

AN ORDINANCE 2018-09-06-0699

**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 1.16 acres out of NCB 10849 from "R-20" Residential Single-Family District to "C-2 CD" Commercial District with Conditional Use for a Construction Contractor Facility.

**SECTION 2.** A description of the property recorded in Volume 16967, Page 1135 of the Official Public Records of Real Property of Bexar County, 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 finds that the following conditions shall be met to insure compatibility with the surrounding properties:

- A. No outside storage.

**SECTION 5.** 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

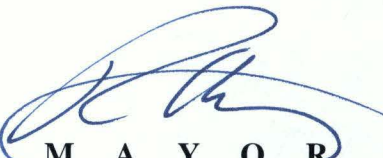
herein for all purposes.

**SECTION 6.** 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.

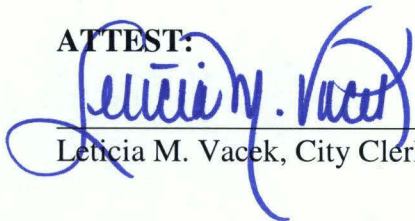
**SECTION 7.** The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

**SECTION 8.** This ordinance shall become effective September 16, 2018.

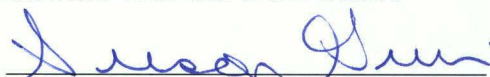
**PASSED AND APPROVED** this 6<sup>th</sup> day of September 2018.

  
**M A Y O R**  
Ron Nirenberg

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

<b>Agenda Item:</b>	<b>Z-8 ( in consent vote: P-4, Z-8 )</b>						
<b>Date:</b>	09/06/2018						
<b>Time:</b>	03:06:51 PM						
<b>Vote Type:</b>	Motion to Appr w Cond						
<b>Description:</b>	ZONING CASE # Z2018246 CD (Council District 3): Ordinance amending the Zoning District Boundary from "R-20" Residential Single-Family District to "C-2 CD" Commercial District with Conditional Use for a Construction Contractor Facility on 1.168 acres out of NCB 10849, located at 5006 Alma Drive. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment 18075)						
<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>
Ron Nirenberg	Mayor		x				
Roberto C. Treviño	District 1		x				
William Cruz Shaw	District 2		x				x
Rebecca Viagran	District 3		x			x	
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Greg Brockhouse	District 6		x				
Ana E. Sandoval	District 7	x					
Manny Pelaez	District 8	x					
John Courage	District 9		x				
Clayton H. Perry	District 10		x				

SG/lj  
09/06/2018  
Item No. # Z-8

# **EXHIBIT “A”**



Alamo Title GF# 4000061800094 MF; \$ \_\_\_\_\_

22018246

**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.**

**GENERAL WARRANTY DEED****Date:** January 31, 2018**Grantor:** GEORGE ADOLPH GREEN, a married person owning, occupying and claiming other property as homestead**Grantor's Mailing Address:** 4942 Alma Dr., San Antonio, TX 78222**Grantee:** RAUL SCOTT**Grantee's Mailing Address, and after Recording, Return to:** 5006 Alma Drive, San Antonio, TX 78222**Consideration:**

Cash and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

**Property (including any improvements):**

A tract of land containing 1.168 acres of land out of an original 31.363 acre tract of land described in deed from P.C. Rauschuber to P. E. Green, et ux, dated April 4, 1951, recorded in Volume 2999, Page 10, Deed Records of Bexar County, Texas, out of the n. Montoya Survey No. 21, Abstract No. 469, New City Block 10849 (formerly County Block 5132), San Antonio, Bexar County, Texas, said tract being more particularly described in Exhibit "A", attached hereto and made a part hereof.

**Reservations from Conveyance:** None

**Exceptions to Conveyance and Warranty:** Validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing instruments, other than conveyances of the surface fee estate, that affect the Property; and taxes for 2018, which Grantee assumes and agrees to pay, and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the 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 way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds

Exhibit "A"

Z2018246

Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

The Contract between Grantor as the Seller and Grantee as the Buyer, if any, may contain limitations as to warranty or other agreed matters; to the extent that such Contract provides for limitations or other agreed matters that will survive the closing and this conveyance, then such limitations or other agreed matters are hereby deemed incorporated by reference. The warranty of title contained in this Deed is hereby expressly excluded from the limitations or other agreed matters referenced in this paragraph.

When the context requires, singular nouns and pronouns include the plural.

George Adolph Green  
GEORGE ADOLPH GREEN

STATE OF TEXAS )

COUNTY OF BEXAR )

This instrument was acknowledged before me on January 31, 2018, by GEORGE ADOLPH GREEN.



