

**SAN ANTONIO ZONING COMMISSION
OFFICIAL MINUTES
March 15, 2011**

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, Christian, Myers, Anguiano, Martinez, Nava
ABSENT: Cole, Wright

3. Approval of March 1, 2011 Zoning Commission Minutes.

COMBINED HEARING:

4. **ZONING CASE NUMBER Z2011013 S (Council District 4):** A request for a change in zoning from “C-2NA AHOD” Commercial Nonalcoholic Sales Airport Hazard Overlay District to “C-2 AHOD S” Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Reception Hall on Lot 58, Block 4, NCB 11264, 7402 New Laredo Highway. Staff recommends approval.

Staff stated there were 30 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 McFarland seconded by Commissioner Myers to recommend approval.

AYES: Tiller, McFarland, Ornelas, Christian, Myers, Anguiano, Nava
NAY: None

THE MOTION CARRIED

5. **ZONING CASE NUMBER Z2011059 (Council District 1):** A request for a change in zoning from “I-1 AHOD” General Industrial Airport Hazard Overlay District to “C-2 AHOD” Commercial Airport Hazard Overlay District on Lots 1 through 4 and Lots 18 through 21, Block 7, NCB 2113, 2059 West Poplar Street and 256, 260, 264 and 268 Albert Street. Staff recommends approval.

Staff stated there were 68 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no response from Gardendale Neighborhood Association.

COMMISSION ACTION

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

AYES: Tiller, McFarland, Ornelas, Christian, Myers, Anguiano, Nava

NAY: None

THE MOTION CARRIED

6. ZONING CASE NUMBER Z2011065 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 for an Assisted Living Facility on North 62.5 feet of Lot 4 and Lot 5, Block 14, NCB 10794, 214 Talisman Street. Staff recommends approval.

Staff stated there were 31 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor and Pecan Valley Neighborhood Association is in favor.

COMMISSION ACTION

The motion was made by Commissioner McFarland seconded by Commissioner Myers to recommend approval with the following conditions:

1. No exterior display or sign with the exception that a nameplate, not exceeding 3 square feet in area, may be permitted when attached to the front of the main structure.
2. No construction features shall be permitted which would place the structure out of character with the surrounding neighborhood.

AYES: Tiller, McFarland, Ornelas, Christian, Myers, Anguiano, Nava

NAY: None

THE MOTION CARRIED

7. ZONING CASE NUMBER Z2011066 S (Council District 5): A request for a change in zoning from “I-2 AHOD” Heavy Industrial Airport Hazard Overlay District to “C-3 S IDZ AHOD” General Commercial Infill Development Zone Airport Hazard Overlay District with a Specific Use Authorization for a Correctional Institution on Lot 26, Block 120, NCB 227 and Lots 7 through 15, Block 118, NCB 228, 800 Buena Vista Street and 826 Monterrey Street. Staff recommends approval with one condition that the Correctional institution uses shall be limited to a restitution center.

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 McFarland seconded by Commissioner Myers to recommend approval.

AYES: Tiller, McFarland, Ornelas, Christian, Myers, Anguiano, Nava

NAY: None

THE MOTION CARRIED

8. ZONING CASE NUMBER Z2011070 (Council District 7): A request for a change in zoning from "C-2" Commercial District to "R-5" Residential Single-Family District on Parcel 124, NCB 18313, a portion of the 7500 Block of Tezel Road. Staff recommends approval.

Staff stated there were 45 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 McFarland seconded by Commissioner Myers to recommend approval.

AYES: Tiller, McFarland, Ornelas, Christian, Myers, Anguiano, Nava

NAY: None

THE MOTION CARRIED

9. ZONING CASE NUMBER Z2011073 (Council District 5): A request for a change in zoning from "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "NC" Neighborhood Commercial District and "R-4" Residential Single Family District to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "MF-33" Multi-Family District on 0.204 acre out of Lots 3 and 4, Block 5, NCB 2569, 250 East Cevallos. Staff recommends approval.

