

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, JUNE 21, 1979.

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The meeting was called to order at 1:00 P.M. by the presiding officer, Mayor Pro-Tem Frank Wing, in the absence of the Mayor, with the following members present: CISNEROS, WEBB, DUTMER, WING, EURESTE, THOMPSON, ALDERETE, CANAVAN, ARCHER, STEEN; Absent: COCKRELL.

79-31 The invocation was given by The Reverend Henry H. Biar, King of Kings Lutheran Church.

79-31 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

79-31 The minutes of the Special Meeting of June 14, 1979, were approved.

79-31 CORRECTION TO THE MINUTES OF THE
REGULAR MEETING

Mrs. Dutmer stated that on page 6, "Mrs. Donahue" should read "Mr. Donahue." With this correction, the minutes of the Regular Meeting of June 14, 1979, were approved.

79-31 ZONING HEARINGS

At the request of the applicant, the Council concurred to hear Item #5, first.

CASE 7572 - to rezone a 14.226 acre tract of land out of NCB 11609, being further described by field notes filed in the Office of the City Clerk, from "R-6" Townhouse District to "R-3" Multiple Family Residential District, located 175' east of Desilu Drive and 325' northeast of Merkens Drive, having 720' in depth and 1.485' in length.

Mr. Gene Camargo, Planning Administrator, explained the proposed change which the Zoning Commission recommended be approved by the City Council and stated that six affirmative votes were needed by the City Council to approve the change in zoning.

Mr. Winston Wright, 1739 Babcock, stated that their interest is in the residential aspects of the "R-3" zoning. The proposed plan is to build apartments and townhouses. He stated that a few of the neighbors were in opposition to the zoning change because of the different type of uses allowed under the "R-3" zoning and in regards to the flooding in the area, ample drainage would be provided in the subdivision.

Mr. Canavan stated that he was familiar with the area and felt that when this area is developed, there would be a drainage problem and a lot of flooding would occur.

Mr. Tim Johnson, 5605 Merkens, stated that citizens had appeared in opposition when the property was zoned "R-6" and now, there was a request to rezone the property, "R-3" in order to expand the density. He spoke about the drainage problem and how it will increase if the density is increased. He also made reference to the traffic problems already in existence and asked that a non-access easement be granted to the frontage road along Wurzbach Road. He spoke of the already existing apartments in the area and stated that since they have been built, there is more traffic and vandalism in the neighborhood and he mentioned the problem of the overcrowdedness in the nearby schools.

A discussion then took place among the Council members on a non-access easement on Rowley Road and when the development did occur, the stipulation could be removed.

Mr. Frank Kiolbassa, Director of Public Works, explained that some work was done on Rowley Road back in 1970 but he couldn't recall a specific drainage project in this area.

Mrs. Dutmer stated that her concern was that this is a good use for the land, but a solution needs to be reached on what will be done regarding the drainage.

In rebuttal to the opposition, Mr. Wright stated that they had talked to the North Side Independent School District and that they had informed him that they were anticipating a decrease in the number of students attending the schools in the area.

After considerable discussion, Mr. Canavan moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished, a non-access easement is imposed on the northeast of Rowley Road, on the northwest of Lon Chaney, and on the southeast side, save and except the 230' on the far southeast corner, along the drainage right-of-way; that a six foot solid screen fence is erected and maintained along the southwest property line backing up to the residential development. 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: Webb, Dutmer, Wing, Alderete, Canavan, Steen; NAYS: Cisneros, Eureste, Archer; ABSENT: Thompson, Cockrell.

AN ORDINANCE 50,876

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 14.226 ACRE TRACT OF LAND OUT OF NCB 11609, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM "R-6" TOWNHOUSE DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED, A NON-ACCESS EASEMENT IS IMPOSED ON THE NORTHEAST OF ROWLEY ROAD, ON THE NORTHWEST OF LON CHANEY, AND ON THE SOUTHEAST SIDE, SAVE AND EXCEPT THE 230' ON THE FAR SOUTHEAST CORNER, ALONG THE DRAINAGE RIGHT-OF-WAY; THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE SOUTHWEST PROPERTY LINE BACKING UP TO THE RESIDENTIAL DEVELOPMENT.

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4. CASE 7690 - to rezone the east 128' of Lot 6, NCB 10749, 207 Cresthill Avenue from "A" Single Family Residential District to "R-4" Mobile Home District, located on the north side of Cresthill Avenue, being 555' west of the intersection of Schrader Drive and Cresthill Avenue, having 128.0' on Cresthill Avenue and a maximum depth of 650'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change which the Zoning Commission recommended be denied by the City Council and stated that nine affirmative votes were needed by the Council to approve the change in zoning.

