

AN ORDINANCE **54846**

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. 8706)

The rezoning and reclassification of property from "R-1" Single Family Residential District to "B-3R" Restrictive Business District and "I-1" Light Industry District, listed below as follows:

"R-1" to "B-3R"

The east 172.30' of the north 100' of Lot 14, Block 2, NCB 8775.
244 and 256 Fenfield Avenue

"R-1" to "I-1"

The east 172.30' of the north 410' of Lot 14 (save and except the north 100'), Block 2, NCB 8775.
244 and 256 Fenfield Avenue

Provided that street dedication is provided if necessary, and that a 6-foot solid screen fence is erected and maintained on the west property line. Further, that a 6-foot solid screen fence is erected and maintained along the east property line adjacent to the single-family residences only if the applicant is not the owner of the property.

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 28th day of January, 19 82.

Henry Cisneros
M A Y O R

ATTEST: *[Signature]*
City Clerk

APPROVED AS TO FORM: *[Signature]*
City Attorney

82-04

AVIATION
BUDGET & RESEARCH
BUILDING INSPECTIONS
CITY WATER BOARD
CITIZEN ACTION & PUBLIC INFORMATION
COMMERCIAL RECORDER
CONVENTION & VISITORS BUREAU
CONVENTION FACILITIES
ECONOMIC & EMPLOYMENT DEVELOPMENT
EQUAL EMPLOYMENT OPPORTUNITY
FINANCE DIRECTOR
ASSESSOR
CONTROLLER
TREASURY DIVISION
GRANT SECTION
INTERNAL AUDIT
RISK MANAGEMENT
FIRE CHIEF
HEMISFAIR PLAZA
HUMAN RESOURCES & SERVICES
LEGAL-CITY ATTORNEY
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MARKET SQUARE
METROPOLITAN HEALTH DISTRICT
MUNICIPAL COURTS
PARKS & RECREATION
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PLANNING
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PUBLIC UTILITIES SUPERVISOR
PUBLIC WORKS DIRECTOR
ENGINEERING DIVISION
WASTEWATER ENGINEERING
RIGHT-OF-WAY & LAND ACQUISITION
TRAFFIC ENGINEERING DIVISION
PURCHASING
ZONING ADMINISTRATION

