

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, DECEMBER 16, 1965, 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, CALDERON, JONES, JAMES, COCKRELL, GATTI, TREVINO, PARKER and BREMER; ABSENT: None.

65-1290 Invocation was given by the Reverend Walter Lexwald, Our Savior Advent Lutheran Church.

The minutes of the meeting of December 9, 1965, were approved.

65-1290 Mayor McAllister recognized the public service of Dr. H. Vincent Walker, as a Member of the Plumbing Appeals Advisory Board from September 22, 1960 to October 18, 1965. The Mayor presented Dr. Walker with a citation in recognition thereof.

65-1291 First taken up was Zoning Case No. 2486, to rezone Lot 39, Block 16, NCB 9705, located on the east side of Vance Jackson Road, 142.62' north of Denton Drive, from "B" Residence District to "D" Apartment District.

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

No one spoke in opposition to the change.

On motion of Mr. Gatti, 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, Gatti, Trevino, Parker and Bremer; NAYS: None; ABSENT: None.

AN ORDINANCE 33,944

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 39, BLOCK 16, NCB 9705 FROM "B" RESIDENCE DISTRICT TO "D" APARTMENT DISTRICT.

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65-1292 Next heard was Case No. 2526, to rezone Lot 6, NCB 12175, located on the north side of Rittiman Road, 244.84' east of Holbrook Road, from "A" Residence District to "B-2" Business District.

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

No one spoke in opposition.

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

AN ORDINANCE 33,945

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 6, NCB 12174 FROM "A" RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT.

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65-1293 Next heard was Case No. 2586, to rezone Lot 189, NCB 8360, located on the northeast side of Bandera Highway, 108.6' northwest of Cheryl Drive, from "A" Residence District to "B-3" Business District.

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

No one spoke in opposition.

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

AN ORDINANCE 33,946

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 189, NCB 8360 FROM "A" RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT.

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65-1294 Next heard was Case No. 2392, to rezone 1.29 acres out of NCB 11303 being described by field notes in the proposed ordinance, located between the Missouri Pacific Railroad and the Southern Pacific Railroad tracks approximately 71.48' west of Quintana Road and being bounded on the west by the City limits line, from Temporary "A" Residence District to "LL" Manufacturing District.

Assistant Planning Director Burt Lawrence explained the proposed change which the Planning Commission recommended be approved by the City Council. Mr. Lawrence stated that the records show that this land apparently was intended to be rezoned to "LL" Manufacturing District at the time of annexation, however, it was overlooked and when it was discovered, the Planning and Zoning Commission initiated this change.

No one spoke in opposition.

On motion of Mr. Jones, 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, Gatti, Trevino, Parker and Bremer; NAYS: None; ABSENT: None.

AN ORDINANCE 33,947

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 1.29 ACRES OUT OF NCB 11303 FROM TEMPORARY "A" RESIDENCE DISTRICT TO "LL" MANUFACTURING DISTRICT.

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65-1295 Next heard was Case No. 2570, to rezone the east 125' of Lots 128, 129 and the south 95' of Lot 127, NCB 11115, located northwest of the intersection of Gillette Boulevard and Pleasanton Road, having 125' on Gillette and 325' on Pleasanton Road, from "B" Residence District to "B-3" Business District.

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

65-1295 Mr. Willis Taylor, attorney for the applicant, Mr. Juan S. Gonzales, stated that it was significant that while the Planning Commission denied their request, there was no opposition to the change. He said that Mr. Gonzales plans to establish a neighborhood food store, together with a neighborhood beauty and barber shop and office space on this property. He said that the owners of homes to the east of Pleasanton have to go for at least a mile to the nearest grocery store. There is no bus service and no sidewalks leading to the stores, and no drainage. He showed pictures of the properties in the area, as well as a site plan and a parking plan. He said that Mr. Gonzales owns the property to the west and plans to build his home to the rear of the property in question. He felt that the area will benefit by the addition of this establishment and presented a petition signed by persons in the area, stating that they want this food store because it is needed.

Mr. Timothy Robinson, who lives on Wimberly Street, 3½ blocks from the property stated he had talked to practically everyone in the area, and they all think along the line of a food store to serve them.

Mr. Juan Gonzales, 242 Royston, and applicant in the case, felt this store would enhance the community and assured the Council there will be no consumption of food or alcoholic beverages on the premises, although there will be beer to go.

Mr. Ripley, contractor for the applicant, stated that the building will have a concrete foundation, block walls, with a glass store front.

Mr. Wallace, 513 Gillette, and owner of 2 acres of land to the north of the property in question stated his opposition stems from his desire to know how Mr. Gonzales intended to use the property. He was opposed to lounges and night clubs, and drinking on the premises, and if none of these are to be allowed he might consent to changing his mind.

