

ORDINANCE 2022-05-19-0387

AMENDING THE LAND USE PLAN CONTAINED IN THE EXTRATERRITORIAL JURISDICTION MILITARY PROTECTION AREA LAND USE PLAN, A COMPONENT OF THE COMPREHENSIVE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF APPROXIMATELY 30.422 ACRES OF LAND GENERALLY LOCATED AT THE NORTHEAST INTERSECTION OF DIETZ ELKHORN ROAD AND OLD FREDERICKSBURG ROAD LEGALLY DESCRIBED AS 30.422 ACRES OUT OF CB 4708, FROM "LOW DENSITY RESIDENTIAL" AND "COMMUNITY COMMERCIAL" TO "MEDIUM DENSITY RESIDENTIAL".

* * * * *

WHEREAS, the Extraterritorial Jurisdiction Military Protection Area Land Use Plan was adopted on September 19, 2019 by City Council as a component of the City's Comprehensive Master Plan adopted May 29, 1997; and

WHEREAS, the Unified Development Code requires consistency between zoning and the Comprehensive Master Plan and Section 213.003 of the TEXAS LOCAL GOVERNMENT CODE allows amendment of the Comprehensive Master Plan following a public hearing and review by the Planning Commission; and

WHEREAS, a public hearing was held on April 27, 2022 by the Planning Commission allowing all interested citizens to be heard; and

WHEREAS, the San Antonio City Council has considered the effect of this amendment to the Comprehensive Master Plan of the City and has determined that it conforms to the approval criteria set forth in the Unified Development Code §35-420, Comprehensive, Neighborhood, Community, and Perimeter Plans; **NOW THEREFORE**;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The Extraterritorial Jurisdiction Military Protection Area Plan, a component of the Comprehensive Master Plan of the City, is hereby amended by changing the use of approximately 30.422 acres of land generally located at the northeast intersection of Dietz Elkhorn Road and Old Fredericksburg Road, legally described as 30.422 acres out of CB 4708, from "Low Density Residential" and "Community Commercial" to "Medium Density Residential".

SECTION 2. All portions of land mentioned are depicted in **Attachment "I"** attached hereto and incorporated herein for all purposes. A description of the property is attached as **Attachment "II"** and made a part hereof and incorporated herein for all purposes.

SECTION 3. This ordinance shall take effect May 29, 2022.

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


M A Y O R
Ron Nirenberg

ATTEST:


Debbie Racca-Sittre, City Clerk

APPROVED AS TO FORM:


Andrew Segoyia, City Attorney



City of San Antonio

City Council Meeting May 19, 2022

29.

2022-05-19-0387

PLAN AMENDMENT CASE PA-2022-11600006 (ETJ – Closest to Council District 8): Ordinance amending the Extraterritorial Jurisdiction Military Protection Area Land Use Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use classification from "Low Density Residential" and "Community Commercial" to "Medium Density Residential" on 30.422 acres out of CB 4708, generally located at the northeast intersection of Dietz Elkhorn Road and Old Fredericksburg Road. Staff and Planning Commission recommend Approval.

