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2001-17 **ALCALDE PRESENTATION – AQUATENNIAL ASSOCIATION PRESIDENT.**

Councilman Bobby Perez presented an Alcalde Certificate to Ms. Elisa Carlsen, President of the Aquatennial Association who was here with a delegation to participate in Fiesta Week Activities. Ms. Carlsen spoke of the outstanding hospitality extended to her and the visiting delegation, and then presented the Honorary Commodore to Councilman Bobby Perez.

Members of the City Council welcomed Ms. Carlsen and the accompanying delegates to the City of San Antonio.

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2001-17 Minutes of the Regular City Council Meeting of March 15, 2001 were approved.

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2001-17 **CONSENT AGENDA – CITIZENS COMMENTS**

Mr. Faris Hodge, Jr., 140 Dora, expressed concern on the amount of monies being expended for the contract on the police officers promotional examinations.

Mr. Jack M. Finger, P.O. Box 12048, spoke to the bidding process with regard to the construction agreement with Riverton Suites, and cited campaign contributions received by various members of the City Council.

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2001-17 **CONSENT AGENDA**

Mr. Perez made a motion to approve Agenda Items 7 through 34 constituting the Consent Agenda. Mr. Carpenter seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinances, prevailed by the following vote: **AYES:** Perez, Salas, Prado, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Guerrero, Garcia, Garza.

AN ORDINANCE 93815

ACCEPTING THE LOW, QUALIFIED BID BY BODY WORKS FITNESS EQUIPMENT INCORPORATED TO PROVIDE THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH GYMNASIUM EQUIPMENT FOR A TOTAL OF \$30,170.00.

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AN ORDINANCE 93816

ACCEPTING THE LOW BID FROM BANKSON GROUP, LTD. D/B/A ALAMO TEES & ADVERTISING (WBE) TO PROVIDE THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH SPORT BAGS ON AN ANNUAL CONTRACT BASIS FOR AN ESTIMATED TOTAL OF \$19,000.00 PER YEAR.

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AN ORDINANCE 93817

ACCEPTING THE LOW, QUALIFIED BID BY ALAMO CONCRETE TILE, INC. TO PROVIDE THE CITY OF SAN ANTONIO CONVENTION CENTER FACILITIES WITH CONCRETE PAVING UNITS FOR A TOTAL OF \$30,720.00.

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AN ORDINANCE 93818

ACCEPTING THE LOW QUALIFIED BID OF A.C.E. GENERAL CONTRACTING IN THE AMOUNT OF \$113,000.00 TO RENOVATE THE UNITED STATES DEPARTMENT OF AGRICULTURE, ANIMAL & PLANT HEALTH INSPECTION SERVICE AND PLANT PROTECTION AND QUARANTINE FEDERAL INSPECTION SERVICES AT SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING EXECUTION OF A CONSTRUCTION CONTRACT;

AUTHORIZING \$6,000.00 FOR CONSTRUCTION CONTINGENCIES;
APPROPRIATING FUNDS; REVISING THE BUDGET; AND PROVIDING FOR
PAYMENT.

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AN ORDINANCE 93819

APPROVING FIELD ALTERATION NO. 3 TO THE CONTRACT WITH TO E-Z BEL
CONSTRUCTION COMPANY, INC. (MBE) FOR THE DECREASED AMOUNT OF
\$63,130.76 IN CONNECTION WITH THE CONTOUR DRIVE FROM SAN PEDRO
TO MCCULLOUGH AND HOWARD TO EL MONTE PROJECT LOCATED IN
COUNCIL DISTRICT 9. (AMENDS ORDINANCE NO. 88355, AUGUST 27, 1998.)

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AN ORDINANCE 93820

APPROVING FIELD ALTERATION NO. 5 IN THE DECREASED AMOUNT OF
\$55,190.00 TO CAPITAL EXCAVATION CO., IN CONNECTION WITH THE
STAHL ROAD FROM BELL TO BULVERDE PROJECT LOCATED IN COUNCIL
DISTRICT 10. (AMENDS ORDINANCE NO. 89407, MARCH 11, 1999.)

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AN ORDINANCE 93821

APPROVING FIELD ALTERATION NO. 1 IN THE INCREASED AMOUNT OF
\$1,300.00 TO AFFIRMED GENERAL CONTRACTING, INC. TO EXPAND THE
SCOPE OF WORK FOR THE INSTALLATION AND DE-INSTALLATION OF
SIXTY-FIVE 4'X8' PAINTED MURAL PANELS ON THE FACE OF THE
TEMPORARY CONSTRUCTION FENCE AT THE ST. MARY'S GARAGE
PROJECT LOCATED IN COUNCIL DISTRICT 1. (AMENDS ORDINANCE NO.
92178, JULY 27, 2000.)

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AN ORDINANCE 93822

AUTHORIZING A 2000 CERTIFICATE OF OBLIGATION FUNDED ARCHAEOLOGICAL SURVEY SERVICES CONTRACT IN THE AMOUNT OF \$5,790.00 PAYABLE TO THE UNIVERSITY OF TEXAS AT SAN ANTONIO - CENTER FOR ARCHAEOLOGICAL RESEARCH IN CONNECTION WITH THE MITCHELL FROM PROBANDT TO ROOSEVELT PROJECT, LOCATED IN COUNCIL DISTRICT 3.

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AN ORDINANCE 93823

ACCEPTING THE LOW QUALIFIED BID AND ALTERNATE NO. 1 OF TCQ CONSTRUCTION IN THE AMOUNT OF \$147,350.00 IN CONNECTION WITH THE TEMPORARY FIRE STATION NO. 49 PROJECT LOCATED AT 8710 MYSTIC PARK IN COUNCIL DISTRICT 7; AUTHORIZING \$12,650.00 FOR CONSTRUCTION CONTINGENCY; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 93824

AMENDING A PROFESSIONAL SERVICES CONTRACT WITH BENDER WELLS CLARK DESIGN (WBE/DBE) FOR ADDITIONAL FUNDS IN THE AMOUNT OF \$31,579.60 FOR ADDITIONAL ARCHITECTURAL AND ENGINEERING SERVICES IN CONNECTION WITH THE PEARSALL ROAD LANDFILL AND REDEVELOPMENT AND BUDGET PLAN LOCATED IN COUNCIL DISTRICT 4; AUTHORIZING \$2,910.00 FOR REIMBURSABLE EXPENSES; AUTHORIZING \$3,000.00 FOR ARCHITECTURAL AND ENGINEERING CONTINGENCY EXPENSES; AUTHORIZING \$800.00 FOR ADVERTISING EXPENSES; AUTHORIZING \$5,000.00 FOR ENVIRONMENTAL TESTING SERVICES PAYABLE TO CHEMRON INCORPORATED (WBE/DBE); AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 88400, SEPTEMBER 3, 1998.)

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AN ORDINANCE 93825

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH THE UNITED STATES OF AMERICA, DEPARTMENT OF TRANSPORTATION,

FEDERAL AVIATION ADMINISTRATION (FAA), FOR USE OF GROUND SPACE AT THE SAN ANTONIO INTERNATIONAL AIRPORT FOR THE OPERATION AND MAINTENANCE OF NAVIGATIONAL AIDS NECESSARY FOR AIR SAFETY.

