SG/cla
03/05/2015
Z-17

CASE NO. Z2015073 S ERZD

AN ORDINANCE 2015-03-05-0177

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 a 0.067 of an acre out of Lot 4, Block 3, NCB 17601 from "C-2 MLOD ERZD" Commercial Camp Bullis Military Lighting Overlay Edwards Recharge Zone District to "C-2 S MLOD ERZD" Commercial Camp Bullis Military Lighting Overlay Edwards Recharge Zone District with a Specific Use Authorization for an Animal Clinic.

SECTION 2. A description of the property is attached as **Attachment "A"** and made a part hereof and incorporated herein for all purposes.

SECTION 3. 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 4. The City Council approves this Specific Use Authorization so long as the attached site plan is adhered to. A site plan is attached as **Attachment "B"** and made a part hereof and incorporated herein for all purposes.

SECTION 5. This change of zoning district boundary is conditioned on the requirement that no additional impervious cover be added to the existing suite 301 & 302 (2,893 sq. ft.).

SECTION 6. 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 7. 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 8. 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 9. 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 10. 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 11. 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 12. This ordinance shall become effective March 15, 2015.

PASSED AND APPROVED this 5th day of March 2015.

M A Y O R
Ivy R. Taylor

ATTEST:

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

Martha G. Sepeda, Acting City Attorney

FOR

Agenda Item:	**Z-17**
Date:	03/05/2015
Time:	02:43:52 PM
Vote Type:	Motion to Approve
Description:	ZONING CASE # Z2015073 S ERZD (District 9): An Ordinance amending the Zoning District Boundary from "C-2 MLOD ERZD" Commercial Camp Bullis Military Lighting Overlay Edwards Recharge Zone District to "C-2 S MLOD ERZD" Commercial Camp Bullis Military Lighting Overlay Edwards Recharge Zone District with a Specific Use Authorization for an Animal Clinic on a 0.067 of an acre out of Lot 4, Block 3, NCB 17601 located at 20210 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. Trevino	District 1		x				
Alan Warrick	District 2		x				x
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4	x					
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x			x	
Michael Gallagher	District 10		x				

PAPE-DAWSON ENGINEERS

LAND DEVELOPMENT ENVIRONMENTAL TRANSPORTATION WATER RESOURCES SURVEYING

FIELD NOTES
FOR
ZONING

A 0.067 of an acre, more or less, tract of land out of Lot 4, Block 3, New City Block 17601, Evans/Stone Oak (SEC) Subdivision recorded in Volume 9579, Page 170 of the Deed and Plat Records of Bexar County, Texas. Said 0.067 of an acre tract being more fully described as follows:

COMMENCING: At a found ½" iron rod, for the southeast corner of Lot 3 of said Evans/Stone Oak (SEC), a reentrant corner of said Lot 4;

THENCE: S 04°19'37" W, over and across said Lot 4, a distance of 127.61 feet to the POINT OF BEGINNING of the herein described tract;

THENCE: Over and across said Lot 4 the following bearings and distances:

S 13°41'25" E, a distance of 45.00 feet to a point;

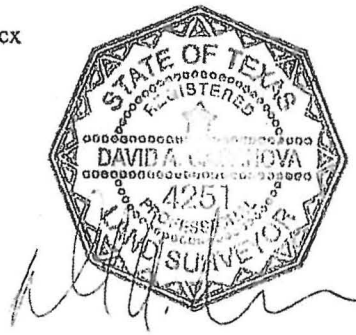
S 76°18'35" W, a distance of 65.00 feet to a point;

N 13°41'25" W, a distance of 45.00 feet to a point;

N 76°18'35" E, a distance of 65.00 feet to the POINT OF BEGINNING, and containing 0.067 of an acre in the City of San Antonio, Bexar County, Texas. Said tract being described in accordance with an exhibit prepared under job number 9411-14 by Pape-Dawson Engineers, Inc.

"This document was prepared under 22TAC663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."

