

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO, HELD IN  
THE COUNCIL CHAMBERS, MUNICIPAL  
PLAZA BUILDING, THURSDAY, AUGUST  
10, 1995.

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95-35 The City Council convened in an informal "B" Session at 10:00 A.M., Municipal Plaza Building, "B" Room, to consider the following item(s). The Council members present were: FLORES, McCLENDON, BILLA BURKE, AVILA, SOLIS, HERRERA, ROSS, MARBUT, PEAK, WEBSTER, THORNTON.

A. Discussion of the appointing of members to an official commission to study ways to improve government efficiency and effectiveness in San Antonio and Bexar County - Council moved to place this item on their formal "A" Session agenda next week, August 17, 1995.

B. Presentation on the Proposed Revisions to the City Council Discretionary Fund Policy - Council moved to place this item on their formal "A" Session agenda next week, August 17, 1995.

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95-35 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor William E. Thornton, with the following members present: FLORES, McCLENDON, BILLA BURKE, AVILA, SOLIS, HERRERA, ROSS, MARBUT, PEAK, WEBSTER, THORNTON; Absent: NONE.

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95-35 Invocation - Reverend David Trawick, Northwest Hills United Methodist Church.

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95-35 Pledge of Allegiance to the flag of the United States.

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95-35 Minutes of the June 29, 1994 Regular City Council Meeting were approved.

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RESOLUTION OF RESPECT - FRANK EDWIN HORNSBY, JR.

Mayor Thornton stated that the City of San Antonio recently lost a much-respected citizen in Frank Edwin Hornsby, Jr., and noted that Mr. Hornsby was associated with the San Antonio Housing Authority for many years. He stated that the City Council has invited members of Mr. Hornsby's family to be here in Council Chambers today to present them with a formal Resolution of Respect.

Mayor Thornton then read the following Resolution:

OF RESPECT  
A RESOLUTION NO: 95-35-44

WHEREAS, LIFE CAME TO A CLOSE FOR FRANK EDWIN HORNSBY, JR. ON JULY 2, 1995; AND

WHEREAS, MR. HORNSBY WAS BORN IN FAYETTE COUNTY BUT HAD BEEN A LONGTIME RESIDENT OF SAN ANTONIO, HAVING MOVED HERE WITH HIS FAMILY WHEN HE WAS A YOUNG CHILD; AND

WHEREAS, ON FEBRUARY 1, 1969, SOON AFTER HE RETURNED TO THE CITY AFTER A DISTINGUISHED CAREER IN THE AIR FORCE, HE JOINED THE SAN ANTONIO HOUSING AUTHORITY, WORKING HIMSELF UP THROUGH THE RANKS TO HIS MOST RECENT ASSIGNMENT AS SENIOR VICE PRESIDENT; AND

WHEREAS, MR. HORNSBY'S COMMITMENT AND DEDICATION TO THIS COMMUNITY WAS EVIDENCED BY THE COUNTLESS HOURS HE DEVOTED TO HIS WORK AS WELL AS TO MANY PROFESSIONAL, CIVIC AND RELIGIOUS ORGANIZATIONS; AND

WHEREAS, HE SUCCESSFULLY MERGED HIS LOVE OF FAMILY, FRIENDS, CHURCH AND CITY INTO A COMPLETE AND WELL-ROUNDED LIFE OF COMMITMENT TO ALL; NOW, THEREFORE:

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

SECTION 1. THAT WITH THE DEATH OF FRANK EDWIN HORNSBY, JR. THE CITY OF SAN ANTONIO HAS LOST A VALUABLE ASSET TO ITS PAST, PRESENT, AND FUTURE.

SECTION 2. THAT THE CITY COUNCIL JOINS WITH HIS FAMILY AND FRIENDS IN THEIR SORROW OVER THE DEATH, AND EXTENDS ITS SINCEREST SYMPATHY AND PRAYERS OF COMFORT TO THOSE WHO WERE NEAR HIM.

SECTION 3. AND IT IS HEREBY DIRECTED THAT A COPY OF THIS RESOLUTION BE SPREAD UPON THE MINUTES OF THIS MEETING AND A COPY BE PRESENTED TO HIS FAMILY AS A TOKEN OF OUR DEEPEST SYMPATHY.

PASSED AND APPROVED THIS 10TH DAY OF AUGUST, 1995.

Mr. Solis made a motion to approve the proposed Resolution. Mr. Peak seconded the motion.

After consideration, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: AYES: Flores, McClendon, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster, Thornton; NAYS: None; ABSENT: Billa Burke.

Mayor Thornton then presented the signed Resolution of Respect to family members, including his widow Elena, his mother, his children and a brother.

Ms. Hornsby thanked the Mayor and City Council for the honor and recognition for her late husband, after which a daughter, Cathy, spoke to the many people that her late father touched during his lifetime.

Ms. McClendon and Mr. Solis both spoke to the impact upon the community by the late Mr. Hornsby.

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95-35                      "AT YOUR SERVICE" AWARD - MR. DAVID ZUNIGA

Mayor Thornton noted that this month's recipient of the "At Your Service" award is Mr. David Zuniga, an employee of the Public Works Department.

Mr. Alexander E. Briseno, City Manager, spoke briefly to the history of the award and introduced Mr. Zuniga, speaking in detail to his unique contributions to the City of San Antonio.

A brief videotaped presentation outlined Mr. Zuniga's contributions.

The Mayor and City Manager jointly presented Mr. Zuniga was a Certificate of Appreciation and a check in the amount of \$200.00.

Mr. Zuniga then spoke briefly to his service to the City.

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95-35                      BOY SCOUT TROOP 285

Mr. Peak noted the presence in the audience of members of Boy Scout Troop 285 from Coker United Methodist Church, noting that they are present with adult leaders, including Mr. Ted Lee, as part of their requirements for the Citizenship Merit Badge.

95-35 It was the concensus of City Council members present to undertake consideration of Agenda Item 20 at this time.

