City of San Antonio

Zoning Commission Minutes

Development and Business Services
Center
1901 South Alamo

March 19, 2019 **1:00PM** **1901 S. Alamo**

Zoning Commission Members
A majority of appointive Members shall constitute a quorum.

Joy McGhee, Chair, District 3
Ba'Ron Head, Vice-Chair, District 2
John Bustamante, Pro-Tem, District 5

Oscar Rosalez, District 6 | Sarah Olivarez, District 1 | Dr. Francine Romero, District 8 | Robert Sipes, District 7 | Joe Nix, District 10 | Patricia Gibbons, District 9 | Suren Kamath, District 4 | Gayle McDaniel, Mayor

1:00 P.M. - Call to Order, Board Room

- **Roll Call**
- **Present: Romero, McGhee, Bustamante, Sipes, Rosalez, Olivarez, Nix, Gibbons, Kamath, McDaniel**
- **Absent: Head**

- Gabriela Barba and Maria E. Murray, SeproTec translators were present.

THE FOLLOWING ITEMS MAY BE CONSIDERED AT ANY TIME DURING THE REGULAR ZONING COMMISSION MEETING:

Public Hearing and Consideration of the following Cases

Pledge of Allegiance

COMBINED HEARING:

Item # 5 **(Continued from 03/05/19) ZONING CASE # Z-2019-10700016 CD (Council District 3):** A request for a change in zoning from "C-2 MLOD-3 MLR-1 AHOD" Commercial Martindale Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "C-2 CD MLOD-3 MLR-1 AHOD" Commercial Martindale Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with Conditional Use for Motor Vehicle Sales (Full Service) on Lot 1, Block 1, NCB 12897, located at 4918 Rigsby Avenue. Staff recommends Approval.

Staff stated 18 notices were mailed to property owners within 200 feet, 1 returned in favor, and 0 returned in opposition and no response from the Jupe Manor Neighborhood Association.

No Citizens appeared to speak.

Motion

Chair McGhee asked for a motion for item # **Z-2019-10700016 CD** as presented.

Motion: Commissioner Bustamante made a motion for approval with the following Conditional Use for motor vehicle sales full service, Solid Screen Fencing on residential districts, No temporary signs, pennants flags or wind wavers.

Second: Commissioner Nix

In Favor: Bustamante, Nix, Sipes, Gibbons, Kamath, McDaniel, Romero, Olivarez, Rosalez, McGhee

Opposed: None

Motion Carried

Item # 7 **ZONING CASE # Z-2019-10700019 (Council District 2):** A request for a change in zoning from "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District to "IDZ-2 AHOD" Medium Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and Bar and/or Tavern without cover charge 3 or more days per week on 0.478 acres out of NCB 617, located at 419 South Hackberry Street. Staff recommends Approval.

Staff stated 38 notices were mailed to property owners within 200 feet, 1 returned in favor, and 0 returned in opposition and no response from the Denver Heights and Alamo Gardens Neighborhood Associations.

No Citizens appeared to speak.

Motion

Chair McGhee asked for a motion for item # **Z-2019-10700019** as presented.

Motion: Commissioner Bustamante made a motion for approval

Second: Commissioner Nix

In Favor: Bustamante, Nix, Sipes, Gibbons, Kamath, McDaniel, Romero, Olivarez, Rosalez, McGhee

Opposed: None

Motion Carried

Item # 8 **ZONING CASE # Z-2019-10700023 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 Conditional Use for two (2) residential dwelling units on Lot 11, Block 93, NCB 8827, located at 1703 Lee Hall. Staff recommends Approval.

Staff stated 35 notices were mailed to property owners within 200 feet, 0 returned in favor, and 0 returned in opposition and no response from the Los Angeles Heights.

No Citizens appeared to speak.

Motion

Chair McGhee asked for a motion for item # **Z-2019-10700023 CD** as presented.

