

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, OCTOBER 16, 1975.

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The meeting was called to order at 8:30 A. M., by the presiding officer, Mayor Lila Cockrell, with the following members present: PYNDUS, BILLA, CISNEROS, BLACK, HARTMAN, ROHDE, TENIENTE, NIELSEN, COCKRELL; Absent: NONE.

75-62 The invocation was given by The Reverend Barrett Renfro, St. Stephen's Methodist Church.

75-62 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

75-62 The minutes of the Special Meeting of October 6, 1975 and the Regular Meeting of October 9, 1975, were approved.

75-62 MISSION HISTORIC NATIONAL PARK

Mayor Cockrell introduced the Honorable Abraham Kazen, Jr., Representative from the 23rd Congressional District, and invited him to address the Council.

Congressman Kazen said that he had been requested by the City Council to prepare legislation having the Missions, Acequia and Aqueduct incorporated into a National Park, tentatively called the Missions Historic National Park. He has also been in communication with other conservation groups in San Antonio on this matter.

At his request, the National Park Service has made a study of the proposition and its preliminary report is now in the process of being printed in English and Spanish and should be distributed in November. The study gives five possible alternatives for the development of the park. The Advisory Board on National Parks, Historic Sites, Buildings and Monuments has recommended total involvement in the project by the Federal Government. It endorses the belief of the National Park Service in the suitability of the project.

The National Park Service is now preparing legislation to request funds for a feasibility study. There will be workshops in the local area so that local citizens and organizations can give input to the planning process and he urged the Council and others to prepare themselves well for these workshops. One issue in the matter that is not resolved is that of church and state since the Missions are totally owned by the Archdiocese of San Antonio.

In addition, Congressman Kazen has prepared a resolution which would authorize the Corps of Engineers to extend their work in the Six Mile Creek area which would include preservation of the Acequia, Dam, and Aqueduct.

Mayor Cockrell, speaking for the entire Council, expressed deep appreciation to Congressman Kazen for his efforts and also the other Congressmen from this area for the support they have given him.

Mayor Cockrell also thanked Mr. Henry Guerra, Mrs. Helen Dutmer, Mrs. Lady Bird Johnson, and members of the City staff for their contributions toward this project.

October 16, 1975
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1. CASE 6229 - to rezone Tract F, NCB 12162, 2391 Austin Highway, from "F" Local Retail District to "B-3" Business District, located northwest of the intersection of Austin Highway and Perrin Beitel Road, having 130' on Austin Highway and 71.52' on Perrin Beitel Road

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

No one spoke in opposition.

After consideration, Mr. Rohde made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. 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: Pyndus, Cisneros, Black, Hartman, Rohde, Teniente, Cockrell; NAYS: None; ABSENT: Billa, Nielsen.

AN ORDINANCE 45,836

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 12162,
2391 AUSTIN HIGHWAY, FROM "F" LOCAL
RETAIL DISTRICT TO "B-3" BUSINESS
DISTRICT, PROVIDED THAT PROPER REPLATTING
IS ACCOMPLISHED.

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2. CASE 6233 - to rezone the south 400' of Lot 5, NCB 10598, 4619 Dietrich Road, from "R-3" Multiple Family Residential District to "R-3" Multiple Family Residential District for a day care center caring for over twenty (20) children, located on the north side of Dietrich Road being approximately 680' east of the intersection of Dietrich Road and Springfield Road, having 605.73' on Dietrich Road and a depth of 400'.

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

No one spoke in opposition.

After consideration, Mr. Cisneros made a motion that the recommendation of the Planning Commission be approved. 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: Pyndus, Cisneros, Black, Hartman, Teniente, Cockrell; NAYS: None; ABSENT: Billa, Rohde, Nielsen.

AN ORDINANCE 45,837

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 400'
OF LOT 5, NCB 10598, 4619 DIETRICH
ROAD, FROM "R-3" MULTIPLE FAMILY RESI-
DENTIAL DISTRICT TO "R-3" MULTIPLE
FAMILY RESIDENTIAL DISTRICT FOR A DAY
CARE CENTER CARING FOR OVER TWENTY (20)
CHILDREN.

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3. CASE 6240 - to rezone Lots 11 and 12, Block 7, NCB 15509, 982 Spiral Avenue, from Temporary "R-1" Single Family Residential District to "B-3" Business District, located northeast of the intersection of Altitude Drive and Spiral Avenue, having 135' on Spiral Avenue and 135' on Altitude Drive.

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

No one spoke in opposition.

After consideration, Mr. Cisneros made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished and that a non-access easement is imposed on the Attitude Avenue frontage. Mr. Billa seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Teniente, Cockrell; NAYS: None; ABSENT: Rohde, Nielsen.

AN ORDINANCE 45,838

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 11 AND 12,
BLOCK 7, NCB 15509, 982 SPIRAL AVENUE,
FROM TEMPORARY "R-1" SINGLE FAMILY
RESIDENTIAL DISTRICT TO "B-3" BUSINESS
DISTRICT, PROVIDED THAT PROPER REPLATTING
IS ACCOMPLISHED AND THAT A NON-ACCESS
EASEMENT IS IMPOSED ON THE ATTITUDE
AVENUE FRONTAGE.

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4. CASE 6215 - to rezone the northwest 65' of Lot 42, Block 7, NCB 11971, 518 Mathilde Road, from "A" Single Family Residential District to "B-3" Business District, located on the southwest side of Mathilde Road, being 132.5' northwest of the intersection of Mathilde Road and McCullough Avenue, having 65' on Mathilde Road and a depth of 100'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning 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 Planning Commission be approved, provided that proper replatting is accomplished. Mr. Rohde seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Black, Hartman, Rohde, Teniente, Cockrell; NAYS: None; ABSENT: Cisneros, Nielsen.

AN ORDINANCE 45,839

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 NORTHWEST 65' OF LOT 42, BLOCK 7, NCB 11971, 518 MATHILDE ROAD, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

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5. CASE 6222 - to rezone Lot 1, Block 1, NCB 15650, 6500 Block of Wurzbach Road, from Temporary "R-1" Single Family Residential District to "R-3" Multiple Family Residential District for a day care center caring for over twenty (20) children, located on the southeast side of Wurzbach Road, being 1066.31' northeast of the cutback between Evers Road and Wurzbach Road, having 150' on Wurzbach Road and a maximum depth of 152.02'.

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

No one spoke in opposition.

After consideration, Mr. Rohde made a motion that the recommendation of the Planning Commission be approved. 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: Pyndus, Billa, Black, Hartman, Rohde, Teniente, Cockrell; NAYS: None; ABSENT: Cisneros, Nielsen.

AN ORDINANCE 45,840

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 1, BLOCK 1, NCB 15650, 6500 BLOCK OF WURZBACH ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT FOR A DAY CARE CENTER CARING FOR OVER TWENTY (20) CHILDREN.

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6. CASE 6214 - to rezone Parcel 78, NCB 15596, 2300 Block of Pinn Road, from Temporary "R-1" Single Family Residential District to "B-2" Business District, located on the west side of Pinn Road being 70' south of the intersection of Westward Drive and Pinn Road; having 586.49' on Pinn Road with a maximum depth of 160.82'.

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

No one spoke in opposition.

After consideration, Mr. Teniente made a motion that the recommendation of the Planning Commission be approved, provided that proper platting is accomplished and that a six foot solid screen fence is erected and maintained on the west property line. Mr. Rohde seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Black, Hartman, Rohde, Teniente, Cockrell; NAYS: None; ABSENT: Cisneros, Nielsen.

AN ORDINANCE 45,841

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 78, NCB 15596, 2300 BLOCK OF PINN ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ON THE WEST PROPERTY LINE.

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7. CASE 6246 - to rezone Lots 2 and 3, NCB 16484, Lots 3 through 11, NCB 16485, 14000 Block of Dublin Square, from "R-3" Multiple Family Residential District to "I-1" Light Industry District, located northwest and southeast of Dublin Square, being approximately 133' northwest of Stahl Road, having a maximum length of 911.64' and a maximum width of 410'.

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

No one spoke in opposition.

After consideration, Mr. Teniente made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. Mr. Rohde seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Black, Rohde, Teniente, Cockrell; NAYS: None; ABSENT: Cisneros, Hartman, Nielsen.

AN ORDINANCE 45,842

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

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DESCRIBED HEREIN AS LOTS 2 AND 3,
 NCB 16484, LOTS 3 THROUGH 11,
 NCB 16485, 14000 BLOCK OF DUBLIN
 SQUARE, FROM "R-3" MULTIPLE FAMILY
 RESIDENTIAL DISTRICT TO "I-1" LIGHT
 INDUSTRY DISTRICT, PROVIDED THAT PROPER
 REPLATTING IS ACCOMPLISHED.

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8. CASE 6225 - to rezone a 71.36 acre tract of land out of NCB 12867, being further described by field notes filed in the office of the City Clerk, 4700 through 5000 Blocks of U. S. Highway 90 East Expressway, 500 through 700 Blocks of N. E. Loop Expressway, from "A" Single Family Residential District and "JJ" Commercial District to "I-1" Light Industry District, located on the southwest side of the intersection of U. S. Highway 90 East Expressway and N. E. Loop 410 Expressway, having a total of 1691.78' on U. S. Highway 90 East Expressway and a total of 1068.37' on N. E. Loop 410 Expressway.

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

No one spoke in opposition.

After consideration, Mr. Cisneros made a motion that the recommendation of the Planning Commission be approved, provided that proper platting is accomplished. Mr. Rohde seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Rohde, Teniente, Cockrell; NAYS: None; ABSENT: Hartman, Nielsen.

AN ORDINANCE 45,843

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 71.36 ACRE TRACT
 OF LAND OUT OF NCB 12867, BEING FURTHER
 DESCRIBED BY FIELD NOTES FILED IN THE
 OFFICE OF THE CITY CLERK, 4700 THROUGH
 5000 BLOCKS OF U. S. HIGHWAY 90 EAST
 EXPRESSWAY, 500 THROUGH 700 BLOCKS OF
 N. E. LOOP 410 EXPRESSWAY, FROM "A"
 SINGLE FAMILY RESIDENTIAL DISTRICT AND
 "JJ" COMMERCIAL DISTRICT TO "I-1" LIGHT
 INDUSTRY DISTRICT, PROVIDED THAT PROPER
 PLATTING IS ACCOMPLISHED.

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9. CASE 6242 - to rezone Lot 11, Block 2, NCB 3929, 1001 W. Hildebrand Avenue, from "B" Two Family Residential District to "B-3" Business District, located northwest of the intersection of Grant Avenue and W. Hildebrand Avenue, having 50' on W. Hildebrand Avenue and 160' on Grant Avenue.

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

Mrs. Neva C. Doyle, the applicant, in answer to a question from Mr. Pyndus, said that this will be a truck dispatching office. The truck parking area is on Bandera Road and they will be dispatched by radio from this office.

After consideration, Mr. Cisneros made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished and that a six foot solid screen fence is erected and maintained along the north property line. Mr. Rohde seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Rohde, Teniente, Cockrell; NAYS: None; ABSENT: Hartman, Nielsen.

AN ORDINANCE 45,844

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 11, BLOCK 2,
NCB 3929, 1001 W. HILDEBRAND AVENUE,
FROM "B" TWO FAMILY RESIDENTIAL DISTRICT
TO "B-3" BUSINESS DISTRICT, PROVIDED
THAT PROPER REPLATTING IS ACCOMPLISHED
AND THAT A SIX FOOT SOLID SCREEN FENCE
IS ERECTED AND MAINTAINED ALONG THE
NORTH PROPERTY LINE.

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10. CASE 6234 - to rezone a 5.786 acre tract of land out of Parcel 85, NCB 11608, being further described by field notes filed in the office of the City Clerk, 5000 Block of Newcome Drive, from Temporary "R-1" Single Family Residential District and "A" Single Family Residential District to "R-6" Townhouse District, located on the northeast side of Newcome Drive, being approximately 337.35' northwest from the intersection of Cambray Drive and Newcome Drive, having 440.02' on Newcome Drive and a maximum depth of 573.80'.

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

No one spoke in opposition.

After consideration, Mr. Rohde made a motion that the recommendation of the Planning Commission be approved, provided that proper platting is accomplished, that a six foot solid screen fence is erected and maintained along the northeast property line, and that a non-access easement is imposed on the property line abutting Beverly Mae Drive. Mr. Billa seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Rohde, Teniente, Cockrell; NAYS: None; ABSENT: Hartman, Nielsen.

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 5.786 ACRE TRACT OF LAND OUT OF PARCEL 85, NCB 11608, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 5000 BLOCK OF NEWCOME DRIVE, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT AND "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-6" TOWNHOUSE DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED, THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTHEAST PROPERTY LINE, AND THAT A NON-ACCESS EASEMENT IS IMPOSED ON THE PROPERTY LINE ABUTTING BEVERLY MAE DRIVE.

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11. CASE 6237 - to rezone Tract C, NCB 10506, 1914 Goliad Road, from "F" Local Retail District to "B-3" Business District, located east of the intersection of Goliad Road and Bushick Drive, having 135' on Goliad Road and 170.71' on Bushick Drive.

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

No one spoke in opposition.

After consideration, Mr. Billa made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. Mr. Rohde seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Rohde, Teniente, Cockrell; NAYS: None; ABSENT: Hartman, Nielsen.

AN ORDINANCE 45,846

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 TRACT C, NCB 10506, 1914 GOLIAD ROAD, FROM "F" LOCAL RETAIL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

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12. CASE 6210 - to rezone Lot 80, NCB 11507, 1131 Bandera Road, from "B-2" Business District to "B-3" Business District, located on the southwest side of Bandera Road being 299.7' northwest of the intersection of Cheryl Drive West and Bandera Road, having 85' on Bandera Road and a depth of 286.2'.

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

No one spoke in opposition.

After consideration, Mr. Teniente made a motion that the recommendation of the Planning Commission be approved. 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: Pyndus, Billa, Cisneros, Black, Rohde, Teniente, Cockrell; NAYS: None; ABSENT: Hartman, Nielsen.

AN ORDINANCE 45,847

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 80, NCB 11507,
1131 BANDERA ROAD, FROM "B-2" BUSINESS
DISTRICT TO "B-3" BUSINESS DISTRICT.

