

AN ORDINANCE 2018-06-07-0423

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 131.969 acres out of NCB 35524 and NCB 35132 from "R-6" Residential Single-Family District to "R-4" Residential Single-Family District.

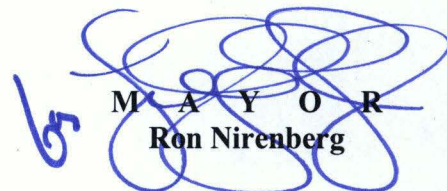
SECTION 2. A description of the property is attached as **Exhibit "A"** and made a part hereof and incorporated herein for all purposes.

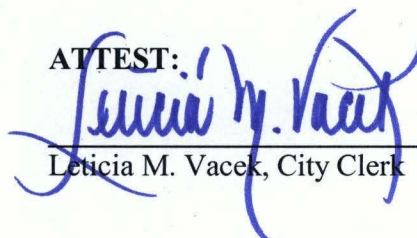
SECTION 3. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

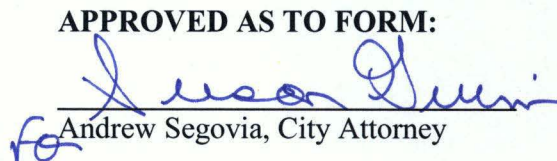
SECTION 4. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 5. This ordinance shall become effective June 17, 2018.

PASSED AND APPROVED this 7th day of June 2017.


MAYOR
Ron Nirenberg

ATTEST:

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

for Andrew Segovia, City Attorney

Agenda Item:	Z-3 (in consent vote: 21, Z-2, P-1, Z-3, Z-5, Z-6, Z-7, Z-8, Z-9)						
Date:	06/07/2018						
Time:	02:15:45 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2018165 (Council District 2): Ordinance amending the Zoning District Boundary from "R-6" Residential Single-Family District to "R-4" Residential Single-Family District on 131.969 acres out of NCB 35524 and NCB 35132, located at 5753 New Sulphur Springs. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment 18050)						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ron Nirenberg	Mayor		x				
Roberto C. Treviño	District 1		x			x	
William Cruz Shaw	District 2	x					
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Greg Brockhouse	District 6		x				
Ana E. Sandoval	District 7		x				
Manny Pelaez	District 8	x					
John Courage	District 9		x				x
Clayton H. Perry	District 10		x				

SG/lj
06/07/2018
Item No. Z-3

EXHIBIT “A”



BEXAR COUNTY, TEXAS
131.969 OF AN ACRE

EXHIBIT "A"

BEING a 131.969 acre (5,748,555 square feet) tract of land being "Tract 1" and "Tract 2" described in an instrument to Kenneth Ray Rothe, recorded in Volume 19027, Page 2258, dated March 6, 2018, of the Official Public Records of Bexar County, Texas, out of the Napomacino Montoya Survey No. 21, Abstract Number 469, New City Block (N.C.B.) 35132 and 35524, in the City of San Antonio, Bexar County, Texas, the said 131.969 acre tract being more fully described as follows:

BEGINNING at a found 1/2 inch iron rod, lying in the North right-of-way line of New Sulphur Springs Road (60' wide right-of-way), for the Southwest corner of the aforementioned "Tract 2" and the Southeast corner of a tract of land described in an instrument to Anthony Guajardo Children Trust, recorded in Volume 10117, Page 1966, of the Official Public Records of Real Property of Bexar County, Texas;

THENCE North 04°17'59" East, 1,009.65 feet, leaving the North right-of-way line of the aforementioned New Sulphur Springs Road, along the West line of the aforementioned "Tract 2" and the East line of the aforementioned tract of land described in an instrument to Anthony Guajardo Children Trust, to a set 1/2 inch iron rod with plastic cap stamped "CDS/MUERY S.A. TX.", for the Northwest corner of said "Tract 2", the Southwest corner of the aforementioned "Tract 1", the Northeast corner of said tract of land described in an instrument to Anthony Guajardo Children Trust, an exterior corner of the remaining portion of a called 92.94 acre tract of land described in an instrument to Boralis, Inc., recorded in Volume 7864, Page 1355, of the Official Public Records of Real Property of Bexar County, Texas, and an angle corner of the herein described 131.969 acre tract;

