

**STATE OF TEXAS
COUNTY OF BEXAR
CITY OF SAN ANTONIO**

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, AUGUST 12, 2004

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The City Council convened in an informal "B" Session at 10:00 A.M., Municipal Plaza Building "B" Room, to consider the following items(s):

Budget Work Session. [Presented by Peter Zanoni, Acting Director, Management & Budget; Erik J. Walsh, Assistant to the City Manager]

- HUD 108 Loan Program
- Capital Budget
- Debt Management Plan

The Council members present were: Flores, Williams, Segovia, Perez, Radle, Barrera, Hall, Schubert, Haass. ABSENT: Castro, Garza.

The "B" Session adjourned at 12:15 P.M.

The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Edward D. Garza, with the following members present: Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. ABSENT: None.

Invocation by Pastor Statt Riddleburger, District 4, Pearsall Road Southern Baptist Church.

Pledge of Allegiance to the flag of the United States.

Ms. Leticia Vacek, City Clerk, administered the formal Oath of Office to incoming Mayor Pro Tem Councilman Richard Perez of District 4.

Minutes of the Regular City Council meeting of May 20, 2004 were approved as presented.

CONSENT AGENDA – CITIZEN COMMENTS

Consent Agenda Items 8, 9, 11, 16, and 18 were addressed individually from the consent agenda. The remaining items 10 through 19 were approved under the consent agenda upon motion made by Councilmember Haass and seconded by Councilmember Hall.

After consideration, the main motion, carrying with it the passage of the Ordinances, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

AN ORDINANCE 99540

AN ORDINANCE ACCEPTING THE LOW, RESPONSIVE BID IN THE AMOUNT OF \$152,588.00 FROM CATO ELECTRIC COMPANY TO PERFORM CONSTRUCTION SERVICES IN CONNECTION WITH THE COLLINS GARDENS PARK IMPROVEMENTS – PHASE 2 PROJECT, LOCATED IN COUNCIL DISTRICT 5; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$13,827.00 FOR CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$1,000.00 FOR PARK MATERIALS, FOR A TOTAL AMOUNT OF \$167,415.00 FROM 1999-2004 PARK BOND FUNDS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 99541

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF \$199,444.00 FROM THE TEXAS DEPARTMENT OF HEALTH (TDH) TO RENEW SUPPORT FOR THE TUBERCULOSIS PREVENTION AND CONTROL PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD SEPTEMBER 1, 2004 THROUGH AUGUST 31, 2005; APPROVING THE EXECUTION OF A CHANGE TO THE CONTRACT WITH TDH; ADOPTING THE PROGRAM BUDGET; APPROVING THE PERSONNEL COMPLEMENT; AND AUTHORIZING PAYMENTS FOR CONTRACTUAL SERVICES.

AN ORDINANCE 99542

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF \$77,046.00 FROM THE TEXAS DEPARTMENT OF HEALTH (TDH) TO RENEW SUPPORT FOR THE SEXUALLY TRANSMITTED DISEASE (STD) CONTROL PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD SEPTEMBER 1, 2004 THROUGH AUGUST 31, 2005; APPROVING THE EXECUTION OF A

CHANGE TO THE CONTRACT WITH TDH; ADOPTING THE PROGRAM BUDGET; AND APPROVING THE PERSONNEL COMPLEMENT.

AN ORDINANCE 99543

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF \$66,000.00 FROM THE TEXAS DEPARTMENT OF HEALTH (TDH) TO RENEW SUPPORT FOR THE FAMILY HEALTH POPULATION BASED CORE PUBLIC HEALTH PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD SEPTEMBER 1, 2004 THROUGH AUGUST 31, 2005; APPROVING THE EXECUTION OF A CHANGE TO THE CONTRACT WITH TDH; ADOPTING THE PROGRAM BUDGET; AND APPROVING THE PERSONNEL COMPLEMENT.

AN ORDINANCE 99544

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF UP TO \$34,500.00 FROM THE TEXAS DEPARTMENT OF HEALTH (TDH) TO RENEW SUPPORT OF THE MILK AND DAIRY LABORATORY SAMPLE TESTING PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD SEPTEMBER 1, 2004 THROUGH AUGUST 31, 2005; AUTHORIZING THE EXECUTION OF THE CONTRACT; AND ADOPTING THE PROGRAM BUDGET.

AN ORDINANCE 99545

AN ORDINANCE AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE U.S. DEPARTMENT OF HOMELAND SECURITY FOR A GRANT IN THE AMOUNT OF \$400,000.00, WHICH, IF AWARDED, WILL BE USED TO SUSTAIN PLANNING OF THE METROPOLITAN MEDICAL RESPONSE SYSTEM, A SYSTEM ESTABLISHED TO BE A PRIMARY RESOURCE TO WEAPONS OF MASS DESTRUCTION INCIDENTS.

AN ORDINANCE 99546

AN ORDINANCE APPOINTING JULIE GONZALES (DISTRICT 7) AND JOSHUA SANDOVAL (DISTRICT 7) TO THE SAN ANTONIO YOUTH COMMISSION FOR TERMS OF OFFICE TO EXPIRE ON JUNE 1, 2005 AND JUNE 1, 2006, RESPECTIVELY.

CONSENT AGENDA ITEMS CONSIDERED INDIVIDUALLY

The City Clerk read the following ordinance:

AN ORDINANCE 99547

AN ORDINANCE ACCEPTING THE LOW RESPONSIVE BID SUBMITTED BY PEERLESS EQUIPMENT, LTD. TO PROVIDE THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH WATER WELL IMPROVEMENTS AT THE GROWDEN ROAD VEHICLE STORAGE FACILITY FOR A TOTAL AMOUNT OF \$197,985.00.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Williams seconded the motion.

After consideration, the main motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** Perez **ABSENT:** None.

