

**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, OCTOBER 31, 2012, AND THURSDAY, NOVEMBER 1, 2012, RESPECTIVELY.

The San Antonio City Council convened in a Work Session at 2:00 pm Wednesday, **October 31, 2012**, Municipal Plaza Building, with the following Councilmembers present: Bernal, Taylor, Ozuna, D. Medina, Lopez, C. Medina, Williams, Chan, Soules, and Mayor Castro. **ABSENT:** Saldaña.

1. A PRESENTATION REGARDING THE REGULATION OF BOARDING HOME FACILITIES WITHIN THE CITY OF SAN ANTONIO.

Assistant City Manager David Ellison recognized advocacy representatives that were present. He presented key recommended requirements of the draft ordinance regarding the proposed Boarding Home Registration and Annual Inspection Program. He defined a Boarding Home as: 1) An establishment that furnishes, in one or more buildings, lodging to three or more elderly and/or disabled persons who are unrelated to the owner of the establishment by blood or marriage; and 2) Provides community meals, light housework, meal preparation, transportation, grocery shopping, money management, laundry services, or assistance with self-administration of medication but does not provide personal care services to those persons. He explained that boarding homes legally in existence prior to the adoption of the ordinance will not have to meet 2012 building-related and fire code requirements. He noted that they would still be subject to annual registration, inspection and related requirements.

Mr. Ellison outlined the recommended Fire and Life Safety Requirements within the proposed ordinance in which fire sprinklers would be required within one year. Councilmember Bernal expressed support for requiring fire sprinklers within one year. Councilmember Williams requested that self-evacuation be included in the ordinance and stated that he was supportive of the staff recommendation. Councilmember Soules asked of requirements for Boarding Homes compared to those of Assisted Living Facilities. Rod Sanchez replied that Assisted Living Facilities had more robust requirements. Councilmember Taylor asked of the sprinkler system required. Mr. Sanchez responded that there were several types of systems and that staff was recommending a basic level sprinkler system for boarding homes. He noted that the estimated cost was \$15,000-\$20,000. Councilmember Taylor expressed concern with requiring a sprinkler system if self-evacuation was required and would support giving boarding homes additional time to implement same. Councilmember Ozuna expressed concern with the vulnerable populations that boarding homes serve and supported the staff recommendation. Mayor Castro expressed support for the staff recommendation to require fire sprinklers within one year. Councilmember Chan stated that she was in favor of allowing two years for compliance.

Mr. Ellison reported that staff recommended Arc-Fault Circuit Interrupters (AFCI) in lieu of commercial wiring. Councilmember Williams asked of the quality of the breakers. Mr. Sanchez replied that the technology of the breakers had greatly improved. Councilmember Williams expressed support for the staff recommendation.

Mr. Ellison stated that staff recommended smoke and carbon monoxide detectors and fire evacuation plans. He outlined the requirements related to Premises-Based Health Safety that include: 1) Kitchen

inspections for Health Code; 2) Food handling permits required; 3) Overcrowding limits; and 4) Compliance with Minimum Property Maintenance Code Requirements. Councilmember Soules asked of the maximum occupancy requirements. Mr. Ellison replied that staff was proposing a maximum of six occupants.

Mr. Ellison spoke of the zoning requirements in which the number of residents allowed for a boarding home in a single family zoning district would increase from five to six. Councilmember Bernal asked of the liability of maintaining five residents. Michael Bernard replied that he could defend having either five or six residents but would have to justify having less than the State requires. Councilmember Bernal stated that he would prefer a maximum of five but could support six residents.

Mr. Ellison reported that staff recommended a minimum ½-mile separation between boarding homes and that distance would be measured from lot to lot. Councilmember Soules confirmed that this was consistent with requirements for Assisted Living Facilities. Mr. Sanchez confirmed same.

Mr. Ellison highlighted recommendations for owner responsibilities to include initial and annual assessments of residents. He stated that staff also recommended 24-hour on-site staff supervision of residents. Councilmember Lopez asked if discussion had occurred regarding electronic monitoring. Mr. Sanchez replied that it was an acceptable option if the City Council recommended it. Councilmember Ozuna asked of other cities in Texas with said requirement. Mr. Ellison replied that neither Dallas nor El Paso required 24-hour on-site supervision. Councilmember Williams asked of the initial and annual assessments. Ed Guzman replied that the assessment would determine what personal care services residents could perform such as taking medication and bathing. Councilmember Bernal spoke of the importance of having 24-hour on-site supervision for safety purposes. Councilmember Soules asked how the assessment would occur. Mr. Ellison replied that the boarding home would be required to assess residents and document same. He noted that staff would monitor the documentation and not the resident.

Mr. Ellison mentioned that staff recommended initial ongoing training of employees, as well as criminal background checks of operators and employees. A representative of the boarding home industry expressed concern with the minimal profits they receive as compared to the costs they would incur to meet the requirements. Mr. Ellison highlighted other proposed requirements such as notification of change of information and issuance/denial of permits. He stated that staff recommended an annual inspection fee of \$1,000.

Mr. Ellison asked for City Council direction on three policy items: 1) Seek Federal legislative remedies to conflicts between local zoning requirements and fair housing requirements; 2) Seek State Legislative authority to inspect Assisted Living Facilities; and 3) Urge the State Legislature to authorize the Department of Aging and Disability Services (DADS) to enforce the ½-mile separation requirement. Mayor Castro confirmed that the City Council would support Items 1 and 3 but would not recommend moving forward with Item 2.

