

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, JULY 15, 1976.

\* \* \* \*

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.

76-33 The invocation was given by The Reverend Charles Kemble, Universal City Baptist Church.

76-33 MRS. PEGGY KEMBLE

Mayor Cockrell welcomed to the meeting Mrs. Peggy Kemble who was accompanying her husband, the Reverend Charles Kemble.

76-33 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

76-33 The minutes of the meeting of July 8, 1976 were approved.

76-33 CLASS OF STUDENTS FROM JEFFERSON HIGH SCHOOL

Councilman Teniente recognized a group of students from Jefferson High School including his daughter, Karen Kaye, who were visiting the Council meeting.

Mayor Cockrell welcomed them to the meeting.

76-33 ALCALDE PRESENTATION

Dr. Cisneros introduced Mr. Raul Velasco, Producer from Mexico City of the program "Siempre en Domingo" which is broadcast in San Antonio over Channel 41.

Dr. Cisneros then read a Proclamation making Mr. Velasco an Honorary Mayor of La Villita.

Mayor Cockrell presented Mr. Velasco with the Alcalde Certificate and welcomed him to the City.

Mr. Velasco thanked the Mayor for this recognition afforded him.

76-33 PRESENTATION TO MAYOR COCKRELL

Dr. Shirley Abbott, Regional American Director of the Bicentennial Commission, presented a certificate to Mayor Cockrell for her outstanding participation in Bicentennial activities.

Mayor Cockrell thanked Dr. Abbott and accepted the certificate on behalf of the entire City Council.

76-33 MRS. GEORGE CISNEROS AND MISS TINA CISNEROS

Councilman Cisneros introduced his mother, Mrs. George Cisneros, and sister, Miss Tina Cisneros, who were visiting the Council meeting.

The Clerk read the following Ordinance:

AN ORDINANCE 46,874

AUTHORIZING THE CITY MANAGER TO EXECUTE A STANDARD PROFESSIONAL SERVICES CONTRACT WITH NOONAN, KROCKER & DOCKERY, ARCHITECTS AND ENGINEERS, TO PROVIDE PROFESSIONAL SERVICES AND PREPARE PLANS AND SPECIFICATIONS FOR THE HEMISFAIR ARENA EXPANSION PROJECT.

\* \* \* \*

The following discussion took place:

MR. MEL SUELTFENFUSS: This was the Ordinance that was postponed last week. I did not receive any requests for additional information on the matter. It was presented again as requested. I'll be happy to try and answer any questions.

MAYOR LILA COCKRELL: All right, as I recall, this is the contract for the provision of the architectural services for the addition of the 6000 seats to the Arena, and that is proposed and the architectural fee is six (6) percent. Is that correct?

MR. SUELTFENFUSS: That is correct, and the architect has agreed to put an upper ceiling on it not to exceed the \$210,000. In case it does go higher than that, he would not get any fee on the additional amount of the contract.

MAYOR COCKRELL: I see. That was in line with our comment asking that it be restricted to a particular amount.

MR. BOB BILLA: Mayor Cockrell, if I may?

MAYOR COCKRELL: Yes, Mr. Billa.

MR. BILLA: The fee that is being charged, is that the normal fee?

MR. SUELTFENFUSS: No, this is lower than normal. The architect gave us the benefit of the fact that they had some data on the project as they did the work originally and normally the remodeling type contracts go up to 10 percent fee. This will be on a basis of six percent.

DR. D. FORD NIELSEN: Madam Mayor, there's been a little discussion about a possible joint venturing, and I just got a chance to talk to the City Manager this morning about it, Mr. Granata,

CITY MANAGER SAM GRANATA: Yes, sir?

DR. NIELSEN: You had, I didn't know, you had informed that if there were a consideration on the part of the Council in terms of some joint ventures, that it does up the percentage. Of what, now?

CITY MANAGER GRANATA: Yes, yes, what I will, in fairness, I talked with Mr. Sueltenfuss after some discussion of a possible joint venture consideration for this project. He talked to Mr. Noonan, and Mr. Noonan advised him that he would be willing to joint venture, however, the fee would have to go up from 6 percent to approximately 9 percent because primarily, whoever he hired to joint venture with him that about the most they could do for him would be to write specifications, and they would have to ask him what specifications do you want since it is merely the same thing. Now, the biggest, and Mel can get into this more than I because he talked, the biggest problem is if we did away with Noonan completely and go to somebody else, is a great liability comes into it because it is primarily structural engineering and which Noonan has in his firm is structural engineering. When it was first built, he used

Krocker as his structural engineer. He used a man named Ryan as the mechanical engineer, and I think Ryan is no longer living as far as I know, I may be in error and, but if you were to joint venture, the fee would go up. He has no objections to joint venturing, but it would cost us more. And Mel, if I have left anything out, you might fill the Council.....

MR. SUELTFUSS: I may just talk about the liability angle. I think it is very important. The fact that in a joint venture the people all carry liability insurance. And, the, you get into a real, yeah they call it errors and omissions. O and E insurance. And if you get a joint venture, E and O, errors and omissions, and if you get in joint venture, the policy would have to be written for that particular joint venture. And, it gets very complicated and also the fact that if you went to another engineer completely, we would have a very difficult time pinning down responsibility because if something did happen, they could always blame it and say that the guy that did the original was wrong.

MAYOR COCKRELL: I might say I am sympathetic and understanding of the fact that the Council wants to be sure that those architectural jobs that the City has available are fairly distributed in the City and that certainly is a very wise policy or concern on the part of the Council. On the other hand, it does appear in this particular case that it would not be to the benefit of the City to have to pay a higher fee or to have any problem with the liability. Yes, Mr. Hartman.

MR. GLEN HARTMAN: Yes, Madam Mayor. Mel, if I may, I would like to get a little bit more further clarification with regard to the E and O insurance. In the case of a single contractor, of course, he has a policy covering him in regard to E and O. Now, if he co-ventures, presumably, I guess you could double the probability of errors, but what is the difference in terms of the insurance arrangement. In other words, each member of that co-venture would have an E and O policy covering his particular.....

MR. SUELTFUSS: E and O in this particular case, the policy would have to be written for that particular job, because the joint venture would probably be just, you know, probably on a one time basis. Now, the problem is that the rates vary greatly based on experience. In other words, there is a rate, in other words, if a person has good experience on E and O insurance, his rates are different than you know. The point I'm making is that the joint venture E and O thing having been written on a one time basis obviously would probably be higher. The insurance factor alone would be higher on the thing.

MR. AL ROHDE: But you don't know that as a fact.

MR. SUELTFUSS: I was told that is the case, yes.

MR. ROHDE: Not if he's the principle partner.

MR. SUELTFUSS: Well, again, the problem is you have a policy written only for that particular job, is what I'm saying. But the liability is a problem as far as the insurance aspects of it are.

MR. HARTMAN: Why is it a problem, Mel, in other words, if there is an error or an omission that is strictly in the architectural design phase, that's easy to.....

CITY MANAGER GRANATA: I would think, sir, if there had been a track record of these two people, co-venturing in many other jobs, then the insurance company would know what their track record was.

MR. SUELTFUSS: It would depend on the individual who was a part of the joint venture, obviously. I think that's the answer to it.

DR. NIELSEN: Without bringing up names, apparently or I have been told that Tom Ryan did some of the original architectural work...Tom Ryan, the architect, did some of the original, did they have to joint venture way back then?

MR. SUELTFENFUSS: No.

DR. NIELSEN: I don't know.

MR. SUELTFENFUSS: I know now, Tom Ryan rings a bell. I heard the name Ryan....Tom Ryan is an architect whom I know, but he was not joint ventured originally with the project.

DR. NIELSEN: But I thought he did some of the original work on the arena. I don't know.

CITY MANAGER GRANATA: If he did, he may have been hired under the, not known to us, by the original firm of Noonan and Krockner.

MR. SUELTFENFUSS: It would have been as an employee.

CITY MANAGER GRANATA: As an employee.

MAYOR COCKRELL: All right, is there a motion?

MR. HARTMAN: Yes, Madam Mayor, one other question. With regard to the fee, the fee, of course in a joint venture as you say would be higher by virtue of the primary's option. In other words, his option would be to charge a higher fee. This would be totally the primary option, is that right, in other words, the co-venture person would have no.....

MR. SUELTFENFUSS: You would have to basically say then that...the thing about a joint venture, too, is that if you try to marry two people, they have got to be capable to have a joint venture to start with. You can't have a joint venture if two people can't work together, number one. So that in itself brings about a problem of say forcing a joint venture, and I use the word force with quotes around it.

MR. HARTMAN: Okay, so we're talking in terms of a higher fee from a six percent to a nine percent.

MR. SUELTFENFUSS: It would be higher. The second fee would have to be negotiated. But because of the fact that the original contractor feels that he can get very little advantage by hiring, you know, going into joint venture with somebody.

MR. HARTMAN: But he's quoted a three percent.....

MR. SUELTFENFUSS: No, he said that it would be in that range. That could probably be - we would have to sit down and negotiate that. It would have to be higher, let me just put it that way.

MR. HARTMAN: And the E and O policy would run at a higher rate.

MR. SUELTFENFUSS: Yes, it would probably again, depending on who the joint venture was with. We're assuming that there's going to be one, but we haven't said who that person is going to be.

MR. BILLA: I'm not for delaying things, but it seems like everybody has a lot of questions about this thing, not in the capability or something, but if you would delay it another week to satisfy all the people that have these questions so they could do their research and come back and vote, what affect would it have in just a week's delay.

MAYOR COCKRELL: Mr. Billa, let me make this comment. This was pulled last week. In the week, not one member of this Council has come and asked me to have anything discussed. I have caught several members as I was able to see if they had any problems. The original designer, architect and engineering firm is available at a cut rate, you might say, the six percent. They have stated that if they have to co-venture by virtue of this Council requiring it, that it will be at a higher fee. I cannot recommend that this be pulled. I think that we ought to go ahead and get it settled. I think we have all of the other architectural contracts that the City has to try to pass out to the public, but I think that this is one that obviously, the liability is going to be high. It's a very technical thing to raise an existing roof to add more seating, and I think that this Council simply should move ahead on it.

MR. PYNDUS: I would like to call the question, Mayor, please.

MAYOR COCKRELL: We need a motion.

MR. PYNDUS: I move for approval of the ordinance.

MAYOR COCKRELL: Is there a second?

DR. CISNEROS: I second it.

MAYOR COCKRELL: All right. It has been moved and seconded. Any further discussion? Clerk will call the roll.

MAYOR COCKRELL: Oh, excuse me. I beg your pardon. We did have a citizen. I didn't get the list but I do understand...yes, here it is.

MR. KARL WURZ: I think it would be a courtesy to the citizens and to yourselves, if before you made a motion and seconded it that you would hear from the citizens first.

MAYOR COCKRELL: Before we vote...certainly, we will do that.

MR. WURZ: Even before you make the motion. I'm here to implore you to defeat Item VI.

MAYOR COCKRELL: Would you state your name for the record.

MR. WURZ: My name is Karl Wurz. The expansion of the Convention Center Arena, I've heard explanations that this expansion will be of tremendous benefit to our City. First, because of the expansion of the economy and second the City will receive the benefit of nationwide publicity. There are no hard facts and concrete evidence that it will, in effect, achieve these ends. My opinion is that in the area of economics, the contrary will happen. I believe that big time sports actually depletes the economic resources of many cities. Although thousands may benefit from the entertainment, it is a fact that the economic benefit is limited to a very few, an elite group if I may say so.

As for the nationwide publicity, on July 4, our greatest tourist asset and attraction, the Alamo, was placed in Houston by an experienced TV commentator. This, I think, demonstrates the over-confidence placed on nationwide advertising and publicity.

I would not encourage the public's appetite for fun and games. The American public is over-catered to the entertainment field. Far too much of the nation's wealth is spent on fun and games. San Antonio should not follow in the steps of major cities which are fanatically sports-minded. To subsidize sports is and should not be another function of government. It should not be a function of government to encourage nor to create incentives for syndicated or big time crime to move into San Antonio. The San Antonio News carried a story that the Police Department is anticipating an increase of an an invasion by big time gamblers. In other words, organized crime.

Not one cent, I say again, should go toward subsidizing professional sports. As a business, it should stand on its feet without the support of the City treasury. If it cannot then it is not a business, but a service we cannot afford. A service the unemployed cannot use and a source of depletion for the underemployed. San Antonio is not an affluent City. There is affluence, affluence limited to some sectors. Nationwide, in 1929, \$4 billion was spent on recreation. In 1973, it rose to a glutted \$52 billion, an increase of 1200 percent.

It seems evident this Council has the wrong ideas of what the priorities for the general welfare of this City should be. I propose that your vote for this ordinance would mean that you place recreation and amusement before education, health, nutrition, child care and other basic needs. Any appeal that more fun and games in the professional sports is needed, is just another addition of manure to the mountain of unjustifiable priorities. Reverend Black, Dr. Cisneros, and Councilman Teniente should take the lead in defeating this ordinance providing for

the expansion of the Convention Center Arena. I also call upon Councilmen Hartman and Pyndus who has already made a motion for it to lend their support in defeating this ill-advised ordinance. Above all, I would hope that Mayor Cockrell being also a woman and a mother would not vote in favor of professional sports as against education, health, nutrition and child care. When it comes to balancing professional sports against these basic needs, I know where the greater weight lies. So does this Council, but there are those who unwisely will favor professional sports which is not the business of this City. Vote no. The common interest must come before that of special interests. Thank you.

