

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
WEDNESDAY, JANUARY 16, 1963, 8:30 AM.

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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, KAUFMAN, GUNSTREAM, GATTI, PADILLA, PARKER and BREMER; ABSENT: ROHLFS.

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The invocation was given by Councilman Bremer.

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The minutes of the previous meeting were approved.

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Mr. Frank Baskin, Attorney for the Joe Freeman Coliseum Board made a request that Willow Springs Road, which is one and one-half miles long, between Houston Street and I. H. 35 (Expressway) be renamed with some appropriate name which would connect it with the location of the Coliseum. He said that many people from out of town go to the Coliseum by the Expressway, and there is nothing to identify the Willow Springs Road with the Coliseum.

He also asked that the Public Works Director be authorized to investigate the possibility of constructing an access road around the Coliseum if the Coliseum Board dedicated a 100' strip of land for this purpose. He felt such a road would take the traffic off Houston Street and relieve the traffic situation around the Coliseum.

The Mayor informed Mr. Baskin that his request for street name change would be referred to the Planning Commission.

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First zoning case heard was Case No. 1664 to rezone Lot 15, NCB 11025, located southeast of the intersection of Dauchy Road and South Gevers Street, from "B" Residence District to "F" Local Retail District.

Planning Director Steve Taylor reviewed the case which was previously heard by the City Council July 3rd and had been referred back to the Zoning Commission for further consideration. He said that the Commission again heard the case and recommended that the property be rezoned to "F" Local Retail District because it was in close proximity to I. H. 37, and there would be some "F" Local Retail Districts recommended around it. He explained that the property is presently used for a contractors storage yard, which is a non-conforming "J" Commercial use. The Commission felt that the rezoning would have no adverse effect on the residential property across the street on Dauchy Road since all residences front on Pennystone Street.

No one spoke in opposition to the proposed change.

After consideration, on motion made by Mr. Gatti, 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, Parker and Bremer; ABSTAINED: Padilla; NAYS: None; ABSENT: Rohlfs.

AN ORDINANCE 31,036

AMENDING SECTION 2 OF AN ORDINANCE ENTITLED "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN, ETC.," PASSED

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AND APPROVED ON NOVEMBER 3, 1938, BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 15, NCB 11025, FROM "B" RESIDENCE DISTRICT TO "F" LOCAL RETAIL DISTRICT.

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Full text in Ordinance Book MM, Page 530

Next heard was Case No. 1667 to rezone Lot 1, Blk 1, NCB 13519, located northeast of the intersection of Culebra Road and Callaghan Road, from "A" Residence District to "F" Local Retail District.

The Planning Director stated that the Zoning Commission had recommended "F" Local Retail District for a large tract of the Northeast corner of Culebra Road and Callaghan Road for a community center to be developed by Science City Development Corporation, however, the Zoning Commission only recommended this small portion at this time until the developers have presented plans for the development of the entire community center.

Mr. Herbert Karren, representing Science City Development Corporation, stated that they had reserved an area for a large shopping center and were ready to develop the residential area, and wanted this small commercial area zoned so that the people that buy their homes will know that the property was commercial. He stated that there would be a large sign erected on the property on which the center is to be built stating that the property was reserved for commercial purposes. He said they could not prepare final plans for the community center until plans for the proposed widening of Culebra Road had been completed. He asked the Council to approve the rezoning of this portion of the property.

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, Kaufman, Gunstream, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: Rohlf's.

AN ORDINANCE 31,037

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, BLK 1, NCB 13519, FROM "A" RESIDENCE DISTRICT TO "F" LOCAL RETAIL DISTRICT.

