

After discussion, on roll call, the motion failed by the following vote: AYES: Nielsen, Torres; NAYS: McAllister, Calderon, Burke, James, Trevino, Hill; ABSENT: None.

The Mayor then stated that the Council would vote on the nominees in inverse order. The one receiving the majority vote would be declared nominated.

Mrs. Mary Baker, on roll call, failed to receive a majority; the vote being as follows: AYES: Nielsen, Torres; NAYS: McAllister, Calderon, Burke, James, Trevino, Hill; ABSENT: None.

Mrs. Carol R. Haberman, on roll call, received a majority and was declared nominated; the vote being as follows: AYES: McAllister, Calderon, Burke, James, Trevino, Hill; NAYS: Nielsen, Torres; ABSENT: None.

The Clerk then read the following Ordinance and on motion of Dr. Calderon, seconded by Mr. Hill, was passed and approved by the following vote: AYES: McAllister, Calderon, Burke, James, Trevino, Hill; NAYS: Torres; ABSTAIN: Nielsen; ABSENT: None.

AN ORDINANCE 38,644

APPOINTING MRS. CAROL R. HABERMAN A MEMBER OF THE CITY COUNCIL, PLACE NO. 5, EFFECTIVE JUNE 18, 1970.

* * * *

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

SECTION 1. Mrs. Carol R. Haberman is hereby appointed a member of the City Council, Place No. 5, effective June 18, 1970, to fill the vacancy created by the resignation of Mrs. Lila Cockrell.

* * * *

70-27 The Mayor then stated that nominations were in order to elect a member of the Council to serve as Mayor Pro-Tem.

Mr. Trevino nominated Dr. Herbert Calderon. The nomination was seconded by Mr. Burke.

There being no further nominations, the Mayor declared the nominations closed.

On roll call, Dr. Herbert Calderon was nominated as Mayor Pro-Tem, by the following vote: AYES: McAllister, Burke, James, Trevino, Hill; NAYS: Torres; ABSTAIN: Calderon, Nielsen; ABSENT: None.

The Clerk then read the following Resolution and on motion of Mr. Trevino, seconded by Mr. Hill, was passed and approved by the following vote: AYES: McAllister, Burke, James, Trevino, Hill; NAYS: Torres; ABSTAIN: Calderon, Nielsen; ABSENT: None.

A RESOLUTION
NO. 70-27-35

DESIGNATING DR. HERBERT CALDERON AS
MAYOR PRO-TEM OF THE CITY OF SAN
ANTONIO TO SERVE DURING THE PLEASURE
OF THE CITY COUNCIL OF THE CITY OF
SAN ANTONIO.

* * * *

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

1. That Dr. Herbert Calderon is hereby designated as the Mayor Pro-Tem of the City of San Antonio.

2. That, pursuant to the provisions of Article II, Section 9 of the Charter of the City of San Antonio, said Dr. Herbert Calderon shall serve as Mayor Pro-Tem during the pleasure of the City Council.

* * * *

The Clerk administered the Oath of Office, as Mayor Pro-Tem, to Dr. Herbert Calderon.

Dr. Calderon then made the following statement:

"Mr. Mayor, I would like to make a very, very brief statement, if I may.

Let me just say that I do not consider myself worthy of your confidence and trust. I will, however, endeavor to serve with dignity, in order that your trust in me will not have been in vain."

70-27

NORTH EXPRESSWAY

Councilman Torres, who was appointed as a Committee-of-One to discuss, with the Olmos Park City Council, the matter of the North Expressway, advised as follows:

He met with the Olmos Park Council on June 17, asking them to adopt a Resolution endorsing the study of an alternate route for construction of a portion of said expressway through the City of Olmos Park. He did not receive a reply, but the Olmos Park City Council will contact him regarding their reaction to the request. When this is received, Mr. Torres will make another report to the Council.

Mr. Torres, for the record, filed with the City Clerk, a copy of the presentation which he made to the Olmos Park City Council, as well as a copy of the Resolution, both of which are filed with the papers of this meeting.

70-27 Ordinance No. 38,645 - Void.