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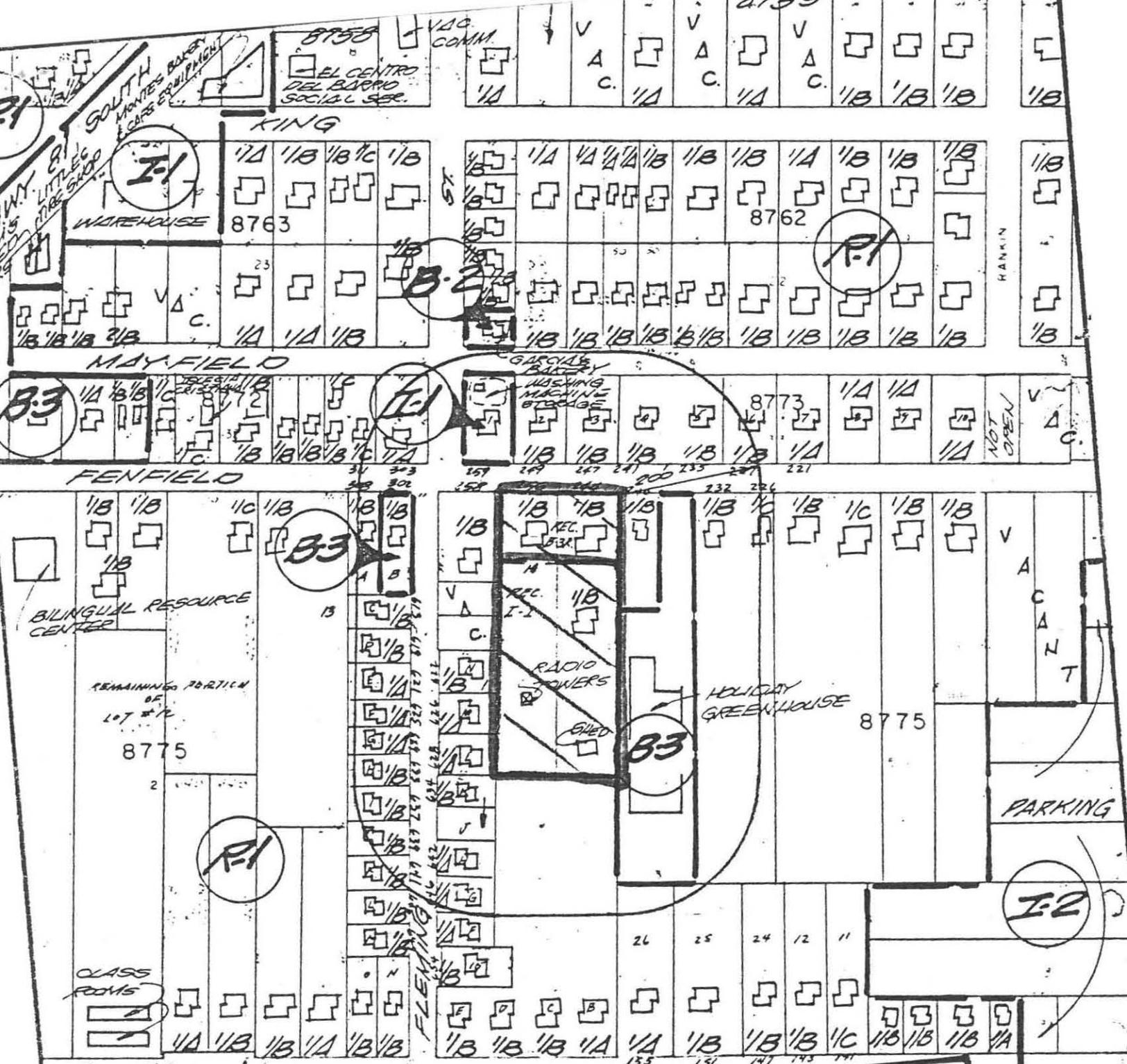
ITEM NO. 37
 DATE: Jan. 25, 1982
 MOTION BY: Edure SECONDED BY: Thompson
 ORD. NO. 54846 ZONING CASE #8706

RESOL. _____ PETITION _____

COUNCIL MEMBER	ROLL CALL	AYE	NAY
MARIA A. BERRIOZABAL PLACE 1		✓	
JOE WEBB PLACE 2		✓	
HELEN DUTMER PLACE 3		2	
FRANK D. WING PLACE 4		2	
BERNARDO EURESTE PLACE 5		2	
BOB THOMPSON PLACE 6		2	
JOE ALDERETE, JR. PLACE 7		<i>[Signature]</i>	
G.E. "ED" HARRINGTON PLACE 8		2	
VAN ARCHER PLACE 9		1	
JAMES C. HASSLOCHER PLACE 10		✓	
HENRY G. CISNEROS PLACE 11 (MAYOR)		✓	

~~RESOLUTION~~ STATE TO
 COME BACK IN 6 MO'S
 w/ DOWNZONING (OR)
 CONSIDERATION FOR "PROVISIONAL
 ZONING" CONSIDERATION
 + STIPULATIONS.

82-04



ZONING CASE 8706

CITY COUNCIL DIST NO. 4

REQUESTED ZONING CHANGE

FROM "R-1" SINGLE FAM. RES. TO "I-1" LIGHT INDUSTRY DIST. & "B-3R" REST. BUS. DIST.

DATE JAN. 28, 1982



DEPT. OF PLANNING

SAN ANTONIO, TEXA

TO: CITY CLERKS

REQUEST FOR NOTICE FOR PUBLIC HEARING:

CASE 8706NAME Clemente T. De Hoyos

The rezoning and reclassification of :

R-1 to B-3R

The East 172.30' of the north 100' of
Lot 14, Block 2, NCB 8775
244 and 256 Fenfield Avenue

R-1 to I-1

The East 172.30' of the north 410' of Lot 14,
save and except the north 100', Block 2, NCB 8775

FOR INFORMATION ONLY

Subject property is located on the south side
of Fenfield Avenue, being 86.5' east of the
intersection of Fleming Street and Fenfield
Avenue, having 172.30' on Fenfield Avenue and
a depth of 410'.

