

ORDINANCE 2022-09-15-0718

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 21.09 acres out of NCB 17728, located at 17934 North Loop 1604 East, from "C-3 ERZD" General Commercial Edwards Recharge Zone District, "C-2 ERZD" Commercial Edwards Recharge Zone District and "C-2 PC-1 ERZD" Commercial Bulverde Road Preservation Corridor Edwards Recharge Zone District to "MF-25 PC-1 ERZD" Low Density Multi-Family Bulverde Road Preservation Corridor Edwards Recharge Zone District and "MF-25 ERZD" Low 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.

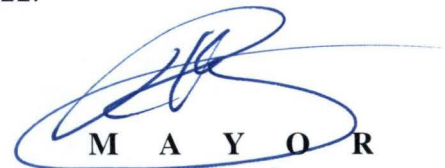
SECTION 7. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

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 September 25, 2022.

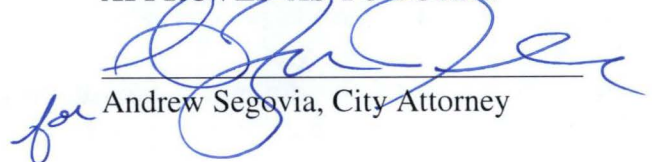
PASSED AND APPROVED this 15th day of September, 2022.


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 Meeting September 15, 2022

31.

2022-09-15-0718

ZONING CASE Z-2022-10700057 ERZD (Council District 10): Ordinance amending the Zoning District Boundary from "C-3 ERZD" General Commercial Edwards Recharge Zone District, "C-2 ERZD" Commercial Edwards Recharge Zone District and "C-2 PC-1 ERZD" Commercial Bulverde Road Preservation Corridor Edwards Recharge Zone District to "MF-25 PC-1 ERZD" Low Density Multi-Family Bulverde Road Preservation Corridor Edwards Recharge Zone District and "MF-25 ERZD" Low Density Multi-Family Edwards Recharge Zone District on 21.09 acres out of NCB 17728, located at 17934 North Loop 1604 East. Staff, SAWS and Zoning Commission recommend Approval.

Councilmember Viagran moved to Approve on Zoning Consent. Councilmember Cabello Havrda 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”

FIELD NOTE DESCRIPTION

**BULVERDE CROSSING: REZONE EXHIBIT
21.090 ACRES**

BEING: A 21.090 ACRE, MORE OR LESS, TRACT OF LAND OUT OF LOT 5, BLOCK 10, NEW CITY BLOCK 17728, NEC BULVERDE/1604 2 SUBDIVISION RECORDED IN VOLUME 9669, PAGE 132-135 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS. SAID 21.095 ACRE TRACT BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING: AT A POINT FOR THE EAST CORNER OF SAID LOT 5, THE SOUTH CORNER OF LOT 901, BLOCK 10, OF SAID NEC BULVERDE/1604 2, ON THE NORTHWEST LINE OF A 20.145 ACRE TRACT RECORDED IN VOLUME 3086, PAGE 275 OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS;

THENCE: S 45°26'24" W, ALONG AND WITH THE SOUTHEAST LINE OF SAID LOT 5, AND THE NORTHWEST LINE OF SAID 20.145 ACRE TRACT, A DISTANCE OF 194.52 FEET TO A 1/2" IRON ROD FOUND WITH YELLOW CAP "PAPE DAWSON";

THENCE: S 02°14'44" E, CONTINUING ALONG AND WITH THE EAST LINE OF SAID LOT 5, THE WEST LINE OF 20.145 ACRE TRACT, A DISTANCE OF 157.26 FEET TO A POINT;

THENCE: DEPARTING THE WEST LINE OF SAID 20.145 ACRE TRACT, OVER AND ACROSS SAID LOT 5 THE FOLLOWING BEARINGS AND DISTANCES:

1. S 87°45'16" W, A DISTANCE OF 202.54 FEET TO A POINT;
2. S 24°57'38" W, A DISTANCE OF 220.35 FEET TO A POINT;
3. S 32°38'13" W, A DISTANCE OF 4.85 FEET TO A POINT;
4. S 87°47'37" W, A DISTANCE OF 300.94 FEET TO A POINT;
5. S 84°55'52" W, A DISTANCE OF 322.40 FEET TO A POINT;
6. N 05°01'05" W, A DISTANCE OF 167.26 FEET TO A POINT;
7. S 85°56'30" W, A DISTANCE OF 55.11 FEET TO A POINT;
8. S 68°03'49" W, A DISTANCE OF 311.36 FEET TO A POINT;

