SG/lj
08/18/2016
Z-6

CASE NO. Z2016189

AN ORDINANCE 2016-08-18-0628

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 1.89 acres of land out of NCB 10762, located at 4438 Wildt Road from "R-20" Residential Single-Family District to "C-1 CD" Light Commercial District with a Conditional Use for Self-Storage Facility.

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 28th day of August 2016.

PASSED AND APPROVED this 18th day of August 2016.

M A Y O R
Ivy R. Taylor

ATTEST:

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

For Martha G. Sepeda, Acting City Attorney

Agenda Item:	**Z-6 (in consent vote: P-2, Z-6)**
Date:	08/18/2016
Time:	02:08:40 PM
Vote Type:	Motion to Appr w Cond
Description:	ZONING CASE # Z2016189 CD (Council District 3): An Ordinance amending the Zoning District Boundary from "R-20" Residential Single-Family District to "C-1 CD" Light Commercial District with a Conditional Use for a Self Storage Facility on 1.89 acres out of NCB 10762, located at 4438 Wildt Road. Staff recommends Denial. Zoning Commission recommends Approval, pending Plan Amendment. (Associated Plan Amendment 16053)
Result:	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				x
Rebecca Viagran	District 3		x			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				

Book 17805 Page 1922 4pgs

Doc# 20160071271

GF# 1601334-03

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

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

THAT, **VIVIAN RAE MINNIS OLIVARES, a window,** hereinafter called Grantor (whether one or more), for and in consideration of the sum of TEN AND NO/100 DOLLARS and other good and valuable considerations to Grantor in hand paid by **DON CLAUSON,** hereinafter called Grantee (whether one or more), whose mailing address is: 4515 GRANGER ST. SAN DIEGO CA 92109, the receipt of which is hereby acknowledged, has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto Grantee, the following described real estate, together with all improvements thereon, situated in Bexar County, Texas, being more particularly described as follows, to-wit:

A 1.89 acre tract of land out of Lot 16, New City Block 10762, OLIVE'S ARBOR SUBDIVISION, City of San Antonio, Bexar County, Texas, as recorded in Volume 9517, Page 56, Deed and Plat Records of Bexar County, Texas, a tract out of the M. G. DE ALANIZ SURVEY NO. 20, in Bexar County, Texas, and a tract out of a 1.3639 acre tract as recorded in Volume 4695, Page 127, Deed Records, Bexar County, Texas, said 1.89 acres being the same property described in deed to Vivian Rae Minnis Olivares recorded in Volume 13909, Page 1062, Official Public Records of Bexar County, Texas, and being more particularly described in the Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereunto in anywise belonging, unto the said Grantee, Grantee's heirs, successors and/or assigns forever. And Grantor does hereby bind Grantor, Grantor's heirs, executors, administrators, successors and/or assigns TO WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Grantee herein, Grantee's heirs, successors and/or assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

This conveyance and the warranties of title given herein are made subject to any and all restrictions, easements, setback lines, covenants, conditions and reservations, of record affecting the property herein conveyed.

EXECUTED ON THE FOLLOWING DATE: APRIL 15, 2016.

Vivian Rae Minnis Olivares
VIVIAN RAE MINNIS OLIVARES

Exhibit "A"

(ACKNOWLEDGEMENT)

STATE OF TEXAS §
COUNTY OF BEXAR §

This instrument was ACKNOWLEDGED before me, on this the 15th day of April, 2016, by VIVIAN RAE MINNIS OLIVARES.

ALEXANDER GONZALES
Notary Public, State of Texas
Comm. Expires 10-14-2016
Notary ID 7253278

Notary Public, State of Texas

AFTER RECORDING RETURN TO:

Prepared in the Law Offices of:
West & West
Attorneys at Law, P.C.

