

AN ORDINANCE 45259

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. 5900 )

The rezoning and reclassification of property from "B" Two Family Residential District, "C" Apartment District, "F" "H" Local Retail Districts, "J" and "JJ" Commercial District and "B-2" Business District to "R-1" and "R-5" Single Family Residential Districts, "R-2" Two Family Residential District, "R-3" Multiple Family Residential District, "B-1" and "B-3" Business Districts, and "I-1" Light Industry District, listed below as follows:

"B" to "R-1"

All of NCB 9632; Lots 1 thru 14, NCB 9631; Lots 34 thru 63, NCB 9014  
Lots 1 thru 7, NCB 7338 and Lots 9 thru 24, NCB 7313

"B", "C", & "B-2" to "R-5"

All of NCB's 7291, 7391, 7318, 7334, 7323, & 7320  
Lots 1 thru 8 and Lots 25 thru 41, NCB 7313  
Lots 1 thru 10 and Lots 15 thru 27, NCB 7316  
Lots 22 thru 28 and Lots 33 thru 56, NCB 7312  
Lots 3 thru 56, NCB 7311  
Lots 10 thru 33, NCB 7290  
Lots 1, 2, 19 and 20 & west 10.12' of Lots 3 & 21, NCB 7292  
Lots 9 thru 18, and Lots 26 thru 42, NCB 7293  
Lots 1 thru 16 and Lots 31 thru 46, NCB 7333  
Lots 1 thru 17 and Lots 30, 31, & 42, thru 46, NCB 7332  
Lots 1 thru 6 and Lots 15 thru 19, 29 thru 35 & the east 12.5' of 28  
and the west 12.5' of Lot 14, NCB 7322  
Lots 11 thru 44, NCB 7331  
Lots 9 thru 37, NCB 7294  
Lots 14 thru 17 and Lots 22 thru 37 and Lot 45, NCB 7295  
Lots 15, 16, and 22 thru 41, NCB 7296  
Lots 13 thru 25 and Lots 29 thru 38, NCB 7297  
Lots 1 thru 10 and Lots 17 thru 28, NCB 7309  
Lots 1 thru 5 and Lots 12 thru 17, NCB 7308  
Lots 18 thru 37, NCB 7330  
Lots 6 thru 23, NCB 7329  
Lots 18, 19, 23, 24, and 27 thru 47, NCB 7324  
Lots 18 thru 23, Lots 26 thru 29, and Lots 34 thru 46, NCB 7328  
Lots 1 thru 15, NCB 7325  
Lots 1 thru 10 and Lots 16 thru 25, NCB 7306  
Lots 6 thru 21, NCB 7327  
Lots 17 thru 23, and Lots 26 thru 41, NCB 7326  
Lots 3 thru 21 and 25 thru 43, NCB 7310  
Lots 35 and 36, NCB 7292, Lots 7 thru 11 and 20 thru 25, NCB 7321  
Lots 1 thru 22 and 25 thru west 12.5' of Lot 38, NCB 7314  
Lots 1 thru 29 and Lots 34 and 35, NCB 7315; west 175' of NCB 8569

"C" and "JJ" to "R-2"

All of NCB's 8559 and 8560  
Lots 6 thru 11 and Lots 18 thru 25, NCB 7308  
Lots 11 thru 16 and Lots 29 thru 35, NCB 7309

"B" and "C" to "R-3"

All of NCB's 7317, 7319, 8557, 8558, and 7307  
Lots 6 thru 16, NCB 7326  
The east 14.88' of Lots 3 and 21 and 4 thru 18, and Lots 22 thru 34,  
NCB 7292

"C" to "B-1"

Lots 9 thru 13, and Lots 38 thru 42, NCB 7295

"B" and "C" to "I-1"

All of NCB's 7336, 7339, and 9015

"C", "F", "H", "JJ" & "J" to "B-3"