The City Clerk read the following ordinance:

AN ORDINANCE 99548

AN ORDINANCE ACCEPTING THE LOW RESPONSIVE BIDS SUBMITTED BY TEXANA MACHINERY, ITEM 1; COOPER EQUIPMENT CO., ITEM 2; CESA EQUIPMENT INC., (WBE), ITEM 3; WAUKESHA-PEARCE INDUSTRIES INC., ITEMS 4, 9, 10 AND 11; HOLT CAT, ITEMS 5 AND 6; QUALITY EQUIPMENT CO., ITEMS 7 AND 13; ALAMO AG-CON EQUIPMENT INC., ITEMS 8 AND 15; AND ROMCO EQUIPMENT CO., ITEM 14 TO PROVIDE THE CITY OF SAN ANTONIO PUBLIC WORKS AND ENVIRONMENTAL SERVICES DEPARTMENTS WITH HEAVY EQUIPMENT FOR A TOTAL AMOUNT OF \$1,788,334.39.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Haass seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

The City Clerk read the following ordinance:

AN ORDINANCE 99549

AN ORDINANCE AUTHORIZING THE EXECUTION OF A CHANGE TO THE CONTRACT BETWEEN THE TEXAS DEPARTMENT OF HEALTH (TDH) AND THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT WHICH WILL REVISE THE BUDGET OF THE AIDS SURVEILLANCE PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT AND REDUCE THE TOTAL BUDGET OF THE PROGRAM BY \$31,409.00 FOR THE PERIOD APRIL 1, 2004 THROUGH DECEMBER 31, 2004; AND APPROVING REVISIONS TO THE PROGRAM BUDGET AND THE PERSONNEL COMPLEMENT.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Hall seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

The City Clerk read the following ordinance:

AN ORDINANCE 99550

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN AGREEMENT WITH PARENT/CHILD INCORPORATED (PCI) WHICH WILL ALLOW THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO PROVIDE APPROXIMATELY 1,800 ADDITIONAL PHYSICAL EXAMINATIONS TO CHILDREN ENROLLED IN PCI PROGRAMS ON A REIMBURSABLE FEE-FOR-SERVICE BASIS FOR AN ADDITIONAL AMOUNT NOT TO EXCEED \$109,100.00, WITH THE TOTAL AGREEMENT AMOUNT NOT TO EXCEED \$238,600.00 FOR THE PERIOD MARCH 1, 2004 TO JANUARY 31, 2005; REVISING THE PROJECT BUDGET AND PERSONNEL COMPLEMENT; AND AUTHORIZING PAYMENTS FOR CONTRACTUAL SERVICES.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Hall seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

The City Clerk read the following ordinance:

AN ORDINANCE 99551

AN ORDINANCE NAMING A TRAFFIC ISLAND LOCATED AT THE INTERSECTION OF FREDERICKSBURG ROAD, MICHIGAN AVENUE AND WEST FRENCH PLACE IN COUNCIL DISTRICT 1 AS THE "LIZ DAVIES GREENSPACE" IN COUNCIL DISTRICT 1.

Councilman Segovia made a motion to approve the proposed Ordinance. Councilman Williams seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

INDIVIDUAL ITEMS

The City Clerk read item 28 being a proposed ordinance ordering a Special Election to be held on the 5th day of February, 2005, in the City of San Antonio, Texas, in accordance with Chapter 334, Texas Local Government Code, as amended, and other applicable law, on the question of implementing and approving City Council Resolution No. 2004-27-23 which designates, and provides for the planning, acquisition, establishment, development, construction, or renovation of, and the method of financing for the Edwards Aquifer Protection Venue Project; making provision for the holding of said election; and providing for an effective date.

The following citizens appeared to speak:

Mike Novak	Jesse Ramos
Bill Hurley	Jim Koch
Joel Karin	Cathy Dean
Marianne Kestenbaum	Allison Elder
Marlys Dietrick	Jody Sherrill
Bonnie Conner	Jack M. Finger
June Kachtic	Jerry Morrisey
Nazarite Ruben Flores Perez	Woody Halsey
Loyd Cortez	

Following discussion, Councilmember Hall made a motion to continue this item for one week. Councilmember Flores seconded the motion.

After consideration, the motion to continue for one week prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

The City Clerk read item 20 being a proposed ordinance amending the land use plan contained in the Arena District/Eastside Community Plan, a component of the Master Plan of the City, by changing the use of approximately 0.2858 acres, located at 102 Essex Road in Council District 2, from Medium Density, Single-Family and Mixed Residential Land Use to Neighborhood Commercial Land Use.

Following discussion, Councilmember Williams made a motion to continue this item for 30 days. Councilmember Perez seconded the motion.

After consideration, the motion to continue for 30 days prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

The City Clerk read the following ordinance

AN ORDINANCE 99552

AN ORDINANCE AMENDING THE LAND USE PLAN CONTAINED IN THE ARENA DISTRICT/EASTSIDE COMMUNITY PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF APPROXIMATELY 0.2478 ACRES, LOCATED AT 218 CONNELLY STREET IN COUNCIL DISTRICT 2, FROM MEDIUM DENSITY, RESIDENTIAL LAND USE TO NEIGHBORHOOD COMMERCIAL LAND USE.

Councilmember Williams made a motion to approve the proposed ordinance. Councilmember Segovia seconded the motion.

Mr. Emil Moncivais, Director of Planning, narrated a slide presentation regarding the Master Plan amendment of the Arena District/Eastside Community Plan, a copy of which is on file with the Office of the City Clerk. He spoke to the plan adopted, and the plan as amended, and expounded on the transportation and community facilities.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Castro.

The City Clerk read the following ordinance:

AN ORDINANCE 99553

AN ORDINANCE AMENDING THE LAND USE PLAN CONTAINED IN THE HIGHLANDS COMMUNITY PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF APPROXIMATELY 0.15 ACRES, LOCATED AT 809 MONTICELLO COURT IN COUNCIL DISTRICT 3, FROM MEDIUM DENSITY, RESIDENTIAL LAND USE TO NEIGHBORHOOD COMMERCIAL LAND USE.

Councilmember Perez made a motion to approve the proposed ordinance. Councilmember Haass seconded the motion.

