

**SAN ANTONIO ZONING COMMISSION
OFFICIAL MINUTES
August 5, 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**

ABSENT: Wright, R. Valadez, Gray

3. Director's Report.

1:00 PM – Public Hearing

Chairman Sherrill stated following zoning cases have been postponed as per the applicant's request, Z2008170 CD, Z2008228, Z2008229 and Z2008230.

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 14, 15, 16, 17, 18, 19, 20, 23 and 27. The motion was seconded by Commissioner Robbins.

4. ZONING CASE NUMBER Z2008204 S (Council District 6): A request for a change in zoning from "C-2NA S" Commercial Nonalcoholic Sales District with a Specific Use Authorization for a Commercial Athletic Field to "C-2NA S" Commercial Nonalcoholic Sales District with a Specific Use Authorization for a Commercial Athletic Field (Site Plan Change) on 1.882 acres out of NCB 18859, 5900 Block of Village Park. Staff recommends approval.

This case was approved by consent.

Staff stated there were 35 notices mailed out to the surrounding property owners, 2 returned in opposition and 0 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, Martinez
NAY: None

THE MOTION CARRIED

5. ZONING CASE NUMBER Z2008174 (Council District 10): A request for a change in zoning from "C-2" Commercial District and "R-5" Residential Single-Family District to "C-2" Commercial District on a 17.56 acre tract of land out of NCB 17365, Eastside of Bulverde 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 3 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, Martinez
NAY: None

THE MOTION CARRIED

6. ZONING CASE NUMBER Z2008196 CD (Council District 10): A request for a change in zoning from "C-2" Commercial District to "C-2" (CD-Auto and Light Truck Repair) Commercial District with a Conditional Use for Auto and Light Truck Repair on Lot 44, Block B, NCB 8695, 1435 Austin Highway. Staff recommends approval with conditions.

This case was approved by consent.

Michael Chapa, applicant, stated he would like to amend his request to "C-2NA" and is in agreement with conditions as staff has recommended.

Staff stated there were 12 notices mailed out to the surrounding property owners, 1 returned in opposition and 1 returned in favor and no response from Wilshire Village Neighborhood Association. Staff mailed 54 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, Martinez
NAY: None

THE MOTION CARRIED

7. ZONING CASE NUMBER Z2008215 (Council District 4): A request for a change in zoning from "R-6" Residential Single-Family District to "MF-33" Multi Family District on north 60 feet of Lot 1, Block 7, NCB 15509, 8100 Landing Avenue. Staff recommends approval.

This case was approved by consent

Staff stated there were 20 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 Gadberry and seconded by Commissioner Robbins to recommend approval.

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers, Martinez
NAY: None

THE MOTION CARRIED

8. ZONING CASE NUMBER Z2008217 (Council District 3): A request for a change in zoning from "MF-33" Multi Family District to "C-2" Commercial District on 1 acre out of NCB 10979, 2819 Southeast Military Drive. Staff recommends approval pending plan amendment.

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 and no response from Highland Hills Neighborhood Association however staff has been informed that they are in support. Staff mailed 58 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, Martinez
NAY: None

THE MOTION CARRIED

9. ZONING CASE NUMBER Z2008218 S (Council District 6): A request for a change in zoning from "MPCD GC-2" Master Planned Community Highway 151 Gateway Corridor District to "C-3 GC-2 S" General Commercial Highway 151 Gateway Corridor District with a Specific Use Authorization for a Check Cashing Facility on 0.0442 acres out of Lot 1, Block 23, NCB 15849, 8767 State Hwy 151. Staff recommends approval.

This case was approved by consent.

Staff stated there were 2 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 Gadberry and seconded by Commissioner Robbins to recommend approval.

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers, Martinez
NAY: None

THE MOTION CARRIED

10. ZONING CASE NUMBER Z2008219 (Council District 1): A request for a change in zoning from "C-2 NCD-2" Commercial Neighborhood Conservation District-2 to "O-1 IDZ NCD-2" Office, Infill Development Zone Overlay, Neighborhood Conservation District-2 on north 60 feet of Lot 10 and east 60.41 feet of south 80.31 feet of Lot 10, Block 8, NCB 1891, 725 West Ashby Place. Staff recommends approval.

This case was approved by consent.

Staff stated there were 21 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor. Staff has mailed 62 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, Martinez
NAY: None

THE MOTION CARRIED

11. ZONING CASE NUMBER Z2008220 CD (Council District 2): A request for a change in zoning from "C-2" Commercial District to "C-2 CD" (CD - Funeral Home) Commercial District with a Conditional Use for a Funeral Home on Lot 23, Block 2, NCB 10774, 2415 South W. W. White Road. Staff recommends approval.

This case was approved by consent.

Kim Schroeder, representative, stated the purpose of this request is to allow for a funeral home. She stated is not agreeable to staff recommendation of hours of operation being from 8:00 am to 6:00 pm. She stated services usually begin at 7:00 pm and usually last for an hour. She stated she would like to request the hours be from 8:00 am to 9:00 pm. She further stated they are planning on building a dual chapel at the facility and would like to request their be access on Mary Helen and Sinclair as well as a dual access on W. W. White Road.

