

AN ORDINANCE **5 709 3**

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. Z83112)

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

Lots 10,11 and 12, Block 8, NCB 14708.  
6321 Babcock Road

Provided that proper access and off-street parking are provided, and that three feet of right-of-way is provided along Babcock Road.

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 9<sup>th</sup> day of June, 1983.

*Henry Cisneros*  
M A Y O R

ATTEST: *Korma S. Rodriguez*  
City Clerk

APPROVED AS TO FORM: *Joe H. Newman*  
City Attorney

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. 19.

MEETING OF THE CITY COUNCIL DATE: JUN 9 1983

MOTION BY: Harrington SECONDED BY: Dutmer

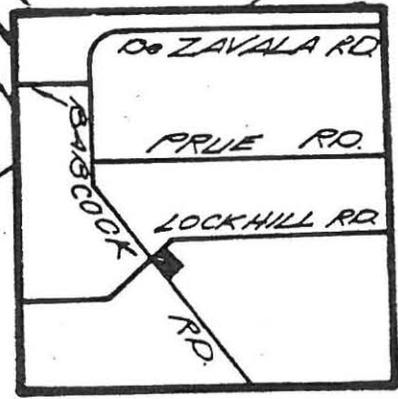
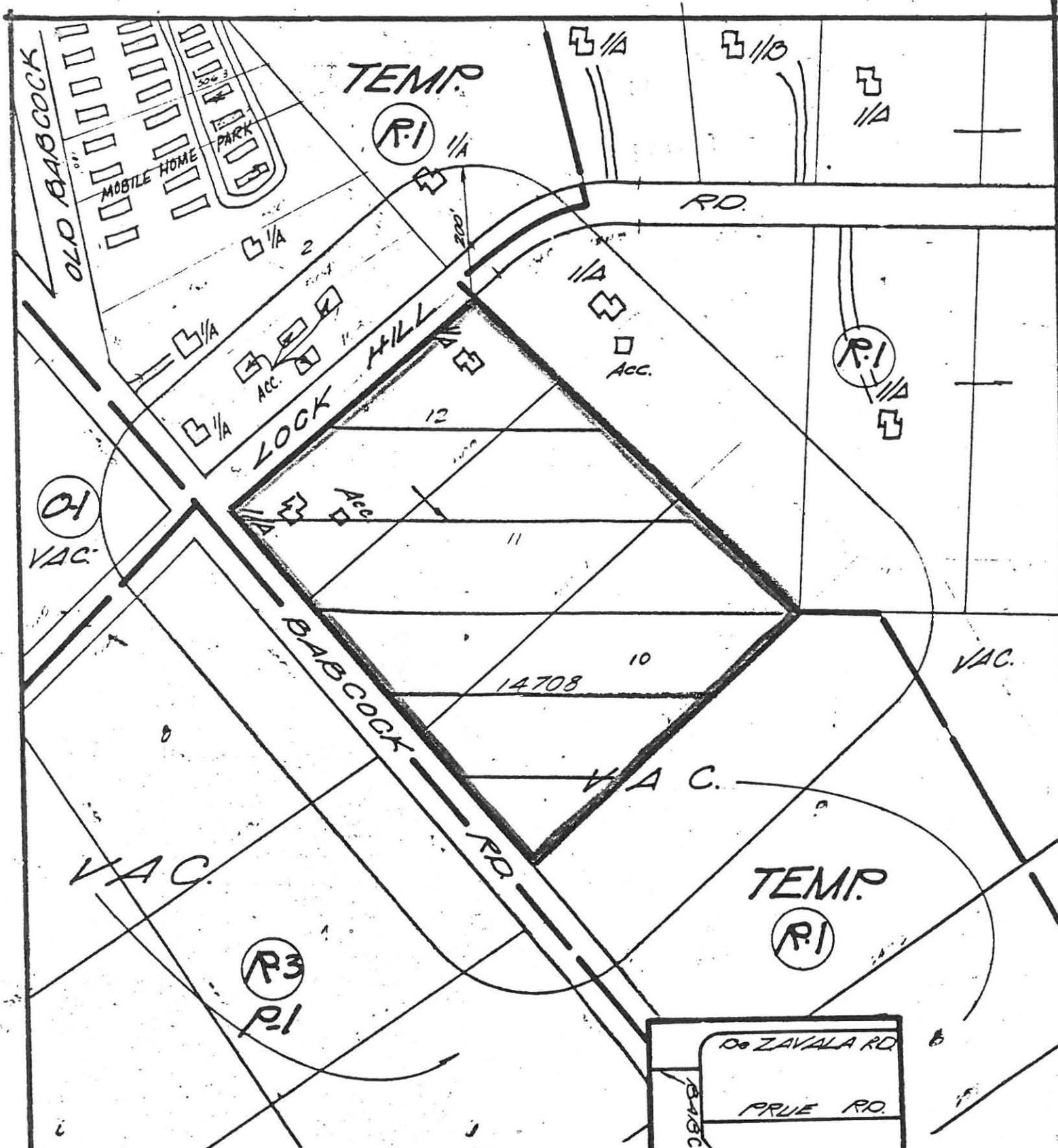
ORD. NO. 5 709 3 ZONING CASE #283112