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AN ORDINANCE 93826

AUTHORIZING THE ASSIGNMENT OF A LEASE, AUTHORIZED BY ORDINANCE NO. 89612, DATED APRIL 15, 1999, AT STINSON MUNICIPAL AIRPORT, FROM SONCHIN FUERTE TO WILLIAM AND ESTHER FOWLER, FOR 715 SQUARE FEET IN THE TERMINAL BUILDING AND 2174 SQUARE FEET OF GROUND SPACE ADJACENT THERETO, PRODUCING ANNUAL GROUND RENTAL REVENUES OF \$1,308.70 WITH AN ADDITIONAL AMOUNT EQUALING TEN PERCENT (10%) OF THE RESTAURANT'S GROSS REVENUES. (AMENDS ORDINANCE NO. 92491, SEPTEMBER 21, 2000.)

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AN ORDINANCE 93827

APPROVING THE RENEWAL OF A LEASE AGREEMENT FOR RENTAL SPACE AT THE CYPRESS TOWER BUILDING, WKB VALUE PARTNERS, L.P., LANDLORD, FOR USE BY THE DEPARTMENT OF COMMUNITY INITIATIVES, CHILDREN'S RESOURCES AND COMMUNITY CENTERS DIVISION FOR A PERIOD OF FIVE YEARS COMMENCING MAY 1, 2001 AND ENDING MAY 31, 2006; BASE RENT WILL BE PAID IN THE AMOUNT OF \$14 PER SQUARE FOOT IN YEAR ONE, RISING TO \$16 PER SQUARE FOOT IN YEAR FIVE; AND AUTHORIZING AND APPROVING FUNDS IN CONNECTION THEREWITH.

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AN ORDINANCE 93828

AUTHORIZING PAYMENT IN THE AMOUNT OF \$5,348.02 TO LAWYERS TITLE OF SAN ANTONIO FOR TITLE CHARGES IN CONNECTION WITH THE PUBLIC SAFETY RADIO TOWERS PROJECT (\$688.86), SOUTHCROSS - NEW BRAUNFELS TO S. PRESA PROJECT (\$1,313.58), MITCHELL STREET - PROBANDT TO ROOSEVELT PROJECT (\$420.86), FIRE STATION NO. 49 PROJECT (\$1,456.86) AND UPON THIS ROCK PARKLAND ACQUISITION

PROJECT (\$1,467.86); THE AMOUNT OF \$1,594.01 TO STEWART TITLE COMPANY OF SAN ANTONIO FOR TITLE CHARGES IN CONNECTION WITH THE HIGGINS ROAD – NACOGDOCHES TO STAHL ROAD PROJECT (\$610.86), BLANCO ROAD AT JACKSON-KELLER PROJECT (\$448.33) AND THE WURZBACH PARKWAY PROJECT (\$534.82); THE AMOUNT OF \$1,259.88 TO TICOR TITLE AGENCY OF SAN ANTONIO FOR TITLE CHARGES IN CONNECTION WITH THE HIGGINS ROAD – NACOGDOCHES TO STAHL ROAD PROJECT (\$508.14) AND THE WURZBACH ROAD AT I.H. 10 AND IRONSIDE INTERSECTIONS PROJECT (\$751.74); AND THE AMOUNT OF \$373.47 TO FIRST AMERICAN TITLE INSURANCE COMPANY OF SAN ANTONIO IN CONNECTION WITH THE HOUSTON STREET – BOWIE TO PINE PROJECT; FOR A TOTAL SUM OF \$8,575.38; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 93829

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF FEE SIMPLE TITLE TO A 0.023 ACRE TRACT OF LAND OUT OF LOT 45, EMBASSY NORTH UNIT 10; A 0.004 ACRE TRACT OF LAND OUT OF LOT 33, EMBASSY NORTH SUBDIVISION UNIT 4; AND A 0.194 ACRE TRACT OF LAND OUT OF LOT 3, SANBIT SUBDIVISION, ALL OUT OF NEW CITY BLOCK 12059, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, FOR A PUBLIC PURPOSE, NAMELY THE BITTERS ROAD – WEST AVENUE TO HEIMER PROJECT; AND AUTHORIZING THE CITY ATTORNEY TO FILE EMINENT DOMAIN PROCEEDINGS.

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AN ORDINANCE 93830

AUTHORIZING PAYMENT OF THE AMOUNT OF \$8,1115.00 TO ECKMANN, GROLL & RUNYAN, INC. FOR APPRAISAL SERVICE IN CONNECTION WITH THE PRUE ROAD POLICE SUBSTATION PROJECT (\$600.00), SCIENCE PARK DRAINAGE PROJECT #58H, I & J (\$300.00), BITTERS ROAD – WEST AVENUE TO HEIMER PROJECT (\$3,500.00), WURZBACH ROAD AT I.H. 10 AND IRONSIDE INTERSECTIONS PROJECT (\$2,250.00), FIRE STATION NO. 7 PROJECT (\$715.00) AND THE PUBLIC SAFETY RADIO TOWER SITES PROJECT (\$750.00); AND PAYMENT OF THE AMOUNT OF \$10,470.00 TO DUGGER, CANADAY & GRAFE, INC. FOR APPRAISAL SERVICES IN CONNECTION WITH THE BABCOCK ROAD – DE ZAVALA TO HAUSMAN PROJECT (\$2,620.00), W.W. WHITE ROAD – RIGSBY TO LORD ROAD PROJECT (\$3,600.00), LOCKHILL-

SELMA – GEORGE ROAD TO WHISPERING PATH PROJECT (\$1,900.00), SOUTHCROSS – NEW BRAUNFELS TO S. PRESA PROJECT (\$850.00) AND THE HILDEBRAND AVENUE – I.H. 10 TO BREEDEN PROJECT (\$1,500.00); FOR A TOTAL SUM OF \$18,585.00; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 93831

AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE TEXAS STATE LIBRARY AND ARCHIVES COMMISSION IN THE AMOUNT OF \$777,768.00 FOR THE PURPOSE OF SUPPORTING GRANT ADMINISTRATION, CONSULTING, NETWORKED RESOURCES, DISADVANTAGED SERVICES, CONTINUING EDUCATION, COLLECTION DEVELOPMENT PROGRAMS AND THE PURCHASE OF VARIOUS LIBRARY MATERIALS IN THE ALAMO AREA LIBRARY SYSTEM WHICH ASSISTS FORTY-SIX (46) PUBLIC LIBRARIES IN TWENTY-ONE (21) CONTIGUOUS COUNTIES.

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AN ORDINANCE 93832

AUTHORIZING THE ACCEPTANCE OF AN AMENDMENT TO THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) ROUTINE AIRPORT MAINTENANCE PROGRAM GRANT IN THE INCREASED AMOUNT OF \$30,000.00 IN SUPPORT OF THE PARKING LOT IMPROVEMENTS AT STINSON MUNICIPAL AIRPORT.

