

**AN ORDINANCE 2013-08-20-001**

**REZONING CERTAIN PROPERTY FROM THE SUSTAINABILITY OVERLAY ZONING DISTRICT TO THE COMMERCIAL/INDUSTRIAL OVERLAY ZONING DISTRICT UPON APPLICATION BY MANUEL RUBIO, APPLICANT.**

**WHEREAS**, Chapter 211 of the Vernon's Local Government Code empowers a city to enact zoning regulations and provide for their administration, enforcement and amendment; and

**WHEREAS**, the City has previously deemed it necessary and desirable to adopt zoning regulations to provide for the orderly development of property within the City in order to promote the public health, safety, morals and general welfare of the residents of the City, and

**WHEREAS**, the Leon Valley Code of Ordinances Chapter 14 constitutes the City's Zoning Regulations and requires property to be zoned in accordance with proper designations as defined by the City; and

**WHEREAS**, the Planning and Zoning Commission of the City of Leon Valley provided adequate notice and held a public hearing in accordance with Chapter 14 of the Leon Valley Code of Ordinances; and

**WHEREAS**, the Planning and Zoning Commission of the City of Leon Valley has recommended approval of the re-zoning of the designated properties and has confirmed that the re-zoning is uniform and conforms to the plan and design of the City of Leon Valley's Zoning regulations and the City of Leon Valley Comprehensive Plan; and

**WHEREAS**, the City Council of the City of Leon Valley has also held a public hearing regarding the re-zoning on affected properties and has issued adequate notice to all the affected parties; and

**WHEREAS**, the City Council of the City of Leon Valley believes the re-zoning of affected properties will not adversely affect the character of the area of the neighborhood in which it is proposed to rezone; will not substantially depreciate the value of adjacent or nearby properties; will be in keeping with the spirit and intent of the City's Zoning Ordinance; will comply with applicable standards of the district in which located; and will not adversely affect traffic, public health, public utilities, public safety and the general welfare of the residents of the City of Leon Valley;

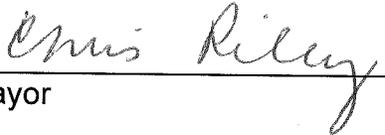
**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS, THAT:**

1. Property being described as Lots 63, 64, and 65, Block 3, CB 5784A, Greenway Park-Leon Valley Addition Subdivision, being approximately 4.26 acres of land, generally located at 6217 Grissom Road, and 6645 and 6655 Poss Road, and

more particularly described in case file ZC 2013-391, is hereby rezoned from the from the Sustainability Overlay (SO) Zoning District to the Commercial/Industrial Overlay (CIO) Zoning District.

2. The City staff is hereby authorized to issue said zoning when all conditions imposed by the City Council have been addressed and complied with in full.

**PASSED** and **APPROVED** this the 20th day of August, 2013.

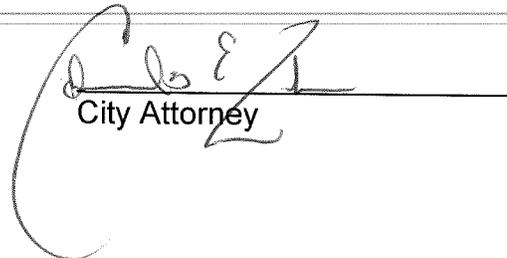
  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Interim City Secretary

APPROVED AS TO FORM:



  
\_\_\_\_\_  
City Attorney





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

**July 30, 2013**

The regular meeting of the Leon Valley Zoning Commission convened at 6:30 p.m. on Tuesday, July 30, 2013, in City Council Chambers at 6400 El Verde Road, Leon Valley, Texas.

**I. Roll Call**

Present were Chairman Claude Guerra III, 1<sup>st</sup> Vice-Chair Wendy Phelps, 2<sup>nd</sup> Vice-Chair Olen Yarnell, and Members Hal Burnside, Mike K. Davis Jr., Pedro Esquivel, and Carmen Sanchez and Alternate Members Phyllis McMillan and Carlos Fernandez. Absent and excused was Alternate Member Nicole Monsibais. Also present was Kristie Flores, Director of Community Development, acting as recording secretary.

**II. Approval of Minutes – March 26, 2013**

Staff noted two (2) administrative corrections. 1<sup>st</sup> Vice-Chair Wendy Phelps noted that she was not in attendance but the minutes reflected her attendance. Commissioner Carmen Sanchez noted that she was present and was recorded as absent. Staff noted that the minutes would be amended accordingly.

Commissioner Pedro Esquivel made a motion to approve the minutes as amended. Commissioner Hal Burnside seconded the motion, and the motion passed unanimously by voice vote.

**III. Zoning Case #2013-391 – Manuel Rubio – Rezone 4.26 acres from the Sustainability Overlay (SO) to the Commercial/Industrial Overlay (CIO)**

2<sup>nd</sup> Vice-Chair Olen Yarnell recused himself from consideration of the case noting a business conflict. Chairman Guerra III excused Mr. Yarnell and noted for the record that Commissioner Phyllis McMillan would be a voting Member for the zoning case consideration.

Chairman Claude Guerra III opened the consideration of Zoning Case #2013-391 at 6:35 p.m. Staff noted that Zoning Case #2013-391 was request by Manuel Rubio, applicant and property owner, to rezone approximately 4.26 acres of land from the Sustainability Overlay (SO) to the Commercial/Industrial Overlay (CIO). Staff also noted that the underlying zoning would remain B-3 (Commercial). Staff further described the project as being Lots 63, 64 and 65, Block 3, CB 5784A, of the Greenway Park – Leon Valley Addition Subdivision, at 6217 Grissom, 6645 and 6655 Poss Road. Staff presented the history of the area which indicated that it was gradually rezoned from R-1 (Single-Family) and B-2 (Retail) to B-3 (Commercial) beginning in 1969. Staff further explained that properties across the street along Grissom Road began to be rezoned from R-1 (Single-Family) and B-2 (Retail) to B-3 (Commercial) in 1967 and that rezoning continued in the area in 1975, 1983, and 1984. Staff stated that the zoning trend in the Grissom Road Corridor became commercial and commercial developments resulted. Staff also stated that the underlying zoning in the area is commercial and that the only change that occurred was the creation and implementation of the Sustainability Overlay for the Grissom Corridor in 2010. Staff noted that the 2009 Master Plan, 4CC Grissom Road Corridor, described the area as a B-3 (Commercial) area with some R-3 (Multiple-

Family), R-4 (Townhouse) and R-6 (Garden Home) zoning and that the area was encouraged to be B-3 (Commercial). Staff noted that letters had been mailed to nine (9) property owners within 200-feet of the requested zoning. Staff noted that seven (7) letters had been returned in favor of the request; three (3) that were within 200-feet and four (4) letters that were outside the 200-foot notification radius. Staff also noted that there were no letters received in opposition to the request and no letters that were returned undeliverable. Staff presented photographs of the site, concluded the presentation and remained available for questions.

