

AN ORDINANCE **7 585 8**

AMENDING CHAPTER 35 OF THE CITY CODE THAT
CONSTITUTES THE COMPREHENSIVE ZONING
ORDINANCE OF THE CITY OF SAN ANTONIO BY
CHANGING THE CLASSIFICATION OF AND REZONING
CERTAIN PROPERTY DESCRIBED HEREIN.

* * * * *

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

SECTION 1. Section 35-3007 of the Unified Development Code which is Chapter 35 of the City Code and constitutes the comprehensive zoning ordinance of the City of San Antonio is hereby amended so that it shall hereafter include the following described changes of classification and the rezoning of the hereinafter designated property, to-wit:

CASE NO. Z92039

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

3.650 acre tract of land out of NCB 12172
1900 Block of Austin Highway

Field notes describing the above mentioned tracts are attached hereto and incorporated herein for all purposes.

SECTION 2. All other provisions of Chapter 35, as amended, shall remain in full force and effect, including the penalties for violations as made and provided in Section 35-1024.

SECTION 3. The Director of Planning shall change the zoning records and maps in accordance herewith and the same shall be available and open to the public for inspection.

SECTION 4. This ordinance is not severable.

PASSED AND APPROVED THIS 28th DAY OF May 19 92.

ATTEST: [Signature]
City Clerk

[Signature]
MAYOR

APPROVED AS TO FORM: _____
City Attorney

B-3R

ARTS & CULTURAL AFFAIRS
AVIATION
BUILDING INSPECTIONS
BUILDING INSPECTIONS HOUSE NUMBER
CITY ATTORNEY
MUNICIPAL COURT (HOLLIS YOUNG
REAL ESTATE (FASSNIDGE)
REAL ESTATE (HUBBARD)
REAL ESTATE (WOOD)
TRIAL SECTION
CITY MANAGER
TRAVIS BISHOP, ASST. TO MGR.
CODE COMPLIANCE
INTERGOVERNMENTAL RELATIONS
CITY PUBLIC SERVICE-GENERAL MGR.
CITY PUBLIC SERVICE-MAPS/RECORDS
CITY WATER BOARD-GENERAL MGR.
COMMERCIAL RECORDER
COMMUNITY DEVELOPMENT (BASEMENT)
COMMUNITY INITIATIVES
CONVENTION & VISITORS BUREAU
CONVENTION FACILITIES
DOME DEVELOPMENT OFFICE
ECONOMIC DEVELOPMENT
FINANCE DIRECTOR
ASSESSOR
CONTROLLER
GRANTS
RISK MANAGEMENT
TREASURY
FIRE DEPARTMENT
HOUSING TRUST
INFORMATION RESOURCES
INTERNATIONAL RELATIONS
LIBRARY
MANAGEMENT SERVICES (BUDGET)
MANAGEMENT SERVICES (PERSONNEL)
MARKET SQUARE
METROPOLITAN HEALTH DISTRICT
MUNICIPAL CODE CORP. (PUBLICATION)
MUNICIPAL COURTS
PARKS & RECREATION
PLANNING
LAND DEVELOPMENT SERVICES
POLICE DEPARTMENT
POLICE DEPT.-GROUND TRANSPORTATION
PUBLIC INFORMATION OFFICE
PUBLIC UTILITIES
PUBLIC WORKS
CAPITAL PROJECTS
CENTRAL MAPPING
ENGINEERING
PARKING DIVISION
REAL ESTATE (BILL TOUDOUZE)
SOLID WASTE
TRAFFIC ENGINEERING
PURCHASING & GENERAL SERVICES
WASTEWATER MANAGEMENT

ITEM NO. 5B

MEETING OF THE CITY COUNCIL DATE: MAY 28 1992

MOTION BY: Larson SECONDED BY: Perez

ORD. NO. 75858 ZONING CASE #292039

RESOL. _____ PETITION _____

APPEAL CASE!

