

AN ORDINANCE 2015-11-19-0993

**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 1.794 acres of land out of NCB 15602 from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 S AHOD" Commercial Airport Hazard Overlay District with Specific Use Authorization for a Hotel.

**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.** The City Council finds as follows:

- A. The specific use will not be contrary to the public interest.
- B. The specific use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district.
- C. The specific use will be in harmony with the spirit and purpose as set forth in Section 35-423, Specific Use Authorization, of the Unified Development Code.
- D. The specific use will not substantially weaken the general purposes or the regulations as set forth in Section 35-423, Specific Use Authorization, of the Unified Development Code.
- E. The specific use will not adversely affect the public health, safety and welfare.


**SECTION 4.** The City Council approves this Specific Use Authorization so long as the attached site plan is adhered to. A site plan is attached as **Attachment "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 November 29<sup>th</sup>, 2015.

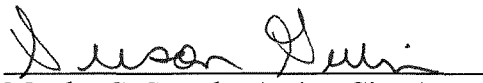
**PASSED AND APPROVED** this 19th day of November, 2015.

  
M A Y O R  
Ivy R. Taylor

**ATTEST:**

  
\_\_\_\_\_  
Leticia M. Vacek, City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Fa Martha G. Sepeda, Acting City Attorney

<b>Agenda Item:</b>	Z-14 ( in consent vote: 27, 29, P-1, Z-1, P-2, Z-2, Z-4, Z-5, Z-6, P-3, Z-7, Z-8, Z-10, Z-11, Z-12, Z-13, Z-14, Z-15, Z-16, Z-17, Z-18, P-4, Z-20, Z-22, P-5, Z-24 )
<b>Date:</b>	11/19/2015
<b>Time:</b>	02:34:55 PM
<b>Vote Type:</b>	Motion to Approve
<b>Description:</b>	ZONING CASE # Z2015310 S (Council District 4): An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 S AHOD" Commercial Airport Hazard Overlay District with Specific Use Authorization for a Hotel on 1.794 acres of land out of NCB 15602 located in the 6500 block of West Military Drive. Staff and Zoning Commission recommend Approval.
<b>Result:</b>	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Treviño	District 1		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			x	
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				x
Michael Gallagher	District 10		x				

Z2015310

STATE OF TEXAS	)	
	)	KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF BEXAR	)	

WARRANTY DEED

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

THAT JM ASSETS, LP, a Nevada limited partnership (“Grantor”), for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to Grantor paid by JM ASSETS AMS TIC LLC, 4203 Spinnaker Cove, Austin, Texas 78731 (“Grantee”), the receipt of which is hereby acknowledged and confessed;

Grantor has GRANTED, SOLD, and CONVEYED, and by these presents does GRANT, SELL, and CONVEY unto said Grantee the following described property, to-wit:

**SEE ATTACHED EXHIBITS “A” AND “A-1” FOR LEGAL DESCRIPTION**

TO HAVE AND TO HOLD the above-described premises, together with all and singular, the rights and appurtenances thereunto in anywise belonging unto said Grantee, his heirs and assigns, forever. And Grantor does hereby bind himself, his heirs, executors and administrators, to warrant and forever defend all and singular the said premises unto said Grantee, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.


Taxes for the current year have been prorated and their payment is assumed by Grantee.

This conveyance is made subject to any and all valid and subsisting restrictions, easements, rights of way, reservations, maintenance charges together with any lien securing said maintenance charges, zoning laws, ordinances of municipal and/or other governmental authorities, conditions and covenants, if any, applicable to and enforceable against the above-described property as shown by the records of the County Clerk of said County.

The use of any pronoun herein to refer to Grantor or Grantee shall be deemed a proper reference even though Grantor and/or Grantee may be an individual (either male or female), a corporation, a partnership or a group of two or more individuals, corporations and/or partnerships, and when this Deed is executed by or to a corporation, or trustee, the words “heirs, executors and administrators” or “heirs and assigns” shall, with respect to such corporation or trustee, be construed to mean “successors and assigns”.

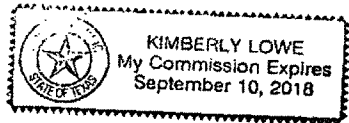
JM ASSETS, LP, a Nevada limited partnership

BY: A-A-A STORAGE, LLC, a Texas limited liability company, its general partner

  
BY: JOHN MUHICH, PRESIDENT

STATE OF TEXAS                    )  
  )  
COUNTY OF TRAVIS                )

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE 15<sup>th</sup> DAY OF JUNE 2015 BY JM ASSETS, LP, a Nevada limited partnership, by A-A-A STORAGE, LLC, a Texas limited liability company, its general partner, by JOHN MUHICH, President.



