

AN ORDINANCE **44110**

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. 5628)

The rezoning and reclassification of property from Temporary "R-1" Single Family Residential District to "B-2" Business District, listed below as follows:

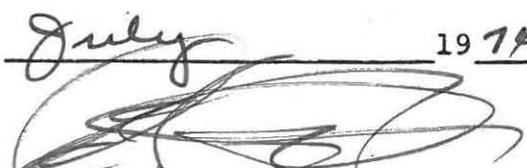
A 4.995 acre tract of land out of NCB 14939, located on the southwest side of I. H. 10 Expressway being 1286.63' northwest of the intersection of I.H. 10 Expressway and Wurzbach Road; having 402.75' on I. H. 10 Expressway and a maximum depth of 589.68', being further described by field notes filed in the Office of the City Clerk.

9900 Block of I. H. 10 Expressway

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 25th day of July 1974.


M A Y O R

DISTRIBUTION

ITEM NO. F.

AVIATION DIRECTOR	
BUILDING & PLANNING ADMIN.	<i>✓</i>
CITY WATER BOARD	
COMMERCIAL RECORDER	<i>1</i>
COMMUNITY DEVELOPMENT OFFICER	
COMMUNITY ANALYSIS DIVISION	
COMPREHENSIVE PLANNING	
CONVENTION BUREAU	
CONVENTION CENTER	
FINANCE DIRECTOR	
ASSESSOR	<i>1</i>
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	

MEETING OF THE CITY COUNCIL DATE: JUL 25 1974

MOTION BY: *Mendoza* SECONDED BY: *O'Connell*

ORD. NO. 44110 ZONING CASE 5628

RESOL. _____ PETITION _____

COUNCIL MEMBER	ROLL CALL	AYE	NAY
LILA COCKRELL PLACE 1		<i>✓</i>	
DR. JOSE SAN MARTIN PLACE 2		<i>abs</i>	
CHARLES L. BECKER PLACE 3		<i>✓</i>	
REV. CLAUDE BLACK PLACE 4		<i>✓</i>	
GLENN LACY PLACE 5		<i>✓</i>	
CLIFFORD MORTON PLACE 6		<i>- abs</i>	
W.J. "BILL" O'CONNELL PLACE 7		<i>✓</i>	
ALVIN G. PADILLA, JR. PLACE 8		<i>abs</i>	
LEO MENDOZA, JR. PLACE 9		<i>✓</i>	

74-36 *1*

April 11, 1974

FIELD NOTES

FOR

4.995 ACRES OF LAND

Being 4.995 acres of land out of the M. T. Guerra Survey No. 88, Abstract 260, County Block 4443, Bexar County, Texas, being a resurvey of a 5.000 acre tract recorded in Volume 6817, Page 772, of the Deed Records of Bexar County, Texas, out of an original 22.008 acre tract recorded in Volume 5843, Page 884 of the Deed Records of Bexar County, Texas, said 4.995 acres of land being more particularly described as follows:

BEGINNING at an iron pin found on the Southwest right-of-way line of Interstate Highway No. 10, said iron pin bears North $42^{\circ} 21' 52''$ West 1286.63 feet from a concrete right-of-way monument found at the North point of a cut-off line that joins the Southwest right-of-way line of Interstate Highway No. 10 with the Northwest right-of-way line of Wurzbach Road;

THENCE South $41^{\circ} 25' 35''$ West 524.68 feet to an iron pin found on the Northeast right-of-way line of Bluemel Road, for the most Southerly corner of the herein described tract;

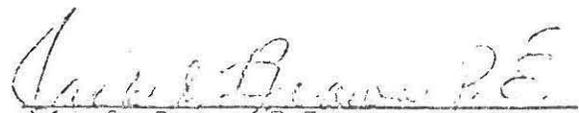
THENCE along the Northeast right-of-way line of Bluemel Road as follows:

North $42^{\circ} 15' 38''$ West 169.13 feet to an iron pin found for angle and North $58^{\circ} 20' 26''$ West 235.78 feet to an iron pipe found for the most Westerly corner of the herein described tract and said 22.008 acre tract;

THENCE North $41^{\circ} 26' 04''$ East 589.63 feet along the Northwest line of said 22.008 acre tract to an iron pin found on the Southwest right-of-way line of Interstate Highway No. 10, said iron pin being the most Northerly corner of said 22.008 acre tract and the herein described tract;

THENCE along the Southwest right-of-way line of Interstate Highway No. 10, South $42^{\circ} 21' 33''$ East 402.75 feet to the Point-of-Beginning and containing 4.995 acres of land.

BROWN ENGINEERING COMPANY


Jack S. Brown, P.E.

JSB/df
J.O. # S-1083

DATE July 5, 1974

TO: CITY CLERK

REQUEST FOR NOTICE FOR PUBLIC HEARING:

CASE 5628 NAME Mr. Pat Gardner

The rezoning and reclassification of:

A 4.995 acre tract of land out of NCB 14939,
being further described by field notes filed
in the office of the Building and Planning
Administration Department.
9900 Block of I. H. 10 Expressway

FOR INFORMATION ONLY

Located on the southwest side of I. H. 10
Expressway being 1286.63' northwest of the
intersection of I. H. 10 Expressway and
Wurzbach Road; having 402.75' on I. H. 10
Expressway and a maximum depth of 589.68'.

