



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

May 24, 2016

The meeting of the Leon Valley Zoning Commission convened at 6:30 p.m. on Tuesday, May 24, 2016, in the Council Chambers 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, 1st Vice Chair Phyllis McMillan, 2nd Vice Chair Hal Burnside, Commissioner Larry Proffitt, Alex Jenicek and Alternates Henry Diecker, Richard Blackmore and Jacque Conrad. Absent was Commissioner Pedro Esquivel. Also in attendance were Councilwomen Monica Alcocer, Place Three, Kelly Kuenstler, City Manager, Adam Valenzuela, the applicant and Elizabeth Carol, Director of Community Development Department, acting as recording secretary.

II. Approval of the April 26, 2016 Zoning Commission Minutes

After a brief discussion, 1st Vice Chair Phyllis McMillan made a motion to approve the minutes, and the motion was seconded by Commissioner Greg Price, and passed unanimously.

III. Update on the Leon Valley Zoning Maps.

Ms. Carol provided the Zoning Commission with an update, to the status of the Leon Valley Zoning Maps. At a previous Zoning Commission meeting, the City Manager had advised the Zoning Commission that the Zoning maps needed to be updated, since their last update in 2012 and that she was exploring options to hire a consultant. Since that meeting the Leon Valley Zoning map has been updated and posted onto the City's web page. This was combined effort undertaken by Ms. Kristie Flores and Ms. Carol. Chairman Yarnell noted that each Commissioner needed a full size copy of the Zoning Map and that an updated Zoning map should be displayed in the Council Chambers.

IV. Conduct a public hearing, discussion and consider Zoning Case #2016-553, to rezoning approximately 2.650 acres of land from B-2 (Retail) Commercial Industrial Overlay District to B-3 (Commercial) Commercial

Industrial Overlay District, being lot 3, Block 1, CB 4429B, Cherry Hill Unit 2 Subdivision as recorded in Volume 7000 Page 165, located at 5732 Wurzbach Road (Sunset Plaza) Submitted by Adam Valenzuela.

Staff presented the Zoning Case #2016-553, a request by Mr. Adam Valenzuela, applicant and property owner to rezone approximately 2.650 acres of land, being lot 3, Block 1 CB 4429, of the Cherry Hill, Unit 2 Subdivision, from B-2 (Retail) Sustainability Overlay District to B-3 (Commercial) Commercial Industrial Overlay District, located at 5732 Wurzbach Road. Staff noted the surrounding zoning and the history of the property, which indicated that it had slowly been rezoned from residential to retail. Staff also noted that the 2009 Master Plan, Section 2aCC "Bandera Road/Loop 410 Corridor," addressed the area in general noting that zoning in the area consisted mostly of B-2 (Retail) and B-3 (Commercial). Staff indicated that B-3 (Commercial) zoning is consistent with the adjacent B-2 (Retail) and B-3 (Commercial) zoning which already made up a large area. Engineering and Plan Review have recommended approval, while Public Works and Community Development have recommended denial. The area is platted and developed along Bandera Road and Wurzbach Road. Staff noted that four (4) letters had been mailed to the adjacent property owners within 200-feet and that one (1) letter was received in opposition to the request, and concluded their presentation and remained available for questions.

Commissioner Proffitt questioned the types of uses that would be allowed in a B-3 (Commercial) District that would not be allowed in a B-2 (Retail) District. Staff posted a list of uses that identified some of the different uses between the two districts, and highlighted some of the B-2 uses to include: floral shops, bakery, bank; and pet store. Staff went on to note some of the Land Uses allowed in B-3 to include furniture repair, bait shop, flea market and wholesale. Commissioner Proffitt noted that the B-3 (Commercial) district uses were more intensive and included uses such as vehicle maintenance, flea market, toxic chemicals and wholesale uses. Chairman Yarnell and 2nd Vice Chairman Burnside noted that many of those uses currently exist at the Ancira property, which has been there for a number of years. Commission Alex Jenicek noted that Enterprise Rental also operates on the Ancira property.

