

**SAN ANTONIO ZONING COMMISSION  
OFFICIAL MINUTES  
May 6, 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, Myers, Wright,  
Martinez**

**ABSENT: Hawkins, R. Valadez, Gray**

3. Director's Report.
4. Approval of April 15, 2008 Minutes.

**1:00 PM – Public Hearing**

**Chairman Sherrill stated Zoning Case No. Z2008142 S 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. Additionally, no citizens had signed to speak in opposition on the said cases: item 9, 10, 16, 20 and 22. The motion was seconded by Commissioner Robbins.

**5. ZONING CASE NUMBER Z2008117 (Council District 2):** The request of DeLeon & Silvestri Co., Applicant, for Elias DeLeon & Sandra Silvestri, Owner(s), for a change in zoning from "I-1" General Industrial District to "IDZ" Infill Development Zone with uses permitted in C-3 General Commercial District and the stone monument retail and wholesale use on Lots 4, 5, 6 and 7, Block 3, NCB 641, 815, 819 and 823 Hoefgen Avenue. Staff recommends approval.

This case was approved by consent.

Staff stated there were 19 notices mailed out to the surrounding property owners, 0 returned in opposition and 4 returned in favor. Staff mailed 31 notices to the Planning Team.

**COMMISSION ACTION**

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

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

**THE MOTION CARRIED**

**6. ZONING CASE NUMBER Z2008126 (Council District 7):** The request of Oscar Andres Hernandez, Applicant, for Oscar Andres Hernandez, Owner(s), for a change in zoning from "I-1" General Industrial District to "C-3NA" General Commercial, Nonalcoholic Sales District on Lot 1, NCB 18559, 7905 Bandera Road. Staff recommends approval.

This case was approved by consent.

Nina Nixon-Mendez, Planning Manager, stated Neighborhood Division's recommendation is inconsistent with the neighborhood plan.

Staff stated there were 6 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and staff also received one undecided response.

**COMMISSION ACTION**

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

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

**THE MOTION CARRIED**

**7. ZONING CASE NUMBER Z2007197 (Council District 6):** The request of Jay Khadem, Applicant, for Jay Khadem, Owner(s), for a change in zoning from "R-6" Residential Single Family District to "C-3" R General Commercial District, Restrictive Alcoholic Sales (4.179 acres) and "C-2" Commercial District (22.825 acres) on 27.004 acres out of NCB 17639, 10148 and 9936 Culebra Road. Staff recommends approval.

This case was approved by consent.

Staff stated there were 23 notices mailed out to the surrounding property owners, 2 returned in opposition and 10 returned in favor and Hidden Meadow Community Association is in favor.

**COMMISSION ACTION**

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

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

**THE MOTION CARRIED**

**8. ZONING CASE NUMBER Z2008132 (Council District 4):** The request of Stephen J. Kramer, Applicant, for Boy Scouts of America/Alamo Area Council, Inc. c/o John Coyle, Owner(s), for a change in zoning from "I-1" General Industrial District and "C-1" Light Commercial District to "C-3" General Commercial District on 1.18 acres out of NCB 11186, 8503 South Zarzamora. Staff recommends approval.

This case was approved by consent.

Staff stated there were 12 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 Robbins to recommend approval.

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

**THE MOTION CARRIED**

**9. ZONING CASE NUMBER Z2008148 (Council District 8):** The request of Paul Tausch, Applicant, for Tausch & Kansal Joint Venture, Owner(s), for a change in zoning from PUD "MF-33" Planned Unit Development Multi-Family District to "C-3" General Commercial District on 1.098 acre out of NCB 15823 and 0.236 acre out of NCB 17247, 6430 Babcock Road. Staff recommends approval.

This case was approved by consent.

Paul Tausch, applicant, stated he would like to amend his request to "C-3NA".

Staff stated there were 19 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and Babcock North Resident Association is in support with conditions.

**COMMISSION ACTION**

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

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

**THE MOTION CARRIED**

**INDIVIDUAL CONSIDERATION:**

10. **ZONING CASE NUMBER Z2008146 (Council District 9):** The request of Kaufman & Associates, Inc., Applicant, for Puget of Texas, Inc., Owner(s), for a change in zoning from "C-2" Commercial District to "C-3" General Commercial District on Lot 4, Block 1, NCB 11893, 902 Northeast Loop 410. Staff recommends approval.

Lucy Peveto, applicant, stated she would like to request a continuance until May 20, 2008.

Staff stated there were 18 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and no response from Oak Park Northwood Neighborhood Association. Staff mailed 61 notices to the Planning Team.

**COMMISSION ACTION**

The motion was made by Commissioner Wright and seconded by Commissioner Robbins to recommend a continuance until May 20, 2008.

