

City of San Antonio



AGENDA

Planning Commission

Development and Business Services

Center

1901 South Alamo

Minutes

Monday, April 11, 2022

12:30 PM

1901 South Alamo

****Planning Commission Technical Advisory Committee****

The Planning Commission Technical Advisory Committee (PCTAC) is a subcommittee that advises the Planning Commission on matters as requested by the Commission. Members of the PCTAC are appointed by the Planning Commission.

To watch and listen to this meeting, visit www.sanantonio.gov/DSD/Boards/MeetingVideos. To listen to audio only, call 210 206 LIVE (5483).

Public Comment

Members of the public may provide comment on any agenda item, consistent with procedural rules governing the Planning Commission Technical Advisory Committee meetings and state law. Public comment may also be provided as follows:

1. Submit written comments by email to udcamendments@sanantonio.gov or drop off written comments at 1901 S Alamo by 8am the day of the meeting. Please include your full name, home or work address and agenda item number. Written comments will be part of the official written record only.
2. Leave a voice message of a maximum of two minutes by dialing 210206(PLNG)7564. Your message will be played during the meeting. Please include your full name, home or work address and agenda item number.

*Note: Written comments, voicemails, and request to make comments during the live meeting must be received by Monday April 11, 2022 at 8am to give time for translation.

12:30 Call to Order

-Roll Call

Present: Julia Carrillo Haynes, Samer Dessouky, Robert Sipes, Seth Teel, Allision Cohen, Susan Wright, Ashley Farrimond, Cara Tackett, Bob Liesman, Ryan Plagens, Ken Brown Robert Hanley, Dominic Dominguez, Robert Tapia, Erik Estrada, Phillip Manna, Deborah Reid, Bianca Maldonado, Joe Nix, Michael Moore

Absent: George Peck, Jody Sherrill, Jesse Vasquez, Michael Garcia, Christopher Fullerton, Alex Ramirez,

City Staff: Melissa Ramirez, Logan Sparrow, Monique Mercado, Audrey Zamora, Michael Shannon, Catherine Hernandez, Lauren Chavez, Riley Boesiger, Kayla Leal, Stephen Stokinger, Rachel Holder, Sabrina Santiago

Public Comment – 42 voicemails received.

Voicemails:

Ally Guerrero, Historic Westside Resident Association, 1226 Hidalgo, in favor of amendment 16-1.

Amelia Valdez, Historic Westside Resident Association, 1635 Potosi, in favor of amendment 16-1.

Arlene Oscar, 804 E Myrtle, spoke in favor of amendment 26-1.

Barbara Witt-Howell, 105 Magnolia Dr, spoke in favor for amendments 16.1-2 and 16.6-12.

Beatrice Moreno, 422 E. Mistletoe, spoke in favor for amendments 16.1-2 and 16.6-12.

Collen Waguspak, 1603 Tartan Lane, Northside Neighborhoods for Organized Development (NNOD), spoke in favor for amendments 16.1-2 and 16.6-12.

Daniel Hubbeling, President, Beacon Hill NA, 1025 E. Huisache, spoke in favor for amendments 16.1-2 and 16.6-12.

Dora Perez, 725 Sandmeyer, spoke in favor of amendment 26-1.

Eva Hoffman, spoke in favor for amendment 16.1.

Gemma Kennedy, 509 River Road, T1NC, spoke in favor for amendments 16.1-2 and 16.6-12.

Gloria Reyes, 1011 San Carlos, spoke in favor for amendment 16.1.

Graciela Sanchez, 2718 Monterey, Historic Westside Resident Association, Westside Preservation Alliance, and the Esperanza Center, spoke in favor for amendments 16.1-2 and 16.6-12.

Greg Smith, 918 W. Mulberry Ave, spoke in favor for amendment 26-1.

Juan Aguirre, 319 Coleman St, spoke in favor for amendment 26-1.

Kim Pettitt, 2034 Oak Mist, North Central Thousand Oaks NA, spoke in favor for amendments 16.1-2 and 16.6-12.

Alejandro Lara, 315 Bee St, spoke in favor for amendment 26-1.

Leticia Sanchez, 1710 Veracruz, Historic Westside Resident Association, spoke in favor for amendment 16-1.

Leticia Sanchez, 1710 Veracruz, Historic Westside Resident Association, spoke in favor for amendments 16. 2 and 16.6-12.

Linda O'Brien, spoke in favor for amendment 26-1.

Edwina M. Scinta, 113 E Norwood Ct, T1NC, spoke in favor for amendments 16.1-2 and 16.6-12.

Margaret Leeds, 308 King William, T1NC, spoke in favor for amendments 16.1-2 and 16.6-12.

Frederica Kushner, 405 E. Myrtle St, spoke in favor for amendments 16.1-2 and 16.6-12.

Mary Johnson, 125 W. Ridgewood CT, spoke in favor for amendments 16.1-2 and 16.6-12.

Voicemails Continued:

Monica Savino, 1120 E. Crockett St, spoke in favor for amendments 16.1, 16-12, 25-1, 14-8, 16-9, 16-2, 16-7, 26-1,

Pamela Flather, 215 E Lullwood, Monte Vista Historic NA, spoke in favor for amendments 16.1-2 and 16.6-12.

Patricia Pratchett, 733 E Woodlawn Ave, RiverRoad NA and TINC, spoke in favor for amendments 16.1-2 and 16.6-12.

Judy Warren, 218 W. Lullwood, spoke in favor for amendments 16.1-2 and 16.6-12.

Ross Laughhead, 5975 Lockhill Rd, Oakland Estates and TINC, spoke in favor for amendments 16.1-2 and 16.6-12.

