

City of San Antonio



DRAFT Meeting Minutes City Council A Session

City Hall Complex
105 Main Plaza
San Antonio, Texas 78205

Thursday, October 4, 2018

9:00 AM

Municipal Plaza Building

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

PRESENT: 10 – Mayor Nirenberg, Treviño, Viagran, Saldaña, Gonzales, Brockhouse, Sandoval, Pelaez, Courage, and Perry

ABSENT: 1 – Shaw

City Clerk Vacek announced that Councilmember Shaw was attending the Pension Real Estate Association's Annual Institutional Investor Conference.

1. The Invocation was delivered by President Terry Orgill, San Antonio Temple Church of Jesus Christ of Latter-day Saints, 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 Special Session of September 4, 2018 and the Regular Meetings of September 5-6, 2018

Councilmember Saldaña moved to approve the Minutes for the City Council Special Session of September 4, 2018 and the Regular Meetings of September 5-6, 2018. Councilmember Treviño seconded the motion. The motion prevailed by the following vote:

AYE: Mayor Nirenberg, Treviño, Viagran, Saldaña, Gonzales, Brockhouse, Sandoval, Pelaez, Courage, and Perry

ABSENT: Shaw

POINTS OF PERSONAL PRIVILEGE

Mayor Nirenberg recognized Brigadier General Laura Lenderman, Commander of the 502nd Air Base

Wing and Joint Base San Antonio. General Lenderman thanked the City Council for the recognition and stated that she looked forward to continuing the great partnership with the City of San Antonio. Mayor Nirenberg and the City Council welcomed General Lenderman to San Antonio.

Mayor Nirenberg recognized Steven Garcia, Joe Garcia, David Garcia, Ralph Sanchez, and Robert Patrick Brogran who saved the life of Sebastian Salinas when his 18-wheeler overturned on Highway 281. Messrs. Garcia and Sanchez were present with their families and thanked the City Council for the recognition. Mayor Nirenberg and the City Council thanked them for their bravery and courage.

Mayor Nirenberg recognized City Manager Sculley. Mrs. Sculley congratulated City Arborist Mark Bird who received the Texas Arborist of the Year Award from the Texas Chapter of the International Society of Arboriculture. She stated that Mr. Bird has been employed with the City of San Antonio since 2009 and currently serves as the Chairperson for the Alamo Forest Partnership. Mayor Nirenberg and the City Council congratulated Mr. Bird on the award. Mr. Bird thanked the City Council and Mrs. Sculley for the recognition.

Mayor Nirenberg observed a moment of silence in honor of National Fallen Firefighters Memorial Weekend.

CONSENT AGENDA ITEMS

Item 16 was pulled for Individual Consideration. Councilmember Viagran moved to approve the remaining Consent Agenda Items. Councilmember Courage seconded the motion.

There were no citizens registered to speak on Consent Agenda Items.

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

AYE: Mayor Nirenberg, Treviño, Viagran, Saldaña, Brockhouse, Sandoval, Pelaez, Courage, and Perry

ABSENT: Shaw and Gonzales

2018-10-04-0775

4. Ordinance accepting an offer for a replacement Urban Command Vehicle for the San Antonio Fire Department (SAFD) from Mac Haik Dodge Chrysler Jeep for a total cost of \$149,400.00; and authorizing the appropriation of \$149,400.00 from the 2017 Urban Areas Security Initiative (UASI) Program Grant for this purchase. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

2018-10-04-0776

5. Ordinance approving the following contracts establishing unit prices for goods and services for an estimated annual cost of \$1,042,545.00:
(A) Cascade Engineering, Inc. for cart services; and
(B) Atlantic Battery Co., Inc. for gelled electrolyte solar batteries.
[Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

2018-10-04-0777

6. Ordinance awarding a construction contract for Fire Station #54 located in Council District 2 to Catamount Constructors, Inc. in the amount not to exceed \$2,328,000.00 as included in the FY 2019 Adopted Budget. Of this amount, \$2,041,885.00 is funded from Certificates of Obligation and \$286,115.00 is funded in the General Fund. [Erik Walsh, Deputy City Manager; Mike Frisbie, Director, Transportation and Capital Improvements]

2018-10-04-0778

7. Ordinance approving the acquisition of a conservation easement through the Proposition 1 Edwards Aquifer Protection Venue Project at a cost of \$1,530,156.03 on a 1,175.144 acre tract of land known as the Briseno Ranch located in Medina County, Texas from Elida G. Briseno, over the Edwards Aquifer Recharge and Contributing Zones. [María Villagómez, Assistant City Manager; Xavier D. Urrutia, Director, Parks and Recreation]

2018-10-04-0779

8. Ordinance authorizing the release of a 0.0104 acre (457.11 square feet) utility easement located at 410 S. Main, located in Council District 1, as requested by Delta Main and Dwyer, LLC. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

2018-10-04-0780

9. Ordinance approving an agreement with the Texas Department of Transportation (TxDOT) for the temporary street closure of State right-of-way on Old Pearsall Road from Hillburn Drive to Medina Base Road for District 4's SurClovio event to be held on Sunday, October 27, 2018. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

