SG/lj 08/17/2017 # Z-7

### AN ORDINANCE 2017 - 08 - 17 - 0584

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 0.9638 acres out of NCB 979 and NCB 982 located at 502, 504, 516, and 520 E. Grayson Street, 1816 N. Alamo Street, 1822 N. Alamo Street, and 1311 Austin Street from "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and "MF-33" Multi-Family District, "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District for Food - Mobile Vending (Base Operations), a Bar/Tavern without cover charge 3 or more days per week, Coffee Roasting, Microbrewery and Food - Mobile Food Court, "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District, Multi-Family Dwellings not to exceed 76 units per acre, Bar/Tavern without cover charge 3 or more days per week, Hotel, and Studio - Sound and Recording, and "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District, Multi-Family Dwellings not to exceed 76 units per acre, Hotel, and Studio - Sound and Recording to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "RM-4" Residential Mixed District, "C-3" General Commercial District, and Multi-Family uses (apartments and/or condominiums) not to exceed 100 units per acre; as well as the following uses: Live-Work Units; Bar and/or tavern with cover charge 3 or more days per week; Nightclub with cover charge 3 or more days per week; Alcohol beverage manufacture or brewery; Hotel taller than 35 feet; Beverage manufacture non-alcohol (including manufacturing and processing); Entertainment Venue (outdoor); Live Entertainment with and without cover charge 3 or more days per week (not including Food Service Establishments); Food Service Establishments with cover charge 3 or more days per week (with or without accessory live entertainment); and Beverage Manufacturing or Processing with Storage and Repair of Service Vehicles and Outside Storage (Open with No Screening including Shipping Container Storage).

SECTION 2. A description of the property is attached as Exhibit "A" and made a part hereof

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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 27<sup>th</sup> day of August 2017.

**PASSED AND APPROVED** this 17<sup>th</sup> day of August 2017.

Y 0 R

Kor Ron Nirenberg

icia M. Vacek, City Clerk

APPROVED AS TO FORM:

Agenda Item:	Z-7 (in consent vote: Z-2, P-1, Z-4, Z-5, Z-6, Z-7, Z-9, Z-11, Z-12, Z-14, Z-15, Z-19, Z-21, Z-22						
Date:	08/17/2017						
Time:	02:13:31 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2017184 (Council District 2): An Ordinance amending the Zoning District Boundary from "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and "MF-33" Multi-Family District, "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District for Food - Mobile Vending (Base Operations), a Bar/Tavern without cover charge 3 or more days per week, Coffee Roasting, Microbrewery and Food - Mobile Food Court, "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District Multi-Family Dwellings not to exceed 76 units per acre, Bar/Tavern without cover charge 3 or more days per week, Hotel, and Studio - Sound and Recording, and "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District, Multi-Family Dwellings not to exceed 76 units per acre, Bar/Tavern without cover charge 3 or more days per week, Hotel, and Studio - Sound and Recording, and "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District, Multi-Family Dwellings not to exceed 76 units per acre, Hotel, and Studio - Sound and Recording to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "RM-4" Residential Mixed District, "C-3" General Commercial District, and Multi-Family uses (apartments and/or condominiums) not to exceed 100 units per acre; as well as the following uses: Live-Work Units; Bau and/or tavern with cover charge 3 or more days per week; Nightclub with cover charge 3 or more day per week; Alcohol beverage manufacture or brewery; Hotel taller than 35 feet; Beverage manufacture non-alcohol (including manufacturing and processing); Entertainment Venue (outdoor); Live Entertainment with and without cover charge 3 or more days per week (not including Food Service Establishments); Food Service Establishments with cover charge 3						
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SG/lj 08/17/2017 Item No. Z-7