Shawn Campbell, 524 King William, President of King William NA, spoke in favor of amendment 16-2.

Stacy Swan, 203 Radiance, spoke in favor of amendment 26-1.

Steven Scales, 737 E Woodlawn, spoke in favor for amendments 16.1-2 and 16.6-12.

Stud Albert, 922 E. Pine St, spoke in favor for amendment 14-8.

Stud Albert, 922 E. Pine St, spoke in favor for amendments 16.1-2 and 16.6-12.

Sue Snyder, 5655 Lockhill Rd, President of the Oakland Estates NA, spoke in favor for amendments 16.1-2 and 16.6-12.

Susan Richardson, 118 Carolina St, spoke in favor for amendments 16.1-2 and 16.6-12.

Tony Garcia, 243 E. Huisache, Tier 1 Neighborhood Coalition Committee, spoke in opposition for amendment 22-18.

Tony Garcia, 243 E. Huisache, Tier 1 Neighborhood Coalition Committee, spoke in opposition for amendment 23-2.

Tony Garcia, 243 E. Huisache, Tier 1 Neighborhood Coalition Committee, spoke in favor for amendment 26-1.

Tony Garcia, 243 E. Huisache, Tier 1 Neighborhood Coalition Committee, spoke in opposition for amendment 29-1, but supports amendments 16-8 and 16-10.

Tony Garcia, 243 E. Huisache, Tier 1 Neighborhood Coalition Committee, spoke in favor for amendment 13-1.

Tony Van Buren, President of the Monte Vista Historical NA, spoke in favor for amendments 16.1-2 and 16.6-12.

Monique Mercado, Principal Planner, Development Services Department, read the following written comments received into the record:

Written Comment:

Amendment 25-1, 50 notices received in favor.

Amendment 13-1, 1 notice received in opposition.

Amendment 16-1, 4 notices received in favor.

Amendment 16-2, 5 notices received in favor and 18 notices received in opposition.

Amendment 16-3, 3 notices received in favor and 18 notices received in opposition.

Amendment 16-6, 4 notices received in favor

Amendment 16-7, 9 notices received in favor.

Amendment 16-8, 4 notices received in favor.

Amendment 16-9, 4 notices received in favor.

Amendment 16-10, 4 notices received in favor.

Amendment 16-11, 4 notices received in favor.

Amendment 16-12, 4 notices received in favor.

Amendment 26-1, 5 notices received in favor.

Amendment 29-1, 1 notice received in favor.

She stated these public comments were provided to TAC Committee Members.

Public Comment:

In Person:

Cynthis Spielman, TINC, read letter in favor for Cosima Colvin regarding the gas station amendment.
Peter Lund, spoke in favor for amendment 16-2 and 16-3 regarding STRs.

Old Business

27. Approval of minutes from March 28, 2022 meeting.

MOTION

A motion was made by Committee Member Maldonado and seconded by Committee Member Wright to Approve as presented.

A verbal vote was taken, and all voted in affirmed.

MOTION CARRIED

New Business

5 Discussion and possible action on UDC amendment item 25-1, affecting section 35-339.04: Military Lighting Overlay Districts. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Staff stated the applicant would like to request a continuance to May 9, 2022.

MOTION

A motion was made by Committee Member Tackett and seconded by Committee Member Maldonado for a continuance to May 9, 2022.

A verbal vote was taken, and all voted in affirmative.

MOTION CARRIED FOR A CONTINANCE TO MAY 9, 2022

26 Discussion and possible action on UDC amendment item 13-2, affecting section 35-409: Citizen Participation Plan. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

The amendment was withdrawn by the applicant.

NO ACTION TAKEN

Vice Chair Carrillo Haynes stated all the Tier 1 Neighborhood Coalition items, amendments 16-1, 16-2, 16-6, 16-7, 16-8, 16-9, 16-10, 16-11, and 16-12 will be moved towards the end of the agenda.

- 3 Discussion and possible action on UDC amendment item 30-1, affecting section 35-311: Use Regulations. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

James McKnight, applicant, stated the request is to help add a middle use to the “Human Campus” use. He stated the request would add “Supportive Housing Campus” to the zoning matrix to allow for limited uses.

Public Comment:

John Bustamante, spoke in favor of the amendment request.

MOTION

A motion was made by Committee Member Brown and seconded by Committee Member Manna to Approve as presented.

Sec. 35-311. - Use Regulations

TABLE 311-1 RESIDENTIAL USE MATRIX																				
PERMITTED USE	RP	RE	R-20	NP-15	NP-10	NP-8	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		
Supportive Housing Campus	-						IS	IS	IS	IS	IS	IS	IS	IS	IS	IS	IS			

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
Supportive Housing Campus				S	S	P	S				P	6500

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 a multitude of services including, but not limited to the following: medical services; 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.](#)

A verbal vote was taken, and all voted in affirmative.

MOTION CARRIED

- 4 Discussion and possible action on UDC amendment item 17-1, affecting section 35-334: “MAOZ” Military Airport Overlay Zone. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

JBSA representative, requested to postpone the item.

MOTION

A motion was made by Committee Member Hanley and seconded by Committee Member Maldonado for a continuance to May 9, 2022.

A verbal vote was taken, and all voted in affirmative.

MOTION CARRIED FOR A CONTINAUNCE TO MAY 9, 2022

- 6 Discussion and possible action on UDC amendment item 13-1, affecting section 35-339.06: “MPOD” Mission Protection Overlay Districts. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Teresa Ybanez, President of Mission San Jose NA, stated the request is to protect the San Antonio Missions by limiting the height for buildings that surround the missions.

