

City of San Antonio



Draft

Zoning Commission Minutes
Development and Business
Services Center
1901 South Alamo

August 4, 2020

1:00PM

Videoconference

Zoning Commission Members

A majority of appointive Members shall constitute a quorum.

Joy McGhee, Chair, District 3
John Bustamante, Vice-Chair, District 5
Robert Sipes, Pro-Tem, District 7

| Kin Hui - District 6 | Summer Greathouse, District 1 | Dr. Francine Romero, District 8 |
Marc Whyte, District 10 | Patricia Gibbons, District 9 |
Suren Kamath, District 4 | Gayle McDaniel, Mayor | Dr. Lillian Jones, District 2

1:00 P.M. - Call to Order, Videoconference

- **Roll Call**
- **Present: Romero, Gibbons, Bustamante, McGhee, McDaniel, Sipes, Greathouse, Whyte, Kamath, Hui, Jones**
- **Absent: None**
- Cesar Chavez and Jacqueline Payan from 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

Item #1 has been withdrawn and Item #5 has been postponed

COMBINED CONSENT AGENDA 1:

- Item # 8** **ZONING CASE Z-2020-10700143 (Council District 6):** 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 MLOD-2 MLR-1 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District on Lot 42 and Lot 43, Block 21, NCB 16531, located at 6545 Enrique M. Barrera Parkway. Staff recommends Approval. (Michael Pepe, Planner, (210) 207-8208, Michael.Pepe@sanantonio.gov, Development Services)

Staff stated 16 notices were mailed to property owners within 200 feet, 0 returned in favor, 0 returned in opposition and no response from the Cable Westwood Neighborhood Association.

No Public Comment

Motion: Commissioner McGhee asked for a motion as presented.

Motion: Commissioner Bustamante made a motion for approval

Second: Commissioner Sipes

In Favor: Bustamante, Sipes, Jones, Romero, Greathouse, Whyte, Gibbons, McDaniel, Kamath, Hui, McGhee

Opposed: None

Motion Carried

- Item # 11** **ZONING CASE Z-2020-10700147 S (Council District 4):** A request for a change in zoning from "MI-1 AHOD" Mixed Light Industrial Airport Hazard Overlay District to "MI-1 S AHOD" Mixed Light Industrial Airport Hazard Overlay District with a Specific Use Authorization for Motor Vehicle Sales on Lot 6, Block 1, CB 4005A, located at 2455 Walsh Road. Staff recommends Approval. (Lorianne Thennes, Planner 210-207-7945, lorianne.thennes@sanantonio.gov; Development Services Department)

Staff stated 6 notices were mailed to property owners within 200 feet, 0 returned in favor, and 0 returned in opposition and no registered neighborhood association.

No Public Comment

Motion: Commissioner McGhee asked for a motion as presented.

Motion: Commissioner Bustamante made a motion for approval

Second: Commissioner Sipes

In Favor: Bustamante, Sipes, Jones, Romero, Greathouse, Whyte, Gibbons, McDaniel, Kamath, Hui, McGhee

Opposed: None

Motion Carried

Commissioner Greathouse recused herself at 1:10pm and returned at 1:13pm for items #13 and #14

Item #13

ZONING CASE Z-2020-10700149 (Council District 4): A request for a change in zoning from "C-3R MLOD-2 MLR-1 AHOD" General Commercial Restrictive Alcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District and "C-2 MLOD-2 MLR-1 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "MXD MLOD-2 MLR-1 AHOD" Mixed Use Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District on 42.0290 acres out of Lot P-67A, NCB 14491, located at 9326 Southwest Loop 410. Staff recommends Approval, pending Plan Amendment. (Associated Plan Amendment PA 2020-11600039) (Mercedes Rivas, Senior Planner, (210) 207-0215, Mercedes.Rivas2@sanantonio.gov, Development Services Department)

Staff stated 37 notices were mailed to property owners within 200 feet, 1 returned in favor and 0 returned in opposition and no response from the Southwest Community Neighborhood Association and People Active in Community Effort Neighborhood Association.

