

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, APRIL 16, 1964, 8:30 AM.

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The regular meeting of the City Council convened with the following members present:

McAllister, DE LA GARZAM JONES, COCKRELL, GATTI, PADILLA, PARKER, KAUFMAN and BREMER.

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Invocation was given by Reverend S. H. James, Second Baptist Church.

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Minutes of the previous meeting were approved.

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Mr. Jerome K. Harris, President of Fiesta San Antonio Commission, thanked the City Council, City Manager, and Administrative Staff for their magnificent support and cooperation. He then presented the Mayor and Members of the Council with Fiesta medallions and parking decals for their automobiles.

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First zoning case taken up was Case No. 2124, to rezone Lot 1, NCB 10836, which forms the corner north of the intersection of South W. W. White Road and Roland Avenue, from "A" Residence District to "F" Local Retail District.

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

On motion of Mr. de la Garza, seconded by Mr. Gatti, the recommendation of the Planning Commission was upheld by passage of the following ordinance, the vote being as follows: AYES: McAllister de la Garza, Jones, Cockrell, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: None; ABSTAINING: Kaufman.

AN ORDINANCE 32,240

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 10836 FROM "A" RESIDENCE DISTRICT TO "F" LOCAL RETAIL DISTRICT.

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Next heard was Case No. 2116 to rezone the west 50' of the south 195.79' of Lot 2, NCB 7576, located on the north side of u. s. highway 90 West Expressway 129.22' west of Frio City Road, from "F" Local Retail District to "J" Commercial District.

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

On motion of Dr. Parker, seconded by Mrs. Cockrell, the recommendation of the Planning Commission was upheld by passage of the following ordinance by the following vote: AYES: McAllister, de la Garza, Jones, Kaufman, Cockrell, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: None.

AN ORDINANCE 32,241

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 AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE WEST 50' OF THE SOUTH 195.79' OF LOT 2, NCB 7576, FROM "F" LOCAL RETAIL DISTRICT TO "J" COMMERCIAL DISTRICT.

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Next heard was Case No. 2112, to rezone 0.5072 acres out of NCB 12040 described by field notes filed in the office of the Department of Planning generally described as being located north of the intersection of Pyle Road and Pecan Valley Drive, 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 Dr. Parker, the recommendation of the Planning Commission was upheld by passage of the following ordinance by the following vote: AYES: McAllister, de la Garza, Jones, Kaufman, Cockrell, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: None.

AN ORDINANCE 32,242

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 0.5072 ACRES OUT OF NCB 12040 FROM "B" RESIDENCE DISTRICT TO "F" LOCAL RETAIL DISTRICT.

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Next heard was Case No. 2120 to rezone Lot A, Blk 2, NCB 10618, located on the south side of East Commerce Street (U. S. Highway 90 E) 50' east of Highway Drive, from "A" Residence District to "F" Local Retail District..

The Planning Director explained the proposed change which the Planning Commission recommended be approved by the City Council. No one spoke in opposition.

On motion of Mr. Gatti, seconded by Mr. Jones, the recommendation of the Planning Commission was upheld by passage of the following ordinance, the vote being as follows: AYES: McAllister, de la Garza, Jones, Kaufman, Cockrell, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: None.

AN ORDINANCE 32,243

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 A, BLK 2, NCB 10618 FROM "A" RESIDENCE DISTRICT TO "F" LOCAL RETAIL DISTRICT.

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Next heard was Case No. 2111, to rezone Lot 20, NCB 7586, located southeast of the intersection of Dauchy Road and S. New Braunfels Avenue, from "D" Apartment District to "F" Local Retail District.

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The Planning Director explained the proposed change which the Planning Commission recommended be approved by the City Council. No one spoke in opposition.

On motion of Mr. Jones, seconded by Dr. Parker, the recommendation of the Planning Commission was upheld by passage of the following ordinance by the following vote: AYES:

McAllister, de la Garza, Jones, Kaufman, Cockrell, Gatti, Padilla, Parker and Bremer; NAYS:

None; ABSENT: None.

