

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: **61595**

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. z85332)

The rezoning and reclassification of property from Temporary "R-1" ERZD Single-Family Residence Edwards Recharge Zone District to "O-1" ERZD Office Edwards Recharge Zone District, "B-2" ERZD Business Edwards Recharge Zone District and "B-3R" ERZD Restrictive Business Edwards Recharge Zone District, listed below as follows:

Temporary R-1 ERZD to O-1 ERZD

A 3.91 acre tract of land out of CB 4767, being further described by field notes filed in the Office of the City Clerk.

Temporary R-1 ERZD to B-2 ERZD

A 4.11 acre tract of land out of CB 4767, being further described by field notes filed in the Office of the City Clerk.

Temporary R-1 ERZD B-3R ERZD

A 21.579 acre tract of land out of CB 4767, being further described by field notes filed in the Office of the City Clerk.

Provided that 25-feet of dedication is given along Huebner Road, and that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division.

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 IN HIS RECORDS AND ZONING MAPS IN ACCORDANCE HEREWITH AND THE SAME SHALL BE AVAILABLE AND OPEN TO THE PUBLIC FOR INSPECTION.

SECTION 4. THAT THIS ORDINANCE IS NOT SEVERABLE.

PASSED AND APPROVED THIS 10th DAY OF October 1985.

ATTEST: Norma S. Rodriguez
CITY CLERK

Henry Cisneros
MAYOR

APPROVED AS TO FORM: [Signature]
CITY ATTORNEY

85-57

AVIATION	
BUDGET & RESEARCH	
BUILDING INSPECTIONS	1
BUILDING INSPECTIONS-HOUSE NUMBER	1
CITY WATER BOARD	
CITY ATTORNEY	
COMMERCIAL RECORDER	1
CONVENTION & VISITORS BUREAU	
CONVENTION FACILITIES	
ECONOMIC & EMPLOYMENT DEVELOPMENT	
EQUAL EMPLOYMENT OPPORTUNITY	
FINANCE DIRECTOR	
ASSESSOR	1
CONTROLLER	
TREASURY DIVISION	
GRANTS	
INTERNAL AUDIT	
RISK MANAGEMENT	
FIRE DEPARTMENT	
HUMAN RESOURCES & SERVICES	
INFORMATION RESOURCES	
LIBRARY	
MARKET SQUARE	
METROPOLITAN HEALTH DISTRICT	
MUNICIPAL COURTS	
PARKS & RECREATION	
PERSONNEL	
PLANNING	1
POLICE DEPARTMENT	
PUBLIC UTILITIES	
PUBLIC WORKS	
ENGINEERING	
CENTRAL MAPPING	
REAL ESTATE	
TRAFFIC ENGINEERING	
PURCHASING & GENERAL SERVICES	
WASTEWATER MANAGEMENT	
ZONING ADMINISTRATION	1
SPECIAL PROJECTS - CITY MANAGER	

ITEM NO. 38
 DATE: OCT 10 1985

MEETING OF THE CITY COUNCIL DATE: _____

MOTION BY: Harrington SECONDED BY: Hasslocher

ORD. NO. 61595 ZONING CASE #285352

RESOL. _____ PETITION _____

6 Votes Needed to Approve

	ROLL CALL	AYES	NAYS
MARIA BERRIOZABAL PLACE 1			X
JOE WEBB PLACE 2			X
HELEN DUTMER PLACE 3			X
FRANK D. WING PLACE 4		✓	
WALTER MARTINEZ PLACE 5		✓	
BOB THOMPSON PLACE 6		<i>absent</i>	
YOLANDA VERA PLACE 7		✓	
G.E. HARRINGTON PLACE 8		✓	
VAN ARCHER PLACE 9		✓	
JAMES C. HASSLOCHER PLACE 10		✓	
HENRY G. CISNEROS PLACE 11 (MAYOR)		✓	

Provided that 25' of dedication is given along Huebner Rd., and that driveways and off-street parking are provided and submitted for approval by the Traffic Engrg. Div.

85-57

* Petitions filed in this case are on file at City Clerk's Office (Meyerson Storage Area)



ESPEY, HUSTON & ASSOCIATES, INC.

