

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING; THURSDAY, FEBRUARY 25, 1999.**

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99-08 The City Council convened in an informal "B" Session at 10:00 A.M., Municipal Plaza Building, "B" Room, to consider the following items(s):

**Presentation of a Proposed \$71,400,00.00 Watersystem Revenue and Refunding Bond Issuance to be placed with the Texas Water Development Board - "B" Session cancelled due to lack of a quorum. Mayor Peak announced that the matter would be presented to City Council in "A" Session at the Council meeting of March 18, 1999.**

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99-08 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Howard W. Peak, with the following members present: Flores, Salas, Guerrero, Prado, Menéndez, Garza, Marbut, Bannwolf, Webster and Peak. **ABSENT:** Vásquez.

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99-08 Invocation - Rev.I.V. Tolbert, Emmanuel African Methodist Episcopal Church.

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99-08 Pledge of Allegiance to the flag of the United States.

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99-08 Minutes of the Regular City Council Meeting for December 10, 1998 were approved.

**CEREMONIAL ITEMS**

**RESOLUTION OF APPRECIATION: ELIZABETH E. COSTELLO**

Mayor Peak stated that Ms. Elizabeth E. Costello, Director of the Department of International Affairs, has announced her resignation from that position in order to accept the position of Executive Director of the Mind Science Foundation. He noted that Ms. Costello has been invited to City Council meeting today to be officially recognized for her work with the City of San Antonio.

Mayor Peak then read the following Resolution of Appreciation:

**Expressing Appreciation To Elizabeth E. Costello  
For Her Dedicated Service To San Antonio.**

**Whereas,** Elizabeth E. Costello has served the City of San Antonio with distinction and dedication as Director of the International Affairs Department and as assistant to Mayor Nelson Wolff; and

**Whereas,** during her tenure as Director of International Relations from 1987 to 1990 she designed and executed an innovative international relations program for municipal government; her department also coordinated the sister cities international programs as well as official visits by heads of state; and

**Whereas,** after serving as assistant to Mayor Nelson Wolff from 1993 to 1995, she returned to the International Affairs Department and, under her leadership, the department has continued in its efforts to promote expansion of San Antonio's businesses into international markets through the CASAS Program and to further the local partnerships with San Antonio's Chamber of Commerce, the Free Trade Alliance, and the U.S. Department of Commerce Export Assistance center; and

**Whereas,** the City Council is proud of Ms. Costello's record of excellence which has greatly benefited the citizens of San Antonio; **NOW THEREFORE:**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

That The City Council hereby commends Ms. Costello for her long and devoted service to San Antonio and its citizens and presents this resolution as a token of its appreciation.

Ms. Guerrero made a motion to approve the proposed Resolution. Mr. Flores seconded the motion.

After consideration, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Menéndez, Garza, Marbut, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** Vásquez.

Ms. Costello thanked the Mayor and City Council for the recognition and honor, and spoke to her years of affiliation with the City of San Antonio. She then recognized members of her current staff, present in the audience.

Mr. Alexander E. Briseño, City Manager, spoke to her invaluable service over the years and congratulated her, then spoke of examples of her work as an international ambassador for the City.

Mayor Peak and individual members of City Council individually thanked her for her professional service to the City and wished her well in her new position, each speaking to their personal remembrances of their work with Ms. Costello.

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### **READ ACROSS AMERICA**

Mayor Peak noted that the San Antonio Public Library is participating in a nationwide program called "READ ACROSS AMERICA DAY", and he introduced Ms. Nancy Gandara, Assistant Director of the Library. He then read a formal proclamation for the event and presented it to Ms. Gandara.

Ms. Gandara spoke briefly to details of the event, and introduced Ms. Rose Trevino, Coordinator of Children's Services for the Library.

Ms. Trevino spoke briefly to examples of the celebration of the birthday of Dr. Seuss at each branch library.

Mr. Menéndez and Mr. Bannwolf both spoke to the advantages of teaching young children to read at an early age in order to combat illiteracy.

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**TWO 5<sup>TH</sup> GRADE STUDENT GROUPS FROM CARLOS COON ELEMENTARY**

Mr. Menéndez recognized the presence in the audience of two groups of 5<sup>th</sup> Grade students from Carlos Coon Elementary School in District 6, some 42 students in all, and noted that they were present to study City government, first hand.

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**99-08            CONSENT AGENDA - CITIZEN COMMENTS**

Mr. Faris Hodge, Jr., 140 Dora, addressed each item on the Consent Agenda. He asked Council to budget for 25 additional bicycles for the Police Department Bike Patrols; urged flood-area residents to consider selling their properties to the City and relocate; and lauded the City's efforts in assisting such flood victims.

Mr. Jack Finger, P.O. Box 12048, spoke to the involvement of the Bartlett Cocke, Inc. Construction Company in certain matters of the Convention Center Expansion Project, and his objection to the City allowing that firm to construct the new parking structure at International Airport. He also asked Council members who had received political contributions from representatives of certain firms named in ordinances under consideration today to abstain from voting on those particular items

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**99-08            CONSENT AGENDA**

Mr. Prado made a motion to approve Agenda Items 7 through 24, constituting the Consent Agenda, with items 10 and 15 being pulled for individual consideration. Mr. Salas seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinances, prevailed by the following vote: **AYES:** Salas, Guerrero, Prado, Menéndez, Garza, Marbut, Bannwolf, Peak. **NAYS:** None. **ABSENT:** Flores, Vásquez, Webster.

**AN ORDINANCE 89304**

**ACCEPTING THE LOW QUALIFIED BID FROM B & J. BICYCLE SHOP, INC. TO PROVIDE THE CITY OF SAN ANTONIO POLICE DEPARTMENT BIKE PATROL WITH AN ANNUAL CONTRACT FOR POLICE BICYCLE REPAIR PARTS FOR A TOTAL OF \$15,000.00.**

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AN ORDINANCE 89305

ACCEPTING THE LOW, QUALIFIED RESPONSIVE BID OF YANTIS CO. IN THE TOTAL AMOUNT OF \$444,952.20 IN CONNECTION WITH THE WHITBY AT HUEBNER CREEK PROJECT; AUTHORIZING \$28,206.37 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$18,000.00 TO STEPHEN J. CANTY & ASSOCIATES FOR ENGINEERING EXPENSES; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 82029 DATED APRIL 13, 1995.)

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AN ORDINANCE 89306

AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE AN "AGREEMENT FOR THE FURNISHING AND INSTALLING OF TRAFFIC SIGNAL EQUIPMENT BY A MUNICIPALITY" WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT); AUTHORIZING A FORCE ACCOUNT FUND IN THE AMOUNT OF \$8,835.00 FOR UPGRADING OF TRAFFIC SIGNAL EQUIPMENT, RENTAL AND LABOR ON BASSE ROAD AT SAN PEDRO AVENUE.

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AN ORDINANCE 89307

APPROVING THE TERMS AND CONDITIONS, AND AUTHORIZING THE EXECUTION, OF A CONTRACT WITH BUSBY & ASSOCIATES, INC., TO PROVIDE ESTIMATING SERVICES FOR THE IC RENOVATION PHASE, THE THERMAL STORAGE FACILITY PHASE AND THE MEXICAN CULTURAL INSTITUTE RENOVATION PHASE OF THE CONVENTION CENTER EXPANSION PROJECT, FOR A TOTAL PAYMENT BY THE CITY NOT TO EXCEED \$37,760.00; AND RATIFYING SERVICES ASSOCIATED WITH THE IC RENOVATION PHASE.

