

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

**A WORK SESSION AND REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO WERE HELD IN THE MUNICIPAL PLAZA BUILDING, WEDNESDAY, JANUARY 16, 2013, AND THURSDAY, JANUARY 17, 2013, RESPECTIVELY.**

The San Antonio City Council convened in a Work Session at 2:00 pm Wednesday, **January 16, 2013**, Municipal Plaza Building, with the following Councilmembers present: Taylor, Ozuna, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan, Soules, and Mayor Castro. **ABSENT:** Bernal. The Deputy City Clerk announced that Councilmember Bernal was out sick.

**1. A BRIEFING BY THE PUBLIC UTILITIES SUPERVISOR ON CITY STAFF'S PROFESSIONAL RECOMMENDATION ON THE SAN ANTONIO WATER SYSTEM'S FY 2013 PROPOSED RATES.**

Ben Gorzell stated that the San Antonio Water System (SAWS) had proposed a rate adjustment of 11.3% system wide with a proposed effective date of March 1, 2013. He noted that the increase was estimated to generate \$39.9 million in additional revenue. He reported that briefings regarding the rate increase were held with the City Council on November 14<sup>th</sup>, December 6<sup>th</sup> and December 12<sup>th</sup>. He mentioned that they provided responses to questions and requests for additional information to the City Council. He stated that the Public Utilities Staff had been performing a comprehensive review to include: Economic/Rate Model; Key Financial Targets; Capital Improvement Program; and Revenue Requirements. Lastly, he added that they had worked with SAWS Staff to adjust the original rate increase of 11.3% and had reduced the proposed increase to 8.4%.

Mr. Gorzell provided an overview of the Operations and Maintenance (O&M) History and Projections from 2008-2017. He reported that the 2013 O&M Proposed Budget consisted of the following: 1) Salaries and Fringe Benefits=\$128,718,106; 2) Contractual Services=\$116,742,691; 3) Materials and Supplies=\$24,449,725; and 4) Other Charges=\$11,363,045. He stated that they projected 1,797 authorized positions for 2013; an increase from 1,748 in 2012. He indicated that they were recommending a Performance Pay Pool equivalent to 2.5% of Base Salaries effective April 1, 2013 at a cost of \$1.6 million. He mentioned that they would continue to offer a Comprehensive Benefits Program but would make changes to the Medical Plans based on date of hire. He explained that employees hired prior to January 1, 2011 would pay 20%; while employees hired after January 1, 2011 would pay 30%. He indicated that in 2011, they announced changes to the Retirement Health Benefits for future retirees based on employee's hire data and plan selected. He highlighted the two Pension Plans: Texas Municipal Retirement System (TMRS) and Principal Retirement System.

Mr. Gorzell reported that SAWS owned 1,218 Fleet Assets consisting of Heavy Equipment, Light Duty Equipment, and Trailers. He noted that they acquired 379 Fleet Assets from the acquisition of BexarMet (District Special Project [DSP]). He explained that the estimated current replacement value was \$60 million for SAWS and \$18 million for the DSP. He stated that the 2013 Revised Capital Budget totaled \$8.5 million; a decrease from the original request of \$10.5 million. He provided an overview of the historical performance of the Capital Improvement Program (CIP) by Core Business of Water Delivery, Wastewater, and Water Supply. He highlighted the Proposed CIP for FY 2013-2017 and noted the projects included in the 2013 CIP totaling \$350 million. He indicated that SAWS planned to build two

new Service Centers at an expected cost of \$54 million over three years. He stated that they anticipated that proceeds from the sale of property would be applied against the Service Center Budget.

Mr. Gorzell reported that SAWS had 410,000 Wastewater Connections; 5,200 miles of Wastewater Mains; three Wastewater Treatment Plants; five Sewersheds; and 160 Lift Stations. He provided an inventory of the Wastewater System by Miles and Age by Diameter of Pipe. He reported the number of Sanitary Sewer Overflows (SSOs) from 2009-2012 and outlined the cause of the 2012 SSOs, noting that 29% were due to debris and 39% were due to grease. He spoke of the increased costs associated with Line Cleaning and Televising for 2013.

Mr. Gorzell highlighted the SAWS Flow of Funds, noting that the Bond Indenture required that gross revenues be pledged in the following order of priority: 1) Maintenance and Operating Expenses, 2) Debt Service and Reserve Fund Requirements, 3) City General Fund Transfer, 4) Equal Transfer to Renewal and Replacement, and 5) Any Surplus Transferred to Renewal and Replacement. He indicated that the amounts transferred to Renewal and Replacement provide cash funding for the Capital Program. He reported a 2013 Budget totaling \$499,963,386 and outlined the outstanding debt by type.

Mr. Gorzell stated that in June 2010, a revised SAWS Rate Structure was approved which reduced rates for lower water usage and increase rates for higher water usage. He noted that the current rate request does not propose changes to the rate structure. He indicated that a Rates Structure Review Process would commence in 2013 utilizing a Rates Advisory Committee. He stated that they target implementation of the revised rate structure in 2015. He spoke of the customer bill impact with an 8.4% rate increase in which the total monthly bill would increase by \$3.88. He mentioned that for FY 2013, the city would receive additional revenue in the amount of \$486,000.

Mr. Gorzell spoke of the Drought Stage Rules that would be revised to address triggers, outdoor spray irrigation, car washing, and fountains. He stated that staff recommended that the City Council approve an 8.4% Overall System-Wide Rate Increase and noted that staff concurred with the proposed updates to the Drought Management Plan. He further recommended that SAWS develop a plan and begin efficiency reviews in areas to include Public Affairs Department, Customer Service Department, Engineering Department, and Fleet. He mentioned that they would continue to comprehensively evaluate Pension, Health, and Other Benefits, and would also implement Accountability Procedures for the SSO Program.

Mayor Castro thanked staff for the presentation and stated that he was pleased that the proposed rate increase had been reduced to 8.4%. He asked of SAWS' response to the staff recommendation. Robert Puente, SAWS CEO stated that they concurred with the city's recommendation to reduce the rate increase to 8.4% and were able to reduce the amount due to efficiency measures. He noted that he believed this amount would allow them to meet their mission and operate a top-notch utility. He added that they had begun identifying areas of efficiency and would continue to do so. Mayor Castro stated that he was confident that this was how the process should work. He recognized that the operational needs are in the best interest of ratepayers and looked forward to future discussions.

Councilmember Ozuna thanked everyone for their work on the process and stated that she was pleased with the lower increase recommended by city staff. She asked of the rate structure revised in 2010. Mr. Puente replied that the 8.4% increase would be implemented across the board. He explained that in 2010, rates were decreased for low-water users and rates were increased for high-water users. He indicated that they would begin working on a new rate structure in 2013 that would be implemented in

2015. Councilmember Ozuna spoke of the effect of regressive rates on the community and being sensitive to the ratepayers. She noted that there was a great amount of aged pipe that needed to be addressed and spoke of the importance of reducing the amount of grease and debris causing SSOs. Mr. Puente stated that he was confident that the SSO Plan would address grease and debris.

Councilmember Lopez asked of the accountability procedures for the SSO and the relationship to the Rates Advisory Committee. Mr. Gorzell replied that written quarterly progress reports would be provided to the City Council and that they would establish a Cost Center to track all costs and activities associated with the SSO Program. He explained that the Rates Advisory Committee would work with SAWS to review the new rate structure that will be implemented in 2015. Councilmember Lopez commended SAWS for their community outreach. He added that although he was pleased with identifying efficiency measures, he did not want to short-change the outreach to the community.

Councilmember Williams asked of the percentage of the SAWS Budget allocated for salaries. Mr. Gorzell replied that it was 48.7%. Councilmember Williams stated that this was a high burden rate and asked if a comparison had been conducted among other entities. Mr. Gorzell stated that they had not conducted an analysis but could do so. Councilmember Williams asked if selection had been made for the Construction Manager at Risk for the Desalination Project. Mr. Puente replied that they had made a selection and were in the negotiation process. Kelley Neumann added that they had made a selection but did not have a Maximum Guaranteed Price. Councilmember Williams stated that SAWS should benchmark water and wastewater customers separately. He noted that he was concerned with the term "Average Customer" and requested that SAWS show the impact to various rate levels. He stated that he was pleased that there was a plan to evaluate results and spoke of the importance of focusing on how the rate increase will be used.

Councilmember Soules thanked staff for their work and stated that he was pleased that they would continue to identify additional efficiencies. He asked of the benchmarking data presented on Slide 18. Mr. Gorzell replied that Finance Staff had compiled the data and that the number of employees reported per entity were actual filled positions. Councilmember Soules expressed concern with the low percentages reported for 2012 Capital Improvement Projects within each of the categories of Water Delivery, Wastewater, and Water Supply. Ms. Neumann explained that amounts are committed when approved by the Board and that contracts are paid by phase as work is completed. Councilmember Soules expressed concern that he had not seen any of the information on Slide 24 related to two new Service Centers. Mr. Gorzell replied that city staff had been discussing the Service Centers with SAWS Staff. Doug Evanson of SAWS added that they may have presented a portion of the project amount but may not have discussed the total cost of \$54 million over three years. Councilmember Soules spoke of the potential to find efficiencies prior to building new Service Centers. He asked of the amount spent by year on line cleaning, noting that he had requested the information on several occasions. Mr. Gorzell replied that they did not have that information and would follow-up with the City Council. Councilmember Soules noted concerns that more information was not provided regarding the funds spent to address SSOs since that was the main reason for the rate increase. He asked of the Rates Advisory Committee and if the City Council could recommend individuals to serve on that committee. Mr. Puente indicated that the City Council could recommend names to the SAWS Board to appoint to their Rates Advisory Committee.

