

AN ORDINANCE

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

(CASE NO. 2654)

The Rezoning and reclassification of property listed below as follows:

18.140 acres out of Tract G and Tract C, NCB 13753, from Temporary "A" Residence District to "B-3" Business District; and being more particularly described by the following field notes: "Being 18.140 acres out of the Loui Kneipp Survey No. 11; Antonio Perez Survey No. 10, and being a part of tracts "C" and "G" of N.C.B. 13,753, City of San Antonio, Bexar County, Texas and being more fully described as follows: Beginning at the South corner of tract "G" for a South corner of the tract herein described; Thence with the West line of Tract "G" N 34° 09' 43" W 31.41' and N 34° 27' 48" W 177.60' to a point for the West corner of this tract; Thence N 38° 41' 54" E 711.32' to a point for the most northerly corner of this tract; Thence S 34° 50' 00" E 2861.95' to a point for an interior corner of this tract; Thence N 41° 39' 37" E 484.03' to a point in the West line of the Sam Morris 5.002 acre tract for a North corner of this tract; Thence S 34° 23' 46" E 206.07' with the West line of said Sam Morris 5.002 acre tract to its intersection with the North line of Nacogdoches Road to a point for the East corner of this tract; Thence with this meanders of the North line of Nacogdoches Road as follows: S 41° 39' 37" W 322.76', S 44° 17' 00" W 86.50, and S 49° 20' 00" W 153.70' to a point for a South corner of this tract; Thence N 39° 26' 41" W 106.00' to a point for an interior corner of this tract; Thence S 57° 58' 48" W 109.00' to a point in the West line of Tract "C", N.C.B. 13,753 for a South corner of this tract; Thence N 34° 50' 00" W 2701.80' to a point for an interior corner of this tract; Thence S 14° 45' 21" W 42.96' and S 38° 41' 54" W 470.24' to the point of beginning and containing 18.140 acres of land."

81.043 acres out of Tract G and Tract C, NCB 13753, from Temporary "A" Residence District to "I-2" Heavy Industry District, being more particularly described by the following field notes: "Being 81.043 acres out of the Loui Kneipp Survey Noll; Antonio Perez Survey No. 10 and being out of tracts "C" and "G" of N.C.B. 13,753, City of San Antonio,

Bexar County, Texas, and being more fully described as follows: Beginning at a point in the Northwest corner of "G" said point being on the South line of the Missouri Pacific Railroad right-of-way. Thence N. $55^{\circ} 04' 42''$ E 208.77' with the South line of the Missouri Pacific Railroad right-of-way to a point at the beginning of a curve to the right along the West right-of-way line of the Missouri Pacific Railroad Spur as follows:

N $64^{\circ} 23' 03''$ E 64.95'
N $89^{\circ} 11' 34''$ E 54.93'
N $89^{\circ} 11' 41''$ E 44.89'
N $89^{\circ} 14' 35''$ E 46.93'
N $89^{\circ} 49' 10''$ E 47.93'
N $89^{\circ} 52' 01''$ E 46.05'
S $85^{\circ} 57' 12''$ E 38.96'
S $84^{\circ} 05' 19''$ E 35.16'
S $78^{\circ} 52' 30''$ E 33.62'
S $78^{\circ} 53' 27''$ E 36.26'
S $72^{\circ} 47' 03''$ E 32.27'
S $74^{\circ} 30' 15''$ E 37.13'
S $68^{\circ} 39' 14''$ E 19.77'
S $65^{\circ} 35' 47''$ E 127.75'
S $65^{\circ} 02' 00''$ E 180.37'
S $64^{\circ} 28' 04''$ E 176.36'
S $64^{\circ} 35' 12''$ E 300.03'
S $64^{\circ} 28' 43''$ E 204.04'
S $64^{\circ} 38' 58''$ E 200.13'
S $63^{\circ} 19' 59''$ E 147.86'
S $62^{\circ} 19' 01''$ E 39.49'
S $62^{\circ} 15' 31''$ E 96.70'
S $58^{\circ} 27' 31''$ E 96.60'
S $54^{\circ} 24' 31''$ E 96.60'
S $50^{\circ} 35' 31''$ E 96.30'
S $46^{\circ} 25' 31''$ E 96.60'
S $42^{\circ} 50' 31''$ E 96.60'
S $38^{\circ} 34' 31''$ E 96.80'
S $35^{\circ} 28' 31''$ E 30.80'
S $34^{\circ} 28' 31''$ E 459.60'
S $36^{\circ} 21' 13''$ E 102.90'
S $39^{\circ} 14' 13''$ E 102.60'
S $42^{\circ} 22' 13''$ E 102.30'
S $43^{\circ} 57' 29''$ E 68.28'
S $45^{\circ} 24' 13''$ E 325.25'

Thence leaving the Missouri Pacific Railroad Spur as follows: Thence S $34^{\circ} 21' 10''$ E 482.03' to a point for a corner; Thence S $41^{\circ} 21' 05''$ W 451.00' to a point for a corner; Thence S $34^{\circ} 23' 46''$ E 291.33' to a point for a corner; Thence S $41^{\circ} 39' 37''$ W 484.03' to a point for a corner; Thence N $34^{\circ} 50' 00''$ W 2861.95' to a point for a corner; Thence S $38^{\circ} 41' 54''$ E 711.32' to a point in the West line of aforementioned tract "G" for a corner; Thence N $34^{\circ} 27' 48''$ W 1672.01' to the point of beginning and containing 81.043 acres of land."

