

**SAN ANTONIO ZONING COMMISSION
OFFICIAL MINUTES
May 18, 2010**

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: Wright, McFarland, Valadez, Christian, Cole, Myers, Martinez, Tiller, Nava

ABSENT: Kelley, Anguiano

3. Approval of May 4, 2010 Zoning Commission Minutes.

Chair Wright stated Zoning Case No. Z2010096 CD has been postponed as per the applicant's request.

4. **ZONING CASE NUMBER Z2010075 (Council District 8):** A request for a change in zoning from "R-5 MLOD-1" Residential Single-Family Military Lighting Overlay District, "MF-25 MLOD-1" Multi-Family Military Lighting Overlay District and "MF-25" Multi-Family District to "PUD RM-4 MLOD-1" Planned Unit Development Residential Mixed Military Lighting Overlay District and "PUD RM-4" Planned Unit Development Residential Mixed District (43.74 acres), "C-2 MLOD-1" Commercial Military Lighting Overlay District and "C-2" Commercial District (22.24 acres) on 65.98 acres out of NCB 14861, 6600 & 6700 Block of Babcock Road and the 6400 Block of De Zavala Road. Staff recommends approval.

Patrick Christensen, representative, stated the purpose of this request is to allow for mixed-use development. He stated the development would consist of residential and commercial uses. The residential development would be single and duplex for housing UTSA students. He further stated he has held numerous meetings with the surrounding property owners and they are currently working on deed restrictions.

Staff stated there were 14 notices mailed out to the surrounding property owners, 1 returned in opposition and 3 returned in favor and no response from Woodthorn Homeowner's Association. Staff received a letter in support from Oakmont Homeowner's Association and an email from a resident outside the 200-foot radius expressing their opposition.

COMMISSION ACTION

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

AYES: Wright, McFarland, Valadez, Christian, Cole, Myers, Martinez, Tiller, Nava
NAY: None

THE MOTION CARRIED

5. ZONING CASE NUMBER Z2010092 (Council District 1): A request for a change in zoning from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "MF-18 AHOD" Multi-Family Airport Hazard Overlay District on Lot 7, Block 2, NCB 2571, 211 and 213 Rehmann Street. Staff recommends approval.

Israel and Maria Garza, stated the purpose of this rezoning to bring use into compliance. She stated their intent is to renovate the homes, bring to current code and rent them out.

The following citizen(s) appeared to speak:

Narciso Cano, stated he is in opposition. He expressed concerns these home becoming rental units, which would have a negative impact on their property values.

Staff stated there were 35 notices mailed out to the surrounding property owners, 4 returned in opposition and 1 returned in favor. Staff mailed 16 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Nava seconded by Commissioner Christian to recommend approval.

AYES: Wright, McFarland, Christian, Cole, Myers, Martinez, Tiller, Nava
NAY: Valadez

THE MOTION CARRIED

6. ZONING CASE NUMBER Z2010097 (Council District 6): A request for a change in zoning from "C-3R AHOD" General Commercial Restrictive Alcoholic Sales Airport Hazard Overlay District to "C-3 AHOD" General Commercial Airport Hazard Overlay District on Lot 24, Block 1, NCB 18285, 7507 Potranco Road. Staff recommends approval.

Dolores Rodriguez, representing Rios & Associates

The following citizen(s) appeared to speak:

Kathy Klonek, stated she has been in contact with the owner and has agreed with the condition that the hours of operation would not exceed 10 pm.

Staff stated there were 6 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor no response from Pipers Meadow Neighborhood Association.

COMMISSION ACTION

The motion was made by Commissioner Martinez seconded by Commissioner Christian to recommend approval with the third party conditions be addressed prior to City Council.

AYES: Wright, McFarland, Valadez, Christian, Cole, Myers, Martinez, Tiller, Nava

NAY: None

THE MOTION CARRIED

7. ZONING CASE NUMBER Z2010098 (Council District 5): A request for a change in zoning from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District, "C-2 AHOD" Commercial Airport Hazard Overlay District, and "C-3 AHOD" General Commercial Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on Lots 15, 10, 9, the south 26.65 feet of Lot 8, the south 26.6 feet of the east 97.51 feet Lot 2, and Lot 1, Block 3, NCB 6586 save and except the parts of Lots 1 and 2 conveyed to the City of San Antonio in Volume 7183, Page 598, Deed Records, Bexar County, Texas and in Volume 7757, Page 455, Deed Records, Bexar County, Texas, 1601, 1607 and 1611 NW 23rd Street and 1602, 1606 and 1614 NW 24th Street. Staff recommends approval.

