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2001-15 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Howard W. Peak, with the following members present: AYES: Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. NAYS: None. ABSENT: None.

2001-15 Invocation by Reverend Joe L. Webb, Sr., Associate Pastor, Zion Star Missionary Baptist Church.

2001-15 Pledge of Allegiance to the flag of the United States.

2001-15 PRESENTATION OF MEDALS BY FIESTA COMMISSION

Mayor Peak spoke to upcoming Fiesta Week activities and introduced members of the Fiesta Commission who were in attendance. Members of the Fiesta Commission presented Fiesta medals to the Mayor and members of the City Council. Ms. Gloria Ray, President of the Fiesta Commission, introduced members of the delegation accompanying her, and spoke to the history of Fiesta and the activities taking place throughout the week-long celebration.

Members of the City Council thanked the members of the Fiesta Commission for their work dedicated to the Fiesta activities and extended their congratulations for a successful event.
SAN ANTONIO CONSERVATION SOCIETY PRESENTATION

Mayor Peak introduced members of the Conservation Society who were also in attendance. Ms. Azalia Hardy introduced members of the Conservation Society. Ms. Loyce Ince spoke to the purpose of the Conservation Society and the Fiesta sponsored event, the Night in Old San Antonio scheduled for April 24-27, 2001.

Members of the City Council commended members of the Conservation Society for their work and dedication to the community in efforts to maintain and preserve the history of San Antonio.

CITATION FOR SIDNEY LANIER VOXS BASKETBALL VARSITY TEAM

Mayor Peak invited members of the basketball team of Sidney Lanier High School, principal Dr. Peggy Stark, and Head Coach Rudy Bernal to come forward to receive recognition for their exemplary accomplishments in representing the City of San Antonio and leading the team to the state finals. Mayor Peak read the Citation and presented it to the team.

Coach Bernal accepted the award and thanked members of the City Council for the recognition and support. He introduced members of the staff, and each member of the basketball team.

Mayor Peak congratulated the team for their outstanding athletic efforts to excel and extended best wishes for success in their future endeavors.

Councilman Garcia recognized members of the team, and spoke to the history of the school, the tremendous hard work and dedication of the students and staff, and their outstanding accomplishments.

Members of the City Council congratulated members of the team and staff for their hard work and dedication.
2001-15 RECOGNITION OF WALLACE B. JEFFERSON

On a point of personal privilege, Mr. Perez introduced Mr. Wallace Bernard Jefferson, who was recently selected by the Governor of Texas to serve on the Texas Supreme Court. He noted that Mr. Jefferson was a graduate of John Jay High School, and the first African American to serve in this capacity. Mr. Perez then read a congratulatory letter on behalf of the City Council.

Mr. Jefferson extended his appreciation for the recognition, and cited his previous work for the City as an intern.

Mayor Peak spoke of the honor bestowed upon Mr. Jefferson and congratulated him on his appointment.

Mr. Perez presented a Certificate of Congratulations.

Members of the City Council extended their congratulations for his outstanding work and achievements.

2001-15 HOUSING SUMMIT

On a point of personal privilege, Mr. Garza spoke on the recent Housing Summit held to address the housing needs and vision for San Antonio.

Mr. George Pedraza, Assistant to the City Manager spoke on the various activities associated with the Housing Summit and recognized various citizens of the community whose participation helped to produce a successful Housing Summit. He then presented the Housing Pioneer Award to Mayor Peak for his participation and efforts to enhance the housing needs in the community.

2001-15 The Clerk read the following Ordinance:

AN ORDINANCE 93743

AUTHORIZING THE CREATION OF A CITY COMMISSION ON VETERANS AFFAIRS TO SERVE THE CITY COUNCIL IN AN ADVISORY CAPACITY ON
ISSUES AFFECTING THE CITY’S MILITARY POPULATION, BOTH ACTIVE AND RETIRED.

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

Mr. Jim Campbell, Director of External Relations narrated a slide presentation on the Veterans Commission being created. He outlined the background, policy regarding the membership, terms of office, the appointment process and selection.

The following citizen(s) appeared to speak in support of the Ordinance:

Mr. Jim Walker, VFW Post 7108,
Mr. Larry Romo, American GI Forum,
Mr. Rudolfo Mata, the Retired Enlisted Association,
Ms. Delia Guajardo, Chair of the Veterans Day Parade,

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Mayor Peak and members of the City Council recognized the veterans for their contributions and service to the country, and stated they would support approval of the proposed Ordinance.

Mr. Prado spoke to the untiring services and sacrifices of the veterans, noting that this initiative was long overdue.

Mr. Carpenter made a motion to amend the Ordinance regarding the application process and stated it should be open to all veterans. Ms. Guerrero seconded the motion.

The amendment was approved by the following vote: AYES: Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Carpenter, Peak. NAYS: None. ABSENT: Bannwolf.

The main motion as amended, prevailed by the following vote: AYES: Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Carpenter, Peak. NAYS: None. ABSENT: Bannwolf.
Mr. Nick Pena, LULAC, spoke in support of the creation of the Veterans Commission, and also addressed an article in the paper regarding certain funds.

Mr. Mike Benke, Executive Director of Independent Electrical Contractors, spoke to the services provided by members of the Board, and expressed concern on the membership of the Electrical Board which should reflect every sector of the industry.

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, spoke to various items on the agenda.

Mr. Faris Hodge, Jr., 140 Dora, spoke to numerous items on the agenda, and also noted the flooding problem. He stated that debris needed to be cleared in order to avoid the continuing flooding problems.

Mr. Jack M. Finger, P.O. Box 12048, spoke to Item 15 regarding the service contract with Pape-Dawson, citing the campaign contributions made to various Council members.

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2001-15 CONSENT AGENDA

Mr. Carpenter made a motion to approve Agenda Items 6 through 25F, constituting the Consent Agenda. Mr. Perez seconded the motion.

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

AN ORDINANCE 93744

ACCEPTING THE BID FROM RTC MANUFACTURING, INC. TO PROVIDE THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH DC PAGER UNITS FOR A TOTAL OF $65,120.00.

