

**SAN ANTONIO ZONING COMMISSION
OFFICIAL MINUTES
May 21, 2013**

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: Salazar, McNealy, McFarland, Lopez, D. Martinez, Tiller, Boyd, C. Martinez, Ornelas
ABSENT: Villarreal

3. Approval of May 7, 2013 Zoning Commission Minutes with corrections.

All voted in affirmative.

COMBINED HEARING:

4. ZONING CASE NUMBER Z2013117 CD (Council District 5): 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 a Conditional Use for a Noncommercial Parking Lot on 0.59 of an acre, and “C-2NA AHOD” Commercial Nonalcoholic Sales Airport Hazard Overlay District on 0.48 of an acre on 1.07 acres out of Lot 32, NCB 7899 on a portion of 733 Pleasanton Road. Staff recommends approval.

Staff stated there were 22 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor. Staff mailed 15 notices to the Planning Team.

COMMISSION ACTION

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

AYES: Salazar, McNealy, McFarland, Lopez, D. Martinez, Tiller, Boyd, C. Martinez, Ornelas

NAY: None

THE MOTION CARRIED

5. ZONING CASE NUMBER Z2013118 (Council District 5): A request for a change in zoning from “R-4 AHOD” Residential Single-Family Airport Hazard Overlay District to “RM-4 AHOD” Residential Mixed Airport Hazard Overlay District on Lots 1, 2 and 3, Block 1, NCB 8659; 402 South San Joaquin. Staff recommends approval.

Staff stated there were 27 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor. Staff mailed 35 notices to the Planning Team.

COMMISSION ACTION

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

AYES: Salazar, McNealy, McFarland, Lopez, D. Martinez, Tiller, Boyd, C. Martinez, Ornelas

NAY: None

THE MOTION CARRIED

6. ZONING CASE NUMBER Z2013120 (Council District 1): A request for a change in zoning from “MF-33 AHOD” Multi-Family Airport Hazard Overlay District to “MF-40 AHOD” Multi-Family Airport Hazard Overlay District on Lot 87, NCB 11888; 411 Everest Avenue. Staff recommends approval.

Staff stated there were 23 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 McNealy and seconded by Commissioner D. Martinez to recommend approval.

AYES: Salazar, McNealy, McFarland, Lopez, D. Martinez, Tiller, Boyd, C. Martinez, Ornelas

NAY: None

THE MOTION CARRIED

7. ZONING CASE NUMBER Z2013121 CD (Council District 7): A request for a change in zoning from “C-2 AHOD” Commercial Airport Hazard Overlay District to “C-2 CD AHOD” Commercial Airport Hazard Overlay District with a Conditional Use for Motor Vehicle Sales (full service) on 0.334 of an acre out of Lots 47, 48, 49 & 50, Block 22, NCB 11410; 3611 Culebra Road. Staff recommends approval.

Staff stated there were 21 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor and no response from the Loma Vista Neighborhood Association. Staff mailed 15 notices to the Planning Team.

COMMISSION ACTION

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

AYES: Salazar, McNealy, McFarland, Lopez, D. Martinez, Tiller, Boyd, C. Martinez, Ornelas

NAY: None

THE MOTION CARRIED

8. ZONING CASE NUMBER Z2013124 CD (Council District 6): A request for a change in zoning from “C-3 AHOD” General Commercial Airport Hazard Overlay District to “C-2 CD AHOD” Commercial Airport Hazard Overlay District with a Conditional Use for Electronic Component Fabrication on Parcel 66A, NCB 16115 on a portion of the 6600 Block of Culebra Road. Staff recommends approval.

Staff stated there were 8 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor. Staff mailed 35 notices to the Planning Team.

COMMISSION ACTION

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

AYES: Salazar, McNealy, McFarland, Lopez, D. Martinez, Tiller, Boyd, C. Martinez, Ornelas

NAY: None

THE MOTION CARRIED

9. ZONING CASE NUMBER Z2013126 CD (Council District 8): A request for a change in zoning from “C-3NA” General Commercial Nonalcoholic Sales District and “O-2” High-Rise Office District to “C-2NA CD” Commercial Nonalcoholic Sales District with a Conditional Use for Motor Vehicle Sales (full service) on 4.2844 acres and “C-2NA” Commercial Nonalcoholic Sales District on 0.3662 of an acre on 4.6506 acres out of Lot 93, NCB 11630 on a portion of 8333 Interstate Highway 10 West. Staff recommends approval.

