

**SAN ANTONIO ZONING COMMISSION
OFFICIAL MINUTES
October 7, 2008**

1. The Zoning Commission of the City of San Antonio met in the 1st Floor, Board Road of the Cliff Morton Development and Business Services Center at 1901 S. Alamo.
2. Roll Call.

PRESENT: Sherrill, McFarland, J. Valadez, Westheimer, Gadberry, Hawkins, Myers, Wright, Martinez, R. Valadez, Gray

ABSENT: None

3. Director's Report.
4. Approval of September 16, 2008 Minutes.

1:00 PM – Public Hearing

COMBINED HEARING:

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 17, 18 and 22. The motion was seconded by Commissioner Myers.

5. **ZONING CASE NUMBER Z2008265 (Council District 9):** A request for a change in zoning from "R-4" Residential Single Family District to "C-2NA" Commercial Nonalcoholic Sales District on Lot 18, Block 5, NCB 11969, 418 East Ramsey Road. Staff recommends approval.

Staff stated there were 17 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor and no response from Crownhill Park Neighborhood Association.

COMMISSION ACTION

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

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

NAY: None

THE MOTION CARRIED

6. ZONING CASE NUMBER Z2008267 (Council District 2): A request for a change in zoning from "R-6" Residential Single Family District to "C-3" General Commercial District on Lots 71, 72, 73 and 74, Block 3, NCB 15730, IH 35 North and Dinn Road. Staff recommends approval.

Staff stated there were 18 notices mailed out to the surrounding property owners, 0 returned in opposition and 4 returned in favor and no response from Park Village Neighborhood Association.

COMMISSION ACTION

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

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

NAY: None

THE MOTION CARRIED

7. ZONING CASE NUMBER Z2008272 CD (Council District 7): A request for a change in zoning from "C-2NA" Commercial, Nonalcoholic Sales District to "C-3NA CD" General Commercial, Nonalcoholic Sales District with a Conditional Use for Vehicle Storage on 7.003 acres out of NCB 14880, and approximate 6000 Block of Zangs Drive. Staff recommends approval with conditions.

1. A 100-foot natural landscape buffer shall be maintained along the property line that abuts residential uses;
2. A 150-foot building setback shall be maintained along the property line that abuts residential uses;
3. Commercial access to the subject property shall be limited to Zangs Drive. No commercial access shall be allowed via Birch Bark.
4. All on-site lighting shall be directed onto the site and point away from any residential zoning or uses using 90 degree or less cut-off fixtures.

Andy Guerrero, representative stated he is in agreement with staff's conditions. He stated they are also in agreement with the condition requested by the neighborhood association however they would like to place the security fence along the northern end of the tree line buffer area adjacent to the residential area.

Staff stated there were 23 notices mailed out to the surrounding property owners, 1 returned in opposition and 0 returned in favor and Thunderbird Hills Neighborhood Association is in favor of the zoning request with the conditions as stated by staff with an additional condition for a security fence for the property line that abuts residential zoning.

COMMISSION ACTION

The motion was made by Commissioner Gadberry and seconded by Commissioner Myers to recommend approval with the following conditions:

1. A 100-foot natural landscape buffer shall be maintained along the property line that abuts residential uses;
2. A 150-foot building setback shall be maintained along the property line that abuts residential uses;
3. Commercial access to the subject property shall be limited to Zangs Drive. No commercial access shall be allowed via Birch Bark.
4. All on-site lighting shall be directed onto the site and point away from any residential zoning or uses using 90 degree or less cut-off fixtures.
5. Security fence to be imposed adjacent to the northern line of the tree buffer area.

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

NAY: None

THE MOTION CARRIED

INDIVIDUAL CONSIDERATION:

8. 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 he would like to request a continuance to meet with the Councilwoman and the neighborhood association.

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 R. Valadez and seconded by Commissioner Wright to recommend a continuance until October 21, 2008.

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

NAY: None

THE MOTION CARRIED

9. **ZONING CASE NUMBER Z2008229 (Council District 4):** A request for a change in zoning from "MI-1" Mixed Light Industrial District to "HE MI-1" Historic Exceptional, Mixed Light Industrial District on 0.1435 acres out of CB 4297, at the northeast corner of the State Highway 16 South and Lone Star Pass intersection. Staff recommends approval.

Kay Hindes, Historic Preservation Office, presented item.

The following citizen(s) appeared to speak:

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

Arthur Uhl, Attorney for Mitchell Family, stated he has been and is still working with City Staff regarding this zoning case therefore he would like to request a continuance.