Councilmember Chan thanked staff for the presentation and asked of the 77 employees transferred from the DSP. Mr. Gorzell replied that the 77 employees were transferred from the DSP and were included in the 1,674 total filled positions. Councilmember Chan asked of the pie chart entitled "2012 SSOs by

Cause” on Slide 27. Mr. Gorzell replied that the chart outlined the various causes of SSOs for 2012 and that the data was provided by SAWS. Councilmember Chan stated that the dollar amount spent to address SSOs should be equivalent to the percentage by cause. She asked of the budgeted and actual revenue for 2012. Mr. Gorzell replied that the budgeted revenue was \$432.2 million. Mr. Evanson noted that the actual amount of revenue collected was \$438.2 million. Councilmember Chan asked of the budgeted revenue for 2013 without the rate increase. Mr. Evanson replied that it was \$433.8 million. Councilmember Chan asked of the O&M Cost for 2012. Mr. Evanson reported that the O&M Cost for 2012 was \$233.9 million. Councilmember Chan asked of the amount that would be generated by the increase. Mr. Gorzell replied that it would generate \$24.6 million for the nine-month period since it would be implemented in March.

Councilmember Chan asked of the additional revenue required for the Water Supply. Mr. Gorzell replied that the amount required for the Water Supply was \$1.8 million. Councilmember Chan asked of the increased amount of funding needed for Line Cleaning and Televising in 2013. Mr. Gorzell confirmed that it totaled \$7.33 million and that the total budget to address SSOs in 2013 was \$28.7 million. Councilmember Chan asked of the 0.3% reductions related to O&M. Mr. Evanson responded that the \$1.85 million reduction was included in items such as medical savings, advertising and legal reductions. Councilmember Chan asked how SAWS accounted for surplus revenues. Mr. Gorzell explained the Flow of Funds and noted that surplus was transferred to Renewal and Replacement. He added that the amounts transferred to Renewal and Replacement provide cash funding for the Capital Program. Councilmember Chan requested the amount of funding needed for the Desal Project. Mr. Gorzell replied that he would provide that information.

Councilmember Soules asked of SAWS accepting the lower proposed rate increase. Mr. Gorzell replied that they were projecting an increased customer growth and lower interest rates. He noted that he would review the data and provide a response to the City Council. Councilmember Soules stated that SAWS should adjust their budget during the year. Mr. Puente stated that projections were weather-dependent and very unpredictable.

## **2. A BRIEFING REGARDING TRANSPORTATION PLANNING AND POLICY FOR THE CITY OF SAN ANTONIO.**

Mayor Castro announced that due to time constraints, Item 2 would not be addressed.

### **EXECUTIVE SESSION**

- A. DELIBERATIONS REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS AND DISCUSS RELATED LEGAL ISSUES PURSUANT TO TEXAS GOVERNMENT CODE SECTIONS 551.087 (ECONOMIC DEVELOPMENT) AND 551.071 (CONSULTATION WITH ATTORNEY).**
- B. DELIBERATE THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY AND DISCUSS RELATED LEGAL ISSUES PURSUANT TO TEXAS GOVERNMENT CODE SECTIONS 551.072 (REAL PROPERTY) AND 551.071 (CONSULTATION WITH ATTORNEY).**

Executive Session was not held.

Mayor Castro recessed the meeting at 4:45 pm and announced that the meeting would resume at 6:00 pm for Citizens to be Heard.

### **CITIZENS TO BE HEARD**

Mayor Castro reconvened the meeting at 6:00 pm and called upon the individuals registered to speak.

Dr. Charles Karulak, Headmaster of Winston School of San Antonio, provided the Council with the school's mission and spoke of programs and community partnerships developed which assists students with disabilities be productive citizens. He invited the Mayor and Council to a symposium scheduled for January 25, 2013.

Stanley Mitchell spoke against the use of tax subsidies for the Streetcar Project and provided documentation refuting advertised implementation costs

Mark Kellman spoke of the Downtown Streetcar Route to be utilized and suggested that routes be changed in order to connect urban points of interest.

Queta Marquez with La Ofrenda Veterans Monument Committee highlighted the work being done by the organization to build a Veteran's Monument at Elmendorf Lake Park. She listed business sponsorships and community support which are assisting the organization in honoring military heroes. She requested that the City approve a Resolution of Support, identify a liaison to assist the organization with community outreach, provide local funding, and assist with leveraging national funding.

Henry Rodriguez with LULAC spoke in support of Jasmine Engineering. He detailed the quality work done by the Firm and noted that many projects were done under budget and on time.

Gizelle Luevano, resident of the Stablewood Farms Subdivision, requested a meeting with Mayor Castro and hoped that the City would establish a "lemon law" ordinance prohibiting Builders from building substandard homes.

Esmeralda Perez requested a meeting with City Leadership in order to discuss in more detail the construction flaws of her home. She noted that her family was still getting sick from the home being built on a former sewer plant.

Edward Gonzales, resident of Stablewood Farms Subdivision, requested assistance from the City in encouraging the builder to fix his home. He highlighted flaws in his home as well as medical issues he and his pets suffer from.

Henry Rodriguez added that he had been in discussions with representatives from the Stablewood Farms Subdivision and requested that the City assist the homeowners.

Faris Hodge, Jr. submitted written testimony and asked how much money would be provided to VIA for the Streetcar Project. He expressed concern with the open drainage behind the Mission Drive-In Marquee. He wrote that the youth curfew could not be properly enforced due to the lack of Police Officers and he believed that the fitness equipment for various fire stations was a waste of money. He recognized the Animal Care Services Department for winning \$100,000. He wrote that the Bikeshare

Program was performing well in the Downtown Area. He expressed concern that the restrooms in the Farmers Market and El Mercado were not ADA Compliant.

## **ADJOURNMENT**

There being no further discussion, Mayor Castro adjourned the meeting at 6:40 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, **January 17, 2013**, at 9:00 am in the City Council Chambers.

## **ROLL CALL**

Deputy City Clerk Leticia Y. Saenz took the Roll Call and noted a quorum of the Council with the following present: Bernal, Taylor, Ozuna, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan, Soules, and Mayor Castro. **ABSENT:** None. She announced that Councilmember Chan was running a little late.

**Item 1.** The Invocation was delivered by Brandon T. Smith, Boards & Commissions Coordinator with the Office of the City Clerk, guest of Councilmember W. Reed Williams, District 8.

**Item 2.** Mayor Castro led the Pledge of Allegiance to the Flag of the United States of America.

## **Item 3. MINUTES**

Councilmember Saldaña moved to approve the Minutes for the December 5-6, 2012 City Council Meetings. Councilmember Lopez seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Ozuna, Saldaña, D. Medina, Lopez, C. Medina, Williams, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** Chan.

## **POINT OF PERSONAL PRIVILEGE**

Councilmember Taylor recognized the San Antonio Alumni Chapter of Delta Sigma Theta, Inc. who was celebrating the 100<sup>th</sup> Anniversary of the National Chapter. She called upon Karen Douglas, Chapter President. Ms. Douglas thanked Councilmember Taylor for the recognition and stated that they were pleased with the Proclamation they received signed by Mayor Castro. Mayor Castro congratulated Delta Sigma Theta, Inc. on their 100<sup>th</sup> Anniversary.

## **CONSENT AGENDA ITEMS 4-18**

Consent Agenda Items 9, 11, 12C, 14 and 18 were pulled for Individual Consideration.

Councilmember Bernal moved to approve the remaining Consent Agenda Items. Councilmember Saldaña seconded the motion.

Mayor Castro called upon Nazirite Ruben Flores Perez to speak on the Consent Agenda.

Mr. Nazirite Ruben Flores Perez spoke in support of the San Antonio Children's Museum (Items 10A-10D) noting that they would benefit children.

Faris Hodge, Jr. submitted written testimony in favor of Items 4-11, and 13-18. He wrote against Items 12A-C.

The motion to approve the remaining Consent Agenda Items prevailed by the following vote: **AYES:** Bernal, Taylor, Ozuna, Saldaña, D. Medina, Lopez, C. Medina, Williams, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** Chan.

**2013-01-17-0016**

Item 4. AN ORDINANCE ACCEPTING THE OFFER FROM DALLAS DODGE TO PROVIDE THE SAN ANTONIO FIRE DEPARTMENT WITH ONE MEDICAL SPECIAL OPERATIONS UNIT AMBULANCE FOR A TOTAL COST OF \$183,650.00, FUNDED BY THE 2010 DEPARTMENT OF HOMELAND SECURITY – URBAN AREA SECURITY INITIATIVE GRANT.

**2013-01-17-0017**

Item 5. AN ORDINANCE ACCEPTING THE OFFER FROM SIDDONS-MARTIN EMERGENCY GROUP TO PROVIDE THE SAN ANTONIO FIRE DEPARTMENT WITH TWO PIERCE MANUFACTURED FIRE APPARATUS WATER TANKER/PUMPER TRUCKS FOR A TOTAL COST OF \$385,620.00, FUNDED FROM THE EQUIPMENT RENEWAL AND REPLACEMENT FUND.

**2013-01-17-0018**

Item 6. AN ORDINANCE AUTHORIZING A FIVE-YEAR LEASE WITH BERNARD'S CREOLE KITCHEN & CATERING SERVICE LLC AT STINSON MUNICIPAL AIRPORT WITH GUARANTEED ANNUAL RENTAL RATE OF \$1,440.00.

