

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. Z84293)

The rezoning and reclassification of property from Temporary "R-1" One Family Residence District to "R-3" Multiple Family Residence District, listed below as follows:

A 14.306 acre tract of land out of NCB 15286, being further described by field notes filed in the Office of the City Clerk.
In the 5400 Block of S.W. Military Drive
In the 800 Block of Five Palms Drive.

Provided that 5' right of way street dedication is given along Five Palms and that driveways and off-street parking are provided and submitted to the Traffic Section for approval. Further provided that a 6' solid screen fence is erected and maintained along the southeast property line. In addition providing a 50' building setback adjacent to the single family residential development and a 5' landscape buffer along Five Palms Drive.

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 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 14th DAY OF October 1984.

ATTEST: Armando S. Rodriguez
CITY CLERK

Henry Cisneros
MAYOR

APPROVED AS TO FORM: [Signature]
CITY ATTORNEY

84-47

AVIATION	
BUDGET & RESEARCH	
BUILDING INSPECTIONS	1
BUILDING INSPECTIONS-HOUSE NUMBERING	1
CITY WATER BOARD	
COMMERCIAL RECORDER	1
CONVENTION & VISITORS BUREAU	
CONVENTION FACILITIES	
ECONOMIC & EMPLOYMENT DEVELOPMENT	
EQUAL EMPLOYMENT OPPORTUNITY	
FINANCE DIRECTOR	
ASSESSOR	1
CONTROLLER	
TREASURY DIVISION	
GRANTS SECTION	
INTERNAL AUDIT	
RISK MANAGEMENT	
FIRE CHIEF	
HEMISFAIR PLAZA	
HUMAN RESOURCES & SERVICES	
INFORMATION RESOURCES	
LEGAL-CITY ATTORNEY	
LIBRARY DIRECTOR	
MARKET SQUARE	
METROPOLITAN HEALTH DISTRICT	
MUNICIPAL COURTS	
PARKS & RECREATION	
PERSONNEL DIRECTOR	
PLANNING	1
POLICE CHIEF	
PUBLIC UTILITIES	
PUBLIC WORKS DIRECTOR	
ENGINEERING DIVISION	
ENGINEERING DIVISION-CENTRAL MAPPING	
WASTEWATER ENGINEERING	
REAL ESTATE DIVISION	
TRAFFIC ENGINEERING DIVISION	
PURCHASING	
ZONING ADMINISTRATION	1

ITEM NO. 27
DATE: OCT 11 1984

MEETING OF THE CITY COUNCIL
MOTION BY: Dutmer SECONDED BY: Hasslocher

ORD. NO. 59579 ZONING CASE #284293

RESOL. _____ PETITION _____

	ROLL CALL	AYES	NAYS
MARIA A. BERRIOZABAL PLACE 1		✓	
JOE WEBB PLACE 2		absent	
HELEN DUTMER PLACE 3		✓	
FRANK D. WING PLACE 4		✓	
BERNARDO EURESTE PLACE 5		✓	
BOB THOMPSON PLACE 6	ABSENT		
JOE ALDERETE, JR. PLACE 7		absent	
G.E. "ED" HARRINGTON PLACE 8		✓	
VAN ARCHER PLACE 9		absent	
JAMES C. HASSLOCHER PLACE 10		✓	
HENRY G. CISNEROS PLACE 11 (MAYOR)		absent	

84-47

Provided that 5' ROST Street reduction is given along Five Palms & that driveway & off street parking are provided & submitted to the Traffic Section for approval. Further provide that a 6' solid screen fence is erected & maintained along the southeast property line. In addition providing a 50' flag setback adjacent to the single family residential development & a 5' landscape buffer along Five Palms Drive.

