

AN ORDINANCE 2009-02-05-0095

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SAN ANTONIO BY AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, SECTION 35-304, OFFICIAL ZONING MAP OF THE CITY CODE OF SAN ANTONIO, TEXAS BY CHANGING THE ZONING DISTRICT BOUNDARY OF CERTAIN PROPERTY.

* * * * *

WHEREAS, a public hearing was held 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 13.5873 acres out of NCB 17627 and NCB 18598 from "R-6 CD ERZD" Residential Single-Family Edwards Recharge Zone District with a Conditional Use for a Private High School to "O-1 ERZD" Office Edwards Recharge Zone District (1.6350 acres) and "O-2 ERZD" Office Edwards Recharge Zone District (11.9523 acres).

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 50%.

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.

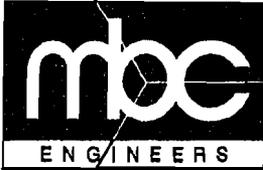
SECTION 10. This ordinance shall become effective February 15, 2009.

PASSED AND APPROVED this 5th day of February 2009.


M A Y O R
PHIL HARDBERGER

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
For City Attorney



MACINA · BOSE · COPELAND and ASSOCIATES, INC.
CONSULTING ENGINEERS AND LANDSURVEYORS

22008147

1035 Central Parkway North, San Antonio, Texas 78232
(210) 545-1122 FAX (210) 545-9302
www.mbcengineers.com

METES AND BOUNDS DESCRIPTION
FOR

A 1.6350 ACRE TRACT OF LAND OUT AN ORIGINAL 265.678 ACRE TRACT OF LAND, BEING OUT OF THE COLLIN C. McRAE SURVEY NO. 391, ABSTRACT 482, NEW CITY BLOCK 17627, SITUATED IN THE CORPORATE LIMITS OF THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

- BEGINNING:** At a point along the southeastern right-of-way line of De Zavala Road (86' R.O.W.), point being the most northern rear corner of Lot 16, Block 1, New City Block 18614, Shavano Ridge, Unit-1 Subdivision as recorded in Volume 9521, Pages 120 and 121 of the Deed and Plat Records of Bexar County, Texas;
- THENCE:** Along the southeastern right-of-way line of De Zavala Road (86' R.O.W.), the following courses and distances:
- N 52°48'51" E 15.00 feet to an angle point;
- N 37°11'09" W 3.00 feet to an angle point;
- N 52°48'51" E 50.00 feet to an angle point representing the northernmost corner of the herein described tract of land;
- THENCE:** Departing the southeastern right-of-way line of De Zavala Road (86' R.O.W.), S 37°12'00" E 1,096.59 feet to an angle point;
- THENCE:** S 47°44'00" W 65.30 feet to a found 5/8" iron rod on the rear property line of Lot 31, Block 1, New City Block 18614, of the aforementioned Shavano Ridge, Unit-1 Subdivision, point representing the most southern corner of the herein described tract of land;
- THENCE:** With the northeastern boundary of Shavano Ridge, Unit-1 Subdivision, the following course and distances:
- N 37°07'32" W 234.56 feet to found 1/4" iron rod for an angle point;

