

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



**DRAFT  
Meeting Minutes  
City Council A Session**

City Hall Complex  
105 Main Plaza  
San Antonio, Texas 78205

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Thursday, March 2, 2017

9:00 AM

Municipal Plaza Building

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The City Council of San Antonio convened in a Regular Council Meeting. City Clerk Leticia Vacek took the Roll Call and noted the following Councilmembers present:

**PRESENT:** 10 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg and Gallagher

**ABSENT:** 1 - Krier

Mrs. Vacek announced that Councilmember Krier was ill and would not be in attendance.

1. The Invocation was delivered by Pastor John Garland, San Antonio Mennonite Church, guest of Councilmember Roberto C. Treviño, District 1
2. Mayor Taylor led the Pledge of Allegiance to the Flag of the United States of America.
3. Approval of Minutes for the Regular City Council meetings of January 18 - 19, 2017.

Councilmember Gallagher moved to approve the Minutes for the Regular City Council Meetings of January 18-19, 2017. Councilmember Saldaña seconded the motion. The motion prevailed by the following vote:

**AYE:** 10 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg and Gallagher

**ABSENT:** 1 - Krier

### **POINTS OF PERSONAL PRIVILEGE**

Mayor Taylor recognized Councilmember Gallagher who welcomed Chad Sutherland and Jeffrey Schmidt, Athletic Trainers at MacArthur High School. He noted that Messrs. Sutherland and Smith saved a student's life that had fallen gravely ill during a workout. He thanked them for their quick actions and presented them with Certificates of Recognition. Councilmember Saldaña recognized everyone present for National Athletic Trainers Month. He stated that it was important to recognize the great relationships that are built between Athletes and their Trainers. Fire Chief Hood recognized the two Paramedics responded that day; Rene and Daniel. He noted that the student was back in school and had not suffered any neurological deficits. Ms. Deena Kilpatrick, Athletic Trainer for the Fire Department, accepted a Proclamation for National Athletic Trainers Month and thanked the City Council for the recognition.

Mayor Taylor recognized Councilmember Gonzales who presented a Certificate of Accomplishment to Rosette Davila for her accomplishment of breeding a dog, Caliente Dangerous Gale-Force Winds, that won Best of Breed at the Westminster Kennel Club Dog Show in New York. She noted that Ms. Davila was the Vice-President of Davila Pharmacy in District 5. Ms. Davila thanked the City Council for the recognition. Mayor Taylor thanked the Davila Family for their contributions to San Antonio.

### **CONSENT AGENDA ITEMS**

Items 6A, 6B, 10, 11, and 14 were pulled for Individual Consideration. Councilmember Treviño moved to approve the remaining Consent Agenda Items. Councilmember Viagran seconded the motion. Mayor Taylor called upon Jack M. Finger to speak.

Jack M. Finger spoke in opposition to the Professional Services Agreement with Bain Medina Bain, Inc. (Item 13) due to the Campaign Finance Contributions they provided to the City Council. He noted concern that citizens of areas proposed for annexation were unable to vote on same (Item 14).

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

**AYE:** 10 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg and Gallagher

**ABSENT:** 1 - Krier

**2017-03-02-0121**

4. An Ordinance authorizing an agreement with the University of Texas Health Science Center San Antonio School of Dentistry in the amount of \$75,000 for the provision of dental services for a term beginning February 1, 2017 to January 31, 2020. [Erik Walsh, Deputy City Manager, Vincent R. Nathan, PhD, MPH, Interim Health Director]

**2017-03-02-0122**

5. An Ordinance authorizing the execution of eight On-Call Construction Inspection Services Agreements with Sunland Group, Inc., Dean Consulting Group, PLLC, Foster CM Group, Inc., Lackey de Carvajal Cx, Straight Line Management, LLC, AG/CM Inc., Jasmine Engineering, Inc., and WestEast Design Group each in the amount of not to exceed \$500,000.00 per year for a term of one year, with two additional one-year extensions options to provide as needed On-Call Construction Inspection Services for City Capital Improvement projects. [Peter Zaroni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

**2017-03-02-0125**

7. An Ordinance authorizing a lease agreement with United States Customs and Border Protection for the General Aviation Federal Inspection Station for the San Antonio International Airport located at 1778 Skyplace Blvd. [Carlos Contreras, Assistant City Manager; Russell Handy, Director, Aviation]

