

**SAN ANTONIO ZONING COMMISSION  
OFFICIAL MINUTES  
April 6, 2010**

1. The Zoning Commission of the City of San Antonio met in the 1<sup>st</sup> 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:** Wright, McFarland, Valadez, Kelley, Cole, Myers, Anguiano, Martinez,  
Tiller, Nava

**ABSENT:** Christian

3. Approval of March 16, 2010 Zoning Commission Minutes.

Commissioner Cole arrived at 1:18 pm

**COMBINED HEARING:**

4. **ZONING CASE NUMBER Z2010068 (Council District 10):** A request for a change in zoning from “I-1 IH-1 AHOD” General Industrial Northeast Gateway Corridor Overlay Airport Hazard Overlay District to “C-3 IH-1 AHOD” General Commercial Northeast Gateway Corridor Overlay Airport Hazard Overlay District on 0.7170 acres out of NCB 15724, 11723 IH 35 North. Staff recommends approval.

Staff stated there were 4 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no response from Randolph Hills Civic Club.

**COMMISSION ACTION**

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

**AYES:** Wright, McFarland, Valadez, Kelley, Cole, Myers, Anguiano, Martinez, Tiller,  
Nava

**NAY:** None

**THE MOTION CARRIED**

**5. ZONING CASE NUMBER Z2010070 (Council District 5):** A request for a change in zoning from "I-2 AHOD" Heavy Industrial Airport Hazard Overlay District to "MF-50 IDZ AHOD" Multi-Family Infill Development Zone Airport Hazard Overlay District on Lot 25, Block 4, NCB 2211, 724 North San Marcos. Staff recommends approval.

Staff stated there were 43 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no response from Gardendale Neighborhood Association. Staff mailed 66 notices to the Planning Team.

**COMMISSION ACTION**

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

**AYES: Wright, McFarland, Valadez, Kelley, Cole, Myers, Anguiano, Martinez, Tiller,  
Nava**

**NAY: None**

**THE MOTION CARRIED**

**6. ZONING CASE NUMBER Z2010072 (Council District 1):** A request for a change in zoning from "C-2 NCD-1 AHOD" Commercial South Presa/South St. Mary's Streets Neighborhood Conservation Airport Hazard Overlay District to "C-2 IDZ NCD-1 AHOD" Commercial Infill Development Zone South Presa/South St. Mary's Streets Neighborhood Conservation Airport Hazard Overlay District with uses permitted in "R-4" Residential Single-Family District on Lots 21 and 22, Block 1, NCB 3075, 1803 South Presa Street. Staff recommends approval.

Staff stated there were 31 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no response from Lavaca Neighborhood Association. Staff mailed 12 notices to the Planning Team.

**COMMISSION ACTION**

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

**AYES: Wright, McFarland, Valadez, Kelley, Cole, Myers, Anguiano, Martinez, Tiller,  
Nava**

**NAY: None**

**THE MOTION CARRIED**

**7. ZONING CASE NUMBER Z2010073 (Council District 2):** A request for a change in zoning from "I-2 EP-1" Heavy Industrial Facility Parking/Traffic Control District-1 to "C-2 EP-1" Commercial Facility Parking/Traffic Control District-1 on Lot 18, Block 3, NCB 16532, 3700 Belgium. Staff recommends approval pending plan amendment.

Staff stated there were 27 notices mailed out to the surrounding property owners, 1 returned in opposition and 1 returned in favor and no response from United Homeowners Improvement Association, Inc. Staff mailed 29 notices to the Planning Team.

**COMMISSION ACTION**

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

**AYES: Wright, McFarland, Valadez, Kelley, Cole, Myers, Anguiano, Martinez, Tiller, Nava**

**NAY: None**

**THE MOTION CARRIED**

**8. ZONING CASE NUMBER Z2010074 (Council District 1):** A request for a change in zoning from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-1 AHOD" Light Commercial Airport Hazard Overlay District on the southwest 50 feet of Lots 1 and 2, Block 50, NCB 2744, 1606 Fulton Avenue. Staff recommends approval pending plan amendment.

Staff stated there were 25 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and Keystone Neighborhood Association is requested this case be continued and Jefferson Neighborhood Association is in opposition. Staff mailed 30 notices to the Planning Team.

