

**SAN ANTONIO ZONING COMMISSION
OFFICIAL MINUTES
February 21, 2012**

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: Tiller, McFarland, Ornelas, Flores, Christian, D. Martinez, Salazar, Clancy, C. Martinez, McNealy

ABSENT: Nava

3. Approval of February 7, 2012 Zoning Commission Minutes as amended.

COMBINED HEARING:

4. **ZONING CASE NUMBER Z2011211 (Council District 4):** A request for a change in zoning from “I-2 AHOD” Heavy Industrial Airport Hazard Overlay District to “C-2 AHOD” Commercial Airport Hazard Overlay District on Lots 2, 3, 4, and 5, NCB 8947, 2209, 2211 and 2221 Southwest Military Drive and 123 Ascot. Staff recommends approval pending plan amendment.

Staff stated there were 30 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor. Staff mailed 26 notices to the Planning Team.

COMMISSION ACTION

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

AYES: Tiller, McFarland, Ornelas, Flores, D. Martinez, Salazar, Clancy, C. Martinez, McNealy

NAY: None

THE MOTION CARRIED

5. **ZONING CASE NUMBER Z2012053 (Council District 4):** A request for a change in zoning from “UD AHOD” Urban Development Airport Hazard Overlay District to “C-2 AHOD” Commercial Airport Hazard Overlay District on Lots 19 and 20, Block 1, NCB 14551, 10905 and 10907 South State Highway 16. Staff recommends approval.

Staff stated there were 9 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor. Staff mailed 31 notices to the Planning Team.

COMMISSION ACTION

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

AYES: Tiller, McFarland, Ornelas, Flores, D. Martinez, Salazar, Clancy, C. Martinez, McNealy

NAY: None

THE MOTION CARRIED

6. ZONING CASE NUMBER Z2012056 CD (Council District 7): A request for a change in zoning from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Studio - Fine or Performing Arts on Lots 1 and 2, save and except the north six feet, Block 3, NCB 1965, 1803 West Woodlawn. Staff recommends approval.

Staff stated there were 28 notices mailed out to the surrounding property owners, 2 returned in opposition and 2 returned in favor and Jefferson Neighborhood Association and Woodlawn Lake Community Association are in support. Staff mailed 21 notices to the Planning Team.

COMMISSION ACTION

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

AYES: Tiller, McFarland, Ornelas, Flores, D. Martinez, Salazar, Clancy, C. Martinez, McNealy

NAY: None

THE MOTION CARRIED

7. ZONING CASE NUMBER Z2012057 (Council District 3): A request for a change in zoning from "UD AHOD" Urban Development Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on a 18.61 acre tract of land out of NCB 18087, 10120 South State Highway 16. Staff recommends approval.

Staff stated there were 11 notices mailed out to the surrounding property owners, 0 returned in opposition and 6 returned in favor. Staff mailed 29 notices to the Planning Team.

COMMISSION ACTION

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

**AYES: Tiller, McFarland, Ornelas, Flores, D. Martinez, Salazar, Clancy, C. Martinez,
McNealy**

NAY: None

THE MOTION CARRIED

Commissioner Christian arrived at 1:27 pm

INDIVIDUAL CONSIDERATION:

8. **ZONING CASE NUMBER Z2011174 (Council District 1):** A request for a change in zoning from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-1 IDZ AHOD" Light Commercial Infill Development Zone Airport Hazard Overlay District with the additional use of Motor Vehicle Sales on Lots 29 and 30, Block 6, NCB 6541, 719 West Hildebrand Avenue. Staff recommends denial.

Alejandro Gomez, representative, stated he would like to amend his original request to remove the motor vehicles sales lot use however; he would like to maintain the "IDZ" for office use.

The following citizen(s) appeared to speak:

John Karlis, representing Beacon Hill Neighborhood Association, stated he is in opposition of the motor vehicle sales lot facility. He stated there are a numerous motor vehicle sales lot along Hildebrand and does not support another motor sales lot.

Staff stated there were 36 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no responses from Edison Neighborhood Association and Beacon Hill Neighborhood Association is in opposition. Staff mailed 50 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Ornelas seconded by Commissioner McNealy to recommend denial.

