

**AN ORDINANCE 2008-01-17-0053**

**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 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 0.521 acre tract of land out of Lot 3, Block 2, NCB 13802 from "R-6" Residential Single-Family District to "C-3NA" General Commercial District, Nonalcoholic Sales.

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

**SECTION 3.** 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 4.** 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 5.** This ordinance shall become effective on January 27, 2008.

**PASSED AND APPROVED** this 17<sup>th</sup> day of January, 2008.

*Phil Hardberger*  
MAYOR  
**PHIL HARDBERGER**

ATTEST: *Leticia M. Reed*  
City Clerk

APPROVED AS TO FORM: *Jessie Deen*  
for City Attorney

<b>Agenda Item:</b>	<b>Z-21</b>						
<b>Date:</b>	01/17/2008						
<b>Time:</b>	04:26:53 PM						
<b>Vote Type:</b>	Motion to Appr w Cond						
<b>Description:</b>	ZONING CASE # Z2008029 (District 10): An Ordinance changing the zoning district boundary from "R-6" Residential Single-Family District to "C-3" General Commercial District on North irregular 100.30 feet of Lot 3, Block 2, NCB 13802 (.521 acres), 5170 Randolph Boulevard as requested by Ron Ray, L.P., Applicant for Ron Ray, L.P., Owner. 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>
Phil Hardberger	Mayor		x				
Mary Alice P. Cisneros	District 1		x				
Sheila D. McNeil	District 2		x				
District 3	District 3		x				
Philip A. Cortez	District 4		x				x
Lourdes Galvan	District 5		x				
Delicia Herrera	District 6		x				
Justin Rodriguez	District 7		x				
Diane G. Cibrian	District 8		x				
District 9	District 9		x				
John G. Clamp	District 10		x			x	

22008029

METES AND BOUNDS DESCRIPTION

Commonly know as 5170 Randolph Blvd., City of San Antonio, Bexar County, Texas and being more particularly described as:

A parcel of land out or Lot 3, Block 2, New City Block 13802, MINOT AUSTIN HIGHWAY ACRES, in the City of San Antonio, Bexar County, Texas, according to plat thereof recorded in Volume 980, Page(s) 412, Deed and Plat Records of Bexar County, Texas, being more particularly described as follows:

A certain tract of land containing 0.521 of an acre out of the Harry P. Brown tract, comprising part of Tract 3 containing 5.38 Acres, out of Block 2, Minot Austin Highway Acres Subdivision, recorded in Volume 980, Page 412, Plat Records Bexar County, and being out of S. Leeper Survey 104, Abstract 445, County Block 5031. Said 0.521 of an acre fronts on southeast side of Randolph Blvd. (Austin Highway), about 10 miles in a northeasterly direction from the Court House in Bexar County, Texas, being more particularly described as follows:

BEGINNING at an Iron pipe on the southeast line of Randolph Blvd., for the North Corner of said 0.521 of an acre and being 154.6 Feet South 48°-02' West from the Northwest Corner of said Tract No. 3;

THENCE with fence South 58°-00' East, 201.18 Feet to an iron pipe, the Northeast Corner of this Tract;

THENCE with fence South 31°-49' West, 116.18 Feet to an iron pipe, the Southeast Corner of this Tract

THENCE North 53°-04' West, 230.10 Feet to an iron pipe on the southeast line of Randolph Blvd., the Southwest Corner of this Tract;

THENCE with southeast line of Randolph Blvd., North 48°-02' East, 100.30 Feet to the Place of BEGINNING.

