

AN ORDINANCE **2016-10-20-0838**

**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 .118 acres out of NCB 6861 from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2P" Commercial Pedestrian District and "RM-4" Residential Mixed 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.** The City council approves this Infill Development Zone so long as the attached site plan is adhered to. A site plan is attached as **Exhibit "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 the 30<sup>th</sup> day of October 2016.

**PASSED AND APPROVED** this 20<sup>th</sup> day of October 2016.

M A Y O R  
Ivy R. Taylor

ATTEST:

  
\_\_\_\_\_  
Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
FOR City Attorney

<b>Agenda Item:</b>	Z-10 ( in consent vote: 25, P-1, Z-2, Z-3, Z-4, P-2, Z-5, Z-7, Z-8, Z-9, Z-10, P-3, Z-11, Z-13, P-5, Z-14 )						
<b>Date:</b>	10/20/2016						
<b>Time:</b>	02:10:53 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	ZONING CASE # Z2016242 (Council District 5): An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2 P" Commercial Pedestrian District and "RM-4" Residential Mixed District on 0.118 acres out of NCB 6861, located at 103 Carle Avenue. Staff and Zoning Commission recommend Approval.						
<b>Result:</b>	Passed						
<b>Voter</b>	<b>Group</b>	<b>Not Present</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Motion</b>	<b>Second</b>
Ivy R. Taylor	Mayor		x				
Roberto C. Treviño	District 1		x			x	
Alan Warrick	District 2		x				
Rebecca Viagran	District 3	x					
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				x
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9	x					
Michael Gallagher	District 10		x				

**METES AND BOUNDS**

Being 0.118 acres of land, more or less, being a portion of Lots 5 and 6, New City Block 6861, Colonia Buena Aires, City of San Antonio, Bexar County, Texas, according to the map or plat thereof recorded in Volume 980, Page 147, Deed and Plat Records, and being that same property conveyed in an Executor's Deed recorded in Volume 16728, Page 614, Official Public Records of Bexar County, Texas, said 0.118 acres of land being more particularly described by metes and bounds as follows:

**COMMENCING** at a 1/2 inch iron rod found for the northeast corner of Lot 3 of said New City Block 6861, of said Colonia Buena Aires, same being on the West line of King Roger and the **POINT OF COMMENCEMENT**;

**THENCE** along the West Right-of-Way line of said King Roger, South 29 degrees 42 minutes 00 seconds West, a distance of 80.22 feet to a 1/2 inch iron rod set for the northeast corner of this 0.118 acres, same being the southeast corner of Lot 4, of said New City Block 6861, of said Colonia Buena Aires, and on the West Right-of-Way line of said King Roger, same also being the **POINT OF BEGINNING**;

**THENCE** along the West Right-of-Way line of said King Roger, South 48 degrees 27 minutes 53 seconds West, a distance of 142.68 feet to a 1/2 inch iron rod set for the South corner of this 0.118 acres, same being on the West Right-of-Way line of said King Roger and on the North Right-of-Way line of Carie, same also being the southeast corner of Lot 7, of said New City Block 6861, of said Colonia Buena Aires;

**THENCE** along the line common to this 0.118 acres and said Lot 7, North 15 degrees 00 minutes 00 seconds East, a distance of 95.00 feet to a point for an angle corner, same being the northeast corner of said Lot 7 and on the South line of Lot 15, Tract A-12, City Block A-9 (Volume 2222, Page 192);


**THENCE** along the lines common to this 0.118 acres and said Lot 15, the following courses and distances:

South 75 degrees 00 minutes 00 seconds East, a distance of 8.27 feet to a 1 inch pipe found for an angle corner of this 0.118 acres, same being the southeast corner of said Lot 15;

North 15 degrees 00 minutes 00 seconds East, a distance of 42.49 feet to a point which bears South 40 degrees 30 minutes 19 seconds East, a distance of 0.78 feet from a fence post found for the northwest corner of this 0.118 acres, same being on the East boundary of said Lot 15 and the southwest corner of said Lot 4;

**THENCE** along the line common to this 0.118 acres and said Lot 4, South 60 degrees 18 min 00 seconds East, a distance of 72.78 feet to the **POINT OF BEGINNING**, and containing 0.118 acres of land, more or less.

