

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, AUGUST 15, 1968 AT 8:30 A.M.

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The meeting was called to order by the presiding officer, Mayor W. W. McAllister, with the following members present: McALLISTER, CALDERON, JONES, JAMES, COCKRELL, GATTI, TREVINO, PARKER, TORRES; Absent: NONE.

68-396 The invocation was given by Dr. George Stewart, Baptist Building.

The minutes of the August 8, 1968 Council Meeting were approved.

68-396 The Mayor announced that at the request of Mr. C. E. Pollok, the applicant, Zoning Case 3391 which was to be heard later in the meeting, would be postponed to August 29, 1968, because his attorney could not be present.

68-396 First heard was Zoning Case 3337 to rezone 1.131 acres out of Lot 18, NCB 11620 from Temporary "A" Single-Family Residence District to "R-1" Single-Family Residence District; "A" & Temporary "A" Single-Family Residence Districts to "R-3" Multiple-Family Residence Districts located on the southwest side of Fredericksburg Road, 644.46' northwest of the cutback to Callaghan Road; having 526.39' on Fredericksburg Road and a maximum depth of 1243', the "R-1" zoning being on the southwest 200' and "R-3" zoning on the remaining portion and being further described by field notes. (Postponed from August 1, 1968)

Mr. Burt Lawrence, Assistant Planning Director, explained the proposed change which the Planning Commission recommended be approved by the City Council.

Dr. Calderon suggested that since a protest petition had been filed on this case and there are so many appeal cases to be heard, that the applicants and opponents be limited to 30 minutes to give their presentations.

This was agreeable to all concerned.

Mr. Ralph Bender, Urban Planning Consultant for Oak Dell and representing the applicant, Mr. Ted Bently, presented a set of plans to each member of the Council and explained the various plans in relationship to the Oak Hills Country Club, to the Southwest Texas Medical Center, Wonderland Shopping Center, and I.H. 10 Expressway. The property fronts on Fredericksburg Road and contains approximately 16 acres and is located on a knoll with a very good view of the City. He then pointed out the various properties and uses in this vicinity as well as along Fredericksburg Road.

Mr. Bender stated the requested "R-3" zoning is for the purpose of building relatively low-density townhouse-type apartments which are to be very handsome and in keeping with the surrounding development. The requested "R-1" zoning contains approximately 2 acres which would be developed into a residential area to act as a buffer for Oak Hills. He stated his clients would not object to a non-access easement on the southwest side of the property which would prevent access to Ashton Place. He pointed out that there had been some question on this. He said he would be happy to work with the opposition so that a very luxurious and handsome development could be built on this property which would fit in with the surrounding area.

Mr. Jack Kaufmann, representing Mr. Roger Zeller, one of the opponents, and owner of the property immediately north of the subject property, showed aerial photographs which brought out the topography features of the area in question. He pointed out there are numerous residences built on Fredericksburg Road and that this property adjoins the Oak Hills section which has very exquisite residences. He said his client is requesting in the next zoning case to be heard that his property be rezoned from "R-3" Multiple-Family Residence District to "R-1" Single Family Residence District because he desires to develop this area into single-family residences. He explained that there are numerous home owners west of the subject property who oppose the rezoning due to the fact that increased traffic would be created and there is only one access road into this large tract of land. He then presented a list of names of home owners who were present at the last hearing in opposition to the rezoning request.

In answer to questions from the Council, Mr. Bender stated that his client would construct approximately four units to the acre, although according to the sub-division regulations they could construct as many as twenty units to the acre.

Mr. Kaufmann stated that Mr. Zeller planned to construct approximately 12 single-family units to five acres.

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Mr. Benton Davies, Jr., attorney, 147 E. Quill, speaking on his own behalf and also for four other home owners in the immediate area, opposed the rezoning because the neighborhood is now a very quiet and exclusive residential area and felt Ashton Place would have to be used by the developer for access because of the close proximity of the Oak Hills Country Club and would cause many traffic problems.

Dr. Alfred Hill, owner of the lot on Ashton Place immediately adjoining the southwest part of the subject property, stated he felt this property would lend to single-family development because of the surrounding area. He said he had had 25 offers to sell his residence which shows there are numerous buyers for expensive homes. He stated he was very concerned about the population density in this area.

Mr. John Morton also spoke in opposition to the rezoning.

Mr. Franklin Spears spoke in favor of the rezoning.

Mr. L. R. Wilcox, Baptist Foundation, Dallas, Texas, stated they now own the subject property and they have a contract to sell it subject to rezoning. He explained that the Foundation received the property as a result of a trade for other property and they have \$100,000.00 invested in this property. He said the property had been appraised in 1962 and again in 1966 and both appraisals had recommended that the property be used for multiple-family use or commercial use.

After a brief rebuttal by the applicant and opponent Dr. Calderon made a motion to overrule the recommendation of the Planning Commission and deny the rezoning. Seconded by Mrs. Cockrell, the motion prevailed and the recommendation of the Planning Commission was overruled by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Parker; NAYS: Gatti, Trevino, Torres; ABSENT: None.

68-396 Next heard was Zoning Case 3394 to rezone Lot 17, NCB 11620 (5.42 acres) from "R-3" Multiple-Family Residence District to "R-1" Single-Family Residence District located on the west side of Fredericksburg Road, 1423.03' north of Callaghan Road; having 684.48' on Fredericksburg Road and a maximum depth of 580'.