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70-27 ZONING HEARINGS

a. CASE 3784 - to rezone Lot 14, Blk. 5, NCB 8935, from "E" Office District to "B-3" Business District, located on the north side of S. W. Military Drive, 187.50' east of Logwood Ave.; having 62.50' on S. W. Military Drive and a depth of 150.4'.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Dr. Nielsen made a motion that the recommendation of the Planning Commission be approved provided that a six foot (6') solid screen fence be erected along the North property line. The motion was seconded by Mr. Trevino. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: McAllister, Calderon, Burke, Nielsen, Trevino, Hill; NAYS: None; ABSENT: James, Torres.

AN ORDINANCE 38,646

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 14, BLK. 5,
NCB 8935, FROM "E" OFFICE DISTRICT
TO "B-3" BUSINESS DISTRICT, PROVIDED
THAT A SIX FOOT (6') SOLID SCREEN
FENCE BE ERECTED ALONG THE NORTH
PROPERTY LINE.

* * * *

b. CASE 3892 - to rezone Lot 2, Blk. 3, NCB 14283, from Temporary "R-1" Single Family Residential District to "I-1" Light Industry District, having frontage on Wurzbach Road and Data Point Drive. The frontage on Wurzbach Road begins at a point 200' northeast of Data Point Drive and extends northeast along Wurzbach Road a distance of 371.40'. The frontage on Data Point Drive begins at point 418' southeast of Wurzbach Road and extends southeast a distance of 344.55'.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, on motion of Mr. Hill, seconded by Mr. Trevino, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote: AYES: McAllister, Calderon, Burke, Nielsen, Trevino, Hill; NAYS: None; ABSENT: James, Torres.

AN ORDINANCE 38,647

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 2, BLK. 3, NCB 14283, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT.

* * * *

c. CASE 3902 - to rezone Tracts 7, 8 and 9, NCB 12830, and 11.630 acres out of Tract 4, NCB 12830 (being further described by Field Notes), from Temporary "A" Single Family Residential District to "B-2" Business District, located on the southwest side of Fredericksburg Road, 515.02' Northwest of Medical Drive; having 570.63' on Fredericksburg Road and a maximum depth of 1155'.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, on motion of Dr. Calderon, seconded by Mr. Hill, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote: AYES: McAllister, Calderon, Burke, Nielsen, Trevino, Hill; NAYS: None; ABSENT: James, Torres.

AN ORDINANCE 38,648

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS TRACTS 7, 8 AND 9, NCB 12830, AND 11.630 ACRES OUT OF TRACT 4, NCB 12830 (BEING FURTHER DESCRIBED BY FIELD NOTES), FROM TEMPORARY "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT.

* * * *

70-27 Mayor McAllister interrupted the proceedings of the Council to introduce a group of some 20 people, who were observing the Council Meeting. These people were from Operation SER - Service, Education and Rehabilitation. The Mayor welcomed the group to the meeting and invited them to remain as long as they wished.

d. CASE 3950 - to rezone Lot 64, NCB 11883, from "O-1" Office District to "R-3" Multiple Family District for a Day Care Nursery caring for more than 20 children, located on the Southside of Sunset Road, 362.20' west of Everest St.; having 100.73' on Sunset Road and a maximum depth of 241.05'.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, on motion of Dr. Calderon, seconded by Mr. Hill, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote:
 AYES: McAllister, Calderon, Burke, Nielsen, Trevino, Hill, Torres;
 NAYS: None; ABSENT: James.

AN ORDINANCE 38,649

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 64, NCB 11883,
 FROM "O-1" OFFICE DISTRICT TO "R-3"
 MULTIPLE FAMILY DISTRICT FOR A DAY
 CARE NURSERY CARING FOR MORE THAN 20
 CHILDREN.

* * * *

e. CASE 3909 - to rezone Lot 11, Blk. 2, NCB 1919, from "C" Apartment District to "B-3" Business District, located on the East side of N. Comal, approximately 100' North of Fredericksburg Road; having 50.9' on N. Comal and a depth of 225'.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, on motion of Dr. Calderon, seconded by Mr. Hill, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote:
 AYES: McAllister, Calderon, Burke, Nielsen, Trevino, Hill, Torres;
 NAYS: None; ABSENT: James.

