AGENDA
CITY OF HELOTES
PLANNING AND ZONING COMMISSION
September 4, 2018

The City of Helotes Planning and Zoning Commission will meet for a Regular Meeting on Tuesday, September 4, 2018 at 7:00 p.m. in the City Hall Council Chamber, 12951 Bandera Road, Helotes, Texas 78023. This is an open meeting, subject to the open meeting laws of the State of Texas.

1. Call to order.

2. Roll call.

PUBLIC HEARING:

3. Public Hearing to give all interested persons the right to appear and be heard on a request by L&F-1, LLC for a change in zoning from Pre-Development District (PD) to Single-Family Residential District (R-1) for 57.531 acres of newly annexed properties located, generally, on Galm Road and more particularly described as a 27.502 acre tract of land (BCAD Property ID No. 236292) and a 30.029 acre tract of land (BCAD Property ID No. 236320).

OPEN SESSION:

4. Citizens to be heard.
   The Planning and Zoning Commission may not discuss any presented issue, nor may any action be taken on any issue at this time (Attorney General Opinion JC-0169). The Commission will accept comments from citizens of the City of Helotes and its Extraterritorial Jurisdiction (ETJ) only. Comments are limited to three (3) minutes, and this time is not transferable. Each person may only speak once. No profanity or threats will be tolerated.

CONSENT AGENDA (ITEM NOS. 5 - 6):
All Consent Agenda items listed below are considered routine by City Staff and are intended to be enacted by one motion. There will be no separate discussion of these items, unless a Commissioner requests it, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

5. Approval of the minutes of the Regular Meeting of the Planning and Zoning Commission dated August 7, 2018. (Approval Item; Staff)

NOTICE OF ASSISTANCE AT THE PUBLIC MEETING

The City of Helotes Municipal Complex is wheelchair accessible, and accessible parking spaces are available. In compliance with the Americans with Disabilities Act, the City of Helotes will provide reasonable accommodations for persons attending the meeting. To better serve you, requests should be received forty-eight (48) hours prior to the meeting. Please contact the City Secretary's Office by phone at 210.695.5911 or by facsimile at 210.695.2123.

6. Approval of a request by L&F-1, LLC for a change in zoning from Pre-Development District (PD) to Single-Family Residential District (R-1) for 57.531 acres of newly annexed properties located, generally, on Galm Road and more particularly described as a 27.502 acre tract of land (BCAD Property ID No. 236292) and a 30.029 acre tract of land (BCAD Property ID No. 236320). (Recommendation Item; Applicant)

ITEMS FOR INDIVIDUAL CONSIDERATION:

7. Discussion of and action on a request by CDT Sign Services for approval of a variance to Municipal Code of Ordinances Chapter 66 *Signs,* Section 66-51 *Commercial Signs: Projecting, Wall and Hanging, or In or On Windows* authorizing wall signage for a FedEx Office located inside Wal-Mart at 12550 Leslie Road, Helotes, Texas 78023, more particularly described as BCAD Prop. ID No. 1175530. (Recommendation Item; Applicant)

8. Discussion of and action on a request by Aetna Sign Group, Ltd. for approval of a master sign plan, pursuant to Municipal Code of Ordinances Chapter 66 *Signs,* Section 66-71 *Permits, Certificates, and Approval Required; Master Sign Plan*, for Helotes Point Retail Center, a multi-tenant shopping center located at 12510 Bandera Road, Helotes, Texas 78023, more particularly described as BCAD Prop. ID No. 1274715. (Recommendation Item; Applicant)

Adjourn.

NOTE: It is possible that a quorum of the City Council and/or other Municipal Advisory and Governmental Bodies may be in attendance at the above stated meeting. No action will be taken by the City Council and/or other Municipal Advisory and Governmental Bodies at the above stated meeting, other than the body specifically referred to in the above notice.

The Planning and Zoning Commission reserves the right to adjourn into Closed Session at any time during the course of this meeting to discuss any of the exceptions to the requirement that a meeting be open to the public, in accordance with Texas Government Code, Chapter 551 *Open Meetings*, Subchapter D *Exceptions to Requirement that Meetings be Open*. No action may be taken in Closed Session.

I certify that this Agenda was posted on August 28, 2018 at 2:00 p.m.

Celina Perez

Celina Perez, City Secretary

3

HEARST

MEDIA SOLUTIONS

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SAN ANTONIO EXPRESS NEWS
AFFIDAVIT OF PUBLICATION

STATE OF TEXAS:
COUNTY OF BEXAR

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared: Lynette Nelson, who after being duly sworn, says that she is the BOOKKEEPER of HEARST NEWSPAPERS, LLC - dba: SAN ANTONIO EXPRESS-NEWS, a daily newspaper published in Bexar County, Texas and that the publication, of which the annexed is a true copy, was published to wit:

Customer ID: 702738
Customer Name: City Of Helotes
Order ID: 2975999

Publication	Pub Date
EN Classified	02-AUG-18

Lynette Nelson

Lynette Nelson
Bookkeeper

Sworn and subscribed to before me, this 6 day of Aug A.D. 2018

Notary public in and for the State of Texas

Monique Egan

MONIQUE EGAN
Notary Public, State of Texas
Comm. Expires 06-03-2020
Notary ID 3183735

NOTICE OF PUBLIC HEARINGS

The City of Helotes Planning & Zoning Commission will hold a Public Hearing on September 4, 2018 and City Council will hold a Public Hearing on September 13, 2018 at 7 p.m. in the City Hall Council Chambers, 12951 Bandera Rd., Helotes, TX 78023 to give all interested persons the right to appear and be heard on a request by L&F-1, LLC for a change in zoning from Pre-development District (PD) to Single-Family Residential District (R-1) for 57.531 acres of new annexed properties, more specifically, the following two parcels: (1) 27.502 acres, BCAD Prop. ID 236292; and (2) 30.029 acres, BCAD Prop. ID 236320 located on Galm Rd. For more information, visit www.helotes-tx.gov.

August 2, 2018

L&F-1, LLC
Fred Ghavidel, President
6735 IH 10 West
San Antonio, Texas 78201

Re: Notice of Public Hearing for Change in Zoning for the annexed 57.531 acres generally located at the Bricewood Subdivision along Galm Road

Dear Mr. Ghavidel,

The City of Helotes Planning and Zoning Commission will hold a public hearing on September 4, 2018, at 7:00 p.m. in the City Hall Council Chambers, 12951 Bandera Road, Helotes, Texas to give all interested persons the right to appear and be heard on a zoning change request from Pre-development District (PD) to Single-Family Residential District (R-1) for the annexed 57.531 acres generally located at the Bricewood Subdivision along Galm Road, and more specifically described as the following two parcels: (1) a 27.502 acre tract of land, BCAD Property ID 236292; and (2) a 30.029 acre tract of land, BCAD Property ID No. 236320.

Additionally, the City of Helotes City Council will hold a public hearing on September 13, 2018 at 7:00 p.m. regarding the request as noted above. This public hearing will also be held in the City Hall Council Chambers, 12951 Bandera Road, Helotes, Texas 78023.

Although not required, it would probably be advantageous for you or your representative to be present at the public hearings.

The City of Helotes Planning and Zoning Commission and the City Council reserve the right, as otherwise permitted by law, to amend this notice by the publication of an amended notice on the official municipal website www.helotes-tx.gov and by the posting of official notice of the public hearing with the agenda for the meeting at which the hearing will take place in the manner required by Tex. Gov't Code Ann. Sec. 551.043. Members of the public are requested to check all official postings and the meeting agenda prior to the commencement of the public hearing.

Sincerely,

Celina Perez

Celina Perez,
City Secretary

August 3, 2018

Dear Property Owner,

The City of Helotes Planning and Zoning Commission will hold a public hearing on September 4, 2018 and the City Council will hold a Public Hearing on September 13, 2018 at 7:00 p.m. in the City Hall Council Chambers, 12951 Bandera Road, Helotes, Texas to give all interested persons the right to appear and be heard on a zoning change request from Pre-development District (PD) to Single-Family Residential District (R-1) for the annexed 57.531 acres generally located at the Bricewood Subdivision along Galm Road, and more specifically described as the following two parcels: (1) a 27.502 acre tract of land, BCAD Property ID 236292; and (2) a 30.029 acre tract of land, BCAD Property ID No. 236320.

The Helotes City Council approved the annexation of the subject parcels on July 12, 2018 with a temporary PD zoning classification. In compliance with City Code, these public hearings are being held to determine appropriate permanent zoning classification.

A BCAD map and the City of Helotes Annexation Map of the subject parcels can be viewed on the City Website at www.helotes-tx.gov, under the *Notices* section.

You are receiving this notice because you own property within two hundred feet (200') of the subject properties. As an interested property owner, you are invited to attend the public hearings to express your opinion. You may also send written comments to the City Secretary at PO Box 507, Helotes, Texas 78023 or via email to citysec@helotes-tx.gov.

The City of Helotes Planning and Zoning Commission and the City Council reserve the right, as otherwise permitted by law, to amend this notice by the publication of an amended notice on the official municipal website www.helotes-tx.gov and by the posting of official notice of the public hearing with the agenda for the meeting at which the hearing will take place in the manner required by Tex. Gov't Code Ann. Sec. 551.043. Members of the public are requested to check all official postings and the meeting agenda prior to the commencement of the public hearing.

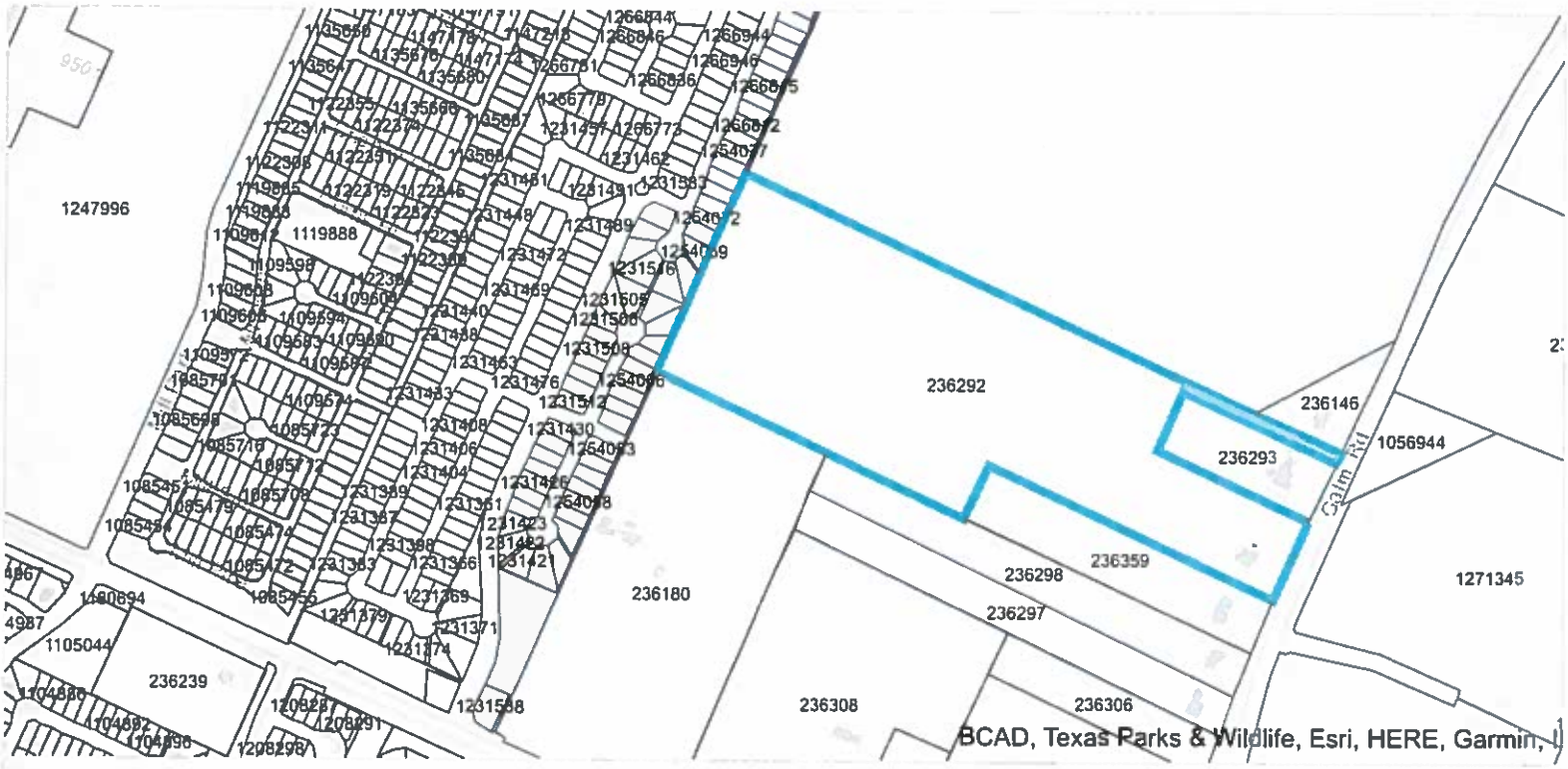
Thank you for your interest and participation in this matter.

Sincerely,

Celina Perez

Celina Perez,
City Secretary

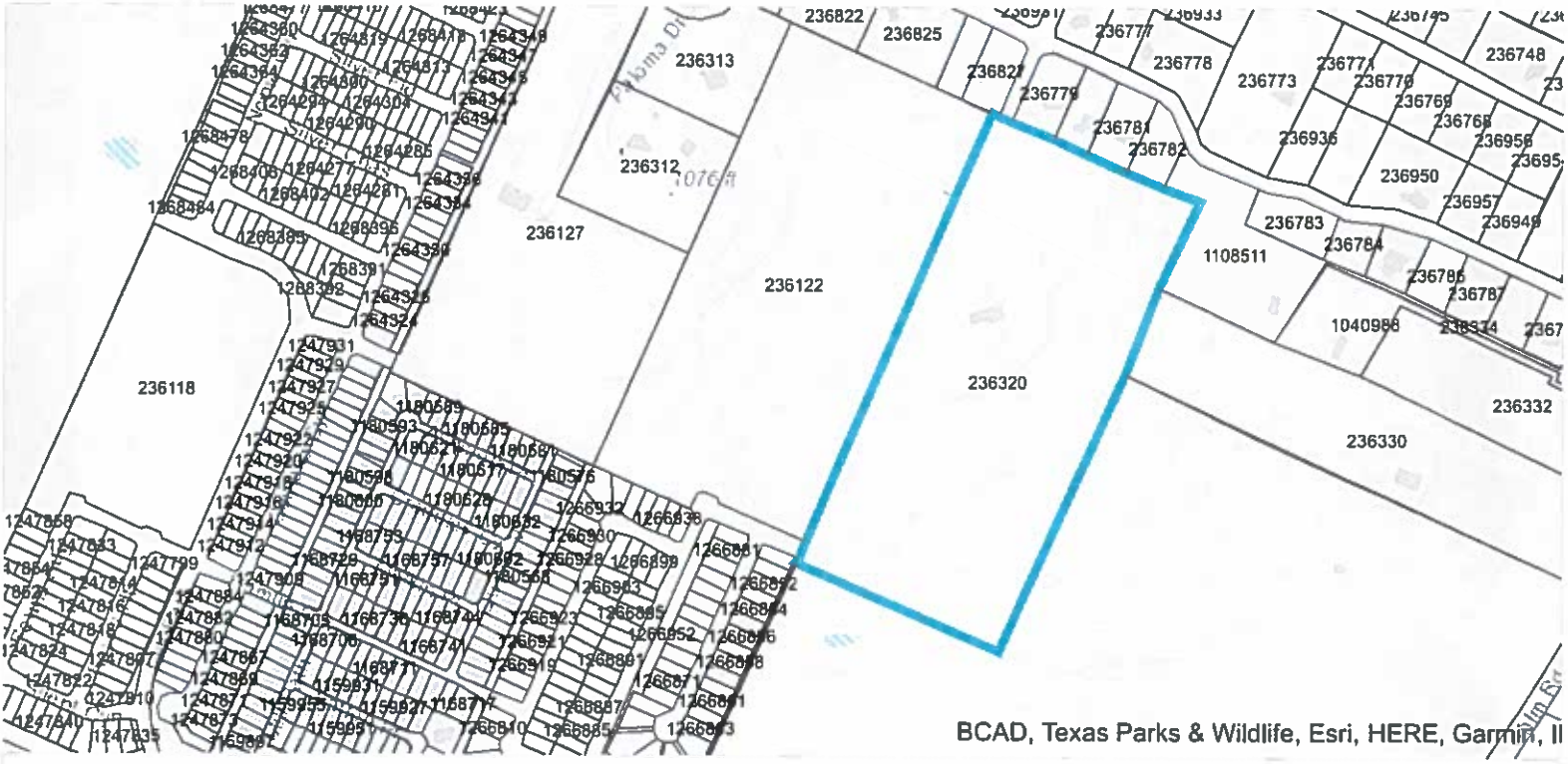
Property Identification #: 236292	Property Information: 2019	Owner Identification #: 2588689
Geo ID: 04450-000-0410 Situs Address: 9563 FM 1560 N SAN ANTONIO, TX 78254 Property Type: Real State Code: E1	Legal Description: CB 4450 P-41 ABS 467 (FORMERLY P-17A) REFER TO: 04450-000-0412 Abstract: A04450 Neighborhood: CUL-BANDERA/L1604 W(NS) Appraised Value: N/A Jurisdictions: 09, 56, CAD, 11, 08, 10, 06, 77	Name: PAYAN ROBERTO & PATRICIA H Exemptions: DBA: Null



Bexar CAD Map Search

This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The Bexar County Appraisal District expressly disclaims any and all liability in connection herewith.

