

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE CITY COUNCIL CHAMBER, CITY HALL,
WEDNESDAY, SEPTEMBER 5, 1962, 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, GATTI, PADILLA, PARKER and BREMER. ABSENT: Gunstream.

The invocation was given by Father Montoya, San Fernando Cathedral.

The minutes of the previous meeting were approved.

Mayor McAllister proclaimed the month of September as "Home Safety Month" and presented a copy of the proclamation to the delegation of Safety people, headed by Mr. Wayne Shinn, Regional Director of Home Safety, Texas Safety Association and Mr. Roy Akers, President of the Greater San Antonio Safety Council.

Scheduled Zoning Hearings were then taken up.

First heard was Case No. 1727 to rezone Lot 15, NCB 11693, located on the east side of Blanco Road, 1105.83' north of Weizman Drive, from "A" Residence District to "F" Local Retail District.

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

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

AN ORDINANCE 30,728

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 15, NCB 11693, FROM "A" RESIDENCE DISTRICT TO "F" LOCAL RETAIL DISTRICT.

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Full text in Ordinance Book MM, page 289

Next taken up was Case No. 1614 to rezone that portion of Lots 39 and 40, Blk 1, NCB 12811 inside the City of San Antonio which forms the corner east of the intersection of Babcock Road and Louis Pasteur Drive, from "A" Residence District to "D" Apartment District.

The Planning Director briefed the proposed change and explained that the Zoning Commission recommended that the property be rezoned to "D" Apartment District instead of "E" Office District as originally requested. He stated this was agreeable with the Applicant. No one spoke in opposition to the change.

On motion of Mr. de la Garza, seconded by Mr. Rohlfs, the recommendation of the Zoning Commission was approved by passage of the following ordinance by the following vote: AYES:

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McAllister, de la Garza, Rohlf, Kaufman, Gunstream, Padilla, Parker and Bremer; NAYS: None;
ABSENT: Gatti.

AN ORDINANCE 30,729

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 THAT PORTION OF LOTS 39 AND 40, BLK 1, NCB 12811, INSIDE THE CITY OF SAN ANTONIO FROM "A" RESIDENCE DISTRICT TO "D" APARTMENT DISTRICT.

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Full text in Ordinance Book MM, page 289

Case No. 1721 was taken up next, to rezone 176.14 acres out of NCB 10835, NCB 10838 and NCB 10848 located on the north and south sides of Burkedale, approximately 2340' east of Blackwood Avenue, from "A" Residence District to "C" Residence District.

Planning Director Steve Taylor explained that the application had been made in order to construct an 18 hole golf course and other facilities which change was recommended by the Zoning Commission subject to replatting of the property.

City Manager Jack Shelley asked the Council to hold a complete hearing at this time but withhold final action until the proper platting of the property is completed.

Mr. John Peace, Attorney representing the applicant, Burke Investment Company, stated he would explain the matter of financing and the problems involved, and need for prompt action on this case. On a map of Highland Hills area, he showed the location of the golf course which would cover 150 acres of the 176 acres requested to be rezoned. In addition to the 18 hole golf course, there would be a club house, swimming pool, tennis courts, putting greens and parking area for 270 automobiles. He remarked that architects stated this will be one of the most natural and beautiful golf courses in the country. Mr. Peace stated it would be a semi-public facility. The problem in this case he said is that the only ordinance that covers such a plan is the subdivision ordinance, which does not actually have a practical effect in this case. He further stated they could not finance the golf course with a general flood easement that is below the 571 foot high-water mark as the lending company will not loan money if there is an undefined flood easement outstanding where the City can come back at a later date and take up an easement and destroy the security for the money. 120 acres of the golf course falls below the 571 foot mark. He stated it was the same thing the City is doing at the Olmos Golf Course and no different from Willow Springs Golf Course. He stated that the golf course will not effect the course or the flow of the water, but would in fact increase and improve the drainage facilities in the area. The only question brought up is the possibility that some day in the future there might be a program to change the drainage or flow of the Salado Creek, Mr. Peace Stated, and a check has been made with the area conservation authority finding that all proposals for drainage in the next ten years are above San Antonio which projects would not effect this property. He said he felt that if someday the authority would decide to do something about the drainage, the City would have the same problem in the Olmos Golf Course. Mr. Peace stated there was no specific plans to divert or change the flow of Salado Creek, and in the meantime the citizens will be using the area and it would be a great asset to the City.

