

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, MARCH 13, 1975.

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In the absence of Mayor Charles L. Becker and Mayor Pro-Tem Jose San Martin, the meeting was called to order by City Clerk J. H. Inselmann, who then invited a motion to elect one of the Council Members present to serve as Acting Mayor and Presiding Officer.

Dr. Nielsen moved that Rev. Black be elected to serve as Acting Mayor. The motion was seconded by Mr. Morton and on the following roll call vote, the motion was passed and approved: AYES: Cockrell, Black, Morton, O'Connell, Nielsen, Teniente; NAYS: None; ABSENT: Becker, San Martin, Lacy.

Rev. Black took the Chair and presided with the following members present: COCKRELL, BLACK, LACY, MORTON, O'CONNELL, NIELSEN, TENIENTE; ABSENT: BECKER, SAN MARTIN.

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75-14 The invocation was given by The Reverend J. A. Hayes, St. Henry's Catholic Church.

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75-14 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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75-14 The minutes of the meeting of March 6, 1975, were approved.

75-14 IVANHOE ELEMENTARY SCHOOL

Acting Mayor Black recognized students from Ivanhoe Elementary School accompanied by Mrs. Frances Miller and welcomed them to the meeting.

Mr. Teniente stated that the students at Ivanhoe Elementary School are presently studying the way their City is being governed, responsibilities of the various offices, etc. He presented these students with copies of a "Guide to Municipal Services."

Emilio Martinez, President of the Ivanhoe Student Council, thanked Reverend Black, Mr. Teniente and other Council Members for inviting them to be present.

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75-14 ROOSEVELT HIGH SCHOOL

Acting Mayor Black also recognized a group of students from Roosevelt High School and welcomed them to the meeting.

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75-14

SISTER MARY BONIFACE

Acting Mayor Black invited Sister Mary Boniface to the podium while he read the following:

CITY OF SAN ANTONIO
(STATE OF TEXAS)

Hereby Presents This

CITATION

to

SISTER MARY BONIFACE

FOR THE MANY YEARS OF DEDICATED SERVICE TO THE YOUNG PEOPLE OF THE EASTSIDE OF SAN ANTONIO AS TEACHER, COUNSELOR, ADVISOR AND FRIEND. THROUGH HER SKILL AS AN ADMINISTRATOR AND EDUCATOR, SHE HAS IN A SHORT TIME LED THE HEALY-MURPHY LEARNING CENTER TO ITS PRESENT STATUS AS A CONTRACT SCHOOL WITH THE SAN ANTONIO INDEPENDENT SCHOOL DISTRICT SUPPORTING THREE HUNDRED STUDENTS. HER CONTRIBUTION TO THE CITIZENS OF THIS COMMUNITY MERIT THE COMMENDATION OF A GRATEFUL CITIZENRY.

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Acting Mayor Black then presented the Citation to Sister Mary and then each of the Council Members personally congratulated her.

Sister Mary thanked Rev. Black and the Council for this expression of appreciation and thanked the Council for the help it has given the Healy-Murphy Center.

Rev. Black then recognized a large group of students in attendance from the Healy-Murphy Learning Center as well as staff members who were present.

75-14

PEARL BREWING COMPANY

Mr. Lee Birdsong, President of the Pearl Brewing Company, invited the members of the City Council to join with him on Tuesday, March 18, at the official opening and dedication of Pearl's new aluminum can manufacturing facility. It is officially to be known as the Pearl Container Company, a wholly-owned subsidiary of the Pearl Brewing Company. The new plant will provide 100 new jobs with \$1.5 million payroll. Mr. Birdsong presented each Council member with a commemorative medallion celebrating the event.

Acting Mayor Black congratulated Mr. Birdsong and expressed the City's appreciation for this addition to the local economy.

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Mr. Ted O'Krent addressed the Council about the heritage of Americans and the coming Bicentennial Celebration. In anticipation of the Bicentennial an outstanding artist designed the American Heritage Emblem which was woven into an American Legend Heirloom Rug which he presented to the City as a gift.

This beautiful rug depicts an American Eagle perched on Liberty Bell with outspread wings and the American flag in the background.

Mr. O'Krent commented:

"Here we have the whole story. The American Eagle that represents freedom, the freedom to climb as far as we can and as high as we want - almost limitless. The stars that were plucked from heaven, each star representing a state. The background of blue that represents loyalty, the thirteen stripes that represent the 13 colonies first in the Union. The red that reminds me of the flow of blood from our Americans in battle to save all of this. The white stands for peace and purity and, of course, our Liberty Bell which was first rung at the signing of the Declaration of Independence in 1776."

Acting Mayor thanked Mr. O'Krent for this presentation saluting the Bicentennial and for the nice gift for the City. He said that he was particularly pleased that the presentation was made while he presided because one of the first men who died in the American Revolution was a Black named Crispus Addix.

75-14 The following Ordinances were read by the Clerk and explained by Members of the Administrative Staff, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Cockrell, Black, Morton, O'Connell, Nielsen, Teniente; NAYS: None; ABSENT: San Martin, Becker, Lacy.

AN ORDINANCE 45,014

AUTHORIZING CONSTRUCTION OF 770 LINEAL FEET OF 8' CHAIN LINK FENCE WITH THREE (3) STRANDS OF BARBED WIRE BY MR. ALVIN G. PADILLA AT 306 EAST NAKOMA IN AN I-1 DISTRICT.

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AN ORDINANCE 45,015

APPROPRIATING THE SUM OF \$621,000 FROM THE SEWER REVENUE BOND DEBT SERVICE FUND #820-04, AND AUTHORIZING TRANSFER THEREOF TO SEWER REVENUE BOND RESERVE FUND TO COMPLY WITH THE INDENTURE OF THE SEWER REVENUE BOND SERIES 1975.

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AN ORDINANCE 45,016

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE LEASE AGREEMENT WITH FROST NATIONAL BANK FOR OFFICE SPACE IN THE MAIN PLAZA BUILDING FOR ADDITIONAL SPACE FOR THE PROPERTY RECORDS AND INSURANCE MANAGEMENT DIVISION OF THE FINANCE DEPARTMENT AND AUTHORIZING PAYMENT THEREFOR.

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75-14 The Clerk read the following Resolution:

A RESOLUTION
NO. 75-14-16

GIVING NOTICE THAT BIDS WILL BE RECEIVED FOR SELECTION OF A DEPOSITORY FOR FUNDS OF THE CITY OF SAN ANTONIO AND FOR LOANING MONEY TO THE CITY, FOR THE FISCAL YEARS 1975-76 AND 1976-77.