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AN ORDINANCE 93745

AMENDING A PROFESSIONAL SERVICES CONTRACT WITH MAESTAS & BAILEY, INC. (MBE) FOR AN ADDITIONAL AMOUNT OF $4,384.82, IN CONNECTION WITH THE BITTERS FROM BROADWAY TO NACOGDOCHES PROJECT, LOCATED IN COUNCIL DISTRICT 10; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 87860, MAY 28, 1998.)

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AN ORDINANCE 93746

AMENDING A PROFESSIONAL SERVICES CONTRACT WITH LOCKWOOD, ANDREWS & NEWMAN, INC. (LAN) FOR AN ADDITIONAL AMOUNT OF $14,000.00 IN CONNECTION WITH THE MEDICAL DRIVE FROM INTERSTATE 10 TO EWING HALSELL (INTERSTATE 10 TO FREDERICKSBURG) PROJECT, LOCATED IN COUNCIL DISTRICT 8. (AMENDS ORDINANCE NO. 92229, AUGUST 3, 2000; ORDINANCE NO. 89707, MAY 6, 1999.)

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AN ORDINANCE 93747

AUTHORIZED THE PAYMENT FROM 1983 G.O. DRAINAGE IMPROVEMENT BOND FUNDS IN THE ADDITIONAL AMOUNT OF $51,524.70 TO IXC COMMUNICATIONS, INC. IN CONNECTION WITH THE UPPER SIX-MILE CREEK #83F PROJECT, LOCATED IN COUNCIL DISTRICT 4; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 90570, SEPTEMBER 30, 1999.)

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AN ORDINANCE 93748

RATIFYING FIELD ALTERATION NO. 4 IN THE AMOUNT OF $191,782.20 AND FIELD ALTERATION NO. 5 IN THE AMOUNT OF $137,643.57 PAYABLE TO DAYCO CONSTRUCTION CO., IN CONNECTION WITH THE UPPER SIX MILE
CREEK #83F PROJECTLOCATED IN COUNCIL DISTRICT 4. (AMENDS ORDINANCE NO. 90788, OCTOBER 28, 1999.)

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AN ORDINANCE 93749

APPROVING FIELD ALTERATION NO. 1 IN THE AMOUNT OF $63,541.62 PAYABLE TO EAGLE CONSTRUCTION & ENVIRONMENTAL SERVICES, L.P. IN CONNECTION WITH THE I.H. 35/GEMBLER (SALADO CREEK) REMOVAL OF ILLEGAL FILL MATERIAL PROJECT LOCATED IN COUNCIL DISTRICT 2; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 92836, NOVEMBER 2, 2000.)

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AN ORDINANCE 93750

AMENDING A PROFESSIONAL SERVICES CONTRACT WITH URS RADIAN CORP. IN THE ADDITIONAL AMOUNT OF $43,857.90 IN CONNECTION WITH THE INTERSTATE HIGHWAY 35/GEMBLER (SALADO CREEK) REMOVAL OF ILLEGAL FILL MATERIAL PROJECT LOCATED IN COUNCIL DISTRICT 2; AUTHORIZING $1,500.00 FOR ENGINEERING CONTINGENCY FEES; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 92836, NOVEMBER 2, 2000.)

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AN ORDINANCE 93751

AUTHORIZING THE ACCEPTANCE OF $25,000.00 FROM THE NORTHEAST INDEPENDENT SCHOOL DISTRICT AS PART PAYMENT OF THE COST TO PURCHASE AND INSTALL A TRAFFIC SIGNAL AT THE INTERSECTION OF RANDOLPH BOULEVARD AND ROYAL RIDGE DRIVE, IN COUNCIL DISTRICT 10.

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AN ORDINANCE 93752

AUTHORIZING $99,900.00 OF THE CITY OF SAN ANTONIO PARKING SYSTEM REVENUE BOND SERVICES 2000 FUNDS TO PROVIDE FOR RENOVATIONS TO THE MARINA GARAGE, LOCATED IN COUNCIL DISTRICT 1; AND ESTABLISHING A PROJECT BUDGET.

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AN ORDINANCE 93753

SELECTING PAPE-DAWSON ENGINEERS, INC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE FIRE STATION NO. 49 PROJECT ($3,500.00) AND THE FRENCH CREEK PARK EXPANSION PROJECT ($8,800.00); AUTHORIZING THE NEGOTIATION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED $12,300.00; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 93754

AUTHORIZING PAYMENT IN THE AMOUNT OF $1,461.60 TO PRIME TIME, INC. FOR PUBLICATION SERVICES IN CONNECTION WITH THE FIRE STATION NO. 7 PROJECT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 92457, SEPTEMBER 7, 2000.)

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AN ORDINANCE 93755

AUTHORIZING PAYMENT OF THE AMOUNT OF $89,340.00 TO GERRY RICKHOFF, COUNTY CLERK, FOR THE DEFENDANTS IN CONDEMNATION CAUSE NO. 2000-ED-0043, CITY OF SAN ANTONIO VS. H.O.K. INVESTMENTS, INC., ET AL., FOR FEE SIMPLE TITLE TO A 0.79 ACRE TRACT AND PAYMENT IN THE AMOUNT OF $920.00 FOR COURT COSTS, IN CONNECTION WITH THE LOCKHILL-SELMA – GEORGE ROAD TO WHISPERING PATH METROPOLITAN
PLANNING ORGANIZATION; FOR THE TOTAL SUM OF $90,260.00; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 92943, NOVEMBER 30, 2000.)

