

City of San Antonio



MINUTES

Zoning Commission

Development and Business Services
Center
1901 South Alamo

Tuesday, July 5, 2022

1:00 PM

1901 S. Alamo

At any time during the meeting, the Zoning Commission may meet in executive session for consultation with the City Attorney's Office concerning attorney-client matters under Chapter 551 of the Texas Government Code.

It is the intent of the City that the presiding officer will be in attendance at this location.

ZONING COMMISSIONERS

John Bustamante, District 5 - Chair
Robert Sipes – District 7, Vice - Chair
Summer Greathouse, District 1, Pro-Tem

Taylor Watson - District 2 Charles Fuentes - District 3
Suren Kamath - District 4 Kin Hui – District 6
Oswaldo Ortiz – District 8 Marco Barros - District 9
Marc Whyte – District - 10 Michelle Lualia-Hollon - District – Mayor

Work Session 12:00 P.M. – Briefing on 2021 UDC amendments.

Staff briefing regarding case recommendations and other items for consideration on the posted agenda. Commissioners may direct questions to staff regarding items noticed on the posted agenda or regarding City of San Antonio policies or operations in order to elicit a response of specific factual information or a recitation of existing policy pursuant to Section 551.042 of the Texas Government Code.

1:00 P. M. – Call to order

ROLL CALL: Present: Barros, Ortiz, Watson, Greathouse, Sipes, Hui, Bustamante
Absent: Fuentes, Kamath, Lugalia-Hollon Whyte

**THE FOLLOWING ITEMS MAY BE CONSIDERED AT ANY TIME DURING THE
REGULAR ZONING COMMISSION MEETING:**

Mirko Maravi, Planning Coordinator, stated Item #1 Z-2022-10700140 has been withdrawn and Item #5 Z2022-10700124 has been postponed

COMBINED CONSENT AGENDA:

Item #3

ZONING CASE Z-2022-10700099 (Continued from 06/21/2022) (**Council District 1**): A request for a change in zoning from “I-1 AHOD” General Industrial Airport Hazard Overlay District and “MF-33 AHOD” Multi-Family Airport Hazard Overlay District to “C-2NA AHOD” Commercial Nonalcoholic Airport Hazard Overlay District on Lot A, Lot B, Lot 9, and Lot 10, Block 25, NCB 2085, located at 1010 Culebra Road. Staff recommends approval. (Elizabeth Steward, Planner, 210-207-5550, elizabeth.steward@sanantonio.gov, Development Services Department).

Staff mailed 31 notices to property owners within 200 feet, 1 returned in favor, 0 returned in opposition, and no response from West End Hope in Action Neighborhood Association.

Item #7

ZONING CASE Z-2022-10700126 (**Council District 2**): A request for a change in zoning from “I-1 EP-1 MLOD-3 MLR-2 AHOD” General Industrial Facility Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District and “I-2 EP-1 MLOD-3 MLR-2 AHOD” Heavy Industrial Facility Parking/Traffic Control Martindale Army Airfield Military Overlay Military Lighting Region 2 Airport Hazard Overlay District to “C-3 EP-1 MLOD-3 MLR-2 AHOD” General Commercial Facility Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on Lots 1-12 and Lot 12A, Block 10, NCB 1185, located at 519 Seguin Street. Staff recommends approval. (Mirko Maravi, Planning Coordinator, (210) 207-0107, mirko.maravi@sanantonio.gov, Development Services Department).

Staff mailed 15 notices to property owners within 200 feet, 0 returned in favor, 0 returned in opposition, and no response from Government Hill Alliance Neighborhood Association.

Item #8

ZONING CASE Z-2022-10700134 (City Council District 3): A request for a change in zoning from “R-6 H MPOD-2 AHOD” Residential Single-Family Historic Mission Protection Overlay Airport Hazard Overlay District and “R-6 H MC-1 MPOD-2 AHOD” Residential Single-Family Historic Mission Roosevelt Metropolitan Corridor Mission Protection Overlay Airport Hazard Overlay District to “C-1 H MPOD-2 AHOD” Light Commercial Historic Mission Protection Overlay Airport Hazard Overlay District and “C-1 MC-1 MPOD-2 AHOD” Light Commercial Historic Mission Roosevelt Metropolitan Corridor Mission Protection Overlay Airport Hazard Overlay District on 0.29 acres out of NCB 7659, located at 3238 Mission Road and 3244 Mission Road. Staff recommends approval, pending Plan Amendment. (Associated Plan Amendment PA-2022-11600048) (Mirko Maravi, Planning Coordinator, (210) 207-0107, mirko.maravi@sanantonio.gov, Development Services Department).

