

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, MAY 18, 1978.

* * * *

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

78-23 The invocation was given by The Reverend Stanley F. Hauser, St. Mark's Episcopal Church.

78-23 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

78-23 The minutes of the meeting of May 11, 1978 were approved.

78-23 OFFICE OF MINORITY BUSINESS ENTERPRISE WEEK

Mayor Cockrell welcomed Dr. Randolph Blackwell, Director of the Office of Minority Enterprises of the Department of Commerce, to the meeting and invited him to the podium.

Dr. Blackwell said that his office will make an award to Mr. Bill Sinkin for his efforts on behalf of minority enterprises. This "Award of Excellence" is awarded to persons in the private sector when they have done an excellent job in fostering minority business.

Mayor Cockrell congratulated Mr. Sinkin and then read a proclamation proclaiming Office of Minority Business Week in San Antonio.

Individual Council members greeted Dr. Blackwell and congratulated Mr. Sinkin.

78-23 APPEAL OF SAN ANTONIO BANK
AND TRUST COMPANY ON THE
DENIAL OF A PERMIT TO DEMOLISH
A BUILDING BY USE OF EXPLOSIVES

Mr. Leroy Denman, representing the San Antonio Bank and Trust Company, said that his firm is owner of property located at the northwest corner of Pecan and Navarro Streets. One building was the former Elk's Club and the other was a parking garage.

Mr. Denman said that he wishes to demolish the buildings and has hired a firm of experts to demolish them with explosives. The Board of Review of Historic Districts had found the Elk's Building to have historic value and a demolition permit was denied which means at least 120 days must elapse before a permit could be granted.

Additionally, Fire Chief I.O. Martinez had denied the permit because of his concern for the safety of citizens.

Mr. Denman asked that the Council overrule both of these denials.

Mr. George Vann Jr., Director of Building and Zoning said that traditional means of demolition of these buildings would take several months. He said that he had viewed a film on demolition by explosives and talked with the engineers. He said that the safety factor appears to be good.

Pat Osborne, Historic Preservation Officer, reviewed the history of the Elks Club Building and various ideas for rehabilitation of it.

Fire Chief I.O. Martinez expressed his basis for concern over the use of explosives in a congested area. He said that anything could happen in spite of all precautions.

Mr. Cecil Henne, Design Engineer for the City Public Service Board said that he did not consider the project dangerous to CPS gas mains and said that the Bank would be liable if any damage did occur.

Mr. Phil Benson said that he is a member of a group who recently purchased the building immediately across Navarro Street. He said that he is not concerned about the use of explosives but if the work is to be done he would like to see it done quickly.

There was a general discussion about the project and the City Attorney was asked to rewrite the Ordinance to spell out its meaning in better detail.

The Ordinance was rewritten and read by the Clerk.

AN ORDINANCE 49,370

GRANTING THE REQUEST OF SAN ANTONIO BANK
AND TRUST FOR A PERMIT TO DEMOLISH A BUILDING
AT NAVARRO AND PECAN USING DYNAMITE.

* * * *

Upon motion by Mr. Steen, seconded by Mr. Eureste, the ordinance was passed and approved by the following vote: AYES: Cisneros, Webb, Wing, Eureste, Ortiz Steen, Cockrell; NAYS: Webb, Hartman; ABSENT: Alderete, Pyndus.

78-23 The meeting was recessed at 2:25 P.M. to allow the Council to go into Executive Session. The meeting reconvened at 3:30 P.M.

78-23 STRIKE OF GARBAGE EMPLOYEES

Mayor Cockrell announced that the staff is preparing a statement for release concerning the strike of refuse collectors. When it is ready it will be distributed to the media.

78-23 ZONING HEARINGS

2. CASE 7241 - to rezone Lots 18 & 19, Block 1, NCB 3176, 1334-1336 Rigsby Avenue, from "B" Two Family Residential District to "B-2" Business District, located southwest of the intersection of Rigsby Avenue and Hallie Avenue, having 50' on Rigsby Avenue and 117' on Hallie Avenue.

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

Mr. Pete Herrera, owner of the property, said that he wished to see a barbeque at this location. He said the request was denied by the Zoning Commission because there was not sufficient parking. He said that he had a plan where parking could be done on the property which would be adequate.

Councilwoman Helen Dutmer said that the street is extremely narrow at this point and is surrounded by residences.

Mr. Camargo said that the staff had recommended denial because it is in the midst of a residential area and would be hard to develop commercially.

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

The rezoning was denied.

1. CASE 7261 - to rezone Lots 40, 41 and the remaining portion of Lots 42 and 43, Block 3, NCB 7645, 1071-1083 Kendalia Avenue from "B" Two Family Residential District to "B-3" Business District, located northeast of the cutback between I.H. 35 Expressway and Kendalia Avenue; having 200' on Kendalia Avenue, 194.21' on I.H. 35 Expressway and 11.43' on the cutback between I.H. 35 Expressway and Kendalia Avenue.

