

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, APRIL 15, 1976.

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The meeting was called to order at 8:30 A. M., by the presiding officer, Mayor Lila Cockrell, with the following members present: PYNDUS, BILLA, CISNEROS, BLACK, HARTMAN, ROHDE, TENIENTE, NIELSEN, COCKRELL; Absent: NONE.

76-18 The invocation was given by The Reverend Christian Kehl, Chaplain, Bexar County Jail.

76-18 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

76-18 The minutes of the special meeting of April 7 and the regular meeting of April 8, 1976 were approved.

76-18 RESOLUTION OF RESPECT

Mayor Cockrell read the following Resolution:

A RESOLUTION OF RESPECT
NO. 76-18-23

WHEREAS, on the 13th day of April, 1976, death brought to a close the active life of James W. Knight, and

WHEREAS, Jimmy, as he was affectionately called by everyone, contributed a lifetime of work for the betterment of this community, and

WHEREAS, he served faithfully and well as an elected official for the City of San Antonio and for the County of Bexar, and

WHEREAS, the citizens of the City of San Antonio and Bexar County have lost a dedicated and efficient public servant and mourn the departure of a good friend;
NOW, THEREFORE:

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

SECTION 1. On behalf of ourselves, the Mayor, the City Manager, the officials and employees, as well as the citizens of this community, do express profound regret upon the occasion of the death of Jimmy Knight and tender to the bereaved members of his family our heartfelt sympathy.

SECTION 2. That this Resolution be spread upon the minutes of this meeting and a copy thereof delivered to the bereaved family.

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After consideration, on motion of Mr. Billa, seconded by Dr. Nielsen, the Resolution was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

PRESENTATION OF CITATIONS

Mayor Cockrell read the following Citation:

CITY OF SAN ANTONIO
(State of Texas)

Hereby Presents This

CITATION

to

SAN ANTONIO POLICE DEPARTMENT

IN RECOGNITION OF ITS OUTSTANDING PERFORMANCE DURING THE VISIT OF PRESIDENT GERALD FORD ON APRIL 9, 1976. THE SECURITY AND CROWD CONTROL PROVIDED FOR THE PRESIDENT WAS DONE IN EXCELLENT TASTE AND WITH A HIGH DEGREE OF PROFESSIONAL SKILL AND DIGNITY. THE SERVICE RENDERED BY THE DEPARTMENT REFLECTS MUCH CREDIT ON OUR CITY AND MERITS THE COMMENDATION AND APPRECIATION OF A GRATEFUL CITIZENRY.

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Mayor Cockrell then presented the Citation on behalf of the City Council to Police Chief Emil Peters.

Chief Peters expressed his appreciation to the Council on behalf of the Police Department.

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Mayor Cockrell then read the following Citation:

CITY OF SAN ANTONIO
(State of Texas)

Hereby Presents This

CITATION

to

SHIRL THOMAS

IN RECOGNITION OF HER EFFORTS AS COORDINATOR AND LIAISON TO THE WHITE HOUSE STAFF IN ARRANGING THE VISIT OF PRESIDENT GERALD FORD TO SAN ANTONIO ON APRIL 9, 1976. HER SKILL AND TACT IN CARRYING OUT THIS ASSIGNMENT WERE INSTRUMENTAL IN ASSURING A SMOOTH AND TIMELY EVENT WHICH REFLECTS MUCH CREDIT ON OUR CITY.

THE CITY COUNCIL EXPRESSES ITS APPRECIATION FOR A JOB WELL DONE.

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Mayor Cockrell presented the Citation to Mrs. Thomas.

Mrs. Thomas thanked the Mayor and City Council for this Citation.

76-18

PRESIDENT FORD'S VISIT TO SAN ANTONIO

The following discussion took place:

DR. D. FORD NIELSEN: Madam Mayor. Mr. Granata, having rarely ever had a President visit the City of San Antonio, could you review the past circumstance whereby we might have had one during an election year and just see what our practice was at that particular time relative to the question that's been raised about the expense that the City picked up. I'm not questioning anybody's decision. I just don't know that we've had any particular Presidents and some have suggested that perhaps some of the expense should be shared by the Committee to Re-Elect or whatever it's called, and I would certainly like for you to on behalf of your office, whatever, if ever, there's been any particular circumstance, I don't really know.

CITY MANAGER SAM GRANATA: From my own personal knowledge, I recall Dwight Eisenhower, President Eisenhower being here, but I don't recall whether it was an election year and also John Kennedy. But I'll have to review it for you.

DR. NIELSEN: Would you review it for us. Thank you.

MR. AL ROHDE: Mayor, I'd like to comment on that. Anyone that's studied the Constitution of the United States knows that our Commander in-Chief came here as Commander-in-Chief to discuss national defense. He came here as Chief of State to honor the heroes of the Alamo. He did not come here in my view on a political trip, and the thing - that even if he did, he's head of his political party. The Constitution is very clear on that, and I don't think there should be any questions raised on that.

MAYOR PRO-TEM RICHARD TENIENTE: I disagree, Madam Mayor, and I'd like to say a few words because it was nothing other than just a political visit on the part of the President trying to further his candidacy for President. And a man that has shared the guilt of what President Nixon was guilty of is a man that I don't think should be allowed to use citizens' expense, citizens' money from San Antonio, hard-earned money, to further his candidacy and I deplore, I respect his office, I respect the office that he holds. But I certainly don't see this as nothing other than just a cover-up of a bicentennial visit that was nothing other than just a political visit, and for this I think that we ought to certainly recognize it as such.

MR. ROHDE: Mayor, I think the colleague should go to the Constitution of the United States. It makes the position very clear, down-to-earth, and I reject his statements as Uncle Sam.

MAYOR PRO-TEM TENIENTE: I reject you as Uncle Sam.

76-18

PRESENTATION OF FIESTA MEDALS

Mrs. William Ochse, President of the San Antonio Fiesta Commission, and Mr. Dave Burnett, Executive Director, appeared before the Council. Mrs. Ochse, on behalf of the Commission, expressed their appreciation to the City Council for their participation and support of Fiesta Week. She presented each member of the Council with Commemorative Fiesta Medals and asked them to proudly wear them during Fiesta Week.

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The Clerk read the following Resolution:

A RESOLUTION
NO. 76-18-24

SUPPORTING THE CITY OF LAREDO IN THE
FORMATION OF A FOUR-STATE REGIONAL
COMMISSION UNDER TITLE V OF THE PUBLIC
WORKS AND ECONOMIC DEVELOPMENT ACT OF
1965 AS AMENDED.

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After consideration, on motion of Dr. Cisneros, seconded by Mr. Billa, the Resolution was passed and approved by the following vote:
AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Nielsen, Cockrell;
NAYS: None; ABSENT: Teniente.

(Later) Mayor Pro-Tem Teniente thanked Mr. Gary Payne of the Greater San Antonio Chamber of Commerce for his works in the area of international relations and for his work in the passage of this Resolution.

76-18 Mr. Billa said that in view of the fact that a large number of persons were present to hear the consideration of Item XII on the agenda, he asked that this item be called first.

After discussion of the request and upon motion duly made and seconded and passed, this change in the agenda was approved.

The Clerk then read the following Ordinance:

AN ORDINANCE 46,515

REVISING THE CRITERIA AND QUALIFICATIONS
FOR THE CURRENT REHABILITATION LOAN AND
GRANT PROGRAM AND CONCENTRATING THESE
ACTIVITIES IN TARGET AREA NO. 4.

