

AN ORDINANCE 2013 - 12 - 05 - 0883

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 3.578 acres out of Lots 12, 13, 14, 15 and 16, Block 1, NCB 13801 from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District, "C-3R AHOD" General Commercial Restrictive Alcohol Sales Airport Hazard Overlay District, "C-3 AHOD" General Commercial Airport Hazard Overlay District, and "I-1 AHOD" General Industrial Airport Hazard Overlay District to "I-1 AHOD" General Industrial Airport Hazard Overlay District.

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

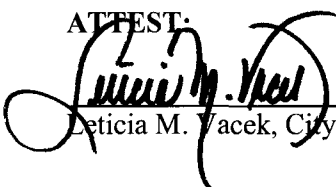
SECTION 3. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35 -491.

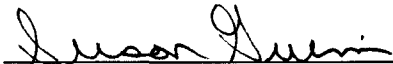
SECTION 4. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 5. This ordinance shall become effective December 15, 2013.

PASSED AND APPROVED this 5th day of December 2013.


M A Y O R
Julián Castro

ATTEST:

Deticia M. Yacek, City Clerk

APPROVED AS TO FORM:

for Michael D. Bernard, City Attorney

Agenda Item:	Z-7 (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 # Z2014002 (District 2): An Ordinance amending the Zoning District Boundary from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District, "C-3R AHOD" General Commercial Restrictive Alcohol Sales Airport Hazard Overlay District, "C-3 AHOD" General Commercial Airport Hazard Overlay District, and "I-1 AHOD" General Industrial Airport Hazard Overlay District to "I-1 AHOD" General Industrial Airport Hazard Overlay District on 3.578 acres out of Lots 12, 13, 14, 15 and 16, Block 1, NCB 13801 located on portions of the 5100 and 5200 Blocks of Randolph Boulevard. 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	

2207302

April 9 2010
Job No. S0371102



CIVIL ENGINEERING CONSULTANTS
DON DURDEN, INC.
11550 IH 10 West, Suite 385
San Antonio, TX 78230-1037
T: 210-841-9899 F: 210-841-8440

EXHIBIT A-1 TRACT II
DESCRIPTION OF
A 0.006 OF ONE ACRE TRACT OF LAND

Being 0.006 of one acre of land in New City Block (N.C.B.) 13801, San Antonio, Bexar County, Texas, being out of a portion of Lot 16 and Lot 15, Block 1, shown on the subdivision plat of Minot Austin Highway Acres, recorded in Volume 980, Page 412, Deed and Plat Records, Bexar County, Texas, also being out of 1.092 acre tract of land described in Volume 3049, Page 287, Deed Records, Bexar County, Texas, and being more particularly described as follows:

BEGINNING at a Mag nail set on the common line of the northwesterly right-of-way line of Randolph Blvd. (R.O.W. 170') and said Lot 15, the POINT OF BEGINNING and easterly corner of this tract, also being the south corner of a 36-foot wide strip of land described this day and attached herewith, from which a 1/2" rebar with a "CEC" plastic cap set at the east corner of said 1.092 acre tract bears North 48°07'28" East, a distance of 36.69 feet;

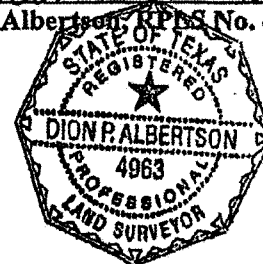
THENCE South 48°07'28" West, coincident with the common line of Lot 15, the aforementioned Lot 16, and said northwesterly right-of-way line, a distance of 25.00 feet to a 1/2" rebar with a "CEC" plastic cap set, the most southerly corner of this tract;

THENCE North 03°36'13" East, departing said common line, crossing said Lot 16, a distance of 29.39 feet to a Mag nail set with a "CEC" shiner set in Lot 16, also being in the southwesterly line of the aforementioned 36-foot wide strip of land, the most northerly corner of this tract;

THENCE South 52°59'00" East, continuing across Lot 16 and Lot 15, coincident with said southwesterly line, a distance of 21.00 feet to the POINT OF BEGINNING, and containing 0.006 of one acre, (260 sq. ft.) of land, more or less.

The basis of bearing recited herein is the Texas State Plane Coordinate System, South Central Zone (NAD 83). This description was prepared from a survey made on the ground by employees of Civil Engineering Consultants, (CEC). There is a plat of survey with like job number.

Dion P. Albertson
Dion P. Albertson, R.P.S. No. 4963



X:\data\survey\projects\AS0275812 CPS TUTTLE-KIRBY\metres-bounds\TRIANGLE-des. doc

Exhibit A-1
ATTACHMENT A



CIVIL ENGINEERING CONSULTANTS
DON DURDEN, INC.