Staff mailed 26 notices to property owners within 200 feet, 0 returned in favor, 0 returned in opposition, and no response from Mission San Jose Neighborhood Association.

Item #10

ZONING CASE Z-2022-10700142 S (Council District 3): A request for a change in zoning from “RE MLOD-3 MLR-2” Residential Estate Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District to “NC S MLOD-3 MLR-2” Neighborhood Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District with Specific Use Authorization for Medical Offices on 6.082 acres out of NCB 10770, located at 4103 Roland Avenue. Staff recommends approval, pending Plan Amendment. (Associated Plan Amendment PA-2022-11600053) (Elizabeth Steward, Planner, 210-207-5550, elizabeth.steward@sanantonio.gov, Development Services Department).

Staff mailed 3 notices to property owners within 200 feet, 1 returned in favor, 0 returned in opposition, and no response from Southeast Side Neighborhood Association.

Item #12

ZONING CASE Z-2022-10700146 (Council District 10): A request for a change in zoning from “C-1 AHOD” Light Commercial Airport Hazard Overlay District to “C-2 AHOD” Commercial Airport Hazard Overlay District on Lot 3, Block 9, NCB 17306, located at 3320 Oakwell Court. Staff recommends approval. (Ann Benavidez, Planner, (210) 207-8208, ann.benavidez@sanantonio.gov, Development Services Department).

Staff mailed 14 notices to property owners within 200 feet, 0 returned in favor, 0 returned in opposition, and no response from Oakwell Farms Homeowners Association.

Item #14

Voicemails:

Anna Smitherman, spoke in opposition of UDC amendment item 16-2.

Cameron Patterson, spoke in favor of UDC amendment item 23-6.

Sunnie Diaz, spoke in favor of UDC amendment item 23-4.

Diana Pena, spoke in favor of UDC amendment item 23-4.

Leslie Aboumrad, spoke in favor of UDC amendment item 23-4.

Keith Henderson, spoke in favor of UDC amendment item 23-4.

Edna Zepeda, spoke in favor of UDC amendment item 23-4.
Elizabeth Ochoa, spoke in favor of UDC amendment item 23-4.
Laura Garcia Durango, spoke in favor of UDC amendment 23-4.
Garret Jones, spoke in favor of UDC amendment item 23-4.
Mrs. Gonzales, spoke in favor of UDC amendment item 23-4.
Jesse McPherron, spoke in opposition of UDC amendment item 16-2.
Ann Ferguson, spoke in favor of UDC amendment item 23-4.
John Nicholas, spoke in opposition of UDC amendment item 16-2.
Joseph Pawlick, spoke in favor of UDC amendment item 23-4.
Christopher Fullerton, spoke in opposition of UDC amendment item 16-2.
Alysha, spoke in support of UDC amendment item 23-4.
Jeff Schneider, spoke in favor of UDC amendment item 23.4.
Teresa Fernandez, spoke in favor of UDC amendment item 23-4.
Thomas Medina, spoke in favor of UDC amendment item 23-4.
Walker Dunn, spoke in favor of UDC amendment item 23-4.

Public Comment

Cynthia Spielman, spoke on behalf several neighborhood associations and coalitions, expressing concerns with several amendments.

SeproTec Translators were present at 1:35 P.M.

Logan Sparrow, Policy Administrator, clarified citizens would speak on during individual consideration. He read into the record the written summary at follows:

Amendment 1-1

Staff received 1 response in support, 46 in opposition.

Amendment 5-8

Staff received 1 response in support, 1 in neutral position.

Amendment 5-14

Staff received 46 responses in support, 0 in opposition.

Amendment 5-23

Staff received 47 responses in support.

Amendment 5-24

Staff receive 1 response in support.

Amendment 5-30

Staff received 0 responses in support, 1 in opposition.

Amendment 5-35

Staff received 47 responses in support, 0 in opposition.

Amendment 5-54

Staff received 1 response in support, 0 in opposition.

