

ORDINANCE 2023-02-02-0057

AMENDING THE LAND USE PLAN CONTAINED IN THE MIDTOWN AREA REGIONAL CENTER PLAN, A COMPONENT OF THE COMPREHENSIVE MASTER PLAN OF THE CITY, BY CHANGING THE FUTURE LAND USE OF LAND LEGALLY DESCRIBED AS THE SOUTH 142.5 FEET OF LOT 7 AND LOT 8, LOT 17, LOT 19, BLOCK 2, NCB 3027, 0.49 ACRES OUT OF NCB 3027, 0.66 ACRES OUT OF NCB 3027, THE NORTH 48.3 FEET OF THE SOUTH 96.6 FEET OF LOT 11, THE NORTH 48.3 FEET OF LOT 11, THE NORTH 41.3 FEET OF THE SOUTH 48.3 FEET OF LOT 11, LOT 12, AND LOT 20, BLOCK 2, NCB 3027, 0.940 ACRES OUT OF NCB 3028, 0.96 ACRES OUT OF NCB A-2, AND 0.632 ACRES OUT OF NCB 6859 AND NCB A-2, FROM "EMPLOYMENT/FLEX MIXED USE" TO "REGIONAL MIXED USE".

\* \* \* \* \*

**WHEREAS**, the Midtown Area Regional Center Plan was adopted on June 6, 2019 by City Council as a component of the City's Comprehensive Master Plan adopted May 29, 1997; and

**WHEREAS**, the Unified Development Code requires consistency between zoning and the Comprehensive Master Plan and Section 213.003 of the TEXAS LOCAL GOVERNMENT CODE allows amendment of the Comprehensive Master Plan following a public hearing and review by the Planning Commission; and

**WHEREAS**, a public hearing was held on December 14, 2022 by the Planning Commission allowing all interested citizens to be heard; and

**WHEREAS**, the San Antonio City Council has considered the effect of this amendment to the Comprehensive Master Plan of the City and has determined that it conforms to the approval criteria set forth in the Unified Development Code §35-420, Comprehensive, Neighborhood, Community, and Perimeter Plans; **NOW THEREFORE**;

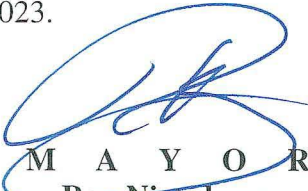
**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The Midtown Area Regional Center Plan, a component of the Comprehensive Master Plan of the City, is hereby amended by changing the future land use of land legally described as the south 142.5 feet of Lot 7 and Lot 8, Lot 17, Lot 19, Block 2, NCB 3027, 0.49 acres out of NCB 3027, 0.66 acres out of NCB 3027, the north 48.3 feet of the south 96.6 feet of Lot 11, the north 48.3 feet of Lot 11, the north 41.3 feet of the south 48.3 feet of Lot 11, Lot 12, and Lot 20, Block 2, NCB 3027, 0.940 acres out of NCB 3028, 0.96 acres out of NCB A-2, and 0.632 acres out of NCB 6859 and NCB A-2, from "Employment/Flex Mixed Use" to "Regional Mixed Use".

**SECTION 2.** All portions of land mentioned are depicted in **Attachment "I"** attached hereto and incorporated herein for all purposes. A description of the property are attached as **Attachment "II"** and made a part hereof and incorporated herein for all purposes.

**SECTION 3.** This ordinance shall take effect February 12, 2023.

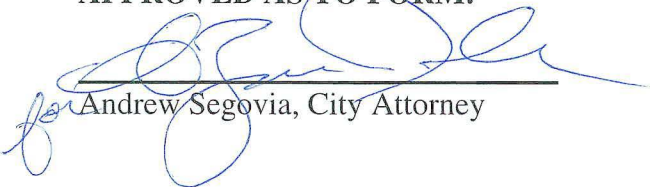
**PASSED AND APPROVED** on this 2<sup>nd</sup> day of February, 2023.

  
M A Y O R  
Ron Nirenberg

**ATTEST:**

  
\_\_\_\_\_  
Debbie Racca-Sittre, City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
for Andrew Segovia, City Attorney



## City of San Antonio

### City Council Meeting February 2, 2023

3.

