

AN ORDINANCE **42916**

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. 5230)

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

Temporary "R-1" to "B-1"
Lot 1, Block 5, NCB 14760
Lots 2, 3, 4, and 5, Block 4, NCB 14759
7400 and 7500 Block of North F. M. 1604 West

Temporary "R-1" to "B-2"
Lot 3, Block 3, NCB 14758
7600 Block of North F. M. 1604 West

Provided that a 6' solid screen fence is erected on 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 18th day of October 19 73.

Glenn B. Gray
M A Y O R

PRO TEM

ATTEST: *J. H. Trullmann*
C I T Y C L E R K

APPROVED AS TO FORM: _____
City Attorney

73-54

DISTRIBUTION

ITEM NO. C.

OCT 18 1973

AVIATION DIRECTOR
BUILDING & PLANNING ADMIN.
CITY WATER BOARD
COMMERCIAL RECORDER
COMMUNITY DEVELOPMENT OFFICER
COMMUNITY ANALYSIS DIVISION
COMPREHENSIVE PLANNING
CONVENTION BUREAU
CONVENTION CENTER
FINANCE DIRECTOR
ASSESSOR
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: _____

MOTION BY: San Martin SECONDED BY: Black

ORD. NO. 42916 ZONING CASE 5230

RESOL. _____ PETITION _____

COUNCIL MEMBER	ROLL CALL	AYE	NAY
LILA COCKRELL PLACE NO. 1		✓	
DR. JOSE SAN MARTIN PLACE NO. 2		✓	
CHARLES L. BECKER PLACE NO. 3		abs	
REV. CLAUDE BLACK PLACE NO. 4		✓	
GLENN LACY PLACE NO. 5		abs	
CLIFFORD MORTON PLACE NO. 6		abs	
ALFRED BECKMANN PLACE NO. 7		abs	
ALVIN G. PADILLA, JR. PLACE NO. 8		✓	
LEO MENDOZA, JR. PLACE NO. 9		✓	

provided that a 6' solid screen fence is erected on the north property line.

73-54

DATE October 1, 1973

TO: CITY CLERK

REQUEST FOR NOTICE FOR PUBLIC HEARING:

CASE 5230

NAME University Hill, Inc.

The rezoning and reclassification of:

Temporary "R-1" to "B-1"

Lot 1, Blk 5, NCB 14760

Lots 2,3,4, and 5, Blk 4, NCB 14759

7400 and 7500 Block of North F.M. 1604 West

FOR INFORMATION ONLY

Lot 1, Blk 5, NCB 14760 is located on the northwest side of North F.M. 1604, being 210.20' southwest of the cutback between Red Robin Road and North F.M. 1604 West; having 103.0' on the North F.M. 1604 West and a maximum depth of 281.77'.

Lots 2,3,4, and 5, Blk 4, NCB 14759 are located on northwest side of North F.M. 1604 West, being 202.92' southwest of the cutback between Cotton Tail Lane and North F.M. 1604 West; having 630.35' on North F.M. 1604 West and a maximum depth of 296.10'.

Temporary "R-1" to "B-2"

Lot 3, Blk 3, NCB 14758

7600 Block of North F.M. 1604 West

FOR INFORMATION ONLY

Lot 3, Blk 3, NCB 14758 is located on the northwest side of North F.M. 1604 West, being 254.8' northeast of the cutback between Cotton Tail Lane and North F.M. 1604 West, having approximately 535' on North F.M. 1604 West and a maximum depth of 302.2'.

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

TO: "B-1" and "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: University Hill, Inc.

ZONING CASE 5230

DATE OF APPLICATION: July 13, 1973

Appeal Case

Yes

No XXX

LOCATION OF PROPERTY:

Temporary "R-1" to "B-1"
Lot 1, Blk 5, NCB 14760
Lots 2, 3, 4 and 5, Blk 4, NCB 14759
7400 and 7500 Block of F. M. 1604 West

FOR INFORMATION ONLY

Lot 1, Blk 5, NCB 14760 is located on the northwest side of North F.M. 1604 West, being 210.20' southwest of the cutback between Red Robin Road and North F.M. 1604 West; having 103.0' on North F.M. 1604 West and a maximum depth of 281.77'.