**EXHIBIT A**

72008029

EXHIBIT "A"

A certain tract of land containing FIVE HUNDRED TWENTY-ONE THOUSANDTHS (0.521) OF AN ACRE out of the Harry P. Brown tract, comprising part of Tract 3 containing 5.38 Acres, out of Block 2, Minet Austin Highway Acres Subdivision, recorded in Volume 980, Page 412, Plat Records Bexar County, and being out of S. Leeper Survey 104, Abstract 445, County Block 5031. Said 0.521 of an acre fronts on southeast side of Randolph Blvd. (Austin Highway), about 10 miles in a northeasterly direction from the Court House in Bexar County, Texas, being more particularly described as follows: BEGINNING at an iron pipe on the southeast line of Randolph Blvd. for the North Corner of said 0.521 of an Acre and being 154.6 Feet South 48°-02' West from the Northeast Corner of said Tract No. 3; THENCE with fence South 58°-00' East, 201.18 Feet to an iron pipe, the Northeast Corner of this Tract; THENCE with fence South 31°-49' West, 118.18 Feet to an iron pipe, the Southeast Corner of this Tract THENCE North 53°-04' West, 230.10 Feet to an iron pipe on the southeast line of Randolph Blvd., the Southwest Corner of this Tract; THENCE with southeast line of Randolph Blvd., North 48°-02' East, 100.30 Feet to the Place of BEGINNING. This conveyance is made and accepted subject to conditions and restrictions appearing of record in Volume 1901, Page 621, of the Deed Records of Bexar County, Texas. This conveyance is also made and accepted subject to a right-of-way easement for electric lines, telephone lines, gas lines, and water pipe lines, as recorded in Volume 1901, Page 621, of the Deed Records of Bexar County, Texas.

RECORDED MEMORANDUM PAGE  
ALL OR PARTS OF THE TEXT OF THIS ACT OR  
WAS NOT CLEARLY LEGIBLE FOR SAID ACT OR  
RECORDATION

22008029

SCALE 1" = 100'

RANDOLPH

BLVD.

(AUSTIN HWY.) (Y.M.V.)

BROWN

IRON PIPES  
THUS

RANDOLPH  
ICE HOUSE

0.521 ACRE

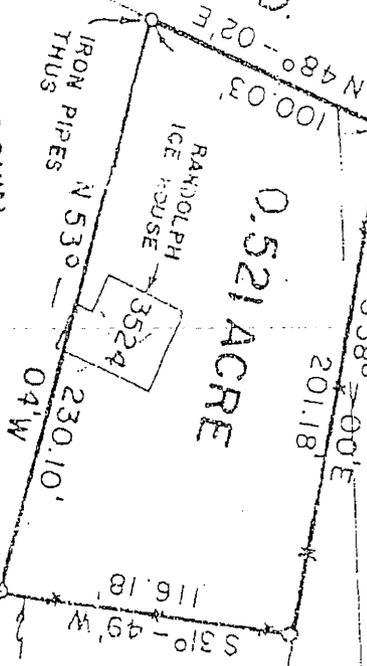
3524

RES.  
3526

CITY PUBLIC

WIRE FENCE

C-L FENCE



Affidavit of Publisher

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: The north irregular 100.30 feet of Lot 3, Block 2, NCB 13802 (.521 acres) TO WIT: From "R-6" Residential Single-Family District to "C-3 NA" General Commercial District, Nonalcoholic Sales. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".  
1/23

STATE OF TEXAS  
COUNTY OF BEXAR  
S.A. - CITY CLERK

Before me, the undersigned authority, on this day personally appeared Helen I. Lutz, who being by me duly sworn, says on oath that she is Publisher of the Commercial Recorder, a newspaper of general circulation in the City of San Antonio, in the State and County aforesaid, and that the Ordinance 2008-01-17-0053 here to attached has been published in every issue of said newspaper on the following days, to wit:

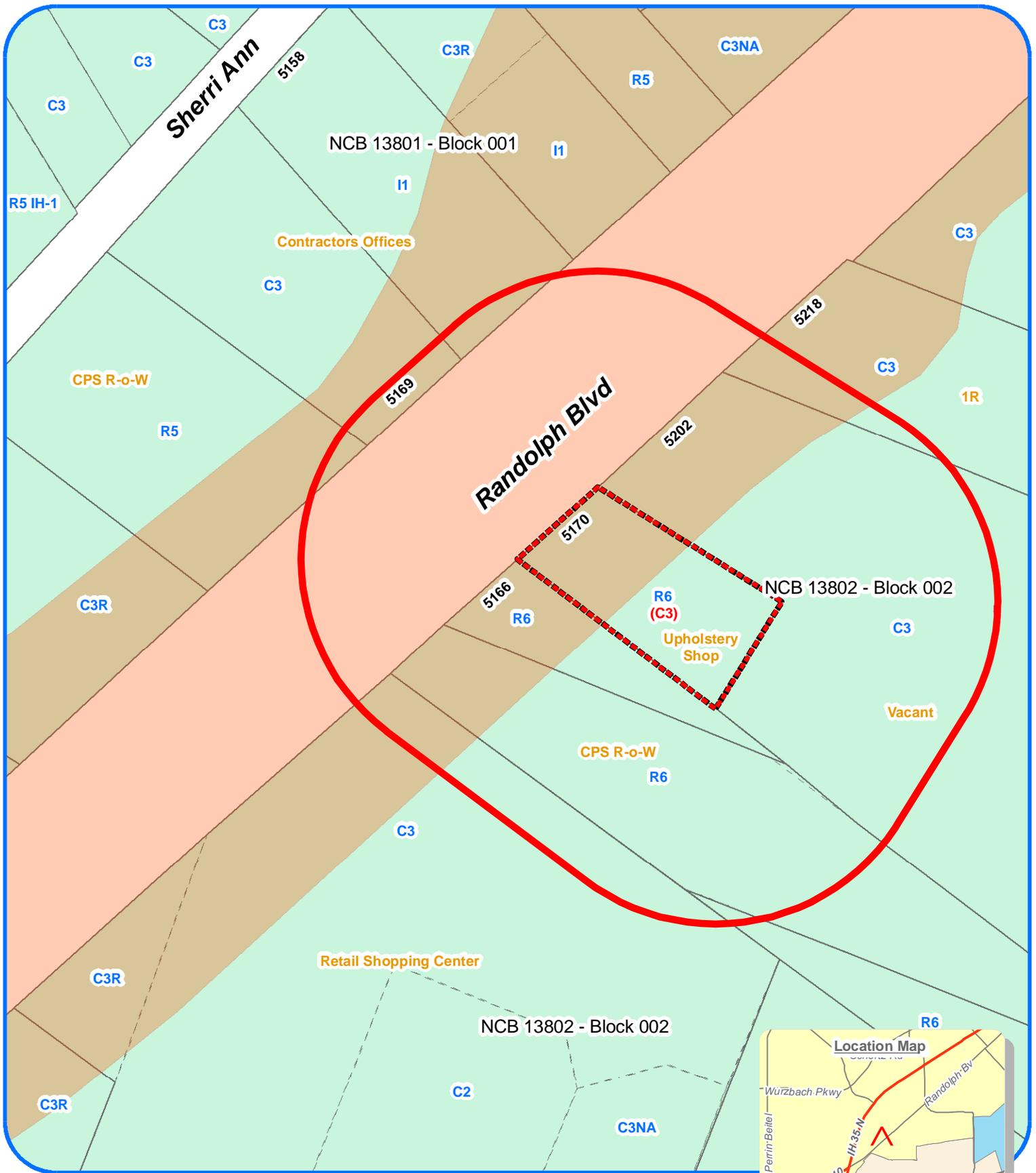
01/23/2008.

*Helen I. Lutz*

Sworn to and subscribed before me this 23rd day of of January, 2008.

*Martha L. Machuca*





## Zoning Case Notification Plan

### Case Z-2008-029

Council District 10

Scale: 1" approx. = 120'

Subject Property Legal Description(s): N Irr 100.30 ft of S Irr 194.55 ft of W Irr 201.18 ft of Lot 3 - NCB 13802 - Block 002

#### Legend

- Subject Property  (0.521 Acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept  
(11/19/2007)