

# SAN ANTONIO PLANNING COMMISSION MINUTES



November 12, 2008



2:00 P.M.

Murray H. Van Eman, *Chairman*  
Cecilia Garcia, *Vice Chair*  
Amelia Hartman     Jose R. Limon  
John Friesenhahn     Dr. Sherry Chao-Hrenek  
Andrea Rodriguez     Christopher M. Lindhorst



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Please note that Citizens Comments are limited to three (3) minutes per person  
CALL (210) 207-0121 FOR ADDITIONAL INFORMATION ON ANY AGENDA ITEM BELOW.

## 1. PRELIMINARY ITEMS

### A. Work session, 12:00 P.M., Tobin Room

- Agenda items may be discussed (Planning and Development Services)
- Briefing on amendments to the Unified Development Code proposed as part of the biennial update process. (Planning and Development Services Department by Andrew Spurgin)

### 2. 2:00 P.M.– Call to Order, Board Room

### 3. Roll Call - Present: Van Eman, Garcia, Hartman, Lindhorst, Limon, Chao, Rodriguez Absent: Friesenhahn

Commissioner Rodriguez left the boardroom at 2:00pm

### 4. Citizens to be heard.

## 5. PUBLIC HEARINGS

### REPLATS W/ WRITTEN NOTIFICATION:

A. 080497     **Northwood Estates, Unit No. 1**  
(At the intersection of Rockhill Drive and Pike Road)

B. 080526     **Tuttle Site**  
(Near the southeast corner of Nacogdoches and Wurzbach Parkway)

\* Project is located in the Camp Bullis Notification Area.

**REPLAT:**

- C. 080469      Sunny Slope Baptist Church**  
(Northwest of Rigsby Avenue and Elgin Avenue)

Chairman Van Eman opened the public hearing.  
Chairman Van Eman closed the public hearing.

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**CONSENT AGENDA**

**NOTICE TO THE PUBLIC:** All matters listed under "Consent Agenda" are considered by the Planning Commission to be routine, or have met all standards for development under state law (plats only), and will be enacted by one motion. There will be no separate discussion of these items unless any member of the Planning Commission requests that specific items be removed from the Consent Agenda and added to the Individual Consideration Agenda for discussion prior to the time the Planning Commission votes on the motion to adopt the Consent Agenda.

**PUBLIC HEARINGS FOR ITEMS 6-8 HELD ABOVE:**

6.   **080497      Northwood Estates, Unit No. 1**  
(At the intersection of Rockhill Drive and Pike Road)
7.   **080526      Tuttle Site**  
(Near the southeast corner of Nacogdoches and Wurzbach Parkway)
8.   **080469      Sunny Slope Baptist Church**  
(Northwest of Rigsby avenue and Elgin Avenue)

**PLATS:**

9.   **070081      Heights at Stone Oak PUD Townhomes\***  
(West of the intersection of Colonade Drive and Heights Boulevard)
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10.   **070102      Sulphur Springs Unit 4B**  
(The extension of Jasper Hollow from Sulphur Springs)
11.   **070197      Frangagma, LLC\***  
(At the intersection of Canyon Golf Road and Turtle Hill)
12.   **070266      Venetian Oaks**  
(On the west side of Babcock Road, north of De Zavala Road)

13. 070354 **Utturkar**  
(East of the intersection of Congressional Boulevard and Walzem Road)
14. 070420 **BCB-S. New Braunfels, Unit 1**  
(Extending South New Braunfels, from Southeast Military Drive)
15. 070587 **Kinder Northeast Unit 2 PUD\***  
(Extending Night Shade south of Kinder Bluff)
16. 080330 **Heritage Park, Unit 29A**  
(At the northwest corner of Pue Road and Bonavantura Boulevard)
17. 080340 **Summerglen Unit 5 A-4 PUD\***  
(On the north side of Wilderness Oaks, west of Alpine Lodge)

**DEFERRAL:**

18. 080593 **Wagley Subdivision**  
(Southwest of Salinas Street and North San Marcos Street)

**VARIANCE:**

- ~~19. FPV 09-001 Skinner Nurseries San Antonio Floodplain Variance~~  
(South of U.S. Hwy 35 and east of Somerset Road) **Pulled**

**LAND TRANSACTIONS:**

- ~~20. Consideration of a Planning Commission resolution recommending that the City Council authorize the execution of an interjurisdictional agreement between the City of San Antonio and CPS Energy for installation and maintenance of electric transmission and distribution lines in the airspace of city property known as the Leon Creek environmental preserve. (Brandon Ross, Special Projects Manager; Parks and Recreation Department) **Pulled**~~
21. **S.P. No. 1237**—Request to declare as surplus to the needs of the City of San Antonio a 5,978 square foot parcel of land adjacent to Fire Station No. 27 located at 1518 Hillcrest Dr. (George H. Rodriguez, Assistant Director, Capital Improvement Management Services Department)
22. **S.P. No. 1374** Request for a license to use Public Right of Way. (George H. Rodriguez, Assistant Director, Capital Improvement Management Services Department)

23. Request to convey 4 City-owned parcels of land to the San Antonio River Authority for development of the San Antonio River Improvement Project--Mission Reach, Phase II (George H. Rodriguez, Assistant Director of Capital Improvements and Management Services)
- ~~24. Consideration of a Resolution for the removal of restrictions on the sale or consumption of alcohol in Brackenridge Park Golf Course by the acquisition of future interest real property rights from the University of Texas System (Jim Reschek, Director, Golf Operations) **Pulled**~~

Chairman Van Eman stated the Item # 19, 20 and item #24 will be pulled from Consent Agenda.