**2013-01-17-0019**

Item 7. AN ORDINANCE APPROVING A FIVE-YEAR LEASE EXTENSION WITH W. W. TICHENOR & CO., INC., D.B.A. STARGAZER AVIATION FOR 12,877 SQUARE FEET OF HANGAR SPACE AND 13,777 SQUARE FEET OF GROUND SPACE AT SAN ANTONIO INTERNATIONAL AIRPORT FOR AN ANNUAL RENT TOTALING \$37,059.45.

**2013-01-17-0020**

Item 8. AN ORDINANCE AUTHORIZING A TWENTY-YEAR LEASE AGREEMENT WITH ALPHA TANGO FLYING SERVICES, INC. FOR 57,360 SQUARE FEET OF GROUND SPACE AT STINSON MUNICIPAL AIRPORT FOR AN ANNUAL RENT TOTALING \$10,324.80.

Item 10. CONSIDERATION OF THE FOLLOWING ORDINANCES RELATED TO THE SAN ANTONIO CHILDREN'S MUSEUM, A 2012-2017 BOND PROGRAM PROJECT:

**2013-01-17-0022**

- A. AN ORDINANCE AUTHORIZING THE NEGOTIATION AND EXECUTION OF A FUNDING AGREEMENT WITH SAN ANTONIO CHILDREN'S MUSEUM IN AN AMOUNT NOT-TO-EXCEED \$1,800,000.00 AND AUTHORIZING PAYMENT.

**2013-01-17-0023**

- B. AN ORDINANCE AUTHORIZING ACQUISITION OF PRIVATELY-OWNED REAL PROPERTIES LOCATED AT EAST MULBERRY AVENUE (WITHIN NCBS 1066 AND 3867) AND HUMPHREY AVENUE (WITHIN NCBS 3869 AND 1055), FOR SAN ANTONIO CHILDREN'S MUSEUM; AUTHORIZING EXPENDITURES IN AMOUNT NOT-TO-EXCEED \$1,200,000.00 FOR THIS ACQUISITION; AND, AUTHORIZING PAYMENT OF FUNDS TO THE SELECTED TITLE COMPANY FOR ASSOCIATED TITLE FEES.

**2013-01-17-0024**

- C. AN ORDINANCE AUTHORIZING THE NEGOTIATION AND EXECUTION OF A LEASE OF PROPERTY (UPON PURCHASE), LOCATED AT EAST MULBERRY AVENUE (WITHIN NCBS 1066 AND 3867) AND HUMPHREY AVENUE (WITHIN NCBS 3869 AND 1055), TO SAN ANTONIO CHILDREN'S MUSEUM FROM THE CITY FOR A TERM OF \$1 PER YEAR FOR TWENTY YEARS AND AUTHORIZING PAYMENT.

**2013-01-17-0025**

- D. AN ORDINANCE AUTHORIZING THE CLOSURE, VACATION AND ABANDONMENT OF 0.261 ACRES OF HUMPHREY AVENUE PUBLIC RIGHT-OF-WAY, LOCATED BETWEEN MARGARET STREET AND PINE STREET, ADJACENT TO NCB 1066, IN COUNCIL DISTRICT 2, AS REQUESTED BY SAN ANTONIO CHILDREN'S MUSEUM.

Item 12. CONSIDERATION OF THE FOLLOWING BOARD, COMMISSION AND COMMITTEE APPOINTMENTS FOR THE REMAINDER OF UNEXPIRED TERMS OF OFFICE TO EXPIRE MAY 31, 2013, 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:

- A. APPOINTING ROXANN M. GARCIA (DISTRICT 5) TO THE MAYOR'S COMMISSION ON THE STATUS OF WOMEN.
- B. APPOINTING BRIAN D. SMITH (DISTRICT 5) TO THE ZONING BOARD OF ADJUSTMENT.

**2013-01-17-0027**

Item 13. AN ORDINANCE AUTHORIZING TWO PROFESSIONAL SERVICE AGREEMENTS IN THE AMOUNT NOT TO EXCEED \$1,000,000.00 EACH WITH ALAMO ENVIRONMENTAL, INC. AND SWS ENVIRONMENTAL SERVICES TO PROVIDE ON-CALL ENVIRONMENTAL REMEDIATION SERVICES FOR THE AVIATION DEPARTMENT ON AN AS-NEEDED BASIS FOR A THREE-YEAR TERM WITH A TWO-YEAR OPTION.

**2013-01-17-0029**

Item 15. AN ORDINANCE AMENDING THE CENTER CITY HOUSING INCENTIVE POLICY TO CHANGE THE PROGRAM INCENTIVE AREA FROM THE INNER CITY REINVESTMENT INFILL POLICY (ICRIP) TARGET AREA TO THE COMMUNITY REVITALIZATION ACTION GROUP (CRAG) AREA.

**2013-01-17-0030**

Item 16. AN ORDINANCE CONSENTING TO AND APPROVING THE ISSUANCE OF REVENUE BONDS BY THE MISSION ECONOMIC DEVELOPMENT CORPORATION ON BEHALF OF NELSON GARDENS ENERGY, LLC TO FINANCE ELECTRICAL GENERATION FACILITIES LOCATED WITHIN THE CITY OF SAN ANTONIO; AUTHORIZING AND APPROVING THE ASSIGNMENT BY NELSON GARDENS ENERGY, INC. OF CERTAIN LEASEHOLD INTERESTS AND RIGHTS UNDER A POWER PURCHASE AGREEMENT IN CONNECTION WITH SUCH BONDS; AND AUTHORIZING AND APPROVING OTHER MATTERS IN CONNECTION THEREWITH.

**2013-01-17-0031**

Item 17. A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE AUTHORIZING A SUBSTANTIAL AMENDMENT TO THE FY 2013 CONSOLIDATED ANNUAL ACTION PLAN AND THE REPROGRAMMING OF \$250,000.00 IN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR CDBG-ELIGIBLE INFRASTRUCTURE MANAGEMENT PROGRAM STREET PROJECTS FOR SIDEWALK IMPROVEMENTS ON THE WEST SIDE OF DEZAVALA ROAD NEAR CLARK HIGH SCHOOL IN COUNCIL DISTRICT 8.

**[CONSENT ITEMS CONCLUDED]**

**ITEMS PULLED FOR INDIVIDUAL CONSIDERATION**

The Deputy City Clerk read the caption for Item 9:

**2013-01-17-0021**

Item 9. AN ORDINANCE AUTHORIZING PAYMENT IN THE AMOUNT OF \$7,093,000.00 TO STEWART TITLE COMPANY, AS ESCROW AGENT FOR LAND, DUE DILIGENCE AND CLOSING COSTS TOWARD THE ACQUISITION OF A 461 ACRE TRACT OF LAND KNOWN AS THE MABE-CANYON RANCH LOCATED IN BEXAR COUNTY, AS PART OF THE EDWARDS AQUIFER PROTECTION PROGRAM.

Councilmember Soules stated that this program was due to the citizens of San Antonio voting for the Aquifer Protection Program and spoke of jurisdiction. He noted that the city would take the property into possession and then turn it over to Texas Parks and Wildlife to manage. Mike Etienne, CIMS Assistant Director confirmed same. Councilmember Soules asked if Texas Parks and Wildlife would annex the property. Mr. Etienne replied that once the transaction for Government Canyon was complete; they would petition to annex the property.

Councilmember Soules moved to adopt the proposed Ordinance. Councilmember Lopez seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Ozuna, Saldaña, D. Medina, Lopez, C. Medina, Williams, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** Chan.

The Deputy City Clerk read the caption for Item 11:

**2013-01-17-0026**

Item 11. AN ORDINANCE AUTHORIZING THE USE OF CITY COUNCIL PROJECT FUNDS FOR ELIGIBLE PROGRAMS OR PROJECTS SPONSORED BY THE COMMUNITIES FOUNDATION OF TEXAS, SAN ANTONIO FIRE MUSEUM SOCIETY, COMMUNITIES IN SCHOOLS OF SAN ANTONIO AND SAN ANTONIO CHILDREN'S MUSEUM.

Councilmember D. Medina highlighted Item 11 and stated that he was pleased to honor and preserve the history of San Antonio Firefighters. He recognized Fire Department Staff that were present. Mayor Castro stated that he was excited about the project and commended Councilmember D. Medina for his leadership.

Councilmember D. Medina moved to adopt the proposed Ordinance. Councilmember Lopez seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Ozuna, Saldaña, D. Medina, Lopez, C. Medina, Williams, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** Chan.

The Deputy City Clerk read the caption for Item 12C:

Item 12C. APPOINTING ONE CANDIDATE (AT LARGE) TO THE JOINT CITY/COUNTY CITIZENS BOND OVERSIGHT COMMISSION FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE MAY 31, 2014.

Councilmember D. Medina moved to appoint Steve Duran to the Joint City/County Citizens Bond Oversight Commission. Councilmember Saldaña seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Ozuna, Saldaña, D. Medina, Lopez, C. Medina, Williams, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** Chan.

The Deputy City Clerk read the caption for Item 14:

**2013-01-17-0028**

Item 14. AN ORDINANCE ADOPTING THE CITY'S 5-YEAR CONTRACTING DIVERSITY ACTION PLAN.