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

	ROLL CALL	AYES	NAYS
MARIA A. BERRIOZABAL PLACE 1		✓	
JOE WEBB PLACE 2		✓	
HELEN DUTMER PLACE 3		✓	
FRANK D. WING PLACE 4		absent	
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		absent	
HENRY G. CISNEROS PLACE 11 (MAYOR)		✓	

Provided that proper access and off-street parking are provided, and that 3 feet of right-of-way is provided along Babcock Rd.

83-27



**ZONING CASE 283112**  
 CITY COUNCIL DISTRICT NO: 8 CENSUS TRACT 1818  
 REQUESTED ZONING CHANGE FROM "TEMP. R-1" ONE FAM. RES. DIST. TO "R-3 MULTI-FAM. RESID. DIST." GRID 12-62  
 DATE JUNE 9, 1983  
 SCALE 0 100 200 300 400'

DEPARTMENT OF PLANNING  
 SAN ANTONIO, TEXAS



TO: CITY CLERKS

REQUEST FOR NOTICE FOR PUBLIC HEARING:

CASE 283112 NAME Mrs. Verda Cooper

The rezoning and reclassification of :

LOCATION:

Lots 10, 11, 12, Block 8, NCB 14708  
6321 Babcock Road.FOR INFORMATION ONLY

Subject property is located east of the intersection of Lockhill Road and Babcock Road having 497.7' on Lockhill Road and 723.5' on Babcock Road.

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.

Department of planning and zoning

APPLICANT: Mrs. Verda Cooper

ZONING CASE NO. Z83112

STATUS OF APPLICANT: Owner

APPEAL CASE

YES \_\_\_\_\_

NO XX

OWNER OF PROPERTY : Mrs. Verda Cooper

OWNER CONCURS WITH THIS REZONING REQUEST

YES- XX

NO \_\_\_\_\_

DATE OF APPLICATION: Feburary 21, 1983

LOCATION OF PROPERTY

Lots 10, 11, 12, Block 8 , NCB 14708  
6321 Babcock Road.

FOR INFORMATION ONLY

Subject property is lcoated east of the intersection of Lockhill Road and Babcock Road having 497.7' on Lockhill Road and 723.5' on Babcock Road.

REQUESTED CHANGE IN ZONING

From Temporary "R-1" OneFamily Residence District to "R-3" Multiple Family Residence District

---

ZONING COMMISSION PUBLIC HEARING HELD ON April 5, 1983

Information Presented By Applicant

Mr. Vernon Willoughbly, 159 Oakhurst, stated that they are requesting the change of zoning for the sale of the subject property. He further stated that they presently have a client that wishes to buy the property subject to rezoning.

Mr. Verda Cooper, 6321 N.E. Loop 410, stated that they had bought the property with the intention that they would use their property for retirement. She further stated that since her husband died she does not need eight acres and while she is of good mind and good health she would like to dispose of the property. She noted that she does not intend to let something that would be detrimental to the neighborhood. She stated that she will live on the property for two and half years and have a note on the property for ten years.

IN FAVOR.

Mr. Scott Weems, 1635 N.E. Loop 410, stated that the applicant will be living on the property and will be receiving annuity income. They felt that the highest and best use of the property would be for business. He stated that they did not have any immediate plans for development of the subject property. He stated that they intend to develop the property in keeping with the character of the area.

Mr. Charlie Bauchman, 5908 Babcock stated that he is in favor of the proposed change of zoning because he is in favor of progress on Babcock Road.

Mrs. A. Eckert, 6292 Lockhill Road, stated that she is in favor of the development in the area and she is in favor of the change in zoning.

IN OPPOSITION

Mrs. Jacqueline Mikiten, 6602 Pembroke, stated she is opposed to the proposed change of zoning because she strongly feels that change should not be to commercial property. She further stated that she feels that it is inappropriate for this particular area.

Mrs. Evelyn Barco, 6960 Pembroke, stated that she is in opposition to the proposed change of zoning because when she moved to this area she wanted privacy, peace, and she was told that the area would remain residential. She further stated that they need residential improvements instead of business.

