

SAN ANTONIO PLANNING COMMISSION MINUTES



October 22, 2008



2:00 P.M.

Murray H. Van Eman, *Chairman*

Cecilia Garcia, *Vice Chair*

Amelia Hartman

John Friesenhahn

Andrea Rodriguez

Jose R. Limon

Dr. Sherry Chao-Hrenek

Christopher M. Lindhorst



The Cliff Morton Development and Business Service Center, located at 1901 South Alamo Street is wheelchair-accessible. Accessible parking is located at the front of the building. Auxiliary Aids and Services are available upon request (Interpreters for the Deaf must be requested forty-eight [48] hours prior to the meeting). For Assistance, Call (210) 207-7245 Voice/TTY.

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, 1:15 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, Friesenhahn, Chao, Rodriguez

Absent: None

4. Citizens to be heard

5. PUBLIC HEARINGS

REPLATS W/ WRITTEN NOTIFICATION:

A. 070552 Rialto Village PUD*

(On the west side of Interstate Highway 10, north of Autumn Stage)

B. 070742 Basin Hill*

(On the east side of Blanco Road, north of Oak Estate Drive)

* Project has been coordinated with Camp Bullis.

- C. 080202 Perez Place**
(North of Flamingo Drive between Broadway and Busby Drive)
- D. 080308 Alfonso Davila**
(At the intersection of East Horseshoe Bend and Callaghan Road)
- E. 080378 Jubilee Academy**
(On the west side of Roland Avenue, north of Valleyfield Drive)
- F. 080463 Pecan Valley Skilled Nursing**
(South side of Southcross Boulevard, west of Pecan Grove Boulevard)

PLANNED UNIT DEVELOPMENT (PUD) PLANS:

- G. 08-013 Legend Gardens Townhomes PUD***
(South of Camp Bullis Road and west of Legend Lane)

Chairman Van Eman opened the public hearing.

Peter Lazidis, speaking on 070742, stated he would like to request Basin Hill item be pulled for consent agenda and moved to individual consideration for further discussion.

John Yoggerst, speaking on 08-013, stated he would like to request this item be pulled from consent to individual for further discussion.

Bob Dimler, speaking on 070742, stated he would also like to request this item be pulled from consent to individual for further discussion.

English Percy, speaking on 070742, stated he is in opposition. He further stated he would also like to request this item be pulled from consent to individual for further discussion.

Cindy Percy, speaking on 070742, stated she also is in opposition. She would like to request this item be pulled from consent to individual for further discussion.

John Low, speaking on 070742, expressed concerns with this item and would like to request it be pulled from consent for further discussion.

Justin Young, speaking on 070742, would like to request this item be pulled from consent for further discussion.

Chairman Van Eman closed the public hearing.

* Project has been coordinated with Camp Bullis.

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 6-12 HELD ABOVE:

6. **070552** **Rialto Village PUD***
 (On the west side of Interstate Highway 10, north of Autumn Stage)
7. ~~**070742**~~ ~~**Basin Hill***~~
 ~~(On the east side of Blanco Road, north of Oak Estate Drive) –~~
 Pulled
8. **080202** **Perez Place**
 (North of Flamingo Drive between Broadway and Busby Drive)
9. **080308** **Alfonso Davila**
 (At the intersection of East Horseshoe Bend and Callaghan Road)
10. **080378** **Jubilee Academy**
 (On the west side of Roland Avenue, north of Valleyfield Drive)
11. **080463** **Pecan Valley Skilled Nursing**
 (South side of Southcross Boulevard, west of Pecan Grove Boulevard)
-
12. ~~**08-013**~~ ~~**Legend Gardens Townhomes PUD***~~
 ~~(South of Camp Bullis Road and west of Legend Lane) –~~ **Pulled**

PLATS:

13. **080566** **Villas at Silverado Hills Townhouse (Vacating Declaration)**
 (On the west side of Canyon Golf Road, south of Silverado Way)
14. **070068** **38-Acre Rolling Oaks Commercial Tract**
 (On the west side of Nacogdoches Road, north of F.M. 1604)

* Project has been coordinated with Camp Bullis.

