

AN ORDINANCE 2018-01-18-0071

**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 10, NCB 17600 from "C-2 MLOD-1 ERZD" Commercial Camp Bullis Military Lighting Overlay Edwards Recharge Zone District to "C-2 S MLOD-1 ERZD" Commercial Camp Bullis Military Lighting Overlay Edwards Recharge Zone District with Specific Use Authorization for a Veterinary 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 January 28, 2018.


**PASSED AND APPROVED** this 18<sup>th</sup> day of January 2018.

  
M A Y O R  
Ron Nirenberg

ATTEST:

  
\_\_\_\_\_  
Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

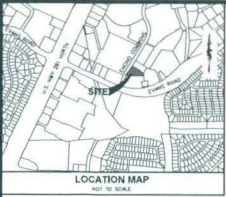
  
\_\_\_\_\_  
For Andrew Segovia, City Attorney



<b>Agenda Item:</b>	Z-46 ( in consent vote: Z-2, Z-4, Z-5, Z-6, P-2, Z-7, P-3, Z-8, P-4, Z-12, Z-15, Z-20, Z-22, Z-25, Z-26, Z-27, Z-28, P-6, Z-29, Z-30, Z-31, Z-33, Z-34, Z-35, Z-36, Z-37, Z-38, Z-39, Z-40, Z-43, P-7, Z-44, Z-45, Z-46 )						
<b>Date:</b>	01/18/2018						
<b>Time:</b>	02:15:19 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	ZONING CASE # Z2017287 S ERZD (Council District 9): An Ordinance amending the Zoning District Boundary from "C-2 MLOD-1 ERZD" Commercial Camp Bullis Military Lighting Overlay Edwards Recharge Zone District to "C-2 S MLOD-1 ERZD" Commercial Camp Bullis Military Lighting Overlay Edwards Recharge Zone District with Specific Use Authorization for a Veterinary Clinic on Lot 3, Block 10, NCB 17600, located at 20910 Encino Commons. 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				x
William Cruz Shaw	District 2		x				
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5	x					
Greg Brockhouse	District 6		x				
Ana E. Sandoval	District 7		x			x	
Manny Pelaez	District 8		x				
John Courage	District 9		x				
Clayton H. Perry	District 10		x				