0-1
285332

FN 340SA
September 1985
EH&A Job No. 5027

METES AND BOUNDS DESCRIPTION

FOR

3.91 ACRE TRACT

BEING a 3.91 acre tract of land situated in the E.B.B. & C. Railroad Company, Survey No. 400, Abstract No. 99, County Block 4767, Bexar County, Texas, and being more particularly described as follows:

COMMENCING at a found 1/2 inch iron rod in the northwest right-of-way line of Huebner Road (eighty-five feet wide); said iron rod bears South $41^{\circ} 49' 12''$ West 467.50 feet from a found 1/2 inch iron rod at the intersection of the northwest right-of-way line of Huebner Road and a corner clip in the southwest right-of-way line of Lockhill-Selma;

THENCE South $42^{\circ} 50' 30''$ West, 700 feet along the northwest right-of-way line of Huebner Road to a point for the **POINT OF BEGINNING**;

THENCE South $42^{\circ} 50' 30''$ West, 465.85 feet with said north right-of-way line of Huebner Road to a point;

THENCE North $47^{\circ} 09' 30''$ West, 200.00 feet departing said right-of-way line to a point for an interior corner of this tract;

THENCE South $42^{\circ} 50' 30''$ West, 136.42 feet to a point;

THENCE North $60^{\circ} 36' 32''$ West, 128.53 feet to a point;

THENCE North $42^{\circ} 50' 30''$ East, 632.17 feet to a point;

THENCE South $47^{\circ} 09' 30''$ East, 325.00 feet to the **POINT OF BEGINNING** of this tract and containing 3.91 acres of land.

NOTE: The above description does not represent an actual on the ground survey.



ESPEY, HUSTON & ASSOCIATES, INC.

B-2

285332

FN 341SA
September 1985
EH&A Job No. 5027

METES AND BOUNDS DESCRIPTION

FOR

4.11 ACRE TRACT

BEING a 4.11 acre tract of land situated in the B.B.B. & C. Railroad Company Survey No. 400; Abstract No. 99, County Block 4767 Bexar County, Texas, and being more particularly described as follows:

BEGINNING at a found 1/2 inch iron rod in the northwest right-of-way line of Huebner Road (eighty-five feet wide); said iron rod bears South $41^{\circ} 49' 12''$ West, 467.50 feet from a found 1/2 inch iron rod at the intersection of the northwest right-of-way line of Huebner Road and a corner clip in the southwest right-of-way line of Lockhill-Selma;

THENCE South $42^{\circ} 50' 30''$ West, 700 feet along the northwest right-of-way line of Huebner Road to a point;

THENCE North $47^{\circ} 09' 30''$ West, 325.00 feet departing said north right-of-way line to a point for the west corner of this tract;

THENCE North $42^{\circ} 50' 30''$ East, 401.90 feet to a point;

THENCE South $89^{\circ} 41' 12''$ East, 441.01 feet to the **POINT OF BEGINNING** of this tract and containing 4.11 acres of land.

NOTE: The above description does not represent an actual on the ground survey.

285169



ESPEY, HUSTON & ASSOCIATES, INC.

FN 289SA (RLW)
April 1985

METES AND BOUNDS DESCRIPTION
FOR
21.579 ACRES

BEING 21.579 acres situated in Bexar County, Texas, and being situated in the B.B.B. & C. Railroad Company Survey No. 400, Abstract No. 99, County Block 4767, and the Colin C. McCrae Survey No. 391, Abstract No. 482, County Block 4782, and being more particularly described as follows:

COMMENCING at a 1/2 inch iron rod found at the intersection of the northwest right-of-way line of Huebner Road and a corner clip in the southwest right-of-way line Lockhill-Selma; thence South 41° 49' 12" West along the northwest right-of-way line of Huebner Road 467.50 feet to a set 1/2 inch iron rod; thence departing the Huebner Road northwest right-of-way line, N 89° 41' 12" W along the line dividing an 8.021 acre tract and a tract owned by Rogers, Wallace and Son 441.01 feet to a set 1/2 inch iron rod for the **POINT OF BEGINNING** of this tract;