Commissioner Mike K. Davis Jr., noted that he was concerned that previous cases where the overlay was changed from Sustainability to Commercial was setting a precedent. Staff noted that the cases were noted for historical data but each request was considered on a case-by-case basis.

**Manuel Rubio, applicant**, addressed the Commission and noted that he has had his business in Leon Valley for 28 years. He further noted that he wanted to purchase the building at 6655 Poss Road to expand his business. He explained that he already owned a portion of the property behind 6645 Poss Road where Pronto Rooter is located.

Commissioner Mike K. Davis Jr., asked Mr. Rubio what would be done with the building at 6645 Poss Road that Mr. Rubio wanted to utilize. Mr. Rubio noted the business would be the same; repair of vehicles.

Staff noted that Mr. Rubio was requesting the Overlay change because "automobile repair" is not allowed in the Sustainability Overlay. Staff also noted that it was requested that the applicant submit more than one (1) property for Overlay change consideration because the planning nature of overlays was to cover an area of land/properties not just one (1) property.

Commissioner Phyllis McMillan asked how the existing Miracle Body and Paint at 6217 Grissom Road was allowed at that location due to the Sustainability Overlay. Staff noted that Miracle Body and Paint was in existence prior to the implementation of the Sustainability Overlay and is an existing non-conforming business.

Chairman Guerra III opened the public hearing at 6:50p.m., being no one to speak Chairman Guerra III closed the public hearing at 6:51p.m.

Commissioner Carmen Sanchez noted that extending the proposed business did not appear to be a big change for the area.

Commissioner Hal Burnside noted that there have been similar requests for other areas.

Chairman Guerra III noted that as he was reviewing the case he could see legitimacy for overlay change consideration in the request.

Commissioner Mike K Davis Jr. noted that changing the Sustainability Overlay would have an impact in this area especially with the proposed Town Center area across the street.

Chairman Guerra III noted that when the Sustainability Overlay was first created the focus was primarily for Bandera Road and improving the design standards of businesses along Bandera Road.

Commissioner Mike K. Davis, Jr. noted that perhaps instead of changing the area "piece by piece" that perhaps staff should look at putting other overlay alternatives in order to re-evaluate this section of the Sustainability Overlay for possible change to the Commercial/Industrial Overlay.

Commissioner Pedro Esquivel noted that the vision still existed there for the area, but noted that reviewing requests on a case-by-case basis was best. He further explained that individual evaluations allowed the Commission the opportunity to review each request based on its own merits.

Commissioner Phyllis McMillan noted that she was not part of the Overlay creation process but noted that the consultant (Halff Associates) more than likely did not look at the overlay in terms of street by street, therefore there have been some needed changes along the way and that is why the Commission has received requests.

Staff noted that the Overlay creation process was as comprehensive as possible however, there was a lot of focus to the Sustainability Overlay encompassing mostly Bandera Road and the other areas were secondary.

Being no further discussion, **Commissioner Pedro Esquivel made a motion recommending approval of the overlay change noting that it was consistent and protected rights of property owners. 1<sup>st</sup> Vice-Chair Wendy Phelps seconded the motion and the motion passed by a vote of six (6) in favor of the overlay change with one (1) member abstaining from the vote.**

FOR THE MOTION

Commissioner Pedro Esquivel  
1<sup>st</sup> Vice-Chair Wendy Phelps  
Commissioner Phyllis McMillan  
Commissioner Hal Burnside  
Commissioner Carmen Sanchez  
Chairman Claude Guerra III

ABSTAINED FROM THE VOTE

Commissioner Mike K. Davis Jr.

**IV. Master Plan Discussion – Commercial Areas**

Staff began the discussion of the first commercial corridor with 3CC Wurzbach Road Corridor. The following suggestions were noted: revision to the Land Use section to include language regarding the Commercial/Industrial Overlay and revision to the Interface section noting traffic is still a challenge on Wurzbach even after the construction of the elevated highway. Commissioner Pedro Esquivel noted that at one point a concrete barrier was being considered for the median of Wurzbach Road on the side between Bandera and Evers. 2<sup>nd</sup> Vice-Chair Olen Yarnell noted that it would be nice if there was signage or something similar to keep traffic from blocking driveways to businesses along the Corridor. Chairman Claude Guerra III noted that the Environmental and Action Plan areas should reflect any updates in water/sewer lines and the specific language that detention will be required for new developments to handle Stormwater runoff.

The second Corridor discussed was 4CC Grissom Road Corridor. The following suggestions were noted: revision of the Land Use to reflect both the Sustainability Overlay and the Commercial/Industrial Overlays and notation that the traffic is a challenge on Grissom Road during peak hours. Commissioner Pedro Esquivel noted that more traffic is traveling on Grissom Road which is coming from Bandera and Loop 410 and is adding to the congestion in the Corridor. Chairman Claude Guerra III noted that for Capital Improvements R-3 (Multiple-Family) should be deleted and the language regarding detention should remain general in application to all zoning in the area.

The final Corridor for discussion was 5CC Huebner Road Corridor. The following revisions were suggested: revision of the Land Use to reflect the Sustainability Overlay, language to reflect that the

DRAFT DRAFT

zoning across from Pavona Place is B-1 (Small Business) and B-2 (Retail), and notation of traffic improvements occurring in the area. 2<sup>nd</sup> Vice-Chair Olen Yarnell noted that directional signs on the DPS Center property would be helpful to traffic so that they know where they are going (i.e. Bandera Road this way or Babcock Road this way). Commissioner Pedro Esquivel agreed.

Commissioner Phyllis McMillan noted that the Land Use section needed to be reworded. Chairman Claude Guerra III noted that the Environmental and Action Plan areas should reflect any updates in water/sewer lines and the specific language that detention will be required for new developments to handle Stormwater runoff. He also questioned whether the uncapped well language was necessary any longer. Staff noted that Public Works would be asked regarding potential wells in the area.

**V. Executive Session in Accordance with the Texas Local Government Codes**

There was neither item, nor action necessary for this session.

**VI. Adjourn**

Commissioner Pedro Esquivel, made a motion to adjourn, seconded by 2<sup>nd</sup> Vice-Chair Olen Yarnell. The motion carried by voice vote and the meeting was adjourned at 7:45 p.m.