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After consideration, on motion of Dr. Nielsen, seconded by Mr. Billa, the ordinance was passed and approved by the following vote:
AYES: Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell;
NAYS: Pyndus; ABSENT: None.

Mr. Pyndus said that he had voted no on this ordinance and made the following statement:

"I would like to state something with regards to the program because I'm not comfortable with the manner in which it's operating, and I feel that the amount of free grant money that's going into the program is not intelligently spent, and I think that if the program is not working as it should that this Council should take a closer look at the program rather than passing the ordinance as we have done this morning."

CLASS FROM LACKLAND DEFENSE LANGUAGE INSTITUTE

Mayor Cockrell recognized and welcomed to the meeting a class from the Lackland Defense Language School accompanied by their instructor, Mr. Richard Anderson.

Mayor Cockrell recognized State Representative Don Cartwright and welcomed him to the meeting.

ZONING HEARINGS

1. CASE 6418 - to rezone a 2.090 acre tract of land out of NCB 12007, being further described by field notes filed in the office of the City Clerk, 300 Block of Callaghan Road, from "I-1" Light Industry District to "B-3" Business District, located southeast of the intersection of Greyrock Drive and Callaghan Road, having 316.78' on Greyrock Drive and 300.12' on Callaghan Road.

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. Cisneros made a motion that the recommendation of the Planning Commission be approved, provided that proper platting is accomplished. Mr. Hartman seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 46,516

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 2.090 ACRE TRACT OF LAND OUT OF NCB 12007, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 300 BLOCK OF CALLAGHAN ROAD, FROM "I-1" LIGHT INDUSTRY DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

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2. CASE 6441 - to rezone a 1.856 acre tract of land out of NCB 15723, being further described by field notes filed in the office of the City Clerk, 13500 Block of Larkbrook Drive, from Temporary "R-1" Single Family Residential District to "R-6" Townhouse District, located southeast of the intersection of Fountainwood Drive and Larkbrook Drive, having 120' on Fountainwood Drive and 711.18' on Larkbrook Drive.

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. Billa seconded the motion. On roll call, the motion, carrying with it the passage of the following ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 46,517

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 1.856 ACRE TRACT OF LAND OUT OF NCB 15723, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 13500 BLOCK OF LARKBROOK DRIVE, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-6" TOWNHOUSE DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

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3. CASE 6400 - to rezone the north 190.7' of Lot 18, NCB 12116, 2525 N. E. Loop 410 Expressway, from "B-1" Business District to "B-3" Business District, located 215' north of N. E. Loop 410 Expressway, being 1550' west of Perrin Beitel Road, having 190.7' in length and 114.4' in width.

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. Mr. Billa seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 46,518

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE NORTH 190.7' OF LOT 18, NCB 12116, 2525 N. E. LOOP 410 EXPRESSWAY, FROM "B-1" BUSINESS DISTRICT TO "B-3" BUSINESS DISTRICT.

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4. CASE 6412 - to rezone a 3.314 acre tract of land out of NCB 13733, being further described by field notes filed in the office of the City Clerk, 2300 Block of Starcrest Drive, from Temporary "A" Single Family Residential District and "R-6" Townhouse District to "R-3" Multiple Family Residential District; and a 0.137 acre tract of land out of NCB 13733, being further described by field notes filed in the office of the City Clerk, from Temporary "A" Single Family Residential District to "R-5" Single Family Residential District.

The "R-3" zoning is located on the northeast side of Starcrest Drive being 225' northwest of the intersection of Starcrest Drive and Budding Blvd., having 797.33' on Starcrest Drive and a maximum depth of 205'.

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The "R-5" zoning is located 150' northwest of Starcrest Drive and 875' northwest of Budding Blvd., being an irregular tract of land, having a length of 135.25' and a width of 92.94'.

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. Pyndus seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 46,519

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 3.314 ACRE TRACT OF LAND OUT OF NCB 13733, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 2300 BLOCK OF STARCREST DRIVE, FROM TEMPORARY "A" SINGLE FAMILY RESIDENTIAL DISTRICT AND "R-6" TOWNHOUSE DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT; AND A 0.137 ACRE TRACT OF LAND OUT OF NCB 13733, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-5" SINGLE FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

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5. CASE 6365 REHEARING - to rezone a 1.126 acre tract of land out of NCB 14591, being further described by field notes filed in the office of the City Clerk, 12400 Block of Nacogdoches Road, from "R-3" Multiple Family Residential District to "B-3" Business District, located on the southeast side of Nacogdoches Road, being 150' northeast of the intersection of Rio D'Oro Drive and Nacogdoches Road, having 350' on Nacogdoches Road and a maximum depth of 139.99'.

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

In response to a question from Mayor Cockrell, Mr. Camargo stated that this case had come before the Planning Commission in January of 1976 and at that time, the request for change in zone was for a "B-2" and a "B-3" classification. The Planning Commission recommended denial of the "B-3" request and in lieu thereof recommended "B-2" on the entire tract. When the appeal case came before the City Council on February 19, 1976, the applicant requested that this case be referred back to the Planning Commission for reconsideration of a "B-3" classification on the entire tract. On March 1, 1976, the Planning Commission recommended approval of the "B-3" classification on the entire tract.

In response to Mr. Pyndus' question, Mr. Camargo stated that the staff thought it best to be consistent with "B-3" type uses instead of trying to mix them with commercial and business uses.

No one spoke in opposition.

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

AN ORDINANCE 46,520

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 1.126 ACRE TRACT OF LAND OUT OF NCB 14591, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 12400 BLOCK OF NACOGDOCHES ROAD, FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATting IS ACCOMPLISHED.

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7. CASE 6409 - to rezone Lot Red 3 save and except the east 37.55' of the south irregular 235', NCB 10319, 3359 Roland Avenue 1866 Rigsby Avenue, from "B" Two Family Residential District and "J" Commercial District to "B-3" Business District, located between Rigsby Avenue and Roland Avenue being approximately 245' northwest of Pecan Valley Drive, having 104.4' on Rigsby Avenue and 65.46' on Roland Avenue with a maximum distance of 469' between Rigsby Avenue and Roland Avenue.

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. Billa made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. Mr. Hartman seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None; ABSTAIN: Pyndus.

AN ORDINANCE 46,521

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 RED 3 SAVE AND EXCEPT THE EAST 37.55' OF THE SOUTH IRREGULAR 235', NCB 10319, 3359 ROLAND AVENUE, 1866 RIGSBY AVENUE, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT AND "J" COMMERCIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATting IS ACCOMPLISHED.

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8. CASE 6415 - to rezone Lots 12 thru 15, Lot 19, and the remaining portion of Lot 20, Block 35, NCB 11167, 2400 Block of Palo Alto Road, 2800 Block of Malta Street, from "B" Two Family Residential District to "B-3" Business District, located on the south side of Malta Street between Palo Alto Road and Poteet-Jourdanton Freeway, having 220.9' on Malta Street, 200' on Palo Alto Road and 179.46' on Poteet-Jourdanton Freeway.