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13. CASE 6212 - to rezone Lot 2, NCB 2885, 3006 Guadalupe Street from "G" Local Retail District to "B-3" Business District, located on the south side of Guadalupe Street being 52' west of the intersection of Picoso Street and Guadalupe Street, having 51' on Guadalupe Street with a depth of 150'.

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

No one spoke in opposition.

After consideration, Mr. Billa made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. Mr. Teniente seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Rohde, Teniente, Cockrell; NAYS: None; ABSENT: Hartman, Nielsen.

AN ORDINANCE 45,848

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 2, NCB 2885,
3006 GUADALUPE STREET, FROM "G" LOCAL
RETAIL DISTRICT TO "B-3" BUSINESS
DISTRICT, PROVIDED THAT PROPER RE-
PLATting IS ACCOMPLISHED.

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14. CASE 6216 - to rezone Lot 3, Block 2, NCB 7342, 608 - 610 Fair Avenue, from "B" Two Family Residential District to "B-1" Business District, located on the south side of Fair Avenue being 114' east of the intersection of Piedmont Street and Fair Avenue, having 56' on Fair Avenue with a depth of 120'.

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

No one spoke in opposition.

After consideration, Mr. Cisneros made a motion that the recommendation of the Planning Commission be approved, provided that a six foot solid screen fence is erected and maintained along the south property line. Mr. Billa seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Rohde, Teniente, Cockrell; NAYS: None; ABSENT: Hartman, Nielsen.

AN ORDINANCE 45,849

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 3, BLOCK 2, NCB 7342, 608 - 610 FAIR AVENUE, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-1" BUSINESS DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERRECTED AND MAINTAINED ALONG THE SOUTH PROPERTY LINE.

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15. CASE 6196 - to rezone the north 50' of the west 250' of Arb. Tract H, NCB 10838, from "A" Single Family Residential District to "O-1" Office District; and the south 270.51' of the west 250' of Arb. Tract H, NCB 10838, 3800 Block of E. Southcross Blvd., from "A" Single Family Residential District to "B-2" Business District.

Subject property is located on the north side of Southcross Blvd., being 300' east of the intersection of Pecan Grove Blvd. and Southcross Blvd., having 250' on Southcross Blvd. and a depth of 320.51'. The "O-1" being the north 40' of the subject property and the "B-2" being the remaining portion.

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

Mr. Pyndus asked if the "O-1" zoning at the rear of this property wouldn't be an intrusion on the single family residences which abut this property.

Mr. Tom Vickers, the applicant, said that the property is owned by an attorney who plans to build a small one story office building in the "O-1" area and there will be retail stores on the "B-2" tract. In addition, there will be a screen fence built across the property.

Mr. Rohde said he thought that the "O-1" zoning would be primarily used as a parking area also.

After consideration, Mr. Cisneros made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. Mr. Teniente seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Rohde, Teniente, Cockrell; NAYS: None; ABSENT: Hartman, Nielsen.

October 16, 1975

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AN ORDINANCE 45,850

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 NORTH 50' OF THE WEST 250' OF ARB. TRACT H, NCB 10838, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "O-1" OFFICE DISTRICT; AND THE SOUTH 270.51' OF THE WEST 250' OF ARB. TRACT H, NCB 10838, 3800 BLOCK OF E. SOUTHCROSS BLVD., FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

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16. CASE 6226 - to rezone the north 50' of the east 490' of Tract H, NCB 10838, from "R-3" Multiple Family Residential District to "O-1" Office District; a 2.69 acre tract of land out of NCB 10838, being further described by field notes filed in the office of the City Clerk, from "R-3" Multiple Family Residential District to "B-2" Business District; and the south 150' of the east 300' of Tract H, NCB 10838, 3900 Block of East Southcross Boulevard, from "R-3" Multiple Family Residential District to "B-3" Business District.

The "O-1" zoning being located on the west side of Club View Drive, 270' north of the intersection of Club View Drive and East Southcross Boulevard; having 50' on Club View Drive and a depth of 490.96'.

The "B-2" zoning being located northwest of the intersection of Club View Drive and East Southcross Boulevard, being 300' west of the Club View Drive and 150' north of East Southcross Boulevard; having 120.51' on Club View Drive and 190.96' on East Southcross Boulevard.

The "B-3" zoning being located northwest of the intersection of Club View Drive and East Southcross Boulevard; having 149.49' on Club View Drive and 300' on East southcross Boulevard.

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

No one spoke in opposition.

After consideration, Mr. Cisneros made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished and that a six foot solid screen fence is erected and maintained along the north property line. Mr. Teniente seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Billa, Cisneros, Black, Rohde, Teniente, Cockrell; NAYS: None; ABSTAIN: Pyndus; ABSENT: Hartman, Nielsen.

AN ORDINANCE 45,851

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 NORTH 50' OF THE EAST 490' OF TRACT H, NCB 10838, FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "O-1" OFFICE DISTRICT; A 2.69 ACRE TRACT OF LAND OUT OF NCB 10838, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT; AND THE SOUTH 150' OF THE EAST 300' OF TRACT H, NCB 10838, 3900 BLOCK OF EAST SOUTHCROSS BOULEVARD, FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERRECTED AND MAINTAINED ALONG THE NORTH PROPERTY LINE.

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After the vote had been taken, Mr. Pyndus stated that he had abstained from voting because the entire block is taken up by the "O-1" zoning. It overshadows all of the single family residences and he abstained rather than vote against the rezoning.

17. CASE 6231 - to rezone Lot 58, the north 275.60' of Lots 56 and 57, the north 198.6' of Lot 61, the north 275.60' of the west 50' of Lot 62, and the south 315' of the west 40' of Lot 5, NCB 11257, 400 and 500 Blocks of Briggs Avenue, from "B" Two Family Residential District to "R-4" Mobile Home District; and Lot 5, save and except the south 315' of the west 40', NCB 11257, 3700 Block of S. W. Military Drive, from "B" Two Family Residential District to "B-3" Business District.

The "R-4" zoning: The portions of Lots 61 and 62 are located 350' northwest of Bynum Avenue and 160' northeast of Briggs Avenue, having a maximum width of 150' and a maximum depth of 590.60'.

The portions of Lot 56 and 47 and all of Lot 58 are located on the northeast side of Briggs Avenue, 585.8' northwest of the cutback at the intersection of Briggs Avenue and New Laredo Highway, having 100' on Briggs Avenue and a maximum depth of 435.6'.

The "B-3" zoning being located on the southwest side of S. W. Military Drive, 350' northwest of the cutback at the intersection of Bynum Avenue and S. W. Military Drive, having 100' on S. W. Military Drive and a maximum depth of 415'.

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

No one spoke in opposition.

After consideration, Mr. Rohde made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished and that a non-access easement is imposed on the south property line of Lot 58. Mr. Teniente seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Rohde, Teniente, Cockrell; NAYS: None; ABSENT: Hartman, Nielsen.

AN ORDINANCE 45,852

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 58, THE NORTH 275.60' OF LOTS 56 AND 57, THE NORTH 198.6' OF LOT 61, THE NORTH 275.60' OF THE WEST 50' OF LOT 62, AND THE SOUTH 315' OF THE WEST 40' OF LOT 5, NCB 11257, 400 AND 500 BLOCKS OF BRIGGS AVENUE, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "R-4" MOBILE HOME DISTRICT; AND LOT 5, SAVE AND EXCEPT THE SOUTH 315' OF THE WEST 40', NCB 11257, 3700 BLOCK OF S. W. MILITARY DRIVE, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED AND THAT A NON-ACCESS EASEMENT IS IMPOSED ON THE SOUTH PROPERTY LINE OF LOT 58.

* * * *

18. CASE 6232 - to rezone Lots 9 and 10, NCB 10101, 6643 and 6651 San Pedro Avenue, from "B-2" Business District to "B-3" Business District, located on the west side of San Pedro Avenue, being 107.47' south of the intersection of Veda Mae Drive and San Pedro Avenue, having 227' on San Pedro Avenue with a maximum depth of 188.75'.

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

No one spoke in opposition.

After consideration, Mr. Rohde made a motion that the recommendation of the Planning Commission, provided that proper replatting is accomplished and that a six foot solid screen fence is erected and maintained on the west property line. Mr. Billa seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Rohde, Teniente, Cockrell; NAYS: None; ABSENT: Hartman, Nielsen.

AN ORDINANCE 45,853

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 9 AND 10, NCB 10101, 6643 AND 6651 SAN PEDRO AVENUE, FROM "B-2" BUSINESS DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ON THE WEST PROPERTY LINE.

* * * *

19. CASE 6217 - to rezone a 2.926 and 2.596 acre tract of land out of NCB 15038, being further described by field notes filed in the office of the City Clerk, 6000 Block of N. W. Loop 410 Expressway, from "R-3" Multiple Family Residential District to "B-2" Business District, located 175.50' southwest and 188.18' southeast of the intersection of Wigwam Drive and N. W. Loop 410 Expressway; having 127' on Wigwam Drive and a total of 719' on N. W. Loop 410 Expressway.

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

No one spoke in opposition.

Mr. Pyndus questioned Mr. Camargo regarding the rapid transition from single family residences to "R-3" zoning and then to commercial.

Mr. Camargo pointed out that the property is buffered by a drainage easement and a 16' alley in addition to the required building setback of 50' as set out in the ordinance.

Mr. Pyndus said that he felt "R-6" or even "B-2" would be acceptable. He felt that the single family area should be protected even though no one appeared in opposition.

After consideration, Mr. Rohde made a motion that the recommendation of the Planning Commission be approved, provided that proper platting is accomplished and that a 50' building setback line be imposed on the 2.926 acre tract adjacent to single family residences. Mr. Billa seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Billa, Cisneros, Black, Rohde, Teniente, Cockrell; NAYS: Pyndus; ABSENT: Hartman, Nielsen.

AN ORDINANCE 45,854

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 2.926 AND 2.596 ACRE TRACT OF LAND OUT OF NCB 15038, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 6000 BLOCK OF N. W. LOOP 410 EXPRESSWAY, FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED AND THAT A 50' BUILDING SETBACK LINE BE IMPOSED ON THE 2.926 ACRE TRACT ADJACENT TO SINGLE FAMILY RESIDENCES.

* * * *

885

20. CASE 6218 - to rezone a 16.584 acre tract of land out of NCB 11635, being further described by field notes filed in the office of the City Clerk, 4800 Block of Callaghan Road, from "A" Single Family Residential District to "B-3" Business District, located on the north-west side of Callaghan Road being 540' northeast of the intersection of Allentown Avenue, having 1567.90' on Callaghan Road and a maximum depth of 464.52'.

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

Mr. Herbert Dienger, representing the applicant, said that the property was recommended for "B-2" zoning several years ago but replatting was not accomplished in the specified time as it never was approved for rezoning by the City Council. Some of this property lies in the City of Leon Valley and is zoned "Industrial". He pointed out other commercial zoning in the area. He asked for the Council's favorable consideration.

Mr. Ed Mandel, representing Shadywood Swim and Racket Club, said that the club is on adjoining property 500' from Callaghan Road. He opposed this rezoning saying that it would do nothing to enhance the area. There is no plan for development and no one knows what kind of business would go in. He asked that the application be denied.

Mrs. Jeannette Popham, who lives at the corner of Callaghan and Woodside, also spoke in opposition. She said that "B-3" zoning would allow consumption of alcohol on the premises and there could be a service station or other undesirable businesses.

Mr. Dienger spoke again in rebuttal. He said that when the property is replatted, a portion will be dedicated for the widening of Callaghan Road. Also at that time any drainage problems will be resolved.

Mr. Billa suggested that as a compromise he consider rezoning the west 200' of the property to "B-2" which has lighter uses.

Mr. Billa's suggestion was agreeable to both Mr. Dienger and Mrs. Popham.

After consideration, Mr. Billa made a motion that the recommendation of the Planning Commission be approved, provided that the west 200' of the 16.584 acre tract of land is zoned "B-2" Business District and the remainder of the tract is zoned "B-3" Business District and also provided that proper platting is accomplished and that a six foot solid screen fence is erected and maintained along the southwest property line. 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: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Cockrell; NAYS: None; ABSENT: Teniente, Nielsen.

AN ORDINANCE 45,855

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 16.584 ACRE
 TRACT OF LAND OUT OF NCB 11635, BEING
 FURTHER DESCRIBED BY FIELD NOTES FILED
 IN THE OFFICE OF THE CITY CLERK, 4800
 BLOCK OF CALLAGHAN ROAD, FROM "A" SINGLE
 FAMILY RESIDENTIAL DISTRICT TO "B-3"
 BUSINESS DISTRICT, PROVIDED THAT THE

WEST 200' OF THE 16.584 ACRE TRACT OF LAND IS ZONED "B-2" BUSINESS DISTRICT AND THE REMAINDER OF THE TRACT IS ZONED "B-3" BUSINESS DISTRICT AND ALSO PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE SOUTH-WEST PROPERTY LINE.

* * * *

21. CASE 6219 - to rezone a 7.589 acre tract of land out of NCB 11490, being further described by field notes filed in the office of the City Clerk, 3600 Block of Callaghan Road, from Temporary "R-1" Single Family Residential District and "A" Single Family Residential District to "R-3" Multiple Family Residential District, located southwest of the intersection of Callaghan Road and Viva Max Drive, having 531.38' on Callaghan Road and 497.62' on Viva Max Drive.

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

No one spoke in opposition.

After consideration, Mr. Billa made a motion that the recommendation of the Planning Commission be approved, provided that proper platting is accomplished and that a six foot solid screen fence is erected and maintained along the west and southeast property lines. 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: Pyndus, Billa, Cisneros, Black, Hartman, Cockrell; NAYS: None; ABSENT: Rohde, Teniente, Nielsen.

AN ORDINANCE 45,856

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 7.589 ACRE TRACT OF LAND OUT OF NCB 11490, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 3600 BLOCK OF CALLAGHAN ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT AND "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE WEST AND SOUTHEAST PROPERTY LINES.

* * * *

22. CASE 6150 - to rezone Lot 2, Block 89, NCB 3250, 1300 Block of W. Kings Highway, from "B" Two Family Residential District to "B-2" Business District, located southwest of the intersection of I. H. 10 Expressway and W. Kings Highway, having 50' on W. Kings Highway and 120' on I. H. 10 Expressway.