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As to the urgency for action, Mr. Peace pointed out that the architect will furnish a turn-key job and they have to give the architect an answer by October or it will be necessary to move his crews to another area. He asked the Council to grant the change in zone without a restrictive drainage easement because if this was required, the golf course could not be financed.

City Manager Jack Shelley stated that he had talked with Mr. Peace and Mr. E. J. Burke, Jr., and they had agreed to leave the proposal with his office and he would have a full recommendation to present to the Council next week.

After discussion of the matter, the Mayor declared that the hearing was closed and expressed hope that the negotiation of an easement could be satisfactorily arrived at. Final action on this case will be considered at the September 12th meeting.

Next heard was Case No. 1527 to rezone Lot 1, NCB 11140, located on the north side of Chavanaux Road 147.8' west of Strech Avenue, from "B" Residence District to "D" Apartment District.

The Planning Director explained that the Harlandale Memorial Post No. 4815, Veterans of Foreign Wars proposed to purchase the property and build a service center which would contain a club building, ball park and swimming pool.

There being opposition, the Applicant, Mr. G. C. Teague, Jr., was called upon to present his case, however, he was not present to do so.

Mr. M. D. Flowers, spokesman for the neighbors in the area who opposed the change, stated he could not see how the proposed development of the property would help the community, but would in fact be a detriment to it, and asked that the application be refused.

Also speaking in opposition were Mrs. H. M. Holt, who opposed the change because she had been informed that the VFW proposed to put in a dance hall; Mrs. L. F. Wainscott; Mr. Elmo G. Heinman; Mr. W. M. McAllister and Mr. A. R. Early.

After discussion of the merits of the case, Mr. Gatti moved that the recommendation of the Zoning Commission be overruled and the application for rezoning be denied. Seconded by Mr. Rohlfs, the motion carried by the following vote: AYES: McAllister, de la Garza, Rohlfs, Kaufman, Gunstream, Gatti, Padilla, Parker and Bremer.

Mr. Alvaro S. Baeza invited the Council and City Manager to Greet Doctor Amelia Samano Bishop, personal representative of Mexican President Lopes Mateos, during Mexican-American Friendship Week, when she arrives at International Airport on September 11th at 10:40 A. M.

Next Case heard was No. 1690 to rezone Lot 3, Blk 2, NCB 12336, located southwest of the intersection of Hunnicutt Drive and W. W. White Road, from "A" Residence District to "F" Local Retail District.

The Planning Director briefed the proposed change. No one spoke in opposition. On motion of Mr. de la Garza, seconded by Dr. Parker, the recommendation of the Zoning Commission to grant the change in zone was approved by passage of the following ordinance, the vote being as follows: AYES: McAllister, de la Garza, Rohlfs, Kaufman, Gunstream, Gatti, Padilla,

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Parker and Bremer; NAYS: None; ABSENT: None.

AN ORDINANCE 30,730

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 3, BLK 2, NCB 12336 FROM "A" RESIDENCE DISTRICT TO "F" LOCAL RETAIL DISTRICT.

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Full text in Ordinance Book MM, page 290

Next heard was Case No. 1733 to rezone Lot 17, NCB 9763, located northwest of the intersection of LaManda and Blanco Road, from "B" Residence District to "E" Office District.

The Planning Director briefed the proposed change which was recommended by the Zoning Commission. No one spoke in opposition to the change. On motion of Mr. Padilla, seconded by Mr. de la Garza, the recommendation of the Zoning Commission was approved by passage of the following ordinance by the following vote: AYES: McAllister, de la Garza, Kaufman, Gunstream, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: Rohlf's.

AN ORDINANCE 30,731

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, NCB 9763, FROM "B" RESIDENCE DISTRICT TO "E" OFFICE DISTRICT.