MR. PHIL PYNDUS: Mr. Wurz, inasmuch as I made the motion, I think that you deserve a statement. I certainly do not agree with your conclusions or your logic. The Convention Center, as it presently is constructed, is in bad state of disrepair. The roof leaks. If you have attended a Spurs basketball game, we sat for over 45 minutes to an hour and 15 minutes waiting for the courts to be wiped clean because they couldn't play. So, the fact number one and you must get your facts straight, the Convention Center needs repair. The roof needs repair. San Antonio has been fortunate enough to merge into a major basketball league in this nation. The size of that Arena is approximately 9 to 10,000 seats. The minimum size used by these major cities is about 16,000 seats. We are not only looking to belong to this National Basketball League that will bring a lot of economic good to this City, plus the outlying areas that will come in the City to booster our sports effort, we also are planning for the future. Now, to have 9000 seats available for a town of 800,000 is not adequate enough. So, the Mayor made the suggestion herself....that instead of merely repairing the roof, that we would raise the roof and add the additional seats. I think the suggestion is a good one and I think that now is the time to do it. So, I would repeat my motion to approve the ordinance.

MAYOR COCKRELL: Thank you.

MR. WURZ: Mayor, may I respond to that?

MAYOR COCKRELL: No, sir, your time has elapsed and the Council will consider the motion.

MR. WURZ: I think that's unfair.

MAYOR COCKRELL: You had the five minutes and I'm sorry, Mr. Wurz. I'm going to have to ask to have you escorted out if you will not. I'm sorry. I am going to ask to have the gentleman escorted out. I'm sorry. I have asked that the speaker desist. The speaker has had his time and the Council members are now ready. Yes, Dr. Nielsen.

MR. WURZ: Mayor Cockrell, you are being unfair to me.

DR. NIELSEN: Mel, in this report or the planning process, or whatever it is that they are going to come up with both in terms of architecture and engineering, I think one of the considerations that we'll need some data on as soon as they can put it together is it's going to increase the capacity, in terms of utility costs, could they get us as soon as possible what that increased area will cost us.

MR. SUELTFUSS: We already have the tonnage. We can convert that to dollars and cents.

MAYOR COCKRELL: Thank you. All right, we have a motion and a second. Clerk will call the roll.

MR. BILLA: Abstain.

DR. CISNEROS: Aye.

REV. BLACK: Aye.

MR. HARTMAN: I will vote aye and I would like to state I cannot vote against this motion strictly because I am not prepared to vote for what it would appear from all indications to be a higher price to accomplish what I think to be a necessary change to this facility. I do it somewhat reluctantly because I am not fully satisfied that we have gotten all of the facts but nevertheless I shall vote aye.

MR. ROHDE: I vote no for the following reasons. This is a very key issue in this Council. Architects out of work in this City and here we're giving one firm in this City the big grab of \$500,000 worth of fees. There are other architects in this City that need the work and things of this sort. I just feel that is the issue with me and my vote is no.

MR. TENIENTE: I vote yes. I think that it's important to point out to citizens that this is not just going to a sports complex arena. People such as the Santana group, Elvis Presley and all of these entertainers that will be coming in will certainly make use of this particular facility and I think it's very shortsighted to just single out one sport in this particular venture and I vote yes, a very strong yes.

DR. NIELSEN: Yes, for the economic development which we so badly need in this town.

MAYOR COCKRELL: Yes.

MR. PYNDUS: Yes.

CITY CLERK: The motion is carried.

MAYOR COCKRELL: The motion is carried and we'll go on to the next item.

The Clerk read the following Ordinance:

AN ORDINANCE 46,875

AUTHORIZING EXECUTION OF A CONTRACT BETWEEN THE CITY OF SAN ANTONIO AND THE SAN ANTONIO POLICE OFFICERS' ASSOCIATION IN ACCORDANCE WITH THE FIRE AND POLICE EMPLOYEE RELATIONS ACT.

\* \* \* \*

DR. D. FORD NIELSEN: I move for adoption.

MR. BOB BILLA: I second the motion.

MAYOR LILA COCKRELL: All right, would you like to have it laid out again publicly? I think it has been explained pretty much. I think everybody understands it. All right, we have a motion and a second. It has been stated publicly. Mr. Pyndus.

MR. PHIL PYNDUS: I don't know if everyone knows what we are voting on. I would like to hear...

DR. NIELSEN: Well, we got the whole thing here, Phil.

MR. PYNDUS: All right, I've got it too. I would like to speak against the ordinance. I would like to hear the caption of the ordinance before I speak out against it.

MAYOR COCKRELL: All right fine. We'll ask the Clerk to read the caption.

(The City Clerk read the caption of the Ordinance again.)

MR. PYNDUS: Okay, may I ask a question, please? What are the dollar figures involved in this contract, Mr. McRaven?

MR. CLAUDE McRAVEN: The dollar figure involved in the contract is \$1,423,000.00.

MR. PYNDUS: \$1,423,000.00?

MR. McRAVEN: That is the total figure, yes sir.

MR. PYNDUS: Mr. McRaven, what per cent is that of an increase?

MR. McRAVEN: That is an 8.8 per cent.

MR. PYNDUS: An 8.8 per cent. And what was the amount of increase recommended by the Manager? For an across the board salary increase for all employees?

CITY MANAGER SAM GRANATA: Five point five and, correct me if I am wrong, the one before it, the overall increase in the Police budget is still 5.5, and not 8.8 per cent. Is that correct?

MAYOR COCKRELL: No it was 6.

CITY MANAGER GRANATA: As far as the labor is concerned. In other words, the overall package doesn't change the proposed budget. It is still the same Police budget.

MR. McRAVEN: That's right. It does not change the Police budget.

CITY MANAGER GRANATA: That's correct.

MR. PYNDUS: Mr. McRaven, as the negotiator, I don't mean to take anything out on you, but there are three areas that are affected by this ordinance, and I would like to state my public objection to them.

The first area is the simple matter of fiscal responsibility. I think that San Antonio has had an unusually high utility bill, and this Council has improved, has approved an increase in telephone rates. It has approved an increase in water rates, it has a request for an increase in sewer rates. We have the City Public Service Board come to us last week and asked for another increase in utility rates. Frankly, I feel that with the increases that we have laid upon our citizens, that San Antonio simply cannot afford this \$1.423 million increase because this is only one of several increases that will come before this Council.

Now, the next area that I would like to object to is the fact that whenever we have an across the board increase of a certain per cent, this tends to help the higher paid employee, and if it's for a purpose of a living wage or for to meet the inflationary costs, it does not help where it is intended to because the lower paid employee does not get sufficient monies to this increase as the higher paid employee. So to label it as a straight 5.5 per cent increase across the board, to me, is not a fair and equitable method of giving the employees some relief.

Now, I would also like to state before this Council that I resent the manner in which this increase was placed on our budget. The budget was not discussed in private. It was not discussed with Council prior to public disclosure. The budget included a blanket 5.5 per cent increase and this as a consequence placed Council members in an untenable position. They either vote for an increase, or they stand the political heat. And I think that in the future that the Manager should be instructed that no increases, pay increases will be placed in the budget without prior consultation with the Council.

In respect to an across the board increases, I would like to bring to the attention of this Council that in 1974 we had a 5 per cent increase in February. In October of 1974 we had a 6 per cent increase. In November of 1975, we had a 5 per cent increase. That is 16 per cent. With this increase, we are looking at over 20 per cent increase in the last four years. And this is not including merit increases. And to me I think this is not the correct fiscal manner to approach it.

Now, my last point of area of disagreement that I have is the fact that we have given some groups a higher per cent of increase than others. Now, merely because we have collective bargaining rights with Police and Fire Departments, I do not feel that they should be given an edge or privileges more than the other City employees. This has created a morale problem with the employees of San Antonio. We have some people that are getting 5.6 per cent, we have some that are getting 7, 8 or 9 per cent and I think this is unequitable. I think it is poor administrative or a managerial decision, and I think it behooves the Council to have a consistent rate for each and not for one special group. I would like to register my objection and I would vote against the resolution that is presented.

July 15, 1976  
img

MAYOR COCKRELL: Thank you very much. I would like to make a couple of clarifications. First of all, I think we all have great respect for Mr. Pyndus and his point of view, and he has been a very diligent person about articulating the need to hold the line in City expenses.

I think first of all that we have to say a couple of things about the responsibility of the Manager. It has been traditional that it is the Manager's responsibility and under the Charter it is, that he prepares a City budget working with his department heads, that he thinks is an adequate and fair City budget for the coming year. The Manager in years past has in some years recommended pay increases and in some years he has not. But he has recommended always the budget that he felt was a fair budget. I know that he is very pleased to have been able to recommend a budget that did not call for an increase in the tax rate, and it has been some years since there has been an overall increase in the tax rate. During our current re-evaluation of taxes, we did have a total re-evaluation of values but the assessment rate and then also the tax rate was set so as to receive approximately the same yield plus the annual increment that is always received each year so that it does not affect a tax rate increase.

By not giving raises in the face of rising cost of living, we would, of course, be saying that our employees are faced with decreasing purchasing power and that is a fact of life that we are faced with.

In the particular case of the Fire and Police budgets and the negotiations, the citizens authorized to the passage in a referendum of the special collective bargaining rights that were authorized by the State Legislature subject to public referendum in local communities. I believe that the citizens authorized those collective bargaining rights because of special hazards in the position of fire and police, and I think that was in the minds of the citizens when they authorized the collective bargaining rights. At any rate, we are operating under the mandate and under the authorization of the citizens in those referendums in conducting our collective bargaining negotiations which had been conducted in good faith. The package that is before us today is one that has gone through the collective bargaining process and is coming with, as I understand it, the consent and authorization to participate by the Police Association. Are there any other comments? Reverend Black.

REV. CLAUDE W. BLACK: I think that the Employee Relations Coordinator along with those who represented the Police Department are to be complimented in coming up with this package. Because it indicated a goodwill on the part of both. I think that is always an important element of negotiations of this kind. It indicated goodwill on the part of both because they were able to come out with a package that did not affect the budget. Now, this meant that somebody had to give in the process of this negotiation. So, I want to compliment those parties that were involved because we have got this whether we like it or not, we have got for long years. And if there can be manifest, the spirit of cooperation on the part of management and those who are employed by the City in these negotiations, it seems to me that San Antonio stands in to gain by this.

I would like to express a negative note too at this point and that is I am greatly disappointed in the Police Department's affirmative action response. The affirmative action reports that I

July 15, 1976

img

have received indicate that the leadership of the Police Department is not doing a satisfactory job in this area. Now, why is this serious? I think it is a serious matter for the Police Department to ever reflect in its hiring policy an attitude that does not bring about equity in its employment and I think this is a very dangerous trend and I certainly as I vote on it I want to vote on it with that kind of reservation. I think it is always bad. We have many criminal justice programs that don't reflect any kind of concern for affirmative action. I want in the face of that, I'm complimentary of the Fire Department because they've done a much better job. I do want to make that reservation in the course of my compliment of their negotiations. I do want them to know that there are reservations that I have even as I vote for this package.

MAYOR COCKRELL: Dr. Nielsen.

DR. NIELSEN: For the record a couple of things, Phil, two things. One, it was never at any point an intent on the part of the City Manager in my humble opinion to force this Council in the middle of March, late in the day, and I don't remember the date, there was a discussion, public discussion on the part of the Council and the Manager where he got some feedback from us on a 5.5 per cent. To you and maybe one other were against it, but the majority of the Council were for it.

Number two, there has been a freeze for almost two years on the merit raises. You know, like it or not, that's exactly what's happened. As compensation if you will, fiscal responsibility, and what have you, dealing with the facts we have seen some across the board raises for the last couple of years.

Let me repeat, echo Reverend Black's thanks to the City Manager, Mr. McRaven and his team, I'm sure most people don't know but it's composed of about eight or nine people who were very dedicated to this City, to the responsibility that goes with their particular tasks and all of them have other tasks, except maybe you and well, you've got other responsibilities, too, but most of that team have other responsibilities, and it's just an annual negotiation. I want to thank you and the Manager and everybody else personally. Thank you, Mayor.

MAYOR COCKRELL: Thank you. Let's see, I guess Mr. Billa was next.

MR. BILLA: I just want to say I think staff has done a very commendable job based on what the citizens and this Council expect of them, but I have a concern that Mr. Pyndus has too and that's for those who are employees on the lowest echelon. It seems, you know, that a five per cent raise doesn't amount to anything for a person making \$100 a month. We've got to develop some data for those people making those lower incomes or lowest incomes whether it's sufficient just to provide the bare necessities of life, and I think in that light we really have to review the whole pay scale and try to ascertain that those people at the lowest echelon can get a larger increase one time maybe and then try to adjust it later on on an across the board basis. But, I think it really needs addressing at this time.

MAYOR COCKRELL: All right, fine. When we talk of, when we have our budget hearing next week, if you, in the interim, if you would like to look at any aspects of the pay program, I'm sure that the City Manager will be happy to have his personnel folks sit down with any of the Council members who would like to see it.

MR. BILLA: I understand that but I think it's something that needs the support of the Council in order to give it consideration.

MAYOR COCKRELL: Mr. Rohde, and then Mr. Hartman.