AN ORDINANCE 38,650

AMENDING CHAPTER 42 OF THE CITY CODE
 THAT CONSTITUTES THE COMPREHENSIVE
 ZONING ORDINANCE OF THE CITY OF SAN
 ANTONIO BY CHANGING THE CLASSIFICATION
 AND REZONING OF CERTAIN PROPERTY
 DESCRIBED HEREIN AS LOT 11, BLK. 2,

NCB 1919, FROM "C" APARTMENT DISTRICT
TO "B-3" BUSINESS DISTRICT.

* * * *

f. CASE 3916 - to rezone Lot 10, Blk. 24, NCB 13559, from "R-3" Multiple Family Residential District to "B-3" Business District, located on the northeast side of I. H. 10 (U. S. 87, North), 200' southeast of Colony Drive; having 201.02' on I. H. 10 and a depth of 160'.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, on motion of Dr. Calderon, seconded by Mr. Trevino, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote:

AYES: McAllister, Calderon, Burke, Nielsen, Trevino, Hill, Torres;
NAYS: None; ABSENT: James.

AN ORDINANCE 38,651

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 10, BLK. 24,
NCB 13559, FROM "R-3" MULTIPLE FAMILY
RESIDENTIAL DISTRICT TO "B-3" BUSINESS
DISTRICT.

* * * *

g. CASE 3934 - to rezone Lot 32, Blk. 9, NCB 8672, from "A" Single Family Residential District to "B-3" Business District, located on the east side of Jones Maltsberger Road, 52.89' south of Northern Blvd.; having 50' on Jones Maltsberger Road and a maximum depth of 154.04'.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, on motion of Mr. Trevino, seconded by Dr. Nielsen, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote: AYES: McAllister, Calderon, Burke, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: James.

AN ORDINANCE 38,652

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 32, BLK. 9,
 NCB 8672, FROM "A" SINGLE FAMILY
 RESIDENTIAL DISTRICT TO "B-3"
 BUSINESS DISTRICT.

* * * *

h. CASE 3953 - to rezone Lot 23, Blk. 13, NCB 13182, from "F" Local Retail District to "B-3" Business District, located on the north side of U. S. Highway 87 East (Rigsby Ave.), 375' west of Willenbrock Ave.; having 100' on U. S. Highway 87 East and a depth of 200'.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, on motion of Dr. Nielsen, seconded by Dr. Calderon, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote: AYES: McAllister, Calderon, Burke, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: James.

AN ORDINANCE 38,653

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 23, BLK. 13,
 NCB 13182, FROM "F" LOCAL RETAIL
 DISTRICT TO "B-3" BUSINESS DISTRICT.

* * * *

i. CASE 3954 - to rezone Lot 31, Blk. 6, NCB 11716, from "R-3" Multiple Family Residential District to "R-2" Two Family Residential District, located on the northwest side of Isom Road, 338.1' southwest of East Ramsey Drive; having 360' on Isom Road and a maximum depth of 670.9'.

Planning Director, Steve Taylor, explained that this case was initiated by the Planning Commission, as the use, as originally proposed, was not consummated and platting problems had been created for the owners of the property. It was felt that the development of a large project would create serious traffic conditions.

No one spoke in opposition.

After consideration, on motion of Dr. Calderon, seconded by Mr. Hill, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote:
AYES: McAllister, Calderon, Burke, Nielsen, Trevino, Hill, Torres;
NAYS: None; ABSENT: James.

AN ORDINANCE 38,654

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 31, BLK. 6,
NCB 11716, FROM "R-3" MULTIPLE FAMILY
RESIDENTIAL DISTRICT TO "R-2" TWO
FAMILY RESIDENTIAL DISTRICT.

* * * *

j. CASE 3963 - to rezone Lot 25, NCB 12830, from Temporary "A" Single Family Residential District to "B-1" Business District, located on the southeast side of Wurzbach Road, 1000' northeast of Floyd Curl Drive; having 180' on Wurzbach Road and a depth of 290'.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, on motion of Mr. Hill, seconded by Dr. Calderon, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote: AYES: McAllister, Calderon, Burke, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: James.

AN ORDINANCE 38,655

AMENDING CHAPTER 42 OF THE CITY CODE
THAT CONSTITUTES THE COMPREHENSIVE
ZONING ORDINANCE OF THE CITY OF SAN
ANTONIO BY CHANGING THE CLASSIFICATION
AND REZONING OF CERTAIN PROPERTY
DESCRIBED HEREIN AS LOT 25, NCB 12830,
FROM TEMPORARY "A" SINGLE FAMILY
RESIDENTIAL DISTRICT TO "B-1" BUSINESS
DISTRICT.