**2017-03-02-0126**

8. An Ordinance authorizing First Amendment and Extension to First Amended and Restated Baseball Stadium Facility Lease Agreement with the San Antonio Missions Baseball Club, Inc., extending the Agreement through September 30, 2021. [Carlos Contreras, Assistant City Manager; Michael J. Sawaya, Director, Convention and Sports Facilities]
9. Consideration of the following Board, Commission and Committee appointments for the remainder of unexpired terms of office to expire May 31, 2017, 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 Letty Lozano (District 4) to the Small Business Advocacy Committee.
- B) Appointing Angel Jose Gonzalez II (District 4) to the San Antonio Housing Commission to Protect and Preserve Dynamic & Diverse Neighborhoods.
- C) Appointing Michael MacNaughton (District 9) to the SA2020 Commission on Education.
- D) Appointing Barbara Scheib (District 10) to the SA2020 Commission on Strengthening Family Well-being.
- E) Appointing Marc K. Whyte (District 10) to the Port Authority of San Antonio.
- F) Appointing John Gavin Rogers (District 1) to the Building Standards Board.
- G) Reappointing Edna Doris Griffin (District 7) to the City/County Joint Commission on Elderly Affairs.
- H) Appointing Rodney Van Kirk (District 10) to the Ethics Review Board for the remainder of an unexpired term of office to expire April 25, 2017 and reappointing Adriana R. Garcia (District 4) for the remainder of an unexpired term of office to expire April 25, 2018.
- I) Appointing Marcia L. Ince (District 9) to the San Antonio Public Library Board of Trustees for the remainder of an unexpired term of office to expire September 30, 2017.

**2017-03-02-0129**

12. An Ordinance authorizing two funding agreements: one with the University of Texas San Antonio in an amount not to exceed \$1,069,113.00, and one with the United States Geological Survey in an amount not to exceed \$432,500.00, for water quality demonstration projects under the Proposition 1 Edwards Aquifer Protection Program for a period of three years; and the execution of necessary documents by the Director of Parks and Recreation. [María Villagómez, Assistant City Manager; Xavier Urrutia, Director, Parks and Recreation]

**2017-03-02-0130**

13. An Ordinance authorizing on-call professional services agreements with Bain Medina Bain, Inc. in an amount not to exceed \$2,000,000.00 and Terra Design Group, Inc. in an amount not to exceed \$1,100,000.00 for architectural and engineering design services for the Howard W. Peak Greenway Trails System for a period of three years from the date of execution, with an option to extend the agreements for an additional two years. [Maria Villagomez, Assistant City Manager; Xavier Urrutia, Director, Parks and Recreation]

**2017-03-02-0132**

15. An Ordinance selecting Monterrey Iron & Metal Co. and awarding a contract for metal recycling, with an estimated \$60,000.00 in annual revenue to the Solid Waste Operating and Maintenance Fund for an initial term of three years with two additional one year renewal options. [Roderick J. Sanchez, Assistant City Manager; David W. McCary, Director, Solid Waste Management]

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

City Clerk Vacek read the captions for Items 6A and 6B:

6. Consideration of the following two contracts totaling \$3,674,258.50 for the FY 2017 Infrastructure Management Program and Neighborhood Access and Mobility Program: [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

**2017-03-02-0123**

- 6A. An Ordinance for the FY 2017 Infrastructure Management Program awarding the 2017-2018 Task Order Contract for Flatwork and Street Improvements, Package 23 to D. Guerra Construction, LLC, for a contract term of two years and in an amount not to exceed \$3,272,427.50, of which \$98,500.00 will be reimbursed by San Antonio Water System for necessary adjustments to its existing infrastructure.

**2017-03-02-0124**

- 6B. An Ordinance for the FY 2017 Neighborhood Access and Mobility Program awarding the 2017-2018 Task Order Contract for Flatwork and Street Improvements, Package 22 to MCOR Construction Company for a contract term of two years and in an amount not to exceed \$401,831.00.