2018-10-04-0781

10. Ordinance accepting additional funds from the Texas Department of State Health Services for the Milk Group fee for service program in an amount up to \$17,942.81 for a total grant amount of \$89,714.06 through August 31, 2019. [Erik Walsh, Deputy City Manager; Colleen M. Bridger, MPH, PhD, Director of Health]

2018-10-04-0782

11. Ordinance accepting an additional \$5,990.00, from the Office of National Drug Control Policy for the High Intensity Drug Trafficking Area grant to increase the total grant award for the grant period January 1, 2017, through December 31, 2018. [Erik Walsh, Deputy City Manager; William McManus, Chief, Police]

2018-10-04-0783

12. Ordinance accepting an additional \$70,640.00, from the Office of National Drug Control Policy, for the High Intensity Drug Trafficking Area grant to increase the award of the San Antonio HIDTA Initiative for the grant period January 1, 2018, through December 31, 2019. [Erik Walsh, Deputy City Manager; William McManus, Chief, Police]

13. Approving the following Board, Commission and Committee appointments for the remainder of unexpired terms to expire May 31, 2019. 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 Virginia L. Jackson (District 6) to the SA2020 Commission on Education.

B) Appointing Skye Curd (District 5) to the City Commission on Veterans Affairs.

C) Appointing Maggie Cromeens (District 5) to the Disability Access Advisory Committee.

D) Appointing Genesis M. Ruiz (District 5) and Sophia E. Littwitz (District 8) to the San Antonio Youth Commission.

E) Appointing Matthew Bowman (District 8) to the Historic and Design Review Commission for the remainder of an unexpired term of office to expire May 31, 2019.

F) Reappointing Guadalupe G. Ochoa (District 5) and Juspreet Kaur (District 8) to the San Antonio Public Library Board of Trustees for the remainder of an unexpired term of office to expire September 30, 2020.

2018-10-04-0784

14. Ordinance approving the settlement of a lawsuit styled Jessica Lailson, et al v. City of San Antonio; Cause Number 2017-CI-12909, pending in 407th Judicial District Court, Bexar County, Texas in the amount of \$111,000.00 paid from the Self-Insurance Liability Fund. [Andrew Segovia, City Attorney]

2018-10-04-0785

15. Ordinance approving the annual budget for Fiscal Year 2019 for the San Antonio Economic Development Corporation. [Carlos Contreras, Assistant City Manager; Rene Dominguez, Director, Economic Development]

2018-10-04-0786

17. Ordinance approving an agreement with New Season San Antonio Treatment Center to provide services relating to the prevention of tuberculosis and sexually transmitted diseases for a period beginning October 1, 2018 through September 30, 2019, with the option to renew for one year. [Erik Walsh, Deputy City Manager; Colleen M. Bridger, MPH, PhD, Director of Health]

2018-10-04-0787

18. Ordinance approving an agreement with the Young Men's Christian Association of Greater San Antonio to administer diabetes prevention programs in an amount up to \$276,500.00, funded through the Medicaid 1115 Waiver, for the period beginning October 1, 2018 and ending September 30, 2019 with options to renew for two additional one-year periods. [Erik Walsh, Deputy City Manager; Colleen M. Bridger, MPH, PhD, Director of Health]

2018-10-04-0788

19. Ordinance approving the execution of a TIRZ Development Agreement in the amount of \$150,500.00 with Housing and Community Services, Inc. for the Village at Roosevelt Project, a five story multifamily residential community Located in TIRZ #32 Mission Drive-In. [Peter Zanoni, Deputy City Manager; Veronica Soto, Director, Neighborhood and Housing Services]

2018-10-04-0789

20. Ordinance approving a Development Agreement for the Brooklyn StrEAT Food Park Project, a three story mixed-use food park development, in an amount not to exceed \$350,000, located at 201 Burnet Street in Council District 2 and within the Inner City Tax Increment Reinvestment Zone 11 (TIRZ). [Peter Zanoni, Deputy City Manager; Veronica Soto, Director, Neighborhood and Housing Services]

CONSENT ITEMS CONCLUDED

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

City Clerk Vacek read the caption for Item 16:

2018-10-04-0045R

16. Resolution in support of legislation awarding the Congressional Gold Medal to the Chinese American Veterans of World War II. [Carlos J. Contreras, Assistant City Manager; Jeff Coyle, Government & Public Affairs; Juan Ayala, Office of Military & Veteran Affairs]

General Juan Ayala spoke of the service of Chinese Americans in World War II and introduced Kin Hui, President of the Chinese American Citizens Alliance. Mr. Hui stated that he was in support of the Resolution to award the Congressional Gold Medal to Chinese American Veterans of World War II. He

mentioned that at the start of World War II, there were 100,000 Chinese Americans living in the United States and many of them served under institutional discrimination because of their heritage. He stated that they deserved to be recognized for their service and sacrifice and thanked the City Council for their support.

Mayor Nirenberg called upon the citizens registered to speak.

Lila Woo addressed the City Council in support of the Resolution. She spoke of her father's service in the military and stated that he and other Chinese American Veterans should be recognized.