11660 IH 10 West, Suite 395
San Antonio, TX 78230-1097
T: 210-841-8888 F: 210-841-8440

April 9 2010
Job No. S0371102

EXHIBIT A-2 TRACT III
DESCRIPTION OF
A 36-FOOT WIDE STRIP OF LAND
(0.240 OF ONE ACRE)

Being a 36-foot wide strip of land (0.240 of one acre), in New City Block (N.C.B.) 13801, San Antonio, Bexar County, Texas, being out of a portion of Lot 15 and Lot 16, Block 1, shown on the subdivision plat of Minot Austin Highway Acres, recorded in Volume 980, Page 412, Deed and Plat Records, Bexar County, Texas, also being out of 1.092 acre tract of land described in Volume 3049, Page 287, Deed Records, Bexar County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" rebar with a "CEC" plastic cap set on the common line of the northwesterly right-of-way line of Randolph Blvd. (R.O.W.- 170') and said Lot 15, at the east corner of said 1.092 acre tract, the POINT OF BEGINNING, the most easterly corner of this strip;

THENCE South 48°07'28" West, coincident with said common line, a distance of 36.69 feet to a Mag nail set, the most southerly corner of this strip, the most easterly corner of a 0.006 of one acre tract of land surveyed this day and attached herewith;

THENCE North 52°59'00" West, departing said common line, crossing Lot 15 and the aforementioned Lot 16, passing at a distance of 21.00 feet, a Mag nail with a "CEC" washer set, the most northerly corner of said 0.006 of one acre tract, and continuing a total distance of 288.38 feet to a 1/2" rebar with a "CEC" plastic cap set on the common line of Sherri Ann Road (R.O.W.-Varies 50' min., as monumented) and said Lot 16, the most westerly corner of this strip;

THENCE North 42°30'00" East, coincident with said common line, a distance of 36.17 feet to a 1/2" rebar with a "CEC" plastic cap set, the most northerly corner of this strip;

THENCE South 52°59'00" East, departing said common line, crossing Lot 16 and Lot 15, a distance of 291.99 feet to the POINT OF BEGINNING, and containing 0.240 of one acre, (10,447 sq. ft.) of land, more or less.

The basis of bearing recited herein is the Texas State Plane Coordinate System, South Central Zone (NAD 83). This description was prepared from a survey made on the ground by employees of Civil Engineering Consultants, (CEC). There is a plat of survey with like job number.

Alison
Dion P. Albertson, RPLAN# 4963

X:\data\survey\projects\S0273812 CPS TUTTLE-KIRBY\metes-bounds\Land Stabilizers-des. doc

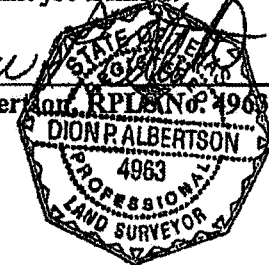


Exhibit A-2

2014002

EXHIBIT "A" TRACT IV
3557 RANDOLPH BLVD.
15,823 SQUARE FEET OR 0.363 OF AN ACRE

STATE OF TEXAS

COUNTY OF BEXAR

Being 15,823 square feet or 0.363 of an acre of land area out of Lot 12, Block 1, New City Block 13801, in the City of San Antonio, Bexar County, Texas, being that same property called the South 234.2 feet of the West 70 feet of Lot 12, Block 1, Minots Austin Highway Acres, a Subdivision of record in Volume 980, Page 412, Deed and Plat Records of Bexar County, Texas, in a deed dated January 20, 2009 to Marc Y. Zadik as recorded in Volume 13824, Page 1674, Real Property Records of Bexar County, Texas, and also being the same property called the South 224 feet of said Lot 12, described in a deed dated June 17, 1963 to Ruebin M. Tatsch and Betty C. Tatsch as recorded in Volume 4959, Page 157, Deed Records of Bexar County, Texas. Said 0.363 of an acre tract of land being surveyed by Sightline Surveying on April 7, 2009 and being more particularly described as follows;

Beginning at a ½" iron rod set on the northwest right-of-way line of Randolph Blvd. (having a right-of-way width of 170 feet, as per Volume 7300, Page 66, Deed and Plat Records of Bexar County, Texas), for the south corner of that certain tract of land called to be the remaining portion of a 1.06 acre tract of land described in a deed dated May 24, 2005 to De Vargas, Inc. as recorded in Volume 11410, Page 1274, Real Property Records of Bexar County, Texas, and being the east corner of this tract of land, from which a 1" pipe found for the original south corner of said Lot 12 and Lot 11, Block 1, New City Block 13801, of said Minots Austin Highway Acres bears, North 48°02'00" East for a distance of 60.99 feet (record call is North 48°02'00" East, 60.78 feet);

