



**Agenda
City Council Meeting
Municipal Plaza Building
City Hall Complex
103 S. Main Ave
San Antonio, Texas 78205
January 12, 2006**

RECEIVED
CITY OF SAN ANTONIO
CITY CLERK
2006 JAN -9 A 8:40

The City Council shall hold its regular meetings in the Norma S. Rodriguez Council Chamber in the Municipal Plaza Building within the City Hall Complex on Thursday of each week beginning at 9:00 a.m. After the meeting is convened, the City Council shall consider the following time certain items in the following order no sooner than the designated times, but may consider them at a later time.

- 9:00AM:** Invocation and Approval of Minutes.
- 12:00PM:** Lunch Break
- 1:00PM:** Executive Session*
- 2:00PM:** Public Hearing and Consideration of Amendments to the Neighborhood, Community and Perimeter Plans as Components of the Master Plan and Zoning Cases
- 5:00PM:** Ceremonial Recognitions
- 6:00 PM** Citizens to be Heard
- 7:00PM:** Adjourn**

At any time during the Regular City Council Meeting, the City Council may meet in executive session for consultation concerning attorney-client matters (real estate, litigation, contracts, personnel and security) under Chapter 551 of the Texas Government Code.

At 7:00 p.m., if the meeting is not yet adjourned, the presiding officer shall entertain a motion to recess the council meeting and reconvene at 9:00 a.m., or any other time designated by Council, on the following day. If no motion is made or if a motion is made and it fails, the meeting will continue until adjourned.

DISABILITY ACCESS STATEMENT

This meeting is wheelchair accessible. The accessible entrance is located at 103 S. Main Ave. Accessible parking spaces are located at City Hall, 100 Military Plaza. Auxiliary aids and services are available upon request (interpreters for the deaf must be requested forty-eight (48) hours prior to the meeting) by calling (210) 207-7245 V/TTY for assistance. Closed captioning is available on broadcasts of the Council meetings on 21-TVSA.

Questions regarding this agenda notice should be directed to the City Agenda Coordinator at 207-7080.

The City Council of San Antonio will convene in the Norma S. Rodriguez Council Chamber, Municipal Plaza Building in a Regular Council Meeting at 9:00 A.M.

1. Invocation by Reverend Walter Starks, Grace First Baptist Church, guest of Councilmember Art Hall, District 8; and Pledge of Allegiance.
2. Approval of Minutes for the December 15, 2005 City Council Meeting.

THE FOLLOWING ITEMS MAY BE CONSIDERED AT ANY TIME DURING THE REGULAR COUNCIL MEETING:

ITEMS FOR INDIVIDUAL CONSIDERATION

3. A Resolution confirming the nomination by the City Public Service (CPS Energy) Board of Trustees to reappoint Mr. Stephen Hennigan to serve a second five-year term as a Trustee of the CPS Energy Board of Trustees, representing the Northeast Quadrant, for a term of office to expire January 31, 2011. [Presented by Leticia M. Vacek, City Clerk] 2006 - 01 - 12 - 03
4. An Ordinance approving the redesignation and changing of the official name of the Greater Kelly Development Authority to the "Port Authority of San Antonio" and amending Ordinance No. 90826 to reflect such change. [Presented by Ramiro Cavazos, Director, Economic Development; Jelynne LeBlanc Burley, Assistant City Manager] 2006 - 01 - 12 - 48
5. Consideration of the following sign appeal items: [Presented by Florencio Peña, Director, Development Services; Jelynne LeBlanc Burley, Assistant City Manager]
 - A. An appeal by Matisse Restaurant of the Board of Adjustment's decision to not grant a variance to allow an existing on-premise sign to exceed 40 feet in height at 13259 Blanco Road.
 - B. An appeal by The Money Box of the Board of Adjustment's decision to not grant a variance to allow a reduction in the 150 foot spacing requirement for signs at 2337 S.W. Military Drive.
6. An Ordinance amending Chapter 35 of the City Code to include various VIA Metropolitan transit facilities and uses in Section 35-311, Use Regulations. [Presented by Florencio Peña, Director, Development Services; Jelynne LeBlanc Burley, Assistant City Manager] 2006 - 01 - 12 - 49
7. Public Hearing and consideration of an Ordinance closing, vacating, and abandoning an improved portion of W. Laurel Avenue Between IH 10 and Southern Pacific railroad tracks, and NCB's 1019 and 1020 located in District 1, to eliminate an unnecessary railroad crossing, which has been deemed a hazard to public safety. [Presented by Rebecca Waldman, Director, Asset Management; Erik J. Walsh, Assistant to the City Manager] 2006 - 01 - 12 - 50

