

**State of Texas
County of Bexar
City of San Antonio**



**Meeting Minutes
City Council Comprehensive Plan Amendments and Zoning**

Municipal Plaza Building
114 W. Commerce Street
San Antonio, Texas 78205

2023 – 2025 Council Members

Mayor Ron Nirenberg
Dr. Sukh Kaur, Dist. 1 | Jalen McKee-Rodriguez, Dist. 2
Phyllis Viagran, Dist. 3 | Dr. Adriana Rocha Garcia, Dist. 4
Teri Castillo, Dist. 5 | Melissa Cabello Havrda, Dist. 6
Marina Alderete Gavito, Dist. 7 | Manny Pelaez, Dist. 8
John Courage, Dist. 9 | Marc Whyte, Dist. 10

Thursday, February 15, 2024

2:00 PM

City Council Chambers

The City Council convened a regular meeting in the Norma S. Rodriguez Council Chamber in the Municipal Plaza Building beginning at 2:11 PM. City Clerk Debbie Racca-Sittre took the Roll Call noting a quorum with the following Council Members present:

PRESENT: 10 – Nirenberg, Kaur, McKee-Rodriguez, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

ABSENT: 1 - Viagran

Public Hearing and Consideration of the following Adoption and Amendments of the Neighborhood, Community and Perimeter Plans as Components of the Master Plan and Zoning Cases. Plan amendments and Zoning cases presented by Roderick Sanchez, Assistant City Manager; Michael Shannon, Director, Development Services.

1. 2024-02-15-0101

ZONING CASE Z-2023-10700303 (Council District 1): Ordinance amending the Zoning District Boundary from “R-4 NCD-5 AHOD” Residential Single-Family Beacon Hill Conservation Airport Hazard Overlay District, “RM-4 NCD-5 AHOD” Residential Mixed Beacon Hill

Conservation Airport Hazard Overlay District, “O-2 NCD-5 AHOD” High Rise Office Beacon Hill Conservation Airport Hazard Overlay District, “C-2 NCD-5 AHOD” Commercial Beacon Hill Conservation Airport Hazard Overlay District, “C-3R NCD-5 AHOD” General Commercial Restrictive Alcoholic Sales Beacon Hill Conservation Airport Hazard Overlay District, “C-3NA NCD-5 AHOD” General Commercial Nonalcoholic Sales Beacon Hill Conservation Airport Hazard Overlay District to “IDZ-2 NCD-5 AHOD” Medium Intensity Infill Development Zone Beacon Hill Neighborhood Conservation Airport Hazard Overlay District with uses permitted in MF-40 on Lot 18, Block 8, NCB 2022, located at 137 University Avenue. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: Lot 18, Block 8, NCB 2022 TO WIT: from “R-4 NCD-5 AHOD” Residential Single-Family Beacon Hill Conservation Airport Hazard Overlay District, “RM-4 NCD-5 AHOD” Residential Mixed Beacon Hill Conservation Airport Hazard Overlay District, “O-2 NCD-5 AHOD” High Rise Office Beacon Hill Conservation Airport Hazard Overlay District, “C-2 NCD-5 AHOD” Commercial Beacon Hill Conservation Airport Hazard Overlay District, “C-3R NCD-5 AHOD” General Commercial Restrictive Alcoholic Sales Beacon Hill Conservation Airport Hazard Overlay District, “C-3NA NCD-5 AHOD” General Commercial Nonalcoholic Sales Beacon Hill Conservation Airport Hazard Overlay District to “IDZ-2 NCD-5 AHOD” Medium Intensity Infill Development Zone Beacon Hill Neighborhood Conservation Airport Hazard Overlay District with uses permitted in MF-33

"THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

Resident of Uptown Neighborhood, Rey Salinas, thanked Councilmember Kaur for helping coordinate meetings between the neighborhood and the developer and negotiating conditions which the neighbors supported. He requested more open and honest communication with the developer.

Jack Finger spoke in opposition to the Item.

Michael Shackleford, representing the developer, spoke in support of the Item noting changes to the design that the developer had made as a result of the tax credit and community outreach process.

Councilmember Kaur thanked the neighborhood for their advocacy and cooperation.

Councilmember Pelaez spoke in support of the Item with conditions.