Thence with said northwest right-of-way line of Randolph Blvd., same being the southeast boundary line of said Lot 12, South 48°02'00" West for a distance of 69.42 feet (record call is South 48°02'00" West, 70.00 feet), to a ½" iron rod set for the east corner of that certain tract of land called Lots 13, 14, 15 and 16, Block 1, New City Block 13801 of said Minots Austin Highway Acres, and described in a deed dated December 6, 2000 to Andrew Lee Holland as recorded in Volume 8666, page 1413, Real Property Records of Bexar County, Texas, and being the south corner of said Lot 12 and this tract of land;

Thence with the northeast boundary line of said Lot 13, same being the southwest boundary line of said Lot 12, North 42°07'29" West for a distance of 223.79 feet (record call is North 41°58'00" West, 234.2 feet as per said Volume 13824, Page 1674, and 224.00 feet as per said Volume 4959, Page 157), to a ½" iron rod found (record calls for a ½" iron rod) for the south corner of that certain tract of land called to contain 0.147 of an acre in a deed dated July 28, 2006 to Yolanda R. Wilkins as recorded in Volume 12286, Page 1213, Real Property Records of Bexar County, Texas, and being the west corner of this tract of land;

22014002

Thence crossing said Lot 12 with the southeast boundary line of said 0.147 of an acre tract of land and that certain tract of land called to contain 0.1385 of an acre tract of land in a deed dated August 3, 2000 to Robert and Hilda Leticia Guerrero as recorded in Volume 8518, Page 1513, Real Property Records of Bexar County, Texas, same being the northwest boundary line of this tract of land, North 44°11'03" East for a distance of 70.67 feet (record call is North 48°02'00" East, 70.00'), to a ½" iron rod found (record calls for a ½" iron rod) for a west corner of that certain tract of land called to contain 0.581 of an acre of land in a deed dated August 8, 2005 to Valerie Vargas as recorded in Volume 11567, Page 1542, Real Property Records of Bexar County, Texas, and being the north corner of this tract of land;

Thence continuing to cross said Lot 12 with the southwest boundary line of said 0.581 of an acre of land and said remaining portion of 1.06 acre tract of land, same being the northeast boundary line of this tract of land, South 41°50'47" East passing an old wood fence post (record is old wood post) at 97.64 feet (record distance is 97.79 feet) for the south corner of said 0.581 of an acre tract of land, and being the west corner of said remaining portion of 1.06 acre tract of land, and continuing for a total distance of 228.53 feet (record call is South 41°58'00" East, 234.2 feet as per said Volume 13824, Page 1674, and 224.00 feet as per said Volume 4959, Page 157), to the Point of Beginning.

BEARING BASIS -- Bearings shown hereon are based on a Plat recorded in Volume 980, Page 412, Deed and Plat Records of Bexar County, Texas.

NOTE: There is a survey on 11" x 17" paper, this day made to accompany this metes and bounds description.

I, R.P. Shelley, do hereby certify that this Metes and Bounds Description reflects the results of an on-the ground survey conducted by personnel working under my supervision and to the best of my knowledge is true and accurate and substantially complies with the Rules and Regulations and Standards of Practice as adopted by the Texas State Board of Professional Land Surveying.

R.P. Shelley

R.P. Shelley
Registered Professional Land Surveyor No. 4540
Job #09-150



220,4002

Form 102, Rev. (6-81)

2172534

FOUND PRINTING & STATIONERY COMPANY
2123 FANNIN, HOUSTON, TEXAS 77002, (713) 869-2139

WARRANTY DEED

THE STATE OF TEXAS
COUNTY OF BEXAR

} KNOW ALL MEN BY THESE PRESENTS:

That LEONARD M. HOLLAND AND WIFE PHYLLIS Z. HOLLAND

of the County of Harris and State of Texas for and in
consideration of the sum of Ten Dollars and 00/100 (\$10.00)

DOLLARS

and other valuable consideration to the undersigned 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

LEISA H. NELSON

of the County of and State of New York, all of

the following described real property in Bexar County, Texas, to-wit:

Lots Thirteen (13), Fourteen(14), Fifteen (15), and Sixteen (16), Block One (1), New City Block Thirteen Thousand Eight Hundred One (13801), Austin Highway Acres, according to the plat recorded in Volume 980, Page 412, Plat Records of Bexar County, Texas, SAVE AND EXCEPT that 1.092 acre tract conveyed to the City Public Service Board of San Antonio by H. L. Peterson in Volume 3049 Page 287, Deed Records of Bexar County, Texas. The said real estate and premises hereby conveyed, containing 2.969 acres, and being more particularly described by Mets and Bounds in EXHIBIT "A" hereto attached and made a part hereof for all purposes.