95-35 The Clerk read the following Ordinance:

AN ORDINANCE 82,598

APPROVING THE TRANSFER TO THE SAN ANTONIO HOUSING TRUST FOUNDATION, INC., A NON-PROFIT CORPORATION, ITS ASSIGNS OR SUCCESSORS, SPECIFICALLY INCLUDING THE SAN ANTONIO HOUSING TRUST INVESTMENT CORPORATION, BY DEED WITHOUT WARRANTY, OF TITLE TO 52 SINGLE FAMILY LOTS IN THE COLISEUM PARK SUBDIVISION FOR \$10.00 AND OTHER GOOD AND VALUABLE CONSIDERATION, SUBJECT TO CERTAIN CONDITIONS SET FORTH IN SAID DEED, FOR THE PUBLIC PURPOSE OF THE DEVELOPMENT OF LOW INCOME OR MODERATE INCOME HOUSING ("AFFORDABLE HOUSING"); AND DECLARING AN EMERGENCY.

\* \* \* \*

Ms. McClendon made a motion to approve the proposed Ordinance. Mr. Solis seconded the motion.

Ms. Frances Gonzalez, Special Projects Officer, stated that this proposed Ordinance transfers some 52 pieces of real estate in Coliseum Park to the San Antonio Housing Authority for creation of the Coliseum Parks development of low and moderate-income housing. She spoke to the history of this deteriorating neighborhood the City's ultimate acquisition of the property, and the donation of addition property by Mr. Bernard Lifshutz and Mr. Jerry Arredondo in order to create this new housing area with the help of the Coliseum/Willow Park Neighborhood Association and other organizations participating in all facets of this project.

Representatives of each contributing entity involved in the project came forward to speak briefly to their portion of that project, to be developed by San Antonio Housing Trust Corporation.

Mr. M. Winston Martin, representing the local office of the Department of Housing and Urban Development, stated that the CIOS Corporation, a part of the Piper Foundation, is making some \$800,000.00 available in interest-free loans to homebuyers in this development.

Ms. McClendon then presented mementos to representatives of each of the participants.

Mr. Solis, Mr. Peak and Mr. Avila spoke to this example of cooperation by so many entities in creating affordable housing in San Antonio.

Mr. Alexander E. Briseno, City Manager, spoke to this new way of doing business in housing partnerships.

Mr. Ross spoke to the "50 to 1" financing involved.

Ms. McClendon spoke to this major housing project for the east side.

Ms. McClendon made an amendment to waive the City's building permit fees involved in the project. Mr. Solis seconded the motion.

After consideration, the amendment prevailed by the following vote: AYES: Flores, McClendon, Billa Burke, Avila, Solis, Herrera, Ross, Peak, Thornton; NAYS: None; ABSENT: Marbut, Webster.

The main motion, as amended, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Flores, McClendon, Billa Burke, Avila, Solis, Herrera, Ross, Peak, Thornton; NAYS: None; ABSENT: Marbut, Webster.

95-35      CONSENT AGENDA

Mr. Solis made a motion to approve Agenda Items 6 through 19, constituting the Consent Agenda, with Item 18 being pulled for individual consideration. Mr. Flores seconded the motion.

After consideration, the motion, carrying with it the passage of the following ordinances, prevailed by the following vote: AYES: Flores, Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster, Thornton. NAYS: None. ABSENT: None.

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AN ORDINANCE 82,599

ACCEPTING THE LOW BIDS OF SGS CONTRACT FURNITURE, INC., CULTURAL SURROUNDINGS, SMITH OFFICE FURNITURE AND WITTIGS OFFICE INTERIORS TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH LIBRARY FURNITURE FOR A TOTAL OF \$70,647.24. (WBE)

\* \* \* \*

AN ORDINANCE 82,600

ACCEPTING THE BIDS OF VARIOUS COMPANIES TO FURNISH THE CITY OF SAN ANTONIO WITH VARIOUS MATERIALS AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR THE 1995-96 FISCAL YEAR FOR A TOTAL OF APPROXIMATELY \$782,000.00. (COPIES OF ALL BID PACKETS ARE

AVAILABLE FOR REVIEW IN THE PURCHASING DEPARTMENT,  
M/WBE)

\* \* \* \*

AN ORDINANCE 82,601

ACCEPTING THE LOW, QUALIFIED BID, INCLUDING ADDITIVE  
ALTERNATE TWO, OF T-N-T CONSTRUCTION COMPANY IN THE  
AMOUNT OF \$52,351.77 IN CONNECTION WITH THE WESTSIDE  
YMCA IMPROVEMENTS COMMUNITY DEVELOPMENT BLOCK GRANT  
(CDBG) PROJECT; AUTHORIZING A CONTRACT; REVISING  
THE PROJECT BUDGET; AUTHORIZING \$745.12 FOR  
CONSTRUCTION CONTINGENCY EXPENSES; AND PROVIDING  
FOR PAYMENT.

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AN ORDINANCE 82,602

APPROVING SAWS FIELD ALTERATION NO. 2 IN THE AMOUNT  
OF \$63,636.60 PAYABLE TO YANTIS CORPORATION IN  
CONNECTION WITH THE WESTERN AVENUE DRAINAGE  
IMPROVEMENTS PROJECT NO. 74 - PHASE II.

\* \* \* \*

AN ORDINANCE 82,603

APPROVING A 1987 GENERAL OBLIGATION STREETS BOND  
FUNDED FIELD ALTERATION NO. 2 IN THE AMOUNT OF  
\$24,925.00 PAYABLE TO E-Z BEL CONSTRUCTION CO. INC.  
IN CONNECTION WITH THE ASHLEY ROAD - BASCUM BLVD.  
TO SOUTH FLORES PROJECT.

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AN ORDINANCE 82,604

APPROVING THE PRICE, TERMS AND CONDITIONS OF SALE BY  
THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO  
OF SINGLE FAMILY RESIDENTIAL LOTS LOCATED IN THE  
COLONIA SAN ALFONSO COMMUNITY DEVELOPMENT BLOCK  
GRANT (CDBG) PROJECT FOR A TOTAL AMOUNT OF  
\$8,637.35.

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AN ORDINANCE 82,605

APPROPRIATING \$668,245.00 AND AUTHORIZING  
EXPENDITURE THEREOF FOR THE PURCHASE OF FEE TITLE TO  
FIVE (5) PARCEL OF LAND NEEDED AS RIGHT OF WAY FOR

THE ECKHERT ROAD (F.M. 1517 IMPROVEMENT PROJECT  
FROM STATE HIGHWAY 16 TO HUEBNER ROAD.

