

ORDINANCE 2022-06-16-0485

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 5.1948 acres out of NCB 14867, located at 13930 FM 1560 North, from "C-2 ERZD" Commercial Edwards Recharge Zone District to "MF-18 ERZD" Limited Density Multi-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 the percentage prescribed by the San Antonio Water System in accordance with Chapter 34.

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 June 26, 2022.


PASSED AND APPROVED this 16th day of June, 2022.


M A Y O R
Ron Nirenberg

ATTEST:


Debbie Racca-Sittre, City Clerk

APPROVED AS TO FORM:


for Andrew Segovia, City Attorney



City of San Antonio

City Council Zoning & Land Use Session Meeting June 16, 2022

28.

2022-06-16-0485

ZONING CASE Z-2021-10700340 ERZD (Council District 8): Ordinance amending the Zoning District Boundary from "C-2 ERZD" Commercial Edwards Recharge Zone District to "MF-18 ERZD" Limited Density Multi-Family Edwards Recharge Zone District on 5.1948 acres out of NCB 14867, located at 13930 FM 1560 North. Staff, SAWS and Zoning Commission recommend Approval. (Continued from June 2, 2022)

Councilmember Viagran moved to Approve on Zoning Consent. Councilmember Rocha Garcia seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda, Pelaez, Courage, Perry

Absent: Sandoval

Exhibit “A”

Westwood

COUNTY OF BEXAR
STATE OF TEXAS

5.1948 ACRE TRACT
226,287 SQ. FT.

PROJ. 33213.00
Dec. 2, 2021

FIELD NOTE DESCRIPTION a 5.1948 acre tract situated in the Jose Maria Cadena Survey No. 267, Abstract No. 182, New City Block 14867, County Block 4536, City of San Antonio, Bexar County, Texas, being out of Tracts 1 and 2 as described in Volume 18091, Page 2119, Bexar County Official Public Records, which includes Lots 1 and 2, Simmang Subdivision recorded in Volume 7900, Page 217, Bexar County Deed and Plat Records; in all, said 5.1948 acre tract being more particularly described as follows:

BEGINNING at a ½" iron rod found on the south line of FM 1560, aka Hausman Road, a variable width state highway (90-foot minimum), for the northwest corner of Lot 1, Block 10, NCB 17616, Hausman Multi-Family, recorded in Volume 9684, Page 211, said Deed and Plat Records, coincident with the northeast corner and **POINT OF BEGINNING** of the herein described tract of land;

THENCE, with the common west line of said Lot 1, Block 10 and east line of the herein described tract of land, S 00° 34' 03" E, 745.95 feet to a ½" iron rod found with red "Overby-Descamps" cap on the north line of Lot 24, Block 4, The Enclave at Hausman Subdivision Unit 1, recorded in Volume 9570, Page 170, said Deed and Plat Records, for the common southwest corner of said Lot 1, Block 10 and southeast corner of the herein described tract of land;

THENCE, along the north line of said Lot 24, coincident with the south line of the herein described tract of land, S 89° 26' 00" W, pass at 139.84 feet a ½" iron rod found with yellow "DRE" cap for the common northwest corner of said Lot 24 and a northeast corner of Lot 21, Block 4, The Enclave at Hausman Subdivision Unit 1, and continuing in all a total distance of 424.86 feet to a ½" iron rod found with yellow cap for an interior corner of said Lot 21, coincident with the southwest corner of the herein described tract of land;

THENCE, with the common east line of The Enclave at Hausman Subdivision Unit 1 and west line of the herein described tract of land, N 00° 33' 36" W, passing at 76.18 feet a ½" iron rod found with yellow "DRE" cap for the common southeast corner of Lot 20, Block 4, The Enclave at Hausman Subdivision Unit 1, and a northeast corner of said Lot 21, and continuing in all a total distance of 472.47 feet to a point for the west corner of the herein described tract of land;

THENCE, across Tracts 1 and 2, the following courses:

N 89° 14' 02" E, 394.80 feet,

N 0° 33' 41" W, 80.12 feet,

N 89° 26' 00" E, 214.36 feet, and

N 0° 34' 03" W, 192.63 feet to the south line of said FM 1560 for the northwest corner of the herein described tract of land;

THENCE, with the south right-of-way line of said FM 1560, N 89° 14' 02" E, 30.00 feet to the **POINT OF BEGINNING**.

Westwood

Containing in all, 226,287 square feet of land or 5.1948 acres. Bearings based on deed recorded in Volume 12479, Page 170, Bexar County Official Public Records, and referenced to the Texas State Plane Coordinate System for the South Central Zone, 4204 (NAD83, 2011 Adjustment). This field note description was prepared in conjunction with a zoning exhibit for Project No. 33213.00 of the same date, December 2, 2021 by Westwood Professional Services.