Staff stated there were 28 notices mailed out to the surrounding property owners, 2 returned in opposition and 1 returned in favor.

COMMISSION ACTION

No action was taken. Chairman tabled this case until the end of the agenda.

12. ZONING CASE NUMBER Z2008223 (Council District 1): A request for a change in zoning from "C-3NA" General Commercial District, Nonalcoholic Sales to "C-3NA IDZ" General Commercial Nonalcoholic Sales, Infill Development Zone Overlay District on south 142.5 feet of Lot 3, Block 2, NCB 3027, 308 W. Josephine. Staff recommends approval pending Plan Amendment.

This case was approved by consent.

Staff stated there were 18 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and no response from the Tobin Hill Neighborhood Association. Staff mailed 26 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, Martinez

NAY: None

THE MOTION CARRIED

13. **ZONING CASE NUMBER Z2008231 (Council District 4):** A request for a change in zoning from "MI-1" Mixed Light Industrial District to "HE MI-1" Historic Exceptional, Mixed Light Industrial District on Parcel 8C, Parcel 10B, and Parcel 10D CB 4297, Approximate 17200 Block of Applewhite Road. Staff recommends approval.

This case was approved by consent.

Staff stated there were 12 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, Martinez
NAY: None

THE MOTION CARRIED

INDIVIDUAL CONSIDERATION:

14. **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.

Patrick Christensen, representative, stated they have met with the neighborhood association and have agreed on some deed restrictions therefore he would like to request a two-week continuance.

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

COMMISSION ACTION

The motion was made by Commissioner J. Valadez and seconded by Commissioner Westheimer to recommend a continuance until August 19, 2008.

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers, Martinez
NAY: None

THE MOTION CARRIED

15. ZONING CASE NUMBER Z2008171 ERZD (Council District 9): A request for a change in zoning from "MF-33 ERZD" Multi-Family Edwards Recharge Zone District to "C-3 ERZD" General Commercial Edwards Recharge Zone District on 1.5999 acre tract of land out of Lot 28 and Lot 29, Block 1, NCB 17600, 21026 Encino Commons. Staff recommends approval.

Richard Frasier, representative, stated the purpose of this request is to make consistent with the surrounding commercial uses.

Staff stated there were 20 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 Westheimer and seconded by Commissioner Martinez to recommend approval.

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

NAY: None

ABSTAIN: Gadberry

THE MOTION CARRIED

16. ZONING CASE NUMBER Z2008156 CD (Council District 2): A request for a change in zoning from "C-2" Commercial District and "C-1" Light Commercial District to "C-2NA CD" (CD-Warehousing) Commercial District, Nonalcoholic Sales with a Conditional Use for Warehousing on 1.904 acres out of NCB 15805, On the west side of Castle Cross, midblock between Castle Hunt Drive to the north and Rittiman Road to the south. Staff recommends denial.

Applicant/Representative not present.

Staff stated there were 25 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and East Village Neighborhood Association is in favor.

COMMISSION ACTION

The motion was made by Commissioner Hawkins and seconded by Commissioner Martinez to recommend denial.

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

NAY: None

THE MOTION CARRIED

17. ZONING CASE NUMBER Z2008185 CD (Council District 10): A request for a change in zoning from "C-3NA" General Commercial District, Nonalcoholic Sales to "C-3NA CD" (CD- Auto Parking and/or Long Term Storage) General Commercial District, Nonalcoholic Sales with a Conditional Use for Auto Parking and/or Long Term Storage on Lots 7, 8, 9 and 10; the southeast 79 feet of Lot 11; Parcel 100; Lots 17, 18, 19 and 20; and the northeast 68.97 feet of Lot 21; Block 11, NCB 17623; 3.082 acres out of NCB 17623 and 0.255 acres out of NCB 17623, on the south side of Randolph Boulevard, between O'Connor Road to the west and Gilder Boulevard to the east. Staff recommends approval with conditions.

Patrick Christensen, representative, stated the purpose of this request is to allow for an auto parking and/or Storage Long Term. He further stated they are agreeable to staff conditions.

Staff stated there were 48 notices mailed out to the surrounding property owners, 0 returned in opposition and 21 returned in favor and no response from Randolph Hills Civic Club and Royal Ridge Neighborhood Association.

COMMISSION ACTION

The motion was made by Commissioner Robbins and seconded by Commissioner Myers to recommend approval of CD- Auto Parking and/or Storage Long Term with the following conditions:

1. All on-site lighting shall be directed onto the site and point away from any residential zoning or uses using 90 degree or less cut-off fixtures;
2. Screening shall be provided along the southeast property line of the subject property and shall consist of a fence that shields the view of the subject property from adjacent residences;
3. No storage of junk vehicles shall be allowed;
4. There shall be no auctioning of vehicles from the premises; and
5. The Parking and Storage Standards of the UDC Section 35-525 shall apply to all lots used for long term auto parking and/or storage. Specifically Outdoor Storage Standards, paragraph (a) Applicability (5) Class 5 Storage, subparagraph D which includes the following: Storage areas shall be located in the rear yard unless completely screened from view as per subsection (2); There shall be no storage of vehicles or display of any kind if the property abuts any residential district unless a Type C buffer is provided as per subsection (3), and Outdoor storage areas shall be completely screened from view and shall be screened from public street view to a height of at least six (6) feet as per subsection (4).
6. Wrecker service and licensed vehicle storage facility are specifically prohibited.