THENCE North 04°17'54" East, 1,108.85 feet, along the West line of the aforementioned "Tract 1" and the East line of the aforementioned remaining portion of a called 92.94 acre tract, to a set 1/2 inch iron rod with plastic cap stamped "CDS/MUERY S.A. TX.", for an angle corner of said "Tract 1", the Northeast corner of said remaining portion of a 92.94 acre tract, the Southeast corner of Lot 27, of the Southcross Ranch Subdivision Unit 5-B, recorded in Volume 9512, Page 61, of the Deed and Plat Records of Bexar County, Texas, and an angle corner of the herein described 131.969 acre tract;

THENCE North 04°12'59" East, 1,215.25 feet, continuing along the West line of the aforementioned "Tract 1", the East line of the aforementioned Southcross Ranch Subdivision Unit 5-B, the East line of the Southcross Ranch Subdivision Unit 5-A, recorded in Volume 9507, Page 71, of the Deed and Plat Records of Bexar County, Texas, the East line of the Southcross Ranch Subdivision Unit 4-B, recorded in Volume 9503, Page 85, of the Deed and Plat Records of Bexar County, Texas, the East line of the Southcross Ranch Subdivision Unit 4-A, recorded in Volume 9500, Page 185, of the Deed and Plat Records of Bexar County, Texas, the East line of the Southcross Ranch Subdivision Unit 3, recorded in Volume 9300, Page 249, of the Deed and Plat Records of Bexar County, Texas, to a found 1/2 inch iron rod with yellow cap stamped "PAPE DAWSON", for an angle corner of said "Tract 1", and an angle corner in the East line of Lot 8, of said Southcross Ranch Subdivision Unit 3, and an angle corner of the herein described 131.969 acre tract;

**BEXAR COUNTY, TEXAS
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THENCE North 00°05'20" East, 900.53 feet, continuing along the West line of the aforementioned "Tract 1", the East line of the aforementioned Southcross Ranch Subdivision Unit 3, the East line of the Southcross Ranch Subdivision Unit 2, recorded in Volume 9300, Page 19, of the Deed and Plat Records of Bexar County, Texas, and the East line of the Crescent Place Subdivision, recorded in Volume 9550, Page 20, of the Deed and Plat Records of Bexar County, Texas, to a found 1/2 inch iron rod, for the Northwest corner of said "Tract 1", the Southwest corner of Lot 28, of the Lakeside Subdivision Unit 15, recorded in Volume 8700, Page 20, of the Deed and Plat Records of Bexar County, Texas, and the Northwest corner of the herein described 131.969 acre tract;

THENCE North 89°18'48" East, 180.50 feet, along the North line of the aforementioned "Tract 1" and the South line of the aforementioned Lakeside Subdivision Unit 15, to a found 1/2 inch iron rod with yellow cap stamped "PAPE DAWSON", for an angle corner of said "Tract 1", the Southeast corner of Lot 29, the Southwest corner of Lot 30, both of said Lakeside Subdivision Unit 15, and an angle corner of the herein described 131.969 acre tract;

THENCE North 89°18'41" East, 258.15 feet, continuing along the North line of the aforementioned "Tract 1", the South line of the aforementioned Lakeside Subdivision Unit 15, and the South line of the Lakeside Unit 17, recorded in Volume 8900, Page 17, of the Deed and Plat Records of Bexar County, Texas, to a set 1/2 inch iron rod with plastic cap stamped "CDS/MUERY S.A. TX.", for an angle corner of said "Tract 1", the Southeast corner of Lot 35, and the Southwest corner of Lot 36, both of said Lakeside Unit 17, and an angle corner of the herein described 131.969 acre tract;

THENCE North 89°21'04" East, 340.20 feet, continuing along the North line of the aforementioned "Tract 1", the South line of the aforementioned Lakeside Unit 17, and the South line of the Lakeside Subdivision Unit 22, recorded in Volume 9513, Page 73, of the Deed and Plat Records of Bexar County Texas, to a found 1/2 inch iron rod, for and angle corner of said "Tract 1" and an angle corner of the herein described 131.969 acre tract;

