

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



**FINAL
Meeting Minutes
City Council A Session**

City Hall Complex
114 W. Commerce
San Antonio, Texas 78205

Thursday, April 16, 2015

9:00 AM

Municipal Plaza Building

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

PRESENT: 10 - Mayor Taylor, Trevino, Warrick, Viagran, Saldaña, Gonzales, Lopez, Nirenberg, Krier and Gallagher

ABSENT: 1 - Medina

Mrs. Vacek announced that Councilmember Medina was out on Temporary Duty Assignment with the United States Air Force.

1. The Invocation was delivered by Pastor Manny Alaniz, Redeemer Presbyterian Church, guest of Councilmember Ray Lopez, District 6.
2. Mayor Taylor led the Pledge of Allegiance to the Flag of the United States of America.

POINT OF PERSONAL PRIVILEGE

Councilmember Viagran recognized students that participated in the District 3 Legacy Leadership Initiative noting that the program provided them exposure toward civic engagement. She stated that they were all residents of District 3 but attended high schools throughout the city. She thanked them for their participation.

Councilmember Lopez highlighted Morgan's Safe House at the Fire Training Academy (Item 18). Chief Hood thanked Gordon Hartman and community partners for their support.

Councilmember Nirenberg recognized Dr. Wilson's Class from the UTSA Public Policy Center for being present and participating in the City Council Meeting.

Mayor Taylor recognized Jean Brady with the San Antonio Public Library for National Library Week. Ms. Brady thanked the City Council for their support and invited everyone to utilize libraries year-round.

3. Approval of Minutes for the Regular City Council Meetings of March 4 - 5, 2015.

Councilmember Gallagher moved to approve the minutes for the Regular City Council Meetings of March 4-5, 2015. Councilmember Warrick seconded the motion. The motion prevailed by the following vote:

AYE: 10 - Mayor Taylor, Trevino, Warrick, Viagran, Saldaña, Gonzales, Lopez, Nirenberg, Krier and Gallagher

ABSENT: 1 - Medina

ACTION ITEMS FOR STAFF BRIEFING

The City Clerk read the caption for Item 4:

- 4.** Briefing and possible action on legislation filed in the 84th Regular State Legislative Session, an update on the status of proposed State legislation and its impact on the City of San Antonio and consideration of a Resolution relating to the following topic: [Carlos Contreras, Assistant City Manager; Jeff Coyle, Director, Intergovernmental Relations]

2015-04-16-0029R**4A. A. Resolution on Local Control**

Jeff Coyle presented an update of the 84th State Legislative Session and outlined City of San Antonio Initiatives to include: 1) Municipal Court; 2) Military Funding; 3) Third Trimester Syphilis Testing; 4) G.J. Sutton Building; 5) Missions Resolution; and 6) Local Procurement Preference. He spoke of the weeklong Hearings for:

- Edwards Aquifer Protection Program (House Bill 3620)
- Alamo Funding (House Bill 2968)
- Animal Shelter Euthanasia (Senate Bill 1781)
- Revenue Caps (Senate Bill 182)
- Fire Sprinklers (House Bills 3089 and 4011)
- VIA Election (Senate Bill 1837)
- Transportation Network Companies (House Bills 2440, 3358, and 1733)
- Open Carry (House Bill 910)

Mr. Coyle outlined the Session Timeline, noting that June 1, 2015 was the last day of the Regular Session. He stated that based on direction provided by Councilmember Saldaña at the previous week's City Council Meeting, staff had drafted three versions of a Resolution in support of Local Control. He reported that Councilmember Saldaña preferred Version #1 which specified opposition to Senate Bill (SB) 343 and House Bill (HB) 1556. He noted that the Intergovernmental Relations Council Committee had voted to approve Version #3 in which a list opposing over 60 bills would be attached to the ordinance. He mentioned that Version #2 was more general in nature and reaffirmed support for Local Ordinances.

Mayor Taylor thanked staff for the presentation and called upon the citizens registered to speak on Item 4.

Jack M. Finger addressed the City Council and expressed concern that detailed backup information had not been provided.

Daniel Grainey stated that he was a Gay Man residing in District 10 and had been a community activist for many years. He expressed support for the City of San Antonio maintaining the ability to adopt ordinances such as the Non-Discrimination Ordinance (NDO) without approval from the State of Texas.

Robert Salcido stated that he was supportive of the Lesbian, Gay, Bisexual, and Transgender (LGBT) Community and that Local Control should not be stripped at the State

Level.

Nazirite Ruben Flores Perez addressed the City Council and stated that he was supportive of funding for Transportation.

Andrea Figueroa thanked Councilmember Saldaña for his support of Version #1 of the Resolution on Local Control and stated that she was supportive of same.

David Plylar stated that the City Council should take a strong stand against Legislative Initiatives that undermine municipal authority.

Carolee Moore thanked Councilmember Saldaña for his support of Version #1 of the Resolution on Local Control and expressed her support for same.

