

**SAN ANTONIO ZONING COMMISSION
OFFICIAL MINUTES
August 19, 2008**

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.

2. Roll Call.

PRESENT: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers, Martinez, R. Valadez, Gray

ABSENT: Wright

3. Director's Report.

4. Approval of August 5, 2008 Minutes.

COMMISSION ACTION

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers, Martinez

NAYS: None

ABSTAIN: R. Valadez, Gray

1:00 PM – Public Hearing

Chairman Sherrill stated following zoning cases have been postponed as per the applicant's request, Z2008233 CD S and Z2008229. Also, Zoning Case No. Z2008222 and Zoning Case No. Z2008238 have been withdrawn as per the applicant's request.

CONSENT ZONING

Commissioner Gadberry made a motion to approve the following rezoning cases with conditions and amendments as staff has recommended. Additionally, no citizens have signed to speak in opposition on the said cases: items 10, 15 and 31, 13, 20 and 26. The motion was seconded by Commissioner Gray.

5. ZONING CASE NUMBER Z2008197 S (Council District 5): A request for a change in zoning from "C-3R" General Commercial District, Restrictive Alcohol Sales to "C-3R S" General Commercial District, Restrictive Alcohol Sales with a Specific Use Authorization for a Contractor's Facility on Lot 36 and Lot 37, Block 4, NCB 7926, 1457 Chalmers Avenue. Staff recommends approval with conditions.

This case was approved by consent.

James Griffin, representative, stated they are requesting this change in zoning to allow for a contractor's facility. He stated he would like to amend his request to "C-3NA". He further stated they have met with the neighborhood association and have agreed on some deed restrictions. He stated they are in agreement with staff's conditions however he would like to request that staff's condition # 2 be amended to 6:00 am until 10:00 pm.

The following citizen(s) appeared to speak:

Allen Townshead, spoke in favor.

Staff stated there were 31 notices mailed out to the surrounding property owners, 1 returned in opposition and 3 returned in favor. Staff mailed out 33 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Gadberry and seconded by Commissioner Gray to recommend approval with the following conditions:

1. All on-site lighting shall be directed onto the site and pointed away from any residential zoning or uses using 90 degree or less cut-off fixtures.
2. Business hours of operation shall not be permitted before 6:00 a.m. or after 10:00 p.m.
3. An eight-foot tall solid screen fence shall be erected and maintained along the eastern property line, in the side yard.
4. No outside storage of materials shall be permitted.
5. Storage of machinery and equipment shall be located along the back portion of the property.
6. Limit the number of vehicles to be stored on the property.

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers, R. Valadez, Gray

NAY: None

THE MOTION CARRIED

6. ZONING CASE NUMBER Z2008205 (Council District 6): A request for a change in zoning from "R-6" Residential Single-Family District (approximately 37.24 acres) and "I-1" General Industrial District (approximately 3.75 acres) to "C-2NA" Commercial Nonalcoholic Sales District on 41 acres out of NCB 16115, 2800 Block of Cinema Ridge. Staff recommends approval.

This case was approved by consent.

Steve Drenner, representative, stated the purpose of this request is to allow for office development. He stated he has been in contact with the surrounding property owners and have agreed on some deed restrictions.

The following citizen(s) appeared to speak:

Ruben Davila, stated he would like more clarification as to the development of this project. He stated he has some concerns with the buffers. He stated he has been in contact with the applicant and is agreeable to continue dialogue between now and the time this case is presented to City Council.

Gene Camargo, stated he is in agreement only if they comply with the buffers and deed restrictions.

Staff stated there were 52 notices mailed out to the surrounding property owners, 1 returned in opposition and 1 returned in favor and Thunderbird Hill Neighborhood Association is in favor.

COMMISSION ACTION

The motion was made by Commissioner Gadberry and seconded by Commissioner Gray to recommend approval.

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers, R. Valadez, Gray

NAY: None

THE MOTION CARRIED

7. ZONING CASE NO. Z2008245 HAS BEEN PULLED BY STAFF DUE TO AN ADMINISTRATIVE ERROR AND WILL BE CONSIDERED ON SEPTEMBER 16, 2008.

8. ZONING CASE NUMBER Z2008248 (Council District 2): A request for a change in zoning from "R-5" Residential Single-Family District to "I-1" General Industrial District on 0.878 acre tract of land out of NCB 12857, 5010 Stout Drive. Staff recommends approval.

