

AN ORDINANCE **39584**

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. 4225)

The rezoning and reclassification of property from "B" Two Family Residential District to "B-3" Business District, listed below as follows:

Tracts 521, 523, 525, 527, 529, the north 25.9' of Tract 519, the west 221.7' of Tract 531, NCB 7883

Lots 11 thru 15 and the remaining portions of Lots 10, 16 and 17, Blk. 6, NCB 8952

1427, 1413 and 1331 Commercial Avenue

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 17th day of June 19 71.

John M. [Signature]
MAYOR

ATTEST: *J. H. [Signature]*
CITY CLERK

APPROVED AS TO FORM: *Howard L. Walker*
City Attorney

DISTRIBUTION

DEPARTMENT	DATE	ORD. OR RESOL.	CONTRACT
AVIATION DIRECTOR			
BUDGET			
CITY MANAGER			
CITY WATER BOARD			
COMMERCIAL RECORDER			
CONVENTION BUREAU			
CONVENTION CENTER			
FINANCE DIRECTOR			
ASSESSOR & COLL.			
CONTROLLER			
CORPORATION COURT			
INTERNAL AUDIT			
PROPERTY RECORDS			
PURCHASING			
FIRE CHIEF			
HEALTH DIRECTOR			
HOUSING & INS. DIR.			
HUMAN RESOURCES			
LEGAL			
BACK TAX ATTY.			
CONDEMNATION ATTY.			
LAND DIVISION			
LIBRARY DIRECTOR			
MODEL CITIES			
MUNICIPAL FACILITIES			
PARKS & REC. DIR.			
PERSONNEL DIRECTOR			
PLANNING DIRECTOR			
POLICE CHIEF			
PRESS ROOM			
PUBLIC INFORMATION			
PUBLIC WORKS DIR.			
TRAFFIC & TRANS. DIR.			

ITEM NO. F.

JUN 17 1971

MEETING OF THE CITY COUNCIL

DATE:

MOTION BY: Haler

SECONDED BY: Becker

ORD. NO. 39584

ZONING CASE 4225

RESOL. _____

PETITION _____

COUNCIL MEMBER	ROLL CALL	AYE	NAY
CAROL R. HABERMAN PLACE NO. 1		✓	
ED H. HILL PLACE NO. 2		✓	
CHARLES L. BECKER PLACE NO. 3		✓	
DR. ROBERT L.M. HILLIARD PLACE NO. 4		✓	
LEO MENDOZA, JR. PLACE NO. 5		✓	
GILBERT GARZA PLACE NO. 6		<u>ales</u>	
PLEAS C. NAYLOR, JR. PLACE NO. 7		✓	
FELIX B. TREVINO PLACE NO. 8 MAYOR PRO-TEM		✓	
JOHN GATTI PLACE NO. 9 MAYOR		✓	

BRIEFED BY: _____

ADDITIONAL INFORMATION: check

71-28

REMARKS:

TO: CITY CLERK

DATE June 1, 1971

REQUEST FOR NOTICE FOR PUBLIC HEARING:

CASE 4225 NAME Jack Sims

The rezoning and reclassification of:

Tracts 521, 523, 525, 527, 529, the north 25.9' of Tract 519,
the west 221.7' of Tract 531, NCB 7883

Lots 11 thru 15 and the remaining portions of Lots 10, 16 & 17,
Blk. 6, NCB 8952

1427, 1413 and 1331 Commercial Avenue

FOR INFORMATION ONLY

Located on the north side of Gerald Avenue between Commercial Avenue and the R.O.W. of I.H. 35 Expressway; having 348.6' on Gerald Avenue, 432.42' on Commercial Avenue, 189.5' on I.H. 35 Expressway and a maximum distance of 521.72' between Commercial Avenue and I.H. 35 Expressway.