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Lot 3, Blk 3, NCB 14758
7600 Block of North F.M. 1604 West.

FOR INFORMATION ONLY

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ZONING CHANGE REQUESTED:

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

ZONING COMMISSION PUBLIC HEARING ON SEPTEMBER 12, 1973:

Information Presented by Applicant:

Mr. Ralph Bender, representing applicant, stated to the Commission that property is in the Old Hills and Dales Subdivision which was acquired prior to annexation. When this subdivision was platted, all the lots along F.M. 1604 were restricted to allow commercial development along 1604. Mr. Bender stated that he would go along with the staff's recommendations and amended his request to "B-1" and "B-2" on a portion of the property.

IN OPPOSITION

Mr. Joseph C. Ransom, was opposed to the "B-3" zoning because it would permit consumption of alcohol.

Mr. Sam Klemcke, stated to the Commission that he opposed such re-zoning because he was not interested in having on-premise consumption of alcoholic beverages behind his home.

REBUTTAL

Mr. Bender stated that applicants are not the developers of this area. When they acquired these lots, they acquired all the unplatted lots in the area also. He further stated that they do not wish to damage any of the adjacent single family residences.

STAFF RECOMMENDATIONS

Discussion

In the staff's opinion, a good land planning development establishes community services surrounding intersections of major arterial streets. At intersections of collector streets, neighborhood services should be made available, taking into consideration the characteristics of existing development.

The properties in this case have been previously platted to front onto a future major roadway. In as much as this has already occurred we would recommend uses other than single family. We recommend that the community services node be encouraged at the intersection of Babcock and 1604 and that transitional zoning be approved as development progresses away from that intersection.

Recommendation

Approval of "B-2" zoning on properties in NCB 14758. Approval of "B-1" zoning on properties in NCB's 14759 and 14760. Six foot solid screen fencing along the north line of the properties in question.

Traffic and Transportation Department Recommendations:

A report from the Traffic Department states that North F.M. 1604 West is to be developed as a limited access freeway.

Results of Notices Received Before Hearing:

There were twenty-eight notices mailed to the surrounding property owners; seven returned in opposition and two notices were returned in favor. Three notices were returned "unclaimed".

COMMISSION ACTION

By a vote of six in favor and three being absent, the Commission recommended approval of this request.

Reasons for Action

- (1) Property is located in the University Hills area.
- (2) It fronts on North F.M. 1604 West.
- (3) Property having frontage on F.M. 1604 would be better used for commercial or multiple family.
- (4) This property lies west of the primary business node of Babcock Road and North 1604 West.
- (5) Therefore, the transition from the heavier "B-2" and "B-3" business uses is appropriate through this area.

