

ORDINANCE 2022-09-15-0717

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 6.988 acres of NCB 15671, located at 1827 and 1903 North Loop 1604 East, from "C-3 MLOD-1 MLR-2 ERZD" General Commercial Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Aquifer Recharge Zone District to "MF-65 S MLOD-1 MLR-2 ERZD" Multi-Family Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Aquifer 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 75%.

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

29.

2022-09-15-0717

ZONING CASE Z-2022-10700143 S ERZD (Council District 9): Ordinance amending the Zoning District Boundary from "C-3 MLOD-1 MLR-2 ERZD" General Commercial Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Aquifer Recharge Zone District to "MF-65 S MLOD-1 MLR-2 ERZD" Multi-Family Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Aquifer Recharge Zone District with a Specific Use Authorization for up to sixty-five (65) units per acre in the Edwards Aquifer Recharge Zone on 6.988 acres of NCB 15671, located at 1827 and 1903 North Loop 1604 East. Staff, SAWS and Zoning Commission recommend Approval, pending Plan Amendments. (Associated Plan Amendment PA-2022-11600050) (Continuance from September 1, 2022)

Councilmember Courage moved to approve. 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

A METES AND BOUNDS
DESCRIPTION OF A
5.813 ACRE TRACT OF LAND

PA2022-11600050
Z2022-10700143 S ERZD

BEING a 5.813 acre (253,227 square feet) tract of land tract situated in New City Block 15671, City of San Antonio, Bexar County, Texas; being a portion of Lot 1, Block 4 of The Legacy Subdivision, plat of which recorded in Volume 9564, Page 150 of the Deed and Plat Records Bexar County; and being more particularly described as follows:

COMMENCING at a 1/2-inch iron rod with a plastic cap stamped "BPI" found marking the northeast corner of Lot 3, and the northwest corner of Lot 1, of said The Legacy Subdivision and the south corner of Lot 11, Block 4, N.C.B. 15671 of the Replat of The Legacy Subdivision, plat of which recorded in Volume 9675, Page 30 of the Deed and Plat Records of Bexar County;

THENCE, South 15°03'07" West, 398.77 feet along the southeasterly line of said Lot 3 and the northwesterly line of said Lot 1 to a 1/2-inch iron rod with a plastic cap stamped "KHA" set for corner;

THENCE, departing the southeasterly line of said Lot 3 and crossing said Lot 1, the following four (4) courses and distances;

1. South 70°06'37" East, 25.09 feet to the **POINT OF BEGINNING** of herein described tract;
2. North 15°03'07" East, 314.85 feet to a point for corner;
3. North 37°34'12" East, 139.68 feet to a point for corner;
4. North 60°07'09" East, 270.57 feet to a point for corner on the southwesterly right of way line of East Sonterra Boulevard (86 wide public street), from which a mag nail found marking the north corner of said Lot 1 bears: North 28°51'31" West, 3.17 feet, and North 37°18'55" West, 22.01 feet;

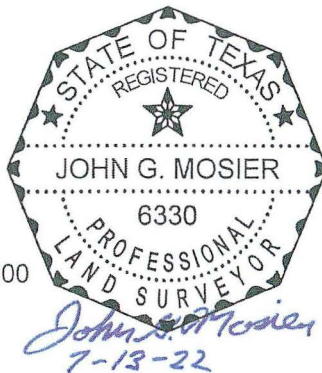
THENCE, along the southwesterly right of way line of said East Sonterra Boulevard, the following two (2) courses and distances;

1. South 28°51'31" East, 42.90 feet to a point of curvature;
2. in a southeasterly direction along a tangent curve to the left, having a radius of 1342.82 feet, a chord of South 35°01'19" East, 288.35 feet, a central angle of 12°19'38", and an arc length of 288.91 feet to a point for corner;

THENCE, departing the southwesterly right of way line of said East Sonterra Boulevard and crossing said Lot 1, the following three (3) courses and distances;