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Full text in Ordinance Book MM, page 290

Case No. 1718 was next heard, to rezone Lots 40 and 41, and that portion of Lots 42 and 43 not taken by I. H. 35 Expressway R.O.W., Blk 3, NCB 7645, located northeast of the intersection of Kendalia Avenue and I. H. 35 Expressway, 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. William Ferguson, Attorney representing the applicant, Mr. Hal J. Putman, stated he felt the property was suitable for a medical center, however, he asked that the case be sent back to the Zoning Commission to see if a "D" Zone could be agreed upon for a medical center. He felt it could be worked out and was willing to accept a "D" Zone instead of "F" Local Retail District as originally requested.

Mr. I. Y. Talamantes opposed any change that would allow any type of business as he planned to build a home on a lot across the street from this property.

Also opposing the change was Mr. Mireles, of 1066 Kendalia.

After discussion, on motion of Mr. Rohlf's, seconded by Mr. de la Garza, Case No. 1718 was referred back to the Zoning Commission for further study. The motion was passed by the following vote: AYES: McAllister, de la Garza, Rohlf's, Kaufman, Gunstream, Gatti, Parker and Bremer; NAYS: Padilla, ABSENT: None.

Dr. Mario Elizondo, representing Lulac Council No. 2 asked the Council to extend the

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closing time of LaVillita facilities on Saturday nights from 11:00 PM to 2:00 PM on Sunday.

The request was referred to the City Manager and Director of Parks and Recreation for study.

Dr. Eugene Haskell addressed the Council giving a background of the Lyric Theatre, Inc., which is bringing to San Antonio dancing groups from Japan and Mexico. He stated that performances in San Antonio are being held with the cooperation and backing of the School Superintendents of the San Antonio and Northeast School Districts, and invited the Council to attend the performances when they are held in San Antonio.

Next heard was Case No. 1719 to rezone Lot 30, NCB 12382, located northeast of the intersection of Judivan Drive and Glendora Avenue from "A" Residence District to "D" Apartment District.

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

On motion of Mr. Rohlf, 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, Gunstream, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: Kaufman.

AN ORDINANCE 30,732

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 12382 FROM "A" RESIDENCE DISTRICT TO "D" APARTMENT DISTRICT.

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Full text in Ordinance Book MM, page 291

Next heard was Case No. 1644 to rezone Lot 1, NCB 12852, located northeast of the intersection of Loop 13 and the proposed I. H. 37 Expressway, from "B" Residence District to "F" Local Retail District.

The Planning Director briefed the proposed change which was recommended by the Zoning Commission. He said the Commission further recommended that the applicant dedicate a 10' strip along the Southwest property line of this tract from NCB 10866 to Loop 13 if the Council required it.

Mr. John Peace, Attorney for the Burke Investment Company, explained the zoning request was made in order to build a high-class mobil home park. He said they had provided for a 20 foot buffer area which will be a screened area along Pickwell between Manchester and Devon. A 40 foot drainage ROW to drain the area has also been provided in the plat. Plans call for a clubhouse and swimming pool to be built on the property and at a later date a motel on a portion of it. It would be a self contained unit as all streets will be interior streets. Residents of this type of operation would be semi-permanent as the national average occupancy is 27 months. The area would be beautified so that it would be an asset to the community. To the questions asked by the Council, Mr. Peace stated the only dedication was the 40' drainage ROW and they also proposed to install proper screening on Pickwell and along the proposed Expressway.

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Mr. E. J. Burke, Jr., testified that the State has no plans for an access road to the property. In studying land uses, it was determined that this mobile home park was the most feasible use. He felt the rezoning of the property would not effect property values.

Mr. Charles Matheson, representing the Fairlawn Civic League, protested the proposed change. He stated that no one in the area was in favor of it and had filed a petition signed by residents in the area against the change. They had nothing against trailer courts, but was against it being located at this location. He felt it would be a detriment to the area and had no confidence that the developer would do what he proposed. He also objected to the extension of Pickwell Street from the Cul-de-Sac north to where it deadends south of Devon, as it would bring the traffic from the trailer park through the residential section. He asked the Council to deny the change.

City Attorney Reeder expressed the opinion that the petition filed by Mr. Matheson was proper as to form but would not meet legal requirements of the Zoning Ordinance, and that five affirmative votes would be required to rezone the property instead of seven if the petition had been sufficient.

