

**SAN ANTONIO ZONING COMMISSION
OFFICIAL MINUTES
August 6, 2013**

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: Salazar, McFarland, Lopez, Villarreal, D. Martinez, Romero, Boyd

ABSENT: McNealy, C. Martinez, Ornelas

3. Approval of July 16, 2013 Zoning Commission Minutes

All voted in affirmative.

COMBINED HEARING:

4. **ZONING CASE NUMBER Z2013129 CD (Council District 3):** A request for a change in zoning from “R-6 AHOD” Residential Single-Family Airport Hazard Overlay District to “R-4 CD AHOD” Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Noncommercial Parking Lot on Lot 304, the south 544.6 feet of the west 65 feet of Lot 303 or 303F, the east 192 feet of south 340 feet of Lot 303 or 303A, the west 70 feet of the north 345.48 feet of Lot 302, and the east 192 feet of the south 340 feet of Lot 303 or 303A, Block 29, NCB 11128; 358 and portions of 320 and 340 West Villaret Boulevard and 331 West Buchanan Boulevard. Staff recommends approval with conditions.

Staff stated there were 34 notices mailed out to the surrounding property owners, 0 returned in opposition and 8 returned in favor.

COMMISSION ACTION

A motion was made by Commissioner Boyd and seconded by Commissioner D. Martinez to recommend approval.

AYES: Salazar, McFarland, Lopez, D. Martinez, Romero, Boyd

NAY: None

THE MOTION CARRIED

5. **ZONING CASE NUMBER Z2013157 (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 Lot 1, Block 5, NCB 16151; 11910 Nacogdoches Road. Staff recommends approval.

Staff stated there were 13 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor.

COMMISSION ACTION

A motion was made by Commissioner Boyd and seconded by Commissioner D. Martinez to recommend approval.

AYES: Salazar, McFarland, Lopez, D. Martinez, Romero, Boyd

NAY: None

THE MOTION CARRIED

6. ZONING CASE NUMBER Z2013158 CD (Council District 8): A request for a change in zoning from “R-6 MLOD-1” Residential Single-Family Camp Bullis Military Lighting Overlay District to “R-6 CD MLOD-1” Residential Single-Family Camp Bullis Military Lighting Overlay District with a Conditional Use for a Professional Office on Lots 6 and 7, Block 2, NCB 14712; 4203 and 4211 Honeycomb Drive. Staff recommends approval with conditions.

Staff stated there were 25 notices mailed out to the surrounding property owners, 1 returned in opposition and 3 returned in favor and Vance Jackson Neighborhood Inc. is in favor.

COMMISSION ACTION

A motion was made by Commissioner Boyd and seconded by Commissioner D. Martinez to recommend approval.

AYES: Salazar, McFarland, Lopez, D. Martinez, Romero, Boyd

NAY: None

THE MOTION CARRIED

7. ZONING CASE NUMBER Z2013160 (Council District 10): A request for a change in zoning from “MF-25 AHOD” Low Density Multi-Family Airport Hazard Overlay District to “C-2NA AHOD” Commercial Nonalcoholic Sales Airport Hazard Overlay District on 3.758 acres out Parcel 43, NCB 14049 on a portion of 13665 Toepperwein Road. Staff recommends approval.

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

COMMISSION ACTION

A motion was made by Commissioner Boyd and seconded by Commissioner D. Martinez to recommend approval.

AYES: Salazar, McFarland, Lopez, D. Martinez, Romero, Boyd

NAY: None

THE MOTION CARRIED

8. **ZONING CASE NUMBER Z2013162 (Council District 10):** A request for a change in zoning from "C-3R AHOD" General Commercial Restrictive Alcoholic Sales Airport Hazard Overlay District to "C-3 AHOD" General Commercial Airport Hazard Overlay District on 0.0811 of an acre out of Lot 8, Block 1, NCB 15678 on a portion of 3633 Metro Parkway. Staff recommends approval.

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

COMMISSION ACTION

A motion was made by Commissioner Boyd and seconded by Commissioner D. Martinez to recommend approval.