Mr. Emil Moncivais, Director of Planning, narrated a slide presentation regarding the Master Plan amendment to the Highlands Community Plan, a copy of which is on file with the Office of the City Clerk. He spoke to the plan adopted, and the plan as amended, and discussed transportation and community facilities.

The following citizens appeared to speak:

Ms. Mary Wallace

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Schubert, Hall, Haass, Garza. **NAYS:** None. **ABSENT:** None.

The City Clerk read the following ordinance:

AN ORDINANCE 99554

AN ORDINANCE AMENDING THE LAND USE PLAN CONTAINED IN THE SOUTHSIDE INITIATIVE COMMUNITY PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF APPROXIMATELY 8.29 ACRES IN COUNCIL DISTRICT 3, GENERALLY BOUND BY SOUTHTON ROAD ON THE NORTH, I.H.-37 ON THE EAST, AND DONOP ROAD ON THE SOUTH AND WEST, FROM AGRICULTURE LAND USE TO RURAL LIVING LAND USE.

Councilmember Williams made a motion to approve the proposed ordinance. Councilmember Perez seconded the motion.

Mr. Emil Moncivais, Director of Planning, narrated a slide presentation regarding the Master Plan amendment to the Southside Initiative Community Plan, a copy of which is on file with the Office of the City Clerk. He spoke to the plan as adopted, and the plan as amended, and discussed transportation and community facilities.

The following citizens appeared to speak:

David W. Monnich

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Castro, Hall, Garza. **NAYS:** Flores. **ABSENT:** Haass, Barrera.

The City Clerk read item 24 being a proposed ordinance amending the land use plan contained in the Northwest Community Plan, a component of the Master Plan of the City, by changing the use of approximately 48.33 acres, located in NCB 18560, P-66A, near the northwest quadrant of the intersection of Bandera Road and Eckhert Road in Council District 7, from Industrial Land Use to Community Commercial, High Density Residential, and Single-Family Residential Land Uses.

Councilmember Castro made a motion to continue for two weeks. Councilmember Segovia seconded the motion.

After consideration, the motion to continue for two weeks prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Castro, Garza. **NAYS:** None. **ABSENT:** Radle, Barrera, Hall, Haass.

Councilmember Flores then made a motion to reconsider item 23. Councilmember Williams seconded the motion.

After consideration, the motion to reconsider item 23 prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Castro, Schubert, Garza. **NAYS:** None. **ABSENT:** Radle, Barrera, Hall, Haass.

Mr. Emil Moncivais reiterated the amendment to the Southside Initiative Community Plan.

Councilmember Segovia made a motion to approve the proposed ordinance. Councilmember Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Castro, Schubert, Garza. **NAYS:** None. **ABSENT:** Radle, Barrera Hall, Haass.

AN ORDINANCE 99554

AN ORDINANCE AMENDING THE LAND USE PLAN CONTAINED IN THE SOUTHSIDE INITIATIVE COMMUNITY PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF APPROXIMATELY 8.29 ACRES IN COUNCIL DISTRICT 3, GENERALLY BOUND BY SOUTHTON ROAD ON THE NORTH, I.H.-37 ON THE EAST, AND DONOP ROAD ON THE SOUTH AND WEST, FROM AGRICULTURE LAND USE TO RURAL LIVING LAND USE.

The City Clerk read the following ordinance:

AN ORDINANCE 99555

AN ORDINANCE AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, OF THE CITY CODE OF SAN ANTONIO, TEXAS, BY AMENDING ARTICLE III TO AMEND SECTION 35-310.15 AND TO CREATE A NEW ZONING DISTRICT BY ADDING SECTION 35-310.19 "MI-2" MIXED HEAVY INDUSTRIAL DISTRICT, AND AMENDING VARIOUS SECTIONS OF ARTICLE III TO INCLUDE THE NEW DISTRICT.

Councilmember Perez made a motion to approve the proposed ordinance. Councilmember Segovia seconded the motion.

Mr. Emil Moncivais, Director of Planning, narrated a slide presentation regarding the Flex Zoning Districts – "Mixed Heavy Industrial (MI-2) District," copy of which is on file with the Office of the City Clerk. He provided a summary of the Flex Zoning Districts, and explained the land use to zoning districts. He spoke to the benefits of said districts, and delineated the four adopted districts, which included Urban Development District, Rural Development District, Farm and Ranch District and Mixed Light Industrial District, noting that the Mixed Heavy Industrial District was being considered at this time.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Segovia, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Flores, Williams, Perez.

ZONING

4A) ZONING CASE NUMBER Z2004082 C: The request of Downery Partners, LTD, Applicant, for Downery Partners, LTD, Owner(s), for a change in zoning from "RM-4" Residential Mixed District to "RM-4 C" Residential Mixed District with conditional use authorization for a noncommercial parking lot on Lots 14, 15, and 16, Block 61, NCB 1652, 102 Essex Street, with the following conditions: 1. The parking lot will have no more than 15 parking spaces. 2. A six feet solid fence will be erected along the eastern property line of subject property. 3. All on-site lighting is directed onto the site using 90 degree or less cut-off fixtures. Staff's recommendation was for denial. Zoning Commission has recommended approval. (Council District 2)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

The following citizens appeared to speak:

Mr. Jack M. Finger

Councilmember Segovia made a motion to continue the proposed rezoning case. Councilmember Radle seconded the motion.

After consideration, the motion to continue the proposed rezoning case prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Flores.

4B) ZONING CASE NUMBER Z2004130 C: The request of Bexar County Teachers Federal Credit Union, Applicant, for Bexar County Teachers Federal Credit Union, Owner(s), for a change in zoning from "RM-4" Residential Mixed District to "RM-4 C" Residential Mixed District with a conditional use for a federal credit union on Lot 3, Block 8, NCB 1508, 218 Connelly Street. Staff's recommendation was for denial. Zoning Commission has recommended approval. (Council District 2)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Williams made a motion to approve the proposed rezoning case. Councilmember Segovia seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Flores, Garza.

