

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE CITY COUNCIL CHAMBER, CITY HALL,
ON TUESDAY, JULY 3, 1962, AT 8:30 A.M.

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The regular meeting of the City Council was called to order by the Presiding Officer,
Mayor Walter W. McAllister, with the following members present:

McALLISTER

DE LA GARZA

KAUFMAN

ROHLFS

GUNSTREAM

GATTI

PADILLA

PARKER

BREMER

ABSENT: None

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The invocation was given by Councilman Roland Bremer.

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The minutes of the previous meeting were approved.

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Mr. Alfred V. Flores presented a resolution passed by the Mexican Chamber of Commerce recommending to the City Council that the members of the City Public Service Board be appointed by the Council and asking that a study be initiated to possibly enlarge the membership of the Board.

Mr. Perry Salinas presented a resolution passed by LULAC Council No. 16 endorsing the suggested refunding of the present indebtedness of the City Public Service Board and that members of the Board be appointed by the City Council.

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First zoning hearing taken up was Case No. 1668 to rezone Lot 16, NCB 2330, located on the south side of Buena Vista Street, 69.56' west of Rosillo Street, from "B" Residence District to "F" Local Retail District.

The Planning Director briefed the proposed change. No one spoke in opposition.

On motion of Mr. Rohlfs, seconded by Mr. Gunstream, the recommendation of the Zoning Commission to grant the change in zone was approved by passage of the following ordinance by the following vote: AYES: McAllister, de la Garza, Rohlfs, Kaufman, Gunstream, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: None.

AN ORDINANCE 30,528

AMENDING SECTION 2 OF AN ORDINANCE ENTITLED "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN, ETC.," PASSED AND APPROVED ON NOVEMBER 3, 1938, BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 16, NCB 2330, FROM "B" RESIDENCE DISTRICT TO "F" LOCAL RETAIL DISTRICT.

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Next taken up was Zoning Case No. 1669 to rezone Lots 1-38, incl., NCB 13438; Lots 1-24, incl., NCB 13439; and Lots 1-25, incl., NCB 13440, located on the south side of Gemblar Road, 1835.48' east of Willow Springs Road, from "LL" Manufacturing District to "A" Residence District.

The Planning Director briefed the proposed change in zone which was initiated by the subdivider to upgrade the property to "A" Residence District so that it can be used for residential development. No one spoke in opposition.

On motion of Mr. de la Garza, seconded by Mr. Bremer, the recommendation of the Zoning Commission was approved by passage of the following ordinance, the vote being as follows:

AYES: McAllister, de la Garza, Rohlf, Kaufman, Gunstream, Gatti, Padilla, Parker and Bremer;

NAYS: None; ABSENT: None.

AN ORDINANCE 30,529

AMENDING SECTION 2 OF AN ORDINANCE ENTITLED "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN, ETC.," PASSED AND APPROVED ON NOVEMBER 3, 1938, BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 1-38, INCL., NCB 13438; LOTS 1-24, INCL., NCB 13439; LOTS 1-25, INCL., NCB 13440, FROM "LL" MANUFACTURING DISTRICT TO "A" RESIDENCE DISTRICT.

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Next case heard was Zoning Case No. 1684 to rezone Lot 10, NCB 11492, forming the corner north of the intersection of Bandera Highway and Althea Drive, from "A" Residence District to "B" Residence District.

The Planning Director briefed the proposed change. No one spoke in opposition.

On motion of Mr. de la Garza, seconded by Mr. Rohlf, the recommendation of the Zoning Commission was approved by passage of the following ordinance by the following vote: AYES: McAllister, de la Garza, Rohlf, Kaufman, Gunstream, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: None.

AN ORDINANCE 30,530

AMENDING SECTION 2 OF AN ORDINANCE ENTITLED "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN, ETC.," PASSED AND APPROVED ON NOVEMBER 3, 1938, BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 10, NCB 11492, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT.

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Next taken up was Zoning Case No. 1686 to rezone Lot 12, NCB 13406 located southwest of the intersection of West Commerce Street and Acme Road, from "A" Residence District to "F" Local Retail District.

In agreement with the applicant's attorney, Mr. H. Gordon Davis, the hearing on this case was continued to July 18th in order to make a study of a proposed plan to widen Acme Road.

Next taken up was the hearing on Case No. 1678, to rezone Lots A-1 and A-2, NCB 7877, located northeast of the intersection of West Harlan and Commercial Avenue, from "B" Residence

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District to "J" Commercial District. This case was continued from June 20th in order for the Council to inspect the property.

The Planning Director briefed the proposed change which the Zoning Commission recommended be denied by the Council.

Mr. Thomas Guardia, Attorney for the applicant, stated that the building intended to be constructed would improve the area; other commercial sites are within one block of this area; this property fronts on Commercial Avenue and not on the Expressway; and would work a hardship on the applicant if the request was denied.

After discussion of the matter, on motion of Dr. Parker, seconded by Mr. Gatti, the recommendation of the Zoning Commission was upheld and the rezoning denied. The motion carried by the following vote: AYES: McAllister, Rohlf, Kaufman, Gunstream, Gatti, Parker and Bremer; NAYS: de la Garza and Padilla; ABSENT: None.

Next taken up was Case No. 1664 to rezone N.110' of Lot 1 and N. 110' of the west 12.97' of Lot 2, Blk A, NCB 11025, located southeast of the intersection of Dauchy Road and South Gevers Street, from "B" Residence District to "F" Local Retail District.

The Planning Director briefed the proposed change which the Zoning Commission recommended be denied. He explained that the Zoning Commission vote was split 2-2 with one member absent.