MR. AL ROHDE: Council I will support this, and I feel that the senior patrolman plan has been long overdue. The City has a great problem in getting the type of quality and the quantity of good police officers. I hope the education will eventually go to college but this will retain the young police officers on the force and, in fact, this will be a long term savings to the City.

In these negotiations, City Manager, I notice that our Chief of Police is never included, but I can see this that if he's not included, that he can be bargained out of his position and I'd like to make these two suggestions to the Council, and it's a City management problem, but I've been searching around and I find that our Chief of Police is highly underpaid for a man who controls 1,200 men. He is highly underpaid for a man who controls the budget, the line share of this budget at \$26 million and for an inspector to draw \$2,300 a month and for our Chief of Police to draw \$2,500 a month, I think is not within the step of the pay thing that we're recognizing within the City. We're getting consultants here that are on a year-to-year basis making more money than our Chief of Police, and I'd like for the City Manager to address this issue. Also, one other thing that I caught in reading this I want to see the Chief get those five extra days that everybody in the police force got but the Chief. So, I'd like for you to consider that too, City Manager.

MAYOR COCKRELL: Thank you. Are there any, yes, Mr. Hartman.

MR. GLEN HARTMAN: Yes, Madam Mayor, I would also like to add my compliments to the negotiating team. We had a unique situation here where in the team was instructed to, in effect, hold the line with regard to the overall amount of pay comparable to other City employees but with the promise that the senior patrolmen program could, in effect, be taken out of the existing budget which actually provided for a shrinkage or in the sense of the add-on was required be taken out of the budget that had already been established. I think this is a significant first inasmuch as it forced the department to do a little soul searching as to which priority was higher, and I think that the selection that was made was certainly proper and commendable. I would also hope that the Department would take this opportunity to really bear down on trying to streamline itself. I think there are a number of areas that have been observed by other members of this Council. For example, I think the principal area is to look very closely at those jobs which are now being performed by uniformed personnel which can be performed by civilians. I would hope that this is an area that... inaudible...very, very carefully, and I would hope that the Department by this time next year will have looked into this and made significant changes.

MAYOR COCKRELL: Mr. Teniente.

MR. RICHARD TENIENTE: Madam Mayor, I can't agree any stronger with the remarks that have been made by some of the Council, but we've got a long day and if we don't stop on it, we're going to be here until nine tonight just going on this item. I call for the question.

MAYOR COCKRELL: Yes sir, all right, Mr. Granata, did you want to say something.

CITY MANAGER GRANATA: May I just say, yes, I'd like to just say a couple of things if I may please. I'll try to speak fast. As you know, the Manager recommended a 5.5 across the board. I still recommend that. The 8.8 came out of keeping the Council fully informed what the negotiating team was doing at the bargaining table. I did not change that. We went along with it, and we instructed the team to bring that back. Last year, I did not see where we could give a raise. The Council said in November to give a 6 per cent raise which we did through austerity program and we saved the money. It's always very difficult when you've got two outfits with collective bargaining. Some with none, and then two other organizations in separate unions to get everybody on the same track. I, too, would like to see every City employee treated the same. I, too, wish that I could come to you and say let's give so much money and to the lower echelon and so much money to the upper echelon.

Now, one of the reasons for the echelon, and there's always more especially in the police in the lower echelon. You want to keep the differential. You've got to give these gentlemen an incentive to want to become a lieutenant or a captain or an inspector and that's one thing that we've worked up to but there are very few at the top. Most of them are at the bottom. So, it's a difficult thing for whoever is managing it. I see all of your viewpoints and I'll do my best to try to be as fair as I can, but my original recommendation was 5.5, the others have come out through the negotiations.

MAYOR COCKRELL: Mr. Pyndus, did you want to ask...

MR. PYNDUS: Yes Madam. Mr. Granata, I owe you an apology.

CITY MANAGER GRANATA: That's all right sir.

MR. PYNDUS: Let me explain because it's going to be half of one.

MR. ROHDE: You didn't know he was going to apologize?

MR. PYNDUS: I still think when you give some employees a higher raise than you give others merely because they have collective bargaining rights, that this is not fair and this is not equitable.

CITY MANAGER GRANATA: But I did not give it.

MR. PYNDUS: I understand sir. And I would like to shift the blame from you, Mr. Granata, to this Council.

CITY MANAGER GRANATA: We'll fix it later.

MR. PYNDUS: And this is where it belongs and at first when this happened, I was very unhappy with you and you will recall that.

CITY MANAGER GRANATA: Yes sir.

MR. PYNDUS: But after all, the policy decisions come from this Council.

CITY MANAGER GRANATA: That's correct.

MR. PYNDUS: And if they cannot watch the budget and if they cannot bargain even for all employees, that's our responsibility, not yours.

CITY MANAGER GRANATA: Yes sir.

MR. PYNDUS: That's where my apology comes.

CITY MANAGER GRANATA: One other remark I'd like to make. You stated that in the future a Manager should tell you in private what he, we have to have open meetings law and the only time I can tell you when there's five of you together is in the open what the budget is going to be.

MR. PYNDUS: This was a personnel matter, and I think when you have an increase in pay for personnel, it should be discussed in closed session.

CITY MANAGER GRANATA: Okay, fine, if we pull personnel out of the budget, okay.

MAYOR COCKRELL: Thank you. Mr. McRaven.

MR. McRAVEN: May I just quote two clauses from my contract. I'm doing this for the benefit of the press. "Subject to the Maintenance of Standards Clause, it is agreed that the employer shall not be subject to provide additional wages, compensation, or emoluments of any kind beyond that which is specified in this contract; and should any future state law be enacted which requires cities to compenstate City policy in any manner beyond the scope of this contract, the compensation or emolument levied against the City shall be waived and disclaimed in toto."

MAYOR COCKRELL: Thank you sir.

MR. McRAVEN: And the last clause of our contract states, "In the event that any provision of this agreement conflicts or is inconsistent with any provision of Article 1269-M, Revised Civil Statues of Texas, this agreement shall prevail notwithstanding any such provision of Article 1269-M." This is a very key issue in our firefighter negotiations and the police.

DR. NIELSEN: It's within the state law.

MAYOR COCKRELL: Yes, it's under an, that it is consistent with the state law, right.

MR. McRAVEN: Very much consistent with the state law.

MAYOR COCKRELL: Right, thank you sir. I noticed that Mr. Rodriguez was registered, and I didn't know if he was registered on this item, sir, or later today. Allright fine. Would you like to speak then? We'll call Mr. Rodriguez.

MR. RAUL RODRIGUEZ: I did not, don't have a prepared statement because I was busy with another matter. But I'm speaking as a concerned citizen who has brought numerous complaints against the Police Department of San Antonio. I'm speaking as a taxpayer too. And I find it passing strange that any proposal should be made to reward...inaudible...to reward bad conduct, require disloyalty toward the citizens and taxpayers of San Antonio on the part of the Police Department. For example, this is an article, a front page article which appeared in the Evening News, July 4, almost two weeks ago. And it says corruption saps police morale. It goes on to make charges about policemen who are leaving the police force because they can't stand the corruption and the wrongdoing, anything. They say they are accused, they say they are afraid to step over to accuse their superiors who are tolerating brutality and corruption in the Department. They talk about policemen who habitually and needlessly beat the prisoners, about police

July 15, 1976  
img

who leak information in advance of police raids. There are many, many charges about beatings in the jail and about policemen lying, and brass protecting policemen, who should really be in the penitentiary and not in the police force. I noticed with wonder that only two of the present Councilmen spoke on this article, Councilman Hartman and Councilman Rohde. I am very surprised that the rest of you to my knowledge never said one word, and this is extremely important because corruption will break down the nation and is breaking down this community. And if instead of instituting a thorough shake up, a thorough investigation of the Police Department, you reward them with a pay raise, it's crazy. It's Alice in Wonderland.

You, Mrs. Cockrell, are personally accused of hiding facts concerning the so-called referendum. If you remember, I hope you do, that there were three citizens who appealed to you not to approve the election results because they had been obtained through coercion and intimidation. Thirty thousand signatures were obtained by the Police, but they were obtained under the threat while being uniformed and wearing pistols and threatening citizens. One of them, three people, especially complained to you the day before the election results were approved by the City Council saying that he had been threatened inside the polling place and that the policeman pulled out his blackjack and threatened to hit him with it and threatened to put him in jail. I looked at the minutes. There is not one word of you communicating this criticism, this report of extremely bad conduct on the part of the Police Department, threats, mafia-like tactics to anybody on the Council and certainly not to the public. Now, I think you are in bad faith, you acted in bad faith, you really are an enemy of the people of the community, the taxpayers, because...inaudible...sacrifice us and what can we do? The price of the cost of living goes up yes, but how about the people in here? How about the old ladies, people like me, what can we do? You don't think about us. You should worry about the unemployed, the people who live on very little, not those big fat jobs to which they are really not entitled. And I call upon this Council to institute and start on a thorough investigation of the Police Department because we need it badly. I know I am wasting my time, but somebody has to say it. And when you said something about the election returns, Mrs. Cockrell, I remembered they got 30,000 signatures, but they only got about 11,000 votes.

MAYOR COCKRELL: Yes they did. Oh well, let me just say that the City Clerk has the responsibility of certifying election results, and his office is a very thorough and a very efficient one. The City Clerk at that time was Mr. Jake Inselmann. Any time there are any complaints about any election process they are always filed with the City Clerk. There was no question whatever that the election, the referendum that was held both on the Fire and Police was a perfectly legal referendum and so they are, those laws are in effect. Any time there are challenges to an election process, there are certain established processes to go through so we are operating under items that were approved by the citizens. Now, then, in connection with any alleged corruption in either the Police Department or any other department of the City, there are processes set up for citizens to come to the, to get these things corrected and in the particular case of the Police Department, the office of the District Attorney is available and the Grand Jury is always in session. There are ways of getting an indictment against any person for any alleged wrongdoing. The processes of justice are very open, and I am sorry, but we cannot, we cannot blacken an entire Police Department based on any particular individual newspaper report.

MR. RODRIGUEZ: Well, he talks of 14 patrolmen and officers.

MAYOR COCKRELL: Yes, yes, any specific information that anyone has...

MR. RODRIGUEZ: Mrs. Cockrell, why don't you tell me that you are not interested in any of this. You make a long speech. When you finished, I forgot where you started to talk about, most of the time.

MAYOR COCKRELL: All right, all right, yes sir. Well fine, for your, thank you so much Mr. Rodriguez. All right, sure.

MR. RODRIGUEZ: Speak plain English, plain words. The police are being accused of being crooked, of misdeeds, to protect us. Are you going to investigate, you, you, I am not talking about..if I wanted to go to the District Attorney, I know where he is. I know where the judges are. I know where the Federal Court is. I know all that or I try to find out, but it is up to you because you tell...

MAYOR COCKRELL: Yes fine. Sure, okay. Thank you. Mr. Rodriguez, you did hear the bell ring, I know, and you like to put on a big show for the audience, and we thank you for coming, yes sir. Fine, yes, thank you. Okay, I am sorry. I am sorry, would you please excuse yourself Mr. Rodriguez.

DR. NIELSEN: Raul, I love you like a brother.

MR. RODRIGUEZ: I know you do. You just don't act like it.

DR. NIELSEN: Sometimes you don't act like my brother either.

MAYOR COCKRELL: Okay, any other comments by the Council. Yes, Mr. Rohde.

MR. ROHDE: Yes Mayor, it takes two to make a bargain, and I did want to express my personal appreciation and probably the thinking of some other members of the Council for the high professional and command trust that Officer Clancy did for his association. It was done with dignity and there was no pressure. I think this is a good example of what collective bargaining is all about.

MAYOR COCKRELL: Fine, will the Clerk call the roll.

The Ordinance was passed and approved by the following roll call vote: AYES: Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell, Billa; NAYS: Pyndus; ABSENT: None.

MAYOR COCKRELL: Thank you very much. Mr. Clancy, would you like to be recognized? The President of the San Antonio Police Officers' Association.

MR. JERRY CLANCY: Madam Mayor, members of Council and Mr. Granata and City staff, we enjoyed being allowed the privilege to participate in collective bargaining in the City of San Antonio. We feel that not only did the Police officers gain in this contract, but the City gains and what's more important to us as Police officers is that the citizens of San Antonio gained also, and I thank you all for your cooperation.

MAYOR COCKRELL: Thank you very much.

July 15, 1976

img

-16-

Councilman Cisneros introduced a singing group called "His Brothers Children". This group of young people sings on the Paseo Del Rio earning money they use to take trips overseas. This year the group will go to Poland.

Mayor Cockrell then read a proclamation appointing His Brothers Children ambassadors of goodwill representing the City of San Antonio in their travels. She presented the proclamation to the group and congratulated them.

ZONING HEARINGS

1. CASE 6558 - to rezone Parcel 17, NCB 14857, 10374 Block of I. H. 10 Expressway, from Temporary "R-1" Single Family Residential District to "B-3" Business District, located on the northeast side of I. H. 10 Expressway, being approximately 1360' southeast of the intersection of Woodstone Drive and I. H. 10 Expressway, having 166.26' on I. H. 10 Expressway and a maximum depth of 399.55'.

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

No one spoke in opposition.

