



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

**July 26, 2016**

The meeting of the Leon Valley Zoning Commission convened at 5:30 p.m. on Tuesday, July 26, 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, 2<sup>nd</sup> Vice Chair Hal Burnside, Commissioner, Pedro Esquivel, Larry Proffitt and Alternates Henry Diecker, and Jacque Conrad. Absent were Commissioner Greg Price, Alex Jenicek and Alternate Richard Blackmore. Also in attendance were Councilwomen Monica Alcocer, Place Three, Crystal Caldera, Assistant City Manager. Doug Fifield and Dale Elam representing the owner and Elizabeth Carol, Director of Community Development Department, acting as recording secretary.

**II. Nomination and Election of Zoning Commission Officers**

The Director of Community Development noted that the floor was opened for nomination of the Zoning Commission Chair, and Commissioner Larry Proffitt made a motion to nominate Olen Yarnell, and the motion was seconded by Commissioner Henry Diecker. Chairman Yarnell abstained from voting, and the motion passed.

Chairman Olen Yarnell opened the floor for nomination of 1st Vice-Chair and Commissioner Larry Proffitt made a motion to nominate Commissioner Phyllis McMillan, as 1st Vice-Chair, and the motion was seconded by Commissioner Pedro Esquivel. The motion passed unanimously.

Chairman Olen Yarnell opened the floor for nomination of 2nd Vice-Chair and Commissioner Jacque Conrad made a motion to nominate Commissioner Hal Burnside, as 2nd Vice-Chair, and the motion was seconded by Commissioner Pedro Esquivel. The motion passed unanimously.

**III. Approval of the June 24, 2016 Zoning Commission Minutes**

After a brief discussion, 2<sup>nd</sup> Vice Chair Hal Burnside made a motion to approve the minutes, and the motion was seconded by 1st Vice Chair Phyllis McMillan, and passed unanimously.

**IV. Zoning Case #2016-399 - A request by Jenfield, LLC, owner Kenneth Fifield, applicant, to rezone approximately 1.0 acres from B-3 (Commercial District), Sustainability Zoning Overlay to B-3 (Commercial District) Commercial Industrial District, being Lot 31, CB 5955, Leon Valley Ranches Subdivision.**

Staff presented the Zoning Case #2016-339, a request by Mr. Kenneth Fifield, applicant and property owner to rezone approximately 1.0 acres of land, being lot 31, CB 5955, of the Leon Valley Ranches Subdivision, from B-3 (Commercial) Sustainability Overlay District to B-3 (Commercial) Commercial Industrial Overlay District, located at 6612 Bandera Road. Staff noted the surrounding zoning and the history of the property, which showed that the property had been rezoned from B-2 (Retail) to B-3 (Commercial), in 1973 on behalf of the Applewhite project. Staff also noted that the 2009 Master Plan, Section 1bCC "Bandera Road South Corridor," which discourages more intensive development along Bandera Road. The plan goes on to note a preference for Retail development in the area, and that existing B-3 (Commercial) uses can be maintained, provided they do not expand their footprint. In addition, staff expressed concerns associated with the proximity of the development in relationship to the Historic Huebner Onion House and the 36-acre wilderness area. Engineering, Plan Review Public Works and Community Development have recommended denial. Staff noted that nine (9) letters had been mailed to the adjacent property owners within 200-feet and that one (1) letter was received in opposition from the Leon Valley Historical Society, and concluded their presentation and remained available for questions.

Chairman Yarnell opened the Public Hearing at 5:42 and Donna Charles, Secretary with the Beautification Committee expressed opposition to the project. The goal of the Beautification Committee is to beautify the entire community. Ms. Charles then noted her concerns about the scope of the project and requested additional information related to how the property would change.