# Exhibit "A"

39350 IH 10 West, Suite 1 | Boerne, TX 78006 | 830.428.0290 TBPLS Firm No. 10164600

#### ZONING – 5 B

### FIELD NOTES FOR 0.322 ACRES OF LAND

**BEING** 0.322 acres of land situated in the City of San Antonio, Bexar County, Texas, being all of LOT 8, BLOCK 10, NEW CITY BLOCK 979, partially described in Volume 14551, Page 220 of the Official Public Records of Bexar County, Texas and being more particularly described by metes and bounds as follows:

**BEGINNING** at a point in the east right-of-way line of NORTH ALAMO STREET (50' wide right-of-way) for the southwest corner of LOT 9, of said BLOCK 10, same being the northwest corner of said LOT 8 and the **POINT OF BEGINNING** and the northwest corner of this herein described tract;

THENCE, with the north line of said LOT 8, the following three (3) courses and distances:

- 1. South 79° 07' 52" East a distance of 229.80 feet to a point for an angle point.
- 2. South 52° 59' 39" East a distance of 46.84 feet to point for an angle point.
- South 37° 57' 48" East a distance of 47.52 feet to a point for the east corner of said LOT 8 and this herein described tract;

THENCE North 78° 45' 31" West with the south line of said LOT 8, a distance of 311.87 feet to a point for the southwest corner of said LOT 8, and this herein described tract.

THENCE North 15° 44' 12" East (being bearing basis) with the east right-of-way line of NORTH ALAMO STREET, same being the west line of said LOT 8, a distance of 50:07 feet to the **POINT OF BEGINNING**.

This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared. This description was based upon an old survey described by metes and bounds as a portion of TRACT 1 within deed recorded in Volume 17932, Page 1380, Official Public Records of Bexar County, Texas.



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Douglas A. Kramer, RPLS #6632 Job #11703011 (NEB/JDB/DAK) | April 26, 2017

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### ZONING - 5 J

### FIELD NOTES FOR 0.17 ACRES OF LAND

**BEING** the east part of LOTS 14 and 15, BLOCK 1, out of a subdivision of the upper portion of the LA BAUME TRACT, made for Thomas Kearney, NEW CITY BLOCK 982, as per plat of record in Volume 6, Page 539, of the Deed & Plat Records of Bexar County, Texas (DPRBCT), bounded as follows:

**BEGINNING** at the intersection of the south line of GRAYSON STREET with the new West line of AUSTIN STREET, (18' west of the old west line of AUSTIN STREET);

THENCE about south with the new line of AUSTIN STREET 63.1 feet to the north line of LOT 13;

THENCE about west parallel with GRAYSON STREET 115 feet along line between LOTS 14 and 13;

THENCE north parallel with AUSTIN STREET 63.1 feet to the south line of GRAYSON STREET;

THENCE east with the south line of GRAYSON STREET 115 feet to the PLACE OF BEGINNING.

CONTAINING 0.17 +/- acres of land

BEING TRACT 1 of the same property conveyed to RIVER NORTH VENTURES LLC., a Texas Limited Liability Company, by deed of record in Volume 16905, Page 1228, Official Public Records of Bexar County, Texas.

This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared. This description was based upon an old survey described by metes and bounds within deed recorded in Volume 5875, Page 89, Deed & Plat Records of Bexar County, Texas.



Douglas A. Kramer, RPLS #6632 Job #11703011 (NEB/JDB/DAK) | May 25, 2017



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### ZONING – 5 G

#### FIELD NOTES FOR APPROXIMATELY 0.1548 ACRES OF LAND

**BEING** approximately 0.1548 acres of land known as the west parts of formerly LOT 14 and LOT 15, BLOCK 1, NEW CITY BLOCK 982, situated in the City of San Antonio, Bexar County, Texas, same being all of that certain tract of land conveyed to RIVER NORTH VENTURES LLC, by warranty deed recorded in Volume 16905, Page 1229, of the Official Public Records of Bexar County, Texas, (OPRBCT) and described by field notes in deed recorded in Volume 5495, Page 112, Deed Records of Bexar County, Texas, said 0.1548 acres being more particularly described by metes and bounds as follows:

- **BEGINNING** at a point on the south line of EAST GRAYSON STREET, 115 feet west of the present property line intersection at the southwest corner of EAST GRAYSON STREET and AUSTIN STREET, said beginning point being the northwest corner of the approximately 0.1702 acre tract conveyed to RIVER NORTH VENTURES LLC, by warranty deed recorded in Volume 16905, Page 1229, OPRBCT;
- THENCE in a southerly direction following the west boundary line of said 0.1702 acre tract, 63.1 feet to the north boundary line of LOT 13, and the south boundary line of LOT 14, the same being the southwest corner of said 0.1702 acre tract;

THENCE in a westerly direction following the dividing line between said LOTS 13 and 14, 100 feet to a point for corner;

- THENCE NORTH, making an interior angle of this tract of 89° 26' 69.14 feet to a point in the south line of EAST GRAYSON STREET;
- THENCE in an easterly direction along the south line of EAST GRAYSON STREET, making an interior angle of 77° 43' 27.15 feet to a point;
- THENCE continuing along the south line of EAST GRAYSON STREET, making an interior angle of 192° 51' 72.85 feet to the POINT OF BEGINNING.

This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared. This description was based upon an old survey described by metes and bounds within deed recorded in Volume 5495, Page 112, Deed Records of Bexar County, Texas. Acreages are based on information from the Bexar County Appraisal District and are for reference only.



Douglas A. Kramer, RPLS #6632 Job #11703011 (NEB/JDB/DAK) | April 26, 2017

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#### ZONING – 5 F

#### FIELD NOTES FOR 0.078 ACRES OF LAND

**BEING** 0.078 acres of land known as part of LOT 14 and LOT 15, BLOCK 1, NEW CITY BLOCK 982, situated in the City of San Antonio, Bexar County, Texas, same being all of that certain tract of land conveyed to ABINGTON HOLDINGS INC, by warranty deed recorded in Volume 15776, Page 1644, of the Official Public Records of Bexar County, Texas, (OPRBCT) and being more particularly described by metes and bounds as follows:

- **BEGINNING** at a point at the south right-of-way line of EAST GRAYSON STREET, for the northeast corner of a 0.0684 acre tract known as part of LOT 9, BLOCK 10, NEW CITY BLOCK 979, conveyed to BERTHA A. MOORE by warranty deed recorded in Volume 4293, Page 1321 of the Official Public Records of Bexar County, Texas, said corner also being the northwest corner and **POINT OF BEGINNING** of this herein described tract;
- THENCE South 79° 29' 15" East with the south right-of-way line of EAST GRAYSON STREET same being the north line of said LOT 15, a distance of 72.85 feet to a point in the south right-of-way line of EAST GRAYSON STREET, for the northwest corner of that certain tract of land called the east and west part LOTS 14 and 15, conveyed to RIVER NORTH VENTURES LLC by warranty deed recorded in Volume 16905, Page 1229, OPRBCT, same being the northeast corner of this herein described tract;
- THENCE South 01° 57' 50" West, leaving the south right-of-way line of EAST GRAYSON STREET, a distance of 67.60 feet (called 69.14 feet) to a point in the north line of LOT 13, for the southeast corner of this herein described tract;
- THENCE North 87° 58' 13" West, along the north line of said LOT 13, a distance of 8.28 feet (called 8.0 feet) to a point for an angle point of LOT 8, of said BLOCK 10, NEW CITY BLOCK 979, conveyed to ALAMO & GRAYSON LTD by warranty deed recorded in Volume 17932, Page 1380, OPRBCT, and also being an angle point of this herein described tract;
- THENCE North 52° 59' 39" West (being bearing basis) with the northeast line of said LOT 8, a distance of 46.84 feet to a point for the northeast corner of said LOT 8, and being the southwest corner of this herein described tract;
- THENCE, North 24° 16' 59" West, with the northeast line of said 0.0684 acre tract known as part of LOT 9, a distance of 57.45 feet to the **POINT OF BEGINNING**, containing 0.078 acres (3,405 square feet) of land more or less.