Councilmember Kaur moved to Approve as Amended. Councilmember McKee-Rodriguez seconded the motion. The motion carried by the following vote:

| | |
|----------------|---|
| Aye: | Nirenberg, Kaur, McKee-Rodriguez, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte |
| Absent: | Viagran |

2.

2024-02-15-0102

ZONING CASE Z-2023-10700305 (Council District 1): Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "IDZ-1 AHOD" Limited Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted for two (2) dwelling units on Lot 4, Block 2, NCB 752, located at 201 Woodby Court. Staff and Zoning Commission recommend Approval. (Continued from January 25, 2024)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: Lot 4, Block 2, NCB 752 TO WIT: from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "IDZ-1 AHOD" Limited Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted for two (2) dwelling units

"THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

Councilmember Kaur moved to Approve. Councilmember McKee-Rodriguez seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Kaur, McKee-Rodriguez, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Courage, Whyte

Absent: Viagran, Pelaez

3.

2024-02-15-0103

ZONING CASE Z-2023-10700351 CD (Council District 1): Ordinance amending the Zoning District Boundary from "C-1 UC-4 AHOD" Light Commercial North St. Mary's Street Urban Corridor Airport Hazard Overlay District to "C-1 CD UC-4 AHOD" Light Commercial North St. Mary's Street Urban Corridor Airport Hazard Overlay District with a Conditional Use for Bar and/or Tavern, on 0.2922 acres out of NCB 3029 and NCB 6789, located at 2114 North Saint Mary's Street. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 0.2922 acres out of NCB 3029 and NCB 6789 TO WIT: from "C-1 UC-4 AHOD" Light Commercial North St. Mary's Street Urban Corridor Airport Hazard Overlay District to "C-1 CD UC-4 AHOD" Light Commercial North St. Mary's Street Urban Corridor Airport Hazard Overlay District with a Conditional Use for Bar and/or Tavern

"THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

Jack Finger spoke in opposition to the Item.

Councilmember Courage moved to Approve on Zoning Consent. Councilmember Cabello Havrda seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Kaur, McKee-Rodriguez, Rocha Garcia, Castillo, Cabello Havrda,

Alderete Gavito, Pelaez, Courage, Whyte
Absent: Viagran

4. 2024-02-15-0104

PLAN AMENDMENT CASE PA-2023-11600094 (Council District 1): Ordinance amending the Near Northwest Community Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use classification from "Urban Low-Density Residential" to "Medium Density Residential" on Lots 14-15, Block 16, NCB 2056, located at 1246 Waverly Avenue. Staff and Planning Commission recommend Denial. (Associated Zoning Case Z-2023-10700358)

Jack Finger and James Wilburn spoke in opposition to the Item.

Councilmember Kaur moved to Approve. Councilmember McKee-Rodriguez seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Kaur, McKee-Rodriguez, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Courage, Whyte

Absent: Viagran, Pelaez

5. 2024-02-15-0105

ZONING CASE Z-2023-10700358 (Council District 1): Ordinance amending the Zoning District Boundary from "R-4 NCD-8 AHOD" Residential Single-Family Woodlawn Lake Neighborhood Conservation Airport Hazard Overlay District and "R-4 NCD-8 MLOD-2 MLR-2 AHOD" Residential Single-Family Woodlawn Lake Neighborhood Conservation Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "RM-4 NCD-8 AHOD" Residential Mixed Woodlawn Lake Neighborhood Conservation Airport Hazard Overlay District and "RM-4 NCD-8 MLOD-2 MLR-2 AHOD" Residential Mixed Woodlawn Lake Neighborhood Conservation Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on Lots 14-15, Block 16, NCB 2056, located at 1246 Waverly Avenue. Staff recommends Denial, with an Alternate Recommendation. Zoning Commission recommends Approval, pending Plan Amendment. (Associated Plan Amendment PA-2023-11600094)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: Lots 14-15, Block 16, NCB 2056 TO WIT: from "R-4 NCD-8 AHOD" Residential Single-Family Woodlawn Lake Neighborhood Conservation Airport Hazard Overlay District and "R-4 NCD-8 MLOD-2 MLR-2 AHOD" Residential Single-Family Woodlawn Lake Neighborhood Conservation Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "RM-4 NCD-8 AHOD" Residential Mixed Woodlawn Lake Neighborhood Conservation Airport Hazard Overlay District and "RM-4 NCD-8 MLOD-2 MLR-2 AHOD" Residential Mixed Woodlawn Lake Neighborhood Conservation Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

"THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

Jack Finger and James Wilburn spoke in opposition to the Item.

