

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBERS, MUNICIPAL
PLAZA BUILDING, THURSDAY, JANUARY
12, 1995.

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95-02 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: PEREZ, McCLENDON, BILLA BURKE, AVILA, SOLIS, AYALA, ROSS, THORNTON, PEAK, LARSON, WOLFF.

A. Presentation of the projects for FY 96-98 Transportation Improvement Programs to be submitted to the Metropolitan Planning Organization - Item to be formally presented to the Council during the "A" Session of 01-26-95.

B. Presentation of the Air Quality Committee Report - Motion approved to move this item to "A" Session of 01-26-95 for formal consideration and that a Commission/Task Force be created in order to carry out recommendations of the Blue Ribbon Committee on the Federal Clean Air Amendments & that members also include representatives of other public entities, i.e., CPS, SAWS, VIA.

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95-02 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Nelson W. Wolff, with the following members present: PEREZ, McCLENDON, BILLA BURKE, AVILA, SOLIS, AYALA, ROSS, THORNTON, PEAK, LARSON, WOLFF. Absent: NONE.

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95-02 Invocation - Mr. Charles Johanson, Church of Christ Student Center, San Antonio College.

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95-02 Pledge of Allegiance to the flag of the United States.

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95-02 Minutes of the November 10, 1994 and November 17, 1994 Regular City Council Meetings were approved.

what, if any, assistance might be given Ms. Spencer to help defray her legal costs in this matter.

95-02 CONSENT AGENDA

Mr. Avila made a motion to approve Agenda Items 9 through 32, constituting the Consent Agenda, with Items 13, 18, and 19 having been pulled earlier by the City Manager. Ms. McClendon seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinances, prevailed by the following vote: AYES: Perez, McClendon, Avila, Ross, Thornton, Peak, Wolff; ABSENT: Billa Burke, Solis, Ayala, Larson.

AN ORDINANCE 81,446

ACCEPTING THE BID OF LAERDAL MEDICAL CORPORATION IN THE AMOUNT OF \$20,000.00 TO PROVIDE THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH AUTOMATIC EXTERNAL DEFIBRILLATORS TO ASSIST WITH MONITORING AND RESTORING HEART RHYTHM IN PATIENTS REQUIRING CARDIAC CARE.

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AN ORDINANCE 81,447

ACCEPTING THE LOW BID OF FIESTA DATA SYSTEMS, INC. TO PROVIDE TOOLS, EQUIPMENT AND LABOR NECESSARY TO RESPOND TO CALLS FOR SERVICE OR INSTALLATION OF MICRO COMPUTER HARDWARE AND SOFTWARE FOR AN APPROXIMATE TOTAL OF \$31,000.00 ANNUALLY; AND AUTHORIZING THE OPTION FOR RENEWAL OF THE CONTRACT FOR TWO ONE-YEAR PERIODS UPON MUTUAL CONSENT OF THE CITY AND THE CONTRACTOR.

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AN ORDINANCE 81,448

ACCEPTING THE PROPOSAL OF SOFTWARE AG TO PROVIDE THE CITY OF SAN ANTONIO INFORMATION SERVICES DEPARTMENT WITH COMPUTER SOFTWARE ENABLING THE END USER TO VIEW AND EXTRACT MAINFRAME AND DISTRIBUTED NETWORK DATA FILES FOR GENERATING REPORTS FOR A TOTAL AMOUNT OF \$51,110.00.

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AN ORDINANCE 81,449

ACCEPTING THE PROPOSAL OF INDUSTRIAL COMMUNICATIONS TO RENEW ITS CONTRACT FOR MAINTENANCE OF THE CITY'S MOBILE DIGITAL TERMINALS FOR A TWELVE MONTH PERIOD FOR A MONTHLY COST OF \$18,890.50; AND AUTHORIZING THE OPTION FOR RENEWAL OF THE CONTRACT FOR AN ADDITIONAL ONE (1) YEAR PERIOD UPON MUTUAL CONSENT OF THE CITY AND THE CONTRACTOR.

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AN ORDINANCE 81,450

ACCEPTING THE LOW, QUALIFIED BID OF B T MILLER, WITTIGS OFFICE INTERIORS AND JOYCE OFFICE PRODUCTS FOR AN APPROXIMATE AMOUNT OF \$67,000.00 TO PROVIDE VARIOUS CITY DEPARTMENTS WITH OFFICE FURNITURE.

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AN ORDINANCE 81,451

ACCEPTING THE LOW BID OF R. W. JONES & SONS, INC. IN THE AMOUNT OF \$22,550.00 TO PROVIDE MATERIALS, LABOR AND EQUIPMENT NECESSARY FOR THE CONSTRUCTION OF CONCRETE CART PATHS AT OLMOS BASIN AND BRACKENRIDGE GOLF COURSES.

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AN ORDINANCE 81,452

ACCEPTING THE LOW, QUALIFIED BID OF R. L. JONES COMPANY, INC. IN THE AMOUNT OF \$362,253.10 IN CONNECTION WITH THE INCA FROM CASTROVILLE ROAD TO CHARBEN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) RECONSTRUCTION PROJECT; AUTHORIZING A CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$36,225.31 FOR CONSTRUCTION CONTINGENCIES, \$9,525.50 FOR ADDITIONAL ENGINEERING FEES PAYABLE TO GEORGE W. MUERY SERVICES, INC., \$100.00 FOR ADDITIONAL ADVERTISING EXPENSES, AND \$14,097.52 FOR PROJECT OVERSIGHT COSTS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 81,453

AUTHORIZING THE EXECUTION OF AN APPLICATION & CONTRACT FOR SUPPLY LINE EXTENSION WITH CITY PUBLIC SERVICE (CPS) IN THE TOTAL AMOUNT OF \$16,826.80 FOR

THE INSTALLATION OF GAS AND ELECTRIC LINES TO SERVE THE VILLA VISTA AND LA HACIENDA SUBDIVISIONS; AND AUTHORIZING PAYMENT.

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AN ORDINANCE 81,454

DESIGNATING CIVIL ENGINEERING CONSULTANTS TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE RECONSTRUCTION OF OBSERVATION STREET FROM HWY 90 TO DEAD-END; AUTHORIZING NEGOTIATION OF A CONTRACT; REVISING THE PROJECT BUDGET; AND APPROPRIATING \$50,000.00 FOR SUCH PURPOSE.

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AN ORDINANCE 81,455

DESIGNATING BROWN ENGINEERING COMPANY TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE RECONSTRUCTION OF HAZEL FROM ZARZAMORA TO FRIO CITY ROAD; AUTHORIZING NEGOTIATION OF A CONTRACT; REVISING THE PROJECT BUDGET; AND APPROPRIATING \$75,000.00 FOR SUCH PURPOSE.

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AN ORDINANCE 81,456

APPROVING THE ASSIGNMENT BY SOUTHWEST FOUNDATION FOR BIOMEDICAL RESEARCH OF ITS 86-FOOT WIDE ROADWAY EASEMENT NEAR THE INTERSECTION OF JOHN B. CONNALLY LOOP 410 WEST AND CULEBRA ROAD TO CULEBRA PARTNERS, L.P., SUCH APPROVAL BEING A CONTINGENCY OF AN EARNEST MONEY CONTRACT FOR THE PROPOSED SALE OF FOUNDATION LAND TO CULEBRA PARTNERS, L.P.

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AN ORDINANCE 81,457

APPROVING, BY RATIFICATION, THE CONTRIBUTION BY (1) SOUTHWEST TEXAS METHODIST HOSPITAL OF AN OVERHEAD PASSAGEWAY LICENSE AGREEMENT AND A TUNNEL LICENSE AND BY (2) MGH MEDICAL, INC., AS SUCCESSOR-IN-INTEREST TO METROPOLITAN GENERAL HOSPITAL, INC. AND METROPOLITAN PROFESSIONAL BUILDING, INC., AS THEIR INTERESTS MAY APPEAR, OF AN OVERHEAD PASSAGEWAY LICENSE, TO METHODIST HEALTHCARE SYSTEM OF SAN ANTONIO, LTD., A NEW LIMITED PARTNERSHIP FORMED BY SOUTHWEST TEXAS METHODIST HOSPITAL AND COLUMBIA/HCA ENTITIES, INCLUDING MGH

MEDICAL, INC., AND AFFILIATES TO OPERATE THE RESPECTIVE HOSPITALS AND CERTAIN RELATED BUILDINGS AND FACILITIES CURRENTLY OWNED BY SAID ENTITIES.

