

AN ORDINANCE 2019-02-21-0166

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.

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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 on 5.75 acres out of NCB 14615 from "R-6 ERZD" Residential Single-Family Edwards Recharge Zone District to "MXD ERZD" Mixed Use 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. The City council approves this Mixed Use so long as the attached site plan is adhered to. A site plan is attached as **Exhibit "B"** and made a part hereof and incorporated herein for all purposes.

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.

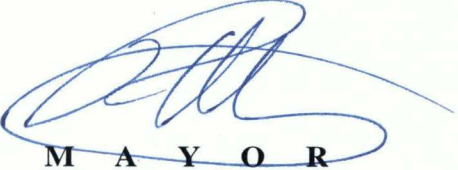
SECTION 7. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

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.

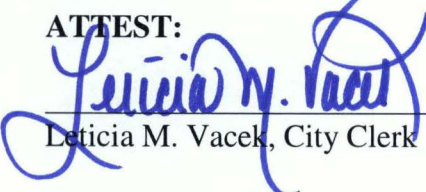
SECTION 9. If a court of competent jurisdiction enters a final judgment on the merits that is no longer subject to appeal and substantially limits or impairs the essential elements of sections one through five of this ordinance, then sections one through five are invalid and have no legal effect as of 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 March 3, 2019.


PASSED AND APPROVED this 21st day of February 2019.


M A Y O R
Ron Nirenberg

ATTEST:


Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:


for Andrew Segovia, City Attorney

Agenda Item:	Z-16 (in consent vote: 28, 29, Z-1, Z-2, Z-3, P-2, Z-5, P-4, Z-7, Z-8, Z-10, Z-11, P-5, Z-12, Z-16, Z-17, Z-19)						
Date:	02/21/2019						
Time:	02:56:23 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2018271 ERZD (Council District 8): Ordinance amending the Zoning District Boundary from "R-6 ERZD" Residential Single-Family Edwards Recharge Zone District to "MXD ERZD" Mixed Use Edwards Recharge Zone District on 5.75 acres out of NCB 14615, located at 8014 West Hausman Road. Staff and Zoning Commission recommend Approval.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ron Nirenberg	Mayor		x				
Roberto C. Treviño	District 1		x			x	
Art A. Hall	District 2		x				
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4	x					
Shirley Gonzales	District 5		x				
Greg Brockhouse	District 6		x				
Ana E. Sandoval	District 7		x				
Manny Pelaez	District 8	x					
John Courage	District 9		x				x
Clayton H. Perry	District 10		x				

SG/lj
02/21/2019
Item No. Z-16

EXHIBIT “A”

Z2018271

EXHIBIT "A"
METES & BOUNDS DESCRIPTION

OF A 5.75 ACRE TRACT OF LAND OUT OF THE ISAAC STONE SURVEY NO. 352, ABSTRACT NO. 713, NEW CITY BLOCK 14615, CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, SAME BEING THE CALLED 5.778 ACRE TRACT AS DESCRIBED IN A DEED TO KEITH A. HARP AND WIFE, BARBARA J. HARP IN VOLUME 2063, PAGE 797, REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a found ½" iron rod in the southerly R.O.W. line of W. Hausman Road for the northwest corner of the herein described tract, same being a point at the northeast corner of a 3 foot strip as shown to the north of Lot 14, Block 6, N.C.B. 14616, Royal SA 3, as recorded in Vol. 9608, Pg. 37, Deed and Plat Records of Bexar County, Texas;

THENCE along said R.O.W., same being the north line of the herein described tract, North 82°00'52" East, a distance of 25.17 feet (called North 82°43'00" East, a distance of 25.17 feet) to a point of reference for a Point of Curvature;

THENCE continuing along said R.O.W., along a curve to the right with the following parameters:

Radius: 2824.95 feet

Arc Length: 180.06 feet

Chord Length: 180.03 feet

Chord Bearing: North 83°50'26" East (called North 84°32'34" East)

Delta Angle: 03°39'07" (called 03°30'07")

To a point of reference for the northeast corner of the herein described tract, same being the intersection of the southerly R.O.W. line of said W. Hausman Road and the westerly R.O.W. line of Kyle Seale Parkway (a Variable Width R.O.W.);

THENCE along the westerly R.O.W. line of said Kyle Seale Parkway, South 01°09'27" East, a distance of 1244.14 feet (called South 00°31'00" East, a distance of 1245.61 feet) to a found ½" iron rod with cap marked M.W. Cude for the southeast corner of the herein described tract;

THENCE along south line of the herein described tract, South 88°49'34" West, at a distance of 25.04 feet passing a found ½" iron rod with cap marked M.W. Cude, at the northeast corner of Lot 7, Block 6, N.C.B. 15616, O'Connor/Clark Reliever High School as recorded in Vol. 9570, Pg. 172-173, Deed and Plat Records of Bexar County, Texas, and continuing for a total distance of 201.06 feet (called South 89°28'00" West, a distance of 202.40 feet) to a found ½" iron rod for the southwest corner of the herein described tract, same being the southeast corner of said Lot 14;

Z2018271

THENCE along the east line of said Lot 14, same being the west line of the herein described tract, North 01°18'38" West, at a distance of 1211.45 feet passing a found ½" iron rod with cap marked CEC, and at a distance of 1222.37 feet passing a found ½" iron rod with cap marked Pape Dawson, and continuing for a total distance of 1225.51 feet (called North 00°36'30" West, a distance of 1227.20 feet) to the **POINT OF BEGINNING** and containing 5.75 acres, more or less.

STATE OF TEXAS §

October 5, 2016

COUNTY OF BASTROP §

It is hereby certified that the above description was prepared from an actual survey on the ground of the described tract made under my supervision.



Rachel Lynn Hansen,
Registered Professional Land Surveyor
Registration No. 6358

SG/lj
02/21/2019
Item No. Z-16

EXHIBIT “B”

Current Zoning: "R-6 ERZD"

Requested Zoning: "MXD ERZD"

Current Land Use Designation: Suburban Tier

Requested Land Use Designation: General Urban Tier

Plan: North Sector

Acreage: 5.75

Proposed Use: Mixed use development with residential uses not to exceed 25 units per acre

Z2018281 ERZD

Mixed use development with residential uses not to exceed 25 units per acre

KYLE SEALE PARKWAY

HAUSMAN ROAD



Exhibit "B"

"I, Ventaka Subba Reddy Yeluru, Member of RRG Development, LLC, Manager of R3G Real Estate, LLC, Manager of R3G Real Estate-II, LLC, the property owner, acknowledge that this site plan submitted for the purpose of rezoning this property is in accordance with all applicable provisions of the Unified Development Code. Additionally, I understand that City Council approval of a site plan in conjunction with a rezoning case does not relieve me from adherence to any/all City-adopted Codes at the time of plan submittal for building permits."