

REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF SAN ANTONIO HELD IN THE COUNCIL
CHAMBER, CITY HALL, ON THURSDAY, MARCH 22,
1956 AT 9:30 A.M.

PRESENT: FRIEDRICH, BAINES, PASSUR, CRUMRINE, WINTON, KUYKENDALL, OLIVARES, DANIELS,
GONZALEZ; CITY ATTORNEY CARLOS CADENA AND CITY CLERK J. FRANK GALLAGHER.

Mayor J. Edwin Kuykendall presiding.

Invocation by Rev. H. Richard Copeland, Beacon Hill Presbyterian Church.

On motion of Mr. Baines, seconded by Mr. Passur, the reading of the minutes
of the previous meeting was dispensed with.

Mr. Sam Zisman introduced Dr. Luigi Rebuzzini, representative of the Italian
Government, who addressed the council briefly.

The following ordinances and resolutions were passed as follows: AYES,
Friedrich, Baines, Passur, Crumrine, Winton, Kuykendall, Olivares, Daniels, Gonzalez;
NAYS, none.

AN ORDINANCE 22,516

ACCEPTING A DEED FROM EARNEST C. SOLIS AND WIFE
ELIDA SOLIS CONVEYING TO THE CITY OF SAN ANTONIO
PARCELS 653 AND 654, BEING LOTS 47 AND 48, BLOCK
5, NEW CITY BLOCK 8952, NORMOYLE HEIGHTS AND
APPROPRIATING THE SUM OF \$1000.00 TO PAY FOR SAME

(Full text in Ordinance Book CC page 191)

AN ORDINANCE 22,517

ACCEPTING A DEED FROM C-R BUILDING COMPANY, CON-
VEYING TO THE CITY OF SAN ANTONIO LOTS 8, 9 AND 10,
BLOCK 4, NEW CITY BLOCK 8952 AND APPROPRIATING THE
SUM OF \$1299.00 TO PAY FOR SAME

(Full text in Ordinance Book CC page 191)

AN ORDINANCE 22,518

ACCEPTING A DEED FROM MATILDE B. BARRIENTES, A
WIDOW, CONVEYING TO THE CITY OF SAN ANTONIO PARCELS
620 AND 621, BEING LOTS 3 AND 4, BLOCK 5, NEW CITY
BLOCK 8952, NORMOYLE HEIGHTS, AND APPROPRIATING THE
SUM OF \$8750.00 TO PAY FOR SAME

(Full text in Ordinance Book CC page 192)

AN ORDINANCE 22,519

ACCEPTING A DEED FROM ONESIMO GARZA AND WIFE, SARA
GARZA CONVEYING TO THE CITY OF SAN ANTONIO THE SOUTH
10 FEET OF THE EAST 13 FEET OF LOT 1 AND THE SOUTH
10 FEET OF THE WEST 24 FEET OF LOT 2, ALL IN BLOCK
3, NEW CITY BLOCK 2610 AND APPROPRIATING THE SUM OF \$150.00
TO PAY FOR SAME

(Full text in Ordinance Book CC page 192)

AN ORDINANCE 22,520

ACCEPTING A DEED FROM GEORGE HOLLEY AND WIFE, EDNA
HOLLEY CONVEYING TO THE CITY OF SAN ANTONIO PART OF
TRACT 543, NEW CITY BLOCK 7883, AND APPROPRIATING THE
SUM OF \$6000.00 TO PAY FOR SAME

(Full text in Ordinance Book CC page 193)

March 22, 1956

AN ORDINANCE 22,521

ACCEPTING A DEED FROM WAYNE G. COOK AND WIFE, ARIETA COOK, AND JOHN G. COOK, CONVEYING TO THE CITY OF SAN ANTONIO TRACT 435-2, NEW CITY BLOCK 7850, AND APPROPRIATING THE SUM OF \$975.00 TO PAY FOR SAME

(Full text in Ordinance Book CC page 193)

