

**SAN ANTONIO ZONING COMMISSION  
OFFICIAL MINUTES  
November 6, 2012**

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.

**1:00 PM – Public Hearing**

2. Roll Call.

**PRESENT: Tiller, McFarland, Ornelas, Villarreal, D. Martinez, Salazar, Boyd, C. Martinez**

**ABSENT: McNealy**

3. Approval of October 16, 2012 Zoning Commission Minutes.

**COMBINED HEARING:**

4. **ZONING CASE NUMBER Z2012207 (Council District 1):** A request for a change in zoning from “C-3NA AHOD” General Commercial Nonalcoholic Sales Airport Hazard Overlay District to “RM-5 AHOD” Residential Mixed Airport Hazard Overlay District on Lot 17, Block 4, NCB 2047, 120 Princeton. Staff recommends approval pending plan amendment.

Staff stated there were 32 notices mailed out to the surrounding property owners, 3 returned in opposition and 1 returned in favor and Beacon Hill Neighborhood Association is in favor. Staff mailed 11 notices to the Planning Team.

**COMMISSION ACTION**

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

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

**NAY: None**

**THE MOTION CARRIED**

5. **ZONING CASE NUMBER Z2012218 HL (Council District 1):** A request for a change in zoning from “C-2 AHOD” Commercial Airport Hazard Overlay District and “C-3 AHOD” General Commercial Airport Hazard Overlay District to “HL C-2 AHOD” Historic Landmark Commercial Airport Hazard Overlay District and “HL C-3 AHOD” Historic Landmark General Commercial Airport Hazard Overlay District on Lots 20, 21, 22, 23, 24, 25, 26 and the southeast 9 feet of Lot 19, Block 52, NCB 2746, 1900-1926 Fredericksburg Road. Staff recommends approval.

Staff stated there were 43 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no responses from Keystone , Monticello, Jefferson nor Woodlawn Lake Neighborhood Associations. Staff mailed 19 notices to the Planning Team.

### **COMMISSION ACTION**

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

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

**NAY: None**

### **THE MOTION CARRIED**

**6. ZONING CASE NUMBER Z2012220 (Council District 4):** A request for a change in zoning from "C-3 AHOD" General Commercial Airport Hazard Overlay District to "NP-15 AHOD" Neighborhood Preservation Airport Hazard Overlay District on 0.49 of an acre out of Parcel 1C, NCB 18044 on a portion of 8050 Covel. Staff recommends approval.

Staff stated there were 1 notice mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no response from People Active in Community Effort. Staff mailed 29 notices to the Planning Team.

### **COMMISSION ACTION**

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

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

**NAY: None**

### **THE MOTION CARRIED**

**7. ZONING CASE NUMBER Z2012222 (Council District 7):** A request for a change in zoning from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District and "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on 0.8413 acres out of Lots 21 and 22, Block G, NCB 8394, 1518 Hillcrest Drive. Staff recommends approval pending plan amendment.

Staff stated there were 12 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and no response from Donaldson Terrace Neighborhood Association. Staff mailed 19 notices to the Planning Team.

**COMMISSION ACTION**

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

**AYES: Tiller, McFarland, Ornelas, Villarreal, D. Martinez, Salazar, Boyd, C. Martinez**  
**NAY: None**

**THE MOTION CARRIED**

**8. ZONING CASE NUMBER Z2012224 (Council District 9):** A request for a change in zoning from “MF-33 AHOD” Multi-Family Airport Hazard Overlay District to “C-2 AHOD” Commercial Airport Hazard Overlay District on 1.377 acres out of Lot 1, Block 3, NCB 16161 on a portion of the northwest corner of Wurzbach Parkway and Blanco Road. Staff recommends approval pending plan amendment.

Staff stated there were 4 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor. Staff mailed 41 notices to the Planning Team.

**COMMISSION ACTION**

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

**AYES: Tiller, McFarland, Ornelas, Villarreal, D. Martinez, Salazar, Boyd, C. Martinez**  
**NAY: None**

**THE MOTION CARRIED**

**INDIVIDUAL CONSIDERATION:**

**9. ZONING CASE NUMBER Z2012158 (Council District 2):** A request for a change in zoning from “AE-3 S EP-1” Arts and Entertainment-3 Facility Parking/Traffic Control Overlay District with a Specific Use Authorization for Motor Vehicle Sales (full service) to “L EP-1” Light Industrial Facility Parking/Traffic Control Overlay District on Tract 2 and Lot 4, NCB 10233, 3011 East Commerce Street. Staff recommends denial.

