

ORDINANCE

2022-05-19-0380

**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 0.285 acres out of NCB 18217, generally located at 23014 US Hwy 281 North, from "C-3R MLOD-1 MLR-2 ERZD" General Commercial Restrictive Alcohol Sales Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District to "C-3R S MLOD-1 MLR-2 ERZD" General Commercial Restrictive Alcohol Sales Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District with a 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. A description of the property is attached as **Exhibit "A"** and made a part hereof and incorporated herein for all purposes.

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 "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 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 May 29, 2022.

PASSED AND APPROVED this 19th day of May, 2022.


M A Y O R
Ron Nirenberg

ATTEST:


Debbie Racca-Sittre, City Clerk

APPROVED AS TO FORM:


for Andrew Segovia, City Attorney



City of San Antonio

City Council Meeting May 19, 2022

19.

2022-05-19-0380

ZONING CASE Z-2021-10700330 S ERZD (Council District 9): Ordinance amending the Zoning District Boundary from "C-3R MLOD-1 MLR-2 ERZD" General Commercial Restrictive Alcohol Sales Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District to "C-3R S MLOD-1 MLR-2 ERZD" General Commercial Restrictive Alcohol Sales Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District with a Specific Use Authorization for an Animal Clinic on 0.285 acres out of NCB 18217, located at 23014 US Hwy 281 North. Staff, SAWS, and Zoning Commission recommend Approval.

Councilmember Sandoval moved to Approve on Zoning Consent. Councilmember McKee-Rodriguez seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Sandoval, Courage, Pelaez, Castillo

Absent: Rocha Garcia, Perry, Cabello Havrda

Exhibit “A”



18410 US Hwy 281 N, Suite 109
San Antonio, TX 78259
(210)369-9509

STATE OF TEXAS §
COUNTY OF BEXAR §

BEING A 0.285 – ACRE PARCEL (12,402 SQUARE FEET), LYING WITHIN LOT 4, BLOCK 30, NEW CITY BLCK 18217, REPLAT AT VILLAGE OF STONE OAK, AS RECORDED IN VOLUME 9590, PAGE 168, DEED AND PLAT RECORDS, BEXAR COUNTY, TEXAS, AND BEING THE AREA OCCUPIED BY PETCO # 2429, ADDRESS NO. 23014, SUITE 107, BEXAR COUNTY APPRAISAL DISTRICT, PROPERTY IDENTIFICATION NO. 1216234, SAID 0.285 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING from a 1/2" iron rod found at the northeast corner of said Lot 4;

THENCE South 09°31'58" East, 578.91 feet crossing said Lot 4 to a building corner on the southeast line of an existing commercial structure known as Home Goods (address no. 23019), at the north corner of Suite 107, for the north corner and **POINT OF BEGINNING** of this herein described parcel;

THENCE with the northeast building lines of said Suite 107, the following three (3) courses and distances:

- 1) South 39°23'40" East, 45.46 feet to a building corner for angle point;
- 2) South 50°36'20" West, 9.88 feet to an interior building corner for angle point;
- 3) South 39°23'40" East, 72.51 feet to a building corner at the north corner of an existing commercial structure known as Majestic Nail Lounge, Address no. 23014, Suite 104, for the east corner of this herein described parcel;

THENCE South 50°36'20" West, with the common line of said Suites 104 and 107, at a distance of 102.55 feet pass the west corner of said Suite 104 and continuing for a total distance of **104.55 feet** to a building corner for the south corner of said Suite 107 and this herein described parcel;

THENCE with the southwest building lines of said Suite 107, the following twenty-three (23) courses and distances:

- 1) North 39°23'40" West, 4.00 feet to a building corner for angle point;
- 2) North 50°36'20" East, 4.50 feet to a building corner for angle point;
- 3) North 39°23'40" West, 18.90 feet to a building corner for angle point;
- 4) South 50°36'20" West, 4.50 feet to a building corner for angle point;
- 5) North 39°23'40" West, 4.00 feet to a building corner for angle point;
- 6) North 50°36'20" East, 4.50 feet to a building corner for angle point;
- 7) North 39°23'40" West, 19.00 feet to a building corner for angle point;
- 8) South 50°36'20" West, 4.50 feet to a building corner for angle point;
- 9) North 39°23'40" West, 4.00 feet to a building corner for angle point;
- 10) North 50°36'20" East, 4.50 feet to a building corner for angle point;
- 11) North 39°23'40" West, 18.90 feet to a building corner for angle point;
- 12) South 50°36'20" West, 4.50 feet to a building corner for angle point;

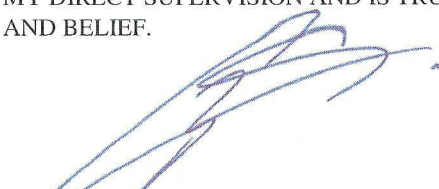
Exhibit "A"

- 13) North 39°23'40" West, 4.00 feet to a building corner for angle point;
- 14) North 50°36'20" East, 2.00 feet to a building corner for angle point;
- 15) North 39°23'40" West, 4.00 feet to a building corner for angle point;
- 16) North 50°36'20" East, 2.50 feet to a building corner for angle point;
- 17) North 39°23'40" West, 16.00 fee feet to a building corner for angle point;
- 18) South 50°36'20" West, 2.50 feet to a building corner for angle point;
- 19) North 39°23'40" West, 4.00 feet to a building corner for angle point;
- 20) North 50°36'20" East, 2.50 feet to a building corner for angle point;
- 21) North 39°23'40" West, 18.20 feet to a building corner for angle point;
- 22) South 50°36'20" West, 2.50 feet to a building corner for angle point;
- 23) North 39°23'40" West, 3.87 feet to a building corner at the west corner of said Suite 107 and this herein described parcel;

THENCE North 51°04'13" East, at a distance of 2.00 feet pass the south corner of said Home Goods and continuing with the southeast line of said Home Goods a total distance of **112.43 feet** to the **POINT OF BEGINNING** and containing 0.285 acres of land, more or less.

BASIS OF BEARINGS DETERMINED BY GPS "RTK" OBSERVATIONS, NORTH AMERICAN DATUM OF 1983, TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS SOUTH CENTRAL ZONE 4204, GRID.

THIS SURVEY WAS PREPARED FROM AN ON THE GROUND SURVEY PERFORMED UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.


Cory Blake Silva
RPLS No. 6500
January 26, 2022
Job No. 211111200

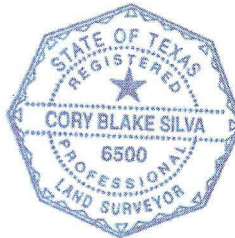


Exhibit ‘B’



Z-2021-10700330 S

19410 US Hwy 281 N, Suite 109
San Antonio, TX 78259
(210) 389-9509
TBPELS FIRM NO. 14041294

BUYER/OWNER: PETCO ANIMAL SUPPLY, INC.
ADDRESS: 23014 US HWY 281 N, SUITE 107
CITY, STATE, ZIP: SAN ANTONIO, TEXAS, 78258



