

**SAN ANTONIO ZONING COMMISSION
OFFICIAL MINUTES
October 16, 2007**

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.
2. Roll Call.

PRESENT: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Wright, R. Valadez, Gray

ABSENT: Martinez

DISTRICT 4: Vacant

3. Director's Report.
4. Approval of October 2, 2007 Minutes.

1:00 PM – Public Hearing

Commissioner Westheimer stated as per Council's request Zoning Case Z2007303 will be continued therefore he would like to request this case be moved to the top of the agenda.

5. ZONING CASE NUMBER Z2007303 H (Council District 1): The request of City of San Antonio, Planning Department, Historic Preservation Officer, Applicant, for Multiple Owners, Owner(s), for a change in zoning from "R-6" Residential Single-Family District, "MF-33" Multi-Family District, "RM-4" Residential Mixed District, "C-3" General Commercial District, "IDZ" Infill Development Zone, "R-6" (CD-Duplex) Residential Single-Family District with a Conditional Use for a Duplex, "C-2NA" Commercial, Nonalcoholic Sales District, "C-3NA" Commercial District, Nonalcoholic Sales, "R-6" "HS" Residential Single-Family Historic Significance District, "RM-4" "HS" Residential Mixed Historic Significance District, "O-2" Office District, "MF-33" "HS" Multi-Family Historic Significance District, "C-3R" Commercial District, Restrictive Alcoholic Sales to "R-6" "H" Residential Single-Family Historic District, "MF-33" "H" Multi-Family Historic District, "RM-4" "H" Residential Mixed Historic District, "C-3" General Commercial Historic District, "IDZ" "H" Infill Development Zone Historic District, "R-6" "H" (CD-Duplex) Residential Single-Family Historic District with a Conditional use for a Duplex, "C-2NA" "H" Commercial, Nonalcoholic Sales Historic District, "C-3NA" "H" Commercial District, Nonalcoholic Sales Historic District, "R-6" "HS" "H" Residential Single Family Historic Significance Historic District, "RM-4" "HS" "H" Residential Single-Family Historic District, "O-2" "H" Office Historic District, "MF-33" "HS" "H" Multi-Family Historic Significance Historic District, "C-3R" "H" Commercial District, Restrictive Alcoholic Sales Historic District on multiple lots within Block 7, NCB 2998; Block 2, NCB 2965; Block 6, NCB 2996; Block 1, 2999; Block 3, NCB 2964; Block 13, NCB 1734; Block 4, NCB 1731; Block 5, NCB 1732; Block 5, NCB 2995; Block 14, NCB 1735; Block 9, NCB 1733; Block 4, NCB 2997; Block 3, NCB 396; Block 3, NCB 1754; Block 4, NCB 1753; Block 15, NCB 1742; Block 6, NCB 1751; Block 32, NCB 386; Block 31, NCB 387; Block 5, NCB 1752; Block 6,

NCB 1751; Block 10, NCB 1750; Block 16, NCB 1743; Block 28, NCB 397; Block 7, NCB 1740; Block 12, NCB 1744; Block 27, NCB 399; Block 1, NCB 1746; Block 11, NCB 1741; Block 2, NCB 1739; Block 6, NCB 1737; Block 3, NCB 1738; Block 10, NCB 1736; Block 8, NCB 1745; Block 30, NCB 392; Block 11, NCB 1749; Block 13, NCB 1717, 311 through 529 East Courtland Place; 304 through 536 East Courtland Place; 502 Gillespie; 305 through 609 East Dewey Place; 310 through 601 East Dewey Place; 2323 North St. Mary's Street; 519 through 520 Paschal; 500 and 502 Kendall Street; 2209 through 2213 North St. Mary's Street; 609, 613 and 615 North St. Mary's Street. 313 through 615 East Locust; 310 through 624 East Locust; 510 Paschal; 423 and 509 Gillespie; 515 and 523 Kendall Street; 2203 North St. Mary's Street; 417 through 425 Paschal; 416 Paschal; 415 through 420 Gillespie; 416 and 418 Kendall Street; 2121 North St. Mary's Street; 317 through 631 East Myrtle; 306 through 632 East myrtle; 410 Paschal; 403 through 409 Gillespie; 401 through 409 Kendall Street; 111 through 645 East Park Avenue; 202 through 638 East park Avenue; 1516 through 1528 North Main Avenue; 1602 through 1608 North Main Avenue; 515 through 527 Ogden Street; 520 Ogden Street; 1515 through 1525 McCullough Avenue; 1524 and 1606 McCullough Avenue; 215 through 219 Paschal; 222 Gillespie and 1935 North St. Mary's Street. Staff recommends approval.