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. Pyndus made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. Mr. Billa seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 46,522

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 12 THRU 15, LOT 19, AND THE REMAINING PORTION OF LOT 20, BLOCK 35, NCB 11167, 2400 BLOCK OF PALO ALTO ROAD, 2800 BLOCK OF MALTA STREET, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

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9. CASE 6426 - to rezone Parcel 15, NCB 14857, 11400 Block of I. H. 10 Expressway, from Temporary "R-1" Single Family Residential District to "B-3" Business District, located on the northeast side of I. H. 10 Expressway being 1100' southeast of the intersection of Woodstone Drive and I. H. 10 Expressway, having 239.35' on I. H. 10 Expressway and a maximum depth of 500'.

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. Rohde seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 46,523

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 15, NCB 14857,
11400 BLOCK OF I. H. 10 EXPRESSWAY, FROM
TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL
DISTRICT TO "B-3" BUSINESS DISTRICT, PRO-
VIDED THAT PROPER PLATTING IS ACCOMPLISHED.

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10. CASE 6430 - to rezone a 0.604 acre tract of land out of NCB 14075, being further described by field notes filed in the office of the City Clerk, 10303 Oasis Drive, from "R-3" Multiple Family Residential District to "B-2" Business District, located northwest of the intersection of Oasis Drive and Sago Palm Drive, having 117.73' on Sago Palm Drive, and 196.90' on Oasis Drive.

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. Billa made a motion that the recommendation of the Planning Commission be approved. Mr. Teniente seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 46,524

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 0.604 ACRE TRACT
OF LAND OUT OF NCB 14075, BEING FURTHER
DESCRIBED BY FIELD NOTES FILED IN THE
OFFICE OF THE CITY CLERK, 10303 OASIS
DRIVE, FROM "R-3" MULTIPLE FAMILY RESI-
DENTIAL DISTRICT TO "B-2" BUSINESS
DISTRICT.

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11. CASE 6425 - to rezone a 0.948 acre tract of land out of NCB 13319, being further described by field notes filed in the office of the City Clerk, from "O-1" Office District to "B-2" Business District, located 200' northeast of Mossrock Drive and 360' southeast of Briaridge Drive, being an irregular tract of land having a length of 639.48' and a maximum depth of 138.26'.

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

Mr. Pyndus stated that he would be against the request because the rezoning would introduce heavier traffic into the residential area.

No citizen appeared to speak in opposition.

After consideration, Mr. Rohde made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. Mr. Billa seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: Pyndus; ABSENT: None.

AN ORDINANCE 46,525

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 0.948 ACRE TRACT OF LAND OUT OF NCB 13319, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM "O-1" OFFICE DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

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12. CASE 6382 - to rezone Lots 11 and 12, Block 90, NCB 7993, 1202 W. Southcross Blvd., from "B" Two Family Residential District to "B-2" Business District, located southwest of the intersection of W. Southcross Blvd. and Lardner Street, having 50' on W. Southcross Blvd. and 125' on Lardner Street.

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

Mr. Pyndus stated that he would follow staff's recommendation and vote against this request because of the residential area that surrounds the property.

Mr. Hector J. Herbeck, the applicant, stated that the property in question is not suited for residential use, and he would like to construct and operate a television repair shop. He asked the Council to favorably consider his request.

Mr. Teniente stated that this is a major throughfare and is a very busy street. Eventually this street will be totally commercial in nature. He then moved that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished and that a six foot solid screen fence is erected and maintained along the west property line. Dr. Nielsen seconded the motion. On roll call, the motion failed to carry by the following vote: AYES: Cisneros, Teniente, Nielsen; NAYS: Pyndus, Billa, Black, Rohde, Cockrell; ABSENT: Hartman.

The request for rezoning was denied.

13. CASE 6220 - to rezone Lot 1A, Block 18, NCB 11117, 4102 Commercial Avenue, from "B" Two Family Residential District to "B-2" Business District, located southeast of the intersection of Commercial Avenue and Gillette Blvd., having 50' on Commercial Avenue and 168' on Gillette Blvd.

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

At Mr. Pyndus' request, Mr. Camargo explained that the staff had recommended against rezoning of this property because of its small size. He said that the staff agrees that the intersection of two main streets is usually commercial but in this case the property is so small that it is just not feasible. He also said that staff would be willing to work further with the applicant if the applicant was willing to purchase additional property and to convert it to commercial use.

After consideration, Mr. Teniente made a motion that the case be referred back to the Planning Commission. Mr. Rohde seconded the motion. On roll call, the motion was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

The case was referred back to the Planning Commission.

14. CASE 6384 - to rezone a 0.611 acre tract of land out of NCB 15226, being further described by field notes filed in the office of the City Clerk, 5700 Block of Ray Ellison Blvd., from Temporary "R-1" Single Family Residential District to "B-2" Business District, located northeast of the intersection of Apple Valley Drive and Ray Ellison Blvd., having 150.03' on Apple Valley Drive and 191.93' on Ray Ellison Blvd.

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. Billa made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. Mr. Hartman seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Billa, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Cisneros; ABSTAIN: Pyndus.

AN ORDINANCE 46,526

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 0.611 ACRE TRACT OF LAND OUT OF NCB 15226, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 5700 BLOCK OF RAY ELLISON BLVD., FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

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15. CASE 6390 S.R. - to rezone a 8.903 acre tract of land out of NCB 12830, being further described by field notes filed in the office of the City Clerk, 7800 Block of Floyd Curl Drive, from Temporary "A" Single Family Residential District to "B-1" Business District with a special request for a hospital, located on the northwest side of Medical Drive between Ewing Halsell Drive and Floyd Curl Drive, having 362.53' on Medical Drive, 447.89' on Ewing Halsell Drive and 890.15' on Floyd Curl Drive.

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. Pyndus made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. Mr. Billa seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Cisneros.

AN ORDINANCE 46,527

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 8.903 ACRE TRACT OF LAND OUT OF NCB 12830, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 7800 BLOCK OF FLOYD CURL DRIVE, FROM TEMPORARY "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-1" BUSINESS DISTRICT WITH A SPECIAL REQUEST FOR A HOSPITAL.

* * * *

16. CASE 6401 - to rezone a 2.615 acre tract of land out of NCB 14890, being further described by field notes filed in the office of the City Clerk, 5600 Block of U.T.S.A. Blvd., from Temporary "R-1" Single Family Residential District to "B-2" Business District, located on the south side of U.T.S.A. Blvd., being 379.21' southwest of the intersection of I. H. 10 Expressway and U.T.S.A. Blvd., having 547.78' on U.T.S.A. Blvd. and a maximum depth of 205.12'.

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

Mr. Charles Dempsey, representing the applicant, Mr. George Manning, distributed copies of site plans to the Council. His client is interested in constructing and operating a What-a-Burger fast food restaurant on the subject property to serve the students and faculty at U.T.S.A. Mr. Dempsey further stated that the proposed use meets the requirements outlined in the Edwards Recharge Zone Overlay District. Mr. Dempsey also said that they would not object if the Council required them to apply PUD-1(B-2) use. He stated that the site is over the drainage area but two miles from the Recharge Zone. He asked for favorable consideration of their request.

Mr. Mike Morrow, Executive Vice President of the North Side Chamber of Commerce, spoke in favor of the proposed zoning change. He said that it was in keeping with the economic pattern of that area.

Mr. Ed Cody, Superintendent of the Northside School District, also spoke in favor of the proposed change. He said that this change would increase the tax base and increase opportunity for commercial development of the community.

Mr. David Jauer, 7334 Blanco Road also spoke in favor of the proposed change. He said that U.T.S.A. needs these types of businesses and services, and this type of zoning is in order.

