

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, NOVEMBER 20, 1980.

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

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80-58 The invocation was given by Reverend Sam Sowder, Northside Baptist Church.

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80-58 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

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80-58 The minutes of the meeting of November 6, 1980 were approved.

80-58 BALLET FOLKLORICO DE GUADALAJARA

Mayor Pro-Tem Eureste took note of the presence of a number of distinguished guests, and introduced Ms. Tita Valencia, Director of the Mexican Cultural Institute, who in turn introduced to the City Council, Lic. Claudio Farias Alvarez, Assistant Director of Radio, Television and Cinematography in Mexico and Assistant to Dona Margarita Lopez Portillo, sister of the President of Mexico; Sra. Ana Rosa Farias, his wife; Profesor Heriberto Garcia Medina, Administrador Gral y Consejero (Technical Administrator) of the University of Guadalajara Ballet Folklorico, and Profesor Carlos Ochoa Ochoa, Director Artistico y Coreografo (Artistic Director and Choreographer) of the Ballet Folklorico.

Lic. Farias addressed the Council, noting his warm affection for the United States and the relationships between Mexico and the United States. He brought greetings from the University of Guadalajara, and spoke to the support of such good relationships by Mexican President Lopez Portillo.

Mayor Pro-Tem Eureste explained that Mayor Cockrell was out of town in Washington D.C. for important meetings, and spoke to the relationships enjoyed between San Antonio and Guadalajara, and to the Sister Cities organization. He asked the Council to join him at the podium for special presentations to the honored guests. He then presented an Alcalde to Lic. Farias, along with a book on San Antonio. Other Councilmembers presented books on San Antonio to Sra. Farias, Sr. Garcia and Sr. Ochoa.

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80-58 ZONING HEARINGS

5. CASE 8279 - to rezone the remaining portion of Lot 23, Block 6, NCB 3147, 427 Dunning Street, from "B" Two Family Residential District to "B-3R" Restrictive Business District, located northeast of the intersection of I.H. 10 Expressway and Dunning Street, having 82.70' on I.H. 10 Expressway and 51.28' on Dunning Street.

November 20, 1980
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The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

Mr. Ed G. Mendiola Jr., 710 Bynum explained his request.

No citizen appeared to speak in opposition.

After consideration, Mr. Alderete moved that the recommendation of the Zoning Commission be approved. Mr. Canavan 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, Canavan, Steen; NAYS: Archer; ABSENT: Thompson, Cockrell.

AN ORDINANCE 53,026

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 REMAINING PORTION OF LOTS 23, BLOCK 6, NCB 3147, 427 DUNNING STREET, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT.

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6. CASE 8252 - to rezone a 1.0 acre tract of land out of NCB 11156, being further described by field notes filed in the Office of the City Clerk, 5131 Roosevelt Avenue, from "B" Two Family Residential District to "I-1" Light Industry District, located on the west side of Roosevelt Avenue, being 210.2' northwest of the intersection of Herbst Road and Roosevelt Avenue, being 89.8' on Roosevelt Avenue and a maximum depth of 509.9'.

The Zoning Commission has recommended that this request of change of zone be denied by the City Council.

Mr. Alan Warrick, Attorney representing Garry P. Nelson, the proponent, handed to the City staff two notes containing affirmative replies from area residents to the rezoning request and noted that there were 27 persons in the audience today in favor of both the zoning cases 8252 and the following case 8240. He stated his belief that it would be inconsistent to require Nelson Surplus to observe a 100-foot setback, since the Zoning Commission did not also require his wife to do the same on the property nearby, just down the street. He stated that the City's Historic Preservation Office opposes the rezoning request because of the property's proximity to the Missions of San Antonio National Historic Park.

Dr. Cisneros moved to approve the request. Mr. Wing seconded the motion.

Mrs. Dutmer stated that the City had promised Interior Secretary, Cecil Andress that it would protect the Historic Park, and the Council would be discussing some guidelines on this later in the Council meeting.

Ms. Patricia Osborne, Historic Preservation Officer, stated her opposition to anything that would not include a 200 foot buffer to the Historic Zone.

Mr. Wing then made a substitute motion to postpone the case until a proper zoning pattern emerges for the area. Mr. Steen seconded the motion.