The B-3R being on the north 100' of Lot 14 and
I-1 on the remaining portion of subject property.

FROM: "R-1" One amily Residence District

TO: "B-3R Restrictive Business District and "I-1" Light Industry 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: Clemente T. De Hoyos

ZONING CASE NO. 8706

APPEAL CASE

YES

NO XX

STATUS OF APPLICANT: Owner

OWNER OF PROPERTY: Clemente T. De Hoyos

YES XX

NO

OWNER CONCUR WITH THIS REZONING REQUEST

DATE OF APPLICANT: November 4, 1981

LOCATION OF PROPERTY:

R-1 to B-3R

The East 172.30' of the north 100' of
Lot 14, Block 2, NCB 8775
244 and 256 Fenfield Avenue

R-1 to I-1

The East 172.30' of the north 410' of Lot 14,
save and except the north 100', Block 2, NCB 8775

FOR INFORMATION ONLY

Subject property is located on the south side
of Fenfield Avenue, being 86.5' east of the
intersection of Fleming Street and Fenfield
Avenue, having 172.30' on Fenfield Avenue and
a depth of 410'.

The B-3R being on the north 100' of Lot 14 and
I-1 on the remaining portion of subject property.

REQUESTED CHANGE IN ZONING

"R-1" One Family Residence District to
"B-3R" Restrictive Business District and "I-1" Light
Industry District.

ZONING COMMISSION PUBLIC HEARING HELD ON January 5, 1982

INFORMATION PRESENTED BY APPLICANT

Mr. Clemente De Hoyos, 256 Fenfield, stated that he is requesting the change in zoning because he would like to continue his plumbing and electrical shop on the subject property. He further stated that when he opened his business he was unaware that he needed a certificate of occupancy. He stated that when the Zoning Commission was considered rezoning the southside and there were several public hearings being held to let the people with small businesses request to keep the zoning that they had; he was out-of-town at the time and received his notice too late to return his response. He stated that at one time he did intend to build a building for storage of his equipment, but found that this would not be feasible.

At this time there was some question as to the ownership of the property adjacent to the subject property because there was a notice returned in opposition from 240 Fenfield, which the applicant noted that he was the owner of this property also.

IN OPPOSITION

There was no opposition present.

STAFF RECOMMENDATION
DISCUSSION

On December 1, 1981 Zoning Commission considered and postponed action on this so that the applicant could amend his application to a zoning more adequate for his use. As requested by the Commission, the background information regarding the subject property is enclosed within the zoning packet.

The property in question was included as part of the Laredo Highway - Somerset Road rezoning case. The subject property prior to the rezoning was zoned "LL" First Manufacturing District. In preparation of the zoning plan, the general policy was to recognize the existing business uses in the residential areas and zone accordingly. At that time, the subject property was not being utilized for any type of business according to the records of the rezoning change.

STAFF RECOMMENDATION

Denial is recommended by staff in that, although there are other industrial zoning in close proximity to subject property, the surrounding area is, for the most part, single family in character. The approval of this business zoning would encourage other similar requests in the midst of residential development which would recreate the unfavorable situation which initially prompted the Laredo-Somerset Road rezoning cases.

TRAFFIC ENGINEERING RECOMMENDATION

The subject property is served by Fenfield Avenue, a narrow local access street. Commercial traffic should not be encouraged on these local streets. Right-of-way to be dedicated if rezoning occurs.

RESULTS OF NOTICES RECEIVED BEFORE HEARING

There were twenty-nine notices mailed out to the surrounding property owners, three returned in opposition and three returned in favor.

COMMISSION ACTION

MOTION was made by Mr. Lopez and seconded by Mr. Meza, to recommend that the requested petition be denied and in lieu there of recommend approval of "B-3R" on the north 100' and "I-1" on the remainder of the property by the following votes

Lopez, Meza, Williams, Kachtik, Adams, Polunsky, McNeel, Oviedo, Davies and Washington voted in the affirmative; there were none against and Rodriguez was absent. THE MOTION CARRIED.

