

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
WEDNESDAY, APRIL 17, 1963, 8:30 A.M.

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The regular meeting of the City Council was called to order by the Presiding Officer, Mayor W. W. McAllister, with the following members present: McALLISTER, DE LA GARZA, ROHLFS, KAUFMAN, GUNSTREAM, GATTI, PADILLA, PARKER and BREMER.

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The invocation was given by Reverend Harold Moench, Christ Lutheran Church.

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The minutes of the previous meeting were approved.

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City Manager Jack Shelley announced that the Fire and Police Departments had won First Place Awards given by the Texas Safety Association for having the lowest on-the-job disabling injury rate in their classification. An award of merit was also won by the Traffic and Transportation Department for having completed 1962 with a perfect record of no disabling injuries. Mr. David Koch, City Safety Director was cited as one of the three men to receive the Distinguished Service Award for Texas citizens who made outstanding contributions to their community in the field of safety during the year.

The awards were presented by Mayor McAllister to Police Chief George Bichsel, Fire Chief Milton Rogers, Traffic and Transportation Director Stewart Fischer and to Mr. David Koch. He praised the men of the various departments for their cooperation and loyalty to the City which made the awards possible.

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First zoning case heard was Case No. 1890 to rezone Lot "A", NCB 12188, located northeast of the intersection of Fratt Road and N. E. Loop 410; and Lot "O", NCB 12179, located southeast of the intersection of Fratt Road and N. E. Loop 410, from "A" Residence District to "M" Manufacturing District.

Planning Director Steve Taylor briefed the Council on the proposed changes which were recommended by the Zoning Commission. No one spoke in opposition.

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

AN ORDINANCE 31,269

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 "A", NCB 12188 AND LOT "O", NCB 12179 FROM "A" RESIDENCE DISTRICT TO "M" MANUFACTURING DISTRICT.

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Full text in Ordinance Book NN, Page 98

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Next heard was Case No. 1804 to rezone Lot 16, NCB 12180, located on the southeast side of Austin Highway, 503.73' southwest of Bobby Lou Drive, from "A" Residence District to "F" Local

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Retail District.

The Planning Director briefed the Council on the proposed change which was recommended by the Zoning Commission. No one spoke in opposition.

On motion made by Mr. de la Garza, seconded by Dr. Parker, 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 31,270

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 12180 FROM "A" RESIDENCE DISTRICT TO "F" LOCAL RETAIL DISTRICT.

Full text in Ordinance Book NN, Page 98

Next taken up was Case No. 1864 to rezone Lot 16, NCB 10945, located on the south side of Hot Wells Blvd., 279.9' west of Goliad Road from "B" Residence District to "F" Local Retail District; and that portion of Lot 15, NCB 10945 not presently zoned "JJ" Commercial located 185' south of Hot Wells Blvd., and approximately 250' west of Goliad Road, from "B" Residence District to "JJ" Commercial District.

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

On motion of Dr. Parker, seconded by Mr. de la Garza, 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, Rohlf, Kaufman, Gunstream, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: None.

AN ORDINANCE 31,271

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 10945 FROM "B" RESIDENCE DISTRICT TO "F" LOCAL RETAIL DISTRICT; AND THAT PORTION OF LOT 15, NCB 10945 NOT PRESENTLY ZONED "JJ" COMMERCIAL, FROM "B" RESIDENCE DISTRICT TO "JJ" COMMERCIAL DISTRICT.

Full text in Ordinance Book NN, Page 99

Next heard was Case No. 1863 to rezone that portion of Lot 29, NCB 11928 not presently zoned "D" Apartment, located 234.93' west of Broadway and 242.5' south of Lorenz Road from "A" Residence District to "D" Apartment District.

The Planning Director explained the proposed changes. No one spoke in opposition.

On motion of Mr. Bremer, seconded by Mr. de la Garza, 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, Rohlf, Kaufman, Gunstream, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: None.

AN ORDINANCE 31,272

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

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CERTAIN PROPERTY DESCRIBED HEREIN AS THAT PORTION OF LOT 29, NCB 11928 NOT PRESENTLY ZONED "D" APARTMENT FROM "A" RESIDENCE DISTRICT TO "D" APARTMENT DISTRICT.

