SAN ANTONIO ZONING COMMISSION
OFFICIAL MINUTES
January 17, 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, D. Martinez, Salazar, Flores, C. Martinez, Christian, McNealy
   ABSENT: Nava, Clancy

3. Approval of December 20, 2011 Zoning Commission Minutes.

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

COMBINED HEARING:

4. **ZONING CASE NUMBER Z2012023 (Council District 6):** A request for a change in zoning from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District on a portion of Lots 45 and 46, Block 33, NCB 8115. 743 Cupples Road. Staff recommends denial of the requested "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District with an alternate recommendation of approval of "C-2NA" Commercial Non-Alcoholic Sales District.

Applicant amended her request to "C-2 NA" Commercial Non-Alcoholic Sales District.

Staff stated there were 15 notices mailed out to the surrounding property owners, 3 returned in opposition and none returned in favor.

COMMISSION ACTION

The motion was made by Commissioner C. Martinez seconded by Commissioner D. Martinez to recommend approval of "C-2NA" Commercial Non-Alcoholic Sales District.

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

THE MOTION CARRIED.

5. **ZONING CASE NUMBER Z2011157 CD (Council District 4):** A request for a change in zoning from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-1 CD AHOD" Light Commercial Airport Hazard Overlay District with a Conditional Use for Auto Repair on a portion of Lots 68 and 102, Block 3, NCB 11260. 7325 New Laredo Highway. Staff recommends approval with the following conditions:

1. All vehicle repair and service work shall be conducted inside the building.
2. There shall be no more than six vehicle service bays.
3. Hours of operation shall be limited to between 7 a.m. and 8 p.m.
4. A six-foot tall, solid screen fence shall be installed and maintained along the west and north property lines. A six-foot tall, predominantly open fence shall be permitted along the east and south property lines, including within the front yard of the lot. Barbed-wire shall not be permitted. Clear vision areas shall be maintained at all points of ingress/egress.

Staff stated there were 20 notices mailed out to the surrounding property owners, none returned in opposition and 2 returned in favor.

COMMISSION ACTION

The motion was made by Commissioner C. Martinez seconded by Commissioner D. Martinez to recommend approval with the following conditions:

1. All vehicle repair and service work shall be conducted inside the building.
2. There shall be no more than six vehicle service bays.
3. Hours of operation shall be limited to between 7 a.m. and 8 p.m.
4. A six-foot tall, solid screen fence shall be installed and maintained along the west and north property lines. A six-foot tall, predominantly open fence shall be permitted along the east and south property lines, including within the front yard of the lot. Barbed-wire shall not be permitted. Clear vision areas shall be maintained at all points of ingress/egress.

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

THE MOTION CARRIED.

6. **ZONING CASE NUMBER Z2012014 (Council District 1):** A request for a change in zoning from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "RM-6 AHOD" Residential Mixed Airport Hazard Overlay District on Lot 17, Block 5, NCB 2048. 234 Princeton Avenue. Staff recommends approval.

Staff stated there were 27 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor. Staff mailed 12 notices to the Planning Team.

COMMISSION ACTION

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

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

THE MOTION CARRIED.

7. **ZONING CASE NUMBER Z2012038 (Council District 2):** A request for a change in zoning from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "MF-18 AHOD" Limited Density Multi-Family Airport Hazard Overlay District on Lots 44, 45, 46, 47, 50 and 55, NCB 984. 1530 and 1542 North Alamo Street. Staff recommends approval.

Staff stated there were 30 notices mailed out to the surrounding property owners, 0 returned in opposition and 4 returned in favor and no response from the Government Hill Alliance Neighborhood Association. Staff mailed 10 notices to the Planning Team.

COMMISSION ACTION

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

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

THE MOTION CARRIED.

8. **ZONING CASE NUMBER Z2012046 (Council District 5):** A request for a change in zoning from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-1 IDZ AHOD" Light Commercial Infill Development Zone Airport Hazard Overlay District on the west 59.6 feet of the east 100 feet of Lot 1 and the west 59.6 of the east 100 feet of the north 10.15 feet of Lot 2, NCB 2860. 317 Probandt Street. Staff recommends approval.

