

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL ON
THURSDAY, DECEMBER 18, 1975.

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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.

75-74 The invocation was given by The Reverend John M. Bell, Revival Temple Pentecostal Church.

75-74 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

75-74 SAN ANTONIO COLLEGE RESOLUTION

Mayor Cockrell read the following Resolution:

A RESOLUTION
No. 75-74-113

IN RECOGNITION OF THE SAN ANTONIO COLLEGE
GIRLS' VOLLEYBALL TEAM FOR THEIR OUT-
STANDING ACHIEVEMENT.

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

Mayor Cockrell then recognized Dr. Jerome Weynard, President of the College and Ms. Alita Dillon, Coach. The members of the Council joined with the Mayor in extending congratulations to this outstanding team.

75-74 MCCOLLUM HIGH SCHOOL RESOLUTION

Mayor Cockrell read the following Resolution:

A RESOLUTION
No. 75-74-114

CONGRATULATING THE GIRLS' VOLLEYBALL
TEAM OF MCCOLLUM HIGH SCHOOL.

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

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Mayor Cockrell then recognized Mr. Darrel Flynt, Principal, and Ms. Lupe Ruiz, Coach and congratulated them. The other members of the Council also joined in congratulating the McCollum High School Girls' Volleyball Team.

75-74 Mayor Cockrell read the following Resolution of Respect:

A RESOLUTION OF RESPECT
NO. 75-74-115

MRS. CORA BLACK

WHEREAS, the City Council has learned of the death of Mrs. Cora Black, the beloved mother of Councilman Rev. Claude W. Black, and

WHEREAS, her passing will be sorely felt by the members of his family and her many friends and associates,
NOW, THEREFORE,

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

The Mayor and Members of the City Council hereby express their heartfelt regrets and extend, to the family and relatives of Mrs. Cora Black, deep and sincere sympathy.

BE IT FURTHER RESOLVED:

That this Resolution be inscribed in the minutes of this meeting and that a copy be sent to the members of the bereaved family.

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

Councilman Billa stated that he had the pleasure and opportunity to meet Mrs. Cora Black, and remembered her as a person who was very giving.

Reverend Black expressed his appreciation to the City Council for the Resolution.

75-74 CONGRATULATIONS TO MAYOR COCKRELL

Councilman Cisneros congratulated Mayor Cockrell on her selection as a nominee for Woman of the Year in the Ladies Home Journal Magazine. He stated that if Mayor Cockrell is selected she will appear on National television in April of 1976.

75-74 CORRECTION TO MINUTES

Councilman Bob Billa stated that on page 11 of the minutes there was a misspelling of the word consonance. Also on page 37 he wished to insert the following statement which he had made during the discussion

concerning the subdivision plat for University Hills, Unit 3:

MR. BILLA: I think this. Whenever a person comes to a governmental body and this person meets all the requirements that are set out by that governmental body, I see no reason, there is no reason in my mind morally, legally to deny something if this particular person or organization has met all the requirements of that governmental body.

With these corrections, the minutes of December 9 and 11 were approved.

75-74 ZONING HEARINGS

1. CASE 6291 - to rezone Tract 21-A, NCB 12191, 6900 Block of North Panam Expressway, from Temporary "R-1" Single Family Residential District to "B-3" Business District; located southeast of the cutback between North Panam Expressway and Eisenhower Road, having 175' on North Panam Expressway, 125' on Eisenhower Road and 207.45' on the cutback between North Panam Expressway and Eisenhower 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, Mr. Pyndus 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 46,057

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 21-A, NCB 12191, 6900 BLOCK OF NORTH PANAM EXPRESSWAY, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

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2. CASE 6287 - to rezone Parcel 17-D and a 19.472 acre tract of land out of NCB 15655, being further described by field notes filed in the office of the City Clerk, 4800 Block of S. W. Military Drive, from Temporary "R-1" Single Family Residential District to "B-3" Business District; located 98.01' west and 243.98' south of the intersection of S. W. Military Drive and Medina Base Road, having a total of 1054.42' on S. W. Military Drive and 1616.60' on Medina Base 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, 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 46,058

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 17-D AND A 19.472 ACRE TRACT OF LAND OUT OF NCB 15655, (BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK) 4800 BLOCK OF S. W. MILITARY DRIVE, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

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3. CASE 6283 - to rezone a 0.916 acre tract of land out of NCB 15193, being further described by field notes filed in the Office of the City Clerk, from Temporary "R-1" Single Family Residential District to "B-2" Business District, 300 Block of Valley Hi Drive; and an 8.33 acre tract of land out of NCB 15193, being further described by field notes filed in the Office of the City Clerk, from Temporary "R-1" Single Family Residential District to "B-3" Business District, 300 Block of Valley Hi Drive.

