SG/cla
08/07/2014
Z-2.

CASE NO. Z2014179

AN ORDINANCE 2014-08-07-0550

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 Lots 1, 2, 9, and 10, Block 10, NCB 1890 save and except those portions of Lots 1, 9, and 10 conveyed to the City of San Antonio in Volume 1956, Page 74 of the Bexar County Deed Records from "MF-33 NCD-2 AHOD" Multi-Family Alta Vista Neighborhood Conservation Airport Hazard Overlay District to "IDZ NCD-2 AHOD" Infill Development Zone Alta Vista Neighborhood Conservation Airport Hazard Overlay District with uses permitted in "C-1" Light Commercial District and "RM-5" Residential Mixed District.

SECTION 2. A description of the property recorded in the deed at Volume 1956, Page 74 of the Bexar County Deed Records, which is saved and excepted in Section 1 above, is attached as **Attachment "A"** and made a part hereof and incorporated herein for all purposes.

SECTION 3. The City Council approves this Infill Development Zone 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 4. 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 5. 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.

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Z-2.

CASE NO. Z2014179

SECTION 6. This ordinance shall become effective August 17, 2014.

PASSED AND APPROVED this 7th day of August, 2014.

M A Y O R
Ivy R. Taylor

ATTEST:

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

For Robert F. Greenblum, City Attorney

Agenda Item:	**Z-2 (in consent vote: P-1, Z-1, P-2, Z-2, Z-3, Z-4, P-4, Z-7, Z-8, Z-10, Z-11, Z-14, Z-15, Z-16, P-7, Z-17, P-8, Z-18, P-9, Z-19)**
Date:	08/07/2014
Time:	02:16:21 PM
Vote Type:	Motion to Approve
Description:	ZONING CASE # Z2014179 (District 1): An Ordinance amending the Zoning District Boundary from "MF-33 NCD-2 AHOD" Multi-Family Alta Vista Neighborhood Conservation Airport Hazard Overlay District to "IDZ NCD-2 AHOD" Infill Development Zone Alta Vista Neighborhood Conservation Airport Hazard Overlay District with uses permitted in "C-1" Light Commercial District and "RM-5" Residential Mixed District on Lots 1, 2, 9, and 10, Block 10, NCB 1890 save and except those portions of Lots 1, 9, and 10 conveyed to the City of San Antonio in Volume 1956, Page 74 of the Bexar County Deed Records, located at 615 West Ashby Place and 626 West French Place. Staff and Zoning Commission recommend approval pending the plan amendment. (Associated Plan Amendment Case 14055)
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy Taylor	Mayor		x				
Diego Bernal	District 1		x				x
	District 2	x					
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				
	District 7	x					
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x			x	

Z2014179

NOTICE Prepar... by the State Bar of Texas for use by Lawyers on... Reviewed 1-1-76. *To select the proper form, fill in blank spaces, strike out form provisions or insert special terms constitutes the practice of law. No "standard form" can meet all requirements.*

MAY-30-80 81055 LS — I 7.00

WARRANTY DEED

173809

THE STATE OF TEXAS
COUNTY OF BEXAR } KNOW ALL MEN BY THESE PRESENTS:

That ALFONSO CHISCANO

of the County of Bexar and State of Texas for and in consideration of the sum of TEN AND NO/100——————($10.00)——————————————————————DOLLARS

and other valuable consideration to the undersigned 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

of the County of Bexar and State of Texas, all of the following described real property in Bexar County, Texas, to-wit:

0.007 acres (306 square feet) of land being in 2 tracts, Tract "A", a 0.0066 acre (288 square feet) tract, and Tract "B", a 0.0004 acre (18 square feet) tract for a total of 0.007 acres out of Lots 1, 9 and 10, Block 10, N.C.B. 1890, Post's Addition San Antonio, Bexar County, Texas, described by Plat recorded in Volume 4, Page 136, of the Deed Records of Bexar County, Texas, said 0.007 acres being more particularly described on Exhibit "A" attached hereto and incorporated herein for all purposes.

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 ~~heirs~~ and assigns forever; and Grantor does do hereby bind himself, his heirs, executors and administrators to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said grantee, its ~~heirs~~ successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this 4th day of December, A.D. 1979.

