

AN ORDINANCE 2013-04-04-0241

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 0.3172 of an acre out of Lots 13, 14, 15 & 16, NCB 2829; Parcel 100, Block 3, NCB 2572; 0.1943 of an acre out of Lot 4, Block 3, NCB 2572; and Lot 3, Block 3, NCB 2572 save and except that portion conveyed to the City of San Antonio (Volume 4146, Page 949-951 of the Deed Records of Bexar County) from "I-2 AHOD" Heavy Industrial Airport Hazard Overlay District, "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Duplex, and "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2 IDZ AHOD" Commercial Infill Development Zone Airport Hazard Overlay District on 0.3172 of an acre out of Lots 13, 14, 15 & 16, NCB 2829 and Parcel 100, Block 3, NCB 2572; and "R-6 IDZ AHOD" Residential Single-Family Infill Development Zone Airport Hazard Overlay District on 0.1943 of an acre out of Lot 4, Block 3, NCB 2572 and Lot 3, Block 3, NCB 2572 save and except that portion conveyed to the City of San Antonio.

SECTION 2. A description of the property included from Lots 13, 14, 15 & 16, NCB 2829, that portion included from Lot 4 Block 3 NCB 2572, and a description of the property recorded in Volume 4146, Page 949-951 of the Deed Records of Bexar County, which is saved and excepted from Lot 3 Block 3 NCB 2572 in Section 1 above, 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.

SG/cia
04/04/2013
Z-1

CASE NO. Z2013073

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.

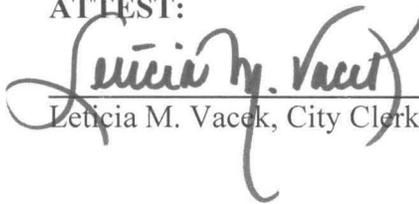
SECTION 5. This ordinance shall become effective April 14, 2013.

PASSED AND APPROVED this 4th day of April 2013.



M A Y O R
Julián Castro

ATTEST:

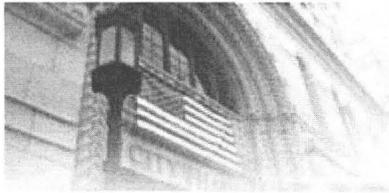


Leticia M. Vacek, City Clerk

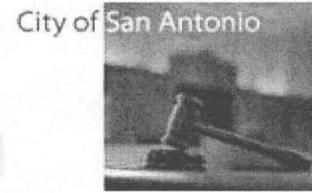
APPROVED AS TO FORM:



for Michael D. Bernard, City Attorney



Request for
**COUNCIL
ACTION**



Agenda Voting Results - Z-1

Name:	Z-1, P-3, Z-5, P-4, Z-8
Date:	04/04/2013
Time:	02:12:49 PM
Vote Type:	Motion to Approve
Description:	ZONING CASE # Z2013073 (Districts 1 & 5): An Ordinance amending the Zoning District Boundary from "I-2 AHOD" Heavy Industrial Airport Hazard Overlay District, "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Duplex, and "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2 IDZ AHOD" Commercial Infill Development Zone Airport Hazard Overlay District on 0.3172 of an acre out of Lots 13, 14, 15 & 16, NCB 2829 and Parcel 100, Block 3, NCB 2572; and "R-6 IDZ AHOD" Residential Single-Family Infill Development Zone Airport Hazard Overlay District on 0.1943 of an acre out of Lot 4, Block 3, NCB 2572 and Lot 3, Block 3, NCB 2572 save and except that portion conveyed to the City of San Antonio (Volume 4146, Page 949-951 of the Deed Records of Bexar County) located at 213 and 217 Stark, a portion of the 200 Block of West LaChappelle, and a portion of the 400 Block of West Cevallos Street. Staff and Zoning Commission recommend approval.
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Diego Bernal	District 1		x				x
Ivy R. Taylor	District 2		x				
Leticia Ozuna	District 3		x				
Rey Saldaña	District 4		x			x	
David Medina Jr.	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7		x				
W. Reed Williams	District 8	x					
Elisa Chan	District 9		x				
Carlton Soules	District 10		x				