Councilmember Kaur moved to Approve. Councilmember McKee-Rodriguez seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Kaur, McKee-Rodriguez, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Courage, Whyte
Absent: Viagran, Pelaez

6. 2024-02-15-0106

ZONING CASE Z-2023-10700329 (Council District 3): Ordinance amending the Zoning District Boundary from "MXD AHOD" Mixed Use Airport Hazard Overlay District with a maximum density of eleven (11) units per acre to "MXD AHOD" Mixed Use Airport Hazard Overlay District for a Major Site Plan Amendment to increase the maximum density to twenty-three (23) units per acre and increase the total commercial acreage within the "MXD" boundary on Lot P-1, NCB 10880, located at 3500 Goliad Road. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: Lot P-1, NCB 10880 TO WIT: from "MXD AHOD" Mixed Use Airport Hazard Overlay District with a maximum density of eleven (11) units per acre to "MXD AHOD" Mixed Use Airport Hazard Overlay District for a Major Site Plan Amendment to increase the maximum density to twenty-three (23) units per acre and increase the total commercial acreage within the "MXD" boundary
"THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

Jack Finger spoke in opposition to the Item.

James McKnight spoke in support of the Item and provided letters of support from Brooks City Base, University of Incarnate Word, Mission Baptist Hospital and local Realtor Emma Orosco.

Councilmember Courage moved to Approve on Zoning Consent. Councilmember Cabello Havrda seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Kaur, McKee-Rodriguez, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte
Absent: Viagran

7. 2024-02-15-0107

PLAN AMENDMENT CASE PA-2023-11600093 (Council District 3): Ordinance amending the Southeast Community Area Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use classification from "Low Density Residential" to "Urban Low Density Residential" on 3.168 acres out of NCB 10839, generally located in the 4000 block of Chandler Road. Staff and Planning Commission recommend Approval. (Associated Zoning Case Z-2023-10700346)

Councilmember Courage moved to Approve on Zoning Consent. Councilmember Cabello Havrda seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Kaur, McKee-Rodriguez, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte
Absent: Viagran

8. 2024-02-15-0108

ZONING CASE Z-2023-10700346 (Council District 3): Ordinance amending the Zoning District Boundary from “R-4 MLOD-3 MLR-2” Residential Single-Family Martindale Army Airfield Military Lighting Overlay District to “MF-18 PUD MLOD-3 MLR-2” Limited Density Multi-Family Planned Unit Development Martindale Army Airfield Military Lighting Overlay District on 3.168 acres out of NCB 10839, generally located in the 4000 block of Chandler Road. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment PA-2023-11600093)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 3.168 acres out of NCB 10839 TO WIT: from “R-4 MLOD-3 MLR-2” Residential Single-Family Martindale Army Airfield Military Lighting Overlay District to “MF-18 PUD MLOD-3 MLR-2” Limited Density Multi-Family Planned Unit Development Martindale Army Airfield Military Lighting Overlay District
"THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

Councilmember Courage moved to Approve on Zoning Consent. Councilmember Cabello Havrda seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Kaur, McKee-Rodriguez, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte
Absent: Viagran

9. CONTINUED

ZONING CASE Z-2023-10700347 (Council District 3): Ordinance amending the Zoning District Boundary from “R-4 MC-2 AHOD” Residential Single-Family South Presa Metropolitan Corridor Airport Hazard Overlay District to “IDZ-3 MC-2 AHOD” High Intensity Infill Development Zone South Presa Metropolitan Corridor Airport Hazard Overlay District with uses permitted in “MF-33” Multi-Family District, “C-2” Commercial District and a Supportive Housing Campus on Lot P-106, NCB 10934, located in the 6000 block of South Presa Street. Staff and Zoning Commission recommend Approval.

Jack Finger spoke in opposition to the Item.

Councilmember Courage moved to Continue. Councilmember Kaur seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Kaur, McKee-Rodriguez, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte
Absent: Viagran

10.