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 19th day of May, 1966.

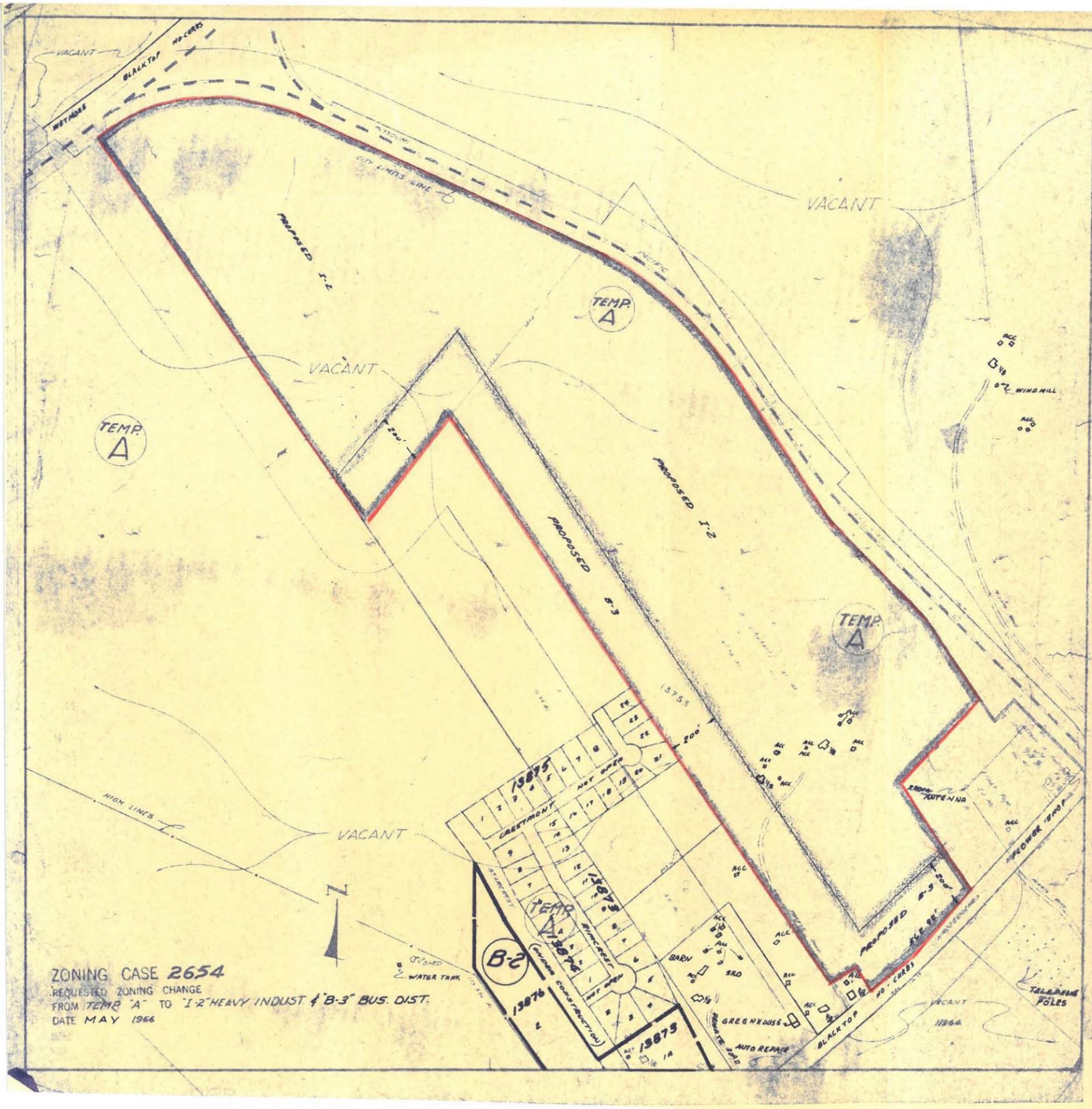

MAYOR

ATTEST:


City Clerk

APPROVED AS TO FORM:

Sam J. Woep
City Attorney



ZONING CASE 2654
 REQUESTED ZONING CHANGE
 FROM TEMP "A" TO "I-2" HEAVY INDUST. & "B-3" BUS. DIST.
 DATE MAY 1966

TO: CITY CLERK

DATE: May 2, 1966

REQUEST FOR NOTICE FOR PUBLIC HEARING:

CASE 2654

NAME H.B. Zachry Properties, Inc.