Property Identification #: 236320	Property Information: 2019	Owner Identification #: 3059677
Geo ID: 04450-000-0501 Situs Address: 10740 MALIBU SAN ANTONIO, TX 78254 Property Type: Real State Code: E1	Legal Description: CB 4450 P-50 ABS 467 OUT OF P-5C Abstract: A04450 Neighborhood: N/S CUL-E/S KALLISN(NS) Appraised Value: N/A Jurisdictions: CAD, 10, 56, 08, 77, 09, 06, 11	Name: L&F-1 LLC Exemptions: HS DBA: Null



Bexar CAD Map Search

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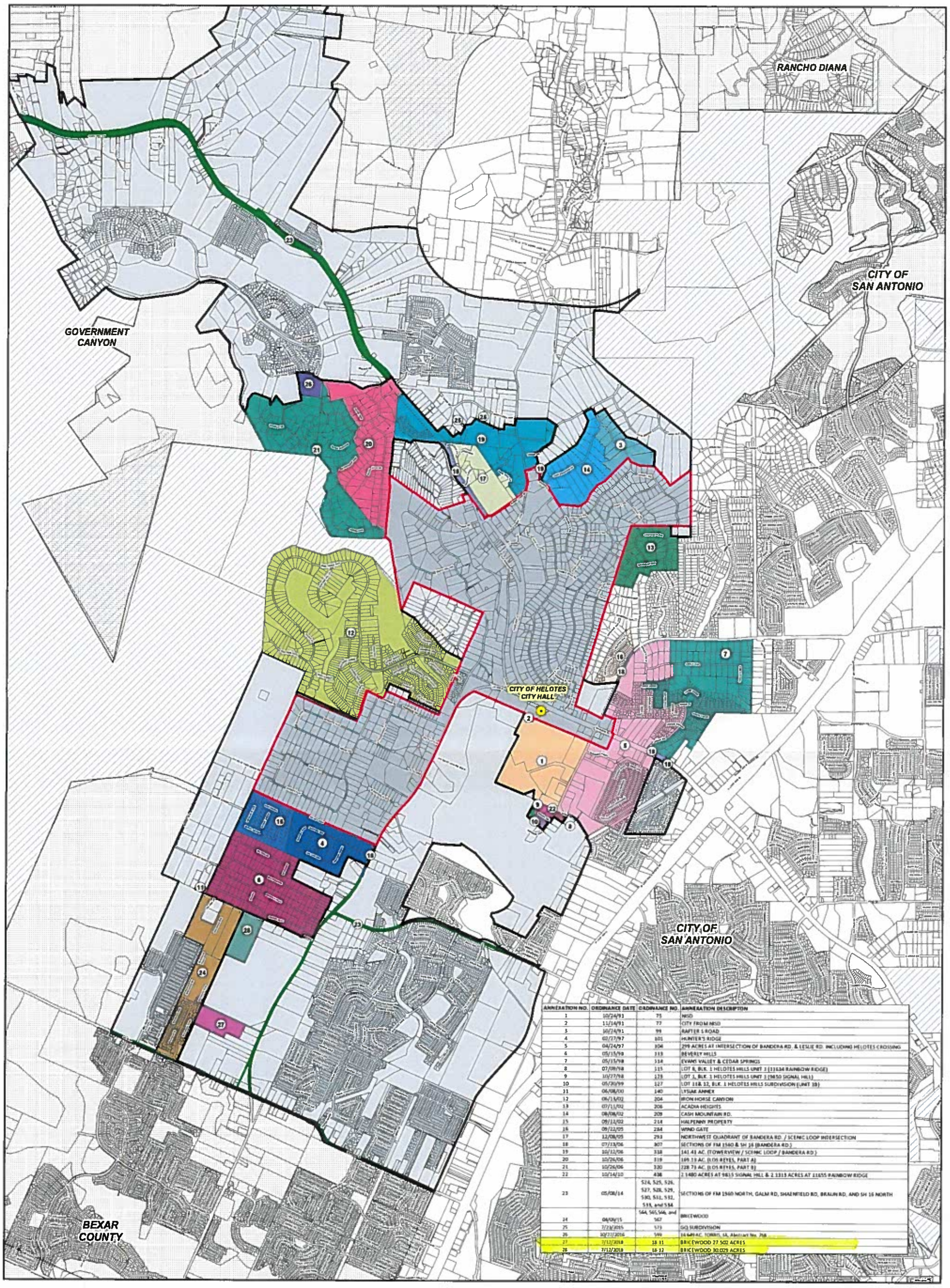


ANNEXATION NO.	ORDINANCE DATE	ORDINANCE NO.	ANNEXATION DESCRIPTION
1	10/24/91	75	NISD
2	11/14/91	77	CITY FROM NISD
3	10/24/91	99	RAFTER S ROAD
4	02/27/97	101	HUNTER'S RIDGE
5	04/24/97	104	299 ACRES AT INTERSECTION OF BANDERA RD. & LESLIE RD. INCLUDING HELOTES CROSSING
6	05/15/98	113	BEVERLY HILLS
7	05/15/98	114	EVANS VALLEY & CEDAR SPRINGS
8	07/09/98	115	LOT 8, BLK. 1 HELOTES HILLS UNIT 3 (11634 RAINBOW RIDGE)
9	10/27/98	123	LOT 1, BLK. 1 HELOTES HILLS UNIT 3 (9850 SIGNAL HILL)
10	05/20/99	127	LOT 11& 12, BLK. 1 HELOTES HILLS SUBDIVISION (UNIT 3B)
11	06/08/00	140	LYSIAK ANNEX
12	06/13/02	204	IRON HORSE CANYON
13	07/11/02	206	ACADIA HEIGHTS
14	08/08/02	209	CASH MOUNTAIN RD.
15	09/12/02	214	HALFPENNY PROPERTY
16	09/22/05	284	WIND GATE
17	12/08/05	293	NORTHWEST QUADRANT OF BANDERA RD. / SCENIC LOOP INTERSECTION
18	07/13/06	307	SECTIONS OF FM 1560 & SH 16 (BANDERA RD.)
19	10/12/06	318	141.43 AC. (TOWERVIEW / SCENIC LOOP / BANDERA RD.)
20	10/26/06	319	169.73 AC. (LOS REYES, PART A)
21	10/26/06	320	228.73 AC. (LOS REYES, PART B)
22	10/14/10	438	2.1480 ACRES AT 9815 SIGNAL HILL & 2.1313 ACRES AT 11655 RAINBOW RIDGE
23	05/08/14	524, 525, 526, 527, 528, 529, 530, 531, 532, 533, and 534	SECTIONS OF FM 1560 NORTH, GALM RD, SHAENFIELD RD, BRAUN RD, AND SH 16 NORTH
24	06/09/15	564, 565, 566, and 567	BRICEWOOD
25	7/23/2015	573	GG SUBDIVISION
26	10/27/2016	599	14.649 AC. TORRES, J.A. Abstract No. 268
27	7/12/2018	18-11	BRICEWOOD 27.502 ACRES
28	7/12/2018	18-12	BRICEWOOD 30.025 ACRES

Legend

- City of Helotes - City Hall Location
- CoSA/State Park Area
- Helotes ETJ
- Original Helotes City Limits
- Bexar County

Note: Parcel data was acquired through the Bexar County Appraisal District and is current as of January 2013. City and ETJ limit data was acquired from the City of San Antonio GIS Department and is current as of the date of this map.

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

CITY OF Helotes

CITY OF HELOTES ANNEXATION MAP

12951 Bandera Road
Helotes, Texas 78023
Phone: 210-695-8877
Fax: 210-695-2123

0 800 1,600 3,200 4,800 Feet

1 inch = 1,600 feet

Date Revised. 7/25/2018

N W E S

LNV
engineers | architects | surveyors
TBPE FIRM NO. F-366
8918 Tesoro Drive, Suite 401
San Antonio, TX 78217
Phone: 210 822 3232
www.LNVINC.com

MINUTES
CITY OF HELOTES
PLANNING AND ZONING COMMISSION

The City of Helotes Planning and Zoning Commission met for a regular meeting on August 7, 2018 at 7:00 p.m. in City Hall Council Chambers, 12951 Bandera Road, Helotes Texas. This was an open meeting subject to the open meeting laws of the State of Texas.

Commission Members

Present:
Gregg Michel, Chair
Jason Wightman, Vice Chair
Ron Hozza, Secretary
Joe Edmond
Richard Hawk
Jeff Wade
Mike McGlothing
Mario Rios

Council members/staff present:
Rick Schroder, City Administrator
Susan Darst, Assistant to City Administrator
Alex Blue, Council Member

1. Call to order.

Chair Michel called the meeting to order at 7:00 p.m.

2. Roll call.

Commissioner Hozza called roll. See above for members present.

PUBLIC HEARING:

3. Public Hearing to give all interested persons the right to appear and be heard on a request by Eric and Jenifer Sones to re-plat Lots 8 and 9, Block 11, CB 54482 of the Iron Horse Canyon, Unit-H, Phase I Subdivision into Lot 8, a single lot consisting of 2.31 acres of land, on properties located at 14747 and 14781 Iron Horse Way, Helotes, Texas 78023, more particularly described as BCAD Property ID Nos. 240855 and 240856.

Chair Michel opened the public hearing at 7:01 p.m.

Anthony Ciochetti spoke in favor of this item, as long as the zoning use for the new single lot remained as Single-family residential.

Chair Michel closed the public hearing at 7:03 p.m.

DRAFT

OPEN SESSION:

4. Citizens to be heard.

No one signed up to speak on this item.

ITEM FOR INDIVIDUAL CONSIDERATION:

5. Discussion of and action on the minutes of the Regular Meeting of the Planning and Zoning Commission dated July 10, 2018. (Approval Item; Staff)

Motion was made by Commissioner Wade, second by Commissioner McGlothing, to approve the minutes as submitted.

Motion to approve carried unanimously.

6. Discussion of and action on a request by Eric and Jenifer Sones to re-plat Lots 8 and 9, Block 11, CB 54482 of the Iron Horse Canyon, Unit-H, Phase I Subdivision into Lot 8, a single lot consisting of 2.31 acres of land, on properties located at 14747 and 14781 Iron Horse Way, Helotes, Texas 78023, more particularly described as BCAD Property ID Nos. 240855 and 240856. (Recommendation Item; Applicant)

Rick Schroder, City Administrator, clarified the zoning use would remain Single-family residential district (R-1) and the applicant would still have to adhere to the subdivision covenants. Also noted, were the comments by the City Engineer regarding the revision of "plat" to "re-plat" on the plat document.

Motion was made by Commissioner Wightman, second by Commissioner McGlothing, to recommend approval of the request by Eric and Jenifer Sones to re-plat Lots 8 and 9 of the Iron Horse Canyon, Unit-H, Phase I Subdivision into Lot 8, a single lot, on the condition that the plat be labeled "re-plat" (not "plat") on the appropriate two (2) signatory places on the plat document.

Motion to approve the recommendation carried unanimously.

7. Discussion of and action on a request by Velinda G. Gauna for approval of a creative wall sign, pursuant to Municipal Code of Ordinances Chapter 98 *Zoning*, Section 98-72 *Old Town Helotes Special District*, Subparagraphs (g)(6)(b)(2) *Commercial Signs – Projecting, Wall, Hanging, or In/On Windows* and (g)(7) *Creative Sign Review*, for Old Helotes Inn located at 14405 (Old) Bandera Road, Helotes, Texas 78023, more particularly described as BCAD Prop. ID No. 242085. (Recommendation Item; Applicant)

Discussion included the proposed sign is approximately 50 square feet and Code allows a maximum sign area of 32 square feet. The Commission was in agreement with granting a variance for the size of the sign thru Creative Sign Review. Additionally, it was pointed out that the building has existing lighting that faces upward. Even though the applicant indicated on the application that the sign would be non-illuminated, the Commission consensus was to stipulate

that if the applicant desires lighting in the future, the lighting must be full cut off and downward facing.

Motion was made by Commissioner Rios, second by Commissioner Wade, to recommend approval of a request by Velinda G. Gauna for a creative wall sign for Old Helotes Inn located at 14405 (Old) Bandera Road in the Old Town Helotes Special District, with the stipulation that future sign lighting must be full cut off and downward facing.

Motion to approve the recommendation carried unanimously.

8. Discussion of and action on an Ordinance of the City Council of the City of Helotes amending Municipal Code of Ordinances Chapter 98 *Zoning* by providing for City Council review and approval of conceptual design plans for commercial and single family residential subdivision developments; protecting the public health and promoting the public welfare of the City of Helotes by establishing rules and regulations regarding commercial and single family residential subdivision developments; providing for severability; repealing any other Code provisions, ordinances, parts of ordinances, and other provisions in conflict herewith; providing a penalty; and adopting an effective date. (Recommendation Item; City Council)

The majority of the Commission expressed disagreement with the amendments, citing that the proposed changes devalue the Commission's work. Chairman Michel emphasized that regardless of the outcome of this item, the Commission's work remained vital to the City's future success.

Motion was made by Commissioner Hawk, second by Commissioner McGlothing, to recommended disapproval of the amendments to Municipal Code of Ordinances Chapter 98 *Zoning.*

Motion to recommend disapproval carried: 6 Ayes – Commissioner Hozza, Commissioner Edmond, Commissioner Hawk, Commissioner Wade, Commissioner McGlothing and Commissioner Rios; 1 Nay – Commissioner Wightman.

Adjourn.

Motion was made by Commissioner Hozza, second by Commissioner, to adjourn the meeting at 8:04 pm. Motion to approve carried unanimously.

Respectfully submitted,

_____
Gregg Michel, Chair
Planning and Zoning Commission
City of Helotes

ATTEST:

_____
Ron Hozza, Secretary
Planning and Zoning Commission
City of Helotes

City of Helotes
PLANNING & ZONING COMMISSION

AGENDA ITEM REQUEST FORM

DATE: **September 4, 2018**

AGENDA PLACEMENT:

- ☒ **CONSENT**
- ☐ **INDIVIDUAL**
- ☐ **PRESENTATION**
- ☐ **CLOSED**

CAPTION:

Approval of a request by L&F-1, LLC for a change in zoning from Pre-Development District (PD) to Single-Family Residential District (R-1) for 57.531 acres of newly annexed properties located, generally, on Galm Road and more particularly described as a 27.502 acre tract of land (BCAD Property ID No. 236292) and a 30.029 acre tract of land (BCAD Property ID No. 236320). (Recommendation Item; Applicant)

BACKGROUND:

On July 12, 2018, City Council passed Ordinance No. 18-10, approving a Chapter 380 Economic Development and Annexation Agreement between the City of Helotes and L&F-1, LLC for approximately 57.531 acres of property generally located on Galm Road.

Pursuant to Municipal Code of Ordinances Chapter 98 *Zoning*, Section 98-35 *Newly Annexed Territory*, all territory annexed by the City shall be temporarily zoned as Pre-Development District (PD). Within 180 days of annexation, the Planning & Zoning Commission shall hold a Public Hearing to establish the permanent zoning classification of the annexed territory.

The annexed properties will be incorporated into the Bricewood Subdivision and, consequently, should be zoned Single-Family Residential District (R-1).

FINANCIAL: N/a

RECOMMENDATION:

City Staff recommends approval of a request by L&F-1, LLC for a change in zoning from Pre-Development District (PD) to Single-Family Residential District (R-1) for 57.531 acres of newly annexed properties located, generally, on Galm Road and more particularly described as a 27.502 acre tract of land (BCAD Property ID No. 236292) and a 30.029 acre tract of land (BCAD Property ID No. 236320)

SUBMITTED BY: City Staff

DATE SUBMITTED: August 21, 2018

SUGGESTED MOTION:

Motion to approve a request by L&F-1, LLC for a change in zoning from Pre-Development District (PD) to Single-Family Residential District (R-1) for 57.531 acres of newly annexed properties located, generally, on Galm Road and more particularly described as a 27.502 acre tract of land (BCAD Property ID No. 236292) and a 30.029 acre tract of land (BCAD Property ID No. 236320).

City of Helotes
Development Services
Department
P.O. Box 507
12951 Bandera Road
Helotes, TX 78023
Phone (210) 695.8877
Fax (210) 695.2123

ZONING AMENDMENT APPLICATION
CHAPTER 98,
Amendments, Rezoning, and Variances

NAME OF APPLICANT: L&F-1, LLC

MAILING ADDRESS: 6735 IH 10 West, Suite 103 SA, TX 78201

PHONE #: (210) 558-9899

STATUS OF APPLICANT: OWNER: ✓ AGENT: _____ (IF AGENT, ATTACH LETTER OF AUTHORIZATION.)

