

**SAN ANTONIO ZONING COMMISSION  
OFFICIAL MINUTES  
November 18, 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, McFarland, Westheimer, Gadberry, Myers, Wright, Martinez, Gray**

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

3. Approval of November 4, 2008 Minutes.

**1:00 PM – Public Hearing**

**COMBINED HEARING:**

**Chairman Sherrill stated the Zoning Case No. Z2008180 has been postponed as per the applicant's request.**

Commissioner Gadberry made a motion to approve the following rezoning cases with conditions and amendments as staff has recommended. Additionally, no citizens have signed to speak in opposition on the said cases: items 14, 15, 16, 17 and 19. The motion was seconded by Commissioner Westheimer.

**4. ZONING CASE NUMBER Z2008275 S (Council District 2):** A request for a change in zoning from "I-1" General Industrial District to "I-2 S" Heavy Industrial District with a Specific Use Authorization for a Bulk Plant or Terminal on Lot 25, NCB 12867, 498 Pop Gunn Drive. Staff recommends approval.

Staff stated there were 12 notices mailed out to the surrounding property owners, 1 returned in opposition and 0 returned in favor and Eastern Triangle Neighborhood Association is not in opposition.

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**COMMISSION ACTION**

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

**AYES: Sherrill, McFarland, Westheimer, Gadberry, Myers, Wright, Gray**

**NAY: None**

**THE MOTION CARRIED**

5. **ZONING CASE NUMBER Z2008282 (Council District 1):** A request for a change in zoning from "R-4" Residential Single-Family District to "C-2P" Commercial Pedestrian District on Lot 17, Block 3, NCB 9764, 802 La Manda Boulevard. Staff recommends approval.

Ivan Cortes, applicant, stated he would like to amend his request to "NC".

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

Charles Dove, representing Northwest Los Angeles Heights Neighborhood Association and Dellview Neighborhood Association, stated they have meet with the applicant and are in support of this request.

Staff stated there were 22 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and no response from Northmoor Neighborhood Associations and Northwest Los Angeles Heights Neighborhood Association is in opposition. Staff mailed 32 notices to the Planning Team and received a phone call expressing their support.

**COMMISSION ACTION**

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

**AYES: Sherrill, McFarland, Westheimer Gadberry, Myers, Wright, Gray**  
**NAY: None**

**THE MOTION CARRIED**

6. **ZONING CASE NUMBER Z2009005 (Council District 1):** A request for a change in zoning from "RM-4 NCD-5" Residential Mixed Beacon Hill Area Neighborhood Conservation District to "HS RM-4 NCD-5" Historic Significant Residential Mixed Beacon Hill Area Neighborhood Conservation District on Lots 20, 21, 22, and 23, Block 35, NCB 1827, 1002 West Magnolia. Staff recommends approval.

Raymond Carranza, owner, stated he is in support of this Historic designation.

Rollette Schreckenghost, representing San Antonio Conservation Society, stated they are in support of this request.

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

Cosima Colvin, Board Member of Beacon Hill Neighborhood Association, stated they are in support with the following conditions:

- 1.) Should designation be granted, the property becomes eligible for government funding that may assist the owner in making necessary repairs.
- 2.) If the necessary repairs are not made or if the structure is deemed unsound by dangerous premises that the property will still be subject to the standard dangerous premises and DSDB processes and would not be allow to continue in its current state.

Staff stated there were 29 notices mailed out to the surrounding property owners, 1 returned in opposition and 1 returned in favor and Beacon Hill Neighborhood Association is in favor. Staff mailed 18 notices to the Planning Team.

**COMMISSION ACTION**

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

**AYES: Sherrill, McFarland, Westheimer Gadberry, Myers, Wright, Gray**

**NAY: None**

**THE MOTION CARRIED**

**7. ZONING CASE NUMBER Z2009002 (Council District 6):** A request for a change in zoning from "C-2" Commercial District to "R-5" Residential Single Family District on Lot 40, Block 3, NCB 13945, 1535 South Callaghan Road. Staff recommends approval.