REASONS FOR ACTION

1. Subject property is located on the east 172.30' of the north 410' of Lot 14, Block 2, NCB 8775, 244, 256 Fenfield Avenue.
2. The owner through some bad timing on his part and the lost of his application for rezoning was denied. It is the opinion of this Commissioner, the manner that the previous zoning cases were handled, whereas if the property had "I-1" "LL" manufacturing and the owner came in and requested that same zoning, it would be recommended for approval to the City Council. The applicant should be allowed to continue the operation of his business on his property.
3. There were twenty-nine notices mailed out, three returned in opposition and three returned in favor.
4. Staff has recommended denial

OTHER RECOMMENDATIONS

Zoning Case No. 8706
Page 3,

It is further stipulated that street dedication be provided if necessary and that a 6' solid screen fence be erected and maintained on the west property line. Also, that a 6' solid screen fence be erected and maintained along the east property line adjacent to the single family residences only if the applicant is not the owner of the property.

RESULTS OF NOTICES FOR COUNCIL HEARING

(To be provided at Council Hearing).

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

No citizen appeared to speak in opposition.

Councilman Wing then made a substitute motion to grant a "B-3R" on all, with the understanding that the case will be reconsidered for "Provisional Zoning" once such is adopted by the City. Councilman Archer seconded the motion.

After discussion, the substitute motion to approve the request, ~~carrying with it the passage of the motion~~, by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Harrington, Hasslocher, Cisneros; NAYS: None; ABSENT: Alderete, Archer.

Councilman Eureste made a substitute motion that the staff come back in 6 months and ask for a down-zoning or consider for provisional zoning. Councilman Thompson seconded the motion. The motion carried by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Harrington, Archer, Hasslocher, —?

After consideration, Councilman Hasslocher moved that the recommendation of the Zoning Commission be approved provided that street dedication is provided if necessary, and that a 6-foot solid screen fence is erected and maintained on the west property line. Further, that a 6-foot solid screen fence is erected and maintained along the east property line adjacent to the single-family residences only if the applicant is not the owner of the property. On roll call, the motion carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Alderete.

AN ORDINANCE 54,846

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 AS THE EAST 172.30' OF THE NORTH 100' OF LOT 14, BLOCK 2, NCB 8775. 244 AND 256 FENFIELD AVENUE FROM "R-1" TO "B-3R"; THE EAST 172.30' OF THE NORTH 410' OF LOT 14 (SAVE AND EXCEPT THE NORTH 100', BLOCK 2, NCB 8775. 244 AND 256 FENFILLD AVENUE PROVIDED THAT STREET DEDICATION IS PROVIDED IF NECESSARY, AND THAT A 6-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ON THE WEST PROPERTY LINE. FURTHER, THAT A 6-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE EAST PROPERTY LINE ADJACENT TO THE SINGLE-FAMILY RESIDENCES ONLY IF THE APPLICANT IS NOT THE OWNER OF THE PROPERTY.

* * * *

82-04 CASE 8728 - to rezone a 10.897 acre tract of land out of NCB 15259 and 15268 being further described by field notes filed in the Office of the City Clerk, in the 5800 block of Medina Base Road, from Temporary "R-1" One Family Residence District to "R-3" Multiple Family Residence District located on the south side of Medina Base Road, being approximately 1200' east of the intersection of Five Palms Drive and Medina Base Road, having 100' frontage on Medina Base Road, having approximate a maximum depth of 500' and a maximum width of 1318'.

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

January 28, 1982

gg

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 #54846 hereto attached has been published in every issue of said newspaper on the following days, to-wit: February 2, 1982.

AN ORDINANCE 54846

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 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:

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"R-1" to "I-1"

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Provided that street dedication is provided if necessary, and that a 6-foot solid screen fence is erected and maintained on the west property line. Further, that a 6-foot solid screen fence is erected and maintained along the east property line adjacent to the single-family residences only if the applicant is not the owner of the property.

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

Sworn to and subscribed before me on this _____ day of February, 1982.

