

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
WEDNESDAY, OCTOBER 3, 1962, 8:30 AM

The regular meeting of the City Council was called to order by the Presiding Officer, Mayor Pro-Tem Walter C. Gunstream, with the following members present: DE LA GARZA, ROHLFS, KAUFMAN, GUNSTREAM, PADILLA, PARKER and BREMER; ABSENT: MC ALLISTER and GATTI.

The invocation was given by Rev. Arthur Geeson, St. Stephen's Episcopal Church.

On motion of Mr. de la Garza, seconded by Dr. Parker, the minutes of the previous meeting were approved.

First taken up was the hearing on Zoning Case No. 1738, to rezone Lot 40, NCB 11880 located northwest of the intersection of Lawndale Drive and Broadway, from "A" Residence District to "E" Office District.

Planning Director Steve Taylor briefed the Council on the proposed change which was recommended by the Zoning Commission. No one asked to speak in opposition.

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

AN ORDINANCE 30,790

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 11880 FROM "A" RESIDENCE DISTRICT TO "E" OFFICE DISTRICT.

Full text in Ordinance Book MM, page 347

Next heard was Case No, 1759 to rezone Lot 13, NCB 6314, located northwest of the intersection of "B" Street and S. Zarzamora Street, from "B" Residence District to "F" Local Retail District.

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

Mrs. A. Simpson, 2207 Zarzamora Street, owner of property adjacent to that in question informed the Council that she was not in opposition to the change but would like to have her property rezoned also. Mrs. Simpson was advised of the required procedure for rezoning and that she should file an application for rezoning which would receive proper consideration.

No one else asked to be heard.

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: de la Garza, Rohlfs, Kaufman, Gunstream, Padilla, Parker and Bremer; NAYS: None; ABSENT:

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McAllister and Gatti.

AN ORDINANCE 30,791

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 13, NCB 6314, FROM "B" RESIDENCE DISTRICT TO "F" LOCAL RETAIL DISTRICT.

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Full text in Ordinance Book MM, page 346

Next heard was Case No. 1716 to rezone the West 47.62' of Lot 19, Blk 5, NCB 812, located on the north side of E. Elmira Street, 95.24' east of Baltimore Avenue from "E" Office District to "JJ" Commercial District.

The Planning Director briefed the proposed change which was recommended by the Zoning Commission.

Mr. Hubert Green, attorney for the applicant, Porter Loring, explained this additional rezoning was needed in order to construct the necessary type of building needed for a funeral home.

No one spoke in opposition.

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

AN ORDINANCE 30,792

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 47.62' OF LOT 19, BLK 5, NCB 812 FROM "E" OFFICE DISTRICT TO "JJ" COMMERCIAL DISTRICT.

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Full text in Ordinance Book MM, page 346

Case No. 1756 was heard next to rezone Lot 14, NCB 7883, located southeast of the intersection of Southcross Blvd. and I. H. 35 Expressway from "B" Residence District to "F" Local Retail District.

The Planning Director briefed the proposed change. He explained that the Zoning Commission recommended this rezoning but previously it had turned down two requests along the Expressway. The Commission recommended this change because it was at the intersection of a major thoroughfare, whereas those that were turned down were minor streets that deadended at the Expressway service road.

No one spoke in opposition.

After discussion of the matter, on motion of Mr. Kaufman, seconded by Dr. Parker, 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: Rohlfs, Kaufman, Gunstream, Parker and Bremer; NAYS: Padilla; ABSTAINING: de la Garza, ABSENT: McAllister and Gatti.

AN ORDINANCE 30,793

AMENDING SECTION 2 OF AN ORDINANCE ENTITLED " AN ORDINANCE ESTABLISHING ZONING

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REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN, ETC.," PASSED AND APPROVED ON NOVEMBER 3, 1938, BY CHANGING THE CLASSIFICATION OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 14, NCB 7883, FROM "B" RESIDENCE DISTRICT TO "F" LOCAL RETAIL DISTRICT.

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Full text in Ordinance Book MM , page 347

Case No. 1744 was next heard to rezone Lot 11, and the east 12.5' of Lot 10, NCB 1895 located southwest of the intersection of Woodlawn Avenue and Howard Street, from "B" Residence District to "D" Apartment District.

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

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

AN ORDINANCE 30,794

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 11, AND THE EAST 12.5' OF LOT 10, NCB 1859, FROM "B" RESIDENCE DISTRICT TO "D" APARTMENT DISTRICT.