Dee Villarrubia stated that she was also supportive of Version #1 of the Resolution on Local Control and noted that all citizens should have equal rights.

Councilmember Krier stated that the City's Legislative Agenda already opposed the Erosion of Local Control and did not believe that specific bills should be highlighted in the Resolution. He noted that he was supportive of Version #2 of the Resolution on Local Control which was general in nature; however, the Intergovernmental Relations Council Committee approved Version #3.

Councilmember Krier moved to approve Version #3 of the Resolution on Local Control as recommended by the Intergovernmental Relations Council Committee. Councilmember Gallagher seconded the motion.

Councilmember Saldaña stated that it was important to address bills in the Legislative Session that were specific to the City of San Antonio such as the Non-Discrimination Ordinance. He noted that he did not believe there would be any controversy as it had been adopted by a majority of the City Council.

Councilmember Saldaña moved to approve Version #1 of the Resolution on Local Control. Councilmember Treviño seconded the motion.

Councilmember Gonzales expressed support for Version #1 of the Resolution on Local Control and stated that it would reinforce decisions already approved by the City Council. She asked of Senate Bill (SB) 1837. Mr. Coyle replied that VIA Metropolitan Transit had initiated the bill and that it would allow VIA to hold an election if a vote was required on a Streetcar or Light Rail Project.

Councilmember Gallagher stated that the basic point of the Resolution on Local Support was to protect the City's right to govern. He noted that he was supportive of Version #3 as it included the list of 60 bills of which some were left off of Version #1.

Councilmember Treviño stated that they must be specific in their message to the Legislature and he was supportive of Version #1 of the Resolution on Local Control. Councilmember Nirenberg stated that they should speak to specific issues that protect the values demonstrated by the City Council and expressed support for Version #1.

Councilmember Nirenberg moved to vote on Councilmember Saldaña's motion first. Councilmember Treviño seconded the motion.

Councilmember Lopez spoke of the importance of opposing SB 343 which would greatly strip Local Control and expressed support for Version #1 of the Resolution which denoted specific opposition to SB 343 and HB 1556.

Councilmember Warrick asked of the staff recommended version of the Resolution. Mr. Coyle replied that any of the Resolutions approved today would reaffirm the City's Position on Local Control. Councilmember Warrick asked of the bill restricting Sanctuary Cities. Mr. Coyle responded that it was widely opposed by the Law Enforcement Community and would provide a status of the bill to the City Council.

Councilmember Warrick made a friendly amendment to Councilmember Saldaña's motion to include TNCs and Annexation Control within the Resolution and add the full list of bills as an attachment. Councilmember Saldaña accepted the friendly amendment.

Councilmember Krier stated that they should not pick and choose favorite issues and believed that Version #3 of the Resolution addressed all concerns regarding the Erosion of Local Control.

Councilmember Viagran stated that the main issue was the Erosion of Local Control that was taking place at the State Level and felt that all versions would demonstrate the City's Position.

Mayor Taylor stated that the Council Consideration Request (CCR) Process was deviated from when Councilmember Saldaña moved to direct staff to draft the Resolution in support of Local Control from the dais. She mentioned that his CCR should have been addressed at the Governance Council Committee Meeting. She stated that Version #3 of the Resolution on Local Control addressed basic issues and felt that they should continue to reaffirm the

Legislative Package previously adopted by the City Council.

The motion by Councilmember Nirenberg to address Councilmember Saldana's motion first prevailed by the following vote:

AYE: 7 - Trevino, Warrick, Viagran, Saldaña, Gonzales, Lopez and Nirenberg

NAY: 3 - Mayor Taylor, Krier and Gallagher

ABSENT: 1 - Medina

The motion by Councilmember Saldaña to approve Version #1 of the Resolution on Local Control with Councilmember Warrick's friendly amendment prevailed by the following vote:

AYE: 7 - Trevino, Warrick, Viagran, Saldaña, Gonzales, Lopez and Nirenberg

NAY: 3 - Mayor Taylor, Krier and Gallagher

ABSENT: 1 - Medina

CONSENT AGENDA ITEMS

Items 12A, 12B, 14A, 14B, and 20 were pulled for Individual Consideration. Councilmember Lopez moved to approve the remaining Consent Agenda Items: 5, 6, 7, 8, 9, 10, 11, 13, 15, 16, 17, 18, 19, 21, and 22. Councilmember Saldaña seconded the motion.

Mayor Taylor called upon the citizens registered to speak.

Jack M. Finger expressed concern with the ground lease for \$1.00 per year with the YMCA of Greater San Antonio (Item 12B). He noted that he was opposed to the \$39.9 Million Affordable Multi-Family Rental Housing Development (Item 21).

Nazirite Ruben Flores Perez expressed concern with the funding agreement and ground lease with the YMCA of Greater San Antonio (Items 12A and 12B) noting that they were a religious organization. He noted concerns that religious information was being provided to Pre-K 4 SA Students (Item 17).