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AN ORDINANCE 89308

DECLARING AS SURPLUS AND SELLING A 16 FOOT-WIDE PUBLIC RIGHT OF WAY ADJACENT TO 900 BABCOCK ROAD, NCB 14341, BLOCK 1, LOT 1, TO HESK OF TEXAS, INC. FOR THE CONSIDERATION OF \$5,065.00.

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AN ORDINANCE 89309

DECLARING AS SURPLUS AND AUTHORIZING THE SALE OF A 0.029 ACRE (1255.9 SQUARE FEET) TRACT OF CITY-OWNED PROPERTY LOCATED ON WEST PECAN STREET, BETWEEN NORTH FLORES AND NORTH MAIN STREETS, TO PECAN PARAGON, LTD., FOR THE CONSIDERATION OF \$19,915.00.

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AN ORDINANCE 89310

ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE A TEXAS DEPARTMENT OF TRANSPORTATION RAILROAD FORCE ACCOUNT AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION AND THE UNION PACIFIC RAILROAD COMPANY IN CONNECTION WITH THE BROADWAY AT WETMORE INTERSECTION PROJECT.

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AN ORDINANCE 89311

AUTHORIZING PAYMENT IN THE AMOUNT OF \$9,257.84 TO DAVIDSON & TROILO, P.C. FOR LEGAL SERVICES IN CONNECTION WITH THE PINN ROAD RECONSTRUCTION PROJECT - W. COMMERCE TO U.S. 90 WEST (\$440.80); THE BABCOCK ROAD AT HILLCREST PROJECT (\$1,354.57); THE BLANCO ROAD AT JACKSON-KELLER PROJECT (\$148.20); THE BASSE ROAD AT SAN PEDRO INTERSECTION PROJECT (\$2,559.86); THE BABCOCK ROAD INTERSECTIONS PROJECT (\$4,656.64); AND THE NACOGDOCHES ROAD - BROADWAY TO N. NEW BRAUNFELS PROJECT (\$97.77); APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 89312

AUTHORIZING PAYMENT IN THE AMOUNT OF \$1,900.00 TO ECKMANN, GROLL, RUNYAN & WATERS, INC. FOR APPRAISAL SERVICES IN CONNECTION WITH THE WHEATLEY HEIGHTS FLOOD AREA PROJECT (\$1,100.00) AND THE VILLAMAIN ROAD FLOOD AREA PROJECT (\$800.00) AND THE AMOUNT OF \$2,700.00 TO DUGGER, CANADAY, GRAFE & WOELFEL, INC. IN CONNECTION WITH THE PLUMNEAR FLOOD AREA PROJECT, FOR A TOTAL SUM OF \$4,600.00; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 89313

AMENDING ORDINANCE NO. 89238, PASSED AND APPROVED ON FEBRUARY 11, 1999 TO PAY THE SUM APPROPRIATED UNDER SAID ORDINANCE TO LAWYER'S TITLE, AS ESCROW AGENT FOR JAMES VAN WINKLE AND WIFE, EMMA G. VAN WINKLE IN CONNECTION WITH THE PEARSALL ROAD LANDFILL PARK REDEVELOPMENT PROJECT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 89314

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH THE SAN ANTONIO AIDS FOUNDATION FOR APPROXIMATELY 1,042 SQUARE FEET OF CLINIC AND OFFICE SPACE AT 818 E. GRAYSON STREET FOR THE RYAN WHITE DENTAL CLINIC OF SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD JANUARY 1, 1999 THROUGH DECEMBER 31, 1999 AT A RENTAL RATE OF \$750.00 PER MONTH; AND APPROVING PAYMENTS TO THE LESSOR IN CONNECTION THEREWITH.

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AN ORDINANCE 89315

AMENDING THE TRAFFIC CONTROL DEVICES SCHEDULES ESTABLISHED BY CHAPTER 19 (TRAFFIC REGULATIONS), ARTICLE III (TRAFFIC CONTROL DEVICES), SECTION 19-68(B) TO INCLUDE CERTAIN ADDITIONS TO THE OFFICIAL TRAFFIC-CONTROL DEVICE SCHEDULE FOR "ONE-WAY" SIGNS, "STOP" SIGNS, "YIELD RIGHT-OF-WAY" SIGNS, "SPEED LIMIT" SIGNS, "NO PARKING INCLUDING SUNDAYS AND HOLIDAYS" SIGNS, "SCHOOL CROSSWALKS" SIGNS AND "NO PARKING SCHOOL DAYS ONLY" SIGNS; AUTHORIZING THE PERMANENT INSTALLATION OF SAID DEVICES; DECLARING THEM A OFFICIAL TRAFFIC CONTROL DEVICES OF THE CITY OF SAN ANTONIO; AND DECLARING VIOLATIONS OF THESE TRAFFIC REGULATIONS, EXCEPT THE CIVIL PARKING VIOLATIONS, TO BE MISDEMEANOR CRIMES PUNISHABLE BY A FINE OF NOT MORE THAN \$200.00 AND DECLARING VIOLATIONS OF THE CIVIL PARKING VIOLATIONS TO BE SUBJECT TO THE ENFORCEMENT PROVISIONS OF CITY CODE SECTION 19-25 (ADMINISTRATIVE ADJUDICATION OF STOPPING, STANDING, AND PARKING VIOLATIONS.)

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AN ORDINANCE 89316

AUTHORIZING THE LIBRARY DEPARTMENT (HERTZBERG CIRCUS MUSEUM DIVISION) TO MAKE AN APPLICATION FOR FUNDS FROM THE TEXAS COMMISSION ON THE ARTS IN THE AMOUNT OF \$11,750.00 TO PUBLICIZE AND CONDUCT EDUCATIONAL PROGRAMS AND PERFORMANCES FOR CHILDREN AND FAMILIES AND TO ACQUIRE COSTUMES.

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AN ORDINANCE 89317

AUTHORIZING THE LIBRARY DEPARTMENT (HERTZBERG CIRCUS MUSEUM DIVISION) TO MAKE AN APPLICATION FOR FUNDS FROM THE SAN ANTONIO AREA FOUNDATION IN THE AMOUNT OF \$19,900.00 TO PROVIDE DISADVANTAGED STUDENTS WITH AN EDUCATION ENRICHMENT PROGRAM BASED ON THE MUSEUM'S NEW PERMANENT EXHIBIT, LAS CARPAS.

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AN ORDINANCE 89318

AUTHORIZING THE CITY MANAGER TO MAKE AN APPLICATION FOR FEDERAL GRANT FUNDS THROUGH THE TEXAS STATE LIBRARY AND ARCHIVES FOR THE FY 2000 OPERATION OF THE SAN ANTONIO INTERLIBRARY LOAN CENTER IN THE AMOUNT OF \$190,000.00 TO BE USED TO PROVIDE SALARIES AND ALL SUPPORT COSTS FOR THE OPERATION OF THE SAN ANTONIO LIBRARY LOAN CENTER.

