

**SAN ANTONIO ZONING COMMISSION
OFFICIAL MINUTES
December 4, 2007**

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, Myers, Wright,
Martinez R. Valadez, Gray**

ABSENT: Hawkins

3. Director's Report.
4. Approval of November 20, 2007 Minutes.

1:00 PM – Public Hearing

Chairman Sherrill stated Zoning Case Z2008014 has been postponed as per the applicant's request.

CONSENT ZONING

Commissioner Gadberry made a motion to approve the following rezoning cases being that staff recommendations were for approval. Additionally, no citizens had signed to speak on said cases: item 14, 19, 20, 21, 22 and 23. The motion was seconded by Commissioner R. Valadez.

5. ZONING CASE NUMBER Z2008032 HS (Council District 2): The request of City of San Antonio, Planning Department, Historic Preservation Officer, Applicant, for Moxy Kristine Livar, Owner(s), for a change in zoning from "C-1" Light Commercial District to "C-1" HS Light Commercial District, Historic Significance on the North 75 Feet of the East 157.2 Feet of Lot A, Block 2, NCB 6397, 1003 South New Braunfels Avenue. Staff recommends approval.

This case was approved by consent.

Staff stated there were 37 notices mailed out to the surrounding property owners, 1 returned in opposition and 2 returned in favor and no response from Denver Heights Neighborhood Association is in favor. Staff mailed 26 notices to the Planning Team.

COMMISSION ACTION

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

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Myers, Wright, R. Valadez, Gray
NAY: None

THE MOTION CARRIED

6. ZONING CASE NUMBER Z2008027 (Council District 10): The request of Child Care and Development Corporation, Applicant, for Jacqueline B. Charno Charitable Lead Trust, Owner(s), for a change in zoning from "R-4" Residential Single-Family District to "O-1" Office District on Lot 22, Block 1, NCB 17756, 16119 Classen Road. Staff recommends approval.

This case was approved by consent.

Staff stated there were 52 notices mailed out to the surrounding property owners, 1 returned in opposition and 1 returned in favor and no response from Knoll Creek Homeowners Association/Longs Creek Homeowners Association.

COMMISSION ACTION

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

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Myers, Wright, R. Valadez, Gray
NAY: None

THE MOTION CARRIED

7. ZONING CASE NUMBER Z2008025 (Council District 7): The request of Keith Van Marter, Applicant, for Cecil Ott, Owner(s), for a change in zoning from "R-6" Residential Single Family District to "C-3R" General Commercial District, Restrictive Alcohol Sales on 0.6174 acres out of NCB 16051, 10000 Block of Shaenfield Road. Staff recommends approval.

This case was approved by consent.

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 Gadberry and seconded by Commissioner R. Valadez to recommend approval.

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Myers, Wright, R. Valadez, Gray
NAY: None

THE MOTION CARRIED

8. ZONING CASE NUMBER Z2008029 (Council District 10): The request of Ron Ray, L.P., Applicant, for Ron Ray, L.P., Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-3" General Commercial District on Lot 3 (0.521 acres), Block 2, NCB 13802, 5170 Randolph Boulevard. Staff recommends approval.

This case was approved by consent.

Staff stated there were 7 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 R. Valadez to recommend approval.

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Myers, Wright, R. Valadez, Gray
NAY: None

THE MOTION CARRIED

9. ZONING CASE NUMBER Z2008037 (Council District 6): The request of Brown, PC, Applicant, for HRS Partnership, Owner(s), for a change in zoning from "C-3" General Commercial District to "C-2" Commercial District on Lot 6, Block 3, NCB 17636, 10623 Culebra Road. Staff recommends approval.

This case was approved by consent.

Staff stated there were 13 notices mailed out to the surrounding property owners, 2 returned in opposition and 1 returned in favor and Mountain View Acres Neighborhood Coalition is in favor.

COMMISSION ACTION

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

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Myers, Wright, R. Valadez, Gray
NAY: None

THE MOTION CARRIED

10. ZONING CASE NUMBER Z2008035 (Council District 9): The request of Brown, PC, Applicant, for Cavender Management, Inc., Owner(s), for a change in zoning from "I-1" General Industrial District to "C-3" General Commercial District on Lot 15, Lot 16, Lot 17, Lot 18, Lot 19 and Lot 20, Block 3, NCB 11967, 614 and 618 Portland; 9916, 9922 and 9930 Plymouth. Staff recommends approval.

This case was approved by consent.

Staff stated there were 23 notices mailed out to the surrounding property owners, 0 returned in opposition and 6 returned in favor.