Faris Hodge, Jr. submitted written testimony in favor of Items 5-12A, 13-18, and 20-22. He wrote in opposition to Items 12B and 19.

The motion to approve the remaining Consent Agenda Items prevailed by the following

vote:

AYE: 9 - Mayor Taylor, Warrick, Viagran, Saldaña, Gonzales, Lopez, Nirenberg, Krier and Gallagher

ABSENT: 2 - Trevino and Medina

2015-04-16-0300

5. An Ordinance authorizing the City to utilize a cooperative contract with Open Text, Inc. to provide scanning and indexing services of documents for a total cost of \$312,000.00, funded from the Development Services Department adopted budget approved by Council. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

2015-04-16-0301

6. An Ordinance authorizing the City to utilize a cooperative contract with Open Text, Inc. to provide scanning and indexing services of documents for a total cost of \$100,000.00, funded with the Storm Water Regional Facilities Fund. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

2015-04-16-0302

7. An Ordinance accepting the offer from Mulder Fire Protection, Inc. to provide fire sprinkler inspections and maintenance for the Alamodome for an estimated annual cost of \$77,000.00. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

2015-04-16-0303

8. An Ordinance awarding a contract to Friesenhahn Paving LLC for a Labor and Materials Contract for Asphalt Work in San Antonio parks on an as needed basis for an estimated total amount for three years of \$1,058,480.00 and in accordance with the annual adopted budget approved by City Council. [Gloria Hurtado, Assistant City Manager; Xavier Urrutia, Director, Parks and Recreation]

2015-04-16-0304

9. An Ordinance for the construction of Sapphire Drive and Flora Mae Drive, a 2012-2017 General Obligation Bond funded Project, located in Council District 2, including (1) additive alternate and accepting the lowest responsive bid, awarding a construction contract in the amount of \$5,022,910.97 to E-Z Bel Construction, LLC, of which \$1,389,450.46 will be reimbursed by San Antonio Water Systems (SAWS) and \$278,391.20 will be reimbursed by CPS. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director Transportation & Capital Improvements Department]

2015-04-16-0305

10. An Ordinance for Mountain View Estates Phase III Drainage, 2012-2017 Bond funded project, located in Council District 6, accepting the lowest responsive bid and awarding a construction contract, including two additive alternates, in an amount not to exceed \$2,676,476.10 payable to R.L. Jones LP, of which \$113,588.50 will be reimbursed by San Antonio Water Systems (SAWS) and \$35,391.25 will be reimbursed by CPS Energy and amending the FY 2015-2020 Capital Improvement Budget to allocate \$400,000.00 in 2012-2017 General Obligation Bond funds to the Mountain View Estate Phase III Drainage Project. [Peter Zaroni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

2015-04-16-0306

11. An Ordinance for the Peggy Drive Extension Project, a 2012-2017 Bond Program funded project, located in Council District 2, authorizing the execution of a Utility Relocation Agreement in an amount not to exceed \$1,021,959.00 payable to Koch Pipeline Company, L.P. to relocate gas pipelines that will conflict with this capital project. [Peter Zaroni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

2015-04-16-0309

13. An Ordinance authorizing a Lease Agreement with the San Antonio Tennis Association for use of McFarlin Tennis Center for office space and tennis courts for the purpose of providing on-going tennis programs, tournaments and related recreational services to the community. [Gloria Hurtado, Assistant City Manager; Xavier D. Urrutia, Director, Parks & Recreation]

2015-04-16-0312

15. An Ordinance approving the submission of grant applications to the U.S. Department of Health and Human Services Substance Abuse and Mental Health Services Administration for the Bexar Cares Program and acceptance upon award of amounts up to \$998,061.00 for the period September 30, 2014 through September 29, 2015 and \$995,868.00 for the period September 30, 2015 through September 29, 2016; authorizing budgets, including in-kind matches up to \$332,687.00 for the 2014-2015 Grant Year and up to \$331,956.00 for 2015-2016 Grant Year, and a personnel complement; authorizing service provider contracts with the Center for Health Care Services in amounts up to \$906,364.00 for the 2014-2015 Grant Year and \$903,173.00 for the 2015-2016 Grant Year; and associated amendments [Gloria Hurtado, Assistant City Manager; Melody Woosley, Director, Human Services]

2015-04-16-0313

16. An Ordinance for the Northeast Corridor Enhancement Grant program approved in the FY 2015 General Fund Budget authorizing City staff to execute contracts administered as part of the program. [Peter Zanoni, Deputy City Manager; John Dugan, Director, Planning and Community Development]

2015-04-16-0314

17. An Ordinance appointing members to the Pre-K 4 SA Board of Directors (City of San Antonio's Early Childhood Education Municipal Development Corporation) for the Mayor and odd number City Council District appointments for a two year term from June 1, 2015 through May 31, 2017. [Peter Zanoni, Deputy City Manager; Kathy Bruck, CEO, Pre-K 4 SA]