**2023-02-02-0057**

PLAN AMENDMENT CASE PA-2022-11600091 (Council District 1): Ordinance amending the Midtown Area Regional Center Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use classification from "Employment/Flex Mixed Use" to "Regional Mixed Use" on the south 142.5 feet of Lot 7 and Lot 8, Lot 17, Lot 19, Block 2, NCB 3027,

0.49 acres out of NCB 3027, 0.66 acres out of NCB 3027, the north 48.3 feet of the south 96.6 feet of Lot 11, the north 48.3 feet of Lot 11, the north 41.3 feet of the south 48.3 feet of Lot 11, Lot 12, and Lot 20, Block 2, NCB 3027, 0.940 acres out of NCB 3028, 0.96 acres out of NCB A-2, and 0.632 acres out of NCB 6859 and NCB A-2, generally located in the 200 Block of West Josephine Street. Staff recommends Denial. Planning Commission recommends Approval. (Associated Zoning Case Z-2022-10700256)

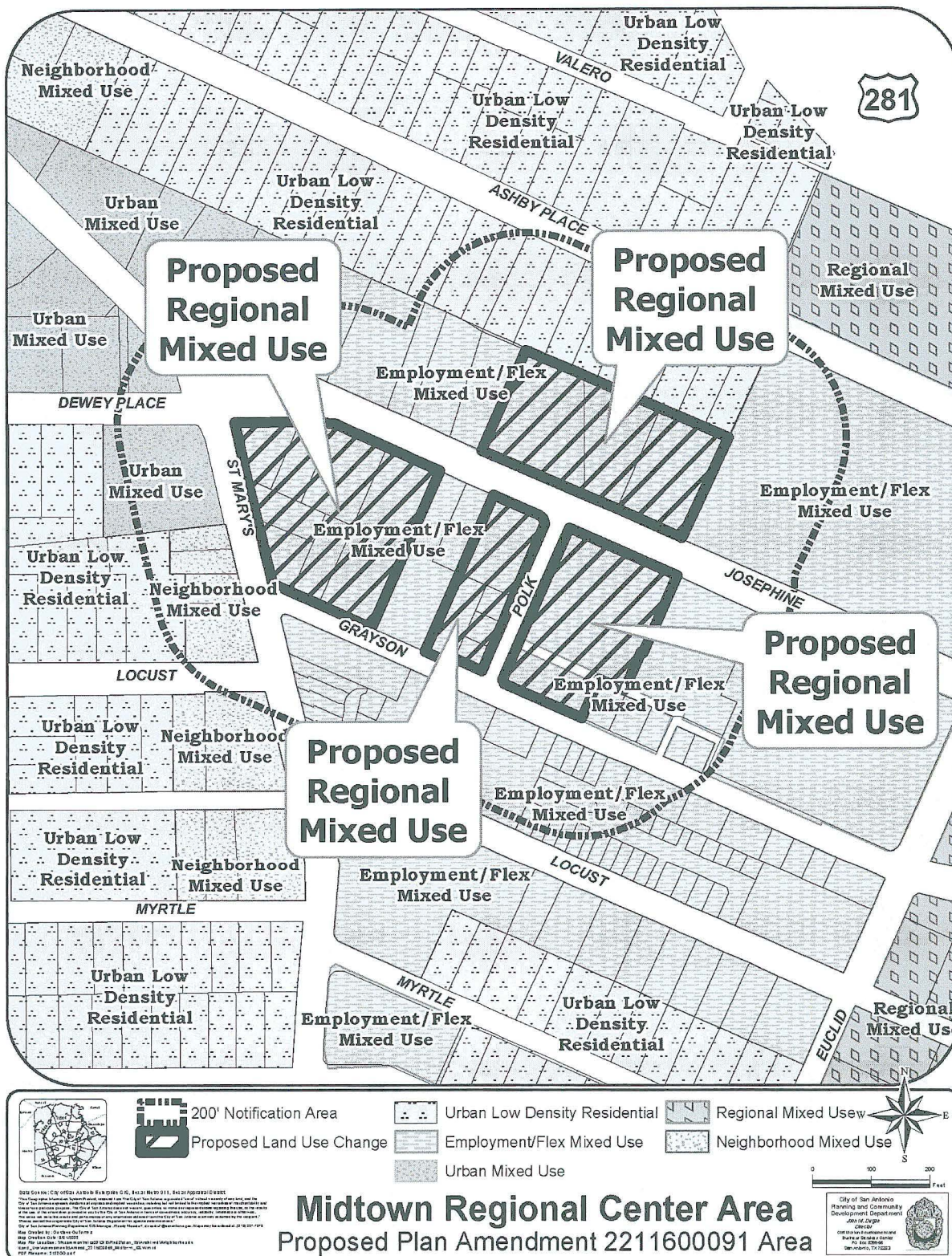
Councilmember Bravo moved to Approve as amended. Councilmember Castillo seconded the motion. The motion carried by the following vote:

**Aye:** Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Pelaez, Courage, Perry

**Absent:** DISTRICT 7

# ATTACHMENT ‘I’

ATTACHMENT I  
Proposed Amendment:



# ATTACHMENT ‘II’

## A 0.49 ACRE TRACT

FIELD NOTES OF A 0.49 ACRE TRACT OF LAND OUT OF NEW CITY BLOCK 3027, BLOCK 2 OF ALFRED HAUBOLD SUBDIVISION, CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, AND BEING ALL OF A TRACT CALLED LOTS 9, 10 & 18, BLOCK 2, ALFRED HAUBOLD SUBDIVISION, DESCRIBED IN DEED TO FOMO INVESTMENTS, LTD., OF RECORD IN DOCUMENT NO. 20180104104, OFFICIAL PUBLIC RECORDS, BEXAR COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

NOTE: (BASIS OF BEARING IS TEXAS SOUTH CENTRAL ZONE, NAD83.)(Job No. 20-161)

**BEGINNING:** At a 2 Inch Steel Fence Post found in the east right of way line of N. St. Mary's St., for the north corner of a 0.145 Acre Tract described in deed to Anthony E. Specia of record in Volume 10998, Page 1863, Official Public Records, Bexar County, Texas, for the southwest corner of This Tract and the POINT OF BEGINNING;

**THENCE:** N 13°57'32" W, 156.68 feet with the east right of way line of N. St. Mary's St., and the west line of This Tract to a ½" iron rod with cap stamped "RICKMAN" set for the west corner of the southeast cutback corner of N. St. Mary's St., and E. Dewey Place, for the most westerly northwest corner of This Tract;

**THENCE:** N 38°03'55" E, 5.84 feet, with the southeast cutback corner of N. St. Mary's St., and E. Dewey Place, and the northwest line of This Tract to a ½" iron rod with cap stamped "RICKMAN" set for the east corner of the southeast cutback corner and the most northerly northwest corner of This Tract;

**THENCE:** N 89°30'50" E, 165.81 feet with the south right of way line of E. Dewey Place and the north line of This Tract to a ½" iron rod with cap stamped "RICKMAN" set in the south right of way of the intersection of E. Dewey Place and W. Josephine St., for the northeast corner of This Tract;

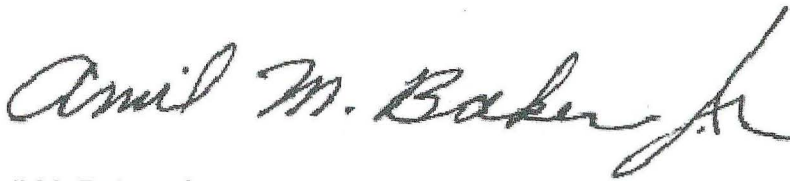
**THENCE:** S 23°44'39" W, departing the south right of way line of E. Dewey Place, with the southwest right of way line of W. Josephine St., and the southeast line of This Tract, at a distance of 5.59 feet to a ½" iron rod with cap stamped "RICKMAN" set for the north corner of a Tract called the South 142.5 Feet of Lot 7&8, Block 2, NCB 3027, Alfred Haubold Subdivision, described in deed to Raymond F. and Cindy A. Palmer, of record in Volume 13408, Page 1900, Official Public Records, Bexar County, Texas, continuing for a total distance of 148.09 feet to a ½" iron rod with cap stamped "RICKMAN" set for the west corner of the Palmer Tract and a reentrant corner of This Tract;

**THENCE:** S 66°15'21" E, 50.00 feet with the southwest line of the Palmer Tract and a northeast line of This Tract to a ½" iron rod with cap stamped "RICKMAN" set for

