

**SAN ANTONIO ZONING COMMISSION  
OFFICIAL MINUTES  
June 16, 2009**

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: Gadberry, McFarland, J. Valadez, Westheimer, Hawkins, Wright  
Martinez, R. Valadez, Gray**

**ABSENT: Myers**

3. Approval of May 19, 2009 and June 2, 2009 Zoning Commission Minutes.

**COMBINED HEARING:**

Commissioner Wright made a motion to approve the following rezoning cases with conditions and amendments as staff has recommended. Additionally, no citizens have signed to speak in opposition on the said cases: items 12, 15, 17 and 19. The motion was seconded by Commissioner R. Valadez.

4. **ZONING CASE NUMBER Z2009095 CD (Council District 1):** A request for a change in zoning from “I-1” General Industrial District to “C-2NA CD” Commercial Nonalcoholic Sales District with a Conditional Use for Motor Vehicle Sales on the south 54.9 feet of the north 108.9 feet of Lots 13, 14 and 15, Block 24, NCB 2094, 1506 North Zarzamora. Staff recommends approval with conditions.

Staff stated there were 46 notices mailed out to the surrounding property owners, 1 returned in opposition and 4 returned in favor and no response from Gardendale Neighborhood Association.

**COMMISSION ACTION**

The motion was made by Commissioner Wright and seconded by Commissioner R. Valadez to recommend approval with the following conditions.

1. A six-foot tall, solid screen fence shall be maintained where the subject property abuts residential zoning or uses.
2. A 15-foot, Type B landscape buffer shall be required where the subject property’s side and rear yards abut residential zoning or uses.
3. All on-site lighting shall be directed onto the site and point away from any residential zoning or uses using 90-degree or less cut-off fixtures.
4. Business or office hours of operation shall not be permitted before 7:00 a. m. or after 7:00 p. m.

5. Not more than ten vehicles shall be on site, for sale, at any given time.

**AYES: Gadberry, McFarland, J. Valadez, Westheimer, Wright Martinez, R. Valadez,  
Gray**  
**NAY: None**

**THE MOTION CARRIED**

**5. ZONING CASE NUMBER Z2009109 (Council District 6):** A request for a change in zoning from "C-3" General Commercial District to "MF-33" Multi-Family District on 7.615 acres out of NCB 17635 and 18295, Culebra Road and FM 1560. Staff recommends approval.

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

**AYES: Gadberry, McFarland, J. Valadez, Westheimer, Wright Martinez, R. Valadez,  
Gray**  
**NAY: None**

**THE MOTION CARRIED**

**6. ZONING CASE NUMBER Z2009111 (Council District 8):** A request for a change in zoning from "C-3NA" General Commercial Nonalcoholic Sales District to "C-2NA" Commercial Nonalcoholic Sales District on Lot 5, Block 12, NCB 14696, 8800 Block of Oakland Road. Staff recommends approval.

Staff stated there were 17 notices mailed out to the surrounding property owners, 0 returned in opposition and 4 returned in favor.

**COMMISSION ACTION**

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

**AYES: Gadberry, McFarland, J. Valadez, Westheimer, Wright Martinez, R. Valadez,  
Gray**  
**NAY: None**

**THE MOTION CARRIED**

**7. ZONING CASE NUMBER Z2009113 (Council District 9):** A request for a change in zoning from "I-1" General Industrial District to "C-2" Commercial District on Lot 12, Block 2, NCB 15853, 12446 West Avenue. Staff recommends approval.

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

**AYES: Gadberry, McFarland, J. Valadez, Westheimer, Wright Martinez, R. Valadez, Gray**

**NAY: None**

**THE MOTION CARRIED**

**INDIVIDUAL CONSIDERATION:**

**8. ZONING CASE NUMBER Z2008064 ERZD (Council District 9):** A request for a change in zoning from "R-6 ERZD" Residential Single Family Edwards Recharge Zone District to "C-3 ERZD" General Commercial Edwards Recharge Zone District on Parcel 25A and Parcel 27, NCB 18218, save and except 0.4592 acres out of NCB 18218, 23000 Block of US Highway 281 North. Staff recommends approval.

