

AN ORDINANCE 67201

AMENDING CHAPTER 35 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 35-35 OF CHAPTER 35 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. 788084)

The rezoning and reclassification of property from "B-2" Business District to "B-3" Business District, "B-3NA" Business District, Non-Alcoholic Sales; and "B-3R" Restrictive Business District, listed below as follows:

B-2 to B-3

A 4.217 acre tract of land out of NCB 9486, save and except the south 150'.

B-2 to B-3NA

The south 150' of a 4.217 acre tract of land, NCB 9486.

B-2 to B-3R

A 5.384 acre tract of land out of NCB 9486.

1030 S.E. Military Drive

Provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division, and that an eight-foot solid screen fence is erected and maintained along the south property line.

SECTION 2. THAT ALL OTHER PROVISIONS OF SAID CHAPTER 35, AS AMENDED, SHALL REMAIN IN FULL FORCE AND EFFECT, INCLUDING THE PENALTIES FOR VIOLATIONS AS MADE AND PROVIDED IN SECTION 35-24.

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 26TH DAY OF MAY 1988.

ATTEST: [Signature] CITY CLERK

[Signature] MAYOR

APPROVED AS TO FORM: [Signature] CITY ATTORNEY

88-23

"B-3R"

ITEM NO. 42  
 DATE: MAY 26 1988

AVIATION	
BUDGET & RESEARCH	
BUILDING INSPECTIONS	1
BUILDING INSPECTIONS-HOUSE NUMBER	1
CITY WATER BOARD	
CITY ATTORNEY	
COMMERCIAL RECORDER	1
CONVENTION & VISITORS BUREAU	
CONVENTION FACILITIES	
ECONOMIC & EMPLOYMENT DEVELOPMENT	
ENVIRONMENTAL MANAGEMENT	
FINANCE DIRECTOR	
ASSESSOR	1
CONTROLLER	
TREASURY DIVISION	
GRANTS	
INTERNAL AUDIT	
RISK MANAGEMENT	
FIRE DEPARTMENT	
HUMAN RESOURCES & SERVICES	
INFORMATION RESOURCES	
LIBRARY	
MARKET SQUARE	
METROPOLITAN HEALTH DISTRICT	
MUNICIPAL COURTS	
PARKS & RECREATION	
PERSONNEL	
PLANNING	1
POLICE DEPARTMENT	
PUBLIC UTILITIES	
PUBLIC WORKS	
ENGINEERING	
CENTRAL MAPPING	
REAL ESTATE	
TRAFFIC ENGINEERING	
PURCHASING & GENERAL SERVICES	
INTERGOVERNMENTAL RELATIONS	
ZONING ADMINISTRATION	1
SPECIAL PROJECTS - CITY MANAGER	
DOWNTOWN INITIATIVES	
COMMUNITY DEVELOPMENT OFFICE	

MEETING OF THE CITY COUNCIL

MOTION BY: [Signature]

ORD. NO. 67201

DATE: MAY 26 1988

SECONDED BY: [Signature]

ZONING CASE #288084

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

	ROLLCALL	AYES	NAYS
MARIA BERRIOZABAL PLACE 1		✓	
JOE WEBB PLACE 2		✓	
HELEN DUTMER PLACE 3		✓	
FRANK D. WING PLACE 4		✓	
WALTER MARTINEZ PLACE 5		[Signature]	
BOB THOMPSON PLACE 6		✓	
YOLANDA VERA PLACE 7		✓	
NELSON WOLFF PLACE 8		✓	
WEIR LABATT PLACE 9		✓	
JAMES C. HASSLOCHER PLACE 10		✓	
HENRY G. CISNEROS PLACE 11 (MAYOR)		✓	

DRIVEWAYS & OFF-ST. PARKING.  
6' FENCE ALONG S. PROP. LINE.

8' Fence S. prop. line.

**88-23**



SLAY ENGINEERING CO., INC.  
6243 IH 10 WEST, SUITE 935  
SAN ANTONIO, TEXAS 78201  
(512) 734-4388

CIVIL ENGINEERING  
SURVEYING  
CONSULTING ENGINEERING

STATE OF TEXAS  
COUNTY OF BEXAR

B-3  
ZONING NOTES  
FOR  
A 4.217 ACRE TRACT  
Save and except the south  
150' to be B-3NA

A TRACT OF LAND containing 4.217 acres, more or less, out of the remainder of Lot 1, NCB 9486 (unplatted) in the City of San Antonio, Bexar County, Texas, said tract being the eastern portion of that area described by field note description of 9.5941 acres prepared by Robert J. Schroeder, R.P.S., Maverick Engineering Company, dated November 23, 1984, and being more particularly described as follows:

COMMENCING at the point of intersection of the south right-of-way of S.E. Military Drive and the east right-of-way of Curtis Street;