Motion: Commissioner Bustamante made a motion for approval

Second: Commissioner Nix

In Favor: Bustamante, Nix, Sipes, Gibbons, Kamath, McDaniel, Romero, Olivarez, Rosalez, McGhee

Opposed: None

Motion Carried

Item # 9 **ZONING CASE # Z-2019-10700024 CD (Council District 5):** A request for a change in zoning from "C-2NA CD MLOD-2 MLR-1 AHOD" Commercial Nonalcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with Conditional Use for Office/Warehouse to "C-2NA CD MLOD-2 MLR-1 AHOD" Commercial Nonalcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with Conditional Use for Office/Warehouse on Lot 23 and Lot 24, Block 5, NCB 11370, located at 2634 S.W. 34th Street. Staff recommends Approval.

Staff stated 22 notices were mailed to property owners within 200 feet, 0 returned in favor, and 0 returned in opposition and no response from the Thompson Neighborhood Association.

No Citizens appeared to speak.

Motion

Chair McGhee asked for a motion for item # **Z-2019-10700024 CD** as presented.

Motion: Commissioner Bustamante made a motion for approval with the following conditions for conditional use: Type "B" landscape buffer adjacent to residential use, 6 foot solid screen fence from rear and side of property, and downward lighting only permitted.

Second: Commissioner Nix

In Favor: Bustamante, Nix, Sipes, Gibbons, Kamath, McDaniel, Romero, Olivarez, Rosalez, McGhee

Opposed: None

Motion Carried

Item # 11 **ZONING CASE # Z-2019-10700026 (Council District 7):** A request for a change in zoning from "O-1 AHOD" Office Airport Hazard Overlay District and "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "MF-33 AHOD" Multi-Family Airport Hazard Overlay District on 6.07 acres out of NCB 17971, located at 7719 Eckhert Road and 7735 Eckhert Road. Staff recommends Approval, pending Plan Amendment. (Associated Plan Amendment PA2019-11600005)

Staff stated 26 notices were mailed to property owners within 200 feet, 0 returned in favor, and 0 returned in opposition and no registered neighborhood association.

No Citizens appeared to speak.

Motion

Chair McGhee asked for a motion for item # **Z-2019-10700026** as presented

Motion: Commissioner Bustamante made a motion for approval

Second: Commissioner Nix

In Favor: Bustamante, Nix, Sipes, Gibbons, Kamath, McDaniel, Romero, Olivarez, Rosalez, McGhee

Opposed: None

Motion Carried

Item # 13 **ZONING CASE # Z-2019-10700029 (Council District 1):** A request for a change in zoning from "MF-33 AHOD" Multi-Family Airport Hazard Overlay District to "NC AHOD" Neighborhood Commercial Airport Hazard Overlay District on Lot B, Block 21, NCB 2084, located at 926 Culebra Road. Staff recommends Approval.

Staff stated 20 notices were mailed to property owners within 200 feet, 1 returned in favor, and 0 returned in opposition and no response from the West End Hope in Action Neighborhood Association.

No citizens appeared to speak.

Motion

Chair McGhee asked for a motion for item # **Z-2019-10700029** as presented.

Motion: Commissioner Bustamante made a motion for approval

Second: Commissioner Nix

In Favor: Bustamante, Nix, Sipes, Gibbons, Kamath, McDaniel, Romero, Olivarez, Rosalez, McGhee

Opposed: None

Motion Carried

Item #14 **ZONING CASE # Z-2019-10700031 (Council District 10):** A request for a change in zoning from "MF-33 AHOD" Multi-Family Airport Hazard Overlay District, "C-2 AHOD" Commercial Airport Hazard Overlay District, "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District and "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District to "PUD R-4 AHOD" Planned Unit Development Residential Single-Family Airport Hazard Overlay District on 24.16 acres out of NCB 15688, generally located south of the intersection of Stahl Road and Higgins Road. Staff recommends Approval.

Staff stated 77 notices were mailed to property owners within 200 feet, 6 returned in favor, and 2 returned in opposition and all Neighborhood Associations are in favor.

No citizens appeared to speak.

Motion

Chair McGhee asked for a motion for item # **Z-2019-10700031** as presented.

