

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



DRAFT

**Meeting Minutes
City Council A Session**

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

Thursday, October 2, 2014

9:00 AM

Municipal Plaza Building

The City Council of San Antonio convened in a Regular Council Meeting at 9:00 am. City Clerk Leticia Vacek took the Roll Call with the following Councilmembers present:

Present: 10 - Mayor Taylor, Bernal, Toney, Viagran, Saldaña, Gonzales, Lopez, Aguirre-Rodriguez, Nirenberg and Gallagher

Absent: 1 - Krier

Mrs. Vacek announced that Councilmember Krier was attending the Texas Municipal League Conference in Houston.

1. The Invocation was delivered by Father Francis McHugh, Pastor, St. Pius X Church, guest of Councilmember Mike Gallagher, District 10.
2. Mayor Taylor led the Pledge of Allegiance to the Flag of the United States of America.
3. Approval of Minutes for the Budget Work Session of August 12, 2014 and the regular Meetings of August 13 - 14, 2014.

Councilmember Gallagher moved to approve the Minutes for the Budget Work Session of August 12, 2014 and the Regular Meetings of August 13-14, 2014. Councilmember Viagran seconded the motion. The motion prevailed by the following vote:

Aye: 9 - Mayor Taylor, Bernal, Viagran, Saldaña, Gonzales, Lopez, Aguirre-Rodriguez, Nirenberg and Gallagher

Absent: 2 - Toney and Krier

CONSENT AGENDA ITEMS

Items 8, 18A, 18B, 19, and 34A-D were pulled for Individual Consideration. Councilmember Saldaña moved to approve the remaining Consent Agenda Items: 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, and 33. Councilmember Viagran seconded the motion.

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

Mr. Jack M. Finger expressed concern with the creation of four Mission Protection Overlay Zoning Districts (Item 18) noting that the United Nations would have control of the Missions in San Antonio. He spoke in opposition to the Tax Abatement being provided to CST Brands (Item 34B).

Faris Hodge, Jr. submitted written testimony in favor of Items 4-18B, 20-22, 25-33, and 34B-D. He wrote in opposition to Items 19, 23, 24, and 34A. He wrote that street names should not be changed (Items 23 and 24).

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

Aye: 10 - Mayor Taylor, Bernal, Toney, Viagran, Saldaña, Gonzales, Lopez, Aguirre-Rodriguez, Nirenberg and Gallagher

Absent: 1 - Krier

2014-10-02-0728

4. An Ordinance authorizing a contract with Mechanical Technical Services, Inc. to provide the Aviation Department with plumbing maintenance and repair services for a two year term with three annual renewal options for total amount not to exceed \$187,500.00, funded with the Aviation Operations and Maintenance Fund. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

2014-10-02-0729

5. An Ordinance authorizing a contract with Mechanical Technical Services, Inc. to provide the Aviation Department with HVAC maintenance and repair services for a two year term with three annual renewal options for total amount not to exceed \$375,000.00, funded with the Aviation Operations and Maintenance Fund. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

2014-10-02-0730

6. An Ordinance ratifying a contract with LawLogix Group, Inc. to provide the Human Resources Department with licensed access to the Guardian Electronic I-9 and E-Verify Service Site from November 22, 2010 to September 30, 2014 in the amount of \$118,130.00 and accepting an offer from LawLogix Group, Inc. for the same purpose beginning October 1, 2014 through September 20, 2015 for an estimated annual amount of \$17,880.00. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

2014-10-02-0731

7. An Ordinance authorizing the following contracts establishing unit prices for goods and services for an estimated annual cost of \$775,154.00: (A) GT Distributors, Inc. for SAPD ammunition, (B) Newsbank, Inc, for Newsbank Database & Microfilming for the San Antonio Public Library and (C) Lytx, Inc., for vehicle event recorders. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

2014-10-02-0733

9. An Ordinance authorizing an amendment in the increased amount of \$225,600.00, to the current \$1.5 million Professional Services Contract with CDS Muery, for additional engineering services related to the Callaghan Road Project, a 2012-2017 General Obligation Bond Program funded project, located in Council District 7. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation and Capital Improvement]

2014-10-02-0734

10. An Ordinance authorizing the sale and disposition of a parcel of real property comprising approximately 0.0700 acres of land area and a 700 square foot single family home, known as 1946 Nolan, owned by San Antonio Affordable Housing, Inc., in Council District 2, to Richard Arthur, Monart Ltd. for \$23,400.00. [Carlos Contreras, Assistant City Manager; Jim Mery, Deputy Director, Center City Development & Operations]

2014-10-02-0735

11. An Ordinance authorizing the execution of a three-year lease with 509 San Pedro, LLC for 1,110 rentable square feet of office space for the City's Health Department located at 509 San Pedro Avenue in Council District 1, for an annual rental amount of \$14,400.00. [Peter Zanoni, Deputy City Manager; Mike Etienne, Director, EastPoint & Real Estate Services Office]

