

**SAN ANTONIO ZONING COMMISSION
OFFICIAL MINUTES
October 2, 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

Chairman Tiller stated Zoning Case Z2012175 will not be heard as the case has been postponed per the applicant's request.

2. Roll Call.

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

ABSENT: None

3. Approval of September 18, 2012 Zoning Commission Minutes.

COMBINED HEARING:

4. ZONING CASE NUMBER Z2012190 (Council District 1): A request for a change in zoning from "C-3 RIO-2 AHOD" General Commercial 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 on Lot 5, Block B, NCB 7007, 103 West Grayson Street. Staff recommends approval.

Staff stated there were 11 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor. Staff mailed 13 notices to the Planning Team.

COMMISSION ACTION

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

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

NAY: None

THE MOTION CARRIED

5. ZONING CASE NUMBER Z2012200 (Council District 5): A request for a change in zoning from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-1 AHOD" Light Commercial Airport Hazard Overlay District on the north 47 feet of Lot 5 and the west 15.87 feet of the north 47 feet of Lot 6, Block 1, NCB 2234, 1804 and 1806 West Martin Street. Staff recommends approval.

Staff stated there were 34 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor.

COMMISSION ACTION

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

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

NAY: None

THE MOTION CARRIED

6. ZONING CASE NUMBER Z2012201 (Council District 1): A request for a change in zoning from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "NC IDZ AHOD" Neighborhood Commercial Infill Development Zone Airport Hazard Overlay District on Lot 10, Block 5, NCB 2226 save and except that portion deeded to the San Antonio River Authority in volume 5115, page 669 of the Bexar County, Texas Deed Records, 2215 West Martin Street. Staff recommends approval.

Staff stated there were 8 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor.

COMMISSION ACTION

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

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

NAY: None

THE MOTION CARRIED

7. ZONING CASE NUMBER Z2012203 (Council District 5): 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 Lot 7, Block 3, NCB 14598, 1102 Barclay Street. Staff recommends approval.

Staff stated there were 48 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor.

COMMISSION ACTION

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

AYES: Tiller, McFarland, Ornelas, D. Martinez, Salazar, Boyd, McNealy
NAY: None

THE MOTION CARRIED

Commissioner Martinez arrived at 1:17 pm

INDIVIDUAL CONSIDERATION:

8. **ZONING CASE NUMBER Z2012157 (Council District 1):** A request for a change in zoning from "HS MF-33 NCD-1 AHOD" Historic Significant Multi-Family South Presa Street/South St. Mary's Street Neighborhood Conservation Airport Hazard Overlay District to "HS IDZ NCD-1 AHOD" Historic Significant Infill Development Zone South Presa Street/South St. Mary's Street Neighborhood Conservation Airport Hazard Overlay District with uses permitted in "MF-33" Multi-Family District and "NC" Neighborhood Commercial District on Lot 16, Block 4, NCB 732, 206 Sadie Street. Staff recommends approval.

Andrew Blouet, owner, stated the purpose of this zoning request is to allow for residential and possible art studio.

The following citizen(s) appeared to speak:

Alex Perez, Lavaca Neighborhood Association, stated they have met with Mr. Blouet however the neighborhood is still in opposition. He stated they have concerns with parking. He further stated he has collected a petition with 16 signatures expressing opposition.

Commissioner Villarreal arrived at 1:26 pm

Diego Aparicio, spoke in opposition.

Staff stated there were 33 notices mailed out to the surrounding property owners, 8 returned in opposition and 1 returned in favor and Lavaca Neighborhood Association is in opposition. Staff mailed 12 notices to the Planning Team.

COMMISSION ACTION

A motion was made by Commissioner Ornelas to recommend a continuance until October 16, 2012.

THE MOTION FAILED DUE TO LACK OF SECOND.

COMMISSION ACTION

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

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

THE MOTION CARRIED

9. **ZONING CASE NUMBER Z2012101 CD (Council District 1):** A request for a change in zoning from “R-4 AHOD” Residential Single-Family Airport Hazard Overlay District to “R-4 CD AHOD” Residential Single-Family Airport Hazard Overlay District with a Conditional Use for an Office Courtyard on Lots 8 and 10, NCB 3599, 644 and 648 West Elmira Street. Staff recommends approval.