All of NCB's 8562, 7289, and 7298  
Lots 1 thru 6 and Lots 18 thru 22, NCB 7305  
Lot 29, NCB 7306  
Lots 1 thru 16, NCB 7335  
Lots 17, 18, 29 and 30, NCB 7333  
Lots 18 and 29, NCB 7332  
Lots 1 thru 12, and Lots 39 thru 42, NCB 7297  
Lots 1 thru 9, NCB 7290  
Lots 1 thru 8, NCB 7293  
Lots 1 thru 8, NCB 7294  
Lots 1 thru 8, NCB 7295  
Lots 1 thru 8, 9, and 42, NCB 7296

The above mentioned properties are generally bounded by San Pedro Avenue on the west; Olmos Drive on the south; the Olmos Park City Limits line on the east and Hermosa Drive and Mariposa Drive on the north.

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 15<sup>th</sup> day of May 1975.

*Lila Cockell*  
M A Y O R

ATTEST: *JH Suelman*  
C I T Y C L E R K

APPROVED AS TO FORM: \_\_\_\_\_  
City Attorney

75-26

DISTRIBUTION

ITEM NO. J

MAY 15 1975

AVIATION DIRECTOR	
BUILDING & PLANNING ADMIN.	2
CITY WATER BOARD	
COMMERCIAL RECORDER	1
COMMUNITY DEVELOPMENT OFFICER	
COMMUNITY ANALYSIS DIVISION	1
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	
HUMAN RESOURCES	
LAND ACQUISITION	
LEGAL	
BACK TAX ATTORNEY	
LIBRARY DIRECTOR	
MARKET & PARKING	
MONITORING & EVALUATION	
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	
TRAFFIC & TRANSPORTATION	

MEETING OF THE CITY COUNCIL

DATE: \_\_\_\_\_

MOTION BY: Cisneros

SECONDED BY: Billie

ORD. NO. 45259

ZONING CASE 5900

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

PETITION \_\_\_\_\_

COUNCIL MEMBER	ROLL CALL	AYE	NAY
PHIL PYNDUS PLACE 1		<i>absent</i>	
ROBERT P. "BOB" BILLA PLACE 2		✓	
HENRY G. CISNEROS PLACE 3		✓	
REV. CLAUDE BLACK PLACE 4		✓	
GLEN HARTMAN PLACE 5		✓	
AL ROHDE PLACE 6		<i>absent</i>	
RICHARD TENIENTE PLACE 7 (MAYOR PRO-TEM)		<i>absent</i>	
DR. D. FORD NIELSEN PLACE 8		✓	
LILA COCKRELL PLACE 9 (MAYOR)		✓	

*no change*

75-26

DATE April 3, 1975

TO: CITY CLERK

REQUEST FOR NOTICE FOR PUBLIC HEARING:

CASE 5900 NAME The City of San Antonio Planning and Zoning Commission

The rezoning and reclassification of:

"B" to "R-1"

All of NCB 9632; Lots 1 thru 14, NCB 9631; Lots 34 thru 63, NCB 9014  
Lots 1 thru 7, NCB 7338 and Lots 9 thru 24, NCB 7313

"B", "C", & "B-2" to "R-5"

All of NCB's 7291, 7391, 7318, 7334, 7323, & 7320  
Lots 1 thru 8 and Lots 25 thru 41, NCB 7313  
Lots 1 thru 10 and Lots 15 thru 27, NCB 7316  
Lots 22 thru 28 and Lots 33 thru 56, NCB 7312  
Lots 3 thru 56, NCB 7311  
Lots 10 thru 33, NCB 7290  
Lots 1, 2, 19 and 20 & west 10.12' of Lots 3 & 21, NCB 7292  
Lots 9 thru 18, and Lots 26 thru 42, NCB 7293  
Lots 1 thru 16 and Lots 31 thru 46, NCB 7333  
Lots 1 thru 17 and Lots 30, 31, & 42, thru 46, NCB 7332  
Lots 1 thru 6 and Lots 15 thru 19, 29 thru 35 & the east 12.5' of 28  
and the west 12.5' of Lot 14, NCB 7322  
Lots 11 thru 44, NCB 7331  
Lots 9 thru 37, NCB 7294  
Lots 14 thru 17 and Lots 22 thru 37 and Lot 45, NCB 7295  
Lots 15, 16, and 22 thru 41, NCB 7296  
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Lots 1 thru 10 and Lots 16 thru 25, NCB 7306  
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Lots 3 thru 21 and 25 thru 43, NCB 7310  
Lots 35 and 36, NCB 7292, Lots 7 thru 11 and 20 thru 25, NCB 7321  
Lots 1 thru 22 and 25 thru west 12.5' of Lot 38, NCB 7314  
Lots 1 thru 29 and Lots 34 and 35, NCB 7315; west 175' of NCB 8569

