

**SAN ANTONIO ZONING COMMISSION
OFFICIAL MINUTES
August 20, 2013**

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: Salazar, McNealy, McFarland, Lopez, Villarreal, D. Martinez, Romero, Boyd, C. Martinez, Ornelas

ABSENT: None

3. Approval of August 20, 2013 Zoning Commission Minutes

All voted in affirmative.

COMBINED HEARING:

4. **ZONING CASE NUMBER Z2013151 (Council District 4):** A request for a change in zoning from “C-2 AHOD” 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 Lot 93, Block 67, NCB 15910; 10038 Potranco Road. Staff recommends approval.

Staff stated there were 15 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor.

COMMISSION ACTION

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

AYES: Salazar, McNealy, McFarland, Lopez, Villarreal, D. Martinez, Romero, Boyd, Ornelas

NAY: None

THE MOTION CARRIED

5. **ZONING CASE NUMBER Z2013149 (Council District 8):** A request for a change in zoning from “R-6 GC-1 MSAO-1 MLOD-1 UC-1 AHOD” Residential Single-Family Hill Country Gateway Corridor Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay IH-10/FM 1604 Urban Corridor Airport Hazard Overlay District to “C-1 GC-1 MSAO-1 MLOD-1 UC-1 AHOD” Light Commercial Hill Country Gateway Corridor

Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay IH-10/FM 1604 Urban Corridor Airport Hazard Overlay District on 0.4407 of an acre out of Lots 1, 2 and 37, Block A, NCB 34760A (previously County Block 4760A); 19785 (also known as 19815) Shady Lane Drive. Staff recommends approval.

Staff stated there were 19 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no response from Forest Crest Neighborhood Association.

COMMISSION ACTION

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

AYES: Salazar, McNealy, McFarland, Lopez, Villarreal, D. Martinez, Romero, Boyd, Ornelas

NAY: None

THE MOTION CARRIED

6. ZONING CASE NUMBER Z2013165 (Council District 6): A request for a change in zoning from “MF-25 AHOD” Low Density Multi-Family Airport Hazard Overlay District to “MF-33 AHOD” Multi-Family Airport Hazard Overlay District on 5.8 acres out of Lot 8, Block 30, NCB 18080; 7770 Pipers Lane. Staff recommends approval.

Staff stated there were 15 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no response from Pipers Meadow Neighborhood Association.

COMMISSION ACTION

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

AYES: Salazar, McNealy, McFarland, Lopez, Villarreal, D. Martinez, Romero, Boyd, Ornelas

NAY: None

THE MOTION CARRIED

7. ZONING CASE NUMBER Z2013173 CD S (Council District 3): A request for a change in zoning from “RM-4 AHOD” Residential Mixed Airport Hazard Overlay District and “R-6 AHOD” Residential Single-Family Airport Hazard Overlay District to “RM-4 CD AHOD” Residential Mixed Airport Hazard Overlay District with a Conditional Use for a Noncommercial Parking Lot (on Lots 11 and 12, Block 14, NCB 9314), “R-4 CD AHOD” Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Noncommercial Parking Lot (on Lot 4, Block 14, NCB 9314) and “R-4 CD S AHOD” Residential Single-Family Airport

Hazard Overlay District with a Conditional Use for a Noncommercial Parking Lot and a Specific Use Authorization for a Parking Lot Requiring Demolition of a Dwelling Unit (on Lot 3, Block 14, NCB 9314) on Lots 3, 4, 11 and 12, Block 14, NCB 9314; 414 Clamp Avenue, 227 and 231 Verne Street. Staff recommends approval with conditions.

Staff stated there were 33 notices mailed out to the surrounding property owners, 0 returned in opposition and 4 returned in favor.

COMMISSION ACTION

A motion was made by Commissioner McFarland and seconded by Commissioner Villarreal to recommend approval 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 provide parking instructions.

AYES: Salazar, McNealy, McFarland, Lopez, Villarreal, D. Martinez, Romero, Boyd, Ornelas

NAY: None

THE MOTION CARRIED

INDIVIDUAL CONSIDERATION:

Commissioner Martinez arrived at 1:15 pm

8. **ZONING CASE NUMBER Z2013132 ERZD (Council District 9):** A request for a change in zoning from “R-6 MSAO-1 MLOD-1 ERZD” Residential Single-Family Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay Edwards Recharge Zone District to “C-2NA MSAO-1 MLOD-1 ERZD” Commercial Nonalcoholic Sales Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay Edwards Recharge Zone District on Lot 28, Block 31, NCB 19215 on a portion of the 22000 Block of Wilderness Oak. Staff recommends approval.

Patrick Christensen, representative, stated the purpose of this zoning change is to allow for a day care facility or office use. He stated he has met with the surrounding property owners and has agreed on deed restrictions to prohibit “C-2” uses.

