

AN ORDINANCE 41766

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. 4778)

The rezoning and reclassification of property from "F" Local Retail District to "B-3" Business District, listed below as follows:

Remaining portion of Lot 4, Block 6, NCB 13512
4530 Judivan Drive

Provided that proper replatting is accomplished and that a six foot solid screen fence be erected along the west and south property lines.

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 1st day of Feb 19 73.

John Matto
M A Y O R

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

73-6

APPROVED AS TO FORM: *Harold L. Walker*
City Attorney

DISTRIBUTION

AVIATION DIRECTOR	
CITY WATER BOARD	
COMMERCIAL RECORDER	1
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	
HOUSING & INSPECTIONS	1
INTERGOVERNMENTAL SERV.	
LAND DIVISION	
LEGAL	
BACK TAX ATTORNEY	
LIBRARY DIRECTOR	
MARKET & PARKING	
MODEL CITIES	
MUNICIPAL COURTS	
MUNICIPAL FACILITIES	
PARKS & RECREATION DIR.	
PERSONNEL DIRECTOR	
PLANNING DIRECTOR	1
POLICE CHIEF	
PRESS ROOM	
PUBLIC INFORMATION	
PUBLIC WORKS DIRECTOR	
ENGINEERING DIV.	
PUBLIC SAFETY-ASSOC. MGR.	
PURCHASING	
SPECIAL SERVICES	
TRAFFIC & TRANSPORTATION	

ITEM NO. A.

MEETING OF THE CITY COUNCIL

DATE: FEB 1 1973

MOTION BY: Becker

SECONDED BY: Hill

ORD. NO. 41766

ZONING CASE 4778

RESOL. _____

PETITION _____

COUNCIL MEMBER	ROLL CALL	AYE	NAY
CAROL R. HABERMAN PLACE NO. 1		✓	
ED H. HILL PLACE NO. 2		✓	
CHARLES L. BECKER PLACE NO. 3		✓	
DR. ROBERT L.M. HILLIARD PLACE NO. 4		absent	
LEO MENDOZA, JR. PLACE NO. 5		absent	
MANUEL H. CALDERON PLACE NO. 6		✓	
PLEAS C. NAYLOR, JR. PLACE NO. 7		✓	
ALVIN G. PADILLA, JR. PLACE NO. 8		✓	
JOHN GATTI PLACE NO. 9		✓	

plat + fence
provided that proper replatting is accomplished and that a 6' solid screen fence be erected along the west and south property lines.

73-6

TO: City Clerk

Date January 12, 1973

REQUEST FOR NOTICE FOR PUBLIC HEARING:

CASE 4778 NAME Usable Space Associates, Limited

The rezoning and reclassification of:

Remaining portion of Lot 4, Blk. 6, NCB 13512
4530 Judivan Drive

FOR INFORMATION ONLY

Located south of Judivan Drive, being approximately
105' west of the intersection of Judivan Drive and
Loop 410 Northeast; having 296.92' on Judivan Drive
and a maximum depth of 701.44'

FROM: "F" Local Retail District

TO: "B-3" Business District

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

Department of Planning

NAME OF APPLICANT: Usable Space Associates, LTD

ZONING CASE 4778

DATE OF APPLICATION: September 26, 1972

Appeal Case

Yes _____

No XXX

LOCATION OF PROPERTY:

Remaining portion of Lot 4, Blk. 6, NCB 13512
4530 Judivan Drive

FOR INFORMATION ONLY

Located south of Judivan Drive, being approximately 105' west of the intersection of Judivan Drive and Loop 410 Northeast; having 296.92' on Judivan Drive and a maximum depth of 701.44'

ZONING CHANGE REQUESTED:

From "F" Local Retail District
to "B-3" Business District

ZONING COMMISSION PUBLIC HEARING ON OCTOBER 11, 1972:

Information Presented by Applicant:

Mr. Patrick B. Davis, 1146 Halm, stated to the Commission that they are proposing something like mini-warehouse storage for the surrounding apartments. He feels that the actual type of operation will be of service to the people primarily because of the high density of the apartments. The lot area is a little less than three acres.

Mr. Hughes, Commission Chairman, suggested to Mr. Davis that maybe he would like to change his request to "B-3" zoning based on the study made by the Planning Department.

Mr. Vernon Helmke, 7911 Broadway, stated to the Commission that access to the property will be from IH 35 access road and Judivan Drive. He also pointed out to the Commission that most of the area that is immediately adjacent to the expressway is either "I-1" or heavier commercial zoning.

Mr. Larry Vanhorn, 6900 N. Vandiver, stated to the Commission that he is the seller of subject property and that there is a definite need for this type of project. He feels that this type of development would be suitable.

STAFF RECOMMENDATIONS:

Discussion:

Subject property, although zoned "F" Retail, is located in a residential area. Introduction of "I-1" zoning or heavy business uses would not be compatible to surrounding development. Approval of industrial zoning could encourage other similar requests on vacant property to the south which also abuts residential uses.

Recommendation:

Denial

Traffic and Transportation Department Recommendations:

Proper access should be provided

Results of Notices Received Before Hearing:

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

COMMISSION ACTION:

By a vote of seven in favor and two being absent, the Commission recommended denial of the requested "I-1" Light Industry District and approval of "B-3" Business District.