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CHAIR

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STAFF

**CASE WORKSHEET**  
**Zoning Case No. ZC 2013-391**

Page 1 of 2

- Applicant: Manuel Rubio
- Request: To rezone 4.26 acres from the Sustainability Overlay (SO) to the Commercial/Industrial Overlay (CIO). The underlying zoning will remain B-3 (Commercial) (**att.1&2**).
- Site: Lots 63, 64 and 65, Block 3, CB 5784A, Greenway Park – Leon Valley Addition Subdivision, at 6217 Grissom, 6645 and 6655 Poss Road, in the City of Leon Valley, Bexar County, Texas (**att. 3**).
- Surrounding Zoning: Surrounding zoning consists of: To the north, developed B-3 (Commercial) and R-1 (Single-Family Dwelling); to the south developed and undeveloped B-3 (Commercial); to the east, developed and undeveloped B-3 (Commercial); and to the west developed B-3 (Commercial) and R-3 (Multiple-Family Dwelling) (**att.4**)
- History: \*The history of this area indicates that it gradually was rezoned from R-1 (Single-Family) and B-2 (Retail) to B-3 (Commercial) beginning in 1969. Properties across the street along Grissom Road began to be rezoned from R-1 (Single-Family) and B-2 (Retail) to B-3 (Commercial) in 1967. The rezoning continued in 1975, 1983, and 1984. The zoning trend in the Grissom Road Corridor became commercial and commercial type developments resulted. The underlying zoning in the area is commercial. The only change that occurred was the creation and implementation of the Sustainability Overlay for the Grissom Corridor in 2010.
- Master Plan: The 2009 Master Plan 4CC, Grissom Road Corridor, describes this area as a B-3 (Commercial) area with some R-3 (Multiple Family), R-4 (Townhouse) and R-6 (Garden Homes). It also encourages land uses in this area be B-3 (Commercial).
- Staff Comments:
- 1) If the properties are moved from the Sustainability Overlay (SO) to the Commercial/Industrial Overlay (CIO) they will still be protected by the overlay requirements for landscaping, streetscaping and building design. The difference between the overlay is primarily the use types allowed within each of these overlays.
  - 2) Upon general observation and discussion with our consultants a zoning trend is emerging in the utilization of the Zoning Overlays between 2010 and the present, which indicates that perhaps properties zoned B-3 (Commercial) may be better suited to the Commercial/Industrial Overlay. You may note that the properties at Reindeer Trail were removed from the Sustainability Overlay (SO) to the Commercial/ Industrial Overlay (CIO), as were the B-3



**CASE WORKSHEET**  
**Zoning Case No. ZC 2013-391**

Page 2 of 2

Staff Comments Cont': (Commercial) Fiesta Dodge properties, and most recently the Ancira Winton properties newly zoned B-3 (Commercial). All of which supported B-3 zoning and commercial development or expansion. Thus precedent has been established to an extent supporting B-3 properties in the Commercial/Industrial Overlay rather than the Sustainability Overlay.

- 3) Another general occurrence to report are inquiries being received regarding development of the Poss and Grissom area for commercial businesses which are again limited to certain uses by the Sustainability Overlay.

**Letters Mailed and Responses Received from Property Owners within 200-feet**

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  9   Mailed     4   In Favor     0   Opposed  
  0   Total responses received as of August 12, 2013  
  0   Returned, unable to deliver  
  3   In Favor OUTSIDE 200-feet

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**ZONING COMMISSION RECOMMENDATION – JULY 30, 2013**  
**APPROVE REQUEST – VOTE 6 IN FAVOR & 1 ABSTENTION**  
**\*NOTING IT WAS COMPATIBLE AND PRESERVED RIGHTS**  
**OF PROPERTY OWNERS**

**Attachments:**

- 1) application
- 2) land use statement
- 3) location map/zoning map
- 4) overlay changes SO to CIO
- 5) SO to CIO Use Comparison
- 6) letters

2013-391  
7/10/2013

# LEON VALLEY

## ZONING APPLICATION FORM

(please print or type in black)

### Personal Information

Name of Applicant: MANUEL RUBIO MOR INC.

Address: 6217 GRASSOM RD.

Phone No: Home (210) 681-8601 Work (210) 680-1987 Fax (210) 680-9616

Status (check one):  Owner  Agent (if agent, attach notarized Letter of Authorization)

### Property Description

Address: SEE EXHIBIT A

Legal Description: SEE EXHIBIT A

Current Zoning: SUSTAINABILITY OVERLAY Requested Zoning: COMMERCIAL INDUSTRIAL OVERLAY

Existing Property Use or State None: VACANT WAREHOUSE, PLUMBING COMPANY BODY + PAINT COMPANY

Acreage and/or Square Footage: SEE EXHIBIT A

Does owner own adjacent property?  Yes  No

List Existing Structures: SEE EXHIBIT A

Existing Uses: FIXING AND PAINTING CARS, PLUMBING WAREHOUSE, VACANT WAREHOUSE

I hereby certify that I have read and examined this application and the attached instruction sheet and know the information I have provided to be true and correct. All provisions of laws and ordinances governing this application will be complied with whether specified herein or not. The granting of a zoning change does not presume to give authority to violate or cancel the provisions of any other state or local law regulating the use of the property.

Signature of Applicant

7/1/13

Date

BEFORE ME, A Notary Public in and for Swar County, on this date personally appeared Manuel Rubio (Applicant) who duly states that all facts on this application are true to the best of his/her knowledge.

SWORN TO and SUBSCRIBED before me this 1 day of July, 2013.



Melinda Ybarra  
Notary Public, Bexar County, Texas  
My Commission expires: 3-26-16

EXHIBIT A

Request to rezone 6655 Poss Rd., 6645 Poss Rd., 6217 Grissom Rd., from Sustainability Overlay to Commercial/Industrial Overlay.

Property Address, Legal Description, Acreage and/or Square Footage

Address:	Legal Description:
6655 Poss Rd.	CB5784a BLK 3 Lot 64 Greenway Park Leon Valley Addition
Vacant Warehouse	1.0 acres 3002sq.ft. living area 7,000 sq. ft. warehouse
6645 Poss Rd.	CB5784a BLK 3 Lot 65 Greenway Park Leon Valley Addition
Plumbing Co.	1.5 acres 2280sq. ft. living area 3,000 sq. ft. warehouse
6217 Grissom	CB5784a BLK 3 Lot 63 Greenway Park Leon Valley Addition
Paint and Body	1.76 acres 3552 sq.ft. living area 10,000 sq. ft. warehouse

# LEON VALLEY

T E X A S

6400 El Verde Road, Leon Valley, TX 78238

## LETTER OF AUTHORIZATION

Date: 6-27-13

To Whom it May Concern:

This letter authorizes Manuel Rubio and Manuel Ibarra to prepare and submit the enclosed request to rezone from the Sustainability Overlay to the Commercial/Industrial Overlay at Lot(s) 65, Block 3, CB 5784, Leon Valley Addition – Greenway Park Subdivision, located at 6645 Poss Road (dba Pronto Rooter).

I/We, Brion Andazola LLC/Loretta Andazola, the owner(s) of the aforementioned property authorize said application to be submitted for the above noted property.

Sincerely,

Brion Andazola LLC  
Loretta Andazola

Signature of Property Owner

Loretta Andazola

Printed Name of Property Owner

6645 Poss Rd

Address

San Antonio TX 78238

City, State, Zip Code

M/A

Signature of Property Owner

Printed Name of Property Owner

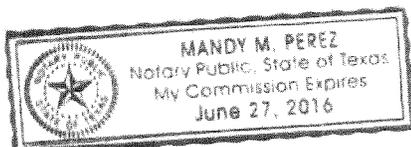
Address

City, State, Zip Code

STATE OF TEXAS }}  
COUNTY OF BEXAR }}

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Loretta Andazola known to me to be the person whose signature is subscribed to the foregoing instrument.