Mike Barr, SAWS, present SAWS recommendation and recommended approval.

The following citizens appeared to speak:

Steve Bredehoeft, spoke in opposition.

Beate Hall, spoke in opposition.

Trooly Harker, spoke in opposition.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

COMMISSION ACTION

A motion was made by Commissioner McNealy and seconded by Commissioner C. Martinez to recommend approval.

**AYES: Salazar, McNealy, McFarland, Lopez, Villarreal, D. Martinez, Romero, Boyd,
C. Martinez**

NAY: Ornelas

THE MOTION CARRIED

9. ZONING CASE NUMBER Z2013150 S (Council District 7): A request for a change in zoning from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2NA S AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Specific Use Authorization for a Bingo Parlor on Lot 21, Block 28, NCB 11571 on a portion of the 100 Block of East Broadview Drive. Staff recommends approval, pending plan amendment.

Staff stated there were 22 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no responses from Inspiration Hills Neighborhood Association. Staff mailed 18 notices to the Planning Team.

Andrew Guerero, representative, stated the purpose of this request is to allow for a bingo parlor on the subject property.

Jamal Tawil, stated they met with the surrounding property owners and have amended their development to address their concerns.

The following citizens appeared to speak:

Michelle Genereux, spoke in opposition.

Charles Majdalani, spoke in opposition.

Margarita Moncada, spoke in opposition.

Theresa Vale, spoke in opposition.

Melanie Handowski, spoke in favor.

Ruben Sanchez, spoke in favor.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

COMMISSION ACTION

A motion was made by Commissioner Villarreal and seconded by Commissioner McFarland to recommend approval with staff's conditions pending plan amendment.

1. A 20-foot building setback shall be maintained along the northern property line.
2. Egress onto East Broadview Drive shall be right-turn only.
3. Driveways located along East Broadview Drive shall be closed from 9:00 p.m. to 8:00 a.m.

AYES: Salazar, McNealy, McFarland, Lopez, Villarreal, D. Martinez, Boyd, C. Martinez

NAY: Romero, Ornelas

THE MOTION CARRIED

10. ZONING CASE NUMBER Z2013170 HL (Council District 7): A request for a change in zoning from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "HL R-5 AHOD" Historic Landmark Residential Single-Family Airport Hazard Overlay District on Lot B, Block F, NCB 11436; 554 West Broadview Drive. Staff recommends approval.

Staff stated there were 20 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 in favor, Woodlawn Hills Neighborhood Association is in opposition and no response from Culebra Hills Neighborhood Association.

Elizabeth Porterfield, Office of Historic Preservation, presented item and recommended approval.

Rose Perez, owner, stated she is requesting the historic landmark as she feels this structure hold historic significant.

The following citizens appeared to speak:

Ruben Sanchez, spoke in opposition.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

COMMISSION ACTION

A motion was made by Commissioner Villarreal and seconded by Commissioner Lopez to recommend approval.

AYES: Salazar, McNealy, McFarland, Lopez, Villarreal, D. Martinez, Romero, Boyd, C. Martinez, Ornelas

NAY: None

THE MOTION CARRIED

11. ZONING CASE NUMBER Z2013159 CD (Council District 5): A request for a change in zoning from “NC AHOD” Neighborhood Commercial Airport Hazard Overlay District to “C-1 CD AHOD” Light Commercial Airport Hazard Overlay District with a Conditional Use for Motor Vehicle Sales on Lots 9 and 10, Block 49, NCB 7982; 906 Berlin Avenue. Staff recommends denial.

Staff stated there were 25 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 in favor. Staff mailed 33 notices to the Planning Team and received 1 notice in opposition.

Norma Sotelo, owners, stated she is requesting this change in zoning to allow for a vehicles sales lot on the subject property. She stated she is in agreement with staff’s conditions.

The following citizens appeared to speak:

Socorro Alvarado, spoke in opposition.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

COMMISSION ACTION

1st Motion

A motion was made by Commissioner Lopez and seconded by Commissioner D. Martinez to recommend approval with staff’s conditions.

1. All on-site lighting shall be directed onto the site and point away from any adjacent residential zoning or uses.
2. Outdoor speaker and paging systems shall be prohibited.

AYES: Lopez, Villarreal, D. Martinez, Romero

NAY: Salazar, McNealy, McFarland, Boyd, C. Martinez, Ornelas

THE MOTION FAILED

2nd Motion

A motion was made by Commissioner McNealy and seconded by Commissioner McFarland to recommend denial.