MOTION

A motion was made by Committee Member Brown and seconded by Committee Member Maldonado to Approve as presented.

(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 ~~2,500-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.

A verbal vote was taken, and all voted in affirmative.

MOTION CARRIED

- 7 Discussion and possible action on UDC amendment item 14-8, affecting section 35-343.01: “IDZ” Infill Development Zone: Complete Change of Zoning Applications submitted after November 1, 2018. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Debbie Reid, Public Works, stated the request is to allow for the Public Works department to require a Stormwater Management Report as well as not an increase in impervious cover.

Sabrina Santiago, Public Works, answered questions.

MOTION

A motion was made by Committee Member Tackett and seconded by Committee Member Maldonado to Approve as Amended.

- (f) **Stormwater Management.** Infill development shall comply with the stormwater management standards, section 35-504 of this chapter, except as otherwise provided herein. The stormwater management standards shall not apply to the following:
- (1) The reuse of an existing building ~~where there is not an increase in impervious cover~~; or
 - (2) The development of an existing parcel or lot of less than ten thousand (10,000) square feet.

The stormwater management standards ~~and engineering report~~ shall apply to all other infill development not listed above.

A verbal vote was taken, and all voted in affirmative.

MOTION CARRIED

- 11 Discussion and possible action on UDC amendment item 1-1, affecting section 35-390: Transitional Homes. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

John Littlefield, Public Works, stated the request is to add “Qualified Transitional Housing” to the Zoning Matrix.

Catherine Hernandez, DSD, answered questions.

MOTION

A motion was made by Committee Member Maldonado and seconded by Committee Member Brown for Denial.

- (k) Qualified Transitional Homes. A qualified transitional home established after xxxxxx, shall not be located within one thousand (1000) feet of any public/private elementary, middle or high school, public/private children's day care facility requiring a certificate of occupancy and/or public park. A qualified transitional home provides shelter, food, and care in a supportive environment to TDCJ parolees and recent releases integrating into normal, productive life.
Qualified transitional home means a residence in which at least three (3) and not more than six (6) parolees or recent releases reside that:
 (1) is operated by an individual, private entity, or non-profit or faith-based organization;
 (2) is not operated by, established by, or contracted with the Texas Department Criminal Justice ("TDCJ"); and
 (3) Admittance is on a case by case basis and is approved by the operator of the facility;
 (4) Will be operated under TDCJ approval.
The operator of a qualified transitional home that does not have TDCJ approval may apply for and be granted an initial permit, provided he shall apply for and obtain TDCJ approval for the facility within 45 days after obtaining a permit under this article and shall maintain an approved status with TDCJ for as long as the facility is in operation.
The purpose of the facility is for the housing and rehabilitation or training of adults on parole, early release or re-release, or any other form of executive, judicial or administrative release from a penal institution. Such a facility shall not include a facility that is:
 (1) Used primarily as a temporary holding facility;
 (2) Used primarily for persons arrested for or found guilty of misdemeanor offenses;
 (3) Located in or near court facilities; or
 (4) Used primarily to hold prisoners awaiting transfer to a state facility.

	R P	R E	R A Q	NP -15	NP -10	NP -8	R 6	R 5	R 4	RM -5	RM -4	RM -3	MF -18	MF -25	MF -33	MF -40	MF 50/ 65	LBCS FUNC
Qualified Transitional Home	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	1230

A verbal vote was taken, and all voted in affirmative.

MOTION CARRIED AS DENIAL

- 12 Discussion and possible action on UDC amendment item 26-1, affecting section 35-397: Auto and Light Truck Repair and Motor Vehicle Sales. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

D’ette Cole, Public Works, stated the request is to prohibit a gas station in the neighborhood areas.

Catherine Hernandez, DSD, answered questions.

Committee Member Tackett, requested to pause Item 12 and view Item 10. Vice Chair Carrillo Haynes requested to pull up Item 10.

- 10 Discussion and possible action on UDC amendment item 16-7, affecting section 35-377: Head Shops. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Steve Veersteg, applicant, stated the request is to have a distance set for gas stations and residential zoned properties, as well as schools and churches.

Melissa Ramirez, DSD, answered questions.

Catherine Hernandez, DSD, answered questions.

Logan Sparrow, DSD, answered questions.

MOTION

A motion was made by Committee Member Tackett and seconded by Committee Member Brown for Denial.

Sec. 35-377. - Head Shops [and Gas Stations](#).

- (a) **Spacing.** Notwithstanding any other provisions of this chapter, no head shop [nor gas or fueling station](#) shall be established or maintained within one thousand (1,000) feet of any of the following uses:
- (1) Property which is temporarily or permanently zoned residential.
 - (2) Churches.
 - (3) Hospitals.
 - (4) Community centers.
 - (5) Museums.
 - (6) Parks.
 - (7) Schools.
- (b) **Measurement of Spacing.** Measurement shall be made in a straight line from the nearest boundary of property so zoned to the nearest part of the [structure where or](#) building in which such use is made, if the same commercial activity occupies an entire building; provided, that the case of a building which is divided into separate rental or ownership spaces devoted to different uses or enterprises, measurement shall be made to such space or unit of the building in which such use is made.
- (c) **Registration and Amortization of Nonconforming Uses.** Any properties devoted to such use which are so located due to zoning, rezoning, or annexation may be registered as nonconforming uses at the department of planning and development services within sixty (60) days from the date of becoming nonconforming with this chapter, by the owners or any other interested party and upon such registration, such use may thereafter be continued for a period not to exceed three (3) years. After termination of the three-year period, such operation and use must cease.

