

AN ORDINANCE **42309**

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. 5013)

The rezoning and reclassification of property from Temporary "R-1" Single Family Residence District to "R-3" Multiple Family Residence District, listed below as follows:

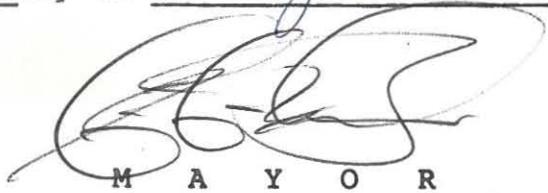
A 86.746 acre tract of land out of NCB 14743, 14744, 14745, 14748, 14749, 14750, 14751, 14889 and 14890, located southeast of the intersection of University Blvd. and Mockernut Road; having a frontage of 5186.42' on University Blvd. and a maximum depth of approximately 1115'. A 2.84 acre tract of land out of the 86.746 acres is located northwest of the intersection of Hausman Road and Mockernut Road; having 915' on Mockernut Road and 173.14' on Hausman Road, being further described by field notes filed in the Office of the City Clerk.

Provided that proper platting is accomplished.

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 his records and zoning maps in accordance herewith and the same shall be available and open to the public for inspection.

PASSED AND APPROVED this 7th day of June 19 73.



M A Y O R
Charles L. Becker

ATTEST: JH. Luchman
C I T Y C L E R K

APPROVED AS TO FORM: Howard L. Walker
City Attorney

73-29

Affidavit of Publisher

THE STATE OF TEXAS, }

COUNTY OF BEXAR
CITY OF SAN ANTONIO }

Before me, the undersigned authority, on this day personally appeared _____

Mrs. Charles D. Treuter, who being by me duly sworn,

says on oath that she is ~~one of~~ the publishers 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 42309 Case No. 5013 hereto attached has been published in

every issue of said newspaper on the following days, to-wit: _____

June 8, _____, 1973

AN ORDINANCE 42309

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CASE NO. 5013

The rezoning and reclassification of property from Temporary "R-1" Single Family Residence District to "R-3" Multiple Family Residence District, listed below as follows:

A 86.746 acre tract of land out of NCB 14743, 14744, 14745, 14748, 14749, 14750, 14751, 14889 and 14890, located southeast of the intersection of University Blvd. and Mockernut Road; having a frontage of 5186.42' on University Blvd. and a maximum depth of approximately 1115'. A 2.84 acre tract of land out of the 86.746 acres is located northwest of the intersection of Hausman Road and Mockernut Road; having 915' on Mockernut Road and 173.14' on Hausman Road, being further described by field notes in the Office of the City Clerk.

Provided that proper replatting is accomplished.

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 his records and zoning maps in accordance herewith and the same shall be available and open to the public for inspection.

PASSED AND APPROVED this 7th day of June, 1973.

CHARLES L. BECKER
Mayor

ATTEST:

J. H. INSELMANN
City Clerk

Charles D. Treuter

Sworn to and subscribed before me this 8th day of June, 1973

Ernest C. Carrola
Notary Public in and for Bexar County Texas

Ernest C. Carrola

5013

4224

#5013

4512

VICKREY & ASSOCIATES

ENGINEERING,
DESIGN, PLANNING

8107 Broadway, Suite 101, San Antonio, Texas, 78209 (512) 828-6411

FIELD NOTES

FOR

R-3

86.746 acres of land, more or less, out of the Anselmo Pru, O.S. 20, Abstract 571, County Block 4766, Bexar County, Texas, and being more particularly described as follows to wit:

Beginning: at a point on the North R.O.W. line of Hausman Road, said point being N 88°17'07" W, 703.19 feet from the most southeasterly extremity of a 71.29 foot cutoff at the intersection of the East R.O.W. line of Babcock Road with the North R.O.W. line of Hausman Road;

Thence: N 01°33'17" E, 929.08 feet to a point;

Thence: N 89°28'44" E, 166.76 feet to a point;

Thence: N 01°33'17" E, 783.65 feet to a point;

Thence: N 89°28'44" E, 2214.07 feet to the point of curvature of a curve to the left;

Thence: Northeasterly along said curve to the left having a radius of 1260.00 feet and a central angle of 49°08'23", a tangent which bears N 89°28'44" E, 576.07 feet, and an arc length of 1080.64 feet to the point of return curvature of a curve to the right;