**AYES: Tiller, McFarland, Ornelas, Flores, D. Martinez, Salazar, Clancy, C. Martinez,
McNealy**

NAY: None

ABSTAIN: Christian

THE MOTION CARRIED

9. **ZONING CASE NUMBER Z2011193 (Council District 5):** A request for a change in zoning from “R-4 AHOD” Residential Single-Family Airport Hazard Overlay District and “C-1 AHOD” Light Commercial Airport Hazard Overlay District to “C-3NA AHOD” General Commercial Nonalcoholic Sales Airport Hazard Overlay District on 1.132 acres out of Lots 54, 55, 56 and 97 and a portion of Tract 55, NCB 7895, 1022 Commercial Avenue, 718 and 722 Stonewall. Staff recommends denial.

Applicant/Representative not present.

The following citizen(s) appeared to speak:

Diane Lang, Secretary, Nogalitos/Zarzamora Coalition, stated they did meet with the applicant regarding the propose auto sales establishment. She further stated there are several auto sales facilities along I-35 and they do not support another auto sales facility.

Allen Townsend, President, Nogalitos/Zarzamora Coalition, stated they do support new development into their neighborhood however; there are several existing sales lots, which he feels has negatively affected the neighborhood.

Consuelo Perez, stated she would like to express her opposition. She further stated she collected a petition from the surrounding affected property owners with 300 signatures expressing opposition. She also would like to add that the school representatives were present at the neighborhood meeting who has also express opposition.

Gloria Galvan, stated she is also in opposition of this proposed zoning request. She stated there are numerous car sales establishments in the neighborhood and does not support another said facility

Porfirio Barcenas, stated he has lived in the neighborhood since 1942. He supports new development but does not support another auto sales lot.

Staff stated there were 21 notices mailed out to the surrounding property owners, 1 returned in opposition and 0 returned in favor. Staff mailed 27 notices to the Planning Team and received 1 notice received in opposition.

COMMISSION ACTION

The motion was made by Commissioner Flores seconded by Commissioner Clancy to recommend approval.

AYES: Flores

NAY: Tiller, McFarland, Ornelas, Christian, D. Martinez, Salazar, Clancy, McNealy

THE MOTION FAILS

COMMISSION ACTION

The motion was made by Commissioner D. Martinez seconded by Commissioner Salazar to recommend denial.

AYES: Tiller, McFarland, Ornelas, Christian, D. Martinez, Salazar, Clancy, McNealy
NAY: Flores

THE MOTION CARRIED

10. **ZONING CASE NUMBER Z2011200 CD (Council District 5):** A request for a change in zoning from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-2NA CD AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Conditional Use for a Auto and Light Truck Repair on Lot 19, Block 17, NCB 3775, 1802 Culebra Road. Staff recommends approval.

Douglas Gonzalez, applicant, stated he is requesting this change in zoning to allow for an auto and tire repair facility on the subject property. He further stated he does not feel this request would pose a hazard to the community, as this request would be a down zoning. He stated he has been in contact with the surrounding property owners who have expressed their support.

The following citizen(s) appeared to speak:

Alejandro Soto, President, Woodlawn Lake Neighborhood Association, stated they are in support of this rezoning as this would be a down zoning and feel Mr. Gonzalez would be a good neighborhood.

Staff stated there were 38 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and no response from Prospect Hill Neighborhood Association and staff received a response from Woodlawn Lake Neighborhood Association expressing opposition.

COMMISSION ACTION

The motion was made by Commissioner Flores seconded by Commissioner Christian to recommend approval.

AYES: Tiller, McFarland, Ornelas, Flores, Christian, D. Martinez, Salazar, Clancy, C. Martinez, McNealy
NAY: None

THE MOTION CARRIED

11. **ZONING CASE NUMBER Z2012025 S (Council District 3):** A request for a change in zoning from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-2 S AHOD" Commercial Airport Hazard Overlay District with a Specific Use for a bar/tavern (without cover charge 3 or more days a week) on a portion of Lot 9, Block 1, NCB 9566, 108 Goliad Road (also known as 110 and 114 Goliad Road). Staff recommends approval as amended.

Buck Benson, representative, stated they met with the surrounding property owners to present their proposal and they expressed opposition for the Specific Use for a bar/tavern. He stated at this time he would like to amend the original request to remove the Specific Use for a bar/tavern and move forward with just the "C-2 AHOD"

The following citizen(s) appeared to speak:

Teresa Gonzalez, stated she attended the meeting held by Mr. Benson and as stated they did express their opposition for a bar/tavern. She expressed concerns with the negative impact a bar establishment would have on the neighborhood.