2014-10-02-0736

12. An Ordinance authorizing the execution of a 15-month extension of a lease agreement with Strategic Market Services, Inc. for approximately 11,178 square feet at 4355 Center Gate, Council District 10, beginning on October 2, 2014 and ending on December 31, 2015, for the continued use as a Senior Multi-Service Center, for a monthly rental payment of \$12,455.00; and waiving the City's Ethics Code one-year prohibition of a former city officer's financial interest in a discretionary contract in this limited circumstance to provide uninterrupted services to the seniors. [Gloria Hurtado, Assistant City Manager; Melody Woosley, Director, Human Services]

2014-10-02-0737

13. An Ordinance authorizing the execution of a Second Renewal and Extension of Lease Agreement between the City of San Antonio and GTM Washington Square, Ltd. for the continued rental of 8,531 square feet of office space located at 800 Dolorosa Street, Suite 401, by the San Antonio Police Department's Office of Internal Affairs commencing October 1, 2014 and expiring September 30, 2019, for the reduced monthly rental amount of \$12,590.20 and the right to terminate the lease after the second year of occupancy with 120-days notice. [Peter Zanoni, Deputy City Manager; Mike Etienne, Director, EastPoint & Real Estate Services Office]

2014-10-02-0738

14. An Ordinance authorizing a Joint Use Agreement with San Antonio Water System for the use of City-owned property located at 8967 Nelson Road and 9025 Nelson Road in NCB 18045, for the installation of a water transmission pipeline as part of its Water Resources Integration Program in Council District 4 for a one-time fee of \$21,900.00. [Peter Zanoni, Deputy City Manager; Mike Etienne, Director, EastPoint & Real Estate Services Office]

2014-10-02-0739

15. An Ordinance authorizing a Joint Use Agreement with City Public Service Energy for their use of approximately 5,834 square feet of City-owned property located at Richland Hills Drive and Ingram Road, in Council District 6 for the installation of an electric line. [Peter Zanoni, Deputy City Manager; Mike Etienne, Director, EastPoint

& Real Estate Services Office]

2014-10-02-0740

16. An Ordinance ratifying the acceptance of funds from the Department of Homeland Security in an amount not to exceed \$30,000.00 for laboratory infrastructure support for the San Antonio Metropolitan Health District's BioWatch Program for the period ending September 10, 2015. [Gloria Hurtado, Assistant City Manager; Dr. Thomas L. Schlenker, Director of Public Health]

2014-10-02-0741

17. An Ordinance awarding a City Council Project Fund grant allocation to St. Philip's College in an amount of \$12,000.00 for St. Philip's College student scholarships. [Edward Benavides, Chief of Staff; Chris Callanen, Assistant to City Council]

2014-10-02-0744

20. An Ordinance authorizing five contracts for a total of up to \$514,976.000 with Spay Neuter Assistance Program, Inc., Spay Neuter Inject Protect San Antonio, Animal Resource Center, Inc., Animal Defense League of Texas and the San Antonio Humane Society to provide free spay/neuter surgeries for the community for a one year term with the option to renew for two consecutive one year terms. [Erik Walsh, Deputy City Manager; Kathy Davis, Director, Animal Care Services]

2014-10-02-0745

21. An Ordinance authorizing one-year agreements with the San Antonio Humane Society and Animal Defense League of Texas for an alternative housing program for stray animals with the option to renew for two consecutive one year terms. [Erik Walsh, Deputy City Manager; Kathy Davis, Director, Animal Care Services]

2014-10-02-0746

22. An Ordinance authorizing the execution of a professional services contract with Nutrition Therapy Associates, Inc. for nutrition consulting, training, and counseling sessions for the Head Start Program through January 31, 2015, with three one-year renewal options, for a total amount not to exceed \$100,000.00. [Gloria Hurtado, Assistant City Manager; Melody Woosley, Director, Human Services]

2014-10-02-0747

23. An Ordinance authorizing the street name change of "Cantrell Drive" to "Felix Trevino Way" between South Zarzamora Street and Delight Street, in City Council District 4, San Antonio, Texas. [Erik Walsh, Deputy City Manager; Roderick Sanchez, Director, Development Services]

2014-10-02-0748

24. An Ordinance authorizing the naming of an unnamed alley to "Papa Bear Lane" between Fresno Street and Santa Monica Street in City Council District 1, San Antonio, Texas. [Erik Walsh, Deputy City Manager; Roderick Sanchez, Director, Development Services]

2014-10-02-0034R

25. A Resolution approving a financing by the Pottsboro Higher Education Finance Corporation for the benefit of the Jubilee Academic Center, Inc. for purposes of Section 147(f) of the Internal Revenue Code. [Ben Gorzell, Jr., Chief Financial Officer; Troy Elliott, Director of Finance]

2014-10-02-0035R

26. A Resolution approving a financing by the Clifton Higher Education Finance Corporation for the benefit of the IDEA Public Schools for purposes of Section 147(f) of the Internal Revenue Code. [Ben Gorzell, Jr., Chief Financial Officer; Troy Elliott, Director of Finance]

2014-10-02-0749

27. An Ordinance authorizing the extension of line-of-duty leave for Firefighter Ronald Harrell. [Erik J. Walsh, Deputy City Manager; Charles N. Hood, Fire Chief]

