

AN ORDINANCE 65615

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.

* * * * *

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

SECTION 1. THAT SECTION 35-35 OF CHAPTER 35 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 HERINAFTER DESIGNATED PROPERTY, TO-WIT:

(CASE NO. Z87109)

The rezoning and reclassification of property from Temporary "R-1" One-Family Residence District to "B-3" Business District and "R-3" Multiple-Family Residence District, listed below as follows:

Temporary R-1 to B-3
A 22.5143 acre tract of land out of NCB 18307.

Temporary R-1 to R-3
An 11.933 acre tract of land out of NCB 18307
Guilbeau Road and Tezel Road

Provided that 13-feet of dedication is given along Guilbeau 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 35, AS AMENDED, SHALL REMAIN IN FULL FORCE AND EFFECT, INCLUDING THE PENALTIES FOR VIOLATIONS AS MADE AND PROVIDED IN SECTION 35-24.

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 3rd DAY OF September 1987.

ATTEST: Anna S. Rodriguez
CITY CLERK

Henry Cisneros
MAYOR

APPROVED AS TO FORM: [Signature]
CITY ATTORNEY

87-42

AVIATION	
BUDGET & RESEARCH	
BUILDING INSPECTIONS	1
BUILDING INSPECTIONS-HOUSE NUMBER	
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. 31
SEP 3 1987

MEETING OF THE CITY COUNCIL DATE: _____

MOTION BY: [Signature] SECONDED BY: [Signature]