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The Resolution was explained by Mr. Carl White, Director of Finance, who said that this action is being taken as a result of having worked out a means with the local banks so that more banks can participate as a City depository. It is planned to have one main depository selected under a bid. The balance of the funds, about 30 percent, would be put out on a high bid basis to mature as required by the City. All the banks in San Antonio could then bid. The change in bidding procedure is because the last time bids were sent out only one was received. The banks said that the City's account is just too large for one bank to handle. Under this new plan, it is hoped that at least four banks will participate.

In answer to Mr. Morton's question, Mr. White said that the conservative 70-30 split was decided on until some experience is gained in using this procedure.

After consideration, on motion of Mr. Teniente, seconded by Mr. O'Connell, the Resolution was passed and approved by the following vote: AYES: Cockrell, Black, Morton, O'Connell, Teniente; NAYS: None; ABSENT: San Martin, Becker, Lacy, Nielsen.

75-14 The following Ordinances were read by the Clerk and explained by Mr. Mel Sueltenfuss, Director of Public Works, and after consideration on motion made and duly seconded, were each passed and approved by the following vote: AYES: Cockrell, Black, Lacy, Morton, O'Connell, Teniente; NAYS: None; ABSENT: San Martin, Becker, Nielsen.

AN ORDINANCE 45,017

AUTHORIZING THE CITY MANAGER TO EXECUTE A FIELD ALTERATION TO AMEND THE CONTRACT WITH H. B. ZACHRY CO. FOR CONSTRUCTION OF THE SANBIT OFF-SITE SANITARY SEWER; APPROPRIATING \$7,666.71 FOR THE COST OF THE ALTERATION; AND AUTHORIZING PAYMENT.

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AN ORDINANCE 45,018

MANIFESTING AN AGREEMENT WITH PRESTIGE HOMES, INC., PERTAINING TO LOCATION OF "SANBIT" SEWER PROJECT AND AUTHORIZING CITY MANAGER TO EXECUTE SAME.

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75-14 The following Ordinances were read by the Clerk and explained by Members of the Administrative Staff, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Cockrell, Black, Lacy, Morton, O'Connell, Nielsen, Teniente; NAYS: None; ABSENT: San Martin, Becker.

AN ORDINANCE 45,019

AMENDING CHAPTER 38 OF THE CITY CODE TO PROHIBIT PARKING IN THE CITY-OWNED PARKING LOT WEST OF POLICE HEADQUARTERS; PRESCRIBING A PENALTY FOR VIOLATION OF THE PROVISIONS THEREIN BY A FINE NOT TO EXCEED \$200.00.

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AN ORDINANCE 45,020

AUTHORIZING PAYMENT OF \$3,385.52 AS THE CITY'S DUES TO THE AIRPORT OPERATORS COUNCIL INTERNATIONAL.

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AN ORDINANCE 45,021

CONSENTING TO THE ASSIGNMENT OF THREE LEASE AGREEMENTS PROVIDING FOR LEASE OF SPACE AT STINSON MUNICIPAL AIRPORT FROM AIRWAY ENTERPRISES, INC. TO FLYING INCORPORATED.

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AN ORDINANCE 45,022

MANIFESTING AN AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND MELBA AYLESWORTH TO EXTEND THE PRESENT LEASE AGREEMENT OF CERTAIN SPACE AT STINSON MUNICIPAL AIRPORT FOR A ONE YEAR TERM.

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AN ORDINANCE 45,023

MANIFESTING AN AGREEMENT WITH MARJORIE W. BEATTY, AN INDIVIDUAL D/B/A, "POSADA LAS CALANDRIAS", TO EXTEND THAT LEASE AGREEMENT PROVIDING FOR LEASE OF SPACE IN BUILDING NO. 206 AT HEMISFAIR PLAZA, FOR AN ADDITIONAL ONE YEAR TERM, COMMENCING MARCH 1, 1975, ACCORDING TO THE SAME TERMS AND CONDITIONS.

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AN ORDINANCE 45,024

MANIFESTING AN AGREEMENT WITH PLANNED PARENTHOOD CENTER OF SAN ANTONIO TO ENTER INTO A LEASE AGREEMENT PROVIDING FOR LEASE OF SPACE IN BUILDING NO. 561 AT HEMISFAIR PLAZA, FOR A TERM OF ONE YEAR COMMENCING APRIL 1, 1975.

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AN ORDINANCE 45,025

ACCEPTING THE LOW QUALIFIED BID OF TITMUS OPTICAL CO., TO FURNISH THE CITY OF SAN ANTONIO WITH VISION TESTERS FOR A NET TOTAL OF \$3,090.00, AND AUTHORIZING PAYMENT.

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AN ORDINANCE 45,026

ACCEPTING THE LOW QUALIFIED BID OF AUTOMATIC SIGNAL DIVISION TO FURNISH THE CITY WITH PEDESTRIAN TRAFFIC SIGNALS (NEON GRID TYPE) FOR A NET TOTAL OF \$11,160.00.

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AN ORDINANCE 45,027

ACCEPTING THE LOW BID OF A-1 QUALITY FENCE CO., INC. AND COMANCHE STEEL PRODUCTS, INC. TO FURNISH THE CITY OF SAN ANTONIO WITH FENCING MATERIALS FOR A TOTAL OF \$8,189.35.

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AN ORDINANCE 45,028

ACCEPTING THE LOW QUALIFIED BID OF R. D. WILLIAMS TO FURNISH THE CITY WITH HIGH PRESSURE WASHERS FOR A NET TOTAL OF \$9,975.00.

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MRS. RUTH WOODARD

Mrs. Ruth Woodard thanked the Council for getting the Yucca Street bridge project under way. She asked about funds which had been requested for a recreation area at Sutton Homes.

Rev. Black assured Mrs. Woodard that the Council had included in the Community Development budget funds for a recreation facility. The request has been sent to the Department of Housing and Urban Development for approval.

MRS. HELEN DOTMER

Mrs. Helen Dotmer, 739 McKinley Avenue, discussed the bid purchasing procedures for the Arciniega property. She said that the bid is prepared so that St. John's Lutheran Church could not legally bid on the property. There is a clause in the contract that would preclude the use that the Church has for it, namely, a housing project for the elderly. She questioned where this procedure is legal.

Mr. Morton stated that there is no preclusion in the contract. He said that the City has the right, in an effort to achieve certain objectives to draw documents to obtain that objective.

75-14PUBLIC HEARING ON PROPOSED AMENDMENTS TO CHAPTER 36 (SUBDIVISION) AND CHAPTER 42 (ZONING OF THE CITY CODE).

