

**SAN ANTONIO ZONING COMMISSION  
OFFICIAL MINUTES  
December 7, 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, Cole, Anguiano, Martinez, Tiller, Nava**

**ABSENT: Ornelas, Christian, Myers**

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

**COMBINED HEARING:**

4. **ZONING CASE NUMBER Z2011006 (Council District 3):** A request for a change in zoning from “MR AHOD” Military Reservation Airport Hazard Overlay District to “MF-33 IDZ AHOD” Multi-Family Infill Development Zone Airport Hazard Overlay District on 16.728 acres and “C-3 AHOD” General Commercial Airport Hazard Overlay District on 6.411 acres and 4.524 acres all on 27.663 acres out of Parcel 111, NCB 10879, southeast Military Road and South New Braunfels Avenue. Staff recommends approval.

Staff stated there were 2 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and no response from Hot Wells Neighborhood Association.

**COMMISSION ACTION**

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

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

**NAY: None**

**THE MOTION CARRIED**

5. **ZONING CASE NUMBER Z2011008 (Council District 4):** A request for a change in zoning from “C-1 AHOD” Light Commercial Airport Hazard Overlay District to “MF-18 AHOD” Multi-Family Airport Hazard Overlay District on 0.430 of an acre out of NCB 11268, 7600 Block of Somerset Road. Staff recommends approval.

Staff stated there were 18 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 Tiller seconded by Commissioner Cole to recommend approval.

**AYES: Wright, McFarland, Cole, Anguiano, Martinez, Tiller, Nava**  
**NAY: None**

**THE MOTION CARRIED**

**6. ZONING CASE NUMBER Z2011009 (Council District 3):** A request for a change in zoning from “H MF-33 RIO-4 AHOD” Multi-Family Mission Historic River Improvement Overlay Airport Hazard Overlay District to “H C-3NA RIO-4 AHOD” General Commercial Mission Historic Nonalcoholic Sales River Improvement Overlay Airport Hazard Overlay District on 55.132 acre tract of land out of NCB A-20, on a portion of the 1100 Block of Mission Road. Staff recommends approval.

Staff stated there were 10 notices mailed out to the surrounding property owners, 0 returned in opposition and 3 returned in favor and no response from Roosevelt Park Neighborhood Association. Staff mailed 15 notices to the Planning Team.

**COMMISSION ACTION**

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

**AYES: Wright, McFarland, Cole, Anguiano, Martinez, Tiller, Nava**  
**NAY: None**

**THE MOTION CARRIED**

**7. ZONING CASE NUMBER Z2011011 (Council District 6):** A request for a change in zoning from “R-6 AHOD” Residential Single-Family Airport Hazard Overlay District to “C-2 AHOD” Commercial Airport Hazard Overlay District on Lots 26, 27, 28, 29 and 30, NCB 10179, 6100 Block of West Commerce Street. Staff recommends approval.

Commissioner Martinez stated he has received notification expressing support from the following neighborhood associations.

Staff stated there were 35 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and no response from Community Workers Council.

### **COMMISSION ACTION**

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

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

**NAY: None**

### **THE MOTION CARRIED**

**8. ZONING CASE NUMBER Z2011012 (Council District 7):** A request for a change in zoning from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "MF-18 AHOD" Multi-Family Airport Hazard Overlay District on east 34 feet of Lot 18 and west 40 feet of Lot 19, Block 40, NCB 9600, 2607 and 2609 Cincinnati Avenue. Staff recommends denial, with an alternate recommendation of "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District.

Staff received written notification by the applicant requesting to amend their request to "RM-4".

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 University Park Neighborhood Association.

### **COMMISSION ACTION**

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

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

**NAY: None**

### **THE MOTION CARRIED**

**9. ZONING CASE NUMBER Z2011014 (Council District 1):** A request for a change in zoning from "C-3NA HS AHOD" General Commercial Nonalcoholic Sales Historic Significant Airport Hazard Overlay District to "C-2 CD HS AHOD" Commercial Historic Significant Airport Hazard Overlay District with a Conditional Use for a Veterinary Clinic-Small Animals (Outside Runs, Pens and Paddocks Permitted) on Lots J, K, L (also known as Lot 4), M (also known as Lot 5), N (also known as a portion of Lot 6), O (also known as the east portion of Lot 6) and P (also known as Lot 7), Block 5, NCB 310, 937 through 1019 South Laredo Street. Staff recommends approval.

Staff stated there were 17 notices mailed out to the surrounding property owners, 1 returned in opposition and 3 returned in favor and no response from King William Neighborhood Association. Staff mailed 35 notices to the Planning Team.

### **COMMISSION ACTION**

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

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

**NAY: None**

### **THE MOTION CARRIED**

10. **ZONING CASE NUMBER Z2011015 (Council District 5):** A request for a change in zoning from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on Lot 14 and the north 48.8 feet of Lot 2, Block 14, NCB 3883, 1102 Nogalitos Street. Staff recommends approval.

Staff stated there were 37 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no response from Collins Gardens Neighborhood Association. Staff mailed 15 notices to the Planning Team.

