

# SAN ANTONIO PLANNING COMMISSION MINUTES



June 13, 2012



Jose R. Limon, *Chair*  
Marcello Diego Martinez, *Vice Chair*  
Rob Rodriguez, *Chair Pro Tem*  
Christopher M. Lindhorst                      Andrea Rodriguez  
Lynda Billa Burke                                Jody R. Sherrill  
Daniel D. Kossl                                    Donald Oroian

The Cliff Morton Development and Business Service Center is located at 1901 South Alamo Street

This meeting site is accessible to persons with disabilities. Parking is available. Auxiliary aids and services, including Deaf interpreters, must be requested forty-eight [48] hours prior to the meeting. For assistance, call (210) 207-7245 or 711 (Texas Relay Service for the Deaf).

DECLARACIÓN DE ACCESIBILIDAD - El lugar de reunión cuenta con el acceso disponible y estacionamiento para personas discapacitadas. También incluye servicios especiales e interpretes para personas con problemas auditivos. Este servicio debe ser solicitado con cuarenta y ocho (48) horas antes del día programado para la reunión. Para mas información favor comunicarse al (210) 207-7245 o al 711 (Servicio para personas con problemas auditivos Texas Relay)

Please note that Citizens Comments are limited up to three (3) minutes per person and may change as needed.  
CALL (210) 207-1111 FOR ADDITIONAL INFORMATION ON ANY AGENDA ITEM BELOW.

## 1. PRELIMINARY ITEM(S):

### A. Work session, 1:30 P.M., Tobin Room

- Agenda items may be discussed (Development Services Department)

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

## 3. Roll Call – Present: Limon, Martinez, R. Rodriguez, A. Rodriguez, Kossl, Lindhorst, Oroian, Sherrill

Absent: Billa Burke

## 4. Citizens to be heard

## 9. PUBLIC HEARING

### REPLAT W/ WRITTEN NOTIFICATION:

- A. 110350                      **Silver Oaks Unit 20**  
(East of the intersection of Birch Way and Pure Silver)

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

## CONSENT AGENDA

**NOTICE TO THE PUBLIC:** All matters listed under "Consent Agenda" are considered by the Planning Commission to be routine, and have met all standards for development under state law, 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 HEARING FOR ITEM 9 HELD ABOVE:**

10. 110350 **Silver Oaks Unit 20**  
(East of the intersection of Birch Way and Pure Silver)

### **PLATS:**

11. 100342 **Weston Oaks Unit 14**  
(South of Potranco Road, west of Grosenbacher Road)
12. 100343 **Weston Oaks Unit 18**  
(On the west side of Grosenbacher Road, south of Potranco Road)
13. 110378 **The Arbors Unit 2**  
(Southwest of the intersection of Bamberger Trail and Kyle Seale Parkway)
14. 120156 **Silicon Heights**  
(On the west side of Network Drive, south of Format Drive)

### **TIME EXTENSION:**

15. 070624 **Toepperwein Center**  
(North of IH 35 North, west of Toepperwein Road)

### **LAND TRANSACTIONS:**

16. **S. P. No. 1455** - Request for to sale real property of FS 27 at 1518 Hillcrest (Capital Improvements Management Services, by Martha Almeria)
17. **S.P. No. 1614** - Request to close, vacate and abandon an improved portion of Avenue B Street Public Right of Way in City Council District No. 1 located south of the intersection of McCullough Avenue and Avenue B Street between the south Right of Way line of McCullough Avenue and the north Right of Way line of an alley adjacent to NCB 431. (Capital Improvements Management Services, by Jesse Quesada)

18. **S. P. No. 1624** - SAWS request for a Joint Use Agreement and a Temporary Construction Easement near Nacogdoches and O'Connor, adjacent to NCB 16674. (Capital Improvements Management Services, by Mary Fors)
19. **S.P. No. 1627** - Request to close, vacate and abandon a 0.4938 acre portion of Lenard Street Public Right of Way located north of Berlin Avenue and adjacent to NCB 13372. (Capital Improvements Management Services, by Martha Almeria)
20. **S.P. No. 1649** - Request to declare as surplus and gift a vacant parcel of City owned property to the San Antonio Affordable Housing, Inc. located at 244 Quinta Street legally described as Lot 6, Block 7, New City Block 10787 between Chickering Avenue and Hicks Avenue. (Center City Development Office, by Scott Price)

Chairman Limon asked for a motion to approve items on the Consent Agenda as presented.