2014-10-02-0750

28. An Ordinance authorizing the extension of line-of-duty leave for Fire Engineer Jose Velaquez. [Erik J. Walsh, Deputy City Manager; Charles N. Hood, Fire Chief]

2014-10-02-0751

29. An Ordinance authorizing the extension of line-of-duty leave for Fire Engineer Robert Ruiz. [Erik J. Walsh, Deputy City Manager; Charles N. Hood, Fire Chief]

2014-10-02-0752

30. An Ordinance authorizing the sale of a surplus San Antonio Police Department 2000 Schweizer N277DT model 269D 0028 (Sikorsky S333) helicopter to Findlay Enterprises, Ltd. for \$250,000.00. [Erik J. Walsh, Deputy City Manager; William McManus, Police Chief]

2014-10-02-0753

31. An Ordinance authorizing the second and final one-year renewal of the Stand-by Professional Services Agreement for landfill compliance, environmental remediation and consulting services for seven closed City-owned landfills with Hartnett Engineered Solutions, Inc., in an amount not to exceed \$155,000.00 for the term of

the renewal, funded by the Solid Waste Operating and Maintenance Fund. [Peter Zanoni, Assistant City Manager; David W. McCary, Director, Solid Waste Management]

2014-10-02-0754

32. An Ordinance authorizing two on-call professional services agreements with ALEO Environmental Enterprises, Inc. and ATC Group Services Inc. dba Cardno ATC, each in an amount not to exceed \$120,000.00 per year for a one-year term, with three one-year optional extensions, to provide on-call asbestos and lead-based paint consulting services related to transportation and capital improvements projects located City-wide. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

2014-10-02-0755

33. An Ordinance authorizing five on-call professional services agreements with Freese and Nichols, Inc., Geo Strata Environmental Consultants, Inc., Kleinfelder Central, Inc., Raba Kistner Environmental, Inc., and Weston Solutions, Inc., each in an amount not to exceed \$400,000.00 per year for a one-year term with three one-year optional extensions, to provide on-call environmental consulting services City-wide. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation and Capital Improvements]

CONSENT ITEMS CONCLUDED

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the caption for Item 8:

2014-10-02-0732

8. An Ordinance for the W. Magnolia and W. Mistletoe, 2012-2017 Bond Program Projects located in Council District 7 accepting the lowest responsive bid and awarding a construction contract to D. Plata Construction Company, LLC, in the amount of \$1,021,377.45, of which \$53,721.62 will be reimbursed by San Antonio Water Systems. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation and Capital Improvements]

Councilmember Aguirre-Rodriguez highlighted the project and asked if there were any issues. Razi Hosseini replied that there were no issues and that construction was scheduled to begin later this month.

Councilmember Aguirre-Rodriguez moved to adopt the proposed ordinance. Councilmember Lopez seconded the motion. The motion prevailed by the following vote:

Aye: 10 - Mayor Taylor, Bernal, Toney, Viagran, Saldaña, Gonzales, Lopez, Aguirre-Rodriguez, Nirenberg and Gallagher

Absent: 1 - Krier

The City Clerk read the captions for Items 18A and 18B:

18. Consideration of the following items relating to the San Antonio Missions: [Carlos Contreras, Assistant City Manager; Shanon Miller, Office of Historic Preservation]

2014-10-02-0742

18A. An Ordinance amending Chapter 35 of the Municipal Code (Unified Development Code) of the City of San Antonio to allow for the creation of four Mission Protection Overlay zoning districts.

2014-10-02-0033R

18B. A Resolution in support for the nomination and designation of the San Antonio Missions as a World Heritage Site and endorsing a limited waiver to pay United Nations Educational, Scientific and Cultural Organization dues associated with World Heritage.

Councilmember Viagran expressed her support for the designation of the San Antonio Missions as a World Heritage Site and asked of the partners that had been involved. Shanon Miller replied that a number of partners at the Local, State and National Level had been involved in the process including Bexar County, General Land Office, and National Park Service. Councilmember Viagran thanked everyone involved and submitted a Resolution of Support to the City Clerk from the Community Relations Council of the Jewish Federation.

Mayor Taylor commended Councilmember Viagran for her leadership and stated that this was an important step for the City of San Antonio. She noted that she hoped for a favorable outcome of the designation.

Councilmember Lopez also recognized Councilmember Viagran for her leadership and expressed support for the designation. Councilmember Toney added that this would protect the Missions and looked forward to the designation.

Councilmember Nirenberg expressed support for the Resolution regarding the Overlay

District and highlighted the many investments being made throughout the city that would help celebrate San Antonio's 300th Anniversary.

Councilmember Viagran moved to adopt the proposed ordinance for Item 18A and approve the Resolution for Item 18B. Councilmember Lopez seconded the motion. The motion prevailed by the following vote:

Aye: 10 - Mayor Taylor, Bernal, Toney, Viagran, Saldaña, Gonzales, Lopez, Aguirre-Rodriguez, Nirenberg and Gallagher

Absent: 1 - Krier

ITEM 19 B-PULLED FROM AGENDA; ITEM 19C: 2014-10-02-0743

19. Consideration of the following Board, Commission and Committee appointments for the remainder of unexpired terms of office to expire May 31, 2015, to be effective immediately upon the receipt of eight affirmative votes, or, in the event eight affirmative votes are not received, ten days after appointment; or for terms and effectiveness as otherwise indicated below: [Leticia M. Vacek, City Clerk]

A) Appointing Ricardo A. Perez (District 4) to the San Antonio Youth Commission.

