

**SAN ANTONIO ZONING COMMISSION
OFFICIAL MINUTES
April 3, 2012**

1. The Zoning Commission of the City of San Antonio met in the 1st Floor, Board Room of the Cliff Morton Development and Business Services Center at 1901 S. Alamo.

1:00 PM – Public Hearing

2. Roll Call.

PRESENT: Tiller, McFarland, Ornelas, D. Martinez, Salazar, Clancy, C. Martinez, McNealy

ABSENT: Flores, Christian, Nava

3. Approval of March 20, 2012 Zoning Commission Minutes.

COMBINED HEARING:

4. **ZONING CASE NUMBER Z2011052 (Council District 10):** A request for a change in zoning from “C-2 AHOD” Commercial Airport Hazard Overlay District, “C-3 AHOD” General Commercial Airport Hazard Overlay District and “C-3R AHOD” General Commercial Restrictive Alcoholic Sales Airport Hazard Overlay District to “C-2 AHOD” Commercial Airport Hazard Overlay District on Lots 7, 8, 9 and 10, NCB 13740 and Parcels 38, 128A, 128B, 128C and 128D, NCB 15679 on portions of the 3100, 3500, and 3700 Blocks of Thousand Oaks. Staff recommends approval.

Staff stated there were 117 notices mailed out to the surrounding property owners, 3 returned in opposition and 80 returned in favor and Edens Home Owners, Thousand Oaks Forest Home Owners and Hunters Mill Associations are in favor. Staff received 45 calls and emails expressing support.

COMMISSION ACTION

A motion was made by Commissioner Salazar seconded by Commissioner McNealy to recommend approval.

AYES: Tiller, McFarland, Ornelas, D. Martinez, Salazar, Clancy, McNealy

NAY: None

THE MOTION CARRIED

5. ZONING CASE NUMBER Z2012069 CD (Council District 1): A request for a change in zoning from “R-4 AHOD” Residential Single-Family Airport Hazard Overlay District to “R-4 AHOD CD” Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Two-Family Dwelling on 0.3233 acre tract of land being all of Lot 9 and a triangular portion of Lot 10, Block 3, NCB 761, 308 Warren Street. Staff recommends approval.

Staff stated there were 19 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and Five Points Neighborhood Association is in favor. Staff mailed 23 notices to the Planning Team.

COMMISSION ACTION

A motion was made by Commissioner Salazar seconded by Commissioner McNealy to recommend approval.

AYES: Tiller, McFarland, Ornelas, D. Martinez, Salazar, Clancy, McNealy

NAY: None

THE MOTION CARRIED

6. ZONING CASE NUMBER Z2012079 CD (Council District 7): A request for a change in zoning 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 Auto Sales on Lot 3, Block 1, NCB 15053 save and except approximately 350 square feet known as Parcel 4, 5790 Northwest Loop 410. Staff recommends approval.

Staff stated there were 13 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no response from Thunderbird Hills Neighborhood Association. Staff mailed 41 notices to the Planning Team.

COMMISSION ACTION

A motion was made by Commissioner Salazar seconded by Commissioner McNealy to recommend approval.

AYES: Tiller, McFarland, Ornelas, D. Martinez, Salazar, Clancy, McNealy

NAY: None

THE MOTION CARRIED

INDIVIDUAL CONSIDERATION:

7. **ZONING CASE NUMBER Z2012073 (Council District 3):** A request for a change in zoning from “R-6 AHOD” Residential Single-Family Airport Hazard Overlay District to “C-2NA AHOD” Commercial Nonalcoholic Sales Airport Hazard Overlay District on 4.433 acres out of NCB 11128, 331 West Buchanan Boulevard and 300 West Villaret Boulevard. Denial of “C-2NA” with an alternate recommendation of “R-4 CD” Residential Single Family District with a Conditional use for a Non-Commercial Parking Lot with the following conditions:

1. A 15 foot Type B landscape buffer shall be provided along property boundaries abutting single family residential zoning or uses;
2. All on-site lighting shall be directed onto the site and point away from any residential zoning or uses;
3. The parking lot shall be provided with a gate or other sufficient barrier against vehicle entry during the hours the facility served is closed;
4. No advertising signs shall be permitted on the parking lot other than signs indicating the owner or lessee of the lot and to provided parking instructions.

Bobby Perez, representative, stated the purpose of this zoning change is to allow for a parking lot. He stated he would like to amend his request to remove 331 West Buchanan Boulevard and also to follow staffs recommendation of “R-4 CD” for a non-commercial parking lot. He further stated they have met with the affected property owners to further discuss their proposal however they have still expressed their opposition. He stated they have collected a petition with a total of 2,747 signatures express their support, 500 of which are vendors and 1,800 are shoppers.

Commissioner Martinez arrived at 1:20 pm.

The following citizen(s) appeared to speak:

Steve Valdez, spoke in support.

Rev. Joel Ybarra, spoke in support.

Jesse Jay Alaniz, spoke in support.

Alfonso Ramon, spoke in support.

Jesus Suniga, spoke in opposition.

Dennis Stephen, spoke in opposition.

Beatrice Rivera, spoke in support.

Maria Gonzales, spoke in opposition.

Epi Gonzales, spoke in opposition.

Wilburn Day, spoke in opposition.

Edward Strate, spoke in support.

Charlene Ponce, spoke in support.

Olga Estrada, spoke in support.

Ruben Gonzales, spoke in opposition.

Joe Cavazos, spoke in support.

James Fenimore, spoke in opposition.

Joel Dauley, owner, spoke in support.

Sergio Paredes, spoke in opposition.

Henry Avila, spoke in support.

Antonio Paredes, spoke in opposition.

Edward Torres, spoke in opposition.

Irma Camarillo, spoke in opposition.