Amendment 5-57

Staff received 48 responses in support, 0 opposition.

Amendment 10-2

Staff received 46 responses in support, 0 in opposition

Amendment 13-1

Staff received 47 responses in support, 2 in opposition.

Amendment 14-8

Staff received 3 responses in support, 0 in opposition.

Amendment 16-1

Staff received 53 responses in support, 0 in opposition.

Amendment 16-2

Staff received 57 responses in support, 18 in opposition.

Amendment 16-5

Staff received 50 responses in support, 0 in opposition.

Amendment 16-6

Staff received 51 responses in support, 0 in opposition.

Amendment 16-8

Staff received 51 responses in support, 0 in opposition.

Amendment 16-10

Staff received 51 responses in support, 0 in opposition.

Amendment 16-12

Staff received 51 responses in support, 0 in opposition.

Amendment 16-13

Staff received 47 responses in support, 0 in opposition.

Amendment 19-1

Staff received 47 responses in support, 0 in opposition.

Amendment 20-17

Staff received 47 responses in support, 0 in opposition.

Amendment 25-1

Staff received 82 responses in support, 0 in opposition.

Amendment 26-1

Staff received 2 responses in support, 0 in opposition.

Amendment 30-1

Staff received 47 responses in support, 0 in opposition.

MOTION

A motion was made by Commissioner Sipes and seconded by Commissioner Barros to recommend approval of Items 3, 7, 8, 10, 12, 14, except for items to be heard on individual which are 1-1, 10-3, 5-29, 5-35, 5-55, 5-57, 10-4, 23-6, 13-1 ,19-1, and 30-1.

FAVOR: Sipes, Barros, Greathouse, Ortiz, Watson, Hui, Bustamante

OPPOSE: None

MOTION CARRIED

CONTINUANCES

Item #2

(Continued from 06/21/2022) ZONING CASE Z-2021-10700335 (Council District 4): A request for a change in zoning from “C-2 MLOD-2 AHOD” Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to “C-2 CD MLOD-2 MLR-2 AHOD” Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with Conditional Use for Moto Vehicles Sales (Full Service) on 2.980 acres of NCB 14551, located at 10931 Poteet Jourdanton Freeway. Staff recommends approval with conditions. (Mirko Maravi, Planning Coordinator, (210) 207-0107, mirko.maravi@sanantonio.gov, Development Services Department).

Staff mailed 30 notices to property owners within 200 feet, 0 returned in favor, 2 returned in opposition, and 2 notices received in opposition outside the 200-foot radius area.

Mirko Maravi, Planning Coordinator, stated the applicant is requesting a continuance until August 2, 2022.

MOTION

A motion was made by Commissioner Sipes and seconded by Commissioner Ortiz to recommend a continuance until August 2, 2022.

FAVOR: Sipes, Ortiz, Greathouse, Watson, Hui, Barros, Bustamante

OPPOSE: None

MOTION CARRIED

Item #4

(Continued from 06/7/2022) ZONING CASE Z-2022-10700117 (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, "MF-33 MLOD-2 MLR-2 AHOD" Multi-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District and "I-1 MLOD-2 MLR-2 AHOD" General Industrial 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 six (6) dwelling units on Lots 4-6 and Lots 19-20, Block 2, NCB 2528, located at 107 Frio City Road. Staff recommends approval. (Mirko Maravi, Planning Coordinator, (210) 207-0107, mirko.maravi@sanantonio.gov, Development Services Department).

Staff mailed 31 notices to property owners within 200 feet, 0 returned in favor, 7 returned in opposition, and Collins Garden Neighborhood Association is in opposition and 7 notices received in opposition outside 200-foot radius.

Mary Jo Karambo, owner, spoke in opposition of the proposed development.

Public Comment

Karan Speer, President of Collins Garden Neighborhood Association, spoke in opposition.

Irma Hufmann, Member of Historic Westside and Collins Garden, spoke in opposition.

Item #6

(Continued from 06/21/2022) ZONING CASE Z-2022-10700139 (Council District 3): A request for a change in zoning from "R-6 MLOD-3 MLR-2 AHOD" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "RM-4 MLOD-3 MLR-2 AHOD" Residential Mixed Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on the south 157.3 feet of Lot 19, Block 1, NCB 7522, located at 1672 Rigsby Avenue. Staff recommends denial, with an Alternate Recommendation. (Mirko Maravi, Planning Coordinator, (210) 207-0107, mirko.maravi@sanantonio.gov, Development Services Department).