AYES: Salazar, McFarland, Lopez, D. Martinez, Romero, Boyd

NAY: None

THE MOTION CARRIED

9. **ZONING CASE NUMBER Z2013163 S (Council District 5):** A request for a change in zoning from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-1 S AHOD" Light Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Noncommercial Parking Lot on the north 115 feet of Lot 7, Block 6, NCB 7656; 739 Division Avenue. Staff recommends approval.

Staff stated there were 33 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no responses from Palm Heights Neighborhood Association.

COMMISSION ACTION

A motion was made by Commissioner Boyd and seconded by Commissioner D. Martinez to recommend approval.

AYES: Salazar, McFarland, Lopez, D. Martinez, Romero, Boyd

NAY: None

THE MOTION CARRIED

10. ZONING CASE NUMBER Z2013164 (Council District 6): A request for a change in zoning from “C-2” Commercial District and “C-3R” General Commercial Restrictive Alcoholic Sales District to “C-3” General Commercial District on Parcel 18 and Parcel 18A, NCB 17635; 6927 and 6931 Leslie Road. Staff recommends approval.

Staff stated there were 9 notices mailed out to the surrounding property owners, 0 returned in opposition and 3 in favor.

COMMISSION ACTION

A motion was made by Commissioner Boyd and seconded by Commissioner D. Martinez to recommend approval.

AYES: Salazar, McFarland, Lopez, D. Martinez, Romero, Boyd

NAY: None

THE MOTION CARRIED

11. ZONING CASE NUMBER Z2013166 S (Council District 4): A request for a change in zoning from “MF-33 AHOD” Multi-Family Airport Hazard Overlay District and “C-3NA AHOD” General Commercial Nonalcoholic Sales Airport Hazard Overlay District to “C-3NA S AHOD” General Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Specific Use Authorization for a Human Services Campus on Parcel 43B, Lot 57, and the remaining portion of Lot 55, NCB 15602; 7404 and 7500 US Highway 90 West. Staff recommends approval, pending plan amendment.

Staff stated there were 9 notices mailed out to the surrounding property owners, 0 returned in opposition and 3 in favor.

COMMISSION ACTION

A motion was made by Commissioner Boyd and seconded by Commissioner D. Martinez to recommend approval.

AYES: Salazar, McFarland, Lopez, D. Martinez, Romero, Boyd

NAY: None

THE MOTION CARRIED

12. ZONING CASE NUMBER Z2013167 S (Council District 10): A request for a change in zoning from “C-2 MC-3 AHOD” Commercial Austin Highway/Harry Wurzbach Metropolitan Corridor Airport Hazard Overlay District to “C-2 S MC-3 AHOD” Commercial Austin Highway/Harry Wurzbach Metropolitan Corridor Airport Hazard Overlay District with a Specific Use Authorization for a Carwash on 0.779 of an acre out of Lots 31 and 32, Block A, NCB 8695 on a portion of the 1300 block of Austin Highway. Staff recommends approval.

Staff stated there were 14 notices mailed out to the surrounding property owners, 0 returned in opposition and 4 in favor and no response from Terrell Heights Neighborhood Association.

COMMISSION ACTION

A motion was made by Commissioner Boyd and seconded by Commissioner D. Martinez to recommend approval.

AYES: Salazar, McFarland, Lopez, D. Martinez, Romero, Boyd

NAY: None

THE MOTION CARRIED

13. ZONING CASE NUMBER Z2013168 CD (Council District 5): A request for a change in zoning from "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for an Art Studio/Office to "R-4 CD IDZ AHOD" Residential Single-Family Infill Development Zone Airport Hazard Overlay District with a Conditional Use for a Studio - Fine or Performing Arts on Lot 13, Block 8, NCB 2431; 2120 and 2122 El Paso Street. Staff recommends approval.

Staff stated there were 51 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 in favor and no response from Avenida Guadalupe Association.

COMMISSION ACTION

A motion was made by Commissioner Boyd and seconded by Commissioner D. Martinez to recommend approval.