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AN ORDINANCE 93833

AUTHORIZING THE SUBMISSION OF AN APPLICATION TO FEMA'S FIRE ACT GRANT PROGRAM IN THE AMOUNT OF \$327,137.00, CONTINGENT UPON A 30% MATCH FROM THE CITY OF SAN ANTONIO, OF WHICH FUNDS WILL BE USED FOR HANDS-ON CONTINUING EDUCATION FOR FIREFIGHTING PERSONNEL IN DEPARTMENTAL PROCEDURES AND PROTOCOLS, IN ADDITION TO FIT TESTING OF THE SELF-CONTAINED BREATHING APPARATUS MASK FOR ALL FIREFIGHTERS IN THE DEPARTMENT.

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AN ORDINANCE 93834

AUTHORIZING THE ACCEPTANCE OF \$424,111.00 IN ADDITIONAL WORKFORCE INVESTMENT ACT FUNDING FOR ADMINISTRATION AND OPERATIONS AND AUTHORIZING THE ACCEPTANCE OF \$6,591.00 IN ADDITIONAL CHILD CARE DEVELOPMENT FUNDS – CHOICES FUNDING IN CONNECTION WITH THE ALAMO CHILD CARE DELIVERY SERVICES (CCDS) PROGRAM FOR THE PERIOD OF SEPTEMBER 1, 2000 THROUGH AUGUST 31, 2001; ADOPTING A REVISED BUDGET AND AMENDING THE PERSONNEL COMPLEMENT.

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AN ORDINANCE 93835

AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION IN THE AMOUNT OF \$100,000.00 TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE FAIR HOUSING INITIATIVES PROGRAM ADMINISTERED BY THE DEPARTMENT OF COMMUNITY INITIATIVES, COMMUNITY ACTION DIVISION, FAIR HOUSING PROGRAM.

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AN ORDINANCE 93836

RATIFYING THE SUBMISSION OF APPLICATIONS FOR FEDERAL ASSISTANCE FOR SUPPLEMENTAL FUNDS IN THE AMOUNT OF \$6,978,106.00 FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR THE EXPANSION AND QUALITY IMPROVEMENTS TO THE HEAD START EARLY CHILD CARE PROGRAM FOR THE PERIOD OF FEBRUARY 1, 2001 THROUGH JANUARY 31, 2002.

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AN ORDINANCE 93837

AUTHORIZING THE ACCEPTANCE OF AN ADDITIONAL \$321,692.00 IN CASH FROM THE U.S. PUBLIC HEALTH SERVICE TO AUGMENT THE OPERATION OF THE CHILDHOOD IMMUNIZATION MAINTENANCE PROJECT OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT THROUGH DECEMBER 31, 2001 AND REVISING THE PROJECT BUDGET AND PERSONNEL COMPLEMENT FOR THE CHILDHOOD IMMUNIZATION MAINTENANCE PROJECT

ESTABLISHED IN ORDINANCE 93175, PASSED AND APPROVED JANUARY 4, 2001. (AMENDS ORDINANCE NO. 93175, JANUARY 4, 2001.)

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AN ORDINANCE 93838

AUTHORIZING THE AMENDMENT OF A CONSTRUCTION AGREEMENT WITH RIVERTON SUITES, LTD. (APPROVED BY ORDINANCE NO. 91935 ON JUNE 8, 2000, WHICH ORDINANCE WAS SUBSEQUENTLY AMENDED BY ORDINANCE NO. 92695 ON OCTOBER 12, 2000) TO EXTEND THE CONSTRUCTION START DEADLINE OF AN ALL SUITES HOTEL FROM MAY 31, 2001 TO DECEMBER 31, 2001. (AMENDS ORDINANCE NO. 91935, JUNE 8, 2000; ORDINANCE NO. 91936, JUNE 8, 2000; ORDINANCE NO. 92695, OCTOBER 12, 2000.)

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AN ORDINANCE 93839

AN ORDINANCE AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH MORRIS & MCDANIEL, INC. IN AN AMOUNT NOT TO EXCEED \$201,840.00 FOR PREPARATION OF VALIDATED WRITTEN PROMOTIONAL EXAMINATIONS FOR THE POSITIONS OF POLICE DETECTIVE-INVESTIGATOR, SERGEANT, LIEUTENANT AND CAPTAIN, AND VALIDATED SCENARIO-BASED EXAMINATIONS FOR THE POSITIONS OF POLICE LIEUTENANT AND CAPTAIN, AND AUTHORIZING PAYMENT.

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AN ORDINANCE 93840

AUTHORIZING THE EXECUTION OF A CAPITAL IMPROVEMENT FUNDING AGREEMENT WITH CONTEMPORARY ART OF SAN ANTONIO IN THE AMOUNT OF \$75,000.00 FROM THE 1999 PARKS GENERAL OBLIGATION BOND ISSUE, THE PURPOSE OF WHICH IS TO ASSIST IN THE INSTALLATION OF HEATING, VENTILATION AND AIR CONDITIONING EQUIPMENT FOR THE FACILITY LOCATED AT 116 BLUE STAR, SAN ANTONIO, TEXAS; AND APPROPRIATING FUNDS.

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AN ORDINANCE 93841

AUTHORIZING THE TEMPORARY CLOSURE OF GILLETTE BETWEEN PALO ALTO AND HIGHWAY 16 ON SUNDAY, MAY 6, 2001 FROM 8:00 A.M. UNTIL MIDNIGHT IN ORDER FOR THE ST. BONAVENTURE CATHOLIC CHURCH TO HOLD ITS ANNUAL FESTIVAL.

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AN ORDINANCE 93842

AUTHORIZING THE TEMPORARY CLOSURE OF COCA COLA PLACE BETWEEN HOUSTON AND COMMERCE ON SUNDAY, MAY 6, 2001 BEGINNING AT 6:00 A.M. UNTIL 6:00 P.M. IN ORDER FOR THE COCA COLA ENTERPRISES, INC. TO HOLD ITS ANNUAL ROAD-E-O AND FAMILY PICNIC.

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2001-17 The Clerk read the following Ordinance:

AN ORDINANCE 93843

ADOPTING THE PROPOSED REVISIONS TO CHAPTER 35, ARTICLE III, DIVISION 6, SUBDIVISION D, SECTION 35-3131 THROUGH 35-3141, (ENTITLED "MILITARY AIRPORT OVERLAY ZONES"), AMENDING THE CITY CODE TO REFLECT SUCH CHANGES, AND PROVIDING FOR SEVERABILITY.

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

Mr. Roderick Sanchez, Assistant Director of Planning, narrated a slide presentation on the amendments to Chapter 35 of the Unified Development Code (UDC), a copy of which presentation is made a part of the papers of this meeting. He outlined the Military Airport Overlay, the Unified Development Code amendment, background of each zoning case, overlay comparisons, AICUZ Comparison, and outlined each of the uses not permitted. He addressed the proposed changes to the Military Airport Overlay Zone Ordinance and the uses to be allowed on the new zoning designations.

