

**SAN ANTONIO ZONING COMMISSION
OFFICIAL MINUTES
March 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.
2. Roll Call.

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

ABSENT: None

3. Approval of February 17, 2009 Zoning Commission Minutes.

1:00 PM – Public Hearing

Chairman Gadberry stated Zoning Case No. Z2009050 has been postponed therefore no action will be taken.

COMBINED HEARING:

Commissioner Wright made a motion to approve the following rezoning cases with conditions and amendments as staff has recommended. Additionally, no citizens have signed to speak in opposition on the said cases: items 10, 12, 13, 14 and 18. The motion was seconded by Commissioner R. Valadez.

4. **ZONING CASE NUMBER Z2009049 (Council District 5):** A request for a change in zoning from “MH” Manufactured Housing District to “C-2” Commercial District on Lot 28 and Lot 29, Block 7, NCB 8733, 334 Lyell Street. Staff recommends approval.

Staff stated there were 32 notices mailed out to the surrounding property owners, 0 returned in opposition and 6 returned in favor and no response from Quintana Community Neighborhood. Staff mailed 54 notices to the Planning Team.

COMMISSION ACTION

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

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

NAY: None

THE MOTION CARRIED

5. ZONING CASE NUMBER Z2009052 (Council District 9): A request for a change in zoning from "I-1" General Industrial District to "C-3NA" General Commercial Nonalcoholic Sales District on Lot 8, Lot 9, and the northwest 100 feet of Lot 10, Block 2, NCB 17261, 849 West Rhapsody Drive. Staff recommends approval.

Staff stated there were 17 notices mailed out to the surrounding property owners, 0 returned in opposition and 4 returned in favor. Staff received 1 notice in opposition outside the 200 foot radius.

COMMISSION ACTION

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

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

NAY: None

THE MOTION CARRIED

6. ZONING CASE NUMBER Z2009053 (Council District 3): A request for a change in zoning from "R-5" Residential Single Family District to "C-3" General Commercial District on Lot 2, NCB 10837, 4451 East Southcross Boulevard. Staff recommends approval.

Ernie Phrampus, owner, stated he would like amend his request to "C-3NA".

Staff stated there were 26 notices mailed out to the surrounding property owners, 1 returned in opposition and 2 returned in favor, Lower Southeast Side Association is in favor and no response from Pecan Valley Neighborhood Association and Pecan Valley Heights Homeowners Association.

Chairman Gadberry stated Pecan Valley Neighborhood Association has contacted him to express their support.

COMMISSION ACTION

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

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

NAY: None

THE MOTION CARRIED

7. ZONING CASE NUMBER Z2009054 (Council District 2): A request for a change in zoning from "I-2" Heavy Industrial District to "L" Light Industrial District on Lot 8, NCB 12201, 4414 N. Pan Am Expressway. Staff recommends approval.

Staff stated there were 4 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor.

COMMISSION ACTION

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

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

NAY: None

THE MOTION CARRIED

8. ZONING CASE NUMBER Z2009062 (Council District 4): A request for a change in zoning from "NP-10" Neighborhood Preservation District to "C-2" Commercial District on 28.97 acres out of CB 4301, CB 4303 and NCB 14493, 9300 and 9400 Block of Southwest Loop 410. Staff recommends approval.

Staff stated there were 10 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor, People Active in Community Efforts is in favor and Southwest Community Association outside the 200 foot radius is in opposition however they are in support of a continuance. Staff mailed 33 notices to the Planning Team.

COMMISSION ACTION

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

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

NAY: None

THE MOTION CARRIED

INDIVIDUAL CONSIDERATION:

9. ZONING CASE NUMBER Z2009051 (Council District 2): A request for a change in zoning from "MF-33" Multi-Family District to "HS MF-33" Historic Significant Multi-Family District on Lot 1, Block 2, NCB 992, 429 East Carson. Staff recommends approval.

City staff represented this case.

Staff stated there were 35 notices mailed out to the surrounding property owners, 1 returned in opposition and 1 returned in favor and Government Hill Alliance is in favor. Staff mailed 10 notices to the Planning Team.