Staff mailed 23 notices to property owners within 200 feet, 0 returned in favor, 0 returned in opposition, and no responses from Pasadena Heights nor Southeast Side Neighborhood Associations.

Item #11

ZONING CASE Z-2022-10700145 (Council District 1): A request for a change in zoning from “NC AHOD” Neighborhood Commercial Airport Hazard Overlay District to “C-3 AHOD” General Commercial Airport Hazard Overlay District on 0.160 acres out of NCB 9764, located at 4311 Blanco Road. Staff recommends denial. (Associated Plan Amendment PA-2022-11600051) (Mirko Maravi, Planning Coordinator, (210) 207-0107, mirko.maravi@sanantonio.gov, Development Services Department).

Staff mailed 22 notices to property owners within 200 feet, 9 returned in favor, 0 returned in opposition, and responses from Los Angeles Heights nor Northmoor Neighborhood Associations and 1 notice received in favor outside the 200-foot radius.

MOTION

A motion was made by Commissioner Sipes and seconded by Commissioner Ortiz to recommend a continuance Item #4 Z2022-107000117, Item #6 Z2022-107000139 and Item #11 Z2022-107000145 until July 19, 2022.

FAVOR: Sipes, Ortiz, Greathouse, Watson, Hui, Barros, Bustamante

OPPOSE: None

MOTION CARRIED

Chair Bustamante stated a request for Item #2 will be reconsidered and called for a motion

MOTION

A motion was made by Commissioner Sipes and seconded by Commissioner Greathouse to reconsider item #2 Z2022-107000335.

FAVOR: Sipes, Greathouse, Watson, Hui, Ortiz, Barros, Bustamante

OPPOSE: None

MOTION CARRIED

Item #2

(Continued from 06/21/2022) ZONING CASE Z-2021-10700335 (Council District 4): A request for a change in zoning from “C-2 MLOD-2 AHOD” Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to “C-2 CD MLOD-2 MLR-2 AHOD” Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with Conditional Use for Motor Vehicles Sales (Full Service) on 2.980 acres of NCB 14551, located at 10931 Poteet Jourdanton Freeway. Staff recommends approval with conditions. (Mirko Maravi, Planning Coordinator, (210) 207-0107, mirko.maravi@sanantonio.gov, Development Services Department).

Staff mailed 30 notices to property owners within 200 feet, 0 returned in favor, 2 returned in opposition, and 2 notices received in opposition outside the 200-foot radius area.

Mouhamad Sami, stated the purpose of this zoning request is to allow for vehicle sales business. He stated he recently cleared off the lot of all abandon vehicles.

No Public Comment

MOTION

A motion was made by Commissioner Barros and seconded by Commissioner Ortiz to recommend approval with the following conditions:

- 1) No temporary signage, wind-wavers, snipe signs and/or pennants.
- 2) Downward facing lighting.
- 3) Six foot (6') Solid-Screen fencing abutting residential zoning and/or residential uses.
- 4) A Type B, 15-foot landscape buffer abutting residential zoning and/or residential uses.
- 5) All repairs shall be conducted indoors only.
- 6) All repairs to be conducted indoors.

FAVOR: Barros, Ortiz, Sipes, Greathouse, Watson, Hui, Bustamante

OPPOSE: None

MOTION CARRIED

Item #9

ZONING CASE Z-2022-10700138 (Council District 3): A request for a change in zoning from “R-6 MLOD-3 MLR-2 AHOD” Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to “MF-18 MLOD-3 MLR-2 AHOD” Limited Density Multi-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on Lot 67, Block 6, NCB 7525, located at 237 Chickering Avenue. Staff recommends denial, with an Alternate Recommendation. (Kellye Sanders, Senior Planner, (210) 207-2187, kellye.sanders@sanantonio.gov, Development Services Department).

Staff mailed 45 notices to property owners within 200 feet, 0 returned in favor, 0 returned in opposition, and Pasadena Heights Neighborhood Association requested a continuance to further discuss with applicant.

Octavio Viramontes, representative, stated the purpose of this request is to allow for 4 buildings, 8 units on the subject property.