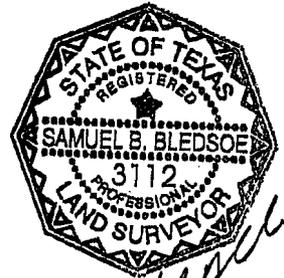
EXHIBIT A

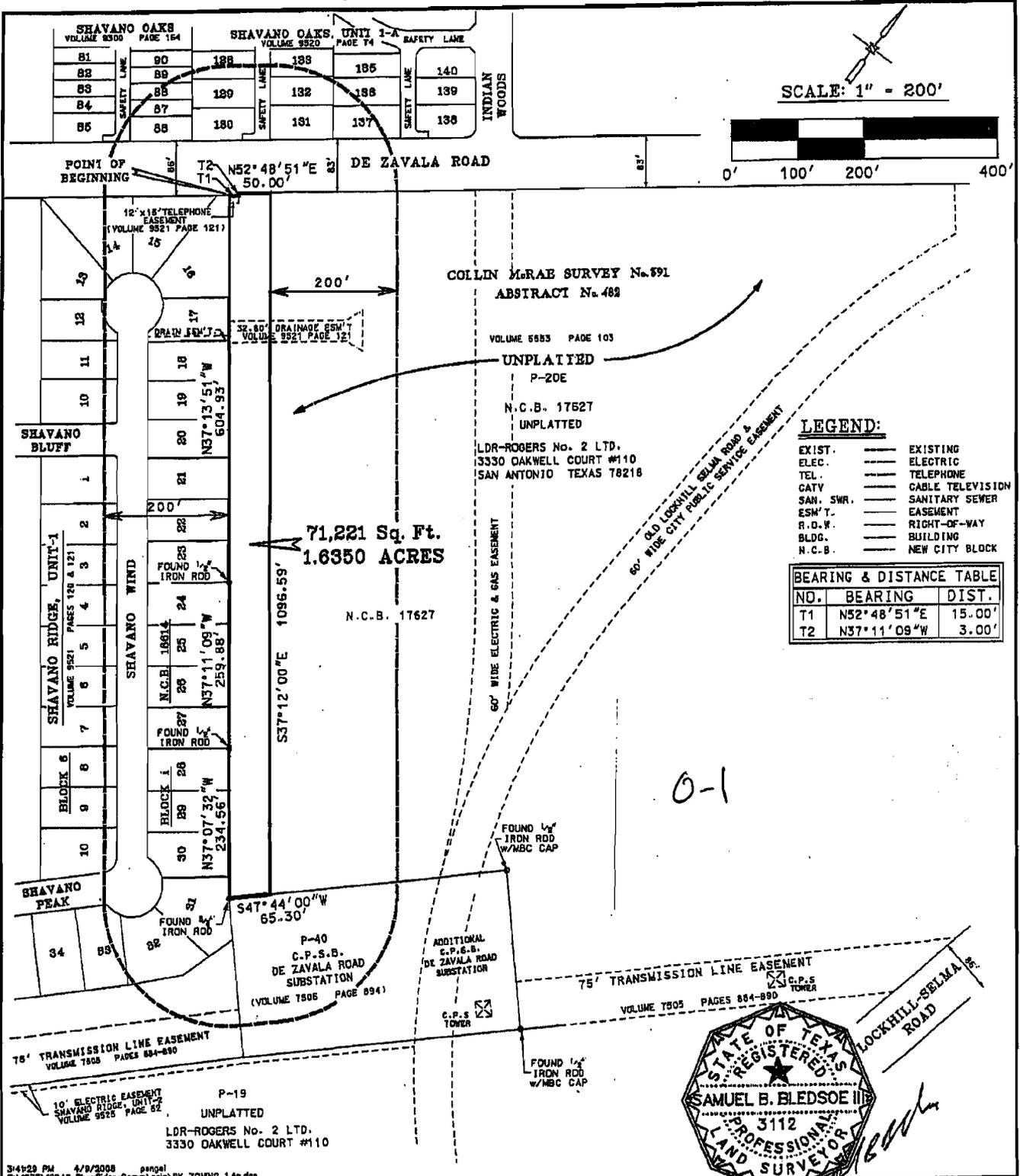
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N 37°11'09" W 259.88 feet to found $\frac{1}{4}$ " iron rod for
an angle point;

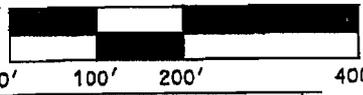
N 37°13'51" W 604.93 feet to the POINT OF BEGINNING
and containing 1.6350 acres (71,221 square feet) of
land.

1 9948/1075
Revised April 9, 2008
March 19, 2008
JHV/lk





SCALE: 1" = 200'

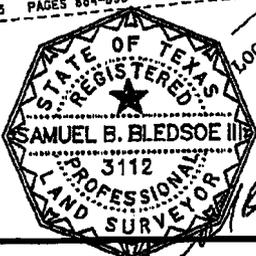


- LEGEND:**
- EXIST. ——— EXISTING
 - ELEC. ——— ELECTRIC
 - TEL. ——— TELEPHONE
 - CATV ——— CABLE TELEVISION
 - SAN. SWR. ——— SANITARY SEWER
 - ESM'T. ——— EASEMENT
 - R.O.W. ——— RIGHT-OF-WAY
 - BLDG. ——— BUILDING
 - N.C.B. ——— NEW CITY BLOCK

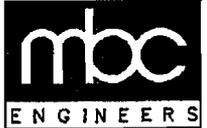
NO.	BEARING	DIST.
T1	N52°48'51"E	15.00'
T2	N37°11'09"W	3.00'

71,221 Sq. Ft.
1.6350 ACRES

0-1



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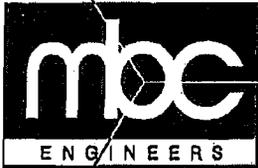
1035 Central Parkway North
San Antonio, Texas 78232
(210) 545-1122
FAX (210) 545-9302

ZONING SKETCH

A 1.6350 ACRE TRACT OF LAND OUT AN ORGNAL 265.678 ACRE TRACT OF LAND, BEING OUT OF THE COLLIN C. McRAE SURVEY No. 391, ABSTRACT 482, NEW CITY BLOCK 17627, SITUATED IN THE CORPORATE LIMITS OF THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS.

