

REGULAR MEETING OF THE CITY COUNCIL OF THE
CITY OF SAN ANTONIO HELD IN THE CITY COUNCIL
CHAMBER, CITY HALL, ON WEDNESDAY, JANUARY
17th, 1962, AT 8:30 A.M.

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The regular meeting of the City Council was called to order by the Presiding Officer Mayor Walter W. McAllister with the following members present;

McALLISTER

DE LA GARZA

ROHLFS

KAUFMAN

GUNSTREAM

GATTI

PADILLA

PARKER and

BREMER;

ABSENT: None.

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The invocation was given by Councilman Roland Bremer.

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The minutes of the previous meeting were approved.

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First business taken up was continuation of hearing on Zoning Case 1556 to rezone Lot 37, Blk. 1, NCB 10260, located between Nebraska Street and Sterling Drive from "B" Residence District to "F" Local Retail District. Action had been postponed in order to get a report from the Land Division as to whether such rezoning would affect the price of property needed for right-of-way. It was disclosed that the Land Division felt that such action would affect the valuation.

Mr. Bernard Lipshutz, applicant, stated that the rezoning would not affect the characteristics of this land. He said the State Highway Department appraisals are made on the basis of the best land use and the conclusion is that it does not affect land value of property in the path of an expressway and further the City Zoning Commission had recommended "F" as the best land use for this property. He said the adjoining property already has a non-conforming business use and asked the Council to approve the rezoning.

Mrs. C. Williams, representing her daughter who owns property across the street, did not object to the change in zone.

Mr. Robert Rhodes, owner of property on Nebraska Street, also favored the rezoning.

Assistant City Attorney Arthur Troilo stated that in condemnation cases if there is a reasonable assumption that property will become commercial property the courts have ruled that it must be considered commercial property.

January 17, 1962

After consideration of the matter, on motion of Mr. Kaufman, seconded by Mr. Rohlfs, 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: de la Garza, Rohlfs, Kaufman, Gunstream, Gatti and Padilla, NAYS: Parker, Bremer and McAllister; ABSENT: None.

AN ORDINANCE 30,067

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 37, BLK. 1, NCB 10260 FROM "B" RESIDENCE DISTRICT TO "F" LOCAL RETAIL DISTRICT.

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Full text in Ordinance Book L L, Page 432

The Mayor announced that the Council would hear from any organization that wished to speak on the question of sale of dogs from the City Pound for experimental purposes to recognized research laboratories.

Dr. O. Roger Hollan, President of the Bexar County Medical Society, stated that the Society went on public record favoring the use of animals by bona fide medical research laboratories. He gave many examples of how the medical research has progressed through the use of animals in experiments.

He then presented a resolution adopted by the Bexar County Medical Society requesting the City Council to enact the necessary ordinance permitting the use of animals from the City Pound by bona fide research laboratories engaged in medical research.

Dr. E. R. Crews, Past President of the Staff of the Robert B. Green Hospital and Member of the Hospital's Executive Committee, endorsed the sale of dogs for research purposes. He read letters from the Baylor University College of Medicine endorsing the need of dogs for research and stating that a ban on the sale of dogs would be a serious threat to the establishment of the medical school in San Antonio and the future of medicine in the community.

Mr. Frank Andrews, Field Representative for the American Humane Association and affiliated organizations including the Animal Defense League, spoke against the sale of dogs.

Mr. William G. Brown, Attorney for the Animal Defense League, also spoke against the sale of dogs and cited state statutes which have been enacted for the protection of animals and asked that the ordinance remain as it is presently written.

Mr. Fred Meyer, representing the Humane Society of the United States in Washington, D.C., gave a long dissertation against the value of using dogs for medical research purposes that and that by allowing the sale of City Pound dogs, the operation of the Pound would become more costlier than the service to medical projects.

January 17, 1962

Mr. Jewell D. Lemons, local attorney representing a group of local dog lovers, objected to the sale of dogs from the City Pound for experimental purposes.

Mr. Bill Braley, President of the Humane Society of Bexar County, read in full the position and petition previously filed with the Council in which it went on record as favoring the sale of dogs for experimental purposes under certain conditions.

Mrs. Eloise Thiele, spoke against the sale of dogs and distributed antivivisectionist literature.