Motion: Commissioner Martinez to approve the items on the Consent Agenda as presented.  
Second: Commissioner Lindhorst  
In Favor: Unanimous  
Opposed: None  
Motion Passes.

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THE FOLLOWING ITEMS MAY BE CONSIDERED AT ANY TIME DURING THE  
REGULAR PLANNING COMMISSION MEETING:

5. Reappoint and appoint Planning Commissioners to the Technical Advisory Committee (Development Services Department)

Motion: Commissioner Martinez made a motion to reappoint Commissioner Sherrill to Planning Commission position on the Technical Advisory Committee.  
Second: Commissioner A. Rodriguez  
In Favor: Unanimous  
Opposed: None  
Motion Passes.

Motion: Commissioner Martinez made a motion to appoint Commissioner Kossl to the Planning Commission position on the Technical Advisory Committee.  
Second: Commissioner A. Rodriguez  
In Favor: Unanimous  
Opposed: None  
Motion Passes.

**6. Appoint Technical Advisory Committee Chair (Development Services Department)**

Motion: Commissioner A. Rodriguez made a motion to appoint Commissioner Oroian as Chair of the Technical Advisory Committee.  
Second: Commissioner Martinez  
In Favor: Martinez, A. Rodriguez, Oroian  
Abstain: Sherrill, Lindhorst, Kossl, R. Rodriguez, Limon  
Opposed: None  
Motion Fails.

Motion: Commissioner Kossl made a motion to appoint Commissioner Sherrill as Chair of the Technical Advisory Committee.  
Second: Commissioner R. Rodriguez  
In Favor: Sherrill, Lindhorst, Kossl, R. Rodriguez, Limon  
Abstain: Martinez, A. Rodriguez, Oroian  
Opposed: None  
Motion Passes.

**7. Amendments to the Technical Advisory Committee Establishment and Governance Document (Development Services Department)**

Motion: Commissioner Lindhorst made a motion to approve option #1 to amend the membership section of the Establishment and Governance document for the Technical Advisory Committee.  
Second: Commissioner Martinez  
In Favor: Limon, Martinez, A. Rodriguez, Kossl, Sherrill, Lindhorst  
Opposed: R. Rodriguez, Oroian  
Motion Passes.

**8. Interview of Applicant's and Appointments to Technical Advisory Committee (Development Services Department)**

**A. Historic/Environmental**

Commissioner Sherrill interviewed the following applicants:

Kent Allen Brittain  
Allen Lee Demos  
Elizabeth Feldman

Motion: Commissioner Martinez made a motion to nominate Kent Brittain to the Historic/Environmental position on the Technical Advisory Committee.  
Second: Commissioner Oroian  
In Favor: Unanimous  
Opposed: None  
Motion Passes.

**B. Planning Professional**

Commissioner Sherrill interviewed the following applicants:

Bradley Peel  
Amber Lens

Motion: Commissioner Martinez made a motion to nominate Bradley Peel to the Planning Professional position on the Technical Advisory Committee.  
Second: Commissioner Oroian  
In Favor: Unanimous  
Opposed: None  
Motion Passes.

**C. Architecture Professional**

Commissioner Sherrill interviewed the following applicants:

Robert Hanley  
Michael Alan Rey  
Allan Lee Demos  
Elizabeth Feldman

Motion: Commissioner Oroian made a motion to nominate Michael Alan Rey to the Architecture Professional position on the Technical Advisory Committee.  
Second: Commissioner Lindhorst  
In Favor: Oroian, Lindhorst  
Abstain: Limon, Sherrill, R. Rodriguez, A. Rodriguez, Martinez, Kossl  
Opposed: None  
Motion Fails

Motion: Commissioner Martinez made a motion to nominate Robert Hanley to the Architecture Professional position on the Technical Advisory Committee.  
Second: Commissioner Sherrill  
In Favor: Limon, Sherrill, R. Rodriguez, A. Rodriguez, Martinez, Kossl  
Abstain: Oroian, Lindhorst  
Opposed: None  
Motion Passes.

**D. Community at Large**

Motion: Commissioner Lindhorst made a motion to nominate Alan Demos to the Community at Large position on the Technical Advisory Committee.  
Second: Commissioner Oroian  
In Favor: Unanimous  
Opposed: None  
Motion Passes.

