

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, JANUARY 19, 1978.

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The meeting was called to order at 1:00 P.M., by the presiding officer, Mayor Lila Cockrell, with the following members present: CISNEROS WEBB, DUTMER, WING, EURESTE, ORTIZ, ALDERETE, PYNDUS, HARTMAN, STEEN, COCKRELL; Absent: NONE.

78-3 The invocation was given by The Reverend Charles Kemble, Universal City Baptist Church.

78-3 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

78-3 The minutes of the meeting of January 12, 1978 were approved.

78-3 KUDOS TO SAN ANTONIO FIRE DEPARTMENT

On this date, a fire occurred at Penner's Store, across Commerce Street from City Hall, which was very destructive and difficult to contain.

Councilman Alderete expressed appreciation to Fire Chief I.O. Martinez and his Department for their efforts in fighting the fire at Penner's Store. Other Council members joined in praising the work of the Firefighters

Fire Chief Martinez commented to the Council that serious consideration should be given to enforcement of the city regulations concerning sprinkler systems.

Mayor Cockrell asked that the subject of sprinkler systems be scheduled for a "B" Session in the near future.

78-3 PRESENTATION OF CITATION TO THE
RESEARCH AND PLANNING COUNCIL

Mayor Cockrell invited Mr. Walter Stoneham along with Mr. Stanford Busby and Sterling Smith to the podium and then read the following citation:

THE CITY OF SAN ANTONIO
(State of Texas)

Hereby Presents This

CITATION

TO

THE RESEARCH AND PLANNING COUNCIL

IN RECOGNITION OF ITS INTEREST AND PARTICIPATION IN THE CITY COUNTY SCHOOL APPRAISAL SYSTEM. ITS EFFORT IN SAMPLING TAX ASSESSMENTS IN THE TAXING AGENCIES OF BEXAR COUNTY IN SEARCH OF TAX EQUITY HAS BEEN EXTREMELY HELPFUL AND PROMOTES CONFIDENCE IN THE INTEGRITY OF THE SYSTEM.

THE CITY COUNCIL COMMENDS THE RESEARCH AND PLANNING COUNCIL FOR A JOB WELL DONE.

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HONORARIUM FOR RODOLFO CORTEZ

Mayor Cockrell invited Mr. Rodolfo Cortez, Fire Chief I.O. Martinez and Mr. Frank Mendiola to the podium and then read the following Honorarium:

CITY OF SAN ANTONIO
(State of Texas)

Hereby Presents This

HONORARIUM

TO

RODOLFO CORTEZ

PRESENTED IN RECOGNITION OF THE HEROIC ACTIONS OF RODOLFO CORTEZ IN THE EARLY MORNING HOURS OF JANUARY 8, 1978.

A VETERAN CITY EMPLOYEE, AS HE WAS RETURNING HOME FROM WORK HE OBSERVED A FIRE IN AN APARTMENT AT 901 DIVISION AVENUE. HE AROUSED RESIDENTS NEXT DOOR AND ASKED THAT THE FIRE DEPARTMENT BE SUMMONED. HE THEN RETURNED TO THE APARTMENT, SMASHED DOWN TWO DOORS, AND RESCUED MR. LENCHO FLORES FROM CERTAIN DEATH. AGAIN HE RETURNED TO THE BUILDING AND ROUTED RESIDENTS OF FOUR OTHER APARTMENTS FROM THE STRUCTURE.

RUDY'S CONCERN FOR HIS FELLOWMAN AND HIS WILLINGNESS TO RISK HIS LIFE FOR ANOTHER SETS AN EXAMPLE FOR OTHERS TO FOLLOW. THE CITY COUNCIL COMMENDS HIM FOR THIS DISPLAY OF COURAGE AND BRAVERY BEYOND THE CALL OF DUTY AND EXPRESSES THE SINCERE APPRECIATION OF A GRATEFUL CITIZENRY.

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Mayor Cockrell expressed the deep appreciation of all San Antonio citizens to Mr. Cortez. She and other members of the Council greeted him personally to say thank you.

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ZONING HEARINGS

1. CASE 7133 - to rezone Lot 547, Block 71, NCB 9308, 823 Grosvenor Boulevard, from "C" Apartment and "D" Apartment Districts to "B-3" Business District, located on the north side of Grosvenor Boulevard, being 112.50' east of the intersection of Grosvenor Boulevard and Tacoma Avenue; having 130' on Grosvenor Boulevard and a depth of 500'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Zoning Commission recommended be denied by the City Council.

Mr. Tony Jimenez, Attorney, said that he was representing the applicant Mr. Pedro Montemayor, who intended to open an exhibit and entertainment hall on the property. He described the parking areas and flow of traffic in the area and showed photographs.

Mr. Jose Rodriguez, representing Mr. and Mrs. Saldivar at 911 Grosvenor, spoke in opposition to the requested change in zoning. He said that zoning is for the health, safety, and welfare of the community and the proposed rezoning would accomplish none of these. He asked that the present zoning be respected and no change be made.

Also speaking in opposition were:

Mrs. Reyes Balderama
Mrs. Rosie Saldivar
Mr. Santos Saldivar

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Mr. Jimenez then spoke in rebuttal. He said that the applicant would lease a vacant lot to provide additional parking. He urged the Council to approve his request. He said that his client would accept B-2 zoning if the Council insisted.

The opponents present said that they did not want any kind of commercial zoning there.

After consideration and discussion, Mr. Eureste moved that the recommendation of the Zoning Case be overruled and the rezoning approved. The motion was seconded by Mr. Wing and failed to carry by the following roll call vote: AYES: None; NAYS: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; ABSENT: None.

The rezoning was denied.

2. CASE 7062 - to rezone Parcel 119, NCB 14282, 4141 Parkdale Drive, from "O-1" Office District to "B-2" Business District, located on the north-east side of Parkdale Drive, being 203' southeast of the intersection of Wurzbach Road and Parkdale Drive; having 253.68' on Parkdale Drive and a depth of 200'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Zoning Commission recommended be denied by the City Council.

