

**State of Texas  
County of Bexar  
City of San Antonio**



**Meeting Minutes  
City Council A Session**

City Hall Complex  
105 Main Plaza  
San Antonio, Texas 78205

**Thursday, December 5, 2019**

**9:00 AM**

**Municipal Plaza Building**

**ROLL CALL**

The City Council convened in a Regular Meeting. City Clerk Leticia M. Vacek took the Roll Call noting a quorum with the following Councilmembers present:

**PRESENT:** 11 - Mayor Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Pelaez, Courage, and Perry

1. The Invocation was delivered by Pastor Sean Metcalf with the Community Bible Church, guest of Councilmember John Courage, District 9.
2. Mayor Nirenberg led the Pledge of Allegiance to the Flag of the United States of America.
3. Approval of Minutes for the City Council Regular Meetings of October 2 - 3, 2019 and the Regular Meeting of October 16, 2019.

Councilmember Andrews-Sullivan moved to approve the City Council Regular Meetings of October 2-3, 2019 and the Regular Meeting of October 16, 2019. Councilmember Treviño seconded the motion. The motion prevailed by the following vote:

**AYE:** 11 - Mayor Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Pelaez, Courage, and Perry

## **POINT OF PERSONAL PRIVILEGE**

Mayor Nirenberg celebrates the United States Marines Corps 244<sup>th</sup> Birthday and recognized their service to our nation. He invited the Command Officer of Recruiting Station San Antonio, Maria Harley, Sergeant Major James Bomb, and Recruiting Instructor, Master Sergeant L.B. Bautista; all of which are Active Duty Marines.

Mayor Nirenberg noted that the Marine Corp was established on November 10, 1775 and that the first recruiting station was at Tun Tavern in Philadelphia. He added that their Mission was to conduct ship-to-ship fighting, provide shipboard security, and assist landing forces. Mayor Nirenberg reported that since the Marines beginning, American Marines have distinguished themselves around the World in War and Peace and have earned the reputation as the best fighting force the world has ever known.

Mayor Nirenberg noted that today, the Marines continue to be the Nation's 9-1-1 Force and serve around the world protecting Americans interest as Embassy Guards in over 180 Embassies and Consulates Worldwide. Mayor Nirenberg stated that it was a unique privilege to celebrate the 244<sup>th</sup> Birthday of the United States Marine Corp here in Military City and wished the Marines Happy Birthday and Semper Fi.

Major Maria Harley Recruiting Station of San Antonio Commanding Officer and proud Graduate of UTSA thanked the Mayor and Council for celebrating the Marines 244<sup>th</sup> Birthday. She added that the cake cutting ceremony was steeped in history and that they symbolically pass the knowledge from the oldest to the youngest Marine. The first piece of cake was given to Mayor Nirenberg and the second piece of cake was given to the oldest Marine present, Major General Juan Ayala born in 1956 and enlisted in the Marine Corp in 1976. The third piece of cake was given to the youngest Marine present, Lance Corporal Christian Carrasco born in 1997 and enlisted in 2017. Major Harley added that the passing of the cake from Major General Ayala to Corporal Carrasco was passing the experience knowledge and care to young Marines. Major General Ayala invited all Marines present to gather for a photo and a standing ovation ensued along with singing Happy Birthday and the Marine Corp Song.

Councilmember Perry wished the Marines Happy Birthday added that the Marines bring Honor and Distinction to the Community and Military City.

## **POINT OF PERSONAL PRIVILEGE**

Councilmember Andrews-Sullivan recognized Thomas McClary Founder of the Legendary Commodores and his wife Beryl Thompson-McClary. Councilmember Andrews-Sullivan noted that Mr. McClary was a student at Tuskegee where he met Lionel Richie in 1968 and they formed a band called the Mystics. She added that in 1972 they became the Commodores and signed with Motown Records. Councilmember Andrews-Sullivan noted that Mr. McClary spent 15 years as the lead guitarist, song writing, and lead vocals. She added that Mr. McClary married Beryl Thompson-McClary who was a practicing Florida Attorney and invited them to the podium to say a few words.

Mrs. Thompson-McClary thanked the Mayor and Council for recognizing them. She added that she was proud to be in the Chambers on such a special day celebrating the Marines 244<sup>th</sup> Birthday.

Mr. McClary thanked the Mayor and Council for recognizing him and the Commodores. He added that he was honored to be in San Antonio. He noted that there were several Brick Houses in the Chambers and that if there was anything he can do to make it Easy Like a Sunday Morning.

Mayor Nirenberg thanked Mr. and Mrs. McClary for attending the City Council Meeting and noted that he takes pride in San Antonio's culture, heritage, and music.

### **POINT OF PERSONAL PRIVILEGE**

Councilmember Sandoval recognized the 25th Mariachi Vargas Extravaganza held in San Antonio December 1st. through December 7th. She noted that the annual Music Festival was a celebration of History, Culture, and the impact of Mariachi Music. Councilmember Sandoval added that the Music Festival included Concerts, Workshops by World Renowned Musicians and Competitions from participants from all over the United States. She noted that Friday Night was for High School Mariachis from around the Nation competing with each other.

Councilmember Rocha Garcia congratulated the Mariachi Extravaganza and noted that her son sang for years as a Mariachi in High School. She added that she was a fan and thanked Councilmember Sandoval for recognizing the event.

### **CONSENT AGENDA ITEMS**

Items 20, 23, and 24 were pulled for Individual Consideration. Mayor Nirenberg announced that Items 21M and 25 were pulled by staff and will not be considered.

Mayor Nirenberg called upon Jack M. Finger whom was registered to speak on the Consent Agenda.

Jack M. Finger spoke in opposition of Items 24 and 31. He noted that Item 24 was proposed to approve the PID Assessment of 1.25% of the Gross Hotel Room Revenue subject to the Local Tax derived from the individual room rental. He added that tax rate was high as was not conducive to generating tourism in San Antonio. He added that Item 31 was adopting the Downtown Area Regional Center Plan and questioned how people would get around Downtown which he felt should be pedestrian friendly over the movement of vehicles.

Eloy LaQue spoke on behalf of VIA one of the Agencies serving the Downtown Regional Center Plan Committee. He thanked the Mayor and Council for the opportunity to be part of the process and plan development. He noted that VIAs participation was generally focused on implementation of the short and long-range term initiatives within the VIA Vision 2040 Long-Range Plan, specifically how that relates to the Downtown Planning area. He added that nowhere else in the service area did VIA have a higher concentration of service and ridership than in the Downtown region. He stressed that VIA was committed to assist the City in the implementation phase of the Downtown Regional Plan.

Councilmember Treviño highlighted the Downtown Regional Plan noted that the Plan was the fifth SA Tomorrow Plan completed and implemented in the SA Tomorrow Comprehensive Plan. He added the Downtown Area Regional Center contained a number of neighborhoods such as King William, Lavaca, Lone Star, and Roosevelt Park Neighborhoods and the Downtown Residents Association and small portions of Dignowity Hill, Denver Heights, and the Historic West Side Neighbors. Councilmember Treviño reported that the adoption of the Downtown Area Regional Plan would guide San Antonio to continue investing in a Downtown area that was diverse and thriving City Center rooted in rich history. He announced that the Downtown Area Regional Center received the Downtown Achievement Pinnacle Award from the Downtown Association at its 65<sup>th</sup> Annual Conference in Maryland. He added that the

Pinnacle Award was a tremendous honor and the industry's highest recognition.

Garrett Wacaser spoke in opposition to Item 7 noting that his family business was called Safety Supply and had been operating in San Antonio for over 30 years. He requested that parties involved in the solicitation process be provided details about the evaluation process and scoring prior to the award on contracts. He noted that his company had been the contracted body armor provider for the State and Texas and DPS for the last 12 years. He was shocked to see scores reported under the experience plan and wear test section. He requested the score evaluation sheets be made public and was informed that would occur after award which he felt was too late.

Councilmember Viagran highlighted Item 34A and 34B, Thea Meadows Tax Increment Reinvestment Zone (TIRZ) #36. She noted that Thea Meadows was another example of the revival of single-family housing in the Southern Sector of San Antonio. She added that Thea Meadows would provide affordable single-family housing with mixed income occupants.

Councilmember Viagran asked Troy Elliott to provide background information on the evaluation process regarding Item 7. Mr. Elliott noted that Item 7 was for the award of concealed body armor for Police Officers. He added that an RFP was issued through an exemption that allows Officers to test the actual product. He noted that the Labor Relations Committee made up of Union Members and SAPD performed wear test, shooting test, and a variety of other test of the body armor. Mr. Elliott reported that Nardis scored a total of 54.5 points and Safety Supply scored 25 points. He added that Nardis was recommended for award and that Nardis was also the incumbent of the current body armor contract.

Councilmember Sandoval highlighted Item 9 which is a drainage improvement project in District 7. She added that there will be a storm drain system and reconstruction of the pavement, sidewalks, and utility improvements all of which will alleviate street flooding and ponding of water making the area safer.

Councilmember Rocha Garcia highlighted Item 11 Palo Alto Park Improvements approved during the 2017 Bond Project in District 4. She noted that the project consists of underground electrical work for four new 60-foot sport field lights and light fixtures to be added sports field lights for security. She added that there will be new walkways and trees planted and thanked Judy Benavides, Palo Alto Elementary School Principal for bringing this project to fruition.

