

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, JULY 16, 1964, 8:30 A.M.

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The regular meeting of the City Council was called to order by the Presiding Officer, Mayor Pro Tem John Gatti, with the following members present: DE LA GARZA, JONES, KAUFMAN, COCKRELL, GATTI, PADILLA, PARKER and BREMER; ABSENT: McALLISTER.

The invocation was given by the Right Reverend Monsignor Bernard F. Popp, Secretary for the Catholic Chancery Office.

Minutes of the previous meeting were approved.

Mayor Pro-Tem Gatti explained to those citizens interested in zoning cases which had been appealed, or on which a protest had been filed, that Councilmen Kaufman and Parker would be absent from the meeting until 10:00 A.M., due to previous commitments, and asked if any of the applicants wished to continue their case to another date.

At the request of Attorney Tom Guardia, the hearing on Case No. 2160 was continued to July 30th.

At the request of Mr. Albert Lowery, and in agreement with citizens protesting the change, the hearing on Case No. 2152 was continued to July 23rd.

Case No. 2142, to rezone the West 210' of the south 1000' of Lot 13, NCB 12116, located on the north side of I. H. 410, approximately 2430' west of the cut-off to Perrin Beitel Road, from "A" Residence District to "J" Commercial District, which the Planning Commission recommended be denied by the Council, was withdrawn from further consideration at the written request of the owner.

The first zoning case heard was Case No. 2062, to rezone Lot 18, NCB 10353, located on the west side of Blanco Road, 1030.30' north of Weizmann Drive, from "B" Residence District to "F" Local Retail District; and Lots 15, 16 and 17, NCB 10353, located on the west side of Blanco Road, 608.50' north of Weizmann Drive, from "B" Residence District to "JJ" Commercial District.

Assistant Planning Director Burt Lawrence explained the proposed change which was recommended by the Planning Commission.

No one spoke in opposition.

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

AN ORDINANCE 32,538

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 18, NCB 10353, FROM "B" RESIDENCE DISTRICT

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TO "F" LOCAL RETAIL DISTRICT; AND LOTS 15, 16 AND 17, NCB 10353 FROM "B" RESIDENCE DISTRICT TO "JJ" COMMERCIAL DISTRICT.

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Next heard was Case No. 2130 to rezone Lot 2, NCB 11868, located on the south side of N. E. Loop 410, approximately 92' west of Nacogdoches Road, from "A" Residence District to "F" Local Retail District.

Mr. Burt Lawrence explained the proposed change which carried the recommendation of the Planning Commission.

No one spoke in opposition to the change.

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

AN ORDINANCE 32,539

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 11868 FROM "A" RESIDENCE DISTRICT TO "F" LOCAL RETAIL DISTRICT.

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Next heard was Case No. 2168 to rezone Lot 125, NCB 9313, located on the south side of S. W. Military, 100' east of Mango Avenue, from "C" Residence District to "F" Local Retail District.

Mr. Burt Lawrence explained the proposed change which carried the recommendation of the Planning Commission.

No one spoke in opposition.

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

AN ORDINANCE 32,540

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 125, NCB 9313, FROM "C" RESIDENCE DISTRICT TO "F" LOCAL RETAIL DISTRICT.

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Next heard was Case No. 2170 to rezone that portion of Lot 2, NCB 8567, inside the City of San Antonio, located on the south side of Melrose Place, 139.62' west of McCullough Avenue, from "B" Residence District and "D" Apartment District to "E" Office District.

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Mr. Burt Lawrence explained the proposed change which carried the recommendation of the Planning Commission.

No one spoke in opposition to the change.

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

AN ORDINANCE 32,541

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 8567 FROM "B" RESIDENCE DISTRICT AND "D" APARTMENT DISTRICT TO "E" OFFICE DISTRICT.

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Next heard was Case No. 2178 to rezone Lot 10, NCB 9000, located on the east side of San Pedro Avenue, between Basse Road and Contour Drive, from "F" Local Retail District to "H" Local Retail District.

Mr. Burt Lawrence explained the proposed change which carried the recommendation of the Planning Commission.

No one spoke in opposition.

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

AN ORDINANCE 32,542

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 10, NCB 9000 FROM "F" LOCAL RETAIL DISTRICT TO "H" LOCAL RETAIL DISTRICT.