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

**THE MOTION CARRIED**

11. **ZONING CASE NUMBER Z2008140 (Council District 1):** The request of H. Glenn Huddleston, Applicant, for H. Glenn Huddleston, Owner(s), for a change in zoning from "I-1" RIO-2 General Industrial River Improvement Overlay District-2 to "D" RIO-2 Downtown River Improvement Overlay District-2 on Lot A1, the south 15.5 feet of Lot 1 and Lot 2, Lot 3, the south 184 feet of Lot 4 and the southeast 107.3 feet of Lot 5, Block 1, NCB 448, 502 Brooklyn Avenue, 703, 705, 709, and 723 Avenue B. Staff recommends approval.

Harper Huddleston, applicant, stated he would like to request a continuance until May 20, 2008.

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 Westheimer and seconded by Commissioner Martinez to recommend a continuance until May 20, 2008.

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

**THE MOTION CARRIED**

12. **ZONING CASE NUMBER Z2008110 CD (Council District 5):** The request of Maria De Los Angeles Zamarripa, Applicant, for Maria De Los Angeles Zamarripa, Owner(s), for a change in zoning from "R-4" Residential Single Family District to "R-4" (CD - Multi-Family Dwelling) Residential Single-Family District with a Conditional Use for Multi-Family Dwellings not exceeding 30 units per acre or a total of 4 units on Lots 7, 8 and 9, Block 7, NCB 2398, 607 South Chupaderas. Staff recommends denial.

Reed Green, representative, stated their intent is to allow for a four dwelling unit on the subject property.

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

Thomas Lopez, spoke in favor.

Marta Alaques, representative of Avenieda Guadalupe Association, spoke in opposition.

Staff stated there were 23 notices mailed out to the surrounding property owners, 0 returned in opposition and 15 returned in favor. Staff mailed out 22 notices to the Planning Team.

**COMMISSION ACTION**

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

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

**THE MOTION CARRIED**

13. **ZONING CASE NUMBER Z2008135 (Council District 7):** The request of Jerry Arredondo, Applicant, for Ruben Yanez, Jr., Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-2NA" Commercial, Nonalcoholic Sales District on Lot 12, Block 21, NCB 17971, save and except 0.030 acres out of NCB 17971, 6700 Block of John Marshall Road. Staff recommends approval.

Jerry Arredondo, representative, proposing a retail center.

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

Ruben Yanez, owner, spoke in support.

Kay Phipps, Huebner/Leon Creek Planning Team Member, spoke in opposition.

Staff stated there were 26 notices mailed out to the surrounding property owners, 1 returned in opposition and 0 returned in favor. Staff mailed 11 notices to the Planning Team.

**FINDING OF CONSISTENCY OF THE MASTER PLAN**

**COMMISSION ACTION**

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

(A verbal vote was taken)

**AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Myers, Wright, Martinez**  
**NAYS: None**

**THE MOTION CARRIED**

**COMMISSION ACTION**

The motion was made by Commissioner Gadberry and seconded by Commissioner Martinez to recommend approval including an 8 foot fence on the northwest side next to the residences and with the intention of the homeowners and the developer/applicant meeting on deed restrictions prior to City Council.

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

**THE MOTION CARRIED**

14. **ZONING CASE NUMBER Z2008141 (Council District 4):** The request of Salah E. Diab, P. E., Applicant, for Bharat Sanghavi, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-3" General Commercial District on 3.176 acres out of NCB 15318, 5100 Block of West Military Drive. Staff recommends denial of "C-3" with an alternate recommendation of "C-2".

Salah Diab, representative, stated they are agreeable with staff alternate recommendation of "C-2" S. He stated their intent is to develop a hotel.

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

L. A. Mottern, spoke in opposition.

Staff stated there were 27 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and People Active in Community Efforts (PACE) is in favor. Staff mailed 34 notices to the Planning Team.

#### **FINDING OF CONSISTENCY OF THE MASTER PLAN**

#### **COMMISSION ACTION**

The motion was made by Commissioner Myers and seconded by Commissioner Wright to find consistent with the neighborhood plan.

(A verbal vote was taken)

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

**NAYS: None**

#### **THE MOTION CARRIED**

#### **COMMISSION ACTION**

The motion was made by Commissioner Myers and seconded by Commissioner Wright to recommend approval of "C-2" S for a hotel.

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

**NAY: None**

#### **THE MOTION CARRIED**

**15. ZONING CASE NUMBER Z2008144 CD (Council District 5):** The request of Isamary Bauer, Applicant, for Isamary Bauer, Owner(s), for a change in zoning from "R-4" Residential Single-Family District to "R-4" (CD - Multi-Family Dwelling) Residential Single-Family District with a Conditional Use for Multi-Family Dwellings not exceeding 11 units per acre or a total of 5 units on Lot 18, Block 14, NCB 3480, 231 Carlisle Avenue. Staff recommends denial.

J. D. Garza, representative, stated the purpose of this request is to allow for rental units.

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

Oscar Pardo, spoke in opposition.

Rosa Pardo, spoke in opposition.

Staff stated there were 35 notices mailed out to the surrounding property owners, 6 returned in opposition and 0 returned in favor. Staff mailed 33 notices to the Planning Team.

**COMMISSION ACTION**

The motion was made by Commissioner J. Valadez and seconded by Commissioner Martinez to recommend denial.

