

AN ORDINANCE 2015-12-17-1083

**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 Lots 1-5 in NCB 7587 and an adjacent parcel to the south out of NCB 7589, save and except that portion conveyed to the City of San Antonio, from "MF-33 AHOD" Multi-Family Airport Hazard Overlay District to "C-2 S AHOD" Commercial Airport Hazard Overlay District with Specific Use Authorization for a Carwash.

**SECTION 2.** A description of the adjacent parcel to the south, out of NCB 7589, is recorded at Volume 4297 Page 567 of the Deed Records of Bexar County, Texas. A description of the property, which is saved and excepted in Section 1, is recorded in Volume 7597, Page 109 of the Official Public Record of Real Property of Bexar County. Both descriptions are included 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.

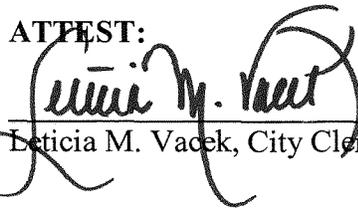
**SECTION 6.** The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

**SECTION 7.** This ordinance shall become effective December 27, 2015.

**PASSED AND APPROVED** this 17<sup>th</sup> day of December, 2015.

  
M A Y O R  
Ivy R. Taylor

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

<b>Agenda Item:</b>	Z-7
<b>Date:</b>	12/17/2015
<b>Time:</b>	02:24:50 PM
<b>Vote Type:</b>	Motion to Approve
<b>Description:</b>	ZONING CASE # Z2016015 S (Council District 3): An Ordinance amending the Zoning District Boundary from "MF-33 AHOD" Multi-Family Residential Airport Hazard Overlay District to "C-2 S AHOD" Commercial Airport Hazard Overlay District with Specific Use Authorization for a Carwash on 0.773 acres of land out of NCB 7589 and NCB 7587, located at 3726 and 3728 South New Braunfels Avenue. 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			x	
Rey Saldaña	District 4		x				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				

Z2016015

BEFORE ME, the undersigned authority, on this day personally appeared G. S. McCreless and Gladys McCreless, his wife, both known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the said Gladys McCreless, wife of the said G. S. McCreless, having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said Gladys McCreless, acknowledged such instrument to be her act and deed, and declared that she had willingly signed the same for the purposes and

consideration therein expressed, and that she did not wish to retract it.

GIVEN under my hand and seal of office, this 12 day of ~~March~~ <sup>May</sup>, A. D. 1959.

*Eilene T. Becker*

Notary Public in and for Bexar County, Texas  
EILENE T. BECKER  
Notary Public, Bexar County, Texas

Filed for record May 20, 1959, at 1:47 O'clock P. M.  
Recorded May 20, 1959, at 1:47 O'clock P. M.  
BY FRED HUNTRESS, County Clerk, Bexar County, Texas.

Z2016015

227257

KNOW ALL MEN BY THESE PRESENTS:

That we, G. S. McCRELESS, individually, and McCRELESS HOMESITES, INC., a corporation, acting herein by and through G. S. McCRELESS, its President, for and in consideration of the sum of Ten (\$10.00) Dollars and other good, valuable and sufficient consideration to us in hand paid by EPISCOPAL CHURCH CORPORATION IN WEST TEXAS, a corporation, the receipt of which is hereby fully acknowledged and confessed, have GRANTED SOLD AND CONVEYED, and by these presents do grant, sell and convey unto the said EPISCOPAL CHURCH CORPORATION IN WEST TEXAS, of the County of Bexar and the State of Texas, the following described real estate, situate in the County of Bexar and State of Texas, to-wit:

A tract of land out of New City Block 7589 in the City of San Antonio, Bexar County, Texas, more particularly described as follows, to-wit:

BEGINNING at a point in the east line of South New

Vol 4297 PAGE 568

Z2016015

Braunfels Avenue, said point being southerly 125 feet measured along the east line of South New Braunfels Avenue from its intersection with the south line of Ada Street, and being the southwest corner of Lot 1, New City Block 7587, McCreless Annex No. 1 in said City of San Antonio, Bexar County, Texas;

THENCE easterly along the south line of Lots 1, 2, 3, 4 and 5 of said New City Block 7587 in said city, a distance of 279 feet, more or less, to the southeast corner of said Lot 5 in said New City Block 7587 in said city;

THENCE in a southerly direction, being an extension of the east line of said Lot 5, New City Block 7587, a distance of 25 feet to a point;

THENCE in a westerly direction 25 feet from and parallel to the south line of said New City Block 7587, a distance of 279 feet, more or less, to a point in the east line of South New Braunfels Avenue in said city of San Antonio, Bexar County, Texas;

THENCE northerly along the east line of said South New Braunfels Avenue, a distance of 25 feet to the place of beginning.