AN ORDINANCE 22,522

ACCEPTING A DEED FROM ANTONIO RODRIGUEZ AND WIFE FRANCISCA R. RODRIGUEZ CONVEYING TO THE CITY OF SAN ANTONIO PART OF LOT 1, BLOCK 2, NEW CITY BLOCK 8963, BEING PARCEL NO. 447, AND APPROPRIATING THE SUM OF \$225.00 TO PAY FOR SAME

(Full text in Ordinance Book CC page 193)

AN ORDINANCE 22,523

ACCEPTING A DEED FROM AMADO MARTINEZ AND WIFE, SIMONA N. MARTINEZ, CONVEYING TO THE CITY OF SAN ANTONIO PART OF LOT 9, BLOCK 1, NEW CITY BLOCK 3904, AND APPROPRIATING THE SUM OF \$300.00 TO PAY FOR SAME

(Full text in Ordinance Book CC page 194)

AN ORDINANCE 22,524

ACCEPTING A DEED FROM BALBINA G. MORALES, A WIDOW, CONVEYING TO THE CITY OF SAN ANTONIO PARTS OF LOTS 1 AND 2, WEST 1/2 OF BLOCK 11, NEW CITY BLOCK 2648, AND APPROPRIATING THE SUM OF \$1750.00 TO PAY FOR SAME

(Full text in Ordinance Book CC page 194)

AN ORDINANCE 22,525

ACCEPTING A DEED FROM LUCY MASSENBURG CONVEYING TO THE CITY OF SAN ANTONIO ALL OF LOTS 15, 16, 17, 18, 19 & 20, AND PART OF LOT 14, BLOCK 24, NEW CITY BLOCK 3927, AND APPROPRIATING THE SUM OF \$12,435. TO PAY FOR SAME

(Full text in Ordinance Book CC page 195)

AN ORDINANCE 22,526

APPROVING THE PURCHASE OF PARCELS 592 AND 593 FOR \$8,635.00 ACCEPTING A DEED FROM JIMMY GONZALES AND WIFE, OLGA GONZALES, CONVEYING THESE PARCELS TO THE CITY OF SAN ANTONIO, AND APPROPRIATING THE MONEY TO PAY FOR SAME

(Full text in Ordinance Book CC page 195)

AN ORDINANCE 22,527

ACCEPTING A DEED FROM FRANK GUTIERREZ AND WIFE, CONSUELO GUTIERREZ, CONVEYING TO THE CITY OF SAN ANTONIO PART OF LOT 2, E. 1/2 OF BLOCK 11, NEW CITY BLOCK 2649, AND APPROPRIATING THE SUM OF \$1200.00 TO PAY FOR SAME

(Full text in Ordinance Book CC page 195)

AN ORDINANCE 22,528

ACCEPTING A DEED FROM GILBERT CORTEZ AND WIFE, KATY CORTEZ, CONVEYING TO THE CITY OF SAN ANTONIO THE N. 215.5' OF LOT 438, NEW CITY BLOCK 7850, AND APPROPRIATING THE SUM OF \$2000.00 TO PAY FOR SAME

(Full text in Ordinance Book CC page 196)

AN ORDINANCE 22,529

ACCEPTING A DEED FROM VIRGIL C. HOAG, CONVEYING TO THE CITY OF SAN ANTONIO LOT 1, BLOCK 12, NEW CITY BLOCK 7875, AND APPROPRIATING THE SUM OF \$975.00 TO PAY FOR SAME

(Full text in Ordinance Book CC page 196)

AN ORDINANCE 22,530

ACCEPTING A DEED FROM JAMES MEDRANO AND WIFE, MARIA M. MEDRANO, CONVEYING TO THE CITY OF SAN ANTONIO LOT 9, BLOCK 2, NCB 8963, AND APPROPRIATING THE SUM OF \$3000.00 TO PAY FOR SAME

(Full text in Ordinance Book CC page 197)

AN ORDINANCE 22,531

ACCEPTING A DEED FROM FIDEL MATA CONVEYING TO THE CITY OF SAN ANTONIO LOT 18, BLOCK 7, N.C.B. 8964, AND APPROPRIATING THE SUM OF \$7150.00 TO PAY FOR SAME