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Full text in Ordinance Book MM , page 348

Case No. 1640 was heard next to rezone Lots 4-12 and that portion of Lots 13-25, NCB 10163 presently zoned "J" Commercial located on the north and south sides of Durr Street between Snyder and Curtis Streets, from "J" Commercial to "C" Residential District; that portion of Tract 2 and E, NCB 9487 presently zoned "J" Commercial District located on the west side of Snyder Street approximately 245' north of E. Valdo Street from "J" Commercial to "C" Residence District; and property listed below, located generally north of March Avenue south of Durr Street, approximately 183' east of South Flores Street and 254' west of Roosevelt Avenue, from "C" Residence, "F" Local Retail and "J" Commercial Districts to "A" Residence District.

| <u>Lots</u> | <u>NCB</u> |
|-------------------------|------------|
| 1-5 | 9826 |
| 1-16 | 9827 |
| 1-29 | 9828 |
| 1-7 | 9829 |
| 1,2,272,273, & 274 | 9488 |
| 1-14, & 275-287 | 9489 |
| 288-297 | 9490 |
| 22-27 | 9491 |
| 34-38 & 81-85 | 9492 |
| 39-45 & 73-80 | 9493 |
| 46-54 & 65-72 | 9494 |
| 105-112, 5-13 & Tract 2 | 9495 |
| 1-13 & 96-104 | 9496 |
| 92-95 | 9497 |
| 2-9 | 9798 |
| 1-22 | 9799 |
| 2-23 & 3 Acre Tract | 9801 |
| 1-6 | 9802 |

Planning Director Taylor explained that this change was initiated by the Zoning Commission to up-grade part of the property to "C" Residence District and the large area to "A" Residence District as it is predominately occupied by single family residences. He explained that two

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hearings were held by the Commission and at the last hearing there was no opposition.

No one asked to speak in opposition to the change.

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

AN ORDINANCE 30,795

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 LOTS 4-12 AND THAT PORTION OF LOTS 13-25, NCB 10163 PRESENTLY ZONED "J" COMMERCIAL, FROM "J" COMMERCIAL DISTRICT TO "C" RESIDENCE DISTRICT; THAT PORTION OF TRACT 2 AND E, NCB 9487 PRESENTLY ZONED "J" FROM "J" COMMERCIAL DISTRICT TO "C" RESIDENCE DISTRICT; AND LOTS 1-5 NCB 9826, LOTS 1-16 NCB 9827, LOTS 1-29 NCB 9828, LOTS 1-7 NCB 9829, LOTS 1, 2, 272, 273 & 274 NCB 9488, LOTS 1-14, 275 & 287 NCB 9489, LOTS 288-297 NCB 9490, LOTS 22-27 NCB 9491, LOTS 34-38 & 81-85 NCB 9492, LOTS 39-45 & 73-80 NCB 9493, 46-54 & 65-72 NCB 9494, LOTS 105-112, 5-13 & Tract 2 NCB 9495, LOTS 1-13 & 96-104 NCB 9496, LOTS 92-95 NCB 9497, LOTS 2-9 NCB 9798, LOTS 1-22 NCB 9799, LOTS 2-23 & 3 acre Tract NCB 9801, LOTS 1-6 NCB 9802, FROM "C" RESIDENCE, "F" LOCAL RETAIL AND "J" COMMERCIAL DISTRICT TO "A" RESIDENCE DISTRICT.

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Full text in Ordinance Book MM, page 348

Last zoning case heard was Case No. 1654 to rezone Lot 3, NCB 12160 located northeast of the intersection of Harry Wurzbach Road and the cut-off to Loop 410, from "A" Residence District to "D" Apartment District; and Lot 2 NCB 12160 located southeast of the intersection of Loop 410 and the cut-off to Harry Wurzbach Road, from "A" Residence District to "F" Local Retail 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. de la Garza, seconded by Dr. Parker, the recommendation of the Zoning Commission was approved by passage of the following ordinance, the vote being as follows:

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

AN ORDINANCE 30,796

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, NCB 12160, FROM "A" RESIDENCE DISTRICT TO "D" APARTMENT DISTRICT; AND LOT 2, NCB 12160 FROM "A" RESIDENCE DISTRICT TO "F" LOCAL RETAIL DISTRICT.

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Full text in Ordinance Book MM, page 349

Planning Director Steve Taylor explained that Case No. 1717, Case No. 1642, and Case No. 1674 had been continued from September 19th. Since it was not expected that seven members of the Council would be present to hear these appeal cases, the applicants were notified and they requested that the hearings be continued for two weeks except in Case No. 1717, the applicant asked that the hearing be continued indefinitely.

After discussion, on motion of Mr. Rohlf, seconded by Mr. Bremer, the hearing on

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Case No. 1717 was continued indefinitely; and the hearing on Case No. 1642 and Case No. 1674 were continued for two weeks to October 17th. The motion carried by the following vote: AYES: de la Garza, Rohlf, Kaufman, Gunstream, Padilla, Parker and Bremer; NAYS: None; ABSENT: McAllister and Gatti.

The following resolution was read:

A RESOLUTION

MANIFESTING THE INTENT OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO TO ACCEPT THE TERMS OF STATE HIGHWAY DEPARTMENT MINUTE ORDER #51835 IN CONNECTION WITH THE DEVELOPMENT OF AN ACCESS ROAD BETWEEN THE NEW EXPRESSWAY ROUTE OF U. S. HIGHWAY 90 AND THE KELLY FIELD MILITARY ESTABLISHMENT, SUBJECT TO A CERTAIN PROVISIO WITH RESPECT TO MAINTENANCE THEREOF.

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Full text in Ordinance Book MM , page 350

City Manager Shelley explained the resolution and that he had requested clarification of the minute order. He read a telegram from Mr. D. C. Greer, State Highway Engineer, regarding the City's responsibilities. Mr. Shelley informed the Council that technicalities could be worked out satisfactorily and recommended adoption of the resolution.