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

Mr. Pyndus said that the staff had recommended denial of this application due to the fact that access to the property is somewhat limited to the one way access road or use of the residential streets. He pointed out that there is no other commercial property in the immediate vicinity.

Mr. Teniente said that the freeway has brought about a change and that it could be expected that changes will occur from now on. Other Councilmen agreed with Mr. Teniente's comments.

After consideration, Mr. Teniente made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. Mr. Cisneros seconded the motion. On roll call, the motion, carrying with it the passage of the following ordinance, prevailed by the following vote: AYES: Billa, Cisneros, Black, Hartman, Teniente, Cockrell; NAYS: Pyndus; ABSENT: Rohde, Nielsen.

AN ORDINANCE 45,857

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 2, BLOCK 89,
 NCB 3250, 1300 BLOCK OF W. KINGS
 HIGHWAY, FROM "B" TWO FAMILY RESIDEN-
 TIAL DISTRICT TO "B-2" BUSINESS DISTRICT,
 PROVIDED THAT PROPER REPLATTING IS
 ACCOMPLISHED.

* * * *

23. CASE 6221 - to rezone a 2.32 acre, 1.27 acre and 2.29 acre tracts of land out of NCB 7531, being further described by field notes filed in the office of the City Clerk, 1700, 1800, and 2000 Blocks of Cupples Road, 2900 Block of Roselawn Road, from "B" Two Family Residential District and "R-3" Multiple Family Residential District to "B-3" Business District.

The 2.32 acre tract of land is located on the west side of Cupples Road, being 52' north of the intersection of Roselawn Road and Cupples Road; having 686.02' on Cupples Road and a depth of 159'.

The 1.27 acre tract of land is located on the north side of Roselawn Road, being 52' west of the intersection of Roselawn Road and Cupples Road, having 400' on Roselawn Road and a depth of 166.67'.

The 2.29 acre tract of land is located on the west side of Cupples Road approximately 20' northeast of the intersection of Gen. Hudnell Drive and Cupples Road, having 95.52' on Cupples Road and a depth of 1,050.93'.

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

No one spoke in opposition.

After consideration, Mr. Teniente made a motion that the recommendation of the Planning 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: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Cockrell; NAYS: None; ABSENT: Nielsen.

AN ORDINANCE 45,858

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 2.32 ACRE, 1.27 ACRE AND 2.29 ACRE TRACTS OF LAND OUT OF NCB 7531, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 1700, 1800, AND 2000 BLOCKS OF CUPPLES ROAD, 2900 BLOCK OF ROSELAWN ROAD, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT AND "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

75-62 Mayor Cockrell was obliged to leave the meeting and Mayor Pro-Tem Teniente presided.

October 16, 1975
nsr

-19-

24. CASE 6230 - to rezone Lot 1, Block 2, NCB 14320, 4203 Greystone Drive, from "R-2" Two Family Residential District to "B-3" Business District, located northeast of the intersection of Perrin Beitel Road and Greystone Drive, having 76.89' on Perrin Beitel Road and 94.14' on Greystone Drive.

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

No one spoke in opposition.

After consideration, Mr. Billa made a motion that the recommendation of the Planning Commission be approved, provided that a six foot solid screen fence is erected and maintained on the northeast property line. 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: Pyndus, Billa, Black, Hartman, Rohde, Teniente; NAYS: None; ABSENT: Cisneros, Nielsen, Cockrell.

AN ORDINANCE 45,859

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 1, BLOCK 2,
NCB 14320, 4203 GREYSTONE DRIVE, FROM
"R-2" TWO FAMILY RESIDENTIAL DISTRICT
TO "B-3" BUSINESS DISTRICT, PROVIDED
THAT A SIX FOOT SOLID SCREEN FENCE IS
ERECTED AND MAINTAINED ON THE NORTHEAST
PROPERTY LINE.

* * * *

25. CASE 6167 - to rezone the northwest 75' of Lot 70, NCB 11627, 7500 Block of Mocking Bird Road, from "R-3" Multiple Family Residential District to "B-1" Business District; and Lot 71 and the southeast 364.65' of Lot 70, NCB 11627, 7400 Block of Callaghan Road, from "R-3" Multiple Family Residential District to "B-2" Business District.

The "B-1" zoning being located on the southeast side of Mocking Bird Road, approximately 359.44' northeast of the intersection of Fredericksburg Road and Mocking Bird Road; having 244.17' on Mocking Bird Road with a depth of 75'.

The "B-2" zoning being located on the northwest side of Callaghan Road, approximately 500' northeast of the intersection of Fredericksburg Road and Callaghan Road; having 249.3' on Callaghan Road with a maximum depth of 521.65'.

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

No one spoke in opposition.

After consideration, Mr. Billa made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. 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: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente; NAYS: None; ABSENT: Nielsen, Cockrell.

AN ORDINANCE 45,860

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 NORTHWEST 75' OF LOT 70, NCB 11627, 7500 BLOCK OF MOCKING BIRD ROAD, FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "B-1" BUSINESS DISTRICT; AND LOT 71 AND THE SOUTHEAST 364.65' OF LOT 70, NCB 11627, 7400 BLOCK OF CALLAGHAN ROAD, FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

* * * *

26. CASE 6168 - to rezone Tract A and the northwest 59.34' of Lot 17, Block 1, NCB 14067, 9300 Block of Wurzbach Road, from "O-1" Office District and "B-1" Business District to "B-2" Business District, located west of the cutback at the intersection of Bluemel Road and Wurzbach Road, being 313.08' northwest of said intersection on Bluemel Road and 172.27' southwest of said intersection on Wurzbach Road, having a total frontage of 59.34' on Bluemel Road and 104.35' on Wurzbach Road.

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

No one spoke in opposition.

After consideration, Mr. Billa made a motion that the recommendation of the Planning Commission be approved, provided that proper platting is accomplished and that a six foot solid screen fence is erected and maintained on the southwest and northwest lines of the "B-2" area and that a non-access easement is imposed on the southwest and northwest lines of the "B-2" area. 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: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen; NAYS: None; ABSENT: Nielsen, Cockrell.

AN ORDINANCE 45,861

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 A, AND THE

NORTHWEST 59.34' OF LOT 17, BLOCK 1,
NCB 14067, 9300 BLOCK OF WURZBACH ROAD,
FROM "O-1" OFFICE DISTRICT AND "B-1"
BUSINESS DISTRICT TO "B-2" BUSINESS
DISTRICT, PROVIDED THAT PROPER PLATTING
IS ACCOMPLISHED AND THAT A SIX FOOT SOLID
SCREEN FENCE IS ERECTED AND MAINTAINED ON
THE SOUTHWEST AND NORTHWEST LINES OF THE
"B-2" AREA AND THAT A NON-ACCESS EASEMENT
IS IMPOSED ON THE SOUTHWEST AND NORTHWEST
LINES OF THE "B-2" AREA.

* * * *

27. CASE 6223 - to rezone a 6.6545 acre tract of land out of NCB 12174, being further described by field notes filed in the office of the City Clerk, from "A" Single Family Residential District to "B-2" Business District; and a 19.9491 acre tract of land out of NCB 12174, being further described by field notes filed in the office of the City Clerk, from "A" Single Family Residential District to "B-3" Business District.

Subject properties are located on the east side of Holbrook Road, being 590' northwest of the intersection of Rittiman Road and Holbrook Road, having a total of 1751.27' on Holbrook Road and a maximum depth of approximately 1100'. The "B-2" zoning being on the eastern 150' and the "B-3" zoning on the remaining portion.

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

Mr. William N. Gremillion, 4234 Bloomdale, appeared before the Council and requested that the hearing of this Case be postponed. He said that he had not been notified of this hearing and was unprepared.

Mr. Camargo said that notices were mailed out as required to all property owners within 200' of subject property. Mr. Gremillion lives outside the 200' limit and was not notified.

After discussion, Mr. Cisneros moved that the hearing of Case 6223 be postponed. The motion was seconded by Mr. Pyndus and on the following roll call vote, the motion failed to carry: AYES: Pyndus, Cisneros; NAYS: Black, Hartman, Rohde, Teniente, Cockrell; ABSENT: Billa, Nielsen.

Mayor Cockrell asked that the hearing proceed.

Mr. Ralph Bender, Planning Consultant, said that he represented the applicant, Ms. Maurine Alexander who had filed the application for Dr. and Mrs. George Marin. The property being considered is the historic Salado Creek Battlefield. There are a number of very old buildings on the site including the Park Street Mansion. Dr. and Mrs. Marin have restored the mansion and Mr. Bender had a color photograph to show its present condition. He said that they wish to develop the area to retain this same atmosphere that it had with the old buildings. The buildings would be restored and they would include a carriage house, barn, some smaller buildings, a water tank and a windmill. There will also be a clustered knoll, and it will be a village type development for small shops, art galleries, and also a restaurant. Mr. Bender said that this would be a very unique development and certainly would be an asset to the area.

Mr. Dow Patterson, Architect, displayed a site plan showing the existing buildings, trees, and creeks. He had a sketch showing the way the buildings would look after being restored and rehabilitated.

Mr. Bender said that his original request had been for "B-3" zoning and later had been changed to the present request for a combination of "B-3" and "B-2" as a compromise with the neighbors.

Mr. William M. Gremillion stated that he represented the residents in the area and wanted to retain the residential character of the neighborhood. He objected to any "B-3" zoning and said that the 150' "B-2" strip should be wider. He also asked that a non-access easement be placed on Judivan Drive and Bloomdale Drive.

Ms. Patricia Osborne, Historic Preservation Planner of the Building and Planning Administration Department, said that this Salado Creek Battlefield is very historical and is in the flood plain as described by the Corps of Engineers. The development plan as proposed would protect the site for historical purposes.

Mr. Bender said that as a further protection to the neighborhood his client would be willing to accept a PUD designation if the Council felt it necessary. However, he asked that replatting not be required as it will be almost impossible to develop this site if replatting were necessary. This is because of the fact that it is in the flood plain.

Mr. Camargo said that staff would not recommend waiving of the replatting at this time. Instead, he said that Mr. Bender could appeal to the Board of Adjustment for relief.

After consideration, Mr. Pyndus moved that the recommendation of the Planning Commission be approved and that the property be rezoned, provided, however, that it be placed under a PUD classification and also provided that proper platting is accomplished, that a six foot solid screen fence is erected and maintained adjacent to the single family residences and that a non-access easement be imposed on Judivan Drive and Bloomdale Drive. Mr. Cisneros seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Cockrell; NAYS: None; ABSENT: Nielsen.

AN ORDINANCE 45,862

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 6.6545 ACRE TRACT OF LAND OUT OF NCB 12174, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 1100 BLOCK OF HOLBROOK ROAD, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO PUD-1(B-2) PLANNED UNIT DEVELOPMENT BUSINESS DISTRICT; AND A 19.9491 ACRE TRACT OF LAND OUT OF NCB 12174, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 1100 BLOCK OF HOLBROOK ROAD, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO PUD-1 (B-3) PLANNED UNIT DEVELOPMENT BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED, THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ADJACENT TO THE SINGLE FAMILY RESIDENCES AND THAT A NON-ACCESS EASEMENT BE IMPOSED ON JUDIVAN DRIVE AND BLOOMDALE DRIVE.

* * * *

75-62

ZONING CASE NO. 6207
HEARD OCTOBER 16, 1975

MR. GENE CAMARGO: This is Case No. 6207, the request of Harry Jewett and Associates. There are two changes being requested in this Case. The first, from Temporary "R-1" Single Family to "P-1" which is a Planned Unit Development designation, "R-3" Multiple Family on 22.5 acres of land.

The next change being requested is from Temporary "R-1" Single Family Residential to "P-1", again a PUD designation, "B-2" Business Classification on 129 acres of land, both being out of NCB 15673.

On the 20th of August, 1975, the Planning Commission recommended approval of the zoning before you and further recommended that the property be properly platted and a six foot solid screen fence be erected adjacent to the single family development that lies south of the "R-3" request.

There were 29 notices mailed to the adjacent property owners. There were six notices returned in opposition, one notice returned in favor. I might mention that the property in question is on the Edwards Aquifer Recharge Zone and by designating it a Planned Unit development, it would come under review at a public hearing before the Planning and Zoning Commission.

MAYOR LILA COCKRELL: All right, there is opposition in this Case, and we will call first on the proponents. I remind everyone that each side will have a total of 30 minutes, no one speaker may take more than five. So, go ahead. That does not include time for questioning by Council members, of course.

MR. HARRY JEWETT: My name is Harry Jewett. My address is 1800 Northeast Loop 410. I'm a Planning Consultant and represent the Barshop-Kaplan Industries. They are owners of this piece of property at the southeast corner of Hwy. 281 and F. M. 1604. I have some exhibits here I'd like to show you that better illustrate by color the zoning being asked for and also designates the entire limits of the piece of property. We have against us on a portion of this property existing single family subdivision. This single family subdivision has behind it an undeveloped but platted alley and as was read by Mr. Camargo's synopsis of the Planning Commission's request on the approval that we were given that we would along this "R-3" configuration have solid screen fencing.

Also as part of the property outlined here in yellow we are leaving this piece in "R-1" Temporary to develop a single family subdivision in this particular approximate seven acre tract. As you can see these streets from existing subdivision stubs out presently in dead end into our client's property. It is our proposal to build cul-de-sacs off of those to extend this existing neighborhood and, therefore, cut off any means of access from this existing single family neighborhood to any development beyond the north side of this.

There's another street stubbed out over here, however, it goes into another piece of property that is not owned by our clients and is not part of this existing single family subdivision. In all probability there would be some street connection through here some other time.

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Also this property is split in half. The designation in here is really not a street at this point in time, however, it is a 60 foot piece of land owned by some people to the east of this property. Of course, this will be dedicated for a street, but it divides this property and our clients have no control over the location of this particular strip.

I think it's important to illustrate to you the existing single family pattern and how this single family pattern would be carried on. This particular location is down in this extreme corner. These lots shown in white are developed presently with this alley that goes along behind it that it's platted, however, not developed. It being our intention to go ahead and develop the remaining portion of this particular area, this seven acres in single family.