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Full text in Ordinance Book NN, Page 99

Next heard was Case No. 1850 to rezone Lot 1, NCB 13564 located northwest of the intersection of Vantage View Drive and Hillcrest Drive; and Lot 21, NCB 13564 located southwest of the intersection of Vantage View Drive and Hillcrest Drive; from "A" Residence District to "B" Residence District.

The Planning Director explained the proposed change which was recommended by the Zoning Commission.

Mr. Terry Anderson, applicant, stated he was developing the property and wanted it rezoned to "B" Residence to create an effective buffer from the heavy traffic that will develop due to the newly opened portion of Hillcrest which now runs from Fredericksburg Road to Bandera Road. He said he planned to build \$17,000 to \$22,000 homes on lots at Vantage View, but if the rezoning was denied he would have to build lower priced homes than originally intended.

Mr. William B. Lecznar, 4110 City View Drive, spokesman for property owners in the area, opposed the rezoning. He showed pictures of homes in the area costing from \$22,000 up to \$40,000. He said the property owners in opposition did not accidentally but in the area, as they all wanted to locate in a single family section. He said there has been other development on Hillcrest and none felt that "B" Residence zone was necessary. He felt traffic was not bad as it is controlled by stop signs. He felt that this was a request for spot-zoning.

Also speaking in opposition to the change were Colonel Paul Adkins, 4106 City View; Orville Anderson, City View and Hillcrest; Mrs. Robert Jones; and Mrs. Lecznar.

After a lengthy discussion of the merits of the case, Mr. Padilla moved that the recommendation of the Zoning Commission in Case No. 1850 be rejected and the rezoning denied. The motion seconded by Mr. de la Garza, carried by the following vote: AYES: McAllister, de la Garza, Rohlf, Kaufman, Gunstream, Gatti, Padilla and Parker; NAYS: None; ABSTAINED: Bremer; ABSENT: None.

Next heard was continued hearing from March 20th on Case No. 1846 to rezone the north 58.71' of Tract B, NCB 10737 located on the west side of S. W. W. White Road approximately 115' south of the cut-off to Rice Road, from "A" Residence District to "JJ" Commercial District.

The Planning Director briefed the proposed change which was recommended by the Zoning Commission.

Mr. Roscoe Johnson, attorney for the applicant, explained that the property was to be used for the sale of air-conditioning equipment and for minor repairs to the units with all repairs to be made within the building. There would be no outside storage in this operation. He said that under the Zoning Ordinance, "JJ" Zone was required in order to make the minor repairs to equipment. He showed a sketch of a 30' x 60' building to be erected and assured the Council there would be no outside storage.

Mrs. Hilda Taylor, 1409 S. W. W. White Road, owner of property which abutted the property

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in question on two sides, opposed the rezoning to "JJ" because of the uses that are allowed under it. She was not opposed to "F" Local Retail however.

After discussion of the matter, on motion of Mr. Bremer, seconded by Mr. Cunstream, Case No. 1846 was referred back to the Zoning Commission with the recommendation that it expedite the proposed new zoning ordinance and consider that a classification be established under "F" Local Retail that would allow minor repairs of equipment such as the case in question.

The motion carried by the following vote: AYES: McAllister, de la Garza, Rohlfs, Kaufman, Gunstream, Gatti, Paddilla, Parker and Bremer; NAYS: None; ABSENT: None.

Next heard was Case No. 1877 to rezone Lots 11 and 12, NCB 7223, located northwest of the intersection of W. Wildwood and Blanco Road, from "B" Residence District to "F" Local Retail District.

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

Mr. Fred Mayer, representing the applicant, Irving Mayer, explained that in making this appeal he was not asking for "F" Local Retail but now wanted "E" Office District which would not allow food, beer or any other type of retail business.

Speaking in opposition were Mr. David Cohen, 566 W. Mariposa, and Mr. Raymond Ezzell, who opposed any change other than "B".

