

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, MARCH 19, 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 Rabbi David Jacobson, Temple Beth El.

Minutes of the previous meeting were approved.

First heard was Zoning Case No. 2101, to rezone Lot 64, Blk 1, NCB 11046, located on the east side of Roosevelt Avenue (U. S. Highway 281) between Chavaneaux Road and Santa Rita Street, from "B" Residence District to "JJ" Commercial District.

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

On motion of Mr. de la Garza, seconded by Mr. Bremer, the recommendation of the Planning Commission was approved 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 32,167

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 64, BLK 1, NCB 11046 FROM "B" RESIDENCE DISTRICT TO "JJ" COMMERCIAL DISTRICT.

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Next heard was Case No. 1985, to rezone Lot 40, NCB 11875, located northeast of the intersection of Greenbriar Drive and Broadway, from "A" Residence District to "J" Commercial District.

The Planning Director briefed the Council on the proposed change which the Planning Commission recommended be granted. No one spoke in opposition.

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

AN ORDINANCE 32,168

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 11875 FROM "A" RESIDENCE DISTRICT TO "J" COMMERCIAL DISTRICT.

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Next heard was Case No. 2018, to rezone that portion of Lot 157, NCB 8237, not presently zoned "F" Local Retail, located on the north side of San Fernando Street 613.5' east of S. W. 36th Street, from "C" Residence District to "F" Local Retail District.

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

On motion of Mr. de la Garza, seconded by Dr. Parker, the recommendation of the Planning Commission was approved 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 32,169

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 LOT 157, NCB 8237, NOT PRESENTLY ZONED "F" LOCAL RETAIL, LOCATED ON THE NORTH SIDE OF SAN FERNANDO STREET 613.5' EAST OF S. W. 36TH STREET, FROM "C" RESIDENCE DISTRICT TO "F" LOCAL RETAIL DISTRICT.

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Next heard was Case No. 2034, to rezone the North 125.3' of Lot 24, Blk 44, NCB 6287, located on the south side of Roslyn Avenue, 162.09' west of Nogalitos 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.

On motion of Mr. de la Garza, seconded by Mrs. Cockrell, the recommendation of the Planning Commission was approved 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 32,170

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 NORTH 125.3' OF LOT 24, BLK 44, NCB 6287, FROM "B" RESIDENCE DISTRICT TO "F" LOCAL RETAIL DISTRICT.

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Next heard was Case No. 2095, to rezone Lot 41, NCB 12025, located on the south side of Rampart Drive, 838.22' east of San Pedro Avenue, from "A" Residence District to "D" Apartment District.

Planning Director Steve Taylor explained that the original request involved the property under consideration, plus the property on Sprucewood. The Planning Commission deleted the property on Sprucewood except for a strip 25' by 125' for access. This plan being agreeable to the applicant, the Planning Commission recommended the proposed change.

Mr. Gordon Davis, representing the applicant, Mr. Dwight L. Lieb, explained that Mr. Lieb has the property under a purchase contract and plans to construct apartments on it. He said

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the San Pedro Outdoor Theatre abutts this property to the West and the Ridgeview Elementary School on the East and both favor the plan.

He exhibited photographs of the property showing its present condition. He felt that with the non-access easement and "A" Residence zone on Sprucewood, adequate protection is furnished to the people on the South. He asked the Council to approve the change as requested, but if the only further condition for rezoning is the elimination of the 25' by 125' access strip and closing of the non-access easement, his client would accept it.

Mr. Dwight Lieb, applicant, felt the proposed plan would protect the neighbors, and showed a picture of the type of apartments he planned to build.

Speaking against the proposed change and giving various reasons why the change should be denied were Dr. Peter Kamin, 154 Sprucewood; Mr. A. Belans, 210 Sprucewood; Mr. W. M. Yater, 146 Sprucewood; Dr. Stanley H. Workman, 150 Sprucewood; Donald A. Schulman, 222 Sprucewood.

Those in opposition agreed that elimination of the access from Sprucewood and extension of the non-access easement was desirable but insisted that lots have a minimum width or frontage of at least 80 feet, which would be comparable to their lots.

Mr. Gordon Davis then made a commitment that lots fronting on Sprucewood would have not less than 80 feet in width.

A protest petition having been filed by the owners of property within 200' was found sufficient, and the City Attorney ruled it would require seven affirmative votes to rezone the property.

After further discussion of the matter, Mrs. Cockrell made a motion that Lot 41, except the South 125' by 25', NCB 12025, be rezoned from "A" Residence District to "D" Apartment District; that the non-access easement be extended across the entire length of Lot 41; that the property zoned "A" Residence District to the South of Lot 41 and fronting on Sprucewood be replatted into lots of not less than 80' in width; and that no building permits be issued until the entire property (Lots 41 and 42) is replatted.

Seconded by Mr. de la Garza, the motion, carrying with it the passage of the following ordinance, prevailed by the following vote: AYES: de la Garza, Jones, Kaufman, Cockrell, Gatti, Parker and Bremer; NAYS: Padilla; ABSENT: McAllister.