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

## AN ORDINANCE 46,876

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 17, NCB 14857, 10374 BLOCK OF I. H. 10 EXPRESSWAY, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

\* \* \* \*

2. CASE 6544 - to rezone Lots 1 thru 5, Block 6, NCB 15510 7803 Highway 90 West Expressway, from Temporary "R-1" Single Family Residential District to "B-3" Business District, located on the west side of Observation Drive, between Spiral Avenue and U. S. Highway 90 West Expressway, having 110' on Observation Drive, 320' on Spiral Avenue and 315' on U. S. Highway 90 West.

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

No one spoke in opposition.

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

AN ORDINANCE 46,877

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 1 THRU 5, BLOCK 6, NCB 15510, 7803 HIGHWAY 90 WEST EXPRESSWAY, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

\* \* \* \*

3. CASE 6537 - to rezone Parcel 14, NCB 15684, 11800 Block of Nacogdoches Road, from Temporary "R-1" Single Family Residential District to "I-1" Light Industry District, located between Nacogdoches Road and Perrin-Beitel Road, being 492' south and 713' southwest of the cutback between Nacogdoches Road and Perrin-Beitel Road, having 355' on Nacogdoches Road and 518' on Perrin-Beitel Road.

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

No one spoke in opposition.

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

AN ORDINANCE 46,878

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 14, NCB 15684, 11800 BLOCK OF NACOGDOCHES ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

\* \* \* \*

4. CASE 6472 - to rezone Lots 29, and 42, Block 1, NCB 12811, 7400 Block of Louis Pasteur Drive, from Temporary "A" Single Family Residential District to "B-2" Business District, located east of the intersection of Louis Pasteur Drive and Clinic Drive, having 231.88' on Louis Pasteur Drive and 248.95' on Clinic Drive.

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

Mr. Teniente said that he had had calls concerning this case. The area involved, he said, is crowded with business zoning. In view of the existing conditions, he moved that the area be zoned "O-1" Office District instead of the "B-2" zoning requested. The motion was seconded by Mr. Rohde.

Mr. Jim Bisang, representing the applicant, Oak Dell Plaza, said that his client intends to build an office building for doctors. Several leases have been signed. At the present time a pharmacy is not planned in the building. He said that much of the property surrounding this tract is zoned for business and he would prefer "B-2" zoning instead of "O-1" zoning. There will be some medically oriented commercial businesses in the building.

Mr. Pyndus urged the Council to follow the recommendation of the staff and the Zoning Commission and grant the "B-2" zoning.

Mr. Pyndus offered a substitute motion that the recommendation of the Zoning Commission be approved and that the property be rezoned "B-2" Business District. The substitute motion was seconded by Mr. Hartman and on the following roll call vote, failed to carry: AYES: Pyndus, Black, Hartman, Cockrell; NAYS: Billa, Rohde, Teniente, Nielsen; ABSTAIN: Cisneros.

After further consideration, the original motion by Mr. Teniente, carrying with it adoption of the following ordinance was passed and approved by the following roll call vote: AYES: Billa, Cisneros, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: Pyndus, Black; ABSENT: None.

AN ORDINANCE 46,879

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 14, NCB  
15684, 11800 BLOCK OF NACOGDOCHES ROAD,  
FROM TEMPORARY "R-1" SINGLE FAMILY  
RESIDENTIAL DISTRICT TO "I-1" LIGHT  
INDUSTRY DISTRICT, PROVIDED THAT  
PROPER REPLATTING IS ACCOMPLISHED.

\* \* \* \*

5. CASE 6526 - to rezone Lots 1 thru 5, NCB 11149, 500 Block of Chavaneaux Road, from "B" Two Family Residential District to "I-1" Light Industry District, located northwest of the intersection of Garnett Avenue, and Chavaneaux Road, having 220.95' on Garnett Avenue and 281.7' on Chavaneaux Road.

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

No one spoke in opposition.

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

AN ORDINANCE 46,880

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 1 THRU 5,  
NCB 11149, 500 BLOCK OF CHAVANEAUX  
ROAD, FROM "B" TWO FAMILY RESIDENTIAL  
DISTRICT TO "I-1" LIGHT INDUSTRY  
DISTRICT, PROVIDED THAT PROPER RE-  
PLATTING IS ACCOMPLISHED.

\* \* \* \*

6. CASE 6551 - to rezone Parcel A-5, NCB 13950, 5503 Old Highway 90 West, from "R-A" Residential-Agriculture District to "B-3" Business District, located on the northwest side of Callaghan Road between McDavitt Road and Old Highway 90 West, having 160' on McDavitt Road, 75.91' on Old Highway 90 West and a total of 200.37' on Callaghan Road.

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

No one spoke in opposition.

After consideration, Mr. Billa made a motion that the recommendation of the Zoning 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, Nielsen, Cockrell; NAYS: None; ABSENT: Teniente.

AN ORDINANCE 46,881

AMENDING CHAPTER 42 OF THE CITY CODE  
THAT CONSTITUTES THE COMPREHENSIVE  
ZONING ORDINANCE OF THE CITY OF SAN  
ANTONIO BY CHANGING THE CLASSIFICATION  
AND REZONING OF CERTAIN PROPERTY  
DESCRIBED HEREIN AS PARCEL A-5, NCB  
13950, 5503 OLD HIGHWAY 90 WEST, FROM  
"R-A" RESIDENTIAL-AGRICULTURE DISTRICT  
TO "B-3" BUSINESS DISTRICT, PROVIDED  
THAT PROPER REPLATTING IS ACCOMPLISHED.

\* \* \* \*

7. CASE 6534 - to rezone Lots 30 thru 32, Block 4, NCB 8989, 962 Old Highway 90 West, from "F" Local Retail District to "I-1" Light Industry District, located east of the intersection of Old Highway 90 West and 40th Street, having 321.59' on Old Highway 90 West and 8.21' on 40th Street.

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

Mr. Pyndus moved to deny the request based on staff's recommendation. Dr. Nielsen seconded the motion.

Mr. Sidney Epstein, the applicant, stated he would like the change in zoning because he would like to operate a small lumber yard on the subject property.

Mr. Pyndus then read the reasons why the staff is recommending against the introduction of industrial zoning along this major arterial.

Mr. Billa suggested that the applicant be granted "B-3" zoning, but after discussion, it was determined that a lumberyard is not permitted under "B-3" zoning.

Mr. Teniente spoke against the motion to deny the rezoning.

No citizen appeared to speak in opposition.

On roll call, the motion to deny made by Mr. Pyndus, seconded by Dr. Nielsen failed to carry on the following roll call vote: AYES: Pyndus, Black, Nielsen; NAYS: Billa, Cisneros, Hartman, Rohde, Teniente, Cockrell; ABSENT: None.

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

AN ORDINANCE 46,882

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 30 THRU 32, BLOCK 4, NCB 8989, 962 OLD HIGHWAY 90 WEST, FROM "F" LOCAL RETAIL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

\* \* \* \*

8. CASE 6507 - to rezone Tracts 3, 4, and the northeast 106.6' of Tract 2, and the southwest 41.3' of Tract 5, NCB 16587, being those portions presently inside the City limits of San Antonio, 15800 Block of Nacogdoches Road, from Temporary "R-1" Single Family Residential District to "B-2" Business District, located on the southeast side of Nacogdoches Road, being 519.5' northeast of the intersection of Nacogdoches Road and Toepperwein Road, having 574.3' on Nacogdoches Road and a depth of 250'.

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

No one spoke in opposition.

After consideration, Dr. Cisneros made a motion that the recommendation of the Zoning Commission be approved, provided that proper replatting 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, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 46,883

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 TRACTS 3, 4, AND THE NORTHEAST 106.6' OF TRACT 2, AND THE SOUTHWEST 41.3' OF TRACT 5, NCB 16587, BEING THOSE PORTIONS PRESENTLY INSIDE THE CITY LIMITS OF SAN ANTONIO, 15800 BLOCK OF NACOGDOCHES ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

\* \* \* \*

9. CASE 6535 - to rezone a 0.771 acre tract of land out of NCB 13627, being further described by field notes filed in the office of the City Clerk, 8000 Block of Pinebrook Drive, from "O-1" Office District to "B-3" Business District, located 33.48' southwest of Pinebrook Drive and 30' northwest of Briaridge Drive, being an irregular tract of land, having 250.59' in length and a total of 323.07' in width.

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

No one spoke in opposition.

After consideration, Dr. Nielsen made a motion that the recommendation of the Zoning Commission be approved, provided that proper replatting 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, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 46,884

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 0.771 ACRE TRACT OF LAND OUT OF NCB 13627, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 8000 BLOCK OF PINEBROOK DRIVE, FROM "O-1" OFFICE DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

\* \* \* \*

10. CASE 6530 - to rezone Lot 21, Block 2, NCB 15587, 6921 S. W. Military Drive, from Temporary "R-1" Single Family Residential District to "B-3" Business District, located southwest of the intersection of S. W. Military Drive and W. Plaza Drive, having 170.17' on S. W. Military Drive and 199.93' on W. Plaza Drive.

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

No one spoke in opposition.

After consideration, Mr. Billa made a motion that the recommendation of the Zoning Commission be approved, provided that proper replatting 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, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 46,885

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 21, BLOCK 2, NCB 15587, 6921 S. W. MILITARY DRIVE, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

\* \* \* \*

11. CASE 6523 - to rezone Lot 2, Block 10, NCB 15569, 7015 Remuda Drive, from Temporary "R-1" Single Family Residential District to "O-1" Office District, located on the north side of Remuda Drive, being 70' east of the intersection of Military Drive and Remuda Drive, having 76.69' on Remuda Drive and a maximum depth of 148.36'.

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

No one spoke in opposition.

After consideration, Mr. Teniente made a motion that the recommendation of the Zoning Commission be approved, provided that proper replatting is accomplished and that a six foot solid screen fence is erected and maintained along the east property line. Dr. Nielsen 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, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 46,886

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 10,  
NCB 15569, 7015 REMUDA DRIVE, FROM  
TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL  
DISTRICT TO "O-1" OFFICE DISTRICT,  
PROVIDED THAT PROPER REPLATTING IS  
ACCOMPLISHED AND THAT A SIX FOOT SOLID  
SCREEN FENCE IS ERECTED AND MAINTAINED  
ALONG THE EAST PROPERTY LINE.

\* \* \* \*

12. CASE 6528 - to rezone Lot 4, Tract 38 and 39, NCB 14735, 10034 Vance Jackson Road, from "R-6" Townhouse District to "P-1(R-1)" Planned Unit Development Single Family District, located on the north-east side of Vance Jackson Road, being 796.10' northwest of the intersection of Wurzbach Road and Vance Jackson Road, having 240.2' on Vance Jackson Road and a maximum depth of 1944.1'.

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

No one spoke in opposition.

Later in the meeting, Mrs. Charles H. Carruth stated that she had been unable to get to the podium to speak in opposition to Case 6528 and asked the Council to reconsider this case.

Mr. Rohde made a motion to reconsider Case 6528. Mr. Pyndus seconded the motion. On roll call, the motion prevailed by the following roll call vote: AYES: Pyndus, Billa, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Cisneros.

Mrs. Charles H. Carruth, 11002 Vance Jackson, spoke in opposition to the change in zoning because there are no drainage provisions indicated in the PUD plans and the water will back up into her property.

Mr. Gene Hooker, representing the applicant, spoke regarding replatting requirements. He stated that they could not obtain a building permit unless they meet and exceed all drainage requirements during the replat. He said that they intend to cooperate with the City to assure Mrs. Carruth that they will not do anything to hurt her property. He said that the piece of property Mrs. Carruth is concerned about is being studied and with proper engineering, there should be no problem.

In response to Mayor Cockrell, Mr. Camargo stated that in this case, since it is a Planned Unit Development, the plan is reviewed by the Planning Commission in conjunction with the subdivision plat after having been reviewed by the Public Works Director assuring that there is proper drainage on the subject property.

In response to Mr. Hartman, Mr. Hooker stated that there is no plan as of yet for a common area recreational facility. In a case like this one, a driveway ingress and egress, curbs and sidewalks may be designated common facility until they are dedicated to the City.

Mr. Hartman stated that the PUD regulations need revision and a designated common facility should be provided.

After consideration, Mr. Pyndus made a motion that the recommendation of the Zoning Commission be approved, provided that proper platting is accomplished. Dr. Nielsen 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, Nielsen, Cockrell; NAYS: None; ABSENT: Teniente.

#### AN ORDINANCE 46,887

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 4, TRACT 38  
AND 39, NCB 14735, 10034 VANCE JACKSON  
ROAD, FROM "R-6" TOWNHOUSE DISTRICT TO  
"P-1(R-1)" PLANNED UNIT DEVELOPMENT  
SINGLE FAMILY DISTRICT, PROVIDED THAT  
PROPER PLATTING IS ACCOMPLISHED.

\* \* \* \*

Mr. Hartman asked that staff begin to review the current PUD regulations in regards to the common facility requirements.

13. CASE 6559 - to rezone Lots 4, 5, and 6, Block 25, NCB 10100, 2100 Block of E. Southcross Blvd., from "D" Apartment District to "B-2" Business District, located between Kathy Drive and E. Southcross Blvd., being 170' west of S. New Braunfels Blvd., having 162' on both Kathy Drive and E. Southcross Blvd. and a depth of 122.62' between Kathy Drive and E. Southcross Blvd.