Motion: Commissioner Bustamante made a motion for approval

Second: Commissioner Nix

In Favor: Bustamante, Nix, Sipes, Gibbons, Kamath, McDaniel, Romero, Olivarez, Rosalez, McGhee

Opposed: None

Motion Carried

COMBINED CONTINUANCES TO APRIL 2, 2019:

Item # 3 **(Continued from 03/05/19) ZONING CASE # Z-2018-900034 (Council District 1):** A request for a change in zoning from "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "O-1.5" Mid-Rise Office District, "MF-40" Multi-Family District, and "C-2" Commercial District to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "O-1.5" Mid-Rise Office District, Multi-Family uses not to exceed 74 units per acre, and "C-2" Commercial District on 1.1644 acres out of NCB 3028, located at 246 and 252 West Josephine Street and 323, 327, and 331 West Grayson Street. Staff recommends Approval.

Staff stated 20 notices were mailed to property owners within 200 feet, 1 returned in favor, and 0 returned in opposition and no registered neighborhood association.

No citizens appeared to speak.

Motion

Chair McGhee asked for a motion for item # **Z-2018-900034** as presented.

Motion: Commissioner Bustamante made a motion for continuance to April 2, 2019

Second: Commissioner Nix

In Favor: Bustamante, Nix, Sipes, Gibbons, Kamath, McDaniel, Romero, Olivarez, Rosalez, McGhee

Opposed: None

Motion Carried

The following Citizens appeared to speak on Item #10 ZONING CASE # Z-2019-10700025 (Council District 6)

Consuelo Salinas, spoke in opposition
Catherine Flores, spoke in opposition
Ruben Davila, spoke in opposition

Yolanda Davila, spoke in opposition
Phillip Hernandez, spoke in opposition

Item # 10 **ZONING CASE # Z-2019-10700025 (Council District 6):** A request for a change in zoning from "C-2NA MLOD-2 MLR-2 AHOD" Commercial Nonalcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "MF-33 MLOD-2 MLR-2 AHOD" Multi-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on 37.713 acres out of NCB 16115, generally located southeast of the intersection of Cinema Ridge and Southridge Drive. Staff recommends Approval.

Staff stated 50 notices were mailed to property owners within 200 feet, 0 returned in favor, and 3 returned in opposition and no response from the Thunderbird Hills Neighborhood Association is in favor.

No citizens appeared to speak.

Motion

Chair McGhee asked for a motion for item # **Z-2019-10700025** as presented.

Motion: Commissioner Bustamante made a motion for continuance to April 2, 2019

Second: Commissioner Nix

In Favor: Bustamante, Nix, Sipes, Gibbons, Kamath, McDaniel, Romero, Olivarez, Rosalez, McGhee

Opposed: None

Motion Carried

Item # 15 **ZONING CASE # Z-2019-10700032 (Council District 4):** A request for a change in zoning from "NP-8 MLOD-2 MLR-2 AHOD" Neighborhood Preservation Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "R-4 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on 106.01 acres out of CB 4300, generally located southwest of the intersection of Somerset Road and Fischer Road. Staff recommends Approval.

Staff stated 24 notices were mailed to property owners within 200 feet, 1 returned in favor, and 0 returned in opposition and no registered neighborhood association.

No citizens appeared to speak.

Motion

Chair McGhee asked for a motion for item # **Z-2019-10700032** as presented.

Motion: Commissioner Bustamante made a motion for continuance to April 2, 2019

Second: Commissioner Nix

In Favor: Bustamante, Nix, Sipes, Gibbons, Kamath, McDaniel, Romero, Olivarez, Rosalez, McGhee

Opposed: None

Motion Carried

Commissioner Bustamante left the Meeting at 1:45pm.

Individual Consideration:

Item # 1 (Continued from 02/19/19) Consideration of an amendment to the Unified Development Code (UDC) to update Section 35-335 "NCD" Neighborhood Conservation District including amendments to "NCD-6" Mahncke Park Neighborhood Conservation District.

Staff gave a detailed presentation regarding the Consideration of an amendment to the Unified Development Code (UDC) to update Section 35-335 "NCD" Neighborhood Conservation District including amendments to "NCD-6" Mahncke Park Neighborhood Conservation District and answered the Commissions questions.

The Following Citizens appeared to speak.

