Z2017090

METES AND BOUNDS DESCRIPTION  
FOR ZONING

A 2.470 acre, or 107,597 square feet more or less, tract of land out of that Lot P-8B of New City Block 14615 as described in quitclaim to the James Dudley May Revocable Living Trust and the Sue Ann May Revocable Living Trust recorded in Volume 12218, Pages 373-375 and said Lot P-8B being that called 8.357 acre tract, surveyed as 8.370 acres, described in deed recorded in Volume 5725, Pages 1263-1265 both of the Official Public Records of Real Property of Bexar County, Texas. And said called 8.370 acres being out of the Isaac Stone Survey 352, Abstract 713, County Block 4538, now in New City Block 14615 of the City of San Antonio, Bexar County, Texas. Said 2.470 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 north line of said 8.370 acre tract, on the south right-of-way line of Hausman Road, an 83-foot public right-of-way at this point, and at North 13,755,064.41, East 2,080,292.334 feet of said coordinate system, and being N 04°55'47" W, 3.00 feet and N 82°04'26" E, 136.34 feet along said right-of-way from a found iron rod with cap marked "ACES" at the northeast corner of Lot 5, Block 6 of the Montecito Apartments recorded in Volume 9552, Page 137 of the Deed and Plat Records of Bexar County, Texas;

**THENCE:** N 82°04'26" E, with said south right-of-way of Hausman Road and north line of said 8.370 acres a distance of 196.44 feet to a found ½" iron rod at the northeast corner of said 8.370 acre tract and being also the northwest corner of that called 8.378 acre tract recorded in Volume 7133, Pages 818-821 of the Official Public Records of Real Property of Bexar County, Texas;

**THENCE:** S 04°50'14" E, departing said right-of-way with the common line of said 8.370 acre tract and said called 8.378 acre tract, a distance of 422.45 feet to a point, from which a found ½" iron rod at the southeast corner of said 8.370 acre tract and southwest corner of said called 8.378 acre tract bears S 04°50'14" E, 697.66 feet;

**THENCE:** Over and across said 8.370 acre tract the following bearings and distances:

S 85°10'24" W, a distance of 271.64 feet to a point;

N 04°55'47" W, a distance of 268.64 feet to a point;

**THENCE:** N 23°05'53" E, a distance of 162.06 feet to the POINT OF BEGINNING, and containing 2.470 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 11239-00 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: January 25, 2017.

JOB NO. 11239-00

DOC. ID. N:\CIVIL\11239-00\Word\11239-00 Zoning Description.docx

Page 1 of 2

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

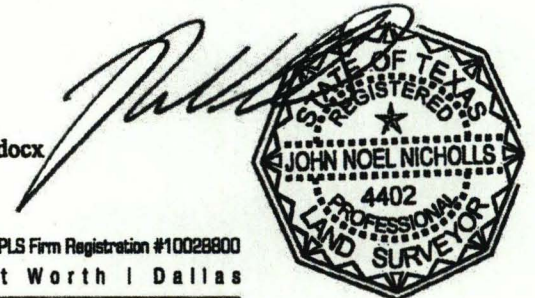


Exhibit "A"