Staff stated there were 20 notices mailed out to the surrounding property owners, 1 returned in opposition and 0 returned in favor. Staff mailed 80 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Myers and seconded by Commissioner Martinez to recommend a continuance until October 21, 2008.

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

NAY: None

THE MOTION CARRIED

10. **ZONING CASE NUMBER Z2008180 (Council District 8):** A request for a change in zoning from "C-3" General Commercial District to "MF-33" Multi-Family District on A 12.114 acre tract of land out of Lot 5, Block 1, NCB 14858, 302.47 feet north of Presidio Parkway and 416.15 feet west of Vance Jackson Road. Staff recommends approval.

Lucy Peveto, representative, stated she would like to request a two-week continuance to meet with the surrounding neighbors.

Staff stated there were 5 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor.

COMMISSION ACTION

The motion was made by Commissioner R. Valadez and seconded by Commissioner Wright to recommend a continuance until October 21, 2008.

AYES: Sherrill, J. Valadez, Westheimer, Gadberry, Myers, Wright, Martinez, R. Valadez, Gray
NAY: None

THE MOTION CARRIED

11. 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 he would like to request a continuance to meet with the neighborhood associations to further discuss the proposed zoning request.

Staff stated there were 73 notices mailed out to the surrounding property owners, 8 returned in opposition and 2 returned in favor and no response from Tanglewood, Woodridge and Jade Oaks Neighborhood Associations.

COMMISSION ACTION

The motion was made by Commissioner R. Valadez and seconded by Commissioner Myers to recommend a continuance until October 21, 2008.

AYES: Sherrill, J. Valadez, Westheimer, Gadberry, Hawkins, Myers, Wright, Martinez, R. Valadez
NAY: None
RECUSED: Gray

THE MOTION CARRIED

12. ZONING CASE NUMBER Z2008264 CD (Council District 6): A request for a change in zoning from "R-6" Residential Single Family District to "C-2 CD" (CD-Mini Warehouse) Commercial District with a Conditional Use for a Mini Warehouse on Lot 11, Lot 12 and Lot 13, Block 3, NCB 17637, 5462, 5504 and 5514 Rogers Road. Staff recommends approval with the following conditions:

1. All structures on the subject property shall be restricted to one story.
2. No outdoor speakers are permitted on the subject property.
3. All on-site lighting shall be directed onto the site and point away from any residential zoning or uses using 90 degree or less cut-off fixtures.

Grant Gaines, representative, stated he would like to request a continuance to address a few concerns the neighborhood coalition may have.

Staff stated there were 18 notices mailed out to the surrounding property owners, 2 returned in opposition and 8 returned in favor and no response from Mountain View Acres Neighborhood Coalition.

COMMISSION ACTION

The motion was made by Commissioner Martinez and seconded by Commissioner Wright to recommend a continuance until November 4, 2008.

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

NAY: None

THE MOTION CARRIED

13. ZONING CASE NUMBER Z2008242 ERZD (Council District 8): A request for a change in zoning from "R-6 ERZD" Residential Single-Family, Edwards Recharge Zone District to "HE R-6 ERZD" Historic Exceptional Residential Single-Family Edwards Recharge Zone District on 3.30 acres out of NCB 14615, 12347 Woller Road. Staff recommends approval.

Kay Hindes, Historic Preservation Office, presented item.

The following citizen(s) appeared to speak:

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

Ken Brown, representing the Woeller Family, stated there is no historic exceptional in this structure. He stated the family has made renovations to the structure as well as added and addition to the home.

Ken Woeller, owner, stated he would like his property be designated historic exceptional as the structure has been renovated.

Staff stated there were 15 notices mailed out to the surrounding property owners, 7 returned in opposition and 1 returned in favor. Staff stated the owner is in opposition.

COMMISSION ACTION

The motion was made by Commissioner R. Valadez and seconded by Commissioner Gadberry to recommend denial.

AYES: J. Valadez, Gadberry, Hawkins, Myers, Wright, Martinez, R. Valadez,

NAY: Sherrill, Westheimer, Gray

THE MOTION CARRIED

14. **ZONING CASE NUMBER Z2008247 ERZD (Council District 8):** A request for a change in zoning from "C-2" Commercial District and "C-2 ERZD" Commercial Edwards Recharge Zone District to "MF-33" Multi-Family District and "MF-33 ERZD" Multi-Family Edwards Recharge Zone District on 14.744 acres out of NCB 14615, 8122 West Hausman. Staff recommends approval.