\* \* \* \*

AN ORDINANCE 82,606

AUTHORIZING THE ACQUISITION OF ONE TEMPORARY EASEMENT  
AND TITLE TO ONE PARCEL AND AUTHORIZING THE  
EXPENDITURE OF \$280,00 IN COMMUNITY DEVELOPMENT  
BLOCK GRANT (CDBG) FUNDS FOR SUCH ACQUISITION IN  
CONNECTION WITH THE GARNETT STREET DRAINAGE -  
GILLETTE BOULEVARD TO SIX MILE CREEK COMMUNITY  
DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AND  
REVISING THE PROJECT BUDGET.

\* \* \* \*

AN ORDINANCE 82,607

ACCEPTING THE PROPOSAL OF THE GENERAL SERVICES  
COMMISSION IN AN AMOUNT NOT EXPECTED TO EXCEED  
\$108,500 FOR RENEWAL OF THE PRESENT CONTRACT FOR  
INTERCITY LONG DISTANCE TELEPHONE SERVICE ON THE  
TEXAS AGENCY NETWORK (TEX-AN) FOR THE PERIOD OF  
SEPTEMBER 1, 1995 THROUGH AUGUST 31, 1997; AND  
PROVIDING FOR PAYMENT AS PER AGREEMENT.

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AN ORDINANCE 82,608

SELECTING HILDA BUSTOS D/B/A CREATIVE COMMUNICATIONS  
TO MANAGE, PLAN, AND IMPLEMENT A PUBLIC AWARENESS  
CAMPAIGN ON COMMUNITY SERVICES FOR THE CITY OF SAN  
ANTONIO, DEPARTMENT OF COMMUNITY INITIATIVES,  
COMMUNITY ACTION DIVISION; AUTHORIZING THE  
EXECUTION OF A CONTRACT FOR A TOTAL CONTRACT FEE NO  
TO EXCEED \$10,000.00; APPROPRIATING FUNDS; AND  
AUTHORIZING PAYMENT.

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AN ORDINANCE 82,609

ESTABLISHING A TRUST FUND FOR THE ADMINISTRATION OF  
DONATIONS OF THE VICTIM'S ADVOCACY PROGRAM; AND  
ACCEPTING A \$650.00 DONATION FROM PPG INDUSTRIES  
FOUNDATION TO SAID PROGRAM.

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AN ORDINANCE 82,610

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH SAN ANTONIO COLLEGE IN AN AMOUNT NO TO EXCEED \$30,000.00 TO PROVIDE COLLEGE-LEVEL COURSES TO CADETS IN THE SAN ANTONIO POLICE ACADEMY.

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AN ORDINANCE 82,611

AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS FROM SEPTEMBER 15, 1995 THROUGH SEPTEMBER 17, 1995 IN CONNECTION WITH THE 1995 JAZZ'SALIVE FESTIVAL IN TRAVIS PARK AS REQUESTED BY THE SAN ANTONIO PARKS FOUNDATION.

\* \* \* \*

95-35 The Clerk read the following Ordinance:

AN ORDINANCE 82,612

AUTHORIZING A FIVE (5) YEAR EXTENSION OF THE SOUVENIR CONCESSION CONTRACT IN THE TOWER OF THE AMERICAS WITH FESTIVE ENTERPRISES, INC. FOR THE PERIOD NOVEMBER 1, 1995 THROUGH OCTOBER 31, 2000 AT 36% OF GROSS SALES OF SOUVENIRS, 25% OF GROSS SALES OF T-SHIRTS AND 14% OF GROSS SALES OF FILM, WITH A GUARANTEED MINIMUM PAYMENT TO THE CITY OF \$50,000.00 PER YEAR.

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Ms. Billa Burke made a motion to approve the proposed Ordinance. Mr. Avila seconded the motion.

Mr. Ron Darner, Director of Parks & Recreation, explained the proposed concession contract extension for souvenirs sold in the Tower of the Americas.

In response to a question by Mr. Marbut, Mr. Darner noted that it is the concessionaire's right, under this contract, to effect this extension of that contract.

Mr. Webster spoke to his concern with such an extension provision in City contracts.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Flores, Billa

Burke, Avila, Solis, Ross, Marbut, Peak, Webster, Thornton; NAYS: None; ABSENT: McClendon, Herrera.

95-29

ZONING HEARINGS

4A. CASE #Z95164 - to rezone and reclassify 14.6275 acres out of NCB 15009 from "R-1" ERZD Single Family Residence Edwards Recharge Zone District and "R-3" ERZD Multiple Family Residence Edwards Recharge Zone District to "P-1(R-3)" ERZD Planned Unit Development Multiple Family Residence Edwards Recharge Zone District. Property is located northeast of the intersection of Bitters Road and Ashton Village Drive, having 866.17 feet on Bitters Road and 776.53 feet on Ashton Village Drive; and to rezone and reclassify 41.5319 acres out of NCB 15009, from "R-1" ERZD Single Family Residence Edwards Recharge Zone District to "P-1(R-1)" ERZD Planned Unit Development Multiple Family Residence Edwards Recharge Zone District. Property is located at the intersection of Bitters Road and Ashton Village Drive, having 86 feet on Ashton Village Drive, with a depth of 1,997.03 feet and width of 1,885.64 feet.

Mr. Andy Guerrero, Senior Planner, explained the proposed rezoning request.

Mr. Peak made a motion to approve the recommendation of the Zoning Commission. Mr. Avila seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Flores, Billa Burke, Avila, Ross, Marbut, Peak, Webster, Thornton; NAYS: None; ABSENT: McClendon, Solis, Herrera.

AN ORDINANCE 82,613

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 14.6275 ACRES OUT OF NCB 15009 FROM "R-1" ERZD SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT AND "R-3" ERZD MULTIPLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "P-1(R-3)" ERZD PLANNED UNIT DEVELOPMENT MULTIPLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT, AND 41.5319 ACRES OUT OF NCB 15009, FROM "R-1" ERZD SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "P-1(R-1)" ERZD PLANNED UNIT DEVELOPMENT MULTIPLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4B. CASE #Z95161 - to rezone and reclassify A 0.594 acre tract of land out of NCB 12051, 604 and 608 Sandau, from "A" Single Family Residence District to "I-1" Light Industry District. Property is located on the southwest side of Sandau Road, 490.36 feet northwest of the intersection of Sandau Road and Isom Road, having 76.64 feet on Sandau Road and a depth of 348.64 feet.

Mr. Andy Guerrero, Senior Planner, explained the proposed rezoning request.

In response to a question by Mr. Peak, Mr. Larry Billingsley, the proponent, noted that he has a tenant ready to occupy this site.

