

MARCH 21, 1946

REGULAR MEETING OF THE COMMISSIONERS OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBER OF THE CITY HALL, AT TEN O'CLOCK, A.M., ON THURSDAY, MARCH 21, 1946.

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PRESENT: Mauermann, Callaghan, Hein, Steffler and Anderson; Mayor Mauermann presiding.
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The Clerk read the minutes of the Regular Meeting of March 14, the Recessed Meeting of March 19, and the Committee of the Whole Meeting of March 19. On motion of Commissioner Steffler, seconded by Commissioner Hein and carried by roll call vote, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson, the Council approved the minutes of the Regular and Recessed Meetings, as read, adopted the minutes of the Committee of the Whole, as read, and approved the action taken by the Committee of the Whole on March 19.
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PETITIONS PRESENTED:

REFERRED to Commissioner of Fire & Police:

S. & W. Service, for permission to make gasoline installation at 213 S. Salado St.
Magnolia Petroleum Co., for permission to make gasoline installation at 801 S. Laredo St.
Ernest Rodriguez, for permission to keep cow and horse stock at 415 Saltillo St.
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REFERRED to San Antonio Transit Co.:

C. W. Bacon, Sr., and others, asking extension of bus line from Commerce and 24th Sts. to Bacon's Place.
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REFERRED to City Engineer:

Wm. M. Wentworth, for approval of subdivision plat of Lots 46, 47 and 48, NCB 7904, Melrose Gardens.

Howard Bumbaugh, for approval of subdivision plat of Blocks 8933, 8934 and 8935, out of NCB 8950, and Blocks 2, 4 and 6 out of County Block 4289.

W. D. Squibb, for approval of subdivision plat of Lot 7, Block 41, NCB 2014.

J. E. Lowrey, for approval of vacating and subdividing plats of Lots 16 and 17, Block 1, NCB 8109.
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The petition of members of the Mexican Christian Institute protesting proposed change in zoning of the area between Brazos, Zarzamora, Frio City Road and S. Laredo Sts., was presented and deferred to the close of the regular business session, at which time a hearing was to be held on the proposed re-zoning of this area.
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A committee requesting exemption from taxation on the Lutheran Service Center appeared before the Council. Spokesmen were the Rev. W. A. Siefkes, Pastor of Highland Park Lutheran Church, and the Rev. H. F. Anders, President of the Texas Lutheran Welfare Society. They asked a re-hearing on their petition for exemption from taxation on the Service Center.

City Attorney Cobbs explained the petition had been denied, but said he recommended at the time that the part of the building used for worship be segregated and exempted, the law stating that only an actual place of worship may be exempted.

Following a general discussion by the Council, it was agreed to meet as a Committee of the Whole immediately after this Council Meeting and re-consider the petition.
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Commissioner Callaghan introduced the following ordinances, which were passed & approved by roll call vote, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson.

APPRO. NO. 687

AN ORDINANCE (3179)

APPROPRIATING \$25,019.18 OUT OF 1945 GENERAL FUND TO PAY NOTE NO. 52 AND ACCRUED INTEREST.

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APPRO. NO. 688

AN ORDINANCE (3180)

APPROPRIATING \$1,450 OUT OF VARIOUS SINKING FUNDS TO PAY APRIL 1, 1946, MATURITIES.

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Commissioner Hein introduced the following ordinances, which were passed and approved by roll call vote, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson.

APPRO. NO. 689

AN ORDINANCE (3181)

ACCEPTING PROPOSAL OF GEO. E. BROMBAUGH TO CONSTRUCT CUNNINGHAM AVENUE STORM DRAIN; AUTHORIZING MAYOR TO EXECUTE CONTRACT; AND APPROPRIATING \$5,794 IN PAYMENT THEREFOR.

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APPRO. NO. 690

AN ORDINANCE (3182)

REPEALING AN ORDINANCE.

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APPRO. NO. 691

AN ORDINANCE (3183)

APPROPRIATING \$500 OUT OF 1945 GENERAL FUND, GARBAGE AND SANITATION DEPT., TO PAY CLARA CROUCH FOR DAMAGES.

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APPRO. NO. 692

AN ORDINANCE (3184)

ACCEPTING PROPOSAL, CREATING CONTRACT AND MAKING APPROPRIATION WITH ALAMO IRON WORKS TO FURNISH GOLF COURSE DEPTS. WITH WATER HOSE AND APPROPRIATING \$427.87 OUT OF 1945 GENERAL FUND IN PAYMENT.