Reasons for Action:

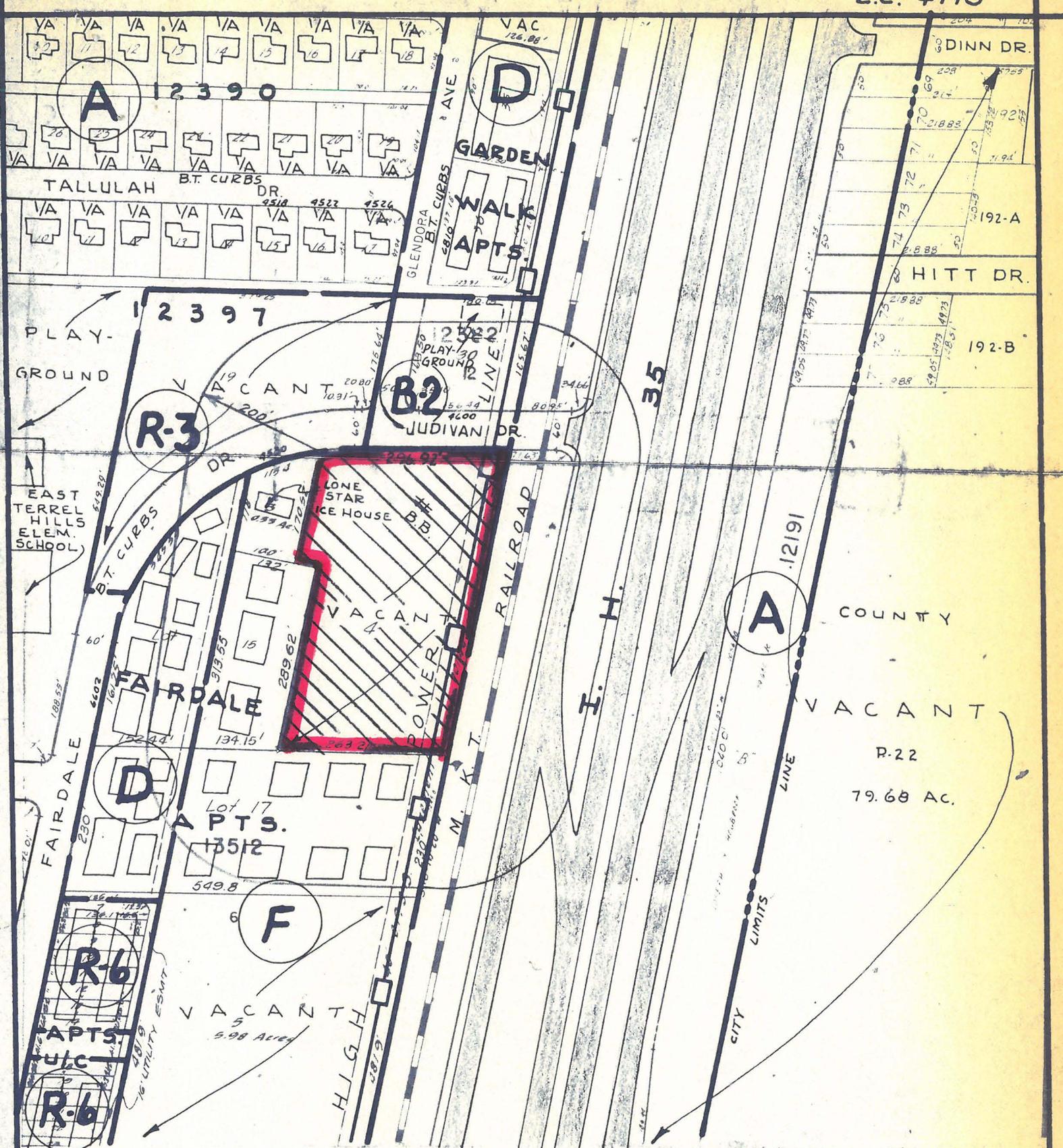
- (1) Property is located on IH 35 at the intersection of Judivan Drive
- (2) There are apartments immediately to the southwest and north and single-family homes to the northwest and "R-3" zoning across Judivan Drive from subject property
- (3) It is felt that although there is "I-1" zoning farther to the north, and to the south, the introduction of industrial zoning in so close proximity to residential zoning would be spot zoning
- (4) It is felt that "B-3" usage at this particular location would be the highest and best use of the land.

Other Recommendations:

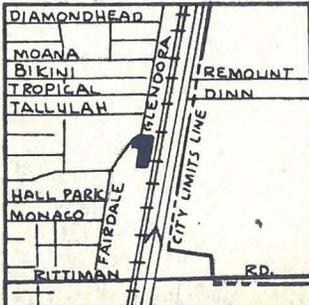
It is further recommended that the property be replatted and that applicant work with the Traffic Department and that a 6' solid screen fence be erected on the west and south property lines.

RESULTS OF NOTICES FOR COUNCIL HEARING:

(To be provided at Council Hearing.)



ZONING CASE 4778
 REQUESTED ZONING CHANGE
 FROM "F" LOCAL RETAIL DIST. TO "B-3" BUS.
 DIST.
 DATE FEB. 1973
 SCALE 0 100' 200' 300' 400'



CITY PLANNING DEPT.
 SAN ANTONIO, TEXAS

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 she 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 41766 Case No. 4778 hereto attached has been published in

every issue of said newspaper on the following days to-wit: _____

February 2, 19 73

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PASSED AND APPROVED this 1st day of February 1973.

JOHN GATTI
Mayor

ATTEST:

J. H. INSELMANN,
City Clerk

Mrs. Charles D. Treuter

Sworn to and subscribed before me this 2nd day of February, 19 73

Ernest L. Lanole
Notary Public in and for Bexar County, Texas