Mr. Lou Cariffe, agent for the applicant, said that this case had been held over from last month to allow time for him to come to an agreement with some of the parties who already have property in the area. He said that he has provided Mr. H.H. Price with a covenant of deed restriction which would be filed for record if the rezoning is approved.

Mr. H.H. Price said that he had indeed been provided with adequate assurance and said that he would withdraw all of his objections to this case.

After consideration and discussion, Mr. Pyndus moved that the recommendation of the Zoning Case be overruled and the rezoning approved. The motion was seconded by Mr. Steen. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 48,949

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 PARCEL 119, NCB 14282, 4141 PARKDALE DRIVE, FROM "O-1" OFFICE DISTRICT TO "B-2" BUSINESS DISTRICT.

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3. CASE 7030 - to rezone the south 125' of the east irregular 340' of Lot 341, Block A-35, NCB 11134 and the remaining portions of Lots 10 and 11, NCB 11167, in the 9400 block of Poteet-Jourdanton Freeway, from "B-3" Business District to "I-1" Light Industry District, located on the east side of Poteet-Jourdanton Freeway, being 145' south of the intersection of Mally Drive and Poteet-Jourdanton Freeway; having a total of 280.05' on Poteet-Jourdanton Freeway and a maximum depth of 366.8'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change which the Zoning Commission recommended be denied by the City Council.

Dr. Cisneros moved to overrule the recommendation of the Zoning Case and approve the rezoning. Mr. Steen seconded the motion.

Mr. Sam Gates, the applicant, stated that he is requesting "I-1" zoning so that he can have outside storage for use by the wrecker service. He also stated that he is willing to compromise and is now requesting that the Council approve the rezoning change on only a portion of the property.

Mr. Pyndus spoke in opposition to the motion to approve the rezoning based on the recommendations made by the Zoning Commission and the staff.

Mrs. Dutmer also spoke in opposition because of the operation becoming a salvage yard. Mr. Hartman and Mr. Wing also concurred with her statements.

No citizen appeared to speak in opposition.

Mr. Pyndus then stated that since there is no opposition present he would move to postpone the case for 30 days in order that a more acceptable plan may be presented to Council. The motion died for lack of a second.

Dr. Cisneros and Mr. Steen spoke in favor of the motion and gave their reasons for wanting the rezoning to be approved.

In response to Mr. Hartman's question, Mr. Camargo explained the zoning which is required to store vehicles.

The prospective lessee of the land then spoke to the Council and described the type of vehicles that he intends to park on the subject property.

On roll call, the motion to overrule the recommendation of the Zoning Commission and grant the rezoning, failed to carry by the following vote: AYES: Cisneros, Webb, Steen; NAYS: Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Cockrell; ABSENT: None.

The rezoning was denied.

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Later in the meeting, Dr. Cisneros asked that someone on the prevailing side move for reconsideration of this Case. He cited the reasons why he felt that this Case was important.

After discussion, Mr. Pyndus moved to reconsider Case 7080. Dr. Cisneros seconded the motion.

On roll call, the motion to reconsider failed to carry by the following vote: AYES: Cisneros, Webb, Pyndus, Steen; NAYS: Dutmer, Wing, Eureste, Alderete, Hartman, Cockrell; ABSENT: Ortiz.

4. CASE 7084 - to rezone Parcel 10, NCB 16550, 9333 U.S. Hwy. 90 West, from Temporary "R-1" Single Family Residential District to "I-1" Light Industry District, located on the northwest side of U.S. Hwy. 90, East, being 405' northeast of the intersection of Wood Drive and U.S. Hwy. 90 East; having 275' on U.S. Hwy. 90 East and a maximum depth of 436'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change which the Zoning Commission recommended be denied by the City Council.

Mr. W.H. Price, Attorney, representing the applicant, distributed photographs to the Council of the subject property. He stated that they are requesting the "I-1" zoning in order to enlarge the business and also to place antique machinery in back of the subject property.

No citizens appeared to speak in opposition.

After discussion, Mr. Hartman moved to uphold the recommendation of the Zoning Commission and deny the request for rezoning. Mr. Pyndus seconded the motion and stated that he was in favor of denial based on staff recommendations.

In response to Mr. Steen's question, Mr. Camargo stated that the staff would not be in opposition to having the subject tract being zoned to "B-3".

After consideration, Dr. Cisneros made a substitute motion to grant "B-3" zoning in lieu of "I-1". Mr. Webb seconded the motion.

Mrs. Dutmer spoke in opposition to the rezoning because of the potential development of the tract and pointed out that the applicant has non-conforming rights to continue his present operation.

On roll call, the substitute motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Wing, Eureste, Ortiz, Alderete, Steen, Cockrell; NAYS: Dutmer, Pyndus, Hartman; ABSENT: None.

AN ORDINANCE 48,950

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 PARCEL 10, NCB 16550, 9333 U.S. HWY. 90 EAST, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT.

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5. CASE 7148 - to rezone Lot 6, the east 15' of Lot 5 and the west 18' of Lot 7, Block 37, NCB 1848, 1216 W. Mistletoe Avenue, from "B" Two Family Residential District and "J" Commercial District to "B-1" Business District, located on the south side of W. Mistletoe Avenue, being 157' west of the intersection of W. Mistletoe Avenue and Capitol Avenue; having 58' on W. Mistletoe Avenue and a depth of 125'.

At the request of Councilman Alderete, the Council agreed to postpone consideration of this case for 30 days.

6. CASE 7138 - to rezone Tract F, NCB 7912, in the 600 Block of Collingsworth Street, from "B" Two Family Residential District and "F" Local Retail District to "R-3" Multiple Family Residential District, located southeast of the intersection of Britton Avenue and Collingsworth Street; being 420' east of the intersection of Carlisle Avenue and Commercial Avenue; having a width of 90.25' and a length of 349.94'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change which the Zoning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Mr. Steen made a motion that the recommendation of the Zoning Commission be approved, provided that proper platting is accomplished. Mr. Webb seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 48,951

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 TRACT F, NCB 7912, IN THE 600 BLOCK OF COLLINGSWORTH STREET, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT AND "F" LOCAL RETAIL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

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7. CASE 7144 - to rezone Lot 5, NCB 2587, 116 Lone Star Boulevard, from "C" Apartment District to "B-1" Business District, located on the southwest side of Lone Star Boulevard, being 190' southeast of the intersection of Flores Street and Lone Star Boulevard; having 50' on Lone Star and a depth of 190'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Zoning Commission recommended be approved by the City Council.