Exhibit "A"

9. NORTHWESTERLY, ALONG A NON-TANGENT CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 378.05 FEET, A CENTRAL ANGLE OF 05°47'24", A CHORD BEARING AND DISTANCE OF N 17°21'23" W, 38.19 FEET, FOR AN ARC LENGTH OF 38.20 FEET TO A POINT;
10. N 14°26'16" W, A DISTANCE OF 95.95 FEET TO A POINT;
11. NORTHWESTERLY, ALONG A NON-TANGENT CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1162.00 FEET, A CENTRAL ANGLE OF 16°03'09", A CHORD BEARING AND DISTANCE OF N 06°24'50" W, 324.49 FEET, FOR AN ARC LENGTH OF 325.55 FEET TO A POINT;
12. N 88°59'26" E, PASSING THE SOUTHWEST CORNER OF LOT 13, BLOCK 10, NEC BULVERDE CROSSING RECORDED IN VOLUME 9690, PAGE 169 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS AT A DISTANCE OF 13.15 FEET TO A 1/2" IRON ROD FOUND WITH CAP "PAPE DAWSON", AND CONTINUING FOR A TOTAL DISTANCE OF 196.70 FEET TO A 1/2" IRON ROD FOUND WITH CAP "PAPE DAWSON" FOR THE SOUTHEAST CORNER OF SAID LOT 13;

THENCE: N 33°50'31" E, ALONG AND WITH THE SOUTHEAST LINE OF SAID LOT 13, AT A DISTANCE OF 548.12 FEET, PASSING A 1/2" IRON ROD FOUND WITH YELLOW CAP "PAPE DAWSON" AT THE NORTHEAST CORNER OF SAID LOT 13, AND CONTINUING FOR A TOTAL DISTANCE OF 611.18 FEET TO A POINT;

THENCE: OVER AND ACROSS SAID LOT 5 THE FOLLOWING BEARINGS AND DISTANCES:

1. S 55°55'04" E, A DISTANCE OF 257.83 FEET TO A POINT;
2. S 70°09'50" E, A DISTANCE OF 46.92 FEET TO A POINT;
3. N 87°09'09" E, A DISTANCE OF 224.31 FEET TO A POINT;
4. S 53°22'58" E, A DISTANCE OF 80.28 FEET TO A POINT;
5. N 36°37'02" E, A DISTANCE OF 24.00 FEET TO A POINT ON THE NORTHEAST LINE OF SAID LOT 5, THE SOUTHWEST LINE OF SAID LOT 901;

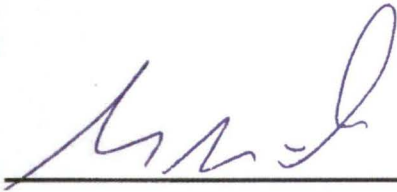
THENCE: S 53°22'50" E, ALONG AND WITH THE NORTHEAST LINE OF SAID LOT 5, THE SOUTHWEST LINE OF SAID LOT 901, A DISTANCE OF 479.39 FEET TO THE POINT OF BEGINNING AND CONTAINING 21.090 ACRES IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS.

George Voss Survey No. 340 1/2, Abstract No. 788
G.M. Goll Survey No. 352, Abstract No. 282
Bexar County, TX

February 17, 2022
LJAS001-SA213-401: Rezoning Exhibit
Page 3 of 4

BEARING BASIS: GRID NORTH, TEXAS STATE PLANE COORDINATES, SOUTH CENTRAL ZONE, NAD83 (NAD83 (2011) EPOCH 2018). ALL DISTANCES ARE SURFACE VALUES, TO OBTAIN GRID VALUES MULTIPLY SURFACE DISTANCES BY A COMBINED SCALED FACTOR OF 0.99987002. ALL DISTANCES ARE U.S. SURVEY FEET.

AN EXHIBIT OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS PROPERTY DESCRIPTION.