AN ORDINANCE 32,244

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 20, NCB 7586, FROM "D" APARTMENT DISTRICT TO "F" LOCAL RETAIL DISTRICT.

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Next heard was Case No. 2020 to rezone Lots 31 and 32, NCB 6617, located on the west side of Trinity Street, 180' south of Tiner Street, from "B" Residence District to "E" Office District.

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

Mrs. F. J. Pirotina, owner and applicant, stated she had originally requested "JJ" Commercial District so that she could use the property for her business that will have to be relocated out of Urban Renewal Project #2. However, due to traffic problem on Trinity, the Planning Commission recommended "E" Office District which was acceptable to her. She said she planned to rent her home out for an office use, such as real estate office, which would not aggravate the traffic problem.

Mr. Steve Quesenberry, 110 McAllister Court, protested any change in zone as it would aggravate the existing traffic problem. And additional traffic would cause the traffic engineers to change Trinity to a one-way street which would inconvenience all the people living on streets between the Expressway and Martinez Creek. He felt the area is residential and should remain that way.

Mr. Stewart Fischer, Director of Traffic and Transportation, confirmed the traffic problem at this location due to the exit ramp alignment, and any increase in traffic would create a dangerous condition which could only be corrected by making Trinity one-way which would leave the people in the area with poor access to their properties.

Due to a protest petition filed by Mr. Quesenberry and other citizens which was found to be sufficient, the Mayor announced it would take seven (7) affirmative votes to rezone the property.

After further discussion of the case, Mr. Kaufman made a motion that the recommendation of the Planning Commission be overruled and the rezoning denied. Seconded by Mr. de la Garza, the motion carried by the following vote: AYES: McAllister, de la Garza, Jones, Kaufman, Cockrell, Gatti, Parker and Bremer; NAYS: Padilla; ABSENT: None.

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Next heard was Case No. 2119, to rezone Lots 3, and 4, Blk 3, NCB 3245, located on the west side of Avery Street 66.6' south of Moberly Street, from "B" Residence District to "J" Commercial District.

Planning Director Steve Taylor explained the proposed change which the Planning Commission recommended be approved by the City Council.

Mr. Henry Moeller, Assistant General Manager of Knowlton's Creamery, stated the request for "J" Commercial was in order for them to use the property for parking of dairy trucks which must be relocated due to additional construction required to their plant. He explained this was the third hearing before the City Council on this zoning change and reviewed the past history of the request. He presented pictures of the plant layout, the property in question, and explained how the dairy was trying to cooperate with the surrounding property owners so that the operation would be less objectionable.

Mr. John Daniels, attorney representing the opponents in the case, stated they were protesting against any further encroachment into a residential neighborhood by Knowlton's Dairy as such encroachment would make living unbearable.

Mr. J. F. BAILEY, a sound engineer and owner of Movievox Company, a sound recording firm, played a tape to show the Council the noise nuisance created by the compressors on trucks, trucks starting, and doors slamming early in the morning.

The following persons testified and expressed their opposition to the change: Mrs. Macario Alvarado, 225 Moberly; Mrs. Henry Sanchez, 204 Moberly; Mr. Jamie Gonzales, 208 Moberly; Mr. Henry Cabido, 206 Moberly; Mrs. H. L. Metzger, 200 Louise; Mrs. Emilio R. Pena and Mr. Edward Smith, Jr.

Mr. Daniels also filed a letter signed by Mrs. Arcadio Garza stating noise created by the dairy operation could be heard on Huisache Street.

After lengthy rebuttals by Mr. Moeller and Mr. Daniels, the Mayor announced that it would take seven affirmative votes to rezone the property as a protest petition had been filed and found to be in order.

After further discussion of the case, Mr. Gatti made a motion that the recommendation of the Planning Commission be overruled and the rezoning denied. The motion was seconded by Mr. Padilla.

Mr. de la Garza then moved that Mr. Gatti's motion be tabled. The motion was seconded by Mr. Jones. On roll call the motion to table failed by the following vote: AYES: McAllister, de la Garza, and Jones; NAYS: Kaufman, Cockrell, Gatti, Padilla, Parker and Bremer.