Mr. Camargo said that more than 20% of the adjoining property owners had expressed opposition so that nine affirmative votes would be required to approve the rezoning.

Mr. Leonardo Lara, the applicant, said that this property was formerly occupied by his parents. It had not been occupied for several years and is in a run-down condition. The prospective purchaser intends to operate a barber shop there and he said this would be much better than leaving it vacant.

Mrs. Barbara Ann Marriani spoke in opposition. She pointed out that the property is not on the corner but is actually a part of the residential area. She objected to this intrusion on residential property and asked that the rezoning be denied.

Mr. Antonio Llamas and Father Collins also spoke in opposition. They cited a possible increase in residential traffic and said they wished to retain the neighborhood as it is.

In rebuttal, Mr. Lara again asked the Council to consider his request favorably.

After consideration, Mr. Eureste moved that recommendation of the Zoning Commission be overruled and the request for rezoning denied. The motion was seconded by Mr. Cisneros and carried by the following roll call vote: AYES: Cisneros, Webb, Wing, Eureste, Ortiz, Alderate, Cockrell; NAYS: Dutmer, Pyndus, Hartman, Steen; ABSENT: None.

The rezoning was denied.

78-3 The meeting was recessed at 3:35 P.M. and reconvened at 3:50 P.M.

8. CASE 7147 - to rezone Lot 13, the east 114.27' of Lot 12 and the west 114.27' of Lot 14, Block 2, NCB 11314, 1354 Menefee Boulevard, from "B" Two Family Residential District to "R-3" Multiple Family Residential District, located on the south side of Menefee Boulevard being 1900' east of the intersection of Menefee Boulevard and Wescott Avenue; having 400' on Menefee Boulevard and a maximum depth of 762.5'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Zoning Commission recommended be approved by the City Council.

Mr. Oscar G. Herrera, attorney representing Mr. Noe Salinas, the applicant, stated that his client is intending to sell the subject property to the MANCO Organization for use as a half-way house. He asked Council to approve their request for rezoning.

Mr. Roy Valdez, MANCO, presented a drawing of the proposed halfway house. He stated that this facility will provide a temporary home for 10 children under the age of seventeen. He stated that this type of facility is very needed in the area. He also stated that they intend to follow state regulations and emphasized that there will only be 10 children at one time at this facility.

Mrs. Liz Davies, Texas Coalition for Juvenile Justice, also spoke in favor of the proposed rezoning. She asked that the Council uphold the recommendation of the Zoning Commission and grant the rezoning.

Mr. David Garza, 1919 Jamar, read a prepared statement in opposition to the proposed request for rezoning. He stated that they are very much opposed to the location of the facility. He also submitted a petition in opposition to the rezoning.

The following group of citizens also spoke in opposition:

Mrs. Alice Jimenez
Mr. James J. Kelly
Mr. Emmett Holland

Mr. Gene Reichman, attorney representing the owner of the Mobile Home Park and some of the residents of the Mobile Home Park, also spoke in opposition.

Mr. Wally Henderson, attorney representing residents living within the 200 foot radius, also spoke in opposition.

After discussion by the Council, Mr. Eureste moved to overrule the recommendation of the Zoning Commission and deny the request for rezoning. Mr. Pyndus seconded the motion.

Mr. Ortiz stated that the strong community opposition would in his opinion defeat the purpose which the halfway house is supposed to solve.

After discussion, Mr. Eureste withdrew his motion and Mr. Pyndus withdrew his second. Mr. Ortiz then moved to overrule the recommendation of the Zoning Commission and deny the request for rezoning. Mr. Eureste seconded the motion. On roll call, the motion, carried by the following vote: AYES: Cisneros, Webb, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Cockrell; NAYS: Dutmer, Steen; ABSENT: None.

CASE 7147 was denied.

9. CASE 7109 - to rezone the southeast 342' of Lot 4, NCB 11268, 8003 Somerset Road, from "B" Two Family Residential District to "B-2" Business District, located on the northeast side of Somerset Road, being 1799.7' northeast of the intersection of I.H. 35 South Expressway and Somerset Road; having 178' on Somerset Road and a maximum depth of 342'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change which the Zoning Commission recommended be approved by the City Council. Mr. Camargo stated that there is 20 percent opposition in this Case, so nine affirmative votes of the Council will be needed to approve the rezoning.

Mr. Ernest Valdez, representing the applicant, Mr. Augustine Aguilar, stated that they are proposing the establishment of a convenience store on the subject property. He said that residents in the area have to travel all the way to Palo Alto Road in order to get to a convenience store. He also stated that this facility will benefit the community.

No citizen appeared to speak in opposition.

After consideration, Mr. Steen moved to uphold the recommendation of the Zoning Commission and grant the rezoning. Mrs. Dutmer seconded the motion.

In response to a question by Mr. Hartman, Mr. Camargo stated that the staff had recommended denial of the request because the subject property lies immediately east of the proposed Military Airport Overlay District II, which will allow residential development. The property in question also lies within a land use study area which the staff is preparing. At this time, a recommendation for rezoning has not been made on this area. In viewing the immediate area, there is residential development immediately east, north and south of the subject property and taking this into consideration, the staff had recommended denial of the request for rezoning.

Mr. Pyndus spoke against the motion to approve the rezoning based on the staff's recommendation.

On roll call, the motion to approve the rezoning failed to carry by the following vote: AYES: Cisneros, Steen; NAYS: Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Cockrell; ABSENT: None.

CASE 7109 was denied.

Later in the meeting Case 7109 was brought up for reconsideration and the Council voted to hear this Case in 30 days. See page 20 of these minutes.

