

AN ORDINANCE 2013-12-05-0881

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 and 2, Block 1, NCB 6789, save and except that portion conveyed in Volume 12369, Page 1060, Deed Records, Bexar County, Texas, from "C-3NA CD UC-4 AHOD" General Commercial Nonalcoholic Sales North St. Mary's Street Urban Corridor Overlay Airport Hazard Overlay District with a Conditional Use for Outside Storage of Equipment & Materials to "IDZ UC-4 AHOD" Infill Development Zone North St. Mary's Street Urban Corridor Overlay Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and "MF-25" Low Density Multi-Family District.

SECTION 2. A description of the property recorded in Volume 12369, Page 1060, Deed Records, Bexar County, Texas, 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.

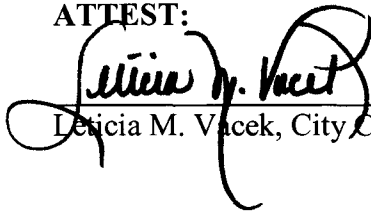
SECTION 5. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 6. This ordinance shall become effective December 15, 2013.

PASSED AND APPROVED this 5th day of December 2013.



M A Y O R
Julián Castro

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



for Michael D. Bernard, City Attorney

Agenda Item:	Z-3 (in consent vote: 44, 45, 46, Z-2, Z-3, Z-5, Z-7, Z-8, Z-9, Z-11, Z-12, P-5, Z-14, Z-16)						
Date:	12/05/2013						
Time:	02:31:09 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2014010 (District 1): An Ordinance amending the Zoning District Boundary from "C-3NA CD UC-4 AHOD" General Commercial Nonalcoholic Sales North St. Mary's Street Urban Corridor Overlay Airport Hazard Overlay District with a Conditional Use for Outside Storage of Equipment & Materials to "IDZ UC-4 AHOD" Infill Development Zone North St. Mary's Street Urban Corridor Overlay Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and "MF-25" Low Density Multi-Family District on Lots 1 and 2, Block 1, NCB 6789, save and except that portion conveyed in Volume 12369, Page 1060, Deed Records, Bexar County, Texas located on a portion of the 2100 block of North St. Mary's 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				
Ivy R. Taylor	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				
Carlton Soules	District 10		x			x	

SCANNED

WARRANTY DEED
(SPECIAL)

DATE: August 8, 2003



GRANTOR: Robert A. Marotta

GRANTOR'S MAILING ADDRESS: 2106 N. St. Mary's
San Antonio, Bexar County, Texas 78212

GRANTEE: Alice M. Caballero, To her sole and separate property

GRANTEE'S MAILING ADDRESS: 3607 Nathan Alan
San Antonio, Texas 78217

CONSIDERATION: \$10,000 and all the love and affection

PROPERTY (including any improvements)

See exhibits "A" and "B", also known as Tract 1 and Tract 2.

Reservations from and Exceptions to Conveyance and Warranty:

Grantor, for the consideration 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, administrator, 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.

This deed is subject to all easements, restrictions, conditions, covenants, and other instruments of record.

SIGNED on the 26 day of November, 2003



ATTACHMENT A

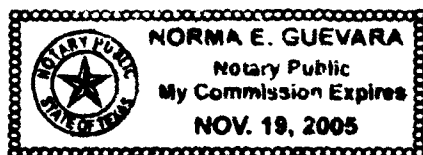

Robert A. Marotta

Acknowledgment

STATE OF TEXAS
COUNTY OF BEXAR

This instrument was acknowledged before me on the 26 day of November
20 03 by Robert A. Marotta.