**E. Development Community**

Commissioner Sherrill interviewed the following applicants:

Michael Moore  
Amber Lenz

Motion: Commissioner Lindhorst made a motion to nominate Michael Moore to the Committee Development Community position on the Technical Advisory Committee.

Second: Commissioner Kossl

In Favor: Limon, Lindhorst, Kossl

Abstain: Oroian, A. Rodriguez, Martinez, R. Rodriguez, Sherrill

Opposed: None

Motion Fails

Motion: Commissioner R. Rodriguez made a motion to nominate Amber Lenz to the Committee Development Community position on the Technical Advisory Committee.

Second: Commissioner Oroian

In Favor: Oroian, A. Rodriguez, Martinez, R. Rodriguez, Sherrill

Abstain: Limon, Lindhorst, Kossl

Opposed: None

Motion Passes.

Motion: Commissioner Lindhorst made a motion to nominate Michael Moore to the ex officio position on the Technical Advisory Committee with voting rights

Second: Commissioner R. Rodriguez

In Favor: Oroian, A. Rodriguez, Martinez, R. Rodriguez, Sherrill

In Favor: Unanimous

Opposed: None

Motion Passes.

Motion: Commissioner Oroian made a motion to nominate Gene Dawson to the ex officio position on the Technical Advisory Committee with voting rights.

Second: Commissioner Lindhorst

In Favor: Unanimous

Opposed: None

Motion Passes.

**F. Engineering Professional (2 positions)**

Commissioner Sherrill interviewed the following applicants:

Arthur Reinhart  
Ian Cude  
Kerry Koehler

Kevin Love  
Xavier Torres  
Robert Dumbars

Motion: Commissioner Oroian made a motion to nominate Kerry Koehler to the Engineering Professional position on the Technical Advisory Committee.  
Second: Commissioner Lindhorst  
In Favor: Lindhorst, Limon, Martinez, A. Rodriguez, Oroian, Sherrill  
Abstain: Kossl, R. Rodriguez  
Opposed: None  
Motion Passes.

Motion: Commissioner Kossl made a motion to nominate Arthur Reinhart to the Engineering Professional position on the Technical Advisory Committee.  
Second: Commissioner R. Rodriguez  
In Favor: Kossl, R. Rodriguez, Limon  
Abstain: Lindhorst, Martinez, A. Rodriguez, Oroian, Sherrill  
Opposed: None  
Motion Fails.

Motion: Commissioner Oroian made a motion to nominate Kevin Love to the Engineering Professional position on the Technical Advisory Committee.  
Second: Commissioner Kossl  
In Favor: Lindhorst, Kossl, R. Rodriguez, Martinez, A. Rodriguez, Oroian, Sherrill  
Abstain: Limon,  
Opposed: None  
Motion Passes.

#### G. Board of Adjustment

Motion: Commissioner Sherrill made a motion to reappoint Gene Camargo to the Board of Adjustment position on the Technical Advisory Committee.  
Second: Commissioner Kossl  
In Favor: Unanimous  
Opposed: None  
Motion Passes.

## INDIVIDUAL CONSIDERATION

Chairman Limon moved Item #40 to the beginning of the Individual Consideration.

- 40. PA12050** - Public hearing and consideration of a resolution amending the future land use plan contained in the San Antonio International Airport Vicinity Land Use Plan, a component of the Comprehensive Master Plan of the City, by changing the use of approximately 15.2364 acres out of Lot 1, Block 3, NCB 16161 located southwest of the intersection of Wurzbach Parkway and Blanco Road from Mixed Use to Parks/ Open Space. (Department of Planning and Community Development by Michael Taylor)

Michael Taylor, Department of Planning and Community Development, presented item and recommended approval of the request to amend from Mixed Use to Parks/Open Space.

Bill Kaufman, representative, stated there was an agreement to rezone a back portion of the property from multi-family to resource protection to afford the neighborhood a natural area abutting the neighborhood. He also stated they would have to amend the land use plan in order to rezone this portion of property from multi-family. He further stated the land that is being rezoned will be in the hands of the park

Ken Brown, representative for Walmart, stated on behalf of Walmart they support the plan amendment. He also stated the plan amendment allowing the parks/open space is a perfect transition from commercial to the neighborhood and will given to the park which they will maintain.