10. CASE 7119 - to rezone the remaining portions of Lots 29 and 30, Block 33, NCB 8115, in the 1500 Block of Brady Boulevard, from "B" Two Family Residential District to "B-3" Business District, located on the northeast side of Brady Boulevard, being 410' southeast of the intersection of Amerada Street and Brady Boulevard; having 329.53' on Brady Boulevard and a maximum depth of 186.60'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Zoning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Dr. Cisneros moved to uphold the recommendation of the Zoning Commission and grant the rezoning provided that proper platting is accomplished. Mr. Webb seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Wing, Eureste, Ortiz, Alderete, Hartman, Steen; NAYS: None; ABSTAIN: Dutmer, ABSENT: Pyndus, Cockrell.

AN ORDINANCE 48,952

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 REMAINING PORTIONS OF LOTS 29 AND 30, BLOCK 33, NCB 8115, IN THE 1500 BLOCK OF BRADY BOULEVARD, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

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12. CASE 7157 - to rezone the remaining portions of Lots 12 and 13, Block 1, NCB 7185, from "A" Single Family Residential District to "B-2" Business District, located west of the cutback between I.H. 10 Expressway and Sherwood Drive; having 219.1' on I.H. 10 Expressway, 204' on Sherwood Drive and 49' on the cutback between I.H. 10 Expressway and Sherwood Drive.

Mr. Henry Christopher, one of the applicants, described the area and pointed out the commercial development that has taken place in this neighborhood since the expressway was constructed. He said that the proximity of the expressway is causing the neighborhood to deteriorate and the transition is to business uses.

Mr. Ralph Smith, present owner of the property, reiterated what Mr. Christopher had said. He too, urged the Council to grant the rezoning.

Mr. Bob Dolglis, 232 Sherwood, spoke in opposition to the request. He presented petitions from other residents on Sherwood Drive in opposition. He said that the residents in the area wished to retain the same type neighborhood they now have and object to this rezoning. He asked the Council to deny the request.

Mr. Camargo said that nine affirmative votes would be necessary to approve rezoning of the case.

Mr. Christopher spoke in rebuttal. He said that the noise and traffic make this property unsuitable for residential use. He said that the eventual use of the property is undetermined. In answer to Mr. Hartman, Mr. Christopher said that "O-1" Office District would not be feasible because there is already much office space available on I.H. 10 in this area.

Mr. Steen said that there seemed to be some disagreement as to how many neighbors were in favor and how many were in opposition. He suggested that the case be postponed 30 days to allow time for further discussion and to clarify some points. Some of the opponents had withdrawn their objections and at this point, it was not clear whether six or nine affirmative votes would be required. Later it was declared that only 6 votes were required.

Mr. Christopher said that it is possible that a compromise could be reached with surrounding property owners if time were allowed.

Both parties agreed that a 30-day postponement would be acceptable.

After consideration, Mr. Hartman moved to postpone consideration of Case No. 7157 for 30 days. The motion was seconded by Mr. Steen and carried by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Ortiz.

CASE No. 7157 was postponed.

11. CASE 7151 - to rezone Lot 47, Block 1, NCB 11256, in the 200 Block of Briggs Avenue and in the 3000 Block of McArthur Avenue, from "B" Two Family Residential District to "B-1" Business District, located between Briggs Avenue and McArthur Avenue, being 960' west of the intersection of Briggs Avenue and Somerset Road and 790' west of the intersection of McArthur Avenue and Somerset Road; having 200' on Briggs Avenue and 100' on McArthur Avenue and a distance of 409.25' between Briggs Avenue and McArthur Avenue.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Zoning Commission recommended be approved by the City Council. Mr. Camargo further stated that there is 20 percent opposition in this Case so nine affirmative votes will be needed in order to approve the rezoning.

Mr. Robert Zamora, the applicant, stated that he is requesting the change in zone for the purpose of establishing a day care nursery. He stated that the property has been vacant for about 10 years and the area is in need of such a facility.

Councilman Wing stated that he has spoken to the neighbors and they need a facility such as the one Mr. Zamora is proposing.

The following group of citizens then spoke in opposition stating that additional traffic will be generated and will present a danger to the children that tend to play in the street;

Mr. Lawrence Amarillas
Mr. Felipe Sandoval
Mrs. Carmen Amarillas.

In rebuttal, Mr. Zamora stated that all traffic will be on Briggs Avenue and he is sincere in his intention to build a day care center and not apartments. He also stated that he intends to have off-street parking so as not to inconvenience the neighbors.

After discussion, Mr. Pyndus moved to deny the change in zoning based on the staff's recommendations. The motion died for a lack of a second.

After further discussion, Mr. Wing moved to approve the recommendation of the Zoning Commission and grant the rezoning. Mr. Hartman seconded the motion.

Mr. Pyndus spoke against the motion.

Mayor Cockrell suggested that a non-access easement on McArthur Street be imposed since this was the main concern of the opponents.

Mr. Zamora was receptive to this suggestion.

Mr. Wing and Mr. Hartman concurred to include this stipulation as part of their motion.

On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Hartman, Steen, Cockrell; NAYS: Pyndus; ABSENT: None.

AN ORDINANCE 48,953

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 LOT 47, BLOCK 1, NCB 11256, IN THE 200 BLOCK OF BRIGGS AVENUE, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-1" BUSINESS DISTRICT, PROVIDED THAT A NON-ACCESS EASEMENT IS IMPOSED ALONG THE PROPERTY LINE ON McARTHUR AVENUE.

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13. CASE 7158 - to rezone Lots 23 and 24, NCB 10179, in the 6100 Block of W. Commerce Street, from "C" Apartment District to "B-2" Business District located southeast of the intersection of W. Commerce Street and S.W. 40th Street; having 100' on W. Commerce St. and 150' on S.W. 40th Street.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Zoning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Mr. Steen moved to approve the recommendation of the Zoning Commission and grant the rezoning, provided that a six foot solid screen fence is erected and maintained along the south property line. Mr. Hartman seconded the motion.

In response to Mr. Pyndus' question, Mr. Camargo stated that the staff has recommended denial of this change in zone due to the fact that with the exception of the business zoning to the east, the predominant development of Commerce Street is of a single family character. To the west, there are single family dwellings which front onto Commerce Street, with single family dwellings also being to the south. In the staff's opinion, the business zonings along this arterial should be maintained at the major intersections of Commerce Street and 36th Street to the east and at the intersection of Commerce and Acme Road to the west. This would discourage strip development of this major arterial. Business nodes are already established at the above mentioned intersections.