CATEGORY 1B - SURVEY

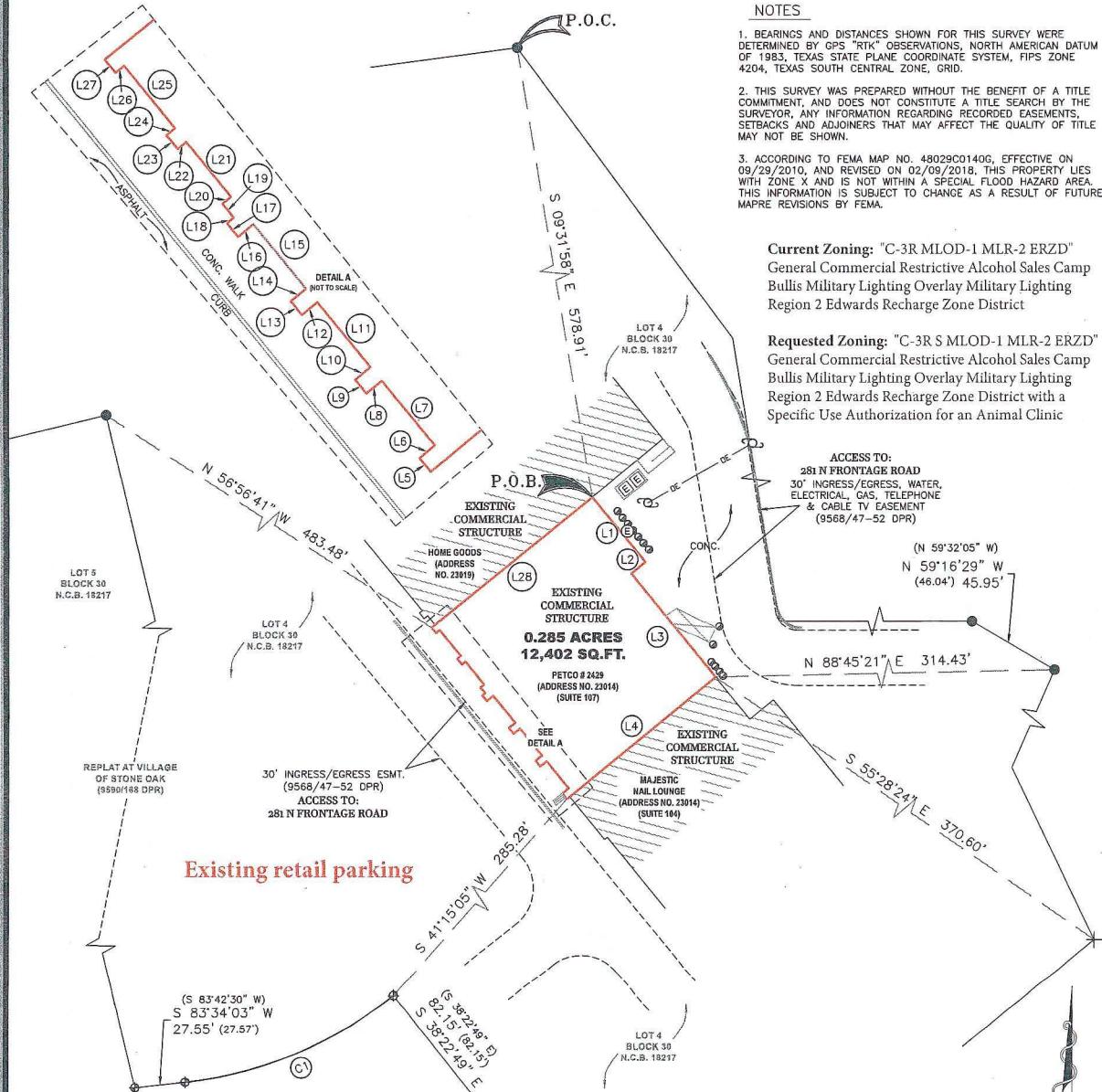
BEING A 0.285 - ACRE PARCEL (12,402 SQUARE FEET), LYING WITHIN LOT 4, BLOCK 30, NEW CITY BLCK 18217, REPLAT AT VILLAGE OF STONE OAK, AS RECORDED IN VOLUME 9590, PAGE 168, DEED AND PLAT RECORDS, BEXAR COUNTY, TEXAS, AND BEING THE AREA OCCUPIED BY PETCO # 2429, ADDRESS NO. 23014, SUITE 107, BEXAR COUNTY APPRAISAL DISTRICT, PROPERTY IDENTIFICATION NO. 1216234.