A discussion then took place concerning possible usage of the property until new zoning requirements are finalized for the area.

The proponent, Mr. Garry P. Nelson asked for permission to use his property as requested in the rezoning request until such time as new zoning requirements were enacted that would cause all property owners to observe a new buffer setback line. He also spoke to other alleged zoning violations on properties in the area.

Assistant City Attorney, Tom Finlay stated that the Municipal Court Judges have a policy of withholding action on a pending citation on zoning infraction until the case is resolved.

After discussion, the substitute motion to postpone was approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Thompson, Cockrell.

The original motion as substituted was also approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Thompson, Cockrell.

7. CASE 8240 - to rezone the east 200' of the north irregular 470' of Tract B, NCB 11156, 5119 Roosevelt Avenue, from "B-3" Business District to "I-1" Light Industry District, located on the west side of Roosevelt Avenue, being 2,170' south of the intersection of Roosevelt Avenue and Ashley Road, having 470' on Roosevelt Avenue and a depth of 200'.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

Mrs. Dutmer made a motion to postpone this case until new area zoning policies are set. Dr. Cisneros seconded the motion.

Mr. Steen made an amendment to the motion to consider both zoning cases 8252 and 8240 concurrently. Mr. Alderete seconded the motion.

After discussion, the amended motion was approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Thompson, Cockrell.

80-58 PUBLIC HEARING ON HISTORIC PRESERVATION GUIDELINES

Mayor Pro-Tem Eureste announced that the Public Hearing on and consideration of a Resolution adopting a guideline for planning pertaining to historic preservation now was open. He called on the Planning Commission Chairman, Mr. William Dodds to present the City's case.

Mr. Dodds explained the history of this request for a clearer policy statement from City Council on historic preservation and urged approval of the guideline adopted by the Planning Commission as the guideline for day-to-day actions in this area.

In response to a question by Dr. Cisneros, Mr. Dodds stated that this guideline is the basis for an overall historic preservation plan for San Antonio.

Mrs. Joanna Parrish, President of the San Antonio Conservation Society, stated her organization's endorsement of the historic preservation guideline and asked that it be included in the

City's Master Plan, noting that it would be a guideline for future development. She also stated that the Conservation Society currently was doing a study to identify and prioritize historic structures in downtown San Antonio, and would make this information available to the City when completed.

Mrs. Mary Ann Castleberry, Chairperson of the Texas Heritage Council, stated her support of the recommendation.

Mayor Pro-Tem Eureste declared the hearing closed.

The Clerk read the following Resolution:

A RESOLUTION
NO. 80-58-88

ADOPTING A GUIDELINE FOR PLANNING
PERTAINING TO HISTORIC PRESERVATION.

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Mr. Steen moved to approve the Resolution. Mrs. Dutmer seconded the motion.

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

8. CASE 8180 P.P. - to rezone a 13.2 acre tract of land out of NCB 17019, being further described by field notes filed in the Office of the City Clerk, from Temporary "R-1" E.R.Z.D. Single Family Residential Edwards Recharge Zone District to "R-3" E.R.Z.D. Multiple Family Residential Edwards Recharge Zone District, located on the northeast side of Southern Pacific Railroad R.O.W., being approximately 900' northwest of the intersection of De Zavala Road and the Southern Pacific Railroad R.O.W., having 1552.31' on the Southern Pacific Railroad R.O.W. and a maximum depth of 561.67'.

Mr. Andy Guerrero, Planning Administrator, explained the proposed change which the Zoning Commission recommended be approved by the City Council. He explained that of the 69 notices mailed to residents within 200 feet of the area, 52 were returned against. In addition, he stated that a petition with some 581 signatures of the area residents had been submitted, opposing the rezoning.

Mr. M.M. Hughes, Jr., 116 Vanderheck, one of the three owners of the property, stated that the area land has been under development for the past 10 years, and a Planner had been retained to create a Master Plan for the entire area including University Oaks to the west and the Woods of Shavano to the immediate east. He provided a brief history of the area's development including the recent annexation of the Woods of Shavano into the City of San Antonio. Mr. Hughes stated that he had met with neighbors to the affected property, but they could not agree on the re-use plan prepared by the developers of the property. He noted that the Zoning Commission had approved the request.