AYES: Salazar, McNealy, McFarland, Boyd, C. Martinez, Ornelas

NAYS: Lopez, Villarreal, D. Martinez, Romero

THE MOTION CARRIED

12. ZONING CASE NUMBER Z2013161 CD (Council District 1): A request for a change in zoning from “R-6 AHOD” Residential Single-Family Airport Hazard Overlay District to “C-1 CD AHOD” Light Commercial Airport Hazard Overlay District with a Conditional Use for Motor Vehicles Sales on 0.075 of an acre out of Lot D, Block 35, NCB 1937 on a portion of 1633 West Kings Highway. Staff recommends denial.

Staff stated there were 22 notices mailed out to the surrounding property owners, 1 returned in opposition and 2 in favor and both Jefferson Neighborhood Association and Woodlawn Lake Community Associations are in opposition however Jefferson Neighborhood Association supports the applicant’s amendment. Staff mailed 19 notices to the Planning Team.

Mario Elizondo, owner, stated he would like to amend his request to “R-6 CD” for a professional office. He further stated he has support from Jefferson Neighborhood Association of the “R-6 CD” amendment. He stated he is in agreement with staff conditions.

The following citizens appeared to speak:

Sylvia Longoria, stated she does not support his original request of a car lot however she has questions with the proposed amendment of “R-6 CD”.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

COMMISSION ACTION

A motion was made by Commissioner Ornelas and seconded by Commissioner McNealy to recommend approval of “R-6 CD” with conditions from Section 35-422.

- A. There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of the main structure.
- B. No construction features shall be permitted which would place the structure out of character with the surrounding residential neighborhood.
- C. Business or office hours of operations shall not be permitted before 7:00 a.m. or after 6:00 p.m.

AYES: Salazar, McNealy, McFarland, Lopez, Villarreal, D. Martinez, Romero, Boyd, C. Martinez, Ornelas

NAY: None

THE MOTION CARRIED

13. ZONING CASE NUMBER Z2013174 (Council District 3): A request for a change in zoning from “C-3” General Commercial District, “C-1” Light Commercial District, and “R-5” Residential Single-Family District to “C-2” Commercial District on Lots 20 & 21, Block 1, NCB 12466 and Lot A, NCB 10838; 3223 South WW White Road and 4363 and 4343 Chandler Road. Staff recommends approval.

Staff stated there were 70 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 in favor and Pecan Valley Neighborhood Association is in favor.

Brian Huffaker, project manager, stated he is requesting this change in zoning to allow for a charter school on the subject property. He stated they held 2 neighborhood meetings, over 450 notices were mailed and only 8 residents were in attendance. He further stated they would gladly amend their request to include the “NA” designation.

The following citizens appeared to speak:

Daniel Amador, Superintendent of Schools for Jubilee Academic Center, stated there is a need for this proposal as our schools today are overcrowded. He further stated they currently have a waiting list of students waiting to enroll.

Tom Koger, Executive Director of Jubilee Academic Center, state he feels the proposed charge school would be good for the community.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

COMMISSION ACTION

A motion was made by Commissioner Boyd and seconded by Commissioner Villarreal to recommend a continuance until September 3, 2013.

AYES: Salazar, McFarland, Lopez, Villarreal, D. Martinez, Boyd, C. Martinez, Ornelas

NAY: McNealy, Romero

THE MOTION CARRIED

Commissioner McNealy stated item #5 on our August 20, 2013 Zoning Commission Agenda is a typo, it reads Approval of the August 20, 2013 Zoning Commission Minutes rather that August 6, 2013 Minutes therefore this item should be reconsidered at our September 3, 2013 Zoning Commission Agenda.

14. Public hearing and consideration on proposed Unified Development Code amendments related to the Historic Design Guidelines. The Office of Historic Preservation and the HDRC recommend approval of the proposed UDC amendments to Article VI of the Unified Development Code.

Corey Edwards, Office of Historic Preservation, presented item and recommended approval.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

COMMISSION ACTION

A motion was made by Commissioner D. Martinez and seconded by Commissioner Lopez to recommend approval.

**AYES: Salazar, McNealy, McFarland, Lopez, Villarreal, D. Martinez, Romero, Boyd,
C. Martinez, Ornelas**

NAY: None

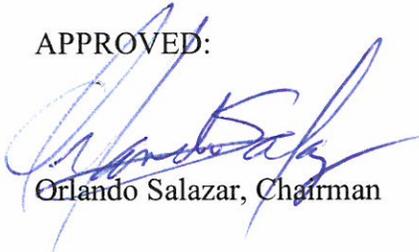
THE MOTION CARRIED

15. Discuss expired appointments and application process through the City Clerk's Office.

Catherine Hernandez, Senior Planner, brief commissioner on the appointment/reappointment process.

16. There being no further business, the meeting was adjourned at 4:17 pm.

APPROVED:



Orlando Salazar, Chairman

ATTEST:



John P. Jacks, Executive Secretary