FIELD NOTES

FOR

14.306 acres of land out of Division One (1), The F.F. Morales Old Survey 1/71, C.B. 4304, and out of Division Seven (7), the Maria F. Rodriguez O.S.4, C.B. 4303, Bexar County, Texas and being more particularly described as follows:

BEGINNING in the south right-of-way line of Military Drive at Buckhorn Road, thence S.85°36'30"E., 87.17';

THENCE, S.56°10'19"E., 475.91';

THENCE, S.33°47'32"W., 159.39';

THENCE, S.56°10'19"W., 40.96';

THENCE, S.33°49'41"W., 295.11';

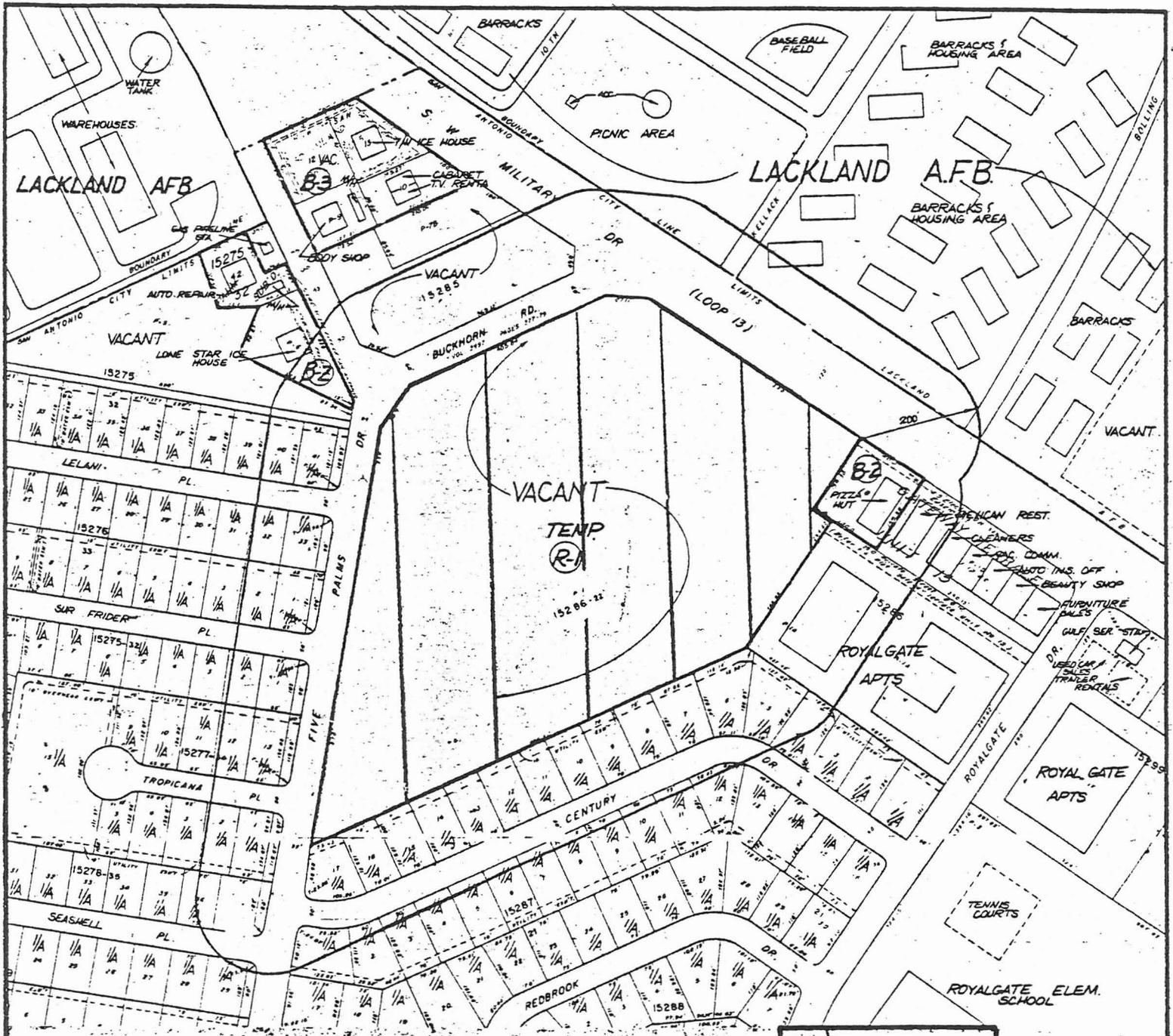
THENCE, S.65°06'05"W., 893.77';

THENCE, N.09°00'57"E., 736.71';

THENCE, N.11°47'01"E., 80.27';

THENCE, N.33°49'30"E., 85.40';

THENCE, N.65°03'00"E., 405.84' to the POINT OF BEGINNING.