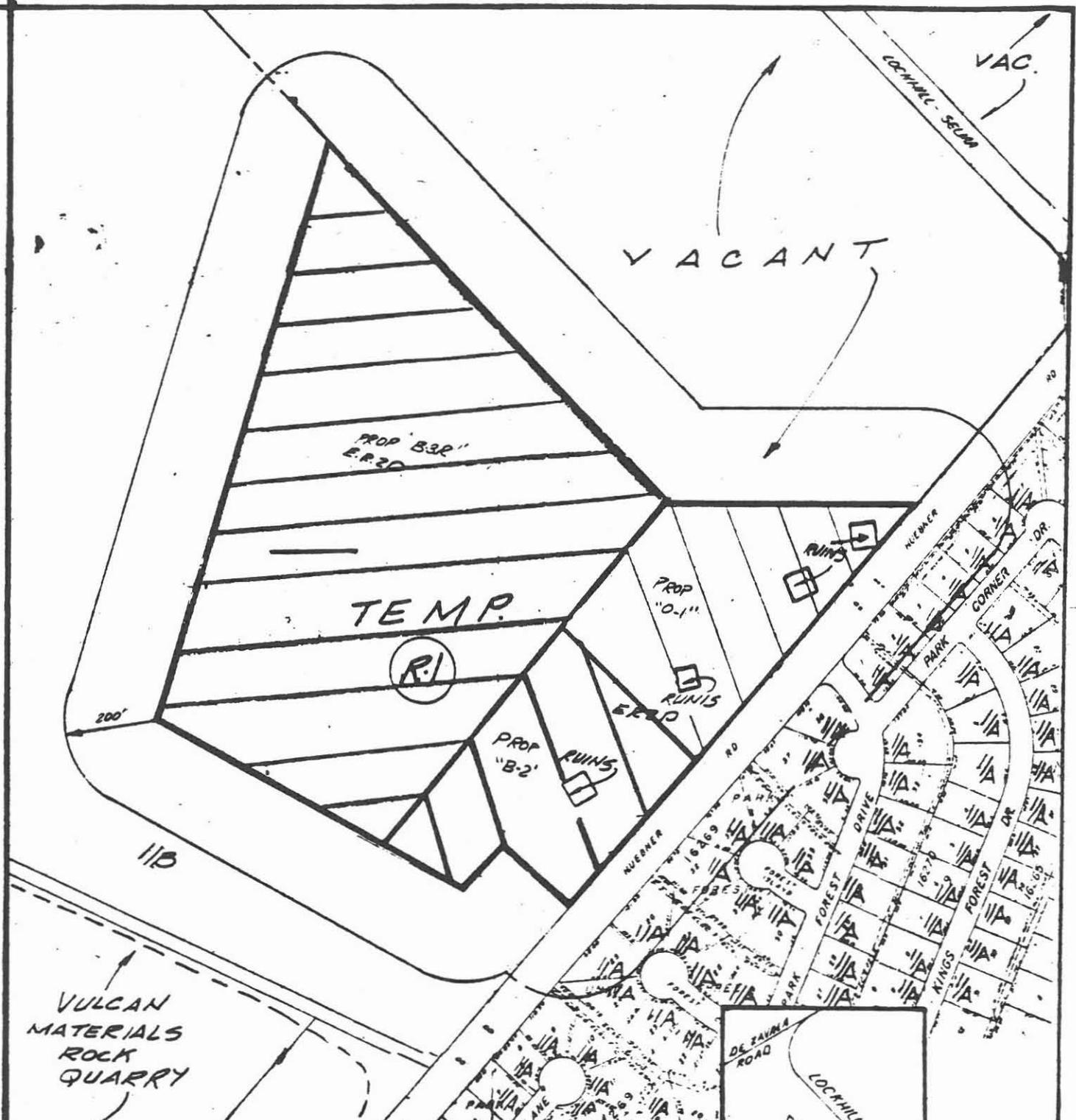
THENCE South 42° 50' 30" West along the common line between this tract and said 8.021 acre tract 1034.06 feet to a set 1/2 inch iron rod;

THENCE departing the common line between this tract and said 8.021 acre tract, North 60° 36' 32" West along the common line between this tract and a Vulcan Materials Company tract 629.48 feet to a set 1/2 inch iron rod;

THENCE continuing along said common line North 19° 37' 37" East 1299.42 feet to a set 1/2 inch iron rod;

THENCE, departing the common line between this tract and said Vulcan Materials Company tract, South 42° 07' 29" East along the common line between this tract and a tract owned by Rogers, Wallace and Son 1043.58 feet to a "x" cut in rock;

THENCE South 89° 41' 12" East 115.16 feet to the **POINT OF BEGINNING** of this tract and containing 21.579 acres of land.