Mr. W. T. Yett, builder and developer of the Kingsboro Ridge Subdivision, stated that he has built 500 homes in this area and is still building and will have 1500 homes when the subdivision is complete. He felt that this would be spot zoning and would be adverse to his building program.

Mr. Jack Ayala, 215 E. Villarret, stated his wife personally went around and gathered the names on the petition and of all the people she talked to, only two were against, and some would not say they were either for or against it. He felt it would be a service to the community to have a shopping center at this location.

Since Mr. Gonzales had stated there would be no on premise consumption of alcoholic beverages, he was asked if B-2 Business District was acceptable to him. This was agreeable to Mr. Gonzales.

Mr. Gatti then made a motion that the recommendation of the Planning Commission be overruled and the property be rezoned to "B-2" Business District. Seconded by Dr. Calderon, the motion, which carried the passage of the following ordinance, prevailed by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Gatti, Trevino, Parker and Bremer; NAYS: None; ABSENT: None.

AN ORDINANCE 33,948

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE EAST 125' OF LOTS 128, 129 AND THE SOUTH 95' OF LOT 127, NCB 11115, FROM "B" RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT.

627

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65-1296 Next heard was Case No. 2605, to rezone Lots 1-11, Block 38, NCB 13494, Lots 1-7, Block 39, NCB 13495, Lots 1-4, Block 40, NCB 13496, Lots 1-3, Block 41, NCB 13497, Lots 45-57, Block 3, NCB 13607 and Lots 22-48, Block 1, NCB 13197, located on both sides of Rhapsody, Warfield and Nakoma Drive and being Beacon Circle Industrial Subdivision Unit #2, from "R-A" Residence-Agriculture District to "I-1" Light Industry District.

Mr. Burt Lawrence, Assistant Planning Director, explained that the Planning Commission recommended approval of "I-1" Light Industry District on all of this property except Lots 45 through 50, NCB 13607, which was recommended for "R-3" Multiple Family Residence District. Since this was not acceptable to the applicant, the Planning Commission recommended denial of the requested change in zone. He said this was an appeal case and would require seven affirmative votes to rezone the property.

Mr. Jim Uptmore, representing the applicant, H. B. Zachry Properties, Inc., stated they purchased this tract of land in conjunction with the Harmony Hills development. He said that in 1963, when the property was not in the City, they developed an industrial park. They continued to plat the property as required by the City and requested annexation, and the plat, which has been approved by the Planning Commission, shows it to be for industrial use.

He stated he was satisfied with the Planning Commission's recommendation except for Lots 45 and 46, NCB 13607, which they have sold for a warehouse, and are committed on this matter. He asked that these lots be zoned "B-3" and Lots 47, 48 and 50 be "R-A" Residence-Agriculture District. He reported that the Planning Commission's recommendation for "R-3" instead of "I-1" was because of the residential property that backs up to them.

He felt that the owners of residential property were aware of the development of the industrial park nearby. He said signs have been in place in this area for 1½ years, the property is near the International Airport glide zone and when the residential lots were sold, a concession of \$600 to \$1,000 on the price was made because of the planned development. He showed a portfolio of photographs of the industrial park taken in 1964; a schematic map of the master plan; a brochure of the Beacon Circle Industrial Park printed in 1964.

Mr. Uptmore stated that the residential property is protected by restriction in that no building may be constructed within 74' of the rear of the lot. The 74' are heavily wooded and serve as a buffer. If it was desired, he stated that he would build a 10' solid fence for added privacy.

Mr. Lloyd Booth, developer and builder, stated he had purchased six lots and was aware that the proposed Industrial Park would adjoin his lots on the rear. While he built the homes, he did not personally sell them and could not state that the buyers were informed of the industrial development to the rear. He felt a buffer of greenery would be much better than a 10' fence.

Mr. Edward Rosentreter, 335 West Silver Sands, presented a petition signed by twenty of the property owners in the immediate vicinity of the subject property in opposition to the zoning of lots 45 - 50 for industrial use. He stated that when he purchased his property he was not aware that the property to the rear was intended for industrial use. If the rezoning was granted, he felt all the residences adjoining the lots in question would depreciate at least \$1,000 in value.

Mr. Rosentreter presented pictures of the residences involved as well as pictures of the building already erected in the industrial park, which

65-1296

showed the front and rear of each commercial building and the accumulation of trash at the rear of each. He then reviewed the many objectionable uses which could be located on the industrial tract. He added that the residences all have patios and some have swimming pools in their back yards and they all felt it would be an invasion of privacy if the proposed change was approved.

