

March 15, 2016

**SAN ANTONIO ZONING COMMISSION
OFFICIAL MINUTES
March 15, 2016**

DRAFT

The Zoning Commission of the City of San Antonio met in the 1st Floor, Tobin Room of the Cliff Morton Development and Business Services Center at 1901 S. Alamo.

1. 1:10 PM – Public Hearing

2. Roll Call.

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

Absent: Briones

COMBINED HEARING:

- 3. (Continued from 02/16/16) ZONING CASE # Z2016003 CD (Council District 2):** 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 Conditional Use for Manufactured Home/Oversized Vehicle Sales, Service and Storage on 5.421 acres of land out of NBC 13811 located at 5315, 5319, and 5331 Sherri Ann Road. Staff recommends Approval.

Staff mailed 47 notices to the surrounding property owners, 1 returned in favor, and 0 returned in opposition.

COMMISSION ACTION

A motion was made by Commissioner P. McGee and seconded by Commissioner King to recommend approval.

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

NAY: None

THE MOTION CARRIED

- 4. (Continued from 02/16/16) ZONING CASE # Z2016087 (Council District 2):** A request for a change in zoning from "C-1 AHOD" Light Commercial Airport Hazard Overlay District to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with Single-Family Homes not to exceed 33 units per acre on Lots, 4, 5, and 6, Block 5, NCB 488 located at 1604 North Hackberry Street. Staff recommends Approval, pending Plan Amendment. (Associated Plan Amendment 16025)

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Staff mailed 33 notices to the surrounding property owners, 2 returned in favor, 0 returned in opposition, and the Government Hill Neighborhood Association is in favor.

COMMISSION ACTION

A motion was made by Commissioner P. McGee and seconded by Commissioner King to recommend approval.

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

NAY: None

THE MOTION CARRIED

5. **ZONING CASE # Z2016100 S (Council District 10):** A request for a change in zoning from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 S AHOD" Commercial Airport Hazard Overlay District with Specific Use Authorization for Convenience Store with Gasoline and Carwash on Lot P-3B, NCB 16592 located 15311 Lookout Road. Staff recommends Approval.

Staff mailed 4 notices to the surrounding property owners, 1 returned in favor, and 0 returned in opposition.

COMMISSION ACTION

A motion was made by Commissioner P. McGee and seconded by Commissioner King to recommend approval.

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

NAY: None

THE MOTION CARRIED

6. **ZONING CASE # Z2016101 (Council District 3):** A request for a change in zoning from "MR AHOD" Military Reservation Airport Hazard Overlay District to "C-2NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District on 11.816 acres of land out of NCB 10879 and NCB 10921, generally located at the 3800 Block of Lyster Road at the intersection of Goliad Road. Staff recommends Approval.

Staff mailed 7 notices to the surrounding property owners, 0 returned in favor, and 0 returned in opposition.

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COMMISSION ACTION

A motion was made by Commissioner P. McGee and seconded by Commissioner King to recommend approval.

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

NAY: None

THE MOTION CARRIED

7. **ZONING CASE # Z2016103 CD (Council District 3):** A request for a change in zoning from "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for a Health and Wellness Center to "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Professional Office on Lot 7, Block 32, NCB 9642, located at 527 Offer Street. Staff recommends Approval.

Staff mailed 23 notices to the surrounding property owners, 0 returned in favor, 0 returned in opposition, and the Highland Hills Neighborhood Association is in favor.

COMMISSION ACTION

A motion was made by Commissioner P. McGee and seconded by Commissioner King to recommend approval.

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

NAY: None

THE MOTION CARRIED

8. **ZONING CASE # Z2016104 (Council District 2):** A request for a change in zoning from "R-6 AHOD" Single-Family Residential Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on Lot P-22, NCB 15894, located at 7004 Walzem Road. Staff recommends Approval.

Staff mailed 6 notices to the surrounding property owners, 0 returned in favor, and 0 returned in opposition.

