

AN ORDINANCE 2010-05-06-0394

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 north 113 feet of Lot 22 and the north 117.5 feet of Lot 23, Block 2, NCB 7892, save and except the part of said lots conveyed to the City of San Antonio in Volume 3301, Page 1436, Real Property Records, Bexar County, Texas from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a convenience store.

SECTION 2. A description of the property recorded in Volume 3301, Page 1436 of the Bexar County Real Property Records, which is saved and excepted in Section 1 above, is attached as **Exhibit "A"** and made a part hereof and incorporated herein for all purposes.

SECTION 3. 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.
- E. The conditional use will not affect adversely the public health, safety and welfare.

SECTION 4. The City council approves this Conditional Use 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. 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.

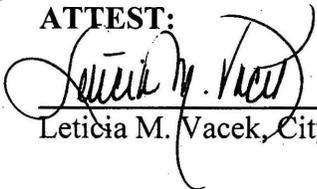
SECTION 6. The Director of Planning and Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 7. This ordinance shall become effective May 16, 2010.

PASSED AND APPROVED this 6th day of May 2010.


M A Y O R
Julián Castro

ATTEST:

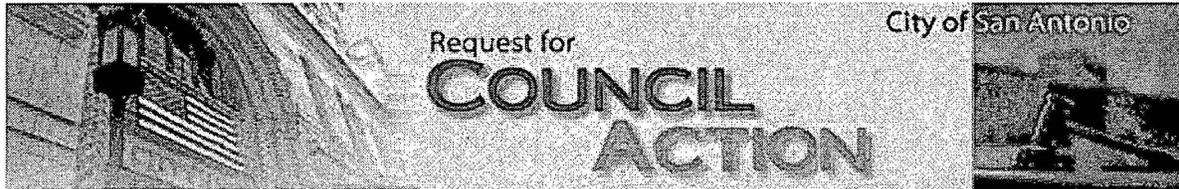


Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



Michael Bernard, City Attorney
For



Agenda Voting Results - Z-2

Name:	Z-2, Z-3, Z-4, Z-7						
Date:	05/06/2010						
Time:	05:38:00 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2010048 CD (District 4): An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a convenience store on the north 113 feet of Lot 22 and the north 117.5 feet of Lot 23, Block 2, NCB 7892, save and except the part of said lots conveyed to the City of San Antonio in Volume 3301, Page 1436, Real Property Records, Bexar County, Texas located at 941 Stonewall Avenue. Staff and Zoning Commission recommend approval.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Mary Alice P. Cisneros	District 1		x				x
Ivy R. Taylor	District 2		x				
Jennifer V. Ramos	District 3		x			x	
Leticia Cantu	District 4	x					
David Medina Jr.	District 5		x				
Ray Lopez	District 6	x					
Justin Rodriguez	District 7		x				
W. Reed Williams	District 8		x				
Elisa Chan	District 9	x					
John G. Clamp	District 10		x				

Gty #WI-154858-HT \$5.00 Aguilar et ux to the City of SA

/na 12/18/84

Parcel: 10293
Project: Stonewall Avenue -
Zarzamora to Buffalo - Phase II

889432

WARRANTY DEED

STATE OF TEXAS }
 }
COUNTY OF BEXAR }

KNOW ALL MEN BY THESE PRESENTS:

That we, TOMAS AGUILAR and wife, ADELA AGUILAR of the County of Bexar, State of Texas, for and in consideration of the sum of ONE THOUSAND ONE HUNDRED AND NO/100 (\$1,100.00) DOLLARS to us in hand paid by the grantee herein named, the receipt of which is hereby acknowledged, have GRANTED, SOLD and CONVEYED, and by these presents do GRANT, SELL and CONVEY unto CITY OF SAN ANTONIO, a municipal corporation, of the County of Bexar, State of Texas, all of the following described real property situated within the corporate limits of the City of San Antonio, Bexar County, Texas, to-wit:

The south rectangular 7.5 feet of Lots 22 and 23, Block 2, New City Block 7892, CALIFORNIA GARDENS ADDITION, in the City of San Antonio, Bexar County, Texas, according to plat thereof recorded in Volume 368, Page 29, Deed and Plat Records of Bexar County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING: At an iron pin set at the most southwesterly corner of Lot 22, Block 2, NCB 7892, being the intersection of the north ROW line of Stonewall Avenue and the east ROW line of Orey Avenue;

THENCE: In a northerly direction with a 90° 00' 00" angle in a counterclockwise direction from the north ROW line of Stonewall Avenue 12.50 feet to an iron pin set at a point of curvature;