(Full text in Ordinance Book CC page 197)

AN ORDINANCE 22,532

ACCEPTING A DEED FROM BENITO GARZA AND WIFE, CARMEN G. GARZA, CONVEYING TO THE CITY OF SAN ANTONIO LOT 6, BLOCK 6, N.C.B. 8964, AND APPROPRIATING THE SUM OF \$700.00 TO PAY FOR SAME

(Full text in Ordinance Book CC page 197)

AN ORDINANCE 22,533

ACCEPTING A DEED FROM ESCUELA MAGNETICIO ESPIRITUAL DE LA COMUNA UNIVERSAL, A CORPORATION, CONVEYING TO THE CITY OF SAN ANTONIO LOTS 1, 2 AND 3, BLOCK 1, NEW CITY BLOCK 6673, AND APPROPRIATING THE SUM OF \$1500.00 TO PAY FOR SAME

(Full text in Ordinance Book CC page 198)

AN ORDINANCE 22,534

ACCEPTING A DEED FROM ESQUIEL JIMENZ AND WIFE, MELCHORA JIMENZ CONVEYING TO THE CITY OF SAN ANTONIO PARCEL NO. 511, BEING PART OF LOT 12, BLOCK 11, NEW CITY BLOCK 8965, AND APPROPRIATING THE SUM OF \$500.00 TO PAY FOR SAME

(Full text in Ordinance Book CC page 198)

AN ORDINANCE 22,535

APPROPRIATING THE SUM OF \$330.00 PAYABLE \$110.00 TO WALTER A. GOODWIN, \$110.00 TO BERT C. FRY AND \$110.00 TO R. ROBERT LOZANO FOR SERVICES RENDERED IN EIGHT CONDEMNATION CASES LISTED HEREIN

(Full text in Ordinance Book CC page 198)

AN ORDINANCE 22,536

APPROPRIATING THE SUM OF \$9,325.00 FOR DEPOSIT WITH THE COUNTY CLERK OF BEXAR COUNTY, TEXAS AS THE AWARD IN CONDEMNATION CAUSE NO. 46,928

(Full text in Ordinance Book CC page 199)

AN ORDINANCE 22,537

APPROPRIATING THE SUM OF \$9850.00 FOR DEPOSIT WITH THE COUNTY CLERK OF BEXAR COUNTY, TEXAS AS THE AWARD IN CONDEMNATION CAUSE NO. 46,571

(Full text in Ordinance Book CC page 199)

AN ORDINANCE 22,538

APPROPRIATING THE SUM OF \$8,700.00 FOR DEPOSIT WITH THE COUNTY CLERK OF BEXAR COUNTY, TEXAS AS THE AWARD IN CONDEMNATION CAUSE NO. 46,932

(Full text in Ordinance Book CC page 199)

AN ORDINANCE 22,539

APPROPRIATING THE SUM OF \$12,975.00 FOR DEPOSIT WITH THE COUNTY CLERK OF BEXAR COUNTY, TEXAS AS THE AWARD IN CONDEMNATION CAUSE NO. 46,846

(Full text in Ordinance Book CC page 200)

AN ORDINANCE 22,540

APPROPRIATING THE SUM OF \$625.00 FOR DEPOSIT WITH THE COUNTY CLERK OF BEXAR COUNTY, TEXAS AS THE AWARD IN CONDEMNATION CAUSE NO. 46941

(Full text in Ordinance Book CC page 200)

AN ORDINANCE 22,541

APPROPRIATING THE SUM OF \$8,530.00 FOR DEPOSIT WITH THE COUNTY CLERK OF BEXAR COUNTY, TEXAS AS THE AWARD IN CONDEMNATION CAUSE NO. 46,936

(Full text in Ordinance Book CC page 200)

AN ORDINANCE 22,542

AUTHORIZING PAYMENT OF CLOSING COSTS OF VARIOUS TITLE COMPANIES ON RIGHT OF WAY PURCHASES FOR EXPRESSWAY PURPOSES AND APPROPRIATING THE SUM OF \$4,228.12 OUT OF 1955 EXPRESSWAY AND STREET IMPROVEMENT BOND FUND