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

Mr. Mayo Galindo, attorney for the applicant, said that this property is a fragment left over from construction of the freeway and is not suitable for residential use. The Council has previously denied application to rezone this property and a suit is now in court against the City.

Speaking opposition, Mr. Jesse O. Mireles said he has opposed this and other requests to zone this property for commercial use. He said he wished to retain the residential use of the neighborhood.

In rebuttal, Mr. Galindo said that the present use has not caused any problems and to deny its use for business would be unfair.

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

Rezoning was denied.

3. CASE 7277 - to rezone Lot 53, Block 15, NCB 9218, 3402 Blanco Road from "R-3" Multiple Family Residential District to "B-1" Business District, located northeast of the intersection of Clower Drive and Blanco Road; having 60' on Clower Drive and 129.4' on Blanco Road.

Mr. Gene Camargo, Planning Administrator, said that the agenda shows a request for "B-1" zoning in this case. However, in last week's Council meeting a proposed amendment to the Zoning Ordinance did not pass, which would have affected this case. Mrs. Contie, the applicant, has agreed to accept the Zoning Commission recommendation for "R-3" Zoning with special approval of the City Council for a day care center caring for more than 20 children.

Mrs. Contie affirmed the statement.

No one spoke in opposition.

After consideration, Mr. Steen moved to accept the recommendation of the Zoning Commission and to rezone this property to "R-3" Multiple Family Residential District with special permission for a day care nursery caring for more than 20 children. The motion was seconded by Mr. Hartman and carried by the following roll call vote: AYES: Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Cisneros.

AN ORDINANCE 49,371

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 53, BLOCK 15, NCB 9218, 3402 BLANCO ROAD, FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT WITH SPECIAL APPROVAL TO OPERATE A DAY CARE NURSERY CARING FOR MORE THAN TWENTY CHILDREN.

* * * *

4. CASE 7267 - to rezone a 3.827 acre tract of land out of NCB's 11630 and 11631, being further described by field notes filed in the Office of the City Clerk, in the 8300 Block of N.W. IH 10 Expressway from "B-2" Business District to "B-3" Business District, located on the northeast side of N.W. IH 10 Expressway, being 85' northwest of the intersection of Greatview Drive and N.W. IH 10 Expressway; having 75.76' on N.W. IH 10 Expressway and a maximum depth of 558.72'.

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

Mr. Charles Dempsey, Architect, showed Council a site plan for the proposed Hemphill McCombs automobile dealership to be located on this property. He said that there have been several meetings with residents near this area to alleviate any fears they may have.

There is a "B-3" zone on adjacent property already and this will form a major part of the dealership. There is an existing 40' easement to City Public Service Board along the northeast with a 25' green belt established. In addition, there is "O-1" Zoning the entire length of the property on the northeast.

Mr. B.J. McCombs, the applicant, said that he has had meetings with the neighbors and has arrived at a fair agreement with them. He said that as far as he knows all of the complaints have been resolved.

Mrs. Carolyn Carr said that in view of the agreement reached with Mr. McCombs, the residents of Fallen Leaf Lane have asked that their objection to the rezoning be withdrawn.

Dr. Edward Allen Benson said that he spoke as a representative of persons living on Red Oak Lane and Rockhill who also asked that their objections be withdrawn.

After consideration, Mr. Steen moved that the recommendation of the Zoning Commission be approved provided that an 8' cyclone fence is erected and maintained on the northeast property of parcel 100, NCB 11631, and the northeast property line of parcel 80, 81, 82, 83 of NCB 11630. Mr. Webb seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Dutmer.

AN ORDINANCE 49,372

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 3.827 ACRE TRACT OF LAND OUT OF NCB'S 11630 AND 11631, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 8300 BLOCK OF N.W. IH 10 EXPRESSWAY FROM "B-2" BUSINESS DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT AN 8' CYCLONE FENCE IS ERECTED AND MAINTAINED ON THE NORTHEAST PROPERTY OF PARCEL 100, NCB 11631, AND THE NORTHEAST PROPERTY LINE OF PARCEL 80, 81, 82, 83 OF NCB 11630.

* * * *

5. CASE 7227 - to rezone Lot 1, save and except the west 350' Block 5, NCB 10318, in the 900 Block of Sewanee Street and in the 1400 Block of Peck Avenue from "B" Two Family Residential District to "R-3" Multiple Residential District, located 350' east of Pecan Valley Drive between Sewanee Street and Peck Avenue; having 937.7' on Sewanee Street and 942.8' on Peck Avenue.

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

Mr. Vernon Helmke, Architect, said that St. Phillip's Church has been planning to erect housing for the elderly and physically handicapped. The facility would be built on the east portion of their property. Next month, the church will apply to HUD for a direct loan for the project.