THENCE: in a southeasterly direction with a curve to the left having a radius of 5.00 feet, a central angle of 90° 00' 00", a tangent of 5.00 feet, an arc length of 7.85 feet, and a chord length of 7.07 feet to an iron pin;

THENCE: In an easterly direction with a 225° 00' 00" angle in a counterclockwise direction from the aforementioned chord 45.00 feet to an iron pin;

THENCE: In a southerly direction with a 90° 00' 00" angle in a counterclockwise direction 7.50 feet to an iron pin set at the most southeasterly corner of Lot 23, Block 2, NCB 7892;

THENCE: In a westerly direction with the south ROW line of Stonewall Avenue 50.00 feet to the POINT OF BEGINNING containing 0.009 acre (380.83 square feet) of land.

01/10/85 170322 \$5.00 Y 1 230

It is further understood and agreed that the consideration received by the Grantors is also in full payment for all damages to the remaining property, if any, of the Grantors.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said grantee, its successors and assigns forever; and we do hereby bind ourselves, our heirs, executors and administrators to WARRANT and FOREVER DEFEND all and singular the said premises unto the said grantee, its successors and assigns,

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against every person whomsoever lawfully claiming or to claim the same or any part thereof.

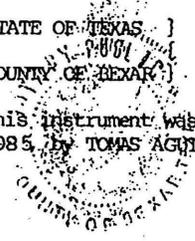
EXECUTED this 9th day of JANUARY, A. D., 1985.

Tomás Aguilar
TOMAS AGUILAR

Adela Aguilar
ADELA AGUILAR

STATE OF TEXAS]
COUNTY OF BEXAR]

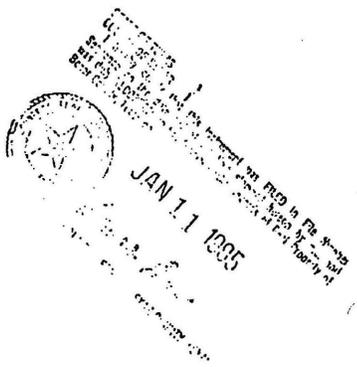
This instrument was acknowledged before me on this 29th day of January, 1985, by TOMAS AGUILAR and wife, ADELA AGUILAR.



Hermisinda Treviño
Notary Public in and for the State of
T E X A S

MY COMMISSION EXPIRES April 13, 1985

RETURN TO:
CITY OF SAN ANTONIO
REAL ESTATE DIVISION
CITY HALL
P. O. BOX 9066
SAN ANTONIO, TEXAS 78285
ATTN: JACK W. CURINGTON



