

**SAN ANTONIO ZONING COMMISSION
OFFICIAL MINUTES
May 1, 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, Christian, D. Martinez, Salazar, Clancy, C. Martinez, McNealy, Nava

ABSENT: McFarland, Ornelas, Flores

3. Approval of April 3, 2012 Zoning Commission Minutes.

COMBINED HEARING:

4. **ZONING CASE NUMBER Z2012067 S (Council District 10):** A request for a change in zoning from “I-1 IH-1 AHOD” General Industrial Northeast Gateway Corridor Airport Hazard Overlay District to “I-1 S IH-1 AHOD” General Industrial Northeast Gateway Corridor Airport Hazard Overlay District with a Specific Use Authorization for Rifle and Pistol Range - Indoor on 0.954 of an acre out of Lot 1, NCB 13807, 9710 IH-35 North. Staff recommends approval.

Staff stated there were 5 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor.

COMMISSION ACTION

A motion was made by Commissioner Salazar seconded by Commissioner C. Martinez to recommend approval.

AYES: Tiller, Christian, D. Martinez, Salazar, C. Martinez, McNealy, Nava

NAY: None

THE MOTION CARRIED

5. **ZONING CASE NUMBER Z2012083 (Council District 2):** A request for a change in zoning from “MF-33 AHOD” Multi-Family Airport Hazard Overlay District to “O-1 IDZ AHOD” Office Infill Development Zone Airport Hazard Overlay District on 0.140 of an acre out of Lots 19 and 20, Block 4, NCB 487, 128 Mason Street. Staff recommends approval.

Staff stated there were 28 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor and no response from Government Hill Alliance Neighborhood Association. Staff mailed 10 notices to the Planning Team.

COMMISSION ACTION

A motion was made by Commissioner Salazar seconded by Commissioner C. Martinez to recommend approval.

AYES: Tiller, Christian, D. Martinez, Salazar, C. Martinez, McNealy, Nava

NAY: None

THE MOTION CARRIED

6. ZONING CASE NUMBER Z2012085(Council District 8): A request for a change in zoning from “C-3NA” General Commercial Nonalcoholic Sales District to “PUD MF-18” Planned Unit Development Limited Density Multi-Family District on 1.334 acres out of NCB 15823 and NCB 17247, located on the Westside of Babcock Road, north of Prue Road. Staff recommends approval.

Staff stated there were 18 notices mailed out to the surrounding property owners, 0 returned in opposition and 3 returned in favor and Provincia Villas Homeowners and Babcock North Associations are in favor also the property owner at 6415 Babcock Road is also in favor. Staff mailed 41 notices to the Planning Team.

COMMISSION ACTION

A motion was made by Commissioner Salazar seconded by Commissioner C. Martinez to recommend approval.

AYES: Tiller, Christian, D. Martinez, Salazar, C. Martinez, McNealy, Nava

NAY: None

THE MOTION CARRIED

7. ZONING CASE NUMBER Z2012089 S (Council District 10): A request for a change in zoning from “C-3NA IH-1 AHOD” General Commercial Nonalcoholic Sales Northeast Gateway Corridor Overlay Airport Hazard Overlay District to “C-3NA S IH-1 AHOD” General Commercial Nonalcoholic Sales Northeast Gateway Corridor Overlay Airport Hazard Overlay District with a Specific Use Authorization for Auto Paint and Body Repair on 1.165 acres out of Lots 1, 2 and 14, Block 36, NCB 17624 , located on the south side of Randolph Boulevard, west of Weimer Way. Staff recommends approval.

Staff stated there were 18 notices mailed out to the surrounding property owners, 1 returned in opposition and 0 returned in favor and no response from Randolph Hills Civic Club.

COMMISSION ACTION

A motion was made by Commissioner Salazar seconded by Commissioner C. Martinez to recommend approval.

AYES: Tiller, Christian, D. Martinez, Salazar, C. Martinez, McNealy, Nava
NAY: None

THE MOTION CARRIED

8. ZONING CASE NUMBER Z2012090 (Council District 1): A request for a change in zoning from “C-2 RIO-2 AHOD” Commercial River Improvement Overlay 2 Airport Hazard Overlay District to “C-2 IDZ RIO-2 AHOD” Commercial Infill Development Zone River Improvement Overlay 2 Airport Hazard Overlay District on the east 98.93 feet of north 66.7 feet of Lot 13, Block 18, NCB 964, 400 Pearl Parkway. Staff recommends approval.