Mr. Peak made a motion to approve the recommendation of the Zoning Commission. Mr. Webster seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Billa Burke, Avila, Ross, Marbut, Peak, Webster, Thornton; NAYS: None; ABSENT: Flores, McClendon, Solis, Herrera.

AN ORDINANCE 82,614

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 A 0.594 ACRE TRACT OF LAND OUT OF NCB 12051, 604 AND 608 SANDAU, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4C. CASE #Z95170 - to rezone and reclassify Lot 43, Block 6, NCB 7293, Belknap Place and Dora Street, from "B" Residence District and "C" Apartment District to "R-3" Multiple Family Residence District. Property is located on the west side of Belknap Place, between Rex Street and Dora Street, having 127.35 feet on Rex Street, 147.12 feet on Belknap Place and 10.62 feet on Dora Street.

Mr. Peak made a motion to send this rezoning case back to the Zoning Commission for reconsideration of the requested I-1 zoning. Mr. Avila seconded the motion.

After consideration, the motion prevailed by the following vote: AYES: Billa Burke, Avila, Ross, Marbut, Peak, Webster, Thornton. NAYS: None. ABSENT: Flores, McClendon, Solis, Herrera.

Zoning Case Z95170 was remanded to the Zoning Commission for reconsideration of the requested I-1 zoning.

4D. CASE #Z95092 - to rezone and reclassify Lot 38, Block 4, NCB 18890 and Lot 49, Block 16, NCB 18890, Bulverde Road and Green Spring Drive, from Temporary "R-1" Single Family Residence District to "B-2" Business District. Properties are located northwest and southwest of the intersections of Bulverde Road and Green Spring Drive, having 933.02 feet on Green Spring Drive and 829.08 feet on Bulverde Road.

Mr. Webster made a motion to approve a 30-day continuance in this requested rezoning case. Mr. Avila seconded the motion.

After discussion, it was determined that the proponent is in favor of going forward with this case today.

The maker and seconder of the motion then withdrew their motion and its second.

A brief discussion ensued concerning the agreement reached by both sides involved in this matter.

Mr. Jay Beitel, representing the Green Springs Valley Homeowners Association, spoke to the agreement details.

Mr. Webster made a motion to continue this rezoning case for a period of two weeks. Mr. Avila seconded the motion.

After consideration, the motion prevailed by the following vote: AYES: Billa Burke, Avila, Ross, Marbut, Peak, Webster, Thornton. NAYS: None. ABSENT: Flores, McClendon, Solis, Herrera.

Zoning Case Z95092 was continued for a period of two weeks.

4E. CASE #Z95148 - to rezone and reclassify 7.21 acres out of NCB 14859, Chase Hill Blvd, and Seco Creek, from "B-3" ERZD Business Edwards Recharge Zone District to "B-2" ERZD Business Edwards Recharge Zone District. Property is located 175 feet east and 220 feet north of the intersection of Chase Hill Boulevard and Seco Creek, having 244.53 feet on Chase Hill Boulevard and 278.79 feet on Seco Creek.

Mr. Andy Guerrero, Senior Planner, explained the proposed rezoning request.

Mr. Marbut made a motion to approve the recommendation of the Zoning Commission. Mr. Avila seconded the motion.

After consideration, the motion, carrying with it the passage

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of the following Ordinance, prevailed by the following vote: AYES: Flores, Billa Burke, Avila, Ross, Marbut, Peak, Webster, Thornton; NAYS: None; ABSENT: McClendon, Solis, Herrera.

AN ORDINANCE 82,615

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 7.21 ACRES OUT OF NCB 14859, CHASE HILL BLVD, AND SECO CREEK, FROM "B-3" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT TO "B-2" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4F. CASE #Z95090 - to rezone and reclassify 2.15 acre tract out of NCB's 15479 and 18280, New Guilbeau Road, from "B-2" Business District to "O-1" Office District. Property is located northwest of the intersection of New Guilbeau Road and Old Tezel Road.

Mr. Ernani Falcone, Chairman, Northwest Neighborhood Alliance, and Mr. Chesley Swann, representing the property owner, spoke to details of the agreement reached between the association and the property owner, including certain agreed-to deed restrictions to be filed at the earliest opportunity.

After discussion Mr. Marbut made a motion to deny the recommendation of the Zoning Commission. Mr. Avila seconded the motion.

After discussion, the motion prevailed by the following vote: AYES: Flores, Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster, Thornton. NAYS: None. ABSENT: McClendon.

Zoning Case Z95090 was denied. The B-2 zoning on the subject property remained the same.

4G. CASE #Z95155 - to rezone and reclassify 8.00 acres out of NCB 17254, North Knoll Drive, from "B-2" Business District to "P-1(R-6) "Planned Unit Development Townhouse Residence District. Property is located on the southeast side of North Knoll Drive, 650 feet southwest of the intersection of North Knoll Drive and Oakdell Way, having 377.09 feet on North Knoll Drive and a depth of 739.86 feet.

Mr. Andy Guerrero, Senior Planner, explained the proposed

rezoning request.

Mr. Marbut made a motion to approve the recommendation of the Zoning Commission. Mr. Avila seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Flores, Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster, Thornton; NAYS: None; ABSENT: McClendon.

AN ORDINANCE 82,616

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 8.00 ACRES OUT OF NCB 17254, NORTH KNOLL DRIVE, FROM "B-2" BUSINESS DISTRICT TO "P-1(R-6) "PLANNED UNIT DEVELOPMENT TOWNHOUSE RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4H. CASE #Z95156 - to rezone and reclassify the northeast 200' feet of the northwest 200' feet of 2.295 acres out of NCB 16353, from "B-1" Business District to "B-3R" Restrictive Business District and 2.295 acres out of NCB 16353, saved and except the northeast 200' feet of the northwest 200' feet, Medical Drive and Horizon Hill. Property is located southeast of the intersection of Medical Drive and Horizon Hill, having 329.62 feet on Medical Drive and 292.93 feet on Horizon Hill.

Mr. Andy Guerrero, Senior Planner, explained the proposed rezoning request.

A discussion ensued concerning the acceptance of the proposed rezoning by the neighborhood association involved.

Mr. Marbut made a motion to approve the recommendation of the Zoning Commission. 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, Billa Burke, Solis, Herrera, Marbut, Peak, Webster, Thornton; NAYS: None; ABSENT: McClendon, Avila, Ross.

