

AN ORDINANCE 43620

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. 5422 )

The rezoning and reclassification of property from Temporary "A" Single Family Residential District to "R-3" Multiple Family Residential District and "B-3" Business District, listed below as follows:

Temporary "A" to "R-3"

A 2.769 acre tract of land out of NCB 13752, located southeast of the intersection of Sentinel Drive and Broadway; having 480' on Broadway and 270' on Sentinel Drive, being further described by field notes filed in the Office of the City Clerk.

Temporary "A" to "B-3"

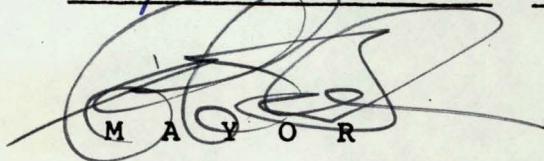
A 1.847 acre tract of land out of NCB 12103 located north of the intersection of Broadway and Sentinel Drive; having 295' on Sentinel Drive and 350' on Broadway, being further described by field notes filed in the Office of the City Clerk.

Provided that proper platting is accomplished.

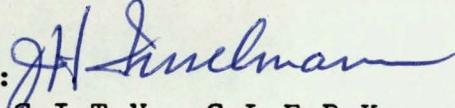
SECTION 2. That all other provisions of said Chapter 42, as amended, shall remain in full force and effect, including the penalties for violations as made and provided in Section 42-11.

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 4<sup>th</sup> day of April 1974.

  
MAYOR

Charles L. Becker

ATTEST:   
CITY CLERK

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

DISTRIBUTION

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	

ITEM NO. H.

MEETING OF THE CITY COUNCIL DATE: APR 4 1974

MOTION BY: San Martin SECONDED BY: Coakwell

ORD. NO. 43620 ZONING CASE 5422

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		<i>abs</i>	
LEO MENDOZA, JR. PLACE NO. 9		✓	

*provided that proper platting is accomplished.*

**74-14**



CIVIL & STRUCTURAL ENGINEERING

824-9494

UTILITIES      ROADS & STREETS      DRAINAGE      LAND PLANNING      SUBDIVISIONS      REPORTS      SURVEYING

FIELD NOTES

A TO R-3

For

2.769 acres out of a 83.859 acre tract out of Parcel 3, NCB 13752, and out of a 19.72 acre Kramme Tract, N.C.B. 12103 out of the Antonio Perez Survey No. 10, Bexar County, Texas, and being more particularly described as follows:

- Beginning:** At a point in the south line of Sentinel Drive, said point being the northwest corner of Lot 5, N.C.B. 13752, Vaughan Industrial Subdivision, Unit 1 as recorded in Volume 6900, Pages 240-242 of the Deed and Plat Records of Bexar County, Texas;
- Thence:** S 49°22'51" E with the most westerly line of above said Lot 5, N.C.B. 13752, Vaughan Industrial Subdivision, Unit 1 a distance of 326.14 feet to a point for the most easterly corner of this tract;
- Thence:** S 40°48'40" W a distance of 287.71 feet to a point for a corner of this tract;
- Thence:** N 75°21'05" W a distance of 43.0 feet to a point for a corner of this tract;
- Thence:** In a southerly direction with a curve to the left whose radius is 700.00 feet and whose central angle is 13°17'56" an arc distance of 162.48 feet to a point for the southernmost corner of this tract, said point being in the east R.O.W. line of Broadway;
- Thence:** With the east R.O.W. line of Broadway in a north-westerly direction with a curve to the left whose radius is 743.00 feet and whose central angle is 08°37'27" an arc distance of 111.84 feet to the P.T. of said curve;
- Thence:** N 27°10'14" W a distance of 296.18 feet to the P.C. of a curve to the left;



CIVIL & STRUCTURAL ENGINEERING

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UTILITIES ROADS & STREETS DRAINAGE LAND PLANNING SUBDIVISIONS REPORTS SURVEYING

**Thence:** With said curve to the left whose radius is 743.00 feet and whose central angle is  $03^{\circ}06'48''$  an arc distance of 40.37 feet to the P.R.C. of a curve to the right;

**Thence:** With said curve to the right whose radius is 25.00 feet and whose central angle is  $83^{\circ}45'07''$  an arc distance of 36.54 feet to the P.T. of said curve, 1.847 acres said curve being in the south R.O.W. line of Sentinel Bexar County Drive; and partly out of Lot 1, N.C.B. 13752, Vaughan Industrial Subdivision, Unit 1 as recorded in Volume 6900, Page

**Thence:** the Point of Beginning and containing 2.769 acres of land, more or less.  $N 53^{\circ}28'05'' E$  a distance of 243.91 feet to the

