

AN ORDINANCE **43216**

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. 5308)

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

"A" to "O-1"
The north 75' of Lots 6, 7, and 8, NCB 10837
4300 Block of E. Southcross Blvd.

"A" to "B-2"
Lots 6, 7, and 8, NCB 10837 save and except the north 75'
4300 Block of E. Southcross Blvd.

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 3rd day of January 19 74.


M A Y O R

ATTEST: 
C I T Y C L E R K

APPROVED AS TO FORM: _____
City Attorney

74-1

DISTRIBUTION

ITEM NO. C.

DATE: JAN 3 1974

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

MOTION BY: Morton

SECONDED BY: San M

ORD. NO. 43216

ZONING CASE 5308

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		✓	
REV. CLAUDE BLACK PLACE NO. 4		✓	
GLENN LACY PLACE NO. 5		✓	
CLIFFORD MORTON PLACE NO. 6		✓	
ALFRED BECKMANN PLACE NO. 7		✓	
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.

74-1

TO: City Clerk

Date December 14, 1973

REQUEST FOR NOTICE FOR PUBLIC HEARING:

CASE 5308 NAME Rohde Planning and Research Company

The rezoning and reclassification of:

Lots 6,7,and 8,NCB 10837
4300 Block of E. Southcross Blvd.

FOR INFORMATION ONLY

Located on the north side of E. Southcross Blvd.,
being 410' east of the intersection of Gittinger
Drive and E. Southcross Blvd.; having 560' on E.
Southcross Blvd. and a maximum depth of 233.68'.

FROM: "A" Single Family Residential District

TO: "B-3" Business District

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

APPLICANT: Rohde Planning and Research Co.

ZONING CASE 5308

DATE OF APPLICATION: August 30, 1973

Appeal Case

Yes XXX

No _____

LOCATION OF PROPERTY:

Lots 6, 7 and 8, NCB 10837
4300 Block of E. Southcross Blvd.

FOR INFORMATION ONLY

Located on the north side of E. Southcross Blvd., being 410' east of the intersection of Gittinger Drive and E. Southcross Blvd.; having 560' on E. Southcross Blvd. and a maximum depth of 233.68'.

ZONING CHANGE REQUESTED:

From "A" Single Family Residential District to "B-3" Business District.

ZONING COMMISSION PUBLIC HEARING ON OCTOBER 31, 1973

Information Presented by Applicant

Mr. Al Rohde, representing applicant, stated to the Commission that the property is for sale at the present time. They are proposing to use the subject property for mini storage.

IN OPPOSITION

Mr. Jimmy Jones, 4402 Valleyfield Drive, was opposed to any type of business zoning adjacent to his property. He felt that the proposed zoning would be spot zoning and would affect the health, safety and welfare of the community.

Mr. D.L. Sands, 4410 Valleyfield, felt that the area is not large enough to support any type of business.

Mr. Larry McMahan, 4334 Valleyfield, was in opposition to the proposed "B-3" zoning. He stated that in order to keep in harmony with the new hospital, "B-1" would be much more favorable for the residents of this subdivision.

Mr. George Aulbach, 4338 Valleyfield, stated that his property is directly behind the subject property and that the proposed development would devalue his property.

Mr. Cecil Hull, 4306 Valleyfield, agreed with what the other residents had stated.

Mrs. Kathleen Miller, 4310 Valleyfield, felt that "B-1" zoning would appear to be more appropriate for property adjoining a better class residential area.

REBUTTAL

Mr. Rohde stated that the present owners of the subject property live

on the property now. These owners were here long before the subdivision was here. Mr. Rohde further stated that he would be very receptive to the staff's recommendations. They have no specific plans at the present time.

STAFF RECOMMENDATIONS

Discussion

The subject property fronts on a major thoroughfare and "F" Local Retail zoning to the south. To the west, at the intersection of Gettinger Drive and Southcross Blvd. the present zoning is "O-1" and "B-3". Single Family residences are in existence to the north of subject property. In the staff's opinion, "B-2" zoning would be more appropriate at this location and would restrict those uses which would be detrimental to the established residential development to the north.

Recommendations

Approval of "B-2". 6' solid screen fence along the north property line.

Traffic and Transportation Department Recommendations

A report from the Traffic Department states that E. Southcross Blvd. is a divided road which should be capable of accommodating traffic generated by the proposed zoning if there is proper access and required off-street parking.

Results of Notices Received Before Hearing:

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

COMMISSION ACTION

First Motion made by the Commission to recommend to the City Council the denial of the petition from "A" Single Family Residential District to "B-3" Business District. Motion failed to carry.

By a vote of six in favor and three being absent, the Commission recommended to the City Council the denial of the petition as presented from "A" Single Family Residential District to "B-3" Business District and in lieu thereof recommend "B-1" Business District on Lot 8 and "O-1" Office District on Lot 7 and 6.

Reasons for Action

- (1) Property is located in the 4300 block of E. Southcross Blvd.

- (2) Southcross is a main divided artery.
- (3) It is felt that due to the high intensity noise area, subject property is suitable for a lighter business such as "B-2" and not for residential uses.
- (4) There is "B-3" zoning to the west of the subject property and "F" zoning to the south.
- (5) There is also "B-2" zoning to the south of the subject property.
- (6) It is felt that subject property is sufficient in size to accommodate off-street parking.
- (7) Recommended change would not adversely affect the character of the area.
- (8) It is noted that the conditions of the structures on the subject property are not necessarily very good and the business pattern is established there.
- (9) It is also felt that this property would not be proper for residential.

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.)

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 43216 Case No. 5308 hereto attached has been published in

every issue of said newspaper on the following days, to-wit: _____

January 7, 1974

AN ORDINANCE 43216

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PASSED AND APPROVED this 3rd day of January, 1974.

CHARLES L. BECKER
Mayor

ATTEST:

J. H. INSELMANN
City Clerk

Donald F. Smasal

Donald F. Smasal

Sworn to and subscribed before me this 7th day of January, 1974

Ramiro Cavaos

RAMIRO CAVAZOS

Notary Public in and for Bexar County, Texas