

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, DECEMBER 19, 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, JONES, KAUFMAN, COCKRELL, GATTI, PADILLA, PARKER and BREMER.

The invocation was given by Reverend Calvin Froehner, Minister, Alamo Heights Methodist Church.

Minutes of the previous meeting were approved.

First item of business taken up was Zoning Case No. 2029, to rezone Lot 13, Blk 2, NCB 8963, bounded on the north by Division Avenue, on the south by Vermont Street, on the east by I. H. 35 Expressway, and on the west by Bruhn Street, from "B" Residence District to "F" Local Retail District.

Planning Director Taylor explained the proposed change which was recommended by the Planning Commission. No one spoke in opposition to the change.

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

AN ORDINANCE 31,979

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 13, BLK 2, NCB 8963 FROM "B" RESIDENCE DISTRICT TO "F" LOCAL RETAIL DISTRICT.

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Full text in Ordinance Book NN, Page 614

Next heard was Case No. 2050, to rezone Lot 17, Blk 12, NCB 2950, located on the north side of Waleetka Street 150' west of South Gevers Street, from "B" Residence District to "F" Local Retail District.

The Planning Director explained the proposed change which was recommended by the Planning Commission. No one spoke in opposition to the change.

On motion of Mr. Kaufman, seconded by Mr. de la Garza, the recommendation of the Planning Commission was approved by passage of the following ordinance, by the following vote: AYES: McAllister, de la Garza, Kaufman, Cockrell, Padilla, Parker and Bremer; ABSENT: Jones; ABSTAINED: Gatti.

AN ORDINANCE 31,980

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 17, BLK 12, NCB 2950 FROM "B" RESIDENCE DISTRICT TO "F" LOCAL RETAIL DISTRICT.

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Full text in Ordinance Book NN, Page 614

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Next heard was Case No. 2000, to rezone the east 200' of Lot 10, NCB 12098, located on the west side of Broadway, 5039.4' northeast of Loop 410, from "B" Residence District to "E" Office District; and Lot 10, NCB 12098 save and except the east 200' located 200' west of Broadway, 5039.4' northeast of Loop 410, from "B" Residence District to "J" Commercial District.

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

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

AN ORDINANCE 31,981

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 200' OF LOT 10, NCB 12098 FROM "B" RESIDENCE DISTRICT TO "E" OFFICE DISTRICT; AND LOT 10, NCB 12098 SAVE AND EXCEPT THE EAST 200' FROM "B" RESIDENCE DISTRICT TO "J" COMMERCIAL DISTRICT.

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Full text in Ordinance Book NN, Page 615

Next heard was Case No. 2049, to rezone Lot 30, NCB 10110, located on the south side of Nova Mae Drive, 250' northwest of San Pedro Avenue, from "B" Residence District to "D" Apartment District.

The Planning Director explained the proposed change, which was recommended by the Planning Commission. No one spoke in opposition.

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

AN ORDINANCE 31,982

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 30, NCB 10110 FROM "B" RESIDENCE DISTRICT TO "D" APARTMENT DISTRICT.

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Full text in Ordinance Book NN, Page 615

Next heard was Case No. 2052, to rezone Lots 21, 22 and 35, NCB 1956, located on the south side of Huisache Avenue, 102' east of Elmendorf Street, from "B" Residence District to "D" Apartment District.

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

On motion of Mr. Gatti, seconded by Mr. Padilla, the recommendation of the Planning Commission was approved by passage of the following ordinance by the following vote: AYES: McAllister, de la Garza, Jones, Kaufman, Cockrell, Gatti, Padilla, Parker and Bremer; NAYS:

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None; ABSENT: None.

AN ORDINANCE 31,983

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 21, 22 AND 35, NCB 1956 FROM "B" RESIDENCE DISTRICT TO "D" APARTMENT DISTRICT.

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Full text in Ordinance Book NN, Page 616

Next heard was Case No. 2056, to rezone the south 100' of Lot 40 (lot 1,) NCB 11880, located northwest of the intersection of Lawndale Drive and Broadway, from "E" Office District to "F" Local Retail District; and the North 100' of Lot 40 (lot 2) NCB 11880, located on the west side of Broadway 100' north of Lawndale Drive, from "E" Office District to "JJ" Commercial District.

The Planning Director explained that the Planning Commission recommended that this application be denied, however, the applicant has withdrawn the request for "JJ" Commercial District, and are now asking that all of Lot 40 be rezoned from "E" Office District to "F" Local Retail District.