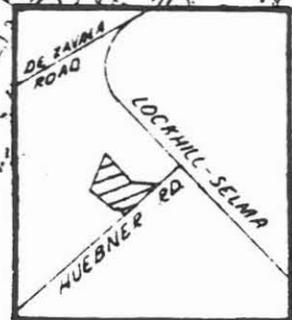


ZONING CASE Z85332

CITY COUNCIL DIST NO 8

REQUESTED ZONING CHANGE
 FROM TEMP "R-1" SINGLE FAM. RESID. DIST. TO "B-2" BUS. DIST. ERZD.
 DATE OCT. 13, 1985 "B-3R" RESTRICTED BUS. DIST. ERZD.
 "O-1" OFF. DIST.

SCALE



DEPT OF PLANNING
 SAN ANTONIO, TEXAS

TO: CITY CLERKS
REQUEST FOR NOTICE FOR PUBLIC HEARING

DISTRICT NO. 8CASE: Z85332NAME: City of San Antonio

The rezoning and reclassification of:

LOCATION: Temporary "R-1"ERZD to "O-1"ERZD
A 3.91 acre tract of land out of C.B. 4767, being further described by field notes filed in the Office of the Planning Department.

Temporary "R-1"ERZD to "B-2"ERZD
A 4.11 acre tract of land out of C.B. 4767, being further described by field notes filed in the Office of the Planning Department.

Temporary "R-1"ERZD to "B-3R"ERZD
A 21.579 acre tract of land out of C.B. 4767, being further described by field notes filed in the Office of the Planning Department.

FOR INFORMATION ONLY:

Subject property is located on the northwest side of Huebner Road, being 457.50' southwest of the intersection of Huebner Road and Lockhill-Selma, having 1165.85' on Huebner and a depth of 1300'.

FROM: Temporary "R-1" ERZD Edwards Recharged Zone One Family District

TO: "O-1"ERZD Edwards Recharged Zone Office District, "B-2"ERZD Edwards Recharged Zone Business District and "B-3R"ERZD Edwards Recharged Zone Restrictive Business District

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

Department of Planning and Zoning

APPLICANT: City of San Antonio

ZONING CASE NO Z85332

APPEAL CASE

STATUS OF APPLICANT:

YES

NO XX

OWNER OF PROPERTY:

OWNER CONCURS WITH THIS REZONING REQUEST: YES XX

DATE OF APPLICATION: August 6, 1985

LOCATION OF PROPERTY

Temporary "R-1" ERZD to "O-1" ERZD

A 3.91 acre tract of land out of C.B. 4767, being further described by field notes filed in the Office of the Planning Department.

Temporary "R-1" ERZD to "B-2" ERZD

A 4.11 acre tract of land out of C.B. 4767, being further described by field notes filed in the Office of the Planning Department.

Temporary "R-1" ERZD to "B-3R" ERZD

A 21.579 acre tract of land out of C.B. 4767, being further described by field notes filed in the Office of the Planning Department.

FOR INFORMATION ONLY

Subject property is located on the northwest side of Huebner Road, being 457.50' southwest of the intersection of Huebner Road and Lockhill-Selma, having 1165.85' on Huebner and a depth of 1300'.

REQUESTED CHANGE OF PROPERTY

Temporary "R-1" ERZD One Family Edwards Recharge Zone District to "O-1" ERZD Office Edward Recharge Zone District, "B-2" ERZD Business Edward Recharge Zone District and "B-3R" ERZD Restrictive Business Edwards Recharge Zone District.