AN ORDINANCE 32,171

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 41, NCB 12025, EXCEPT THE SOUTH 125' BY 25' FROM "A" RESIDENCE DISTRICT TO "D" APARTMENT DISTRICT.

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A public hearing was held to determine whether the conditions of the premises at 1235 Alexander Hamilton Drive constitutes a public nuisance to be ordered abated.

Mr. George Vann, Director of the Department of Housing and Inspections, explained that in accordance with the Resolution of March 12, 1964, concerning this matter, notices of the public hearing were sent to the property owners by certified mail.

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Mr. Vann testified that the owner of Lot 23, and the East 1/2 of Lot 24, Blk 19, NCB 8390, known as 1235 Alexander Hamilton Drive, is Mr. William Allen Archer. He said this house was moved from 115 Military Drive in the spring of 1960. At present it has no toilet, bath or sink, no window sash, windows or screens; part of the floor is not in; the interior ceiling and wall sheathing is not in; there are no porches or steps installed; only part of the wiring is installed and it is unpainted. He exhibited pictures showing the condition of the premises.

He reviewed the many complaints received by the Housing and Inspections Department, Health Department and Fire Department, and the efforts made by the City to get the owners to complete the building, all to no avail. He stated it was the opinion of the inspectors that this house is badly deteriorated, is a fire hazard, and has become a liability to the surrounding property and to the City, and recommended the Council declare the premises at 1235 Alexander Hamilton a public nuisance and allow the City Attorney to take action to abate it.

Mrs. M. L. Williams, representing her son, Mr. Archer, owner of the property in question represented the building to be a substantial structure. She stated the building had not been completed for various reasons but mainly because of finances and appealed to the Council to grant additional time to complete the building.

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

AN ORDINANCE 32,172

DETERMINING THAT THE CONDITION OF THE PREMISES AT 1235 ALEXANDER HAMILTON DRIVE IN THE CITY OF SAN ANTONIO CONSTITUTES A PUBLIC NUISANCE; AND DIRECTING THAT THE CITY ATTORNEY INSTITUTE PROCEEDINGS TO ABATE SAME.

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A public hearing was then heard to determine whether the condition of the premises at 1031 Shadwell Drive constitutes a public nuisance to be ordered abated.

Mr. George Vann, Director of the Department of Housing and Inspections, stated this hearing had been set by Resolution of March 12, 1964, and notice given the property owners by certified mail.

Mr. Vann testified that the owner of Lot 22, Blk 8, NCB 8383, known as 1031 Shadwell, is owned by Mrs. Gloria Archer Price, daughter of Mrs. M. L. Williams, and others. This house was moved to this location in 1957 from 1305 San Francisco. The building has no toilet; bath or sink; no windows, screens or doors; no roofing, wall sheathing or floors; has holes in stucco walls; no steps or porches and needs rewiring.

He reviewed the complaints and efforts of the City to get the owners to complete the building. He stated it was the opinion of the inspectors of the various departments that this house is badly deteriorated, is a fire hazard, and has become a liability to the surrounding property and to the City, and recommended to the Council that it be declared a public nuisance and authorize the City Attorney to take action to abate same.

Mrs. M. L. Williams, representing her daughter, Mrs. Gloria Archer Price, owner of the property, asked the Council to delay action and give additional time to complete the building.

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

AN ORDINANCE 32,173

DETERMINING THAT THE CONDITION OF THE PREMISES AT 1031 SHADWELL DRIVE IN THE CITY OF SAN ANTONIO CONSTITUTES A PUBLIC NUISANCE; AND DIRECTING THAT THE CITY ATTORNEY INSTITUTE PROCEEDINGS TO ABATE SAME.

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Mayor Pro-Tem Gatti announced that certain City Departments have earned first place safety awards which are given by the Texas Safety Association. He presented certificates to Police Chief Geo. W. Bichsel, Parks and Recreation Director Bob Frazer, Finance Director Bennett Bolen, Public Works Director Sam Granata and Public Library Director Mike Sexton. City Manager Jack Shelley was presented the award for excellent overall safety in City operations.

The following ordinance was explained by Assistant City Manager Dave Harner, and on motion of Mr. Kaufman, seconded by Mr. Padilla, was passed and approved by the following vote: AYES: de la Garza, Jones, Kaufman, Cockrell, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: McAllister.

AN ORDINANCE 32,174

AUTHORIZING DELIVERY OF POSSESSION OF CERTAIN PREMISES (1911 W. Hildebrand) HERETOFORE CONVEYED TO THE CITY OF SAN ANTONIO, AS A PART OF ITS ELECTRIC AND GAS SYSTEM.

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

AN ORDINANCE 32,175

ACCEPTING THE ATTACHED LOW QUALIFIED PROPOSAL OF SEAL-PRESS, DIVISION OF TAMPO MANUFACTURING COMPANY, INC., TO FURNISH THE CITY OF SAN ANTONIO DEPARTMENT OF PUBLIC WORKS WITH NINE REFUSE COLLECTION UNITS FOR A TOTAL OF \$5,920.00.