This case was approved by consent.

Staff stated there were 5 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor.

COMMISSION ACTION

The motion was made by Commissioner Gadberry and seconded by Commissioner Gray to recommend approval.

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers, R. Valadez, Gray

NAY: None

THE MOTION CARRIED

9. **ZONING CASE NUMBER Z2008230 (Council District 3):** A request for a change in zoning from "RP" Resource Protection District to "HE RP" Historic Exceptional, Resource Protection District on Parcel 2A, CB 4181, 1349 Neal Road. Staff recommends approval.

This case was approved by consent.

Staff stated there were 5 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor. Staff mailed 80 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Gadberry and seconded by Commissioner Robbins to recommend approval.

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers, R. Valadez, Gray

NAY: None

THE MOTION CARRIED.

10. **ZONING CASE NUMBER Z2008234 (Council District 7):** A request for a change in zoning from "C-3" General Commercial District to "HE C-3" Historic Exceptional General Commercial District on a 0.0647 of an acre parcel out of Lot 5, Block 8, NCB 18169, 9760 Braun Road. Staff recommends approval.

This case was approved by consent.

Staff stated there were 6 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no response from Saddlebrook Farms Neighborhood Association. Staff mailed 65 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Gadberry and seconded by Commissioner Robbins to recommend approval.

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers, R. Valadez, Gray

NAY: None

THE MOTION CARRIED

11. **ZONING CASE NUMBER Z2008239 (Council District 8):** A request for a change in zoning from "R-6" Residential Single-Family District to "HE R-6" Historic Exceptional, Residential Single-Family District on 20.0 acres out of CB 4531, also known as Parcel P-2, NCB 18157, 11025 Pomona Park Drive. Staff recommends approval.

This case was moved to the end of the agenda.

12. **ZONING CASE NUMBER Z2008240 (Council District 8):** A request for a change in zoning from "R-6" Residential Single-Family District to "HE R-6" Historic Exceptional, Residential Single-Family District on Parcel P-26, Block 1, NCB 17180, 1021 Voelcker Lane. Staff recommends approval.

This case was approved by consent.

Staff stated there were 40 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor.

COMMISSION ACTION

The motion was made by Commissioner Gadberry and seconded by Commissioner Robbins to recommend approval.

**AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers, R.
Valadez, Gray**

NAY: None

THE MOTION CARRIED

INDIVIDUAL CONSIDERATION:

13. Consideration of a resolution to be recommended to City Council of the Mission/Vision statement as a shared vision and tool to be utilized for any River corridor related policy decisions by the Zoning Commission.

Staff introduced item.

COMMISSION ACTION

The motion was made by Commissioner Westheimer and seconded by Commissioner Hawkins to recommend approval.

**AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers, R.
Valadez, Gray**

NAY: None

THE MOTION CARRIED

14. **ZONING CASE NUMBER Z2008147 ERZD (Council District 8):** A request for a change in zoning from "R-6 CD ERZD" Residential Single-Family Edwards Recharge Zone District with a Conditional Use for a Private High School to "O-1 ERZD" Office Edwards Recharge Zone District (1.6350 acres) and "O-2 ERZD" Office Edwards Recharge Zone District (11.9523 acres) on 13.5873 acres out of NCB 17627 and NCB 18598, 4150 DeZavala Road. Staff recommends approval.

James Griffin, representative, stated the purpose of this request is to allow for office development. He stated they have met with two of the neighborhood association and have agreed to a 50-foot landscape buffer along the residential portion. He further stated they would like to request a two-week continuance to allow more time to meet with the neighborhood association to address any other concerns they may have.

The following citizen(s) appeared to speak:

Dr. James Basden, spoke in opposition. He expressed concerns with the quality of life and the habitat wildlife being destroyed with this development. He also expressed concerns with noise and light pollution and increase in traffic.

Elizabeth Basden, spoke in opposition. She expressed the same concerns and would like to add concerns with the affects this may have on our Recharge Zone.

Staff stated there were 54 notices mailed out to the surrounding property owners, 3 returned in opposition and 1 returned in favor.

COMMISSION ACTION

The motion was made by Commissioner R. Valadez and seconded by Commissioner Robbins to recommend a continuance until September 2, 2008.