B) Appointing Hope Andrade (District 4) to the Brooks Development Authority.

C) Appointing Katherine A. Shields (District 2) to the San Antonio Housing Trust for the remainder of an unexpired term of office to expire May 31, 2015; and waiving the City Code residency requirement in chapter 2, Article IX, Section 2-259(B), for this appointment.

Councilmember Saldaña stated that Item 19B had been pulled from the agenda and moved to approve Items 19A and 19C. Councilmember Viagran seconded the motion. The motion prevailed by the following vote:

Aye: 10 - Mayor Taylor, Bernal, Toney, Viagran, Saldaña, Gonzales, Lopez, Aguirre-Rodriguez, Nirenberg and Gallagher

Absent: 1 - Krier

The City Clerk read the captions for Items 34A-D:

34. A Public Hearing and consideration of the following items relating to the CST Brands project: [Carlos Contreras, Assistant City Manager; Rene Dominguez,

Director, Economic Development]

2014-10-02-0756

- 34A.** An Ordinance designating the CST Brands Reinvestment Zone located at 19500 Bulverde Road in San Antonio, Texas in Council District 10.

2014-10-02-0757

- 34B.** An Ordinance approving a 10-year, 80% Tax Abatement Agreement based on a capital investment of at least \$27 million in real and personal property improvements and the creation of at least 100 new full-time jobs and the retention of 305 existing full-time jobs.

2014-10-02-0758

- 34C.** An Ordinance approving a \$500,000 EDIF Grant Agreement based on the retention of 280 high wage jobs.

2014-10-02-0036R

- 34D.** A Resolution nominating CST Brands, Inc. for consideration and designation as a State Enterprise Project qualifying the company for a potential refund of up to \$1.25 million over 5 years in state sales and use taxes.

Councilmember Gallagher highlighted said items due to their significance for the City of San Antonio. He stated that CST Brands was a great corporation and had raised over \$19 Million for Children's Miracle Network Hospitals. He noted that they were investing \$27 Million in property as well as creating 100 new jobs and retaining 305 existing jobs.

Councilmember Nirenberg stated that this was a big win for the City of San Antonio and highlighted CST Brands' work in the city. Councilmember Lopez expressed his support and thanked everyone involved.

Councilmember Gallagher moved to adopt the proposed ordinances for Items 34A, 34B and 34C and to approve the Resolution for Item 34D. Councilmember Lopez seconded the motion. The motion prevailed by the following vote:

Aye: 10 - Mayor Taylor, Bernal, Toney, Viagran, Saldaña, Gonzales, Lopez, Aguirre-Rodriguez, Nirenberg and Gallagher

Absent: 1 - Krier

- 35.** City Manager's Report
A. Pre-K 4 SA Update

B. Convention Center Expansion Update

A. Deputy City Manager Peter Zaroni reported that the new school year at Pre-K 4 SA had been a great success. He stated that two new Education Centers had been built bringing the total to four Centers. He noted that there were currently 1,450 students enrolled at Pre-K 4 SA and that each Center had two Bilingual Classes. He mentioned that to gauge success in the development and implementation of the program, Pre-K 4 SA had contracted with Edvance Research and the National Institution of Early Education Research in affiliation with Rutgers University to conduct an independent evaluation. He explained that the evaluation each year would include an Alignment Study of Pre-Kindergarten Readiness Assessments used throughout Texas and an overall Program Assessment. He reported that for the first School Year, the Study measured six outcomes: 1) Cognitive; 2) Literacy; 3) Mathematics; 4) Oral Language; 5) Physical Ability; and 6) Socio-Emotional Behavior. He stated that the first year evaluation results of Pre-K 4 SA Students showed that students met or exceeded a nationally-normed sample of children their age. The Study also showed that although Pre-K 4 SA Students started the School Year significantly below the normed sample; the students surpassed in three of six outcomes and were on par for the remaining three. He noted that Pre-K 4 SA placed a strong emphasis on Family Engagement with dedicated Family Specialists working with families. He mentioned that Pre-K 4 SA partnered with the Baptist Health System's Student Program where their students earned school credit for their service by providing free screenings for Vision and Hearing to all families enrolled at Pre-K 4 SA. He highlighted the Professional Development to Pre-K 4 SA Teachers and Assistants and added that they would build upon successes in the first year by focusing on high-quality Pre-Kindergarten Services and Innovation.

Mayor Taylor and the City Council thanked staff for their work on Pre-K 4 SA.

Item 35B was not addressed.

POINT OF PERSONAL PRIVILEGE

Mayor Taylor recognized City Clerk Leticia Vacek who would be celebrating her birthday on October 7, 2014. The City Council sang Happy Birthday to Mrs. Vacek.

