

City of San Antonio



Zoning Commission Minutes
Development and Business
Services Center
1901 South Alamo

September 15, 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, McDaniel, Sipes, Greathouse, Whyte, Kamath, Hui, Jones, McGhee
- Absent: None
- Maritza 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 and # 5 have been postponed

COMBINED CONSENT AGENDA:

- Item # 6** **ZONING CASE Z-2020-10700130 (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 "R-4 MLOD-2 MLR-1 AHOD" Residential Single-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 Approval. (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, 0 returned in opposition and no response from the Cable Westwood Neighborhood Association. 1 notice was received in favor outside the 200' radius.

Written Notices Received for the Record in Favor

Charles Riley, 5710 McDavitt

No Public Comment

Motion: Commissioner Bustamante made a motion for approval

Second: Commissioner Sipes

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

Opposed: None

Motion Carried

- Item # 7** **ZONING CASE Z-2020-10700183 S (Council District 2):** A request for a change in zoning from "C-3NA MLOD-3 MLR-1 AHOD" General Commercial Nonalcoholic Sales Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "C-3NA S MLOD-3 MLR-1 AHOD" General Commercial Nonalcoholic Sales Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Specific Use Authorization for Truck Repair, Maintenance, and Storage on Lot 31, Block 2, NCB 12869, located at 9114 Northeast Loop 410. Staff recommends Approval, pending Plan Amendment. (Associated Plan Amendment PA-2020-11600052) (Justin Malone, Planner, (210) 207-0157, Justin.Malone@sanantonio.gov, Development Services Department)

Staff stated 17 notices were mailed to property owners within 200 feet, 2 returned in favor, and 5 in opposition. The Eastgate Neighborhood Association is opposed. 3 notices were received in opposition from outside the 200' radius, 2 were received in favor outside the 200' radius.

Written Notices Received for the Record in Favor

Elizabeth & Edgar Cantu, 9114 NE Loop 410 (applicants)
Jose & Rachel Valadez, 838 Stutts Drive
Gilbert Rodriguez, 9234 NE Loop 410 (outside 200-feet)
Rusty Dodd, 6314 IH-10 East (outside 200-feet)

Opposed

Reverend Gregory Harris, 814 Stutts Drive
Sylvia Alaniz, 830 Stutts Drive
Luis Seispardo, 737 Stutts Drive
Maria Carrizalez, 735 Stutts Drive
Irma Valencia, 742 Stutts Drive
Earl Cook, 538 Stutts Drive (outside 200-feet)
Daniel Martinez, 807 Peggy Drive (outside 200-feet)
Jerelyne Williams, 643 Stutts Drive (outside 200-feet)

No Public Comment

Motion: Commissioner Bustamante made a motion for approval

Second: Commissioner Sipes

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

Opposed: None

Motion Carried

Item #8

ZONING CASE Z-2020-10700184 CD (Council District 4): A request for a change in zoning from "C-2 MLOD-2 MLR-1 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "C-1 CD MLOD-2 MLR-1 AHOD" Light Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Conditional Use for Motor Vehicle Sales (Full Service) on Lot 13A and Lot 13B, Block 3, NCB 11257, located at 3926 Southwest Military Drive. Staff recommends Approval. (Michael Pepe, Planner, (210) 207-8208, michael.pepe@sanantonio.gov, Development Services Department)

Staff stated 22 notices were mailed to property owners within 200 feet, 0 returned in favor and 0 returned in opposition and the Quintana Community Neighborhood Association did not respond.

No Public Comment

Motion: Commissioner Bustamante made a motion for approval

Second: Commissioner Sipes

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

Opposed: None

Motion Carried

Item # 9

ZONING CASE Z-2020-10700185 CD (Council District 1): A request for a change in zoning from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for a Construction Trades Contractors Facility on the south 112 feet of the north 335.12 feet of Lot 32, the south 112 feet of the north 223.12 feet of Lot 32, the south 112 feet of the north 335.12 feet of Lot 34, the south 112 feet of the north 223.12 feet of Lot 34, NCB 11880, located at 542 and 602 Everest Avenue and the 530 block of Everest Avenue. Staff recommends Approval, pending Plan Amendment. (Associated Plan Amendment PA-2020-11600053) (Lorianne Thennes, Planner, (210) 207-7945, lorianne.thennes@sanantonio.gov, Development Services Department)

Staff stated 22 notices were mailed to property owners within 200 feet, 0 returned in favor and 2 returned in opposition and no registered Neighborhood Association.