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AN ORDINANCE 81,458 .

APPROVING THE ASSIGNMENT OF THE FARMER'S MARKET PLAZA LEASE CURRENTLY HELD BY MARIA H. MEDELLIN, D/B/A THE CANDY BIN TO ISABEL SANDOVAL WITH AN EFFECTIVE DATE OF JANUARY 23, 1995.

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AN ORDINANCE 81,459 .

AUTHORIZING THE ACCEPTANCE OF AN ADDITIONAL \$119,014.00 FROM THE TEXAS DEPARTMENT OF HEALTH (TDH) FOR USE IN THE ON-GOING AIDS/HIV SURVEILLANCE PROGRAMS OPERATED BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD); AUTHORIZING THE EXECUTION OF A REVISION TO THE CONTRACT WITH TDH; AND REVISING THE BUDGET FOR THE PUBLIC HEALTH STATE SUPPORT PROJECT 1995/96 ESTABLISHED IN ORDINANCE 79398 PASSED AND APPROVED JANUARY 6, 1994.

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AN ORDINANCE 81,460 .

RATIFYING THE APPLICATION AND AUTHORIZING THE ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$36,000.00 FOR FUNDING OF THE FIRST MONTH'S RENTAL ASSISTANCE FROM THE LOCAL FEDERAL EMERGENCY MANAGEMENT AGENCY'S EMERGENCY FOOD AND SHELTER BOARD PROJECT FOR THE PERIOD OF OCTOBER 1, 1994 TO SEPTEMBER 30, 1995.

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AN ORDINANCE 81,461 .

AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH CARL CORPORATION TO PROVIDE FOR THE ACQUISITION OF COMPUTER EQUIPMENT NECESSARY TO SUPPORT THE MAIN LIBRARY'S FIBER OPTIC TELECOMMUNICATIONS SYSTEMS FOR AN ADDITIONAL COST OF \$10,620.00.

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AN ORDINANCE 81,462 .

APPROPRIATING \$76,638.00 FROM THE 1989 LIBRARY

IMPROVEMENTS BONDS FOR THE PURCHASE OF LIBRARY
RESOURCES FOR THE GREAT NORTHWEST BRANCH LIBRARY.

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AN ORDINANCE 81,463

AUTHORIZED THE SUBMISSION OF A \$24,755.00 GRANT
APPLICATION TO THE TEXAS AUTOMOBILE THEFT PREVENTION
AUTHORITY (ATPA) TO AUGMENT AUTO THEFT CRIME
PREVENTION PROGRAMS.

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AN ORDINANCE 81,464

AUTHORIZING PAYMENT OF THE ANNUAL MEMBERSHIP DUES
FOR THE CITY OF SAN ANTONIO TO THE ALAMO AREA
COUNCIL OF GOVERNMENTS (AACOG) IN THE AMOUNT OF
\$56,155.98 FOR CALENDAR YEAR 1995.

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AN ORDINANCE 81,465

AUTHORIZING PAYMENT OF \$12,805.00 FOR MEMBERSHIP
DUES (JULY 1, 1994 - JUNE 30, 1995) TO THE U. S.
CONFERENCE OF MAYORS.

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95-02 The Clerk read the following Ordinance:

AN ORDINANCE 81,466

ACCEPTING THE PROPOSAL OF STANDARD & POOR'S
CORPORATION TO RENEW ITS CONTRACT WITH THE SAN
ANTONIO PUBLIC LIBRARY SYSTEM FOR A ONE YEAR
SUBSCRIPTION OF STOCK MARKET AND INVESTMENT RELATED
REFERENCE MATERIALS FOR A TOTAL AMOUNT OF
\$17,843.60.

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

In response to a question by Ms. McClendon, Ms. Nancy
Gandara, Assistant Director, San Antonio Public Library, spoke to the
acquisition of stock market/investment reference materials and how that
data might be tied into the InterNet system, noting that the library
plans to have this service available to its patrons, free of cost.

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After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Ross, Thornton, Peak, Wolff; NAYS: None; ABSENT: Solis, Ayala, Larson.

95-02 The Clerk read the following Ordinance:

AN ORDINANCE 81,467

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH W.H. MULLINS, INC. IN THE AMOUNT OF \$420,000.00 FOR THE DESIGN OF A DRAINAGE SYSTEM ON OCTAVIA AT THE SAN ANTONIO RIVER UP TO S. FLORES, WHICH WILL DRAIN THE WATERSHED BOUNDED BY GLADSTONE ON THE NORTH, SIERRA ON THE EAST, KOEPKE ON THE SOUTH, AND IH 35 ON THE WEST.

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

In response to a question by Mr. Avila, Mr. John German, Director of Public Works, described the parameters of this south side project.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Ross, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: Solis, Ayala.

95-02 The Clerk read the following Ordinance:

AN ORDINANCE 81,468

DESIGNATING BAIN, MEDINA, BAIN, INC. TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE CONSTRUCTION OF THE UPPER SIX MILE CREEK NO. 83 F DRAINAGE PROJECT; AUTHORIZING THE NEGOTIATION OF A CONTRACT; AUTHORIZING \$600.00 FOR ADVERTISING EXPENSES; REVISING THE PROJECT BUDGET AND APPROPRIATING \$150,000.00 FOR SUCH PURPOSE.

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

In response to a question by Mr. Avila, Mr. John German,

Director of Public Works, spoke to the work to be performed on this south side project.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Ross, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: Solis, Ayala.

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95-02 The Clerk read the following Ordinance:

AN ORDINANCE 81,469

AUTHORIZING PAYMENTS OF REFUNDS TOTALING \$63,182.45, TO PERSONS MAKING A DOUBLE PAYMENT, OVERPAYMENT, OR AS A RESULT OF A VALUE CHANGE ON 52 TAX ACCOUNTS.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Solis, Ross, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: Ayala.

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95-02 A RESOLUTION NO: 95-02-02

SETTING TIMES, DATES AND LOCATIONS FOR FIFTEEN (15) NEIGHBORHOOD PARTICIPATION MEETINGS AND TWO (2) CITY COUNCIL PUBLIC HEARINGS REQUIRED FOR THE CITY'S ANNUAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME (HOME INVESTMENT PARTNERSHIP), HOPWA (HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS), AND ESG (EMERGENCY SHELTER) CONSOLIDATED PLAN/BUDGET PROCESS.

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Ms. Billa Burke made a motion to approve the proposed Resolution. Mr. Perez seconded the motion.

Mr. Andrew Cameron, Director of Housing & Community Development, briefly explained the 15 neighborhood participation meetings and two City Council public hearings to be held.

He noted one change to the schedule, as presented to City Council today: the scheduled meeting at Copernicus Park has been moved

to the Ella Austin Community Center because of construction at and near the park which might interfere with traffic.

After consideration, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Solis, Ross, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: Ayala.

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95-02 The Clerk read the following Ordinance:

AN ORDINANCE 81,470 .

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AUTHORIZING THE SAN ANTONIO HOUSING FINANCE CORPORATION TO ISSUE TAX-EXEMPT REVENUE BONDS NOT TO EXCEED \$4,412,000.00 TO PROVIDE FINANCING FOR LOW AND MODERATE INCOME HOUSING; AND DECLARING AN EMERGENCY.

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

Ms. Jelynn Burley, Senior Management Coordinator, narrated a brief presentation of San Antonio Housing Finance Corporation and its plans for 1995 in financing low and moderate-income housing in San Antonio. A copy of her presentation is made a part of the papers of this meeting. She spoke to the two projects before City Council today: Banyan Tree Apartments and Windsor Meadows Apartments, a project to be performed by Agape Housing SA, Inc.

Mr. Larson asked to be supplied with the tenant makeup profiles of the two projects.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Solis, Ross, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: Ayala.