This gives us an idea of the type of site plan we're talking about. We would have in "R-3" zoning an apartment type installation that would back up and face into a commercial mall that would be centered by four major tenants. These four anchor type tenants which our clients have already been in conference with on proposed leases at this particular location would anchor tenants that would house a mall. The scale of something like this as initially proposed would be probably on the order of about twice the size of the existing North Star Mall to give you some idea of the proportion that we're talking about. Over on the other piece of "B-2" property we're talking about a smaller type of convenience center and the possibility of a neighborhood type bank that might be located at such an installation. I'd like to pass this around so you can get a better look at this particular plan.

I think one of the important things to point out to the Council is that in our presentation before the Planning Commission we mentioned, of course, we're going for a Planned Unit Development in conjunction with the zoning which, of course, allows for another public hearing before the Planning Commission before any development takes place. As you know, we already come under the overlay zoning because of the recharge and we come under the Texas Water Quality Board Edwards Order. So, we feel that there are ample protections being made that have been both through the state and the local level to guarantee the type of development that actually takes place here will meet all of this type of criteria. It is our client's desire to fulfill and meet all of those obligations before any type of development would take place.

So, the point we're at today is we're at first base on probably a 12 base plateau that we will have to go through before anything will ever happen on this piece of property. Of course, we're aware of the recharge situation, we're aware that we have the PUD designation, we're aware of the solid screen backing up to the single family. We're provided for no access into this center by additional single family development.

MAYOR COCKRELL: The bell has rung, so I do need to call time.

MR. JEWETT: Fine. I'll conclude, and I'll answer any questions. Thank you.

MAYOR COCKRELL: All right, are there any questions? Mr. Pyndus.

MR. PHIL PYNDUS: Mr. Jewett, you mention the road running through the property, and you said you had no control of that road that is 60 feet wide.

MR. JEWETT: Yes, sir, it's really not a road. It's a piece of property, just a 60 foot strip of property owned by the Strauss family that has the property east of there.

MR. PYNDUS: All right, sir. Is it set so that the direction that you've given it is accurate on your drawing?

MR. JEWETT: Yes, sir.

MR. PYNDUS: Do you plan to make a road out of it?

MR. JEWETT: No, sir, the other people will.

MR. PYNDUS: They will make a road out of it, and you're not concerned with having that run through your property?

MR. JEWETT: Well, we're concerned, but we can't do anything about it, sir.

MR. PYNDUS: I see.

DR. HENRY CISNEROS: You indicate that this is about twice the size of the present North Star Mall complex? That would probably make it the largest piece of development that this Council will be approving over the Edwards Aquifer, is that not correct?

MR. JEWETT: Yes, sir, at this time, yes, sir.

DR. CISNEROS: What is your estimation of the number of persons who will be served, say on a daily basis, by shopping complex this size? Do you have any figures?

MR. JEWETT: No, sir, we have not made any projections along that line, but.....

DR. CISNEROS: Neither day nor week nor month nor.....

MR. JEWETT: No, detailed projections of this type will have to be made and submitted to the Environmental Protection Agency because we fall under the designation by having a major shopping center that we would have to get approval of the amount of parking, parking to land ration.....

DR. CISNEROS: That's what I was leading to, an indication of how many persons would be served would indicate how many cars would be on a lot, you don't have any information on that?

MR. JEWETT: No, we have not proceeded to that point yet.

DR. CISNEROS: But, you have allocated a certain number of parking spaces?

MR. JEWETT: Yes, parking spaces in conformance with the existing regulations to this size of square footage of proposed building.

DR. CISNEROS: The square footage ---- rather the number of parking spaces is?

MR. JEWETT: The - I can't recall the ration they were talking about 1.5 million square feet, and I think that's 1 to 200.

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DR. CISNEROS: Okay, now that's an awful lot of acreage of paved land. So you have any idea how much of the acreage total 117 acres on the "B-2" would be paved land as opposed to buildings and so forth?

MR. JEWETT: I think what we're going to find, we haven't been through this so we really don't have any background in it, the Environmental Protection Agency in the past has looked at situations like this where you have to provide a balance of open space with paved area and then you have to, of course, being on this recharge area, we have to take care of surface drainage in a particular way to satisfy that.

DR. CISNEROS: Right, that's exactly what I'm leading to. With respect to the drainage provisions. The Texas Water Quality Board Order is very unspecific with respect to drainage provisions, and I'm wondering what - how you envision providing for drainage, number one and let's deal with that.

MR. JEWETT: All right, fine. I think what we're - first of all, the thing that we're going to be faced with is exactly the balance of parking versus land area that we will have to submit to the Environmental Protection Agency. Now, this is going to set out a great deal of open space. We may be talking about something that we can't exactly get on this piece of property right now. We'll probably have to scale this thing down after they have given some reviews to it. Now, the.....

DR. CISNEROS: But you haven't talked about drainage yet?

MR. JEWETT: Right. The drainage situation - it is my interpretation of the Water Quality Board Act that you will try to get the water off of the recharge zone before it could permeate back down. Now, this could be done through lined channels and storm sewers. We have proposed to do this.

DR. CISNEROS: That's what you envision at the moment?

MR. JEWETT: Yes.

DR. CISNEROS: The Texas Water Quality Board, in all the discussions that we've had, is notoriously unspecific with respect to drainage. Therefore, it falls to the developer at this moment because no governmental body has developed specific drainage regulations to provide for drainage. The sum total of your provisions for drainage are lined channels? Is that correct?

MR. JEWETT: Lined channels and storm sewers, yes, sir.

MR. GLEN HARTMAN: Mr. Jewett, what sort of a time frame do you foresee as this development is taking place?

MR. JEWETT: I think we're talking about, just from a standpoint of the administrative reviews, probably two years before they could ever be any - even a clear cut plan.

MR. HARTMAN: So, would it be accurate to conclude that you're proposing the development of a regional shopping center, and you don't really know what the region is yet?

MR. JEWETT: That's exactly right, yes, sir.

MR. HARTMAN: Which is somewhat out of the ordinary. I mean, normally, you develop a regional shopping center to serve a region rather than building a shopping center and waiting for the region to grow up around it. I mean I.....

MR. JEWETT: Well, we're starting off with, of course, some anticipation as to what this existing region will develop into and, of course, with the Water Quality Board Order that we presently have, the Edwards Overlay Zoning type thing since all this stuff has just taken place in the recent past, we don't have a clear cut idea at this point in time exactly how this is going to affect this stock. This piece of property has been owned by these individuals for 15 years and they have been thinking about this thing for a long time. Maybe it's to their disadvantage that they have just now brought it to be zoned.

MR. HARTMAN: Well, in terms of the - in other words, the basis of zoning a piece - a particular property is the highest and best present use isn't this correct? So, when we put the word present in there, that's the thing that I guess I have difficulty comprehending in view of the.....

MR. JEWETT: Well, I think what we need to think about is that we're asking for a "B-2" designation, and we have suggested a regional type mall. The complications may be such that through the reviews with particularly the Environmental Protection Agency, it will become unfeasible to do something like this. However, we do feel that this is still a "B-2" piece of property located at the intersection of two major arterials, that being 1604 and 281.

MR. HARTMAN: Extending somewhat eastward from that intersection along 1604?

MR. JEWETT: Yes, sir, and siding too some, I think you'll notice there is some "B-3" property besides too.

MAYOR COCKRELL: All right, are there other questions? Yes, Rev. Black.

REV. CLAUDE BLACK: It seems to me that my experience has been that whenever a proposal has been made of this magnitude of investment, somebody has made a feasibility study of the possibility of that kind of investment. I don't find many projects presented of magnitude in which the individuals are not really sort of pinned down, the possibility of the result of that investment. Now, in doing this they also have some idea of what kind of population they're going to have, what kind of use they're going to have made of it, the number of people that are involved. So, therefore, I am a little shocked when I see a proposal presented like this that does not carry with it the supporting evidence of that kind of study. Now, this also disturbs me because I have the additional complex, and I am just giving you some idea of how I am disturbed so that you can then answer my - that you are asking us to make a decision on a proposal that may not or may happen and give a zoning that could be then transferred into some altogether different project in an area that is regarded as critical. Now, if you're going to - I would not like for a doctor to come in to me if I'm on the critical list and tell me, well, now, here is some medication we haven't ever tried it anywhere, we don't know whether to get you well or not, but we've got it available here in a nice little bottle, and we're going to give it to you, you know. This would disturb me considerably. Now, I feel the same way about the use of land.

I think if you're going to come in and make a request for a particular zoning over a critical area that one of the obligations that that you have as a developer is to be specific, definite. Otherwise, we are giving a blank check in a critical area, and I think I have an obligation not to give a blank check in a critical area. Now, and here I'm challenging you to say specifically what you're going to do with this and how you're going to do it and what you propose the use of it will involve because otherwise, while I might like the proposal and think you've got a beautiful proposal, all those colors you've put

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together. I'm still troubled because I don't know what you're going to do with it. Two years from now you can decide on many other things that fit that zoning that I would not agree with. I would rather think, Madam Mayor, that until we can get more specific information on a critical issue like this, it simply ought to be postponed and ask for additional information.

MR. JEWETT: I think I'd first like to get Rev. Black's doctor's name first of all, if I may.

MAYOR COCKRELL: Let me make this observation. Our time is getting late. Was anyone else to speak for the proponents?

MR. JEWETT: Yes, madam.

MAYOR COCKRELL: May I ask Mr. Jackson, what is the total time we have used.

CLERK: The total we've used is 15 minutes.

MAYOR COCKRELL: All right. Fine. Well, I just wanted to give this Council and the proponents kind of a time situation.

MR. BOB BILLA: Mayor, I want to say something if I may. I think I respect Rev. Black's judgment and statements, but I think this Council made a commitment here sometime back that we were going to allow development over the Aquifer if certain guidelines were followed. We were always talking about planning, and I think this man has come in now and made an application with a reasonable plan for zoning even though he doesn't know what's going to develop there, but I think it would establish the pattern out there and eliminate some of the problems that this Council has had by putting a business zoning next to residential zoning and that and make it possible really to develop the land in a better fashion. I don't see anything wrong with coming in for a request of this type and making it at this time because we have established guidelines under which development could occur.

MAYOR COCKRELL: Mr. Hartman.

MR. HARTMAN: I'd like to respond to the observation Mr. Billa has made. There's just something a bit contradictory about saying planning and then not knowing what it is going to be used for. That seems to neutralize the whole effort right there. Planning means that you do have the idea what it will be used for.

MR. BILLA: He has a good idea what he wants to use it for.

MR. HARTMAN: Well, at this particular moment, but I still do not have any statistics as to what kind of volume of use or anything of this order even the region that it will serve, and I have real difficulty understanding how you can have a regional shopping center when you don't have a region yet.

MR. JEWETT: Let me comment to some of these questions that have been raised. We're going through an area of administrative review that no one has been through before. This is untried ground. I can't come up before you today and say that specifically we are going to be able to accomplish this project exactly as we have it laid out. We don't know what the final review the Texas Water Quality Board will take. There have been no cases at all of any magnitude before them at such time as to even give us any indication of what they may or may not come up with. And the same way with the Environmental Protection Agency.

We have never seen, in this particular area, any project of near this type of magnitude. For me to be more specific as to what they will do with our projects, this is the area that I'm having trouble with, Mr. Hartman, because I think we're trying not to be specific from the standpoint that we don't know what those final requirements are going to be, and there's been no proven ground to show us what they will be.

MR. HARTMAN: Okay, I'll grant that point, Harry, but you know that there's that uncertainty but there certainly is not an uncertainty with regard to being able to project what sort of use will be made of a shopping center during X number of years. That's the point that I think is incumbent upon you to project and provide.

MR. JEWETT: I do not have those figures available. Probably the owner would have those available.

MAYOR COCKRELL: Dr. Nielsen.

DR. NIELSEN: To the best of your knowledge, has any particular market analysis, feasibility study been done, even in its preliminary stages regarding to.....

MR. JEWETT: I think the Barshop interest has. Yes, sir, I'm not aware of it, yes, sir.

DR. NIELSEN: So, at some point armed with, suppose you get the zoning, and at some point you're armed with that analysis and subsequent zoning and you're going to have to go to.....

MR. JEWETT: Come back to the Planning Commission?

DR. NIELSEN: Oh, yeah, but I meant in the larger arena. If, because of a lot of unknowns this were denied, at least in some degree because of drainage let's say for a major regional center, what would you do? Suppose you could work out something for about the half the property, what would you have to do with the other half? I mean not what would you have to do, what could you possibly do under "B-2"?

MR. JEWETT: Residential, yes, sir. That's right.

MR. BILLA: "B-2" gives him that flexibility.

MR. JEWETT: Now, we can go back. I think we, and we purposely didn't ask for a "B-3" for instance, and there are a lot of - there are a lot of "B-3" type applications that necessarily would fit into a mall situation. I might also say that we're talking about from a marketing standpoint, having some people come into something like this that has pretty sophisticated marketing capabilities themselves. People like Nieman-Marcus and the Sakowitz people in Houston that have already indicated interest in being in this particular location. I don't have the benefit of their analysis of what their projections on a particular location would be.

MAYOR COCKRELL: All right, you mentioned specific clients, but those clients could not come in "B-2", could they?

MR. JEWETT: Yes, madam.

MR. BILLA: Mayor, I would like to ask Mr. Jewett. I think what you're really saying is that you just want to be prepared for what's projected or anticipated in that area without a lot of complications.....

MR. JEWETT: Yes, I think the - from the zoning standpoint.....

MR. BILLA: That indicates planning to me to some degree.

MR. JEWETT: We are asking for a reasonable request. And by that reasonable request that we are going to have to adhere to all of the regulations that are going to be imposed upon this piece of property, and we haven't been able to explore what all those are, just some.

MAYOR COCKRELL: We have two more, Dr. Nielsen and Mr. Pyndus, and then we do want to allow time for the other speaker. We have used up twenty minutes of time. Dr. Nielsen.

DR. NIELSEN: Harry, you do see the dilemma we have. When you think of a regional center there, you know, it does stretch the imagination.

MR. JEWETT: Yes, sir, it does.

DR. NIELSEN: It boggles our minds a little bit to think of even the size of North Star or twice that big right now. And, granted, there's always a bit of speculation involved, good faith, trust, integrity in any kind venture when we grant a change in zoning. Have you projected because of that road situation, I don't know the legalities, but suppose that the owners to the right for some other or whatever reason deny access to or whatever across that. Is there any way they can do that sort of thing?

