

ORDINANCE 2022-06-16-0486

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.

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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 22, Block 6, NCB 14616, located at 8138 West Hausman Road, from "MF-18 ERZD" Limited Density Multi-Family Edwards Recharge Zone District to "C-2 CD S ERZD" Commercial Edwards Recharge Zone District with a Conditional Use and Specific Use Authorization for a Animal and Pet Services (outdoor training, boarding, runs, pens or paddocks permitted).

SECTION 2. The City Council finds as follows:

- A. The conditional use will not be contrary to the public interest.
- B. The conditional use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district.
- C. The conditional use will be in harmony with the spirit and purpose for conditional uses as set forth in Section 35-422, Conditional Zoning, of the Unified Development Code.
- D. The conditional use will not substantially weaken the general purposes of the regulations as set forth in Section 35-422, Conditional Zoning, of the Unified Development Code.

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 **Exhibit "A"** 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 the impervious cover on the property described by this ordinance shall not exceed the percentage prescribed by the San Antonio Water System in accordance with Chapter 34.

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 June 26, 2022.

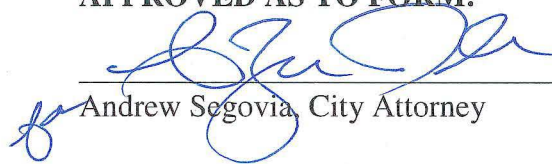
PASSED AND APPROVED this 16th day of June, 2022.


M A Y O R
Ron Nirenberg

ATTEST:


Debbie Racca-Sittre, City Clerk

APPROVED AS TO FORM:


Andrew Segovia, City Attorney



City of San Antonio

City Council Zoning & Land Use Session Meeting June 16, 2022

29.

2022-06-16-0486

ZONING CASE Z-2022-10700019 CD S (Council District 8): Ordinance amending the Zoning District Boundary from "MF-18 ERZD" Limited Density Multi-Family Edwards Recharge Zone District to "C-2 CD S ERZD" Commercial Edwards Recharge Zone District with a Conditional Use and Specific Use Authorization for Animal and Pet Services (outdoor training, boarding, runs, pens or paddocks permitted) on Lot 22, Block 6, NCB 14616, located at 8138 West Hausman Road. Staff, SAWS and Zoning Commission recommend Approval.

Councilmember Viagran moved to Approve on Zoning Consent. Councilmember Rocha Garcia seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda, Pelaez, Courage, Perry

Absent: Sandoval

Exhibit “A”

P:\0875\33033 - Pet Paradise Hausman\Design\Exhibit\Ex 1 Site Plan\32575\set site plan.dgn