Elvira Rojas, stated she would like to express her opposition for an alcohol establishment.

Crystal Villarreal, Highland Hills Neighborhood Association, stated they are in opposition for a bar/tavern facility on the subject property. She stated they do support Mr. Benson's amendment to remove the Specific Use.

Debra Guerrero, stated she does support the amendment to remove the bar/tavern.

Staff stated there were 33 notices mailed out to the surrounding property owners, 4 returned in opposition and 1 returned in favor and no response from neither Highland Park Neighborhood Association nor Southeast Citizens Committee. Staff mailed 33 notices to the Planning Team and staff received a letter from Highland Hills Neighborhood Association, which voted not to oppose the original request.

COMMISSION ACTION

The motion was made by Commissioner Clancy seconded by Commissioner Christian to recommend approval as amended by the applicant to remove the Specific Use for a bar/tavern.

AYES: Tiller, McFarland, Ornelas, Flores, Christian, D. Martinez, Salazar, Clancy, C. Martinez, McNealy

NAY: None

THE MOTION CARRIED

12. **ZONING CASE NUMBER Z2012041 S (Council District 6):** A request for a change in zoning from “C-3 GC-2 AHOD” General Commercial Highway 151 Gateway Corridor Airport Hazard Overlay District to “C-3 S GC-2 AHOD” General Commercial Highway 151 Gateway Corridor Airport Hazard Overlay District with a Specific Use Authorization for a Helistop on a 0.268 of an acre tract of land out of Lot 3, Block 50, NCB 17642, 10811 Town Center Drive. Staff recommends denial, inconsistent with the plan.

James Griffin, representative, stated the purpose of this zoning change is to allow for a helistop. He stated they have met with the surrounding property owners to address their concerns and are still in the process reaching an agreement. He further stated they have agreed on the following deed restrictions:

- Restricting or tie downs of the helicopters (helicopter cannot be there for more that 30 minutes at a time.
- Restricting against non-emergency transport, only outbound emergency transport only by the hospital.
- The helistop cannot be used by any other hospital or entity.
- Hours of operation from 6:00 am to 9:00 pm, there would not be any nighttime flights.
- They have agreed to erect a fence along the property line.
- Any violation of said restrictions would be a \$5,000.00 fine.

The following citizen(s) appeared to speak:

Trey Jacobson, Hotel Manager, stated they have had numerous meeting with Mr. Griffin and have expressed their concerns. He feels such proposal would negatively affect their customers. He stated they cater to a number of guest who are visiting here on business for seminars/conferences or vacation.

Staff stated there were 11 notices mailed out to the surrounding property owners, 1 returned in opposition and 7 returned in favor. Staff mailed 58 notices to the Planning Team.

COMMISSION ACTION

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

AYES: Tiller, McFarland, Ornelas, Flores, Christian, D. Martinez, Salazar, Clancy, C. Martinez, McNealy

NAY: None

THE MOTION CARRIED

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13. **ZONING CASE NUMBER Z2012042 (Council District 9):** A request for a change in zoning from "R-4 NCD-6" Residential Single-Family Mahncke Park Neighborhood Conservation District to "RM-4 NCD-6" Residential Mixed Mahncke Park Neighborhood Conservation District on Lot 16, Block 2, NCB 6090, 234 Pershing Avenue. Staff recommends approval.

Tom Simmons, applicant, stated he is proposing two dwelling family unit on the property. He stated has been in contact with the neighborhood association who has expressed their support.

The following citizen(s) appeared to speak:

Morgan Price, stated he is in support of this request as he feels Mr. Simmons investment positively impacted the neighborhood.

Selma Valdez, stated she would like to express her support of this rezoning.

Staff stated there were 39 notices mailed out to the surrounding property owners, 0 returned in opposition and 4 returned in favor and an email from the President of Mahncke Neighborhood Association expressing their support. Staff mailed 24 notices to the Planning Team.

Andrew Spurgin, Planning Manager, stated Colleen Ricks did sign up to speak in support of the request however, she left the meeting with the impression that this case was withdrawn.

Commissioner McNealy, stated that Colleen Ricks spoke in opposition on this case on January 17, 2012. He further stated she did contact him and stated she would be available today to speak again in opposition.

COMMISSION ACTION

The motion was made by Commissioner McNealy seconded by Commissioner D. Martinez and staff recommends approval.

