State of Texas
County of Bexar
City of San Antonio

FINAL

Meeting Minutes

City Council A Session

City Hall Complex
114 W. Commerce
San Antonio, Texas 78205

Thursday, March 6, 2014	9:00 AM	Municipal Plaza Building

The City Council convened in a Regular Meeting. The City Clerk took the Roll Call as follows:

Present: 11 - Mayor Castro, Bernal, Taylor, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

1. The Invocation was delivered by Reverend Mignon Jones-Spann, M.Div, Minister of ADE (Adult, Discipleship, and Evangelism), Antioch Missionary Baptist Church, guest of Councilmember Ivy R. Taylor, District 2.

2. Mayor Castro led the Pledge of Allegiance to the Flag of the United States of America.

3. Approval of Minutes for the January 8 - 9, 2014 City Council Meetings

Councilmember Bernal moved to approve the Minutes for the January 8-9, 2014 City Council Meetings. Councilmember Gallagher seconded the motion. The motion prevailed by the following vote:

Aye: 11 - Mayor Castro, Bernal, Taylor, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

POINT OF PERSONAL PRIVILEGE

Mayor Castro recognized the Friends of the San Antonio Public Library in recognition of their 50th Anniversary. Ms. Linda Arrange, President of the Friends of the San Antonio Public Library addressed the City Council and thanked them for their continued support of the San Antonio Public Library. She stated that they were pleased to help raise funds for the Library and encouraged others to volunteer their services. She presented the City Council with reusable shopping bags. The City Council thanked the Friends of the SAPL for their work and for the bags.

ACTION ITEMS FOR STAFF BRIEFING

The City Clerk read the caption for Item 4:

2014-03-06-0127

4. An Ordinance approving a process, strategy and future steps for the development of a comprehensive master plan for Alamo Plaza and the surrounding area, to include the establishment of a 21 member Alamo Plaza Advisory Committee. [Carlos Contreras, Assistant City Manager; Lori Houston, Director, Center City Development Office]

Lori Houston presented a Power Point and stated that a Council Consideration Request had been submitted by Councilmember Bernal requesting that staff make a recommendation regarding a Comprehensive Master Planning Effort for Alamo Plaza. She stated that the Governance Committee had directed staff to recommend a process and next steps. She outlined the staff recommendations: 1) Initiate a Comprehensive Master Planning Effort in and around Alamo Plaza to address signage, traffic calming, and design guidelines; and 2) Create a Committee to assist with updating the 1994 Alamo Plaza Study Committee Report and provide general oversight of Master Plan Development. She noted that the 1994 Alamo Plaza Study Committee had consisted of Co-Chairs Mayor Howard Peak and Councilmember Roger Perez, as well as 22 members representing stakeholder groups. She mentioned that the Committee had identified five Interpretive Themes and Goals for Alamo Plaza: 1) Evolution of Settlements and Cultures at Alamo Plaza; 2) Tell the story of the 1836 Battle of the Alamo; 3) Alamo Plaza represents a continuum of Urban Development and Commerce in San Antonio; 4) Alamo Plaza: The Number 1 Destination for Tourism in Texas; and 5) This Hallowed Ground: Alamo Plaza.

Ms. Houston explained that the Proposed Committee Structure would consist of 11 Members appointed by Mayor Castro and 10 Members appointed by the City Council (each

Councilmember appointing one Committee Member). She stated that Mimi Quintanilla would serve as the Facilitator for Committee and Public Meetings. She indicated that Alan M. Hantman, FAIA, would serve as a Consultant to the Committee and provide a National Perspective as it relates to other Famous Historical Sites within the US. She noted that the Center City Development Office would provide Support Staff and various City Departments would serve as the Technical Support Team. She presented a timeline noting that the Master Plan was scheduled for adoption in September 2015.

Mayor Castro thanked staff for the presentation and called upon the individuals registered to speak:

Nazirite Ruben Flores Perez addressed the City Council in support of the Alamo Plaza Advisory Committee and noted that Locals were familiar with the Downtown Area.

Fidel Castillo addressed the City Council and stated that he was a descendent of a Yaqui Indian Chief and Spiritual Leader of the Indigenous People of the Red Root. He noted that the Alamo Area was a religious site and requested that Indigenous People be included in the process.