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

In response to a question by Mr. Pyndus, Mr. Camargo stated that the staff had recommended approval of the requested change because "B-3" and "B-2" Business zonings have already been established at the major intersection of New Braunfels Avenue, Southcross Blvd. and I. H. 37 Expressway with a major shopping facility being to the northeast of this intersection. In the staff's opinion, business zoning should be concentrated at these types of business nodes to discourage the strip development of the residential lots along Southcross.

No one spoke in opposition.

After consideration, Mr. Teniente made a motion that the recommendation of the Zoning Commission be approved, provided that proper replatting is accomplished, that a six foot solid screen fence is erected and maintained along the north property line and that a 1' non-access easement is imposed on the north property line along Kathy Drive. 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: Billa, Black, Hartman, Rohde, Teniente, Cockrell; NAYS: None; ABSENT: Cisneros; ABSTAIN: Pyndus, Nielsen.

## AN ORDINANCE 46,888

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 4, 5, AND 6, BLOCK 25, NCB 10100, 2100 BLOCK OF E. SOUTHCROSS BLVD., FROM "D" APARTMENT DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED, THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTH PROPERTY LINE AND THAT A 1' NON-ACCESS EASEMENT IS IMPOSED ON THE NORTH PROPERTY LINE ALONG KATHY DRIVE.

\* \* \* \*

SALE OF \$60,000,000 "CITY OF SAN ANTONIO,  
TEXAS, ELECTRIC AND GAS SYSTEMS REVENUE  
IMPROVEMENT BONDS, NEW SERIES 1976-A"

At 11:00 A. M., bids received for the sale of \$60,000,000 City of San Antonio, Texas, Electric and Gas Systems Revenue Bonds, New Series 1976-A, were opened and read as follows:

BACHE HALSEY STUART INC. AND ASSOCIATES

Total interest from August 1, 1976 to final maturity:	\$60,689,475.00
Less: Premium	4,800.00
Net Interest Cost:	<u>\$60,684,675.00</u>

Effective Interest Rate: 6.1790%

SALOMON BROTHERS AND ASSOCIATES

Total interest from August 1, 1976 to final maturity:	\$61,272,131.25
Less: Premium	4,172.00
Net Interest Cost:	<u>\$61,267,959.25</u>

Effective Interest Rate: 6.2384%

Mr. Karl Wurz spoke in opposition to the sale of the \$60 million in bonds because of the excessive interest costs.

After verification of the bids, Mr. Sam Maclin, Bond Consultant for the City Public Service Board, made a report on the bids received. The best bid was received from Bache Halsey Stuart Inc. and Associates at an interest rate of 6.17%. This is approximately ten basis points better than the last rate received on the previous bond sale. He recommended awarding the bonds to the low bidder of Bache Halsey and Stuart.

After consideration, on motion of Mr. Billa, seconded by Dr. Cisneros, the following Ordinance was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None; ABSTAIN: Black.

AN ORDINANCE 46,899

BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS, AWARDING THE SALE OF CITY OF SAN ANTONIO, TEXAS, ELECTRIC AND GAS SYSTEMS REVENUE IMPROVEMENT BONDS, NEW SERIES 1976-A, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$60,000,000, PRESCRIBING THE INTEREST RATES TO BE BORNE BY SAID BONDS, MAKING OTHER PROVISIONS IN THE PREMISES AND DECLARING AN EMERGENCY. (TO BACHE HALSEY STUART INC. AND ASSOCIATES)

\* \* \* \*

July 15, 1976  
img

76-33 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Pyndus, seconded by Mr. Rohde, was passed and approved by the following vote: AYES: Pyndus, Billa, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSTAIN: Cisneros, Black, Hartman; ABSENT: None.

AN ORDINANCE 46,890

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF ELECTRICAL TRANSMISSION AND DISTRIBUTION LINE EASEMENTS OVER AND ACROSS CERTAIN PRIVATELY OWNED REAL PROPERTY IN BEXAR, COMAL, GUADALUPE, WILSON, KARNES, GONZALES, DE WITT, VICTORIA, LAVACA JACKSON AND WHARTON COUNTIES, TEXAS, FOR PUBLIC PURPOSES, TO WIT: CONSTRUCTION AND OPERATION OF THE SOUTH TEXAS PROJECT TRANSMISSION LINE, AND PARALLEL DISTRIBUTION LINES, FOR THE CITY ELECTRIC SYSTEM: AUTHORIZING ALL APPROPRIATE ACTION OF THE CITY PUBLIC SERVICE BOARD OF SAN ANTONIO IN THE INSTITUTION AND PROSECUTION OF CONDEMNATION PROCEEDINGS TO ACQUIRE SO MUCH THEREOF AS CANNOT BE ACQUIRED THROUGH NEGOTIATION, AND DECLARING AN EMERGENCY.

\* \* \* \*

32. CASE 6423 - to rezone Lots 12 through 16, save and except the southwest 58.69', Block A, NCB 2873, 200 Block of Furnish Avenue, from "C" Apartment District to "I-1" Light Industry District; and the southwest 58.69' of Lots 12 through 16, Block A, NCB 2873, from "C" Apartment District to "O-1" Office District, 200 Block of Furnish Avenue.

The "I-1" zone is located on the northeast side of Furnish Avenue, 550' northwest of the intersection of Furnish Avenue and South Flores Street, being 58.69' northeast, having a width of 250' and a depth of 80'.

The "O-1" zone is located on the northeast side of Furnish Avenue 550' northwest of the intersection of Furnish Avenue and South Flores Street, having 250' on Furnish Avenue and a depth of 58.69'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Zoning Commission recommended be approved by the City Council. Mr. Camargo stated that more than twenty per cent opposition had been received so it will require seven affirmative votes to approve the zoning of this property.

Mr. Tom Martin, representing the applicant, stated he was also representing the employees of the Tex-Pak Company. He then gave a brief history of the company. The company has grown from 19 employees to 200 employees and a need for expansion exists. Over a period of years the company purchased the five lots that are the subject of this rezoning case. The purpose which is to expand its loading dock warehouse and office space. They have attempted to meet with the neighbors

in an attempt to resolve any differences in this case. In an attempt to compromise, Mr. Martin stated that they are requesting only 80' to be rezoned "I-1" which is necessary for the expansion of the loading dock warehouse. The remainder of the property to be rezoned "O-1". A solid masonry wall will be erected on the south, east and west property lines to serve as a buffer. Landscaping will also be provided. A non-access easement will be placed on Furnish Avenue restricting all ingress and egress. He then displayed a map indicating the different uses in the area. He asked the Council to favorably consider their request.

In response to Mr. Pyndus, Mr. Camargo stated that the staff does not envision the subject area transitioning into commercial property.

In response to a question by Dr. Cisneros, Mrs. Florida Barnes, General Manager of the Tex-Pak Company, stated that after their previous request for rezoning was denied by the City Council on April 5, 1974, they did attempt to seel this property, but were unsuccessful. She said that if they are forced to leave the premises will probably remain vacant. They were also unsuccessful in locating other property within the area served by bus lines which is vital to Tex-Pak employees. These factors prompted them to return to the Zoning Commission with another attempt to get the rezoning approved. If the request is denied, they will be forced to leave the property. She asked the Council for favorable consideration of the request.

The following also spoke in favor of the request for rezoning:

Agnes Tijerina  
Dorothy Cox  
Fran Mendez

A group of citizens then appeared to speak in opposition to the change in zone because they desire to keep their neighborhood intact and not have introduction of additional traffic. The following spoke in opposition:

Mrs. Irene Arispe  
Mrs. Mabel M. Norton  
Mrs. Ramon Frausto  
Mr. Raul Rosales  
Father Paul Sicilia

In rebuttal, Mr. Martin stated that they have attempted to compromise with the neighbors. He stated that Tex-Pak will be forced to leave if the zoning is not permitted. There are 25 southside single family households that are employed by this company and are dependent on the company for their jobs. He proposed as a compromise that Lot 12 and Lot 16, be included into the "O-1" zoning so that only three of the Lots, 13, 14 and 15, to a depth of 80' be allowed the "I-1" zoning. Thereby allowing the dock extension of 50' over the existing property line, but allowing no other construction of improvements other than parking.

After consideration, Mr. Teniente made a motion that the entire area be rezoned "O-1" with the same stipulation imposed by the Zoning Commission. Reverend Black seconded the motion.

Mr. Pyndus then made a substitute motion to refer this case back to the Zoning Commission for further study. Mr. Rohde seconded the motion. The motion failed to carry on the following roll call vote: AYES: Pyndus, Billa; NAYS: Cisneros, Black, Hartman, Rohde, Teniente, Cockrell; ABSENT: Nielsen.

After further consideration, on the following roll call vote the original motion by Mr. Teniente to rezone the area "O-1" was defeated by the following vote: AYES: Black, Teniente; NAYS: Pyndus, Billa, Cisneros, Hartman, Rohde, Cockrell; ABSENT: Nielsen.

The request for rezoning was denied.

76-33 The meeting recessed for lunch at 12:20 P. M. and reconvened at 1:45 P.M.

29. CASE 6521 - to rezone a 26 acre tract of land out of NCB 13826, being further described by field notes filed in the Office of the City Cler, from Temporary "A" Single Family Residential District to "B-3" Business District; a 20.45 acre tract of land out of NCB 13826, being further described by field notes filed in the Office of the City Clerk, from Temporary "A" Single Family Residential District to "O-1" Office District; and a 30.5 acre tract of land out of NCB 13826, being further described by field notes filed in the Office of the City Clerk, from Temporary "A" Single Family Residential District to "R-1" Single Family Residential District; 14300 and 14400 Blocks of San Pedro Avenue.

The "B-3" zone is located approximately 1381' northeast of the intersection of Bitters Road and San Pedro Avenue being an irregular tract of land, having 2201.42' on San Pedro Avenue and a maximum depth of 600'.

The "O-1" zone is located approximately 515' northeast of the intersection of Coulter Drive and Heimer Road and 300' northwest of Heimer Road, having a maximum width of 1398.3' and a maximum depth of 1170'.

The "R-1" zone is located approximately 215' northeast of the intersection of Coulter and Heimer Road being an irregular tract of land having 1998.3' on Heimer Road and a maximum depth of 1799.3'.

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

Mr. Monroe Bibb, the applicant, stated that the requested change in property is being sought for the purpose of commercial and office development. He stated that the Zoning Commission voted nine in favor to approve the rezoning.

In response to a question by Mr. Teniente, Mr. Bibb stated that they have plans for a garden-type office complex but are requesting "B-3" for future development.

Mr. Harry Adams, representing 500 neighbors of the subject area, stated that they have 800 signatures in opposition to this zoning request. The "R-3" buffer zone that is proposed could become a parking lot with a trip to the Board of Adjustment. He stated that a shopping center is not needed in this area because of its proximity to North Star Mall. Mr. Adams also stated that the neighbors are worried about introduction of heavy traffic so near to the Coker Elementary School.

Mr. Adams then presented an alternate plan to the Council having "B-2" or "B-3" zoning fronting on San Pedro with the remainder of the property to be "R-1". He asked the City Council to protect the residences in the area.

Mr. Ralph Bender, representing the applicant, stated that as the North Expressway is extended Bitters Road and 281 North are going to become an extremely important intersection. This is the reason for their particular request. They had previously asked for "B-3" and "B-1", but due to the opposition at the Zoning Commission hearing, they modified their proposal to surround their property north, east and south side to a "R-3" zone rather than "B-1" or "O-1" zoning. He is also proposing a new 60' collector street through their subdivision to relieve the traffic situation on Heimer Road. They have tried to compromise with the neighbors and agreed at the Zoning Commission hearing to provide a non-access easement to the street entering the property from the north and non-access easement to any of the alleys on the north and on the south. They have also agreed to a 25' rear setback and make it a yard exactly like the yards adjacent to the property.

Mr. Bender stated that they are willing to cooperate with the neighborhood to protect their properties, but feel that the subject property should be developed to its best use. He also stated that he would prefer the case to go back to the Zoning Commission if no other settlement with the neighbors can be arrived at.

In response to a question, Mr. Bender stated that he would not accept the alternate plan suggested by Mr. Harry Adams. Mr. Bender also stated that they would abide by all stipulations imposed by the Zoning Commission.

Mr. Pyndus made a motion to send this case back to the Zoning Commission for further study and possible compromise. The motion died for lack of a second.

After consideration, Dr. Cisneros made a motion that the 600', being 26 acres, fronting on San Pedro be zoned "B-3" and the 20.45 acre tract immediately to the east be zoned "O-1" and that a buffer zone to the southeast and north 300' wide be zoned "R-1". Mr. Hartman seconded the motion, provided that proper replatting is accomplished, that a six foot solid screen fence is erected and maintained along the southwest and northeast property lines and that a non-access easement is imposed adjacent to Timber Oaks Drive.

Dr. Cisneros stated that the "R-2" poses a problem since it could be used for parking.

In response to Mr. Billa's question, Mr. Bender stated that the "R-1" strip would not be viable since it is not feasible that single family development would occur on this strip.

After discussion, on roll call, the motion made by Dr. Cisneros, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Black, Hartman, Rohde, Cockrell; NAYS: Billa, Teniente; ABSTAIN: Pyndus; ABSENT: Nielsen.