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The following ordinance, having been read the first time on June 11th, was read for the second and final time.

All requirements of the Municipal Annexation Act having been complied with, on motion of Mr. de la Garza, seconded by Mr. Bremer, the ordinance was passed and approved by the following vote" AYES: de la Garza, Jones, Cockrell, Gatti, Padilla and Bremer; NAYS: None; ABSENT: McAllister, Kaufman and Parker.

AN ORDINANCE 32,367

PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO, TEXAS, AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 36.807 ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO. (Tioga Colony, Colonies North Subdivision.)

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The Clerk read the following ordinance:

AN ORDINANCE 32,543

PROVIDING FOR THE APPORTIONMENT BY MUTUAL AGREEMENT BETWEEN THE MUNICIPALITIES OF SAN ANTONIO, TEXAS, HOLLYWOOD PARK, TEXAS AND HILL COUNTRY VILLAGE, TEXAS, OF TERRITORIAL AREAS WITHIN THE EXTRATERRITORIAL JURISDICTION OF SAID MUNICIPALITIES WHICH OVERLAP, AND DIRECTING THE CITY MANAGER OF THE CITY OF SAN ANTONIO, TEXAS TO EXECUTE SUCH AGREEMENT ON BEHALF OF SAID CITY.

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City Manager Jack Shelley explained that Hollywood Park has approved the agreement, and Hill Country Village will meet today at which time it is expected that it will approve the agreement. Net results of the settlement will be that San Antonio will take approximately 60% of the land in question, being all of the land East of San Pedro together with some land to the West and South. He recommended that the Council pass the ordinance.

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

The following ordinances were explained by Mr. M. Winston Martin, Executive Director of Urban Renewal Agency, and on motion of Mr. Bremer, seconded by Mrs. Cockrell, were passed and approved by the following vote: AYES: de la Garza, Jones, Cockrell, Gatti, Padilla and Bremer; NAYS: None; ABSENT: McAllister, Kaufman and Parker.

AN ORDINANCE 32,544

AN ORDINANCE APPROVING A GENERAL NEIGHBORHOOD RENEWAL PLAN FOR URBAN RENEWAL PROJECT CENTRAL WEST AREA NO. 2, TEX. R-61 (GN).

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AN ORDINANCE 32,545

AMENDING ORDINANCE NO. 32292 APPROVING THE UNDERTAKING OF SURVEYS AND PLANS FOR URBAN RENEWAL PROJECT NO. 5 (CIVIC CENTER PROJECT) AND APPROVING THE SUBMISSION BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF A REVISED APPLICATION FOR AN ADVANCE OF FEDERAL FUNDS FOR SAID PURPOSE, AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

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The City Manager reported on petitions as follows:

1. Petition of Mrs. Pietrella, et al, requesting the City to install street lights at the intersection of Kensington and University Avenue.

This request has been studied and street lights will be installed.

2. Petition of Donald Bierschwale, making application for a permit to establish an embalming room in connection with the establishment of a new mortuary to be located at 6100-6104 South Flores Street.

This request for an embalming room at 6100-6104 South Flores Street has been investigated by the Health Department. The Director of Health states that the Health Department offers no objection. He further states: "As pointed out in the petition, the building must be

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remodeled and redecorated in order to meet the requirements of the laws of the State of Texas, concerning the establishment and operation of mortuaries."

We recommend that the City Council set a date for a public hearing on this request.

3. City Manager Jack Shelley reported that there was also a petition from Mission Cemetery Company for a permit to establish an embalming room on property located on S. E. Military Drive, between Mission Road and the San Antonio River. He said that there were some problems in connection with sewage disposal problems, and he recommended that a hearing be set on this request.

The City Council set July 30th as a date for public hearings on the applications of Donald Bierschwale, and Mission Cemetery Company to establish embalming rooms.

Mr. Jacob Jennings, representing CORE, stated he had not heard from the Council as to when it will consider a ^{Civil} ~~Vicil~~ Rights Ordinance. He further asked the Council to do away with the Voluntary Boards on Discrimination. Concerning demonstrations being held throughout the country he felt that in San Antonio they could come to an agreement without demonstrations.

Mayor Pro-Tem Gatti informed him that the City Attorney has been studying the Federal Law, but the Council has not had an opportunity to study it, but would do so very soon.