Mr. Edward L. Withers, the applicant, explained the situation and the reason he wishes to move a trailer into this property. He stated that he was aware of the fact that the total area of the subject property is located within the Salado Creek Flood Plain and he stated that he was also aware of the flood plain requirements.

There was a discussion among a few of the Council members regarding the three-acre minimum requirement that is needed to have a mobile home park.

In response to Mayor Pro-Tem Wing, Mr. Camargo stated that he was not aware of any type of temporary permit that would allow the trailer on this piece of property instead of changing the zoning on a lot that is less than 3 acres.

Mrs. Dutmer stated that she was familiar with this area and explained the surrounding areas of the property.

After discussion, Mrs. Dutmer moved that the zoning be granted for 200' to the south of the property provided that the deed restriction is filed restricting the property to one mobile home, and that the applicant comply with the flood zone regulations. Dr. Cisneros seconded the motion.

No citizen appeared to speak in opposition.

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, Canavan, Archer, Steen; NAYS: None; ABSENT: Thompson, Cockrell.

AN ORDINANCE 50,877

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE EAST 128' OF THE SOUTH 200' OF LOT 6, NCB 10749, 207 CRESTHILL AVENUE FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-4" MOBILE HOME DISTRICT, PROVIDED THAT THE DEED RESTRICTION IS FILED RESTRICTING THE PROPERTY TO ONE MOBILE HOME, AND THAT THE FLOOD PLAIN REGULATIONS ARE MET.

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6. CASE 7697 - to rezone a 3.202 acre tract of land out of Lot 25, Block 16, NCB 15786, being further described by field notes filed in the Office of the City Clerk, in the 8000 Block of Midcrown Drive from "R-2" Two Family Residential District to "R-3" Multiple Family Residential District, located on the west side of Midcrown Drive, being 375' northeast of the intersection of Midcrown Drive and Round Table Drive, having 127.79' on Midcrown Drive and a maximum depth of 2008.63'.

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, explained the proposed use for the property. He explained that the cost for construction would be \$10 million and jobs for 150 construction workers would be created for a period of one year. He explained the drainage situation and stated that proper platting is needed for this property.

Mr. Joe Shelton, spoke in opposition to the rezoning and gave a background on the property regarding the attempts made in the past to rezone this property. He stated that "R-2" zoning was put in for the purpose of serving as a buffer. He urged the City Council to disapprove the request for rezoning.

Mr. Ronald E. Walby, 5283 Round Table, spoke about the problem with their dialysis machine, as a result of the water situation in the area. He stated that with the slightest rain fall, and construction going on in the area, the treatment room floods, which causes danger to himself and his family. He stated that as construction progresses, the drainage problem increases.

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Mr. Norman Albertson, 5130 Gawain, also spoke about the drainage problem. He stated that the water problem is increasing as construction progresses. Mr. Albertson stated that the problem has existed for some time; it just seems to move from one subdivision to another.

Mr. Wayne Loudermilk spoke in opposition and stated that he is concerned about the traffic problems in the area, particularly because of the three schools located nearby. He also spoke regarding the overcrowdedness in the schools and felt that apartment complexes would only increase the already existing problem.

Mr. Ken Johnson, 5235 Round Table, also spoke in opposition stating that property devaluation would occur if the zoning change were approved.

Mr. John Flynn, 5274 Round Table stated that he was concerned with a multi-family type of development being established there. He stated that his group was skeptical of any type of development in the area because of past experiences. He urged the Council not to grant the zoning change.

In rebuttal, Mr. Harry Leeper, stated that the property has to be developed before the drainage problem is solved and this would be taken care with the platting of the property. As for the overcrowdedness of the schools, they have no control over this. He asked that the Council approve the change in zoning.

Mr. Frank Kiolbassa, Director of Public Works, addressed the drainage problem in the area.

After discussion, Dr. Cisneros moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished and that proper drainage 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, Wing, Alderete, Canavan, Steen; NAYS: Dutmer, Thompson, Archer; ABSENT: Eureste, Cockrell.

AN ORDINANCE 50,878

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 3.202 ACRE TRACT OF LAND OUT OF LOT 25, BLOCK 16, NCB 15786, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 8000 BLOCK OF MIDCROWN DRIVE, FROM "R-2" TWO FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED AND THAT PROPER DRAINAGE IS ACCOMPLISHED.

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7. CASE 7699 - to rezone Tract A, Block E, NCB 11538, 2279 Bandera Road from "A" Single Family Residential District to "R-3" Multiple Family Residential District, located on the southwest side of Bandera Road, being 138.5' southeast of the cutback between Wildflower Drive and Bandera Road, having 36.8' on Bandera Road and a maximum depth of 561.8'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change which the Zoning Commission recommended be approved by the City Council and stated that nine affirmative votes were needed by the Council to approve the change in zoning.

Mayor Pro-Tem Wing was obliged to leave the meeting and Councilman Webb presided.