### **COMMISSION ACTION**

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

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

**NAY: None**

### **THE MOTION CARRIED**

11. **ZONING CASE NUMBER Z2011018 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 Veterinary Hospital - Small animals (No outside runs, pens and paddocks permitted) on Lot 11, Block 4, NCB 8323, save and except the part of said lot conveyed to the City of San Antonio in Volume 7395, Page 361, Real Property Records, Bexar County, Texas, 5357 West Commerce Street. Staff recommends approval.

Staff stated there were 17 notices mailed out to the surrounding property owners, 1 returned in opposition and 0 returned in favor and Memorial Heights Neighborhood Association is in favor.

### **COMMISSION ACTION**

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

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

**NAY: None**

**THE MOTION CARRIED**

**INDIVIDUAL CONSIDERATION:**

12. **ZONING CASE NUMBER Z2011004 ERZD (Council District 8):** A request for a change in zoning from “R-6 MLOD-1” Residential Single-Family Military Lighting Overlay District and “R-6 ERZD MLOD-1” Residential Single-Family Edwards Recharge Zone Military Lighting Overlay District to “O-1.5 MLOD-1” Mid-Rise Office Military Lighting Overlay District and “O-1.5 ERZD MLOD-1” Mid-Rise Office Edwards Recharge Zone Military Lighting Overlay District on 2.243 acres out of P-26, NCB 14861 on a portion of the 6900 Block of West Hausman Road. Staff recommends denial.

K. Grace Ramos, representative, stated she would like to amend their request to “O-1”. She stated the purpose of this request is to allow for medical offices on the subject property. She further stated she has been in contact with the residents outside the 200 foot radius and have their support. She has also received letters of support from Maverick Neighborhood Association.

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

Dr. Moises Rodriguez, applicant, stated their intent is to operate medical offices on the subject property. He stated he does not feel this proposal would have a negative impact on the community.

Mike DeNuccio, representing Norman Woldhagen, stated after meeting with the applicant/owner and agreeing on restrictive covenants they are in support.

Staff stated there were 10 notices mailed out to the surrounding property owners, 4 returned in opposition and 0 returned in favor and Maverick Creek Homeowner’s Association is in favor.

**COMMISSION ACTION**

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

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

**NAY: None**

**THE MOTION CARRIED**

13. **ZONING CASE NUMBER Z2011003 (Council District 3):** A request for a change in zoning from “C-2NA AHOD” Commercial Nonalcoholic Sales Airport Hazard Overlay District, “NP-8 AHOD” Neighborhood Preservation Airport Hazard Overlay District and “R-6 AHOD” Residential Single-Family Airport Hazard Overlay District to “R-6 AHOD” Residential Single-Family Airport Hazard Overlay District on Lots 27 through 44, Block 21, NCB 3815; Lots 1 through 18 and Lots 27 through 44, Block 25, NCB 3819 on multiple properties generally bound by Greer Street, Channing, South Gevers Street, and South Mittman Street. Staff recommends approval.

Cassandra Ortiz, representative, stated she would like to request a two week continuance.

Staff stated there were 77 notices mailed out to the surrounding property owners, 6 returned in opposition and 0 returned in favor and no response from neither Southeast Citizens Committee nor Highland Park Neighborhood Association.

**COMMISSION ACTION**

The motion was made by Commissioner Anguiano seconded by Commissioner Martinez to recommend a continuance until December 21, 2010.

**AYES: Wright, McFarland, Cole, Anguiano, Martinez, Tiller, Nava**  
**NAY: None**

**THE MOTION CARRIED**

14. **ZONING CASE NUMBER Z2011013 (Council District 4):** A request for a change in zoning from “C-2NA AHOD” Commercial Nonalcoholic Sales Airport Hazard Overlay District to “C-3 AHOD” General Commercial Airport Hazard Overlay District on Lot 58, Block 4, NCB 11264, 7402 New Laredo Highway. Staff recommends denial.

Benito Valdez, owner, stated he would like to request this change in zoning to allow for party house on the subject property.

Staff stated there were 30 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 Nava seconded by Commissioner Martinez to recommend denial.

**AYES: Wright, McFarland, Cole, Anguiano, Martinez, Tiller, Nava**  
**NAY: None**

**THE MOTION CARRIED**

15. **ZONING CASE NUMBER Z2011016 CD (Council District 5):** A request for a change in zoning from “I-1 AHOD” General Industrial Airport Hazard Overlay District and “C-3 AHOD” General Commercial Airport Hazard Overlay District to “IDZ” Infill Development District with uses permitted in “MF-25 AHOD” Multi-Family Airport Hazard Overlay District and “C-2 CD AHOD” Commercial Airport Hazard Overlay District with a Conditional Use for Auto and Light Truck Repair on Lot 19, NCB 2597, 2600 South Flores Street. Staff recommends approval.

Roger Perez, representative, stated the purpose of this zoning request is to bring the property to conformity with no plans for development at this time. He further stated he will meet with the surrounding property owners prior to City Council to address any concerns they may have.

