

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, MAY 6, 1965, 8:30 A.M.

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65-430 The invocation was given by The Most Reverend Stephen A. Leven, Bishop, Catholic Archdiocese of San Antonio.

65-430 The City Clerk then called on the Honorable Carlos C. Cadena, Associate Justice, Fourth Court of Civil Appeals, who administered the Oath of Office to the Members of the City Council.

A quorum being present, the City Clerk called the meeting to order, with the following members present: McALLISTER, JONES, CALDERON, TREVINO, COCKRELL, JAMES, PARKER and BREMER; ABSENT: GATTI.

The City Clerk informed the Council a motion was in order to designate a Presiding Officer with the title of Mayor. Councilman Bremer read the following resolution and moved its adoption by acclamation. Seconded by Mr. Jones, the resolution was adopted by unanimous vote.

65-431

A RESOLUTION

DESIGNATING WALTER W. McALLISTER, SR. AS THE PRESIDING OFFICER OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO AND CONFERRING UPON HIM THE TITLE OF MAYOR AND PROVIDING THAT HE SHALL SERVE AS SUCH DURING THE PLEASURE OF THE SAID CITY COUNCIL.

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Honorable Carlos C. Cadena then administered the Oath of Office to Mayor McAllister, after which the Mayor took the gavel and presided over the meeting.

The Mayor then stated the next item of business was for the Council to designate a Mayor Pro-Tem.

Councilman Calderon read the following resolution and moved its adoption by acclamation. Seconded by Dr. Parker, the resolution was adopted by unanimous vote.

65-432

A RESOLUTION

DESIGNATING JOHN GATTI AS MAYOR PRO-TEM OF THE CITY OF SAN ANTONIO TO SERVE DURING THE PLEASURE OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO.

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65-432 The Mayor announced that since Mr. Gatti was unable to be present at the meeting, the Oath of Office would be administered to him at a later date.

65-432 Mr. Harold Herndon, Chairman of the Good Government League, spoke briefly congratulating the new City Council and wished them well in their endeavors.

Also congratulating the new City Council and wishing them well was Mr. George de la Garza, former Councilman.

65-433 First zoning case heard was Case No. 2423, to rezone Lot 7, Blk 49, NCB 348, located on the north side of W. Laurel Street 95' west of Duffield Street from "D" Apartment District to "J" Commercial District.

Assistant Planning Director Burt Lawrence explained the proposed change in zone which was recommended for approval by the Planning Commission.

No one spoke in opposition to the change.

On motion of Dr. Calderon, seconded by Mr. Jones, the recommendation of the Planning Commission was approved by passage of the following ordinance by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Trevino, Parker and Bremer; NAYS: None; ABSENT: Gatti.

AN ORDINANCE 33,254

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 7, BLK 49, NCB 348 FROM "D" APARTMENT DISTRICT TO "J" COMMERCIAL DISTRICT.

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Next heard was Case No. 2404, to rezone Lot 22, NCB 12572, located on the east side of N. New Braunfels Avenue 735.82' north of I. H. 410, from "B" Residence District to "JJ" Commercial District.

Assistant Planning Director Burt Lawrence briefed the Council on the proposed change in zone which was recommended for approval by the Planning Commission.

No one spoke in opposition to the change.

On motion of Mrs. Cockrell, seconded by Dr. Calderon, the recommendation of the Planning Commission was approved by passage of the following ordinance by the following vote: AYES: McAllister, Jones, Calderon, James, Cockrell, Trevino, Parker and Bremer; NAYS: None; ABSENT: Gatti.

65-434

AN ORDINANCE 33,255

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 22, NCB 12572 FROM "B" RESIDENCE DISTRICT TO "JJ" COMMERCIAL DISTRICT.

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Next heard was Case No. 2371, to rezone Lot 1A, NCB 11261, located southwest of the intersection of McArthur Avenue and Somerset Road, from "B" Residence District to "J" Commercial District.

Assistant Planning Director Burt Lawrence briefed the Council on the proposed change in zone which was recommended for approval by the Planning Commission.

No one spoke in opposition to the change.

On motion of Dr. Calderon, seconded by Mr. Jones, the recommendation of the Planning Commission was approved by passage of the following ordinance by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Trevino, Parker and Bremer; NAYS: None; ABSENT: Gatti.

65-435

AN ORDINANCE 33,256

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 1A, NCB 11261, FROM "B" RESIDENCE DISTRICT TO "J" COMMERCIAL DISTRICT.

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Next heard was Case No. 2331, to rezone the east 50' of Lot 27, Blk 2, NCB 1706 located on the north side of E. Craig Place 133.88' east of North Main Avenue, from "D" Apartment District to "E" Office District.

