

AN ORDINANCE 2010-06-03-0498

**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 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 18, 19, 20, 21, 22, 23, 24, 50, 51, Lot 17 save and except that portion conveyed to the County of Bexar in Volume 7551, Page 597, and the east 16 feet of 25, NCB 35733 from "R-6 MLOD-1" Residential Single-Family Military Lighting Overlay District and "R-20 MLOD-1" Residential Single-Family Military Lighting Overlay District to "I-1 MLOD-1" Industrial Military Lighting Overlay District (Lots 18, 19, 20, 21, 22, 23, 24, Lot 17 save and except that portion conveyed to the County of Bexar in Volume 7551, Page 59, and the east 16 feet of 25, NCB 35733) and "L MLOD-1 S" Light Industrial Military Lighting Overlay District with a Specific Use Authorization for a Contractor's Facility (Lots 50 and 51, NCB 35733).

**SECTION 2.** A description of the property recorded in 7551, Page 597 of the Official Public Record of Real Property of Bexar County, which is saved and excepted in Section 1 above, 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 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 conditional 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 finds that the following conditions shall be met to insure compatibility with the surrounding properties:

- A. No outdoor speakers shall be permitted;
- B. Cranes shall be placed in the down position during hours of non-operation, except for emergency purposes only;
- C. Exotic plant species shall not be permitted; and
- D. An 8-foot privacy fence shall be erected along the west property line.

**SECTION 5.** The City council approves this Specific Use Authorization 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.

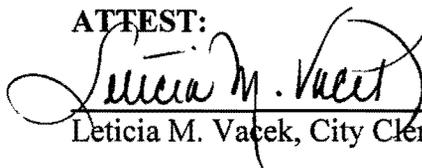
**SECTION 7.** The Director of Planning and Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

**SECTION 8.** This ordinance shall become effective June 13, 2010.

**PASSED AND APPROVED** this 3<sup>rd</sup> day of June 2010.

  
M A Y O R  
Julián Castro

**ATTEST:**

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

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
for Michael Bernard, City Attorney



Request for  
**COUNCIL  
ACTION**

City of San Antonio



## Agenda Voting Results - Z-3

| <b>Name:</b>           | 35, Z-3   |             |     |     |         |        |        |
|------------------------|---|-------------|-----|-----|---------|--------|--------|
| <b>Date:</b>           | 06/03/2010  |             |     |     |         |        |        |
| <b>Time:</b>           | 02:18:30 PM   |             |     |     |         |        |        |
| <b>Vote Type:</b>      | Motion to Approve   |             |     |     |         |        |        |
| <b>Description:</b>    | ZONING CASE # Z2010050 S (District 8): An Ordinance amending the Zoning District Boundary from "R-6 MLOD-1" Residential Single-Family Military Lighting Overlay District and "R-20 MLOD-1" Residential Single-Family Military Lighting Overlay District to "I-1 MLOD-1" General Industrial Military Lighting Overlay District (Lots 18, 19, 20, 21, 22, 23, 24, the north irregular 110.6 feet of 17 and the east 16 feet of 25, NCB 35733) and "L MLOD-1 S" Light Industrial Military Lighting Overlay District with a Specific Use Authorization for a Contractor's Facility (Lots 50 and 51, NCB 35733) located at 21120, 21105 Milsa Drive and 7193 Heuermann Road. Staff and Zoning Commission recommend approval with conditions. |             |     |     |         |        |        |
| <b>Result:</b>         | Passed  |             |     |     |         |        |        |
| Voter                  | Group   | Not Present | Yea | Nay | Abstain | Motion | Second |
| Julián Castro          | Mayor   |             | x   |     |         |        |        |
| Mary Alice P. Cisneros | District 1  |             | x   |     |         |        |        |
| Ivy R. Taylor          | District 2  |             | x   |     |         |        |        |
| Jennifer V. Ramos      | District 3  |             | x   |     |         |        | x      |
| Philip A. Cortez       | District 4  |             | x   |     |         | x      |        |
| David Medina Jr.       | District 5  |             | x   |     |         |        |        |
| Ray Lopez              | District 6  |             | x   |     |         |        |        |
| Justin Rodriguez       | District 7  |             | x   |     |         |        |        |
| W. Reed Williams       | District 8  |             | x   |     |         |        |        |
| Elisa Chan             | District 9  | x           |     |     |         |        |        |
| John G. Clamp          | District 10   |             | x   |     |         |        |        |

72010050

WARRANTY DEED-WITH SINGLE AND WIVES SEPARATE ACKNOWLEDGMENTS.- CLASS 5. TEXAS STANDARD FORM

539373

The State of Texas, )

EX-25-75 42205

*Approved as to form  
Allen M. Mamba  
Not. Com. D. A.*

County of Bexar

Know all Men by these Presents

That William H. Walters and wife, Adelia M. Walters

*of the County of* Bexar *State of* Texas *for and in*  
*consideration of the sum of* FIVE HUNDRED SEVENTY-FIVE AND NO/100  
-----  
(\$75.00) ----- Dollars.

to us *paid by* County of Bexar, in State of Texas, the receipt of which is hereby acknowledged.

And for further consideration Bexar County to set back present fence along the new right of way line, furnishing new material where needed, and place 1-14' metal gate at point designated by owner.