Esther Wong stated that her husband and children had served in the military and she was supportive of the Resolution.

Councilmember Brockhouse thanked city staff that worked on the Resolution. He stated that Chinese Americans had served the United States in every war since the Civil War and distinguished themselves in World War II in every branch of the armed forces. He noted that he hoped that Congress would take action and that he was pleased to move the Resolution forward.

Councilmember Viagran expressed her support and stated that she was pleased to learn of the impact that Chinese Americans played in World War II. Councilmember Perry stated that he was fully supportive of the Resolution.

Councilmember Courage also expressed his support and stated that it was never too late to recognize the contributions that Chinese Americans had made. Councilmember Saldaña commended all that worked on the Resolution and expressed his support. Mayor Nirenberg stated that he was pleased to support the Resolution and noted the recognition deserved by Chinese American Veterans.

Councilmember Brockhouse moved to approve the Resolution. Councilmember Viagran seconded the motion. The motion to approve prevailed by the following vote:

AYE: Mayor Nirenberg, Treviño, Viagran, Saldaña, Gonzales, Brockhouse, Sandoval, Pelaez, Courage, and Perry

ABSENT: Shaw

21. CITY MANAGER'S REPORT

POTHOLE REPAIR PROGRAM

Mrs. Sculley highlighted the Pothole Repair Program managed by the Transportation and Capital Improvements (TCI) Department. She noted that the program had gone through many changes over the last three years that have led to improvements in customer service, increased productivity, and a record number of potholes filled in FY 2018. She stated that the program consists of 16 crews divided equally among each quadrant of the city that proactively identify potholes and complete repairs within two business days. She indicated that to further optimize the repair process and improve customer service; the Pothole Patrol was established in 2018 as part of a new public campaign to engage the community and increase awareness of the pothole program. She stated that compared to previous years; TCI's proactive approach had produced notable results with 84,500 potholes repaired in FY 2018. She congratulated TCI and their Pothole Repair Crews for their great efforts.

FY 2019 ADOPTED BUDGET

Mrs. Sculley reported that the City's FY 2019 Budget of \$2.8 billion was posted on the City's Website on Monday, October 1st. She stated that the 777-page document detailing the City's Operating and Capital Spending Plan could be found on the City of San Antonio Budget Office Webpage. She noted that hard copies of the budget document would be available at City Libraries and the Office of the City Clerk next week. She mentioned that a Budget and Financial Transparency Website was created in 2014 as a way to provide the public a single point for access to its financial data. As part of this effort, the city implemented Opengov in 2017, a cloud-based financial tool that provides residents the ability to quickly and easily see the city's budget at the line item level and provides five years of historical information. She indicated that the FY 2019 Budget was available at the line item level in Opengov. She stated that quarterly updates would be provided to the public and City Council on the financial performance of the FY 2019 Budget, Initiatives, and Performance Metrics through the city's website and Opengov.

WORLD RABIES DAY

Mrs. Sculley reported that September 28th was World Rabies Day, a global health observance that started in 2007 to raise awareness of rabies and bring together partners to enhance prevention and control efforts worldwide. She stated that in San Antonio, the Animal Care Services Department partnered with the San Antonio Humane Society to provide free rabies vaccinations and microchips to pets of San Antonio Residents at the Brooks Spay/Neuter Clinic. She noted that during the event; 171 animals were provided free rabies vaccinations and 126 animals received free registered microchips.

POINT OF PERSONAL PRIVILEGE

Mayor Nirenberg recognized City Clerk Leticia Vacek who would be celebrating her birthday on Sunday, October 7th. The City Council sang Happy Birthday to City Clerk Vacek.

RECESSED

Mayor Nirenberg recessed the meeting at 10:23 am and announced that the meeting would resume at 2:00 pm for Zoning.

RECONVENED

Mayor Nirenberg reconvened the meeting at 2:07 pm and addressed the Consent Zoning Items.

CONSENT ZONING ITEMS

Zoning Items 22, Z-1, Z-10, Z-12, Z-13, and Z-16 were pulled for Individual Consideration. Councilmember Courage moved to approve the remaining Consent Zoning Items. Councilmember Treviño seconded the motion.

Mayor Nirenberg called upon Mr. Jack M. Finger to speak.

Jack M. Finger spoke in opposition to the Alcohol Variance requested in Item 22 due to its proximity to an elementary school. He noted that he was opposed to the car wash requested in Item Z-10 and the commercial encroachment in Items Z-12 and Z-13.