RECESSED

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

RECONVENED

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

CONSENT ZONING ITEMS

Items 36, 37, P-1, Z-1, Z-9, and Z-10 were pulled for Individual Consideration. Councilmember Gallagher moved to approve the remaining items under Consent Zoning: 38, P-2, Z-2, Z-3, Z-4, P-3, Z-5, P-4, Z-6, P-5, Z-7 and Z-8. Councilmember Nirenberg seconded the motion.

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

Mr. Jack M. Finger spoke in opposition to the Art Gallery in Items P-1 and Z-1 noting that there was not sufficient parking and expressed concern with some of the art that had already been displayed. He spoke in opposition to the Auto Paint and Body Repair Shop requested in Item Z-9.

Faris Hodge, Jr. submitted written testimony in favor of all of the Zoning Items.

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

Aye: 9 - Mayor Taylor, Bernal, Toney, Viagran, Gonzales, Lopez, Aguirre-Rodriguez, Nirenberg and Gallagher

Absent: 2 - Saldaña and Krier

2014-10-02-0759

- 38.** An Ordinance waiving requirements of Section 4-6(c), 4-6(d)(1) and Section 4-6(e) (1) of the City Code and authorizing the sale of alcoholic beverages at 14807 O'Connor Road for off-premise consumption at a "Retail – Convenience Store (With Gasoline and Carwash)" within three-hundred feet of Madison High School, a public education institution in the North East Independent School District, located in Council District 10.

2014-10-02-0760

- P-2.** PLAN AMENDMENT #14070 (District 1): An Ordinance amending the future land use plan contained in the Near Northwest Community Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use of Lot 3, Block 239, in NCB 8802 located at 1830 Santa Barbara Street from Urban Low Density Residential land use to Neighborhood Commercial land use. Staff and Planning Commission recommend approval. (Associated Zoning Case Z2014211)

2014-10-02-0761

- Z-2.** ZONING CASE # Z2014211 (District 1): An Ordinance amending the Zoning

District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-1 AHOD" Light Commercial Airport Hazard Overlay District on Lot 3, Block 239, NCB 8802 located at 1830 Santa Barbara Street. Staff and Zoning Commission recommend approval pending the plan amendment. (Associated Plan Amendment 14070)

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 3, BLOCK 239, NCB 8802 TO WIT: FROM "R-6 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "C-1 AHOD" LIGHT COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

2014-10-02-0762

Z-3. ZONING CASE # Z2014227 (District 1): An Ordinance amending the Zoning District Boundary from "R-4 H AHOD" Residential Single-Family Monte Vista Historic Airport Hazard Overlay District to "MF-33 H AHOD" Multi-Family Monte Vista Historic Airport Hazard Overlay District on Lots 12 and 13, Block 1, NCB 1860 located at 127 West Craig 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: LOTS 12 AND 13, BLOCK 1, NCB 1860 TO WIT: FROM "R-4 H AHOD" RESIDENTIAL SINGLE-FAMILY MONTE VISTA HISTORIC AIRPORT HAZARD OVERLAY DISTRICT TO "MF-33 H AHOD" MULTI-FAMILY MONTE VISTA HISTORIC AIRPORT HAZARD OVERLAY DISTRICT.

2014-10-02-0763

Z-4. ZONING CASE # Z2014232 CD (District 2): An Ordinance amending the Zoning District Boundary from "R-4" Residential Single-Family District and "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2 CD" Commercial District with a Conditional Use for Auto and Light Truck Repair and "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for an Auto and Light Truck Repair on Lots 1, 2, 6 and 7, Block 1, NCB 10331 located at 518 Roland 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: LOTS 1, 2, 6 AND 7, BLOCK 1, NCB 10331 TO WIT: FROM "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT AND "R-4 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 CD" COMMERCIAL DISTRICT WITH A CONDITIONAL USE FOR AUTO AND LIGHT TRUCK REPAIR AND "C-2 CD AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR AN AUTO AND LIGHT TRUCK REPAIR PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2014-10-02-0764

P-3. PLAN AMENDMENT #14066 (District 3): An Ordinance amending the future land use plan contained in the Highlands Community Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use of a 2.4861 acre tract of land out of Lot 2, 3 and the West 57.84 feet of Lot 4, Block 6, NCB 10938 located at 712, 720, and 728 Hot Wells from Low Density Residential to Community Commercial. Staff and Planning Commission recommend approval. (Associated Zoning Case Z2014220 CD)

2014-10-02-0765

Z-5. ZONING CASE # Z2014220 CD (District 3): An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2NA CD AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Conditional Use for a Construction Trades Contractor on 2.05 acres out of Lots 2, 3, and 4, Block 6, NCB 10938 located at 712, 720, and 728 Hot Wells. Staff and Zoning Commission recommend approval pending the plan amendment. (Associated Plan Amendment 14066)

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: 2.05 ACRES OUT OF LOTS 2, 3, AND 4, BLOCK 6, NCB 10938 TO WIT: FROM "R-4 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "C-2NA CD AHOD" COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR A CONSTRUCTION TRADES CONTRACTOR PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2014-10-02-0766