Mr. Burt Lawrence, Assistant Planning Director, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

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After consideration, on motion of Dr. Calderon, seconded by Mrs. Cockrell, the recommendation of the Planning Commission was approved by passage of the following ordinance by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Trevino, Parker, Torres; NAYS: None; ABSENT: Gatti.

AN ORDINANCE 36,724

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, NCB 11620 (5.42 ACRES) FROM "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT TO "R-1" SINGLE-FAMILY RESIDENCE DISTRICT.

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68-396 Next heard was Zoning Case 2915 to rezone Lots 6, 9 thru 12, Blk. 7, NCB 12021 from "A" Single-Family Residence District to "R-2" Two-Family Residence District; Lot 6 being located on the northeast side of Serna Park Drive approximately 200' east of Overland Drive; having 49.42' on Serna Park Drive and a maximum depth of 132.18'; and Lots 9 thru 12 are located on the south and east side of Newport Drive approximately 200' east of Overland Drive; having a total frontage of 293.13' on Newport Drive.

Mr. Burt Lawrence, Assistant Planning Director, explained the proposed change which the Planning Commission has recommended be approved by the City Council.

No one spoke in opposition.

After consideration, on motion of Dr. Calderon, seconded by Mr. Jones, the recommendation of the Planning Commission was approved by passage of the following ordinance by the following vote: AYES: McAllister, Calderon, Jones, Cockrell, Gatti, Trevino, Parker, Torres; NAYS: None; ABSTAINING: James; ABSENT: None.

AN ORDINANCE 36,725

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 6, 9 THRU 12, BLK. 7, NCB 12021 FROM "A" SINGLE-FAMILY RESIDENCE TO "R-2" TWO-FAMILY RESIDENCE DISTRICT.

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68-396 Next heard was Zoning Case 3344 to rezone Lots 7 and 8, Blk. 10, NCB 8533 from "C" Apartment District to "B-2" Business District located northeast of the intersection of Durango Street and S. W. 30th Street; having 138' on S. W. 30th Street and 55.9' on Durango Street. (Postponed from August 1, 1968)

Mr. Burt Lawrence, Assistant Planning Director, explained the proposed change which the Planning Commission recommended be denied by the City Council.

Mr. M. M. Pena, attorney for the applicant, explained that this request for rezoning was made in order that his client could make structural changes at this location. He stated that the building is 35 years old and originally was a bakery. Several years ago his client opened a grocery store in the building and now he wants to make structural changes in order to operate a television repair shop.

No one spoke in opposition.

After discussion, it was the consensus of the Council that this type of commercial operation in the middle of a residential area and almost immediately adjacent to an elementary school would not be appropriate.

Mr. Jones made a motion to uphold the recommendation of the Planning Commission and deny the request for rezoning. Seconded by Mr. James, the motion prevailed by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Gatti, Parker, Torres; NAYS: Trevino; ABSENT: None.

Councilman Torres requested the City Manager to have the Staff check into lounges located in this neighborhood for possible violation of the beer license regulation.

68-396 Next heard was zoning case 3392 to rezone Lots 14 through 17, Blk. 64, NCB 8034 from "B" Residence District to "B-3" Business District located northeast of the intersection of Zarzamora Street & Whitman Avenue; having 125' on Zarzamora Street & 100' on Whitman Avenue. (Postponed from August 1, 1968)

Mr. Burt Lawrence, Assistant Planning Director, explained the proposed change which the Planning Commission recommended be denied by the City Council.

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Mr. John Grieshaber, representing the applicant, Mr. Jack Ritter, explained that the subject property would be used for the retail sale of gas and oil without the addition of auto repair work and grease racks. He stated that Mr. Ritter has similar service stations in Austin and felt this is an extremely good location and would benefit the neighborhood due to the fact that there are presently no such stations within two miles of this property. He then pointed out the various commercial type businesses along Zarzamora Street and stated his client would be willing to erect a screen fence on the east property line with a setback of 35' to 40' from the rear of the property and the existing residences.

No one spoke in opposition.

After consideration, Mr. Gatti made a motion to overrule the recommendation of the Planning Commission and approve the rezoning. Seconded by Dr. Calderon, the motion prevailed and the following ordinance was approved by the following vote: AYES: Calderon, Jones, James, Cockrell, Gatti, Trevino, Parker, Torres; NAYS: McAllister; ABSENT: None.

AN ORDINANCE 36,726

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 THROUGH 17, BLK. 64, NCB 8034 FROM "B" RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT.

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68-396 Next heard was Zoning Case 3381 to rezone Lots 1 thru 6, Blk. 3, NCB 6402 from "F" Local Retail District to "B-3" Business District located southeast of the intersection of Blanco Road and Rosewood Avenue; having 123' on Blanco Road and 150' on Rosewood Avenue.

Mr. Burt Lawrence, Assistant Planning Director, explained the proposed change which the Planning Commission recommended be denied by the City Council.

Mr. John J. Clayton, attorney representing the applicant, explained that the property had previously been used as a service station and auto repair garage. Mr. Clarence Curl, the applicant, leased the property five years ago and discontinued the service station and utilized the property as a used car lot, garage and body shop. He then showed the Council pictures of the immediate area, pointing out the various commercial business now operating along Blanco Road.

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Mr. Clayton stated that a complaint had been filed against his client in Corporation Court charging him with undue noise as a result of the body shop work done on cars at this location. He stated his client had ceased operation of the body shop and would only operate the used car lot and garage and would erect a solid screen fence along the east property line for the privacy of the adjoining neighbors.