	ROLL CALL	AYES	NAYS
ROGER PEREZ PLACE 1		✓	
FRANK PIERCE PLACE 2		✓	
LYNDA BILLA BURKE PLACE 3		✓	
FRANK D. WING PLACE 4		✓	
JUAN F. SOLIS III PLACE 5		✓	
HELEN AYALA PLACE 6		absent	
YOLANDA VERA PLACE 7		absent	
BILL THORNTON PLACE 8		✓	
WEIR LABATT PLACE 9		✓	
LYLE LARSON PLACE 10		✓	
NELSON WOLFF PLACE 11 (MAYOR)		✓	

PROPONENT: B-3 on .7 acre of NCB 12172 and I-1 on 2.950 acre of NCB 12172.

ZONING COMM: Denial.

CITY STAFF: B-3R.



292039

February 14, 1992
J.O. No. 44585.01

PROPOSED RE-ZONING OF
3.651 ACRES, N.C.B. 12172

PARCEL 1. PROPOSED B-3^RZONING: 0.700 ACRE

Description of a 0.700-acre parcel of land out of N.C.B. 12172, and being more particularly described as follows:

BEGINNING at a point on the southeast right-of-way line of Austin Highway (U.S. Highway 81 North Business), at the most westerly corner of Lot 7, N.C.B. 12172, Ryan Subdivision, as recorded in Volume 4960, Page 37 of the Bexar County Deed and Plat Records, for the most northerly corner of this tract;

THENCE S.46°01'29"E., along a west lot line of said Lot 7, a distance of 50.01 feet to a point;

THENCE S.42°41'00"W., a distance of 329.61 feet to a point;

THENCE S.08°03'42"E., a distance of 59.24 feet to a point;

THENCE S.15°17'52"E., a distance of 46.61 feet to a point;

THENCE S.16°56'17"E., a distance of 95.35 feet to a point;

THENCE S.18°33'58"E., a distance of 58.13 feet to a point on the north line of Lot 3, N.C.B. 12523, East Terrell Hills Subdivision, Unit 2, as recorded in Volume 4500, Page 134 of the Bexar County Deed and Plat Records;

THENCE S.88°29'24"W., along said north line of Lot 3, a distance of 52.30 feet to a point on the east right-of-way line of Holbrook Road;

THENCE northwesterly along the said east right-of-way line of Holbrook Road, the following courses:

N.18°33'58"W., a distance of 43.50 feet to a point;

N.16°56'17"W., a distance of 96.78 feet to a point;

N.15°17'52"W., a distance of 50.49 feet to a point;

N.08°03'42"W., a distance of 86.11 feet to a point of intersection with the aforementioned southeast right-of-way line of Austin Highway;

THENCE N.42°41'00"E., along said southeast right-of-way line of Austin Highway, a distance of 354.45 feet to the POINT OF BEGINNING, and containing 0.700 acre (30,506 square feet), more or less.



292039

^{DSR}
PARCEL 2. PROPOSED ~~I-1~~ ZONING: 2.950 ACRES

Description of a 2.950-acre parcel of land out of N.C.B. 12172, and being more particularly described as follows:

BEGINNING at a point on the west lot line of Lot 7, N.C.B. 12172, Ryan Subdivision, as recorded in Volume 4960, Page 37 of the Bexar County Deed and Plat Records, said point lying S.46°01'29"E., along the said west lot line of Lot 7, a distance of 50.01 feet from the most westerly corner of said Lot 7 being a point on the southeast right-of-way line of Austin Highway (U.S. Highway 81 North Business);

THENCE S.46°01'29"E., along the said west lot line of Lot 7, a distance of 106.17 feet to an angle point in the west line of Lot 7;

THENCE S.12°18'59"E., continuing along the west lot line of Lot 7, a distance of 68.63 feet to a point being the most southerly corner of said Lot 7 and the most westerly corner of Lot 4, N.C.B. 12172, as recorded in Volume 4080, Page 217 of the Bexar County Deed and Plat Records;

THENCE S.12°34'12"W., along the west lot line of said Lot 4, a distance of 351.35 feet to a point on the north lot line of Lot 3, N.C.B. 12523, East Terrell Hills Subdivision, Unit 2, as recorded in Volume 4500, Page 134 of the Bexar County Deed and Plat Records;

THENCE S.88°29'24"W., along the said north line of Lot 3, a distance of 324.19 feet to a point lying 52.30 feet along the said north line of Lot 3 from the east right-of-way line of Holbrook Road;

THENCE N.18°33'58"W., a distance of 58.13 feet to a point;

THENCE N.16°56'17"W., a distance of 95.35 feet to a point;

THENCE N.15°17'52"W., a distance of 46.61 feet to a point;

THENCE N.08°03'42"W., a distance of 59.24 feet to a point;

THENCE N.42°41'00"E., a distance of 329.61 feet to the POINT OF BEGINNING, and containing 2.950 acres (128,514 square feet), more or less.