I hereby certify that these field notes were prepared from an actual survey made on the ground under my supervision and are true and correct to the best of my knowledge and belief. A survey plat of the above described tract prepared this day is hereby attached to and made a part hereof.

  
\_\_\_\_\_  
Mark J. Ewald  
Registered Professional Land Surveyor  
Texas Registration No. 5095  
August 8, 2016



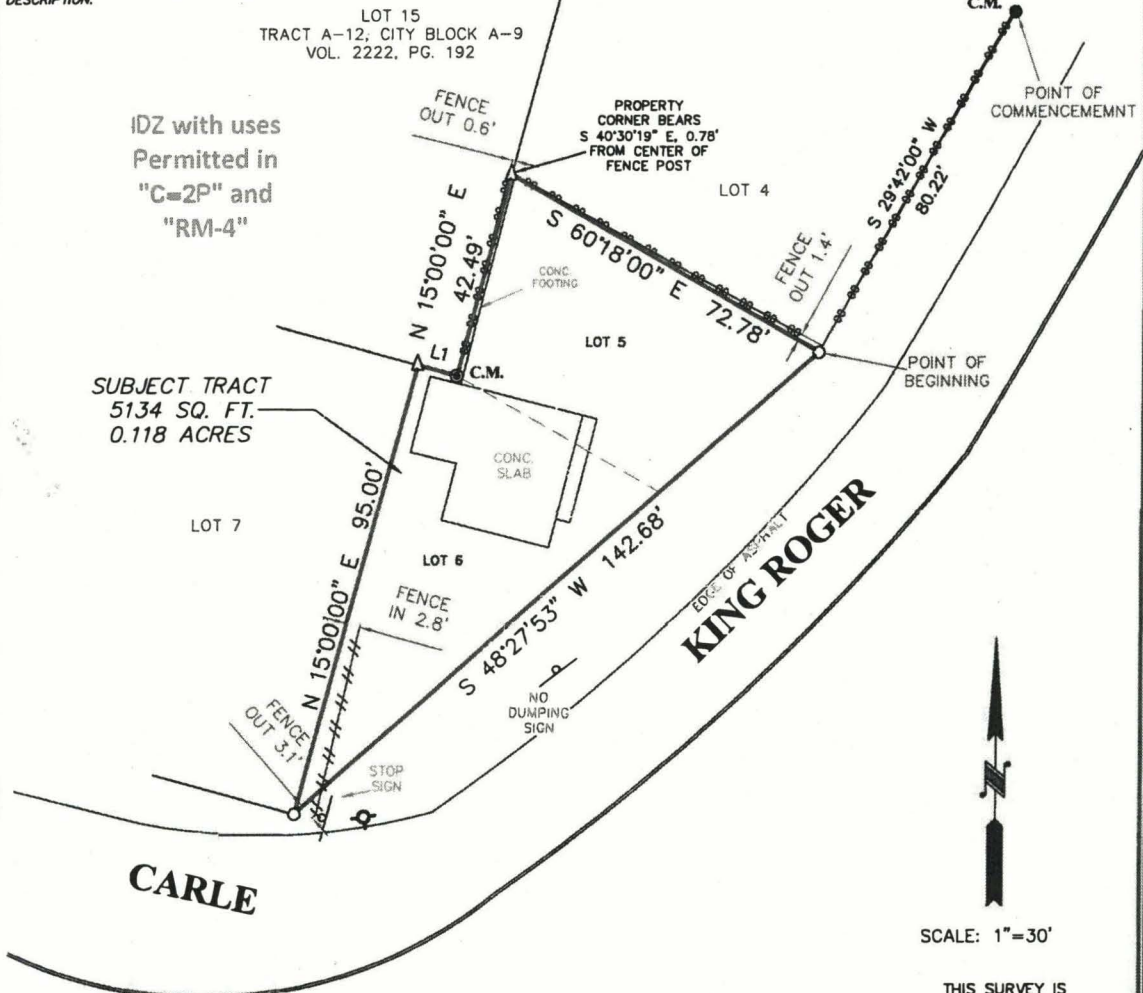
LINE	BEARING	DISTANCE
L1	S 75°00'00" E	8.27'

NOTE:  
BEARING BASIS (N 56°46'55" E 136.18")  
BEING THE THEORETICAL LINE BETWEEN  
THE SOUTHWEST CORNER OF LOT 5 AND  
THE EAST CORNER OF LOT 3.