Mr. Prado stated that although some of the property owners would not be completely satisfied, that this was the best plan and in the best interest of the community. He spoke in support of the amendment adding that there would be some relief to the area residents.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Prado, Garcia, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Guerrero, Garza.

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2001-17 **ZONING HEARINGS – CITIZEN COMMENTS**

Ms. Julie Iris Oldham, P.O. Box 40263, spoke to the number of golf courses in the City, and cited her support and disapproval on several of the zoning cases.

Mr. Faris Hodge, 140 Dora, spoke to each of the zoning cases.

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2001-17 **ZONING HEARINGS**

4A) CASE NO. #Z2001040 SUP - The request of Alice Leyva, Applicant, for Shafid Ali, Owner(s), for a change in zoning from "C" Apartment District to "O-1 SUP" Office District with a Special Use Permit for a convenience store with sales of alcoholic beverages permitted only for off premises consumption on a 5625 square foot lot, on Lot 1 and 2, NCB 6008, 913 Navidad Street. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 1).

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

Mr. Perez made a motion to approve the proposed rezoning. Mr. Garcia seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Prado, Garcia, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Guerrero, Garza.

AN ORDINANCE 93844

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 1 AND 2, NCB 6008, 913 NAVIDAD STREET, FROM "C" APARTMENT DISTRICT TO "O-1 SUP" OFFICE DISTRICT WITH A SPECIAL USE PERMIT FOR A CONVENIENCE STORE WITH SALES OF ALCOHOLIC BEVERAGES PERMITTED ONLY FOR OFF PREMISES CONSUMPTION ON A 5625 SQUARE FOOT LOT.

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4B) CASE NO. #Z2001064 SUP - The request of Steve Sarfani, Applicant, for Arrow Investments, LTD, Owner(s), for a change in zoning from "B-3" Business District to "B-3 SUP" Business District with a Special Use Permit for a diesel truck stop on Lot 3, Block 1, NCB 17991, 8755 I.H. 10 East. Staff's recommendation was for denial.

Zoning Commission has recommended approval (Council District 2).

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

Mr. Emil Moncivais, Director of Planning, spoke to the proposed plan, which had been approved, for this area that would enhance the neighborhood.

The following citizen(s) appeared to speak:

Mr. Tom Gaffney, 115 St. John, spoke in opposition to the zoning change and noted the diligent work of the Committee which had developed a plan to enhance the subject area. Mr. Gaffney urged the City Council to support the plan and deny the requested zoning change.

The applicant spoke to the building permit, which had been issued in 2000, and the proposed plan for the area.

In response to Mr. Salas, Mr. Lozano spoke to the building permit, which was issued for B-3 for the front part of the store, which was no different from other convenient stores.

He also noted no building permit had been issued on the back part where the truck stop was built.

After discussion, Mr. Salas made a motion to reject the recommendation of the Zoning Commission and to deny the requested rezoning. Mr. Carpenter seconded the motion.

After consideration, the motion to deny the rezoning request prevailed by the following vote: **AYES:** Perez, Salas, Prado, Garcia, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Guerrero, Garza.

Zoning Case Z2001064 SUP was denied.

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4C) CASE NO. #Z20175 - The request of Craig L. Austin, Applicant, for Clotilde Persyn, Individual and as Independent Executor of Estate of Darson H. Persyn, Dec'd, Owner(s), for a change in zoning from "I-1 MAOD-1" Light Industry Military Airport Overlay District and "B-3R MAOD-1" Restrictive Business Military Airport Overlay District to "B-2" Business District, and to be deleted from the Military Airport Overlay District on Lots 12, 11, 10 and 9, save and except the east 15 feet of Lot 9 (TR-C); and all parts or divisions of Lots 28, 29, 30, and 31 (TR-D & TR-E), Block 3, NCB 11263, 7634 New Laredo Highway (South U.S. Highway 81). Staff's recommendation was for denial.

Zoning Commission has recommended denial (Council District 4).

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

The following citizen(s) appeared to speak:

Mr. Craig Austin, representing the owner stated that the air flight operations would be decreased dramatically at Kelly AFB, and he did not foresee a problem with the zoning request.

Lt. Col. Larry DePatia, Lackland AFB stated that through the BRAC realignment, the air field operations would continue under Lackland AFB. He added that the flights would be increased and be operated by the Air Force. He emphasized that the Air Force wanted the area to be maintained, as is which was designed for public safety, noting that the air traffic would increase by the year 2002.

Discussion continued on the proposed subject area. Mr. Prado then moved to deny the zoning change. Mr. Garcia seconded the motion.

After consideration, the motion to deny the rezoning request prevailed by the following vote: **AYES:** Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Perez.

Zoning Case Z20175 was denied.

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4D) CASE NO. #Z2001006 - The request of Housing Authority of the City of San Antonio, Applicant, for Housing Authority of the City of San Antonio, Owner(s), for a change in zoning from "R-3" Multi-Family Residence District to "R-3 CC" Multi-Family Residence District with City Council approval for a Child Care Facility on 0.7694 acres out of Lot 15, Block 28, NCB 8147, El Paso Street. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 5).

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

The following citizen(s) appeared to speak:

Ms. Dawna Carr, 818 S. Flores – SAHA, requested that items 4D, 4G and 4H be continued.

Mr. Garcia made a motion to continue these cases for two weeks on all three items until the City Council meeting of May 10, 2001. Mr. Salas seconded the motion.

After consideration, the motion to continue this case until May 10, 2001, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Garcia, Barrera, Garza, Conner, Carpenter, Peak. **NAYS:** None. **ABSENT:** Prado, Bannwolf.

Zoning Case Z2001006 was continued to the Council meeting of May 10, 2001.

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4E) CASE NO. #Z2001033 - The request of United Homebuilders and Remodelers of San Antonio, LLC., Applicant, for United Homebuilders and Remodelers

of San Antonio, LLC., Owner(s), for a change in zoning from "R-5" Single-Family Residence District to "B-3" Business District on Lots 16 and 17, Block 1, NCB 8963; and, from "R-5" Single-Family Residence District and "B-3NA" Business Non-Alcoholic Sales District to "R-3" Multi-Family Residence District on Lots 9, 10, 11, Block 1, NCB 8963 on 702, 706, 726, 730, 734 Division. Staff's recommendation was for approval of "R-3" on Lots 9 through 11 and denial of "B-3" and approval of "B-2" on Lots 16 and 17.

Zoning Commission has recommended approval (Council District 5).

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

Mr. Garcia made a motion to approve the proposed rezoning. Mr. Prado seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Carpenter, Peak. **NAYS:** None. **ABSENT:** Bannwolf.

AN ORDINANCE 93845

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 16 AND 17, BLOCK 1, NCB 8963, FROM "R-5" SINGLE-FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT; LOTS 9, 10, 11, BLOCK 1, NCB 8963, 702, 706, 726, 730, 734 DIVISION, FROM "R-5" SINGLE FAMILY RESIDENCE DISTRICT AND "B-3NA" BUSINESS NON-ALCOHOLIC SALES DISTRICT TO "R-3" MULTI-FAMILY RESIDENCE DISTRICT.