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

TO: "B-2" Business District.

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

BUILDING AND PLANNING ADMINISTRATION

APPLICANT: Mr. Pat Gardner

ZONING CASE 5628

DATE OF APPLICATION: April 2, 1974

Appeal Case

Yes _____

No XXX

LOCATION OF PROPERTY

A 4.995 acre tract of land out of NCB 14939, being further described by field notes filed in the office of the Building and Planning Administration Department.
9900 Block of I. H. 10 Expressway

FOR INFORMATION ONLY

Located on the southwest side of I. H. 10 Expressway being 1286.63' northwest of the intersection of I. H. 10 Expressway and Wurzbach Road; having 402.75' on I. H. 10 Expressway and a maximum depth of 589.68'.

ZONING CHANGE REQUESTED

From Temporary "R-1" Single Family Residential District to "B-2" Business District.

ZONING COMMISSION PUBLIC HEARING ON JUNE 19, 1974

Information Presented by Applicant

Mr. Ralph Bender, stated to the Commission that he was representing Mr. Pat Gardner who is a partner in a joint venture called I.H. 10 North Joint Ventures. Mr. Herbert Haun is the trustee of that joint ventures group and they are in the process of selling this piece of property to Mr. Walter Scarborough and his organization. Scarborough interests are architects and developers out of Houston and they are purchasing this property to build two office structures. The first phase of this development is going to be a four story office building on the northern extremity of the property. It will consist of about 49,00 square feet, and it will accommodate 193 parking spaces and will be located on approximately 120,000 square feet. The second phase development will be a six story office building and it will be on the southern portion of the property. It will consist of approximately 46,000 square feet and the building area will accommodate 154 parking spaces and the land area is approximately 98,000 square feet. There was considerable opposition to an adjacent rezoning which took place several months ago. That rezoning was consummated with the Council and a number of conditions were imposed on the property; restrictions of curb cuts, a building setback line, and landscaping. All of those considerations have been transposed to this property. He also stated that they have agreed to a minimum 75' building setback line along recommendation of the "B-2" zoning. They need the "B-2" zoning for the possible eventuality of a restaurant or some commercial facility being put in one of these two buildings. They do not anticipate any other buildings on the property.

IN OPPOSITION

Dr. Earl Matthew, stated to the Commission that they were primarily opposed to the "B-3". He stated that they are not opposed to "B-2" zoning with the limited access to the southside of the property.

REBUTTAL

Mr. Bender, stated to the Commission, that the Frost Bank Corp. agreed to the "B-2" zoning. They will pave a 40' street and they also believe that something can be worked out in respect to sidewalks. They will provide one curb cut on the south property line if they can not work out a common drive with the Frost Bank interests, the curb cut will offset Bluemel Road.

STAFF RECOMMENDATIONSDiscussion

The property in question is located in an intensive business area with "B-2" zoning to the southeast and "B-1" and "B-3" zonings to the northwest. There is also "B-3" Business zoning to the northeast. Considering the existing adjacent "B-1" and "B-2" Business Districts a "B-2" classification on the subject property would be more appropriate along I.H.10 Expressway.

Recommendations

Approval of "B-2". Proper platting.

Traffic and Transportation Department Recommendations

A report from the Traffic Department stated that although Bluemel Road functions as a collector, it has only 50 feet of right-of-way and a two lane surface. If it is to serve additional commercial zoned property it should be widened.

Results of Notices Received Before Hearing

There were ten notices mailed to the surrounding property owners; none were returned in opposition and two notices were returned in favor.

COMMISSION ACTION

By a vote of eight in favor and one being absent, the Commission recommended denial of "B-3" Business District and in lieu thereof recommended approval of "B-2" Business District.

Reasons for Action

- (1) Subject property is located between I.H. 10 and Bluemel Road; north of Wurzbach Road.
- (2) Intensive business zoning has been granted in this area.
- (3) It lies south of the USAA complex which is "B-3" zoned.
- (4) It will not affect the character of the neighborhood, in view of the development that is going on in the area.

- (5) It represents the highest and best use.
- (6) Staff recommended approval of the "B-2" zoning.
- (7) There was some opposition to the "B-3" zoning, but none to the "B-2" zoning.

Other Recommendations

It is further recommended that the applicant work with the Traffic Department for proper egress and ingress, that the property be properly platted and that there be a 75' setback line on Bluemel Road. It is further noted that the applicant has agreed to dedicate 5' along Bluemel Road.

RESULTS OF NOTICES FOR COUNCIL HEARING

(To be provided at Council hearing.)

Affidavit of Publisher

THE STATE OF TEXAS,

COUNTY OF BEXAR
CITY OF SAN ANTONIO

Before me, the undersigned authority, on this day personally appeared _____
Stella Orozco, Office Manager, who being by me duly sworn,
says on oath that he is ~~one of the publishers~~ ^{Office Manager} 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 #44110 hereto attached has been published in
every issue of said newspaper on the following days, to-wit: July 29,

19 74

AN ORDINANCE 44110

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PASSED AND APPROVED this 25th day of July 1974.

CHARLES L. BECKER
Mayor

ATTEST:
J. H. INSELMANN
City Clerk