GIVEN UNDER MY HAND and SEAL OF OFFICE this the 27<sup>th</sup> day of June, 2013.



[Signature]  
Notary Public, Bexar County, Texas

# LEON VALLEY

T E X A S

6400 El Verde Road, Leon Valley, TX 78238

## LETTER OF AUTHORIZATION

Date: 6-27-13

To Whom it May Concern:

This letter authorizes Manuel Rubio and Manuel Ibarra  
to prepare and submit the enclosed request to rezone from the Sustainability  
Overlay to the Commercial/Industrial Overlay on Lot(s) 64, Block 3, CB  
5784, Leon Valley Addition – Greenway Park Subdivision, located at 6655 Poss  
Road (formerly Alpers Gold/CopShoes) now owned by Wells Fargo Bank National  
Association. I/We, Wells Fargo Bank, NA, the owner(s) of the  
aforementioned property authorize said application to be submitted for the above noted  
property.

Sincerely,

Lisa Hall  
Signature of Property Owner

\_\_\_\_\_  
Signature of Property Owner

Lisa Hall  
Printed Name of Property Owner

\_\_\_\_\_  
Printed Name of Property Owner

5080 Spectrum Dr.  
Address

\_\_\_\_\_  
Address

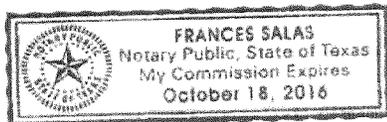
Addison, TX 75001  
City, State, Zip Code

\_\_\_\_\_  
City, State, Zip Code

STATE OF TEXAS }  
COUNTY OF BEXAR }  
Dallas

BEFORE ME, the undersigned authority, a Notary Public in and for said County and  
State, on this day personally appeared Lisa Hall known to me to be  
the person whose signature is subscribed to the foregoing instrument.

GIVEN UNDER MY HAND and SEAL OF OFFICE this the 27<sup>th</sup> day of  
June, 2013.



Mance Salas  
Notary Public, Bexar County, Texas  
Dallas

## LAND USE STATEMENT

I, Manuel Rubio, Owner of Miracle Body & Paint, located at 6217 Grissom Road, San Antonio, Tx. 78238, am proposing to expand the business by utilizing the property at 6655 Poss Road, San Antonio, Tx. 78238. I am requesting to change the overlay requirements from Sustainability Overlay [SO] to Commercial/Industrial Overlay [CIO].

I will use the offices [approx. 3,000 SQFT] in the established building located at 6655 Poss Road for billing, bookkeeping and accounting and general clerical purposes. The warehouse or rear portion of the building [approx. 7,000 SQFT] will be used for repair work on cars. The area behind the building will be used for parking.

This request is consistent with the area.

Additionally, we have met with City Staff and in order to maintain consistency in zoning, it was recommended that we include Lots 63, 64, & 65, creating a rectangular zoning pattern that could be considered for rezoning from Sustainability Overlay [SO] to Commercial/Industrial Overlay [CIO].

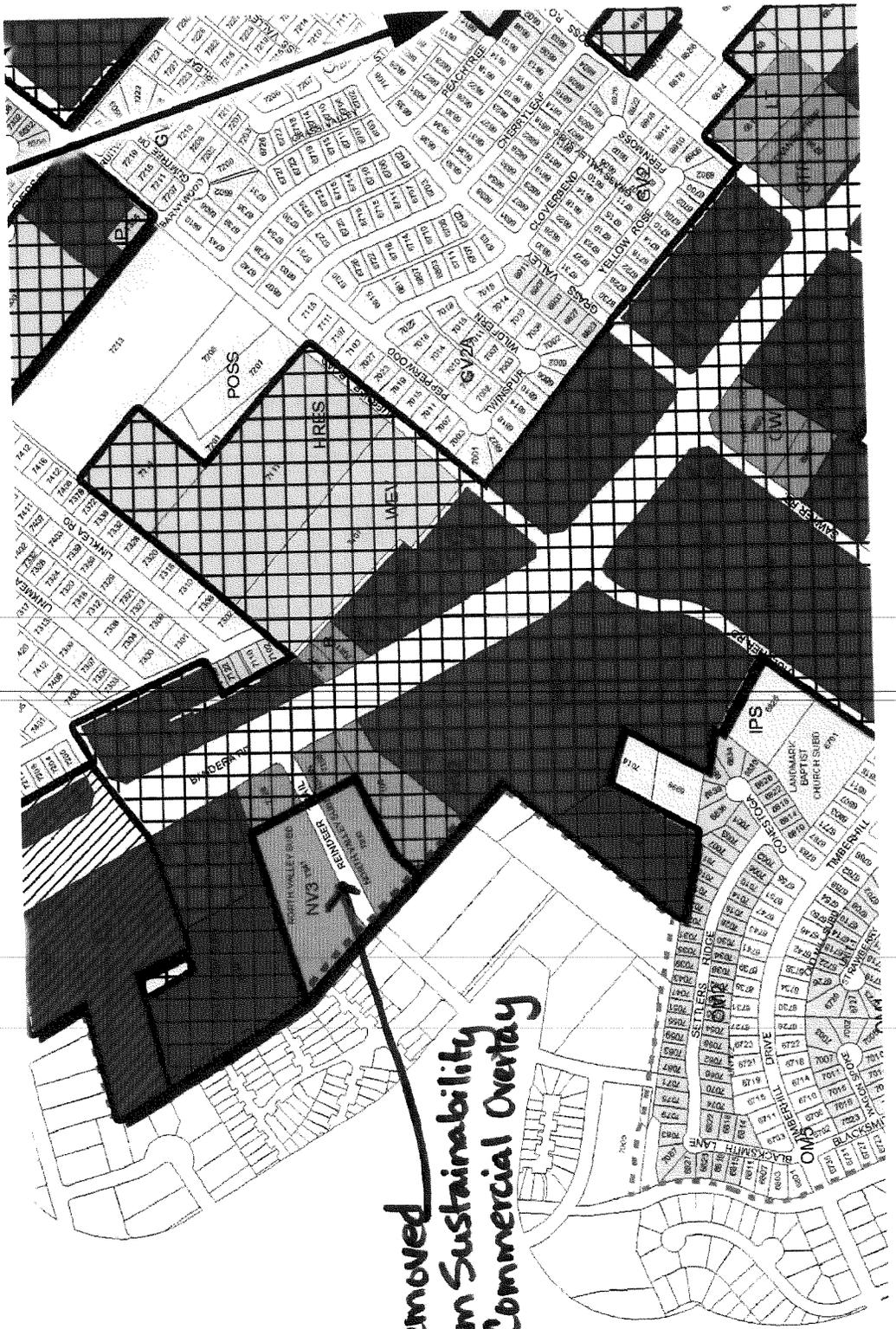
Thank you for your consideration.