Thence: Northeasterly along said curve to the right having a radius of 1140.00 feet and a central angle of 47°49'06", a tangent length of 505.40 feet and an arc length of 951.43 feet to the point of tangency;

Thence: N 88°09'27" E, 940.28 feet to a point on the property line of a 1037.873 acre tract;

Thence: The following bearings and distances along the property line of a 1037.873 acre tract as follows:

S 56°15'05" W, 238.92 feet to an angle point;

S 36°01'57" W, 75.00 feet to the Northeast corner of a 0.046 acre water well site;

N 53°58'03" W, 100.00 feet to the Northwest corner of a 0.046 acre water well site;

Field Notes for
86.746 acres of land
Page 2

S 36°01'57" W, 20.00 feet to the Southwest corner of a
0.046 acre water well site;

S 53°58'03" E, 100.00 feet to the Southeast corner of a
0.046 acre water well site;

S 36°01'57" W, 126.95 feet to an angle point;

S 46°22'27" W, 414.73 feet to a point;

N 46°01'23" W, 309.18 feet to a point;

~~S~~ 43°08'07" W, 172.61 feet to a point;

N 46°51'53" W, 180.00 feet to an angle point;

S 89°19'37" W, 83.13 feet to an angle point;

S 43°08'07" W, 105.23 feet to the easternmost corner of
a 0.060 acre water tank site;

N 46°41'53" W, 105.00 feet to the Northernmost corner of
a 0.060 acre water tank site;

S 43°08'07" W, 25.00 feet to the Westernmost corner of a
0.060 acre water tank site;

S 46°41'53" E, 105.00 feet to the Southernmost corner of
a 0.060 acre water tank site;

S 43°08'07" W, 814.14 feet to the point of curvature to the
left;

Southwesterly along said curve to the left having a radius
of 120.00 feet and a central angle of 62°06'30", a tangent
length of 72.26 feet and an arc length of 130.08 feet to
the point of tangency;

S 18°58'23" E, 399.57 feet to the point of curvature of a
curve to the right;

Southwesterly along said curve to the right having a radius
of 33.50 feet and a central angle of 62°57'00", a tangent
length of 20.51 feet, and an arc length of 36.81 feet to the
point of tangency;

S 43°58'37" W, 73.38 feet to the point of curvature of a
curve to the right;

Field Notes for
86.746 acres of land
Page 3

Southwesterly along said curve to the right having a radius of 130.00 feet and a central angle of $44^{\circ}18'30''$, a tangent length of 52.93 feet and an arc length of 100.53 feet to the point of tangency;

S $88^{\circ}17'07''$ W, 566.45 feet to a point;

N $01^{\circ}33'17''$ E, 165.00 feet to a point;

S $88^{\circ}17'07''$ W, 1260.10 feet to a point;

S $01^{\circ}33'17''$ W, 395.10 feet to a point;

S $88^{\circ}17'07''$ W, 595.00 feet to a point;

N $01^{\circ}33'27''$ E, 27.50 feet to a point;

N $86^{\circ}11'13''$ W, 75.78 feet to an angle point;

S $76^{\circ}48'15''$ W, 174.63 feet to an angle point;

S $88^{\circ}17'07''$ W, 420.10 feet to a point;

S $01^{\circ}33'17''$ W, 556.46 feet to the point of curvature of a curve to the right;

Southwesterly along said curve to the right having a radius of 25.00 feet and a central angle of $86^{\circ}43'50''$, a tangent length of 23.61 feet and an arc length of 37.84 feet to the point of tangency, being on the North R.O.W. line of Hausman Road;

Thence: S $88^{\circ}17'07''$ W, 143.15 feet along the North R.O.W. line of Hausman Road to the point of beginning, containing 86.746 acres of land, more or less.