THENCE along the east right-of-way of Curtis Street, S 27° 21' 45" E, 472.40 feet to a found iron pin at an angle point in Curtis Street;

THENCE continuing along the east line of Curtis Street and the west line of proposed Lot 4, Block 6, NCB 9486, S 10° 54' 20" W, 228.37 feet;

THENCE departing from the east line of Curtis Street and crossing proposed Lot 4, N 88° 36' 40" E, 476.48 feet to a point on the east line of proposed Lot 4 for the Northwest Corner and POINT OF BEGINNING of this tract;

THENCE N 88° 36' 40" E, 569.91 feet to a point on the west line of Lot 254, NCB 9491, for the Northeast Corner of this tract;

THENCE with the west line of Lots 254, 255, 256 and 257, NCB 9491, S 00° 12' 38" E, 323.98 feet to the northeast corner of Lot 27, NCB 9491, for the Southeast Corner of this tract;

THENCE with the north line of Lots 27, 26, 25, 24, 23 and 22, NCB 9491, S 88° 36' 40" W, 564.35 feet to the northwest corner of Lot 22, NCB 9491, and the southeast corner of proposed Lot 4, for the Southwest Corner of this tract;

THENCE with the east line of said proposed Lot 4, N 01° 11' 38" W, 323.92 feet to the POINT OF BEGINNING of this tract of land, containing 4.217 acres, more or less.

Prepared by: Slay Engineering Co., Inc.  
July 11, 1988  
SEC JOB #88-021

RECEIVED  
1988 JUL 22 PM 3:52  
DEPT. OF PLANNING  
CURRENT PLANNING  
DIVISION



Zoning Case No.: Z88084

Date: May 10, 1988

Council District: 3

Appeal: No

Applicant: Mid Loop, Inc.

Owner: Mid Loop, Inc.

Zoning Request: "B-2" Business District to "B-3" Business District; "B-3NA" Non-Alcoholic Sales District and "B-3R" Restrictive Business District.

Property Location:

"B-2" to "B-3R"

A 5.384 acre tract of land out of NCB 9486.

"B-2" to "B-3NA"

The south 150' out of a 4.217 acre tract of land, NCB 9486.

"B-2" to "B-3"

A 4.217 acre tract of land out of NCB 9486, save and except the south 150' to be "B-3NA".

1030 S.E. Military Drive

Property is located on the east side of Curtis Street, being 120' north of the intersection of Lorita Drive and Curtis Street, having 455.17' on Curtis Street and a depth of 1045.96'.

Zoning Case No.: Z88084

Date: May 10, 1988

Council District: 3

Appeal: No

Applicant: Mid-Loop, Inc.

Owner: Mid-Loop, Inc.

Zoning Request: "B-2" Business District to "B-3" Business District

Property Location:

A 9.5941 acre tract of land out of NCB 9486  
1030 S.E. Military Drive.

Property is located on the east side of Curtis Street, being 120' north of the intersection of Lorita Drive and Curtis Street, having 455.7' on Curtis Street and a depth of 1045.96'.

Zoning Commission Recommendation:

Pending

Zoning Case No.: Z88084

Date: May 10, 1988

Council District: 3

Appeal: No

Applicant: Mid Loop, Inc.

Owner: Mid Loop, Inc.

Zoning Request: "B-2" Business District to "B-3" Business District and "B-3NA" Non-Alcoholic Sales District.

Property Location:

"B-2" to "B-3"

A 9.5941 acre tract of land out of NCB 9486, save and except the west 150' and the south 150' being that parallel to the south property line.

"B-2" to "B-3NA"

The west 150' and the south 150' out of a 9.5941 acre tract of land, NCB 9486

1030 S.E. Military Drive

Property is located on the east side of Curtis Street being 120' north of the intersection of of Lorita Drive and Curtis Street, having 455.17' on Curtis Street and a depth of 1045.96'.

Zoning Commission Recommendation:

Approval provided that driveways and offstreet parking be provided and submitted to the Traffic Section for approval and a 6' solid screen fence be erected and maintained along the south property line.

<u>Vote</u>	
FOR	<u>6</u>
AGAINST	<u>0</u>
ABSTAIN	<u>0</u>
ABSENT	<u>5</u>

Staff Recommendation:

Approval provided that a 6' screen fence is erected and maintained along the west and south lines.

Driveways and off-street parking will be checked for conformance when the building plans are submitted.

Applicant Proposal:

"B-3" required for tire sales and installations.

Discussion:

Prior to the property being zoned "B-2", May 16, 1985, the property was zoned "B-3" Business District which was originally zoned August 8, 1974.