Planning Director Taylor explained that in order to operate a mobile home park the property must have an "F" Zone. He stated that the Planning Staff had approved the proposed use, but had suggested a buffer zone of duplexes for the lots on Pickwell.

After a lengthy discussion of the case, on motion of Mr. Premer, seconded by Mr. Padilla, the recommendation of the Zoning Commission to rezone the property was approved by passage of the following ordinance, the vote being as follows: AYES: de la Garza, Rohlf, Kaufman, Gunstream, Gatti, Padilla and Bremer; NAYS: McAllister and Parker; ABSENT: None.

AN ORDINANCE 30,733

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 1, NCB 12852 FROM "B" RESIDENCE DISTRICT TO "F" LOCAL RETAIL DISTRICT.

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Full text in Ordinance Book MM, page 291

Last Zoning Case heard was Case No. 1675 to rezone Lot 6, Blk 3, NCB 10375, located northeast of the intersection of I.H. 10 Expressway and Vance Jackson Road, from "A" Residence District to "F" Local Retail District.

The Planning Director briefed the proposed change which the Zoning Commission had on two occasions heard the case, and recommended that the rezoning be denied.

Mr. Charles Duke, representing the applicants, Robertson Brothers, stated that application had been made for the whole property but the request had been amended to leave a buffer zone of 125' in "A" Residence District between the requested "F" and the developed properties to the north. The "F" zone would be used for a highclass Sinclair service station. He showed the original 1952 plat, of Greenlawn Terrace, which showed the property was reserved for "F" Local Retail use. He gave a history of the development of the area and of zoning in the area which showed that since development started, the Expressway had been built and rendered the property unsuitable for residential development. The City purchased adjacent property for a fire

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station and library. The property across the street on Vance Jackson was zoned "F" and when developed, would be far more detrimental than what was proposed by them. He stated that the Zoning Commission had previously agreed that the property owners are entitled to some zoning relief.

Mr. Frank Robertson, one of the owners, felt that the suggested plan to have a buffer zone would not hurt the adjacent owners and stated he would guarantee that property owners would not suffer any financial loss because of this zoning.

Mr. Alonzo Helmke, spokesman for the group opposing the change, presented a petition signed by 69 residents who live on Dalehurst, LaManda and Greenhaven Drive. He stated they were opposed to the change because when they purchased the property they were assured that the property in question would be developed for residential purposes. A filling station, they felt, would create traffic and noise nuisances and would hurt values in the area.

Also opposing the change were Mr. A. C. Benson, Mr. John Jackson, Mrs. James Dyke, Mr. and Mrs. Harvey Cox, Mrs. Adolph Guido, Mr. Jess Akers, Mr. and Mrs. Oris Koch, Mr. and Mrs. Larry Kronkosky and Mrs. Joe Smith.

After discussion of the case, Dr. Parker moved that the recommendation of the Zoning Commission be upheld and the application for rezoning denied. Seconded by Mr. de la Garza, the motion carried by the following vote: AYES: McAllister, de la Garza, Kaufman, Gunstream, and Parker; NAYS: Gatti, Padilla and Bremer; ABSENT: Rohlfs.

The application having been denied, the Council expressed a desire that the applicants and opponents in Case 1675 could effect a compromise regarding the use of this property because it was felt that eventually some zoning relief must be given to owners of this property.

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

AN ORDINANCE 30,734

CREATING A FOURTH CORPORATION COURT; CREATING THE POSITION OF JUDGE OF SAID COURT AND PROVIDING FOR THE APPOINTMENT OF JAMES TAFOLLA AS JUDGE OF SAID COURT AT A SALARY OF \$735.00 PER MONTH, EFFECTIVE SEPTEMBER 17, 1962.

Full text in Ordinance Book MM, page 291

AN ORDINANCE 30,735

AUTHORIZING A FIREWORKS DISPLAY BY CANNON WHOLESALE FIREWORKS COMPANY AT SAN PEDRO SPORTS CENTER, 223 RECOLETA, ON SEPTEMBER 9, 1962.

Full text in Ordinance Book MM, page 292

There being no further business, the meeting was adjourned.

A P P R O V E D :

W. McAllister

M A Y O R

ATTEST:

J. H. Inselmann
C I T Y C L E R K