* * * *

k. CASE 3901 - to rezone Lot 1, Blk. 1, NCB 14496, from "B" Two Family Residential District to "B-3" Business District, located southeast of the intersection of Gillette Blvd. and Zarzamora Street; having 546.31' on Zarzamora Street and 610.04' on Gillette Blvd.; and Lots 1 through 25, Blk. 2, NCB 14497, Lots 1 through 5, Blk. 3, NCB 14498, Lots 1 through 16, Blk. 4, NCB 14499, Lots 1 through 26,

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Blk. 5, NCB 14500, Lots 1 through 5, Blk. 6, NCB 14501, Lots 1 through 25, Blk. 7, NCB 14502, and Lot 1, Blk. 8, NCB 14503, save and except the north 175' of the east 87.07', from "B" Two Family Residential District to "R-5" Single Family Residential District; subject property is located between Gillette Blvd. and Mally Blvd., 44.90' east of Zarzamora Street; having 1800.03' on Mally Blvd. and 357.31' on Gillette Blvd.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, on motion of Dr. Calderon, seconded by Mr. Hill, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote:
 AYES: McAllister, Calderon, Burke, Nielsen, Trevino, Hill, Torres;
 NAYS: None; ABSENT: James.

AN ORDINANCE 38,656

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, BLK. 1,
 NCB 14496, FROM "B" TWO FAMILY
 RESIDENTIAL DISTRICT TO "B-3" BUSINESS
 DISTRICT, AND LOTS 1 THROUGH 25, BLK.
 2, NCB 14497, LOTS 1 THROUGH 5, BLK.
 3, NCB 14498, LOTS 1 THROUGH 16, BLK.
 4, NCB 14499, LOTS 1 THROUGH 26, BLK.
 5, NCB 14500, LOTS 1 THROUGH 5, BLK.
 6, NCB 14501, LOTS 1 THROUGH 25, BLK.
 7, NCB 14502, AND LOT 1, BLK. 8, NCB
 14503, SAVE AND EXCEPT THE NORTH 175'
 OF THE EAST 87.07', FROM "B" TWO
 FAMILY RESIDENTIAL DISTRICT TO "R-5"
 SINGLE FAMILY RESIDENTIAL DISTRICT.

* * * *

1. CASE 3918 - to rezone Lot 7, NCB 8349, save and except the south 150', from "R-3" Multiple Family Residential District to "B-2" Business District, and the south 150' of Lot 7, NCB 8349, from "R-3" Multiple Family Residential District to "B-3" Business District, located on the west side of St. Cloud, 50' south of Placid Drive; having 585.04' on St. Cloud and a maximum depth of 132.56'. The "B-3" zoning being on the south 150' and the "B-2" zoning on the remaining portion.

Planning Director, Steve Taylor, explained that the property to be rezoned is on the west side of St. Cloud Road between Huisache and Placid Drive.

In the following discussion, Dr. Calderon and Dr. Nielsen

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expressed concern over the traffic situation on St. Cloud and the fact that the proposed rezoning would further add to the problems.

Mr. Joe Prickett appeared before the Council, representing the applicant, Mr. Tommy W. Burns. He showed the Council an artist's drawing of the proposed community center and the off-street parking, which is provided. He said that the project had been checked out with the Traffic and Transportation Department. He did emphasize that the plan he showed is the plan he hopes to consummate, but due to financing and other problems, he could not guarantee that the final plans would be the same.

No one spoke in opposition.

After consideration, on motion of Mr. Trevino, seconded by Mr. Hill, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote:
AYES: McAllister, Calderon, Burke, Nielsen, Trevino, Hill, Torres;
NAYS: None; ABSENT: James.

AN ORDINANCE 38,657

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 7, NCB 8349, SAVE AND EXCEPT THE SOUTH 150', FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, AND THE SOUTH 150' OF LOT 7, NCB 8349, FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT.