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, her heirs and assigns forever; and we do hereby bind ourselves, our heirs, executors and administrators to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said grantee, her heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this 18th day of December, A.D. 1990
Leonard M. Holland
LEONARD M. HOLLAND
Phyllis Z. Holland
PHYLLIS Z. HOLLAND

VOL 204 PAGE 603

2201402

THE STATE OF TEXAS
COUNTY OF HARRIS

(Acknowledgment)

Before me, the undersigned authority, on this day personally appeared
LEONARD MALWICE HOLLAND

known to me to be the person whose name subscribed to the foregoing instrument, and acknowledged to me
that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office on this the 18th day of December, A.D. 1990

My Commission Expires
Dec 17, 1991

Gloria Frazier
Notary Public in and for the State of Texas
GLORIA FRAZIER

THE STATE OF TEXAS
COUNTY OF HARRIS

(Acknowledgment)

Before me, the undersigned authority, on this day personally appeared
Phyllis Zax Holland.

known to me to be the person whose name subscribed to the foregoing instrument, and acknowledged to me
that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office on this the _____ day of _____, A.D. 19

My Commission Expires
Dec 17, 1991

Gloria Frazier
Notary Public in and for the State of Texas
GLORIA FRAZIER

WARRANTY DEED

TO

PREPARED IN THE LAW OFFICE OF:

PLEASE RETURN TO:

Form 102, Rev. (6-81)
FOUNTAIN PRINTING & STATIONERY COMPANY
212 FANNING, HOUSTON, TEXAS 77002 (713) 661-1111

VOIDS 204 BARS 604

THE STATE OF TEXAS
COUNTY OF

(Corporate Acknowledgment)

Before me, the undersigned authority, on this day personally appeared _____
of _____

a corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that
he executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed
of said corporation.

Given under my hand and seal of office on this the _____ day of _____, A.D. 19

My Commission Expires _____

Notary Public in and for the State of Texas
Notary's Printed Name

22W4002

Lots Thirteen (13), Fourteen (14), Fifteen (15) and Sixteen (16), Block One (1), New City Block Thirteen Thousand Eight Hundred One (13801), AUSTIN HIGHWAY ACRES, according to plat recorded in Volume 980, Page 412, Plat Records of Bexar County, Texas, SAVE AND EXCEPT that 1.092 acre tract conveyed to City Public Service Board of San Antonio by H. L. Peterson in Volume 3049, Page 287, Deed Records of Bexar County, Texas. Said real estate and premises hereby conveyed, containing 2.969 acres, being more particularly described by Metes and Bounds as follows:

BEGINNING at an iron pin found in the Southeast R.O.W. line of Sherri Ann Road for the most Northerly corner of Lot 13;

THENCE S. 41° 40' E. partially with a fence along the common lot lines of Lots 12 and 13, a distance of 335.08 feet to a point in the Northwest line of Randolph Blvd. (U.S. Highway No. 81 South) for the Easternmost corner of Lot 13 and the Easternmost corner of the herein described tract;

THENCE S. 48° 20' W. with the Northwest line of Randolph Blvd., partially with a chain link fence, a distance of 382.29 feet to a point for the Easternmost corner of said C.P.S. 1.092 acre tract, and the Southernmost corner of the herein described tract;

THENCE N. 52° 41' W. with the Northeast line of said C.P.S. 1.092 acre tract, a distance of 296.98 feet to a point in the Southeast R.O.W. line of Sherri Ann Road, for the Northernmost corner of C.P.S. 1.092 acre tract, and the Westernmost corner of the herein described tract;

THENCE N. 42° 40' E. with the Southeast R.O.W. line of Sherri Ann Road, a distance of 441.33 feet to the POINT OF BEGINNING, and containing 29,320 sq. ft. or 2.969 acres of land, more or less.

The above described property and premises is hereby conveyed subject to any restrictions and/or easements of record which may affect said property.

ORIGINAL DIR

NOV 20 1991
BEXAR COUNTY, TEXAS
COUNTY CLERK'S OFFICE

Any provision herein which conflicts with the sale, rental, or use of the described real property because of race is invalid and is 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 herein by me and was duly RECORDED in the Official Public Records of Post-Primary of Bexar County, Texas on:

NOV 21 1991



Russell D. Green
COUNTY CLERK BEXAR COUNTY, TEXAS

NOV 20 4 1991 6 0 5

" EXHIBIT A "

72014009

Doc# 20120172261
Pages 10
09/05/2012 3:24PM
e-Filed & e-Recorded in the
Official Public Records of
BEXAR COUNTY
GERARD C. RICKHOFF
COUNTY CLERK
Fees \$48.00

STATE OF TEXAS
COUNTY OF BEXAR
This is to Certify that this document
was e-FILED and e-RECORDED in the Official
Public Records of Bexar County, Texas
on this date and time stamped thereon.
09/05/2012 3:24PM
COUNTY CLERK, BEXAR COUNTY TEXAS



Gerard Rickhoff