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95-02 The Clerk read the following Ordinance:

AN ORDINANCE 81,471 .

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AUTHORIZING THE REIMBURSEMENT TO COUNCILMAN HENRY AVILA, DISTRICT 4, IN THE AMOUNT OF \$1,750.00 PER MONTH FROM JANUARY 1, 1995, TO MAY 31, 1995, FOR A TOTAL OF \$8,750.00 FOR AN ADMINISTRATIVE SERVICE

CONTRACT FROM THE DISTRICT 4 DISCRETIONARY FUNDS
ACCOUNT, AS REQUESTED BY COUNCILMAN HENRY AVILA.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Solis, Ross, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: Ayala.

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95-02 TRAVEL AUTHORIZATION - Granted:

William E. Thornton to travel to Austin, Texas from February 06, 1995 to February 06, 1995, to attend the TML Legislative Briefing and Luncheon.

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95-02 CITY MANAGER'S REPORT

RETIREMENT OF POLICE CHIEF GIBSON

Mr. Alex Briseno, City Manager, spoke to the announced retirement of Police Chief William Gibson, and addressed his many accomplishments as Chief of Police. He then addressed the screening process to be followed in the selection of a new Chief of Police, and stated his intention to have this appointment ready for City Council confirmation perhaps as early as February 3, 1995.

City Council members spoke to the many initiatives begun by Chief Gibson during his tenure as Chief of Police, including the move toward "community policing" and the grooming of new police leadership.

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95-02 ZONING HEARINGS

CASE #294218 (PP) - to rezone and reclassify 17.51 acres out of NCB 17586 U.S. Hwy 281 North from "B-3" ERZD Business Edwards Recharge Zone District to "B-2" ERZD Business Edwards Recharge Zone District. Property is located on the southeast side of U.S. 281 North, 550 feet southeast of the intersection of U.S. North and Encino Rio, having 1,418.59 feet on U.S. 281 North and a depth of 670.09 feet.

Mr. Andy Guerrero, Land Development Services, stated that the

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proponent in this case has asked for a 30-day postponement.

Mr. Kenneth Gindy, attorney representing the proponent, explained the reasons for the delay request.

Mr. Solis made a motion to continue Zoning Case Z94218 PP for a period of 30 days. Ms. McClendon seconded the motion.

After consideration, the motion to continue the case for a period of 30 days prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Solis, Ayala, Ross, Thornton, Peak, Larson, Wolff. NAYS: None. ABSENT: Avila.

Zoning Case Z94218 PP was continued for a period of 30 days.

CASE #Z94290 - to rezone and reclassify Lot 20, NCB 6229. New Braunfels Avenue and Burr Road from "R-3" Multiple Family Residence District to "P-1(R-3)" Planned Unit Development Multiple Family Residence District. Property is located on the west side of New Braunfels Avenue, between Burr Road and Perry Court, having 153 feet on Burr Road, 128 feet on Perry Court and 168 feet on New Braunfels Avenue.

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

In response to a question by Mr. Peak, Mr. Andy Guerrero, Land Development Services, explained the request for four homes on the subject property.

Mr. Rudy Hettler, representing the proponent, discussed coordination with neighbors, but stated that he did not coordinate with the Mahncke Park Neighborhood Association itself.

In response to a question by Mr. Peak, Mr. Kevin Moore spoke to the mail-out that went to area residents, describing plans for use of the property. He stated his group is not opposed to P-1(R-1) on the property.

Mr. Guerrero noted that the City Council cannot enact as more restrictive zoning than that recommended by the Zoning Commission without first going back to the Zoning Commission for another recommendation. He noted that Mr. Bruce Martin of the Mahncke Park Neighborhood Association had been in contact with him on this request prior to the Zoning Commission hearing.

Mr. Peak made a motion to approved the recommendation of the Zoning Commission. Mr. Solis seconded the motion.

After discussion, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Perez,

McClendon, Solis, Ayala, Ross, Thornton, Peak, Wolff; NAYS: None;
ABSENT: Billa Burke, Avila, Larson.

AN ORDINANCE 81,472

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 20, NCB 6229, NEW BRAUNFELS
AVENUE AND BURR ROAD FROM "R-3" MULTIPLE FAMILY
RESIDENCE DISTRICT TO "P-1"(R-3)" PLANNED UNIT
DEVELOPMENT MULTIPLE FAMILY RESIDENCE DISTRICT.
"THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED
\$1,000.00."

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CASE #Z94293 (CC) - to rezone and reclassify Lot 50, save and
except the southeast 205 feet, NCB 12059, 13127 San Pedro Avenue, from
"B-3" Business District to "B-3" CC Business District with special City
Council approval for a communication transmission tower. Property is
located 1,341.12 feet southwest of the intersection of Bitters Road and
San Pedro Avenue, being 205 feet northwest of San Pedro Avenue, having a
width of 120 feet and depth of 156.39 feet.

Mr. Andy Guerrero, Land Development Services, stated that nine
affirmative votes would be required to approve the requested rezoning,
since opposition to this case represents more than 20 per cent of the
property owners within 200 feet of the subject property.

Mr. Joe Ramos, representing Southwestern Bell Mobile Systems,
addressed the history of this rezoning request for a communications
transmission tower on the site. He noted that Builders Square and
Santikos Properties no longer are opposed to the request.

Ms. Gay Gueringer, representing PetsMart, distributed
photographs of a 75-foot cellular communications tower, and stated her
belief that the tower in question will actually be much taller. She
then compared its proposed height with new regulations on the height of
business signs in San Antonio, and expressed her belief that he proposed
tower could be relocated. She expressed her belief that the proposed
new tower would be intrusive in the area.

Mr. Ramos noted that client is losing both money and service
to its customers in this area because of the problems associated with
lack of proper cellular services in the area, and stated his belief that
no good alternate site exists for the tower, nearby. He then spoke to
the height of the nearby PetsMart sign.

Mr. Peak stated his belief that such towers do not belong near

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residential areas, but supports its location on this site, given all the considerations involved. He noted that PetsMart has a 70-foot sign on its property nearby, and expressed his belief that this sign is too large for its need.

Mr. Peak made a motion to reject the recommendation of the Zoning Commission and to grant "B-3" CC Business District zoning on the property, with special City Council approval for a communication transmission tower. Ms. Billa Burke seconded the motion.

Mr. Peak spoke in encouragement for combining tower requirements of the two major firms involved in this matter, to help resolve aesthetic concerns.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Solis, Ayala, Ross, Thornton, Peak, Larson, Wolff. NAYS: None. ABSENT: Avila.

AN ORDINANCE 81,473

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 50, SAVE AND EXCEPT THE SOUTHEAST 205 FEET, NCB 12059, 13127 SAN PEDRO AVENUE, FROM "B-3" BUSINESS DISTRICT TO "B-3" CC BUSINESS DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR A COMMUNICATION TRANSMISSION TOWER. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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95-02 It was the concensus of City Council members present to undertake consideration of Agenda Item 4N at this time.

CASE #Z94298 (CC) - to rezone and reclassify A 0.129 acre tract of land out of NCB 14058, 1500 Roland Avenue, "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 east of the intersection of Roland Avenue and I.H. 10 Expressway, being 178.94 feet northeast of Roland Avenue and 177.61 feet southeast of I.H. 10 Expressway, having a width and length of 75 feet.

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, Billa Burke, Solis, Ayala, Ross, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: Perez, Avila.

AN ORDINANCE 81,474

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 0.129 ACRE TRACT OF LAND OUT OF NCB 14058, 1500 ROLAND AVENUE, 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."

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CASE #Z94262 (CC) - to rezone and reclassify 0.129 acre tract of land out of Lot 4, NCB 10779, to 2733 South W.W. White Road, from "F" Local Retail District to "B-3R" CC Restrictive Business District with special City Council approval for a communication transmission tower. Property is located 318 feet south of the intersection of Rachel Drive and South W.W. White Road, being 149 feet west of South W.W. White Road, having a width and depth of 75 feet.

Mr. Andy Guerrero, Land Development Services, stated that nine affirmative votes would be required to approve the requested rezoning, inasmuch as opposition to the request exceeds 20 per cent of the property owners within 200 feet of the subject property.