- 15. 070050 **Missiones**
(On the west side of State Highway 16, south of Loop 410)
- 16. 070526 **Willis Ranch Unit 1, Enclave***
(On the west side of Bulverde Road, north of Borgfeld Road)
- 17. 070640 **Balcones Creek, Unit 1***
(On the west side of IH 10 West, north of Winwood)
- 18. 070579 **Acme Park**
(At the northwest corner of Old Highway 90 and South Acme Road)
- 19. 080258 **Canyon Crossing, Unit 6**
(Extending Alamo Canyon west, at Bear Canyon and Alamo Canyon)

DEFERRALS:

- 20. 080515 **Ace Welding and Trailer Company**
(On the north side of FM 1346, east of Schuwirth Road)
- ~~21. 080593 **Wagley Subdivision**
(Southwest of Salinas Street and North San Marcos Street) – Pulled~~

LAND TRANSACTIONS:

- 22. Request to Acquire Real Property for the Linear Creekway Parks Development Project on Leon Creek and Salado Creek. (Xavier Urrutia, Interim Director of Parks and Recreation).

Chairman Van Eman stated the following will be pulled from Consent Agenda:

- Item # 7 070742 Basin Hill
- Item #12 08-013 Legend Gardens Townhomes PUD
- Item # 21 080593 Wagley Subdivison (Pulled due to incomplete filing)

Motion: Commission Garcia to approve the items on Consent Agenda minus Items #7, #12, and #21.

Second: Commissioner Hartman

In Favor: Unanimous

Opposed: None

Motion Passes

* Project has been coordinated with Camp Bullis.

INDIVIDUAL CONSIDERATION

27. **S.P. 1395** – Request to close, vacate and abandon unimproved Casino Street and the release of drainage easements in NCB 160 (George Rodriguez, Assistant Director, Capital Improvement Management Services Department)

David Segovia, Capital Improvements Management Services, introduced item.

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

23. **080489 Verano N/S Boulevard FBZD** pending complete filing
(South of Loop 410, east of Zaramora)

Commissioner Lindhorst recused himself and left the Board Room.

Staff introduced the item and recommended approval.

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

7. **070742 Basin Hill**
(On the east side of Blanco Road, north of Oak Estate Drive)

Commissioner Lindhorst re-entered the Board Room.

Staff introduced the item and recommended approval.

Fernando DeLeon, Asst. Director, briefed Commission on this item and addressed their concerns.

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

12. 08-013 Legend Gardens Townhomes PUD*
(South of Camp Bullis Road and west of Legend Lane)

Staff introduced the item and recommended approval.

Tom Carrasco, Development Services Engineer, brief Commission on this item.

John Yoggerst, stated there is some inconsistencies. He expressed concerns with what is being requested for a replat verses what is they have requested from zoning. He stated they are replatting this as 0 (zero) lot line and it is townhouses. He would like clarification on this issue.

Alejandro Gomez, stated they have the permits in place for the work that they are doing. He stated this project is a townhome subdivision, that is a 0 (zero) lot line.

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

21. 080593 Wagley Subdivision
(Southwest of Salinas Street and North San Marcos Street)

This item has been pulled due to incomplete filing.

VARIANCES and APPEALS:

24. 040555 Woodlake Meadows, Unit 4 (time extension)
(At the northwest corner of Woodlake Parkway and Macaway Creek)

Staff introduced item and recommends approval of a 1-year time extension.

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

LAND TRANSACTIONS:

25. Briefing and consideration of a resolution to sell approximately 0.1291-acres of City of San Antonio owned real property, and the structure thereupon, legally described as NCB 654 BLK 1 LOT 2 and located in City Council District 2 to Alonzo E. Gates II for a total sum of \$30,500.00 for the public purpose of providing affordable housing in the community in connection with the Housing Asset Recovery Program. (Richard A. Ramirez; Housing & Neighborhood Services Department).

* Project has been coordinated with Camp Bullis.

Richard A. Ramirez, Housing and Neighborhood Services Department, introduced item.

Motion: Commissioner Garcia to approve the sell of approximately 0.1291 acres of City owned real property to a private party as presented by staff.