Ken Brown, representative, stated they are proposing to develop a multi family community. He stated he has met with the Councilwoman and the neighborhood association and has received a letter of support from the neighborhood association.

Staff stated there were 12 notices mailed out to the surrounding property owners, 2 returned in opposition and 1 returned in favor and no response Woller Creek Association.

COMMISSION ACTION

The motion was made by Commissioner R. Valadez and seconded by Commissioner Myers to recommend approval with SAWS recommendations.

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

NAY: None

THE MOTION CARRIED

15. **ZONING CASE NUMBER Z2008188 ERZD (Council District 8):** A request for a change in zoning from "C-3" General Commercial District; "R-6" Residential Single-Family District; "C-3" ERZD General Commercial Edwards Recharge Zone District and "R-6 ERZD" Residential Single-Family Edwards Recharge Zone District to "MPCD ERZD" Master Planned Community Edwards Recharge Zone District and "MPCD" Master Planned Community District on 81.138 acres out of NCB 14867, 9100 Block of North Loop 1604 West. Staff recommends approval.

Josh Cude, representative, stated he would like to request a continuance to continue meeting with City Staff to address some concerns regarding this project.

The following citizen(s) appeared to speak:

Elyzabeth Earnely, representing AGUA, stated they some concerns regarding the open space. She stated the applicant's intent is to increase both the intensity and the impervious cover in this area.

Rudy Gonzalez, stated he is in support of a continuance. He stated he has been in meeting the applicant and City staff to address their concerns.

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

COMMISSION ACTION

The motion was made by Commissioner R. Valadez and seconded by Commissioner Myers to recommend a continuance until October 21, 2008.

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

NAY: None

THE MOTION CARRIED

16. **ZONING CASE NUMBER Z2008226 (Council District 8):** A request for a change in zoning from "O-2" Office District to "C-2" Commercial District on Lot 40, NCB 11622, 7923 Donore Place. Staff recommends denial of "C-2", recommending "C-1".

Eric Peterson, applicant, stated he is proposing to operate a day care center on the subject property. He stated he is in agreement with staff's recommendation of "C-1". He further stated he has met with the surrounding property owners to address their concerns and have agreed on some deed restrictions.

The following citizen(s) appeared to speak:

Herbert Madsen, stated they was in opposition however after numerous meetings with the applicant they have agreement on some deed restrictions and they are now in support.

Staff stated there were 31 notices mailed out to the surrounding property owners, 1 returned in opposition of "C-2", 1 returned in favor of "C-1" and 1 returned in favor.

COMMISSION ACTION

The motion was made by Commissioner R. Valadez and seconded by Commissioner Wright to recommend approval of "C-1".

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

NAY: None

THE MOTION CARRIED

17. **ZONING CASE NUMBER Z2008252 (Council District 9):** A request for a change in zoning from "R-5" Residential Single-Family District to "MF-25" Multi-Family District on Lot 51, NCB 11880, 1519 West Lawndale Drive. Staff recommends approval.

Beth Wasserstrum, owner, stated she is requesting this change in zoning to allow for townhome development. She feels this development would have a positive impact in the community. She further stated she has been in contact with the some of the surrounding property owners who have expressed support of her request.

The following citizen(s) appeared to speak:

Anna Fitzgibbons, stated she is in support. She stated she has been in working with Mrs. Wasserstrum regarding the development and feels this project would be an asset to the community.

Emilia Benavides, spoke in opposition. She expressed concerns drainage; increase in traffic volume and with the height of these townhomes. She also expressed concerns with the townhomes being rental units as this may attract transits into the neighborhood.

Elena Castillo, stated she strongly opposes this request. She stated they are existing drainage, traffic and parking issues that need to be addressed and is concerned this development would only increase such problems.

Staff stated there were 29 notices mailed out to the surrounding property owners, 2 returned in opposition and 3 returned in favor.

COMMISSION ACTION

The motion was made by Commissioner Wright and seconded by Commissioner R. Valadez to recommend approval.

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

NAY: None

THE MOTION CARRIED

18. **ZONING CASE NUMBER Z2008268 (Council District 7):** A request for a change in zoning from "RE" Residential Estate District to "R-5" Residential Single-Family District on a 4.099 of an acre of land out of Lot 25, Block 1, NCB 14674, 8500 Block of Barron Drive. Staff recommends denial.

Applicant/Representative was not present.