Mr. Conway Spencer, representing the applicant, explained the surrounding areas of the property and stated the proposed use for the property. He further stated that the property has been on the market for the past 4 years and they have not sold it because they feel that Bandera Road is considered more a business street than a residential street and people do not want to buy a house off of Bandera. He stated that if the zoning change is granted, the applicant would be willing to erect a privacy fence along the area which is abutting the single family residences.

Mr. Jack Zimmerman spoke in opposition. He stated that there is an existing problem with traffic. He spoke regarding the flooding situation at the intersection of Bandera and Callaghan Rd. and further stated that there is a hill on this portion of Bandera Road that is a visual hazard to people going in and out of this property, and would increase the problem if the apartments are built. He stated that a change in zoning would be detrimental to the neighborhood.

Dr. Llewellyn N. Wiley, a resident of the neighborhood also spoke in opposition, stating that there is an existing traffic problem at Bandera and Callaghan Road. He described the residential area adjacent to the subject property. Dr. Wiley also stated that a change in zoning would be detrimental to the neighborhood.

In rebuttal, Mr. Tom McNeil explained the water situation at Bandera and Callaghan. He presented a lay-out of 100 units designed for the subject property and explained the surrounding areas.

At this time, there was some discussion regarding the ingress and egress at the intersection of Bandera Road and Callaghan.

Mayor Pro-Tem Wing returned to the meeting and presided.

After discussion, Mr. Alderete made a motion to deny the request for rezoning. Mrs. Dutmer seconded the motion. On roll call, the motion failed to carry by the following vote: AYES: Webb, Dutmer, Thompson, Alderete, Archer; NAYS: Wing, Canavan, Steen; ABSENT: Cisneros, Eureste, Cockrell.

After further discussion, Mr. Alderete moved that the recommendation of the Zoning Commission be approved provided that a six foot solid screen fence is erected and maintained adjacent to Lot 92 and also along the southeast which is abutting the single family residences, and that the property is properly platted. Mrs. Dutmer seconded the motion. On roll call, the motion failed to carry by the following vote: AYES: Wing, Canavan, Steen; NAYS: Cisneros, Webb, Dutmer, Thompson, Alderete, Archer; ABSENT: Eureste, Cockrell.

Case 7699 was denied.

8. CASE 7573 - to rezone the north 75' of Lot 65 and the north 25' of Lot 66, Block 50, NCB 11080, in the 3700 Block of Commercial Avenue, from "B-1" and "B-3" Business Districts to "R-3" Multiple Family Residential District, located on the west side of Commercial Avenue, being 345' north of the intersection of Commercial Avenue and Sheyma Avenue, having 75' on Commercial Avenue and a depth of 537.5'.

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

No citizen appeared to speak in opposition.

After consideration, Dr. Cisneros moved that the recommendation of the Zoning Commission be approved. 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, Thompson, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Eureste, Cockrell.

AN ORDINANCE 50,879

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE NORTH 75' OF LOT 65 AND THE NORTH 25' OF LOT 66, BLOCK 50, NCB 11080, IN THE 3700 BLOCK OF COMMERCIAL AVENUE, FROM "B-1" AND "B-3" BUSINESS DISTRICTS TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT.

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9. CASE 7716 - to rezone a 36.817 acre tract of land out of NCB 16115, being further described by field notes filed in the Office of the City Clerk, in the 7000 Block of N.W. Loop 410 Expressway, from Temporary "R-1" Single Family Residential District to "B-3" Business District, located on the southeast side of N.W. Loop 410 Expressway, being 2100' northeast of the intersection of Culebra Road and N.W. Loop 410 Expressway, having 2478.97' on N.W. Loop 410 Expressway and a depth of 700'; a 205.245 acre tract of land out of NCB 16115, being further described by field notes filed in the Office of the City Clerk, from Temporary "R-1" Single Family Residential District to "I-1" Light Industry District, located on the north side of Culebra Road approximately 2015' southeast of the intersection of Culebra Road and N.W. Loop 410 Expressway, being 200' off of Culebra Road having a maximum width of 3690' and depth of 4000'; an 18.245 acre tract of land out of NCB 16115, being further described by field notes filed in the Office of the City Clerk, from Temporary "R-1" Single Family Residential District to "B-3" Business District, located on the north side of Culebra Road, being 2015' southeast of the intersection of Culebra Road and N.W. Loop 410 Expressway, having 4037.23' on Culebra Road and a depth of 200'; a 2.818 acre tract of land out of NCB 16115, being further described by field notes filed in the Office of the City Clerk, from Temporary "R-1" Single Family Residential District to "B-3R" Restrictive Business District, located on the north side of Culebra Road, approximately 6052.23' southeast of the intersection of Culebra Road and N.W. Loop 410 Expressway, being 200' off of Culebra Road, having a width of 200' and a depth of 700'.

