

**SAN ANTONIO ZONING COMMISSION
OFFICIAL MINUTES
November 20, 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, McFarland, Ornelas, Villarreal, D. Martinez, Salazar, McNealy,
C. Martinez

ABSENT: Boyd

3. Approval of November 6, 2012 Zoning Commission Minutes.

COMBINED HEARING:

4. **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.

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 McFarland and seconded by Commissioner Villarreal to recommend approval.

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

NAY: None

THE MOTION CARRIED

5. **ZONING CASE NUMBER Z2013001 (Council District 8):** A request for a change in zoning from “C-2 AHOD” Commercial Airport Hazard Overlay District to “MF-50 AHOD” Multi-Family Airport Hazard Overlay District on Lot 5, Block 1, NCB 17108, 5240 Medical Drive. Staff recommends approval pending plan amendment.

Staff stated there were 10 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and San Antonio Medical Foundation is in support. Staff mailed 41 notices to the Planning Team.

COMMISSION ACTION

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

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

NAY: None

THE MOTION CARRIED

6. ZONING CASE NUMBER Z2012226 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 Two Family Dwellings on 0.22 of an acre out of Block 7, NCB 2661, 503 Golondrina Avenue. Staff recommends approval.

Staff stated there were 22 notice mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor and no response from Lone Star Neighborhood Association. Staff mailed 17 notices to the Planning Team.

COMMISSION ACTION

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

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

NAY: None

THE MOTION CARRIED

7. ZONING CASE NUMBER Z2013006 (Council District 10): A request for a change in zoning from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "MF-33 AHOD" Multi-Family Airport Hazard Overlay District on 0.7 of an acre out of Block A, NCB 8695, 3030 Eisenhower Road. Staff recommends approval.

Staff stated there were 61 notices mailed out to the surrounding property owners (44 of which are for condos with a single owner), 0 returned in opposition and 0 returned in favor. Staff mailed 9 notices to the Planning Team.

COMMISSION ACTION

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

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

NAY: None

THE MOTION CARRIED

8. ZONING CASE NUMBER Z2013007 (Council District 2): A request for a change in zoning from "R-5" Residential Single-Family District to "C-1" Light Commercial District on 2.48 acres out NCB 10832, 2618 (also known as 2624) Rigsby Avenue. Staff recommends approval.

Staff stated there were 13 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor and no response from Comanche Community Neighborhood Association. Staff mailed 53 notices to the Planning Team.

COMMISSION ACTION

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

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

NAY: None

THE MOTION CARRIED

9. ZONING CASE NUMBER Z2013011 (Council District 1): A request for a change in zoning from "C-3NA RIO-2 AHOD" General Commercial Nonalcoholic Sales River Improvement Overlay-2 Airport Hazard Overlay District to "IDZ RIO-2 AHOD" Infill Development Zone River Improvement Overlay-2 Airport Hazard Overlay District with Townhomes (Attached Single-Family Residences) not to exceed 27 units per acre on 0.974 of an acre out of Lots 4, 5, 6, 7, 8 and 9, NCB 1758, 1112, 1114, and 1126 (also known as 1120) East Quincy Street. Staff recommends approval.

Staff stated there were 26 notices mailed out to the surrounding property owners, 0 returned in opposition and 4 returned in favor and Tobin Hill Community Association is in favor. Staff mailed 13 notices to the Planning Team.

COMMISSION ACTION

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

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

NAY: None

THE MOTION CARRIED

10. **ZONING CASE NUMBER Z2013013 (Council District 6):** A request for a change in zoning from "C-2NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on Lot 3, Block 22, NCB 19300, 9827 Potranco Road. Staff recommends approval.

Staff stated there were 8 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor. Staff mailed 35 notices to the Planning Team.

COMMISSION ACTION

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

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

NAY: None

THE MOTION CARRIED

11. **ZONING CASE NUMBER Z2013014 (Council District 2):** A request for a change in zoning from "C-2 AHOD" Commercial Airport Hazard Overlay District to "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District on 22.91 acres out of NCB 15826 and NCB 17738 on a portion of the 5300 and 5400 Blocks of Eisenhower Road. Staff recommends approval.

Staff stated there were 19 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor no responses from neither East Camelot 1 nor East Village Neighborhood Associations.