Mike Frisbie presented a Power Point regarding the Diversity Action Plan noting that he and the Fair Contracting Coalition (FCC) initially presented the Plan to the City Council on December 13, 2012. He indicated that there had been extensive community involvement since October 14, 2012. He recognized various groups and individuals that assisted in creating the Plan. He introduced CIMS Assistant

Director Debbie Sittre who has served as the point of contact. Ms. Sittre spoke of the Plan's Vision for city contracts to mirror the diversity of the San Antonio Business Community. She highlighted the Plan Goals to increase the number of minority and women-owned firms in the City's Central Vendor Registry (CVR) and to increase the participation of minority and woman-owned firms on City Contracts. She reported that key objectives would include outreach to more firms to bid on city work and providing opportunities for Small, Minority, and Women-Owned Business Enterprises (S/M/WBE) by eliminating barriers.

Ms. Sittre outlined the strategies for outreach that include designating two staff persons as Diversity Coordinators to perform outreach and assist with registration and certification. She stated that they would host quarterly "Meet the Primes" Events to facilitate relationships. She noted that they would promote inclusion of one seat for San Antonio for Growth on the Eastside (SAGE) on the Economic Development Foundation (EDF) Board with the intent that the seat would be filled by an African American Business Owner. She mentioned that they would implement segmented goals as data indicates and that they would begin the stakeholder process for reviewing the Small Business Economic Development Advocacy (SBEDA) in February 2013. She indicated that Frost Bank would be taking the lead with other banks to form a six-month pilot program to improve small business access to lines of credit. Additionally, they have requested that Prime Consultants and Contractors hire high school and college students as interns. She added that the city will study the composition of the workforce in its construction contracts and promote diversity.

Mr. Frisbie stated that staff recommended adoption of the Diversity Action Plan and that they would report results on a quarterly basis with 2012 Bond Updates.

Mayor Castro called upon the individuals registered to speak on Item 14.

Bill Burman stated that he was representing the National Association for the Advancement of Colored People (NAACP) and thanked the City Council and City Manager for working with them. He spoke in support of the process that had been utilized to create the Diversity Action Plan. He stated that the Plan would have to be worked and that they would continue to monitor the participation. He noted that they hoped that the segmentation issue would be addressed in the future. He requested that they have representation on the EDF Board.

Jack M. Finger asked when the city would stop treating women, Hispanic, and Black Americans as second-class citizens. He stated that the city was providing them with a crutch and asked of the statute of limitations on affirmative action ideas that were established 40 years ago. He asked when Anglo Americans would be provided outreach to be considered for city contracts.

Darren James spoke in support of the Diversity Action Plan. He stated that they were not looking for a handout but an opportunity to build their capacity and become better contributing members of society. He noted that they had been in San Antonio since May 2011 and had become involved with SAGE, Rotary Club, and the Chamber of Commerce. He added that their Architectural and Engineering Firm was 32-years-old and worked with local companies to build capacity.

Lou Miller spoke in support of the Diversity Action Plan and thanked Mayor Castro and Councilmember Taylor for their leadership on the issue. He requested that the City Council consider creating an Oversight Committee consisting of community members who would be able to track the progress of the Plan.

Travis Wiltshire stated that he served on the Board of the Alamo City Black Chamber of Commerce and was supportive of the Diversity Action Plan. He noted that they would like for the city to consider the issue of segmented goals in the future and thanked the City Council for their support.

Gordon M. Benjamin stated that he served on the FCC and was supportive of the Diversity Action Plan. He spoke of the failure of past remedial actions and programs and noted that he looked forward to the document being adopted. He stated that he was pleased with the opportunities to increase the contracting participation of the African-American Community and other minority groups.

Porter Dillard commended the City Council for directing staff to move forward with the plan. He stated that he had been involved in creation of the plan for the past three months and was pleased with the approach utilized. He added that it would be important to stay the course and build the workforce diversity component.

Odis Spencer, Owner of River City Disposal stated that he was in support of the Diversity Action Plan. He thanked the City Council and city staff for their work and support.

Kyle McGlotten with ICS, LLC stated that they were a consulting firm that assisted municipalities become efficient and successful. He thanked the City Council for their leadership on said item and spoke of the need to measure results. He recommended that goals be adopted as part of the plan.

Councilmember Chan entered the meeting at this time.

Cristina J. Bazaldua representing the San Antonio Hispanic Chamber of Commerce spoke in support of the Diversity Action Plan. She stated that it was important to increase public contracting efforts for minorities and thanked the City Council for their support.

Renee Harris stated that she was a Woman-Owned, Disabled Veteran, Small Business Owner in support of the Diversity Action Plan. She spoke of the importance of implementation and accountability and thanked the City Council for their support.

T.C. Calvert spoke of the many meetings that were held to create the Diversity Action Plan. He commended the City Council for their support and stated that he was very proud that the message was being sent to other cities. He noted that history was being made today and could be replicated. He asked that it not be business as usual and stressed the importance of execution and building capacity.

Christopher Herring, Owner of New Horizon School and Small Business Advocacy Committee (SBAC) Board Member spoke in support of the Diversity Action Plan. He stated that they were not looking for a handout and that the city was making great progress by implementing a Diversity Action Plan.

Councilmember Taylor thanked everyone for their presence and participation in the process. She stated that this was a good starting point but there was more work to be done. She noted that she would like to stay in contact with city staff on the timeline for implementation of an Oversight Committee in relation to the Disparity Study. She indicated that she was pleased that they would be working with the EDF for SAGE to have a seat on their Board. She encouraged staff to continue dialogue and efforts with the FCC regarding the implementation of segmented goals. She asked the community to challenge the city to produce results that everyone would like to see.

Councilmember Williams thanked everyone for being present and for their work on the Diversity Action Plan. He stated that this was a good step but there was still more work to be done. He recognized the FCC for being proactive and making the city aware of the contracting disparities. He noted that they were working toward leveling the playing field and not giving a handout.

Councilmember Bernal stated that this was about equity of opportunity. He commended Mayor Castro and Councilmember Taylor for their efforts on said issue. He noted that he understood the skepticism due to limited efforts in the past and asked of the mechanisms in place to track the progress over the next year. Rene Dominguez replied that they would provide quarterly reports to the City Council and that staff would have internal metrics that would be monitored and reported. He noted that the SBAC would also provide oversight. Mike Frisbie added that staff was developing performance measures and goals. He spoke of their work to build capacity and grow African American Owned Companies. Councilmember Bernal stated that he would like to clarify how the performance measures and quarterly reports would be provided and would like for the public to have opportunities to provide input.

Councilmember Saldaña spoke in support of the Diversity Action Plan and stated that he looks forward to seeing the progress. He noted that he admired the passion of the individuals that spoke, those that worked to create the Plan, and that it was important to do the right thing.

Councilmember D. Medina stated that he was pleased with the work on the Diversity Action Plan and believed that it was a step in the right direction. He commended everyone involved in the process and spoke of the need to eliminate the barriers that still exist.

Mayor Castro commended Councilmember Taylor for her leadership on this effort and thanked city staff for their work. He further thanked everyone that was involved in the process. He spoke of the concerns brought forth regarding no Bond Projects being awarded to African American Owned Businesses as a Prime Contractor. He stated that it was important to keep up the work and not be in the same position in 20 years. He concurred with Councilmember Taylor's recommendation regarding having appropriate oversight and looked forward to implementing the plan and seeing progress.

Councilmember Taylor moved to adopt the proposed Ordinance. Councilmember Bernal seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Ozuna, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** None.

The Deputy City Clerk read the caption for Item 18:

**2013-01-17-0032**

Item 18. AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH THE SAN ANTONIO INDEPENDENT SCHOOL DISTRICT (DISTRICT) INCREASING THE AMOUNT OF THE AGREEMENT FROM \$111,000.00 TO AN AMOUNT NOT TO EXCEED \$206,924.00 FOR IMPROVEMENTS AND RENOVATION OF DISTRICT PROPERTIES TO BE USED FOR THE PURPOSE OF INCREASING ACCESS TO PHYSICAL ACTIVITY RESOURCES FOR RESIDENTS OF THE CITY OF SAN ANTONIO AND BEXAR COUNTY FUNDED THROUGH AMERICAN

## REINVESTMENT AND RECOVERY ACT GRANT FUNDS FROM THE CENTERS FOR DISEASE CONTROL AND PREVENTION.

Councilmember D. Medina highlighted said item and asked for additional information on the program. Dr. Thomas Schlenker stated that this was part of the direction they had taken over the past few years to support shared use of school facilities. He stated that they were investing time and energy to improve school athletic facilities that were open to the community. He noted that they were targeting the Collins Garden Neighborhood as a Healthy Hub and were working with various entities to improve Boulevard Park. He added that they would improve the outdoor basketball court and create a walking track at Harris Middle School. Councilmember D. Medina stated that he was pleased with the great impact that the improvements would have in the Collins Garden, Harris, and Lone Star Neighborhoods.

Councilmember D. Medina moved to adopt the proposed Ordinance. Councilmember Bernal seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Ozuna, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** None.