[Signature]  
Notary Public, State of Texas



## EXHIBIT "A"

72018246

## METES &amp; BOUNDS DESCRIPTION

A 1.16 ACRE TRACT OF LAND, SITUATED IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, SAME BEING THE CALLED 1.168 ACRE TRACT OF LAND, OUT OF THE N. MONTROYA SURVEY NUMBER 21, ABSTRACT NUMBER 469, NEW CITY BLOCK 10849 (FORMERLY COUNTY BLOCK 5132), AS DESCRIBED IN A DEED TO GEORGE ADOLPH GREEN, IN VOLUME 6397, PAGE 853, DEED RECORDS, BEXAR COUNTY, TEXAS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a found 1/2" iron rod at the point of intersection of the South right-of-way of Alma Drive (a 60' right-of-way), and the West right-of-way of I-410 Access Road (A.K.A. South East Loop 410 - a public right-of-way), same being the northeast corner of said Green Tract, for the northeast corner and PLACE OF BEGINNING hereof;

THENCE, S 15°11'33" W (S 15°58'47" W), along said West right-of-way line of I-410 Access Road (A.K.A. South East Loop 410), same being along the East line of said Green Tract, a distance of 242.69 (242.89) feet to a found P.K. nail in a brick wall, at the northeast corner of Lot 31, Martinez Unit 1, N.C.B. 10849, as recorded in Volume 9636, Page 47, Deed and Plat Records, Bexar County, Texas, same being the southeast corner of said Green Tract, for the southeast corner hereof;

THENCE, S 89°54'25" W (N 89°42'30" W) along the North line of said Lot 31, same being along the South line of said Green Tract, for a distance of 183.40 (184.79) feet, to a found 1/2" iron rod, at the southeast corner of Lot 19, P.E. Green Subdivision, N.C.B. 10849, as recorded in Volume 4305, Page 182, Deed and Plat Records, Bexar County, Texas, same being the southwest corner of said Green Tract, for the southwest corner hereof;

THENCE, N 00°19'28" W (N 00°17'30" E), along the East line of said Lot 19, same being along the West line of said Green Tract, for a distance of 233.48 (233.48) feet, to a point of reference, on the South right-of-way of said Alma Drive, same being the northeast corner of said Lot 19, and being the northwest corner of said Green Tract, for the northwest corner hereof; from which point a found 1/2" iron rod, bears N 00°19'28" W, at a distance of 0.43 feet;

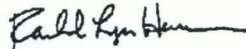
THENCE, N 89°45'50" E (S 89°42'30" E), along said South right-of-way, same being along the North line of said Green Tract, for a distance of 248.33 (250.54) feet to the POINT OF BEGINNING, containing within these metes and bounds a 1.16 acre tract, more or less.

STATE OF TEXAS §

January 29, 2018

COUNTY OF BASTROP §

It is hereby certified that the above description was prepared from an actual survey on the ground of the described tract made under my supervision.



Rachel Lynn Hansen,  
Registered Professional Land Surveyor  
Registration No. 6358




Z2018243

Doc# 20180018243  
# Pages 4  
01/31/2018 2:40PM  
e-Filed & e-Recorded in the  
Official Public Records of  
BEXAR COUNTY  
GERARD C. RICKHOFF  
COUNTY CLERK  
Fees \$34.00

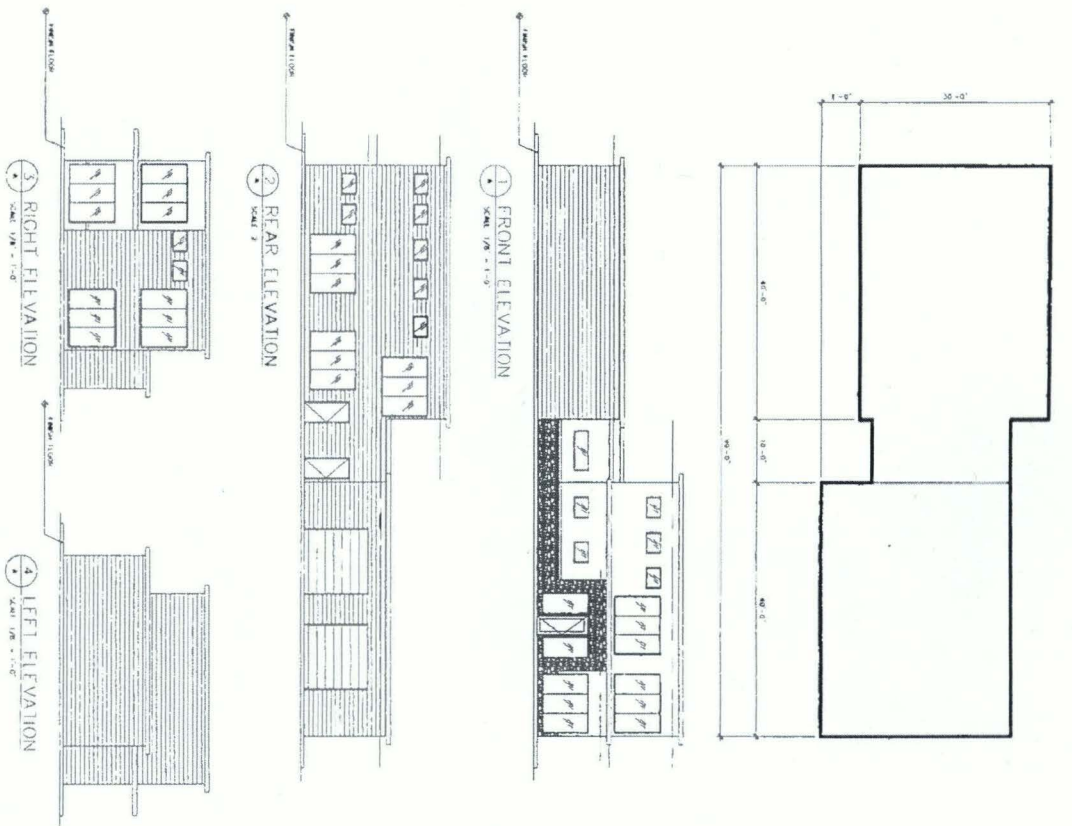
STATE OF TEXAS  
COUNTY OF BEXAR  
This is to Certify that this document  
was e-FILED and e-RECORDED in the Official  
Public Records of Bexar County, Texas  
on this date and time stamped thereon.  
01/31/2018 2:40PM  
COUNTY CLERK, BEXAR COUNTY TEXAS