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AN ORDINANCE 89319

APPROVING AND AUTHORIZING THE EXECUTION OF A "FIRST AMENDMENT TO ASSIGNED AND AMENDED LEASE AGREEMENT" BY AND AMONG THE CITY OF SAN ANTONIO, RAYTHEON AIRCRAFT SERVICES, INC. AND GE CAPITAL PUBLIC FINANCE, INC. WHICH AMENDS THE ASSIGNED AND AMENDED LEASE AGREEMENT DATED MAY 1, 1992, BY AND AMONG THE CITY OF SAN ANTONIO, RAYTHEON AIRCRAFT SERVICES, INC. (AS SUCCESSOR OF HEDRICK BEEHCRAFT, INC.) AND BEECH HOLDINGS, INC., FOR THE PURPOSE OF AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF \$4,488,000.00 IN PRINCIPAL AMOUNT OF "CITY OF SAN ANTONIO, TEXAS SPECIAL AIRPORT FACILITIES REVENUE REFUNDING BOND, (RAYTHEON AIRCRAFT SERVICES, INC. PROJECT) SERIES 1999" TO REFUND CERTAIN OUTSTANDING BONDS PREVIOUSLY ISSUED FOR RAYTHEON AIRCRAFT SERVICES, INC.; AUTHORIZING THE ISSUANCE OF SUCH SERIES 1999 BOND; CALLING CERTAIN BONDS FOR REDEMPTION; APPROVING AND AUTHORIZING THE EXECUTION OF ALL INSTRUMENTS RELATED THERETO; AND DECLARING AN EFFECTIVE DATE. (AMENDS ORDINANCE NO. 75828 DATED MAY 28, 1992.)

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(\$4,688.52) AND THE HILDEBRAND AVENUE - I.H. 10 TO BREEDEN PROJECT (\$11,523.88); APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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Mr. Webster made a motion to approve the proposed Ordinance. Mr. Salas seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinances, prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Menéndez, Garza, Marbut, Webster, Peak; **NAYS:** None; **ABSTAIN:** Bannwolf; **ABSENT:** Vásquez, None.

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99-08 ITEMS FOR INDIVIDUAL CONSIDERATION - CITIZEN COMMENTS

Mr. Faris Hodge, Jr., 140 Dora, spoke to each item for Individual Consideration and expressed his personal opinions on several.

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99-08 The Clerk read the following Ordinance:

AN ORDINANCE 89322

AUTHORIZING THE TERMS AND CONDITIONS, AND THE EXECUTION, OF A TEN (10) YEAR POINT-TO-POINT LICENSE AGREEMENT TO ALLOW CAPROCK COMMUNICATIONS CORPORATION TO LOCATE APPROXIMATELY 46,520 LINEAR FEET OF FIBER OPTIC CABLE WITHIN, UNDER AND ACROSS PUBLIC RIGHTS-OF-WAY IN ORDER TO OPERATE A LONG DISTANCE SYSTEM; FOR A TOTAL CONSIDERATION OF \$925,165.00 TO BE RECEIVED BY THE CITY OF SAN ANTONIO.

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Mr. Webster made a motion to approve the proposed Ordinance. Mr. Flores seconded the motion.

Ms. Rebecca Waldman, Director of Asset Management, narrated a video presentation on the proposed license agreement, a copy of which presentation is made a part of the papers of this meeting. She explained the need for use of public right-of-way in order to provide certain long distance service between Laredo and Waco, and addressed the financial

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impact of the matter and the benefits to the City of San Antonio. She noted that two strands of the fiber-optic cable will be made available to the City of San Antonio at no charge for its usage.

In response to a question by Mr. Salas, Ms. Waldman spoke to the planned usage of the fiber-optic cable to connect certain municipally-owned buildings, and spoke to her willingness to discuss other possible connections.

Mr. Oscar Serrano, Asset Management Department, spoke to details of the proposed fiber-optic cable connections.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Menéndez, Garza, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** Vásquez, Marbut.

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99-08            **ZONING HEARINGS**

Mr. Faris Hodge, Jr., 140 Dora, commented on each zoning case on the agenda and spoke to his opinion as to each.

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4A.            CASE #Z99041- The City of San Antonio has under consideration changing the zoning from "B-3" Business District to "B-3NA" Non-Alcoholic Sales Business District on Lot 26, NCB 12167, 8235 Vicar Drive. The property is located on the northwest side of Vicar Drive, between Perrin Beitel Road and N.E. Loop 410 Expressway, having 278.79 feet on Perrin Beitel Road and a depth of 260.90 feet. Staff's recommendation was for approval.

The Zoning commission was for approval.

Mr. Webster asked that this case be continued to the City Council meeting of March 11, 1999.

Mr. Webster made a motion to continue this case. Mr. Bannwolf seconded the motion.

After consideration, the motion to continue this case prevailed by the following vote: **AYES:** Salas, Prado, Menéndez, Garza, Marbut, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** Flores, Guerrero, Vásquez.

Zoning Case Z99041 was continued to the Council meeting of March 11, 1999.

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4B. CASE #97216 SUP- The request of Bradley, Solomon & Associates, Inc., (owners) to rezone and reclassify Lots 17, 18 and 19, Block 17, NCB 7326, 137 Earl Street from "R-5" Single Family Residence District to "B-3" SUP Business District with special use permit for a landscape contractor with outside storage. The property is located on the north side of Earl Street, having 75 feet on Earl Street and a depth of 136.44 feet. Staff's recommendation was for denial.

The Zoning Commission has recommended approval.

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning request.

Mr. Bannwolf made a motion to reject the recommendation of the Zoning Commission and to grant a "B-3NA" zoning on the property in question. Mr. Webster seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Vásquez, Menéndez, Garza, Marbut, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** None.

#### AN ORDINANCE 89323

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 17, 18 AND 19, BLOCK 17, NCB 7326, 137 EARL STREET FROM "R-5" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3" SUP BUSINESS DISTRICT WITH SPECIAL USE PERMIT FOR A LANDSCAPE CONTRACTOR WITH OUTSIDE STORAGE.

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4C. CASE #Z99042. The City of San Antonio has under consideration changing the zoning from Temporary "R-1" Single Family Residence District and Temporary "R-1" ERZD Single Family Residence Edwards Recharge Zone District to "R-1" Single Family District, "R-1" ERZD Single Family Residence Edwards Recharge Zone District, "P-1(R-1)" Planned Unit Development Single Family Residence District, "R-3" Multiple

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Family Residence District, "R-3" ERZD Multiple Family Residence District, "R-4" Manufactured Home Residence District, "P-1(R-6)" Planned Unit Development Townhouse Residence District, "R-8" large Lot Residence District, "P-1(R-8)" Planned Unit Development Large Lot Residence District, "R-8" ERZD Large Lot Residence Edward Recharge Zone District, "P-1" Office District, "O-1" ERZD Office Edwards Recharge Zone District. "B-1" Business District. "B-2" Business District "B-2" ERZD Business Edwards Recharge Zone District. "B-3" Business District, "P-1(B-3)" Planned Unit Development Business District, "B-3" SUP Business District Special use Permit for a warehouse and mill, and "B-3R" Restrictive Business District. The property, known as the I.H. 10 Corridor Zoning Area, is generally bounded by Babcock Road, Heuerman Road, and Aue Road, on the west; the Camp Bullis Military Reservation and N. W. Military Hwy. On the north and east; and the southern limits of the Crownridge and Forest Crest Subdivision on the south. Staff's recommendation was for approval.