Staff stated there were 14 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor. Staff mailed 11 notices to the Planning Team.

COMMISSION ACTION

A motion was made by Commissioner Salazar seconded by Commissioner C. Martinez to recommend approval.

AYES: Tiller, Christian, D. Martinez, Salazar, C. Martinez, McNealy, Nava
NAY: None

THE MOTION CARRIED

9. ZONING CASE NUMBER Z2012094 (Council District 2): A request for a change in zoning from “MF-33 EP-1 AHOD” Multi-Family Facility Parking/Traffic Control Overlay Airport Hazard Overlay District and “O-2 EP-1 AHOD” High-Rise Office Facility Parking/Traffic Control Overlay Airport Hazard Overlay District to “RM-4 IDZ EP-1 AHOD” Residential Mixed Infill Development Zone Facility Parking/Traffic Control Overlay Airport Hazard Overlay District on 2.379 acres out of NCB 1355, NCB 1354, NCB 1352 and including portions of Hudson and Poinsettia Streets, located northwest of the intersection of North Walters Street and Eross Street. Staff recommends approval.

Staff stated there were 71 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and Harvard Place Eastlawn Neighborhood Association is in favor. Staff mailed 24 notices to the Planning Team.

COMMISSION ACTION

A motion was made by Commissioner Salazar seconded by Commissioner C. Martinez to recommend approval.

AYES: Tiller, Christian, D. Martinez, Salazar, C. Martinez, McNealy, Nava
NAY: None

THE MOTION CARRIED

10. ZONING CASE NUMBER Z2012097 (Council District 2): A request for a change in zoning from “R-5 AHOD” Residential Single-Family Airport Hazard Overlay District and “O-2 AHOD” High Rise Office Airport Hazard Overlay District to “C-2 AHOD” Commercial Airport Hazard Overlay District on 50.99 acre tract of land out of NCB 12173 and NCB 12174, 4050 Eisenhower Road. Staff recommends approval.

Ryan Sweeney, representative, stated he would like to amend his request to “C-2NA”.

Staff stated there were 96 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor.

COMMISSION ACTION

A motion was made by Commissioner Salazar seconded by Commissioner C. Martinez to recommend approval of amendment to “C-2NA”.

AYES: Tiller, Christian, D. Martinez, Salazar, C. Martinez, McNealy, Nava

NAY: None

THE MOTION CARRIED

11. ZONING CASE NUMBER Z2012098 (Council District 9): A request for a change in zoning from “I-1 AHOD” General Industrial Airport Hazard Overlay District to “C-3 AHOD” General Commercial Airport Hazard Overlay District on Lot 65, Block 7, NCB 11971, 10100 Reunion Place. Staff recommends approval.

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

COMMISSION ACTION

A motion was made by Commissioner Salazar seconded by Commissioner C. Martinez to recommend approval.

AYES: Tiller, Christian, D. Martinez, Salazar, C. Martinez, McNealy, Nava

NAY: None

THE MOTION CARRIED

12. ZONING CASE NUMBER Z2012099 (Council District 9): A request for a change in zoning from “R-5 AHOD” Residential Single-Family Airport Hazard Overlay District to “C-2 AHOD” Commercial Airport Hazard Overlay District on the west 72.6 feet of Lot 21, NCB 11887, 155 West Sunset Road. Staff recommends approval.

Staff stated there were 17 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor.

COMMISSION ACTION

A motion was made by Commissioner Salazar seconded by Commissioner C. Martinez to recommend approval.