"C" and "JJ" to "R-2"

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All of NCB's 7317, 7319, 8557, 8558, and 7307  
Lots 6 thru 16, NCB 7326  
The east 14.88' of Lots 3 and 21 and 4 thru 18, and Lots 22 thru 34,  
NCB 7292

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

"C" to "B-1"

Lots 9 thru 13, and Lots 38 thru 42, NCB 7295

"B" and "C" to "I-1"

All of NCB's 7336, 7339, and 9015

"C", "F", "H", "JJ" & "J" to "B-3"

All of NCB 's 8562, 7289, and 7298

Lots 1 thru 6 and Lots 18 thru 22, NCB 7305

Lot 29, NCB 7306

Lots 1 thru 16, NCB 7335

Lots 17, 18, 29 and 30, NCB 7333

Lots 18 and 29, NCB 7332

Lots 1 thru 12, and Lots 39 thru 42, NCB 7297

Lots 1 thru 9, NCB 7290

Lots 1 thru 8, NCB 7293

Lots 1 thru 8, NCB 7294

Lots 1 thru 8, NCB 7295

Lots 1 thru 8, 9, and 42, NCB 7296

FOR INFORMATION ONLY

The above-mentioned properties are generally bounded by San Pedro Avenue on the west; Olmos Drive on the south; the Olmos Park City Limits line on the east and Hermosa Drive and Mariposa Drive on the north. An overall map showing the above-mentioned properties is filed in the office of the Building and Planning Administration Department, 506 Dolorosa.

From: "B" Two Family Residential District, "C" Apartment District, "F" "H" Local Retail Districts, "J" and "JJ" Commercial District and "B-2" Business District

To: "R-1" and "R-5" Single Family Residential Districts, "R-2" Two Family Residential District, "R-3" Multiple Family Residential District, "B-1" and "B-3" Business Districts, and "I-1" Light Industry District.

APPLICANT: The City of San Antonio Planning  
and Zoning Commission

ZONING CASE 5900  
Appeal Case  
Yes \_\_\_\_\_  
No XXX

LOCATION OF PROPERTY

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FOR INFORMATION ONLY

The above-mentioned properties are generally bounded by San Pedro Avenue on the west; Olmos Drive on the south; the Olmos Park City Limits line on the east and Hermosa Drive and Mariposa Drive on the north.

ZONING CHANGE REQUESTED

From "B" Two Family Residential District, "J" and "JJ" Commercial Districts, "C" Apartment District, "F" and "H" Local Retail Districts and "B-2" Business District to "R-1" and "R-5" Single Family Residential Districts, "R-2" Two Family Residential District, "R-3" Multiple Family Residential District, "B-1" and "B-3" Business Districts and "I-1" Light Industry District.

ZONING COMMISSION PUBLIC HEARING ON MARCH 19, 1975

Information Presented by Applicant

Mr. Loris Perkins, representing the applicant, stated the rezoning of the Kenwood North Project will insure the retention of single family residential houses which is an objective of the Urban Renewal Plan. The current zoning allows for apartment building construction throughout most of the neighborhood which is contrary to the Plan that was developed. This is the predominant change proposed, from a less restrictive residential use, to a more restrictive one.

There are several areas designated for apartment or multiple family dwellings. These sites have been identified on the approved Urban Renewal Plan and will have the existing zoning changed to the current classification for that type usage. When rezoning occurs it has to update to the most recent appropriate classifications.