Patrick Christensen, representative, stated they are proposing to develop a hotel on the subject property. He stated he is working with the surrounding property owners to address the buffers and setbacks in this development to garner their support therefore; he would like to request a two-week continuance.

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

Michael Parker, on behalf of Windchester Hills Homeowners Association, stated they were not notified of this zoning change request. He stated they would support a continuance so they may meet with the representative.

Karen Pennington, stated she is in opposition. She stated the propose hotel development would intrude into their backyard. She also expressed concerns with how this development would depreciate their property values.

Sarah Stolge, stated Windchester Hills has been notified of other projects and is confused as to how and why they were not notified of this proposed rezoning.

Staff stated there were 14 notices mailed out to the surrounding property owners, 1 returned in opposition and 2 returned in favor.

**COMMISSION ACTION**

The motion was made by Commissioner Wright and seconded by Commissioner R. Valadez to recommend a continuance until July 7, 2009.

**AYES: Gadberry, McFarland, J. Valadez, Westheimer, Wright Martinez, R. Valadez, Gray**  
**NAY: None**

**THE MOTION CARRIED**

**9. ZONING CASE NUMBER Z2008256 ERZD (Council District 8):** A request for a change in zoning from "C-2" Commercial District, "C-2 ERZD" Commercial Edwards Recharge Zone District, "C-3" General Commercial District, "C-3 ERZD" General Commercial Edwards Recharge Zone District and "I-1" General Industrial District to "C-3NA" General Commercial District, Nonalcoholic Sales and "C-3NA ERZD" General Commercial Edwards Recharge Zone District, Nonalcoholic Sales on Lot 1, Block 2, NCB 17402, 5003, 5019, 5039, 5119, and 5131 Beckwith Boulevard. Staff recommends approval.

Andy Guerrero, representative, stated he would like to amend their request to exclude the portion of property that is within the Edwards Recharge Zone. He stated they are proposing office warehouse development on the subject property.

Staff stated there were 40 notices mailed out to the surrounding property owners, 0 returned in opposition and 8 returned in favor and Woodland Park Homeowners Association is in favor.

**COMMISSION ACTION**

The motion was made by Commissioner R. Valadez and seconded by Commissioner Wright to recommend approval as amended to exclude the portion of property that is within the Edwards Recharge Zone.

**AYES: Gadberry, McFarland, J. Valadez, Westheimer, Wright Martinez, R. Valadez, Gray**  
**NAY: None**

**THE MOTION CARRIED**

**10. ZONING CASE NUMBER Z2009076 ERZD (Council District 9):** A request for a change in zoning from "NP-10 ERZD MLOD-1" Neighborhood Preservation Edwards Recharge Zone Camp Bullis Military Lighting Overlay District-1 and "QD S ERZD MLOD-1" Quarry Edwards Recharge Zone Camp Bullis Military Lighting Overlay District-1 with a Specific Use Authorization for Blasting to "MPCD ERZD MLOD-1" Master Planned Community Edwards Recharge Zone Camp Bullis Military Lighting Overlay District-1 on 389.53 acres out of NCB 19221, 19101 North US Highway 281 and 19300 Classen Crest. Staff recommends denial.

Commissioner Hawkins arrived at 1:44 p. m.

Ken Brown, representative, stated the purpose of this request is to allow for multi-family/townhome development. He stated they are requesting to rezoning 356 acre to "MPCD" Master Planned Community District. He stated they met with several neighborhood associations with this area and the District 9 Zoning Commissioner.

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

Brian Erickson, representing Stone Oak Property Owner's Association, stated they have met with the representative of this project and are in support.

Tom Newton, representing Iron Mountain Ranch Homeowner's Association, stated at this time they are strongly oppose this zoning request. He stated they would like to request a continuance to allow time to meet with the representatives of this development.

Jim Cannizo, representing Fort Sam Houston, stated their position is neutral. He stated they submitted a comment letter to staff and recommend several studies be conducted prior to development.

Janet Sandbach, stated she is in opposition of this rezoning change. She expressed concerns with traffic.

Al Crouch, stated he would like to express his opposition. He expressed concerns with the multi family development and the increase in traffic this development would bring into their community.

Kelli Grant, stated she is in opposition. She also expressed concerns with the increase in traffic this development would bring into the neighborhood.

