

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, OCTOBER 3, 1938, 8:30 A.M.

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The regular meeting of the City Council convened with the following members present:
DE LA GARZA, KAUFMAN, COCKRELL, PADILLA, and PARKER; ABSENT: McALLISTER, GATTI and BREMER.

Mr. Kaufman made a motion that in the absence of the Mayor and Mayor Pro-Tem, Mr. de la Garza be appointed Acting mayor to preside over the meeting. Seconded by Dr. Parker, the motion carried by the following vote: AYES: Jones, Kaufman, Cockrell, Padilla and Parker; ABSENT: McAllister, Gatti and Bremer; ABSTAINED: de la Garza.

The invocation was given by Councilman Robert C. Jones.

Minutes of the previous meeting were approved.

First zoning case considered was Case No. 1946 to rezone Lot 19, NCB 3138, located between the U. H. 35 Expressway and Stafford Avenue; 48.7' east of Tilden Avenue, from "C" Residence District to "J" Commercial District.

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

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

AN ORDINANCE 31,792

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 19, NCB 3138, FROM "C" RESIDENCE DISTRICT TO "J" COMMERCIAL DISTRICT.

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Full text in Ordinance Book NN, Page 469

Next case heard was No. 1970, to rezone Lot 14, NCB 12051, located on the south side of Sandau Road, approximately 1400' southeast of Highway 281 (San Pedro Avenue) from "A" Residence District to "F" Local Retail District.

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

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

AN ORDINANCE 31,793

AMENDING SECTION 2 OF AN ORDINANCE ENTITLED "AN ORDINANCE ESTABLISHING ZONING

October 3, 1963

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 14, NCB 12051 FROM "A" RESIDENCE DISTRICT TO "F" LOCAL RETAIL DISTRICT.

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Full text in Ordinance Book NN, Page 469

Next heard was Case No. 1975 to rezone Lot 21, NCB 7217, save and except the north 70' of the west 40' of this lot, located southwest of the intersection of Edison Drive and Blanco Road, from "B" Residence District to "E" Office District.

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

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

AN ORDINANCE 31,794

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 21, NCB 7217 SAVE AND EXCEPT THE NORTH 70' OF THE WEST 40' OF THIS LOT, FROM "B" RESIDENCE DISTRICT TO "E" OFFICE DISTRICT.

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Full text in Ordinance Book NN, Page 470

Next heard was Case No. 1931 to rezone Lot 2, NCB 13500, located on the north side of I. H. 410, 696.98' east of Post Oak Lane, from "A" Residence District to "JJ" Commercial District; Lot 3, NCB 13500, located on the north side of I. H. 410, 1099.98' east of Post Oak Lane, and the South part of Lot 1, NCB 13500, described by field notes, located on the north side of I. H. 410, 496.98' east of Post Oak Lane, from "A" Residence District to "F" Local Retail District; and the North part of Lot 1, NCB 13500, described by field notes, located 750' north of I.H. 410, 246' east of Post Oak Lane and containing 2.555 acres in area, from "A" Residence District to "B" Residence District.

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

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

AN ORDINANCE 31,795

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 2, NCB 13500 FROM "A" RESIDENCE DISTRICT TO "JJ" COMMERCIAL DISTRICT, LOT 3, NCB 13500 FROM "A" RESIDENCE DISTRICT TO "F" LOCAL RETAIL DISTRICT; AND THE NORTH PART OF LOT 1, NCB 13500 CONTAINING 2.555 ACRES IN AREA FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT.

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Full text in Ordinance Book NN, Page 470

October 3, 1963

Case No. 1912 was next heard to rezone Lot 13, NCB 10353, located on the west side of Blanco Road, 290' north of Dresden Drive, from "B" Residence District to "F" Local Retail District; and Lot 14, NCB 10353, located on the west side of Blanco Road, 374.45' north of Dresden Drive, from "B" Residence District to "E" Office District.

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

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

AN ORDINANCE 31,796

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, NCB 10353 FROM "B" RESIDENCE DISTRICT TO "F" LOCAL RETAIL DISTRICT; AND NCB 10353 FROM "B" RESIDENCE DISTRICT TO "F" LOCAL RETAIL DISTRICT; AND LOT 14, NCB 10353 FROM "B" RESIDENCE DISTRICT TO "E" OFFICE DISTRICT.

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Full text in Ordinance Book NN, Page 471

Next case heard was Case No. 1950, to rezone, Lot 22, NCB 11684, save and except the west 300' thereof, located on the west side of West Avenue, 622.85' south of Wayside Drive, from "B" Residence District to "F" Local Retail District.

Planning Director Steve Taylor briefed the Council on the proposed change which was recommended by the Zoning Commission.

Mrs. Marguerite Crow, owner of the property in question stated she had contracted to sell the property to a soap detergent salesman who would live in this house and use it as an office. She said she was selling all of her property but the west 300' of Lot 22 was not being rezoned because of opposition of owners at the rear of the property, and was in accordance with the Zoning Commission's recommendation.