AYES: Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers, R. Valadez, Gray
NAY: Sherrill

THE MOTION CARRIED

15. **ZONING CASE NUMBER Z2008182 S (Council District 5):** A request for a change in zoning from "R-6" Residential Single-Family District to "I-1 S" General Industrial District with a Specific Use Authorization for Metal Products Fabrication on Lots 23 and 24, Block 5, NCB 11370, 2634 Southwest 34th Street. Staff recommends denial.

Applicant/Representative not present.

The following citizen(s) appeared to speak:

Rodolfo Klebahn, spoke in opposition. He is concerns with the health and safety of the surrounding property owners.

Staff stated there were 21 notices mailed out to the surrounding property owners, 1 returned in opposition and 0 returned in favor and no response from Thompson Community Association. Staff mailed 47 notices to the planning team.

COMMISSION ACTION

The motion was made by Commissioner J. Valadez and seconded by Commissioner Gadberry to recommend denial.

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers, Gray

NAY: None

THE MOTION CARRIED

16. **ZONING CASE NUMBER Z2008211 (Council District 1):** A request for a change in zoning from "I-1 RIO-2" General Industrial River Improvement Overlay District 2 to "D RIO-2" Downtown River Improvement Overlay District 2 on 0.203 acres out of NCB 441, 630 Broadway. Staff recommends denial.

Geraldo Menchaca, representative, stated he would like to request a 30-day continuance.

Staff stated there were 25 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor. Staff mailed 161 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Westheimer and seconded by Commissioner Gadberry to recommend a continuance until September 16, 2008.

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers, R. Valadez, Gray

NAY: None

THE MOTION CARRIED

17. **ZONING CASE NUMBER Z2008212 (Council District 1):** A request for a change in zoning from "I-1 RIO-2" General Industrial River Improvement Overlay District 2 to "D RIO-2" Downtown River Improvement Overlay District 2 on Lot 8 and the northeast 44.61 feet of Lot 7, Block 3, NCB 446, 702 Broadway. Staff recommends denial.

Geraldo Menchaca, representative, stated he would like to request a 30-day continuance.

Staff stated there were 23 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor. Staff mailed 161 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Westheimer and seconded by Commissioner Robbins to recommend a continuance until September 16, 2008.

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers, R. Valadez, Gray

NAY: None

THE MOTION CARRIED

18. **ZONING CASE NUMBER Z2008225 (Council District 8):** A request for a change in zoning from "O-2" Office District and "R-6" Residential Single-Family District to "C-1" Light Commercial District and "C-2" Commercial District on a 1.795 acre tract of land out of Block 3, NCB 14713, 121001, 121002 and 121003 Huebner Road and 4231 and 4227 Sandstone Drive. Staff recommends denial.

Mike Maring, applicant, stated he would like to request a two-week continuance to meet with surrounding property owners to address their concerns.

The following citizen(s) appeared to speak:

P. J. Swanson, spoke in opposition. She stated there has been opposition expressed in this request and feels that action should be taken on this case today.

Frank Tuttle, spoke in opposition. He stated commercial development would ruin the residential character of the neighborhood and is concerned that this would encourage more commercial encroachment into the neighborhood.

Staff stated there were 23 notices mailed out to the surrounding property owners, 5 returned in opposition and 5 returned in favor and Vance Jackson Neighborhood Association is in opposition. Staff received a petition with 14 signatures expressing opposition. Staff has received an email from the applicant requesting a continuance.

COMMISSION ACTION

The motion was made by Commissioner R. Valadez and seconded by Commissioner Robbins to recommend a continuance until September 2, 2008.

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers, R. Valadez, Gray

NAY: None

THE MOTION CARRIED

19. ZONING CASE NUMBER Z2008226 (Council District 8): A request for a change in zoning from "O-2" Office District to "C-2" Commercial District on Lot 40, NCB 11622, 7923 Donore Place. Staff recommends denial of "C-2" with an alternate recommendation of "C-1".

Eric Peterson, applicant, stated the purpose of this request is to allow for a day care center. He stated they have been in operation since November 2005. He further stated their business hours would be from 6:30 am until 6:30 pm. He stated he was not aware of the opposition but has briefly spoke to the residence and has agreed on some conditions. He further stated he is agreeable to "C-1" as staff has recommended.

The following citizen(s) appeared to speak:

Chantal Harrison, spoke in opposition. She stated she has been in contact with the applicant and has expressed her concerns with traffic in and out of the neighborhood. She also expressed concerns with how this may ruin the residential character of the neighborhood.