(Full text in Ordinance Book CC page 200)

AN ORDINANCE 22,543

ACCEPTING CERTAIN BIDS SUBMITTED FOR THE PURCHASE AND REMOVAL OF HOUSES OWNED BY THE CITY OF SAN ANTONIO FROM THE EXPRESSWAY RIGHT-OF-WAY, MAKING AND MANIFESTING A BILL OF SALE TO SUCCESSFUL BIDDERS, AND REJECTING ALL OTHER BIDS

(Full text in Ordinance Book CC page 202)

AN ORDINANCE 22,544

GRANTING THE PETITION OF THE GETHSEMANE LUTHERAN CHURCH FOR EXEMPTION FROM CITY TAXES ON PROPERTY LOCATED IN NCB 9753

(Full text in Ordinance Book CC page 203)

AN ORDINANCE 22,545

AUTHORIZING THE TAX ASSESSOR AND COLLECTOR TO CORRECT CERTAIN MECHANICAL AND CLERICAL ERRORS IN ASSESSMENTS APPEARING ON THE CITY TAX ROLLS IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE TAX ERROR BOARD OF REVIEW (SEE NAMES BELOW)

(Full text in Ordinance Book CC page 203)

Luciano G. Bravo

Gottfried Jagge

Mrs. Florence Sandoval

Ida Willenbrock

Louis A. & Pearl W. Wisa

AN ORDINANCE 22,546

AUTHORIZING THE TAX ASSESSOR AND COLLECTOR TO CORRECT AND ADJUST CERTAIN ASSESSMENTS APPEARING ON THE CITY TAX ROLLS IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE TAX ERROR BOARD OF REVIEW (SEE NAMES BELOW)

(Full text in Ordinance Book CC page 204)

Ignacio P. Elizondo

Mattie P. Flowers

Harold Kayton

Lewis and Harold Kayton

Eula Knowlton

Albert Lewis

R. H. & Sally Schussler

L. E. Travis

West Side State Bank

Minnie C. Wilson

AN ORDINANCE 22,547

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION OF E. J. BURKE JR. AND WIFE BETTY JANE BURKE AT 411 WILTSHIRE

(Full text in Ordinance Book CC page 205)

AN ORDINANCE 22,548

AN ORDINANCE TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS ON THE PETITION OF E. J. BURKE JR. AND WIFE BETTY JANE BURKE AT 415 WILTSHIRE

(Full text in Ordinance Book CC page 205)

A RESOLUTION

AUTHORIZING THE CITY CLERK TO ADVERTISE FOR BIDS FOR THE WIDENING OF THE EXISTING BRIDGE ON EAST HOUSTON STREET AT THE SALADO CREEK CROSSING

AN ORDINANCE 22,549

AUTHORIZING THE SALE OF THE WEST 15 FEET OF LOT 2, NEW CITY BLOCK 6714, TO HERMINIO DELGADO, FOR THE SUM OF \$375.00

(Full text in Ordinance Book CC page 206)

AN ORDINANCE 22,550

ABANDONING THAT PORTION OF AN UNNAMED DEDICATED STREET LYING ADJACENT TO LOT 1, N.C.B. 3096, AND MAKING AND MANIFESTING A QUITCLAIM DEED TO JOHN MLYNARCZYK OF ALL THE RIGHT, TITLE AND INTEREST OF THE CITY OF SAN ANTONIO IN AND TO SAID ABANDONED PORTION OF SAID UNNAMED STREET, PURSUANT TO AGREEMENT ENTERED INTO IN CONNECTION WITH THE ABANDONMENT OF SAID STREET

(Full text in Ordinance Book CC page 206)

AN ORDINANCE 22,551

CHANGING THE NAMES OF CERTAIN STREETS LOCATED WITHIN THE CITY OF SAN ANTONIO

(Full text in Ordinance Book CC page 207)