04-09-2008 - CORRECTED N.C.B. NUMBERS

DESIGN R. A. L.
 DRAWN P. A. E.
 CHECKED _____
 DATE MAR. 19, 2008
 JOB NO. 1-9948
 SHT. 1 of 1



1035 Central Parkway North, San Antonio, Texas 78232
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METES AND BOUNDS DESCRIPTION
FOR

A 11.9523 ACRE TRACT OF LAND OUT AN ORIGINAL 265.678 ACRE TRACT OF LAND, BEING OUT OF THE COLLIN C. McRAE SURVEY NO. 391, ABSTRACT 482, NEW CITY BLOCKS 17627 AND 18598, SITUATED IN THE CORPORATE LIMITS OF THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

Commencing: At a point along the southeastern right-of-way line of De Zavala Road (86' R.O.W.), point being the most northern rear corner of Lot 16, Block 1, New City Block 18614, Shavano Ridge, Unit-1 Subdivision as recorded in Volume 9521, Pages 120 and 121 of the Deed and Plat Records of Bexar County, Texas;

THENCE: Along the southeastern right-of-way line of De Zavala Road (86' R.O.W.), the following courses and distances:

N 52°48'51" E 15.00 feet to an angle point;

N 37°11'09" W 3.00 feet to an angle point;

N 52°48'51" E 50.00 feet, to the POINT OF BEGINNING of the herein described tract of land;

THENCE: Continuing along the southeastern right-of-way line of De Zavala Road (86' R.O.W.), N 52°48'51" E 475.00 feet to an angle point representing the northernmost corner of the herein described tract of land;

THENCE: Departing the southeastern right-of-way line of De Zavala Road (86' R.O.W.), S 36°19'42" E 1,307.60 feet to a point on the southeastern boundary line of a 75-foot wide Transmission Line Easement as recorded in Volume 7505 Pages 884-890 of the Official Public Records of Bexar County, Texas;

THENCE: Along the said southeastern boundary line of a 75-foot Wide Transmission Line Easement, S 47°46'03" W 60.00 feet to a found ½" iron rod with "MBC" cap for an angle point;

THENCE: Departing the southeastern boundary line of a 75-

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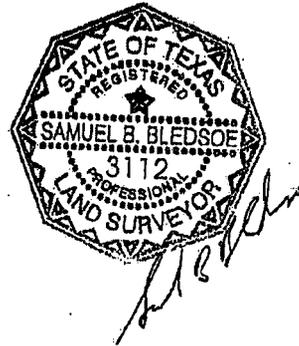
foot Wide Transmission Line Easement, N 42°13'57" W
250.31 feet to a found ½" iron rod with "MBC" cap
for an angle point;