Mr. Rosentreter felt some other use could be made of the property that would be acceptable to those in opposition and presented a zoning plan that he felt would be suitable and not penalize the developer.

Also speaking in opposition were Mr. Joe Schneider, 339 West Silver Sands, Mr. C. J. Berryhill, 307 West Silver Sands and Mr. Jim Van Dyke, 331 West Silver Sands.

After consideration of the matter, Mr. Gatti made a motion that the Planning Commission be overruled and all of the property be rezoned "I-1" Light Industry, except Lots 45 through 50, NCB 13607, which are to be rezoned "R-3" Multiple-Family Residence District. Seconded by Mr. Jones, the motion, carrying the passage of the following ordinance, prevailed by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Gatti, Trevino, Parker and Bremer; NAYS: None; ABSENT: None.

AN ORDINANCE 33,949

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 1-11, BLK 38, NCB 13494; LOTS 1-7, BLK 39, NCB 13495; LOTS 1-4, BLK 40, NCB 13496; LOTS 1-3, BLK 41, NCB 13497; LOTS 51-57, BLK 3, NCB 13607; AND LOTS 22-48, BLK 1, NCB 13197 FROM "R-A" RESIDENCE-AGRICULTURE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT; AND LOTS 45-50, BLK 3, NCB 13607 FROM "R-A" RESIDENCE-AGRICULTURE DISTRICT TO "R-3" RESIDENCE DISTRICT.

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65-1297 The last zoning hearing taken up was Case No. 2372, to rezone Lot 19, NCB 11489, located on the north side of Culebra Road, 150' east of Brendell Boulevard, from "A" Residence District to "B-2" Business District.

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

While no one spoke in opposition to the change, Mr. Lawrence to a question, explained that in "B-2" Business District alcoholic beverages could not be served except when incidental to the service of food.

This was agreeable to the applicant, Mr. Rudy Ochoa, and on motion of Dr. Calderon, seconded by Mr. James, 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 and Bremer; NAYS: None; ABSENT: Gatti and Parker.

AN ORDINANCE 33,950

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 19, NCB 11489 FROM "A" RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT.

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65-1298 The following resolution creating a non-profit corporation to construct a self liquidating tower on the site of the Hemis-Fair was explained by Mr. Milton Halpern.

Mr. Halpern stated that under this plan neither the City of San Antonio's credit nor any obligation, will be pledged to pay for the tower.

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

A RESOLUTION

CREATING A NON-PROFIT CORPORATION TO CONSTRUCT A SELF-LIQUIDATING TOWER ON THE SITE OF THE HEMISFAIR.

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65-1299 Mr. Theo Weiss, representing the Order of the Alhambra, asked the Mayor to sign a proclamation designating June 13, 1966, as Saint Anthony Day to call attention to the fact that San Antonio was named after one of the great men in history, who more than seven centuries after his death, is honored and remembered all over the world, and to emphasize the fact that there are places and hundreds of locations in various spots of the globe that bear his name, with our city the largest and most important place that is named for this famous man. He also asked the Council to pass a resolution authorizing the placing of a plaque on the lower wall of the Arneson River Theatre commemorating the 275th anniversary of the naming of the site that subsequently became the City of San Antonio.

Mayor McAllister agreed to sign the proclamation, and on motion of Mr. Gatti, seconded by Dr. Calderon, the following resolution was passed and approved by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Gatti, Trevino and Bremer; NAYS: None; ABSENT: Parker.

A RESOLUTION

AUTHORIZING THE PLACING OF A PLAQUE AT ARNESON RIVER THEATRE BY BEJAR CARAVAN #56, ORDER OF THE ALHAMBRA.

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65-1300 At this time Mayor McAllister recognized Mr. E. J. Doerste, General Agent for the Missouri Pacific Railroad Company, and Texas Pacific Railway Company in San Antonio.

Mr. Doerste made a presentation concerning matters before the Interstate Commerce Commission pertaining to the merger of the Chicago-Rock Island and Pacific Railroad into the Union Pacific Railroad Company; the purchase by the Southern Pacific from the Union Pacific Railroad Company, a portion of the lines of the Chicago-Rock Island and Pacific Railroad Company south and west of Kansas City, Missouri; the application of the Chicago Northwestern Railway Company to control the Chicago-Rock Island and Pacific Railroad Company, the agreement between the Chicago Northwestern Railroad Company and the Achison, Topeka and Santa Fe Railway Company pertaining to purchase of certain lines and operating rights of these railroads.

He felt that either of these mergers and purchases will divert traffic and revenue in substantial sums from the Missouri Pacific system, and would result in deterioration of service to industry, and asked that the Council consider opposing such mergers and support the position of the Missouri Pacific Railroad Company in opposition to these matters.