The previous question was then called and on roll call, Mr. Gatti's motion to deny the rezoning prevailed by the following vote: AYES: Kaufman, Cockrell, Gatti, Padilla, Parker; NAYS: McAllister, de la Garza, Jones, Bremer.

Last zoning case heard was Case No. 2097 to rezone Lots 13, thru 23, inclusive, Blk 51, NCB 8004, located on the north side of Vickers Avenue between S. Zarzamora and Clinton Street, from "B" Residence District to "F" Local Retail District.

The Planning Director explained the proposed change which the Planning Commission recommended be denied by the City Council.

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Mr. J. R. Cade, attorney representing the owner and applicant, Mr. Louis Cruz, explained that his client presently operates a grocery store and meat market in the 5400 block of Zarzamora but because of a lack of parking facilities he wants to relocate on the property in question where he will construct a modern 60' x 100' building and provide adequate parking. He felt there was a need for such a store in this area and would not devalue properties. He asked the Council to overrule the Planning Commission and grant the change in zone.

Mr. Louis Cruz then discussed the site plan for the building and off-parking provisions made.

After discussion of the request, the Mayor stated it would take seven affirmative votes to rezone the property over the Planning Commission's recommendation.

Mr. de la Garza, then made a motion to overrule the Planning Commission and rezone the property to "F" Local Retail. Seconded by Dr. Parker, the motion failed by the following vote: AYES: McAllister, de la Garza, Padilla, Parker and Bremer; NAYS: Jones, Kaufman, Cockrell, Gatti; ABSENT: None.

Mr. Nick Pantuso, spokesman for a group history class of students from Blessed Sacrament School, expressed appreciation to the Council for letting them tour City government facilities and the meeting, which he felt gave them a better understanding of government at a local level.

Mr. Alex Alcocer, President of L.U.L.A.C. Council No. 2 presented two resolutions for consideration of the Council.

RESOLUTION NO. 1

That Lulac Council No. 2 is concerned with a particular ordinance of the City of San Antonio, which requires a citizen who has been injured or suffered a loss by and through the acts of omissions of the City of San Antonio, its agents or employees, to make a legal claim within a prescribed period of time. That the demands of this ordinance are unreasonable and places a great burden on the average citizen, depriving many of fair and just compensation.

Therefore, Lulac Council No. 2 respectfully requests the Honorable Members of the City Council of the City of San Antonio to make a review of this Ordinance, to repeal it or make the necessary amendments so as to protect the rights of the inarticulate citizens in this regard, that a claims department be created to render all services and assistance necessary to comply with the ordinance in the making of a claim against the City of San Antonio.

Respectfully submitted,

/s/ Pete Tijerina
Lulac Council No. 2

Adopted at a regular meeting of Lulac Council No. 2 on Friday, 10th day of April, A. D., 1964.

/s/ Alex Alcocer
President

/s/ Anthony J. Pons
Secretary

RESOLUTION NO. 2

Lulac Council No. 2 will show that there is a great need for the enactment of an ordinance to control, regulate and license the home improvement contractors in the City of San Antonio. That a great many home owners in this community have suffered losses and damages as a result of the unscrupulous practices of inexperienced and insolvent home improvements contractors.

Therefore, Lulac Council No. 2 respectfully requests that the City Council of the

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City of San Antonio cause a study to be made of the great many home improvements contractors now operating in this community without controls or regulations and an ordinance enacted as above indicated.

Respectfully submitted,

/s/ Pete Tijerina
Lulac Council No. 2

Adopted at a regular meeting of Lulac Council No. 2 on Friday, 10th day of April, A. D., 1964.

/s/ Alex Alcocer
President

/s/ Anthony J. Pons
Secretary

Mr. Alcocer was informed that as to the first Resolution, Section 150 of the Charter provided for notice of claim for damages within 90 days, not 30 days as stated in his presentation, which was not unreasonable.

As to the second Resolution, the Mayor advised Mr. Alcocer the Council will look into the matter.

Mr. Joe Lopez, presented a petition signed by 22 citizens requesting the City to install stop signs at the intersection of Rivas and Hopkinton.