Doug Fifield, the applicant's representative passed out Elevation Plans to the Zoning Commission that showed conceptually how the business would look and noted that he wanted to improve the appearance of their existing structure. Then Mr. Dale Elam, the general contractor, offered additional information noting that they were trying to improve the business by removing 1,500 square feet of non-useable space and replace it with 3,000 square feet of usable space, which will involve installing new equipment and two new painting bays, and as part of this effort, they would improve appearance of their street frontage, in accordance to the Sustainability Overlay District.

Commissioner Diecker inquired about the installation of sidewalks along Bandera Road, due to accessibility concerns, and Mr. Elam noted that sidewalks were inexpensive in the context of the entire project and that they would be agreeable to installing sidewalks.

1st Vice Chair Phyllis McMillan inquired about their nonconforming standard, and their options to expand their business. Ms. Carol explained that their under the non-conforming standards, their business could continue operation however; they could not expand their building footprint. Commissioner Esquivel then inquired if the business was in compliance with OSHA requirements and environmental regulations, and then went on to note his support of the sidewalk. Commissioner Esquivel then inquired why the business has not addressed ADA standards.

The applicant's representative Mr. Fifield, responded that ADA improvements have not been required to this point, however they would be willing to explore the improvements. Mr. Elam, went on to note that in addition to the sidewalks, the applicant would need to redo the driveway approach, which is the entry to the property off of Bandera Road. Mr. Fifield noted that the area of their building that needed to be expanded was in the middle of their building, which reduced their overall efficiency.

Commission Hal Burnside then inquired about the possibility of requiring an SUP, in conjunction with changing the Zoning. Ms. Carol noted that would be at the discretion of council, and that would be a separate approval process. The applicant noted that they would be willing to comply with the Sustainability portion of the Overlay; however the only discussion was the use of the property. Commissioner Larry Proffitt then inquired if the ownership of the business had recently changed, and Mr. Fifield noted that they acquired the property a year ago, and that they were trying to make improvements. Commissioner Larry Proffitt, inquired if there was a way to provide a one-time exception, to allow the use and Ms. Carol noted that Zoning related questions regarding exceptions or variances associated with a hard-ship are typically heard by the BOA.

Councilwomen Monica Alcocer, Place Three, inquired about the business whether it is automobile repair or a body shop, because there is frequently a large truck at that location. She went on to remind the Zoning Commission, that the applicant was attempting to change the use of the property and that four City Departments have recommended denial, and that there were other concerns related to the size of their operation in relationship to the size of their property, and their limited street frontage on Bandera Road, which essentially means that the area would be more suitable for retail development.

Ms. Blankenship then got up to speak and she noted that she owns G&R Automotive, which is off Grissom Road, and she has concerns about the ability to expand their business, as they are also located within the Sustainability Overlay District.

Commissioner Jacque Conrad, inquired if the property owner was planning on making any changes in how they operate their business, more specifically, how they would accommodate the additional vehicles based on the proposed expansion of their business. Mr. Elam noted that the customer's cars would be located in front of the building, and he went on to note that this was an auto body and paint shop, and that the site does not have any toxic or hazardous waste, and that the improvements would benefit the environment.

Chairman Yarnell closed the public hearing at 6:45.

Commissioner Pedro Esquivel made a motion to table the item to allow the applicant to submit a site plan, which was seconded by Chairman Olen Yarnell, and the motion failed 5-1.

**In Favor of the Motion**

Pedro Esquivel

**Against the Motion**

Olen Yarnell, Chair  
Phyllis McMillian, 1st Vice Chair  
Hal Burnside, 2nd Vice Chair  
Henry Diecker  
Jacque Conrad

**Abstaining/not Voting**

Larry Proffitt

Commissioner Henry Diecker made a motion to deny the applicant request, which was seconded by Commissioner Larry Proffitt, and the motion passed 7-0.

- V. Update and Discussion on the current status/progress of the 2012 Master Plan Update, Citizens Drainage Issue that were forwarded to the City Council/City Manager for inclusion 2016/17 budget discussions.**

Ms. Carol summarized the update provided by Melinda Moritz's, the Public Works Director and noted that items identified as 1-4 (Monte Robles Park, Seneca West, Huebner at Timberhill and Portions of Forest Oak) have been identified as complete. By complete Ms. Moritz's clarified that the cost estimates have been provided and staff is waiting for direction from the council.