The rezoning and reclassification of:

Temp. "A" to "B-3"

18.140 acres out of Tract G and Tract C, NCB 13753 being described by field notes filed in the office of the Department of Planning.

Temp. "A" to "I-2"

81.043 acres out of Tract G and Tract C, NCB 13753 being described by field notes filed in the office of the Department of Planning.

FOR INFORMATION ONLY:

Located on the west side of Nacogdoches Road, approximately 639' south of the Missouri Pacific Railroad tracks; having 526.96' on Nacogdoches Road and a depth of approximately 4688'.

FROM: Temporary "A" Residence District

TO: "B-3" Business District

"I-2" Heavy Industry District

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

Department of Planning

Zoning Case 2654

Appeal Case

Yes _____

No XXX

Applicant: H.B. Zachry Properties, Inc.

Date of Application: December 6, 1965

Location of Property:

Temp. "A" to "B-3"

18.140 acres out of Tract G and Tract C, NCB 13753 being described by field notes filed in the office of the Department of Planning.

Temp. "A" to "I-2"

81.043 acres out of Tract G and Tract C, NCB 13753 being described by field notes filed in the office of the Department of Planning.

FOR INFORMATION ONLY:

Located on the west side of Nacogdoches Road, approximately 639' south of the Missouri Pacific Railroad tracks; having 562.96' on Nacogdoches Rd. and a depth of approximately 4688'.

Zoning Change Requested:

From Temporary "A" Residence District to "B-3" Business and "I-2" Heavy Industry Districts.

ZONING COMMISSION PUBLIC HEARING ON FEBRUARY 2, 1966:

Information Presented by Applicant:

Mr. Jim Uptmore, represented the applicant and stated that they are requesting "I-2" Heavy Industry District on this property based upon the fact that presently the Missouri-Pacific Railroad spur runs on the north side of the property and immediately across the spur is the Capitol Cement Plant - approximately 1,000' from the center of the property. The plan for the property is a heavy industrial use to be in conjunction with the present business across the railroad tracks - the cement plant. They are looking upon this property as a buffer between the cement plant and the property to the west, when and if it is annexed into the city. He stated that Mr. Rumble is in favor of the rezoning to "I-2" Heavy Industrial District. (It was brought out at this time by the Department that the plat on the proposed subdivision to the west was signed by Mr. Jack R. Virta, as owner, and it is assumed that he purchased this property from Mr. Rumble.) Mr. Uptmore further explained that they do not have a definite plan for this area and have no projection as to streets, etc. - it just recently was annexed into the city and the change in zoning is requested in order to avoid further problems in the future. He stated that he sees no reason for an area to be platted in order to have it rezoned. He would prefer not to plat the property at this time since it would involve making the platting

requirements. When questioned if he would object to a 200' buffer strip on the southwest portion of this tract, Mr. Uptmore stated that since you do have some warehousing uses in "B-3" Business District, he would not object to this as a buffer to the proposed residential subdivision. When asked about a "B-1" Business District buffer, he stated that it was his feeling this would be inconsistent with this particular area in considering the planned industrial subdivision and the operation of the cement plant, but if this is what the Commission recommends he would just have to accept it.

Staff Observations:

Consideration should be given to proposed residential development to the south of this property.

Lacking a site plan of possible development, it is recommended that the southwest 200' of the property be zoned no lower than "B-3". A "B-1" buffer would be better.

Platting is necessary in this case.

Police Department Recommendations:

There are no nearby schools.

Traffic and Transportation Department Recommendations:

A report from the Traffic Department stated that they have no objections to a zoning change.

Results of Notices for Commission Hearing:

Seven notices were mailed to the surrounding property owners. None were returned in opposition to the request; three were returned in favor; and none were returned "unclaimed."

Opponents Present:

There were no opponents present.

Reasons Presented For Opposition by Opponents Present:

None.

COMMISSION ACTION:

Recommended approval.

Reasons for Action:

1. This would represent good land use.
2. The change in zoning, as recommended, is for the purpose of buffering the cement plant from the proposed residential area to the southwest.
3. There was no opposition to the requested change.

Other Recommendations:

None.

RESULTS OF NOTICES FOR COUNCIL HEARING:

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

COUNCIL ACTION:

Referred the case back to the Planning Commission.