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Full text in Ordinance Book MM, Page 530

Mr. Theo Weiss, attorney for the Missouri-Kansas-Texas Railroad asked the Council to rescind action taken last week in which it expressed itself as being in favor of the application of the Missouri Pacific and Texas and Pacific Railway Company to acquire additional railroad lines in Oklahoma. He said this was a matter of competition between the Missouri Pacific and Katy and he wanted to present the Katy's side of the picture. He felt that the Council should not take part in a private argument between the two railroads. The application was by the Texas and Pacific Railway Company which does not come near San Antonio. Missouri Pacific had tried to get Dallas and Houston City Councils to support the application, and both decided that they should remain neutral in the matter. However, the Houston Port Bureau has taken a

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stand against the application and has filed a petition for leave to intervene in the proceedings of the I. C. C. who begins hearing testimony on the application next Monday. He refuted the testimony of the Missouri Pacific in which they said that if they were able to acquire these additional lines, that they would be able to give better service to San Antonio. He said Missouri Pacific had use of these lines for thirty-five years and from past experience he did not believe that they would be able to give better service. If the lines are acquired by the Missouri Pacific, the Katy would stand to lose the business served by these lines in Oklahoma. He asked the Council to rescind its action or in the alternative, to support the Katy's request that it be allowed to purchase one-half of the stock in these railroad companies.

Mr. Frank Heiling, Vice President in Charge of Sales for the Katy, explained how the Katy would lose the intermediate business if the line was acquired by the Missouri Pacific and also felt that such application would not improve service to San Antonio.

Mr. Tom Carter, Vice President in Charge of Operations, stated that if the Missouri Pacific acquired these lines they would still have to travel one hundred miles further to get to San Antonio than it does on the Katy.

After consideration of the matter, the Mayor announced that the Council would take the request under consideration.

Next zoning case to be heard was Case No. 1749 to rezone Lot 16, NCB 11693, located on the east side of Blanco Road, approximately 1400' north of Weizman Drive, from "A" Residence District to "D" Apartment District.

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

No one spoke in opposition to the change.

After consideration, on motion of Mr. Gunstream, seconded by Mr. Bremer, 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 31,038

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 11693, FROM "A" RESIDENCE DISTRICT TO "D" APARTMENT DISTRICT.

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Full text in Ordinance Book MM, Page 530

Case No. 1789 was heard next to rezone Lot 28, NCB 12955, located southwest of the intersection of Buena Vista Street and 36th Street, from "C" Residence District to "F" Local Retail District.

Planning Director Taylor briefed the Council on the proposed change. He stated there was no opposition at the meeting, but that he had received a telephone call this morning from Saint John Bosco Church and School to the effect that they were in opposition because of the traffic. He said it was proposed to construct a small community facility on this location.

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Mr. Arthur Trölo, representing Clego Development Company, stated in October 1961, the Commission had considered this case and turned it down because the new home owners would feel that their interest was not being protected. After 150 homes were built, the home owners came and requested the developer to construct a small community facility. He said most of the people in the area had asked for this facility as there is no retail facility in the area. He felt that conditions had changed as the homes had been developed and the people had asked for this facility. As to the protest of Saint John Bosco Church and School, he stated he called the school and the protest was based on fear that on-premises consumption of beer would be permitted. He said this would not be possible as the school was within 300' and this would not be allowed. He said they would be willing to cooperate on the installation of a crosswalk and a traffic signal for the school if it was required, Since 36th Street will be an access road to Highway 90 West, he felt that this facility would not be a traffic factor.

No one spoke in opposition to the change.

After consideration, on motion of Mr. Gatti, seconded by Mr. de la Garza, the recommendation of the Zoning Commission was approved by passage of the following ordinance, the vote being as follows: AYES: McAllister, de la Garza, Kaufman, Gunstream, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: Rohlf's.

AN ORDINANCE 31,039

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 28, NCB 12955, FROM "C" RESIDENCE DISTRICT TO "F" LOCAL RETAIL DISTRICT.