MR. JEWETT: No, sir. No, they can't. It'd have to be dedicated as a public street.

DR. NIELSEN: Would at some point.....

MR. JEWETT: But, we don't have any control in its location.

DR. NIELSEN: I know, that's what I'm saying, you have no control over it, but suppose they said no, we're not about to.....

MR. JEWETT: We're going to have to develop an additional interior circulation plan that would just leave 60 foot strip. I think that's a pretty remote chance of happening because the plan that they have for their particular piece of property relies on getting back to 281 through this collector street.

DR. NIELSEN: Yeah, but it's only 60 feet.

MR. JEWETT: The other thing that's.....

DR. NIELSEN: The other thing that is on our minds is the problems that we've got out here south of North Star Mall. Even if you only get half of that 117 acres for a regional shopping center, that's too small a street. I don't know how the Planning Department ever would permit anything like that.

MR. JEWETT: I think that type of thing, of course, we have always had the flexibility to dedicate more additional right-of-way. This was - this is where we get into PUD review on the thing. We would be submitting things that would be looking at traffic loading and that type of detail would come out during the PUD submittal. If it proved to be adequate well, we're talking about 86 feet of right-of-way, and I think the Planning Commission would be asking for a dedication.

MAYOR COCKRELL: Mr. Pyndus. This is the last question, and we're going to hear from the other speaker.

MR. PYNDUS: I was wondering if I could ask a question of Mr. Camargo. We had anticipated a master plan over the Recharge Zone, and I assumed the master plan will take into consideration density. And certainly with density this project would have an effect. I imagine the first projects would have first priority. Now, as far as the Planning Department is concerned as far as the density in that area is concerned, what is your reaction to the project as proposed being placed there? From a density standpoint? Over the Recharge Zone?

MR. CAMARGO: Mr. Pyndus, all I can say to this, in the Ordinance that the Council just approved a couple of weeks ago, we did not address ourselves to density. We were talking about usage, and I don't know whether this master plan is supposed to be presented to the Council by the beginning of the year will address itself to density and how it can, if we did not address it at the time of the overlay. And at that time we did not. The uses are permitted.....

MAYOR COCKRELL: All right, at this time we are going to call for the other speaker. All right, now, there's just six minutes left. So you divide up the time any way you wish.

MR. SAM BARSHOP: I am Sam Barshop. We're talking about something of great magnitude. There's no question about it. We were also involved in the development of the North Star Mall area. The North Star Mall area is not a good development. It's congested. The traffic is impossible to get in and out of. When we bought this piece of land the dream was to put the ideal regional shopping center without congestion, without two malls of the same size across the street from each other. Plan on one piece of land. You do not put a 1.5 million foot shopping center together in six months. But you cannot go to a major developer in the United States and talk to him about putting a shopping center together and do the feasibility study and do all the work that has to be done until you have the zoning. He is not going to put the front money up to do this. We are in conversation - with two major shopping center developers in the United States. On plat maps of the City there are certain logical places for regional shopping centers in this City. We don't want the congestion. That's why we held this piece of land intact. We've had opportunities to sell small pieces off at very good profit, corners, this piece, that piece. We have held it together because history has shown us what happened at North Star Mall. We developed a thousand acres at North Star Mall, and it was haphazard. It was a piece here and a piece there with no planning at all. No thought of the future. This will be on a tract of land with adequate parking. We are going to preserve the nature and the beauty of the area. We are going to, so to speak, waste a little land, and it is not waste as far as I am concerned. We are going to leave trees in. We are going to try to develop the finest mall in the South or Southwest. We cannot develop this mall unless we have zoning and if we don't have zoning we can't have a developer come down here and spend the many hundreds of thousands of dollars that it takes to do a plan, to do a feasibility study. It is whether the car is before the horse or the horse before the cart. We are not going to develop it because we are not professional developers of major regional shopping centers. This is a business all its own. We are in contact with two or three major developers one of whom is building a major shopping center in San Antonio who tells us that this is the spot for a regional mall and the one other spot is at the corner of I. H. 10 and F. M. 1604. Now, if you want planned development, if you want quality product let us plan it. Give us the opportunity to go out there and see what we can do with this property. We are going to have more restrictions, we are going to have more burdens put on us than anyone in the history of San Antonio to build a regional mall. We are not chopping the land up. We are hopefully going to plan something that is beautiful and something that is good for San Antonio, something that will put taxes on the rolls.

MAYOR COCKRELL: All right, fine. The other speaker.

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MR. STANLEY ROSENBERG: I am Stanley Rosenberg. I would just like to point out that the restrictions have already been placed on what you can do over the recharge zone. We have been through this for the past two years. We have had committees and task forces and sub-committees of the committees and minority reports and EPA's and they can't do anything that would endanger the area. They must follow those rules and regulations. You can't do anything over the area without environmental impact statement, which they will have to get. The Environmental Protection Agency is about probably to take jurisdiction so that would be another one. So these people have to start in this place.

I'd also like to point out one more thing. There was just an editorial that appeared in the Express & News just the day before yesterday and it says San Antonio's greatest problem for its citizens is full employment, "how to attract venture capital for San Antonio". We have no venture capital. Here is one source of venture capital for San Antonio, the Barshop interests. They own La Quinta. It is going on the American Stock Exchange. One thousand, four hundred employees, one of San Antonio's largest industries. They have owned this plant for 15 years. We've got the venture capital in this group. They're not going to do anything improper. This is step one for them to get started. Remember, anything they do has to come before PUD. They agreed to a PUD when they appeared before the Zoning Commission. So we really believe for all of these reasons the request is a reasonable one and will be one that will benefit the area and certainly not detract from San Antonio our source of water or anything else. Thank you.

MAYOR COCKRELL: Fine, thank you very much. I'd like to point out to the Council there are six opposition speakers and that will take a full 30 minutes, so if we can just hold any further questions until we get through with the opposition, then we can wrap up and get the final questions. All right, the first speaker, and I'm not sure if this is Errol or Carl W. Wall. I couldn't read the writing.

MR. ERROL W. WALL: It is Errol. I live at 1813 Parkhaven in the Oak Haven Subdivision immediately adjacent to the south portion of the proposed development. The area of Oak Haven is a fairly old development. It was developed, originally laid out about 1958. The area consists of home in the general price range of \$40,000 to \$60,000 homes. The streets in the area are not curbed. It's more of a country setting you could say. We have no major drainage ditches in the area other than the natural drainage. We have an abundance of oak trees in the area. Our major drainage, if I might point out, from this piece of property goes through the subdivision here through an open drain. It goes from a high point at approximately the middle of the proposed shopping mall with about a 100 foot drop in elevation to the lowest part of the Oak Haven or the Kentwood which is immediately south of Oak Haven, which would create a problem with runoff water going right through some of the residences practically that are right there. Let me show you on this map, if I might, this is a layout of the Oak Haven and the Kentwood area. This open drain, which is not shown except on a portion of this map right here. It runs down through the subdivision down to the lower part where it's joined with Thousand Oaks but the drop in elevation comes from approximately this point on down through here all the way down to here. We feel it will create quite a problem with surface runoff. We do feel that the southern part of the proposed "R-3" would be better used if it were to be used as "R-1" with restrictions and at this time I would like to leave you with that thought.

MAYOR COCKRELL: Thank you.

MAYOR PRO-TEM TENIENTE: May I ask one question?

MAYOR COCKRELL: Yes. There's a question.

MAYOR PRO-TEM TENIENTE: Errol, you're not so much opposed to what is classified as "B-2" as much as perhaps wanting a little more "R-1" back of the Parkhaven residents?

MR. WALL: We realize that the proposed "B-2" area is a prime Commercial piece of property and we really don't believe it would be of any - it would not be detrimental except in the fact that it's going to have to have some plan for drainage off of it because the drainage will go right through the subdivision there. We believe that that "B-2" is probably going to be inevitable but we would like to buffer our property a little more with residential rather than apartments.

MAYOR COCKRELL: Thank you. David J. Andrews.

MR. DAVID J. ANDREWS: Mayor Cockrell, members of the Council, my name is David J. Andrews, I live at 1806 Parkhaven. It seems to me that what Mr. Jewett had proposed here today, beyond just staggering the imagination even though we don't know precisely what will occur there or when that will occur is really being proposed as a new neighbor for Oak Haven. Now, if you take just what they've given us today in terms of at its face value although we know no specifics, although there are no available statistics on the size of this or even the number of parking spaces that are going to be involved, if you simply take what is now being proposed as "R-3" and look at the density that is projected by the developers at the Planning Commission, you can see that we're talking about 30 units per acre. At 22 acres of property, that's over 600 families that's going to be brought into the immediate Oak Haven neighborhood. We think that that is a staggering factor when we consider that the Oak Haven neighborhood is a quiet, somewhat rural setting. Most of us who have moved there did so to get away from the apartment congestion, the high density and we feel that it would alter the nature of our community, the environment of our community and we think that would definitely be a problem.

Now, having made that point I would like to suggest to you that the residents of Oak Haven in my judgement are reasonable people. We have made attempts to strike some reasonable compromise. I think all of us who have moved into that area realize that the intersection of 1604 and San Pedro is a prime commercial piece of property. If you look at the way this City has been growing, sooner or later within 10 or 15 years there will be a need for some commercial property zoning at that point. However, I must admit that all of us in Oak Haven are simply staggered by the enormity of the project that is being suggested here, twice the size of North Star Mall with no indication of what's going to be on the other side of San Pedro. I suppose it could be something twice the size of Central Park Mall and it boggles the mind to imagine the kind of congestion that would occur in our neighborhood, a quiet, peaceful setting at this point, the detrimental effects that would occur.

This neighborhood is one which I feel in this area of the City should be maintained in its present state. I think we have tried to be reasonable about reaching some kind of compromise by either extending the "R-1" zoning up to the proposed street, reducing perhaps in the scale the size of this gigantic mall so that it is something more reasonable in terms of proper growth of San Antonio, the proper planned growth, and the maintenance of the Oak Haven community and subdivision in the state in which those of us who invested in it as our homesites, certainly thought it was going to be from that point on.

I'd like to conclude with simply the suggestion that some sort of compromise be enacted here so that we maintain the residential integrity of the Oak Haven community. The neighbor that is being suggested to you here today is going to radically change the Oak Haven community.

MAYOR COCKRELL: So, as I get your position, you're not opposed to a change in the zoning, but it's more the size and scope of the project that you really find unacceptable.

MR. ANDREWS: Yes, madam, we just feel that we would have a tremendous detrimental effect to the Oak Haven and Kentwood community and we're frankly shocked by it. It's frightening to imagine what would happen.

MAYOR COCKRELL: Thank you. Kathleen Keniry.

MRS. KATHLEEN KENIRY: My name is Kathleen Keniry and I live at 16702 Stoneridge which is on the outside perimeter of Oak Haven. I speak to you today, not as a taxpayer, which most of us are and not as an environmentalist which I try to be, but simply and most humbly as a mother. During the past couple of months I felt many, many things but most of all and right now I feel threatened. I feel threatened by something or someone who is trying to place a set of complex and permanent concrete structures three blocks from my home and I can either withdraw and let that force take its course or I can be aggressive and I can attack that problem. By being here today, I want you to know that I'm trying to attack the problem.

Before I can do anything I have to have several questions answered. The first thing is that in this piece of property that you're discussing is within three blocks of my home, now I guess it's not my right to know what's going to happen three blocks from my home. I wondered why I wasn't notified. A couple of weeks ago when we returned from vacation I found out that many things had taken place and I was not aware of any of this. The area that you're talking about my children go there to hike, to collect their treasures. They go for acorns, snails, rocks. They track deer, they spy on wild turkeys and this will come to an end if this proposal goes through.

I want you to know, too, that the majority of the people in my neighborhood with whom I've been in contact are against the magnitude of this shopping center. I would like to know if you feel you are acting in the best interest of the people if you let this development go through. I feel that the people have been acting in a very clandestine manner. I wish there would have been more visual, more openness about what was going to happen to this piece of property.

If rezoning is granted apartment buildings will be erected containing 30 units per acre. Many of the homes in Oak Haven are located on 3/4 or one acre of land, one home, but they can come in and put 30 units on one acre. Need I point out the negative affects, congestion, cars, traffic, noise, concrete, asphalt. My question is, who decided that there is a need for these apartments? Who decided that we need the commercial businesses at San Pedro and 1604? What criteria were used in making this decision? Is there suddenly a projected shortage of apartments in San Antonio and in this area? Was a descriptive study made which validated these needs? Who conducted the study? Where is it documented? If indeed there is a need I would like to see exactly how you came upon that decision.

The third thing that I wish for you to consider is my child's school. The classrooms at Coker Elementary School are already overcrowded and it is perhaps not the business of this Council to be concerned about overcrowded classrooms. That's up to the school district but, as you well know, first the kids come and then the new school is built so the existing school will be overcrowded. New schools will have to be built and who will pay for those schools? The taxpayers, not the people moving into these apartments but the existing home owners, the taxpayers of San Antonio. Thank you.

MAYOR COCKRELL: Jesse Dominguez.

MR. JESSE DOMINGUEZ: Mayor Cockrell, gentlemen of the Council, my name is Jesse Dominguez. I live at 2106 Town Oak. I have been in the Oak Haven community for exactly 2 months. My primary reason for moving was to avoid the traffic and housing congestion and enjoy the peace and tranquillity of the countryside. Unfortunately, I'm faced with the same problem which I tried to avoid. It seems quite unfair and somewhat unconceivable that we as residents must yield to quantity and sacrifice quality. However, in the spirit and candor of compromise which our people have so presented I don't think we're being unreasonable. Therefore, we ask that you please consider those of us that wish to make a life and not just a living. I thank you very kindly.

MAYOR COCKRELL: Thank you, and let me ask you, sir, what would you consider reasonable in this area?

MR. DOMINGUEZ: I do feel that we should have "R-1" where "R-3" is being proposed. We were there, so to speak, first and it's a beautiful community and like I said I've only been there two months and that's why I have taken so much interest.

MAYOR COCKRELL: So you would feel that if that "R-3" area were not allowed to be for the apartments that that would help meet your

MR. DOMINGUEZ: Well, I feel the magnitude of the "B-2" as unbelievable but unfortunately I don't feel I'm in a position to really oppose.

MAYOR COCKRELL: Thank you.