Mr. Louis Thompson, owner of adjacent property to the south, said that as a requirement to this zoning the church should be required to extend Peck Avenue into the development to provide access. He said that he would be willing to donate a 20' strip off his property to this use.

Mr. Helmke said that for security reasons the church does not wish to have additional access and objects to Mr. Thompson's idea.

Mr. Joe Aceves, speaking for the Traffic and Transportation Department, said that the extension of Peck Avenue would not be needed.

After consideration, Mr. Wing moved that the recommendation of the Zoning Commission be approved provided that proper platting 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: Cisneros, Webb, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Dutmer.

AN ORDINANCE 49,373

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 1, SAVE AND EXCEPT THE WEST 350', BLOCK 5, NCB 10318, IN THE 900 BLOCK OF SEWANEE STREET, IN THE 1400 BLOCK OF PECK AVENUE, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

78-23

STRIKE OF REFUSE COLLECTORS

At this point, Mayor Cockrell interrupted proceedings to read the following statement:

STATEMENT OF POSITION

The City Council and the City Manager have acted in good faith and demonstrated their intent to consider salary adjustments for all City employees;

Consideration of any salary adjustments with appropriate consideration of the increase in cost of living will be discussed first in the budget process commencing June 1, 1978, in the context of the City's financial condition and the total overall needs of the community;

The City Council has agreed to continue to work on alleviating any manpower shortage in refuse collection;

The City Manager has agreed to work on route balancing;

The Manager and Council have agreed that a committee will be formed to work on grievances as approved by Council action May 17, 1978;

The Council has committed to compensation for extra time worked on Friday, May 19, 1978 to address the loss of wages on Wednesday, May 17, 1978, and enhance the collection of accumulated refuse;

Certain City employees are in violation of Article 5154c by conducting an illegal organized work stoppage;

At the present time, the subject City employees have failed to return to work, pursuant to Article 5154c.

The City Council reaffirms its intent to alleviate the above work related grievances and accomplish the above outlined actions.

If a return to work by subject employees is not realized by the beginning of normal working hours on May 19, 1978, the Council will consider the necessary legal action pursuant to Article 5154c."

The above statement was signed by all of the Council members except for Mr. Pyndus.

Mayor Cockrell was obliged to leave the meeting and Mayor Pro-Tem Rudy Ortiz presided.

6. CASE 7257 - to rezone the south 415' of the west 155.91' of Parcel 26, NCB 15363, in the 7900 Block of Marbach Road from Temporary "R-1" Single Family Residential District to "B-2" Business District, located northeast of Marbach Road and Meadow Way Drive; having 155.91' on Marbach Road and 415' on Meadow Way Drive.

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

Mr. Rick Leeper, representing the applicant, said that the property would be developed with a fast food service plus a retail shopping center.

Mr. William Ricks, Jr., 7818 Marbach, spoke in opposition. He said that a similar request for rezoning was denied. That request also included land to the east. He described the area in question and said that it intrudes on residential property in the area.

Mr. Alderete said that the traffic in this area is already too heavy, and he would be opposed to approving anything that would increase it. He then moved that the request for rezoning be denied. Mr. Eureste seconded the motion.

Mr. Steen pointed out that the tract being considered is completely surrounded by commercial development and it is not conceivable that residences would be built on it. He made a substitute motion that the recommendation of the Zoning Commission be upheld and the rezoning approved, provided that proper platting is accomplished. The motion was seconded by Mr. Hartman.

Mr. Leeper spoke in rebuttal pointing to all of the already existing commercial zoning and said he just couldn't see any increased traffic.

Mr. Joe Aceves, Traffic and Transportation Department, said that his department does not feel that the proposed use of this property would materially add to the traffic.

After consideration, the substitute motion to approve the rezoning carried by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Pyndus, Hartman, Steen; NAYS: Ortiz, Alderete; ABSENT: Cockrell.

AN ORDINANCE 49,374

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE SOUTH 415' OF THE WEST 155.91' OF PARCEL 26, NCB 15363, IN THE 7900 BLOCK OF MARBACH ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

7. CASE 7256 - to rezone Lot 17, NCB 1917, in the 100 Block of La Harpe Street, from "D" Apartment District to "I-1" Light Industry District, located on the east side of La Harpe Street, being 30' north of the intersection of La Harpe Street and W. Laurel Street; having 90.26' on La Harpe Street and a depth of 140'.

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

Mrs. Della Alonzo, the applicant, stated that there will be a surplus store on the property. The property to be stored outside will be tools and similar equipment.

Mr. Bill Meyers, representing VIA, said that this tract is a part of the area that the VIA Metro Transit Authority intends to purchase the property in the near future. The grant application has not yet been approved.

After consideration, Mr. Hartman moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished. Mr. Eureste seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen; NAYS: Wing; ABSENT: Cockrell.

AN ORDINANCE 49,375

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 1917, IN THE 100 BLOCK OF LA HARPE STREET, FROM "D" APARTMENT DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

78-23 Mayor Cockrell returned to the meeting and presided.

