

AN ORDINANCE 33112

AMENDING SECTION 2 OF AN ORDINANCE ENTITLED "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN, ETC.," PASSED AND APPROVED ON NOVEMBER 3, 1938, BY CHANGING THE CLASSIFICATION AND RE-ZONING OF CERTAIN PROPERTY DESCRIBED HEREIN

\* \* \* \* \*

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

1. That Section 2 of an Ordinance entitled "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN, ETC.," passed and approved by the Commissioners of the City of San Antonio on the 3rd day of November, 1938, be and the same is hereby amended so that paragraph 3 of said Section 2 shall hereafter include the following described changes in classification and the re-zoning of the hereinbelow designated property, to-wit:

(CASE NO. 2328)

The rezoning and reclassification of property listed below as follows:

Lot 3, Blk 1, NCB 13748 from Temporary "A" Residence District to "D" Apartment District; Lot 1, Blk 1, NCB 13748 from Temporary "A" Residence District to "E" Office District; Lot 2, Blk 1, NCB 13748 and Lots 1 and 2, Blk 2, NCB 13749 from Temporary "A" Residence District to "F" Local Retail District; Lots 3, 4 and 5, Blk 2, NCB 13749 from Temporary "A" Residence District to "J" Commercial District; and Lot 1, Blk 3, NCB 13750 from Temporary "A" Residence District to "L" Manufacturing District.

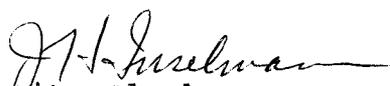
2. That all other provisions of said ordinance, as amended, shall remain in full force and effect, including the penalty for violations thereof as made and provided in Section 28.

3. That the Chief Building Inspector and the Director of Planning shall change their records and zoning maps in accordance herewith and the same are available and open to the public for inspection.

4. PASSED AND APPROVED this 4<sup>th</sup> day of March, A. D., 1965.

  
MAYOR Pro-Tem

ATTEST:

  
City Clerk

DISTRIBUTION

VOTE

*Passed*

Meeting of the City Council **MAR 4 1965** 1964

Motion By *Memo* Ord.# 33112

Seconded By *Jim* Case # 2328

Item # \_\_\_\_\_

Department	Date	Ord. or Resol.	Contract	COUNCIL MEMBER	ROLL CALL	AYE	NAY
Aviation (Int. Airport)				WALTER W. McALLISTER Place 1 Mayor		<i>al</i>	
Stinson Field				<del>GEORGE X... X... X...</del> Place 2 DR. CALDERON		✓	
Commercial Recorder	<i>3/4/65</i>	<i>1</i>		ROBERT C. JONES Place 3		✓	
Finance Director				JACK H. KAUFMAN Place 4		✓	
Budget				MRS. S.E. COCKRELL, JR. Place 5		✓	
Controller				JOHN GATTI Place 6, Mayor Pro-Tem		✓	
Purchasing				ROY S. PADILLA Place 7		✓	
Int. Audit				DR. GERALD PARKER Place 8		✓	
Fire Chief				ROLAND C. BREMER Place 9		✓	
Health Director				Briefed By:			
Housing & Insp. Director	<i>3/4/65</i>						
Legal							
Land							
Library				Additional Information:			
Parks & Recr.							
Personnel							
Planning Director	<i>3/4/65</i>	<i>1</i>					
Police Chief							
Public Works Director							
Traffic & Transp.							
Urban Renewal							
Other: <i>Taf</i>	<i>3/4/65</i>	<i>1</i>					

TO: CITY CLERK

DATE: February 15, 1965

REQUEST FOR NOTICE FOR PUBLIC HEARING:

CASE 2328 NAME Gus B. Preissman

The rezoning and reclassification of:

From Temporary "A" Residence District to "D" Apartment District

Lot 3, Blk. 1, NCB 13748

FOR INFORMATION ONLY:

Located on the west side of River Valley Drive 253.16' south of Nacogdoches Road; having 1208.62' on River Valley Drive and a depth of approximately 374.55'.

From Temporary "A" Residence District to "E" Office District

Lot 1, Blk. 1, NCB 13748

FOR INFORMATION ONLY:

Located on the south side of Nacogdoches Road 167.21' west of River Valley Drive; having 150' on Nacogdoches Road and a depth of 250.01'.