No Public Comment

Motion: Commissioner Bustamante made a motion for approval

Second: Commissioner Sipes

In Favor: Bustamante, Sipes, Jones, Romero, Whyte, Gibbons, McDaniel, Kamath, Hui, McGhee

Opposed: None

Recused: Greathouse

Motion Carried

- Item # 14** **ZONING CASE Z-2020-10700150 CD (Council District 2):** A request for a change in zoning from "MF-33 EP-1 MLOD-3 MLR-2" Multi-Family Facility Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District to "C-2 CD EP-1 MLOD-3 MLR-2" Commercial Facility Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District with a Conditional Use for Auto, Boat, and Recreational Vehicle Storage (Outside Permitted) on Lot 3, Block 1, NCB 12839, located at 909 Runnels Avenue. Staff recommends Approval, pending Plan Amendment. (Associated Plan Amendment PA-2020-11600038) (Justin Malone, Planner, (210) 207-0157, Justin.Malone@sanantonio.gov, Development Services)

Staff stated 6 notices were mailed to property owners within 200 feet, 0 returned in favor and 0 returned in opposition and Government Hill Alliance Neighborhood Association is in support.

No Public Comment

Motion: Commissioner Bustamante made a motion for approval

Second: Commissioner Sipes

In Favor: Bustamante, Sipes, Jones, Romero, Whyte, Gibbons, McDaniel, Kamath, Hui, McGhee

Opposed: None

Recused: Greathouse

Motion Carried

- Item # 9** **ZONING CASE Z-2020-10700144 (Council District 5):** A request for a change in zoning from "R-5 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "IDZ-2 MLOD-2 MLR-2 AHOD" Medium Intensity Infill Development Zone Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with uses permitted for twenty-nine (29) units on Lots 1 through 8, Block 10, NCB 6253, located at 611 Oriental Avenue. Staff recommends Approval. (Mercedes Rivas, Senior Planner, (210) 207-0215, Mercedes.Rivas2@sanantonio.gov, Development Services Department)

Staff stated 42 notices were mailed to property owners within 200 feet, 0 returned in favor and 2 returned in opposition and the Collins Gardens Neighborhood Association is opposed. There was no response from the San Juan Gardens Neighborhood Association.

No Public Comment

Motion: Commissioner McGhee asked for a motion as presented.

Motion: Commissioner Bustamante made a motion for **continuance to Sept. 1, 2020**

Second: Commissioner Jones

In Favor: Bustamante, Jones, Romero, Whyte, Gibbons, Greathouse, Kamath, Sipes, Hui, McDaniel, McGhee

Opposed: None

Motion Carried

- Item # 15** **ZONING CASE Z-2020-10700151 CD (Council District 2):** A request for a change in zoning from "C-3 MLOD-3 MLR-2" General Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region-2 District to "C-1 CD MLOD-3 MLR-2" General Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region-2 District with a Conditional Use for an RV Park on 0.2941 acres out of NCB 10319, located at 2050 Rigsby Avenue. Staff recommends Approval. (Victoria Castro, Planner, (210) 207-2736, Victoria.Castro@Sanantonio.gov, Development Services).

Staff stated 15 notice was mailed to property owners within 200 feet, 0 returned in favor and 0 returned in opposition and there was no response from the Commanche Community Neighborhood Association.

No Public Comment

Motion: Commissioner McGhee asked for a motion as presented.

Motion: Commissioner Jones made a motion for **continuation to August 18, 2020**

Second: Commissioner McDaniel

In Favor: Jones, McDaniel, Romero, Hui, Sipes, Bustamante, Whyte, Greathouse, Gibbons, Kamath, McGhee

Opposed: None

Motion Carried

Individual Items:

- Item # 2** **ZONING CASE Z-2020-10700095 CD ERZD (Council District 8):** A request for a change in zoning from "R-6 MLOD-1 MLR-2 ERZD" Residential Single-Family Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District to "R-6 CD MLOD-1 MLR-2 ERZD" Residential Single-Family Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District with a Conditional Use for an Assisted Living Facility for up to 16 Residents on Lot 21, Block 12, NCB 14752, located at 7023 West Hausman Road. Staff recommends Approval. (Lorianne Thennes, Planner 210-207-7945, lorianne.thennes@sanantonio.gov; Development Services Department)

Staff stated 10 notices were mailed to property owners within 200 feet, 0 returned in favor, 2 returned in opposition and there was no registered neighborhood association. One response was received in opposition outside of the 200 square foot radius.

Micheal Escalante stated SAWS reviewed the application and recommends approval.

Jimmy Caldwell, representative gave a history of the business and explained the intent of the rezoning to maintain the assisted living facility.

Written Public Comment

Micheal Mendiola submitted a letter in opposition

Cat Amuth submitted a letter in opposition

No Voicemails

Live Public Comment

Tim Terrasco provided live comment in opposition.