AN ORDINANCE 82,617

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 NORTHEAST 200' FEET OF THE NORTHWEST 200' FEET OF 2.295 ACRES OUT OF NCB 16353, FROM "B-1" BUSINESS DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT AND 2.295 ACRES OUT OF NCB 16353, SAVED AND EXCEPT THE NORTHEAST 200' FEET OF THE NORTHWEST 200' FEET, MEDICAL DRIVE AND HORIZON HILL. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4I. CASE #Z95109 - to rezone and reclassify the northeast 75 feet of Lot 14, NCB 15687, 4279 Stahl Road, from "B-3" Business District and "I-1" Light Industry District to "R-1" Single Family Residence District. Property is located on the northwest side of Stahl Road, 750 feet northeast of the intersection of Stahl Road and Bell Drive, having 75 feet on Stahl Road and a depth of 604.67 feet.

Mr. Andy Guerrero, Senior Planner, explained the proposed rezoning request.

Mr. Webster made a motion to approve the recommendation of the Zoning Commission. Mr. Solis seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Flores, McClendon, Billa Burke, Solis, Herrera, Marbut, Peak, Webster, Thornton; NAYS: None; ABSENT: Avila, Ross.

AN ORDINANCE 82,618

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 NORTHEAST 75 FEET OF LOT 14, NCB 15687, 4279 STAHL ROAD, FROM "B-3" BUSINESS DISTRICT AND "I-1" LIGHT INDUSTRY DISTRICT TO "R-1" SINGLE FAMILY RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4J. CASE #Z95149 - to rezone and reclassify Lot 41, save and except the southeast 25 feet, Block 7, NCB 17363, from temporary "R-1" Single Family Residence District to "B-1" Business District; and Southeast 25 feet of Lot 41, Block 7, NCB 17363, 15118 Jones Maltsberger Road, from temporary "R-1" Single Family Residence District to "O-1" Office

District. Property is located south of the intersection of Jones Maltsberger Road and Morning Trail, having 96.87 feet on Jones Maltsberger Road and 109.52 feet on Morning Trail.

Following discussion of nonconforming rights enjoyed on the use of this property, Mr. Webster made a motion to continue this rezoning case for a period of two weeks. Mr. Flores seconded the motion.

Mr. Webster stated that he would like to have this continuance in order to allow time for him to meet with the proponent to discuss certain perceived misconceptions concerning his intentions of this property.

After discussion, the motion prevailed by the following vote:  
AYES: Flores, McClendon, Billa Burke, Solis, Herrera, Peak, Webster, Thornton. NAYS: None. ABSENT: Avila, Ross, Marbut.

Zoning Case Z95149 was continued for a period of two weeks.

4K. CASE #Z95153 - to rezone and reclassify 13.59 acres out of NCB 12164, Ira Lee Road, from "P-1"(B-2)" Planned Unit Development Light Industry District to "P-1(R-1)" Planned Unit Development Single Family Residence District. Property is located on the northwest side of Ira Lee Road, 70 feet northeast of the intersection of Austin Highway and Ira Lee Road, having 723.13 feet on Ira Lee Road and a depth of 870 feet.

Mr. Andy Guerrero, Senior Planner, explained the proposed rezoning request.

Mr. Webster made a motion to approve the recommendation of the Zoning Commission. Mr. Solis seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Flores, McClendon, Billa Burke, Solis, Herrera, Peak, Webster, Thornton; NAYS: None; ABSENT: Avila, Ross, Marbut.

AN ORDINANCE 82,619

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND ZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 13.59 ACRES OUT OF NCB 12164, IRA LEE ROAD, FROM "P-1"(B-2)" PLANNED UNIT DEVELOPMENT LIGHT INDUSTRY DISTRICT TO "P-1(R-1)" PLANNED UNIT DEVELOPMENT SINGLE FAMILY RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

4L. CASE #Z95154 - to rezone and reclassify 2.6 acres out of NCB 12161 and NCB 12163, Ira Lee Road, from "A" Single Family Residence District to "P-1(O-1)" Planned Unit Development Office District. Property is located northeast of the intersection of Ira Lee Road and Laurens Lane, having 1,140 feet on Ira Lee Road and a depth of 170 feet.

Mr. Andy Guerrero, Senior Planner, explained the proposed rezoning request.

Mr. Webster made a motion to approve the recommendation of the Zoning Commission. Mr. Herrera seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Flores, McClendon, Billa Burke, Solis, Herrera, Peak, Webster, Thornton; NAYS: None; ABSENT: Avila, Ross, Marbut.

AN ORDINANCE 82,620

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 2.6 ACRES OUT OF NCB 12161 AND NCB 12163, IRA LEE ROAD, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "P-1(O-1)" PLANNED UNIT DEVELOPMENT OFFICE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

4M. CASE #Z95157 - to rezone and reclassify 3.636 acres out of NCB 15680, form "P-1(I-1)" Planned Unit Development Light Industry District to "R-1" Single Family Residence District. Property is located approximately 2,000 feet northeast of the intersection of Bulverde Road and the Missouri Pacific Railroad right of way, being 250 feet northwest of the Missouri Pacific Railroad right of way and having a width of 328.39 feet and a depth of 727.04.

Mr. Andy Guerrero, Senior Planner, explained the proposed rezoning request.

Mr. Webster made a motion to approve the recommendation of the Zoning Commission. Mr. Herrera seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Flores, Billa Burke, Solis, Herrera, Webster, Thornton; NAYS: None;

ABSENT: McClendon, Avila, Ross, Marbut Peak.

AN ORDINANCE 82,621

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 3.636 ACRES OUT OF NCB 15680, FORM "P-1(I-1)" PLANNED UNIT DEVELOPMENT LIGHT INDUSTRY DISTRICT TO "R-1" SINGLE FAMILY RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

4N. CASE #Z95129 - to rezone and reclassify 0.729 acres out of NCB 10914, from "B" Residence District and Temporary "R-1" Single Family Residence District to "B-3NA" Non-Alcoholic Sales Business District; and 1.02 acres out of NCB 10914, 9500 Block of U.S. Highway 181, from "B" Residence District and Temporary "R-1" Single Family Residence District to "I-1" Light Industry District. Property is located southeast of the intersection of S.E. Loop 410 Expressway and U.S. Highway 181, having 290.09 feet on S.E. Loop 410 and 251.50 feet on U.S. Highway 181.

Mr. Andy Guerrero, Senior Planner, explained the proposed rezoning request.