Written Notices Received for the Record in Favor

Frank Falbo, no address, submitted a letter in opposition

Carol Ertl, 177 Calundula St. submitted a letter in opposition

No Public Comments

Motion: Commissioner Bustamante made a motion for approval

Second: Commissioner Sipes

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

Opposed: None

Motion Carried

Item # 10

ZONING CASE Z-2020-10700186 (Council District 4): 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 to "MHC MLOD-2 MLR-2 AHOD" Manufactured Housing Conventional Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on Lot P-18, CB 4298, located at 13410 Quesenberry Road. Staff recommends Approval. (Lorianne Thennes, Planner, (210) 207-7945, lorianne.thennes@sanantonio.gov, Development Services Department)

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 Public Comment

Motion: Commissioner Bustamante made a motion for approval

Second: Commissioner Sipes

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

Opposed: None

Motion Carried

- Item # 11** **ZONING CASE Z-2020-10700187 CD (Council District 2):** A request for a change in zoning from "R-4 HL UC-2 NCD-6" Residential Single-Family Historic Landmark Broadway Urban Corridor Mahncke Park Neighborhood Conservation Overlay District to "R-4 CD HL UC-2 NCD-6" Residential Single-Family Historic Landmark Broadway Urban Corridor Mahncke Park Neighborhood Conservation Overlay District with a Conditional Use for a Noncommercial Parking Lot on Lot 13, Block 2, NCB 6228, located at 115 Davis Court. Staff recommends Approval. (Michael Pepe, Planner, (210) 207-8208, michael.pepe@sanantonio.gov, Development Services Department)

Staff stated 20 notice was mailed to property owners within 200 feet, 0 returned in favor and 2 returned in opposition and Mahncke Park Neighborhood Association is not opposed.

Written Notices Received for the Record in Opposition

Taylor Watson, no address given

No Public Comment

Motion: Commissioner Bustamante made a motion for approval

Second: Commissioner Sipes

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

Opposed: None

Motion Carried

- Item # 12** **ZONING CASE Z-2020-10700188 S (Council District 6):** A request for a change in zoning from "C-3 GC-2" General Commercial Highway 151 Gateway Corridor Overlay District to "**C-3 S GC-2**" General Commercial Highway 151 Gateway Corridor Overlay District with Specific Use Authorization for a Solar Farm on Lot P-16E, NCB 17640, generally located in the 10500 block of State Highway 151. Staff recommends Approval. (Justin Malone, Planner, (210) 207-0157, Justin.Malone@sanantonio.gov, Development Services Department)

Staff stated 4 notices were mailed to property owners within 200 feet, 0 returned in favor, 0 returned in opposition and there was no registered neighborhood association.