Mr. Gene Dawson of Pape-Dawson, Consulting Engineers, spoke to the prepared Master Plan of the Woods of Shavano area approved by the Planning Commission and noted that buffer areas had been left on both sides of the subject areas so as to protect the "R-1" property owners. He stated that the new revised and prepared Master Plan calls for "P-1", "R-2", and "R-6", zoning for the subject property.

Mr. Jerry Smith, 3003 N.W. Loop 410, another of the land's owners, spoke to the design of new plans for the property in

question, stating that the revised project was in answer to objections raised by area homeowners to the original plans for the land's redevelopment. He spoke to population density under the proposed new rezoning and stated that the partners were already working on a similar project in an out-of-city area immediately to the south of the subject property.

A discussion then took place, relative to ingress and egress to the property via a road and new bridge across the drainage area, connecting the property to De Zavala Road.

Mr. Jesse Baker, 16205 San Pedro Avenue, third of the property owners, made a summary presentation, stating that a Master Plan for the area had been approved by the City in 1976. He reviewed the history of the land-use plan and asked for approval of the rezoning request.

(Mayor Pro-Tem Eureste was obliged to leave the meeting and Councilman Steen presided.)

A discussion then took place concerning the possibility of single-family development in lieu of the requested change for multi-family units, during which Mr. Baker stated that single-family construction would not be economically feasible.

(Mayor Pro-Tem Eureste returned to the meeting and presided.)

Mr. Gerald Stowers, 13906 Golden Woods, stated that he had collected the signatures of 26 homeowners in the area who had been told that no building would take place between the last homes in Woods of Shavano and the railroad tracks separating them from University Oaks. He stated that development on either side of the subject property is single-family and asked that the area be zoned permanently "R-1".

Ms. Loanna Crow, 141 Rocky Pine Woods, spoke to alleged misleading statements made by building in the area that the subject property never would be developed and read a letter from an area resident detailing what a real estate agent told them during a tour of the area before purchasing their home.

Mr. Wayne Garcia, 4600 Fringetree Woods, stated that area residents had met to talk about the request rezoning and discussed selective annexation of portions of the area into the City of San Antonio.

A discussion then took place concerning development of the entire area immediately outside the City and adjacent to the subject property, and possible effects that development might have on in-city residences nearby.

Mr. Canavan noted that he had met with residents of the area three times, to discuss the problem.

Mr. Eureste spoke to annexation procedures followed by the City and stated that it was up to the area residents to request annexation.

Ms. Loretta Nash, 13810 Syracuse, spoke to the gathering of more than 500 signatures of area residents opposed to the rezoning and stated that there had recently been three train derailments next to the area concerned, creating a serious safety problem that would be compounded if mulfi-family development were to occur nearby.

Mr. John Littlefield, 13814 Syracuse, summarized objections to the request, stating that they included consistent single-family usage in the area, confusing information disseminated by the developers and safety.

Mr. John Britt, 13907 Rock Pine Woods, noted that the two neighbors really are one, divided by a narrow greenbelt that developers now wanted to develop into multi-family housing.

In rebuttal, Mr. Hughes spoke to the railroad usage as being minimal, and addressed future development plans for the area. He also stated that the residents say that they had been told that nothing would be built in the area under consideration but each builder he had questioned about this denied saying anything to anyone about such a claim.

Mr. Thompson and Mr. Canavan spoke against the request.

Mr. Canavan moved to deny the request. Mr. Thompson seconded the motion.

In response to a question by Mr. Webb, Mr. Hughes discussed how many multi-family units were planned, versus how many single-family units would be built on the same land, and their prices.

Mr. Webb then made a substitute motion to grant the amended request for "R-2" and "R-3" zoning. Mrs. Dutmer seconded the motion.

After discussion, Mr. Webb withdrew his motion and Mrs. Dutmer withdrew her second.

After further discussion, the roll call on the motion to deny the requested change in zoning prevailed by the following vote: AYES: Cisneros, Webb, Wing, Thompson, Alderete, Canavan, Archer, Steen; NAYS: Dutmer; ABSENT: Cockrell; ABSTAIN: Eureste.

CASE 8180 P.P. was denied.