Anthony Chukwudolue made a brief presentation and denoted that the contract would include work for sidewalks, curbs, and driveway approaches. He stated that the goal was to enhance connectivity of the sidewalk network by building sidewalks where gaps exist. He outlined the Neighborhood Access and Mobility Program (NAMP) that provides funding for projects that address mobility and traffic issues within neighborhoods. He reported that \$200,000 was provided to each Council District in FY 2017 and that eligible projects include the installation of ADA Ramps, Flashing Beacons, and Sidewalks. He noted that staff recommended approval of an Ordinance accepting the lowest responsive bid for flatwork and street improvements and awarding a Task Order Contract to D. Guerra Construction, LLC (Package 23) and MCOR Construction Company (Package 22). Councilmember Medina asked if this was expanding the current NAMP Program. Mr. Chukwudolue replied that this would increase the capacity for the pool of Contractors to help complete the programs before the end of the fiscal year.

Councilmember Viagran asked if the Contractors would work on 2016 Projects that had not been implemented. Mr. Chukwudolue replied that they would.

Councilmember Medina moved to adopt the Ordinances for Items 6A and 6B. Councilmember Lopez seconded the motion. The motion prevailed by the following vote:

**AYE:** 10 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg and Gallagher

**ABSENT:** 1 - Krier

City Clerk Vacek read the caption for Item 10:

**2017-03-02-0127**

- 10.** An Ordinance amending the Master Interlocal Agreement with Bexar County to update the requirements, deliverables, and compensation related to Crime Lab/Medical Examiner, Hotel Occupancy Tax collection, Magistration and Truancy services. [Carlos J. Contreras, Assistant City Manager; Jeff Coyle, Director, Government and Public Affairs]

Councilmember Warrick asked how this would work with Ballistics. Jeff Coyle replied that this was an amendment to the fee schedule for the Crime Lab and Medical Examiner and did not have information regarding Ballistics.

Councilmember Warrick moved to adopt the Ordinance for Item 10. Councilmember Viagran seconded the motion. The motion prevailed by the following vote:

**AYE:** 10 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg and Gallagher

**ABSENT:** 1 - Krier

City Clerk Vacek read the caption for Item 11:

**2017-03-02-0128**

- 11.** An Ordinance adopting the Brackenridge Park Master Plan. [Maria Villagomez, Assistant City Manager; Xavier Urrutia, Director, Parks and Recreation]

Xavier Urrutia presented a Power Point and stated that Rialto Studio had taken the lead on the Brackenridge Master Plan but also worked with other partners including the Brackenridge Park Conservancy. He spoke of the existing Park Conditions that include a diminished natural habitat, poor pedestrian connectivity, and limited free public space. He highlighted Master Plan Recommendations: 1) Focus on Park Wellbeing; 2) Integrate Park with surroundings; 3) Enlarge the Park; 4) Strengthen the Park Flow along the River; and 5) Balance Use Portfolio. He noted the Public Engagement Timeline in which Stakeholder Meetings began in June 2015 and a Public Presentation made in April 2016. He indicated that additional Public Input was solicited from June through July 2016 with 384 attendees. He stated that Endorsed Master Plan Strategies included the restoration of natural features and improved water quality, preserving and restoring Cultural and Historic Features, and Increasing Park Visibility and Pedestrian Access. He added that staff recommended the adoption of the Brackenridge Park Master Plan.

Mayor Taylor called upon the citizens registered to speak.

Tom Christal, Vice-Chair of the Brackenridge Park Conservancy addressed the Council in support of the Brackenridge Master Plan. He thanked Mayor Taylor for her support and stated that together with the City of San Antonio, the Conservancy would help take the park forward into the future that it deserves.

Lynn Borne-Bobbitt, Executive Director of the Brackenridge Park Conservancy, addressed the Council and thanked City Staff for their work. She noted that the Conservancy had listened to the comments expressed during the public hearings and taken them into consideration. She announced that a Summit on Brackenridge Park would be held the following day at the Pearl Stable.

Elise Urrutia addressed the Council and stated that while she currently resides in District 10; she has a strong connection to District 2 as her Great Grandfather was the creator of

Miraflores. She stated that she attended many of the meetings on the Brackenridge Park Master Plan and was in support of the recommendations.

Anthony Cantu stated that he was in support of the adoption of the Brackenridge Master Plan and had previously served as the Chair of the Museum Reach Subcommittee. He noted that the work at Brackenridge Park was essential in its preservation and that this was a great long-term investment.