2024-02-15-0109

ZONING CASE Z-2023-10700365 (Council District 3): Ordinance amending the Zoning District Boundary from "MXD AHOD" Mixed Use Airport Hazard Overlay District and "MXD" Mixed Use District to "C-2 AHOD" Commercial Airport Hazard Overlay District and "C-2" Commercial District on 97.424 acres out of CB 4007, located at 11625 Old Corpus Christi Road. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 97.424 acres out of CB 4007 TO WIT: from "MXD AHOD" Mixed Use Airport Hazard Overlay District and "MXD" Mixed Use District to "C-2 AHOD" Commercial Airport Hazard Overlay District and "C-2" Commercial District
"THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

Councilmember Courage moved to Approve on Zoning Consent. Councilmember Cabello Havrda seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Kaur, McKee-Rodriguez, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

Absent: Viagran

11.

CONTINUED

ZONING CASE Z-2023-10700131 (Council District 4): Ordinance amending the Zoning District Boundary from "R-4 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "MF-18 MLOD-2 MLR-2 AHOD" Limited Density Multi-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on 2.51 acres out of NCB 11138, located at 1507 West Villaret Boulevard. Staff and Zoning Commission recommend Approval.

Councilmember Kaur moved to Continue. Councilmember Courage seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Kaur, McKee-Rodriguez, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

Absent: Viagran

12.

CONTINUED

ZONING CASE Z-2023-10700281 (Council District 4): Ordinance amending the Zoning District Boundary from "R-4 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "IDZ-1 MLOD-2 MLR-2 AHOD" Limited Intensity Infill Development Zone Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with uses permitted for seventy-nine (79) dwelling units on the east 130 feet of the west 262.5 feet of the south 335.08 feet of Lot 337, the west 132.5 feet of the east 262.5 feet of Lot 337, and the east 131.25 feet of the north 331.88 feet of Lot 338, Block 35, NCB 11134, located at 1471 and 1477 West Villaret Boulevard and

1487 East Mally Boulevard. Staff and Zoning Commission recommend Approval. (Continued from January 25,2024)

Councilmember Courage moved to Continue. Councilmember Kaur seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Kaur, McKee-Rodriguez, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte
Absent: Viagran

13. 2024-02-15-0110

ZONING CASE Z-2023-10700272 CD (Council District 5): Ordinance amending the Zoning District Boundary from "R-6 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "C-1 CD MLOD-2 MLR-2 AHOD" Light Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use For Motor Vehicles Sales on 0.134 acres out of NCB 6677, located at 376 Hawthorne Street. Staff recommends Denial, with an Alternate Recommendation. Zoning Commission recommends Approval, with Conditions.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 0.134 acres out of NCB 6677 TO WIT: from "R-6 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "C-1 CD MLOD-2 MLR-2 AHOD" Light Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use For Motor Vehicles Sales "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

Jack Finger spoke in opposition to the Item.

Councilmember Castillo moved to Approve. Councilmember McKee-Rodriguez seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Kaur, McKee-Rodriguez, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Courage, Whyte
Absent: Viagran, Pelaez

14. DENIED

ZONING CASE Z-2023-10700344 CD (Council District 5): Ordinance amending the Zoning District Boundary from "RM-4 MLOD-2 MLR-1 AHOD" Residential Mixed Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "C-2P CD MLOD-2 MLR-1 AHOD" Commercial Pedestrian Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Conditional Use for Oversize Vehicle and Equipment Storage on the west 55 feet of the east 100 feet of the south 140 feet of Lot 24, the west 50 feet of the south 145.2 feet of Lot 24, and the east 50 feet of the south 145.2 feet of Lot 25, Block 7, NCB 8733, located at 2227 and 2235 West Southcross Boulevard. Staff and

Zoning Commission recommend Approval, with Conditions.

PUBLIC COMMENT:

Larry Garcia with the Westwood Square Neighborhood Association spoke in opposition to the Item.

Jerry Arredondo and Elizabeth Russell spoke in opposition to the Item citing a history of code violations.

James McKnight, representing the property owner, requested the Item be continued since two City Councilmembers were absent, which was included as an option for the applicant in the City Code.

DISCUSSION:

Councilmember Castillo commented that this was a non-confirming zoning request. She noted the history of code violations, and cited the issue as a health and safety concern for Council District 5 residents.

Councilmember Castillo moved that the City Council Approve a waiver of the City Code and deny the application. Councilmember Rocha Garcia seconded the motion.

Councilmember Whyte requested clarification on the City Code that allowed an applicant to get an automatic continuance if the full City Council was not in attendance for a zoning case that required a supermajority. Deputy City Attorney Susan Guinn clarified that the City Code could be waived by the City Council which was included in the motion to deny offered by Councilmember Castillo.