7 2013073



FIELD NOTES
FOR
A 0.3172 OF AN ACRE TRACT

A 0.3172 of an acre, tract of land situated in the City of San Antonio, Bexar County, Texas and comprised of Lots 13, 14 15, and 16, New City Block 2829 being conveyed to Leda Cano as recorded in Volume 12624 Page 2185 of the Official Public Records of Real Property of Bexar County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a found ½" iron rod in the intersection of the west right-of-way line of Nogalitos Street, a 70 foot right-of-way, and the north right-of-way line of W. LaChapelle Street, a 40 foot right-of-way, for the southeast corner of the tract described herein;

THENCE: N 73°14'31" W along and with the north right-of-way line of W. LaChapelle Street, a distance of 298.87 feet to a found iron pipe on the east line of Lots 17 & 18, New City Block 2829 of record in Volume 10370 Page 182 Official Public Records of Real Property, Bexar County, Texas, for the southwest corner of the tract described herein;

THENCE: N 35°52'04" E along and with the east line of Lots 17 & 18, New City Block 2829, a distance of 97.85 feet to a found 1/2" iron rod on with the south line of a 7.7329 acre tract of record in Volume 9951 Page 2230 Official Public Records of Real Property, Bexar County, Texas, for the northeast corner of the tract described herein;

THENCE: S 54°07'56" E along and with the south line of a 7.7329 acre tract and north line of Lots 13, 14 15, and 16, New City Block 2829, a distance of 240.49 feet to a found 1/2" iron rod and continuing for a total distance of 282.40 feet to the **POINT OF BEGINNING** and containing 0.3172 of an acre or 13,815 square feet more or less, in the City of San Antonio, Bexar County, Texas. Said tract being described in accordance with a survey prepared by KFW Surveying.

Job No.: 12-153
Prepared by: KFW Surveying
Date: December 3, 2012
File: S:\Draw 2012\12-153 NOGALITOS\DOCS\FN 0.3172.doc



ATTACHMENT A

Z2013073

EXHIBIT A-1

METES AND BOUNDS DESCRIPTION 0.1943 OF AN ACRE, BEXAR COUNTY, TEXAS

Being 0.1943 of an acre of land out of Lot 4, Block 3, New City Block 2572 in the City of San Antonio, Bexar County, Texas. Said 0.1943 of an acre is more particularly described by metes and bounds as follows;

Beginning at a 1/2" iron rod found on the current west right of way line of Stark Street, in the southwesterly line of said Lot 4 at the southwest corner of a 0.006 acre tract conveyed to the City of San Antonio as described in deed recorded in Volume 3955, Page 1429 of the Official Public Records of Real Property of Bexar County, Texas (O.P.R.) for the south corner of this tract. Said point bears N47 degrees 42 minutes 00 seconds West from a 1/2" iron rod found at the south corner of said Lot 4;

THENCE with the southwest line of Lot 4, North 47 degrees 42 minutes 00 seconds West for a distance of 102.92 feet to a 1/2" iron rod set on the arc of a curve in an easterly line of a 10.1877 acre tract described in Volume 9682, Page 744, O.P.R.;

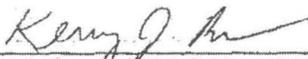
THENCE northeasterly, along a curve to the right whose radius bears South 80 degrees 27 minutes 30 seconds East a distance of 749.70 feet, having a central angle of 05 degrees 44 minutes 55 seconds, an arc length of 75.22 feet, being subtended by a chord of North 12 degrees 24 minutes 58 seconds East for a distance of 75.19 feet to a 1/2" iron rod set on the common line between Lot 3 and Lot 4 for the north corner of this tract;

THENCE with said common lot line, South 47 degrees 42 minutes 00 seconds East for a distance of 155.34 feet to a 1/2" iron rod set on the arc of a curve in the current west right of way line of Stark Street at the northwest corner of said 0.006 acre tract for the east corner of this tract;

THENCE southwesterly with said right of way of Stark Street along a curve to the right whose radius bears North 36 degrees 01 minutes 17 seconds West a distance of 280.43 feet, having a central angle of 02 degrees 40 minutes 21 seconds, an arc length of 13.08 feet, being subtended by a chord of South 55 degrees 18 minutes 53 seconds West for a distance of 13.08 feet to a cross cut on concrete at the end of this non-tangent curve;

THENCE South 55 degrees 12 minutes 00 seconds West for a distance of 53.81 feet to the Point of Beginning containing 0.1943 of an acre of land.

This description is based on a survey made by me on the ground, and reference is hereby made to a corresponding plat drawn of said survey.