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Full text in Ordinance Book MM, Page 531

Case No. 1807 was next heard, to rezone that portion of Tracts 1A and 2A, NCB 7674, on the east side of Roosevelt Avenue not presently zoned "J" Commercial to a depth of 300' measured perpendicular to Roosevelt Avenue to a boundary line parallel to Roosevelt Avenue, located 150' east of Roosevelt Avenue and 303' north of Douglas Drive, from "B" Residence District to "J" Commercial District.

The Planning Director stated that the Commission had heard the case on two previous occasions and had recommended only that portion under consideration today be approved because this will not effect the proposed River Road along the rear of this property or the extension of Dauchy Road at a future date. He said this recommendation was agreeable to the applicant.

No one spoke in opposition.

On motion made by Mr. de la Garza, seconded by Mr. Kaufman, 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: McAllister, de la Garza, Kaufman, Gunstream, Padilla, Parker and Bremer; NAYS: None; ABSENT: Rohlf's and Gatti.

AN ORDINANCE 31,040

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 TRACTS 1A AND 2A, NCB 7674, ON THE EAST SIDE OF ROOSEVELT AVENUE NOT PRESENTLY ZONED "J" COMMERCIAL TO A

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DEPTH OF 300' MEASURED PERPENDICULAR TO ROOSEVELT AVENUE TO A BOUNDARY LINE PARALLEL TO ROOSEVELT AVENUE, FROM "B" RESIDENCE DISTRICT TO "J" COMMERCIAL DISTRICT.

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Full text in Ordinance Book MM, Page 531

Next case to be heard was Case No. 1702 to rezone Lot 28, NCB 11928, located on the west side of Broadway, 243.7 north of Nottingham Drive, from "A" Residence District to "D" Apartment District.

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

No one spoke in opposition to the change.

After consideration, on motion made by Mr. de la Garza, seconded by Mr. Kaufman, 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, Padilla, Parker and Bremer; NAYS: None; ABSENT: Rohlfis and Gatti.

AN ORDINANCE 31,041

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 28, NCB 11928 FROM "A" RESIDENT DISTRICT TO "D" APARTMENT DISTRICT.

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Full text in Ordinance Book MM, Page 532

Mayor McAllister was obliged to leave the meeting and Mayor Pro-Tem Gunstream presided.

Last case to be heard was Case No. 1798, to rezone Lot 1, NCB 12906, located southeast of the intersection of U. S. Highway 87 (Rigsby Avenue) and Rivina Drive, from "A" Residence District to "F" Local Retail District.

Planning Director Taylor briefed the Council on the proposed change which the Zoning Commission recommended be denied. He showed a strip map showing the location of all businesses on Rigsby Avenue and the recent rezoning of property along this street. It showed that Loop 410 which is under construction is in close proximity to the property in question, and that in all probability some "F" Retail zoning would be recommended along Rigsby Avenue by the Zoning Commission. He also stated that the AAA Refrigeration Company, whose non-conforming use was discussed at the previous meeting, was actually outside the city limits and the City has no jurisdiction as to the use of the property. He felt that with all this as a background, it would seem to be a lost cause to try to hold this property along Rigsby Avenue as residential property.

Traffic and Transportation Director Stewart Fischer stated that his opposition to the rezoning was not in reference to the school across the street, but the opposition was with parking as he did not know how they would get adequate parking on such a small lot.

After consideration of the matter, on motion of Mr. Padilla, seconded by Mr. de la Garza, the recommendation of the Zoning Commission was overruled, and the property rezoned to "F"

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Local Retail District by passage of the following ordinance, the vote being as follows: AYES: de la Garza, Kaufman, Gunstream, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: McAllister and Rohlfs.

AN ORDINANCE 31,042

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 12906, FROM "A" RESIDENCE DISTRICT TO "F" LOCAL RETAIL DISTRICT.