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AN ORDINANCE 93756

AUTHORIZING PAYMENT OF THE AMOUNT OF $28,600.00 TO GERRY RICKHOFF, COUNTY CLERK, FOR THE DEFENDANTS IN CONDEMNATION CAUSE NO. 2000-ED-0027, CITY OF SAN ANTONIO VS. RICHARD GOMEZ, ET AL., FOR FEE SIMPLE TITLE TO A PARCEL AND PAYMENT OF THE AMOUNT OF $2,310.60 FOR COURT COSTS, IN CONNECTION WITH THE FIRE STATION NO. 7 PROJECT; FOR THE TOTAL SUM OF $30,910.60; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 93757

AUTHORIZING PAYMENT OF THE AMOUNT OF $1,886.00 TO THE COUNTY OF BEXAR FOR A PERMANENT EASEMENT IN CONNECTION WITH THE W. W. WHITE ROAD – RIGSBY TO LORD ROAD PROJECT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 93758

AUTHORIZING PAYMENT IN THE AMOUNT OF $26,268.59 TO DAVIDSON & TROILO, P.C. FOR LEGAL SERVICES IN CONNECTION WITH THE BABCOCK ROAD – DEZAVALA ROAD TO HAUSMAN ROAD PROJECT ($12,332.78), MISSION TRAILS PARKWAY, PACKAGE IV METROPOLITAN PLANNING ORGANIZATION ($60.00), HOUSTON STREET – BOWIE TO PINE PROJECT ($245.72), ALAMO STREET – DURANGO TO CEDAR PROJECT ($278.83), FIRE STATION NO. 7 PROJECT ($2,693.50), HIGGINS ROAD – NACOGDOCHES TO STAHL ROAD PROJECT ($156.85), SOUTHCROSS – NEW BRAUNFELS TO S. PRESA PROJECT ($405.80), PLEASANTON ROAD – MAYFIELD TO SOUTHCROSS PROJECT METROPOLITAN PLANNING ORGANIZATION ($1,726.63), LOCKHILL SELMA – GEORGE ROAD TO WHISPERING PATH PROJECT ($7,910.31); DOWNTOWN PARKING GARAGE ($209.41) AND THE W.

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W. WHITE – RIGSBY TO LORD ROAD PROJECT ($248.76) APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 93759

AUTHORIZING PAYMENT IN THE AMOUNT OF $1,663.44 TO DORSEY & ASSOCIATES, COURT REPORTERS, AND THE AMOUNT OF $7,059.89 TO HOGAN REAL ESTATE SERVICES FOR DEPOSITION SERVICES, FOR A TOTAL SUM OF $8,723.33, IN CONNECTION WITH THE BABCOCK ROAD – DEZAVALA ROAD TO HAUSMAN ROAD PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 93760

AUTHORIZING CERTAIN CITY PERSONNEL TO SIGN CHECKS FOR THE DISBURSEMENT OF CITY OF SAN ANTONIO, TEXAS FUNDS; AUTHORIZING CERTAIN CITY OFFICIALS TO PERFORM THE DUTIES OF THE CITY MANAGER ON A TEMPORARY BASIS; AUTHORIZING THE USE OF FACSIMILE SIGNATURES UNDER CERTAIN CIRCUMSTANCES; REPEALING EXISTING ORDINANCES IN CONFLICT HEREWITH; AND AUTHORIZING DESIGNATED CITY OFFICIALS TO APPROVE AND EXECUTE CONTRACTS IN AMOUNTS OF $15,000.00 OR LESS, WHEN SAID CONTRACT IS PROVIDED FOR IN THE BUDGET AND PERMITTED BY LAW AND PROVIDING FOR CHANGES BASED ON CHANGES IN STATE LAW. (AMENDS ORDINANCE NO. 92586, SEPTEMBER 28, 2000.)

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AN ORDINANCE 93761

AUTHORIZING THE TEMPORARY CLOSURE OF JOHN ADAMS BETWEEN ST. CLOUD AND WILLIFORD WAY ON SUNDAY, APRIL 22, 2001 FROM 7:00 A.M. UNTIL 10:00 P.M. IN ORDER FOR ST. PAUL’S CATHOLIC CHURCH TO HOLD ITS PARISH SPRING FESTIVAL.

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AN ORDINANCE 93762

AUTHORIZING THE TEMPORARY CLOSURE OF SHANNON LEE DRIVE BETWEEN OBLATE AND MOUNTAIN TOP ON SATURDAY, MAY 5, 2001 BEGINNING AT 8:00 A.M. TO 12:00 MIDNIGHT IN ORDER FOR THE BLESSED SACRAMENT PARISH TO HOLD ITS BLESSED SACRAMENT PARISH FESTIVAL.

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AN ORDINANCE 93763

RE-APPOINTING JERRY SMITH (MAYOR) TO THE BOARD OF APPEALS FOR A TERM OF OFFICE TO EXPIRE ON JULY 31, 2002.

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AN ORDINANCE 93764

APPOINTING CYNTHIA YVONNE MUNOZ (DISTRICT 3) TO THE SMALL BUSINESS ECONOMIC DEVELOPMENT ADVOCACY ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON NOVEMBER 20, 2002.

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AN ORDINANCE 93465

APPOINTING LINDA XOCHITL MORA (DISTRICT 3) TO THE AFFIRMATIVE ACTION ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON JANUARY 31, 2003.

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AN ORDINANCE 93766

APPOINTING MONICA M. RODRIGUEZ (DISTRICT 3) TO THE ARTS AND CULTURAL ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON NOVEMBER 15, 2002.

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AN ORDINANCE 93767

APPOINTING JAMES HILL (MAYOR) TO THE CABLE TELEVISION ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 31, 2002.

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AN ORDINANCE 93768

APPOINTING STEVAN RICHARDS (DISTRICT 3) AND RE-APPOINTING DOUGLAS V. BROWNE (DISTRICT 1) TO THE CONVENTION AND VISITORS COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON JUNE 30, 2003 AND JUNE 30, 2002, RESPECTIVELY.

2001-15  ZONING HEARINGS - CITIZEN COMMENTS

Mr. Faris Hodge, Jr., 140 Dora, spoke to the various zoning cases.

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, spoke to the various zoning cases, expressing concern on the protection of the Aquifer.

Ms. Julie Iris Oldham, P.O. Box 40263, addressed the various zoning cases.

2001-15  ZONING HEARINGS

4A) CASE NO. #Z2001069 - The request of Randy Schumacher, Attorney at Law, Applicant, for J.J. Gonzales and V.J. Reyna, Owner(s), for a change in zoning from "B" Residence District to "B-2" Business District on the north 43.30 feet of the south 86.55 feet of Lots 1 and 2, Block 11, NCB 2071, 1705 Elmendorf 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. 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, Barrera, Carpenter, Peak. NAYS: None. ABSENT: Guerrero, Garza, Conner, Bannwolf.

