

**SAN ANTONIO ZONING COMMISSION  
OFFICIAL MINUTES  
March 4, 2008**

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.
2. Roll Call.

**PRESENT: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers,  
Wright, Gray**

**ABSENT: Martinez, R. Valadez**

3. Director's Report.
4. Approval of February 19, 2008 Minutes.

**1:00 PM – Public Hearing**

**Chairman Sherrill stated Zoning Case No. Z2008082 has been postponed as per the applicant's request.**

**CONSENT ZONING**

Commissioner Gadberry made a motion to approve the following rezoning cases being that staff recommendations were for approval with amendments to Z2008074 CD. Additionally, no citizens had signed to speak on said cases: item 13, 15, 17, 18 and 23. The motion was seconded by Commissioner Wright.

**5. ZONING CASE NUMBER Z2008074 CD (Council District 8):** The request of 6325 Babcock Road, LLC, Applicant, for Reagan and Joan Smith, Owner(s), for a change in zoning from "R-20" Residential Single-Family District to "R-20" (CD- Professional Office) Residential Single-Family District with a Conditional Use for a Professional Office on 1.00 acre out of NCB 14709, 6325 Babcock Road. Staff recommends approval.

This case was approved by consent.

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

Andy Guerrero, representative, stated staff has recommended signage not to exceed 3 feet in size however in meeting with Oakland Estates Neighborhood Association, they have agreed the signage be 50 square feet for individual users and 130 square feet of multiple users, also, hours of operation be from 7am til 8pm. rather than 7am til 6pm as staff has recommended.

Chairman Sherrill stated Oakland Estates Neighborhood Association is in the audience in support.

Staff stated there were 15 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor and no response from Oakland Estates and Alamo Farmsteads-Babcock Road Neighborhood Associations. Staff mailed 23 notices to the Planning Team.

**COMMISSION ACTION**

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

**AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers, Wright  
Gray**

**NAY: None**

**THE MOTION CARRIED**

**6. ZONING CASE NUMBER Z2008091 (Council District 1):** The request of Miguel A. Gallegos, Applicant, for Miguel A. Gallegos, Owner(s), for a change in zoning from "RM-4" Residential Mixed District to "O-1" Office District on Lot 4, NCB 753, 723 Jackson. Staff recommends approval.

This case was approved by consent.

Staff stated there were 27 notices mailed out to the surrounding property owners, 0 returned in opposition and 3 returned in favor and Five Points Neighborhood Association is in favor. Staff mailed 49 notices to the Planning Team.

**COMMISSION ACTION**

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

**AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers, Wright  
Gray**

**NAY: None**

**THE MOTION CARRIED**

**7. ZONING CASE NUMBER Z2008093 CD (Council District 5):** The request of Matthew P. Weaver, Applicant, for Matthew P. Weaver, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-1" (CD-Tattoo Parlor/Studio) Light Commercial District with a Conditional Use for a Tattoo Parlor/Studio on Lot 1, NCB 6860, 923 Probandt. Staff recommends approval.

This case was approved by consent.

Staff stated there were 19 notices mailed out to the surrounding property owners, 1 returned in opposition and 0 returned in favor. Staff mailed 21 notices to the Planning Team.

**COMMISSION ACTION**

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

**AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers, Wright  
Gray**  
**NAY: None**

**THE MOTION CARRIED**

**8. ZONING CASE NUMBER Z2008094 S (Council District 2):** The request of Bexar County Buffalo Soldier's Association, Applicant, for Bexar County Buffalo Soldier's Association, Owner(s), for a change in zoning from "RM-4" Residential Mixed District to "R-4" S Residential Single-Family District with Specific Use Authorization for a Museum on Lots 1, 2, 3 and 4, Block 3, NCB 2796, 1602 Wyoming Street. Staff recommends approval with conditions.

This case was approved by consent.

Staff stated there were 31 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and Nevada Street Neighborhood Association is in favor. Staff mailed 26 notices to the Planning Team.