No Public Comment

Motion: Commissioner Bustamante made a motion for approval

Second: Commissioner Sipes

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

Opposed: None

Motion Carried

Item # 14

ZONING CASE Z2020-10700194 S (Council District 3): A request for a change in zoning from R-4 Residential Single-Family District, MF-25 Low Density Multi-Family District, MF-33 Multi-Family District, O-1 Office District, O-2 High-Rise Office District, C-2 Commercial District, C-3 General Commercial District, C-3R, General Commercial Restrictive Alcohol Sales and I-1 General Industrial District including all applicable overlay districts, AHOD Airport Hazard Overlay District, MLOD-3 Martindale Army Airfield Overlay and MLR-2 Military Lighting Region 2 to R-4 Residential Single-Family District, R-5 Residential Single-Family District, O-1 Office District, C-1 Light Commercial District, C-1 S Light Commercial District with a Specific Use Authorization for a Bar And/Or Tavern Without Cover Charge 3 or More Days Per Week and C-2 Commercial District with all overlay districts remaining unchanged including AHOD Airport Hazard Overlay District, MLOD-3 Martindale Army Airfield Overlay and MLR-2 Military Lighting Region 2 as applicable on NCB 3720, Block 1, Lots 19, 20, 21, 22, 23, 47, 48, 51; NCB 3721, Block 2, Lots 1, 2, and the N 15 ft of 3 EXC W 2.43 ft, Lots 4, 5 and the S 15 ft of 3 Save & EXC W 2.43 ft of 4, 5, and S 15 ft of 3, Lots 11, 12, 13 and S 3 ft of 10 EXC W 3.11 ft, Lots 14, 15, 16 and 17 EXC W 3.11 ft, Lots 18, 19, 20 and 21 EXC W 3.11 ft, Lots 22, 23, 24, 25, 26, 27, 28, 29, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42 and 53; NCB 3722, Block 3, Lots 14, 15, 22, 23, 47, 48, 49, 50, 51, 52, 53, 54, 55, and 56; NCB 3723, Block 4, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, and 21; NCB 10365, Block 2, Lots 17, 20 and W 55 ft of 21, Lots 22, 23 and E 55 ft of 21, Lots 24, 25 & 26; NCB 13604, Block 1, Lot 14; NCB 10920, Block 11, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24; NCB 10920, Block 14, Lots 1 and 2, multiple addresses located between/on the 3100 and 3300 Blocks of Clark Avenue, 3600 and 4000 Blocks of Bremen Avenue, 3300 Block of East Southcross Boulevard,

4700 Block of Pecan Valley Drive, 9000 and 9200 Blocks of Mission Brook, 2400 Block of Mission Vista and the 8900 Block of Mission Top. Staff recommends Approval. (Jennifer Sheppard, Sr. Planner, (210) 207-5409, Jennifer.Sheppard@sanantonio.gov, Planning Department)

Staff stated 305 notices were mailed to property owners within 200 feet, 1 returned in favor and 1 returned in opposition. The Highland Hills Neighborhood Association and the Mission Creek HOA are in support. There was no response from the Pecan Valley and Highland Park Neighborhood Associations.

This is a breakdown of the notices sent by plan area:

Plan Area 1A notices sent – 150

Support – 0

Opposition – 0

Plan Area 1B – 67

Support – 0

Opposition – 0

Plan Area 1C

Support – 1

Opposition – 1

No Public Comment

Motion: Commissioner Bustamante made a motion for approval

Second: Commissioner Sipes

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

Opposed: None

Motion Carried

Individual Items:

Item # 2

ZONING CASE Z-2020-10700128 ERZD (Council District 9): A request for a change in zoning from "C-3 MLOD-1 MLR-2 ERZD" General Commercial Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District to "C-3 S MLOD-1 MLR-2 ERZD" General Commercial Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards

Recharge Zone District with a Specific Use Authorization for a Car Wash on Lot 7, Block 1, NCB 17225, located at 18535 US Highway 281 North. 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. There was no registered neighborhood association.

Michael Escalante stated SAWS reviewed the application and recommended approval with all recommendations.

Shahan Bhaidani, 18535 US Highway 281 N stated he worked with SAWS and agreed to follow all of SAWS recommendations.

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 Gibbons made a motion as Approval with SAWS Recommendations

Second: Jones

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

Opposed: None

Motion Granted

Item # 3

ZONING CASE Z-2020-10700180 CD ERZD (Council District 8): A request for a change in zoning from "C-3 UC-1 MLOD-1 MLR-1 ERZD AHOD" General Commercial IH-10/FM 1604 Urban Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 1 Edwards Recharge Zone Airport Hazard Overlay District and "C-3 UC-1 MLOD-1 MLR-1 AHOD" General Commercial IH-10/FM 1604 Urban Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "C-3 CD UC-1 MLOD-1 MLR-1 ERZD AHOD" General Commercial IH-10/FM 1604 Urban Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 1 Edwards Recharge Zone Airport Hazard Overlay District with a Conditional Use for Coffee Roasting and "C-3 CD UC-1 MLOD-1 MLR-1 AHOD" General Commercial IH-10/FM 1604 Urban Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 1 Zone Airport Hazard Overlay District with a Conditional Use for Coffee Roasting on 0.736 acres out of NCB 14852, located at 4949 North Loop 1604 West. Staff recommends Approval, pending Plan Amendment. (Associated Plan Amendment PA-2020-116000051) (Victoria Castro, Planner, (210) 207-2736, Victoria.Castro@Sanantonio.gov, Development Services).