Mary Torres and Mary Jane Martinez representing The Pacuache Clan of Texas addressed the City Council. Ms. Torres stated that they were in support of the Master Plan for Alamo Plaza but as stakeholders in the matter; they would like to have five seats on the Committee. Ms. Martinez added that it was a sacred burial site and they should be part of the Committee.

Mayor Castro stated that The Alamo was one of the most sacred places in the United States and that there was room for improvement within Alamo Plaza. He noted that the Committee allowed for divergent opinions and asked of the timeline. Ms. Houston replied that their goal was for the City Council to adopt the Master Plan in September 2015. Mayor Castro referenced a letter he received from Commissioner Patterson regarding a desire for the State of Texas to take over Alamo Plaza. Ms. Houston stated that the Committee would consider the long and short term management of Alamo Plaza. Mayor Castro commended Councilmember Bernal for his leadership on the issue and stated the he looked forward to the process.

Councilmember Bernal stated that The Alamo was the number one tourist attraction in Texas and one of the most important sites in Texas History. He noted that they were moving in the right direction and expressed support for the hiring of Mr. Hantman as a Consultant. He added that the 1994 Study had great elements and would serve as a good starting point.

Councilmember Viagran stated that this was a good example of the community moving forward on a very important endeavor.

Councilmember Gallagher stated that the 1994 Study had good information and would be a good starting point. He asked of the Agencies that should be represented on the Committee. Ms. Houston replied that there could be representation from the General Land Office, Texas Historical Commission, National Park Service and General Services Administration. Councilmember Gallagher asked of the potential to increase the number of Committee Members. Ms. Houston replied that they felt that 21 Members was manageable and that Subject Matter Experts could be brought in to assist when necessary. Councilmember Gallagher stated that the city should not lose its voice in how Alamo Plaza would be developed.

Councilmember Medina commended Councilmember Bernal for his leadership on said item and asked of the criteria for appointing a Committee Member. Ms. Houston replied that there was no specific criteria.

Councilmember Krier also commended Councilmember Bernal for his efforts. He expressed concern that visitors to the Alamo Plaza are underwhelmed by the site and stated that the area does not fully respect its history. He noted that there should be a partnership with the State of Texas on how to best manage and address issues in the area.

Councilmember Bernal moved to adopt the proposed ordinance. Councilmember Medina seconded the motion. The motion prevailed by the following vote:

Aye: 10 - Mayor Castro, Bernal, Taylor, Viagran, Saldaña, Gonzales, Lopez, Medina, Krier and Gallagher

Absent: 1 - Nirenberg

POINT OF PERSONAL PRIVILEGE

Councilmember Medina recognized Oak Hills Terrace Elementary School Teacher Ms. Dina Toland, and her students who were present. Mayor Castro thanked them for attending the City Council Meeting.

CONSENT AGENDA ITEMS

Consent Agenda Items 14 and 16 were pulled for Individual Consideration. Councilmember Saldana moved to approve the remaining Consent Agenda Items. Councilmember Lopez seconded the motion.

Mayor Castro called upon the individuals registered to speak:

Nazirite Ruben Flores Perez spoke in support of the Interlocal Agreement with Bexar County for the Jones Maltsberger at Elm Creek Project (Item 6).

Faris Hodge, Jr. submitted written testimony in support of Items 5, 6, 9-11, 13, 14, 16, and 17. He wrote in opposition to Item 4 and asked of the individuals that would be appointed to the Alamo Plaza Advisory Committee. He wrote against Items 15, 16, 18, and 19.

The motion to approve the remaining Consent Agenda Items prevailed by the following vote:

Aye: 11 - Mayor Castro, Bernal, Taylor, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

2014-03-06-0131

5. An Ordinance for construction of the City's Solid Waste Services Rigsby Bulky Waste Residential Drop-Off Center, located at 2755 Rigsby Road, accepting the lowest qualified responsive bid and awarding a construction contract in the amount of $1,953,635.00 to Vertex Corporation, a Solid Waste Contingency Fund funded project, located in Council District 2. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