COMMISSION ACTION

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

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Myers, Wright, R. Valadez, Gray
NAY: None

THE MOTION CARRIED

INDIVIDUAL CONSIDERATION:

11. ZONING CASE NUMBER Z2008026 (Council District 3): The request of VHS San Antonio Partners, LLC, DBA Baptist Health System, Applicant, for Brooks Development Authority, Owner(s), for a change in zoning from "MR" Military Reserve District to "C-3" General Commercial District on 48.67 acres out of NCB 10879, Brooks City-Base, Research Plaza. Staff recommends approval.

Staff stated there were 5 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 R. Valadez to recommend approval.

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Myers, R. Valadez, Gray
NAY: None
RECUSED: Wright

THE MOTION CARRIED

12. ZONING CASE NUMBER Z2007317 S ERZD (Council District 9): The request of Kaufman and Associates, Inc., Applicant, for B&M Ventana, LTD, Owner(s), for a change in zoning from "QD" S ERZD Quarry Edwards Recharge Zone with a Specific Use Permit for Blasting and Asphaltic Concrete and "C-3" ERZD General Commercial Edwards Recharge Zone District to "C-3" S ERZD General Commercial Edwards Recharge Zone District with a Specific Use Permit for a Hospital on 69.71 acres out of NCB 15669 (County Blocks 4938, 4948 and 4949), 18000 Block of US Highway 281. Staff recommends approval.

Lucy Peveto, representative, proposing to develop a hospital.

The following citizen(s) appeared to speak:

Lee Jackson, developer, stated they are proposing to develop Baptist Methodist Hospital on the subject property.

Patrick Christensen, spoke in favor.

Philip Weston, spoke in opposition.

Mike Dyer, spoke in favor.

Staff stated there were 22 notices mailed out to the surrounding property owners, 1 returned in opposition and 1 returned in favor.

COMMISSION ACTION

The motion was made by Commissioner Wright and seconded by Commissioner Gray to recommend approval with 71% impervious cover along with City and SAWS recommendation.

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

THE MOTION FAILED

COMMISSION ACTION

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

AYES: Sherrill, Robbins, Gadberry, Myers

NAYS: J. Valadez, Westheimer, Wright, R. Valadez, Gray

THE MOTION FAILED

COMMISSION ACTION

The motion was made by Commissioner Wright and seconded by Commissioner Robbins to recommend approval requiring that the applicant have the site plan clarifications to reflect it meet the criteria of Appendix Table B-101-1 prior to City Council.

AYES: Robbins, J. Valadez, Westheimer, Myers, Wright, R. Valadez, Gray

NAYS: Sherrill, Gadberry

THE MOTION CARRIED

Chairman Sherrill stated Zoning Case Z2008030 and Z2008031 have been withdrawn as per the applicant's request.

Commissioner Martinez arrived at 2:19 pm.

13. ZONING CASE NUMBER Z2008017 ERZD (Council District 8): The request of Charles Edens, Applicant, for Drury Southwest, Inc., Owner(s), for a change in zoning from "R-6" ERZD GC-1 Residential Single Family Edwards Recharge Zone Gateway Corridor Overlay District-1 to "C-3" ERZD GC-1 General Commercial Edwards Recharge Zone Gateway Corridor Overlay District-1 on Lot 17, NCB 14854, 16102 Old Fredericksburg Road. Staff recommends approval.

Charles Edens, representative, proposing to develop a hotel.

The following citizen(s) appeared to speak:

Rick Drury, spoke in favor.

Staff stated there were 17 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 R Valadez and seconded by Commissioner Wright to recommend approval with SAWS recommendations of 50% impervious cover.

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Myers, Wright, R. Valadez, Gray
NAY: None

THE MOTION CARRIED

14. ZONING CASE NUMBER Z2008038 CD ERZD (Council District 9): The request of Brown, PC, Applicant, for B&M Marshall Road, LTD, Owner(s), for a change in zoning from "R-6" ERZD Residential Single Family Edwards Recharge Zone District and "C-2" ERZD Commercial Edwards Recharge Zone District to "C-2" ERZD (CD-Theater - Indoor Permitting Over 2 Screens and/or Stages) Commercial Edwards Recharge Zone District with a Conditional Use for an Indoor Theater Permitting Over 2 Screens and/or Stages on 23.1392 acres out of NCB 18218, 2560 Marshall Road. Staff recommends approval.

Patrick Christensen, representative, proposing a movie theater. He further stated he is agreeable to amend his request to permit over 2 Screens and/or Stages with a maximum of 4 screens and/or stages.

Staff stated there were 16 notices mailed out to the surrounding property owners, 0 returned in opposition and 5 returned in favor.