Councilmember Andrews-Sullivan moved to approve the remaining Consent Agenda Items.

Councilmember Rocha Garcia seconded the motion. The motion prevailed by the following vote:

**AYE:** 11 - Mayor Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Pelaez, Courage, and Perry

**2019-12-05-0974**

4. Ordinance ratifying a contract with Holt Texas, LTD. dba Holt Cat to replace an engine for a tub grinder located at the Bitters Brush Recycling Center for the Solid Waste Management Department for \$76,001.85. Funding is available from the FY 2020 Fleet Services Fund Budget. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

**2019-12-05-0975**

5. Ordinance approving a contract with San Antonio Spurs, L.L.C. for advertising and promoting the City's residential recycling program for an amount not to exceed \$195,000.00. Funding is

available from the FY 2020 Solid Waste Operating and Maintenance Fund Adopted Budget. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

**2019-12-05-0976**

6. Ordinance approving a contract with RDO Equipment Co. for a wheeled skid loader for the Transportation and Capital Improvements for \$64,408.52. Funding is available from the FY 2020 Advanced Transportation District Fund Budget. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

**2019-12-05-0977**

7. Ordinance approving a contract with Nardis, Inc. to provide the San Antonio Police Department, Park Police, Aviation Police and Fire Department with concealable body armor for an estimated annual cost of \$443,000.00. Funding is available in the respective departments' FY 2020 Adopted Budget in the General Fund and Airport Operating and Maintenance Fund. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

**2019-12-05-0978**

8. Ordinance amending the professional services agreement with Kimley-Horn and Associates, Inc. to add preliminary engineering services, additional sub-surface surveys and additional design services for Airfield Improvements Packages 6 and 7 at San Antonio International in the amount not to exceed \$452,021.36 funded by interim airport financing and Federal Aviation Administration Airport Improvement Program grant within the FY 2020 - FY 2025 Capital Improvement Program Budget. [Carlos Contreras, Assistant City Manager; Russell Handy, Director, Aviation]

**2019-12-05-0979**

9. Ordinance approving a construction contract with E-Z Bel Construction, LLC in the amount not to exceed \$1,490,624.22 of which \$232,345.67 will be reimbursed by San Antonio Water System and \$95,520.00 will be reimbursed by CPS Energy for the District 7 Drainage Improvements Project, a previously authorized debt funded project. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Interim Director, Transportation & Capital Improvements]

**2019-12-05-0980**

10. Ordinance approving five agreements for on-call professional landscape architectural consulting services with Bender Wells Clark Design, Dunaway Associates, LP, Halff Associates, Inc., Terra Design Group, Inc. and Vickery & Associates, Inc., each in an amount not to exceed \$400,000.00 per year. The term of the agreement is one year with optional one year extension. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Interim Director, Transportation & Capital Improvements]

**2019-12-05-0981**

11. Ordinance approving a construction contract including one additive alternate with Industrial Construction Co. in the amount of \$211,899.00 for the Palo Alto Park project, a 2017 Bond funded project. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Interim Director, Transportation & Capital Improvements]

**2019-12-05-0982**

12. Ordinance approving a task order to a Job Order Contract with Jamail & Smith Construction, LP in an amount not to exceed \$328,321.00 for the Rosedale Park project, a 2017 Bond funded project. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Interim Director, Transportation & Capital Improvements]

**2019-12-05-0983**

13. Ordinance approving a construction contract with E-Z Bel Construction, LLC in the amount of \$896,608.67 of which \$20,330.00 will be reimbursed by San Antonio Water System and \$2,600.00 will be reimbursed by CPS Energy for the Jones Maltsberger Road / Burning Trail Intersection project, a 2017 Bond funded project. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Interim Director, Transportation & Capital Improvements]

**2019-12-05-0984**

14. Ordinance approving a Local On-System Agreement with the Texas Department of Transportation to allow the City to construct and maintain the roadway and provide traffic signal improvements within the right-of-way of State Highway 87, necessary for the completion of the S. Foster Road (Rigsby to 4,000'N) Project, a prior debt funded project. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Interim Director, Transportation & Capital Improvements]

**2019-12-05-0985**

15. Ordinance approving a Local On-System Agreement with the Texas Department of Transportation to allow the City to construct and maintain the roadway and drainage and provide traffic signal improvements within the right-of-way of FM 1957, necessary for the completion of the Military & Ingram Road Connectors Project, a 2017 Bond funded project. [Roderick Sanchez, Assistant Capital Manager; Razi Hosseini, Interim Director, Transportation & Capital Improvements]

**2019-12-05-0986**

16. Ordinance approving a two year lease with Valkyrie Aviation, LLC for 228 square feet of office space within the Terminal Building at Stinson Municipal Airport. The lease will generate \$3,353.88 per year for the Airport Operating and Maintenance Fund. [Carlos Contreras, Assistant City Manager; Russell Handy, Director, Aviation]

**2019-12-05-0987**

17. Ordinance approving a six year lease with San Antonio Sports for 6,650 square feet of office space at the Alamodome and twenty parking spaces starting January 1, 2020, and ending December 31, 2025, with options to renew. Annual revenues of approximately \$79,628.03 will be deposited in the Community and Visitor Facilities Fund. [Carlos Contreras, Assistant City Manager; Patricia Muzquiz Cantor, Executive Director, Convention and Sports Facilities]

**2019-12-05-0988**

18. Ordinance approving a license agreement with Gigabit Communications, LLC to use city rights-of-way to install a communications network. Estimated revenue of approximately \$20,000.00 will be deposited into the Information Technology Services Department Fund in accordance with the FY 2020 Adopted Budget. [Ben Gorzell, Chief Financial Officer; Craig Hopkins, Chief Information Officer, Information Technology Services]

**2019-12-05-0989**

19. Ordinance approving the submission of a grant application in an amount up to \$2,136,824.00 to the Office of National Drug Control Policy and the acceptance of funds, upon award, for a High Intensity Drug Trafficking Area grant for the grant period January 1, 2020, through December 31, 2021; and establishing a budget and personnel complement. [María Villagómez, Deputy City Manager; William McManus, Chief of Police]
21. Approving the following Board, Commission and Committee appointments for the remainder of unexpired terms to expire May 31, 2021 or for the terms shown below. Appointments are effective immediately if eight affirmative votes received, or ten days after appointment if passed with less than eight affirmative votes. [Leticia M. Vacek, City Clerk]
- A) Appointing Anthony Jarrett (District 6) to the City Bond Oversight Commission.
  - B) Appointing Brian M. Cox (District 10) to the Capital Improvements Advisory Committee.
  - C) Reappointing Bonnie Weed (District 6) to the Disability Access Advisory Committee.
  - D) Appointing Michael Sanchez (District 4) to the City of San Antonio Higher Education Student Advisory Board.
  - E) Reappointing Margaret Hartman (District 2) and Jamie L Johnson (District 2) to the Tax Increment Reinvestment Zone No. 15 - North East Crossing.
  - F) Appointing Thad Rutherford (District 3) and reappointing Melissa Mahan (District 3) and Dan Crowley (District 3) to the Tax Increment Reinvestment Zone No. 28 - Verano Board.
  - G) Reappointing Jesse Zuniga Jr. (District 6) to the Building Standards Board.
  - H) Reappointing Alfred P. Rocha (District 5) to the Parks and Recreation Board.

**2019-12-05-0990**

- I) Ordinance reappointing Valerie Moore (District 7) to the Animal Care Services Advisory Board for the remainder of an unexpired term of office to expire May 31, 2021; and waiving the City Code Residency Requirement in Chapter 2, Article IX, Section 2-259(b) for this appointment.
- J) Appointing Stephanie Melchor (Mayoral) to the Affirmative Action Advisory Committee.
- K) Appointing Jacqueline Campos (Mayoral) to the San Antonio Youth Commission.
- L) Appointing Veronica Morales (District 5) to the Small Business Advocacy Committee.

**ITEM M PULLED FROM CONSIDERATION**

- M) Appointing David Berrocal Diaz-Faes (District 8) to the Port Authority of San Antonio.
- N) Appointing Oliver Carr (District 6) to the City Commission on Veterans Affairs.

O) Appointing Erica Martinez (District 6) to the San Antonio Housing Trust.

P) Appointing Elaine Kearney (Mayoral) to the Linear Creekway Parks Advisory Board.