2015-04-16-0315

18. An Ordinance authorizing a Joint Use Agreement with Sports, Outdoor and Recreation Park to authorize the construction of a "safe house" at the Fire Training Academy for educating citizens about fire safety practices; and authorizing the acceptance of the donation of the "safe house" upon completion. [Erik J. Walsh, Deputy City Manager; Charles Hood, Fire Chief]

2015-04-16-0316

19. A Public Hearing and consideration of an Ordinance authorizing an amendment of the Tax Increment Reinvestment Zone (TIRZ) 16, Brooks City-Base, Project and Finance Plans, Development Agreement, and related documents to reallocate the remaining \$5,105,153.64 2008, 2010, and 2012 Certificates of Obligation proceeds from South New Braunfels, Challenger Drive and Inner Circle Drive to Dave Erwin Drive. [Peter Zanoni, Deputy City Manager; John Dugan, Director, Planning and Community Development]

2015-04-16-0030R

21. A Resolution authorizing the amendment of Resolution No. 2015-02-12-0008R to comply with the Texas Department of Housing and Community Affairs 4% Housing Tax Credit Award Program for the Palo Alto Apartments, an approximately \$39.3 million affordable multi-family rental housing development located on the southwest corner of Loop 410 and Highway 16. [Peter Zanoni, Deputy City Manager; John Dugan, Director, Planning and Community Development]

2015-04-16-0318

22. An Ordinance authorizing an amendment to and extension of the contract with United Road Towing, Inc. for the operation and maintenance of the Growdon Road

Vehicle Storage Facility and an extension of the contract with United Road Towing, Inc. for the auction of abandoned vehicles. [Erik Walsh, Deputy City Manager; Anthony Trevino, Interim Police Chief]

CONSENT AGENDA ITEMS CONCLUDED

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the captions for Items 12A and 12B:

- 12.** Consideration of the following two items related to the Greater Mission Recreational Facility, a 2012-2017 Bond Program funded project, located in Council District 3: [Peter Zaroni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

2015-04-16-0307

- 12A.** An Ordinance authorizing the execution of a Funding Agreement with the YMCA of Greater San Antonio in an amount not to exceed \$2,500,000.00 for the design and construction of a 15,000 square foot or larger recreational facility, located in Council District 3.

2015-04-16-0308

- 12B.** An Ordinance authorizing the execution of a 50 year ground lease for \$1.00 per year with the YMCA of Greater San Antonio for a parcel generally located at 3100 Roosevelt Avenue, the former Mission Drive -In.

Councilmember Viagran highlighted said items and stated that she was pleased to see them move forward to improve District 3. Debbie Racca-Sittre presented a diagram showing the Greater Mission Area Recreation Facility.

Mayor Taylor called upon Mr. Armando Cortez to speak.

Mr. Armando Cortez, President of Mission San Jose Membership Association expressed his support and stated that he was pleased with the Community Revitalization that would occur in the area.

Councilmembers expressed their support and congratulations.

Councilmember Viagran moved to adopt the proposed ordinances for Items 12A and 12B. Councilmember Treviño seconded the motion. The motion prevailed by the following vote:

AYE: 10 - Mayor Taylor, Trevino, Warrick, Viagran, Saldaña, Gonzales, Lopez, Nirenberg, Krier and Gallagher

ABSENT: 1 - Medina

The City Clerk read the captions for Items 14A and 14B:

14. Consideration of the following two items related to the wireless tower at San Antonio International Airport: [Ed Belmares, Assistant City Manager; Frank Miller, Director, Aviation]

2015-04-16-0310

14A. An Ordinance declaring the existing wireless tower, built and owned by AT&T, as surplus to the needs of the City and authorizing the demolition of the structure.

2015-04-16-0311

14B. An Ordinance authorizing a lease agreement with New Cingular Wireless, PCS, LLC, (AT&T) for the collocation of wireless antenna facilities on the newly constructed Verizon communications tower, and authorizing the Aviation Director to terminate the existing Standard Tower lease agreement with AT&T.

Councilmember Krier recused himself from Items 14A and 14B by exiting the Council Chambers and noting that he had submitted the recusal forms to the City Clerk.