John Lakeheart, citizen, spoke in support.

Motion: Commissioner R. Rodriguez to follow staff recommendation of approval of the request to amend from Mixed Use to Parks/Open Space.  
Second: Commissioner Kossl  
In Favor: Unanimous  
Opposed: None  
Motion Passes.

#### **PLATS:**

- 21. 100266 Clearwater Ranch (Variances)**  
(West of the intersection of Scenic Loop Road and Huntress Lane)

Rudy Munoz, Planner, introduced item and recommended approval.

Motion: Commissioner R. Rodriguez to follow staff's recommendation of approval.  
Second: Commissioner Lindorst  
In Favor: Unanimous  
Opposed: None  
Motion Passes.

- 22. 110361 Amorosa Phase I Enclave (Incomplete)**  
(West side of TPC Parkway, north of Evans Road)

Luz Gonzales, Planner, introduced item and recommended approval.

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

23. ~~120053~~ ~~Alamo Ranch Unit 28 Phase 1A – (Item Pulled)~~  
(~~West side of Alamo Parkway, south of Volunteer Parkway~~)

Commissioner Lindhorst departed the board room.

24. **120214** **Fallbrook Unit 1 Enclave** (Incomplete)  
(East of the intersection of Old Fredericksburg Road and Woodland Green)

Larry Odis, Planner, introduced item and recommended approval.

Motion: Commissioner Kossl to follow staff's recommendation of approval.  
Second: Commissioner Martinez  
In Favor: Limon, Martinez, R. Rodriguez, A Rodriguez, Oroian, Kossl, Sherill  
Recusal: Lindhorst  
Opposed: None  
Motion Passes.

Commissioner Lindhorst returned to the board room.

**VARIANCE:**

25. **TPV 12-004 NuStar San Antonio Refinery Pipeline**  
(Southwest of the intersection of South Presa and Southwest Military)

Luz Gonzales, Planner, introduced item and recommended approval.

Motion: Commissioner R. Rodriguez to follow staff's recommendation of approval.  
Second: Commissioner A. Rodriguez  
In Favor: Unanimous  
Opposed: None  
Motion Passes.

**LAND TRANSACTIONS:**

26. Consideration of a contract for Huebner and NW Military Intersection Improvements Project – ROW Acquisition (Department of Public Works, by Amer Gilani)

Amer Gilani, Capital Improvements Management Services, presented item and recommended approval

Motion: Commissioner A. Rodriguez to follow staff recommendation of approval.  
Second: Commissioner Oroian  
In Favor: Unanimous  
Opposed: None  
Motion Passes.

27. Consideration of a request to acquire real property, for City use, approximately 84.65 acres of property located at 827 Richland, 856 Gembler and 4007 East Interstate 10 located in NCB 10577 and NCB 10578. (Center City Development Office, by David A. McGowen)

David McGowen, Capital Improvements Management Services, presented item and recommended approval.

Motion: Commissioner Kossl to follow staff recommendation of approval.  
Second: Commissioner Martinez  
In Favor: Unanimous  
Opposed: None  
Motion Passes.

28. **S.P. No. 1610** - Request to close, vacate and abandon portions of Old Fredericksburg Road and Boerne Stage Road Public Rights of Way adjacent to NCB 34732 (Capital Improvements Management Services, by Martha Almeria)

Martha Almeria, Capital Improvements Management Services, presented item and recommended approval.

Bill Kaufmann, representative, stated the road is narrow and not maintained. This road is mainly used as a short cut. He also stated this poses a major concern and safety issue. He further stated this project has been ongoing due to trying to locate the owner. When the project the old Spanish trail will be visible and there will be memorabilia.

Gilmore Gaston, engineer, stated the counts for the evening peak hours were about forty-five hours, noon peak hours was thirty cars, and the morning peak hours were ten cars. He also stated this is a major safety concern for the people who eat the restaurant when they are trying to get to there.

Jennifer Nottingham, citizen, spoke in opposition.

Richard Dietz, citizen, spoke in favor.

May Fenstermaker, citizen, spoke in opposition.

Bebe Fenstermaker, citizen, spoke in opposition.

Virginia Van Cleave, citizen, spoke in opposition.

Marlene Richardson, citizen, spoke in opposition.