The following discussion took place:

MR. GEORGE VANN, DIRECTOR OF BUILDING AND PLANNING ADMINISTRATION: Mr. Mayor and Council. We have briefed the Council previously on a couple of occasions on subdivision regulations and also the Water Board regulations which are a part of the subdivision regulations. We have been working on the subdivision regulations for a couple of years. The Water Board regulations, of course, are a new thing. Mr. Van Dyke, and I think maybe the Chairman of the Board, Mr. Schaefer, of the Water Board are here. If you wish to ask them any questions. We also have members from my staff who are here to answer any questions that you might ask and with that I'll leave it up to the - to whatever the Council wishes.

ACTING MAYOR BLACK: Okay. What's the pleasure of the Council?

MR. VANN: Miss Jordan is here if you want to ask her some questions on the subdivision regulations and.....

ACTING MAYOR BLACK: All right, let's have her and then we'll come to call on Mr. Watson.

MISS MARGE JORDAN: Well, if you have any questions, we will be glad to answer them or do you want a brief explanation of what they are about?

ACTING MAYOR BLACK: Would you give us that and then....

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MISS JORDAN: Probably the most significant changes in the subdivision ordinance are some definitions. For example, a vehicular non-access easement, collector street, the different types of streets as being defined to meet some federal definitions. We are having some changes to the septic tank requirements as the result of Bexar County Commissioner's Court Order regarding septic tanks and our ordinance will comply with what they have required. We're eliminating the subdivision design standards in the outer extraterritorial jurisdiction and all subdivisions will comply just if they were inside the City limits. We have a requirement for vehicular non-access easement in the ordinance now, whereas we did not have that before. There are requirements in some areas for additional paving widths on some type of streets. We are requiring dedication on existing streets, whereas we had not been able to get that dedication. We are increasing street sign fees, and the requirements for alleys and townhouses and apartment projects. There will be an assessment for failure to construct sidewalks in the required time limit. There are some requirements being changed by the City Water Board, and they're here if you need an explanation of that. Sewer fees are increasing. We are adding the Flood Disaster Protection Act to the subdivision ordinance. There is a deletion of the engineer's certificate that is now in there, and the Public Works Department have reworked that. Developers will be allowed to give a letter of credit from a bank guaranteeing the installation improvements and there are other specifications being changed by the Public Works Department and that staff is here if you need an explanation of those. That briefly, Mr. Mayor, is what the changes are about. There are some very substantial changes.

MRS. LILA COCKRELL: May I ask - you mentioned about the time limit on the sidewalk improvements. Would you just review for us the, I don't recall exactly what our requirements are on the installation of sidewalks.

MISS JORDAN: At the current time, sidewalks inside the City limits for commercial property may be connected to the building permit and that keeps heavy equipment from running over the sidewalks and so forth while they're building the building. Sometimes they run up to the three year time limit in trying to get those walks in, and they're just starting their construction at the end of their three years. Outside the City limits, of course, all sidewalks must be connected to a Performance Bond because we have no building permits required outside the City limits. The change is this. Inside the City limits both residential and commercial will now be connected to the building permit and that keeps them from going through the Planning Commission variances where people are running out of time, and they're having financial problems and so forth, but outside the City limits, it will stay the same and be connected to the building permit. The assessment that will be changed is if you do not have the sidewalk in three years from the date that you put up the bond, then you will be assessed every month after that I believe it is \$100.

MRS. COCKRELL: Mr. Mayor, there's one area, I don't want to delay the consideration for this request, but one area that keeps coming up that we have discussed in the past is the advisability of requiring developers to dedicate certain land for park purposes. Now, I know at one time such a requirement was in the subdivision ordinances, and then it was dropped because I recall a lot of the reasons for it that it was felt that the property was not always that which, perhaps, the City might feel was the best to the use for a park and that kind of thing. I am getting the feeling, though, that many of our development patterns are going on and that possibly the City has not been as

aggressive as needed in purchasing park land and, therefore, we are just having a lot of development without adequate park facilities connected with it. I would just like to ask that the Department review again the advisability of having any requirement for a park dedication as a part of subdivision regulations.

MR. VANN: Mrs. Cockrell, at the present time, as I recall that provision was in the subdivision regulations and it was ruled that because of some ramifications involved, we could not take the dedication. Now, at the present time, there is a bill before the legislature requiring, if I remember correctly, that 10 percent of the subdivision or something of that matter, I don't exactly remember the figures, will be required of the developer for park purposes and other purposes. It is an optional thing, that if the City wants this dedication or if they don't want it. It's up to the City or, of course, the Council to decide if they want this dedication in this particular subdivision or not. Now, I do not know the status of that bill, but I know there is a bill.

MRS. COCKRELL: Well, of course, there are several options of going about getting adequate park land. I am concerned, though, that we are having a great deal of development and in some cases, we are not retaining enough anywhere for park purposes. I think it is a problem, and I think we ought to look at various alternatives.

MR. VANN: Yes madam, we will.

DR. D. FORD NIELSEN: What is our basic policy regarding at some point in time in terms of large, large subdivision developments and the kind of open space that just good planning calls for. Do we have any clear policy there?

MR. VANN: No, sir, there is no real, real clear cut policy on that.

MR. GLENN LACY: George, what was this sewer business about increasing it? Is that the builder.....

MR. VANN: Mel can answer that question. He'll address that question.

MR. MEL SUELTFUSS: Sewer platting fees will be doubled from what it was. It is to the builder at the time of.....

MR. LACY: Is it necessary to double it?

MR. SUELTFUSS: Yes, sir, because of the costs that are involved, yes, we are.....

MR. LACY: We're going to have to start turning the cost back around the other way pretty soon, aren't we? We are in enough trouble the way it is.

MR. SUELTFUSS: Well, basically it's going to take that on a cost basis to break even. We're not making any money on it that's for sure.

MR. LACY: Well, I hope not.

DR. NIELSEN: Mr. Mayor, I just have one other question for either Mr. Vann or Miss Jordan, maybe, it's an unfair question. Would you say that in the planning and zoning changes there is anything that either encourages or discourages development within the City limits? It's kind of a hard question to answer, perhaps, but just your top of the head response to that.

MR. VANN: I think that that may be a proper question to ask the Water Board because of their extension policy on water lines. The new policy does.....

MR. NIELSEN: But do you think, in effect, that's more than the minor change?

MR. VANN: It sure does. There is nothing directly in the subdivision regulations except in the extension policy of the Water Board. I think that would be a fair question for them to answer.

ACTING MAYOR BLACK: Then do we have any further questions that we want to ask?