City staff represented this case.

Staff stated there were 407 notices mailed out to the surrounding property owners, 32 returned in opposition and 62 returned in favor and no response from Tobin Hill Neighborhood Association.

The following citizen(s) appeared to speak:

Jack Ferguson, stated he would like his properties be excluded from the rezoning project.

COMMISSION ACTION

The motion was made by Commissioner Westheimer and seconded by Commissioner R. Valadez to recommend a continuance until November 6, 2007.

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Wright, R. Valadez, Gray

NAY: None

THE MOTION CARRIED

Commissioner Hawkins arrived at 1:13 pm

CONSENT ZONING

Commissioner Gadberry made a motion to approve the following rezoning cases being that staff recommendations were for approval. Additionally, no citizens had signed to speak on said cases: item 15, 17, 18, 19 and 20. The motion was seconded by Commissioner Hawkins.

6. **ZONING CASE NUMBER Z2007301 (Council District 1):** The request of Mark J. Cervantez c/o MBC Engineers, Applicant, for David W. Monnich, Owner(s), for a change in zoning from "I-1" General Industrial District and "I-2" Heavy Industrial District to "IDZ" Infill Development District with uses permitted in "O-1" Office District, "C-2" Commercial District and "MF-33" Multi-Family District on 1.067 acres out of NCB A-63, 1319 South Flores Street, 1920 South Alamo Street and 1962 South Alamo Street South Alamo Street. Staff recommends approval.

This case was approved by consent.

Staff stated there were 22 notices mailed out to the surrounding property owners, 0 returned in opposition and 6 returned in favor and no response from King William Neighborhood Association.

COMMISSION ACTION

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

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Wright, R. Valadez, Gray

NAY: None

THE MOTION CARRIED

7. **ZONING CASE NUMBER Z2007293 (Council District 4):** The request of Brown, P. C., Applicant, for Lackland 14, LLC Attn: RTW Land Holdings, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-3" General Commercial District on 14.11 acres out of NCB 15139, 4715 Southwest Loop 410. Staff recommends approval.

This case was approved by consent.

Staff stated there were 22 notices mailed out to the surrounding property owners, 1 returned in opposition and 3 returned in favor and Valley Hi North Neighborhood Association is in favor.

COMMISSION ACTION

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

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Wright, R. Valadez, Gray

NAY: None

THE MOTION CARRIED

8. **ZONING CASE NUMBER Z2007298 (Council District 6):** The request of Southwest Winners Foundation, Inc., Applicant, for State of Texas for the Use and Benefit of the Permanent School Fund, Owner(s), for a change in zoning from "I-1" General Industrial District to "C-3" General Commercial District on 2.491 acres out of NCB 16115, 6000 Block of Culebra Road. Staff recommends approval.

This case was approved by consent.

Staff stated there were 9 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 Gadberry and seconded by Commissioner Hawkins to recommend approval.

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Wright, R. Valadez, Gray

NAY: None

THE MOTION CARRIED

9. **ZONING CASE NUMBER Z2007302 (Council District 9):** The request of Hendry Investments, Inc., Applicant, for Esplande Offices, Ltd. / Elsie Schneider, Norbert Schneider, Doris Muenchow, Carolyn Steinmetz, Owner(s), for a change in zoning from "C-2NA" Commercial, Nonalcoholic Sales District, "O-2" Office District and "R-4" Residential Single Family District to "C-2NA" Commercial, Nonalcoholic Sales District on Lots 6, 7, 8, 9, 10, 11 and 12 (3.636 acres) Block 5, NCB 11969, 300 East Ramsey (9518 McCullough) and 318 East Ramsey. Staff recommends approval.