  
NOTARY PUBLIC STATE OF TEXAS

Z2015310

**"EXHIBIT A"**  
**Metes & Bounds**  
**1.794 Acre Tract**  
**June 12, 2015**

Being 1.794 acre out of a 24.98 acre tract NCB 15602, San Antonio Texas, as recorded in Volume 16747, Pages 178-186 of the Official Public Records of Bexar County, Texas, same land being out of the F. Rivas Survey Number 1, Abstract 14, Bexar County, Texas, and being the same property described in a Quitclaim Deed recorded in Volume 3599, Page 518, Official Public Records, and being more particularly described as follows:

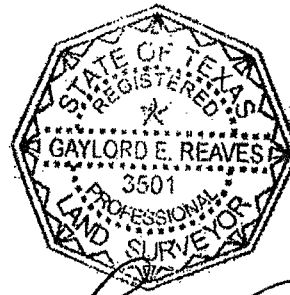
**BEGINNING** at a found  $\frac{1}{2}$ " iron rod on the West Right-of-Way line of W. Military Drive, (120 foot R.O.W.) AKA State Loop 13, said monument being 746 feet from the southwest intersection corner of W. Military and U.S. HWY 90 (R.O.W. Varies), for the northeast corner of this tract being described herein;

**THENCE**, South  $25^{\circ}17'56''$  East, 213.70 feet along said West Right-of-Way line of W. Military Drive to a point for the southeast corner of this tract being described herein;

**THENCE**, South  $72^{\circ}41'03''$  West, 384.13 feet departing said West Right-of-Way line and piercing the said 24.98 acre tract to a point for the southwest corner of this tract being described herein;

**THENCE**, North  $17^{\circ}18'57''$  West, 211.63 feet to a point, on the south property line of Lot 52, New City Block 15602 as recorded in Volume 9200, Page 40 of the Deed and Plat Records of Bexar County, Texas, for the northwest corner of this tract being described herein;

**THENCE**, North  $72^{\circ}41'03''$  East, 354.45 feet along said south property line of Lot 52 to the **POINT OF BEGINNING** and containing 1.794 acres of land more or less according to a survey performed on the ground by GE Reaves Engineering, Inc. on June 03, 2015.



*Gaylord E. Reaves* 6/15/15

Gaylord E. Reaves  
R.P.L.S. No. 3501  
GE Reaves Engineering, Inc.  
Firm No. 101337

**LEGEND:**

- = FOUND 1/2" IRON ROD AT (PROPERTY) CORNER
- D.&P. = DEED & PLAT RECORDS, BEXAR COUNTY, TEXAS



*Gaylord E. Reaves*

UNPLATTED  
JM ASSETS, LP  
REMAINING PORTION OF CALLED  
24.98 ACRES TRACT  
(VOL. 16747, PG. 179, O.P.R.)

Z2015310



SCALE:  
1" = 60'

N17°18'57"W 211.63'

17' DRAINAGE ESMT.  
(VOL. 7500,  
PG. 62, D.&P.)

LOT 52, NCB 15602  
LA QUINTA No. 4-A  
(VOL. 9200, PG. 40, D.&P.)

1.794 ACRES

S72°41'03"W 384.13'

N72°41'03"E 354.45'

30' BUILDING  
SETBACK  
(VOL. 9200,  
PG. 40, D.&P.)

ACCESS ESMT.  
(VOL. 3599,  
PG. 518, D.&P.)

14' ELEC.  
OVERHANG ESMT.  
(VOL. 7500,  
PG. 62, D.&P.)

FND. 1/2" I.R.

S25°17'58"E 213.70'  
W. MILITARY DR.  
(STATE LOOP 13)  
(120" R.O.W)

P.O.B.

±746' FROM THE SW  
INTERSECTION CORNER  
OF W. MILITARY AND  
U.S. HWY 90

**"EXHIBIT A-1"**

**METES AND BOUNDS DESCRIPTION**

BEING 1.794 ACRES, OUT OF A 24.98 ACRE TRACT NCB 15602, SAN ANTONIO, TEXAS AS RECORDED IN VOLUME 16747, PAGE 178-186, OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS.