The Zoning Commission has recommended approval.

Mr. Raymond Lozano, Land Development Services, explained the proposed zoning of newly-annexed areas in the IH-10 West Area.

The following citizen(s) appeared to speak:

Mr. Wayne Wright, 20555 IH-10 West; Mr. Ralph Mitchell, 6275 Camp Bullis Road; Mr. E.L. Soyars, P.O. Box 39382; Mr. Don Cameron, 7132 Oak Drive, and Ms. Molly Hefner, 204 Ridgemont all asked that their properties be withdrawn from consideration for zoning at this time and be considered at a later date by the Zoning Commission, then the City Council.

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Mr. Marbut made a motion that the Council continue until March 11, 1999 consideration of that portion of the residential lots fronting on Wagner Way west of the intersection of Wagner Way and Strauss proposed for rezoning from Temporary "R-1" Single Family Residence District separate from the remainder of Zoning Case Z99042 so that he might recuse himself from consideration of that portion of Zoning Case Z99042. Mr. Webster seconded the motion.

After consideration, that motion prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Garza, Marbut, Bannwolf, Webster, Peak. **NAYS:** None. **ABSENT:** Prado, Vásquez, Menéndez.

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Mr. Marbut then made a motion that, in Zoning Case Z99042, known as the IH-10 annexation area, that approval be given to the zoning districts as depicted on the map exhibit, less those residential lots fronting on Wagner Way west of the intersection of Wagner Way and Strauss, referenced in his earlier motion, and those areas requested to be pulled for future consideration. Mr. Bannwolf seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Garza, Marbut, Bannwolf, Webster, Peak. **NAYS:** None. **ABSENT:** Prado, Vásquez, Menéndez.

#### AN ORDINANCE 89324

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 REZONING AND RECLASSIFICATION OF PROPERTY FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT AND TEMPORARY "R-1" ERZD SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "R-1" SINGLE FAMILY RESIDENCE DISTRICT, "R-1"ERZD SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT, "P-1(R-1)" PLANNED UNIT DEVELOPMENT SINGLE FAMILY RESIDENCE DISTRICT, "R-4" MANUFACTURED HOME RESIDENCE DISTRICT, "P-1(R-6)" PLANNED UNIT DEVELOPMENT TOWNHOUSE RESIDENCE DISTRICT", "R-8" LARGE LOT RESIDENCE DISTRICT, "P-1(R-8)" PLANNED UNIT DEVELOPMENT LARGE LOT RESIDENCE DISTRICT, "R-8"ERZD LARGE LOT RESIDENCE EDWARDS RECHARGE ZONE DISTRICT, "O-1" OFFICE DISTRICT, "O-1"ERZD OFFICE EDWARDS RECHARGE ZONE DISTRICT, "B-1" BUSINESS DISTRICT, "B-2" BUSINESS DISTRICT, "B-2"ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT,"B-2"SUP BUSINESS DISTRICT SPECIAL USE PERMIT FOR PARTY HOUSE/ ALCOHOLIC BEVERAGES, "B-3" BUSINESS DISTRICT, "P-1(B-3)" PLANNED UNIT DEVELOPMENT BUSINESS DISTRICT, AND "B-3"SUP BUSINESS DISTRICT SPECIAL USE PERMIT FOR A WAREHOUSE & MILL ON THE PROPERTY LISTED BELOW AS FOLLOWS: TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-1" SINGLE FAMILY RESIDENCE DISTRICT, CB4725, PARCELS 17 AND 22, CB4725 PARCEL 12, CB4725E BLOCK 16, LOTS 1 THRU 22, 24 AND 25, CB4725E BLOCK 17, LOTS 1 THRU 24, CB4725C BLOCK 11, LOTS 1 THRU 22 AND P-100, CB4725A BLOCK 2, LOTS 1 THRU 19, CB4725A BLOCK 3, LOTS 1 THRU 18, CB4725C BLOCK 9, LOTS 2 THRU 79, CB4725A BLOCK 4, LOTS 1 THRU 22, 29 THRU 32 AND 34 THRU 48, CB4725D BLOCK 1, LOTS 1 THRU 23, CB4725A BLOCK 5, LOTS 1

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THRU 4, 23 THRU 26, 57 THRU 59 AND 63 THRU 71, CB4725 BLOCK 10 LOT 1, CB4725A BLOCK 6, LOTS 1 THRU 11, CB4725D LOTS 1 THRU 59, CB4725 PARCELS 7C, 7B, 3, 100 AND 101; TEMPORARY "R-1" ERZD SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "R-1"ERZD SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT, CB4725B BLOCK 10, LOTS 1 THRU 55, CB4725B BLOCK 11, LOTS 1 THRU 79, CB4725B BLOCK 5, LOTS 1 THRU 12, CB4725B BLOCK 13, LOTS 1 THRU 16, CB4725B BLOCK 14, LOTS 1 AND 2, CB4725 PARCELS 4 AND 9 SAVE AND EXCEPT A 44.98 ACRE TRACT (FIELD NOTES ATTACHED), CB4762 4.6 ACRES (FIELD NOTES ATTACHED); TEMPORARY R-1 SINGLE FAMILY RESIDENCE DISTRICT AND TEMPORARY R-1 ERZD SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO R-1 SINGLE FAMILY RESIDENCE DISTRICT AND R-1 ERZD SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT, CB4726E BLOCK 17, LOT 23, CB4725 PARCEL 8; TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "P-1(R-1)" PLANNED UNIT DEVELOPMENT SINGLE FAMILY RESIDENCE DISTRICT, CB4751 PARCELS 1 AND 1B, CB4750 PARCELS 2, 2B, 2D, 2E, 2F, AND 4, CB4732 PARCELS 2 AND 2C, CB4752 PARCELS 1, 1C, 3B, 3C, 4, 9 AND 10, CB4753 PARCELS 1, 1A, 2, 2H, 2F, 3, 3A, AND 3B, CB4753A BLOCK 21, LOTS 1 THRU 14, CB4753A BLOCK 16, LOT 1, CB4553A BLOCK 22, LOTS 1 THRU 28, CB4752A BLOCK 15, LOTS 1 THRU 5, 11 THRU 16 AND 20, CB4752A BLOCK 15, LOTS 22 THRU 35 AND 44 THRU 87, CB4752A BLOCK 15, LOTS 91 THRU 102 AND 106, CB4752A BLOCK 15, LOTS 36 THRU 42, CB4752A BLOCK 15, LOTS 107 THRU 144, CB4752A BLOCK 15, LOTS 146, 148, 149, 151 THRU 156, 158 AND 159, CB4752A BLOCK 15, LOTS 160 THRU 163 AND 165, CB4752B BLOCK 19, LOTS 1 THRU 39 AND 45 THRU 55, CB4754A BLOCK 17, LOTS 1 THRU 44, CB4754A BLOCK 18, LOTS 5 THRU 8, 13 THRU 16, 21, 22 AND 24 THRU 28, CB4754 PARCELS 7A, 7C, 7G, 7D, 7F AND 9, CB4753A, BLOCK 9, LOTS 1 THRU 104, CB4753A BLOCK 4, LOTS 1 THRU 12, CB4753A BLOCK 3, LOTS 1 THRU 15, CB4753A BLOCK 2, LOTS 1 THRU 7, 10, 17 THRU 57, 58 THRU 64, 65, AND 67 THRU 70, CB4753A BLOCK 5, LOTS 1 THRU 34, CB4753A BLOCK 6, LOTS 1 THRU 12, CB4753A BLOCK 7, LOTS 1 THRU 8, CB4034C BLOCK 18, LOTS 1 THRU 50, 53 AND 54, CB4034C BLOCK 19, LOTS 1 THRU 27, CB4753A BLOCK 8, LOTS 1 THRU 11, CB4753A BLOCK 1, LOTS 1 THRU 14, CB4753A BLOCK 11, LOTS 1 THRU 3, CB4756 PARCELS 1F, 1J, AND 1D, CB4034B BLOCK 15, LOTS 1 AND 2, CB4034B LOTS 104 THRU 118, 121 THRU 138, 141 THRU 145, 151, 220, 240, 247 AND 249, CB4034 PARCELS 35, 28, 18, 24 AND 23, CB4753A BLOCK 12, LOTS 1 THRU 3, CB4034E BLOCK1, LOTS 1 THRU 43, CB4034A BLOCK16, LOTS 1, 4, 5, 9, 10, 13 THRU 60, 208, 212, 203, CB4756 PARCELS 1E AND 26, CB4034D LOTS 1 THRU 64, NCB16386 PARCEL 5, NCB16385 PARCELS 1 AND 4, CB4034C BLOCK 20, LOTS 1 THRU 35, CB4034A

