

**SAN ANTONIO ZONING COMMISSION
OFFICIAL MINUTES
March 6, 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, Flores, D. Martinez, Salazar, Clancy,
McNealy, Nava

ABSENT: Christian, C. Martinez

3. Approval of February 21, 2012 Zoning Commission Minutes as amended.

COMBINED HEARING:

4. **ZONING CASE NUMBER Z2012059 (Council Districts 2, 9, & 10):** A request for a change in zoning to add “MC-3” Austin Highway/Harry Wurzbach Metropolitan Corridor Overlay District to existing zoning, properties generally located 200 feet from the outer right-of-way of Austin Highway from the City Limits of San Antonio to the west and to Meadow Lane to the east; 300 feet from the outer right-of-way of Austin Highway from Meadow Lane to the west and to Loop 410 to the east; and 300 feet from the outer right-of-way of Harry Wurzbach from Loop 410 to the north and to Fort Sam Houston to the south. Staff recommends approval.

COMMISSION ACTION

A motion was made by Commissioner Nava seconded by Commissioner McNealy to recommend approval.

AYES: Tiller, McFarland, Ornelas, Flores, D. Martinez, Salazar, Clancy, McNealy, Nava

NAY: None

THE MOTION CARRIED

5. **ZONING CASE NUMBER Z2012060 S (Council District 2):** A request for a change in zoning from “I-1 AHOD” General Industrial Airport Hazard Overlay District and “C-3 AHOD” General Commercial Airport Hazard Overlay District to “I-2 S AHOD” Heavy Industrial Airport Hazard Overlay District with a Specific Use Authorization for a Bulk Plant or Terminal on Parcels 13B and 13C, NCB 17980 and Lots 5 and 6, Block 1, NCB 17980, IH-10 and Bicentennial Drive. Staff recommends approval pending plan amendment.

Staff stated there were 12 notices mailed out to the surrounding property owners, 0 returned in opposition and 4 returned in favor. Staff mailed 30 notices to the Planning Team.

COMMISSION ACTION

A motion was made by Commissioner Nava seconded by Commissioner McNealy to recommend approval.

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

THE MOTION CARRIED

6. ZONING CASE NUMBER Z2012065 S (Council District 3): A request for a change in zoning from “H I-2 AHOD” Mission Historic Heavy Industrial Airport Hazard Overlay District to “H C-2 S AHOD” Mission Historic Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Party House/Reception Hall/Meeting Facility on 0.9240 of an acre tract of land out of NCB 11176, 1319 March Avenue. Staff recommends approval.

Staff stated there were 9 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor and no response from Harlandale Park Neighborhood Association. Staff mailed 15 notices to the Planning Team and 1 notice to the Office of Historic Preservation. Staff received a letter in support from South Central Alliance Neighborhood.

COMMISSION ACTION

A motion was made by Commissioner Nava seconded by Commissioner McNealy to recommend approval.

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

THE MOTION CARRIED

INDIVIDUAL CONSIDERATION:

7. ZONING CASE NUMBER Z2012007 ERZD (Council District 9): A request for a change in zoning from “C-2 ERZD AHOD MLOD” Commercial Edwards Recharge Zone Airport Hazard Overlay Military Lighting Overlay District, “C-1 ERZD AHOD MLOD” Light Commercial Edwards Recharge Zone Airport Hazard Overlay Military Lighting Overlay District, “MF-25 ERZD AHOD MLOD” Multi-Family Edwards Recharge Zone Airport Hazard Overlay Military Lighting Overlay District, “R-6 ERZD AHOD MSAO MLOD” Residential Single-Family Edwards Recharge Zone Airport Hazard Overlay Military Sound Attenuation Overlay Military Lighting Overlay District and “R-6 ERZD AHOD MLOD” Residential Single-Family Edwards Recharge Zone Airport Hazard Overlay Military Lighting Overlay District to “PUD R-6 ERZD AHOD MLOD” Planned Unit Development Residential Single-Family Edwards Recharge Zone Airport Hazard Overlay Military Lighting Overlay District on 191.202 acres, “PUD R-6 ERZD AHOD MSAO MLOD” Planned Unit Development Residential Single-Family Edwards Recharge Zone Airport Hazard Overlay Military Sound Attenuation Overlay

Military Lighting Overlay District on 11.733 acres and "C-2 ERZD AHOD MLOD" Commercial Edwards Recharge Zone Airport Hazard Overlay Military Lighting Overlay District on 1.574 acres on 204.509 acres out of NCB 17701 and 16334, located northeast of the intersection of Northwest Military Highway and North Loop 1604 West. Staff recommends approval of "PUD R-6" on the 11.733 acre tract and approval of "C-2" on the 1.574 acre tract. Denial of "PUD R-6" on the 191.202 acre tract.