Councilmember Treviño moved to adopt the proposed ordinances for Items 14A and 14B. Councilmember Nirenberg seconded the motion. The motion prevailed by the following vote:

AYE: 9 - Mayor Taylor, Trevino, Warrick, Viagran, Saldaña, Gonzales, Lopez, Nirenberg and Gallagher

ABSENT: 1 - Medina

ABSTAIN: 1 - Krier

The City Clerk read the caption for Item 20:

2015-04-16-0317

20. An Ordinance authorizing the reprogramming of Community Development Block Grant program funds in the amount of \$1,425,274.72 available from FY 2009-2015

from city-wide project completions and cancelled activities to the Palo Alto Apartments project in the amount of \$600,000.00, Pedestrian Safety Improvements in the amount of \$500,000.00, Green and Healthy Homes Initiative in the amount of \$200,274.72 and Habitat for Humanity in the amount of \$125,000.00; substantially amending the FY 2015 Annual Action Plan/Budget; and establishing a Revolving Fund with the Neighborhood Stabilization Program Land Bank sale proceeds. [Peter Zaroni, Deputy City Manager; John Dugan, Director, Planning and Community Development]

Councilmember Nirenberg asked for a briefing. John Dugan presented a Power Point noting that they were requesting authorization to reprogram \$1,425,274.72 in Community Development Block Grant (CDBG) Funds available from completed or cancelled projects. He outlined the four programs recommended for reprogramming: 1) Palo Alto Apartments; 2) Pedestrian Safety Improvement Plan; 3) City's Green and Healthy Homes Initiative; and 4) Habitat for Humanity-Hope Village. He stated that they would also establish a Revolving Fund with Neighborhood Stabilization Program (NSP) revenues to support redevelopment efforts in NSP Targeted Areas. Councilmember Nirenberg expressed support and noted that the Quality of Life Council Committee had approved the reprogramming.

Councilmember Warrick asked if any pedestrian safety improvements were programmed in District 2. Mr. Dugan replied that there were not and that the recommended funding for pedestrian safety improvements were proposed in District 5. He noted that they had to utilize the funds by July 1st and selected projects they felt could be completed within that time frame.

Councilmember Nirenberg moved to adopt the proposed ordinance. Councilmember Saldaña seconded the motion. The motion prevailed by the following vote:

AYE: 10 - Mayor Taylor, Trevino, Warrick, Viagran, Saldaña, Gonzales, Lopez, Nirenberg, Krier and Gallagher

ABSENT: 1 - Medina

23. City Manager's Report

A. Historic Preservation Month

Mrs. Sculley reported that May was National Preservation Month and the Office of Historic Preservation (OHP) was offering numerous events and activities as part of an education and outreach campaign on the role of Historic Preservation in achieving economic, cultural and

environmental sustainability. She noted that Historic Preservation had demonstrated a positive impact on economic development efforts in the community. She indicated that it was a tool for neighborhood stabilization and community revitalization connected to broader strategies of land use, smart growth, sustainability and job creation. She mentioned that Historic Neighborhoods tended to outperform the city as a whole in terms of walkability, transit scores, proximity to parks, and bikeability. She reported that the heritage portion of San Antonio's Tourism Industry was responsible for generation of \$2.5 Billion in visitor expenditures, resulting in 52,000 jobs and \$1.7 Billion in salary and wages. She noted that this impact could be attributed to the preservation historic resources that set San Antonio apart from other destinations. She added that the Office of Historic Preservation was a leader in the nation for active community engagement by a City Preservation Department. She provided a calendar of events that would be hosted throughout the month of May and invited everyone to attend. She thanked the sponsors and partners that helped make the events possible.

EXECUTIVE SESSION

Mayor Taylor recessed the meeting into Executive Session at 11:18 am to continue Items A and B from the previous day's Executive Session:

A. Deliberations regarding economic development negotiations and discuss related legal issues pursuant to Texas Government Code Sections 551.087 (economic development) and 551.071 (consultation with attorney).

B. Deliberate the purchase, exchange, lease or value of real property and discuss related legal issues pursuant to Texas Government Code Sections 551.072 (real property) and 551.071 (consultation with attorney).

and to also discuss the following item posted on the Regular Council Agenda:

A. Deliberate the purchase, exchange, lease or value of real property relating to the Weston Urban and Frost Bank Project Proposal and discuss related legal issues pursuant to Texas Government Code Sections 551.072 (real property) and 551.071 (consultation with attorney).

RECONVENED

Mayor Taylor reconvened the meeting at 2:00 pm and announced that no action was taken in Executive Session. She addressed the Consent Zoning Items.

CONSENT ZONING ITEMS

Items Z-8, Z-9, and Z-10 were pulled for Individual Consideration. Items P-2 and Z-6 were postponed by the Applicant and were not addressed. Councilmember Treviño moved to approve the remaining Consent Zoning Items: 24, 25, Z-1, Z-2, Z-3, Z-4, P-1, Z-5, Z-7, P-3, and Z-11. Councilmember Warrick seconded the motion.

Mayor Taylor called upon Jack M. Finger to speak.

Mr. Jack M. Finger addressed the City Council and expressed concern with the Alcohol Variances requested in Items 24 and 25. He spoke in opposition to Item Z-1 noting that there were already too many taverns on Martinez Street.

Faris Hodge, Jr. submitted written testimony in opposition to the Alcohol Variances (Items 24 and 25), as well as Items P-1 and Z-6. He wrote in favor of Items Z-1 through Z-4, Z-5, P-2, and Z-7 through Z-11.