* * * *

70-27 Mayor McAllister was obliged to leave the meeting and Mayor Pro-Tem Calderon presided.

m. CASE 3933 - to rezone 0.763 acres out of Lot 87, Blk. B, NCB 11513 (being further described by Field Notes), from "F" Local Retail District to "B-3" Business District, and 6.308 acres out of Lot 87, Blk. B, NCB 11513 (being further described by Field Notes), from "B" Two Family Residential District to "B-2" Business District, located south of the intersection of Bandera Road and Willard Road; having 502.50' on Bandera Road and 563.01' on Willard Drive. The "B-3" zoning being on the north irregular 146' x 200' and the "B-2" zoning on the remaining portion.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

Mr. Trevino made a motion that the recommendation of the

Planning Commission be approved, provided that a five foot (5') non-access easement be provided along the rear of the property that faces Ligustrum and that screening is to be provided along the south property line of that portion of Lot 87 which is being zoned "B-2." The motion was seconded by Mr. Hill. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Calderon, Burke, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: McAllister, James.

AN ORDINANCE 38,658

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 0.763 ACRES OUT OF LOT 87, BLK. B, NCB 11513 (BEING FURTHER DESCRIBED BY FIELD NOTES), FROM "F" LOCAL RETAIL DISTRICT TO "B-3" BUSINESS DISTRICT, AND 6.308 ACRES OUT OF LOT 87, BLK. B, NCB 11513 (BEING FURTHER DESCRIBED BY FIELD NOTES), FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT A FIVE FOOT (5') NON-ACCESS EASEMENT BE PROVIDED ALONG THE REAR OF THE PROPERTY THAT FACES LIGUSTRUM AND THAT SCREENING IS TO BE PROVIDED ALONG THE SOUTH PROPERTY LINE OF THAT PORTION OF LOT 87 WHICH IS BEING ZONED "B-2."

* * * *

n. CASE 3836 (Rehearing) - to rezone Lot 25, Blk. A, NCB 8695, from "R-3" Multiple Family Residential District to "B-2" Business District, located on the East side of N. Vandiver Road, 100' South of Eisenhower Road; having 80' on N. Vandiver Road and a depth of 115'.

Planning Director, Steve Taylor, reminded the Council that this application had been heard by the City Council on March 5, 1970, at which time the request for rezoning was denied. On May 28, 1970, the Council had agreed to a rehearing of the application on the strength of new evidence to be submitted by Mr. Mike Wish, representing the applicant, Mr. M Food Stores.

Mr. Wish appeared before the Council and presented a petition signed by 88 persons in the area requesting and approving the rezoning. Of the 88 signatures, 22 of them were from the area immediately surrounding the property in question. He also reviewed the status of property surrounding this parcel.

No one spoke in opposition.

After consideration, on motion of Mr. Hill, seconded by Mr. Trevino, the recommendation of the Planning Commission was

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approved by the passage of the following Ordinance by the following vote: AYES: Calderon, Burke, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: McAllister, James.

AN ORDINANCE 38,659

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 25, BLK. A, NCB 8695, FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT.

* * * *

70-27 Mayor McAllister returned to the meeting and presided.

o. CASE 3944 - to rezone Lot 20, Blk. 3, NCB 11257, from "B" Two Family Residential District to "I-1" Light Industry District, located on the south side of S. W. Military Drive, 829.8' east of Quintana Road; having 100' on S. W. Military Drive and a depth of 435.6'.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, on motion of Mr. Burke, seconded by Mr. Hill, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote: AYES: McAllister, Calderon, Burke, Trevino, Hill, Torres; NAYS: None; ABSTAIN: James; ABSENT: Nielsen.

AN ORDINANCE 38,660

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 20, BLK. 3, NCB 11257, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT.

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p. CASE 3862 - to rezone Lot 39, Blk. 1, NCB 11857, from "A" Single Family Residential District to "B-3" Business District, located southwest of the intersection of Haskin Drive and N. E. Loop 410; having 261.72' on Haskin Drive, 579.87' on the N. E. Loop 410 and 63.74' on the cutback between Haskin Drive and Loop 410.

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Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be approved by the City Council.

Mr. D. B. Harold, representing the applicant, Charles A. Kuper, appeared before the Council. He explained that the property should be zoned for business as it is unsuitable for single family residences, since it faces Loop 410 and traffic volume is extremely heavy. He also cited the fact that the property is directly in line with the NW-SE runway at International Airport.