COMMISSION ACTION

The motion was made by Commissioner Wright and seconded by Commissioner Gray to recommend approval with a Conditional use to permit over 2 Screens and/or Stages with a maximum of 4 screens and/or stages and SAWS recommendation including 65% impervious cover.

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

THE MOTION CARRIED

15. ZONING CASE NUMBER Z2007316 (Council District 8): The request of Kaufman and Associates, Inc., Applicant, for Brad Galo, Owner(s), for a change in zoning from "MF-25" Multi-Family District and "MF-25" GC-1 Multi-Family Gateway Corridor Overlay District-1 to "C-2" Commercial District and "C-2" GC-1 Commercial Gateway Corridor Overlay District-1 on 23.51 acres out of NCB 18333, 20865 IH-10 West and 6932 Heuermann Road. Staff recommends denial.

Lucy Peveto, representative, proposing commercial development.

Staff stated there were 19 notices mailed out to the surrounding property owners, 0 returned in opposition and 6 returned in favor and Friends of Friedrich Wilderness Park is in opposition.

COMMISSION ACTION

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

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

NAYS: None

THE MOTION CARRIED

16. ZONING CASE NUMBER Z2008007 (Council District 6): The request of Brown, P. C., Applicant, for FC Properties One, Ltd., Owner(s), for a change in zoning from "MF-33" Multi-Family District, "C-2" Commercial District, "C-3" General Commercial District and "I-1" General Industrial District to "C-3" General Commercial District on 9.852 acres out of NCB 16007, 9000 Block of West Loop 1604 North. Staff recommends approval pending plan amendment.

Patrick Christensen, representative, requesting a continuance until December 18, 2007.

Staff stated there were 48 notices mailed out to the surrounding property owners, 5 returned in opposition and 2 returned in favor. Staff mailed 31 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Martinez and seconded by Commissioner Gadberry to recommend a continuance until December 18, 2007.

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

NAYS: None

THE MOTION CARRIED

17. ZONING CASE NUMBER Z2008020 (Council District 4): The request of Luis R. De Luna, Applicant, for Luis R. De Luna, Owner(s), for a change in zoning from "I-1" General Industrial District and "MF-33" Multi-Family District to "MF-33" Multi-Family District on Lot 3, Block 35, NCB 9445 and Lots 7 through 12 and Lot P-100, Block 36, NCB 9446 and Lot P-100, Block 33, NCB 9443, 1216 Hilton Avenue and 1311 West Amber Place. Staff recommends denial.

Mike Sepeda, representative, proposing to develop a duplex.

Staff stated there were 32 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 Myers and seconded by Commissioner Robbins to recommend approval.

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

NAYS: None

ABSTAIN: Westheimer

THE MOTION CARRIED

18. **ZONING CASE NUMBER Z2008022 (Council District 9):** The request of Brown, P. C., Applicant, for Alamo Garden, Inc., Owner(s), for a change in zoning from PUD "R-5" Planned Unit Development Residential Single Family District, "MF-33" S Multi-Family District with a Specific Use Permit for a Golf Course and "C-3" General Commercial District to PUD "RM-5" Planned Unit Development Residential Mixed District on 7.552 acres out of NCB 8702 and NCB 18918, 304, 444 and 999 East Basse Road. Staff recommends approval.

Daniel Ortiz, representative, stated he would like to amend his request to PUD "R-5". He stated they are proposing 16 townhomes.

The following citizen(s) appeared to speak:

Mr. Watts, spoke in favor of the amendment of PUD "R-5".

Staff stated there were 42 notices mailed out to the surrounding property owners, 5 returned in opposition and 4 returned in favor.

COMMISSION ACTION

The motion was made by Commissioner Wright and seconded by Commissioner Gray to recommend approval of PUD "R-5".

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

NAYS: None

THE MOTION CARRIED

19. Public hearing and consideration of fence amendments to the Unified Development Code. (Development Services Department)

Bill Telford, Planning Manager, presented Amendment No. 6 (fence amendment) to the Unified Development Code to Zoning Commission.

The following citizen(s) appeared to speak:

Kim Schrum, spoke in favor.

COMMISSION ACTION

The motion was made by Commissioner Robbins and seconded by Commissioner Wright to recommend approval of Amendment 6 as written with exception of paragraph B with minor wording changes.

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

NAYS: None

THE MOTION CARRIED

20. ADJOURNMENT.

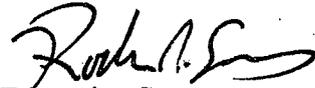
There being no further business, the meeting was adjourned at 3:50 p.m.

APPROVED:



Jody R. Sherrill, Chair

ATTEST:



Executive Secretary