**COMMISSION ACTION**

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

**AYES: Wright, McFarland, Valadez, Kelley, Cole, Myers, Anguiano, Martinez, Tiller, Nava**

**NAY: None**

**THE MOTION CARRIED**

9. **ZONING CASE NUMBER Z2010077 H (Council District 7):** A request for a change in zoning from “R-6 AHOD” Residential Single-Family Airport Hazard Overlay District, “R-6 CD AHOD” Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Fourplex, and “R-6 CD AHOD” Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Duplex to “H R-6 AHOD” Residential Single-Family Monticello Park Historic Airport Hazard Overlay District, “H R-6 CD AHOD” Residential Single-Family Monticello Park Historic Airport Hazard Overlay District with a Conditional Use for a Fourplex, and “H R-6 CD AHOD” Residential Single-Family Monticello Park Historic Airport Hazard Overlay District with a Conditional Use for a Duplex on properties generally bound by Donaldson Avenue to the north, West Woodlawn to the south, San Antonio Avenue to the east and Lake Boulevard to the west. Staff recommends approval.

**The following citizen(s) appeared to speak:**

Barbara Witte-Howl, representing San Antonio Conservation Society, stated they are in support of their request.

Staff stated there were 522 notices mailed out to the surrounding property owners, 13 returned in opposition and 22 returned in favor and Jefferson, Monticello Park Neighborhood Associations and Woodlawn Lake Community Association are in support. Staff mailed 30 notices to the Planning Team.

**COMMISSION ACTION**

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

**AYES: Wright, McFarland, Valadez, Kelley, Cole, Myers, Anguiano, Martinez, Tiller, Nava**

**NAY: None**

**THE MOTION CARRIED**

**INDIVIDUAL CONSIDERATION:**

10. **ZONING CASE NUMBER Z2010059 S (Council District 5):** A request for a change in zoning from “C-3 AHOD” General Commercial Airport Hazard Overlay District to “C-3 S AHOD” General Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Pay Day Loan Agency on 2,103 square feet out of Lot 2, Block 6, NCB 9039, 3606 South Zarzamora Street. Staff recommends denial.

Bobby Perez, representative, stated he would like to request a two-week continuance to further discuss the “S” Specific Use permit with the surrounding property owners.

Staff stated there were 16 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and no response from Quintana Community Neighborhood Association. Staff mailed 32 notices to the Planning Team. Staff received an email from Nogalitos/South Zarzamora Community Plan expressing opposition.

### **COMMISSION ACTION**

The motion was made by Commissioner Valadez seconded by Commissioner Myers to recommend a continuance until April 20, 2010.

**AYES: Wright, McFarland, Valadez, Kelley, Cole, Myers, Anguiano, Martinez, Tiller, Nava**

**NAY: None**

### **THE MOTION CARRIED**

**11. ZONING CASE NUMBER Z2010066 S ERZD (Council District 9):** A request for a change in zoning from "C-2 ERZD AHOD MLOD-1" Commercial Edwards Recharge Zone Airport Hazard Overlay Military Lighting Overlay District-1 to "C-2 S ERZD AHOD MLOD-1" Commercial Edwards Recharge Zone Airport Hazard Overlay Military Lighting Overlay District-1 with a Specific Use Authorization for a Car Wash on Lot 7, Block 2, NCB 18908, 1.193 acres out of the 2000 and 2100 Block of Loop 1604. Staff recommends approval with conditions.

Mark Neville, representative, stated he would like to request a continuance.

#### **The following citizen(s) appeared to speak:**

David Carlock, spoke in opposition. He stated The Waters at Deerfield representatives attempted to meet and further discuss this proposal but received no response from the developer. He stated they are concerned with environmental, chemical, noise, lighting and extended hours that would disrupt the community.

Staff stated there were 17 notices mailed out to the surrounding property owners, 12 returned in opposition and 4 returned in favor and no response from Waters at Deerfield. Staff also received 66 notices to outside the 200-foot radius expressing their opposition.

### **COMMISSION ACTION**

The motion was made by Commissioner Nava seconded by Commissioner McFarland to recommend a continuance until May 4, 2010.

**AYES: Wright, McFarland, Valadez, Kelley, Cole, Myers, Anguiano, Martinez, Tiller,  
Nava**

**NAY: None**

**THE MOTION CARRIED**

**12. ZONING CASE NUMBER Z2010050 (Council District 8):** A request for a change in zoning from "R-6 MLOD-1" Residential Single-Family Military Lighting Overlay District and "R-20 MLOD-1" Residential Single-Family Military Lighting Overlay District to "I-2 MLOD-1" Heavy Industrial Military Lighting Overlay District on Lots 18, 19, 20, 21, 22, 23, 24, 50, 51, north irregular 110.6 feet of 17 and east 16 feet of 25, NCB 35733, 21120, 21105 Milsa Drive and 7193 Heuermann Road. Staff recommends denial.