AN ORDINANCE 22,552

MAKING AND MANIFESTING AN EXCHANGE OF PROPERTY BY VACATING PART OF A CHANNEL EASEMENT IN RETURN FOR A LIKE EASEMENT IN AN AREA OF LAND ABUTTING AND ADJOINING THE SAME DRAINAGE CHANNEL EASEMENT, AND AUTHORIZING THE Mayor TO EXECUTE A DEED OF VACATING TO A CHANNEL EASEMENT AND TO ACCEPT A DEED ESTABLISHING A CHANNEL EASEMENT FROM THE OWNER OF THE EXCHANGED PROPERTY

(Full text in Ordinance Book CC page 207)

A RESOLUTION

GIVING NOTICE OF A PUBLIC HEARING OF A PROPOSED AMENDMENT TO THE ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS, ETC., PASSED AND APPROVED NOVEMBER 3, 1938, BY CHANGING THE CLASSIFICATION DESCRIBED HEREIN: CASE NO. 240, NCB 7229; CASE NO. 633, NCB 10735; HEARING TO BE APRIL 12, 1956

AN ORDINANCE 22,553

APPROVING THE RE-SALE OF IMPROVEMENTS ON PARCEL 424 TO ROY C. GUAJARDO AND WIFE, ISABEL GUAJARDO, FOR THE SUM OF \$1,739.00, AND DIRECTING THE STEWART TITLE GUARANTY COMPANY TO RETAIN SAID SUM OUT OF THE \$8,295.00, WHICH HAS BEEN DEPOSITED WITH IT AND RETURN SAME TO CITY OF SAN ANTONIO

(Full text in Ordinance Book CC page 208)

March 22, 1956

Councilman Friedrich then introduced an ordinance and made a motion that it be passed. The motion was seconded by Councilman Baines. The ordinance was read in full by the City Clerk. The motion carrying with it the passage of the ordinance prevailed by the following vote: AYES, Friedrich, Baines, Passur, Crumrine, Winton, Kuykendall, Olivares, Daniels, Gonzalez; NAYS, none. The Mayor announced that the ordinance had been passed. The ordinance as passed is as follows:

AN ORDINANCE 22,554

BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS, AMENDING ORDINANCE NUMBER 22433 PASSED MARCH 1, 1956, PROVIDING FOR THE ISSUANCE OF CITY OF SAN ANTONIO, TEXAS, GENERAL IMPROVEMENT BONDS, SERIES 1956, IN THE AGGREGATE AMOUNT OF \$5,000,000.00

(Full text in Ordinance Book CC page 209)

The City Clerk read the following ordinance in full:

AN ORDINANCE 22,555

REPEALING ORDINANCE NO. 20,307 PASSED AND APPROVED JUNE 19, 1954 AND PROVIDING FOR THE NON-SEGREGATED USE AND ENJOYMENT OF ALL MUNICIPAL FACILITIES

(Full text in Ordinance Book CC page 209)

Mr. Winton asked the City Attorney to define city-owned facilities.

City Attorney Cadena stated that the term "Municipally-owned facilities" refers only to facilities owned by the City of San Antonio. It does not include facilities owned by Bexar County, State of Texas or any of the various school districts. The ordinance does not purport to regulate policy at the Bexar County Coliseum or the various county parks. It does not apply to Alamo Heights swimming pool.

Mr. Winton then asked ~~whether~~ or not it will exclude people from municipally-owned facilities because of race, color or creed if these facilities are let for the use of private organizations.

The City Attorney replied that the ordinance does not prevent private organizations from leasing any municipally-owned facility for the purpose of holding a function and restricting admittance to persons who are members of the organization.

On motion of Mr. Gonzalez, seconded by Mr. Baines, the above ordinance was passed and approved by the following vote: AYES, Friedrich, Baines, Passur, Crumrine, Winton, Kuykendall, Olivares, Daniels, Gonzalez; NAYS, none.

The following letter from the City Clerk was read:

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

Gentlemen:

The following petitions were received by this office and referred to the department concerned for any necessary action.

