

AN ORDINANCE 2015-09-17-0825

**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 the west 44.16 feet of Lot 80 (save & except a portion of Lot 80 conveyed to the City of San Antonio), and the west 44.16 feet of Lots 81, 82, 83 and 84, Block 9 NCB 3128 from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-4 CD IDZ AHOD" Residential Single-Family Airport Hazard Overlay Infill Development Zone with a Conditional Use for four (4) dwelling units.

**SECTION 2.** A description of the property recorded in Volume 2835 Page 717 of the Official Public Record of Real Property of Bexar County, 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 finds as follows:

- A.** The conditional use will not be contrary to the public interest.
- B.** The conditional use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district.
- C.** The conditional use will be in harmony with the spirit and purpose for conditional uses as set forth in Section 35-422, Conditional Zoning, of the Unified Development Code.
- D.** The conditional use will not substantially weaken the general purposes of the regulations as set forth in Section 35-422, Conditional Zoning, of the Unified Development Code.
- E.** The conditional use will not affect adversely the public health, safety and welfare.

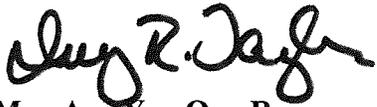
**SECTION 4.** The City Council approves this Conditional Use so long as the attached site plan is adhered to. A site plan is attached as **Attachment "B"** and made a part hereof and incorporated herein for all purposes.

**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.

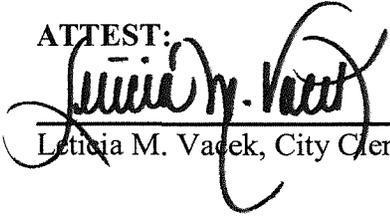
**SECTION 6.** The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

**SECTION 7.** This ordinance shall become effective September 27, 2015.

**PASSED AND APPROVED** this 17<sup>th</sup> day of September 2015.

  
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

<b>Agenda Item:</b>	Z-6 ( in consent vote: 46, P-1, Z-1, Z-2, Z-4, Z-6, Z-9, P-5 )
<b>Date:</b>	09/17/2015
<b>Time:</b>	02:31:25 PM
<b>Vote Type:</b>	Motion to Approve
<b>Description:</b>	ZONING CASE # Z2015253 CD (Council District 5): An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-4 CD IDZ AHOD" Residential Single-Family Infill Development Overlay Airport Hazard Overlay District with Conditional Use for four (4) dwelling units on the west 1/3 of Lots 80 (save & except a portion of Lot 80), 81, 82, 83 and 84, Block 9, NCB 3128, located at 120 West Highland Boulevard. Staff and Zoning Commission recommend Approval.
<b>Result:</b>	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			x	
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				

3.00

DEED

/na 10/27/82 580741

Parcel: 9982

RETURN TO:  
REAL ESTATE DIVISION  
P.O. BOX 9066  
CITY HALL - SAN ANTONIO, TEXAS 78285

Project: Castillo Drainage  
No. 20C

DEDICATION

STATE OF TEXAS )  
COUNTY OF BEXAR )

KNOW ALL MEN BY THESE PRESENTS:

That I, MANUEL S. GALLARDO, a single man, hereinafter called the Grantor hereby declares my intention to make a Dedication, and I do hereby GRANT, CONVEY and DEDICATE, to the CITY OF SAN ANTONIO, whose mailing address is P. O. Box 9066, San Antonio, Texas 78285, for and in consideration of the benefits which will accrue to Grantor, to Grantor's other property and to the public generally, the following described parcel of land:

A parcel of land out of the West one third (1/3) of Lot 80, Block 9, New City Block 3128, SOUTH PARK TERRACE, in the City of San Antonio, Bexar County, Texas, according to plat thereof recorded in Volume 105, Page 260, Deed and Plat Records of Bexar County, Texas, being more particularly described as follows:

BEGINNING at the northwest corner of said west one third of Lot 80, Block 9, New City Block 3128, being the intersection of the east line of Castillo Street with the south line of Highland Boulevard;

THENCE in a southerly direction along the east line of Castillo Street 7.37 feet to an iron pin set for a point of tangency;

THENCE in a northeasterly direction 9.74 feet along the arc of a curve having a radius of 5.0 feet, a central angle of 111° 40' and a tangent of 7.37 feet, to an iron pin set in the south line of Highland Boulevard for a point of tangency;

THENCE in a westerly direction along the south line of Highland Boulevard 7.37 feet to the point of beginning and containing 12.49 square feet of land.

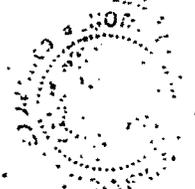
TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said grantee, its successors and assigns forever; and I do hereby bind myself, my heirs, executors and administrators to WARRANT and FOREVER DEFEND all and singular the said premises unto the said grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this 29<sup>th</sup> day of October, A. D., 1982.