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Full text in Ordinance Book MM, Page 532

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The following ordinances were read:

AN ORDINANCE 31,043

AMENDING ORDINANCE NO. 30660, PASSED AUGUST 8, 1962, PROVIDING FOR THE EXTENSION OF THE LIMITS OF THE CITY OF SAN ANTONIO AND FOR THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY ADJACENT TO THE PRESENT CITY LIMITS OF SAN ANTONIO. (21.06 SQUARE MILES).

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Full text in Ordinance Book MM, Page 532

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AN ORDINANCE 31,044

AMENDING ORDINANCE NO. 30661, PASSED AUGUST 8, 1962, PROVIDING FOR THE EXTENSION OF THE LIMITS OF THE CITY OF SAN ANTONIO AND FOR THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY ADJACENT TO THE PRESENT CITY LIMITS OF SAN ANTONIO. (8.301 ACRES TOWN WEST ADDITION).

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Full text in Ordinance Book MM, Page 533

Planning Director Steve Taylor explained that in order to correct an error in field notes in similar ordinances, passed on August 8, 1962, it was necessary to amend the ordinances in order to annex 8.301 acres instead of 5.82 acres of Town West Addition Unit 2, located south of West Commerce Street at the present city limits. The first ordinance would remain as a first reading ordinance. The second ordinance which would annex the 8.301 acres would be finally passed after 30 days publication.

On motion of Mr. Kaufman, seconded by Mr. de la Garza, the ordinances were in each instance passed and approved for publication only, by the following vote: AYES: de la Garza, Kaufman, Gunstream, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: McAllister and Rohlfs.

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The following ordinance was read:

AN ORDINANCE 31,045

EXTENDING THE EFFECTIVE PERIOD OF ORDINANCE 30071, ESTABLISHING BUILDING LINES ALONG THE OUTER BOUNDARIES OF THE NORTH EXPRESSWAY IN THE CITY OF SAN ANTONIO FROM JOSEPHINE STREET TO OLMOS DRIVE; AND DIRECTING THAT BUILDING PERMITS NOT BE ISSUED FOR CERTAIN WORK WITHIN THE BOUNDARIES OF SAID NORTH EXPRESSWAY FROM JOSEPHINE STREET TO OLMOS DRIVE TO JANUARY 16, 1964.

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Full text in Ordinance Book MM, Page 534

City Manager Shelley explained that this ordinance would extend the existing protection ordinance for the right of way of North Expressway. He stated some changes to the ordinance

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will have to be made and they would be presented to the Council for consideration after the law suit regarding the North Expressway which is in appeal to the State Supreme Court, is decided.

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

The Council at this time considered the request of the Katy railroad that the Council rescind its action of last week in which the Council expressed itself in favor of the acquisition by the Missouri Pacific Railroad and the Texas and Pacific Railway Company of additional railroad lines, or in the alternative to support the Katy's request that it be allowed to purchase one-half of the stock in these railroad companies.

After consideration, Mr. Bremer moved that the Council's previous action be amended to read as follows: "In the interest of better service to the City of San Antonio the sentiment of the City Council is favorable to the acquisition by the Missouri Pacific Railroad, Texas and Pacific Railway Company and Missouri, Kansas and Texas Railroad Company of additional railroad lines." ^{was} Seconded by Mr. Padilla, the motion passed and approved by the following vote: AYES: de la Garza, Kaufman, Gunstream, Padilla, Parker and Bremer; NAYS: Gatti; ABSENT: McAllister and Rohlf's.

The Clerk read the following letter:

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

Gentlemen:

The following petition was received and forwarded to the proper departments for any indicated action.

- ✓ 1-11-63 Petition letter filed by Mr. J. Morris, 214 Hub Avenue, complaining about unfinished work done on streets in Coliseum Addition which has become a dust nuisance.

Yours very truly,

/s/ J. H. Inselmann
J. H. INSELMANN
City Clerk

There being no further business, the meeting adjourned.

A P P R O V E D :

Walter Gunstream
MAYOR Pro-Tem

A T T E S T :

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