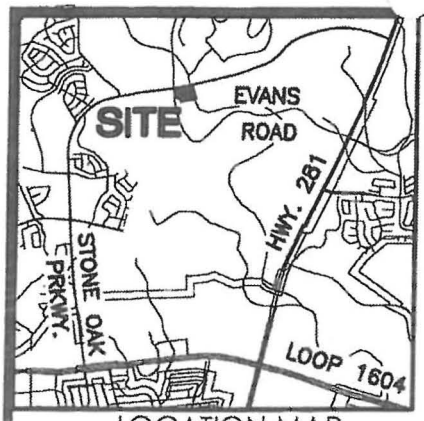
PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: December 9, 2014
JOB NO. 9411-14
DOC. ID. N:\Survey14\14-9400\9411-14\WORD\9411-14 FN-0.067 AC.docx
TBPE Firm Registration #470
TBPLS Firm Registration #100288-00



SAN ANTONIO / AUSTIN
HOUSTON / FORT WORTH / DALLAS

2000 NW Loop 410 San Antonio, Texas 78213
P 210.375.9000 F 210.375.9010 www.pape-dawson.com

Attachment A



LOCATION MAP

NOT-TO-SCALE

LEGEND:

OPR	OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS
DPR	DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
FIR	FOUND 1/2" IRON ROD

1 inch = 20'

20' 0' 10' 20'

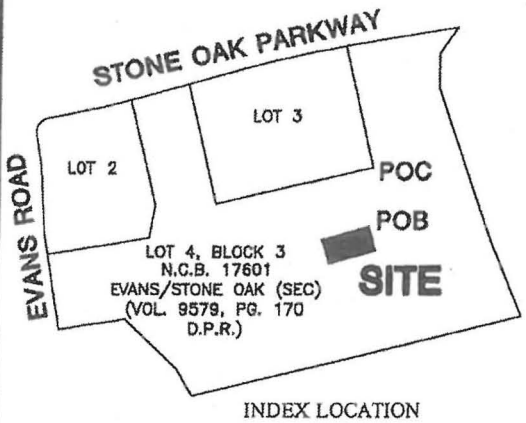
NOTES:

1. THE PROFESSIONAL SERVICES PROVIDED HEREWITH INCLUDE THE PREPARATION OF A FIELD NOTE DESCRIPTION.
2. THE BEARINGS ARE BASED ON THE EVANS/STONE OAK (SEC) RECORDED IN VOLUME 9579, PAGE 170 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS.
3. "THIS DOCUMENT WAS PREPARED UNDER 22TAC663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED."

STATE OF TEXAS
DAVID A. CASTILLOVA
4251
PROFESSIONAL
LAND SURVEYOR

LOT 3, BLOCK 3
N.C.B. 17601
EVANS/STONE OAK (SEC)
(VOL. 9579, PG. 170 D.P.R.)

P.O.C.
FD ½"
IRON ROD



INDEX LOCATION

LOT 4, BLOCK 3
N.C.B. 17601
EVANS/STONE OAK (SEC)
(VOL. 9579, PG. 170 D.P.R.)

S04°19'37"W
127.61'

P.O.B.

N76°18'35"E
65.00'

ZONED-C2 ERZD

0.067 OF AN ACRE

S13°41'25"E
45.00'

N13°41'25"W
45.00'

S76°18'35"W
65.00'

EXHIBIT
FOR
ZONING

A 0.067 OF AN ACRE, MORE OR LESS, TRACT OF LAND OUT OF LOT 4, BLOCK 3, NEW CITY BLOCK 17601, EVANS/STONE OAK (SEC) SUBDIVISION RECORDED IN VOLUME 9579, PAGE 170 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS.

PAPE-DAWSON ENGINEERS

2000 NW LOOP 410 | SAN ANTONIO TEXAS 78213 | PHONE: 210.375.9000 FAX: 210.375.9010

TEXAS BOARD OF PROFESSIONAL ENGINEERS, FIRM REGISTRATION # 470
TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, FIRM REGISTRATION # 10028600