2014-03-06-0132

6. An Ordinance authorizing the execution of an Interlocal Agreement with Bexar County in the amount not-to-exceed $1,090,912.50 for the City to manage, design and construct the Bexar County's Jones Maltsberger at Elm Creek Project (SC-28) simultaneously with the City's Redland Road South (Loop 1604 to Jones Maltsberger Road) Project, a $10.04 million 2012 General Obligation Bond funded project located in Council District 10; and, authorizing the acceptance of funds in the amount not-to-exceed $1,090,912.50 from Bexar County to complete the Projects. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation and Capital Improvements]

2014-03-06-0133

7. An Ordinance declaring a change in use of an approximately 0.95 acre parcel of parkland located at 600 East Cesar Chavez and authorizing a real property exchange and agreement whereby the City transfers to the San Antonio Housing Authority the 0.95 acre parcel in exchange for an approximately 1.95 acre parcel located at 440 Labor Street to be used as parkland. [Carlos Contreras, Assistant City Manager; Lori Houston, Director, Center City Development Office]

2014-03-06-0134

8. An Ordinance authorizing an amendment to a lease agreement with Ocotillo Aviation, LLC to extend the term for two additional years to June 30, 2030 at Stinson Municipal Airport. [Ed Belmares, Assistant City Manager; Frank Miller, Director, Aviation]

2014-03-06-0135

9. An Ordinance authorizing an amendment to the Fiesta Event at Market Square License Agreement with El Consejo Real de Reyes Feos Anteriores dba Rey Feo Consejo Educational Foundation in order to remove a conflict between the first day of Fiesta and Good Friday. [Carlos Contreras, Assistant City Manager; Lori Houston, Director, Center City Development Office]

2014-03-06-0136

10. An Ordinance authorizing a five-year lease agreement with Cutter Aviation San Antonio, Inc for 26,902 square feet of building space in two hangars and 108,769 square feet of ground space, generating $105,677.12 in annual revenue, at San Antonio International Airport. [Ed Belmares, Assistant City Manager; Frank Miller, Director, Aviation]

2014-03-06-0137

11. An Ordinance authorizing a lease agreement with Stinson Aviation Corporation for 2,488 square feet of hangar space and 5,800 square feet of ground space, generating $5,563.76 in annual rental at Stinson Municipal Airport. [Ed Belmares, Assistant City Manager; Frank Miller, Director, Aviation]

2014-03-06-0138

12. An Ordinance authorizing the submission of 15 grant renewal applications and the acceptance of funds upon award in an amount up to $11,729,656.00 from the Texas Department of State Health Services for public health functions of the San Antonio Metropolitan Health District for the period of September 1, 2014 through September 30, 2015. [Gloria Hurtado, Assistant City Manager; Dr. Thomas L. Schlenker, Director of Public Health]

2014-03-06-0139

13. An Ordinance ratifying the submission of a grant application to the Texas Department of State Health Services and authorizing the acceptance of funding of up to $130,000.00 for one full time epidemiologist to augment the San Antonio Metropolitan Health District's epidemiological capacity for outbreak and disaster response with special emphasis on foodborne illness investigations for the period beginning April 1, 2014 through August 31, 2015. [Gloria Hurtado, Assistant City

Manager; Dr. Thomas L. Schlenker, Director of Public Health]

15. Consideration of the following Board, Commission and Committee appointments for the remainder of unexpired terms of office to expire May 31, 2015, to be effective immediately upon the receipt of eight affirmative votes, or, in the event eight affirmative votes are not received, ten days after appointment; or for terms and effectiveness as otherwise indicated below: [Leticia M. Vacek, City Clerk]

A) Appointing Noralyn P. Ripps (District 3) to the SA2020 Commission on Strengthening Family Well-being.

2014-03-06-0140

17. An Ordinance authorizing the renewal and extension of the Securities Lending Agreement with Frost Bank for the second and final one year renewal term, commencing April 1, 2014, under the same terms and conditions. [Ben Gorzell, Jr., Chief Financial Officer, Troy Elliott, Director of Finance]

18. Consideration of two Ordinances related to the professional services agreements with THC, Inc. and Foster CM Group, Inc. in connection with the Residential Acoustical Treatment Program, which is 80% federally funded, at San Antonio International Airport: [Ed Belmares, Assistant City Manager; Frank Miller, Director, Aviation]

2014-03-06-0141

18A. An Ordinance authorizing an amendment to the contract with THC in the amount of $7,260,000.00 for on-going construction of acoustical treatments to reduce noise in qualifying homes and multi-family dwellings in aviation noise-impacted neighborhoods near the Airport.

