

AN ORDINANCE **47492**

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. 6711)

The rezoning and reclassification of property from "R-3" Multiple Family Residential District to "B-3" Business District, listed below as follows:

The southwest 417.12' of the southeast 799.49' of Block E, NCB 11556
4930 Callaghan Road

Provided that proper replatting is accomplished, and that a six foot solid screen fence is erected and maintained along the south and west property lines, and that a 50' building setback is imposed along the south and west 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 Building and Zoning Administration 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 16th day of December, 19 76.

Lila Cockrell
M A Y O R

ATTEST: *G. J. [Signature]*
C i t y C l e r k

76-60

APPROVED AS TO FORM: *[Signature]*
C i t y A t t o r n e y

DISTRIBUTION

AVIATION	
BUILDING & ZONING	2
CITY WATER BOARD	
COMMERCIAL RECORDER	1
COMMUNITY DEVELOPMENT	
CONVENTION BUREAU	
CONVENTION CENTER	
FINANCE DIRECTOR	
ASSESSOR	1
BUDGET	
CONTROLLER	
TREASURY DIVISION	
FINANCE-GRANT SECTION	
INTERNAL AUDIT	
PROPERTY RECORDS	
FIRE CHIEF	
HEALTH DIRECTOR	
HEMISFAIR PLAZA	
HUMAN RESOURCES	
LEGAL - CITY ATTORNEY	
BACK TAX ATTORNEY	
TRIAL SECTION	
LIBRARY DIRECTOR	
MANPOWER PROGRAM	
MARKET & PARKING	
MONITORING & EVALUATION	
MUNICIPAL COURTS	
PARKS & RECREATION DEPT.	
PERSONNEL DIRECTOR	
PLANNING DEPARTMENT	1
POLICE CHIEF	
PRESS ROOM	
PUBLIC INFORMATION	
PUBLIC WORKS DIRECTOR	
ENGINEERING DIV.	
ENGINEERING - SEWERS	
PURCHASING	
RIGHT OF WAY & LAND ACQUISITION	
TRAFFIC & TRANSPORTATION	
EQUAL EMPLOYMENT OPPORTUNITY	

ITEM NO. 15
 MEETING OF THE CITY COUNCIL DATE: DEC 16 1976
 MOTION BY: Nielsen SECONDED BY: Ten
 ORD. NO. 47492 ZONING CASE 6711
 RESOL. _____ PETITION _____

COUNCIL MEMBER	ROLL CALL	AYE	NAY
PHIL PYNDUS PLACE 1		<i>absent</i>	
ROBERT P. "BOB" BILLA PLACE 2		✓	
HENRY G. CISNEROS PLACE 3		✓	
REV. CLAUDE BLACK PLACE 4		✓	
GLEN HARTMAN PLACE 5		✓	
AL ROHDE PLACE 6		<i>absent</i>	
RICHARD TENIENTE PLACE 7		✓	
DR. D. FORD NIELSEN PLACE 8		✓	
LILA COCKRELL PLACE 9 (MAYOR)		✓	

*replat, and that a 6' solid
 screen fence is erected
 and maintained along the
 south and west property lines,
 and that a 50' business
 setback is required along the
 south & west property lines*

76-60

AVIATION
BUILDING & ZONING
CITY WATER BOARD
COMMERCIAL RECORDER
COMMUNITY DEVELOPMENT
CONVENTION BUREAU
CONVENTION CENTER
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PURCHASING
RIGHT OF WAY & LAND ACQUISITION
TRAFFIC & TRANSPORTATION
EQUAL EMPLOYMENT OPPORTUNITY

ITEM NO. Substituted
 MEETING OF THE CITY COUNCIL DATE: 12/16/76
 MOTION BY: P. Pyndus SECONDED BY: Hartman
 ORD. NO. _____ ZONING CASE _____
 RESOL. _____ PETITION _____

COUNCIL MEMBER	ROLL CALL	AYE	NAY
PHIL PYNDUS PLACE 1		✓	
ROBERT P. "BOB" BILLA PLACE 2			X
HENRY G. CISNEROS PLACE 3			X
REV. CLAUDE BLACK PLACE 4			X
GLEN HARTMAN PLACE 5		✓	
AL ROHDE PLACE 6		absent	
RICHARD TENIENTE PLACE 7			X
DR. D. FORD NIELSEN PLACE 8			X
LILA COCKRELL PLACE 9 (MAYOR)			X

Motion to deny zoning failed

TO: CITY CLERK

REQUEST FOR NOTICE FOR PUBLIC HEARING:

CASE 6711 NAME Mr. Orville Mackey

The rezoning and reclassification of:

The Southwest 417.12' of the southeast 799.49' of
Block E, NCB 11556
4930 Callaghan Road

FOR INFORMATION ONLY

Subject property is located 227' southeast of Callaghan
Road and 302' northeast of Horseshoe Bend East, having
a width of 417.12' and a length of 799.49'.

FROM: "R-3" Multiple Family Residential District

TO: "B-3" Business District.

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

APPLICANT: Mr. Orville Mackey

ZONING CASE 6711
Appeal Case

DATE OF APPLICATION: October 22, 1976

Yes _____
No XXX

LOCATION OF PROPERTY

The Southwest 417.12' of the southeast 799.49' of Block E, NCB 11556

FOR INFORMATION ONLY

Subject property is located 227' southeast of Callaghan Road and 302' northeast of Horseshoe Bend East, having a width of 417.12' and a length of 799.49'.

ZONING CHANGE REQUESTED

"R-3" Multiple Family Residential District to "B-3" Business District.