David Weinstein, representative, sated the purpose of this request is to allow for office use. He stated they have been working with the community and have amended their site plan to address their concerns. He further stated they are in agreement with staff’s conditions.

The following citizen(s) appeared to speak:

Anya Davis, stated they have met with the representative and are in support only if Mr. Weinstein follows the conditions stated.

Jeannine Reetz, spoke in support.

Dr. Lee, spoke in support.

Staff stated there were 22 notices mailed out to the surrounding property owners, 0 returned in opposition and 5 returned in favor and no response from Five Points Owners Association. Staff mailed 23 notices to the Planning Team.

COMMISSION ACTION

A motion was made by Commissioner Ornelas and seconded by Commissioner McFarland to recommend approval with staff’s conditions:

- A. There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of the main structure.
- B. No construction features shall be permitted which would place the structure out of character with the surrounding residential neighborhood.
- C. Hours of operation shall not be permitted before 7:00 a.m. or after 6:00 p.m.
- D. A 10 foot Type “A” landscape buffer shall be provided along property boundaries abutting single family residential zoning or uses;
- E. All on-site lighting shall be directed onto the site and point away from any residential zoning or uses;

The applicant is proposing to construct a 6-foot tall predominantly open fence along the front property line. According to Section 35-514 (d)(2)(D) "additional fence height is permitted by the City Council pursuant to a rezoning or Specific Use Authorization." Based on surrounding land uses and the layout of the property, staff does not oppose the applicant's request for the additional fence height.

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

NAY: None

THE MOTION CARRIED

10. ZONING CASE NUMBER Z2012095 CD (Council District 2): A request for a change in zoning from "C-2" Commercial District to "C-2 CD" Commercial District with a Conditional Use for Motor Vehicle Sales on Lot 8, Block 9, NCB 18449, located on the north side of New Sulphur Springs Road, west of Southcross Ranch Road. Staff recommends denial.

Salah Diab, representative, stated he would like to amend his request to include the "NA". He stated the purpose of this request is to allow for an auto sales facility on the subject property. He further stated he is agreeable with staff's conditions.

Staff stated there were 9 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and 1 notice in opposition outside the 200 foot radius. Staff mailed 26 notices to the Planning Team.

COMMISSION ACTION

A motion was made by Commissioner D. Martinez and seconded by Commissioner Salazar to recommend approval to include staff's conditions:

1. All on-site lighting shall be directed onto the site and point away from any adjacent residential zoning or uses;
2. Outdoor speaker and paging systems shall be prohibited; and
3. A 15 foot Type "B" landscape buffer shall be provided along the northern property line, which abuts residential zoning and uses.

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

NAY: None

THE MOTION CARRIED

11. **ZONING CASE NUMBER Z2012194 H (Council District 1):** A request for a change in zoning from multiple zoning districts to add the “H” Five Points Historic District to all existing zoning districts; all other overlay districts remain unchanged. Properties generally bound by Interstate Highway 35, Interstate Highway 10, West Poplar Street, Jackson, West Euclid Avenue and North Flores Street.

City Staff represented this case.

The following citizen(s) appeared to speak:

Jeannine Reetz, spoke in support.

Maria Gomez, spoke in opposition.

Gabriel Navarrete, spoke in favor.

Anya Davis, spoke in favor.

Dr. Lee, spoke in favor.

Michael Hyatt, spoke in favor.

Abe Juarez, spoke in favor.

Elizabeth Porterfield, Office of Historic Preservation, presented the property owners votes and briefed commission on the benefits of the historical designation.

Staff stated there were 293 notices mailed out to the surrounding property owners, 17 returned in opposition and 18 returned in favor and no response from Five Points Owners Association. Staff mailed 23 notices

COMMISSION ACTION

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

AYES: Tiller, McFarland, Ornelas, Boyd, C. Martinez, McNealy

NAY: Villarreal, D. Martinez, Salazar

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-2” 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.

Cassandra Ortiz, representative, stated she would like to request a 2-week continuance to meet with the surrounding property owners.

The following citizen(s) appeared to speak:

Cherish Bell, King William Association, spoke in opposition.