PROPERTY DESCRIPTION

PHYSICAL ADDRESS: 57.531 Acres Bricewood Subdivision along Galm Road.

LEGAL DESCRIPTION: 27.502 Acre Tract ID: 236292
30.029 Acre Tract ID: 236320

CURRENT ZONING: ~~[illegible]~~ Pre-development District (PD) PROPOSED ZONING: Single-Family R1

DEED RESTRICTIONS PROHIBITING PROPOSED ZONING: N/A

EXISTING USE: Ag PROPOSED USE: ~~Residential~~ Residential

LAND AREA: 57.531 Acres DOES OWNER OWN ADJACENT PROPERTIES? YES ✓ NO _____

PURPOSE OF REQUEST:
Newly Annexed

I hereby certify that I have read and examined this application and know the information I have provided to be true and correct. All provision of laws and ordinances governing this application will be complied with, whether specified herein or not. The granting of this zoning amendment or change does not presume to give authority to violate or cancel the provisions of any other local law regulating the use of the property.

Applicant's Signature

8-22-2018
Date

ORDINANCE NO. 18-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HELOTES, TEXAS (THE "CITY") APPROVING A CHAPTER 380 ECONOMIC DEVELOPMENT AND ANNEXATION AGREEMENT BETWEEN THE CITY AND L&F-1, LLC (THE "DEVELOPER") FOR THE PURPOSE OF SETTING FORTH THE TERMS AND OBLIGATIONS BETWEEN THE CITY AND THE DEVELOPER WITH RESPECT TO THE DEVELOPMENT AND ANNEXATION OF APPROXIMATELY 57.531 ACRES OF REAL PROPERTY (THE "DEVELOPMENT"); SETTING OUT THE REGULATIONS REQUIRED BY THE CITY FOR THE DEVELOPMENT TO ENSURE THE ORDERLY GROWTH AND PROTECTION OF PUBLIC HEALTH, SAFETY, AND WELFARE; AUTHORIZING MAYOR THOMAS A. SCHOOLCRAFT TO EXECUTE SAID DEVELOPMENT AND ANNEXATION AGREEMENT ON BEHALF OF THE CITY COUNCIL; AUTHORIZING THE CITY ADMINISTRATOR TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE PROVISIONS OF THIS ORDINANCE; INCORPORATING RECITALS; PROVIDING FOR SEVERABILITY; REPEALING ANY OTHER CODE PROVISIONS, ORDINANCES, OR PARTS OF ORDINANCES, AND OTHER PROVISIONS IN CONFLICT HEREWITH; AND ADOPTING AN EFFECTIVE DATE.

Whereas, the City of Helotes, Texas (the "City") desires to ensure that the growth and development which occurs within the corporate limits of the City is regulated and controlled in such a manner that said growth is beneficial to the public health, safety, and welfare; and

Whereas, L&F-1, LLC, (the "Developer"), is the owner of property constituting 57.531 acres of real property on Galm Road, all of which is currently located within the City of Helotes Extraterritorial Jurisdiction (the "ETJ"); and

Whereas, the Developer has agreed, as a part of the Chapter 380 Economic Development and Annexation Agreement (the "Agreement"), to petition for annexation and undertake future municipal projects that preserve and expand the public's health, safety, and welfare in return for certain considerations affecting the Development; and

Whereas, the aforementioned negotiations have been memorialized in this Agreement between the City and the Developer.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HELOTES, TEXAS THAT:

Section One. ***Approval.*** The Agreement, attached hereto as Exhibit A, between the City and the Developer (collectively referred to as the "Parties") setting forth the Agreement terms and obligations of the Parties with regard to the development of approximately 57.531 acres of real property within the City of Helotes' ETJ, Bexar County, Texas is hereby approved.

Section Two. ***Authorization.*** Mayor Thomas A. Schoolcraft is authorized to execute the Agreement on behalf of the City Council of the City of Helotes, Texas.

Section Three. ***Authorization.*** The City Administrator is authorized to take all necessary steps to implement the provisions of this Ordinance.

Section Four. ***Recitals.*** The legislative findings referenced above are hereby adopted.

Section Five. ***Severability.*** Should any article, section, part, paragraph, sentence, phrase, clause, or word of this Ordinance, or any appendix or exhibit thereof, for any reason be held illegal, inoperative, or invalid, or if any exception to or limitation upon any general provisions herein continue to be held unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted and ordained without the portion held to be unconstitutional or invalid or ineffective.

Section Six. ***Repealer.*** All Code provisions, ordinances, and other provisions in conflict with the provisions of this Ordinance are hereby repealed.

Section Seven. ***Effective Date.*** This Ordinance shall become effective upon passage by the City Council of the City of Helotes, Texas.

PASSED and APPROVED this 12th day of July 2018.

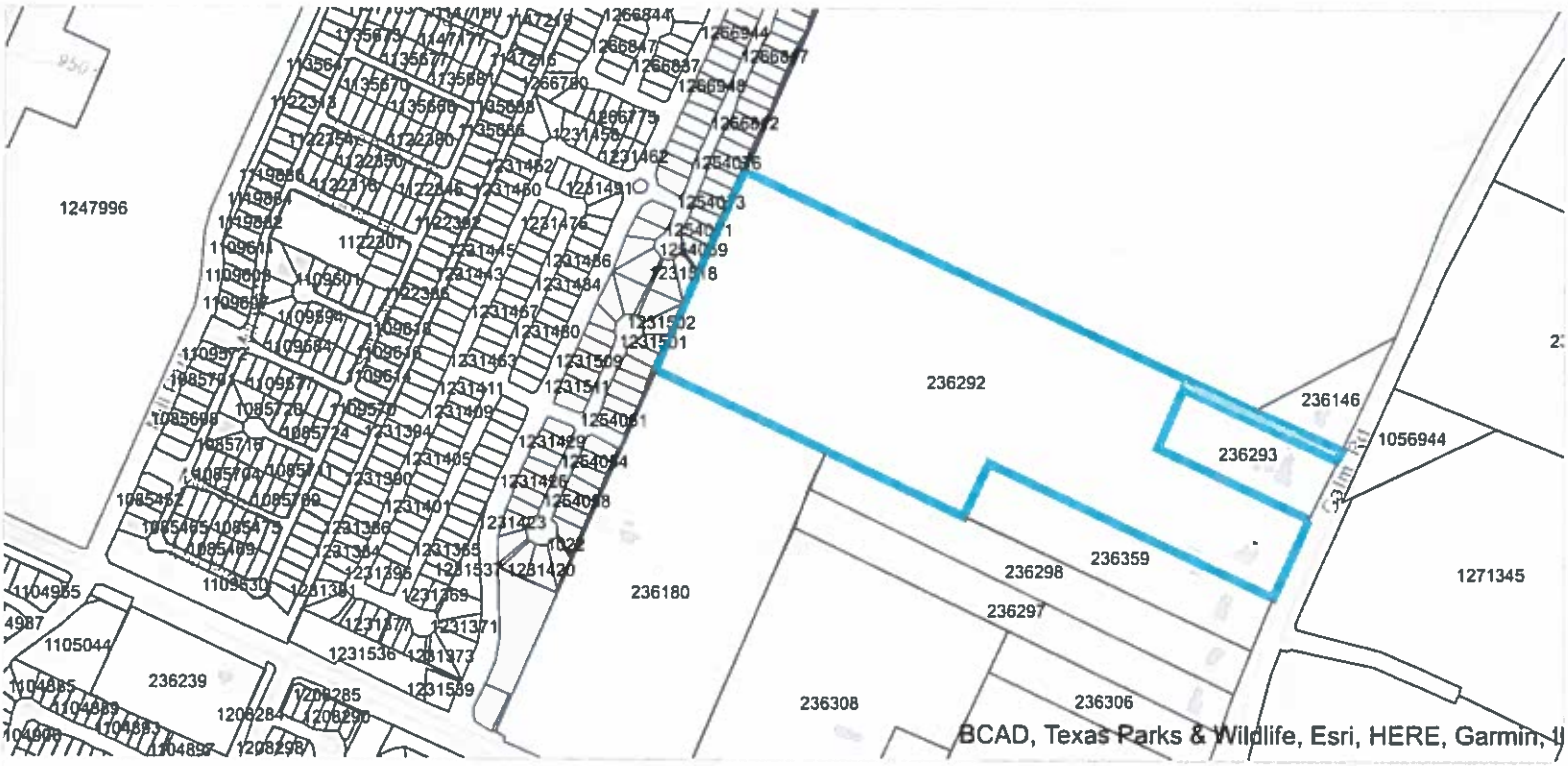
Thomas A. Schoolcraft, Mayor

ATTEST:

Celina Perez, City Secretary

CITY OF HELOTES ★ COUNTY OF BEXAR ★ INCORPORATED 1981

Property Identification #: 236292	Property Information: 2019	Owner Identification #: 2588689
Geo ID: 04450-000-0410 Situs Address: 9563 FM 1560 N SAN ANTONIO, TX 78254 Property Type: Real State Code: E1	Legal Description: CB 4450 P-41 ABS 467 (FORMERLY P-17A) REFER TO: 04450-000-0412 Abstract: A04450 Neighborhood: CUL-BANDERA/L1604 W(NS) Appraised Value: N/A Jurisdictions: 09, 56, CAD, 11, 08, 10, 06, 77	Name: PAYAN ROBERTO & PATRICIA H Exemptions: DBA: Null

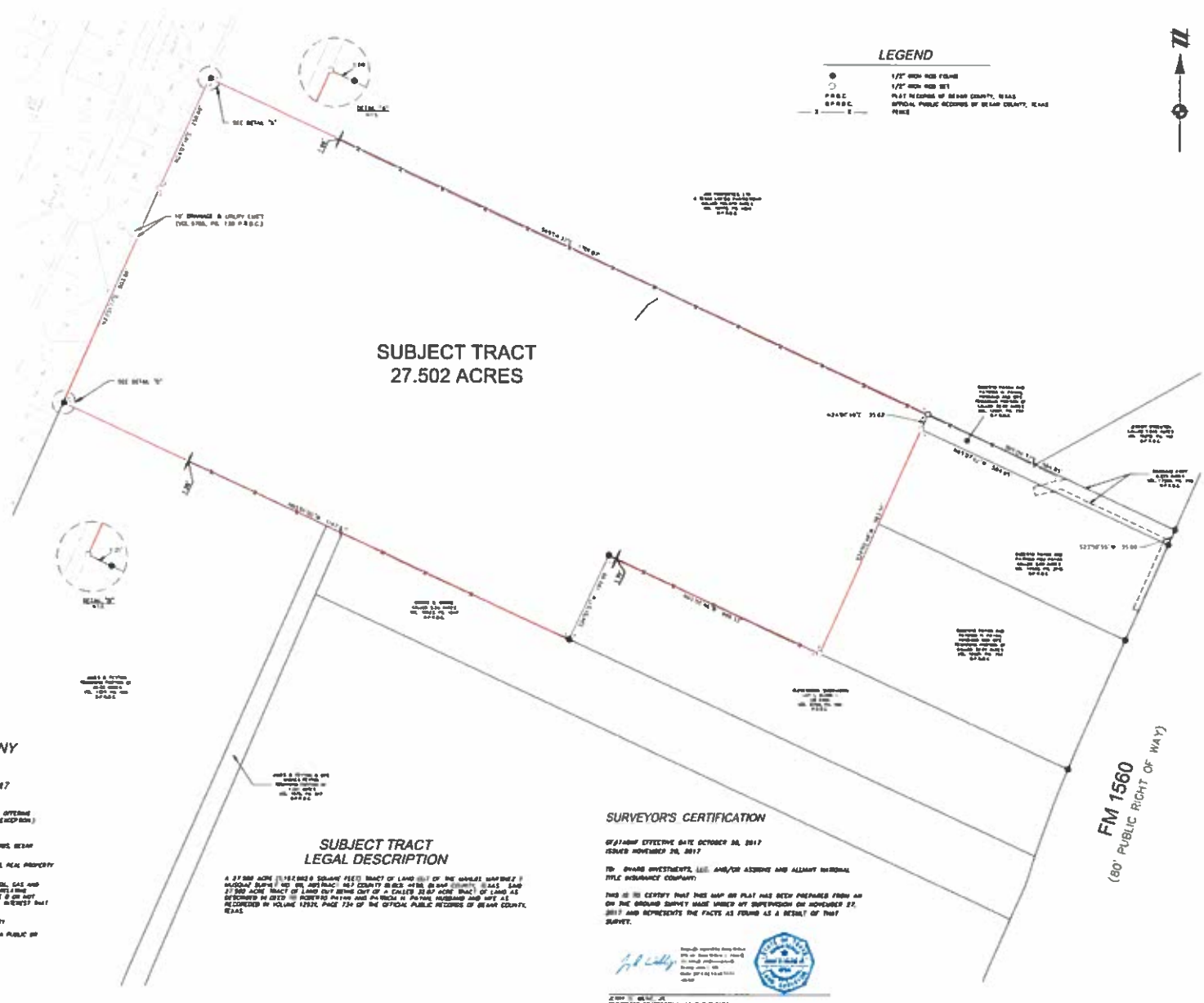


Bexar CAD Map Search

This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The Bexar County Appraisal District expressly disclaims any and all liability in connection herewith.

SURVEY NOTES

1. ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM) FOR BEXAR COUNTY, TEXAS, (COMMUNITY-PANEL NUMBER 48029C0378G, DATED SEPTEMBER 29, 2010), ALL OF THE SUBJECT PROPERTY LIES WITHIN ZONE X, DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN" AND ZONE A, BASE FLOOD ELEVATIONS DETERMINED. FLOOD ZONES ARE SHOWN AND SCALED FROM FIRM FLOOD MAPS.
2. THE LOCATIONS OF UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON VISIBLE STRUCTURES AND MAPS AND/OR FIELD LOCATED MARKINGS PROVIDED BY THE UTILITY COMPANIES SERVICING SAID UTILITY AND ARE APPROXIMATE ONLY. THE PROPERTY SHOWN HEREON MAY BE SERVED BY UNDERGROUND UTILITIES WHICH ARE NOT SHOWN HEREON. ALL UTILITY COMPANIES SHOULD BE CONTACTED BEFORE BEGINNING ANY DESIGN OR CONSTRUCTION.
3. NORTH ARROW AND BEARINGS SHOWN HEREON ARE BASED ON TEXAS SOUTH CENTRAL ZONE GRID COORDINATES - NAD 83 - USING GLOBAL POSITIONAL SYSTEM (GPS) AND DERIVED BY AN GPS SOLUTION ON NOVEMBER 27, 2017. ALL DISTANCES ARE HORIZONTAL GROUND MEASUREMENTS EXPRESSED IN U.S. SURVEY FEET.
4. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE within one foot in [illegible] feet.
5. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED HEREON. THE PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS OR ENTITY WITHOUT EXPRESS WRITTEN CERTIFICATION BY THE SURVEYOR NAMING SAID PERSON, PERSONS, OR ENTITY.
6. STATE, COUNTY, & LOCAL BUFFERS AND SETBACKS MIGHT EXIST ON THE SUBJECT PROPERTY BUT ARE NOT SHOWN HEREON.
7. THIS SURVEY IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A TEXAS LICENSED LAND SURVEYOR.
8. THERE WAS NO DISCERNABLE EVIDENCE OF HUMAN BURIALS OR CEMETERIES ON THE SUBJECT PROPERTY AT THE TIME OF THE FIELD SURVEY.
9. ATWELL LLC DOES NOT WARRANT THE EXISTENCE OR NONEXISTENCE OF ANY WETLANDS OR HAZARDOUS WASTES LOCATED ON THE SUBJECT PROPERTY.



ALLIANT NATIONAL TITLE INSURANCE COMPANY TITLE EXCEPTIONS

TITLE COMMITMENT NO. 746NF
EFFECTIVE DATE: OCTOBER 30, 2017

1. (NONE ITEMS NO. [illegible] AND 3 ARE INTENTIONALLY OMITTED)

10. THE FOLLOWING MATTERS AND ALL TERMS OF THE DOCUMENTS CREATING OR OFFERING EVIDENCE OF THE MATTERS (WE MUST INSERT MATTERS OR DELETE THIS EXCEPTION):

A. RIGHTS OF PARTIES IN POSSESSION (OWNER'S POLICY ONLY)

B. ELECTRIC EASEMENT RECORDED IN VOLUME 6653, PAGE 433 DEED RECORDS, BEXAR COUNTY, TEXAS (BLANKET TYPE)

C. DRAINAGE EASEMENT AGREEMENT RECORDED IN VOLUME 17330, PAGE 773, REAL PROPERTY RECORDS, BEXAR COUNTY, TEXAS (SHOWN)

D. ALL LEASES, GRANTS, EXCEPTIONS OR RESERVATIONS OF COAL, LIGNITE, OIL, GAS AND OTHER MINERALS, TOGETHER WITH ALL RIGHTS, PRIVILEGES, AND IMMUNITIES RELATING THERETO, APPEARING IN THE PUBLIC RECORDS WHETHER OR NOT PLAINLY EXPRESSED IN SUCH LEASES, GRANTS, EXCEPTIONS OR RESERVATIONS OF MINERAL INTEREST BUT ONLY THOSE ONES THAT ARE NOW IN EFFECT

E. VISIBLE OR APPARENT EASEMENTS OVER AND ACROSS SUBJECT PROPERTY

F. ANY PORTION OF SUBJECT PROPERTY LYING WITHIN THE BOUNDARIES OF A PUBLIC OR PRIVATE ROADWAY OR HIGHWAY

SUBJECT TRACT LEGAL DESCRIPTION

A 27.502 ACRE (1,198,082.8 SQUARE FEET) TRACT OF LAND OUT OF THE MANUEL MARTINEZ Y MUSQUIZ SURVEY NO. 90, ABSTRACT NO. 467 COUNTY BLOCK 4450, BEXAR COUNTY, TEXAS, SAID 27.502 ACRE TRACT OF LAND BEING OUT OF A CALLED 31.62 ACRE TRACT OF LAND AS DESCRIBED IN DEED TO ROBERTO PATINO AND PATRICIA H. PATINO, HUSBAND AND WIFE AS RECORDED IN VOLUME 12531, PAGE 724 OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS.