Job No C-198
pe
March 1, 1973

TO: City Clerk

Date May 18, 1973

REQUEST FOR NOTICE FOR PUBLIC HEARING:

CASE 5013 NAME Quincy Lee Company

The rezoning and reclassification of:

A 86.746 acre tract of land out of NCB 14743, 14744, 14745, 14748, 14749, 14750, 14751, 14889 and 14890, being further described by field notes filed in the office of the Building and Planning Administration Department

FOR INFORMATION ONLY

Located southeast of the intersection of University R Blvd. and Mockernut Road; having a frontage of 5186.42' on University Blvd. and a maximum depth of approximately 1115'. A 2.84 acre tract of land out of the 86.746 acres is located northwest of the intersection of Hausman Road and Mockernut Road; having 915' on Mockernut Road and 173.14' on Hausman Road

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

TO: "R-3" Multiple Family Residence District

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

NAME OF APPLICANT: Quincy Lee Company

ZONING CASE NO.:
Appeal Case
Yes _____
No XXX

DATE OF APPLICATION: March 10, 1973

LOCATION OF PROPERTY:

An 86.746 acre tract of land out of NCB 14743, 14744, 14745, 14748, 14749, 14750, 14751, 14889 and 14890, being further described by field notes filed in the office of the Building and Planning Administration Department

FOR INFORMATION ONLY

Located southeast of the intersection of University Blvd. and Mockernut Road; having a frontage of 5186.42' on University Blvd. and a maximum depth of approximately 1115'. A 2.84 acre tract of land out of the 86.746 acres is located northwest of the intersection of Hausman Road and Mockernut Road; having 915' on Mockernut Road and 173.14' on Hausman Road

ZONING CHANGE REQUESTED:

From Temporary "R-1" Single Family Residence District to "R-3" Multiple Family Residence District

ZONING COMMISSION PUBLIC HEARING ON MAY 2, 1973:

Information Presented by Applicant:

Mr. Ralph Bender, Architect and Planning Consultant, representing the Quincy Lee Company in this request, stated to the Commission that the subject property consists of some 87 acres in total. The area was annexed at the same time the university site as annexed to the City of San Antonio. The property is still owned by Mr. Bill Cox of Corpus Christi and the Quincy Lee Company has the land under option. Mr. Bender was not sure whether that contract had been consummated yet, but the Lee Company is purchasing the property from Mr. Cox. Mr. Cox is one of the three person owners of the university site and he owns substantial, additional property to the east and adjacent of this particular subject tract of land. Mr. Bender presented a site plan indicating the subject property in relation to the UTSA site. The new S. University Blvd. is being constructed at the present time from Babcock Road over to IH 10. Subject property fronts on the proposed University Blvd. Mr. Bender stated that they have indicated a possible future commercial development at the entrance of the university. They are now requesting merely "R-3" for density housing. One of the main considerations is the fact that they are adjacent to the university and at some future date they might come back and request some commercial zoning for a planned commercial facility that might relate directly to the university. He stated that these plan were probably a long time in the future and they would much rather wait until they have some sort of definite plans for commercial development before they request any commercial zoning in that area. They are now requesting, over the entire tract of land, "R-3" for high density housing and hope, to a large measure, to protect the integrity of the proposed University Blvd. by controlling the access in a substantial way. Their present proposal is to come off Hausman Road at the western extremity of the property and create a road in the center of the property beginning north and south and then running east and west paralleling the proposed University Blvd. and then coming north again tying into one of the main entrance roads. Mr. Bender stated that the university is actually a double frontage university being on the north and south sides of the property. In addition to the university

buildings in the first phase are proposing a covered walkway that runs from property line to property line so that a covered walkway from the university is proposed to be construct almost out to the new University Blvd. so that students will be able to go to the housing area under a covered walkway into the university. Mr. Bender felt that this would be an advantage, both to the university and the property in question. Referring back to the plans itself, the total 87 acres will be of high density which the majority will be rental units. They will be geared to the faculty and the students of the university. This is a magnificent piece of property and immediately to the south, there is a single family development that was constructed not too long ago. He felt that this total area can be developed very much in the Mary Mont fashion where they have an integration of different types of housing units in the same area. There will be a substantial number of lots retained in the subdivision to the south that will be used for single family. Mr. Bender further stated that this was the opportunity to come in with a development plan that will preclude the possibility of long range strip zoning around the university. Mr. Bender further indicated that Mr. Cox and Mr. Lee were present to answer any questions that the Commission might have.

One of the Commission members questioned whether applicant had contacted or worked the the university in regards to the development of the subject property.

Mr. Lee stated that he contacted Dr. Flawn of the university and told him what they were in the process of doing. He contacted him about three days before they could have gotten a notice and told him briefly what they were doing and that they did not know at this time precisely what shape the buildings would take and so forth. Mr. Lee suggested that if Mr. Flawn was desirous, they would meet with his staff and see what could be resolved.