Second: Commissioner Limon

In Favor: Unanimous

Opposed: None

Motion Passes

26. **S.P. 1351** – Request to close, vacate and abandon four improved portions of Public Right of Way in conjunction with Haven for Hope Campus Project. (George Rodriguez, Assistant Director, Capital Improvement Management Services Department)

David Segovia, Capital Improvements Management Services, introduced item.

Denise Camp, Director of Department of Community Initiatives, addressed Commission's concerns on this item.

Motion: Commissioner Garcia to approve the request to close, vacate and abandon portions of public right-of-way in conjunction with Haven for Hope Campus.

Second: Commissioner Hartman

In Favor: Unanimous

Opposed: None

Motion Passes

COMPREHENSIVE MASTER PLANS:

28. 08032- Public hearing and consideration of a resolution amending the Land Use Plan contained in the Government Hill Neighborhood Plan, a component of the Master Plan of the City, by changing the use of approximately 0.7475-acres located at 1701, 1705, 1635 N. Alamo & 1706 Broadway from Neighborhood Local/Convenience Commercial to Mixed- Use land use. (Planning and Development Services Department by Loretta N. Olison, Senior Planner; Nina Nixon-Mendez, Planning Manager)

Andrea Giles, Planning & Development Services Department, introduced item.

Motion: Commissioner Garcia to change the land use in the Government Hill Neighborhood Plan as presented by staff.

Second: Commissioner Limon

In Favor: Unanimous

Opposed: None

Motion Passes

29. Plan Update U09001 - 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." (Planning and Development Services Department by Gary Edenburn, Senior Planner; Nina Nixon-Mendez Planning Manager)

Gary Edenburn, Planning & Development Services Department, introduced item.

Janice Wagley, expressed concerns with this proposal. She stated she has invested a great deal of money in bring her structure to compliance to meet all commercial development requirements. She would like to request her property exempt from the boundaries that staff presented in order to continue her bails bonds office.

Chairman Van Eman asked a motion be made. Due to lack of motion, next item will be considered.

30. Plan Update U09002 - Public hearing and consideration of a resolution recommending an amendment to update the land use element of the Downtown Neighborhood Plan, a component of the Master Plan of the City, by 1) adding the following text to the Land Use Plan Section, District G, Denver Heights: "Limited medium-density residential (duplex, triplex, quadplex) and neighborhood commercial uses permitted along streets with higher traffic volumes and on corner lots if consistent with the historic development pattern"; and 2) changing the use of approximately 10.50 acres located on the south side of East Commerce Street between North Cherry Street and North Monumental Street from Residential land use to Mixed Use land use 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." (Planning and Development Services Department by Michael Taylor, Senior Planner; Nina Nixon-Mendez, Planning Manager)

Michael Taylor, Planning and Development Services Department, introduced item.

Nettie Hinton, expressed concerns with how this would have a negative impact on their neighborhood with this proposal. She stated this would allow for entertainment encroachment into their residential community.

Julie Oldham, stated she would like to express her opposition of this proposal as this would ruin their residential neighborhood. She stated their intent is to help preserve their residential character of their neighborhood.

Charles English, representing Jefferson Heights Neighborhood Association, stated he is concerned with the negative impact the proposal would have on their community. He stated their intent is to help enhance and preserve the residential character of their neighborhood.

Genaro Lopez Rendon, stated he would also like to express his opposition to this proposal.

Chairman closed the public hearing and moved on to item #32.

- 32.** Public hearing and consideration of an amendment to the Unified Development Code (UDC), Chapter 35 of the Municipal Code, to create Arts and Entertainment Special Zoning Districts "AE-1", "AE-2", "AE-3" and "AE-4". (Planning and Development Services Department by Michael Taylor, Senior Planner; Nina Nixon-Mendez, Planning Manager)

Michael Taylor, Planning & Development Services Department, introduced item.

Nettie Hinton, spoke in opposition. As mentioned by Mr. Taylor, numerous meetings were held to better educate the community and she still does not support this proposal as she feels this would deteriorate their community.

Chairman Van Eman stated Commissioner Garcia has recused herself from Items 30, 31 and 32 and has not been in the boardroom.