THENCE North 89°18'41" East, 922.27 feet, continuing along the North line of the aforementioned "Tract 1", the South line of the aforementioned Lakeside Subdivision Unit 22, the South line of the Foster Meadows Subdivision Unit 14-A, recorded in Volume 9549, Page 139, of the Deed and Plat Records of Bexar County, Texas, the South line of the Foster Meadows Subdivision Unit 14-B, recorded in Volume 9556, Page 78, of the Deed and Plat Records of Bexar County, Texas, and the South line of the Foster Meadows Unit 15, recorded in Volume 9573, Page 183, of the Deed and Plat Records of Bexar County, Texas, to a found 1/2 inch iron rod with yellow cap stamped "MBC ENG", for an angle corner of said "Tract 1" and an angle corner of the herein described 131.969 acre tract;

THENCE North 89°06'36" East, 62.12 feet, continuing along the North line of the aforementioned "Tract 1" and the South line of the aforementioned Foster Meadows Unit 15, to a found 1/2 inch iron rod with orange cap stamped "SLS RPLS 5142", for the Northeast corner of said "Tract 1", the Northwest corner of Lot 32, of the Foster Acres Subdivision, recorded in Volume 9593, Page 200, of the Deed and Plat Records of Bexar County, Texas, and the Northeast corner of the herein described 131.969 acre tract;

THENCE South 00°22'48" East, 413.55 feet, along the East line of the aforementioned "Tract 1" and the West line of the aforementioned Foster Acres Subdivision, to a found bent 1/2 inch iron rod, for an angle corner of said "Tract 1", the Southwest corner of Lot 37, of said Foster Acres Subdivision, the Northwest corner of a called 17.86 acre tract of land, described in an instrument to Jose Ruvalcaba and Christian Ruvalcaba, recorded in Volume 16172, Page 1456, of the Official Public Records of Bexar County, Texas, and an angle corner of the herein described 131.969 acre tract;

**BEXAR COUNTY, TEXAS
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THENCE South 00°35'18" East, 2,050.46 feet, along the East line of the aforementioned "Tract 1", the West line of the aforementioned called 17.86 acre tract recorded in Volume 16172, Page 1456, the West line of a called 17.86 acre tract of land described in an instrument to Jose Ruvalcaba and Christian Ruvalcaba, recorded in Volume 16172, Page 1461, of the Official Public Records of Bexar County, Texas, the West line of a called 17.942 acre tract of land described in an instrument to Ruth Bowman Russell, described in Volume 4936, Page 1342, of the Official Public Records of Real Property of Bexar County, Texas, and the West line of the called 119.93 acre tract of land described in an instrument to Ruth Bowman Russell, recorded in Volume 4936, Page 1347, of the Official Public Records of Real Property of Bexar County, Texas, to a found bent 1 inch iron pipe, lying in the North line of the Sulphur Springs Unit 5A, recorded in Volume 9643, Page 1770, of the Deed and Plat Records of Bexar County, Texas, for the Easternmost Southeast corner of said "Tract 1", the Southwest corner of said called 119.93 acre tract, and the Easternmost Southeast corner of the herein described 131.969 acre tract;

THENCE South 89°15'00" West, 733.02 feet, along a South line of the aforementioned "Tract 1" and the North line of the aforementioned Sulphur Springs Unit 5A, to a found 1/2 inch iron rod, for an interior corner of said "Tract 1", the Northwest corner of said Sulphur Springs Unit 5A, and an interior corner of the herein described 131.969 acre tract;

THENCE South 01°12'18" East, 773.19 feet, along an East line of the aforementioned "Tract 1", the West line of the aforementioned Sulphur Springs Unit 5A, and the West line of Sulphur Springs Unit 2, recorded in Volume 9570, Page 222, of the Deed and Plat Records of Bexar County, Texas, to a found 1/2 inch iron rod, for an exterior corner of said "Tract 1", and an exterior corner of said Sulphur Springs Unit 2, and an exterior corner of the herein described 131.969 acre tract;

THENCE North 89°40'20" West, 960.51 feet, along the South line of the aforementioned "Tract 1", the North line of a called 12.406 acre tract of land described in an instrument to Christie M. Rodriguez, recorded in Volume 10951, Page 254, of the Official Public Records of Real Property of Bexar County, Texas, the North line of the Mutz and Mangold Subdivision, recorded in Volume 8900, Page 152, of the Deed and Plat Records of Bexar County, Texas, and the North line of a called 7.15 acre tract of land described in an instrument to Bob L. Mutz and Nancy L. Mutz, recorded in Volume 17896, Page 2253, of the Official Public Records of Bexar County, Texas, to a found 1 inch iron pipe, for the Northeast corner of the aforementioned "Tract 2", the Northwest corner of said called 7.15 acre tract, and an interior corner of the herein described 131.969 acre tract;