### **Item 19. CITY MANAGER'S REPORT**

#### **A. BOARDING HOMES UPDATE**

Ms. Sculley reported that multiple departments including Development Services, Metro Health, City Attorney's Office and Human Services were working with stakeholders to implement the inspection and permitting program. She stated that Boarding Homes that register with the city before March 1, 2013 would have until January 1, 2014 to install fire sprinklers. She noted that Boarding Homes that did not register by March 1, 2013 would have 30 days to meet all Ordinance Requirements. She reported that thus far, three Boarding Homes had requested applications for registration. She indicated that staff was working with stakeholders to outreach to Boarding Home Operators and a meeting would take place on January 22, 2013 at the Development Services One Stop. Additionally, staff will hold an informational session for Boarding Home Operators and Fire Sprinkler Contractors to explain the various types of sprinkler systems with an emphasis on those required for Boarding Homes, Permitting Requirements, and the Inspection Process. She stated that a list of the Fire Sprinkler Contractors that attend the informational meeting would be provided to Boarding Home Operators. She added that city staff would assist Boarding Home Operators in the Registration Process and help them better understand the Ordinance Requirements.

#### **B. HUMAN SERVICES UPDATE**

Ms. Sculley reported that the 2013 Volunteer Income Tax Assistance (VITA) Season kicks off on January 28, 2013 and will operate through April 15, 2013. She stated that free tax preparation and e-filing would be made available to individuals and families earning up to \$55,000. She noted that the VITA Program would operate 23 VITA Sites and one Mobile Team. She mentioned that 640 VITA Volunteers had registered to date. She indicated that Student Aid Saturdays would be co-located with VITA at St. Mary's University, Palo Alto College, and University of the Incarnate Word to assist families in completing their free application for Federal Student Aid Forms. She reported that in 2012,

VITA filed 34,274 tax returns recovering over \$63 million in refunds and eligible credits for San Antonio Families.

Ms. Sculley also reported on the Point-In-Time (PIT) Count that was critical to San Antonio's efforts to address homelessness. She stated that federal funding for homeless programs was largely based on this one-a-year physical count of the city's homeless population. She noted that since 2003, the Department of Housing and Urban Development has required local communities receiving federal homeless funding to conduct a PIT Count in their community. She indicated that the PIT was conducted in one night by surveying and counting homeless persons living in shelters, streets, parks, and other places not meant for human habitation. She mentioned that the South Alamo Regional Alliance for the Homeless was the Local Homelessness Continuum of Care Coalition in Bexar County and coordinates the PIT. She added that this year's count was planned for Tuesday, January 22, 2013 from 5:00-9:00 pm and that people could register to volunteer by visiting the Haven for Hope Website.

Mayor Castro thanked Ms. Sculley for the report and stated that he looked forward to the implementation of the VITA Program and Boarding Homes Policy.

### **RECESSED**

Mayor Castro recessed the meeting at 10:40 am and announced that the meeting would resume at 2:00 pm for the Zoning portion of the agenda.

### **RECONVENED**

Mayor Castro reconvened the meeting at 2:05 pm and addressed the Zoning Items.

### **CONSENT ZONING ITEMS**

Councilmember Chan moved to approve the Consent Zoning Items: Z-1, Z-3, Z-4, Z-6, Z-8, Z-9, Z-10, Z-11, Z-12, Z-13, Z-14, Z-15, Z-16, Z-18, Z-19, Z-20, Z-21, Z-23, P-3, P-4, Z-24, Z-25, Z-26, Z-27, and Z-29. Councilmember C. Medina seconded the motion.

Mayor Castro called upon Jack M. Finger to speak.

Mr. Jack M. Finger stated that he was opposed the proposed daycare in Items P-1 and Z-17 due to commercial encroachment in the residential neighborhood. He expressed concern with the increased parking issues that would be created. He spoke in opposition to the pawn shop proposed in Items P-2 and Z-22, and to the used car lot in Item Z-23.

Written testimony was received from Jim Reed, President of the San Antonio Medical Foundation in support of Items P-4 and Z-24.

Written testimony was received from Stephen J. Jarema, President of the Tanglewood Residents' Association in support of Item Z-25.

The motion to approve the Consent Zoning Items prevailed by the following vote: **AYES:** Bernal, Taylor, Ozuna, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** None.

**2013-01-17-0033**

Item Z-1. **ZONING CASE # Z2013011 (District 1):** An Ordinance amending the Zoning District Boundary from "C-3NA RIO-2 AHOD" General Commercial Nonalcoholic Sales River Improvement Overlay-2 Airport Hazard Overlay District to "IDZ RIO-2 AHOD" Infill Development Zone River Improvement Overlay-2 Airport Hazard Overlay District with Townhomes (Attached Single-Family Residences) not to exceed 27 units per acre on 0.974 of an acre out of Lots 4, 5, 6, 7, 8 and 9, NCB 1758 located at 1112, 1114, and 1126 (also known as 1120) East Quincy Street. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 0.974 OF AN ACRE OUT OF LOTS 4, 5, 6, 7, 8 AND 9, NCB 1758 TO WIT: FROM "C-3NA RIO-2 AHOD" GENERAL COMMERCIAL NONALCOHOLIC SALES RIVER IMPROVEMENT OVERLAY-2 AIRPORT HAZARD OVERLAY DISTRICT TO "IDZ RIO-2 AHOD" INFILL DEVELOPMENT ZONE RIVER IMPROVEMENT OVERLAY-2 AIRPORT HAZARD OVERLAY DISTRICT WITH TOWNHOMES (ATTACHED SINGLE-FAMILY RESIDENCES) NOT TO EXCEED 27 UNITS PER ACRE.

**2013-01-17-0034**

Item Z-3. **ZONING CASE # Z2013007 (District 2):** An Ordinance amending the Zoning District Boundary from "R-5" Residential Single-Family District to "C-1" Light Commercial District on 2.48 acres out NCB 10832 located at 2618 (also known as 2624) Rigsby Avenue. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 2.48 ACRES OUT NCB 10832 TO WIT: FROM "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-1" LIGHT COMMERCIAL DISTRICT.

**2013-01-17-0035**

Item Z-4. **ZONING CASE # Z2013022 (District 2):** An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "MF-33" Multi-Family District and "C-2" Commercial District on Lot D, NCB 981 located at 521 East Grayson 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 D, NCB 981 TO WIT: FROM "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT TO "IDZ AHOD" INFILL DEVELOPMENT ZONE AIRPORT HAZARD OVERLAY DISTRICT WITH USES PERMITTED IN "MF-33" MULTI-FAMILY DISTRICT AND "C-2" COMMERCIAL DISTRICT.

**2013-01-17-0036**

Item Z-6. **ZONING CASE # Z2012178 (District 2):** An Ordinance amending the Zoning District Boundary from "C-3 AHOD" General Commercial Airport Hazard Overlay District and "I-1 AHOD" General Industrial Airport Hazard Overlay District to "I-1 AHOD" General Industrial Airport Hazard Overlay District on Parcel 19A, NCB 17981; Lot 3, Block 2, NCB 17981; and 1.181 acres out of Parcels 20 and 21A, NCB 17981 located at 5819, 5825 and 5829 East IH 10. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: PARCEL 19A, NCB 17981; LOT 3, BLOCK 2, NCB 17981; AND 1.181 ACRES OUT OF PARCELS 20 AND 21A, NCB 17981 TO WIT: FROM "C-3 AHOD" GENERAL COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT AND "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT TO "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT.

**2013-01-17-0038**

Item Z-8. **ZONING CASE # Z2013014 (District 2):** An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District on 22.91 acres out of NCB 15826 and NCB 17738 located on a portion of the 5300 and 5400 Blocks of Eisenhower Road. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 22.91 ACRES OUT OF NCB 15826 AND NCB 17738 TO WIT: FROM "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT TO "R-4 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT.

**2013-01-17-0039**

Item Z-9. **ZONING CASE # Z2013025 (District 2):** An Ordinance amending the Zoning District Boundary from "C-2 RIO-1 AHOD" Commercial River Improvement Overlay-1 Airport Hazard Overlay District to "IDZ RIO-1 AHOD" Infill Development Zone River Improvement Overlay-1 Airport Hazard Overlay District with uses permitted in "MF-33 Multi-Family District and "C-2" Commercial District on Lots 5, 6, 7, 8, 9 & 10, NCB 6294 located at 2013 Broadway. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOTS 5, 6, 7, 8, 9 & 10, NCB 6294 TO WIT: FROM "C-2 RIO-1 AHOD" COMMERCIAL RIVER IMPROVEMENT OVERLAY-1 AIRPORT HAZARD OVERLAY DISTRICT TO "IDZ RIO-1 AHOD" INFILL DEVELOPMENT ZONE RIVER IMPROVEMENT OVERLAY-1 AIRPORT

HAZARD OVERLAY DISTRICT WITH USES PERMITTED IN "MF-33 MULTI-FAMILY DISTRICT AND "C-2" COMMERCIAL DISTRICT.

**2013-01-17-0040**

Item Z-10. **ZONING CASE # Z2013015 (District 2):** An Ordinance amending the Zoning District Boundary from "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District to "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District on Lot 164, Block 4, NCB 15731 located at 221 Dinn Drive. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 164, BLOCK 4, NCB 15731 TO WIT: FROM "C-3NA AHOD" GENERAL COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT TO "R-6 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT.

**2013-01-17-0041**

Item Z-11. **ZONING CASE # Z2013029 CD (District 2):** An Ordinance amending the Zoning District Boundary from "AE-3 S EP-1" Arts and Entertainment Facility Parking/Traffic Control Overlay District with a Specific Use Authorization for Food and Food Products – Processing to "C-2 CD EP-1" Commercial Facility Parking/Traffic Control Overlay District with a Conditional Use for Hardware Sales – Wholesale on Lots 22 and 23, Block 1, NCB 11674 located at 3430 and 3444 East Commerce 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: LOTS 22 AND 23, BLOCK 1, NCB 11674 TO WIT: FROM "AE-3 S EP-1" ARTS AND ENTERTAINMENT FACILITY PARKING/TRAFFIC CONTROL OVERLAY DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR FOOD AND FOOD PRODUCTS - PROCESSING TO "C-2 CD EP-1" COMMERCIAL FACILITY PARKING/TRAFFIC CONTROL OVERLAY DISTRICT WITH A CONDITIONAL USE FOR HARDWARE SALES – WHOLESALE PROVIDED ANY CONDITIONS IMPOSED BY THE CITY COUNCIL AREA ADHERED TO.