The request was referred to the City Manager for attention.

The following annexation ordinance, which was read the first time on March 12, 1964, and ordered published, and 30 days having elapsed since the date of publication, was read for a second and final time.

AN ORDINANCE 32,160

PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO, TEXAS, AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 14,186 ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO. (Part of Harmony Hills, Unit 4A)

Full text in Ordinance Book 00, Page

On motion of Mr. Bremer, seconded by Mr. de la Garza, Ordinance No. 32,160, was passed and approved by the following vote: AYES: McAllister, de la Garza, Jones, Kaufman, Cockrell, Padilla, Parker, Gatti and Bremer; NAYS: None; ABSENT: None.

The following annexation ordinance which was read for the first time on March 12, 1964, and ordered published, and 30 days having elapsed since the date of publication, was read for a second and final time.

AN ORDINANCE 32,161

PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO, TEXAS, AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 0.574 ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO. (S. W. Corner of Rigsby and Wayne Drive.)

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On motion of Mr. Jones, seconded by Dr. Parker, Ordinance No. 32161 was passed and approved by the following vote: AYES: McAllister, de la Garza, Jones, Kaufman, Cockrell, Gatti, Padilla, Parker and Bremer; NAYS: None; ABSENT: None.

The Clerk read the following letter:

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April 14, 1964

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:

4-7-64 Petition of Grace Lutheran Sanitarium and Hospital requesting the release of the utility easement retained by the City when it closed part of San Fernando Street and quitclaimed same to Grace Lutheran Sanitarium to allow petitioner to expand its facilities.

4-8-64 Petition of J. E. Fisher, et al, requesting the City to install sidewalks in the 1400 block of West Olmos Drive similar to those constructed in connection with the Fresno-Olmos Paving Project.

4-8-64 Petition filed by Mr. Frank J. Mzyk, and other citizens, requesting the City to abate the traffic hazard and noise nuisance created by operations of Dennisons Automotive Service located at 915 Westfall.

4-9-64 Petition of House of Neighborly Service requesting the City to take proper measures to abate the nuisance created by the empty houses, owned by the San Antonio River Authority which are frequented by adult derelicts and school drop-outs.

Sincerely,

/s/ J. H. Inselmann
City Clerk

The City Manager made the following report on Petitions:

1.) Petition filed by Mr. A. S. Rodriguez, et al, requesting that adequate drainage facilities be installed at the intersection of Brundage Avenue and Mount Vernon Court to alleviate a flooding condition.

The inspection of the intersection by the Drainage Engineer found that the streets are too high, but in the course of future street maintenance this problem can be corrected without installation of an underground drainage facility. An underground system already intercepts water coming down Mount Vernon just one block to the east.

2.) Petition of J. E. Fisher, et al, requesting sidewalks in the 1400 block of West Olmos Drive.

Our investigation reveals that this request does not qualify under the School Sidewalk policy. As recommended by the Traffic Department, and in line with Council policy to construct School sidewalks on Bond projects as directed by the Traffic Department, school sidewalks were constructed on the north side of Fresno and the south side of Olmos from Fredericksburg Road to the Expressway and on the south side of Fresno from the Expressway east to San Pedro.

Construction of sidewalks in the 1400 block of West Olmos Drive would be the responsibility of the property owners. Just before you get to the 1400 block of Olmos, a new cut-off of Olmos was constructed to transition from a one-way street pattern to two-way traffic from the Expressway east; however, the 1400 block of West Olmos was repaved to a 30 foot roadway with new curbs, from Santa Paula to the Frontage Road of the Expressway to facilitate eastbound vehicular traffic moving to the Expressway ramp immediately south of Olmos. It was determined that the proper location of the school sidewalk would be on the new cut-through from Olmos to Fresno in order that foot traffic could cross under the Expressway on existing sidewalks.

It is the Staff's recommendation that this request for construction of sidewalks by the City be denied.

There being no further business, the meeting adjourned.

A P P R O V E D :


M A Y O R

A T T E S T :


C i t y C l e r k