Ms. Carol went on to note that the City Council Drainage Workshop identified three new areas (within Forest Oak, Seneca East, and Sundial) that may have drainage issues, and that the Zoning Commission may want to add these items to the Zoning Commission's list of project. We will have more information when the final report is released. In addition, PW has requested that FEMA update the Flood maps to reflect new information associated with Drain 1A, 2 and 3 in Huebner Creek and Drain 4 along Zarzamora Creek. This information is under review, and will be delivered to Council, once the studies have been completed.

Chairman Olen Yarnell noted that he was pleased with the progress made and has requested that the Zoning Commission be provided quarterly progress reports, regarding the status of these improvements.

The Zoning Commission took a short recess at 7:33.

The Zoning Commission meeting reconvened at 8:03.

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

### **i. Update to the Master Plan Timeline**

Ms. Carol provided an update regarding the timeline of the Master Plan. She noted that the Master Plan was substantially complete and that aside from minor editing details the only remaining sections were the portions of the Master Plan are the sections devoted to Commercial/Economic Development, Transportation and the Appendix. The Zoning Commission opted to defer the Appendix to 2017, since they are separate documents. Ms. Carol recommended that a work group be created to provide recommendations for the Commercial/Economic Development Section and 1st Vice Chair Phyllis McMillan, Commissioner Henry Diecker, and Jacque Conrad volunteered. The Zoning Commission recommended that one member from the LVEDC be included in this process. Ms. Carol noted that she would reach out to the volunteers to setup a review process. Meanwhile Ms. Carol would focus on completing the Transportation segment of the plan.

### **ii. Review boundaries to Business Districts and Neighborhood Maps**

The Zoning Commission reviewed the maps that are included in the Master Plan and recommended that the following changes:

#### **1. Change the area names as follows:**

- a. Bandera Road South Corridor to Bandera Road Central Corridor.
- b. Leon Valley South Corridor to Bandera Road South Corridor.
- c. Seneca/Sun Valley to Sun Valley/Seneca.

#### **2. Change the boundaries to reflect the following:**

- a. Expand the Canterfield map to include the area just before Forest Meadow.
- b. Adjust the Sun Valley/Seneca Map to exclude the Castle Estates area and the Forest Meadow area.

- c. The Castle Estates map should not highlight the Forest Meadow area.

While reviewing the maps, Commissioner Henry Diecker inquired if the sidewalks along Evers Road that are located in the City of San Antonio will be extended. Ms. Carol noted that she would have to look into this and report back to the Zoning Commission. In addition, there was some discussion about reconfiguring some of the neighborhoods, and the Commission decided in the interest of time, to defer that discussion until the next update of the Master Plan.

- iii. Review pages: 1-46, 65-82 and 97-144.

The review of the Mater Plan, noted on page two, the addition of Denise Frederick as the new City Attorney, this page will need additional changes to reflect that the Police Chief will be retiring soon. Regarding recognizing the participation of various boards, the Commission opted to provide special thanks to the boards that have assisted in the development of the Master Plan.

On page 8, Ms. Carol noted the addition of web links, which are located throughout the Master Plan, as appropriate, and will provide enhancements to the Master Plan. These links will take our stakeholders right to the information highlighted in the Master Plan. Staff assured the Zoning Commission that they will work to ensure that these links are properly maintained.

The Commission supported staff recommendation for an updated picture of the Code Compliance Vehicle on page 11, the deletion of the table on page 14, and the need for the Zoning Commission to pose for a new picture on page 15.

On page 19, Chairman Yarnell noted that "The Spanish name for lion is Leon...." on page 20 requested an updated picture of the Huebner Onion House, and to add a title to the picture of the Kinman House shown on page 21.