DR. NIELSEN: I hope that in terms of open space parks or whatever you want to call it, we do begin to try and devise a policy. I can think of a couple of areas in town where large developments are taking place and nobody planned particularly for any open space and somebody's got to do that. I would hope we get a policy whereby we can do that.

MRS. COCKRELL: I'm real concerned about this, and I also realize that we don't want to put heavy restrictions on the developer that it means that the cost of the lots is going to have to be just so high, that it really makes it exorbitant, but I think that somehow or other in the planning process as we see subdivisions developing perhaps there could be some cooperation with City land acquisitions and possibly working with the developers that we could get land set aside if not totally given free at least possibly on a cooperative basis at a moderate price because it would be to the advantage of the community and the residents too. So, I would like for us to look at that.

ACTING MAYOR BLACK: Now, I think we're ready to hear the Water Board.....

MR. JOHN SCHAEFER: Thank you, Reverend Black. I'm John Schaefer, Chairman of the City Water Board. I appeared before you last week and at that time answered what questions the Council had. If there are any questions that have come up in the meantime, I'll be happy to answer them now.

MRS. COCKRELL: I want to say that I am going to vote for this today, and I am going to say that I am doing it in the nature of a pilot project in at least in my own opinion. Whether I am on or off the next Council, I will still continue to watch it with great interest. I think that if it succeeds, if the new policies which mean that the City furnishes the material - the City Water Board to the developers for the on-site mains. If that policy does result in increased development within the City limits then it will have been worth the expenditure of the almost \$600,000 that it's going to cost. Now, if it does not have any appreciable impact as compared with what has gone on in the past, then I would say that I think it should be reviewed again in the future. In other words, my vote for it is based on the fact that I feel it's worth a trial and to see if this kind of investment will pay off by increasing development within the City

because I'm strongly committed to the idea that development within the City and to fill out the gaps is very much in the public interest and in terms of transportation services and in many, many other services that the citizens ultimately has to subsidize in getting the vacant land developed within the City is certainly very advantageous. I would say that is really the basis for my deciding to go with the recommendation of the Water Board with this.

MR. SCHAEFER: Thank you. As I previously stated that is one of the intents of these regulations to encourage development within the City limits rather than without the City limits.

DR. NIELSEN: I just had one question, Mr. Schaefer. As far as the purchase, the wholesale - the purchase of wholesale systems - does the provision that.....it says here, "at the depreciated value of the system," is that a negotiable thing between the City interpretation of depreciation value or I know that we've had problems with this.....

MR. SCHAEFER: No, that is something that is clearing an area that has been impossible to work in. Previously there were provisions made when a private system came into being for the purchase of that system. So, that when the City Water Board came to the point that they wanted to purchase a system, say, they annexed the area or brought their mains out there, it was strictly a negotiated thing if the private system wanted to sell. There's no way that the Water Board has any prerogative or rights under the law to condemn the system or to take the system so that there's no way for us, really, to purchase a private water system now unless the owner wants to sell and unless we can agree on a price. Now, the new regulations would require any new system or extension of systems to enter into a contract with the Water Board that we would have the option to purchase that system at, what you have said, the depreciated cost. Now, the depreciated cost would be the actual in place cost of that system less depreciated factor, I think it's six percent a year which is based on a 15 year depreciation with a 10 percent residual value.

DR. NIELSEN: This is going to be for everybody then?

MR. SCHAEFER: Everyone is the same, and it's an absolute cost basis. In other words, there's no market value, there's no intrinsic value, it's the absolute cost of that system, and it will be certified so that we'll know exactly what the cost and the Water Board can buy it on day one or at the end of the 15 year period or never buy it.

DR. NIELSEN: What we're trying to do is treat everyone the same and.....

MR. SCHAEFER:and know where we are.....

DR. NIELSEN:from the very beginning.....

MR. SCHAEFER:right.....

DR. NIELSEN:in terms of some understanding between the Water Board and private systems.....

MR. SCHAEFER: Right. They know where they are when they go in.

MR. LACY: You're not saying that the Water Board has the prerogative on one hand while the developer does not.

MR. SCHAEFER: Yes. I am saying that. In other words, the Water Board.....

MR. LACY: It's not a legal contract if you only bind one party on the one hand and then didn't bind the other party.

MR. SCHAEFER: Well, we're actually - we're binding the Water Board to the price. Let's just say, for instance, there's a real estate option contract. In other words, we're binding the Water Board to the price and the private system owner to the price. But, it's the option of the Water Board as to when they exercise the purchase of the system. It is partially a one-way street. But it does tie it down for both parties, so you know where they are.

MR. LACY: There's a large latitude of uncertainty as to when it will happen then?

MR. SCHAEFER: Yes, that's correct. There's no question about it as to the timing of it. For instance, you might have a system in the very outer limits of the ETJ. It may be some time before the Board would have water available in that area so that they could purchase the system other than just to take the system over and pump from the existing wells. You might have another one that might be adjacent to the City and because of master plans, the main come out there and the Board would feel it was to their advantage to purchase that system at, you know, maybe the first or second year rather than later, but it is an uncertainty really of necessity because of the uncertainty of growth.

MR. LACY: It gives the Water Board the advantage - the developer the disadvantage.

MR. SCHAEFER: That's correct.

MR. W. J. O'CONNELL: No, not really because they know, they're fully aware of what the situation is.

MR. SCHAEFER: They know what the situation is, and, of course, they don't have to enter into a contract, but in all frankness, it is to the Water Board's advantage more than I would say the private owners.

DR. NIELSEN: Is there any provision either in terms of abandonment of a private system or bankruptcy or anything else whereby we would in an economic basis be unable to take over that system, but yet in terms of service be almost forced to - do we have any kind - have you all given any thought to that, remote as it might be but....

MR. SCHAEFER: No, actually to my knowledge, there's not any provision in either the state law or in our regulations.

ACTING MAYOR BLACK: One of the problems that we've had come before us is the cost changes to the individual customers in the various areas. I don't know whether or not, of course, it seems that this possibly is where the Council has not simply assumed responsibility in this area in terms of price regulations, but there's nothing in this that is going to deal with this.

MRS. COCKRELL: Mr. Mayor, on the terms of price regulations of the water districts? If you recall, the City Finance Department, I believe, is making a study, and I - we might ask how quickly that report is going to be completed of those water districts, particularly the one whose rates appear to be the highest and they were to review to determine whether or not they were within the permitted state profit of eight percent that they are allowed.

ACTING MAYOR BLACK: It seems to me that if we liberalize our policy in any way that encourages we must also assume responsibility for that kind of cost that citizens bring to our attention. How far have we gotten on that report?

