

AN ORDINANCE 2016-05-05-0333

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 Lot 3, Block 34, NCB 19219 from "C-2 ERZD" Commercial Edwards Recharge Zone District to "C-2 S ERZD" Commercial Edwards Recharge Zone District with Specific Use Authorization for an Animal Clinic.

SECTION 2. The City Council finds as follows:

- A. The specific use will not be contrary to the public interest.
- B. The specific use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district.
- C. The specific use will be in harmony with the spirit and purpose as set forth in Section 35-423, Specific Use Authorization, of the Unified Development Code.
- D. The specific use will not substantially weaken the general purposes or the regulations as set forth in Section 35-423, Specific Use Authorization, of the Unified Development Code.
- E. The specific use will not adversely affect the public health, safety and welfare.

SECTION 3. The City Council approves this Specific Use Authorization so long as the attached site plan is adhered to. A site plan is attached as **Exhibit "A"** and made a part hereof and incorporated herein for all purposes.

SECTION 4. 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 65%.

SECTION 5. 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 6. 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 7. 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.

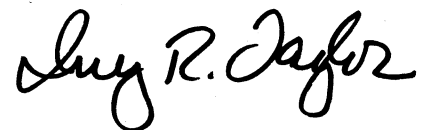
SECTION 8. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

SECTION 9. 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 10. 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 11. This ordinance shall become effective May 15th, 2016.

PASSED AND APPROVED this 5th day of May, 2016.

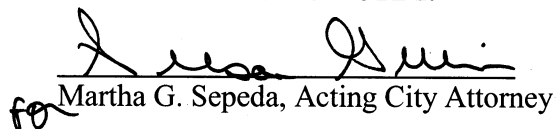


M A Y O R
Ivy R. Taylor

ATTEST:


Leticia M. Vacek, City Clerk

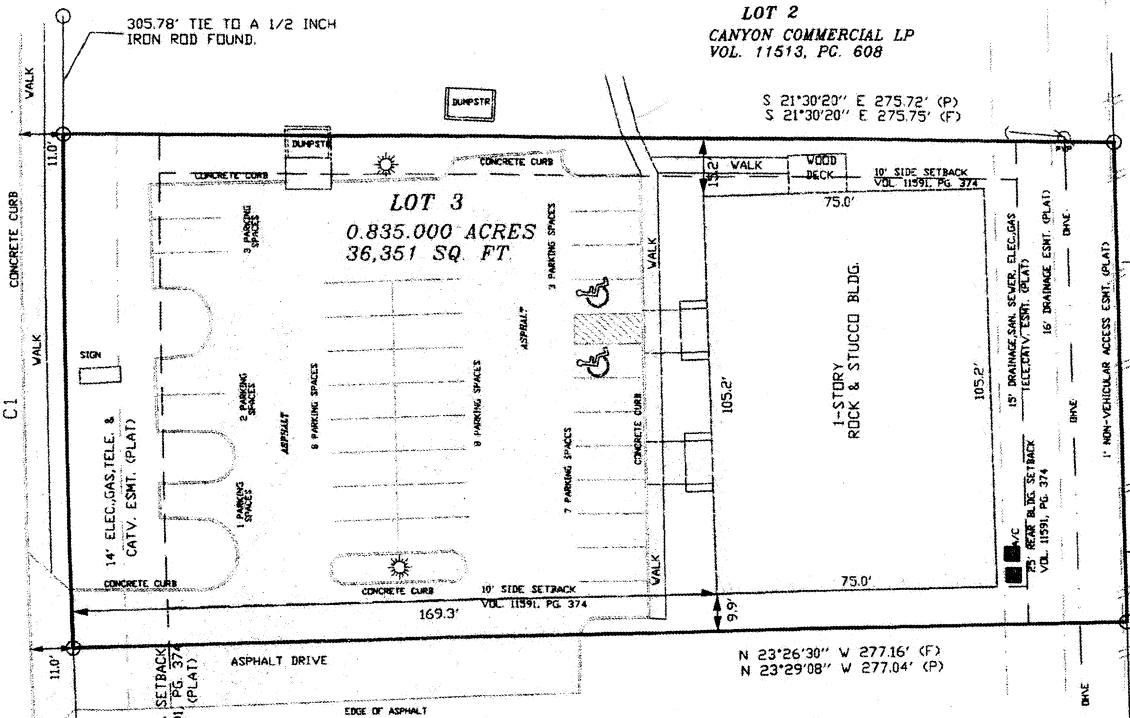
APPROVED AS TO FORM:


for Martha G. Sepeda, Acting City Attorney

Agenda Item:	Z-10 (in consent vote: Z-2, P-1, Z-4, Z-5, Z-8, Z-10)						
Date:	05/05/2016						
Time:	02:08:27 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2016130 S ERZD (Council District 9): An Ordinance amending the Zoning District Boundary from "C-2 ERZD" Commercial Edwards Recharge Zone District to "C-2 S ERZD" Commercial Edwards Recharge Zone District with Specific Use Authorization for an Animal Clinic on Lot 3, Block 34, NCB 19219, located at 20642 Stone Oak Parkway. Staff and Zoning Commission recommend Approval.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Treviño	District 1		x			x	
Alan Warrick	District 2		x				
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4	x					
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				x
Cris Medina	District 7		x				
Ron Nirenberg	District 8	x					
Joe Krier	District 9	x					
Michael Gallagher	District 10		x				

72016130

PLAT					
NUMBER	IC	CD	R	L	LC
CL	101'58'48"	S 67°30'10" W	3945.00	136.93	136.32
FIELD					
NUMBER	IC	CD	R	L	LC
CL	101'58'30"	S 67°31'30" W	3945.00	135.99	135.99



LOT 71
EUBANK, FREDRICK
& MACDALENA M.
VOL. 0022, PG. 0068

LOT 70
HEREDIA, DAVID
& MARGARITA
VOL. 10589, PG. 963

LOT 69
HAMMOND, TRENT
& AMY
VOL. 12223, PG. 1196

SCALE: 1"=20'

RESTRICTIONS:
VOL. 10118, PG. 1469 R.P.R.
VOL. 8283, PG. 1004 R.P.R.
VOL. 8554, PG. 211 R.P.R.
VOL. 11591, PG. 374 R.P.R.
VOL. 11789, PG. 761 R.P.R.
VOL. 11789, PG. 769 R.P.R.
VOL. 11831, PG. 2355 R.P.R.
VOL. 12121, PG. 1707 R.P.R.
VOL. 12251, PG. 1414 R.P.R.
VOL. 12307, PG. 1993 R.P.R.

M.L.A.W.
Survey

16010 UNIVERSITY OAK SUITE 104
SAN ANTONIO, TEXAS 78249
(210) 340-5827 (F)
(210) 340-5505 (F)

STONE OAK PARKWAY
110.0' R.O.W. 22.0' P.V.M.T.

LEGEND

- 1/2" IRON PIN FOUND
- 1/2" IRON PIN SET
- ✕ "X" CUT ON CONC.
- WOOD FENCE
- CHAIN LINK FENCE
- BARBED WIRE FENCE
- EDGE OF PAVEMENT
- WOVEN WIRE FENCE
- ZERO LOT LINE
- ⚡ POWERPOLE
- GUY WIRE
- ☀ LIGHT POLE

I, SCAJ Enterprises, Series LLC, Series A, the property owner, managed by Suzanne C. Jardine, acknowledge that this site plan submitted for the purpose of rezoning this property is in accordance with all applicable provisions of the Unified Development Code. Additionally, I understand that City Council approval of a site plan in conjunction with a rezoning case does not relieve me from adherence to any/all City-adopted Codes at the time of plan submittal for building permits.



THE BEARINGS IN THIS SURVEY PLAT ARE BASED OFF OF THE RECORDED SUBDIVISION PLAT BEARING ALONG THE COMMON PROPERTY LINE OF EAST PROPERTY LINE OF LRT 3

LOT NO. 3 BLOCK NO. 34 CANYONS COMMERCIAL SUBDIVISION
SECTION OR UNIT N.C.B. NO. 19219 VOL. 9360 PG. 177
STREET ADDRESS 20642 STONE OAK PARKWAY CITY SAN ANTONIO
COUNTY BEXAR SURVEY FOR CHICAGO TITLE REFERENCE 200703336
THIS PLAT MAY NOT CONFORM TO THE SUBDIVISION REGULATIONS OF VARIOUS GOVERNMENTAL ENTITIES.

STATE OF TEXAS, COUNTY OF BEXAR
I HEREBY CERTIFY THAT THE ABOVE PLAT IS TRUE AND CORRECT ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THERE ARE NO VISIBLE EASEMENTS OR ENCROACHMENTS OF BUILDINGS ON ADJOINING PROPERTY AND THAT ALL BUILDINGS ARE WHOLLY LOCATED ON THIS PROPERTY EXCEPT AS SHOWN ABOVE.

BORROWER:
BORROWER

Neil F. Fisher
NEIL F. FISHER, SURVEYOR DATE
REGISTERED PROFESSIONAL LAND SURVEYOR #3942

SHT. NO.
1
05/17/07

EXHIBIT "A"