**2019-12-05-0991**

22. Ordinance rescheduling City Council meetings in December 2019 and January 2020. [Leticia M. Vacek, City Clerk]

**2019-12-05-0993**

26. Ordinance approving a contract with Clinical Pathology Laboratories, Inc. to provide medical laboratory testing services for the San Antonio Fire Department Wellness Center for an annual amount \$48,431.00 and a total estimated contract amount of \$242,155.00, for a term starting March 1, 2020 through February 28, 2023, with options to renew. Funding for this contract is available in the FY 2020 General Fund Budget with additional funding for future fiscal years subject to City Council appropriation of funds. [María Villagómez, Deputy City Manager; Charles N. Hood, Fire Chief]

**2019-12-05-0994**

27. Ordinance approving the renewal of a stop loss Insurance policy from HM Life Insurance Company to cover City civilian employees, non-Medicare eligible civilian retirees, uniformed employees, and their dependents who are covered under the City's medical insurance plans in an estimated annual amount of \$797,265.00, for a term beginning January 1, 2020 and ending December 31, 2020. Funding is available in the Employee Benefits Insurance Fund FY 2020 Adopted Budget. [Ben Gorzell, Chief Financial Officer; Lori Steward, Director, Human Resources]

**2019-12-05-0995**

28. Ordinance amending the SA Tomorrow Area Planning Consultant Services – Year 2 Professional Services Agreement with Moore Iacofano Goltsman, Inc. pertaining to the Phase 2 Sub-Area Plans to allow Spanish translation of adopted plans and the creation of dual-language websites, and extending the term to June 2021, for the an additional amount of \$116,070.00, and for a total contract amount not to exceed \$1,171,070.00. Funding for this amendment is included in the FY 2020 General Fund Budget. [Lori Houston, Assistant City Manager; Bridgett White, Director, Planning]

**2019-12-05-0996**

29. Ordinance authorizing a professional services agreement with Moore Iacofano Goltsman, Inc. for consulting services related to Phase 3 and Phase 4 of the SA Tomorrow Sub-Area Planning Program in an amount not to exceed \$2,281,000.00 from the FY 2020 Adopted General Fund budget. Services will include extensive community engagement for and the development of four Regional Center Plans and eight Community Plans. [Lori Houston, Assistant City Manager; Bridgett White, Director, Planning]

**2019-12-05-0997**

30. Ordinance amending an Interlocal Agreement with the City of Converse which implements a series of municipal boundary adjustments and extraterritorial jurisdiction releases from San Antonio to Converse in eastern Bexar County. [Lori Houston, Assistant City Manager; Bridgett White, Director, Planning]



**2019-12-05-0998**

31. Ordinance adopting the Downtown Area Regional Center Plan as a component of the Comprehensive Master Plan of the City, for a 6.4-square mile area generally bound by Interstate Highway 10 and Interstate Highway 35 to the north; Austin Street, Duval, Milam, Cherry, West Boyer, West High Avenue, and Aberdeen Place to the east; Interstate Highway 10, South Presa Street, East Mitchell Street, Parker, School Street, Roosevelt Avenue, Hansford Street, Mission Road, and Theo Avenue to the south; and Interstate Highway 35, Interstate Highway 10, South Flores Street, West Cevallos, Alazan Creek, San Marcos, West Martin Street, and North Colorado Street to the west. [Lori Houston, Assistant City Manager; Bridgett White, Director, Planning]

**2019-12-05-0999**

32. Ordinance renewing a cooperative agreement with Bexar County which allows the County to provide mandatory residential Solid Waste collection and disposal services for Bexar County's Camelot II neighborhood located within the City's extraterritorial jurisdiction. [Roderick Sanchez, Assistant City Manager; David W. McCary, Director, Solid Waste Management]

**2019-12-05-1000**

33. Ordinance amending the existing organics materials processing contract with New Earth, Inc., to extend the term by one year, increase the per ton processing fee from \$16.50 to \$24.00 and purchase up to 75,000 cubic yards of finished compost at \$14.00 per cubic yard. [Roderick J. Sanchez, Assistant City Manager; David W. McCary, Solid Waste Management Department]
34. Approving the following two items relating to the creation of the Thea Meadows Tax Increment Reinvestment Zone #36: [Lori Houston, Assistant City Manager; Veronica R. Soto, Director, Neighborhood and Housing Services]

**2019-12-05-1001**

- 34A. Ordinance approving the designation of Thea Meadows TIRZ Number 36 located in Council District 3 on the southeast side of San Antonio northwest of the intersection of South W.W. White Road and S.E. Military Drive by creating a nine member Board of Directors, establishing the effective start date and termination date of the zone, approving the preliminary finance plan, approving a Development Agreement, and establishing a tax increment fund.
- 34B. Appointing John Vernon York, Jeffrey Allen McKinnie, Joshua Cullen Dym, Steve Jeffrey Honigblum, Timothy Mark Elphick, Allen Douglas Hoover, and Sha-Rone Caffie-Reyes to serve on the Thea Meadows TIRZ #36 Board of Directors for a two year term from the date of appointment.

**CONSENT ITEMS CONCLUDED**

**ITEMS FOR INDIVIDUAL CONSIDERATION**

City Clerk Vacek read the caption for Item 20.

## CONTINUED

20. Ordinance amending the City Code of San Antonio, Texas, Chapter 35, Unified Development Code, Section 35-310-01 Table 310-1 Lot and Building Dimensions Table, relating to Lot and Building Dimensions in "RM" and "MF" districts and providing for publication. [Roderick Sanchez, Assistant City Manager; Michael Shannon, Director, Development Services]

Mike Shannon provided a brief presentation regarding Item 20. He noted that Item 20 was about a Zoning change from MF-33 to RM-4 which was a Multi-Family designation. He added that Councilmember Treviño submitted a CCR in 2017 to address the growing need for housing without compromising integrity of neighborhoods.

Mr. Shannon described RM-4 and MF-33 allows for construction up to 35 foot and 45 foot height respectively. Mr. Shannon noted that increased development had resulted in some incompatible height and lot coverage; thus, a need to review UDC regulations.

Mr. Shannon described the Taskforce that was created which reached out to neighborhoods and the development community. He added that the Taskforce conducted several meetings and utilized the SA Speak Up Concept which resulted in robust dialogue, research, and debate.

Mr. Shannon noted that the discussions resulted in three most important issues.

1. Height – rewrite the code to allow for the maximum of 35 foot homes to be built.
2. Setback Rules – The current minimum is 10 foot setback
3. Street Orientation – Older homes have the front door, front walkways, and front porches facing the street. Newer homes have a shared driveway and homes face each other having a courtyard effect; the street view is a side blank wall of 20-30 foot. The proposed change would require front entryways and front facade compatible with the neighborhood.

Mr. Shannon added that as part of the process, they went through the Planning Commission, Technical Advisory Committee, and the Zoning Commission. He added that the process has taken a couple of years which was needed to create a comprehensive plan and includes consensus by all stakeholders involved.

Mr. Shannon noted that the recommendation was to change the UDC to address the issues of height, front setback, and street orientation. He thanked the Task Force and all stakeholders that were involved and the public input.

Mayor Nirenberg called upon the individuals registered to speak.

Teri Castillo, resident of the Historic West Side and West Side Resident Association Coalition Member spoke in opposition of Item 20. She noted that District 5 has over 3,420 MF-33s and 560 RM-4s throughout the District. She added that by gifting market base planning with an additional 10 feet, the people of District 5 will be vulnerable to predatory practices of those who profit from the real estate market. She added that she was concerned with the ambiguity of the language used regarding vacant lots under note 11 which was added at the last minute.

Mary Johnson member of the Tier One Steering Committee noted that she was a member of the Task Force and thanked Councilmember Treviño for creating it. She added the CCR drafted by Councilmember Treviño was created with the intent to address neighborhood compatibility issues. She respectfully requested the approval of the proposed changes presented today including the proposed

amendments to be added to several tables.

Cynthia Speilman resident of Beacon Hill and Member of the Steering Committee of Tier One stated that she was concerned by her neighbor's comments. She added that she was not against development but against displacement of residents. She mentioned that the neighborhood was missing middle housing which she described as duplexes, quadplexes, and triplexes. She said what is hurtful to the neighborhood was developers building six condos that are three and a half story tall next to single-family homes.

Russell Yeager, Director of Civil Engineering for Big Red Dog Engineering stated that he has worked in the community for 15 years. He noted that he was a member of the Task Force and appreciated the opportunity to find solutions for the challenges. He added that the three items presented by Mr. Shannon were all agreed upon and received consensus to move forward. He noted that other items need additional time, research, and vetting for future consideration.

John Cooley, Chief Operating Officer for Terra Mark Urban Homes noted that he was a member of the Task Force. He added that affordability was a direct result of decisions made and that the rules that are made up make it harder and more expensive to develop which results in fewer developments and more expensive homes. He added that he supports Mr. Shannon's recommendations.

Councilmember Treviño noted that he had been working on this project for two years. He requested that portions of his CCR not addressed be taking up through the upcoming UDC process. Mr. Shannon reported Development Services would provide for an amendment to the UDC to be considered during the 2020 UDC Process. Mr. Shannon noted that they agreed with the limits on height of multifamily structures and would start that protection effective today. Mr. Shannon noted that additional discussions needed to take place regarding the issue of a single structure versus multiple structures on a lot and would be considered as an amendment through the upcoming UDC process.

Councilmember Treviño made a modification to the rules of interpretation to Table 310-1 Note 11. He proposed the following language "the height limit shall not apply where an abutting property is zoned single-family residential but not used for residential purposes such as a church, school, park, golf course, or vacant property shall read, except the height limit shall apply to properties abutting a vacant property resulting from a demolition within three years of the date of the demolition." Councilmember Treviño noted that the public was concerned with the language because they felt it was creating a potential for demolition.

Mr. Sanchez noted that the concern initially started with the Zoning Commission which recommended that if there was a vacant lot that there was nothing to protect, so the Zoning Commission inserted language that there would be an exemption from that standpoint. Mr. Sanchez added that individuals are concerned that would be an incentive for people to demolish a structure. He noted that a three-year time limit was put in place to take away the incentive to demolish a structure.