Gordon N. Anderson

Date: 2/17/2022

Registered Professional Land Surveyor No. 6617

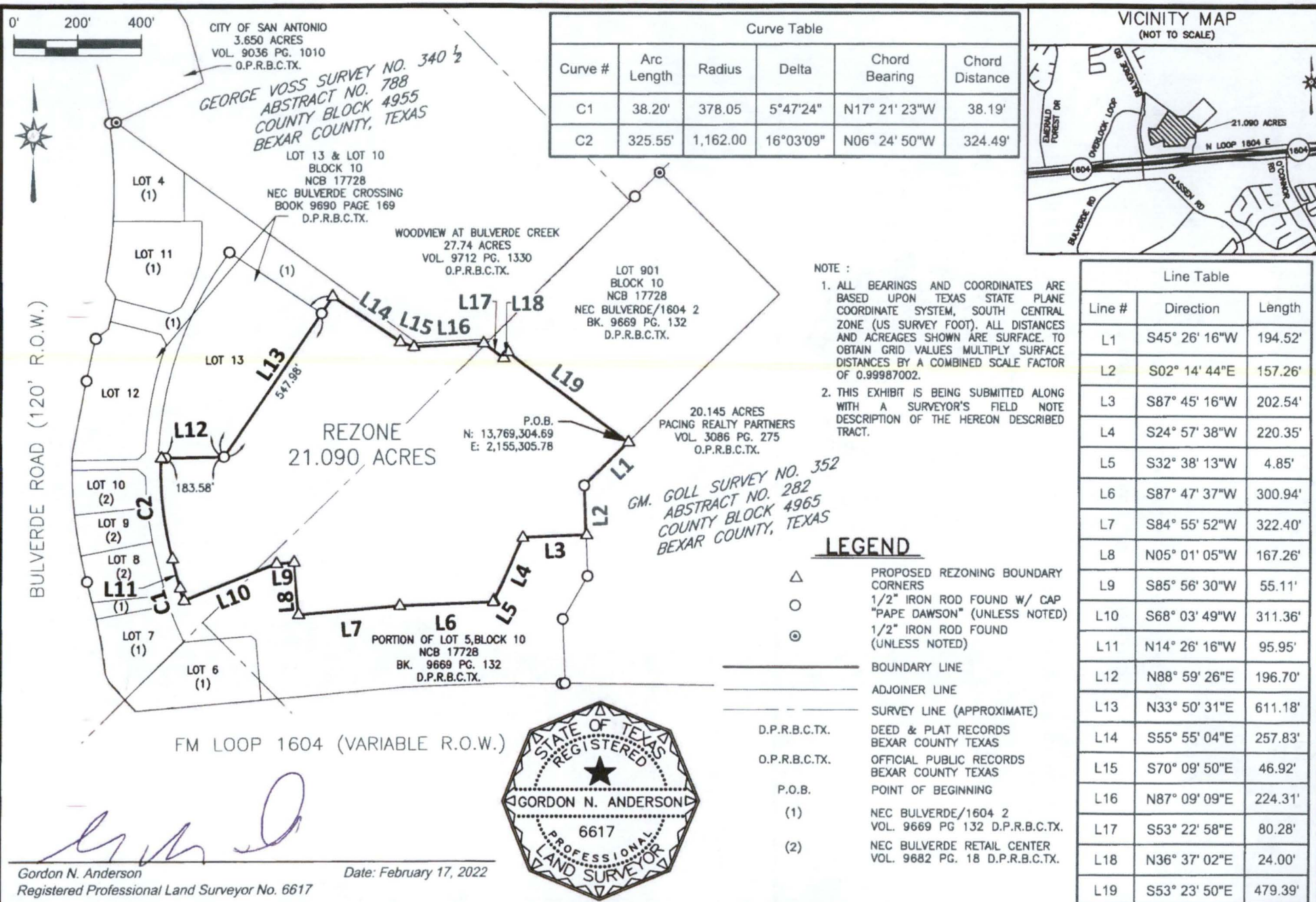
LJA Surveying, Inc.

1100 Northeast Loop 410, Suite 850

San Antonio, Texas 78209

(210) 503-2700

TBPLS No. 10194382



PAGE 4

OF 4

DATE: 2/17/2022
DRWN BY: BC
CHKD BY: GA
PROJ NO. LJA001-SA213

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21.090 ACRES
GEORGE VOSS SURVEY NO. 340 1/2, ABSTRACT NO. 788
GM. GOLL SURVEY NO. 352, ABSTRACT NO. 282
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LJA Surveying, Inc.

1100 Northeast Loop 410 Phone 512.439.4700
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San Antonio, Texas 78209 T.B.P.L.S. Firm No. 10194382