AYES: Tiller, McFarland, Ornelas, Flores, Christian, D. Martinez, Salazar, Clancy, Martinez, McNealy

NAY: None

THE MOTION CARRIED

14. **ZONING CASE NUMBER Z2012052 (Council District 3):** A request for a change in zoning from "R-5" Residential Single-Family District to "C-1" Light Commercial District A, NCB 10838 (3.02 Acre Tract). 4343 Chandler Road. Staff recommends approval.

Olga Hernandez Salazar, applicant, stated she would like to amend her original request of 3 acres to just rezoning 1 acre. She stated the purpose of this request is to allow for a business office & concession vending. She further stated she has met with the Pecan Valley Neighborhood Association who are in support of the amendment to rezoning 1 acre.

The following citizen(s) appeared to speak:

Carol Fox, President, Pecan Valley Neighborhood Association, stated they have met with Mrs. Salazar and are in support of the amendment.

Staff stated there were 35 notices mailed out to the surrounding property owners, 4 returned in opposition and 3 returned in opposition outside the 200-foot radius and 1 returned in favor and no response from Pecan Valley Neighborhood Association. Staff mailed 15 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Clancy seconded by Commissioner Christian to recommend approval as amended by the applicant to rezoning only 1 acre.

AYES: Tiller, McFarland, Ornelas, Flores, Christian, D. Martinez, Salazar, Clancy, C. Martinez, McNealy

NAY: None

THE MOTION CARRIED

15. ZONING CASE NUMBER Z2012059 (Council Districts 2, 9, & 10): A request for a change in zoning to add "MC-3" Austin Highway/Harry Wurzbach Metropolitan Corridor Overlay District to existing zoning, properties generally located 200 feet from the outer right-of-way of Austin Highway from the City Limits of San Antonio to the west and to Meadow Lane to the east; 300 feet from the outer right-of-way of Austin Highway from Meadow Lane to the west and to Loop 410 to the east; and 300 feet from the outer right-of-way of Harry Wurzbach from Loop 410 to the north and to Fort Sam Houston to the south. Staff recommends approval.

Rebecca Paskos, Senior Planner, presented item and recommends approval.

The following citizen(s) appeared to speak:

James Griffin, representing several property owners within the proposed overlay area, stated they would like to request a continuance to further discuss this case with staff to address a few more concerns.

Charlotte Forsit, stated she would be in support of a continuance as she is very uncertain of what this proposed overlay is or how the neighborhood would benefit from this proposed overlay.

Elizabeth Meyer, stated she would also like to express her support for a continuance as she is concerned on how this would/may affect their property values.

Staff stated there were 582 notices mailed out to the affected property owners, 552 notices were mailed out to property owners within 200 feet, 12 returned in opposition and 0 returned in favor and no responses received from Wilshire Village, Village North One, Wilshire, Oak Park/Northwood Neighborhood Associations nor Bel Meade Homes Association.

COMMISSION ACTION

The motion was made by Commissioner D. Martinez seconded by Commissioner Salazar to recommend a continuance until March 6, 2012.

AYES: Tiller, McFarland, Ornelas, Flores, Christian, D. Martinez, Salazar, Clancy, McNealy

NAY: None

THE MOTION CARRIED

16. Election of Officers for 2012.

Andrew Spurgin, Planner Manager, opened the floor for nomination for Chair.

Commissioner McFarland nominated Commissioner Bill Tiller for Chairman and was seconded by Commissioner McNealy.

A voice vote was taken and all members voted in the affirmative.

Chair Tiller opened the floor for nominations for Vice Chair.

Commissioner D. Martinez nominated Commissioner Orlando Salazar for Vice Chair and was seconded by Commissioner McNealy.

Commissioner McFarland nominated Commissioner Rick McNealy for Vice Chair and was seconded by Commissioner Tiller.

A voice vote was taken.

Commissioner Salazar - all members voted in the affirmative.

Chair Tiller opened the floor for nominations for Pro-Tem.

Commissioner D. Martinez nominated Commissioner Rick McNealy for Pro-Tem and was seconded by Commissioner Ornelas.

A voice vote was taken and all members voted in the affirmative.

17. There being no further business, the meeting was adjourned at 3:02 p.m.

APPROVED:



Bill Tiller, Chairman

ATTEST:



Executive Secretary