ZONING COMMISSION PUBLIC HEARING HELD ON September 10, 1985

Mr. Gus Lithicum, 11105 Gordon Road, stated that they are requesting the change of zoning for "B-2" and "B-3R" development. He further stated that they propose to construct a business park in the rear portion of the property and a retail center on the frontage. He stated that they plan to provide a cul-de-sac to provide access to the rear portion of the property. He amended the petition to "B-2" on the eastern most portion of the property and the western portion to "O-1" zoning. He stated that they are willing to place deed restrictions on the property to restrict the height of the buildings to 2 and a half story, all brick buildings, limited signage to 10' in height, signage on the street cannot be luminated, the lighting is restricted, landscape front of the property and impose a 70' setback line. They have also restrictive the property against certain uses allowed under "B-2" zoning.

IN OPPOSITION

Mr. Dan Bump, 12507 Chateau Forest, stated that he is representing the Park Forest Neighborhood Association who is opposed to the proposed change of zoning because they would like to see the subject property rezoned "R-1". He further stated that the residents have not agreed to the deed restrictions being proposed by the applicant. He stated that they do not want "B-2" on the property. The property is adjacent to the quarry. He presented a petition with 862 signatures from residents in opposition to the proposed change of zoning.

Mrs. Sarah Burell, 13003 Park Corner, stated that she is opposed to the proposed change of zoning because she does not want a business backing up to her property. She further stated that they are concerned that the proposed development will increase in traffic and the devaluation of their property values.

Mrs. Elinor Fries, 13102 Hill Forest, stated that she is opposed to the proposed change of zoning because she does not want the quality of life to change for the residents of the area. She further stated that she does not want any more commercial development in the area.

REBUTTAL

Mr. Lithicum stated that they have been in contact with the quarry to inquire if they intend to continue operation and they were informed that the quarry will continue operating. He further stated that in their opinion, "R-1" would not be feasible for the subject property.

STAFF RECOMMENDATION

DISCUSSION

This case was initiated by staff after receiving direction from the City Council. On April 30, 1985, the Zoning Commission considered and recommended approval of this case, at a later date, on May 30, 1985, the City Council denied the request.

The subject property fronts onto Huebner Road, located between Lockhill-Selma Road to the northeast and an existing rock quarry to the southwest. On the southeast side of Huebner Road is an existing single family development. Considering the existing quarry and its proximity to the major intersection of Huebner and Lockhill Selma, staff would have no objections to the objections to the granting of this request.

RECOMMENDATION

Approval is recommended by staff.

TRAFFIC ENGINEERING RECOMMENDATION

Twenty-five (25) feet of dedication is needed along Huebner Road. Driveways and Off-street parking permits to be obtained from the Traffic Engineering Section of Public Works.

RESULTS OF NOTICES RECEIVED BEFORE HEARING

There were twenty-six notices mailed out to the surrounding property owners, eight returned in opposition and one returned in favor.

COMMISSION ACTION

MOTION WAS MADE BY Mr. Washington and seconded by Mr. Meza, to recommend approval of the amended petition from Temporary "R-1" ERZD One Family Residence District to "B-2" ERZD Business District and "O-1" ERZD Office District for the following votes:

Washington, Meza, Zamora, Polunsky, Oviedo, Cockrell, Adams voting in the affirmative; Davies, McNeel, Villarreal voting against; Small being absent.

THE MOTION CARRIED.

CITY OF SAN ANTONIO

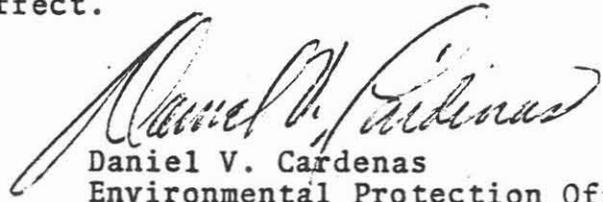
Interdepartment Correspondence Sheet

TO: Andrew Guerrero, Planner III
FROM: Daniel V. Cardenas, Environmental Protection Officer
COPIES TO: Texas Department of Water Resources, File
SUBJECT: Zoning Case Z85332

Date August 29, 1985

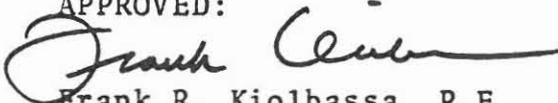
This is to confirm that the sites being considered for rezoning in the above referenced case lie on the Edwards Recharge Zone and as such are subject to the State's "Edwards Rules."

The properties were the subject of zoning case Z85169. Geologically they remain the same and the recommendations made at that time still remain in effect.



