

AN ORDINANCE **41 106**

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. 4683)

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

TRACT 1, NCB 10848
3300 Block of Southcross

Provided that proper replatting is accomplished, that a six foot solid screen fence is erected along the north property line, that a one foot non-access easement is provided along the north property line and that a building set back line is established 50 feet from the north property line.

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 _____ day of _____ 19_____.

John Gallo
M A Y O R

ATTEST:

C I T Y C L E R K

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

DISTRIBUTION

ALCOHOL SAFETY ACTION	
AVIATION DIRECTOR	
CITY WATER BOARD	
CONVENTION BUREAU	
CONVENTION CENTER	
CORPORATION COURT	
FINANCE DIRECTOR	
ASSESSOR	1
BUDGET	
CONTROLLER	
TREASURY DIVISION	
FINANCE-MODEL CITIES	
INTERNAL AUDIT	
PROPERTY RECORDS	
FIRE CHIEF	
HEALTH DIRECTOR	
HOUSING & INSPECTIONS DIRECTOR	1
HUMAN RESOURCES	
LAND DIVISION	
LEGAL	
BACK TAX ATTORNEY	
LIBRARY DIRECTOR	
MANAGEMENT ANALYSIS	
MODEL CITIES	
MUNICIPAL FACILITIES	
PARKS & RECREATION DIRECTOR	
PERSONNEL DIRECTOR	
PLANNING DIRECTOR	1
POLICE CHIEF	
PRESS ROOM	
PUBLIC INFORMATION	
PUBLIC WORKS DIRECTOR	
ENGINEERING DIVISION	
PUBLIC SAFETY-ASSOC. MGR.	
PURCHASING	
TRAFFIC & TRANSPORTATION	
<i>Common Records</i>	1
CITY PUBLIC SERVICE BOARD	
AACOG	
S.A. TRANSIT SYSTEM	
URBAN RENEWAL AGENCY	

from the north property line.

ITEM NO. B.

AUG 24 1972

MEETING OF THE CITY COUNCIL DATE: _____

MOTION BY: Hill SECONDED BY: Becker

ORD. NO. 41 106 ZONING CASE 4683

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 MAYOR PRO TEM		✓	
PLEAS C. NAYLOR, JR. PLACE NO. 7		<i>abstain</i>	
ALVIN G. PADILLA, JR. PLACE NO. 8		✓	
JOHN GATTI PLACE NO. 9 MAYOR		✓	

add fence # 1 non-access easement and 50' set back along north
72-37

provided that proper replatting is accomplished, that a 6' solid screen fence is erected along the north property line, that a 1' non-access easement is provided along the north property line and that a building set back line is established 50'

TO: City Clerk

Date August 7, 1972

REQUEST FOR NOTICE FOR PUBLIC HEARING:

CASE 4683

NAME Nan S. Burke

The rezoning and reclassification of:

Tract 1, NCB 10848
3300 Blk. fof Southcross

FOR INFORMATION ONLY

Located northeast of the intersection of
Stringfellow Ave. and Southcross Blvd. having
900.99' on Southcross Blvd. and 530' on
Stringfellow Ave.

FROM: "A" Single Family Residential District

TO: "R-3" Multiple Family Residential District

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

Department of Planning

APPLICANT: Nan S. Burke

Yes

No XXX

DATE OF APPLICATION: JUNE 26, 1972

LOCATION OF PROPERTY:

Tract 1, NCB 10848
3300 Blk. of Southcross

FOR INFORMATION ONLY

Located northeast of the intersection of Stringfellow Ave. and Southcross Blvd. having 900.99' on Southcross Blvd. and 510' on Stringfellow Ave.

ZONING CHANGE REQUESTED:

From "A" Single Family Residential District
To "R-3" Multiple Family Residential District

ZONING COMMISSION PUBLIC HEARING ON JULY 19, 1972:

Information Presented by Applicant:

Mr. Richard Tynan, Commercial Sales Manager with the Naylor Realty, explained to the Commission that they are proposing to construct a luxury apartment complex. If possible, they want to get the whole area zoned "R-3", therefore, making plans for landscaping in order to provide privacy not only for the apartment dwellers but for the single family residences. They will use Stringfellow Avenue and open Chesterfield Drive for egress and ingress. Purchaser is willing to go along with the dedication of five feet on Stringfellow Avenue. These apartments will be approximately 800 sq. ft. downstairs and 800 sq. ft. upstairs. There will be 80 units on 11.95 acres.