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

No citizen appeared to speak in opposition.

After consideration, Dr. Cisneros moved that the recommendation of the Zoning Commission be approved provided that the property is properly platted. 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, Thompson, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Eureste, Cockrell.

AN ORDINANCE 50,880

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 36 817 ACRE TRACT OF LAND OUT OF NCB 16115, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 7000 BLOCK OF N.W. LOOP 410 EXPRESSWAY FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT; A 205.245 ACRE TRACT OF LAND OUT OF NCB 16115, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM

TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT; AN 18.245 ACRE TRACT OF LAND OUT OF NCB 16115, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT; A 2.818 ACRE TRACT OF LAND OUT OF NCB 16115, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT THE PROPERTY IS PROPERLY PLATTED.

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10. CASE 7719 - to rezone Lot 1, Block 5, NCB 16126, in the 2100 Block of Ledge View Drive, in the 3000 Block of Thousand Oaks Drive from "P-1(R-2)" E.R.Z.D. Planned Unit Development Two Family Residential District Edwards Recharge Zone District to "R-2" E.R.Z.D. Two Family Residential District Edwards Recharge Zone District, located on the northwest side of Ledge View Drive between Parkstone Boulevard and Thousand Oaks Drive, having 311.15' on Ledge View Drive, 344.65' on Thousand Oaks and 119.68' Parkstone Boulevard.

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

No citizen appeared to speak in opposition.

After consideration, Dr. Cisneros moved that the recommendation of the Zoning Commission be approved provided that street dedication, in accordance with the Major Thoroughfare Plan, 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, Thompson, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Eureste, Cockrell.

AN ORDINANCE 50,881

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 1, BLOCK 5, NCB 16126 IN THE 2100 BLOCK OF LEDGE VIEW DRIVE, IN THE 3000 BLOCK OF THOUSAND OAKS DRIVE, FROM "P-1 (R-2)" E.R.Z.D. PLANNED UNIT DEVELOPMENT TWO FAMILY RESIDENTIAL DISTRICT EDWARDS RECHARGE ZONE DISTRICT TO "R-2" E.R.Z.D. TWO FAMILY RESIDENTIAL DISTRICT EDWARDS RECHARGE ZONE DISTRICT, PROVIDED THAT STREET DEDICATION, IN ACCORDANCE WITH THE MAJOR THOROUGHFARE PLAN, IS ACCOMPLISHED.

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11. CASE 7681 - to rezone Lot 7, Block 39, NCB 2062, 1823 Kentucky Avenue from "B" Two Family Residential District to "B-1" Business District, located northeast of the intersection of Wilson Boulevard and Kentucky Avenue, having 154.5' on Wilson Boulevard and 50' on Kentucky Avenue.

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

No citizen appeared to speak in opposition.

After consideration, Dr. Cisneros moved that the recommendation of the Zoning Commission be approved provided that a six foot solid screen fence is erected and maintained along the north property line. Mr. Alderete seconded the motion. On roll call, the motion failed to carry by the following vote: AYES: Cisneros, Webb, Wing, Alderete, Steen; NAYS: Dutmer, Thompson, Canavan, Archer; ABSENT: Eureste, Cockrell.

Mr. Alderete stated that Mr. Rodriguez had the support of the neighbors and asked that this case be reconsidered.

Mr. Canavan made a motion to reconsider. Mr. Alderete seconded the motion. On roll call, the motion carried by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Thompson, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Eureste, Cockrell.

Mr. Dario Chapa, representing the applicant, stated that the neighbors were in favor of the zoning change. He stated that the property fronts Wilson Boulevard and a flower shop would not add to the problem of traffic in this area. He mentioned the other businesses in the area and urged the Council to grant the zoning change.

After discussion, Mr. Alderete made a motion to approve the recommendation of the Zoning Commission provided that a six foot solid screen fence is erected and maintained along the north property line. Mr. Eureste seconded the motion.

Mrs. Dutmer spoke against the motion because of her objection to "spot zoning."

On roll call, the motion carried by the following vote: AYES: Cisneros, Webb, Wing, Eureste, Thompson, Alderete, Steen; NAYS: Dutmer, Canavan, Archer; ABSENT: Cockrell.

AN ORDINANCE 50,882

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 7, BLOCK 39, NCB 2062 1823 KENTUCKY AVENUE, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-1" BUSINESS DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTH PROPERTY LINE.

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12. CASE 7723 - to rezone a 0.343 acre tract of land out of NCB 15723, being further described by field notes filed in the Office of the City Clerk, 14626 Nacogdoches Road, from "O-1" Office District to "B-3R" Restrictive Business District, located on the southeast side of Nacogdoches Road, being 1855' southwest of the cutback between Nacogdoches Road and Judson Road, having 120' on Nacogdoches Road and a maximum depth of 141'.