COMMISSION ACTION

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

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

NAY: None

THE MOTION CARRIED

12. ZONING CASE NUMBER Z2013015 (Council District 2): A request for a change in zoning from "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District to "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District on Lot 164, Block 4, NCB 15731, 221 Dinn Drive. Staff recommends approval.

Staff stated there were 20 notices mailed out to the surrounding property owners, 0 returned in opposition outside and 0 returned in favor.

COMMISSION ACTION

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

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

NAY: None

THE MOTION CARRIED

13. ZONING CASE NUMBER Z2013016 (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 Lot 27, NCB 9472, 414 Southwest Military Drive. Staff recommends approval.

Staff stated there were 7 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and no response from Harlandale Park Neighborhood Association. Staff mailed 14 notices to the Planning Team.

COMMISSION ACTION

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

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

NAY: None

THE MOTION CARRIED

INDIVIDUAL CONSIDERATION:

14. **ZONING CASE NUMBER Z2012183 (Council District 1):** A request for a change in zoning from "H MF-33 AHOD" Multi-Family Olmos Park Terrace Historic Airport Hazard Overlay District to "H NC AHOD" Neighborhood Commercial Olmos Park Terrace Historic Airport Hazard Overlay District on Lots 105, 106 and the east 20.5 feet of Lot 107, Block 2, NCB 9004, 297 Lovera Boulevard. Staff recommends approval.

Billy Lambert, representative, stated since the October 16th Zoning Commission Meeting, they have met with City Historic staff and Robby Vasquez and agreed that this case be presented to Historic Commission. They presented their case to Historic Commission and received approval with stipulations.

The following citizen(s) appeared to speak:

Roberto Vasquez, President of Olmos Park Neighborhood Association, spoke in opposition. He stated they were not aware this case was presented to Historic Commission as the neighborhood association was not notified of the public hearing. He further stated he does not feel the applicant is doing their due diligence as he had started the renovation process on a historic structure without permits.

Betty Eckhart, Co-Chair of Neighborhood Planning Team, stated they are in opposition as they have not been in contact with the applicant. She expressed concerns with increase in traffic.

David Royalty, owner, stated they have made numerous attempts to reach out to the community and unfortunately they received no response. He stated they set up a meeting and invited Commissioner Ornelas to present their proposal and address any concerns they had and again did not receive any responses. He further stated they took it a step further and walked the neighborhood door to door distributing flyers and still did not received any responses.

Staff stated there were 29 notices mailed out to the surrounding property owners, 2 returned in opposition and 0 returned in favor and Northmoor Neighborhood Association is not in opposition and no response from Olmos Park Neighborhood Association. Staff mailed 46 notices to the Planning Team.

COMMISSION ACTION

A motion for denial was made by Commissioner Ornelas.

MOTION FAILED DUE TO LACK OF SECOND**COMMISSION ACTION**

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

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

THE MOTION CARRIED

15. **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.

Rob Killen, representative, stated the purpose of this zoning request is to allow for commercial and multi family development. He stated they will be meeting with the neighborhood to address a few issues they may have.

The following citizen(s) appeared to speak:

Mary Jane Ortiz, spoke in opposition for the bar/tavern. She stated she did collect a petition from the surrounding property owners expressing opposition.

Bertha Moore, 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 Government Hill Alliance Neighborhood Association is in opposition. Staff mailed 10 notices to the Planning Team.

COMMISSION ACTION

A motion was made by Commissioner D. Martinez seconded by Commissioner Villarreal to recommend a continuance until December 4, 2012.

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

NAY: None

THE MOTION CARRIED

16. **ZONING CASE NUMBER Z2012178 (Council District 2):** A request for a change in zoning from “C-3 AHOD” General Commercial Airport Hazard Overlay District and “I-1 AHOD” General Industrial Airport Hazard Overlay District to “I-1 AHOD” General Industrial Airport Hazard Overlay District on Parcel 19A, NCB 17981; Lot 3, Block 2, NCB 17981; and 1.181 acres out of Parcels 20 and 21A, NCB 17981, 5819, 5825 and 5829 East IH 10. Staff recommends approval.

Andy Guerrero, representative, stated the purpose of this request is to allow for truck and trailer repair and maintenance on the subject property. He stated the proposed use is consistent with the neighborhood plan.