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4F) CASE NO. #Z2001052 - The request of City of San Antonio, Applicant, for Virginia F. Guzman, Owner(s), for a change in zoning from "J" Commercial District to "B-2NA" Business District, Non-Alcoholic Sales or "B-3NA" Business District, Non-Alcoholic Sales on Lot 1, Block 5, NCB 2935, 2302 South Flores Street. Staff's recommendation was for approval.

Zoning Commission has recommended approval of "B-3NA" Business District, Non-Alcoholic Sales (Council District 5).

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

The following citizen(s) appeared to speak:

Mr. Ernest Travieso, 131 Bank St., spoke in favor of the zoning change.

Mr. Garcia made a motion to approve the proposed rezoning. Mr. Carpenter seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Garcia, Barrera, Garza, Conner, Carpenter, Peak. **NAYS:** None. **ABSENT:** Prado, Bannwolf.

AN ORDINANCE 93846

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 1, BLOCK 5, 2935, 2302 SOUTH FLORES STREET, FROM "J" COMMERCIAL DISTRICT TO "B-3NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES.

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4G) CASE NO. #Z20272 - The request of Housing Authority of the City of San Antonio, Applicant, for Housing Authority of the City of San Antonio, Owner(s), for a change in zoning from "R-7" Small Lot Residence District to "R-3" Multiple-Family Residence District on 2.284 acres out of NCB 8156 and NCB 8155; and, from "R-3CC" Multiple-Family Residence District with special City Council approval for a Child Care Parent Education Center to "R-3" Multiple-Family Residence District on Lot 1, Blk 1, NCB 8144 on the northeast and southeast of the intersection of San Fernando Street and S.W. 28th Street. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 5).

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

Mr. Garcia made a motion to continue this rezoning case for two weeks to the City Council meeting of May 10, 2001. Mr. Carpenter seconded the motion.

After consideration, the motion to continue this case until May 10, 2001, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Garcia, Barrera, Garza, Conner, Carpenter, Peak. **NAYS:** None. **ABSENT:** Prado, Bannwolf.

Zoning Case Z20272 was continued to the Council meeting of May 10, 2001.

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4H) CASE NO. #Z20294 SUP - The request of Housing Authority of the City of San Antonio, Applicant, for Housing Authority of the City of San Antonio, Owner(s), for a change in zoning from "R-3" Multiple Family Residence District to "R-3 SUP" Multiple Family Residence District with a Special Use Permit for an Administration Building (San Antonio Housing Authority) on Lots 2 through 6, Block. 28, NCB 8139, 802 - 818 Mathews Ave., Staff's recommendation was for approval with the condition that a one (1) foot vehicular non-access easement be provided along Matthews Avenue.

Zoning Commission has recommended approval with the condition that a one (1) foot vehicular non-access easement be provided along Matthews Avenue (Council District 5).

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

Mr. Garcia made a motion to continue this rezoning case for two weeks until the City Council meeting of May 10, 2001. Mr. Carpenter seconded the motion.

After consideration, the motion to continue this case until May 10, 2001, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Garcia, Barrera, Garza, Conner, Carpenter, Peak. **NAYS:** None. **ABSENT:** Prado, Bannwolf.

Zoning Case Z20294 was continued to the Council meeting of May 10, 2001.

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4I) CASE NO. #Z2001037 SUP - The request of Keith Thompson and Crystal Morgan, Applicant, for Loretta M. Cowens and Floyd W. Cowens, Owner(s), for a change in zoning from "R-7" Small Lot Residence District to "R-7 SUP" Small Lot Residence District with a Special Use Permit for one manufactured home on Lot 10, 11, 12, Block 1, NCB 9264, 342 and 334 South Acme Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 6).

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

Mr. Barrera made a motion to approve the proposed rezoning. Mr. Carpenter seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Barrera, Garza, Conner, Carpenter, Peak. **NAYS:** None. **ABSENT:** Prado, Garcia, Bannwolf.

AN ORDINANCE 93847

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 10, 11, 12, BLOCK 1, NCB 9264, 342 AND 334 SOUTH ACME ROAD, FROM "R-7" SMALL LOT RESIDENCE DISTRICT TO "R-7 SUP" SMALL LOT RESIDENCE DISTRICT WITH A SPECIAL USE PERMIT FOR ONE MANUFACTURED HOME.

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4J) CASE NO. #Z2001053 - The request of St. Mary's Hall, Applicant, for St. Mary's Hall, Owner(s), for a change in zoning from "R-3" Multiple-Family Residence District to "(P-1) R-5" Planned Unit Development Single-Family Residence District on 17.80 acres out of NCB 14618; and, from "R-3" Multiple-Family Residence District to "B-1" Business District on 11.00 acres out of NCB 14618 on 8500 block of Huebner Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 7).

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

Mr. Garza made a motion to approve the proposed rezoning. Mr. Carpenter seconded the motion.

The following citizen(s) appeared to speak:

Mr. Andy Guerrero, representing the owner, spoke to the linear park development, and the work to be continued on the trails.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Barrera, Garza, Conner, Carpenter, Peak. **NAYS:** None. **ABSENT:** Prado, Garcia, Bannwolf.

AN ORDINANCE 93848

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 17.80 ACRES OUT OF NCB 14618, FROM "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT TO "(P-1) R-5" PLANNED UNIT DEVELOPMENT SINGLE-FAMILY RESIDENCE DISTRICT; 11.00 ACRES OUT OF NCB 14618, 8500 BLOCK OF HUEBNER ROAD, FROM "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT TO "B-1" BUSINESS DISTRICT.

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4K) CASE NO. #Z20068A SUP - The request of City of San Antonio, Applicant, for ELJ Properties of Texas LTD, Owner(s), for a change in zoning Review the Special Use Permit approved by City Council on July 27, 2000, as per Ordinance No. 92191, and to formulate appropriate recommendations to City Council should alterations or rescission of the Special Use Permit be deemed appropriate on the southwest 115.21 feet of northwest 100 feet of Parcel-103B, NCB 11601, 100 Block of West Crestline Drive. Staff's recommendation was for removal of the Special use Permit.

Zoning Commission has recommended removal of the Special Use Permit approved by City Council on July 27, 2000, as per Ordinance No. 92191 (Council District 7).

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

Mr. Garza made a motion to approve the proposed rezoning. Mr. Perez seconded the motion.

The following citizen(s) appeared to speak:

Ms. Gina Boyer, 102 W. Crestline, assured that access would be closed and that the issue on the greenery would be addressed and maintained.

Ms. Maria Luisa Reyna, 206 Clubhill Dr., spoke in support of closing the gates of the parking lot due to lack of traffic coordination.

Mr. David Llanes, expressed concern with the traffic in the neighborhood.

In response to Mr. Garza, Mr. Lozano stated that if there was a violation, reinforcement should be followed.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

AN ORDINANCE 93849

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS THE SOUTHWEST 115.21 FEET OF NORTHWEST 100 FEET OF PARCEL-103B, NCB 11601, 100 BLOCK OF WEST CRESTLINE DRIVE, FROM "O-1" OFFICE DISTRICT TO "R-1 SUP" SINGLE FAMILY RESIDENCE DISTRICT WITH A SPECIAL USE PERMIT FOR A NON-COMMERCIAL PARKING LOT (EMPLOYEES AND CUSTOMERS).