**Beginning:** For a point of reference at the westernmost corner of above said lot 1, N.C.B. 13752, Vaughan Industrial Subdivision, Unit 1, said point being in the south R.O.W. line of the Missouri-Pacific Railroad;

**Thence:**  $N 33^{\circ}32'51'' E$  along said south R.O.W. line of the Missouri-Pacific Railroad a distance of 30.06 feet to a point in the Job No. C-968 40 foot C.P.S.B. Gas Easement for the November 10, 1973 of the tract herein described; DG:ds

**Thence:**  $S 49^{\circ}22'51'' E$  along the west line of said 40 foot C.P.S.B. Gas Easement a distance of 350.15 feet to

**NOTE:** These Field Notes are compiled from Brown Engineering Surveys and Pape-Dawson Surveys. of this tract;

**Thence:**  $S 53^{\circ}28'05'' W$  along said north R.O.W. line of Sentinel Drive a distance of 266.74 feet to the P.C. of a curve to the right;

**Thence:** With said curve to the right whose radius is 25.00 feet and whose central angle is  $89^{\circ}52'36''$  an arc distance of 39.22 feet to the P.T. of said curve, and said point being in the east R.O.W. line of Broadway;

**Thence:**  $N 36^{\circ}39'19'' W$  a distance of 32.83 feet to the P.C. of a curve to the right;

**Thence:** With said curve to the right whose radius is 657.00 feet and whose central angle is  $25^{\circ}40'27''$  an arc distance of 294.40 feet to a point in the south R.O.W. line of the Missouri-Pacific Railroad for the northwest corner of this tract;



5422

CIVIL & STRUCTURAL ENGINEERING

824-9494

UTILITIES      ROADS & STREETS      DRAINAGE      LAND PLANNING      SUBDIVISIONS      REPORTS      SURVEYING

FIELD NOTES

A to B-3

For

1.847 acres out of the Antonio Perez Survey No. 10, N.C.B. 12103, Bexar County, Texas and partly out of Lot 1, N.C.B. 13752, Vaughan Industrial Subdivision, Unit 1 as recorded in Volume 6900, Page 124 of the Deed and Plat Records of Bexar County, Texas, and being more particularly described as follows:

- Beginning:** For a point of reference at the westernmost corner of above said Lot 1, N.C.B. 13752, Vaughan Industrial Subdivision, Unit 1, said point being in the south R.O.W. line of the Missouri-Pacific Railroad;
- Thence:** N 53°32'51" E along said south R.O.W. line of the Missouri-Pacific Railroad a distance of 50.06 feet to a point in the west line of a 40 foot C.P.S.B. Gas Easement for the northeast corner of the tract herein described;
- Thence:** S 49°22'51" E along the west line of said 40 foot C.P.S.B. Gas Easement a distance of 350.15 feet to a point in the north R.O.W. line of Sentinel Drive, for the southeast corner of this tract;
- Thence:** S 53°28'05" W along said north R.O.W. line of Sentinel Drive a distance of 266.74 feet to the P.C. of a curve to the right;
- Thence:** With said curve to the right whose radius is 25.00 feet and whose central angle is 89°52'36" an arc distance of 39.22 feet to the P.T. of said curve, and said point being in the east R.O.W. line of Broadway;
- Thence:** N 36°39'19" W a distance of 32.83 feet to the P.C. of a curve to the right;
- Thence:** With said curve to the right whose radius is 657.00 feet and whose central angle is 25°40'27" an arc distance of 294.40 feet to a point in the south R.O.W. line of the Missouri-Pacific Railroad for the northwest corner of this tract;

Papa Dawson

CONSULTING ENGINEERS  
8705 BROADWAY SUITE 1  
SAN ANTONIO TEXAS 78217



CIVIL STRUCTURAL

524-0494

UTILITIES ROADS & STREETS

SURVEYING

**Thence:** N 53°32'51" E along said south R.O.W. line of Missouri-Pacific Railroad a distance of 99.41 feet to the Point of Beginning and containing 1.847 acres, more or less.

FIELD NOTES

A TO R-3

For

2.769 acres out of a 93.859 acre tract Job No. C-968 Parcel 3, N.C.B. 13752, and out of a 19.72 acre Kramma Tract November 10, 1973 out of the Antonio Perez Survey No. 10, Bexar County, Texas, and being more particularly described as follows:

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**Thence:** S 40°48'40" W a distance of 287.71 feet to a point for a corner of this tract;

**Thence:** N 75°21'05" W a distance of 43.0 feet to a point for a corner of this tract;

**Thence:** In a southerly direction with a curve to the left whose radius is 700.00 feet and whose central angle is 13°17'56" an arc distance of 162.48 feet to a point for the southernmost corner of this tract, said point being in the east R.O.W. line of Broadway;

**Thence:** With the east R.O.W. line of Broadway in a north-westerly direction with a curve to the left whose radius is 743.00 feet and whose central angle is 08°37'27" an arc distance of 111.84 feet to the P.T. of said curve;

**Thence:** N 27°10'14" W a distance of 236.18 feet to the P.C. of a curve to the left;

DATE March 13, 1974

TO: CITY CLERK

REQUEST FOR NOTICE FOR PUBLIC HEARING:

CASE 5422 NAME Thomas D. Sumners & Realty Improvement.