The "B-2" zone is located on the northeast side of Cedarhurst Drive, being 234.82' northwest of the intersection of Valley Hi Drive and Cedarhurst Drive, having 266' on Cedarhurst Drive and a depth of 150'.

The "B-3" zone is located on the northwest side of Valley Hi Drive between Springvale Drive and Cedarhurst Drive, having 708.91' on Valley Hi Drive, 635.81' on Springvale Drive and 234.82' on Cedarhurst 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.

Mr. Pyndus said that in the hearing before the Planning Commission the applicant who also owns adjacent property to the northwest had said that he intended to have the other property zoned "R-3", which would then act as a buffer for this business zoning. Mr. Pyndus said that he would like to find some means to make sure that the owner follows through with this intention.

After consideration, Mr. Billa made a 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 northwest property line. Mr. Hartman seconded

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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 46,059

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 0.916 ACRE TRACT OF LAND OUT OF NCB 15193, (BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK) 300 BLOCK OF VALLEY HI DRIVE, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT; AND AN 8.33 ACRE TRACT OF LAND OUT OF NCB 15193, (BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK) 300 BLOCK OF VALLEY HI DRIVE, FROM TEMPORARY "R-1" 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 NORTHWEST PROPERTY LINE.

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4. CASE 6278 - to rezone a 5.860 acre tract of land out of NCB 15180, being further described by field notes filed in the office of the City Clerk, from Temporary "R-1" Single Family Residential District to "B-2" Business District, 300 Block of Valley Hi Drive, located west of the intersection of Valley Hi Drive and Cedarhurst Drive, having 603.27' on Valley Hi Drive and 490.06' on Cedarhurst 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 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 46,060

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 5.860 ACRE TRACT OF LAND OUT OF NCB 15180, (BEING FURTHER

DESCRIBED BY FIELD NOTES FILED IN
THE OFFICE OF THE CITY CLERK) 300
BLOCK OF VALLEY HI DRIVE, FROM
TEMPORARY "R-1" SINGLE FAMILY
RESIDENTIAL DISTRICT TO "B-2"
BUSINESS DISTRICT, PROVIDED THAT
PROPER REPLATTING IS ACCOMPLISHED.

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5. CASE 6281 - to rezone Lots 33 and 34, Block 2, NCB 11612, 2000 Block of Babcock Road, from "A" Single Family Residential District to "O-1" Office District, located on the southwest side of Babcock Road being 120' southeast of the intersection of Babcock Road and Dorothy Louise Drive, having 200' on Babcock Road and a depth of 245'.

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 southwest property line. 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 46,061

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 33 AND 34,
BLOCK 2, NCB 11612, 2000 BLOCK OF
BABCOCK ROAD, FROM "A" SINGLE FAMILY
RESIDENTIAL DISTRICT TO "O-1" OFFICE
DISTRICT, PROVIDED THAT PROPER
REPLATTING IS ACCOMPLISHED AND THAT
A SIX FOOT SOLID SCREEN FENCE IS
ERECTED AND MAINTAINED ALONG THE
SOUTHWEST PROPERTY LINE.

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6. CASE 6292 - to rezone Lots 22, 23, and 24, Block 7, NCB 2800, 100 Block of Holland Avenue, from "B" Two Family Residential District to "R-3" Multiple Family Residential District, located on the north side of Holland Avenue, being 50' west of the intersection of Holland Avenue and Judson Avenue, having 75' on Holland Avenue and a depth of 125'.

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 and that a six foot solid screen fence is erected and maintained along the east and north property lines. Mr. 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, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 46,062

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 22, 23 AND 24, BLOCK 7, NCB 2800, 100 BLOCK OF HOLLAND AVENUE, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE EAST AND NORTH PROPERTY LINES.