Andy Guerrero, representative, stated the purpose of this request is to allow for a CVS Pharmacy on the subject property. He stated he has met with the homeowners association to present their proposal and address any concerns. He stated they did express their support in this proposal.

The following citizen(s) appeared to speak:

Eva Martinez, stated she supports this development however she still has a few concerns with the increase in traffic and commercial encroachment.

Bill Jeffery, stated he is in opposition of this proposal as he feels this is commercial encroachment. He expressed concerns with the 24-hour service the pharmacy provides to their customers, the light pollution, noise pollution from the 18-wheelers delivering their products as well as the view of dumpsters would be an eye sore.

Staff stated there were 39 notices mailed out to the surrounding property owners, 1 returned in opposition and 11 returned in favor no response from Prospect Hill Neighborhood Association nor Woodlawn Lake Community Association.

COMMISSION ACTION

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

AYES: Wright, McFarland, Valadez, Christian, Cole, Myers, Martinez, Tiller, Nava
NAY: None

THE MOTION CARRIED

8. ZONING CASE NUMBER Z2010099 CD (Council District 1): A request for a change in zoning from "R-4 AHOD" Residential Single-Family Airport Hazard Airport District to "R-4 CD AHOD" Residential Single-Family Airport Hazard Airport District with a Conditional Use for a Professional Office on Lot 13, Block 7, NCB 9120, 303 West Mandalay Drive. Staff recommends approval.

Mark Davis, applicant, stated he is requesting this change in zoning to allow for his law office. He stated the surrounding uses are offices use and does not feel his request would pose a threat to the neighborhood.

The following citizen(s) appeared to speak:

Roberto Vasquez, President of Olmos Park Terrace Neighborhood Association, stated he would like to request this case be continued, as he has not met with Mr. Davis and address a few concerns.

Steve Salazar, stated he would also like to request a continuance of this case. He stated he has contacted Mr. Davis and they have scheduled a meeting to address concerns with commercial encroachment and increase in traffic.

Staff stated there were 32 notices mailed out to the surrounding property owners, 1 returned in opposition and 2 returned in favor no response from Northmoor Neighborhood Association. Staff mailed 61 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Nava seconded by Commissioner Tiller to recommend approval.

Meeting interrupted by fire alarm at 2:12 pm

Meeting reconvened at 2:20 pm

AYES: Wright, Tiller, Nava

NAY: McFarland, Valadez, Christian, Cole, Myers, Martinez

THE MOTION FAILED

COMMISSION ACTION

The motion was made by Commissioner Nava seconded by Commissioner McFarland to recommend a continuance until June 1, 2010.

AYES: Wright, McFarland, Valadez, Christian, Cole, Myers, Martinez, Tiller, Nava

NAY: None

THE MOTION CARRIED

9. ZONING CASE NUMBER Z2010085 ERZD (Council District 9 and 10): A request for a change in zoning from multiple zoning districts to multiple zoning districts with the application of the Bulverde Road Preservation Corridor District (PC-1) on multiple lots located within the municipal boundary of the City of San Antonio and located within 300 feet of the outer right-of-way boundary line of Bulverde Road. A portion of Bulverde Road generally bound by Evans Road to the north and North Loop 1604 East to the south. Staff recommends approval.

Michael Taylor, Interim Senior Management Analyst, stated present item. He stated he would like request a two-week continues to address any issues that occur during this public hearing from citizens so they may be addressed prior to going to City Council.

The following citizen(s) appeared to speak:

Roger Haynes, President of Emerald Forest Homeowner's Association, stated they strongly support this overlay district.

Richard Cope, stated they are very much in support of this overlay, as this would help preserve their neighborhood.