**COMMISSION ACTION**

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

**AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers, Wright  
Gray**  
**NAY: None**

**THE MOTION CARRIED**

**9. ZONING CASE NUMBER Z2008095 (Council District 4):** The request of Ricardo Ramos, Applicant, for Ricardo Ramos, Owner(s), for a change in zoning from "RM-4" Residential Mixed District to "C-2" Commercial District on Lots 30 and 31, Block 6, NCB 11192, 601 Palo Alto Road. Staff recommends approval.

This case was approved by consent.

Staff stated there were 36 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor.

**COMMISSION ACTION**

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

**AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers, Wright  
Gray**

**NAY: None**

**THE MOTION CARRIED**

**INDIVIDUAL CONSIDERATION:**

10. **ZONING CASE NUMBER Z2008047 ERZD (Council District 9):** The request of Brown, PC., Applicant, for 601 Sonterra, LP, Owner(s), for a change in zoning from PUD "R-6" ERZD Planned Unit Development Residential Single-Family Edwards Recharge Zone District to "C-2" ERZD Commercial Edwards Recharge Zone District on Lot 1, Block 3, NCB 19214, 601 West Sonterra Boulevard. Staff recommends denial as requested with an alternate recommendation of "O-1" Office District.

Ken Brown, representative, stated he would like to amend his request to "O-1" with a Specific Use to allow for more than 10,000 square feet. He stated they are proposing office use.

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

Elyzabeth Earnley, spoke in opposition

Staff stated there were 43 notices mailed out to the surrounding property owners, 0 returned in opposition and 4 returned in favor and Sonterra Property Owners Association and Stone Oak Property Owners Association is in favor.

**COMMISSION ACTION**

The motion was made by Commissioner Wright and seconded by Commissioner Myers to recommend approval with staff and SAWS recommendations.

Commissioner Gadberry stated he would like to make an amendment to the original motion to add 50% impervious cover rather than 65% impervious cover. The motion was seconded by Commissioner Hawkins.

**AYES: Robbins, J. Valadez, Gadberry, Myers**  
**NAY: Sherrill, Westheimer, Hawkins, Wright**  
**RECUSED: Gray**

**THE MOTION FAILED**

**COMMISSION ACTION**

The motion was made by Commissioner Wright and seconded by Commissioner Myers to recommend approval with staff and SAWS recommendations of 65% impervious cover.

**AYES: Sherrill, Robbins, J. Valadez, Westheimer, Hawkins, Myers, Wright**  
**NAYS: Gadberry**  
**RECUSED: Gray**

**THE MOTION CARRIED**

11. **ZONING CASE NUMBER Z2008070 CD ERZD (Council District 8):** The request of Cedar Joiner, Applicant, for Kirk K. Colyer, Owner(s), for a change in zoning from "R-6" ERZD Residential Single-Family Edwards Recharge Zone District to "R-6" (CD- Professional Offices) ERZD Residential Single-Family Edwards Recharge Zone District with Conditional Use for Professional Offices on Lot 4 and Lot 5, Block 20, NCB 14730, 12422 Petite Lane. Staff recommends approval.

Cedar Jones, applicant, proposing professional offices.

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

Elyzabeth Earnley, spoke in favor.

John Majala, spoke in favor.

Pam O'Brien, spoke in favor.

Joseph Dominguez, spoke in opposition.

Staff stated there were 15 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 Gray and seconded by Commissioner Wright to recommend approval with staff and SAWS conditions.

**AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers, Wright, Gray**  
**NAY: None**

**THE MOTION CARRIED**

**12. ZONING CASE NUMBER Z2008072 CD (Council District 1):** The request of Ralph Cortez, Applicant, for Ricardo Balderrama and Jose Rodriguez, Owner(s), for a change in zoning from H "C-2" Historic Commercial District to H "C-2" (CD- Bar/ Tavern) Historic Commercial District with a Conditional Use for a bar/ tavern on Lot 1, Block 1, NCB 923, 620 South Presa Street. Staff recommends denial.