80-58 The meeting was recessed at 3:55 P.M. and reconvened at 4:10 P.M.

80-58 ZONING HEARING (Continued)

9. CASE 8263 - to rezone lots 52, 53, and the east 12.5' of Lot 54, Block 4, NCB 6552, 139 E. Ridgewood Court, from "B" Two Family Residential District to "R-2A" three and four family residential district, located on the northside of E. Ridgewood Court, being 154.2' west of the intersection of McCullough Avenue and E. Ridgewood Court, having 62.5' on E. Ridgewood Court and a depth of 143'.

Mr. Andy Guerrero, Planning Administrator, explained the proposed change which the Zoning Commission recommended be approved by the City Council. He stated that registered opposition constituted more than 20 percent of the property owners within 200 feet of the property and thus nine votes of the Council would be required to approve the rezoning request.

Mr. Eureste suggested that this case be postponed until a full Council is present to hear it.

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

10. CASE 8264 S.R. - to rezone Lot 9, Block 4, NCB 2325, 2909 Buena Vista Street from "C" Apartment District to "R-3" Multiple Family Residential District for a day care center caring for over twenty (20) children, located on the north side of Buena Vista

Street, being 102.72' west of the intersection of Buena Vista Street and S. Spring Street, having 51.36' on Buena Vista Street and a depth of 157.1'.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

No citizen appeared to speak in opposition.

After consideration, Mrs. Dutmer moved that the recommendation of the Zoning Commission be approved provided that street dedication is given, if necessary. 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, Thompson, Alderete, Canavan, Steen; NAYS: Archer; ABSENT: Cisneros, Cockrell.

AN ORDINANCE 53,027

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 9, BLOCK 4, NCB 2325, 2909 BUENA VISTA STREET, FROM "C" APARTMENT DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT FOR A DAY CARE CENTER CARING FOR OVER TWENTY (20) CHILDREN, PROVIDED THAT STREET DEDICATION IS GIVEN, IF NECESSARY.

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11. CASE 8257 - to rezone Lots 87 and 88, Block 34, NCB 13490, in the 8400 Block of Blanco Road, from "R-2" Two Family Residential District and "B-3" Business District to "O-1" Office District located on then northeast side of Blanco Road, being 90' northwest of the intersection of Blanco Road and Patricia Drive, having 275.87' on Blanco Road and a maximum depth of 268.02'.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

No citizen appeared to speak in opposition.

After consideration, Mr. Canavan moved that the recommendation of the Zoning Commission be approved provided that one of the stipulations that is being offered in the deed restrictions is to have landscaping along the southeast and west property lines; this will be used in conjunction with the six foot solid screen fence that is already on the property lines adjacent to the property owner. 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, Thompson, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Cisneros, Cockrell.

AN ORDINANCE 53,028

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 87 AND 88, BLOCK 34, NCB 13490, IN THE 8400 BLOCK OF BLANCO ROAD, FROM "R-2" TWO FAMILY RESIDENTIAL DISTRICT AND "B-3" BUSINESS DISTRICT TO "O-1" OFFICE DISTRICT,

PROVIDED THAT ONE OF THE STIPULATIONS THAT IS BEING OFFERED IN THE DEED RESTRICTIONS, IS TO HAVE LANDSCAPING ALONG THE SOUTHEAST AND WEST PROPERTY LINES; THIS WILL BE USED IN CONJUNCTION WITH THE SIX FOOT SOLID SCREEN FENCE THAT IS ALREADY ON THE PROPERTY LINES ADJACENT TO THE PROPERTY OWNERS.

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12. CASE 8212 - to rezone Parcel 1-B, NCB 15299, 5392 S.W. Military Drive, from Temporary "R-1" Single Family Residential District to "B-3" Business District, located south of the intersection of S.W. Military Drive and Royalgate Drive, having 175.01' on S.W. Military Drive and 150' on Royalgate Drive.

The Zoning Commission has recommended that this request of change of zone 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 provided that proper platting is accomplished and that a six foot solid screen fence is erected and maintained along the southwest property line. Mr. Webb seconded the motion.

Mr. Thompson then made a substitute motion to approve the zoning change to "B-3" Restrictive Business District. Mr. Webb seconded the motion.

On roll call, the substitute motion prevailed by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Cisneros, Cockrell.

