SG/cla
08/06/2015
Z-5

CASE NO. Z2015215

AN ORDINANCE 2015-08-06-0657

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 0.086 of an acre out of Lot 7 and Lot 8, Block 3, NCB 2576 from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-3 IDZ AHOD" Single-Family Residential Infill Development Zone Airport Hazard Overlay District.

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. 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 August 16, 2015.

PASSED AND APPROVED this 6th day of August 2015.

Ivy R. Taylor

M A Y O R
Ivy R. Taylor

ATTEST:

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

for Martha G. Sepeda, Acting City Attorney

Agenda Item:	**Z-5**
Date:	08/06/2015
Time:	02:15:23 PM
Vote Type:	Motion to Approve
Description:	ZONING CASE # Z2015215 (Council District 1): An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-3 IDZ AHOD" Single-Family Residential Infill Development Zone Airport Hazard Overlay District on a 0.086 of an acre out of Lot 7 and 8, Block 3, NCB 2576 located at 214 Stark Street. Staff and Zoning Commission recommend Approval.
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Treviño	District 1		x			x	
Alan Warrick	District 2		x				
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				x
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				

Z2015215

METES AND BOUNDS

Being 0.086 acres of land, more or less, out of and a part of Lots 7 and 8, Block 3, New City Block 2576, in the City of San Antonio, Bexar County, Texas, called the South Irregular 38.58 feet of Lots 7 and 8 in a Warranty Deed recorded in Volume 6381, Page 176, Official Public Records, Bexar County, Texas, said 0.086 acres being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found for the West corner of this 0.086 acres, same being the North corner of the Elpidio Chapa, et al 0.1567 acres (Volume 3049, Page 181) and on the southeast Right-of-Way line of Stark (Stark St. per plat), same also being the **POINT OF BEGINNING;**

THENCE along the southeast Right-of-Way line of said Stark, North 34 degrees 13 minutes 00 seconds East (bearing basis), a distance of 38.20 feet (called 38.58 feet) to a 1/2 inch iron rod found for the northwest corner of this 0.086 acres, same being the southwest corner of the Norma G. Castro 0.0833 acres (Volume 13775, Page 786);

THENCE along the line common to this 0.086 acres and said Castro 0.0833 acres, South 55 degrees 44 minutes 38 seconds East (called South 56 degrees 19 minutes 00 seconds East), a distance of 38.99 feet to a 1/2 inch iron rod set for the South corner of said Castro 0.0833 acres, same being the West corner of the Janie Cortez Gonzales 0.1161 acres (Volume 4992, Page 538);

THENCE along the lines common to this 0.086 acres and said Gonzales 0.1161 acres the following courses and distances:

South 57 degrees 27 minutes 55 seconds East (called South 58 degrees 30 minutes 00 seconds East), a distance of 16.50 feet to a 1/2 inch iron rod set for an angle corner;

North 32 degrees 32 minutes 05 seconds East (called North 31 degrees 30 minutes 00 seconds East), a distance of 7.44 feet to a 1/2 inch iron rod set for an angle corner;

South 57 degrees 27 minutes 55 seconds East (called South 58 degrees 30 minutes 00 seconds East) to a 1/2 inch iron rod set for the East corner of this 0.086 acres, same being the South corner of said Gonzales 0.1161 acres and on the northwest line of the Hector Martinez 0.1687 acres (Volume 157, Page 1700);

THENCE along the line common to this 0.086 acres and said Martinez 0.1687 acres, South 30 degrees 52 minutes 31 seconds West (called South 31 degrees 30 minutes 00 seconds West), a distance of 48.53 feet to a 1/2 inch iron rod set for the southeast corner of this 0.086 acres, same being the southwest corner of said Martinez 0.1687 acres and on the northeast line of the Alberto Guerrero, et ux 0.1124 acres;

THENCE along the line common to this 0.086 acres and said Guerrero 0.1124 acres, North 54 degrees 53 minutes 22 seconds West (called North 55 degrees 51 minutes 00 seconds West), a distance of 89.88 feet to the **POINT OF BEGINNING**, and containing 0.086 acres of land, more or less.