MRS. COCKRELL: We were studying several of the water systems as to their rate structure and whether or not it fell within the state permitted percentages.

MR. CARL WHITE: Yes, madam. The first one that we're auditing - if you recall, I told you it would take about three months to complete each audit. The first one that we tackled was the most difficult one of all, the largest and the most complex or the most complicated one of all. To make a long story short, we're just in the throes of completing that audit at the present time. We should have it completed within the next two weeks. It's taken, like I said, it's taken about five months to complete the audit when we thought it would take three months. The reason for that being that out of this one utility fund, we'll call it, there were several unrelated activities paid for out of that fund. So, what we've had to do in this audit is go through each and every item of expenditure and allocate the cost whether it be water and sewer or whether it be an unrelated activity. We just simply had to go through and make a very detailed audit much more than we would have had to normally do. But the results of that audit will be available in about two weeks and we will be able to determine at that time what the rate of return is. By state law it cannot exceed eight percent.

MRS. COCKRELL: We're still getting lots of calls on that particular system. So, I think the sooner we clarify it and just have it resolved one way or another.....

MR. WHITE: We've had our two top auditors working on it since October or November somewhere in there.

ACTING MAYOR BLACK: Are there any other questions that you would like to ask Mr. Schaefer on that?

MR. SCHAEFER: Thank you.

ACTING MAYOR BLACK: Now, we have Bill Watson of the Greater San Antonio Buidling Association, who would like to at this time address the Council.

MR. BILL WATSON: Thank you, Mr. Mayor. I'm Bill Watson, President of the Greater San Antonio Builders Association. I'd just like to tell the Council that the Builders Association, through their local Government Utilities Committee, has worked very extensively with both the City staff and the City Water Board staff in developing these regulations. This is not to say that this is a development community regulation or ordinance that you are considering today. This is a compromise that I feel will enable the developing community to work a little bit closer with the City and not be in a position of arguing

with the City and the Water Board in so many instances that we've had in the past. It does facilitate some more expedient methods of processing subdivision plats. There's some changes in the sidewalk regulations as to require them to go in with a building permit as opposed to the subdivision bond or trust agreement which is, I feel, been very beneficial to the development community as well as the City. The sidewalks will be much more protected during the course of construction because they won't be there until the proper time. I don't think that anybody in the development community would've agreed to doubling sewer platting fees but this is one of the things that we compromised on. I would also like to point out that this is another incentive for the developers to develop inside the City limits. It's again doubled if you go outside the City limits. So, we're looking at not only the City Water Board incentives for developing inside the City, but the sewer platting fee.

MR. CLIFFORD MORTON: Mr. Watson, are you correct on doubling or is it tripling it on the outside of the City versus that inside - five times.

MR. MEL SUELTFUSS: Doubling outside.

MR. WATSON: It goes from \$200 to \$400 per lot, I think....

MR. SUELTFUSS: Fifty dollars to one hundred dollars per lot and acreage from \$250 to \$500.

MR. MORTON: This is the new schedule.

MR. WATSON: So there is definite incentive to fill up the gaps inside the City limits. As to park dedication, Mrs. Cockrell, I speak directly to you, most of the newer developments and especially the larger developments are providing recreational areas. It's a must to compete in the market place, swimming pools, tennis courts, clubhouses, what have you. These are financed by the people that live in the subdivision either they are added to the lot cost or they pay dues or the developer pays it out of his profit is what happens in so many instances of these recreational areas. The City is not required to pay a dime towards these recreational areas, and I would say that of the major subdivisions, and I'm talking about any area above 100 acres, that you will find these recreational areas that include swimming pools, tennis courts, clubhouses, what have you.

MRS. COCKRELL: Mr. Watson, I know what you mean, I live in one of those subdivisions that has a community house and a pool and so on and yet the same subdivision that I live in which has these facilities and which is adjacent to two or three other having similar facilities has yet written a number of letters from their residents up here protesting the fact that they don't have any parks and don't have enough green areas. In other words, this is a limited community facility kind of a thing and yet what they want is a larger park area somehow. So, apparently we still have some kind of a problem there.

MR. WATSON: Well, again, going back to the competitive marketplace, I think you're going to see, especially in the larger major development, more and more of this open space recreational areas being provided by the developer and not being required by the City. I have no other questions other than that we're appreciative of the staff and the City Water Board staff and the Council for allowing

us to have the opportunity to work on these regulations. As I say, it's a compromise, it's not something we drafted and sent down here and said this is what we have to have. I feel that both the City Water Board and the subdivision regulation changes will be beneficial to both the City and the developing community. Thank you.

ACTING MAYOR BLACK: I certainly join Mrs. Cockrell in stating that anything that we can do that tends to stimulate the economy of our community and tends to bring into the sphere of our City limits opportunities that will give new jobs and keep the industry going, you don't have broad a base of industry. I certainly am in support of and would be very disappointed as I would join with her if this did not take place because I know that this is a major concern. I think it is a responsibility of government to work in cooperation with the industry of the community to keep it alive and to keep it viable as an economic - as a good place to live. So, under those kind of circumstances, certainly I agree. Now, it seems to me that also in the light of the absence of two of our Councilmen that are vitally interested in this matter as well as we have, in the past, given some consideration to the presence or absence of a Councilman when a very vital matter comes before that Council to be acted upon. I would just like to know the will of the Council as to whether or not you wanted to go ahead with the action or whether or not you would recognize the fact that both Dr. San Martin and Mayor Becker are absent and possibly delay it for the agenda for next week.

MRS. COCKRELL: I'm not aware of any objections that they have either one of them.....

ACTING MAYOR BLACK: I'm not either, but I just simply know that in the past there have been times where we've given some consideration to the absence or presence of a Councilman that we know has a specific interest. I don't even entertain any idea that they have any objections to this. I simply offer that for the Council consideration because we have done it in the past.

MR. O'CONNELL: I think, Mr. Mayor, I think that the absent members were well aware that this was scheduled, and I think if there was any objection that it would have been so cited.

MR. RICHARD TENIENTE: I move the question, Mr. Mayor.

MR. LACY: Second it.

ACTING MAYOR BLACK: All right, it's been moved and seconded that we hear this matter, and I think we have ordinances to the effect on this. I understand there are two ordinances bearing on this, and we will hear these ordinances. All right. Then it's the consensus that the Council will go forward with this.