Mr. Park Street, Attorney for Mr. Elias Luvine, protested the City's action in removing a curb cut and driveway into property owned by his client on South Laredo Street which is in an Urban Renewal Area and subject of a condemnation suit. He stated his appearance was to exhaust all administrative remedies before filing suit for a mandamus to have the City replace the driveway.

Mr. Richard Santos, a citizen, protested Mr. G. J. Sutton's remarks at the last Council meeting concerning Mexican-Americans in San Antonio, and objected to his approach to racial harmony. He asked the Council to consider a resolution censuring Mr. Sutton.

The scheduled hearing on the proposed annexation of property designated in Area 1, Airport Industrial Area containing .07 square miles of land, was called to order.

Planning Director Steve Taylor explained the proposed annexation.

No one asked to be heard concerning the matter.

Mayor Pro-Tem Gatti declared the hearing closed and announced that the Council would institute annexation proceedings on July 30, 1964.

The hearing on the proposed annexation of Area 2A, being the area west of Jones-Maltsberger Road, north of Bitters Road and east of the 1/2 mile jurisdictional line of Hill Country Village and Hollywood Park, containing 3.09 square miles of land, was withdrawn from consideration at the request of the City Manager.

The City Manager explained that due to the agreement with Hollywood Park and Hill Country Village, this area will be extended to San Pedro Avenue and he will present an ordinance setting a hearing on the matter at the next meeting.

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Concerning this proposed annexation, residents of Shadyoaks Subdivision were represented by Mr. Carl Duncan, who read a resolution by the Shacyoaks property owners asking the Council to delete this area until it could furnish adequate services.

Also speaking was Mr. John J. Luther, 107 Encino Grande, who related experiences in connection with a previous annexation, and asked that Shadyoaks residents be given notice when the latter will come up again.

The delegation was invited to meet with Assistant City Manager Dave Harner and go over the proposed plan for annexation.

Next taken up was the public hearing on Case No. 2137 to rezone a part of Tract M, NCB 1156, located northwest of the intersection of I. H. 410 and Roosevelt Avenue, from "B" Residence District to "L" Manufacturing District.

Mr. Burt Lawrence, Assistant Planning Director, briefed the Council on the proposed change which the Planning Commission had recommended be denied by the City Council. He stated that the applicant had informed him that they wished to change the requested zoning from "L" Manufacturing District to "F" Local Retail District.

Mr. Alfred Rhode, representing Phillips Petroleum Company, stated that the Phillips Petroleum Company had to purchase the entire eleven acres as there is no access to the property except from Highway 281. He asked the Council that if it did not wish to rezone the whole tract to at least grant rezoning to "F" Local Retail District on the East 250' of Tract M.

The Planning Director, Steve Taylor, stated there should be a presentable buffer zone, but would recommend the rezoning of not over 250' for "F" Local Retail District at this time and that the applicants can go back to the Planning Commission for further study on the balance of the tract.

After further discussion of the matter, on motion of Dr. Parker, seconded by Mr. Jones, the recommendation of the Planning Commission was overruled and the rezoning of the East 250' of Tract M was granted by passage of the following ordinance by the following vote:
 AYES: de la Garza, Jones, Kaufman, Cockrell, Gatti, Padilla, Parker and Bremer; NAYS: None;
 ABSENT: McAllister.

AN ORDINANCE 32,546

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 WEST 250' OF TRACT M, NCB 1156, FROM "B" RESIDENCE DISTRICT TO "F" LOCAL RETAIL DISTRICT.

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Next hearing was Case No. 2149 to rezone Lot 3, NCB 8934, located on the north side of S. W. Military Drive, 100' west of Escalon Avenue, from "E" Office District to "F" Local Retail District.

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

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Mr. Sam L. Petro, owner, stated he had recently purchased the property to be used for an office for his commercial business equipment firm. He stated he would not have need for a great amount of parking space due to the nature of his business but was planning to top the backyard and front yard for this purpose which would be sufficient.

After a lengthy discussion, Mr. de la Garza moved that the Planning Commission be overruled and the rezoning granted. The motion was seconded by Dr. Parker. The motion requiring seven affirmative votes to pass, failed by the following vote: AYES: de la Garza, Jones, Cockrell, Padilla, Parker and Bremer; NAYS: Kaufman and Gatti; ABSENT: McAllister.