(seal)




Notary Public, State of Texas

My commission expires: 11/19/05

AFTER RECORDING RETURN TO:
Alice M. Caballero
3607 Nathan Alan
San Antonio, Texas 78217

EXHIBIT "A"

TRACT 1:

Being 0.288 acres, more or less, out of Lot A-1, Block 3, N.C.B. 3029, City of San Antonio, Bexar County, Texas and being the remaining portion of a tract described in Volume 1283, Page 560 of the Deed Records of Bexar County, Texas and being more particularly described as follows:

BEGINNING at a P.K. nail set in the South line of Grayson Street at the North point of a cut-off from the East line of N. St. Mary's St. to the South line of Grayson St., said point being described in Volume 3862, Page 1301 of the Real Property Records of Bexar County, Texas;

THENCE with said South line, S 65 deg. 47' 38" E (record bearing in Volume 3862, Page 1301) 231.32 feet to a 1/2' iron pin found at the Northeast corner of this tract, the Northwest corner of a tract described in Volume 3931, Page 267;

THENCE with the common line of this tract and the tract in Volume 3931, Page 267, S 24 deg. 12' 22" W 57.00 feet to a nail set for the Southeast corner of this tract, said point being in the North line of Block 1, N.C.B. 6789 of Myrtlelawn Subdivision recorded in Volume 642, Page 323;

THENCE with the South line of this tract, the said North line of Block 1, N 65 deg. 47' 38" W 199.46 feet to a 1" iron pin found in the East line of N. St. Mary's Street;

THENCE with said East line, N 13 deg. 22' 16" W 59.92 feet to a PK nail set at the South point of said cut-off to the South line of Grayson Street;

THENCE with said cut-off, N 50 deg. 25' 03" E 10.60 feet to the place of beginning.

EXHIBIT "B"

TRACT 2:

Being 0.0042 of an acre of land, more or less, out of Lot 1, Block 1, N.C.B. 6789, Myrtlelawn Subdivision, City of San Antonio, Bexar County, Texas according to plat recorded in Volume 642, Page 323 of the Deed and Plat Records of San Antonio, Bexar County, Texas, and being more particularly described as follows:

Beginning at a 1" iron pipe found in the East line of North St. Mary's Street, said point being the Southwest corner of Lot A-1, Block 3, N.C.B. 3029 as described in Volume 1283, Page 560, of the Deed Records of Bexar County, Texas, and also being the Northwest corner of said Lot 1;

Thence with the South line of said Lot A-1, and the North line of said Lot 1, S 65 deg. 47' 38" E 181.98 feet to a 1/2" iron pin set in the South line of said Lot A-1 and being the Northeast corner of said Lot 1, and also being the Northwest corner of Lot 3, of said Myrtlelawn Subdivision;

Thence with the common line of said Lots 1 and 3, S 24 deg. 11' 34" W 1.00 foot to a set 1/2" iron pin for a corner of this tract;

Thence N 65 deg. 47' 38" W 181.21 feet to a set 1/2" iron pin in the common line of said Lot 1, and said East line of North St. Mary's Street;

Thence with said common line, N 13 deg. 22' 16" W 1.26 feet to the place of beginning.

RECORDER'S MEMORANDUM
AT THE TIME OF RECORDATION, THIS
INSTRUMENT WAS FOUND TO BE INADEQUATE
FOR THE BEST PHOTOGRAPHIC REPRODUCTION
BECAUSE OF ILLIGIBILITY CARBON OR
PHOTO COPY, DISCOLORED PAPER ETC.

Any provision herein which purports to deny, or limit the 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 the 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:

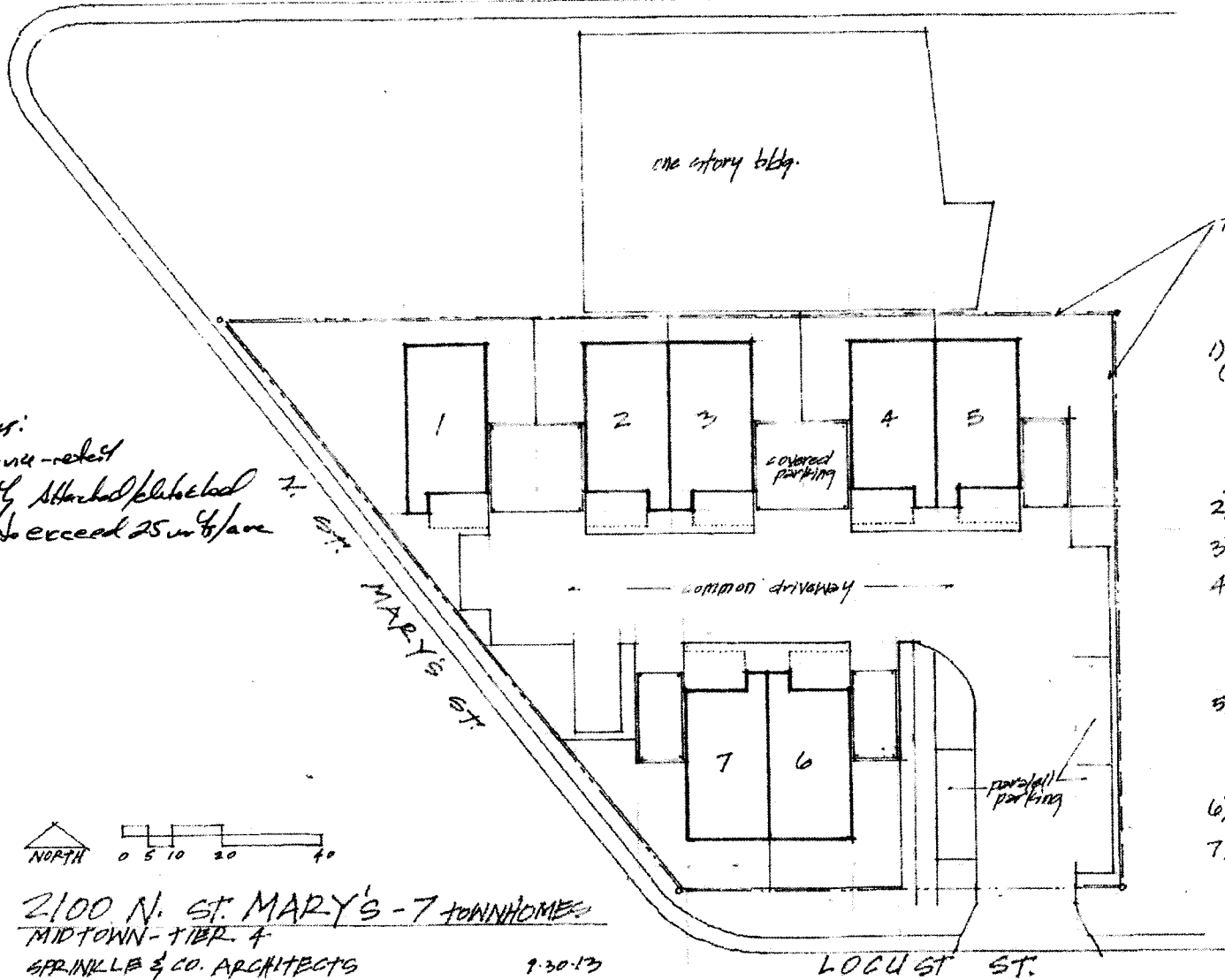
Doc# 20060214188 Fees: \$28.00
09/05/2006 3:17PM # Pages 4
Filed & Recorded in the Official Public
Records of BEXAR COUNTY
GERRY RICKHOFF COUNTY CLERK

SEP 05 2006



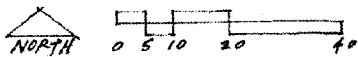
Gerry Rickhoff
COUNTY CLERK BEXAR COUNTY, TEXAS

GRAYSON ST.



Proposed use:
 office, service - retail
 single family Attached detached
 units not to exceed 25 units/acre

- 1) total acreage of site .37
- (7) lots total
- a) All structures are 17' X 35' (595 sq. ft.) (excluding carports)
- b) N/A
- c) total pervious area = 11,027 sq. ft.
- 2) Set backs vary for this project. minimum is 5'-0"
- 3) 13 total off street parking spaces
- 4) Wood fencing will be used inside of all property lines. fencing along st. will be 4'-0" high. All other fencing will be 6'-0" high
- 5) All paving is new & the width of the common driveway will be 22'-0" wide. All sidewalks will be 4'-0" wide.
- 6) the property will be for residential use.
- 7) see application



2100 N. ST. MARY'S - 7 TOWNHOMES
 MIDTOWN - TIER 4
 SPRINKLE & CO. ARCHITECTS 9.30.13

I, Robert A. Marotta, Sr., 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 rezoning does not relieve me from adherence to any/all City-adopted Codes at the time of plan submittal for building permits.

ATTACHMENT B