

**SAN ANTONIO ZONING COMMISSION
OFFICIAL MINUTES
September 21, 2010**

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

2. Roll Call.

PRESENT: Tiller, McFarland, Valadez, Christian, Cole, Myers, Anguiano, Martinez, Nava

ABSENT: Wright, Medina

3. Approval of September 7, 2010 Zoning Commission Minutes.

COMBINED HEARING:

4. **ZONING CASE NUMBER Z2010144 (Council District 1):** A request for a change in zoning from “O-2 AHOD” Office Airport Hazard Overlay District to “O-1 IDZ AHOD” Office Infill Development Zone Airport Hazard Overlay District on Lot 4, Block 1, NCB 811, 315 East Euclid Avenue. Staff recommends approval.

The following citizen(s) appeared to speak:

Ashley Farrimond, representing Porter Loring Mortuaries, who is the neighbor to the applicant, stated they were originally in opposition of this request due to parking concerns and at this time wish to withdraw their opposition as the issue has been resolved.

Staff stated there were 24 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and no response from Downtown Residents Association. Staff mailed 15 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Nava seconded by Commissioner McFarland to recommend approval.

AYES: Tiller, McFarland, Valadez, Christian, Cole, Myers, Anguiano, Martinez, Nava

NAY: None

THE MOTION CARRIED

5. ZONING CASE NUMBER Z2010139 (Council District 4): A request for a change in zoning from “RM-4 AHOD” Residential Mixed Airport Hazard Overlay District, “I-1 AHOD MAOZ-1” General Industrial Airport Hazard Overlay Military Airport Overlay Zone, and “I-1 AHOD MAOZ-2” General Industrial Airport Hazard Overlay Military Airport Overlay Zone to “C-3 AHOD” General Commercial Airport Hazard Overlay District, “C-3 AHOD MAOZ-1” General Commercial Airport Hazard Overlay Military Airport Overlay Zone, and “C-3 AHOD MAOZ-2” General Commercial Airport Hazard Overlay Military Airport Overlay Zone on Lots 2, 3, 4A, 21, 22, 23A, the west 91.7 feet of Lot 1 and the west 84.4 feet of Lot 20, Block 3, NCB 11263; Lots 7 through 9 and the east 85.45 feet of Lot 10, Block 6, NCB 11266; Lot 1A, CB 11297, 3418 Pitluk Avenue. Staff recommends approval.

Staff stated there were 22 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor no response from Quintana Community Neighborhood Association.

COMMISSION ACTION

The motion was made by Commissioner Nava seconded by Commissioner McFarland to recommend approval.

AYES: Tiller, McFarland, Valadez, Christian, Cole, Myers, Anguiano, Martinez, Nava
NAY: None

THE MOTION CARRIED

INDIVIDUAL CONSIDERATION:

6. ZONING CASE NUMBER Z2010140 (Council District 8): A request for a change in zoning from “R-20 MLOD-1” Residential Single-Family Military Lighting Overlay District to “I-1 MLOD-1” General Industrial Military Lighting Overlay District on a 3.222 acre tract out of NCB 35733, 7065 and 7067 Heuermann Road. Staff recommends approval.

Jerry Arredondo, representative, stated the purpose of this request is to allow for a contractor’s facility. He stated after meeting with the neighborhood associations, he would like to amend his request from “I-1 MLOD-1” to “L S” with a Specific Use for a Contractor’s Facility.

Staff stated there were 12 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor and Friends of Friedrich Wilderness Park is in favor.

COMMISSION ACTION

The motion was made by Commissioner Nava seconded by Commissioner Martinez to recommend approval as amended to “L S” Light Industrial District with a Specific Use for a Contractor’s Facility.

AYES: Tiller, McFarland, Valadez, Christian, Cole, Myers, Anguiano, Martinez, Nava
NAY: None

THE MOTION CARRIED

7. ZONING CASE NUMBER Z2010143 (Council District 10): A request for a change in zoning from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on Parcel 7A and Parcel 7C, NCB 17801(1.7824 Acres), 14839 Toepperwein Road. Staff recommends approval.

James Griffin, representative, state the purpose of this zoning change is to allow for expansion of existing convenient store. He stated they have met with the surrounding property owners to address their concerns. He stated their concerns were mostly focused on the exiting drainage issues and they are working on addressing those issues. They have also agreed to limit the building size on the entire lot to only 20,000 square feet or less as well as replacing existing lighting and future lighting to be the dark sky 90 degree cut off lighting.

The following citizen(s) appeared to speak:

Bill Butcher, stated he was in opposition of this proposal however he would like to withdraw his opposition as he has met with Mr. Griffin and has had his drainage concerns resolved. He stated his only concern now is that "C-2" zoning designation as this would allow another type of business that would not be welcomed into the neighborhood should the convenient store go out of business.

Staff stated there were 44 notices mailed out to the surrounding property owners, 2 returned in opposition and 2 returned in favor and no response from Feather Ridge Neighborhood Association.

COMMISSION ACTION

The motion was made by Commissioner McFarland seconded by Commissioner Martinez to recommend approval.