**2013-01-17-0042**

Item Z-12. **ZONING CASE # Z2013016 (District 3):** An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on Lot 27, NCB 9472 located at 414 Southwest Military Drive. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 27, NCB 9472 TO WIT: FROM "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

**2013-01-17-0043**

Item Z-13. **ZONING CASE # Z2013020 (District 3):** An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on Lots 165 and 166, Block 15, NCB 1111 located at 313 and 319 Moursund Boulevard. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOTS 165 AND 166, BLOCK 15, NCB 1111 TO WIT: FROM "R-6 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

**2013-01-17-0044**

Item Z-14. **ZONING CASE # Z2013024 S (District 3):** An Ordinance amending the Zoning District Boundary from "C-2 H AHOD" Commercial Mission Historic Airport Hazard Overlay District to "C-2 S H AHOD" Commercial Mission Historic Airport Hazard Overlay District with Specific Use Authorization for a Bingo Parlor on 0.287 of an acre out of Lot 35, NCB 7676 located on a portion of 1131 Southeast Military Drive. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 0.287 OF AN ACRE OUT OF LOT 35, NCB 7676 TO WIT: FROM "C-2 H AHOD" COMMERCIAL MISSION HISTORIC AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 S H AHOD" COMMERCIAL MISSION HISTORIC AIRPORT HAZARD OVERLAY DISTRICT WITH SPECIFIC USE AUTHORIZATION FOR A BINGO PARLOR PROVIDED ANY CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

**2013-01-17-0045**

Item Z-15. **ZONING CASE # Z2013019 CD (District 4):** 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 a Conditional Use for a Two Family Dwelling on Lot 1, Block 4, NCB 9853 located at 803 Price. 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 4, NCB 9853 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 A CONDITIONAL USE FOR TWO DWELLING UNITS PROVIDED ANY CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

**2013-01-17-0047**

Item Z-16. **ZONING CASE # Z2012226 CD (District 5):** 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 a Conditional Use for a Two-Family Dwelling on 0.22 of an acre out of Block 7, NCB 2661 located at 503 Golondrina Avenue. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 0.22 OF AN ACRE OUT OF BLOCK 7, NCB 2661 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 A CONDITIONAL USE FOR TWO DWELLING UNITS PROVIDED ANY CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

**2013-01-17-0049**

Item Z-18. **ZONING CASE # Z2013050 (District 5):** An Ordinance amending the Zoning District Boundary from "MF-33 IDZ AHOD" Multi-Family Infill Development Zone Airport Hazard Overlay District to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with Multi-Family uses not to exceed 68 units per acre on Lots A7, A8 and A9, Block 100, NCB 273 located at 325 Colima Street. Staff recommends approval. Zoning Commission recommendation pending the January 15, 2013 public hearing.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOTS A7, A8 AND A9, BLOCK 100, NCB 273 TO WIT: FROM "MF-33 IDZ AHOD" MULTI-FAMILY INFILL DEVELOPMENT ZONE AIRPORT HAZARD OVERLAY DISTRICT TO "IDZ AHOD" INFILL DEVELOPMENT ZONE AIRPORT HAZARD OVERLAY DISTRICT WITH MULTI-FAMILY USES NOT TO EXCEED 68 UNITS PER ACRE.

**2013-01-17-0050**

Item Z-19. **ZONING CASE # Z2012219 CD (District 6):** An Ordinance amending the Zoning District Boundary from "C-3NA MAOZ-1 AHOD" General Commercial Nonalcoholic Sales Military Airport Overlay Zone-1 Airport Hazard Overlay District to "C-2 CD MAOZ-1 AHOD" Commercial Military Airport Overlay Zone-1 Airport Hazard Overlay District with a Conditional Use for Storage - Outside (Under Roof and Screened) on Lots 20 and 21, Block 2, NCB 13953 located at 1819 Herbert Lane. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOTS 20 AND 21, BLOCK 2, NCB 13953 TO WIT: FROM "C-3NA MAOZ-1 AHOD" GENERAL COMMERCIAL NONALCOHOLIC SALES MILITARY AIRPORT OVERLAY ZONE-1 AIRPORT

HAZARD OVERLAY DISTRICT TO "C-2 CD MAOZ-1 AHOD" COMMERCIAL MILITARY AIRPORT OVERLAY ZONE-1 AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR STORAGE - OUTSIDE (UNDER ROOF AND SCREENED) PROVIDED ANY CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

**2013-01-17-0051**

Item Z-20. **ZONING CASE # Z2013013 (District 6):** An Ordinance amending the Zoning District Boundary from "C-2NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District to C-2 AHOD" Commercial Airport Hazard Overlay District on Lot 3, Block 22, NCB 19300 located at 9827 Potranco Road. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 3, BLOCK 22, NCB 19300 TO WIT: FROM "C-2NA AHOD" COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

**2013-01-17-0052**

Item Z-21. **ZONING CASE # Z2013052 (District 6):** An Ordinance amending the Zoning District Boundary from "C-3NA GC-2 MAOZ-2 AHOD" General Commercial Nonalcoholic Sales Highway 151 Gateway Corridor Overlay Military Airport Overlay Zone-2 Airport Hazard Overlay District, "C-3 GC-2 MAOZ-2 AHOD" General Commercial Highway 151 Gateway Corridor Overlay Military Airport Overlay Zone-2 Airport Hazard Overlay District, "I-1 MAOZ-2 AHOD" General Industrial Military Airport Overlay Zone-2 Airport Hazard Overlay District, "I-1 GC-2 AHOD" General Industrial Highway 151 Gateway Corridor Overlay Airport Hazard Overlay District, and "I-1 GC-2 MAOZ-2 AHOD" General Industrial Highway 151 Gateway Corridor Overlay Military Airport Overlay Zone-2 Airport Hazard Overlay District to "C-3 MAOZ-2 AHOD" General Commercial Military Airport Overlay Zone-2 Airport Hazard Overlay District, "C-3 GC-2 AHOD" General Commercial 151 Gateway Corridor Overlay Airport Hazard Overlay District, and "C-3 GC-2 MAOZ-2 AHOD" General Commercial Highway 151 Gateway Corridor Overlay Military Airport Overlay Zone-2 Airport Hazard Overlay District on Lot 22, Block 6, NCB 11379 located at 5707 State Highway 151. Staff recommends approval. Zoning Commission recommendation pending the January 15, 2013 public hearing.

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 22, BLOCK 6, NCB 11379 TO WIT: FROM "C-3NA GC-2 MAOZ-2 AHOD" GENERAL COMMERCIAL NONALCOHOLIC SALES HIGHWAY 151 GATEWAY CORRIDOR OVERLAY MILITARY AIRPORT OVERLAY ZONE-2 AIRPORT HAZARD OVERLAY DISTRICT, "C-3 GC-2 MAOZ-2 AHOD" GENERAL COMMERCIAL HIGHWAY 151 GATEWAY CORRIDOR OVERLAY MILITARY AIRPORT OVERLAY ZONE-2 AIRPORT HAZARD OVERLAY DISTRICT, "I-1 MAOZ-2 AHOD" GENERAL INDUSTRIAL MILITARY AIRPORT OVERLAY ZONE-2 AIRPORT HAZARD OVERLAY DISTRICT, "I-1 GC-2 AHOD" GENERAL INDUSTRIAL HIGHWAY 151 GATEWAY CORRIDOR OVERLAY AIRPORT HAZARD OVERLAY DISTRICT, AND "I-1 GC-2 MAOZ-2 AHOD" GENERAL INDUSTRIAL HIGHWAY 151 GATEWAY CORRIDOR OVERLAY

MILITARY AIRPORT OVERLAY ZONE-2 AIRPORT HAZARD OVERLAY DISTRICT TO "C-3 MAOZ-2 AHOD" GENERAL COMMERCIAL MILITARY AIRPORT OVERLAY ZONE-2 AIRPORT HAZARD OVERLAY DISTRICT, "C-3 GC-2 AHOD" GENERAL COMMERCIAL 151 GATEWAY CORRIDOR OVERLAY AIRPORT HAZARD OVERLAY DISTRICT, AND "C-3 GC-2 MAOZ-2 AHOD" GENERAL COMMERCIAL HIGHWAY 151 GATEWAY CORRIDOR OVERLAY MILITARY AIRPORT OVERLAY ZONE-2 AIRPORT HAZARD OVERLAY DISTRICT.