Dr. Max E. Johnson, former Councilman, endorsed the sale of dogs by the City Pound, as did Dr. David Oliver who felt this was a matter of medical progress in the community.

The Mayor announced the Council would consider the information presented and arrive at a conclusion as soon as possible.

Next heard was Case 1540 to rezone Lot 137, NCB 11253, located on the south side of S.W. Military Drive 160' east of Kelsey Avenue, from "B" Residence District to "JJ" Commercial District.

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

On motion of Mr. Padilla, seconded by Mr. Gatti, the recommendation of the Zoning Commission was approved by passage of the following ordinance by the following vote:

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

AN ORDINANCE 30,068

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 137, NCB 11253 FROM "B" RESIDENCE DISTRICT TO "JJ" COMMERCIAL DISTRICT.

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Full text in Ordinance Book L L, Page 433

Next heard was Case 1552 to rezone Lot 6 and 7, NCB 10866, located on the east side of Goliad Road from "B" Residence District to "F" Local Retail District.

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

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 by the following vote:

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

January 17, 1962

AN ORDINANCE 30,069

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 6 AND 7, NCB 10866 FROM "B" RESIDENCE DISTRICT TO "F" LOCAL RETAIL DISTRICT.

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Full text in Ordinance Book L L, Page 433

Case 1563 to rezone Lot 48, Blk. 1, NCB 3720, located on the east side of Clark Avenue 353.5' south of Hiawatha from "B" Residence District to "E" Office District was next heard.

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

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

AN ORDINANCE 30,070

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 48, BLK. 1, NCB 3720 FROM "B" RESIDENCE DISTRICT TO "E" OFFICE DISTRICT.

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Full text in Ordinance Book L L, Page 434

Case 1575 to rezone a portion of Lot 18, Blk. 11, NCB 8965, bounded by Bruhn, Flanders and Pan American Expressway, from "B" Residence District to "F" Local Retail District.

Due to illness of the applicant, on motion of Mr. Padilla, seconded by Mr. Bremer, the hearing was continued indefinitely. The motion carried by the following vote: AYES: McAllister, de la Garza, Rohlfs, Kaufman, Gunstream, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: None.

Next heard was Case 1584 to rezone Tracts 5 and 6, NCB 11790 bounded by San Pedro Avenue, North Loop Road and Heimer Road, from "A" Residence District to "F" Local Retail District.

The Planning Director briefed the Council on the proposed change which the Zoning Commission has recommended be denied by the City Council.

Mr. J. C. Russell, applicant, stated that part of the property was creek area and wanted to improve that portion of the property next to the old Coker School building for business as it could not be used for residential purposes and asked the Council to approve the change.

After consideration, on motion of Mr. Kaufman, seconded by Mr. Rohlfs, the hearing was continued to February 7th in order for the Council to obtain further information from the

January 17, 1962

Zoning Commission.

The motion carried by the following vote: AYES: McAllister, de la Garza, Rohlfs, Kaufman, Gunstream, Padilla, Parker and Bremer; NAYS: Gatti; ABSENT: None.

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

AN ORDINANCE 30,071

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 FOR A ONE-YEAR PERIOD.

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Full text in Ordinance Book L L, Page 434

AN ORDINANCE 30,072

ESTABLISHING BUILDING LINES ALONG THE OUTER BOUNDARIES OF THE KELLY AFB ACCESS ROAD IN THE CITY OF SAN ANTONIO FROM LACKLAND ROAD AT FRIO CITY ROAD TO THE PROPOSED U.S. HIGHWAY 90 WEST EXPRESSWAY; AND DIRECTING THAT BUILDING PERMITS NOT BE ISSUED FOR CERTAIN WORK WITHIN THE SAID BOUNDARIES FOR A ONE-YEAR PERIOD.

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Full text in Ordinance Book L L, Page 434

The Clerk read the following letter:

January 17, 1962

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

Gentlemen:

The following petition was received by this office and forwarded to the proper department for any indicated action:

1-10-62 Petition filed by Mrs. Elmer Ruth Haag and eight-five others in the area surrounding Morell Ward School, requesting that sidewalks be constructed, was referred to the Director of Public Works.

Yours very truly,

/s/ J. Frank Gallagher
City Clerk

There being no further business, the meeting adjourned.

A P P R O V E D :

J. McAllister
MAYOR

A T T E S T :

J. H. Ingham
City Clerk