Councilmember Treviño moved to approve Item 20 with conditions as read. Councilmember Sandoval seconded the motion. After a lengthy discussion; Councilmember Treviño withdrew the motion.

Councilmember Gonzales noted that a person's home is their primary concern and expressed concern with an amendment on the dais moments before the vote. She added that the CCR was circulated in 2017 and that multiple community meetings were held and suddenly an amendment was made on the dais which had not been vetted through the Council Committee process.

Councilmember Viagran noted her concern of taking action before the item has been vetted properly. She added that there might be unknown unintended consequences of putting a three-year time period in place. She supported Councilmember Gonzales' suggestion that the three-year time period be vetted by the Planning and Community Development Committee.

Councilmember Perry agreed that there was a process in place and that the Council should avoid last minute amendments without proper vetting.

Mayor Nirenberg noted that the discussion of a Comprehensive Plan began eight years ago during his first budget season. He added that the Comprehensive Plan was now under development. He noted that the Council was trying to accomplish urban development and sustainability for San Antonio. He noted that somewhere between the launch and announcement of the Decade of Downtown there was a pulling; a policy of pulling development outward for the last 30 years and deliberately trying to pull that development inward; causing the rubber band to snap. Mayor Nirenberg stated that now they are seeing the difficulty of affordability and the development concerns of neighborhoods.

Councilmember Gonzales moved to continue Item 20 until December 12, 2109. Councilmember Viagran seconded the motion. The motion to continue prevailed by the following vote:

**AYE:** 11 - Mayor Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Pelaez, Courage, and Perry

City Clerk Vacek read the caption for Item 23.

**2019-12-05-0069R**

**23.** Resolution allocating the City's 895 votes for the City's Nominee, Roberto C. Treviño, to serve on the Bexar Appraisal District Board of Directors for a term of office to begin on January 1, 2020, and expire on December 31, 2021. [Leticia M. Vacek, City Clerk]

Councilmember Courage moved to approve Item 23. Councilmember Rocha Garcia seconded the motion. The motion prevailed by the following vote:

**AYE:** 10 - Mayor Nirenberg, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Pelaez, Courage, and Perry

**RECUSE:** 1 - Treviño

City Clerk Vacek read the caption for Item 24.

**2019-12-05-0992**

**24.** Ordinance approving the San Antonio Tourism Public Improvement District Final 2020 Service and Assessment Plan, the Final 2020 Assessment Roll, and maintaining the Assessment Rate for 2020 at 1.25% of the gross hotel room revenue subject to local hotel tax derived from an individual room rental of qualified rooms. [Carlos Contreras, Assistant City Manager; Patricia Muzquiz Cantor, Director, Convention and Sports Facilities]

Mayor Nirenberg called upon the Individuals registered to speak.

Jeff Arndt, Chair of Visit San Antonio Board of Directors spoke in support of the Tourism Public Improvement District (TPID) Assessment Plan. He noted that the TPID has enhanced Visit San Antonio's marketing and sales effort to proactively promote San Antonio as a premier destination. He asked the Council for their continued support of the TPID and Visit San Antonio.

Henry Feldman, Chair of the Tourism Public Improvement District Board of Directors spoke in support of the Assessment Plan. He noted that he has kept the guiding principles of Transparency, Results, and Accountability at the forefront during their first year of the TPID Operations. He added that the TPID Operations create a culture of inquiry and accountability with spending and set metrics for sales and marketing. He stated that he was proud of the initial results of \$2.5 million was spent for marketing efforts in May through August, doubling the marketing spent as compared to last year; resulting in \$302 million impressions. He noted that those dollars were used in four channels; 1. Digital; 2. Television; 3. Streaming Radio; and 4. Out of Home. Mr. Feldman respectfully requested that the Council continue their support of the TPID.

Kevin Latone, TPID Board Member and Chairman of the San Antonio Hotel Lodging Association Board of Directors spoke in support of the TPID. He noted that in order for the TPID to be successful, it was imperative for all eligible hotels to be involved and informed through the process. He added that it was important to be accountable to participating hotels within the TPID; therefore a quarterly newsletter was launched and town hall meetings were held. Mr. Latone asked the Council for their continued support of the TPID.

Councilmember Rocha Garcia noted that she was an advocate for the underrepresented to have a seat at the table. She encouraged Mr. Arndt, Feldman, and Latone to look at the composition of their Board and identify areas of improvement where diversity can be considered. She added specifically, she was looking at the lack of female Board Members. Councilmember Rocha Garcia stated that they consider and encourage female representation in their executive leadership and board appointments.

Councilmember Courage asked if the TPID was a voluntary membership association. Ms. Casandra Matej, President and CEO of Visit SA described the process of the TPID creation this week last year. She added that over 60% of the hotel community signed petitions in favor of creating the TPID. The petition was presented to City Council; and the TPID was created making it mandatory for hotels that are within the City Limits and have 100 rooms or greater must participate in the Tourism District. Ms. Matej added that the TPID is an 8-year term and that the first year was completed in December 2019.

Councilmember Courage asked if City revenue was used by the TPID for conducting their marketing campaigns. Ms. Matej reported that City revenue was not used by the TPID. She added that the City receives additional HOT revenue entitled TPID Fee and was included on hotel bills. She reported that entities such as Arts and Culture, History and Preservation were seeing an increase due to the TPID.

Councilmember Courage asked how the TPID was coming along since the collections began January 2019. Ms. Matej reported that she is seeing positive results and that the collection estimates were on track. She noted that the TPID Partners are educating consumers of the TPID purpose and that they have not seen negative impacts from groups or leisure travelers. She added that San Antonio was a value destination with competitive hotel and restaurant rates.

Councilmember Perry voiced concerns with raising hotel rates by adding the additional TPID fee to hotel stays. He requested to see the metrics from their increased marketing efforts to include their projections. Ms. Matej reported that those metrics were reported in the TPID quarterly newsletter and she would distribute same to the Council Offices.

Councilmember Sandoval asked what the TPID rate was. Ms. Matej reported that the rate was 1.25% per night, and then the Hotel Occupancy Tax (HOT) was applied to that total. Councilmember Sandoval asked approximately how much was the HOT collected annually. Ms. Matej reported that was approximately \$70-75 million annually. Councilmember Sandoval asked if the 1.25% was multiplied by \$70-75 million. Ms. Matej reported that was correct.

Councilmember Viagran noted that City Manager Walsh distributed the preliminary Fiscal Year 2019 Year End Report. She noted that report included the City's portion of the Hotel Occupancy Tax of 7% generating approximately \$72.4 million which was \$156,000 higher than projected. She highlighted some of the benefits of the TPID. She asked Ms. Matej to explain the legislative changes to restrict TPID dollars. Ms. Matej reported that that San Antonio was the fourth entity in the State of Texas to create the TPID. Ms. Matej added that the State Legislature restricted the use of TPID dollars that can be utilized for sales and marketing.

Councilmember Viagran moved to approve Item 24. Councilmember Rocha Garcia seconded the motion. The motion prevailed by the following vote:

**AYE:** 10 - Mayor Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Courage, and Perry

**RECUSE:** 1 - Pelaez

Mayor Nirenberg noted that regarding Item 20; citizens reported that businesses and developers were using the code compliance process to prey on vulnerable homeowners. He added that he had heard this statement several times and requested City Staff to troubleshoot the issue for future Council Committee discussion. Mayor Nirenberg requested the City Manager to assemble resources necessary to research the matter to end it quickly. Mr. Rod Sanchez reported that Development Services Staff would take a deeper dive into the matter and report back to Council.

#### **PULLED BY STAFF AND NOT CONSIDERED**

- 25.** Resolution of intent to create a Property Assessed Clean Energy (PACE) program within San Antonio's City Limits. [Carlos Contreras, Assistant City Manager; Alejandra Lopez, Interim Director, Economic Development]

#### **City Manager's Report**

- 35.** City Manager's Report

Mr. Rod Sanchez reported that there was not a City Manager's Report.

Mayor Nirenberg recessed the meeting at 11:27 am to discuss the following items:

## **EXECUTIVE SESSION**

- A.** Economic development negotiations pursuant to Texas Government Code Section 551.087 (economic development).
- B.** The purchase, exchange, lease or value of real property pursuant to Texas Government Code Section 551.072 (real property).
- C.** Legal issues related to collective bargaining pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- D.** Legal issues related to litigation involving the City pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- E.** Deliberate the evaluation process for the City Manager, City Auditor, City Clerk, and Presiding Judge and any related legal issues pursuant to the Texas Government Code Section 551.074 (Personnel Matters) and Texas Government Code Section 551.071 (Consultation with Attorney).

Mayor Nirenberg reconvened the meeting at 2:10 pm and announced that no action was taken in Executive Session.

## **CONSENT ZONING ITEMS**

Zoning Items 36, Z-1, Z-2, P-1, Z-6, Z-7, Z-12, Z-18, P-6, Z-19, Z-23 and Z-25 were pulled for Individual Consideration.