Julie Oldham, stated she also is in opposition. She is concerned with the negative impact this would have on their community.

Lee Golden, stated their community has recently had a plan amendment to the neighborhood plan to accommodate their existing use. He is concerned that this new amendment would prohibit their current use.

Charles English, stated he would like to express his opposition of this proposal.

Barbara McDonald, stated she is in opposition of this proposal.

Carl Richardson, President of Denver Heights Neighborhood Association, stated they are in support however; he would like to add a few changes.

Robert Jennison, stated his only concern with this growth and enhancing is that the building codes will not infringe on what their intent is.

Commission went into recess

Commission returned to the Boardroom.

Shelia McNeil, stated their intent in the Arts & Entertainment District is to invite more tourism and to revitalize the community. She further stated this would also provide high property values. She feels this would be a good thing for their community, as this would provide growth and enhancing to the eastside.

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

Chairman Van Eman stated to move back to item #29 for consideration.

29. Motion: Commissioner Limon to continue this item to the next regularly scheduled Planning Commission Meeting.
Second: Commissioner Hartman
In Favor: Unanimous
Opposed: None
Motion Passes

Commissioner Chao left meeting at 6:10 pm.

OTHER ITEMS:

33. Consideration and approval of a resolution designating October as Community Planning Month (Planning and Development Services Department by Patrick Howard, Assistant Director)

Commissioner Garcia recused herself and left the Board Room.

Motion: Commissioner Hartman to approve as staff recommended.
Second: Commission Limon
In Favor: Unanimous
Opposed: None
Recused: Garcia
Motion Passes

34. Approval of the minutes for the October 8, 2008 and October 10, 2008 Planning Commission meetings.

Motion: Commissioner Hartman to approve the minutes of October 8, 2008 as presented.
Second: Commissioner Rodriguez
In Favor: Unanimous
Opposed: None
Motion Passes.

Motion: Commissioner Lindhorst to approve the minutes of October 10, 2008 as presented.
Second: Commissioner Limon
In Favor: Unanimous
Abstain: Hartman
Opposed: None
Motion Passes.

- 31.** Plan Update U09003 - Public hearing and consideration of a resolution recommending an amendment to update the land use element of the Arena District/Eastside Community Plan, a component of the Master Plan of the City, by **1)** adding the following text to the Land Use Plan Section, Land Use Classifications, Medium Density Residential Description: "Limited neighborhood commercial uses permitted along streets with higher traffic volumes and on corner lots if consistent with the historic development pattern"; **2)** changing the use of approximately 93.67 acres located on the north and south side of East Commerce Street between North Monumental Street and East Houston Street and on the north side of East Houston Street between East Commerce Street and IH-10 East from Medium Density Residential, Parks/Open Space, General Commercial, High Density Residential and Light Industrial land use to Mixed Use and Light Industrial land use to City Council to become a component of the Arena District/Eastside Community 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." (Planning and Development Services Department by Michael Taylor, Senior Planner; Nina Nixon-Mendez, Planning Manager)

Commissioner Garcia recused herself and left the Board Room.

Michael Taylor, Planning and Development Services Department, introduced item.

Motion for Item # 30

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

Motion for Item # 31

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

35. 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

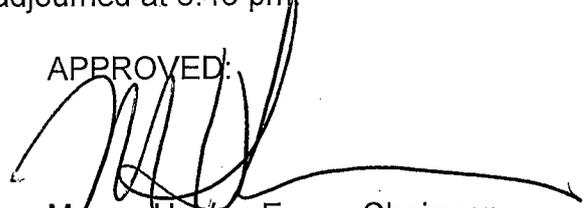
36. Questions and discussion

37. 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

38. ADJOURNMENT

There being no further business, the meeting was adjourned at 6:46 pm

APPROVED:



Murray H. Van Eman, Chairman

ATTEST:



Executive Secretary

- 39.** 5:00 P.M. or following the adjournment of the Planning Commission meeting. The Planning Commission will attend a reception honoring former Planning Commissioner Francine Ramero at 401 South Alamo, Fairmont Hotel, LUCA. The Commission will not be taking any official action nor will any official Commission business be considered.