

**SAN ANTONIO ZONING COMMISSION  
OFFICIAL MINUTES  
September 1, 2009**

1. The Zoning Commission of the City of San Antonio met in the 1<sup>st</sup> Floor, Board Room of the Cliff Morton Development and Business Services Center at 1901 S. Alamo.

**1:00 PM – Public Hearing**

2. Roll Call.

**PRESENT:** Gadberry, McFarland, Valadez, Westheimer, Christian, Hawkins, Wright,  
Martinez, Tiller, Gray

**ABSENT:** Myers

3. Approval of August 18, 2009 Zoning Commission Minutes.

**COMBINED HEARING:**

4. **ZONING CASE NUMBER Z2009136 (Council District 3):** A request for a change in zoning from "R-6" Residential Single-Family District to "C-2NA" Commercial Non-Alcoholic Sales District on Lot 29, Block 3, NCB 7900, 204 West Hart Avenue. Staff recommends approval.

Staff stated there were 25 notices mailed out to the surrounding property owners, 0 returned in opposition and 5 returned in favor. Staff mailed 16 notices to the Planning Team.

**COMMISSION ACTION**

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

**AYES:** Gadberry, McFarland, Valadez, Westheimer, Christian, Hawkins, Wright,  
Martinez, Tiller, Gray

**NAY:** None

**THE MOTION CARRIED**

5. **ZONING CASE NUMBER Z2009137 (Council District 7):** A request for a change in zoning from "R-5" Residential Single Family District and "MF-33" Multi Family District to "C-3" General Commercial District on Lot 8D, Block B, NCB 11507, 1213 Bandera Road. Staff recommends denial of "C-3" with an alternate recommendation of "C-2".

Andrew Mialkowski, owner, stated he would like to amend his request to "C-2" as staff has recommended.

Staff stated there were 14 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and no response from University Park and Donaldson Terrace Neighborhood Associations.

**COMMISSION ACTION**

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

**AYES:** Gadberry, McFarland, Valadez, Westheimer, Christian, Hawkins, Wright,  
Martinez, Tiller, Gray

**NAY:** None

**THE MOTION CARRIED**

**Commissioner Martinez arrived at 1:16 pm.**

**6. ZONING CASE NUMBER Z2009142 S (Council District 1):** A request for a change in zoning from "C-3NA" General Commercial Nonalcoholic Sales District to "C-3NA S" General Commercial Nonalcoholic Sales District with a Specific Use Authorization for a Veterinary Hospital - Small Animals (No Outside Runs, Pens and Paddocks Permitted) on Lots 17, 18, and 19, Block 19, NCB 7326, 137 Earl Street. Staff recommends approval of the requested Specific Use Authorization with the following conditions:

Staff stated there were 16 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor. Staff mailed 74 notices to the Planning Team.

**COMMISSION ACTION**

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

1. All on-site lighting shall be directed onto the site and point away from adjoining residential zoning or uses using 90 degree or less cut-off fixtures.
2. All adoption services shall be limited to no more than 10 animals at any given time.
3. A 6-foot tall, solid fence shall be maintained along property lines abutting single-family residential zoning or uses.

**AYES:** Gadberry, McFarland, Valadez, Westheimer, Christian, Hawkins, Wright,  
Martinez, Tiller, Gray

**NAY:** None

**THE MOTION CARRIED**

7. **ZONING CASE NUMBER Z2009147 (Council District 5):** A request for a change in zoning from "I-2" Heavy Industrial District to "MF-33 IDZ" Multi-Family District Infill Development Zone on Lots A7, A8 and A9, Block 100, NCB 273, 325 Colima Street. Staff recommends approval.

Staff stated there were 12 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor. Staff mailed 88 notices to the Planning Team.

**COMMISSION ACTION**

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

**AYES: Gadberry, McFarland, Valadez, Westheimer, Christian, Hawkins, Wright, Martinez, Tiller, Gray**

**NAY: None**

**THE MOTION CARRIED**

**INDIVIDUAL CONSIDERATION:**

8. **ZONING CASE NUMBER Z2009123 (Council District 7):** A request for a change in zoning from "C-3" General Commercial District to "C-2" Commercial District on Lot 27, Block 2, NCB 8416, 2907 Fredericksburg Road. Staff recommends approval.

City staff represented this case.

**The following citizen(s) appeared to speak:**

Edward Lavin, spoke in favor.

Bianca Maldonado, spoke in favor.

Rob Sipes, spoke in favor.

Celia Longoria, spoke in favor.

Enrique Valdez, spoke in favor.