Mr. Stanley Rosenberg, Attorney for the Applicant, Mr. H. A. Saunders, stated the case was appealed because they felt "F" Zone was the best use for the property. He felt that an "F" Zone would upgrade the property as it presently has a non-conforming J use. He said the property was to be a site for a filling station.

After discussion of the matter, on motion of Mr. Rohlf, seconded by Dr. Parker, Case No. 1664 was referred back to the Zoning Commission for further study of the whole area surrounding the McCreless Shopping Center. The motion carried by the following vote: AYES: McAllister, de la Garza, Rohlf, Kaufman, Gunstream, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: None.

Next taken up was Zoning Case No. 1673 to rezone Lots 30-33, incl., NCB 11314, located on the north side of Weir Avenue, 130.5' west of General McMullen Drive, from "B" Residence District to "F" Local Retail District.

The Planning Director briefed the proposed change which the Zoning Commission recommended be denied. He explained the Commission did, however, recommend "F" on all of Lots 30 through 33 except the first 175' in depth on Weir Avenue, but with the exception of the East 125' of frontage on Weir Avenue. The Commission recommended "E" Office for this 175' strip on Weir Avenue which would not change the existing usage under non-conforming rights.

Mr. Charles Biery, Attorney for the Applicants, stated trailer court was in the process of being developed when it was annexed and had been granted non-conforming rights to the entire tract by the Board of Adjustment. The purpose of the rezoning was to give the 119 families in the trailer court additional facilities and to open a grocery store in the middle of the court so that tenants would not have to go several blocks for small grocery items. They had appealed the recommendation of the Zoning Commission because they also want

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a place fronting Weir Avenue to demonstrate, display and sell trailers. He said they had no intention of applying for a beer license.

Opposing the rezoning of the property were Mrs. Dimple Hubbert and Mr. Bob Hubbert, 3326 Weir Avenue; Mr. Sam Sanchez, Jr., 3438 Weir Avenue; and Mr. Ernest Sanchez, 3439 Weir Avenue. They opposed the change because the street was too narrow and would increase the traffic problem; a new high school would be built nearby; the trailer court is overcrowded now and has no place to put their trash; no playgrounds are provided in the court and children play in the street; drainage in the area is a problem and water from the court flows into the street and other properties. They felt that rezoning it to "F" would not improve the neighborhood.

After discussion of the matter, on motion of Dr. Parker, seconded by Mr. de la Garza, Case No. 1673 was referred back to the Zoning Commission, without prejudice to the application, for a study of the development of the area, including widening of Weir Avenue and replatting. The motion carried by the following vote: AYES: McAllister, de la Garza, Rohlfs, Kaufman, Gunstream, Padilla, Parker and Bremer; NAYS: Gatti; ABSENT: None.

Last Zoning Case heard was Case No. 1533 to rezone Lot 20, NCB 11610, located on the south side of Babcock Road between Snowden Road and Wurzbach Road, from "A" Residence District to "E" Office District.

The Planning Director briefed the proposed change.

Mr. Boyce H. Gaskin, Applicant, stated he had requested "F" and "E" Zoning for the property but the Zoning Commission recommended "E" for the whole tract and this was acceptable to him. He said "E" Office was acceptable to the Southwest Texas Methodist Hospital. He proposed to have a nursing home on the property but had no immediate plans for its development.

Mr. A. H. Hagens, who owns property across the street on Wurzbach Road opposed the change. He felt it was premature to rezone at this time as the area is just starting to develop and would in all probability develop as residential. He presented a protest petition which the City Attorney ruled was in order, which would require 3/4 vote of the Council to rezone the property.

After discussion of the case, Mr. Rohlfs made a motion that the recommendation of the Zoning Commission to change the zone to "E" Office District be approved. The motion was seconded by Mr. Kaufman. The motion failed, and the rezoning was denied by the following vote: AYES: Rohlfs, Kaufman, Gatti and Bremer; NAYS: McAllister, de la Garza, Gunstream, Padilla and Parker; ABSENT: None.

On motion of Dr. Parker, seconded by Mr. Rohlfs, the following resolution was passed and approved by the following vote: AYES: McAllister, de la Garza, Rohlfs, Kaufman, Gunstream, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: None.

A RESOLUTION

GIVING NOTICE OF A PUBLIC HEARING ON PROPOSED ELECTRIC AND GAS RATES OF THE CITY ELECTRIC AND GAS SYSTEMS AND PROVIDING PROCEDURES IN CONNECTION WITH THE HEARING.

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Mayor McAllister read a telegram from Big John's Steak and Oyster Bar commending the excellent and efficient work of the Fire Department in extinguishing a fire on June 19th at that location.

The Mayor read a letter from the Houston Terrace Baptist Church complaining about the obscene advertising used by the Rigsby Drive-In Theatre in newspapers and billboards.

Assistant City Attorney Troilo explained that his office is cooperating with the District Attorney's Office on such matters. When a complaint comes in it is referred to the Police Department to determine if the complaint is valid and to try to make a case if necessary. He said the responsibility for enforcing the obscene literature and picture law rests with the District Attorney.

The Clerk read the following letter:

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

Gentlemen:

The following petition was received and forwarded to the proper department for any indicated action:

6-25-62 Petition of El Montan Motel, 6806 San Pedro Avenue, filed by Mr. F. W. Hangar, requesting approval of plans to improve off-street parking facilities and eliminate head-in parking on San Pedro; and for permission to up-date and make more functional the existing canopy and sign now situated on public property.

Yours very truly,

/s/ J. H. Inselmann,
J. H. INSELMANN,
City Clerk

There being no further business, the meeting was adjourned.

A P P R O V E D :

McAllister
M A Y O R

A T T E S T:

J. H. Inselmann
C i t y C l e r k