

AN ORDINANCE 58259

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. Z84010 )

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

The east 65' of the north 35' of the south irregular 201' of Lot 295, NCB 7851.  
In the rear of 400 West Mayfield Blvd.

Provided that proper access and off-street parking are provided.

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 9th day of February, 1984.

*Henry Cisneros*  
M A Y O R

ATTEST: *Korma S. Rodriguez*  
City Clerk

APPROVED AS TO FORM: *Tom Smiley*  
Acting City Attorney

84-06

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	
CONTROLLER	1
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. 22  
 DATE: FEB 9 1984

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

ORD. NO. 58259 ZONING CASE #284010

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

STAFF RECOMMENDS DENIAL

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

Provided that proper access and off-street parking are provided.

THE E. 65' OF THE N. 35' OF THE S. 1/4 OF SECTION 7-01' OF LOT 295, NEB 7857.

**81-06**

TO: CITY CLERKS  
REQUEST FOR NOTICE FOR PUBLIC HEARING

CASE: Z84010

NAME: Augustin Paredes

The rezoning and reclassification of:

LOCATION

The south irregular 201' of Lot 295 NCB 7851  
In the rear of 400 W. Mayfield Blvd.

FOR INFORMATION ONLY

Subject property is located on the northwest side of IH 35  
Expressway, being 150' southwest of the intersection  
of Mayfield Blvd. and IH 35 South Expressway, having 225'  
on IH 35 South Expressway and a maximum depth of 114.9'

FROM: "B" Residence District

TO : "B-3NA" Non-Alcoholic Sales District

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

Department of Planning and Zoning

APPLICANT: Augustin Paredez

ZONING CASE NO Z84010

STATUS OF APPLICANT: Owner

APPEAL CASE

YES \_\_\_\_\_

NO xx

OWNER OF PROPERTY: Augustin Paredez

OWNER CONCURS WITH THIS REZONING REQUEST

YES xx

NO \_\_\_\_\_

DATE OF APPLICATION: December 7, 1983

LOCATION OF PROPERTY

The south irregular 201' of Lot 295 NCB 7851  
In the rear of 400 W. Mayfield Blvd.

FOR INFORMATION ONLY

Subject property is located on the northwest side of IH 35 Expressway, being 150' southwest of the intersection of Mayfield Blvd. and IH 35 south Expressway having 225' of IH 35 south expressway and a maximum depth of 114.9'

REQUESTED CHANGE OF PROPERTY

"B" Residence District to "B-3NA" Non-Alcoholic Sales District

ZONING COMMISSION PUBLIC HEARING HELD ON January 10, 1984

INFORMATION PRESENTED BY APPLICANT

Mrs. Gloria Gonzales, 400 W. Mayfield, stated that they are requesting the change of zoning because an advertising company has requested the use of a portion of the property for placing an advertising sign. She further stated that the income from the rental of the property would supplement her father's income.

IN OPPOSITION

There was no opposition present.

STAFF RECOMMENDATIONS

DISCUSSION

On February 28, 1978, the Zoning Commission considered and denied a request of "B-3" on the subject property. The case was never forwarded to City Council for final consideration. At that time staff recommended denial of the request because of the existing single family development to the north and west. The business zonings that exist in the area are to the north at the intersection of Southcross Blvd. and IH 35 and to the south at the intersection of SW Military Drive and IH 35.

RECOMMENDATION

Denial is recommended by staff.

TRAFFIC ENGINEERING RECOMMENDATIONS

The subject property is served by the one way southbound frontage road of IH 35 Expressway. Access is controlled by the State Department of Highways and Public Transportation. Proper commercial access and paved off-street parking must be provided.

RESULTS OF NOTICES RECEIVED BEFORE HEARING

There were fourteen notices mailed out to the surrounding property owners, none returned in opposition and four returned in favor.

COMMISSION ACTION

MOTION WAS MADE BY Mrs. Kachtik and seconded by Ms. Davies, to recommend denial of the requested petition from "B" Residence District to "B-3NA" Non-Alcoholic Sales District for the following votes:

Kachtik, Davies, Small, McNeel voting in the affirmative; Rodriguez, Adams, Washington, Oviedo, Alvarado, Meza, Polunsky voting against.

THE MOTION FAILED

REASONS FOR ACTION

1. Subject property is located on the south irregular 201' of Lot 295, NCB 7851, in the rear of 400 W. Mayfield Blvd.
2. There were fourteen notices mailed out, none returned in opposition and four returned in favor.
3. It is this Commissioner's opinion, that since there are no other business uses on this side of the street where the property is located, it would not be appropriate zoning for the subject property at this time.

SECOND MOTION

MOTION WAS MADE BY Mr. Oviedo and seconded by Mr. Meza, to recommend approval of the requested petition from "B" Residence District to "B-3NA" Non-Alcoholic Sales District for the following votes:

Oviedo, Meza, Rodriguez, Adams, Washington, Alvarado, Polunsky voting in the affirmative; Davies, McNeel, Kachtik, Small voting against;