He then presented a petition signed by home owners in the immediate area who were in favor of the request for rezoning. He also showed pictures of the residence of the individual who had filed charges against his client and further explained that if the Council so desired his client would be willing to accept the present zoning which is "F" Local Retail District on Lots 5 and 6 in order to received "B-3" Business District zoning on Lots 1 thru 4.

Mr. Lonnie Duke, representing Mrs. Marion Franklin, 826 W. Rosewood Avenue, an opponent whose property adjoins Mr. Curl's property, stated that the garage is operated on Sundays as well as late in the evenings which causes his client considerable anguish due to the excessive noise generated by the garage and body shop operation. He stated his client did file charges against the applicant for excessive noise and that Corporation Court will not hear the case until the Council makes a decision about the rezoning. He then presented evidence by Mrs. Franklin that the garage and body shop had been in operation on Sundays and also on holidays such as the 4th of July.

Mrs. Franklin stated she opposed the rezoning because of the excessive noise and could not conduct her art classes because of this. She stated her health has been impaired due to the harassment and noise of this operation and has deprived her of privacy. She then presented a petition with eighty signatures of residents in the area who object to the rezoning.

Mr. Clayton explained that the neighborhood is phasing out as a residential area and is fast becoming commercialized.

Mr. Curl, the applicant, stated he had discontinued the body shop prior to July 4th, however, it could have been operating on that day without his knowledge since he was out of town at that time.

After discussion by the Council, Dr. Calderon made a motion to uphold the recommendation of the Planning Commission and deny the request for rezoning. Seconded by Mr. James, the motion prevailed by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Trevino, Parker; NAYS: Gatti; ABSTAINING: Torres; ABSENT: None.

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68-396 Next heard was Zoning Case 3393 to rezone Lots 8 and 12, NCB 11925 from "A" Single-Family Residence District to "R-3" Multiple-Family Residence District located on the east side of Broadway Avenue, between Hiler Road and Nottingham Place; having 300' on Broadway Avenue, 110' on Hiler Road and Nottingham Place.

Mr. Burt Lawrence, Assistant Planning Director, explained the proposed change which the Planning Commission recommended be denied by the City Council.

Mr. Patrick Pape, attorney representing the applicant, Dr. R. Howard Hearn, stated his client has owned the property for 15 years and desires to develop the property to its highest and best use. He showed the Council color photographs of the proposed apartment complex and stated that his client would construct 12 units on the property facing Broadway and provide parking on the rear of the property for twenty-four cars. He would also erect a privacy fence on the east property line. The total cost of the 12 units would be in excess of \$200,000.

In answer to questions from the Council he stated there would be a set back on the north and south sides of the apartments and that no parking is allowed on Broadway in this area. He felt that since Broadway is a major thoroughfare the apartments would not create any traffic problem. Actually, he stated, they could, according to the City building code, erect 20 apartments, however his client has decided on 12 luxury units only.

Mr. B. L. Smith, 104 Hiler Road, opposed the rezoning and explained that the back of the subject property is immediately adjacent to his home and felt there are sufficient apartments in the area. He stated he has found that regardless of the parking provided for the apartments, the occupants still will park in the street. He felt the property should remain residential and he has found also that apartment houses pay less taxes per unit than one individual residence.

Mr. Joseph Bradley, Jr., 115 Nottingham, Mrs. Wessley Bell, Jr., 111 Nottingham, and Mrs. Charles J. Donahue, 119 W. Nottingham all spoke in opposition to the rezoning.

After discussion by the Council, Mr. Gatti made a motion to overrule the recommendation of the Planning Commission and grant the request for rezoning. Seconded by Mr. Torres, the motion failed by the following vote: AYES: Gatti, Trevino, Parker, Torres; NAYS: McAllister, Calderon, Jones, James, Cockrell; ABSENT: None.

Dr. Parker requested that his vote be changed to 'nay'.

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68-396 Next heard was zoning case 3234 to rezone Lot 3, NCB 13817 (4.215 acres) from "A" Single-Family Residence District to "B-3" Business District located on the northwest side of I.H. 10 Expressway, 1521.52' southwest of Spring Oaks Drive; having a total frontage of 121.55' on I.H. 10 Expressway and containing 4.215 acres.

Mr. Burt Lawrence, Assistant Planning Director, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

On motion of Dr. Calderon, seconded by Mr. Trevino, the recommendation of the Planning Commission was approved by passage of the following ordinance by the following vote: AYES; McAllister, Calderon, Cockrell, Gatti, Trevino; NAYS: None; ABSENT: Jones, James, Parker, Torres.

AN ORDINANCE 36,727

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 3, NCB 13817, (4.215 ACRES) FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT.

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68-396 Next heard was zoning case 3304 to rezone the east 369.35' of Lot 153, NCB 11178 being measured along the south property line from "B" Two-Family Residence District to "B-3" Business District; and Lot 153, NCB 11178 save and except the east 369.35' from "B" Two-Family Residence District to "I-1" Light Industry District located southwest of the intersection of Harding Blvd. and Mission Road; having 1322.68' on Harding Blvd., 240.42' on Mission Road and 50.65' on the cutback between these two streets.

Mr. Burt Lawrence, Assistant Planning Director, explained the proposed change which the Planning Commission has recommended be approved by the City Council.

No one spoke in opposition.