2014-03-06-0142

18B. An Ordinance authorizing an amendment to the contract with Foster CM Group in the amount of $440,000.00 for design review, construction inspection and testing services for the Program.

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the caption for Item 14:

2014-03-06-0128

14. An Ordinance amending the approved list of traffic control devices (Traffic Control

Devices Schedules) for the City of San Antonio, established in Chapter 19, Section 68 of the City Code, to include new traffic control devices (speed limit signs) and remove previous entries from the schedules that are in conflict with current traffic code regulations and providing for criminal and civil penalties for violations. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation and Capital Improvements]

Councilmember Medina requested a brief presentation. Anthony Chukwudolue stated that they were trying to improve safety within neighborhoods and said item would authorize the installation of reduced speed limit signs in identified hot spots. He noted that once the signs were posted, Police Officers would be able to enforce the new speed limits. He added that this was one of several strategies to help reduce speeding within neighborhoods. Councilmember Medina expressed his support and thanked staff for their work.

Councilmember Lopez commended Councilmember Medina for his leadership on said item and spoke of the importance of neighborhood safety.

Councilmember Gonzales thanked staff for moving quickly on said item and noted the traffic incidents that have occurred in District 5.

Councilmember Nirenberg thanked staff for their work and spoke of the need to find efficiencies with the procurement of Traffic Control Devices.

Councilmember Krier also thanked staff for their work and stated that he was pleased with the safety overlay at Larkspur Elementary.

Councilmember Medina moved to approve said item as presented by staff. Councilmember Lopez seconded the motion. The motion prevailed by the following vote:

Aye: 11 - Mayor Castro, Bernal, Taylor, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

The City Clerk read the caption for Item 16:

2014-03-06-0129

16. An Ordinance authorizing a License Agreement with AFL Talons, LLC, to host the Arena Football League Talons games in the Alamodome. [Ed Belmares, Assistant City Manager; Michael Sawaya, Director, Convention & Sports Facilities]

Councilmember Medina requested a brief presentation. Mike Sawaya presented an overview of the lease agreement with the LS Talons SA, LLC noting that the original

agreement was authorized for two years with 1 one-year renewal option for the 2014 Season. He reported that the LS Talons SA, LLC were unable to fulfill commitments under the existing agreement and that the Arena Football League had taken over the team as the AFL Talons, LLS. He indicated that this required a new License Agreement for the 2014 Season and beyond. He stated that the term was for one year with 2 one-year renewal options. He noted that they would pay rent of $15,500 per game, plus $1 per ticket sold in excess of $10,000. He mentioned that the city would retain all parking and concessions revenue as well as 10% of net merchandise sales. He added that the Talons would continue to occupy office space at the Alamodome at no cost. He noted that the AFL would like to find another ownership group as they believed it had potential for growth. He stated that they anticipated generating approximately $240,000 in FY 2014. Councilmember Medina asked of the money owed to the city. Mr. Sawaya replied that the previous owner would be required to pay the city the $74,000 they owed and had been in discussions with them.

Councilmember Medina moved to approve said item as presented by staff. Councilmember Bernal seconded the motion. The motion carried as follows:

Aye: 10 - Mayor Castro, Bernal, Taylor, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

Absent: 1 - Viagran

19. City Manager's Report
A. Library Update
B. Pre-K 4 SA Update

A. LIBRARY UPDATE
Mrs. Sculley reported that next week, the Library would be hosting Teen Tech Week to coincide with Spring Break. She explained that Teen Tech Week was an annual event geared toward 13-18 Year Olds and sponsored by the Young Adult Library Services Division of the American Library Association in partnership with Best Buy. She stated that 18 Branch Libraries would host programs around the Nationwide Theme, "DIY: Do It Yourself." She noted that on March 14th, Trainers from Best Buy's Geek Squad would be at the Central Library to facilitate a Hands-On Teen Activity using the Teen Department's 3-D Printer and Scanner. She added that the San Antonio Public Library was one of seven Library Locations in the nation to host a Best Buy Workshop and a complete schedule of events was available at mysapl.org.