Mr. Stanley Rosenberg, attorney representing Crown Hill Homes, Inc., stated that they had originally asked for "F" Local Retail District on part of the property and "JJ" Commercial on part. After the hearing before the Planning Commission, they agreed to reduce the application to "F" Local Retail District. Only 6 of the 9 members of the Planning Commission were present, 4 voting in favor and 2 voting in opposition. In the absence of the other members it was difficult to get the application approved. He said the adjacent property to the North has been rezoned to "JJ" Commercial District. They intend to build an office building and need "F" Local Retail District because certain of the tenants will have showrooms and displays which will require the "F" Zoning. Of the three neighbors absent, one had advised him that he was no longer in opposition since he had withdrawn his request for "JJ" zone. No storage materials would be allowed under "F" zone, which was the main objection by the neighbors. He presented plans for the proposed office building and asked the council to rezone all of Lot 40 to "F" Local Retail District.

Reverend Robert Beatty, of Broadway Baptist Temple, stated he had a petition signed by 30 members of the church in opposition to the original application which would allow storage of building materials. While he personally saw no objection to the plans for the office building as presented, they would, of course, prefer it to remain "E" Office District.

Mr. Lloyd A. Denton, one of the applicants, stated that 4000 of 5000 square feet of space has already been leased, and they are asking for "F" zone in order that displays and showrooms can be maintained. He said architects have already been commissioned to draw plans for the building as presented.

After further consideration of the request, Mr. Gatti moved that the recommendation of the Planning Commission be overruled and that all of Lot 40, NCB 11880 be rezoned to "F" Local Retail District. Seconded by Mr. Jones, the motion, carrying with it the passage of the

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following ordinance, prevailed, the vote being as follows: AYES: McAllister, de la Garza, Jones, Kaufman, Cockrell, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: None.

AN ORDINANCE 31,984

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 40, NCB 11880 FROM "E" OFFICE DISTRICT TO "F" LOCAL RETAIL DISTRICT.

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Full text in Ordinance Book NN, Page 616

Next heard was Case No. 2014, to consider final action to rezone Lot 4, NCB 619, located on the south side of Wyoming Street, 160.35' east of So. Olive Street, from "D" Apartment District to "F" Local Retail District. The hearing on this case was held on December 5, and final action postponed in order for the City to consider making an adjustment to the ordinance governing home occupations to include one-operator beauty shops.

The Planning Director informed the Council that the Planning Commission had considered an amendment to the ordinance covering home occupations on December 18th, and recommended to deny any change or amendment to the zoning ordinance permitting a beauty shop as a home occupation for various reasons.

After discussion of the matter, Mr. de la Garza moved that the Planning Commission be overruled and the property be rezoned to "F" Local Retail District. The motion was seconded by Mr. Padilla. On roll call the motion failed and the rezoning was denied, the vote being as follows: AYES: de la Garza, and Padilla; NAYS: McAllister, Jones, Kaufman, Cockrell, Gatti, Parker and Bremer; ABSENT: None.

Last case heard was Case No. 1841 to consider final action to rezone Lot 7, NCB 12058, located on the north side of Heimer Road (Maltsberger Lane) approximately 713' east of San Pedro Avenue (U. S. Highway 281), from "A" Residence District to "F" Local Retail District. This case was continued from December 5, in order to negotiate an agreement with the applicant, Mr. Max G. Logsdon, for the purchase of land within the right of way for the proposed North Expressway.

Planning Director Steve Taylor explained that the Land Division was unable to reach an agreement for the purchase of the land. He said Mr. Logsdon was agreeable to delaying final action on this case until the purchase of the land was accomplished.

On motion of Mr. Bremer, seconded by Mr. Jones, Zoning Case No. 1841, was continued indefinitely. The motion carried by the following vote: AYES: McAllister, Jones, Kaufman, Cockrell, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: de la Garza.

Mayor McAllister read the following resolution.

A RESOLUTION

WHEREAS, the citizens of our City, State and Nation join with innumerable millions throughout the world in suffering a common loss and sharing a common grief in the death of our late President, John Fitzgerald Kennedy, Soon a month will have passed since an assassin's

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bullet ended his life and numbed our spirits. During this interval of time the people of the world have examined their consciences and aspirations, and have measured them against the stature of a noble President, concerned for human dignity, freedom, justice and peace, and

WHEREAS, the President of the United States, Lyndon B. Johnson, is speaking to the nation this Sunday when he addresses a great public assembly for an interreligious character at the Lincoln Memorial in Washington, and calls upon us all for rededication to the ideals of the late President, which are the fundamental ideals of our land, NOW, THEREFORE:

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

1. The City Council invites the citizens of our City to participate in a brief memorial service that will be held at the Alamo, the Cradle of Texas Liberty, Sunday at 5:00 PM. Those who can are asked each to bring a candle which will be kindled to symbolize the light, which shall break through the darkness of hatred, ignorance and ill-will wherever they may be found. We shall use this time of dedication to strengthen our courage and faith so that the life of John F. Kennedy and the examination of our souls may result in helpful deeds which alone can sustain and redeem.