The following spoke in opposition to the change in zoning:

Ms. Karen Osowitz, member of the Aquifer Protection Association read a prepared statement asking that consideration of this case be postponed to allow aquifer study to continue. (A copy of her statement is included with the papers of this meeting.)

Mrs. Rowena Rodgers, representing the League of Women Voters, also spoke in opposition and asked for a moratorium.

In rebuttal, Mr. Dempsey said that his application meets all existing laws and there is no evidence that this business will pollute the Aquifer. He again asked for favorable consideration. In response to Dr. Cisneros' question, Mr. Dempsey said that his client would be willing to comply with the same requirements asked of San Antonio Ranch if they were imposed.

Mr. George Manning, the applicant, said that the City Council should adopt some kind of standards so that the area can be developed and asked that something be done now.

Mayor Cockrell explained in detail the steps the City Council is taking for study of the Aquifer.

Mr. Rohde then moved that the recommendation of the Planning Commission be approved and the rezoning of the property be granted. The motion died for lack of a second.

Dr. Nielsen moved that the classification be changed to PUD-"B-2" and that the environmental requirements applied against San Antonio Ranch be applied in this case also. The motion was seconded by Mr. Rohde.

A substitute motion was then made by Reverend Black that this case be postponed for 30 days until the City Council can make further determination of an interim zoning policy for property over the Edwards Aquifer. The motion was seconded by Mr. Pyndus and on the following roll call vote, was passed and approved: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

The case was postponed for 30 days.

17. CASE 6421 - to rezone Lot 1 and Tract A, Block 2, NCB 10618, 4300 Block of Highway 90 East, from "F" Local Retail District to "I-1" Light Industry District, located southeast of the intersection of Highway Drive and U. S. Highway 90 East having 145.7' on Highway Drive and 174' on U. S. Highway 90 East.

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. Teniente made a motion that the recommendation of the Planning Commission be approved, provided that a six foot solid screen fence is erected and maintained along the east and south property lines. Mr. Hartman seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Rohde.

AN ORDINANCE 46,528

AMENDING CHAPTER 42 OF THE CITY CODE
THAT CONSTITUTES THE COMPREHENSIVE
ZONING ORDINANCE OF THE CITY OF SAN
ANTONIO BY CHANGING THE CLASSIFICATION
AND REZONING OF CERTAIN PROPERTY

DESCRIBED HEREIN AS LOT 1 AND TRACT A,
BLOCK 2, NCB 10618, 4300 BLOCK OF HIGHWAY
90 EAST, FROM "F" LOCAL RETAIL DISTRICT
TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED
THAT A SIX FOOT SOLID SCREEN FENCE IS
ERECTED AND MAINTAINED ALONG THE EAST
AND SOUTH PROPERTY LINES.

* * * *

18. CASE 6407 - to rezone Lot 1, NCB 7004, 170 Leroux Street,
from "B" Two Family Residential District to "B-2" Business District,
located southeast of the intersection of Leroux Street and Barclay
Street, having 40' on Leroux Street and 125.69' on Barclay Street.

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

No one spoke in opposition.

After consideration, Mr. Hartman made a motion that the rec-
ommendation of the Planning Commission be approved, provided that proper
replatting 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: Billa, Black, Hartman, Teniente,
Nielsen, Cockrell; NAYS: Pyndus; ABSENT: Cisneros, Rohde.

AN ORDINANCE 46,529

AMENDING CHAPTER 42 OF THE CITY CODE
THAT CONSTITUTES THE COMPREHENSIVE
ZONING ORDINANCE OF THE CITY OF SAN
ANTONIO BY CHANGING THE CLASSIFICATION
AND REZONING OF CERTAIN PROPERTY
DESCRIBED HEREIN AS LOT 1, NCB 7004,
170 LEROUX STREET, FROM "B" TWO FAMILY
RESIDENTIAL DISTRICT TO "B-2" BUSINESS
DISTRICT, PROVIDED THAT PROPER REPLATTING
IS ACCOMPLISHED.

* * * *

Mr. Pyndus stated that he had voted no because the staff had
recommended denial of this request and he would go along with their
recommendation.

21. CASE 6405 - to rezone the east irregular 44.95' of Lot 2 and
the east 50' of Lot 15, Block 6, NCB 3733, 100 Block of Sims Avenue,
400 Block of Gladstone Avenue, from "C" Apartment District to "B-2"
Business District, located southeast of the intersection of I. H. 35
Expressway and Sims Avenue, having 44.95' on Sims Avenue and approximately
115' on I. H. 35 Expressway also having 50' on Gladstone Avenue.

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

Mr. Pyndus stated that based on staff's recommendation that
the request to change is not in keeping with the surrounding development
and based on the Traffic Department's determination that the introduction
of commercial traffic into the residential area is not recommended, he
would move to deny the request. Dr. Nielsen seconded the motion.

Mr. I. F. Serbantes, the applicant, stated that a lot of business already exists and traffic is already heavy. He said he intends to put in a car wash in this area.

Mayor Pro-Tem Teniente stated that it is not feasible to build houses on the property in question because of the expressway, and he would support the change in zoning.

After consideration, Mr. Rohde made a substitute motion that the recommendation of the Planning Commission be approved, provided that proper platting is accomplished and that a six foot solid screen fence is erected and maintained along the east property line. Mr. Teniente seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Billa, Cisneros, Black, Rohde, Teniente, Cockrell; NAYS: Pyndus, Nielsen; ABSENT: None; ABSTAIN: Hartman.

AN ORDINANCE 46,530

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE EAST IRREGULAR 44.95' OF LOT 2 AND THE EAST 50' OF LOT 15, BLOCK 6, NCB 3733, 100 BLOCK OF SIMS AVENUE, 400 BLOCK OF GLADSTONE AVENUE, FROM "C" APARTMENT DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE EAST PROPERTY LINE.

* * * *

19. CASE 6408 - to rezone Lot 15, Block 37, NCB 11837, 1634 N. E. Loop 410 Expressway, from "F" Local Retail District to "B-3" Business District, located on the south side of N. E. Loop 410 Expressway being 170' northwest of the cutback between N. E. Loop 410 Expressway and Dalewood Place, having 60' on N. E. Loop 410 Expressway and a maximum depth of 199.66'.

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

Mr. Camargo stated that seven affirmative votes would be required to approve the zoning since there was 20% opposition.

Mr. Burt L. Joiner, the applicant, stated that he would like the requested change in zone to update the present zoning. He plans to destroy and rebuild a building on the subject property. He asked for favorable consideration of his request.

Mr. Doyle Maynard, 214 Dalewood, spoke in opposition. He said that an animal hospital or a lounge could be built there.

At the request of Mayor Cockrell, Mr. Camargo described the uses allowed in "F" Local Retail District and uses allowed in "B-3" Business District zoning.

Mr. Pyndus said that the neighborhood is a very fine residential area, and said that Mr. Joiner should present some positive plans to the neighbors and he would not be in favor of "B-3" zoning.

In rebuttal to Mr. Maynard's statements, Mr. Joiner stated that he has taken every precaution at great expense to protect the neighborhood by providing screening. If a hospital is built on the subject property, it will be completely enclosed with no outside pens or outside runs.

After consideration, Mr. Hartman made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting 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: Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: Pyndus; ABSENT: None.

AN ORDINANCE 46,531

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 15, BLOCK 37,
NCB 11837, 1634 N. E. LOOP 410 EXPRESSWAY,
FROM "F" LOCAL RETAIL DISTRICT TO "B-3"
BUSINESS DISTRICT, PROVIDED THAT PROPER
REPLATTING IS ACCOMPLISHED.

