

**ZONING CASE # Z2016097 (Council District 8)** – April 19, 2016

A request for a change in zoning from “MF-33” Multi-Family Residential District to “RM-4” Residential Mixed District on 27.031 acres of land out of NCB 14862 and 6.142 acres of land out of NCB 17204 and to “C-2” Commercial District on 2.6800 acres of land out of NCB 14862, generally located in the 6400 Block of Babcock Road and the 6300 Block of Melissa Ann Street. Staff recommends Approval, pending Plan Amendment. (Associated Plan Amendment 16029)

Staff mailed 109 notices to the surrounding property owners, 41 returned in favor, and 10 returned in opposition. The Jade Oaks Neighborhood Association is in favor, and no response from the Tanglewood Neighborhood Association. Staff received letters of opposition from the San Antonio Chamber of Commerce, The San Antonio and South Texas CCIM Chapter, The Greater San Antonio Builder’s Association, and The Real Estate Council of San Antonio.

Gayle McDaniel, District 8 representative, briefed the zoning commission on the background information of how the rezoning process started with the property. She presented documents related to the sale of the property and maps to the Zoning Commission.

**The following citizens appeared to speak:**

Lucilo Cantu, CCIM TX Chapter President, spoke in opposition of the down zoning.

William Glenn, President of Woodridge Village Neighborhood Association, spoke in favor.

Paul Basaldua, Mosaic Land Development, spoke in opposition of the down zoning.

Carlos Madero, President of TRA, spoke in favor.

Manuel Pelaez, San Antonio Hispanic Chamber of Commerce, spoke in favor.

Ken Brown, representative for the property owner, spoke in opposition of the proposed rezoning process on the property.

Anisley Patterson, yielded minutes to Ken Brown.

James McKnight, yielded minutes to Ken Brown.

James Griffin, representative for the property owner, spoke in opposition of the rezoning and explained the covenants of the property and the neighborhood association.

Ken Montgomery, Tanglewood Neighborhood Association, spoke in favor.

Susan Storrie, spoke in opposition of Multi-family rezoning.

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Ruben Gonzalez, San Antonio Chamber of Commerce, spoke in opposition of the rezoning.

Eric Lamkin, President of the Jade Oaks Neighborhood Association, spoke in favor.

Thomas Moore, Jade Oaks Neighborhood Association, spoke in favor.

George Vann, spoke in opposition of the down zoning.

Denise Vann, spoke in opposition of the rezoning.

John Crone, spoke in opposition of the down zoning.

Frank Corte Jr., University Baptist Church, spoke in opposition of the proposed rezoning and traffic issues.

Sue Snyder, President of Oakland Estates, spoke in favor.

John Thorton, spoke in favor.

Martha Mangum, Executive Director of the Real Estate Council of San Antonio, spoke in opposition of down-zoning.

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.

**The Zoning Commission had questions and discussions for the District 8 Representative and City Staff.**

Gayle McDaniel, District 8 representative, answered questions from the Zoning Commission regarding the property sale.

Catherine Hernandez, Planning Manager, answered planning and zoning questions from the Zoning Commission.

### **COMMISSION ACTION**

A motion was made by Commissioner King and seconded by Commissioner Salazar to recommend Denial.

**AYES: Shaw, Diaz-Sanchez, J. McGhee, Salazar, Martinez, P. McGee, King, Garcia**

**NAY: Briones, Rose-Gonzales**

**ABSTAINED: Romero**

**THE MOTION CARRIED.**

**ZONING CASE # Z2016097 (Council District 8):** A request for a change in zoning from “MF-33” Multi-Family Residential District to “RM-4” Residential Mixed District on 27.031 acres of land out of NCB 14862 and 6.142 acres of land out of NCB 17204 and to “C-2” Commercial District on 2.6800 acres of land out of NCB 14862, generally located in the 6400 Block of Babcock Road and the 6300 Block of Melissa Ann Street. Staff recommends Approval, pending Plan Amendment. (Associated Plan Amendment 16029)

Staff mailed 109 notices to the surrounding property owners, 8 returned in favor, and 2 returned in opposition. No response from the Tanglewood Neighborhood Association and the Jade Oaks Neighborhood Association is in favor. Staff stated The San Antonio Real Estate Council and The Greater Builders Association are in opposition.