Staff stated there were 18 notices mailed out to the surrounding property owners, 7 returned in opposition and 1 returned in favor. Staff mailed 36 notices to the Planning Team.

COMMISSION ACTION

A motion was made by Commissioner Clancy seconded by Commissioner McFarland to recommend approval.

AYES: Tiller, McFarland, Salazar, Clancy, C. Martinez, McNealy

NAY: Ornelas, D. Martinez

THE MOTION CARRIED

8. **ZONING CASE NUMBER Z2012078 CD (Council District 1):** A request for a change in zoning from "R-4 AHOD" Residential Single Family Airport Hazard Overlay District to "R-4 AHOD CD" Residential Single Family Airport Hazard Overlay District with a Conditional Use for a Non-Commercial Parking Lot on Lot 3 and the west 10 feet of Lot 2, Block 22, NCB 10487, 411 Beryl Drive. Staff recommends approval with conditions.

Patrick Tijerina, owner, stated the purpose of this rezoning request is to allow a non-commercial parking lot to provide additional parking for his existing sports bar and accommodate the neighborhood. He further stated he intends to provide a 10-foot landscape buffer as staff has recommended and follow the additional conditions staff has recommended.

The following citizen(s) appeared to speak:

Louis Jimenez, stated he does not support this request. He stated he owns 2607, 2609 and 2611, which is the retail strip center adjacent to Mr. Tijerina's Sports Bar. He expressed concerns with continuous flooding into his retail strip since Mr. Tijerina's recent renovations to the Sports Bar. He would like ask that his concerns be addressed.

Staff stated there were 34 notices mailed out to the surrounding property owners, 2 returned in opposition and 2 returned in favor and Dellview Area Neighborhood Association. Staff mailed 27 notices to the Planning Team.

COMMISSION ACTION

A motion was made by Commissioner Ornelas seconded by Commissioner McNealy to recommend approval with the following conditions:

1. A Type A (Minimum width 10 feet) landscape buffer shall be provided along the west property line;
2. A 6 foot tall solid privacy fence shall be installed and maintained along the west property line;
3. All on-site lighting shall be directed onto the site and point away from any residential uses;
4. No advertising signs shall be permitted on the parking lot other than signs indicating the owner or lessee of the lot and to provide parking instructions (not to exceed three (3) square feet in area).
5. Allowable hours of operations shall be 12:00 pm to 2:00 am

AYES: Tiller, McFarland, Ornelas, D. Martinez, Clancy, C. Martinez, McNealy

NAY: Salazar

THE MOTION CARRIED

9. **ZONING CASE NUMBER Z2012080 (Council District 1):** A request for a change in zoning from "I-1 HS AHOD" General Industrial Historic Significant Airport Hazard Overlay District to "C-2 HS AHOD" Commercial Historic Significant Airport Hazard Overlay District on 0.7105 acres out of Lots 9 through 19 and a portion of Lots 20 and 21, Block F, NCB 2564, 1735 South Alamo Street. Staff recommends approval.

Dennis Cano, applicant, stated the purpose of this zoning change is to allow for a theater on the subject property. He feels this request would not have a negative impact as it would with the current "I-1" zoning designation. He stated he has reached out to the community and has received a letter of support from King William Neighborhood Association.

The following citizen(s) appeared to speak:

Nancy McFarlin, representing Green Acres Day Center, stated they would like to express their opposition. She stated they are approximately 20 feet from the property in question and provide care for 76 children age ranging from 12 months to 10 years. She stated their concern with the proposed "C-2" request is that it allows for alcohol sales. She further stated she would support, if possible, deed restrictions that would prohibit alcohol sales.

John Pena, South Flores South Main Urban Corridor Community Organization, stated they support the theatre use however; they do not support the sale of alcohol.

Victor Trevino, stated he is in opposition of the proposed zoning as this would allow for the sale of alcohol and expressed concerns with the parking and increase in traffic into the neighborhood.

Keith McFarlin, stated he would like to express his concerns regarding the proposed "C-2" designation as it would allow for the sale of alcohol.

David Canales, stated he welcomes the theatre into the neighborhood however he feels they should place some restrictions with regards to parking and alcohol sales.

Staff stated there were 25 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor and no response from neither King William Association nor Lone Star Neighborhood Association. Staff mailed 18 notices to the Planning Team.

COMMISSION ACTION

A motion was made by Commissioner Ornelas seconded by Commissioner McFarland to recommend approval.

AYES: Tiller, McFarland, Ornelas, D. Martinez, Salazar, Clancy, C. Martinez, McNealy
NAY: None

THE MOTION CARRIED

10. Public Hearing and Consideration on Proposed Changes to City Code Chapter 13 Food and Food Handlers and Chapter 35 Unified Development Code Related to Mobile Food Vending Ordinance.

John Jacks, Assistant Director, presented item and briefed commission on proposed ordinance.

COMMISSION ACTION

The motion was made by Commissioner McFarland seconded by Commissioner D. Martinez to recommend approval.

AYES: Tiller, McFarland, Ornelas, D. Martinez, Salazar, Clancy, C. Martinez, McNealy
NAY: None

THE MOTION CARRIED

11. Discussion and possible action to cancel the April 17, 2012 Zoning Commission Meeting.

COMMISSION ACTION

A motion was made by Commissioner Salazar seconded by Commissioner C. Martinez to recommend approval of cancellation of April 17, 2012 Zoning Commission Meeting.

AYES: Tiller, McFarland, Ornelas, D. Martinez, Salazar, Clancy, C. Martinez, McNealy
NAY: None

THE MOTION CARRIED

12. There being no further business, the meeting was adjourned at 4:18 p.m.

APPROVED:



Bill Tiller, Chairman

ATTEST:



Executive Secretary