Pulled

Denied

CONSENT AGENDA

Items Concerning the Purchase of Equipment, Supplies and Services

- 8. An Ordinance accepting the bids of various companies to provide the City with various types of commodities and services on an annual contract basis for FY 2006 for an estimated combined annual cost of \$304,814.00 including: mud sump services and drain line cleaning; retractable safety devices; and park police uniforms. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Michael Armstrong, Assistant City Manager/Chief Information Officer] **2006 - 01 - 18 - 51**
- 9. An Ordinance accepting the low responsive bid submitted by Trantex, Inc. to provide the Public Works Department with two thermoplastic application trailers for a total of \$99,500.00 from the Advanced Transportation District Fund and Traffic Signal Installation Project Fund. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Michael Armstrong, Assistant City Manager/Chief Information Officer] **2006 - 01 - 12 - 52**

Capital Improvement Items

- 10. An Ordinance amending the current professional service contract with Beaty & Partners Architects, Inc. for additional work in connection with the Levi Strauss Parks and Recreation Operations Headquarters and Community Center Project located in District 6 for an amount not to exceed \$535,275.00; authorizing \$53,527.00 for architect contingency, and \$1,800.00 for bid advertising and printing for a total amount of \$590,602.00; appropriating \$590,602.00 from 1999-2004 Park Bond funds; and providing for payment. [Presented by Malcolm Matthews, Director, Parks and Recreation; Frances A. Gonzalez, Assistant City Manager]

Items Concerning the Purchase, Sale or Lease of Real Property

- 11. An Ordinance authorizing a ten (10)-year License Agreement for the use of public rights-of-way with Wiltel Communications, L.L.C., for total consideration payable to the City in the amount of \$379,221.30, with one five (5)-year renewal option subject to City Council approval. [Presented by Rebecca Waldman, Director, Asset Management; Erik J. Walsh, Assistant to the City Manager] **2006 - 01 - 12 - 53**

Miscellaneous Items

- 12. An Ordinance authorizing the First Amendment to the Henry B. Gonzalez Convention Center Food and Beverage Service and Concession Services Agreement with RK Group, L.L.C. [Presented by Michael J. Sawaya, Director, Convention Facilities; Roland A. Lozano, Assistant to the City Manager] **2006 - 01 - 12 - 54**
- 13. An Ordinance authorizing payment of the City of San Antonio's annual membership dues to the **PULLED** Alamo Area Council of Governments in the amount of \$68,678.76 for calendar year 2006. [Presented by Michael D. Bernard, City Attorney; Sheryl Sculley, City Manager]

14. A Resolution authorizing the San Antonio Housing Finance Corporation to amend its Articles of Incorporation and approving the form of the amendment to change the size of its Board of Directors. [Presented by Andrew Cameron, Director, Housing and Community Development; Jelynne LeBlanc Burley, Assistant City Manager] 2006 - 01 - 12 - 52

15 An Ordinance authorizing the reallocation of District 10 One Time Project funds in the amount of \$26,845.79 to the Administrative Assistant Budget, as requested by Councilmember Chip Haass, District 10.

2006 - 01 - 12 - 55

Board, Commissions and Committee Appointments.

16. Consideration of the following District Board Appointments: [Presented by Leticia M. Vacek, City Clerk]

A. An Ordinance reappointing Robert Jalnos (District 7) to the Plumbing Appeals and Advisory Board (Category: Master Plumber – Open Shop) for the remainder of an unexpired term of office to expire March 20, 2007. 2006 - 01 - 12 - 56

THE CITY COUNCIL WILL RECESS FOR LUNCH AT NOON AND MAY RECONVENE AT 1 P.M. TO CONSIDER EXECUTIVE SESSION ITEMS AND ANY UNFINISHED COUNCIL BUSINESS.