I hereby certify that these field notes were prepared from an actual survey made on the ground under my supervision and are true and correct to the best of my knowledge and belief. A survey plat of the above described tract prepared this day is hereby attached to and made a part hereof.

Mark J. Ewald
Registered Professional Land Surveyor
Texas Registration No. 5095
October 31, 2013

STATE OF TEXAS
REGISTERED
MARK J. EWALD
5095
PROFESSIONAL
LAND SURVEYOR

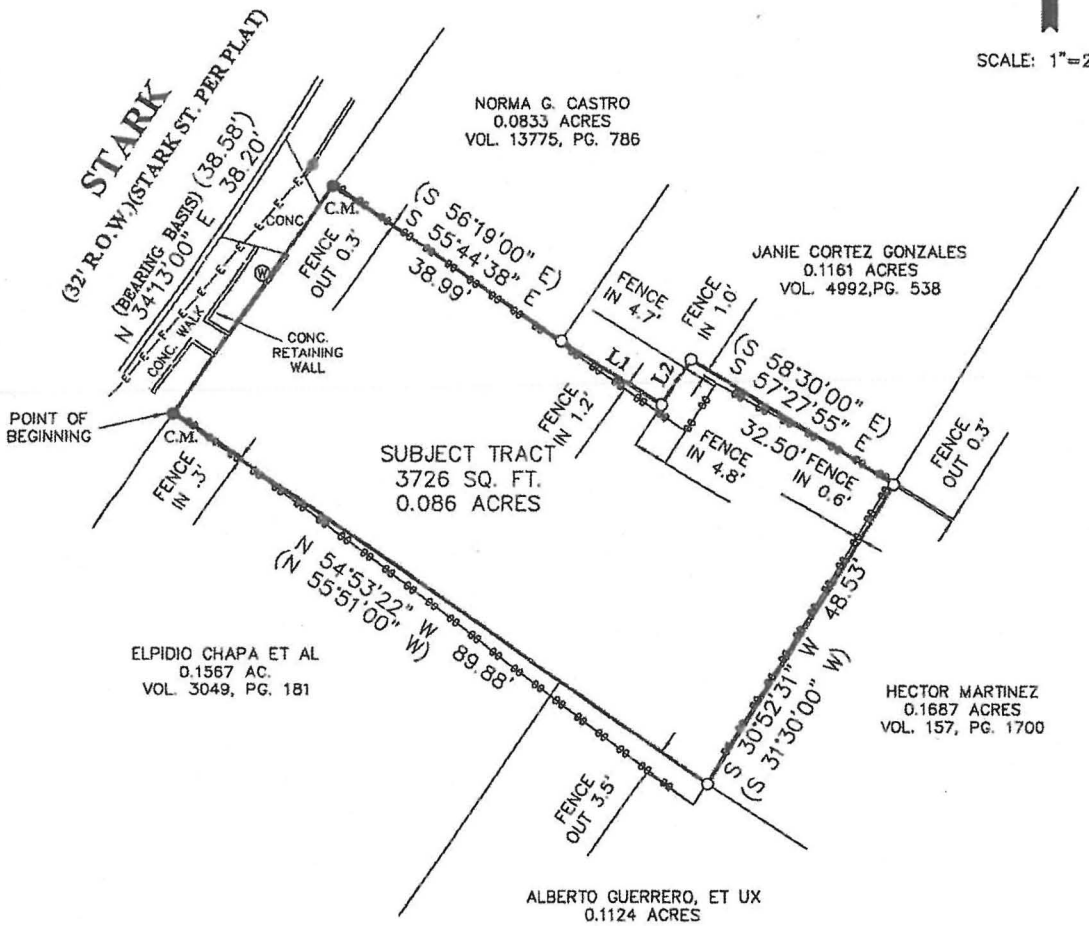
Attachment A

W:\Word\Metes and Bounds\58273.doc

LINE	BEARING	DISTANCE
L1	S 57°27'55" E	16.50'
	(S 58°30'00" E)	
L2	N 32°32'05" E	7.44'
	(N 31°30'00" E)	

Z2015215

SCALE: 1"=20'



NOTES:

NO RESTRICTIVE COVENANTS OF RECORD WERE FOUND.