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In each case on recommendation of the City Engineer and on motion of Commissioner Steffler, seconded by Commissioner Hein and carried by roll call vote, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson, the Council approved the following plats:

Plat of T. E. Barnes, Jr., Subdivision, facing Amanda St., outside City limits, submitted by T. E. Barnes, Jr.

Plat of subdivision of Tract A, out of R. T. Higginbotham Survey No. 29, known as NCB 7774, for Harlandale Presbyterian Church, submitted by Frank T. Drought.

Plat (corrected) of subdivision of City Block 8567 (Alpen Court), submitted by Frank T. Drought.

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Commissioner Steffler introduced the following ordinances, which were passed and approved by roll call vote, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson.

APPRO. NO. 693

AN ORDINANCE (3185)

APPROPRIATING \$190 OUT OF STREET EXCAVATION TRUST ACCOUNT FOR REFUNDS AND REPAIRS.

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APPRO. NO. 694

AN ORDINANCE (3186)

ACCEPTING PROPOSAL OF GENERAL CONSTRUCTION CO. FOR WIDENING OF NORTH CHERRY ST. BETWEEN EAST COMMERCE AND NORTH CENTER STS.; AUTHORIZING MAYOR TO EXECUTE CONTRACT; AND APPROPRIATING \$1,300 IN PAYMENT THEREFOR.

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In each case on recommendation and motion of Commissioner Anderson, seconded by Commissioner Hein and carried by roll call vote, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler

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and Anderson, the Council granted the following petitions for permission to make gasoline installations at the stated locations:

Texas Co., at 601 W. New Braunfels, 830 S. Flores, 4300 Somerset Rd., 2226 Broadway, 901 E. Commerce, 142 N. New Braunfels, 3202 Broadway, and 4901 Broadway.

Texas Co., at 140 Fredericksburg Rd. for Redford Transfer Co.

J. C. Morris, at 804 East Mulberry.

Jack Neal, Inc., (2 petitions) at 3701 S. Flores St. and at 541 Fredericksburg Rd.

Humble Oil & Refining Co., at N. St. Mary's and Magnolia.

S. & W. Service, at 154^{E.}/Mitchell St.

Commissioner Anderson presented the following report of the Zoning Commission:

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Mayor Gus B. Mauermann & Commissioners
City of San Antonio

Honorable Sirs:

The Zoning Commission at a called meeting in the Council Chamber on March 19, 1946, considered the petition of Mr. Tennille Henderson to be permitted to build a factory for seat covers on Lots 4, 5, 6, 7, 8, and 9 of NCB1758 located on the south side of Quincy Street partly on the south side of Newell Street and partly on the north side of Newell Street.

Since the petitioner requested the quickest possible action on this matter, the Zoning Commission decided to suspend the customary but not legally required rule of holding an open hearing and notifying the public through the City's publication fifteen days prior thereto.

The Zoning Commission recommends that the above lots and Lots 1, 2 and 3 of the same block, NCB1758, Lots 10, 11 and 12 of NCB1002, Lots 1, 2, 3, 7, 8 and 9 of NCB1003, and Lots 7, 8, 9, 10, 11 and 12 of NCB1004 be changed from "D" Apartment to "J" Commercial. These lots are within about 150 feet of Quincy Street between the "J" Commercial zone on Schiller Street and the "J" Commercial zone on St. Mary's Street. Such zoning would allow for a better use of the vacant property of the petitioner as well as some vacant property across the street from the property of the petitioner and would allow the residence owners to take advantage of any increased value on account of the location of the seat cover plant. The lots in this recommendation are a number of feet lower in altitude than the Residence District on Elmira Street, the street which parallels Quincy Street on the north. The adjoining lots on the south are zoned as "J" Commercial.

Since Lot 4 through 8 of NCB (sic) face on either Quincy or Newell it would seem that the fifteen foot set back would apply on both streets in that block. The set backs on any permit in this section should be given serious consideration since it is adjacent to the only river crossing between Jones Avenue and Grayson Street, each a number of blocks away.

In making this recommendation the Zoning Commission does not take it upon itself to recommend the issuing of any permit for building which may be in the path of the Expressway which it seems will come close if not over some of the lots in the recommendation.

Respectfully submitted,

s/ Fred E. Pflughaupt
Chairman Zoning Commission.