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BLOCK 1, LOTS 3 THRU 6, 40, 9 THRU 37, AND 41 THRU 44, CB4034A BLOCK 2, LOTS 1 THRU 8, 14, 15, AND 19 THRU 39, CB4034A BLOCK 3, LOT 1, CB4034 PARCEL 14C, 21, 31, 32, 33, 22A, 21B, 21D AND 21A, CB4034 PARCELS 21C, 20B, 29, 14G, 24 AND 25; TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-4" MANUFACTURED HOME RESIDENCE DISTRICT, CB4760A BLOCK A, LOTS 3 THRU 36, CB4760A BLOCK B, LOTS 4 THRU 34, CB4760A BLOCK C, LOTS 3 THRU 32, CB4760A BLOCK D, LOTS 20 THRU 30 AND BLOCK E, LOTS 1 THRU 11; TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "P-1(R-6)" PLANNED UNIT DEVELOPMENT TOWNHOUSE RESIDENCE DISTRICT, CB4754A BLOCK 18, LOTS 9, 10, 11 AND 12; TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-8" LARGE LOT RESIDENCE DISTRICT, CB4758 PARCELS 2 AND 2B, CB4759 PARCEL 2 , CB5936 BLOCK A, LOTS 3 THRU 7, 8B, 8C AND 11 THRU 37, CB5936 BLOCK B, LOTS 1, EAST IRR 659.44' OF 1(ARB-1A), NORTH IRR 894.30' OF 1, CB5936 BLOCK B LOTS 2 AND 4 THRU 10, CB5936 BLOCK C, LOTS 1 THRU 4, CB5936 BLOCK D, LOTS 2, 2A, 3, 4 AND 5, CB4760 PARCELS 9, 10, 10A, 11, 11A, 11B, 13, 14 AND 35, CB4760 PARCELS 22, 23, 24, 24A, 24B AND 24C, CB4760 TRACT C, D AND E, CB4760 BLOCK A, LOT SOUTH IRR 730.77' OF 1 , CB4761 PARCELS 2 AND 3, CB4781 PARCELS 5C AND 5F, CB4780 PARCELS 1, 1A, 1B AND 2, CB4780A LOTS 1, 3 THRU 6, 11, CB4780A PARCELS 3A, 12B AND 12C, CB4034 PARCELS 15, 15A, 17 AND 5, CB4034 PARCELS 5A, 6, 7, 8, 9, 10, 10A, 10B, 10D, 10E, 10F, 11, AND 12, CB4034 PARCEL 13, NCB 18338 LOT P-13, CB4034 PARCEL 5, NCB18338 LOTS P-5 AND P-5A, CB5733 LOTS 35, 36 AND 37, CB5733 LOTS 22, 23, 24 AND 26 THRU 29, CB5733 LOTS 43 THRU 55, CB5733 LOTS 3N, 3S, 4, 4P, 4O AND 4S, CB5733 PARCELS 6, ARB 7B, 7H, ARB 7C, 7G, 7E, 7D AND 7F, NCB18337 LOT ARB 7B, CB5733 PARCELS 9A AND 8C, NCB18336 EAST IRR 60' OF WEST 845' OF 8C AND 9A, CB5733 PARCEL WEST 408' OF EAST 694' OF TRACT 6, NCB18337 LOT WEST 60' OF EAST 287' OF TRACT 6, CB5733 LOT WEST IRR 722' OF TR-5, NCB18337 EAST IRR 60' OF WEST 782' OF TR-5, CB5733 LOTS 13, 13A, CB5733 LOT WEST 231.8' OF NORTH 563' OF TR 12, CB5733 LOT WEST 200' OF NORTH 554.01' OF 12, CB5733 LOT WEST IRR 186' OF NORTH 553' OF SOUTH IRR 563.71' OF 12, CB4727 PARCELS 2 AND 5, CB4760 PARCELS 18, 18A, 38A, 38, AND 38E, NCB18333 PARCEL 38E, CB4760 PARCELS 1, 2, 5 AND 8, NCB18333 LOTS P-8, P-5, P-1 AND P-2; TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "P-1(R-8)" PLANNED UNIT DEVELOPMENT LARGE LOT RESIDENCE DISTRICT, CB4750A BLOCK 1, LOTS 5 THRU 12 AND 16 THRU 22, CB4750A BLOCK 2, LOTS 2, 4 THRU 8 AND 12 THRU 22, CB4750A BLOCK 3, LOTS 2, 7, 14, 19 THRU 34 AND 36; TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT, CB4761 PARCELS 1D, 7A, 9, 9A, 8 AND 8A, NCB18333 LOTS P-8 AND P-8A; TEMPORARY "R-1" SINGLE FAMILY RESIDENCE