On motion of Mr. Gatti, seconded by Dr. Calderon, the recommendation of the Planning Commission was approved by passage of the following ordinance by the following vote: AYES: McAllister, Calderon, Jones, Cockrell, Gatti, Trevino; NAYS: None; ABSTAINING: Torres; ABSENT: James, Parker.

AN ORDINANCE 36,728

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 369.35 OF LOT 153, NCB 11178 BEING MEASURED ALONG THE SOUTH PROPERTY LINE FROM "B" TWO FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT; AND LOT 153, NCB 11178 SAVE AND EXCEPT THE EAST 369.35' FROM "B" TWO FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT.

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68-396 Next heard was zoning case 3359 to rezone Lots 1, 2, 4, 5, Blk. 34, NCB 11474 from "A" Single Family Residence District to "R-2" Two-Family Residence District with Lots 1 & 2 located southwest of the intersection of Rita Avenue and Watkins Lane; having 168' on Rita and 175' on Watkins; and Lots 4 & 5 are located southeast of the intersection of Rita Avenue and Benrus Blvd; having 100' on Rita and 153' on Benrus.

Mr. Burt Lawrence, Assistant Planning Director, explained the proposed change which the Planning Commission has recommended be approved by the City Council.

No one spoke in opposition.

On motion of Dr. Calderon, seconded by Mr. Jones, the recommendation of the Planning Commission was approved by passage of the following ordinance by the following vote: AYES: McAllister, Calderon, Jones, Cockrell, Torres; NAYS: None; ABSENT: James, Gatti, Trevino, Parker.

AN ORDINANCE 36,729

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 1,2,4,5, BLK. 34, NCB 11474 FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "R-2" TWO FAMILY RESIDENCE DISTRICT; AND LOTS 9 AND 10, BLK. 34, NCB 11474 FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT.

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68-396 Next heard was zoning case 3372 to rezone Lot 57, NCB 11880 from "A" Single Family Residence District to "R-2" Two-Family Residence District and Lot 56, NCB 11880 from "A" Single Family Residence District to "R-3" Multiple-Family Residence District located on the south side of West Lawndale Drive, 626.30' east of Everest Street; having 113' on West Lawndale Drive and a maximum depth of 562.47'.

Mr. Burt Lawrence, Assistant Planning Director, explained the proposed change which the Planning Commission has recommended be approved by the City Council.

No one spoke in opposition.

On motion of Mr. Jones, seconded by Dr. Calderon, the recommendation of the Planning Commission was approved by passage of the following ordinance by the following vote: AYES: McAllister, Calderon, James, Trevino, Torres; NAYS: None; ABSTAINING: James; ABSENT: Cockrell, Gatti, Parker.

AN ORDINANCE 36,730

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 57, NCB 11880 FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "R-2" TWO FAMILY RESIDENCE DISTRICT; AND LOT 56, NCB 11880 FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT.

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68-396 Next heard was zoning case 3398 to rezone Lot 67, Blk. 6, NCB 8673 from "A" Single-Family Residence District to "B-2" Business District located northeast of the intersection of Jones-Maltsberger Road and Halm Blvd; 161.30' on Jones-Maltsberger Road and 149.86' on Halm Blvd.

Mr. Burt Lawrence, Assistant Planning Director, explained the proposed change which the Planning Commission has recommended be approved by the City Council.

No one spoke in opposition.

On motion of Dr. Calderon, seconded by Mr. James, the recommendation of the Planning Commission was approved by passage of the following ordinance by the following vote: AYES: McAllister, Calderon, Jones, James, Trevino, Torres; NAYS: None; ABSENT: Cockrell, Gatti, Parker.

AN ORDINANCE 36,731

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 DE-
SCRIBED HEREIN AS LOT 67, BLK. 6, NCB
8673 FROM "A" SINGLE FAMILY RESIDENCE
DISTRICT TO "B-2" BUSINESS DISTRICT.

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68-396 Next heard was zoning case 3401 to rezone Lot 4, Blk. 3, NCB 14059 from "C" Apartment District, "B" Residence District to "R-3" Multiple-Family Residence District located 200' north of Rigsby Avenue, 1128' southeast of cutback of I.H. 10 Expressway and Roland Avenue being irregular in shape with a maximum width of 805' and a maximum depth of 1500'.

Lots 2 and 3, Blk. 3, NCB 14059 and the east 150' of Lot 1, Blk. 2, NCB 14058 from "B" Residence District to "B-2" Business District; Lots 2 & 3, Blk. 3, NCB 14059 are located on the southwest side of Roland Avenue, 606.86' southeast of the cutback to the I.H. 10 Expressway; having 517.77' on Roland Avenue and a depth of 200'. The east 150' of Lot 1, Blk. 2, NCB 14058 is located on the west side of Hampton Avenue between "K" Street and Roland Avenue; having 877.85' on Hampton Avenue, 89.35' on "K" St. and 150' on Roland Avenue and is further described by field notes.

Lots 1 and 5, Blk. 3, NCB 14059; Lot 1, Blk. 1, NCB 14057; Lot 1, Blk. 2, NCB 14058 save and except the east 150' from "B" Residence District, "C" Apartment District, "F" Local Retail District and "J" Commercial District to "B-3" Business District. Lot 1, Blk. 1, NCB 14057 is located west of the intersection of Roland Avenue and I. H. 10 Expressway; having 442.79' on Roland Ave., 1005.23' on the I. H. 10 Expressway and 70' on the cutback between Roland and I.H. 10. Lot 1, Blk. 2, NCB 14058 save and except the east 150' is located on the southeast side of I.H. 10 Expressway between Roland Avenue and "K" Street; having 159.91' on "K" Street, 466.94' on the I.H. 10 Expressway, 579.91' on Roland Avenue and 61.29' on the cutback between Roland Avenue and I. H. 10 Expressway.