On motion of Commissioner Anderson, seconded by Commissioner Hein and carried by roll call vote, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson, the Council ordered that a public hearing be advertised on this petition for re-zoning.

Commissioner Anderson introduced the following ordinances, which were passed and approved by roll call vote, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson.

APPRO. NO. 695

AN ORDINANCE (3187)

AUTHORIZING AND DIRECTING INTER-DEPARTMENTAL BUDGET TRANSFER
OF THE 1945 GENERAL FUND.

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APPRO. NO. 696

AN ORDINANCE (3188)

APPROPRIATING \$509.42 OUT OF 1945 GENERAL FUND TO PAY CITY'S SHARE OF GROUP INSURANCE FOR MARCH, 1946, COVERING VARIOUS EMPLOYEES IN THE FIRE & POLICE DEPARTMENTS.

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AN ORDINANCE (3189)

MAKING CONTRACT WITH MILAM CHEVROLET CO. FOR TOW CAR SERVICE.

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AN ORDINANCE (3190)

TERMINATING THE LEASE OF THE QUARANTINE HOSPITAL WITH THE STATE OF TEXAS.

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AN ORDINANCE (3191)

MAKING AN AGREEMENT WITH THE TEXAS STATE DEPARTMENT OF HEALTH TO LEND EQUIPMENT TO THE CITY.

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AN ORDINANCE (3192)

DIRECTING THE CITY ATTORNEY TO INTERVENE IN CAUSE F-31746, STYLED HAMILTON VS. MOORE, TO RESTRAIN THE COMMISSION OF A NUISANCE.

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Mayor Mauermann introduced the following ordinance, which was passed and approved by roll call vote, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson.

APPRO. NO. 697

AN ORDINANCE (3193)

APPROPRIATING \$34.03 OUT OF 1945 GENERAL FUND, VARIOUS DEPTS., FOR POSTAGE STAMPS AND BOX RENT.

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The Clerk stated no bids had been received in answer to the advertisement for bids to buy or lease two acres of land at Hildebrand Ave. and Stadium Drive. Following a discussion, Commissioner Anderson moved that this matter be referred to the Committee of the Whole for further discussion. After a second by Commissioner Hein, the motion was carried by roll call vote, to-wit: Ayes, Mauermann, Hein, Steffler and Anderson; Nay, Callaghan. The Mayor announced the Committee would meet in the Council Chamber immediately after the Council Meeting.

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Bids to furnish fire hose and a portable generator for the Fire Dept. were opened and publicly read and referred to the Purchasing Agent.

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Mayor Mauermann announced the Council would proceed to hold the public hearing, set for this date, on the petition of Ed Steves & Sons and Steves Bros. for re-zoning of Bel Meade Addition. There was no response to the Mayor's call for public expressions on the matter.

On motion of Commissioner Steffler, seconded by Commissioner Hein and carried by roll call vote, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson, the Council adopted the recommendations of the Zoning Commission on this petition and ordered the necessary ordinance drawn.

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The Council then proceeded to the public hearing, set for this date, on the petition of the T. & N. O. Railway Co., Chamber of Commerce and A. E. Rheiner to change the properties located south of Laredo, west of Brazos, north of Merida and east of Navidad Sts. from "L" Manufacturing to "M" Manufacturing zone.

City Building Inspector Wideman read the petitions of the Chamber of Commerce, T. & N.O. Railway Co., and A. E. Rheiner & Co. and E. K. Melton, asking the zoning change. Mr. E.K. Melton, Jr., appeared as spokesman for the petitioners seeking the change.

Rev. Father C. Romero, pastor of St. John the Evangelist Catholic Church; Jesse Ybarra,

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representing the Mexican Christian Institute; Martin Villapaderna, representing the L.U.L.A.C.s, and Rt. Rev. Msgr. John Dubourgel, pastor of St. John Berchman's Church, appeared as spokesmen for the petitioners protesting the change.

Father Romero said at least 1200 families living in the area would be affected by any zoning change; that it would not be in line with the City Health Dept. efforts to promote cleanliness and prevent disease; that there were more infant deaths than baptisms in his parish during the past year; that the Roegelein packing house, said to be the cleanest in town, "stinks"; that he was protesting against any extension of the packinghouse district and his people would prefer to have the present packinghouses moved outside the city and were going to work toward that end; that the area lacks water and sewers; that although some of the packinghouses were in the area before the homes were built, ~~the~~ people are opposed to any more packinghouses being built; that the railroads just want to dispose of their property in the area but could just as well use it for less objectionable types of factories.