THENCE South 01°00'03" East, 1,160.15 feet, along the East line of the aforementioned "Tract 2" and the West line of the aforementioned called 7.15 acre tract, to a found 1/2 inch iron rod, lying in the North right-of-way line of the aforementioned New Sulphur Springs Road, for the Southeast corner of said "Second Tract", the Southwest corner of the aforementioned called 7.15 acre tract, and the Southeast corner of the herein described 131.969 acre tract;

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THENCE North 67°48'48" West, 409.89 feet, along the North right-of-way line of the aforementioned New Sulphur Springs Road and the South line of the aforementioned "Tract 2", to the **PLACE OF BEGINNING** and containing 131.969 acres of land.

The bearing basis for this survey is based on the Texas State Plane Coordinate System, NAD 1983(HARN), South Central Zone.

**THE STATE OF TEXAS
KNOWN TO ALL MEN BY THESE PRESENTS:
COUNTY OF BEXAR**

I, Darryl L. Zercher, a Registered Professional Land Surveyor, do hereby certify that the above field notes were prepared using information obtained by an on the ground survey made under my direction and supervision in February 2018.

Date 01 day of JUNE 2018 A.D.

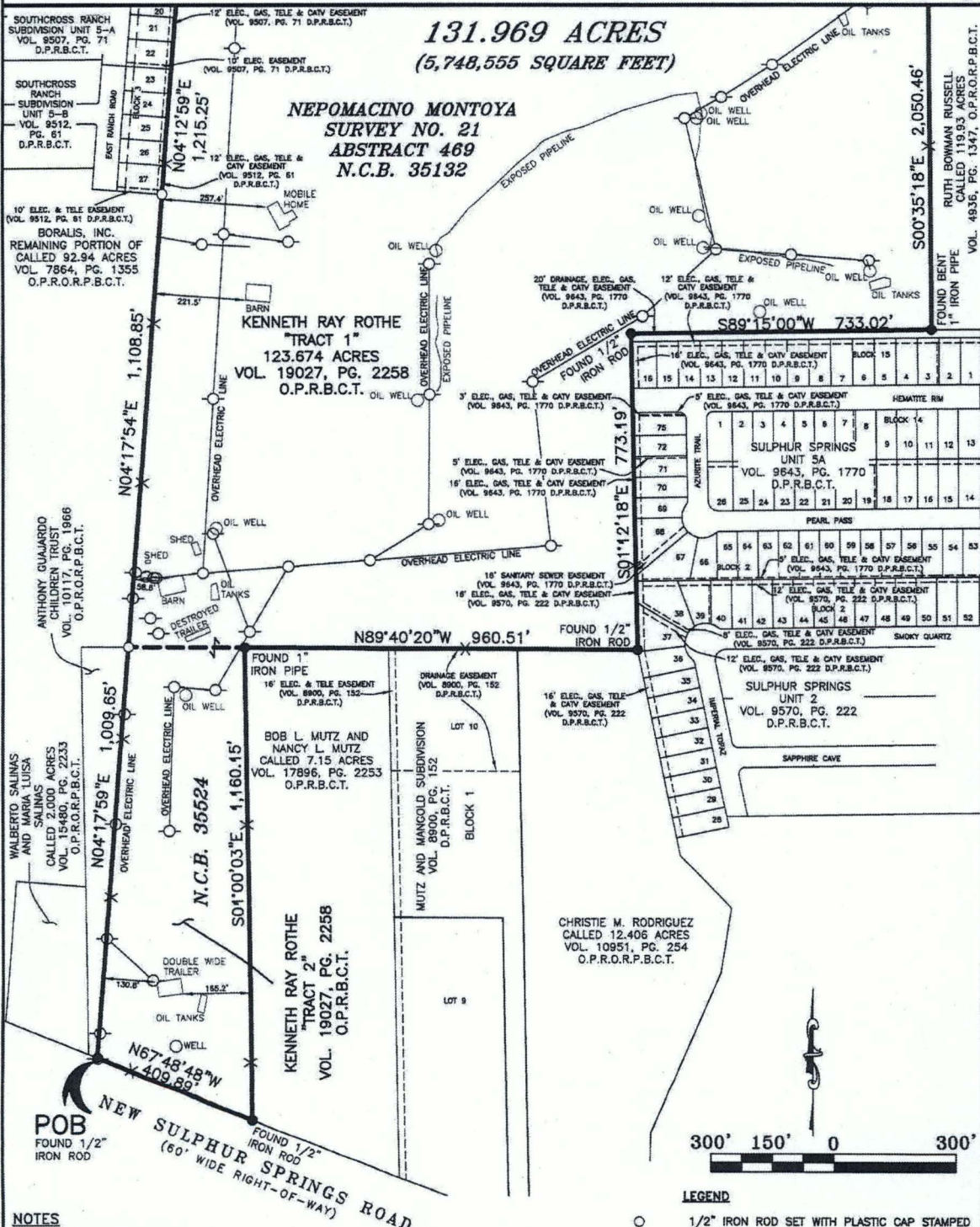