IN OPPOSITION

1. Col. Ken R. Milam, Rt. 2, Box 184N, stated to the Commission that he has 240' frontage on the property that proponent is purchasing. He did not agree with the proponent that the type of housing will cater to the students and will be compatible to the type of homes in the area. His home is almost \$120,000 value and several homes in that area run in the \$100,000 to the \$120,000 range. He felt that there should be a buffer zone established so the adjoining home owners will not be faced with apartments on their back yards.
2. Mr. Ernie DeWinne, Rt. 2, Box 184B, stated to the Commission that the proposed development would degrade and devalue their homes which have been in a residential area for twelve years. It was his feeling that this property be maintained in either single

family development or at least condominiums comparable to what the area consists of now.

The Commission asked Mr. DeWinne why so few homes had been constructed in this area and he stated that the former owner had actually constructed five homes on a speculative basis. This owner owned the entire 12,000 acres bounded by Babcock Road, IH 10, F.M. 1604, and Hausman Road.

3. Mr. Harold Posey, 6934 Willow Oak, stated to the Commission that his only concern was the applicant's definite proposal for the subject property
4. Mrs. Gary, Rt. 2, Box 184E, stated to the Commission that her residence is at the intersection of Ridge Oak and Willow Oak and she would oppose this intersection becoming a runway.

REBUTTAL

Mr. Bender stated that he wished to apologize to the Commission for getting so much opposition which they were not aware of. He stated that the Quincy Lee Company mailed out a letter to the home owners indicating they were in the process of obtaining such particular application. Mr. Bender further stated that the homes in this area are truly magnificent homes, but he does not think that high density structures will devalue the homes in that area. He further stated that there is an agreement that the company will make as to the setback lines adjacent to the single family homes.

STAFF RECOMMENDATIONS:

Discussion:

Property in question is located south of the proposed University of Texas campus and will have frontage onto a street R.O.W. that will function as a major arterial for this area. In the staff's opinion, the proposed use will serve the needs of this area when the University is completed.

Staff Recommendations:

Approval
Proper platting

Traffic and Transportation Department Recommendations:

University Blvd. and Hausman Road should provide adequate access to the area in question.

Results of Notices Received Before Hearing:

There were twelve notices mailed to the surrounding property owners, none returned in opposition and three returned in favor.

COMMISSION ACTION:

By a vote of seven in favor and two being absent, the Commission recommended approval of this request.

Reasons for Action:

- (1) Property is located southeast of the intersection of University Blvd. and Mockernut Road
- (2) It fronts on the proposed University Blvd.
- (3) Directly south of the property is the University of Texas of San Antonio site.
- (4) The zoning change to "R-3" would appear to offer a use that would service the needs of the area and the University of Texas when it is completed.
- (5) There was considerable opposition to this change from the homeowners in the Dell Oaks Subdivision but proponent has agreed to work with the homeowners in this subdivision in an effort to establish legally binding criteria which will be mutually acceptable to the developer and the homeowners.
- (6) Screening was specified only to separate the existing dwellings from the subject property which would be only a spotting area of screening.

Other Recommendations:

It is further recommended that platting be accomplished, that applicant work with the Traffic Department and that applicant work with the property owners interested in that area in regards to the development

RESULTS OF NOTICES FOR COUNCIL HEARING:

(To be provided at Council Hearing.)