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COMMISSION ACTION

A motion was made by Commissioner P. McGee and seconded by Commissioner King to recommend approval.

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

NAY: None

THE MOTION CARRIED

Executive Session

The Zoning Commissioners recessed into Executive Session from the Board Room into the Tobin Room at 1:19 p.m.

No action being taken in the Executive Session, the Zoning Commissioners reconvened back into the Zoning Commission meeting at 1:43 p.m.

REQUESTED CONTINUANCES:

9. **(Continued from 03/01/16) ZONING CASE # Z2016077 (Council District 10):** A request for a change in zoning from "NP-8 AHOD" Neighborhood Preservation Airport Hazard Overlay District to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "R-3" Residential Single-Family District not to exceed seven (7) Residential Single-Family Detached Units on 0.50 acres of land out of NCB 11876, located at 1823 East Lawndale Drive. Staff recommends Denial.

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 King and seconded by Commissioner Garcia for a continuance to April 5, 2016.

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

NAY: None

THE MOTION CARRIED

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10. **(Continued from 02/16/16) ZONING CASE # Z2016050 (Council District 4):** A request for a change in zoning from "C-3R AHOD" General Commercial Restrictive Alcoholic Sales Airport Hazard Overlay District to "L AHOD" Light Industrial Airport Hazard Overlay District on the North 104.69 feet of Lot 2, Block 1, NCB 14567 located at 9450 New Laredo Highway. Staff recommends Approval.

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 Salazar and seconded by Commissioner Garcia for a continuance to April 5, 2016.

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

NAY: None

THE MOTION CARRIED

11. **(Continued from 03/01/16) ZONING CASE # Z2016094 (Council District 9):** A request for a change in zoning from "C-2 AHOD" Commercial Airport Hazard Overlay District to "MF-25 AHOD" Multi-Family Airport Hazard Overlay District on 2.559 acres of land out of NCB 11766 located at 10400-10500 Block of West Avenue and 1702, 1710, and 1718 Anchor Drive. Staff recommends Approval.

The following citizens appeared to speak:

Charles Meurer, spoke in opposition.

Don Rochelle, 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 P. McGee and seconded by Commissioner Garcia for a continuance to April 5, 2016.

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

NAY: None

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THE MOTION CARRIED

12. **(Continued from 03/01/16) ZONING CASE # Z2016095 S (Council District 9):** A request for a change in zoning from "R-5" Residential Single-Family District to "R-5 S" Residential Single-Family District with a Specific Use Authorization for a Wireless Communications Facility within 200-feet of a Residential Structure on Lot 152, Block 1, NCB 16699 located at 5247 Vance Jackson. Staff recommends Approval.

The following citizens appeared to speak:

Bryan Cartall, spoke in opposition.
Corinne Zapata, spoke in opposition.
Don Royall, spoke in opposition.
Caroline Royall, spoke in opposition.
Myron Shelburne, spoke in opposition.
Gus Lopez, representing the Church, spoke in favor.
Vincent Zapata, 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 P. McGee and seconded by Commissioner King for a continuance to April 5, 2016.

Ayes: Shaw, Diaz-Sanchez, J. McGhee, Salazar, Martinez, Rose-Gonzales, Romero, P. McGee, King, Garcia
NAY: None

THE MOTION CARRIED

13. **ZONING CASE # Z2016098 CD (Council District 2):** A request for a change in zoning from "R-4 NCD-6" Residential Single-Family Mahncke Park Neighborhood Conservation District to "R-4 CD NCD-6" Residential Single-Family Mahncke Park Neighborhood Conservation District with a Conditional Use for a Hair Salon on 0.1886 acres of land out of NCB 6229 located at 143 Perry Court. Staff recommends Approval.

The following citizens appeared to speak:

Camis Milam, spoke in opposition.
Joan Brooks, spoke in opposition.
Emily Johnson, spoke in opposition.
Richard Felter, spoke in opposition.

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Joyce Felter, spoke in opposition.

Francille Radmann, spoke in opposition.