Councilmember Treviño thanked everyone for their hard work and noted that the additional stakeholder meetings were a great gesture. He commended Councilmembers Saldaña, Warrick and Gonzales who were supportive of the process and recognized Maria Villagomez, noting that he was pleased to see an Assistant City Manager who was so engaged. He thanked Xavier Urrutia and the Brackenridge Park Conservancy for their help in creating a better process. He stated that this model could be used for other City Projects and further engage the Citizens of San Antonio. He read a letter from Maria Antonietta Berriozabal thanking Councilmember Treviño and Xavier Urrutia for opening up the process for the Brackenridge Master Plan. She wrote that Brackenridge Park was beloved throughout the city and noted the need to maintain its natural beauty and historic value.

Councilmember Nirenberg commended all for their work and stated that he was pleased with the process. He noted that Brackenridge Park was a treasure for the city and mentioned that he had previously served on the Brackenridge Park Conservancy Board. He recognized Graham Weston, Leilah Powell and others that worked on the Brackenridge Master Plan.

Councilmember Warrick stated that he was pleased with the process and commended all for their work. He noted that they had exceeded expectations and had learned valuable lessons. He thanked the Conservancy for their work and tour conducted, and encouraged others to tour the park and learn about everything it has to offer.

Councilmember Gonzales asked if there was a fee to attend to summit tomorrow. Ms. Bobbitt replied that there was not a fee and was open to the public. Councilmember Gonzales asked of the Events Based Master Planning. Mr. Urrutia replied that they had worked to ensure that the concepts and ideas became real. He mentioned the Pump House which was the oldest industrial building in the city. Councilmember Gonzales thanked everyone for their work and spoke of the importance of allowing people to experience nature in an organic way. She mentioned one of her favorite days when she drove to The Pearl and had a cup of coffee at Local Coffee. She then placed her kids in a stroller and jogged to Brackenridge Park where they spent the day. She returned to The Pearl and they had lunch at Bakery Lorraine. She added that she hoped everyone could enjoy the park as much as she did.



Councilmember Viagran also thanked everyone for their work and spoke of the importance of neighborhood participation in the planning process. She asked of the cost of the recommendations for Brackenridge Park. Mr. Urrutia replied that it would depend but the highest item was the Drainage System. He noted that some strategies could be addressed through the Bond Program. Mayor Taylor noted her support and thanked everyone for their work.

Councilmember Treviño moved to adopt the Ordinance for Item 11. Councilmember Warrick seconded the motion. The motion prevailed by the following vote:

**AYE:** 10 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg and Gallagher

**ABSENT:** 1 - Krier

City Clerk Vacek read the caption for Item 14:

**2017-03-02-0131**

- 14.** An Ordinance authorizing a non-annexation agreement until December 31, 2033 with subsequent voluntary annexation effective on that date between the City of San Antonio and the representatives of the US 281 North Residential Annexation Area, appointed by the Bexar County Commissioners Court. [Peter Zanoni, Deputy City Manager; Bridgett White, Director, Planning]

Councilmember Nirenberg expressed concern with annexing an area that would be ill-equipped to serve to the standards expected. He also noted concern with negotiating significant non-annexation agreements with a vast portion of the 281 Corridor but not giving the same consideration to the IH-10 Corridor.

Councilmember Gonzales asked what was being approved. Peter Zanoni replied that they were requesting authorization to approve a 17-Year Non-Annexation Agreement. He noted that there were major terms associated with the agreement that would be effective immediately while annexation would not occur until 17 years from now by Council Approval.

Councilmember Nirenberg moved to deny Item 14. Councilmember Gonzales seconded the motion. The motion failed by the following vote:

**AYE:** 2 - Gonzales and Nirenberg

**NAY:** 7 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Lopez and Gallagher

**ABSENT:** 2 - Medina and Krier

Councilmember Gallagher stated that it was important to protect the future of San Antonio and that they must strongly support what staff was recommending. He added that they could not put the City's Military Installations in danger by not having control of the area.

Councilmember Nirenberg stated that he would reject the notion that supporting a denial of Non-Annexation would put the Military at risk.

Councilmember Gallagher moved to adopt the Ordinance for Item 14. Councilmember Warrick seconded the motion. The motion to approve prevailed by the following vote:

**AYE:** 8 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez and Gallagher

**NAY:** 1 - Nirenberg

**ABSENT:** 2 - Medina and Krier

## **16. City Manager's Report**

There was no City Manager's Report.

### **RECESSED**

Mayor Taylor recessed the meeting at 10:38 am and announced that the meeting would resume at 2:00 pm for Zoning.

### **RECONVENED**

Mayor Taylor reconvened the meeting at 2:03 pm and addressed the Consent Zoning Items.