No Public Comment

MOTION

A motion was made by Commissioner Sipes and seconded by Commissioner Barros to recommend approval of staff’s alternate recommendation of “RM-4”.

No vote was taken as the applicant postponed his application for further review.

RECESS 2:36 P.M.

BACK IN SESSION AT 2:43 P.M.

Item #13

ZONING CASE Z-2022-10700147 (Council District 3): A request for a change in zoning from “R-5 AHOD” Residential Single-Family Airport Hazard Overlay District to “NC AHOD” Neighborhood Commercial Airport Hazard Overlay District on Lot 17, Block 20, NCB 10095, located at 255 Maurine Drive. Staff recommends denial. (Elizabeth Steward, Planner, 210-207-5550, elizabeth.steward@sanantonio.gov, Development Services Department).

Staff mailed 19 notices to property owners within 200 feet, 0 returned in favor, 1 returned in opposition, and no response from Highland Hills Neighborhood Association.

Vu Hanh, owner, stated he is proposing to operate a dry cleaners office. He stated customers would simply be a pickup drop off site. He further stated they would take dry cleaning to other office downtown to have services provided.

No Public Comment

MOTION

A motion was made by Commissioner Sipes and seconded by Commissioner Watson to support staff’s recommendation for denial.

FAVOR: Sipes, Watson, Greathouse, Hui, Ortiz, Barros, Bustamante

OPPOSE: None

MOTION CARRIED

ITEM #14

AMENDMENT 19-1

Related to West Side Creek Water Quality Protection Area (submitted by San Antonio River Authority)

Logan Sparrow, Policy Administrator, stated UDC Amendment 19-1 related to West Side Creek Water Quality Protection Area will be continue until July 19, 2022.

MOTION

A motion was made by Commissioner Sipes and seconded by Commissioner Watson to recommend a continuance until July 19, 2022.

FAVOR: Sipes, Watson, Greathouse, Hui, Ortiz, Barros, Bustamante

OPPOSE: None

MOTION CARRIED

Amendment 1-1

Related to qualified transitional housing (Submitted by David Littlefield)

Logan Sparrow, Policy Administrator, presented item.

Applicant not present

No Public Comment

MOTION

A motion was made by Commissioner Sipes and seconded by Commissioner Barros to recommend denial.

FAVOR: Sipes, Barros, Greathouse, Watson, Hui, Ortiz, Bustamante

OPPOSE: None

MOTION CARRIED

Amendment 10-3

Related to requiring an “S” Specific use Authorization for gas stations in the “C-2” Commercial base zoning district (Submitted by Zoning Commission)

Logan Sparrow, Policy Administrator, presented item.

No Public Comment

MOTION

A motion was made by Commissioner Bustamante and seconded by Commissioner Ortiz to withdraw amendment.

FAVOR: Bustamante, Ortiz, Sipes, Greathouse, Watson, Hui, Barros

OPPOSE: None

MOTION CARRIED

Amendment 5-29

Related to entertainment venue (indoor) definition (Submitted by Development Services)

Logan Sparrow, Policy Administrator, presented item.

No Public Comment

MOTION

A motion was made by Commissioner Sipes and seconded by Commissioner Greathouse to recommend approval as amended.

Amendment 5-29

Applicant: Development Services

Amendment Title – 'Sec. 35-A101.- Definitions and Rules of Interpretation'

Amendment Language:

Entertainment venue (indoor). Any **building, structure, or portion thereof**, that includes activities for amusement. These **activities** include, but are not limited to: haunted house attractions, bounce house attractions, laser tag, miniature golf, skating rinks, **and** skateboard tracks, **go-cart tracks, carnivals/circuses, theaters, and performing arts venues**. Uses in this category shall be contained entirely within a **building or structure**. **Indoor entertainment venues shall be entirely contained within a structure building. This category specifically excludes outdoor venues for the above-listed uses or similar uses. This use does not include outdoor venues such as but not limited to theme parks, go-cart tracks, carnivals/circuses, theaters, and performing arts venues.**

FAVOR: Sipes, Greathouse, Watson, Hui, Ortiz, Barros, Bustamante

OPPOSE: None

MOTION CARRIED

Amendment 5-35

Related to RM-4, RM-5, RM-6, & MF-33 single-structure development (Submitted by Development Services)

Logan Sparrow, Policy Administrator, presented 4 item.