The Commission asked the applicant questions concerning the request. The Applicant responses were heard by the Commission as well as other testimonies offered, followed by a discussion among members before the vote.

Motion: Commissioner McGhee asked for a motion as presented.

Motion: Commissioner Romero made a motion to **amend to R6-CD assisted living facility up to 12 residents**

Second: Commissioner Bustamante

In Favor: Romero, Bustamante, Greathouse, McDaniel, Jones, Gibbons, Whyte, Sipes, Kamath, Hui, McGhee

Opposed: None

Motion Carried

Item # 3

(Continued from 07/07/2020) ZONING CASE Z-2020-10700122 (Council District 1): August 4, 2020 A request for a change in zoning from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District on the East 12.5 feet of Lot 11, Lot 12 and Lot 13, Block 2, NCB 6481, located at 1526 West Mistletoe Avenue. Staff recommends Denial, with Alternate Recommendation. (Victoria Castro, Planner, (210) 207-2736, Victoria.Castro@Sanantonio.gov, Development Services).

Staff stated 25 notices were mailed to property owners within 200 feet, 0 returned in favor and 11 returned in opposition. The Jefferson Neighborhood Association is opposed. 1 response received in favor outside the 200' radius 21 in opposition.

Charles Riley requested a continuance to September 1, 2020

Written Public Comment

There were 33 written comments that will be heard on September 1, 2020

The Commission asked the applicant questions concerning the request. The Applicant responses were heard by the Commission as well as other testimonies offered, followed by a discussion among members before the vote.

Motion: Commissioner McGhee asked for a motion as presented.

Motion: Commissioner Greathouse made a **motion to continue to September 1, 2020**

Second: Commissioner Bustamante

In Favor: Greathouse, Bustamante, Whyte, McDaniel, Jones, Romero Hui, Sipes, Gibbons, Kamath, McGhee

Opposed: None

Motion Carried

Item # 4

(Continued from 07/21/2020) ZONING CASE Z-2020-107000130 (Council District 6):

August 4, 2020 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 "MF-18 MLOD-2 MLR-1 AHOD" Limited Density Multi-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District on the east 130 feet of Lot A1, NCB 13950, located at 5710 McDavitt Road. Staff recommends Denial. (Mercedes Rivas, Senior Planner, (210) 207-0215, Mercedes.Rivas2@sanantonio.gov, Development Services Department)

Staff stated 25 notices were mailed to property owners within 200 feet, 1 returned in favor and 0 returned in opposition. The Cable Westwood Neighborhood Association did not respond. 1 response was received in support 1 outside the 200' radius.

Nancy Tamarillo gave a detailed presentation regarding her property and the project. She also stated she feels the rezoning will be in the best interest of the neighborhood.

Written Public Comment

Melissa Alonso submitted a letter in favor

Live public Comment

Arturo Castillon provided live comment in favor

The Commission asked the applicant questions concerning the request. The Applicant responses were heard by the Commission as well as other testimonies offered, followed by a discussion among members before the vote.

Motion: Commissioner McGhee asked for a motion as presented.

Motion: Commissioner Hui made a motion for **Denial**

Second: Jones

In Favor: Hui, Jones, Bustamante, McDaniel, Greathouse, Romero, Kamath, Sipes, McGhee, Whyte

Opposed: Gibbons

Motion Granted for Denial

Item # 6

ZONING CASE Z-2020-10700101 CD (Council District 4): August 4, 2020 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 "R-6 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 two (2) dwelling units on Lot 21, Block 3, NCB 12492, located at 1971 Rayburn Drive. Staff recommends Approval. (Victoria Castro, Planner, (210) 207-2736, Victoria.Castro@Sanantonio.gov, Development Services).

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

Keenon Allen, representative stated the previous builder did not pull permits or follow the city code. Mr. Keenon said his company will follow all codes and wish to correct the prior contractor's mistakes.

Written Public Comment

Ralph Gallando submitted a letter in opposition

The Commission asked the applicant questions concerning the request. The Applicant responses were heard by the Commission as well as other testimonies offered, followed by a discussion among members before the vote.

Motion: Commissioner McGhee asked for a motion as presented.

Motion: Commissioner Kamath made a motion for Approval

Second: Commissioner Whyte

In Favor: Kamath, Whyte, Jones, Gibbons, Bustamante, Romero, Greathouse, Hui, McDaniel, Sipes, McGhee

Opposed: None

Motion Granted

Item # 7

ZONING CASE Z-2020-10700110 CD (Council District 3): August 4, 2020 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 four (4) dwelling units on Lot 19 and Lot 20, Block 1, NCB 3206, located at 123 Fairview Avenue. Staff recommends Approval. (Justin Malone, Planner (210) 207-0157, Justin.Malone@sanantonio.gov; Development Services Department.