Ken Brown, representative, stated the proposed rezoning request would be a down zoning. He stated they have met with City staff and SAWS and are in agreement with their recommendations. They have also met with AGUA and received a letter stating there were objections. He further stated they have an extensive set of restrictive covenants with all of Rogers Ranch Subdivision from hours of operation to when blasting can occur and has received a letter of support.

The following citizen(s) appeared to speak:

Mike Escalante, SAWS, stated they have amended page 3 of the Saws Report from 203.33 to 204.51 acres. He further stated they have performed their assessment and recommended approval.

Greg James, SAWS, briefed commission on the geographic assessment SAWS performed.

Jim Cannizzo, representing Fort Sam Houston, stated they have met with the developer and have agreed to incorporate MSAO requirements for the northern half of his tract which would be good for quarry blasting issues, quality of life of future residents and has agreed to an comply with the Endangered Species Act.

Gene Dawson, Pape Dawson Engineers, stated the property is owned by Rogers Ranch however upon leasing the property to Mr. Marietta they put in place protective covenants that dictates that prior to blasting Mr. Marietta has notify the surrounding residents informing them as to when blasting will occur.

Staff stated there were 38 notices mailed out to the surrounding property owners, 0 returned in opposition and 3 returned in favor and received a letter in support from Shavano Rogers Ranch East Property Owner's Association. Staff mailed 41 notices to the Planning Team.

COMMISSION ACTION

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

AYES: Tiller, McFarland, Flores, D. Martinez, Clancy, McNealy

NAY: Ornelas, Salazar

RECUSED: Nava

THE MOTION CARRIED

8. **ZONING CASE NUMBER Z2012061 CD (Council District 1):** A request for a change in zoning from "C-2NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District to "C-2NA CD AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Conditional Use for a Tattoo Parlor/Studio on Lots 12, 13 and 14, Block 50, NCB 2744, 1726 Fredericksburg Road. Staff recommends denial.

James Griffin, representative, stated the purpose of this zoning change is to allow for a tattoo parlor. This establishment is a family owned business and customers are by appointment only. He stated they have reached out to the surrounding property owners, both residential and commercial, and have collected a petition in support. He further stated they are in agreement with the hours of operation being 8:00 am to 8:00 pm.

The following citizen(s) appeared to speak:

Bianca Maldonado, representing Jefferson Woodlawn Lake Community Development Corporation, stated they have a master lease agreement with the City of San Antonio to maintain and lease the building. She stated the applicant applied for a Plan Amendment and was denied by Planning Commission on February 22, 2012. She expressed concerns with the client-tel this business will attract, the increase in traffic and the parking issue.

Staff stated there were 33 notices mailed out to the surrounding property owners, 3 returned in opposition and 3 returned in favor and Jefferson and Woodlawn Lake Neighborhood Association are in opposition. Staff received a letter from Monticello Park Neighborhood Association expressing their opposition. Staff mailed 21 notices to the Planning Team.

COMMISSION ACTION

A motion was made by Commissioner Ornelas to approve the request with the following Condition:

- Hours of operation being 8:00 am to 8:00 pm

Motion fails due to lack of second.

A motion was made by Commissioner D. Martinez seconded by Commissioner Salazar to recommend denial.

AYES: Tiller, McFarland, Ornelas, Flores, D. Martinez, Salazar, Clancy, McNealy, Nava

NAY: None

THE MOTION CARRIED

9. **ZONING CASE NUMBER Z2012062 S (Council District 5):** A request for a change in zoning from "I-2 AHOD" Heavy Industrial Airport Hazard Overlay District to "C-2P S AHOD" Commercial Pedestrian Airport Hazard Overlay District with a Specific Use Authorization for a Bail Bond Agency on 560.78 square feet of open space being out of Lots 1, 2 and 3, Block 96, NCB 271 on a portion of 701 South Frio Street. Staff recommends approval pending Master Plan Amendment.

