

**SAN ANTONIO ZONING COMMISSION
OFFICIAL MINUTES
February 3, 2009**

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: Gadberry, McFarland, J. Valadez, Westheimer, Sherrill, Myers, Wright, Martinez, R. Valadez, Gray

ABSENT: Hawkins

3. Approval of January 20, 2009 Zoning Commission Minutes.

Chairman Gadberry stated Zoning Case No. Z2009035 has been pulled and Zoning Case No. Z2009036 ERZD has been postponed therefore no action will be taken.

Chairman Gadberry stated item #5 – Zoning Commission Subcommittee Minutes will not be considered, as they will only be reviewed.

4. **ZONING CASE NUMBER Z2009025 S (Council District 2):** A request for a change in zoning from “C-2” Commercial District to “C-2 S” Commercial District with a Specific Use Authorization for a Pay Day Loan Agency on the north 75 feet of Lots 13A through 16A and the north 75 feet of Lots 13B through 16B, Block 3, NCB 6337, 316 North New Braunfels Avenue. Staff recommends approval.

David Cibrian, representative, stated they are proposing a Pay Day Loan facility on the subject property. He stated they have attempted to meet with Charles English and the Jefferson Heights Neighborhood Association and they have also sent out certified letters and have received certified return receipts but have not received a response for neither Mr. English and or the Jefferson Heights Neighborhood Association. He further stated he has met with Lillie Harrison and several members of Jefferson Heights Homeowners Association who have expressed support of this proposed zoning change.

The following citizen(s) appeared to speak:

William Harper, spoke in opposition of this request. He stated they are several cash facilities in the neighborhood.

Staff stated there were 28 notices mailed out to the surrounding property owners, 0 returned in opposition and 3 returned in favor and Jefferson Heights Association is in opposition. Staff mailed 29 notices to the Planning Team.

COMMISSION ACTION

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

AYES: Gadberry, McFarland, Westheimer, Wright, Martinez, R. Valadez, Gray
NAY: J. Valadez, Sherrill, Myers

THE MOTION CARRIED

5. ZONING CASE NUMBER Z2009030 CD (Council District 1): 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 Bakery on the east 50 feet of the north 150 feet of Lot 25, Block 3, NCB 8418, 723 Gardina Street. Staff recommends denial.

Monte Young, owner, stated he is proposing a bakery on the subject property. He stated he contacted the president of the neighborhood association and did not receive a response to meet with the association. He further stated he has met with a few of the neighbors and has collected a petition with 5 signatures expressing their support. He stated he is in agreement with staff conditions.

The following citizen(s) appeared to speak:

Margaret Young, spoke in favor.

Patricia Doris, spoke in opposition. She expressed concerns with the increase in traffic into the neighborhood.

Staff stated there were 27 notices mailed out to the surrounding property owners, 1 returned in opposition and 4 returned in favor and Los Angeles Heights – Keystone Neighborhood Association is in opposition. Staff mailed 34 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Westheimer and seconded by Commissioner R. Valadez to recommend denial.

AYES: Gadberry, McFarland, J. Valadez, Westheimer, Sherrill, Myers, Wright, Martinez, R. Valadez, Gray
NAY: None

THE MOTION CARRIED

6. Briefing by Zoning Staff on the Castroville Road/ General McMullen Comprehensive Corridor Rezoning Case.

Brenda Valadez, Case Manger, presented item. She stated this item was initiated by Councilwoman Herrera to direct zoning staff to rezoning properties along South General McMullen as well as Castroville Road in order to make the zoning more compatible with the surrounding uses in the area. This zoning request is intended to protect the established residential and commercial uses in the area by discouraging encroachment of industrial land uses as well as allowing for a more appropriate zoning scheme along the commercial corridor. She further stated this proposal would affect 148 properties to be rezoned. She stated they held a neighborhood meeting and there were approximately 20 citizens in attendance.

Staff stated there were 100 notices mailed out to the surrounding property owners.

7. Briefing by Neighborhood Planning and Urban Design Staff on the River North District Master Plan.

Andrea Gilles, Senior Management Analysis, presented item. She stated the proposal scope is to update to the 1999 Downtown Neighborhood Plan. The change in the land use map would be to amend the boundaries including districts A, B, C, R and part of S to include the entire River North District and technical correction in the Land Use in Section S from Office/Commercial/Mixed to Mixed Use. The text amendment would Reflects the boundary change to correspond with the amended boundaries and incorporate the River North District Master Plan. She stated they are proposing to present this item to Planning Commission on February 25, 2009 for consideration and forward to City council on March 19, 2009.

8. Briefing by the Zoning Commission Subcommittee concerning its activities and possible action by Zoning Commission on policy recommendations.

Chairman Gadberry briefed Commissioners on the items discussed at their Subcommittee Meeting.

Commissioner Valadez recommended Commissioners contact the secretary to the Zoning Commission in the event the Chairman was unavailable to announce their absence.

Commissioner Westheimer stated their attendance is very important and feels the absence issue should be addressed.

COMMISSION ACTION

The motion was made by Commissioner Wright and seconded by Commissioner Myers to recommend the Zoning Commission resolve to request the City Clerk to post an asterisk on expired terms explaining that Commissioners serve at the will of City Council and will continue to serve until an appointment is made to fill a position and that we establish a policy of 3 consecutive unexcused absences or 6 unexcused absences in a calendar year as cause for this Commission to consider recommendation to City Council for a replacement and that this policy become effective as of today.

(A verbal vote was taken)

AYES: Gadberry, McFarland, J. Valadez, Westheimer, Sherrill, Myers, Wright, Martinez, R. Valadez, Gray

NAY: None

THE MOTION CARRIED

9. Director's Report: Update on Comprehensive Rezoning Cases and UDC Amendments.

Chris Looney, Planning Mangers, briefed Commissioners on updates.

NO ACTION TAKEN

Commissioner Wright stated she is the appointee to speak to City Council on Zoning Commission's behalf regarding the UDC Amendments however, it was not necessary to speak because she was only there a resource. She stated they did not take, at that time; the controversial amendments that Planning and Zoning had supported Technical Advisory Committee position of denial of some of the Staff Recommendations for the various departments primarily Public Works and City Attorney's recommendations. However, City Council directed that those amendments go back to thru the process again to try to reach a consensus.

Chairman Gadberry stated he would like to revisit item #13 regarding the Briefing by the Zoning Commission Subcommittee concerning its activities and possible action by Zoning Commission on policy recommendations. He stated he would like to establish a connection between the Zoning Commission and City Council.

COMMISSION ACTION

The motion was made by Commissioner Wright and seconded by Commissioner Gray to recommend the Zoning Commission allow the Subcommittee Representatives to establish a dialogue, as they deem appropriate for absentee issue and to form some communication between the Subcommittee and Zoning Commission.

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(A verbal vote was taken)

AYES: Gadberry, McFarland, J. Valadez, Westheimer, Sherrill, Myers, Wright, Martinez,
R. Valadez, Gray

NAY: None

THE MOTION CARRIED

10. ADJOURNMENT

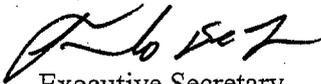
There being no further business, the meeting was adjourned at 2:29 p.m.

APPROVED:



Don Gadberry, Chairman

ATTEST:



Executive Secretary