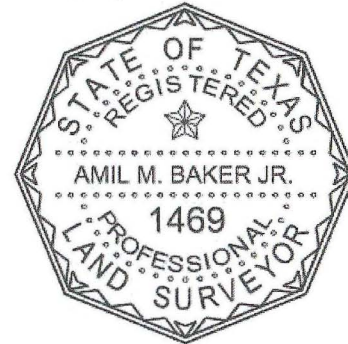
the north corner of Lot 17, Block 2, NCB 3027, Alfred Haubold Subdivision, described in deed to Raymond F. & Cindy A. Palmer of record in Volume 13603, Page 29, Official Public Records, Bexar County, Texas, and the most southerly east corner of This Tract;

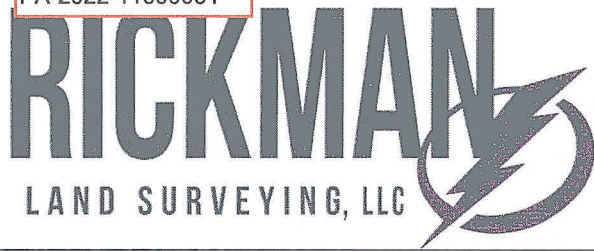
THENCE: S 23°44'39" W, 49.57 feet, departing the southwest line of the Palmer Tract, with the northwest line of Lot 17 and the southeast line of This Tract to a ½" iron rod with cap stamped "RICKMAN" set for the east corner of the Remainder of a 0.312 Acre Tract described in deed to Vince Martinez of record in Volume 5444, Page 1034, Official Public Records, Bexar County, Texas, and the south corner of This Tract;

THENCE: N 66°15'21" W, departing the northwest line of Lot 17, with the northeast line of the Remainder of the 0.312 Acre Tract and the southwest line of This Tract, at a distance of 16.81 feet passing the north corner of the Remainder of the 0.312 Acre Tract and the northeast corner of the 0.145 Acre Tract, continuing for a total distance of 106.81 feet to the POINT OF BEGINNING and containing 0.49 acres of land in the City of San Antonio, Bexar County, Texas, according to a survey on the ground on October 30, 2020, by Rickman Land Surveying LLC.



Amil M. Baker, Jr.  
Registered Professional Land Surveyor # 1469





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**A 0.66 ACRE TRACT**

FIELD NOTES OF A 0.66 ACRE TRACT OF LAND OUT OF NEW CITY BLOCK 3027, BLOCK 2 OF ALFRED HAUBOLD SUBDIVISION, CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, AND BEING ALL OF A TRACT CALLED LOTS 5 AND 6, SAVE AND EXCEPT THE NORTH 7 ½ FEET, AND ALL OF LOTS 15 AND 16, BLOCK 2, ALFRED HAUBOLD SUBDIVISION, DESCRIBED IN DEED TO ZMM INVESTMENTS, LLC, OF RECORD IN DOCUMENT NO. 20210158352, OFFICIAL PUBLIC RECORDS, BEXAR COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: NOTE: (BASIS OF BEARING IS TEXAS SOUTH CENTRAL ZONE, NAD83.)(Job No. 20-161)

**BEGINNING:** At a ½" iron rod found in the southwest right of way line of W. Josephine Street, for the north corner of a tract described as the South 142.5 feet of Lot 4 and Lot 14, Block 2, NCB 3027, Alfred Haubold Subdivision, in deed to Troy M. Jessee Construction, L.P., of record in Volume 9537, Page 717, Official Public Records, Bexar County, Texas, and the east corner of This Tract and the POINT OF BEGINNING;

**THENCE:** S 23°44'39" W, 286.84 feet, departing the southwest right of way line of W. Josephine Street, with the northwest line of the Troy M. Jessee Construction Tract and the southeast line of This Tract to a PK nail found in the northeast right of way line of W. Grayson Street, for the west corner of the Troy M. Jessee Construction Tract and the south corner of This Tract;

**THENCE:** N 66°15'22" W, 100.00 feet with the northeast right of way line of W. Grayson Street and the southwest line of This Tract to a PK Nail set for corner at base of a utility pole for the south corner of Lot 17, Block 2, NCB 3027, Alfred Haubold Subdivision described in deed to Raymond F. and Cindy A. Palmer of record in Volume 13603, Page 29, Official Public Records, Bexar County, Texas, and the west corner of This Tract;