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

No citizen appeared to speak in opposition.

After consideration, Mr. Steen moved that the recommendation of the Zoning Commission be approved. 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, Wing, Thompson, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Eureste, Cockrell.

AN ORDINANCE 50,883

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 0.343 ACRE TRACT OF LAND OUT OF NCB 15723, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 14626 NACOGDOCHES ROAD, FROM "O-1" OFFICE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT.

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13. CASE 7721 - to rezone Lots 19 and 20, Block 14, NCB 6362, 3303 W. Commerce, from "H" Local Retail District to "B-3R" Restrictive Business District, located northwest of the intersection of N. Picoso and W. Commerce, having 50' on West Commerce and 133.45' on N. Picoso.

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

After consideration, Mr. Canavan moved that the recommendation of the Zoning Commission be approved provided that a six foot solid screen fence is erected and maintained along the north property line and that street dedication is to be given in accordance with the Major Thoroughfare Plan and the Traffic Department's recommendation. Mr. Alderete seconded the motion.

Mr. Sam Rodriguez, the applicant, explained the proposed use for the property. He stated that he would be erecting a fence as required but that the fence would be obstructing the neighbor's air circulation. He asked if the stipulation could be removed.

No citizen appeared to speak in opposition.

Mrs. Dutmer spoke against the motion because she referred to this as being another "spot zoning" case.

After discussion, the motion, including the stipulation, carried by the following vote: AYES: Cisneros, Webb, Wing, Thompson, Alderete, Canavan, Archer, Steen; NAYS: Dutmer; ABSENT: Eureste, Cockrell.

AN ORDINANCE 50,884

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 19 AND 20, BLOCK 14, NCB 6362, 3303 W. COMMERCE FROM "H" LOCAL RETAIL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTH PROPERTY LINE AND THAT STREET DEDICATION IS TO BE GIVEN IN ACCORDANCE WITH THE MAJOR THOROUGHFARE PLAN AND THE TRAFFIC DEPARTMENT'S RECOMMENDATION.

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14. CASE 7712 - to rezone the south 327.66' of Tract 4-A, NCB 10108, 3606 Pleasanton Road, from "F" Local Retail District to "B-3R" Restrictive Business District, located northeast of the intersection of Pleasanton Road and Formosa Boulevard, having 327.66' on Pleasanton Road and 374.9' on Formosa Boulevard.

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

Mr. Steen moved 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 and that the property is properly platted. Mr. Cisneros seconded the motion.

Mr. P.L. Hamilton, representing the applicant, explained the proposed use for the subject property and asked that the fence requirement and the replatting requirement be waived because he felt that they were not necessary for the intended use.

Mrs. Dutmer asked the maker of the motion to waive the stipulation. Mr. Steen concurred.

No citizen appeared to speak in opposition.

After discussion, and on roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Thompson, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Eureste, Cockrell.

AN ORDINANCE 50,885

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE SOUTH 327.66' OF TRACT 4-A, NCB 10108, 3606 PLEASANTON ROAD, FROM "F" LOCAL RETAIL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT.

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15. CASE 7715 - to rezone Tracts 31-E and 31-G, NCB 12117, from Temporary "R-1" Single Family Residential District to "I-1" Light Industry District, located approximately 200' south of Center Gate Drive and 905' east of Perrin Beitel Road, having a length of 414.36' and a width of 316'.

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

No citizen appeared to speak in opposition.

After consideration, Dr. Cisneros moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished. Mr. Thompson 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, Thompson, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Eureste, Cockrell.

AN ORDINANCE 50,886

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS TRACTS 31-E AND 31-G, NCB 12117, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

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79-31 The meeting was recessed at 3:55 P.M. and reconvened at 4:25 P.M.

79-31 The following Ordinance was read by the Clerk and after consideration, on motion of Dr. Cisneros, seconded by Mr. Archer, was passed and approved by the following vote: AYES: Cisneros, Wing, Eureste, Thompson, Canavan, Archer, Steen; NAYS: None; ABSENT: Webb, Dutmer, Alderete, Cockrell.

AN ORDINANCE 50,887

CALLING A PUBLIC HEARING ON CERTAIN
AMENDMENTS TO THE SUBDIVISION REGULATIONS
TO BE HELD ON JULY 5, 1979.

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79-31 The following Ordinance was read by the Clerk and after consideration, on motion of Dr. Cisneros, seconded by Mr. Thompson, was passed and approved by the following vote: AYES: Cisneros, Webb, Wing, Eureste, Thompson, Canavan, Archer, Steen; NAYS: None; ABSENT: Dutmer, Alderete, Cockrell.