Homer Butch Hayes, 330 Elm St. spoke in favor of the amendments put forward by staff
George Grimes, 415 Parkland Dr, spoke in favor of the amendments put forward by staff
Francille Radman, 310 Elmhurst, yielded time to Mr. Grimes
Tom Lockridge, 302 Elmhurst, yielded time to Mr. Grimes
Michael Lockridge, 569 Pershing Ave, spoke in opposition asking that the city consider treating multi family differently from the single family bungalows in the district, stating that a different NCD may be more appropriate in the future.
Gary W. Cox, 558 Pershing Ave, yielded time to Lockridge
Jim Bastoni, 106 Ottowa Run, spoke in favor of the amendments put forward by staff
Kay Turner, 308 Funston, spoke in opposition asking the city consider a different NCD for the different uses in the district

Motion

Chair McGhee asked for a motion for item # 1 as presented

Motion: Commissioner McDaniel made a motion for approval as presented by staff.

Second: Commissioner Rosalez

In Favor: McDaniel, Rosalez, Romero, Sipes, Nix, Gibbons, Kamath, Olivarez, McGhee

Opposed: None

Motion Carried

Item # 4 **(Continued from 03/05/19) ZONING CASE # Z-2019-10700015 (Council District 5):** A request for a change in zoning from "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "R-4" Residential Single Family District and "NC" Neighborhood Commercial District to "IDZ-3 AHOD" High Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and Bar and/or Tavern without cover charge 3 or more days per week on Lot 4 and Lot 5, NCB 2569, located at 242 East Cevallos Street. Staff recommends Approval.

Staff stated 51 notices were mailed to property owners within 200 feet, 0 returned in favor, and 0 returned in opposition and the Lone Star Neighborhood Association is in favor.

Melissa Ramos, 1806 West Ashby Place, shared a list of properties in the area with three units and explained that they wish to restore to two units and asked for support.

The Following Citizens appeared to speak.

Tasheena Penman, 326 Clay St #102, spoke in opposition

Motion

Chair McGhee asked for a motion for item # Z-2019-10700009 CD as presented.

Motion: Commissioner McDaniel made a motion for Approval as Amended by the Applicant

Second: Commissioner Rosalez

In Favor: McDaniel, Rosalez, Nix, McGhee, Sipes, Kamath, Olivarez, Romero

Opposed: Gibbons

Motion Carried

Item # 6 **(Continued from 03/05/19) ZONING CASE # Z-2019-10700022 CD (Council District 7):** A request for a change in zoning from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-5 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for an Assisted Living Facility with no more than sixteen (16) residents, on Lot 2, Block 22, NCB 12282, located at 4618 Manitou Drive. Staff recommends Approval with conditions.

Staff stated 20 notices were mailed to property owners within 200 feet, 0 returned in favor, and 0 returned in opposition and there is no registered neighborhood association.

Cesar Mendoza, 4618 Manitou Drive, spoke of the hardship of any reduction in the facility capacity and spoke of the relationship he has with the tenants and neighbors in the community. He then asked the commission to keep his tenants at 12 and not 8 as recommended.

The Following Citizens appeared to speak.

Manuela Escamilla, 4618 Manitou Dr. spoke in favor
Sean C. McAnelly, 4622 Manitou Dr. spoke in favor

Motion

Chair McGhee asked a motion for item # **Z-2019-10700022 CD** as presented.

Motion: Commissioner Sipes made a motion for Approval with Conditional Use of 12 residents.

Second: Commissioner Nix

In Favor: Sipes, Nix, McGhee, Olivarez, Romero, Gibbons, Kamath

Opposed: Rosalez, McDaniel

Motion Carried

Item # 11 **ZONING CASE # Z-2019-10700026 (Council District 7):** A request for a change in zoning from "O-1 AHOD" Office Airport Hazard Overlay District and "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "MF-33 AHOD" Multi-Family Airport Hazard Overlay District on 6.07 acres out of NCB 17971, located at 7719 Eckhert Road and 7735 Eckhert Road. Staff recommends Approval, pending Plan Amendment. (Associated Plan Amendment PA2019-11600005)

Staff stated 26 notices were mailed to property owners within 200 feet, 0 returned in favor, and 1 returned in opposition and there is no registered neighborhood association.

Ashley Farrimond, Kaufman & Killen, stated they worked with nearby neighborhood associations and revised their plan with the data from the meetings.