From Temporary "A" Residence District to "F" Local Retail District

Lot 2, Blk. 1, NCB 13748

FOR INFORMATION ONLY:

Located southwest of the intersection of River Valley Drive and Nacogdoches Road; having 253.16' on River Valley and 167.21' on Nacogdoches Road.

Lots 1 and 2, Blk. 2, NCB 13749

FOR INFORMATION ONLY:

Located southeast of the intersection of Nacogdoches Road and River Valley Drive; having 304.79' on Nacogdoches Road and 638.03' on River Valley Drive.

From Temporary "A" Residence District to "J" Commercial District

Lots 3, 4, and 5, Blk. 2, NCB 13749

Located on the south side of Nacogdoches Road on the north side of Dead Oak Drive and on the west side of Twisted Oak Road; having 269.37' on Nacogdoches Road, 580.87' on Dead Oak, and 733.21' on Twisted Oak.

Case 2328 (continued)

From Temporary "A" Residence District to "L" Manufacturing District

Lot 1, Blk. 3, NCB 13750

FOR INFORMATION ONLY:

Located southeast of the intersection of Nacogdoches Road and Twisted Oak Road; having 540.79' on Nacogdoches Road and 873.90' on Twisted Oak Road.

FROM: Temporary "A" Residence District

TO: "D" Apartment District, "E" Office District, "F" Local Retail District, "J" Commercial District and "L" Manufacturing District.

The Planning & Zoning Commission has recommended this request for change of zoned be \_\_\_\_\_ approved \_\_\_\_\_ by the City Council.

DEPARTMENT OF PLANNING

Zoning Case 2328

Appeal Case

Applicant: Gus B. Freissman

Yes

No XXX

Date of Application: November 17, 1964

Location of Property:

From Temporary "A" Residence District to "D" Apartment District

Lot 3, Blk. 1, NCB 13748

FOR INFORMATION ONLY:

Located on the west side of River Valley Drive 253.16' south of Nacogdoches Road; having 1208.62' on River Valley Drive and a depth of approximately 374.55'.

From Temporary "A" Residence District to "E" Office District

Lot 1, Blk. 1, NCB 13748

FOR INFORMATION ONLY:

Located on the south side of Nacogdoches Road 167.21' west of River Valley Drive; having 150' on Nacogdoches Road and a depth of 250.01'.

From Temporary "A" Residence District to "F" Local Retail District

Lot 2, Blk. 1, NCB 13748

FOR INFORMATION ONLY:

Located southwest of the intersection of River Valley Drive and Nacogdoches Road; having 253.16' on River Valley and 167.21' on Nacogdoches Road.

Lots 1 and 2, Blk. 2, NCB 13749

FOR INFORMATION ONLY:

Located southeast of the intersection of Nacogdoches Road and River Valley Drive; having 304.79' on Nacogdoches Road and 638.03' on River Valley Drive.

From Temporary "A" Residence District to "J" Commercial District

Lots 3, 4, and 5, Blk. 2, NCB 13749

FOR INFORMATION ONLY:

Located on the south side of Nacogdoches Road on the north side of Dead Oak Drive and on the west side of Twisted Oak Road; having 269.37' on Nacogdoches, 580.87' on Dead Oak, and 733.21' on Twisted Oak.

From Temporary "A" Residence District to "L" Manufacturing District

Lot 1, Blk. 3, NCB 13750

FOR INFORMATION ONLY:

Located southeast of the intersection of Nacogdoches Road and Twisted Oak Road; having 540.79' on Nacogdoches Road and 873.90' on Twisted Oak Road.

Zoning Change Requested:

From Temporary "A" Residence District to "D" Apartment District, "E" Office District, "F" Local Retail District, "J" Commercial District and "L" Manufacturing District.

ZONING COMMISSION PUBLIC HEARING ON DECEMBER 9, 1964:

Information Presented by Applicant:

Mr. Gordon Davis, representing Mr. Preissman, stated that this is an extensive piece of property with some important zoning to be done. He explained, that after talking briefly with the Department, he thought that this case should be postponed until January 6, 1965 so that a more thorough study could be made.

