

AN ORDINANCE 5 689 4

AMENDING CHAPTER 42 OF THE CITY CODE THAT  
CONSTITUTES THE COMPREHENSIVE ZONING  
ORDINANCE OF THE CITY OF SAN ANTONIO BY  
CHANGING THE CLASSIFICATION AND REZONING OF  
CERTAIN PROPERTY DESCRIBED HEREIN.

\* \* \* \* \*

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. That Section 42-22 of Chapter 42 of the City Code that constitutes the comprehensive zoning ordinance of the City of San Antonio be and the same is hereby amended, so that it shall hereafter include the following described changes in classification and the rezoning of the hereinafter designated property, to-wit:

(CASE NO. Z83071 )

The rezoning and reclassification of property from Temporary "R-1" One-Family Residence District to "B-3R" Restrictive Business District, listed below as follows:

Lots 1,2 and 4, Block 1, NCB 14701.  
In the 5800 block of Babcock Road  
In the 8800 block of Huebner Road

Provided that the applicant work with the Traffic Engineering Division for street dedication, proper access and off-street parking and that deed restrictions include building height of not more than 2½ stories, sign control, fencing and no alcoholic beverages to be sold on the property.

SECTION 2. That all other provisions of said Chapter 42, as amended, shall remain in full force and effect, including the penalties for violations as made and provided in Section 42-11.

SECTION 3. That the Director of Planning shall change in his records and zoning maps in accordance herewith and the same shall be available and open to the public for inspection.

SECTION 4. That this ordinance is not severable.

PASSED AND APPROVED this 28<sup>th</sup> day of April, 1983.

*Henry Cisneros*  
M A Y O R

ATTEST: *Norma J. Rodriguez*  
City Clerk

APPROVED AS TO FORM: *Paul H. Mason*  
City Attorney

83-21

|                                     |   |
|-------------------------------------|---|
| AVIATION                            |   |
| BUDGET & RESEARCH                   |   |
| BUILDING INSPECTIONS (1-HSE. NUM)   | 2 |
| CITY WATER BOARD                    |   |
| CITIZEN ACTION & PUBLIC INFORMATION |   |
| COMMERCIAL RECORDER                 | 1 |
| CONVENTION & VISITORS BUREAU        |   |
| CONVENTION FACILITIES               |   |
| ECONOMIC & EMPLOYMENT DEVELOPMENT   |   |
| EQUAL EMPLOYMENT OPPORTUNITY        |   |
| FINANCE DIRECTOR                    |   |
| ASSESSOR                            | 1 |
| CONTROLLER                          |   |
| TREASURY DIVISION                   |   |
| GRANT SECTION                       |   |
| INTERNAL AUDIT                      |   |
| RISK MANAGEMENT                     |   |
| FIRE CHIEF                          |   |
| HEMISFAIR PLAZA                     |   |
| HUMAN RESOURCES & SERVICES          |   |
| LEGAL-CITY ATTORNEY                 |   |
| LIBRARY DIRECTOR                    |   |
| MARKET SQUARE                       |   |
| METROPOLITAN HEALTH DISTRICT        |   |
| MUNICIPAL COURTS                    |   |
| PARKS & RECREATION                  |   |
| PERSONNEL DIRECTOR                  |   |
| PLANNING                            | 1 |
| POLICE CHIEF                        |   |
| PUBLIC UTILITIES SUPERVISOR         |   |
| PUBLIC WORKS DIRECTOR               |   |
| ENGINEERING DIVISION                |   |
| WASTEWATER ENGINEERING              |   |
| RIGHT-OF-WAY & LAND ACQUISITION     |   |
| TRAFFIC ENGINEERING DIVISION        |   |
| PURCHASING                          |   |
| ZONING ADMINISTRATION               | 1 |