Staff stated there were 12 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no response from the Lone Star Neighborhood Association.

COMMISSION ACTION

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

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

THE MOTION CARRIED.

9. **ZONING CASE NUMBER Z2012047 (Council District 10):** A request for a change in zoning from "C-2 AHOD" Commercial Airport Hazard Overlay District, "C-3R AHOD" General Commercial Restrictive Alcoholic Sales Airport Hazard Overlay District and "C-3 AHOD" General Commercial Airport Hazard Overlay District to "C-3 AHOD" General Commercial Airport Hazard Overlay District on Lot 13, NCB 15689. 12311 Nacogdoches Road. Staff recommends approval pending plan amendment.

Staff stated there were 11 notices mailed out to the surrounding property owners, none returned in opposition and 2 returned in favor and the Northern Hill Country Village Owners Association is in support of the case and no response from the Citizens on Alert.

COMMISSION ACTION

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

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

THE MOTION CARRIED.

10. **ZONING CASE NUMBER Z2012048 (Council District 4):** A request for a change in zoning from "C-3 R MAOZ-1 AHOD" General Commercial Restrictive Alcohol Sales Military Airport Overlay Zone 1 Airport Hazard Overlay District and "I-1 MAOZ-1 AHOD" General Industrial Military Airport Overlay Zone 1 Airport Hazard Overlay District to "L MAOZ-1 AHOD" Light Industrial Military Airport Overlay Zone 1 Airport Hazard Overlay District on 0.94 acres out of Lots 4, 5 and 6, Block 3, NCB 11263. 7500 New Laredo Highway. Staff recommends approval.

Staff stated there were 11 notices mailed out to the surrounding property owners, none returned in opposition and 2 returned in favor.

COMMISSION ACTION

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

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

THE MOTION CARRIED.

INDIVIDUAL CONSIDERATION:

11. **ZONING CASE NUMBER Z2011174 (Council District 1):** A request for a change in zoning from "C2 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.

Staff stated there were 36 notices mailed out to the surrounding property owners, none returned in opposition and none returned in favor and no response from the Edison Neighborhood Association. Staff mailed 50 notices to the Planning Team.

Alejandro Gomez, representative, stated the applicant is requesting a continuance to continue speaking to the Neighborhood Association. He also stated he would like a continuance until the February 21, 2012 regularly scheduled meeting.

COMMISSION ACTION

The motion was made by Commissioner Ornelas seconded by Commissioner McNealy to recommend a continuance until the February 21, 2012 regularly scheduled meeting.

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

THE MOTION CARRIED.

12. **ZONING CASE NUMBER Z2011197 (Council District 1):** A request for a change in zoning from "C-1" Light Commercial District and "C-1 S" Light Commercial District with a Specific Use Authorization for a Hospital to "C-3" General Commercial District on a portion of Lots 11 and 14, NCB 11687. 4330 Vance Jackson. Staff recommends denial with an alternate recommendation of "C-2 S" Commercial District with a Specific Use Authorization for a hospital.

Staff stated there were 15 notices mailed out to the surrounding property owners, none returned in opposition and none returned in favor.

Ryan Sweeney, representative, stated this property is currently being used as a hospital. He also stated the average length of stay for patients is about ten days with very little outpatient services and no long term care at this facility. He further stated they are not seeking to change the use of the property. The zoning request is being sought have the Specific Use by right.

COMMISSION ACTION

The motion was made by Commissioner Ornelas seconded by Commissioner Christian to recommend approval of the "C-3" General Commercial District.

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

THE MOTION CARRIED.

13. **ZONING CASE NUMBER Z2011200 (Council District 5):** A request for a change in zoning from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District on Lot 19, Block 17, NCB 3775. 1802 Culebra Road.

Al Esparza, applicant is requesting a postponement until the February 21, 2012 regularly scheduled meeting.

14. **ZONING CASE NUMBER Z2012019 ERZD (Council District 8):** A request for a change in zoning from "C-2 ERZD MLOD-1 AHOD" Commercial Edwards Recharge Zone Camp Bullis Military Lighting Overlay Airport Hazard Overlay District to "MF-18 ERZD MLOD-1 AHOD" Limited Density Multi-Family Edwards Recharge Zone Camp Bullis Military Lighting Overlay Airport Hazard Overlay District on a portion of Parcel 16, NCB 17700. Located northwest of the intersection of North Loop 1604 West and Northwest Military Highway. Staff recommends approval.