Gayle McDaniel, District 8 Council Aide, City of San Antonio, read a memorandum from Councilman Ron Nirenburg to the Zoning Commission.

**The following citizens appeared to speak:**

Ken Montgomery, Tanglewood Neighborhood Association, spoke in favor and stated the resolution to rezone was done prior to the purchase. He also mentioned drainage issues.

Ruben Gonzalez, San Antonio Chamber of Commerce representative, spoke in opposition, on behalf of Mr. Richard Perez. He read a statement with concerns and dismay for the rezoning and plan amendment request of the City Council. The overall concern is with the future business locations and expansions.

Thomas Moore, Jade Oaks Neighborhood Association Board member, presented a brief presentation in favor. He stated the support of the Jade Oaks community. He presented background information on the property, and a timeline of events in regards to the rezoning change.

Chris Craig, yielded minutes to Thomas Moore.

Gary Craig, spoke in favor of the single-family zoning due to existing high traffic on Prue Road.

James Griffin, property owner representative, spoke in opposition. He stated the property is privately owned and was purchased as Multi-Family. He presented background information on the property and the previous rezoning process with thoroughly negotiated covenants with the Neighborhood Association for the future development.

Ken Brown, spoke in opposition, and disagrees with the statement read by District 8. He stated multi-family zoning was previously approved by staff, and will address any issues or concerns with area such as traffic, and drainage.

George Vann, spoke in opposition of the re-zoning and stated he has been a property owner of property on Melissa Ann for 35 years. He stated he disagrees with the statement from District 8, and stated he was present with the negotiation of the previous zoning for multi- family.

Manuel Garza, spoke in opposition and stated he is a property owner of the property on the corner of Babcock and Melissa Ann Road. He stated he would like the zoning to stay as is.

Carlos Madero, spoke in favor of the re-zoning, and stated the area would not benefit from another apartment complex due to the high traffic in the area. Also stated there are drainage issues.

Amir Ralimi, spoke in favor of the rezoning and said he has copies of the resolution documents of the re-zoning that was given at the auction, and stated all parties were aware of the re-zoning request. He stated he is a property owner on Melissa Ann Road, and has kept his property for his family to build a house. Stated if the re-zoning does not move forward, it would not be in the best interest of the City.

John Thornton, Vice-President of the Tanglewood Neighborhood Association, spoke in favor of the re-zoning. Stated he would like everyone to benefit from this issue, but the Tanglewood Neighborhood Association is in favor of single-family homes on this property.

Brian Briggs, President of the Real Estate Council, spoke in opposition of the re-zoning. He passed a letter to the Commission. He stated the down-zoning and taking away property owner rights could have a future negative effect on economic development.

The Zoning Commissioners asked various questions regarding the new property owner, the existing covenants with the Neighborhood Association, and the process of how this request became about.

Gayle McDaniel, District 8 representative, stated they do not have any information on the new property owner.

Catherine Hernandez, Planning Manager, stated the auction took place on January 14, 2016, and stated the City of San Antonio does not have any records of the new property owner as the BCAD information has not been updated. She stated this case is from a resolution of a city-initiated re-zoning.

Susan Guinn, City Attorney, stated Development Services has reached out to contact the new property owner, but has been unsuccessful. She stated the City of San Antonio is the applicant, not District 8 or Councilman Nirenberg. The Councilman filed the CCR request, but the City Council as a whole, agreed to move this rezoning forward.

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 Romero and seconded by Commissioner Diaz-Sanchez for a continuance to April 19, 2016.

**AYES: Shaw, Diaz-Sanchez, J. McGhee, Salazar, Martinez, Rose-Gonzales, Romero,  
P. McGee, King**

**NAY: Garcia**

**THE MOTION CARRIED**