Alfonso Chiscano
ALFONSO CHISCANO

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Attachment A

EXHIBIT "A"

0.007 acres (306 square feet) of land being in 2 tracts, Tract "A", a 0.0066 acre (288 square feet) tract, and Tract "B", a 0.0004 acre (18 square feet) tract for a total of 0.007 acres out of Lots 1, 9 and 10, Block 10, N.C.B. 1890, Post's Addition San Antonio, Bexar County, Texas, described by Plat recorded in Volume 4, Page 136, of the Deed Records of Bexar County, Texas, said 0.007 acres being more particularly described as follows to wit:

Tract "A" (0.0066 Acres)

Beginning: the intersection of the existing North right-of-way line of West Ashby and the existing East right-of-way line of Breeden Avenue for the southwest corner of the herein described tract, said point also being the southwest corner of said Lot 9;

Thence: North, 8.20 feet with the existing East right-of-way line of Breeden Avenue and the West line of Lot 9 to a point for a proposed cut-off and the northwest corner of the herein described tract;

Thence: Southeast, with the proposed cut-off at the northeast corner of the intersection of Breeden Avenue and West Ashby to a point in the proposed North right-of-way line of West Ashby, said point being 6.0 feet East of the existing East right-of-way of Breeden Avenue;

Thence: East, 116.82 feet with the proposed North right-of-way line of West Ashby to a point in the East line of said Lot 10 for the northeast corner of the herein described tract;

Thence: South, 2.20 feet with the East line of said Lot 10 to a point in the existing North right-of-way line of West Ashby, the southeast corner of said Lot 10 and the southeast corner for the herein described tract;

Thence: West, 122.82 feet with the existing North right-of-way line of West Ashby and the South line of said Lots 9 and 10 to the point of beginning containing 0.0066 acres (288 square feet) of land more or less.

Tract "B" (0.0004 Acres)

Beginning: at a point at the intersection of the existing South right-of-way line of West French and the existing East right-of-way line of Breeden Avenue for the northwest corner of the herein described tract and the northwest corner of said Lot 1.

Thence: East, 6.00 feet with the existing right-of-way line of West French and the North line of said Lot 1 to a point for a proposed cut-off and the northeast corner of the herein described tract;

Thence: Southwest with the proposed cut-off at the southeast corner of the intersection of West French and Breeden Avenue to a point for the southwest corner of the herein described tract, said point being on the existing East right-of-way line of Breeden Avenue and 6.0 feet South of the existing South right-of-way line of West French;

Thence: North, 6.00 feet with the existing East right-of-way line of Breeden Avenue and the West line of said Lot 1 to the point of beginning containing 0.0004 (18 square feet) of land more or less.

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RETURN TO:
ROW & LAND ACQ.
CITY HALL-SAN ANTONIO, TEXAS 78283

(Acknowledgment)

THE STATE OF TEXAS }
COUNTY OF BEXAR

Before me, the undersigned authority, on this day personally appeared ALFONSO CHISCANO,

known to me to be the person..... whose name.....is..... subscribed to the foregoing instrument, and acknowledged to me that..... he..... executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office on this the 27 day of December, A.D. 19 79.

Notary Public in and for Bexar County, Texas.

My commission expires June 15, 19 81

K. M. Holmes
Notary Public, Bexar County, Texas

(Printed or stamped name of notary)

(Acknowledgment)

THE STATE OF TEXAS }
COUNTY OF

Before me, the undersigned authority, on this day personally appeared

STATE OF TEXAS
COUNTY OF BEXAR
I hereby certify that this instrument was FILED in number sequence on the date and at the time stamped hereon by me; and was duly RECORDED, in the Official Public Records of Bexar County, Texas on
MAY 30 1980
BEXAR COUNTY, TEXAS

known to me to be the person..... whose name..... subscribed to the foregoing instrument, and acknowledged to me that..... he..... executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office on this the day of A.D. 19

Notary Public in and for County, Texas.

My commission expires, 19.....

(Printed or stamped name of notary)

WARRANTY DEED

ALFONSO CHISCANO

TO

CITY OF SAN ANTONIO

FILED IN MY OFFICE
ROBERT D. GREEN
COUNTY CLERK BEXAR CO.
1980 MAY 30 AM 10 15

PREPARED IN THE LAW OFFICE OF:
POSTER, LEWIS, LANGLEY, GARDNER & BARACK, INC.
1655 Frost Bank Tower
San Antonio, Texas 78205

RETURN TO:

(Corporate Acknowledgment)

THE STATE OF TEXAS }
COUNTY OF

Before me, the undersigned authority, on this day personally appeared

of

a corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said corporation.