Motion: Commission Garcia to approve the items on Consent Agenda less items #19, #20 and #24.  
Second: Commissioner Limon  
In Favor: Unanimous  
Opposed: None  
Motion Passes

19. **FPV 09-001 Skinner Nurseries San Antonio** Floodplain Variance  
(South of U. S. Hwy 35 and east of Somerset Road)

Staff introduced the item and recommended approval.

Motion: Commission Garcia to follow staff's recommendation of approval  
Second: Commissioner Limon  
In Favor: Unanimous  
Opposed: None  
Motion Passes

20. Consideration of a Planning Commission resolution recommending that the City Council authorize the execution of an interjurisdictional agreement between the City of San Antonio and CPS Energy for installation and maintenance of electric transmission and distribution lines in the airspace of city property known as the Leon Creek environmental preserve. (Brandon Ross, Special Projects Manager; Parks and Recreation Department)

Commissioner Lindhorst recused himself and left the Board Room.

Brandon Ross, Special Projects Manager, Parks and Recreation, introduced the item.

Motion: Commission Limon to follow staff's recommendation of approval  
Second: Commissioner Hartman  
In Favor: Unanimous  
Opposed: None  
Recused: Lindhorst  
Motion Passes

- 24.** Consideration of a Resolution for the removal of restrictions on the sale or consumption of alcohol in Brackenridge Park Golf Course by the acquisition of future interest real property rights from the University of Texas System (Jim Roschek, Director, Golf Operations)

Commissioner Lindhorst re-entered the Board Room.

Jim Roschek, Director, Golf Operations, introduced the item.

Steve Whitworth, City Attorney, briefed Commission on removal of restrictions on the sale or consumption of alcohol.

Motion: Commission Limon to follow staff's recommendation of approval  
Second: Commissioner Garcia  
In Favor: Unanimous  
Opposed: None  
Motion Passes

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## INDIVIDUAL CONSIDERATION

### LAND TRANSACTION:

- 25. S.P. No. 1388** Request to close, vacate and abandon Public Right of Ways within San Juan Homes Public Housing Project. (George H. Rodriguez, Assistant Director, Capital Improvement Management Services Department)

David Segovia, Capital Improvement Management Services, presented item.

Motion: Commissioner Hartman to follow staff's recommendation of approval  
Second: Commissioner Chao  
In Favor: Unanimous  
Opposed: None  
Motion Passes

**COMPREHENSIVE MASTER PLANS:**

26. Case Number 08030 - Public hearing and consideration of a resolution amending the Land Use Plan contained in the City South Community Plan, a component of the Master Plan of the City, by changing the use of 1) approximately 120.20 acres located southwest of the intersection of Southton Road and Center Road from Resource Protection/Open Space and Rural Living land use to Heavy Industry land use, and 2) approximately 209.45 acres located south and southeast of the intersection of Southton Road and Center Road from Rural Living land use to Agriculture and Light Industry land use. (Planning and Development Services Department by Michael Taylor, Senior Planner; Nina Nixon-Mendez, Planning Manager)

Michael Taylor, Senior Planner, introduced item.

Harry Jewett, applicant, stated this item was presented to CSMA (City South Management Authority) on October 28, 2008 and the agreement was that they would only develop within the limits of the flood plain.

Motion: Commissioner Lindhorst to approve request 1 from Rural Living and Resource Protection to Heavy Industry to the extent the property is not within the 100 year flood plain leaving the balances and change Rural Living to Agricultural and Light Industry as requested by the applicant.

Second: Commissioner Limon

In Favor: Unanimous

Opposed: None

Motion Passes

27. Cont. from October 22. Public hearing and consideration of a resolution recommending an amendment to update a portion of the 1999 adopted Downtown Neighborhood Plan; specifically the West Neighborhood Plan area generally bound by Colorado Street to the west, Ruiz and Frio Streets to the north, Salado Street to the east, and Buena Vista Street to the south and covering approximately 63 acres of land, to City Council to become a component of the Downtown Neighborhood Plan and the City's Comprehensive Master Plan as it conforms to the approval criteria set forth in the Unified Development Code, §35-420, pertaining to "comprehensive, neighborhood, community, and perimeter plans." (Gary Edenburn, Senior Planner, Nina Nixon-Mendez Planning Manager, Planning and Development Services Department)

Gary Edenburn, Senior Planner, introduced item.