The rezoning and reclassification of:

Temporary "A" to "R-3"

A 2.769 acre tract of land out of NCB 13752 being further described by field notes filed in the office of the Building and Planning Administration Department.

FOR INFORMATION ONLY

Located southeast of the intersection of Sentinel Drive and Broadway; having 480' on Broadway and 270' on Sentinel Drive.

Temporary "A" to "B-3"

A 1.847 acre tract of land out of NCB 12103 being further described by field notes filed in the office of the Building and Planning Administration Department.

FOR INFORMATION ONLY

Located north of the intersection of Broadway and Sentinel Drive; having 295' on Sentinel Drive and 350' on Broadway.

FROM: Temporary "A" Single Family Residential District

TO: "R-3" Multiple Family Residential District and "B-3" 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: Mr. Thomas D. Sumners and  
Realty Improvement

ZONING CASE 5422  
Appeal Case  
Yes \_\_\_\_\_  
No XXX

DATE OF APPLICATION: November 30, 1973

LOCATION OF PROPERTY

Temporary "A" to "R-3"

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ZONING CHANGE REQUESTED

From Temporary "A" Single Family Residential District to "R-3" Multiple Family Residential District and "B-3" Business District.

ZONING COMMISSION PUBLIC HEARING ON JANUARY 30, 1974

Information Presented by Applicant

Mr. Thomas D. Sumners, stated to the Commission that he feels that it is the highest and best use of the land, it will allow the maximum economic benefits of land use, and it will not undo any tract on the useability of adjacent or nearby land. This zoning will fit in with the uses already zoned in the neighborhood.

IN OPPOSITION

Mr. Harry Garwood, stated to the Commission that he does not believe that "B-3" Business District or "R-3" Multiple Family District are the highest and best use of the land. He is in opposition because he does not think that the property should be rezoned.

Col. Seaffarth, stated to the Commission that he is very much in opposition, because he would prefer that the zoning not be changed.

REBUTTAL

Mr. Sumners, stated that he very much sympathizes with the opposition. He believes that the requested zoning is a proper step down.

STAFF RECOMMENDATIONS

Discussion

The staff has no objections to the requested changes considering that the subject properties front onto a major thoroughfare and that they abutt similar zoning classifications to the east and north.

Recommendations

Approval. Proper platting.

Traffic and Transportation Department Recommendations

A report from the Traffic Department stated that the crossing of the Missouri-Pacific Railroad by Broadway is not anticipated.

Results of Notices Received Before Hearing

There were seven notices mailed to the surrounding property owners; none were returned in opposition and four were returned in favor.

COMMISSION ACTION

By a vote of nine in favor, the Commission recommended approval of "B-3" Business District and "R-3" Multiple Family Residential District.