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

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Solis, Ayala, Ross, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: None.

AN ORDINANCE 81,475

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 0.129 ACRE TRACT OF LAND OUT OF

LOT 4, NCB 10779, TO 2733 SOUTH W. W. WHITE ROAD,
FROM "F" LOCAL RETAIL DISTRICT TO "B-3R" CC
RESTRICTIVE BUSINESS DISTRICT WITH SPECIAL CITY
COUNCIL APPROVAL FOR A COMMUNICATION TRANSMISSION
TOWER. "THE PENALTY FOR VIOLATION IS A FINE NOT TO
EXCEED \$1,000.00."

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95-02 At this point, Mayor Wolff was obliged to leave the meeting.
Mayor Pro Tem Larson presided.)

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95-02 It was the concensus of City Council members present to return
to Agenda Item 4D at this time.

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CASE #Z94213 - to rezone and reclassify 9.124 acres out of Lot
1, Block 1, NCB 17401 Vance Jackson, from "R-3" ERZD Multiple Family
Residence Edwards Recharge Zone District to "P-1 (R-1)" ERZD Planned
Unit Development Single Family Residence Edwards Recharge Zone District.
Property is located east of the intersection of Vance Jackson Road and
Casa Bella Street, having 856.16 feet on Vance Jackson Road and a depth
of 464.74 feet.

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

Mr. Thornton made a motion to approve the recommendation of
the Zoning Commission. Mr. Perez seconded the motion.

After consideration, the motion, carrying with it the passage
of the following Ordinance, prevailed by the following vote: AYES:
Perez, McClendon, Avila, Solis, Ayala, Ross, Thornton, Peak, Larson;
NAYS: None; ABSENT: Billa Burke, Wolff.

AN ORDINANCE 81,476

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 9.124 ACRES OUT OF LOT 1, BLOCK
1, NCB 17401 VANCE JACKSON ROAD, FROM "B-3" ERZD
MULTIPLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE
DISTRICT TO "P-1 (R-1)" ERZD PLANNED UNIT
DEVELOPMENT SINGLE FAMILY RESIDENCE EDWARDS RECHARGE
ZONE DISTRICT. PROPERTY IS LOCATED EAST OF THE
INTERSECTION OF VANCE JACKSON ROAD AND CASA BELLA

STREET, HAVING 856.16 FEET ON VANCE JACKSON ROAD AND
A DEPTH OF 464.74 FEET. "THE PENALTY FOR VIOLATION
IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

CASE #Z94271 - to rezone and reclassify 10.3432 acres out of
NCB 15663, N.W. Loop 1604 and Bandera Road, from Temporary "R-1" Single
Family Residence District to "B-3" Business District. Property is
located west of the intersection of Bandera Road and N.W. Loop 410
1604, having 821.50 feet on Bandera Road and \$473.61 feet on N.W. Loop
1604.

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

Mr. Thornton made a motion to approve the recommendation of
the Zoning Commission. Mr. Perez seconded the motion.

After consideration, the motion, carrying with it the passage
of the following Ordinance, prevailed by the following vote: AYES:
Perez, McClendon, Avila, Ayala, Ross, Thornton, Peak, Larson; NAYS:
None; ABSENT: Billa Burke, Solis, Wolff.

AN ORDINANCE 81,477

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 10.3432 ACRES OUT OF NCB 15663,
N.W. LOOP 1604 AND BANDERA ROAD, 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."

* * * *

CASE #Z94275 - to rezone and reclassify 29.95 acres out of NCB
14856 Orsinger Road, from Temporary "R-1" Single Family Residence
District to "P-1(R-1)" Planned Unit Development Single Family Residence
District. Property is located north of the intersection of Orsinger
Road and the Southern Pacific Railroad right-of-way, having 1,158.82
feet on Orsinger Road and 1,063.94 feet on the Southern Pacific Railroad
right-of-way.

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

Mr. Thornton made a motion to approve the recommendation of the Zoning Commission. Mr. Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Avila, Ayala, Ross, Thornton, Peak, Larson; NAYS: None; ABSENT: Billa Burke, Solis, Wolff.

AN ORDINANCE 81,478

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 29.95 ACRES OUT OF NCB 14856, ORSINGER ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE 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."

* * * *

CASE #Z94294 - to rezone and reclassify A 0.0624 acre tract of land out of NCB 11622, 7912 Fredericksburg Road, from "R-3" Multiple Family Residence District to "B-2NA" Non-Alcoholic Sales District. Property is located 693.12 feet northwest of the intersection of Donore and Fredericksburg Road, being 250.99 feet northeast of Fredericksburg Road, having a width of 34.42 feet a length of 79.02 feet.

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

Mr. Thornton made a motion to approve the recommendation of the Zoning Commission. Mr. Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Avila, Ayala, Ross, Thornton, Peak, Larson; NAYS: None; ABSENT: Billa Burke, Solis, Wolff.

AN ORDINANCE 81,479

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 0.0624 ACRE TRACT OF LAND OUT OF NCB 11622, 7912 FREDERICKSBURG ROAD, FROM "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT TO "B-2NA" NON-ALCOHOLIC SALES DISTRICT. "THE PENALTY FOR

VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

CASE #Z94295 - to rezone and reclassify A 0.9008 acre tract of land out of NCB 14614, 11300 Block of Bandera Road, from "B-3" Business District to "R-1" Single Family Residence District. Property is located on the northeast side of Bandera Road, 1,670 feet southeast of the intersection of F.M. 1604 Expressway and Bandera Road, having 60 feet on Bandera Road and a depth of 250 feet.

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

Mr. Thornton made a motion to approve the recommendation of the Zoning Commission. Mr. Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Avila, Solis, Ayala, Ross, Thornton, Peak, Larson; NAYS: None; ABSENT: Billa Burke, Wolff.

AN ORDINANCE 81,480

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 0.9008 ACRE TRACT OF LAND OUT OF NCB 14614, 11300 BLOCK OF BANDERA ROAD, FROM "B-3" BUSINESS DISTRICT TO "R-1" SINGLE FAMILY RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

CASE #Z94297 (CC) - to rezone and reclassify A 0.023 acre tract of land out of Lot 13, Block 1, NCB 17199, 6009 DeZavala Road, from "B-3" Business District to "B-3" CC Business District with special City Council approval for a communication transmission tower. Property is located 178 feet west of the intersection of West Golden Lane and DeZavala Road, being 129.82 feet north of DeZavala Road and having a width of 40 feet and depth of 25 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. Perez 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: Perez, McClendon, Billa Burke, Avila, Solis, Ayala, Ross, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: None.

AN ORDINANCE 81,481

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 0.023 ACRE TRACT OF LAND OUT OF LOT 13, BLOCK 1, NCB 17199, 6009 DEZAVALA ROAD, FROM "B-3" BUSINESS DISTRICT TO "B-3" CC BUSINESS DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR A COMMUNICATION TRANSMISSION TOWER. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

CASE #Z94277 - to rezone and reclassify North 50 feet of Parcel 1D, NCB 18198 from "R-1" Single Family Residence District to "O-1" Office District; and Parcel 3B and Parcel 1D, save and except the north 50 feet, NCB 18198, Braun Road and Alisa Brooke from "R-1" Single Family Residence to "B-2" Business District. Property is located northwest of the intersection of Alisa Brooke and Braun Road, having 250 feet on Alisa Brooke and 400 feet on Braun Road.

Ms. Delia Bara Dwyer, the proponent, asked for a four-week continuance in this case to allow her time to work with the neighborhood association.

Mr. Thornton made a motion to continue this rezoning case for a period of four weeks. Mr. Solis seconded the motion.

Mr. Ernani C. Falcone, representing the Northwest Neighborhood Alliance, asked that the City consider purchasing this property for use as a City park. He stated his concern that he was not notified of today's public hearing on this matter, and he asked to be kept informed of such pending actions in the future.

Mr. Andy Guerrero, Land Development Services, stated that organizations need to be registered with his office in order to be so notified.

After consideration, the motion to continue this case for a period of four weeks prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Solis, Ayala, Thornton, Larson. NAYS: None. ABSENT: Ross, Peak, Wolff.