SURVEYOR'S CERTIFICATION

GF#746NF EFFECTIVE DATE OCTOBER 30, 2017
ISSUED NOVEMBER 30, 2017

TO: OHARE INVESTMENTS, LLC AND/OR ASSIGNS AND ALLIANT NATIONAL TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT HAS BEEN PREPARED FROM AN ON THE GROUND SURVEY MADE UNDER MY SUPERVISION ON NOVEMBER 27, 2017 AND REPRESENTS THE FACTS AS FOUND AS A RESULT OF THAT SURVEY.

[signature]
[illegible]
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6734

Call before you dig.

ATWELL
[illegible]

MANUEL MARTINEZ Y MUSQUIZ
SURVEY NO. 90, ABSTRACT 467
COUNTY BLOCK 4450
BEXAR COUNTY, TEXAS

CLIENT: NEW LEAF HOMES
BOUNDARY SURVEY

DATE: 11/28/2017

SCALE: 1" = 100 FEET

DWN: DSI CHK: JD
PM: JD
APPR: NA
JOB: 17003185
SHEET NO: 01

State of Texas
County of Bexar

Field Notes for a 27.502 acre tract of land out of the Manuel Martinez Y Musquiz Survey No. 80, Abstract 467, County Block 4450 in Bexar County, Texas. Said 27.502 acre tract of land being out of a called 32.07 acre tract of land as described in a deed to Roberto Payan and Patricia H. Payan, husband and wife as recorded in Volume 12921, Page 734 of the Official Public Records of Bexar County, Texas. Said 27.502 acre tract of land being more particularly described by metes and bounds as follows:

Beginning and a one half inch iron rod found for the western corner of Lot 1, Block 1, County Block 4450, of Glenwinkel Subdivision as recorded in Volume 6700, Page 193 of the Deed and Plat Records of Bexar County, Texas. Said point being on the northern line of a called 5.50 acre tract of land as described in a deed to Connie B. Moore, recorded in Volume 16523, Page 1847 of the Official Public Records of Bexar County, Texas.

THENCE with the southern line of the herein described 27.502 acre tract of land, North 65° 01' 05" West, at a distance of 1196.66 feet passing a one half inch iron rod, in all a distance of 1197.87 feet to a one half inch iron rod set on the southeastern line of Bricewood Subdivision, Unit 1A, recorded in Volume 9705, Page 130 of the Deed and Plat Records of Bexar County, Texas..

THENCE with the southeastern line of Bricewood Subdivision and the northwestern line of this tract, North 23° 51' 17" East, a distance of 503.86 feet to a one half inch iron rod set for an angle point and North 24° 07' 16" East, a distance of 258.66 feet to a one half inch iron rod set for the north corner of the herein described 27.502 acre tract and being the western corner of a called 100.97 acre tract of land as described in a deed to J2G Properties, Ltd., A Texas Limited Partnership, recorded in Volume 18478, Page 1060 of the Official Public Records of Bexar County, Texas.

THENCE with the northern line of this tract and the southwestern line of the aforesaid 100.97 acre tract, South 65° 04' 32" East, at a distance of 3.08 feet passing a one half inch iron rod, in all a distance of 1701.07 feet to a one half inch iron rod set for the eastern corner of this tract.

THENCE cutting into the aforesaid 32.07 acre tract, South 24° 00' 49" West, a distance of 35.62 feet to a one half inch iron rod set for the north corner of a called 3.00 acre tract of land as described in a deed to Roberto Payan and Patricia HSU Payan, recorded in Volume 14598, Page 2116 of the Official Public Records of Bexar County, Texas.

THENCE with the eastern line of this tract, South 24° 00' 48" West, a distance of 563.51 feet to a one half inch iron rod set for the western corner what will be the remainder of the aforesaid 32.07 acre tract of land said point being on the northern line of the aforesaid Glenwinkel Subdivision.

THENCE with the northern line of said Glenwinkel Subdivision, North 65° 05' 46" West, a distance of 499.33 feet to a one half inch iron rod found for an interior corner of this tract and being the north corner of said Glenwinkel Subdivision.

THENCE with the northwest line of said Glenwinkel Subdivision, South 24° 51' 57" West, a distance of 199.99 feet to the point of the Beginning.

I hereby certify that these field notes were prepared from an on the ground survey made by employees of Atwell, LLc working under my direction and supervision on November 27, 2017.

STATE OF TEXAS
REGISTERED
JERRY D. WILKIE JR.
4724
PROFESSIONAL
LAND SURVEYOR

Digitally signed by Jerry Wilkie
DN: cn=Jerry Wilkie, o=Atwell, ou, email=jwilkie@atwell-Group.com, c=US
Date: 2018.01.14 18:01:35 -06'00'

Property Identification #: **236320**

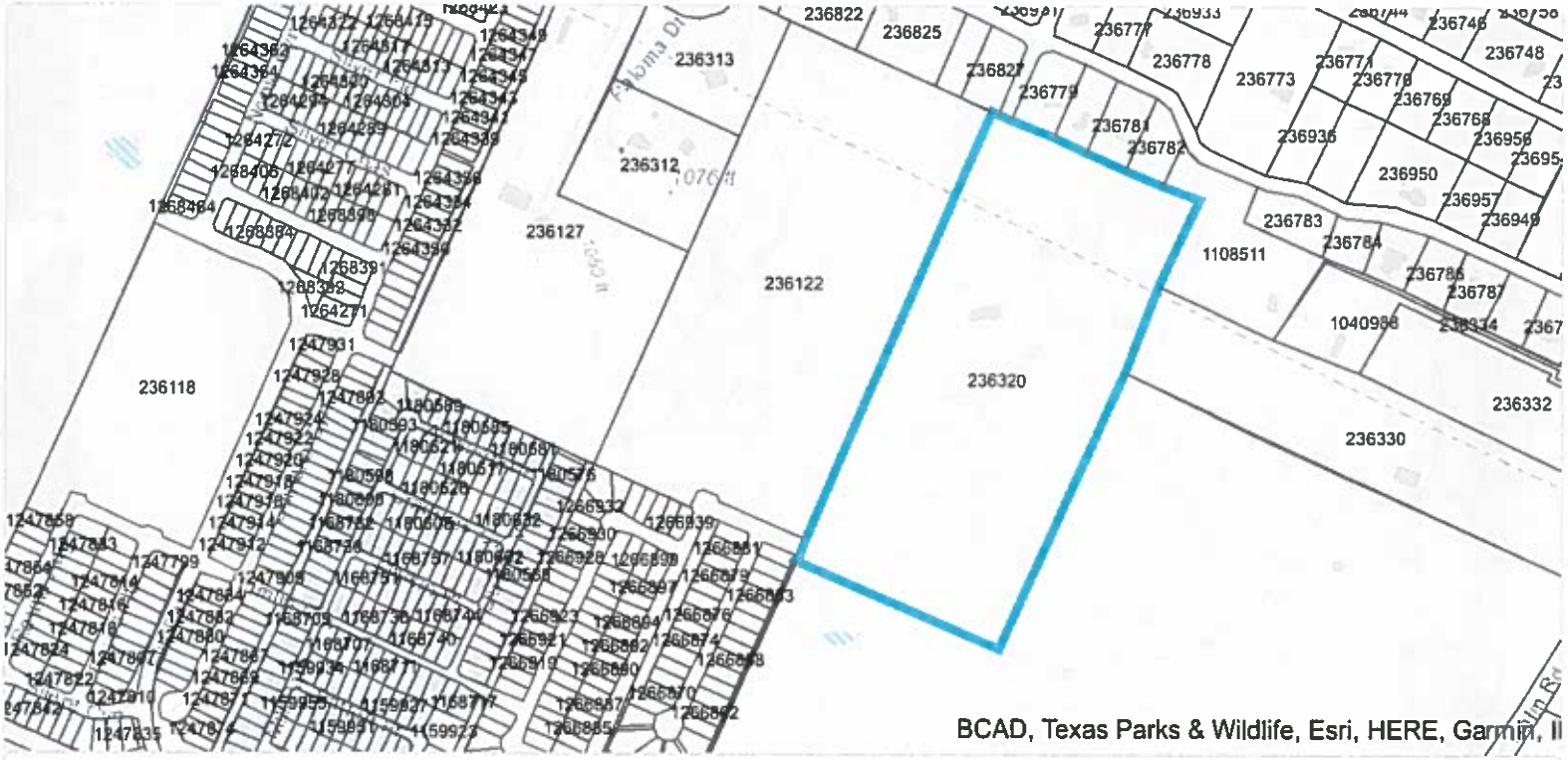
Geo ID:	04450-000-0501
Situs Address:	10740 MALIBU SAN ANTONIO, TX 78254
Property Type:	Real
State Code:	E1

Property Information: **2019**

Legal Description:	CB 4450 P-50 ABS 467 OUT OF P-5C
Abstract:	A04450
Neighborhood:	N/S CUL-E/S KALLISN(NS)
Appraised Value:	N/A
Jurisdictions:	CAD, 10, 56, 08, 77, 09, 06, 11

Owner Identification #: **3059677**

Name:	L&F-1 LLC
Exemptions:	HS
DBA:	Null



Bexar CAD Map Search

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ALLIANT NATIONAL TITLE INSURANCE COMPANY
TITLE EXCEPTIONS
TITLE COMMITMENT NO. 747NF
EFFECTIVE DATE: NOVEMBER 1, 2017

[ ] NOTE: ITEMS NO. [ ] AND 9 ARE INTENTIONALLY OMITTED.

10. THE FOLLOWING MATTERS AND ALL TERMS OF THE DOCUMENTS CREATING OR OFFERING EVIDENCE OF THE MATTERS (WE MUST INSERT MATTERS OR DELETE THIS EXCEPTION):

A. RIGHTS OF PARTIES IN POSSESSION (OWNER'S POLICY ONLY)

B. BOUNDARY LINE AND FENCE AGREEMENT RECORDED IN VOLUME [illegible], PAGE [illegible], OFFICIAL RECORDS, BEXAR COUNTY, TEXAS. (DOES NOT APPLY)

C. ALL LEASES, GRANTS, EXCEPTIONS OR RESERVATIONS OF COAL, LIGNITE, OIL, GAS AND OTHER MINERALS, TOGETHER WITH ALL RIGHTS, PRIVILEGES, AND IMMUNITIES RELATING THERETO, APPEARING IN THE PUBLIC RECORDS AND NOT LISTED IN SCHEDULE B. WE DO NOT INSURE THAT THE LEASES, GRANTS, EXCEPTIONS OR RESERVATIONS OF MINERAL INTERESTS THAT ARE NOT LISTED.

D. VISIBLE OR APPARENT EASEMENTS OVER AND ACROSS SUBJECT PROPERTY

E. ANY PORTION OF SUBJECT PROPERTY LYING WITHIN THE BOUNDARIES OF A PUBLIC OR PRIVATE ROADWAY OR HIGHWAY

SURVEY NOTES

1. ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM) FOR BEXAR COUNTY, TEXAS, (COMMUNITY-PANEL NUMBER [illegible]), DATED SEPTEMBER 29, 2010, ALL OF THE SUBJECT PROPERTY LIES WITHIN ZONE X, DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN."
2. THE LOCATIONS OF UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON VISIBLE STRUCTURES AND MAPS AND/OR FIELD LOCATED MARKINGS PROVIDED BY THE UTILITY COMPANIES DEFINING THAT UTILITY AND ARE APPROXIMATE ONLY. THE PROPERTY SHOWN HEREON MAY BE SERVED BY UNDERGROUND UTILITIES WHICH ARE NOT SHOWN HEREON. ALL UTILITY COMPANIES SHOULD BE CONTACTED BEFORE BEGINNING ANY DESIGN OR CONSTRUCTION.
3. NORTH ARROW AND BEARINGS SHOWN HEREON ARE BASED ON TEXAS SOUTH CENTRAL ZONE GRID COORDINATES - NAD 83, USING GLOBAL POSITIONAL SYSTEM (GPS) AND DEFINED BY AN OPUS SOLUTION ON NOVEMBER 27, 2017. ALL DISTANCES ARE HORIZONTAL GROUND MEASUREMENTS EXPRESSED IN U.S. SURVEY FEET.
4. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN [illegible] FEET.
5. THIS PLAT WAS PREPARED FOR THE INCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS OR ENTITY WITHOUT EXPRESS WRITTEN CERTIFICATION BY THE SURVEYOR NAMING SAID PERSON, PERSONS, OR ENTITY.
6. STATE, COUNTY & LOCAL BUFFERS AND SETBACKS MUST EXIST ON THE SUBJECT PROPERTY THAT ARE NOT SHOWN HEREON.
7. THIS SURVEY IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A TEXAS LICENSED LAND SURVEYOR.
8. THERE WAS NO OBSERVABLE EVIDENCE OF HUMAN BURIALS OR CEMETERIES ON THE SUBJECT PROPERTY AT THE TIME OF THE FIELD SURVEY.
9. ATWELL, LLC DOES NOT WARRANT THE EVIDENCE OR NON-EVIDENCE OF ANY WETLANDS OR HAZARDOUS GASSES LOCATED ON THE SUBJECT PROPERTY.

SURVEYOR'S CERTIFICATION

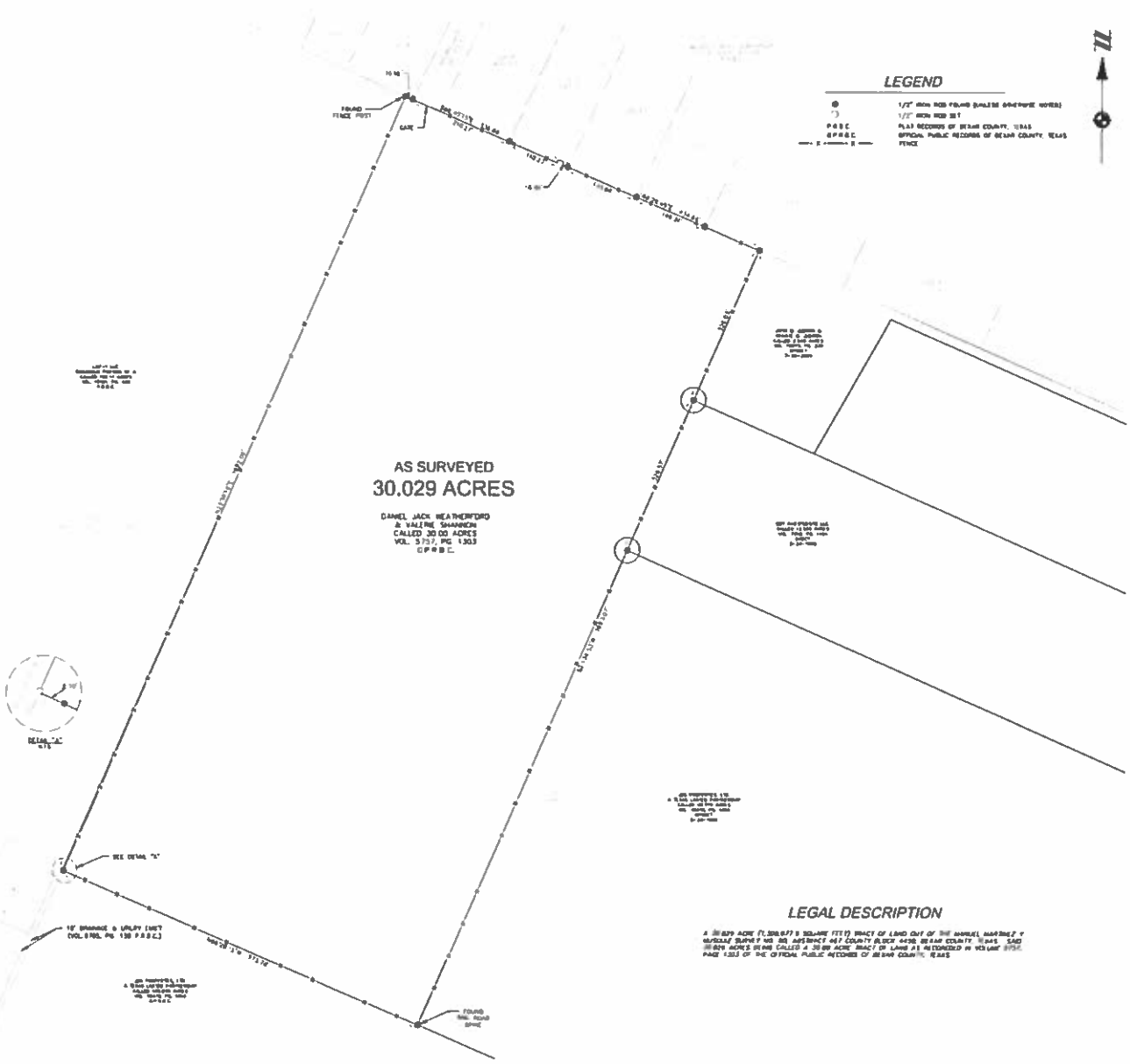
GF#747NF EFFECTIVE DATE NOVEMBER 1, 2017
ISSUED NOVEMBER 30, 2017

TO: GHABB INVESTMENTS, LLC, AND/OR ASSIGNS AND ALLIANT NATIONAL TITLE INSURANCE COMPANY:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT WAS BEEN PREPARED FROM AN ON THE GROUND SURVEY MADE UNDER MY SUPERVISION ON NOVEMBER 27, 2017 AND REPRESENTS THE FACTS AS FOUND AS A RESULT OF THAT SURVEY.