AYES: Salazar, McFarland, Lopez, D. Martinez, Romero, Boyd

NAY: None

THE MOTION CARRIED

Commissioner Villarreal arrived at 1:27pm.

INDIVIDUAL CONSIDERATION:

14. ZONING CASE NUMBER Z2013136 ERZD (Council District 10): A request for a change in zoning from "O-1 ERZD" Office Edwards Recharge Zone District and "O-1 PC-1 ERZD" Office Bulverde Road Preservation Corridor Overlay Edwards Recharge Zone District to "C-2 ERZD" Commercial Edwards Recharge Zone District and "C-2 PC-1 ERZD" Commercial Bulverde Road Preservation Corridor Overlay Edwards Recharge Zone District on Parcel 8 and Parcel 8C, NCB 34955; 18221 Bulverde Road. Staff recommends approval.

Staff stated there were 58 notices mailed out to the surrounding property owners, 12 returned in opposition and 1 in favor. Staff mailed 41 notices to the Planning Team.

Mike Barr, SAWS, present SAWS recommendation and recommended approval.

Juan Gonzales, representative stated they are requesting this change in zoning to allow for a daycare center on the subject property. He stated they are in agreement with SAWS recommendation. He further stated he does not feel this proposal would have a negative impact to the community.

Jack Anderson, owner, stated this property was designed by O'Neil Ford. He further stated he will not demolish any of the structures but will renovate them to meet State Code requirement for day care facility.

The following citizens appeared to speak:

Colletta Galloway, spoke in opposition.

Lawrence Pearson, spoke in opposition.

Brian Duchin, spoke in opposition.

Steven Hauser, spoke in opposition.

Raymond Garcia, spoke in opposition.

Susan Fuller, spoke in opposition.

Danielle Wildason, spoke in opposition.

Catherine Blaufarb, spoke in opposition.

Cynthia Clemmer, spoke in opposition.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

COMMISSION ACTION

A motion was made by Commissioner McFarland and seconded by Commissioner Lopez to recommend denial.

AYES: Salazar, McFarland, Lopez, Villarreal, D. Martinez, Romero, Boyd

NAY: None

THE MOTION CARRIED

15. ZONING CASE NUMBER Z2013152 CD (Council District 3): A request for a change in zoning from “C-2 AHOD” Commercial Airport Hazard Overlay District to “C-2 CD AHOD” Commercial Airport Hazard Overlay District with a Conditional Use for Motor Vehicle Sales on Lot 3, Block B, NCB 11026; 2522 East Southcross Boulevard. Staff recommends approval with conditions.

Staff stated there were 23 notices mailed out to the surrounding property owners, 3 returned in opposition and 2 returned in favor and Highland Hills Neighborhood Association is in opposition. Staff mailed 33 notices to the Planning Team.

Russell Felan, representative, stated they are proposing a car lot facility with up to 16 cars on the subject property. He stated he has met with the surrounding property owners and has collected a petition of support. He further stated he met with the neighborhood association who expressed opposition.

The following citizens appeared to speak:

Christel Villarreal, Highland Hills Neighborhood Association, stated the representative met with the neighborhood association to present his proposal and they are in opposition of the proposed zoning change.

Manuel Magna, stated the vehicles that are currently parked on the subject property are for security purposes one of which is for sale. He stated they were visited by a City Inspector who said they were allowed to have only one vehicle parked on the subject property for sale.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

COMMISSION ACTION

A motion was made by Commissioner Boyd and seconded by Commissioner McFarland to recommend denial.

AYES: McFarland, Lopez, Villarreal, D. Martinez, Romero, Boyd

NAY: Salazar

THE MOTION CARRIED

16. ZONING CASE NUMBER Z2013147 CD (Council District 1): A request for a change in zoning from “R-4 AHOD” Residential Single-Family Airport Hazard Overlay District to “R-4 CD AHOD” Residential Single-Family Airport Hazard Overlay District with a Conditional Use for Four Dwelling Units on Lot 5, Block 6, NCB 2201; 1606 Leal Street. Staff recommends approval.

Staff stated there were 29 notices mailed out to the surrounding property owners, 1 returned in opposition and 0 returned in favor and no response from Prospect Hill Neighborhood Association.