Assistant Planning Director Burt Lawrence briefed the Council on the proposed change which was recommended for approval by the Planning Commission.

No one spoke in opposition to the change.

On motion of Mr. Bremer, seconded by Dr. Parker, the recommendation of the Planning Commission was approved by passage of the following ordinance by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Trevino, Parker and Bremer; NAYS: None; ABSENT: Gatti.

AN ORDINANCE 33,257

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 THE EAST 50' OF LOT 27, BLK 2, NCB 1706 FROM "D" APARTMENT DISTRICT TO "E" OFFICE DISTRICT.

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65-437 Next heard was Case No. 2398, to rezone Lot 3, NCB 9277, located on the east side of Acme Road 80.36' south of Prosperity Drive, from "C" Residence District to "F" Local Retail District.

Assistant Planning Director Burt Lawrence briefed the Council on the proposed change in zone which was recommended for approval by the Planning Commission.

Mr. Bremer asked the City Attorney if "F" zone is required in this case since the applicant was going to remove the wheels from the trailer and put it on a brick foundation, thus becoming real property.

The City Attorney stated he is studying the question of whether trailers that are permanently attached to some type of foundation actually require an "F" zone or whether a residential district is sufficient for the purpose under consideration.

After further discussion by the Council, Mr. Bremer moved that this case be postponed one week and then perhaps a permit could be issued rather than a change in zone from "C" Residence District to "F" Local Retail District depending on the City Attorney's findings. The motion was seconded by Dr. Parker and Case No. 2398 was postponed one week, the vote being as follows: AYES: McAllister, Calderon, Jones, James, Cockrell, Trevino, Parker and Bremer; NAYS: None; ABSENT: Gatti.

65-438 Next heard was Case No. 2429, to rezone Lots C, E, H and I, NCB 10102 and Lots 8, 9, 10, 11, 12 and 13, NCB 10101, located on the west side of San Pedro Avenue extending from a point 349' north of the cutback to Jackson Keller Road to a point 382' south of the cutback to Oblate Drive, from "B" Residence District and "D" Apartment District to "F" Local Retail District.

Assistant Planning Director Burt Lawrence briefed the Council on the proposed change which was recommended for approval by the Planning Commission.

Mr. C. W. Fenstermaker, representing the applicants, asked the Council to grant a postponement as the Attorney for the applicants had been called out of town.

Mrs. Joe T. Kenny, one of the opponents to the proposed rezoning, objected to a delay or postponement.

65-438 It was the consensus of the Council that the case be heard at this time.

Mr. Fenstermaker, who represented the applicants, stated the entire length of San Pedro Avenue is strictly business district and that the applicants were willing to put any type of fence at the rear of the property in order to protect the residences that back up to the subject property.

Mr. De Verne R. Kittles, Architect, representing Mr. C. Sandoval, who owns Lot 10, NCB 10101, stated if the property was rezoned to "F" Local Retail, it was the desire of his client to reconstruct the present structure in order to sell the property to a TV Repair and Sales Company. He also stated that the present wooden frame structure would be renovated into a plaster or stucco structure, and a six foot wooden fence would be erected at the rear of the property to protect the residential area adjoining the back of the property.

Mr. Sandoval, owner of Lot 10, NCB 10101, stated there was too much traffic on San Pedro Avenue to say that this was strictly residential property.

Mr. Richard J. Woods, Mrs. Madrid, Mr. W. F. Harding and Mrs. Thomas, all opposed the rezoning of the property to "F" Local Retail District.

Mrs. Joe T. Kenny, representing the Shearer Hills Association and Mrs. Schaefer, reviewed the past history of the attempts to rezone the property on San Pedro in this area. She also presented a protest petition and stated she realized that due to progress they would have to reach an agreement to a different zoning classification and she was in a position to say that her associates would accept "E" Office District.

After discussion by the Council, Dr. Parker made a motion to deny rezoning of the subject property. The motion was seconded. However, after further discussion, Dr. Parker amended his motion to rezone Lot 10, NCB 10101 to "E" Office District and deny rezoning the balance of the property. Mrs. Cockrell seconded, and the motion failed to carry the necessary seven affirmative votes, the vote being as follows: AYES: McAllister, Calderon, Cockrell, Trevino, Parker and Bremer; NAYS: Jones and James; ABSENT: Gatti.

Mr. Bremer then moved, seconded by Dr. Parker, to reconsider the previous motion which did not prevail. This motion prevailed by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Trevino, Parker and Bremer; NAYS: None; ABSENT: Gatti.