Zoning Case No.: Z92039

Date: April 7, 1992

Council District: 10

Appeal: Yes

Applicant: Davis Motel Venture

Owner: Stanley Allen

Zoning Request: "A" Single Family Residence District to "B-3" Business District and "I-1" Light Industry District

Property Location:

"A" to "B-3"

A 0.700 acre tract of land out of NCB 12172.

"A" to "I-1"

A 2.950 acre tract of land out of NCB 12172.

1900 Block of Austin Highway

Zoning Commission Recommendation:

Denial.

VOTE

FOR	<u>8</u>
AGAINST	<u>0</u>
ABSTAIN	<u>0</u>

Staff Recommendation:

Denial as requested and approval of "B-3R" Restrictive Business District

Applicant's Proposal:

"I-1" uses.

Discussion:

Property is located in an area of mixed land uses and zonings. There is a mobile home park to the south with various business uses along Austin Highway.

Although there is "I-1" zoning to the southwest, further introduction of "I-1" zonings and uses are not recommended by Staff.

Date: April 7, 1992

Applicant: Davis Motel Venture

Zoning request: "A" Single Family Residence District to "B-3" Business District and "I-1" Light Industry District

Mr. Joe Nix, W.F. Castella Associates representing the applicant, requested the change of zoning for "I-1" uses. The purpose for the request is to market the property for the highest and best use of the property. He stated that they are in the process of cleaning up the property.

IN OPPOSITION

Mr. Larry Van Horn, 11303 Vance Jackson, representing the Top Hand Mobile Home Park and Serna Apartments, who are opposed to the proposed change of zoning because it would be in the best interest of the children of the area not to have an "I-1" zoning on the property. He noted that presently there are 21 junk cars, as well as an unkept water well and an unkept sewer pipeline on the property. The main concern of the property owners is to have the property cleaned up and then would prefer to see "B-3NA" zoning on the property. There have been several complaints filed with the Code Compliance Department but nothing has been done to improve the conditions of the property.

REBUTTAL

Mr. Nix stated that the "I-1" request would be the highest and best use of the property. He stated that he is willing to meet with Mr. Van Horn to come to some agreement to resolve the concerns expressed today.

FOR THE RECORD

Mr. Hunt asked staff to instruct Code Compliance to do a full evaluation of this property for stored cars, a water well and a sewer line and report back to the Commission within 30 days.

There were twelve notices mailed out to the surrounding property owners, three returned in opposition and two returned in favor.

COMMISSION ACTION

The motion was made by Mr. Hunt and seconded by Mr. McMahon, to recommend denial as requested from "A" Single Family Residence District to "B-3" Business District and "I-1" Light Industry District for the following reasons:

1. Property is located on a 0.700 acre tract of land out of NCB 12172 and a 2.950 acre tract of land out of NCB 12172, 1900 Blk of Austin Hwy.
2. There were twelve notices mailed out, three returned in opposition and two returned in favor.
3. Staff recommended denial as requested and approval of "B-3R".

AYES: Hunt, McMahon, Olivarri, Miller, Estrada, Roddy, Uresti, Burney
NAYS: None

THE MOTION CARRIED.

Affidavit of Publisher

THE STATE OF TEXAS,
COUNTY OF BEXAR
CITY OF SAN ANTONIO

PUBLIC NOTICE
AN ORDINANCE 75858
AMENDING CHAPTER 35 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 AS A 3.650 ACRE TRACT OF LAND OUT OF NCB 12172, IN THE 1900 BLOCK OF AUSTIN HIGHWAY, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".
6/3

Before me, the undersigned authority, on this day personally appeared William A. Johnson, who being by me duly sworn, says on oath that he is 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 An Ordinance #75858 hereto attached has been published in every issue of said newspaper on the following days, to-wit: June 3, 1992.

William A. Johnson

Sworn to and subscribed before me this 3rd day of June 3 1992.

Irene S. Palencia

Notary Public in and for Bexar County, Texas