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After a short recess, the meeting reconvened.

The Council took up consideration of Zoning Case No. 1980, on which final action had been proposed.

Mr. Jim Uptmore, representing the applicant, H. B. Zachry Properties, Inc., explained that the Planning Commission's recommendation was to rezone property along U. S. 281 and Sandau Road, in NCB 12051 as follows: Lot 15 to "D" Apartment; Lot 18 to "F" Local Retail; Lot 17 to "JJ" Commercial; and Lot 16 to "LL" Manufacturing. He urged the Council to rezone the property

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as his firm was ready to develop it for a lumber yard, a drive-in grocery and apartments. He reviewed the reasons in not being able to reach an agreement for the sale of right-of-way to the City for the proposed North Expressway, which is adjacent to the property in question.

Discussion then took place concerning access to Lots 15 and 18, which was platted, do not front on any road and there is no assurance that there will be any access permitted to them when the Expressway is completed.

After further consideration of the matter, Mrs. Cockrell, made a motion that Lot 16, NCB 12051, be rezoned "LL" Manufacturing; Lot 17, NCB 12051 be rezoned "D" Apartment instead of "F" Local Local Retail; that Lot 15, NCB 12051 be rezoned "D" Apartment District; that Lot 18, NCB 12051 remain "A" Residence District; and that Lots 15 and 17 be replatted into one lot and that building permits be withheld until such replat is approved.

Seconded by Mr. de la Garza, the motion carrying with it the passage of the following ordinance prevailed by the following vote: AYES: de la Garza, Jones, Kaufman, Cockrell, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: McAllister.

AN ORDINANCE 32,176

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 16, NCB 12051 FROM "A" RESIDENCE DISTRICT TO "LL" MANUFACTURING DISTRICT; LOTS 15 AND 17, NCB 12051 FROM "A" RESIDENCE DISTRICT TO "D" APARTMENT DISTRICT.

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The following ordinances were explained by Assistant City Manager Dave Harner, and on motion made and duly seconded were passed and approved by the following vote: AYES: de la Garza, Jones, Kaufman, Cockrell, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: McAllister.

AN ORDINANCE 32,177

AMENDING THE ORDINANCE APPROVING THE PREPARATION OF A GENERAL NEIGHBORHOOD RENEWAL PLAN PROJECT NO. 4 (DEL ALAMO) AND THE FILING OF AN APPLICATION BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO FOR AN ADVANCE OF FEDERAL FUNDS FOR SAID PURPOSE, AN ORDINANCE KNOWN AS NO. 31828 ENACTED ON THE 17TH DAY OF OCTOBER, 1963, BY WITHDRAWING EXHIBIT "A" ATTACHED HERETO, AND ADDING THERETO AND SUBSTITUTING THEREFOR EXHIBIT "A-1".

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AN ORDINANCE 32,178

AMENDING THE ORDINANCE APPROVING THE LOCATION OF URBAN RENEWAL PROJECT V, TEX. R-83 IN THE CITY OF SAN ANTONIO, ESTABLISHING THE OUTER BOUNDARIES OF SUCH PROJECT, DIRECTING THAT BUILDING PERMITS NOT BE ISSUED FOR SPECIFIED WORK WITHIN SAID BOUNDARIES FOR A SPECIFIED PERIOD OF TIME, AN ORDINANCE KNOWN AS NO. 32116 ENACTED ON THE 13th DAY OF FEBRUARY, 1964 BY WITHDRAWING EXHIBIT "A" ATTACHED HERETO AND ADDING THERETO AND SUBSTITUTING THEREFOR EXHIBIT "A-1", AND DECLARING AN EMERGENCY.

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AN ORDINANCE 32,179

AMENDING THE ORDINANCE APPROVING THE UNDERTAKING OF SURVEYS AND PLANS FOR URBAN

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RENEWAL PROJECT NO. 5 (CIVIC CENTER PROJECT) AND APPROVING THE SUBMISSION BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF AN APPLICATION FOR AN ADVANCE OF FEDERAL FUNDS FOR SAID PURPOSES, AN ORDINANCE KNOWN AS NO. 31829, ENACTED ON THE 17TH DAY OF OCTOBER, 1963, BY WITHDRAWING EXHIBIT "A" ATTACHED THERETO, AND ADDING THERETO AND SUBSTITUTING THEREFOR, EXHIBIT "A-1".

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Mr. Clayton Russell, 229 South Broadway, asked the Council to consider taking a census in San Antonio in 1965.

The request was taken under consideration.

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.

3-10-64 Petition of Mr. Quincy Lee, requesting annexation of 843.418 acres of land located east of I. H. 410 and south of Rittiman Road.

3-11-64 Petition of Mr. Miguel Blanco, requesting a permit to erect a privacy wall, 10 feet in height, along the north property line of Lot 16, Blk 22, NCB 8992, located at 954 S. W. 35th Street.

Sincerely,

/s/ J. H. Inselmann
City Clerk

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