The Mayor then explained that the motion by Mr. Bremer voided the action of the first motion, and that a motion was in order to consider rezoning Lot 10, NCB 10101, as a separate motion.

Mr. Bremer made a motion to rezone Lot 10, NCB 10101 from "B" Residence District to "E" Office District. Seconded by Dr. Parker, the motion prevailed, carrying with it passage of the following ordinance, the vote being as follows: AYES: McAllister, Calderon, Cockrell, Trevino, Parker, Jones, James and Bremer; NAYS: None; ABSENT: Gatti.

65-438

AN ORDINANCE 33,258

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

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LOT 10, NCB 10101 FROM "B" RESIDENCE DISTRICT TO "E" OFFICE DISTRICT.  
\* \* \* \* \*

After further discussion, Dr. Parker made a motion to deny rezoning of the remainder of the property, being Lots C, E, H, and I, NCB 10102 and Lots 8, 9, 11, 12 and 13, NCB 10101 from "B" Residence District and "D" Apartment District to "F" Local Retail District. The motion was seconded by Dr. Calderon, and prevailed by the following vote: AYES: McAllister, Calderon, Cockrell, Trevino, Parker and Bremer; NAYS: Jones and James; ABSENT: Gatti.

65-439 Next heard was Case No. 2354, to rezone Lots 1 and 2, NCB 3264, located southwest of the intersection of Summit Avenue and San Pedro Avenue, from "A" Residence District to "D" Apartment District.

Assistant Planning Director Burt Lawrence briefed the Council on the proposed change which was recommended for approval by the Planning Commission.

Mr. Ralph Langley, Attorney for the applicants, explained the plans to operate a womans clinic that would be a brick structure and the grounds completely landscaped, with off-street parking having double the number of required parking places required by the Planning Commission.

Mr. Harvey Smith, Architect, showed the Council the plans for the clinic, explained how the structure would be in keeping with the neighborhood, and the entire parking lot would not create a traffic hazard for entering or leaving. He stated the building would be approximately 50' x 75' and have two stories.

Mrs. Hunt, 321 W. Summit, speaking for herself, Dr. Hausmann and Mr. Clyde Law, and the entire neighborhood, objected to the proposed clinic and opposed the rezoning as this was a residential neighborhood and she was afraid the traffic generated by the clinic would cause many problems.

Mr. Jess Young, Attorney, opposed the rezoning stating that the present plans were that only two doctors would operate the clinic, but the proposed operation indicates that there could be as many as five or six doctors at the clinic.

After further discussion, on motion of Mr. Jones, seconded by Dr. Calderon, the recommendation of the Planning Commission was approved by passage of the following ordinance by the following vote: AYES: Calderon, Jones, James, Trevino and Bremer, NAYS: McAllister, Cockrell and Parker; ABSENT: Gatti.

65-439 AN ORDINANCE 33,259

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 AND 2, NCB 3264 FROM "A" RESIDENCE DISTRICT TO "D" APARTMENT DISTRICT.  
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65-440 Next heard was Case No. 2389, to rezone 2.281 acres out of Tract 11E, NCB 12051, generally described as being located southwest of the intersection of Sandau Road and Isom Road, and described by field notes in the proposed ordinance, from "A" Residence District to "J" Commercial District.

Mr. Quentin Stansell, representing Mr. W. L. Boldt, displayed pictures of the area involved which was located at the end of the jet runway west of City owned property. He explained that due to the noise of taxing of various

planes, this area was not suitable for residential use of any type. His client, Mr. Boldt, a contractor, plans to build an office building and use the ground area for storage of construction materials.

Mrs. E. Owens, 955 Isom Road, spoke in favor of the rezoning, stating that since the expansion of the airport, property in this area has deteriorated to such an extent that anyone looking at it would be glad to have it rezoned for other uses than residential.

After discussion by the Council, Mr. Bremer made a motion that the recommendation of the Planning Commission be changed from "J" Commercial District to "JJ" Commercial District in order to provide a more restrictive use, and the property be rezoned to "JJ" Commercial District. The motion, seconded by Dr. Parker, was approved by passage of the following ordinance, the vote being as follows: AYES: McAllister, Jones, James, Cockrell, Trevino, Parker and Bremer; NAYS: None; ABSENT: Calderon and Gatti.

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AN ORDINANCE 33,260

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 2.281 ACRES OUT OF TRACT 11E, NCB 12051 FROM "A" RESIDENCE DISTRICT TO "JJ" COMMERCIAL DISTRICT.

