

AN ORDINANCE

2013 - 01 - 17 - 0044

**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 0.287 of an acre out of Lot 35, NCB 7676 from "C-2 H AHOD" Commercial Mission Historic Airport Hazard Overlay District to "C-2 S H AHOD" Commercial Mission Historic Airport Hazard Overlay District with Specific Use Authorization for a Bingo Parlor.

**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.** 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 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.

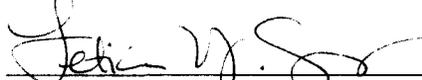
**SECTION 7.** This ordinance shall become effective January 27, 2013.

**PASSED AND APPROVED** this 17<sup>th</sup> day of January 2013.



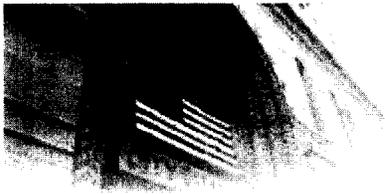
**M A Y O R**  
**Julián Castro**

**ATTEST:**

*for*   
\_\_\_\_\_  
Leticia M. Vacek, City Clerk

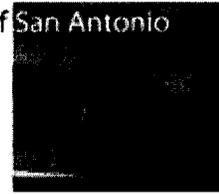
**APPROVED AS TO FORM:**

*for*   
\_\_\_\_\_  
Michael D. Bernard, City Attorney



Request for  
**COUNCIL  
 ACTION**

City of San Antonio



## Agenda Voting Results - Z-14

<b>Name:</b>	Z-1, Z-3, Z-4, Z-6, Z-8, Z-9, Z-10, Z-11, Z-12, Z-13, Z-14, Z-15, Z-16, Z-18, Z-19, Z-20, Z-21, Z-23, P-3, P-4, Z-24, Z-25, Z-26, Z-27, Z-29						
<b>Date:</b>	01/17/2013						
<b>Time:</b>	02:17:12 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	ZONING CASE # Z2013024 S (District 3): An Ordinance amending the Zoning District Boundary from "C-2 H AHOD" Commercial Mission Historic Airport Hazard Overlay District to "C-2 S H AHOD" Commercial Mission Historic Airport Hazard Overlay District with Specific Use Authorization for a Bingo Parlor on 0.287 of an acre out of Lot 35, NCB 7676 located on a portion of 1131 Southeast Military Drive. Staff and Zoning Commission recommend approval.						
<b>Result:</b>	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Diego Bernal	District 1		x				
Ivy R. Taylor	District 2		x				
Leticia Ozuna	District 3		x				
Rey Saldaña	District 4		x				
David Medina Jr.	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7		x				x
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x			x	
Carlton Soules	District 10		x				

**Sinclair Land Surveying, Inc.**

3201 Cherry Ridge, Suite 202B  
San Antonio, Texas 78230  
210-341-4518

November 2, 2012

0.287 acres out of  
Lot 35  
New City Block 7676  
Mission Mercado  
City of San Antonio

THE STATE OF TEXAS  
COUNTY OF BEXAR

**METES AND BOUNDS DESCRIPTION OF A SURVEY OF**

0.287 acres out of Lot 35, New City Block 7676, Mission Mercado, City of San Antonio as shown by plat of record in Volume 9569 at page 101 of the Plat Records of Bexar County, Texas, and being more particularly described by metes and bounds, as surveyed, as follows:

Beginning at a point for the east corner of this tract, whence an iron bar found set in the ground in the southwest right-of-way line of Mission Road, the east corner of Lot 35, New City Block 7676, Mission Mercado, City of San Antonio as shown by plat of record in Volume 9569 at page 101 of the Plat Records of Bexar County, Texas and the north corner of Lot 33, New City Block 7676, Red Mac Subdivision, City of San Antonio as shown by plat of record in Volume 9504 at page 33 of the Plat Records of Bexar County, Texas bears S 59°18'58" E a distance of 501.52 feet;

Thence S 52°56'53" W crossing said Lot 35 a distance of 150.53 feet to a point for the south corner of this tract;

Thence N 37°03'07" W a distance of 92.49 feet to a point for the west corner of this tract, whence an iron bar found set in the ground in the east right-of-way line of Roosevelt Ave., the west corner of said Lot 35 and the south corner of Lot 21, New City Block 7676, Cantu Subdivision, City of San Antonio as shown by plat of record in Volume 6200 at page 121 of the Plat Records of Bexar County, Texas bears S 83°59'26" W a distance of 536.39 feet;

Thence N 52°56'53" E a distance of 120.39 feet to a point for the north corner of this tract;

2013024

Thence S 37°03'07" E a distance of 47.21 feet to a point for a reentrant corner of this tract;

Thence N 52°56'53" E a distance of 30.13 feet to a point for a north corner of this tract;

Thence S 37°03'07" E a distance of 45.28 feet to the point of beginning.

Containing 0.287 acres (12,500 square feet) of land, more or less.

SINCLAIR LAND SURVEYING, INC.