SECTION 2. The City Council finds as follows: (1) Such use will not be contrary to the public interest. (2). Such use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district. (3). Such use will be in harmony with the spirit and purpose as set forth in Section 35-3258, "Special Use Permit" of the Unified Development Code. (4). The use will not substantially weaken the general purposes or the regulations as set forth in Section 35-3258, "Special Use Permit" of the Unified Development Code. (5). The use will not adversely affect the public health, safety and welfare.

SECTION 3. The City Council approves this Special Use Permit so long as the following conditions are met:

1. Ingress only access along West Crestline Drive.

2. Review the Special Use Permit on April 30, 2001.

SECTION 4. All other provisions of Chapter 35, as amended, shall remain in full force and effect, including the penalties for violations as made and provided in Section 35 – 1024.

SECTION 5. The Director of Planning shall change the zoning records and maps in accordance herewith and the same shall be available and open to the public for inspection.

SECTION 6. The ordinance is not severable.

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4L) CASE NO. #Z20182 SUP - The request of Daniel Caballero, Applicant, for Ricardo Brun, Owner(s), for a change in zoning from "B" Residence District to "B-2NA SUP" Business District with a Special Use Permit for storage of vehicles awaiting repair on Lot 12, Block 5, NCB 6176, 811 Viendo Street. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 7).

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

Mr. Garza made a motion to approve the proposed rezoning change with the special use condition. Mr. Carpenter seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Guerrero, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Salas, Prado.

AN ORDINANCE 93850

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 12, BLOCK 5, NCB 6176, 811 VIENDO STREET, FROM "B" RESIDENCE DISTRICT TO "B-2NA SUP" BUSINESS DISTRICT WITH A SPECIAL USE PERMIT FOR STORAGE OF VEHICLES AWAITING REPAIR.

SECTION 2: The City Council finds as follows: (1). Such use will not be contrary to the public interest. (2). Such use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district. (3). Such use will be in harmony with the spirit and purpose as set forth in Section 35-3258, "Special Use Permit" of the Unified Development Code. (4). The use will not substantially weaken the general purposes or the regulations as set forth in Section 35-3258, "Special Use Permit" of the Unified Development Code. (5). The use will not adversely affect the public health, safety and welfare.

SECTION 3: The City Council approves this Special Use Permit so long as the following conditions are met:

1. Landscaping buffer in front and back of property. 2. New privacy fence in rear and sides of property. 3. Limit number of parked cars to 10. 4. No parked cars in front of property. 5. Strict maintenance/upkeep of property (lawn, building, parking lot, landscaping, etc.)

SECTION 4. All other provisions of Chapter 35, as amended, shall remain in full force and effect, including the penalties for violations as made and provided in Section 35 – 1024.

SECTION 5. The Director of Planning shall change the zoning records and maps in accordance herewith and the same shall be available and open to the public for inspection.

SECTION 6. The ordinance is not severable.

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4M) CASE NO. #Z2001058 - The request of Peter J. Markwardt, Applicant, for Edgar K. Markwardt, Owner(s), for a change in zoning from "A" Single Family Residence District and "O-1" Office District to "B-2" Business District on Lot 64, 89 and 66, NCB 11884, 335, 343, 351 and 355 West Sunset Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 9).

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

Mr. Bannwolf made a motion to approve the proposed rezoning. Mr. Carpenter seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Guerrero, Garcia, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Salas, Prado, Garza.

AN ORDINANCE 93851

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 64, 89 AND 66, NCB 11884, 335, 343, 351 AND 355 WEST SUNSET ROAD, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT AND "O-1" OFFICE DISTRICT TO "B-2" BUSINESS DISTRICT.

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4N) CASE NO. #Z2001027 - The request of Gene Toscano, Applicant, for Alex Habib, Owner(s), for a change in zoning from "B-3 NA" Business District, Non-Alcoholic Sales, to "B-3" Business District on Lot 26, NCB 12167, 8235 Vicar Drive. Staff's recommendation was for approval.

Zoning Commission has recommended denial (Council District 10).

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

Mr. Carpenter made a motion to continue this rezoning case for 60 days until the City Council meeting of June 28, 2001 approves the proposed Ordinance. Mr. Bannwolf seconded the motion.

After consideration, the motion to continue this case until June 28, 2001, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Garcia, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Prado, Garza.

Zoning Case Z2001027 was continued to the Council meeting of June 28, 2001.

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40) CASE NO. #Z2001059 - The request of Earl & Brown P.C., Applicant, for Archstone Communities Trust, Owner(s), for a change in zoning from "R-3" Multiple-Family Residence District to "B-1" Business District on Lot 7, Block 50, NCB 17167, 12924 Park Crossing. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 10).

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

Mr. Carpenter made a motion to approve the proposed rezoning. Mr. Bannwolf seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Guerrero, Garcia, Barrera, Conner, Bannwolf, Carpenter, Peak. NAYS: None. ABSENT: Salas, Prado, Garza.

AN ORDINANCE 93852

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 7, BLOCK 50, NCB 17167, 12924 PARK CROSSING, FROM "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT TO "B-1" BUSINESS DISTRICT.

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4P) CASE NO. #Z2001060 - The request of City of San Antonio, Applicant, for Charles Don Schoenfeld, ETAL; Martin Marietta Materials Southwest Inc.; MH-II Development Ltd.; and Rogers Shavano Ranch Ltd., Owner(s), for a change in zoning Tract 1 - from "R-1 ERZD" Single-Family Residence Edwards Recharge Zone District to "B-2 ERZD" Business Edwards Recharge Zone District on 2.07 acres out of NCB 17700; and Tract 2 - from "QD UC-1 ERZD CC" Quarry Urban Corridor Edwards Recharge Zone District with Special City Council approval for Blasting and Asphaltic Concrete, and "QD ERZD CC" Quarry Edwards Recharge Zone District with Special City Council approval for Blasting and Asphaltic Concrete to "B-2 ERZD" Business Edwards Recharge Zone District, and "B-2 UC-1 ERZD" Business Urban Corridor Edwards Recharge Zone District on 24.89 acres out of NCB 17700; and Tract 3 - from "R-1 ERZD" Single-Family Residence Edwards Recharge Zone District to "SUP QD ERZD CC" Special Use Permit Quarry Edwards Recharge Zone District with Special

City Council approval for Blasting and Asphaltic Concrete on 36.63 acres out of NCB 17700; and Tract 4 - from "R-1 ERZD" Single-Family Residence Edwards Recharge Zone District to "SUP QD ERZD CC" Special Use Permit Quarry Edwards Recharge Zone District with Special City Council approval for Blasting and Asphaltic Concrete on 1.56 acres out of County Block 4776 (now known as NCB 34776); and Tract 5 - from "R-1 ERZD" Single-Family Residence Edwards Recharge Zone District to "SUP QD ERZD CC" Special Use Permit Quarry Edwards Recharge Zone District with Special City Council approval for Blasting and Asphaltic Concrete on 81.33 acres out of County Block 4776 (now known as NCB 34776); and Tract 6 - from Temporary "R-1 ERZD" Single-Family Residence Edwards Recharge Zone District to "SUP QD ERZD CC" Special Use Permit Quarry Edwards Recharge Zone District with Special City Council approval for Blasting on 440.2 acres out of County Block 4752 (now known as NCB 17701). Properties are located north of Loop 1604 Expressway at the intersection of N.W. Military Highway on the east and west side of N.W. Military Highway. Staff's recommendation was for approval with conditions.