Later in the meeting, Zoning Case #8212 was moved for reconsideration. See page 11 of these minutes for final action regarding this zoning case.

13. CASE 8290 - to rezone a 17.392 acre tract of land out of NCB's 8669 and 8671, being further described by field notes filed in the Office of the City Clerk, from "B" Two Family Residential District to "I-1" Light Industry District, located on the north side of Growden Drive, being 1330' west of the intersection of 36th Street and Growden Drive, having 961.76' on Growden Drive and a maximum depth of 1037.48'.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

No citizen appeared to speak in opposition.

After consideration, Mr. Thompson moved 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, Thompson, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Cisneros, Cockrell.

AN ORDINANCE 53,029

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 17.392 ACRE TRACT OF LAND OUT OF NCB'S
8669 AND 8671, BEING FURTHER DESCRIBED BY
FIELD NOTES FILED IN THE OFFICE OF THE CITY
CLERK, FROM "B" TWO FAMILY RESIDENTIAL
DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT
PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

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14. CASE 8248 - to rezone a 16 acre tract of land out of NCB 14861, being further described by field notes filed in the Office of the City Clerk, in the 5600 Block of Hausman Road, from Temporary "R-1" Single Family Residential District to "B-2" Business District, located on the southside of Hausman Road, being 836.7' west of the cutback between I.H. 10 Expressway and Hausman Road, having 669.3' on Hausman Road and a maximum depth of 1030.02'.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

No citizen appeared to speak in opposition.

After consideration, Mr. Canavan moved 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, Thompson, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Cisneros, Cockrell.

AN ORDINANCE 53,030

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 16 ACRE TRACT OF LAND OUT OF NCB 14861,
BEING FURTHER DESCRIBED BY FIELD NOTES FILED
IN THE OFFICE OF THE CITY CLERK, FROM TEM-
PORARY "R-1" SINGLE FAMILY RESIDENTIAL
DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED
THAT PROPER PLATTING IS ACCOMPLISHED.

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15. CASE 8283 - to rezone the east 250' of Lot 250, Block 25, NCB11124, in the 500 Block of Moursund Boulevard from "B" Two Family Residential District to "B-2" Business District, located northwest of the intersection of Moursund Boulevard and Villaret Boulevard, having 100' on Moursund Boulevard and 250' on Villaret Boulevard.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

After consideration, 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 north property line. Mr Alderete seconded the motion.

Mr. Wing spoke against the motion, stating that he felt that the rezoning would constitute an intrusion of commercial usage into a

predominantly residential neighborhood. He also noted that the City staff had recommended denial before the Zoning Commission.

Mr. Gary Mayton, 410 Jack White Way, Attorney for the proponent, spoke on plans to develop the property for a convenience store.

A discussion then took place relative to the proximity of the nearest such stores to the subject property.

No citizen appeared to speak in opposition.

After consideration, the motion to approve the requested change in zoning failed to carry by the following vote: AYES: NONE; NAYS: Cisneros, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer; AYES: Steen; ABSENT: Cockrell.

CASE 8283 was denied.

80-58 CASE 8263 was reconsidered at this time.

Mr. Alfred Gonzales, 139 E. Ridgewood, the proponent, asked for a postponement of this case until a full Council was present.

Mr. Thompson made a motion to postpone. Dr. Cisneros seconded the motion.

A discussion then was held concerning City Council's history on case postponements and whether or not the case should be considered at this time.

Mr. Webb spoke to the merits of a possible automatic postponement of zoning cases requiring nine affirmative votes for approval when all City Council members were not present in the Chambers.

After discussion, the vote on the motion to postpone failed to carry by the following vote: AYES: Cisneros, Webb; NAYS: Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen; ABSENT: Cockrell.

Ms. Mary Garay, 314 Northridge Court, described the subject property and stated that most of the area is made up of multi-unit dwellings and commercial activity. She stated that she feels that the rezoning is in line with the other uses in the area, and noted that the proponent wants to rezone the property to re-meter the apartments.

In response to a question by Mr. Eureste, Mr. Andy Guerrero, Planning Administrator, described the two options available for re-metering the apartments.

Mr. Gonzales stated that the property has not been in use as a four-plex since he purchased it, but once was used in that manner.