Daniel Ortiz, representative, stated they are requesting this change in zoning to allow for a bails bonds office. He stated this request would be a down zoning and does not feel this zoning change would have a negative impact to the surrounding commercial uses.

Staff stated there were 15 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor. Staff mailed 67 notices to the Planning Team.

COMMISSION ACTION

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

AYES: Tiller, Ornelas, Flores, Salazar,

NAY: McFarland, D. Martinez, Clancy, McNealy, Nava

THE MOTION FAILED

COMMISSION ACTION

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

AYES: Tiller, McFarland, D. Martinez, McNealy, Nava

NAY: Ornelas, Flores, Salazar, Clancy

THE MOTION FAILED

COMMISSION ACTION

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

AYES: Tiller, McFarland, Ornelas, Flores, Salazar, Clancy, McNealy, Nava

NAY: D. Martinez

THE MOTION CARRIED

10. **ZONING CASE NUMBER Z2012066 S (Council District 1):** A request for a change in zoning from “C-3NA H AHOD” General Commercial Nonalcoholic Sales Tobin Hill Historic Airport Hazard Overlay District to “IDZ S H AHOD” Infill Development Zone Tobin Hill Historic Airport Hazard Overlay District with uses permitted in the “C-2NA” Commercial Nonalcoholic Sales District, with Laboratory - Testing and Research, Cosmetics Manufacturing and Processing and a Specific Use Authorization for Biomedical Products-Manufacturing on Lot 8, Block 13, NCB 1734, 620 East Dewey Place. Staff recommends approval of “IDZ” with uses permitted in “C-2NA” with Laboratory - Testing and Research. Denial of the request for Cosmetics Manufacturing and Processing and the Specific Use Authorization for Biomedical Products Manufacturing.

Daniel Ortiz, representative, stated the purpose of request is to allow for cosmetics sales, manufacturing, and testing uses. He further stated they have meet with the neighborhood association who have expressed their support.

The following citizen(s) appeared to speak:

Martin Kushner, President, Tobin Hill Community Association, stated they have met with the applicant and are in support of this proposed zoning change.

Richard Moore, President, Tobin Hill Neighborhood Association, stated they would like to express their support for the propose zoning change.

Staff stated there were 36 notices mailed out to the surrounding property owners, 0 returned in opposition and 6 returned in favor and no response from Tobin Hill Community Association. Staff received a letter of support from Tobin Hill Neighborhood Association. Staff mailed 11 notices to the Planning Team.

Commissioner Flores left the meeting at 2:29 pm.

COMMISSION ACTION

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

AYES: Tiller, McFarland, Ornelas, D. Martinez, Salazar, Clancy, McNealy, Nava

NAY: None

THE MOTION CARRIED

11. **ZONING CASE NUMBER Z2012068 (Council District 5):** A request for a change in zoning from “I-1 AHOD” General Industrial Airport Hazard Overlay District and “I-2 AHOD” Heavy Industrial Airport Hazard Overlay District to “C-3NA AHOD” General Commercial Nonalcoholic Sales Airport Hazard Overlay District on Lot 16, Block 51, NCB 199, 804 North San Marcos. Staff recommends approval with a seven (7) foot fence on all sides of the property.

Steve Oswald, representing Haven for Hope, stated they are requesting this change in zoning to provide for a children's playground and basketball court children that reside at the facility and erect a 7 foot fence on all sides of the property.

The following citizen(s) appeared to speak:

Gloria Estrada, stated she operates a bar/tavern adjacent to the subject property and would like clarification on how or would this zoning change affect her business.

Staff stated there were 16 notices mailed out to the surrounding property owners, 0 returned in opposition and 3 returned in favor. Staff mailed 67 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner McFarland seconded by Commissioner D. Martinez to recommend approval of the request with a 7 foot fence on all sides of the property.

AYES: Tiller, McFarland, Ornelas, D. Martinez, Salazar, Clancy, McNealy, Nava

NAY: None

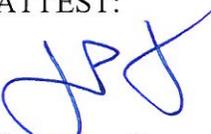
THE MOTION CARRIED

12. There being no further business, the meeting was adjourned at 2:38 p.m.

APPROVED:


Bill Tiller, Chairman

ATTEST:


Executive Secretary