

AN ORDINANCE 2008 - 01 - 17 - 0042

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 on .6174 acres out of Lot P6, NCB 16051 from "R-6" Residential Single Family District to "C-3R" General Commercial District, Restrictive Alcohol 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 17th day of January, 2008.


M A Y O R

PHIL HARDBERGER

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
for City Attorney

Agenda Item:	Z-9 (in consent vote: Z-1, Z-2, Z-5, Z-6, Z-9, Z-10, Z-12, Z-15, Z-17, P-3, Z-22, Z-23, Z-24, Z-25, Z-27, Z-28)						
Date:	01/17/2008						
Time:	03:50:21 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2008025 (District 7): An Ordinance changing the zoning district boundary from "R-6" Residential Single Family District to "C-3R" General Commercial District, Restrictive Alcohol Sales on .6174 acres out of NCB 16051, 10000 Block of Shaenfield Road as requested by Keith Van Marter, Applicant for Cecil Ott, Owner. Staff and Zoning Commission recommend Approval.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Phil Hardberger	Mayor		x				
Mary Alice P. Cisneros	District 1		x				x
Sheila D. McNeil	District 2		x				
District 3	District 3		x				
Philip A. Cortez	District 4		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			x	
John G. Clamp	District 10		x				

METES AND BOUNDS

Z2008025

Being a 0.6174 acre (26,897 square feet) tract of land out of the Candelario Villanueva Survey No. 85, Abstract No. 774, New City Block 16051, Bexar County, Texas; and being a portion of a 0.660 acre tract as recorded in Volume 6581, Page 491 of the Real Property Records, Bexar County, Texas, said 0.6174 acre tract being more particularly described as follows:

BEGINNING at a found 1/2" iron rod with a cap stamped "Pape Dawson" at the southwest corner of Lot 4, Block 1, New City Block 19045, Landmark At Shaenfield as recorded in Volume 9575, Page 224 of the Deed and Plat Records of Bexar County, Texas, said point being the southeast corner of the herein described tract;

Thence North 66°17'59" West along the north line of Shaenfield Road, a distance of 150.35 feet to a found 1/2" iron rod with a cap stamped "Pape Dawson" at a common corner with a 1.06 acre tract recorded in Volume 8383, Page 1493 of the Official Public Records of Real Property of Bexar County, Texas, for the southwest corner of the herein described tract;

Thence North 23°14'10" East along the east line of said 1.06 acre tract, a distance of 179.03 feet to a found 1/2" iron rod with a cap stamped "MW Cude" at the northwest corner of the herein described tract and the southwest corner of a 2.084 acre tract of land recorded in Volume 10278, Page 1311 of the Official Public Records of Real Property, Bexar County, Texas;

Thence South 66°13'42" East along the south line of a said 2.084 acre tract, a distance of 150.30 feet to a found 1/2" iron rod with a cap stamped "Vickrey Prop. Cor." at the northwest corner of said Lot 4, being the northeast corner of the herein described tract;

Thence South 23°13'10" West along the west line of said Lot 4, a distance of 178.84 feet returning to the POINT OF BEGINNING, and containing 0.6174 acres (26,897 square feet) of land, more or less.

I HEREBY CERTIFY THAT AT THE REQUEST OF AND FOR THE EXCLUSIVE BENEFIT OF TWOMAR INVESTMENTS, LTD, THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY THE ALTA, AND NSPS IN THE 2005, AND INCLUDES ITEMS 1-4, 7a, 8-11a AND 13 ON TABLE A THEREOF. PURSUANT TO THE ACCURACY STANDARD AS ADOPTED BY ALTA AND NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSIGNED FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION AS A LAND SURVEYOR REGISTERED IN THE STATE OF TEXAS, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN AND CONFORMS TO COMMITMENT FOR THE TITLE INSURANCE NO. 20071323 ISSUED BY ALLIANT NATIONAL TITLE INSURANCE COMPANY EFFECTIVE JULY 3, 2007 ISSUED ON AUGUST 2, 2007.


WM. KENNON VICKREY, R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 2292
VICKREY & ASSOCIATES, INC.



EXHIBIT A

72038025

Ownership List

- 1) 0.66 acre tract Volume 6561, Pg. 491, of the Deed Records of Bexar County Texas Save and Except 0.0449 acres, Volume 11695, Pg. 502 of the Official Public Records of Real Property of Bexar County, Texas.

Property Owner: Cecil P. Ott
Address: P.O. Box 52
Rio Medina, TX 78066-0052

Legal Description: NCB 16051 Blk Lot P-6 EXC the S 13 Ft of the N 195 Ft
"Guilbeau / FM 1604" Annxath

Refer to: 16051-000-0060

Affidavit of Publisher

PUBLIC NOTICE

**AN ORDINANCE
2008-01-17-0042**

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 .6174 acres out of NCB 16051 TO WIT from "R-6" Residential Single Family District to "C-3R" General Commercial District, Restrictive Alcohol 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

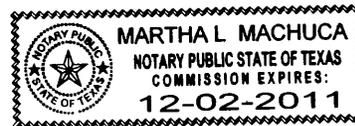
Before me, the undersigned authority, on this day personally appeared Helen I. Lutz, who being by me duly sworn, says on oath that she is Publisher of the Commercial Recorder, a newspaper of general circulation in the City of San Antonio, in the State and County aforesaid, and that the Ordinance 2008-01-17-0042 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-2008-025

Council District 6

Scale: 1" approx. = 120'

Subject Property Legal Description(s): Parcel P-6 Exc the S 13 ft of the N 195 ft - NCB 16051 - Block 001

Legend

- Subject Property (0.6174 Acres)
- 200' Notification Buffer
- Current Zoning R6
- Requested Zoning Change (R6)
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(12/21/2007)