Another change that is required will be in the northeast corner of the project area where the current residential zoning will become a business and light industrial district. This proposed change is from a more restrictive to a more permissive use, but it will be physically separated from the residential neighborhood.

In all cases the rezoning is reflective of the Urban Renewal Plan and is needed in order to provide adequate protection to the improvements being made and the monies being expended by the federal government, City of San Antonio, and private individuals. Zoning provides an enforcement and review procedure for neighborhoods that can support the Urban Renewal Plan Ordinance if rezoning is accomplished. Better development controls and updated requirements will be a positive feature of this change which is more than normally available to other areas of the city.

It is appropriate to rezone a majority of the project at this time because new housing and rehabilitation of existing structures have been and will continue to be under construction.

Some parcels will not be changed at this time because of existing problems and unresolved development. In most cases these "left-over" zoning parcels have the flexibility of either being single family units or possibly being developed as duplex units. Eventually these parcels will be changed as developmental decisions are made.

Mr. Perkins concluded with the statement that the new classifications provide greater setback requirements for the more permissive uses abutting the more restricted use areas. This would apply to new construction within the Kenwood North area.

#### IN FAVOR

Mrs. Genevieve Flores stated she was in favor of this rezoning, and feels the community in question would benefit greatly from this rezoning.

#### IN OPPOSITION

Mrs. M. L. Williams stated she is opposed to the portion that is being rezoned industrial district. She feels this would be a detriment to her and the surrounding property owners.

Mrs. Mary Valentine stated she is opposed to the requested change of zoning because their property, which is located in NCB 7312, Lots 19, 20, and 21, contains a duplex and they do not desire that it be zoned for single family dwellings.

#### REBUTTAL

Mr. Perkins stated the lots which Mrs. Valentine owns will remain in the present zoning classification; therefore, the owner will have flexibility in utilizing the present zoning classification. He feels this rezoning would benefit the community and would enhance the surrounding properties.

#### STAFF RECOMMENDATIONS

##### Discussion

The staff has discussed the zoning plan with San Antonio Development Agency staff and concur with their proposal.

##### Recommendation

##### Approval

##### Traffic and Transportation Department Recommendations

The Kenwood North Urban Renewal Project, Tex.R-136 will redesign the existing street pattern to meet the functional concepts of the project.

##### Results of Notices Received Before Hearing

There were 770 notices mailed to the surrounding property owners; fifteen notices were returned in opposition, and fifty-two notices were returned in favor, in addition, a petition with sixty-nine (69) signatures was submitted in favor of the rezoning.

#### COMMISSION ACTION

By a vote of six in favor and two being absent, the Commission recommended approval of "R-1" and "R-5" Single Family Residential Districts, "R-2" Two Family Residential District, "R-3" Multiple Family Residential District, "B-1" and "B-3" Business Districts and "I-1" Light Industry District.

##### Reasons for Action

- (1) Subject properties are located in the Kenwood North Project, Tex.R-136, an Urban Renewal activity area which is bounded generally by San Pedro Avenue on the west, Wildwood Drive on the north, Olmos Park City Limits on the east and Olmos Drive on the south.

- (2) The Kenwood rezoning criteria that was submitted by the San Antonio Development Agency, was discussed with the city staff, and staff concurs with their proposal.
- (3) It is felt that this request would be in the best interest of the community and it would in no way be a detriment to the property owners.

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 \_\_\_\_\_

Stella Orozco, Office Manager, who being by me duly sworn,

says on oath that she is Office Manager ~~one of the publishers~~ 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 #45259 hereto attached has been published in

every issue of said newspaper on the following days, to-wit: May 16,

19 75

**AN ORDINANCE 45259**  
**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**

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**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 re-zoning of the hereinafter designated property, to-wit:

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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 15th day of May, 1975.

LILA COCKRELL  
Mayor

ATTEST:  
J. H. INSELMANN  
City Clerk

*Stella Orozco*

Sworn to and subscribed before me this 16th Day of May, 19 75

*J. H. Inselmann*

Notary Public in and for Bexar County, Texas