A handwritten signature in black ink, appearing to read "Manuel Rubio", is written over a horizontal line.

Manuel Rubio, President

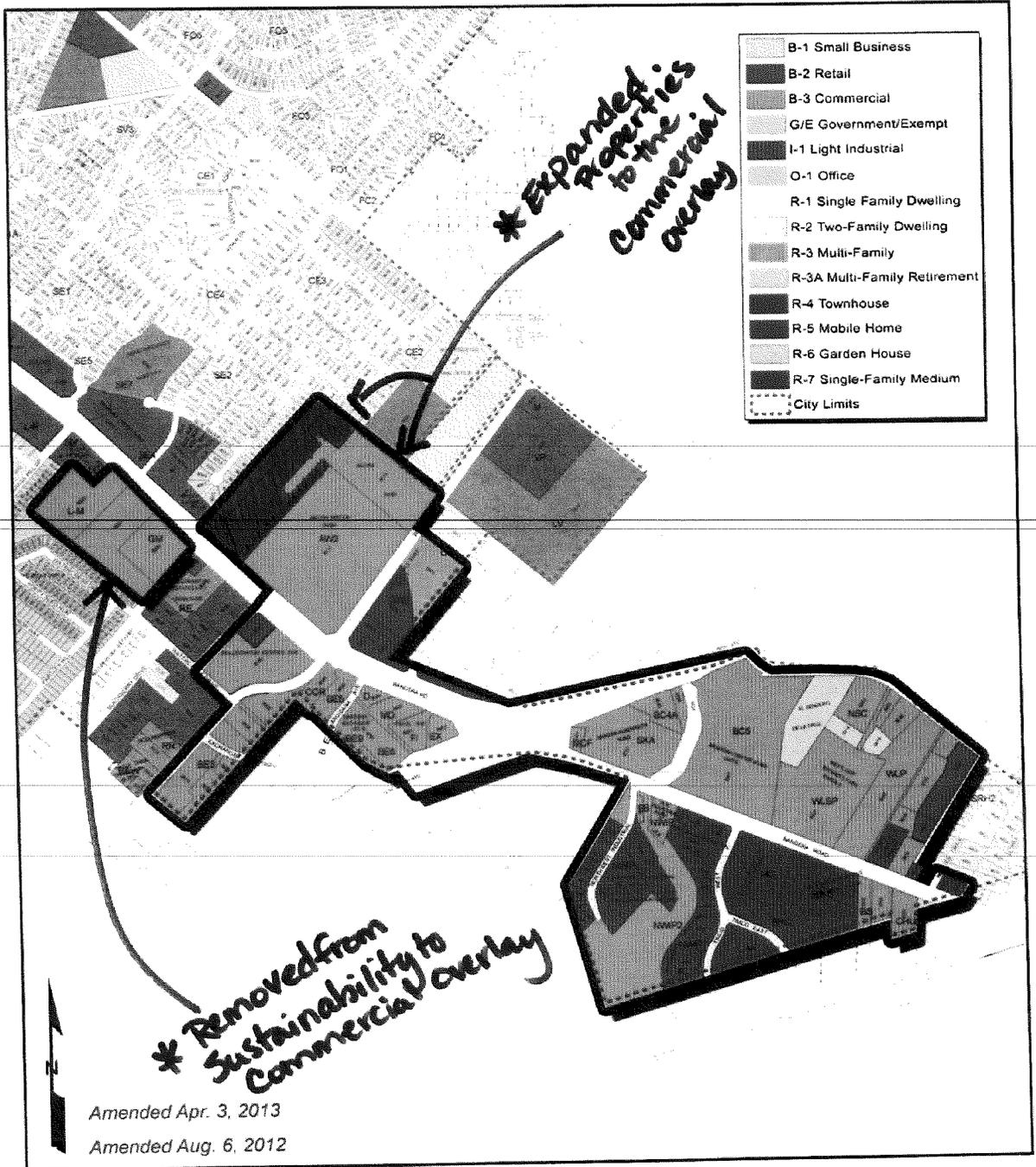
MGR, Inc.





\* Removed From Sustainability to Commercial Overlay

# COMMERCIAL-INDUSTRIAL OVERLAY DISTRICT



<b>Sustainability Overlay (SO)</b> <b>Underlying Zoning B-3</b>	<b>Commercial/Industrial Overlay (CIO)</b> <b>Underlying Zoning B-3</b>
<p>Adult Care Facility  Alcoholic Beverage Sales – No on premise consumption  Alteration and Repair of Apparel  Ambulance Service  Animal Clinic  Antique store  Appliance, minor-repair  Appliance store repair and/or service incidental  Art Gallery/museum  Assembly/packaging <b>(SUP required)</b>  Attended donation station <b>(SUP required)</b>  Automobile accessories – retail sales w/installation and/or repair incidental <b>(SUP required)</b>  Automobile accessories – retail sales without installation and/or repair incidental  Automobile service station – gasoline sales only <b>(SUP required)</b>  Automobile service station –repair incidental <b>(SUP required)</b></p>	<p>Adult Care Facility  Air Conditioning Repair  Air Conditioning Sales – Repair and/Service Incidental  Alcoholic Beverage Sales – No on premise consumption  Alteration and Repair of Apparel  Ambulance Serve  Animal Clinic  Animal Shelter/Pound  Antique store  Appliance, minor-repair  Appliance, major – repair  Appliance store repair and/or service incidental  Art Gallery/museum  Assembly/packaging <b>(SUP required)</b>  Attended donation station <b>(SUP required)</b>  Auditorium, convention center, and other similar meeting facilities <b>(SUP required)</b>  Automobile accessories – retail sales w/installation and/or repair incidental  Automobile and boat storage <b>(SUP required)</b></p>
<p>Automobile/vehicle inspection station <b>(SUP required)</b>  Bakery  Bank, savings and loan  Bar <b>(SUP required)</b>  Barber or beauty equipment and supplies  Barber or beauty shop  Bicycle sales and repair  Bookstore  Building specialty store  Camera/photographic supply  Candy, nut and confectionery store  Catering facility  Cemetery <b>(SUP required)</b>  Child care facility  Clinic – medical or dental  Clothing and accessory store  Club or lodge (private) <b>(SUP required)</b>  Communications distribution hub <b>(SUP required)</b></p>	<p>Automobile lubrication service facility – lubrication only  Automobile parts and components – retail sales with installation and/or repair incidental  Automobile accessories – retail sales without installation and/or repair incidental  Automobile and boat storage <b>(SUP required)</b>  Automobile lubrication service facility – lubrication only  Automobile parts and components – retail sales with installation and/or repair incidental  Automobile rental with unenclosed on-site storage of not more than twelve (12) private passenger vehicles  Automobile rental on-site storage  Automobile rental and/or sales  Automobile repair and/or service  Automobile repair and/or service – brakes repair facility  Bait store  Bakery  Bank, savings and loan</p>