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

Margarita Riojas, stated she is uncertain as to what this zoning change would bring to their community but would like to express her opposition for future apartment development in the neighborhood. She stated the existing apartment complex has negatively impacted their neighborhood. There has been an increase in violence, gang activity and vandalism.

Staff stated there were 45 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and no response from Lone Star Neighborhood Association. Staff mailed 15 notices to the Planning Team.

**COMMISSION ACTION**

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

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

**NAY: None**

**THE MOTION CARRIED**

16. **ZONING CASE NUMBER Z2011017 S (Council District 1):** A request for a change in zoning from “H O-2 HS AHOD” High-Rise Office Lavaca Historic Significant Airport Hazard Overlay District to “H IDZ HS AHOD” Infill Development Lavaca Historic Significant Airport Hazard Overlay District with uses permitted in “RM-4” Residential Mixed District and “O-1.5 S” Mid-Rise Office District with a Specific Use Authorization for a Art Studio on 0.271 acres being a portion of Lot 11 and all of Lot 12, Block 9, NCB 712, 126 Lavaca Street. Staff approval, pending plan amendment.

Kathy Sosa, owner, stated she is requesting this zoning change to allow for her to live at the subject property as well as operate her art studio.

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

Jim Rodriguez, stated he is not in opposition of the request however his concerns is the existing traffic problem that currently exists.

Staff stated there were 22 notices mailed out to the surrounding property owners, 1 returned in opposition and 5 returned in favor and Lavaca Neighborhood Association is in favor. Staff mailed 12 notices to the Planning Team.

**COMMISSION ACTION**

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

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

**NAY: None**

**THE MOTION CARRIED**

**17. ZONING CASE NUMBER Z2011019 (Council District 10):** A request for a change in zoning from "C-3 AHOD" General Commercial Airport Hazard Overlay District, "MF-33 AHOD" Multi-Family Airport Hazard Overlay District and "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "G AHOD" Golf Course Airport Hazard Overlay District on 139.771 acres out of NCB 15837, NCB 15688, NCB 16738 (Northern Hills Country Club Subdivision), save and except Lots 1 through 15, Block 1, NCB 15688; P-80 and P-81, NCB 15837; Lot 48, Block 31, NCB 16738; and Lot 15, Block 51, NCB 17193, 13202 Scarsdale. Staff recommends approval.

Rudy Nino, Senior Planner, presented item.

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

Mike Gallagher, President of Northern Hills Homeowner's Association, stated they strongly support this proposal as this would help protect their neighborhood.

Jan Kirby, stated she would like to express her support in this case as this would help preserve their community. She does not feel this proposal would negatively impact their neighborhood.

Robert Wilmore, stated he is in support of this request. He is concerned that should this proposal not be granted this would allow for future multi family development which they do not support.

Juliana Gonzalez, stated she support this rezoning. She stated the golf course would be an asset to the neighborhood and help enhance their community.

Roger Martinez, stated he also would like to express his support of this proposal.

Caitlin Pantet, stated she support this rezoning request.

Calvin Ingram, stated he would like to express concerns with the drainage issues that may occur should any other development erected in this area therefore he would like to express his support for this proposal.

Paul Tavilla, stated he is also in support of this rezoning request.

Ed Whites, stated he would also like to express his support for this request.

Guadalupe Torres, stated he would like to express his support for this request.

Sam Sustaita, stated he is also in support of this zoning change.

John Corby, would like to express his support.

Paul Flaman, owner, stated he strongly oppose this rezoning request. He stated he was never notified of such rezoning request and would like to express great concerns with regards to their notification process. He further stated this proposal would negatively affect his property.

Bebb Frances, representing Northern Hill Management Corporation, stated they do not support this request. He stated his client was not notified of such change which raises great concern.

Robert Lorer, representing Mr. Flaman, stated they are in opposition of this request. He stated City staff was not properly notified. He feels the city's notification process needs to be thoroughly reviewed to better serve the citizens of San Antonio.

Staff stated there were 462 notices mailed out to the surrounding property owners, 5 returned in opposition and 34 returned in favor and Northern Hill Homeowner's Association is in favor. Staff 9 emails expressing support, a petition with 758 signatures in support. Staff also received a call from the property owner expressing his opposition.

#### **COMMISSION ACTION**

The motion was made by Commissioner Tiller seconded by Commissioner Anguiano to recommend a continuance until December 21, 2010.

**AYES: Wright, Anguiano, Tiller**

**NAY: Cole, Martinez, Nava**

**RECUSED: McFarland**

**THE MOTION FAILED**

**2<sup>ND</sup> Motion**

**COMMISSION ACTION**

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

**AYES: Wright, Cole, Martinez, Nava**

**NAY: Anguiano, Tiller**

**RECUSED: McFarland**

**THE MOTION FAILED**

**3<sup>rd</sup> Motion**

**COMMISSION ACTION**

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

**AYES: Wright, Cole, Anguiano, Martinez, Tiller, Nava**

**NAY: None**

**RECUSED: McFarland**

**THE MOTION CARRIED**

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

APPROVED:

  
Susan Wright, Chair

ATEST:

  
Executive Secretary