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Lot 1, Blk. 3, NCB 14059 is located on the south side of I.H. 10 between Roland Avenue and Clark Avenue; having 535' on Clark Avenue, 606.86' on Roland Avenue, 1501.70' on I.H. 10 and 45.00' on the cutback between Roland and I.H. 10. Lot 5, Blk. 3, NCB 14059 is located north of the intersection of Foothill Road and Rigsby Avenue; having 419.21' on Foothill Road and 1031.47' on Rigsby Avenue.

Mr. Burt Lawrence, Assistant Planning Director, explained the proposed change which the Planning Commission has recommended be approved by the City Council.

No one spoke in opposition.

On motion of Mr. Trevino, seconded by Mr. Jones, the recommendation of the Planning Commission was approved by passage of the following ordinance by the following vote: AYES: McAllister, Calderon, Jones, James, Trevino, Torres; NAYS: None; ABSENT: Cockrell, Gatti, Parker.

AN ORDINANCE 36,732

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, BLK. 3, NCB 14059 FROM "C" APARTMENT & "B" RESIDENCE DISTRICTS TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT; LOTS 2 & 3, BLK. 3, NCB 14059 & THE EAST 150' OF LOT 1, BLK. 2, NCB 14058 FROM "B" RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT; LOTS 1 & 5, BLK. 3, NCB 14059, LOT 1, BLK. 1, NCB 14057, LOT 1, BLK. 2, NCB 14058 SAVE & EXCEPT THE E. 150' FROM "B", "C", "F", & "J" TO "B-3" BUSINESS DISTRICT.

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Mayor McAllister was obliged to leave the meeting, and Mayor Pro-Tem John Gatti presided for the remainder of the meeting.

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68-396
time.

The Clerk read the following ordinance for the first

AN ORDINANCE 36,733

PROVIDING FOR THE EXTENSION OF CERTAIN
BOUNDARY LINES OF THE CITY OF SAN ANTONIO,
TEXAS AND THE ANNEXATION OF CERTAIN TERRI-
TORY CONSISTING OF 13.858 ACRES OF LAND,
WHICH SAID TERRITORY LIES ADJACENT TO AND
ADJOINS THE PRESENT BOUNDARY LIMITS OF THE
CITY OF SAN ANTONIO.

* * * *

Planning Director, Steve Taylor, on a map showed the location of the property to be at Wurzbach Road and Vance Jackson Road. The action is being taken at the request of the owners of the property, Mr. B.M. McCombs and D.L. Saunders.

No one spoke in opposition.

On motion of Doctor Calderon seconded by Mr. James, the ordinance was passed and approved for publication. The motion prevailed by the following vote: AYES: CALDERON, JONES, JAMES, GATTI, TREVINO, TORRES; NAYS: None; ABSENT: McALLISTER, PARKER; ABSTAINING: COCKRELL.

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time.

The Clerk read the following ordinance for the first

AN ORDINANCE 36,734

PROVIDING FOR THE EXTENSION OF CERTAIN
BOUNDARY LINES OF THE CITY OF SAN ANTONIO,
TEXAS AND THE ANNEXATION OF CERTAIN TERRI-
TORY CONSISTING OF 25.189 ACRES OF LAND,
WHICH SAID TERRITORY LIES ADJACENT TO AND
ADJOINS THE PRESENT BOUNDARY LIMITS OF THE
CITY OF SAN ANTONIO.

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Planning Director, Steve Taylor, on a map showed the location of the two tracts of property being annexed to be fronting on Lockhill-Selma Road between Wurzbach Road and Whispering Wind. The property is known as Whispering Oaks Commercial Subdivision and the action is being taken at the request of the owners, Oak Glen Park Development Company.

No one spoke in opposition.

On motion of Doctor Calderon seconded by Mr. Torres, the ordinance was passed and approved for publication by the following vote: AYES: CALDERON, JONES, JAMES, GATTI, TREVINO, TORRES; NAYS: None; ABSENT: McALLISTER, COCKRELL, PARKER.

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68-396 The Clerk read the following ordinance for the second and final time.

AN ORDINANCE 36,651

PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LINES OF THE CITY OF SAN ANTONIO, TEXAS AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 34.967 ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO.

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Planning Director, Steve Taylor, explained that the property is known as Charter Oaks Unit I located on Vance Jackson Road and the action is being taken at the request of the owner, Oak Glen Park Development Company.

No one spoke in opposition.

On motion of Mr. Trevino seconded by Mr. Torres, the ordinance was passed and approved by the following vote: AYES: CALDERON, JONES, JAMES, COCKRELL, GATTI, TREVINO, PARKER, TORRES; NAYS: None; ABSENT: McALLISTER.

68-396 The Clerk read the following ordinance:

AN ORDINANCE 36,652

PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LINES OF THE CITY OF SAN ANTONIO, TEXAS AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 21.122 ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO.

* * * *

Planning Director, Steve Taylor, explained that the property is known as Colonies North Subdivision Middletown Colony, Unit 5 and is owned by H. B. Zachry Properties, Inc. who requested the annexation.

No one spoke in opposition.