Elyzabeth Earnley, representing AGUA, stated they are in opposition. She stated they agree with staff that this amount of commercial on this property is inappropriate. She stated it is too intense and expressed concerns with contaminants going into the Aquifer.

Daniel Sandbach, also in opposition. He expressed concerns with the increase in traffic the development will bring into the neighborhood.

Staff stated there were 166 notices mailed out to the surrounding property owners, 69 returned in opposition and 8 returned in favor and Stone Oak Property Owner's Association is in favor. Staff received 55 signatures in opposition outside the 200-foot radius.

**COMMISSION ACTION**

The motion was made by Commissioner Wright and seconded by Commissioner Westheimer to recommend a continuance until July 7, 2009.

**AYES:** Gadberry, McFarland, J. Valadez, Westheimer, Hawkins, Wright Martinez, R. Valadez, Gray

**NAY:** None

**THE MOTION CARRIED**

11. **ZONING CASE NUMBER Z2008180 (Council District 8):** A request for a change in zoning from "C-2 MLOD-1" Commercial, Camp Bullis Military Lighting Overlay District, "C-2 GC-1 MLOD-1" Commercial Hill Country Gateway Corridor Overlay, Camp Bullis Military Lighting Overlay District, "C-3 MLOD-1" General Commercial Camp Bullis Military Lighting Overlay District and "C-3 GC-1 MLOD-1" General Commercial Hill Country Gateway Corridor Overlay, Camp Bullis Military Lighting Overlay District to "MPCD MLOD-1" Master Planned Community District, Camp Bullis Military Lighting Overlay District and "MPCD GC-1 MLOD-1" Master Planned Community District Hill Country Gateway Corridor Overlay Camp Bullis Military Lighting Overlay District on 89.367 acres out of Lot 5, Block 1, NCB 14858, 15000 Block of Interstate Highway 10 West, 5000 Block of Loop 1604 West, 5400 Block of Presidio Parkway and 15700 Block of Vance Jackson Road. Staff recommends approval.

Rob Killen, representative, stated they are proposing to develop a mixed-use lifestyle center that would include office, retail, and multi-family uses. He stated the portion of the project area within the ERZD has been excluded from the zoning request. He further stated they would provide a combination of Open Space and design features. Consistent with the Unified Development Code (UDC), these design features enhance the attractiveness and desirability of the project. He stated they will also include additional design features not indicated on the site plan, including upgraded intersection design with decorative pavers (already approved by City), LEED-certifiable buildings, Plazas and other public spaces, Enhanced architectural features, Pedestrian-friendly orientation of buildings, Fountains and Benches and public seating.

Staff stated there were 8 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 R. Valadez seconded by Commissioner Gray to recommend approval with the reduction of Open Space to 5.33 acres.

**AYES:** Gadberry, McFarland, J. Valadez, Martinez, R. Valadez, Gray

**NAY:** Wright

**ABSTAIN:** Hawkins

**THE MOTION CARRIED**

12. **ZONING CASE NUMBER Z2009088 (Council District 8):** A request for a change in zoning from "R-6 MLOD-1" Residential Single-Family Military Lighting Overlay District-1 and "R-6 GC-1 MLOD-1" Residential Single-Family Hill Country Gateway Corridor Overlay Military Lighting Overlay District-1 to "C-3 MLOD-1" General Commercial Military Lighting Overlay District-1 and "C-3 GC-1 MLOD-1" General Commercial Hill Country Gateway Corridor Overlay Military Lighting Overlay District-1 on 3.584 acres out of NCB 34761, 0.29 of an acre out of NCB 34780, and 0.104 of an acre out of CB 4761, 6194 Old Camp Bullis Road. Staff recommends denial of "C-3" with an alternate recommendation of "C-2".

Rob Killen, representative, stated the purpose of this zoning request is to allow the development of a hotel. He stated the subject property is surrounded by "C-3" commercial uses. He further stated they do not accept staff alternate recommendation of "C-2" as will limit their development.

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

Bobby Perez, representing Forest Crest Neighborhood Association, stated they would like to request a continuance so they may meet with the representative to address concerns they have and possibly working restrictive covenants.

