City of San Antonio

Zoning Commission Minutes
Development and Business
Services Center
1901 South Alamo

May 21, 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, Bustamante, Head, Rosalez, Olivarez, Gibbons, Nix, Kamath, McGhee**
- **Absent: McDaniel, Sipes**

- Nancy Parias 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 I

Item # 5 **ZONING CASE Z-2019-10700070 (Council District 9):** 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 17, Block 2, NCB 13198, located at 226 East Rhapsody Drive. Staff recommends Approval. (Patricia Franco, Planner (210) 207-5876, patricia.franco@sanantonio.gov, Development Services Department)

Staff stated 15 notices were mailed to property owners within 200 feet, 0 returned in favor, and 0 returned in opposition and no response from the Greater Harmony Hill Neighborhood Association.

No Citizens appeared to speak.

Motion: Chair McGhee asked for a motion for item # **Z-2019-10700070** as presented.

Motion: Commissioner Head made a motion for approval

Second: Commissioner Nix

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

Opposed: None

Motion Carried

Item # 7 **ZONING CASE Z-2019-10700074 (Council District 10):** A request for a change in zoning from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "I-2 S AHOD" Heavy Industrial Airport Hazard Overlay District with Specific Use Authorization for Metal Forging - Ammunition Manufacturing on 3.303 acres out of NCB 16584, located in the 6900 block of North Loop 1604 East. Staff recommends Approval, pending Plan Amendment. (Associated Plan Amendment Case PA-2019-11600020) (Mirko Maravi, Planner (210) 207-0107, mirko.maravi@sanantonio.gov, Development Services Department)

Staff stated 4 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-2019-10700074** as presented.

Motion: Commissioner Head made a motion for approval

Second: Commissioner Nix

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

Opposed: None

Motion Carried

Item # 9 **ZONING CASE Z-2019-10700077 (Council District 2):** A request for a change in zoning from "AE-2 AHOD" Arts and Entertainment Airport Hazard Overlay District to "IDZ-2 AHOD" Medium Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted for two (2) residential units on the west 25-feet Lot 1, Block 1, NCB 609, located at 400 Montana Street. Staff recommends Approval. (Sara Serra, Planner (210) 207-7898, Sara.serra@sanantonio.gov; Development Services Department)

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 Alamo Gardens Neighborhood Association.

No Citizens appeared to speak.

Motion: Chair McGhee asked for a motion for item # **Z-2019-10700077** as presented.

Motion: Commissioner Head made a motion for approval

Second: Commissioner Nix

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

Opposed: None

Motion Carried

Item # 11 **ZONING CASE Z-2019-10700079 HE (Council District 1):** A request for a change in zoning from "FBZ T5-1 RIO-2 AHOD" Form Based Zone Transect 5 River Improvement Overlay Airport Hazard Overlay District to "FBZ T5-1 HL RIO-2 AHOD" Form Based Zone Transect 5 Historic Landmark River Improvement Overlay Airport Hazard Overlay District on Lot 15, Block 30, NCB 820, located at 814 Augusta Street. Staff recommends Approval. (Sara Serra, Planner (210)207-7898, sara.serra@sanantonio.gov; Development Services Department)

Staff stated 17 notices were mailed to property owners within 200 feet, 0 returned in favor, and 0 returned in opposition and no response from the Downtown Residents Neighborhood Association.

No Citizens appeared to speak.

Motion: Chair McGhee asked for a motion for item # **Z-2019-10700079 HE** as presented.

Motion: Commissioner Head made a motion for approval

Second: Commissioner Nix

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

Opposed: None

Motion Carried

Item # 12 **ZONING CASE Z-2019-10700080 H (Council District 1):** A request for a change in zoning from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-3 HL AHOD" Residential Single-Family Historic Landmark Airport Hazard Overlay District on the South 78.83 feet of Lot 14, Block 1, NCB 2075, located at 1718 North Navidad Street. Staff recommends Approval. (Mirko Maravi, Planner (210) 207-0107, mirko.maravi@sanantonio.gov, Development Services Department)

Staff stated 27 notices were mailed to property owners within 200 feet, 0 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-2019-10700080 H** as presented.