8. CASE 7263 - to rezone Lot 30, Block 1, NCB 12451, 2727 Nacogdoches Road, from "B" Two Family Residential District to "O-1" Office District, located on the northwest side of Nacogdoches Road, being 207' southwest of the intersection of Middlebury Drive and Nacogdoches Road; having 67.7' on Nacogdoches Road and a depth of 131.39'.

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

Mr. Steen made a motion that the recommendation of the Zoning Commission be approved provided that a six foot solid screen fence is erected and maintained along the northwest property line. Mr. Wing seconded the motion.

Mr. Pyndus then made a substitute motion that the request for rezoning be denied. The motion died for lack of a second.

On roll call, the motion to approve the rezoning, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Ortiz, Steen, Cockrell; NAYS: Pyndus; ABSENT: Cisneros, Alderete, Hartman.

AN ORDINANCE 49,376

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 30, BLOCK 1, NCB 12451, 2727 NACOGDOCHES ROAD FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "O-1" OFFICE DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTHWEST PROPERTY LINE.

* * * *

9. CASE 7273 - to rezone Lot 29, Block 1, NCB 12451, 2731 Nacogdoches Road from "B" Two Family Residential District to "O-1" Office District, located on the northwest side of Nacogdoches Road, being 141' southwest of the intersection of Middlebury Drive and Nacogdoches Road; having 66' on Nacogdoches Road and a maximum depth of 131.08'.

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

No one spoke in opposition.

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

AN ORDINANCE 49,377

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 29, BLOCK 1, NCB 12451, 2731 NACOGDOCHES ROAD, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "O-1" OFFICE DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTHWEST PROPERTY LINE.

* * * *

10. CASE 7280 - to rezone Lot 1 and the west 40' of Lot 2, Block 1, NCB 8963, 764 Division Avenue, from "B" Two Family Residential District to "B-3" Business District, located southeast of the intersection of Division Avenue and Commercial Avenue; having 90' on Division Avenue and 125' on Commercial Avenue.

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

No one spoke in opposition.

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

AN ORDINANCE 49,378

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 1 AND THE WEST 40' OF LOT 2, BLOCK 1, NCB 8963, 764 DIVISION AVENUE FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE SOUTH PROPERTY LINE.

* * * *

11. CASE 7246 - to rezone a 4.86 acre tract of land out of NCB 14035, being further described by field notes filed in the Office of the City Clerk from "P-1(R-2)" Planned Unit Development Two Family Residential District to "R-3" Multiple Family Residential District, located 134' southeast of the intersection of Stockbridge Lane and Big Meadows, being 428.32' northeast of Interstate Highway 10 Expressway; having a maximum width of 380.74' and a maximum depth of 613.55'.

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

Mr. John Williamson, Architect, had a site plan showing how the property is to be developed with garden apartments. The apartments will be 2-story. The only access would be on Stockbridge and his client has agreed to a no-access easement on the northwest and northeast property lines.

Mr. David Brown Jr., a resident of Valley Pike Drive, said that as long as there would be no access from Valley Pike Drive he would have no objections.

Mr. Camargo, said that when this tract is replatted there will be a cul-de-sac with a 100' radius at the end of Valley Pike. There will be no access from that street, however.

Mrs. Margaret Campaign spoke of the poor condition the property is in. She said that she hoped this is no indication of the condition the apartments would be in. She expressed concern about traffic, flood lights and swimming pools.

Mrs. Anna Walke spoke in opposition.

After consideration, Mr. Pyndus moved that the recommendation of the Zoning Commission be approved provided that a six foot solid screen fence is erected and maintained adjacent to single family dwellings; that a one foot non-access easement is imposed on the northeast property line; that proper platting is accomplished and that a building set-back line is established 50' from the northeast property line and 50' from the northwest property line. Mr. Steen seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 49,379

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 4.86 ACRE TRACT OF LAND OUT OF NCB 14035, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 4200 BLOCK OF VALLEY PIKE, FROM "P-1(R-2)" PLANNED UNIT DEVELOPMENT TWO FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ADJACENT TO SINGLE FAMILY DWELLINGS; THAT A ONE FOOT NON-ACCESS EASEMENT IS IMPOSED ON THE

NORTHEAST PROPERTY LINE; THAT PROPER PLATTING IS ACCOMPLISHED AND THAT A BUILDING SET BACK LINE IS ESTABLISHED 50' FROM THE NORTHEAST PROPERTY LINE AND 50' FROM THE NORTHWEST PROPERTY LINE.

* * * *

12. CASE 7258 - to rezone Lots 1, 2, and 3, Block 2, NCB 9004, 298 El Monte Boulevard, from "D" Apartment District to "B-2" Business District located southeast of the intersection of San Pedro Avenue and El Monte Boulevard; having 138.5' on San Pedro Avenue and 70.5' on El Monte Boulevard.