Ms. Billa Burke made a motion to approve the recommendation of the Zoning Commission. 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, Billa Burke, Avila, Solis, Herrera, Webster, Thornton; NAYS: None; ABSENT: McClendon, Ross, Marbut, Peak.

AN ORDINANCE 82,622

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 0.729 ACRES OUT OF NCB 10914, FROM "B" RESIDENCE DISTRICT AND TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT; AND 1.02 ACRES OUT OF NCB 10914, 9500 BLOCK OF U.S. HIGHWAY 181, FROM "B" RESIDENCE DISTRICT AND TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT. "THE PENALTY FOR VIOLATION IS A

FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

40. CASE #Z95150 - to rezone and reclassify lots 6,7,8,9 and 10, NCB 9640, Lyric Avenue, from "B" Residence District to "O-1" Office District. Property is located southwest of the intersection of Lyric Avenue and Goliad Road, having 281.83 feet on Lyric Avenue and 106.48 feet on Goliad Road.

Mr. Andy Guerrero, Senior Planner, explained the proposed rezoning request.

Ms. Billa Burke made a motion to approve the recommendation of the Zoning Commission. Mr. Avila seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Flores, Billa Burke, Avila, Solis, Marbut, Peak, Thornton; NAYS: None; ABSENT: McClendon, Herrera, Ross, Webster.

AN ORDINANCE 82,623

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 6,7,8,9 AND 10, NCB 9640, LYRIC AVENUE, FROM "B" RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

4P. CASE #Z95152 (CC) - to rezone and reclassify A 0.060 acre tract of land out of NCB 11168, 11681 S.E. Loop 410, from "I-1" Light Industry District to "I-1" CC Light Industry District with special City Council approval for a communication transmission tower. Property is located 220 feet east of the intersection of Roosevelt Avenue and S.E. Loop 410, being 120 feet north of S.E. Loop 410, having a width of 50 feet and depth of 52.5 feet.

Mr. Andy Guerrero, Senior Planner, explained the proposed rezoning request.

Ms. Billa Burke made a motion to approve the recommendation of the Zoning Commission. Mr. Avila seconded the motion.

After consideration, the motion, carrying with it the passage

of the following Ordinance, prevailed by the following vote: AYES: Flores, Billa Burke, Avila, Solis, Ross, Marbut, Thornton; NAYS: None; ABSENT: McClendon, Herrera, Peak, Webster.

AN ORDINANCE 82,624

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 A 0.060 ACRE TRACT OF LAND OUT OF NCB 11168, 11681 S.E. LOOP 410, FROM "I-1" LIGHT INDUSTRY DISTRICT TO "I-1" CC LIGHT INDUSTRY DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR A COMMUNICATION TRANSMISSION TOWER. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

4Q. CASE #Z95102 (PP) - to rezone and reclassify 3.268 acres and 2.010 acres out of Block 13, NCB 18040, 101.779 acres out of Block 12, NCB 18040, 5.815 acres and 28.858 acres out of Block 7, NCB 17639, from temporary "R-1" Single Family Residence District to "B-2" Business District; and 5.989 acres, 5.048 acres and 55.154 acres out of Block 13, NCB 18040, 15.000 acres out of Block 12, NCB 18040, from temporary "R-1" Single Family Residence District to "B-3" Business District. Properties are located between Grissom Road, Culebra Road and Timber Path Drive, having 1,765.5 feet on Grissom Road, 4,668.61 feet on Culebra Road and 780.20 feet on Timber Path Drive. The 5.815 and 28.858 acres are located on the southwest side of F.M. 471, 630 feet northwest of the intersection of F.M. 471 and Culebra Road, having 1,142.74 feet on F.M. 471.

Mr. Andy Guerrero, Senior Planner, explained the proposed rezoning request.

The following persons appeared to speak.

Mr. Mark Brown, representing Brown Engineering Company, explained the need for multiple zonings, and addressed proposed buffering zones and deed restrictions on the property. He noted that the I-1 zoning is needed for mini-storage units, and stated the proponent's willingness to restrict the property against night clubs or sexually-oriented businesses.

Mr. Ernani Falcone, Chairman, Northwest Neighborhood Alliance, noted that the property is at the entrance to the neighborhood, and spoke to his concern with any zoning considered deleterious to residential areas. He spoke to his group's desire to rezone this area on a case-by-case basis, rather than in one large 'block' rezoning.

Mr. Andrew Greene, 5642 Timber Steep, asked that the large tract nearest to the residential area be zoned B-3NA, and also spoke in favor of case-by-case rezonings rather than a 'blanket' rezoning. He stated his belief that the B-3NA zoning classification will soon permit mini-warehouses.

Mr. Andy Guerrero, Land Development Services, briefly discussed the recommendations of both City staff and the Zoning Commission.

Mayor Thornton suggested that the Council might wish to consider temporarily postpone consideration of this case in order that both sides might get together to discuss possible changes, then bring the case back before City Council at the end of the zoning hearings.

Mr. Bill Kaufman, attorney representing the proponent, addressed the matter of the agreed-to deed restrictions, and the neighborhood association's reluctance to accept them. He noted that the area in question was master-planned for commercial usage.

Mr. Charles Hupp, 9103 Brightwater, noted that the property lies in part on the floodplain, and stated his belief that the Greater Northwest Homeowners Association made a reasonable offer to the proponent.

Ms. Judy Sherrill, 8503 Knights Knoll, Secretary, Great Northwest Homeowners Association, addressed the impact of this area on the neighborhoods, and asked that the area be rezoned B-3NA.

Mr. Orville Walters, 10280 Dover Ridge, representing the Northwest Crossing Neighborhood Association, spoke to the commercial uses already present in the area, and spoke against having any more strip malls. He recommended the B-3NA zoning.

Ms. Camille Fiolillo, 5003 Timber Ridge, spoke in support for controlled development, and addressed her concern with large rezonings such as this at a neighborhood's 'front door'. She also spoke in support for a B-3NA zoning.

Ms. Virginia Smith, 8422 Timber Whisper, spoke to her concern with the planned development of this property.

Ms. Bonnie Conner, 3400 River Path, spoke to the need to preserve the integrity of neighborhoods, and the need for a complete master drainage plan for the floodplain.

Mr. Kaufman emphasized the distance separating these properties from residential areas, and stated his belief that the rezoning is not infringing upon a neighborhood. He noted that the area was master-planned already for commercial uses, and agreed to certain deed restrictions against certain business uses. He stated his contention that it is prohibitive to have to come back through the entire zoning process, parcel by parcel.