The motion to approve the Consent Zoning Items prevailed by the following vote:

AYE: 10 - Mayor Taylor, Trevino, Warrick, Viagran, Saldaña, Gonzales, Lopez, Nirenberg, Krier and Gallagher

ABSENT: 1 - Medina

2015-04-16-0319

24. Alcohol Variance # AV2015001(District 3): An Ordinance granting a variance to City Code Section 4-6 and waiving the requirements of Sections 4-6(c)(1) and 4-6(c)(3) of the City Code and authorizing the sale of alcoholic beverages on Lots 23, Block 1, NCB 10934 located at 2627 SE Military Highway, Suite 105 for on premise consumption within three-hundred (300) feet of the Seidel Learning Center, a public educational institution located in the San Antonio Independent School District in Council District 3. (Continued from April 2, 2015)

2015-04-16-0320

25. Alcohol Variance # AV2015002 (District 3): An Ordinance granting a variance to City Code Section 4-6 and waiving the requirements of Sections 4-6(c)(1) and 4-6(c)(3) of the City Code and authorizing the sale of alcoholic beverages on Lots 23, Block 1, NCB 10934 located at 2623 SE Military Highway for on premise consumption within three-hundred (300) feet of the Seidel Learning Center, a public educational institution located in the San Antonio Independent School District in Council District 3. (Continued from April 2, 2015)

2015-04-16-0321

Z-1. ZONING CASE # Z2014233 S (District 1): An Ordinance amending the Zoning District Boundary from "HS H C-3R AHOD" Historic Significant General Commercial Restrictive Alcoholic Sales Lavaca Historic District Airport Hazard Overlay District to "HS H C-2 S IDZ AHOD" Historic Significant Commercial Infill Development Zone Lavaca Historic District Airport Hazard Overlay District with a Specific Use Authorization for a Bar/Tavern without cover charge 3 or more days per week on 0.062 of an acre out of NCB 903 located at 318 Martinez 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: 0.062 OF AN ACRE OUT OF NCB 903 TO WIT: FROM "HS H C-3R AHOD" HISTORIC SIGNIFICANT GENERAL COMMERCIAL RESTRICTIVE ALCOHOLIC SALES LAVACA HISTORIC DISTRICT AIRPORT HAZARD OVERLAY DISTRICT TO "HS H C-2 S IDZ AHOD" HISTORIC SIGNIFICANT COMMERCIAL INFILL DEVELOPMENT ZONE LAVACA HISTORIC DISTRICT AIRPORT HAZARD OVERLAY DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A BAR/TAVERN WITHOUT COVER CHARGE 3 OR MORE DAYS PER WEEK.

2015-04-16-0322

Z-2. ZONING CASE # Z2015111 HL (District 1): An Ordinance amending the Zoning District Boundary from "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District to "RM-4 HL AHOD" Residential Mixed Historic Landmark Airport Hazard Overlay District on the West 55 feet of the East 60 feet of Lots 15 and 16, Block D, NCB 2557 located at 227 Daniel 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: WEST 55 FEET OF EAST 60 FEET OF LOTS 15 AND 16, BLOCK D, NCB 2557 TO WIT: FROM "RM-4 AHOD" RESIDENTIAL MIXED AIRPORT HAZARD OVERLAY DISTRICT TO "RM-4 HL AHOD" RESIDENTIAL MIXED HISTORIC LANDMARK AIRPORT HAZARD OVERLAY DISTRICT.

2015-04-16-0323

- Z-3.** ZONING CASE # Z2015115 S (District 2): An Ordinance amending the Zoning District Boundary from "L" Light Industrial District to "L S" Light Industrial District with a Specific Use Authorization for Manufactured Home/Oversized Vehicle Sales, Service or Storage on Lot 2, Block 1, NCB 17295 located at 1620 SE Loop 410. 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 2, BLOCK 1, NCB 17295 TO WIT: FROM "L" LIGHT INDUSTRIAL DISTRICT TO "L S" LIGHT INDUSTRIAL DISTRICT SPECIFIC USE AUTHORIZATION FOR MANUFACTURED HOME/OVERSIZED VEHICLE SALES, SERVICE OR STORAGE.

2015-04-16-0324

- Z-4.** ZONING CASE # Z2015117 (District 2): An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "MF-25 AHOD" Low Density Multi-Family Airport Hazard Overlay District on Lot 4, Block 2, NCB 13858 located at 9714 Heidelberg 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 4, BLOCK 2, NCB 13858 TO WIT: FROM "R-6 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "MF-25 AHOD" LOW DENSITY MULTI-FAMILY AIRPORT HAZARD OVERLAY DISTRICT.