FROM: "B" Two Family Residential District

TO: "B-3" Business District

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

Department of Planning

ZONING CASE 4225

Appeal Case

APPLICANT: Jack Sims

Yes

No XXX

DATE OF APPLICATION: March 16, 1971

LOCATION OF PROPERTY:

Tracts 521, 523, 525, 527, 529, the north 25.9' of Tract 519, the west 221.7' of Tract 531, NCB 7883

Lots 11 thru 15 and the remaining portions of Lots 10, 16 & 17, Blk. 6, NCB 8952

1427, 1413 and 1331 Commercial Avenue

FOR INFORMATION ONLY

Located on the north side of Gerald Avenue between Commercial Avenue and the R.O.W. of I.H. 35 Expressway; having 348.6' on Gerald Avenue, 432.42' on Commercial Avenue, 189.5' on I.H. 35 Expressway and a maximum distance of 521.72' between Commercial Avenue and I.H. 35 Expressway.

ZONING CHANGE REQUESTED:

From "B" Two Family Residential District to "B-3" Business District

ZONING COMMISSION PUBLIC HEARING ON APRIL 21, 1971:

Information Presented by Applicant:

Mr. Jack Sims, owner of a portion of the subject property and attorney representing the owners of the remaining portion, stated the property is under an earnest money contract subject to rezoning. They want to erect a community store. This property is bounded by I.H. 35 to the west, a drainage ditch to the southwest, and Commercial Avenue on the east. Adjacent to this property there are residential uses. Mr. Sims stated that if a buffer zone were incorporated between the "B-3" and residential area, there would not be enough land use for parking.

Mr. Wallace B. Thomas, architect, stated the purpose for the requested change in zoning is to erect an 80,000 sq. foot rectangular building. Due to the shape of the lot, it is going to be difficult to get that large rectangle, which still leaves a balance of land available for the necessary parking. The drainage ditch is about 12' deep. He wants the Planning Commission to establish a building setback line so they don't have to come back to the Board of Adjustment.

Staff Recommendations:

Subject property which is located near the major intersection of Southcross and I.H. 35 Expressway, merits consideration of Business zoning, also consideration needs to be given to existing residential to the east and south.

We recommend "R-2" duplex zoning along the south and east property lines with some access for commercial traffic to Commercial Avenue and approval of "B-3" on the remaining portion. A sketch showing the Staff's recommendations will be submitted at Wednesday's meeting.

Traffic and Transportation Department Recommendations:

The intersection of Commercial and Southcross is carrying increased traffic volumes due to the proximity to the I.H. 35. Gerald is becoming a collector street in this area because of the traffic signal at Gerald and Pleasanton. Therefore, the dedication and development should be provided for future expansion of Gerald and Commercial for traffic generated by proposed.

Results of Notices Received Before Hearing:

Twenty-eight notices were mailed to the surrounding property owners. Six were returned in favor and three were returned "unclaimed".

COMMISSION ACTION:

Recommended approval.

Reasons for Action:

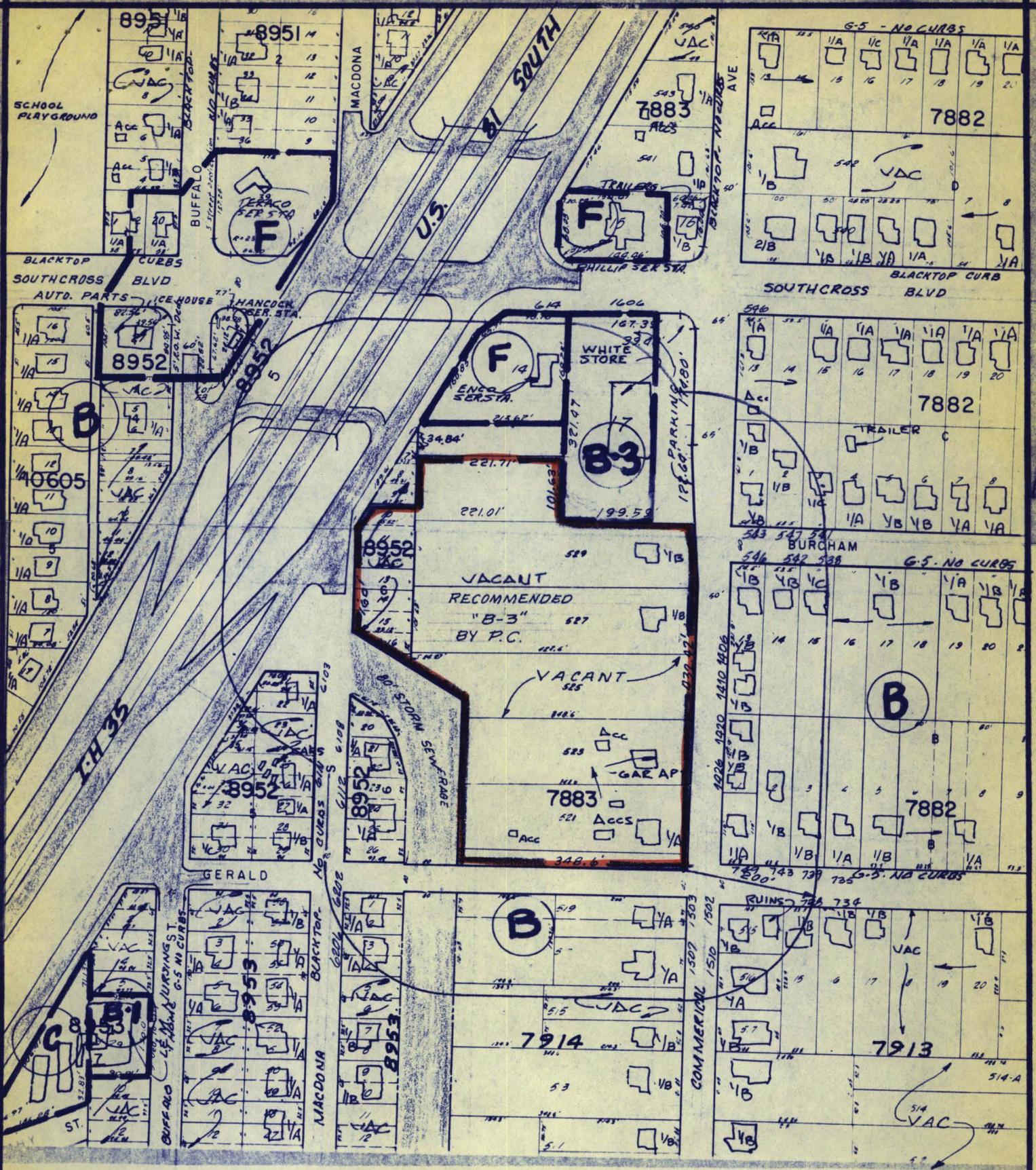
(1) The subject property is located on Commercial Avenue, Gerald Avenue, and I.H. 35 Expressway, which is a highly traveled thoroughfare. (2) The property in question abuts "F" Local Retail and "B-3" zoning to the north. (3) There was no opposition to the requested change in zoning.

Other Recommendations:

The applicant is to observe a 50' building setback line along the east property line facing Commercial Street, and a 50' setback line along the south property line facing Gerald Street. The applicant is to work with the Traffic Department for proper ingress and egress and have the property replatted.

RESULTS OF NOTICES FOR COUNCIL HEARING:

(To be provided at Council hearing.)