- 3-12-56 Petition of St. Gerard's Church relative to intermittent periodical closing of Iowa Street on school days was referred to the Traffic Engineer.
- 3-16-56 Petition of F. G. Oppenheimer requesting the closing of, and quitclaiming to said petitioner, an alley in New City Block 1908 was referred to the Director of Planning.

Yours very truly,

J. FRANK GALLAGHER
City Clerk

The Council then called up for hearing Zoning Case No. 582, to rezone Lots 16, 17, 32, 33, Block 10, NCB 12205 and Lots 14 and 15, Block 9, New City Block 12204 which have now been replatted into Lots 36, 38, 40 and 42 in New City Block 12205 and Lots 17 and 18, in NCB 12204 facing on West Avenue at Cherry Ridge and Trudell from "A" TEMPORARY RESIDENCE DISTRICT to "F" LOCAL RETAIL DISTRICT. No one appeared to be heard and on motion of Mr. Crumrine, seconded by Mr. Passur, the council approved the recommendation of the Planning Commission by passage of the following ordinance; the vote being as follows: AYES, Friedrich, Baines, Passur, Crumrine, Winton, Kuykendall, Olivares, Daniels, Gonzalez; NAYS, none.

AN ORDINANCE 22,556

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 RE-ZONING OF CERTAIN PROPERTY DESCRIBED HEREIN: CASE NO. 582, TO RE-ZONE FROM "A" TEMPORARY RESIDENCE DISTRICT TO "F" LOCAL RETAIL DISTRICT, AS FOLLOWS: LOTS 36, 38, 40 AND 42, BLOCK 10, N.C.B. 12205 AND LOTS 17 AND 18, BLOCK 9, N.C.B. 12204

(Full text in Ordinance Book CC page 210)

Zoning Case #627 was next called up for hearing to rezone Lots 8, 9, 10, 11, 12, Block 6, NCB 11310 on Cupples Road from "A" TEMPORARY RESIDENCE DISTRICT to "F" LOCAL RETAIL DISTRICT. No one appeared to be heard. On motion of Mr. Crumrine, seconded by Mr. Passur, the recommendation of the Planning Commission was approved by passage of the following ordinance, the vote being as follows: AYES, Friedrich, Baines, Passur, Crumrine, Winton, Kuykendall, Olivares, Daniels, Gonzalez; NAYS, none.

AN ORDINANCE 22,557

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 RE-ZONING OF CERTAIN PROPERTY DESCRIBED HEREIN: CASE NO. 627, TO REZONE LOTS 8, 9, 10, 11 AND 12, BLOCK 6, N.C.B. 11310, FROM "A" TEMPORARY RESIDENCE DISTRICT TO "F" LOCAL RETAIL DISTRICT

(Full text in Ordinance Book CC page 210)

Zoning Case #634 to rezone Lot 1, Block 10, NCB 11866 and Lots 1 and 9, Block 8, NCB 11864 from TEMPORARY "A" RESIDENCE DISTRICT to "B" RESIDENCE DISTRICT was next called. No one appeared to be heard. On motion of Mr. Crumrine, seconded by Mr. Passur, the council approved the recommendation of the Planning Commission by passage of the following ordinance; the vote being as follows: AYES, Friedrich, Baines, Passur, Crumrine, Winton, Kuykendall, Olivares, Daniels, Gonzalez; NAYS, none.

AN ORDINANCE 22,558

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 RE-ZONING OF CERTAIN PROPERTY DESCRIBED HEREIN: CASE NO. 634, TO REZONE FROM "A" TEMPORARY RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT, AS FOLLOWS: PROPOSITION A, LOT 1, BLOCK 10, N.C.B. 11866; PROPOSITION B, LOTS 1 AND 9, BLOCK 8, N.C.B. 11864

(Full text in Ordinance Book CC page 211)

Zoning Case #613 to rezone Lots 10 to 20 and 30 to 40, incl, NCB 3752; Lots 10 to 20 and 30 to 40, incl., NCB 3753; Lots 10 to 20 and 30 to 40, incl., NCB 3754; Lots 10 to 20 and 30 to 40, incl., NCB 3755; Lots 10 to 20 and 30 to 40, incl., NCB 3756; Lots 10 to 19 and 29 to 38, incl., NCB 3205 and Lots 8 to 13, incl., NCB 7544 from "F" LOCAL RETAIL DISTRICT to "C" RESIDENTIAL DISTRICT was next called up for hearing. The Planning Director advised the council on the action of the Planning Commission and their reasons for recommending this change on the petition of the San Antonio Independent School District. He then called on the petitioners to be heard.