STATE OF TEXAS
JOHN B. DUKE, JR.
4724
LICENSED
PROFESSIONAL LAND SURVEYOR

JOHN B. DUKE, JR.
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 4724



LEGEND

●	1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
○	1/2" IRON ROD SET
P.R.B.C.	PLAT RECORDS OF BEXAR COUNTY, TEXAS
OPRBC	OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS
—x—x—x—	FENCE

LEGAL DESCRIPTION

A 30.029 ACRE (1,308,077.5 SQUARE FEET) TRACT OF LAND OUT OF THE MANUEL MARTINEZ Y MURGUIA SURVEY NO. 80, ABSTRACT 467, COUNTY BLOCK 4450, BEXAR COUNTY, TEXAS. SAID 30.029 ACRES BEING CALLED A 30.00 ACRE TRACT OF LAND AS RECORDED IN VOLUME [illegible], PAGE 1303 OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS.

811 Know what's below. Call before you dig.

ATWELL
[illegible]

MANUEL MARTINEZ Y MURGUIA
SURVEY NO. 80, ABSTRACT 467
COUNTY BLOCK 4450
BEXAR COUNTY, TEXAS

NEW LEAF HOMES
BOUNDARY SURVEY

11/28/2017

1" = 100 FEET

NA

17003186

SHEET NO. 01

State of Texas
County of Bexar

Field Notes for a 30.029 acre tract of land out of the Manuel Martinez Y Musquiz Survey No. 80, Abstract 467, County Block 4450 in Bexar County, Texas. Said 30.029 acre tract of land being that same called 30.00 acre tract of land as described in a deed to Daniel Jack Weatherford & Valerie Shannon as recorded in Volume 5757, Page 1303 of the Official Public Records of Bexar County, Texas. Said 30.029 acre tract of land being more particularly described by metes and bounds as follows:

Beginning at a rail road spike found for the southern corner of the herein described 30.029 acre tract of land. Said point being on the northeastern line of a called 100.970 acre tract of land as described in a deed to J2G Properties, LTD., recorded in Volume 18478, Page 1060 of the Official Public Records of Bexar County, Texas.

THENCE with the southwestern line of the herein described 30.029 acre tract of land and the northeastern line of the aforesaid 100.970 acre tract, North 66° 29' 15" West, at a distance of 771.68 feet passing a one half inch iron rod found, in all a distance of 773.78 feet to a one half inch iron rod set on the southeastern line of Bricewood Subdivision, Unit 2, recorded in Volume 9716, Page 40 of the Deed and Plat Records of Bexar County, Texas.

THENCE with the southeastern line of Bricewood Subdivision, Unit 2 and the northwestern line of this tract, North 23° 39' 18" East, a distance of 1692.06 feet to a fence post found for the north corner of the herein described 30.029 acre tract and being on the southwestern line of the Beverly Hills Subdivision recorded in Volume 5300, Page 267 of the Deed and Plat Records of Bexar County, Texas.

THENCE with the northeastern line of this tract and the southwestern line of the aforesaid Beverly Hills Subdivision, South 66° 40' 15" East, passing one half inch iron rods at distances of 16.16 feet and 226.43 feet, in all a distance of 336.66 feet to a one half inch iron rod set for an angle corner of this tract and South 66° 28' 45" East, passing one half inch iron rods at distances of 16.81 feet, 166.47 feet and 315.78 feet, in all a distance of 434.94 feet to a one half inch iron rod found for the east corner of this tract and being the north corner of a called 2.649 acre tract of land as described in a deed to John W. Judson and Renate M. Judson, recorded in Volume 10877, Page 229 of the Official Public Records of Bexar County, Texas.

THENCE with the southeast line of this tract and the northwest line of the aforesaid 2.649 acre tract, South 23° 34' 53" West, passing one half inch iron rods at distances of 326.03 feet and 654.60 feet, in all a distance of 1693.07 feet to the point of the Beginning.

I hereby certify that these field notes were prepared from an on the ground survey made by employees of Atwell, LLC working under my direction and supervision on November 28, 2017.

STATE OF TEXAS
REGISTERED
JERRY D. WILKIE JR.
4724
PROFESSIONAL
LAND SURVEYOR

Jerry Wilkie

Digitally signed by Jerry Wilkie
DN: cn=Jerry Wilkie, o=Atwell, ou, email=jwilkie@atwell-Group.com, c=US
Date: 2018.02.12 10:22:11 -06'00'

Sec. 98-35. - Newly annexed territory.

All territory hereafter annexed to the city shall be temporarily classified as PD, pre-development district. The Planning and Zoning Commission will review all territory for consideration of zoning within 180 days of annexation. The procedure for establishing permanent classification of annexed territory shall conform to the procedure established by law for the adoption of the original zoning regulations.

(Ord. No. 253, § 1(art. II, § 5), 4-8-2004; Ord. No. 387, § 1, 12-8-2008)

City of Helotes
PLANNING & ZONING COMMISSION

AGENDA ITEM REQUEST FORM

DATE: **September 4, 2018**

AGENDA PLACEMENT:

- ☐ **CONSENT**
- ☒ **INDIVIDUAL**
- ☐ **PRESENTATION**
- ☐ **CLOSED**

CAPTION:

Discussion of and action on a request by CDT Sign Services for approval of a variance to Municipal Code of Ordinances Chapter 66 *Signs,* Section 66-51 *Commercial Signs: Projecting, Wall and Hanging, or In or On Windows* authorizing wall signage for a FedEx Office located inside Wal-Mart at 12550 Leslie Road, Helotes, Texas 78023, more particularly described as BCAD Prop. ID No. 1175530. (Recommendation Item; Applicant)

BACKGROUND:

Chapter 66 *Signs,* Section 66-51 *Commercial Signs: Projecting, Wall and Hanging, or In or On Windows* provides the following regulations:

Code	Compliant	Variance Required
Wall signs. Wall signs by single businesses or an individual business in a multi-tenant shopping center, office complex or business park shall be regulated as follows:	N/a	N/a
(1) *Purpose.* To identify a business or organization.	Yes	No
(2) *Size.* One square foot per linear foot of building or unit facade to which it is attached; a maximum of 100 square feet. A minimum area of ten square feet will be allowed if a business has insufficient footage. The size of a multi-paneled sign shall be determined by dividing the maximum size allowed by the number of panels.	Yes	No
(3) *Height.* The top of the sign shall be below the lower roofline and at a height no greater than 20 feet above the ground immediately adjacent to the sign.	Yes	No

(4) *Number.* One sign per street or pedestrian way which the building faces or abuts with a maximum of two signs, subject to review by the P&Z.	No; The Code allows for a maximum of two signs. The Wal-Mart building exceeds Code and has multiple wall signs for Wal-Mart and Subway, which were approved thru variances on October 13, 2011 and April 11, 2013. The applicant must, therefore, go thru the same process and request a variance.	Yes
(5) *Location.* All wall signs shall be installed flat against the wall of a building and shall not extend from the wall more than 12 inches.	Yes	No
(6) *Design.* Reference Chapter 98 Zoning, Article IX Architectural Review by the P&Z and City Council, Section 98-253, Subsection (f) signage. Sign content shall be limited to appropriate information necessary to identify the business and to carry out the normally accepted activities for a business of its type.	Yes	No
(7) *Lighting.* Indirect, internally illuminated, or neon.	Yes	No
(8) *Landscaping.* Not applicable.	N/a	N/a
(9) *Duration.* The sign shall be permitted so long as the business or office is open for business.	Yes	No
(10) *Special provisions.* Shall be as follows: a. A business or organization having a wall, projecting, or hanging sign is not excluded from participating in a multi-tenant commercial sign. b. Businesses or organizations not having exterior public entrances are subject to the provisions of the multi-tenant commercial sign for multi-tenant building, in Section 66-50. c. An individual business with a basement entrance with no calculable frontage may	No. See Subparagraph B. Code suggests businesses internal to a building and not having exterior public entrances should be incorporated into multi-tenant monument signage.	Yes.

have one sign with a maximum area of six square feet.		
(11) *Permit.* A permit and master sign plan approval must be obtained in accordance with the provisions of this Chapter prior to installation.	Yes	No

FINANCIAL: N/a

RECOMMENDATION:

City Staff recommends approval of a request by CDT Sign Services for approval of a variance to Municipal Code of Ordinances Chapter 66 *Signs,* Section 66-51 *Commercial Signs: Projecting, Wall and Hanging, or In or On Windows* authorizing wall signage for a FedEx Office located inside Wal-Mart at 12550 Leslie Road, Helotes, Texas 78023, more particularly described as BCAD Prop. ID No. 1175530.

SUBMITTED BY: City Staff

DATE SUBMITTED: August 28, 2018

SUGGESTED MOTION:

Motion to approve a request by CDT Sign Services for approval of a variance to Municipal Code of Ordinances Chapter 66 Signs, Section 66-51 Commercial Signs: Projecting, Wall and Hanging, or In or On Windows authorizing wall signage for a FedEx Office located inside Wal-Mart at 12550 Leslie Road, Helotes, Texas 78023, more particularly described as BCAD Prop. ID No. 1175530.

7

Ernest Cruz

From: City of Helotes <info@helotes-tx.gov>
Sent: Monday, July 30, 2018 1:24 PM
To: Ernest Cruz; Belenda Parker
Subject: New Form Submission: Sign Permit

Someone submitted the Sign Permit form:

Date: 07/30/2018 01:24 PM

1. Date: : 25/07/2018
2. Applicant Name: : Erica Talamantez
3. Applicant Phone No.: : 2102735818
4. Applicant Email: : erica@cdtsignservices.com
5. Sign Location Address: : Address: 12550 Leslie Road

Address 2: City: Helotes State: TX Zip: 78023 Country: United States

1. Business Use: : FedEx Office inside Walmart
2. No. of Businesses: : 1
3. Current Zoning: : Helotes
4. Property Owner Name (if different from applicant): : Michael Grodnowski
5. Property Owner's Address (if different from applicant): : Address: 702 SW 8th Street

Address 2: City: Bentonville State: AR Zip: 72716 Country: United States

1. Master Sign License Holder Name: : Louis Talamantez
2. Master Sign Contractor's License No.: : 26066
3. Master Sign Contractor's Phone No.: : 2103781114
4. Master Sign Contractor's Email: : loutalamantez@yahoo.com
5. Sign Company Name : CDT Sign Services
6. Sign Company Business Address: : Address: 1001 CR 785

Address 2: City: Natalia State: TX Zip: 78059 Country: United States

1. Sign Type: : Wall Mount
2. Linear Feet of Applicable Building or Lease Space Frontage: : 200
3. Sign Dimensions: : 20" x 10' 11 1/4"
4. Sign Square Footage: : 22
5. Sign Height: : 20"
6. Sign Colors: : white and orange
7. Sign Text: : FedEx Office
8. Sign Lighting: : Iluminated
9. If illuminated, indicate type of lighting: : LED
10. Signage Plans: : https://www.helotes-tx.gov/assets/uploads/general/1532975067_fedex_office_helotes_signage_layout.pdf
11. Signage Color Sketches and Photographs: : https://www.helotes-tx.gov/assets/uploads/general/1532975067_fedex_office_helotes_signage_detail.pdf

12. Signage Site Plan: : https://www.helotes-tx.gov/assets/uploads/general/1532975067_fedex_office_helotes_site_plan.pdf
13. Property Owner's Consent: : https://www.helotes-tx.gov/assets/uploads/general/1532975067_fedex_office_helotes_owner_signature.pdf
14. Applicant Signature : Erica Talamantez

Ernest Cruz

From: City of Helotes <info@helotes-tx.gov>
Sent: Monday, July 30, 2018 1:42 PM
To: Ernest Cruz; Belenda Parker
Subject: New Form Submission: Sign Variance Form

Someone submitted the Sign Variance Form form:

R#20818

Date: 07/30/2018 01:41 PM

1. Applicant Name: : Erica Talamantez
2. Applicant Address: : PO Box 427
3. Applicant Email: : erica@cdtsignservices.com
4. Applicant Phone No.: : 2102735818
5. Applicant Status: : Owner's Agent (attach letter authorizing owner's agent)
6. Owner's Agent Letter: :
7. Signage Address: : 12550 Leslie Road
8. Property Legal Description: :
9. Signage Dimensions: : 20" x 10'-11 1/4"
10. Reference the specific code relevant to this sign variance request (example: Section 66-46) : 66-51
11. Reason for Sign Variance Request: : Tenant leasing space inside a Walmart, they need an exterior sign to let customers know they are there
12. Electronic Signature : Erica Talamantez
13. Payment : 1 x Payment – $60.20 ($60.20)
14. Payment: Authorize.Net : APPROVED

Total: &60.20 ID: 61208513018

Property Identification #: **1175530**

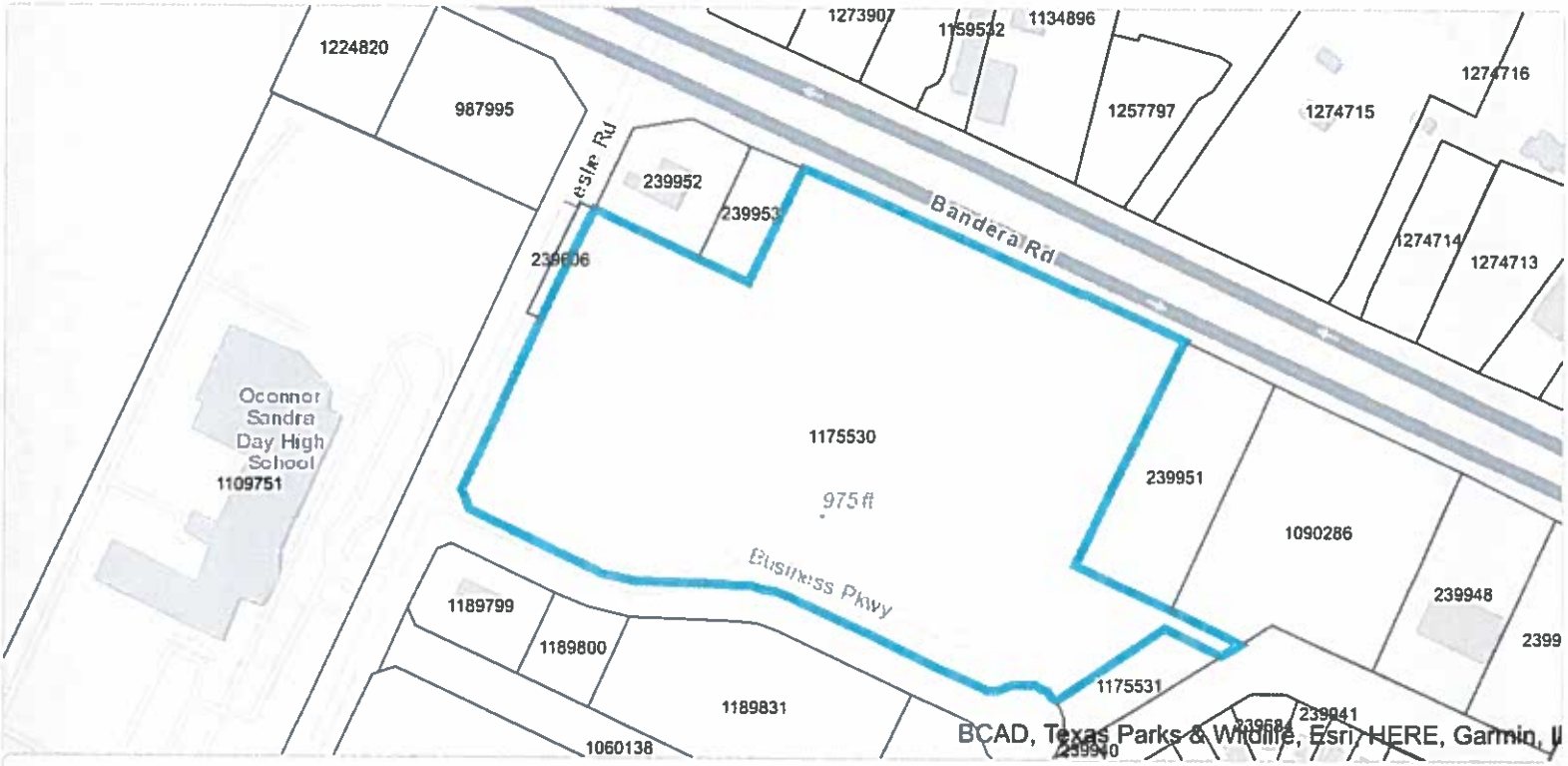
Geo ID:	04478-001-0010
Situs Address:	12550 LESLIE RD HELOTES, TX 78023
Property Type:	Real
State Code:	F1