Staff stated there were 21 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no response from Lone Star Neighborhood Association. Staff mailed 15 notices to the Planning Team.

COMMISSION ACTION

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

AYES: Tiller, McFarland, Ornelas, Christian, Myers, Anguiano, Nava
NAY: None

THE MOTION CARRIED

Commissioner Martinez arrived at 1:14 pm.

INDIVIDUAL CONSIDERATION:

10. ZONING CASE NUMBER Z2011062 (Council District 2): A request for a change in zoning from “I-1 AHOD” General Industrial Airport Hazard Overlay District, “I-1” General Industrial District, and “R-4” Residential Single-Family District to “MF-33” Multi-Family District and “MF-33 AHOD” Multi-Family Airport Hazard Overlay District on Lot 16, Block 1, NCB 10331, 1691 Rigsby Avenue. Staff recommends denial.

Cruz Ortiz, owner, stated the purpose of this rezoning is bring the multi family dwellings to conformity. He further stated at the March 1, 2011 Zoning Commission public hearing a few citizens spoke in opposition stating police have been called to the subject property numerous times for illegal activities. He stated he would like to present a police report indicating otherwise.

Staff stated there were 29 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 Nava seconded by Commissioner Christian to recommend denial.

AYES: Tiller, McFarland, Ornelas, Christian, Myers, Anguiano, Martinez, Nava
NAY: None

THE MOTION CARRIED

11. ZONING CASE NUMBER Z2010156 CD (Council District 10): 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 an Conditional Use for a Office on Parcel 100, Parcel 126 and Parcel 126A, NCB 17365 (2.8030 acres), 4144 Jung Road. Staff recommends approval.

James Griffin, representative, stated he would like to request a two-week continuance to meet with the surrounding property to address their concerns.

The following citizen(s) appeared to speak:

William Day, stated he is in opposition of this zoning change. He stated they are concerned that this would encourage commercial encroachment into the neighborhood, which he feels would affect their property values. He also expressed concerns with increase in traffic and negative impact this business would bring to the neighborhood. He stated he does not agree of the two-week continuance.

Sammy Nakedhead, stated he also is in opposition of the proposed zoning change. He expressed concerns with the parking issues that are currently occurring. He further stated he does not agree of the two-week continuance.

James Griffin, stated the purpose of this rezoning change is to allow for a professional office. He stated this 3-acre lot would be suitable for their proposal and help alleviate the parking uses. He further stated there are existing commercial and industrial uses surrounding the subject property. He stated he does not feel his client's proposal would pose a threat to the community. He stated they would not change the residential character to the structure and would be in contact with the surrounding property owners prior to City Council.

Daniel Ortiz, stated they have attempted to make contact with the surrounding property owners however they have not just met. They will be meeting with the property owners prior to Council.

Staff stated there were 9 notices mailed out to the surrounding property owners, 2 returned in opposition and 4 returned in favor. Staff mailed 54 notices to the San Antonio International Airport Vicinity and 42 notices to the North Sector Planning Team.

COMMISSION ACTION

The motion was made by Commissioner McFarland seconded by Commissioner Myers to recommend a continuance until April 5, 2011.

AYES: Tiller, McFarland, Ornelas, Christian, Myers, Anguiano, Martinez, Nava

NAY: None

THE MOTION CARRIED

12. ZONING CASE NUMBER Z2011056 CD (Council District 4): A request for a change in zoning from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-1 CD AHOD" Light Commercial Airport Hazard Overlay District with a Conditional Use for Motor Vehicle Sales on the south 216 feet of Lot 440, NCB 7850, 363 West Mayfield. Staff recommends approval of "C-1" Light Commercial District, denial of the Conditional Use for Motor Vehicle Sales; with conditions should the requested conditional use be approved.

Rebecca Finnerty, owner, stated they are requesting this change in zoning to allow for a car lot. She stated they have been living at the house since 1985 and moved next-door years later. She stated their intent is to removed the existing residential structure and erect another smaller structure maintaining the residential character with landscaping.