Jerry Arredondo, representative, stated he has met with the Councilman and is currently working on addressing a few issues therefore; he would like to request a continuance. He stated the purpose of this request is to make existing land uses conforming.

**The following citizen(s) appeared to speak:**

Jason Rodriguez, expressed concerns with how this residential neighborhood gradually has converted to commercial use. He stated several residential homes have been demolished for commercial development. He also expressed concerns with how this would effect his property values.

Staff stated there were 13 notices mailed out to the surrounding property owners, 0 returned in opposition and 3 returned in favor and no response from Friends of Friedrich Wilderness Park.

**COMMISSION ACTION**

The motion was made by Commissioner Tiller seconded by Commissioner Martinez to recommend a continuance until April 20, 2010.

**AYES: Wright, McFarland, Valadez, Kelley, Cole, Myers, Anguiano, Martinez, Tiller,  
Nava**

**NAY: None**

**THE MOTION CARRIED**

**13. ZONING CASE NUMBER Z2010078 CD (Council District 5):** A request for a change in zoning from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for a Bar/Tavern on Lots 8, 9, 10, 11 and 12, Block 1, NCB 6679, 2007 Frio City Road. Staff recommends approval.

Russell Felan, representative, stated he would like to request a continuance to meet with the surrounding property owners to present their proposal and address any concerns they may have.

Staff stated there were 27 notices mailed out to the surrounding property owners, 5 returned in opposition and 1 returned in favor and Quintana Community Neighborhood Association is in opposition. Staff mailed 53 notices to the Planning Team.

**COMMISSION ACTION**

The motion was made by Commissioner Valadez seconded by Commissioner Myers to recommend a continuance until April 20, 2010.

**AYES: Wright, McFarland, Valadez, Kelley, Cole, Myers, Anguiano, Martinez, Tiller, Nava**

**NAY: None**

**THE MOTION CARRIED**

14. **ZONING CASE NUMBER Z2010079 S (Council District 6):** A request for a change in zoning from "C-3R" General Commercial Restrictive Alcohol Sales District to "C-3R S" General Commercial Restrictive Sales District with a Specific Use Authorization for a Pay Day Loan Agency on Parcel 22, NCB 15098, 10100 Block of Culebra Road. Staff recommends approval.

Melissa Huffman, representative, stated they will be meeting with the homeowner's association and the Councilman to discuss their proposal therefore; she would like to request a continuance.

Staff stated there were 19 notices mailed out to the surrounding property owners, 2 returned in opposition and 2 returned in favor and no response from Hidden Meadows Community. Staff mailed 62 notices to the Planning Team.

**COMMISSION ACTION**

The motion was made by Commissioner Martinez seconded by Commissioner Cole to recommend a continuance until April 20, 2010.

**AYES: Wright, McFarland, Valadez, Cole, Myers, Anguiano, Martinez, Tiller, Nava**

**NAY: None**

**THE MOTION CARRIED**

15. **ZONING CASE NUMBER Z2009159 S (Council District 7):** A request for a change in zoning from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District and "C-3R AHOD" General Commercial Restrictive Alcohol Sales Airport Hazard Overlay District to "R-5 S AHOD" Residential Single-Family Airport Hazard Overlay District with a Specific Use Authorization for a Manufactured Home on Lot 18, Block 2, NCB 11991, 6557 West Commerce Street. Staff recommends approval.

Eugene Gonzalez, owner, stated the purpose of this request is to allow for a manufactured home on the subject property.

**The following citizen(s) appeared to speak:**

Margie Regaldo, spoke in opposition. She stated the surrounding property owners do not have a clear understanding of what this zoning change is going to affect the neighborhood if any.

Staff stated there were 29 notices mailed out to the surrounding property owners, 1 returned in opposition and 2 returned in favor and no response from Community Workers Council.

**COMMISSION ACTION**

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

**AYES: Wright, McFarland, Valadez, Kelley, Cole, Myers, Anguiano, Martinez, Tiller, Nava**

**NAY: None**

**THE MOTION CARRIED**

16. **ZONING CASE NUMBER Z2010048 CD (Council District 4):** A request for a change in zoning from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a convenience store on the north 113 feet of Lot 22 and the north 117.5 feet of Lot 23, Block 2, NCB 7892, save and except the part of said lots conveyed to the City of San Antonio in Volume 3301, Page 1436, Real Property Records, Bexar County, Texas, 941 Stonewall Avenue. Staff recommends approval.