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7. CASE 6299 - to rezone the remaining portion of Lot 15, NCB 10760, 1975 S.W.W. White Road, from "A" Single Family Residential District to "B-3" Business District, located northwest of the intersection of Elaine Road and S.W.W. White Road, having 209.15' on S.W.W. White Road and 197.7' on Elaine 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, Mr. Billa 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 west property line. 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 46,063

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE REMAINING PORTION OF LOT 15, NCB 10760, 1975 S.W.W. WHITE ROAD, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE WEST PROPERTY LINE.

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8. CASE 6243 - to rezone Lot A8, Block H, NCB 1660, 1030 Burnet Street, from "D" Apartment District to "B-1" Business District, located southwest of the intersection of Burnet Street and Muncey Street, having 61' on Burnet and 120' on Muncey Street.

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 a six foot solid screen fence is erected and maintained along the west 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, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 46,064

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 A8, BLOCK H,
NCB 1660, 1030 BURNET STREET, FROM
"D" APARTMENT DISTRICT TO "B-1" BUSINESS
DISTRICT, PROVIDED THAT A SIX FOOT
SOLID SCREEN FENCE IS ERECTED AND
MAINTAINED ALONG THE WEST AND SOUTH
PROPERTY LINES.

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9. CASE 6288 - to rezone Lots 20 through 23, Block 8, NCB 3183, 2100 Block of Hicks Avenue, from "B" Two Family Residential District to "B-2" Business District, located northeast of the intersection of Hicks Avenue and Clark Avenue, having 100' on Hicks Avenue and 117' on Clark Avenue.

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

Mr. Pyndus and Mr. Billa spoke in opposition to the rezoning because it is located in the middle of a residential area, and they were opposed to intruding into the residential area.

Rev. Black spoke in favor of the rezoning. He said that he was familiar with the area and that a fruit and vegetable stand located in this corner would not be detrimental.

After some discussion, Mayor Cockrell suggested that possibly this case be delayed for 30 days so that the applicant herself could be present and this would also give staff time to study the situation.

Mr. Rohde then moved that this case be postponed for 30 days. Mr. Pyndus seconded the motion, and on the following roll call vote, the motion prevailed; AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

The case was postponed.

10. CASE 6290 - to rezone Tract W, save and except the southeast 125' out of NCB 8696, 1400 Block of Austin Highway, from "B" Two Family Residential District to "I-1" Light Industry District, located on the southeast side of Austin Highway being 474.63' southwest of the intersection of Harry Wurzbach Highway and Austin Highway being an irregular tract of land, having 20' on Austin Highway and a depth of 829'.

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

Councilman Pyndus questioned the reason for "I-1" zoning.

Mr. Robert Pizzini, architect, described the proposed uses for this area and stated that it will be used as a central storage area for all of the Hasslocher Restaurants. Since there are many uses including repair of restaurant furniture, central warehouse for the business and so forth, "I-1" zoning was the only category that would accommodate the intended uses.

Mr. Pizzini assured the Council that there would be no outside storage and also pointed out that a buffer zone would be left at the rear of the property to protect the residential zone. He also pointed out that there are some drainage problems connected with this property, and when the property is replatted, these problems will be resolved.

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, that a six foot solid screen fence is erected and maintained along the southeast property line and that a non-access easement is imposed along the southeast property line. 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: Pyndus; ABSENT: None.

AN ORDINANCE 46,065

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 W, SAVE AND EXCEPT THE SOUTHEAST 125' OUT OF NCB 8696, 1400 BLOCK OF AUSTIN HIGHWAY, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED, THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE SOUTHEAST PROPERTY LINE AND THAT A NON-ACCESS EASEMENT IS IMPOSED ALONG THE SOUTHEAST PROPERTY LINE.

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11. CASE 6297 - to rezone an 18.184 acre tract of land out of NCB 13753, being further described by field notes filed in the office of the City Clerk, 3200 and 3300 Block of Carver Road, from Temporary "A" Single Family Residential District to "B-3" Business District, located 280' northwest of the intersection of Carver Road and Nacogdoches Road, having a total of 1340.49' on Carver Road, and a maximum depth of 744.57'.