On motion of Doctor Calderon seconded by Mr. Torres, the ordinance was passed and approved by the following vote: AYES: CALDERON, JONES, JAMES, COCKRELL, GATTI, TREVINO, TORRES; NAYS: None; ABSENT: McALLISTER; ABSTAIN: PARKER.

68-396 City Manager Henckel advised the Council that item number one on the agenda was consideration of the low bid submitted by Skyline Construction Company for construction of Fire Station No. 34. He stated that it was felt that the bids received were high and recommended that the bids be rejected and that the project be readvertised.

On motion of Doctor Calderon seconded by Mr. Torres, all bids received for the construction of Fire Station No. 34 were rejected and the staff was directed to readvertise the project. The motion prevailed by the following vote: AYES: CALDERON, JONES, JAMES, COCKRELL, GATTI, TREVINO, PARKER, TORRES; NAYS: None; ABSENT: McALLISTER.

68-396 The Clerk read the following Ordinance:

AN ORDINANCE 36,735

AUTHORIZING EXECUTION OF A CONTRACT
WITH THE HOUSING AUTHORITY TO FURNISH
CERTAIN OFFICE SPACE IN CONNECTION
WITH THE MODEL CITIES PROGRAM.

* * * *

Mr. Alfred Rodriguez, Administrator of the Model Cities Program advised the Council that this space is located at 921 S. Brazos Street in the Alazan Apache Courts. It is an apartment which contains 891 square feet and the rental is \$75.00 per month. The space will be used as the information center and headquarters for the Newsletter. The Housing Authority will pay for the utilities. He added that the printers felt that the space should be air-conditioned which would make for better working conditions.

City Manager Henckel stated that if the space is air-conditioned, that the City should buy the units so that when the program is over the units can be used at some other location.

After consideration on motion of Mr. Trevino seconded by Doctor Calderon, the ordinance was passed and approved by the following vote: AYES: CALDERON, JONES, JAMES, COCKRELL, GATTI, TREVINO, PARKER, TORRES; NAYS: None; ABSENT: McALLISTER.

68-396 The following ordinance was explained by Mr. W.S. Clark, Land Division Chief and on motion of Mr. Trevino, seconded by Doctor Parker, was passed and approved by the following vote: AYES: CALDERON, JONES, JAMES, COCKRELL, GATTI, TREVINO, PARKER, TORRES; NAYS: None; ABSENT: McALLISTER.

AN ORDINANCE 36,736

AUTHORIZING A QUITCLAIM DEED OF A
UTILITY EASEMENT OUT OF NEW CITY

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BLOCK 12328 TO ROY L. MARTIN AND ASSO-
CIATES IN CONSIDERATION OF THE RESUB-
DIVISION BY THE LATTER OF SOUTH PARK
SHOPPING CENTER SUBDIVISION AND DEDICATING
THEREIN A REALIGNED SEWER EASEMENT.

* * * *

68-396 The following ordinance was explained by Mr. W.S. Clark, Land Division Chief, and on motion of Mr. Torres, seconded by Doctor Calderon, was passed and approved by the following vote: AYES: CALDERON, JONES, JAMES, GATTI, TREVINO, PARKER, TORRES; NAYS: None; ABSENT: McALLISTER, COCKRELL.

AN ORDINANCE 36,737

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE UNITED STATES OF AMERICA FOR THE RELOCATION BY THE FAA-OWNED MIDDLE MARKER PORTION OF THE INSTRUMENT LANDING SYSTEM SERVING RUNWAY 3-21 AT SAN ANTONIO INTERNATIONAL AIRPORT IN ORDER TO CLEAR THE RIGHT-OF-WAY FOR THE CONSTRUCTION OF NORTH EXPRESSWAY (U.S. 281) SOUTH OF SAID AIRPORT.

* * * *

68-396 The following ordinance was explained by W.S. Clark, Land Division Chief, and on motion of Mr. Torres, seconded by Mr. Trevino, was passed and approved by the following vote: AYES: CALDERON, JONES, JAMES, GATTI, TREVINO, PARKER, TORRES; NAYS: None; ABSENT: McALLISTER; ABSTAINING: COCKRELL.

AN ORDINANCE 36,738

REPEALING ORDINANCE NUMBER 28133 THAT CLOSED A PORTION OF APPLEWHITE STREET AND QUITCLAIM THE SAME TO THE PHILLIPS TOWER CO. FOR THE REASON THAT SAID COMPANY HAS NEVER SUBMITTED A REPLAT OF THE AREA INVOLVED.

* * * *

68-396 The following Ordinance was explained by Mr. W.S. Clark and on motion of Doctor Calderon seconded by Mr. Jones, was passed and approved by the following vote: AYES: CALDERON, JONES, JAMES, COCKRELL, GATTI, TREVINO, PARKER; NAYS: None; ABSENT: McALLISTER, TORRES.

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AN ORDINANCE 36,739

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF CERTAIN PRIVATELY OWNED REAL PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF SAN ANTONIO AS RIGHT OF WAY FOR STREET PURPOSES AND MORE SPECIFICALLY FOR THE WIDENING, CONSTRUCTION, RECONSTRUCTION, OPERATION AND MAINTENANCE OF A STREET KNOWN AS STEVES AVENUE BETWEEN CANDLER STREET AND WALTERS STREET AND AUTHORIZING THE ACQUISITION OF THE RIGHT OF WAY NECESSARY FOR SAID PROJECT BY PURCHASE OR DEDICATION AND DIRECTING THE CITY ATTORNEY TO INSTITUTE AND PROSECUTE CONDEMNATION PROCEEDINGS AGAINST SO MUCH THEREOF AS CANNOT BE ACQUIRED BY PURCHASE OR DEDICATION.