2:00 P.M. TIME CERTAIN ITEMS (may be heard after this time): Public Hearing and Consideration of the Following Adoption and Amendments of the Neighborhood, Community and Perimeter Plans as Components of the Master Plan and Zoning Cases. [Land Use Plan Amendments presented by Emil R. Moncivais, Director, Planning; Jelynne LeBlanc Burley, Assistant City Manager]; [Zoning Cases presented by Florencio Peña, Director, Development Services; Jelynne LeBlanc Burley, Assistant City Manager]

to 03-09-06
P-1. PLAN AMENDMENT CASE #05009 (District 2): An Ordinance amending the land use plan contained in the Arena District/Eastside Community Plan, a component of the Master Plan of the City, by changing the use of a 16.43 acre tract of land located at 3841 East Commerce Street from High Density Multi-Family Residential land use to Light Industrial land use. Staff and Planning Commission recommend approval.

to 03-09-06
Z-1. ZONING CASE #Z2005145 (District 2): An Ordinance changing the zoning boundary from "R-5 EP-1" Residential Single-Family Event Parking District and "C-2 EP-1" Commercial Event Parking District to "L EP-1" Light Industrial Event Parking District on 16.432 acres out of NCB 10578, 3841 East Commerce Street, as requested by Brown, P. C., Applicant, for Rockhill Partners, Ltd., Owner(s). Staff and Zoning Commission recommend approval contingent on the plan amendment.

Z-2. ZONING CASE #Z2005121 (District 2): An Ordinance changing the zoning boundary from "R-4" Residential Single-Family District to "L" Light Industrial District on Lot 13, Lot 14, and Lot 15, Block 1, NCB 10612, 458 North W. W. White Road, as requested by Aggregate Plant Products Company, Applicant, for Aggregate Plant Products Company (BESSER), Owner(s). Staff and Zoning Commission recommend approval.

2006 - 01 - 12 - 57

Z-3. ZONING CASE #Z2005268 S (District 2): An Ordinance changing the zoning boundary from "R-5" Residential Single Family District to "R-5 S" Residential Single Family District with a Specific Use Permit for a Group Home Day Care on Lot 53, Block 19, NCB 16611, 5939 Catalina Sunrise, as requested by Richard and Enucia S. Cruz, Applicant and Owners. Staff and Zoning Commission recommend approval, with a limit of 9 children.

2006 - 0 1 - 1 2 - 5 8

Z-4. ZONING CASE #Z2005241 CD (District 3): An Ordinance changing the zoning boundary from "I-1" General Industrial District to "C-2" (CD-Wholesale Bakery) Commercial District with a Conditional Use for a Wholesale Bakery on the South 75 feet of Lots 1 and 2, Block 23, NCB 7683, 6208 South Flores Street, as requested by Beatriz Talayero, Applicant, for Marcus Crassus Land, Ltd., Owner(s). Staff and Zoning Commission recommend approval.

2006 - 0 1 - 1 2 - 5 9

Z-5. ZONING CASE #Z2005265 (District 3): An Ordinance changing the zoning boundary from "MF-33" Multi-Family District to PUD "MF-33" Multi-Family Planned Unit Development District on Lot 28, NCB 10946, 471 Utopia Lane, as requested by Michael D. McLean, Applicant and Owner. Staff and Zoning Commission recommend approval of single-family dwellings, not to exceed 11 units per acre.

2006 - 0 1 - 1 2 - 6 0

Z-6. ZONING CASE #Z2005287 CD (District 4): An Ordinance changing the district boundary from "C-2" Commercial District to "C-2NA" (CD-Mini-Storage Facility) Commercial Non-Alcoholic Sales District with a Conditional Use for a Mini-Storage Facility on 2.40 acres out of NCB 17877, 8714 Marbach Road, as requested by Sylvan Lutz, Applicant and Owner. Staff and Zoning Commission recommend approval.