Zoning Case Z94277 was continued for a period of four weeks.

CASE #Z94266 - to rezone and reclassify Lots 1, 2, 4 and the south 114.84 feet of Lots 5, 6, 7 and the south 75 feet of Lots 8, 9, 10 and the west 27 feet of the south 75 feet of Lot 11, Block 1, NCB 1899; and Lots 1, 2, 3 and the south 81.41 feet of Lots 9 and 10, Block 8, NCB 1898; and Lots 7, 12 and the east 50 feet of Lot 8, Block 5, NCB 1902. from "E" Office District, "D" Apartment District and "H" local Retail District to "O-1" Office District. Properties are located on the north and south sides of West Courtland Place, between Belknap Street and Main Avenue.

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

Mr. Perez 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: Perez, McClendon, Billa Burke, Avila, Solis, Ayala, Peak, Larson; NAYS: None; ABSENT: Ross, Thornton, Wolff.

AN ORDINANCE 81,482

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 1, 2, 4 AND THE SOUTH 114.84 FEET OF LOTS 5, 6, 7 AND THE SOUTH 75 FEET OF LOTS 8, 9, 10 AND THE WEST 27 FEET OF THE SOUTH 75 FEET OF LOT 11, BLOCK 1, NCB 1899; LOTS 1, 2, 3 AND THE SOUTH 81.41 FEET OF LOTS 9 AND 10, BLOCK 8, NCB 1898 AND LOTS 7, 12 AND THE EAST 50 FEET OF LOT 8, BLOCK 5, NCB 1902, FROM "E" OFFICE DISTRICT, "D" APARTMENT DISTRICT AND "H" LOCAL RETAIL DISTRICT TO "O-1" OFFICE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

CASE #Z94267 - to rezone and reclassify All of NCB 376, Main Avenue, W. Park, Howard Street and Evergreen Street, from "D" Apartment District and "H" Local Retail District to "O-1" Office District. Property is located between Main Avenue, W. Park, Howard Street, and Evergreen Street, having 318 feet on Main Avenue, 331 feet on W. Park Avenue, 330 feet on Howard Street and 348 feet on Evergreen Street.

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

Mr. Perez 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: Perez, McClendon, Billa Burke, Avila, Solis, Ayala, Ross, Peak, Larson; NAYS: None; ABSENT: Thornton, Wolff.

AN ORDINANCE 81,483

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 ALL OF NCB 376, MAIN AVENUE, W. PARK, HOWARD STREET AND EVERGREEN STREET, FROM "D" APARTMENT DISTRICT AND "H" LOCAL RETAIL DISTRICT TO "O-1" OFFICE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

CASE #Z94269 (CC) - to rezone and reclassify Lots 12 and 13, Block 26, NCB 1461, 2346 Wyoming Street, from "R-2" Two Family Residence District to "R-2" CC Two Family Residence District with special City Council approval for a college. Property is located southwest of the intersection of Wyoming Street and Walters Street, having 95.97 feet on Wyoming Street and 130 feet on Walters Street.

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: Perez, McClendon, Billa Burke, Avila, Solis, Ayala, Ross, Peak, Larson; NAYS: None; ABSENT: Thornton, Wolff.

AN ORDINANCE 81,484

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 12 AND 13, BLOCK 26, NCB 1461, 2346 WYOMING STREET, FROM "R-2" TWO FAMILY

RESIDENCE DISTRICT TO "R-2" CC TWO FAMILY RESIDENCE DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR A COLLEGE. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

CASE #Z94278 (CC) - to rezone and reclassify 0.027 acre tract of land out of NCB 18558, Avellano Street, from "P-1(R-1)" Planned Unit Development Single Family Residence District to "R-1" CC Single Family Residence District with special City Council approval for a utility infrastructure, telephone equipment vault. Property is located on the southeast side of Avellano Street 115.61 feet southwest of the intersection of Avellano Street and Cerezo Street, having 30 feet on Avellano Street and a depth of 30 feet.

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

Mr. Ross 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: Perez, McClendon, Billa Burke, Avila, Solis, Ayala, Ross, Peak, Larson; NAYS: None; ABSENT: Thornton, Wolff.

AN ORDINANCE 81,485

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 0.027 ACRE TRACT OF LAND OUT OF NCB 18558, AVELLANO STREET, FROM "P-1(R-1)" PLANNED UNIT DEVELOPMENT SINGLE FAMILY RESIDENCE DISTRICT TO "R-1" CC SINGLE FAMILY RESIDENCE DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR A UTILITY INFRASTRUCTURE, TELEPHONE EQUIPMENT VAULT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

CASE #Z94274 - to rezone and reclassify Lot 1F, Block 10, NCB 15506, 2319 Observation Drive, from Temporary "R-1" Single Family Residence District to "R-3" Multiple Family Residence District. Property is located on the west side of Observation Drive and Airlift, having 50 feet on Observation Drive and a depth of 162.5 feet.

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

Mr. Ayala 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: Perez, McClendon, Billa Burke, Avila, Solis, Ayala, Ross, Peak, Larson; NAYS: None; ABSENT: Thornton, Wolff;

AN ORDINANCE 81,486

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 1F, BLOCK 10, NCB 15506, 2319 OBSERVATION DRIVE, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

CASE #Z94296 (CC)- to rezone and reclassify A 0.267 acre tract of land out of NCB 15381, 7100 Woodgate Drive, from Temporary "R-1" Single Family Residence District to "R-1" CC Single Family Residence District with City Council approval for a day care center.

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

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

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Solis, Ayala, Ross, Peak, Larson; NAYS: None; ABSENT: Thornton, Wolff.

AN ORDINANCE 81,487

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 0.267 ACRE TRACT OF LAND OUT OF NCB 15381, 7100 WOODGATE DRIVE, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-1" CC

SINGLE FAMILY RESIDENCE DISTRICT WITH CITY COUNCIL
APPROVAL FOR A DAY CARE CENTER. "THE PENALTY FOR
VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

- - -
95-02 At this point, Mayor Pro Tem Larson yielded the chair to Mr.
Perez, who presided.
- - -

CASE #Z94270 - to rezone and reclassify Lots 20, 26, the
northwest 55 feet of Lot 8 and a 25 X 100 foot strip of land between
Lots 8 and 20, Block 36, NCB 17624, 6414 and 6418 Randolph Boulevard,
from "B-3R" Restrictive Business District and "B-3NA" Non-Alcoholic
Sales District to "I-1" Light Industry District. Properties are located
between Randolph Boulevard and Robards Row, 430 feet northeast of the
intersection of Randolph Boulevard and Bludau Street, having 200.25 feet
on Randolph Boulevard, 201 feet on Robards Row and 225.11 feet between
these two streets.

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

Mr. Larson spoke to his desire to see a 50-foot setback from
Randolph Boulevard imposed.

After consideration, Mr. Larson made a motion to approve the
recommendation of the Zoning Commission, except for a 50-foot setback
from Randolph Boulevard to remain B-3NA. Ms. Billa Burke seconded the
motion.

After discussion, the motion, carrying with it the passage of
the following Ordinance, prevailed by the following vote: AYES: Perez,
Billa Burke, Solis, Ayala, Ross, Peak, Larson. NAYS: None. ABSENT:
McClendon, Avila, Thornton, Wolff.

AN ORDINANCE 81,488

AMENDING CHAPTER 35 OF THE CITY CODE THAT
CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF
THE CITY OF SAN ANTONIO BY CHANGING THE
CLASSIFICATION AND REZONING OF CERTAIN PROPERTY
DESCRIBED HEREIN AS LOTS 20, 26, THE NORTHWEST 55
FEET OF LOT 8 AND A 25 X 100 FOOT STRIP OF LAND
BETWEEN LOTS 8 AND 20, BLOCK 36, NCB 17624, 6414 AND
6418 RANDOLPH BOULEVARD, FROM "B-3R" RESTRICTIVE
BUSINESS DISTRICT AND "B-3NA" NON-ALCOHOLIC SALES
DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT. "THE
PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED
\$1,000.00."