Staff stated there were 24 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor and Vance Jackson Neighborhood, Inc. is in favor. Staff mailed 41 notices to the Planning Team.

COMMISSION ACTION

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

AYES: Salazar, McNealy, McFarland, Lopez, D. Martinez, Tiller, Boyd, C. Martinez, Ornelas

NAY: None

THE MOTION CARRIED

Chairman Salazar stated Zoning Case Z2013074 S ERZD and Z2013105 have been postponed and Zoning Case Z2013116 CD, Z2013122 and Z2013130 CD S have been withdrawn therefore no action will be taken.

Z2013130 CD S

Rudy Nino, Planning Manager, stated City Staff would be available to meet with concerns citizens regarding Zoning Case Z2013130 CD S in the Tobin Room to address any questions/concerns they may have.

INDIVIDUAL CONSIDERATION:

10. ZONING CASE NUMBER Z2013031 ERZD (Council District 9): A request for a change in zoning from “MF-33 ERZD MLOD-1” Multi-Family Edwards Recharge Zone Camp Bullis Military Lighting Overlay District to “C-2 ERZD MLOD-1” Commercial Edwards Recharge Zone Camp Bullis Military Lighting Overlay District on Parcel 5-C, NCB 19219 on a portion of the 1100 Block of Evans Road. Staff recommends approval.

Patrick Christensen, representative, stated he has been working with the surrounding neighborhood associations and has received an email from Spring of Stone Oak expressing their support. He further stated he has been working closely with Stone Oak Property Owners Association and Councilwoman Chan’s office on preparing deed restrictions to prohibit any alcohol establishments.

Mike Barr, SAWS, presented their recommendation and recommended approval.

Staff stated there were 32 notices mailed out to the surrounding property owners, 1 returned in opposition and 0 returned in favor. Staff mailed 41 notices to the Planning Team.

COMMISSION ACTION

A motion was made by Commissioner McNealy and seconded by Commissioner D. Martinez to recommend approval with SAWS recommendation.

AYES: Salazar, McNealy, McFarland, Lopez, D. Martinez, Tiller, Boyd, C. Martinez, Ornelas

NAY: None

THE MOTION CARRIED

11. ZONING CASE NUMBER Z2013072 HL B (Council District 5): A request for a change in zoning from “C-3 AHOD” General Commercial Airport Hazard Overlay District to “HL C-3 AHOD” Historic Landmark General Commercial Airport Hazard Overlay District on Lot 13, Block 89, NCB 3681; 3526 West Commerce Street. Staff recommends approval.

Elizabeth Porterfield, Office of Historic Preservation, stated they have made numerous attempts in contacting the property owner but have not received a response. She stated she would like to request a continuance to contact the owner and met with them.

Staff stated there were 35 notices mailed out to the surrounding property owners, 1 returned in opposition and 0 returned in favor and no response from Prospect Hill Neighborhood Association.

COMMISSION ACTION

A motion was made by Commissioner Lopez and seconded by Commissioner McNealy to recommend a continuance until June 18, 2013.

AYES: Salazar, McNealy, McFarland, Lopez, D. Martinez, Tiller, Boyd, C. Martinez, Ornelas

NAY: None

THE MOTION CARRIED

12. ZONING CASE NUMBER Z2013109 (Council District 7): A request for a change in zoning from “C-3 AHOD” General Commercial Airport Hazard Overlay District to “MF-25 AHOD” Low Density Multi-Family Airport Hazard Overlay District on the southwest 51 feet of the northeast 221.6 feet of Lot 33 and the southwest 94 feet of the northeast 315.6 feet of Lot 33, Block B, NCB 11514 on a portion of the 4100 Block of Willard Drive. Staff recommends approval.

Carlos Abelar, applicant, stated he would like to request a continuance to reach out to the community and present his proposal.

Staff stated there were 12 notices mailed out to the surrounding property owners, 3 returned in opposition and 0 returned in favor. Staff mailed 35 notices to the Planning Team.

COMMISSION ACTION

A motion was made by Commissioner McNealy and seconded by Commissioner McFarland to recommend a continuance until June 4, 2013.