Robert Byrd, Vice President of Woodview of Bulverde Creek Homeowner's Association, stated they would like to express their support on the proposed overlay.

Richard Barrett, member of Roseheart Homeowner's Association, stated they are in support of this request.

Jayne Heath, stated she would like assurance that their homes would not be impacted by the proposed overlay.

Jacklyn Lagever, expressed concerns with traffic.

Michael DeNuccio, representing commercial property within these boundaries, stated they are neither in support or opposition however he would like to express concerns with the building materials that are being recommended.

Rob Killen, representing Yates property, stated they are neither in favor nor opposition but they are closely monitoring this overlay.

Staff stated there were 188 notices to owners of property that are included within the boundaries of the overlay district, 110 notices to owners of property within 200 feet of the proposed boundaries and 3 to the registered neighborhood association. Staff received 2 notices in favor and 3 notices returned in opposition and no official correspondence from the neighborhood associations.

COMMISSION ACTION

The motion was made by Commissioner McFarland seconded by Commissioner Martinez to recommend a continuance until June 1, 2010.

AYES: Wright, McFarland, Valadez, Christian, Cole, Myers, Martinez, Tiller, Nava
NAY: None

THE MOTION CARRIED

10. Public hearing and consideration of proposed recommendations from the Historic Preservation Strategic Plan including amendments to Chapter 35 of the Municipal Code, Unified Development Code, regarding changes to various articles including Article I, Purpose and Scope; Article III, Zoning; Article IV, Procedures; Article VI, Historic Preservation and Urban Design; Article VIII, Administrative Agencies; and Appendices A, B and C.

Shanon Wasielewski, Historic Preservation Officer, presented item.

COMMISSION ACTION

A motion was made by Commissioner Tiller and seconded by Commissioner Martinez for approval with the expression of concern from Commission for the section of the motion that dealt with initiating a case.

AYES: Wright, McFarland, Valadez, Christian, Cole, Myers, Martinez, Tiller, Nava
NAY: None

THE MOTION CARRIED

Commissioner Nava left at 3:27 pm

11. Public hearing and consideration of amendments to Chapter 35 of the City Code to establish a "MSAO" Military Sound Attenuation Overlay District.

Chris Looney, Interim Assistant Director, presented item.

The following citizen(s) appeared to speak:

Jim Cannizo, representing Camp Bullis, stated they are in support of this amendment.

Vernon Dunagin, representing Northside ISD, stated they have closely reviewed the proposed amendment and are in agreement.

Joan Gaither, representing Fort Sam Houston Historical Society, stated they are in support of the proposed amendment.

Elena Serna, representing Greater Edwards Aquifer Alliance, stated they fully support of this proposed amendment as this would provide protection to future homeowners, apartment owners and future schools.

Mary Fenstermaker, representing Hill County Planning Association, stated they have reviewed the proposed amendment and strongly support it.

Bebe Fenstermaker, stated she is in support of this amendment.

Mary Brashaw, neighbor of Camp Bullis, stated she fully support this amendment.

Susan Beavin, representing Scenic Loop Boerne Stage Alliance, stated they fully support this proposed amendment.

Paul Kahl, representing OST Centennial, stated they are in support.

COMMISSION ACTION

The motion was made by Commissioner McFarland seconded by Commissioner Myers to recommend approval of the amendments to Chapter 35 of the City Code to establish a City of San Antonio Military Sound Attenuation Overlay District.

Commissioner Valadez stated he would like to make a friendly amendment to allow for educational facilities are allowed the use of portable buildings in the "Military Sound Attenuation Overlay District", based on the minimum STC requirement of 32 STC and standard HVAC exterior mounted units for portable buildings only. Commissioner McFarland and Commissioner Myers accepted the amendment.

AYES: Tiller, McFarland, Valadez, Christian, Cole, Myers

NAY: None

RECUSED: Wright, Martinez

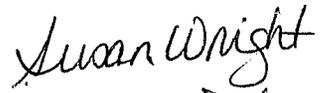
THE MOTION CARRIED

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12. There being no further business, the meeting was adjourned at 3:56 p.m.

APPROVED:



Susan Wright, ~~Vice Chair~~

ATTEST:


Executive Secretary