Aurelia Smyth, owner, stated the purpose of this request is allow for a neighborhood convenience store on the subject property. She stated they have been operating a small family store for 45 years. She stated they was granted nonconforming right however her previous tenant relocated and the business was closed for over a year which is the purpose of requesting a conditional use to continue to operate their neighborhood family store.

**The following citizen(s) appeared to speak:**

Allan Townshead, President of Nogalitos/South Zarzamora Community Plan, stated they have not met with the owner however their concerned with the convenience store's sale of alcohol.

Porifio Barcenas, expressed the same concerns as Mr. Townshead stated concerning the sale of alcohol beverages.

Staff stated there were 42 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor and no response from Tierra Linda Neighborhood Association. Staff mailed 32 notices to the Planning Team.

**COMMISSION ACTION**

The motion was made by Commissioner Myers seconded by Commissioner Cole to recommend approval.

**AYES: Wright, McFarland, Kelley, Cole, Myers, Tiller, Nava**

**NAY: Valadez, Anguiano, Martinez**

**THE MOTION CARRIED**

17. **ZONING CASE NUMBER Z2010064 CD (Council District 9):** A request for a change in zoning from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-2NA CD AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Conditional Use for Auto Paint and Body - Repair with Outside Storage of Vehicles and Parts Permitted but Totally Screened from View of Adjacent Property Owners and Public Roadways on Lot 21, NCB 11875, 8418 Broadway. Staff recommends approval

Charles Hernal, owner, stated the purpose of this request is to bring existing businesses to compliance.

**The following citizen(s) appeared to speak:**

Mary Hernal, spoke in support of this request.

Sandra Prior, stated they have a few concerns with the visibility and where and what type of screening would be provided.

Staff stated there were 17 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and Oak Park/Northwood Neighborhood Association is in favor. Staff mailed 59 notices to the Planning Team.

**COMMISSION ACTION**

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

**AYES: Wright, McFarland, Valadez, Kelley, Cole, Myers, Anguiano, Martinez, Tiller, Nava**

**NAY: None**

**THE MOTION CARRIED**

**18. ZONING CASE NUMBER Z2010069 (Council District 3):** A request for a change in zoning from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-3R AHOD" General Commercial Restrictive Alcohol Sales Airport Hazard Overlay District on Lots 3, 4 and 5, NCB 9471, 722 Southwest Military Drive. Staff recommends approval.

Andy Guerrero, representative, stated he would like to amend his request to "C-3NA". He stated the purpose of this zoning change is to bring the exiting business into conforming.

**The following citizen(s) appeared to speak:**

Cecilia Garcia, stated she owns adjacent business and is concerns with limited access and the alcohol consumption.

Staff stated there were 9 notices mailed out to the surrounding property owners, 2 returned in opposition and 0 returned in favor and no response from Harlandale Park Neighborhood Association.

**COMMISSION ACTION**

The motion was made by Commissioner Anguiano seconded by Commissioner Myers to recommend approval of "C-3NA".

**AYES: Wright, McFarland, Valadez, Kelley, Cole, Myers, Anguiano, Martinez, Tiller, Nava**

**NAY: None**

**THE MOTION CARRIED**

**19. ZONING CASE NUMBER Z2010081 S (Council District 10):** A request for a change in zoning from "C-3 AHOD" General Commercial Airport Hazard Overlay District to "C-3 S AHOD" General Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Pay Day Loan Agency on Lots 11 and 12, NCB 13740, 3119 and 3123 Thousand Oaks. Staff recommends approval.

Melissa Huffman, representative, stated they are proposing to operate a Pay Day Loan facility on the subject property. She stated she would like to request a continuance until April 20, 2010 to meet with the homeowners association.

**The following citizen(s) appeared to speak:**

Nancy Urwin-Camara, stated she does not support this request as she feels this would have a negative impact on the community.

Staff stated there were 27 notices mailed out to the surrounding property owners, 3 returned in opposition and 0 returned in favor and no response from Eden Homeowners Association.

**COMMISSION ACTION**

The motion was made by Commissioner McFarland seconded by Commissioner Martinez to recommend a continuance until April 20, 2010.

**AYES: Wright, McFarland, Valadez, Kelley, Cole, Myers, Anguiano, Martinez, Tiller,  
Nava**

**NAY: None**

**THE MOTION CARRIED**

20. Discussion and possible action regarding Rule Interpretation Decisions (RIDs).

Andrew Spurgin, Planning Manager, presented item.

**21. ADJOURNMENT.**

There being no further business, the meeting was adjourned at 3:00 p.m.

APPROVED:

  
Susan Wright, Chair

ATTEST:

  
Executive Secretary