* * * *

6. CASE 6419 - to rezone Lots 16 thru 19, NCB 11149, 500 Block of Chavaneaux Road, from "B" Two Family Residential District to "I-2" Heavy Industry District, located on the north side of Chavaneaux Road, being 781.7' west of the intersection of Garnett Avenue, and Chavaneaux Road, having 200' on Chavaneaux Road and a maximum depth of 190.6'.

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

Mr. Americo E. Garcia, the applicant, spoke in Spanish. He said that he would like to change the zoning because he is the owner of horses that are used for parades and trail rides. Also his son is going into veterinary medicine, and that this would allow for the boarding of horses in the long run.

Mr. John A. Longoria representing three families, spoke in opposition. He said that the property presently borders on being a junkyard. He also stated that health regulations are being violated by Mr. Garcia.

After discussion, Mr. Pyndus made a motion that this case be postponed for 30 days in order to get more information from the Health Department regarding the health aspects that were presented to the Council. Mr. Teniente seconded the motion. On roll call, the motion, carried by the following roll call vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Cockrell; NAYS: None; ABSENT: Nielsen.

The case was postponed for 30 days.

76-18 Mayor Cockrell was obliged to leave the meeting and Mayor Pro-Tem Teniente presided.

April 15, 1976
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22. CASE 6381 - to rezone Lot 1 and the west 18' of Lot 2, Block 26, NCB 1938, 1630 W. Kings Highway, from "B" Two Family Residential District to "B-1" Business District, located southeast of the intersection of N. Zarzamora Street and W. Kings Highway, having 53' on W. Kings Highway and 144.5' on N. Zarzamora Street.

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

Mr. Pyndus stated that he would like to go with the staff's recommendation to deny the request because of the nature of the neighborhood. He then moved for denial of the request. Mr. Billa seconded the motion.

Mr. Richard F. Garcia, the applicant, stated that he would like the requested change in zoning to operate a gift and antique shop on the subject property. Parking will be directly in the back off of Zarzamora Street.

Mayor Pro-Tem Teniente and Councilman Cisneros stated that they are familiar with the area. They said that Zarzamora Street is practically all business and described in detail the surrounding businesses.

No one appeared to speak in opposition.

After consideration, Dr. Cisneros made a substitute motion that the recommendation of the Planning Commission be approved and the rezoning be granted. 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: Cisneros, Black, Hartman, Teniente, Nielsen; NAYS: Pyndus, Billa, Rohde; ABSENT: Cockrell.

AN ORDINANCE 46,532

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 1 AND THE WEST 18' OF LOT 2, BLOCK 26, NCB 1938, 1630 W. KINGS HIGHWAY, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-1" BUSINESS DISTRICT.

* * * *

23. CASE 6386 - to rezone Lots 14 and 15, Block 9, NCB 15699, 12600 Block of Nacogdoches Road, from "O-1" Office District to "B-2" Business District, located on the northwest side of Nacogdoches Road being 80' northeast of the cutback between Roland Drive and Nacogdoches Road, having 160' on Nacogdoches Road and a depth of 140'.

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. Billa made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished and that a six foot solid screen fence is erected and maintained along the northwest property line. Dr. Cisneros seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen; NAYS: None; ABSENT: Cockrell.

AN ORDINANCE 46,533

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 14 AND 15, BLOCK 9, NCB 15699, 12600 BLOCK OF NACOGDOCHES ROAD, FROM "O-1" OFFICE DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTHWEST PROPERTY LINE.

* * * *

24. CASE 6387 - to rezone Lot 10, Block 10, NCB 15700, 12823 Nacogdoches Road, from Temporary "R-1" Single Family Residential District to "B-2" Business District, located on the northwest side of Nacogdoches Road being 144.3' northeast of the cutback between Bell Drive and Nacogdoches Road, having 80' on Nacogdoches Road and a depth of 140'.

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 a six foot solid screen fence is erected and maintained along the northwest property line. Mr. Rohde seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen; NAYS: None; ABSENT: Cockrell.

AN ORDINANCE 46,534

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 10, BLOCK 10, NCB 15700, 12823 NACOGDOCHES ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTHWEST PROPERTY LINE.

* * * *

76-18 Mayor Cockrell returned to the meeting and presided.

25. CASE 6428 - to rezone Lot 10 and the south 50' of Lots 11 and 12, Block 105, NCB 6669, 3710 San Fernando Street, 711 S. W. 24th Street, from "B" Two Family Residential District and "C" Apartment District to "B-3" Business District, located on the south side of San Fernando Street and on the west side of S. W. 24th Street, being 107.8' east and 85' south of the intersection of San Fernando Street and S. W. 24th Street, having 50' on San Fernando Street and 50' on S. W. 24th Street.

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

Mr. Camargo stated that since there is 20 percent opposition to the change in zoning, seven affirmative votes will be required to approve the change.

Mr. Arthur Troilo, representing the applicant, Mr. and Mrs. Ignacio Loredo, stated that they own a strip of land where they have been operating a commercial store and an auto parts sales and a bridal and floral shop since 1969. Mr. and Mrs. Loredo would like the requested change in zoning to relocate their land for the widening of S. W. 24th Street. They want to continue business in the same vicinity, and asked for favorable consideration of their request.

After consideration, Mr. Teniente made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished and that a six foot solid screen fence is erected and maintained along the west property line adjacent to the single family residences. Mr. Billa seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinances, prevailed by the following vote: AYES: Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None; ABSTAIN: Pyndus.

AN ORDINANCE 46,535

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 10 AND THE SOUTH 50' OF LOTS 11 AND 12, BLOCK 105, NCB 6669, 3710 SAN FERNANDO STREET, 711 S. W. 24TH STREET, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT AND "C" APARTMENT DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED, AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE WEST PROPERTY LINE ADJACENT TO THE SINGLE FAMILY RESIDENCES.

* * * *

26. CASE 6414 - to rezone the east 55' of Tract 61, Block E, NCB 11543, 5000 Block of Callaghan Road, from "A" Single Family Residential District to "B-3" Business District, located 160' southwest of the intersection of Parkway Drive and Callaghan Road, having 55' on Callaghan Road and a maximum depth of 292.32'.

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. Teniente made a motion that the recommendation of the Planning Commission be approved, provided that proper platting is accomplished. Mr. Billa seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Black, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Cisneros, Hartman.

AN ORDINANCE 46,536

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE EAST 55' OF TRACT 61, BLOCK E, NCB 11543, 5000 BLOCK OF CALLAGHAN ROAD, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

27. CASE 6255 - to rezone Lot 41, Block 16, NCB 6438, 400 Block of W. Kings Highway, 2600 Block of San Pedro Avenue, from "D" Apartment District to "O-1" Office District, located southwest of the intersection of W. Kings Highway and San Pedro Avenue, having 109.1' on W. Kings Highway and 193.3' on San Pedro Avenue.

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

Mr. Larry Travis, representing Mr. Bill Mullins, spoke to the Council. He displayed site plans and proposed uses of the building which he stated would not generate additional traffic and sufficient off-street parking would be provided.

Mr. Edward Todd, 402 W. Kings Highway, on behalf of 25 residents of the area, spoke in opposition to the proposed change. He said that this case was postponed from last November and the applicant was requested to submit plans and meet with neighbors. After six months they still have not had cooperation from the applicant. He also described the traffic in the area and showed slides of the surrounding residences.