July 15, 1976  
img

-30-

## AN ORDINANCE 46,891

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 26 ACRE TRACT OF LAND OUT OF NCB 13826, (BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK) FROM TEMPORARY "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, 14300 AND 14400 BLOCKS OF SAN PEDRO AVENUE; A 20.45 ACRE TRACT OF LAND OUT OF NCB 13826, (BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK) FROM TEMPORARY "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "O-1" OFFICE DISTRICT, 14300 AND 14400 BLOCKS OF SAN PEDRO AVENUE; AND A 30.5 ACRE TRACT OF LAND OUT OF NCB 13826, (BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK) FROM TEMPORARY "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT, 14300 AND 14400 BLOCKS OF SAN PEDRO AVENUE, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED, THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE SOUTHWEST AND NORTHEAST PROPERTY LINES AND THAT A NON-ACCESS EASEMENT IS IMPOSED ADJACENT TO TIMBER OAKS DRIVE.

\* \* \* \*

28. CASE 6543 - to rezone Lot 4, Block 2, NCB 9829, 120 E. Vado Place, from "A" Single Family Residential District to "B-1" Business District, located on the south side of East Vado Place being 200' east of the intersection of East Vado Place and South Flores Street, having 102.5' on East Vado Place and a maximum depth of 142.24'.

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

Mr. Raul Guerra, representing the applicant Dr. Harry G. Wilson, Jr., DDS, stated that Dr. Wilson is the owner of the subject property and would like the change in zoning for the purpose of expanding the existing medical center and to promise additional off-street parking. He asked that access be permitted from Vado Street. Dr. Wilson has agreed to build a curb all along the two pieces of property as well as a privacy fence and does not anticipate any problem with water run-off.

Mr. Vince B. Dushek stated that he was withdrawing his opposition in view of the applicant's willingness to erect a concrete curb along the east side of the lot proposed for rezoning which would remove the hazard of water run-off to his property.

No one spoke in opposition.

After consideration, Mr. Teniente made a motion that the recommendations of the Zoning Commission be approved, provided that proper replatting is accomplished, that a six foot solid screen fence is erected and maintained along the east property line, that a non-access easement is imposed on the north property line and that adequate drainage is provided to East Vado Place and South Flores Street. 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, Black, Hartman, Rohde, Teniente, Cockrell; NAYS: None; ABSENT: Billa, Cisneros, Nielsen.

#### AN ORDINANCE 46,892

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 4, BLOCK 2,  
NCB 9829, 120 EAST VADO PLACE, FROM  
"A" SINGLE FAMILY RESIDENTIAL DISTRICT  
TO "B-1" BUSINESS DISTRICT, PROVIDED  
THAT PROPER REPLATTING IS ACCOMPLISHED,  
THAT A SIX FOOT SOLID SCREEN FENCE IS  
ERECTED AND MAINTAINED ALONG THE EAST  
PROPERTY LINE, THAT A NON-ACCESS EASEMENT  
IS IMPOSED ON THE NORTH PROPERTY LINE AND  
THAT ADEQUATE DRAINAGE IS PROVIDED TO  
EAST VADO PLACE AND SOUTH FLORES STREET.

\* \* \* \*

July 15, 1976

-32-

img

14. CASE 6522 - to rezone Lots 11, and 12, Block 16, NCB 2171, 902 North Hamilton Street, from "B" Two Family Residential District to "B-1" Business District; located northwest of the intersection of North Hamilton Street and Ruiz Street, having 77.9' on Ruiz Street and 155.9' on North Hamilton Street.

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

No one spoke in opposition.

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

AN ORDINANCE 46,893

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 16, NCB 2171, 903 NORTH HAMILTON  
 STREET, FROM "A" TWO FAMILY RESIDENTIAL  
 DISTRICT TO "B-1" BUSINESS DISTRICT,  
 PROVIDED THAT PROPER REPLATTING IS  
 ACCOMPLISHED AND THAT A SIX FOOT  
 SOLID SCREEN FENCE IS ERECTED AND  
 MAINTAINED ALONG THE WEST AND NORTH  
 PROPERTY LINES.

\* \* \* \*

15. CASE 6539 - to rezone Lot 2 and the east 13.9' of Lot 3, the south 22.2' of Lot 7 and the south 22.2' of the east 15.75' of Lot 8, Block 2, NCB 767, 500 Block of West Euclid Street, from "D" Apartment District to "O-1" Office District; located on the northwest side of West Euclid Street, being 230.8' southwest from the intersection of West Euclid Street and Jackson Street, having 83.4' on West Euclid Street and a depth of 219.4'.

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

No one spoke in opposition.

July 15, 1976  
 img

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

AN ORDINANCE 46,894

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 AND THE EAST 13.9' OF LOT 3, THE SOUTH 22.2' OF LOT 7 AND THE SOUTH 22.2' OF THE EAST 15.75' OF LOT 8, BLOCK 2, NCB 767, 500 BLOCK OF WEST EUCLID STREET, FROM "D" APARTMENT DISTRICT TO "O-1" OFFICE DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

\* \* \* \*

16. CASE 6503 - to rezone Tracts 8-N and 8-O, NCB 12057, 459 North Loop Road, from "A" Single Family Residential District to "B-2" Business District, located on the northeast side of North Loop Road being approximately 145' southeast of the cutback between North Loop Road and San Pedro Avenue, having 327' on North Loop Road and a depth of 539.5'.

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

Mr. Norman Brown, the applicant, said that the subject property is just across the road from International Airport and lies in Noise Zone II. It would be impossible to sell this land for residences because of the noise and also the fact that FHA will not provide title insurance for residences in a noise zone. He asked the Council to approve his request so that he can develop the property to its highest and best use.

In answer to Mr. Pyndus' question, Mr. Tom Raffety, Director of Aviation, said that this property is intended to be acquired by the City under the airport master plan. He said that he feels that funds should be appropriated by congress the latter part of August this year.

Speaking in opposition to the request were:

Mr. Harold Stein  
Mrs. Glen C. Jameson  
Mrs. Harold Stein

Speaking in rebuttal, Mr. Brown said that his neighbors are unduly alarmed by his request and assured them that no damage would be done to the neighborhood.

After consideration, Mr. Rohde moved that consideration of this case be postponed 90 days. The motion was seconded by Mr. Hartman and was passed and approved by the following roll call vote: AYES: Pyndus, Billa, Black, Hartman, Rohde, Teniente, Cockrell; NAYS: None; ABSENT: Cisneros, Nielsen.

Case No. 6503 was postponed.

17. CASE 6554 - to rezone Lots 34, 35, and 36, Block 7, NCB 3108 900 Block of Lullwood Blvd., from "B" Two Family Residential District to "R-2A" Three and Four Family Residential District, located on the south side of Lullwood Blvd. being 225' west of the intersection of Blanco Road and Lullwood Blvd., having 75' on Lullwood Blvd. and a depth of 145'.

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

No one spoke in opposition.

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

AN ORDINANCE 46,895

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 34, 35, AND 36,  
BLOCK 7, NCB 3108, 900 BLOCK OF LULLWOOD  
BLVD., FROM "B" TWO FAMILY RESIDENTIAL  
DISTRICT TO "R-2A" THREE AND FOUR FAMILY  
RESIDENTIAL DISTRICT.

\* \* \* \*

18. CASE 6518 - to rezone the east 70.2' of Lot 25, NCB 11887, 239 W. Sunset Road, from "A" Single Family Residential District to "B-1" Business District, located on the north side of W. Sunset Road, being 161' east of the intersection of Everest Avenue and W. Sunset Road, having 70.2' on W. Sunset Road, and a depth of 300'.

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

No one spoke in opposition.

After consideration, Mr. Pyndus made a motion that the recommendation of the Zoning 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 46,896

AMENDING CHAPTER 42 OF THE CITY CODE  
THAT CONSTITUTES THE COMPREHENSIVE  
ZONING ORDINANCE OF THE CITY OF SAN  
ANTONIO BY CHANGING THE CLASSIFICATION  
AND REZONING OF CERTAIN PROPERTY  
DESCRIBED HEREIN AS THE EAST 70.2' OF  
LOT 25, NCB 11887, 239 W. SUNSET ROAD,  
FROM "A" SINGLE FAMILY RESIDENTIAL  
DISTRICT TO "B-1" BUSINESS DISTRICT,  
PROVIDED THAT PROPER REPLATTING IS  
ACCOMPLISHED.

\* \* \* \*

19. CASE 6531 - to rezone Lot 17, Block 31, NCB 10987, 111 Lively Drive, from "B" Two Family Residential District to "R-3" Multiple Family Residential District; and Lot 19, Block 31, NCB 10987, 4400 Block of West Avenue, from "B" Two Family Residential District to "B-1" Business District.

The "R-3" zoning is located on the north side of Lively Drive being 125' west of the intersection of West Avenue and Lively Drive, having 60' on Lively Avenue and 118.33' in depth.

The "B-1" zoning is located northwest of the intersection of West Avenue and Lively Drive, having 51.21' on West Avenue and 125' on Lively Drive.

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

No one spoke in opposition.

After consideration, Mr. Teniente made a motion that the recommendation of the Zoning Commission be approved, provided that proper replatting is accomplished and that a six foot solid screen fence is erected and maintained along 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, Black, Hartman, Rohde, Teniente, Cockrell; NAYS: None; ABSENT: Cisneros, 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 LOT 17, BLOCK 31, NCB 10987, 111 LIVELY DRIVE, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT; AND LOT 19, BLOCK 31, NCB 10987, 4400 BLOCK OF WEST AVENUE, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-1" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE WEST PROPERTY LINE.

\* \* \* \*

20. CASE 6516 - to rezone Lot 70, Block 76, NCB 11051, 8622 S. Zarzamora Street, from "B" Two Family Residential District and "R-4" Mobile Home District to "P-1(R-4)" Planned Unit Development Mobile Home District, located northwest of the intersection of Ansley Blvd. and Rockwell Blvd., having 2174' on Ansley Blvd., 2441.6' on Rockwell Blvd. and also having 60' on Zarzamora Street.

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

No one spoke in opposition.

After consideration, Mr. Billa made a motion that the recommendation of the Zoning 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 46,898

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 70, BLOCK 76, NCB 11051, 8622 S. ZARZAMORA STREET, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT AND "R-4" MOBILE HOME DISTRICT TO "P-1(R-4)" PLANNED UNIT DEVELOPMENT MOBILE HOME DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

\* \* \* \*

21. CASE 6524 - to rezone the east 125' of Lot 18 and a 0.112 acre tract of land out of NCB 15586, being further described by field notes filed in the office of the City Clerk, 7047 S. W. Military Drive, from Temporary "R-1" Single Family Residential District to "B-1" Business District, located southwest of the intersection of Westoak Road and S. W. Military Drive, having 85' on Westoak and 160' on S. W. Military Drive.

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

No one spoke in opposition.

After consideration, Mr. Pyndus made a motion that the recommendation of the Zoning Commission be approved, provided that proper replatting is accomplished and that a six foot solid screen fence is erected and maintained along the south property line. 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 46,899

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE EAST 125' OF LOT 18 AND A 0.112 ACRE TRACT OF LAND OUT OF NCB 15586, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-1" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE SOUTH PROPERTY LINE.

\* \* \* \*

22. CASE 6485 - to rezone Lot 21, Block 62, NCB 7217, 3015 Blanco Road, from "B" Two Family Residential District and "E" Office District to "B-2" Business District, located southwest of the intersection of Blanco Road and Edison Drive, having 137.5' on Blanco Road and 97.8' on Edison Drive.

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

Mr. Lamar Smith, representing the applicant, said that this property has been vacant for about 8 months. His client wishes to purchase the property and install a cash register sales and service business. He pointed out existing business properties in the area and asked that the Council approve his request.

Mrs. W. H. Abshire, 905 Edison Drive, spoke in opposition. She said that she and her neighbors were attempting to maintain their residential neighborhood and asked that this application be denied.

Speaking in rebuttal, Mr. Don Bouchelle said that the proposed use would minimize traffic as there would be almost no drop in trade. The building is already there and he intended to improve it.

After consideration, Mr. Rohde moved that the recommendation of the Zoning Commission be approved and the application granted. The motion was seconded by Mr. Teniente.

Mr. Pyndus moved to amend the motion to grant "B-1" zoning instead of the requested "B-2" zoning. The motion died for lack of a second.

On roll call, the original motion by Mr. Rohde to approve the request failed by the following vote: AYES: Black, Rohde, Teniente, Nielsen; NAYS: Pyndus, Billa, Cisneros, Hartman, Cockrell; ABSENT: None.

The rezoning was denied.

23. CASE 5406 - to rezone Lots 1, 2, 4, and 14 thru 18, NCB 11673, 7700 Block of Twin Oaks Drive, from Temporary "A" and "A" Single Family Residential Districts to "R-6" Townhouse District.

Lots 1, 2, and 4 are located on the southeast side of Twin Oaks Drive, being southwest of the intersection of Fredericksburg Road and Twin Oaks Drive, having a total of 251.11' on Twin Oaks Drive and a maximum depth of 187.92'.

Lots 14 thru 18 are located on the northwest side of Twin Oaks Drive, being 62.92' southwest of the intersection of Fredericksburg Road and Twin Oaks Drive, having a total of 360' on Twin Oaks Drive and a depth of 172.42'.

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

No one spoke in opposition.

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

AN ORDINANCE 46,900

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 1, 2, 4, AND 14 THRU 18, NCB 11673, 7700 BLOCK OF TWIN OAKS DRIVE, FROM TEMPORARY "A" AND "A" SINGLE FAMILY RESIDENTIAL DISTRICTS TO "R-6" TOWNHOUSE DISTRICT.