Patrick Christensen, representative, stated the purpose of this zoning request is to allow for light industrial use. He stated he has been working with the Harvard/Eastlawn, Jefferson and Coliseum Oaks Neighborhood Associations and the Spurs Foundation and have agreed to amend to “L” Light Industrial District which Planning Commission approved. He further stated they have also agreed to provide landscaping and on deed restrictions prohibiting bars/taverns, nightclubs and gentlemen’s club.

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 Jefferson Heights Association. Staff mailed 22 notices to the Planning Team.

**COMMISSION ACTION**

A motion was made by Commissioner D. Martinez and seconded by Commissioner Villarreal to recommend approval with the conditions as stated by the applicant.

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

**NAY: None**

**THE MOTION CARRIED**

**10. ZONING CASE NUMBER Z2012159 (Council District 2):** A request for a change in zoning from “AE-4 EP-1” Arts and Entertainment-4 Facility Parking/Traffic Control Overlay District to “L EP-1” Light Industrial Facility Parking/Traffic Control Overlay District on Tract 7A, NCB 10234, 3363 East Commerce Street. Staff recommends approval.

Patrick Christensen, representative, stated the purpose of this request is to allow for light industrial use. He stated has have been working closely with the neighborhood associations who have expressed their support.

Staff stated there were 12 notices mailed out to the surrounding property owners, 1 returned in opposition and 0 returned in favor no response from Jefferson Heights Association. Staff mailed 22 notices to the Planning Team.

**COMMISSION ACTION**

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

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

**NAY: None**

**THE MOTION CARRIED**

**11. ZONING CASE NUMBER Z2012160 (Council District 2):** A request for a change in zoning from “AE-3 S EP-1” Arts and Entertainment-3 Facility Parking/Traffic Control Overlay District with a Specific Use Authorization for Warehousing to “L EP-1” Light Industrial Facility Parking/Traffic Control Overlay District on 7.558 acres out of Lot 15, NCB 10233, 185 Coca Cola Place. Staff recommends denial.

Patrick Christensen, representative, stated the purpose of this request is to allow for light industrial use. He stated has have been working closely with the neighborhood associations and have also agreed to provide landscaping and on deed restrictions prohibiting bars/taverns, nightclubs and gentlemen's club.

Staff stated there were 10 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor no response from Jefferson Heights Association. Staff mailed 22 notices to the Planning Team.

### **COMMISSION ACTION**

A motion was made by Commissioner D. Martinez and seconded by Commissioner Villarreal to recommend approval with conditions stipulated by the applicant.

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

**NAY: None**

### **THE MOTION CARRIED**

**12. ZONING CASE NUMBER Z2012198 (Council District 5):** A request for a change in zoning from "I-1 RIO-4 AHOD" General Industrial River Improvement Overlay-4 Airport Hazard Overlay District to "IDZ RIO-4 AHOD" Infill Development Zone River Improvement Overlay-4 Airport Hazard Overlay District with uses permitted in "MF-50" Multi-Family District and "C-1" Light Commercial District on 7.53 acres out of NCB A-14 on portions of the 300 and 400 Block of Blue Star and the 300 Block of Barbe Street. Staff recommends approval pending plan amendment.

Bobby Perez, representative, stated they are requesting this change in zoning to allow for mixed use development. He further stated he has met with King William Neighborhood Association to address their concerns.

Staff stated there were 23 notices mailed out to the surrounding property owners, 3 returned in opposition outside and 0 returned in favor and King William Association is in favor. Staff mailed 18 notices to the Planning Team.

### **COMMISSION ACTION**

A motion was made by Commissioner McFarland seconded by Commissioner Villarreal to recommend approval pending plan amendment.