Staff stated there were 16 notices mailed out to the surrounding property owners, none returned in opposition and 2 returned in favor.

Daniel Ortiz, representative, stated they are requesting to downzone the property. He also stated this property encompassed by a much larger zoning case. He further stated they want a more efficient layout of the property. The area behind the property is going to be used as a regional detention pond that is already in place which has been approved by downstream development. There will also be a storage area which prohibits the storage hazardous material.

COMMISSION ACTION

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

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

THE MOTION CARRIED.

15. **ZONING CASE NUMBER Z2012032 S (Council District 5):** A request for a change in zoning from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-3 S AHOD" General Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Contractor's Facility on 1.33 acre out of Lots 39 and Lot 40, Block 35, NCB 3694. 417 and 419 Menefee Boulevard. Staff recommends denial

Staff stated there were 18 notices mailed out to the surrounding property owners, none returned in opposition and none returned in favor.

The following citizens appeared to speak:

Hector Verde, citizen, spoke in opposition.

COMMISSION ACTION

The motion was made by Commissioner Flores seconded by Commissioner Salazar to recommend denial

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

THE MOTION CARRIED.

16. **ZONING CASE NUMBER Z2012039 (Council District 4):** A request for a change in zoning from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "O-1 AHOD" Office Airport Hazard Overlay District on Lot 17, Block 30, NCB 15859. 9910 Kents Store. Staff recommends denial

Staff stated there were 17 notices mailed out to the surrounding property owners, none returned in opposition and none returned in favor and no response from the Heritage Neighborhood Association.

Maria Riza Bell, applicant, stated she is requesting to amend her request to "R-6 CD" Residential Single-Family. She also stated she is requesting this amendment to keep and maintain the integrity of the neighborhood by the house as a single-family residence with a request to use this as realtor's office. She further stated the back portion will be used as an office and will enter through the back.

The following citizens appeared to speak:

Connie Medel, citizen, spoke in favor.

James Reinke, citizen, spoke in opposition.

COMMISSION ACTION

The motion was made by Commissioner Salazar seconded by Commissioner D. Martinez to recommend approval of the amended recommendation of "R-6 CD" Residential Single-family with a Conditional Use for a professional office.

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

THE MOTION FAILS.

COMMISSION ACTION

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

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

THE MOTION CARRIED.

Board members recessed for 5 minutes.

17. **ZONING CASE NUMBER Z2012040 CD (Council District 3):** A request for a change in zoning from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for Three Dwelling Units on Lot 26, Block 15, NCB 3283. 749 East Drexel Avenue. Staff recommends approval.

Staff stated there were 18 notices mailed out to the surrounding property owners, 4 returned in opposition and none returned in favor and the Highland Park Neighborhood Association is in support

Bruce Johnson, applicant, stated he purchased the property from Fannie Mae in September 2011 and was marketed by the government as multi-unit, multi-family property. He also stated after purchasing and fixing the property it was abandoned and vandalized. That is when he realized that property was not zoned correctly. He further stated he is in favor of the conditional use.

The following citizens appeared to speak:

Chris Johnson, citizen, expressed his concerns with the multi-family use and the burden three families living on the property would bring.

Thomas Wetzler, citizen, expressed his concerns with the living conditions of the property owner.

Virginia Guzman, citizen, spoke in opposition.

COMMISSION ACTION

The motion was made by Commissioner McNealy seconded by Commissioner Salazar to recommend a continuance until the next regularly scheduled meeting on February 21, 2012.

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

THE MOTION CARRIED.

18. **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.

Staff stated there were 39 notices mailed out to the surrounding property owners, none returned in opposition and 4 returned in favor and no response from the Mahncke Park Neighborhood Association.