Richard Otero, stated he is requesting this change in zoning to allow for the existing four dwelling units on the subject property.

The following citizens appeared to speak:

Ana Marie Castillo, stated surrounding property owners are spanish speaking and is concern they were unable to read the notification.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

COMMISSION ACTION

A motion was made by Commissioner D. Martinez and seconded by Commissioner Lopez to recommend approval.

AYES: Salazar, McFarland, Lopez, Villarreal, D. Martinez, Romero, Boyd

NAY: None

THE MOTION CARRIED

17. ZONING CASE NUMBER Z2013143 (Council District 6): A request for a change in zoning from "C-3 AHOD" General Commercial Airport Hazard Overlay District and "C-3 GC-2 AHOD" General Commercial Highway 151 Gateway Corridor Airport Hazard Overlay District to "MF-25 AHOD" Low Density Multi-Family Airport Hazard Overlay District and "MF-25 GC-2 AHOD" Low Density Multi-Family Highway 151 Gateway Corridor Airport Hazard Overlay District on Lot 4, Block 31, NCB 17643 on a portion of the 8800 Block of Potranco Road. Staff recommends approval.

Staff stated there were 33 notices mailed out to the surrounding property owners, 6 returned in opposition and 1 returned in favor. Staff mailed 35 notices to the Planning Team.

Walter Martinez, representing development group, stated they are proposing to apartment develop on the subject property. He stated they attended 2 of the 3 neighborhood meetings at which the attendance was approximately over 150. Unfortunately their development has been mischaracterized as Section 8 Subsidized Housing. They have heard the residents concerns and have assured them that the proposed development would not be Section 8 Housing. They have also amended their plan from 232 units to 140 units and met with City staff to reach a solution for the traffic issue. He feels they have addressed their concerns however the residents are still in opposition of the proposed request.

Henry Flores, stated their request of “MF-25” is a down zone from the existing “C-3” zone which is a high intense use for the neighborhood. As mentioned by Mr. Martinez they have heard the neighborhoods concerns and have been meeting with City staff to do street improvements as part of this development as well as provided sidewalks with a bicycle lane.

Jerry Arredondo, stated he would like to express the existing “C-3” zoning designation would cause for a more intense use which double the traffic issue that the residents are expressing concerns with.

The following citizens appeared to speak:

Caleena Steelman, stated she has collected a petition from their neighborhood expression their opposition.

Dahlia Cardenas, spoke in opposition.

Blanca Herrera, spoke in opposition.

Zuelma Guerra, spoke in opposition.

Estela Aguirre, spoke in opposition.

Rebecca Olague, spoke in opposition.

Daniel Isa, spoke in opposition.

Jen Davis, spoke in opposition.

Armando Aguirre, spoke in opposition.

Mauri Riley, spoke in opposition.

Betsy Miano, spoke in opposition.

Alex Nieves, spoke in opposition.

Jeremaih White, spoke in opposition.

Mary Jane Keao, spoke in opposition.

Roxanne Ahayers, spoke in opposition.

Geneva Miller, spoke in favor.

Lydia Garcia, spoke in opposition.

Zulema Condello, spoke in favor.

Cotton Shannon, spoke in opposition.

Michael Pribyl, spoke in favor.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

COMMISSION ACTION

Commissioner Villarreal sited the current traffic concerns in the area with the current commercial activity and the new commercial activities to be developed north of Richland Hills. Commissioner D. Martinez stated the request was a downzoning of the property from commercial.

A motion was made by Commissioner D. Martinez and seconded by Commissioner McFarland to recommend approval.

Commissioner Lopez stated there are traffic concerns and strongly feels this issue should be examined as development in this area will continue and traffic will increase.

Commissioner D. Martinez agreed with Commissioner Lopez's comments with regard to the traffic issue being addressed and recommended a traffic study be completed to result in improvements to the area that would benefit the neighborhood. Commissioner Boyd stated his concerns with negative comments and remarks by those in opposition. Chairman Salazar stated his concerns with the current traffic issues and any new development having an impact to the area.