B.PRE-K 4 SA UPDATE
Mrs. Sculley provided an update on the Pre-K 4 SA Enrollment Plan for the 2014-2015

School Year that begins August 25, 2014. She highlighted positive results that had been experienced within the Program thus far. She reported that there were currently two Education Centers serving 700 Students with two more scheduled to open in the Fall. She mentioned that last year there had been a cumbersome two-phase process to enroll families in the Pre-K 4 SA Program. She noted that they had since streamlined the process and now offered three convenient options to apply. She indicated that Pre-K 4 SA Application Fairs were being hosted throughout the city with final registration occurring in June. She spoke of the great amount of parent engagement and reported that 100% of parents had attended the Parent Conferences thus far. She stated that they had contracted with the Rutgers University Partnership with Edvance and the National Institute for Early Education Resarch to independently evaluate the Program. She added that they were in the process of recruiting staff for the two new Education Centers and the construction was on schedule and budget. She indicated that Pre-K 4 SA was off to a great start in its initial year and looked forward to a strong second year.

Mayor Castro thanked everyone that worked on Pre-K 4 SA and stated that he was pleased with the success thus far.

RECESSED

Mayor Castro recessed the meeting at 10:25 am and announced that the meeting would resume at 2:00 pm for Zoning.

RECONVENED

Mayor Castro reconvened the meeting at 2:12 pm and addressed the Zoning Items.

CONSENT ZONING ITEMS

Mayor Castro announced that the Consent Zoning Items would be addressed.

Councilmember Lopez asked if the issues related to Item Z-7 had been resolved. John Jacks stated that it was his understanding that they had all been addressed. He also noted that the Zoning Commission recommended approval on Item Z-8.

Councilmember Lopez moved to approve the following Items under Consent Zoning: Z-1, Z-2, Z-5, Z-6, Z-7, Z-8, P-1, Z-9, P-2, and Z-10. Councilmember Bernal seconded the motion.

Mayor Castro announced that there were no individuals registered to speak on the Consent Zoning Items.

Faris Hodge, Jr. submitted written testimony in support of Items 20, Z-1 and Z-2. He wrote

in opposition to Item 21.

The motion to approve the Consent Zoning Items prevailed by the following vote:

Aye: 10 - Mayor Castro, Bernal, Taylor, Viagran, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

Absent: 1 - Saldaña

2014-03-06-0143

Z-1. ZONING CASE # Z2014071 S (District 1): An Ordinance amending the Zoning District Boundary from "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for a Nightclub to "C-2 S AHOD" Commercial Airport Hazard Overlay District with Specific Use Authorization for Party House, Reception Hall, Meeting Facilities on Lots 3A, 4A and 5A, NCB 11690 located at 4500, 4502, 4506, 4508 and 4510 West Avenue. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOTS 3A, 4A AND 5A, NCB 11690 TO WIT: FROM "C-2 CD AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR A NIGHTCLUB TO "C-2 S AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT WITH SPECIFIC USE AUTHORIZATION FOR PARTY HOUSE, RECEPTION HALL, MEETING FACILITIES.

2014-03-06-0144

Z-2. ZONING CASE # Z2014067 (District 3): An Ordinance amending the Zoning District Boundary from "R-5" Residential Single-Family District and "C-3R" General Commercial Restrictive Alcoholic Sales District to "RM-5" Residential Mixed District on Parcel 9A and Parcel 10, NCB 10846 located at 4714 East Southcross Boulevard. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: PARCEL 9A AND PARCEL 10, NCB 10846 TO WIT: FROM "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT AND "C-3R" GENERAL COMMERCIAL RESTRICTIVE ALCOHOLIC SALES DISTRICT TO "RM-5" RESIDENTIAL MIXED DISTRICT.

2014-03-06-0145

Z-5. ZONING CASE # Z2014066 CD (District 4): An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Motor Vehicle Sales (Full Service) on Lot 6, Block 4, NCB 8782 located at 1275 New Laredo Highway. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 6, BLOCK 4, NCB 8782 TO WIT: FROM "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 CD AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR MOTOR VEHICLE SALES (FULL SERVICE).