AN ORDINANCE 93769

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 NORTH 43.30 FEET OF THE SOUTH 86.55 FEET OF LOTS 1 AND 2, BLOCK 11, NCB 2071, 1705 ELMENDORF STREET, FROM "B" RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT.

4B) CASE NO. #Z2001041 SUP - The request of City of San Antonio, Applicant, for Ella Austin Health Center, Owner(s), for a change in zoning to remove condition #5 imposed on Special Use Permit #Z20091 SUP, (Ordinance #91940) that reads: "No Parking. Parking shall be provided on the clinic site located at 1920 Burnett Street." Zoning shall remain as "R-3 SUP" Multi-Family Residence District with a Special Use Permit for medical clinic administrative offices on Lots 12 and 13, Block 10, NCB 1330, 1921 and 1923 Burnett Street. Staff's recommendation was for approval with conditions.

Zoning Commission has recommended approval with conditions (Council District 2).

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

Mr. Salas 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, Prado, Garcia, Barrera, Carpenter, Peak. NAYS: None. ABSENT: Guerrero, Garza, Conner, Bannwolf.
AN ORDINANCE 93770

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 12 AND 13, BLOCK 10, NCB 1330, 1921 AND 1923 BURNETT STREET, FROM "R-3 SUP" MULTI-FAMILY RESIDENCE DISTRICT WITH A SPECIAL USE PERMIT FOR MEDICAL CLINIC ADMINISTRATIVE OFFICES.

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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. Front yard setback of a minimum of 20 feet (compatible with the adjacent properties).
2. Landscaping in the front yard, open area compatible with the R-1 use of the area.
3. The building should be designed in character with the residences of the neighborhood.
4. A six foot wood fence shall be located on the rear and side property lines.
5. No sign shall be permitted, but a name plate not exceeding one square foot is permitted when attached flat to the main structure.
6. A maximum of twenty spaces shall be allowed, including any handicap spaces.
7. Parking shall be to the rear of the lot (except handicap spaces) and the access drives shall be a single lane with the one way flow.

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CASE NO. #Z2001044 - The request of The Francis Law Firm, P.C., Applicant, for the Corner of the Market Partnership IV Texas, Ltd., Owner(s), for a change in zoning from "B-3" Business District to "I-1" Light Industrial District on 11.999
acres out of NCB 16567, 9700 block of IH 10 East Expressway (Highway 90 East Expressway). 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 East Corridor Plan outlining certain uses of the plan.

The following citizen(s) appeared to speak:

Priscilla Timas, 3202 Shawn Marie, stated that the process had been followed, also noting that the area was close to the downtown area, and that if the project would be approved, the ad valorem taxes would generate substantial revenues.

Ms. Janice Gangawen, 6242 Schrank Oaks, spoke in opposition to the proposed zoning. She stated that the I-10 Corridor work group had worked for a long time to develop a plan that would promote regional commercial use, such as shopping malls, restaurants, and entertainment centers. She further added that the proposed zoning would not enhance the area, and urged the City Council to support staff recommendation and deny the zoning case. Ms. Gangawen then read a prepared statement on behalf of Mr. George Balliet, a copy of which is on file with the papers of this meeting.

Ms. Florence McKinney, 6803 Spoon Lake, spoke in support of commercial enterprises in order to encourage appropriate development of the area to enhance the community, and urged that City Council not support the proposed zoning.

Mr. Tom Gaffney, 115 St. John, urged City Council to support staff's recommendation, noting the years of work that the I-10 Work Group had dedicated to development of the plan.

Mr. Ernest Valdez, 1616 Broadway, stated that it would be hard to achieve the type of development desired by the I-10 plan for many years.

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Mr. Salas spoke of the meetings held and issues which needed to be resolved. He cited the members who have been working to find the best plan and use for this area, and stated he would support the corridor plan. He then made a motion to deny the case. Mr. Garcia seconded the motion.
After consideration, the motion to deny this zoning change prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Peak. **NAYS:** None. **ABSENT:** Perez, Bannwolf, Carpenter.

Zoning Case Z2001044 was denied.

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CASE NO. #Z2001057 - The request of City of San Antonio, Applicant, for James Zaccaria/Investment Landmarks of Texas, Inc., Owner(s), for a change in zoning from "D UC-2" Apartment Urban Corridor District and "D" Apartment District to "D (HS) UC-2" Historic, Significant Apartment Urban Corridor District and "D" Historic, Significant Apartment District" on Lots 13 & 14, NCB 965, 1611 and 1613 North Alamo Street. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 2).

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

The following citizen(s) appeared to speak:

Mr. Jack M. Finger, P.O. Box 12048, spoke in opposition to the proposed zoning case.

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Mr. Salas stated this property was close to the Government Hill area and that he would consider individual cases for historic district designation. He then made a motion for approval of the proposed zoning case. Mr. Carpenter seconded the motion.

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

**AN ORDINANCE 93771**

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 13 & 14, NCB 965, 1611 AND 1613 NORTH
ALAMO STREET, FROM "D UC-2" APARTMENT URBAN CORRIDOR DISTRICT AND "D" APARTMENT DISTRICT TO "D (HS) UC-2" HISTORIC, SIGNIFICANT APARTMENT URBAN CORRIDOR DISTRICT AND "D" HISTORIC, SIGNIFICANT APARTMENT DISTRICT".

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4E) CASE NO. #Z2001017 - The request of Roberto M. Rebollar, Applicant, for Albert Altamirano, Owner(s), for a change in zoning from "B-3 NA" Business District, Non-Alcoholic Sales to "B-3" Business District on Lots 17 and 18, Block 22, NCB 9322, 2224 Commercial Avenue. Staff's recommendation was for denial.

Zoning Commission has recommended approval (Council District 3).

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

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

AN ORDINANCE 93772

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 17 AND 18, BLOCK 22, NCB 9322, 2224 COMMERCIAL AVENUE, FROM "B-3 NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES TO "B-3" BUSINESS DISTRICT.