Councilmember Whyte asked if City Council could waive any City Code provision and expressed concern that if City Council could waive any City Code provisions, then it would be difficult for members of the community, including developers, to have certainty about our rules. Guinn stated that potentially, City Council could waive any City Code.

Councilmember McKee-Rodriguez asked if there had to be two votes, one for the City Code waiver and one for the denial. Guinn clarified that the motion included the waiver of the City Code as well as the denial.

Councilmembers Alderete Gavito and Cabello Havrda requested clarification on the motion.

Mayor Nirenberg restated the motion to deny the application and waive the provisions of the City Code requiring a continuance when not all councilmembers were present for a supermajority vote. Mayor Nirenberg noted that a “Yes” vote was to deny and waive the City Code.

Councilmember Whyte moved to Continue the Item to March 7, 2024. Councilmember Cabello Havrda seconded the motion.

Councilmember Castillo expressed concern that nothing would change from the community opposition due to public health concerns in Council District 5.

Councilmember McKee-Rodriguez agreed that not much would change between now and March 7, however, he agreed that City Codes should not be waived arbitrarily. Noting this was a specific request to waive the City Code and did not set a precedence, Councilmember McKee-Rodriguez supported the motion to deny. He asked what other City Codes might be similarly waived. Guinn suggested this be discussed in Executive Session. McKee-Rodriguez withdrew his request.

Councilmember Courage noted that there was only one residence bordering the property, the rest of the properties were already zoned RM-4 and were vacant. He did not think a continuance would cause a burden on the neighborhood.

Councilmember Rocha Garcia commented that her council district shared similar concerns with such facilities. She quoted the City Charter, granting the City Council authority to regulate zoning and land use.

Mayor Nirenberg commented that it was not unique to waive City Code provisions as every time there were zoning conditions, provisions of the City Code were waived.

Mayor Nirenberg called for a vote on the continuance which failed (4 in favor, 5 opposed).

Mayor Nirenberg then took up the main motion to deny and waive applicable provisions of the City Code.

Councilmember Whyte moved to Continue. Councilmember Cabello Havrda seconded the motion. The motion failed by the following vote:

Aye: Cabello Havrda, Alderete Gavito, Courage, Whyte
No: Nirenberg, Kaur, McKee-Rodriguez, Rocha Garcia, Castillo
Absent: Viagran, Pelaez

Councilmember Castillo moved to Approve a waiver of the City Code and Deny the Item. Councilmember Rocha Garcia seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Kaur, McKee-Rodriguez, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Courage, Whyte
Absent: Viagran, Pelaez

15. 2024-02-15-0111

ZONING CASE Z-2023-10700363 (Council District 5): Ordinance amending the Zoning District Boundary from "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 41 and Lot 42, Block 7, NCB 8258, located at 333 Faust Avenue. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY

DESCRIBED HEREIN AS: Lot 41 and Lot 42, Block 7, NCB 8258 TO WIT: from "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

"THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

Councilmember Courage moved to Approve on Zoning Consent. Councilmember Cabello Havrda seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Kaur, McKee-Rodriguez, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

Absent: Viagran

16. POSTPONED

PLAN AMENDMENT CASE PA-2023-11600060 (Council District 6): Ordinance amending the West/Southwest Sector Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use classification from "Agribusiness Tier" to "Suburban Tier" on 6.73 acres out of NCB 13942, located at 1621 South Callaghan Road. Staff and Planning Commission recommend Denial. (Associated Zoning Case Z-2023-10700091 CD) (Continued from January 25, 2024)

Item was postponed and not heard.

17. POSTPONED

ZONING CASE Z-2023-10700091 CD (Council District 6): Ordinance amending the Zoning District Boundary from "R-6 MLOD-2 MLR-1 AHOD" Residential Single Family 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 "C-2NA CD MLOD-2 MLR-1 AHOD" Commercial Nonalcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Conditional Use for Truck Repair and Maintenance with Oversized Vehicle Storage on 6.73 acres out of NCB 13942, located at 1621 South Callaghan Road. Staff and Zoning Commission recommend Denial. (Associated Plan Amendment PA-2023-11600060) (Continued from January 25, 2024)

Item was postponed and not heard.