**AYES: Tiller, McFarland, Ornelas, Villarreal, D. Martinez, Salazar, C. Martinez**

**NAY: None**

**RECUSED: Boyd**

### **THE MOTION CARRIED**

13. **ZONING CASE NUMBER Z2012209 (Council District 6):** A request for a change in zoning from “R-6 AHOD” Residential Single-Family Airport Hazard Overlay District to “MF-18 AHOD” Limited Density Multi-Family Airport Hazard Overlay District on Lot 1, Block 2, NCB 14355, 5731 McDavitt Road. Staff recommends approval.

Michelle Barrientes, representative, stated the purpose of this zoning request is to allow for development of a 5 unit duplex on the subject property. She stated she has met with the surrounding neighbors and feel they have addressed their concerns.

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

Leonor Ramos, spoke in opposition.

Staff stated there were 43 notices mailed out to the surrounding property owners, 21 returned in opposition and 0 returned in favor. Staff mailed 36 notices to the Planning Team.

**COMMISSION ACTION**

A motion was made by Commissioner C. Martinez seconded by Commissioner Ornelas to recommend denial.

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

**NAY: Tiller, Villarreal**

**THE MOTION CARRIED**

14. **ZONING CASE NUMBER Z2012211 (Council District 5):** A request for a change in zoning from “R-6 AHOD” Residential Single-Family Airport Hazard Overlay District to “IDZ AHOD” Infill Development Zone Airport Hazard Overlay District with uses permitted in “R-6” Residential Single-Family District and a Daycare Center on Lot 4, Block A, NCB 2873, 113 Furnish. Staff recommends denial.

Rene Rocco, representative, state the purpose of this zoning change is to allow for a child day care center. He stated he has visited with his surrounding neighbors and has received letters expressing their support.

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

Susan Powers, President of Lone Star Neighborhood Association, stated she has visited the site and support Mr. Rocco’s request for a child day care facility.

Staff stated there were 27 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no response from Lone Star Neighborhood Association. Staff mailed 15 notices to the Planning Team.

**COMMISSION ACTION**

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

**AYES: Tiller, McFarland, Ornelas, Villarreal, D. Martinez, Salazar, Boyd, C. Martinez**  
**NAY: None**

**THE MOTION CARRIED**

**15. ZONING CASE NUMBER Z2012215 CD (Council District 2):** A request for a change in zoning from "R-5" Residential Single-Family District to "C-1 CD" Light Commercial District with a Conditional Use for Tire Repair - Auto and Small Truck (Sale and Installation Only, No Mechanical Service Permitted) on 1.852 acres out of Parcel 112, NCB 10832, 2710 Rigsby Avenue. Staff recommends approval.

Roger Jimenez, representative, stated, they are proposing a tire repair facility on the subject property. He further stated he has met with the surrounding property owners who have expressed their support.

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

Jim McNamara, representing Eastern Triangle Homeowners Association, spoke in opposition.

Michael Pogue, President of Lower Southeast Side Neighborhood Association, spoke in opposition.

Allan Boldt, spoke in opposition.

Staff stated there were 16 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and Comanche Community Neighborhood Association abstained. Staff mailed 53 notices to the Planning Team.

**COMMISSION ACTION**

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

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

**THE MOTION CARRIED**

16. **ZONING CASE NUMBER Z2012149 ERZD (Council District 10):** A request for a change in zoning from “C-1 PC-1 ERZD” Light Commercial Bulverde Road Preservation Corridor Edwards Recharge Zone District and “C-1 ERZD” Light Commercial Edwards Recharge Zone District to “R-6 PC-1 ERZD” Residential Single-Family Bulverde Road Preservation Corridor Edwards Recharge Zone District and “R-6 ERZD” Residential Single-Family Edwards Recharge Zone District on 12.7 acres out of NCB 34910, NCB 34919 and NCB 34921, and 15.301 acres out of NCB 34919 and NCB 34921 on a portion of the 21000 Block of Bulverde Road. Staff recommends denial.

Andrew Guerrero, representative, stated the purpose of this request is to allow for single family residential development on the subject property. He stated they been working closely with SAWS and City staff. He further stated they would provide a landscape buffer as well as a wall that would enclose the development.

Patricia Garza, SAWS, presented staff recommendation and recommended denial.

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

Garth Coursen, engineer of the property, stated they have conducted multiple studies and none of the studies have produced any evidence of not only endangered species but any karst invertebrates.