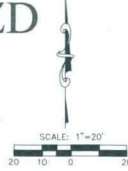
SG/lj  
01/18/2018  
Item No. Z-46

# Exhibit "A"



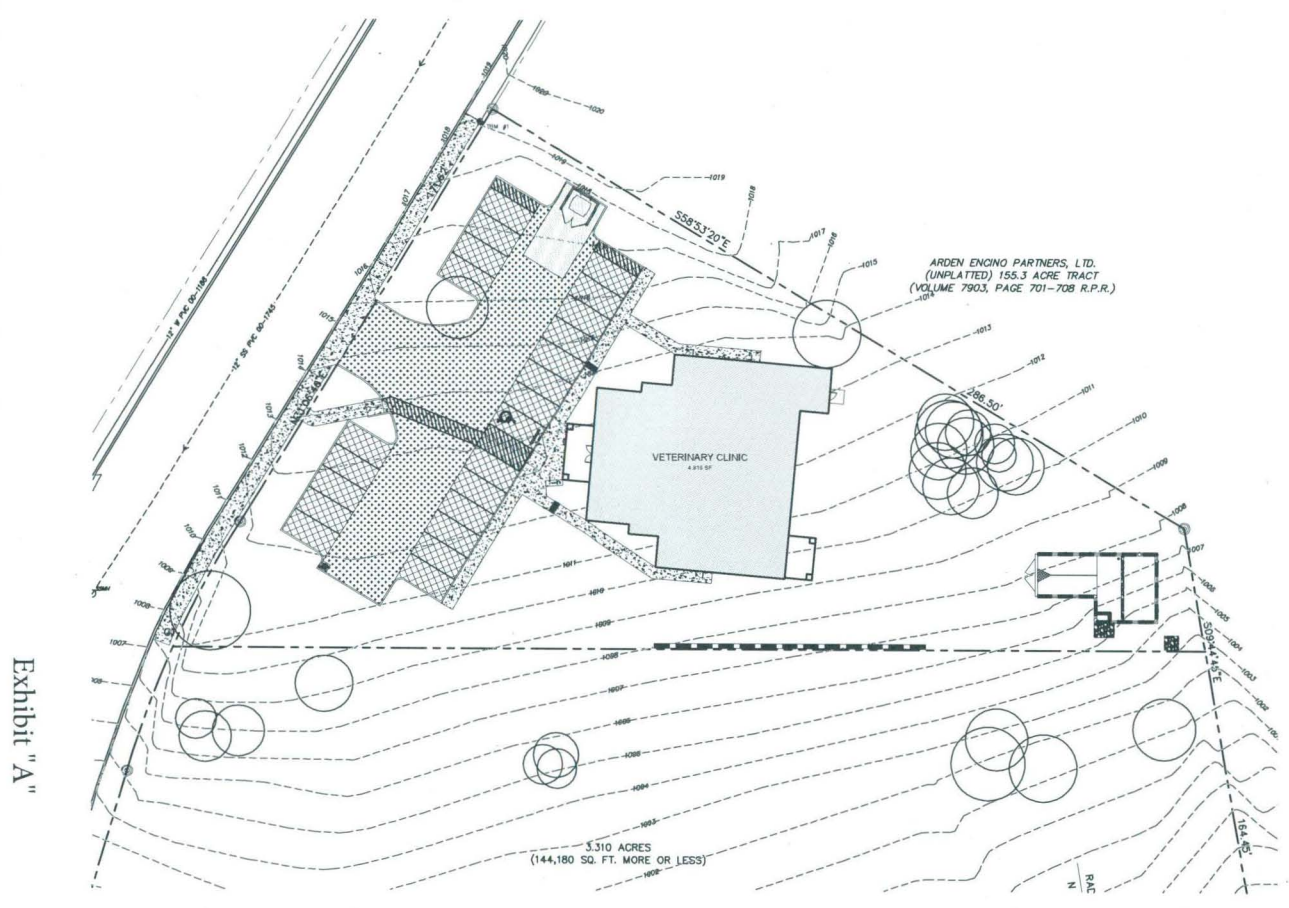
# Z2017287 S ERZD

I, ER Land, LTD, the property owner, acknowledge that this site plan submitted for the purpose of rezoning this property is in accordance with 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.

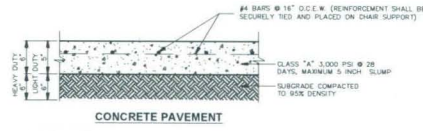
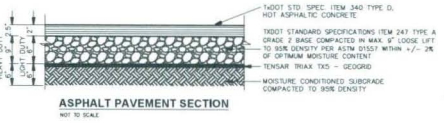
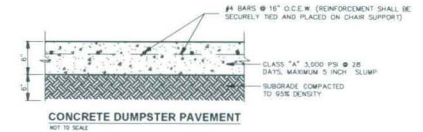


PROPOSED	DESCRIPTION
[Pattern]	DUMPSTER AREA CONCRETE
[Pattern]	LIGHT DUTY ASPHALT
[Pattern]	HEAVY DUTY ASPHALT
[Pattern]	EXISTING ASPHALT PAVEMENT

**BENCHMARKS**  
 TBM #1: 1"Ø MGR NAIL LOCATED ON THE EXISTING SIDEWALK EAST SIDE OF ENCINO COMMONS 4.4' SOUTH AND 4.4' WEST OF NORTHWEST PROPERTY CORNER ELEV. = 1019.19'



**PAVEMENT NOTES:**  
 1. PAVEMENT SECTION(S) FOR REFERENCE PURPOSES ONLY. CONTRACTOR SHOULD CONSULT THE LATEST APPLICABLE GEOTECHNICAL INVESTIGATION BY O'CONNOR & ALZAM.



**PAVEMENT NOTES:**  
 1. CONTRACTOR TO PROVIDE ALTERNATE BID FOR CONCRETE PAVEMENT.

**IMPERVIOUS COVER: 15,990.77 SF**  
**PERVIOUS COVER: 24,051.71 SF**

Exhibit "A"



**Klove ENGINEERING**  
 Site Development Engineering Services  
 www.kloveengineering.com (710) 485-680

*Daniel Costantino*  
 05/18/17

ENCINO PARK VETERINARY CLINIC  
 ANNA RABASSO DE LA LARRE  
 ARCHITECT OF RECORD

**ENCINO PARK VET CLINIC**  
 STREET  
 SAN ANTONIO, TEXAS 78258  
 SITE PAVING PLAN

DATE: \_\_\_\_\_  
 REVISIONS: \_\_\_\_\_  
 CONTRACT: \_\_\_\_\_  
 PROJECT: \_\_\_\_\_  
 SHEET: \_\_\_\_\_ OF \_\_\_\_\_  
 DATE: 05/18/17

C3.1

THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK. HE AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT OCCUR BY HIS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.