

AN ORDINANCE 31417

Passed

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. 1845)

The rezoning and reclassification of property from "A" Residence District to "D" Apartment District as follows:

Lot 25, NCB 6701

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 5th day of June, A. D., 1963.

[Signature]
MAYOR

ATTEST: *J. H. Inselmann*
City Clerk

Zoning Case 1845

Appeal Case

Yes _____

No XXX

Applicant: Adela M. Rubiele

Date of Application: January 16, 1963

Location of Property:

Lot 25, NCB 6701

For Information Only:

Located southwest of the intersection of Club Drive and Fredericksburg Road, having 114.13' on Club Drive, 14.46' on Fredericksburg Road and a maximum depth from Club Drive of 150.0'.

Zoning Change Requested:

From "A" Residence to "D" Apartment

ZONING COMMISSION PUBLIC HEARING ON JANUARY 30, 1963:

Information Presented by Applicant:

Mr. Charles Rubiele, son of owner and applicant, Mrs. Adela M. Rubiele, stated that Mrs. Rubiele wants to add some units in connection with the existing apartment building located on the property to the east. In answer to the Commission's question, he stated that they will be separate buildings and they have not prepared any type of site plan to submit to the Commission.

The Chairman stated that the Commission is very concerned with off-street parking, particularly in this area that is very congested already. Therefore it will be necessary for the Commission to postpone action on this case for three weeks in order that the applicant might prepare a site plan to submit to the Commission for consideration.

Police Department Recommendations:

No nearby schools.

Traffic and Transportation Department Recommendations:

No nearby schools.

Results of Notices for Commission Hearing:

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

Opponents Present:

There were no opponents present.

Reasons Presented for Opposition by Opponents Present:

None

COMMISSION ACTION:

Postponed for three weeks.

Reasons for Action:

1. To give applicant time to prepare a proper site plan to submit to the Commission.

Other Recommendations:

None.

ZONING COMMISSION POSTPONED PUBLIC HEARING ON FEBRUARY 20, 1963:

Information Presented by Applicant:

Mr. Charles Rubiele, son of owner and applicant, Adela M. Rubiele, presented a site plan for the proposed apartment project which provided for a two-story apartment building consisting of ten one-bedroom apartments and indicated a ratio of 1½ parking spaces per unit. In answer to the Commission's question, Mr. Rubiele stated that the rental range of the apartments will be from \$85.00 to \$100.00 per month.

Police Department Recommendations:

No nearby schools.

Traffic and Transportation Department Recommendations:

No nearby schools.

Results of Notices for Commission Hearing:

Fourteen notices were mailed to the surrounding property owners; none were returned in opposition to the request; three were returned in favor of the request; and one was returned "unclaimed."

Opponents Present:

1. Mr. George E. Strauch, 211 Mary Louise Drive, Lot 3 and the west 10' of Lot 2, NCB 6701
2. Mr. Boyd Smith, 320 Club Drive, attorney representing the Furr Title Company
3. Mr. Emil Christilles, Lot 4, NCB 6701, 225 Mary Louise Drive

Reasons Presented for Opposition by Opponents Present:

1. Mr. George Strauch stated that he did not receive a notice of the public hearing, however, he protests to the request for change of zoning with vigor.
2. Mr. Smith stated that he is opposed to the request because it is located in a residential area and all properties in the area are subject to deed-restrictions which prohibit these lots to be used for any other purpose than private homes.

3. This change in zoning will affect all the homes in the area.
4. If this zoning change is permitted, then it will start a chain reaction of applications for rezoning in this area.
5. Mr. Christilles stated that he moved into the neighborhood in 1941 and he is opposed to the request for change of zoning.
6. If the property is rezoned it will be in conflict with the deed-restrictions for this area.
7. They do not want to stand in the way of progress, but they do not feel that the proposed change will be beneficial to the property owners in this area.

COMMISSION ACTION:

Recommended approval.

Reasons for Action:

1. Subject property faces into Fredericksburg Road and existing "F" Local Retail zoning.
2. The property on the east side of subject case is zoned "D" Apartment.
3. This vacant property cannot be readily used in any higher classification of zoning.
4. There was no opposition to the zoning change except from property owners backing up to the subject property.

Other Recommendations:

The property be properly replatted.

RESULTS OF NOTICES FOR COUNCIL HEARING:

(To be provided at the Council hearing.)

TO: CITY CLERK

DATE May 16, 1963

REQUEST FOR NOTICE FOR PUBLIC HEARING

CASE 1845

NAME

Adela M. Rubiolo

The rezoning and reclassification of :

Lot 25, NCB 6701

FOR INFORMATION ONLY:

Located southwest of the intersection of Club Drive and Fredericksburg Road, having 114.13' on Club Drive, 14.46' on Fredericksburg Road and a maximum depth from Club Drive of 150.0'.

FROM: "A" Residence District

TO: "D" Apartment District

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

Department of Planning

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 ^S ~~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 6, 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. 1845

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Lot 25, NCB 6701.

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 5th 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 6th day of June, 19 63

Stella Orozco

Notary Public in and for Bexar County, Texas

STELLA OROZCO

VOTE

JUN 5 1963

Meeting of the City Council _____, 196__

Resolution

Ordinance

Motion by Member of Council

Rep. Ganga-Bremer

Ord. No.

31417

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