Mr. John Barnes, stated that the apartments would enhance properties to the north.

Opposition Present:

1. W. B. Bennett, 1010 Glamis Avenue
2. Harold Schnavel, 216 Chesterfield
3. William Hunter, 863 Penneystone
4. Ralph Elliott, 1011 Glamis

Reasons for Opposition by Opponents Present:

1. The type of construction permitted on "R-3" zoning would make the area less attractive.
2. Opponents feel that it would interfere with the privacy of the single family homes.
3. It would result in the loss of property value and the loss of the owners investment.
4. There was opposition on making Chesterfield a thru street.

Applicant's Rebuttal:

Mr. Tynan explained to the Commission that they will be using Stringfellow out to Southcross for egress and ingress. This is where he thinks that it will be less traffic congestion. These apartments would not degrade the neighborhood because they will be luxury type apartments.

STAFF RECOMMENDATIONS:

Discussion:

We have met with proponents in this case and have discussed the applicant's proposal. It appears that the apartment units will be in an area adjacent to Southcross Blvd. and along the east property line. We discussed possible "R-2" Duplex development' along the north part of this tract and possible extension of Pennystone and Chesterfield into the subject property. We feel that a zoning pattern of "R-3" and "R-2" with access to the "R-3" project being on the extension of Pennystone would allow good transition between single-family residences and business zoning along Southcross Blvd.

Recommendation:

Approval of "R-2" duplex on the north 150' and "R-3" apartment on the remaining portion.
Proper platting.

Traffic and Transportation Department Recommendation:

A report from traffic states that extreme topographic, horizontal and vertical cervature problems exist relative to this property and Southcross Blvd. Unless something can be accomplished to verify these physical constraints we feel the health and safety of everyone will be jeopardized to a point that access should not be permitted to Southcross Blvd. Secondly, we recommend that access not be permitted to Chesterfield because it is a local street in nature. We, however, feel that Stringfellow, if improved to collector street standards, can accommodate the traffic load in a tolerable manner. This access however may not be in total harmony with noise and safety values of the surrounding neighborhood. Because of these difficulties and the apparent value of this property we recommend a postponement of this case until we can satisfactorily work out a plan justly accommodating the economic return and health and safety of everyone.

Results of Notices Received Before Hearing:

There were sixty-seven notices mailed to the surrounding property owners; ten returned in opposition and five were returned in favor.

COMMISSION ACTION:

By a vote of five in favor, two voting negative, one abstaining, and one being absent, the Commission recommended approval of this request.

Reasons for Action:

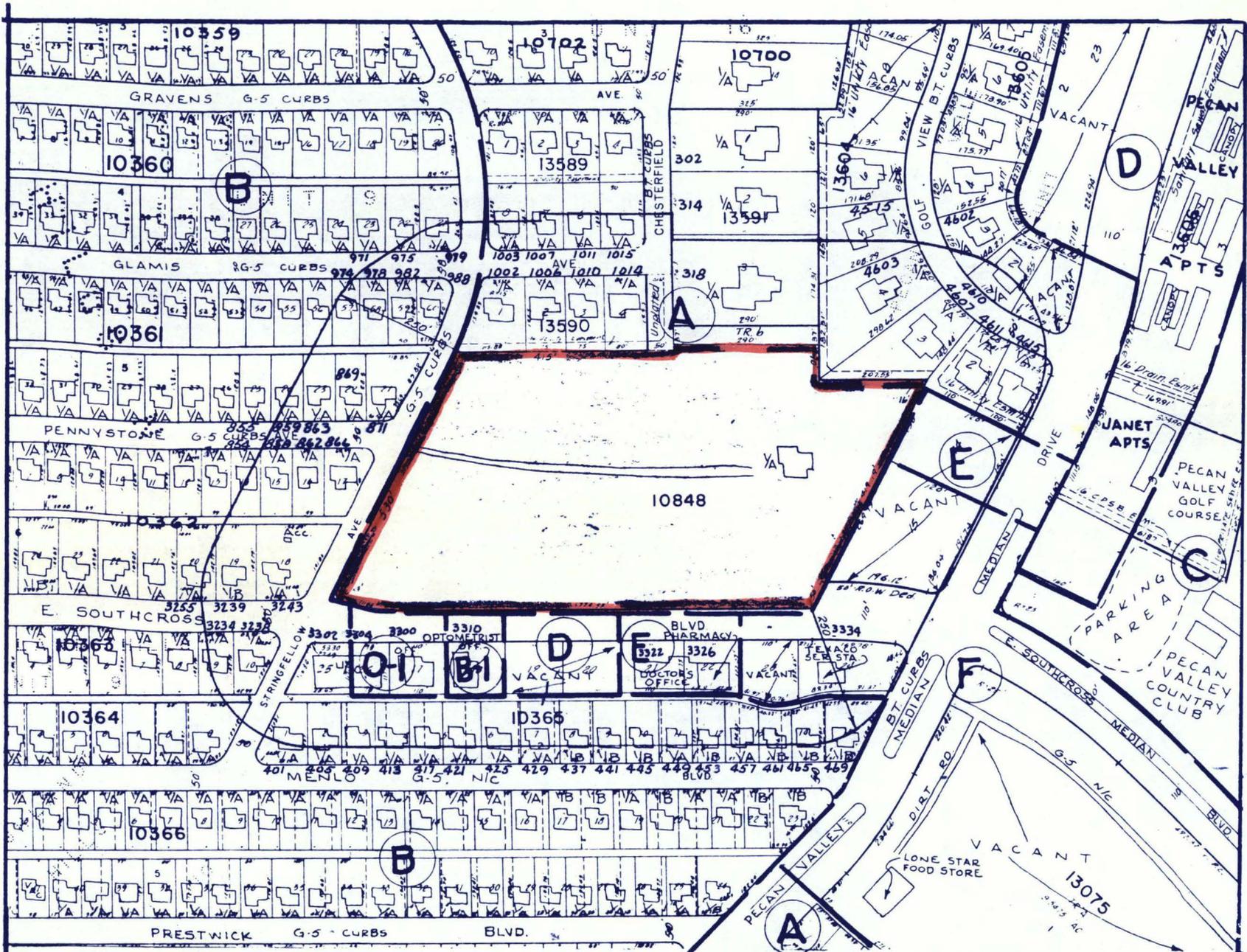
1. Subject property is located at the intersection of East Southcross and Stringfellow west of Pecan Valley Drive.
2. The land seems to be useful for this type of development.
3. If proper platting is done, egress and ingress can be handled on Stringfellow Drive.
4. There was some opposition from the neighborhood.
5. There shall be a 70' setback line on the north property line.
6. A non access easement shall be imposed on the plat along the north property line which would provide an adequate buffer between commercial zoning to the south and the single family residences to the north.

Other Recommendations:

It is further recommended that the property be replatted and that applicant work with the Traffic Department with regard to egress and ingress and that a 6' solid screen fence be erected along the north property line.

RESULTS OF NOTICES FOR COUNCIL HEARING:

(To be provided at Council hearing.)



ZONING CASE 4683

REQUESTED ZONING CHANGE
 FROM "A" RES. DIST. TO "R-3" MULT. FAMILY RES. DIST.

DATE AUG. 1972

SCALE



CITY PLANNING DEPT.
 SAN ANTONIO, TEXAS



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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 24th day of August 19 72.

M A Y O R

ATTEST: JH Brulmann
CITY CLERK

APPROVED AS TO FORM: Howard L. Walker
City Attorney

Affidavit of Publisher

THE STATE OF TEXAS,

COUNTY OF BEXAR
CITY OF SAN ANTONIO

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

Charles Grascchel

Assistant

says on oath that he 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 41106 Case No. 4683 hereto attached has been published in

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

August 25, 19 72

AN ORDINANCE 41106

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PASSED AND APPROVED this 24th day of August 1972.

JOHN GATTI
Mayor

ATTEST:

J. H. INSELMANN
City Clerk

Charles Grascchel

Sworn to and subscribed before me this 25th day of August, 19 72

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

Ernest C. Carrola