Staff Observations:

A sketch is attached showing recommended zoning for this property.

Police Department Recommendations:

No objection.

Traffic and Transportation Department Recommendations:

A report from the Traffic Department stated that they do not object to

the change in zoning of all the tracts of land except the tract of land next to Oak Grove Elementary School which is proposed to be "F" Local Retail. This proposed "F" could be a possible hazard to the school.

Results of Notices from Commission Hearing:

Eight notices were mailed to the surrounding property owners. None were returned in opposition to this request; two were returned in favor; and one was returned "unclaimed."

Opponents Present:

There were no opponents present.

Reasons for Opposition by Opponents Present:

None

COMMISSION ACTION:

Recommended postponement.

Reasons for Action:

At the request of the applicant.

ZONING COMMISSION PUBLIC HEARING ON JANUARY 6, 1965:

Information Presented by Applicant:

Mr. Gordon Davis, attorney representing the applicant, stated that this tract of land is on Nacogdoches Road and it has just been annexed into the city. The applicant owns 96 acres total and they want to zone about one-fourth of the property. The property drops off sharply just before Salado Creek. This property can be treated differently because it is adjacent to residential property, but it is about 2 1/2 blocks from residence. There are some lots in the middle of subject property that are being used as "J" Commercial uses. This is why the property directly to the east of it is proposed "J" Commercial. The applicants would like to continue the "J" Commercial uses. Mr. Davis stated in answer to the Commission's question concerning streets, that it would be best not to go into this problem at this time. The

property between the "J" Commercial and "L" Manufacturing is highly speculative and when the property comes before the Planning Commission for replatting they will take care of streets at that time. They just want the property zoned in general. The subject property is adjacent to a school. The applicants have discussed the need of a buffer next to the school and they think that there only need be a slight modification next to the school. In answer to the Commission's question as to why the property to be zoned "D" was to be as deep as shown on the proposed sketch, Mr. Davis stated that the depth in "D" is because they have proposed an apartment project. They want some "E" Office and "F" Local Retail uses in front of the apartments. The reason for the curve line in the "D" property is the terrain. The area is substantially not usable without a great deal of work.

Mr. Davis explained that they did not want to face "D" Apartment District to "A" Residence. They would like to see the property to the south of the proposed "D" Apartment that is presently zoned "A" Residence rezoned to "D" Apartment also. This property is not suited for single-family residence because of the terrain. Immediately north of the property is "F" Local Retail and "J" Commercial uses, and to the east are "J" Commercial uses. The property owners to the north facing John Glenn are aware that the property facing Nacogdoches Road is retail and commercial property. The property down Nacogdoches Road from the school should be at least "F" Local Retail. The "J" Commercial zone is justified and they want enough "L" Manufacturing buffered by the "J" Commercial to allow light manufacturing. It is difficult to find land zoned to allow light manufacturing in the City of San Antonio. The character of the neighborhood is such that their proposal would have to be very broad to change the character of this neighborhood.

At this time Mr. Davis submitted a plot plan to the Commission for the type of apartment proposed. They will be two level apartments arranged around the terrain. He explained that the "F" Local Retail uses are not projected at this time. He stated that he realizes that it would be useful to the City, for the Commission and for the applicants, but Mr. Davis explained that he did not know the proposed uses. The "L" Manufacturing property is practical in size. He explained that the "L" Manufacturing was proposed because they think that the Bitters Road to be extended will have a 60' R.O. W. and will divide the "L" Manufacturing property from the other. He then showed

the Commission a map of the terrain indicating the contour lines. Mr. Davis stated that they think that a buffer of 150' x 250' zoned "E" Office next to the school would be sufficient buffer. In answer to the Commission's question, Mr. Davis stated that the applicants own 96 acres but they want about one-fourth of it rezoned at the present time. The Planning Department recommended that the property requested to be "F" Local Retail be rezoned to "D" Apartment for a buffer.