2014-03-06-0146

Z-6. ZONING CASE # Z2014070 (District 5): An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on Lots 2, 3, 4 and 5, NCB 3839 located at 1119 and 1123 Nogalitos Street. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOTS 2, 3, 4 AND 5, NCB 3839 TO WIT: FROM "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

2014-03-06-0147

Z-7. ZONING CASE #Z2014026 (District 6): An Ordinance amending the Zoning District Boundary from "R-6" Residential Single Family District to "C-1" Light Commercial District on Lot 11, 12, and 13, Block 3, NCB 17637 located at 5462, 5504, and 5514 Rogers Road. Staff and Zoning Commission recommend approval. (Continued from February 20, 2014)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY

DESCRIBED HEREIN AS: LOTS 11, 12 & 13, BLOCK 3, NCB 17637 TO WIT: FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-1" LIGHT COMMERCIAL DISTRICT.

2014-03-06-0148

Z-8. ZONING CASE # Z2014025 (District 7): An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District and "C-3 AHOD" General Commercial Airport Hazard Overlay District to "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District on Lots 54 through 60, Block 5, NCB 14513; Lots 1 through 7 and Lots 56 through 62, Block 6, NCB 14514; Lots 1 through 6, Block 7, NCB 14515; and Lots 1 through 7, Block 8, NCB 14516, located on a portion of the 200 and 300 blocks of Dulce, a portion of the 5400 block of Greyrock Drive, and a portion of the 5400 block of Bakersfield. Staff recommends approval. The Zoning Commission recommendation is pending the March 4, 2014 public hearing.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOTS 54 THROUGH 60, BLOCK 5, NCB 14513; LOTS 1 THROUGH 7 AND LOTS 56 THROUGH 62, BLOCK 6, NCB 14514; LOTS 1 THROUGH 6, BLOCK 7, NCB 14515; AND LOTS 1 THROUGH 7, BLOCK 8, NCB 14516 TO WIT: FROM "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT AND "C-3 AHOD" GENERAL COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT TO "R-4 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT.

2014-03-06-0149

P-1. PLAN AMENDMENT #14020 (District 8): An Ordinance amending the future land use plan contained in the Oakland Estates Neighborhood Plan, a component of the Comprehensive Master Plan of the City, by changing the text to include "R-4" Residential Single-Family District as a related zoning district for the "Medium Density Mixed Use" land use classification. Staff and Planning Commission recommend approval. (Associated Zoning Case # Z2014072)

2014-03-06-0150

Z-9. ZONING CASE # Z2014072 (District 8): An Ordinance amending the Zoning District Boundary from "RM-4 CD" Residential Mixed District with a Conditional Use for Professional Offices and "C-2" Commercial District to "R-4" Residential Single-Family District and allowing a solid screen fence up to eight (8) feet in height along Southwell Road in accordance with Section 35-514(d)(2)(D) of the Unified

Development Code on Lots 5, 6, 7, 8, 9, 10, 11 and the remaining portion of Lot 12, Block 5, NCB 14705 located on portions of the 10000 through 10500 Blocks of Southwell Road. Staff and Zoning Commission recommend approval pending the plan amendment. (Associated Plan Amendment 14020)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOTS 5, 6, 7, 8, 9, 10, 11 AND THE REMAINING PORTION OF LOT 12, BLOCK 5, NCB 14705 TO WIT: FROM "RM-4 CD" RESIDENTIAL MIXED DISTRICT WITH A CONDITIONAL USE FOR PROFESSIONAL OFFICES AND "C-2" COMMERCIAL DISTRICT TO "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT.

2014-03-06-0151

P-2. PLAN AMENDMENT #14015 (District 10): An Ordinance amending the future land use plan contained in the North Sector Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use of a 25.951 acre tract of land out of NCB 14049 located southwest of the intersection of Lookout Road and Toepperwein Road from Suburban Tier to General Urban Tier. Staff and Planning Commission recommend approval. (Associated Zoning Case Z2014044) (Continued from February 20, 2014)

2014-03-06-0152

Z-10. ZONING CASE # Z2014044 (District 10): An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "MF-33 AHOD" Multi-Family Airport Hazard Overlay District on 25.951 acres out of NCB 14049 located on a portion of the 14200 Block of Toepperwein Road. Staff and Zoning Commission recommend approval pending the plan amendment. (Associated Plan Amendment Case 14015) (Continued from February 20, 2014)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 25.951 ACRES OUT OF NCB 14049 TO WIT: FROM "R-4 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "MF-33 AHOD" MULTI-FAMILY AIRPORT HAZARD OVERLAY DISTRICT.