Notary Public for Bexar County,

Palencia

Finley

AVIATION	
BUDGET & RESEARCH	
BUILDING INSPECTIONS (1-HSE. Normi)	2
CITY WATER BOARD	
CITIZEN ACTION & PUBLIC INFORMATION	
COMMERCIAL RECORDER	1
CONVENTION & VISITORS BUREAU	
CONVENTION FACILITIES	
ECONOMIC & EMPLOYMENT DEVELOPMENT	
EQUAL EMPLOYMENT OPPORTUNITY	
FINANCE DIRECTOR	
ASSESSOR	1
CONTROLLER	
TREASURY DIVISION	
GRANT SECTION	
INTERNAL AUDIT	
RISK MANAGEMENT	
FIRE CHIEF	
HEMISFAIR PLAZA	
HUMAN RESOURCES & SERVICES	
LEGAL-CITY ATTORNEY	
LIBRARY DIRECTOR	
MARKET SQUARE	
METROPOLITAN HEALTH DISTRICT	
MUNICIPAL COURTS	
PARKS & RECREATION	
PERSONNEL DIRECTOR	
PLANNING	1
POLICE CHIEF	
PUBLIC UTILITIES SUPERVISOR	
PUBLIC WORKS DIRECTOR	
ENGINEERING DIVISION	
WASTEWATER ENGINEERING	
RIGHT-OF-WAY & LAND ACQUISITION	
TRAFFIC ENGINEERING DIVISION	
PURCHASING	
ZONING ADMINISTRATION	1

ITEM NO. 37

MEETING OF THE CITY COUNCIL DATE: JAN 28 1982

MOTION BY [Signature] SECONDED BY: [Signature]

ORD. NO. _____ ZONING CASE #8706

RESOL. _____ PETITION _____

COUNCIL MEMBER	ROLL CALL	AYE	NAY
MARIA A. BERRIOZABAL PLACE 1		✓	
JOE WEBB PLACE 2		✓	
HELEN DUTMER PLACE 3		✓	
FRANK D. WING PLACE 4		✓	
BERNARDO EURESTE PLACE 5		✓	
BOB THOMPSON PLACE 6		✓	
JOE ALDERETE, JR. PLACE 7		✓	
G.E. "ED" HARRINGTON PLACE 8		✓	
VAN ARCHER PLACE 9		✓	
JAMES C. HASSLOCHER PLACE 10		✓	
HENRY G. CISNEROS PLACE 11 (MAYOR)		✓	

Provided that street dedication is provided if necessary, and that a 6-foot solid screen fence is erected and maintained on the west property line. Further, that a 6-foot solid screen fence is erected and maintained on the east property line adjacent to the single-family residences only if the applicant is not the owner of the property.

AVIATION
BUDGET & RESEARCH
BUILDING INSPECTIONS
CITY WATER BOARD
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CONVENTION & VISITORS BUREAU
CONVENTION FACILITIES
ECONOMIC & EMPLOYMENT DEVELOPMENT
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FINANCE DIRECTOR
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PUBLIC WORKS DIRECTOR
ENGINEERING DIVISION
WASTEWATER ENGINEERING
RIGHT-OF-WAY & LAND ACQUISITION
TRAFFIC ENGINEERING DIVISION
PURCHASING
ZONING ADMINISTRATION

sub motion

ITEM NO. 37
 MEETING OF THE CITY COUNCIL DATE: Jan. 28, 1982
 MOTION BY: Wing SECONDED BY: Bellor

ORD. NO. _____ ZONING CASE _____
 RESOL. _____ PETITION _____

COUNCIL MEMBER	ROLL CALL	AYE	NAY
MARIA A. BERRIOZABAL PLACE 1			
JOE WEBB PLACE 2			
HELEN DUTMER PLACE 3			
FRANK D. WING PLACE 4			
BERNARDO EURESTE PLACE 5			
BOB THOMPSON PLACE 6			
JOE ALDERETE, JR. PLACE 7			<i>absent</i>
G.E. "ED" HARRINGTON PLACE 8			
VAN ARCHER PLACE 9			<i>absent</i>
JAMES C. HASSLOCHER PLACE 10			
HENRY G. CISNEROS PLACE 11 (MAYOR)			

*GRANT "B3R" ON ALL w/UNDERSTANDING
 CASE W/BE RECONSIDERED FOR
 "PROVISIONAL ZONING" ONCE SUCH
 IS ADOPTED BY THE CITY.*