

AN ORDINANCE

98087

**GRANTING A WAIVER OF THE INTERIM DEVELOPMENT CONTROLS ADOPTED ON FEBRUARY 6, 2003 BY ORDINANCE 97173 TO DAVID L. EARL ON BEHALF OF JOHN SCHAFER AS SUCH INTERIM CONTROLS APPLY TO A 119.096 ACRE TRACT OF LAND LOCATED EAST OF LOOP 410 AND STATE HIGHWAY 16.**

\* \* \* \* \*

**WHEREAS**, the 119.096 acre tract of land, generally located east of Loop 410 and State Highway 16, was annexed for limited purposes by City of San Antonio on January 5, 2003; and

**WHEREAS**, the 119.096 acre tract is located in the area for which interim development controls were established by Ordinance Number 97173 passed on February 6, 2003; and

**WHEREAS**, Ordinance Number 97173 established an appeal and waiver process for those adversely affected by the interim development controls; and

**WHEREAS**, an appeal and request for waiver was submitted to the City of San Antonio on August 15, 2003 by David L. Earl on behalf of John Schafer requesting a waiver of the interim development controls adopted on February 6, 2003 as those controls apply to submitting and processing a Master Development Plan Amendment to the Hunters Pond Preliminary Overall Area Development Plan #657 (dated December 23, 1999), Vested Rights Application, Zoning Change Application, Subdivision Plat Applications, Building Permit Applications, and request for review as a Tax Increment Financing Project (subject to full purpose annexation by the City of San Antonio of the 119.096 acre tract); **NOW THEREFORE**,

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

**SECTION 1.** The request of David L. Earl on behalf of John Schafer for a waiver of the interim development controls adopted on February 6, 2003 by Ordinance Number 97173 to allow for submitting and processing a Master Development Plan Amendment to the Hunters Pond Preliminary Overall Area Development Plan, Vested Rights Application, Zoning Change Application, Subdivision Plat Applications, Building Permit Applications, and request for review as a Tax Increment Financing Project (subject to full purpose annexation of the 119.096 acre tract of land generally located east of Loop 410 and State Highway 16 by the City of San Antonio), is hereby granted.

**SECTION 2.** The 119.096 acre tract of land is more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes.

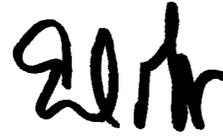
**SECTION 3.** Nothing herein shall be construed as approval of any Master Development Plan Amendment, Vested Rights Application, Zoning Change Application, Subdivision Plat Applications, Building Permit Applications, and/or request for Tax Increment Financing Project

review as related to the 119.096 acre tract of land generally located east of Loop 410 and State Highway 16.

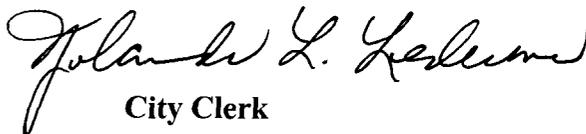
**SECTION 4.** This ordinance is only an authorization to submit a Master Development Plan Amendment to the Hunters Pond Preliminary Overall Area Development Plan, Vested Rights Application, Zoning Change Application, Subdivision Plat Applications, Building Permit Applications, and request for review of the 119.096 acre tract of land as a Tax Increment Financing Project. A request for approval of any and all applications regarding the 119.096 acre tract shall be in accordance with the procedures contained in Chapter 35 (Unified Development Code) of the City Code of San Antonio, Texas.

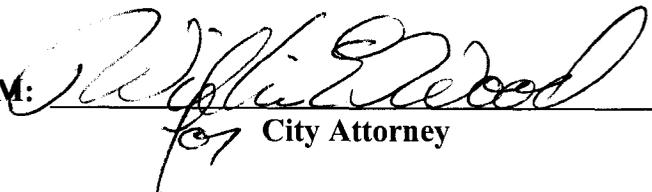
**SECTION 5.** This Ordinance shall be effective immediately upon passage by eight or more votes otherwise it shall become effective on the 7<sup>th</sup> day of September, 2003.

**PASSED AND APPROVED** this 28<sup>th</sup> day of August, 2003.



M A Y O R  
EDWARD D. GARZA

ATTEST:   
City Clerk

APPROVED AS TO FORM:   
for City Attorney