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

No one spoke in opposition.

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

AN ORDINANCE 49,380

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, AND 3, BLOCK 2, NCB 9004, 298 EL MONTE BOULEVARD, FROM "D" APARTMENT DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE EAST PROPERTY LINE.

* * * *

13. CASE 7282 - to rezone Parcels 24 and 24-A, NCB 12567, in the 4500 Block of N.W. Military Highway, from Temporary "R-1" Single Family Residential District to "R-2" Two Family Residential District, located on the southwest side of N.W. Military Highway, being 380' southeast of the cutback between George Road and N.W. Military Highway; having 217' on N.W. Military Highway and a maximum depth of 633'.

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

No one spoke in opposition.

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

AN ORDINANCE 49,381

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 PARCELS 24 AND 24-A, NCB 12567, IN THE 4500 BLOCK OF N.W. MILITARY HIGHWAY FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-2" TWO FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

14. CASE 7248 - to rezone Parcels 44 and 45, NCB 12567, in the 12600 Block of George Road, from "P-1(R-2) Planned Unit Development Single Family Residential District to "R-1" Single Family Residential District, located east of the cutback between George Road and Lockhill-Selma Road; having 865.58 on George Road, 320' on Lockhill-Selma Road and 70' on the cutback between these two roads.

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

No one spoke in opposition.

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

AN ORDINANCE 49,382

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 PARCELS 44 AND 45, NCB 12567, IN THE 12600 BLOCK OF GEORGE ROAD, FROM "P-1(R-1)" PLANNED UNIT DEVELOPMENT SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

15. CASE 7252 - to rezone Lots 1 and 2, Block 11, NCB 8299, 2842 Culebra Road from "F" Local Retail District to "B-3" Business District, located at the southwest corner of N. San Eduardo Street and Culebra Road; having 45.8' on Culebra and 130.9' on N. San Eduardo Street.

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

No one spoke in opposition.

After consideration, Mr. Steen moved that the zoning be changed to "B-3R" instead of "B-3" and that otherwise, the recommendation of the Zoning Commission be approved provided that proper platting is accomplished and that a six foot solid screen fence is erected and maintained along the south property line. Mr. Alderete seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 49,383

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 2, BLOCK 11, NCB 8299, 2842 CULEBRA ROAD, FROM "F" LOCAL RETAIL DISTRICT TO "B-3R" 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.

* * * *

16. CASE 7259 - to rezone Lots 1 and 2, NCB 10757, 1867 and 1875 S.W.W. White Road from "A" Single Family Residential District to "B-3" Business District, located northwest of the cutback between E. Rigsby Avenue and S.W.W. White Road; having 177.2' on E. Rigsby Avenue, 188.6' on S.W.W. White Road and 116.1' on the cutback between E. Rigsby Avenue and S.W.W. White Road.

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

No one spoke in opposition.

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

AN ORDINANCE 49,384

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 2, NCB 10757 1867 and 1875 S.W.W. WHITE ROAD, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT.

* * * *

17. CASE 7255 - to rezone the south 35.5' of the remaining portion of Arbitrary Tract H-2, NCB 10600, 1019 Eddie Road, from "A" Single Family Residential District to "I-1" Light Industry District, located on the west side of Eddie Road, being 520' south of the intersection of Lila Mae Drive and Eddie Road; having 35.5' on Eddie Road and a depth of 185.26'

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

No one spoke in opposition.

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

AN ORDINANCE 49,385

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE SOUTH 35.5' OF THE REMAINING PORTION OF ARBITRARY TRACT H-2, NCB 10600, 1019 EDDIE ROAD, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

18. CASE 7253 - to rezone a 3.283 acre tract of land out of NCB 15650, being further described by field notes filed in the Office of the City Clerk, in the 6500 Block of Wurzbach Road, from Temporary "R-1" Single Family Residential District to "B-2" Business District, located on the southeast side of Wurzbach Road, being 210' southwest of the intersection of Wurzbach Road and Cairo Drive; having 563.6' on Wurzbach Road and maximum depth of 335'.

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

AN ORDINANCE 49,386

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 3.283 ACRE TRACT OF LAND OUT OF NCB 15650, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 6500 BLOCK OF WURZBACH ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

19. CASE 7254 - to rezone a 6.289 acre tract of land out of NCB 10779, being further described by field notes filed in the Office of the City Clerk, in the 4300 Block of Roland Avenue, from "A" Single Family Residential District to "R-3" Multiple Family Residential District, located on the northeast side of Roland Avenue, being 230' northwest of the intersection of Roland Avenue and a maximum depth of 660'.

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

No one spoke in opposition.

After consideration, Mr. Steen made a motion that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished and that a six foot solid screen fence is erected and maintained along the south property line. 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: Dutmer, Wing, Eureste, Ortiz, Alderete, [REDACTED], Hartman, Steen, Cockrell, [REDACTED], Cisneros, Webb; NAYS: None; ABSTAIN: [REDACTED] None.