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 replatting is accomplished and that a six foot solid screen fence is erected and maintained along the northeast property line of the "B-3" area. 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, Cisneros, Black, Hartman, Rohde, Nielsen, Cockrell; NAYS: None; ABSENT: Billa, Teniente.

AN ORDINANCE 46,066

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 AN 18.184 ACRE TRACT OF LAND OUT OF NCB 13753, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 3200 AND 3300 BLOCK OF CARVER ROAD, FROM TEMPORARY "A" SINGLE 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 ALONG THE NORTHEAST PROPERTY LINE OF THE "B-3" AREA.

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12. CASE 6177 - to rezone Lot 7 and the west 19.8' of Lot 8, NCB 1724, 136 E. French Place, from Historic "D" Apartment District to Historic "B-1" Business District, located on the south side of E. French Place, being 175.8' west of the intersection of McCullough Avenue and E. French Place, having 69.8' on E. French Place and a depth of 147.28'.

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

Mr. Camargo stated that this case had been postponed for 30 days and the applicant, Mr. J. A. Whitelaw, is requesting an additional 30 day postponement.

Mr. Whitelaw asked the City Council to consider postponing this case in order to further discuss the zoning situation with the Monte Vista Historical Association. The architect had been late in getting the plans prepared and the entire association must meet and approve the plans at their next meeting which is after the first of the year; they will have a recommendation for the Council.

Dr. Nielsen made a motion that the case be postponed for 30 days. Mr. Hartman seconded the motion, and on the following roll call vote, the motion prevailed; AYES: Pyndus, Cisneros, Black, Hartman, Rohde, Nielsen, Cockrell; NAYS: None; ABSENT: Billa, Teniente.

The case was postponed for 30 days.

13. CASE 5489 - to rezone Lots 5, 6, and 9, NCB 14525, 4700 Block of Rittiman Road, from "B-2" Business District to "I-1" Light Industry District,

Lots 5 and 6 are located 250' west of the intersection of Goldfield Drive and Rittiman Road, having 193.62' on Rittiman Road and a depth of 200'.

Lot 9 is located 205' south of the intersection of Goldfield Drive and Rittiman Road on the west side of Goldfield Drive having approximately 389.86' on Goldfield Drive and a maximum depth of 302.30'.

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

Mayor Cockrell asked if what would be built would not interfere with the existing uses of the surrounding buildings in particular, the nursing home.

Mr. Jack Charles, the applicant, appeared before the Council and said some small offices and warehouses would be built in the back. He also stated that the entire area was "I-1" zoning and there would be no outside storage.

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

AN ORDINANCE 46,067

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 5, 6, AND 9, NCB 14525, 4700 BLOCK OF RITTIMAN ROAD, FROM "B-2" BUSINESS DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

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14. CASE 6001 - to rezone a 0.649 acre tract of land out of NCB 11620, being further described by field notes filed in the office of the City Clerk, 4000 Block of High Ridge Circle, 7300 Block of Callaghan Road, from "A" Single Family Residential District to "R-6" Townhouse District, located west of the intersection of Callaghan Road and High Ridge Circle, having 85.12' on Callaghan Road and 333.68' on High Ridge Circle.

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, that a six foot solid screen fence is erected and maintained along the southwest property line and that a non-access easement is imposed along the southwest property line at the alley. 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, Hartman, Rohde, Nielsen, Cockrell; NAYS: None; ABSENT: Cisneros, Teniente.

AN ORDINANCE 46,068

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 0.649 ACRE TRACT OF LAND OUT OF NCB 11620, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 4000 BLOCK OF HIGH RIDGE CIRCLE, 7300 BLOCK OF CALLAGHAN ROAD, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-6" TOWNHOUSE DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED, THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE SOUTHWEST PROPERTY LINE AND THAT A NON-ACCESS EASEMENT IS IMPOSED ALONG THE SOUTHWEST PROPERTY LINE AT THE ALLEY.

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15. CASE 6279 S.R. - to rezone a .091 acre tract of land out of NCB 14382, being further described by field notes filed in the Office of the City Clerk, 3903 Barrington Road, from "R-6" Townhouse District to "R-6" Townhouse District for a private club facility, located on the north side of Barrington Road being 152.24' east of the intersection of Barrington Road and Sanford Drive, thence being 95' north of Barrington Road, having a width of 44' and a depth of 90'.