Di Galvan, Communications and Public Affairs Director reported that a Joint City Department Communications Team was created and they had identified Primary Boarding Homes Stakeholders. She noted that they also identified Secondary Boarding Homes Stakeholders and developed a Communications Plan. She stated that they had selected the phrase, "Putting Safety First" to convey the intent of the Ordinance. She mentioned that they had developed a news release, website, TVSA

Bulletins, fact sheet, and highlighted the community outreach that would be conducted. She spoke of their social media efforts and added that they would track the success of their communications.

Mr. Ellison reported that \$750,000 was included in the FY 2013 Budget to fund seven new positions; staff training, communication materials, and assistance for displaced residents. He noted potential City Council A Session Dates and requested direction from the City Council. Mayor Castro recommended that the item be placed on the December 13, 2012 City Council Agenda.

EXECUTIVE SESSION

Mayor Castro recessed the meeting at 3:21 pm to convene in Executive Session for the purposes of:

- A. DISCUSS LEGAL ISSUES RELATED TO LINDSEY BISHOP, ET AL V. CITY OF SAN ANTONIO, ET ALL PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY).
ITEM A WAS NOT ADDRESSED.**
- B. 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).**
- C. 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).**

Mayor Castro reconvened the meeting at 6:00 pm at which time it was noted that the City Council had been briefed on the above-styled matters but took no action.

CITIZENS TO BE HEARD

Mayor Castro called upon the individuals registered to speak.

Nazirite Ruben Flores Perez referenced an article in the San Antonio Current entitled, "Shocking Horror." He expressed concern with Storm Sandy that affected New Jersey Residents. He spoke of various Bible Passages and stated that a great earthquake was coming.

Dolores Gomez stated that she lived at 2318 Mistletoe and spoke of a flood that occurred in 2002. She showed photos of the water and noted that she lost everything including her home. She mentioned that the insurance had not covered any of her loss and she had gotten very sick due to the contaminants. She expressed concern that the City Council did not assist her.

Deborah Wright-Jauregui expressed concern with the expansion of Hamilton Wolfe Road beginning at Fredericksburg Road and ending at Babcock Road. She stated that the area had been mostly rural for the last 30 years. She expressed concern that none of the residents other than those who were associated with the San Antonio Medical Alliance were invited to participate in the planning of the expansion. She asked why so many trees and greenspace were removed and why six-foot sidewalks were necessary.

Gerald Ripley spoke in opposition to Pre-K 4 SA and showed a photo of a hammer. He stated that although the hammer could help some people, the cost of \$436 for each hammer was too expensive. He noted that the \$15,000 cost per student enrolled in Pre-K 4 SA was too much to pay especially since they only received one additional hour of instruction compared to those enrolled in a half-day program. He added that the city needed a Statesman.

Faris Hodge, Jr. submitted written testimony commending the Office of the City Clerk for digitizing election results. He referenced an article in the Express News entitled, "Perry vows to fight gay unions." He highlighted a \$5.4 million grant that St. Philip's College had received and the \$1 million donation provided to Dress for Success SA. He highlighted the 85-mile-per-hour toll road that had recently opened and wrote that it was time to pay the City Council a living wage. He expressed concern that the train in Brackenridge Park is too small for adults and wrote that drug testing is stricter for SAPD Applicants than SAPD Officers. He highlighted the new plan for a children's hospital in San Antonio.

ADJOURNMENT

There being no further discussion, Mayor Castro adjourned the meeting at 6:14 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, **November 1, 2012**, at 9:00 am in the City Council Chambers.

ROLL CALL

City Clerk Leticia M. Vacek 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.

Item 1. The Invocation was delivered by Sister Jane Ann Slater, CDP, Assumption Seminary Faculty, guest of Councilmember Ivy R. Taylor, District 2.

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 September 19-20, 2012 City Council Meetings. Councilmember Bernal seconded the motion.

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

POINT OF PERSONAL PRIVILEGE

Mayor Castro recognized Tom Rogers of the San Antonio Greater Chamber of Commerce and noted that this was the 42nd year that they have held "Celebrate America's Military." Mr. Rogers stated that they were pleased to host the event and thanked the many sponsors that have contributed. He noted that they wanted to make more activities available to service men and women and highlighted events that would be held at Sea World and the San Antonio Botanical Gardens.

CONSENT AGENDA ITEMS 4-18

Consent Agenda Items 12 and 15 were pulled for Individual Consideration.

Councilmember Taylor moved to approve the remaining Consent Agenda Items. Councilmember Lopez seconded the motion.

Mayor Castro called upon the individuals registered to speak on the Consent Agenda.

Shari Pearson spoke in opposition to the contract with San Antonio Pets Alive! (Item 13) and expressed concern with the animal cruelty and neglect that she witnessed. She stated that she had received information from one of their staff regarding animals being starved to death and medication not being administered properly. She asked that they be placed on probation for one year if their contract was approved and that they be closely monitored.

Nazirite Ruben Flores Perez stated that a great earthquake was coming and that New Jersey had suffered the consequences. He noted that he was supportive of Ms. Pearson's comments related to the contract (Item 13) and would be researching same. He stated that he disagreed with contamination of the earth and referenced the many issues with the San Antonio Water System.

Susan Powers stated that she was President of the Lone Star Neighborhood Association in District 5 and was in support of the closure of a small portion of Ellis Bean Street (Item 8). She noted that the closure would allow for a quiet zone to be implemented in their community and expressed concern with the disruption caused by the loud trains.