THE MOTION CARRIED

REASONS FOR ACTION

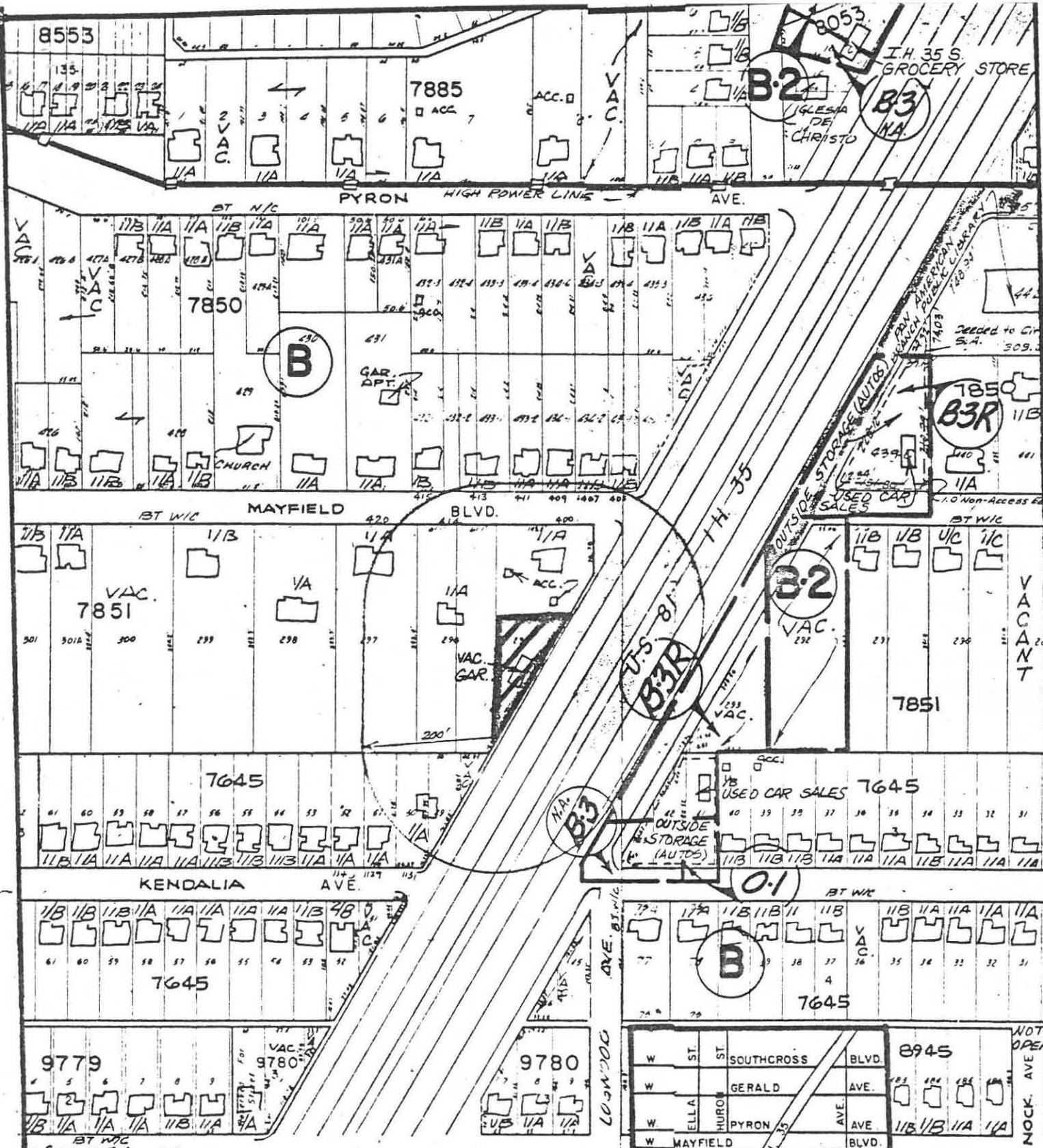
1. Subject property is located on the south irregular 201' of Lot 295, NCB 7851, in the rear of 400 W. Mayfield Blvd.
2. There were fourteen notices mailed out, none returned in opposition and four returned in favor.
3. It is this Commissioner's opinion, that along the access road of I-35 there are other business zonings and the requested zoning would not be detrimental to the area.

OTHER RECOMMENDATIONS

It is further stipulated that proper access and off-street parking be provided.

RESULTS OF NOTICES FOR COUNCIL HEARING

To be provided at Council Hearing



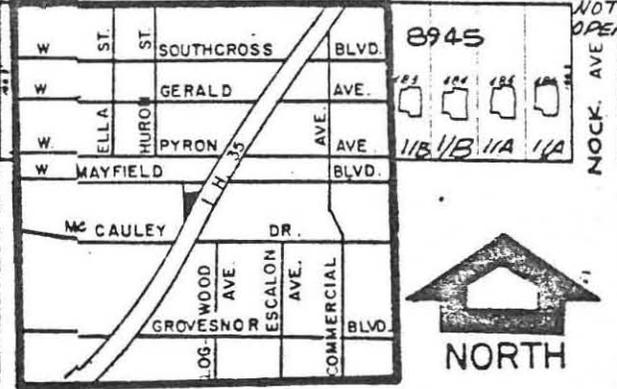
# ZONING CASE Z 84010

CITY COUNCIL DIST. NO. 4 CENSUS TRACT 1511

REQUESTED ZONING CHANGE FROM "B TWO FAM RES DIST" TO "B3NA BUS. DIST. NON-ALCOHOLIC"

DATE FEB 9, 1984

SCALE 0' 100' 200' 300' 400'



DEPARTMENT OF PLANNING  
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 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 # 58259 hereto attached has been published in every issue of said newspaper on the following days, to-wit: February 22, 1984.

**AN ORDINANCE 58259**

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. Z84010)**

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

The east 65' of the north 35' of the south irregular 201' of Lot 295, NCB 7851.  
In the rear of 400 West Mayfield Blvd. -

Provided that proper access and off-street parking are provided.

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 9th day of February, 1984.

/s/Henry Cisneros  
MAYOR

ATTEST:  
/s/Norma Rodriguez  
City Clerk

Sworn to and subscribed b

Irene Palencia  
February 22, 1984

Norma Rodriguez

ic in and for Bexar County,

Texas