### **CONSENT ZONING ITEMS**

Zoning Items Z-3, Z-4, P-1, Z-5, Z-7, and Z-10 were pulled for Individual Consideration. Councilmember Warrick moved to approve the remaining Consent Zoning Items. Councilmember Gallagher seconded the motion.

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

vote:

**AYE:** 8 - Mayor Taylor, Treviño, Warrick, Viagran, Gonzales, Lopez, Nirenberg and Gallagher

**ABSENT:** 3 - Saldaña, Medina and Krier

**2017-03-02-0133**

- 17.** ALCOHOL VARIANCE # AV2017004 (Council District 2): An Ordinance granting a Variance to City Code 4-6(c)(1-3) and 4-6(d)(1) of the City Code and authorizing the sale of alcoholic beverages on All of Block, NCB 12398, located at 4427 Moana Drive for on-premise consumption within three-hundred (300) feet of the St. Thomas More Catholic School, a private education institution.

**2017-03-02-0134**

- 18.** ALCOHOL VARIANCE # AV2017003 (Council District 10): An Ordinance granting a Variance to City Code 4-6(c)(1-4) and 4-6(d)(1) of the City Code and authorizing the sale of alcoholic beverages on Lot 1, Block 30, NCB 17728, located at 5135 North Loop 1604 East for off-premise consumption within three-hundred (300) feet of the Trinity Christian Academy, a private education institution. (Continued from February 9, 2017)

**2017-03-02-0135**

- Z-1.** ZONING CASE # Z2017040 (Council District 1): An Ordinance amending the Zoning District Boundary from "C-3R H AHOD" General Commercial Restrictive Alcoholic Sales Lavaca Historic Airport Hazard Overlay District and "C-3R H HS AHOD" General Commercial Restrictive Alcoholic Sales Lavaca Historic Significant Airport Hazard Overlay District to "IDZ H AHOD" Infill Development Zone Lavaca Historic Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and a Bar on the North 35 feet of Lot 26 and the South 25 feet of Lot 27, Block 4, NCB 902 and to "IDZ H HS AHOD" Infill Development Zone Lavaca Historic Significant Airport Hazard Overlay District with uses permitted in "C-2" Commercial District on Lot 43, NCB 903, and to "IDZ H AHOD" Infill Development Zone Lavaca Historic Airport Hazard Overlay District with uses permitted in "C-2" Commercial District on the W 125 feet of the North 34.5 feet of Lot 44, NCB 903; located at 712 South St. Mary's Street, 516 South Presa Street, and 520 South Presa 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: THE NORTH 35 FEET OF LOT 26 AND THE SOUTH 25 FEET OF LOT 27, BLOCK 4, NCB 902 TO WIT: FROM "C-3R H AHOD" GENERAL COMMERCIAL RESTRICTIVE ALCOHOLIC SALES LAVACA HISTORIC AIRPORT HAZARD OVERLAY DISTRICT TO "IDZ H AHOD" INFILL DEVELOPMENT ZONE LAVACA HISTORIC AIRPORT HAZARD OVERLAY DISTRICT WITH USES PERMITTED IN "C-2" COMMERCIAL DISTRICT AND A BAR.

**2017-03-02-0136**

**Z-2.** ZONING CASE # Z2017048 (Council District 1): An Ordinance amending the Zoning District Boundary from "C-2 NCD-1 AHOD" Commercial South Presa/South St. Mary's Neighborhood Conservation Airport Hazard Overlay District to "IDZ NCD-1 AHOD" Infill Development Zone South Presa/South St. Mary's Neighborhood Conservation Overlay Airport Hazard Overlay District with uses permitted in "C-2" Commercial District on Lot 1, Block 7, NCB 734, located at 1200 South Presa Street. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 1, BLOCK 7, NCB 734 TO WIT: FROM "C-2 NCD-1 AHOD" COMMERCIAL SOUTH PRESA/SOUTH ST. MARY'S NEIGHBORHOOD CONSERVATION AIRPORT HAZARD OVERLAY DISTRICT TO "IDZ NCD-1 AHOD" INFILL DEVELOPMENT ZONE SOUTH PRESA/SOUTH ST. MARY'S NEIGHBORHOOD CONSERVATION OVERLAY AIRPORT HAZARD OVERLAY DISTRICT WITH USES PERMITTED IN "C-2" COMMERCIAL DISTRICT.