Staff stated 3 notices were mailed to property owners within 200 feet, 1 returned in favor, 0 returned in opposition and no registered neighborhood association.

Michael Escalante stated SAWS reviewed the application and recommended approval

James McKnight, Brown and Ortiz, 112 E Pecan, stated they worked with SAWS on this project and they asked for approval.

Written Notices Received for the Record in Favor

James McKnight, Brown and Ortiz, 112 E Pecan

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 Romero made a motion for Approval

Second: Commissioner McDaniel

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

Opposed: None

Motion Granted

Item # 4

(Continued from 08/18/2020) ZONING CASE Z-2020-10700158 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 "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 18, Block 8, NCB 15508, located at 334 Altitude Drive. Staff recommends Approval. (Justin Malone, Planner, (210) 207-0157, justin.malone@sanantonio.gov, Development Services Department)

Staff stated 22 notices were mailed to property owners within 200 feet, 0 returned in favor, 5 returned in opposition and the Lackland Terrace Neighborhood Association is opposed. 2 letters were received outside the 200' buffer in opposition.

Bobby Herrera, 9006 Mint Julip gave a detailed presentation regarding the project and request and stated that these were condos that are for sell and not apartments and asked for approval.

Written Notices Received for the Record in Opposition

Beatrice Ramirez, 330 Altitude submitted a letter in opposition

Albert Gutierrez, 2617 Observation submitted a letter in opposition

Gloria Torres, 2615 Observation submitted a letter in opposition

Angela Nanez, no address provided, submitted a letter in opposition
Melinda Lecuga, Lackland Terrace Neighborhood association is in opposition
Henrietta Ramirez, 2627 Observation, opposed (outside 200' radius)
Kerry McFadden, no address given, opposed (outside 200' radius)

Voicemail Public Comments

Albert Gutierrez, 2617 Observation Dr. provided voice comments in opposition
Dafney Ramirez, 330 Altitude Dr. provided voice comments 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 Kamath made a motion for Denial

Second: Commissioner McDaniel

In Favor: Kamath, McDaniel, Whyte, Gibbons

Opposed: Hui, Romero, Bustamante, McGhee, Jones, Greathouse, Sipes

Motion Failed

Item # 13

ZONING CASE Z-2020-10700189 (Council District 4): 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 to "R-4 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on 67.798 acres out of CB 4295, generally located in the 13000 block of Watson Road. Staff recommends Denial. (Victoria Castro, Planner, (210) 207-2736, Victoria.Castro@Sanantonio.gov, Development Services).

Staff stated 6 notices were mailed to property owners within 200 feet, 1 returned in favor, 0 returned in opposition and no registered neighborhood association.

Kevin DeAnda, Brown and Ortiz requested a continuance to October 6, 2020

Written Notices Received for the Record in Favor

TMM Investments LTD, no address provided, submitted a letter in favor

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 Kamath motioned for **continuance to October 6, 2020**

Second: Commissioner Jones

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

Opposed: None

Motion Granted

Approval of Minutes

Consideration and Approval of the September 1, 2020 Zoning Commission Meeting Minutes

Motion: Commissioner McGhee asked for a motion as presented.

Motion: Bustamante

Second: McDaniel


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

Opposed: None


Motion Granted

Adjournment

There being no further business, the meeting was adjourned at 2:06pm

APPROVED BY:  Digitally signed by R. Joy McGhee
Date: 2020.12.13 15:15:16 -0600 or _____
Joy McGhee, Chair

DATE: _____

ATTESTED BY:  _____
Melissa Ramirez, Assistant Director

DATE: Jan. 25, 2021