Lemuel T. Sinclair,  
Registered Professional Land  
Surveyor No. 5142

Its

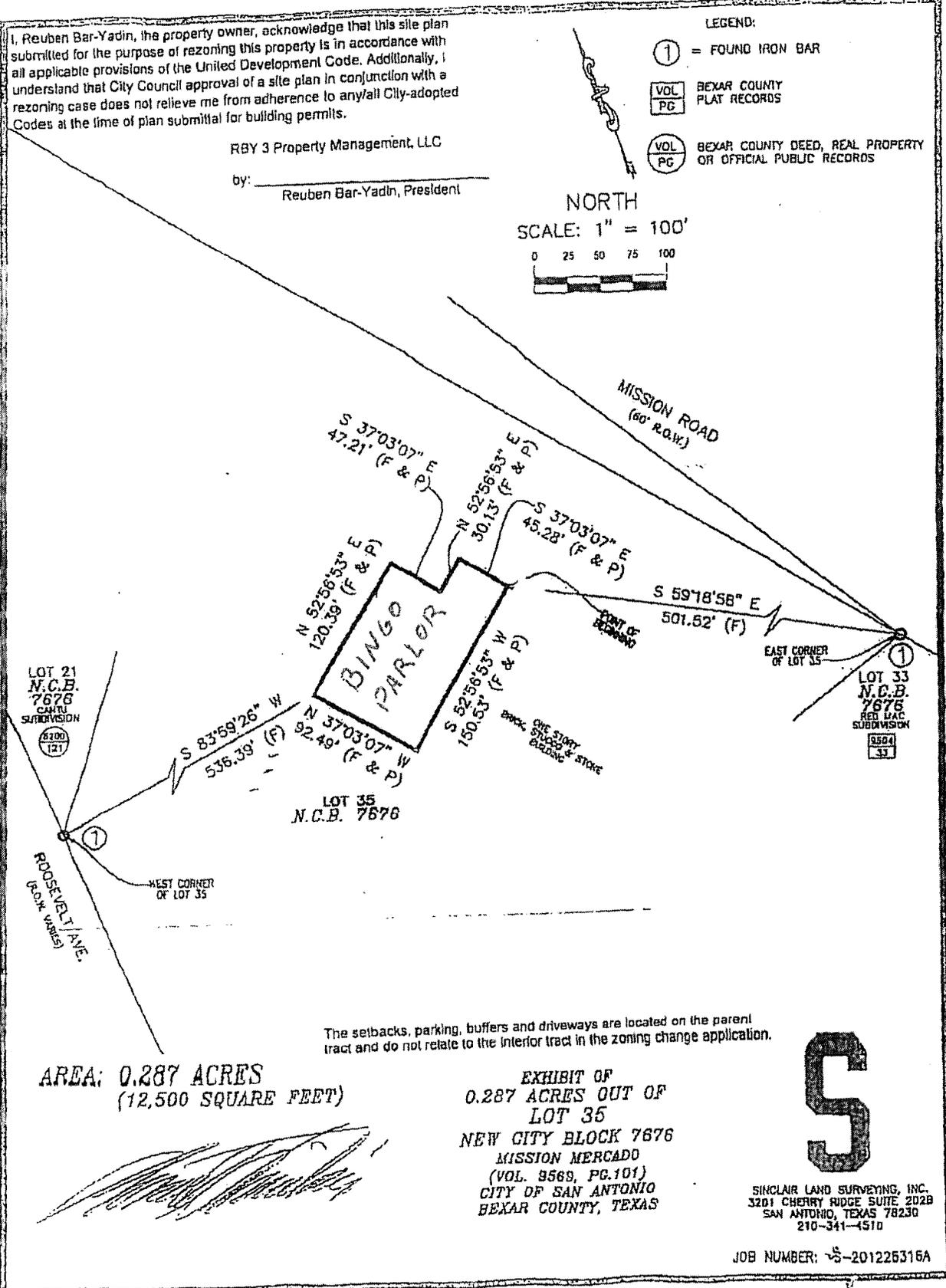
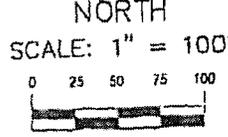
Z 2013024

I, Reuben Bar-Yadin, 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 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.

RBV 3 Property Management, LLC  
by: \_\_\_\_\_  
Reuben Bar-Yadin, President

LEGEND:

- ① = FOUND IRON BAR
- VOL PG = BEXAR COUNTY PLAT RECORDS
- VOL PG = BEXAR COUNTY DEED, REAL PROPERTY OR OFFICIAL PUBLIC RECORDS



The setbacks, parking, buffers and driveways are located on the parent tract and do not relate to the interior tract in the zoning change application.

AREA: 0.287 ACRES  
(12,500 SQUARE FEET)

EXHIBIT OF  
0.287 ACRES OUT OF  
LOT 35  
NEW CITY BLOCK 7676  
MISSION MERCADO  
(VOL. 9569, PG.101)  
CITY OF SAN ANTONIO  
BEXAR COUNTY, TEXAS



SINCLAIR LAND SURVEYING, INC.  
3201 CHERRY RIDGE SUITE 202B  
SAN ANTONIO, TEXAS 78230  
210-341-4510

JOB NUMBER: 25-201225316A