BEARING BASIS - North 52° 59' 39" West - the northeast line of LOT 8.

This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared. This description was based upon an old survey described by metes and bounds within deed recorded in Volume 15776, Page 1644, Official Public Records of Bexar County, Texas.



Douglas A. Kramer, RPLS #6632 Job #11703011 (NEB/JDB/DAK) | April 26, 2017

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Exhibit "A"

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### ZONING – 5 E

#### FIELD NOTES FOR 0.039 ACRES OF LAND

**BEING** 0.039 acres of land (called 0.0423 acres) out of LOT 9, BLOCK 10, NEW CITY BLOCK 979, situated in the City of San Antonio, Bexar County, Texas, same being all of that certain tract of land conveyed to ALAMO & GRAYSON LTD by warranty deed recorded in Volume 17932, Page 1380 of the Official Public Records of Bexar County, Texas (OPRBCT), and being more particularly described by metes and bounds as follows:

- COMMENCING at a point at the southeast right-of-way intersection of EAST GRAYSON STREET and NORTH ALAMO STREET for the northwest corner of said LOT 9, same being the northwest corner of that certain tract of land called 0.040 acres conveyed to CRITERION BROADWAY LP by warranty deed recorded in Volume 15151, Page 421, OPRBCT, and also being the **POINT OF COMMENCEMENT** of this herein described tract;
- THENCE South 79° 11' 06" East, with the south right-of-way line of EAST GRAYSON STREET, same being the north line of said LOT 9, a distance of 74.10 feet to a point for the northeast corner of that tract called 0.041 acres conveyed to ALAMO & GRAYSON LTD by warranty deed recorded in Volume 17932, Page 1380, OPRBCT, same being the northwest corner and **POINT OF BEGINNING** of this herein described tract;
- THENCE South 79° 11' 06" East, continuing with the south right-of-way line of EAST GRAYSON STREET, same being the north line of said LOT 9, a distance of 36.95 feet (called 37.0 feet) to a point for the northeast corner of this herein described tract, same being the northwest corner of that certain tract of land called 0.0428 acres conveyed to BERTHA A. MOORE by warranty deed recorded in Volume 5368, Page 266, OPRBCT;
- THENCE South 10° 25' 07" West, leaving the south right-of-way line of EAST GRAYSON STREET over and across said LOT 9, a distance of 46.46 feet (called 50.17 feet) to a point in the north line of LOT 8, same being the south line of said LOT 9, for the southeast corner of this herein described tract;
- THENCE North 79° 07' 52" West, with the common line of said LOT 8 and said LOT 9, a distance of 36.49 feet (called 36.5 feet) to a point for the southwest corner of this herein described tract;
- THENCE North 09° 50' 46" East, leaving the north line of said LOT 8, over and across said LOT 9, a distance of 46.43 feet (called 50.12 feet) to the POINT OF BEGINNING.

This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared. This description was based upon an old survey described by metes and bounds as TRACT 4 within deed recorded in Volume 17932, Page 1380, Official Public Records of Bexar County, Texas.



Douglas A. Kramer, RPLS #6632 Job #11703011 (NEB/JDB/DAK) | April 26, 2017

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### ZONING – 5 D

#### FIELD NOTES FOR 0.041 ACRES OF LAND

BEING 0.041 acres of land (called 0.0443 acre) out of LOT 9, BLOCK 10, NEW CITY BLOCK 979, situated in the City of San Antonio, Bexar County, Texas, same being all of that certain tract of land conveyed to ALAMO & GRAYSON LTD by warranty deed recorded in Volume 17932, Page 1380 of the Official Public Records of Bexar County, Texas (OPRBCT), and being more particularly described by metes and bounds as follows:

- **COMMENCING** at a point at the southeast right-of-way intersection of EAST GRAYSON STREET and NORTH ALAMO STREET for the northwest corner of said LOT 9, same being the northwest corner of that certain tract of land called 0.040 acres conveyed to CRITERION BROADWAY LP by warranty deed recorded in Volume 15151, Page 421, OPRBCT, and also being the **POINT OF COMMENCEMENT** of this herein described tract;
- THENCE South 79° 11' 06" East, with the south right-of-way line of EAST GRAYSON STREET, same being the north line of said LOT 9, a distance of 36.10 feet to a point for the northeast corner of said 0.040 acre tract and the northwest corner and **POINT OF BEGINNING** of this herein described tract;
- THENCE South 79° 11' 06" East, continuing with the south right-of-way line of EAST GRAYSON STREET, same being the north line of said LOT 9, a distance of 38.00 feet (called 38.0 feet) to a point for the northeast corner of this herein described tract, same being the northwest corner of that certain tract of land called 0.039 acres conveyed to ALAMO & GRAYSON LTD by warranty deed recorded in Volume 17932, Page 1380,OPRBCT;
- THENCE South 09° 50' 46" West, leaving the south right-of-way line of EAST GRAYSON STREET over and across said LOT 9, a distance of 46.43 feet (called 50.12 feet) to a point in the north line of LOT 8, same being the south line of said LOT 9, for the southeast corner of this herein described tract;
- THENCE North 79° 07' 52" West, with the common line of said LOT 8 and said LOT 9, a distance of 39.11 feet (called 39.2 feet) to a point for the southwest corner of this herein described tract;
- THENCE North 11° 13' 07" East, leaving the north line of said LOT 8, over and across said LOT 9, a distance of 46.39 feet (called 50.05 feet) to the POINT OF BEGINNING.

This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared. This description was based upon an old survey described by metes and bounds as TRACT 3 within deed recorded in Volume 17932, Page 1380, Official Public Records of Bexar County, Texas.



Douglas A. Kramer, RPLS #6632 Job #11703011 (NEB/JDB/DAK) | April 26, 2017



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### ZONING – 5 A

### FIELD NOTES FOR 0.159 ACRES OF LAND

**BEING** 0.159 acres of land situated in the City of San Antonio, Bexar County, Texas, being all of LOT A.7, BLOCK 10, NEW CITY BLOCK 979, partially described in Volume 14551, Page 220 of the Official Public Records of Bexar County, Texas and being more particularly described by metes and bounds as follows:

- BEGINNING at a point in the east right-of-way line of NORTH ALAMO STREET (50' wide right-of-way) for the southwest corner of LOT 8, of said BLOCK 10, same being the northwest corner of said LOT A.7 and the POINT OF BEGINNING and the northwest corner of this herein described tract;
- THENCE South 78° 45' 31" East with the north line of said LOT A.7, the south line of said LOT 8, a distance of 151.18 feet to a point for the northeast corner of this herein described tract.
- THENCE South 15° 42' 01" West leaving the south line of said LOT 8, along the west line of said LOT A.7, a distance of 46.06 feet to a point in the south line of said LOT A.7 for the southeast corner of this herein described tract;
- THENCE North 78° 44' 25" West with a portion of the south line of said LOT A.7 for the south line of this herein described tract, a distance of 151.21 feet to a point in the east right-of-way line of NORTH ALAMO STREET for the southwest corner of said LOT A.7 and this herein described tract.
- THENCE North 15° 44' 12" East (being bearing basis) with the east right-of-way line of NORTH ALAMO STREET, same being the west line of said LOT A.7, a distance of 46.01 feet to the POINT OF BEGINNING.

This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared. This description was based upon an old survey described by metes and bounds as a portion of TRACT 1 within deed recorded in Volume 17932, Page 1380, Official Public Records of Bexar County, Texas.



Douglas A. Khamer, RPLS #6632 Job #11703011 (NEB/JDB/DAK) | April 26, 2017

SG/lj 08/17/2017 Item No. Z-7

# Exhibit "B"