Staff stated there were 17 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no response from Community Workers Council

**COMMISSION ACTION**

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

**AYES: Sherrill, McFarland, Westheimer Gadberry, Myers, Wright, Gray**

**NAY: None**

**THE MOTION CARRIED**

**8. ZONING CASE NUMBER Z2009007 (Council District 1):** A request for a change in zoning from "H HS RM-4" Historic Significant Residential Mixed King William Historic District to "H HS R-6" Historic Significant Residential Single-Family King William Historic District on Lots 17 and 18, Block 5, NCB 746, 432 and 434 King William. Staff recommends approval.

Staff stated there were 21 notices mailed out to the surrounding property owners, 0 returned in opposition and 5 returned in favor and no response from King William Association. Staff mailed 160 notices to the Planning Team.

**COMMISSION ACTION**

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

**AYES: Sherrill, McFarland, Westheimer Gadberry, Myers, Wright, Gray**

**NAY: None**

**THE MOTION CARRIED**

**INDIVIDUAL CONSIDERATION:**

**9. ZONING CASE NUMBER Z2008253 (Council District 8):** A request for a change in zoning from "R-6" Residential Single-Family District to "MF-33" Multi Family District on 4.271 acres out of NCB 14862 and 6.142 acres out of NCB 17204, 6301 Melissa Ann. Staff recommends approval.

James Griffin, representative, stated the purpose of this request is to allow for a multi family project. He stated they are currently working on deed restrictions. He further stated they have met with the neighborhood association to address their concerns and are now in support.

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

Thomas Moore, representing Jade Oaks Neighborhood Association, stated they have met with the applicant and discussed this proposal and are in support with the conditions that there be deed restrictions on the property.

Staff stated there were 73 notices mailed out to the surrounding property owners, 14 returned in opposition and 2 returned in favor and Jade Oaks Neighborhood Association was in opposition however, after meeting with the applicant they are now in support.

**COMMISSION ACTION**

The motion was made by Commissioner Wright and seconded by Commissioner Martinez to recommend approval subject to them working on deed restrictions prior to City Council.

**AYES: Sherrill, McFarland, Westheimer, Gadberry, Myers, Wright, Martinez**

**NAY: None**

**RECUSED: Gray**

**THE MOTION CARRIED**

10. **ZONING CASE NUMBER Z2008147 ERZD (Council District 8):** A request for a change in zoning from "R-6 CD ERZD" Residential Single-Family Edwards Recharge Zone District with a Conditional Use for a Private High School to "O-1 ERZD" Office Edwards Recharge Zone District (1.6350 acres) and "O-2 ERZD" Office Edwards Recharge Zone District (11.9523 acres) on 13.5873 acres out of NCB 17627 and NCB 18598, 4150 DeZavala Road. Staff recommends approval.

Ken Brown, representative, stated they are proposing office development on the subject property. He stated they met with neighborhood association and have presented the existing covenants. He stated they are agreeable to amending the covenants if necessary to address their concerns.

Staff stated there were 54 notices mailed out to the surrounding property owners, 5 returned in opposition and 3 returned in favor.

### COMMISSION ACTION

The motion was made by Commissioner Gray and seconded by Commissioner Wright to recommend approval including SAWS recommendations.

**AYES: Sherrill, McFarland, Westheimer, Gadberry, Myers, Wright, Martinez, Gray**

**NAY: None**

### THE MOTION CARRIED

11. **ZONING CASE NUMBER Z2008213 S ERZD (Council District 10):** A request for a change in zoning from "C-2 ERZD" Commercial Edwards Recharge Zone District to "C-2 S ERZD" Commercial Edwards Recharge Zone District with a Specific Use Authorization to allow a Wireless Communication System on 0.0367 acres out of CB 5014, 15943 Bulverde Road. Staff recommends denial.

Vince Huebinger, representative, stated the purpose of this request is to allow for a wireless communication systems on the subject property. He stated they have been meeting with SAWS to further discuss this request. He further stated he contacted the surrounding neighborhood associations but has not received a response.