Motion: Commissioner A. Rodriguez to follow staff recommendation of approval.  
Second: Commissioner Lindhorst  
In Favor: Limon, Martinez, A. Rodriguez, Oroian, Kosl, Sherrill, Lindhorst  
Opposed: R. Rodriguez  
Motion Passes.

**Board members recessed for five minutes.**

29. **S.P. No. 1629** - Request to close, vacate and abandon a 0.710 acre portion of Oaktree Drive and Brackenridge Avenue Public Rights of Way located north of Fort Sam Houston Army Base. (Capital Improvements Management Services, by Martha Almeria)

Martha Almeria, Capital Improvements Management Services, presented item and recommended approval.

Bill Kaufman, representative, stated the properties in this are in terrible shape. He also stated there have building code violations and numerous police reports. These properties will be demolished. He further stated the applicant is planning to replace some two hundred units with modern units that are very similar to the Pearl.

Motion: Commissioner Martinez to follow staff recommendation of approval  
Second: Commissioner Oroian  
In Favor: Unanimous  
Opposed: None  
Motion Passes.

38. **PA12048** - Public hearing and consideration of a resolution amending the land use plan contained in the West/Southwest Sector Plan, a component of the Master Plan of the City, by changing the use of approximately 2.4164 acres located at 7510 Grissom Road from Suburban Tier land use to Specialized Center land use. (Planning and Community Development Department by Jacob Floyd)

Jacob Floyd, Planning and Community Development Department, presented item and recommended denial of the request to amend from Suburban Tier to Specialized Center

Bobby Perez, representative, stated the applicant is planning to exchange restrictive covenants with the neighborhood association. He also stated they are requesting a two-week continuance.

Motion: Commissioner Martinez to recommend a two-week continuance until the next regularly scheduled meeting on June 27, 2012.  
Second: Commissioner Kossl  
In Favor: Unanimous  
Opposed: None  
Motion Passes.

**Commissioner Lindhorst departed at 4:08.**

**Commissioner A. Rodriguez departed the board room for purpose of recusal.**

- 30. S.P. No. 1654** - Request to declare as surplus and sell a vacant City-owned parcel of land located at 803 N. Cherry Street bounded by Lamar Street to the north, N. Cherry Street to the east, Hays Street to the south and the Rail Road Right of Way to the west within New City Block 527 in City Council District No. 2 (Center City Development Office, by David A. McGowen)

David McGowen, Capital Improvements Management Services, presented item and recommended approval.

Trey Jacobson, representative, stated the construction of self-contained small brewery. Breweries are a huge tourism draw for communities. He also stated there want to construct a restaurant next to the Hays street bridge. He further stated there are no curbs or sidewalks. This property is in close proximity from some large parks.

Nettie Hinton, citizen, spoke in opposition.

Douglas Stedman, citizen, spoke in opposition.

Jackie Gorman, citizen, spoke in favor.

Gary Houston, citizen, spoke in opposition.

Marisol Cortes, citizen, spoke in opposition.

Motion: Commissioner Martinez to follow staff recommendation of approval.  
Second: Commissioner Kossl  
In Favor: Limon, Martinez, R. Rodriguez, Kossl  
Opposed: Oroian, Sherrill  
Recusal: A. Rodriguez  
Motion Fails.

Motion: Commissioner Martinez to continue this item to two weeks, to the next meeting.  
Second: Commissioner Kossl  
In Favor: Limon, Martinez, R. Rodriguez, Kossl, Oroian, Sherrill  
Opposed: None  
Recusal: A. Rodriguez  
Motion Passes.

- 31. S.P. No. 1657** - Request for a License Agreement to use the land under the Hays Street Bridge located between N. Cherry Street and the Railroad Right of Way adjacent to New City Blocks 527 and 536 in City Council District No. 2 (Center City Development Office, by David A. McGowen)

Trey Jacobson, representative, stated he is requesting a continuance.

Motion: Commissioner Martinez to continue this item to two weeks, to the next meeting.  
Second: Commissioner Kossl  
In Favor: Limon, Martinez, R. Rodriguez, Kossl, Oroian, Sherrill  
Recusal: A. Rodriguez  
Opposed: None  
Motion Passes.