2015-04-16-0325

- P-1.** PLAN AMENDMENT #15027 (District 3): An Ordinance amending the future land use plan contained in the Heritage South Sector Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use of approximately 25.678 acres of land out of NCB 10915, located at the Southeast corner of Southton Road and Shane Road from "Country Tier" land use to "Suburban Tier" land use. Staff and Planning Commission recommend Approval. (Associated Zoning Case # Z2015122)

2015-04-16-0326

- Z-5.** ZONING CASE # Z2015122 (District 3): An Ordinance amending the Zoning District Boundary from "FR AHOD" Farm and Ranch Airport Hazard Overlay District to "C-2NA AHOD" Commercial Airport Hazard Overlay District on a 25.678 acre parcel of land out of NCB 10915.10290 Southton Road. Staff and Zoning Commission recommend Approval pending Plan Amendment. (Associated Plan Amendment 15027)

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: TO WIT: FROM "FR AHOD" FARM AND RANCH AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

POSTPONED BY APPLICANT

- P-2.** PLAN AMENDMENT #15023 (District 6): An Ordinance amending the future land use plan contained in the West/Southwest Sector Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use of approximately 30.696 acres of land being Lot 1, Block 3 in NCB 17242, located at the Southeast intersection of Potranco Road and Ingram Road from "Suburban Tier" land use to "General Urban Tier" land use. Staff and Planning Commission recommend Approval. (Associated Zoning Case # Z2015100)

POSTPONED BY APPLICANT

- Z-6.** ZONING CASE # Z2015100 (District 6): An Ordinance amending the Zoning District Boundary from "C-3 AHOD" General Commercial Airport Hazard Overlay District to "MF-25 AHOD" Multi-Family Airport Hazard Overlay District on Lot 1, Block 3, NCB 17242 located on a portion of the 7300 Block of Potranco Road. Staff and Zoning Commission recommend Approval pending Plan Amendment. (Associated Plan Amendment 15023)

2015-04-16-0327

- Z-7.** ZONING CASE # Z2015116 (District 6): An Ordinance amending the Zoning District Boundary from "C-3R" General Commercial Restrictive Alcoholic Sales District to "C-1" Light Commercial District on the North 130 feet of Lot 1, Block 1, NCB 18861 located at 9775 Culebra 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: NORTH 130 FEET OF LOT 1, BLOCK 1, NCB 18861 TO WIT: FROM "C-3R" GENERAL COMMERCIAL RESTRICTIVE ALCOHOLIC SALES DISTRICT TO "C-1" LIGHT COMMERCIAL DISTRICT.

2015-04-16-0329

P-3. PLAN AMENDMENT #15013 (District 10): An Ordinance amending the future land use plan contained in the San Antonio International Airport Vicinity Land Use Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use of approximately 2.837 acres of land being Lots P-2, P-3 and P-3A in NCB 15688 located at 4512 and 4516 Stahl Road from "Medium Density Residential" land use to "Mixed Use" land use. Staff and Planning Commission recommend Approval. (Associated Zoning Case # Z2015069)

2015-04-16-0330

Z-11. ZONING CASE # Z2015069 CD S (District 10): An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District and "MF-33 AHOD" Multi-Family Airport Hazard Overlay District to "C-2 CD S AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for an Athletic Field and a Specific Use Authorization for Meeting Facilities on a 2.409 acre tract of land out of NCB 15688 located at 4512 and 4516 Stahl 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: A 2.837 ACRE TRACT OF LAND OUT OF NCB 15688 TO WIT: FROM "R-6 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT AND "MF-33 AHOD" MULTI-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 CD S AHOD" COMMERCIAL WITH A CONDITIONAL USE FOR ATHLETIC FIELDS AND A SPECIFIC USE AUTHORIZATION FOR MEETING FACILITIES.

CONSENT ZONING CONCLUDED

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

CONTINUED TO MAY 7, 2015

Z-8. ZONING CASE # Z2015091 (District 7): An Ordinance amending the Zoning District Boundary from "R-5 AHOD" Residential Single-Family Airport Hazard

Overlay District to "MF-18 AHOD" Multi-Family Airport Hazard Overlay District on 2.977 Acres out of NCB 11440 located at 4802 Bluff Street. Staff and Zoning Commission recommend Approval. (Continued from April 2, 2015)

John Jacks presented Item Z-8 and stated that staff and the Zoning Commission recommended approval. He reported that of 49 notices mailed; none were returned in favor and 13 were received in opposition. He noted that due to the amount of opposition, the case would require nine votes for approval.

Councilmember Viagran moved to continue Item Z-8 until May 7, 2015. Councilmember Warrick seconded the motion. The motion prevailed by the following vote:

AYE: 10 - Mayor Taylor, Trevino, Warrick, Viagran, Saldaña, Gonzales, Lopez, Nirenberg, Krier and Gallagher

ABSENT: 1 - Medina

CONTINUED TO MAY 7, 2015

Z-9. ZONING CASE # Z2015107 CD (District 8): An Ordinance amending the Zoning District Boundary from "C-2" Commercial District to "C-2 CD" Commercial District with a Conditional Use for an Auto and Light Truck Repair Facility on Lot 82, Block 28, NCB 16840 located at 6563 Babcock Road. Staff and Zoning Commission recommend Approval.

