

**SAN ANTONIO ZONING COMMISSION  
OFFICIAL MINUTES  
February 5, 2013**

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: Tiller, McFarland, D. Martinez, Salazar, Boyd, C. Martinez, McNealy**  
**ABSENT: Ornelas, Villarreal**

3. Approval of January 15, 2013 Zoning Commission Minutes.

**COMBINED HEARING:**

4. **ZONING CASE NUMBER Z2013028 S (Council District 8):** A request for a change in zoning from “C-1 AHOD” Light Commercial Airport Hazard Overlay District and “C-3 AHOD” General Commercial Airport Hazard Overlay District to “C-3 S AHOD” General Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Hospital not to exceed 175 feet in height on Lots 3 and 5, Block 4, NCB 12814, 7700 and 7702 Floyd Curl Drive, 4410 and 4450 Medical Drive. Staff recommends approval.

Staff stated there were 25 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor. Staff mailed 40 notices to the Planning Team.

**COMMISSION ACTION**

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

**AYES: Tiller, McFarland, D. Martinez, Salazar, Boyd, McNealy**  
**NAY: None**

**THE MOTION CARRIED**

5. **ZONING CASE NUMBER Z2013040 CD (Council District 10):** A request for a change in zoning from “R-6 AHOD” Residential Single-Family Airport Hazard Overlay District to “C-2 CD AHOD” Commercial Airport Hazard Overlay District with a Conditional Use for Air Conditioning Service and Repair on Lot 3, NCB 15687, 4197 Stahl Road. 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 Northern Hills Home Owners Association.

**COMMISSION ACTION**

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

**AYES: Tiller, McFarland, D. Martinez, Salazar, Boyd, McNealy**

**NAY: None**

**THE MOTION CARRIED**

**6. ZONING CASE NUMBER Z2013049 (Council District 2):** A request for a change in zoning from "R-5" Residential Single-Family District to "C-2" Commercial District on 1.672 acres out of NCB 10753, 4518 Lord Road and 1122 South W.W. White Road. Staff recommends approval, pending plan amendment.

Staff stated there were 27 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no response from neither Dellcrest, Huntleigh Park Residents nor Hein-Orchard Neighborhood Associations. Staff mailed 25 notices to the Planning Team.

**COMMISSION ACTION**

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

**AYES: Tiller, McFarland, D. Martinez, Salazar, Boyd, McNealy**

**NAY: None**

**THE MOTION CARRIED**

**7. ZONING CASE NUMBER Z2013054 (Council District 2):** A request for a change in zoning from "O-2 AHOD" High-Rise Office Airport Hazard Overlay District to "NC AHOD" Neighborhood Commercial Airport Hazard Overlay District on Lot 8, Block 2, NCB 11901, 4530 Walzem. Staff recommends approval, pending plan amendment.

Staff stated there were 20 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor.

**COMMISSION ACTION**

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

**AYES: Tiller, McFarland, D. Martinez, Salazar, Boyd, McNealy**  
**NAY: None**

**THE MOTION CARRIED**

**8. ZONING CASE NUMBER Z2013060 (Council District 2):** A request for a change in zoning from "I-1 RIO-2 AHOD" General Industrial River Improvement Overlay-2 Airport Hazard Overlay District to "C-2 IDZ RIO-2 AHOD" Commercial Infill Development Zone River Improvement Overlay-2 Airport Hazard Overlay District on Lot 18, Block 11, NCB 1765, 1702 Broadway. Staff recommends approval.

Staff stated there were 24 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and no response from Government Hill Neighborhood Association. Staff mailed 10 notices to the Planning Team.

**COMMISSION ACTION**

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

**AYES: Tiller, McFarland, D. Martinez, Salazar, Boyd, McNealy**  
**NAY: None**

**THE MOTION CARRIED**

**Chairman Tiller stated Zoning Case Z2013030 has been postponed therefore this case will not be considered today.**

**INDIVIDUAL CONSIDERATION:**

**9. ZONING CASE NUMBER Z2012175 (Council District 3):** A request for a change in zoning from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "MF-33 AHOD" Multi-Family Airport Hazard Overlay District on 12.25 acres out of Parcel 104, NCB 10934 on a portion of 6402 South New Braunfels Avenue. Staff recommends approval, pending plan amendment.

Patrick Christensen, representative, stated the purpose of his zoning request is to allow for multi family development. He further stated he has met with the surrounding property owners who have still expressed their opposition.