MAYOR PRO-TEM TENIENTE: The same question then that Mrs. Cockrell asked except that I would go further. The proposed "B-2" zoning is something that you feel is inevitable because of San Pedro being busy and all. You're concerned about the back end of your house and the privacy that you want to enjoy and all and you would prefer an "R-1".

MR. DOMINGUEZ: That's right, I'm concerned for all the citizens of Oak Haven and we'd like to keep our privacy.

MAYOR COCKRELL: Thank you. The next speaker is Ted D. Lee.

MR. TED D. LEE: Mayor and gentlemen of the Council, I live at 1919 Parkhaven and I must admit that Mr. Rosenberg and Mr. Barshop put on some very good presentations. However, somebody said they certainly didn't come into town with the last load of turkeys while some of us are probably still combing the feathers out of our hair but at the same time - at this time I have been acting basically as a spokesman for some of the neighbors in the community since the time that we found out about this proposed rezoning. The first notice that we received was ten weeks before appearing before the Zoning Commission. The ten week notice that the 200 foot radius people received. At that time we mustered our forces together. We made a presentation before the Zoning Commission. Leading up till then none of that time had Barshop or had anybody contacted us. We found out after the hearing before the Zoning Commission that there was a notice that was posted out in the middle of the pasture there some place on some tree. No attempt was made to compromise with us or to meet with the neighbors in the community.

Now, after the Zoning Commission I had the pleasure of talking to Mr. Rosenberg and we talked about what would be a reasonable compromise and I met with him on a couple of occasions and what we talked about as a reasonable compromise, if I may refer here, was simply along this area here to have a row of houses basically one or two rows of houses. They indicated that one row wouldn't be sufficient because you don't want your house to face a large shopping center. You wanted the back of it to go in. So he said how about two rows of houses there with a road in between. You can put apartments behind that if you need it or whatever but just some type of buffer area for the community there. Well, it ended up that - we thought about it for a while and he said, let me send that over to Mr. Jewett and see if he can draw something up. It came back after a period of time and they said well, we can't do that. Why not? Well, because of this proposed road that's here. Well, I went over to the title company because I was kind of curious about that proposed road and it ends up that there's no deed restrictions recorded for that proposed road and, by the way, the neighbor over on the right hand side over here, that owns that easement is one of these same property owners for this major section is that can't be changed, why it's such a fixed structure?

MAYOR COCKRELL

What owner is that?

MR. LEE: The Straus, Ralph Armstrong, Mr. Straus and another partner own a portion of the area being rezoned. If I'm mistaken...

MR. PYNDUS: As I understand his remarks, the middle portion there, 60 feet wide is owned by Straus. This remark was made this morning.

MR. LEE: That was his remark this morning.

MR. PYNDUS: Yes, the road that's shown through there is owned by Straus.

MR. LEE: Okay, let's assume that's true. Assume it's true. There are other ways that this can be taken care of and that a compromise can be reached and there is another way. For example, a series of cul-de-sacs coming down here, which is a very logical way of fixing this and making that "R-1". Then the people that would come into that neighborhood that would move into there, they would what is there. Now, he mentioned the fact that Mr. Barshop has owned this for 15 long years. Oak Haven was laid out in 1958 before Mr. Barshop owned this property. Now, I don't care how you look at it but Mr. Barshop's interest in this property is as nothing but a land speculator and that's why he bought this property on a speculation basis. Now, I somehow feel like that a neighborhood or a community should be protected from a land speculator. If Mr. Barshop can get this property rezoned, you know as well as we know that he can sell that property at a much higher price than what he can sell it at right now and I submit that's why it's being rezoned.

MAYOR COCKRELL: Thank you. Before I call on Mr. Robinson, let me just check on something. On the other list, there was a Gus Schneider or were you to speak on this zoning? All right, fine. Then, we'll call on Mr. William Robinson.

MR. WILLIAM ROBINSON: Madam Mayor and Councilmen. My name, for the record, is William H. Robinson. My office address is 1545 Milam Building. I am an attorney and I am representing the speakers who have spoken here to you before this morning and most of them are within the 200 foot radius of Parhaven Drive. There was a petition filed before the hearing containing some 106 names in the Oak Haven community who we will have to report back to but acting upon my advice, we did not want to flood these chambers with numbers and we tried to present all the views that we think are a composite of that neighborhood.

I hope that I have not given these people bad advice. In view of the Council's reaction to the initial thing, I see that you have a much greater concern for the whole City of San Antonio than development over the Aquifer and the EPA requirements. I had suggested to these people that I felt that the corner of 1604 and San Pedro would develop commercially. In all fairness to everybody, it is a choice piece of property. Based on that, what we're saying here now, I mean what the composite of these speakers is that our battle ground is the strip between the Straus Road and the Straus 60 foot strip and the 20 foot alley at the top end of this community which, incidentally, the backyards are very short on those houses in there and some of them do incorporate the alley itself in their backyards. I suggested to them, well, we can't fight the high power, and I'm not saying that derogatorily, I know Mr. Rosenberg and Mr. Barshop to be honorable people but there's no, I can see no reason for us to attack them all on that corner up there. I think they will develop that in a decent way and what we can say is to this buffer is it could be left alone. It could remain "R-1" and I don't see how it would affect their dealing with Neiman-Marcus or whoever they want to talk with on 117 acres. There's no question that does boggle the mind, the magnitude of that thing up there but it may happen.

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Now, maybe we have taken strictly a neighborhood view of this thing and not been as general as we should have, but I would point out this. It gives an opportunity for this Council to buffer the only neighborhood that this property is ever going to be affected by. San Pedro buffers to the west, 1604 to the north and whatever they're going to build over here. We're talking about an island neighborhood here and this Council does have an opportunity to get the best buffer, not having to settle for something less but you can buffer this by either leaving that "R-1" the whole strip or I've even suggested the San Pedro frontage and some portion of that probably will go commercial, below the Straus Road. These people do need that buffer in there if we're going to have the biggest shopping center in the southwest. Mr. Rosenberg at least and maybe some of the other proponents have been involved in the San Antonio Ranch Town thing, and I'd like to borrow a quote from a Federal judge reviewing San Antonio Ranch and which may have some bearing here. It says, "depending upon which party's view is accepted, the Ranch Town will either be an urban planner's utopia incarnate or environmental disaster of the first magnitude." This could be, the size of this thing could be a mini-ranch town except they have not planned for the residential community outside the confines of their own property. This is our position. Thank you very much.

MAYOR COCKRELL: Thank you very much. All right. The proponent now has an opportunity for rebuttal. Is it going to be Mr. Jewett or Mr. Rosenberg?

MR. ROSENBERG: We have listened to what the neighbors said. Ted has said that I've had numerous meetings with them, and we have not been completely neglectful. We have been trying to work it out and we have come up with a plan that would leave this single family residential and leave this "B-2" which would meet the objectives. I might say that some of our other plans have gone so far that we've also agreed to make a non-access easement on that cul-de-sac because we didn't want any traffic to go in there, down there. So, we present this to Mr. Robinson as a representative for the neighbors and say that we will accept that change as....

DR. NIELSEN: Excuse me. You're talking about the cul-de-sac?

MR. ROSENBERG: It's about a 22 acre...it's 22 acres adjoining that.

MAYOR COCKRELL: Now will you point it out on the map?

MR. ROSENBERG: May I ask Harry to point out that. We're talking about the "R-1", I mean the "R-3".

MAYOR COCKRELL: The entire "R-3"?

MR. JEWETT: Yes madam, leaving that "R-1" Temporary.

DR. NIELSEN: But you said something about a cul-de-sac. You're talking about the cul-de-sac at the end of Town Oak?

MR. ROSENBERG: That yellow one in here, Doctor.

DR. NIELSEN: Cause that map shows drawing it back up to that so-called access road. Okay, would that be a cul-de-sac? That map, it shows... turn it back up to that 60 foot street.

MR. JEWETT: I would think that based on the conversation about, you know, disrupting the neighborhood, we can accommodate the cul-de-sac type plan that we indicate on this map. In other words, a portion that we're not even, that we weren't subjecting to zoning down here at the bottom here would have been yellow. The piece right there, the thing in the

yellow. We would accommodate that type of plan and then on the remaining brown area or "R-3" area as we show it there, come in with a single family type. We're just talking about a modification of this type of arrangement so that we don't end up with circulation going back through that neighborhood. This is something that we're trying to prevent.

MR. PYNDUS: I think that's fine cooperation.

MAYOR COCKRELL: All right. The proponents then are proposing to withdraw the request for "R-3" zoning on that tract and that would go "R-1".

MR. JEWETT: It will remain "R-1" Temporary.

MAYOR COCKRELL: All right.

DR. CISNEROS: The "B-2" doesn't change on the other end.

MR. JEWETT: There's another piece of property between that and we don't have control over that.

MAYOR COCKRELL: Mr. Robinson I don't know if you've had time to circulate this among your clients.

MR. ROBINSON: We have one question that we'd like to ask. (Mr. Robinson was talking with Mr. Rosenberg away from the microphone...statement inaudible)

MR. JEWETT: Yes, in other words what we'd probably do is if we set them up here with a cul-de-sac and then we come out and drop the street down coming off of this street with another cul-de-sac and we back up. In other words, there wouldn't be any linkage coming back off of say Straus Road into this subdivision. This would be a modification to this plan right here and we're showing this with the cul-de-sac arrangement at some locations such as that.

DR. NIELSEN: That could help in terms of some volume of traffic along the Parhaven.

MR. JEWETT: Well, there wouldn't be any way you could get..inaudible.

MR. TENIENTE: Willie, is this okay?

MR. ROBINSON: Let me say this as a way of mechanics here. Is it possible then that in view of the concession and I recognize it as a substantial one that Council could, depending on what he wants to do with "B-2", we're not equipped on environment. We just don't know in other words, and I guess no one else does really. Could the Council just, would it be satisfactory to the proponents to just take out the "R-2" portion of their zoning request, I mean "R-3"?

MAYOR COCKRELL: Yes, that's what they're doing.

MR. ROBINSON: People have asked me this. They would like to have some permanency on the "R-1". Can you change the Temporary "R-1" to permanent "R-1"?

MAYOR COCKRELL: Yes, we could do that. Is that correct that we do have the authority?

MR. CAMARGO: That's correct your honor. The motion would be denial of the "R-3" and approval of "R-1".

DR. NIELSEN: No, no, but temporary "R-1" right now can be legally...

DR. CISNEROS: Is the proponent now finished, Madam Mayor, with his rebuttal?

MAYOR COCKRELL: Yes; we do have the suggestion.

MR. ROSENBERG: One thing, I want the Council to remember that we have to comply with everyone of those regulations that have been really worked over to the benefit of this Council taking an issue that was a complete disaster for San Antonio. You have worked long hours. This is my end. You haven't satisfied the extremists on either end of the issue, but you've created a positive united front for San Antonio that the majority of the citizens are happy with. We're all going to comply with. We are pleased they had an administrator appointed so that we feel that we will comply with all rules and regulations.

MAYOR COCKRELL: Fine, Dr. Cisneros.

DR. CISNEROS: Is there a motion now? I have something I want to say. As much as I agree with the...I think there are two issues here. I think as much as I agree and sympathize with the citizens who have spoken and with the compromise that's been worked out, it addresses one of the issues which is the problem of the buffering against the residential subdivision and so forth and all the problems that that entails. But we have left relatively untouched what I consider to be the major issue that needs to be considered by this Council in this case and that is the implications of the largest shopping center in the southwest, one that in area would be twice the size of North Star Mall. The developer has absolutely no idea how many cars would be on it, how many people it's supposed to serve, but simply we do know that the immensity of the size would indicate a tremendous economic generation for continued development, further development over the Aquifer. It seems to me that is the central issue in this case. The implications of that development over the Aquifer, and as much Mr. Jewett was able to give us some tentative facts, they were at best tentative. He just couldn't answer the questions with respect to the area of paved land versus buildings, the number of cars, the number of parking spaces, the full implications of the drainage, pollution, and the fact that with that tremendous amount of volume there's going to be drainage problems. The TWQB doesn't address that properly. We've talked about it ourselves when we passed the zoning ordinance and indicated we had more work to do. But yet here we are about to grant, if we grant this thing, a blank check on the drainage issue with respect to the most critical areas of our water supply in San Antonio. I have very real problems with that.

I think that we may be in the long term extremely foolish in allowing that "B-2" on that large tract of land. We talked, Mr. Robinson talked a moment about Ranch Town. Ranch Town may proceed and all the legal implications at the moment are that all the legal signs at the moment are that it will. If it does so, it does so with a very clear specification of who is responsible for doing what with respect to monitoring wells, and water supply and sewage and everything else. We have absolutely no concomitant safeguards on this large "B-2" tract that are of that same level. We are writing a blank check with respect to drainage, so I would like to make a motion that we accept the compromise with respect to changing the "R-3" to "R-1", that we accept the "B-2" on the community shopping area at the southern end, but that we disapprove the "B-2" on the large tract of land simply because I think that that size of development on the City's water supply simply assures that at some point the true payee, the people who are going to end up paying are all the citizens of San Antonio for treatment of our water supply or at least we are taking on a major risk that that will be the case. The beneficiaries of this will be a relatively small group of people as compared to the number of people who are going to have to pay for the action that we take today. So, that's my motion.

MAYOR COCKRELL: Is there a second to the motion?

REV. BLACK: I would like to offer a substitute motion, Madam Mayor.

MAYOR COCKRELL: All right, Mr. Teniente.

MR. TENIENTE: I share some of Councilman Cisneros' concerns, but being overly dramatic in some presentations, I don't feel I can play that role at this time. First of all I don't accept some of the statements that were made. For instance, it sounds as if there is no development that he is proposing over the recharge zone. We have discussed this at great length, and have deliberated as a Council, as a sub-committee that was made by the Council, and all other types of discussion that we've had on this. It's my understanding that with a "P-1" designation, these people are not going to be able to come in and be without any regulations regarding sewage. They're not going to be able to do anything that would adversely effect the drainage. As far as the number of cars, there will be regulations that will be set forth before they proceed because of the many, many agencies that are regulating this. So, I do not accept the tactics, it sounds like a scare move on the part of my fellow councilman.