AN ORDINANCE 99556

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS Lot 3, BLOCK 8, NCB 1508 FROM "RM-4" RESIDENTIAL MIXED DISTRICT TO "RM-4 C" RESIDENTIAL MIXED DISTRICT WITH A CONDITIONAL USE FOR A FEDERAL CREDIT UNION.

4C) ZONING CASE NUMBER Z2004047: The request of Gerard A. Mora, Applicant, for Gerard A. Mora, Owner(s), for a change in zoning from "R-4" Residential Single-Family District to "C-2NA" Commercial Nonalcoholic Sales District on south 115.5 feet of the west 56.5 feet of Lot 9, Block A, NCB 11025, 809 Monticello Court. Staff's recommendation was for denial. Zoning Commission has recommended approval. (Council District 3)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

The following citizens appeared to speak:

Mr. Jack M. Finger

Councilmember Segovia made a motion to approve the proposed rezoning. Councilmember Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Flores, Garza.

AN ORDINANCE 99557

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS SOUTH 115.5 FEET OF THE WEST 56.5 FEET OF LOT 9, BLOCK A, NCB 11025 ZONING FROM "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-2NA" COMMERCIAL NONALCOHOLIC SALES DISTRICT.

4D) ZONING CASE NUMBER Z2004152: The request of David W. Monnich, Applicant, for Southton Road Venture, Ltd., Owner(s), for a change in zoning from "FR" Farm and Ranch District to "RD" Rural District on Lots 101 102, and 103, P-

297, Block 1, NCB 16626, property located at the southwest corner of the intersection of Donop Road, Southton Road and I-37. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 3)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Segovia made a motion to approve the proposed rezoning case. Councilmember Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Garza.

AN ORDINANCE 99558

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 101 102, AND 103, P-297, BLOCK 1, NCB 16626 FROM "FR" FARM AND RANCH DISTRICT TO "RD" RURAL DISTRICT.

4E) ZONING CASE NUMBER Z2004020: The request of Bilmar Construction, LP, Applicant, for Rosin-Johnson, Inc., Owner(s), for a change in zoning from "I-1" General Industrial District to "R-5" Residential Single-Family District on 32.7 acres, "C-2" Commercial District on 6.7 acres, and "MF-25" Multi-Family District on 5.2 acres out of NCB 18560 on 44.6 acres out of NCB 18560, west of the intersection of Bandera & Eckhert Road. Staff's recommendation was for denial. Zoning Commission has recommended denial. (Council District 7)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Haass made a motion to continue the proposed rezoning for two weeks. Councilmember Hall seconded the motion.

After consideration, the motion to continue for two weeks prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Garza.

Zoning case Z2004020 was continued for two weeks.

4F) ZONING CASE NUMBER Z2004147: The request of City of San Antonio, Applicant, for Multiple Property Owners, for a change in zoning from "DR" Development Reserve District to "MI-2" Mixed Heavy Industry District on property generally bound by Leon Creek to the north, the Medina River to the south, and Applewhite Road to the west. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 3)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Segovia made a motion to approve the proposed rezoning case. Councilmember Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Garza.

AN ORDINANCE 99559

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS PROPERTY GENERALLY BOUND BY LEON CREEK TO THE NORTH, THE MEDINA RIVER TO THE SOUTH, AND APPLEWHITE ROAD TO THE WEST FROM "DR" DEVELOPMENT RESERVE DISTRICT TO "MI-2" MIXED HEAVY INDUSTRY DISTRICT.

4G) ZONING CASE NUMBER Z2004131: The request of Brett Baillio, Applicant, for Three Lee Properties Limited, Owner(s), for a change in zoning from "R-5" Residential Single-Family District to O-2 Office District on 0.175 acres out of NCB 13405. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 1)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Flores made a motion to approve the proposed rezoning. Councilmember Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Barrera, Garza.

AN ORDINANCE 99560

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 0.175 ACRES OUT OF NCB 13405 FROM "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT TO O-2 OFFICE DISTRICT.

4H) ZONING CASE NUMBER Z2004134: The request of Gallagher Headquarters Ranch Development, Ltd., Applicant, for Concord Oil Company, Owner(s), for a change in zoning from "C-1 S H HS" Commercial District with a specific use authorization for a hospital, Historic District with Historic Significance to "IDZ H HS" with uses permitted in "RM-4" on the northwest 80 feet of Lots 12 through 18 and uses permitted in "C-2" and a hotel with related bar, restaurant and health club services on Lots 1 through 8 and the southeast 86 feet of Lots 12 through 18, Historic District with Historic Significance on Lots 1 through 9 and 12 through 18, Block 6, NCB 747, 323 Johnson Street and 1118 and 1120 South Alamo Street. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 1)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Flores made a motion to approve the proposed rezoning case. Councilmember Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Garza.

AN ORDINANCE 99561

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 1 THROUGH 9 AND 12 THROUGH 18, BLOCK 6, NCB 747 FROM "C-1 S H HS" COMMERCIAL DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A HOSPITAL, HISTORIC DISTRICT WITH HISTORIC SIGNIFICANCE TO "IDZ H HS" WITH USES PERMITTED IN "RM-4" ON THE NORTHWEST 80 FEET OF LOTS 12 THROUGH 18 AND USES PERMITTED IN "C-2" AND A HOTEL WITH RELATED BAR, RESTAURANT AND HEALTH CLUB SERVICES ON LOTS 1 THROUGH 9 AND THE SOUTHEAST 86 FEET OF LOTS 12 THROUGH 18, HISTORIC DISTRICT WITH HISTORIC SIGNIFICANCE.

4I) ZONING CASE NUMBER Z2004143 S: The request of Rex Stone and Judith L. Hall, Applicant, for Rex Stone and Judith L. Hall, Owner(s), for a change in zoning from "H RM-4 HE" Historic Residential Mixed Historic Exceptional District to "H RM-4 HE S" Historic Residential Mixed Historic Exceptional District with a specific use authorization for a bed and breakfast on .6250 acres out of Block 4, NCB 2879 and Block 2, NCB 946, 332 Adams Street. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 1)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Flores made a motion to approve the proposed rezoning. Councilmember Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. NAYS: None. ABSENT: Garza.