INDIVIDUAL ZONING ITEMS

The City Clerk read the caption for Item 20:

DENIED

20. Appeal to the City Council of a decision by the Building-Related and Fire Codes Appeals and Advisory Board upholding the Director of Development Services decision denying issuance of certificates of occupancy to the Friedrich Lofts Building located at 1617 and 1631 East Commerce Street. [Erik Walsh, Deputy City Manager; Roderick Sanchez, Director, Development Services]

Rod Sanchez stated that Chapter 10 of the City Code allowed for the Building Related and Fire Codes Appeals and Advisory Board to hear and decide appeals of decisions made by the Building Official or Fire Chief. He explained that City Code requires a Certificate of Occupancy to occupy a building or portion thereof. He indicated that City Code allows alternative methods of compliance to be approved only when the Building Official agrees that equivalent or better health and safety is provided. He reported that in August 2002, the Development Services Department (DSD) had approved a Reuse and Permitting Master Plan Letter of Understanding which outlined a renovation approach for Code Compliance of the Friedrich Building. He noted that the Letter of Understanding stated that the building would remain fully equipped with fire sprinklers. He mentioned that the Letter of Understanding was no longer valid due to the Owner's lack of properly maintaining the structure and its safety systems. He added that the Friedrich Building had sustained significant structural damage and a majority of the building's fire sprinkler safety system was illegally shut off by the Owner.

Mr. Sanchez stated that since April 2010; the DSD had directed the Owner of the Friedrich Building to properly obtain permits, inspections, and Certificates of Occupancy for illegal building tenants and correct all applicable Code Violations or have tenants vacate the building. Due to the Owner's continued non-compliance; DSD issued a Notice to Vacate Order in March 2012. He indicated that in April 2012, the tenants requested more time to vacate due to business continuity concerns. In July 2012, DSD extended the deadline for building tenants to vacate to December 31, 2012. He stated that in October 2012, DSD found that the Owner illegally allowed two additional tenants to occupy the building without proper permits, inspections, and Certificates of Occupancy. He noted that the Owner submitted a Code Modification Request (CMR) in December 2012 to DSD requesting immediate occupancy and approval of a new overall plan for development. He explained that the CMR was based upon a Reed Fire Protection Engineering Report dated October 2012 that included several major errors. He reported that DSD denied part one of the CMR and approved in concept the proposed new development plan. He indicated that the Owner appealed to the Building Related and Fire Codes Appeals and Advisory Board in

May 2013 and was granted a 6-month continuance. In November 2013, the Building Related and Fire Codes Appeals and Advisory Board unanimously denied the Owner's request for approval of the CMR to allow immediate occupancy.

Mr. Sanchez reported that all tenants vacated the building in January 2013 and that the building was currently without any Certificates of Occupancy. He spoke of the major fire and life safety issues that remain since 2010 that prohibit occupancy to include: 1) Major structural damage; 2) Fire sprinkler system severely damaged with a large portion turned off; and 3) Inadequate exiting systems and fire wall separations. He stated that DSD and the Building Related and Fire Codes Appeals and Advisory Board believe that the Owner's proposed request to issue Certificates of Occupancy in the building's current condition did not meet the intent of the Code. He recommended that the City Council deny the Applicant's Appeal.

Ken Brown spoke on behalf of the Owner and stated that the building had been acquired in 1999. He indicated that the intent was to demolish a portion of it and rehabilitate the remainder as an Infill Project. He stated that they had implemented a rehabilitation process in 2000 and that there were sprinkler and fire protection issues identified. He noted that in 2002, various tenants moved into the facilities and utilized the building for eight years. He mentioned that in 2010, a portion of the structure had collapsed but was not related to the area of the facility that was being utilized by the tenants. He stated that there was damage to the sprinkler system which caused them to submit the CMR. James McKnight provided photos of the building and highlighted issues that had been addressed. He mentioned that their Fire Protection Expert, Architect, and Structural Expert believed that a portion of the building could utilize Alternative Methods to meet City Code Requirements.