Mr. Ralph Pence, representing the Wesleyan Methodist Church said that he had no specific objection but wanted to know what is going to go on the property.

Planning Director Steve Taylor explained the proposed use which drew no objections.

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

AN ORDINANCE 31,797

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 11684 SAVE AND EXCEPT THE WEST 300' THEREOF FROM "B" RESIDENCE DISTRICT TO "F" LOCAL RETAIL DISTRICT.

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Full text in Ordinance Book NN, Page 472

October 3, 1963

The Zoning Commission recommended to the City Council that the request for change in zone in Case No. 1984 and Case No. 1992 be denied. Since only six members of the Council were present, and it would take at least seven affirmative votes to overrule the recommendation of the Zoning Commission in each case to rezone the property, the applicants were asked if they would consent to postpone the hearing until a later date when at least seven members of the Council were present. This being agreeable with the applicants, Mrs. Cockrell moved that Case No. 1984 and Case No. 1992, be postponed until the first available time that they could be placed on the docket. Seconded by Mr. Kaufman, the motion carried by the following vote: AYES: de la Garza, Jones, Kaufman, Cockrell, Padilla and Parker; NAYS: None; ABSENT: McAllister, Gatti and Bremer.

The City Manager presented a detailed report on the petition of Mrs. Udo Haarmann, 115 Sharon Drive, requesting the City to relocate an incinerator located on the Blessed Sacrament Church and School property. The Manager recommended the School Authorities be permitted to continue using the incinerator in its present location provided Fire Department instructions for its proper use are followed.

Fire Chief Milton Rogers reported that the incinerator does not violate any Code provision of the City.

No action was necessary on the part of the Council, and the City Clerk was instructed to advise the petitioners of the administrative action taken by the City.

The Council then considered the petition of Mr. Frank Siebenaler requesting a permit to erect an 11' fence between the property lines of 343 and 335 W. Gramercy Place.

Mr. John Hennessy, 335 W. Gramercy Place, a neighbor, stated he had no objections to a back-stop type of barrier provided that it is not placed on the existing fence. He could not see the reason for the barrier to be 50' in length.

With this information, Assistant City Manager Henckel, reported he felt the matter could be worked out agreeably.

Mr. Bill Levine, owner of Billy's Restaurant just outside Kelly Air Force Base, stated that when boys leave the military service and they ask him about the possibilities of remaining in San Antonio, he urges them to join the San Antonio Police Department. He said that he had read that 25 policemen had quit the City during the past year, and found that the policemen here get less pay than those in Dallas, Houston, Fort Worth and El Paso. He asked that consideration be given to bring the pay of policemen to a level where they would not have to look for extra jobs. He also felt that consideration should be given to allowing policemen to dress at home instead of having to change into their uniforms at the Police Station as this would give the public an opportunity to see our policemen in uniform at least 1000 additional hours a day.

Mr. Stephan Harvasty, Chairman of the Citizens Committee Against Fluoridation, asked that Mrs. Cockrell disqualify herself from considering the question of fluoridation of the public water supply because her husband is Secretary of the Medical Society, which has endorsed fluoridation. He also asked that the Council request the City Water Board to investigate

October 3, 1963

and make a report on the corrosive effect of fluoridation on the water mains, which report should be entitled "Hazards of Fluoridation."

No action was taken on the request.

Mr. Maury Maverick, Jr. State Democratic Committeeman, urged the Council to pass a resolution for the repeal of the poll tax.

The request was taken under consideration.

Mr. Theodore Gilmore, 1744 West Laurel, a Negro Government Postal employee, stated on October 2, 1963, he and Mrs. Gilmore were denied service at the Golden Derrick Restaurant in San Antonio. He requested that the City Council take action on this violation in accordance with Ordinance No. 649, passed October 30, 1941, which prohibits discrimination by establishments holding city licenses.

Mr. G. J. Sutton asked the Council to take action on the request made by Mr. Gilmore. He presented the Council with a copy of Ordinance No. 649 and stated that the ordinance included some Negroes, but leaves out others. He asked the Council to amend the ordinance to include all persons. He also asked the Council to dissolve the Committee on Discrimination in Privately-Owned but Publicly-Used Facilities, because the City now has a law and does not need this committee.

Mr. Billy Levine, Mr. Maury Maverick, Jr., Mr. Rector A. Hoyle and Mrs. Bessie H. Nious, all endorsed the passage of an ordinance prohibiting discrimination.

The matter was referred to the City Attorney for study.

Mr. Pete Vaca, Secretary of Alamo City Pop Warner Conference, on behalf of 1,000 boys participating in its football program, presented each member of the City Council with a Certificate making them Honorary Football Commissioners, and invited them to attend some of the games.

After a short recess, the meeting reconvened.

The Clerk read the following ordinance:

AN ORDINANCE 31,798

APPOINTING W. G. CUNNINGHAM AS A MEMBER OF THE BOARD OF EQUALIZATION FOR THE TAX YEAR 1963.

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Full text in Ordinance Book NN, Page 472

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

There being no further business, the meeting adjourned.

October 3, 1963

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