

**AN ORDINANCE 2016-10-06-0777**

**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 0.169 acres out of NCB 537 from "R-6 H AHOD" Residential Single-Family Dignowity Hill Historic Airport Hazard Overlay District to "R-6 CD IDZ H AHOD" Residential Single-Family Infill Development Overlay Zone Dignowity Hill Historic Airport Hazard Overlay District with Conditional Use for Professional Office.

**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 finds as follows:

- A. The conditional use will not be contrary to the public interest.
- B. The conditional use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district.
- C. The conditional use will be in harmony with the spirit and purpose for conditional uses as set forth in Section 35-422, Conditional Zoning, of the Unified Development Code.
- D. The conditional use will not substantially weaken the general purposes of the regulations as set forth in Section 35-422, Conditional Zoning, of the Unified Development Code.
- E. The conditional use will not affect adversely the public health, safety and welfare.

**SECTION 4.** The City council approves this Conditional Use 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 5.** 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 6.** 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 7.** This ordinance shall become effective the 16<sup>th</sup> day of October 2016.

**PASSED AND APPROVED** this 6<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>	<b>Z-4 ( in consent vote: Z-1, P-1, Z-2, P-2, Z-3, Z-4, Z-8, Z-9 )</b>						
<b>Date:</b>	10/06/2016						
<b>Time:</b>	02:10:56 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	ZONING CASE # Z2016218 CD (Council District 2): An Ordinance amending the Zoning District Boundary from "R-6 H AHOD" Residential Single-Family Dignowity Hill Historic Airport Hazard Overlay District to "R-6 CD IDZ H AHOD" Residential Single-Family Infill Development Overlay Zone Dignowity Hill Historic Airport Hazard Overlay District with Conditional Use for Professional Office on 0.169 acres out of NCB 537, located at 724 North Cherry Street. 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					
Cris Medina	District 7	x					
Ron Nirenberg	District 8		x				
Joe Krier	District 9	x					
Michael Gallagher	District 10		x				x

ATC 4003005349

**NOTICE OF CONFIDENTIALITY RIGHTS:**

**IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

**WARRANTY DEED**

Date: May 5, 2016

Grantor: SIMOR TEXAS LAND COMPANY, LLC

Grantor's Mailing Address: 415 Burnet Street  
San Antonio, Texas 78202

Grantee: J B GARCIA LLC

Grantee's Mailing Address: 932 N. Pine  
San Antonio, Texas 78202

Consideration: TEN DOLLARS AND NO/100 (\$10.00) and other valuable consideration.

**Property:**

0.169 OF AN ACRE OF LAND BEING THE MIDDLE ONE-THIRD (1/3) OF LOTS 1 AND 2, BLOCK 22, NEW CITY BLOCK 537, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, AND BEING THE SAME PROPERTY AS DESCRIBED IN VOLUME 5921, PAGE 753, REAL PROPERTY RECORDS, BEXAR COUNTY, TEXAS. SAID 0.169 OF AN ACRE OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND ON THE EAST RIGHT-OF-WAY LINE OF NORTH CHERRY STREET WHICH BEARS NORTH 00 DEGREES 19 MINUTES 32 SECONDS EAST 61.14 FEET FROM A 1/2" IRON ROD FOUND MARKING THE INTERSECTION OF NORTH CHERRY STREET AND THE NORTH LINE OF ARMADILLO ALLEY MARKING THE SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 00 DEGREES 04 MINUTES 10 SECONDS WEST 62.01 FEET ALONG THE EAST RIGHT-OF-WAY LINE OF NORTH CHERRY STREET TO A 1/2" IRON ROD FOUND MARKING THE NORTHWEST CORNER OF THIS TRACT;

THENCE NORTH 89 DEGREES 58 MINUTES 39 SECONDS EAST 119.05 FEET TO A POINT THAT BEARS SOUTH 79 DEGREES 48 MINUTES 37 SECONDS EAST 147 FEET FROM A CHAINLINK FENCE POST FOUND;

THENCE SOUTH 00 DEGREES 04 MINUTES 07 SECONDS EAST 61.62 FEET TO A POINT THAT BEARS NORTH 54 DEGREES 59 MINUTES 28 SECONDS EAST 0.70 FEET FROM A CHAIN LINK



Z2016218

FENCE POST FOUND;

THENCE SOUTH 89 DEGREES 47 MINUTES 28 SECONDS WEST 119.05 FEET TO THE POINT OF BEGINNING, AND CONTAINING 0.169 OF AN ACRE OF LAND.

Reservations from and Exceptions to Conveyance and Warranty: This conveyance is made and accepted subject to restrictions, easements and other matters appearing of record.

GRANTEE ACCEPTS THE PROPERTY AND IMPROVEMENTS "AS IS" IN THEIR PRESENT CONDITION, WITH NO WARRANTIES OF HABITABILITY OR OTHERWISE.

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 successors or assigns forever. Grantor binds Grantor's successors and assigns to warrant and forever defend all and singular the said Property unto Grantee and Grantee's successors or assigns forever 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.

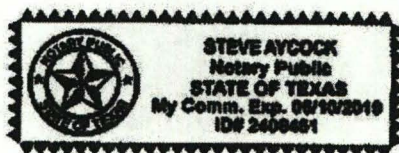
SIMOR TEXAS LAND COMPANY, LLC

By: *George Eugene Simor*  
GEORGE EUGENE SIMOR, MANAGER

STATE OF TEXAS §

COUNTY OF BEXAR §

This instrument was acknowledged before me on the 5 day of May, 2016, by GEORGE EUGENE SIMOR, MANAGER of SIMOR TEXAS LAND COMPANY, LLC.



*Steve Aycock*  
Notary Public for the State of Texas

Z2016218

Doc# 20160084442  
# Pages 3  
05/06/2016 12:03PM  
e-Filed & e-Recorded in the  
Official Public Records of  
BEXAR COUNTY  
GERARD C. RICKHOFF  
COUNTY CLERK  
Fees \$30.00

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.  
05/06/2016 12:03PM  
COUNTY CLERK, BEXAR COUNTY TEXAS



*Gerard C. Rickhoff*



The following statement: "I, JUAN A GARCIA, 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 case does not relieve me from adherence to any/all City adopted Codes at the time of plan submittal for building permits."