* * * *

The Clerk read the following Ordinance:

AN ORDINANCE 45,029

AMENDING CHAPTER 36 (SUBDIVISIONS) OF THE CITY CODE SO AS TO MAKE VARIOUS CHANGES IN SUBDIVISION REQUIREMENTS AND IN THE STANDARDS FOR PROVIDING STREETS, ALLEYS, EASEMENTS, AND

OTHER PUBLIC FACILITIES AND WAYS,
AND IN THE PROCEDURES AND METHODS
FOR GAINING APPROVAL OF SAME, AND
PROVIDING FOR SEVERABILITY.

* * * *

On motion by Mrs. Cockrell, seconded by Mr. O'Connell, the Ordinance was passed and approved by the following roll call vote: AYES: Cockrell, Black, Lacy, O'Connell, Nielsen, Teniente; NAYS: None; ABSENT: San Martin, Becker, Morton.

* * * *

The Clerk read the following Ordinance:

AN ORDINANCE 45,030

AMENDING THE ZONING ORDINANCE SO AS
TO REVISE THE SEWER FEES REQUIRED
TO BE PAID WHEN THE CITY IS TO PROVIDE
SEWER SERVICE TO PLANNED UNIT DEVELOPMENTS.

* * * *

After consideration, on motion of Mr. O'Connell, seconded by Dr. Nielsen, the Ordinance was passed and approved by the following vote: AYES: Cockrell, Black, Lacy, O'Connell, Nielsen, Teniente; NAYS: None; ABSTAIN: Morton; ABSENT: San Martin, Becker.

75-14

NOLAN STREET UNDERPASS

Acting Mayor Black stated that according to the original schedule for the Nolan Street Underpass it appears to be behind schedule and asked Mr. Mel Sueltenfuss to comment.

Mr. Sueltenfuss stated that this project is not behind schedule. The contract has been awarded. The tracks have to be moved and this is a slow procedure. Sometimes on a project of this magnitude the moving time is slow before construction becomes obvious. He assured Council that this project is on schedule.

75-14

CITIZENS TO BE HEARD (Continued)

MR. KARL WURZ

Mr. Karl Wurz, 820 Florida, said that the Energy Advisory Committee is in a state of suspended animation. He said there is low attendance and a lot of buck passing with nothing being accomplished. Mr. Wurz said that one way to help the energy problem would be to insulate the attics of 40,000 homes in one month. He offered to tell how this might be done at a later date.

MR. GILBERT KISSLING

Mr. Gilbert Kissling, Secretary-Treasurer of AFL-CIO Council, read a resolution passed by the Council stating its concern for the unemployment problem in San Antonio. He said that the Bell Telephone Company has quit hiring anyone and is threatening lay-offs until a rate increase is granted by the City. He urged the Council to take immediate action on the rate increase request.

Council Members replied to Mr. Kissling's remarks and discussed problems the Council faces in considering certain allegations made against the telephone company. They also informed him that the City's consultant is scheduled to report to the Council next week.

75-14 The Clerk read the following Ordinance:

AN ORDINANCE 45,031

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE TEXAS EMPLOYMENT COMMISSION TO PROVIDE A UNIFIED PAY SYSTEM FOR THE CITY'S MANPOWER TRAINING PROGRAM.

* * * *

The Ordinance was explained by Mr. John Rinehart, Operations Manager for Monitoring and Evaluation, who said that this contract between the City and the Texas Employment Commission would be to implement a unified pay system to pay enrollee allowances to enrollees in the CETA Program. Five organizations in the Manpower Program are involved. The Commission already has the mechanism set up for this. Mr. Rinehart assured Council members that there is no charge at all in the program. This is strictly an administrative procedure where all pay checks are prepared by one agency rather than each separate agency making its own payroll.

After consideration, on motion of Mrs. Cockrell, seconded by Dr. Nielsen, the Ordinance was passed and approved by the following vote: AYES: Cockrell, Black, Lacy, Morton, O'Connell, Nielsen, Teniente; NAYS: None; ABSENT: San Martin, Becker.

75-14 JOHN JAY HIGH SCHOOL REQUESTS

Mr. Lacy stated he had received 362 letters from students and parents at John Jay High School and Anson Jones students. They asked for sidewalks along Marbach Road and Pinn Road and repairs to chug holes. He asked the staff to give the Council a report on possible repairs to these streets as well as the sidewalks.

Mr. Carl White, Acting City Manager, reviewed the City's policy concerning sidewalks and said that the school district must give the City its priority for sidewalks in that area so the Planning Department can include this in the sidewalk program.

Mrs. Cockrell recalled that Marbach Road was included in the recent priority list set out by the City Council.

Mr. White said the staff would include a report on this matter in the Council's packet next week.

75-14 The meeting recessed at 10:50 A.M. and went into "B" Session. Following lunch, the meeting reconvened at 1:50 P.M.

75-14 ZONING HEARINGS

A. CASE 5950 - to rezone a 4.413 acre tract of land out of NCB 11681, being further described by field notes filed in the office of the City Clerk, 6100 Block of I. H. 10 West, from "F" Local Retail District to "B-3" Business District, located on the north side of I. H. 10 Expressway, being 533.37' west of the cutback of Vance Jackson Road and I. H. 10, having 546.16' on I. H. 10 and a maximum depth of 374.77'.

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

No one spoke in opposition.

After consideration, Mr. Morton made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. Mr. O'Connell seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cockrell, Black, Morton, O'Connell, Nielsen; NAYS: None; ABSENT: San Martin, Becker, Lacy, Teniente.

AN ORDINANCE 45,032

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 4.413 ACRE TRACT OF LAND OUT OF NCB 11681, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 6100 BLOCK OF I. H. 10 WEST, FROM "F" LOCAL RETAIL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

* * * *

B. CASE 5949 - to rezone Tract 17A, NCB 12059, 109 E. North Loop Road, from Temporary "R-1" Single Family Residential District to "I-1" Light Industry District, located on the north side of North Loop Road being approximately 1826.63' east of the intersection of West Avenue and North Loop Road, having 153' on North Loop Road with a depth of 597.90'.

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

No one spoke in opposition.

After consideration, Mr. O'Connell made a motion that the recommendation of the Planning Commission be approved, provided that proper platting is accomplished. Dr. Nielsen seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cockrell, Black, Morton, O'Connell, Nielsen; NAYS: None; ABSENT: San Martin, Becker, Lacy, Teniente.

AN ORDINANCE 45,033

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 TRACT 17A, NCB 12059, 109 E. NORTH LOOP ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

C. CASE 5958 - to rezone Lots 15, 37, the north 472.55' of Lot 29 and Lot 38 save and except the south 211.21' of the west 32.53', Block 3, NCB 11714, 500 Block of N. W. Loop 410 Expressway, from "A" Single Family Residential District, "F" Local Retail District and "R-3" Multiple Family Residential District to "B-3" Business District, located on the northwest side of San Pedro Avenue between Lockhill Selma Road and N. W. Loop 410, having 730' on San Pedro Avenue, 610' on N. W. Loop 410 and 1280' on Lockhill Selma Road and a distance of 680.44' between Lockhill Selma Road and N. W. Loop 410 Expressway.