AN ORDINANCE 50,888

ACCEPTING THE CONSORTIUM INCENTIVE BONUS
IN THE AMOUNT OF \$471,559 FROM DEPARTMENT
OF LABOR UNDER THE CETA TITLE II ABC EM-
PLOYMENT AND TRAINING PROGRAM; REPROGRAMMING
UNEXPENDED FUNDS FROM THE PREVIOUS PROGRAM
YEAR; APPROPRIATING THE FUNDS AND APPROVING
A REVISED PROGRAM BUDGET; AUTHORIZING A
GRANT AGREEMENT MODIFICATION WITH DEPARTMENT
OF LABOR: AUTHORIZING THIRD-PARTY CONTRACT
MODIFICATIONS WITH PROGRAM OPERATORS; AND
AUTHORIZING AN ADDITIONAL PERSONNEL COMPLEMENT
FOR THE CETA PROGRAM.

* * * *

79-31 The following Ordinance was read by the Clerk and after consideration, on motion of Dr. Cisneros, seconded by Mr. Thompson, was passed and approved by the following vote: AYES: Cisneros, Webb, Wing, Thompson, Canavan, Archer, Steen; NAYS: None; ABSENT: Dutmer, Eureste, Alderete, Cockrell.

AN ORDINANCE 50,889

AUTHORIZING THE SUBMISSION OF A GRANT
AGREEMENT MODIFICATION TO DEPARTMENT OF
LABOR UNDER THE CETA TITLE IV YOUTH COMMUNITY
CONSERVATION AND IMPROVEMENT PROJECTS:
APPROVING A REVISED PROGRAM BUDGET: AND,
AUTHORIZING MODIFICATIONS OF THE THIRD-PARTY
AGREEMENTS WITH PROGRAM OPERATORS.

* * * *

79-31 The following Resolution was read by the Clerk and after consideration, on motion of Mr. Thompson, seconded by Mr. Webb, was passed and approved by the following vote: AYES: Cisneros, Webb, Wing, Thompson, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Dutmer, Eureste, Cockrell.

A RESOLUTION
NO. 79-31-62

AUTHORIZING THE MAYOR TO SIGN AND SUBMIT
A LETTER OF INTENT TO ENTER THE COMPETITION
TO PARTICIPATE IN THE TARGETED JOBS
DEMONSTRATION PROGRAM.

* * * *

79-31 The Clerk read the following Ordinance:

AN ORDINANCE 50,890

APPROVING THE OPERATION OF THE SENIOR
COMMUNITY SERVICE EMPLOYMENT PROGRAM
(SCSP) FOR THE YEAR BEGINNING JULY 1,
1979 AND APPROVING A PROGRAM COST OF
\$536,800.00; AUTHORIZING SUBMISSION OF
AN APPLICATION TO THE NATIONAL COUNCIL
ON THE AGING, INC., FOR A GRANT OF
\$483,000.00 FOR THE PROGRAM; ADOPTING A
BUDGET AND DESIGNATING A FUND AND ACCOUNTS;
APPROVING A PERSONNEL COMPLEMENT; AUTHORIZING
A CONTRIBUTION OF \$2,500.00 FROM THE GENERAL
FUND; AND AUTHORIZING CONTRACTS WITH EMPLOY-
ERS FOR PROVIDING JOBS FOR ENROLLEES.

* * * *

In response to Mr. Archer, Mr. William Donahue, Director of
Human Resources, explained the Ordinance, which will benefit 115 people
in the City of San Antonio. He stated that the majority of the recipients
are between the ages of 55 and 60 years old. The administrative cost
is \$8,900.00 which will operate a half-million dollar program.

After discussion, Mr. Steen moved to approve the Ordinance. Mr.
Webb seconded the motion. On roll call, the motion, carrying with it the
passage of the Ordinance, prevailed by the following vote; AYES: Cisneros,
Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen;
NAYS: None; ABSENT: Cockrell.

79-31 The Clerk read the following Ordinance:

AN ORDINANCE 50,891

AUTHORIZING THE CITY'S OPERATION OF THE
COMMUNITY ACTION PROGRAM FOR ONE YEAR BEGIN-
NING JULY 1, 1979, ACCEPTING A GRANT OF
\$1,436,000 FROM THE COMMUNITY SERVICES
ADMINISTRATION IN SUPPORT OF THE PROGRAM;
DESIGNATING A FUND AND ACCOUNTS AND
ADOPTING A BUDGET AND APPROVING PERSONNEL
POSITIONS AND AUTHORIZING CONTRACTS WITH
DELEGATE OPERATING AGENCIES AND CREATING
A DIVISION OF COMMUNITY ACTION WITHIN
THE DEPARTMENT OF HUMAN RESOURCES AND
SERVICES TO CARRY OUT THE PROGRAM.

* * * *

Mr. Canavan stated that he would be moving for the approval
of the Ordinance, with the stipulation that monthly reports regarding
the Barrio Betterment Development Corporation, be made pending the completion
of the investigation.