**2017-03-02-0138**

**P-2.** PLAN AMENDMENT # 17020 (Council District 8): An Ordinance amending the North Sector Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use from "Rural Estate Tier" to "Suburban Tier" on 4.274 acres out of NCB 34034, located in the 140-150 Block of Palmilla Court. Staff and Planning Commission recommend Approval. (Associated Zoning Case Z2017035)

**2017-03-02-0139**

**Z-6.** ZONING CASE # Z2017035 (Council District 8): An Ordinance amending the Zoning District Boundary from "PUD O-1 MSAO-1 MLOD-1" Planned Unit Development Office Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay District and "PUD MF-25 MSAO-1 MLOD-1" Planned Unit Development Low Density Multi-Family Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay District to "O-1.5 MSAO-1 MLOD-1" Mid-Rise Office Camp Bullis Military Sound Attenuation

Overlay Camp Bullis Military Lighting Overlay District on 4.274 acres out of NCB 34034, located in the 140-150 Block of Palmilla Court. Staff and Zoning Commission recommend Approval. (Associated Plan Amendment 17020)

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: 4.274 ACRES OUT OF NCB 34034 TO WIT: FROM "O-1 PUD MSAO-1 MLDO-1" PLANNED UNIT DEVELOPMENT OFFICE CAMP BULLIS MILITARY SOUND ATTENUATION OVERLAY CAMP BULLIS MILITARY LIGHTING OVERLAY DISTRICT & "MF-25 PUD MSAO-1 MLOD-1" PLANNED UNIT DEVELOPMENT LOW DENSITY MULTI-FAMILY CAMP BULLIS MILITARY SOUND ATTENUATION OVERLAY CAMP BULLIS MILITARY LIGHTING OVERLAY DISTRICT TO "O-1.5 MSAO-1 MLOD-1" MID RISE OFFICE CAMP BULLIS MILITARY SOUND ATTENUATION OVERLAY CAMP BULLIS MILITARY LIGHTING OVERLAY DISTRICT.

**2017-03-02-0141**

**P-3.** PLAN AMENDMENT # 17015 (Council District 10): An Ordinance amending the North Sector Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use from "Suburban Tier" to "General Urban Tier" on 18.2274 acres out of NCB 16587, located in the 16300 Block of Nacogdoches Road. Staff and Planning Commission recommend Approval. (Associated Zoning Case Z2017047)

**2017-03-02-0142**

**Z-8.** ZONING CASE # Z2017047 (Council District 10): 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 18.2274 acres out of NCB 16587, located in the 16300 Block of Nacogdoches Road. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment 17015)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 18.2274 ACRES OUT OF NCB 16587 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.

**2017-03-02-0143**

- P-4.** PLAN AMENDMENT # 16081 (Council District 10): An Ordinance amending the North Sector Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use from "Suburban Tier" to "Regional Center" on 5.593 acres out of NCB 17727, located in the 17700 block of Bulverde Road. Staff and Planning Commission recommend Approval. (Associated Zoning Case Z2016267 ERZD)

**2017-03-02-0144**

- Z-9.** ZONING CASE # Z2016267 ERZD (Council District 10): An Ordinance amending the Zoning District Boundary from "C-3 ERZD" General Commercial Edwards Recharge Zone District and "C-3 PC-1 ERZD" General Commercial Bulverde Road Preservation Corridor Overlay Edwards Recharge Zone District to "MF-33 ERZD" Multi-Family Edwards Recharge Zone District and "MF-33 PC-1 ERZD" Multi-Family Bulverde Road Preservation Corridor Overlay Edwards Recharge Zone District on 15.155 acres out of NCB 17727, located in the 17700 Block of Bulverde Road. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment 16081)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 15.155 ACRES OUT OF NCB 17727 TO WIT: FROM "C-3 ERZD" GENERAL COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT AND "C-3 PC-1 ERZD" GENERAL COMMERCIAL BULVERDE ROAD PRESERVATION CORRIDOR EDWARDS RECHARGE ZONE DISTRICT TO "MF-33 ERZD" MULTI-FAMILY EDWARDS RECHARGE ZONE DISTRICT AND "MF-33 PC-1 ERZD" MULTI-FAMILY BULVERDE ROAD PRESERVATION CORRIDOR EDWARDS RECHARGE ZONE DISTRICT.