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

Maria Alvarado, spoke in opposition.

Staff stated there were 9 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and Highland Hills and Hot Wells Neighborhood Associations and East Pyron/Symphony Lane and South Central Alliance are all in opposition. Staff mailed 33 notices to the Planning Team.

**COMMISSION ACTION**

A motion was made by Commissioner Boyd and seconded by Commissioner Salazar to recommend denial.

**AYES: Tiller, McFarland, Salazar, Boyd**

**NAY: D. Martinez, McNealy**

**THE MOTION FAILED**

**2<sup>nd</sup> MOTION**

**COMMISSION ACTION**

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

**AYES: McFarland, D. Martinez, McNealy**

**NAY: Tiller, Salazar, Boyd**

**THE MOTION FAILED**

**No further action taken by Commission, therefore this case will atomically be continued until February 19, 2013.**

10. **ZONING CASE NUMBER Z2013043 (Council District 1):** A request for a change in zoning from "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District on Lot 13, Block 4, NCB 830, 923 East Elmira Street. Staff recommends approval.

Jose Eduardo De La Garza, applicant, stated he would like to request a postponement as he would like to amend his request to remove the "IDZ" zoning request.

Staff stated there were 22 notices mailed out to the surrounding property owners, 5 returned in opposition and 3 returned in favor and Tobin Hill Community Association is in opposition. Staff mailed 13 notices to the Planning Team.

**NO ACTION TAKEN AS THE APPLICANT REQUESTED A POSTPONEMENT.**

11. **ZONING CASE NUMBER Z2013053 (Council District 4):** A request for a change in zoning from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District on Lot 15A, Block 88, NCB 11063, 803 Rockwell. Staff recommends approval.

David Lored, applicant, stated he is requesting this change in zoning to allow for multi family development on the subject property.

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

Hilda Bernal, spoke in opposition.

Gonzalo Rios, spoke in opposition.

Lawrence Mann, spoke in opposition.

Staff stated there were 18 notices mailed out to the surrounding property owners, 5 returned in opposition and 0 returned in favor and Gillette Area Neighborhood Association is in favor. Staff mailed 35 notices to the Planning Team.

**COMMISSION ACTION**

A motion was made by Commissioner Salazar and seconded by Commissioner D. Martinez to recommend a continuance until March 5, 2013.

**AYES: Tiller, McFarland, D. Martinez, Salazar, Boyd, McNealy**

**NAY: None**

**THE MOTION CARRIED**

**Commissioner C. Martinez arrived at 1:52 pm.**

12. **ZONING CASE NUMBER Z2013055 S (Council District 5):** A request for a change in zoning from "C-3 AHOD" General Commercial Airport Hazard Overlay District to "C-3 S AHOD" General Commercial Airport Hazard Overlay District with a Specific Use Authorization for Auto Paint and Body on Lot 32, Block 8, NCB 8736, 503 New Laredo Highway. Staff recommends denial.

Salah Diab, representative, stated they have met with the surrounding property owners and Councilman who have expressed their support in the proposed rezoning. He further stated they presented their plan amendment to Planning Commission who also recommended approval. They are requesting this change in zoning to allow for auto repair on the subject property.

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

Socorro Alvarado, spoke in opposition.

Staff stated there were 13 notices mailed out to the surrounding property owners, 3 returned in opposition and 1 returned in favor and Quintana Community Neighborhood Association is in favor. Staff mailed 32 notices to the Planning Team.

**COMMISSION ACTION**

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

**AYES: Tiller, McFarland, D. Martinez, Salazar, Boyd, C. Martinez, McNealy**

**NAY: None**

**THE MOTION CARRIED**

13. **ZONING CASE NUMBER Z2013056 CD (Council District 10):** 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 Tattoo Parlor on 0.014 of an acre out of Lot 5, NCB 12104, 1321 Northeast Loop 410. Staff recommends approval.

Rebecca Roberts, representative, stated they tattoo parlor has been in operation since June 2009. She stated they were not aware that the business did not have the property zoning. She further stated they have met with surrounding neighbors and have agreed with conditions.

Staff stated there were 7 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no response from MacArthur Park Neighborhood Association.