18. 2024-02-15-0112

ZONING CASE Z-2023-10700331 CD (Council District 6): Ordinance amending the Zoning District Boundary 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 a Conditional Use for a Duplex on Lot 1, Block 007, NCB 15584 located at 206 Westoak Road. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: Lot 1, Block 007, NCB 15584 TO WIT: 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 a Conditional Use for a Duplex
"THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

Councilmember Courage moved to Approve on Zoning Consent. Councilmember Cabello Havrda seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Kaur, McKee-Rodriguez, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte
Absent: Viagran

19. 2024-02-15-0113

ZONING CASE Z-2023-10700108 CD (Council District 7): Ordinance amending the Zoning District Boundary from "C-3 MLOD-2 MLR-2 AHOD" General Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "R-5 CD MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use for four (4) dwelling units on Lot 38, Block B, NCB 11514, located at 4119 Willard Drive. Staff and Zoning Commission recommend Approval. (Continued from January 25, 2024)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: Lot 38, Block B, NCB 11514 TO WIT: from "C-3 MLOD-2 MLR-2 AHOD" General Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "R-5 CD MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use for four (4) dwelling units
"THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

Jack Finger, James Wilburn and Daniel Urrutia spoke in opposition to the Item.

Councilmember Courage moved to Approve on Zoning Consent. Councilmember Cabello Havrda seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Kaur, McKee-Rodriguez, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte
Absent: Viagran

20. 2024-02-15-0114

ZONING CASE Z-2023-10700264 (Council District 7): Ordinance amending the Zoning District

Boundary from "R-6 S MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Specific Use Authorization for Noncommercial Sports Complex to "MF-18 MLOD-2 MLR-2 AHOD" Limited Density Multi-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on 22.088 acres out of NCB 18623, generally located in the 4000 block of Timberhill Drive. Staff and Zoning Commission recommend Approval. (Continued from January 25, 2024)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 22.088 acres out of NCB 18623 TO WIT: from "R-6 S MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Specific Use Authorization for Noncommercial Sports Complex to "MF-18 MLOD-2 MLR-2 AHOD" Limited Density Multi-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

"THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

Arthur Longoria spoke in opposition to the Item.

Councilmember Alderete Gavito noted that there had been many community meetings and negotiations with the property owner who reduced density and agreed to concessions.

Councilmember Courage moved to Approve on Zoning Consent. Councilmember Cabello Havrda seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Kaur, McKee-Rodriguez, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

Absent: Viagran

21. 2024-02-15-0115

ZONING CASE Z-2023-10700183 (Council District 8): Ordinance amending the Zoning District Boundary from "R-6 MLOD-1 MLR-2" Residential Single-Family Camp Bullis Military Lighting Overlay Military Lighting Region 2 District to "MF-18 MLOD-1 MLR-2" Limited Density Multi-Family Camp Bullis Military Lighting Overlay Military Lighting Region 2 District on 10.77 acres out of CB 4549, generally located in the 16000 block of Kyle Seale Parkway. Staff and Zoning Commission recommend Approval. (Continued from January 25, 2024)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 10.77 acres out of CB 4549 TO WIT: from "R-6 MLOD-1 MLR-2" Residential Single-Family Camp Bullis Military Lighting Overlay Military Lighting Region 2 District to "MF-18 MLOD-1 MLR-2" Limited Density Multi-Family Camp Bullis Military Lighting Overlay Military Lighting Region 2 District

"THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

Councilmember Courage moved to Approve on Zoning Consent. Councilmember Cabello Havrda seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Kaur, McKee-Rodriguez, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

Absent: Viagran

22. 2024-02-15-0116

PLAN AMENDMENT CASE PA-2023-11600074 (Council District 10): Ordinance amending the San Antonio International Airport Vicinity Land Use Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use classification from "Neighborhood Commercial" to "Community Commercial" on Lot 9, Block 5, NCB 17762, generally located in the 4600 block of North Stahl Park. Staff and Planning Commission recommend Approval. (Associated Zoning Case Z-2023-10700291 CD) (Continued from January 25, 2024)

Jack Finger spoke in opposition to the Item.

Councilmember Whyte stated that the applicant had met with neighbors and addressed their concerns.