Property Information: **2019**

Legal Description:	CB 4478F BLK 1 LOT 1 & 3 (HELOTES MARKETPLACE)
Abstract:	A04478
Neighborhood:	NBHD code51320
Appraised Value:	N/A
Jurisdictions:	09, 10, 42, 06, 56, 11, CAD, 08

Owner Identification #: **320057**

Name:	WAL-MART REAL ESTATE BUS TRST
Exemptions:	
DBA:	WAL-MART



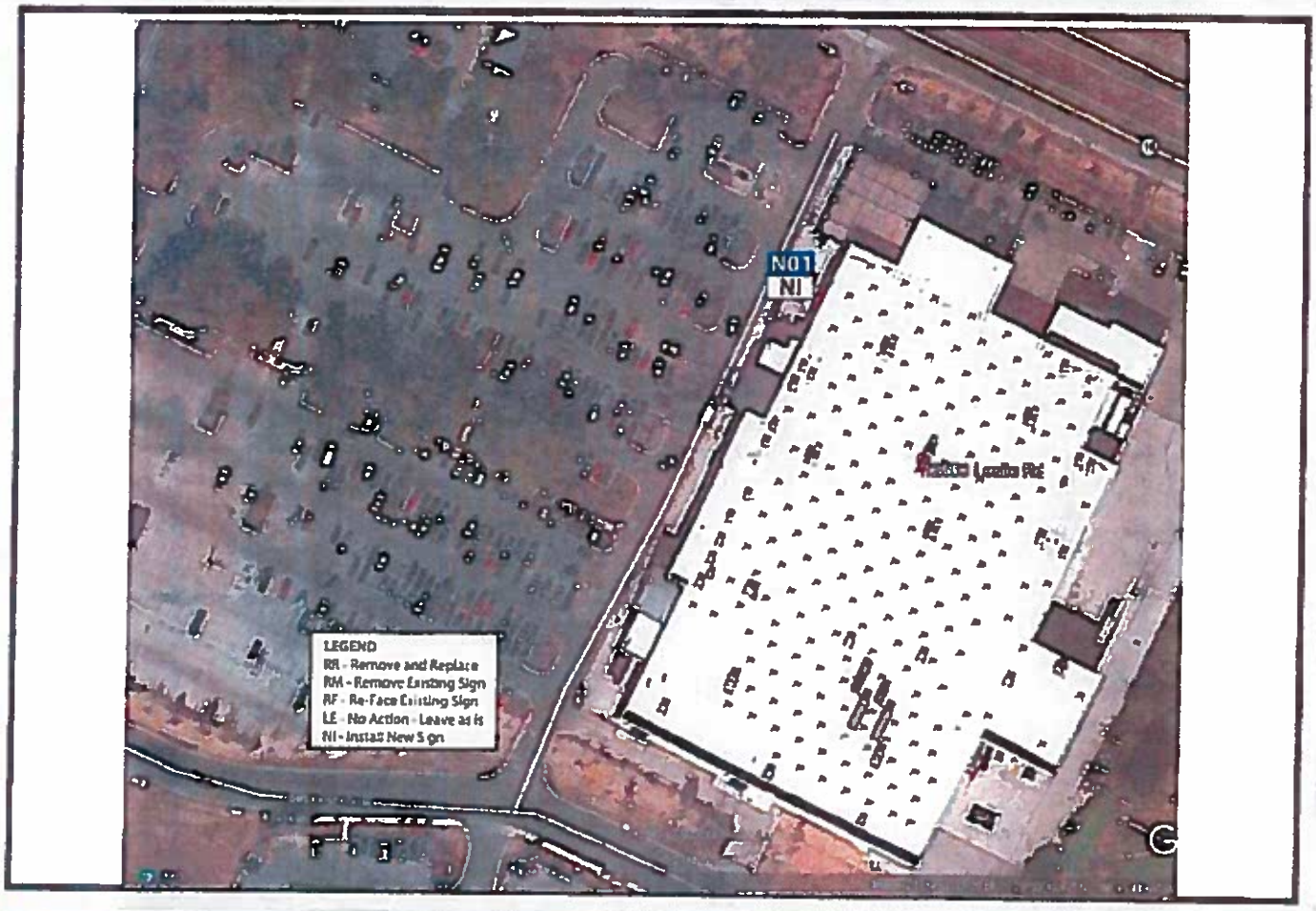
Bexar CAD Map Search

This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The Bexar County Appraisal District expressly disclaims any and all liability in connection herewith.

FedEx Office
BRANDING BOOK

Project Name: WalMart - Helotes TX
Center Number: 0300
Project Number: 1002963

INVENTORY/SITE PLAN



SIGN #	EXISTING TYPE	ACTION	PROPOSED TYPE	DESCRIPTION
N01	No Existing Sign	NI	FEKCL-20-H	20" illuminated channel letters

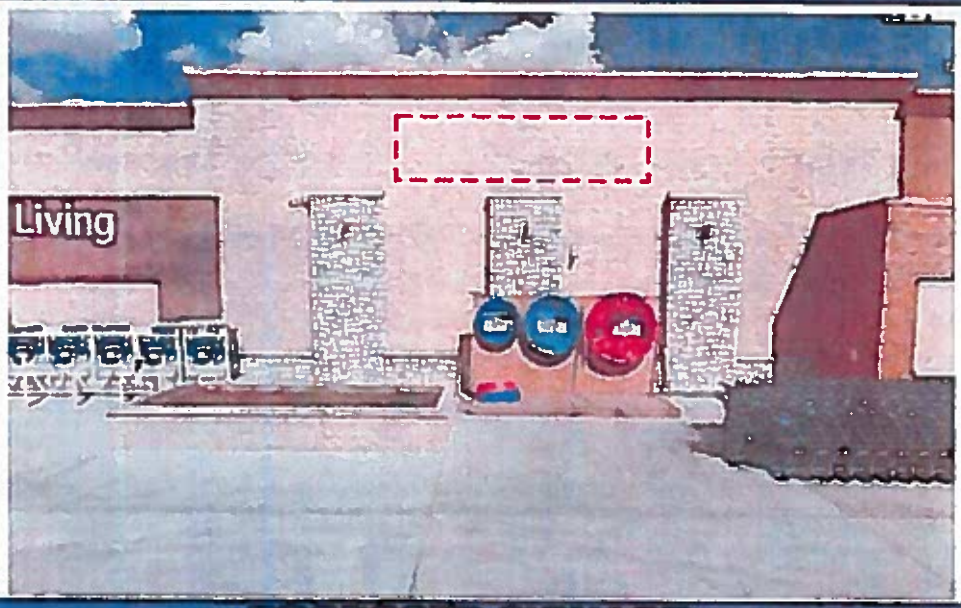
FedEx Office
BRANDING BOOK

Project Name: WalMart - Helotes TX
Center Number: 0300
Project Number: 1002963

INVENTORY/RECOMMENDATION DETAIL

SIGN: N01 NI

EXISTING SIGNAGE



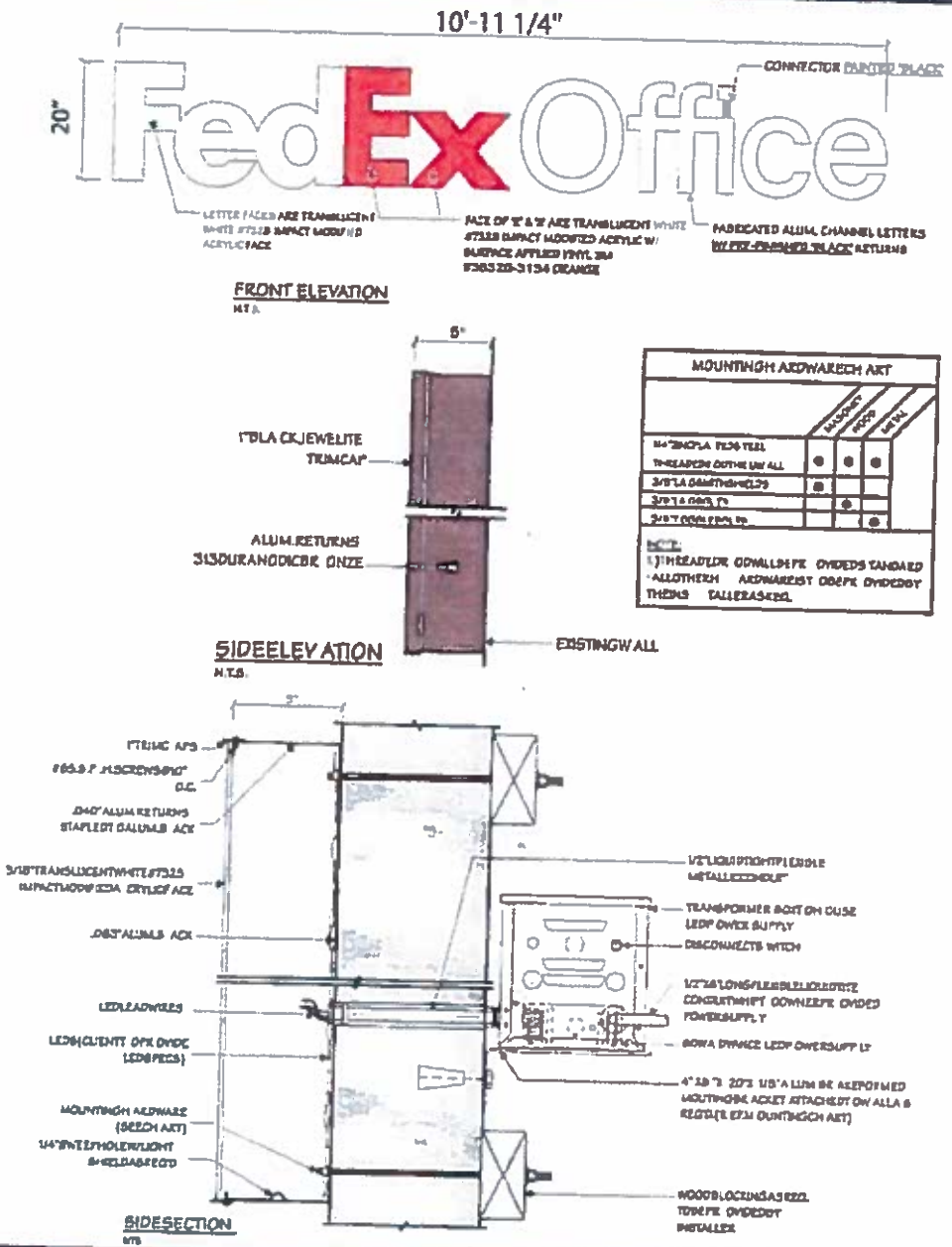
PROPOSED SIGNAGE

COMMENTS

FedEx Office BRANDING BOOK

Project Name: WalMart - Helotes TX
Center Number: 0300
Project Number: 1002963

SIGNAGE LAYOUTS N01



FedEx Office
BRANDING BOOK

Project Name: WalMart - Helotes TX
Center Number: 0300
Project Number: 1002963

TO BE COMPLETED BY LANDLORD / PROPERTY OWNER

To Whom It May Concern:

I, Michael Grudnowski, Property Owner/Landlord of the property located at

12550 Leslie Rd. Helotes, TX 78023

do hereby give authorization to Architectural Graphics Inc. and/or their agents to erect a sign(s) at the above named location. I fully understand the current Construction Lien Law and authorize said contractors or authorized agents to sign and notarize permit application(s) as Owner/Agent. All work done by said contractors will meet or exceed Code requirements, and meet NEC Standards. If lease with FedEx Office is not executed, the authority in this document will end.

By: _____
Landlord/Property Owner Signature

Print Name Here: Michael Grudnowski

Owner/Landlord Address:
702 SW 8th street
Bentonville AR 72716

Phone: 479-277-8465

Please fax this page to (757) 427-6112 Attn:Erik Graef
Phone number: (757) 301-7008 Ext:2240
Architectural Graphics Inc.
2655 International Pkwy.
Virginia Beach, VA 23452

egraef@agisign.com

Wal-Mart

in the City of Helotes, Bexar County, Texas and as described per deed recorded in Book 14242, Page 1274, O.P.R.B.C.T. (Applicant)

10.** **Approval of a Stormwater Management Plan and associated improvements made to a public drainage easement located on private property, pursuant to Chapter 34 *Environment*, Article IV *Stormwater Detention and Drainage* and Chapter 78 *Subdivisions*, Article II *Subdivision Regulations*, Division 4 *Subdivision Design Standards*, Section 78-141 *Improvement of Public Easement on Private Land*, respectively, of the City of Helotes Code of Ordinances, for the construction of Walmart Store No. 3057 within the proposed Helotes Marketplace Subdivision located near the intersection of Leslie Road and S.H. 16 (Bandera Road), more particularly described as a 16.719 acre tract out of the S.A. and M.G. Railroad Company Survey No. 415, Abstract 716 in the City of Helotes, Bexar County, Texas and as described per deed recorded in Book 14242, Page 1274, O.P.R.B.C.T. (Applicant)**

11.** **Approval of a final plat for the Helotes Marketplace Subdivision located near the intersection of Leslie Road and S.H. 16 (Bandera Road), more particularly described as a 16.719 acre tract out of the S.A. and M.G. Railroad Company Survey No. 415, Abstract 716 in the City of Helotes, Bexar County, Texas and as described per deed recorded in Book 14242, Page 1274, O.P.R.B.C.T. (Applicant)**

ITEMS FOR INDIVIDUAL CONSIDERATION:

12. **Discussion of and action on a request for a variance from Chapter 66 *Signs*, Article V *Sign Classifications; Permit*, Sections 66-49 *Commercial Signs: Single-business Use (Monument-type)* and 66-51 *Commercial Signs: Projecting, Wall and Hanging, or In or On Windows* and Chapter 34 *Environment*, Article III *Outdoor Lighting*, Section 34-42 *Lighting Requirements* of the City of Helotes Code of Ordinances regarding the size of proposed monument signage; the size, height, number, and lighting of proposed wall signage; and the height of outdoor light poles within parking areas for Walmart Store No. 3057 within the Helotes Marketplace Subdivision located near the intersection of S.H. 16 (Bandera Road) and Leslie Road, more particularly described as a 16.719 acre tract out of the S.A. and M.G. Railroad Company Survey No. 415, Abstract 716 in the City of Helotes, Bexar County, Texas and as described per deed recorded in Book 14242, Page 1274, O.P.R.B.C.T. (Applicant)**

Motion was made by Councilmember Buys, second by Councilmember Friedrichs, to discuss and act on this item as written.

On October 4, 2011, Planning and Zoning recommended approved the site plan and building design as presented; recommended that building signage include down-lighting or internal illumination and that the monument sign on Leslie Road conform to the existing ordinance.

Concerns included number of signs, size of the signs, up-lighting on the signs, and P&Z recommendations.

Wal-Mart

For clarity, Council consensus was to discuss the variance items individually. Councilmember Buys and Councilmember Friedrichs agreed to remove their motion and second, respectively, from the table.

Motion was made by Councilmember Buys, second by Councilmember Blue, to approve the variance on the total number of wall signs as described in the submittal as nine signs consisting of 1 Walmart*, 1 Market, 1 Home & Pharmacy, 1 Outdoor Living, 2 Pharmacy Drive-Thru, 1 Tire & Lube, 1 Tire, and 1 Lube and to approve the height of the wall sign on the front façade of the building (Walmart*). Motion to approve the variance carried unanimously.

Motion was made by Councilmember Blue, second by Councilmember Friedrichs, to deny the request for a variance for up-light on the wall signs and require down lighting or internal illumination pursuant to City code. Motion to deny the variance request carried unanimously.

Motion was made by Councilmember Buys, second by Mayor Pro Tem Villanueva, to approve the variance request for total square footage of 615.25 s.f. of signage on the building. Motion to approve the variance request carried unanimously.

Motion was made by Councilmember Blue, second by Councilmember Friedrichs, to approve the variance request for the monument sign located on Bandera Road and to require the monument sign located on Leslie Road to comply with City code and as recommended by Planning and Zoning Commission. Motion to approve carried; 3 Ayes; 1 Nay – Councilmember Buys; 0 Abstentions.