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DISTRICT AND TEMPORARY "R-1" ERZD SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "O-1" OFFICE DISTRICT AND "O-1"ERZD OFFICE EDWARDS RECHARGE ZONE DISTRICT, CB4761 PARCELS 7 AND 1E, CB4762 20.5 ACRES (FIELD NOTES ATTACHED); TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-1" BUSINESS DISTRICT, CB4761 PARCELS 1 AND 6, NCB18333 LOTS P-1 AND P-6A; TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT, CB4754 PARCELS 6, CB4752 PARCEL 7, CB4725 PARCEL 6, CB4725 PARCEL 7A, CB4761 PARCEL 1C, NCB18332 LOT P-1C, CB4760 PARCELS 29, 32A, 32G AND 32, CB4760 PARCEL 28, CB4760B LOT 1, CB4725 PARCEL 1F, CB4721 PARCEL 8 SAVE & EXCEPT THE NORTHWEST IRR 208' OF 8; TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT AND TEMPORARY "R-1"ERZD SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "B-2" BUSINESS DISTRICT AND "B-2"ERZD BUSINESS DISTRICT EDWARDS RECHARGE ZONE DISTRICT, CB4762 68.9 ACRES (FIELD NOTES ATTACHED); TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-2" SUP BUSINESS DISTRICT SPECIAL USE PERMIT FOR A PARTY HOUSE/ ALCOHOLIC BEVERAGES, CB4725 PARCEL 25, CB4725A BLOCK 1 LOT 23; TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT, CB4760 PARCELS 33B AND 39B, CB4732E BLOCK 1, LOT 10, CB4730C BLOCK 1, LOT 1, CB4732 PARCELS 22, 13, 17, 14A, 18, 18A, 18B, 18C, 14, 15, 19 AND 2D, CB4752 PARCELS 1D, 1B, 1A, AND 6, CB4760 PARCEL 30A, CB4721 PARCEL NORTHWEST IRR 208' OF 8.

\* \* \* \*

4D. CASE #Z99016- The request of Survivor, Inc. (owner: Sam Schaefer), to rezone and reclassify 10.7602 acre out of NCB 14862, Sunset Crest from "R-7" Small Lot Home Residence District to "P-1(R-7)" Planned Unit Development Small Lot Home Residence District. The property is located west of the intersection of Sunset Crest and Heather View. Staff's Recommendation was for approval.

The Zoning Commission has recommended approval.

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning request.

Mr. Marbut made a motion to approve the proposed Zoning change. Mr. Webster seconded the motion.

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After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Vásquez, Menéndez, Garza, Marbut, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** None.

AN ORDINANCE 89325

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 10.7602 ACRE OUT OF NCB 14862, SUNSET CREST FROM "R-7" SMALL LOT HOME RESIDENCE DISTRICT TO "P-1(R-7)" PLANNED UNIT DEVELOPMENT SMALL LOT HOME RESIDENCE DISTRICT.

\* \* \* \*

4E. CASE #Z99023- The request of Hospital Stores of America (owner: Methodist Healthcare System of San Antonio, Ltd.), to rezone and reclassify 0.579 acre out of Lot 4, Block 4, NCB 12814, 7700 Floyd Curl Drive from "B-1" Business District to "B-2NA" Non-Alcoholic Sales Business District. The property is located on the east side of Floyd Curl Drive, northwest of the intersection of Floyd Curl and Louis Pasteur Drive. Staff's recommendation was for approval.

The Zoning Commission has recommended approval.

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning request.

Mr. Marbut made a motion to approve the proposed Zoning change. Ms. Guerrero seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Garza, Marbut, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** Prado, Vásquez, Menéndez, None.

AN ORDINANCE 89326

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 0.579 ACRE OUT OF LOT 4, BLOCK 4, NCB 12814, 7700

FLOYD CURL DRIVE FROM "B-1" BUSINESS DISTRICT TO "B-2NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT.

\* \* \* \*

4F. CASE #Z99024- The request of Enclave Associates (owner: Rampante, NV), to rezone and reclassify Lot 9, NCB 14445, Medical Drive from "O-1" Office District to "B-2" Business District. Staff's recommendation was for approval. The property is located on the northwest side of Medical Drive, between I.H. 10 Expressway and Horizon Hill. Staff's recommendation was for approval.

The Zoning Commission has recommended approval.

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning request.

Mr. Marbut made a motion to approve the proposed Zoning change. Mr. Webster seconded the motion.

Discussion took place concerning the land planning underway and planned dedication of certain portions of right-of-way property to the City for street work on Medical Drive.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Menéndez, Garza, Marbut, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** Prado, Vásquez.

AN ORDINANCE 89327

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 9, NCB 14445, MEDICAL DRIVE FROM "O-1" OFFICE DISTRICT TO "B-2" BUSINESS DISTRICT.

\* \* \* \*

4G. CASE #Z99025- The request of Phil Garay (owner: Alamo Commercial Corp., Inc.), to rezone and reclassify Lot 1, Block 5, NCB 18645, 5600 Block of Grissom Road from "O-1" Office District to "R-3" Multiple Family Residence District. The property is located on the northwest side of Grissom Road, 213.45 feet northeast of the intersection of Grissom Road and Heath Lane, having 243.46 feet on Grissom Road and a

depth of 698.26 feet. Staff's recommendation was for approval. Staff's recommendation was for approval.

The Zoning Commission has recommended approval.

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning request.

Mr. Garza made a motion to approve the proposed Zoning change. Ms. Guerrero seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Menéndez, Garza, Marbut, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** Vásquez.

AN ORDINANCE 89328

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 5, NCB 18645, 5600 BLOCK OF GRISSOM ROAD FROM "O-1" OFFICE DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT.

\* \* \* \*

4H. CASE #Z98247- The request of Seven E. Hannan (owner: John Najafi), to rezone and reclassify 96.5 acre tract of NCB 11493 from "R-2A" Three and Four Family Residence District, "B-3NA" Non-Alcoholic Sales Business District and "I-1" Light Industry District to "R-5" Single Family Residence District. The property is located northwest of the intersection of Greyrock Drive and Callaghan Road. Staff's recommendation was for approval.

The Zoning recommendation was for approval (Council District 6).

Mr. Menéndez made a motion to approve the proposed Zoning change. Ms. Guerrero seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Menéndez, Garza, Webster, Peak; **NAYS:** None; **ABSENT:** Vásquez, Marbut, Bannwolf.

AN ORDINANCE 89329

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 96.5 ACRE TRACT OF NCB 11493 FROM "R-2A" THREE AND FOUR FAMILY RESIDENCE DISTRICT, "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT AND "I-1" LIGHT INDUSTRY DISTRICT TO "R-5" SINGLE FAMILY RESIDENCE DISTRICT.

\* \* \* \*

4I. CASE #Z99021- The request of Culebra-1604 Joint Venture, Wayne Harwell (owner), to rezone and reclassify 23.22 acres out of NCB 17635, Loop 1604 Expressway from "R-4" Manufactured Home Residence District to "B-3" Business District. The property is located on the northwest side of Loop 1604 Expressway, north of the intersection of Loop 1604 Expressway and Culebra Road having 500 feet on Loop 1604 Expressway and a depth of 1000.03 feet. Staff's recommendation was for denial as requested and approval of "B-2".

The Zoning Commission has recommended approval.

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning request.

Mr. Menéndez made a motion to approve the proposed Zoning change. Mr. Webster seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Menéndez, Garza, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** Vásquez, Marbut.

AN ORDINANCE 89330

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 23.22 ACRES OUT OF NCB 17635, LOOP 1604 EXPRESSWAY FROM "R-4" MANUFACTURED HOME RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT.