Mr. Davis stated that the applicants could not use the land as proposed by the Department of Planning because of the terrain. They want the property to the west of the property not being rezoned, to be "J" Commercial because they have a proposed buyer for that property and he could not use it if it were a higher zone. He has a "J" Commercial use for that property. They felt that this was complementary. On the property in the middle of the subject property, there are a number of "J" Commercial uses. There is some outside storage as well as trailer parks. Mr. Davis stated that he expects that the land south of the subject property will be rezoned also because it is not suited for single-family residences because of the terrain.

Staff Observations:

A sketch is attached showing recommended zoning for this property.

On December 9, 1964, the Planning Commission postponed action on this application so the applicant could have time to study the zoning plan prepared by the Planning Department.

Police Department Recommendations:

No objection.

Traffic and Transportation Department Recommendations:

A report from the Traffic Department stated that they find no objection in zoning of all the tracts of land except the tract of land next to Oak Grove Elementary School which is proposed to be "F" Local Retail. This proposed "F" could be a possible hazard to the school.

Results of Notices for Commission Hearing:

Eight notices were mailed to the surrounding property owners. None were returned in opposition to the request; one was returned in favor;

and none were returned "unclaimed." One notice was returned in favor of "F" Local Retail and in opposition to "J" Commercial District.

Opponents Present:

There were no opponents present .

Reasons for Opposition by Opponents Present:

None

COMMISSION ACTION:

Recommended approval.

Reasons for Action:

1. The property being considered as a whole surrounds another independent tract being used for "J" Commercial.
2. Immediately to the east is a large installation being used for a "J" Commercial use -- Stull Chemicals.
3. The property across Nacogdoches Road will be used for a variety of uses, from "D" Apartment to "L" Manufacturing.
4. The subject property will be difficult to use as residential lots because of terrain.
5. There was no objection to the request except the limited one.
6. Any steps to the development of this property would be a credit to the City.

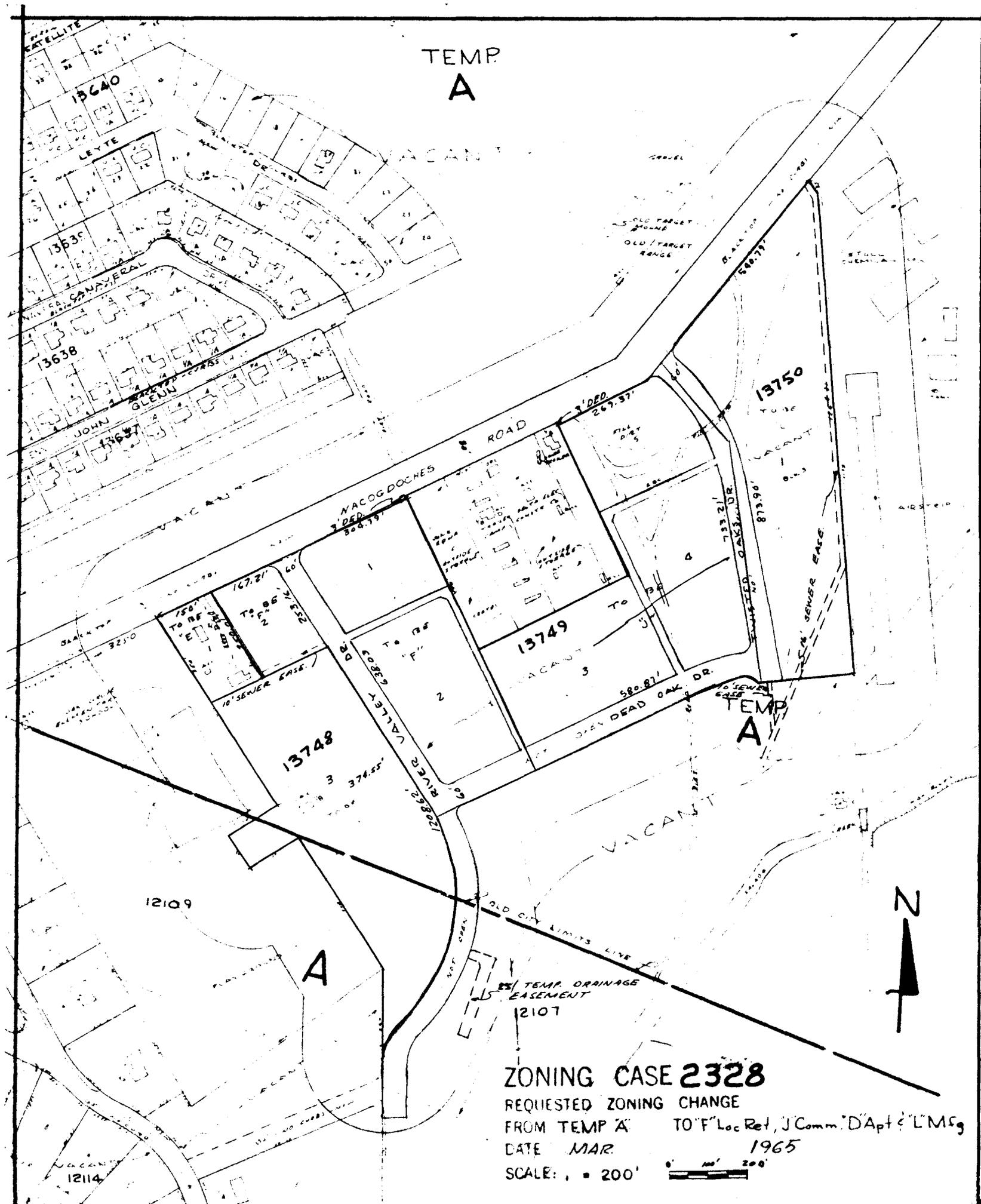
Other Recommendations:

That the property be properly replatted.

RESULTS OF NOTICES FOR COUNCIL HEARING:

(To be provided at Council hearing.)

TEMP  
A

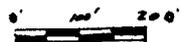


**ZONING CASE 2328**

REQUESTED ZONING CHANGE  
FROM TEMP 'A' TO 'F' Loc Ret, J'Comm, D'Apt & L'MCg

DATE MAR 1965

SCALE: 1" = 200'





POSSIBLE PLATTING & ZONING

Zoning Case #2328

Planning Dept.

Dec. 1964

# 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,

she

says on oath that she is ~~the~~ ~~owner~~ 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 hereto attached has been published in

every issue of said newspaper on the following days, to-wit: March 5

19 65

## AN ORDINANCE

AMENDING SECTION 2 OF AN ORDINANCE ENTITLED "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN, ETC." PASSED AND APPROVED ON NOVEMBER 3, 1938, BY CHANGING THE CLASSIFICATION AND RE-ZONING OF CERTAIN PROPERTY DESCRIBED HEREIN.

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

1. That Section 2 of an Ordinance entitled "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN, ETC.," passed and approved by the Commissioners of the City of San Antonio on the 3rd day of November, 1938, be and the same is hereby amended so that paragraph 3 of said Section 2 shall hereafter include the following described changes in classification and the re-zoning of the hereinbelow designated property, to-wit:

### CASE NO. 2328

The rezoning and reclassification of property listed below as follows:

Lot 3, Blk. 1, NCB 13748 from Temporary "A" Residence District to "D" Apartment District; Lot 1, Blk. 1, NCB 13748 from Temporary "A" Residence District to "E" Office District; Lot 2, Blk. 1, NCB 13748 and Lots 1 and 2, Blk. 2, NCB 13749 from Temporary "A" Residence District to "F" Local Retail District; Lots 3, 4 and 5, Blk. 2, NCB 13749 from Temporary "A" Residence District to "J" Commercial District; and Lot 1, Blk. 3, NCB 13750 from Temporary "A" Residence District to "L" Manufacturing District.

2. That all other provisions of said ordinance, as amended, shall remain in full force and effect, including the penalty for violations thereof as made and provided in Section 28.

3. That the Chief Building Inspector and the Director of Planning shall change their records and zoning maps in accordance herewith and the same are available and open to the public for inspection.

4. PASSED AND APPROVED this 4th day of March, A. D., 1965.

JOHN GATTI  
Mayor Pro-Tem

ATTEST:  
J. H. INSELMANN  
City Clerk

*Charles D. Treuter*

Sworn to and subscribed before me this 8th day of March, 19 65

*Engine E. Epp*  
Notary Public in and for Bexar County, Texas