Given under my hand and seal of office on this the day of , A.D. 19

Notary Public in and for County, Texas.

My commission expires ....., 19.....

(Printed or stamped name of notary)

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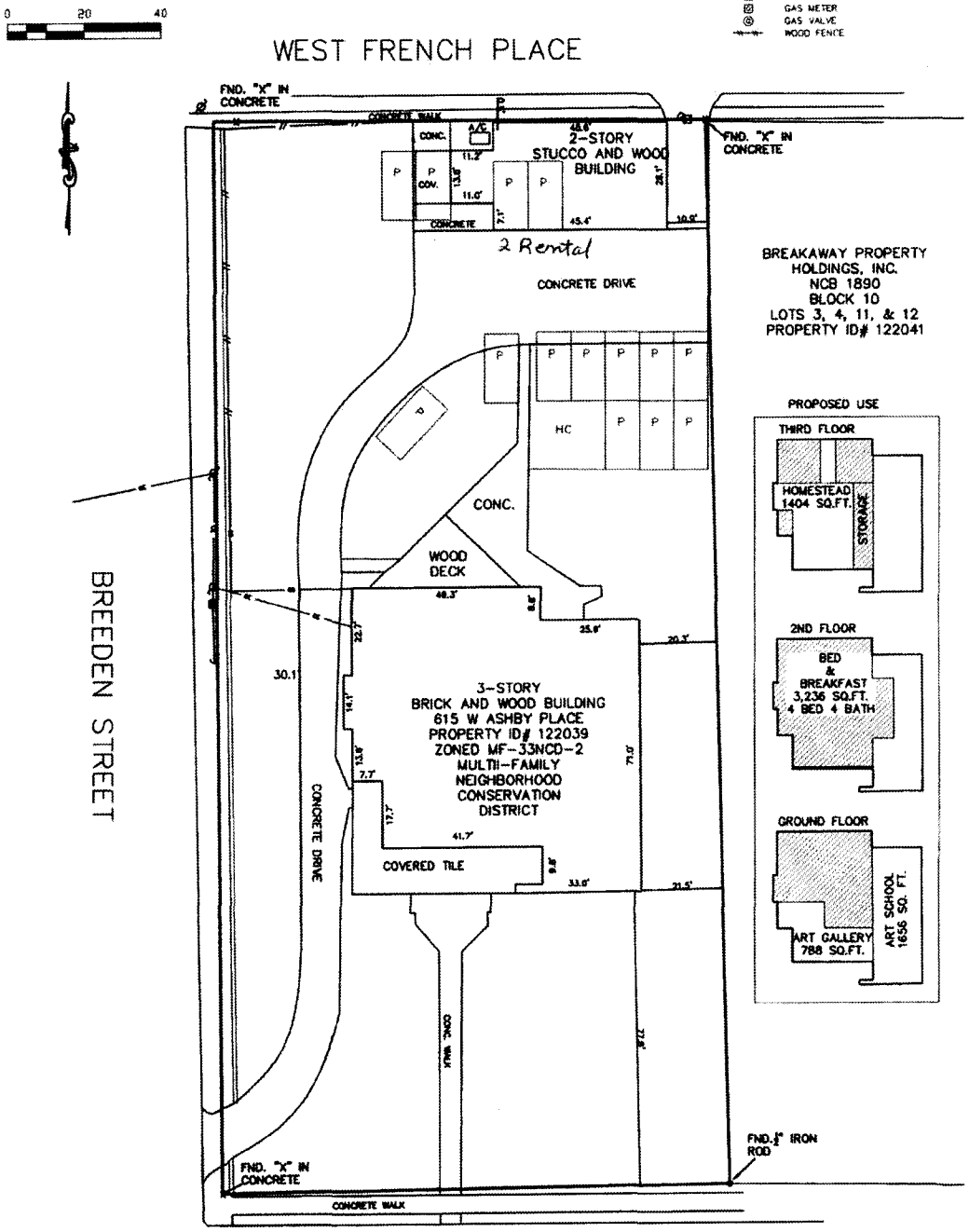
Z2014179