Property is located southwest of the intersection of S.E. Military Drive and Roosevelt Avenue and in the development of this property, it will be used inconjunction with the land to the north having frontage onto Miltiary Drive. There is "B-3" zoning to the north, "J" Commercial to the east and single family dwellings to the south and west.

Applicant: Mid Loop, Inc.

Mr. Jim Berry, stated that they are requesting the change of zoning for tire sales and installations. He amended his petition to "B-3NA" on the west 150' and the south 150' adjacent to the single family dwellings and "B-3" on the remaining portion with a 6' solid screen fence along the south property line.

IN OPPOSITION

Mr. Roy Longoria, 243 Parchman, stated that he is in opposition of the proposed change of zoning because the residents of the area would like to keep the restrictions that were placed on the subject property with the prior owner. He presented a copy of the agreement between the residents and the previous owner.

REBUTTAL

Mr. Berry stated that they are trying to comply with the requirements made by the residents.

There were forty-five notices mailed out to the surrounding property owners, none returned in opposition and ten returned in favor.

COMMISSION ACTION

MOTION was made by Mr. Burney and seconded by Mr. Gossen, to recommend approval of the amended petition from "B-3NA" Non-Alcoholic Sales District on the west 150' and the south 150' adjacent to the single family dwellings and "B-3" Business District on the remaining portion for the following reasons:

1. Subject property is located on a 9.5841 acre tract of land out of NCB 9486, 1030 S.E. Military Drive.
2. There were forty-five notices mailed out, none returned in opposition and ten returned in favor.
3. Staff has recommended approval of the amended petition.

It is further stipulated that driveway and off-street parking be provided and submitted to the Traffic Section for approval. Also that a 6' solid screen fence be erected and maintained along the south property line.

AYES: Burney, Gossen, Davies, Meza, Smith, Oviedo

NAYS: None

ABSENT: Washington, Calderon, Grant, Bohn, Mendoza

THE MOTION CARRIED.

Zoning Case No.: Z88084

Date: May 10, 1988

Council District: 3

Appeal: No

Applicant: Mid-Loop, Inc.

Owner: Mid-Loop, Inc.

Zoning Request: "B-2" Business District to "B-3" Business District and "B-3NA"  
Non-Alcoholic Sales District

Property Location:

"B-2" to "B-3"

A 9.5941 acre tract of land out of NCB 9486, save and except the west 150' and the south 150' being that parallel to the south property line

"B-2" to "B-3NA"

The west 150' and the south 150' out of a 9.5941 acre tract of land, NCB 9486

1030 S.E. Military Drive

Property is located on the east side of Curtis Street, being 120' north of the intersection of Lorita Drive and Curtis Street, having 455.7' on Curtis Street and a depth of 1045.96'

Zoning Commission Recommendation:

Approval

1988 MAY 11 A 8:37  
RECEIVED  
CITY OF SAN ANTONIO  
CITY CLERK

Zoning Case No.: Z88084

Date: May 10, 1988

Council District: 3

Appeal: No

Applicant: Mid-Loop, Inc.

Owner: Mid-Loop, Inc.

Zoning Request: "B-2" Business District to "B-3" Business District

Property Location:

A 9.5941 acre tract of land out of NCB 9486  
1030 S.E. Military Drive.

Property is located on the east side of Curtis Street, being 120' north of the intersection of Lorita Drive and Curtis Street, having 455.7' on Curtis Street and a depth of 1045.96'.

Zoning Commission Recommendation:

Pending

*Zoning  
Revised  
Commission  
by*

**PUBLIC NOTICE**

**AN ORDINANCE 67201**

AMENDING CHAPTER 35 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 AS A 4.217 ACRE TRACT OF LAND OUT OF NCB 9486, SAVE AND EXCEPT THE SOUTH 150 FEET, FROM "B-2" BUSINESS DISTRICT TO "B-3" BUSINESS DISTRICT; THE SOUTH 150 FEET OF A 4.217 ACRE TRACT OF LAND, NCB 9486, FROM "B-2" BUSINESS DISTRICT TO "B-3NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES; AND A 5.384 ACRE TRACT OF LAND OUT OF NCB 9486 FROM "B-2" BUSINESS DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, 1030 SOUTHEAST MILITARY DRIVE, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION, AND THAT AN EIGHT-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE SOUTH PROPERTY LINE. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

7/28

# Affidavit of Publisher

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I, William A. Johnson, me, the undersigned authority, on this day personally  
William A. Johnson, who  
says on oath that he is Publisher  
of the San Antonio Journal Recorder, a newspaper of general circulation in the  
San Antonio, in the State and County aforesaid, and that  
57201  
has been published in every issue of said newspaper on  
the 28th day of July, 1988.

*William A. Johnson*

Sworn to and subscribed before me this 28th day of July, 1988.

*Dave S. Plevins*

Notary Public in and for Bexar County, Texas