AYES: Tiller, McFarland, Valadez, Christian, Cole, Myers, Anguiano, Martinez, Nava
NAY: None

THE MOTION CARRIED

8. ZONING CASE NUMBER Z2010091 CD (Council District 2): A request for a change in zoning from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "RM-6 CD AHOD" Residential Mixed Airport Hazard Overlay District with a Conditional Use for a Boarding House (Rooming House) on Lots 6, 7 and 8, Block A-1 or 25, NCB 500, 1306 North Hackberry. Staff recommends approval.

Eddie Bravenec, applicant, stated they are requesting this change in zoning to allow for a boarding home for homeless people. He stated their stay would be short term as Living Stone Ministries provide assistants to transition homeless people to being productive members of society. He further stated he has been in contact with the Councilwoman and who has visited the facility who recommended that a citizen from the neighborhood be appointed to the Board of Director's of the facility.

The following citizen(s) appeared to speak:

Daniel Day, stated he lives nearby the subject property and would like to express his support.

Barbara Garcia, representing Dignowity Hill Neighborhood Association, stated this item was discussed at their neighborhood meeting last night and their response was not in favor. She stated their neighborhood is not a suitable area for such boarding home and expressed safety concerns.

Eduardo Salgado, stated if Living Stone Ministries intent is to provide helpful services to the transit such as him, why then did they forcefully escorted a transit out of their facility.

Staff stated there were 23 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no response from Government Hill Alliance Neighborhood Association and staff received 1 notice in favor outside the 200 foot radius.

COMMISSION ACTION

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

AYES: Tiller, McFarland, Valadez, Christian, Cole, Myers, Anguiano, Martinez, Nava
NAY: None

THE MOTION CARRIED

9. ZONING CASE NUMBER Z2010145 (Council District 4): A request for a change in zoning from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-3 AHOD" General Commercial Airport Hazard Overlay District on Lot 39, Block 76, NCB 11051, 8600 South Zarzamora. Staff recommends denial with an alternate recommendation of "C-2" Commercial District.

Sam Stranathan, applicant, stated he would like to amend his request to "C-2" as staff has recommended. He stated the purpose of this request is to allow for commercial development. He further stated he mailed notices to the surrounding property owners and received 3 phone calls expressing support.

The following citizen(s) appeared to speak:

Pedro Reyna, stated the applicant has not specified the type of business that would be operated on the subject property. He also expressed concerns with increase in traffic with the new commercial development.

Staff stated there were 15 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no response from Gillette Area Neighborhood Association.

COMMISSION ACTION

The motion was made by Commissioner Myers seconded by Commissioner Martinez to recommend approval of "C-2".

AYES: Tiller, McFarland, Valadez, Christian, Cole, Myers, Anguiano, Martinez, Nava

NAY: None

THE MOTION CARRIED

10. ZONING CASE NUMBER Z2010146 (Council District 7): A request for a change in zoning from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "MF-18 AHOD" Multi-Family Airport Hazard Overlay District on Lot 22, Block 2, NCB 1988, 1806 West Craig Place. Staff recommends approval.

Marek Sieczynski, applicant, stated the purpose of this zoning change is to bring the existing four dwelling unit into compliance.

The following citizen(s) appeared to speak:

Alejandro Soto, President of Woodlawn Lake Community Association, stated they are in opposition of this request. He stated this proposal is not consistent with the single family character of the neighborhood.

Staff stated there were 24 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and Woodlawn Lake Community, Monticello Park and Jefferson Heights Neighborhood Associations are in opposition. Staff mailed 21 notices to the Planning Team and staff received 1 email expressing opposition.

COMMISSION ACTION

The motion was made by Commissioner Christian seconded by Commissioner Martinez to recommend denial.

AYES: Tiller, McFarland, Valadez, Christian, Cole, Myers, Anguiano, Martinez, Nava
NAY: None

THE MOTION CARRIED

11. **ZONING CASE NUMBER Z2010148 CD (Council District 9):** A request for a change in zoning from “MF-33 NCD-6 AHOD” Multi-Family Mahncke Park Neighborhood Conservation Airport Hazard Overlay District to “RM-4 CD NCD-6 AHOD” Residential Mixed Mahncke Park Neighborhood Conservation Airport Hazard Overlay District with a Conditional Use for an Art Studio on Lot 14, Block 6, NCB 6094, 200 and 202 Queen Anne Court. Staff recommends approval with conditions.

Susan Montagna, applicant, stated they are requesting this change in zoning to allow for an art studio. She stated she has met with the surrounding property owners who have expressed their support.

The following citizen(s) appeared to speak:

Brent Hargesheimer, President of Mahncke Park Neighborhood Association, stated they have met with the applicant and do not support this proposal as it conflict with their neighborhood master plan.

Scott Day, Co-Chair of Mahncke Park Neighborhood Association, stated as mentioned by Mr. Hargesheimer, the propose art studio is not consistent with their neighborhood master plan. He expressed concerns with the physical impact this would have on the community. He expressed concerns with increase in traffic and parking issues with the various art events they may have.