Mr. Arley V. Knight, Attorney for the School District, gave the background in the move to make this zoning change. He stated that the School District will build a 2 1/2 to 3 million dollar high school just opposite the lots in question. He said the School Board was looking ahead to the later development in this area and the policy of the Board is to avoid, if possible, building in Commercial zones. He called upon Mr. Thomas Portwood, the Superintendent of Schools, to give reasons why the school officials feel that the proposed change would be for the general health, welfare and safety of the public in general as represented by the school children. Mr. Portwood stated that when children are sent to the schools, the parents expect the school authorities to look after them all day. With stores, shops and amusement places opposite a school discipline is impossible to maintain.

Mr. Fling, the Principal of Tech High School, then related to the council the difficulty of conducting a school in business areas and complained that smoke and odors were unhealthy. Mr. T. Guy Rogers, Principal of Thomas Jefferson High School, then told the council that he had been principal of a high school in a business area before he took over Jefferson and that when Jefferson was contemplated restrictions were required so that such condition could not occur. Mr. Enos Gary, Principal of Brackenridge High School, stated that with shops across from the school his difficulties were increased and the safety of the pupils was endangered. He is sure with the "F" zoning removed the area under question would be safer and healthier.

Mr. Knight then introduced as present the heads of the Highland Hills Civic League; The Highland Hills Optimist Club; the Highland Hills Lions Club and the Highland Hills Rotary Club.

Mr. Teairl Lewis speaking for the Lions Club stated that his club was instrumental in the dedication of the tract opposite these lots as a park. They were instrumental in arranging for the city to sell 22 acres to the School Board and that they definitely believe development of this brushy area as shops would be detrimental to the proposed school and to the whole area.

Mr. Knight then introduced the ladies present as principals and P.T.A. Presidents of Highland Hills School, Highland Park School, Kate Schenck School, Stewart School, Page Junior High School and Poe School.

Mr. Knight then introduced in evidence an aerial map of the area and three photographs showing the area to be undeveloped.

Mr. James Lovering impressed upon the council that the area to be zoned would be on the outer edge of any area where they could get any businesses if it were not for the proposed school.

Mr. Joe Street, for the Mountain Townsite Company, the owners of most of the lots involved in the rezoning, vigourously protested against action which they as owners were not consulted. He recited that the property was platted in 1907 and 1909. The property had been held for business for the future and was zoned for business in 1950. He stated that opportunities to sell this property had been turned down since they were holding it for business. He stated that the School Board had never conferred with him as to what restrictions they would place on the property.

Mr. Knight for the Board said they had never been able to get a conference about restrictions and had never been able to get the owners to confer on sale of the property to the school.

Mr. Knight stated that the character of the property has not changed iota since it was rezoned in 1950 and no improvement had been made and no efforts to fit it for business.

He restated the policy of the School Board to avoid proximity to businesses.

Mr. Rambo, an agent of the school board, reconciled how with others they had searched for a location out in the bushes and barbed wire and had found this site. He said no one in his fondest dreams would have thought of these lots as being business sites. On questioning he stated that as far as he knew the school would build regardless of the outcome of this hearing.

Mr. Passur moved that the recommendation of the Planning Commission to rezone this property be approved. Before a vote was taken Mr. Baines stated that privileges for certain uses of property were given in zoning only if the uses were not detrimental. He stated that in addition to property rights human rights must be respected.

Mr. Gonzalez stated that he was consistent in his belief that school safety and welfare should be considered.

On a roll call vote, the motion of Mr. Passur was adopted by the following vote: AYES, Friedrich, Baines, Passur, Crumrine, Winton, Kuykendall, Olivares, Gonzalez; NAYS, Daniels.