The purpose of this deed is to correct an error in the description of the property contained in deed from McCRELESS HOMESITES, INC. to EPISCOPAL CHURCH CORPORATION IN WEST TEXAS dated April 14, 1958, recorded in Volume 4135 on pages 97-98 of the Deed Records of Bexar County, Texas; and in all other respects to ratify and confirm said deed of conveyance.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said EPISCOPAL CHURCH CORPORATION IN WEST TEXAS, its successors and assigns forever. And we do hereby bind ourselves, our heirs, executors and administrators TO WARRANT AND FOREVER DEFEND all and singular the said premises unto the said EPISCOPAL CHURCH CORPORATION IN WEST TEXAS, its successors and assigns, against every person whomsoever, lawfully claiming or to claim the same, or any part thereof; but this warranty shall not extend nor include any transaction affecting the title to said twenty-five foot strip of land occurring after April 14, 1958.

EXECUTED this 12 day of ~~March~~<sup>May</sup>, A. D. 1959.

  
G. S. McCreless

McCRELESS HOMESITES, INC.

BY:   
President

ATTEST:  
  
Secretary

BEFORE ME, the undersigned authority, on this day personally appeared G. S. McCreless, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same individually and in the capacity therein stated for the purposes and consideration therein expressed.

GIVEN under my hand and seal of office, this 12 day of <sup>May</sup>~~March~~, A. D. 1959.



*Eileene T. Becker*  
Notary Public in and for Bexar  
County, Texas  
EILEENE T. BECKER  
Notary Public, Bexar County, Texas

Filed for record May 20, 1959, at 1:17 O'clock P. M.  
Recorded May 20, 1959, at 1:17 O'clock P. M.  
FRED HUNTRESS, County Clerk, Bexar County, Texas.  
Deputy.

227264

### WARRANTY DEED WITH VENDOR'S LIEN

THE STATE OF TEXAS  
COUNTY OF BEXAR

} KNOW ALL MEN BY THESE PRESENTS:

That we, H. T. BOYD and wife, LOU ELLEN BOYD

of the County of Bexar State of Texas for and  
in consideration of the sum of Ten and No/100 (\$10.00) DOLLARS  
and other valuable consideration to the undersigned cash in hand paid by the grantee herein named, the  
receipt of which is hereby acknowledged, and the further consideration of one certain promissory  
note of even date herewith for the sum of Six Thousand Six Hundred Four  
and 72/100 Dollars (\$6,604.72), executed by grantees herein, payable to  
the order of grantors herein, in monthly installment of principal and in-  
terest as therein provided;



1e  
3/17/67  
/bc - 5/22/75

22016015

Parcel: Misc. Esscents & Dedications  
Project: So. New Braunfels Ave. Improvement

JUN-6-75 8029

WARRANTY DEED  
\*\*\*

558617

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

That we, THE EPISCOPAL CHURCH CORPORATION IN WEST TEXAS, a corporation, acting by and through its duly authorized officers pursuant to a Resolution of the Board of Directors

of the County of Bexar, State of Texas, for and in consideration of the sum of

TWENTY ONE THOUSAND ONE HUNDRED AND NO/100 - - - (\$ 21,100.00 ) DOLLARS to it in hand paid by the grantee herein named, the receipt of which is hereby acknowledged, have GRANTED, SOLD and CONVEYED, and by these presents GRANT, SELL and CONVEY unto CITY OF SAN ANTONIO, a municipal corporation, of the County of Bexar, State of Texas, all of the following described real property situated within the corporate limits of the City of San Antonio, Bexar County, Texas, to-wit:

A portion of Lot 1, New City Block 7587, KCCRELESS ANNEX NO. 1, according to plat recorded in Volume 2805, Page 158, Deed and Plat Records, Bexar County, Texas and a portion of New City Block 7589, City of San Antonio, Bexar County, Texas, being more particularly described as follows:

BEGINNING at the Northwest corner of said Lot 1 at the Northwest corner of said New City Block 7587;

THENCE South 89° 49' 40" East along the South right-of-way Line of Ada Street a distance of 36.96 feet to a point;

THENCE South 0° 10' 20" West a distance of 5.00 feet to a point, said point being the beginning of a curve;

THENCE along a curve having a beginning tangent bearing North 89° 49' 40" West of length 5.98 feet, a central angle of 89° 49' 00", a radius of 6.00 feet, a curve length of 9.41 feet, and a final tangent bearing South 0° 21' 20" West of length 5.98 feet, to a point of tangency;

THENCE South 0° 21' 20" West a distance of 139.02 feet to a point;

THENCE North 89° 49' 40" West a distance of 31.00 feet to a point on the East right-of-way Line of South New Braunfels Avenue;

THENCE north 0° 21' 20" East along the East right-of-way Line of South New Braunfels Avenue a distance of 150.00 feet to the POINT OF BEGINNING.