Mrs. Bernadette Stevens stated that she doesn't want access to West Kings Highway.

In rebuttal, Mr. Larry Travis said that the finished product will be a credit to the neighborhood.

After consideration, Dr. Nielsen made a motion that the recommendation of the Planning Commission be upheld and the rezoning be granted. Mr. Hartman seconded the motion. On roll call, the motion failed to obtain the necessary seven affirmative votes and was, therefore, defeated. AYES: Pyndus, Hartman, Rohde, Teniente, Nielsen; NAYS: Billa, Cisneros, Black, Cockrell; ABSENT: None.

After further discussion, Dr. Cisneros moved that the City Council reconsider the action just taken. The motion to reconsider was seconded by Mr. Billa, and was passed and approved by the following roll call vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

After further discussion, Dr. Cisneros moved that action on Case 6255 be postponed for 30 days in order that the developer's architect the City's zoning staff and traffic staff and the neighbors could get together to discuss further the possibility of a compromise solution. The motion was seconded by Mr. Teniente and carried by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

The case was postponed for 30 days.

28. CASE 6320 - to rezone a 3.656 acre tract of land out of NCB 11628, being further described by field notes filed in the office of the City Clerk, 7500 Block of Mocking Bird Road, from "A" Single Family Residential District to "B-3" Business District; a .485 acre tract of land out of NCB 11628, being further described by field notes filed in the office of the City Clerk, from "A" Single Family Residential District to "B-2" Business District; and a 2.08 acre tract of land out of NCB 11628, being further described by field notes filed in the office of the City Clerk, from "A" Single Family Residential District to "P-1(R-6)" Planned Unit Development Townhouse District.

The "B-3" zoning is located north of the intersection of Fredericksburg Road and Mocking Bird Road, having 510.78' on Fredericksburg Road and 309.35' on Mocking Bird Road.

The "B-2" zoning is located on the northwest side of Mocking Bird Road, being 309.35' northeast of the intersection of Fredericksburg Road and Mocking Bird Road, being 241.78' northwest, having a width of 100' and a depth of 267.75'.

The "P-1(R-6)" zoning is located on the northwest side of Mocking Bird Road, being 439.35' northeast of the intersection of Mocking Bird Road and Fredericksburg Road, having a width of 180' and a depth of 503.50'.

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. Billa 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: Pyndus, Billa, Black, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Cisneros, Hartman.

AN ORDINANCE 46,537

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 3.656 ACRE TRACT OF LAND OUT OF NCB 11628, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 7500 BLOCK OF MOCKING BIRD ROAD, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT; A .485 ACRE TRACT OF LAND OUT OF NCB 11628, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT; AND A 2.08 ACRE TRACT OF LAND OUT OF NCB 11628, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "P-1(R-6)" PLANNED UNIT DEVELOPMENT TOWNHOUSE DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

29. CASE 6416 - to rezone a 4.928 acre tract of land out of NCB 11630, being further described by field notes filed in the office of the City Clerk, 8300 Block of I. H. 10 Expressway, from "A" Single Family Residential District to "B-1" Business District; a 5.272 acre tract of land out of NCB 11630, being further described by field notes filed in the office of the City Clerk, from "A" Single Family Residential District to "B-2" Business District; and a 1.135 and 6.927 acre tracts of land out of NCB's 11626 and 11630, being further described by field notes filed in the office of the City Clerk, from "A" Single Family Residential District to "B-3" Business District.

The "B-1" zoning is located on the east side of I. H. 10 Expressway, being 170' southeast of the intersection of Fallen Leaf Lane and I. H. 10 Expressway, having 265' on I. H. 10 Expressway and a maximum depth of approximately 1541'.

The "B-2" zoning is located on the east side of I. H. 10 Expressway being 435' southeast of the intersection of Fallen Leaf Lane and I. H. 10 Expressway, having 1000' on I. H. 10 Expressway and a maximum depth of approximately 820'.

The "B-3" zoning is located approximately 1,565' southeast of the intersection of Fallen Leaf Lane and I. H. 10 Expressway, having 461.15' on I. H. 10 Expressway and a maximum depth of 866.69'.

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

Mr. Ralph Bender, architect, representing the applicant, Mr. Charles Schreiner Nelson, spoke to the Council. He stated he would like the requested change in zoning because his client proposes to construct an expressway type oriented facility on the subject property. They intend to leave 150' strip of "B-1" as a buffer and would be willing to make the "B-1" a PUD classification. He asked for favorable consideration of his request.

Mr. Thomas H. Veitch, representing some property owners in the Foothills Subdivision, filed a petition with 250 signatures in opposition to the change. He urged the Council to deny the request for rezoning.

Dr. Edward A. Benson, 3535 Red Oak, had slides of aerial photos of the subject area. He said he would not oppose offices being built on the property.

Mr. R. J. Cotter spoke in opposition to the request for rezoning because of the drainage that runs directly behind the residential area and is already a problem.

Mr. Dale Daugherty stated that the proposed use would be a detriment to the community and asked that the Council deny the request for rezoning.

Mr. John D. Carr stated he is opposed to the change in zoning because the proposed use would generate additional traffic in this residential neighborhood.

In rebuttal, Mr. Bender said that the proposed use will not be detrimental to the neighborhood and he is trying to develop this piece of property to its most optimum use. He said that they would accept "O-1" zoning in place of the proposed "B-1" zoning which would provide more of a buffer zone for the residential area.

After consideration, Mr. Pyndus made a motion that the recommendation of the Planning Commission be overruled and the request for change in zone be denied. The motion died for lack of a second.

After further consideration, Mr. Teniente moved that the request for change in zoning be granted with the "O-1" zoning in place of the proposed "B-1" zoning, and provided that proper platting is accomplished and that a six foot solid screen fence is erected and maintained along the northwest property line and that a non-access easement and a 25' greenbelt is imposed along the northeast property line. The motion was seconded by Mr. Rohde. On roll call, the motion, carrying with it the passage of the following Ordinance, was passed and approved by the following vote: AYES: Billa, Black, Hartman, Rohde, Teniente, Nielsen; NAYS: Pyndus, Cisneros, Cockrell; ABSENT: None.

AN ORDINANCE 46,538

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 4.928 ACRE TRACT OF LAND OUT OF NCB 11630, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 8300 BLOCK OF I. H. 10 EXPRESSWAY, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "O-1" OFFICE DISTRICT; A 5.272 ACRE TRACT OF LAND OUT OF NCB 11630, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT; AND A 1.135 AND 6.927 ACRE TRACTS OF LAND OUT OF NCB'S 11626 AND 11630, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED, AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTHEAST PROPERTY LINE.

* * * *

Mr. Pyndus stated that he had voted no because he felt that a proper buffer has not been established and will cause traffic congestion.

30. CASE 6404 - to rezone Lot 3, Block 18, NCB 6261, 114 Cumberland Road, from "B" Two Family Residential District to "R-3" Multiple Family Residential District for a day care center for over twenty (20) children, located on the south side of Cumberland Road, being 130.5' west of the intersection of Cumberland Road and Nogalitos Street, having 50' on Cumberland Road and a depth of 130.5'.

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

Mr. David De Hoyos said that if rezoning is granted, the property would be used for a day care center for more than 20 children. The structure would be converted for that use and the vacant lot would be used for a playground and for off-street parking.