After discussion, Mr. Canayan moved to approve the Ordinance. Mr. Alderete seconded the motion. On roll call, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Cockrell.

79-31 Item 22, being a proposed ordinance authorizing renewal of the City's contract with Republic National Life Insurance Company and providing for a fifteen percent increase in the premium for health insurance, was withdrawn from consideration.

79-31 The following Resolution was read by the Clerk and after consideration, on motion of Mr. Steen, seconded by Mrs. Dutmer, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Cockrell.

A RESOLUTION
NO. 79-31-63

MANIFESTING THE DETERMINATION OF THE
CITY COUNCIL THAT GIBRALTAR SAVINGS
ASSOCIATION HAS VESTED RIGHTS UNDER ARTICLE
THREE OF ORDINANCE NO. 48484.

* * * *

79-31 The following Ordinance was read by the Clerk and after consideration, on motion of Mrs. Dutmer, seconded by Mr. Steen, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Cockrell.

AN ORDINANCE 50,892

PERMITTING PLACEMENT OF FOUR PLANTER
BOXES ON THE SIDEWALK ADJACENT TO 1700
NORTH MAIN AVENUE (QUARTER HOUSE RESTAURANT).

* * * *

79-31 MARIACHI FESTIVAL DISCUSSION

The Clerk read the following Ordinance:

AN ORDINANCE 50,893

AUTHORIZING THE CITY MANAGER TO EXECUTE
A CONTRACT WITH THE MARIACHI FESTIVAL ORGANIZ-
ING COMMITTEE; AUTHORIZING A TRANSFER OF
\$25,000.00 FROM THE VISITORS AND CONVENTION
BUREAU FUND TO THE GENERAL FUND AND APPROPRIAT-
ING SAID SUM IN THE GENERAL FUND TO THE
MARIACHI FESTIVAL 1979 SPECIAL PROJECT;
APPROVING PAYMENT OF \$7,000.00 FROM SAID
AMOUNT TO THE MARIACHI FESTIVAL ORGANIZING
COMMITTEE IN SUPPORT OF ADMINISTRATIVE
EXPENSES THEREOF.

* * * *

Mr. Webb moved to approve the Ordinance. Mrs. Dutmer seconded the motion.

Mr. Ismael "Fats" Gonzales stated that he, along with a group of professional mariachis wish to protest the allocating of \$7,000.00 to one person to administer the Mariachi Program in September. They are in favor of using the entire \$25,000.00 for hiring mariachis. They feel that the City's Parks and Recreation Department can handle the administration.

Mr. Eureste stated that a Committee will be formed to organize and conduct the Mariachi Festival and also explained that the \$25,000.00 allocation was made as a result of Mrs. Gloria Aguilar's efforts.

Mr. Canavan stated that the Parks and Recreation Department can handle the administrative part.

Mr. Jose Morante stated that they had read the proposal made by Mrs. Gloria Aguilar and the one by the Parks and Recreation Department. They feel that the Parks and Recreation Department personnel are better qualified to administer the festival.

Mrs. Gloria Aguilar spoke to the Council regarding her efforts to reconcile all differing opinions. She feels that she is qualified to coordinate the program and asked the Council to support her.

Mrs. Raquel Escobar also spoke in support of Mrs. Gloria Aguilar's proposal.

Mr. Andy Alvarez stated that the entire \$25,000.00 allocation should go for Mariachi salaries. He felt that the \$7,000.00 should not be used for administrative purposes.

Mr. Eureste reiterated the fact that Mrs. Aguilar was the proponent and her efforts resulted in the \$25,000.00 allocation. He stated that he resents the group now appearing and requesting all the money to be used for salaries.

Mr. Webb supported Mr. Eureste's statements.

Mr. Canavan stated that a duplication will occur if the \$7,000.00 is used for administrative purposes.

Mr. Juan Ortiz, 455 Avant, stated that they are not ungrateful to Mr. Eureste or Mrs. Aguilar; however, they feel that part of the funds should not be used to reward one individual.

Mr. Almanza Diaz stated that he feels that this is a labor dispute between union and non-union members. He does not feel that the City Parks and Recreation can do a good job of administering the program.

Mr. Steen stated that although he admires Mr. "Fats" Gonzales, and his associates, it was through Mrs. Aguilar's efforts that the \$25,000.00 was allocated:

After discussion, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Eureste, Thompson, Alderete, Archer, Steen; NAYS: Wing, Canavan; ABSENT: Cockrell.

MRS. LINDA RAMIREZ

Mrs. Linda Ramirez, Executive Director of the American Federation of Municipal and County Employees, spoke about a needed cost of living increase for City employees. She stated that the 8.8 percent offered to the police should also be given to all City employees.