Manuel S. Gallardo  
MANUEL S. GALLARDO, a single man

STATE OF TEXAS )  
COUNTY OF BEXAR )

This instrument was acknowledged before me on 10-28-82 by  
MANUEL S. GALLARDO.



Charles H. McClinton  
Notary Public in and for the State of  
TEXAS

My Commission expires: 2-5-1985

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STATE OF TEXAS  
 COUNTY OF BEXAR  
 I hereby certify that the foregoing was filed in the County  
 Clerk's office on the date and at the time stamped herein by me, and  
 was duly recorded in the Chain Public Record of Real Property of  
 Bexar County, Texas on

 MAY 18 1983  
*Robert D. Green*  
 COUNTY CLERK BEXAR COUNTY, TEXAS

FILED IN MY OFFICE  
 ROBERT D. GREEN  
 COUNTY CLERK BEXAR CO.

1983 MAY 18 AM 11 23 *mc*

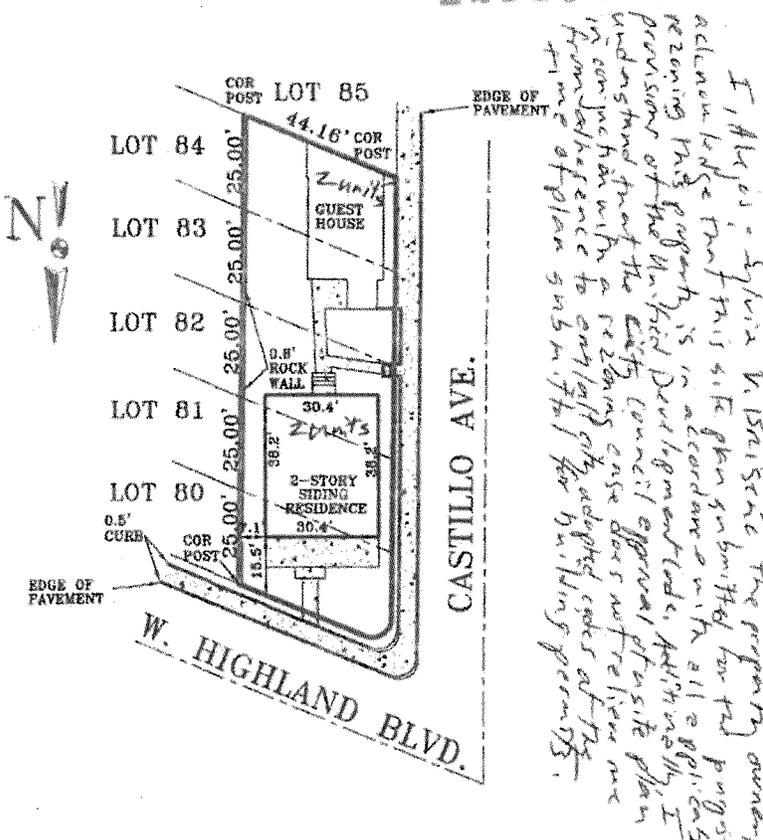
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*Armando A. Aranda*

22015253



I, Aranda, Sylvia V. Briseño, 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 Ordinance, Adair's model. I understand that the City Council approval of this plan is contingent upon a rezoning case does not preclude me from seeking to amend the adopted codes of the City of San Antonio for building permits.

STREET ADDRESS 120 W. HIGHLAND BLVD.  
 LOT THE WEST 1/3 OF LOTS 80, 81, 82, 83 AND 84  
SAVE AND EXCEPT THAT PORTION OF LOT 80  
 BLOCK 9 NCB 3128 SUBDIVISION SOUTH PARK TERRACE  
 CITY SAN ANTONIO COUNTY, TEXAS  
 SURVEYED FOR CHICAGO TITLE GF:200404667  
 BUYERS ALEJOS BRISEÑO, SYLVA V. BRISEÑO  
 REFERENCE: VOLUME: 105 PAGE 260  
 VOL 2835 PG. 717 VOL \_\_\_\_\_ PG. \_\_\_\_\_ VOL \_\_\_\_\_ PG. \_\_\_\_\_  
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STENOR GROUP  
 P.O. BOX 701208  
 SAN ANTONIO, TEXAS 78270  
 (210) 499-0526



STATE OF TEXAS  
 COUNTY OF BEXAR  
 I HEREBY CERTIFY THAT THE ABOVE PLAT IS TRUE  
 AND CORRECT ACCORDING TO AN ACTUAL SURVEY  
 MADE ON THE GROUND UNDER MY SUPERVISION  
 AND THAT THERE ARE NO VISIBLE EASEMENTS OR  
 ENCROACHMENTS EXCEPT AS SHOWN ABOVE  
 ARMANDO A. ARANDA  
 1328  
 DATE: 5-27-04 SCALE: 1"=30'

Attachment B