Staff stated there were 20 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no response from Northwood Hills Improvement Club. Staff mailed 41 notices to the Planning Team.

**COMMISSION ACTION**

A motion was made by Commissioner McFarland seconded by Commissioner C. Martinez to recommend approval with the recommendations that has been presented as to their ability to comply and that the others that were not identified that they will comply with those recommendations.

Commissioner Villarreal would like to request the motion be amended to have only 5, 6, 8, 9 & 10 as the motion.

Commissioner McFarland restated his motion to recommend approval and that the property owners follow the site recommendations by SAWS and specifically the ones that were not addressed to us by letter number 5, 6, 8, 9 & 10 of which they said they had no problem adhering to.

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

**THE MOTION CARRIED**

**17. ZONING CASE NUMBER Z2012167 S ERZD (Council District 9):** A request for a change in zoning from “C-2 CD ERZD MLOD” Commercial Edwards Recharge Zone Military Lighting Overlay District with a Conditional Use for a Theater - Indoor Permitting Over 2 Screens and/or Stages to “C-2 S ERZD MLOD” Commercial Edwards Recharge Zone Military Lighting Overlay District with a Specific Use Authorization for Tire Repair - Auto and Small Truck (Sales and Installation Only, No Mechanical Service Permitted) on 0.242 of an acre out of NCB 18218 on a portion of 2560 Marshall Road. Staff recommends approval.

James Griffin, representative, stated they are requesting this change in zoning to allow for a tire repair facility to the existing Sam’s Club. He stated they have been working closely with SAWS and working with the neighborhood association. He further stated they are still working on addressing the traffic issue the neighborhood has concern with.

Bruce Keels, SAWS, presented staff recommendation and recommended approval.

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

Michael Parker, applicant, stated they are proposing a tire facility. He stated he have been in contact with the neighborhood association who have a few concerns but do anticipate to have them addressed prior to going before City Council.

Staff stated there were 2 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor and no response from Winchester Hills Association. Staff mailed 42 notices to the Planning Team.

**COMMISSION ACTION**

A motion was made by Commissioner McFarland seconded by Commissioner Villarreal to recommend approval.

**AYES: Tiller, McFarland, Villarreal, D. Martinez, Salazar, Boyd, C. Martinez**

**NAY: Ornelas**

**THE MOTION CARRIED**

**18. ZONING CASE NUMBER Z2012219 CD (Council District 6):** A request for a change in zoning from “C-3NA MAOZ-1 AHOD” General Commercial Nonalcoholic Sales Military Airport Overlay Zone-1 Airport Hazard Overlay District to “C-2 CD MAOZ-1 AHOD” Commercial Military Airport Overlay Zone-1 Airport Hazard Overlay District with a Conditional Use for Storage - Outside (Under Roof and Screened) on Lots 20 and 21, Block 2, NCB 13953, 1819 Herbert Lane. Staff recommends approval.

Julio Rodriguez, owner, stated he is proposing outside storage of construction equipment and mobile storage sheds.

Staff stated there were 23 notices mailed out to the surrounding property owners, 0 returned in opposition and 4 returned in favor. Staff mailed 35 notices to the Planning Team.

### **COMMISSION ACTION**

A motion was made by Commissioner C. Martinez seconded by Commissioner D. Martinez to recommend a continuance until November 20, 2012.

**AYES: Tiller, McFarland, Ornelas, Villarreal, D. Martinez, Salazar, Boyd, C. Martinez**  
**NAY: None**

### **THE MOTION CARRIED**

**19. ZONING CASE NUMBER Z2013002 (Council District 3):** A request for a change in zoning from "C-2 H RIO-6 AHOD" Commercial Mission Historic River Improvement Overlay-6 Airport Hazard Overlay District and "C-2 H MC-2 RIO-6 AHOD" Commercial Mission Historic South Presa Metropolitan Corridor River Improvement Overlay Airport Hazard Overlay District to "L H RIO-6 AHOD" Light Industrial Mission Historic River Improvement Overlay-6 Airport Hazard Overlay District and "L H MC-2 RIO-6 AHOD" Light Industrial Mission Historic South Presa Metropolitan Corridor River Improvement Overlay-6 Airport Hazard Overlay District on 8.84 acres out of Tract 5B, NCB 10931 on a portion of the 7600 Block of South Presa Street. Staff recommends approval pending plan amendment.