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

Mr. Shelley then thanked the Council, Administrative Staff, Chamber of Commerce, the Military and everyone who assisted in working out this program and concluded by stating he would expedite it as rapidly as possible.

The Council then commended the City Manager for his work in helping to make the Kelly Access Road possible.

The following ordinances were explained by City Manager Shelley and after consideration, a motion made and duly seconded, each ordinance was passed and approved by the following vote: AYES: de la Garza, Rohlf, Kaufman, Gunstream, Padilla, Parker and Bremer; NAYS: None; ABSENT: McAllister and Gatti.

AN ORDINANCE 30,797

AUTHORIZING THE TRANSFER OF AN ADDITIONAL SUM OF \$3,450.00 FROM SPECIAL PROJECTS ACCOUNT #30-01-01 PUBLIC IMPROVEMENTS UNALLOCATED, TO SPECIAL PROJECTS ACCOUNT \$11-05-02, SAN ANTONIO RIVER IMPROVEMENTS, PAYABLE TO THE CITY WATER BOARD, IN CONNECTION WITH THE SAN ANTONIO RIVER WALK IMPROVEMENT PROGRAM.

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Full text in Ordinance Book MM , page 350

AN ORDINANCE 30,798

AUTHORIZING APPLICATION BY THE CITY TO THE UNITED STATES FOR A RELEASE OF CONDITIONS ON THE USE OF EAST KELLY OUTFALL STORM SEWER LINE, AND AUTHORIZING PAYMENT OF THE SUM OF \$4,500.00 THEREFOR OUT OF STORM DRAINAGE BOND FUND, 1957, #479-13.

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Full text in Ordinance Book MM , page 350

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AN ORDINANCE 30,799

AUTHORIZING EXECUTION OF A CONTRACT BETWEEN THE CITY AND THE SAN ANTONIO CHAMBER OF COMMERCE PROVIDING THAT MUNICIPAL ADVERTISING DURING THE YEAR ENDING JULY 31, 1963, SHALL BE CARRIED OUT BY THE CHAMBER; AND APPROPRIATING THE SUM OF \$76,000.00 FROM UNAPPROPRIATED SURPLUS GENERAL FUND TO GENERAL FUND ACCOUNT #50-19-01 AND AUTHORIZING PAYMENT FROM SAID ACCOUNT OF THE SUM OF \$200,000.00 TO THE SAN ANTONIO CHAMBER OF COMMERCE.

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Full text in Ordinance Book MM , page 351

The following ordinance was read:

AN ORDINANCE 30,800

DECLARING THE NECESSITY FOR CITY-WIDE COOPERATION BETWEEN THE LOCAL GOVERNMENT AND ITS CITIZENS WITH RESPECT TO CIVIL DEFENSE; AND EXEMPTING THE CITY FROM LIABILITY, PURSUANT TO THE TERMS OF SECTION 7, ARTICLE 6889-4, R.C.S. OF TEXAS, AND FURTHER EXEMPTING CERTAIN PRIVATE INDIVIDUALS OWNING AND CONTROLLING REAL ESTATE FROM LIABILITY IN CONNECTION WITH THE LOCAL CIVIL DEFENSE PROGRAM.

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Full text in Ordinance Book MM , page 352

The City Manager explained that early this year a meeting of local communities was held with the Federal Government regarding the Civil Defense shelter program. The Governor ^{met} made a survey of all buildings in the area to find out which were suitable as shelters. As a result of the survey, it was found that there are facilities for 122,000 people. The City and Building Owners would be exempt from liability of any kind in connection with the Civil Defense Program. The only expense to the City would be the transporting of food and supplies from Kelly Field to the various locations; stocking of the shelters and compiling of a semi-annual inventory. The safety of the supplies would be the responsibility of the Building Owner. San Antonio being a prime target area, he asked the Council to approve the ordinance which would enable the City to go ahead with the shelter operation which is part of the national program.

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

Mayor Pro-Tem Gunstream reviewed Mayor McAllister;s statement to the City Council regarding the possibility of obtaining a supplementary surface water supply from the Canyon or Cuero dams in which the Mayor urged passage of the following resolution.

A RESOLUTION

A RESOLUTION ADOPTING AND SUPPORTING THE JOINT LETTER OF THE CITY WATER BOARD AND THE SAN ANTONIO RIVER AUTHORITY IN RESPECT TO NEGOTIATIONS FOR SUPPLEMENTAL SURFACE WATER SUPPLY.

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Full text in Ordinance Book MM , 353

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

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 department for any indicated action.

10-1-62 Petition signed by Mr. Herbert M. Oppenheimer complaining of the condition of the pavement and drainage on Commerce Street contiguous to the curb side of the Aztec Building.

Yours very truly,

/s/ J. H. Inselmann
J. H. INSLEMANN,
City Clerk

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No citizen asked to be heard and there being no further business, the meeting adjourned.
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A P P R O V E D :

W. Macister
MAYOR

A T T E S T:

J. H. Inselmann
CITY CLERK