

ORDINANCE 2019-10-03-0838

**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 the west 34.72 feet of Lot 11, Block 7, NCB 649 from "C-3 GC-3 MLOD-1 MLR-2 ERZD" General Commercial US 281 North Gateway Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District to "C-3 S GC-3 MLOD-1 MLR-2 ERZD" General Commercial US 281 North Gateway Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District with a Specific Use Authorization for a Carwash.

**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 conditional 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.** 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 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.

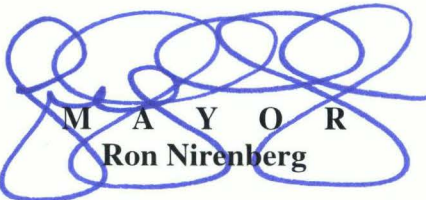
**SECTION 7.** All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

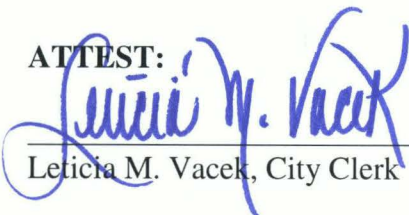
**SECTION 8.** The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

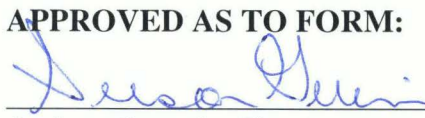
**SECTION 9.** If a court of competent jurisdiction enters a final judgment on the merits that is no longer subject to appeal and substantially limits or impairs the essential elements of sections one through five of this ordinance, then sections one through five are invalid and have no legal effect 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 immediately upon passage if passed by eight or more votes otherwise this ordinance shall become effective October 13, 2019.

**PASSED AND APPROVED** this 3<sup>rd</sup> day of October, 2019.

  
M A Y O R  
Ron Nirenberg

**ATTEST:**  
  
\_\_\_\_\_  
Leticia M. Vacek, City Clerk

**APPROVED AS TO FORM:**  
  
\_\_\_\_\_  
for Andrew Segovia, City Attorney



<b>Agenda Item:</b>	<b>Z-15 ( in consent vote: Z-4, P-1, Z-5, P-3, Z-7, Z-8, Z-11, Z-12, P-5, Z-14, Z-15, Z-16 )</b>						
<b>Date:</b>	10/03/2019						
<b>Time:</b>	03:11:27 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	ZONING CASE Z-2019-10700157 S ERZD (Council District 9): Ordinance amending the Zoning District Boundary from "C-3 GC-3 MLOD-1 MLR-2 ERZD" General Commercial US 281 North Gateway Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District to "C-3 S GC-3 MLOD-1 MLR-2 ERZD" General Commercial US 281 North Gateway Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District with a Specific Use Authorization for a Carwash on the west 34.72 feet of Lot 11, Block 7, NCB 649, 26480 US Highway 281 North. Staff and Zoning Commission recommend Approval.						
<b>Result:</b>	Passed						
<b>Voter</b>	<b>Group</b>	<b>Not Present</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Motion</b>	<b>Second</b>
Ron Nirenberg	Mayor	x					
Roberto C. Treviño	District 1		x				
Jada Andrews-Sullivan	District 2		x			x	
Rebecca Viagran	District 3		x				
Adriana Rocha Garcia	District 4		x				
Shirley Gonzales	District 5		x				
Melissa Cabello Havrda	District 6		x				
Ana E. Sandoval	District 7		x				
Manny Pelaez	District 8	x					
John Courage	District 9		x				x
Clayton H. Perry	District 10		x				