Staff stated 33 notices were mailed to property owners within 200 feet, 2 returned in favor, 3 returned in opposition and the Riverside Neighborhood Association did not respond. The Conservation Society of San Antonio is in opposition.

Megan Armitrano, Representative gave a detailed presentation regarding the project and also spoke of the community involvement and asked for approval.

Written Public Comments

Carlos Martinez submitted a letter in favor

Consuelo and Armando Hernandez submitted a letter in opposition

Ismael and Rachel Dominguez submitted a letter in opposition

Conservation Society of San Antonio submitted a letter in opposition

No Live Comment

The Commission asked the applicant questions concerning the request. The Applicant responses were heard by the Commission as well as other testimonies offered, followed by a discussion among members before the vote.

Motion: Commissioner McGhee made a motion for Approval

Second: Commissioner Romero

In Favor: McGhee, Romero, Bustamante, Whyte, Kamath, Jones, Greathouse, Hui, McDaniel, Gibbons, Sipes

Opposed: None

Motion Carried

- Item # 10** **ZONING CASE Z-2020-10700145 (Council District 3):** August 4, 2020 A request for a change in zoning from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-3 AHOD" General Commercial Airport Hazard Overlay District on Lot 2B, NCB 9483, located at 6831 South Flores Street. Staff recommends Denial. (Associated Plan Amendment PA 2020-11600036) (Victoria Castro, Planner, (210) 207-2736, Victoria.Castro@Sanantonio.gov, Development Services)

Staff stated 15 notices were mailed to property owners within 200 feet, 1 returned in favor, 0 returned in opposition and no registered neighborhood Association. One response was received from outside the 200' radius in favor.

Jerry Arrendondo, representative, gave a history of the project. He also stated the owner wishes to run a clean business in the neighborhood. Mr. Arrendondo then wished to amend his request

Witten Public Comment

Hector Hernandez, 6831 S. Flores submitted a letter in favor

The Commission asked the applicant questions concerning the request. The Applicant responses were heard by the Commission as well as other testimonies offered, followed by a discussion among members before the vote.

Motion: Commissioner McGhee motioned for **continuance to September 1, 2020**

Second: Commissioner Kamath

In Favor: McGhee, Hui, Whyte, Greathouse, Kamath, Jones, Romero, Gibbons, Bustamante, Sipes, McDaniel

Opposed: None

Motion Granted

- Item # 12** **ZONING CASE Z-2020-10700148 (Council District 3):** A request for a change in zoning from "C-2 AHOD" Commercial Airport Hazard Overlay District and "C-3 AHOD" General Commercial Airport Hazard Overlay District to "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District on 27.75 acres out of NCB 11166, located at 12100 South US Highway 281. Staff recommends Denial. (Michael Pepe, Planner, (210) 207-8208, Michael.Pepe@sanantonio.gov, Development Services)

Staff stated 82 notices were mailed to property owners within 200 feet, 1 returned in favor, 0 returned in opposition with no registered neighborhood association.

Daniel Ortiz, Brown & Ortiz, gave an extensive presentation regarding the project and future projects. Mr. respectfully asked the commission's approval.

No Public Comment

The Commission asked the applicant questions concerning the request. The Applicant responses were heard by the Commission as well as other testimonies offered, followed by a discussion among members before the vote.

Motion: Commissioner McGhee made a motion for approval.

Second: Commissioner Whyte

In Favor: McGhee, Whyte, Hui, McDaniel Kamath, Jones, Romero, Bustamante, Gibbons, Sipes

Opposed: None

Recused: Greathouse

Motion Granted

Approval of Minutes

Consideration and Approval of the July 21, 2020 Zoning Commission Meeting Minutes

Motion: Commissioner McGhee asked for a motion as presented.

Motion: Whyte

Second: Bustamante

In Favor: Whyte, Bustamante, McDaniel, Greathouse, McGhee, Kamath, Jones, Romero, Hui, Gibbons

Opposed: None

Abstained: Sipes

Motion Granted

Adjournment

There being no further business, the meeting was adjourned at 3:29pm

APPROVED BY: _____ OR _____
Joy McGhee, Chair

DATE: _____

ATTESTED BY: _____ DATE: _____
Melissa Ramirez, Assistant Director

DRAFT