Public Comment

Bianca Maldonado, spoke in support of amendment.

MOTION

A motion was made by Commissioner Watson and seconded by Commissioner Barros to recommend approval as presented.

FAVOR: Watson, Barros, Sipes, Greathouse, Hui, Ortiz, Bustamante

OPPOSE: None

MOTION CARRIED

Amendment 5-55

Related to stand-alone personal hygiene facilities (permanent) (Submitted by Development Services)

Logan Sparrow, Policy Administrator, presented item.

No Public Comment

MOTION

A motion was made by Commissioner Sipes and seconded by Commissioner Barros to recommend approval as presented.

FAVOR: Sipes, Barros, Greathouse, Watson, Hui, Ortiz, Bustamante

OPPOSE: None

MOTION CARRIED

Amendment 5-57

Related to permanent supportive housing (Submitted by Development Services)

Logan Sparrow, Policy Administrator, presented item.

No Public Comment

MOTION

A motion was made by Commissioner Sipes and seconded by Commissioner Watson to recommend approval as presented.

FAVOR: Sipes, Watson, Greathouse, Hui, Ortiz, Barros, Bustamante

OPPOSE: None

MOTION CARRIED

Amendment 10-4

Related to not requiring renotification for zoning requests amending to decrease the density of single-family districts (Submitted by Zoning Commission)

Logan Sparrow, Policy Administrator, presented item.

No Public Comment

MOTION

A motion was made by Commissioner Sipes and seconded by Commissioner Watson to recommend approval as amended.

Amendment 10-4

Applicant: Development Services on behalf of Zoning Commission

Amendment Title – 'Sec. 35-403 – Notice Provisions.'

Amendment Language:

(d) Minor Application and Zoning Site Plan Amendments Not Requiring Renotification.

(4) **Zoning Intensity.** For purpose of notification the following table of intensity of zoning shall be used. The intensity ranges shall constitute all districts on the following table that lie between the existing zoning district of the subject property and the requested zoning district for the subject property. Consideration of such a recommendation shall not require renotification.

A. The following requests for zoning shall require renotification:

- i. Amending a zoning request to increase the density of a ~~or from any~~ multi-family district;

B. The following requests for zoning shall not require renotification:

- i. Amending a zoning request to decrease the density of a multi-family district, notwithstanding subsection (d)(4)A.i. above,
- ii. Amending a zoning request to change a use in an IDZ base or overlay district that will decrease density or intensity consistent with Table 403-2; or
- iii. Request of the property owner for imposition of "NA" or "R" suffix for "C-2" or "C-3" districts.

- iv. Amending a zoning request to decrease the density of a single-family or multi-family district.

FAVOR: Sipes, Watson, Greathouse, Hui, Ortiz, Barros, Bustamante

OPPOSE: None

MOTION CARRIED

Amendment 23-6

Related to accessory dwellings (submitted by Neighborhood and Housing Services Department)

Sara Wamsley, Neighborhood and Housing Department, presented item.

Public Comment

Christopher Alonzo, spoke in favor.

Tony Garcia, spoke in favor.

Bianca Maldonado, spoke in opposition.

Jim Bailey, spoke in favor.

Mario Pena, spoke in favor.

Seema Kairam, spoke in favor.

RECESS AT 4:34 P.M.

BACK IN SESSION AT 4:41 P.M.

MOTION

A motion was made by Commissioner Bustamante and seconded by Commissioner Barros to recommend approval as presented.

FAVOR: Bustamante, Hui, Ortiz, Barros

OPPOSE: Sipes, Greathouse, Watson

MOTION FAILS

2nd MOTION

A motion was made by Commissioner Greathouse and seconded by Commissioner Barros to recommend approval as amended.

Amendment 23-6

Applicant: Neighborhood & Housing Services Department

Amendment Title – ‘Sec. 35-371. – Accessory Dwellings.’

Amendment Language:

(a) Generally.