**2013-01-17-0053**

Item Z-23. **ZONING CASE # Z2013032 CD (District 7):** An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Motor Vehicle Sales on Lot 2, Block 2, NCB 14159 located at 5131 Northwest Loop 410. Staff and Zoning Commission recommended approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 2, BLOCK 2, NCB 14159 TO WIT: FROM "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 CD AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR MOTOR VEHICLE SALES PROVIDED ANY CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

**2013-01-17-0054**

Item P-3. **PLAN AMENDMENT #13004 (District 7):** AN ORDINANCE AMENDING THE FUTURE LAND USE PLAN CONTAINED IN THE HUEBNER/LEON CREEKS COMMUNITY PLAN, A COMPONENT OF THE COMPREHENSIVE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF A 2.8876 ACRE TRACT OF LAND LOCATED AT 8590 BANDERA ROAD FROM MEDIUM DENSITY RESIDENTIAL TO COMMUNITY COMMERCIAL. STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL. (ASSOCIATED ZONING CASE #Z2013042)

**2013-01-17-0055**

Item P-4. **PLAN AMENDMENT #13001 (District 8):** AN ORDINANCE AMENDING THE FUTURE LAND USE PLAN CONTAINED IN THE NORTH SECTOR PLAN, A COMPONENT OF THE COMPREHENSIVE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF APPROXIMATELY 5.81 ACRES OF LAND, LOCATED AT 5240 MEDICAL DRIVE, AND LEGALLY DESCRIBED AS NCB 17108, BLOCK 1, LOT 5 FROM REGIONAL CENTER TO MIXED USE CENTER. STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL. (ASSOCIATED ZONING CASE: #Z2013001)

**2013-01-17-0056**

Item Z-24. **ZONING CASE # Z2013001 (District 8):** An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to MF-50 AHOD" Multi-

Family Airport Hazard Overlay District on Lot 5, Block 1, NCB 17108 located at 5240 Medical Drive. Staff and Zoning Commission recommended approval, pending the plan amendment.

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 1, NCB 17108 TO WIT: FROM "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT TO "MF-50 AHOD" MULTI-FAMILY AIRPORT HAZARD OVERLAY DISTRICT.

**2013-01-17-0057**

Item Z-25. **ZONING CASE # Z2013033 (District 8):** An Ordinance amending the Zoning District Boundary from "R-6" Residential Single-Family District to "MF-18" Limited Density Multi-Family District on Lot 2, Block 4, NCB 14862 located at 6401 Melissa Ann. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 2, BLOCK 4, NCB 14862 TO WIT: FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "MF-18" LIMITED DENSITY MULTI-FAMILY DISTRICT.

**2013-01-17-0058**

Item Z-26. **ZONING CASE # Z2013009 (District 9):** An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District on Lot 48, NCB 8644 located on 11210, 11214, and 11216 Disco. 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 48, NCB 8644 TO WIT: FROM "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-3NA AHOD" GENERAL COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT.

**2013-01-17-0059**

Item Z-27. **ZONING CASE # Z2013026 CD (District 9):** An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District and "C-3 AHOD" General Commercial Airport Hazard Overlay District to "C-3 CD AHOD" General Commercial Airport Hazard Overlay District with a Conditional Use for a Construction Trades Contractor on Lots 30 and 37, Block 2, NCB 13060 located at 211 Braniff and 11407 San Pedro Avenue. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE

CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOTS 30 AND 37, BLOCK 2, NCB 13060 TO WIT: FROM "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT AND "C-3 AHOD" GENERAL COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-3 CD AHOD" GENERAL COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR A CONSTRUCTION TRADES CONTRACTOR PROVIDED ANY CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

**2013-01-17-0061**

Item Z-29. **ZONING CASE # Z2013006 (District 10):** An Ordinance amending the Zoning District Boundary from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "MF-33 AHOD" Multi-Family Airport Hazard Overlay District on 0.7 of an acre out of Block A, NCB 8695 located at 3030 Eisenhower Road. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 0.7 OF AN ACRE OUT OF BLOCK A, NCB 8695 TO WIT: FROM "R-5 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "MF-33 AHOD" MULTI-FAMILY AIRPORT HAZARD OVERLAY DISTRICT.

**[CONSENT ZONING CONCLUDED]**

**ZONING ITEMS PULLED FOR INDIVIDUAL CONSIDERATION**

**CONTINUED TO FEBRUARY 7, 2013**

Item Z-2. **ZONING CASE # Z2012183 (District 1):** An Ordinance amending the Zoning District Boundary from "H MF-33 AHOD" Multi-Family Olmos Park Terrace Historic Airport Hazard Overlay District to "H NC AHOD" Neighborhood Commercial Olmos Park Terrace Historic Airport Hazard Overlay District on Lots 105, 106 and the east 20.5 feet of Lot 107, Block 2, NCB 9004 located at 297 Lovera Boulevard. Staff and Zoning Commission recommend approval.

John Jacks presented Item Z-2 and stated that staff and the Zoning Commission recommended approval. He reported that of 29 notices mailed; three were received in opposition and none were returned in favor. He added that the Northmoor Neighborhood Association was not opposed and that no response was received from the Olmos Park Terrace Neighborhood Association.

Mayor Castro called upon Mr. William Lambert to speak.

Mr. William Lambert stated that he was representing the property owner. He requested a continuance to allow the Neighborhood Association to take a formal vote on the case.

Councilmember Bernal moved to continue Item Z-2 until February 7, 2013. Councilmember Lopez seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Ozuna, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan, and Mayor Castro. **NAY:** None. **ABSENT:** Soules.

**CONTINUED TO FEBRUARY 21, 2013**

Item Z-5. **ZONING CASE # Z2012215 CD (District 2):** An Ordinance amending the Zoning District Boundary from "R-5" Residential Single-Family District to "C-1 CD" Light Commercial District with a Conditional Use for Tire Repair - Auto and Small Truck (Sale and Installation Only, No Mechanical Service Permitted) on 1.852 acres out of Parcel 112, NCB 10832 located at 2710 Rigsby Avenue. Staff and Zoning Commission recommend approval. (Continued from December 6, 2012)

John Jacks presented Item Z-5 and stated that staff and the Zoning Commission recommended approval. He reported that of 16 notices mailed; one was received in favor and none were returned in opposition.

Councilmember Taylor moved to continue Item Z-5 until February 21, 2013. Councilmember C. Medina seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Ozuna, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan, and Mayor Castro. **NAY:** None. **ABSENT:** Soules.

**2013-01-17-0037**

Item Z-7. **ZONING CASE # Z2013003 (District 2):** An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District and "I-1 AHOD" General Industrial Airport Hazard Overlay District to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District, Multi-Family Dwellings not to exceed 76 units per acre, Hotel, and Studio-sound and recording on 0.209 of an acre out of Lots 1 & 2, Block 21, NCB 978 and 0.12 of an acre out of Lot 9, Block 10, NCB 979 and to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District, Multi-Family Dwellings not to exceed 76 units per acre, Bar/Tavern without cover charge 3 or more days per week, Hotel, and Studio-sound and recording on 0.482 of an acre out of Lots 7 and 8, Block 10, NCB 979. 500, 502 and 504 East Grayson Street and 1816, 1822 and 1900 North Alamo Street. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 0.209 OF AN ACRE OUT OF LOTS 1 & 2, BLOCK 21, NCB 978; 0.482 OF AN ACRE OUT OF LOTS 7 AND 8, AND 0.12 OF AN ACRE OUT OF LOT 9, BLOCK 10, NCB 979 TO WIT: FROM "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT AND "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT TO "IDZ AHOD" INFILL DEVELOPMENT ZONE AIRPORT HAZARD OVERLAY DISTRICT WITH USES PERMITTED IN "C-2" COMMERCIAL DISTRICT, MULTI-FAMILY DWELLINGS NOT TO EXCEED 76 UNITS PER ACRE, HOTEL, AND STUDIO-SOUND AND RECORDING ON 0.209 OF AN ACRE OUT OF LOTS 1 & 2, BLOCK 21, NCB 978 AND 0.12 OF AN ACRE OUT OF LOT 9, BLOCK 10, NCB 979 AND "IDZ AHOD" INFILL DEVELOPMENT ZONE AIRPORT HAZARD OVERLAY DISTRICT WITH USES PERMITTED IN "C-2" COMMERCIAL DISTRICT, MULTI-FAMILY DWELLINGS NOT TO EXCEED 76 UNITS PER ACRE, BAR/TAVERN WITHOUT COVER CHARGE 3 OR

MORE DAYS PER WEEK, HOTEL, AND STUDIO-SOUND AND RECORDING ON 0.482 OF AN ACRE OUT OF LOTS 7 AND 8, BLOCK 10, NCB 979.

John Jacks presented Item Z-7 and stated that staff and the Zoning Commission recommended approval. He reported that of 43 notices mailed; 12 were returned in favor and 12 were received in opposition.

Mayor Castro called upon the individuals registered to speak on Item Z-7.

Eliseo E. Salazar spoke in opposition to Item Z-7 and expressed concern with having a bar located in a residential area. He spoke of the parking, trash, and other issues that would be created.

Marlene Hawkins, President of the Government Hill Community Association. She expressed opposition to the zoning case and stated that this was a neighborhood issue. She noted that they were opposed to having a stand-alone bar in the neighborhood and that they had submitted a formal letter of opposition.

Bertha Moore also spoke in opposition to the zoning case. She stated that she lived in front of the proposed bar noting that there were too many bars already located along Broadway Street. She expressed concern with violence, crime and prostitution in the area and would not be opposed to a different type of business in the area.

Mary Jane Ortiz also stated that she lived at 517 E. Grayson and was opposed to the zoning case. She expressed concern with the alcoholic beverages that would be consumed and the bad influence it would have on her 16-year-old son and 20-year-old daughter. She noted that she was in support of growth and economic development but was against a stand-alone bar.