It is further understood and agreed that the consideration received by the Grantor is also in full payment for all damages to the remaining property, if any, of the Grantor.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said grantee, its successors and assigns forever; and it does hereby bind itself, its successors and assigns to WARRANT and FOREVER DEFEND all and singular the said premises unto the said grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this 5th day of June , A. D., 1975.

ATTEST:

JACK REEDON, Secretary

THE EPISCOPAL CHURCH CORPORATION IN WEST TEXAS

By:

HAROLD C. GUSNELL, Bishop

VA 7597 MC109

22016015

Page 12 Warrant Deed

Parcel: Misc. Easements & Dedications

Vol 7597 pg 110

(Single Acknowledgment)

STATE OF TEXAS )  
COUNTY OF BEXAR )

Before me, the undersigned authority, on this day personally appeared known to me to be the person whose name subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the \_\_\_\_\_ day of \_\_\_\_\_, A. D., 19 \_\_\_\_\_

Notary Public in and for Bexar County, TEXAS

(Corporation Acknowledgment)

STATE OF TEXAS )  
COUNTY OF BEXAR )

Before me, the undersigned authority, on this day personally appeared Harold C. Gosnell, President of THE EPISCOPAL CHURCH CORPORATION IN WEST TEXAS, a corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said THE EPISCOPAL CHURCH CORPORATION IN WEST TEXAS, a corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 5 day of \_\_\_\_\_, A. D., 1975.

*jm*

*Arthur Goldman*

Notary Public in and for Bexar County, TEXAS

ARTHUR GOLDMAN

STATE OF TEXAS  
COUNTY OF BEXAR  
I hereby certify that this instrument was FILED on the \_\_\_\_\_ date and of the time stamped herein by me, and was duly RECORDED in the Minute and Page of the DEED RECORDS of Bexar County, Texas, as printed herein by me.

JUN 6 1975



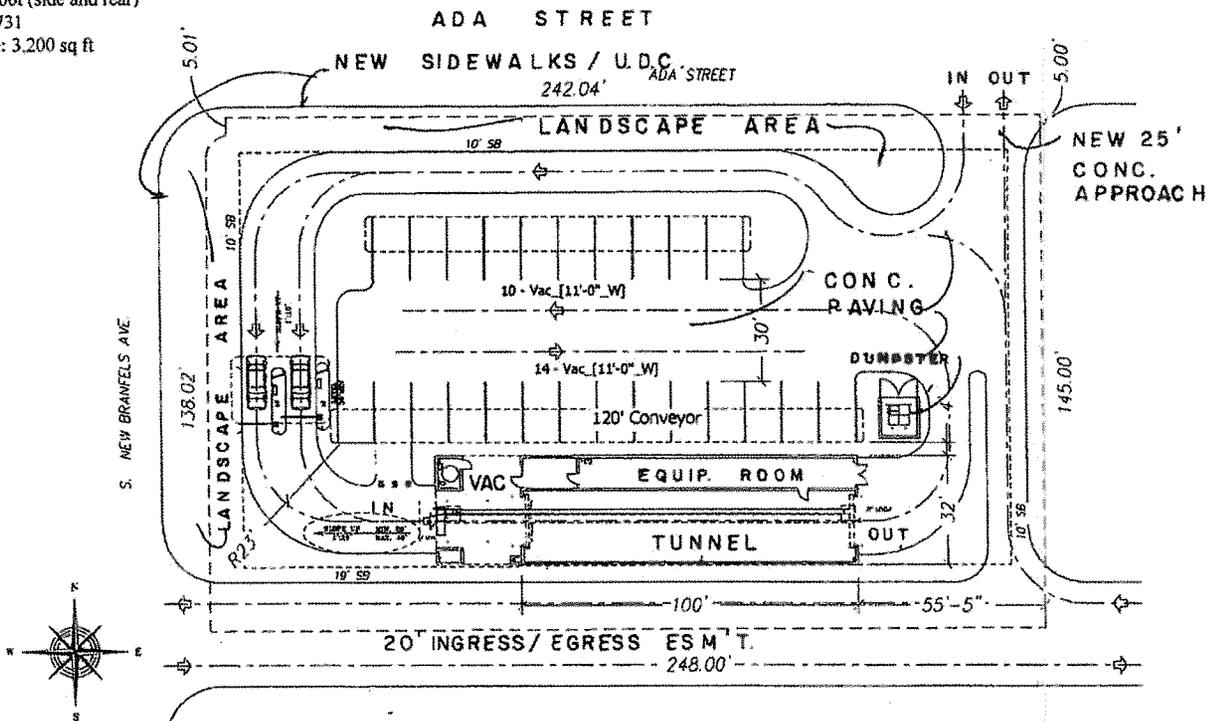
*James W. Knight*  
COUNTY CLERK  
BEXAR COUNTY, TEXAS