Mr. Jack Kaufman, representing the homeowners in the affected area, said that he did not necessarily oppose the rezoning of this tract. He felt, however, that following this rezoning, the applicant would then want to rezone the property south of the drainage easement, which would seriously affect the expensive homes in the area. He wished to be on record as opposing any such application.

In rebuttal, Mr. Harold stated that the owner did not contemplate any rezoning at this time, but at such time as an application is made, it would have to stand alone.

After consideration, on motion of Mr. Hill, seconded by Dr. Calderon, the recommendation of the Planning Commission was approved by the passage of the following Ordinance by the following vote: AYES: McAllister, Calderon, Burke, James, Trevino, Hill; NAYS: None; ABSENT: Nielsen, Torres.

AN ORDINANCE 38,661

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 39, BLK. 1,
NCB 11857, FROM "A" SINGLE FAMILY
RESIDENTIAL DISTRICT TO "B-3"
BUSINESS DISTRICT.

* * * *

q. CASE 3936 - to rezone Lot 439A, NCB 7850, from "B" Two Family Residential District to "R-3" Multiple Family Residential District, located northeast of the intersection of Mayfield Blvd. and I. H. 35 Expressway; having 151.80' on Mayfield Blvd., 307.50' on I. H. 35 and 12.34' on the cutback between these two streets.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be approved by the City Council.

Mr. Tom McNeil, a partner of Mr. George Silva, appeared before the Council to speak in favor of the rezoning. He said that it was their intention to build eight apartment units on the site and would provide ample off-street parking. He also said that they would be willing to deed the small piece of land, which extends north of the property line of the Pan American Library, to the City to square up

the property lines. He also stated his willingness to provide a screen on the east property line.

Appearing in opposition were Mrs. Josephine Longoria, Mrs. Morean Tucker and Mrs. Joe Martinez. The opposition was expressed because Mayfield Boulevard at this point is a very narrow street and it was felt that the apartments would add greatly to the traffic and parking problems.

After consideration, Dr. Calderon made a motion that the recommendation of the Planning Commission be approved, provided that a six foot (6') solid screen fence be erected along the East property line; that a five foot (5') non-access easement be provided along the South property line; that a sidewalk be provided inside the South property line; that all ingress and egress to the property be from the access road of I. H. 35 Expressway; that the portion North of the South property line of the Pan American Branch Public Library property be deeded to said library; and, that proper replatting be accomplished. The motion was seconded by Dr. Nielsen. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: McAllister, Calderon, Burke, James, Nielsen, Trevino, Hill; NAYS: Torres; ABSENT: None.

AN ORDINANCE 38,662

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 439A, NCB 7850,
FROM "B" TWO FAMILY RESIDENTIAL DISTRICT
TO "R-3" MULTIPLE FAMILY RESIDENTIAL
DISTRICT, PROVIDED THAT A SIX FOOT (6')
SOLID SCREEN FENCE BE ERECTED ALONG THE
EAST PROPERTY LINE; THAT A FIVE FOOT (5')
NON-ACCESS EASEMENT BE PROVIDED ALONG THE
SOUTH PROPERTY LINE; THAT A SIDEWALK BE
PROVIDED INSIDE THE SOUTH PROPERTY LINE;
THAT ALL INGRESS AND EGRESS TO THE
PROPERTY BE FROM THE ACCESS ROAD OF
I. H. 35 EXPRESSWAY; THAT THE PORTION
NORTH OF THE SOUTH PROPERTY LINE OF THE
PAN AMERICAN BRANCH PUBLIC LIBRARY
PROPERTY BE DEEDED TO SAID LIBRARY; AND,
THAT PROPER REPLATTING BE ACCOMPLISHED.

* * * *

70-27 At this point, Mr. Inselmann escorted the newly-elected Councilwoman, Mrs. Carol Haberman, into the Council Chamber, where she was introduced to other Councilmen and officials.

Mr. Inselmann administered the Oath of Office.

Mayor McAllister welcomed Mrs. Haberman and asked if she would make a statement.

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Mrs. Haberman replied, "I would simply like to state how much I appreciate the action of the Council this morning. Really, San Antonio has so much to offer and if I can be of any help to anyone or listen to anyone, this is what I am here for. I appreciate all the support of my friends and relatives. Thank you very kindly."

r. CASE 3573 (Postponed) - to rezone Lot 21, Blk. 6, NCB 11848, from "A" Single Family Residential District to "R-3" Multiple Family Residential District, located southwest of the intersection of Dove Haven Lane and Wurzbach Road; having 278.38' on Dove Haven Lane and 420.85' on Wurzbach Road.