Ferne Burney, spoke in favor.

Mary Laux, spoke in favor.

Amanda Rodriguez, spoke in favor.

Wilmar Brown, spoke in favor.

Ella Reyna, spoke in favor.

Anna Tanari, spoke in favor.

Patricia Doria, spoke in favor.

Daniel Ortiz, spoke in opposition.

Staff stated there were 12 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 in favor and no response from Jefferson and Los Angeles Heights-Keystone Neighborhood Associations. Staff mailed 33 notices to the Planning Team.

### COMMISSION ACTION

The motion was made by Commissioner Christian and seconded by Commissioner Westheimer to recommend approval.

**AYES: Gadberry, McFarland, Westheimer, Christian, Hawkins, Wright, Martinez, Tiller, Gray**

**NAY: Valadez**

### THE MOTION CARRIED

**Commissioner Hawkins has recused herself from Zoning Case Z2009129 and Z2009130.**

9. **ZONING CASE NUMBER Z2009129 (Council District 2):** A request for a change in zoning from "MF-33" Multi-Family District to "C-2" Commercial District on 4.156 acres out of Block 1, NCB 7457 and Block 19, NCB 1550 on a portion of the 300 Block of Yucca Street. Staff recommends approval.

Ken Brown, representative, stated the purpose of this request is to allow for retail development. He stated their plan amendment has been presented and approved by Planning Commission. He further stated they have met with the Arena District representatives and have received a letter of support. He stated they have agreed to put a covenant on the property, which will be enforced by the Arena District that would eliminate certain uses.

### **The following citizen(s) appeared to speak:**

James Brown, spoke in favor.

Mrs. Guajardo, spoke in opposition.

Staff stated there were 17 notices mailed out to the surrounding property owners, 0 returned in opposition and 5 in favor. Staff mailed 26 notices to the Planning Team.

**COMMISSION ACTION**

The motion was made by Commissioner Gray and seconded by Commissioner Martinez to recommend approval pending Plan Amendment.

**AYES: Gadberry, McFarland, Valadez, Westheimer, Christian, Wright, Martinez, Tiller, Gray**

**NAY: None**

**RECUSED: Hawkins**

**THE MOTION CARRIED**

**10. ZONING CASE NUMBER Z2009130 S (Council District 2):** A request for a change in zoning from "MF-33" Multi-Family District to "C-3 S" General Commercial District with a Specific Use Authorization for a Correctional Facility (Transitional Home) on 4.914 acres out of Block 16, NCB 1546 and Block 20, NCB 1551 on a portion of the 300 block of Yucca Street. Staff recommends denial.

Ken Brown, representative, stated the purpose of this zoning change is to allow for a transitional home on the subject property. He stated they have drafted a set of covenants that imposes or prohibits all "C-2" and "C-3" uses. He further stated they have also amended to "NA". He stated by covenant and amending they are essentially requesting a "C-1NA S".

**The following citizen(s) appeared to speak:**

Kevin Downey, representing Crosspoint, stated they have been in operation in San Antonio since 1963. He stated they provide services to veterans, individuals that suffer from substance abuse, mental health and citizen that return home from incarceration. He stated they provide them with resources and guidance they need to become productive citizens of this community.

Sister Gabriella Lohan, spoke in favor.

Carolyn Kelly, spoke in favor.

Sister Miriam Mitchell, spoke in favor.

Markes Kirkwood, spoke in favor.

Rev. Ken Davis, spoke in favor.

Alvin Alvarado, spoke in favor.

Sister Marian Murry, spoke in favor.

Patti Radle, spoke in favor.

September 1, 2009

6

Charles Johnson, spoke in favor.

Betty Child, spoke in favor.

James Griffin, spoke in favor.

Shelia McNeil, spoke in opposition.

Ida Brown, spoke in opposition.

Mr. Matthews, spoke in opposition.

Leon Thomas, spoke in opposition.

Walter Earl Perry, spoke in opposition.

Ronnie Thomas, spoke in opposition.

Staff stated there were 14 notices mailed out to the surrounding property owners, 0 returned in opposition and 6 in favor. Staff mailed 26 notices to the planning team.

#### **COMMISSION ACTION**

The motion was made by Commissioner Gray and seconded by Commissioner Christian to recommend approval.

Commissioner Martinez made a friendly amendment limit of 100 beds as agreed to by the applicant. Motion was seconded by Commission Wright.