ZONING CASE Z84293

CITY COUNCIL DISTRICT 6

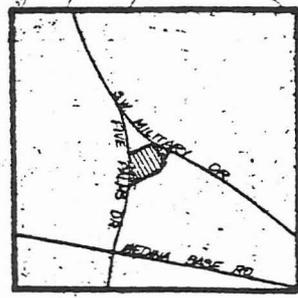
CENSUS TRACT 1615

GRID 12-56

REQUESTED ZONING CHANGE FROM TEMP R-1 SINGLE FAMILY RESID. DIST. TO R-3 MULTI-FAMILY RESID. DIST.

DATE OCT 14, 1984

SCALE



DEPARTMENT OF PLANNING
SAN ANTONIO, TEXAS

APPLICANT: Empire West Co's

ZONING CASE NO Z84293

STATUS OF APPLICANT: Buyer

APPEAL CASE

YES
NO XX

OWNER OF PROPERTY: Sylvan Stephang

OWNER CONCURS WITH THIS REZONING REQUEST:

YES X
NO _____

DATE OF APPLICATION: July 24, 1984

LOCATION OF PROPERTY

A 14.306 acre tract of land out of NCB 15286, being further described by field notes filed in the Office of the Planning Department.
In the 5400 Blk of SW Military Drive
In the 800 Blk of Five Palms Drive

FOR INFORMATION ONLY

Subject property is located on the southeast side of Buckhorn Rd., between Five Palms Drive and SW Military Dr., having 573.41' on Buckhorn Rd., 816.98' on Five Palms Dr., and 475.91' on SW Military Drive.

REQUESTED CHANGE OF PROPERTY

Temporary "R-1" One Family Residence District to "R-3" Multiple Family Residence District

ZONING COMMISSION PUBLIC HEARING HELD ON July 24, 1984,

INFORMATION PRESENTED BY APPLICANT

Mr. Russell Maddox, 8918 Tesoro, stated that they are requesting the change of zoning for an apartment development. He requested a postponement of this case at this time because both parties involved are out of town and he is not prepared to make a presentation at this time.

Mr. Gene Fenn, 6011 Century Dr., stated that he is opposed to the request of the postponement at this time.

The Motion was made by Ms. Davies and seconded by Mr. Washington, to hearing the case at this time.

All those present voted in the affirmative.
THE MOTION CARRIED

Mr. Russell Maddox, 8918 Tesoro Dr., stated that as a broker he was not prepared to present a case for either the buyer or the seller.

IN OPPOSITION

Mrs. Cherry C Queen, 6030 Century Drive, stated that she is opposed to the proposed change of zoning because she feels that the area is already congested with apartments. She further stated that they have too much traffic and too much congestion in the area. She stated that she would like to know what the applicant is proposing to develop.

Mr. Gene Fenn, 6011 Century Dr., stated that he is opposed to the proposed change of zoning because they do not know what the applicant is proposing to develop on the property. He further stated that they would like to meet with the developer and to have some say so as to what will be developed on the property.

Mr. Frank D Goodf, 6027 Century Dr., stated that he is opposed to the proposed change of zoning because he does not know what the applicant is proposing to construct. He further stated that he does not want any apartment developments in the area.

REBUTTAL

Mr. Maddox did not wish to rebutt. He stated that his clients did not own the property at this time but has a contract subject to the change of zoning. He further stated that if they could have a four weeks postponement they would be able to prepare a development plan at the next meeting.