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

There were 18 notices mailed to the adjacent property owners. Sixteen notices were returned in opposition and two notices were returned in favor. Mr. Camargo also said that there were petitions with 69 signatures in opposition and a petition with 79 signatures in favor.

Mr. Stonewall J. Fisher, III, attorney representing the applicant, Treehouse Club Corporation, said that the application is being made by the members of the Oakmont Apartments to operate a private club on the grounds of the Oakmont Apartment complex for the sole use of the tenants and their guests.

He said that the club would be run in a responsible manner. He asked the Council to sustain the recommendation of the Planning Commission and grant the rezoning.

Mayor Cockrell asked Mr. Fisher to comment on how this club has been operating and would be operating. She stated that there had already been activity in the club.

Mr. Fisher stated that they had received information that a private club would be permitted and that it was based on an opinion rendered by the City Attorney's office on November 14, 1972 to the effect that the dispensing and consumption of food and alcoholic beverages on the premises of a country club in an "R-6" zone was permitted and since this was a similar type of activity, it would be permitted there. But then another legal opinion was obtained and that legal opinion was to the effect that since this was a neighborhood recreational facility, then by definition a private club couldn't be operated in the facility. They felt that this legal opinion was discriminatory to apartment dwellers, so they applied for a private club license and received it.

Mayor Cockrell said that the opponents of this case had presented to the Council some material, including a yellow page ad from the telephone directory on which the word "nightclub" appeared.

Mr. Fisher stated that the club was not operated for the general public.

Mr. Billa stated that by denying this was like denying people the right to drink in their own homes.

Mr. Pyndus stated the quality of the neighborhood should be very seriously considered by this Council before the approval of this facility is made. He did not see the need for a change of zoning in this neighborhood.

Mr. Ralph Langley, attorney, spoke representing the residents of the Brentwood Common Townhouses Association and Morton Southwest in opposition to the Oakmont Apartments' request for zoning from "R-6" to "R-6" with private club. He said he has more than 100 signatures in opposition to this zoning. Some of the finest homes of San Antonio are located in this neighborhood.

Mr. Langley stated that the applicant had sought "B-3" zoning in the middle of a residential neighborhood. That was denied. He stated that the neighborhood is a quiet and serene one. The approval of a nightclub in this area would be detrimental to the public health, safety and welfare of the inhabitants of the area. Operation of such a club would cause traffic congestion and create a safety hazard.

Reverend Joe Broun, Rector of the Church of Reconciliation Episcopal Parish, stated that his church occupies five acres at the corner of Starcrest and Barrington. He stated he had spent over a year and a half searching the whole northeast part of San Antonio for the purpose of finding an area that was neighborhood-oriented and family-oriented. He stated that this case was a flagrant example of spot zoning. His church members unanimously voted against this change of zoning and would like the minutes to reflect this.

Mr. Langley again spoke and urged the Council to deny the request.

In rebuttal, Mr. Fisher said that an attempt will be made to put in management that will run the club properly and that the club will be audited by the Texas Alcoholic Beverage Commission and that spot zoning is not an issue.

After consideration, Mr. Billa made a motion that the recommendation of the Planning Commission be overruled and that the zoning be denied. Mr. Teniente seconded the motion, and on the following roll call vote, 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.

75-74 The meeting was recessed at 10:10 A. M. and reconvened at 10:25 A. M.

16. CASE 6274 - to rezone a 0.573 acre tract of land out of NCB 13827, being further described by field notes filed in the office of the City Clerk, 14800 Block of San Pedro Avenue, from Temporary "A" Single Family Residential District to "B-2" and "B-3" Business Districts; and a 2.253 acre tract of land out of NCB 13827, being further described by field notes filed in the office of the City Clerk, 14800 Block of San Pedro Avenue, from Temporary "A" Single Family Residential District to "B-2" Business District.

The "B-3" zoning is located northeast of the intersection of Oak Shadows and San Pedro Avenue, having 180' on both Oak Shadows and San Pedro Avenue.