Ralph Cortez, applicant, proposing a Jazz Bar.

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

Reth Oliver, spoke in favor.

Seahn Labb, spoke favor.

Curtis Bowers, spoke in favor.

Jose Rodriguez, spoke in favor.

Eric Lopez, spoke in favor.

Andrew Tejada, spoke in favor.

Mary Louis Bustos, spoke in opposition.

Manuel Longoria, spoke opposition.

Staff stated there were 32 notices mailed out to the surrounding property owners, 5 returned in opposition and 0 returned in favor and Lavaca Neighborhood Association is in favor. Staff mailed 12 notices to the Planning Team. Staff also received two petitions totaling 25 signatures in opposition.

**COMMISSION ACTION**

The motion was made by Commissioner Westheimer and seconded by Commissioner Robbins to recommend denial.

**AYES: Sherrill, Robbins, Westheimer, Gadberry, Hawkins, Myers, Wright, Gray**  
**NAY: J. Valadez**

**THE MOTION CARRIED**

13. **ZONING CASE NUMBER Z2008079 CD (Council District 1):** The request of Jesus Chavira, Applicant, for Jesus Chavira C/S Maria H Oviedo, Owner(s), for a change in zoning from "R-6" S Residential Single-Family District with Specific Use Authorization for a Daycare to "C-2" (CD-Contractor Facility) Commercial District with a Conditional Use for a Contractor Facility on Lot 29, Block 12, NCB 9215, 866 Lee Hall. Staff recommends denial.

Alejandra Marez, applicant, stated she would like to amend her request to "R-6" CD for a professional office.

Staff stated there were 36 notices mailed out to the surrounding property owners, 2 returned in opposition and 1 returned in favor and Edison Neighborhood Association is in favor and Northwest Los Angeles Heights Neighborhood Association is in opposition. Staff mailed 73 notices to the Planning Team.

**COMMISSION ACTION**

**FINDING OF CONSISTENCY OF THE MASTER PLAN**

**COMMISSION ACTION**

The motion was made by Commissioner Westheimer and seconded by Commissioner Gadberry to find inconsistent with the neighborhood plan.

(A verbal vote was taken)

**AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers, Wright, Gray**

**NAYS: None**

**THE MOTION CARRIED**

Nina Nixon-Mendez, Planning Manager, stated being that the applicant amended their request this would be consistent with the neighborhood plan.

**COMMISSION ACTION**

The motion was made by Commissioner Wright and seconded by Commissioner Westheimer to reconsider the motion.

**AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers, Wright, Gray**

**NAY: None**

**THE MOTION CARRIED**

**COMMISSION ACTION**

The motion was made by Commissioner Westheimer and seconded by Commissioner Myers to recommend approval as amended to "R-6" CD for a professional office.

**AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers, Wright, Gray**

**NAY: None**

**THE MOTION CARRIED**

14. **ZONING CASE NUMBER Z2008039 (Council District 7):** The request of Phil Garay, Applicant, for Adalberto Hernandez, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-2" Commercial District on Lot 2 and the east 30 feet of Lot 1, Block 1, NCB 18308, 7900 Block of Tezel Road. Staff recommends approval.

Phil Garay, representative, stated he would like to request a continuance until April 1, 2008.

Staff stated there were 14 notices mailed out to the surrounding property owners, 2 returned in opposition and 3 returned in favor and no response Tezel Heights Homeowner's Association. Staff mailed out 75 notices to the Planning Team. Staff also received 1 email expressing opposition.

**COMMISSION ACTION**

The motion was made by Commissioner Gray and seconded by Commissioner Wright to recommend a continuance until April 1, 2008.

**AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers, Wright, Gray**

**NAYS: None**

**THE MOTION CARRIED**

15. **ZONING CASE NUMBER Z2008089 CD (Council District 5):** The request of Rick and Angela Martinez, Applicant, for Patrick S. Shearer, Owner(s), for a change in zoning from "IDZ" Infill Development Zone with uses permitted in "R-4" Single-Family Residential District and "NC" Neighborhood Commercial District to "IDZ" Infill Development Zone with uses permitted in "C-2" (CD-Theater-Outdoor including Drive-In and Amphitheaters) Commercial District with a Conditional Use for an Theater-Outdoor including Drive-In and Amphitheaters on Lot A4, NCB 2569, 132 East Cevallos. Staff recommends denial.

Rick Martinez, applicant, proposing an outdoor theater.

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

Angela Martinez, spoke in favor.

Reth Oliver, spoke in favor.

Staff stated there were 26 notices mailed out to the surrounding property owners, 1 returned in opposition and 1 returned in favor. Staff mailed 21 notices to the Planning Team.

**FINDING OF CONSISTENCY OF THE MASTER PLAN**

**COMMISSION ACTION**

The motion was made by Commissioner J. Valadez and seconded by Commissioner Gadberry to find consistent with the neighborhood plan.

(A verbal vote was taken)

**AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers, Wright, Gray**

**NAYS: None**

**THE MOTION CARRIED**

**COMMISSION ACTION**

The motion was made by Commissioner J. Valadez and seconded by Commissioner Gadberry to recommend approval with conditions:

1. All on-site lighting shall be directed onto the site and pointed away from any residential zoning or uses using 90 degree or less cut-off fixtures
2. Allowable hours of operations shall not be permitted before 9:00 am or after 11:00 pm.
3. One 3-foot by 3-foot sign may be permitted at the entrance to the property.

**AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers, Wright, Gray**

**NAYS: None**

**THE MOTION CARRIED**

**16. ZONING CASE NUMBER Z2008092 S (Council District 4):** The request of Oscar and Donna M. Sandoval, Applicant, for Oscar and Donna M. Sandoval, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "R-6" S Residential Single-Family District with Specific Use Authorization for a Manufactured Home on Lot 3, NCB 15628, 5431 Hillburn Drive. Staff recommends denial.

Donna Sandoval, applicant, proposing to relocate existing mobile home from 5131 Gavilan to 5431 Hillburn Drive. She stated she is agreeable to a continuance to continue working with the neighborhood association and surrounding property owners who may have concerns.

Staff stated there were 17 notices mailed out to the surrounding property owners, 2 returned in opposition and 2 returned in favor and Southwest Community Association is in opposition. Staff mailed 34 notices to the Planning Team.

**COMMISSION ACTION**

The motion was made by Commissioner Myers and seconded by Commissioner Wright to recommend a continuance until April 1, 2008.

**AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers, Wright  
Gray**

**NAY: None**

**THE MOTION CARRIED**

**17. ZONING CASE NUMBER Z2008096 CD (Council District 2):** The request of Malcolm Thomas, J & N Land Development, LLC, Applicant, for Malcolm Thomas, J & N Land Development, LLC, Owner(s), for a change in zoning from "RM-4" EP-1 Residential Mixed District, Facility Parking/Traffic Control Overlay District-1 to "RM-4" EP-1 (CD-Four Dwelling Units) Residential Mixed District, Facility Parking/Traffic Control Overlay District-1 with a Conditional Use for a Four-Unit Dwelling on Lot 14, Block 31, NCB 1482, 340 Maryland Street. Staff recommends denial.

Baltazar Serna, representative, proposing to develop a quadplex.

Staff stated there were 25 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and no response from Area District Neighborhood Association. Staff mailed 31 notices to the Planning Team.

**COMMISSION ACTION**

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

**AYES: Sherrill, Robbins, J. Valadez, Gadberry, Hawkins, Myers, Wright, Gray**  
**NAY: None**

**THE MOTION CARRIED**

18. **ZONING CASE NUMBER Z2008061 (Council District 8):** The request of Kaufman & Associates, Inc., Applicant, for T & K Young Partners, Ltd., Owner(s), for a change in zoning from "O-2" Office District to "C-2" Commercial District on 0.853 acres out of NCB 14714, 12200, 12210, 12226 Huebner Road. Staff recommends approval.