\* \* \* \*

24. CASE 6547 - to rezone Lot 47, Block 5, NCB 15635, 1431 San Casimiro Street, from Temporary "R-1" Single Family Residential District to "B-2" Business District, located on the north side of San Casimiro Street being 765.8' east of the intersection of Roosevelt Avenue and San Casimiro Street, having 50' on San Casimiro Street and a depth of 125'.

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

After consideration, Mr. Teniente made a motion to approve the recommendation of the Zoning Commission and grant the rezoning. Mr. Rohde seconded the motion.

Mr. Pyndus spoke against the motion based on staff's recommendation that the rezoning would intrude into a residential neighborhood.

No citizen appeared to speak in opposition.

Mr. Teniente stated that the applicant has been operating at the same location for 21 years and is only asking for rezoning to provide an additional six parking spaces. He urged approval of the rezoning. 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, Teniente, Nielsen, Cockrell; NAYS: Pyndus; ABSENT: None.

AN ORDINANCE 46,901

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 47, BLOCK 5, NCB 15635, 1431 SAN CASIMIRO STREET, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT.

\* \* \* \*

25. CASE 6532 - to rezone a 0.506 acre tract of land out of NCB 11862, being further described by field notes filed in the office of the City Clerk, from "A" Single Family Residential District to "B-1" Business District; and a 2.724 acre tract of land out of NCB 11862, being further described by field notes filed in the office of the City Clerk, 1800 Block of Nacogdoches Road, from "A" Single Family Residential District to "B-2" Business District.

The subject property is located northeast of the intersection of Nacogdoches Road, and N. New Braunfels Avenue, having a total of 365.67' on Nacogdoches Road, and N. New Braunfels Avenue with a maximum depth of 512'. The "B-1" being on the east 70' of subject property and the "B-2" being on the remaining portion.

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

No one spoke in opposition.

After consideration, Mr. Rohde made a motion that the recommendation of the Zoning Commission be approved, provided that proper replatting is accomplished, that a non-access easement is imposed on the east property line, and that an 8' masonry wall is erected and maintained along the east and south property lines. Dr. Nielsen 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, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 46,902

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 0.506 ACRE TRACT OF LAND OUT OF NCB 11862, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-1" BUSINESS DISTRICT; AND A 2.724 ACRE TRACT OF LAND OUT OF NCB 11862, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 1800 BLOCK OF NACOGDOCHES ROAD, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED, THAT A NON-ACCESS EASEMENT IS IMPOSED ON THE EAST PROPERTY LINE, AND THAT AN 8' MASONRY WALL IS ERECTED AND MAINTAINED ALONG THE EAST AND SOUTH PROPERTY LINES.

\* \* \* \*

26. CASE 6527 - to rezone a 5.0 acre tract of land out of NCB 10850, being further described by field notes filed in the office of the City Clerk, 4800 Block of I. H. 410 Expressway, from "A" Single Family Residential District to "I-1" Light Industry District, located on the northwest side of I. H. 410 Expressway being 242.89' southwest of the intersection of Alma Drive and I. H. 410 Expressway, having 312.62' on I. H. 410 Expressway and a maximum depth of 768.18'.

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

No one spoke in opposition.

After consideration, Dr. Cisneros made a motion that the recommendation of the Zoning Commission be approved, provided that proper replatting 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, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 46,903

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 5.0 ACRE TRACT  
OF LAND OUT OF NCB 10850, BEING FURTHER  
DESCRIBED BY FIELD NOTES FILED IN THE  
OFFICE OF THE CITY CLERK, 4800 BLOCK OF  
I. H. 410 EXPRESSWAY, FROM "A" SINGLE  
FAMILY RESIDENTIAL DISTRICT TO "I-1"  
LIGHT INDUSTRY DISTRICT, PROVIDED THAT  
PROPER REPLATTING IS ACCOMPLISHED.

\* \* \* \*

27. CASE 6514 - to rezone Lots 14 and 15, the south 25' of Lot 13, and the north 25' of Lot 16, Block 2, NCB 2961, 1400 Block of Roosevelt Avenue, from "F" Local Retail District to "B-3" Business District, located on the northeast side of Roosevelt Avenue being 125' southeast of the intersection of Kirkpatrick Avenue, having 150' on Roosevelt Avenue and a depth of 150'.

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

Mr. Jesse Gomez, representing the applicant, Mr. Cesar Villagomez, stated that they are requesting the change in zone in order to improve the subject property and will operate an auto repair shop on the premises.

Mrs. Carolyn P. Lada spoke in opposition because she feels the proposed use would generate additional traffic on a residential street, create noise and would change the character of the neighborhood. She asked the Council to deny the request.

Mrs. Helen Dutmer, acting chairperson of the Mission Task Force of the River Corridor Committee, stated that there is a possibility of having a Mission National Park on the south side of San Antonio near the subject property and the Council should take this into consideration before taking final action on this request.

In rebuttal, Mr. Gomez stated that they are asking for "B-3" so he can improve the property and will abide by all stipulations imposed by the Zoning Commission.

In response to Mayor Cockrell's question on the proximity of the subject property to the Missions, Ms. Pat Osborne, Historic Planner, stated that the subject area is below Mitchell and reviewed the area in general. She recommended use of the front property but no use of the rear property.

After consideration, Dr. Cisneros made a motion that the recommendation of the Zoning Commission be approved, provided that proper replatting is accomplished and that a 1' non-access easement is imposed along the east property line. Dr. Nielsen 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, Nielsen; NAYS: Pyndus, Hartman, Cockrell; ABSENT: None.

AN ORDINANCE 46,904

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 14 AND 15, THE SOUTH 25' OF LOT 13 AND THE NORTH 25' OF LOT 16, BLOCK 2, NCB 2961, 1400 BLOCK OF ROOSEVELT AVENUE, FROM "F" LOCAL RETAIL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED AND THAT A 1' NON-ACCESS EASEMENT IS IMPOSED ALONG THE EAST PROPERTY LINE.

\* \* \* \*

31. CASE 6533 - to rezone Lot 25, Block 15, NCB 11294, 600 Block of Castroville Road, from "C" Apartment District to "B-2" Business District, located northeast of the intersection of Castroville Road and Inca Drive, having 316.89' on Inca Drive and 266.18' on Castroville Road.

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

No one spoke in opposition.

After consideration, Mr. Teniente made a motion that the recommendation of the Zoning Commission be approved, provided that proper replatting is accomplished, that a six foot solid screen fence is erected and maintained along the northwest property line and that a 25' building setback line is provided along the northwest property line. Dr. Nielsen 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, Nielsen, Cockrell; NAYS: None; ABSENT: Billa.

AN ORDINANCE 46,905

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 25, BLOCK 15, NCB 11294, 600 BLOCK OF CASTROVILLE ROAD, FROM "C" APARTMENT DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED, THAT A SIX FOOT SOLID SCREEN FENCE IS ERRECTED AND MAINTAINED ALONG THE NORTHWEST PROPERTY LINE AND THAT A 25' BUILDING SETBACK LINE IS PROVIDED ALONG THE NORTHWEST PROPERTY LINE.

30. CASE 6548 - to rezone the south 60' of Lot 2 and the north 90' of Lot 3, Block 7, NCB 15509 (.560 acres), 2800 Block of Observation Drive, from Temporary "R-1" Single Family Residential District to "R-4" Mobile Home District, located on the west side of Observation Drive, being 180' south of the intersection of Landing Avenue and Observation Drive, having 150' on Observation Drive and a depth of 162.5'.

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

The applicant was not present at the moment for the hearing.

Mr. Louis Davalos spoke in opposition to the request because if it is approved, it violates a deed agreement under which he sold his home to the applicant on June 26, 1969. Mr. Davalos stated that a trailer park will be a detriment to the neighborhood. He asked the Council not to approve the requested change in zoning.

In response to Mr. Pyndus' question, City Attorney Parker stated that zoning is not affected by deed restrictions.

The following also spoke in opposition:

Mrs. A. De La Garza, 8101 Landing  
Mr. Antonio I. Ramirez

In response to a question by Mayor Cockrell, Mr. Camargo stated that the area was annexed in December of 1972 and the mobile homes were in existence at the time of annexation.

After consideration, Mr. Teniente moved that the recommendation of the Zoning Commission be overruled and the rezoning be denied. Mr. Hartman seconded the motion.

In response to Mayor Cockrell's question, Mr. Camargo stated that although the subject property does not meet the minimum three-acre requirement of the requested "R-4" zoning, the staff is of the opinion that considering the existing mobile homes and the various apartments in the area the requested change is appropriate.

Mayor Cockrell commented that she could not see how the request can be placed before the Council recommending a zoning when it does not meet what is laid out in the Zoning Ordinance or the requirements for that zoning.

City Attorney Parker stated that the Council, in effect, would be altering the zoning requirements and is, hereby exercising its legislative function to change the regulations that the Council promulgates to start with.

Mr. Robert W. Satterfield, attorney, representing Mr. Jones, the applicant, stated that additional mobile homes would not be detrimental to the neighborhood. After the approval of the Council, he will have to get the site plan approved by the Planning Commission and then get a non-conforming variance from the Board of Adjustment for the three acre tract. He asked for favorable consideration of their request.

Dr. Nielsen made a substitute motion to uphold the recommendation of the Zoning Commission and grant the rezoning. Mr. Billa seconded the motion. On roll call, the motion failed on the following vote: AYES: Billa, Nielsen; NAYS: Pyndus, Cisneros, Black, Hartman, Rohde, Teniente, Cockrell; ABSENT: None.

Mr. Pyndus then made a substitute motion to refer this case back to the Zoning Commission for further clarification and study. The motion died for lack of a second.

On roll call, the motion made by Mr. Teniente to overrule the Zoning Commission and deny the rezoning, prevailed by the following vote: AYES: Pyndus, Cisneros, Black, Hartman, Rohde, Teniente, Cockrell; NAYS: Billa, Nielsen; ABSENT: None.

The rezoning was denied.

36. CASE 6515 - to rezone Lot 7, Block 39, NCB 2062, 1823 Kentucky Avenue, from "B" Two Family Residential District to "B-2" Business District, located northeast of the intersection of Kentucky Avenue and Wilson Blvd., having 50' on Kentucky Avenue and 154.5' on Wilson Blvd.

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

Mr. Camargo stated that seven affirmative votes will be necessary to overrule the Zoning Commission and grant the rezoning.

Mr. Roger Vachon, representing the applicant, Mr. Benito Rodriguez, stated his client would like the requested change in zoning to operate a small flower shop and a real estate office on the subject property. Mr. Vachon stated that Mr. Rodriguez intends to demolish the existing structure and construct a new building which would house the proposed uses and also enhance this particular area. He asked for favorable consideration of the request.

No one appeared to speak in opposition.

After consideration, Mr. Rohde made a motion to approve "B-1" zoning instead of "B-2". Dr. Nielsen seconded the motion.

Mr. Pyndus spoke against the motion because of the residential character of the neighborhood.

On roll call, the motion made by Mr. Rohde failed to carry on the following vote: AYES: Cisneros, Black, Rohde, Teniente, Nielsen; NAYS: Pyndus, Billa, Hartman, Cockrell; ABSENT: None.

The rezoning was denied.

76-33 Mayor Cockrell was obliged to leave the meeting and Mayor Pro-Tem Rohde presided.

37. CASE 6479 - to rezone Lots 28 thru 32, Block 34, NCB 8072, 147 Calle Amaya, 146 Calle Aldama, from "C" Apartment District to "B-3" Business District, located on the east side of Juanita Street between Calle Aldama and Calle Amaya, having 222' on Juanita Street, 25' on Calle Aldama and 100' on Calle Amaya.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Zoning Commission recommended be denied by the City Council. He stated that seven affirmative votes will be necessary to overrule the Zoning Commission and grant the rezoning. Mr. Camargo stated that a petition with 72 signatures in favor of the requested change was submitted.

Mr. John Longoria, representing the applicant, Mr. Gabriel Reyes, stated that there is considerable transition in the area and is surrounded by major thoroughfares. He pointed out existing businesses in the area. Mr. Reyes wants to operate an auto repair shop on the property which also serves as his residence. He stated that 72 residents of the area have signed a petition in favor of the requested change. They would not object to "B-2" zoning instead of "B-3".

After consideration, Mr. Teniente made a motion to overrule the recommendation of the Zoning Commission and grant the rezoning. Dr. Nielsen seconded the motion.

Mr. Pyndus spoke against the motion because of the residential character of the neighborhood.

On roll call, the motion made by Mr. Teniente to approve the rezoning failed to carry by the following vote: AYES: Cisneros, Black, Teniente, Nielsen; NAYS: Pyndus, Billa, Hartman, Rohde; ABSENT: Cockrell.

The rezoning was denied.

76-33 Mayor Cockrell returned to the meeting and presided.

33. CASE 6520 - to rezone Lots 1 and 6, Block 79, NCB 2794, Lots 3, 5, 8 and 9, Block 80, NCB 2798, Lots 12, 13 and 16, Block 81, NCB 2799, the south 93' of Lots 1 thru 6, the south 100' of Lot 9 and the south 100' of Lot 10, Block 216, NCB 3943, the south 102.5' of Lot 1 and the south 102.5' of the west 25' of Lot 2, the south 93' of the east 25' of Lot 2, the south 93' of Lots 3, 4, 5, 6, and 10, Block 217, NCB 3944, the south 102' of Lot 1, the south 93' of Lots 5, 7, and 10, the south 100' of Lots 4, 8, and 9, Block 218, NCB 3945, 1500 - 1800 Blocks of Hildebrand Avenue, from "B" Two Family Residential District to "B-1" Business District.