Motion: Commissioner Hartman to follow staff's recommendation of approval.  
Second: Commissioner Chao  
In Favor: Van Eman, Hartman, Lindhorst, Limon, Chao  
Opposed: Garcia  
Motion Passes

- 28.** Public hearing and consideration of resolution to amend the Major Thoroughfare Plan, a component of the City of San Antonio Master Plan, by deleting the segment of Acme Road between West Commerce Street and Culebra Road. (Planning and Development Services Department by Trish Wallace, Regional Planning Manager)

Trish Wallace, Regional Planning Manager, introduced item.

Hermelinda Rodriguez, stated she owns a retail strip on Acme and Commerce. Upon construction, she was informed that Acme Road would eventually be opened. She stated traffic continuously uses the parking lot of her business to make U-turns, which has become a problem for her customers. She also expressed concerns with the illegal dumping, drug and gang activity that happens at all hours of the day.

Antonio Portillo, stated he has the same concerns as Mrs. Rodriguez expressed. He also expressed concerns for the safety of the children that attend a nearby school.

Motion: Commissioner Garcia to approve staff's recommendation and remove Acme Road as a Secondary Arterial Type B from the Major Thoroughfare Plan.  
Second: Commissioner Hartman  
In Favor: Unanimous  
Opposed: None  
Motion Passes

- 29.** Public hearing and consideration of resolution to amend the Major Thoroughfare Plan, a component of the City of San Antonio Master Plan, to re-align Kearney Road, eastward, generally located around I-35 between Quintana Road and FM 2790. (Planning and Development Services Department by Trish Wallace, Regional Planning Manager)

Trish Wallace, Regional Planning Manager, introduced item.

Motion: Commissioner Garcia to follow staff's recommendation of approval.  
Second: Commissioner Limon  
In Favor: Unanimous  
Opposed: None  
Motion Passes

Commission took a 15 minutes recess.

Commission re-entered the boardroom at 4:50 pm. Commissioner Rodriguez returned to the meeting at 4:50pm.

**OTHER ITEMS:**

- 30.** Public hearing and consideration of amendments to the Unified Development Code as part of the 2008 Biennial Update Program. (Andrew Spurgin, Planning and Development Services)

Steve Hanan, representing Real Estate Council (President) and as a member of TAC (Technical Advisory Committee – Vice Chair), stated Real Estate Council support TAC's amendments. However they are concerned with the number of amendments submitted that were not in compliance with Article 1 of the UDC (Unified Development Code) most of which were either denied or withdrawn.

Motion: Commissioner Garcia to adopt all amendments present to Planning Commission less Amendments #54, #55, #78a, #92 and #93  
Second: Commissioner Hartman  
In Favor: Unanimous  
Opposed: Hartman  
Motion Passes

**Amendment #54 35-504-(B1)C2,**

Bill Telford, briefed Commission on the RID process.

Motion: Commissioner Hartman recommended this amendment be referred back to TAC for further review

Motion fails due to lack of second.

**Amendment #54 35-504 (B)(1)C 2**

**Amendment #55 35-506 (A) (3) 35-506 (Q) (2)**

**Amendment #78a 35-712 (A) (1) 35-712 (B) (3)**

**Amendment #92 35-F124 (F) 21-23**

**Amendment #93 35-F124 (F) 21-23**

Motion: Commissioner Garcia to accept TAC's recommendation on the pulled amendments.  
Second: Commissioner Lindhorst  
In Favor: Hartman  
Opposed: None  
Motion Passes

- 31.** Approval of the minutes for the October 22, 2008 Planning Commission meeting.

Motion: Commissioner Garcia to follow staff's recommendation of approval.  
Second: Commissioner Limon  
In Favor: Unanimous  
Opposed: None  
Motion Passes

- 32.** Director's report may include any of the following items:

- Budget and Department Performance
- Camp Bullis Awareness Zone
- Edwards Aquifer
- Haven for Hope
- Professional Development Opportunity-conferences and workshops
- River North Neighborhood Plan
- Technical Advisory Committee
- Unified Development Code
- Veterans Memorial

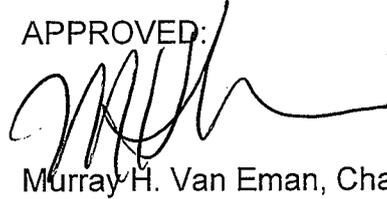
- 33.** Questions and discussion

- 34.** Executive Session: consultation on attorney-client matters (real estate, litigation, contracts, personnel, and security matters) as well as any of the above agenda items may be discussed

**35. ADJOURNMENT**

There being no further business, the meeting was adjourned at 4:35 pm.

APPROVED:



Murray H. Van Eman, Chairman

ATTEST:

  
Executive Secretary