Mr. Pyndus then spoke in opposition to the motion to approve the rezoning based on the staff's recommendation.

No citizen appeared to speak in opposition.

On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Wing, Eureste, Ortiz, Alderete, Hartman, Steen, Cockrell; NAYS: Webb, Dutmer, Pyndus; ABSENT: None.

AN ORDINANCE 48,954

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 LOTS 23 AND 24, NCB 10179, IN THE 6100 BLOCK OF W. COMMERCE STREET, FROM "C" APARTMENT DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE SOUTH PROPERTY LINE.

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14. CASE 7159 - to rezone Lots 6-A, 60-B, and 7-C, Block 2, NCB 7578, in the 5700 Block of S. New Braunfels Avenue, from "B-1" Business District to "B-3" Business District, located on the northeast side of S. New Braunfels Avenue and Hot Wells Boulevard; having 300' on S. New Braunfels Avenue, 35' on Hot Wells and 165' on Montrose Avenue.

Mr. Gene Camargo, Planning Administrator, explained the proposed change which the Zoning Commission recommended be approved by the City Council. Mr. Camargo then stated that the staff had made a different recommendation to the Zoning Commission based on the fact that both Hot Wells Boulevard and S. New Braunfels Avenue are shown on the Major Thoroughfare Plan as arterials for this area. At this major intersection, business zoning has already been established. Considering this major intersection, the staff has no objections to the granting of "B-3" zoning on a portion of the subject property. In the staff's opinion, a transitional zoning pattern should be established away from this major intersection. The staff, therefore, recommends approval of "B-3" zoning on Lot 6-A at the intersection of Hot Wells Boulevard and New Braunfels Avenue and "B-2" zoning on the remaining portion.

No one spoke in opposition.

Mrs. Dutmer stated that she is very familiar with the area and spoke in favor of approving the change in zone. She then moved to uphold the recommendation of the Zoning Commission and grant the rezoning, provided that a six foot solid screen fence is erected and maintained along the east property line of Lot 6-A and along the south property line of Lot 7-C. Mr. Steen seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 48,955

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 LOTS 6-A, 60-B, AND 7-C, BLOCK 2, NCB 7578, IN THE 5700 BLOCK OF S. NEW BRAUNFELS AVENUE, FROM "B-1" BUSINESS DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE EAST PROPERTY LINE OF LOT 6-A, AND ALONG THE SOUTH PROPERTY LINE OF LOT 7-C.

* * * *

15. CASE 7161 - to rezone Tract 4, NCB 10852, in the 4600 block of Boldt Drive, from "A" Single Family Residential District to "I-1" Light Industry District, located on the south side of Boldt Drive, being 640.06' east of the intersection of S.W.W. White Road and Boldt Drive; having 640.6' on Boldt Drive and a depth of 340'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Zoning Commission recommended be approved by the City Council.

No one spoke in opposition.

Mrs. Dutmer stated that she would like to discuss the storage plans with the proponent.

The proponent was not present to discuss the matter.

After consideration, Mr. Pyndus moved to uphold the recommendation of the Zoning Commission and grant the rezoning. Mr. Steen seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb,

Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell;
NAYS: None; ABSENT: None.

AN ORDINANCE 48,956

AMENDING CHAPTER 42 OF THE CITY CODE THAT
CONSTITUTES THE COMPREHENSIVE ZONING ORDI-
NANCE OF THE CITY OF SAN ANTONIO BY CHANGING
THE CLASSIFICATION AND REZONING OF CERTAIN
PROPERTY DESCRIBED HEREIN AS TRACT 4, NCB
10852, IN THE 4600 BLOCK OF BOLDT DRIVE,
FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT
TO "I-1" LIGHT INDUSTRY DISTRICT.

* * * *

16. CASE 7101 - to rezone a 3.67 acre tract of land out of NCB 11688, being further described by field notes filed in the Office of the City Clerk, from "O-1" Office District and "B-3" Business District to "I-1" Light Industry District, located 150' southwest of Jackson-Keller Road, being approximately 765' southeast of the intersection of West Avenue and Jackson-Keller Road; having a length of 1230.6' and a depth of 130'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Zoning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Mr. Pyndus made a motion that the recommendation of the Zoning Commission be approved, provided that proper platting is accomplished. Mr. Eureste seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Ortiz.

AN ORDINANCE 48,957

AMENDING CHAPTER 42 OF THE CITY CODE THAT
CONSTITUTES THE COMPREHENSIVE ZONING ORDI-
NANCE OF THE CITY OF SAN ANTONIO BY CHANGING
THE CLASSIFICATION AND REZONING OF CERTAIN
PROPERTY DESCRIBED HEREIN AS A 3.67 ACRE
TRACT OF LAND OUT OF NCB 11688, BEING FURTHER
DESCRIBED BY FIELD NOTES FILED IN THE OFFICE
OF THE CITY CLERK, LOCATED 150' SOUTHWEST
OF JACKSON-KELLER ROAD, BEING APPROXIMATELY
765' SOUTHEAST OF THE INTERSECTION OF WEST
AVENUE AND JACKSON-KELLER ROAD; HAVING A
LENGTH OF 1230.6' AND A DEPTH OF 130', FROM
"O-1" OFFICE DISTRICT AND "B-3" BUSINESS
DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT,
PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

17. CASE 7121 - to rezone Parcel A-2, NCB 11781, in the 10800 Block of West Avenue, from "A" Single Family Residential District to "P-1(R-1)" Planned Unit Development Single Family Residential District, located on the southeast side of West Avenue, being 174.75' northeast of the intersection of West Avenue and Spanish Oaks Drive; having 600' on West Avenue and a depth of 550'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Zoning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Mr. Steen made a motion that the recommendation of the Zoning Commission be approved, provided that proper platting is accomplished in accordance with the Planned Unit Development Ordinance. Mr. Pyndus seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 48,958

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 PARCEL A-2, NCB 11781, IN THE 10800 BLOCK OF WEST AVENUE, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "P-1(R-1)" PLANNED UNIT DEVELOPMENT SINGLE FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED IN ACCORDANCE WITH THE PLANNED UNIT DEVELOPMENT ORDINANCE.