Zoning Commission has recommended approval with conditions (Council Districts 8 and 9).

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

Mr. Bannwolf made a motion to approve the proposed rezoning change with conditions. Mr. Carpenter seconded the motion.

The following citizen(s) appeared to speak:

D.R. Nicalle, 2622 Bayhill Cove, spoke to the time expended on the project, noting the restrictions placed on the type of equipment being used in order to protect the homes and families.

Mr. Bannwolf commended Mr. Nicalle and others involved for their work and stated he would support the change with the restrictions.

Ms. Conner spoke in support of the partnership, which will benefit all parties involved.

Mayor Peak also thanked all individuals for their willingness to negotiate an agreement with the neighborhood residents in order to protect the citizens.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Prado.

AN ORDINANCE 93853

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS FROM "R-1 ERZD" SINGLE-FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "B-2 ERZD" BUSINESS EDWARDS RECHARGE ZONE DISTRICT ON 2.07 ACRES OUT OF NCB 17700; AND TRACT 2 - FROM "QD UC-1 ERZD CC" QUARRY URBAN CORRIDOR EDWARDS RECHARGE ZONE DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR BLASTING AND ASPHALTIC CONCRETE, AND "QD ERZD CC" QUARRY EDWARDS RECHARGE ZONE DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR BLASTING AND ASPHALTIC CONCRETE TO "B-2 ERZD" BUSINESS EDWARDS RECHARGE ZONE DISTRICT, AND "B-2 UC-1 ERZD" BUSINESS URBAN CORRIDOR EDWARDS RECHARGE ZONE DISTRICT ON 24.89 ACRES OUT OF NCB 17700; AND TRACT 3 - FROM "R-1 ERZD" SINGLE-FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "SUP QD ERZD CC" SPECIAL USE PERMIT QUARRY EDWARDS RECHARGE ZONE DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR BLASTING AND ASPHALTIC CONCRETE ON 36.63 ACRES OUT OF NCB 17700; AND TRACT 4 - FROM "R-1 ERZD" SINGLE-FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "SUP QD ERZD CC" SPECIAL USE PERMIT QUARRY EDWARDS RECHARGE ZONE DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR BLASTING AND ASPHALTIC CONCRETE ON 1.56 ACRES OUT OF COUNTY BLOCK 4776 (NOW KNOWN AS NCB 34776); AND TRACT 5 - FROM "R-1 ERZD" SINGLE-FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "SUP QD ERZD CC" SPECIAL USE PERMIT QUARRY EDWARDS RECHARGE ZONE DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR BLASTING AND ASPHALTIC CONCRETE ON 81.33 ACRES OUT OF COUNTY BLOCK 4776 (NOW KNOWN AS NCB 34776); AND TRACT 6 - FROM TEMPORARY "R-1 ERZD" SINGLE-FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "SUP QD ERZD CC" SPECIAL USE PERMIT QUARRY EDWARDS RECHARGE ZONE DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR BLASTING ON 440.2 ACRES OUT OF COUNTY BLOCK 4752 (NOW KNOWN AS NCB 17701). PROPERTIES ARE LOCATED NORTH OF LOOP 1604 EXPRESSWAY AT THE INTERSECTION OF N.W. MILITARY HIGHWAY ON THE EAST AND WEST SIDE OF N.W. MILITARY HIGHWAY.

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2001-17 The Clerk read the following Ordinance:

2001-17
April 26, 2001
yl/vaj

AN ORDINANCE 93854

APPOINTING GARY L. PAPE TO THE NOISE ABATEMENT ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 15, 2002.

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City Clerk Norma Rodriguez stated that the nominations had been brought forward from last week's "B" Session.

Mr. Carpenter 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, Guerrero, Prado, Garcia, Barrera, Garza, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Salas, Conner.

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2001-17 The Clerk read the following Ordinance:

AN ORDINANCE 93855

APPOINTING MICHAEL LACKEY, ROBERT DOUGLAS LEONHARD, DR. HECTOR GONZALEZ TO THE SAN ANTONIO WATER SYSTEMS BOARD OF TRUSTEES FOR A TERM OF OFFICE TO EXPIRE ON MAY 31, 2005.

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City Clerk Norma Rodriguez stated that the nominations had been brought forward from last week's "B" Session.

Mr. Carpenter 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, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

2001-17 PUBLIC HEARING AND ORDINANCE: – PROPOSED UNIFIED DEVELOPMENT CODE AND IMPLEMENTATION PROGRAM.

Mayor Peak declared the Public Hearing to be open.

Mr. Emil Moncivais narrated a slide presentation on the proposed Unified Development Code (UDC), a copy of which is made a part of the papers of this meeting. He outlined the issues of content, public participation, purpose, use permits, zoning procedures, development standards, vested rights, and administrative agencies. He further noted the primary provision of the proposed UDC the process for implementation, staff training, public education, and problem solving mechanisms.

Mr. Jim Hays presented the cost impact of development.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, spoke to the need of more sidewalks in various districts; utility lines that should be underground, and restrictions imposed upon citizens in the historic district areas.

Mr. Irving Schweitzer, Hollywood Park, expressed concern on the unregulated growth in the City, and the lack of protection for the Edwards Aquifer.

Ms. Sue Calberg, Salado Creek Foundation, spoke in support of the UDC.

Mr. Michael Moore, KB Homes, spoke in support of the UDC based on the method of implementation, the timeline of adoption, the hiring of new staff, requirements for training present and new staff to properly administer the plan, with no additional amendments to the final draft of the UDC. He also urged the Council to have continued involvement of present Oversight Committee as they have already expended hundreds of hours into this project.

Mr. Steve Waters, President of Real Estate Council, spoke in support of the proposed UDC with conditional amendments where no final amendments would be added that would add more costs to the developers.

(At this time Mayor Peak was obliged to leave the meeting)

Mr. Jody Sherrill, Northwest Neighborhood Alliance spoke in support of the adoption of the UDC with Amendments A & B.

Mr. Louis Benavides, spoke in support of the UDC's adoption.

Mr. John Roy, Real Estate Council, stated that it was going to take financial resources, training and time to implement the plan.

Ms. Loyce Ince, Conservation Society, spoke in support of the UDC, and urged the City Council to vote for its approval.

Mr. Frank Burney, 300 Convent, expressed concern on one late amendment that was submitted and had not been reviewed by the Oversight Committee, and urged the City Council not to consider this particular amendment.