83-21

ITEM NO. 28

DATE: APR 28 1983

MEETING OF THE CITY COUNCIL

MOTION BY: Harrington  
5 689 4

SECONDED BY: Alderete  
#283071

ORD. NO. \_\_\_\_\_

ZONING CASE \_\_\_\_\_

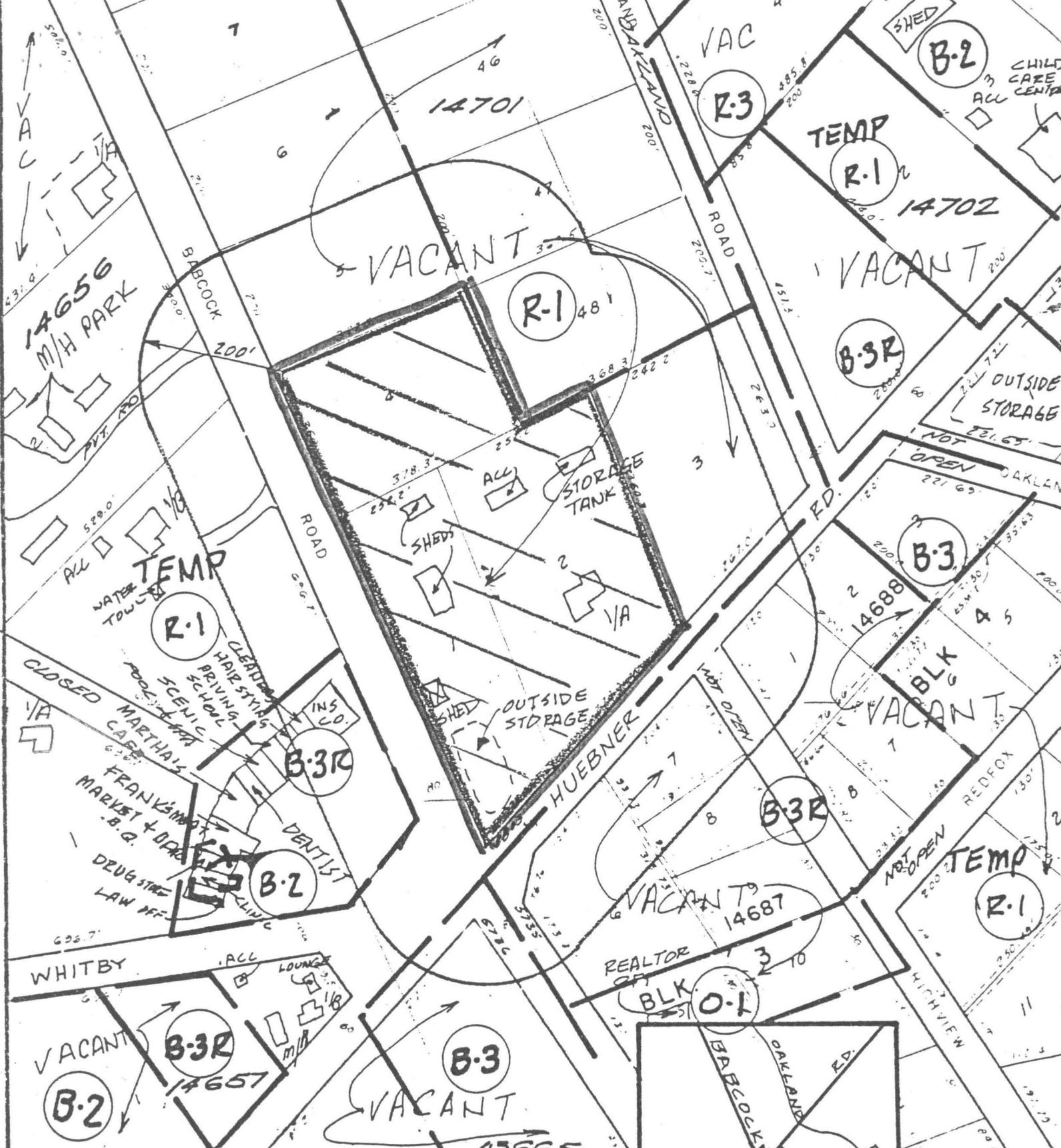
RESOL. \_\_\_\_\_

PETITION \_\_\_\_\_

| COUNCIL MEMBER                        | ROLL CALL | AYE    | NAY |
|---------------------------------------|-----------|--------|-----|
| MARIA A. BERRIOZABAL<br>PLACE 1       |           | ✓      |     |
| JOE WEBB<br>PLACE 2                   |           | absent |     |
| HELEN DUTMER<br>PLACE 3               |           | ✓      |     |
| FRANK D. WING<br>PLACE 4              |           | ✓      |     |
| BERNARDO EURESTE<br>PLACE 5           |           | absent |     |
| BOB THOMPSON<br>PLACE 6               |           | absent |     |
| JOE ALDERETE, JR.<br>PLACE 7          |           | ✓      |     |
| G.E. "ED" HARRINGTON<br>PLACE 8       |           | ✓      |     |
| VAN ARCHER<br>PLACE 9                 |           | ✓      |     |
| JAMES C. HASSLOCHER<br>PLACE 10       |           | ✓      |     |
| HENRY G. CISNEROS<br>PLACE 11 (MAYOR) |           | absent |     |

Provided that the applicant work with the Traffic Engineering Division for street dedication, proper access and off-street parking.

W/Deer Restrictions  
city height if not more than 2 1/2 stories  
sign control, paving & no alcohol  
barriers to be built.



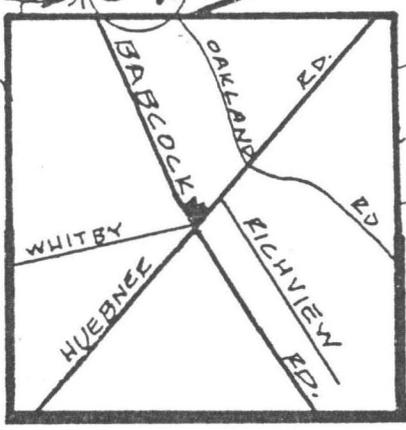
# ZONING CASE 283071

CITY COUNCIL DIST. NO. 8

REQUESTED ZONING CHANGE FROM TEMP "R-1" SINGLE FAMILY DIST. TO "B-3R" RESTRICTIVE BUSINESS DIST.

DATE APRIL 28, 1983

SCALE 0' 100' 200' 300' 400'



NORTH

DEPT. OF PLANNING

SAN ANTONIO, TEXAS

TO: CITY CLERKS

REQUEST FOR NOTICE FOR PUBLIC HEARING:

CASE 283071 NAME A.W. Rohde, III

The rezoning and reclassification of :

LOCATION:                               Lots 1, 2, and 4, Block 1, NCB 14701  
In the 5800 Block of Babcock Road  
In the 8800 Huebner Road.

FOR INFORMATION ONLY

Subject property is located north of the intersection of Babcock Road and Huebner Road having 813' on Babcock Road and 556' on Huebner Road.

FROM:           Temporary "R-1" One Family Residence District

TO:             "B-3R" Restrictive Business District

The Zoning Commission has recommended that this request of change of zone be approved  
by the City Council.

Department of Planning and Zoning

APPLICANT: A.W. Rohde, III

ZONING CASE NO. Z83071

STATUS OF APPLICANT: Purchaser

APPEAL CASE

YES \_\_\_\_\_

NO XX

OWNER OF PROPERTY : Mr. & Mrs. W.G. Mayton

OWNER CONCURS WITH THIS REZONING REQUEST

YES XX

NO \_\_\_\_\_

DATE OF APPLICATION: February 3, 1983

LOCATION OF PROPERTY

Lots 1, 2, and 4, Block 1, NCB 14701  
In the 5800 Block of Babcock Road.  
In the 8800 Huebner Road.

FOR INFORMATION ONLY

Subject property is located north of the intersection of Babcock Road and Huebner Road having 813' on Babcock Road and 556' on Huebner Road.

REQUESTED CHANGE IN ZONING

From Temporary "R-1" One Family Residence District to "B-3R" Restrictive Business District.

ZONING COMMISSION PUBLIC HEARING HELD ON March 1, 1983

Information Presented By Applicant

Mr. A.W. Rohde, III, 4139 Gardendale, stated that he is requesting the change of zoning because he proposes to build an office and retail shopping center on the subject property. He further stated that the property is under contract subject to the change of zoning. He stated that he has met with the neighbors and they are in agreement to the proposed use.