ZONING CASE 4225

REQUESTED ZONING CHANGE

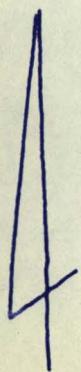
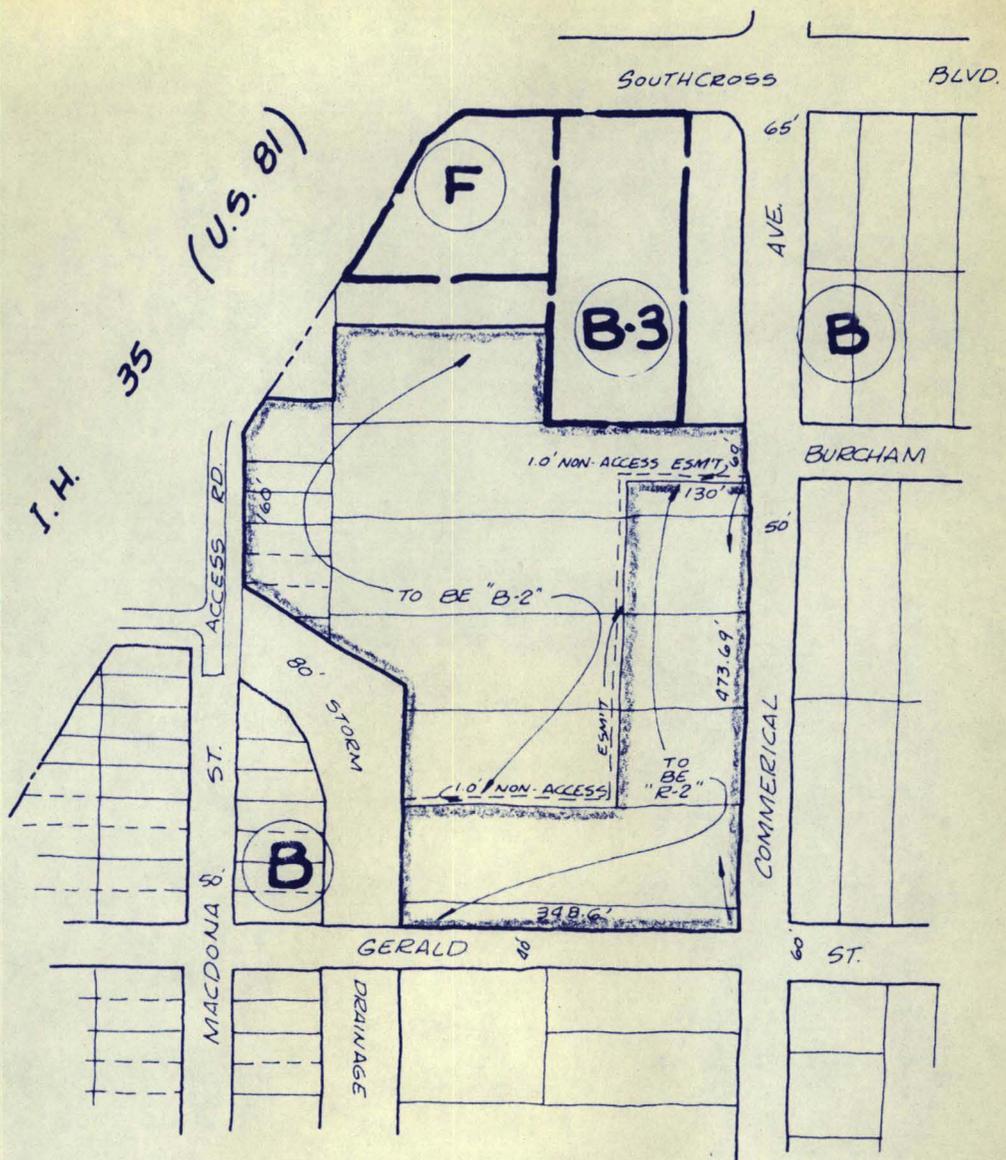
FROM "B" TWO FAM. RES. DIST. TO "B-3" BUS. DIST.

DATE JUNE 1971

SCALE 1" = 200'



NORTH



NORTH

Possible ZONING

ZONING CASE # 4225

PLANNING DEPT.

JUNE, 1971

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 he is ⁸ ~~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 An Ordinance 39584 (Case No. 4225) hereto attached has been published in

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

_____ June 18, 19 71

AN ORDINANCE 39584

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 re-zoning of the hereinafter designated property, to-wit:

CASE NO. 4225

The rezoning and reclassification of property from "B" Two Family Residential District to "B-3" Business District, listed below as follows:

Tracts 521, 523, 525, 527, 529, the north 25.9' of Tract 519, the west 221.7' of Tract 531, NCB 7883

Lots 11 thru 15 and the remaining portions of Lots 10, 16 and 17, Blk. 6, NCB 8952
1427, 1413 and 1331 Commercial Avenue

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 17th day of June, 1971.

JOHN GATTI
Mayor

ATTEST:
J. H. INSELMANN,
City Clerk.

Mrs. Charles D. Treuter

Sworn to and subscribed before me this 18th day of June, 19 71

Ernest C. Corbit

Notary Public in and for Bexar County, Texas