AN ORDINANCE 99562

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS .6250 ACRES OUT OF BLOCK 4, NCB 2879 AND BLOCK 2, NCB 946 FROM "H RM-4 HE" HISTORIC RESIDENTIAL MIXED HISTORIC EXCEPTIONAL DISTRICT TO "H RM-4 HE S" HISTORIC RESIDENTIAL MIXED HISTORIC EXCEPTIONAL DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A BED AND BREAKFAST.

4J) ZONING CASE NUMBER Z2004155: The request of Kathleen G. Halka, MD, Applicant, for Kathleen G. Halka, MD, Owner(s), for a change in zoning from "I-1" General Industrial District to "C-2" Commercial District on Lot 15, NCB 810, 724 Lexington Avenue. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 1)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Flores made a motion to approve the proposed rezoning case. Councilmember Segovia seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Garza.

AN ORDINANCE 99563

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 15, NCB 810 FROM "I-1" GENERAL INDUSTRIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT.

4K) ZONING CASE NUMBER Z2003173-25: The request of City of San Antonio, Applicant, for Multiple Owners, Owner(s), for a change in zoning from "DR" Development Reserve District to "R-20" Residential Single-Family District on CB 4286B, Lots 1 through 37; and CB 4286B, Block 1, Lots 5 through 8, property generally located south of Loop 410 South, west of Zarzamora Street, and east of State Highway 16. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 3)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Segovia made a motion to continue the proposed rezoning for two weeks. Councilmember Perez seconded the motion.

After consideration, the motion to continue for two weeks prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Flores, Garza.

Zoning case Z2003173-25 was continued for two weeks.

4L) ZONING CASE NUMBER Z2004089: The request of Domingo P. Maldonado, Jr., Applicant, for Domingo P. Maldonado, Jr., Owner(s), for a change in zoning from "R-6" Residential Single-Family District to MF-25 Multi-Family District on Lot 300B, Block 30, NCB 11129, 200 Buchanan Boulevard. Staff's recommendation was for denial. Zoning Commission has recommended approval. (Council District 3)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Segovia made a motion to continue the proposed rezoning case for 60 days. Councilmember Perez seconded the motion.

After consideration, the motion to continue for 60 days prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Flores, Garza.

Zoning case Z2004089 was continued for 60 days.

4M) Zoning Case Number Z2004139 P, being the request of Pape-Dawson Engineers, Inc., Applicant, for Brazos De Santos, Owner(s), for a change in zoning from "UD" Urban Development District to "C-2 P" Commercial, Pedestrian Friendly District on 4.95 acres out of NCB 18088 and CB 4285, property located at the southeast corner of the intersection of South Zarzamora and Loop 410 South.

Zoning Case Z2004139 P was postponed by the applicant.

4N) ZONING CASE NUMBER Z2004086: The request of Continental Homes, Applicant, for Continental Homes, Owner(s), for a change in zoning from "NP-10" Neighborhood Preservation District and "C-3" General Commercial District to "R-5" Residential Single-Family District on 201.97 acres; "R-6" Residential Single-Family District on 66.39 acres; "PUD R-4" Planned Unit Development Residential Single-Family District on 48.40 acres, "MF-33" Multi-Family District on 22.06 acres, and "C-3" General Commercial District on 17.77 acres, all out of NCB 18044 on property located at the southwest corner of the intersection of Loop 410 West and Ray Ellison Blvd. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 4)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Perez made a motion to continue the proposed rezoning for 30 days. Councilmember Williams seconded the motion.

After consideration, the motion to continue the proposed rezoning case for 30 days prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Flores, Garza.

Zoning case Z2004086 was continued for 30 days.

Councilmember Segovia then made a motion to reconsider item 4K. Councilmember Perez seconded the motion.

After consideration, the motion to reconsider item 4K prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Flores, Garza.

Mr. John Jacks then reiterated the proposed rezoning case.

Councilmember Segovia made a motion to approve the proposed rezoning case. Councilmember Perez seconded the motion.

After consideration, the motion, carrying the passage of the following Ordinance prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Flores, Garza.

AN ORDINANCE 99564

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS CB 4286B, LOTS 1 THROUGH 37; AND CB 4286B, BLOCK 1, LOTS 5 THROUGH 8 FROM "DR" DEVELOPMENT RESERVE DISTRICT TO "R-20" RESIDENTIAL SINGLE-FAMILY DISTRICT.

40) ZONING CASE NUMBER Z2004133: The request of Robert Valdez, Applicant, for Robert Valdez, Owner(s), for a change in zoning from "C-3NA" General Commercial District, Nonalcoholic Sales to "C-2" Commercial District on the northeast 115 feet of the southeast 105 feet of P-108A, NCB 11300, 8615 New Laredo Highway. Staff's recommendation was for approval. Zoning Commission has recommended denial. (Council District 4)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Flores made a motion to approve the proposed rezoning. Councilmember Segovia seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Flores, Garza.

AN ORDINANCE 99565

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS THE NORTHEAST 115 FEET OF THE SOUTHEAST 105 FEET OF P-108A, NCB 11300 FROM "C-3NA" GENERAL COMMERCIAL DISTRICT, NONALCOHOLIC SALES TO "C-2" COMMERCIAL DISTRICT.

4P) ZONING CASE NUMBER Z2004145: The request of Kaufman & Associates, Inc., Applicant, for John L. Santikos, Owner(s), for a change in zoning from "R-6" Residential Single Family District to "C-3" General Commercial District on 27 acres out of NCB 34362. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 4)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Perez made a motion to approve the proposed rezoning case. Councilmember Williams seconded the motion.

The following citizens appeared to speak:

Representative of the Heritage Neighborhood Association

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Williams, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. NAYS: None. ABSENT: Flores, Segovia, Garza.

AN ORDINANCE 99566

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 27 ACRES OUT OF NCB 34362 FROM "R-6" RESIDENTIAL SINGLE FAMILY DISTRICT TO "C-3" GENERAL COMMERCIAL DISTRICT.