Reasons for Action

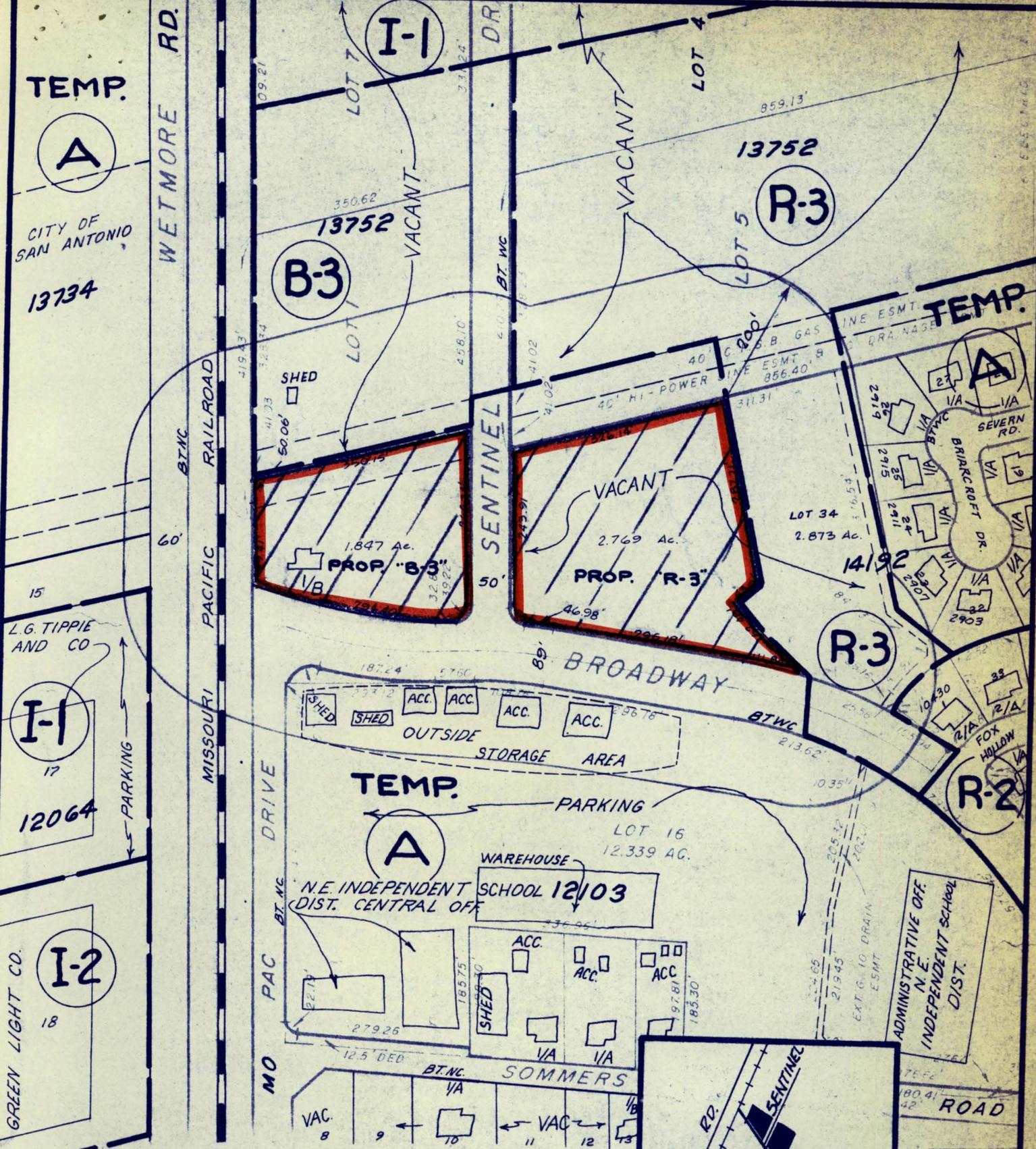
- (1) The properties are located at the northeast and northwest corner of the intersection of Broadway and Sentinel Drive.
- (2) It is in an area of surrounding similar and compatible uses of zoning, "B-3" and "R-3" zoning immediately to the northeast and "R-3" to the southeast.
- (3) The Planning Administration staff has made a study of this zoning petition and has recommended approval.
- (4) The petitioned zoning change to "R-3" and "B-3" would offer the proponent the opportunity of improving the land to its highest and best use.

Other Recommendations

It is further recommended that the applicant work with the Traffic Department for proper egress and ingress and that proper platting be accomplished.

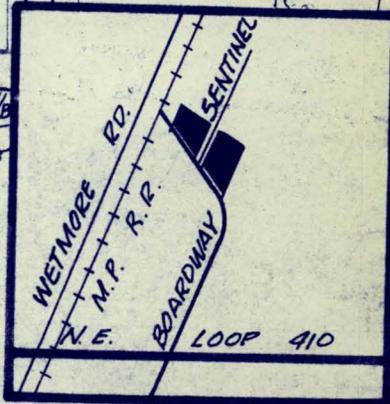
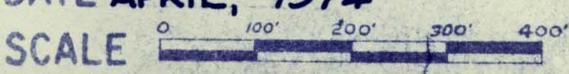
RESULTS OF NOTICES FOR COUNCIL HEARING.

(To be provided at Council hearing.)



# ZONING CASE 5422

REQUESTED ZONING CHANGE  
 FROM TEMP. "A" SINGLE FAMILY TO "B-3" BUS. DIST. & RES. DIST.  
 DATE APRIL, 1974



# 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 Commercial Recorder of the \_\_\_\_\_

a newspaper of general circulation in the City of San Antonio, in the State and County aforesaid, and

that the Ordinance 43620 Case No. 5422 hereto attached has been published in

every issue of said newspaper on the following day ~~s~~ to-wit: \_\_\_\_\_

April 8, 1974

AN ORDINANCE 43620

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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CASE NO. 5422

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Provided that proper platting is accomplished.

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 4th day of April, 1974.

CHARLES L. BECKER  
Mayor

ATTEST:  
J. H. INSELMANN  
City Clerk

Donald F. Smasal

Donald F. Smasal

Sworn to and subscribed before me this 8th day of April, 1974

Ernest C. Carrol

Notary Public in and for Bexar County, Texas  
Ernest C. Carrol