Ben Brewer stated that he was the President of the Downtown Alliance and they were in support of the adoption of the Downtown Transportation Plan (Item 14).

Jack M. Finger spoke in opposition to the street closures for the Rock 'n' Roll Marathon (Item 9) noting that the event benefits the Komen Foundation. He expressed concern that a portion of their funding is provided to Planned Parenthood which performs abortions. He stated that he was against Public Private Partnerships (Item 15) because they end competitive bidding and eliminate due process.

John Bachman and Deanna Lee submitted written testimony in opposition to the contract with San Antonio Pets Alive! (Item 13).

Faris Hodge, Jr. submitted written testimony in favor of Items 4-6, 8-10, 13, and 17. He wrote against Item 11 noting that he did not know the names of the individuals being appointed to the Workforce Solutions Alamo Board of Directors. He wrote in opposition to Item 12 and 14 and expressed concern that the guidelines for Downtown Redevelopment were not stated. He wrote in opposition to the rescheduling of City Council Meetings in November and December (Item 16). He requested that backup documentation be provided for the City Manager's Report.

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, Chan, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** None.

2012-11-01-0842

Item 4. AN ORDINANCE AUTHORIZING THE FOLLOWING CONTRACTS ESTABLISHING UNIT PRICES FOR GOODS AND SERVICES FOR AN ESTIMATED ANNUAL COST OF \$4,533,000.00: (A) JOHNSON CONTROLS FOR MAINTENANCE AND REPAIR SERVICES OF THE HVAC AT THE CENTRAL LIBRARY AND (B) VULCAN CONSTRUCTION MATERIALS, LP FOR ASPHALT AND POT HOLE PAVING MATERIALS.

2012-11-01-0843

Item 5. AN ORDINANCE AUTHORIZING AN AMENDMENT TO A 10-YEAR TERM LICENSE AGREEMENT WITH LAZY G RANCH, INC. FOR THE USE OF MOCKERT STREET TO PLACE A GREASE REDUCTION UNIT ADJACENT TO NCB 10125 IN COUNCIL DISTRICT 5.

2012-11-01-0844

Item 6. AN ORDINANCE AUTHORIZING A 5 YEAR LEASE WITH TACOLAND STUDIOS LLC TO OCCUPY RIVER WALK AIRSPACE WITH A PATIO BALCONY AND AUTHORIZING EXECUTION OF A BOUNDARY LINE AGREEMENT.

Item 7. CONSIDERATION OF THE FOLLOWING ORDINANCES AUTHORIZING THE DECLARATION AS SURPLUS AND DISPOSITION OF FIVE REAL PROPERTIES OWNED BY THE SAN ANTONIO WATER SYSTEM:

2012-11-01-0845

- A. AN ORDINANCE DECLARING AS SURPLUS AN APPROXIMATE 0.68 ACRE CIRCULAR TRACT OF PROPERTY LOCATED OFF A PRIVATE ROAD AT 7000 DOROTHY LOUISE DRIVE WITHIN THE DREAM HILL ESTATES SUBDIVISION, NCB 11611, IN COUNCIL DISTRICT 8.

2012-11-01-0846

- B. AN ORDINANCE DECLARING AS SURPLUS THREE UNIMPROVED RESIDENTIAL LOTS LOCATED ON QUEENSPPOINT DRIVE, NCB 34400B, IN COUNCIL DISTRICT 6.

2012-11-01-0847

- C. AN ORDINANCE DECLARING AS SURPLUS A 0.107 ACRE UNIMPROVED TRACT OF REAL PROPERTY LOCATED AT 16236 WHITE FAWN, NCB 14789, IN COUNCIL DISTRICT 8.

2012-11-01-0848

- D. AN ORDINANCE DECLARING AS SURPLUS A 0.1062 ACRE UNIMPROVED TRACT OF REAL PROPERTY LOCATED AT 1503 EDISON DRIVE, NCB 7092, IN COUNCIL DISTRICT 1.

2012-11-01-0849

- E. AN ORDINANCE DECLARING AS SURPLUS A 0.1789 ACRE UNIMPROVED TRACT OF REAL PROPERTY LOCATED AT 127 HILLCREST DRIVE, NCB 11410, IN COUNCIL DISTRICT 7.

2012-11-01-0850

Item 8. AN ORDINANCE AUTHORIZING THE CLOSURE OF A SMALL PORTION OF ELLIS BEAN STREET AT THE RAILROAD CROSSING NEAR LONE STAR BOULEVARD LOCATED IN COUNCIL DISTRICT 5 IN CONNECTION WITH THE DISTRICT 5 - LONE STAR DEL RIO QUIET ZONE. AND RATIFYING THE ACQUISITION OF A 0.114-ACRE TRACT OF REAL PROPERTY ALONG ELLIS BEAN TO FACILITATE THE CLOSURE.

2012-11-01-0851

Item 9. AN ORDINANCE AUTHORIZING A TEMPORARY CLOSURE AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION ALLOWING THE TEMPORARY STREET CLOSURE OF VARIOUS STATE RIGHTS OF WAY ALONG THE SAN ANTONIO ROCK 'N' ROLL MARATHON & 1/2 MARATHON ROUTE.