Kerry J. Brown, RPLS No. 4916
October 13, 2008
Job # 08144



BROWN SURVEYING COMPANY
6901 Tierra Bonita, San Antonio, Texas 78263
(210) 648-3697

200

1474054

/s/ 4/30/87
/s/ 7/10/87
Return to:

Project: Keller St./Rehman St/Stark St/
Stribling St.

Parcel: 10993

Right of Way Acquisition
City of San Antonio
P. O. Box 9066
San Antonio, TX 78285

WARRANTY DEED

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

THAT, CLEMENTE F. PEREZ, JUAN GOMEZ and DELFINA G. SOTO, hereinafter referred to as "GRANTORS", of the County of Bexar, State of Texas, for and in consideration of the sum of TWELVE THOUSAND FOUR HUNDRED FORTY AND NO/100 (\$12,440.00), DOLLARS to them in hand 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 the CITY OF SAN ANTONIO, hereinafter referred to as GRANTEE, a municipal corporation, of the County of Bexar, State of Texas, whose mailing address is P.O. Box 9066, San Antonio, Texas 78285, all of the following described real property situated within the corporate limits of the City of San Antonio, Bexar County, Texas, to-wit:

Being a 0.008 acre (358.55 square feet) tract of land out of Lot 3, Block 3, New City Block 2572, George Stark Subdivision (an unrecorded Plat), San Antonio, Bexar County, Texas. Said 0.008 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron pin found on the west right-of-way line of Stark Street for the Northeast corner of Lot 3 and the POINT OF BEGINNING of the herein described tract. Said POINT OF BEGINNING being South 39°56' 43" West along the West right-of-way line of Stark Street, 137.63 feet from the Southwest corner of Keller and Stark Streets;

10-02-87 0206002 1700111 \$7.00 Y 01 01963
THENCE South 55°12' 00" West along the west right-of-way line of Stark Street, 56.24 feet to a 1/2 inch iron pin set for the Southeast corner of Lot 3 and of the herein described tract;

THENCE North 47°42' 00" West along the south line of Lot 3, same being the north line of Lot 4, 4.08 feet to a 1/2 inch iron pin set for a Point on Curve of a curve to the left. Said curve having a central angle of 11°16' 55" and a radius of 280.43 feet;

THENCE in a Northwesterly direction and along the arc of said curve, 55.22 feet to a 1/2 inch iron pin set on the North line of Lot 3 for the northwest corner of the herein described tract;

THENCE South 47°42' 00" East along the north line of Lot 3, 10.83 feet to the POINT OF BEGINNING and containing 0.008 acres more or less;

It is further understood and agreed that the consideration received by the GRANTORS is also in full payment for all damages to the remaining property, if any, of the GRANTORS.

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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 GRANTORS hereby bind themselves, their 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 the 10TH day of

Clemente F. Perez, A.B., 1987.

CLEMENTE F. PEREZ

Juan Gomez

JUAN GOMEZ

Delfina G. Soto

DELFINA G. SOTO

STATE OF TEXAS }
{
COUNTY OF BEXAR }

This instrument was acknowledged before me on this the 10TH day of July, 1987 by CLEMENTE F. PEREZ.

f

Juan J. Saldana
NOTARY PUBLIC in and for the State of
TEXAS

MY COMMISSION EXPIRES: 3-17-88

STATE OF TEXAS }
{
COUNTY OF BEXAR }

This instrument was acknowledged before me on this the 10TH day of July, 1987 by JUAN GOMEZ.

f

Juan J. Saldana
NOTARY PUBLIC in and for the State of
TEXAS

MY COMMISSION EXPIRES: 3-17-88

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STATE OF TEXAS }
 {
COUNTY OF BEXAR }

This instrument was acknowledged before me on this the 10TH day of July, 1987 by DELFINA G. SOTO.

f

James J. Saldaña
NOTARY PUBLIC in and for the State of
T E X A S

MY COMMISSION EXPIRES: 3-17-88

Any provision herein which restricts the sale, rental or use of the described real property because of color or race is invalid and unenforceable under Federal Law. THE STATE OF TEXAS } COUNTY OF BEXAR } I hereby certify that this instrument was FILED in File Number Sequence on the date a-d of the time stamped hereon by me, and was duly RECORDED, in the Official Public Records of Real Property of Bexar County, Texas on

OCT - 2 1987



Rosendo S. Pagan
COUNTY CLERK BEXAR COUNTY, TEXAS

FILED IN MY OFFICE
ROSEMARY D. GREEN
COUNTY CLERK BEXAR CO.
1987 OCT 1 AM 11 12
me

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