Carmen Vanimeter, spoke in opposition.

Judith Maxwell, spoke in opposition.

Roslyn Cogburn, spoke in opposition.

Beverly Schwartzman, spoke in opposition.

Staff stated there were 16 notices mailed out to the surrounding property owners, 2 returned in opposition outside and 0 returned in favor and King William Neighborhood Association is in opposition. Staff mailed 18 notices to the Planning Team.

COMMISSION ACTION

A motion was made by Commissioner Ornelas seconded by Commissioner Salazar to recommend a continuance until October 16, 2012.

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

NAY: None

RECUSED: Boyd

THE MOTION CARRIED

13. **ZONING CASE NUMBER Z2012199 CD (Council District 8):** A request for a change in zoning from “C-2 GC-1 MSAO-1 MLOD” Commercial Hill Country Gateway Corridor Camp Bullis Military Sound Attenuation Overlay Military Lighting Overlay District to “C-2 CD GC-1 MSAO-1 MLOD” Commercial Hill Country Gateway Corridor Camp Bullis Military Sound Attenuation Overlay Military Lighting Overlay District with a Conditional Use for Motor Vehicle Sales (Full Service) on Parcels 5A and 13, NCB 18338 and Parcel 12, NCB 34034, 21667, 21683, and 21691 Milsa Drive. Staff recommends approval.

James Griffin, representative, stated the purpose of this zoning change is to allow for an auto dealership facility on the subject property. He stated he has met and received support from Friends of Friedrich Wilderness Park and the Dominion Homeowners Association. He would like to amend the acreage from 5.3 to 4.164 and has provided an amended site plan to reflect the amended acreage. He stated they agreed to the following conditions:

1. The front façade and other exterior walls that are visible from IH-10 shall collectively consist of a minimum of sixty percent (60%) of stone materials and shall not conflict with the Hill Country Gateway Corridor Overlay Standards.
2. Parking lot screening on the IH-10 frontage shall, at the time of planting, consist of five (5) gallon minimum landscaping materials. In accordance with the Hill Country Gateway Corridor Overlay Standards, such landscaping shall reach a minimum height of four (4) feet at maturity.
3. All on-site pole signage shall not exceed twenty-five feet (25ft) in height and shall be internally illuminated.
4. Final tree canopy coverage for the property, as defined by Section 35-523 of the Unified Development Code, shall be a minimum of thirty-five percent (35%).
5. No outdoor speakers shall be permitted on the property except those required by law or necessary for emergency and/or safety purposes.

Also, the following are items the applicant has agreed with the neighborhood association but they are not conditions.

- Applicant agrees to provide copies of all building plans to the Dominion HOA for review within 30 days of submittal to the City of San Antonio Plans Review Department for building permit purposes.
- No animated, moving, flashing, or other digital signs may be erected on the property.
- Strict compliance with the City of San Antonio's Military Lighting Overlay District standards will occur.
- Any oversized flags on the premises shall be limited to city, state, or federal flags (no brand names or logos).
- Property owner agrees not to use residential streets for the loading or unloading of vehicles from/onto multi-vehicle tractor trailer transports.

Staff stated there were 6 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and Friends of Friedrich Wilderness Park Neighborhood Association is in favor. Staff mailed 41 notices to the Planning Team.

COMMISSION ACTION

A motion was made by Commissioner McFarland seconded by Commissioner McNealy to recommend approval amended from 5.3 to 4.164 with the conditions as stated by the applicant.

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

NAY: None

THE MOTION CARRIED

14. ZONING CASE NUMBER Z2012204 CD (Council District 4): A request for a change in zoning from “R-4 AHOD” Residential Single-Family Airport Hazard Overlay District to “C-2NA CD AHOD” Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Conditional Use for Motor Vehicles Sales (Full Service) on Lot 54, Block 4, NCB 7645, 1146 Kendalia Avenue. Staff recommends denial.

Bill Kaufman, representative, stated they are requesting this change in zoning to allow for an expansion of an existing vehicles sales facility on the subject property. He stated they have met with the surrounding property owners to address any concerns they had. He further stated they have agreed with staff’s conditions.