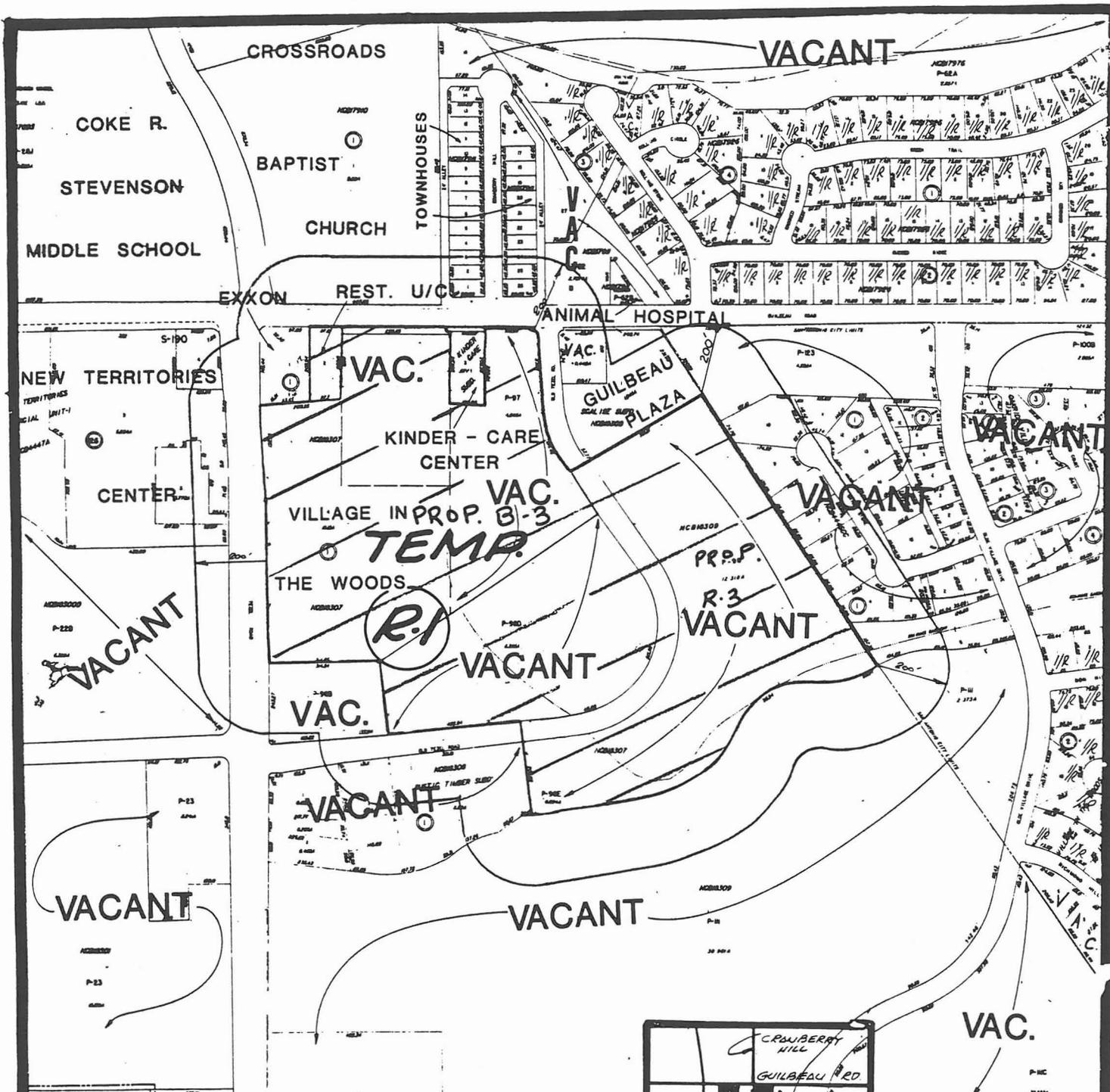
ORD. NO. 65615 ZONING CASE #287109

RESOL. _____ PETITION _____

	ROLL CALL	AYES	NAYS
MARIA BERRIOZABAL PLACE 1		✓	
JOE WEBB PLACE 2		<u>[Signature]</u>	
HELEN DUTMER PLACE 3		✓	
FRANK D. WING PLACE 4		✓	
WALTER MARTINEZ PLACE 5		2	
BOB THOMPSON PLACE 6		<u>[Signature]</u>	
YOLANDA VERA PLACE 7		✓	
NELSON WOLFF PLACE 8		✓	
WEIR LABATT PLACE 9		✓	
JAMES C. HASSLOCHER PLACE 10		2	
HENRY G. CISNEROS PLACE 11 (MAYOR)		✓	

13' dedicated along Guilbeau Rd.
 Driveways and off-street parking.

87-42



ZONING CASE Z87109

CITY COUNCIL DISTRICT 8

CENSUS TRACT 1817.02

GRID 10-61

REQUESTED ZONING CHANGE
 FROM TEMP. "R-1" SINGLE FAM. RES. TO "R-3" MULTIPLE FAM. RES.

DATE SEPT. 3, 1987

SCALE



DEPARTMENT OF PLANNING
 SAN ANTONIO, TEXAS

Zoning Case No.: Z87109

Date: June 23, 1987

Council District: 8

Appeal: No

Applicant: Edward K. Mery

Owner: Edward K. Mery

Zoning Request: Temporary "R-1" One Family Residence District to "B-3" Business District and "R-3" Multiple Family Residence District

Property Location:

Temp. "R-1" to "B-3"
22.5143 acres out of NCB 18307

Temp. "R-1" to "R-3"
11.933 acres out of NCB 18307

Guilbeau Road and Tezel Road

An 11.933 acre tract proposed "R-3" is located approximately 693.14' east of Tezel Road on the south and southeast of Old Tezel Road, having 1179.46' on Old Tezel Road. A 22.513 acre tract proposed "B-3" is located between Tezel Road, Old Tezel Road and Guilbeau Road, having 717.11' on Tezel Road, 586.99' on Old Tezel Road and a total of 575.79' on Guilbeau Road.

Zoning Commission Recommendation:

Approval

Zoning Case No.: Z87109

Date: June 23, 1987

Council District: 8

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Applicant: Edward K. Mery

Owner: Edward K. Mery

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Zoning Commission Recommendation:

Approval. It is further stipulated that 13' of dedication be given along Guilbeau Road and that driveways and off-street parking be provided and submitted to the Traffic Section for approval.

<u>Vote</u>	
FOR	9
AGAINST	0
ABSTAIN	1
ABSENT	1

Staff Recommendation:

Approval

Thirteen feet of dedication required along Guilbeau Road. Driveways and off-street parking to be submitted to the Traffic Engineering Section of Public Works for approval.

Applicant Proposal:

Business and multi-family uses

Discussion:

On May 12, 1987 the Zoning Commission postponed action on this request in order to allow the applicant time to meet with the school district of this area. Property has access to Guilbeau Road and Tezel Road both designated as major arterials on the Major Thoroughfare Plan.

ZONING COMMISSION PUBLIC HEARING HELD ON May 12, 1987

Applicant: Edward K. Mery

Mr. Lance Elliott, 3838 Medical Dr., stated that they are requesting the change of zoning for business and multi-family uses. He further stated that the applicant has owned the subject property for five years. He stated that Mr. Mery is the owner of the shopping center on the corner of Guilbeau Road and Tezel Road.