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

- Z-3.** ZONING CASE # Z2017027 (Council District 2): An Ordinance amending the Zoning District Boundary from "RM-4 H AHOD" Residential Mixed Dignowity Hill Historic Airport Hazard Overlay District to "IDZ H AHOD" Infill Development Zone Dignowity Hill Historic Airport Hazard Overlay District for two duplexes on Lot 11, Block 2, NCB 1370, located at 912 Dawson Street and 101 Florence Street.

Staff and Zoning Commission recommend Approval.

Melissa Ramirez presented Item Z-3 and stated that staff and the Zoning Commission recommended approval. He reported that of 33 notices mailed; none were returned in favor or opposition. She noted that the Dignowity Hill Neighborhood Association was opposed to the request.

Mayor Taylor called upon the citizens registered to speak.

Brian Dillard, President of the Dignowity Hill Neighborhood Association, stated that they had voted unanimously in opposition to the zoning request. He noted that their concerns were disregarded by the Developer and that they opposed the units per acre as well as the lack of factors such as trash collection and emergency response access.

Liz Franklin, Member of the Dignowity Hill Neighborhood Association, spoke in opposition to the request. She stated that she served on the Architectural Review Committee and their guidelines did not allow them to exceed 16 units per acre.

Councilmember Warrick asked what could be developed with the current zoning. Catherine Hernandez replied that the current zoning allowed a total of five units once they subdivided the property. She added that their request would limit the density to four units. Councilmember Warrick noted that the Developer was unable to address the concerns of the Architectural Review Committee or the District 2 Office and he could not support the request.

Councilmember Warrick moved to deny Item Z-3. Councilmember Gallagher seconded the motion. The motion to deny prevailed by the following vote:

**AYE:** 9 - Mayor Taylor, Treviño, Warrick, Viagran, Gonzales, Lopez, Medina, Nirenberg and Gallagher

**ABSENT:** 2 - Saldaña and Krier

#### **2017-03-02-0137**

**Z-4.** ZONING CASE # Z2017052 CD (Council District 2): An Ordinance amending the Zoning District Boundary from "C-3 AHOD" General Commercial Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with Conditional Use for Truck Repair and Maintenance on Lot 51, Block 4, NCB 14062, located at 9800 Perrin Beitel 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: LOT 51, BLOCK 4, NCB 14062 TO WIT: FROM "C-3 AHOD" GENERAL COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 CD AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT WITH CONDITIONAL USE FOR TRUCK REPAIR AND MAINTENANCE.

Melissa Ramirez presented Item Z-4 and stated that staff and the Zoning Commission recommended approval with the following conditions: 1) Solid screen fence along the east property line; 2) Use of metal building materials shall not exceed 25% of the building façade facing Perrin Beitel Road; and 3) No outdoor repair of vehicles. She reported that of 25 notices mailed; none were returned in favor or opposition.

Mayor Taylor called upon Ms. Mitsuko Ramos to speak.

Mitsuko Ramos of Government Relations of Texas stated that she represented the Applicant and thanked City Staff for working with them to significantly improve their site plan.

Councilmember Warrick stated that this was a good example of a Developer working with the community and added that he looked forward to the project coming to fruition.

Councilmember Warrick moved to approve Item Z-4 with the conditions read by Ms. Ramirez. Councilmember Viagran seconded the motion. The motion prevailed by the following vote:

**AYE:** 9 - Mayor Taylor, Treviño, Warrick, Viagran, Gonzales, Lopez, Medina, Nirenberg and Gallagher

**ABSENT:** 2 - Saldaña and Krier

Items P-1 and Z-5 were addressed jointly.

#### **CONTINUED UNTIL APRIL 6, 2017**

**P-1.** PLAN AMENDMENT # 17007 (Council District 3): An Ordinance amending the Highlands Community Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use from "Parks and Open Space" to "Community Commercial" on Lots 10 and 11, Block 21, NCB 12135, located at 6703 Enfield Road. Staff and Planning Commission recommend Approval. (Associated Zoning Case Z2017016) (Continued from January 19, 2017)



**CONTINUED UNTIL APRIL 6, 2017**

**Z-5.** ZONING CASE # Z2017016 (Council District 3): An Ordinance amending the Zoning District Boundary from "O-2 AHOD" High-Rise Office Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on 0.566 acres out of Lot 10, Block 21, NCB 12135, located at 6703 Enfield Road. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment 17007) (Continued from January 19, 2017)

Melissa Ramirez presented Item P-1 and stated that it would amend the Highlands Community Plan. She reported that staff and the Planning Commission recommended approval.