*Gerard C. Rickhoff*

Exhibit "A"

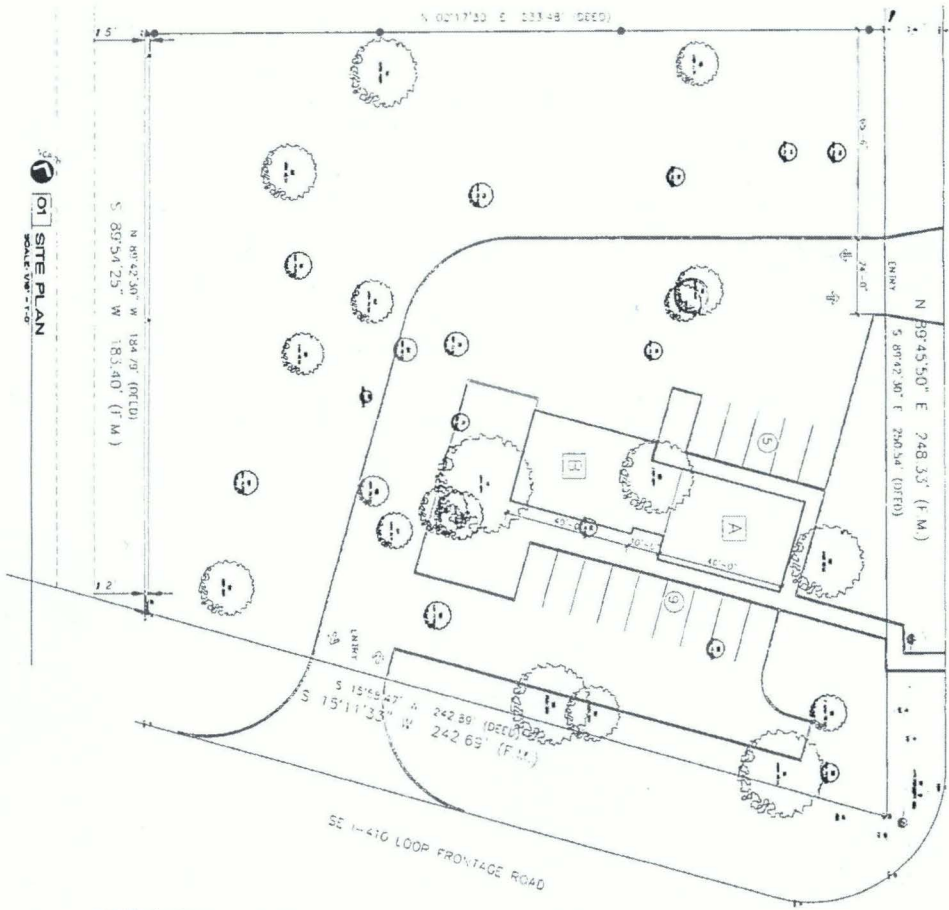




- [A] ALL PRO OFFICE 2 STORY
- [B] ALL PRO SHOP

I, Paul Scott, 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 this plan is 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.

SCOTT ALMA DR



[1] SITE PLAN  
SCALE 1/8" = 1'-0"

Exhibit "B"

Z2018246