- (1) The property owner, which shall include title holders and contract purchasers, must occupy either the principal unit or the accessory dwelling as their permanent residence, and shall at no time receive rent for the owner-occupied unit. "Owner occupancy" means a property owner, as reflected in title records, makes his or her legal residence at the site, as evidenced by voter registration, vehicle registration, or similar means. The property owner shall sign an affidavit before a notary public affirming that the owner occupies either the main building or the accessory dwelling. The applicant shall provide a covenant suitable for recording with the county recorder, providing notice to future owners or long term leases of the subject lot that the occupancy existence of the accessory dwelling unit is predicated upon the occupancy of either the accessory dwelling or the principal dwelling by the owner of the property. ~~The covenant shall also require any owner of the property to notify a prospective buyer of the limitations of this section and to provide for the removal of improvements added to convert the premises to an accessory dwelling and the restoration of the site to a single-family dwelling in the event that any condition of approval is violated.~~
- (2) No accessory dwelling shall be constructed, used or occupied unless and until an accessory dwelling permit is issued.
- ~~(3) The accessory dwelling shall be connected to the central electrical, water and sewer system of the principal structure. This provision does not apply to the electrical service if the distance between the primary structure and the accessory dwelling is greater than one hundred (100) lineal feet.~~
- ~~(4) The total number of occupants in the accessory dwelling unit combined shall not exceed three (3) persons.~~
- ~~(3)-(5)~~ The accessory dwelling shall not exceed eight hundred (800) square feet or 50% of the gross floor area of the primary structure up to a maximum of sixteen hundred (1,600) square feet, whichever is larger, in any single-family residential zoning district other than the "FR" zoning district, or one thousand two hundred (1,200) square feet in the "RE" zoning district. This restriction applies only to that portion of a structure that constitutes living area for an accessory dwelling.

(4) Accessory dwelling units used as short-term rentals must comply with Section 35-374.01.

(b) **Accessory Detached Dwelling Units.** Where permitted pursuant to section 35-311 of this chapter, an accessory detached dwelling unit (ADDU) shall not be established except in accordance with the following criteria:

- ~~(1) The building footprint for the ADDU shall not exceed forty (40) percent of the building footprint of the principal residence. The "building footprint" shall include porches, but shall not include patios.~~
- ~~(2) Total floor area of the ADDU shall not exceed eight hundred (800) square feet or be less than three hundred (300) square feet.~~
- ~~(3) An ADDU shall not contain more than one (1) bedroom.~~
- ~~(1)-(4)~~ Only one (1) accessory unit shall be permitted per lot and it shall be located in the rear yard.

23-6

- ~~(2)-(5) An ADDU that exceeds eight hundred (800) square feet gross floor area shall provide one parking space. Parking areas shall be located behind the front yard.~~
- ~~(6) In order to maintain the architectural design, style, appearance and character of the main building as a single-family residence, the ADDU shall have a roof pitch, siding and window proportions identical to that of the principal residence.~~
- ~~(3)-(7)~~ An ADDU Accessory detached dwelling unit shall require a minimum setback from the rear and side property lines of five (5) feet. If the structure has no overhang the accessory unit may be three (3) feet from the rear and side property lines.
- (4) An ADDU may not exceed twenty-five (25) feet or two stories in height.

(c) **Attached Accessory Dwelling Units.**

- ~~(1) The gross floor area of the accessory apartment shall not exceed thirty-five (35) percent of the total living area of the principal dwelling unit.~~
- ~~(2) Occupancy of the accessory apartment shall not exceed one (1) person per two hundred (200) square feet of gross floor area.~~
- ~~(1)-(3)~~ Attached accessory dwelling units shall be in compliance with the required setbacks of the primary structure required by the underlying zoning district.

FAVOR: Greathouse, Barros, Sipes, Watson Hui, Ortiz, Bustamante

OPPOSE: None

Amendment 13-1

Related to the Military Protection Overlay District (submitted by Mission San Jose Neighborhood Association)

Logan Sparrow, Policy Administrator, presented item.

Teresa Ybanez, President Mission San Jose Neighborhood Association, spoke in favor of the proposed amendment.

MOTION

A motion was made by Commissioner Barros and seconded by Commissioner Greathouse to recommend approval as amended.

Amendment 13-1

Applicant: MSJNA, HWMRMA, Roosevelt NA, and Villa Coronado NA

Amendment Title – ‘Sec. 35-339.06. - ‘MPOD’ Mission Protection Overlay Districts.’