2929 Mossrock, Suite 204
San Antonio, Texas 78230

Exhibit "A"

METES AND BOUNDS DESCRIPTION
FOR

1.89 ACRES

1.89 ACRE TRACT OF LAND CONSISTING OF 1.44 ACRES OUT OF LOT 16, NEW CITY BLOCK 10762, OLIVE'S ARBOR SUBDIVISION, CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS AS RECORDED IN VOLUME 9517, PAGE 56, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, A 0.21 ACRE TRACT OUT OF THE M.C. DE ALANIZ SURVEY NO. 20, BEING SAME TRACT DESCRIBED IN VOLUME 3807, PAGE 482, DEED RECORDS OF BEXAR COUNTY, TEXAS AND ALSO 0.24 ACRES OUT OF A 1.3639 ACRE TRACT AS RECORDED IN VOLUME 4695, PAGE 127, DEED RECORDS OF BEXAR COUNTY, TEXAS AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a found ½" iron pin at the northwest corner of Lot 13, Balans Subdivision, Unit 1, as recorded in Volume 9510, Page 45, Deed and Plat Records of Bexar County, Texas and the south right-of-way of Wildt Road;

THENCE: departing the south right-of-way of Wildt Road, S 00°05'10" E, a distance of 395.92 feet to a found chain link fence post, for the southeast corner of this tract;

THENCE: N 89°47'38" W, a distance of 212.00 feet to a set ½" iron pin along the north right-of-way of Linda Kay Drive, for the southwest corner of this tract;

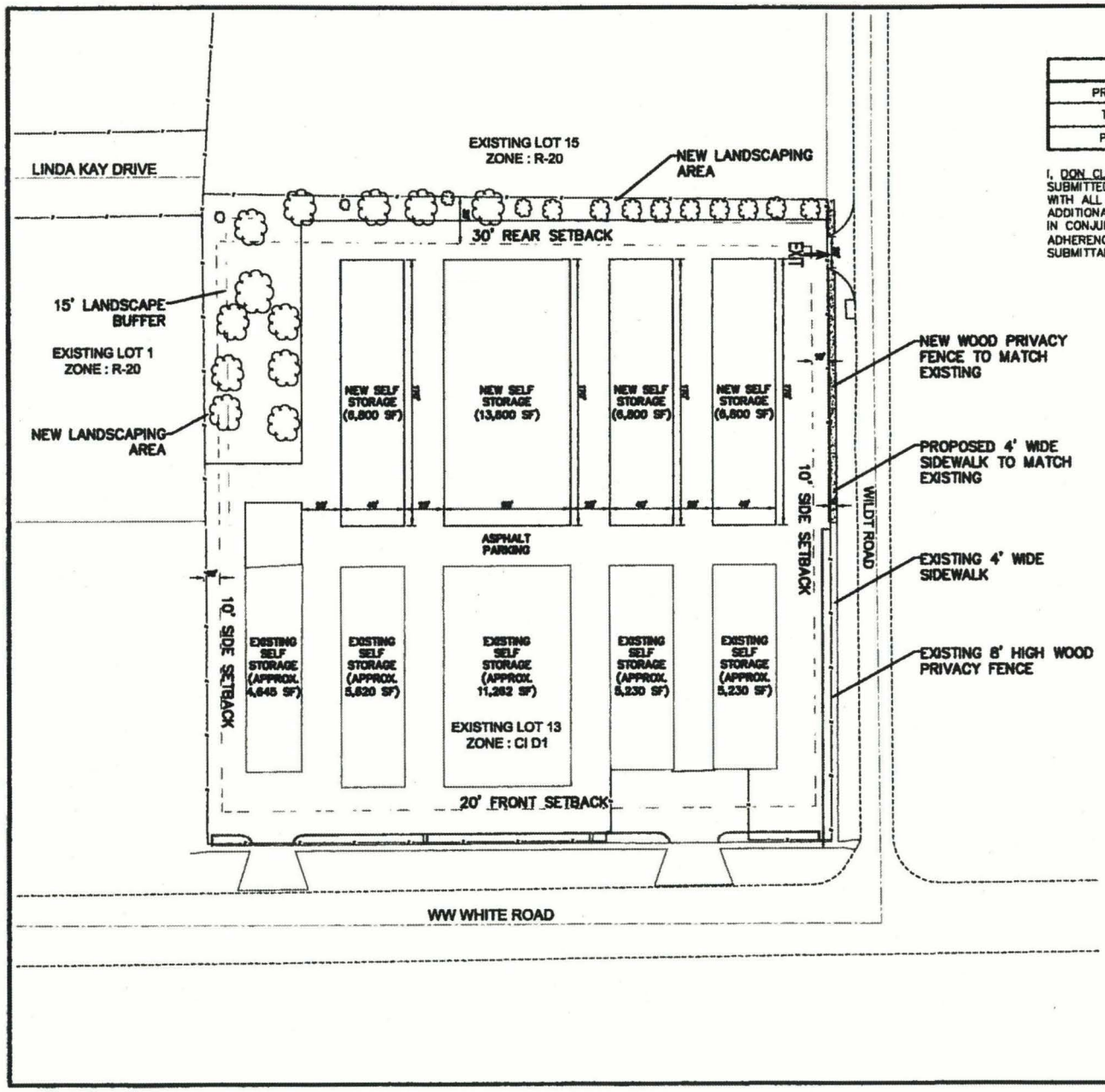
THENCE: N 00°54'38' E, a distance of 394.31 feet to a set ½" iron pin at the south right-of-way of Wildt Road, for the northwest corner of this tract;