The scheduled public hearings were held on the proposed annexations as follows:

Area 2B - the area of the proposed City Park, generally lying east of Jones-Maltsberger Road, south of Lockhill Selma Road, west of City Public Service Board easement and north of Bitters Road, containing 3.09 square miles of land.

Area 2C- the area southeast of the new airport property east of Wetmore Road, south of the Railroad, and adjoins the City Public Service Board's Tuttle Plant, containing 2.07 square miles of land.

Area 5 - this is I. H. 35 South R. O. W. from the present City Limits to the five mile line of jurisdictional control, containing 0.33 square miles of land.

Area 6 - this is Highway 90 West R.O.W. from the present City Limits to Observation Drive, containing 0.21 square miles of land.

Area 7 - this is I. H. 10 North of F. M. 1604 R. O. W. from the present City Limits to the 5-mile line of jurisdictional control, containing 0.63 square miles of land.

Area 8 - this is the R. O. W. on a portion of the M.K.T. Railroad, Schertz Road, Weidner Road, and I. H. 35 from the present City Limits to the 1/2 mile jurisdictional line of Live Oak, containing 0.21 square miles of land.

Area 9 - this is I. H. 10 East R. O. W. from the present City Limits to the 5-mile line of jurisdictional control, containing 0.27 square miles of land.

Area 10 - this is Sulphur Springs Road R.O.W. from the present City Limits to the 5-mile line of jurisdictional control, containing 0.24 square miles of land.

Area 11 - this is U. S. Highway 181 South R. O. W. from the present City Limits to Foster Road, containing 0.20 square miles of land.

Area 12 - this is Hwy. 281 South R.O.W. from the present City Limits to the 5-mile line of jurisdictional control, containing .11 square miles of land.

Area 13 - this is Culebra Road R. O. W. from the present City Limits to the 5-mile line of jurisdictional control, containing .09 square miles of land.

Planning Director Steve Taylor in each instance described the territory proposed for annexation.

City Manager Jack Shelley stated, concerning Area 8, he was trying to work out agreements with Universal City on territorial rights, and if an agreeable apportionment can be worked out, it may be necessary to delay the first reading of the ordinance on this area which is scheduled for two weeks from today.

Mr. Ted Huth, a citizen, felt the City should furnish service in areas if annexes. He

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asked if the City was going to furnish any service from the Right-of-Ways it proposed to annex.

City Manager Shelley explained that the annexation of Right-of-Ways was for the purpose of subdivision control and health purposes and stated that the Planning Director would be glad to confer with him and answer any other questions he may have.

No one else asked to be heard.

Mayor Pro-Tem Gatti declared the hearings closed and announced that the City would institute annexation proceedings at its meeting on July 30th.

Mrs. F. Bauman addressed the Council concerning her petition to top the alley between Fulton and Elsmere in NCB 1777, which is being used as a thoroughfare and created a dust nuisance, and asked for relief.

The matter was referred to City Manager Jack Shelley.

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 petitions were received and forwarded to the office of the City Manager for investigation and report to the City Council.

7-8-64 Petition filed by Quincy Lee, Developer, requesting the closing of Lower Ridge Road in Mary Mont Subdivision Unit No. 1, as the street will no longer be needed since no residential lots will be platted and instead the street and existing platted lots will be included in a future site for a hospital.

7-13-64 Petition of Mr. Jack Hamilton, 8702 Charro Lane, requesting permission to extend the height of his back fence by three feet.

Sincerely,

/s/ J. H. Inselmann
City Clerk

Mr. George Joseph Johnson, International Hiker and Explorer, on a memorial trip in honor of the late President John F. Kennedy, and to promote international good will between the United States and Latin American countries, visited the Council meeting and asked for a letter as a memento of his trip which together with letters from other city officials, would be sent to Mrs. Kennedy.

He was thanked for his visit and extended best wishes on his hike. A letter acknowledging his visit was presented to him by Mayor Pro-Tem Gatti.

There being no further business, the meeting adjourned.

A P P R O V E D :

J. H. Inselmann
MAYOR

ATTEST:

J. H. Inselmann
City Clerk