Don Walker, spoke in opposition. He stated he does not approve of commercial encroachment into their residential neighborhood and is concerned that this will encourage more encroachment that is commercial into their neighborhood.

Joan Gaskin, spoke in opposition. She expressed the same concerns of traffic and commercial encroachment.

Commission Martinez arrived at 2:18.

Staff stated there were 20 notices mailed out to the surrounding property owners, 3 returned in opposition and 0 returned in favor and 1 undecided. Staff received 1 email in opposition.

COMMISSION ACTION

The motion was made by Commissioner R. Valadez and seconded by Commissioner Robbins to recommend a continuance until September 2, 2008.

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers, Martinez, R. Valadez, Gray

NAY: None

THE MOTION CARRIED

20. ZONING CASE NUMBER Z2008235 (Council District 2): A request for a change in zoning from "I-2" Heavy Industrial District to "HE I-2" Historic Exceptional Heavy Industrial District on 53.887 acres out of NCB 10568, 3803 Old Seguin Road. Staff recommends approval.

City staff represented this case.

The following citizen(s) appeared to speak:

Rollette Schreckenghost, representing San Antonio Conservation Society, stated they are in support of this request. They feel it serves as a symbol of Bexar County's rich farm and ranch history.

Staff stated there were 8 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor.

COMMISSION ACTION

The motion was made by Commissioner Hawkins for denial.

MOTION FAILED DUE TO LACK OF SECOND

Commissioner Hawkins withdrew her motion.

COMMISSION ACTION

The motion was made by Commissioner Hawkins and seconded by Commissioner Gray to recommend a continuance until September 2, 2008.

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers, Martinez, R. Valadez, Gray

NAY: None

THE MOTION CARRIED

21. ZONING CASE NUMBER Z2008236 (Council District 6): A request for a change in zoning from "R-5" Residential Single-Family District to "HE R-5" Historic Exceptional Residential Single-Family District on Parcel 7, NCB 15478, 6709 Forest Village. Staff recommends approval.

Paul Tezel, owner, stated he is in support of this Historic Exceptional designation. He stated his only concern is that he may be responsible for surveying his property when this case was initiated by City Council and feels the City should be responsible for this expense.

Staff stated there were 81 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and no response from Northwest Crossing and Great Northwest Neighborhood Association. Staff mailed 61 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Martinez and seconded by Commissioner Myers to recommend denial with a comment that had the metes and bounds of the structure been noted on the property the motion would have been for approval.

Commissioner Martinez withdrew his motion and Commissioner Myers withdrew his second.

COMMISSION ACTION

The motion was made by Commissioner Martinez and was seconded by Commissioner Myers to recommend a continuance until September 2, 2008.

AYES: Sherrill, Robbins, J. Valadez, Gadberry, Hawkins, Myers, Martinez, R. Valadez, Gray

NAY: None

THE MOTION CARRIED

22. **ZONING CASE NUMBER Z2008237 (Council District 4):** A request for a change in zoning from "NP-10" Neighborhood Preservation District to "HE NP-10" Historic Exceptional Neighborhood Preservation District on Tract F, NCB 13975, 4640 Southwest Military Drive. Staff recommends approval.

Myron Maples, owner, stated he is in support of this Historic Exceptional designation for the entire parcel.

The following citizen(s) appeared to speak:

Fred Adams, stated he is in support of this request.

W. J. Adcock, Jr., representing Richard Williams a property owner, stated he is opposition. He stated he currently operates a business nearby and concerned that this designation may have a negative impact on his business.

Staff stated there were 5 notices mailed out to the surrounding property owners, 1 returned in opposition and 0 returned in favor. Staff mailed 34 notices to the planning team.

COMMISSION ACTION

The motion was made by Commissioner Myers and seconded by Commissioner R. Valadez to recommend approval.

AYES: Sherrill, Robbins, J. Valadez, Gadberry, Hawkins, Myers, Martinez, R. Valadez, Gray

NAY: None

THE MOTION CARRIED

23. **ZONING CASE NUMBER Z2008239 (Council District 8):** A request for a change in zoning from "R-6" Residential Single-Family District to "HE R-6" Historic Exceptional, Residential Single-Family District on 20.0 acres out of CB 4531, also known as Parcel P-2, NCB 18157, 11025 Pomona Park Drive. Staff recommends approval

Bernard Fischman, representative, stated he does not feel there is any historical value on this property. He stated they are agreeable to a continuance to meet with staff and further discuss what and how his clients may benefit from this designation.