Mr. Ariel Hernandez, 115 Cumberland, said that he had given this property to his daughter and her husband so that they could have a day care center. He urged Council approval and then introduced his daughter, Gloria De Hoyos.

Mrs. De Hoyos also spoke for the rezoning and urged the Council to approve the request.

Mr. Glen Gibbons and Mrs. Ellie Talley spoke in opposition. They said that the traffic in the area is already heavy and the streets are very narrow. They also said that if a permit were not granted for a day care school, then most any kind of business could be started there.

Mrs. De Hoyos spoke in rebuttal and exhibited a letter from Winn's Stores saying that they would have no objection to parents using their parking area to drop off their children and pick them up.

After consideration, Mr. Billa made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. Mr. Teniente seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: Pyndus; ABSENT: None.

AN ORDINANCE 46,539

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 3, BLOCK 18,
NCB 6261, 114 CUMBERLAND ROAD, FROM "B"
TWO FAMILY RESIDENTIAL DISTRICT TO "R-3"
MULTIPLE FAMILY RESIDENTIAL DISTRICT FOR
A DAY CARE CENTER FOR OVER TWENTY (20)
CHILDREN, PROVIDED THAT PROPER REPLATTING
IS ACCOMPLISHED.

* * * *

31. CASE 6411 - to rezone Lots 18 and 19, Block 13, NCB 3479, 100 Block of Carlisle Avenue, from "B" Two Family Residential District to "B-2" Business District; and Lots 16 and 17, Block 13, NCB 3479, from "B" Two Family Residential District to "B-3" Business District.

Subject properties are located on the north side of Carlisle Avenue, the "B-2" zoning being 274.9' east of the intersection of Nogalitos Street and Carlisle Avenue, having 100' on Carlisle Avenue and a depth of 141.3', the "B-3" zoning being 174.9' east of the intersection of Nogalitos Street and Carlisle Avenue, having 100' on Carlisle Avenue and a depth of 141.3'.

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

Dr. Nielsen made a motion to approve the change. Mr. Billa seconded the motion.

Mr. Pyndus objected to changing the zone because of the change to the character of the neighborhood and spoke against the motion.

After consideration, Mr. Teniente then made a substitute motion to approve "B-2" for both parcels. Mr. Pyndus seconded the motion.

Dr. Nielsen spoke against the substitute motion because he felt that the change was reasonable.

Mr. Charlie McDonald, the applicant, stated that he wants to improve the property and asked that Council favorably consider his request.

After further consideration, the substitute motion previously made by Mr. Teniente, carrying with it the passage of the following Ordinance, was passed and approved by the following vote: AYES: Pyndus, Cisneros, Black, Rohde, Teniente, Cockrell; NAYS: Nielsen; ABSENT: Billa, Hartman.

AN ORDINANCE 46,540

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 18 AND 19, BLOCK 13, NCB 3479, 100 BLOCK OF CARLISLE AVENUE, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT; AND LOTS 16 AND 17, BLOCK 13, NCB 3479, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ADJACENT TO THE SINGLE FAMILY RESIDENCES.

* * * *

20. CASE 6410 - to rezone P-119, NCB 14282, 4100 Block of Parkdale Drive, from "O-1" Office District to "B-2" Business District, located on the northeast side of Parkdale Drive, being 203' southeast of the intersection of Wurzbach Road and Parkdale Drive, having approximately 260' on Parkdale Drive and a depth of 200'.

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

Mr. Camargo explained that since opposition representing 20 percent of the area has been received, seven affirmative votes will be necessary to approve the request.

Mr. David Jauer, representing the owner of the property, said that the change in zoning was requested so that a fast food restaurant could be put in to serve the area. He pointed out existing commercial development in the area and asked that the Council consider his request favorably.

Mr. Wallace Henderson spoke in opposition saying that some of the large tenants in his client's office building had threatened not to renew their lease if a restaurant were allowed on this property.

Mr. Patrick Fogarty, Manager of Jefferson Standard Life Insurance Company, said that when his lease expires, he might not re-lease space at 4103 Parkdale depending on what is built there.

Mr. Dale Rodriguez, requesting Uptmore and Associates, said that this entire area was preplanned and has been a very successful development. He said there is no need to grant commercial zoning as the present "O-1" Office District zoning is well suited for this property.

After discussion, Mr. Pyndus moved that the recommendation of the Planning Commission be overruled and the request for rezoning denied. The motion was seconded by Mr. Billa.

Dr. Nielsen offered a substitute motion that the recommendation of the Planning Commission be upheld and that the request for rezoning be approved. The motion was seconded by Mr. Teniente and on the following roll call vote, failed: AYES: Teniente, Nielsen; NAYS: Pyndus, Billa, Cisneros, Black, Hartman, Cockrell; ABSTAIN: Rohde.

On roll call, the original motion by Mr. Pyndus to deny proposed rezoning was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Teniente, Cockrell; NAYS: Nielsen; ABSTAIN: Rohde.

The rezoning was denied.

32. CASE 6379 - to rezone Lot 7 and the southeast 50' of Lot 6, Block 3, NCB 10037, 511 Jackson Keller Road, from "A" Single Family Residential District to "O-1" Office District, located northwest of the intersection of Grotto Blvd. and Jackson Keller Road, having 219' on Jackson Keller Road and 230' on Grotto Blvd.

Mayor Cockrell stated that there is a request to postpone this case with both the applicant and the opponents concurring.

Mr. Rohde then made a motion to postpone this case for 30 days. Mr. Pyndus seconded the motion, and on roll call, the motion was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

The case was postponed for 30 days.

76-18 Item 33 of the agenda, Case 6396 was postponed for 30 days at the request of the applicant.

34. CASE 6301 - to rezone Lots 11, 12, and 13, NCB 14705, 10112 Southwell Road, from Temporary "R-1" Single Family Residential District to "R-4" Mobile Home District, located on the east side of Southwell Road being 628' north of the intersection of Huebner Road and Southwell Road, having 600' on Southwell Road and a depth of 485.1.

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

Mr. Camargo reminded the Council that this case had been held over from last month in order to allow for clarification of the use and to get a clarification of the Board of Adjustment's actions in this case.

Mr. Oliver Chamberlain, representing the owner, reviewed again the circumstances of the case and the fact that he is asking for only seven additional spaces for mobile homes. He urged the Council to approve the request.

Attorney Tom Martin spoke in opposition stating that he stood on the reasons submitted at the previous zoning hearing.

Mr. Howard L. Rich also spoke in opposition and introduced a large number of neighbors who were present also in opposition. He urged the Council to deny the application.

Speaking in rebuttal, the owner, Mr. Harry Melton, said that he needs the additional area in order to have sufficient income.

After consideration, Mr. Teniente made a motion to uphold the recommendation of the Planning Commission and deny the request for rezoning. Mr. Hartman seconded the motion. On roll call, the motion was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

The rezoning was denied.

76-18 At 5:55 P. M., the meeting recessed and the Council members went into executive session to consider board appointments. At 6:25 P.M., the meeting reconvened.

76-18 The following Ordinance was read by the Clerk and after consideration, on motion of Dr. Cisneros, seconded by Mr. Hartman, was passed and approved by the following vote: AYES: Pyndus, Cisneros, Black, Hartman, Rohde, Teniente, Cockrell; NAYS: None; ABSENT: Billa, Nielsen.