Mayor Schoolcraft adjourned the meeting into closed session at 7:50 p.m. after reading the caption below.

CLOSED SESSION:

13. **Closed Session in accordance with Texas Government Code §551.071 *Consultation with Attorney*. In addition to the matters listed below, any matter scheduled for open session may be discussed in Closed Session, as appropriate and authorized by law.**

- Consultation with Attorney – Pending litigation in *Northside Independent School District (NISD) v. City of Helotes*, Cause No. 2010-Cl-20216, in 150th District Court, Bexar County, Texas. (Texas Govt. Code Ann. Sec. 551.071)

Mayor Schoolcraft reconvened the meeting at 8:20 p.m. and announced that no action had been taken in closed session.

Subway

Councilmember Blue, to approve items 5, 6, and 7 on the consent agenda. Motion to approve carried unanimously.

3. Approval of the minutes of the regular meeting of March 14, 2013. (Staff)

Motion was made by Councilmember Blue, second by Councilmember Buys, to approve the minutes as written. Motion to approve carried: 3 Ayes, 0 Nays, 1 Abstain –Councilmember Massey.

5. Approval of the monthly Revenue and Expenditure Report dated April 5, 2013. (Staff)**

6. Approval of the resignation of Maria McCarns from the City of Helotes Planning and Zoning Commission effective April 2, 2013. (Mayor Schoolcraft)**

7. Pursuant to Chapter 38 *Fire Prevention and Protection*, Article V *Fireworks*, Section 38-53 *Permit*, approval of a municipal public fireworks display, including a concert by the Helotes Area Community Band and associated cannonry and reenactment activities, to be held on Saturday, July 6, 2013 beginning at approximately 7:00 p.m. on municipal and Northside Independent School District (NISD) grounds in celebration of Independence Day. (Staff)**

ITEMS FOR INDIVIDUAL CONSIDERATION:

8. Discussion of and action on a request by Velma Development, LLC for residential subdivision entry signage, lighting, and fencing for The Ridge at Iron Horse Canyon on property located near the intersection of Walking Horse and Iron Saddle, more particularly described as Bexar Appraisal District Property Identification Nos. 1141130 and 1141128. (Applicant)

Motion was made by Mayor Pro Tem Villanueva, second by Councilmember Massey to discuss and act on this item as written.

The subdivision entry signage meets Code requirements.

Motion to approve as submitted carried unanimously.

9. Discussion of and action on a request for a variance by Subway restaurant for wall-mount signage to be located on the Walmart Supercenter on property located at 12550 Leslie Road, Helotes, Texas 78023, more particularly described per deed recorded in Book 14242, Page 1274, O.P.R.B.C.T. (Applicant)

Motion was made by Councilmember Buys, second by Mayor Pro Tem Villanueva, to discuss and act on this item as written.

Subway

Approval of this variance allows the placement of the Subway sign on the wall at the Walmart Supercenter. Discussion included variances already given to this location, setting a precedent, and the signage fits due to the large size of the building.

Motion to approve carried unanimously.

10. **Discussion of and action on Ordinance No. 502 of the City Council of the City of Helotes, Texas amending City of Helotes Code of Ordinances Chapter 2 *Administration*, Article V *Planning and Zoning Commission* by amending Section 2-82 *Membership and Appointment* and Section 2-86 *Meeting and Quorum* by lowering the number of Commissioners appointed to the Commission and the associated number of Commissioners required for a quorum; authorizing the City Administrator to take all necessary steps to implement the provisions of this Ordinance; incorporating recitals; providing for severability; repealing any other Code provisions, ordinances, or parts of ordinances, and other provisions in conflict herewith; and adopting an effective date. (Staff)**

Motion was made by Councilmember Massey, second by Councilmember Blue, to discuss and act on this item at written.

Approval of this ordinance will reduce the P&Z membership from ten to eight members. Reducing the membership will not remove any current board members because the Commission currently contains two vacancies.

Motion to approve carried unanimously.

11. **Discussion of and action on Ordinance No. 503 of the City Council of the City of Helotes, Texas amending City of Helotes Code of Ordinances Chapter 58 *Offenses and Miscellaneous Provisions*, Article II *Alarms and Alarm Systems*, Division 1 *False Alarms*, Section 58-14 *Penalty* by setting and incorporating into the Municipal Fee Schedule the fine associated with sounding a false alarm within the City of Helotes; authorizing the City Administrator and City Secretary to take all necessary steps to implement the provisions of this Ordinance; incorporating recitals; providing for severability; repealing any other Code provisions, ordinances, or parts of ordinances, and other provisions in conflict herewith; requiring publication; and adopting an effective date. (Staff)**

Motion was made by Councilmember Buys, second by Mayor Pro Tem Villanueva, to discuss and act on this item as written.

Approval of this ordinance places the fine for sounding false alarms into the Municipal Fee Schedule. The fine amount does not change; it remains at $50.00 per violation of Chapter 58, Article II, Division 1. Fire Chief Daugherty noted that this ordinance does not include fire alarms because fire alarms are regulated by the International Fire Code.

Sec. 66-51. - Commercial signs: projecting, wall and hanging, or in or on windows.

(a) *Commentary.* In addition to the monument signage authorized for multi-tenant shopping centers in section 66-50, or the monument signage authorized for single business use in section 66-49, individual businesses within a multi-tenant shopping center or office complex or single businesses may also elect to have one of the following signs per street or pedestrian way which the building faces or abuts, with a maximum of two such signs. Such signs must be submitted to the P&Z for review and approval prior to installation.

(b) *Wall signs.* Wall signs by single businesses or an individual business in a multi-tenant shopping center, office complex or business park shall be regulated as follows:

(1) *Purpose.* To identify a business or organization.

(2) *Size.* One square foot per linear foot of building or unit facade to which it is attached; a maximum of 100 square feet. A minimum area of ten square feet will be allowed if a business has insufficient footage. The size of a multi-paneled sign shall be determined by dividing the maximum size allowed by the number of panels.

(3) *Height.* The top of the sign shall be below the lower roofline and at a height no greater than 20 feet above the ground immediately adjacent to the sign.

(4) *Number.* One sign per street or pedestrian way which the building faces or abuts with a maximum of two signs, subject to review by the P&Z.

(5) *Location.* All wall signs shall be installed flat against the wall of a building and shall not extend from the wall more than 12 inches.

(6) *Design.* Reference Chapter 98 Zoning, Article IX Architectural Review by Planning and Zoning Commission, section 98-253, subsection (f) signage. Sign content shall be limited to appropriate information necessary to identify the business and to carry out the normally accepted activities for a business of its type.

(7) *Lighting.* Indirect, internally illuminated, or neon.

(8) *Landscaping.* Not applicable.

(9) *Duration.* The sign shall be permitted so long as the business or office is open for business.

(10) *Special provisions.* Shall be as follows:

a. A business or organization having a wall, projecting, or hanging sign is not excluded from participating in a multi-tenant commercial sign.

b. Businesses or organizations not having exterior public entrances are subject to the provisions of the multi-tenant commercial sign for multi-tenant building, in section 66-50.

c. An individual business with a basement entrance with no calculable frontage may have one sign with a maximum area of six square feet.

(11) *Permit.* A permit and master sign plan approval must be obtained in accordance with the provisions of this chapter prior to installation.

(c) *Commercial signs: projecting and hanging signs.* Hanging commercial signs may be used by single businesses or an individual business in a multi-tenant shopping center, office complex or business park and shall be regulated as follows:

(1) *Purpose.* To identify a business or organization.

(2) *Size.* A maximum area of 24 square feet.

(3) *Height.* No part of the sign shall extend below eight feet from the average grade nor shall it extend above the lower roofline of the building to which it is attached.

(4) *Number.* One sign per street or pedestrian way which the building faces or abuts, as determined by the

code enforcement officer, with a maximum of two signs, subject to review by the P&Z.

(5) *Location.* Oriented generally perpendicular to the front of the business or to a parking area abutting the business.

(6) *Design/message.* Reference Chapter 98 Zoning, Article IX Architectural Review by Planning and Zoning Commission, section 98-253, subsection (f) signage. Sign content shall be limited to appropriate information necessary to identify the business and to carry out the normally accepted activities for a business of its type.

(7) *Lighting.* Indirect, internally illuminated, or neon.

(8) *Landscaping* . Not applicable.

(9) *Duration.* The sign shall be permitted so long as the business or office is open for business.

(10) *Special provisions.* Must hang from a structural element of the exterior wall awning or overhang.

(11) *Permit.* A permit must be obtained in accordance with the provisions of this chapter prior to installation. If applicable, a master sign plan must be approved prior to installation.

(d) *Commercial signs in/on windows or doors.* Commercial signs in/on windows or doors may be used by single-businesses or an individual business in a multi-tenant shopping center and shall be regulated as follows:

(1) *Purpose.* To identify a business or organization as the occupant of the space on the other side of the window or door or to advertise the same business or organization.

(2) *Height.* No part of the sign shall extend above 12 feet from the average grade, unless a greater height is necessary to center the sign in the window or on the door.

(3) *Number.* Maximum of eight signs allowed. Window or door signs used for the address, hours of operation, method of payment, professional association, security company, governmental notices, and open or closed status are excluded from the maximum number limit.

(4) *Location.* In/on the window/door and entirely within the perimeter of the window/door.

(5) *Design/message.* Reference Chapter 98 Zoning, Article IX Architectural Review by Planning and Zoning Commission, section 98-253, subsection (f) signage. Sign content shall be limited to appropriate information necessary to identify the business and to carry out the normally accepted activities for a business of its type.

(6) *Lighting.* None allowed, except on signage displaying open or closed status of business or organization.

(7) *Landscaping.* Not applicable.

(8) *Duration.* The sign shall be permitted so long as the business or office is in operation.

(9) *Special provisions.* None.

(10) *Permit.* No permit is required for an in/on window signage.

(Ord. No. 249, § 1(150.511), 2-26-2004; Ord. No. 391, § 1, 1-22-2009; Ord. No. 536, § 1, 8-14-2014; Ord. No. 582, § 1, 1-14-2016)

City of Helotes
PLANNING & ZONING COMMISSION

AGENDA ITEM REQUEST FORM

DATE: **September 4, 2018**

AGENDA PLACEMENT:

- ☐ **CONSENT**
- ☒ **INDIVIDUAL**
- ☐ **PRESENTATION**
- ☐ **CLOSED**

CAPTION:

Discussion of and action on a request by Aetna Sign Group, Ltd. for approval of a master sign plan, pursuant to Municipal Code of Ordinances Chapter 66 *Signs,* Section 66-71 *Permits, Certificates, and Approval Required; Master Sign Plan*, for Helotes Point Retail Center, a multi-tenant shopping center located at 12510 Bandera Road, Helotes, Texas 78023, more particularly described as BCAD Prop. ID No. 1274715. (Recommendation Item; Applicant)

BACKGROUND:

Chapter 66 *Signs,* Section 66-71 *Permits, Certificates, and Approval Required; Master Sign Plan* provides the following regulations:

Code	Compliant	Variance Required
Master sign plan application. Any application for a sign permit for a shopping center, business park, or office complex shall include a presentation of a master sign plan. An application for approval of a master sign plan shall be processed as follows:	N/a	N/a
(1) Thirteen 11-inch by 17-inch copies (and one digital file) of a master sign plan for the shopping center or office complex shall be submitted with the permit application for review by the P&Z and City Council.	Yes	No

(2) The master sign plan shall include details of the design, construction, and location of all signs, except traffic control signs, which fall under the purview of Subsection (e) of this Section. a. An accurate plot plan of the lot. b. Location of buildings, parking lots, driveways, and landscaped areas on the lot. c. An accurate indication of the plot plan of the proposed location of each present and future sign of any type requiring a permit. d. Color scheme. e. Lettering or graphic style. f. Lighting. g. Location of each sign. h. Materials. i. Sign dimensions. j. Provisions for leasing information.	Yes	No
(3) The P&Z and City Council shall review the master sign plan for compatibility and harmony with the architecture of the facility, the surrounding area, and all applicable provisions of this Chapter.	Yes; The applicant proposes to fully follow Chapter 66 *Signs*, Sec. 66-51 *Commercial Signs: Projecting, Wall and Hanging, or In or On Windows*, which regulates wall signage.	No
(4) All signs to be installed, as described in the plan, shall obtain separate permits once the master sign plan is approved.	Yes	No
(5) The City Council may approve, disapprove or condition its approval of a master sign plan by requiring such modifications to the plan that would be necessary for compliance with this Chapter. Should a plan be disapproved the City Council shall advise the applicant in writing of the specific deficiencies in the plan.	Yes	No

FINANCIAL: N/a

RECOMMENDATION:

City Staff recommends approval of a request by Aetna Sign Group, Ltd. for approval of a master sign plan, pursuant to Municipal Code of Ordinances Chapter 66 Signs, Section 66-71 Permits, Certificates, and Approval Required; Master Sign Plan, for Helotes Point Retail Center, a multi-tenant shopping center located at 12510 Bandera Road, Helotes, Texas 78023, more particularly described as BCAD Prop. ID No. 1274715.

SUBMITTED BY: City Staff

DATE SUBMITTED: August 28, 2018

SUGGESTED MOTION:

Motion to approve a request by Aetna Sign Group, Ltd. for approval of a master sign plan, pursuant to Municipal Code of Ordinances Chapter 66 *Signs,* Section 66-71 *Permits, Certificates, and Approval Required; Master Sign Plan*, for Helotes Point Retail Center, a multi-tenant shopping center located at 12510 Bandera Road, Helotes, Texas 78023, more particularly described as BCAD Prop. ID No. 1274715.

8

City of Helotes
Development Services Department
P.O. Box 507
12951 Bandera Road
Helotes, TX 78023
Phone (210) 695.8877
Fax (210) 695.2123

SIGN PERMIT APPLICATION

CHAPTER 66,

Sign Administrative Procedures

Name of Applicant: Aetna Sign Group, Ltd. Date: 8.17.18

Sign Location Address: 12510 Bandera Road

Legal Description: Lot #: 5 Block #: 2 CB/NCB #:

Use of Building: Helotes Point Retail Building

No. of Businesses: 5 Zoning: B3 O.D.

Name of Property Owner: Abiso Helotes, LP Phone #: 210.802.6110

Property Owner's Address: 970 Isom Road, San Antonio, TX 78216

Name of Sign Contractor: Aetna Sign Group, Ltd

Contractor's License #: 7343 Phone #: 210.826.2800

E-mail Address: jeanette@aetnasign.com

Contractor's Business Address: 2438 Freedom Drive, San Antonio, TX 78217

Type of Sign:
- ☐ Monument, Multi-Tenant
- ☒ Wall Mount
- ☐ Window
- ☐ Residential Entry
- ☐ Monument, Single Business
- ☐ Hanging
- ☐ Public/ Non-Profit Signage
- ☐ Traffic Control
- ☐ Projecting
- ☐ Miscellaneous Signage
- ☐ Other

Linear Feet of Building or Lease Space Frontage: 248' x 75'

Sign Dimensions: varies per tenant Square Footage: 340 total Height: NTE 4' Sign Colors: varies per tenant

Sign Text: varies

Non-Illuminated Sign: ☐ Illuminated Sign: ☒ Type of Lighting: LEDs

Applicant must attach the following documents:

- Thirteen (13) sets of plans indicating sign size, color, type of material, and its parts; message size and style of lettering; type of lighting; method of attachment; associated landscaping.
- Thirteen (13) sets of color sketches, color photographs, or similar scaled presentation of the sign and building that shows how each would appear in relation to the other.
- Site plan showing location of proposed sign and copy of plat, if available, to determine easement locations.
- Written consent from the property owner.