Lucy Peveto, representative, stated she would like to request a continuance for two weeks.

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

Terry Young, spoke in favor.

Laura Saher, spoke favor.

Staff stated there were 27 notices mailed out to the surrounding property owners, 6 returned in opposition and 3 returned in favor and no response Vance Jackson Neighborhood Associations. Staff also received a petition with 12 signatures in opposition outside the 200-foot radius.

**COMMISSION ACTION**

The motion was made by Commissioner Gray and seconded by Commissioner Wright to recommend a continuance until March 18, 2008.

**AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers, Wright, Gray**

**NAY: None**

**THE MOTION CARRIED**

19. **ZONING CASE NUMBER Z2008078 (Council District 6):** The request of Kenneth E. Saunders, Applicant, for FC Stonebridge, LTD Partnership, Owner(s), for a change in zoning from "R-6" Residential Single-Family District, "MH" Manufacturing Housing District and "C-3" General Commercial District to "MF-33" Multi Family District, "C-3" General Commercial District and "L" Light Industrial District on 47.15 acres out of NCB 17635, NCB 18295, NCB 34449 and NCB 34450, 11600 Block of Culebra Road. Staff recommends denial.

Andy Guerrero, representative, proposing a retail center, multi family development and a mini storage facility. He further stated in order to address the issue regarding the school he would like to amend to a "C-3NA".

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

**COMMISSION ACTION**

The motion was made by Commissioner Gray and seconded by Commissioner Wright to recommend approval as amended to "C-3NA" on Culebra Road maintaining the "MF-33" and amending from "L" to "C-2NA" CD for a mini storage.

**AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers, Wright, Gray**  
**NAY: None**

**THE MOTION CARRIED**

20. **ZONING CASE NUMBER Z2008090 (Council District 6):** The request of Jaime & Adela Ramirez, Applicant, for Jaime & Adela Ramirez, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-2" Commercial District on Lot 21, Block 2, NCB 18287, 7603 Potranco Road. Staff recommends approval.

Ray Garcia, representative, proposing commercial development. He stated he is agreeable with a continuance to meet with the surrounding property owners to address their concerns.

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

Katherine Klonek, spoke in opposition.

Staff stated there were 28 notices mailed out to the surrounding property owners, 3 returned in opposition and 0 returned in favor.

**COMMISSION ACTION**

The motion was made by Commissioner Gray and seconded by Commissioner Myers to recommend a continuance until March 18, 2008.

**AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers, Wright, Gray**  
**NAY: None**

**THE MOTION CARRIED**

21. Consideration of a request initiated by Councilmember Sheila McNeil, District 2, requesting a zoning amendment to the Unified Development Code regarding Payday Loan Agencies and Check Cashing Facilities.

**No citizens signed to speak**

**COMMISSION ACTION**

The motion was made by Commissioner Westheimer and seconded by Commissioner Wright to recommend sending these items back to City Council without a recommendation from Zoning Commission and request the following

1. If City Council would like for Zoning Commission to consider such items outside the regular UDC process that Zoning Commission be educated by City Council about the needs in their district or of the constituents that are being harmed.
2. Consider putting these in the regular UDC process so that citizens have an opportunity for and against to be notified and to speak on such issues.
3. Continue to work with citizens, for and against to address any and all concerns they may have.

**AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Myers, Wright, Gray**

**NAY: None**

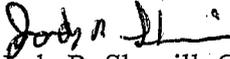
**ABSTAIN: Hawkins**

**THE MOTION CARRIED**

22. **ADJOURNMENT.**

There being no further business, the meeting was adjourned at 4:01 p.m.

APPROVED:

  
Jody R. Sherrill, Chair

ATTEST:

  
Executive Secretary