Staff stated there were 20 notices mailed out to the surrounding property owners, 0 returned in opposition and 6 returned in favor. Staff mailed 26 notices to the Planning Team.

COMMISSION ACTION

A motion was made by Commissioner Salazar seconded by Commissioner D. Martinez to recommend approval with the following conditions:

1. A type “B” 15-foot landscape buffer shall be required where the subject property abuts residential zoning districts or uses.
2. All on-site lighting shall be directed onto the site and point away from any adjacent residential zoning or uses; and
3. Outdoor speaker and paging systems shall be prohibited.

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

NAY: None

RECUSED: C. Martinez

THE MOTION CARRIED

15. ZONING CASE NUMBER Z2012205 S (Council District 1): A request for a change in zoning from “HE D H RIO-3 AHOD” Historic Exceptional Downtown Main and Military Plaza Historic River Improvement Overlay-3 Airport Hazard Overlay District to “HE D S H RIO-3 AHOD” Historic Exceptional Downtown Main and Military Plaza Historic River Improvement Overlay-3 Airport Hazard Overlay District with a Specific Use Authorization for a Mobile Food Court on Lots A8 and A9, NCB 909, 101 and 103 East Commerce Street and 100 North Main Avenue. Staff recommends approval.

Commissioner Salazar left at 3:38 pm

Irby Hightower, representative, stated they are requesting this change in zoning to allow for temporary mobile vending food court on the subject property.

The following citizen(s) appeared to speak:

George Carson, representing adjacent property owner, stated he would like to request this case be continued as his client was just notified and would like more time to review the case.

Staff stated there were 18 notices mailed out to the surrounding property owners, 3 returned in opposition and 0 returned in favor no response from Downtown Residents Association. Staff mailed 10 notices to the Planning Team.

1st Motion

A motion was made by Commissioner Ornelas seconded by Commissioner D. Martinez to recommend a continuance until October 16, 2012.

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

NAY: Tiller, Villarreal, McNealy

THE MOTION FAILED

2nd Motion

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

AYES: Tiller, McFarland, Boyd, McNealy

NAY: Ornelas, Villarreal, D. Martinez, C. Martinez

THE MOTION FAILED

3rd Motion

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

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

NAY: McNealy

THE MOTION CARRIED

16. **ZONING CASE NUMBER Z2012206 (Council District 9):** A request for a change in zoning from "R-4 NCD-6" Residential Single-Family Mahncke Park Neighborhood Conservation District to "RM-5 IDZ NCD-6" Residential Mixed Infill Development Zone Mahncke Park Neighborhood Conservation District on Lots 3 and 4, Block 6, NCB 3081, 214 Carnahan Street. Staff recommends approval.

Salah Diab, representative, stated the purpose of this zoning change is to allow for three dwelling units on the subject property. He further stated they have met with the neighborhood association who has expressed their support for the proposed zoning change.

The following citizen(s) appeared to speak:

Morgan Price, spoke in opposition.

Peter Greenblum, stated the development would be for 3 single family dwellings.

Staff stated there were 27 notices mailed out to the surrounding property owners, 2 returned in opposition and 2 returned in favor and Mahncke Park Neighborhood Association is in support. Staff mailed 21 notices to the Planning Team.

COMMISSION ACTION

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

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

THE MOTION CARRIED

17. Briefing on adoption of Historic Design Guidelines into the Unified Development Code.

Commission moved this item for briefing and consideration until October 16, 2012 therefore no action was taken.

18. Consideration and possible action to cancel the January 1, 2013 Zoning Commission Meeting.

COMMISSION ACTION

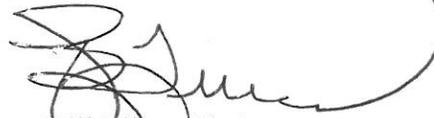
A motion was made by Commissioner C. Martinez seconded by Commissioner McNealy to cancel the January 1, 2013 Zoning Commission Meeting.

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

THE MOTION CARRIED

19. There being no further business, the meeting was adjourned at 4:40 pm.

APPROVED:

A handwritten signature in black ink, appearing to read "Bill Tiller", written over a horizontal line.

Bill Tiller, Chair

ATTEST:

A handwritten signature in blue ink, consisting of stylized initials.

Executive Secretary