

ORDINANCE 2022-12-15-1021

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 18.827 acres out of CB 4900, located at 23211 US Highway 281 North, from "R-6 GC-3 MLOD-1 MLR-2 ERZD" Residential Single-Family US 281 North Gateway Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District and "C-2 GC-3 MLOD-1 MLR-2 ERZD" Commercial US 281 North Gateway Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District to "MF-25 GC-3 MLOD-1 MLR-2 ERZD" Low Density Multi-Family US 281 North Gateway Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 2 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 (SAWS) 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 December 25, 2022.

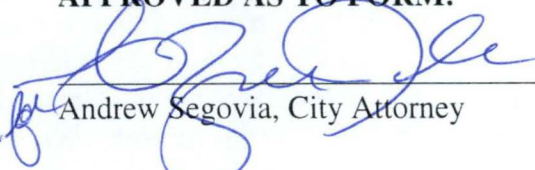
PASSED AND APPROVED this 15th day of December, 2022.


M A Y O R
Ron Nirenberg

ATTEST:


Debbie Racca-Sittre, City Clerk

APPROVED AS TO FORM:


Andrew Segovia, City Attorney



City of San Antonio

City Council Meeting December 15, 2022

27.

2022-12-15-1021

ZONING CASE Z-2022-10700198 ERZD (Council District 9): Ordinance amending the Zoning District Boundary from "R-6 GC-3 MLOD-1 MLR-2 ERZD" Residential Single-Family US 281 North Gateway Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District and "C-2 GC-3 MLOD-1 MLR-2 ERZD" Commercial US 281 North Gateway Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District to "MF-25 GC-3 MLOD-1 MLR-2 ERZD" Low Density Multi-Family US 281 North Gateway Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District on 18.827 acres out of CB 4900, located at 23211 US Highway 281 North. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment PA-2022-11600072) (Continued from December 1, 2022)

Councilmember Bravo moved to Approve on Zoning Consent. Councilmember Courage seconded the motion. The motion carried by the following vote:

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

EXHIBIT “A”



METES AND BOUNDS DESCRIPTION
FOR
ZONING

A 18.827 acre, or 820,109 square feet more or less, tract of land out of a 19.20 acre tract of land conveyed to The Herlinda Cant Family, L.P. by Special Warranty Deed, recorded in Volume 15875, Page 81, of the Official Public Records of Bexar County, Texas, out of the Eugene De La Roche Survey 95, Abstract 633, County Block 4924, and the William Brisbin Survey 89 ½, Abstract 54, County Block 4900 in the City of San Antonio, Bexar County, Texas. Said 18.827 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 southwest right-of-way line of U.S. Highway 281, a variable width public right-of-way, as shown in Volume 20001, Page 2193, of the Plat Records of Bexar County, Texas, and the southeast corner of the herein described tract;

THENCE: S 39°35'15" W, along a northwest right-of-way line of said U.S. Highway 281 and the southeast line of the herein described tract, distance of 81.57 feet to a point, the north corner of Lot 25, Block 2, NCB 19218 of the Tacara Stone Oak IV Subdivision, recorded in Volume 20001, Page 2193, of the Plat Records of Bexar County, Texas;

THENCE: S 42°13'08" W, along the northwest line of said Lot 25, Block 2, and the southeast line of the herein described tract, a distance of 26.46 feet to a point;

THENCE: S 40°31'08" W, , along the northwest line of said Lot 25, Block 2, and the southeast line of the herein described tract, a distance of 214.39 feet to a point;

THENCE: S 41°18'29" W, continuing along the northwest line of said Lot 25, Block 2, and the southeast line of the herein described tract, a distance of 266.40 feet to a point;

THENCE: S 40°44'03" W, continuing along the northwest line of said Lot 25, Block 2, and the southeast line of the herein described tract, at a distance of 182.89 feet passing the northwest corner of Lot 5, Block 2, New City Block 19218, of the Tacara Apartments at Stone Oak, recorded in Volume 9696, Pages 4-5, of the Deed and Plat Records of Bexar County, Texas, same being conveyed to Hilltop Stone Oak Limited Partnership, by Special Warranty Deed, recorded in Document Number 20210291020, of the Official Public Records of Bexar County, Texas, a total distance of 283.54 feet to a point;

THENCE: S 40°53'21" W, continuing along the northwest line of said Lot 25, Block 2, and the southeast line of the herein described tract, a distance of 180.00 feet to a point at a

Exhibit "A"
Attachment "II"

northeast corner of said Lot 5, Block 2, and the south corner of the herein described tract;

THENCE: N 32°09'16" W, along a northeast line of said Lot 5, Block 2 and the southwest line of the herein described tract, a distance of 717.03 feet to a point, the south corner of a 19.982 acre tract of land described as Tract A in a Special Warranty Deed with Vendor's Lien conveyed to C-5 Holdings, LLC., recorded Volume 16046, Page 1834, of the Official Public Records of Bexar County, Texas, and the west corner of the herein described tract;

THENCE: N 40°52'16" E, along the southeast line of said 19.982 acre tract of land and the northwest line of the herein described tract, a distance of 1283.41 feet to a point, an angle point of the herein described tract;

THENCE: N 79°54'13" E, continuing along the southeast line of said 19.982 acre tract and the north line of the herein described tract, a distance of 63.55 feet to a point, on the southwest right-of-way line of said U.S. Highway 281 and the north corner of the herein described tract;

THENCE: Southeasterly, along said southwest right-of-way line of said U.S. Highway 281 North, and along a non-tangent curve to the left, said curve having a radius of 3420.00 feet, a central angle of 06°46'27", a chord bearing and distance of S 10°12'19" E, 404.12 feet, for an arc length of 404.36 feet to a point;

THENCE: S 13°35'33" E, continuing along the southwest right-of-way line of said U.S. Highway 281 N and the northeast line of the herein described tract, a distance of 405.85 feet to the POINT OF BEGINNING and containing 18.827 acres in the City of San Antonio, Bexar County, Texas. Said tract being described in conjunction with an exhibit map prepared under job number 12827-00 by Pape-Dawson Engineers, Inc.

This document was prepared under 22TAC138.95, 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: August 17, 2022
JOB NO. 12827-00
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