

AMENDING SECTION 2 OF AN ORDINANCE ENTITLED "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN, ETC.," PASSED AND APPROVED ON NOVEMBER 3, 1938, BY CHANGING THE CLASSIFICATION AND RE-ZONING OF CERTAIN PROPERTY DESCRIBED HEREIN

\* \* \* \* \*

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

1. That Section 2 of an Ordinance entitled "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN, ETC.," passed and approved by the Commissioners of the City of San Antonio on the 3rd day of November, 1938, be and the same is hereby amended so that paragraph 3 of said Section 2 shall hereafter include the following described changes in classification and the re-zoning of the hereinbelow designated property, to-wit:

(Case No. 1874)

The rezoning and reclassification of property listed below as follows:

Lots 1 and 2, NCB 13597 and Lots 1 and 2, NCB 13571; from "B" Residence District to "E" Office District;

Lots 1 and 2, NCB 13570 and Lots 3 and 4, NCB 13571 from "B" Residence District to "F" Local Retail District; and

Lots 3-15, NCB 13570, Lot 5, NCB 13571 and Lots 3-10, NCB 13597 from "B" Residence District to "JJ" Commercial District.

2. That all other provisions of said ordinance, as amended, shall remain in full force and effect, including the penalty for violations thereof as made and provided in Section 28.

3. That the Chief Building Inspector and the Director of Planning shall change their records and zoning maps in accordance herewith and the same are available and open to the public for inspection.

4. PASSED AND APPROVED this 19th day of June, A. D., 1963.

[Signature]  
MAYOR

ATTEST: [Signature]  
City Clerk

JUN 19 1963

31476

PASSED AND APPROVED	
Council Meeting <u>JUN 19 1963</u> 19	
<i>J. H. Duellmann</i> City Clerk	
RECORDED	
Minute Book <u>HH</u>	Page <u>76</u>
Ordinance Book <u>NN</u>	Page <u>257</u>



# VOTE

JUN 19 1963

Meeting of the City Council \_\_\_\_\_, 196\_\_

Resolution

Ordinance

Motion by Member of Council

*Gatti - Parker*

Ord. No. \_\_\_\_\_

**31476**

	Roll Call	Aye	Nay	Aye	Nay
<b>WALTER W. McALLISTER</b> Member of Council Pl. 1		✓			
<b>GEORGE de la GARZA</b> Member of Council Pl. 2		✓			
<b>CLAUS ROHLFS</b> Member of Council Pl. 3		✓			
<b>JACK H. KAUFMAN</b> Member of Council Pl. 4		✓			
<b>MRS. S.E. COCKRELL, JR.</b> Member of Council Pl. 5		✓			
<b>JOHN GATTI</b> Member of Council Pl. 6		✓			
<b>ROY S. PADILLA</b> Member of Council Pl. 7		<i>absent</i>			
<b>DR. GERALD PARKER</b> Member of Council Pl. 8		✓			
<b>ROLAND C. BREMER</b> Member of Council Pl. 9		✓			

Zoning Case 1874

Appeal Case

Applicant: Harold Pape

Yes \_\_\_\_\_

No XXX

Date of Application: February 18, 1963

Location of Property:

From "B" Residence to "E" Office:

Lots 1 and 2, NCB 13597

Lots 1 and 2, NCB 13571

FOR INFORMATION ONLY:

Located northwest and southwest of the intersection of Danbury Drive and Broadway, having 200' on Danbury and 200' and 218.95' respectively on Broadway.

From "B" Residence to "F" Local Retail:

Lots 1 and 2, NCB 13570

Lots 3 and 4, NCB 13571

FOR INFORMATION ONLY:

Located southwest and northwest of the intersection of Mannix Drive and Broadway, having 200' on Mannix and 218' and 218.95' respectively on Broadway.

From "B" Residence to "JJ" Commercial:

Lots 3 - 15, NCB 13570

Lot 5, NCB 13571

Lots 3 - 10, NCB 13597

FOR INFORMATION ONLY:

Located in the area bounded on the west by the Missouri Pacific Railroad R.O.W., on the east by a line 200' west of Broadway, on the north by a line 218' north of Danbury Drive, and on the south by a line 218' south of Mannix Drive.