STAFF RECOMMENDATIONS

DISCUSSION

The subject property fronts onto SW Military Drive and adjoins an established single family residential neighborhood to the south and west. Along SW Military Drive there presently exist some business zonings and several non conforming uses. The granting of this request would establish a transitional buffer between the single family development and SW Military Drive.

RECOMMENDATION

Approval is recommended by staff. Provided that a 6' solid screen fence is erected and maintained along the southeast property line.

TRAFFIC ENGINEERING RECOMMENDATION

This irregular shaped lot has street on three sides. The Five Palms frontage will require a five (5) foot right of way dedication. Driveways and off street parking must be submitted to traffic engineering for approval.

RESULTS OF NOTICES RECEIVED BEFORE HEARING

There were sixty one notices mailed out to the surrounding property owners, six returned in opposition and none returned in favor.

COMMISSION ACTION

MOTION WAS MADE BY Ms. Davies and seconded by Mr. Washington, that this case be postponed until the such time as the applicant places it back on the agenda after having met with the residents of the area to present to them a plan for their information. At the expense of the applicant.

Davies, Washington, Adams, McNeel, Oviedo, Alvarado, Meza voting in the affirmative; None voting against; Polunsky, Rodriguez, Kachtik, Small being absent.

THE MOTION CARRIED

ZONING COMMISSION PUBLIC HEARING HELD ON September 11, 1984

INFORMATION PRESENTED BY APPLICANT

Mr. Cary Mams, stated that they are requesting the change of zoning for an apartment development. He further stated that they propose to construct 469 units. He stated that he has met with the surrounding residents and Councilman Bob Thompson to discuss the proposed development plans. He stated that the residents main concern was that a buffer be provided adjacent to the single family residential development. He stated that they intend to provide a landscape area and parking area with a 100' buffer adjacent to the single family residential area.

IN FAVOR

Mr. Steven Lang, stated that he was representing the owners of the subject property. He further stated that there is a need for housing in the area because of the military installations in the area. He stated that he does not feel that the proposed development will change the character of the area.

IN OPPOSITION

Mrs. Lila Schmidt, 6003 Century Drive, stated that she is not in opposition to the proposed development but she is concerned about vehicles from the apartment development running into the single family dwellings as the parking area for the apartments will be directly behind the homes. She further stated that she would like to request that some protection be provided for the single family residents adjacent to the apartment development. She suggested that a privacy fence be provided.

Mr. Gene Fenn, 6011 Century Dr., stated that he is not in opposition to the proposed development but he is concerned that there should be something done by the applicant in the development of the project to provide the residents with the privacy that they need. He further stated that the residents would like to work with the applicant in the development of the subject property.

REBUTTAL

Mr. Mams stated that they intend to provide solid screen fencing along the entire parameter of the subject property and they also intend to provide a landscape buffer. He stated that they would be amenable to a 50' building setback adjacent to the single family residential area along Century Drive.

STAFF RECOMMENDATIONSDISCUSSION

On July 24, 1984, the Zoning Commission postponed action on this case at the request of the applicant. The subject property fronts onto SW Military and adjoins an established single family residential neighborhood to the south and west. Along SW Military Dr. there presently exist some business zonings and several non conforming uses. The granting of this request would establish a transitional buffer between the single family development and SW Military Drive.

RECOMMENDATION

Approval is recommended by staff. Provided that a 6' solid screen fence is erected and maintained along the southeast property line.

TRAFFIC ENGINEERING RECOMMENDATION

This irregular shaped lot has street on three sides. The Five Palms frontage will require a five (5) foot right of way dedication. Driveways and off street parking must be submitted to Traffic Engineering for approval.

RESULTS OF NOTICES RECEIVED BEFORE HEARING

There were sixty one notices mailed out to the surrounding property owners seven returned in opposition and two returned in favor.

