

AN ORDINANCE 2018-08-16-0650

**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 0.853 acres out of NCB 35733 from "R-20 MLOD-1 MSAO-1" Residential Single-Family Camp Bullis Military Lighting Military Sound Attenuation Overlay District to "C-2NA CD MLOD-1 MSAO-1" Commercial District Nonalcoholic Sales Camp Bullis Military Lighting Military Sound Attenuation Overlay District with a Conditional Use for a Construction Contractor's Facility.

**SECTION 2.** A description of the property recorded in Warranty Deed Volume 9826, Page 1599 of the Official Public Record 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 outdoor speakers or outdoor live music.
- B. Building height and outdoor storage height shall not exceed 20-feet in height.
- C. A 20-foot landscape buffer is required on rear and front property lines.
- D. Plantings must be from UDC Appendix E (native species) only

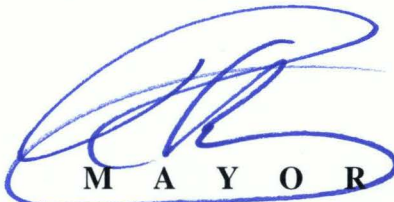
**SECTION 5.** The City council approves this Conditional Use so long as the attached site plan is adhered to. A site plan is attached as **Exhibit "B"** and made a part hereof and incorporated herein for all purposes.

**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.

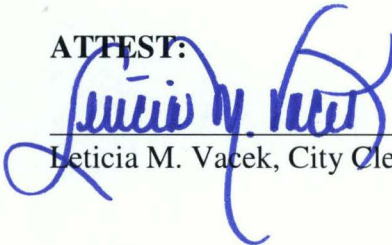
**SECTION 8.** This ordinance shall become effective August 26, 2018.

**PASSED AND APPROVED** this 16<sup>th</sup> day of August 2018.




**M A Y O R**  
**Ron Nirenberg**

**ATTEST:**



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

**APPROVED AS TO FORM:**



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

for

<b>Agenda Item:</b>	<b>Z-16</b>						
<b>Date:</b>	08/16/2018						
<b>Time:</b>	02:38:52 PM						
<b>Vote Type:</b>	Motion to Appr w Cond						
<b>Description:</b>	ZONING CASE # Z2018156 CD (Council District 8): Ordinance amending the Zoning District Boundary from "R-20 MLOD-1 MSAO-1" Residential Single-Family Camp Bullis Military Lighting Overlay Camp Bullis Military Sound Attenuation Overlay District to "C-2 CD MLOD-1 MSAO-1" Commercial Camp Bullis Military Lighting Overlay Camp Bullis Military Sound Attenuation Overlay District with Conditional Use for a Construction Contractor Facility on 0.853 acres out of NCB 35733, located at 7081 Heuermann Road. Staff recommends Approval. Zoning Commission recommends Denial. (Continued from August 2, 2018)						
<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				
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			x	
John Courage	District 9		x				
Clayton H. Perry	District 10		x				

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General Warranty Deed

Date: January 15, 2003
Grantor: M.B. Taylor Properties, LTD.
Grantee: Mary Taylor and Jessie Taylor
Grantee's Mailing Address:

Doc# 20030031839

Z2018156

Mary B. Taylor
PO BOX 100586
San Antonio, Texas 78201
Bexar County

Consideration:

Cash and other good and valuable consideration, the receipt of which is hereby acknowledged and accepted.

Property (including any improvements):

See Attached Exhibit "A"

Reservations from Conveyance:

None

Exceptions to Conveyance and Warranty:

Liens described as part of the Consideration and any other liens described in this deed as being either assumed or subject to which title is taken; 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 2002, which Grantee assumes and agrees to pay, but not subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantor 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 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.

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

Mary B. Taylor
For M.B. Taylor Properties, LTD.
Mary Taylor

STATE OF Texas
COUNTY OF Barrant

This instrument was acknowledged before me on January 15, 2003, by Mary Taylor of M.B. Taylor Properties, LTD.

[Signature]
Notary Public, State of Texas



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**EXHIBIT "A"**

A 0.863 acres of land, more or less, out of Lot 13, New City Block 35733, Traylor Resubdivision, Bexar County, Texas, according to plat recorded in Volume 980, Page 238, Deed and Plat Records of Bexar County, Texas, and being more particularly described in Exhibit "A", attached hereto and made a part hereof.

NOTE: The Company does not represent that any acreage or square footage calculations in the above description or in any exhibit attached hereto are correct.