* * * *

68-396 The following ordinances were explained by Mr. W.S. Clark and on motion made and duly seconded were each passed and approved by the following vote: AYES: CALDERON, JONES, JAMES, COCKRELL, GATTI, TREVINO, PARKER, TORRES; NAYS: None; ABSENT: McALLISTER.

AN ORDINANCE 36,740

CLOSING AND ABANDONING PORTIONS OF GEVERS COURT AND HAYS STREET AND AUTHORIZING A QUITCLAIM DEED TO THE NEW MOUNT PLEASANT BAPTIST CHURCH IN CONSIDERATION OF THE DEDICATION OF CERTAIN PROPERTY FOR STREET RIGHT-OF-WAY PURPOSES.

* * * *

AN ORDINANCE 36,741

REPEALING ORDINANCE NUMBER 29617 THAT CLOSED A PORTION OF THRUSH VIEW LANE AND AUTHORIZE A QUITCLAIM OF THE SAME TO D.F. ORTS DUE TO THE FACT THAT MR. ORTS HAS NEVER SUBMITTED THE REQUIRED REPLAT OF THE AREA INVOLVED.

* * * *

AN ORDINANCE 36,742

APPROPRIATING \$367.00 OUT OF STREET IMPROVEMENT BONDS AND \$100.00 OUT OF SEWER REVENUE FUNDS FOR ACQUISITION OF RIGHT-OF-WAY AND EASEMENTS PERTAINING TO 36TH STREET DEVELOPMENT AND WESTERN AVENUE-

HALM ROAD SANITARY SEWER PROJECTS, ALSO
ACCEPTING A UTILITY EASEMENT IN PECAN
VALLEY UNIT 7 AND A STORM DRAINAGE
EASEMENT IN N.C.B. 14129.

* * * *

68-396 A hearing was held on the following ordinance
which was read by the Clerk.

AN ORDINANCE 36,743

DETERMINING THAT THE PREMISES LOCATED
AT 306 N. OLIVE, CONTAINS OR CONSTITUTES
A CONDITION WHICH IS DEEMED A NUISANCE, A
FIRE, HEALTH AND SAFETY HAZARD, AND THE CITY
ATTORNEY, IS DIRECTED TO FILE SUIT IN A
COURT OF COMPETENT JURISDICTION TO HAVE
THE NUISANCE ON SAID PREMISES ABATED AND
TO HAVE THE COST OF SUCH PROCEEDINGS AND
ABATEMENT ASSESSED AGAINST THE OWNERS OF
SAID PREMISES.

* * * *

Mr. George D. Vann, Director of Housing and
Inspections stated that the owner of the property, Mrs. Rose
Polk has been notified of the hearing this morning. He said
this is an abandoned one story wooden residence structure in
a run-down condition and is deteriorated more than fifty per
cent of its value by reason of its condition. He presented
as evidence pictures of the premises taken on Wednesday, August
15th. He added that they had been working on this case since
1966 but owner states she is not able to repair the house.

The owner of the building was not present at the
hearing.

After consideration on motion of Mr. Jones seconded
by Mr. Trevino, the ordinance was passed and approved by the
following vote: AYES: CALDERON, JONES, JAMES, COCKRELL, GATTI,
TREVINO, PARKER, TORRES; NAYS: None; ABSENT: McALLISTER.

68-396 The following ordinances were explained by Mr.
George Vann, Director of Housing and Inspections and on motion
made and duly seconded were each passed and approved by the
following vote: AYES: CALDERON, JONES, JAMES, COCKRELL, GATTI,
TREVINO, PARKER, TORRES; NAYS: None; ABSENT: McALLISTER.

AN ORDINANCE 36.744

GRANTING PERMISSION TO HARLANDALE IN-
DEPENDENT SCHOOL DISTRICT TO ERECT AN

EIGHT-FOOT HIGH CHAIN LINK FENCE,
WITH THREE STRANDS OF BARBED WIRE
AT THE TOP, AROUND THE PERIMETER OF
THE NEW ATHLETIC STADIUM COMPLEX AND
AT THE BASE OF FOUR LIGHT TOWERS.

* * * *

AN ORDINANCE 36,745

GRANTING PERMISSION TO THE OWNER OF
THE PROPERTY AT 8535 GREENBRIAR, TO
ERECT AN EIGHT-FOOT FENCE ON SAID
PROPERTY.

* * * *

68-396 The following ordinance was explained by George Vann, Director of Housing and Inspections and on motion of Doctor Calderon, seconded by Mr. Trevino was passed and approved by the following vote: AYES: CALDERON, JONES, JAMES, COCKRELL, GATTI, TREVINO, PARKER; NAYS: None; ABSENT: McALLISTER; ABSTAINING: TORRES.

AN ORDINANCE 36,746

GRANTING PERMISSION TO THE OWNER OF
LOT 64, BLOCK 20, N.C.B. 13555 (3746
CHARTWELL DRIVE) IN THE CITY OF SAN
ANTONIO, TO INCREASE THE HEIGHT OF THE
PRESENT SIX-FOOT WOODEN FENCE ON SAID
PROPERTY, SUCH INCREASE NOT TO EXCEED
THREE FEET, THREE INCHES. (HARRY (JERRY)
C. ZIMMERMAN, OWNER.)