**THENCE:** N 23°44'39" E, departing the northeast right of way line of W. Grayson Street, with the southeast line of Lot 17 and the northwest line of This Tract, at a distance of 144.34 feet passing the east corner of Lot 17 and the south corner of a tract described as the South 142.5 feet of Lot 7 and 8, Block 2, NCB 3027, Alfred Haubold Subdivision, in deed to Raymond F. and Cinday A. Palmer of record in Volume 13408, Page 1900, Official Public Records, Bexar County, Texas, continuing for a total distance of 286.84 feet to a 4 inch steel fence post found in the southwest right of way line of W. Josephine Street for the east corner of the Palmer Tract and the west corner of This Tract;

THENCE: S 66°15'18" E, 100.00 feet with the southwest right of way line of W. Josephine Street and the northeast line of This Tract to the POINT OF BEGINNING and containing 0.66 acres of land in the City of San Antonio, Bexar County, Texas, according to a survey on the ground on July 19, 2021, by Rickman Land Surveying LLC.

*Amil M. Baker Jr.*

Amil M. Baker, Jr.  
Registered Professional Land Surveyor # 1469



Z-2022-10700256  
PA-2022-11600091

March 3, 2021  
57178-0004  
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STATE OF TEXAS  
COUNTY OF BEXAR

**TRACT 2**  
**0.940 ACRE TRACT OUT OF**  
**NEW CITY BLOCK 3028**

FIELDNOTE DESCRIPTION of a 0.940 acre tract of land within the corporate limits of the City of San Antonio, Bexar County, Texas, being all of Lot 30, Block 1, New City Block 3028, according to the plat of GREUN & MUELLER EQUIPMENT Co. SUBDIVISION as recorded in Volume 9502, Page 184, Deed and Plat Records of Bexar County, Texas, together with Lots 11 and 12, Block 1, New City Block 3028, according to the plat of RESUBDIVISION OF LOTS 13 to 18, BLOCK 1 as recorded in Volume 368, page 76, said Deed and Plat Records, SAVE AND EXCEPT the north 7.5 feet thereof conveyed to the City of San Antonio by deed recorded in Volume 1157, Pages 152 and 153, Deed Records of Bexar County, Texas, together with Lots E and F, Block 1, New City Block 3028, said RESUBDIVISION, and being all that same land conveyed to MM Josephine, L.L.C. by deed recorded in Document No. 20200141068, of the Official Public Records of Bexar County, Texas, in all said 0.940 acres being more particularly described as follows:

BEGINNING at ½ inch iron rod found on the current south right-of-way line of Josephine Street (a 65 foot wide right-of-way) at the common northeast corner of said Lot 30 and the northwest corner of the remaining south 142.5 feet of Lot 8, Block 1, New City Block 3028, said RESUBDIVISION for the northeast corner and POINT OF BEGINNING of this tract,

THENCE, South 24° 01' 20" West, 142.51 feet (record distance is 142.50 feet) to an "x" found scribed in concrete at the common corner of said Lot 8, Lot B, and Lot C, Block 1, New City Block 3028, said RESUBDIVISION, for an exterior corner of this tract,

THENCE along the north line of said Lot C, North 66° 06' 37" West, 3.09 feet (record distance is 3.00 feet) to a ½ inch iron rod found for an interior corner of this tract,

THENCE along a line three (3) feet west of and parallel to the common line of said Lots B and C, South 23° 53' 23" West, 63.30 feet (record distance is 63.30 feet) to a ½ inch iron found on the north right-of-way line of Archer Street (a 15 foot wide right-of-way according to said RESUBDIVISION) for the southeast corner of this tract,

THENCE along the south lines of said Lots 30, E and F, North 66° 06' 37" West, 196.72 feet (record distance is 197.00 feet) to a drill hole found in a concrete sidewalk at the intersection of the north right-of-way line of said Archer Street and east right-of-way line of Polk Street (a 40 foot right-of-way as cited on plat recorded in Volume 105, Page 74, said Deed and Plat Records) for the southwest corner of said Lot F and southwest corner of this tract,

THENCE along west lines of said Lots F and 12, North 23° 53' 23" East, 205.81 feet (record distance is 205.50 feet) to a mag nail found at the southeast intersection corner of the south right-of-way line of said Josephine Street and east right-of-way line of said Polk Street for the northwest corner of the remaining south 142.5 feet of said Lot 12 and northwest corner of this tract,

THENCE along the current south right-of-way line of Josephine Street, South 66° 06' 37" East, 200.14 feet (record distance is 200.00 feet) to the POINT OF BEGINNING.