For Item Z-5, she stated that staff and the Zoning Commission recommended approval. She reported that of 18 notices mailed; none were returned in favor or opposition.

Councilmember Viagran stated that they needed to have additional discussions on the issues of operations, signage, and traffic.

Councilmember Viagran moved to continue Items P-1 and Z-5 to April 6, 2017. Councilmember Warrick seconded the motion. The motion prevailed by the following vote:

**AYE:** 9 - Mayor Taylor, Treviño, Warrick, Viagran, Gonzales, Lopez, Medina, Nirenberg and Gallagher

**ABSENT:** 2 - Saldaña and Krier

**2017-03-02-0140**

**Z-7.** ZONING CASE # Z2017044 CD (Council District 8): An Ordinance amending the Zoning District Boundary from "C-2 MLOD" Commercial Camp Bullis Military Lighting Overlay District to "C-2 CD MLOD" Commercial Camp Bullis Military Lighting Overlay District with Conditional Use for a Nightclub without cover charge 3 or more days a week on Lot 5, Block 13, NCB 15825, located at 5138 UTSA Boulevard. Staff and Zoning Commission recommend Approval with Conditions.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 5, BLOCK 13, NCB 15825 TO WIT: FROM "C-2 MLOD-1" COMMERCIAL CAMP BULLIS MILITARY LIGHTING OVERLAY DISTRICT TO "C-2 CD MLOD-1" COMMERCIAL CAMP BULLIS MILITARY

**LIGHTING OVERLAY DISTRICT WITH CONDITIONAL USE FOR A NIGHTCLUB WITHOUT COVER CHARGE 3 OR MORE DAYS A WEEK.**

Melissa Ramirez presented Item Z-7 and stated that staff and the Zoning Commission recommended approval with the following conditions: 1) The nightclub use is restricted to no more than 5,000 square feet; 2) Hours of Operations shall not start before 5:00 pm; 3) No outdoor seating, outdoor music or outdoor live entertainment; 4) Fencing adjacent to residential uses; 5) Lighting shall be directed away from residential uses; and 6) Food Sales shall comprise of 5% of gross revenue. She reported that of 18 notices mailed; one was returned in favor and none in opposition.

Councilmember Nirenberg thanked Scott Cummins, President of the Oakland Heights Neighborhood Association and Galleria Ventures Limited for working through the concerns. He noted that there were Restrictive Covenants on the three adjacent properties and that there was no opposition from the Northside Independent School District.

Councilmember Nirenberg moved to approve Item Z-7 with the conditions read by Ms. Ramirez. Councilmember Medina seconded the motion. The motion prevailed by the following vote:

**AYE:** 9 - Mayor Taylor, Treviño, Warrick, Viagran, Gonzales, Lopez, Medina, Nirenberg and Gallagher

**ABSENT:** 2 - Saldaña and Krier

**2017-03-02-0145**

**Z-10.** ZONING CASE # Z2017037 CD (Council District 10): An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for an Assisted Living Facility for up to 12 Residents on Lot 41, Block 26, NCB 15105, located at 12119 San Miguel Street. Staff and Zoning Commission recommend Denial. (Continued from February 9, 2017)

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 41, BLOCK 26, NCB 15105 TO WIT: FROM "R-6 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "R-6 CD AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT WITH CONDITIONAL USE FOR AN ASSISTED LIVING

**FACILITY FOR UP TO 12 RESIDENTS.**

Melissa Ramirez presented Item Z-10 and stated that staff and the Zoning Commission recommended denial. She reported that of 37 notices mailed; none were returned in favor or opposition.

Councilmember Gallagher stated that they had carefully vetted the request with the neighborhood and they were in full support of the Assisted Living Facility.

Councilmember Gallagher moved to approve Item Z-10. Councilmember Medina seconded the motion. The motion prevailed by the following vote:

**AYE:** 9 - Mayor Taylor, Treviño, Warrick, Viagran, Gonzales, Lopez, Medina, Nirenberg and Gallagher

**ABSENT:** 2 - Saldaña and Krier

**ADJOURNMENT**

There being no further discussion, Mayor Taylor adjourned the meeting at 2:20 pm.

APPROVED

IVY R. TAYLOR  
MAYOR

ATTEST:

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