2012-11-01-0852

Item 10. AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A GRANT AWARD FROM THE U.S. ECONOMIC DEVELOPMENT ADMINISTRATION IN THE AMOUNT OF \$1,500,000.00; DESIGNATING \$1,825,248.00 IN MATCHING FUNDS; AND AUTHORIZING A FUNDING AGREEMENT BETWEEN THE CITY, SAWS AND/OR PORT SAN ANTONIO FOR THE CONSTRUCTION OF A NEW WATERLINE INFRASTRUCTURE TO SUPPORT THE DEVELOPMENT OF PORT SAN ANTONIO'S NORTH AIRFIELD FOR THE PURPOSE OF ATTRACTING JOBS AND INVESTMENT IN THE SA2020 TARGETED AEROSPACE INDUSTRY.

2012-11-01-0853

Item 11. AN ORDINANCE APPROVING APPOINTMENTS AND RE-APPOINTMENTS TO THE WORFORCE SOLUTIONS ALAMO BOARD OF DIRECTORS AS RECOMMENDED BY THE COMMITTEE OF SIX.

2012-11-01-0854

Item 13. AN ORDINANCE APPROVING A ONE YEAR CONTRACT WITH THE HUMANE SOCIETY OF SAN ANTONIO FOR UP TO \$100,000.00 AND A ONE YEAR CONTRACT WITH SAN ANTONIO PETS ALIVE! FOR UP TO \$200,000.00 TO INCREASE ANIMAL CARE SERVICES' (ACS) LIVE RELEASE RATE BY UP TO A COMBINED TOTAL OF 6,000 RESCUES ANNUALLY, WITH THE OPTION TO RENEW FOR THREE ONE YEAR TERMS; APPROVING A ONE YEAR CONTRACT WITH DR. APRIL CAMPBELL FOR UP TO \$90,000.00 FOR THE PROVISION OF VETERINARY SERVICES WITH THE OPTION TO RENEW FOR TWO ONE YEAR TERMS; AND APPROPRIATING ACS DONATION FUNDS TO MAINTAIN ACS'S CURRENT LIVE RELEASE RATE GOALS.

2012-11-01-0855

Item 14. AN ORDINANCE APPROVING THE ADOPTION OF SAN ANTONIO DOWNTOWN TRANSPORTATION STUDY AND RECOMMENDATIONS TO BE USED AS GUIDELINES FOR THE REDEVELOPMENT AND IMPROVEMENT WITHIN DOWNTOWN AREA.

2012-11-01-0857

Item 16. AN ORDINANCE RESCHEDULING CERTAIN CITY COUNCIL MEETINGS IN NOVEMBER AND DECEMBER 2012 AND JANUARY 2013.

2012-11-01-0858

Item 17. AN ORDINANCE AUTHORIZING AN AFFILIATION AGREEMENT BETWEEN THE SAN ANTONIO FIRE DEPARTMENT (SAFD) AND THE ALAMO COMMUNITY COLLEGE DISTRICT (ACCD) IN WHICH SAFD WILL PROVIDE CLINICAL PRACTICE TO ACCD STUDENTS IN SUPPORT OF THE SAN ANTONIO COLLEGE'S ALLIED HEALTH AND NURSING EDUCATION CURRICULA.

2012-11-01-0859

Item 18. PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE AUTHORIZING AND APPROVING A SUBSTANTIAL AMENDMENT TO THE CITY'S FISCAL YEAR 2013 ANNUAL ACTION PLAN TO INCLUDE THE REPROGRAMMING OF NEIGHBORHOOD STABILIZATION PROGRAM (NSP) FUNDS IN THE AMOUNT OF \$1,603,298.74 TO FUND TARGETED ACQUISITION WITHIN THE WHEATLEY COURTS NEIGHBORHOOD AND LAND BANKING ACTIVITIES WITHIN EACH OF THE SIX NSP TARGET AREAS.

[CONSENT ITEMS CONCLUDED]

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the captions for Items 12A, 12B and 12C:

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 MANUEL VILLA (DISTRICT 6, CATEGORY: TECHNOLOGY AND RESEARCH) TO THE BROOKS DEVELOPMENT AUTHORITY.
- B. REAPPOINT LORA D. ECKLER (DISTRICT 6) TO THE SAN ANTONIO PUBLIC LIBRARY BOARD OF TRUSTEES FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE SEPTEMBER 30, 2014.

C. APPOINTING JOSH KAPLAN AND PHILIP M. AUSTIN AND REAPPOINTING JAN W. SWEETNAM TO THE TAX INCREMENT REINVESTMENT ZONE NUMBER 9, KNOWN AS HOUSTON STREET.

Councilmember Lopez stated that Board and Commission Members were very important to the overall management of the city and that the appointments would have a long-lasting impact. He thanked the Board Members for their service to the City of San Antonio and mentioned the great job by the City Clerk and her staff on the Swearing-In Ceremony that he attended with Councilmembers Taylor, Ozuna, Saldaña, and Soules.

Councilmember Lopez moved to approve the appointments for Items 12A, 12B and 12C. Councilmember Soules 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 City Clerk read the caption for Item 15:

2012-11-01-0856

Item 15. AN ORDINANCE AUTHORIZING THE ADOPTION OF PUBLIC PRIVATE PARTNERSHIP GUIDELINES IN ACCORDANCE WITH CHAPTER 2267 OF THE TEXAS GOVERNMENT CODE.