The following citizen(s) appeared to speak:

Sylvia Alaniz, President of Eastgate Neighborhood Association, stated they are in opposition of the proposed zoning request.

Staff stated there were 8 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and Eastgate Neighborhood Association is in opposition. Staff mailed 29 notices to the Planning Team.

COMMISSION ACTION

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

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

NAY: None

THE MOTION CARRIED

17. **ZONING CASE NUMBER Z2013005 (Council District 2):** A request for a change in zoning from “I-1 RIO-2 AHOD” General Industrial River Improvement Overlay-2 Airport Hazard Overlay District to “IDZ RIO-2 AHOD” Infill Development Zone River Improvement Overlay-2 Airport Hazard Overlay District with uses permitted in “C-2” Commercial District and a Bar/Tavern without cover charge 3 or more days per week on Lots 6, 7, 8 and 9, Block 18, NCB 964, 1603 and 1611 Broadway. Staff recommends approval.

Mark Tolley, representative, stated the applicant is proposing to utilize the subject property for commercial development. He stated they have met with Tobin Hill Community Association and the Council office and presented a preliminary plan.

The following citizen(s) appeared to speak:

Bill Shown, spoke in opposition. He expressed concerns with the proposed development not providing parking which he feels would negatively affect the immediate business neighbors. He stated he has met with Mr. Tolley and discussed the parking issue however this issue was not resolved.

Frank Burney, spoke in opposition. He also would like to express concerns with the parking issue.

Staff stated there were 24 notices mailed out to the surrounding property owners, 1 returned in opposition and 0 returned in favor and no responses from neither Downtown Residents Association nor Government Hill Alliance. Staff mailed 13 notices to the Planning Team.

COMMISSION ACTION

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

AYES: Villarreal, D. Martinez, C. Martinez

NAY: Tiller, McFarland, Ornelas, Salazar, McNealy

THE MOTION FAILED

2ND Motion

COMMISSION ACTION

A motion was made by Commissioner D. Martinez seconded by Commissioner C. Martinez to recommend a continuance until December 18, 2012.

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

NAY: None

THE MOTION CARRIED

18. **ZONING CASE NUMBER Z2013008 S (Council District 5):** A request for a change in zoning from "HE H D AHOD" Historic Exceptional Downtown Cattleman Square Historic Airport Hazard Overlay District to "HE H C-2 S IDZ AHOD" Historic Exceptional Commercial Cattleman Square Historic Infill Development Zone Airport Hazard Overlay District with a Specific Use Authorization for a Bail Bond Agency on 0.309 of an acre out of NCB 284, 820, 824, 828, and 830 West Commerce Street. Staff recommends approval.

Jerry Arredondo, representative, stated he would like to request a continuance until January 15, 2013 so they may met with representative from UTSA.

Staff stated there were 17 notices mailed out to the surrounding property owners, 3 returned in opposition and 0 returned in favor. Staff mailed 67 notices to the Planning Team.

COMMISSION ACTION

A motion was made by Commissioner C. Martinez seconded by Commissioner Villarreal to recommend a continuance until January 15, 2013.

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

NAY: None

THE MOTION CARRIED

19. **ZONING CASE NUMBER Z2013009 (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 48, NCB 8644, 11210, 11214, and 11216 Disco. Staff recommends approval.

Susie Wallis, representative, stated the purpose of this request is to allow for an art studio on the subject property. She stated she is agreeable to "C-3NA".

The following citizen(s) appeared to speak:

Brad Jones, adjacent property owner, stated he would support a "C-3NA".

Staff stated there were 11 notices mailed out to the surrounding property owners, 2 returned in opposition and 0 returned in favor.

COMMISSION ACTION

A motion was made by Commissioner McNealy seconded by Commissioner C. Martinez to recommend approval of "C-3NA".

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

NAY: None

THE MOTION CARRIED

20. **ZONING CASE NUMBER Z2013010 (Council District 8):** A request for a change in zoning from "C-2NA" Commercial Nonalcoholic Sales District to "C-2" Commercial District on Lot 13, Block 1, NCB 14281, 9102 Wurzbach Road. Staff recommends approval.

Christopher Spence, owner, stated he is requesting this change in zoning to allow for a restaurant with alcohol sales. He stated he has been in contact with the president of the homeowners association who stated he does not support the sales of alcohol.