Commissioner Jacque Conrad inquired if there would be overnight parking, and Chairman Yarnell noted that overnight parking would require a Specific Use Permit (SUP). Staff noted that the storage of Commercial vehicles was not allowed in B-2 (Retail), however it is allowed in B-3 (Commercial) provided there is adequate screening. Commissioner Diecker expressed concerns about multiple busses parking at the location, and could that be addressed with an SUP. 1st Vice Chair Phyllis McMillan expressed concerns about approving a zoning category with the additional restrictions associated with an SUP for each use. 2nd Vice Chair Hal Burnside questioned the fairness of requiring all future applicants to apply for an SUP on behalf of each project. Audience member and Place Three, Councilwomen Ms. Monica Alcocer, questioned the economic benefit that the proposed use would provide to the community.

The Chairman opened the public hearing at 7:29, and the applicant Mr. Adam Valenzuela spoke in favor of the request. He indicated that in addition to the Zoning Request, he has submitted an application to be considered by the Board of Adjustment. He noted that the passengers would be dropped off at 9:00; they would wait inside until 10:00 and leave on a bus to Houston. The bus would arrive in Houston pick-up passengers and return at 7:00PM. There would be no over-night parking. The Chair closed the public hearing at 7:40.

1st Vice Chair Phyllis McMillan inquired about the buffer of the B-2 (Retail) between Ancira property and the adjacent apartment complex. Staff noted that area might be in the floodplain, as reflected in the meeting minutes from March 2013 meeting. Chairman Yarnell noted that the property was zoned B-3 (Commercial) adjacent to the apartment complex and that this would not be any different. The Chair went on to note that the adjacent apartment complex (Christian Village) did not voice any opposition to the applicant's proposal and that is sufficient reason to support the business community in Leon Valley. 2nd Vice Chair Hal Burnside inquired if the building itself would serve as a buffer to the apartment complex. Staff noted that the Commission is considering the range of B-3 (Commercial) uses on behalf of the entire property, not just the "bus station" and that another business may utilize the rear portion of the property.

Commissioner Greg Price noted that assuming the owner is granted the B-3 (Commercial) district, who is helped and who is harmed. Would this have a negative impact on the existing tenants? Is the only goal to increase the tax base? Commissioner Alex Jenicek noted that he would not want a Flea Market to be at that location, however an SUP could provide that assurance. 1st Vice Chair Phyllis McMillan noted that restriction should not be placed on the entire property. Councilwomen Monica Alcocer, Place Three, recommended that the Zoning Commission consider postponing the item to allow further review.

Commissioner Proffitt made a motion to deny the applicant request, which was seconded by 1st Vice Chair Phyllis McMillan, and the motion passed 5-2.

<u>In Favor of the Motion</u>	<u>Against the Motion</u>	<u>Alternates/not Voting</u>
Phyllis McMillan, 1st Vice Chair	Olen Yarnell, Chair	Richard Blackmore
Hal Burnside, 2nd Vice Chair	Alex Jenicek	Jacque Conrad
Larry Proffitt		
Greg Price		
Henry Diecker		

The Zoning Commission took a short recess at 8:24.

The Zoning Commission meeting reconvened at 8:30.

V. Briefing and discussion on the findings of the May 7th City Council drainage Workshop.

City staff summarized the presentation that was provided by Public Work’s Director Melinda Mortiz, and the Consultant Mr. Nefi Garza at the City Council workshop. Staff noted that the entire presentation was included in the agenda package, but referred to the “Total Financial Impact” to summarize the findings as shown on slide #33.

Location	Total Fiscal Impact	LV Portion
Huebner at Timberhill	\$282,000.00	\$107,000.00
Evers Bridge	\$1,670,000.00	\$813,000.00
Huebner Creek Channel Improvement	Unknown	TBD
Wurzbach Bridge	\$25,000.00	\$25,000.00
Montes Robles	\$1,500,000.00	\$1,500,000.00
Forest Oaks*	\$300,000.00	\$300,000.00
Seneca West	\$1,350,000.00	\$1,350,000.00

*Street Tax

This slide was helpful because it illustrated the funding challenges and possible solutions, such as how the street tax can be used to remill the streets in Forest Oaks, as a tool to remove some of the past overlay. This would allow the existing curbs to properly manage the storm water runoff. Other challenges were noted as surprisingly affordable, such as the needed repairs for the Wurzbach Bridge, however most of the needed repairs are quite extensive, and projected to cost over five million, and will take a number of years to implement. Staff concluded by noting that the Consultant was developing a report to present to Council with their findings, and that the report would also be forwarded to the Zoning Commission.