A verbal vote was taken, and all voted in affirmative.

MOTION CARRIED AS DENIAL

Vice Chair Carrillo Haynes requested Item 12 be heard again and a motion made.

- 12 Discussion and possible action on UDC amendment item 26-1, affecting section 35-397: Auto and Light Truck Repair and Motor Vehicle Sales. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

D'ette Cole, Public Works, stated the request is to prohibit a gas station in the neighborhood areas.

Catherine Hernandez, answered questions.

MOTION

A motion was made by Committee Member Brown and seconded by Committee Member Tapia for Denial.

Sec. 35-397.xx - Gas Stations.

- (a) Spacing. Notwithstanding any other provisions of this chapter, no gas or fueling station shall be established or maintained within the distances in Table 3xx from any of the following uses:
- (1) Single family or multi-family residences.
 - (2) Hospitals.
 - (3) Schools.
 - (4) Community Centers.
 - (5) Day Care Facilities.
 - (6) Assisted Living Facilities, Boarding Homes and Community Homes.

Table 3xx

Total Capacity of All Tanks on Property in U.S. gallons	Minimum distance (feet) from nearest tank or tank vent to line of property nearby with listed use
1,200 and less	50
Over 1,200 to and including 30,000	150
Over 30,000 to and including 70,000	300
Over 70,000 to and including 500,000	500
Over 500,000	1,000

- (b) Measurement of Spacing. Measurement shall be made in a straight line from the tank or tank vent whichever is nearest the boundary of property so zoned for a gas station to the nearest boundary of property in which such listed use is made.
- (c) Existing Nonconforming Uses. Any properties devoted to the supplemental use which are so located at the time of the addition of this section, shall be exempt until the property is sold. Any change of such nearby use after the fact will not result in nonconformance of the supplemental use.

Roll Call Vote:

In Favor: Dessouky, Tackett, Liesman, Plagens, Farrimond, Brown, Hanley, Tapia

Opposed: Carrillo Haynes, Sipes, Teel, Cohen, Estrada, Manna, Reid, Maldonado

Abstained: Wright, Dominguez

MOTION FAILED

A motion was made by Committee Member Maldonado and seconded by Committee Member Manna for a continuance to May 9, 2022.

Roll Call Vote:

In Favor: Carrillo Haynes, Sipes, Teel, Dessouky, Cohen, Wright, Farrimond, Liesman, Tackett, Plagens, Hanley, Dominguez, Tapia, Estrada, Manna, Reid, Maldonado

Opposed: None

Abstained: Brown

MOTION CARRIED FOR A CONTINUANCE TO MAY 9, 2022.

PCTAC Committee members recessed into a break at 3:40 and reconvened at 3:45 pm.

- 14 Discussion and possible action on UDC amendment item 19-1, affecting section 35-399.07: West Side Creeks Water Quality Protection Area. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Melissa Bryant, SARA, stated the request is for an ecosystem restoration project in the Westside Creeks regarding boundary distance and water runoff treatment.

Sandy Poleni, SARA.

MOTION

A motion was made by Committee Member Tackett and seconded by Committee Member Hanley to Approve as presented.

19-1

UDC 2021 Proposed Amendment

****** Recommended Approval by PCTAC on April 11, 2022******

Amendment 19-1
Applicant: San Antonio River Authority

Amendment Title – Sec. 35-309.07 – West Side Creeks Water Quality Protection Area

Amendment Language:
Sec. 35-309.07 – West Side Creeks Water Quality Protection Area.

(a) **Abrogation and Greater Restrictions.** This division is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where the language of this division conflicts with language used elsewhere in this chapter, that which imposes the more stringent restrictions shall prevail.

(b) **Purpose.** The West Side Creeks Water Quality (WSC WQ) Protection Area has been established for locations along the Marina Creek, Zapata Creek, Alamo Creek, San Pedro Creek and Asate Creek hereinafter, the "West Side Creeks" to limit the use adjacent to the water quality protection area to the West Side Creeks and its tributaries. Thus, the Protection Area is designed to ensure adequate treatment of storm water runoff that may potentially produce toxic, corrosive, polluted, poisonous, radioactive, unstable, or otherwise dangerous substances harmful to the public health or which could otherwise adversely affect the water quality of any, and thereby minimizing the risk of potential occurrences wherein such substances could enter the water of the West Side Creeks.

The WSC WQ Protection Area further seeks to:

- (i) prevent the negative impacts caused by incompatible and insensitive development and promote sensitive development;
- (ii) maintain the natural habitat of the West Side Creeks, access to its trails and provide habitat for its users; and
- (iii) ensure that development near the creek is compatible with a future vision of a series of mixed-use neighborhoods with commercial and residential nodes that orient to the West Side Creeks and/or stimulate redevelopment of existing commercial corridors.

(c) **Boundaries.** The limits of the West Side Creeks Water Quality Protection Area are shown on the City of San Antonio's Official Zoning Map. The boundaries of the Protection Area are determined to be the least parcel boundaries of any parcel of land that is wholly or partially within 100 feet from the boundary of the San Antonio Coastal Improvement Projects Boundary of the West Side Creeks.

Any parcel that is wholly or partially within the boundaries of the Protection Area shall not be removed from the WSC WQ Protection Area through annexation.

(d) **Protection Area.** The WSC WQ Protection Area is designated as an overlay to all zoning districts. Property located within this area must also be designated as a lot within the zoning district. Authorized uses must be permitted in both the base zoning district and the Protection Area.