Councilmember Taylor noted that she was confident in the due diligence and analysis performed by Development Services Staff and the Building-Related and Fire Codes Appeals and Advisory Board. She stated that she would approve the findings and uphold the decision of the Building-Related and Fire Codes Appeals and Advisory Board related to the Friedrich Building because the decision was supported by the findings.

Councilmember Taylor moved to deny the Friedrich Building Owner's Appeal from the decision of the Building Related and Fire Codes Appeals and Advisory Board. Councilmember Bernal seconded the motion. The motion prevailed by the following vote:

Aye: 11 - Mayor Castro, Bernal, Taylor, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

The City Clerk read the caption for Item 21:

CONTINUED TO APRIL 10, 2014

21. Appeal to the City Council of a decision by the Building-Related and Fire Codes Appeals and Advisory Board in connection with the denial of a Residential Building Contractors Registration Application to Mr. Louis H. Perez III. [Erik Walsh, Deputy City Manager; Roderick Sanchez, Director, Development Services]

Councilmember Taylor moved to continue Item 21 until April 10, 2014. Councilmember Saldaña seconded the motion. The motion prevailed by the following vote:

Aye: 11 - Mayor Castro, Bernal, Taylor, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

2014-03-06-0130

Z-3. ZONING CASE # Z2014045 S (District 3): An Ordinance amending the Zoning District Boundary from "O-2 AHOD" High-Rise Office Airport Hazard Overlay District to "C-2 S AHOD" Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Carwash on Lot 24, NCB 10946 save and except that portion conveyed to the State of Texas in Volume 3807, Page 108, Real Property Records, Bexar County, Texas located at A portion of 2355 Goliad Road. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 24, NCB 10946, SAVE AND EXCEPT THAT PORTION CONVEYED TO THE STATE OF TEXAS IN VOLUME 3807, PAGE 108, REAL PROPERTY RECORDS, BEXAR COUNTY, TEXAS TO WIT: FROM "O-2 AHOD" HIGH-RISE OFFICE AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 S AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A CARWASH.

John Jacks presented Item Z-3 and stated that staff and the Zoning Commission recommended approval. He reported that of six notices mailed; none were returned in favor or in opposition.

Councilmember Viagran asked of the outreach conducted by the Owner. Patrick Christensen stated that he was representing the Owner and that they had discussed the site plan with the Highland Hills Neighborhood Association. He noted that the Highland Hills Neighborhood Association had sent an email indicating that they were not opposed to the Car Wash Facility.

Councilmember Viagran moved to adopt the proposed ordinance for Item Z-3. Councilmember Taylor seconded the motion. The motion prevailed by the following vote:

Aye: 11 - Mayor Castro, Bernal, Taylor, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

CONTINUED TO MARCH 20, 2014

Z-4. ZONING CASE # Z2014049 (District 3): An Ordinance amending the Zoning District Boundary from "R-4 MC-2 AHOD" Residential Single-Family South Presa Metropolitan Corridor Overlay Airport Hazard Overlay District to "C-2 MC-2 AHOD" Commercial South Presa Metropolitan Corridor Overlay Airport Hazard Overlay District on Track 5A, NCB 10914, save and except that portion conveyed to the City of San Antonio in Volume 10326, Page 356 of the Deed Records of Bexar County, Texas located on a portion of the 100 Block of San Juan Road. Staff and Zoning Commission recommend approval. (Continued from February 20, 2014)

John Jacks presented Item Z-4 and stated that staff and the Zoning Commission recommended approval. He reported that of 21 notices mailed; three were returned in favor and one was received in opposition.

Councilmember Viagran moved to continue Item Z-4 until March 20, 2014. Councilmember Taylor seconded the motion. The motion prevailed by the following vote:

Aye: 11 - Mayor Castro, Bernal, Taylor, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

ADJOURNMENT

There being no further discussion, Mayor Castro adjourned the meeting at 2:35 pm.

APPROVED

JULIÁN CASTRO
MAYOR

ATTEST:

LETICIA M. VACEK, TRMC/MMC
CITY CLERK