2006 - 0 1 - 1 2 - 6 1

Z-7. ZONING CASE #Z2005273 S (Districts 4 and 5): An Ordinance changing the zoning district boundary from "R-6" Single-Family Residential District, "C-2" Commercial District, "I-1" General Industrial District, and "MR" Military Reserve District to "C-3" General Commercial District on 207.530 acres, to (HD) "C-3" Historic General Commercial District on 94.620 acres, and to "MI-2 S" Mixed Heavy Industrial on 1,588.544 acres with a Specific Use Permit for an Airport, Non-Governmental all out of NCB 13964 on property generally located in Kelly USA requested by the City of San Antonio, Applicant, for the US Government (Kelly/GKDA), Owner(s). Staff and Zoning Commission recommend approval.

2006 - 0 1 - 1 2 - 6 2

Z-8. ZONING CASE #Z2005266 (District 5): An Ordinance changing the district boundary from "R-4" Residential Single-Family District to "C-3 R" Restrictive Commercial District on Lot 7, Block 1, NCB 10017 and Lot 31, Lot 32, and Lot 33, Block C, NCB 8651, 402 Alta Sita Street, as requested by Stagg Restaurants Partnership, Applicant, for Franchise Realty Interstate Corporation, Owner(s). Staff and Zoning Commission recommend approval.

2006 - 0 1 - 1 2 - 6 3

Z-9. ZONING CASE #Z2005270 CD (District 5): An Ordinance changing the district boundary from "R-4" Residential Single Family District to "R-4" (CD-Commercial Parking Lot) Residential Single Family District with a Conditional Use for a Commercial Parking Lot on Lot 15, Lot 16, Lot 17, and Lot 18, Block 1, NCB 2446, 2116 Guadalupe Street and 915 and 923 Montezuma, as requested by Sandra Gonzalez, Applicant, for Sandra Gonzalez, Owner(s). Staff and Zoning Commission recommend approval of "R-4" CD with conditions.

2006 - 0 1 - 1 2 - 6 4

Z-10. ZONING CASE #Z2005257 (District 6): An Ordinance changing the district boundary from "R-6" Residential Single-Family District to "C-3" General Commercial District on 22.66 acres out of NCB 34392, 800 Block of West Loop 1604, located near the intersection of West Loop 1604 North and Potranco Road, as requested by Kaufman and Associates, Inc., Applicant, for Nickel Joint Venture, Owner(s). Staff and Zoning Commission recommend approval.

2006 - 0 1 - 1 2 - 6 5

Z-11. ZONING CASE #Z2005269 S (District 6): An Ordinance changing the district boundary from "R-4" Residential Single-Family District to "O-1" S Office District on Lot 38 and Lot 39, NCB 8133, 900 Block of South San Eduardo Avenue, as requested by Edgewood Independent School District, Applicant and Owner(s). Staff recommended Approval of "O-1" S Office District with a Specific Use for Professional Offices exceeding 10,000 square ft. Zoning Commission recommended Approval of "O-1" S Office District with a Specific Use for Professional Offices exceeding 10,000 square ft pending City Council approval of Unified Development Code amendment.

2006 - 0 1 - 1 2 - 6 6

Z-12. ZONING CASE #Z2005272 (District 6): An Ordinance changing the district boundary from "R-6" Residential Single-Family District to "C-2" General Commercial District on 0.439 acres out of NCB 17417, 8615 Marbach Road, as requested by Robert Grant, Applicant, for Lakeside Properties, Ltd., Owner(s). Staff and Zoning Commission recommend approval.

Z-13. ZONING CASE #Z2005286 (District 6): An Ordinance changing the district boundary from "R-6" Residential Single-Family District to "R-4" Residential Single-Family District on 12.45 acres out of NCB 18288, 8788 Reed Road, located near the intersection of West Military Drive and Potranco Road, as requested by Regent Community Partners, L.P., Applicant, for Frank Persyn, Owner(s). Staff and Zoning Commission recommend approval.

2006 - 0 1 - 1 2 - 6 7

Z-14. ZONING CASE #Z2005260 (District 8): An Ordinance changing the district boundary from "C-2 ERZD" Commercial Edwards Recharge Zone District to PUD "RM-4 ERZD" Planned Unit Development Residential Mixed Edwards Recharge Zone District on 23.686 acres out of NCB 14861, 12161 Babcock Road, as requested by Brown, P. C. Attorneys at Law, Applicant, for ITAMIC, Inc., Owner(s). Staff recommends approval. Zoning Commission recommends approval with site specific and general SAWS recommendations.