(e) **Uses.**

- A. Prohibited Uses. To protect the water quality of the WSC from operations, production, or storage of hazardous materials that could contribute contaminants to water runoff and the West Side Creeks, the following uses are prohibited within the WSC WQ Protection Area:
 - 1. Truck and heavy equipment, auction;
 - 2. Auto, manufacturing;
 - 3. Auto and light truck station;
 - 4. Storage - outside.

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- 5. Batching plant;
- 6. Blockyard;
- 7. Used automotive parts recycler;
- 8. Abrasive manufacturing;
- 9. Autohemp, etc., manufacturing and storage;
- 10. Hazardous materials hauling or storage;
- 11. Pesticide chemicals bulk storage;
- 12. Metal forging or rolling mill;
- 13. Parking plant;
- 14. Explosives - manufacturing or processing;
- 15. Foundry processing;
- 16. Electronics recycling;
- 17. Sand or gravel - storage or sales;
- 18. Volcanic, processing;
- 19. Wood processing by crosscutting or other preservation treatment;
- 20. Commercial surface parking lots as primary use;
- 21. Construction materials area;
- 22. Gas stations;
- 23. Parking and transient vehicle storage - related to delivery;
- 24. Parking and/or storage - long term;
- 25. The reuse - auto and small truck;
- 26. Truck repair and maintenance;
- 27. Truck stop or laundry;
- 28. Can recycle collection station.

B. **Nonconforming Uses.** Any use prohibited by section A which is existing on the effective date of the ordinance from which this chapter is derived may continue as long as the conditions herein are met. Prohibited Uses at the time of the adoption of this section are exempt from the prohibition, for so long as that use is continuous, is not subject to any other limitation listed under Section 35-700, et al. of the UDC. This exemption terminates if the property is redeveloped, or any other limitation listed under Sections 35-700 to 35-707 becomes applicable. Redevelopment is defined in Appendix H of the UDC. All single-family residential lots are exempt from the LD requirements in accordance with 35-906.

(f) **San Antonio River Authority Consultation.** Consultation with the San Antonio River Authority is required regarding direct access, landscaping and maintenance boundaries, and storm water control measures used to limit silt, sediment, debris, or other pollutants to allow for access and comment by the River Authority for properties that fall within the WSC WQ Protection Area. This section shall apply to newly developed and redeveloped properties.

A. **Coordination with the River Authority** shall include a binding commitment letter signed by the property owner and the River Authority specifying the property owner's commitment to coordinate regarding access to the West Side Creeks, landscape and maintenance boundaries, and storm water control matters when applying for stormwater and drainage permit.

B. **Access to the West Side Creeks** within the WSC WQ Protection Area shall comply with the following:

- (i) Property owners shall provide plans for review by the River Authority when proposing to construct any stream points in the West Side Creeks project trail, and such plans shall show materials and grading for access.
- (ii) Removal of existing stream trail herpetos shall require the River Authority approval.
- (iii) Development shall make it clear for users of the park to discern public access points from private access points.
- (iv) If during construction the park trail must be temporarily closed, an alternative maintained route shall be identified and temporary signage in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) provided and maintained for the duration of the project.
- (v) Signage of park trail access points shall be the responsibility of the River Authority.

C. **Landscaping and maintenance boundaries** shall be recorded under the notice to the title and as defined in accordance with a final maintenance agreement. The "Maintenance Agreement" entered into between the developer/property owner and the City of San Antonio. The maintenance agreement will set out the respective rights and responsibilities of the parties and an executed copy will be recorded by the River Authority upon request. The purpose of the maintenance agreement is to protect the public investment that has been made in the WSC WQ Protection Area. The

(i) **Planting requirements in WSC WQ Protection Area** should continue the restoration landscape efforts along the creek banks.

C. **Plant Materials.** Several soil conditions converge along the West Side Creeks area to create unique riparian ecosystems that mitigate storm water runoff. Soil conditions vary greatly along these waterways and therefore native and indigenous plants will vary accordingly. Landscaping should reflect the unique soil characteristics of the specific site.

- (i) Incorporate Existing Native Vegetation. Extend the use of native landscape materials, including plants, shrubs and trees that are used in the public areas of the creek only adjacent private areas to prevent ecological mitigation of storm water runoff.
- (ii) Use indigenous and noninvasive species characteristic of the specific site as found on the permissible plant list maintained by the parks and recreation department or the United Development Code Plant List found in San Antonio River Basin Low Impact Development Technical Design Guidance Manual Plant List.
- (iii) Install Trees to Provide Shade. To mitigate storm water thermal pollution, install street trees along the property line or in the ROW adjacent all streets according to minimum requirement standards established in subsection 35-512(b), and consider incorporating storm water bioswales where feasible.

(f) **Offsite Treatment.** The director of the Public Works or his designee may, on a case-by-case basis, approve treatment of offsite runoff instead of or in combination with onsite runoff. In this case, the design rainfall depth is increased by 10% for all offsite runoff. Public Works may require that some onsite runoff is treated, especially if there are potentially acute sources of pollutants (dog parks, dumpster pads, etc.). Consensus of the River Authority is required for neighborhood scale water quality mitigation projects through developer agreements.

(i) **Top of bank.** "The top of bank" is defined as a change in gradient and has been mapped by the River Authority. Contact the River Authority for a verification of the "top of bank."

A verbal vote was taken, and all voted in affirmative.

MOTION CARRIED

15 Discussion and possible action on UDC amendment item 20-7, affecting section 35-403: Notice Provisions. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Public Comment:

Monica Savino, 1120 E. Crockett St, spoke in favor for amendment 20-7. As well support for the following amendments 16-3, 16-2, 19-1, 22-17, 16-8, 16-11, and 16-10.