AYES: Tiller, Christian, D. Martinez, Salazar, C. Martinez, McNealy, Nava
NAY: None

THE MOTION CARRIED

INDIVIDUAL CONSIDERATION:

13. **ZONING CASE NUMBER Z2012071 HL (Council District 5):** A request for a change in zoning from “MF-33 AHOD” Multi-Family Airport Hazard Overlay District to “HL MF-33 AHOD” Historic Landmark Multi-Family Airport Hazard Overlay District on Lots 1, 2, 3, 4, 5, 21, 22, 23, 24 and 25, Block 3, NCB 2459 and Lots 1, 2, 3, 4, 5, 21, 22, 23, 24 and 25, Block 4, NCB 2460 and a portion of San Patricio Street, 1222 and 1214 Colima Street and 1014 South San Jacinto Street. Staff recommends approval.

Applicant/Representative not present.

The following citizen(s) appeared to speak:

Elizabeth Porterfield, presented historic significance of the structure.

Staff stated there were 13 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no response from Avenida Guadalupe Association. Staff mailed 19 notices to the Planning Team.

COMMISSION ACTION

A motion was made by Commissioner Nava to recommend a continuance to May 15, 2012.

MOTION FAILS DUE TO LACK OF SECOND

2nd MOTION

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

AYES: Tiller, Christian, D. Martinez, Salazar, C. Martinez, McNealy, Nava
NAY: None

THE MOTION CARRIED

14. ZONING CASE NUMBER Z2012077 (Council District 9): A request for a change in zoning from “I-1 AHOD” General Industrial Airport Hazard Overlay District to “C-3 AHOD” General Commercial Airport Hazard Overlay District on Lot 18, Block 4, NCB 15855, 441, 442 and 443 West Nakoma and 12510 West Avenue. Staff recommends approval, pending plan amendment.

Flint Bourgeois, representative, stated the purpose of this request is to make consistent with surrounding “C-3” uses. He stated Planning Commission has approved their plan amendment. He further stated they currently are operating a sandwich restaurant.

Commissioner Clancy arrived at 1:46 pm.

Staff stated there were 15 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor and Aviation Department has emailed staff expressing support.

COMMISSION ACTION

A motion was made by Commissioner McNealy seconded by Commissioner Salazar to recommend denial of “C-3”.

AYES: Christian, Salazar, Clancy, McNealy, Nava

NAY: Tiller, D. Martinez, C. Martinez

MOTION FAILS

2nd MOTION

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

AYES: Tiller, Christian, D. Martinez, Salazar, Clancy, C. Martinez, Nava

NAY: McNealy

THE MOTION CARRIED

15. ZONING CASE NUMBER Z2012084 (Council District 5): A request for a change in zoning from “RM-4 AHOD” Residential Mixed Airport Hazard Overlay District to “C-2P AHOD” Commercial Pedestrian Airport Hazard Overlay District on Lot 21 (Tract 21) and west 61 feet of Lot 20 (Tract 20), Block 4, NCB 8730, 123 Fay Avenue. Staff recommends approval.

Jesus Orozco, owner, stated the purpose of this zoning change is to allow for tire shop on the subject property.

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 Quintana Community Neighborhood Association. Staff mailed 33 notices to the Planning Team.

COMMISSION ACTION

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

AYES: Tiller, Christian, D. Martinez, Clancy, Nava

NAY: Salazar, C. Martinez, McNealy

THE MOTION FAILS

2ND MOTION

COMMISSION ACTION

A motion was made by Commissioner C. Martinez seconded by Commissioner Salazar to recommend a continuance until May 15, 2012.

AYES: Tiller, Christian, D. Martinez, Salazar, Clancy, C. Martinez, McNealy, Nava

NAY: None

THE MOTION CARRIED

16. **ZONING CASE NUMBER Z2012087 CD (Council District 8):** A request for a change in zoning from “C-2 GC-1 MLOD” Commercial Hill Country Gateway Corridor Overlay Military Lighting Overlay District, “C-2 S GC-1 MLOD” Commercial Hill Country Gateway Corridor Overlay Military Lighting Overlay District with Specific Use Authorization for a Bar/Tavern and “C-3 GC-1 MLOD” General Commercial Hill Country Gateway Corridor Overlay Military Lighting Overlay District to “C-2 CD GC-1 MLOD” Commercial Hill Country Gateway Corridor Overlay Military Lighting Overlay District with a Conditional Use for a Nightclub without cover charge 3 or more nights per week on 0.213 of an acre out of Lot 6, Block 1, NCB 16391, 23535 IH 10 West, #1101. Staff recommends approval.