Thomas Simmons, applicant, stated in 2002 he built a detached garage with adjoining guest quarters to replace an existing deteriorating structure. He made all efforts to emulate the new structure with the house and referred the new structure as his studio. He also stated prior to construction he obtained required permits and approvals. The structure complies with the current City of San Antonio codes. His further stated he has never rented the unit although he has had a guest staying in the structure. It his intent to rent the studio as an efficiency apartment to a member from the Fort Sam Houston contingent and has been very forthcoming with his neighbors regarding his intentions.

The following citizens appearing to speak:

Carlynn Ricks, citizen, spoke in opposition.

COMMISSION ACTION

The motion was made by Commissioner McNealy seconded by Commissioner McFarland to recommend a continuance until next regularly scheduled meeting on February 21, 2012.

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

THE MOTION CARRIED.

19. **ZONING CASE NUMBER Z2012043 (Council District 4):** A request for a change in zoning from "C-2 AHOD" Commercial Airport Hazard Overlay District and "NP-10 AHOD" Neighborhood Preservation Airport Hazard Overlay District to "I-1 AHOD" General Industrial Airport Hazard Overlay District on a 14.82 acre tract of land out of, NCB 14494. Southwest Loop 410 and Freeport Road. Staff recommends approval.

Staff stated there were 6 notices mailed out to the surrounding property owners, none returned in opposition and 2 returned in favor. Staff mailed 30 notices to Planning Team.

Brian Parker, applicant, is requesting a continuance unit the February 7, 2012 regularly scheduled meeting.

COMMISSION ACTION

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

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

THE MOTION CARRIED.

20. **ZONING CASE NUMBER Z2012044 (Council District 4):** A request for a change in zoning from "C-2 AHOD" Commercial Airport Hazard Overlay District and "NP-10 AHOD" Neighborhood Preservation Airport Hazard Overlay District to "I-1 AHOD" General Industrial Airport Hazard Overlay District on a 24.89 acre tract of land out of, NCB 14492 and NCB 14494. Southwest Loop 410 and Freeport Road. Staff recommends approval.

Staff stated there were 9 notices mailed out to the surrounding property owners, none returned in opposition and 4 returned in favor and the Southwest Community Association is in opposition. Staff mailed 30 notices to Planning Team.

Brian Parker, applicant, is requesting a continuance unit the February 7, 2012 regularly scheduled meeting.

COMMISSION ACTION

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

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

THE MOTION CARRIED.

21. **ZONING CASE NUMBER Z2012045 (Council District 4):** A request for a change in zoning from "C-2 AHOD" Commercial Airport Hazard Overlay District and "NP-10 AHOD" Neighborhood Preservation Airport Hazard Overlay District to "I-1 AHOD" General Industrial Airport Hazard Overlay District on a 6.95 acre tract of land out of Block 4301, NCB 14494. Southwest Loop 410. Staff recommends approval.

Staff stated there were 11 notices mailed out to the surrounding property owners, none returned in opposition and 2 returned in favor. Staff mailed 30 notices to Planning Team.

Brian Parker, applicant, is requesting a continuance unit the February 7, 2012 regularly scheduled meeting.

COMMISSION ACTION

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

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

THE MOTION CARRIED.

22. **ZONING CASE NUMBER Z2012049 (Council District 7):** A request for a change in zoning from "R-4 AHOD NCD-8" Residential Single-Family Airport Hazard Overlay Woodlawn Lake Area Neighborhood Conservation District to "RM-4 AHOD NCD-8" Residential Mixed Airport Hazard Overlay Woodlawn Lake Area Neighborhood Conservation District on Lot 5, Block 32, NCB 1974. 1719 West Craig Place. Staff recommends approval.

Staff stated there were 27 notices mailed out to the surrounding property owners, 1 returned in opposition and none returned in favor and the Woodlawn Lake Community Association is in opposition.

Geneva Bailey, applicant, stated they are trying to stay in compliance. She also state there is appropriate square footage and setbacks on this particular property. She further stated they are asking for the land use to be coherent with the additional listing.

The following citizens appeared to speak:

Alejandro Soto, citizen, spoke in opposition.

Martha Hamil, citizen, spoke in opposition.

COMMISSION ACTION

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

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

THE MOTION CARRIED.

23. There being no further business, the meeting was adjourned at 4:33 p.m.

APPROVED:

Bill Tiller, Chairman

ATTEST:

Executive Secretary