My substitute motion would be that we grant the "P-1" (B-2) in the proposed 117 acres. Also grant the "B-2" in the southern part of the "P-1" (B-2) in the southern part of the Straus Road and then the compromise of the "R-1" in the lower section east of the other project so that we can move into something that may be of significance to the community that will provide more ad valorem taxes for the school districts, project more money for building their schools. I think it's a great thing and I so move.

MAYOR COCKRELL: Is there a second?

MR. ROHDE: I second the motion and I'd like to make a statement.

MAYOR COCKRELL: Mr. Rohde.

MR. ROHDE: Mayor, the citizens who made this application have brought their application in according to the Charter of this City. They've done it in a highly professional manner. They've done it in a legal manner. They've done it in an outstanding manner. They brought planning to an area that has not had planning yet. The developers, the proposed developers are expert developers. They are one of the major developers of this City. They are good civic servants of this City. They have followed everything that this procedure in the Council has advised. On the Edwards matter, the City Manager has given us everything but how to walk on water as far as the Edwards go. I think one Councilman here is asking for directions on how to do this, and I just don't think that's impossible, but this is good planning and I second the motion that we proceed with this and I ask that Councilmen in Place 1, 2, 3, 4, 5, 6, 7, 8 and 9 vote for this.

MAYOR COCKRELL: Mr. Hartman.

MR. HARTMAN: Madam Mayor, I would like to speak in behalf of the original motion made by Dr. Cisneros and seconded by Rev. Black for this reason. As he said in the beginning, I think when you look at zoning case such as this you address it from the standpoint of its present highest and best use. In approaching this particular case, we have a proposal for a regional shopping center. As I stated at the outset, I have not yet had provided to me any sort of statistics or rationale as to how such a large size shopping center could be supported in that area for any foreseeable period of time. Perhaps I think the statistics are available. There's bound to be some manner or means of projecting what the growth would be to that particular area within a specified period of time. I would await the presentation of this sort of statistics. We simply cannot go out and say perhaps some day this area may support a regional shopping center even when we don't have the region as yet. I think it would be comparable to going out in the middle of Goliad County

and some day there may be a regional shopping center by year 2000. I have no statistics provided to me yet that shows that this can be supported.

MAYOR COCKRELL: May I ask that we not have interruptions by clapping. We understand your feelings but the Council now is trying to make a decision.

MR. HARTMAN: So, I'm speaking therefore in favor of the original motion.

MR. PYNDUS: Mayor Cockrell and members of the Council, I would like to speak against both motions.

MAYOR COCKRELL: All right, discussion is relevant only on the substitute.

MR. PYNDUS: My discussion is that I do not feel that we should at this point either approve or disapprove the request for zoning as far as the "B-2" is involved. The minor part of the opposition by adjoining property owners has been settled. Now I feel with the question of density, with the lack of knowledge of drainage, that to approve the project would not give us the answers that we need. To disapprove it would not allow the developer to come forward with adequate plans with regard to proper drainage. I think rather than take the motion up for a yes or no answer, I feel that a postponement would be more in order and is it possible to offer a second substitute motion, Mayor Cockrell, under Robert's Rules?

MAYOR COCKRELL: A motion to postpone can be offered, however, that is a little bit different procedural motion.

MR. PYNDUS: I see. My point is if the original motion carries and the developer is set back in time, I understand one year, rather than take that risk to allow him additional time to present his case with regards to the questions we have and that is the - certainly, it's the drainage problem we're concerned about and perhaps he can come forth with the answers to the drainage problem, and the density of the area. If we are to have a master plan in that area, we might come to the point where we can only allow a certain number of shopping centers over the recharge zone of this magnitude, this may be the only one, if we are to develop a master plan. So I think that this should be taken into consideration prior to a yes or no vote.

MAYOR COCKRELL: May I ask a question for clarification. Mr. Camargo, would you briefly summarize for the benefit of the Council and the persons who are here what is involved in terms of additional review under the PUD classification?

MR. CAMARGO: Okay, under the PUD classification, the preliminary plans of development after a public hearing comes under review before the Planning and Zoning Commission. In addition to review of the preliminary plan by the Commission they also review a final plan. This is when you get down to the exact location of the buildings, the construction plan portion of the development. All of this also comes under the review of the TWQB and now since the creation of the new Edwards Aquifer office in the Engineering Department, prior to the issuance of building permits, prior to the approval of the PUD plan before the Commission it would come under review of this office. Further, on that prior to the issuance of Certificate of Occupancy for those uses that would occupy these structures, those uses also come under review of this protection office, in addition to the PUD designation.

MAYOR COCKRELL: All right. Now the question of drainage for example. Will you discuss to how drainage is addressed in this review process?

MR. CAMARGO: Mel is in the audience but.....

MAYOR COCKRELL: Mr. Sueltenfuss, would you come up because the question has been raised about whether there will be a drainage and sewer plans.....

MR. SUELTFENFUSS: I've been listening. Basically, the drainage problem will be addressed both through the PUD and at time of platting. Of course, it will have to meet the subdivision regulations at this time. I think something very quickly I ought to point out is that platting comes ahead - I mean zoning comes ahead of platting in many cases and I think there's a second stage of review here that we may be missing as far as the really nitty gritty of the drainage in these aspects of it.

DR. NIELSEN: Well, Mel, the only really serious question I've ever raised about the drainage was if all 117 acres or say 50 percent of that is paved and all of that water was run through that existing creekbed or whatever it is there, can anybody very quickly tell us whether the capacity of that thing is such that even in a heavy rain it would not flood those.....

MR. SUELTFENFUSS: It could very well flood. Here's the basic problem you get into in development though downstream is that the philosophy is that the downstream owner should have provided for those facilities based on ultimate development. In this case he didn't. And this is the dilemma. Now can you very basically say if I'm here first and you just build a little narrow channel can you tell people above you that just because you were here first you can't develop your land but under the law.....

CITY MANAGER SAM GRANATA: Mel, you do require temporary backup?

MR. SUELTFENFUSS: Yes, we would. We would require backup but as far as - all we would require is that he provide adequate drainage through his subdivision. Now if as a result of the development they flood somebody downstream there is no legal basis for it.

DR. NIELSEN: Okay then the only recourse is that the City expend public funds to develop and build an adequate storm drainage. I mean that's the way it works.

MR. SUELTFENFUSS: That's from a practical standpoint, that's the way it works.

MAYOR COCKRELL: Yes, Mr. Hartman.

MR. HARTMAN: Madam Mayor, I think to relate this case to what we have seen in the case of North Star and Central Park Mall which I am quite familiar with, a drainage system was provided as Mr. Sueltenfuss will recall, in the area from approximately Rexford Drive down McCullough and it was originally quite adequate until North Star and Central Park Mall were developed and now everytime it rains two inches the people in Barbara Drive move out. I think this is the type of situation we have to recognize and anticipate and provide for ahead of time. I think the drainage aspect would be something that we'd have to certainly have a very close examination.

MAYOR COCKRELL: Yes, Dr. Cisneros.

MR. CISNEROS: Madam Mayor, that raises exactly the point that I think is critical to this whole issue and that is that here we have some private landowners who by all rights and legally and everything else want to develop a piece of land but the question is what is the implications of their private action for the public? In this case we're talking about our water supply. There is a certain risk involved. Now we have not been able to specify precisely what that risk is but there is a risk. Then the next question is who is the risk to? The risk in this case is to the public of San Antonio and that's the ball that I think we need to keep our eye on and when the public pays they're paying so that some specific private interest can fulfill their investment on a piece of land. Now if we talk about the drainage. Here's another example, now we're talking about the only solution being a public solution that enables a private interest to go forward and reap an investment. It seems to me that that is precisely the problem here that we haven't addressed in this whole discussion.

MAYOR COCKRELL: Let me ask one question for clarification. Did I understand the substitute motion, was that the very large tract of "B-2" was going to be denied but the small tract was going to be approved?

MR. CISNEROS: The substitute motion was going to be the whole thing.

MR. BILLA: No, not the whole thing, it's a revised plan.

MR. CISNEROS: The original motion was to disapprove the large tract and go with the compromise on the two smaller ones.

MAYOR COCKRELL: The two smaller ones, all right. Would that just for clarification, I don't understand the justification of "B-2" on the small tract if it's completely surrounded by "A" residential.

MR. CISNEROS: What do you mean justification?

MAYOR COCKRELL: Why would you approve the small "B-2" tract if everything else is going to be less than residential?

MR. BILLA: Just because of the environmental impact on the water supply, that's Dr. Cisneros' concern.

MAYOR COCKRELL: They would look like spot zoning if you just had that one piece of.....

MR. CISNEROS: My simple concern has been the scale and the implications of scale for drainage and the water supply generally and that issue didn't seem to pose a problem in that regard.

MR. ROHDE: Mayor, Mr. Camargo, please take the stand. There's a very similar tract of ground at 1604 and IH 10, the same location, the same qualifications, the same acreage and what not, now what was done on this? Was that ever zoned at all?

MR. CAMARGO: Yes, the southeast corner has "B-3" and "I-1" zoning.

MR. ROHDE: That's right and it's about 80 acres, 110 acres.

MR. CAMARGO: Approximately, yes.

MR. ROHDE: Right. Now I just wanted to get that on the records. Thank you.

REV. BLACK: Madam Mayor, since I seconded the original motion, I felt compelled by virtue of the discussions that have taken place to at least address some of the ideas that have been projected. It seems to me that while there has been indicated safeguards that are related to the examination of any properties and the protection of the citizenry, it seems a very small thing to require a person who is asking for a zoning change to bring with him the concrete evidence that is related to that proposal that he assumes in the protection of those resources that belong to all of the citizens. Now I cannot delegate my obligation to simply another agency. I must take the information that is given to me and act upon that information. I'm not convinced that another kind of development would necessarily be better. I'm simply acting on and supporting the idea that inadequate information has been given to this development and this is what I'm acting on. It might be worse to have single developments. I don't know but I can't act on a critical issue without adequate information and I think that this Council needs to have every developer know in the City that when they come and ask for changes related to the Aquifer, that they ought to come ready, prepared, with all the information necessary to support their position.

MAYOR COCKRELL: Are there any other speakers?

MR. ROHDE: Madam Mayor, I call for the question.

MAYOR COCKRELL: The question then is on the substitute motion. The substitute motion is to approve the zoning as requested with the change that the "R-3" be instead of "R-1", is that correct?

MR. CAMARGO: With the removal of the screen fence requirement instead of the - not requiring the screen fence.....

MR. BILLA: If it is designated to "R-1" you wouldn't want to screen it. May I just ask one question, Mayor, if I may, I haven't said anything but they want to include that lower parcel, but it would seem to me that if the "P-1(B-2)" is granted on the northern tract of the property north of the Straus Street that it would be a reasonable compromise for those people that are objecting and it would permit time to see what type of development occurs. I can't agree with Councilman Hartman that there's not some planning involved here. I think that they're projecting what may occur out there, and they want to be ready for it, and I think that individual investors have that right to be prepared for something that may happen. I think also that several weeks ago, a month ago, we addressed this problem of protecting the environment and the water supply, and I thought we had taken care of this by putting certain safeguards on it. If we're not going to grant this development, or this request rather, we should have never acted on some of the things that we already acted on.

MR. TENIENTE: I call for the question again.

MAYOR COCKRELL: All right, the Clerk will call the roll.

CITY CLERK: This is on the substitute motion.

On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Billa, Rohde, Teniente, Nielsen, Cockrell; NAYS: Pyndus, Cisneros, Black, Hartman; ABSENT: None.

AN ORDINANCE 45,863

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 22.550 ACRE TRACT
 OF LAND OUT OF NCB 15673, BEING FURTHER
 DESCRIBED BY FIELD NOTES FILED IN THE
 OFFICE OF THE CITY CLERK, FROM TEMPORARY
 "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT
 TO "R-1" SINGLE FAMILY RESIDENTIAL DIS-
 TRICT; AND A 129.153 ACRE TRACT OF LAND
 OUT OF NCB'S 15672 AND 15673, BEING
 FURTHER DESCRIBED BY FIELD NOTES FILED
 IN THE OFFICE OF THE CITY CLERK, 17000
 AND 18000 BLOCKS OF U. S. HIGHWAY 281
 NORTH, FROM TEMPORARY "R-1" SINGLE
 FAMILY RESIDENTIAL DISTRICT TO "P-1(B-2)"
 PLANNED UNIT DEVELOPMENT BUSINESS DISTRICT,
 PROVIDED THAT PROPER PLATTING IS ACCOM-
 PLISHED.

* * * *

CITY CLERK: Motion carried.

MAYOR COCKRELL: The motion has carried, and I would like to state that my reasons are in voting for this that I feel that this Council has set up a number of safeguards. In addition to the regular zoning on this case, we have followed the procedure of setting up the PUD designation. This means that it has additional review. It has the subdivision, the platting restriction. It has the review by the Planning Commission. It has all the zoning overlay that we have placed on it in terms of the Aquifer. It has the continued review by the Texas Water Quality Board. I really feel that we have gone to a very far extent in trying to lay protective programs, and I feel that this must proceed. Yes, Dr. Nielsen.

DR. NIELSEN: I just want to briefly state that I think we've heard a lot about delegation of responsibility, and Aquifer, and what have you, I think that what we've got to do is in a complicated risk venture, as anything is over the Aquifer, we've got to share a lot of responsibility, this is going to be an immense amount of sharing. I think that the City staff in particular has moved vigorously to implement and one of the things, Madam Mayor, I know everyone wants to eat right now, is we're still talking about the public, private sector and the way we mutually

agree and disagree on what it means to improve the tax base of this community, the tax base on just the north side. You know, I would love to see 117 acres presented on the southeast side of this town for a shopping center. That would be a great day if it ever happened. Right now it hasn't. I do not think, however, that because we approved 117 acres as a possible development on the north side, does not mean that we can't do the same thing some place else. I just hope that the context of public - private stays healthy.

MAYOR COCKRELL: All right. Yes.

MR. CISNEROS: Madam Mayor, if I may, I think there's a few words that have to be said about that because that's the rationale that's used all the time to get anything through no matter what its merits are, that it means attracting jobs and so forth, and my point is that some of these kinds of things do virtually nothing for the people in this town who need the jobs, work for the areas in this town that are hit worst by unemployment, for the areas of this town where the economic development needs to proceed except to assure the continued patterns of development that deteriorate some of the older areas of the City and the downtown will continue and in my view it is wrong to use that rationale to get through things regardless of their merit.