This case was approved by consent.

The following citizen(s) appeared to speak:

Albert Scooler, spoke in favor.

Staff stated there were 31 notices mailed out to the surrounding property owners, 0 returned in opposition and 7 returned in favor and no response from Crownhill Park Neighborhood Association.

COMMISSION ACTION

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

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Wright, R. Valadez, Gray

NAY: None

THE MOTION CARRIED

10. ZONING CASE NUMBER Z2007304 (Council District 8): The request of Dan E. Snell, Applicant, for Dan E. Snell, Owner(s), for a change in zoning from "O-1" GC-1 Office Hill Country Gateway Corridor Overlay District to "C-2" GC-1 Commercial Hill Country Gateway Corridor Overlay District on 1.357 acres out of NCB 18337, 21000 Block of Interstate Highway 10 West. Staff recommends approval.

This case was approved by consent.

Staff stated there were 8 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor and no response from Friends of Friedrich Wilderness Park.

COMMISSION ACTION

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

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Wright, R. Valadez, Gray

NAY: None

THE MOTION CARRIED

Chairman Sherrill stated Zoning Case Z2007197 has been postponed as per the applicant's request.

INDIVIDUAL CONSIDERATION

11. ZONING CASE NUMBER Z2007264 ERZD (Council District 9): The request of Kaufman and Associates, Inc., Applicant, for DDR DB Stone Oak LP, Owner(s), for a change in zoning from "C-3R" ERZD General Commercial Restrictive Alcoholic Sales Edwards Recharge Zone District to "C-3" ERZD General Commercial Edwards Recharge Zone District on 22.238 acres out of Lot 2 and 3, Block 30, NCB 18217, 22000 Block of US Highway 281 North. Staff recommends approval.

Lucy Peveto, representative, stated they are proposing a restaurant with the sales of alcohol.

Staff stated there were 29 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 Wright and seconded by Commissioner Robbins to recommend approval with SAWS recommendations.

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Wright, R. Valadez, Gray

NAY: None

THE MOTION CARRIED

12. ZONING CASE NUMBER Z2007287 ERZD (Council District 9): The request of Brown, PC, Applicant, for Diamond T Ranch Development, Inc., Owner(s), for a change in zoning from PUD "R-6" ERZD Planned Unit Development Residential Single Family Edwards Recharge Zone District to "C-2" ERZD Commercial Edwards Recharge Zone District on 3.43 acres out of NCB 19218, 20395 Stone Oak Parkway. Staff recommends approval.

Ken Brown, representative, they are proposing commercial development

The following citizen(s) appeared to speak:

Elyzabeth Earnley, spoke in opposition.

Staff stated there were 23 notices mailed out to the surrounding property owners, 1 returned in opposition and 3 returned in favor and Stone Oak Property Owner's Association is in favor.

COMMISSION ACTION

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

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Wright, R. Valadez, Gray

NAY: None

THE MOTION CARRIED

13. ZONING CASE NUMBER Z2007292 S ERZD (Council District 9): The request of Brown, PC, Applicant, for San Antonio SMSA, LP, Owner(s), for a change in zoning from PUD "R-6" ERZD Planned Unit Development Residential Single Family Edwards Recharge Zone District and "C-1" ERZD Light Commercial Edwards Recharge Zone District to "R-6" S ERZD Residential Single Family Edwards Recharge Zone District with a Specific Use Permit for a Wireless Communications System and "C-1" S ERZD Light Commercial Edwards Recharge Zone District with a Specific Use Permit for a Wireless Communications System on Lot 1, Block 16, NCB 19214 and Lot 36, Lot 37, and Lot 38, Block 1, NCB 16330, 18610 Blanco Road and 18730 Calle Cierra. Staff recommends approval.