Dr. Cisneros stated that the 8.8 percent constituted a package deal. He then asked if they had discussed the matter of uniforms for the sanitation workers.

Mrs. Ramirez stated that the matter of uniforms had not yet been addressed, but it will be considered at the time cost of living increases are discussed.

MR. KARL WURZ

Mr. Karl Wurz read a prepared statement stating that revenue sharing should be spent for capital improvements rather than for general operating expenditures. He stated that there are certain drainage projects that should have been started years ago. (A copy of Mr. Wurz' statement is on file with the papers of this meeting.)

YOLANDA DRAINAGE PROJECT

Several citizens appeared to speak regarding the Yolanda Drainage Project. Those citizens speaking were:

Mrs. Teurah Shaley, Holy Rosary COPS, stated that the contractor for the Yolanda Drainage Project had torn up all the streets in the area and at the present time there is no ingress or egress to their neighborhood. She urged that no future contracts be awarded to the contractor, Heath & Stich, until this project is completed.

Mr. Richard Covarrubia also spoke about the present conditions in their neighborhood. He stated that the contractor had underbid by \$2 million and has not done a very satisfactory job. He referred to the work operations of the crews and the fact that work crews are not kept at any certain location for any length of time. They have had several meetings and even asked their Councilman, Mr. Alderete to intervene and ask Mr. Heath to be present at one of these meetings. He has never been to any of their meetings. They are now asking at the present time that at least five streets be completed so that they have adequate ingress and egress from the area. Mr. Covarrubia also referred to the increase problem they have had with insects and rodents. They want the Health Department to spray for insects during the duration of the project.

Mrs. Carmen Badillo, President of COPS, spoke about public accountability and the deplorable condition of the neighborhood around the Yolanda Drainage Project. She also referred to a meeting that they had had with the City Manager.

After discussion, Dr. Cisneros asked that the staff review existing contracts as per time allowed for completion of contracts.

Mr. Alderete stated that in this particular case the contractor had covered himself with an excessive amount of time. He spoke about the possibility of limiting the number of contracts, a contractor can bid on.

Mr. Webb stated that this same type of problem existed in projects on the east side of town. He suggested that possibly the size of the project could be reduced into smaller projects.

After considerable discussion by the Council, it was concurred that the staff would investigate and report next week on the request to have two north-south streets, Benrus and Hortensia, opened for better ingress and egress; that the Health Department spray for mosquitoes in the area; that the staff review and report on the provisions of the standard public works construction contract as per the time allowed for completion of a project and prepare alternatives to speed up the completion of the project. Included in the report the staff should comment on the following points: 1) not allowing the contractor more than one City job; 2) breaking the project up into smaller jobs; 3) providing information regarding project phases and street construction/closing in advance of project construction. The staff was asked to report to Council in three weeks.

Mr. Eureste asked that the staff make a report to Council at next week's meeting on the opening of the two additional streets in the area.

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MRS. ELVIRA GOMEZ

Mrs. Elvira Gomez expressed her concern to the Council on the fact that the swimming pools in their area have not yet been opened.

Mr. Don Maddox, Assistant Director of Parks and Recreation, stated that only 17 out of the 20 pools have been opened. This is due to a lack of applicants for lifeguard positions. He explained some of the reasons why they have not had any applicants.

After discussion, and on Mr. Eureste's suggestion, the staff was instructed to report to Council on the cost and feasibility of opening the City swimming pools during the month of May each year.

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MR. HOUSTON BROWNING

Mr. Houston Browning, representing Pick-a-Ticket, requested an extension of the bid deadline on the computer ticket service proposal.

He was referred to Mr. George Noe, of the City Manager's Staff.

- - -
MRS. JULIA ROSS

Mrs. Julia Ross also spoke to the Council regarding the fact that swimming pools have not all been opened. She stated that the children in the area have no place to go.

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REVEREND R. A. CALLIES, SR.

Rev. R. A. Callies, Sr. spoke to the Council regarding The Freedom Bridge. He stated that they have had meetings with the Traffic Department on the signage that is to be used.

A discussion then took place about the cost of the sign and the proposed size and the wording to be used.

After considerable discussion, the Council concurred that the sign be of the same type presently used on the Freeways and asked that the staff proceed with the project.

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MRS. MARIA R. CIRLOS

Mrs. Maria R. Cirlos asked that the Council do everything possible to open up the swimming pool at Cassiano Park.

Mr. Eureste stated that he wanted to be kept advised on the status of the opening of the Cassiano Pool.

Charlie Ross and David Boone also spoke to the Council asking them to open up the Cassiano Pool.

There being no further business to come before the Council, the meeting was adjourned at 7:20 P.M.

A P P R O V E D

Lila Cockrell

M A Y O R

ATTEST:

Y. V. James
C i t y C l e r k