Zoning Change Requested:

From "B" Residence to "E" Office, "F" Local Retail and "JJ" Commercial

ZONING COMMISSION PUBLIC HEARING ON MARCH 13, 1963:

Information Presented by Applicant:

Mr. Charles Smith, attorney representing Mr. Harold Pape, part owner and applicant stated that they would like to get "JJ" Commercial on this property because they propose a very nice commercial development. The commercial development will consist of warehouses that will be available for lease. They will provide an outdoor storage area that will be surrounded by a privacy fence. The subject property is unsuitable for residential development due to the property to the southwest which is already zoned "JJ" Commercial; the M.K.T. Railroad tracks run along the northwest side of the property and the international airport is also

located on the northwest. The Papes have owned the property for about 78 years and they have always been under the impression that the property was zoned commercially.

The Department presented a possible zoning scheme to the applicant and Commission and suggested that the applicant provide "E" Office and "F" Local Retail zoning for a distance of approximately 200' from Broadway to serve as a buffer between the proposed "JJ" Commercial zoning and the residential property across Broadway.

Mr. Smith stated in answer to the Commission's question, that they have no objection to the Department's suggestion except that they feel that the buffer area should be zoned to "F" only instead of "E" and "F" zoning. Also they feel that a buffer strip of about 150' would be acceptable.

Police Department Recommendations:

No nearby schools.

Traffic and Transportation Department Recommendations:

No nearby schools.

Results of Notices for Commission Hearing:

Nine notices were mailed to the surrounding property owners; two were returned in opposition to the request; five were returned in favor of the request; and none were returned "unclaimed."

Opponents Present:

1. Mr. Evan J. Collins, Lot 1, NCB 12460, 102 Schropshire
2. Mr. Leonard M. Hess, Jr., Lot 2, NCB 12460, 106 Schropshire
3. Mr. Tom Newman, 103 Schropshire

Reasons Presented for Opposition by Opponents Present:

1. If subject property is rezoned it would most probably result in a chain reaction; the land adjoining and directly north of proposed rezoning area may also be changed to "JJ" zoning.
2. If property is rezoned to "JJ" they will have no control over the type of businesses that would go on the property now or in future zoning requests.
3. The rezoning would deeply depreciate the values of their properties.
4. They also object to the buffer strip. If the Commission does decide to put "JJ" Commercial zoning on the property, they would like "E" zoning as a complete buffer; "F" zoning buffer would allow a lot of undesirable uses also.
5. They do not mind this property being used to his best advantage if it does not hurt the surrounding properties in the process.
6. In view of the proposed development so far, they feel that any change

would hurt their properties greatly.

7. Also it is their feeling that if the City goes through the trouble of preparing zoning studies and etc., and states that a certain area is to be zoned "E" or "C" and so forth, there should be a very good reason to change that zoning.
8. There are some \$30,000 homes located on Danbury Drive and the people who purchased these homes were told that the zoning and area would remain as is.
9. If the property is rezoned, the surrounding neighborhood would be fronted on an industrial complex.
10. It seems hardly possible to them that the owners of subject property have owned the property for 78 years and did not know of its correct zoning.

COMMISSION ACTION:

Postponed indefinitely.

Reasons for Action:

To give the Planning Department time to study the situation and make a survey and at that sametime try to get Mr. Orts to join in this investigation and see what the Department comes up with.

Other Recommendations:

None

ZONING COMMISSION PUBLIC HEARING ON APRIL 3, 1963:

Information Presented by Applicant:

Mr. Tim Austin, representing Mr. Harold Pape, owner and applicant, stated that they agree to the zoning scheme as prepared by the Department and feel that it will satisfy their needs. The purpose of a very restricted and controlled commercial area. He presented some pictures of the proposed construction planned for the property. Pictures were also presented of the proposed office buildings planned for the "E" portion proposed of the property.

Results of Notices for Commission Hearing:

Eight notices were mailed to the surrounding property owners; none were returned in opposition to the request; six were returned in favor of the request; and none were returned "unclaimed."