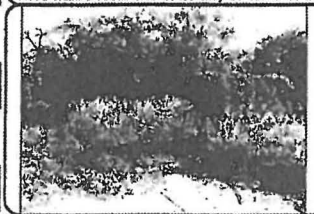
BEARINGS SHOWN HEREON ARE BASED ON RECORD DEED INDICATED BELOW.

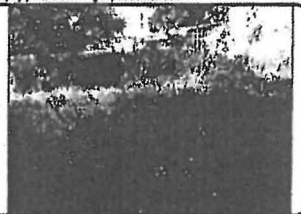
THIS SURVEY IS ACKNOWLEDGED AND IS ACCEPTED:

_____

_____

FLOOD ZONE INTERPRETATION: IT IS THE RESPONSIBILITY OF ANY INTERESTED PERSONS TO VERIFY THE ACCURACY OF FEMA FLOOD ZONE DESIGNATION OF THIS PROPERTY WITH FEMA AND STATE AND LOCAL OFFICIALS, AND TO DETERMINE THE EFFECT THAT SUCH DESIGNATION MAY HAVE REGARDING THE INTENDED USE OF THE PROPERTY. The property made the subject of this survey appears to be included in a FEMA Flood Insurance Rate Map (FIRM), identified as Community No. 480296, Panel No. 0395 G, which is Dated 09-29-2010. By scaling from that FIRM, it appears that all or a portion of the property may be in Flood Zone(s) X. Because this is a boundary survey, the survey did not take any actions to determine the Flood Zone status of the surveyed property other than to interpret the information set out on FEMA's FIRM, as described above. THIS SURVEYOR DOES NOT CERTIFY THE ACCURACY OF THIS INTERPRETATION OF THE FLOOD ZONES, which may not agree with the interpretations of FEMA or state or local officials, and which may not agree with the tract's actual conditions. More information concerning FEMA's Special Flood Hazard Areas and Zones may be found at http://www.fema.gov/index.shtm.





Property Address:
214 STARK

Property Description:

Being 0.086 acres of land, more or less, out of and a part of Lots 7 and 8, Block 3, New City Block 2576, in the City of San Antonio, Bexar County, Texas, called the South Irregular 38.58 feet of Lots 7 and 8 in a Warranty Deed recorded in Volume 6381, Page 176, Official Public Records, Bexar County, Texas, said 0.086 acres being more particularly described by metes and bounds attached hereto.

Owner:
NEVER TOO LAKE BUSINESS & COMMUNICATION CENTERS, LLC

Westar Alamo
LAND SURVEYORS, LLC.
P.O. BOX 1036 HELOTES, TEXAS 78023-1036
PHONE (210) 372-9500 FAX (210) 372-9999

LEGEND

- ○ = 1/2" IRON ROD TO BE SET
- ● = FND 1/2" IRON ROD
- ( ) = RECORD INFORMATION
- B.S. = BUILDING SETBACK
- C.M. = CONTROLLING MONUMENT
- = POWER POLE
- (W) = WATER METER
- -oo- = CHAIN LINK FENCE
- -E- = OVERHEAD ELECTRIC
- P.O.B. = POINT OF BEGINNING

STATE OF TEXAS
REGISTERED
MARK J. EWALD
5095
PROFESSIONAL
LAND SURVEYOR

I, MARK J. EWALD, Registered Professional Land Surveyor, State of Texas, do hereby certify that the above plat represents an actual survey made on the ground under my supervision, and there are no discrepancies, conflicts, shortages in area or boundary lines, or any encroachment or overlapping of improvements, to the best of my knowledge and belief, except as shown herein.

MARK J. EWALD
Registered Professional Land Surveyor
Texas Registration No. 5095

DRAWN BY: JW

G.F. NO. 20130383 | JOB NO. 58273 | TITLE COMPANY: TEXAS TITLE ASSURANCE | DATE: 10-31-2013

SCANNED

Z2015215

Title Assurance

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

PI2-20140010878-3

WARRANTY DEED

Date: November 14, 2013

Grantor: Urban Renewal Agency of the City of San Antonio

Grantor's Mailing Address (including county):

Grantee: Never Too Late Business & Communication Centers, LLC

Grantee's Mailing Address (including County):

9202 Standing Creek Lane, San Antonio, TX 78230-4041

Consideration: TEN AND NO/100 DOLLARS and other good and valuable consideration.