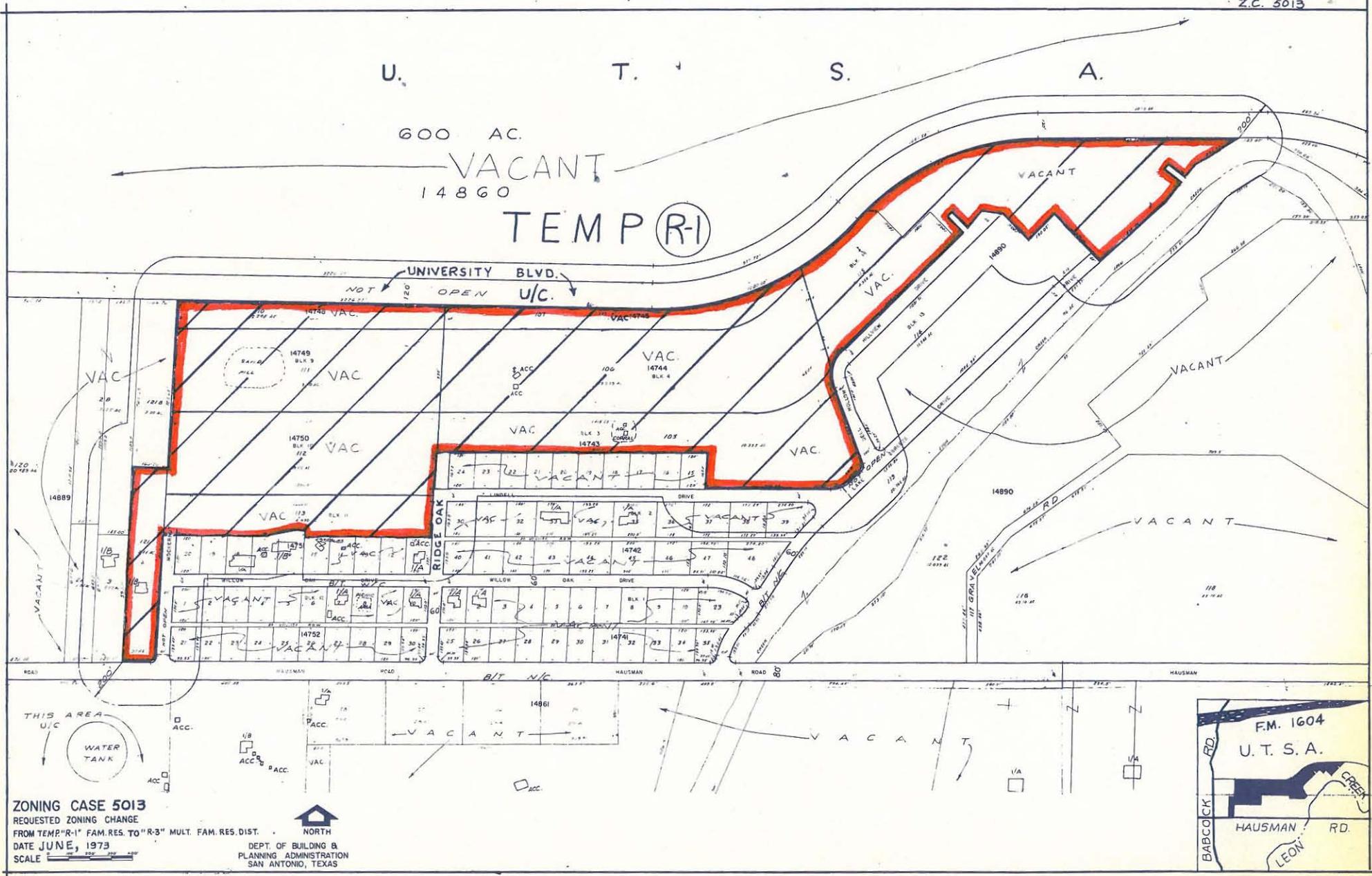
U. T. S. A.

600 AC.

VACANT
14860

TEMP (R-1)

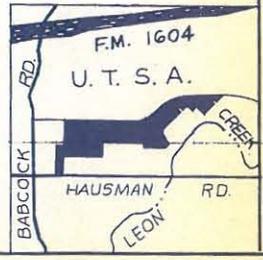
UNIVERSITY BLVD.
NOT OPEN U/C.



ZONING CASE 5013
 REQUESTED ZONING CHANGE
 FROM TEMP "R-1" FAM. RES. TO "R-3" MULT. FAM. RES. DIST.
 DATE JUNE, 1973
 SCALE



DEPT. OF BUILDING &
 PLANNING ADMINISTRATION
 SAN ANTONIO, TEXAS



FIRST CITY NATIONAL BANK
OF HOUSTON

HOUSTON, TEXAS

June 1, 1973

RECEIVED

JUN 4 1973

OFFICE OF THE
CITY COUNCIL

C

City Planning Department
City of San Antonio
P. O. Box 9066
San Antonio, Texas 78285

Reference: Zoning Application No. 5013
Quincy Lee Company - 87.6 acres

Gentlemen:

O

This Bank serves as Executor of the Estate of Essie M. Lee, which Estate owns 103 acres adjoining the property which is the subject of the above captioned Zoning Application. As adjoining land owner we have been kept apprised of Mr. Lee's intentions on the property and we feel that his plan would benefit all of the adjoining land owners and without hesitation recommend your approval. Mr. Lee's reputation as a builder and developer should insure a quality project of the highest standards which we all as land owners are seeking.