IN OPPOSITION

Mrs. Helen Burstein, 6083 Babcock, stated that she was representing the Alamo Farm Babcock Homeowners Association and they are in opposition to the proposed change of zoning. She stated that the homeowners association has not been able to meet with Mr. Rohde. She stated that they are looking for some strong assurance that landscaping, sign control, building height, and fencing will be provided. She stated that the homeowners association would like to work with the applicant in order to come to some agreement.

REBUTTAL

Mr. Rohde stated that he is willing to make a definite commitment by deed restricting the property. [The deed restrictions would include building height of not more than 2½ stories, sign control, fencing and no alcoholic beverages to be sold on the property.] He stated that the proposed use would be the highest and best use of the property.

RECORDS OF NOTICES RECEIVED BEFORE HEARING

There were seventeen notices mailed out to the surrounding property owners, none returned in opposition and nine returned in favor.

COMMISSION ACTION

MOTION WAS MADE BY Mrs. Kachtik and seconded by Mr. Washington to recommend approval fo the requested petition from Temporary "R-1" One Family Residence District to "B-3R" Restrictive Business District by the following votes:

Kachtik, Washington, Williams, Rodriguez, Adams, McNeel, Oviedo, Alvarado, Davies, Polunaky voting in the affirmative; none voting against; Meza being absent. THE MOTION CARRIED.

REASONS FOR ACTION

1. Subject property is located Lots 1, 2, and 4, Block 1, NCB 14701, in the

Other Recommendations

It is further stipulated that the applicant work with Traffic Section for street dedication, proper access and off-street parking to be provided.

RESULTS OF NOTICES FOR COUNCIL HEARING

(To be provided at Council Hearing).

# Affidavit of Publisher

THE STATE OF TEXAS, }

COUNTY OF BEXAR  
CITY OF SAN ANTONIO

Before me, the undersigned authority, on this day personally appeared Irene Palencia,, who being by me duly sworn, says on oath that she is Office Supervisor of the Commercial Recorder, a newspaper of general circulation in the City of San Antonio, in the State and County aforesaid, and that the Ordinance #56894 hereto attached has been published in every issue of said newspaper on the following days, to-wit: May 3,, 1983.

AN ORDINANCE 56894

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. That Section 42-22 of Chapter 42 of the City Code that constitutes the comprehensive zoning ordinance of the City of San Antonio be and the same is hereby amended, so that it shall hereafter include the following described changes in classification and the rezoning of the hereinafter designated property, to-wit:

(CASE NO. Z83071)

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SECTION 2. That all other provisions of said Chapter 42, as amended, shall remain in full force and effect, including the penalties for violations as made and provided in Section 42-11.

SECTION 3. That the Director of planning shall change in his records and zoning maps in accordance herewith and the same shall be available and open to the public for inspection.

SECTION 4. That this ordinance is not severable.

PASSED AND APPROVED this 28th day of April, 1983.

/s/Henry Cisneros  
MAYOR

ATTEST:  
/s/Norma S. Rodriguez  
City Clerk

Sworn to and subscribed before

Irene Palencia  
\_\_\_\_\_ of May \_\_\_\_\_, 1983

Henry Cisneros  
\_\_\_\_\_ and for Bexar County,

# Affidavit of Publisher

THE STATE OF TEXAS,

COUNTY OF BEXAR  
CITY OF SAN ANTONIO

Before me, the undersigned authority, on this day personally appeared Irene Palencia, who being by me duly sworn, says on oath that he is Office Supervisor of the Commercial Recorder, a newspaper of general circulation in the City of San Antonio, in the State and County aforesaid, and that the Ordinance #56894-Corrected Copy hereto attached has been published in every issue of said newspaper on the following days, to-wit: May 12, 1983.

CORRECTED COPY  
AN ORDINANCE 56894  
AMENDING CHAPTER 42 OF  
THE CITY CODE THAT  
CONSTITUTES THE COMPRE-  
HENSIVE ZONING ORDI-  
NANCE OF THE CITY OF SAN  
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SECTION 4. That this ordinance is not severable.

PASSED AND APPROVED this 28th day of April, 1983.

/s/Henry Cisneros  
MAYOR

ATTEST:

Sworn to and subscribed before me this 1 Day of May, 1983.

Irene Palencia

A. Orozco

in and for Bexar County,