Property (including any improvements):

Being the S. irregular 38.58 ft. of Lots 7 and 8, Block 3, New City Block 2576, City of San Antonio, Bexar County, Texas, being more particularly described as follows:

BEGINNING at a point on the SE line of Stark St., for the Northwesterly corner of this tract, said point being S. 34 deg. 13' West 104.42 ft. from where the Southeast line of Stark St. intersects the SW line of Keller Street;

THENCE along the Northerly line of this tract as follows: South 56 deg. 19' East 38.99'; South 58 deg. 30' East 16.50 ft.; North 31 deg. 30' East 7.44 ft.;

THENCE South 58 deg. 30' East, 32.50 ft. to a point on the common line between Lots 6 and 7, for the Northeasterly corner of this tract;

THENCE along the common line between Lots 6 and 7, South 31 deg. 30' West 48.53 ft. to the Southeasterly corner, same being the Southeasterly corner of Lot 7;

THENCE along the Southerly line of Lots 7 and 8, North 55 deg. 51' West, 89.88 feet to a point on the Southeast line of Stark St., for the Southwesterly corner, same being the Southwesterly corner of Lot 8;

THENCE along the Southeast line of Stark St. North 34 deg. 13' East 38.58 ft. to the PLACE OF BEGINNING.

Reservations From and Exceptions to Conveyance and Warranty: This conveyance, however, is made and accepted subject to the following matters, to the extent same are in effect at this time: any and all restrictions, covenants, assessments, reservations, outstanding mineral interests held by third parties, conditions, and easements, if any, relating to the hereinabove described property, but only to the extent they are still in effect and shown of record in the hereinabove mentioned County and State or to the extent that they are apparent upon reasonable inspection of the property; and to all zoning laws, regulations and ordinances of municipal and/or other governmental authorities, if any, but only to the extent they are still in effect and relating to the hereinabove described property. Ad valorem taxes on said property for the current year, having been prorated, the payment thereof is assumed by Grantee.

The Contract between Grantor as the Seller and Grantee as the Buyer, if any, may contain limitations as to warranty or other agreed matters; to the extent that the Contract provides for any such limitations or other agreed matters to survive the closing and this conveyance, then such limitations or other agreed matters are hereby deemed incorporated by reference. The warranty of title contained in this Deed is hereby expressly excluded from the limitations or other agreed matters referenced in this paragraph.

Grantor, for the consideration, receipt of which is acknowledged, and subject to the reservations from and exceptions to conveyance and warranty, grants, sells and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

When the context requires, singular nouns and pronouns include the plural.

Urban Renewal Agency of the City of
San Antonio

By: _____ Lori Houston

Title: EXECUTIVE DIRECTOR

Z2015215

ACKNOWLEDGMENT

STATE OF TEXAS §
§
COUNTY OF BEXAR §

This instrument was acknowledged before me on this the 14th day of November 2013 by Lori Houston, _____, of Urban Renewal Agency of the City of San Antonio, on its behalf.

MELISSA M. LOPEZ
NOTARY PUBLIC
STATE OF TEXAS
My Comm. Exp. 02-17-2015

Melissa M. Lopez
Notary Public, State of Texas

PREPARED IN THE OFFICE OF:
Law Office of Kenneth R. Cooper
14607 San Pedro, Suite 130
San Antonio, TX 78232-4356

AFTER RECORDING RETURN TO:
Never Too Late Business &
Communication Centers, LLC
9202 Standing Creek Lane
San Antonio, TX 78230-4041

Any provision herein which restricts the sale, or use of the described real property because of race is invalid and unenforceable under Federal law
STATE OF TEXAS, COUNTY OF BEXAR
I hereby Certify that this instrument was FILED in File Number Sequence on this date and at the time stamped hereon by me and was duly RECORDED in the Official Public Record of Real Property of Bexar County, Texas on:

JAN 23 2014

COUNTY CLERK BEXAR COUNTY, TEXAS

Doc# 20140010878 Fees: $34.00
01/23/2014 10:04AM # Pages 3
Filed & Recorded in the Official
Public Records of BEXAR COUNTY
GERARD C. RICKHOFF COUNTY CLERK