Ken Brown, representative, proposing to extend existing communication tower.

The following citizen(s) appeared to speak:

Chester Drash, spoke in opposition.

Staff stated there were 39 notices mailed out to the surrounding property owners, 6 returned in opposition and 1 returned in favor and Sonterra-Stone Oak Neighborhood Association is in favor.

COMMISSION ACTION

The motion was made by Commissioner Wright and seconded by Commissioner Gray to recommend approval with a condition that the site plan be amended to reflect the existing communication tower.

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Wright, R. Valadez, Gray

NAY: None

THE MOTION CARRIED

14. **ZONING CASE NUMBER Z2007185 (Council District 3):** The request of Ramiro Valadez, Applicant, for Ramiro Valadez, Owner(s), for a change in zoning from "R-4" Single Family Residential District to "C-3NA" General Commercial Nonalcoholic Sales District on 4.0 acres out of NCB 11156, 12000 Block of Southeast Loop 410. Staff recommends denial.

Geraldo Menchaca, representative, stated they are proposing a commercial project.

Staff stated there were 19 notices mailed out to the surrounding property owners, 1 returned in opposition and 1 returned in favor and no response from Kingsborough Neighborhood Association.

COMMISSION ACTION

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

AYES: Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Gray

NAY: Sherrill, Wright

RECUSED: R. Valadez

THE MOTION CARRIED

15. **ZONING CASE NUMBER Z2007289 (Council District 1):** The request of Robert & Maureen Shearer, Applicant, for Robert & Maureen Shearer, Owner(s), for a change in zoning from "MF-33" H Multi-Family Historic District to "C-2" H Commercial Historic District on Lot 1, Block 2, NCB 3086, 2716, 2718 and 2720 McCullough Avenue. Staff recommends approval.

Bob Shearer, owner, stated he would like to amend his request to "NC" H. He stated this request is to allow for a coffee shop/café'.

The following citizen(s) appeared to speak:

Thomas Hardin, spoke in support.

Majid Dost, spoke in opposition.

Elizabeth Arno, spoke in opposition.

Staff stated there were 32 notices mailed out to the surrounding property owners, 10 returned in opposition and 2 returned in favor and Tobin Hill Residents Association is in favor. Staff received no response from Monte Vista Historical or Tobin Hill Neighborhood Association.

COMMISSION ACTION

Commission Westheimer stated Monte Vista Neighborhood Association contacted him and expressed their full support of "NC" H as requested by the applicant.

The motion was made by Commissioner Westheimer and seconded by Commissioner Hawkins to recommend approval of "NC" H.

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Wright, R. Valadez, Gray

NAYS: None

THE MOTION CARRIED

16. **ZONING CASE NUMBER Z2007299 (Council District 2):** The request of Cooper Boddy, Applicant, for Edgar K. and Maxine M. Markwardt, Owner(s), for a change in zoning from "C-2" Commercial District to PUD "R-6" Planned Unit Development Residential Single-Family District on 4.281 acres out of NCB 8694, 6400 Block of North Vandiver Road. Staff recommends approval.

Cooper Boddy, applicant, proposing to develop a residential Planned Unit Development.

The following citizen(s) appeared to speak:

John Valentine, spoke in opposition.

Edward Gutierrez, spoke in opposition.

Beverly Monestier, spoke in opposition.

J. A. Knight, spoke in opposition.

Tammy Arguijo, spoke in opposition.

Staff stated there were 33 notices mailed out to the surrounding property owners, 2 returned in opposition and 7 returned in favor and no response from Wilshire Neighborhood Association. Staff mailed 60 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Hawkins and seconded by Commissioner Robbins to recommend a continuance until November 6, 2007.

AYES: Sherrill, Robbins, Hawkins

NAYS: J. Valadez, Westheimer, Gadberry, Wright, R. Valadez, Gray

THE MOTION FAILED

FINDING OF CONSISTENCY OF THE MASTER PLAN

COMMISSION ACTION

The motion was made by Commissioner Wright and seconded by Commissioner Gadberry to find consistency with the neighborhood plan.