Carlynn Ricks, spoke in opposition.

Phil Jacobs, 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 Chairman Shaw and seconded by Commissioner Romero for a continuance to April 5, 2016.

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

NAY: None

THE MOTION CARRIED

14. **ZONING CASE # Z2016105 (Council District 5):** A request for a change in zoning "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "RM-5 AHOD" Residential Mixed Airport Hazard Overlay District on Lot 39 and 40, Block 3, NCB 8277 located at 134 Colby Street. Staff recommends Denial.

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 Salazar and seconded by Commissioner King for a continuance to April 5, 2016.

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

NAY: None

THE MOTION CARRIED

INDIVIDUAL CONSIDERATION

15. **ZONING CASE # Z2016035 (Council District 1):** A request for a change in zoning from "C-2 H HS AHOD" Commercial King William Historic Significant Airport Hazard Overlay District to "C-2 IDZ H HS AHOD" Commercial Infill Development Zone King William

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Historic Significant Airport Hazard Overlay District on 0.14 of an acre out of NCB 935 located at 1036 South Alamo Street. Staff recommends Approval.

Staff mailed 24 notices to the surrounding property owners, 2 returned in favor, 9 returned in opposition, and the King William Neighborhood Association is in opposition.

Jorge Canales, representative, zoning request is for a restaurant that would serve alcoholic beverages. Applicant stated there are some issues with the parking spaces allowed, but presented a petition of support from the surrounding community.

The following citizens appeared to speak:

Blake Carporter, spoke in favor.

Max Martinez, spoke in favor.

Cherise Bell, read a letter of opposition from the King William Neighborhood Association.

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 Diaz-Sanchez and seconded by Commissioner Rose-Gonzales to recommend approval.

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

NAY: None

THE MOTION CARRIED

16. **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.

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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.

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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

Commissioner Salazar left the Zoning Commission meeting at 4:09 p.m.

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17. **ZONING CASE # Z2016099 (Council District 5):** A request for a change in zoning from "I-2 AHOD" Heavy Industrial Airport Hazard Overlay District to "C-1 AHOD" Light Commercial Airport Hazard Overlay District on 0.4001 acres from Lot 8, Block 38, NCB 3697, located at 802 Brady Boulevard. Staff recommends Approval, pending Plan Amendment. (Associated Plan Amendment 16030)

Staff mailed 19 notices to the surrounding property owners, 1 returned in favor, 1 returned in opposition.

George Abraham, applicant, zoning request is for a convenience store and laundry facility on the property.

The following citizens appeared to speak:

John Castillo, spoke in opposition.

Laura Castillo, spoke in opposition.

Guadalupe Falcon, 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 Romero and seconded by Commissioner King for a continuance to April 5, 2016.

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

NAY: None

THE MOTION CARRIED

18. **ZONING CASE # Z2016102 (Council District 1):** A request for a change in zoning from "MF-33" Multi-Family Residential District and "R-5" Single-Family Residential District to "PUD R-5" Planned Unit Development Single-Family Residential District with a decrease in the perimeter setback line on Lot 13 and P-102, NCB 11641 located at 5126 and 5130 Vance Jackson. Staff recommends Approval.

Staff mailed 43 notices to the surrounding property owners, 2 returned in favor, 5 returned in opposition, and 2 notices were undetermined. The Vance Jackson Neighborhood Association is in favor.

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James Griffin, representative, requested a continuance to continue working with the surrounding community.

No citizens appeared to speak.

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 Diaz-Sanchez and seconded by Commissioner Garcia for a continuance to April 5, 2016.

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

NAY: None

THE MOTION CARRIED.

19. Consideration of the March 1, 2016 Zoning Commission Minutes.

Chairman Shaw motioned for approval of the minutes, and all Commissioners voted in the affirmative.

19. Director's Report:

- IDZ work session on April 19, 2016

20. There being no further business, the meeting was adjourned at 4:30 p.m.

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APPROVED:

William Shaw, Chairman

ATTEST:

Executive Secretary