Darryl L. Zercher
Registered Professional Land Surveyor
No. 5609 - State of Texas

131.969 ACRES
(5,748,555 SQUARE FEET)

NEPOMACINO MONTOYA
SURVEY NO. 21
ABSTRACT 469
N.C.B. 35132



NOTES

- THE BEARINGS FOR THIS SURVEY ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 NAD 83(2011) EPOCH 2010.00, FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE.
- ILLUSTRATED UTILITIES ARE BASED ON FOUND VISIBLE EVIDENCE. THE LOCATION AND DEPTH OF EXISTING UTILITIES SHOULD BE FIELD VERIFIED BEFORE CONSTRUCTION. THE SURVEYOR DOES NOT HAVE KNOWLEDGE AS TO THE AVAILABILITY OF SERVICE TO, OR THE STATUS OF THE UTILITIES ON THIS SITE.
- THE SUBJECT PROPERTY LIES WITHIN THE FLOOD ZONE X (UNSHADED), DESCRIBED AS "OTHER AREAS; AREAS DETERMINED TO BE OUTSIDE 0.2% ANNUAL CHANCE FLOODPLAIN", AS DEFINED ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP IDENTIFIED AS COMMUNITY PANELS FM48029C0420G, FM 48029C0440G, FM 48029C0585H, AND FM 48029C0605F, EFFECTIVE DATE SEPTEMBER 29, 2010 FOR BEXAR COUNTY, TEXAS AND INCORPORATED AREAS. NO FLOOD PLAIN STUDY OR ANALYSIS WAS PERFORMED BY CDS MUERY.
- THIS SURVEY WAS PERFORMED WITH THE BENEFIT OF A TITLE COMMITMENT BY ALAMO TITLE INSURANCE COMMITMENT OF NUMBER 18-054306, EFFECTIVE DATE: MARCH 7, 2018.