The Chairman stated that he had been contacted by trustees for the school district and they expressed concern about 22 acres of "B-3" zoning. He further stated that in his opinion, that the 22 acre request for "B-3" is a little too much business zoning across from the school and next to the single family area. He suggested that the applicant postpone in order to allow them time to discuss the proposed development plans with the school district.

Mr. Elliott stated that they would be glad to meet with the school district. He stated that they would prefer to postpone the entire case instead of only a portion of the request.

There was no opposition present.

There were were fifteen notices mailed out to the surrounding property owners, one returned in opposition and none returned in favor.

COMMISSION ACTION

MOTION was made by Mr. Polunsky and seconded by Mr. Small, to postpone this case at this time at the City's expense.

AYES: Polunsky, Small, Smith, McNeel, Oviedo, Meza, Davies, Adams

NAYS: None

ABSENT: Cockrell, Washington, Villarreal

THE MOTION CARRIED.

ZONING COMMISSION PUBLIC HEARING HELD ON June 23, 1987

Applicant: Edward K. Mery

Mr. Lance Elliott, 3838 Medical Dr., stated that they are requesting the change of zoning for business and multi-family uses. He further stated that they had met with Mrs. Garcia, Principal of Coke R. Stevenson Elementary and she did not express any opposition. He stated that he did not speak to any of the school board members regarding this case.

There was no opposition present.

There were fifteen notices mailed out to the surrounding property owners, none returned in opposition and one returned in favor.

COMMISSION ACTION

MOTION was made by Ms. Davies and seconded by Mr. Villarreal, to recommend approval of the requested petition from Temporary "R-1" One Family Residence District to "B-3" Business District and "R-3" Multiple Family Residence District for the following reasons:

1. Subject property is located on a 22.5143 acres out of NCB 18307, and on an 11.933 acres out of NCB 18309, Guilbeau Road and Tezel Road.
2. There were fifteen notices mailed out to the surrounding property owners, none returned in opposition and none returned in favor.
3. Staff has recommended approval. This case was postponed in order that the applicant could contact the trustees of the school district who expressed concern about the 22 acres of "B-3". The applicant should meet with the members of the school board trustee before taking this case to City Council.

It is further stipulated that 13' of dedication be given along Guilbeau Road and that driveways and off-street parking be provided and submitted to the Traffic Section for approval.

AYES: Davies, Villarreal, Small, Washington, McNeel, Oviedo, Cockrell, Meza,
Adams

NAYS: None

ABSTAIN: Smith

ABSENT: Polunsky

THE MOTION CARRIED.

[Handwritten signature]

Affidavit of Publisher

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

RECEIVED
CITY OF SAN ANTONIO
CITY CLERK
1987 SEP 14 PM 2:59

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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 22.5143 ACRE TRACT OF LAND OUT OF NCB 18307 FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT; AND AN 11.933 ACRE TRACT OF LAND OUT OF NCB 18307, GUILBEAU AND TEZEL ROADS, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT, PROVIDED THAT 13 FEET OF DEDICATION IS GIVEN ALONG GUILBEAU ROAD, AND THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".
9/9

Before me, the undersigned authority, personally appeared Irene Palencia, who being by me duly sworn, says on oath that she is Office Superintendent of the Commercial Recorder, a newspaper of general circulation in the City of San Antonio, in the State and County of Bexar, Texas, and that the Ordinance #65615 hereto attached has been published in every issue of said newspaper on the following days, to-wit: September 9, 1987.

[Handwritten signature: Irene Palencia]

Sworn to and subscribed before me this 9th day of September, 1987.

[Handwritten signature: Kay Smiley]

Notary Public in and for Bexar County, Texas

Affidavit of Publisher

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

AN ORDINANCE 65615
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Before me, the undersigned authority, on _____ personally appeared Irene Palencia, who being by me duly sworn, says on oath that she is Office Superintendent of the Commercial Recorder, a newspaper of general circulation in the City of San Antonio, in the State and County of Bexar, and that the Ordinance #65615 hereto attached has been published in every issue of said newspaper on the following days, to-wit: September 9, 1987.

Irene Palencia

Sworn to and subscribed before me this 9th day of September 1987.

Kaye Imley

Notary Public in and for Bexar County, Texas