Mrs. Helen Burstein, 6083 Babcock, stated that she is representing the Alamo Farmstead Babcock Road Neighborhood Association. She further stated that there were fifty-six families who had signed a petition in opposition to the proposed change of zoning. She stated that they feel that this request would be premature. They believe that in the interest of good planning they feel that this zoning would be inappropriate and recommend that this request be denied.

Mrs. Pat Hoskins, 6243 Babcock stated that she is in opposition to the proposed change of zoning because she does not want to see any business development in the area. She further stated that she would like to keep the neighborhood residential.

Mr. John Garring, 6165 Babcock Road, stated that he is in opposition to the proposed change of zoning because this is speculative rezoning. She stated that he does not want to see commercial zoning in the area.

REBUTTAL

Mr. Scott Weems, stated that Babcock Road is not suitable for residential development. He further stated that the residents of the area are concerned about utility improvements and the only way that they will get any utility improvements is if some kind of development occurs. He stated that they do not propose to change the character of the area.

STAFF RECOMMENDATIONSDiscussion

The subject property presently enjoys "R-1" zoning, and is for the most part vacant. To the west of the subject property is an area zoned "O-1" with "R-1" zonings to the north and east and "P-1(R-3)" to the west. To the east is a single family subdivision on large tracts of land. The character of this general area is still of a residential one.

Recommendation

Denial is recommended by staff.

TRAFFIC ENGINEERING RECOMMENDATION

The subject property is served by Babcock Road, a designated secondary arterial type "A" and by Lockhill Road, a local access street. Business traffic should be oriented toward the major intersections. Proper access and off-street parking must be provided. Three feet (3') of right-of-way is needed along Babcock Road.

RESULTS OF NOTICES RECEIVED BEFORE HEARING

There were thirteen notices mailed out to the surrounding property owners, one returned in opposition and four returned in favor.

COMMISSION ACTION

MOTION WAS MADE BY Mrs. Kachtik and seconded by Mr. Meza to recommend denial of the requested petition from Temporary "R-1" One Family Residence District to "B-2" Business District by the following votes:

Kachtik, Meza, Washington, Davies voting in the affirmative; Rodriguez, Adams, Alvarado, Polunsky voting against; McNeel, Williams, Oviedo being absent. THE MOTION FAILED.

SECOND MOTION

MOTION WAS MADE BY Mr. Washington and seconded by Mr. Alvarado that this case be postponed until the end of the agenda. THE MOTION CARRIED.

REASONS FOR ACTION

1. Subject property is located on Lots 10, 11, 12, Block 8, NCB 14708, 6321 Babcock Road.
2. There were thirteen notices mailed out, one returned in opposition and four returned in favor.
3. The applicant has stated that arrangements will be made upon sale of property. There are no definite plans for the property at this time. It is this Commissioner's opinion that this request is premature.

COMMISSION ACTION

MOTION WAS MADE BY Mr. Adams and seconded by Mr. Washington that this case be postponed until the applicant places it back on the agenda to allow more members to be present by the following votes:

Adams, Washington, Kachtik, Oviedo, Alvarado, Davies, Polunsky voting in the affirmative; Meza voting against; McNeel, Williams being absent. THE MOTION CARRIED.

ZONING COMMISSION PUBLIC HEARING HELD ON MAY 17, 1983Information Presented By Applicant

Mr. Vernon Willoughby, 153 Oak Hurst, stated that they were requesting the change of zoning because the applicant wishes to sell the property for "R-3" development. He further stated that the applicant has a contract with the prospective buyer to allow her to live on the property for 2½ years or more if she wishes.

IN FAVOR.

Mr. Scott Weems, 226 Winedale, stated that he is representing the buyer of the property. He further stated that they have met with the residents of the area and the residents requested that development of the property be residential. He stated that they do not have plans for development at this time.

Mr. C.V. Wognestahl, 5886 Babcock Road, stated that he is in favor of the proposed change of zoning because he would like to see development occur in the area. He stated that this will increase his property value.

Mr. Charlie Bauchman, 5908 Babcock stated that he is in favor of the proposed change of zoning because he would like to see commercial development on Babcock Road. He further stated that he feels that there is a need for more development in the area. He noted that Babcock Road is a major thoroughfare and more commercial development should occur.

Mrs. Verda Cooper, 6321 Babcock Rd., stated that she has a contract for the sale of her property subject to the change of zoning. She further stated that she wishes to sell the property in order to get some kind of financial stability for the future. She stated that she feels that the proposed use will be the highest and best use of the property.