* * * *

18. CASE 7134 - to rezone a 15.022 acre tract of land out of NCB 13976, being further described by field notes filed in the Office of the City Clerk from Temporary "R-1" Single Family Residential District and "R-A" Residential Agricultural District to "I-2" Heavy Industry District (For a Rendering Plant), located on the northwest side of the Southern Pacific Railroad R.O.W., being approximately 660' north of the intersection of Quintana Road and Plumnear Road; having a frontage of 823.96' on the Southern Pacific Railroad R.O.W. and a maximum depth of 1180.28'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Zoning Commission recommended be approved by the City Council.

Mr. Sam J. Levey, representing Beatrice Foods, Inc., Tower Life Building, stated that the applicant is requesting a change in zone for the purpose of establishing a hide curing facility to be used in conjunction with the adjacent rendering plant. They will comply with the requirements of the State and local health departments. He asked Council to favorably consider their request.

In response to a question from Council, Mr. Harold Scherwitz, Metropolitan Health District, stated that this operation will have to be licensed under the City and the State. He also stated that it would be impossible to have an odor free plant of this nature.

The following citizens spoke in opposition to the proposed rezoning.

Mrs. Sybil Kane read a prepared statement from State Representative Frank Madla in opposition to the proposed rezoning.

In response to Mayor Cockrell's question, Mrs. Kane stated that Mr. Madla's main concern is the complaints that have been registered at the Texas Air Control Board on this type of operation.

Mr. Don Green, Vice President of VOICE, also spoke against the proposed rezoning.

In rebuttal, Mr. Levey again stated that they intend to comply with all regulations of the City and the State. He urged Council to approve the request.

After further discussion, Mr. Eureste moved to overrule the recommendation of the Zoning Commission and deny the rezoning. Mrs. Dutmer seconded the motion. On roll call, the motion, carried by the following

vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: None

CASE 7134 was denied.

19. CASE 7139 - to rezone the west 115' of the east 175' of Tract B, Block 14, NCB 7877, 731 Harlan Street, from "B" Two Family Residential District to "B-2" Business District, located northeast of the cutback between W. Harlan Street and I.H. 35 Expressway, having 115' on W. Harlan Street, 131.27' on I.H. 35 Expressway and 5.90' on the cutback between W. Harlan Street and I.H. 35 Expressway.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Zoning Commission recommended be approved by the City Council.

No citizens appeared to speak in opposition.

Mr. Pyndus moved to deny the request in change based on staff's recommendation. The motion died for lack of a second.

After consideration, Mr. Steen moved to approve the recommendation of the Zoning Commission and grant the request for rezoning provided that a six foot solid screen fence is erected and maintained along the east property line. Mr. Wing seconded the motion. On roll call, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Ortiz, Alderete, Hartman, Steen, Cockrell; NAYS: Pyndus, ABSENT: Eureste.

AN ORDINANCE 48,959

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 WEST 115' OF THE EAST 175' OF TRACT B, BLOCK 14, NCB 7877, 731 HARLAN STREET, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE EAST PROPERTY LINE.

* * * *

20. CASE 7140 - to rezone Parcel 31, NCB 16095, 4635 Rittiman Road, from Temporary "R-1" Single Family Residential District to "I-1" Light Industry District, located on the north side of Rittiman Road, being 497.57' east of the cutback between N.E. Loop 410 Expressway and Rittiman Road; having 100' on Rittiman Road and a maximum depth of 165.77'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Zoning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Mr. Pyndus made a motion that the recommendation of the Zoning Commission be approved, provided that proper platting is accomplished. Mr. Steen seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Eureste.

AN ORDINANCE 48,960

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 PARCEL 31, NCB 16095, 4635 RITTIMAN ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

21. CASE 7143 - to rezone Lot 19, Block 2, NCB 8417, 174 Sherwood Drive, from "A" Single Family Residential District to "R-3" Multiple Family Residential District, located on the south side of Sherwood Drive, being 140' west of the intersection of Sherwood Drive and I.H. 10 Expressway; having 60' on Sherwood Drive and a depth of 195'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Zoning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Dr. Cisneros made a motion that the recommendation of the Zoning Commission be approved. Mr. Steen seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Eureste.

AN ORDINANCE 48,961

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 LOT 19, BLOCK 2, NCB 8417, 174 SHERWOOD DRIVE, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT.

* * * *

22. CASE 7145 - to rezone Lot 29, Block 3, NCB 11967, 650 Portland Road, from "A" Single Family Residential District to "B-3" Business District, located southwest of the intersection of Portland Road and Jones Maltsberger Road; having 100.9' on Portland Road and 201.8' on Jones Maltsberger Road and Lots 35 thru 38, Block 1, NCB 11965, 647-659 Portland Road, from "A" Single Family Residential District to "I-1" Light Industry District, located northwest of the intersection of Portland Road and Jones Maltsberger Road; having 298.7' on Portland Road and 237.4' on Jones Maltsberger Road.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Zoning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Mr. Steen made a motion that the recommendation of the Zoning Commission be approved. Mrs. Dutmer seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Eureste.

AN ORDINANCE 48,962

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 LOT 29, BLOCK 3, NCB 11967, 650 PORTLAND ROAD, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT AND LOTS 35 THRU 38, BLOCK 1, NCB 11965, 647-659 PORTLAND ROAD, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT.

* * * *

23. CASE 7146 - to rezone a 3.499 acre tract of land out of NCB 11148, being further described by field notes filed in the office of the City Clerk, in the 400 block of Chavaneaux Road, from "B" Two Family Residential District to "I-1" Light Industry District, located 120.5' north and 122.5' east of the intersection of Garnett Avenue and Chavaneaux Road; having 103.5' on Garnett Avenue and 633.1' on Chavaneaux Road.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Zoning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration Mr. Pyndus made a motion that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished. Mr. Hartman seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Eureste.