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

NAY: None

THE MOTION CARRIED

18. ZONING CASE NUMBER Z2008200 (Council District 8): A request for a change in zoning from "I-1" General Industrial District and "C-3" General Commercial District to "C-2" Commercial District on Lot 1, Block 22, NCB 14861, 6506 West Hausman Road. Staff recommends approval.

Art Martinez DeVara, representative, stated they are requesting this change in zoning to allow for a day care center. He stated they have met with Councilwoman Cibrian and the surrounding property owners to address their concerns. He further stated after agreeing to come conditions the neighbors are now in support of this request.

The following citizen(s) appeared to speak:

Peter Piper, representative the homeowners association, spoke in favor and in opposition. He expressed concerns with the infrastructure and feels this should be addressed however after meeting with Councilwoman Cibrian and Mr. Martinez De Vara, the representative, and have agreed to certain conditions, they are now in favor of this request.

Staff stated there were 21 notices mailed out to the surrounding property owners, 1 returned in opposition and 2 returned in favor. Staff received a petition from Council District 8 Office expressing both favor and opposition that were both in and outside the 200-foot radius.

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, Martinez

NAY: None

THE MOTION CARRIED

19. ZONING CASE NUMBER Z2008220 CD (Council District 2). Chairman reopened this case for consideration.

Kim Schroeder-Bierschwale, representative, stated the purpose of this request is to allow for a funeral home. She stated they are planning to build a dual chapel at the facility and would like to request there be access on Mary Helen and Sinclair as well as a dual access on W. W. White Road and would like to request that Staff Recommended Condition #2 be eliminated. In addition, she would like to request that Staff Recommended Condition #3 be amended to 8:00 am to 9:00 pm.

COMMISSION ACTION

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

1. A 30 foot rear setback, a 15 foot landscape buffer and a physical barrier such as a fence shall be provided along the west property line of the subject property, where the subject property abuts existing "RM-4" residential mixed zoning.
2. Commercial access to the subject property shall be limited to South W. W. White Road. There shall be no commercial access from/to Julia Helen Drive. Access to/from and have Sinclair Road and Mary Helen Drive shall be as service drives only.
3. Hours of operation shall be limited to between 8:00 a.m. to 9:00 p.m.

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers, Martinez
NAY: None

THE MOTION CARRIED

20. ZONING CASE NUMBER Z2008222 CD (Council District 1): A request for a change in zoning from "C-2NA NCD-2" Commercial, Nonalcoholic Sales Neighborhood Conservation District-2 to "C-2 CD NCD-2" (CD - Bar) Commercial Neighborhood Conservation District-2 with a Conditional Use to allow for a bar on Lot 9 and the west 1 foot of the south 80.31 feet of Lot 10, Block 8, NCB 1891, 741 West Ashby Place. Staff recommends approval with conditions.

Thinh Mai, owner, stated he would like to amend his request to "C-2 NCD-2". He stated they have been in operation for approximately 3 years now. He stated the purpose of this request to allow sales of alcohol with the food. He stated he has met with the neighborhood association who are in support.

The following citizen(s) appeared to speak:

Kathleen Bailey, stated she is in support however her only concern is should Mr. Mai go out of business this would allow for another alcohol business.

Frank Espinoza, stated he strongly opposes any alcohol business operation in the neighborhood. He also expressed concerns with noise and light pollution and there not being enough parking for this facility.

Staff stated there were 18 notices mailed out to the surrounding property owners, 6 returned in opposition and 1 returned in favor and Alta Vista Neighborhood Association is in opposition. Staff mailed 62 notices to the planning team.

COMMISSION ACTION

~~The motion was made by Commissioner Westheimer and seconded by Commissioner Hawkins to recommend a continuance until August 19, 2008.~~

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers, Martinez
NAY: None

THE MOTION CARRIED

21. 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. (San Antonio River Commission Representative).

Staff presented this item.

Commissioner Gadberry requested there be a few grammatical changes.

Commissioner Martinez stated he also had a few concerns regarding this resolution.

Commissioner Westheimer stated he also feel this resolution should be thoroughly reviewed prior to approving it.

Commissioner Hawkins requested that they compose a sub-committee to further review this resolution.

Chairman stated the sub-committee consist of Commissioner Westheimer, Commissioner Hawkins and Commissioner Martinez to further review this resolution.

COMMISSION ACTION

Chairman stated all those in favor of sending this item to the Sub-Committee for further review.

(A verbal vote was taken)

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers, Martinez
NAY: None

THE MOTION CARRIED

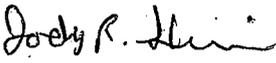
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22. ADJOURNMENT.

There being no further business, the meeting was adjourned at 2:50 p.m.

APPROVED:


Jody R. Sherrill, Chair

ATTEST:


Executive Secretary