The following citizen(s) appeared to speak:

Rosanna Gonzalez, spoke in favor. She stated this designation would have a positive impact to their community. She further stated she have visited the property and strongly feel it should be preserved.

Gertored Guenin, spoke in favor. She stated she would like to see this structure preserved as it would beautify their community.

Staff stated there were 132 notices mailed out to the surrounding property owners, 0 returned in opposition and 3 returned in favor. Staff also received a response from Parkwood Maintenance Association expressing their support.

COMMISSION ACTION

The motion was made by Commissioner R. Valadez and seconded by Commissioner Robbins to recommend a continuance until September 16, 2008.

AYES: Sherrill, Robbins, J. Valadez, Gadberry, Hawkins, Martinez, R. Valadez, Gray

NAY: None

THE MOTION CARRIED

24. **ZONING CASE NUMBER Z2008241 (Council District 8):** A request for a change in zoning from "R-5" Residential Single-Family District to "HE R-5" Historic Exceptional, Residential Single-Family District on Parcel P-107, NCB 11637, 8910 Callaghan Road. Staff recommends approval.

PatriceVillastrigo, owner, stated she is in full support of this historic designation. She stated she has submitted field notes to staff that indicates the portion that would be designated Historic Exceptional.

The following citizen(s) appeared to speak:

Ray Wave, stated he is concerned with the future use of this property. He further stated he would like clarification as to how much of the property would be designated historic and is there a possibility of subdividing the property. He also expressed concerns with drainage issues.

Staff stated there were 19 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and no response from Vance Jackson Neighborhood Inc. Staff received field notes from the applicant.

COMMISSION ACTION

The motion was made by Commissioner R. Valadez and seconded by Commissioner Hawkins to recommend approval with field notes as presented.

AYES: Sherrill, Robbins, J. Valadez, Gadberry, Hawkins, Martinez, R. Valadez, Gray
NAY: None

THE MOTION CARRIED

25. ZONING CASE NUMBER Z2008244 (Council District 2): A request for a change in zoning from "I-1" General Industrial District to "C-3" General Commercial District on 9.650 acres out of NCB 17978. 6075 IH-10 East. Staff recommends denial.

Scott Dye, representative, stated they are proposing to develop a hotel on the subject property. He stated he has been in contact with the IH 10 East Corridor Plan representative as directed from the Council Office and has their support.

Staff stated there were 7 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor. Staff has mailed out 12 notices to the Planning Team.

FINDING OF CONSISTENCY OF THE MASTER PLAN

COMMISSION ACTION

The motion was made by Commissioner Hawkins and seconded by Commissioner Gadberry to find consistent with the neighborhood plan.

(A verbal vote was taken)

AYES: J. Valadez, Gadberry, Hawkins, Martinez, R. Valadez, Gray
NAYS: Sherrill, Robbins

THE MOTION CARRIED

COMMISSION ACTION

The motion was made by Commissioner Hawkins and seconded by Commissioner Gadberry to recommend approval.

AYES: Sherrill, Robbins, J. Valadez, Gadberry, Hawkins, Martinez, R. Valadez, Gray

NAY: None

THE MOTION CARRIED

26. **ZONING CASE NUMBER Z2008246 (Council District 8):** A request for a change in zoning from "C-2" Commercial District to "C-3" General Commercial District on Lots 10 and 11, Block 2, NCB 16353, 4020 Medical Drive and 4480 Horizon Hill Boulevard. Staff recommends denial of "C-3" with an alternate recommendation of "C-2 S".

Roy Horn, representative, stated he would like to amend his request to "C-3NA". He is proposing to develop a hotel on the subject property. He stated they agreed on some deed restrictions that prohibit car repair facilities, bars, convenient stores, gas stations, car washes.

Staff stated there were 8 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor.

COMMISSION ACTION

The motion was made by Commissioner R. Valadez and seconded by Commissioner Martinez to recommend approval.

AYES: Sherrill, Robbins, J. Valadez, Gadberry, Hawkins, Martinez, R. Valadez, Gray

NAY: None

THE MOTION CARRIED

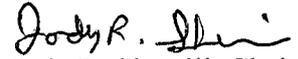
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27. ADJOURNMENT.

There being no further business, the meeting was adjourned at 4:28 p.m.

APPROVED:


Jody R. Sherrill, Chair

ATTEST:


Executive Secretary