



**MINUTES OF THE MEETING OF THE  
LEON VALLEY ZONING COMMISSION**

**February 9, 2016**

The meeting of the Leon Valley Zoning Commission convened at 6:35 p.m. on Tuesday, February 9, 2016, in the Conference Room at City Hall 6400 El Verde Road, Leon Valley, Texas.

**I. Poll for Attendance, Determination of a Quorum, Call Meeting to Order**

Present were Chairman Olen Yarnell, and 1st Vice Chair Phyllis McMillan. Commissioner Pedro Esquivel, Larry Proffitt, Alex Jenicek, Greg Price, and Alternates Henry Diecker, Richard Blackmore and Jacque Conrad were in attendance. 2nd Vice Chair Hal Burnside was absent and excused. Also present was, the applicant Mr. Manuel Rubio Sr. and Mr. Manuel Rubio Jr., and Elizabeth Carol, Director of Community Development Department, acting as recording secretary.

**II. Public Hearing Zoning Case #2016-029 - A request by Manuel Rubio G. Sr., applicant to rezone approximately 2.52 acres from B-3 Commercial District, Sustainability Zoning Overlay to B-3 Commercial District, being Lots 67 and 75, CB 5784, Leon Valley Additions Subdivision. Continued from January 26, 2016.**

Staff provided an updated presentation on the applicant's request, outlining the changes that were addressed by the applicant, and explaining how Community Development has revised their recommendation. The Commissioners had a number of questions related to the applicant's proposal related to how the drainage would flow, the style of fencing being proposed, the scope of the landscaping and the color of the building.

Commissioner Price noted that the changes were great, but that there were critical elements of the Sustainability Overlay that he felt were overlooked, such as embodying the LEED design and a lower carbon footprint. Commissioner Proffitt, inquired if the intent was the same for both lots, perhaps the Zoning Commission could reconsider their recommendation on behalf of lot 67, partially if the developer would commit to the same style of project. Commissioner Diecker noted that the Commercial/Industrial Overlay was a great move, and would improve walkability; however these projects needed to be judged on a case by case basis.

1st Vice Chair Phyllis McMillan, noted that the Zoning Commission would need to vote to reconsider their findings from their January 26, 2016 meeting, then they could vote to discuss the item and then they can consider a motion related to lot 67. Commissioner Pedro Esquivel made a motion to reconsider the vote from the January 26, 2016 meeting, which was seconded by Commissioner Jenicek. The vote was 5-2, voting in favor, with Chairman Olen Yarnell,

Commissioner Pedro Esquivel, Alex Jenicek, Greg Price, and Henry Diecker in support; and voting no was 1st Vice Chair Phyllis McMillan and Commissioner Larry Proffitt.

Commissioner Greg Price then made a motion to re-discuss the applicants request associated with lot 67, which was seconded by Commissioner Pedro Esquivel. The vote was 5-1, with 1st Vice Chair Phyllis McMillan abstaining from the vote.

The Zoning Commission then discussed the alternative motion on behalf of Lot 75 to change the Sustainability Overlay to Commercial/Industrial Overlay. Commissioner Price made a motion to support the Alternative Request, based on the revisions that were provided by the applicant, the motion was seconded by 1st Vice Chair Phyllis McMillan and the vote was unanimous.

Commissioner Alex Jenicek, noted that the applicant is a long standing businessman in the community and if lot 67 were to be developed in a fashion that is consistent with lot 75, then he would be comfortable supporting the applicant's request. Commissioner Greg Price, questioned what would happen if the property were to be transferred to a different owner, and would the new owner honor the same request. Commissioner Larry Proffitt, then noted that the Sustainability Overlay was put in place for a reason and that each request should be considered after the applicant has demonstrated compliance, however the Zoning Commission could be committed to expediting future request. 1st Vice Chair Phyllis McMillan, then noted that she is not comfortable voting on a project that lacks substantive information, and recommended that the Zoning Commission preserve the current zoning, until a substantive application is provided to the city. Commissioner Greg Price then made a motion to deny the applicants request on behalf of Lot 67, which was seconded by Commissioner Larry Proffitt, and the vote was unanimous.

A motion was made by Commissioner Pedro Esquivel, and was seconded by Commission Greg Price to take a five minute break at 8:00.

The meeting reconvened at 8:12

### **III. Discussion on FY 16-17 Budget Drainage Improvement Projects.**

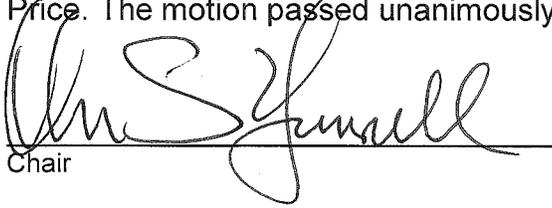
Chairman Olen Yarnell provided the Zoning Commission with a brief update on these projects, that the City Council is considering drainage improvements in the Monte Robles Neighborhood. He noted that the drainage projects provided to the City Council were not ranked in order of priority but rather the order they are identified in the Leon Valley Master Plan. The Zoning Commission reaffirmed their desire to continue monitoring of these public improvements.

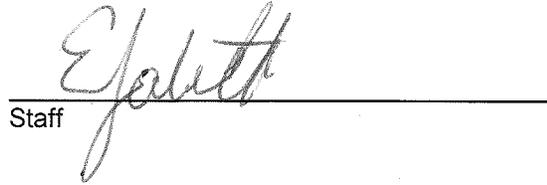
### **IV. Update and Discussion of the Master Plan Amendments**

City Staff presented an updated of the Master Plan Amendment process and noted that the process is proceeding slowly. Staff then presented updates related to the Historic Component, demographics and began the Economic Development segments. There were some minor clarification; however given the late hour, the remaining portions of these items were postponed until the February 23rd Zoning Commission meeting.

**V. Adjourn**

Commissioner Pedro Esquivel made a motion to adjourn, seconded by Commissioner Greg Price. The motion passed unanimously and the meeting was adjourned at 9:18 p.m.

  
Chair

  
Staff