Mr. Enos Gary, 406 College, stated that he was the previous owner of the property who sold it to Gonzales, and it was in use a four-plex when he himself purchased it in 1968, and thus such a use was not a change.

In opposition, Mr. C.S. Culbertson, 127 E. Ridgewood stated that he feels that it will increase traffic in the area if it's rezoned.

Mr. Archer stated that he lives nearby in the MonteVista area and spoke against four-family usage in a two-family neighborhood.

Mrs. Al Lamm, 103 W. Ridgewood, stated that there were no multi-family uses, other than some duplexes in the immediate area, and spoke to an increase in traffic if the property is rezoned.

Mr. Robert Ingram, 135 E. Ridgewood stated that he lives next door, and the structure is not adequate for four families.

In rebuttal, Mr. Gonzales stated that there would be no traffic increase, and if it is rezoned, the property will assist in improving the property value. He also stated that the building already has four complete kitchens in it.

Mr. Eureste spoke to the denial of the present owner having the opportunity to use the property as it historically has been used.

After consideration, Mr. Canavan moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished. Mr. Archer seconded the motion. On roll call, the motion failed to carry by the following vote: AYES: Cisneros, Webb, Dutmer, Eureste; NAYS: Wing, Thompson, Alderete, Canavan, Archer, Steen; ABSENT: Cockrell.

CASE 8263 was denied.

80-58 At this point, Mr. Thompson made a motion to reconsider Zoning Case 8212. Mr. Alderete seconded the motion.

Mr. Thompson moved to grant "B-3" zoning as requested. Mr. Steen seconded the motion.

Mr. Wing questioned the request for change, since it was near to Royalgate Elementary School.

Mr. Eugene P. Hanley, 7522 Cartwheel, the proponent stated that he was in the restaurant business and needed the rezoning in order to serve wine and beer to customers.

Mr. Wing then made a substitute motion to grant "B-3R" zoning. The motion died for lack of a second.

After discussion, the voting on the pending motion to grant "B-3" failed to carry by following vote: AYES: Dutmer, Eureste, Thompson, Alderete, Steen; NAYS: Webb, Wing, Canavan, Archer; ABSENT: Cisneros, Cockrell.

Mr. Thompson then moved to grant "B-3R". Mr. Steen seconded the motion. After a brief discussion, the motion was withdrawn.

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

Mr. Thompson then moved to grant "B-3R" zoning provided that proepr platting is accomplished and that a six foot solid screen fence is erected and maintained along the southwest 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: Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Steen; NAYS: None; ABSENT: Cisneros, Archer, Cockrell.

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS PARCEL 1-B, NCB 15299, 5392 S.W. MILITARY DRIVE, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE SOUTHWEST PROPERTY LINE.

* * * *

16. CASE 8217 - to rezone the southeast 120' of Parcel 1-A, Block 1, NCB 16411, in the 14000 Block of Nacogdoches Road, from "B-2" Business District to "B-3" Business District, located on the northwest side of Nacogdoches Road, being 90' southwest of the intersection of Nacogdoches Road and Cattleman Drive, having 50' on Nacogdoches Road and a depth of 120'.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

No citizen appeared to speak in opposition.

After consideration, Mr. Canavan moved 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, Alderete, Canavan, Steen; NAYS: None; ABSENT: Cisneros, Thompson, Archer, Cockrell.

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 SOUTHEAST 120' OF PARCEL 1-A, BLOCK 1, NCB 16411, IN THE 14000 BLOCK OF NACOGDOCHES ROAD, FROM "B-2" BUSINESS DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

17. CASE 8269 to rezone Lots 13-B and 18, NCB 10626, 4202 U.S. Highway 90 East, from "A" Single Family Residential District and "F" Local Retail District to "I-1" Light Industry District, located on the southeast side of U.S. Highway 90 East, being 742.05' southwest of the intersection of U.S. Highway 90 East and Highway Drive, having 278.16' on U.S. Highway 90 East and a maximum depth of 322.72'.

The Zoning Commission has recommended that this request of change of zone 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 provided that proper platting is accomplished. Mr. Canavan 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, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Cisneros, Thompson, Cockrell.