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4F) CASE NO. #Z2001034 - The request of Harlandale Independent School District (Oscar Perez, Duly Authorized Agent), Applicant, for Harlandale
Independent School District, Owner(s), for a change in zoning from "I-1" Light Industry District to "R-2" Two Family Residence District on a 0.736 acre tract of land, being a portion of Lot 24, NCB 11156, 12121 South East Loop 410. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 3).

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

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

**AN ORDINANCE 93773**

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 A 0.736 ACRE TRACT OF LAND, BEING A PORTION OF LOT 24, NCB 11156, 12121 SOUTH EAST LOOP 410, FROM "I-1" LIGHT INDUSTRY DISTRICT TO "R-2" TWO FAMILY RESIDENCE DISTRICT.

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CASE NO. #Z2001038 - The request of Raymond Glasco, Applicant, for Bernardita Glasco, Owner(s), for a change in zoning from Temporary "R-1" Single-Family Residence District to "R-4" Manufactured Home Residence District on Lot 10, Block 1, NCB 15632, 5403 Sherry Street. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 4).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning case.
Mr. Prado 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: Guerrero, Prado, Garcia, Barrera, Garza, Conner, Carpenter, Peak. NAYS: None. ABSENT: Perez, Salas, Bannwolf.

**AN ORDINANCE 93774**

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, BLOCK 1, NCB 15632, 5403 SHERRY STREET, FROM TEMPORARY "R-1" SINGLE-FAMILY RESIDENCE DISTRICT TO "R-4" MANUFACTURED HOME RESIDENCE DISTRICT.

* * * *

CASE NO. #Z20054 - The request of Dario Chapa, Applicant, for Jose Gallegos, Jr., Owner(s), for a change in zoning from "R-7" Small Lot Residence District to "R-3" Multiple-Family Residence District on Parcel 100 and 200, NCB 6995, 800 block of Culberson Avenue. Staff's recommendation was for denial.

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 reject the recommendation of the Zoning Commission and to deny the requested rezoning. Mr. Carpenter seconded the motion.

The following citizen(s) appeared to speak:

Mr. Orlando Lizcano, 103 Carthage Court, adjacent property owner, spoke in opposition to the proposed zoning case.

Ms. Maria Carranco, 126 Wichita, spoke on behalf of area residents, and noted that they were opposed to the proposed zoning. She expressed concern with the process utilized for handling the case, and also noted the traffic congestion if the zoning was approved.
Mr. Garcia withdrew the motion, and asked that time be given in order to meet with the residents and try to resolve the issues, and reconsider the case later in the meeting. See page 30 of these minutes.

* * * *

41) CASE NO. #Z2001024 SUP - The request of Storage World Properties, No.1, L.P., Applicant, for Storage World Properties, No.1, L.P., Owner(s), for a change in zoning from "B-2" Business District to "B-2 SUP" Business District with a Special Use Permit for outdoor storage of recreational vehicles and boats on West 70 feet of Lot 1, Block 1, NCB 18409, 8300 Culebra Road. Staff's recommendation was for approval with conditions.

Zoning Commission has recommended approval with conditions (Council District 6).

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

Mr. Barrera made a motion to approve the proposed zoning with conditions as set forth by the Zoning Commission. 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, Garcia, Barrera, Conner, Carpenter, Peak. NAYS: None. ABSENT: Salas, Prado, Garza, Bannwolf.

AN ORDINANCE 93775

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 WEST 70 FEET OF LOT 1, BLOCK 1, NCB 18409, 8300 CULEBRA ROAD, FROM "B-2" BUSINESS DISTRICT TO "B-2 SUP" BUSINESS DISTRICT WITH A SPECIAL USE PERMIT FOR OUTDOOR STORAGE OF RECREATIONAL VEHICLES AND BOATS.

* * * *
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. Existing shrubs within the front yard setback that exceed 30 inches in height shall be removed and replaced with landscaping not to exceed 30 inches in height, subject to compliance with the San Antonio Landscape Ordinance and approval of the City Arborist.
2. Additional Juniper Evergreen Trees shall be provided to fill gaps along the existing west wall.
3. Existing concrete block wall along the west property line shall be repaired.
4. Lighting shall be provided on the existing concrete block wall and shall be arranged in a manner that the source of the light is concealed from adjacent residential properties.

***

4J) CASE NO. #Z2001025 - The request of R.H. of Texas Limited Partnership, Applicant, for Hill Country Resort Estates Joint Venture, Owner(s), for a change in zoning from "R-1" Single-Family Residence District to "(P-1) R-1" Planned Unit Development Single-Family Residence District on P-5A, P-12, P-13, P-29, P-29A, 29B, and 29C, NCB 17643, 2700 block of Hunt Lane. 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. 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, Garcia, Barrera, Garza, Conner, Carpenter, Peak. NAYS: None. ABSENT: Prado, Bannwolf.

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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 P-5A, P-12, P-13, P-29, P-29A, 29B, AND 29C, NCB 17643, 2700 BLOCK OF HUNT LANE, FROM "R-1" SINGLE-FAMILY RESIDENCE DISTRICT TO "(P-1) R-1" PLANNED UNIT DEVELOPMENT SINGLE-FAMILY RESIDENCE DISTRICT.

4K) CASE NO. #Z2001036 - The request of Miguel & Leticia Leyva, Applicant, for Miguel & Leticia Leyva, Owner(s), for a change in zoning from "R-1" Single-Family Residence District to "R-2" Two-Family Residence District on Lot 19, Block 8, NCB 8992, 811 Southwest 34th Street. 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: Guerrero, Prado, Garcia, Barrera, Garza, Conner, Carpenter, Peak. NAYS: None. ABSENT: Perez, Salas, Bannwolf.

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 19, BLOCK 8, NCB 8992, 811 SOUTHWEST 34TH
STREET, FROM "R-1" SINGLE-FAMILY RESIDENCE DISTRICT TO "R-2" TWO-FAMILY RESIDENCE DISTRICT.

* * * *

CASE NO. #Z2001016 SUP - The request of Porfirio and Joe H. Prado, Applicant, for Porfirio and Joe H. Prado, Owner(s), for a change in zoning from "A" Single-Family Residence District to "R-1 SUP" Single-Family Residence District with a Special Use Permit for a non-commercial parking lot on Lot 284, Block E, NCB 11552, 5915 Silvercrest Drive. Staff's recommendation was for approval.