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

AYE: Mayor Nirenberg, Treviño, Viagran, Saldaña, Gonzales, Brockhouse, Sandoval, Pelaez, Courage, and Perry

ABSENT: Shaw

2018-10-04-0791

Z-2. ZONING CASE # Z2018281 (Council District 1): Ordinance amending the Zoning District Boundary from "C-3 RIO-2 AHOD" General Commercial River Improvement Overlay Airport Hazard Overlay District to "IDZ RIO-2 AHOD" Infill Development Zone River Improvement Overlay Airport Hazard Overlay District with uses permitted in "RM-4" Residential Mixed District, "O-2" High-Rise Office District, "C-3" General Commercial District and for Multi-Family not to exceed 110 units per acre, Live-Work Units, Night Club with cover charge 3 or more days per week, Bar and /or Tavern with cover charge 3 or more days per week, Alcohol Beverage Manufacture or Brewery, Hotel taller than 35 feet, Beverage Manufacture Non-Alcohol (including manufacturing and processing), Entertainment Venue (outdoor), Live Entertainment with and without cover charge 3 or more days per week (not including food service establishments), Food Service Establishments with cover charge 3 or more days per week (with or without accessory Live Entertainment) on Lot 13, Block D, NCB 6326, located at 302 Newell 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: LOT 13, BLOCK D, NCB 6326 TO WIT: FROM "C-3 RIO-2 AHOD" GENERAL COMMERCIAL RIVER IMPROVEMENT OVERLAY AIRPORT HAZARD OVERLAY DISTRICT TO "IDZ RIO-2 AHOD" INFILL DEVELOPMENT ZONE RIVER IMPROVEMENT OVERLAY AIRPORT HAZARD OVERLAY DISTRICT WITH USES PERMITTED IN "RM-4" RESIDENTIAL MIXED DISTRICT, "O-2" HIGH-RISE OFFICE DISTRICT, "C-3" GENERAL COMMERCIAL DISTRICT AND FOR MULTI-FAMILY NOT TO EXCEED 110 UNITS PER ACRE, LIVE-WORK UNITS, NIGHT CLUB WITH COVER CHARGE 3 OR MORE DAYS PER WEEK, BAR AND /OR TAVERN WITH COVER CHARGE 3 OR MORE DAYS PER WEEK, ALCOHOL BEVERAGE MANUFACTURE OR BREWERY, HOTEL TALLER THAN 35 FEET, BEVERAGE MANUFACTURE NON-ALCOHOL (INCLUDING MANUFACTURING AND PROCESSING), ENTERTAINMENT VENUE (OUTDOOR), LIVE ENTERTAINMENT WITH AND WITHOUT COVER CHARGE 3 OR MORE DAYS PER WEEK (NOT INCLUDING FOOD SERVICE ESTABLISHMENTS), FOOD SERVICE ESTABLISHMENTS WITH COVER CHARGE 3 OR MORE DAYS PER WEEK (WITH OR WITHOUT ACCESSORY LIVE ENTERTAINMENT).

2018-10-04-0792

Z-3. ZONING CASE # Z2018282 (Council District 1): Ordinance amending the Zoning District Boundary from "I-1 IDZ RIO-2 AHOD" General Industrial Infill Development Zone River Improvement Overlay Airport Hazard Overlay District, "MF-50 IDZ RIO-2 AHOD" Multi-Family Infill Development Zone River Improvement Overlay Airport Hazard

Overlay District, "C-3 RIO-2 AHOD" General Commercial River Improvement Overlay Airport Hazard Overlay District, and "C-2 RIO-2 AHOD" Commercial River Improvement Overlay Airport Hazard Overlay District to "IDZ RIO-2 DN AHOD" Infill Development Zone River Improvement Overlay Development Node Airport Hazard Overlay District with uses permitted in "RM-4" Residential Mixed District, "O-2" High-Rise Office District, "C-3" General Commercial District and for Multi-Family not to exceed 110 units per acre, Live-Work Units, Bar and /or Tavern with cover charge 3 or more days per week, Alcohol Beverage Manufacture or Brewery, Hotel taller than 35 feet, Beverage Manufacture Non-Alcohol (including manufacturing and processing), Entertainment Venue (outdoor), Live Entertainment with and without cover charge 3 or more days per week (not including food service establishments), Food Service Establishments with cover charge 3 or more days per week (with or without accessory Live Entertainment) on 4.81 acres out of NCB 1758, NCB 1004, NCB 1005 and NCB 6796 and "IDZ RIO-2 DN AHOD" Infill Development Zone River Improvement Overlay Development Node Airport Hazard Overlay District with uses permitted in "RM-4" Residential Mixed District, "O-2" High-Rise Office District, "C-3" General Commercial District and for Multi-Family not to exceed 110 units per acre, Live-Work Units, Night Club with cover charge 3 or more days per week, Bar and /or Tavern with cover charge 3 or more days per week, Alcohol Beverage Manufacture or Brewery, Hotel taller than 35 feet, Beverage Manufacture Non-Alcohol (including manufacturing and processing), Entertainment Venue (outdoor), Live Entertainment with and without cover charge 3 or more days per week (not including food service establishments), Food Service Establishments with cover charge 3 or more days per week (with or without accessory Live Entertainment) on 2.94 acres out of NCB 959 and NCB 958, located at 221 Newell Avenue, 101 Newell Avenue, 923 E Park Avenue, 1213 East Quincy, 1126 East Elmira, 1200 East Elmira and 1210 East Elmira. 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: 2.94 ACRES OUT OF NCB 959 AND NCB 958 TO WIT: FROM "I-1 IDZ RIO-2 AHOD" GENERAL INDUSTRIAL INFILL DEVELOPMENT ZONE RIVER IMPROVEMENT OVERLAY AIRPORT HAZARD OVERLAY DISTRICT, "MF-50 IDZ RIO-2 AHOD" MULTI-FAMILY INFILL DEVELOPMENT ZONE RIVER IMPROVEMENT OVERLAY AIRPORT HAZARD OVERLAY DISTRICT, "C-3 RIO-2 AHOD" GENERAL COMMERCIAL RIVER IMPROVEMENT OVERLAY AIRPORT HAZARD OVERLAY DISTRICT, AND "C-2 RIO-2 AHOD" COMMERCIAL RIVER IMPROVEMENT OVERLAY AIRPORT HAZARD OVERLAY DISTRICT TO "IDZ RIO-2 DN AHOD" INFILL DEVELOPMENT ZONE RIVER IMPROVEMENT OVERLAY DEVELOPMENT NODE AIRPORT HAZARD OVERLAY DISTRICT WITH USES PERMITTED IN "RM-4" RESIDENTIAL MIXED DISTRICT, "O-2" HIGH-RISE OFFICE DISTRICT, "C-3" GENERAL COMMERCIAL DISTRICT AND FOR MULTI-FAMILY NOT TO EXCEED 110 UNITS PER ACRE,