COMMISSION ACTION

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

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

NAY: None

THE MOTION CARRIED

10. ZONING CASE NUMBER Z2009058 CD (Council District 2): A request for a change in zoning from "C-2" Commercial District to "C-2 CD" Commercial District with a Conditional Use for a Outdoor Flea Market on Lot 4, Block 3, NCB 13503, 1721 South W. W. White Road. Staff recommends approval.

Willie Clark, applicant, stated the purpose of this request is to allow for an outdoor Flea Market on the subject property. He stated he would like to request a continuance until April 7, 2009 to meet with the neighborhood association to address any concerns they may have.

The following citizen(s) appeared to speak:

Maggie Johnson, spoke in opposition.

Amy Perkins, spoke in opposition.

Staff stated there were 34 notices mailed out to the surrounding property owners, 3 returned in opposition and 2 returned in favor and no response from Dellcrest Forrest Neighborhood Association.

COMMISSION ACTION

The motion was made by Commissioner Hawkins and seconded by Commissioner R. Valadez to recommend a continuance until April 7, 2009.

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

NAY: None

THE MOTION CARRIED

11. **ZONING CASE NUMBER Z2009059 (Council District 2):** A request for a change in zoning from "C-2NA EP-1" Commercial Nonalcoholic Sales, Event Parking/ Traffic Control District to "C-2 EP-1" Commercial, Event Parking/ Traffic Control District on Lots 31 thru 34, NCB 6908, 2803 East Houston Street. Staff recommends approval.

Roger Jimenez, representative, stated the purpose of this request is to allow for the sales of alcoholic beverages for off-premises consumption on the subject property.

Abdur Milon, owner, stated he is purposing to operate a convenience store with the sales of alcohol beverages for off-premises consumption.

The following citizen(s) appeared to speak:

Mary Emerson, President of Harvard/Eastlawn Neighborhood Association, stated they are in opposition of this zoning request. She stated they have met with the representative and owner.

Edna Goodwin, spoke in opposition.

Darnell McLaurin, representing San Antonio Independent School District, spoke in opposition.

Roger Burrell, spoke in opposition.

Charles English, President of Jefferson Heights Neighborhood Association, is in opposition.

Mrs. Shepard, spoke in opposition.

Staff stated there were 43 notices mailed out to the surrounding property owners, 14 returned in opposition and 5 returned in favor and Harvard Place/Eastlawn and Jefferson Heights Neighborhood Association is in opposition. Staff mailed 27 notices to the Planning Team. Staff received 2 notices in opposition from the Elementary School and 1 notice in opposition from San Antonio Independent School District.

COMMISSION ACTION

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

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

NAY: None

THE MOTION CARRIED

12. **ZONING CASE NUMBER Z2008014 (Council District 8):** A request for a change in zoning from "R-20" Residential Single Family District to "C-2NA" Commercial, Nonalcoholic Sales District (16.108 acres), "C-2" Commercial District (44.535 acres) and "O-1.5" Mid-rise Office District (43.621 acres) on 104.264 acres out of CB 4780 (NCB 34780), 5914 Old Camp Bullis Road. Staff recommends approval.

Habib Erkan, representative, stated he would like to request a continuance to meet with the concerns citizens in the area to address their concerns.

The following citizen(s) appeared to speak:

Kathleen Murray, spoke in opposition.

Santiago Garcia, spoke in opposition.

David Murray, spoke in opposition.

Elyzabeth Earnely, spoke in opposition.

Ken Brown, spoke in opposition.

Staff stated there were 26 notices mailed out to the surrounding property owners, 5 returned in opposition and 7 returned in favor and Forest Crest Neighborhood Association is in opposition. Staff received 2 notices in opposition outside the 200 foot radius.

COMMISSION ACTION

The motion was made by Commissioner R. Valadez and seconded by Commissioner Gray to recommend a continuance until March 17, 2009.