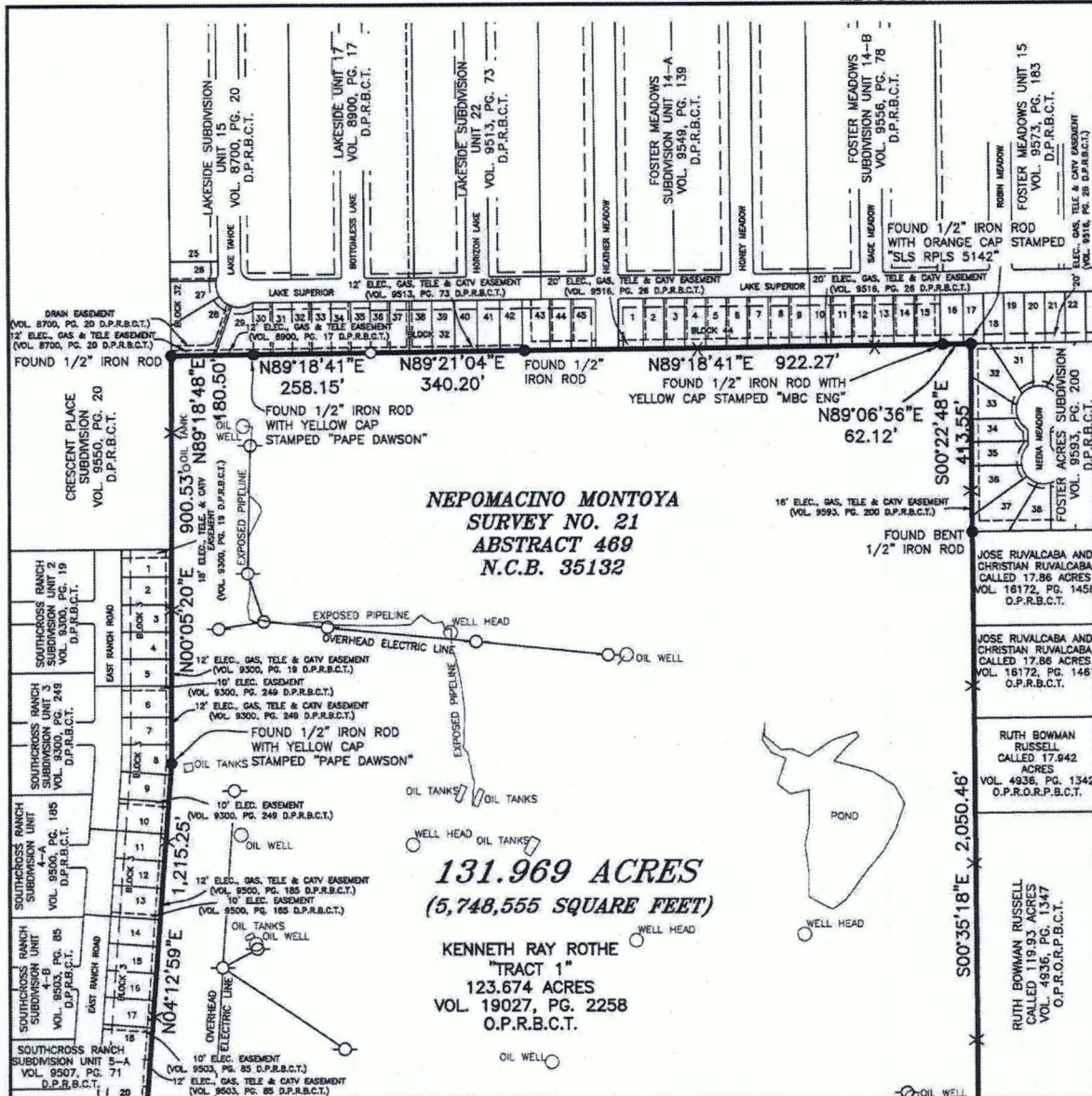
LEGEND

- 1/2" IRON ROD SET WITH PLASTIC CAP STAMPED "CDS/MUERY S.A. TX."
- FOUND MONUMENTATION
- POB PLACE OF BEGINNING
- POWER POLE
- x- WIRE FENCE
- D.P.R.B.C.T. DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
- D.R.B.C.T. DEED RECORDS OF BEXAR COUNTY, TEXAS
- R.P.R.B.C.T. REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS
- O.P.R.B.C.T. OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS
- O.P.R.O.R.P.B.C.T. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS

CDS muery
ENGINEERS • SURVEYORS
3411 MACC DRIVE SAN ANTONIO TEXAS 78217 • P (210) 581-1111 F (210) 581-3333
TXS REG. F-732 • 1993 REG. 10949-00

DRAWN BY: B. NIX
DATE: JUNE 1, 2018
DRAWING NAME: 118029-01 Sulphur Springs Plat.dwg

PROPERTY ADDRESS:
5753 NEW SULPHUR SPRINGS ROAD
SAN ANTONIO, TEXAS 78222
PAGE 5 OF 6



MATCH LINE PAGE 5



LEGEND

- 1/2" IRON ROD SET WITH PLASTIC CAP STAMPED "CDS/MUERY S.A. TX."
- FOUND MONUMENTATION
- POB PLACE OF BEGINNING
- POWER POLE
- x — WIRE FENCE
- D.P.R.B.C.T. DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
- D.R.B.C.T. DEED RECORDS OF BEXAR COUNTY, TEXAS
- R.P.R.B.C.T. REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS
- O.P.R.B.C.T. OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS
- O.P.R.O.R.P.B.C.T. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS



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PROPERTY ADDRESS:
 5753 NEW SULPHUR SPRINGS ROAD
 SAN ANTONIO, TEXAS 78222
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