The Commission added the following item to page 24, "The City of Leon Valley is the first city in the State of Texas to install a High Water Mark sign, which reflects FEMA's Best Management Practices, as a tool to support community outreach."

The proposed text changes were accepted on page 22 thorough page 26. Ms. Carol provided supplemental Census data on behalf of pages 31 and 32, which were accepted.

The Commission accepted the proposed changes on page 35 on behalf of the School of Science Technology and Discovery. On page 35, Chairman Olen Yarnell requested the insertion of "via" instead of "along" Bandera and that the new Neighborhood Renewal Program be added to page 38.

The Commission also supported the proposed changes to pages 65, 66 and 68. The Commission requested that language be added to page 67 to reflect that Leon Valley is one of a few small suburban cities in the area that has a library. Ms. Caldera recommended that Ms. Carol coordinate with the City Librarian, Ms. Sandy Underwood for the details.

On page 75, the Commission noted that the population for the region needs to be updated to reflect current data and that the other changes on the page were accepted, as were the changes highlighted on page 76, 77, 79, 80 and 81.

Related to the Neighborhood section of the Master Plan, Commissioner Larry Proffitt expressed concerns about the City, and should we be encouraging or enforcing the Code requirements, as approved by City Council. The Commission noted that that the Master Plan should reflect the need for enforcement. The other changes in the Neighborhood Section were accepted except the following changes were still needed:

1. On page 119, in the Canterfield area, delete the portion about commercial development along Huebner Road
2. Rework the language about traffic calming features in the Forest Oak Area; and delete the request for a stop sign at Forest Meadow and Forest Ridge.
3. On page 123 delete the language about the Community Pool Association and add text reflecting the new Neighborhood Renewal Program.
4. Delete "Hodges" and replace it with Evers Road.
5. Provide additional details about the agreement between the City of Leon Valley and the City of San Antonio regarding the proposed park and parking area that will be at the end of Shadow Mist Road.

**VII.** Discussion related to the on-line digital agenda process

Staff provided an update regarding the City Managers request that all City Boards and Commission should transition to a paperless agenda and how this would save staff time, and reduce city cost. Chairman Yarnell expressed concerns how this would result in the cost of paper and printing would be transferred from the City and would become the responsibility of the Commissioners, which would be unreasonable. Ms. Carol noted that she would advise the City Manager of their concerns, and explore other options.

**VIII.** New Zoning Commissioner Orientation

This item was postponed until the August 23<sup>rd</sup> Zoning Commission meeting.

**IX.** Discussion related to changing the Zoning Commission meeting time to 7:00 PM

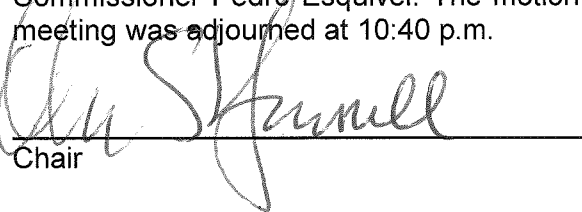
The Zoning Commission decided to move the start time of the Zoning Commission meetings from 6:30 to 7:00 to accommodate the fall schedule, which will begin in September.

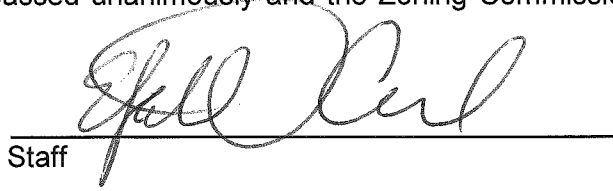
**X.** Announcements by Commission Members and staff.

There were no items for discussion.

**XI.** Adjourn

Commissioner 2<sup>nd</sup> Vice Chair Hal Burnside made a motion to adjourn, seconded by Commissioner Pedro Esquivel. The motion passed unanimously and the Zoning Commission meeting was adjourned at 10:40 p.m.

  
Chair

  
Staff