IN OPPOSITION

Mrs. Jacqueline Miketen, 6602 Pembroke, stated that she is in opposition of the proposed change of zoning because she cannot support multi-family development on the property. She does not want transients in the area and she would like to see the neighborhood remain single family residential. She stated that the traffic situation on Babcock Road is heavy and there is no immediate plans to improve this road. She further stated that she is opposed to the high density that is allowed under this zoning.

Mr. John Gehring, 6165 Babcock Road, stated that he is in opposition to the proposed change of zoning because Babcock Road is a two lane street and there are no intensive uses on it. He further stated that he does not want to see any multi-family development on the property, he would like for it to remain single family residential.

Evan Bato, stated that she is in opposition to the proposed change of zoning because she is concerned that the school in the area is already overflowing. She further stated that the area needs to remain low density in order to keep over population under control.

Ms. Stephanie Welsh, stated that she does not want high density development in the area. She further stated that she would like to see the area remain single family residential.

REBUTTAL

Mr. Weems stated that the area is transitioning and the long range planning for Babcock Road is for business development. He further stated that the proposed use would be the highest and best use of the property.

STAFF RECOMMENDATIONSDiscussion

Since the initial filing of this application, the applicant has amended his application to "R-3". On April 5, 1983, the Zoning Commission postpone action on this case to allow moremembers of the commission to be present at the hearing.

The subject property presently enjoys "R-1" zoning, and is for the msot part vacant. To the west of the subject property is an area zoned "O-1" with "R\_1" zonings to the north and east and "P-1(R-3)" to the west. To the east is a single family subdivision on large tracts of land. The character of this general area is still of a residential one.

Recommendation

Approval is recommended by staff.

TRAFFIC ENGINEERING RECOMMENDATION

The subject property is served by Babcock Road, a designated secondary arterial type "A" and by Lockhill Road, a local access street. Business traffic should be oriented toward the major intersections. Proper access and off-street parking must be provided. Three feet (3') of right-of-way is needed along Babcock Road.

RESULTS OF NOTICES RECEIVED BEFORE HEARING

There were thirteen notices mailed out to the surrounding property owners, one returned in opposition, plus a petition with 84 signatures returned in opposition and four notices returned in favor.

COMMISSION ACTION

MOTION WAS MADE BY Mr. Meza and seconded by Mr. Adams, to recommend approval of the requested petition from Temporary "R\_1" One Family Residence District to "R-3" Multiple Family Residence District by the following votes:

Meza, Adams, Rodriguez, Washington, Oviedo, Alvarado, Polusny voting in the affirmative; Williams, Kachtik, McNeel voting against; Davies being absent. THE MOTION CARRIED.

FOR THE RECORD

Mrs. Kachtik stated that she would have preferred to have had a motion for "P-1 (R-3)" on the property on Babcock. In heropinion, "R-3" zoning would be appropriate for this area, however, the neighborhood association is in opposition to "R-3" apartment zoning on the property. They are also concerned because there are no definite plans of development and they would like to know what type of development will be going on the property.

---

REASONS FOR ACTION

1. Subject property is located on Lots 10, 11, 12, Block 8, NCB 14708, 6321 Babcock Road.
2. There were thirteen notices mailed out, one returned in opposition and four returned in favor.
3. There is a mixture of "O-1", "R-1" and "R-3" zoning in the surrounding area. It is this Commissioner's opinion, that the granting of the requested zoning would be in keeping with the area.