Texas Firm Registration F-101337  
P.O. Box 791793  
San Antonio, Tx. 78279-1793  
(210) 490-4506, Fax: 490-4812

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JOB LOCATION:

W MILITARY DRIVE  
SAN ANTONIO, TX 78227

PREPARED BY:  
OB

DATE: 06/12/15

JOB# 35358A

Z2015310

Doc# 20150107142  
# Pages 5  
06/16/2015 10:49AM  
e-Filed & e-Recorded in the  
Official Public Records of  
BEXAR COUNTY  
GERARD C. RICKHOFF  
COUNTY CLERK  
Fees \$38.00

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.  
06/16/2015 10:49AM  
COUNTY CLERK, BEXAR COUNTY TEXAS



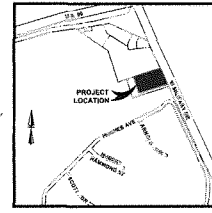
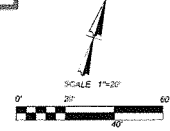
*Gerard C. Rickhoff*



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Z2015310  
 W. Military Highway  
 Proposed Rezoning from C-2 AHOD to C-2 S AHOD  
 For a Hotel Use

CONTACT TERESA BODILL, SURVEYOR WITH KFW SURVEYING AT (214) 979-4114 FOR CONSTRUCTION STAKES SERVICES ON THIS PROJECT.