Planning Director, Steve Taylor, reminded the Council that this case had been considered at the meeting on February 19, 1970, and no decision was made. However, the case was referred back to the Planning Commission to consider "R-6" Townhouse District zoning. The Planning Commission had approved "R-6" zoning.

Mr. Al Hawley presented the case for the applicant, Rohde Planning and Research, and said that it is not economically feasible to develop this tract for single family residences. He also pointed out that there is apartment zoning directly north of the property. It was his opinion that traffic would not be increased, as ample off-street parking is to be provided. The preliminary plan is to construct 54 apartment units and provide 112 parking spaces.

Appearing in opposition to the proposed rezoning were the following persons:

Mr. Donald C. Glass
Mrs. Jean B. McCormick
Mrs. James L. Mims, Jr.
Mrs. Ruth Stell
Mr. Roger Eicker

The opposition contended that the rezoning would devalue the fine residential district that is adjacent to the subject property and that multi-story apartments would invade the privacy they now enjoy. It was also felt that it would create a severe traffic problem, as well as parking problems. It would add to the parking problem already created by El Chapparal Apartments.

After consideration, Dr. Calderon made a motion that the recommendation of the Planning Commission be overruled and that rezoning be denied. The motion was seconded by Rev. James and was adopted by the following vote: AYES: McAllister, Calderon, Burke, James, Haberman, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: None.

70-27 Mayor McAllister was obliged to leave the meeting and Mayor Pro-Tem Calderon presided.

s. CASE 3939 - to rezone Lot 62 and the West 35' of Lot 61A, Blk. 19, NCB 3462, from "C" Apartment District to "B-2" Business District, located on the east side of Frelon Street between Theo Avenue and Malone Avenue; having 163' on Frelon Street and 85' on both Theo and Malone Avenue.

Planning Director, Steve Taylor, explained the proposed rezoning, which the Planning Commission recommended be denied by the City Council. The feeling of the Planning Commission was that a change to business zoning would be an intrusion into a predominately residential area.

Mr. Ted Manganello appeared before the Council representing the applicant, and explained plans for erecting a small drive-in food store.

After consideration, Mr. Torres made a motion that the Planning Commission be overruled and the rezoning granted. The motion was seconded by Mr. Hill. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Calderon, Burke, James, Haberman, Nielsen, Trevino, Hill, Torres; NAYS: None; ABSENT: McAllister.

AN ORDINANCE 38,663

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 62 AND THE
WEST 35' OF LOT 61A, BLK. 19, NCB
3462, FROM "C" APARTMENT DISTRICT
TO "B-2" BUSINESS DISTRICT.

* * * *

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70-27 Mayor McAllister returned to the meeting and presided.
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t. CASE 3925 - to rezone Lots 11 and 22, Blk. 19, NCB 7917, from "B" Two Family Residential District to "B-2" Business District, located northeast of the intersection of Ferndale Street and Division Avenue; having 75' on Division Avenue and 141.12' on Ferndale Street.

Planning Director, Steve Taylor, explained that this was an application to rezone Lots 11 and 22, Block 19, NCB 7917, from "B" Two Family Residential District to "B-2" Business District. The Planning Commission had recommended that the application be denied.

Mr. Seferino H. Vasquez, applicant, appeared before the Council and spoke in his own behalf.

After consideration, Dr. Calderon made a motion that the recommendation of the Planning Commission be overruled and the request be granted. The motion was seconded by Dr. Nielsen. On the following roll call, the motion failed for lack of seven "aye" votes: AYES: Calderon, Burke, James, Nielsen, Trevino, Torres; NAYS: McAllister, Hill; ABSTAIN: Haberman; ABSENT: None.

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u. CASE 3924 - to rezone Lots 6 through 10, NCB 3867, and Lots 25 through 28, NCB 1066, from "D" Apartment District and "F" Local Retail District to "B-3" Business District, located east of the intersection of Margaret St. and Humphrey Ave.; having 351' on Humphrey Ave. and 165' on Margaret St.