4Q) ZONING CASE NUMBER Z2003239 C: The request of Ernesto Gomez, Applicant, for Ernesto Gomez, Owner(s), for a change in zoning from "R-4" Residential Single-Family District to "C-1 C" Light Commercial District with a conditional use for auto and light truck repair on Lot 3, Block 1, NCB 3404, 2108 Tampico. Staff's

recommendation was for approval. Zoning Commission has recommended approval with recommended conditions. (Council District 5)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

The following citizens appeared to speak:

Ernesto Gomez

Councilmember Radle made a motion to approve the proposed rezoning case. Councilmember Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert. **NAYS:** None. **ABSENT:** Flores, Haass, Garza.

AN ORDINANCE 99567

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 3, BLOCK 1, NCB 3404 FROM "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-1 C" LIGHT COMMERCIAL DISTRICT WITH A CONDITIONAL USE FOR AUTO AND LIGHT TRUCK REPAIR.

4R) ZONING CASE NUMBER Z2004034: The request of Jerardo Cavazos, Applicant, for Jerardo Cavazos, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "PUD R-6" Planned Unit Development Residential Single-Family District on Lot 21, Block 2, NCB 6776, 1027 Kirk Place. Staff's recommendation was for denial. Zoning Commission has recommended approval. (Council District 5)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Radle made a motion to deny the proposed rezoning. Councilmember Williams seconded the motion.

After consideration, the motion to deny the proposed rezoning prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert. **NAYS:** None. **ABSENT:** Flores, Haass, Garza.

Zoning Case Z2004034 was denied.

4S) ZONING CASE NUMBER Z2004138 S: The request of Jerry Arredondo, Applicant, for Prolink Investment, Inc., Owner(s), for a change in zoning from "C-3" General Commercial District, "C-2" Commercial District and "MF-33" Multi-Family District to "C-3NA S" General Commercial Nonalcoholic Sales District with specific use authorization for a mini-storage exceeding 2.5 acres on 5.59 acres out of Lots 30 and 32, Block 8, NCB 14538, north side of Farragut Drive. Staff's recommendation was for approval. Zoning Commission has recommended approval with the following conditions: 1. Hidden refuse 2. A Type E (35 foot) buffer adjacent to residential zoned parcels 3. Hours of operation 6:00 a.m. to 10:00 p.m. 4. Down lighting, cameras and access pads 5. Earth tone color selection only for buildings and overhead doors. (Council District 6)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Barrera made a motion to approve the proposed rezoning with conditions. Councilmember Segovia seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Flores, Garza.

AN ORDINANCE 99568

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 5.59 ACRES OUT OF LOTS 30 AND 32, BLOCK 8, NCB 14538 FROM "C-3" GENERAL COMMERCIAL DISTRICT, "C-2" COMMERCIAL DISTRICT AND "MF-33" MULTI-FAMILY DISTRICT TO "C-3NA S" GENERAL COMMERCIAL NONALCOHOLIC SALES DISTRICT WITH SPECIFIC USE AUTHORIZATION FOR A MINI-STORAGE EXCEEDING 2.5 ACRES.

4T) ZONING CASE NUMBER Z2004141: The request of Westover Hills Development Partners, L. P., Applicant, for Westover Hills Development Partners, L. P., Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-2" Commercial District on P-31, NCB 17642, northeast corner of the intersection of Wiseman Boulevard and proposed Rogers Road. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 6)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Barrera made a motion to approve the proposed rezoning case. Councilmember Segovia seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Flores, Garza.

AN ORDINANCE 99569

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS P-31, NCB 17642 (115 ACRES) FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-2" COMMERCIAL DISTRICT.

4U) ZONING CASE NUMBER Z2004154: The request of Rachel Major, Applicant, for John L. Santikos, Owner(s), for a change in zoning from "I-1" General Industrial District to "C-3" General Commercial District on Lot P-1E, Block 3, NCB 18233. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 6)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Barrera made a motion to approve the proposed rezoning case. Councilmember Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Flores, Garza.

AN ORDINANCE 99570

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT P-1E, Block 3, NCB 18233 FROM "I-1" GENERAL INDUSTRIAL DISTRICT TO "C-3" GENERAL COMMERCIAL DISTRICT.

4V) ZONING CASE NUMBER Z2004129: The request of Brown, P. C., Applicant, for FC Properties One, Ltd., Owner(s), for a change in zoning from "C-3"

General Commercial District to "RM-4" Residential Mixed District on 7.101 acres out of NCB 18307, the northwest side of Old Tezel Road between Tezel Road and Guilbeau Road. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 7)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Haass made a motion to approve the proposed rezoning case. Councilmember Segovia seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Flores, Garza.

AN ORDINANCE 99571

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 7.101 ACRES OUT OF NCB 18307 FROM "C-3" GENERAL COMMERCIAL DISTRICT TO "RM-4" RESIDENTIAL MIXED DISTRICT.

4W) ZONING CASE NUMBER Z20266: The request of Roy Horn, III, Applicant, for LB Horn Jr., Owner(s), for a change in zoning from "O-2" Office District to "C-2" Commercial District on Lots 3 and 4, Block S, NCB 14667, 6300 Block of Babcock Road. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 7)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Haass made a motion to continue the proposed rezoning for two weeks. Councilmember Flores seconded the motion.

After consideration, the motion to continue the proposed rezoning for two weeks prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Flores, Garza.

Zoning case Z20266 was continued for two weeks.

4X) ZONING CASE NUMBER Z2004166: The request of Falcon International Bank c/o Hugo A. Gutierrez III, Applicant, for Falcon International Bank, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-3" General Commercial District on 12.00 acres out of Block 8, NCB 14867, 12166 Bandera Road. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 8)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Hall made a motion to approve the proposed rezoning. Councilmember Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Flores, Radle, Garza.

AN ORDINANCE 99572

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 12.00 ACRES OUT OF BLOCK 8, NCB 14867 FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-2" COMMERCIAL DISTRICT.