The following citizen(s) appeared to speak:

Paul Manna, spoke in opposition.

Jacob Schatky, spoke in opposition.

Staff stated there were 14 notices mailed out to the surrounding property owners, 2 returned in opposition and 0 returned in favor and Laurel Hills Neighborhood Association is in opposition. Staff mailed 41 notices to the Planning Team. Staff also received 23 notices in opposition outside the 200 foot radius.

COMMISSION ACTION

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

AYES: Tiller, McFarland, Ornelas, Villarreal, D. Martinez, Salazar, McNealy

NAY: C. Martinez

THE MOTION CARRIED

21. **ZONING CASE NUMBER Z2013012 (Council District 2):** A request of City of San Antonio, Planning and Community Development (John Osten), Applicant, for Multiple Owners, Owner(s), for a change in zoning from multiple zoning designations to multiple zoning designations on multiple legal descriptions. Properties generally bound by North Cherry, Dawson Street, North Palmetto, and Sherman Street. Staff recommends approval.

John Osten, Planning and Community Development Department, presented item and recommended approval.

The following citizen(s) appeared to speak:

Mary Ellen Hardee, spoke in opposition.

Valerie Cortez, stated she spoke in opposition at the Planning Commission however she would like clarification. She stated there was some discussion on possibly removing parcels from this proposed rezoning.

Evelyn Brown, spoke in opposition.

Nettie Hinton, stated she has been informed that her property was going from residential to commercial. She has submitted a letter to Mr. Osten requesting this change not occur. She requests that her property remain residential however she has not received confirmation that the City would grant her request.

Tedora Varela, spoke in opposition.

Staff stated there were 805 notices were mailed out to property owners, 166 of them are located with in the 200 foot radius and 639 are the property owners of the subject area. There was no response received from Dignowity Hill Neighborhood Association. Staff mailed 23 notices to the Planning Team.

COMMISSION ACTION

A motion was made by Commissioner D. Martinez seconded by Commissioner C. Martinez to recommend approval exempting 17 parcels that were approved by Planning Commission.

Susan Guinn, Legal, stated motion needs to specifically identify address of the 17 parcels.

Commission D. Martinez restated his motion.

Commission D. Martinez motioned for approval of the mass rezoning to save and exempt the following properties:

1. 916 N. Hackberry Street
2. 430 Lamar Street
3. 424 Lamar Street
4. 508 Lamar Street
5. 502 Lamar Street
6. 504 Lamar Street
7. 506 Lamar Street
8. 1003 N. Hackberry Street
9. 509 Lamar Street
10. 1007 N. Hackberry Street
11. 1010 N. Hackberry Street
12. 1011 N. Hackberry Street
13. 511 Lamar Street
14. 513 Lamar Street
15. 1012 N. Hackberry Street
16. 1017 N. Hackberry Street
17. 1021 N. Hackberry Street

And Commissioner D. Martinez would like 1102 N. Hackberry Street be added to the list.

Commissioner C. Martinez seconded the motion.

AYES: Salazar, McFarland, D. Martinez, C. Martinez

NAY: Tiller, Ornelas, Villarreal, McNealy

THE MOTION FAILED

2ND MOTION

COMMISSION ACTION

A motion was made by Commissioner C. Martinez seconded by Commissioner McFarland to recommend a continuance until December 4, 2012.

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

NAY: None

THE MOTION CARRIED

Commissioner Martinez left at 4:00 pm

22. Public hearing and consideration of amendments to the Unified Development Code related to the historic district creation process.

Elizabeth Porter, Historic Preservation Office, presented item and recommended approval.

COMMISSION ACTION

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

AYES: Tiller, McFarland, Ornelas, Villarreal D. Martinez, Salazar, McNealy

NAY: None

THE MOTION CARRIED

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

COMMISSION ACTION

A motion was made by Commissioner McNealy seconded by Commissioner D. Martinez to recommend that briefings occur during the Work Session a meeting prior to the actually consideration hearing date.

All voted in affirmative.

THE MOTION CARRIED

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

APPROVED:

A handwritten signature in blue ink, appearing to read "Bill Tiller", written in a cursive style.

Bill Tiller, Chair

ATTEST:

A handwritten signature in blue ink, consisting of stylized initials, likely "JPD", written in a cursive style.

Executive Secretary