AN ORDINANCE 53,033

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 13-B AND 18, KNCB 10626, 4202 U.S. HIGHWAY 90 EAST, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT AND "F" LOCAL RETAIL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

80-58 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Steen, seconded by Mr. Webb, was passed and approved by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Cisneros, Thompson, Cockrell.

AN ORDINANCE 53,034

ACCEPTING A GRANT OF \$18,000.00 FROM THE TEXAS STATE LIBRARY IN SUPPORT OF THE CITY LIBRARY PROVIDING MATERIALS AND EQUIPMENT FOR SERVICES TO THE DEAF AND HEARING IMPAIRED; AUTHORIZING EXECUTION OF A GRANT AGREEMENT; ESTABLISHING A FUND AND APPROVING A BUDGET.

* * * *

80-58 The Clerk read a proposed ordinance amending the 1980-81 annual budget by appropriating \$111,000 to finance the January 17, 1981 municipal election.

Mr. Alderete moved to approve the ordinance. Mr. Webb seconded the motion.

Mr. Archer stated that he had just walked through the Municipal Auditorium and cannot see why it will cost an estimated \$14 million to restore it. He stated that he is not in favor of spending \$111,000 for the election, funds that he feels could be better spent on other items, such as the libraries.

In response to a question by Mr. Archer, City Manager, Thomas E. Huebner stated that the 2.5¢ tax increase proposed to fund the municipal bonds will pay back both principal and interest. He estimated that a 1¢ rise in the tax rate returns to the City some \$348,000 each year in revenue.

Mrs. Dutmer stated that she does not favor using CPS revenues to pay for the Auditorium bonds over a five-year period; rather, she favors asking the citizens for the 2.5¢ tax rate increase to finance the bonds.

After a brief discussion of any possible adverse effect of postponing the approval for one week, Mr. Wing moved to do so. Mr. Steen seconded the motion. On roll call, the motion carried by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Steen; NAYS: Archer; ABSENT: Cisneros, Cockrell.

80-58 The following Ordinances were read by the Clerk and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Cisneros, Cockrell.

AN ORDINANCE 53,035

AUTHORIZING PAYMENT OF THE SUM OF \$25,000 TO PUBLIC TECHNOLOGY, INC., FOR THE CITY'S 1980-81 SERVICE FEE.

* * * *

AN ORDINANCE 53,036

ACCEPTING A DONATION OF \$40,000.00 FROM THE TESORO PETROLEUM CORPORATION IN SUPPORT OF THE DESIGN AND PLACEMENT OF A MOSAIC MURAL ON THE NORTH WALL OF THE ALAMO PLAZA/PASEO DEL RIO LINKAGE WALKWAY BENEATH THE BROADWAY BRIDGE; AUTHORIZING EXECUTION OF A MEMORANDUM OF AGREEMENT WITH THE DONOR AND THE ARTIST; AND ESTABLISHING A TRUST FUND AND ADOPTING A BUDGET.

* * * *

80-58 The Clerk read a proposed ordinance continuing needed services for the toxicant inhaler.

Mr. William Donahue, Director of the City's Department of Human Resources and Services, stated that two options have been developed for Council consideration. He noted that the service is badly needed in the community, no matter which option is selected. He stated that one option would place the Toxicant Inhalation and Drug Abuse Prevention Project and the Family/Youth Intervention Project to the City's Youth Services Project, while the other option would transfer the services to Barrios United in Leadership Development (BUILD). He also stated that the City staff has no specific recommendation in the matter.

Mr. Canavan noted that a letter of resignation from Irma Lopez Kraimer, Acting Director of MANCO, was among the papers in the Council packets this week.

Mr. Donahue explained that basically, the staff of BUILD is the same as that of MANCO, which previously operated the program.

Both Mr. Canavan and Mrs. Dutmer spoke against the awarding the programs to BUILD.

In response to a question by Mr. Alderete, Mr. Donahue stated that Option 2, awarding the programs to BUILD, had several advantages, including a community identity and the ability for the function to do certain things that City staff cannot, such as boycotting shopkeepers who continue selling glue to minors.

Mr. Alderete stated his support for Option 2.

Mr. Thompson stated his support for bringing the services into the City operation to produce better fiscal responsibility.