P-4. PLAN AMENDMENT #14073 (District 3): An Ordinance amending the future land use plan contained in the Stinson Airport Vicinity Land Use Plan, Component of the Comprehensive Master Plan of the City, by changing the future land use of a 13.46

acre tract of land out of NCB 10879 located at 8010 Aeromedical Road from Regional Commercial land use to High Density Residential land use. Staff and Planning Commission recommend approval. (Associated Zoning Case Z2014197)

2014-10-02-0767

- Z-6.** ZONING CASE # Z2014197 (District 3): An Ordinance amending the Zoning District Boundary from "MR AHOD" Military Reservation Airport Hazard Overlay District to "MF-33 AHOD" Multi-Family Airport Hazard Overlay District on 13.46 acres out of NCB 10879 located at 8010 Aeromedical Road. Staff and Zoning Commission recommend approval pending the plan amendment. (Associated Plan Amendment Case 14073)

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: 13.46 ACRES OUT OF NCB 10879 TO WIT: FROM "MR AHOD" MILITARY RESERVATION AIRPORT HAZARD OVERLAY DISTRICT TO "MF-33 AHOD" MULTI-FAMILY AIRPORT HAZARD OVERLAY DISTRICT.

2014-10-02-0768

- P-5.** PLAN AMENDMENT #14074 (District 3): An Ordinance amending the future land use plan contained in the Stinson Airport Vicinity Land Use Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use of a 9.365 acre tract of land out of NCB 10879 located on a portion of the 7800 Block of South New Braunfels Avenue from High Density Residential to Regional Commercial. Staff and Planning Commission recommend approval. (Associated Zoning Case Z2014228)

2014-10-02-0769

- Z-7.** ZONING CASE # Z2014228 (District 3): An Ordinance amending the Zoning District Boundary from "MR AHOD" Military Reservation Airport Hazard Overlay District to "C-3 AHOD" General Commercial Airport Hazard Overlay District on 36.4 acres out of NCB 10879 located on a portion of the 7800 Block of South New Braunfels Avenue. Staff and Zoning Commission recommend approval pending the plan amendment. (Associated Plan Amendment Case 14074)

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: 36.4 ACRES OUT OF NCB 10879 TO WIT: FROM "MR AHOD" MILITARY RESERVATION AIRPORT HAZARD OVERLAY DISTRICT TO

"C-3 AHOD" GENERAL COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.**2014-10-02-0770**

Z-8. ZONING CASE # Z2014223 (District 3): An Ordinance amending the Zoning District Boundary from "O-1 RIO-4 AHOD" Office River Improvement Overlay-4 Airport Hazard Overlay District to "NC RIO-4 AHOD" Neighborhood Commercial River Improvement Overlay-4 Airport Hazard Overlay District on the north 137.5 feet of Lot 124, Block 2, NCB 2977 located at 815 Steves 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 137.5 FEET OF LOT 124, BLOCK 2, NCB 2977 TO WIT: FROM "O-1 RIO-4 AHOD" OFFICE RIVER IMPROVEMENT OVERLAY-4 AIRPORT HAZARD OVERLAY DISTRICT TO "NC RIO-4 AHOD" NEIGHBORHOOD COMMERCIAL RIVER IMPROVEMENT OVERLAY-4 AIRPORT HAZARD OVERLAY DISTRICT.

CONSENT ZONING ITEMS CONCLUDED**ITEMS PULLED FOR INDIVIDUAL CONSIDERATION**

The City Clerk read the captions for Items 36 and 37:

- 36.** Second Public Hearing regarding the Limited Purpose Annexation of a 36.266 acre undeveloped tract located at 3890 South Loop 1604. [Peter Zanoni, Deputy City Manager; John Dugan, Director, Department of Planning and Community Development]
- 37.** Second Public Hearing regarding the voluntary annexation of 9.19 acres of land, located at 3610 Valley Road, as requested by the San Antonio Water System. [Peter Zanoni, Deputy City Manager; John Dugan, Director, Department of Planning and Community Development]

Mayor Taylor opened the public hearings for Items 36 and 37. She stated that no citizens were registered to speak and closed the public hearings. She added that no action was required for Items 36 and 37.

Item Z-10 was addressed at this time.

CONTINUED TO NOVEMBER 6, 2014

Z-10. ZONING CASE # Z2014080 (District 9): An Ordinance amending the Zoning District Boundary from "R-20" Residential Single-Family District to "NP-10" Neighborhood Preservation District on Lots 1, 2, 3, 4 and 5, Block 1, NCB 11670 located at 11303 and 11327 Dreamland. Staff and Zoning Commission recommend approval.

John Jacks presented Item Z-10 and stated that staff and the Zoning Commission recommended approval. He reported that of 41 notices mailed; five were returned in favor and 13 were returned in opposition. He noted that the Whispering Oaks Homeowners Association was opposed to the request. He added that the case would require nine votes for approval due to the amount of opposition.

Councilmember Gallagher moved to continue Item Z-10 until November 6, 2014. Councilmember Viagran seconded the motion. The motion prevailed by the following vote:

Aye: 10 - Mayor Taylor, Bernal, Toney, Viagran, Saldaña, Gonzales, Lopez, Aguirre-Rodriguez, Nirenberg and Gallagher

Absent: 1 - Krier

Items P-1 and Z-1 were addressed jointly at this time.