AN ORDINANCE 46,541

ACCEPTING RESIGNATIONS OF CERTAIN MEMBERS
OF THE PLANNING COMMISSION AND MAKING
APPOINTMENTS TO THE ZONING COMMISSION.

* * * *

The following persons have resigned from the Planning Commission and the resignations are hereby accepted, effective May 1, 1976:

- | | |
|-------------------|-----------------|
| 1. Joe Lopez | 4. Olivia Garza |
| 2. Dario Chapa | 5. Joe Machado |
| 3. Anthony Specia | |

The following persons are hereby appointed to the Zoning Commission for a term of two years, commencing May 1, 1976:

1. Anthony Specia, 9214 Autumn Leaf
2. Joe Lopez, 2122 Leal
3. Robert Washington, Jr., 3663 Versailles
4. Robert L. Gragg, 5427 Pawtucket
5. Gene Canavan, 12619 Hunter's Chase

The following persons are hereby appointed to the Zoning Commission, to serve for a term of one year, commencing May 1, 1976:

1. Dario Chapa, 1403 Merida
2. Joe B. Machado, 227 Cavalier
3. Mrs. Olivia Garza, 1543 Babcock #205
4. Max Triplett, P. O. Box 32546, 78216

* * * *

76-18 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Hartman, seconded by Mr. Pyndus, was passed and approved by the following vote: AYES: Pyndus, Cisneros, Black, Hartman, Rohde, Cockrell; NAYS: Billa, Teniente; ABSENT: Nielsen.

AN ORDINANCE 46,542

APPOINTING NEW MEMBERS TO THE PLANNING
COMMISSION.

* * * *

Connie Truss is hereby appointed to the Planning Commission for a term commencing May 1, 1976, and terminating July 31, 1977.

Mrs. Pat Holland is hereby appointed to the Planning Commission for a term commencing May 1, 1976, and terminating July 31, 1977.

Mr. Gus Cardenas is hereby appointed to the Planning Commission for a term commencing May 1, 1976, and terminating July 31, 1977.

Mr. Joe De Los Santos is hereby appointed to the Planning Commission for a term commencing May 1, 1976, and terminating July 31, 1976.

Mr. William J. Dodds is hereby appointed to the Planning Commission for a term commencing May 1, 1976, and terminating July 31, 1976.

* * * *

76-18

COUNCIL APPOINTMENTS

The following discussion took place:

MAYOR PRO-TEM RICHARD TENIENTE: About two weeks ago, Mayor Cockrell, in executive session as was properly handled, we had a voice vote on the same ordinance that we are passing. At that time and in accordance with the rules that have been followed in the past, there were five names that were presented and voted on in executive session which would only allow us to come in at this meeting to vote on the people that had been presented.

Obviously, there has been a change but the change has gone from bad to worse. I'm not talking against any one individual. What has really happened is that they have taken away a man, Roy Garza, whose name was presented at that time, a man who is an architect and has had experience in planning, has been on the Board of Adjustment, has had an enormous amount of contact with the type of situation that will be facing the Planning Commission. To me this is nothing other than a slap in the face. The man is qualified. I also view it as a position that perhaps is not bringing in good representation for the Mexican-American in the Planning Commission.

For someone then to use this and say that we hope an over-balance on the Zoning Commission is totally erroneous. As a matter of fact, if we go according to population, voting population and registered citizens, then we should have more Mexican-Americans on all of these commissions and boards and I think it is a step in the wrong direction and a backward step as far as Mexican-Americans are concerned.

MR. PHIL PYNDUS: I'd like to make a statement, Mayor Cockrell. I feel from the first executive session this Council held that I received a slap in the face. I had understood that it was past courtesy that the appointment of each individual councilman would be honored. But all of a sudden the rules have changed and it seemed that all of the appointments that were made would be by the majority of the Council. Not being a majority to this point, I have been unsuccessful in getting any individual appointments made. I think it should be clarified the fact that as politics go, if you have the votes you get your candidate. If you don't you don't. I don't think you ought to cry about it. I think I have accepted it pretty gracefully up to this point and I think to color it with the aspect that you have is not becoming. I would like that to go in the record.

MR. BOB BILLA: I'd just like to say myself that we had the votes and apparently even in line with what Mr. Pyndus said it sometimes doesn't pay to be a gentleman. We had the votes.

MAYOR LILA COCKRELL: Well, let me just urge that we not pursue this any further. I would like to say that since this issue has been raised and so much is being commented on that I am going along with both commissions and voting for them although I, too, like Mr. Pyndus did not have a person whom I nominated--- selected for either commission. How-

ever, I feel that the majority has made a decision and I will go with it.

MR. TENIENTE: Mrs. Cockrell, I have to clarify a point. There are only five vacancies on Planning and four on Zoning and obviously, if each one of us submitted a name for consideration, some names would have been left out. So I can say that in certain areas, I did not have a name submitted.

MAYOR COCKRELL: We thought that four plus five equals nine and there are nine councilmen. But at any rate, I think it is not in the interest of harmony to keep arguing over a decision we have already made.

76-18 The following Ordinance was read by the Clerk and explained by Mr. Stewart Fischer, Director of Traffic and Transportation, and after consideration, on motion of Mr. Teniente, seconded by Dr. Cisneros, was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Cockrell; NAYS: None; ABSENT: Nielsen.

AN ORDINANCE 46,543

INSTRUCTING THE DIRECTOR OF TRAFFIC AND TRANSPORTATION TO SUPERVISE AND CONTROL PARKING ON CITY PARKING LOTS DURING FIESTA WEEK, 1976, WHERE SUCH LOTS ARE NOT NOW SUPERVISED OR WHERE PARKING IS FREE, INCLUDING CHARGING LIMITED FEES FOR PARKING IN SUCH LOTS.

* * * *

76-18 CITY PUBLIC SERVICE GRANT APPLICATION

Dr. Cisneros said that City Public Service is working on a grant from the Federal Energy Administration for testing of new rate structures. City Public Service has asked for endorsement of this project by the City Council. He said that he wished to have a resolution considered next week and asked that it be placed on the agenda.

76-18 AIR FORCE REDUCTION IN FORCE

Dr. Cisneros said that several community organizations are discussing a suit against the Department of Defense asserting that the planned cut at local military bases is procedurally faulty. He said that the City has been asked to consider support of this suit. He said that he would like to have the idea investigated to see if the City should or could lend its support.

The matter was discussed briefly and then was referred to the City Attorney for study and report to the Council.

76-18 CITIZENS TO BE HEARD

KARL WURZ

Mr. Karl Wurz, 820 Florida, again spoke against the issuance of general obligation bonds and urged that the City adopt a pay as you go system for capital improvements. (A copy of Mr. Wurz's prepared statement is included with the papers of this meeting).

76-18 The Clerk read the following letter:

April 9, 1976

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

Madam and Gentlemen:

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

April 6, 1976

Petition submitted by Mr. Santiago G. Teniente, 231 East Lubbock, requesting permission to construct a six foot (6') chain link fence on property he owns located at 216 East Lubbock, NCB 2865, Block 3, Lot W.

April 8, 1976

Petition submitted by Mr. Joe Harrison of Texaco, Inc., requesting permission to construct a twelve foot (12') wooden cedar fence around his service station located at Loop 410 and Broadway.

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

* * * *

There being no further business to come before the Council, the meeting adjourned at 6:45 P. M.

A P P R O V E D

Lila Cockrell

M A Y O R

ATTEST:

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

April 15, 1976
el