MAYOR COCKRELL: I'd like to recess.

MR. TENIENTE: That's exactly what I was going to say because I think we ought to recess for lunch. We can go listening to lecturing on all subjects all day long but I think we have deliberated, we've voted and it's over and let's just go into other areas.

MAYOR COCKRELL: All right. We are recessed for lunch.

75-62 The meeting recessed for lunch at 12:35 P. M. and reconvened at 2:00 P. M.

75-62 PRESENTATION TO MAYOR COCKRELL

Rev. Black and Councilman Rohde said that they had just returned from Boston where they had attended a meeting on historical preservation conference and a great deal of attention was being given to the Bicentennial. Knowing Mayor Cockrell's support of the Bicentennial, they had brought her a remembrance. They then presented her with a very nice music box which played "Yankee Doodle".

Mayor Cockrell thanked the two Councilmen for the gift and their thoughtfulness.

75-62

CENTRO 21 REPORT ON PARKING

Mr. Pat Legan, Chairman of Centro 21, said that the City Manager had retained the firm of Young-Hadawi, Inc. to act as consultant and to study the feasibility of a parking structure in the Riverbend area in downtown San Antonio. He introduced Mr. John De Shazo, Vice President of Young-Hadawi, Inc.

Mr. DeShazo distributed copies of his report (a copy is included with the papers of this meeting) and summarized his findings briefly. He reviewed the study and showed outlines of the various types of structures which could be considered. It was his company's recommendation that having 700 spaces be considered in the area bounded by Commerce, Presa, Market and Comino Streets. The structure would have space for commercial activities at the ground level.

Mr. Legan read a resolution passed by Centro 21 endorsing the parking structure as recommended by Young-Hadawi.

After consideration, Mr. Cisneros made a motion that the staff set in motion the process of making recommendations on financing options for a parking structure such as recommended. The motion was seconded by Mr. Hartman and on the following roll call vote, was passed and approved: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

75-62

ZONING HEARINGS (Contd.)

29. CASE 6199 - to rezone Lots 3 and 4, Block 7, NCB 6132, 2410 Colima Street, from "C" Apartment District to "B-3" Business District, located on the south side of Colima Street being 21' west of the cutback between Murry Street and Colima Street, having 42' on Colima Street with a depth of 90'.

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

Mr. Camargo said that there would be seven affirmative votes required to approve rezoning since this case had been denied by the Planning Commission.

Mr. O. Villarreal, representing the Sociedad de Beneficiencia Cuauhtimoc, said that this is a non-profit organization which has a building on the premises being used as a meeting hall. They wish to sell beer at occasional social gatherings and need "B-3" zoning to get a license.

Questioning brought out that the hall would be rented to other groups for parties, dances, etc.

Mr. Teniente said that this is an old organization which is well known and he would recommend approval.

Councilmen Pyndus and Rohde spoke against the request saying that it is spot zoning and there is a need to protect the neighborhood.

After consideration, Mr. Teniente moved that the recommendation of the Planning Commission be overruled and the application approved. The motion was seconded by Mr. Cisneros. On roll call, the motion failed to carry the necessary seven affirmative votes as follows: AYES: Cisneros, Black, Hartman, Teniente, Nielsen; NAYS: Pyndus, Billa, Rohde, Cockrell.

The rezoning was denied.

30. CASE 6100 - to consider the classification of designated sites in the City of San Antonio as Historic Landmarks and the extension of the King William Historic District to include the Wulff House.

Miss Marge Jordan, Senior Planning Administrator, said that this ordinance is requested by the Planning and Zoning Commission to designate 48 sites as historic landmarks and to extend the King William Historic District. She went over the list of landmarks. On May 5, 1975, the Board of Review for Historic Districts recommended to the Planning and Zoning Commission and the City Council the approval of these landmarks and the extension of the King William Historic District. On May 28, 1975, the Planning and Zoning Commission recommended to the City Council approval of these landmarks. There were 345 notices mailed. Two were returned in opposition. Twenty notices were returned in favor.

The following persons endorsed the passage of this ordinance:

Mary Ann Castleberry, speaking for Mrs. Nancy Negley,
President of the San Antonio Conservation Society.

Mr. Larry Demartino, representing the Board of
Directors of Southwest Craft Center.

Evelyn Berg, President of Southwest Craft Center.

Adella Navarro, representing Texas Hispanic Institute.

Opponents:

Mr. Karl Wurz, 820 Florida, spoke in opposition. He claimed that many of the properties designated as landmarks do not meet the criteria, and he does not wish to see them removed from the tax rolls.

Mr. Camargo, in answer to a question, said that being designated as a historic landmark would not remove a piece of property from the tax rolls.

Mr. Chris Gill, 223 Parklane, spoke for his mother-in-law, Mrs. Stith, who owns property adjacent to the Ursuline Academy property. Mrs. Stith has already made generous contributions to Ursuline Academy but does not want her property to carry the "H" designation, as that casts a cloud over it as far as prospective buyers are concerned. He asked that this tract be withdrawn from consideration at this time.

Mr. Alexander Frazer, representing the Daughters of the American Revolution, said that the Alamo was conveyed to the Daughters of the Republic of Texas by the State of Texas and is not subject to control by any City agency. He said that the Alamo should not be included in the ordinance and asked that it be deleted.

Mayor Cockrell asked the City Attorney to comment on the status of the Alamo as far as the City is concerned.

Mr. Tom Finlay, Assistant City Attorney, said "the Zoning Code itself says that our zoning laws don't apply to state, federal or county owned property and, in fact, it doesn't even have to say that. It just is added as a restatement of state law especially since the City cannot tell the state what to do.

The point is that in discussing this with the Planning Department, many of the historic landmarks are owned either by a federal agency and the point was in zoning we should be consistent. If it meets our criteria of designation under our ordinance, we should go ahead and do it even though at the time it will not be of any effect. It also guards against the day if a building is owned by a state agency they could sell it tomorrow, and so we have designated it, and, therefore, if they are ever sold, we are protected."

MAYOR COCKRELL: What you are saying, though, as a practical matter, say that this were retained in the designation as some other building then in the future should any alteration or anything be anticipated by the DRT would that have to go through the review process?

MR. FINLAY: No, madam. Now, we did at the time we added the landmarks to the historic zoning, pass a resolution recognizing that, of course, this would not apply to state property and just asking them if they would, I think the word is "allow it to be reviewed" by the Historic Review Board. But even that resolution recognizes that..... (inaudible).....

After consideration, Councilman Cisneros moved that the recommendation of the Planning Commission be approved, and the rezoning approved without any exceptions or variations. The motion was seconded by Mr. Hartman. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Billa, Cisneros, Black, Hartman, Rohde, Nielsen, Cockrell; NAYS: Pyndus; ABSENT: Teniente.

AN ORDINANCE 45,864

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY PLACING LOT A-1, EXCLUDING THE NORTH IRREGULAR 7.36'; LOT 2, EXCLUDING THE NORTH IRREGULAR 27.64'; AND LOT B, NCB 894, 107 KING WILLIAM STREET (WULFF HOUSE) IN "H" HISTORIC DISTRICT; AND THE DESIGNATION OF THE FOLLOWING DESCRIBED PROPERTIES AS HISTORIC LANDMARKS:

Francisco Ruiz House, Celso Navarro House and John Twohig House

The Francisco Ruiz House, the John Twohig House and the Celso Navarro House are located within the Witte Museum grounds; NCB A-4 3800 Block of Broadway

Spanish Governor's Palace
Lot A-6, NCB 117
105 Military Plaza

Navarro House
Lot 4, NCB 13418
227 West Nueva Street

The Alamo
All of NCB 115
320 Alamo Plaza

Arsenal Buildings:

The Servants Quarters, Office Building, Officers Quarters, Storehouse, Arsenal Magazine, Acequia and Arsenal Stable; all in NCB 929, 600 Block of South Main Avenue

Yturri - Edmonds Property
Lot 13, NCB 6305
257 Yellowstone Street

Bergs Mill Ruins
The northwest irregular 310' of the south 500' of P-11, NCB 10932,
2400 Block of Ashley Road

Espada Dam
P-5, NCB 10932
1800 Block of S. E. Military Drive

Acequia Park
P-3, NCB 10952
1800 Block of S. E. Military Drive

Espada Aqueduct
The east part of Tract I-A and the south part of Tract 14, NCB 11174
9000 Block of Espada Road

921

Buildings within Hemisfair Plaza - Civic
Center Project No. 5, Tex. R-83, Urban
Renewal Agency:

1. Yturri House (George Schroeder House)
2. Wietzel House
3. Amaya House
4. O. K. Bar
5. Schultze's Store
6. James Sweeny House
7. Herman Schultze House
8. Myer-Halff House
9. Kusch House
10. Maximillion Schultze House
11. Ritcher House
12. Coyone, Tynan, and Dugosh House
13. Tynan Dependency
14. Dugosh House
15. Beethoven Hall
16. Acosta House
17. Solomon Halff or Kampmann House
18. Eager House
19. Eager Dependency
20. Hermann Carriage House
21. Smith House
22. Solis House
23. Pereida House
24. Koehler House
25. Espinoza House
222 South Alamo Street

Old Ursuline Academy
All of NCB 180
300 Augusta Street

Catholic Women's Association
Lot 7, Block 19, NCB 429
309 North Alamo Street

Property at 305 North Alamo Street
Lot 9, Block 19, NCB 429
305 North Alamo Street

William Maverick House
Lots 13 and 14, and the west irregular
58' of the south 5.55' of Lot 5, NCB 412
119 Taylor Street

Sullivan Carriage House
Lot 8, Block 6, NCB 432
314 Fourth Street

Wolfson House
Lot 3 and the north 25.4' of Lot 4, Block 7,
NCB 431, 415 Broadway

First Presbyterian Church
Lots 6, 8, 10 and 12, Block 5, NCB 433
408 Fourth Street

Mission Conception
Lot A-31 and all of Lots 26, 27, 28 and
the south 83' of Lot 25, NCB 3975
807 Mission Road

Mission San Jose
3.3 acres out of NCB 7664
701 East Pyron

Mission San Juan
Tract 3, NCB 10933
9101 Graf Road

Mission Espada
P-5, NCB 11173
10040 Espada Road

Madison Square Presbyterian Church
Lot 31, NCB 797
319 Camden Street

* * * *

75-62

CITIZENS TO BE HEARD

REV. R. A. CALLIES, SR.

Rev. R. A. Callies, Sr., said that he had read in the paper where the City is considering setting aside an area for X-rated activities, and his appearance before the Council was to protest this action. He had examples of pornographic magazines and jewelry which could be purchased at any icehouse and said this is a very serious matter. He asked that the contemplated action not be taken.

Mayor Cockrell clarified for Rev. Callies an erroneous statement which had appeared in a local paper. She said that the Council is very concerned over an activity going on at the River which is out of line with the Council's policy. Something that was said in Council meeting was misunderstood by the media and reported incorrectly.

City Attorney James Parker said that the U. S. Supreme Court has ruled that it is the body to decide if literature is pornographic or not and has yet to find one item pornographic. This makes it extremely difficult to prosecute this type of case.

After discussion of the matter, Mayor Cockrell asked the City Attorney to review for the Council regarding the legal background of the problem of pornography and what the Council may or may not do in trying to protect the public interest in these matters.

Mr. Cisneros commended Rev. Callies for the volunteer work he and his youths have been doing in the drive to collect brush.

923

MRS. HELEN DUTMER

Mrs. Helen Dutmer, 739 McKinley, said that the senior citizens have asked her to speak to them about the pros and cons of the Texas Constitution. She said that she had learned that many of these elderly people are signing the petitions against the bond issue as a protest against the Council's decision in awarding the Arciniega property. She said the Council should be aware of the situation so Council could correct this idea.

Mrs. Dutmer expressed her gladness at hearing Congressman Kazen's report on Mission Park.

She also said that she is concerned about the Council approving the rezoning of property at San Pedro and F. M. 1604.

KARL WURZ

Mr. Karl Wurz, 820 Florida, asked that the Council raise the minimum wage from the present \$1.40 to \$3.00 per hour. This would amount to \$6,240 per year.

Mr. Wurz' suggestion was referred to staff for study and a report was requested.

RAUL RODRIGUEZ

Mr. Raul Rodriguez said that he has asked the Council about the purchase of park lands by the Urban Renewal Agency but so far he has heard nothing.

City Manager Granata said that he had talked to Mr. Winston Martin about this and had been told that a report on the matter is being prepared today.

Mayor Cockrell asked the City Manager to get copies of the appraisals from Mr. Martin and then meet with Mr. Rodriguez to go over them.

MR. JACK MCGINNIS

Mr. Jack McGinnis, representing the national organization for reform of marijuana laws, addressed the Council. He said that he wished to suggest to the Council that the simple possession of marijuana be approached in some way other than the incarceration of offenders. He said that this would be much better than treating a person as a criminal and putting them in jail. He asked that a City policy be adopted whereby a police officer would have an opportunity not to incarcerate a person for simple possession of a few ounces of marijuana.

Mayor Cockrell asked that the Chief of Police be asked to give his opinion of this matter to the City Council.

75-62 The Clerk read the following letter:

October 10, 1975

Honorable Mayor and Members of the City Council
City of San Antonio, Texas

Madam and Gentlemen:

The following petitions were received by my office and forwarded to the City Manager for investigation and report to the City Council.

October 8, 1975

 Petition of Miss Laura Ann Negreta, 163 Octavia Place, and residents on Octavia Place, requesting the City to correct the warped manhole covers which create loud noises night and day.

October 16, 1975

October 9, 1975

Petition of La Trinidad United Methodist Church, submitted by Ms. Naomi Hodge, Chairperson, 300 San Fernando at Pecos, requesting permission to have Pecos Street blocked at the corners of San Fernando Street and Pecos Street and Leona Street and Pecos Street, from 2:00 P. M. to 9:00 P. M., on November 15, 1975, for their Annual Fiesta Bazaar.

October 10, 1975

Petition of Highlands High School Student Council, 3118 Elgin, requesting permission to have a bonfire on October 30, 1975, between 7:30 and 9:00 P. M., on a dirt parking lot on Elgin Street.

/s/ J. H. INSELMANN
City Clerk

* * * *

There being no further business to come before the Council, the meeting adjourned at 4:10 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

October 16, 1975
el

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