COMMISSION ACTION

MOTION WAS MADE BY Mr. Small and seconded by Mr. Meza, to recommend approval of the requested petition from Temporary "R-1" One Family Residence District to "R-3" Multiple Family Residence District for the following votes:

Small, Meza, Kachtik, Washington, McNeel, Alvarado, Davies, Polunsky voting in the affirmative; None voting against; Oviedo, Adams, Rodriguez being absent.
THE MOTION CARRIED

REASONS FOR ACTION

1. Subject property is located on a 14.306 acre tract of land out of NCB 15286 in the 5400 Blk of SW Military Drive and in the 800 Block of Five Palms.
2. There were sixty one notices mailed out, seven returned in opposition and two returned in favor.
3. Staff has recommended approval.

OTHER RECOMMENDATIONS

It is further stipulated that 5' right of way street dedication be given along Five Palms and that driveways 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 southeast property line. To provide a 50' building setback adjacent to the single family residential development and a 5' landscape buffer along Five Palms Drive.

RESULTS OF NOTICES FOR COUNCIL HEARING

To be provided at Council Hearing

TO: CITY CLERKS
REQUEST FOR NOTICE FOR PUBLIC HEARING

CASE: Z84293NAME: Empire West Co's

The rezoning and reclassification of:

LOCATION

A 14.306 acre tract of land out of NCB 15286, being further described by field notes filed in the Office of the Planning Department.
In the 5400 Blk of SW Military Drive
In the 800 Blk of Five Palms Drive

FOR INFORMATION ONLY

Subject property is located on the southeast side of Buckhorn Rd., between Five Palms Dr., and SW Military Dr., having 573.41' on Buckhorn Rd., 816.98' on Five Palms Dr., and 475.91' on SW Military Dr.

FROM: Temporary "R-1" One Family Residence District

TO : "R-3" Multiple Family Residence District

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

CITY OF SAN ANTONIO

Office of the City Council

Interdepartment Correspondence Sheet

AGENDA ITEM NO 27

TO: Mayor and Council
FROM: Robert S. "Bob" Thompson, Councilman - District 6
COPIES TO: City Manager; City Attorney; City Clerk
SUBJECT: ZONING CASE Z84293

Date October 10, 1984

I will be unable to attend the Council meeting of October 11, 1984, but I would ask that you approve a zoning case on Thursday's agenda that is in my district. The zoning case, Z84293 is the first zoning case to be considered.

I have met with neighborhood residents; and there is no opposition. I think that it is a very good project.

Please approve this zoning case from Temporary "R-1" One Family Residence District. to "R-3" Multiple Family Residence District.

Your cooperation is appreciated.



Robert S. "Bob" Thompson
Councilman, District 6

RST:jrb

Affidavit of Publisher

THE STATE OF TEXAS,

COUNTY OF BEXAR
CITY OF SAN ANTONIO

Before me, the undersigned authority, on this day personally appeared Irene Palencia, who being by me duly sworn, says on oath that she is Office Supervisor 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 #59579 hereto attached has been published in every issue of said newspaper on the following days, to-wit: October 16, 1984.

AN ORDINANCE 59579

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. Z84293)

The rezoning and reclassification of property from Temporary "R-1" One Family Residence District to "R-3" Multiple Family Residence District, listed below as follows:

A 14.306 acre tract of land out of NCB 15286, being further described by field notes filed in the Office of the City Clerk.

In the 5400 Block of S.W. Military Drive.

In the 800 Block of Five Palms Drive.

Provided that 5' right of way street dedication is given along Five Palms and that driveways and off-street parking are provided and submitted to the Traffic Section for approval. Further provided that a 16' solid screen fence is erected and maintained along the southeast property line. In addition providing a 50' building setback adjacent to the single family residential development and a 5' landscape buffer along Five Palms Drive.

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 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 11th day of October 1984.

/s/ HENRY CISNEROS
Mayor

ATTEST:

/s/ Norma S. Rodriguez,
City Clerk

Sworn to and subscribed before

Irene Palencia
Day of October, 1984.

A. Orozco
In and for Bexar County,