Cory Edwards, OHP, stated the request is for clarifications on notice provisions for HDRC related items.

MOTION

A motion was made by Committee Member Maldonado and seconded by Committee Member Reid to Approve as presented.

30-7

UDC 2021 Proposed Amendment

***** Recommended Approval by PCTAC on April 11, 2022*****

Amendment 20-7
 Applicant: Office of Historic Preservation
 Amendment Title – Sec. 35-403 – Notice Provisions.
 Amendment Language:
 Sec. 35-403 - Notice Provisions.

Table 403-1
 Notice Requirements

(A)	****	III	****	IV	IV	****	(VI)
Type of notice	****	Certificate of Appropriateness <u>requiring a public hearing that includes Administrative Approval Certificates</u>	****	Request for Demolition of a Historic Landmark or Contributing Property <u>requiring a public hearing</u>	Historic Designation Application <u>approved by Historic Preservation Officer</u>	****	<u>finding of historic significance, requiring a public hearing.</u>
Publication: Publication in an official newspaper of general circulation before the 30th day before the date of the hearing	****	—	****	—	—	****	—
Mail: Written notice of the public hearing shall be sent	****	—	****	*(1)(2)	*(2)(B)(3)	****	*(2)
Internet: Post notice on the city's internet website until the process has been completed	****	*	****	*	—	****	—
Signage: Post a sign on the property subject to the application; signs to be installed and provided by the city	****	*(3)	****	*	—	****	—

Notes:

- (1) Notice shall be sent to each owner, as indicated by the most recently approved municipal tax roll, of real property, within two hundred (200) feet of the property. Notice for zoning cases shall be sent prior to the tenth day before the date of the public hearing at the zoning commission. Notice for demolition applications shall be sent prior to the seventh day before the date of the public hearing at the historic design and review commission. Notice shall not be required for text amendments to the Community, Neighborhood, Perimeter or Sector Plans.
- (2) Notice shall be sent to registered neighborhood associations within two hundred (200) feet of the project.
- (3) The sign shall measure not less than eighteen by twenty-four inches and shall contain: City's name, Address of subject property, Description of request, HDRC Case #, Name of Case Manager, and Contact telephone number.

The sign shall be constructed of corrugated plastic sign stock and shall be in a highly visible fluorescent style color with contrasting colors. Lettering shall be a block font in as large a type as permitted by the sign size.

- (4) The sign shall measure not less than twenty-four (24) by thirty-six (36) inches and shall contain: City's name, Zoning Case #, Contact telephone number of case manager (General), Purpose, From, To.

The sign shall be constructed of corrugated plastic sign stock and shall be in highly visible fluorescent style color with contrasting colors. Lettering shall be a block font in as large a type as permitted by the sign size.

- (5) The requirement for the posting of signs on individual lots and properties shall be waived for city initiated area-wide rezoning consisting of six (6) or more individual lots. However, signs will be placed at the general location of the boundary of the area-wide zoning project and its intersection with major arterial and collector streets that provide ingress/egress to the area subject to rezoning.
- (6) Notice for replat applications shall be sent in accordance with Local Government Code Ch. 212.015.
- (7) Notice will include project name, number of acres, and approximate location.
- (8) The historic preservation officer shall notify all property owners within a proposed historic district boundary of the date, time, place and purpose of the historic and design review commission hearing at least thirty (30) days prior to the historic and design review commission hearing on the historic district designation.
- (9) Notice of Courtesy Reports of general building permits, sign permits, and Preliminary Plan Review meeting requests shall be sent weekly to all registered neighborhood associations. These notices are sent as a courtesy. Any failure to send or receive courtesy reports shall not restrict the issuance of the applicable permit. (

10) No later than the 15th day before the date of the initial hearing on historic designation of a property as an individual landmark, the historic preservation officer shall provide the property owner a historic designation impact statement that describes the impact that a historic designation of the owner's property may have on the owner and the owner's property. The historic designation impact statement shall include the:

- a. Regulations that may be applied to any structure on the property after designation;
- b. Procedures for the designation;
- c. Tax benefits that may be applied to the property after the designation; and
- d. Rehabilitation or repair programs that the municipality offers for a property designated as historic.

A verbal vote was taken, and all voted in affirmative.

MOTION CARRIED

16 Discussion and possible action on UDC amendment item 22-17, affecting section 35-403: Notice Provisions. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Micah Diaz, Planning Department, stated the request is to update the reference for the types of plans.

MOTION

A motion was made by Committee Member Maldonado and seconded by Committee Member Manna to Approve as Amended.

Table 403-1
Notice Requirements

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)
Type of Notice	Amendments to Master Plan	Amendments to future land use or text changes to the Community, Neighborhood, Perimeter, or Sector, or Sub-Area Plans	Rezoning	Master Development Plan	Items Requiring Public Hearing Before the Board of Adjustment	Subdivision Plat, Major	Subdivision Plat, Minor	Certificate of Appropriateness (Not Including Administrative Approval Certificates)	Permits, Orders or Approvals Not Mentioned Requiring Public Hearing	Request for Demolition of a Historic Landmark or Potential Historic Landmark	Historic Designation Application Approved by Historic Preservation Officer	Applications within Neighborhood Conservation Districts and Historic Districts

Notes:

- (1) Notice shall be sent to each owner, as indicated by the most recently approved municipal tax roll, of real property, within two hundred (200) feet of the property. Notice for zoning cases shall be sent prior to the tenth day before the date of the public hearing at the zoning commission. Notice for demolition applications shall be sent prior to the seventh day before the date of the public hearing at the historic design and review commission. Notice shall not be required for text amendments to the Community, Neighborhood, Perimeter, or Sector, or Sub-Area Plans.