Councilmember Chan highlighted the Public-Private Partnerships (P3) as a new tool that the city could utilize to build infrastructure and capital improvement projects. Mike Frisbie stated that P3's were an agreement between the city and private sector entity allowing for skills and assets of each to be shared in delivering a service or facility. He explained that the P3 Guidelines would provide a method for private entities to respond to solicited proposals and submit unsolicited proposals. He explained that proposals were solicited by the city when they identified a qualifying project and would be advertised for 30 days. He stated that under the Unsolicited Process, a private entity would submit a pre-proposal letter that would be reviewed by an Oversight Committee. The Committee could either request a detailed proposal or reject the project. He noted that if a detailed proposal was requested, a fee of \$2,500 must be provided by the entity.

Mr. Frisbie outlined the Oversight Committee which would consist of representatives from the City Attorney's Office, Finance or Office of Management and Budget, CIMS, and the Executive Leadership Team. He stated that once a detailed proposal was requested, the Oversight Committee would evaluate the proposal based on Qualifications and Experience; Project Characteristics; Project Cost and Financing; Community Impact; and other factors. He noted that accepted proposals would be posted on the Internet and a physical copy would be provided within 10 days of acceptance. He mentioned that the guidelines would provide for a public hearing during the evaluation process and 30 days prior to entering into an agreement. He reported that after review of an original and/or competing proposal, the city could determine: 1) Not to proceed with any proposal; 2) To proceed with the original proposal; 3) To proceed with a competing proposal; or 4) To proceed with multiple proposals. He stated that the city could enter into a Comprehensive or Interim Development Agreement. He explained that a Comprehensive Agreement would contain all terms and conditions while an Interim Development

Agreement could provide for compensation for preliminary work. He added that any Comprehensive or Interim Agreement must be authorized by the City Council.

Councilmember Chan thanked staff for their work and stated that the P3 Guidelines would provide opportunities to leverage funding from the private sector.

Councilmember Chan 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. 2012 CHARITABLE CAMPAIGN

Ms. Sculley reported that the city had raised more than \$1 million as part of the 2012 United Way Charitable Campaign and was the first time in history that the city had done so. She stated that the city was a Pacesetter Organization with the campaign beginning in August and ended in October. She reported that the city has raised a total of \$4.48 million for United Way since 2008. She noted that the city's goal this year was \$985,000 and city employees raised 5.4% above the goal. She indicated that 63% of employees supported the charitable campaign and thanked all city employees for their participation. She recognized Paula Stallcup as the 2012 Chair and Cynthia Martinez, Citywide Coordinator and thanked them for their efforts. She indicated that she would serve as the Chairperson for the 2013 United Way Campaign for San Antonio and Bexar County.

B. LED STREETLIGHT UPDATE

Ms. Sculley noted that the city and CPS Energy had committed to replacing 25,000 high pressure sodium lights with more energy efficient Greenstar LED Lights manufactured in San Antonio. She reported that in June 2011, Greenstar announced that it would move its assembly facility and corporate headquarters from Boerne to Alamo Downs Business Park in San Antonio. She stated that the replacement of the lights would result in annual energy savings of 5.1 megawatts and help the city reach the Save for Tomorrow Energy Plan (STEP) Goal of saving 771 megawatts of energy by 2020. She highlighted the three major phases of the project and mentioned that the first phase was implemented on October 15, 2012. She reported that all of the installations would be performed by the current CPS Energy Street Light Contactor L.E. Meyers at an estimated cost of \$16.5 million. She added that during the first full year of implementation in FY 2014, annual savings were projected at \$1,374,000.

Mayor Castro thanked Ms. Sculley for the updates and stated that he was pleased with the LED Streetlight Project. He thanked the city employees that participated in the United Way Campaign.

RECESSED

Mayor Castro recessed the meeting at 9:50 am and announced that the meeting would resume at 2:00 pm for Zoning.

RECONVENED

Mayor Castro reconvened the meeting at 2:06 pm and addressed the Zoning Items.

CONSENT ZONING ITEMS

Councilmember Lopez moved to approve the following Zoning Items: Z-3, Z-6, P-2, Z-7, Z-9, Z-11, and Z-12 under Consent Zoning. Councilmember Chan seconded the motion.

Faris Hodge, Jr. submitted written testimony in opposition to Item Z-1 and in favor of Item Z-2.

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

2012-11-01-0862

Item Z-3. **ZONING CASE # Z2012201 (District 1):** An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "NC IDZ AHOD" Neighborhood Commercial Infill Development Zone Airport Hazard Overlay District on Lot 10, Block 5, NCB 2226 save and except that portion deeded to the San Antonio River Authority in Volume 5115, Page 669 of the Official Public Record of Real Property of Bexar County, Texas, located at 2215 West Martin 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 10, BLOCK 5, NCB 2226 SAVE AND EXCEPT THAT PORTION DEEDED TO THE SAN ANTONIO RIVER AUTHORITY IN VOLUME 5115, PAGE 669 OF THE BEXAR COUNTY, TEXAS DEED RECORDS TO WIT: FROM "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT TO "NC IDZ AHOD" NEIGHBORHOOD COMMERCIAL INFILL DEVELOPMENT ZONE AIRPORT HAZARD OVERLAY DISTRICT.