P

I am sorry that a previous engagement in another city will not allow my presence at the hearing. However, please accept this as our complete support for Mr. Lee's plan.

Yours very truly,

Original Signed By
Howard R. Vincent
Howard R. Vincent
Trust Officer

Y

HRV/jms

cc: City Council
City Hall
San Antonio, Texas

Mr. Steve Lee
Apt. D, 8010 Vantage
San Antonio, Texas 78230

Mr. Robert K. Reagor
5701 Broadway, Suite 203
San Antonio, Texas 78209

Copies sent to Council 6-5
CITY CLERK
JUN 5 1973
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File

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JUN 4 1973

OFFICE OF THE
CITY COUNCIL

Planning & Zoning Commission
City of San Antonio
P. O. Box 9066
San Antonio, Texas 78285

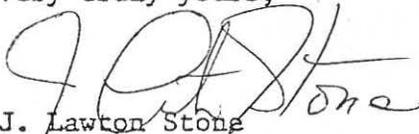
Re: ZONING CASE NO. 5013
APPLICANT - QUINCY LEE CO.

Gentlemen:

As a property owner in the UTSA area and, more specifically, to the east of subject 86 acre tract, I feel the proper usage of this property would be as requested — multi-family development.

I sincerely hope that this application will receive favorable consideration.

Very truly yours,



J. Lawton Stone

CC: San Antonio City Council
Mr. Steve Lee

June 1, 1973

Copies sent to council 6-5

File Reading file

CITY CLERK

JUN 1 1973

CITY CLERK

DISTRIBUTION

AVIATION DIRECTOR	
BUILDING & PLANNING ADMIN.	2
CITY WATER BOARD	
COMMERCIAL RECORDER	1
COMMUNITY DEVELOPMENT OFFICER	
COMMUNITY ANALYSIS DIVISION	
COMPREHENSIVE PLANNING	
CONVENTION BUREAU	
CONVENTION CENTER	
FINANCE DIRECTOR	
ASSESSOR	1
BUDGET	
CONTROLLER	
TREASURY DIVISION	
FINANCE-MODEL CITIES	
FINANCE-GRANT SECTION	
INTERNAL AUDIT	
MANAGEMENT ANALYSIS	
PROPERTY RECORDS	
FIRE CHIEF	
HEALTH DIRECTOR	
HEMISFAIR PLAZA	
LAND DIVISION	
LEGAL	
BACK TAX ATTORNEY	
LIBRARY DIRECTOR	
MARKET & PARKING	
MODEL CITIES	
MUNICIPAL COURTS	
PARKS & RECREATION DEPT.	
PERSONNEL DIRECTOR	
POLICE CHIEF	
PRESS ROOM	
PUBLIC INFORMATION	
PUBLIC WORKS DIRECTOR	
ENGINEERING DIV.	
ENGINEERING - SEWERS	
PUBLIC SAFETY - ASSOC. MGR.	
PURCHASING	
SPECIAL SERVICES	
TRAFFIC & TRANSPORTATION	
ASSOC. MGR. C. GUERRA	

ITEM NO. G.

JUN 7 1973

MEETING OF THE CITY COUNCIL DATE: _____

MOTION BY: Sen M SECONDED BY: Mendoza

ORD. NO. 42309 ZONING CASE 5013

RESOL. _____ PETITION _____

COUNCIL MEMBER	ROLL CALL	AYE	NAY
LILA COCKRELL PLACE NO. 1		<u>abs</u>	
DR. JOSE SAN MARTIN PLACE NO. 2		<input checked="" type="checkbox"/>	
CHARLES L. BECKER PLACE NO. 3		<input checked="" type="checkbox"/>	
REV. CLAUDE BLACK PLACE NO. 4		<input checked="" type="checkbox"/>	
GLENN LACY PLACE NO. 5		<input checked="" type="checkbox"/>	
CLIFFORD MORTON PLACE NO. 6		<input checked="" type="checkbox"/>	
ALFRED BECKMANN PLACE NO. 7		<input checked="" type="checkbox"/>	
ALVIN G. PADILLA, JR. PLACE NO. 8		<input checked="" type="checkbox"/>	
LEO MENDOZA, JR. PLACE NO. 9		<input checked="" type="checkbox"/>	

provided that proper platting is completed

73-29