The Clerk then read the following ordinance:

AN ORDINANCE 22,559

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 RE-ZONING OF CERTAIN PROPERTY DESCRIBED HEREIN: CASE NO. 613, TO REZONE FROM "F" LOCAL RETAIL DISTRICT TO "C" RESIDENCE DISTRICT AS FOLLOWS: LOTS 10 TO 20 AND 30 TO 40, INCL., NCB 3752; LOTS 10 TO 20 AND 30 TO 40, INCL., NCB 3753; LOTS 10 TO 20 AND 30 TO 40, INCL., NCB 3754; LOTS 10 TO 20 AND 30 TO 40, INCL., NCB 3755; LOTS 10 TO 20 AND 30 TO 40, INCL., NCB 3756; LOTS 10 TO 19 AND 29 TO 38, INCL., NCB 3205 AND LOTS 8 TO 13, INCL., NCB 7544

(Full text in Ordinance Book CC page 211)

On motion of Mr. Passur, seconded by Mr. Winton, the ordinance was adopted by the following vote: AYES, Friedrich, Baines, Passur, Crumrine, Winton, Kuykendall, Olivares, Gonzalez; NAYS, Daniels.

At this time the request of the Wesley Community House for funds for the operation of its part-time dental clinic was heard.

Mrs. Max Johnson, President of Wesley Community House, asked Mr. C. Stanley Banks, Jr. to present their request.

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Mr. Banks stated that since 1922 this organization has operated a part-time dental clinic and that for the past 15 years the City has furnished funds for paying of a part-time dentist. That up until this budget year the City had provided \$3600.00 for this purpose. He said that 1200 patients were served the last year by the clinic. He asked that the \$3600 per annum expenditure be continued, that this was not a new program but a continuation of an old one. He asked for a statement of policy from the council on the matter.

After discussion by the council members, Mr. Banks and the City Manager, Mr. Gonzalez moved that the City Attorney be instructed ~~through~~ the City Manager to draw an ordinance transferring funds to insure the immediate continuance of this program, the transfer to be from the Contingency Fund or other funds in the budget to the proper fund in the Health Department budget or that the transfer be within the Health Department budget if possible. Seconded by Mr. Passur the motion was approved by the following vote: AYES, Friedrich, Baines, Passur, Crumrine, Winton, Kuykendall, Olivares, Daniels, Gonzalez; NAYS, none.

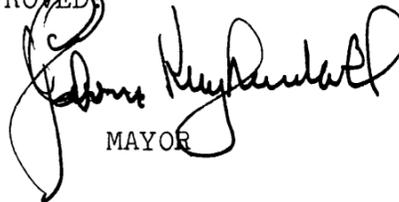
Mr. Clyde Wantland addressed the council and stated he wanted to protest against the report which recently was made public under the signature of the City Manager. He said that this newspaper was unfair competition, and asked the council to take some action about it.

Mr. Daniels stated that the council had asked the manager to make a progress report. Mr. Gonzalez stated that Mr. Wantland was within his rights to come before the council and give his views. He said the report was printed by union printers and paid for by budget appropriation allotted to the City Manager. He said that the City Charter provided that the City Manager make a report, that it was not fair to call this a political sheet as no one was running for office, and certainly the manager wasn't.

Mr. Winton stated that he thought the report was very practical and moved that the City Manager be commended for his comprehensive report and that he continue to make this type of report. Seconded by Mr. Passur, the motion carried by the following vote: AYES, Friedrich, Baines, Passur, Crumrine, Winton, Kuykendall, Olivares, Daniels, Gonzalez; NAYS, none.

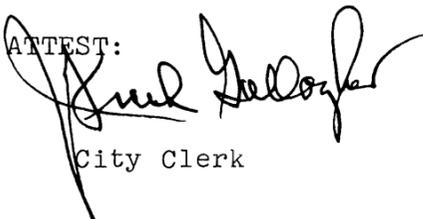
There being no further business, the meeting adjourned.

APPROVED



MAYOR

ATTEST:



City Clerk