CONTAINING in all 0.940 acres or 40,951 square feet of land, more or less. An on the ground survey of herein described tract was completed February 9, 2021 by Team Members of Maverick Land Surveying Company under my supervision. Bearings based on NAD83(2011) Texas South Central Zone 4204 State Plane Coordinate System from GPS observation made December 2018 reference to the east line of Polk Street. A TSPS Land Title Survey of subject tract was also prepared.



MAVERICK LAND SURVEYING COMPANY

*Jacob W. Oder*

Jacob W. Oder R.P.L.S. 5846

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## A 0.96 ACRE TRACT

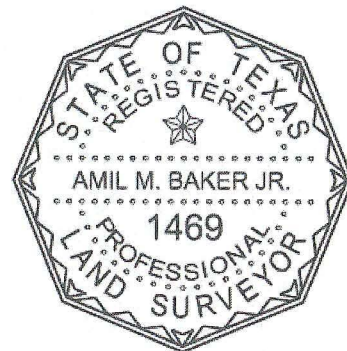
FIELD NOTES OF A 0.96 ACRE TRACT OF LAND OUT OF NEW CITY BLOCK A-2, CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, AND BEING ALL OF A TRACT, DESCRIBED IN DEED TO BOOGMAN, LLC OF RECORD IN DOCUMENT NO. 20190117555, OFFICIAL PUBLIC RECORDS, BEXAR COUNTY, TEXAS AND ALL OF A 0.4298 ACRE TRACT, DESCRIBED IN DEED TO BOOGMAN, LLC OF RECORD IN DOCUMENT NO. 20190117553, OFFICIAL PUBLIC RECORDS, BEXAR COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: NOTE: (BASIS OF BEARING IS TEXAS SOUTH CENTRAL ZONE, NAD83.)(Job No. 22-073)

- BEGINNING:** At a ½" iron rod with cap stamped "MUERY/CDS" found in the northeast right of way line of W. Josephine Street, for the west corner of Lot 45, N.C.B. 6539, according to Replat and Subdivision of Nathaniel Hawthorne Elementary School Subdivision of record in Volume 9526, Page 75, Deed & Plat Records, Bexar County, Texas, the south corner of the Boogman, LLC Tract and This Tract, and the POINT OF BEGINNING;
- THENCE:** N 66°17'22" W, 185.81 feet, with the northeast right of way line of W. Josephine Street, the southwest line of the Boogman, LLC Tract, the 0.4298 Acre Tract, and This Tract to a ½" iron rod with cap stamped "RICKMAN" set for the south corner of a 0.632 Acre Tract, called Tract 1, Berridge Investments, LLC of record in Document No. 20210188020, Official Public Records, Bexar County, Texas, the west corner of the 0.4298 Acre Tract and This Tract;
- THENCE:** N 00°04'00" W, 201.46 feet, departing the northeast right of way line of W. Josephine Street, with the east line of the 0.632 Acre Tract, the west line of the 0.4298 Acre Tract and This Tract to a ½" iron rod with cap stamped "KFW" found in the southwest line of Lot 27, C.B. 6639, Dalkowitz Subdivision of record in Volume 642, Page 224, Deed and Plat Records, Bexar County, Texas for the northeast corner of the 0.632 Acre Tract and the north corner of the 0.4298 Acre Tract and This Tract;
- THENCE:** S 66°06'16" E, 269.82 feet, with the southwest line of Lots 27 thru 32, C.B. 6539, Dalkowitz Subdivision, the northeast line of the 0.4298 Acre Tract, the Boogman, LLC Tract and This Tract to an A/C unit in concrete in the northwest line of Lot 45, N.C.B. 6539, Replat and Subdivision of Nathaniel Hawthorne Elementary School Subdivision, for the south corner of Lot 32, the east corner of the Boogman, LLC Tract and This Tract;
- THENCE:** S 24°34'39" W, 183.51 feet, with the northwest line of Lot 45, N.C.B. 6539, Replat and Subdivision of Nathaniel Hawthorne Elementary School Subdivision, the southeast line of the Boogman, LLC Tract and This Tract to the POINT OF BEGINNING and containing 0.96 acres of land in the City of San Antonio, Bexar County, Texas, according to a survey on the ground on May 05, 2022, by Rickman Land Surveying, LLC.