AN ORDINANCE 49,387

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 6.289 ACRE TRACT OF LAND OUT OF NCB 10779, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 4300 BLOCK OF ROLAND AVENUE, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE SOUTH PROPERTY LINE.

* * * *

20. CASE 7262 - to rezone Lots 1, 27, 28 and the east irregular 25' of Lot 2, Block 2, NCB 7470, 3202 Culebra Road, from "C" Apartment and "F" Local Retail District to "B-3" Business District, located on the west side of Memorial Street between Culebra Road and Cornelia Avenue; having 300' on Memorial Street, 80' on Culebra Road and 100' on Cornelia Avenue.

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

Mr. Alderete requested that the zoning be changed from "B-3" to "B-3R" to preclude the operation of a tavern at this location.

The applicant, Mr. Arthur Valdez, objected to the change. He said that the corner property is the old "F" zoning which permits consumption of alcoholic beverages on premises and he would not want the zoning downgraded.

The matter was discussed at length after which Mr. Alderete moved to accept the recommendation of the Zoning Commission but that the new zoning be "B-3R". The motion was seconded by Mr. Eureste and on roll call, the motion carrying with it adoption of the following and was passed and approved by the following roll call vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Hartman, Steen, Cockrell; NAYS: Pyndus; ABSENT: None.

AN ORDINANCE 49,388

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, 27, 28 AND THE EAST IRREGULAR 25' OF LOT 2, BLOCK 2, NCB 7470, 3202 CULEBRA ROAD FROM "C" APARTMENT DISTRICT AND "F" LOCAL RETAIL DISTRICT TO "B-3R" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

21. CASE 7265 - to rezone the east irregular 753.37' of Tract A, NCB 10879, in the 7300 Block of I.H. 37 Expressway, from "B" Two Family Residential District to "I-1" Light Industry District, located on the north-east side of I.H. 37 Expressway, being 175' southwest of the cutback between Shetland Drive and I.H. 37 Expressway; having 4,587' on I.H. 37 Expressway and a maximum depth of 676'.

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

AN ORDINANCE 49,389

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 IRREGULAR 753.37' OF TRACT A, NCB 10879, IN THE 7300 BLOCK OF I.H. 37 EXPRESSWAY, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

22. CASE 7266 - to rezone Lot 6, Block 2, NCB 3382, 112 Thelka Street, from "C" Apartment District to "B-2" Business District, located south of the intersection of Probandt Street and Thelka Street; having 24.97' on Probandt Street and 30.48' on Thelka Street with a maximum depth of 150'.

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

No one spoke in opposition.

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

AN ORDINANCE 49,390

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 6, BLOCK 2, NCB 3382, 112 THELKA STREET, FROM "C" APARTMENT DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE EAST PROPERTY LINE ON THAT PORTION ABUTTING SINGLE FAMILY DWELLINGS.

* * * *

23. CASE 7272 - to rezone the south 268.5' of Lot 25 and the southeast 29.35' of the south 268.5' of Lot 27, NCB 11880, 1703 W. Lawndale Drive, from "A" Single Family Residential District to "R-6" Townhouse District, located on the northside of W. Lawndale Drive, being 328.30' west of the intersection of Broadway and W. Lawndale Drive; having 261.65' on W. Lawndale Drive and a depth of 268.5'.

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

AN ORDINANCE 49,391

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE SOUTH 268.5' OF LOT 25, AND THE SOUTHEAST 29.35' OF THE SOUTH 268.5' OF LOT 27, NCB 11880, 1703 W. LAWDALE DRIVE, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-6" TOWNHOUSE DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

* * * *

24. CASE 7274 - to rezone Lot 37, Block 12, NCB 6070, 3410 Nogalitos Street, from "F" Local Retail District to "B-3" Business District, located northeast of the intersection of Nogalitos Street and Surrey Avenue; having 150' on Nogalitos Street and 150' on Surrey Avenue.

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

No one spoke in opposition.

After consideration, Mr. Steen moved that the property be rezoned to "B-3R" Business District instead of "B-3". The motion was seconded by Mr. Eureste and on the following roll call vote, the motion carrying with it the following Ordinance was passed and approved: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Alderete, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Ortiz, Pyndus.

AN ORDINANCE 49,392

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 37, BLOCK 12, NCB 6070, 3410 NOGALITOS STREET, FROM "F" LOCAL RETAIL DISTRICT TO "B-3R" BUSINESS DISTRICT.