LIVE-WORK UNITS, BAR AND /OR TAVERN WITH COVER CHARGE 3 OR MORE DAYS PER WEEK, ALCOHOL BEVERAGE MANUFACTURE OR BREWERY, HOTEL TALLER THAN 35 FEET, BEVERAGE MANUFACTURE NON-ALCOHOL (INCLUDING MANUFACTURING AND PROCESSING), ENTERTAINMENT VENUE (OUTDOOR), LIVE ENTERTAINMENT WITH AND WITHOUT COVER CHARGE 3 OR MORE DAYS PER WEEK (NOT INCLUDING FOOD SERVICE ESTABLISHMENTS), FOOD SERVICE ESTABLISHMENTS WITH COVER CHARGE 3 OR MORE DAYS PER WEEK (WITH OR WITHOUT ACCESSORY LIVE ENTERTAINMENT) ON 4.81 ACRES OUT OF NCB 1758, NCB 1004, NCB 1005 AND NCB 6796 AND "IDZ RIO-2 DN AHOD" INFILL DEVELOPMENT ZONE RIVER IMPROVEMENT OVERLAY DEVELOPMENT NODE AIRPORT HAZARD OVERLAY DISTRICT WITH USES PERMITTED IN "RM-4" RESIDENTIAL MIXED DISTRICT, "O-2" HIGH-RISE OFFICE DISTRICT, "C-3" GENERAL COMMERCIAL DISTRICT AND FOR MULTI-FAMILY NOT TO EXCEED 110 UNITS PER ACRE, LIVE-WORK UNITS, NIGHT CLUB WITH COVER CHARGE 3 OR MORE DAYS PER WEEK, BAR AND /OR TAVERN WITH COVER CHARGE 3 OR MORE DAYS PER WEEK, ALCOHOL BEVERAGE MANUFACTURE OR BREWERY, HOTEL TALLER THAN 35 FEET, BEVERAGE MANUFACTURE NON-ALCOHOL (INCLUDING MANUFACTURING AND PROCESSING), ENTERTAINMENT VENUE (OUTDOOR), LIVE ENTERTAINMENT WITH AND WITHOUT COVER CHARGE 3 OR MORE DAYS PER WEEK (NOT INCLUDING FOOD SERVICE ESTABLISHMENTS), FOOD SERVICE ESTABLISHMENTS WITH COVER CHARGE 3 OR MORE DAYS PER WEEK (WITH OR WITHOUT ACCESSORY LIVE ENTERTAINMENT).

2018-10-04-0793

- Z-4.** ZONING CASE # Z2018284 (Council District 1): Ordinance amending the Zoning District Boundary from "R-6 NCD-2 AHOD" Residential Single-Family Alta Vista Neighborhood Conservation Airport Hazard Overlay District to "R-4 NCD-2 AHOD" Residential Single-Family Alta Vista Neighborhood Conservation Airport Hazard Overlay District on the east 20.5 feet of Lot 5, the west 19-feet of Lot 6, Block 4, NCB 1893 and the west 34.5-feet of the east 55-feet of Lot 5, Block 4, NCB 1893, located at 914 West French Place and 916 West French Place. 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: ON THE EAST 20.5 FEET OF LOT 5, THE WEST 19-FEET OF LOT 6, BLOCK 4, NCB 1893 AND THE WEST 34.5-FEET OF THE EAST 55-FEET OF LOT 5, BLOCK 4, NCB 1893 TO WIT: FROM "R-6 NCD-2 AHOD" RESIDENTIAL SINGLE-FAMILY ALTA VISTA NEIGHBORHOOD CONSERVATION AIRPORT HAZARD OVERLAY DISTRICT TO "R-4 NCD-2 AHOD" RESIDENTIAL SINGLE-FAMILY ALTA VISTA NEIGHBORHOOD CONSERVATION AIRPORT HAZARD OVERLAY DISTRICT.

