

ORDINANCE 2020-02-20-0123

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 Lot 13A save and except the northeast triangular 14 feet, Block 2, NCB 2177 from "MF-33 AHOD" Multi-Family Airport Hazard Overlay District to "R-1 AHOD" Residential Single Family Airport Hazard Overlay District.

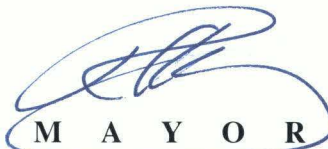
SECTION 2. A description of the property, which is saved and excepted in Section 1 above, and which is recorded in Volume 5639, Page 786 of the Official Public Record of Real Property of Bexar County, is attached as **Exhibit "A"** and made a part hereof and incorporated herein for all purposes.

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 March 1, 2020.


PASSED AND APPROVED this 20th day of February, 2020.


M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:


for Leticia M. Vacek, City Clerk


for Andrew Segovia, City Attorney



City of San Antonio

City Council

February 20, 2020

Item: Z-4

Enactment Number:

File Number: 20-1596

2020-02-20-0123

ZONING CASE Z-2019-10700312 (Council District 1): Ordinance amending the Zoning District Boundary from "MF-33 AHOD" Multi-Family Airport Hazard Overlay District to "R-1 AHOD" Residential Single Family Airport Hazard Overlay District on Lot 13A excluding northeast triangular 14 feet, Block 2, NCB 2177, located at 802 Arbor Place. Staff and Zoning Commission recommend Approval.

Councilmember Roberto C. Treviño made a motion to adopt. Councilmember Jada Andrews-Sullivan seconded the motion. The motion passed by the following vote:

Aye: 10 Nirenberg, Treviño, Andrews-Sullivan, Viagran, Gonzales,
Cabello Havrda, Sandoval, Pelaez, Courage and Perry

Absent: 1 Rocha Garcia

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ORDINANCE NO. 0-420

SEP-23-65 402971

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AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE SAN ANTONIO RIVER AUTHORITY DECLARING THAT PUBLIC NECESSITY REQUIRES THAT THE SAN ANTONIO RIVER AUTHORITY APPROPRIATE AND ACQUIRE FEE SIMPLE TITLE IN AND TO PART OF LOT 13A, BLOCK 2, NEW CITY BLOCK 2177, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, FOR THE FOLLOWING PUBLIC PURPOSE TO-WIT: THE CONSTRUCTION, OPERATION AND MAINTENANCE OF UNIT 4-D (MARTINEZ CREEK: CONFLUENCE WITH ALAZAN CREEK TO CULEBRA AVENUE) OF THE SAN ANTONIO CHANNEL IMPROVEMENT PROJECT FOR FLOOD CONTROL OF MARTINEZ CREEK; AND AUTHORIZING AND DIRECTING ITS LEGAL DEPARTMENT TO PROSECUTE THE CONDEMNATION OF SAID PARCEL IN THE MANNER PRESCRIBED BY TITLE 52, EMINENT DOMAIN, OF THE REVISED CIVIL STATUTES OF TEXAS, CODE OF THE YEAR 1925.

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Preamble

WHEREAS, the San Antonio River Authority and the United States of America, acting through its duly authorized U. S. Army Engineers, are jointly engaged in a project of flood control for the San Antonio River and its tributaries, including Martinez Creek, as authorized by Public Law 780 of September 3, 1954, of the United States Congress and by Section 3(b) of Article 8280-119, Revised Civil Statutes of Texas; and

WHEREAS, the San Antonio River Authority has agreed to provide without cost to the United States all lands, easements and rights-of-way necessary for the construction of the said San Antonio Channel Improvement Project, including the relocation or reconstruction of bridges, and the San Antonio River Authority has further agreed to operate and maintain said project; and

WHEREAS, the San Antonio River Authority must appropriate and acquire fee simple title in and to all of that parcel of land described as follows:

ORIGINAL DIM

BEING a triangular parcel of land containing 350 square feet, more or less, out of a tract known as Lot 13A, Block 2, New City Block 2177 situated entirely within the corporate limits of the City of San Antonio, Bexar County, Texas; said parcel being more specifically described as follows:

BEGINNING at a point on the south R.O.W. line of Arbor Place, said point being 10.0 feet east of the northwest corner of Lot 13A, Block 2, New City Block 2177;