<b>Sustainability Overlay (SO)</b> <b>Underlying Zoning B-3</b>	<b>Commercial/Industrial Overlay (CIO)</b> <b>Underlying Zoning B-3</b>
<p>Computer store or similar  Convenience store  Cosmetic store  Dairy product sales  Department store  Drugstore  Dry-cleaning (pick-up only)  Entertainment – INDOOR <b>(SUP required)</b>  Entertainment – OUTDOOR <b>(SUP required)</b>  Feed, seed and fertilizer sales  Firearms and/or ammo <b>(SUP required)</b>  Fish market (enclosed)  Flea market  Floor cleaning <b>(SUP required)</b>  Floor covering sales  Floral shop  Food product sales  Fruit and produce market  Funeral home <b>(SUP required)</b>  Furniture sales  Garden specialty  Gift shop</p>	<p>Bar <b>(SUP required)</b>  Barber or beauty equipment and supplies  Barber or beauty shop  Bicycle sales and repair  Boat sales and service <b>(SUP required)</b>  Bookstore  Building specialty store  Cabinet or carpenter  Camera/photographic supply  Candy, nut and confectionery store  Carwash (automatic)  Carwash (self-service)  Catering facility  Cemetery <b>(SUP required)</b>  Child care facility  Churches  Cleaning products  Clinic – medical or dental  Clothing and accessory store  Club or lodge (private) <b>(SUP required)</b>  Cold storage plant <b>(SUP required)</b>  Communications distribution hub <b>(SUP</b></p>
<p>Glass sheet sales  Grocery store  Gym  Hardware store  Hobby store  Hospital <b>(SUP required)</b>  Permanent Cosmetics <b>(SUP required)</b>  Interior decorating  Jewelry sales  Laboratory – medical or dental <b>(SUP required)</b>  Laundromat  Leather goods  Locksmith  Convalescent Center <b>(SUP required)</b>  Nursing Home <b>(SUP required)</b>  Inn  Medical Equipment sales  Music store  Office Equipment  Office Professional</p>	<p><b>required)</b>  Computer store or similar  Contractor facility  Convenience store  Cosmetic store  Dairy product sales  Dance hall <b>(SUP required)</b>  Department store  Drugstore  Dry-cleaning (pick-up only)  Entertainment – INDOOR <b>(SUP required)</b>  Entertainment – OUTDOOR <b>(SUP required)</b>  Exterminator  Farm equipment sales  Feed, seed and fertilizer sales  Firearms and/or ammo <b>(SUP required)</b>  Fish market (enclosed)  Flea market  Floor cleaning  Floor covering sales  Floral shop</p>

<b>Sustainability Overlay (SO)</b> <b>Underlying Zoning B-3</b>	<b>Commercial/Industrial Overlay (CIO)</b> <b>Underlying Zoning B-3</b>
Optical store Paint and wallpaper Parking lot and parking garage Pet grooming Pet store Photographic equipment and supplies Picture framing shop Plant Nursery I <b>(SUP required)</b> Plant Nursery II <b>(SUP required)</b> Plant Nursery III <b>(SUP required)</b> – no <b>outside storage – screen required</b> Plant Nursery Sales <b>(SUP required)</b> Playroom/birthday part room, children only Plumbing fixture store Pool and spa sales <b>(no outside storage)</b> Post Office Printing and reproduction services <b>(SUP            required)</b> Radio/television station <b>(no tower)</b> Recreational facility Restaurant and/or food establishment Restaurant and/or food establishment <b>(not</b>	Food product sales Fruit and produce market Funeral home Furniture sales Furniture repairs Garden specialty Gift shop Glass sheet sales Grocery store Gym Hardware store Hobby store Hospital <b>(SUP required)</b> Permanent Cosmetics Interior decorating Jewelry sales Kennel <b>(SUP required)</b> Laboratory – medical or dental Laboratory – research Laundromat Laundry supply <b>(SUP required)</b> Leather goods or luggage
<b>completely enclosed – SUP required)</b> Retail Outlet Salon specialty Shoe sales and/or repair Sign shop <b>(SUP required)</b> Sporting goods Stamp and/or coin store Stationery sales Studio for fine arts	Library Convalescent center Nursing home Hotel Inn Motel Suite hotel Lumberyard <b>(SUP required)</b> Machine, tools construction equipment sales, repair and service
Tailor shop Telephone sales – to include mobile Theater, indoor Tobacco store Tool and equipment rental Toy store Trophy sales Videotape sales and rental Watch and clock repair	<b>Manufacturing (SUP required)</b> Medical Equipment supplies Motorcycle sales, repair and service Moving and transfer company Music store Nonemergency medical transport Office Equipment Office Professional Optical store Paint and wallpaper Park and ride Parking lot and parking garage <b>(SUP            required)</b>

<p><b>Sustainability Overlay (SO)</b> Underlying Zoning B-3</p>	<p><b>Commercial/Industrial Overlay (CIO)</b> Underlying Zoning B-3</p> <p>Pet grooming  Pet store  Photographic equipment and supplies  Picture framing shop  Plant Nursery I  Plant Nursery II (<b>SUP required</b>)  Plant Nursery III  Plant Nursery IV  Plant Nursery Sales  Playground equipment sales  Playroom/birthday part room, children only  Plumbing fixture store  Portable building sales  Pool and spa sales  Post Office  Printing and reproduction services  Propane facility (<b>SUP required</b>)  Radio/television station (<b>no tower</b>)  Recreational facility  Restaurant and/or food establishment  Restaurant and/or food establishment (<b>not completely enclosed</b>)</p>
	<p>Repair shop  Retail Outlet  Salon specialty  Shoe sales and/or repair  School  School, vocational  Self-storage facility  Sign shop  Small airs firing range – indoor (<b>SUP required</b>)  Sporting goods  Stamp and/or coin store  Stationery sales  Studio for fine arts  Tailor shop  Taxidermist (<b>SUP required</b>)  Telecommunications (<b>SUP required</b>)  Telephone sales – to include mobile  Temporary use (<b>SUP required</b>)  Theater, indoor  Theater, outdoor (<b>SUP required</b>)  Tobacco store  Tool and equipment rental  Toy store</p>

<b>Sustainability Overlay (SO)</b> <b>Underlying Zoning B-3</b>	<b>Commercial/Industrial Overlay (CIO)</b> <b>Underlying Zoning B-3</b>  Trophy sales Truck repair/maintenance University Videotape sales and rental Warehouse storage facility Watch and clock repair Wholesale facility
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Date: 07-29-13

Name: MIRACLE Body & Paint / Manuel Rubio Sr.

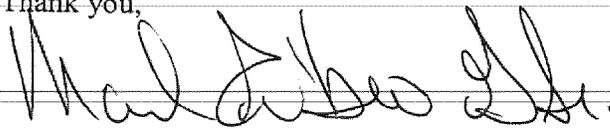
Address: 6217 GRISCOM Rd. 28238

RE: Letter of Support-ZC2013-391

Dear Chairman and Commission,

As a property owner within 200-feet I wish to express my support and favor for the above reference zoning case.