(A verbal vote was taken)

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Wright, R. Valadez, Gray

NAYS: Hawkins

THE MOTION CARRIED

COMMISSION ACTION

The motion was made by Commissioner Wright and seconded by Commissioner Westheimer to recommend approval in that the applicant meets with the neighborhood between now and the time this case is presented before City Council.

AYES: Sherrill, J. Valadez, Westheimer, Gadberry, Wright, R. Valadez, Gray
NAYS: Hawkins
ABSTAIN: Robbins

THE MOTION CARRIED

17. ZONING CASE NUMBER Z2007300 (Council District 6): The request of Chuck Christian, Applicant, for Tom and Glenda S. Cano, Owner(s), for a change in zoning from "C-2" Commercial District to "C-3" General Commercial District on 1.882 acres out of NCB 18859, 5900 Block of Village Park. Staff recommends denial as requested and approval of "C-2" (CD – Athletic Fields-Commercial).

Applicant/Representative not present.

Staff stated there were 41 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no response from Great Northwest Community Improvement Association. Staff mailed out 31 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Gray and seconded by Commissioner Robbins to recommend a continuance until November 6, 2007.

AYES: Sherrill, Robbins, J. Valadez, Gadberry, Wright, R. Valadez, Gray
NAYS: None

THE MOTION CARRIED

18. ZONING CASE NUMBER Z2007308 CD (Council District 1): The request of Rodrigo and Roxanni Gonzalez, Applicant, for Rodrigo and Roxanni Gonzalez, Owner(s), for a change in zoning from "R-4" Residential Single Family District to "R-4" (CD-Multi Family Dwellings) Residential Single Family District with a Conditional Use for Multi Family Dwellings not exceeding 11 units per acre or a total of 2 units on Lot 37, Block 14, NCB 9217, 862 Clower Street. Staff recommends approval pending plan amendment.

Rodrigo Gonzalez, owner, stated they are proposing a duplex.

Staff stated there were 35 notices mailed out to the surrounding property owners, 3 returned in opposition and 2 returned in favor and no response from Edison Neighborhood Association.

FINDING OF CONSISTENCY OF THE MASTER PLAN

COMMISSION ACTION

The motion was made by Commissioner Westheimer and seconded by Commissioner Wright to find consistency with the neighborhood plan.

(A verbal vote was taken)

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Wright, R. Valadez, Gray
NAYS: None

THE MOTION CARRIED

COMMISSION ACTION

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

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Wright, R. Valadez, Gray
NAYS: None

THE MOTION CARRIED

19. ZONING CASE NUMBER Z2007305 (Council District 6): The request of Robert Cortez, Sr., Applicant, for Cortez Properties, LLC, Owner(s), for a change in zoning from "R-6" Residential Single Family District to "C-2NA" Commercial, Nonalcoholic Sales District on Lot 1, Block 6, NCB 8989, 530 S. W. 38th Street.

Applicant/Representative not present.

Commissioner Gray stated the applicant contacted him and requested a continuance. He stated Mr. Cortez's intent is to operate a bakery on the subject property.

The following citizen(s) appeared to speak:

Mary Helen Pena, stated she is not in support or opposition because she is unsure as to what this request is about.

George Pena, stated he is in support.

Staff stated there were 42 notices mailed out to the surrounding property owners, 3 returned in opposition and 1 returned in favor and no response from Community Workers Council or Los Jardines Neighborhood Association.

COMMISSION ACTION

The motion was made by Commissioner Gray and seconded by Commissioner Robbins to recommend a continuance until November 6, 2007.

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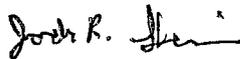
AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Wright, R. Valadez, Gray
NAYS: None

THE MOTION CARRIED

20. ADJOURNMENT.

There being no further business, the meeting was adjourned at 3:02 p.m.

APPROVED:



Jody R. Sherrill, Chair

ATTEST:



Executive Secretary