Mayor Nirenberg called upon individuals registered to speak on the remaining Consent Zoning Items:

Jack M. Finger spoke in opposition of several items; he noted that allowing an alcohol variance within 300 feet of a school was a bad idea. He added that regarding Z-12 and commercial encroachment in a residential area was controversial and needed public input from the residents affected by the encroachment. Mr. Finger spoke in opposition of Item Z-18 noting that was another example of commercial encroachment in a residential area. Regarding Z-23 tends to affect the rural character of the area and that buffers were needed.

### **2019-12-05-1003**

- Z-3.** ZONING CASE Z-2019-10700248 (Council District 1): Ordinance amending the Zoning District Boundary from "C-3NA NCD-5 AHOD" General Commercial Nonalcoholic Sales Beacon Hill Area Neighborhood Conservation Airport Hazard Overlay District to "R-3 NCD-5 AHOD" Residential Single-Family Beacon Hill Area Neighborhood Conservation Airport Hazard Overlay District on the North 37.5-feet of the South 75-feet of Lots 1-4, Block 5, NCB 1783, located at 1019 Capitol Avenue. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE

CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: the North 37.5-feet of the South 75-feet of Lots 1-4, Block 5, NCB 1783. TO WIT: From "C-3NA NCD-5 AHOD" General Commercial Nonalcoholic Sales Beacon Hill Area Neighborhood Conservation Airport Hazard Overlay District to "R-3 NCD-5 AHOD" Residential Single-Family Beacon Hill Area Neighborhood Conservation Airport Hazard Overlay District.

**2019-12-05-1004**

- Z-4.** ZONING CASE Z-2019-10700254 (Council District 1): Ordinance amending the Zoning District Boundary from "C-3 AHOD" General Commercial Airport Hazard Overlay District to "R-3 AHOD" Residential Single-Family Airport Hazard Overlay District on Lot 66, Block 3, NCB 2159, located at 241 Rounds Street. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: Lot 66, Block 3, NCB 2159. TO WIT: From "C-3 AHOD" General Commercial Airport Hazard Overlay District to "R-3 AHOD" Residential Single-Family Airport Hazard Overlay District.

**2019-12-05-1005**

- Z-5.** ZONING CASE Z-2019-10700293 S (Council District 1): Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-1 S AHOD" Light Commercial Airport Hazard Overlay District with Specific Use Authorization for a Parking Lot - Noncommercial on the south 93 feet of Lot 2, Block 215, NCB 3942, located at 1443 West Hildebrand Avenue. Staff recommends Approval. Zoning Commission recommendation pending the December 3, 2019 hearing.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: the south 93 feet of Lot 2, Block 215, NCB 3942. TO WIT: From "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-1 S AHOD" Light Commercial Airport Hazard Overlay District with Specific Use Authorization for a Parking Lot – Noncommercial.

**2019-12-05-1006**

- Z-8.** ZONING CASE Z-2019-10700222 S (Council District 2): Ordinance amending the Zoning District Boundary from "C-2 MLOD-3 MLR-1 AHOD" Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "C-2 S MLOD-3 MLR-1 AHOD" Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with Specific Use Authorization for a Car Wash on 3.637 acres out of NCB 16612, generally located southwest of the intersection of Summer Fest Drive and North Foster Road. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 3.637 acres out of NCB 16612. TO WIT: From "C-2 MLOD-3 MLR-1 AHOD" Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "C-2 S MLOD-3 MLR-1 AHOD" Commercial Martindale Army Airfield Military Lighting Overlay



Military Lighting Region 1 Airport Hazard Overlay District with Specific Use Authorization for a Car Wash.

**2019-12-05-1007**

**P-2.** PLAN AMENDMENT CASE PA-2019-11600069 (Council District 2): Ordinance amending the Eastern Triangle Community Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use from “Low Density Residential” and “Parks Open Space” to “High Density Residential” on 42.98 acres out of NCB 18239, located at 5645 Sinclair Road. Staff and Planning Commission recommend Approval. (Associated Zoning Case Z-2019-10700239) (Continued from November 7, 2019.)

**2019-12-05-1008**

**Z-9.** ZONING CASE Z-2019-10700239 (Council District 2): Ordinance amending the Zoning District Boundary from “NP-10 MLOD-3 MLR-1” Neighborhood Preservation Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District to “R-4 MLOD-3 MLR-1” Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District on 36.96 acres out of NCB 18239 and “MF-33 MLOD-3 MLR-1” Multi-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District on 42.98 acres out of NCB 18239, located at 5645 Sinclair Road. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment PA-2019-11600069) (Continued from November 7, 2019.)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 42.98 acres out of NCB 18239. TO WIT: From “NP-10 MLOD-3 MLR-1” Neighborhood Preservation Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District to “R-4 MLOD-3 MLR-1” Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District on 36.96 acres out of NCB 18239 and “MF-33 MLOD-3 MLR-1” Multi-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District.

**2019-12-05-1009**

**Z-10.** ZONING CASE Z-2019-10700241 (Council District 2): Ordinance amending the Zoning District Boundary from "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District to "IDZ-1 AHOD" Low Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted for three (3) residential units on Lots 15 and 16, Block 58, NCB 1586, located at 203 Denver Boulevard. Staff and Zoning Commission recommend Approval. (Continued from November 7, 2019.)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: Lots 15 and 16, Block 58, NCB 1586. TO WIT: From "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District to "IDZ-1 AHOD" Low Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted for three (3) residential units.

**2019-12-05-1010**

**P-3.** PLAN AMENDMENT CASE PA-2019-11600071 (Council District 2): Ordinance amending the

Arena District/Eastside Community Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use from "Light Industrial" to "Mixed Use" on 2.90 acres out of NCB 656, located at 1008 Hoefgen Avenue, 1010 Hoefgen Avenue, 1010 Hoefgen Avenue 1, and 509 Delaware Street. Staff and Planning Commission recommend Approval. (Associated Zoning Case Z-2019-10700252)

**2019-12-05-1011**

- Z-11.** ZONING CASE Z-2019-10700252 (Council District 2): Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District and "I-1 HS AHOD" General Industrial Historic Significant Landmark Airport Hazard Overlay District to "IDZ-3 AHOD" High Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District, an Extended Stay Hotel, and multi-family dwelling units not to exceed 570 units and "IDZ-3 HL AHOD" High Intensity Infill Development Zone Historic Significant Landmark Airport Hazard Overlay District with uses permitted in "C-2" Commercial District, an Extended Stay Hotel, and multi-family dwelling units not to exceed 570 units (all overlays remain the same) on 2.90 acres out of NCB 656, located at 1008 Hoefgen Avenue, 1010 Hoefgen Avenue, 1010 Hoefgen Avenue 1, and 509 Delaware Street. Staff and Zoning Commission recommend Approval. (Associated Plan Amendment Case PA2019-11600071)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 2.90 acres out of NCB 656. TO WIT: From "I-1 AHOD" General Industrial Airport Hazard Overlay District and "I-1 HS AHOD" General Industrial Historic Significant Landmark Airport Hazard Overlay District to "IDZ-3 AHOD" High Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District, an Extended Stay Hotel, and multi-family dwelling units not to exceed 570 units and "IDZ-3 HL AHOD" High Intensity Infill Development Zone Historic Significant Landmark Airport Hazard Overlay District with uses permitted in "C-2" Commercial District, an Extended Stay Hotel, and multi-family dwelling units not to exceed 570 units (all overlays remain the same)

**2019-12-05-1012**

- Z-13.** ZONING CASE Z-2019-10700273 (Council District 2): Ordinance amending the Zoning District Boundary from "C-2 RIO-1 DN UC-2 NCD-9 AHOD" Commercial River Improvement Overlay Development Node Broadway Urban Corridor Westfort Alliance Neighborhood Conservation Airport Hazard Overlay District to "C-2 IDZ RIO-1 DN UC-2 NCD-9 AHOD" Commercial Infill Development Zone Overlay River Improvement Overlay Development Node Broadway Urban Corridor Westfort Alliance Neighborhood Conservation Airport Hazard Overlay District on Lot 1, Lot 2, the south 25 feet of Lot 3, the north 25 feet of Lot 3, and the south 40 feet of Lot 4, Block 27, NCB 1764, located at 2000 Broadway Street. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: Lot 1, Lot 2, the south 25 feet of Lot 3, the north 25 feet of Lot 3, and the south 40 feet of Lot 4, Block 27, NCB 1764. TO WIT: From "C-2 RIO-1 DN UC-2 NCD-9 AHOD" Commercial River Improvement Overlay

Development Node Broadway Urban Corridor Westfort Alliance Neighborhood Conservation Airport Hazard Overlay District to "C-2 IDZ RIO-1 DN UC-2 NCD-9 AHOD" Commercial Infill Development Zone Overlay River Improvement Overlay Development Node Broadway Urban Corridor Westfort Alliance Neighborhood Conservation Airport Hazard Overlay District.

**2019-12-05-1013**

**P-4.** PLAN AMENDMENT CASE PA-2019-11600077 (Council District 2): Ordinance amending the IH-10 East Corridor Perimeter Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use from "Regional Commercial" to "High Density Residential" on 18.007 acres out of NCB 16551, located Northwest of Weichold Road and East Loop 1604 North. Staff and Planning Commission recommend Approval. (Associated Zoning Case Z-2019-10700276).