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4J. CASE #98223- The request of Gloria P. Brozek (owner), to rezone and reclassify Lots 20, 21, 22, and 23, Block 18, NCB 10900, 307, 309, 311 and 313 Esma Street from "B" Residence District to "R-4" Manufactured Home Residence District. Staff's recommendation was for approval.

The Zoning Commission has recommended approval.

Ms. Guerrero made a motion to continue this rezoning case to the City Council meeting of March 11, 1999. Mr. Webster seconded the motion.

After consideration, the motion to continue this case prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Menéndez, Garza, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** Vásquez, Marbut.

Zoning Case Z98223 was continued to the Council meeting of March 11, 1999.

\* \* \* \*

4K. CASE #Z99040- The City of San Antonio has under consideration rezoning and reclassifying Lot 15, NCB 8614, 4503 Boxelder Lane from "B-2" Business District to "R-7" Small Lot Home Residence District. The property is located between Boxelder Lane and Hackberry Street, 184 feet north of the intersection of Boxelder Lane and Linda Lou, having 90 feet on Boxelder Lane and 90 feet between these two streets. Staff's recommendation was for approval.

The Zoning Commission was for approval.

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning request.

Ms. Guerrero made a motion to approve the proposed Zoning change. Mr. Webster seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Garza, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** Vásquez, Menéndez, Marbut

AN ORDINANCE 89331

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 15, NCB 8614, 4503 BOXELDER LANE FROM "B-2" BUSINESS DISTRICT TO "R-7" SMALL LOT HOME RESIDENCE DISTRICT.

\* \* \* \*

4L. CASE #Z99013- The request of Performance Truck R. C. Sweeten (owners: R. Wynn, V. P. Sullivan, J. W. Gorman, Jr., S. S. Oelsen, S. H. Swearingen, H. W. Sebesta, Jr., S. P. Bell, and P. H. Swearingen, III), to rezone and reclassify 22.146 acres out of NCB 16568, IH 10 East and Weichold Road from "B-3" Business District to "I-1" Light Industry District. Staff's recommendation was for denial as requested and approval of a 50 foot strip along the northeast, southwest and southeast property.

The Zoning Commission has recommended approval.

Mr. Ken Brown, attorney for the proponent, spoke to his client's concern with the recommendation of the City staff for denial of the requested rezoning of the property to I-1 and imposition of a proposed 50-foot-wide strip of B-3 along the IH 10 Expressway.

Mr. Salas made a motion to approve the proposed Zoning change. Mr. Webster seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Garza, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** Vásquez, Menéndez, Marbut.

AN ORDINANCE 89332

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 22.146 ACRES OUT OF NCB 16568, IH 10 EAST AND WEICHOLD ROAD FROM "B-3" BUSINESS DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT.

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Mr. Salas made a motion to approve the proposed Ordinance. Ms. Guerrero seconded the motion.

Mr. Dan Cardenas, Assistant Director of Public Works for Solid Waste, narrated a video presentation, a copy of which is made a part of the papers of this meeting. He provided an overview of the purchase of 12 lots in the Briarglen Drive flood area project and plans to acquire some 28 more properties in order to widen the drainage channel in the area.

Mr. Webster noted that one of the vacant buildings already has been subject to an arson-related fire, and addressed the need for better lighting and police drive-by protection.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Garza, Marbut, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** Vásquez, Menéndez.

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99-08            The Clerk read the following Ordinance:

AN ORDINANCE 89335

RATIFYING WORK PERFORMED AND APPROVING FIELD ALTERNATION NO. 23 IN THE AMOUNT OF \$106,599.00 PAYABLE TO CLARK/JT CONSTRUCTION, A JOINT VENTURE FOR WORK PERFORMED IN CONNECTION WITH THE CONVENTION CENTER EXPANSION PROJECT.

\* \* \* \*

Mr. Bannwolf made a motion to approve the proposed Ordinance. Mr. Flores seconded the motion.

Ms. Jelynn Burley, Director of the Convention Center Expansion Office, defined 'unforeseen conditions' and 'design team omissions' in the project and spoke to examples of the latter. She spoke to plans to further brief City Council in a later Executive Session on certain field alterations. She stated that, thus far, the City is below its contingency fund spending limits, although she still is not happy with spending \$1.8 million so far on field alterations.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Garza, Marbut, Bannwolf, Peak; **NAYS:** None; **ABSENT:** Vásquez, Menéndez, Webster.

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99-08 The Clerk read the following Ordinance:

AN ORDINANCE 89336

AUTHORIZING THE EXECUTION OF A CONTRACT TO ALLOW TRADE SHOW ELECTRIC, HARPER WOOD ELECTRIC AND EDLEN ELECTRICAL TO PROVIDE TEMPORARY UTILITY SERVICES FOR INDIVIDUAL EVENTS/FUNCTIONS AT THE HENRY B. GONZALEZ CONVENTION CENTER, LILA COCKRELL THEATER, MUNICIPAL AUDITORIUM, ALAMODOME AND NELSON W. WOLFF MUNICIPAL STADIUM FOR A PERIOD OF TWO (2) YEARS, WITH TWO (2) ONE-YEAR RENEWAL OPTIONS; FOR A CONSIDERATION OF 18% COMMISSION OF GROSS RECEIPTS, LESS TAXES.

\* \* \* \*

Mr. Bannwolf made a motion to approve the proposed Ordinance. Ms. Guerrero seconded the motion.

Mr. Edward C. Garcia, Director of Convention Facilities, narrated a video presentation, a copy of which is made a part of the papers of this meeting, addressing projected revenues.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Garza, Marbut, Bannwolf, Peak; **NAYS:** None; **ABSENT:** Vásquez, Menéndez, Webster.

— — —  
99-08 The Clerk read the following Ordinance:

AN ORDINANCE 89337

GRANTING TELEPORT COMMUNICATIONS HOUSTON, INC. A TWO (2) YEAR, TWO (2) MONTH FRANCHISE AGREEMENT, WITH A ONE (1) YEAR RENEWAL OPTION, TO ERECT, CONSTRUCT, RECONSTRUCT, REPLACE, MAINTAIN AND OPERATE A TELECOMMUNICATIONS SYSTEM THAT UTILIZES THE CITY'S PUBLIC RIGHTS-OF-WAY FOR A TOTAL MINIMUM ANNUAL CONSIDERATION

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OF \$35,000.00 BASED UPON THE CITY'S STANDARD FEE PER LINE STRUCTURE; PROVIDING FOR THREE (3) READINGS AND A PUBLIC HEARING; AND SETTING THE EFFECTIVE DATE SIXTY (60) DAYS AFTER THE THIRD AND FINAL READING OF THIS ORDINANCE; AUTHORIZING THE CITY MANAGER TO ENTER INTO A FRANCHISE AGREEMENT WITH TELEPORT COMMUNICATIONS HOUSTON, INC., AND TERMINATING THE INTERIM LICENSE AGREEMENT UPON THE EFFECTIVE DATE OF THIS FRANCHISE AGREEMENT.

\* \* \* \*

Mr. Bannwolf made a motion to approve the proposed Ordinance. Mr. Salas seconded the motion.