2012-11-01-0866

Item Z-6. **ZONING CASE # Z2012176 S (District 3):** An Ordinance amending the Zoning District Boundary from "C-3 AHOD" General Commercial Airport Hazard Overlay District to "C-3 S AHOD" General Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Specified Financial Institution on 0.291 of an acre out of Lots 17 and 18, Block 40, NCB 8666 located at 835 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: 0.291 OF AN ACRE OUT OF LOTS 17 AND 18, BLOCK 40, NCB 8666 TO WIT: FROM "C-3 AHOD" GENERAL COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-3 S AHOD" GENERAL COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT WITH A SPECIFIC USE

AUTHORIZATION FOR A SPECIFIED FINANCIAL INSTITUTION PROVIDED ANY CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2012-11-01-0867

Item P-2. **PLAN AMENDMENT #12074 (District 4):** AN ORDINANCE AMENDING THE FUTURE LAND USE PLAN CONTAINED IN THE NOGALITOS/SOUTH ZARZAMORA COMMUNITY PLAN, A COMPONENT OF THE COMPREHENSIVE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF APPROXIMATELY 0.7304 ACRES LOCATED AT 1142 KENDALIA AVENUE AND 1146 KENDALIA AVENUE FROM LOW DENSITY RESIDENTIAL TO REGIONAL COMMERCIAL. STAFF RECOMMENDS DENIAL. PLANNING COMMISSION RECOMMENDS APPROVAL. (ASSOCIATED ZONING CASE: #ZZ2012204 CD)

2012-11-01-0868

Item Z-7. **ZONING CASE # Z2012204 CD (District 4):** An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2NA CD AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Conditional Use for Motor Vehicles Sales (Full Service) on Lot 54, Block 4, NCB 7645 located at 1146 Kendalia Avenue. Staff recommends denial. Zoning Commission recommends approval with conditions 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 54, BLOCK 4, NCB 7645 TO WIT: FROM "R-4 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "C-2NA CD AHOD" COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR MOTOR VEHICLES SALES (FULL SERVICE) PROVIDED ANY CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2012-11-01-0869

Item Z-9. **ZONING CASE # Z2012200 (District 5):** An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-1 AHOD" Light Commercial Airport Hazard Overlay District on the north 47 feet of Lot 5 and the west 15.87 feet of the north 47 feet of Lot 6, Block 1, NCB 2234 located at 1804 and 1806 West Martin Street. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: THE NORTH 47 FEET OF LOT 5 AND THE WEST 15.87 FEET OF THE NORTH 47 FEET OF LOT 6, BLOCK 1, NCB 2234 TO WIT: FROM "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-1 AHOD" LIGHT COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

2012-11-01-0871

Item Z-11. **ZONING CASE # Z2012196 (District 9):** An Ordinance amending the Zoning District Boundary from "R-6 AHOD MLOD" Residential Single-Family Airport Hazard Overlay Military Lighting Overlay District to "O-1.5 AHOD MLOD" Mid-Rise Office Airport Hazard Overlay Military Lighting Overlay District on Lot 1, Block 16, NCB 17723 located at 825 West Bitters Road. Staff and Zoning Commission recommend approval. (Continued from October 18, 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 1, BLOCK 16, NCB 17723 TO WIT: FROM "R-6 AHOD MLOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY MILITARY LIGHTING OVERLAY DISTRICT TO "O-1.5 AHOD MLOD" MID-RISE OFFICE AIRPORT HAZARD OVERLAY MILITARY LIGHTING OVERLAY DISTRICT.

2012-11-01-0872

Item Z-12. **ZONING CASE # Z2012206 (District 9):** An Ordinance amending the Zoning District Boundary from "R-4 NCD-6" Residential Single-Family Mahncke Park Neighborhood Conservation District to "RM-5 IDZ NCD-6" Residential Mixed Infill Development Zone Mahncke Park Neighborhood Conservation District on Lots 3 and 4, Block 6, NCB 3081 located at 214 Carnahan 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 3 AND 4, BLOCK 6, NCB 3081 TO WIT: FROM "R-4 NCD-6" RESIDENTIAL SINGLE-FAMILY MAHNCKE PARK NEIGHBORHOOD CONSERVATION DISTRICT TO "RM-5 IDZ NCD-6" RESIDENTIAL MIXED INFILL DEVELOPMENT ZONE MAHNCKE PARK NEIGHBORHOOD CONSERVATION DISTRICT.

[CONSENT ZONING CONCLUDED]

ZONING ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

2012-11-01-0860

Item Z-1. **ZONING CASE # Z2012190 (District 1):** An Ordinance amending the Zoning District Boundary from "C-3 RIO-2 AHOD" General Commercial 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 uses permitted in "C-2" Commercial District and a bar on Lot 5, Block B, NCB 7007 located at 103 West 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 5, BLOCK B, NCB 7007 TO WIT: FROM "C-3 RIO-2 AHOD" GENERAL COMMERCIAL 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 USES PERMITTED IN "C-2" COMMERCIAL DISTRICT AND A BAR.

John Jacks presented Item Z-1 and stated that staff and the Zoning Commission recommended approval. He reported that of 11 notices mailed; none were returned in opposition or in favor.

Mayor Castro called upon Leon Joffe to speak. Mr. Joffe read a letter that he had sent to Councilmember Bernal's Office expressing opposition to the zoning request. He stated that he had purchased the lot at 210 W. Grayson Street and expressed concern with noise and parking. He indicated that the Tobin Hill Community Association did not support TacoLand but had decided not to oppose it since a bar had operated at the location for many years. He noted that others in the neighborhood were also in opposition but could not attend the meeting.

Written testimony was received in opposition to Item Z-1 from Tony Boyd, President of the National Association of Letter Carriers, Branch 241; Jacqueline Roberts of Plastic Supply of San Antonio, Inc.; and James M. Heigdelberg of Escamilla, Poneck and Cruz representing the San Antonio Independent School District.