NOTE:  
THE SIGNING SURVEYOR WAS NOT PROVIDED A CURRENT  
TITLE COMMITMENT AND THERE MAY BE EASEMENTS,  
RIGHTS OF WAY OR OTHER INSTRUMENTS OF RECORD  
WHICH MAY AFFECT THIS PROPERTY WHICH ARE NOT  
SHOWN ON THE FACE OF THIS SURVEY.

NOTE:  
AMENDED 09/22/2016 TO ADD METES AND BOUNDS  
DESCRIPTION.

*Bernadino Vasquez*  
I, \_\_\_\_\_ 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 THE CITY COUNCIL APPROVAL OF A  
SITE PLAN IN CONJUNCTION WITH A REZONING CASE  
DOES NOT RELIEVE ME FROM ADHERENCE TO ANY/ALL  
CITY ADOPTED CODES AT THE TIME OF PLAT  
SUBMITTAL FOR BUILDING PERMITS.



NOTE:  
BEARINGS SHOWN HEREON ARE BASED ON RECORD PLAT INDICATED BELOW.

FLOOD ZONE INTERPRETATION: IT IS THE RESPONSIBILITY OF ANY INTERESTED PERSONS TO VERIFY THE ACCURACY OF FEMA FLOOD ZONE DESIGNATION OF THIS PROPERTY WITH FEMA AND STATE AND LOCAL OFFICIALS, AND TO DETERMINE THE EFFECT THAT SUCH DESIGNATION MAY HAVE REGARDING THE INTENDED USE OF THE PROPERTY. The property made the subject of this survey appears to be included in a FEMA Flood Insurance Rate Map (FIRM), identified as Community No. 48029C, Panel No. 0415 G, which is dated 09/29/2010. By scaling from that FIRM, it appears that all or a portion of the property may be in Flood Zone(s) X. Because this is a boundary survey, the survey did not take any actions to determine the Flood Zone status of the surveyed property other than to interpret the information set out on FEMA's FIRM, as described above. THIS SURVEYOR DOES NOT CERTIFY THE ACCURACY OF THIS INTERPRETATION OF THE FLOOD ZONES, which may not agree with the interpretations of FEMA or state or local officials, and which may not agree with the tract's actual conditions. More information concerning FEMA's Special Flood Hazard Areas and Zones may be found at <http://www.fema.gov/index.shtml>.



Property Address:  
103 CARLE

Property Description:  
Being 0.118 acres of land, more or less, being a portion of Lots 5 and 6, New City Block 6861, Colonia Buena Aires, City of San Antonio, Bexar County, Texas, according to the map or plat thereof recorded in Volume 980, Page 147, Deed and Plat Records, and being that same property conveyed in an Executor's Deed recorded in Volume 16728, Page 614, Official Public Records of Bexar County, Texas, said 0.118 acres of land being more particularly described by metes and bounds attached hereto.

Owner:  
BERNADINO VASQUEZ

FIRM REGISTRATION NO.  
1011700

**Westar Alamo**  
LAND SURVEYORS, LLC

P.O. BOX 1036 HELOTES, TEXAS 78023-1036  
PHONE (210) 372-9500 FAX (210) 372-9999

- LEGEND**
- △ = CALCULATED POINT
  - = 1/2" IRON ROD TO BE SET
  - = FND 1/2" IRON ROD
  - ⊙ = FND 1" PIPE
  - ( ) = RECORD INFORMATION
  - B.S. = BUILDING SETBACK
  - C.M. = CONTROLLING MONUMENT
  - = SIGN
  - ⊕ = FIRE HYDRANT
  - ⊗ = CHAIN LINK FENCE

STATE OF TEXAS  
REGISTERED  
MARK J. EWALD  
5095  
PROFESSIONAL  
LAND SURVEYOR

I, MARK J. EWALD, Registered Professional Land Surveyor, State of Texas, do hereby certify that the above plat represents an actual survey made on the ground under my supervision, and there are no discrepancies, conflicts, shortages in area or boundary lines, or any encroachment or overlapping of improvements, to the best of my knowledge and belief, except as shown herein.

*Mark J. Ewald*  
MARK J. EWALD  
Registered Professional Land Surveyor  
Texas Registration No. 5095