Ashley Farrimond, representative, stated the purpose of this zoning request is to allow for a nightclub without cover charge 3 or more days per week. She further stated they are working with neighboring property owners to regarding outdoor music. She stated they have agreed to enter into an agreement limiting that after 10 pm there would be no outdoor music.

The following citizen(s) appeared to speak:

Bobby Perez, representing Bryan Head, neighboring property owner, stated as stated by Mrs. Farrimond, they have been working closely concerning the outdoor music. He stated they would like to request that a condition be place to prohibit outdoor music between the hours of 10 pm thru 10 am. In addition, they would like to add some additional conditions, which they are still currently working with the applicant.

Staff stated there were 2 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and no response from Cielo Vista Neighborhood Association. Staff mailed 41 notices to the Planning Team.

COMMISSION ACTION

A motion was made by Commissioner C. Martinez seconded by Commissioner McNealy to recommend approval with the condition that there be no live outdoor music between the hours of 10 pm to 10 am.

AYES: Tiller, Christian, D. Martinez, Salazar, Clancy, C. Martinez, McNealy, Nava

NAY: None

THE MOTION CARRIED

17. ZONING CASE NUMBER Z2012088 CD (Council District 6): 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 Motor Vehicle Sales on 0.5 acres out of Lot 160, NCB 8237, 555 Old US Highway 90. Staff recommends approval.

Robert Watts, applicant, stated he would like to request a continuance to meet with Los Jardines Neighborhood Association to present his proposal and address any concerns they may have. He stated they are proposing a car lot on the subject property.

The following citizen(s) appeared to speak:

Patricia Burton, stated she welcomes new commercial development however, she stated there are many car lots in the community and would not support another operation.

Staff stated there were 23 notices mailed out to the surrounding property owners, 2 returned in opposition and 1 returned in favor and no response from Community Workers Council. Staff mailed 37 notices to the Planning Team.

COMMISSION ACTION

A motion was made by Commissioner C. Martinez seconded by Commissioner McNealy to recommend a continuance until June 5, 2012.

AYES: Tiller, Christian, D. Martinez, Salazar, Clancy, C. Martinez, McNealy, Nava
NAY: None

THE MOTION CARRIED

18. **ZONING CASE NUMBER Z2012091 (Council District 3):** 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 the south 377.83 feet of Lot 8, Block 7, NCB 9572, 107 through 133 Goliad Road. Staff recommends approval.

Andrew Perez, stated he is representing the applicant.

Staff stated there were 34 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor and Highland Hills Neighborhood Association is in favor. Staff mailed 68 notices to the Planning Team.

COMMISSION ACTION

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

AYES: Tiller, Christian, D. Martinez, Salazar, Clancy, C. Martinez, McNealy, Nava
NAY: None

THE MOTION CARRIED

19. **ZONING CASE NUMBER Z2012093(Council District 4):** A request for a change in zoning from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "MHC AHOD" Manufactured Housing Conventional Airport Hazard Overlay District on Lot 222, Block 9, NCB 15625, 5102 Gavilan Drive. Staff recommends approval.

Juan Gonzalez, owner, stated the purpose of this rezoning request is to allow for a manufacture home on the subject property. He stated this structure would be his permanent residence.

The following citizen(s) appeared to speak:

Carole Abitz, representing Southwest Community Association, stated they are in opposition of this rezoning change. She stated they have met with the applicant and have expressed their concerns. She further stated they would support this request if Mr. Gonzalez would agree to situate the manufactured home on a permanent foundation.

Staff stated there were 24 notices mailed out to the surrounding property owners, 6 returned in opposition and 0 returned in favor. Staff mailed 29 notices to the Planning Team.

COMMISSION ACTION

A motion was made by Commissioner Salazar seconded by Commissioner McNealy to recommend a continuance until May 15, 2012.

AYES: Tiller, Christian, D. Martinez, Salazar, Clancy, C. Martinez, McNealy, Nava

NAY: None

THE MOTION CARRIED

There being no further business, the meeting was adjourned at 2:35 p.m.

APPROVED:



Bill Tiller, Chairman

ATTEST:



Executive Secretary