The following citizen(s) appeared to speak:

Commissioner Christian left at 1:58 pm.

Gary Baker, owner, stated he has visited his surrounding neighbors and has collected a petition expressing their support for the proposed zoning change. He stated all repairs/repo's are located at a different location. He further stated he is in agreement with staff's conditions.

Staff stated there were 13 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor. Staff mailed 16 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Myers seconded by Commissioner Anguiano to recommend approval with staff's conditions:

1. A type "C" landscape buffer shall be required where the subject property abuts residential zoning districts or uses. This buffer requirement shall not be eligible for reduction of waiver.
2. Ingres/egress shall not be permitted from West Mayfield. The existing driveway shall be blocked by a locked gate or fence.
3. All exterior lighting shall be directed downward and away from surrounding residential properties.
4. Speaker and paging systems with volumes audible from neighboring properties shall be prohibited.

AYES: Tiller, McFarland, Ornelas, Myers, Anguiano, Martinez, Nava

NAY: None

THE MOTION CARRIED

13. ZONING CASE NUMBER Z2011069 CD (Council District 1): 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 a Professional Office on the north 132.5 feet of Lot 16, Block 62, NCB 7217, 923 Fresno. Staff recommends approval with conditions.

Jerry Arredondo, representative, stated the purpose of this zoning request is to allow for a professional tax office on the subject property. He stated the surrounding uses are commercial use, which he does not feel this would negatively affect the community. He further stated they are in agreement with the conditions staff has recommended.

The following citizen(s) appeared to speak:

Raymond Powlesson, President of Northwest Los Angeles Heights Neighborhood Association, stated the applicant has been in operation since February and has been operating without a Certificate of Occupancy or the proper zoning. He stated he is agreeable to meeting with the applicant to reach a conscience.

Staff stated there were 30 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and staff received a phone call from Northwest Los Angeles Heights Neighborhood Association express support.

COMMISSION ACTION

The motion was made by Commissioner Ornelas to recommend denial.

Motion failed due to lack of second.

COMMISSION ACTION

The motion was made by Commissioner Martinez and seconded by Commissioner Myers to recommend a continuance until April 5, 2011.

AYES: Tiller, McFarland, Ornelas, Myers, Anguiano, Martinez, Nava
NAY: None

THE MOTION CARRIED

14. ZONING CASE NUMBER Z2011071 CD (Council District 5): A request for a change in zoning from "C-3 AHOD" General Commercial Airport Hazard Overlay District to "C-2 CD IDZ AHOD" Commercial Infill Development Zone Airport Hazard Overlay District with a Conditional Use for a Pawn Shop on South 50 feet of Lot 1 and Lot 2 and the north 107.1 feet of Lot 2 and all of Lot 3, Lot 4 and Lot 5, Block 1, NCB 2322, 105 South Zarzamora Street and 2918 West Commerce Street. Staff recommends approval.

James Griffin, representative, stated he they are requesting this change in zoning to allow for expansion of the exiting Pawn Shop however, at this time he would like to request a 30-day continuance.

Staff stated there were 27 notices mailed out to the surrounding property owners, 0 returned in opposition and 5 returned in favor. Staff mailed 22 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Nava seconded by Commissioner Martinez to recommend a continuance until April 19, 2011

AYES: Tiller, McFarland, Ornelas, Myers, Anguiano, Martinez, Nava

NAY: None

THE MOTION CARRIED

15. Briefing on the proposed South Presa Metropolitan Corridor Overlay District (MC-2) and South Presa Comprehensive Rezoning Case.

Rebecca Paskos, Senior Planner, briefed commission on item.

16. Briefing on the proposed Old Highway 90 Corridor Comprehensive Rezoning Case.

Brenda Valadez, Case Manager, briefed commission on item.

17. There being no further business, the meeting was adjourned at 2:42 p.m.

APPROVED:



Bill Tiller, Chairman

ATTEST:



Executive Secretary