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

No one spoke in opposition.

After consideration, Mr. O'Connell made a motion that the recommendation of the Planning Commission be approved, provided that proper platting is accomplished. Dr. Nielsen seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cockrell, Black, Morton, O'Connell, Nielsen, Teniente; NAYS: None; ABSENT: None.

AN ORDINANCE 45,034

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 15, 37, THE NORTH 472.55' OF LOT 29 AND LOT 38 SAVE AND EXCEPT THE SOUTH 211.21' OF THE WEST 32.53', BLOCK 3, NCB 11714, 500 BLOCK OF N. W. LOOP 410 EXPRESSWAY, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT, "F" LOCAL RETAIL DISTRICT AND "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

D. CASE 5957 - to rezone a 0.918 acre tract of land out of NCB 11714, being further described by field notes filed in the office of the City Clerk, 619 N. W. Loop 410 Expressway, from "A" Single Family Residential District and "R-3" Multiple Family Residential District to

"B-3" Business District, located on the north side of N. W. Loop 410 being 315' west of the cutback between N. W. Loop 410 and San Pedro Avenue, having 200' on N. W. Loop 410 and a maximum depth of 211.21'.

Mr. Gene Camargo, Planning Administrator, 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 proper platting is accomplished. Mr. O'Connell seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cockrell, Black, Morton, O'Connell, Nielsen, Teniente; NAYS: None; ABSENT: San Martin, Becker, Lacy.

AN ORDINANCE 45,035

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 0.918 ACRE TRACT
OF LAND OUT OF NCB 11714, BEING FURTHER
DESCRIBED BY FIELD NOTES FILED IN THE
OFFICE OF THE CITY CLERK, 619 N. W.
LOOP 410 EXPRESSWAY, FROM "A" SINGLE
FAMILY RESIDENTIAL DISTRICT AND "R-3"
MULTIPLE FAMILY RESIDENTIAL DISTRICT
TO "B-3" BUSINESS DISTRICT, PROVIDED
THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

E. CASE 5951 - to rezone a .61 acre tract of land out of NCB 15655, being further described by field notes filed in the office of the City Clerk, 6900 Block of Whitewood Drive, from Temporary "R-1" Single Family Residential District to "B-1" Business District; a 1.24 acre tract of land out of NCB 15655, being further described by field notes filed in the office of the City Clerk, 5300 Block of Medina Base Road, from Temporary "R-1" Single Family Residential District to "B-2" Business District; a 1.355 acre tract of land out of NCB 15655, being further described by field notes filed in the office of the City Clerk 5300 Block of Medina Base Road, from Temporary "R-1" Single Family Residential District to "B-3" Business District.

The "B-1" zoning being located on the southeast side of Whitewood Drive, approximately 221.80' northeast of the intersection of Whitewood Drive and Medina Base Road, having 290' on Whitewood Drive with a maximum depth of 247'.

The "B-2" zoning being located northeast of the intersection of Whitewood Drive and Medina Base Road, having 221.80' on Whitewood Drive and 247' on Medina Base Road.

The "B-3" zoning being located on the northeast side of Medina Base Road, being 247' southeast of the intersection of Whitewood Drive and Medina Base Road, having 466.70' on Medina Base Road with a maximum depth of approximately 274.80'.

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

Mr. Ned Wells, representing the applicant, spoke in favor of the rezoning. He described the area and pointed out the existing zoning. He said that it was intended that a convenience store be built on the corner.

Mrs. Douglas Simmons, 5403 Middlefield, spoke in opposition to the rezoning. She said that business zoning would increase traffic and cause trash and litter to accumulate in the neighborhood. She also said that this would lower the value of her property.

Dr. Mike Zaccaria, the applicant, spoke in rebuttal. He said that Mrs. Simmons' husband operates an auto repair shop now on their property. He said that he planned to face the building onto Middlefield Drive and would agree to a 50' building setback line from Whitewood Drive.

After consideration, Mr. Teniente made a motion that the recommendation of the Planning Commission be approved, provided that proper platting is accomplished and that a 50' building setback line is imposed on the west property line. Mr. O'Connell seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cockrell, Black, Morton, O'Connell, Nielsen, Teniente; NAYS: None; ABSENT: San Martin, Becker, Lacy.

AN ORDINANCE 45,036

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 .61 ACRE TRACT OF LAND OUT OF NCB 15655, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 6900 BLOCK OF WHITEWOOD DRIVE, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-1" BUSINESS DISTRICT; A 1.24 ACRE TRACT OF LAND OUT OF NCB 15655, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 5300 BLOCK OF MEDINA BASE ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT; AND A 1.355 ACRE TRACT OF LAND OUT OF NCB 15655, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 5300 BLOCK OF MEDINA BASE ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED AND THAT A 50' BUILDING SETBACK LINE IS IMPOSED ALONG THE WEST PROPERTY LINE OF THE AREA ZONED "B-2".

* * * *

F. CASE 5952 - to rezone Lots 2, 3, and 4, Block 26, NCB 15500, 7719 Bronco Lane, from Temporary "R-1" Single Family Residential District to "R-3" Multiple Family Residential District for a day care center caring for over 20 children, located on the north side of Bronco Lane, being 772.04' west of the intersection of Hackamore Drive and Bronco Lane, having 228.50' on Bronco Lane and a depth of 120'.

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

No one spoke in opposition.

After consideration, Mr. Morton made a motion that the recommendation of the Planning Commission be approved. Dr. Nielsen seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cockrell, Black, Morton, O'Connell, Nielsen, Teniente; NAYS: None; ABSENT: San Martin, Becker, Lacy.

AN ORDINANCE 45,037

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 2, 3, AND 4, BLOCK 26, NCB 15500, 7719 BRONCO LANE, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT FOR A DAY CARE CENTER CARING FOR OVER 20 CHILDREN.

* * * *

G. CASE 5891 - to rezone a 3.507 acre tract of land out of NCB 11857, being further described by field notes filed in the office of the City Clerk, 2400 Block of Haskin Blvd., from "A" Single Family Residential District to "R-6" Townhouse District, located northwest of the intersection of Haskins Blvd. and Country Square, also on the west side of Countryside Drive, having 120.60' on Haskins Blvd., 170' on Country Square and 175' on Countryside Drive.