AN ORDINANCE 48,963

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 A 3.499 ACRE TRACT OF LAND OUT OF NCB 11148, LOCATED 120.5' NORTH AND 122.5' EAST OF THE INTERSECTION OF GARNETT AVENUE AND CHAVANEUX ROAD; HAVING 103.5' ON GARNETT AVENUE AND 633.1' ON CHAVANEUX ROAD, BEING FURTHER DESCRIBED BY FIELD NOTES IN THE OFFICE OF THE CITY CLERK, IN THE 400 BLOCK OF CHAVANEUX ROAD, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

24. CASE 7149 - to rezone the east 166' of Parcel 30, NCB 15684, 10427 Perrin-Beitel Road, from Temporary "R-1" Single Family Residential District to "B-3" Business District, located on the westside of Perrin-Beitel Road, being 1308.82' north of the intersection of I and G.N. Railroad R.O.W. and Perrin-Beitel Road; having 383' on Perrin-Beitel Road and a depth of 166'; and Parcel 30, save and except the east 166', NCB 15684, from Temporary "R-1" Single Family Residential District to "I-1" Light Industry District, located 166' west of Perrin-Beitel Road, being approximately 1310' north of the intersection of I. and G.N. Railroad R.O.W. and Perrin-Beitel Road; having a width of 383' and a maximum length of 990.3'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Zoning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Mr. Steen made a motion that the recommendation of the Zoning Commission be approved, provided that proper platting is accomplished. Dr. Cisneros seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Eureste.

AN ORDINANCE 48,964

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 166' OF PARCEL 30, NCB 15684, 10427 PERRIN-BEITEL ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT; AND PARCEL 30, SAVE AND EXCEPT THE EAST 166' NCB 15684, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

25. CASE 7150 - to rezone Lots 26, 27 and 28, Block 3, NCB 16513, 6419 Keitha Boulevard, from Temporary "R-1" Single Family Residential District to "R-3" Multiple Family Residential District, located on the north side of Keitha Boulevard, being 50' west of the intersection of Keitha Boulevard and Arvil Avenue; having 150' on Keitha Boulevard and a depth of 150'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Zoning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Mr. Ortiz made a motion that the recommendation of the Zoning Commission be approved. Dr. Cisneros seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Eureste.

AN ORDINANCE 48,965

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 LOTS 26, 27 AND 28, BLOCK 3, NCB 16513, 6419 KEITHA BOULEVARD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT.

* * * *

26. CASE 7152 - to rezone the south 93' of Lot 1, Block 215, NCB 3942, 1443 W. Hildebrand Avenue, from "E" Office District to "B-2" Business District located northeast of the intersection of Hildebrand Avenue and Santa Paula Avenue; having 50' on Hildebrand Avenue and 93' on Santa Paula Avenue.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Zoning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Dr. Cisneros made a motion that the recommendation of the Zoning Commission be approved, provided that a six foot high solid screen fence is erected and maintained along the north property line, and that proper platting is accomplished. Mr. Hartman seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Eureste.

AN ORDINANCE 48,966

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 SOUTH 93' OF LOT 1, BLOCK 215, NCB 3942, 1443 W. HILDEBRAND AVENUE, FROM "E" OFFICE DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT A SIX FOOT HIGH SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTH PROPERTY LINE; AND THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

27. CASE 7163 - to rezone the southeast 159.18' of the southwest 300' of Lot 12, NCB 11623, in the 5500 Block of Fredericksburg Road, from "B-3" Business District to "B-2" Business District, located on the northeast side of Fredericksburg Road, being 53.24' southeast of the cutback between Donore Place and Fredericksburg Road; having 159.18' on Fredericksburg Road and a maximum depth of 300'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Zoning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Mr. Steen made a motion that the recommendation of the Zoning Commission be approved. Dr. Cisneros seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Eureste.

AN ORDINANCE 48,967

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 SOUTHEAST 159.18' OF THE SOUTHWEST 300' OF LOT 12, NCB 11623, IN THE 5500 BLOCK OF FREDERICKSBURG ROAD, FROM "B-3" BUSINESS DISTRICT TO "B-2" BUSINESS DISTRICT.

* * * *

28. CASE 7164 - to rezone Lots 22 and 23, Block 2, NCB 12812, 7610 and 7614 Louis Pasteur Drive, from Temporary "A" Single Family Residential District to "B-2" Business District, located on the southeast side of Louis Pasteur Drive, being 425' southwest of the intersection of Louis Pasteur Dr. and Ewing Halsell Drive; having 200' on Louis Pasteur Drive and a depth of 250.34'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Zoning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Mr. Pyndus made a motion that the recommendation of the Zoning Commission be approved. Mr. Hartman seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Eureste.

AN ORDINANCE 48,968

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 LOTS 22 AND 23, BLOCK 2, NCB 12812, 7610 AND 7614 LOUIS PASTEUR DRIVE, FROM TEMPORARY "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT.

* * * *

29. CASE 7165 - to rezone 0.098 acres out of Lot 10, NCB 11868, being further described by field notes filed in the Office of the City Clerk, for the purpose of removing the northwest 30.61' of a building setback line required on the south 143.65' of Lot 10, NCB 11868, by Ordinance No. 44151 dated August 1, 1974, located on the north side of Lindenwood Drive; being 428.19' northwest of the intersection of Nacogdoches Rd. and Lindenwood Drive. Said tract being 30.61' in width and 143.65' in length.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Zoning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Mr. Steen made a motion that the recommendation of the Zoning Commission be approved. Dr. Cisneros seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Eureste.

AN ORDINANCE 48,969

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 0.098 ACRES OUT OF LOT 10, NCB 11868, FOR THE PURPOSE OF REMOVING THE NORTHWEST 30.61' OF A BUILDING SETBACK LINE REQUIRED ON THE SOUTH 143.65' OF LOT 10, NCB 11868, BY ORDINANCE NO. 44151, DATED AUGUST 1, 1974, LOCATED ON THE NORTH SIDE OF LINDENWOOD DRIVE; BEING 428.19' NORTHWEST OF THE INTERSECTION OF NACOGDOCHES ROAD AND LINDENWOOD DRIVE.