#### **1<sup>st</sup> Motion** – amendment

**AYES:** Gadberry, McFarland, Valadez, Westheimer, Christian, Wright, Martinez, Tiller,  
Gray

**NAY:** None

**RECUSED:** Hawkins

#### **THE MOTION CARRIED**

#### **2<sup>nd</sup> Motion**

**AYES:** Gadberry, McFarland, Valadez, Christian, Wright, Martinez, Tiller, Gray

**NAY:** Westheimer

**RECUSED:** Hawkins

#### **THE MOTION CARRIED**

11. **ZONING CASE NUMBER Z2009138 CD (Council District 2):** A request for a change in zoning from "R-5" Residential Single Family District to "R-5 CD" Residential Single Family District with a Conditional Use for a Beauty Shop on a 0.143 of an acre tract of land out of Lot 8, NCB 10757, 1817 South W. W. White Road. Staff recommends approval.

Estella Gonzalez, owner, stated the purpose of this request is to allow for a beauty shop on the subject property.

Staff stated there were 9 notices mailed out to the surrounding property owners, 0 returned in opposition and 3 in favor and staff received an email from a committee member expressing their support. Staff mailed 27 notices to the planning team.

#### **COMMISSION ACTION**

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

**AYES:** Gadberry, McFarland, Valadez, Westheimer, Christian, Hawkins, Wright,  
Martinez, Tiller, Gray

**NAY:** None

#### **THE MOTION CARRIED**

12. **ZONING CASE NUMBER Z2009143 (Council District 6):** A request for a change in zoning from "R-6" Residential Single-Family District and "MF-33" Multi-Family District to "MF-33" Multi Family District (on 0.7683 of an acre) and "C-3R" General Commercial Restrictive Alcoholic Sales District (on 1.534 acres) on 2.3023 acres out of Block 3, NCB 8988, multiple addresses. Staff recommends denial with an alternate recommendation of "RM-4" on 0.7683 and "C-2" on 1.534.

Arnie Gonzalez, representative, stated at their neighborhood meeting there were some issues that need to be addressed therefore he would like to request a continuance.

Staff stated there were 40 notices mailed out to the surrounding property owners, 5 returned in opposition and 0 in favor and no response from Community Works Council. Staff received a response from Los Jardines expressing support of the applicant's request of a continuance.

#### **COMMISSION ACTION**

The motion was made by Commissioner Martinez and seconded by Commissioner Valadez to recommend a continuance until October 6, 2009.

**AYES:** Gadberry, McFarland, Valadez, Westheimer, Christian, Wright, Martinez, Tiller, Gray

**NAY:** None

**THE MOTION CARRIED**

**13. ZONING CASE NUMBER Z2009145 HS (Council District 2):** A request for a change in zoning from "I-1" General Industrial District to "HS I-1" Historic Significant General Industrial District on Lot 1, Block 1, NCB 1360, 734 North New Braunfels Avenue. Staff recommends approval.

City staff represented this case.

**The following citizen(s) appeared to speak:**

Barbara Witte-Howel, representing San Antonio Conservation Society, spoke in favor.

Staff stated there were 38 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 in favor and no response from Harvard Place-Eastlawn and Dignowity Hill Neighborhood Associations. Staff mailed 23 notices to the Planning Team.

**COMMISSION ACTION**

The motion was made by Commissioner Christian and seconded by Commissioner Westheimer to recommend approval.

**AYES:** Gadberry, McFarland, Valadez, Westheimer, Christian, Hawkins, Wright, Martinez, Tiller, Gray

**NAY:** None

**THE MOTION CARRIED**

**14. ZONING CASE NUMBER Z2009146 HS (Council District 2):** A request for a change in zoning from "I-1" General Industrial District to "HS I-1" Historic Significant General Industrial District on Lot 2, Block 1, NCB 1360, 1502 Burnet Street. Staff recommends approval.

City staff represented this case.

**The following citizen(s) appeared to speak:**

Barbara Witte-Howel, representing San Antonio Conservation Society, spoke in favor.

Staff stated there were 38 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 in favor and no response from Harvard Place-Eastlawn and Dignowity Hill Neighborhood Associations. Staff mailed 23 notices to the Planning Team.

September 1, 2009

9

**COMMISSION ACTION**

The motion was made by Commissioner Christian and seconded by Commissioner Westheimer to recommend approval.

**AYES: Gadberry, McFarland, Valadez, Westheimer, Christian, Hawkins, Wright,  
Martinez, Tiller, Gray**

**NAY: None**

**THE MOTION CARRIED**

**15. ADJOURNMENT.**

There being no further business, the meeting was adjourned at 4:00 p.m.

APPROVED:



Don Gadberry, Chairman

ATTEST:



Executive Secretary