Daniel V. Cardenas
Environmental Protection Officer
Public Works Department

APPROVED:



Frank R. Kiolbassa, P.E.
DIRECTOR OF PUBLIC WORKS

DVC/BST/pc

CITY OF SAN ANTONIO

Interdepartment Correspondence Sheet

TO: Andrew Guerrero, Planner II

FROM: Environmental Protection Officer

COPIES TO: Applicant, TDWR, File

SUBJECT: ZONING CASE Z85169

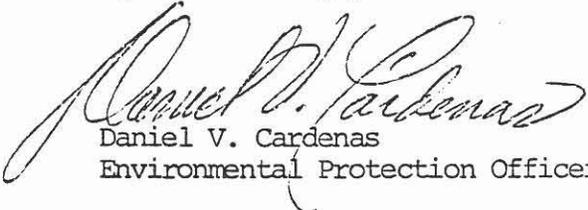
Date April 30, 1985

This is to confirm that the site being considered for rezoning in the above referenced case lies on the Edwards Recharge Zone and as such is subject to the State's "Edward Rules" for Bexar County.

On site inspection by our staff revealed that a fault crosses the property which is visible at the surface. Also located on the property is a creek which follows the path of the fault. Previous occupants appear to have used several sites on the property as residential solid waste dumps. Finally, a well is located within the boundaries of the site.

The areas of the creek and faults could be points where pollutants could enter the Edwards should steps to monitor and control the quality of surface water runoff not be undertaken. The areas around the dump sites should be cleared and their contents transported to an approved sanitary landfill. Finally, the well should either be inspected to insure that State specifications are met or cap in accordance with Texas Department of Water Resources regulations if use is no longer intended.

The applicant and his engineer has met with this office and all the above concerns have been discussed. They have agreed to comply with the conditions as set forth above. This office has no object with the requested zoning provided that these conditions are met.


Daniel V. Cardenas
Environmental Protection Officer

Approved:


Frank R. Kiolbassa, P.E.
DIRECTOR OF PUBLIC WORKS

REASONS FOR ACTION

- 1) Subject property is located on an 8.021 acre tract of land out of CB 4767, and 21.579 acre tract of land out of CB 4767 and CB 4782.
- 2) There were twenty-six notices mailed out, eight returned in opposition and one returned in favor. The Environmental Protection Officer has no objections provided that the State's Edwards Rules are met.
- 3) Staff has recommended approval. It is this Commissioner's opinion, that the change in zoning would not be detrimental to the area.

OTHER RECOMMENDATIONS

It is further stipulated that 25' of dedication be given along Huebner Road and that driveways and off-street parking be provided and submitted to the Traffic Section for approval.

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 Irene Palencia, who being by me duly sworn, says on oath that she is the 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 #61595 hereto attached has been published in every issue of said newspaper on the following days, to-wit: October 16, 1985.

AN ORDINANCE 61595

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. Z85332)

The rezoning and reclassification of property from Temporary "R-1" ERZD Single-Family Residence Edwards Recharge Zone District to "O-1" ERZD Office Edwards Recharge Zone District, "B-2" ERZD Business Edwards Recharge Zone District and "B-3R" ERZD Restrictive Business Edwards Recharge Zone District, listed below as follows:

Temporary R-1 ERZD to O-1 ERZD

A 3.91 acre tract of land out of CB 4767, being further described by field notes filed in the Office of the City Clerk.

Temporary R-1 ERZD to B-2 ERZD

A 4.11 acre tract of land out of CB 4767, being further described by field notes filed in the Office of the City Clerk.

Temporary R-1 ERZD to B-3R ERZD

A 21.579 acre tract of land out of CB 4767, being further described by field notes filed in the Office of the City Clerk.

Provided that 25-feet of dedication is given along Huebner Road, and that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division.

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 in his records and zoning maps in accordance herewith and the same shall be available and open to the public for inspection.

SECTION 4. That this ordinance is not severable.

PASSED AND APPROVED this 10th day of October 1985.

/s/ HENRY CISNEROS
MAYOR

ATTEST:

/s/ Norma S. Rodriguez,
City Clerk

10/16

Sworn to and subscribed before me this

October, 1985.

Notary Public
Texas

Bexar County,