FILED IN MY OFFICE

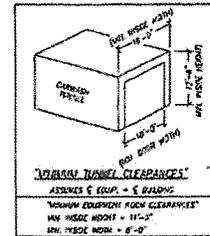
JUN 6 1975 - 1 20 PM

JAMES W. KNIGHT, County Clerk Bexar Co.

Legal Description: Lot 2, 3, 4, 5 & E IRR 23.04 ft of 1, NCB 7587 & Lot N 25 FT of W 277.85 FT, NCB 7589  
 Proposed Parking Spaces: 24  
 Existing Use: MF-33  
 Proposed Use: C-2S with a Specific Use Authorization for a Carwash  
 Setbacks: 0-foot (side and rear)  
 Acreage: 0.7731  
 Building Size: 3,200 sq ft



NOTE: NEW SIDEWALKS / U.D.C.  
 NEW CARWASH BLDG/2015 I.B.C.  
 AREA: NEW BLDG - 3,200 SQ. FT.  
 TYP. VAC SPACE 11' X 18' - 24 SPACES



**SITE LEGEND**  
 UNIFORM FINISH 6  
 PROPOSED CURB  
 SITE BOUNDARY LINE  
 EXISTING USE OF ROAD  
 SETBACK

**GENERAL NOTES**  
 1 - ALL CONCRETE WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE ACI 308R AND ACI 308.1R.  
 2 - ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED.

**PRELIMINARY PLAN NOTE**  
 THIS PLAN HAS BEEN PREPARED WITH THE BEST AVAILABLE INFORMATION PROVIDED BY THE CUSTOMER. THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES. THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES. THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES.

DATE	05.01.15
REVISION DATE	05.21.15
CREATED BY	LV
REVISED BY	ADC
CHECKED BY	

**SONNY'S**  
 THE CAR WASH FACTORY  
<http://www.SonnyDirect.com>

SITE LAYOUT  
 "DRAFT"

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<p><b>DISCLAIMER</b>          ALTHOUGH BUILDING CODES HAVE BEEN CONSIDERED IN DEVELOPING THIS DRAWING, VERIFICATION OF SITE SPECIFIC CONDITIONS AND COMPLIANCE WITH FEDERAL, STATE AND LOCAL BUILDING CODES IS THE EXCLUSIVE RESPONSIBILITY OF THE CUSTOMER AND/OR ARCHITECT AND ENGINEER. THESE DRAWINGS REFLECT REQUIREMENTS FOR SONNY'S FURNISHED EQUIPMENT ONLY UNLESS OTHERWISE NOTED. PLEASE REFER TO OTHER MANUFACTURERS' LITERATURE FOR THEIR EQUIPMENT REQUIREMENTS.</p>	<p><b>CONFIDENTIAL WARNING</b>          THIS SHEET CONTAINS AND CONSTITUTES CONFIDENTIAL INFORMATION, IMAGES AND TRADE SECRETS OF SONNY'S ENTERPRISES, INC. ANY UNAUTHORIZED USE OR DISCLOSURE OF ANY OR PORTION THEREOF, IS STRICTLY PROHIBITED. THIS WORK IS THE EXCLUSIVE PROPERTY OF SONNY'S ENTERPRISES, INC. ALL RIGHTS RESERVED.</p>	<p>15174-C5- BUBBLE BATH #4          SCALE: 1/4"=1'-0"          LOCATION: TX 3726 S. NEW BRAUNFELS</p>	<p>Sheet Rev.          01 - 2</p>
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I, Kirk B. Mason, Assistant Treasurer, on behalf of the Episcopal Church Corporation in West Texas, 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 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.

**Attachment B**

22016015