Rob Killen, representative, stated they are requesting this change in zoning to allow for light industrial uses on the subject property. He further stated he met with representative from East Pyron Symphony Lane Neighborhood Association and South Central Alliance who have express support for the zoning request.

Staff stated there were 9 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 Boyd seconded by Commissioner Villarreal to recommend approval.

**AYES: Tiller, McFarland, Ornelas, Villarreal, D. Martinez, Salazar, Boyd, C. Martinez**  
**NAY: None**

### **THE MOTION CARRIED**

20. **ZONING CASE NUMBER Z2013003 (Council District 2):** A request for a change in zoning from “C-2 AHOD” Commercial Airport Hazard Overlay District and “I-1 AHOD” General Industrial Airport Hazard Overlay District to “IDZ AHOD” Infill Development Zone Airport Hazard Overlay District with uses permitted in “C-2” Commercial District, Multi-Family Dwellings not to exceed 76 units per acre, Bar/Tavern without cover charge 3 or more days per week, Nightclub without cover charge 3 or more days per week, Microbrewery, Hotel, and Studio-sound and recording on 0.209 of an acre out of Lots 1 & 2, Block 21, NCB 978; 0.482 of an acre out of Lots 7 and 8, and 0.12 of an acre out of Lot 9, Block 10, NCB 979, 500, 502 and 504 East Grayson Street and 1816, 1822 and 1900 North Alamo Street. Staff recommends approval.

Ashley Farrimond, representative, stated they are proposing commercial and multi-family infill development on the subject property. She further stated she would like to request a continuance until November 20, 2012 to continue to work with the neighborhood to address their concerns.

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

Bertha Moore, spoke in opposition.

Mary Jane Ortiz, spoke in opposition.

Ralph Crist, spoke in opposition.

Staff stated there were 43 notices mailed out to the surrounding property owners, 3 returned in opposition and 12 returned in favor and no responses from neither Government Hill Alliance nor Downtown Residents Neighborhood Associations. Staff mailed 10 notices to the Planning Team.

**COMMISSION ACTION**

A motion was made by Commissioner D. Martinez seconded by Commissioner Salazar to recommend a continuance until November 20, 2012.

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

**NAY: None**

**THE MOTION CARRIED**

**Commissioner C. Martine left at 4:01 pm**

21. **ZONING CASE NUMBER Z2013004 (Council District 5):** A request for a change in zoning from “HS I-2 AHOD” Historic Significant Heavy Industrial Airport Hazard Overlay District to “HS MF-33 IDZ AHOD” Historic Significant Multi-Family Infill Development Zone Airport Hazard Overlay District on Lot A1, Block 102, NCB 274 on a portion of the 1000 Block of South Frio Street. Staff recommends approval.

Mark Tolley, applicant, stated they are proposing multi-family infill development on the subject property.

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

Arturo Riojas, expressed concerns with traffic.

Staff stated there were 21 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor. Staff mailed 67 notices to the Planning Team.

**COMMISSION ACTION**

A motion was made by Commissioner Villarreal seconded by Commissioner McFarland to recommend approval.

**AYES: Tiller, McFarland, Ornelas, Villarreal, D. Martinez, Salazar, Boyd**

**NAY: None**

**THE MOTION CARRIED**

**Commissioner C. Martine left at 4:10 pm**

22. Consideration of proposed amendments to the Unified Development Code related to Sexually Oriented Businesses.

Paul Wendland, City Attorney's Office, presented Sexually Oriented Businesses amendments.

Captain Reyes, SAPD, addressed the violation issues.

**COMMISSION ACTION**

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

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

**NAY: None**

**THE MOTION CARRIED**

23. Discussion and consideration related to staff briefings on code amendments and comprehensive rezoning cases.

Micah Diaz, Senior Planner, presented item.

Chairman Tiller requested this item be placed on the November 20, 2012 Zoning Commission Agenda.

**NO ACTION TAKEN.**

24. There being no further business, the meeting was adjourned at 4:26 pm.

APPROVED:



Bill Tiller, Chair

ATTEST:



Executive Secretary