**2019-12-05-1014**

**Z-14.** ZONING CASE Z-2019-10700276 (Council District 2): Ordinance amending the Zoning District Boundary from "C-3 AHOD" General Commercial Airport Hazard Overlay District to "MF-33 AHOD" Multi-Family Airport Hazard Overlay District on 18.007 acres out of NCB 16551, located Northwest of Weichold Road and East Loop 1604 North. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment PA-2019-11600077)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 18.007 acres out of NCB 16551. TO WIT: From "C-3 AHOD" General Commercial Airport Hazard Overlay District to "MF-33 AHOD" Multi-Family Airport Hazard Overlay District.

**2019-12-05-1015**

**Z-15.** ZONING CASE Z-2019-10700290 (Council District 2): Ordinance amending the Zoning District Boundary from "IDZ RIO-2 DN UC-2 AHOD" Low Intensity Infill Development Zone River Improvement Overlay Development Node Broadway Urban Corridor Airport Hazard Overlay District with uses permitted in "C-3" General Commercial District and "O-2" High-Rise Office District to "IDZ-3 RIO-2 DN UC-2 AHOD" High Intensity Infill Development Zone River Improvement Overlay Development Node Broadway Urban Corridor Airport Hazard Overlay District with uses permitted in "C-3" General Commercial District and "O-2" High-Rise Office District (to amend the site plan) on Lot 1 and the south 3.5 feet of Lot 2, Block 20, NCB 977, located at 1900 Broadway Street. Staff recommends Approval. Zoning Commission recommendation pending the December 3, 2019 hearing.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: Lot 1 and the south 3.5 feet of Lot 2, Block 20, NCB 977. TO WIT: From "IDZ RIO-2 DN UC-2 AHOD" Low Intensity Infill Development Zone River Improvement Overlay Development Node Broadway Urban Corridor Airport Hazard Overlay District with uses permitted in "C-3" General Commercial District and "O-2" High-Rise Office District to "IDZ-3 RIO-2 DN UC-2 AHOD" High Intensity Infill Development Zone River Improvement Overlay Development Node Broadway Urban Corridor Airport Hazard Overlay

District with uses permitted in "C-3" General Commercial District and "O-2" High-Rise Office District (to amend the site plan).

**2019-12-05-1016**

- Z-16.** ZONING CASE Z-2019-10700234 CD (Council District 3): Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for Three (3) Dwelling Units on Lot 19, Block 2, NCB 3067, located at 231 Chicago Boulevard. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: Lot 19, Block 2, NCB 3067. TO WIT: From "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for Three (3) Dwelling Units.

**2019-12-05-1017**

- P-5.** PLAN AMENDMENT CASE PA-2019-11600078 (Council District 4): Ordinance amending the United Southwest Communities Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use from "Regional Commercial" to "High Density Residential" on 15.975 acres out of NCB 15248, located in the 9100 Block of Excellence Drive. Staff and Planning Commission recommend Approval. (Associated Zoning Case Z-2019-10700277)

**2019-12-05-1018**

- Z-17.** ZONING CASE Z-2019-10700277 (Council District 4): Ordinance amending the Zoning District Boundary from "R-5 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "MF-33 MLOD-2 MLR-1 AHOD" Multi-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District on 15.975 acres out of NCB 15248, located in the 9100 Block of Excellence Drive. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment PA-2019-11600078)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 15.975 acres out of NCB 15248. TO WIT: From "R-5 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "MF-33 MLOD-2 MLR-1 AHOD" Multi-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District.

**2019-12-05-1022**

- Z-20.** ZONING CASE Z-2019-10700203 (Council District 7): Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District, "C-3R AHOD" General Commercial Restrictive Alcoholic Sales Airport Hazard Overlay District and "O-2 AHOD" High-Rise Office Airport Hazard Overlay District to "MF-40 AHOD" Multi-Family Airport Hazard Overlay District on Lot 1 and Lot 2, Block 2, NCB 13301 and Lot 1

and Lot 2, Block 3, NCB 13302, generally located northeast of the intersection of West Loop 410 and Pin Oak Drive. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: Lot 1 and Lot 2, Block 2, NCB 13301 and Lot 1 and Lot 2, Block 3, NCB 13302. TO WIT: From "C-2 AHOD" Commercial Airport Hazard Overlay District, "C-3R AHOD" General Commercial Restrictive Alcoholic Sales Airport Hazard Overlay District and "O-2 AHOD" High-Rise Office Airport Hazard Overlay District to "MF-40 AHOD" Multi-Family Airport Hazard Overlay District.

**2019-12-05-1023**

**Z-21.** ZONING CASE Z-2019-10700181 ERZD (Council District 8): Ordinance amending the Zoning District Boundary from "R-6 UC-1 MLOD-1 MLR-1 AHOD ERZD" Residential Single-Family Loop N 1604 W Urban Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay Edwards Recharge Zone District to "C-2 UC-1 MLOD-1 MLR-1 AHOD ERZD" Commercial Loop N 1604 W Urban Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay Edwards Recharge Zone District on 0.496 acres out of NCB 17700, located at 4545 North Loop 1604 West. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 0.496 acres out of NCB 17700. TO WIT: From "R-6 UC-1 MLOD-1 MLR-1 AHOD ERZD" Residential Single-Family Loop N 1604 W Urban Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay Edwards Recharge Zone District to "C-2 UC-1 MLOD-1 MLR-1 AHOD ERZD" Commercial Loop N 1604 W Urban Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay Edwards Recharge Zone District.

**2019-12-05-1024**

**P-7.** PLAN AMENDMENT CASE PA-2019-11600075 (Council District 8): Ordinance amending the North Sector Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use from "Mixed Use Center" to "General Urban Tier" on the north 62.5 feet of Lot 3 and the north 62.5 feet of Lot 6, Block 11, NCB 14695, generally located in the 8000 block of Oakland Road. Staff and Planning Commission recommend Approval. (Associated Zoning Case Z-2019-10700278)

**2019-12-05-1025**

**Z-22.** ZONING CASE Z-2019-10700278 (Council District 8): Ordinance amending the Zoning District Boundary from "R-6" Residential Single-Family District to "MF-18" Multi-Family District on the north 62.5 feet of Lot 3 and the north 62.5 feet of Lot 6, Block 11, NCB 14695, generally located in the 8000 block of Oakland Road. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment PA-2019-11600075)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: the

north 62.5 feet of Lot 3 and the north 62.5 feet of Lot 6, Block 11, NCB 14695. TO WIT: From "R-6" Residential Single-Family District to "MF-18" Multi-Family District.

**2019-12-05-1027**

- Z-24.** ZONING CASE Z-2019-10700247 CD (Council District 9): Ordinance amending the Zoning District Boundary from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-5 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Library (Private) on Lot 35, Block 13, NCB 13162, located at 903 Melissa Drive. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: Lot 35, Block 13, NCB 13162. TO WIT: From "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-5 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Library (Private).

**CONSENT ZONING CONCLUDED**

**ZONING ITEMS PULLED FOR INDIVIDUAL CONSIDERATION**

Mayor Nirenberg addressed Items P-6 and Z-19 jointly.

**2019-12-05-1020**

- P-6.** PLAN AMENDMENT CASE PA-2019-11600065 (Council District 6): Ordinance amending the West/Southwest Sector Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use from "Suburban Tier" to "General Urban Tier" on Lot 14, Lot 15, Lot 29, and Lot 30, Block 12, NCB 16522, located at 6402 Tahoka Boulevard, 6406 Tahoka Boulevard, 6403 Marcum Drive, and 6407 Marcum Drive. Staff recommends Denial. Planning Commission recommends Approval. (Associated Zoning Case Z-2019-10700223) (Continued from November 7, 2019.)

**2019-12-05-1021**

- Z-19.** ZONING CASE Z-2019-10700223 (Council District 6): Ordinance amending the Zoning District Boundary from "C-3 MLOD-2 MLR-1 AHOD" General Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District and "C-3NA S MLOD-2 MLR-1 AHOD" General Commercial Nonalcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Specific Use Authorization to allow a Cabinet Shop to "MF-33 MLOD-2 MLR-1 AHOD" Multi-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District on Lot 14, Lot 15, Lot 29, and Lot 30, Block 12, NCB 16522, located at 6402 Tahoka Boulevard, 6406 Tahoka Boulevard, 6403 Marcum Drive, and 6407 Marcum Drive. Staff recommends Denial, with an Alternate Recommendation. Zoning Commission recommends Approval. (Associated Plan Amendment PA-2019-11600065) (Continued from November 7, 2019.)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: Lot

14, Lot 15, Lot 29, and Lot 30, Block 12, NCB 16522. TO WIT: From “C-3 MLOD-2 MLR-1 AHOD” General Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District and “C-3NA S MLOD-2 MLR-1 AHOD” General Commercial Nonalcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Specific Use Authorization to allow a Cabinet Shop to “MF-33 MLOD-2 MLR-1 AHOD” Multi-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District.

Mrs. Ramirez noted that 26 notices were mailed; none were returned in favor and two were returned in opposition. She added that the Cable Wood Association was in support.

Councilmember Cabello Havrda noted that an agreement was reached and that the applicant would reduce the total number of units by four.