- 32. S.P. No. 1658** - Request for a License Agreement to construct a skywalk connecting to the Hays Street Bridge located between N. Cherry Street and the Railroad Right of Way adjacent to New City Block 527 in City Council District No. 2 (Center City Development Office, by David A. McGowen)

Trey Jacobson, representative, stated he is requesting a continuance.

Motion: Commissioner Martinez to continue this item to two weeks, to the next meeting.  
Second: Commissioner Kossl  
In Favor: Limon, Martinez, R. Rodriguez, Kossl, Oroian, Sherrill  
Recusal: A. Rodriguez  
Opposed: None  
Motion Passes.

- 33. S.P. No. 1659** - Request for a License Agreement to use a portion of the Hays Street Bridge for restaurant tables located between N. Cherry Street and the Railroad Right of Way adjacent to New City Blocks 527 and 536 in City Council District No. 2 (Center City Development Office, by David A. McGowen)

Trey Jacobson, representative, stated he is requesting a continuance.

Motion: Commissioner Martinez to continue this item to two weeks, to the next meeting.  
Second: Commissioner Kossl  
In Favor: Limon, Martinez, R. Rodriguez, Kossl, Oroian, Sherrill  
Recusal: A. Rodriguez  
Opposed: None  
Motion Passes.

#### **COMPREHENSIVE MASTER PLANS:**

- 34. PA12042** - [Item Continued from May 23, 2012 meeting] Public hearing and consideration of a resolution amending the future land use plan contained in the South Central San Antonio Community Plan, a component of the Comprehensive Master Plan of the City, by changing the use of approximately 0.4594 acres located at 5608 South Flores Street from Mixed Use to Regional Commercial. (Department of Planning and Community Development by Jacob Floyd)

Jacob Floyd, Department of Planning and Community Development, presented item and recommended denial of the request to amend from Mixed Land use to Regional Commercial Land use.

Luis Garcia, applicant, stated he has owned this building for over a twenty years and has had numerous approaches by citizens who want to lease the building for bars but he felt it would detrimental to the neighborhood that is why he wants to open up a bingo hall and banquet hall. He also stated this neighborhood has a lot elderly people who would benefit from having a bingo hall in the neighborhood. He further stated he does not plan to consume or sell alcohol on the property.

Motion: Commissioner Martinez to follow staff recommendation of denial of the request to amend from Mixed Land use to Regional Commercial Land use.  
Second: Commissioner Sherrill  
In Favor: Unanimous  
Opposed: None  
Motion Passes.

**Commissioner Oroian departed the boardroom for purpose of recusal.**

- 35. PA12044** - [Item Continued from May 23, 2012 meeting] Public hearing and consideration of a resolution amending the future land use plan contained in the South Central San Antonio Community Plan, a component of the Comprehensive Master Plan of the City, by changing the use of approximately 2.032 acres located at 2002 Southcross from Low Density Residential to Community Commercial. (Department of Planning and Community Development by Tyler Sorrells)

Tyler Sorrells, Department of Planning and Community Development, presented item and recommended denial of the request to amend from Low Density Residential to Community Commercial.

James Griffin, representative, stated the staff is recommending denial because of the residents surrounding the property. He also stated the property is a little over two acres and is zoned multi-family. He feels the lot is to big for residential. He further stated the surrounding property owners are in support of the plan amendment. The surrounding property owners do not want apartments. The owner is also working with the neighborhood associations in deciding on restrictions.

Motion: Commissioner R. Rodriguez for approval of the request to amend from Low Density Residential to Community Commercial.  
Second: Commissioner Martinez  
In Favor: Limon, Martinez, R. Rodriguez, A. Rodriguez, Kossl, Sherrill  
Abstain: Oroian  
Opposed: None  
Motion Passes.

- 36. PA12046** - Public hearing and consideration of a resolution amending the future land use plan contained in the Government Hill Neighborhood Plan, a component of the Comprehensive Master Plan of the City, by changing the use of approximately 0.1521 acres located at 404 Stafford from Low Density Residential to Neighborhood Commercial. (Department of Planning and Community Development by John Osten)

John Osten, Department of Planning and Community Development, presented item and recommended approval of the request to amend from Low Density Residential to Neighborhood Commercial.

James Griffin, representative, stated they have been working with the neighbors. He also stated they are asking for thirty day continuance.

Jack Finger, citizen, spoke in opposition.

Stela Ashley, citizen, spoke in opposition.