Jim Cannizo, representing US Army, stated they have owned Camp Bullis Road since 1920. He stated the applicant stated they have access to Old Camp Bullis Road, which he feels, that needs to be highlighted that it is very limited access that would not cover the proposed hotel use. He stated he would support a continuance to meet with the representative and work on restrictive covenants that would limit the use of Old Camp Bullis Road.

Ken Brown, representing the Rim, which is the property surrounding the subject property. He stated the site plan submitted is not clear and would support a continuance to meet with the representative to address some concerns they have.

Kathleen Murray, stated she is in opposition. She stated there are a few concerns that need to be addressed prior to developing therefore she would support a continuance.

Staff stated there were 11 notices mailed out to the surrounding property owners, 1 returned in opposition from Forest Crest Neighborhood Association and 1 returned in favor.

**COMMISSION ACTION**

The motion was made by Commissioner R. Valadez and seconded by Commissioner Wright to recommend a continuance until July 7, 2009.

**AYES:** Gadberry, McFarland, J. Valadez, Westheimer, Hawkins, Wright, Martinez, R. Valadez, Gray

**NAY:** None

**THE MOTION CARRIED**

13. **ZONING CASE NUMBER Z2009094 (Council District 5):** A request for a change in zoning from "R-4" Residential Single-Family District and "I-1" General Industrial District to "C-2" Commercial District on Lots 42, 43, 44, 87 and 88, Block 9, NCB 3128 and Lot A-15, NCB 3852, 2701 South Presa Street. Staff recommends approval.

Lucy Peveto, representative, stated she would like to request a continuance. She stated they are still working with the neighborhood association.

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

Helen Dutmer, stated she did not received a notice and would like more information on this case.

Staff stated there were 30 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor and no response from Roosevelt Park Neighborhood Association. Staff mailed 17 notices to the Planning Team.

**COMMISSION ACTION**

The motion was made by Commissioner J. Valadez and seconded by Commissioner Hawkins to recommend a continuance until July 7, 2009.

**AYES: Gadberry, McFarland, J. Valadez, Westheimer, Hawkins, Wright, R. Valadez, Gray**

**NAY: None**

**THE MOTION CARRIED**

14. **ZONING CASE NUMBER Z2009097 (Council District 2):** A request for a change in zoning from "R-5" Residential Single-Family District and "C-3" General Commercial District to "C-3" General Commercial District (15.124 acres) and "MF-33" Multi-Family District (12.116 acres) on 27.24 acres out of NCB 10675, NCB 10677, NCB 13143, and NCB 13144, 3860 IH 10 East. Staff recommends approval.

James Griffin, representative, stated he would like to amend his request to "MF-25" as staff has recommended. He stated they are proposing multi-family development on the subject property.

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

Vivian Olivares, representing Eastern Triangle Planning Team, spoke in favor of the amendment of "MF-25" with restrictive covenants.

Staff stated there were 42 notices mailed out to the surrounding property owners, 2 returned in opposition and 20 returned in favor.

**COMMISSION ACTION**

The motion was made by Commissioner Hawkins and seconded by Commissioner R. Valadez to recommend approval of "MF-25".

**AYES: Gadberry, McFarland, J. Valadez, Westheimer, Hawkins, Wright, R. Valadez,**

**Gray**

**NAY: None**

**THE MOTION CARRIED**

15. **ZONING CASE NUMBER Z2009108 (Council District 10):** A request for a change in zoning from "C-2" Commercial District to "C-3" General Commercial District on Lot 28, Block 2, NCB 12572, 1039 NE Loop 410. Staff recommends approval.

Patrick Christensen, representative, stated they are proposing a bar/tavern on the subject property. He stated the surrounding uses are "C-3".

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

Larry Murphy, spoke in opposition. He stated he operates the hotel across the subject property. He feels the proposed establishment would have a negative impact their business.

Staff stated there were 11 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 McFarland and seconded by Commissioner Wright to recommend approval.

**AYES: Gadberry, McFarland, J. Valadez, Westheimer, Hawkins, Wright, R. Valadez,**

**Gray**

**NAY: None**

**ABSTAIN: Martinez**

**THE MOTION CARRIED**

16. **ZONING CASE NUMBER Z2009110 (Council District 1):** A request for a change in zoning from "R-5" Residential Single Family District to "MF-18" Multi-Family District on the south 104.7 feet of Lots 35, 36 and 37, Block 24, NCB 7330. 126 Dora Street. Staff recommends denial.