Amil M. Baker, Jr.  
Registered Professional Land Surveyor # 1469

419 Big Bend Canyon Lake, Texas 78133  
www.rickmanlandsurveying.com



Z-2022-10700256  
PA-2022-11600091

March 3, 2021  
57178-0004  
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STATE OF TEXAS  
COUNTY OF BEXAR

**TRACT 1**  
**0.632 ACRE TRACT OUT OF**  
**NEW CITY BLOCK A-2 AND 6895**

FIELDNOTE DESCRIPTION of a 0.632 acre tract of land within the corporate limits of the City of San Antonio, Bexar County, Texas, being comprised of the easterly portion of Lot 19 and all of Lot 20, New City Block 6859 according to the plat of ELMENDORF SUBDIVISION recorded in Volume 980, Page 67, Deed and Plat Records of Bexar County, Texas, SAVE AND EXCEPT the south 7.5 feet thereof conveyed to the City of San Antonio by deed recorded in Volume 1151, Page 147, Deed Records of Bexar County, Texas, together with arbitrary Lot A8, New City Block A-2 according to the City of San Antonio city block maps, SAVE AND EXCEPT the south 7.5 feet thereof conveyed to the City of San Antonio by deed recorded in Volume 1151, Page 262, said Deed Records, and being all that same land conveyed to MM Josephine, L.L.C. by deed recorded in Document No. 20200141068, of the Official Public Records of Bexar County, Texas, in all said 0.632 acres being more particularly described as follows:

BEGINNING at ½ inch iron rod found on the current north right-of-way line of Josephine Street (a 65 foot right-of-way) at the common southeast corner of the remaining portion of Tract Two, being all of Lot 18 and the western portion of Lot 19, New City Block 6859, according to the plat of ELMENDORF SUBDIVISION as described in warranty deed to Guy L.M. Floyd recorded in Volume 9692, Page 2184, said Real Property Records, the southwest corner of said called 0.631 acre tract and the southwest corner and POINT OF BEGINNING of this tract,

THENCE, North 24° 45' 14" East, 185.13 feet (record distance is 185.13 feet) to an inaccessible point on the south line of Lot 25, New City Block 6539, according to the plat of DALKOWITZ SUBDIVISION as recorded in Volume 642, Page 224, said Deed and Plat Records, at the common northeast corner of said Floyd Tract, the northwest corner of said called 0.631 acre tract and the northwest corner of this tract,

THENCE, South 65° 54' 12" East, along the south line of Lots 25, 26, and 27, said New City Block 6539, at 24.92 feet (record distance is 24.72 feet) pass a ½ inch iron rod found at the corner of said Lots 25 and 26, at approximately 74.3 feet (record distance is 74.72 feet) pass the corner of said Lots 26 and 27, in all a distance of 107.27 feet (record distance is 107.07 feet) to a ½ inch iron rod found at the common northwest corner of a 0.4298 acre tract of land described in release recorded in Volume 6574, Page 325, said Real Property Records, the northeast corner of said called 0.631 acre tract and the northeast corner of this tract,

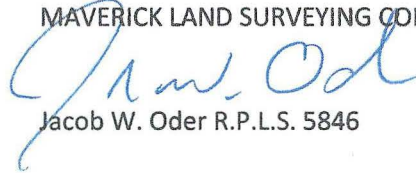
THENCE, South 00° 19' 19" West, 201.53 feet (record distance is 201.40 feet) to a ½ inch iron rod found on the north right-of-way line of said Josephine Street at the common southwest corner of said 0.4298 acre tract, the southeast corner of said called 0.631 acre tract and the southeast corner of this tract,

THENCE along the north right-of-way line of said Josephine Street, North  $66^{\circ} 06' 37''$  West, 190.64 feet (record distance is 191.07 feet) to the POINT OF BEGINNING.

CONTAINING in all 0.632 acres or 27,536 square feet of land, more or less. An on the ground survey of herein described tract was completed February 9, 2021 by Team Members of Maverick Land Surveying Company under my supervision. Bearings based on NAD83(2011) Texas South Central Zone 4204 State Plane Coordinate System from GPS observation made December 2018 reference to the east line of Polk Street. A TSPS Land Title Survey of subject tract was also prepared.



MAVERICK LAND SURVEYING COMPANY



Jacob W. Oder R.P.L.S. 5846