The "B-2" zoning is located 180' northeast and 180' southeast of the intersection of Oak Shadows and San Pedro Avenue, having 184.05' on San Pedro Avenue, 402.07' on Oak Shadows and 386.03' on Timber Oak.

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

Mr. Camargo said that nine notices were sent out to the adjacent property owners, six notices were returned in opposition and two notices returned in favor.

Mr. Tom Martin, attorney representing the applicant, Neal, Inc., stated that the property in question is located at the intersection of San Pedro and Oak Shadow Drive. He also stated that this particular piece of property is not on the aquifer. He described the proposed development and said that this proposed commercial use is the highest and best use for the subject property and the zoning is proper and reasonable. The staff has also recommended approval of this request. He asked for the Council's favorable consideration.

Dr. Cisneros stated that he would be in favor of "B-3" zoning on the corner lot but wants to mitigate the "B-2" zoning and functions facing the residential area on Timber Oak.

Mr. Pyndus stated that "B-3" zoning will affect property across the street on Oak Shadow and Oak Drive.

Mr. Martin described the existing intersections and existing commercial uses around the area. He again stated that this use would be the best use for the property.

Mr. Harry Adams, an attorney representing about 500 residents of the area, described the area and spoke against the request of Neal, Inc. He stated that this subdivision was developed by Sterling Browning and the prospective owners were told the property would be residential zoning. He stated that Brook Hollow Center provides all the commercial uses that are necessary. He showed some slides of the homes in the area ranging from \$50,000 to \$70,000.

Mr. Jim Kerr, an officer of the San Pedro Presbyterian Church, spoke in opposition to the rezoning of this property. He was opposed to the traffic congestion that would occur, and the sale of alcoholic beverages in the location near the Church. He said he had a petition with 432 signatures opposed to this business zoning. He suggested using the land for a public library which is needed in the area. They would not approve office zoning.

Rev. J. Kelley Neal of the San Pedro Presbyterian Church, spoke in opposition to the zoning. He asked what the best use of the property would be depends on what is the best use for the community as opposed to just commercial use. He would not oppose office zoning or condominiums being located there.

Mr. Roy Balter, 14343 Turtle Rock, also spoke in opposition. He lives directly across from the property in question. He was assured when he bought his home that the adjacent property would also be residential.

In rebuttal, Mr. Adams stated that the property owners would be satisfied with "O-1" zoning but not commercial zoning.

Mayor Cockrell asked if any discussion has occurred between property owners and the applicant.

Mr. Adams stated there had been none. Again he said they would not oppose condominiums or offices built on this land.

Mr. Martin said that the slide shown by Mr. Adams is not truly representative of what will be built. The proponent would also commit to face all buildings onto Oak Shadow Drive so that no rear of building would face the residential area.

The proponent would also be willing to deed restrict this entire tract to prohibit the sale of any alcoholic beverages.

Dr. Nielsen suggested a one month postponement to give all parties time to discuss and resolve the problems. He then made a motion to postpone the case. Dr. Cisneros seconded the motion.

Mr. Martin stated there might be a legal limitation to the amount of time in which the parties are allowed to negotiate.

Mr. Adams stated they had no objections to the postponement if there would be a possibility of "O-1" and "R-6" zoning as opposed to "B-2" and "B-3", and just simply relocating the buildings.

Mr. Teniente stated that he agreed that this case be postponed for one month.

Mr. Martin stated that he had talked to his client and that the contract does indeed expire February 1, 1976 and if there was a postponement for one month the case would be placed in a late January hearing, and because of the financing, it would be impossible to postpone it.

Mr. Pyndus then made a motion to overrule the recommendation of the Planning Commission and the request for rezoning be denied. Rev. Black seconded the motion.

Dr. Nielsen again asked if the proponent and opponents would care to discuss the problems at this time.

Mayor Cockrell stated that the contract for the sale is for commercial use and not for any other use.

Mr. Hartman stated that the attorney for the applicant indicated a willingness to establish certain deed restrictions and there was also a proposal to rearrange the buildings, and asked if that offer could be legally binding in any way.

Assistant City Attorney Tom Finlay stated that the deed restrictions would be binding, but not the offer. Of course, the deed restrictions would have to be in the nature of a contract between the property owners and owner of the property.