Motion: Commissioner Head made a motion for approval

Second: Commissioner Nix

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

Opposed: None

Motion Carried

Item # 13 **ZONING CASE Z-2019-10700085 H (Council District 1):** A request for a change in zoning from "C-2 NCD-1 AHOD" Commercial South Presa/South St. Mary's Streets Neighborhood Conservation Airport Hazard Overlay District to "C-2 H NCD-1 AHOD" Commercial Historic Landmark South Presa/South St. Mary's Streets Neighborhood Conservation Airport Hazard Overlay District on Lot 13, Block 31, NCB 2992, located at 118 Florida Street. Staff recommends Approval. (Patricia Franco, Planner (210) 207-5876, patricia.franco@sanantonio.gov, Development Services Department)

Staff stated 23 notices were mailed to property owners within 200 feet, 0 returned in favor, and 0 returned in opposition and no response from the Lavaca Neighborhood Association.

No Citizens appeared to speak.

Motion: Chair McGhee asked for a motion for item # **Z-2019-10700085 H** as presented.

Motion: Commissioner Head made a motion for approval

Second: Commissioner Nix

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

Opposed: None

Motion Carried

Item # 15 **ZONING CASE Z-2019-10700107 (Council District 3):** A request to assign zoning for property located "OCL" Outside the City Limits to "I-2" Heavy Industrial District on Lot 4, CB 4136B, located at 4526 South Loop 1604 East. Staff recommends Approval. (Mirko Maravi, Planner (210) 207-0107, mirko.maravi@sanantonio.gov, Development Services Department)

Staff stated 27 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-2019-10700107** as presented.

Motion: Commissioner Head made a motion for approval

Second: Commissioner Nix

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

Opposed: None

Motion Carried

COMBINED HEARING II:

Commissioner Head recused himself at 1:16pm prior to case Z-2019-10700076.

The following Citizens appeared to speak:

Vince Arrequin, 4370 S. Loop 1604, spoke in opposition

Johnny Fritz, 1114 Gibbs Dr., spoke in opposition (was heard prior to the last Case)

Item # 8 **ZONING CASE Z-2019-10700076 (Council District 2):** A request for a change in zoning from "R-4 EP-1 MLOD-3 MLR-2 AHOD" Residential Single-Family Facility Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "IDZ-2 EP-1 MLOD-3 MLR-2 AHOD" Medium Intensity Infill Development Zone Facility Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with uses permitted in "RM-4" Residential Mixed District on Lot 8B, Lot 9A, 9B and Lot 10A, Block 14, NCB 6348, located at 1138 Gibbs Street. Staff recommends Approval. (Mirko Maravi, Planner (210) 207-0107, mirko.maravi@sanantonio.gov, Development Services Department)

Staff stated 43 notices were mailed to property owners within 200 feet, 2 returned in favor, 3 in support from outside the notification area and 4 returned in opposition and no response from the Jefferson Heights Neighborhood Association

No Citizens appeared to speak.

Motion: Chair McGhee asked for a motion for item # **Z-2019-10700076** as presented.

Motion: Commissioner Bustamante made a motion for as approval as presented

Second: Commissioner Romero

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

Opposed: None

Recused: Head

Motion Carried

Commissioner Head returned to the meeting at 1:19pm and Commissioner Nix recused himself at 1:19pm prior to case Z-2019-10700087

INDIVIDUAL CONSIDERATION:

Item # 1 **MILITARY PROTECTION AREAS Z-2019-10700087 (Council Districts 4, 6, and 8):** Consideration of the proposed Extraterritorial Jurisdiction Military Protection Area (ETJMPA) regulations for the Camp Bullis ETJMPA and Lackland ETJMPA, creation of the Comprehensive Land Use categories within the MPAs, and the Addendum to the Bexar County/COSA Master Interlocal Agreement for the ETJMPs in unincorporated Bexar County. Staff recommends Approval. (Associated Case PA-2019-11600022) (Tony Felts, AICP, Interim Policy Administrator, (210) 207-0153, tony.felts@sanantonio.gov, Development Services Department)

Staff stated 9,044 Camp Bullis Notices were mailed to property owners within the area, 35 returned in favor, and 23 returned in opposition and the Friends of SA Natural Areas and Lot Owners for Sundance Ranch were notified. Staff also stated 16,227 Notices were mailed to property owners within the area, 23 notices were returned in favor and 15 in opposition. The Dove Creek Landing, Adams Hill, D. Meadow and Kriewald Place Neighborhood Associations were notified. A grand total of 25, 277 notices were mailed and staff received 50 responses.