The Following Citizens appeared to speak.

Edward Castor, spoke in opposition

Motion

Chair McGhee asked a motion for item # **Z-2019-10700026** as presented.

Motion: Commissioner Sipes made a motion for Approval

Second: Commissioner Rosalez

In Favor: Sipes, Rosalez, Nix, McGhee, Romero, McDaniel, Olivarez, Gibbons, Kamath,

Opposed: None

Motion Carried

Item # 12 **ZONING CASE # Z-2019-10700027 (Council District 5):** A request for a change in zoning from "R-5 CD MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with Conditional Use for a Duplex, "C-1 MLOD-2 MLR-1 AHOD" Light Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District, "C-3 MLOD-2 MLR-1 AHOD" General Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District, "C-3NA MLOD-2 MLR-1 AHOD" General Commercial Nonalcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District, "C-3R MLOD-2 MLR-1 AHOD" General Commercial Restrictive Alcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "IDZ-3 MLOD-2 MLR-1 AHOD" High Intensity Infill Development Zone Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with uses permitted in "MF-65" Multi-Family District, "C-2" Commercial District, Motor Vehicle Sales and a Duplex on Lots 15, 16, 17, 19, and 20, Block 19, NCB 8700, located at 3727 Nogalitos Street, 127 Ames Avenue and 131 Ames Avenue. Staff recommends Approval, pending Plan Amendment. (Associated Plan Amendment PA2019-11600006)

Staff stated 37 notices were mailed to property owners within 200 feet, 4 returned in favor, and 4 returned in opposition and no registered neighborhood association.

Walter Martinez, 303 El Paso, gave an extensive presentation regarding his project and answered the Commissions questions. He then introduced his colleague.

Brad Murray, 8610 N. New Braunfels, he went into further detail and explained the need for the re-zoning that they are requesting.

The Following Citizen appeared to speak.

Steven Valdez, 220 Illg Ave, spoke in opposition
Mary Valdez, 220 Illg Ave, spoke in opposition
Gregory Collins, 146 Hosack Ave, spoke in opposition
Allen Townsend, 143 Walton Ave, spoke in favor
Diane Lang, spoke in favor

Commissioner Bustamante Re-entered the meeting at 3:30pm

Motion

Chair McGhee asked for a motion for item # **Z-2019-10700027**

Motion: Commissioner McDaniel made a motion for Approval as stated

Second: Commissioner Gibbons

In Favor: McDaniel, Gibbons, McGhee, Nix, Kamath, Romero

Opposed: Olivarez, Sipes, Rosalez

Abstained: Bustamante

Motion Carried

Item # 16 **ZONING CASE # Z-2019-10700033 (Council District 1):** A request for a change in zoning from "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District to "IDZ-2 AHOD" Medium Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted in "MF-25" Multi-Family District and "C-2" Commercial District on Lot 5, Block E, NCB 844, located at 617 East Euclid Avenue. Staff recommends Approval, pending Plan Amendment. (Associated Plan Amendment PA-2019-11600007)

Staff stated 28 notices were mailed to property owners within 200 feet, 0 returned in favor, and 0 returned in opposition and the Tobin Hill Neighborhood Association is in support.

Julian Rotnofsky, 617 E. Euclid, wish to build a 3 story structure with three unit and office with rear parking. Applicant wishes to Amend from fromC-2 to C-1 and keeping MF-25

No Citizen appeared to speak.

Motion

Chair McGhee asked for a motion for item # **Z-2019-10700033** as presented.

Motion: Commissioner Olivarez made a motion to approve as amended fromC-2 to C-1 and maintaining MF-25

Second: Commissioner Bustamante

In Favor: Olivarez, Bustamante, Romero, McDaniel, Nix, Gibbons, Kamath, Lopez, Rosalez, McGhee

Opposed: None

Motion Carried

Approval of Minutes

Item # 17 Consideration and Approval on the Minutes from March 19, 2019.

Chair McGhee motioned for approval of the minutes and all the Commissioners voted in the affirmative

Director's Report: None

Adjournment

There being no further business, the meeting was adjourned at 3:55 p.m.

Joy McGhee, Chair

ATTEST:

Melissa Ramirez, Assistant Director