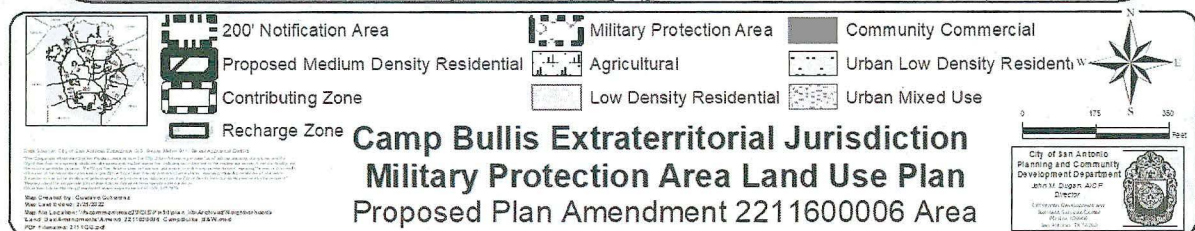
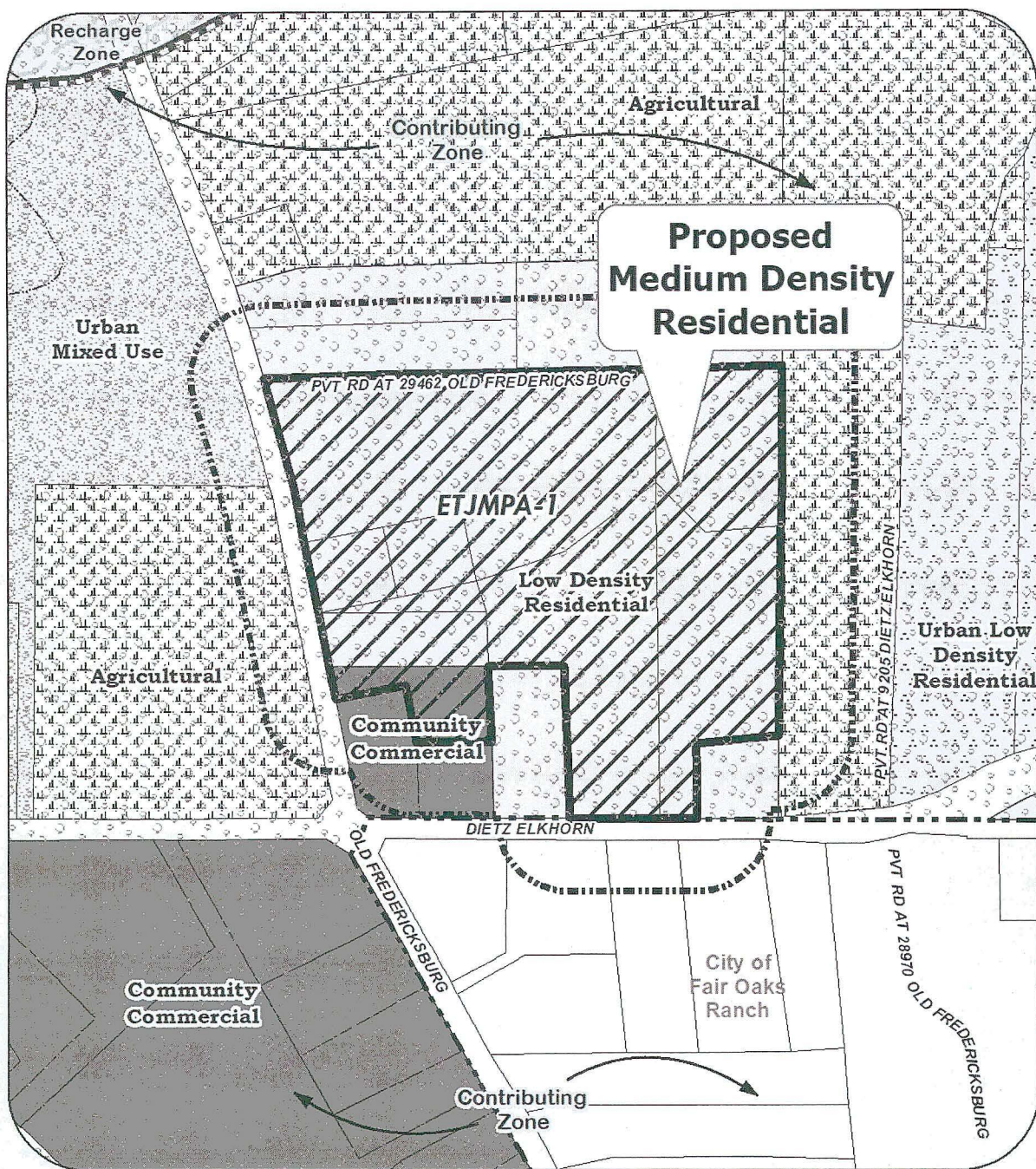
Councilmember Sandoval moved to Approve on Zoning Consent. Councilmember McKee-Rodriguez seconded the motion. The motion carried by the following vote:

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

Absent: Rocha Garcia, Perry, Cabello Havrda

Attachment “I”

ATTACHMENT I Proposed Amendment:



Attachment “II”

FIELD NOTES FOR A 30.422 ACRE TRACT OF LAND

A **30.422 acre** tract of land, located in the Jose Ramon Arocha Survey No. 171, Abstract 24, Bexar County, Texas, and being a called 10.408 acre tract of land, a called 2.000 acre tract of land, a called 2.913 acre tract of land and a called 0.434 acre tract of land, all as described of record in Document No. 20210336685 of the Official Public Records of Bexar County, Texas, a called 11.34 acre tract of land as described of record in Document No. 20190184162 of the Official Public Records of Bexar County, Texas, and Lot 1 of the Daniels Subdivision of record in Volume 9575, Page 178 of the Deed and Plat Records of Bexar County, Texas . Said **30.422 acre** tract being more particularly described by metes and bounds as follows:

BEGINNING at the common northerly corner of said 10.408 acre tract and said Lot 1, and for a northerly corner of the tract described herein;

THENCE: With the north and east lines of said Lot 1, the following two (2) courses as stated on said Daniels Subdivision Plat:

1. **N 88° 40' 51" E**, a distance of **346.49 feet** to the northeast corner of said Lot 1, and
2. **S 00° 35' 31" W**, a distance of **438.54 feet** to the southeast corner of said Lot 1, the northeast corner of said 11.34 acre tract and an angle of the tract described herein;

THENCE: With the easterly lines of said 11.34 acre tract, the following four (4) courses as stated in said Document No. 20190184162:

1. **S 00° 34' 51" W**, a distance of **400.58 feet**,
2. **S 01° 03' 09" W**, a distance of **175.69 feet**,
3. **S 85° 50' 01" W**, a distance of **227.80 feet**, and
4. **S 01° 07' 35" E**, a distance of **205.84 feet** to the southeast corner of said 11.34 acre tract, in the northerly line of Dietz-Elkhorn Road and for the southeast corner of the tract described herein;

THENCE: With the northerly line of Dietz-Elkhorn Road and the south line of said 11.34 acre tract as stated in said Document No. 20190184162, **N 89° 50' 19" W**, a distance of **351.78 feet** to the southwest corner of said 11.34 acre tract and the tract described herein;

THENCE: Departing the northerly line of Dietz-Elkhorn Road and with the westerly lines of said 11.34 acre tract, the following two (2) courses as stated in said Document No. 20190184162:

1. **N 02° 11' 20" W**, a distance of **417.32 feet**, and
2. **S 89° 55' 58" W**, a distance of **207.81 feet** to an angle in the east line of said 2.913 acre tract, for a southerly corner of said 11.34 acre tract and the tract described herein;

THENCE: With the easterly and southerly lines of said 2.913 acre tract, the following four (4) courses as stated in said Document No. 20210336685:

1. **S 02° 10' 34" E**, a distance of **207.27 feet**,
2. **N 89° 51' 37" W**, a distance of **2070.30 feet**,
3. **N 10° 59' 34" W**, a distance of **159.43 feet**, and
4. **S 78° 55' 43" W**, a distance of **195.54 feet** to the most westerly southwest corner of said 2.913 acre tract and the tract described herein, and also being in the northeast right-of-way line of Old Fredericksburg Road;

THENCE: With the northeast right-of-way line of Old Fredericksburg Road, and the westerly lines of said 2.913 acre tract, the following two (2) courses as stated in said Document No. 20210336685:

1. **N 11° 00' 31" W**, a distance of **89.33 feet**, and
2. **N 11° 20' 54" W**, a distance of **150.15 feet** to the northwest corner of said 2.913 acre tract, the west corner of said 0.434 acre tract, the southwest corner of said 2.000 acre tract and an angle of the tract described herein;

Attachment "II"

THENCE: With the northeast right-of-way line of Old Fredericksburg Road and the west line of said 2.000 acre tract as stated in said Document No. 20210336685, **N 11° 13' 01" W**, a distance of **196.67 feet** to the northwest corner of said 2.000 acre tract, the southwest corner of said 10.408 acre tract and the tract described herein;

THENCE: With the northeast right-of-way line of Old Fredericksburg Road, and the westerly lines of said 10.408 acre tract, the following two (2) courses as stated in said Document No. 20210336685:

1. **N 11° 35' 57" W**, a distance of **147.84 feet**, and
2. **N 15° 29' 12" W**, a distance of **315.91 feet** to the northwest corner of said 10.408 acre tract;

THENCE: Departing the northeast right-of-way line of Old Fredericksburg Road, and with the north line of said 10.408 acre tract, the following two (2) courses as stated in said Document No. 20210336685:

1. **N 88° 40' 49" E**, a distance of **698.02 feet**, and
2. **N 88° 39' 20" E**, a distance of **385.70 feet** to the **POINT OF BEGINNING** and containing **30.422 acres** of land per their respective legal descriptions and situated in Bexar County, Texas. The above description was prepared from record bearings and distances and produces an error of misclosure by 3.46 feet.

"This document was prepared under 22 Texas Administrative Code §138.95, 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."

Source Note: The provisions of this §138.95 adopted to be effective April 1, 2021, 46 TexReg 2019

Note: The basis of bearing for this description is based on record descriptions as recited in the preamble herein.



Job # 22-4014 – 30.422 Acres

Date: January 18, 2022