ZONING COMMISSION PUBLIC HEARING NOVEMBER 9, 1976

Information Presented by Applicant

Mr. Steven Hannon, representing Mr. Orville Mackey, owner of the subject property, and the Automotive Research Association (A.R.A.), the prospective purchaser of the property in question, stated his clients would like the requested change in zoning to construct a commercial parking facility for employees, and to store and park the cars that are tested by the A.R.A.

IN FAVOR

Mr. William Glenn, President of Automotive Research Association, stated his company owns approximately 7 1/2 acres of land between Callaghan and Bandera Roads, however, this operation has expanded during the last few years, and the added space is essential for the continuation of this operation, which involves the testing of 76-77 GMC cars. Mr. Glenn further stated the testing of these cars is a 24-hour operation, however, it is very low key in regards to the noise factor.

Mr. Robert Ratcliff, stated the back strip of the subject property is located in the 100Year Flood Plain, which serves as a buffer to the residential area to the south and southwest of the property in question, therefore, he would like to assure the the Commission that no structures will be constructed on this portion, if the zoning is granted.

IN OPPOSITION

There was no one present in opposition.

STAFF RECOMMENDATIONS

Discussion

Access to the property in question will be provided from Callaghan Road thru the abutting "B-3" zoning to the northwest. To the south and southwest of the subject property, there are single family residential dwellings. The staff does not recommend further expansion of business zoning into the residential area.

Recommendation

Denial

Traffic and Transportation Department Recommendations

A report from the Traffic Department states that access to the subject property is through commercial property fronting Callaghan Road, a secondary arterial on the Major Thoroughfare Plan.

Results of Notices Received Before Hearing

There were twenty-six notices mailed to the surrounding property owners; one notice was returned in opposition, and two notices were returned in favor. One was returned "Unclaimed".

COMMISSION ACTION

By a vote of six in favor, one voting against, and two being absent, the Commission recommended approval of "B-3" Business District.

Reasons for Action

1. The subject property is located southeast of Callaghan Road, and northeast of Horseshoe Bend East, legally known as the southwest 417.12' of the southeast 799.49' of Block E, NCB 11556.
2. It is noted that the subject property adjoins a "B-3" zoning on the northern portion.
3. The subject property is to be used in conjunction with the currently zoned "B-3" use for a parking lot and a maintenance facility for the Automotive Research Association.
4. It is also noted that egress and ingress on the subject property will be on Callaghan Road, which is a major arterial.

5. There were twenty-six notices mailed out; one notice was returned in opposition, and two notices were returned in favor.
6. There was no one present in opposition to this request at the public hearing.

Other Recommendations

It is further recommended that the applicant work with the Traffic Department for proper egress and ingress, that the property be replatted, if necessary, that a 6' solid screen fence be erected and maintained along the south and west property lines, and that a 50' building setback be imposed along the south and west property lines.

RESULTS OF NOTICES FOR COUNCIL HEARING

(To be provided at Council Hearing.)

CITY OF LEON VALLEY
LEON VALLEY LINE
CITY LIMITS LINE

VACANT
B-3

OUTSIDE STORAGE
I-1

OUTSIDE STORAGE
I-1

VACANT
1959

VACANT
1959

CITY OF SAN ANTONIO
STOCK PILE

CALLAGHAN AT NIG
RD. 4018

MINI WAREHOUSES
B-3

VACANT
B-3

VACANT
R-3

VACANT
R-3
556
BLK "E"

VACANT

VACANT

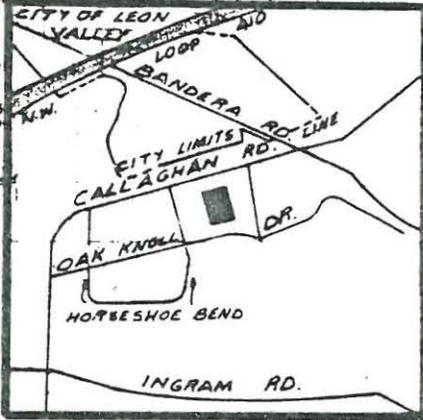
VACANT
A

VACANT

VACANT

VACANT
A

OAK KNOLL DR.



50A
50B
BLOCK E
REMAINING PT
OF LOT 307
ACC.
1/1A



ZONING CASE 6711

REQUESTED ZONING CHANGE
FROM **R-3** MULTIPLE FAMILY TO **B-3** BUS. DIST.

DATE DEC. 16, 1976

SCALE 0 100 200 300

DEPT. OF BUILDING &
ZONING
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 Irene Palencia, who being by me duly sworn, says on oath that she is Office Supervisor 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 #47492 hereto attached has been published in every issue of said newspaper on the following days, to-wit: December 21, 1976.

AN ORDINANCE 47492

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

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Section 2 That all other provision 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 Building and Zoning Administration 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 16th day of December 1976.

LILA COCKRELL
Mayor

ATTEST:
G. V. JACKSON, JR.
City Clerk

Sworn to and subscribed

Irene Palencia

is 21st Day of December, 1976.

G. V. Jackson, Jr.

Notary Public in and for Bexar County,
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 Irene Palencia, who being by me duly sworn, says on oath that she is Office Supervisor 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 #47492 hereto attached has been published in every issue of said newspaper on the following days, to-wit: December 21, 1976.

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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 include, against the defendants years 1966 through 1970 penalties accrued thereon for the together with interest and of taxes due on said property sum of \$94.15 being the amount Texas and Bexar County for the favor of the intervenors State through 1970 inclusive; and thereon for the years 1966 interest and penalties accrued said property, together with being the amount of taxes due on District for the sum of \$260.3; Antonio Independent School favor of the intervenor San through 1970 inclusive; and thereon for the years 1966 penalties and costs accrued property together with interest amount of taxes due on said expenses incurred, being the

Irene Palencia

Sworn to and subscribed before me this 21st Day of December, 1976.

Betty Lou Solos

Notary Public in and for Bexar County,
Texas