* * * *

68-396 Assistant City Manager, Ancil Douthit, explained the following ordinance and on motion of Mr. Torres seconded by Mr. Trevino, was passed and approved by the following vote: AYES: CALDERON, JONES, JAMES, COCKRELL, GATTI, TREVINO, PARKER, TORRES; NAYS: None; ABSENT: McALLISTER.

AN ORDINANCE 36,747

DECLARING A HALF HOLIDAY FOR CITY
EMPLOYEES ON AUGUST 28TH IN ORDER
TO ATTEND HEMISFAIR.

* * * *

68-396 The Clerk read an ordinance granting tax exemption for all of Block 28, NCB 12220, owned by Morningside Manor, Inc. effective June 1, 1968 and to continue from year to year as long as the property qualifies for tax exemption. The ordinance also voided the assessment and taxes due for the 1967 tax year.

City Manager Henckel stated that he recommended granting the exemption for the tax year beginning June 1st but did not recommend voiding the 1967 assessment. He stated that in accordance with the Council's wishes, the survey of the property owned by charitable institutions could be completed by February and if this property is found to be of such a nature, then the taxes can be voided at a later date; or the matter could be taken to court to settle the question. After consideration the provision for voiding the 1967 tax year assessment was deleted from the ordinance. The clerk then read the ordinance as changed which is as follows:

AN ORDINANCE 36,748

GRANTING TAX EXEMPTION OF CERTAIN PROPERTY
OWNED BY MORNINGSIDE MANOR, INC.

* * * * *

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

That the property owned by Morningside Manor, Inc., the same being All of block 28, New City Block 12220, located in the City of San Antonio, Bexar County, Texas, be and the same is hereby declared to be of an exempt character and not subject to municipal ad valorem taxation; therefore, tax exemption from City taxes is hereby granted and said property is hereby exempt from taxation effective June 1, 1968, and to continue from year to year as long as said property qualifies for tax exemption under the Constitution and Laws of the State of Texas.

PASSED AND APPROVED this 15th day of August, 1968

JOHN GATTI

M A Y O R Pro-Tem

ATTEST: J.H. INSELMANN
City Clerk

APPROVED AS TO FORM: HOWARD C. WALKER
City Attorney

On motion of Mr. Trevino seconded by Doctor Calderon, the ordinance was passed and approved by the following vote:
AYES: CALDERON, JONES, JAMES, COCKRELL, GATTI, TREVINO, PARKER, TORRES; NAYS: None; ABSENT: McALLISTER.

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68-396 The Clerk read the following ordinance and on motion of Doctor Calderon seconded by Mr. Torres, was passed and approved by the following vote: AYES: CALDERON, JONES, JAMES, COCKRELL, GATTI, TREVINO, PARKER, TORRES; NAYS: None; ABSENT: McALLISTER.

AN ORDINANCE 36,749

AUTHORIZING THE DIRECTOR OF FINANCE
TO MAKE REFUNDS TO VARIOUS CONCERNS
AND INDIVIDUALS DUE TO THE OVER-
PAYMENT OF TAXES.

* * * *

68-396 Consideration of item number seventeen on the agenda which was an ordinance accepting the low qualified bids to furnish the City of San Antonio with certain automobiles was postponed for one week at the request of Councilman Torres.

68-396 The following ordinance was explained by Mr. George Vann, Director of Housing and Inspections, and on motion of Doctor Parker seconded by Mr. Trevino, was passed and approved by the following vote: AYES: CALDERON, JONES, JAMES, COCKRELL, GATTI, TREVINO, PARKER; NAYS: None; ABSENT: McALLISTER, TORRES.

AN ORDINANCE 36,750

AUTHORIZING THE PALACIO DEL RIO, INC.
TO CONSTRUCT A CANOPY OVER PUBLIC
PROPERTY.

* * * *

68-396 The Council considered the City Manager's recommended procedure for citizens to be heard at Council meetings. After consideration it was the consensus of the Council that the procedure be on a trial basis and is as follows:

1. That Citizens to be Heard be Item #5 on the agenda.
2. That registration in the Council Foyer on the morning of the meeting be required.
3. That citizens desiring to speak be limited to five minutes and also a limit of five minutes on each subject and a maximum of thirty minutes will be allowed for item number five.

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4. That the item preceding Adjournment also be for citizens to be heard.

Any citizen whose presentation takes longer than five minutes or who has not registered under Item #2, or who was unable to make presentation because of the thirty minute time limit under Item #2, be allowed to make his or her presentation at this time.

68-396 Councilwoman Mrs. Cockrell concerning the report on re-organization of the Community Relations Commission, stated that one or two changes have been suggested. A corrected copy will be prepared so that members of the Council can study the changes and this matter be placed on the agenda for Thursday, August 26th.

City Manager Henckel stated that if the ordinance is passed it will be necessary to select new board members or reappoint present members because the current terms expired on July 31st.

68-396 City Manager stated that a letter had been received from the County Judge for appointment of a study committee concerning joint spending and closer cooperation between the City and County.

Mayor Pro-Tem Gatti suggested that each member of the Council submit names for appointment to this committee by Monday or Tuesday. He suggested that there be ten representatives from the City and ten representatives from the County and the members can then appoint an additional ten members. The purpose of the committee is to see what possible savings to the tax payers can be effected through City-County cooperation.

There being no further business to come before the Council, the meeting adjourned.

A P P R O V E D:

ATTEST:

JH Invelman
CITY CLERK

HW McAllister
MAYOR

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