

ORDINANCE 2022-05-19-0378

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 of Lot 21, Block 12, NCB 14752, located at 7023 West Hausman Road, from "R-6 CD MLOD-1 MLR-2 ERZD" Residential Single-Family Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District with Conditional Use for an Assisted Living Facility for up to 12 Residents to "R-6 CD MLOD-1 MLR-2 ERZD" Residential Single-Family Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District with Conditional Use for an Assisted Living Facility for up to thirteen (13) residents.

SECTION 2. The City Council finds as follows:

- A. The conditional use will not be contrary to the public interest.
- B. The conditional use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district.
- C. The conditional use will be in harmony with the spirit and purpose for conditional uses as set forth in Section 35-422, Conditional Zoning, of the Unified Development Code.
- D. The conditional use will not substantially weaken the general purposes of the regulations as set forth in Section 35-422, Conditional Zoning, of the Unified Development Code.

SECTION 3. The City council approves this Conditional Use so long as the attached site plan is adhered to. A site plan is attached as **Exhibit "A"** and made a part hereof and incorporated herein for all purposes.

SECTION 4. 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 5. 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 6. 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 7. 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 8. 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 9. 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 10. 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 11. This ordinance shall become effective May 29, 2022.

PASSED AND APPROVED this 19th day of May, 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 May 19, 2022

17.

2022-05-19-0378

ZONING CASE Z-2022-10700031 CD ERZD (Council District 8): Ordinance amending the Zoning District Boundary from "R-6 CD MLOD-1 MLR-2 ERZD" Residential Single-Family Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District with Conditional Use for an Assisted Living Facility for up to 12 Residents to "R-6 CD MLOD-1 MLR-2 ERZD" Residential Single-Family Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District with Conditional Use for an Assisted Living Facility for up to 13 Residents on Lot 21, Block 12, NCB 14752, located at 7023 West Hausman Road. Staff, SAWS and Zoning Commission recommend Approval.

Councilmember Sandoval moved to Approve on Zoning Consent. Councilmember McKee-Rodriguez seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Sandoval, Courage, Pelaez, Castillo

Absent: Rocha Garcia, Perry, Cabello Havrda

Exhibit “A”

I, Jimmy Caldwell, the property owner, acknowledge that the site plan submitted for the propose of rezoning this property is in accordance with all applicable provisions of the Unified Development Code. Additionally, understand that the City Council approval of the site plan in conjunction with rezoning case does not relive me from adherence to any/all City adopted Codes at the time of plan submittal for building permits.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	25.00'	40.70'	---	---	93°16'20"
C2	25.00'	40.57'	36.26'	N 45°05'07" W	92°58'43"

Z-2022-10700031 CD ERZD

From: "R-6 CD MLOD-1 MLR-2 ERZD" Residential Single-Family Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District with a Conditional Use for an Assisted Living Facility up to 12 Residents
To: "R-6 CD MLOD-1 MLR-2 ERZD" Residential Single-Family Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District with a Conditional Use for an Assisted Living Facility up to 13 Residents

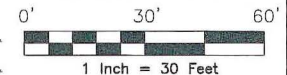
LEGEND

These standard symbols will be found in the drawing.

- BOUNDARY LINE
- EASEMENT LINE
- BUILDING SETBACK LINE
- OVERHEAD ELECTRIC
- WOOD FENCE
- WROUGHT IRON FENCE
- SET IRON ROD
- FOUND IRON ROD
- WATER METER
- ELECTRIC METER
- POWER POLE
- SANITARY SEWER MANHOLE
- RECORDED ON PLAT
- (F.M.) FIELD MEASURED

The survey is hereby accepted with the discrepancies, conflicts, or shortages in area or boundary lines, encroachments, protrusions, or overlapping of improvements shown.

GRAPHIC SCALE



SURVEYOR'S NOTE(S):

BASIS OF BEARING, TEXAS SOUTH CENTRAL NAD 83.

THIS SURVEY IS PRODUCED WITHOUT THE ADDITION OF RESEARCH FROM A TITLE OR A TITLE ABSTRACT COMPANY. THEREFORE, ADDITIONAL DEED OR REAL PROPERTY RESTRICTIONS, SUCH AS EASEMENTS OR SETBACKS, MAY APPLY THAT ARE NOT GRAPHICALLY OR OTHERWISE SHOWN, AND/OR LISTED ON THIS SURVEY. ANY RESTRICTIONS, ADDRESSED HEREON, ARE AS ALREADY KNOWN TO THE UNDERSIGNED, TO AFFECT THIS SUBDIVISION. THEIR DEPICTIONS ARE NOT MEANT TO REPRESENT ALL POSSIBLE ESMTS. AND SETBACKS THAT MAY APPLY TO THIS LOT.

At date of this survey, the property is in FEMA designated ZONE X (000 03/09/2020) as verified by FEMA map Panel No: 48029C 0210 G, effective date of SEPTEMBER 29, 2010. Exact designations can only be determined by a Elevation Certificate. This information is subject to change as a result of future FEMA map revisions and/or amendments.

I, **RACHEL LYNN HANSEN**, a Registered Professional Land Surveyor in the State of Texas, do hereby certify to

and that the above map is true and correct according to an actual field survey, made by me on the ground or under my supervision, of the property shown hereon or described by field notes accompanying this drawing. I further certify that all easements and rights-of-way of which I have been advised are shown hereon and that, except as shown, there are no visible encroachments, no visible overlapping of improvements and no apparent discrepancies or conflicts in the boundary lines, and no visible physical evidence of easements or rights-of-way as of the date of the field survey. I further certify that this survey meets or exceeds the minimum standards established by the Texas Board of Professional Land Surveying (Section 663.18).

Borrower/Owner: **DEV NEGRO & CALIN NEGRO** CF No. _____

Address: **7023 W. HAUSMAN RD.**
Legal Description of the Land: LOT 21, BLOCK 12, NEW CITY BLOCK 14752, DELL-OAK PARK SUBDIVISION UNIT 1, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, ACCORDING TO PLAT THEREOF RECORDED IN VOLUME 5140, PAGE(S) 203, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS.

SUBJECT TO RESTRICTIVE COVENANTS AND/OR EASEMENTS RECORDED IN: VOLUME 5140, PAGE(S) 203, DEED AND PLAT RECORDS, BEXAR COUNTY, TEXAS.

PROPERTY PHOTOGRAPH:



FINAL "AS-BUILT" SURVEY

JOB NO.:	2007071125	NO.	REVISION	DATE
DATE:	07/27/20			
DRAWN BY:	MN/MI			
APPROVED BY:	RLH			



Rachel Lynn Hansen
RACHEL LYNN HANSEN, R.P.L.S.
Registered Professional Land Surveyor
Registration No. 6358



AMERISURVEYORS LLC
1100 NW Loop 410, Suite 546
San Antonio, Texas 78213
Phone: (210) 572-1995 Fax: (210) 572-1998