Mr. Pyndus then made a motion to close debate and call for a vote on the previous question. The motion was seconded by Rev. Black and on the following roll call vote, the motion prevailed; AYES: Pyndus, Cisneros, Black, Hartman, Cockrell; NAYS: Rohde, Teniente, Nielsen; ABSENT: None; ABSTAIN: Billa.

The motion to deny the rezoning previously made by Mr. Pyndus and seconded by Rev. Black, was passed and approved by the following vote: AYES: Pyndus, Cisneros, Black, Hartman, Nielsen, Cockrell; NAYS: Rohde, Teniente; ABSENT: None; ABSTAIN: Billa.

Mr. Rohde asked that Case 6274 be continued and be placed on next month's agenda.

Dr. Nielsen stated that there was a problem with legal limitations.

Mr. Pyndus stated he would not offer this motion and that the Council had already acted on this case.

After discussion, the Council decided not to reconsider the case.

The rezoning was denied.

75-74

RESOLUTION FOR RAUL JIMENEZ, SR.

Dr. Cisneros stated that he and Mayor Pro-Tem Teniente would like to introduce a resolution for consideration by the City Council next week honoring Mr. Raul Jimenez, Sr.

75-74

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

17.

CASE 6289 - to rezone Lots 23 and 24, Block 24, NCB 10906 409 Esma Street, from "B" Two Family Residential District to "B-1" Business District, located on the north side of Esma Street, being 200' east of the intersection of Esma Street and Calera Street, having 100' on Esma Street and a depth of 125'.

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

Mr. Camargo said that four notices were set out. None were returned in opposition and none returned in favor. He stated that this case would require seven affirmative votes in order to overrule the Planning Commission.

Mrs. Ofelia H. Martinez, the proponent of this case, asked the Council for favorable consideration of her request. They wanted the property rezoned so that her husband could set up a barbershop.

No one spoke in opposition.

Mr. Pyndus made a motion that the recommendation of the Planning Commission be approved and that the rezoning be denied. Mr. Billa seconded the motion, and on the following roll call vote, was passed and approved: AYES: Pyndus, Billa, Black, Hartman, Rohde, Nielsen, Cisneros, Teniente; NAYS: None; ABSENT: Cockrell.

The rezoning was denied.

75-74

CITIZENS TO BE HEARDMR. RAUL RODRIGUEZ

Mr. Raul Rodriguez, 719 Delgado, suggested that the question of more pay for police officers should be discussed at town meetings. He said that police officers have shown much discourtesy in handling vehicles off to the pound. He also claimed that radios and batteries are stolen from automobiles at the pound and that glove compartments and trunks of automobiles at the pound are rifled.

Mayor Cockrell asked the City Manager to report to the Council on the operation of the pound and also to enumerate any complaints that had been received concerning thefts from automobiles. She asked Mr. Rodriguez to furnish any details concerning this to the City Manager. But that any allegations against specific police officers should be made directly to the Fire and Police Civil Service Commission.

75-74

The meeting recessed for lunch at 12:05 P. M. and reconvened at 1:50 P. M.

December 18, 1975

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MR. HENRY MUNOZ

Mr. Henry Munoz, Business Manager for Local 2399, reiterated his invitation to the Council to drop by his office the afternoon of December 23rd for open house. He said he also wished to advise the City Council that contrary to reports published in the media, he had no problem with City Manager Granata.

HENRY OEFFINGER

Mr. Henry Oeffinger said that the Mayor had appointed a committee to study the wrecker contract. He said that he had talked to Mr. Teniente who had advised him that nothing could be done until July of 1976 when the present contract expires and asked if there was any further comment.

Mr. Teniente said that there is a legally binding contract until July 1976 and as far as he is concerned, it cannot be broken. He said that he has asked the staff to study the matter and see how a contract could be worded that would permit citizens to specify which wrecker service would be called.

Mr. Oeffinger said that he apparantly has only one recourse which is in the courts and thanked the Council for listening to him.

75-74 There being no further business to come before the Council, the meeting adjourned at 2:10 P. M.

A P P R O V E D

Lila Cockrell

M A Y O R

ATTEST:

G. V. Jackson
C i t y C l e r kDecember 18, 1975
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