The subject properties are located north and south of Hildebrand Avenue, being east of West Avenue and west of Santa Paula and Neer Street.

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

Mrs. Lillian Woolsey, representing 31 property owners, stated that they are requesting the change in zoning to allow development of this potentially commercial area and at the same time serve to upgrade the old and deteriorated properties. Mrs. Woolsey also stated that because of its location, the property lends itself to business activity.

The following also spoke in favor of the requested change:

Mr. Kenneth Clayburne, 1443 W. Hildebrand  
 Mrs. Eloise Segura, 1749 W. Hildebrand  
 Mrs. Dorothy Martinez, 1527 W. Hildebrand  
 Mr. Hershel Martin, 1705 W. Hildebrand

\* \* \* \*

The following group of citizens appeared to speak in opposition to the requested change because of the residential character of their neighborhood, and the additional traffic that will be generated if the rezoning is granted:

Mr. Walter Helmers  
 Mr. William Muhlstein  
 Mrs. Benno Sens  
 Mr. John McCoulsky  
 Mrs. Ruth McCoulsky  
 Mr. Fred Deal

\* \* \* \*

In rebuttal, Mrs. Woolsey stated that they are seeking "B-1" zoning because they feel that this change will greatly enhance their neighborhood and asked for favorable consideration.

Mr. Camargo reviewed the study made by the staff on this area four years ago which showed that a majority of the property owners in this area fronting onto Hildebrand would like the property to remain residential. In this case, the applicant has obtained the concurrence of the property owners to apply for a "B-1" classification. The staff is of the opinion that if the zoning is granted that the lots be platted with a minimum of 100 feet street frontage.

Mr. Pyndus then moved to overrule the recommendation of the Zoning Commission and deny the rezoning. The motion died for lack of a second.

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

Mr. Billa made a substitute motion to refer this case back to the Zoning Commission to consider including all parcels in the "B-1" classification. Mr. Pyndus seconded the motion. On roll call, the motion failed by the following vote: AYES: Pyndus, Billa, Black; NAYS: Cisneros, Hartman, Rohde, Teniente, Nielsen, Cockrell; ABSENT: None.

After discussion, the motion made by Dr. Nielsen, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Black, Hartman, Rohde, Nielsen; NAYS: Pyndus, Billa, Cockrell; ABSENT: None; ABSTAIN: Teniente.

AN ORDINANCE 46,906

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 1 AND 6, BLOCK 79, NCB 2794, LOTS 3, 5, 8 AND 9, BLOCK 80, NCB 2798, LOTS 12, 13, AND 16, BLOCK 81, NCB 2799, THE SOUTH 93' OF LOTS 1 THRU 6, THE SOUTH 100' OF LOT 9 AND THE SOUTH 100' OF LOT 10, BLOCK 216, NCB 3943, THE SOUTH 102.5' OF LOT 1 AND THE SOUTH 102.5' OF THE WEST 25' OF LOT 2, THE SOUTH 93' OF THE EAST 25' OF LOT 2, THE SOUTH 93' OF LOTS 3, 4, 5, 6, AND 10, BLOCK 217, NCB 3944, THE SOUTH 102' OF LOT 1, THE SOUTH 93' OF LOTS 5, 7, AND 10, THE SOUTH 100' OF LOTS 4, 8, AND 9, BLOCK 218, NCB 3945, 1500 - 1800 BLOCKS OF HILDEBRAND AVENUE, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-1" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE REAR PROPERTY LINES OF THOSE LOTS FRONTING ON HILDEBRAND AVENUE.

\* \* \* \*

76-33 The meeting recessed at 5:55 P. M. and reconvened at 6:00 P.M.

34. CASE 6346 - to rezone Lot 25, save and except the south 300', Block 16, NCB 15786, 5200 Block of Walzem Road, from Temporary "R-1" Single Family Residential District to "B-2" Business District; and the south 300' of Lot 25, Block 16, NCB 15786, from Temporary "R-1" Single Family Residential District to "R-2" Two Family Residential District.

The "B-2" zoning is located on the south side of Walzem Road between Midcrown Drive and Ray Bon Drive; having 2348.99' on Walzem Road, 1401.33' on Ray Bon Drive and 1097.47' on Midcrown Drive.

The "R-2" zoning is located 135' north of Round Table Drive, between Ray Bon Drive and Midcrown Drive; having 300' on both Ray Bon Drive and Midcrown Drive with a distance of approximately 2008.63' between Midcrown Drive and Ray Bon Drive.

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

Mr. Frank Manupelli, Executive Vice President of Ray Ellison Industries, described the area. He said that from the beginning of the development of the area, this tract had been set aside for commercial purposes. He said that he recognized that there is opposition and that the company would be willing to put in deed restrictions against objectionable uses such as pornographic movies, saloons, and the like. He then introduced Mr. Herb Quiroga who is in charge of the Division for Land Planning for Ray Ellison Industries.

Mr. Quiroga reviewed the master plan prepared for this entire area including Camelot. On an aerial photographic enlargement he showed the development that has already taken place as well as the pattern for collector streets, recreational areas, etc. He also showed a plan for future development of the open spaces and estimated that another 10,000 residences would be built there. The proposed commercial development would not be a regional shopping center but a center to serve this particular area.

Mr. Quiroga then showed plans for the area being considered and said that the company agreed to the stipulations for fencing and setbacks as laid out by the Zoning Commission. He said that the drainage plan for the area meets with the approval of City staff. He asked for the Council's favorable consideration.

A number of persons spoke in opposition to the proposed rezoning. They spoke of present severe drainage problems caused by development of Windsor Park Mall and said that this problem would be further exaggerated. They said also that they had been told that there would be at least two additional residential streets put in the area being considered. They also spoke of the noise, traffic and invasion of privacy.

Speaking in opposition were:

Mrs. Helen R. Walter  
 Mr. Richard McCord  
 Mr. John Flynn, Vice President of Camelot Civic Club  
 Mr. Ken Jackson, President of Camelot Civic Club  
 Mr. Louis J. Toupal  
 Mr. Jack R. Slayton

Mr. Quiroga spoke in rebuttal. He reminded the Council that many of the complaints were really against Windsor Park Mall and this does not belong to his company. The proposed plan is a 5 to 7 year development.

After discussion, Mr. Hartman moved that the south 300' of the tract be zoned "R-2" and the remainder of the tract be zoned "B-2". The motion was seconded by Mr. Rohde.

Mr. Manupelli protested saying that he needed the area zoned as requested for proper development and urged the Council to grant his request.

Mr. Billa offered a substitute motion that frontage on Walzem Road to a depth of 300' with the exception of 200' at the east and west ends be zoned "B-3" and that the remainder of the tract be zoned "B-2". The motion was seconded by Mr. Teniente and on the following roll call vote, failed to carry: AYES: Billa, Teniente, Nielsen; NAYS: Pyndus, Cisneros, Black, Hartman, Rohde, Cockrell; ABSENT: None.

After further consideration, the original motion by Mr. Hartman to rezone the south 300' of the property "R-2" Two Family Residential District and the remainder of the tract "B-2" Business District, provided that proper platting is accomplished and that a six foot solid screen fence is erected and maintained along the south property line was passed and approved by the following roll call vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 46,907

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 HEREIN DESCRIBED AS LOT 25, SAVE AND EXCEPT THE SOUTH 300', BLOCK 16, NCB 15786, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT; AND THE SOUTH 300' OF LOT 25, BLOCK 16, NCB 15786, 5200 BLOCK OF WALZEM ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-2" TWO FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE SOUTH PROPERTY LINE.

\* \* \* \*

35. CASE 6517 - to rezone the north 32.1' of Lot 7, Block 3, NCB 3533, 315 South Elmendorf Street, from "C" Apartment District to "B-2" Business District, located on the west side of South Elmendorf Street, being 125' north of the intersection of Saunders Avenue and South Elmendorf Street, having 32.1' on South Elmendorf Street and a depth of 51.91'.

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

Mr. Pete Kyle, Jr., representing the applicant, Mr. Milton Sanchez, stated that the applicant is the owner of the grocery store located on the subject property which has been in existence since 1915. The applicant is seeking a change in zoning in order to obtain a beer license to sell beer off premises, only. Mr. Kyle stated that this is a neighborhood store and the majority of the business is walk-in. He asked for favorable consideration of their request.

Mr. Pete Sanchez, the operator of the store, stated that all his utility bills have gone up and in order for him to stay in business, he needs to sell beer to go. He asked for favorable consideration of his request.

The following also spoke in favor of the proposed change:

Mr. Milton Sanchez  
Mrs. Irma Sanchez  
Mrs. Teresa Widish  
Mrs. Angela Herpel

The following group of citizens appeared to speak in opposition to the change because they objected to the sale of alcoholic beverages either off or on premises. They also stated that the subject property is not sufficient in size to accommodate the required off-street parking. They also stated that once the property is rezoned, any business permitted under the "B-2" classification could be operated on the subject property:

Miss Erin Patrick  
Mr. Ernest Moss  
Mrs. Gladys G. Bendele  
Mrs. E. M. Alvarez  
Mrs. Mary P. Sosa  
Mrs. Hortense Gallardo  
Mr. Manuel Moss

In rebuttal, Mr. Kyle stated that while eight people have spoken against the zoning change, he has with him a petition with 166 signatures in favor of the rezoning. He asked for favorable consideration of the request.

After consideration, Mr. Billa made a motion to uphold the recommendation of the Zoning Commission and deny the rezoning. Mr. Pyndus seconded the motion. On roll call, the motion prevailed by the following vote: AYES: Pyndus, Billa, Black, Rohde, Cockrell; NAYS: Hartman, Teniente, Nielsen; ABSTAIN: Cisneros; ABSENT: None.

The request for rezoning was denied.

76-33 The following Resolution was read by the Clerk and explained by City Attorney James Parker, and after consideration, on motion of Mr. Pyndus, seconded by Mr. Billa, was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Cockrell; NAYS: None; ABSENT: Nielsen.

A RESOLUTION  
No. 76-33-52

REQUESTING THE STATE COMPTROLLER SEEK  
A RULING FROM THE ATTORNEY GENERAL  
OF THE STATE OF TEXAS ON THE VALIDITY  
OF ARTICLE 7150h, TEX. REV. CIV. STAT.  
ANN., AND PROVIDE A COPY OF SAID RULING  
TO THE MAYOR OF THE CITY OF SAN ANTONIO  
AS SOON AS POSSIBLE.

\* \* \* \*

76-33 The following Resolution was read by the Clerk and explained by Mr. Glen Hartman, City Councilman, and after consideration, on motion of Mr. Hartman, seconded by Mr. Pyndus, was passed and approved by the following roll call vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Cockrell; NAYS: None; ABSENT: Nielsen.

A RESOLUTION  
NO. 76-33-53

SUPPORTING AND COMMENDING THE PROPOSED  
RECYCLING OF THE SOUTH TEXAS BUILDING.

\* \* \* \*

76-33

CITIZENS TO BE HEARD

MISS LEEANNA VIDAURRI

Miss Leeanna Viadaurri, Principal Dancer of the San Antonio Ballet Company, spoke to the Council on the benefits she has derived from dancing. She asked the Council to favorably consider funding the San Antonio Ballet Company.

MS. NANCY SMITH

Ms. Nancy Smith, Assistant Director of the San Antonio Ballet Company, again spoke of the need for funds to help support the San Antonio Ballet Company.

REVEREND R. A. CALLIES

Reverend R. A. Callies presented a petition to the City Council requesting that a traffic control signal be installed at the intersection of "F" Street and Pecan Valley Drive and the need for perpetual care for the graves within the old City cemeteries.

The City Manager stated that the traffic control signal request will be studied by Mr. Stewart Fischer, Director of Traffic and Transportation. The cemetery problem will be referred to Mr. Ron Darner, Director of Parks and Recreation. A report will be forthcoming to the Council on these two items.

MR. E. L. RICHEY

Mr. E. L. Richey spoke about the recent rains in San Antonio. He also stated that in his opinion the park at the Spanish Governor's Palace is not attractive. He also requested the naming of the SAMSCO building be renamed the G. J. Sutton Office Complex.

MR. ROBERT L. THOMPSON

Mr. Robert L. Thompson, representing the Transit System workers, spoke on the recent raise approved for police officers. He stated that all City employees including Transit workers should receive the same increase.

76-33 The Clerk read the following letter:

July 9, 1976

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

Madam and Gentlemen:

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

July 6, 1976

Petition of Mr. Arthur Veltman, Jr.,  
403 East Commerce Street, River Square,  
SAT 78205, requesting approval of  
restoration of a fence located on City  
property.

July 9, 1976

Petition of Mrs. Americo Garcia, 418  
Conner, SAT 78204, requesting permission  
to construct an eight foot (8') privacy  
fence on her property located at 557  
West Chavaneaux Road.

G. V. JACKSON, JR.  
City Clerk

\* \* \* \*

76-33 There being no further business to come before the Council, the meeting adjourned at 9:05 P. M.

A P P R O V E D

*Rela Cockell*

M A Y O R

ATTEST:

*G. V. Jackson Jr.*  
City Clerk