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

Mr. David Spoor, representing the applicant, described how the area is being developed as a nice residential area. The area being considered would be developed for town houses and would serve as a buffer to the commercial development on Loop 410.

Mr. Henry Sykes, 1546 Haskins, said that he would not object to the rezoning if there were a guarantee of no access over the drainage easement to the north.

Mr. Spoor pointed out to the Council that in addition to the drainage easement, there is a utility easement so no access would be possible.

After consideration, Mr. Morton made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. Mr. O'Connell seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cockrell, Black, Morton, O'Connell, Nielsen, Teniente; NAYS: None; ABSENT: San Martin, Becker, Lacy.

AN ORDINANCE 45,038

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 3.507 ACRE TRACT OF LAND OUT OF NCB 11857, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE

OFFICE OF THE CITY CLERK, 2400 BLOCK OF
HASKIN BLVD., FROM "A" SINGLE FAMILY
RESIDENTIAL DISTRICT TO "R-6" TOWNHOUSE
DISTRICT, PROVIDED THAT PROPER REPLATTING
IS ACCOMPLISHED.

* * * *

H. CASE 5948 - to rezone the southwest 175' of Tract M, NCB 11781, 11100 Block of West Avenue, from "A" Single Family Residential District to "B-2" Business District, located on the southeast side of West Avenue being 141' northeast of the cutback between Mt. Ida Drive and West Avenue, having 175' on West Avenue and a depth of 300'.

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

Mr. Allen Ghormley, representing the Denton Development Company, described the area and pointed out existing zoning. He said that development of West Avenue has made this tract unsuitable as residential property. He pointed out that the area zoned "B-1" to the east is actually an old gravel pit which was used as a sanitary landfill for a time but is now being filled with dirt and rock. It will be 10 to 15 years before any construction could take place. The Planning Commission has approved the zoning request and he asked the Council to approve it also.

Mr. and Mrs. Leon Jendzney, Jr., 10902 Mt. Ida, spoke in opposition. They are opposed to any type of commercial zoning and want the area to remain residential. They are aware of the "B-1" zoning which was in effect when they purchased their property.

Speaking in opposition also were:

Major Robert C. Pine, 10903 Mt. Ida
Mr. Edwin Hustler, 10918 Mt. Ida

In rebuttal, Mr. Ghormley said that the "B-1" zoning was in existence long before this area began to develop. He did say that he would accept "O-1" Office District zoning as a compromise if the Council insisted.

After discussion, Mr. Morton moved that the recommendation of the Planning Commission be approved and the property zoned "B-2" Business District. The motion was seconded by Mr. O'Connell.

Dr. Nielsen made a substitute motion that the property be zoned "O-1" Office District. The motion was seconded by Mrs. Cockrell. On the following roll call vote, the substitute motion failed to carry; AYES: Cockrell, Black, Nielsen; NAYS: Lacy, Morton, O'Connell, Teniente; ABSENT: San Martin, Becker.

Mr. Teniente moved to amend the original motion to "B-1" Business District. The motion was seconded by Mr. O'Connell and carried by the following roll call vote: AYES: Black, Lacy, Morton, O'Connell, Nielsen, Teniente; NAYS: Cockrell; ABSENT: San Martin, Becker.

After consideration, Mr. Morton made the amended motion that the property be rezoned "B-1" Business District, provided that proper platting is accomplished, that a six foot solid screen fence is erected along the southwest property line and that a 25' building set back is imposed on the southwest property line. Mr. O'Connell seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Black, Lacy, Morton, O'Connell, Nielsen, Teniente; NAYS: Cockrell; ABSENT: San Martin, Becker.

AN ORDINANCE 45,039

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 SOUTHWEST 175' OF TRACT M., NCB 11781, 11100 BLOCK OF WEST AVENUE, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED, THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED ALONG THE SOUTHWEST PROPERTY LINE AND THAT A 25' BUILDING SETBACK IS IMPOSED ON THE SOUTHWEST PROPERTY LINE.

* * * *

75-14

ZONING TIME REQUIREMENTS

Mr. Morton said that even though you are successful in getting a piece of property rezoned then a short time later you require a different use - what is the logic behind the six month limitation before you can ask for a change in zoning.

Mr. Camargo said that he could not explain the logic at the time the zoning ordinance was adopted. He felt, however, that it was intended to prevent the same property from constantly coming up for hearing, especially those requests that have been denied.

After discussion of the matter, Mr. Morton asked that the staff look at this section of the ordinance to exclude those properties that have been recommended for approval from the six month time limitation.

75-14

The Clerk read the following letter:

March 7, 1975

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.

March 3, 1975

Petition submitted by Mr. Dale Koons, Vickrey and Associates, Inc., in behalf of Chateau Dijon Apartments, requesting permission to erect a fence over six (6) feet in height for security purposes and that permission be granted to construct a portion of the fence within the west right-of-way of the 7700 Block of Broadway between Nottingham Road and Lorenz Road.

March 13, 1975
el

March 3, 1975

Petition of Mr. Alvin G. Padilla, Jr. requesting permission to erect an eight (8) foot chain link fence with three strands of barb wire on top around his property at 306 East Nakoma plus the adjoining lot for security purposes.

March 3, 1975

Petition submitted by Mr. Lewis H. Walker, Elder & Assistant Treasurer, Northwood Presbyterian Church, 518 Pike Place, requesting permission to install a sign directing visitors to Northwood Presbyterian Church, on City property.

March 4, 1975

Petition submitted by Mr. John K. Chamberlain, Bob Schultz Realty Co., 7334 Blanco Road, requesting permission to reconstruct a portion of the intersection of Nacogdoches Road and Thousand Oaks Blvd.

March 4, 1975

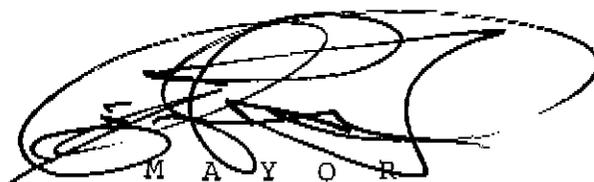
Petition submitted by Mr. Allen M. Ghormley, in behalf of Denton Development Company, requesting the City of San Antonio to release two acres of land from its extra-territorial jurisdiction adjoining Hill Country Village's extra-territorial jurisdiction, to simplify several overlapping jurisdiction affecting the property.

/s/ J. H. INSELMANN
City Clerk

* * * *

There being no further business to come before the Council, the meeting adjourned at 3:00 P. M.

A P P R O V E D



M A Y O R
Charles L. Becker

ATTEST: 
C i t y C l e r k

March 13, 1975
el