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

Elyzabeth Earnley, representing AGUA, stated the property is currently an auto repair salvage yard which is a non-conforming use under the Edwards Recharge Zone Overlay District. She stated SAWS only did a study on the portion where the communication system would be built which she feels the entire site should be evaluated. She expressed concerns with how the existing salvage yard may contaminant the aquifer.

Staff stated there were 5 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 McFarland and seconded by Commissioner Wright to recommend a continuance until December 2, 2008.

**AYES: Sherrill, McFarland, Westheimer, Gadberry, Myers, Wright, Martinez**

**NAY: Gray**

**THE MOTION CARRIED**

12. **ZONING CASE NUMBER Z2009004 ERZD (Council District 9):** A request for a change in zoning from "C-2 ERZD" Commercial Edwards Recharge Zone District to "C-3 ERZD" General Commercial Edwards Recharge Zone District on Being a 0.195 of an acre out of Lot 60, Block 2, NCB 17608, 19141 Stone Oak Parkway, Suite 108. Staff recommends approval.

James Griffin, representative, stated the purpose of this request is to allow the existing bar to extend the bar hours.

Staff stated there were 9 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and no response from Sonterra/Stone Oak Owners Association.

**COMMISSION ACTION**

The motion was made by Commissioner Wright and seconded by Commissioner Martinez to recommend approval including SAWS recommendations.

**AYES: Sherrill, McFarland, Westheimer, Gadberry, Myers, Wright, Martinez, Gray**

**NAY: None**

**THE MOTION CARRIED**

13. **ZONING CASE NUMBER Z2009003 (Council District 7):** A request for a change in zoning from "C-1 NCD-3" Light Commercial, Ingram Hills Neighborhood Conservation District to "C-2 NCD-3" Commercial Ingram Hills Neighborhood Conservation District on Lots 274, 275, 281 and 282, Block E, NCB 11551, save and except the part of said lots conveyed to the City of San Antonio in Volume 10700, Page 313, Real Property Records, Bexar County, Texas, 4530 Callaghan Road and 5922 Silvercrest Drive. Staff recommends denial.

Mike Cepeda, representative, stated they are proposing a medical clinic on the subject property. He stated he has met with the neighborhood association and the Council Office regarding this zoning change and would like to amend his request to "C-2NA" with deed restrictions.

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

Joan Brice, representing Ingram Hills Neighborhood Association, stated they have met with the representative and are in support with the "C-2NA" request with deed restrictions as discussed.

Staff stated there were 23 notices mailed out to the surrounding property owners, 1 returned in opposition and 1 returned in favor and Ingram Hills and Thunderbird Hills Neighborhood Associations are in support of the medical clinic however, Thunderbird Hills does not support other retail uses.

**COMMISSION ACTION**

The motion was made by Commissioner Gray and seconded by Commissioner Wright to recommend approval "C-2NA NCD-3" with deed restrictions.

**AYES: Sherrill, McFarland, Westheimer, Gadberry, Myers, Wright, Martinez, Gray**  
**NAY: None**

**THE MOTION CARRIED**

**14. ZONING CASE NUMBER Z2009009 S (Council District 7):** A request for a change in zoning from "C-2 NCD-3" Commercial Ingram Hills Neighborhood Conservation District to "C-2 NCD-3 S" Commercial Ingram Hills Neighborhood Conservation District with a Specific Use Authorization for a Wireless Communication System on being a 0.0275 acre tract of land out of Lot 28, Block 2, NCB 14144, 2814 Majestic Drive. Staff recommends approval.

Vince Huebinger, representative, stated they are proposing a wireless communication system. He stated he has contacted Mrs. Brice

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

Joan Brice, representing Ingram Hills Neighborhood Association, stated they are not in support of this request. She stated they are concerns with the negative impact this proposal may have on their neighborhood.

Staff stated there were 13 notices mailed out to the surrounding property owners, 0 returned in opposition and 3 returned in favor and Ingram Hills Neighborhood Association is in opposition.