2018-10-04-0794

- Z-5.** ZONING CASE # Z2018286 (Council District 2): Ordinance amending the Zoning District Boundary from "AE-2 AHOD" Arts and Entertainment Airport Hazard Overlay District to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted

for three (3) residential units on 0.088 acres out of NCB 1394, located at 202 South Monumental. 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: 0.088 ACRES OUT OF NCB 1394 TO WIT: FROM "AE-2 AHOD" ARTS AND ENTERTAINMENT AIRPORT HAZARD OVERLAY DISTRICT TO "IDZ AHOD" INFILL DEVELOPMENT ZONE AIRPORT HAZARD OVERLAY DISTRICT WITH USES PERMITTED FOR THREE (3) RESIDENTIAL UNITS.

2018-10-04-0795

- Z-6.** ZONING CASE # Z2018287 (Council District 2): Ordinance amending the Zoning District Boundary from "AE-2 AHOD" Arts and Entertainment Airport Hazard Overlay District to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted for two (2) residential units on 0.061 acres out of NCB 1394, located at 910 Montana 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: 0.061 ACRES OUT OF NCB 1394 TO WIT: FROM "AE-2 AHOD" ARTS AND ENTERTAINMENT AIRPORT HAZARD OVERLAY DISTRICT TO "IDZ AHOD" INFILL DEVELOPMENT ZONE AIRPORT HAZARD OVERLAY DISTRICT WITH USES PERMITTED FOR TWO (2) RESIDENTIAL UNITS.

2018-10-04-0796

- Z-7.** ZONING CASE # Z2018290 (Council District 2): Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District and "C-2 AHOD" Commercial Airport Hazard Overlay District to "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District on 16.21 acres out of NCB 15826, generally located southwest of the Eisenhower Road and Tranquil Dawn intersection. 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: 16.21 ACRES OUT OF NCB 15826 TO WIT: FROM "R-4 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT AND "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT TO "R-4 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT.

2018-10-04-0797

- Z-8.** ZONING CASE # Z2018295 HL (Council District 2): 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 Lot 9, Block B, NCB 632, located at 230 Cactus 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 9, BLOCK B, NCB 632 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.

2018-10-04-0798

- Z-9.** ZONING CASE # Z2018296 HL (Council District 2): Ordinance amending the Zoning District Boundary from "C-3R AHOD" General Commercial Restrictive Alcoholic Sales Airport Hazard Overlay District to "C-3R HL AHOD" General Commercial Restrictive Alcoholic Sales Historic Landmark Airport Hazard Overlay District on Lot 13, Lot 14, and Lot 15, NCB 6815, located at 1603 South Hackberry 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 13, LOT 14, AND LOT 15, NCB 6815 TO WIT: FROM "C-3R AHOD" GENERAL COMMERCIAL RESTRICTIVE ALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT TO "C-3R HL AHOD" GENERAL COMMERCIAL RESTRICTIVE ALCOHOLIC SALES HISTORIC LANDMARK AIRPORT HAZARD OVERLAY DISTRICT.

2018-10-04-0799

- Z-11.** ZONING CASE # Z2018288 CD (Council District 5): Ordinance amending the Zoning District Boundary from "R-6 MLOD-2 MLR-2 AHOD" Residential Single-Family Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "R-6 CD MLOD-2 MLR-2 AHOD" Residential Single-Family Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with Conditional Use for a Duplex on Lot 19, Block 4, NCB 8884, located at 2615 Lombrano 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 19, BLOCK 4, NCB 8884 TO WIT: FROM "R-6 MLOD-2 MLR-2 AHOD" RESIDENTIAL SINGLE-FAMILY MILITARY LIGHTING OVERLAY MILITARY LIGHTING REGION 2 AIRPORT HAZARD OVERLAY DISTRICT TO "R-6 CD MLOD-2 MLR-2 AHOD" RESIDENTIAL SINGLE-

FAMILY MILITARY LIGHTING OVERLAY MILITARY LIGHTING REGION 2 AIRPORT HAZARD OVERLAY DISTRICT WITH CONDITIONAL USE FOR A DUPLEX.

2018-10-04-0800

- Z-14.** ZONING CASE # Z2018294 CD (Council District 7): 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 Conditional Use for four (4) Residential Dwelling Units on Lot 87-C, NCB 8361, located at 1710 Donaldson 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: LOT 87-C, NCB 8361 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 CONDITIONAL USE FOR FOUR (4) RESIDENTIAL DWELLING UNITS.

2018-10-04-0801

- Z-15.** ZONING CASE # Z2018289 (Council District 10): Ordinance amending the Zoning District Boundary from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District on Lot 2, Block 1, NCB 13335, located at 1604 West Terra Alta 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 2, BLOCK 1, NCB 13335 TO WIT: FROM "R-5 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "R-4 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT.