Councilmember Bernal stated that TacoLand was a San Antonio Institution and had operated as a bar in the past. He noted that it would be difficult to operate a different type of business at the location and would like to preserve TacoLand.

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

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

2012-11-01-0861

Item Z-2. **ZONING CASE # Z2012101 CD (District 1):** An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for an Office Courtyard allowing a fence up to 6 feet in height along the front property line in accordance with Section 35-514(d)(2)(D) of the Unified Development Code on Lots 8 and 10, NCB 3599 located at 644 and 648 West Elmira Street. Staff and Zoning Commission recommend approval with conditions.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOTS 8 AND 10, NCB 3599 TO WIT: FROM "R-4 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "R-4 CD AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR AN OFFICE COURTYARD PROVIDED ANY CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

John Jacks presented Item Z-2 and stated that staff and the Zoning Commission recommended approval with the following conditions: 1) A 10-foot Type A Landscape Buffer shall be provided along the property boundaries abutting single family residential zoning or uses; and 2) All on-site lighting shall be directed onto the site and point away from any residential zoning or uses. He reported that of 22 notices mailed; five were returned in favor and none were returned in opposition.

Councilmember Bernal moved to adopt the proposed Ordinance with the conditions as stated by Mr. Jacks. Councilmember Williams seconded the motion.

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

2012-11-01-0863

Item Z-4. **ZONING CASE # Z2012205 S (District 1):** An Ordinance amending the Zoning District Boundary from "HE D H RIO-3 AHOD" Historic Exceptional Downtown Main and Military Plaza Historic River Improvement Overlay-3 Airport Hazard Overlay District to "HE D S H RIO-3 AHOD" Historic Exceptional Downtown Main and Military Plaza Historic River Improvement Overlay-3 Airport Hazard Overlay District with a Specific Use Authorization for a Mobile Food Court on Lots A8 and A9, NCB 909 located at 101 and 103 East Commerce Street and 100 North Main 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 A8 AND A9, NCB 909 TO WIT: FROM "HE D H RIO-3 AHOD" HISTORIC EXCEPTIONAL DOWNTOWN MAIN AND MILITARY PLAZA HISTORIC RIVER IMPROVEMENT OVERLAY-3 AIRPORT HAZARD OVERLAY DISTRICT TO "HE D S H RIO-3 AHOD" HISTORIC EXCEPTIONAL DOWNTOWN MAIN AND MILITARY PLAZA HISTORIC RIVER IMPROVEMENT OVERLAY-3 AIRPORT HAZARD OVERLAY DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A MOBILE FOOD COURT PROVIDED ANY CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

John Jacks presented Item Z-4 and stated that staff and the Zoning Commission recommended approval. He reported that of 18 notices mailed; four were returned in opposition and none were received in favor.

Councilmember Bernal stated that this was a great project that would enhance the Downtown Area. He noted that the Food Truck Industry has evolved and if successful, could transfer to a brick and mortar restaurant.

Councilmember Williams asked of the Downtown Pilot Program. Mr. Jacks replied that this was considered a separate use from the Downtown Pilot Program as it was located on private property and would be a more permanent facility. He noted that they would still be required to follow the ordinance adopted in May regarding food truck courts and adhere to Chapter 35 and Chapter 13 Regulations. Councilmember Williams asked of the opposition. Mr. Jacks replied that they had received opposition from Bill Miller's and Mexican Manhattan Restaurant. Councilmember Bernal stated that he had extensive discussions with members of the San Antonio Restaurant Association with some being in favor and some in opposition. He spoke of the importance of competition and supporting small

businesses. Councilmember Williams stated that he wanted to ensure that everyone understood that it was located on private property and did not want the city to favor one business over another.

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

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

Mayor Castro addressed Items P-1 and Z-5 jointly.

2012-11-01-0864

Item P-1. **PLAN AMENDMENT #12069 (District 2):** AN ORDINANCE AMENDING THE FUTURE LAND USE PLAN CONTAINED IN THE EASTERN TRIANGLE COMMUNITY PLAN, A COMPONENT OF THE COMPREHENSIVE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF APPROXIMATELY 0.59 ACRES LEGALLY DESCRIBED AS NCB 18449 BLK 9 LOT 8 FROM MEDIUM DENSITY RESIDENTIAL TO COMMUNITY COMMERCIAL. STAFF RECOMMENDS DENIAL. PLANNING COMMISSION RECOMMENDS APPROVAL. (ASSOCIATED ZONING CASE: #ZZ2012095 CD)

2012-11-01-0865

Item Z-5. **ZONING CASE # Z2012095 CD (District 2):** An Ordinance amending the Zoning District Boundary from "C-2" Commercial District to "C-2 CD" Commercial District with a Conditional Use for Motor Vehicle Sales on Lot 8, Block 9, NCB 18449 located on the north side of New Sulphur Springs Road, west of Southcross Ranch Road. Staff recommends denial. Zoning Commission recommends approval with conditions 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 8, BLOCK 9, NCB 18449 TO WIT: FROM "C-2" COMMERCIAL DISTRICT TO "C-2 CD" COMMERCIAL DISTRICT WITH A CONDITIONAL USE FOR MOTOR VEHICLE SALES PROVIDED ANY CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

Chris Looney presented Item P-1 and stated that it would amend the future land use contained in the Eastern Triangle Community Plan. He noted that staff recommended denial while the Planning Commission recommended approval. He reported that staff recommended denial of Item Z-5 and the Zoning Commission recommended approval with the following conditions: 1) All on-site lighting shall be directed onto the site and point away from any adjacent residential zoning or uses; 2) Outdoor speaker and paging systems are prohibited; and 3) A 15-foot Type B Landscape Buffer be provided along the northern property line that abuts residential zoning and uses to the North. He reported that of nine notices mailed; none were received in opposition or in favor.