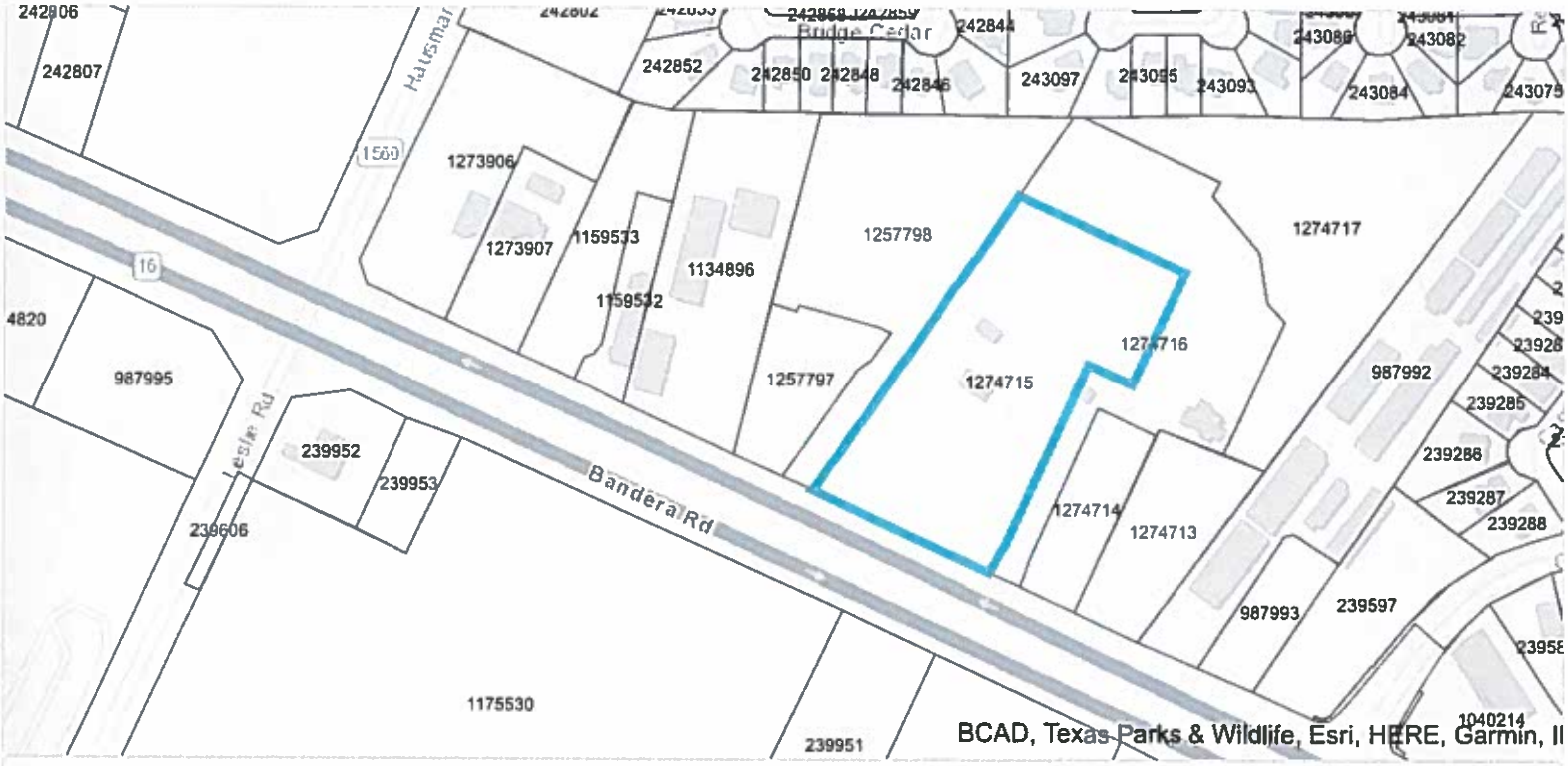
Applicant's Signature: J Mangus Date: 8.17.18

Printed Name: Jeanette Mangus Phone #: 210.826.2800

Applicant's Address: 2438 Freedom Drive, San Antonio, TX 78217

Note: All exterior signage requires Planning & Zoning Commission and City Council approval prior to permitting and installation. The Commission meets on the 1st Tuesday of each month, and the deadline submittal date is 14 calendar days prior to the meeting date.

Property Identification #: 1274715	Property Information: 2019	Owner Identification #: 3057624
Geo ID: 04477-702-0051	Legal Description: CB 4477G (BANDERA OAKS), BLOCK 2 LOT 5	Name: ABISO HELOTES LP
Situs Address: BANDERA RD HELOTES, TX 78023	Abstract: 9723/124-1	Exemptions:
Property Type: Real	Neighborhood: NBHD code51320	DBA: Null
State Code: C1	Appraised Value: N/A	
	Jurisdictions: 42, 09, 06, 11, CAD, 10, 08, 56	



Bexar CAD Map Search

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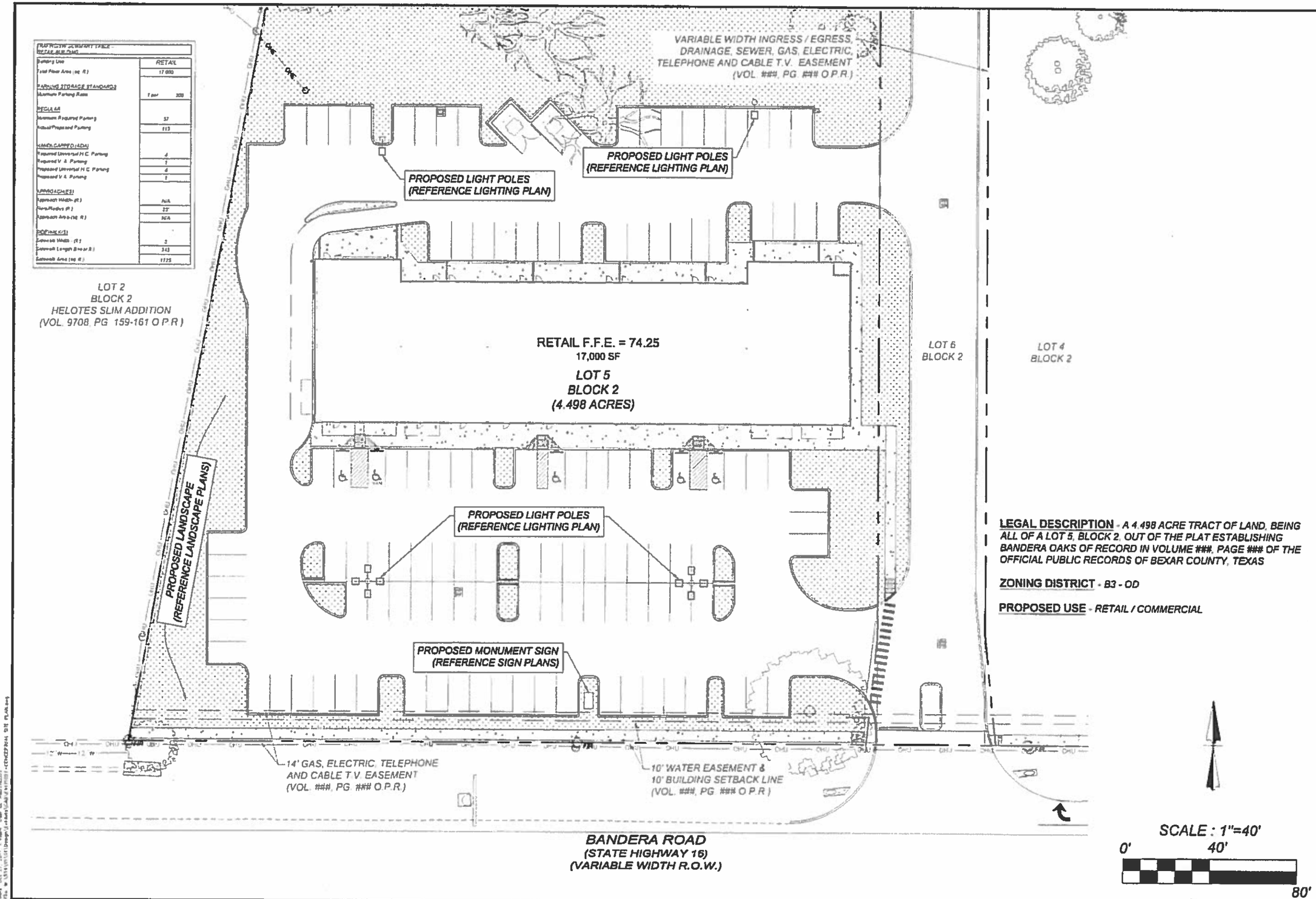
| TRAFFICWISE PLANNING TABLE
RETAIL SUB-PLANE	
Building Use	RETAIL
Total Floor Area (sq. ft.)	17,000
PARKING STORAGE STANDARDS	
Minimum Parking Ratio	1 per 300
REGULAR	
Minimum Required Parking	57
Actual Proposed Parking	113
HANDICAPPED (ADA)	
Required Universal H.C. Parking	4
Required V. A. Parking	1
Proposed Universal H.C. Parking	4
Proposed V. A. Parking	1
APPROACH(ES)	
Approach Width (ft.)	N/A
Curb Radius (ft.)	25'
Approach Area (sq. ft.)	N/A
SIDEWALK(S)	
Sidewalk Width (ft.)	5
Sidewalk Length (linear ft.)	345
Sidewalk Area (sq. ft.)	1725



LEGAL DESCRIPTION - *A 4.498 ACRE TRACT OF LAND, BEING ALL OF A LOT 5, BLOCK 2, OUT OF THE PLAT ESTABLISHING BANDERA OAKS OF RECORD IN VOLUME ###, PAGE ### OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS*

ZONING DISTRICT - *B3 - OD*

PROPOSED USE - *RETAIL / COMMERCIAL*

KFW ENGINEERS + SURVEYING

HELOTES POINT - LOT 5
12510 BANDERA RD., HELOTES, TEXAS
SITE PLAN

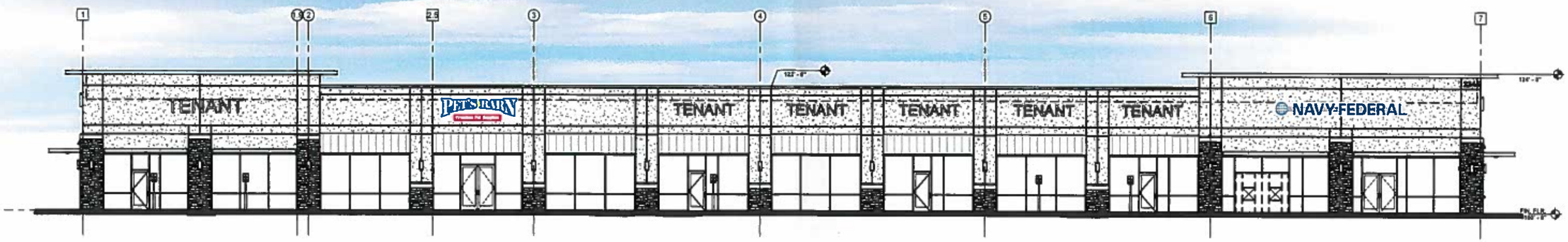
JOB NO. [illegible]
DATE: OCTOBER 2017
DRAWN: [illegible]

SHEET NUMBER
EX-1

THIS DOCUMENT HAS BEEN PRODUCED FROM MATERIAL THAT WAS STORED AND/OR TRANSMITTED ELECTRONICALLY AND MAY HAVE BEEN INADVERTENTLY ALTERED. RELY ONLY ON FINAL HARDCOPY MATERIALS BEARING THE CONSULTANT'S ORIGINAL SIGNATURE AND SEAL.

Helotes Point - Sign Master Plan

Individual storefront width varies - Tenant allowed 1sqft of signage per linear feet of storefront with a minimum of 10 sqft. Top of tenant sign not to exceed 20' in height on storefront



Single line layout

Front View - Scale: 1/4"=1'-0"

Stacked layout

Front View - Scale: 1/4"=1'-0"

Specifications:

Manufacture and install channel letters mounted on raceway.
-7" x 7" raceway painted to match building.
- Aluminum construction
-5" returns painted black
-1" trimcap - black
-3/16" plexi faces (color to vary with each tenant)
-white LEDs

-Each tenant allowed 1 sqft of signage for every linear feet of storefront of their space.
-Maximum letter height 3'0" and minimum 1'0"; overall height of stacked copy NTE 4'0".
-Allowed one (1) sign on each sign band as shown.
-End cap tenants allowed one sign per elevation

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All signs will be manufactured to accommodate 120 volt current unless otherwise instructed by customer. Note: Aetna will supply transformers, boxes, disconnects, switches & letters. Installers are to provide all other necessary hardware to accomplish installation.

CLIENT:	Helotes Point	DRWG#:	3507
ADDRESS:	12510 Bandera Road	SALES REP:	Jeanette M.
CITY:	Helotes,Texas	DESIGNER:	Arnie V.
DATE:	9-18-17	CLIENT APPROVAL:	
COMPUTER FILE	art\drwg\misc\3507_helotes point		TSCL#18370
REVISION HISTORY			

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National Building Codes now states all signs that utilize neon transformers, sized at 7,500 volts and up, must utilize UL2161 (GFI) transformers. This type of transformer must have a dedicated electrical (GFI) circuit with ground for the transformer to work. You are responsible to have the proper electrical service to the sign location. Please contact your Aetna Sign Group representative if you need additional information.

Sec. 66-51. - Commercial signs: projecting, wall and hanging, or in or on windows.

(a) *Commentary.* In addition to the monument signage authorized for multi-tenant shopping centers in section 66-50, or the monument signage authorized for single business use in section 66-49, individual businesses within a multi-tenant shopping center or office complex or single businesses may also elect to have one of the following signs per street or pedestrian way which the building faces or abuts, with a maximum of two such signs. Such signs must be submitted to the P&Z for review and approval prior to installation.

(b) *Wall signs.* Wall signs by single businesses or an individual business in a multi-tenant shopping center, office complex or business park shall be regulated as follows:

(1) *Purpose.* To identify a business or organization.

(2) *Size.* One square foot per linear foot of building or unit facade to which it is attached; a maximum of 100 square feet. A minimum area of ten square feet will be allowed if a business has insufficient footage. The size of a multi-paneled sign shall be determined by dividing the maximum size allowed by the number of panels.

(3) *Height.* The top of the sign shall be below the lower roofline and at a height no greater than 20 feet above the ground immediately adjacent to the sign.

(4) *Number.* One sign per street or pedestrian way which the building faces or abuts with a maximum of two signs, subject to review by the P&Z.

(5) *Location.* All wall signs shall be installed flat against the wall of a building and shall not extend from the wall more than 12 inches.

(6) *Design.* Reference Chapter 98 Zoning, Article IX Architectural Review by Planning and Zoning Commission, section 98-253, subsection (f) signage. Sign content shall be limited to appropriate information necessary to identify the business and to carry out the normally accepted activities for a business of its type.

(7) *Lighting.* Indirect, internally illuminated, or neon.

(8) *Landscaping.* Not applicable.

(9) *Duration.* The sign shall be permitted so long as the business or office is open for business.

(10) *Special provisions.* Shall be as follows:

a. A business or organization having a wall, projecting, or hanging sign is not excluded from participating in a multi-tenant commercial sign.

b. Businesses or organizations not having exterior public entrances are subject to the provisions of the multi-tenant commercial sign for multi-tenant building, in section 66-50.

c. An individual business with a basement entrance with no calculable frontage may have one sign with a maximum area of six square feet.

(11) *Permit.* A permit and master sign plan approval must be obtained in accordance with the provisions of this chapter prior to installation.

(c) *Commercial signs: projecting and hanging signs.* Hanging commercial signs may be used by single businesses or an individual business in a multi-tenant shopping center, office complex or business park and shall be regulated as follows:

(1) *Purpose.* To identify a business or organization.

(2) *Size.* A maximum area of 24 square feet.

(3) *Height.* No part of the sign shall extend below eight feet from the average grade nor shall it extend above the lower roofline of the building to which it is attached.

(4) *Number.* One sign per street or pedestrian way which the building faces or abuts, as determined by the

code enforcement officer, with a maximum of two signs, subject to review by the P&Z.

(5) *Location.* Oriented generally perpendicular to the front of the business or to a parking area abutting the business.

(6) *Design/message.* Reference Chapter 98 Zoning, Article IX Architectural Review by Planning and Zoning Commission, section 98-253, subsection (f) signage. Sign content shall be limited to appropriate information necessary to identify the business and to carry out the normally accepted activities for a business of its type.

(7) *Lighting.* Indirect, internally illuminated, or neon.

(8) *Landscaping* . Not applicable.

(9) *Duration.* The sign shall be permitted so long as the business or office is open for business.

(10) *Special provisions.* Must hang from a structural element of the exterior wall awning or overhang.

(11) *Permit.* A permit must be obtained in accordance with the provisions of this chapter prior to installation. If applicable, a master sign plan must be approved prior to installation.

(d) *Commercial signs in/on windows or doors.* Commercial signs in/on windows or doors may be used by single-businesses or an individual business in a multi-tenant shopping center and shall be regulated as follows:

(1) *Purpose.* To identify a business or organization as the occupant of the space on the other side of the window or door or to advertise the same business or organization.

(2) *Height.* No part of the sign shall extend above 12 feet from the average grade, unless a greater height is necessary to center the sign in the window or on the door.

(3) *Number.* Maximum of eight signs allowed. Window or door signs used for the address, hours of operation, method of payment, professional association, security company, governmental notices, and open or closed status are excluded from the maximum number limit.

(4) *Location.* In/on the window/door and entirely within the perimeter of the window/door.

(5) *Design/message.* Reference Chapter 98 Zoning, Article IX Architectural Review by Planning and Zoning Commission, section 98-253, subsection (f) signage. Sign content shall be limited to appropriate information necessary to identify the business and to carry out the normally accepted activities for a business of its type.

(6) *Lighting.* None allowed, except on signage displaying open or closed status of business or organization.

(7) *Landscaping.* Not applicable.

(8) *Duration.* The sign shall be permitted so long as the business or office is in operation.

(9) *Special provisions.* None.

(10) *Permit.* No permit is required for an in/on window signage.

(Ord. No. 249, § 1(150.511), 2-26-2004; Ord. No. 391, § 1, 1-22-2009; Ord. No. 536, § 1, 8-14-2014; Ord. No. 582, § 1, 1-14-2016)