2018-10-04-0802

- Z-17.** ZONING CASE # Z2018309 (Council District 10): Ordinance amending the Zoning District Boundary from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "O-1 AHOD" Office Airport Hazard Overlay District on 0.429 acres out of NCB 11889, located at 106 East Sunset 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: 0.429 ACRES OUT OF NCB 11889 TO WIT: FROM "R-5 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "O-1 AHOD" OFFICE AIRPORT HAZARD OVERLAY DISTRICT.

CONSENT ITEMS CONCLUDED

ZONING ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

City Clerk Vacek read the caption for Item 22:

CONTINUED TO OCTOBER 18, 2018

- 22.** ALCOHOL VARIANCE # AV2018010 (Council District 8): Ordinance waiving the application requirements of City Code 4-6 and granting a variance authorizing the sale of alcoholic beverages on the North 120.08 Feet of Lot 3, Block 2, NCB 16600, located at 15710 Chase Hill Boulevard for on-premise and off-premise consumption within three-hundred (300) feet of Monroe May Elementary School, a public education institution located within the Northside Independent School District.

Councilmember Pelaez stated that they were still in discussions with the property owner and school district.

Councilmember Pelaez moved to continue Item 22 until October 18, 2018. Councilmember Treviño seconded the motion. The motion to continue prevailed by the following vote:

AYE: Mayor Nirenberg, Treviño, Viagran, Saldaña, Gonzales, Brockhouse, Sandoval, Pelaez, Courage, and Perry

ABSENT: Shaw

2018-10-04-0790

- Z-1.** ZONING CASE # Z2018273 (Council District 1): Ordinance amending the Zoning District Boundary from "D RIO-7B AHOD" Downtown River Improvement Overlay Airport Hazard Overlay District to "IDZ RIO-7B AHOD" Infill Development Zone River Improvement Overlay Airport Hazard Overlay District with uses permitted in "D" Downtown District and Auto and Light Truck Repair on 0.22 acres out of NCB 102, located at 331 South Flores Street. Staff recommends Denial. 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: 0.22 ACRES OUT OF NCB 102 TO WIT: FROM "D RIO-7B AHOD" DOWNTOWN RIVER IMPROVEMENT OVERLAY AIRPORT HAZARD OVERLAY DISTRICT TO "IDZ RIO-7B AHOD" INFILL DEVELOPMENT ZONE RIVER IMPROVEMENT OVERLAY AIRPORT HAZARD OVERLAY DISTRICT WITH USES PERMITTED IN "D" DOWNTOWN DISTRICT AND AUTO AND LIGHT TRUCK REPAIR.

Melissa Ramirez presented Item Z-1 and stated that staff recommended denial while the Zoning Commission recommended approval. She reported that of 10 notices mailed; one was returned in favor

and two in opposition. She added that the case would require nine votes to approve due to the opposition exceeding 20%.

Mayor Nirenberg called upon Mr. Mike Smith to speak.

Mike Smith, Property Owner, spoke of his current business and noted that he had made improvements to the appearance of the building. He stated that he was looking to utilize it as a truck repair center and would like to expand it in the future.

Councilmember Treviño called Mr. Garrett Newman to the podium. Mr. Newman stated that he was the Engineer for the project and highlighted the improvements that would be made. He noted that they had worked with the surrounding community to address their concerns. Councilmember Treviño stated that they were sensitive to the needs of the residents of the area and felt that the property owner had mitigated their concerns.

Councilmember Treviño moved to approve Item Z-1 as submitted by the applicant. Councilmember Viagran seconded the motion. The motion to approve prevailed by the following vote:

A YE: Mayor Nirenberg, Treviño, Viagran, Saldaña, Gonzales, Brockhouse, Sandoval, Pelaez, Courage, and Perry

ABSENT: Shaw

DENIED

Z-10. ZONING CASE # Z2018258 S (Council District 3): Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 S AHOD" Commercial Airport Hazard Overlay District with Specific Use Authorization for a Carwash on 0.71 acres out of NCB 10939, located at 1003 Avondale Avenue. Staff and Zoning Commission recommend Approval with Conditions. (Continued from September 20, 2018)

Melissa Ramirez presented Item Z-10 and stated that staff and the Zoning Commission recommended approval with the following conditions: 1) An eight-foot solid screen fence along residential uses; 2) No temporary signs, no temporary promotional banners, no pennant flags, no feather flags and no streamers or strings; 3) Solid screen fencing along vacuums for noise reduction; and 4) Lighting shall be directed downward onto property. She noted that the applicant had agreed to added conditions: 1) No outside amplification systems; 2) No Loitering & No Trespassing signage must be visible and displayed on site at all times; and 3) Installation of a security camera on site. She reported that of 17 notices mailed; one was returned in favor and 9 in opposition. She stated that the Highland Hills Neighborhood Association was opposed to the request. She added that the case would require 9 votes to approve due to opposition exceeding 20%.

Mayor Nirenberg called upon the citizens registered to speak.

Raquel Borrego stated that she was opposed to the request noting that a car wash would not comply with the neighborhood plan. She mentioned safety concerns with a car wash and asked that the case be postponed in order to give the community the opportunity to speak with the property owner.

Santos Villarreal stated that he was speaking on behalf of the applicant in support of their request. He noted that they had met with the school and daycare in the area and had come to an agreement. He expressed concern that the community did not want any development in the area.