Mayor Castro called upon Mr. James Allen Boldt. Mr. Boldt addressed the Council and stated that he was in support of the zoning request as it would be a community asset. He noted that many meetings had been held regarding said item and was pleased with the high standards presented.

Councilmember Taylor thanked Mr. Boldt for being present and representing the Neighborhood Association of the Eastern Triangle Group. She stated that they work very diligently to improve the quality of life for their neighborhood.

Councilmember Taylor moved to adopt the proposed Ordinances with the conditions as presented by Mr. Looney. Councilmember Bernal seconded the motion.

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

CONTINUED TO NOVEMBER 15, 2012

Item Z-8. **ZONING CASE # Z2012162 CD (District 5):** An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-3 CD IDZ AHOD" Residential Single-Family Infill Development Zone Airport Hazard Overlay District with a Conditional Use for Three Dwelling Units on Lots 47 and 48, Block 7, NCB 2889 located at 2803 Vera Cruz Street. Staff and Zoning Commission recommend approval. (Continued from October 18, 2012)

John Jacks presented Item Z-8 and stated that staff and the Zoning Commission recommended approval. He reported that of 55 notices mailed; one was returned in opposition and none were returned in favor.

Mayor Castro called upon the individuals registered to speak.

Natalia Tovar, Rodrigo Rendon and Eddie Rodriguez representing COPS/Metro addressed the City Council in opposition to the zoning case. Ms. Tovar stated that the property owner is an absent owner and not a resident of the area. She noted that they wanted their neighborhood back as there are issues with parking and drug use. She spoke of the work they have accomplished to clean up and transform their neighborhood.

Councilmember Lopez moved to continue said item until November 15, 2012. Councilmember Chan seconded the motion.

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

2012-11-01-0870

Item Z-10. **ZONING CASE # Z2012199 CD (District 8):** An Ordinance amending the Zoning District Boundary from "C-2 GC-1 MSAO-1 MLOD" Commercial Hill Country Gateway Corridor Overlay Camp Bullis Military Sound Attenuation Overlay Military Lighting Overlay District to ""C-2 CD GC-1 MSAO-1 MLOD" Commercial Hill Country Gateway Corridor Overlay Camp Bullis Military Sound Attenuation Overlay Military Lighting Overlay District with a Conditional Use for Motor Vehicle Sales (Full Service) on 4.164 acres out of Parcels 5A and 13, NCB 18338 and Parcel 12, NCB 34034 located at 21667, 21683, and 21691 Milsa Drive. Staff and Zoning Commission recommend approval with conditions.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 4.164 ACRES OUT OF PARCELS 5A AND 13, NCB 18338 AND PARCEL 12, NCB 34034 TO WIT:

FROM "C-2 GC-1 MSAO-1 MLOD" COMMERCIAL HILL COUNTRY GATEWAY CORRIDOR OVERLAY CAMP BULLIS MILITARY SOUND ATTENUATION OVERLAY MILITARY LIGHTING OVERLAY DISTRICT TO "C-2 CD GC-1 MSAO-1 MLOD" COMMERCIAL HILL COUNTRY GATEWAY CORRIDOR OVERLAY CAMP BULLIS MILITARY SOUND ATTENUATION OVERLAY MILITARY LIGHTING OVERLAY DISTRICT WITH A CONDITIONAL USE FOR MOTOR VEHICLE SALES (FULL SERVICE) PROVIDED ANY CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

John Jacks presented Item Z-10 and stated that staff and the Zoning Commission recommended approval with the following conditions: 1) The front façade and other exterior walls that are visible from IH-10 shall collectively consist of a minimum of 60% stone materials and shall not conflict with the Hill Country Gateway Corridor Overlay Standards. 2) Parking lot screening on the IH-10 frontage shall, at the time of planting, consist of five-gallon minimum landscaping materials. In accordance with the Hill Country Gateway Corridor Overlay Standards, such landscaping shall reach a minimum height of four feet at maturity. 3) All on-site pole signage shall not exceed 25 feet in height and shall be internally illuminated. 4) Final tree canopy coverage for the property, as defined by Section 35-523 of the Unified Development Code, shall be a minimum of 35%. 5) No outdoor speakers shall be permitted on the property except those required by law or necessary for emergency and/or safety purposes. He reported that of six notices mailed; one was returned in favor and none were received in opposition.

Written testimony was received and filed from Dr. Francine S. Romero of the Friends of Friedrich Wilderness Park and Rob McDaniel, General Manager of the Dominion Homeowners Association in support of Item Z-10.

Councilmember Williams moved to adopt the proposed Ordinance with the conditions as stated by Mr. Jacks with the correction that parking lot screening on the IH-10 frontage shall, at the time of planting, consist of 10-gallon minimum landscaping materials instead of five-gallon minimum landscaping materials. Councilmember Soules seconded the motion.

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

ADJOURNMENT

There being no further discussion, Mayor Castro adjourned the meeting at 2:37 pm.

APPROVED


JULIÁN CASTRO
MAYOR

Attest: 
LENCIA M. VACEK, TRMC/MMC
City Clerk