4Y) ZONING CASE NUMBER Z2004140: The request of CR 2-B, Ltd., Applicant, for CR 2-B, Ltd., Owner(s), for a change in zoning from "C-1 ERZD" Light Commercial Edwards Recharge Zone District to "PUD R-6 ERZD" Planned Unit Development Residential Single-Family Edwards Recharge Zone District on 3.228 acres out of NCB. 19217, Canyon Golf Road approximately 5625 feet from Stone Oak Parkway and at the City Limits. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 9)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Schubert made a motion to approve the proposed rezoning case. Councilmember Segovia seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Flores, Radle, Garza.

AN ORDINANCE 99573

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 3.228 ACRES OUT OF NCB 19217 FROM "C-1 ERZD" LIGHT COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT TO "PUD R-6 ERZD" PLANNED UNIT DEVELOPMENT RESIDENTIAL SINGLE-FAMILY EDWARDS RECHARGE ZONE DISTRICT.

4Z) ZONING CASE NUMBER Z2004156: The request of Alamo Park, Inc., Applicant, for Alamo Park, Inc., Owner(s), for a change in zoning from "C-3" Commercial District to "MXD" Mixed Use District on 13.72 acres out of NCB 8702, 304 Basse Road. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 9)
Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

The following citizens appeared to speak:

Mr. Andy Guerrero

Councilmember Schubert made a motion to continue the proposed rezoning case for two weeks. Councilmember Williams seconded the motion.

After consideration, the motion to continue proposed rezoning case for two weeks prevailed by the following vote: AYES: Flores, Williams, Segovia, Perez, Barrera, Castro, Hall, Schubert, Haass. NAYS: None. ABSENT: Radle, Garza.

Zoning case Z2004156 was continued for two weeks.

4AA) ZONING CASE NUMBER Z2004162: The request of Scott Riklin, Applicant, for Lazy C, Ltd., Owner(s), for a change in zoning from "R-5" Residential Single Family District to "C-2NA" Commercial District, Nonalcoholic Sales on the west 72.41 feet of Lot 30, NCB 11888, 156 West Sunset Road. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 9)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Schubert made a motion to approve the proposed rezoning case. Councilmember Flores seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Radle, Garza.

AN ORDINANCE 99574

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 72.41 FEET OF LOT 30, NCB 11888 FROM "R-5" RESIDENTIAL SINGLE FAMILY DISTRICT TO "C-2NA" COMMERCIAL DISTRICT, NONALCOHOLIC SALES.

4BB) ZONING CASE NUMBER Z2004168 S: The request of Methodist Healthcare System of San Antonio Ltd., L. L. P., Applicant, for CIRI Apartments, Ltd. (Rick Beck), Owner(s), for a change in zoning from "C-3 ERZD" General Commercial Edwards Recharge Zone District to "C-3 ERZD S" General Commercial Edwards Recharge Zone District with specific use authorization for a hospital on 37.90 acre tract of land out of NCB 15669, the northeast corner of the intersection of Hardy Oak Boulevard and East Sonterra Boulevard. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 9)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Haass made a motion to approve the proposed rezoning case. Councilmember Flores seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Barrera, Castro, Hall, Haass. **NAYS:** None. **ABSTAIN:** Schubert **ABSENT:** Radle, Garza.

AN ORDINANCE 99575

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 37.90 ACRE TRACT OF LAND OUT OF NCB 15669 FROM "C-3 ERZD" GENERAL COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT TO "C-3 ERZD S" GENERAL COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT WITH SPECIFIC USE AUTHORIZATION FOR A HOSPITAL.

4CC) ZONING CASE NUMBER Z2004153: The request of Joe L. Urby Jr./Stacey Waldren, Applicant, for Joe L. Urby Jr., Owner(s), for a change in zoning from "R-20" Residential Single-Family District to "MF-25" Multi-Family District on Parcel 43, Block 5038, NCB 14049, 13665 Toepperwein Road. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 10)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Haass made a motion to approve the proposed rezoning case. Councilmember Flores seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Radle, Garza.

AN ORDINANCE 99576

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS PARCEL 43, BLOCK 5038, NCB 14049 FROM "R-20" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "MF-25" MULTI-FAMILY DISTRICT.

4DD) ZONING CASE NUMBER Z2004158 C: The request of Doug Miller, Applicant, for Diamond Shamrock, Inc., Owner(s), for a change in zoning from "C-2" Commercial District to "C-2 C" Commercial District with conditional use for an automatic self service drive-thru car wash on Lot 1, Block 84, NCB 17726, Judson Road and Northwest Loop 1604 East access road. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 10)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Haass made a motion to approve the proposed rezoning case. Councilmember Flores seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Radle, Garza.

AN ORDINANCE 99577

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 1, BLOCK 84, NCB 17726 FROM "C-2" COMMERCIAL DISTRICT TO "C-2 C" COMMERCIAL DISTRICT WITH CONDITIONAL USE FOR AN AUTOMATIC SELF SERVICE DRIVE-THRU CAR WASH.

4EE) ZONING CASE NUMBER Z2004164: The request of E. Roger Campos, Jr., Applicant, for Sci-Texas Funeral Services Inc., Owner(s), for a change in zoning from "R-5" Residential Single Family District to "C-3NA" General Commercial District, Nonalcoholic Sales on 0.281 acres out of NCB 12165, 1701 Austin Highway. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 10)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Haass made a motion to approve the proposed rezoning case. Councilmember Flores seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Garza.

AN ORDINANCE 99578

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 0.281 ACRES OUT OF NCB 12165 FROM "R-5" RESIDENTIAL SINGLE FAMILY DISTRICT TO "C-3NA" GENERAL COMMERCIAL DISTRICT, NONALCOHOLIC SALES.

4FF) ZONING CASE NUMBER Z2004165 S: The request of David C. Dickson, Applicant, for David C. Dickson, Owner(s), for a change in zoning from "C-3" General Commercial District to "L S" Light Industrial District with specific use authorization for truck repair and maintenance on 8.562 acres out of P-26, NCB 15684, 11015 Perrin Beitel Road. Staff's recommendation was for approval. Zoning Commission

has recommended approval. (Council District 10)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

The following citizens appeared to speak:

Mr. Andy Guerrero

Councilmember Haass made a motion to approve the proposed rezoning case. Councilmember Flores seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Garza.