Ian Cochran stated that he was also speaking on behalf of the applicant in support of their request. He noted that they had worked with the neighborhood association and Jubilee Academy and had agreed to install a fence around the car wash.

Billie Zimmerman stated that she was opposed to the request noting safety concerns that a car wash would bring to the area.

Councilmember Viagran thanked all of the individuals that spoke and stated that she had heard many perspectives and concerns regarding the request. She noted that she also had concerns with the request due to the vacuums and 24-hour operation of the facility within a residential area. She expressed concern with the verbiage from the developer to neighborhood representatives and asked the applicant representatives if they would be amenable to a 30-day continuance. Mr. Ian Cochran replied that they were not agreeable to a continuance.

Councilmember Viagran moved to deny Item Z-10. Councilmember Treviño seconded the motion.

Councilmember Pelaez asked of the verbiage that was exchanged by the developer to the neighborhood association. Mr. Cochran replied that he was not aware of the specific verbiage but the developer was upset that neighborhood residents had initially expressed support and subsequently changed their mind. Councilmember Pelaez expressed concern that the developer had threatened neighborhood residents and had done the same in a previous zoning case in another council district.

Councilmember Treviño stated that he had gone through a similar situation in District 1 and that they were not opposed to development. However, they were in support of thoughtful projects that were coordinated with the neighborhood.

Councilmember Brockhouse stated that Councilmember Viagran had performed her due diligence and confirmed with the applicant representatives that they did not agree to a continuance. Mr. Cochran confirmed that they did not agree to continue the case.

The motion to deny prevailed by the following vote:

AYE: Mayor Nirenberg, Treviño, Viagran, Saldaña, Gonzales, Brockhouse, Sandoval, Pelaez, Courage, and Perry

ABSENT: Shaw

CONTINUED TO OCTOBER 18, 2018

Z-12.

ZONING CASE # Z2018256 (Council District 6): Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District on Lot 15, Block 1, NCB 15586, located at 2311 Westward Drive. Staff recommends Denial, with an Alternate Recommendation. Zoning

Commission recommends Denial. (Continued from September 20, 2018)

Melissa Ramirez presented Item Z-12 and stated that staff recommended denial with an alternate recommendation of "R-6 CD" Conditional Use for non-commercial parking lot while the Zoning Commission recommended denial. She reported that of 20 notices mailed; none were returned in favor and four in opposition. She added that the Cable-Westwood Neighborhood Association was opposed to the request.

Councilmember Brockhouse moved to continue Item Z-12 until October 18, 2018. Councilmember Treviño seconded the motion. The motion to continue prevailed by the following vote:

AYE: Mayor Nirenberg, Treviño, Viagran, Saldaña, Gonzales, Brockhouse, Sandoval, Pelaez, Courage, and Perry

ABSENT: Shaw

CONTINUED TO DECEMBER 6, 2018

Z-13. ZONING CASE # Z2018285 (Council District 6): Ordinance amending the Zoning District Boundary from "R-6 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District and "C-2 MLOD-2 MLR-1 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "I-1 MLOD-2 MLR-1 AHOD" General Industrial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District on Lot P-13K, P-13L, P-B12, TR M, C-13, Block 62, NCB 13942, located at 1621 South Callaghan Road. Staff and Zoning Commission recommend Denial.

Melissa Ramirez presented Item Z-13 and stated that staff and the Zoning Commission recommended denial. She reported that of 50 notices mailed; three were returned in favor and two in opposition.

Councilmember Brockhouse moved to continue Item Z-13 until December 6, 2018. Councilmember Viagran seconded the motion. The motion to continue prevailed by the following vote:

AYE: Mayor Nirenberg, Treviño, Viagran, Saldaña, Gonzales, Brockhouse, Sandoval, Pelaez, Courage, and Perry

ABSENT: Shaw

CONTINUED TO OCTOBER 18, 2018

Z-16. ZONING CASE # Z2018291 S (Council District 10): Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 S AHOD" Commercial Airport Hazard Overlay District with Specific Use Authorization for Bar/Tavern without cover charge 3 or more days per week on 0.1468 acres out of NCB 12104 and 0.0996 acres out of

NCB 12104, located at 2510 Nacogdoches Road. Staff and Zoning Commission recommend Approval.

Melissa Ramirez presented Item Z-16 and stated that staff and the Zoning Commission recommended approval. She reported that of 9 notices mailed; none were returned in favor and two in opposition.

Councilmember Perry moved to continue Item Z-16 until October 18, 2018. Councilmember Treviño seconded the motion. The motion to continue prevailed by the following vote:

AYE: Mayor Nirenberg, Treviño, Viagran, Saldaña, Gonzales, Brockhouse, Sandoval, Pelaez, Courage, and Perry

ABSENT: Shaw

ADJOURNMENT

There being no further discussion, Mayor Nirenberg adjourned the meeting at 2:58 pm.

APPROVED

RON NIRENBERG
MAYOR

Attest:

LETICIA M. VACEK, TRMC/CMC/MMC
City Clerk