**COMMISSION ACTION**

A motion was made by Commissioner McFarland and seconded by Commissioner D. Martinez to recommend approval with the following conditions:

1. Hours of operation would be from 9:00 am til 9:00 pm.
2. Signage on Loop 410 as it exists today be changed to eliminate the word tattoo. It will just have the name of the business on the large sign that is seen from Loop 410.
3. Sign on the building will include no more than 1 sign that includes the word tattoo limited to 10 inch in size letters.

**AYES: Tiller, McFarland, D. Martinez, Salazar, Boyd, C. Martinez, McNealy**

**NAY: None**

**THE MOTION CARRIED**

14. **ZONING CASE NUMBER Z2013058 (Council District 10):** A request for a change in zoning from “I-1 IH-1 AHOD” General Industrial Northeast Gateway Corridor Airport Hazard Overlay District to “C-3 IH-1 AHOD” General Commercial Northeast Gateway Corridor Airport Hazard Overlay District on Lot 16, Block 1, NCB 16450, 5349 Brewster. Staff recommends approval.

Ruben Cadena, stated he is requesting this change in zoning to allow for a party hall. He further stated he would like to amend his request to “C-3NA”.

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

Priscilla Gibson, spoke in opposition.

Staff stated there were 14 notices mailed out to the surrounding property owners, 2 returned in opposition and 0 returned in favor. Staff mailed 41 notices to the Planning Team.

**COMMISSION ACTION**

A motion was made by Commissioner McFarland and seconded by Commissioner McNealy to recommend approval as amended to “C-3NA”.

**AYES: Tiller, McFarland, D. Martinez, Salazar, Boyd, C. Martinez, McNealy**

**NAY: None**

**THE MOTION CARRIED**

15. **ZONING CASE NUMBER Z2013059 (Council District 1):** A request for a change in zoning from “C-3NA AHOD” General Commercial Nonalcoholic Sales Airport Hazard Overlay District to “IDZ AHOD” Infill Development Zone Airport Hazard Overlay District with uses permitted in “C-2” Commercial District, Bar/Tavern without cover charge 3 or more days per week, Nightclub without cover charge 3 or more days per week, and Microbrewery on 0.47 of an acre out of Lots 85 and 86, Block 2, NCB 3099, 2806 North St. Mary's Street. Staff recommends approval of “IDZ AHOD” Infill Development Zone Airport Hazard Overlay District with uses permitted in “C-2” Commercial District. Denial of the request for a Bar/Tavern without cover charge 3 or more days per week, Nightclub without cover charge 3 or more days per week, and Microbrewery.

Malcolm Hartman, representative, stated

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

Richard Hartman, stated he would like to amend to “IDZ C-2” with Microbrewery.

Richard Moore, spoke in favor.

Benjamin Fairbanks, spoke in favor.

Jason Winn, spoke in favor.

Allan Boldt, spoke in favor.

Rosa Segovia, spoke in opposition.

Staff stated there were 30 notices mailed out to the surrounding property owners, 0 returned in opposition and 5 returned in favor and Tobin Hill Community Association does not oppose the zoning request. Staff mailed 13 notices to the Planning Team.

### **COMMISSION ACTION**

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

**AYES: Tiller, D. Martinez, C. Martinez**

**NAY: McFarland, Salazar, Boyd, McNealy**

### **THE MOTION FAILED**

### **2<sup>ND</sup> MOTION**

### **COMMISSION ACTION**

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

**AYES: McFarland, Salazar, Boyd, McNealy**

**NAY: Tiller, D. Martinez, C. Martinez**

### **THE MOTION FAILED**

### **3<sup>rd</sup> MOTION**

### **COMMISSION ACTION**

A motion was made by Commissioner C. Martinez and seconded by Commissioner McNealy to recommend a continuance until February 19, 2013.

**AYES: Tiller, McFarland, D. Martinez, Salazar, Boyd, C. Martinez, McNealy**

**NAY: None**

### **THE MOTION CARRIED**

16. Election of Officers to take effect on March 5, 2013 Zoning Commission Meeting.

**COMMISSION ACTION**

Commissioner D. Martinez nominated Commissioner Salazar for Chairman, Commissioner McNealy for Vice Chair and Commissioner McFarland for Pro-Tem.

**AYES: Tiller, McFarland, D. Martinez, Salazar, Boyd, C. Martinez, McNealy**

**NAY: None**

**ALL VOTED IN AFFIRMATIVE.**

17. There being no further business, the meeting was adjourned at 2:59 pm.

APPROVED:



Bill Tiller, Chair

ATTEST:



Executive Secretary