Mr. Herrera made a motion to approve the recommendation of the Zoning Commission. Mr. Solis seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Flores, McClendon, Solis, Herrera, Ross, Marbut, Peak, Webster, Thornton; NAYS: Avila; ABSENT: Billa Burke.

AN ORDINANCE 82,625

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 3.268 ACRES AND 2.010 ACRES OUT OF BLOCK 13, NCB 18040, 101.779 ACRES OUT OF BLOCK 12, NCB 18040, 5.815 ACRES AND 28.858 ACRES OUT OF BLOCK 7, NCB 17639, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT; AND 5.989 ACRES, 5.048 ACRES AND 55.154 ACRES OUT OF BLOCK 13, NCB 18040, 15.000 ACRES OUT OF BLOCK 12, NCB 18040, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

4R. CASE #Z95131 - to rezone and reclassify the southeast 152.84 feet of Lot 2, Block A, NCB 14653, from "B-2" Business District to "B-3R" Restrictive Business District. Property is located on the southwest side of Babcock Road, 694.72 feet northwest of the intersection of Babcock Road and Huebner Road, having 152.84 feet on Babcock Road and a depth of 653.63 feet.

Mr. Andy Guerrero, Senior Planner, explained the proposed rezoning request.

Mr. Ross made a motion to approve the recommendation of the Zoning Commission, noting that the applicant has agreed to erect a six-foot solid screen fence along the northeast 390 feet of the northwest property line. Mr. Solis seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Flores, Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster, Thornton; NAYS: None; ABSENT: McClendon.

AN ORDINANCE 82,626

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 SOUTHEAST 152.84 FEET OF LOT 2, BLOCK A, NCB 14653, FROM "B-2" BUSINESS DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

4S. CASE #Z95065 - to rezone and reclassify 4.686 acres out of Block 4, NCB 18284, Ingram Road, from temporary "R-1" Single Family Residence District, to "R-3" Multiple Family Residence District. Property is located 241.14 feet west of the intersection of Ingram Road and Stedwick Drive, having 524.77 feet on Ingram Road and a depth of 583.96 feet.

Mr. Apolonio Flores, San Antonio Housing Authority, explained plans for a multi-family development on the property in question.

Mr. Herrera made a motion to deny the recommendation of the Zoning Commission. Mr. Avila seconded the motion.

After consideration, the motion to deny prevailed by the following vote: AYES: Flores, McClendon, Avila, Solis, Herrera, Marbut, Peak, Thornton. NAYS: None. ABSENT: Billa Burke, Ross, Webster.

Zoning Case Z95065 was denied.

4T. CASE #Z95165 - to rezone and reclassify lot 6, NCB 1885, 115 West Ashby, from Historic "B" Residence District to Historic "R-2" CC Two Family Residence District with special City Council approval for a Bed and Breakfast. Property is located on the north side of West Ashby, 95 feet east of the intersection of Howard Street and West Ashby Avenue, having 62 feet on West Ashby Avenue and a depth of 140 feet.

Mr. Andy Guerrero, Senior Planner, explained the proposed rezoning request.

Mr. Flores made a motion to approve the recommendation of the Zoning Commission. Mr. Solis seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Flores, McClendon, Avila, Solis, Herrera, Marbut, Peak, Thornton; NAYS: None; ABSENT: Billa Burke, Ross, Webster

AN ORDINANCE 82,627

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 6, NCB 1885, 115 WEST ASHBY, FROM HISTORIC "B" RESIDENCE DISTRICT TO HISTORIC "R-2" CC TWO FAMILY RESIDENCE DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR A BED AND BREAKFAST. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

4U. CASE #Z95172 - to rezone and reclassify P-1A, NCB 15286 and P-1F, NCB 15299, 5909 Royalgate Drive, from temporary "R-1" Single Family Residence District to "R-2" Multiple Family Residence District. Parcel 1A is located on the northwest side of Royalgate Drive, 155 feet southwest of the intersection of S.W. Military Drive and Royalgate Drive, having 269.62 feet on Royalgate Drive and a depth of 487.42 feet. Parcel 1F is located on the southeast side of Royalgate Drive, 125 feet southwest of the intersection of S.W. Military Drive and Royalgate Drive, having 304.62 feet on Royalgate Drive and a depth of 324 feet.

Mr. Andy Guerrero, Senior Planner, explained the proposed rezoning request.

Mr. Avila made a motion to approve the recommendation of the Zoning Commission. Mr. Solis seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Flores, McClendon, Avila, Solis, Herrera, Ross, Marbut, Peak, Thornton; NAYS: None; ABSENT: Billa Burke, Webster.

AN ORDINANCE 82,628

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 P-1A, NCB 15286 AND P-1F, NCB 15299, 5909 ROYALGATE DRIVE, FROM TEMPORARY "R-1"

SINGLE FAMILY RESIDENCE DISTRICT TO "R-2" MULTIPLE  
FAMILY RESIDENCE DISTRICT. "THE PENALTY FOR  
VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

4V. CASE #Z95142 - to rezone and reclassify 0.4715 acre tract of land out of Block 9, NCB 3736, 4401 South Panam (I.H. 35 South), from "C" Apartment District to "B-3NA" Non-Alcoholic Sales District. Property is located on the east side of South Pan Am (I.H. 35 South) being 189.76 feet south of the intersection of Gladstone Avenue and South Pan Am (I.H. 35 South), having 261.92 feet on South Pan Am (I.H. 35 South) and a depth of 94.45 feet.

Mr. Andy Guerrero, Senior Planner, explained the proposed rezoning request.

Mr. Solis made a motion to approve the recommendation of the Zoning Commission. Mr. Avila seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: McClendon, Avila, Solis, Herrera, Ross, Marbut, Peak, Thornton; NAYS: None; ABSENT: Flores, Billa Burke, Webster.

AN ORDINANCE 82,629

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 0.4715 ACRE TRACT OF LAND OUT OF BLOCK 9, NCB 3736, 4401 SOUTH PANAM (I.H. 35 SOUTH), FROM "C" APARTMENT DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

4W. CASE #Z95168 - to rezone and reclassify the northwest irregular 372 feet of Lot 2, Block 1, NCB 18195, Walzem Road, from Temporary "R-1" Single Family Residence District to "B-3R" Restrictive Business District. Property is located east of the intersection of Walzem Road and the Southern Pacific Railroad right-of-way, having 381.05 feet on Walzem Road and 271.38 feet on the Southern Pacific Railroad right-of-way.