Opponents Present:

1. Mr. Pete J. Manley, representing Mr. H. P. Orts, owner of acreage in NCB 12100
2. Mr. Evan J. Collins, Lot 1, NCB 12460
3. Mr. Leonard Hess, Jr., Lot 2, NCB 12460

Reasons Presented for Opposition by Opponents Present:

1. Mr. Manley stated that Mr. Orts is not in opposition to the zoning change however, they do not want the rezoning of the Pape property to be predicated on the rezoning of their property to the north. They have not planned to rezone this property, however, it is their opinion that when the property is rezoned they would not have residential zoning or development in mind for this property.
2. They feel the Department's plan is excellent, however, it still does not deny the fact that Mr. Orts' representative has stated that they are not in favor of following the zoning plan in the future rezoning of their property.
3. It would depreciate the values of the surrounding homes and properties.
4. Mr. Orts' representative has indicated that Mr. Orts would go commercial on his property, therefore, the existing residence would be surrounded by commercial property.
5. If the Commission were to consider the whole plan as submitted by the Department, they would have no objection to the zoning change.

COMMISSION ACTION:

Recommended approval.

Reasons for Action:

1. The property is adjacent to "JJ" property and next to the Missouri Pacific Railroad.
2. The property is immediately north of "JJ" zoning.
3. In the scheme submitted by the Department recognition was given to the fact of the single-family residential development across Broadway, present and future, and it is felt that the buffer zone scheme worked out by the Department is the best possible way to protect the residences while allowing the best use of the commercial property.
4. A plan of the development of the property in conjunction with the remainder of the property to the north to Bitters Road and west of Broadway and east of the Missouri Pacific Railroad tracks was submitted by the Department for discussion and consideration and although there was not complete agreement with all involved, it is the general opinion of the Commission that it would be a good plan for development.
5. It is felt that the property within several hundred feet of the Missouri Pacific Railroad tracks is not considered good residential property.

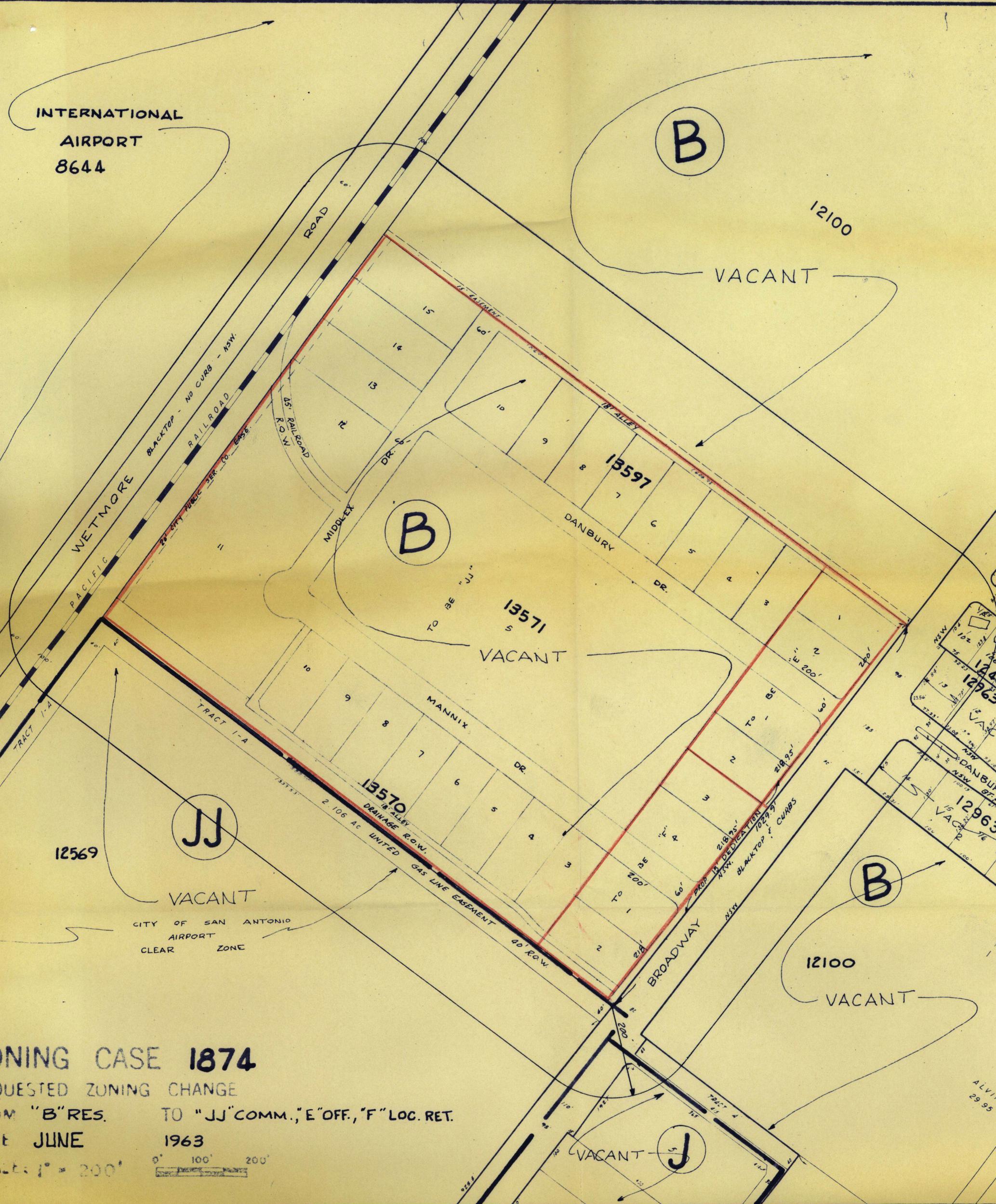
Other Recommendations:

The property be properly replatted.

RESULTS OF NOTICES FOR COUNCIL HEARING:

(To be provided at the Council hearing.)

INTERNATIONAL  
AIRPORT  
8644

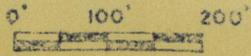


# ZONING CASE 1874

REQUESTED ZONING CHANGE  
FROM "B" RES. TO "JJ" COMM., "E" OFF., "F" LOC. RET.

DATE JUNE 1963

SCALE: 1" = 200'



CITY OF SAN ANTONIO  
AIRPORT  
CLEAR ZONE

ALVIN PAPE  
29.95 AC

# Affidavit of Publisher

THE STATE OF TEXAS, }

COUNTY OF BEXAR  
CITY OF SAN ANTONIO }

Before me, the undersigned authority, on this day personally appeared \_\_\_\_\_

Mrs. Charles D. Treuter, who being by me duly sworn,

says on oath that he is ~~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 hereto attached has been published in

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

June 20, 1963

**AN ORDINANCE**

AMENDING SECTION 2 OF AN ORDINANCE ENTITLED "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN, ETC." PASSED AND APPROVED ON NOVEMBER 3, 1938, BY CHANGING THE CLASSIFICATION AND RE-ZONING OF CERTAIN PROPERTY DESCRIBED HEREIN.

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**CASE NO. 1874**

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Lots 1 and 2, NCB 13570 and Lots 3 and 4, NCB 13571 from "B" Residence District to "F" Local Retail District; and

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2. That all other provisions of said ordinance, as amended, shall remain in full force and effect, including the penalty for violations thereof as made and provided in Section 28.

3. That the Chief Building Inspector and the Director of Planning shall change their records and zoning maps in accordance herewith and the same are available and open to the public for inspection.

4. PASSED AND APPROVED this 19th day of June, A. D., 1963.

W. W. McALLISTER  
Mayor

ATTEST:  
J. H. INSELMANN  
City Clerk

Mrs. Charles D. Treuter

Sworn to and subscribed before me this 20th. day of June, 1963

Stella Orozco

Notary Public in and for Bexar County, Texas  
STELLA OROZCO

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# Affidavit of Publisher

**Proving Publication of**

AN ORDINANCE

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AMENDING SECTION 2 OF "AN  
ORDINANCE ESTABLISHING  
ZONING REGULATIONS AND  
DISTRICTS IN ACCORDANCE  
WITH A COMPREHENSIVE PLAN  
ETC.", ETC.

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Case No. 1874

PASSED AND APPROVED this 19th.  
day of June, A.D. 1963

Filed \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_  
City Clerk

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TO: CITY CLERK

DATE: May 31, 1963

REQUEST FOR NOTICE FOR PUBLIC HEARING

CASE 1874

NAME Harold Pape

The rezoning and reclassification of:

From "B" Residence to "E" Office:

Lots 1 and 2, NCB 13597  
Lots 1 and 2, NCB 13571

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FROM: "B" Residence District

TO: "E" Office, "F" Local Retail and "JJ" Commercial Districts

The Zoning Commission has recommended that this request for change of zone be

approved by the City Council.

Department of Planning