Zoning Commission has recommended approval with condition that a solid screen fence will be provided along the north and east property lines. (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.

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

AN ORDINANCE 93778

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 284, BLOCK E, NCB 11552, 5915 SILVERCREST DRIVE, FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "R-1 SUP" SINGLE-FAMILY RESIDENCE DISTRICT WITH A SPECIAL USE PERMIT FOR A NON-COMMERCIAL PARKING LOT.

* * * *
CASE NO. #Z20182 - The request of Daniel Caballero, Applicant, for Ricardo Brun, Owner(s), for a change in zoning from "B" Residence District to "B-3R" Restrictive Business District 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 continue this rezoning case until the City Council meeting of April 26, 2001. Mr. Carpenter seconded the motion.

After consideration, the motion to continue this case until April 26, 2001, prevailed by the following vote: **AYES:** Guerrero, Prado, Garcia, Barrera, Garza, Conner, Carpenter, Peak. **NAYS:** None. **ABSENT:** Perez, Salas, Bannwolf.

Zoning Case Z20182 was continued to the Council meeting of April 26, 2001.

** * * * **

CASE NO. #Z2001008 - The request of Fernando N. Gonzales, Applicant, for Jack Kusch, Owner(s), for a change in zoning from Temporary "R-1 ERZD" Single-Family Residence Edwards Recharge Zone District to "O-1 ERZD" Office Edwards Recharge Zone District on Lot 5, Block 18, NCB 14728, 12035 Huebner Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 8).

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

Ms. Conner 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:** Salas, Guerrero, Prado, Conner, Carpenter, Peak. **NAYS:** None. **ABSENT:** Perez, Garcia, Barrera, Garza, Bannwolf.
AN ORDINANCE 93779

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 5, BLOCK 18, NCB 14728, 12035 HUEBNER ROAD, FROM TEMPORARY "R-1 ERZD" SINGLE-FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "O-1 ERZD" OFFICE EDWARDS RECHARGE ZONE DISTRICT.

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40) CASE NO. #Z2001011 - The request of Tecnopro, Applicant, for Tecnopro, Owner(s), for a change in zoning from "R-3" Multiple Family Residence District to "(P-1) R-3" Planned Unit Development Multiple Family Residence District on Parcel 36, NCB 11609, Rowley Road, dead-ends into subject property. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 8).

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

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

The following citizen(s) appeared to speak:

Mr. Art Lee, 7114 Desilu Dr., expressed concern with the liability issue on the proposed construction project, noting that the drainage easement is very narrow, and urged City Council not to approve the zoning case.

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Ms. Conner clarified on the liability issues, stated that the developer will provide a means to capture the water, and pay for the streets. She requested Mr. Lee to meet with Mr. Guerrero for further clarification.

Mr. Andrew Guerrero clarified the type and number of homes, adding that the perimeter will provide a setback and maintain it. He also responded on the number of homes.

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Mayor Peak also noted that there were policies in place to safeguard the environment and the properties.

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

AN ORDINANCE 93780

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 PARCEL 36, NCB 11609, ROWLEY ROAD, DEAD-ENDS INTO SUBJECT PROPERTY, FROM "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT TO "(P-1) R-3" PLANNED UNIT DEVELOPMENT MULTIPLE FAMILY RESIDENCE DISTRICT.

4P) CASE NO. #Z2001028 SUP - The request of Dr. Bryan Eck, DDS, Applicant, for Dr. Bryan Eck and Mr. Leroy Eck, Owner(s), for a change in zoning from Temporary "R-1" Single Family Residential District to "R-8 SUP" Large Lot Residence District with a Special Use Permit for a Clinic (Medical or Dental) with Supporting Laboratories on Lot 24, Block 10, NCB 16968 and .432 acres out of P12, NCB 17844, 13205 George Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval with the condition that the owner provide a six (6) foot solid screen fence along the southwest side of Lot 22, Block 10, NCB 16968 (Council District 8).

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

Ms. Conner 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, Prado, Garcia, Conner, Carpenter, Peak. **NAYS:** None. **ABSENT:** Salas, Guerrero, Barrera, Garza, Bannwolf.
AN ORDINANCE 93781

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 24, BLOCK 10, NCB 16968 AND .432 ACRES OUT OF P12, NCB 17844, 13205 GEORGE ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-8 SUP" LARGE LOT RESIDENCE DISTRICT WITH A SPECIAL USE PERMIT FOR A CLINIC (MEDICAL OR DENTAL) WITH SUPPORTING LABORATORIES.

* * * *

CASE NO. #Z2001045 - The request of Kaufman and Associates, Inc., Applicant, for Lowes Home Centers, Inc., Owner(s), for a change in zoning from "B-2" Business District to "B-3" Business District on 0.270 acres out of NCB 11625, 11626, 11627, 7901 Callaghan Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 8).

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

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

Ms. Conner noted that a small park would be placed at the subject location.

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

**AYES:** Perez, Guerrero, Prado, Garcia, Conner, Carpenter, Peak. 

**NAYS:** None. 

**ABSENT:** Salas, Barrera, Garza, Bannwolf.

AN ORDINANCE 93782

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 0.270 ACRES OUT OF NCB 11625, 11626, 11627, 7901 Callaghan Road.
CALLAGHAN ROAD, FROM "B-2" BUSINESS DISTRICT TO "B-3" BUSINESS DISTRICT.

* * * *

CASE NO. #Z2001010 - The request of Carl Antoniolli, Applicant, for Carl Antoniolli, Owner(s), for a change in zoning from Temporary "R-1 ERZD" Single-Family Residential Edwards Recharge Zone District to "B-2NA ERZD" Business Edwards Recharge Zone District, Non-Alcoholic Sales on 3.009 acres out of NCB 18218, 23000 block of Highway 281 North Expressway. 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. Carpenter made a motion to approve the proposed rezoning. 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, Conner, Carpenter, Peak. **NAYS:** None. **ABSENT:** Salas, Barrera, Garza, Bannwolf.