CONTINUED TO NOVEMBER 6, 2014

P-1. PLAN AMENDMENT #14005 (District 1): An Ordinance amending the future land use plan contained in the Midtown Neighborhood Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use of the south 44 feet of Lots 5 & 6, Block 48, NCB 1872 located at 115 Michigan Avenue from Low Density Residential and Mixed Use to Mixed Use. Staff and Planning Commission recommend approval. (Associated Zoning Case Z2014230 CD)

CONTINUED TO NOVEMBER 6, 2014

Z-1. ZONING CASE # Z2014230 CD (District 1): An Ordinance amending the Zoning District Boundary from "RM-4 NCD-5 AHOD" Residential Mixed Beacon Hill Neighborhood Conservation Airport Hazard Overlay District to "RM-4 CD NCD-5 AHOD" Residential Mixed Beacon Hill Neighborhood Conservation Airport Hazard Overlay District with a Conditional Use for an Art Gallery on the south 44 feet of Lots 5 & 6, Block 48, NCB 1872 located at 115 Michigan Avenue. Staff and Zoning Commission recommend approval pending the plan amendment. (Associated Plan Amendment Case 14005)

Councilmember Saldaña recused himself from Items P-1 and Z-1 by exiting the Council Chambers and noting that he submitted the recusal forms to the City Clerk.

John Jacks presented Item P-1 and stated that it would amend the future land use plan contained in the Midtown Neighborhood Plan. He stated that staff and the Planning Commission recommended approval.

For Item Z-1, he reported that staff and the Zoning Commission recommended approval. He stated that of 23 notices mailed; seven were returned in favor and 12 were received in opposition. He noted that the Beacon Hill Neighborhood Association was in support of the request. He added that due to the amount of opposition, the case would require nine votes for approval.

Mayor Taylor stated that she had the opportunity to discuss the case with a few individuals and appreciated the correspondence that she had received. She noted that there had been new developments over the last two days and would entertain a motion to continue the items in order to address concerns.

Councilmember Aguirre-Rodriguez moved to continue Items P-1 and Z-1 until November 6, 2014. Councilmember Toney seconded the motion. Councilmember Aguirre-Rodriguez stated that they needed additional time to understand the details and get a better idea of how to best move forward.

Councilmember Bernal stated that it was difficult to support either the neighbors or a small business but hoped they could find a way to make it work for all parties involved. He noted that the building in question had been used as a business and as a residence in the past and that the Neighborhood Plan identified it as both. He added that they would be exploring options for parking for the Art Gallery.

Mayor Taylor called upon the citizens registered to speak.

Rob Killen stated that he was speaking on behalf of the applicant in support of the request. He presented a map of the area and noted that the requested use was compatible with the area. He noted that they had submitted a request to the Zoning Board of Adjustment to address the three space parking requirement and staff was supportive of the request. He added that the Zoning and Planning Commissions, Staff, and the Beacon Hill Neighborhood Association were all supportive of the request.

Lewis A. Herbeck, Jr. addressed the City Council in opposition to the request. He stated that he lived in the neighborhood and was concerned with the parking, traffic and decrease in property values.

Chris Sauter spoke in favor of the zoning request. He stated that San Antonio lacked in Art Galleries and felt that Local Artists should be supported. He noted that there were other Artist Studios and Galleries in the area and that the parking impact would be limited.

Jess Gonzalez stated that she was representing the Esperanza Peace and Justice Center in opposition to the zoning request. She expressed concern with the encroachment by Commercial Development and that no policy existed to address Gentrification.

Carmen Tafolla stated that she had served as the City's Poet Laureate from 2012-2014 and was an Associate Professor at UTSA. She noted that she was an Artist and supported the Arts but was opposed to the zoning request. She added that she lived in the neighborhood and was concerned with the commercialization of a residential area.

Karen Herrera and Madeleine Nerio each played a video of various individuals speaking in opposition to the zoning request.

Hills Snyder stated that he was in support of the zoning request.

Jessica Fuentes stated that her parents had purchased a home in the neighborhood and that she was speaking on her mother's behalf in opposition to the zoning request. Ms. Fuentes noted that she had also purchased a home in the neighborhood and had lived in Beacon Hill for over 30 years. She expressed concern that the Art Gallery had been operating without the proper zoning and parking requirements.

Jerry Lockey spoke in support of the Art Gallery and stated that it would not change their Neighborhood Plan. He added that the Beacon Hill Neighborhood Association was in favor of the zoning request and had held several meetings to gather input from the residents.

Billy Lambert stated that he was the original applicant for the zoning request and had always resided in the Downtown Area. He provided a history of the building and noted that he had discussed their proposal with the Neighborhood Association and received support. He mentioned that he had been going through this process for 14 months and needed to work.

Celeste Wackenhut stated that she was Co-Applicant and spoke of the process they had gone through over the last 14 months. She noted that they had welcomed members of the Art Community into their home and wanted to bring Art, Design Concepts, and Education to the area. She expressed concern that they had gone bankrupt during this time and that they had been harassed by Ms. Jessica Fuentes. She asked if she had the right to allow public access to a building constructed for public use.