Motion: Commissioner Martinez for a continuance until the July 11, 2012 Planning Commission meeting.  
Second: Commissioner Kossl  
In Favor: Unanimous  
Opposed: None  
Motion Passes.

- 37. PA12047** - Public hearing and consideration of a resolution amending the land use plan contained in the West/Southwest Sector Plan, a component of the Master Plan of the City, by changing the use of approximately 0.445 acres located at 5645 Mt. Helen from Rural Estate Tier land use to Suburban Tier land use. (Planning and Community Development Department by Robert C. Acosta)

Robert C Acosta, Planning and Community Development, presented item and recommended approval of the request to amend from Rural Estates Tier to Suburban Tier.

Ediberto Gonzales, applicant, stated he has owned this property for a little over eight year and two years was told the home was not in compliance so he applied for nonconforming rights. He also stated he has invested a lot of money by remodeling this house. He further stated he plans to keep this property and his daughter will reside at the residence.

John Wright, citizen, spoke in support.

Jan Wells, citizen, spoke in opposition.

Motion: Commissioner Kossl to follow staff recommendation of approval of the request to amend from Rural Estates Tier to Suburban Tier.  
Second: Commissioner Oroian  
In Favor: Unanimous  
Opposed: None  
Motion Passes.

39. **PA12049** - Public hearing and consideration of a resolution amending the future land use plan contained in the Arena District/Eastside Community Plan, a component of the Comprehensive Master Plan of the City, by changing the use of approximately 1.2 acres located at 2527 East Commerce Street from Medium Density Residential and Neighborhood Commercial to Mixed Use. (Department of Planning and Community Development by Rebecca Paskos)

Rebecca Paskos, Planning and Community Development, presented item and recommended approval of the request to amend from Medium Density Residential and Neighborhood Commercial to Mixed Use.

Emil Monscivais, representative, stated this proposal is for an optometrist on the eastside and will consist of a four-story structure with about one hundred parking spaces. He also stated since there is not an optometrist in the area, he feels this will be a focal point for the residents in the area. He further stated the optometrist is not going to be a college but will have students observing patients.

Charles English, citizen, spoke in opposition.

Commissioner Oroian made a motion to continue this case.

Commissioner Oroian withdrew his motion.

Motion: Commissioner Martinez to follow staff recommendation of approval of the request to amend from Medium Density Residential and Neighborhood Commercial to Mixed Use.  
Second: Commissioner Kossl  
In Favor: Limon, Martinez, R. Rodriguez, Kossl, Sherrill  
Opposed: A. Rodriguez, Oroian  
Motion Passes.

41. **PA12052** - Public hearing and consideration of a resolution amending the future land use plan contained in the Nogalitos/South Zarzamora Community Plan, a component of the Comprehensive Master Plan of the City, by changing the use of a 7.662 acre tract of land located at 1406 Fitch Street, 1201 Lenard Street, 303 through 323 Berlin Avenue, 419 Berlin Avenue, and portions of Lenard and Ella Streets from Low Density Residential to Public/Institutional. (Department of Planning and Community Development by Jacob Floyd)

Jacob Floyd, Department of Planning and Community Development, presented item and recommended approval of the request to amend from Low Density Residential Land Use to Public/Institutional land use.

Motion: Commissioner R. Rodriguez to follow staff recommendation of approval of the request to amend from Low Density Residential Land Use to Public/Institutional land use.  
Second: Commissioner A. Rodriguez  
In Favor: Unanimous  
Opposed: None  
Motion Passes.

**OTHER ITEMS:**

**42. Approval of the minutes for the May 23, 2012 Planning Commission meeting**

Motion: Commissioner A. Rodriguez for approval of the May 23, 2012 Planning Commission minutes.  
Second: Commissioner Oroian  
In Favor: Unanimous  
Opposed: None  
Motion Passes.

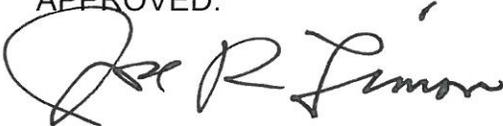
**43. Director's report - City Council Action Update (Planning Commission Items sent to Council)**

**44. 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**

**45. ADJOURNMENT**

There being no further business, the meeting adjourned at 7:00 p.m.

APPROVED:

  
Jose Limon, Chair

ATTEST:

  
Executive Secretary