22012156

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Doc# 20030031839  
# Pages 2  
02/11/2003 10:15:15 AM  
Filed & Recorded in  
Official Records of  
BEXAR COUNTY  
BERRY RICKHOFF  
COUNTY CLERK  
Fees \$11.00

Any provision which restricts the sale, or use of the described real property because of race is invalid and unenforceable under Federal law STATE OF TEXAS, COUNTY OF BEXAR  
I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me and was duly RECORDED in the Official Public Record of Real Property of Bexar County, Texas on:

FEB 11 2003



*Berry Rickhoff*  
COUNTY CLERK BEXAR COUNTY, TEXAS

EXHIBIT "A"

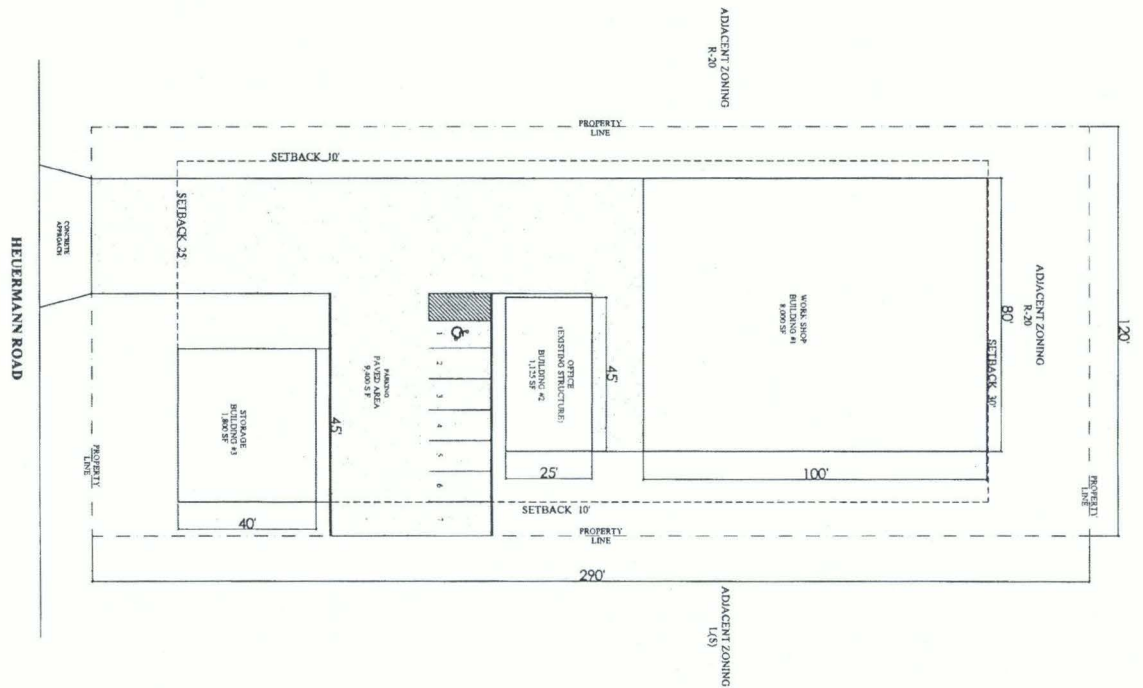
BEGINNING at a fence corner in the New North R.O.W. line of Heuerman Road, said point being N01 deg. 17'00"E 10.65' from the Southwest corner of Tract 13, thence S88 deg. 30'00"E 135.40' to the Southwest corner and place of beginning of this 0.853 acre tract;

THENCE N01 deg. 17'00"E 295.0' along the East line of a 0.917 acre tract of Tract 13 of the Traylor Subdivision, to an iron pin set in same for the Northwest corner of this Tract;

THENCE S88 deg. 30'00"E 126.0' to an iron pin set for the Northeast corner of this Tract;

THENCE S01 deg. 17'00"W 295' to an iron pin set in the New North R.O.W. line of Heuerman Road, for the Southeast corner of this Tract;

THENCE N88 deg. 30'00"W 126' along said R.O.W. line to the PLACE OF BEGINNING and containing 0.853 acres of land, more or less.



**LEGAL DESCRIPTION:**  
 NCN 35733 BLK LOT MID 126 FT OF TR-13  
 ARB TR-13A "IH 10W W/TRAYLOR"  
 ANNEXATION

**ZONING:**  
 C-2 CD

"I **LARRY KLEKAR**, THE PROPERTY OWNER, ACKNOWLEDGE THAT THIS SITE PLAN SUBMITTED FOR THE PURPOSED 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."

Z2018158

**SITE PLAN**

Scale: 1/16"=1'-0"

PROJECT NAME & ADDRESS 7081 HEUERMANN ROAD. SAN ANTONIO, TEXAS, 78256.	PROJECT No. P07(01)AP18	OWNER LARRY KLEKAR MUNTERS CORPORATION 16900 JORDAN ROAD SELMA, TEXAS, 78154	BUILDER	DESIGNER <b>LUDAROSE DESIGN</b> 255 SHADYVIEW DRIVE BALCONES HEIGHTS, TX 78201	VER: 1.00	SHEET 1 OF 1
	SCALE As Shown				DATE 4/13/2018	
<small>THESE PLANS ARE THE PROPERTY OF LARRY KLEKAR AND ANY USE OF THESE PLANS WITHOUT THE WRITTEN CONSENT IS PROHIBITED</small>						