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* * * *

CASE #Z94280 (CC) - to rezone and reclassify A 0.062 acre tract of land out of NCB 16605, West of 9739 Cobb Street, 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 on the west side of Cobb Street, approximately 50 feet southwest of the intersection of Cobb Street and Dodge Street, being 225.72 feet west of Cobb Street, having a width of 60 feet and depth of 54 feet.

Mr. Andy Guerrero, Land Development Services, stated that nine affirmative votes would be required to approve the requested rezoning, inasmuch as opposition to the requested rezoning represents more than 20 per cent of the property owners within 200 feet of the subject property.

Mr. Harry Jewett, representing the proponent, spoke of plans to erect a communication transmission tower on the rear of the lot, adjacent to the creek.

Mr. Larson noted that the neighborhood is concerned with more communications service introduced into this area and the possibility that it might adversely affect other radio transmissions in the area.

Mr. Jewett stated his opinion that there would be no such interference with other radio transmissions in the area.

Mr. Tony Cortez, 4827 Whirlwind, owner of Cortez Contracting Company, a business in the area, addressed difficulties in radio communications in the area, already, and stated his belief that other sites are available for cellular use. He asked that the rezoning request be denied.

Mr. Jewett stated that, should the rezoning be granted and any interference occur with other area radio communications, the Federal Communications Commission can be appealed to.

Mr. Larson asked that all parties in this matter get together to resolve the issue of possible interference.

Mr. Jewett agreed to meet with all parties to this matter.

Mr. Larson made a motion to approve the recommendation of the Zoning Commission. Mr. Ross seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote; AYES: Perez, McClendon, Billa Burke, Avila, Solis, Ayala, Ross, Thornton, Peak, Larson. NAYS: None. ABSENT: Wolff.

AN ORDINANCE 81,489

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 0.062 ACRE TRACT OF LAND OUT OF NCB 16605, WEST OF 9739 COBB STREET, 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."

* * * *

CASE #Z94282 - to rezone and reclassify 48.94 acres out of NCB 15831, Stahl Road, from Temporary "R-1" Single Family Residence District to "R-5" Single Family Residence District. Property is located on the southeast side of Stahl Road, 360 feet northeast of the intersection of Wagon Cap Drive and Stahl Road, having 1,005.26 feet on Stahl Road and a depth of 3,065.71 feet.

Mr. Andy Guerrero, Land Development Services, explained the allowable densities for home construction under the proposed rezoning.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Ayala, Peak, Larson; NAYS: None; ABSENT: Solis, Ross, Thornton, Wolff.

AN ORDINANCE 81,490

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 48.94 ACRES OUT OF NCB 15831, STAHL ROAD, TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-5" SINGLE FAMILY RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

95-02 At this point, Mayor Pro Tem Larson assumed the chair and presided.

- - -

95-02 SECOND PUBLIC HEARING-ANNEXATION OF AMERICAN FUND SERVICES PROPERTY.

Mayor Pro Tem Larson declared the Public Hearing to be open.

Ms. Claudia Mora, Department of Economic Development, explained the Second Public Hearing on the proposed annexation of the American Fund Services/American Fund Distributors property, noting that the firm plans to create some 100 new jobs as a result.

There being no citizens signed to speak to this matter, Mayor Pro Tem Larson declared the Second Public Hearing to be closed.

- - -

95-02 Agenda Item 6, being a 3:30 P.M. time-certain Public Hearing and consideration of an Appeal by Donald P. Noble, Esq., on the decision of the Historic & Design Review Commission to deny his request for installation of additional roof windows to the property located at 107 Madison, was earlier removed from consideration by the City Manager.

- - -

95-02 City Council recessed its regular meeting at 3:01 P.M., reconvening at 4:00 P.M. with Mayor Wolff again presiding.

- - -

95-02 CONTINUATION OF PUBLIC HEARING-EDWARDS AQUIFER WATER QUALITY

Mayor Wolff announced that he is re-opening the Public Hearing on consideration of Ordinances related to water quality initiated pursuant to the report entitled "Edwards Aquifer: San Antonio Mandates for Water Quality Protection", as outlined in Agenda Items 7A and 7B on today's City Council Agenda.

Mayor Wolff further announced that City Council would consider Agenda Item 7B first.

Mayor Wolff then declared the Public Hearing to be formally re-opened.

Mr. Lloyd Garza, City Attorney, spoke to the history of the proposed ordinances relating to this matter, including the latest changes in the December 22, 1994 draft. He then addressed the intent of those changes to achieve non-degradation of Edwards Aquifer water. He stated his belief that the ordinances are legally-defensible, and spoke to the changes that have been made since the initial draft was presented. A staff memorandum on this matter is made a part of the

papers of this meeting.

Ms. Rebecca Q. Cedillo, Vice President-Planning, San Antonio Water System, stated that technical aspects of the ordinance are available for review in the Office of the City Clerk, at San Antonio Water System, and in the City Attorneys Office.

The following persons then appeared to speak:

Mr. David Lake, architect/developer, representing the Urban Affairs Committee of the San Antonio chapter, American Institute of Architects, stated his belief that the proposed ordinance at question is a great beginning for appropriate regulations, and he spoke to several recommendations relating to possible changes in those regulations.

Mr. Bruce Bradsby, representing the AIA chapter's Committee on the Environment, commended the proposed actions to protect the Edwards Aquifer, and addressed the need for several key actions to insure this protection.

Ms. Susan Hughes, representing the Audubon Society, spoke to her organization's concerns with long-term economic stability over the Edwards Aquifer Recharge Zone, and lauded the proposed ordinance for its strong protective measures proposed by the Water Quality Task Force. A copy of her remarks is made a part of the papers of this meeting.

Ms. Kathleen Trenchard, representing the Tobin Hill Neighborhood Association, spoke in support of the December 22nd agreement and the stand taken on this matter by Communities Organized For Public Service (COPS) and by Metro Alliance. She spoke in support for the proposed ordinance.

Mr. Ray Hamilton, representing Northside Neighborhoods For Organized Development, stated his opinion that the proposed ordinance is a turning-point in protection of the Edwards Aquifer, and urged Council to take action on it today.

Ms. Virginia Ramirez, COPS, and Rev. Homer Bain, Metro Alliance, spoke in support for the proposed ordinance as re-drafted, to control pollution of the Edwards Aquifer. They also spoke to the importance of citizen participation in this issue, and expressed their desire to give the public ample notification of any request for a variance to the proposed new regulations. They spoke to the need to have administrative safeguards.

Ms. Danielle Milam, co-chair, Water Quality Task Force, thanked the Mayor and Council for the proposed new ordinance.

Mr. Gene Dawson, co-chair, Water Quality Task Force, addressed the group's consensus on the ordinance, which he feels is legally-defensible.

Ms. Marianna Jones, San Antonio Conservation Society,

commended all involved in the compromise designed to protect the Edwards Aquifer water. A copy of her remarks is made a part of the papers of this meeting.

Mr. Hector M. Pena, Jr., 303 Rio Seco, thanked the Council for appointing the Task Force and for their efforts in coming up with the recommendations which will be considered today. He urged the Council to approve the ordinance as presented.

Mr. Jose H. Chavez, 133 Hess, commended the Mayor for his efforts and urged passage of the subject ordinance as presented.

Mr. Duane Wilson, President, North San Antonio Chamber of Commerce, spoke in favor of the compromise ordinance and commended both sides in coming together on this matter. He urged approval of the ordinance as presented.

Mr. Rene Niera, President, South Side Alliance for Economic Development, also spoke in favor of this ordinance and commended those who were involved in its creation.

Mr. George Rice, 1431 Cable Ranch Rd., #918, presented a prepared statement to the Council, a copy of which is made a part of the papers of this meeting. He spoke in favor of the ordinance, as a member of the Water Quality Task Force, and made reference to the report he submitted, citing a recent report by Southwest Research Institute on contaminants found in the Shavano Park and Hill Country water systems.

Ms. Katy Nava, representing Aquifer Guardians in Urban Areas (AGUA), urged each Council member to approve this ordinance as a goal toward pollution prevention.

Ms. Victoria Wing, representing the League of Women Voters, stated that her group is aware that this proposed ordinance is but a beginning, but a very important step in preventing pollution of our source of drinking water. She urged City Council approval of the ordinance.