Councilmember Cabello Havrda moved to approve P-6 and Z-19 with the conditions to reduce the total number of units by four. Councilmember Viagran seconded the motion to approve with said reduction. The motion prevailed by the following vote:

**AYE:** 10 - Mayor Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Courage, and Perry

**ABSENT:** 1 - Pelaez

Mayor Nirenberg addressed Item Z-23.

**2019-12-05-1026**

**Z-23.** ZONING CASE Z-2019-10700195 CD ERZD (Council District 9): Ordinance amending the Zoning District Boundary from “R-6 MLOD-1 MLR-2 ERZD” Residential Single Family Camp Bullis Military Overlay Military Lighting Region 1 Edwards Recharge Zone District to “R-6 CD MLOD-1 MLR-2 ERZD” Residential Single Family Camp Bullis Military Overlay Military Lighting Region 1 Edwards Recharge Zone District with Conditional Use to allow for an assisted living facility with up to sixteen (16) residents on Lot 1 and the West 45 Feet of Lot 2, NCB 14843, located at 2104 Pipestone Drive. Staff recommends Denial, with an Alternate Recommendation. Zoning Commission recommends Approval, with Conditions.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: Lot 1 and the West 45 Feet of Lot 2, NCB 14843. TO WIT: From “R-6 MLOD-1 MLR-2 ERZD” Residential Single Family Camp Bullis Military Overlay Military Lighting Region 1 Edwards Recharge Zone District to “R-6 CD MLOD-1 MLR-2 ERZD” Residential Single Family Camp Bullis Military Overlay Military Lighting Region 1 Edwards Recharge Zone District with Conditional Use to allow for an assisted living facility with up to sixteen (16) residents.

Mrs. Ramirez noted that the Zoning Commission recommended approval with the following conditions; there shall be no exterior display or sign with an extension that a name plate, not exceeding three square feet in area, may be permitted when attached to the front of the main structure. She added that business hours of operation shall not be permitted before 7:00 am or after 6:00 pm. Mrs. Ramirez noted that 22 notices were mailed; one was returned in favor and one in opposition.

Councilmember Courage moved to approve Z-23 with the conditions as stated. Councilmember Viagran seconded the motion to approve with conditions. The motion prevailed by the following vote:

**AYE:** 9 - Mayor Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Sandoval, Courage, and Perry

**ABSENT:** 2 - Cabello Havrda and Pelaez

City Clerk Vacek read the caption for Item 36.

**DENIED**

**36.** ALCOHOL VARIANCE # AV2019011 (Council District 1): Ordinance waiving the application requirements of City Code 4-6 and granting a variance to Muhammad Ramzan, for a Convenience Store and Gas Station by authorizing the sale of alcoholic beverages on Lot 18, NCB 11684, located at 3819 West Avenue for off-premise consumption within three-hundred (300) feet of West Avenue Elementary School, a public education institution. (Continued from November 7, 2019.)

Councilmember Treviño noted that the convenience store requested a continuance at the last Zoning Meeting to meet with the School District. He added that the School District stands by their position that supporting the sale of alcohol within 60 feet of an elementary school would have a negative impact on students and families.

Councilmember Treviño moved to deny Item 36. Councilmember Andrews-Sullivan seconded the motion to deny. The motion to deny prevailed by the following vote:

**AYE:** 9 - Mayor Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Sandoval, Courage, and Perry

**ABSENT:** 2 - Cabello Havrda and Pelaez

Mayor Nirenberg addressed Item Z-1.

**CONTINUED**

**Z-1.** ZONING CASE Z-2019-10700187 (Council District 1): Ordinance amending the Zoning District Boundary from "C-3NA HS RIO-4 NCD-1 AHOD" General Commercial Nonalcoholic Sales Historic Significant River Improvement Overlay South Presa Street/South Saint Mary's Streets Neighborhood Conservation Airport Hazard Overlay District, "RM-4 NCD-1 AHOD" Residential Mixed South Presa Street/South Saint Mary's Streets Neighborhood Conservation Airport Hazard Overlay District and "IDZ RIO-4 NCD-1 AHOD" Infill Development Zone River Improvement Overlay South Presa Street/South Saint Mary's Streets Neighborhood Conservation Airport Hazard Overlay District with uses permitted in "C-2 NA" Commercial Nonalcoholic Sales District and "MF-25" Multi Family District to "IDZ-3 HL RIO-4 NCD-1 AHOD" High Intensity Infill Development Zone Historic Landmark River Improvement Overlay South Presa Street/South Saint Mary's Streets Neighborhood Conservation Airport Hazard Overlay District with uses permitted in "C-2" Commercial District, uses permitted for multi-family with up to 39 dwelling units, and a Hotel and "IDZ-3 NCD-1 AHOD" High Intensity



Infill Development Zone South Presa Street/South Saint Mary's Streets Neighborhood Conservation Airport Hazard Overlay District with uses permitted in "C-2" Commercial District, uses permitted for multi-family with up to 39 dwelling units, and a Hotel (all overlays remain the same) on Lot 9, the west 42.8 feet of the south 22 feet of Lot 10, the north 125 feet of Lot 10 and the east 46.2 feet of the south 22 feet of Lot 10, NCB 2979, located at 141 Jacobs, 143 Jacobs, 1714 South Saint Mary's Street and 1722 South Saint Mary's Street. Staff and Zoning Commission recommend Approval.

Mrs. Ramirez noted that 38 notices were mailed; zero was returned in favor and four were returned in opposition. She added that the Lavaca Neighborhood Association was in support and that the applicant had requested a continuance until January 16, 2020.

Mayor Nirenberg called upon the Individuals registered to speak.

Dr. Cherise Rohr-Allegrini spoke in opposition of Z-1. She added that she was the President of the Lavaca Neighborhood Association and that the proposed development on St. Mary's and Jacob Street was within their boundaries. She added that contrary to what staff reported the Lavaca Neighborhood Association withdrew their support for the project and sent a letter to that effect because the development turned out to be different than what was presented.

Katherine Doucette spoke in opposition of Z-1. She noted that Jacobs Street was a small street that was 19 feet wide and had nine houses total. She stated that the proposal was for 40 units on a ½ acre which was double the highest density called for in the SA Tomorrow Comprehensive Plan. She added that increasing the density would exacerbate an already dangerous situation regarding the cars and traffic.

Mrs. Ramirez reported for the record that Development Services did receive the letter from the Lavaca Neighborhood Association withdrawing their support for Z-1. She noted that was a staff error she initially reported.

Councilmember Treviño moved to continue Z-1 until January 16, 2020. Councilmember Viagran seconded the motion. The motion prevailed by the following vote:

**AYE:** 9 - Mayor Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Sandoval, Courage, and Perry

**ABSENT:** 2 - Cabello Havrda and Pelaez

Mayor Nirenberg addressed Item Z-2.

#### **2019-12-05-1002**

**Z-2.** ZONING CASE Z-2019-10700193 S (Council District 1): Ordinance amending the Zoning District Boundary from "C-3NA NCD-5 AHOD" General Commercial Nonalcoholic Sales Beacon Hill Neighborhood Conservation Airport Hazard Overlay District to "C-3NA S NCD-5 AHOD" General Commercial Nonalcoholic Sales Beacon Hill Neighborhood Conservation Airport Hazard Overlay District with Specific Use Authorization for a Construction Contractor Facility on Lot 1 and Lot 2, Block 19, NCB 6418, located at 738 West Hildebrand Avenue. Staff and Zoning Commission recommend Approval, with Conditions.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: Lot 1 and Lot 2, Block 19, NCB 6418. TO WIT: From "C-3NA NCD-5 AHOD" General Commercial Nonalcoholic Sales Beacon Hill Neighborhood Conservation Airport Hazard Overlay District to "C-3NA S NCD-5 AHOD" General Commercial Nonalcoholic Sales Beacon Hill Neighborhood Conservation Airport Hazard Overlay District with Specific Use Authorization for a Construction Contractor Facility

Mrs. Ramirez reported that Staff and the Zoning Commission recommended approval with a condition of any storage or materials shall be enclosed in a walled or roofed structure. Mrs. Ramirez noted that 34 notices were mailed; zero was returned in favor and two were returned in opposition. She added that the Beacon Hill Neighborhood Association was in support.

Mayor Nirenberg called upon Ralph Hernandez registered to speak.

Mr. Hernandez reported that he was the property owner and that he was available to answer questions.

Councilmember Treviño moved to approve Z-2 with the conditions as read. Councilmember Andrews-Sullivan seconded the motion to approve. The motion prevailed by the following vote:

**AYE:** 9 - Mayor Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Sandoval, Courage, and Perry

**ABSENT:** 2 - Cabello Havrda and Pelaez

Mayor Nirenberg addressed Items P-1 and Z-6 jointly.