2. PASSED AND APPROVED THIS 19th day of December, 1963.

/s/ W. W. McAllister

M a y o r

ATTEST: /s/ J. H. Inselmann
City Clerk

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On motion of Mr. Bremer, seconded by Mr. Kaufman, the resolution was passed and approved by unanimous vote of the Council.

Mr. Charles Butt, Vice President of H. E. B. Food Stores, stated that for several years it has been apparent that there are inadequate recreation facilities on the near West side. He said some 6 months ago he had presented to the City an offer of an interest-free loan for the purpose of constructing a pool at some location on the near West side. The offer has now been revised and H. E. B. Food Stores would give the City \$10,000 in cash and he personally would give \$5,000, making a total of \$15,000 for the purpose of locating a pool on the near West side. He also offered to make a \$60,000 interest free loan for the pool, repayment of such loan will be from the gross revenues before operating expenses are taken out. He asked the Council to consider this request for 1964.

Mr. Manuel Gonzales, representing the Community Welfare Council, said the Council was interested in recreation facilities for the whole city, but that facilities in the area bounded by Commerce, I. H. 410, Callaghan Road and Pleasanton Road, were totally inadequate. He said an investigation showed that 177,000 people live in this area in which there are 13 parks and recreational facilities, containing 193 acres - which broken down in only one acre for each 915 persons. He suggested that Casiano Park on the near West side would be a good location for a swimming pool.

Assistant City Manager Dave Harner expressed appreciation for the generous offer, however, he had not had time to make a study of this revised plan, but would do so just as soon as

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possible.

The Mayor also expressed appreciation to Mr. Butt and to the Company for its generosity, and stated the Council would ask the Staff to expedite a report on the offer.

The Mayor informed those present that the City of San Antonio had been honored in that the young daughter of Councilwoman Mrs. Cockrell, Cathy Lynn Cockrell, was chosen Queen of the Black and White Ball.

Mrs. Leota Mowers, 803 Cincinnati Avenue, complained to the Council that the City is suing her for delinquent taxes owed. She stated that she had not paid taxes since 1938. She gave various reasons for being unable to pay the taxes and asked the Council to remit same.

The Mayor informed her that the City cannot remit taxes. Discussion revealed that Mrs. Mowers owned three pieces of property, two of which were rezoned in the late 1940's. She also confirmed that she formerly owned 1600 acres of property which is now owned by her daughter.

Assistant City Manager Dave Harner was asked to submit a report on the matter.

Mr. Cy Garner, 13002 Nebraska, complained that a barbeque-restaurant business known as the Bamboo Inn, has been built across the street from him without a building permit which has devalued his property, and he asked the Council to take action in this matter.

The Council referred the complaint to Mr. George Vann, Director of Housing and Inspections.

Miss Katrina Wood and Mr. Alfred Featherstone asked the Council to reconsider and pass an ordinance prohibiting discrimination in places of public accommodation.

The City Manager made the following report on petitions received:

1. Petition filed by Mr. John H. Rowton and others, requesting the extension of Bernard Drive from the east end of Bernard Drive to Roosevelt Avenue, and the installation of sanitary sewers in the 1000 block of Bernard Drive on a participation basis.

Bernard Drive dead-ends 315' west of Roosevelt Avenue. It can only be improved by the property owners dedicating the necessary right of way by complying with the subdivision regulations which would require paving and curbing prior to the City's acceptance of the dedication. This petition for extension of sanitary sewers will serve as the owner's request for such extension under the provisions of the sewer extension policy.

Our investigation reveals there are sufficient residences to extend the sewer line at no cost to the property owners. The necessary processing is under way for the extension of this line.

2. An investigation has been made at 6630 San Pedro, as per the petition of Bud Jones Drive Inn, requesting permission to run an underground conduit from the building to a light post located in curblin by sidewalk, approximately 50 feet from light post to light post.

The staff has no objection, and therefore, approves the installation.

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The Clerk read the following letter:

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

Gentlemen and Madam:

The following petition was received and forwarded to the office of the City Manager for investigation and report to the City Council.

12-13-63 Petition filed by Mr. Burt L. Joiner, 353 Bluebonnet, requesting annexation to the City of San Antonio of parts of Lots 4, and 5, 15 and 16, Block 4, Holly Hills Estates, County Block 5132, containing 0.371 acres of land, so this land may be resubdivided into one lot, re-zoned and serviced with City utilities.

Sincerely,

/s/ J. H. Inelmann
City Clerk

- There being no further business to come before the Council, the meeting adjourned. -

A P P R O V E D :



M A Y O R

A T T E S T :


C i t y C l e r k