Councilmember Taylor thanked the citizens that were present to speak on the zoning case. She spoke of the meetings that had occurred with the property owner and stated that she believed that the issues had been addressed. She noted that additional lighting would be provided and that security cameras would be installed. She mentioned that a six-foot high privacy fence would also be installed. She indicated that they were located within the appropriate distance from the church and noted that the developer had a strong interest in ensuring that the tavern was an asset to the area. She stated that there were two neighborhood associations in the area and she had received a letter of support from the Neighborhood Association that is registered with the city.

Councilmember Taylor moved to adopt the proposed Ordinance for Item Z-7. Councilmember Saldaña seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Ozuna, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan, and Mayor Castro. **NAY:** None. **ABSENT:** Soules.

Items P-1 and Z-17 were addressed jointly.

#### 2013-01-17-0046

Item P-1. **PLAN AMENDMENT #12029 (District 5):** AN ORDINANCE AMENDING THE FUTURE LAND USE PLAN CONTAINED IN THE SOUTH CENTRAL SAN ANTONIO COMMUNITY PLAN, A COMPONENT OF THE COMPREHENSIVE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF APPROXIMATELY 0.1596 ACRES OUT OF NCB 2873

BLOCK A LOT 4, ADDRESSED AT 113 FURNISH AVENUE FROM LOW DENSITY RESIDENTIAL TO MIXED USE. STAFF AND PLANNING COMMISSION RECOMMEND DENIAL. (ASSOCIATED ZONING CASE: #Z2012211)

**2013-01-17-0048**

Item Z-17. **ZONING CASE # Z2012211 (District 5):** An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "R-6" Residential Single-Family District and a Day Care Center on Lot 4, Block A, NCB 2873 located at 113 Furnish. Staff recommends denial. Zoning Commission recommends approval pending the plan amendment. (Continued from December 6, 2012)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 4, BLOCK A, NCB 2873 TO WIT: FROM "R-6 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "IDZ AHOD" INFILL DEVELOPMENT ZONE AIRPORT HAZARD OVERLAY DISTRICT WITH USES PERMITTED IN "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT AND A DAYCARE CENTER.

Chris Looney presented Item P-1 and stated that it would amend the future land use plan contained in the South Central San Antonio Community Plan. He reported that staff and the Planning Commission recommended denial. For Item Z-17, he stated that staff recommended denial while the Zoning Commission recommended approval pending the Plan Amendment. He reported that of 27 notices mailed; none were received in favor or in opposition.

Mayor Castro called upon the individuals registered to speak on Items P-1 and Z-17.

Susan Powers stated that she was the President of the Lone Star Neighborhood and was in support of the plan amendment and zoning case. She noted that the applicant had been working on the daycare center for two years and she had toured the location and was pleased with the improvements that had been made. She indicated that the facility was much-needed in the neighborhood and believed it would improve the area.

Rene Rocco stated that he lived next door to the proposed childcare facility and provided letters of support from individuals in the neighborhood. He showed photos of the facility and noted that they had exceeded various safety requirements including having three fire extinguishers instead of just the one that was required. He mentioned that they had a commercial kitchen and would offer curbside pick-up to minimize traffic congestion. He added that they qualified for the Inner City Reinvestment/Infill Policy and hoped to receive support for the daycare from the City Council.

Councilmember D. Medina stated that the community was supportive and that it would be a great investment in the neighborhood. He noted that the area was growing and that this was a much-needed service in the community.

Councilmember D. Medina moved to adopt the proposed Ordinances for Items P-1 and Z-17. Councilmember Bernal seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Ozuna, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** None.

Items P-2 and Z-22 were addressed jointly.

#### **CONTINUED-SENT BACK TO PLANNING COMMISSION**

Item P-2. **PLAN AMENDMENT #13002 (District 7):** AN ORDINANCE AMENDING THE FUTURE LAND USE PLAN CONTAINED IN THE NEAR NORTHWEST COMMUNITY PLAN, A COMPONENT OF THE COMPREHENSIVE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF A 0.1377 ACRE TRACT OF LAND OUT OF NCB 8349 LOCATED NORTHEAST OF THE INTERSECTION OF WOODLAWN AVENUE AND BANDERA ROAD FROM MIXED USE TO COMMUNITY COMMERCIAL. THE STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL. (ASSOCIATED ZONING CASE #Z2013021 CD)

#### **CONTINUED-SENT BACK TO ZONING COMMISSION**

Item Z-22. **ZONING CASE # Z2013021 CD (District 7):** An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for a Pawn Shop on 0.1377 of an acre out of Lot 12 (also known as Lot 6 and Tract 2), NCB 8349 located at the north corner of Bandera Road and West Woodlawn. Staff and Zoning Commission recommend approval pending the plan amendment.

Chris Looney presented Item P-2 and stated that it would amend the future land use plan contained in the Near Northwest Community Plan. He reported that staff and the Planning Commission recommended approval. For Item Z-22, he stated that staff and the Zoning Commission recommended approval. He reported that of three notices mailed; none were received in favor or in opposition.

Councilmember C. Medina stated that to be in accordance with State Statute with regard to the pawn shop which had been in existence for many years that is relocating to a new building on the same property, he moved to send Items P-2 and Z-22 back to the Planning and Zoning Commissions for consideration of the amended requests; that the items be expedited back to City Council for consideration by February 21, 2013; and that all associated fees be waived. Councilmember Lopez seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Ozuna, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** None.

#### **2013-01-17-0060**

Item Z-28. **ZONING CASE # Z2012223 CD (District 10):** An Ordinance amending the Zoning District Boundary from "R-5" Residential Single-Family District, "R-6" Residential Single-Family District, "R-6 CD" Residential Single-Family District with a Conditional Use for a Law Office, "PUD R-6" Planned Unit Development Residential Single-Family District and "RM-4" Residential Mixed District to "R-20" Residential Single-Family District, "R-20 CD" Residential Single-Family District with a Conditional Use for a Law Office, "PUD RP" Planned Unit Development Resource Protection District, "NP-8" Neighborhood Preservation District, "NP-10" Neighborhood Preservation District and "NP-15" Neighborhood Preservation District for approximately 300 acres located in the Forest Oak,

MacArthur Park and Greater Marymont neighborhoods generally bound by Nacogdoches Road to the north and west, Starcrest Drive to the east and Northeast Loop 410 to the south; all overlay districts remaining unchanged. 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: MULTIPLE PROPERTIES LOCATED IN THE FOREST OAK, MACARTHUR PARK AND GREATER MARYMONT NEIGHBORHOODS CONSISTING OF APPROXIMATELY 300 ACRES, GENERALLY BOUND BY NACOGDOCHES ROAD TO THE NORTH AND WEST, STARCREST DRIVE TO THE EAST AND NORTHEAST LOOP 410 TO THE SOUTH TO WIT: FROM "R-5" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT, "R-6" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT, "R-6 CD" RESIDENTIAL SINGLE-FAMILY DISTRICT WITH A CONDITIONAL USE FOR A LAW OFFICE, PUD "R-6" PLANNED UNIT DEVELOPMENT RESIDENTIAL SINGLE-FAMILY DISTRICT AND "RM-4" RESIDENTIAL MIXED DISTRICT TO "R-20" RESIDENTIAL SINGLE-FAMILY DISTRICT, "R-20 CD" RESIDENTIAL SINGLE-FAMILY DISTRICT WITH A CONDITIONAL USE FOR A LAW OFFICE, PUD "RP" PLANNED UNIT DEVELOPMENT RESOURCE PROTECTION DISTRICT, "NP-8" NEIGHBORHOOD PRESERVATION DISTRICT, "NP-10" NEIGHBORHOOD PRESERVATION DISTRICT AND "NP-15" NEIGHBORHOOD PRESERVATION DISTRICT; THE PROPERTIES ARE LOCATED AND WILL REMAIN WITHIN THE BOUNDARIES OF THE "AHOD" AIRPORT HAZARD OVERLAY DISTRICT PROVIDED ANY CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

John Jacks presented Item Z-28 and stated that the properties were located in the Forest Oak, MacArthur Park, and Greater Marymont Neighborhoods. He indicated that staff and the Zoning Commission recommended approval. He reported that of 1,019 notices mailed; 33 were received in favor and four were received in opposition. He added that the Forest Oak Neighborhood Association was in support of the zoning request.

Mayor Castro called upon the individuals registered to speak.

Albert Fulton, President of the MacArthur Park Neighborhood Association spoke in support of the zoning case. He stated that their Neighborhood Association was formed four-and-a-half years ago to protect against a predatory, out-of-state developer that wanted to build a high density housing unit in the middle of the neighborhood. He noted that it was important to preserve urban neighborhoods and prevent urban sprawl.

Willow Matthews, Jr. spoke in favor of the zoning case. He stated that he and his wife had lived in the neighborhood for 40 years and would appreciate preservation of the area.

Councilmember Soules spoke of the great work on said zoning case and stated that it encompassed three neighborhoods. He commended city staff for their work and noted that a public hearing was held with over 100 people in attendance. He thanked the neighborhood leaders for their work on said zoning over the past year.

Councilmember Soules moved to adopt the proposed Ordinance for Item Z-28. Councilmember Bernal seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Ozuna, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** None.

**ADJOURNMENT**

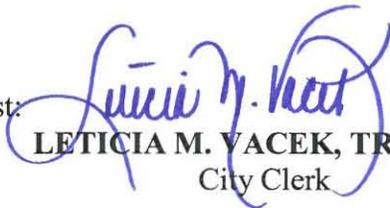
There being no further discussion, Mayor Castro adjourned the meeting at 2:52 pm.

**APPROVED**



**JULIÁN CASTRO**  
MAYOR

Attest:



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