AYES: McFarland, Lopez, Villarreal, D. Martinez, Romero, Boyd

NAY: Salazar

THE MOTION CARRIED

18. **ZONING CASE NUMBER Z2013150 (Council District 7):** A request for a change in zoning from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District on Lot 21, Block 28, NCB 11571; a portion of the 100 Block of East Broadview Drive. Staff recommends denial with an alternate recommendation for "C-2 S" Commercial District with a Specific Use Authorization for Bingo Parlor, pending plan amendment.

Staff stated there were 22 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no response from Inspirational Hills Neighborhood Association. Staff mailed 18 notices to the Planning Team. Staff has received opposition outside the 200 foot radius and a petition with 47 signatures expressing their opposition.

Andrew Guerrero, representative, stated he is requesting this change in zoning to allow for a bingo parlor on the subject property. He stated they have met with members of Inspiration Hills Neighborhood Association and have amended their site plan to address their concerns. He further stated they would amend his request to follow staff's recommendation of "C-2 NA S".

The following citizens appeared to speak:

Loretta Majdalani, spoke in opposition.

Theresa Finneganvale, spoke in opposition.

Ruben Sanchez, spoke in favor.

Melanie Handowski, spoke in favor.

Fred Tawil, spoke in favor.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

1ST MOTION

COMMISSION ACTION

A motion was made by Commissioner Villarreal and seconded by Commissioner McFarland to recommend approval of "C-2 NA S" for a Specific Use Authorization for a Bingo Parlor.

AYES: McFarland, Villarreal, D. Martinez, Boyd

NAY: Salazar, Lopez, Romero

THE MOTION FAILED

2ND MOTION

COMMISSION ACTION

A motion was made by Commissioner Villarreal and seconded by Commissioner Lopez to recommend denial.

AYES: Salazar, Romero

NAY: McFarland, Lopez, Villarreal, D. Martinez, Boyd

THE MOTION FAILED

Chairman Salazar stated Zoning Case will be reconsidered on August 20, 2013.

Commissioner Romero left at 5:40 pm

19. ZONING CASE NUMBER Z2013170 HL (Council District 7): A request for a change in zoning from “R-5 AHOD” Residential Single-Family Airport Hazard Overlay District to “HL R-5 AHOD” Historic Landmark Residential Single-Family Airport Hazard Overlay District on Lot B, Block F, NCB 11436; 554 West Broadview Drive. Staff recommends approval.

Staff stated there were 20 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor, no response from Culebra Park Neighborhood Association and Woodlawn Hills Neighborhood Association is in opposition. Staff mailed 36 notices to the Planning Team.

Nicohlas Fuqua, Office of Historic Preservation, present item and recommended approval of the historic designation.

The following citizens appeared to speak:

Ruben Sanchez, spoke in opposition.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

COMMISSION ACTION

A motion was made by Commissioner Villarreal and seconded by Commissioner Boyd to recommend a continuance until August 20, 2013.

AYES: Salazar, McFarland, Lopez, Villarreal, D. Martinez, Boyd

NAY: None

THE MOTION CARRIED

20. Briefing on proposed Unified Development Code amendments related to the Historic Design Guidelines.

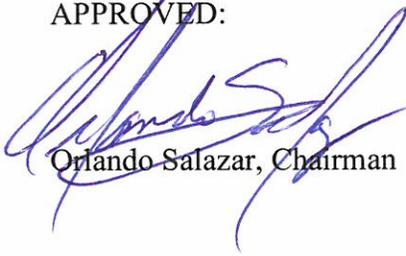
Cory Edwards, Office of Historic Preservation, briefed commission on Historic Design Guideline amendments. Zoning Commission is scheduled to consider the amendment at the August 20 Meeting.

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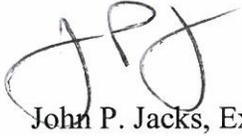
21. There being no further business, the meeting was adjourned at 5:53 pm.

APPROVED:



Orlando Salazar, Chairman

ATTEST:



John P. Jacks, Executive Secretary