* * * *

78-3 The meeting was recessed at 7:15 P.M., and reconvened at 8:20 P.M.

78-3 Mayor Pro-Tem Steen presided in the temporary absence of the Mayor.

At this point in the meeting, Councilman Alderete moved to reconsider Case 7109. Dr. Cisneros seconded the motion.

On roll call, the motion, prevailed by the following vote:
AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen; NAYS: None; ABSENT: Cockrell.

Mr. Alderete then moved to postpone the case for 30 days. Dr. Cisneros seconded the motion. On roll call, the motion prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Euréste, Ortiz, Alderete, Pyndus, Hartman, Steen; NAYS: None; ABSENT: Cockrell;

Case 7109 was postponed for 30 days.

78-3 Mayor Cockrell returned to the meeting and presided.

78-3 The following Resolution was read by the Clerk and after consideration, on motion made by Mr. Steen and seconded by Mr. Hartman, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Pyndus.

A RESOLUTION
NO. 78-3-8

MANIFESTING THE DETERMINATION OF THE CITY COUNCIL THAT RAY ELLISON INDUSTRIES HAS VESTED RIGHTS UNDER THE PROVISIONS OF ARTICLE THREE OF ORDINANCE NO. 48484 OF SEPTEMBER 8, 1977 TO PLAT AN ACCESS ROAD TO SERVE BABCOCK PLACE UNITS 7 AND 9 AND DIRECTING THE PLANNING COMMISSION TO CONSIDER SAID PLAT.

* * * *

78-3 The following Ordinance was read by the Clerk and after consideration, on motion made by Dr. Cisneros, seconded by Mr. Steen, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Alderete, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Ortiz, Pyndus.

AN ORDINANCE 48,970

MANIFESTING THE AGREEMENT OF THE CITY TO THE TERMINATION OF LEASE NO. 565, EXECUTED PURSUANT TO ORDINANCE NO. 42186 OF MAY 10, 1973 BETWEEN THE CITY AND O.J. MARINE SUPPLY, INC.

* * * *

78-3 The following Ordinance was read by the Clerk and after consideration, on motion made by Mr. Steen, seconded by Dr. Cisneros, was passed and approved by the following vote: AYES: Cisneros, Dutmer, Wing, Eureste, Ortiz, Alderete, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Webb, Pyndus.

AN ORDINANCE 48,971

APPOINTING A COMMITTEE TO STUDY AND SUBMIT A REPORT ON RECOMMENDATIONS FOR POLICIES WITH RESPECT TO ANNEXATION DURING THE NEXT TWENTY YEARS.

* * * *

The following persons are hereby appointed to a special advisory Committee.

- A. From the Planning Commission, Col. William Dodds, Roy Kaiser and Edward Williams.
- B. From the City Council, Bernardo Eureste, Frank Wing and John Steen.
- C. From the City at large, Tom Kafora, Wayne Nance, Roger Berry, Mrs. Manfred Gebhardt and Robert Cabrera.

78-3

JOHNSON TO NUEVA STREET RIVER IMPROVEMENT PROJECT

Dr. Cisneros stated that the Finance Committee of the River Cooridor had met with reference to the funding of the Johnson to Nueva Street River Improvement Project. He stated that it was decided to include this project in the bond package for the District 1 allocation which is a 2.3 million dollar project. He also stated that, hopefully, the El Paso Street Improvement Project will be addressed in the 4th year Community Development Program.

78-3

BOND COMMITTEE

Mayor Cockrell asked that the Council consider appointing additional persons to serve along with the present bond committee for the purpose of promoting the passage of the bond issue.

78-3

MEXICAN-AMERICAN BUSINESS AND PROFESSIONAL WOMEN'S CLUB

Dr. Cisneros stated that a group of persons had registered to speak from the Mexican-American Business and Professional Women's Club. However, due to the lateness of the evening, they asked him to inform the Council that they are desirous of being excluded from the terms of the contract which is in effect at La Villita as in the case of the San Antonio Conservation Society.

Mr. Rolando Bono, Assistant to the City Manager, stated that the Purchasing Department may have already put this contract out for bids, but will check on this matter.

City Attorney, Macon, also stated that she too, discussed this subject with the group and will be in touch with them about the contract.

78-3

CITIZENS TO BE HEARD

MR. GEORGE M. PAZ

Mr. George M. Paz, representing Community Services Administration, spoke to the Council regarding their efforts in trying to obtain a demonstration grant so that water service may be provided to the communities of Buena Vista and Losoya which are located in southern Bexar County.

Mr. Hartman stated that he had spoken to Mr. Paz and suggested to him that he speak to the County about perhaps obtaining some revenue sharing funds for the project.

After discussion, Mr. Hartman also suggested that this matter could be addressed by AACOG.

The Council asked that they be apprised of Mr. Paz' efforts in the project.

BUDAPEST RESTAURANT

MRS. EDDI MOLNAR

Mrs. Eddi Molnar representing the Budapest Restaurant complained to the Council that the restaurant's restroom facilities are located sixty-seven feet away from the restaurant. She stated that this situation needs to be corrected. She also spoke of the problems she encounters with the San Antonio Conservation Society during their annual Night in Old San Antonio and further complained about the booths which are put up around the restaurant.

Mr. Alex Briseno, Assistant to the City Manager, stated that the restroom facilities are being discussed and worked on by the staff. The main problem is the identifying of funds. He stated that the Convention Facilities has already written this item into their budget for next year if funds are not identified prior to this. He stated that he will report to Council on the updated costs of the project and also when the source of funds can be identified. The Historic Review Board will address the problem of the events in the surrounding area.

MRS. BEVERLY MORSE

Mrs. Beverly Morse, an employee of the Budapest Restaurant, also spoke of the problems with the restroom facilities. She stated that it has affected business, detrimentally.

MR. HARVEY KOHNITZ

Mr. Harvey Kohnitz also spoke on the same matter and asked that Council work out some kind of a solution with the staff.

There being no further business to come before the Council, the meeting adjourned at 9:00 P.M.

A P P R O V E D

Lila Cockrell
M A Y O R

ATTEST:

G. V. Jackson Jr.
C i t y C l e r k