



Draft

Zoning Commission Minutes

Development and Business Services
Center
1901 South Alamo

April 2, 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, Head, Sipes, Rosalez, Olivarez, Nix, Gibbons, Kamath, McDaniel**
- **Absent: Bustamante**
- 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 # 7 **ZONING CASE # Z-2019-10700030 CD (Council District 10):** A request for a change in zoning from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District and "C-3 AHOD" General Commercial Airport Hazard Overlay District to "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for Professional Office on Lot 1, Block 29, NCB 16829 and Lot P-76K and Lot P-133A, NCB 15688, located at 12920 Scarsdale Street. Staff recommends Approval, pending Plan Amendment. (Associated Plan Amendment PA2019-11600017)

Staff stated 11 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-2019-10700030 CD** as presented.

Motion: Commissioner Head made a motion for approval

Second: Commissioner Nix

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

Opposed: None

Motion Carried

- Item # 8 **ZONING CASE # Z-2019-10700034 CD (Council District 2):** A request for a change in zoning from "C-3NA MLOD-3 MLR-2 " General Commercial Nonalcoholic Sales Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District to "C-2 CD MLOD-3 MLR-2" Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District with Conditional Use for Alcohol Distillation, Storage, and Tasting Room on Lot 22, Block 6, NCB 1194, located at 2701 Dignowity Avenue. Staff recommends Approval.

Staff stated 13 notices were mailed to property owners within 200 feet, 0 returned in favor, and 0 returned in opposition and no response from the Government Hill Neighborhood Alliance.

No Citizens appeared to speak.

Motion

Chair McGhee asked for a motion for item # **Z-2019-10700034 CD** as presented.

Motion: Commissioner Head made a motion for approval

Second: Commissioner Nix

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

Opposed: None

Motion Carried

Item # 9 **ZONING CASE # Z-2019-10700035 (Council District 2):** A request for a change in zoning from "L MLOD-3 MLR-1" Light Industrial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District to "I-1 MLOD-3 MLR-1" General Industrial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District on Lot 1, Block 1, NCB 18273, located at 6325 U.S. Highway 87 East. Staff recommends Approval, pending Plan Amendment. (Associated Plan Amendment PA2019-11600011)

Staff stated 12 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-2019-10700035** as presented.

Motion: Commissioner Head made a motion for approval

Second: Commissioner Nix

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

Opposed: None

Motion Carried

Item # 10 **ZONING CASE # Z-2019-10700036 CD** (Council District 4): 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 with Conditional Use for Auto and Light Truck Repair on 0.2030 acres out of NCB 15655, located at 4928 and 4932 West Military Drive. Staff recommends Approval.

Staff stated 8 notices were mailed to property owners within 200 feet, 0 returned in favor, and 0 returned in opposition and no response from the People Active in Community Effort Neighborhood Association.

No Citizens appeared to speak.

Motion

Chair McGhee asked for a motion for item # **Z-2019-10700036 CD** as presented.

Motion: Commissioner Head made a motion for approval

Second: Commissioner Nix

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

Opposed: None

Motion Carried

Item # 11 **ZONING CASE # Z-2019-10700037 (Council District 2):** A request for a change in zoning from "I-1 MLOD-3 MLR-2 AHOD" General Industrial Martindale Army Airfield Military Lighting Region 2 Airport Hazard Overlay District and "C-3 MLOD-3 MLR-2 AHOD" General Commercial Martindale Army Airfield Military Lighting Region 2 Airport Hazard Overlay District to "R-4 MLOD-3 MLR-2 AHOD" Residential Single-Family Martindale Army Airfield Military Lighting Region 2 Airport Hazard Overlay District out of 39.114 acres out of NCB 17630, generally located at the intersection of Rittiman Road and Seguin Road. Staff recommends Approval, pending Plan Amendment. (Associated Plan Amendment PA-2019-11600012)

Staff stated 34 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-2019-10700037** as presented

Motion: Commissioner Head made a motion for approval

Second: Commissioner Nix

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

Opposed: None

Motion Carried

- Item # 13 **ZONING CASE # Z-2019-10700039 HL (Council District 3):** A request for a change in zoning from "R-4 MLOD-3 MLR-2 AHOD" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "R-4 HL MLOD-3 MLR-2 AHOD" Residential Single-Family Historic Landmark Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on Lot 24 and the West 30 feet of Lot 25, Block 38, NCB 3306, located at 843 Rigsby Avenue. Staff recommends Approval.

Staff stated 24 notices were mailed to property owners within 200 feet, 0 returned in favor, and 0 returned in opposition and no response from the Highland Park Neighborhood Association.

No citizens appeared to speak.

Motion

Chair McGhee asked for a motion for item # **Z-2019-10700039 HL** as presented.