Morgan Price, stated he has lived in the Mahncke Park neighborhood for roughly 20 years. He stated he support this request as he feels this studio would be make the neighborhood a much more vital neighborhood.

Steve Walkup, stated he is in support of this request. He stated Mahncke Park has become a haven for educational opportunities and feels this proposal fit in great into their community.

Joe Montagna, stated he also is in support of this art studio. He further stated the applicant has enhanced the property to give it character.

Staff stated there were 27 notices mailed out to the surrounding property owners, 2 returned in opposition and 1 returned in favor and Mahncke Park Neighborhood Association is in opposition. Staff mailed 20 notices to the Planning Team and received 1 notice in favor and 1 notice in opposition.

COMMISSION ACTION

The motion was made by Commissioner Nava seconded by Commissioner Christian to recommend approval with the following 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 neighborhood.
- C. Business or office hours of operation shall not be permitted before 7:00 a.m. or after 6:00 p.m.

In addition to the conditions listed above, staff recommends the following:

- 1. An art studio use shall be permitted to include instruction space and administrative offices.
- 2. Permitted hours of operation shall be between 9:00 a.m. and 9:00 p.m., Monday through Saturday.
- 3. On-site parking shall be limited, as indicated on the attached site plan. The remaining parking requirements shall be met through a cooperative parking agreement with an adjacent business owner.
- 4. Outdoor classes shall not be permitted after sun-down.
- 5. A six-foot tall, solid-screen fence shall be maintained along the property line of the side and rear yards where the subject property abuts residential uses.

AYES : Tiller, McFarland, Valadez, Christian, Cole, Myers, Anguiano, Martinez, Nava
NAY: None

THE MOTION CARRIED

12. ZONING CASE NUMBER Z2010149 (Council District 8): A request for a change in zoning from "R-6" Residential Single-Family District to "C-2" Commercial District on Lots 4 and 14, NCB 18009, 11006 Bandera Road. Staff recommends approval of "C-2" Commercial District on Lot 4 and Denial of "C-2" Commercial District on Lot 14.

Patrick Christensen, representative, stated he would like to request a 30 day continuance to further review the case and meet with the surrounding property owners and address their concerns.

The following citizen(s) appeared to speak:

Robin Keith, spoke in opposition of any commercial development.

Staff stated there were 20 notices mailed out to the surrounding property owners, 3 returned in opposition and 1 returned in favor and no response from Stonefield Association.

COMMISSION ACTION

The motion was made by Commissioner Nava seconded by Commissioner Christian to recommend a continuance until October 19, 2010.

AYES: Tiller, McFarland, Valadez, Christian, Cole, Myers, Anguiano, Martinez, Nava
NAY: None

THE MOTION CARRIED

13. **ZONING CASE NUMBER Z2010150 (Council District 9):** A request for a change in zoning from "R-4 NCD-6" Residential Single-Family Mahncke Park Neighborhood Conservation District to "MF-18 NCD-6" Multi-Family Mahncke Park Neighborhood Conservation District on Lot 13, Block 2, NCB 6090, 246 Pershing Avenue. Staff recommends denial.

Pedro Vega, Case Manager, stated he received an email from the applicant requesting a 2 month continuance to address concerns from the surrounding property owners.

Applicant/Representative not present.

The following citizen(s) appeared to speak:

Scott Day, stated he just received notice of this case and has not had enough time to further review this proposal therefore he would support the continuance.

Morgan Price, stated he does not comprehend why this zoning request is being considered as several homes in the neighborhood have granny flats behind their homes which is what the applicant is proposing.

Staff stated there were 42 notices mailed out to the surrounding property owners, 5 returned in opposition and 1 returned in favor and no response from Mahncke Park Neighborhood Association. Staff mailed 21 notices to the Planning Team.

COMMISSION ACTION

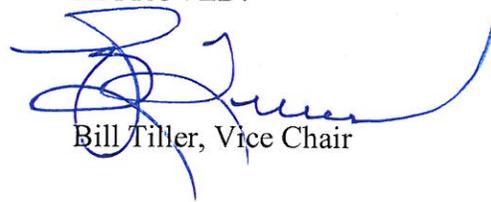
The motion was made by Commissioner Nava seconded by Commissioner Cole to recommend a continuance until November 16, 2010.

AYES: Tiller, McFarland, Valadez, Christian, Cole, Myers, Martinez, Nava
NAY: Anguiano

THE MOTION CARRIED

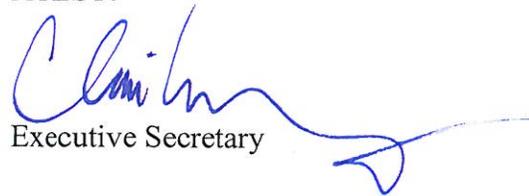
14. There being no further business, the meeting was adjourned at 2:54 p.m.

APPROVED:

A handwritten signature in blue ink, appearing to read "Bill Tiller", written in a cursive style.

Bill Tiller, Vice Chair

ATEST:

A handwritten signature in blue ink, appearing to read "C. Smith", written in a cursive style.

Executive Secretary