1/47/18 PM 2/28/2022 TOWERS

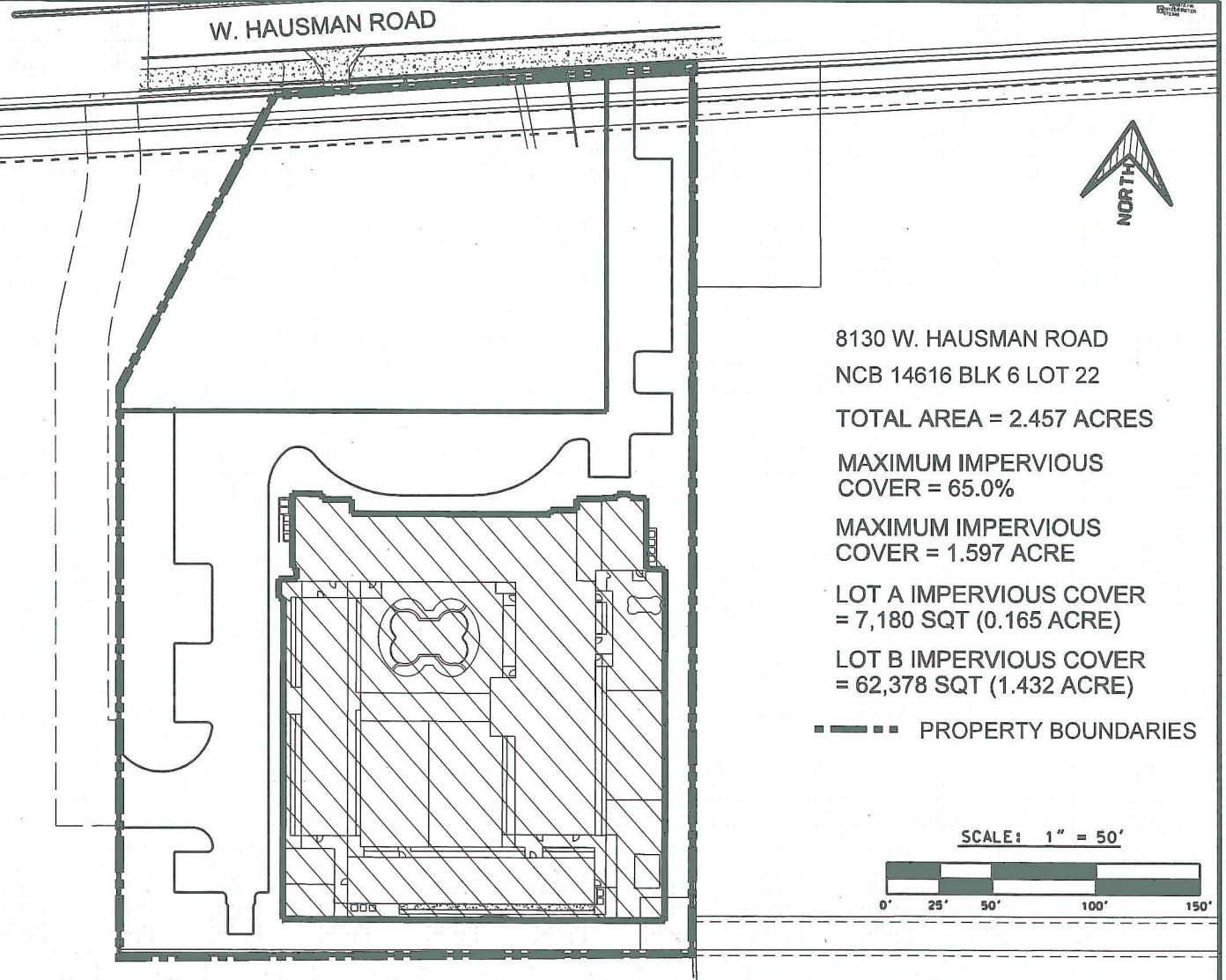
CURRENT ZONING: "MF-18 ERZD" Limited Density Multi-Family Edwards Recharge Zone District

PROPOSED ZONING: "C-2 CD S ERZD" Commercial Edwards Recharge Zone District with a Conditional Use and Specific Use Authorization for an Animal and Pet Services

I, DCI Developers, LLC, the property owner, acknowledge that this site plan submitted for the purposes 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 side plan in conjunction with a rezoning case does not relieve me from adherence to any/all City adopted Codes at the time of site plan submittal for building permits.

Exhibit "A"

REVISIONS: _____
DATE: _____



8130 W. HAUSMAN ROAD
NCB 14616 BLK 6 LOT 22
TOTAL AREA = 2.457 ACRES
MAXIMUM IMPERVIOUS COVER = 65.0%
MAXIMUM IMPERVIOUS COVER = 1.597 ACRE
LOT A IMPERVIOUS COVER = 7,180 SQT (0.165 ACRE)
LOT B IMPERVIOUS COVER = 62,378 SQT (1.432 ACRE)

--- PROPERTY BOUNDARIES

SCALE: 1" = 50'



SPECIAL USE PERMIT EXHIBIT



MACHA • BOSE • COPELAND & ASSOC., INC.
CONSULTING ENGINEERS AND LAND SURVEYORS

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(210) 545-1122 Fax (210) 545-9382 www.mceengineers.com
Firm REGISTRATION T.E.P.E. F-794, T.E.P.L.S. 10011700

DATE 02-02-22
JOB NO. 32575-0875