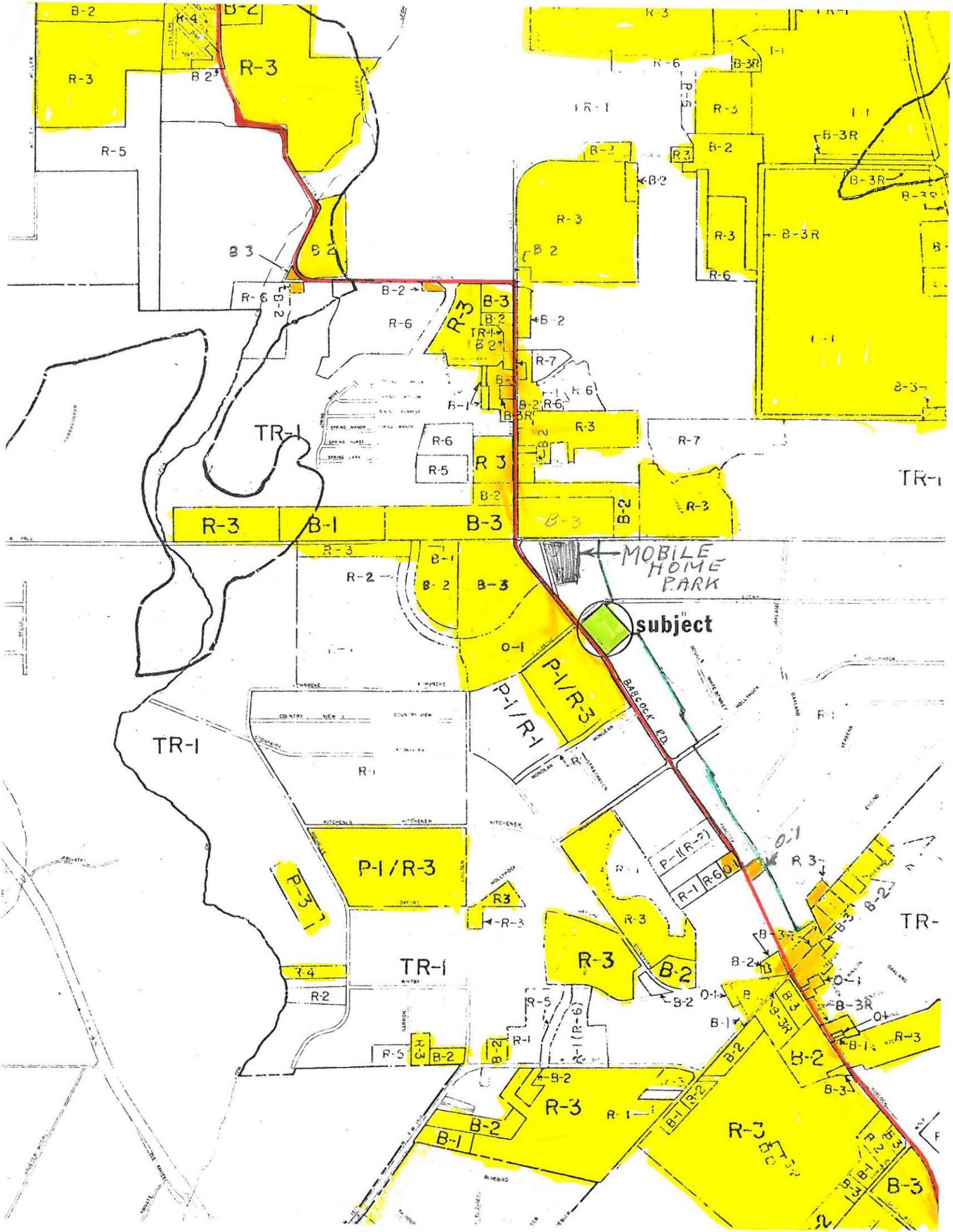
Other Recommendations

It is further stipulated that proper access and off-street parking be provided. Also that 3' of right-of-way be provided along Babcock 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 Irene Palencia, who being by me duly sworn, says on oath that he 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 #57093 hereto attached has been published in every issue of said newspaper on the following days, to-wit: June 14, 1983.

AN ORDINANCE 57093  
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. Z83112)

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

Lots 10, 11, and 12, Block 8, NCB 14708, 6321 Babcock Road.

Provided that proper access and off-street parking are provided, and that three feet of right-of-way is provided along Babcock Road.

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 June, 1983.

/s/Henry Cisneros  
MAYOR

ATTEST:  
/s/Norma S. Rodriguez  
City Clerk

Sworn to and subscribed before me on this 14 Day of June, 1983.

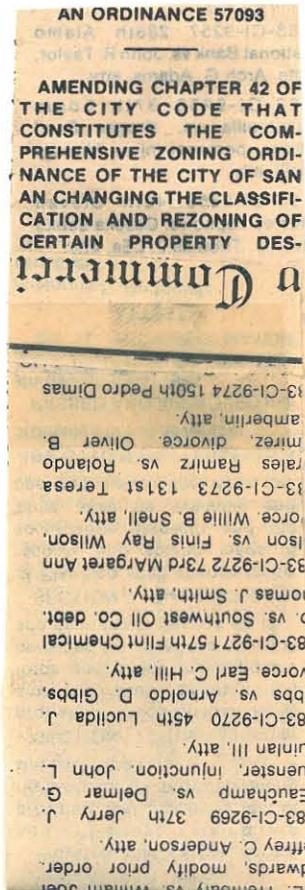
Irene Palencia  
H. Orozco  
in and for Bexar County,

# 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 he 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 #57093 hereto attached has been published in every issue of said newspaper on the following days, to-wit: June 14, 1983.



Irene Palencia

Sworn to and subscribed before me this 14th Day of June, 1983.

Stella A. Orzco

Notary Public in and for Bexar County,  
Texas