AN ORDINANCE 99579

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 8.562 ACRES OUT OF P-26, NCB 15684 FROM "C-3" GENERAL COMMERCIAL DISTRICT TO "L S" LIGHT INDUSTRIAL DISTRICT WITH SPECIFIC USE AUTHORIZATION FOR TRUCK REPAIR AND MAINTENANCE.

ANNUAL REPORT ON THE STATUS OF THE 2003-2007 BOND PROGRAM FOR THE JOINT CITY/COUNTY BOND OVERSIGHT COMMISSION

Mr. Terrell McCombs, Chairman of the Citizens Bond Oversight Commission, narrated a slide presentation regarding an annual report of the Citizens Bond Oversight Commission, a copy of which is on file with the Office of the City Clerk. He discussed the background of the Commission, including its meetings and stakeholders. He amplified on the implementation of the Cities 2003-2007 Bond Issue, as well as obstacles it faced. He then spoke to the Commission's recommendations.

The following citizens appeared to speak:

Representative of the Greater San Antonio Chamber of Commerce
Jack M. Finger

CITIZENS TO BE HEARD

The following citizens appeared to speak on various topics:

Representative of Granada Homes	Steve Shamblen
Valencia Castillo	Joe Perez
Jim Koch	Larry Johnson
Nazarite Ruben Flores Perez	Jeanette Burney Sullivan

INDIVIDUAL ITEMS CONTINUED

The City Clerk read a proposed resolution concerning the USA PATRIOT Act, as requested by Councilwoman Patti Radle, District 5.

Councilwoman Radle made a motion to approve the proposed resolution. Councilman Hall seconded the motion.

Mr. Andrew Martin, City Attorney, narrated a slide presentation regarding a resolution concerning the USA Patriot Act, a copy of which is on file with the Office of the City Clerk. He presented various highlights of the resolution, and delineated the text of the proposed resolution.

The following citizens appeared to speak:

Mary Louise Thompson	Richard Alvarado
Marvina Barber	Jim Koch
Irma Mayorga	Jill Livingston
Fabiola Torralba	Diana Moore
Nazarite Ruben Flores Perez	State Representative Mike Villarreal
Stefanie Collins	Loretta Van Copenolle
Ruth Lofgren	William Duvall
Frank Valdez	Michael White
David Plylar	Sally Chizek
Moses West	William B. Johnson, Sr.
Paul Davila	Terry Hill
Carolee Moore	Carla Gomez
Linda Brandmiller	Tom Wetzler
Sawat Husain	Nicholas J. Van DeList
Ron Sievert	John W. Stanford
Steve Johnson	John B. Bradshaw
Jane Tuck	Gina Amatangelo
Charles Tuck	Dan Ramos
Henry Rodriguez	Randly Carrol-Bradd

Raymond Zavala
Paul A. Alvares
Timothy Roan

Susan Ives
Allen Townsend
George Rice

Councilman Flores made an amendment to refer to the Intergovernmental Relations Committee for consideration. The motion died due to lack of a second.

Councilman Hall then presented an amendment to the motion to modify the resolution by excluding certain sections as noted on the exhibit which is on file with the Office of the City Clerk. CM Radle seconded the motion.

After consideration, the motion on the amendment failed by the following vote: **AYES:** Radle, Castro, Hall. **NAYS:** Flores, Williams, Segovia, Perez, Barrera, Schubert, Haass. **ABSENT:** Garza.

After consideration, the main motion failed by the following vote: **AYES:** Radle, Castro, Hall. **NAYS:** Flores, Williams, Segovia, Perez, Barrera, Schubert, Haass. **ABSENT:** Garza.

The City Clerk read the following ordinance:

AN ORDINANCE 99580

AN ORDINANCE DESIGNATING THE EXTENSION OF COUNCIL DISTRICTS 3 AND 4 TO INCLUDE THE TERRITORY WITHIN THE SOUTHSIDE INITIATIVE EXPANSION LIMITED PURPOSE ANNEXATION AREA.

Councilmember Perez made a motion to approve the proposed ordinance. Councilmember Hall seconded the motion.

Mr. Emil Moncivais, Director of Planning, narrated a slide presentation regarding the extension of Council Districts 3 and 4 for the Southside Initiative Expansion Limited Purpose Annexation Area, a copy of which is on file with the Office of the City Clerk. He spoke to the demographics of each of the Council districts, and indicated this ordinance would provide representation for the persons in the newly annexed area. He then discussed election provisions for limited purpose annexation areas.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Garza.

The City Clerk read the following Ordinance:

AN ORDINANCE 99581

AN ORDINANCE AUTHORIZING EXECUTION OF AN AMENDMENT TO THE CONCESSION AGREEMENT BETWEEN THE CITY AND TOWER FOODS, INC. FOR USE OF THE TOWER OF THE AMERICAS IN CITY COUNCIL DISTRICT 1 TO EXTEND THE CONTRACT TERM AND TO REVISE THE PERCENTAGE OF REVENUE PAID TO THE CITY.

Councilmember Perez made a motion to approve the proposed ordinance. Councilmember Haass seconded the motion.

Mr. Malcolm Matthews, Director of Parks and Recreation, narrated a slide presentation regarding an amendment to the concession agreement with Tower Foods, Inc., a copy of which is on file with the Office of the City Clerk. He provided background information on the agreement, and discussed future Tower operations. He then provided an update on Landry's, and discussed the Tower Foods amendment. He cited the fiscal impact of the amendment.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert. **NAYS:** None. **ABSENT:** Haass, Garza.

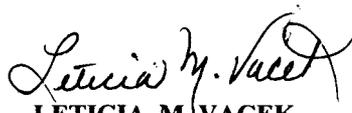
There being no further business to come before the City Council the meeting was adjourned at 10:15p.m.

A P P R O V E D



EDWARD D. GARZA
MAYOR

Attest:



LETICIA M. VACEK
City Clerk