VI. Update and Discussion of the Master Plan Amendments

City Staff walked the Zoning Commission through the updates to the Master Plan. Starting on the “Acknowledgement” page, staff provided updates to reflect the results of the 2016 elections.

Staff provided a full size picture of the historical marker at the Huebner-Onion Homestead and Stagecoach Stop. Ms. Carol noted that this was an excellent example of the value of a “digital” Master Plan. A reader could click on the image, which would enlarge and allow the audience to read the contents of the Historical Marker. Staff noted that each of the Commissioners and Council members would be provided with a hard copy of the Master Plan, however the document was being prepared in a digital format, which would reduce cost, and improve long-term flexibility.

There were also minor changes made to the section devoted to “Current Issues” to better reflect Leon Valley as a Community of Choice, and to eliminate the “solemn” threat of our limited water supply.

The Zoning Commission noted on page 25 that the Huebner Creek Watershed Mandatory Detention area is “upstream”, instead of “north” of Leon Valley. On page 26, the Commission noted that the Municipal Water Well Project was initiated in 2016. Staff also presented updated demographic information, which reflects a slight shift in the Ethnic Makeup of the community, primarily tied to revised Census policy. The Commission also opted to add unemployment data into the Master Plan, provided that the source was properly noted.

Based on the changing dynamics of Census data, the Zoning Commission opted to streamline the section devoted to Leon Valley Schools, to include eliminating the demographic data on behalf of each school. The Commission noted, that this would be an opportunity to digitally “link” this section directly to the school district’s web page.

The Commission noted that Leon Valley is only ten miles from downtown San Antonio, along Bandera Road. Staff noted that the Zoning Descriptions provided in the Master Plan are consistent with the existing language in the Zoning Code. Staff inquired how the Commission wanted to proceed, and the Commission opted to maintain the consistent language.

VII. Announcements by Commission Members and staff.

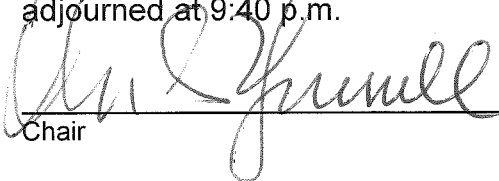
Ms. Carol advised the Zoning Commission of the upcoming Parliamentary Procedures and Open Meeting training session that will be at 9:00 to 12:00 on August 27th in the Leon Valley Conference Center, and attendance is mandatory. Ms. Carol also noted that several of the Commissioners were up for reappointment (2nd Vice Chair Hal Burnside, Commissioner Richard Blackmore, Greg Price, and Larry Proffit) and that she had included copies of the Volunteer Applications in their agenda packet.

Ms. Carol also noted that she would be on vacation in the middle of June and inquired if the Commission wanted to explore alternative meeting dates, or proceed towards the July meeting. The Commission opted to cancel the June meeting, unless a project needed to be considered by the Commission.

Chairman Yarnell noted that he wanted to address a rumor, and advised the Zoning Commission that he is attempting to address one of the goals, identified in the 2009 Leon Valley Master Plan to explore the creation of citizen committee to assist the Council by having additional point of contact for neighborhoods. The Chair also noted that this item may have already been addressed by the creation of a Citizen Police Advisory Commission, and perhaps the board could be expanded to address both issues.

VIII. Adjourn

Commissioner Greg Price made a motion to adjourn, seconded by 2nd Vice Chair Hal Burnside. The motion passed unanimously and the Zoning Commission meeting was adjourned at 9:40 p.m.


Chair


Staff