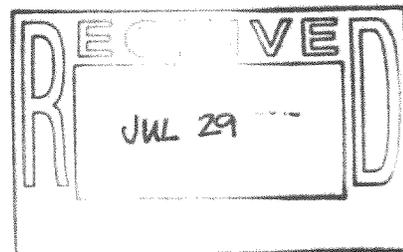
Thank you,



Title: Owner

IN FAVOR

Applicant



W/ in 200ft

Date: 07-29-13

Name: MGR Inc.

Address: Lot 75 Poss Rd. "Baseball Field"  
Across 6645 + 6655 Poss Rd.

RE: Letter of Support-ZC2013-391

Dear Chairman and Commission,

As a property owner within 200-feet I wish to express my support and favor for the above reference zoning case.

Thank you,

Title:

IN FAVOR  
Another Prop Owned by  
RECEIVED Appl  
JUL 29 2013  
W/in 200ft.

Date: July 26, 2013

Name: PRONTO Rooter, Inc

Address: 6645 Pass Rd  
SAN Antonio, TX 78238

RE: Letter of Support-ZC2013-391

Dear Chairman and Commission,

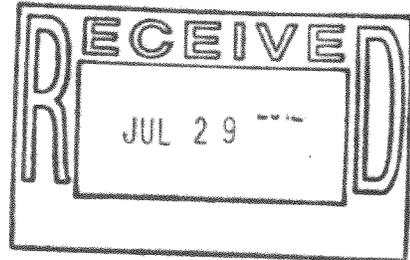
As a property owner within 200-feet I wish to express my support and favor for the above reference zoning case.

Thank you,

*Kerith Omdagda*  
Title: President

IN FAVOR

Part of Request



W/in 200ft

Date: 7-26-2013

Name: TIM'S ORIENTAL

Address: 6665 POSS RD  
S. ATX 78238

RE: Letter of Support-ZC2013-391

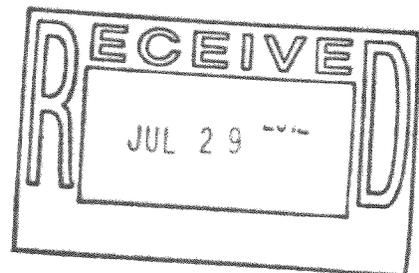
Dear Chairman and Commission,

As a property owner within 200-feet I wish to express my support and favor for the above reference zoning case.

Thank you,

Title: PRESIDENT TIM LIM  
V. E

IN FAVOR



W/in 200ft.

Date: 7/26/13

Name: Dharamdas Nankani

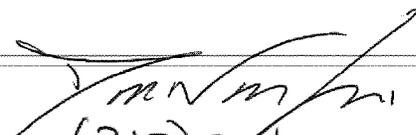
Address: 6734 Poss Rd, Leon Valley TX

RE: Letter of Support-ZC2013-391

Dear Chairman and Commission,

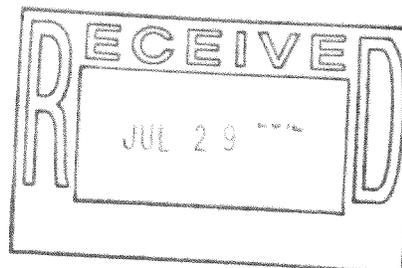
As a property owner within 200-feet I wish to express my support and favor for the above reference zoning case.

Thank you,

  
(210) 204-1779 cell

Title: Owner

IN FAVOR



Outside 200ft

Date: 7/26/13  
Name: LEON Valley Storage  
Henry Daugherty  
Address: 6200 Grissom Road

RE: Letter of Support-ZC2013-391

Dear Chairman and Commission,

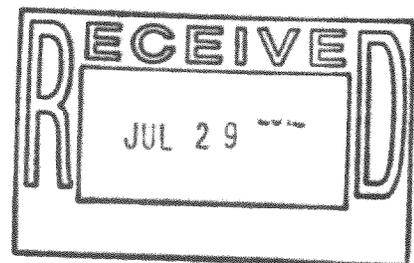
As a property owner within 200-feet I wish to express my support and favor for the above reference zoning case.

Thank you,

~~Amy D Daugherty~~  
President / The  
Limited Partner

Title:

IN FAVOR



outside 200ft

Date: 7-29-13

Name: EDDIE MILLER

Address: 6312 BRASSOM Rd

RE: Letter of Support-ZC2013-391

Dear Chairman and Commission,

As a property owner within 200-feet I wish to express my support and favor for the above reference zoning case.

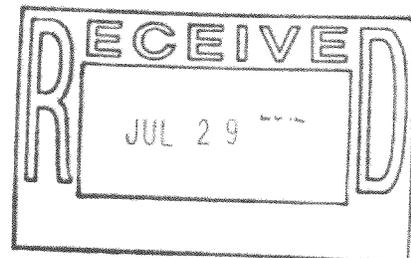
Thank you,

*Eddie Miller*

Title:

*owner*

IN FAVOR



OUTSIDE 200ft.



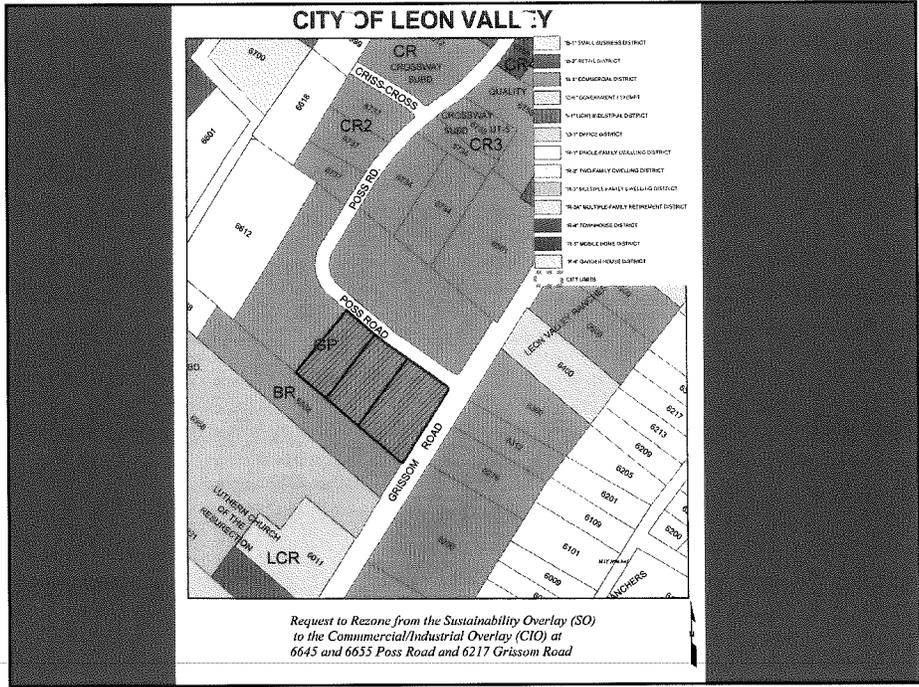
## City of Leon Valley City Council

Public Hearing  
August 20, 2013



## Zoning Case # 2013-391 Request and Location

- Request by Manuel Rubio, Applicant
- To rezone approximately 4.26 acres from the Sustainability Overlay (SO) to the Commercial/Industrial Overlay (CIO)
- 6217 Grissom Road, and 6645 and 6655 Poss Road



## History

- \*The history of this area indicates that it gradually was rezoned from R-1 (Single-Family) and B-2 (Retail) to B-3 (Commercial) beginning in 1969.
- \*Properties across the street along Grissom Road began to be rezoned from R-1 (Single-Family) and B-2 (Retail) to B-3 (Commercial) in 1967. The rezoning continued in 1975, 1983, and 1984.