Mr. Andy Guerrero, Senior Planner, explained the proposed rezoning request.

Ms. McClendon made a motion to approve the recommendation of the Zoning Commission. Mr. Solis seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: McClendon, Avila, Solis, Herrera, Ross, Marbut, Peak, Thornton; NAYS: None; ABSENT: Flores, Billa Burke, Webster.

AN ORDINANCE 82,630

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 NORTHWEST IRREGULAR 372 FEET OF LOT 2, BLOCK 1, NCB 18195, WALZEM ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

95-35 The Clerk read the following Ordinance:

AN ORDINANCE 82,631

AUTHORIZING THE TRANSFER OF \$1,200.00 FROM THE DISTRICT 9 DISCRETIONARY ACCOUNTS FUND TO THE DISTRICT 9 TRAVEL ALLOCATION FUND IN ORDER TO MEET TRAVEL EXPENSES INCURRED DURING THE FISCAL YEAR 1994-95.

\* \* \* \*

Mr. Peak made a motion to approve the proposed Ordinance. Mr. Solis seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: McClendon, Avila, Solis, Ross, Marbut, Peak, Thornton; NAYS: None; ABSENT: Flores, Billa Burke, Herrera, Webster.

95-35 TRAVEL AUTHORIZATION - Granted:

Councilman Henry Avila to travel to Guadalajara and Monterrey,

Mexico from August 19, 1995 to August 22, 1995, to visit "CASAS" in Guadalajara and Monterrey.

\* \* \* \*

Councilman Robert A. Herrera to travel to Guadalajara and Monterrey, Mexico from August 19, 1995 to August 22, 1995, to visit "CASAS" in Guadalajara and Monterrey.

\* \* \* \*

- - -  
95-35 The Clerk read the following Ordinance:

AN ORDINANCE 82,632 .

.  
AUTHORIZING THE SAN ANTONIO HOUSING FINANCE CORPORATION TO ISSUE TAX-EXEMPT REVENUE BONDS NOT TO EXCEED \$5,945,000.00 TO PROVIDE FINANCING FOR LOW AND MODERATE INCOME HOUSING; AND DECLARING AN EMERGENCY.

\* \* \* \*

Ms. McClendon made a motion to approve the proposed Ordinance. Mr. Avila seconded the motion.

Ms. Frances Gonzales, Special Projects Officer, explained the plans to utilize Tax Exempt Revenue Bonds for financing the acquisition and rehabilitation of the Wellington Place Apartments, noting that City staff recommends approval.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: McClendon, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster, Thornton; NAYS: None; ABSENT: Flores, Billa Burke.

- - -  
95-35 PRESENTATION OF THE 74TH STATE LEGISLATIVE SESSION FINAL REPORT

Ms. Myra Leo, Director of Intergovernmental Relations, reviewed the report, a copy of which is made a part of the papers of this meeting, along with hard-copy of a video presentation.

Mr. Joe Aceves, President and Chief Executive Officer, San Antonio Water System, reviewed water-related legislation from the most recent session of the State Legislature, both enacted and not enacted, and the impact of each upon the city of San Antonio.

In response to a question by Mr. Peak, Ms. Leo addressed the status and details on the concealed hand-gun legislation and franchise fee bill.

In response to a question by Mr. Peak, Mr. William Wood, Assistant City Attorney, discussed certain property-related bills and their impact upon the city of San Antonio.

In response to a question by Mayor Thornton, Ms. Leo discussed the recently-announced proposed merger of Union Pacific and Southern Pacific Railroads, and the possible impact upon San Antonio relative to fuel costs arising from the transportation of coal from Wyoming, soon to be on a single railroad's lines.

Mayor Thornton spoke to the circumstances surrounding the proposed reopening of the Living Waters Catfish Farm and the planned reopening of its large water-well, in view of the need for all San Antonians to conserve their water usage because of lowering levels in the Edwards Aquifer. He spoke to the need for research into possible legislative standing, should San Antonio move to shut down the well, if necessary. He also stated his desire to have a list of entities to whom the catfish farm might be selling its water.

In response to a question by Mr. Solis, Mr. Quentin Porter, Administrator of Municipal Courts, noted that there are some 2,000 outstanding warrants from Municipal Court, representing perhaps \$20 million in potential fines, currently. He then spoke to legislation which allows 20 per cent to be added onto a fine, or \$50.00.

Mr. Solis asked to have the Municipal Court Committee to look at this matter, voicing his concern with the possible impact upon persons who cannot afford it.

Mr. Ross asked that the City Attorney review contracts with Southwestern Bell and Paragon Cable to see if their contracts with the City allow each to go into the other's business, or whether those contracts need to be renegotiated, first.

In response to a question by Mr. Ross, Mr. Aceves discussed legislation that allows the catfish farm to reopen, and the legal notice required. He also spoke to the changeover between the Edwards Underground Water District and the newly-approved Edwards Aquifer Authority, noting that the latter is to assume all the assets and liabilities of the former. He stated that he would report next week on details of this and other water-related issues.

Discussion then took place concerning the concealed hand-gun legislation and its possible impact upon City facilities.

CITIZENS TO BE HEARD

MS. PATSY CHEYNEY

Ms. Patsy Cheyney spoke to the Council regarding the lack of initiative actions taken by the Center for Health Care Services. She also spoke of the services provided by the San Antonio State Hospital and the funding mechanisms they utilize.

MR. JUAN VELA

Mr. Juan Vela spoke to the Council about his need to be understood and his concern that he is misunderstood. He also asked for more opportunities to be heard.

VIA METROPOLITAN TRANSIT

At this point in the meeting, Councilman Peak asked about the discussions taking place at VIA Metropolitan Transit relative to a proposed imposition of a tax as well as fare increases and asked that the City Council be kept abreast by the Council subcommittee.

Mayor Thornton asked that a report on the status of these two issues be prepared for the Council next week.

95-35 Council recessed at 4:30 P.M. for dinner, At 5:00 P.M., there being no citizens signed up to speak, nor any further business to come before the Council, the meeting was adjourned at 5:01 P.M.

A P P R O V E D  
M A Y O R

Attest:

*Norma S. Rodriguez*  
C i t y C l e r k