The Mayor thanked him for the presentation and stated the Council will take the matter under consideration.

The following ordinance was read, and on motion of Dr. Calderon, seconded by Mr. James, was passed and approved by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Trevino and Bremer; NAYS: Gatti, ABSENT: Parker.

65-1301

AN ORDINANCE 33,951

PROVIDING FOR A PUBLIC HEARING ON THE PETITION OF ALAMO GUIDED TOURS FOR A LICENSE OR FRANCHISE TO OPERATE A GUIDED TOUR SERVICE IN THE CITY. (Jan. 6, 1966.) * * * * *

The following ordinances were explained by Members of the Administrative Staff, and on motion made and duly seconded, were each passed and approved by the following vote: AYES: McAllister, Calderon, Jones, James, Cockrell, Gatti, Trevino and Bremer; NAYS: None; ABSENT: Parker.

65-1302

AN ORDINANCE 33,952

DIRECTING THE GIVING OF NOTICE OF THE INTENTION OF THE COUNCIL OF THE CITY OF SAN ANTONIO TO AUTHORIZE THE PURCHASE BY THE TRANSIT BOARD OF TRUSTEES OF SAN ANTONIO OF FIFTY MOTOR BUSES FOR THE TRANSIT SYSTEM OF SAID CITY, THE BORROWING OF FUNDS WITH WHICH TO PAY PART OF THE PURCHASE PRICE THEREOF, AND THE EXECUTION AND DELIVERY OF A PROMISSORY NOTE TO EVIDENCE SUCH LOAN, SAID NOTE BEING SECURED BY CHATTEL MORTGAGE ON SAID BUSES; AND TO SET JANUARY 24, 1966 AS THE DATE FOR OPENING SEALED BIDS FOR SUCH LOAN; AND DECLARING AN EMERGENCY. * * * * *

65-1303

AN ORDINANCE 33,953

CONSENTING TO THE EXPANSION OF THE EXTRATERRITORIAL JURISDICTION OF THE TOWN OF KIRBY, TEXAS TO PERMIT AN AREA OF 6.597 ACRES TO BE INCLUDED WITHIN SAID TOWN'S EXTRATERRITORIAL JURISDICTION. * * * * *

The following ordinance was read by the Clerk for the second and final time:

65-1304

AN ORDINANCE 33,819

PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO, TEXAS, AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 107.164 ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO. (Coliseum Park Gardens and Eastgate Subdivision.) * * * * *

Planning Director Steve Taylor reviewed the annexation proceedings which action has been taken at the request of property owners in the area.

No one spoke in opposition.

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

The following ordinance was read for the first time by the Clerk:

65-1305

AN ORDINANCE 33,954

PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO, TEXAS, AND THE ANNEXATION OF CERTAIN TERRITORY

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65-1305

CONSISTING OF TWO TRACTS OF LAND, TRACT "A" 3.299 SQUARE MILES AND TRACT "B" .7633 SQUARE MILES, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO. (Located North and South of Kelly Air Force Base.)

Planning Director Steve Taylor explained the proposed annexation and the reasons therefor.

No one asked to speak in opposition.

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

The Clerk read the following letter:

December 16, 1965

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

Gentlemen and Madam:

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

12-9-65 Petitions filed by John Valenzuela, 207 Merida Street, and others in the vicinity, protesting the unsanitary conditions and odor caused by Melton Provision Company, located on South Brazos Street, and the second protest by residents of the neighborhood of 222 Kemper Street, protesting the construction of any building for purposes not allowed in a "LL" zone, and opposing the use of any building for the purpose of processing hides or any product which will create an offensive odor, attract and breed flies, or create a health hazard which will damage the neighborhood, church and school.

12-13-65 Petition of Theodore Herzl A.Z.A. Chapter, a Jewish Youth Organization, requesting permission to hold a bonfire at the Jewish Community Center, 144 Rampart Drive, on the evening of December 23, 1965, at 10:30 A.M.

Sincerely,

/s/ J. H. Inselmann
City Clerk

The following report on petitions was made:

Petition of Mrs. Edwin E. Wedin and others requesting the City to install an electric traffic control signal at the intersection of Pershing Avenue and North New Braunfels Avenue.

A careful traffic study has been made of this request. The traffic conditions at the intersection of Pershing and New Braunfels do not justify the installation of a signal and because of the serious vision obstruction caused by the hedge of the San Antonio Country Club would actually create a worse hazard.

65-1306

65-1306

North New Braunfels needs a synchronized signal system and Pershing would be a proper location for a signal in such a system. It is recommended that this system be considered in next year's budget.

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

A P P R O V E D :

Mr. McAlister
MAYOR

ATTEST:

J. H. Duellman
City Clerk

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