Mr. Octavio Peña, Director of Finance, spoke to details of the proposed Ordinance to grant a franchise agreement to Teleport Communications Houston, Inc., noting that the firm recently merged with AT&T. He explained the terms of the franchise, and stated that this action today constitutes the first of three readings of the ordinance.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Garza, Marbut, Bannwolf, Peak; **NAYS:** None; **ABSENT:** Vásquez, Menéndez, Webster.

— — —  
99-08            The Clerk read the following Ordinance:

AN ORDINANCE 89338

GRANTING TELEPORT COMMUNICATIONS HOUSTON, INC. AN INTERIM LICENSE AGREEMENT TO ERECT, CONSTRUCT, AND MAINTAIN A TELECOMMUNICATIONS SYSTEM THAT UTILIZES THE CITY'S PUBLIC RIGHTS-OF-WAY FOR A TOTAL CONSIDERATION OF \$1.33 PER LINEAR FOOT OF CONSTRUCTION TO BE RECEIVED BY THE CITY; AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERIM LICENSE AGREEMENT WITH TELEPORT COMMUNICATIONS HOUSTON, INC.; AND TERMINATING THIS INTERIM LICENSE AGREEMENT ON AUGUST 1, 1999 OR UPON THE EFFECTIVE DATE OF THE FRANCHISE AGREEMENT, WHICHEVER FIRST OCCURS.

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Mr. Salas made a motion to approve the proposed Ordinance. Ms. Guerrero seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Garza, Marbut, Bannwolf, Peak; **NAYS:** None; **ABSENT:** Vásquez, Menéndez, Webster.

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99-08 The Clerk read the following Ordinance:

AN ORDINANCE 89339

WAIVING BUILDING AND PERMIT FEES FOR TEN (10) HOMES TO BE CONSTRUCTED AS PART OF THE PHASE I 1999 AFFORDABLE PARADE OF HOMES, LOCATED IN CITY COUNCIL DISTRICT 1 FOR THE PUBLIC PURPOSE OF THE DEVELOPMENT OF LOW INCOME OR MODERATE INCOME HOUSING AND AFFORDABLE HOUSING.

\* \* \* \*

Mr. Bannwolf made a motion to approve the proposed Ordinance. Ms. Guerrero seconded the motion.

Ms. Frances Gonzalez, Director of the Neighborhood Action Department, explained the 1999 Affordable Parade of Homes.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Garza, Marbut, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** Vásquez, Menéndez.

— — —  
99-08 The Clerk read the following Ordinance:

AN ORDINANCE 89340

AUTHORIZING THE TRANSFER OF \$1,000.00 FROM THE DISTRICT 7 BUDGET ACCOUNT TO THE DISTRICT 7 TRAVEL ACCOUNT FOR THE COSTS OF TRAVEL EXPENSES FOR THE REMAINDER OF FY 98/99; AS REQUESTED BY COUNCILMAN EDWARD D. GARZA.

\* \* \* \*

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Ms. Guerrero made a motion to approve the proposed Ordinance. Mr. Salas seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Garza, Marbut, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** Vásquez, Menéndez.

99-08 The Clerk read the following Ordinance:

AN ORDINANCE 89341

AUTHORIZING JOSÉ MENÉNDEZ, IN HIS CAPACITY AS CITY COUNCIL MEMBER, DISTRICT 6, TO EXECUTE A LEASE AGREEMENT WITH TRAMMELL CROW COMPANY FOR THE LEASE OF 2,400 SQUARE FEET OF OFFICE SPACE FOR THE DISTRICT LOCATED AT 1301 S. W. LOOP 410, SUITE 125, AT A MONTHLY RENTAL OF \$500.00 BEGINNING MARCH 4, 1999 AND ENDING MAY 31, 1999, SUBJECT TO ANNUAL APPROPRIATION OF FUNDS AND CONTINUED SERVICE IN OFFICE; AS REQUESTED BY COUNCILMAN JOSÉ MENÉNDEZ.

\* \* \* \*

Mr. Menéndez made a motion to approve the proposed Ordinance. Mr. Flores seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Menéndez, Garza, Marbut, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** Vásquez.

99-08 **PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE CLOSING SHETLAND DR.**

Mayor Peak declared the Public Hearing to be open.

Ms. Rebecca Waldman, Director of Asset Management, narrated a video presentation explaining the proposed street closure.

The following citizen(s) appeared to speak:

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Mr. Faris Hodge, Jr., 140 Dora, spoke in support of locating a hotel in this area of the south side.

Mayor Peak spoke to the need for more south side development.

\* \* \* \*

There being no further citizens signed to speak to this matter, Mayor Peak declared the Public Hearing to be closed.

The Clerk read the following Ordinance:

AN ORDINANCE 89342

CLOSING, VACATING AND ABANDONING AN UNIMPROVED PORTION OF SHETLAND DRIVE AT THE SOUTHEAST MILITARY DRIVE INTERSECTION, ADJACENT TO THE SOUTHWEST OF NEW CITY BLOCK 10870 FOR THE CONSIDERATION OF \$6,630.00.

\* \* \* \*

Mr. Salas made a motion to approve the proposed Ordinance. Mr. Flores seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Garza, Marbut, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** Vásquez, Menéndez.

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**CITY MANAGER'S REPORT**

**NEW POLICE VEHICLE MARKINGS**

Chief of Police Al A. Philippus spoke to the new markings to be applied to San Antonio police vehicles.

Ms. Sonya Dominguez, representing the department, spoke to a background history of markings on local police vehicles, over the years, leading up to the new markings being unveiled today.

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A video presentation provided examples of the new police vehicle markings.

\* \* \* \*

### **TNRCC ENVIRONMENTAL PROJECTS**

Mr. John German, Director of Public Works, briefed the City Council on his meeting today with representatives of the Texas Natural Resources Conservation Commission (TNRCC) on supplemental environmental projects agreed to by the City as a solution to the Alamodome soils issue and fine levied by TNRCC. He noted that some 18 issues were raised by TNRCC in its letter of last Tuesday relative to the projects and their status, and stated that he traveled to Austin this morning to meet with TNRCC on each point. He stated his opinion that the City has lived up to the spirit and the letter of the law involved with the required environmental projects, and he provided an update on the work remaining to be done on them. He stated that the questions revolved around the reporting of the City's accomplishments in meeting its obligations, not on the actual work itself. He spoke to remaining questions and contentions made by TNRCC representatives, and stated that he would be meeting with those representatives over the next few days to resolve the remaining questions. He further noted that TNRCC wants the full amount involved in each project spent on that project.

Mayor Peak noted that it appears to have been a communications problem, and he thanked Sate Senator Jeff Wentworth for facilitating the meeting with TNRCC on the matter.

Discussion then took place concerning the Alamodome area re-development project and the City's landscaping commitment to the project, and the timelines involved.

Discussion also took place concerning other project areas, including the Holbrook Road area.

In response to a question by Mr. Salas, Mr. German discussed the possibilities involved in the Holbrook Road area. He stated his desire to see an end to the Alamodome dirt issue, once and for all, and the need to make this closure work and honor the court order involved.

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98-08        There being no further business to come before the Council, the meeting was adjourned at 5:02 P.M.

A P P R O V E D



**HOWARD W. PEAK**  
M A Y O R

Attest:



**NORMA S. RODRIGUEZ, CMC/AAE**  
City Clerk

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