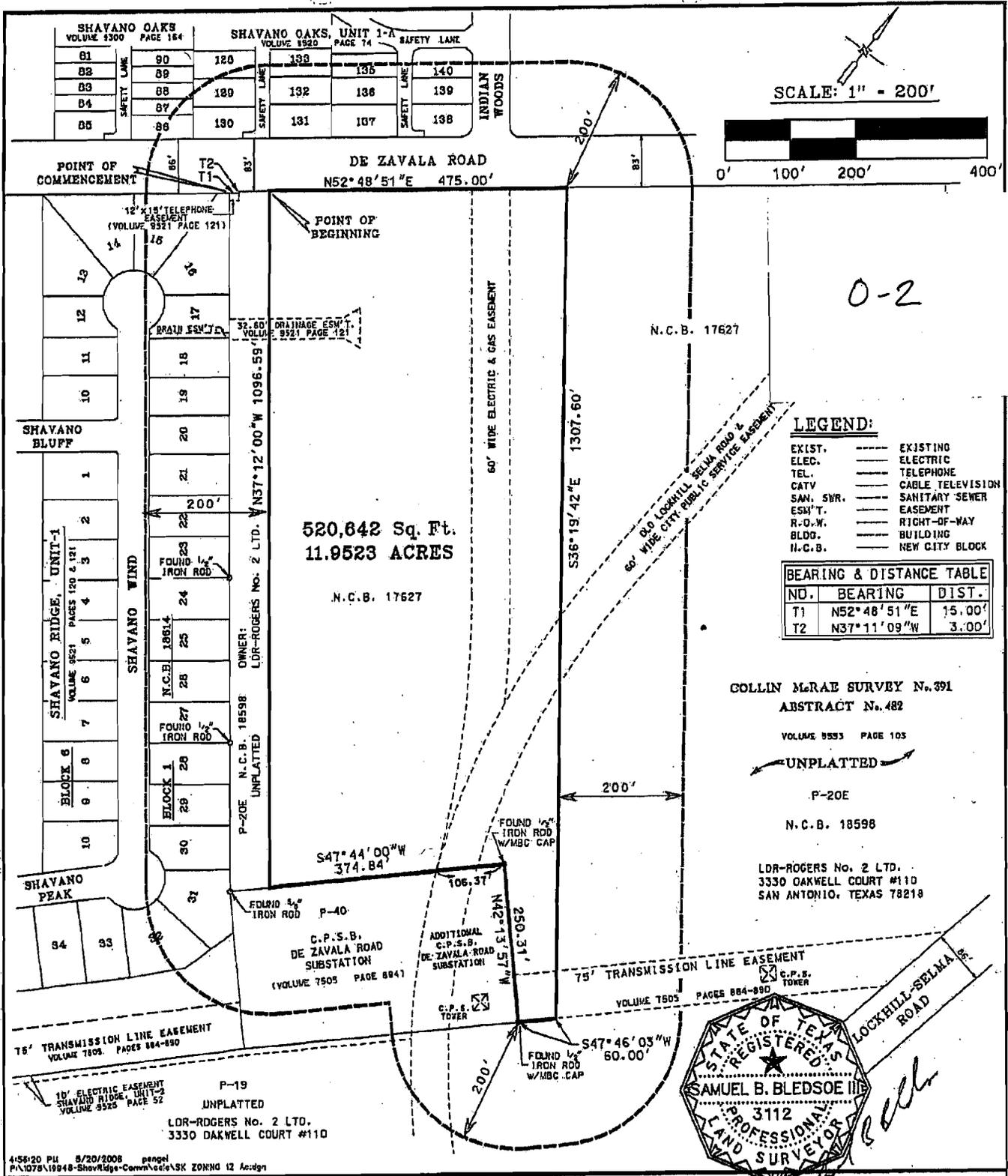
THENCE:

S 47°44'00" W 374.84 feet, (in passing at 106.37
feet the northwestern property line of City Public
Service Board De Zavala Road Substation as recorded
in Volume 7505, Page 894 of the Deed and Plat
Records of Bexar County, Texas) to an angle point;

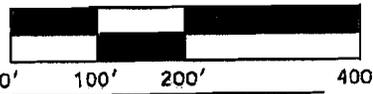
N 37°12'00" W 1,096.59 feet to the POINT OF
BEGINNING and containing 11.9523 acres (520,642
square feet) of land.

1 9948/1075
Revised April 9, 2008
March 19, 2008
JHV/lk





SCALE: 1" = 200'



0-2

LEGEND:

EXIST.	---	EXISTING
ELEC.	---	ELECTRIC
TEL.	---	TELEPHONE
CATV	---	CABLE TELEVISION
SAN. SVR.	---	SANITARY SEWER
ESM'T.	---	EASEMENT
R.O.W.	---	RIGHT-OF-WAY
BLDG.	---	BUILDING
N.C.B.	---	NEW CITY BLOCK

BEARING & DISTANCE TABLE

NO.	BEARING	DIST.
T1	N52°48'51"E	15.00'
T2	N37°11'09"W	3.00'

COLLIN McRAE SURVEY No. 391
ABSTRACT No. 482

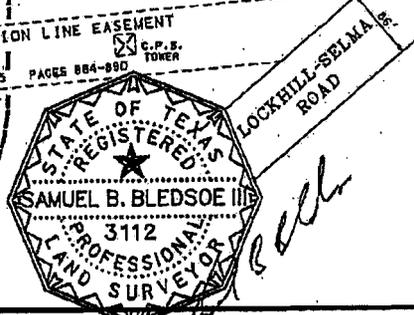
VOLUME 5533 PAGE 103

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P-20E

N.C.B. 18598

LDR-ROGERS No. 2 LTD.
3330 OAKWELL COURT #110
SAN ANTONIO, TEXAS 78218



ZONING SKETCH

A 11.9523 ACRE TRACT OF LAND OUT AN ORIGINAL 265.678 ACRE TRACT OF LAND, BEING OUT OF THE COLLIN C. McRAE SURVEY NO. 391, ABSTRACT 482, NEW CITY BLOCKS 17627 AND 18598, SITUATED IN THE CORPORATE LIMITS OF THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS.

DESIGN	R. A. L.
DRAWN	P. A. E.
CHECKED	
DATE	MAR. 3, 2008
JOB NO.	1-9948
SHT.	1 of 1

04-09-2008 - CORRECTED N.C.B. NUMBERS
05-20-2008 - CORRECTED WESTERNMOST BEARING

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