AN ORDINANCE 93783

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 3.009 ACRES OUT OF NCB 18218, 23000 BLOCK OF HIGHWAY 281 NORTH EXPRESSWAY, FROM TEMPORARY "R-1 ERZD" SINGLE-FAMILY RESIDENTIAL EDWARDS RECHARGE ZONE DISTRICT TO "B-2NA ERZD" BUSINESS EDWARDS RECHARGE ZONE DISTRICT, NON-ALCOHOLIC SALES.

* * * *

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CASE NO. #Z2001020 - The request of Davy L. Becker, Applicant, for Pulte Homes of Texas LP, Owner(s), for a change in zoning from "(P-1) B-3 ERZD" Planned Unit Development Business Edward Recharge Zone District to "B-3 ERZD" Business Edwards Recharge Zone District on Parcel P-5C, save and except the southeast 110 feet, NCB 15675; and, save and except the west 1.07 acres out of NCB 15675, 3002 N. Loop 1604 East. 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. 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, Carpenter, Peak. **NAYS**: None. **ABSENT**: Salas, Garza, Conner, Bannwolf.

AN ORDINANCE 93784

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 PARCEL P-5C, SAVE AND EXCEPT THE SOUTHEAST 110 FEET, NCB 15675; AND, SAVE AND EXCEPT THE WEST 1.07 ACRES OUT OF NCB 15675, 3002 N. LOOP 1604 EAST, FROM "(P-1) B-3 ERZD" PLANNED UNIT DEVELOPMENT BUSINESS EDWARD RECHARGE ZONE DISTRICT TO "B-3 ERZD" BUSINESS EDWARDS RECHARGE ZONE DISTRICT.

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CASE NO. #Z2001021 - The request of Earl & Brown, P.C., Applicant, for Liberte Investors, Inc., Owner(s), for a change in zoning from "R-3" Multi-Family Residence District to "B-2" Business District on a 0.473 acres out of Lot 22, Block 14, NCB 14387, 4500 block of Thousand Oaks. 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. Perez 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, Carpenter, Peak. **NAYS**: None. **ABSENT**: Salas, Prado, Garza, Conner, Bannwolf.

**AN ORDINANCE 93785**

**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 A 0.473 ACRES OUT OF LOT 22, BLOCK 14, NCB 14387, 4500 BLOCK OF THOUSAND OAKS, FROM "R-3" MULTI-FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT.

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4U) CASE NO. #Z2001022 - The request of Earl & Brown, P.C., Applicant, for Liberte Investors, Inc., Owner(s), for a change in zoning from "R-3 " Multi-Family Residence District to "B-2" Business District on a 1.319 acres out of Lot 18, Block 3, NCB 14336, 4500 block of Thousand Oaks. 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. Perez 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, Carpenter, Peak. **NAYS**: None. **ABSENT**: Salas, Prado, Garza, Conner, Bannwolf.
AN ORDINANCE 93786

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 A 1.319 ACRES OUT OF LOT 18, BLOCK 3, NCB 14336, 4500 BLOCK OF THOUSAND OAKS, FROM "R-3 " MULTI-FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT.

* * * *

2001-15 RECONSIDERATION OF ZONING CASE #4H –Z20054

4H) CASE NO. #Z20054 was reconsidered at this time.

Mr. Garcia stated that the citizens involved left before he had a chance to meet with them to further discuss the case. He then made a motion to deny the zoning case. Mr. Carpenter seconded the motion.

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

Zoning Case Z20054 was denied.

2001-15 ITEMS FOR INDIVIDUAL CONSIDERATION – CITIZEN COMMENTS

Mr. Jack M. Finger, P.O. Box 12048, took exception to not being able to speak to Item 31. He then addressed the subject of the process for the six-signature memorandum.

2001-15 Mr. Salas cited an incident that occurred where senior citizens were ticketed for throwing candy to children during a recent parade.

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City Attorney Frank Garza, cited the section in the Ordinance which addressed the penalties imposed on such an occurrence.

Mr. Salas stated he had seen this happen on numerous occasions, and was concerned with consistency of policy.

Deputy Chief Albert Ortiz, spoke on the policies which are explained to requestors of parades, and then clarified the particular incident which occurred.

The following citizen(s) appeared to speak:

Mr. Afton Gary, spoke of the incident which was made public nationwide, and stated that the school children were permitted to view the parade, and that it was an embarrassing situation to have the children witness this incident.

Mr. Joe Webb, former member of the City Council, urged the City Council to dismiss the tickets, and took issue with the manner in which the case was handled by the Police Department.

* * * *

Mr. Garcia stated he had been invited to participate in the parade, and then offered to pay for those tickets issued. He also asked City Council to consider removing this from the present Ordinance.

In response to Mr. Salas, City Attorney Garza, stated that the cases were filed at Municipal Court, and that City Council did not have the authority to dismiss the tickets.

Mayor Peak noted that the individuals had been warned more than once, before any tickets were issued, and that removal occurred only after their persistent non-compliance to the policies set forth. He further noted that the Ordinance was put into place for the protection of the children, and that focus should be more on safety issues.

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ITEMS FOR INDIVIDUAL CONSIDERATION

The Clerk read the following Ordinance:
AN ORDINANCE 93787

RESCHEDULING THE CITY COUNCIL MEETINGS OF JULY 5, JULY 12, JULY 19, AND JULY 26, 2001 TO ACCOMMODATE THE 2001-2002 BUDGET CALENDAR.

* * * *

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, Garcia, Barrera, Conner, Carpenter, Peak. NAYS: None. ABSENT: Prado, Garza, Bannwolf.

2001-15 The Clerk read the following Resolution:

A RESOLUTION
NO. 2001-15-20

CONFIRMING THE APPOINTMENT OF BEN GORZELL TO SERVE AS PUBLIC UTILITY SUPERVISOR OF THE CITY OF SAN ANTONIO IN ACCORDANCE WITH THE PROVISIONS OF THE CITY CHARTER.