THENCE: along the south right-of-way of Wildt Road, N 89°44'55" E, a distance of 205.14 feet to the POINT OF BEGINNING and containing 1.89 acres of land.

Doc# 20160071271
Pages 4
04/19/2016 10:41AM
e-Filed & e-Recorded in the
Official Public Records of
BEXAR COUNTY
GERARD C. RICKHOFF
COUNTY CLERK
Fees $34.00

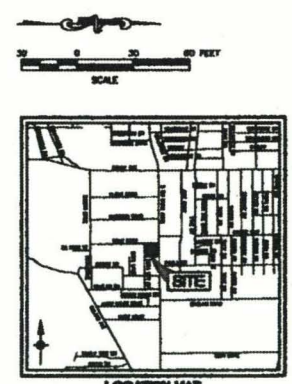
STATE OF TEXAS
COUNTY OF BEXAR
This is to Certify that this document
was e-FILED and e-RECORDED in the Official
Public Records of Bexar County, Texas
on this date and time stamped thereon.
04/19/2016 10:41AM
COUNTY CLERK, BEXAR COUNTY TEXAS

Z2016189



SITE PLAN INFORMATION	
PROPOSED USE	CI-CD / SELF STORAGE
TOTAL AREA	3.727 AC (162,356 SF)
PAVED AREA	2.98 AC (129,880 SF)

I, DON CLAUSON, THE PROPERTY OWNER, ACKNOWLEDGE THAT THIS SITE SUBMITTED FOR THE PURPOSE OF REZONING THIS PROPERTY IS IN ACCOR WITH ALL APPLICABLE PROVISIONS OF THE UNIFIED DEVELOPMENT CODE. ADDITIONALLY, I UNDERSTAND THAT CITY COUNCIL APPROVAL OF A SITE I IN CONJUNCTION WITH A REZONING CASE DOES NOT RELIEVE ME FROM ADHERENCE TO ANY/ALL CITY-ADDOPTED CODES AT THE TIME OF PLAN SUBMITTAL FOR BUILDING PERMITS.



PROPOSED SITE PLAN
WILDT WHITE COMBO SUBDIVISION
SAN ANTONIO, TEXAS

LOCKAWAY STORAGE
4116 E. ROLLING GREEN LANE
ORANGE, CA 92597
PHONE PHONE NUMBER

Lemon Design Group

Exhibit "B"