Kristie Flores, Planning Manager, gave a presentation regarding the Military Protection Areas **Z-2019-10700087.**

The Following Citizens appeared to speak.

Ken Brown, 112 E. Pecan Suite 1360, requested a continuance
Oliver Schwaurch, 8586 W. Loop 1604 S, spoke in opposition
Frances Booker, 9877 Dos Cerros Loop E, spoke in opposition
Roza Sypniewski, 915 Saxon Hill Dr, spoke in opposition
Jozeph Sypniewski, 915 Saxon Hill Dr, yielded time to Roza Sypniewski
Francisco Perez, 143 Moon Valley, requested interpreter services, opposed
Clementina Perez, 143 Moon Valley, requested interpreter services, opposed
Patrick Christensen, 310 S. St. Mary's, requested correct designation and a continuance
Ashley Farrimond, 100 W. Houston Street, requested correct designation and a continuance
James McKnight, 112 E. Pecan Suite 1360, requested a continuance

Motion: Chair McGhee asked for a motion for item # **Z-2019-10700087** as presented.

Motion: Commissioner Rosalez made a motion for a continuance to July 16, 2019

Second: Commissioner Head

In Favor: Rosalez, Head, Bustamante, Gibbons, Kamath, Romero, Olivarez, McGhee

Opposed: None

Recused: Nix

Motion Carried

Commissioner Nix returned to the meeting at 2:18pm after item Z-2019-10700087

Item # 2 **(Continued from 04/16/19) 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. (Sara Serra, Planner, (210) 207-7898, sara.serra@sanantonio.gov, Development Services Department)

Staff stated 50 notices were mailed to property owners within 200 feet, 0 returned in favor, and 38 returned in opposition and no response from the Thunderbird Hills Neighborhood Association

No Citizens appeared to speak.

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

Motion: Commissioner Rosalez made a motion for a continuance to June 18, 2019

Second: Commissioner Head

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

Opposed: None

Motion Carried

Item # 3 **ZONING CASE Z-2019-10700068 (Council District 2):** A request for a change in zoning from "R-5 MLOD-3 MLR-1" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District to "C-2 CD MLOD-3 MLR-1" Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District with a Conditional Use for a Construction Trades Contractor on Lots 35, 36 and 23, NCB 12883, located on 222, 230 and 310 Creswell Drive. Staff recommends Approval, with Conditions, pending the Plan Amendment. (Associated Plan Amendment Case PA-2019-11600019) (Patricia Franco, Planner (210) 207-5876, Patricia.franco@sanantonio.gov, Development Services Department)

Staff stated 11 notices were mailed to property owners within 200 feet, 0 returned in favor, and 1 returned in opposition and no registered neighborhood association.

Applicant, did not state name, 310 Creswell Drive, stated they are rezoning property and to continue their business and also stated they have spoken to the community and addressed their concerns.

Staff read into the record the following conditions for case **Z-2019-10700068**

1) No access to the business from Creswell Drive
2) 15 foot landscape buffer from the rear property and Creswell Drive
3) 6 foot solid screen in the rear across Creswell and abutting residential properties

The Following Citizens appeared to speak.

Raymond Perez, 135 Creswell, spoke in opposition

Motion: Chair McGhee asked for a motion for item # **Z-2019-10700068** as presented.

Motion: Commissioner Head made a motion for approval **with Conditions as read by staff.**

Second: Commissioner Rosalez

In Favor: Head, Rosalez, Nix, Kamath, Romero, Gibbons, Olivarez, McGhee

Opposed: None

Abstained: Bustamante

Motion Carried

Item # 6 **ZONING CASE Z-2019-10700072 (Council District 5):** A request for a change in zoning from "R-6 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "C-2 CD MLOD-2 MLR-1 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with Conditional Use for a Construction Contractor Facility on Lot 1, Block 7, NCB 7224, located at 1325 Frio City Road. Staff recommends Approval. (Mirko Maravi, Planner (210) 207-0107, mirko.maravi@sanantonio.gov, Development Services Department)

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

Clayton Russell, 1325 Frio City Road, stated their business has been in operation for 30 years and wish to correct the zoning to build offices.