Amendment Language:

STATEMENT OF PURPOSE

The San Antonio Missions and their historic grounds are an invaluable historic resource within the City of San Antonio. The City of San Antonio recognizes the positive cultural and economic benefits to preserving the scenic and environmental quality of the sites. A new zoning overlay for the four (4) Mission Sites (Mission Concepcion, Mission San Jose, Mission San Juan and Mission Espada) will regulate the height of new construction which may encroach upon or threaten the integrity of the historic mission sites.

Development and land use adjacent or near the Mission sites have the ability to negatively impact the scenic and environmental quality of these important sites. The purposes of these overlay districts is as follows:

- *To create a more attractive, cohesive, and safe environment.*
- *To safeguard San Antonio’s heritage by preventing the despoliation of views of areas and buildings that reflect important elements of the city’s cultural, natural, historic, and economic fabric.*
- *To create favorable impressions of San Antonio as well as provide environmental enrichment for the citizens of the city.*
- *To enhance San Antonio’s image as a progressive, scenic, and livable community.*
- *To preserve, protect, and enhance areas of high tourist and visitor visibility.*
- *To enhance the appearance and economic viability of Mission Protection Overlay Districts.*
- *To provide motorists, cyclists and pedestrians with attractive viewing opportunities.*
- *To reduce visual clutter and limit distractions modern-day distractions within Mission Protection Districts.*
- *To stabilize and strengthen property values within Mission Protection Districts.*

(b) Boundaries.

- (1) **Boundaries established for MPOD-1, MPOD-2, MPOD-3 and MPOD-4.** Typically, Mission Protection Districts shall encompass all areas that are visible or potentially visible from a disc. This shall be defined as the area which falls within a ~~1,800-foot~~ ~~1,500-foot~~ radius originating from a point located exactly one hundred twenty-five (125) feet from the front door of each Mission chapel, as marked by the disc.

FAVOR: Barros, Greathouse, Sipes, Watson, Hui, Ortiz, Bustamante

OPPOSE: None

MOTION CARRIED

Amendment 30-1

Related to Supportive Housing Campus (submitted by James McKnight)

Logan Sparrow, Policy Administrator, presented item.

No Public Comment

MOTION

A motion was made by Commissioner Bustamante and seconded by Commissioner Sipes to recommend approval as amended.

Amendment 30-1

Applicant: James McKnight-Brown & Ortiz, P.C.

Amendment Title: 'Sec. 35-311 – Use Regulations'

Amendment Language:

Sec. 35-311. - Use Regulations

TABLE 311-1 RESIDENTIAL USE MATRIX																						
PERMITTED USE	RP	RE	R-20	NP-15	NP-10	NP-8	R-6	RM-6	R-5	RM-5	R-4	RM-4	R-3, R-2, R-1	MF-18	MF-25	MF-33	MF-40	MF-50 & MF-65	ERZD	LBCS FUNCTION	LBCS STRUCTURE	
Storage (moving pods) (see 35-A101)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
Supportive Housing Campus	-							<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>				

TABLE 311-2 NONRESIDENTIAL USE MATRIX														
	PERMITTED USE	O-1 & O-1.5	O-2*	NC	C-1	C-2	C-3	D	L	I-1	I-2	ERZD	(LBCS Function)	
Service	Human Services Campus							S	S				P	6500
Service	Supportive Housing Campus				<u>S</u>	<u>S</u>	<u>P</u>	<u>S</u>					<u>P</u>	<u>6500</u>

Amendment Title: "Sec. 35-A101. – Definitions and Rules of Interpretations."

Amendment Language:

[Supportive Housing Campus](#). A use in which multiple structures and related grounds or portions thereof are used to provide the following uses individually or in combination: medical services (clinical, optical, and dental); schools, including educational, business, and vocational; multi-family housing; and day care services for children. A supportive housing campus shall not be considered a human service campus.

FAVOR: Bustamante, Sipes, Greathouse, Watson, Hui, Ortiz, Barros

OPPOSE: None

MOTION CARRIED

Minutes

Consideration of June 21, 2022, Zoning Commission Minutes.

MOTION

A motion was made by Commissioner Sipes and seconded by Commissioner Ortiz for approve as presented.

Members voted in affirmative except Commissioner Greathouse, abstain.

MOTION CARRIED

Director's Report – No report at this time.

Adjournment.

There being no further business, the meeting was adjourned at 6:03 P.M.

APPROVED BY: _____ or _____
John Bustamante, Chair

DATE: _____

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