Mr. Orson Kinney, representing Camelot Neighborhood Association, stated that the ordinance is long overdue but represents a start in the right direction. He urged rigid enforcement of the ordinance.

Mr. Doug Becker, representing the Real Estate Council of San Antonio, spoke in support for the proposed ordinance.

Ms. Pat K. Moore, 3306 Nantucket, stated her belief that the City should acquire undeveloped areas over the recharge zone.

Mr. Bob Neal, 1913 Sacramento, spoke in support for protection of the Edwards Aquifer.

Mr. Dan Kossl, President, Greater San Antonio Builders

Association, spoke in support for protection of the aquifer, but addressed his group's concerns with the economic impact of some proposed new regulations as they affect businesses. He spoke to the need for the City to develop other sources of drinking water.

Ms. Dorothy Rawe, representing San Antonio Coalition of Neighborhood Associations, spoke in support for the ordinance and any amendments put forth by AGUA, COPS or Metro Alliance.

Mr. John Hudson, 323 Stonewood, stated that the Edwards Aquifer needs protection from development, and he spoke in support for the ordinance.

Mr. Rick Illgner, General Manager, Edwards Underground Water District, read a prepared statement of his board of directors, supporting protection of the Edwards Aquifer water. A copy of the statement is made a part of the papers of this meeting.

Ms. June Kachtik, Chair, Open Space Advisory Board, and her co-chair, Mr. John Walker, spoke in support of the Board's open space plan.

Ms. Diana Faulkner, representing Mission Mortgage Company, urged that San Antonio be pro-active in protection of the Edwards Aquifer.

Mr. J. Tullos Wells, Chairman, Greater San Antonio Chamber of Commerce, noted that the proposed ordinance provides stability to the development community, and spoke to his organization's support of the proposed ordinance.

Ms. Clifton McNeel, 107 Magnolia Drive, spoke in support for the ordinance.

Mr. Larry diMartino, 115 Armour, representing AGUA, spoke in support for the revised ordinance.

Mr. Sparky Anderson, representing Clean Water Action, spoke in support for the proposed new ordinance in order to protect San Antonio's water supply from catastrophic damage, as has been the case in other areas. He also spoke in support for the federal government providing funding for its unfunded mandates. A copy of his statement is made a part of the papers of this meeting.

Mr. Hugh Ames, representing the Southside Chamber of Commerce, endorsed the proposed ordinance.

Dr. George Veni, George Veni & Associates, noted that the Edwards Aquifer recharge zone must be protected, and the proposed ordinance is the first step in that protection. He noted that San Antonio cannot afford a crisis in this matter.

Mr. Bennett Bowerman, representing the Alta Vista Neighborhood

Association, spoke in support for the proposed ordinance. He spoke in support for allowing the remaining undeveloped land over the recharge zone to remain that way.

Mr. Don Gasdoni, 13627 San Pedro, spoke to his concern for pollution of the Edwards Aquifer, noting that only San Antonio can protect its water supply.

Mr. Louis Rowe, representing Professional Engineers in Private Practice, spoke in support for the compromise ordinance.

Mr. Doug Leonhard, representing La Cantera Development Company, spoke in support for the proposed ordinance without any changes.

Mr. Leo Perron, representing the San Antonio Board of Realtors, urged passage of an equitable compromise.

Ms. Irene Scharf, representing the Helotes Creek Association, spoke in support for protection of the recharge zone and the proposed ordinance as the first step in protecting our water supply.

Mr. Andy Balinsky, representing the Sierra Club, supports the ordinance as the first step in protecting the Edwards Aquifer. He spoke to the need to amend the ordinance later in a number of areas, and also spoke in support for purchasing the remaining undeveloped land over the recharge zone.

Mr. Ward Dow, representing Ella Contracting, spoke in support for the compromise ordinance. He spoke to the need to balance new regulations against San Antonio jobs.

Mr. Walter Barfield, 251 Northhill, spoke in support for the proposed ordinance, and made several recommendations, copies of which are made a part of the papers of this meeting.

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

Mayor Wolff spoke to the history of events leading up to preparation of this ordinance before City Council today, and noted that many persons are concerned about development over the Edwards Aquifer. He stated his belief that the proposed ordinance is a balance that meets all applicable laws, and spoke in support for public notice on any requested variance from the ordinance provisions. He then thanked Ms. McClendon and Mr. Peak for their important actions in this process.

Mr. Peak thanked all concerned for the culmination of a lengthy process in the development of some 33 key recommendations.

Mr. Peak then made a motion to approve the ordinance. Ms. McClendon seconded the motion.

Mr. Peak urged the staff to continue work to implement additional recommendations, and urged City Council to consider purchase of recharge zone properties or take other actions to protect the aquifer from pollution.

Mr. Thornton noted that the key was the Water Quality Task Force report, and stated his belief that the impact of this ordinance will be far-reaching in nature.

Mr. Larson spoke in support of the ordinance, but predicted that lawsuits will result from its passage.

Mr. Richard Garcia, Texas Natural Resources Conservation Commission, addressed a study of the some 150 recommendations, including 33 from San Antonio, to determine if they can be implemented throughout the aquifer recharge zone areas. He noted that San Antonio's new regulations may also apply to other area governments.

Ms. McClendon spoke in support for the ordinance and the coming administrative policy recommendations to protect aquifer water.

Mr. Perez noted that the ordinance is a first step, and the City needs to be ready to fight possible lawsuits over the new regulations.

Ms. Billa Burke stated her belief that only good will come from this action today, and asked that the record reflect that she voted last week on the regulations.

Mr. Ross questioned the "vegetative buffer zone", and started his hope that San Antonio is not getting away from a regional approach to water quality. He spoke to the need for all concerned to work together, and this ordinance is a start.

Mr. Solis called this a historic day for San Antonio's future, and spoke to the need for water protection and job protection, at the same time.

The Clerk read the following Ordinance:

AN ORDINANCE 81,491

AMENDING CHAPTER 34, ARTICLE VI, OF THE CITY CODE BY ADDING A NEW DIVISION 6 THEREUNDER ENTITLED "AQUIFER RECHARGE ZONE AND WATERSHED PROTECTION", CONTAINING NEW SECTIONS 34-900 THROUGH 34-999 REGULATING CERTAIN ACTIVITIES OVER THE EDWARDS AQUIFER RECHARGE ZONE IN ORDER TO PREVENT THE POLLUTION OF WATER RECHARGING THE AQUIFER WHILE ALLOWING REASONABLE LEVELS OF DEVELOPMENT IN THE REGULATED AREA; AUTHORIZING THE SAN ANTONIO WATER SYSTEM TO ENFORCE AND ADMINISTER THE PROVISIONS OF CHAPTER 34, ARTICLE VI, DIVISION 6; PROVIDING FOR COLLECTION OF CIVIL

PENALTIES FOR VIOLATION THEREOF, DECLARING THE VIOLATION THEREOF TO BE A CRIMINAL MISDEMEANOR PUNISHABLE UPON CONVICTION BY A FINE NOT TO EXCEED \$2,000.00; MAKING ASSOCIATED AMENDMENTS TO CHAPTER 35 OF THE CITY CODE TO PROVIDE NOTIFICATION THEREIN OF THE NEW REGULATIONS, AND TO ESTABLISHING MAXIMUM PARKING REQUIREMENTS WITHIN THE RECHARGE ZONE; AND DIRECTING PUBLICATION OF THIS ORDINANCE AFTER PASSAGE.

* * * *

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Solis, Ayala, Ross, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: None.

Mr. Solis made a motion, seconded by Mr. Avila, that as a matter of administrative policy, the San Antonio Water System and the City of San Antonio establish the following:

1. Notice of any request for variance shall be published in the classified section of the newspaper with the widest general circulation in the area beginning not more than four (4) days after receipt of the request for variance. Such publication shall occur on two separate occasions, the second not more than five (5) days after the first, during the pendency of the request for variance. Further, such notice shall state the name of the owner of the property for which the variance is sought, the name of the agent or applicant if different from the owner, a general description of the location of the property, including the number of acres included in the request for variance and the subject of the request.