1. South 20°56'10" West, 459.28 feet to a point for corner;
2. North 70°19'08" West, 38.82 feet to a point for corner;
3. North 70°06'37" West, 411.62 feet to the **POINT OF BEGINNING** and containing 5.813 acres of land in Bexar County, Texas, as shown in the document prepared in the office of Kimley-Horn and Associates, Inc. in San Antonio, Texas. The bearings, distances, areas and coordinates shown hereon are Texas State Coordinate System GRID, South Central Zone (FIPS 4204) (NAD'83), as determined by the Global Positioning System (GPS). The unit of linear measurement is U.S. Survey Feet. This description was generated on 7/13/2022 at 7:02 AM, based on geometry in the drawing file K:\SNA_SURVEY\068709501-SANTIKOS LEGACY SUBD\DWG\EXHIBITS\PAD SITE 06 - 5.813ac.dwg, in the office of Kimley-Horn and Associates in San Antonio, Texas.

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**EXHIBIT OF A
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CITY OF SAN ANTONIO
BEXAR COUNTY, TEXAS

Kimley»Horn

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
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**A METES AND BOUNDS
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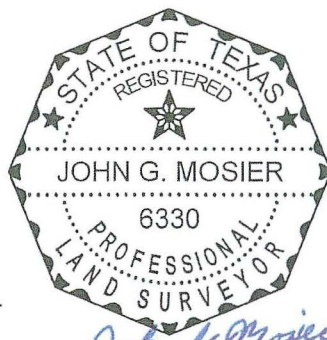
BEING a 1.175 acre (51,190 square feet) tract of land situated in New City Block 15671, City of San Antonio, Bexar County, Texas; being a portion of Lot 3, Block 4 of The Legacy Subdivision, plat of which recorded in Volume 9564, Page 150 of the Deed and Plat Records of Bexar County; and being more particularly described as follows:

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THENCE, departing the northwesterly line of said Lot 1 and crossing said Lot 3, the following six (6) courses and distances:

1. North 74°56'17" West, 25.00 feet to the **POINT OF BEGINNING** of herein described tract;
2. North 74°56'17" West, 139.69 feet to a point for corner from which a 1/2-inch iron rod with a plastic cap stamped "KHA" set marking the southeast corner of Lot 12, Block 4, N.C.B. 15671 of the Replat Establishing Home2 Suites, plat of which recorded in Volume 9704, Page 34 of the Deed and Plat Records of Bexar County bears: North 74°56'17" West, 153.00 feet;
3. North 15°03'13" East, 373.77 feet to a point for corner;
4. South 74°56'22" East, 94.64 feet to a point for corner;
5. South 29°55'47" East, 63.65 feet to a point for corner;
6. South 15°03'07" West, 328.75 feet to the **POINT OF BEGINNING** and containing 1.175 acres of land in Bexar County, Texas, as shown in the document prepared in the office of Kimley-Horn and Associates, Inc. in San Antonio, Texas. The bearings, distances, areas and coordinates shown hereon are Texas State Coordinate System GRID, South Central Zone (FIPS 4204) (NAD'83), as determined by the Global Positioning System (GPS). The unit of linear measurement is U.S. Survey Feet. This description was generated on 7/12/2022 at 3:19 PM, based on geometry in the drawing file K:\SNA_Survey\068709501-SANTIKOS LEGACY SUBD\DWG\EXHIBITS\PAD SITE 05 - 1.175ac.dwg, in the office of Kimley-Horn and Associates in San Antonio, Texas.



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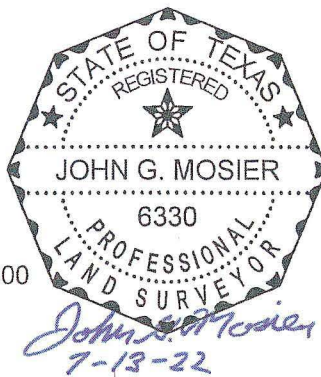
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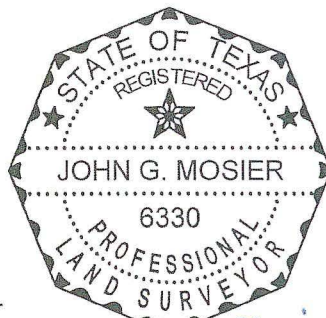
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