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

NAY: Sherrill

THE MOTION CARRIED

13. **ZONING CASE NUMBER Z2009036 ERZD (Council District 8):** A request for a change in zoning from "C-2 ERZD" Commercial Edwards Recharge Zone District and "R-6 ERZD" Residential Single-Family Edwards Recharge Zone District to "MF-25 ERZD" Multi-Family Edwards Recharge Zone District on 24.315 acres out of NCB 14865, 14215 and 14325 Babcock Road. Staff recommends approval.

Steve Drenner, applicant, stated the purpose of this zoning change is to allow for off-campus student housing on the subject property.

The following citizen(s) appeared to speak:

Leigh Marruquin, spoke in favor.

Staff stated there were 49 notices mailed out to the surrounding property owners, 6 returned in opposition and 8 returned in favor and College Park Neighborhood Association is in favor with the deed restrictions.

COMMISSION ACTION

The motion was made by Commissioner R. Valadez and seconded by Commissioner Wright to recommend approval to include an 8-foot fence; with SAWS recommendations and with the deed restrictions.

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

NAY: None

THE MOTION CARRIED

14. ZONING CASE NUMBER Z2009042 (Council District 7): A request for a change in zoning from "C-2" Commercial District to "C-3" General Commercial District on 8.76 acres out of NCB 18560, 7000 Block of Bandera. Staff recommends approval pending plan amendment.

Lucy Peveto, representative, stated the purpose of this request to allow for office warehouse on the subject property. She stated she would like to request a two-week continuance.

Staff stated there were 24 notices mailed out to the surrounding property owners, 0 returned in opposition and 6 returned in favor. Staff mailed 61 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Sherrill and seconded by Commissioner R. Valadez to recommend a continuance until March 17, 2009.

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

NAY: None

THE MOTION CARRIED

15. ZONING CASE NUMBER Z2009061 (Council District 4): A request for a change in zoning from "C-3" General Commercial District and "MR" Military Reservation District to "MF-18" Multi-Family District (16.47 acres) and "C-3" General Commercial District (2.498 acres) on 18.968 acres out of NCB 15655, 4770 West Military Drive. Staff recommends denial.

Andrew Guerrero, representative, stated the purpose of this request is to allow for medium density multi family development on the subject property. He stated he would like to request a 30-day continuance to continue meeting with the neighborhood associations to address their concerns.

The following citizen(s) appeared to speak:

Ed Roberson, representing Lackland Air Force Base, spoke in opposition.

Staff stated there were 15 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor and People Active in Community Efforts and Southwest Community Association is in opposition. Staff mailed 33 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Myers and seconded by Commissioner R. Valadez to recommend a continuance until April 7, 2009.

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

NAY: Sherrill

THE MOTION CARRIED

16. ZONING CASE NUMBER Z2009063 (Council District 8): A request for a change in zoning from "R-6" Residential Single-Family District to "C-2" Commercial District on 1.556 acres out of NCB 14702, 9545 Huebner Road. Staff recommends approval.

Andrew Guerrero, representative, stated the purpose of this request is to allow for medical office building on the subject property. He stated they are currently working with Oakland Estates Neighborhood Association on preparing covenants and would like to request a two-week continuance.

Staff stated there were 18 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and no response from Oakland Estates Neighborhood Association. Staff mailed 12 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner R. Valadez and seconded by Commissioner Sherrill to recommend a continuance until March 17, 2009.

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

NAY: None

THE MOTION CARRIED

17. Briefing on the Jefferson Neighborhood Conservation District rezoning case.

Chairman Gadberry stated this item has been postponed.

18. Briefing by Commissioner Michael Westheimer on the City of San Antonio Strategic Historic Preservation Plan Steering Committee meeting held on Tuesday, Feb 10, 2009.

Commissioner Westheimer stated they had a good turn out at their meeting. They were able to educate many neighborhood associations of their plans and presented a tentative blue print.

19. ADJOURNMENT

There being no further business, the meeting was adjourned at 2:58 p.m.

APPROVED:



Don Gadberry, Chairman

ATTEST:



Executive Secretary