A verbal vote was taken, and all voted in affirmative except for Committee Member Hanley, who voted in opposition.

MOTION CARRIED

- 19 Discussion and possible action on UDC amendment item 10-4, affecting section 35-403: Notice Provisions. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Catherine Hernandez, DSD, stated the request is by the Zoning Commission to allow an amendment to occur when decreasing the density of a single family district, that would not trigger re-notification.

MOTION

A motion was made by Committee Member Wright and seconded by Committee Member Maldonado to Approve as presented.

- 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 single-family district.

A verbal vote was taken, and all voted in affirmative.

MOTION CARRIED

- 21 Discussion and possible action on UDC amendment item 22-18, affecting section 35-408: Neighborhood Registration. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Micah Diaz, Planning Department, stated the request is to update the language regarding the plan types.

MOTION

A motion was made by Committee Member Maldonado and seconded by Committee Member Brown to Approve as Amended.

(a) **Applicability.** Neighborhood registration is established in order to provide notification of neighborhoods for purposes of zoning cases, neighborhood plans, community plans, ~~and perimeter plans, sector plans, and sub-area plans.~~

as provided in other sections of this chapter. The purpose of this section is to establish procedures for the registration of neighborhoods.

(b) **Contents.** A neighborhood registry shall be maintained by the ~~communications and engagement department—of planning and community development.~~ In order to be included within the neighborhood registry, the neighborhood association shall provide the following information:

- A map or written description of the neighborhood boundaries.
- A list of the officers in the association, including their address and phone number.
- A signed copy of the adopted by-laws.
- A regular meeting location and a regular meeting date.
- Date the association was founded.
- Number of association members.
- Approximate number of housing units in the area.
- Approximate population of neighborhood.

The neighborhood association shall contact the ~~communications and engagement department—of planning and development services~~ in the event of a change in the above-referenced information. An applicant shall be entitled to rely on the above-referenced information for purposes of preparing any notices or otherwise contacting neighborhood associations where required by this chapter.

A verbal vote was taken, and all voted in affirmative.

MOTION CARRIED

Committee Member Dessouky and Tapia exited the PCTAC meeting at 4:04 pm.

- 20 Discussion and possible action on UDC amendment item 16-10, affecting section 35-408: Neighborhood Registration. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Steve Veersteg, applicant, stated the request is to heighten community engagement with the community and neighborhood associations with updates and notifications.

Catherine Hernandez, DSD, answered questions.

MOTION

A motion was made by Committee Member Maldonado and seconded by Committee Member Manna to Approve as Amended.

- (a) **Applicability.** Neighborhood and community organization registration is established in order to provide citizen notification of neighborhoods for purposes of zoning cases, neighborhood plans, community plans and perimeter plans as provided in other sections of this chapter. The purpose of this section is to establish procedures for the registration of neighborhoods associations and community organizations.
- (b) **Contents.** A neighborhood registry shall be maintained by the department government and public affairs of planning and community development. In order to be included within the neighborhood and community organization registry, the neighborhood association or community organization shall provide the following information:
- A map or written description of the boundaries for which notice should be provided neighborhood .
 - A primary and alternate contact list of the officers in the association, including their mailing address, email address, and textable cell phone number.
 - A signed copy of the adopted by-laws.
 - A regular meeting location and a regular meeting date.
 - Date the association or organization was founded.
 - Number of association or organization members.
 - Approximate number of housing units in the area.
 - -Approximate population of neighborhood.
- The neighborhood association or community organization shall contact the department of planning and development services in the event of a change in the above-referenced information. An applicant shall be entitled to rely on the above-referenced information for purposes of preparing any notices or otherwise contacting neighborhood associations or community organizations where required by this chapter.
- (c) **Effect of the Neighborhood Registry.** When a neighborhood association and/or community organization has been registered as provided herein, the department of development services shall notify the neighborhood association and/or community organization of any application for rezoning or planned unit development plan filed within the boundaries requested for notification of a registered neighborhood association or within two hundred (200) feet of the site boundary of a neighborhood association and/or community organization. Individual citizens who reside outside the two hundred-foot notice required by this chapter, but within the boundaries of a registered neighborhood association are considered notified when any such notification is sent to the neighborhood association within two hundred (200) feet of the subject site. This notice is a courtesy and hearings may proceed despite claims of a lack of notice.

A verbal vote was taken, and all voted in affirmative.

MOTION CARRIED

- 22 Discussion and possible action on UDC amendment item 23-2, affecting section 35-408: Neighborhood Registration. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Sara Wamsley, NHSD, withdrew application for amendment 23-2 and stated NHSD supports amendment 16-10.

NO ACTION TAKEN

- 23 Discussion and possible action on UDC amendment item 29-1, affecting section 35-408: Neighborhood Registration. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Marlene Hawkins, applicant, President of Government Hill Community Association, stated the request is to update the neighborhood registry. She stated her association has been left off the registry, and this amendment would allow her association to register.

MOTION

A motion was made by Committee Member Maldonado and seconded by Committee Member Manna for Denial.