1.794 Acres (78,146.6 SF)

80 TOTAL PROPOSED PARKING STALLS

±41,343 SF OF PAVED AREAS

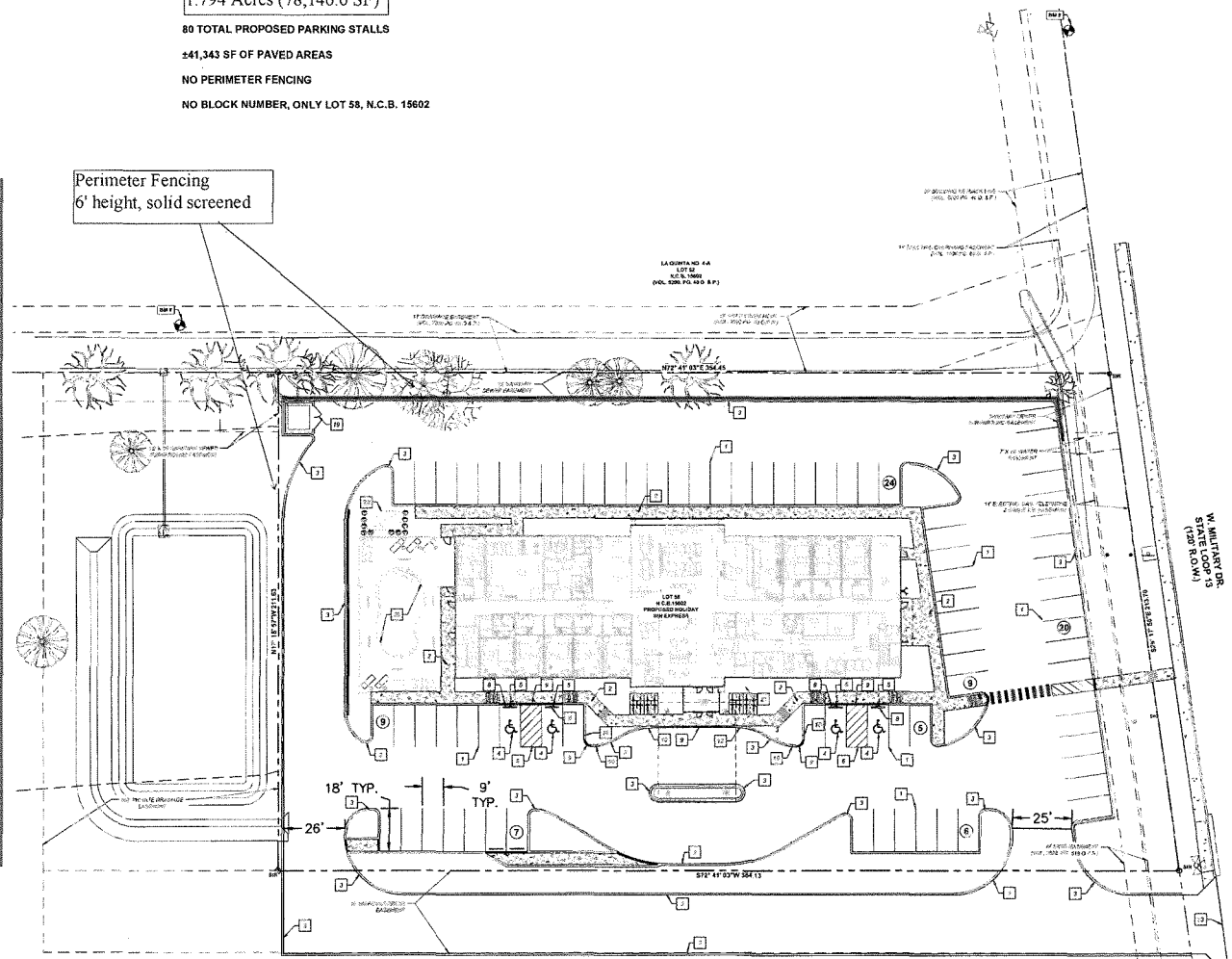
NO PERIMETER FENCING

NO BLOCK NUMBER, ONLY LOT 58, N.C.B. 15602

Perimeter Fencing  
 6' height, solid screened

- KEY NOTES**
- 1 TYPICAL PARKING SPACES AND PARKING STRIPES (SEE DETAIL 11C&D)
  - 2 PROPOSED SIDEWALK (SEE DETAIL 11C&D)
  - 3 PROPOSED 6" CURB (SEE DETAIL 11C&D)
  - 4 HANDICAP PARKING SYMBOL (SEE DETAIL 11C&D)
  - 5 HANDICAP SIGN (SEE DETAIL 11C&D)
  - 6 CROSS MATCH STRIPES (SEE DETAIL 11C&D)
  - 7 CROSSWALK (SEE DETAIL 11C&D)
  - 8 WHEEL STOP (SEE DETAIL 11C&D)
  - 9 RIBBON CURB (SEE DETAIL 11C&D)
  - 10 P CURB TRANSITION (SEE DETAIL 11C&D)
  - 11 PROPOSED RAMP (SEE DETAIL 11C&D)
  - 12 SAWTOOTH CURB WITH RIVER ROCK (SEE DETAIL 11C&D)
  - 13 CONCRETE/ASPHALT PAVEMENT JUNCTURE DETAIL (SEE DETAIL 13C&D)
  - 14 3" CONCRETE FLUKE (SEE DETAIL 11C&D)
  - 15 BORNHALL BOX (SEE DETAIL 11C&D)
  - 16 ASPHALT/ASPHALT PAVEMENT JUNCTURE DETAIL (SEE DETAIL 16C&D)
  - 17 SIDEWALK/SIDEWALK PAVEMENT JUNCTURE DETAIL (SEE DETAIL 17C&D)
  - 18 BIKE RACK (SEE DETAIL THIS SHEET)
  - 19 SUMMITTER ENCLOSURE (REFERENCE ARCHITECTURAL PLANS FOR DETAILS)
  - 20 PROPOSED POOL (REFERENCE ARCHITECTURAL PLANS FOR DETAILS)
  - 21 FLAG POLE (REFERENCE ARCHITECTURAL PLANS FOR DETAILS)
  - 22 PROPOSED ENTRANCE MONUMENT (REFERENCE ARCHITECTURAL PLANS FOR DETAILS)
  - 23 POOL EQUIPMENT (REFERENCE ARCHITECTURAL PLANS FOR DETAILS)
  - 24 WALL (REFERENCE GRADING PLAN FOR DETAILS)
  - 25 CUT AND REPLACE ASPHALT PAVEMENT (REFERENCE OVERALL UTILITY PLAN FOR DETAILS)
  - 26 PROPOSED HAND RAIL (REFERENCE ARCHITECTURAL PLANS FOR DETAILS)
  - 27 PROPOSED Pylon SIGN (REFERENCE ARCHITECTURAL PLANS FOR DETAILS)
  - 28 FIRE LANE SIGN (REFERENCE FIRE PROTECTION PLANS FOR DETAILS)

- LEGEND**
- PROPERTY LINE
  - ADJACENT PROPERTY LINE
  - EXISTING CONCRETE
  - EXISTING CURB
  - EXISTING FENCE
  - EXISTING FIRE HYDRANT
  - EXISTING SIGN
  - SITE BENCHMARK (SEE DESCRIPTION THIS SHEET)
  - PROPOSED SIGN
  - PROPOSED CURB
  - PROPOSED RIBBON CURB
  - PROPOSED SAWTOOTH CURB
  - PROPOSED SITE WALL
  - PROPOSED CONCRETE
  - PARKING STALL COUNT
  - EXISTING TREES, REFERENCE LANDSCAPE PLANS FOR TREE REMOVAL



I, JM Assets, LP, 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 the 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.

+/- 90 Hotel Rooms  
 +/- 150,000 SF

Attachment B

HOLIDAY INN EXPRESS  
 W MILITARY DR, SAN ANTONIO, TX  
 OVERALL SITE PLAN

ACA NO 225-19-07  
 DATE SEPTEMBER 2013  
 DRAWN NW CHECKED DE  
 SHEET NUMBER:  
**C2.0**

**KFW**  
 ENGINEERS & SURVEYORS  
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