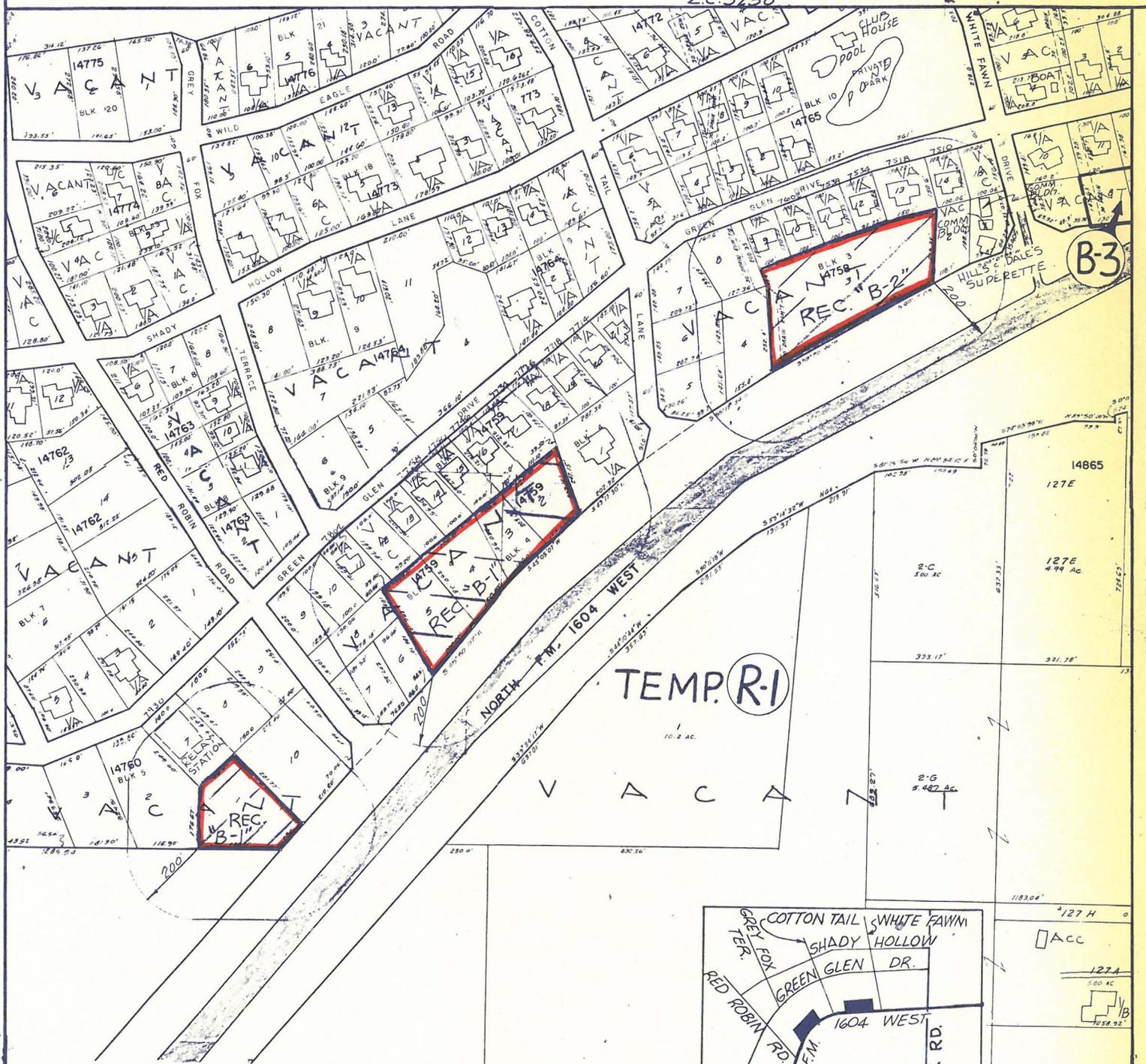
Other Recommendations

It is further recommended that applicant work with the Traffic Department and that a 6' solid screen fence be erected on the north property line.

RESULTS OF NOTICES FOR COUNCIL HEARING:

(To be provided at Council hearing.)

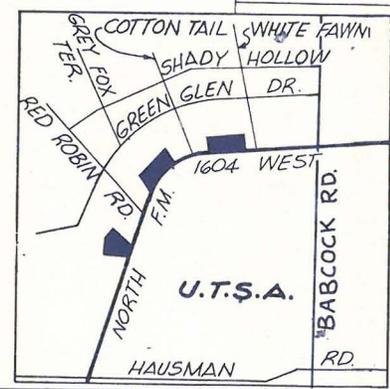
Z.C. 5230



ZONING CASE 5230
 REQUESTED ZONING CHANGE
 FROM TEMP. "R-1" FAM. RES. TO "B-1" & "B-2" BUS. DIST.
 DATE: OCT. 1973
 SCALE 0 100' 200' 400'



DEPT. OF BUILDING &
 PLANNING ADMINISTRATION
 SAN ANTONIO, TEXAS



Affidavit of Publisher

THE STATE OF TEXAS,

COUNTY OF BEXAR
CITY OF SAN ANTONIO

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

Donald F. Smasal, who being by me duly sworn,

says on oath that he is ~~one of the publishers~~ ^{Business 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 42916 Case No. 5230 hereto attached has been published in

every issue of said newspaper on the following day~~s~~, to-wit: _____

October 22, _____, 19 73

AN ORDINANCE 42916

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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 18th day of October, 1973:
 GLENN B. LACY
 Mayor Pro-Tem

ATTEST:
 J. H. INSELMANN
 City Clerk

Donald F. Smasal Donald F. Smasal

Sworn to and subscribed before me this 22nd day of October, 19 73

Stella Orozco
Notary Public in and for Bexar County, Texas