Councilmember Whyte moved to Approve with Restrictive Covenants. Councilmember Courage seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Kaur, McKee-Rodriguez, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Courage, Whyte

Absent: Viagran, Pelaez

23. 2024-02-15-0117

ZONING CASE Z-2023-10700291 CD (Council District 10): Ordinance amending the Zoning District Boundary from "C-2NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District to "C-2NA CD AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Conditional Use for Office Warehouse (Flex Space) on Lot 9, Block 5, NCB 17762, generally located in the 4600 block of North Stahl Park. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment Case PA-2023-11600074) (Continued from January 25, 2024)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: Lot 9, Block 5, NCB 17762 TO WIT: from "C-2NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District to "C-2NA CD AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Conditional Use for Office Warehouse (Flex Space)
"THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

Jack Finger spoke in opposition to the Item.

Councilmember Whyte stated that the applicant had met with neighbors and addressed their concerns.

Councilmember Whyte moved to Approve with Restrictive Covenants. Councilmember Courage seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Kaur, McKee-Rodriguez, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Courage, Whyte
Absent: Viagran, Pelaez

24. 2024-02-15-0118

ZONING CASE Z-2023-10700319 (Council District 8): Ordinance amending the Zoning District Boundary from "R-20 MSAO-1 MLOD-1 MLR-1" Residential Single-Family Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay Military Lighting Region 1 District to "C-2NA MSAO-1 MLOD-1 MLR-1" Commercial Nonalcoholic Sales Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay Military Lighting Region 1 District on 0.995 acres out of NCB 35733, located at 21330 Milsa Drive. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 0.995 acres out of NCB 35733 TO WIT: from "R-20 MSAO-1 MLOD-1 MLR-1" Residential Single-Family Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay Military Lighting Region 1 District to "C-2NA MSAO-1 MLOD-1 MLR-1" Commercial Nonalcoholic Sales Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay Military Lighting Region 1 District
"THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

Councilmember Courage moved to Approve on Zoning Consent. Councilmember Cabello Havrda seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Kaur, McKee-Rodriguez, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte
Absent: Viagran

25. 2024-02-15-0119

PLAN AMENDMENT CASE PA-2023-11600095 (Council District 10): Ordinance amending the San Antonio International Airport Vicinity Land Use Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use classification from "Low Density Residential" to "Medium Density Residential" on Lot 4, Block 2, NCB 14681, located at 12822 Uhr Lane. Staff and Planning Commission recommend Approval. (Associated Zoning Case Z-2023-10700359)

Councilmember Courage moved to Approve on Zoning Consent. Councilmember Cabello Havrda seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Kaur, McKee-Rodriguez, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte
Absent: Viagran

26. 2024-02-15-0120

ZONING CASE Z-2023-10700359 (Council District 10): Ordinance amending the Zoning District Boundary from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District on Lot 4, Block 2, NCB 14681, located at 12822 Uhr Lane. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment Case PA-2023-11600095)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: Lot 4, Block 2, NCB 14681 TO WIT: from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District
"THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

Councilmember Courage moved to Approve on Zoning Consent. Councilmember Cabello Havrda seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Kaur, McKee-Rodriguez, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte
Absent: Viagran

27. 2024-02-15-0121

ZONING CASE Z-2023-10700364 CD (Council District 10): Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for two (2) dwelling units on Lot 22, Block 18, NCB 17568, located at 3415 and 3417 Ridge Smoke. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: Lot 22, Block 18, NCB 17568 TO WIT: from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for two (2) dwelling units
"THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

Councilmember Courage moved to Approve on Zoning Consent. Councilmember Cabello Havrda seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Kaur, McKee-Rodriguez, Rocha Garcia, Castillo, Cabello Havrda,

Absent: Alderete Gavito, Pelaez, Courage, Whyte
Viagran

28. 2024-02-15-0122

PLAN AMENDMENT CASE PA-2023-11600073 (San Antonio ETJ - Closest to Council District 4): Ordinance amending the Lackland Extraterritorial Jurisdiction Military Protection Area Land Use Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use classification from "Community Commercial" to "Urban Low Density Residential" on 0.919 acres out of County Block 5197, generally located at 10625 Marbach Road. Staff recommends Approval. Planning Commission recommendation pending.

Councilmember Courage moved to Approve on Zoning Consent. Councilmember Cabello Havrda seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Kaur, McKee-Rodriguez, Rocha Garcia, Castillo, Cabello Havrda,
Alderete Gavito, Pelaez, Courage, Whyte
Absent: Viagran

ADJOURNMENT

There being no further discussion, the meeting was adjourned at 3:25 p.m.

Approved

**Ron Nirenberg
Mayor**

**Debbie Racca-Sittre
City Clerk**