Motion: Commissioner Head made a motion for approval

Second: Commissioner Nix

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

Opposed: None

Motion Carried

- Item #14 **ZONING CASE # Z-2019-10700044 (Council District 9):** A request for a change in zoning from "C-2 AHOD" Commercial Airport Hazard Overlay District and "I-1 AHOD" General Industrial Airport Hazard Overlay District to "I-1 AHOD" General Industrial Airport Hazard Overlay District on 11.972 acres out of NCB 8644, generally located south of the intersection of Jones Maltsberger Road and Wurzbach Parkway. Staff recommends Approval.

Staff stated 6 notices were mailed to property owners within 200 feet, 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-2019-10700044** as presented.

Motion: Commissioner Head made a motion for approval

Second: Commissioner Nix

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

Opposed: None

Motion Carried

Item #16 **ZONING CASE # Z-2019-10700048 (Council District 6):** A request for a change in zoning from "R-6 MLOD-2 MLR-2 AHOD," Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District, "C-2 MLOD-2 MLR-2 AHOD," Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District, and "C-3" General Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "TOD MLOD-2 MLR-2 AHOD" Transit Oriented Development Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on 4.907 acres out of NCB 18288, located at 8319 Potranco Road. Staff recommends Approval.

Staff stated 12 notices were mailed to property owners within 200 feet, 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-2019-10700048** as presented.

Motion: Commissioner Head made a motion for approval

Second: Commissioner Nix

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

Opposed: None

Motion Carried

COMBINED CONTINUANCES TO APRIL 16, 2019 & May 7, 2019:

Item # 4 **(Continued from 03/19/19) ZONING CASE # Z-2019-10700014 (Council District 4):** A request for a change in zoning from “MI-1 S MLOD-2 MLR-2 AHOD” Mixed Light Industrial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with Specific Use Authorization for a Fairground and/or Stadium and “MI-1 MLOD-2 MLR-2 AHOD” Mixed Light Industrial 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 122.092 acres, “C-3 MLOD-2 MLR-2 AHOD” General Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on 3.527 acres and “MF-33 MLOD-2 MLR-2 AHOD” Multi-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on 9.473 acres, on 135.092 acres out of CB 4301, located at 11893 Fischer Road. Staff recommends Approval, pending Plan Amendment. (Associated Plan Amendment # PA2019-11600002)

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-2019-10700014** as presented.

Motion: Commissioner Head made a motion for a continuance to May 7, 2019

Second: Commissioner Rosalez

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

Opposed: McDaniel, Romero

Motion Carried

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

Ruben Davila, 2707 Dennler Dr., spoke in opposition

Richard Martinez, 2319 Painted Sky, spoke in opposition

Item # 5 **(Continued from 03/19/19) 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.

Staff stated 50 notices were mailed to property owners within 200 feet, 0 returned in favor, and 33 returned in opposition and no response from the Thunderbird Hills Neighborhood Association is in favor.

Motion

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

Motion: Commissioner Head made a motion for a continuance to April 16, 2019

Second: Commissioner Rosalez

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

Opposed: McDaniel, Romero

Motion Carried

Item # 15

ZONING CASE # Z-2019-10700045 (Council District 6): A request for a change in zoning from "PUD R-5 MLOD-2 MLR-1 AHOD" Planned Unit Development Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "C-2 MLOD-2 MLR-1 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District on 5.197 acres out of NCB 17876, located at the 10100 block of Hunt Lane at Ingram Road. Staff recommends Approval.

Staff stated 64 notices were mailed to property owners within 200 feet, 0 returned in favor, and 0 returned in opposition and the Heritage Neighborhood Association is in opposition.

No citizens appeared to speak.

Motion

Chair McGhee asked for a motion for item # **Z-2019-10700045** as presented.

Motion: Commissioner Head made a motion for a continuance to April 16, 2019

Second: Commissioner Rosalez

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

Opposed: McDaniel, Romero

Motion Carried

Individual Consideration:

Item # 3 **(Continued from 03/05/19) ZONING CASE # Z-2019-10700013 (Council District 2):** A request for a change in zoning from "IDZ H AHOD" Infill Development Zone Dignowity Hill Historic Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and Stone Monument Retail and Wholesale with Outdoor Display and Storage of Merchandise to "IDZ-1 H AHOD" Limited Intensity Infill Development Zone Dignowity Hill Historic Airport Hazard Overlay District with uses permitted for four (4) residential units on Lot 11, Block 8, NCB 583, located at 321 North Hackberry Street. Staff recommends Approval.

Staff stated 33 notices were mailed to property owners within 200 feet, 0 returned in favor, and 1 returned in opposition and the Dignowity Hill Neighborhood Association is in support.

Patrick Christensen, 310 S. St. Mary's, stated he had reached out to the Dignowity Hill Neighborhood Association and incorporated their input into a revised plan. He also worked with staff and asked for the Commission's approval.

John Barton, Architect, answered the Commission's questions regarding lighting.

The Following Citizens appeared to speak.