2006 - 0 1 - 1 2 - 6 8

Z-15. ZONING CASE #Z2005261 (District 8): An Ordinance changing the district boundary from "R-6" Residential Single Family District and "C-2" Commercial District to "MF-25" Multi Family District on 5.960 acres out of Block 2, NCB 14864, 10127 Huebner Road, as requested by Brown, P. C., Applicant, for Stanley and Ernestine Studer, Owner(s). Staff and Zoning Commission recommend approval.

2006 - 0 1 - 1 2 - 6 9

Z-16. ZONING CASE #Z2005262 S (District 8): An Ordinance changing the district boundary from "C-2" Commercial District to "C-2 S" Commercial District with a Specific Use Permit for a Hotel on 1.12 acres out of NCB 17456, 4431 Horizon Hill Boulevard as requested by Unitech Consulting Engineers, Incorporated, Applicant, for Henry Feldman, Owner(s). Staff and Zoning Commission recommend approval.

2006 - 0 1 - 1 2 - 7 0

Z-17. ZONING CASE #Z2005277 CD (District 8): An Ordinance changing the district boundary from "R-6" Residential Single-Family District to "R-6" (CD-Professional Offices) Residential Single-Family District with Conditional Use for Professional Offices on Lot 14, Block 1, NCB 14701, 5979 Babcock Road, as requested by Roy Horn, III, Applicant, for Harvey H and Kathryn Hancock, Owner(s). Staff and Zoning Commission recommend approval with conditions. 2006 - 0 1 - 1 2 - 7 1

Z-18. ZONING CASE #Z2005281 CD (District 8): An Ordinance changing the district boundary from "R-6" Residential Single-Family District to "C-2" (CD-Auto and Truck Repair) Commercial District with a Conditional Use for Auto and Truck Repair on Parcel 19, NCB 17930, 9444 Bandera Road, as requested by David Mitchell, Applicant, for Dennie Berry Jr., Owner(s). Staff and Zoning Commission recommend approval. 2006 - 0 1 - 1 2 - 7 2

Z-19. ZONING CASE #Z2005221 (District 9): An Ordinance changing the district boundary from "C-2" Commercial District, PUD "MF-33 ERZD" Planned Unit Development Multi-Family Edwards Recharge Zone District and "R-6 ERZD" Residential Single-Family Edwards Recharge Zone District to "C-2 ERZD" Commercial Edwards Recharge Zone District on 14.89 acres and "RP ERZD" Resource Protection Edwards Recharge Zone District on 12.25 acres out of a total of 27.14 acres out of NCB 17600, 2400 Block of East Evans Road, as requested by Brown, P. C., Applicant, for Tonkiwa, Ltd., Owner(s). Staff recommends approval. Zoning Commission recommends approval with SAWS Recommendations. 2006 - 0 1 - 1 2 - 7 3

Z-20. ZONING CASE #Z2005271 (District 10): An Ordinance changing the district boundary from "O-2" Office District to "C-1" Commercial District on Parcel 60, NCB 17726, 16080 O'Connor Road, as requested by Johnny O'Neal, Applicant, for Johnny O'Neal, Inc., Owner(s). Staff and Zoning Commission recommend approval. 2006 - 0 1 - 1 2 - 7 4

Z-21. ZONING CASE #Z2005274 (District 10): An Ordinance changing the district boundary from "R-6" Residential Single-Family District to "O-1" Commercial District on 1.278 acres out of NCB 16582, a portion of property located at 15715 Nacogdoches Road, as requested by Anna Hudley, Applicant, for NAC Venture Three, Owner(s). Staff and Zoning Commission recommend approval. 2006 - 0 1 - 1 2 - 7 5

17. City Manager's Report

8:00 P.M. (*may be heard after this time*) – Ceremonial Recognitions

8:00 P.M. (*may be heard after this time*) – Citizens to be Heard

ADJOURN

8:00 P.M. – If Council has not yet adjourned, the presiding officer shall entertain a motion to recess the council meeting and reconvene at 9:00 a.m., or any other time designated by Council, on the following day. If no motion is made or if a motion is made and it fails, the meeting will continue until adjourned.