No Citizens appeared to speak.

Motion: Chair McGhee asked for a motion for item # **Z-2019-10700072** as presented.

Motion: Commissioner Bustamante made a motion for continuance till June 4, 2019

Second: Commissioner Rosalez

In Favor: Bustamante, Rosalez, Nix, Head, Kamath, Romero, Gibbons, McGhee

Opposed: Olivarez

Motion Carried

Item # 10 **ZONING CASE Z-2019-10700078 (Council District 7):** A request for a change in zoning from "C-2 MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District and "R-4 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "C-2 MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on Lot 57, Block A, NCB 11532, located at 1833 Bandera Road. Staff recommends Approval. (Sara Serra, Planner (210)207-7898, sara.serra@sanantonio.gov; Development Services Department)

Staff stated 14 notices were mailed to property owners within 200 feet, 0 returned in favor, and 0 returned in opposition and no response from the Woodlawn Hills Neighborhood Association.

No Citizens appeared to speak.

Patrick Christensen, 310 S. St, Mary's, requested a continuance to June 4, 2019.

Motion: Chair McGhee asked for a motion for item # **Z-2019-10700078** as presented.

Motion: Commissioner Rosalez made a motion for continuance to June 4, 2019

Second: Commissioner Kamath

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

Opposed: None

Motion Carried

Item # 14 **ZONING CASE Z-2019-10700106 (Council District 4):** A request to assign zoning for property located "OCL" Outside the City Limits to "R-5 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on 114.402 acres out of CB 4300, generally located at Somerset Road and Fischer Road. Staff recommends Approval. (Sara Serra, Planner (210)207-7898, Sara.serra@sanantonio.gov; Development Services Department)

Staff stated 32 notices were mailed to property owners within 200 feet, 1 returned in favor, and 2 returned in opposition and no registered neighborhood association.

Borjn Benches, Representative, Intersection of Somerset and Fischer Road, stated this was a voluntary annexation and is requesting the zoning to match his other property and was available for questions.

The Following Citizens appeared to speak.

Noretta Garza, 13215 Somerset, spoke in opposition
Marvin Dack, 13215 Somerset, spoke in opposition

Motion: Chair McGhee asked for a motion for item # **Z-2019-10700106** as presented.

Motion: Commissioner Kamath made a motion for approval

Second: Commissioner Gibbons

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

Opposed: None

Motion Carried

Item # 16 **ZONING CASE Z-2019-10700109 (Council District 8)** A request for a change in zoning from "C-3" General Commercial District to "MF-40" Multi-Family District on Lot P-71B and Lot P-111, NCB 14445, located at 3830 Parkdale Street. Staff recommends Approval. (Mirko Maravi, Planner (210) 207-0107, mirko.maravi@sanantonio.gov, Development Services Department)

Staff stated 15 notices were mailed to property owners within 200 feet, 0 returned in favor, and 0 returned in opposition and no registered neighborhood association.

Brian Wilson, Franklin Companies, is requesting to rezone for an affordable housing project of around 200 units. He has worked with the City of San Antonio and the community.

The Following Citizens appeared to speak.

Vicky Carden, 8915 Datapoint, spoke in favor

Motion: Chair McGhee asked for a motion for item # **Z-2019-10700109** as presented.

Motion: Commissioner Romero made a motion for approval

Second: Commissioner Head

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

Opposed: None

Motion Carried

Approval of Minutes

Chair McGhee motioned for approval of the May 21, 2019 minutes and all the Commissioners voted in the affirmative as corrected.

Director's Report: None

Adjournment

There being no further business, the meeting was adjourned at 3:46p.m.

APPROVED BY: _____ OR _____

Joy McGhee, Chair

DATE: June 18, 2019

ATTESTED BY: _____ DATE: June 20, 19

Melissa Ramirez, Assistant Director