**CONTINUED**

**P-1.** PLAN AMENDMENT CASE PA-2019-11600080 (Council District 2): Ordinance amending the Government Hill Neighborhood Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use from "Low Density Residential" to "Neighborhood Commercial" on the east 3.3 feet of the south 118 feet of Lot 11 and the south 118 feet of Lot 12, Block 6, NCB 1177, located at 2551 North Interstate 35. Staff recommends Denial. Planning Commission recommendation pending the November 27, 2019 hearing. (Associated Zoning Case Z-2019-10700208)

**CONTINUED**

**Z-6.** ZONING CASE Z-2019-10700208 (Council District 2): Ordinance amending the Zoning District Boundary from "R-6 MLOD-3 MLR-2" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District to "NC MLOD-3 MLR-2" Neighborhood Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District on the east 3.3 feet of the south 118 feet of Lot 11 and the south 118 feet of Lot 12, Block 6, NCB 1177, located at 2551 North Interstate Highway 35. Staff and Zoning Commission recommend Denial, with Alternate Recommendation. (Associated Plan Amendment PA-2019-11600080)

Mrs. Ramirez noted that the Planning Commission recommends approval and that Staff and the Zoning

Commission recommended denial. She added that 22 notices were mailed; one was returned in favor and one returned in opposition. She noted that the Government Hill Alliance was in support and that the applicant has requested a continuance until January 16, 2020.

Mayor Nirenberg called upon the individuals registered to speak.

Lorenzo Ortiz spoke in opposition of the proposed plan amendment and zoning change. He noted that he resides next to the property that is requesting the change. He noted that he was not opposed to the recommendations provided by the Zoning Commission but was opposed to strictly commercial zoning change.

Matthew Badders spoke in favor of the proposed plan amendment and zoning change. He noted that he was representing the applicant, Fernando Lozano and requested a continuance.

Jose Valencia spoke in favor of the proposed plan amendment and zoning change noting that 14 property owners in the area support the proposed plan amendment and zoning change. He added his support for a continuance to meet with the surrounding community members to discuss parking and any others concerns.

Steve Versteeg spoke in opposition of the proposed plan amendment and zoning change. He noted that he was concerned with parking since it was a residential street. He added that there were approximately 6-8 people at the Real Estate Office and that they park on both sides of the street which causes congestion.

Rose Hill, President of the Government Hill Alliance spoke in favor of the proposed plan amendment and zoning change. She noted that the parking concerns were addressed at Planning and Zoning Commission and that a parking plan was in place at those meetings. Ms. Hill noted that the property had a dilapidated house and that the new property owners invested a lot of money to rehabilitate the entire house which was a total restoration.

Councilmember Andrews-Sullivan moved to continue P-1 and Z-6 until January 16, 2020.

Councilmember Viagran seconded the motion to continue. The motion prevailed by the following vote:

**AYE:** 9 - Mayor Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Sandoval, Courage, and Perry

**ABSENT:** 2 - Cabello Havrda and Pelaez

Mayor Nirenberg addressed Item Z-7.

#### **CONTINUED**

**Z-7.** ZONING CASE Z-2019-10700220 CD (Council District 2): Ordinance amending the Zoning District Boundary from "R-4 EP-1 MLOD-3 MLR-2 AHOD" Residential Single-Family Facility Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "R-4 CD EP-1 MLOD-3 MLR-2 AHOD" Residential Single-Family Facility Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with Conditional Use for two (2) residential dwelling units on Lot 18 and the east 9 feet of Lot 17, Block 4, NCB 1422, located at 419 Belmont. Staff recommends Denial. Zoning Commission recommends

Approval.

Mrs. Ramirez noted that 39 notices were mailed; six were returned in favor and one returned in opposition.

Councilmember Andrews-Sullivan moved to continue Z-7 until January 16, 2020. Councilmember Viagran seconded the motion to continue. The motion to continue prevailed by the following vote:

**AYE:** 8 - Mayor Nirenberg, Treviño, Andrews-Sullivan, Viagran, Gonzales, Sandoval, Courage, and Perry

**ABSENT:** 3 - Rocha Garcia, Cabello Havrda, and Pelaez

Mayor Nirenberg addressed Item Z-12.

### **DENIED**

**Z-12.** ZONING CASE Z-2019-10700255 CD (Council District 2): Ordinance amending the Zoning District Boundary from "AE-3 HS EP-1 MLOD-3 MLR-2" Arts and Entertainment Historic Landmark Parking/Traffic Control Overlay Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District to "C-2 CD HS EP-1 MLOD-3 MLR-2" Commercial Historic Landmark Parking/Traffic Control Overlay Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District with Conditional Use for a Human Services Campus on Lot 7, NCB 10241, located at 3310 East Commerce Street. Staff and Zoning Commission recommend Denial.

Mrs. Ramirez noted that 32 notices were mailed; two were returned in favor and none opposed. She added that the Coliseum, Willow Park, and Denver Heights Neighborhood Associations were in support.

Mayor Nirenberg called upon the individuals registered to speak.

Rene Watson spoke in opposition of the proposed zoning change. She noted that Staff's recommendation for denial was based on the land use and urban plan.

Bexar County Commissioner Tommy Calvert spoke in opposition of the proposed zoning change. He noted that the staff recommendation was to deny and the proposed zoning was inconsistent with the Master Plan/Opportunity Zone.

Dr. Robert Jemerson Pastor, Second Baptist Church spoke in support of the proposed zoning change.

Thomas Washington Deacon, Second Baptist Church spoke in support of the proposed zoning change.

Simone Isom spoke in support of the proposed zoning change.

Shirleta Plummer Member of the Second Baptist Church spoke in support of the proposed zoning change.

Henry Ross, long time resident of District 2 and member of the Second Baptist Church spoke in support of the proposed zoning change.

Chris Myers, Director of Programs at Vision Quest spoke in support of the proposed zoning change.

Jessica Azua, State Immigration Coordinator and resident of District 8 spoke in opposition of the proposed zoning change.

Carolina Canizales, District 2 resident and representative of the Coalition of Immigration in San Antonio spoke in opposition of the proposed zoning change.

Luke Amphlette, Public School Teacher in District 5 and resident of District 3 spoke in opposition of the proposed zoning change.

Debra Hernandez, resident of District 4 spoke in opposition of the proposed zoning change.

Alex Reuter, Attorney Michigan Law Firm spoke in support of the proposed zoning change. He added that his firm represents the Second Baptist Church.

Fatima Menendez, Legislative Attorney for the Mexican American Legal Defense and Educational Fund spoke in opposition of the proposed zoning change and provided her statement for the record.

Jonathon Ryan, Immigration Attorney and CEO of RAICES; one of the largest providers of legal defense for children in government custody spoke in opposition of the proposed zoning change.

Sister Sharon Altendorf and Sister Denise of the Interfaith Welcome Coalition spoke in opposition.

Selene Gomez spoke in opposition of the proposed zoning change.

Jesse Mancias, Retired United States Marine and recipient of two Purple Hearts spoke in opposition.

Jeril Bills spoke in opposition of the proposed zoning change.

James McKnight spoke in support of the proposed zoning change.

Katy Murdza, Member of SA Stands and the Texas Organizing Project spoke in opposition of the proposed zoning change.

Councilmember Andrews-Sullivan moved to deny Item Z-12. Councilmember Cabello Havrda seconded the motion. The motion to deny prevailed by the following vote:

**AYE:** 8 - Mayor Nirenberg, Treviño, Andrews-Sullivan, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, and Courage

**ABSENT:** 3 - Viagran, Pelaez, and Perry

Mayor Nirenberg addressed Item Z-18.

**2019-12-05-1019**

**Z-18.** ZONING CASE Z-2019-10700251 (Council District 5): Ordinance amending the Zoning

District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "IDZ-2 AHOD" Medium Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted in "MF-33" Multi-Family District on Lot 8 and the northeast 11.05 feet of Lot 9, Block 3, NCB 2230, located at 1128 Morales Street. Staff recommends Denial, with Alternate Recommendation. Zoning Commission recommends Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: Lot 8 and the northeast 11.05 feet of Lot 9, Block 3, NCB 2230. TO WIT: From "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "IDZ-2 AHOD" Medium Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted in "MF-33" Multi-Family District.

Mrs. Ramirez noted that 43 notices were mailed; zero were returned in favor and zero opposed. She added that the Gardendale Neighborhood Association was opposed.

Councilmember Gonzales moved to approve the zoning. Councilmember Andrews-Sullivan seconded the motion.

The motion prevailed by the following vote:

**AYE:** 8 - Mayor Nirenberg, Treviño, Andrews-Sullivan, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, and Courage

**ABSENT:** 3 - Viagran, Pelaez, and Perry

Mayor Nirenberg addressed Item Z-25.

#### **CONTINUED**

**Z-25.** ZONING CASE Z-2019-10700146 (Council District 10): Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "L AHOD" Light Industrial Airport Hazard Overlay District on Lot 14, Block 4, NCB 12574, located at 9010 Tesoro Drive. Staff recommends Approval. Zoning Commission recommends Denial for lack of a motion.

Mrs. Ramirez noted that eight notices were mailed; zero was returned in favor and four opposed. She added the one opposed was outside the 200-foot boundary. She stated that the applicant was requesting a continuance until January 16, 2020.

Councilmember Perry moved to continue Item Z-25 until January 16, 2020. Councilmember Andrews-Sullivan seconded the motion. The motion prevailed by the following vote:

**AYE:** 9 - Mayor Nirenberg, Treviño, Andrews-Sullivan, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Courage, and Perry

**ABSENT:** 2 - Viagran and Pelaez

**ADJOURNMENT**

There being no further discussion, Mayor Nirenberg adjourned the meeting at 4:04 pm.

**APPROVED**

**RON NIRENBERG**  
MAYOR

Attest:

**LETICIA M. VACEK, TRMC/CMCMC**  
City Clerk