LIEN(S) HELD BY None

LEASE(S) HELD BY None

EASEMENT(S) HELD BY None

*have Granted, Sold and Conveyed, and by these presents do Grant, Sell and Convey unto the said*

*of the County of* Bexar *in State of* Texas *all*

*That certain* tract or parcel of land situated in Bexar County, Texas, being a part of Tract 17, Traylor Subdivision, in the L. Colquhoun Survey No. 24, Abstract No. 133, County Block 5733, conveyed by Guy R. Walters, a single man, to William H. Walters, as his sole and separate property and estate, by deed dated June 16, 1969, recorded in Volume 6207 Page 879, Deed Records of Bexar County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at the southeast corner of Tract 17 on the existing north right of way line of Heuermann Road, said corner being N. 1° 10' E. a distance of 21.6 feet from the survey line of Heuermann Road at Station 26+77.15;

THENCE N. 88° 45' W., along the existing north right of way line of Heuermann Road, a distance of 366.78 feet to the southwest corner of Tract 17, said corner being the intersection of the existing north right of way of Heuermann Road with the east right of way line of Milsa Drive;

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EXHIBIT A

11-Heuermann Rd.-2

THENCE N. 1° 16' E., along the west line of Tract 17, same being the east right of way line of Milsa Drive, a distance of 60.00 feet to a point, said point being the intersection of a proposed right of way cut-back line with the east right of way line of Milsa Drive;

THENCE S. 43° 37' E., along the proposed right of way cut-back line between the proposed north right of way line of Heuermann Road and the east right of way line of Milsa Drive, a distance of 70.85 feet to a point;

THENCE S. 88° 30' E., along the proposed north right of way line of Heuermann Road, parallel to and 30.00 feet from the survey line of said road, a distance of 316.77 feet to a point on east line of Tract 17;

THENCE S. 1° 10' W., along the east line of Tract 17, a distance of 8.40 feet to the point OF BEGINNING and containing an area of 0.105 of an acre of land, more or less.

A plat showing the above described portion of land is on file in the Bexar County Road Administrator's Office, Bexar County Courthouse, under file No. B-996.

*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*

County of Bexar, in State of Texas, its successors

*do hereby assign forever, and we do hereby bind ourselves, <sup>our</sup> heirs, executors and administrators to Warrant and Forever Defend, all, and singular, the said premises, unto the said*

County of Bexar, in State of Texas, its successors

*do hereby assign, against every person whomsoever lawfully claiming or to claim the same or any part thereof.*

*Witness our hands at Bexar County, Texas this 26 day of February AD 19 75*

*William H. Walters*

*Witnesses, at Request of Grantor:*

*Adelia M. Walters*

The State of Texas,  
County of Bexar

Before me, the undersigned authority,  
a Notary Public in and for  
County, Texas on this day personally appeared

William H. Walters and wife, Adelia M. Walters

known to me to be the person whose name are 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 this 26  
day of February A.D. 1915

Notary Public in and for Bexar County, Texas



Before me,  
in and for  
County, Texas on this day personally appeared

wife of  
known to me  
to be the person whose name is subscribed to the foregoing instrument, and having  
been examined by me, privately and apart from her husband and having the same  
fully explained to her, she the said

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  
day of A.D. 1915

The State of Texas,  
County of \_\_\_\_\_

I, \_\_\_\_\_

Clerk of the County Court of said County, do hereby certify that the foregoing  
instrument, of writing, dated on the \_\_\_\_\_ day of \_\_\_\_\_ A.D. 1915  
with its Certificate of Authentication, was filed for record in my office this  
day of \_\_\_\_\_ A.D. 1915 at \_\_\_\_\_ o'clock \_\_\_\_\_ M.,  
and duly recorded, this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 1915 at  
\_\_\_\_\_ o'clock \_\_\_\_\_ M. in the Deed Records of said County in Volume  
on pages \_\_\_\_\_

Witness my hand and the seal of the County Court of said County, at office in  
\_\_\_\_\_ the day and year last above written

County Court, \_\_\_\_\_ F. VOL. 7551 PAGE 599 County, Texas  
By \_\_\_\_\_ Deputy

AS ORIGINAL

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

MAR 26 1975



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

E 88D Tract #111

**Warranty Deed**

SINGLE AND WIFE'S BENEFIT ACKNOWLEDGMENTS

WILLIAM H. MATTERS

*W*  
Bexar County  
(Heusermann Road)

38010 mt

*W*  
38010 mt

*W*

*W*

*W*

*W*

*W*

*W*

*W*

*W*

This Deed should be immediately filed with  
IN BEXAR COUNTY RECORDS TO:

BEXAR COUNTY ROAD DEPT.

FILED IN MY OFFICE  
JAMES W. KNIGHT  
COUNTY CLERK BEXAR CO  
1975 MAR 26 PM 2

N 0°53'07"W 220.03'

8' Wooden Fence

8' Wooden Fence

8' Wooden Fence

**COVERED STORAGE**  
11,400 SF

LOT 51

LOT 52

SITE PLAN Z2010050S Contractor's Facility

METAL BLDG

N 90°00'00"E 397.60'

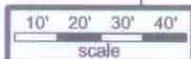
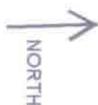
S 90°00'00"E 401.00'

OFFICE  
2 Story  
1600 SF  
Total

**FUTURE BLDG**  
12,500 SF

PARKING SPACES

PARKING SPACES



S 0°00'00"W 220.00'

EDGE OF ASPHALT PAVT

Per section 35-510 of the UDC, side buffer may be reduced  
Proposed building locations may be adjusted to comply with  
the UDC at the time of construction  
Crane in down position during hours of non-operation (except  
emergencies)  
No outdoor speakers  
No planting of exotic species

**21105 MILSA DRIVE**  
60' R.O.W.  
ASPHALT PVMT.

We, Vera & Carlo Salvatore, 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.

**EXHIBIT B**