* * * *

25. CASE 7275 - to rezone Tract 15-G, save and except the west 205' NCB 10758, 2064 S. W.W. White Road from "A" Single Family Residential District to "B-2" Business District, located on the east side of S.W.W. White Road, being 539.27' north of the intersection of Wineway Drive and S.W.W. White Road and east 205' having a width of 107.5' and depth of 200', and the west 205' of Tract 15-G, NCB 10758, 2064 S.W.W. White Road, from "A" Single Family Residential District to "B-3" Business District, located on the east side of S.W.W. White Road, being 539.27' north of the intersection of Wineway Drive and S.W.W. White Road, having 107.5' on S.W.W. White Road and a depth of 205'.

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

Mr. John Perryman, the applicant, said that he was planning to build one-story apartments on the east portion and a beauty shop on the front portion. In answer to Mrs. Dutmer's question, he said that "B-3R" zoning on the west portion would be acceptable.

No one spoke in opposition.

After consideration, Mr. Alderete moved that the recommendation of the Zoning Commission be upheld with the west portion being zoned "B-3R" Business District, provided that proper platting is accomplished and that a six foot solid screen fence is erected and maintained along the east property line. Mr. Hartman seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Alderete, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Ortiz, Pyndus.

AN ORDINANCE 49,393

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS TRACT 15-G, SAVE AND EXCEPT THE WEST 205' NCB 10758, 2064 S.W.W. WHITE RD. FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT AND THE WEST 205' OF TRACT 15-G, NCB 10758, 2064 S.W.W. WHITE RD. FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3R" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE EAST PROPERTY LINE.

* * * *

26. CASE 7278 - to rezone the north 140' of Lots 36 and 37, Block 3, NCB 13765, 10614 I.H. 35 North Expressway from "B-3" Business District to "I-1" Light Industry District, located on the southeast side of I.H. 35 North Expressway, being 950' northeast of the intersection of Starlight Terrace and I.H. 35 North Expressway; having 228.72' on I.H. 35 North Expressway and a depth of 140'.

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

AN ORDINANCE 49,394

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE NORTH 140' OF LOTS 36 AND 37, BLOCK 3, NCB 13765, 10614 I.H. 35 NORTH EXPRESSWAY, FROM "B-3" BUSINESS DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT.

* * * *

27. CASE 7279 - to rezone Lot 4 and the remaining portion of Lot 3, NCB 10613, 150-156 North W.W. White Road, from "A" Single Family Residential District to "B-3" Business District, located southeast of the intersection of Emil Road and North W.W. White Road; having 381.66' on Emil Road and 143' on North W.W. White 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. Webb 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 until such time as the adjacent lot transitions to a business use. Mr. Alderete seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 49,395

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 AND THE REMAINING PORTION OF LOT 3, NCB 10613, 150-156 NORTH W.W. WHITE ROAD, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATting IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE EAST PROPERTY LINE UNTIL SUCH TIME AS THE ADJACENT LOT TRANSITIONS TO A BUSINESS USE.

* * * *

28. CASE 7276 - to rezone a 10.152 acre tract of land out of NCB 14699, being further described by field notes filed in the Office of the City Clerk, in the 3600 Block of Lockhill-Selma Road from "P-1(R-6)" Planned Unit Development Townhouse District and "P-1(B-2) Planned Unit Development Business District to "P-1(R-1)" Planned Unit Development Single Family Residential District, located on the southwest side of Lockhill-Selma Road between Elm Creek Road and Orsinger Road; having 1199.79' on Lockhill-Selma Road, 284.8' on Orsinger Road and 573.25' on Elm Creek Road.

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

No one spoke in opposition.

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

AN ORDINANCE 49,396

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 10.152 ACRE TRACT OF LAND OUT OF NCB 14699, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 3600 BLOCK OF LOCKHILL-SELMA ROAD, FROM "P-1(R-6)" PLANNED UNIT DEVELOPMENT TOWNHOUSE DISTRICT AND "P-1(B-2)" PLANNED UNIT DEVELOPMENT BUSINESS DISTRICT TO "P-1(R-1)" PLANNED UNIT DEVELOPMENT SINGLE FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

78-23

ZONING CASE 7134

Mayor Cockrell stated that members of the City Council were in receipt of a letter from persons who had objected to Zoning Case 7134 when it was brought before the Council last January. As a result of their objections, the request for rezoning from "R-1" and "R-A" to "I-2" Heavy Industry District was denied by the City Council.

The persons who objected have signed a written retraction of their objections in view of the fact that Beatrice Foods, Inc., is putting a deed restriction into the conveyance saying that the property may never be used for the operation of a Rendering Plant.

Mayor Cockrell asked the Council if they wished to reconsider this Case in view of the letter received. After discussion, it was the consensus of the Council that the Zoning Commission be instructed to reinstitute zoning procedures in this Case at the earliest time possible.

78-23

CITIZENS TO BE HEARD

STORER BROADCASTING COMPANY

Mr. Bill Michaels, Chairman of the Board of Storer Broadcasting Company, spoke to the Council concerning a proposed Cable Television Franchise for the City. He requested that prior action of the Council instructing staff to negotiate solely with UA-Columbia be expanded to permit simultaneous negotiating with Storer Broadcasting Co. He said that a written proposal could be in staff's hands within two weeks.