1985 JAN 9 PM 4 39

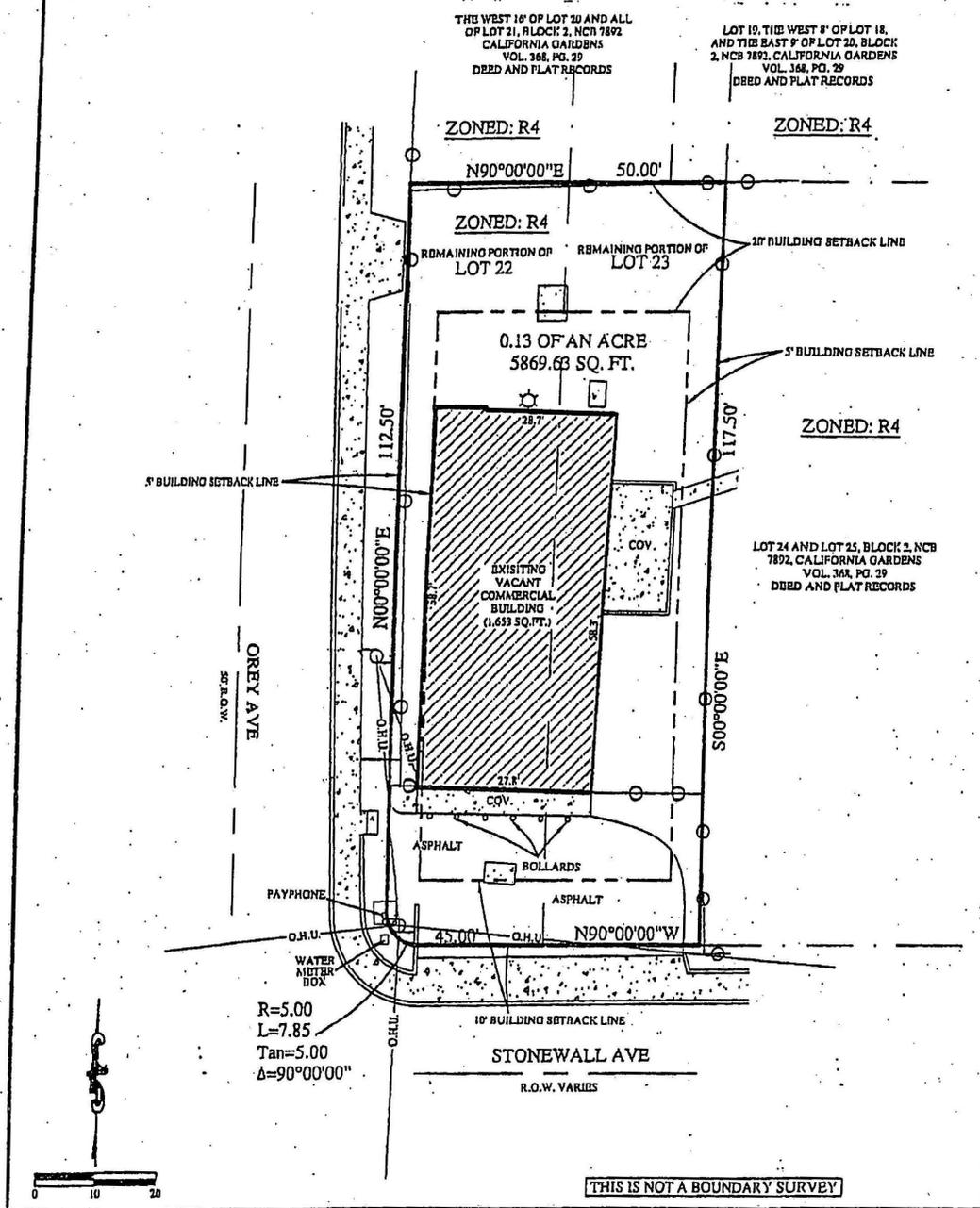
J. GREEN
COUNTY CLERK BEXAR CO.

VAL 3301 PAGE 1437

72010048

STATISTICS

TOTAL EXISTING LAND AREA - 0.13 OF AN ACRE (5869.63 SQ. FT.)
 TOTAL EXISTING IMPERVIOUS COVER - 0.047 OF AN ACRE (2,049 SQ. FT.) (35%)
 EXISTING CONCRETE FLATWORK - 0.01 OF AN ACRE (396 SQ. FT.) (7%)



SITE PLAN

EXISTING VACANT COMMERCIAL BUILDING
 941 STONEWALL, SAN ANTONIO, TX 78211

LOTS 22 AND 23, BLOCK 2, NEW CITY BLOCK 7892, CALIFORNIA GARDENS ADDITION, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS ACCORDING TO PLAT RECORDED IN VOLUME 368, PAGE 29, DEED AND PLAT RECORDS BEXAR COUNTY, TEXAS, SAVE AND EXCEPT THAT PORTION OF SAID LOTS ACCORDING TO DEED RECORDED IN VOLUME 3301, 1436, REAL PROPERTY RECORDS, BEXAR COUNTY, TEXAS.

NOTES

1. THIS SITE PLAN WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT AND MAY NOT SHOW ALL EASEMENTS OR OTHER MATTERS AFFECTING THIS PROPERTY.
 2. OWNER/BUILDER SHALL OBTAIN ALL APPLICABLE BUILDING PERMITS PRIOR TO ANY CONSTRUCTION.
 3. ALL IMPROVEMENTS ARE EXISTING
 4. THE PREVIOUS AND PROPOSED USE IS FOR A NEIGHBORHOOD STORE.
- I, SALEH SHALABI AND AURELIA SMYTH, THE PROPERTY OWNERS, ACKNOWLEDGE THAT THIS SITE PLAN SUBMITTED FOR THE PURPOSE OF REZONING THIS PROPERTY IS IN ACCORDANCE WITH ALL APPLICABLE PROVISIONS OF THE UNITED 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.

LEGEND

- ☐ EXISTING CONCRETE
- EXISTING CHAIN LINK FENCE
- OVERHEAD UTILITY LINE
- ☼ EXISTING SECURITY LIGHT

JOHNSON SURVEYING, INC.

Registered Professional Land Surveyor
 2548 E. BITTERS, SAN ANTONIO, TX 78217
 (210) 858-9836 • (210) 247-6138 fax

DATE: MARCH 13, 2010
 JOHNSON SURVEYING, INC. JOB NO. 784-001-00
 CLIENT: SALEH SHALABI AND AURELIA SMYTH

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