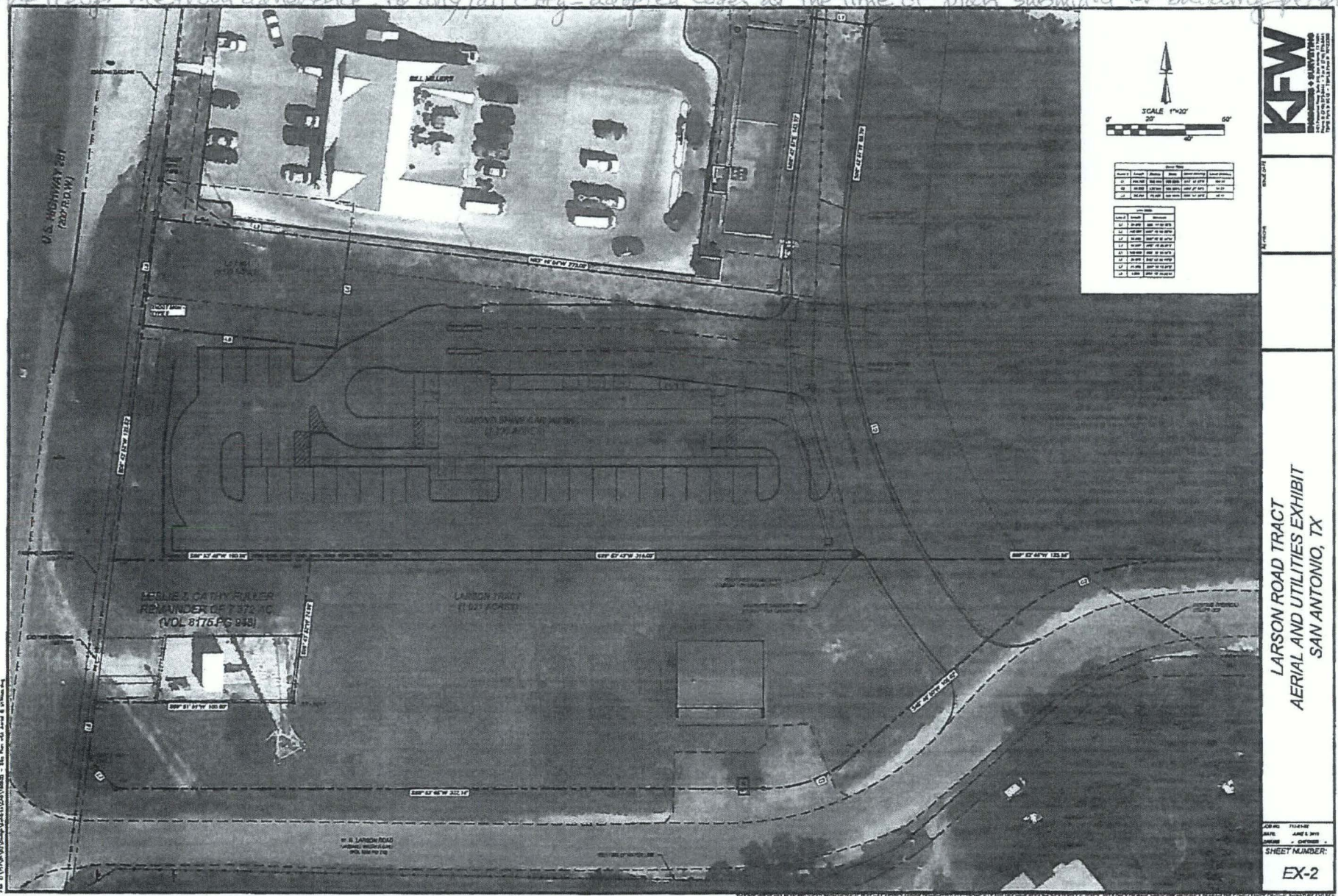
SG/lj  
10/03/2019  
# Z-15

# EXHIBIT “A”



I, Scott Thomas, manager of Diamond Shine 2, LLC, a Texas limited liability company, the property owner, 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 constitute me from adherence to any/all City-adopted Codes at the time of plan submittal for building permits.

Exhibit "A"



"C-3 MLOD-1 MLR-2 GC-3 ERZD" General Commercial Camp Bullis Military Lighting Overlay Military Lighting Region 2 US 281 North Gateway Corridor Edwards Recharge Zone District to "C-3 CD MLOD-1 MLR-2 GC-3 ERZD" General Commercial Camp Bullis Military Lighting Overlay Military Lighting Region 2 US 281 North Gateway Corridor Edwards Recharge Zone District with a Specific Use Authorization for a Carwash

Z-2019-10700157

**KFW**  
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LARSON ROAD TRACT  
AERIAL AND UTILITIES EXHIBIT  
SAN ANTONIO, TX

CD NO: 714486  
DATE: JUNE 6, 2019  
DRAWN: J. GUTIERREZ  
SHEET NUMBER:  
**EX-2**