ZONING COMMISSION PUBLIC HEARING ON APRIL 13, 1966:

Information Presented by Applicant:

Mr. Jim Uptmore, represented H.B. Zachry Properties, Inc. stated that at the time this case was heard by the City Council there was a misunderstanding as to who owned the property to the southwest. J.J. Homes, Inc., owner of this tract, had not been notified. Objections were made because there were no restrictions on this property proposed for "I-2" Heavy Industry District. Since that time, they have written restrictions prohibiting offensive uses under the "I-2" classification, such as a rendering plant, so that it would not hurt the adjacent subdivision. Mr. Jack Virta, President and Mr. Jack Claboun, Vice-President, of J.J. Homes, Inc. have agreed to these restrictions and are no longer objecting to the zoning as proposed. When questioned about a site plan, Mr. Uptmore stated that they have no site plan as yet - only have a sketch which shows a road running from Macogdoches Road to intersect with the railroad crossing.

Staff Observations:

Referred back to Planning Commission by the City Council for further study.

What is desired: (1) A buffer zone to protect the future residential area from industrial uses, or (2) the extension of an industrial area as an encroachment into a residential area?

The Planning Department recommends a "B-1" zone where the "B-3" is now proposed and an "I-1" zone where "I-2" is now proposed.

Police Department Recommendations:

There are no schools in the immediate area.

Traffic and Transportation Department Recommendations:

A report from the Traffic Department stated that they have no objections to a zoning change. There are no schools in the immediate area.

Results of Notices for Commission Hearing:

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

Opponents Present:

There were no opponents present.

Reasons Presented for Opposition by Opponents Present:

None.

COMMISSION ACTION:

Recommended approval.

Reasons for Action:

1. This would represent good land use, since located south of the Missouri Pacific Railroad tracks.
2. The change in zoning, as recommended, is for the purpose of buffering the cement plant from the proposed residential area to the southwest.
3. The restrictions which have been placed on subject property have satisfied the adjacent property owners who previously were in opposition.
4. There was no opposition to the request.

Other Recommendations:

None.

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

Mrs. Charles D. Treuter

, who being by me duly sworn,

says on oath that he is ~~XXXX~~ the publisher 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:

May 20

1966

AN ORDINANCE

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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 19th day of May, 1966,

W. W. McALLISTER Mayor

ATTEST: J. H. INSELMANN City Clerk

THAS. Charles D. Treuter

Sworn to and subscribed before me this 20th day of May, 1966

Stella Crozes

Notary Public in and for Bexar County, Texas

AFFIDAVIT OF PUBLISHER

Proving Publication Of

AN ORDINANCE

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TY DESCRIBED HEREIN.

CASE NO. 2654

PASSED AND APPROVED this 19th
day of May, 1966.

DISTRIBUTION

DEPARTMENT	DATE	ORD. OR RESOL.	CONTRACT
AVIATION DIRECTOR			
STINSON FIELD			
BUDGET			
CITY MANAGER			
ASST. CITY MGR.			
CITY PUBLIC SERVICE			
CITY WATER BOARD			
COMMERCIAL RECORDER	5-19		
FINANCE DIRECTOR			
ASSESSOR & COLL.	5-19		
CONTROLLER			
CORP. COURT			
INTERNAL AUDIT			
PROPERTY RECORDS			
PURCHASING			
FIRE CHIEF			
HEALTH DIRECTOR			
HOUSING & INSP. DIR.	5-19		
LEGAL			
BACK TAX ATTY.			
CONDEMNATION ATTY.			
LAND. DIV.			
LIBRARY DIRECTOR			
PARKS & REC. DIR.			
PERSONNEL DIRECTOR			
PLANNING DIRECTOR	5-19		
POLICE CHIEF			
PUBLIC INFORMATION			
PUBLIC WORKS DIR.			
ASST. DIRECTOR			
TRAFFIC & TRANSP. DIR.			
URBAN RENEWAL AGENCY			
OTHER:			

ITEM NO. 3

66 608

ROLL CALL VOTE

MEETING OF THE CITY COUNCIL DATE: MAY 19 1966

MOTION BY: Parker SECONDED BY: Jones

ORD. NO. 34368 ZONING CASE 2654

RESOL. _____ PETITION _____

COUNCIL MEMBER	ROLL CALL	AYE	NAY
WALTER W. MC ALLISTER PLACE No. 1, MAYOR		✓	
DR. HERBERT CALDERON PLACE No. 2		✓	
ROBERT C. JONES PLACE No. 3		✓	
S. H. JAMES PLACE No. 4		✓	
MRS. S. E. COCKRELL, JR. PLACE No. 5		✓	
JOHN GATTI PLACE No. 6, MAYOR PRO-TEM		✓	
FELIX B. TREVINO PLACE No. 7		✓	
GERALD PARKER PLACE No. 8		✓	
ROLAND C. BREMER PLACE No. 9		✓	

BRIEFED BY: _____

ADDITIONAL INFORMATION: _____

REMARKS:

J. H. INSELMANN