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

**NAYS: None**

**THE MOTION CARRIED**

16. **ZONING CASE NUMBER Z2008125 (Council District 9):** The request of Jaime Arechiga, Applicant, for Archstone Construction, Ltd c/o Jaime Arechiga, Owner(s), for a change in zoning from "O-2" Office District to "C-2" Commercial District on Lots 1, 2 and 3, Block 20, NCB 11736, 1702, 1710 and 1718 Anchor. Staff recommends approval.

Phil Buckley, representative, stated the purpose of this request is to allow development of a retail center.

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

James Young, spoke in favor.

Staff stated there were 17 notices mailed out to the surrounding property owners, 1 returned in opposition and 3 returned in favor and no response from Lockhill Estates Home and Property Association and Greater Harmony Hills Neighborhood Association.

**COMMISSION ACTION**

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

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

**NAYS: None**

**THE MOTION CARRIED**

17. **ZONING CASE NUMBER Z2008128 CD (Council District 2):** The request of Brown & Ortiz, P. C., Attorneys at Law, Applicant, for Boralis, Inc., Owner(s), for a change in zoning from "R-5" Residential Single-Family District to "C-2" CD (CD- Storage - Outside) Commercial District with a Conditional Use for a Storage - Outside (Screening From Public R-O-W and Adjacent Property Required) on 4.076 acres out of NCB 10780, 3200 Block of Southeast Loop 410. Staff recommends approval.

Patrick Christensen, representative, would like to request a four-week continuance.

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

Mike Pogue, spoke in support of the four-week continuance.

James Boldt, spoke in support of the four-week continuance.

Staff stated there were 6 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and Lower Southeast Side Association is in opposition.

**COMMISSION ACTION**

The motion was made by Commissioner Gadberry and seconded by Commissioner Robbins to recommend a continuance until May 20, 2008.

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

**NAYS: None**

**THE MOTION CARRIED**

18. **ZONING CASE NUMBER Z2008134 (Council District 9):** The request of Pulman, Cappucio & Pullen, LLP, Applicant, for Twelve Gauge Investments, LP, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "MF-25" Multi-Family District on Lot 9, Block 2, NCB 16053, 14010 Brook Hollow. Staff recommends denial.

Christopher Stein, representative, stated the purpose of this request is to allow for townhome development.

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

Bill Collins, spoke in opposition.

Rene Diaz, spoke in opposition.

Nathan Carmines, spoke in opposition.

Daniel Organ, spoke in opposition.

Mike Hulme, spoke in opposition.

Jeanie Hulme, spoke in opposition.

Staff stated there were 39 notices mailed out to the surrounding property owners, 13 returned in opposition and 1 returned in favor and no response from Lorrence Creek Preservation Association.

**COMMISSION ACTION**

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

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

**NAYS: None**

**THE MOTION CARRIED**

19. **ZONING CASE NUMBER Z2008143 (Council District 10):** The request of Jose Juan Guerrero, Applicant, for Jose Juan Guerrero & Esperanza M, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-2" Commercial District on Tract 39A, NCB 17806, 14409 Toepperwein. Staff recommends denial.

Xaiver Torres, representative, proposing to develop a restaurant. He further stated he is agreeable to amend his request to allow for office use.

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

James Webster, spoke in opposition.

Bert Brown, spoke in opposition.

Richard Duffy, spoke in opposition.

Hilda Patino, spoke in opposition.

Staff stated there were 21 notices mailed out to the surrounding property owners, 2 returned in opposition and 0 returned in favor. Staff also received a petition with 26 signatures expressing their opposition.

**COMMISSION ACTION**

The motion was made by Commissioner Robbins and seconded by Commissioner Westheimer to recommend a continuance until May 20, 2008.

**AYES: Robbins, J. Valadez, Westheimer, Myers, Wright, Martinez**

**NAYS: Sherrill**

**ABSTAIN: Gadberry**

**THE MOTION CARRIED**

20. **ZONING CASE NUMBER Z2008154 S (Council District 10):** The request of Bobby Perez, Applicant, for J. Allen Family Partners, Ltd., Owner(s), for a change in zoning from "I-1" General Industrial District to "I-1" S General Industrial District with a Specific Use Authorization for a Correctional and Rehabilitation Facility on 4.0 acres out of NCB 16585, 17500 Block of Nacogdoches Road/ FM 2252. Staff recommends approval.

Bobby Perez, representative, stated the purpose of this request is to allow for a correctional and rehabilitation facility.

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

Ismael Galvan, spoke in favor of the facility but opposition to the location.

Robert Trejo, spoke in favor of the facility but opposition to the location.

Staff stated there were 4 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 Robbins and seconded by Commissioner Wright to recommend approval.

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

**NAYS: None**

**THE MOTION CARRIED**

**21. ADJOURNMENT.**

There being no further business, the meeting was adjourned at 5:10 p.m.

APPROVED:

  
Jody R. Sherrill, Chair

ATTEST:

  
Executive Secretary