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65-441 Next heard was Case No. 2421, to rezone Lots 1-8 inclusive, Blk 9, NCB 12318, located on the south side of Culebra Avenue between Benrus Blvd. and Griggs Avenue, from "C" Residence District to "F" Local Retail District.

Assistant Planning Director Burt Lawrence briefed the Council on the proposed change which the Planning Commission recommended be denied by the City Council.

Mr. Zertuchi, Attorney for the applicant, Mr. David M. Palos, stated "F" Local Retail District was necessary in order to allow his client the opportunity to erect a small neighborhood shopping center for the benefit of the residents in the Loma Terrace Area.

Mr. Arthur Rodriguez, Architect, showed pictures of the proposed structure.

Mr. Carlos Molina opposed the rezoning based on the legality of an agreement the owner was going to make with him. The agreement would prohibit leasing or renting any portion of the structure as a beer outlet.

Mr. Zertuchi promised that his client would honor this agreement and have it recorded as a deed restriction.

Mr. Molina was advised to consult with his attorney.

Mr. Bremer made a motion to postpone action on this case for two weeks so the parties concerned could get together. The motion was seconded by Dr. Calderon, and the two weeks postponement was approved by the following vote: AYES: McAllister, Calderon, James, Cockrell, Trevino, Parker and Bremer; NAYS: None; ABSENT: Jones and Gatti.

65-442 Last heard was Case No. 2409, to rezone Lots 10, 11 and 23, Blk 47, NCB 7961, located on the west side of S. Zarzamora Street between Fitch Avenue and Milvid Avenue, from "B" Residence District to "F" Local Retail District.

Assistant Planning Director Burt Lawrence briefed the Council on the

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proposed change which the Planning Commission recommended be denied by the City Council.

Mr. Segovia, applicant, stated he has ceased operating commercially, but would like to have "F" Local Retail District because he felt it was beneficial to the use of the land. This zone exists on the same side of the street just two blocks north.

Mr. R. Nira, 1915 Fitch St., and Mrs. Alvarado, 1908 Fitch St., opposed any change in zone because this was a residential area and their children might suffer from a commercial zone.

After further discussion, Dr. Calderon moved that the recommendation of the Planning Commission be upheld, and the rezoning denied. Seconded by Mr. Jones, the motion carried by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Trevino, Parker and Bremer; NAYS: None; ABSENT: Gatti.

65-443 Dr. Parker stated the Committee appointed by the Mayor to investigate the petition of Traders By-Products, Inc., had completed its study and were prepared to recommend denying a permit. He then asked the Clerk to read the following ordinance:

AN ORDINANCE 33,261

DENYING A PERMIT TO TRADER'S BY-PRODUCTS, INC. FOR A CONCRETE SLAB TO INSTALL TWO TALLOW TANKS AND DIRECTING THE CITY ATTORNEY TO ENFORCE REMOVAL OF THESE FACILITIES; ALSO AUTHORIZING RETENTION OF A SECOND CONCRETE SLAB TO IMPROVE SANITARY CONDITIONS ON THE PREMISES.

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On motion of Dr. Parker, seconded by Dr. Calderon, the ordinance was passed and approved by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Trevino, Parker and Bremer; NAYS: None; ABSENT: Gatti.

Dr. Parker then suggested the Health Department study the needs in the operation of a rendering plant in general. Assistant City Manager Henckel replied that this is being done at the present time by letter.

Mr. Ernest Allison, President of Trader's By-Products, Inc., stated he had possibly asked for this action, as he was of the opinion he would not need to have approval to expand his operation as it was already zoned for a rendering plant.

Dr. Parker then suggested that he meet with the Health Department Board, and perhaps such meeting would not only help Mr. Allison but would help the City.

65-430 Mr. Jack Lee, a student majoring in Government at San Antonio College, invited the members of the City Council to attend the public meeting to be held May 6, 7:30 P.M. at Wonderland Town Hall, regarding the redistricting of Bexar County.

The Clerk read the following letter:

MAY 6 1965

May 6, 1965

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

Gentlemen and Madam:

The following petitions were received and forwarded to the Office of the City Manager for investigation and report to the City Council.

65-444-30-65 Petition of Mr. Soilo Castoreno and other residents in the vicinity of the 300 block of Nock Street, requesting the City to gravel the street and correct the drainage condition in that area.

65-444-3-65 Petition of Shearer Hills Baptist Church, requesting the City Council to grant permission to erect a wire net fence 29 feet in height along the boundary of its property located at Oblate and Dellwood.

Sincerely,

/s/ J. H. Inselmann  
City Clerk

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



M A Y O R

ATTEST:

  
City Clerk

MAY 6 1965