PRELIMINARY SITE PLAN

LOTS 1, 2, 9, AND 10, BLOCK 10, NCB 1890 OF THE POSTS ADDITION, A SUBDIVISION RECORDED IN VOLUME 4, PAGE 136, DEED RECORDS, BEXAR COUNTY, TEXAS, SAVE AND EXCEPT THOSE PORTIONS CONVEYED TO THE CITY OF SAN ANTONIO BY DEED RECORDED IN VOLUME 1956, PAGE 74 REAL PROPERTY RECORDS, BEXAR COUNTY, TEXAS AND BEING THE SAME TRACT DESCRIBED IN VOLUME 3190, PAGE 359, REAL PROPERTY RECORDS, BEXAR COUNTY, TEXAS

LEGEND

- 1/2" IRON ROD FOUND (UNLESS NOTED)
- 1/2" IRON ROD SET
- CUT "X"
- LIGHT POLE
- POWER POLE
- DOWN GUY
- FIRE HYDRANT
- WATER VALVE
- WATER METER
- TELEPHONE RISER
- CABLE TV RISER
- ELECTRIC BOX
- ELECTRIC METER
- GAS METER
- GAS VALVE
- WOOD FENCE



Janice Hindes proprietor

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 PENDING REZONING CASE DOES NOT RELIEVE ME FROM MY ADHERENCE TO ANY/ALL CITY ADOPTED CODES AT THE TIME OF PLAN SUBMITTAL FOR BUILDING PERMITS

TITLE CO: CHICAGO TITLE INSURANCE CO.
GF NO: 432401-4831
EFFECTIVE: 05-16-14, ISSUED: 5-28-14

THIS BOUNDARY SURVEY WAS COMPLETED WITHOUT ADDITIONAL RESEARCH TO DETERMINE IF OTHER MATTERS OF RECORD, IF ANY, MIGHT AFFECT THIS PROPERTY, SUCH AS EASEMENTS, SETBACKS, OR OTHER ENCUMBRANCES.

BASIS OF BEARING IS NAD83 TEXAS STATE PLANE COORDINATES, SOUTH CENTRAL ZONE

DATE OF FIELDWORK: 06-02-14

THIS TRACT SHOWN HEREON LIES WITHIN ZONE "X", AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, AS SHOWN ON MAP NO. 48029C0360, DATED: SEPTEMBER 29, 2010S, FOR BEXAR COUNTY, TEXAS AND INCORPORATED AREAS.

IF THIS SITE IS NOT WITHIN AN IDENTIFIED SPECIAL FLOOD HAZARD AREA, THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

STATE OF TEXAS
RICHARD A. GOODWIN
4985
PROFESSIONAL LAND SURVEYOR

A PRELIMINARY BOUNDARY SURVEY HAS BEEN CONDUCTED BUT HAS NOT YET FINALIZED AS OF JUNE 9, 2014- THIS PLAN IS FOR PRELIMINARY SITE PLAN PURPOSES ONLY.

PRELIMINARY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE

REVISIONS
6-5-14 - ADDED PROPOSED USE
6-5-14 - ADDED PROPOSED PARKING

SHERWOOD SURVEYING AND S.U.E., LLC
6477 FM 311
P.O. BOX 992
SPRING BRANCH, TEXAS 78070
PHONE # (830) 228-5788
FAX # (830) 885-2170
TBPLS FIRM #10044200

JANICE HINDES

PROPOSED SITE PLAN
POSTS ADDITITON

LOTS 1, 2, 9, AND 10, BLOCK 10, NCB 1890 OF THE POSTS ADDITION, A SUBDIVISION RECORDED IN VOLUME 4, PAGE 136, DEED RECORDS, BEXAR COUNTY, TEXAS, SAVE AND EXCEPT THOSE PORTIONS CONVEYED TO THE CITY OF SAN ANTONIO BY DEED RECORDED IN VOLUME 1956, PAGE 74 REAL PROPERTY RECORDS, BEXAR COUNTY, TEXAS AND BEING THE SAME TRACT DESCRIBED IN VOLUME 3190, PAGE 359, REAL PROPERTY RECORDS, BEXAR COUNTY, TEXAS

DESIGNED BY: RAG
CHECKED BY: DEL
DRAWN BY: RAG
JOB: 14RPLSM016
DATE: JUNE 3, 2014
SCALE: SCALE 1" = 20'

SHEET: 1 OF 1

Attachment B