**COMMISSION ACTION**

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

**AYES: Sherrill, McFarland, Westheimer, Gadberry, Myers, Wright, Gray**  
**NAY: Wright**

**THE MOTION CARRIED**

**15. ZONING CASE NUMBER Z2008211 (Council District 1):** A request 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 0.203 acres out of NCB 441, 630 Broadway. Staff recommends denial.

Staff stated there were 25 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor. Staff mailed 161 notices to the Planning Team.

**ZONING CASE NUMBER Z2008212 (Council District 1):** A request 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 8 and the northeast 44.61 feet of Lot 7, Block 3, NCB 446, 702 Broadway. Staff recommends denial.

Staff stated there were 23 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor. Staff mailed 161 notices to the Planning Team.

Gerardo Menchaca, representative, stated he would like to request a 30-day continuance. He stated the purpose of the continuance is that there is currently a Master Plan study being conducted in this area and would like to wait for the outcome of this study before processing this his cases.

**COMMISSION ACTION**

The motion was made by Commissioner Westheimer and seconded by Commissioner Gray to recommend a continuance until December 16, 2008.

**AYES: Gadberry, McFarland, Westheimer, Myers, Wright, Gray**  
**NAY: None**

**THE MOTION CARRIED**

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**16. Election of Officers.**

**COMMISSION ACTION**

The motion was made by Commissioner Gray and seconded by Commissioner McFarland to recommend Commissioner Gadberry as Chairman, Commissioner Susan Wright as Vice Chair and Commissioner Michael Westheimer as Pro-Tem.

(A verbal vote was taken)

**AYES: Sherrill, McFarland, Westheimer, Gadberry, Myers, Wright, Martinez, Gray**  
**NAY: None**

**THE MOTION CARRIED**

17. Public hearing, consideration and recommendation of a proposed amendment to the Unified Development Code (UDC) that would create a zoning overlay district for outdoor lighting surrounding military camps/bases/installations.

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

Phil Reidinger, representing Fort Sam Houston, stated they are in opposition. He stated the extent of the temporary exemption is to provide more protection and it be similar to what other jurisdictions have past. Currently the draft overlay ordinance provides for a 90-day exemption and does not specify a waiting period as oppose to Bexar County has a 7-day waiting period for a temporary exemption and a 30-day waiting period before another one may be granted as other counties differ. In additions, he would like to request that the LEED (Leadership & Energy Environmental Designs) be incorporated into this ordinance on outdoor lighting.

June Katchik, stated she is in opposition of some of the items in the proposed ordinance. She stated they are opposition of allowing digital billboards in the boundaries of this ordinance. She stated in order to keep the military active in San Antonio; she believes having the digital billboards, which are more intense in lighting, is a contradiction and does not serve the purpose of the ordinance.

Ted Trakas, President of Vance Jackson Neighborhood Association, stated they are in opposition of the proposed ordinance. He expressed concerns with off premise billboards and digital signs in the Urban and Scenic Corridor have protected. He would like to request that the ordinance require conservative and restrictive controls of off premise billboards and digital signs.

Bill Bourne, stated he is in opposition of the ordinance as presented. He stated that in Chapter 35 there is a band on any new billboards. He is concern leaving the clause in the ordinance would room for exceptions. He also expressed concerns with the notification process. He stated they were not informed of any prior meetings to further discuss the ordinance that is being presented today.

**COMMISSION ACTION**

The motion was made by Commissioner Wright and seconded by Commissioner Sherrill to recommend this ordinance be taken back to the working group and that the working group be extended to some neighborhood associations as well as the military and that this ordinance and its continuous drafts be updated and posted on the front page of the city's website so that citizens may be educated and can ask questions. Also, recommend this ordinance not be presented to Zoning Commission until it is presented to TAC (Planning Commission's Technical Advisory Committee) and the JLUS (Joint Land Use Study) for their recommendation.

**AYES: Sherrill, McFarland, Westheimer, Gadberry, Myers, Wright, Martinez, Gray**

**NAY: None**

**THE MOTION CARRIED**

**18. ADJOURNMENT**

There being no further business, the meeting was adjourned at 3:19 p.m.

APPROVED:



Don Gadberry, Chair

ATTEST:



Executive Secretary