THENCE in an easterly direction along the south R.O.W. line of Arbor Place, a distance of 14.0 feet to a point, said point being the northeast corner of Lot 13A;

THENCE in a southerly direction along the east boundary line of Lot 13A, a distance of 50.0 feet to a point;

THENCE in a northwesterly direction in a straight line, a distance of 52.0 feet to the point of beginning.

and

WHEREAS the ownership of said parcel of land is vested in Hortense Rosales Covarrubias, Lucas G. Rosales and Lucas Rosales, Jr.; and

WHEREAS, the owners have not agreed with the San Antonio River Authority

Exhibit "A"

on the amount of damages to which they are entitled by reason of the taking of the above-described property; and

WHEREAS, the San Antonio River Authority is, therefore, required to proceed in condemnation in order to acquire the fee simple estate and title to said property.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE SAN ANTONIO RIVER AUTHORITY:

1. That public necessity requires that the San Antonio River Authority appropriate and acquire the fee simple title in and to the above-described parcel of land for the construction, operation and maintenance of Unit 4-D (Martinez Creek: confluence with Alazan Creek to Culebra Avenue) of the San Antonio Channel Improvement Project for the following purpose, to-wit: flood control of Martinez Creek.

2. That the Legal Department of the San Antonio River Authority be and it is hereby authorized and directed to prosecute to conclusion the acquisition of the above-described parcel by condemnation proceedings in the manner prescribed by Title 52, Eminent Domain, of the Revised Civil Statutes of Texas, Code of the Year 1925.

PASSED AND APPROVED this 21st day of September, 1966.



ATTEST:

Martin C. Giesecke
MARTIN C. GIESECKE, Chairman
Board of Directors
San Antonio River Authority

Leslie R. Neal
LESLIE R. NEAL, Secretary
Board of Directors
San Antonio River Authority

ACKNOWLEDGMENT OF CHAIRMAN

THE STATE OF TEXAS X
COUNTY OF ~~WILSON~~ **BEJAR** X

BEFORE me, the undersigned authority, on this day personally appeared Martin C. Giesecke, Chairman of the Board of Directors of the San Antonio River Authority, a political subdivision of the State of Texas, known to me to be the person or officer whose name is subscribed to the foregoing instrument, and he 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 political subdivision.

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GIVEN UNDER my hand and seal of office on this the 21st day of
September, 1966.



F. D. Warren

F. D. WARREN
Notary Public, Bexar County, Texas

Notary Public to and for
Wilson County, Texas

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CERTIFICATE OF SECRETARY

Office of the San Antonio River Authority
San Antonio, Texas
September 21, 1966

I hereby certify the above to be a true copy or duplicate original of the record in the matter of the adoption of Ordinance No. 0-420 and of the ordinance as officially promulgated and on file in the ordinance book of this office, and I further certify that said ordinance was adopted by the affirmative vote of NINE (9) members of the Board of Directors at the regular meeting of said Board held on September 21, 1966, at which a quorum was present as shown by the Minutes thereof.



Leslie R. Neal

LESLIE R. NEAL, Secretary
Board of Directors
San Antonio River Authority

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AN ORDINANCE OF THE BOARD OF DIRECTORS
OF THE SAN ANTONIO RIVER AUTHORITY
DECLARING THAT PUBLIC NECESSITY RE-
QUIRES THAT THE SAN ANTONIO RIVER
AUTHORITY APPROPRIATE AND ACQUIRE FEE
SIMPLE TITLE IN AND TO PART OF LOT 13A,
BLOCK 2, NEW CITY BLOCK 2177, IN THE
CITY OF SAN ANTONIO, BEXAR COUNTY,
TEXAS, . . . etc.

FILED IN MY OFFICE
JAMES W. KNIGHT
COUNTY CLERK BEXAR CO.

1966 SEP 23 PM 3 22



James W. Knight
COUNTY CLERK
BEXAR COUNTY, TEXAS

SEP 26 1966

STATE OF TEXAS
COUNTY OF BEXAR
I, COUNTY CLERK, do hereby certify that this instrument was filed on the date and at the time stamped hereon in the office of the Clerk of the County of Bexar, Texas, as stamped hereon by me.

682 VOL PAGE 5639 789

SAN ANTONIO RIVER AUTHORITY
430 THREE A LIFE BUILDING
SAN ANTONIO, TEXAS 78205