NOTES

1. BEARINGS AND DISTANCES SHOWN FOR THIS SURVEY WERE DETERMINED BY GPS "RTK" OBSERVATIONS, NORTH AMERICAN DATUM OF 1983, TEXAS STATE PLANE COORDINATE SYSTEM, FIPS ZONE 4204, TEXAS SOUTH CENTRAL ZONE, GRID.
2. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT, AND DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR, ANY INFORMATION REGARDING RECORDED EASEMENTS, SETBACKS AND ADJOINERS THAT MAY AFFECT THE QUALITY OF TITLE MAY NOT BE SHOWN.
3. ACCORDING TO FEMA MAP NO. 48029C0140G, EFFECTIVE ON 09/29/2010, AND REVISED ON 02/09/2018, THIS PROPERTY LIES WITH ZONE X AND IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA. THIS INFORMATION IS SUBJECT TO CHANGE AS A RESULT OF FUTURE MAPRE REVISIONS BY FEMA.

Current Zoning: "C-3R MLOD-1 MLR-2 ERZD"
General Commercial Restrictive Alcohol Sales Camp
Bullis Military Lighting Overlay Military Lighting
Region 2 Edwards Recharge Zone District

Requested Zoning: "C-3R S MLOD-1 MLR-2 ERZD"
General Commercial Restrictive Alcohol Sales Camp
Bullis Military Lighting Overlay Military Lighting
Region 2 Edwards Recharge Zone District with a
Specific Use Authorization for an Animal Clinic



LINE	BEARING	DISTANCE
L1	S 39°23'40" E	45.46'
L2	S 50°36'20" W	9.88'
L3	S 39°23'40" E	72.51'
L4	S 50°36'20" W	104.55'
L5	N 39°23'40" W	4.00'
L6	N 50°36'20" E	4.50'
L7	N 39°23'40" W	18.90'
L8	S 50°36'20" W	4.50'
L9	N 39°23'40" E	4.00'
L10	N 50°36'20" E	4.50'
L11	N 39°23'40" W	19.00'
L12	S 50°36'20" W	4.50'
L13	N 39°23'40" W	4.00'
L14	N 50°36'20" E	4.50'
L15	N 39°23'40" W	18.90'
L16	S 50°36'20" W	4.50'
L17	N 39°23'40" W	4.00'
L18	N 50°36'20" E	2.00'
L19	N 39°23'40" W	4.00'
L20	N 50°36'20" E	2.50'
L21	N 39°23'40" W	18.00'
L22	S 50°36'20" W	2.50'
L23	N 39°23'40" W	4.00'
L24	N 50°36'20" E	2.50'
L25	N 39°23'40" W	18.20'
L26	S 50°36'20" W	2.50'
L27	N 39°23'40" W	3.87'
L28	N 51°04'13" E	112.43'

LEGEND

- BOUNDARY
- OVERHEAD ELECTRIC
- FOUND "X" ON CONC.
- FOUND 1/2" IRON ROD (UNLESS NOTED)
- SET 1/2" IRON ROD W/OAP "RPLS 6500"
- MAG NAIL FOUND
- CALCULATED POINT
- () RECORD INFORMATION
- [] SCHEDULE B REFERENCE
- (A) ELECTRIC METERS
- (E) ELECTRIC VAULT
- POWER POLE
- BOLLARD
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING

"I, DDR DB Stone Oak LP, 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 relieve me from adherence to any/all City-adopted Codes at the time of plan submittal for building permits.

Exhibit "B"

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	124.73'	215.00'	33°14'18"	S 67°06'44" W	122.98'
C2	100.40'	165.00'	34°51'47"	S 20°58'03" E	98.86'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	124.73'	215.00'	33°14'18"	S 67°06'44" W	122.98'
C2	100.40'	165.00'	34°51'47"	S 20°58'03" E	98.86'



I, Cory Blake Silva, Registered Professional Land Surveyor number 6500, do hereby certify that a survey was made on the ground, under my supervision, on date as shown, of the property hereon described, and I do declare there are no conflicts known to me except as shown. This survey substantially complies with the current Texas Society of Professional Surveyors Manual of Practice requirements for a Category 1B, Condition 2, Standard Land Survey.

CORY BLAKE SILVA
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6500

JOB NO. 21111200

CREW: JSL
DATE: 01/12/2022

DRAWN:
JTD

REVIEW:
CBS

REVISION DATE: ---

DATE: 01/26/2022