AYES: Salazar, McNealy, McFarland, Lopez, D. Martinez, Tiller, Boyd, C. Martinez, Ornelas

NAY: None

THE MOTION CARRIED

13. ZONING CASE NUMBER Z2013123 CD (Council District 4): 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 a Conditional Use for an Assisted Living Facility with No More than 16 Residents on Lot 44, Block 53, NCB 15910; 1002 Gallatin Drive. Staff recommends denial.

Ruth Cardenas, applicant, stated she is requesting this change in zoning to allow for an assisted living facility to care for 9 residents. She has been in operation for 20 years has not received complaints from her neighbors. She stated she is licensed and is equipped to care for 9 residents. She stated she has contacted her surrounding neighbors and collected a petition expressing support. She further stated upon annexation she applied for non conforming rights at which time she specified to staff that she cares for 9 residents. She was informed by staff that would only be able to care for 6 residents and granted her non conforming rights for 6 residents.

Staff stated there were 35 notices mailed out to the surrounding property owners, 1 returned in opposition and 0 returned in favor and Heritage Neighborhood Association is in opposition. Staff mailed 35 notices to the Planning Team.

COMMISSION ACTION

A motion was made by Commissioner Salazar and seconded by Commissioner McNealy to support staff’s recommendation for denial.

AYES: Salazar, McNealy, McFarland, Lopez, D. Martinez, Tiller, Boyd, C. Martinez, Ornelas

NAY: None

THE MOTION CARRIED.

14. ZONING CASE NUMBER Z2013125 CD (Council District 8): A request for a change in zoning from “C-2 MLOD-1 AHOD” Commercial Camp Bullis Military Lighting Overlay Airport Hazard Overlay District to “C-2 CD MLOD-1 AHOD” Commercial Camp Bullis Military Lighting Overlay Airport Hazard Overlay District with a Conditional Use for Auto and Light Truck Repair on 0.92 of an acre out of Lot 1, Block 5, NCB 17000 on a portion of 13338 Northwest Military Highway. Staff recommends approval.

James Griffin, representative, stated the purpose of request is to allow for a Firestone Auto Facility on the subject property. He further stated he has been working with the neighborhood association and have agreed on the following:

- limited hours of operations
- control lighting, downward, away from the neighborhood
- additional landscaping
- height and design standards
- erecting an 8 foot masonry fence along back property line

The following citizens appeared to speak:

Alan Futrell, stated he has met with the applicant and in support of the rezoning request. He feels this facility would have a positive impact on the community.

Dr. Steve Wood, stated he also attend the meetings held by the applicant he is in support of the proposed rezoning.

Larry Morgan, Treasurer of Castle Hills Forest Home Owners Association, stated they have met with the developer and are in support of the proposed rezoning with the condition as stated.

Commissioner Tiller asked Mr. Morgan to elaborate on the conversations regarding the large sum of money offered to the Homeowners Association.

Larry Morgan, Treasurer of Castle Hills Forest Home Owners Association, stated the developer has donated \$40,000.00 dollars to the homeowners association to utilize for the pool and recreation area for the common use of all the residents contingent upon the proposed zoning case be rezoned. The neighborhood residents were informed of the \$40,000.00 dollars in their neighborhood news letter and by emails.

Staff stated there were 24 notices mailed out to the surrounding property owners, 3 returned in opposition and 3 returned in favor and 1 received in support outside the 200 foot radius and Castle Hills Forest Home Owners Association is in support.

COMMISSION ACTION

A motion was made by Commissioner Tiller and seconded by Commissioner D. Martinez to recommend a continuance until June 18, 2013.

AYES: Salazar, McFarland, D. Martinez, Tiller, Boyd, C. Martinez, Ornelas

NAY: McNealy, Lopez

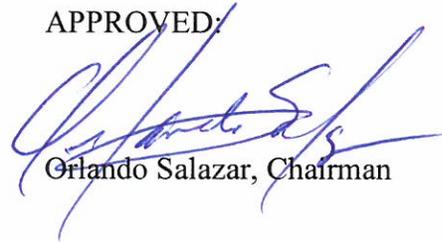
THE MOTION CARRIED

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15. There being no further business, the meeting was adjourned at 2:10 pm.

APPROVED:

A handwritten signature in blue ink, appearing to read "Orlando Salazar", written over the word "APPROVED".

Orlando Salazar, Chairman

ATTEST:

A handwritten signature in black ink, appearing to read "John P. Jacks", written above the name.

John P. Jacks, Executive Secretary