DECEMBER 9, 2014

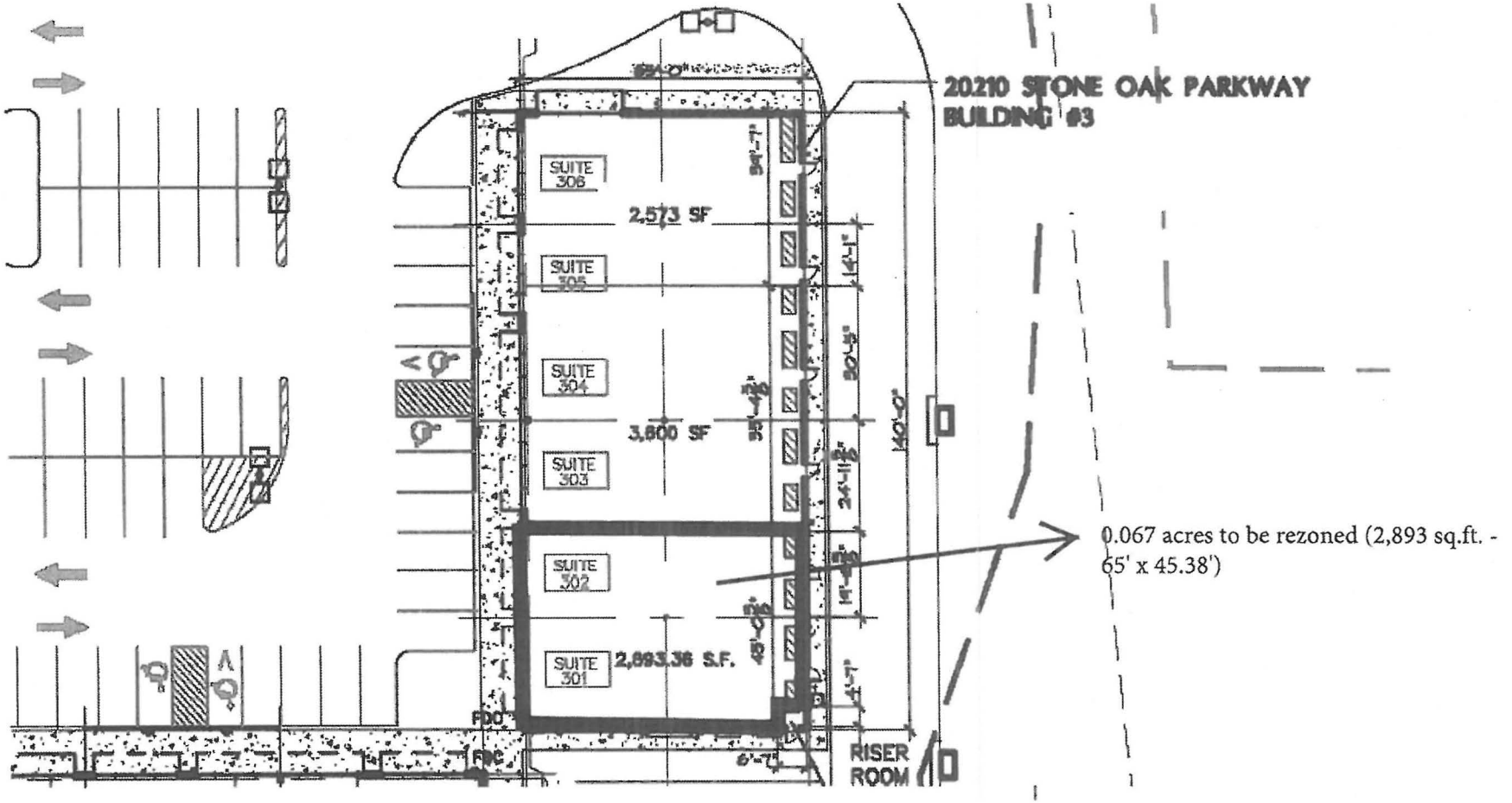
JOB No.: 9411-14

SHEET 1 OF 1

Date: Dec 09, 2014, 3:38pm User ID: MHolmes
File: N:\Survey14\14-9400\9411-14\9411-14 ZN-0.067 AC.dwg

20150078

Attachment B



SCALE: 1"=40'

0 40' 80'

NOTES

1. Property - the property is 0.067 acres out of Lot 4, Block 3, NCB 17601.
2. Zoning - The Property is currently zoned C-2 ERZD MLOD. The proposed zoning for the 0.067 acre site is C-2 ERZD MLOD with a Specific Use Authorization for an Animal Clinic.
3. Impervious Cover - the impervious cover is 100%.
4. Setbacks and Buffers - the Property is part of a larger retail center. The retail center complies with setbacks and buffering requirements.
5. Parking - Animal Clinics require 1 parking space per employee. Adequate parking is provided in the retail center.
6. Property Owner Statement - "I, SOE Retail, Ltd., the property owner, acknowledge that this site plan submitted for the purpose of rezoning the 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 adherenece to any/all City-adopted Codes at the time of plan submittal for building permits."

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