Mr. Michaels described the structure and background of his company and systems now in operation. Mr. Hartman said that to get the discussion started, he would move that the Council request proposals for cable television service. The motion was seconded by Mrs. Dutmer.

Mr. Cipriano Guerra, representing UA-Columbia said that on the basis of the Council's instructions and commitment, his firm had made commitments and had gone ahead on the basis that staff was to negotiate with that company. He urged the Council to stick with its original decision and said that it had a moral obligation to carry thru.

The question of whether the Council had a legal or moral commitment was discussed at some length by the Council. In conclusion, Mrs. Dutmer said that she felt that the Council should look at any proposal submitted.

Other Council members stated they felt that a moral commitment had been made.

After consideration the original motion to request proposals was defeated by the following roll call vote: AYES: Dutmer; NAYS: Cisneros, Webb, Wing, Eureste, Ortiz, Hartman, Steen, Cockrell; ABSENT: Alderete, Pyndus.

78-23 The following Ordinance was read by the Clerk and after consideration on motion of Mrs. Dutmer, seconded by Mr. Hartman, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Hartman, Cockrell; NAYS: None; ABSTAIN: Steen; ABSENT: Alderete, Pyndus.

AN ORDINANCE 49,397

AUTHORIZING THE CITY MANAGER TO RENEW LEASE AND CONCESSION CONTRACTS FOR THE ARNESON RIVER THEATRE WITH THE ALAMO KIWANIS CLUB FOR ITS PRESENTATION OF FIESTA NOCHE DEL RIO.

* * * *

78-23 The following Ordinance was read by the Clerk and after consideration of motion of Mr. Hartman, seconded by Mr. Eureste, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Alderete, Pyndus.

AN ORDINANCE 49,398

AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION AND ACCEPT A GRANT FOR \$480,760.00 FROM THE TEXAS DEPARTMENT OF HUMAN RESOURCES FOR THE 1978 SUMMER NUTRITIONAL PROGRAM; APPROVING A BUDGET AND PERSONNEL COMPLEMENT THEREFOR AN AUTHORIZING TEMPORARY LOANS TO THE PROJECT.

* * * *

78-23 The following Resolution was read by the Clerk and after consideration on motion of Mr. Eureste, seconded by Mr. Hartman was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Alderete, Pyndus.

A RESOLUTION
NO.78-22-82

EVIDENCING THE COMMITMENT OF THE CITY OF SAN ANTONIO TO PARTICIPATE IN THE NEIGHBORHOOD BUSINESS REVITALIZATION PROGRAM.

* * * *

78-23 The following Ordinance was read by the Clerk and after consideration on motion of Mr. Steen, seconded by Mr. Eureste, was passed and approved by the following vote: AYES: Cisneros, Webb, Wing, Eureste, Ortiz, Hartman, Steen, Cockrell; NAYS: Dutmer; ABSENT: Alderete, Pyndus.

AN ORDINANCE 49,399

AUTHORIZING THE CITY MANAGER TO ACCEPT A PROMISSORY NOTE FROM THE SAN ANTONIO METROPOLITAN TRANSIT AUTHORITY IN THE PRINCIPAL SUM OF \$1,405,656.00 DUE AND PAYABLE ON OR BEFORE THE 15TH DAY OF JUNE, 1978 IN LIEU OF THE PAYMENT DUE ON THE 15TH DAY OF MAY, 1978 IN ACCORDANCE WITH THE PROVISIONS OF ORDINANCE NO. 49102 OF MARCH 2, 1978.

* * * *

HOMEBOUND PROGRAM

Mr. Ruben Perez spoke of the "Homebound Program" which permits the physically handicapped to perform certain jobs in their homes. Work is brought in once each week and picked up each week. It permits the handicapped to be productive to the best of their ability. He asked that the Council consider amending the zoning ordinance to accept this as a home occupation.

The matter was referred to the City Attorney for review.

ZONING FOR BASEBALL FIELDS

Mrs. Dutmer said that she had learned that areas are being zoned "I-1" Light Industry to permit baseball fields. She said that when the baseball is abandoned the area would still be zoned "I-1" and would cause problems. She asked that staff look into this.

78-23 The Clerk read the following Letter:

May 15, 1978

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

The following petition was received in my office and forwarded to the City Manager for investigation and report to the City Council.

May 8, 1978

Petition submitted by Mr. Jack White, President of Shelter Insulation Systems, Inc. requesting a hearing before the City Council to appeal the requirement of a water line and sprinkler system for the proposed addition to his warehouse.

/s/ G.V. JACKSON, JR.
City Clerk

* * * *

There being no further business to come before the Council, the meeting was adjourned at 8:10 P.M.

A P P R O V E D

Lila Cockrell

M A Y O R

ATTEST:

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