Ms. Virginia Tijerina, 243 Castroville Road stated that BUILD would like to remain a community-based organization, noting that they too, were concerned about the past activities of MANCO. She stated that there are Ordinances on record relating to the sale of toxicant materials, yet these are not enforced. She stated that the most effective manner was employed by Councilman Eureste and other members of the community, and that there had been more success in dealing with the problem via the boycott.

Mr. Eureste stated that there have been legitimate complaints about MANCO, yet it was MANCO employees who helped him identify the problem spots in the sale of silver spray paint to minors.

Mr. Canavan then made a motion to postpone the matter until next Wednesday's Council meeting. Mr. Webb seconded the motion.

Mr. Joe Gallegos, Jr., BUILD Board Member asked persons in the audience supporting the BUILD position to stand, and asked Council support of the new organization.

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

In response to a question by Mr. Wing, Mr. Donahue stated that should the City absorb the programs, the program employees would be brought into the City employ.

80-58 The following Ordinance was read by the Clerk and after consideration on motion of Mr. Steen, seconded by Mr. Webb, was passed and approved by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Cisneros, Cockrell.

AN ORDINANCE 53,037

ACCEPTING THE HIGH BIDS RECEIVED IN CONNECTION WITH \$3,400,000 IN CITY FUNDS AVAILABLE FOR DEPOSIT IN INTEREST-BEARING CERTIFICATES OF DEPOSIT.

* * * *

80-58 The Clerk read the following Ordinance:

AN ORDINANCE 53,038

AUTHORIZING ADDITIONAL ENGINEERING FEES FOR WILLIAMS-STACKHOUSE, INC., FOR DESIGN OF THE 39TH STREET DRAINAGE PROJECT 58.

* * * *

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

In response to a question by Mr. Thompson as to the staff's position in paying the pending engineering fees as billed, Mr. Frank

520

Kiolbassa, Director of Public Works, stated that the firm feels that its contract is valid and should be honored by the City.

A discussion then ensued regarding the background of the case.

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

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80-58

DISCUSSION OF CATERER

Following a brief discussion of the matter, Mr. Archer asked that the Council designate him to assist the City Clerk in selection of meals for the Council on Council meeting days.

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

- - -
80-58 Travel Authorization - granted:

Mayor Cockrell, Councilmembers Dutmer, Archer, Cisneros, Eureste, and Mr. Thompson to travel to Atlanta, Georgia to attend the National League of Cities Meeting.

- - -
80-58 Travel Authorization - granted:

Councilman Joe Webb to travel to Atlanta, Georgia to attend the National League of Cities Conference and National Black Caucus of Local Elected Officials Conference, from November 28, 1980 to December 4, 1980.

- - -
80-58 The Clerk read the following Ordinance:

AN ORDINANCE 53,039

GRANTING A PERMIT TO THE CHURCHILL ESTATES
HOMES ASSOCIATION TO INSTALL A SPRINKLER
SYSTEM IN THE MEDIAN OF CHURCHILL ESTATES
BOULEVARD AT COST OF THE GRANTEE.

* * * *

Mr. Canavan moved to approve the Ordinance. Mr. Steen seconded the motion.

Mr. Joe Lynch, 14910 Majestic Prince, briefly described the sprinkler system to be installed.

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

80-58 Travel Authorization - granted:

Mayor Lila Cockrell to travel to Washington D.C., to attend the Mayor's Urban Advisory Task Force Meeting from November 20, 1980 to November 21, 1980.

80-58 The following Ordinance was read by the Clerk and after consideration on motion of Mr. Alderete, seconded by Mr. Webb, was passed and approved by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Cisneros, Cockrell.

AN ORDINANCE 53,040

AUTHORIZING SUBMISSION OF AN APPLICATION TO SISTER CITIES INTERNATIONAL FOR A GRANT FOR A TECHNICAL ASSISTANCE PROGRAM--ASSISTANCE IN ESTABLISHING AN EMERGENCY MEDICAL SERVICES SYSTEM IN GUADALAJARA, MEXICO.

* * * *

There being no further business to come before the Council, the meeting was adjourned at 7:15 P.M.

A P P R O V E D

Lila Cockrell

M A Y O R

ATTEST:

Norma S. Rodriguez
C i t y C l e r k