John Jacks presented Item Z-9 and stated that staff and the Zoning Commission recommended approval with the following conditions: 1) A 20-foot buffer to include 15-feet of Type B Landscaping, and an additional 5 feet area free of buildings. Consultation shall be initiated with the City Arborist to select appropriate landscaping; 2) An 8-foot solid masonry fence as illustrated in the site plan; 3) Collection of any on-site dumpsters shall be limited to the hours of 7 am to 9 pm and dumpsters must be screened on at least 3 sides; 4) All onsite lighting shall be directed onto the site and point away from any residential zoning or uses; 5) No outdoor speaker or amplification systems shall be permitted; 6) Hours of Operation for the Auto and Light Truck Repair Use (the Conditional Use) shall be limited to the hours of 7 am to 6 pm Monday through Friday and 8 am to 4 pm on Saturday (closed Sunday). Garage doors will close when the repair shop closes; and 7) Auto and Light Truck Repair use will only occur within the footprint shown on the Conditional Use Site Plan. He reported that of 23 notices mailed; none were returned in favor and one was received in opposition.

Councilmember Nirenberg moved to continue Item Z-9 until May 7, 2015. Councilmember Gallagher seconded the motion. The motion prevailed by the following vote:

AYE: 10 - Mayor Taylor, Trevino, Warrick, Viagran, Saldaña, Gonzales, Lopez, Nirenberg, Krier and Gallagher

ABSENT: 1 - Medina

2015-04-16-0328

Z-10. ZONING CASE # Z2015113 (District 8): An Ordinance amending the Zoning District Boundary from "C-2 GC-1 MLOD MSAO-1" Commercial Hill Country Gateway Corridor Military Lighting Overlay Military Sound Attenuation Overlay District to "C-3 CD GC-1 MLOD MSAO-1" General Commercial Hill Country Gateway Corridor Military Lighting Overlay Military Sound Attenuation Overlay District with a Conditional Use for Motor Vehicle Sales (Full Service) on 16.61 acres out of NCB 18336 and NCB 35733. 20985 and 21105 West Interstate Highway 10. 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: 16.61 ACRES OUT OF NCB 18336 AND NCB 35733 TO WIT: FROM "C-2 GC-1 MLOD MSAO-1" COMMERCIAL HILL COUNTRY GATEWAY CORRIDOR MILITARY LIGHTING OVERLAY MILITARY SOUND ATTENUATION OVERLAY DISTRICT TO "C-2 CD GC-1 MLOD MSAO-1" GENERAL COMMERCIAL HILL COUNTRY GATEWAY CORRIDOR MILITARY LIGHTING OVERLAY MILITARY SOUND ATTENUATION OVERLAY DISTRICT WITH A CONDITIONAL USE FOR MOTOR VEHICULAR SALES (FULL SERVICE).

John Jacks presented Item Z-10 and stated that staff and the Zoning Commission recommended approval with the following conditions: 1) The front façade and other exterior walls that are visible from IH-10 shall be a minimum of 30% of masonry materials and shall not conflict with the Hill Country Gateway Corridor Overlay Standards; 2) Plant materials shall be a minimum of five gallons in size at the time of planting for the parking lot screening on the IH-10 Frontage Road; 3) All onsite pole signage shall not exceed 25 feet in height and shall be internally illuminated; 4) Final tree canopy coverage for the property as defined by Section 35-523 of the Unified Development Code shall be a minimum of 25%; 5) No outdoor speakers shall be permitted on the property except those required by law or necessary for emergency and/or safety purposes; 6) No light pole shall exceed 25 feet in height; and 7) The property owner agrees to use only Texas Native Plant Species as designated in Appendix E of the Unified Development Code. He reported that of nine notices mailed; none were returned in favor or in opposition.

Councilmember Nirenberg confirmed that the zoning was being revised from C-2 to C-2 CD. He stated that he had received a Letter of Non-Opposition from the Friends of Friedrich Wilderness Park and a Letter of Support from the Dominion Homeowners Association. He noted that he had also received a letter from Brown & Ortiz agreeing to additional conditions.

Councilmember Nirenberg moved to approve Item Z-10 with the with following two conditions: 1) No animated, moving, flashing or other digital signs may be erected on the property; and 2) The final tree canopy coverage for the property as defined by Section 35-523 of the Unified Development Code shall be a minimum of 35%. Councilmember Saldaña seconded the motion. The motion prevailed by the following vote:

AYE: 10 - Mayor Taylor, Trevino, Warrick, Viagran, Saldaña, Gonzales, Lopez, Nirenberg, Krier and Gallagher

ABSENT: 1 - Medina

ADJOURNMENT

There being no further discussion, Mayor Taylor adjourned the meeting at 2:30 pm.

APPROVED

IVY R. TAYLOR
MAYOR

ATTEST:

LETICIA M. VACEK, TRMC/CMC/MMC
CITY CLERK