Staff indicated they received an email from the applicant requesting a continuance.

The following citizen(s) appeared to speak:

Maria Bass, spoke in opposition. She does not feel this proposal would be in keeping with the neighborhood. She also expressed concerns with drainage and the increase of traffic.

Steve Becker, stated he is in opposition of this request. He stated the applicant is proposing to develop 18 single-family residences and does not feel the property is large enough for this development. He is concerned with how this development would depreciate their property values. He also expressed concerns with safety, drainage and the increase of traffic into the neighborhood.

Stan Dodd, stated he would like to express the same concerns and previously stated. He stated he feels the proposed residential development will be cluttered and ruin their country style large lots character.

Phillip Manna, Vice President of Alamo Farmstead-Babcock Road Neighborhood Association, stated they strongly oppose this request. He stated this development is not consistent with the neighborhood plan. He expressed concerns with drainage, increase in traffic and with how this will negative affect their property values.

Edgar Von Scheele, stated he is also in opposition. He stated this proposal is not in keeping with the neighborhood.

Rick Lawrence, stated would like to express the same concerns as the previous speakers. He also expressed concerns with how this may affect the school.

Bobby Hirzaby, stated he is in opposition. He would like to express the same concerns as previous speakers.

Staff stated there were 13 notices mailed out to the surrounding property owners, 8 returned in opposition and 2 returned in favor and Alamo Farmstead-Babcock Road Neighborhood Association is in opposition.

COMMISSION ACTION

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

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

NAY: None

THE MOTION CARRIED

19. ZONING CASE NUMBER Z2008269 CD (Council District 3): A request for a change in zoning from "R-6" Residential Single Family District to "C-2" (CD-Auto and Light Truck Repair) Commercial District with a Conditional Use for Auto and Light Truck Repair on the north 50 feet of Lot 168, Block 15, NCB 11111, 335 Moursund Boulevard. Staff recommends denial.

George Flores, stated he would like to request a continuance. He stated he has tried to contacting the neighborhood association to schedule a meeting but has not received a response.

Staff stated there were 18 notices mailed out to the surrounding property owners, 3 returned in opposition and 1 returned in favor and no response from Kingsborough Ridge Neighborhood Association

COMMISSION ACTION

The motion was made by Commissioner Gadberry and seconded by Commissioner Gray to recommend a continuance until November 4, 2008.

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

NAY: None

THE MOTION CARRIED

20. **ZONING CASE NUMBER Z2008270 (Council District 2):** A request for a change in zoning from "R-5" Residential Single Family District to "C-3NA" Commercial District, Nonalcoholic Sales on 0.907 acres out of NCB 10780, 2518 S. W. W. White Road. Staff recommends denial.

David Moreno, owner, stated the purpose of this request is to operate a small used car lot on the subject property.

The following citizen(s) appeared to speak:

Mike Pogue, President, of the Lower Southside Neighborhood Association, stated they are in opposition of this request. He stated the proposed car lot would not be in keeping with the surrounding residential neighborhood.

Staff stated there were 14 notices mailed out to the surrounding property owners, 2 returned in opposition and 0 returned in favor and Lower Southeast Side Association is in opposition. Staff received a call from Comanche Neighborhood Association, which is outside the 200-foot radius.

COMMISSION ACTION

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

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

NAY: None

THE MOTION CARRIED

21. **ZONING CASE NUMBER Z2008273 (Council District 8):** A request for a change in zoning from "C-2NA" Commercial Nonalcoholic Sales District to "C-3" General Commercial District on Southeast 65 feet of Lot 2, Block 1, NCB 14281, 9102 Wurzbach Road. Staff recommends denial of "C-3" with an alternate recommendation of "C-2 CD" .

Jerry Arredondo, representative, stated he would like to amend his request to "C-2 CD" as staff has recommended to allow for a car lot.

Staff stated there were 14 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 R. Valadez and seconded by Commissioner Hawkins to recommend denial.

AYES: J. Valadez, Westheimer, Gadberry, Hawkins, Myers, R. Valadez, Gray
NAY: Sherrill, Wright
ASTAIN: Martinez

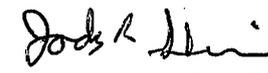
THE MOTION CARRIED

22. Approval of September 16, 2008 Minutes.

23. **ADJOURNMENT.**

There being no further business, the meeting was adjourned at 3:15 p.m.

APPROVED:


Jody R. Sherrill, Chair

ATTEST:


Executive Secretary