* * * *

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

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

2001-15 The Clerk read the following Resolution

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SUPPORTING AND ADOPTING THE SAN ANTONIO WATER SYSTEM’S (SAWS’) COMMENTS AND RECOMMENDATIONS TO THE TEXAS NATURAL RESOURCE CONSERVATION COMMISSION (TNRCC) AND URGING THE TEXAS NATURAL RESOURCE CONSERVATION COMMISSION (TNRCC) TO CONSIDER THE CITY OF SAN ANTONIO’S COMMENTS AND ADOPT THE CITY’S RECOMMENDATIONS TO PREVENT THE DEGRADATION OF THE EDWARDS AQUIFER.

* * * *

Ms. Conner then made a motion for approval with the following amendments: 1) to have TNRCC prohibit new underground storage tanks on the recharge zone and require tertiary containment for all components of an underground storage tank system; 2) delegate authority and associated funding as provided by the increased fees to TNRCC for plan review, inspections and enforcement activities in the recharge, transition, and contributing zones. Mr. Perez seconded the motion.

Mayor Peak thanked SAWS and City staff for the report, and stated that the City had gone through extreme measures to protect the Aquifer and urged TNRCC to consider the recommendations as provided by the City.

Mr. Carpenter made a motion to approve the proposed Resolution as amended. Mr. Perez seconded the motion.

The amendment to the motion as presented by Ms. Conner, prevailed by the following vote: AYES: Perez, Guerrero, Barrera, Conner, Carpenter, Peak. NAYS: None. ABSENT: Salas, Prado, Garcia, Garza, Bannwolf.

The main motion as amended, prevailed by the following vote: AYES: Perez, Guerrero, Barrera, Conner, Carpenter, Peak. NAYS: None. ABSENT: Salas, Prado, Garcia, Garza, Bannwolf.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, stated more efforts should be made to protect the Aquifer, and also spoke to the impact fees.

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2001-15       TRAVEL AUTHORIZATION: Granted

Confirmation of a travel authorization for Mayor Howard W. Peak to travel to New York City, New York on Sunday April 8, 2001 through Tuesday, April 10, 2001 to attend the bond rating presentation to Fitch, Moody’s Investment Service, Inc. and Standard & Poor’s.

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

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

2001-15       The Clerk read the following Ordinance:

AN ORDINANCE 93788

AMENDING SUBDIVISION E (QUARRY DISTRICT), DIVISION 7, ARTICLE III, CHAPTER 35 OF THE CITY CODE BY ENACTING SECTION 35-3240 (SPECIAL USE PERMIT QUARRY DISTRICT), AND PROVIDING FOR CIVIL ENFORCEMENT FOR VIOLATION OF ITS PROVISIONS AS WELL AS CRIMINAL ENFORCEMENT BY A FINE OF NOT MORE THAN $2,000.00 UPON CONVICTION.

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

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

Mr. Dennis Campa, Director of Community Initiatives, provided a brief update on the $5 million ASCEND grant program and a report on some of the questions generated by an article written by Roddy Stinson of the San Antonio Express-News.

City Manager Terry Brechtel stated how this program benefits the residents of this area.

Mr. Campa further clarified on the work being conducted and the various services provided to the clients. He noted that continuing research is being conducted to determine appropriate education levels necessary, and identify future needs.

Mayor Peak stated that more monitoring and enforcement of the contract needs to be made.

City Manager Brechtel stated that performance review is ongoing presently.

In response to Mr. Barrera regarding the University of Kansas, Mr. Campa stated that the University had approached the City and invited the City of San Antonio to participate in the national demonstration project because of the City’s ability to get the work done.

Mr. Barrera inquired on the participation of other entities and the recommendations of the Department of Labor. He also expressed concern on the use of sole source and exclusion of entities that can provide this type of service.

Discussion continued on the subject of sole source and the review of contracts.

Mr. Perez also expressed concern on the inclusion of other local groups that can provide this type of service. He added that there needed to be more review specifically where the City was deficient such as in grant writing, and correct those areas as soon as possible. He wants to assure that the City is doing the right thing, and stated he looked forward to more information.

Mayor Peak briefly reiterated the concerns outlined by the City Council which included whether this was a sole source and determine if this was appropriate, and to encourage more contract monitoring and review.

City Manager Brechtel stated that a report would be forthcoming to the City Council in 3-4 weeks with the performance review process.
Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, spoke on several issues including the many different water systems servicing the citizens of San Antonio and surrounding areas.

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MR. FARIS HODGE, JR.

Mr. Faris Hodge, Jr., 140 Dora, spoke to the City Council about several issues including his objections to the Ordinance cited earlier this afternoon which prohibits the dispensing of candy at parade events.

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MR. JUAN VELA

Mr. Juan Vela, 9506 Bear Creek, spoke to the City Council about several current event issues.

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SUPPORT OF THE WTW PROGRAM

The following group of participants of the WTW program appeared to speak to the City Council about their own personal experiences with the WTW program and the positive impact the program has made in their respective lives:

MARIE ANTU
JOSEFINA PUENTE
APOLONIA MUNIZ

* * * *
MR. RODNEY SOLAR

Mr. Rodney Solar, spoke to the City Council about damage to his property caused by the City and asked for remedial action. He related the circumstances of this case and his concerns with being denied any restitution by the City's third party administrator.

In response to Mayor Peak, Mr. Dan Cardenas, Acting Director of Environmental Services, stated that he will be working with Mr. Solar in attempts to address his concerns.

Deputy City Manager Bono also spoke to the process involved and the follow up meetings to take place by Mr. Cardenas and Mr. Solar.

Mayor Peak asked that a report to the Council be made of the results of these meetings.

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2001-15 EXECUTIVE SESSION

The City Council recessed its regular session at 6:50 P.M. in order to convene in Executive Session for the purpose of:

A) Attorney/Client consultation regarding the lawsuit styled Rush Truck Centers of Texas, L.P. vs. City of San Antonio, Cause No. 2001-CI-04204 in the 37th Judicial District of Bexar County, Texas.

The City Council adjourned the Executive Session at 7:35 P.M. and reconvened in regular session, at which time Mayor Peak stated that City Council had been briefed on the above-styled matters and had given staff direction, but had taken no official action.

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There being no further business to come before the City Council, the meeting was adjourned at 7:36 P.M.

Attest:

NORMA S. RODRIGUEZ, CMC/AAE
City Clerk

APPROVED

HOWARD W. PEAK
MAYOR

2001-15   April 12, 2001