Planning Director, Steve Taylor, explained the proposed change which the Planning Commission recommended be denied by the City Council.

Mr. Ralph Brite appeared before the Council representing the applicant in this case, O. R. Mitchell Motors, Inc. Mr. Brite stated that he was aware that since the Planning Commission had recommended this case be denied by the City Council, that it would require seven "aye" votes to overrule the Commission and grant the application. In view of the fact that Mrs. Haberman was newly-appointed and had not had an opportunity to familiarize herself with the case, he asked that the Council postpone action at this time.

Mr. Paul Casseb and Mr. Eli Goldstein, representing opponents in the case, spoke against delaying consideration.

After consideration, on motion of Dr. Calderon, seconded by Mr. Torres, the Council elected to proceed with the hearing, by the following vote: AYES: McAllister, Calderon, James, Haberman, Nielsen, Trevino, Hill, Torres; NAYS: Burke; ABSENT: None.

Mr. Brite spoke for the applicant saying that the property being considered will be used for a new car make-ready building and for parking. O. R. Mitchell, the owner, has outgrown their facility on Broadway and badly needs additional space. Mr. Brite showed an architect's drawing of the proposed facility.

Mr. Ed Lamb, also a representative of O. R. Mitchell, described the proposed facility as an all-metal building, 60' x 140', which would be very neat in appearance.

Mr. Brite said that one of the problems in the area has been the necessary on-street parking on Humphrey Street by O. R. Mitchell's employees. It is hoped that all of the needs of O. R. Mitchell, for parking space, will be met by the space as shown on the proposed plan.

Mr. H. T. Holsman, owner of the Park Plaza Motel, speaking in favor of the application, said that he had never had a tenant complain about the operations of O. R. Mitchell, which is just across the street from the motel.

Mr. Paul Casseb, one of the owners of Villa Fontana Apartments, 123 Brackenridge, spoke in opposition to the proposed change. He objected on the grounds that the noise and pollution would devalue the residential property in the area. He presented a petition in opposition signed by residents of the apartments.

Opposition was also expressed by Mr. Eli Goldstein, representing the Park Terrace Apartments, and Mr. William A. Miller, owner of the Oak Lodge Motor Hotel. Most opposition was based on fear of parking problems, increased traffic and noise.

Mr. Al Huffington, Vice President of O. R. Mitchell Motors, Inc., spoke in rebuttal. Mr. Huffington said that employees' cars would be taken off the streets and parked on this property and the overflow of customers' cars would be parked there also. In answer to Dr. Nielsen's question, Mr. Huffington said that if the Council wished, the building would be located at the westerly end of the property. He also said that the shop will operate with the doors closed, so that it can be air-conditioned. This will eliminate any noise from emanating from the building. Mr. Huffington reiterated that there would be no employee parking on the streets if the rezoning is granted. He also stated that there would be a privacy fence.

After discussion between Mr. Huffington and the Council, it was agreed that the building should be placed on Lot 8, Block 3867.

Dr. Nielsen then made a motion that the recommendation of the Planning Commission be overruled and the rezoning granted. The motion was seconded by Dr. Calderon. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: McAllister, Calderon, Burke, James, Haberman, Nielsen, Trevino, Hill; NAYS: Torres; ABSENT: None.

AN ORDINANCE 38,664

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 THROUGH 10,
NCB 3867, AND LOTS 25 THROUGH 28, NCB
1066, FROM "D" APARTMENT DISTRICT AND
"F" LOCAL RETAIL DISTRICT TO "B-3"
BUSINESS DISTRICT.

* * * *

70-27 The Clerk read the following letter:

June 12, 1970

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

Gentlemen and Madam:

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

6/8/70 Petition of Newell Manufacturing Co. requesting
permission to erect an eight foot fence at 726
Probandt St.

6/11/70 Petition of Mr. George Franklin Moul, Sr., 9159
S. Presa, Frontier Town, appealing refusal of
Chief of Police to renew billiard hall license
and requesting a hearing.

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6/12/70

Petition of Mr. Eares Williams, 800 Myrtle Street, Dougies, appealing refusal of Chief of Police to renew billiard hall license and requesting a hearing.

/s/ J. H. INSELMANN
City Clerk

* * * *

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

A P P R O V E D



M A Y O R

ATTEST: 
C i t y C l e r k