Don Feldpausch, owner, stated he is proposing to develop a duplex on the subject property.

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

Guillermo Aguilar, spoke in opposition. He stated he would like to maintain the single family character of the neighborhood.

Staff stated there were 42 notices mailed out to the surrounding property owners, 3 returned in opposition and 3 returned in favor. Staff mailed 64 notices to the planning team.

**COMMISSION ACTION**

The motion was made by Commissioner Westheimer and seconded by Commissioner R. Valadez to recommend a continuance until August 4, 2009.

**AYES: Gadberry, McFarland, J. Valadez, Westheimer, Hawkins, Wright, Martinez, R. Valadez, Gray**

**NAY: None**

**THE MOTION CARRIED**

17. **ZONING CASE NUMBER Z2009112 CD (Council District 3):** A request for a change in zoning from "R-4" Residential Single Family District to "R-4 CD" Residential Single Family District with a conditional use to allow a professional office on Lot F, Block 100, NCB 3368, 1044 Bailey Avenue. Staff recommends denial.

Cynthia Munoz, owner, stated the purpose of this zoning request is to allow for a professional office. She stated she is agreeable to a continuance to meet with the surrounding neighbors to address their concerns.

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

Sonia Escobedo, spoke in favor.

Ann Quinn, spoke in favor.

Maria Estrada, spoke in favor.

Donny Daniels, spoke in favor.

Jesse Munoz, spoke in favor.

Carlotta Long, spoke in opposition.

Helen Dutmer, stated she would like to maintain the residential character of the neighborhood.

Charles Medina, spoke in opposition.

Vivian Olivares, spoke in opposition.

Staff stated there were 25 notices mailed out to the surrounding property owners, 5 returned in opposition and 2 returned in favor and no response from Highland Park Neighborhood Association. Staff mailed 58 notices to the planning team.

**COMMISSION ACTION**

The motion was made by Commissioner Gray and seconded by Commissioner Martinez to recommend a continuance until July 7, 2009.

**AYES: Gadberry, McFarland, J. Valadez, Westheimer, Hawkins, Wright, Martinez, R. Valadez, Gray**

**NAY: None**

**THE MOTION CARRIED**

**18. ZONING CASE NUMBER Z2009088**

**COMMISSION ACTION**

The motion was made by Commissioner R. Valadez and seconded by Commissioner Wright to reconsider.

**AYES: Gadberry, McFarland, J. Valadez, Westheimer, Hawkins, Wright, Martinez, R. Valadez**

**NAY: None**

**THE MOTION CARRIED**

Rob Killen, representative, stated he does not agree to a continuance.

**COMMISSION ACTION**

The motion was made by Commissioner R. Valadez and seconded by Commissioner Wright to recommend denial.

**AYES: Gadberry, McFarland, J. Valadez, Westheimer, Hawkins, Wright, Martinez, R. Valadez**

**NAYS: None**

**THE MOTION CARRIED**

19. Consideration of proposed amendments to the Unified Development Code (UDC) related to "FBZD" Form Based Zoning District.

Richard Milk, presented item.

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

Elyzabeth Earnley, representing AGUA, stated they are in support in particular with the Environmental Stormwater requirement of this code, as this would protect the Aquifer. She stated they strongly support this amendment.

**COMMISSION ACTION**

The motion was made by Commissioner Westheimer and seconded by Commissioner Gray to recommend approval as presented with the amendment that they remove the Stormwater collection language as concerns areas that are considered infill development or in compass empowerment zones and other defining features of inter-city neighborhoods.

**AYES: Gadberry, McFarland, J. Valadez, Westheimer, Hawkins, Wright, Martinez, R.**

**Valadez**

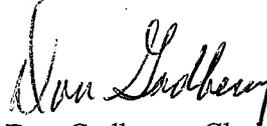
**NAY: None**

**THE MOTION CARRIED**

**19. ADJOURNMENT**

There being no further business, the meeting was adjourned at 4:19 p.m.

APPROVED:



Don Gadberry, Chairman

ATTEST:



Executive Secretary