Mr. Ross Laughead, spoke in support of Amendments A & B, urging however that more public participation be included for Amendment B.

Mr. Richard Allen spoke in support of adoption of the UDC, which would enhance the preservation of natural resources.

Mr. Robert Hanley, President of San Antonio Institute of Architects, spoke in support of the UDC with amendments A & B, and urged the City Council to approve its adoption.

Mr. Doug Lipscomb spoke in support of the Unified Development Code.

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

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2001-17 **INDIVIDUAL ITEMS – CITIZEN COMMENTS**

Mr. Jack M. Finger, P.O. Box 12048, spoke to the new appointments to the San Antonio Water System Board of Trustees, and also spoke on the Tax Increment Finance and the appointments of Council members to this Board.

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2001-17 The Clerk read the following Resolution:

A RESOLUTION
NO. 2001-17-33

EXPRESSING THE CITY OF SAN ANTONIO'S COMMITMENT TO THE OWNERSHIP OF CITY PUBLIC SERVICE (CPS); EXPRESSING THE CITY'S DESIRE NOT TO SELL THE CPS SYSTEMS, OR ANY PORTION THEREOF; AND EXPRESSING THAT IT IS NOT THE CITY'S INTENT TO OPT-IN TO THE ELECTRIC DEREGULATION MARKET BEGINNING JANUARY 1, 2002.

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Mr. Bannwolf made a motion to approve the proposed Resolution. Mr. Carpenter seconded the motion.

Mr. Ben Gorzell, Public Utilities Supervisor, stated that City staff would continue to monitor the deregulation market as directed by the City Council, and provide status reports on the deregulation market.

Mr. Bannwolf commended City staff for the comprehensive report made to the City Council.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, spoke to the deregulation that will come to San Antonio, and the need for competition.

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, spoke in opposition to deregulation.

* * * *

After consideration, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: **AYES:** Perez, Salas, Prado, Garcia, Barrera, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Guerrero, Garza, Conner.

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2001-17 The Clerk read the following Ordinance:

AN ORDINANCE 93856

AUTHORIZING PAYMENT TO COMMERCE LAND TITLE AS ESCROW AGENT FOR FEE SIMPLE PURCHASE OF 239.6 ACRE TRACT OF LAND SITUATED ALONG KYLE SEALE ROAD IN NORTHWEST BEXAR COUNTY, TEXAS IN THE TOTAL AMOUNT OF \$1,917,250.00; AUTHORIZING PAYMENT OF \$19,168.00 TO THE BEXAR LAND TRUST FOR ITS SERVICES IN NEGOTIATING, INVESTIGATING AND PURCHASING SAID PROPERTY; AUTHORIZING THE EXECUTION OF AN ASSIGNMENT AND ASSUMPTION AGREEMENT TO ACCOMPLISH SAID PURCHASE UNDER THE AUSPICES OF THE PROPOSITION THREE EDWARDS LAND ACQUISITION AND PARK EXPANSION PROJECT; RATIFYING PAYMENT OF \$4,167.00 FOR THE FEE SIMPLE PURCHASE OF 0.8394 OF THE PROPERTY KNOWN AS IRON HORSE CANYON AUTHORIZED UNDER ORDINANCE NUMBER 93593 AND RATIFYING PAYMENT OF \$145.00 TO THE TRUST FOR PUBLIC LAND FOR ITS SERVICES IN NEGOTIATING, INVESTIGATING AND PURCHASING SAID PROPERTY; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON THE PASSAGE OF EIGHT (8) AFFIRMATIVE VOTES.

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

Ms. Susan Crane, Special Projects Manager, made a presentation, a copy of which is made a part of the papers of this meeting folder, on the property to be acquired, and presented an overall view of the proposed acquisition. She also presented various views of the properties, denoting the acreage and costs for the purchase.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Prado, Garcia, Garza, Carpenter, Peak. **NAYS:** None. **ABSENT:** Guerrero, Barrera, Conner, Bannwolf.

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2001-17 Item 39 being a proposed ordinance authorizing the expenditure from various Council Contingency Budget Accounts to the City of San Antonio's Parks and Recreation Department to underwrite the cost of airfare, at an approximate rate of \$2,500, to fly a Parks Department staff member to Japan to learn the techniques of construction and maintenance of our Japanese Garden at the San Antonio Botanical Center; as requested by Mayor Howard W. Peak, was pulled from consideration until next week by the City Manager.

Mr. Prado made a motion to place the proposed ordinance on next week's agenda. Mr. Garcia seconded the motion.

After consideration, the motion to place the proposed ordinance on next week's agenda, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Prado, Garcia, Garza, Carpenter, Peak. **NAYS:** None. **ABSENT:** Guerrero, Barrera, Conner, Bannwolf.

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2001-17 The Clerk read the following Ordinance:

AN ORDINANCE 93857

APPOINTING ELEVEN (11) MEMBERS TO THE PREVIOUSLY ESTABLISHED FIFTEEN (15) MEMBERS BOARD OF DIRECTORS FOR TAX INCREMENT REINVESTMENT ZONE NUMBER 11, ALSO REFERRED TO AS THE INNER-CITY TIRZ; AS REQUESTED BY COUNCILMAN MARIO SALAS. (AMENDS ORDINANCE NO. 93101, DECEMBER 14, 2000.) [NOMINEES: MARIO SALAS, BOBBY PEREZ, DAVID GARCIA, MILO NITSCHKE, JEFF ROCHELLE, LARRY KELLER, LEO GOMEZ, CARLOS RICHARDSON, ROZANNA MENDOZA, JOHN SANDERS, MELVIN L. BRAZIEL]

* * * *

City Clerk Norma Rodriguez stated that the nominations had been brought forward from last week's "B" Session.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Prado, Garcia, Garza, Carpenter, Peak. **NAYS:** None. **ABSENT:** Guerrero, Barrera, Conner, Bannwolf.

— — —
2001-17 The Clerk read the following Ordinance

AN ORDINANCE 93858

AUTHORIZING REIMBURSEMENT OF \$1,500.00 FROM THE DISTRICT 2 BUDGET ACCOUNT TO COUNCILMAN MARIO M. SALAS FOR AN ADMINISTRATIVE SERVICES CONTRACT WITH JESSICA BARRAZA (\$1,500.00) FROM MARCH 1, 2001 TO MARCH 31, 2001, AS REQUESTED BY COUNCILMAN MARIO M. SALAS.

* * * *

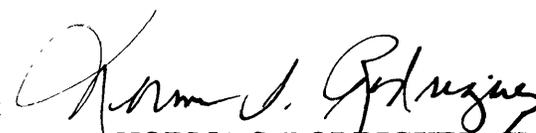
Mr. Salas made a motion to approve the proposed Ordinance. Mr. Prado seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Garza, Carpenter, Peak. **NAYS:** None. **ABSENT:** Barrera, Conner, Bannwolf.

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2001-17 There being no further business to come before the City Council, the meeting was adjourned at 5:00 P.M.

A P P R O V E D


HOWARD W. PEAK
M A Y O R

Attest 
NORMA S. RODRIGUEZ, CMC/AEE
City Clerk