Joseph Garcia, 906 E. Crockett, spoke in opposition
Gloria Garcia, 906 E. Crockett, yielded time to Joseph Garcia
Ofelia Delgado, 216 N. Mesquite, yielded time to Joseph Garcia
Liz Franklin, 515 Hays, spoke in opposition
Christian Pesce, 107 Glorietta, read a letter from the N.D.A.C., in support
Crystal Lira, 222 N. Mesquite, spoke in opposition

Motion

Chair McGhee asked for a motion for item **Z-2019-10700013** as presented

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

Second: Commissioner Gibbons

In Favor: Head, Nix, Sipes, Gibbons, Kamath, Olivarez,

Opposed: Rosalez, McDaniel, Romero, McGhee

Motion Carried

Item # 6 **ZONING CASE # Z2018346 (Council District 5):** A request for a change in zoning from "R-4 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District and "C-2NA MLOD-2 MLR-2 AHOD" Commercial Nonalcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "IDZ MLOD-2 MLR-2 AHOD" Infill Development Zone Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District for an Office, Auto Light Truck Repair, and uses permitted in "C-2P" Commercial Pedestrian District and "R-4" Residential Single-Family District on 0.38 acres out of NCB 6128, generally located Southwest of Colima and South Zarzamora. Staff recommends Denial. (Associated Plan Amendment 18102)

Staff stated 45 notices were mailed to property owners within 200 feet, 5 returned in favor, and 0 returned in opposition and the Historic Westside residents Association is in opposition.

Caroline McDonald, Brown & Ortiz, applicant began buying properties and realized he needed to change the zoning in order to meet his needs. They did meet with the Historic Westside residents Association and incorporated their input and asked for the Commissions Approval.

The Following Citizens appeared to speak.

Santa Burns, 2222 Colima, requested interpreter services, spoke in favor
Miriam Chico, 1001 S. Zarzamora, spoke in favor
Thomas Chico, 1001 S. Zarzamora, spoke in favor
Mary Ann Hernandez, 1635 Potosi, spoke in opposition
Lynda Ortega, 2515 Saunders, yielded time to Lynda Ortega
Irma Hoffman, 3011 White Tail, yielded time to Lynda Ortega

Motion

Chair McGhee asked for a motion for item # **Z2018346** as presented.

Motion: Commissioner McDaniel made a motion for Approval

Second: Commissioner Head

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

Opposed: Sipes

Motion Carried

- Item # 12 **ZONING CASE # Z-2019-10700038 CD (Council District 3):** A request for a change in zoning from "IDZ MC-2 AHOD" Infill Development Zone South Presa Metropolitan Corridor Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and "RM-4" Residential Mixed District and "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and "RM-4" Residential Mixed District to "C-2 CD MC-2 AHOD" Commercial South Presa Metropolitan Corridor Airport Hazard Overlay District with Conditional Use for Cabinet or Carpenter Shop and "C-2 CD AHOD" Commercial Airport Hazard Overlay District with Conditional Use for Cabinet or Carpenter Shop on Lot A, Block 3, NCB 2978, located at 958 Steves Avenue. Staff recommends Approval.

Staff stated 31 notices were mailed to property owners within 200 feet, 0 returned in favor, and 0 returned in opposition and no response from the Riverside and Roosevelt Neighborhood Associations.

Robert Cruz, 958 Steves Avenue, is requesting the rezoning in order to comply with City Code and receive a certificate of occupancy. He also stated there will be no outside storage and all work will be performed inside.

No Citizens appeared to speak.

Motion

Motion: Commissioner McGhee made a motion for Approval on case **Z-2019-10700038 CD** as presented

Second: Commissioner Rosalez

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

Opposed: None

Motion Carried

Approval of Minutes

- Item # 18 Consideration and Approval on the Minutes from March 19, 2019.

No Minutes approved at this time.

- Item # 17 Appointment of a Zoning Commission Member and Alternate to the Planning Commission Technical Advisory Committee for a two year term

Staff requested nominations to Primary Planning Commission Technical Advisory Committee

Commissioner McDaniel nominated Commissioner Sipes for Primary P.C. T.A C

In Favor: Olivarez, Sipes, Romero, McDaniel

Opposed: Kamath, Nix, Gibbons, Rosalez, Head, McGhee

Motion Failed

Commissioner Nix nominated commissioner Gibbons for Primary Member to the P.C. T.A C

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

Opposed: Olivarez, Sipes, Romero, McDaniel

Motion Granted

Commissioner Gibbons is the New Primary Planning Commission Technical Advisory Committee Member.

Commissioner Romero nominated commissioner Sipes for Alternate Member to the P.C. T.A C

A voice vote was taken with a **unanimous vote in the affirmative**; Commissioner Sipes is the new Alternate Planning Commission Technical Advisory Committee Member.

Director's Report: None

Adjournment

There being no further business, the meeting was adjourned at 3:10 p.m.

Joy McGhee, Chair

ATTEST:

Melissa Ramirez, Assistant Director

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