## History

- \*The zoning trend in the Grissom Road Corridor became commercial and commercial type developments resulted.
  - Underlying zoning is commercial
  - Only change was creation and implementation of the Sustainability Overlay for the Grissom Corridor in 2010.



## 2009 Comprehensive Master Plan 4CC Grissom Road Corridor

Describes this area as:

- A B-3 (Commercial) area with some R-3 (Multiple Family), R-4 (Townhouse) and R-6 (Garden Homes)
- It also encourages land uses in this area be B-3 (Commercial)



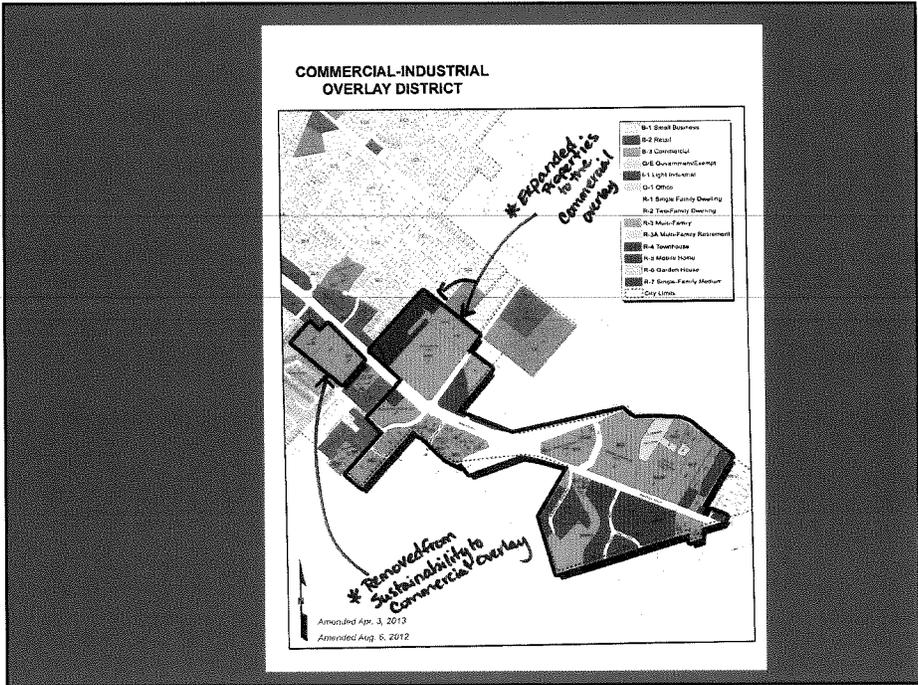
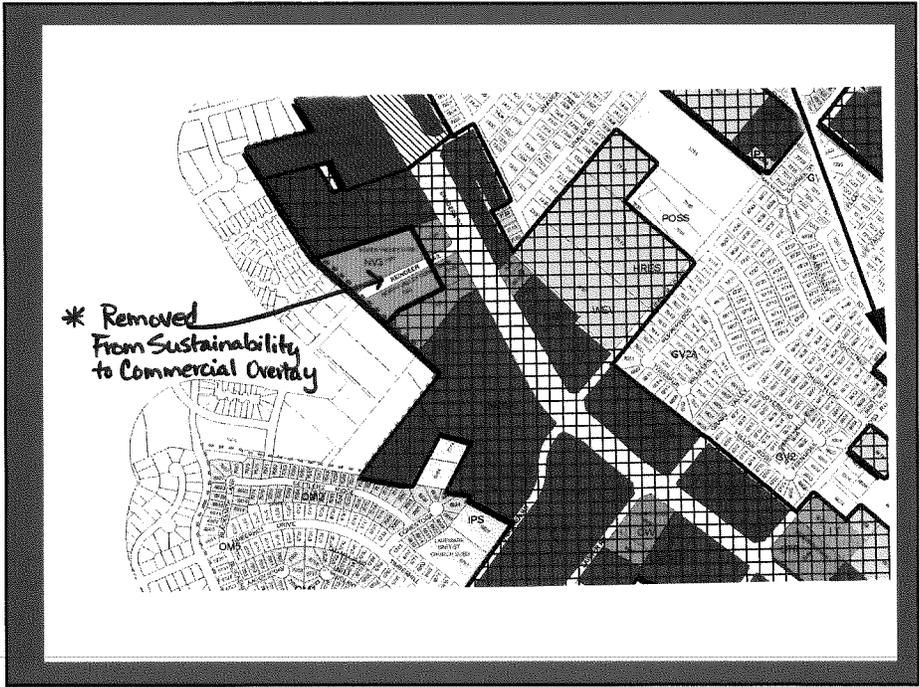
## Staff Comments

- Sustainability Overlay (SO) to the Commercial/Industrial Overlay (CIO)
  - both protected by the overlay requirements for landscaping, streetscaping and building design.
  - difference between overlays the uses allowed



## Staff Comments

- Trend appears to be emerging in the utilization of the Zoning Overlays between 2010 and the present, which indicates that properties zoned B-3 (Commercial) may be better suited to the Commercial/Industrial Overlay.
  - Reindeer Trail
  - Fiesta Dodge
  - Ancira Dealership





## Staff Comments

- Inquiries into similar uses in this area
  - constrained by SO
  - more suitable to CIO



## Staff Comments

- The applicant submitted a Traffic Impact Analysis Worksheet which indicated that the proposed use will generate less than 100.



## Property Owner's within 200-feet

- 9 Letters Mailed to Property Owners
- 4 Received in FAVOR
- 0 Received in OPPOSITION
- 0 Returned UNDELIVERABLE
- 3 Received in FAVOR – Outside 200ft



## Zoning Commission Recommendation

- On July 30<sup>th</sup> the Zoning Commission recommended APPROVAL of the request by a vote of 6 in favor with 1 abstention noting it was compatible and preserved property rights of property owners.



## Conclusion

- Questions
  - Staff
  - Manuel Rubio, applicant
  - Manuel Ibarra, agent



## City of Leon Valley City Council

Public Hearing  
August 20, 2013