Reverend Peter Manfred stated that he was a Retired Lutheran Minister and had become involved in the case through Mr. Billy Lambert. He noted that he knew Mr. Lambert and Ms. Celeste Wackenhut very well and they were people of good heart and spirit. He expressed concern with the dissemination of false information.

Ann Fitzgibbons stated that she was supportive of the request and felt that the applicants wanted what was best for the neighborhood.

Cosima Colvin stated that the Beacon Hill Neighborhood Association was open to anyone that lived in the area regardless if they were homeowners or renters. She noted that the process had been open, inclusive, transparent and democratic and that the Art Gallery would benefit the community.

Cynthia Spielman stated that she had lived within walking distance of the Art Gallery for 15 years and was supportive of the zoning request. She noted that she did not feel the request was unreasonable and that it would help revitalize the area.

Sarah Sudhoff stated that the Beacon Hill Neighborhood was a friendly, diverse, and walkable neighborhood and she was supportive of the rezoning.

Alonzo Alston addressed the City Council in support of the rezoning. He stated that neighborhoods should evolve and grow and felt that the Art Gallery would benefit the neighborhood.

Jessica O. Guerrero stated that she was opposed to the rezoning due to Gentrification. She noted that although it was important to support the business community, it was also necessary to support neighborhoods.

Rolando Briseno stated that he lived across the street from the Gallery and was in support of the rezoning. He noted that the Fredericksburg Corridor was in dire need of new businesses and did not feel that parking was a significant issue.

Charlotte Nerio played a video of various individuals in opposition to the rezoning.

Mrs. Vacek announced that seven written testimonies had been received in opposition to the zoning request from the following individuals: Edward Sanchez, Laura Rodriguez, Andrea Porter, Joan Lorenzi, Juan De Leon, Adrian Guerrero, and Gloria Garza.

Mayor Taylor thanked everyone that spoke. She stated that Mayor Castro had created the Mayor's Task Force on Preserving Diverse and Dynamic Neighborhoods and they would

be working on a series of policy recommendations.

Councilmember Aguirre-Rodriguez stated that she was a Small Business Owner and understood the concerns that had been addressed. She spoke of the need for trust on both sides of the issue and added that parking was a long-term issue that needed to be addressed.

Councilmember Nirenberg stated that the Art Gallery would add richness and cultural vitality to the neighborhood but understood the concerns regarding parking. He added that he hoped that they could come to a resolution.

Councilmember Gonzales stated that she was a Small Business Owner and had been through a lengthy zoning case that cost a great amount of money. She spoke of parking issues that were prevalent within the Inner City.

The motion to continue prevailed by the following vote:

Aye: 9 - Mayor Taylor, Bernal, Toney, Viagran, Gonzales, Lopez, Aguirre-Rodriguez, Nirenberg and Gallagher

Absent: 1 - Krier

Abstain: 1 - Saldaña

Item Z-9 was addressed at this time.

2014-10-02-0771

Z-9. ZONING CASE # Z2014176 CD (District 5): An Ordinance amending the Zoning District Boundary from "C-3R GC-2 AHOD" General Commercial Restrictive Alcoholic Sales Highway 151 Gateway Corridor Airport Hazard Overlay District to "C-2 CD GC-2 AHOD" Commercial Highway 151 Gateway Corridor Airport Hazard Overlay District with a Conditional Use for Auto Paint And Body - Repair With Outside Storage Of Vehicles And Parts Permitted But Totally Screened From View Of Adjacent Property Owners And Public Roadways on 1.299 acres out of a portion of Lot 37 (formerly known as Lot 35), NCB 8670 located on a portion of 2842 Castroville Road. 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: 1.299 ACRES OUT OF A PORTION OF LOT 37 (FORMERLY KNOWN AS LOT 35), NCB 8670 TO WIT: FROM "C-3R GC-2 AHOD"

GENERAL COMMERCIAL RESTRICTIVE ALCOHOLIC SALES HIGHWAY 151 GATEWAY CORRIDOR AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 CD GC-2 AHOD" COMMERCIAL HIGHWAY 151 GATEWAY CORRIDOR AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR AUTO PAINT AND BODY - REPAIR WITH OUTSIDE STORAGE OF VEHICLES AND PARTS PERMITTED BUT TOTALLY SCREENED FROM VIEW OF ADJACENT PROPERTY OWNERS AND PUBLIC ROADWAYS PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

John Jacks presented Item Z-9 and stated that staff and the Zoning Commission recommended approval. He reported that of 24 notices mailed; none were returned in favor and three were received in opposition.

Councilmember Gonzales moved to approve the proposed ordinance for Item Z-9. Councilmember Gallagher seconded the motion. The motion prevailed by the following vote:

Aye: 9 - Mayor Taylor, Bernal, Toney, Viagran, Gonzales, Lopez, Aguirre-Rodriguez, Nirenberg and Gallagher

Absent: 2 - Saldaña and Krier

ADJOURNMENT

There being no further discussion, Mayor Taylor adjourned the meeting at 4:10 pm.

APPROVED

IVY R. TAYLOR
MAYOR

ATTEST:

LETICIA M. VACEK, TRMC/MMC
CITY CLERK