- (a) [Applicability, Communication Neighborhood](#) registration is established in order to provide [notification to-of-neighborhoods associations and organizations](#) for purposes of zoning cases, neighborhood plans, community plans and perimeter plans as provided in other sections of this chapter. The purpose of this section is to establish procedures for the registration of neighborhoods [associations and organizations](#).
- (b) [Contents. A Communication neighborhood](#) registry shall be maintained by the department of planning and community development. In order to be included within the [Communication neighborhood](#) registry, the neighborhood association [or organization](#) shall provide the following information:
- A map or written description of the [neighborhood](#) boundaries [as chosen by the association or organization](#).
 - A [contact person list of the officers](#) in the association, [or organization and](#) including their address, [and phone number and email](#).
 - A signed copy of the adopted by-laws.
 - A regular meeting location and a regular meeting date.
 - Date the association [or organization](#) was founded.
 - Number of association [or organization](#) members.
 - Approximate number of housing units in the area.
 - Approximate population of [area neighborhood](#).
- The neighborhood association [or organization](#) shall contact the department of planning and development services in the event of a change in the above-referenced information. An applicant shall be entitled to rely on the above-referenced information for purposes of preparing any notices or otherwise contacting neighborhood associations [or organization where required by this chapter](#).
- (c) [Effect of Communication Neighborhood-Registry](#). When a neighborhood association [or organization](#) has been registered as provided herein, the department of development services shall notify the neighborhood association [or organization](#) of any application for rezoning or planned unit development plan filed within the boundaries of a [registered](#) neighborhood association [or organization](#) or within two hundred (200) feet of the site boundary. Individual citizens who reside outside the two hundred-foot notice required by this chapter, but within the boundaries of a registered neighborhood association [or organization](#) are considered notified when any such notification is sent to the

A verbal vote was taken, and all voted in affirmative.

MOTION CARRIED AS DENIAL

- 25 Discussion and possible action on UDC amendment item 22-19, affecting section 35-409: Citizen Participation Plan. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Micah Diaz, Planning Department, stated the request is to update the name of the department and a correction on section.

MOTION

A motion was made by Committee Member Reid and seconded by Committee Member Hanley to Approve as Amended.

- (2) **Target Area.** The target area shall include the following:

- B. A neighborhood association which includes the subject property and/or is within two hundred (200) feet of the subject property and is registered with the [communications and engagement](#) department ~~of planning and community development~~ in accordance with the requirements of section 35-408 ~~420~~ of this chapter.

A verbal vote was taken, and all voted in affirmative.

MOTION CARRIED

- 1 Discussion and possible action on UDC amendment item 16-1, affecting section 35-310.01-Generally. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Ray Morales, applicant, Historic Westside NA, stated the request will stabilize the inner city neighborhoods by addressing incompatible development and land uses in our communities.

Logan Sparrow, DSD, answered questions.

Catherine Hernandez, DSD, answered questions.

MOTION

A motion was made by Committee Member Maldonado and seconded by Committee Member Brown to Approve as Amended.

R-4 ¹	4,000		11	20	35	150	10	—	5	20	35/2-½	—	—
R-3 1.14	3,000	7	—	15	20	—	10	35	5	10	25/1-½	70% offlot area	—
R-2 1.14	2,000	2,999	—	15	20	—	10	—	5	5	25/1-½	50% offlot area	—
R-1 1.14	1,250	1,999	—	15	20	—	10	—	5	5	25/1-½	45% offlot area	—
RM-6 ¹	6,000		7	15	15	150	10	—	5	20	35/3	—	—

Note (14) Half story. An uppermost story containing habitable space completely within a sloping roof (between a three in twelve slope and a twelve in twelve slope) springing from the top plate of the story below and broken only by dormers of total (sum) width less than 25% of the horizontal length of the facade which the dormers face, in which a sloping roof replaces two opposing exterior walls, and in which habitable areas on the uppermost story do not exceed a floor area derived by multiplying the floor area of the story directly below by fifty (50) percent.

A verbal vote was taken, and all voted in affirmative, except the following: Committee Members Wright, Tackett, Hanley who voted in opposition.

MOTION CARRIED

- 2 Discussion and possible action on UDC amendment item 16-12, affecting section 35-310.01-Generally. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Mary Johnson, applicant, President of Monte Vista Terrace NA, stated the request is to add to the heights and area lot coverage ratios for RM-4, RM-5, and RM-6 that were not address in the taskforce meetings.

Logan Sparrow, DSD, answered questions.

~~3— Parking may not be located in the front yard.~~

~~Parking may be located between any structure and the rear lot line of the lot or between any structure and a side lot line, which is not a street side lot line.~~

(a) Housing Facilities for Older Persons.

Roll Call Vote:

In Favor: Sipes, Estrada, Manna, Reid, Maldonado

Opposed: Carrillo Haynes, Teel, Cohen, Wright, Farrimond, Tackett, Liesman, Plagens, Hanley

Abstained: Brown, Dominguez

MOTION FAILED

MOTION

A motion was made by Committee Member Tackett and seconded by Committee Member Brown for Denial.

Roll Call Vote:

In Favor: Carrillo Haynes, Teel, Cohen, Wright, Farrimond, Tackett, Liesman, Plagens, Hanley, Brown,

Opposed: Sipes, Estrada, Manna, Reid, Dominguez, Maldonado

MOTION CARRIED AS DENIAL

MOTION

A motion was made by Committee Member Manna and seconded by Committee Member Wright to continue the following amendments to April 25, 2022:

- Amendment 16-2
- Amendment 16-3
- Amendment 16-8
- Amendment 16-11
- Amendment 16-6

A verbal vote was taken, and all voted in affirmative.

MOTION CARRIED

28 Directors Report: Update on UDC Amendment Process

There being no further business, the meeting was adjourned at 4:51 pm

ADJOURNMENT

APPROVED

George Peck, Chairman

ATTEST:

Logan Sparrow, Executive Secretary