Since the hearing before the Zoning Commission was for "F" Local Retail and not "E" Office, on motion of Mr. Kaufman, seconded by Mr. Rohlfs, Case No. 1877 was referred back to the Zoning Commission for study of "E" Office District. The motion carried by the following vote: AYES: McAllister, de la Garza, Rohlfs, Kaufman, Gunstream, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: None.

The following ordinances were explained by members of the Administrative Staff, and on motion made and duly seconded were passed and approved by the following vote: AYES: McAllister, de la Garza, Rohlfs, Kaufman, Gunstream, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: None.

AN ORDINANCE 31,273

AUTHORIZING THE NEW POSITION OF SUPERVISING VETERINARIAN IN THE MUNICIPAL CLASSIFICATION SYSTEM.

Full text in Ordinance Book NN, Page 99

AN ORDINANCE 31,274

AMENDING CHAPTER 4 OF THE CITY CODE TO PROHIBIT UNAUTHORIZED SALES OF GOODS OR SERVICES OR SOLICITING OR ADVERTISING THEIR SALE UPON CITY-OWNED AIRPORTS; AND PROVIDING THAT ANY VIOLATION HEREOF SHALL BE PUNISHED BY A FINE NOT TO EXCEED \$200.00.

Full text in Ordinance Book NN, Page 100

AN ORDINANCE 31,275

AUTHORIZING THE GRANTING OF A PERMIT TO THOME BROTHERS CATERING, INC., TO OPERATE

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AT INTERNATIONAL AIRPORT.

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Full text in Ordinance Book NN, Page 100

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City Attorney Crawford Reeder reviewed the hearing on Zoning Case No. 1642 considered by the City Council on October 17, 1962, to rezone Lot 20, NCB 2768 located on the north side of Rosewood Avenue, approximately 84' east of Fredericksburg Road from "B" Residence District to "F" Local Retail District. He stated that the Zoning Commission had recommended "E" Office District instead of "F" Zone. The Council denied the request for "F" Local Retail and then considered the recommended action of the Zoning Commission to rezone the property to "E" Office. A protest petition having been filed against any change in zone, he had advised the Council that it would take seven (7) affirmative votes to rezone the property to "E" Office. This advice was in error, as the petition had not been properly acknowledged as required by the Zoning Ordinance, and in fact, needed only five (5) affirmative votes to rezone to "E" Office. The motion to rezone to "E" Office, having received five (5) affirmative votes, then in fact rezoned the property though it was ruled that the rezoning was denied for failure to receive seven (7) affirmative votes. He asked the Council to take action to correct the error made at that time.

The Council felt that the error should be corrected but that the people that appeared in opposition at the time of the hearing should be notified of the Council's intent to do so. The City Attorney was instructed to notify the people that the Council would take the necessary action to correct the error in Case No. 1642 after its May 1st meeting.

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Mr. Rector A. Hoyle and Mr. Kristjen Bredvad congratulated the Council on the outcome of the recent election.

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After completion of the required canvass of the run-off election, on motion of Mr. Bremer, seconded by Dr. Parker, the following ordinance was passed and approved by the following vote: AYES: McAllister, de la Garza, Rohlf, Kaufman, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: Gunstream.

AN ORDINANCE 31,276

DECLARING THE STATEMENT OF CANVASS AND THE RESULT OF MUNICIPAL RUN-OFF ELECTION HELD ON THE 16TH DAY OF APRIL, 1963. (CLAUS H. ROHLFS ELECTED FOR TWO YEAR TERM BEGINNING MAY 1, 1963.)

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Full text in Ordinance Book NN, Page 102

The Clerk read the following letter:

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

Gentlemen:

The following petitions were received and forwarded to the proper departments for any indicated action.

- 4-10-63 Petition filed by Van Buren and Company, Inc., requesting a permit for a 7-foot cedar basketweave type fence at 142 Ravenhill.
- 4-10-63 Petition filed by Mrs. Katherine Sinclair, 316 Topeka, bearing signatures of 88 citizens requesting the City to pass an ordinance banning the unsupervised setting of animal steel traps within the corporate limits of the city.

Sincerely,

/s/ J. H. Inselmann
City Clerk

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There being no further business, the meeting adjourned.
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A P P R O V E D :


MAYOR

A T T E S T :


City Clerk