Mayor Mauermann told Father Romero he was in agreement on the need for water extensions in the area and asked that he take his committee before the City Water Board on this matter.

Ybarra said his group, including many ex-service men, favored industry for San Antonio, but wanted it built outside the City, especially packinghouses; that he favored moving the present packinghouses outside the City, if possible.

Villapaderna charged the packinghouses were responsible for bad sanitary conditions in the area and should be moved outside the City.

Msgr. Dubourgel said he opposed the packinghouses for the sake of the health of the people now living around them; that it was proposed to build a new church and school in the area but that neither would be built if the packinghouse district is extended. He favored putting the packinghouses outside the City.

E. K. Melton, Jr., stated the change in zoning was sought in order to build a \$200,000 packing plant, to employ 100 persons, give jobs to many veterans, and increase the industrial progress of San Antonio; that he did not believe the City's progress should be held back by any one group; and that no packinghouse would be built without adequate water and sewage facilities. He said the plant they proposed to build would be directly across the street from the present plant operated by the Roegelein Co. and would be federally inspected.

Mayor Mauermann pointed out that the Chamber of Commerce representatives who had petitioned for the zoning change were "conspicuous by their absence".

William Northway, speaking only for himself and as a property owner in the affected area, stated he thought it was the Council's duty to designate an area suitable for packing or any other industries that may be brought to San Antonio. He said the railroad lines serving the affected area made it ideal for factories; that in his opinion it is now a factory area and should be enlarged, and that the packing industry is a valuable asset to any city.

C. F. Motsch, representing the San Antonio Manufacturers' Assn., also spoke in favor of the zoning change, and of re-zoning the City progressively as its industries grow.

Fred F. Pflughaupt, Chairman of the Zoning Commission, stated that in his opinion less than 50 per cent of the area now designated for packinghouses was being utilized, but that the additional area was proposed for re-zoning because it was adjacent to the present packing plants and served by the railroads, making it advantageous for such use.

Commissioner Anderson stated he would not vote for more packing plants unless adequate water and sewers are provided, and suggested that the petition be either denied at this time or amended to provide re-zoning for a much smaller area. He opposed the location of any additional rendering plant in the area.

Melton replied it would be impossible to have a packinghouse without a rendering plant.

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Mayor Mauermann said he understood the stockyards company purchased six acres last week for a proposed expansion and it would not be fair to let them go ahead with their plans if it is ever contemplated to move them from this area; that if San Antonio is going to have a packinghouse area at all, it should be allowed to enlarge as needed and the Health Dept. ordered to enforce sanitation rules; that it was his understanding from the Chamber of Commerce that the packing industry is the one big industry that San Antonio has and that Armour and Co. wants to build a plant here; that there could be no "half-way" measures now, either the industry must be allowed to expand normally or removed completely; that he hated to see stopped a \$200,000 plant which would provide needed jobs for San Antonio veterans and help the City grow and progress. "I am for progress", the Mayor added.

Commissioner Hein stated San Antonio has a chance of becoming the first city in this area in the packing industry; that he was opposed to trying now to move the present packing plants, which move might lead them to move away entirely from San Antonio. He said it would not be right to "kill" the petition, and suggested it be re-submitted to the Zoning Commission.

In reply to a question from the Mayor, Pflughaupt said he thought the matter might be settled by re-zoning a smaller area.

On motion of Commissioner Anderson, seconded by Commissioner Hein and carried by roll call vote, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson, the petition was referred back to the Zoning Commission. Pflughaupt promised an early meeting on it.

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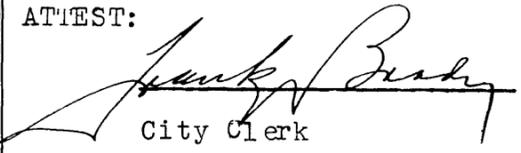
On motion of Commissioner Hein, seconded by Commissioner Callaghan and carried by roll call vote, to-wit: Ayes, Mauermann, Callaghan, Hein, Steffler and Anderson, the meeting adjourned Thursday, March 21, 1946.

APPROVED:



M A Y O R

ATTEST:



City Clerk

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(For full text of all ordinances passed at this meeting, see Ord. Bk. "N", pps. 355 thru 363.)

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