2. The request for variance shall be considered an open record and available for inspection by the public. Notice of the request for variance shall be provided by regular mail to any designated representative of an interested group or association who has provided a written request to be included in any or all such notices.

3. During the comment period for the request for variance, the San Antonio Water System shall receive and consider all public comment relevant to the particular request for variance.

4. The comment period shall be not less than twenty (20) days, beginning four (4) days after the receipt of the request for variance.

The above-stated administrative direction then prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Solis, Ayala, Ross, Thornton, Peak, Larson, Wolff. NAYS: None. ABSENT: None.

95-02 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE AMENDING CHAPTER 35, PERMITTED USES IN EDWARDS AQUIFER RECHARGE ZONE DISTRICT.

Mayor Wolff declared the Public Hearing to be open.

Mr. David Pasley, Director of Planning, explained a review of the proposed Table of Permitted Uses in the Edwards Aquifer recharge zone over the past year, and the forthcoming 37 recommended changes. He also addressed a minority report that would be submitted shortly.

Mr. Bruce Bradsby, San Antonio chapter, American Institute of Architects' Committee on the Environment, stated that his group has concerns with some of the permitted used under he proposed compromise regulations. He spoke to the need to look at prohibiting some businesses from location over the recharge zone.

Mr. Steve Tillotson spoke to the need to limit potential risks over the recharge zone.

Ms. Susan Hughes, representing thee Audubon Society, asked the City council to postpone action on approving the Tables of Permitted Uses, stating that her group wants two weeks in which to come up with a stronger table. A copy of her remarks is made a part of the papers of this meeting.

Ms. Virginia Ramirez, Communities Organized For Public Service (COPS) and Rev. Homer Bain, Metro Alliance, spoke to the need for a good Table of Permitted Uses in order to protect the aquifer. They each stated their belief that the proposed Table is inadequate and needs to be amended. They asked that staff be instructed to recommend amendments to the Table in 30 days.

Mr. George Rice, 1431 Cable Ranch Rd., #918, asked the Council to postpone action on the Table of Permitted Uses, or to consider the minority report. He spoke to the need to ban all chlorinated solvents from the recharge zone, the most common contaminants found today in the aquifer. He spoke of his concern with carcinogens in certain drinking-water wells.

Ms. Annalisa Peace, representing Aquifer Guardians in Urban Areas (AGUA), spoke to a list of recommended permitted uses and several reports. She also spoke to the need to require insurance for certain uses in the recharge zone. A copy of her remarks is made a part of the papers of this meeting.

Ms. Martha Mangum, representing the Real Estate Council of San Antonio, asked that the proposed Table of Permitted Uses be approved without change.

Mr. Dan Kossl, President, North San Antonio Chamber of Commerce, also asked that the Table be enacted, as recommended.

January 12, 1995

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Ms. Dorothy Rawe, representing the San Antonio Coalition of Neighborhood Associations, spoke in support for the AGUA position, including the matter of insurance requirements.

Mr. Sparky Anderson, representing Clean Water Action, asked the Council to postpone today's vote, or get an amended staff recommendation on possible changes in 30 days.

Mr. Leo Perron, 1250 N.E. Loop 410, spoke to San Antonio Water System's review of a large list of possible permitted uses, many of which already require City Council approval. He stated that if Council adopts an amended Table of Permitted Uses, such changes should be City Council-approved in that Table.

Mr. Andy Balinsky, representing the Sierra Club, urged the Council to prohibit certain uses over the recharge zone that it might be unsure of.

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

Mayor Wolff spoke to details of the Zoning Commission's minority report concerning the proposed Table of Permitted Uses, and asked Mr. Pasley to review the uses requiring City Council approval, with an eye toward possible prohibition of those uses.

Mr. Pasley spoke to a possible time-frame for a staff report in perhaps a month, but noted that an action package to present to City Council would require a longer time-frame, including the process involving public hearings that would have to be called to consider those possible amendments. He noted that SAWS could review the list.

Discussion took place concerning the recommendations contained in the Zoning Commission's minority report.

Ms. Rebecca Q. Cedillo, Vice-President-Planning, San Antonio Water System, noted that technical studies would be needed to review these recommendations, and estimated that at least three months of staff time would be required in order to present them to the Zoning Commission. She spoke to the need to meet with industry representatives, first, to establish a data base.

Mayor Wolff spoke to the need for the City Council to enact the list of 39 amendments to the Table of Permitted Uses tonight, then perhaps seek further amendments at a later time.

In response to a question by Mr. Peak, Mr. Pasley spoke to the need to study the process required on more changes. He noted that it would require at least a year to hire a consultant and completely revise our full Table of Permitted Uses.

Mr. Peak asked the staff to report on how it reviews variances

from the Table of Permitted Uses, which are out-of-date.

Mr. Pasley responded with an explanation of the process.

A discussion ensued concerning the proper time-frame to allow a proper process to develop a new Table of Permitted Uses.

The City Clerk then read the following caption:

AN ORDINANCE 81,492

APPROVING AMENDMENTS TO CHAPTER 35 OF THE CITY CODE, (UNIFIED DEVELOPMENT CODE), ARTICLE III, ZONING, DIVISION 8, PERMITTED USES TABLES, SO AS TO REVISE USES PERMITTED IN THE EDWARDS RECHARGE ZONE DISTRICT.

* * * *

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

After consideration, the motion prevailed by the following vote: AYES: Perez, Billa Burke, Avila, Solis, Ayala, Thornton, Peak, Larson, Wolff. NAYS: None. ABSENT: McClendon, Ross.

Ms. Billa Burke then made a motion to direct staff of San Antonio Water System to review the list of "City Council approval" uses on the Table of Permitted Uses with an eye toward making them prohibited uses, and to report back to City Council in a 3-4 month time-frame, at a "B" Session. Mr. Avila seconded the motion.

After discussion, the motion giving direction to SAWS staff prevailed by the following vote: AYES: Perez, Billa Burke, Avila, Solis, Ayala, Thornton, Peak, Larson, Wolff. NAYS: None. ABSENT: McClendon, Ross.

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95-02

CITIZENS TO BE HEARD

MR. DAVID T. SOLIS

Mr. David T. Solis, 1046 Hillcrest, spoke to the City Council regarding the conditions of Hillcrest Street and stated he had been unable to meet with Councilman Ross on this matter. (Councilman Ross was not present at the time).

Councilman Solis advised Mr. Solis that he would be willing to meet with him next Tuesday to discuss this issue.

MS. PATSY CHENEY

Ms. Patsy Cheney, San Antonio Alliance for the Mentally Ill, stated that they would be coming to the City Council on a weekly basis to brief the Council on mental health issues. She then distributed a handout to the Council and spoke in particular about "twenty-five (25%) of all hospital beds filled by mentally ill patients -- more than heart disease, cancer, and respiratory ailments combined." (A copy of her handout is on file with the papers of this meeting.)

DON WILKINS CASTILLO

Mr. Don Wilkins Castillo spoke to the City Council in support of Deputy Chief Al Phillipus being promoted to Chief of Police when Police Chief Bill Gibson retires.

95-02 There being no further business to come before the Council, the meeting was adjourned at 7:51 P.M.

A P P R O V E D


M A Y O R

Attest: 
C I T Y C L E R K

January 12, 1995

Honorable Mayor and Members of the City Council of the City of San Antonio:

The following petitions were received in my office and forwarded to the appropriate departments for investigation and report to the City Council:

December 22, 1994

Petition submitted by Mr. Alfred Sanchez, 1919 S. Hackberry, San Antonio, Texas 78210, on behalf of the Highland Park Neighborhood Association, requesting the City of San Antonio to submit to the Metropolitan Planning Organization a proposal and cost analysis for a Transportation Improvement Project FYI 1996-98 for the New Braunfels-Gevers Improvement Project.

December 23, 1994

Petition submitted by Mr. and Mrs. Adam Schwening, 2809 Old Ranch Road, San Antonio, Texas 78217, requesting the City's permission to erect a curb on a City controlled alley located behind the property at 2118 Edgehill Drive.

/s/ Norma S. Rodriguez
City Clerk