

CITY OF CASTLE HILLS
ZONING COMMISSION PUBLIC HEARING
AUGUST 5, 2008

The Zoning Commission of the City of Castle Hills convened on the 5th day of August, 2008, at 7:00 P.M. in the City of Castle Hills City Hall, 209 Lemonwood Drive, San Antonio, Texas.

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Present and composing a quorum of the Zoning Commission were Acting Chairman Tim Turner, Douglas Steadman, LaVerne Japhet, Brad Boeckner, and Walter Beuhler.

Staff present included City Manager Mike Rietz, Assistant City Manager Rita Hoyl, and City Secretary Linda Gill.

Acting Chairman Turner called the meeting to order and introduced the members of the Zoning Commission.

II. CONSIDER AND ACT UPON THE MINUTES OF THE JUNE 3, 2008, MEETING.

Ms. Japhet moved to approve the minutes of the June 3, 2008, meeting. Mr. Beuhler seconded the motion. The motion carried with a vote of 3 in favor and 2 abstentions. Mr. Steadman and Mr. Boeckner abstained.

III. PUBLIC HEARING AND DISCUSSION OF THE REQUEST FOR REZONING THE REMAINING PORTION OF THE PROPERTY AT 108 PEG SUE COURT (CB5004J BLK 1 LOT 1) FROM "B" DUPLEX, RESIDENTIAL DISTRICT, TO "F" OFFICE-PROFESSIONAL DISTRICT, TO MATCH THE PORTION OF THE BUILDING AT 812 LOCKHILL SELMA.

At the request of Chairman Turner, James Biggs, owner of 108 Peg Sue related that he had purchased the property two years ago and has officed in the building since. He said that he had planned to use the Lockhill Selma side of the building for an office and rent out the Peg Sue side as a residence, but he had been unable to do so. He indicated that he was now requesting that the whole building be zoned as "F" Two Story Office – Professional District. Mr. Biggs proceeded to describe his plans to remove two trees and extend the existing parking from ten spaces to fourteen spaces. He said that the location of the building is not ideal for a residence due to the commercial area nearby, which results in higher traffic volume, noise, and restaurant related activities.

Zoning Commission members considered the proposed plans. Mr. Biggs confirmed for Mr. Steadman that the existing office space abuts the residence with a door between the two. Ms. Japhet commented that the building was built as a duplex, and Bexar County Appraisal District (BCAD) records it as a multiple residence. She indicated that it would be a pretty big jump to change it from duplex to office.

Chairman Turner read the specifications in the zoning code regarding “F” Two Story Office-Professional District. It stated that an area of not less than 1,000 square feet per dwelling unit is required for a duplex and an area of not less than 1,500 square feet of floor area per floor for an office building is required. Mr. Rietz interjected that, as a duplex, the building is non-conforming because each side is not 1,000 square feet, but taken as a whole, the area is more than 2, 000 square feet. Ms. Japhet remarked that the building was intended as a duplex. She added that the zoning code was updated and the commission needs to uphold the new code.

Mr. Turner clarified that the existing office space carried the “F” District since 1966 and that part of the building that is zoned duplex is all they should be looking at. He commented that the dilemma is that the residential portion is three levels. The city manager confirmed that, as an office building, it had to have 1,500 square feet per floor. Mr. Turner suggested a variance may be needed to have less than 1,500 square feet. He noted that the specifications in the code are for new structures, and they are dealing with an older structure and trying to make it fit. Discussion continued regarding square footage of the building, the addition of a driveway, and proposed parking spaces. Mr. Biggs said that he would appreciate the commission treating the building as existing, instead of new. He bought it as a commercial property.

No members of the public were present to speak, so Chairman Turner closed the Public Hearing at 8:11 p.m.

IV. DISCUSSION AND POSSIBLE ACTION ON RECOMMENDATIONS TO CITY COUNCIL REGARDING THE REZONING OF THE PROPERTY AT 108 PEG SUE.

Motion: Mr. Steadman moved to recommend to City Council that the property at 108 Peg Sue (CB5004J) BLK 1 LOT 1) be rezoned from “B” Duplex Residential District to “F” Two Story Office-Professional District to match 812 Lockhill Selma with the realization that it is in conflict and non-conforming with “F” District and any remodeling or adaptive use of the property must go to the Architectural Review Committee. In the future, if demolition takes place, a newly constructed building must meet the current zoning ordinance. Mr. Turner seconded the motion. The motion failed 2 to 3. Mr. Steadman and Mr. Turner voted in favor of the motion. Mr. Boeckner, Ms. Japhet, and Mr. Beuhler opposed the motion.

Motion: Mr. Steadman then moved to table the item until the September meeting. Mr. Turner seconded the motion. The motion failed 2 to 3. Mr. Steadman and Mr. Turner voted in favor of the motion. Mr. Boeckner, Ms. Japhet, and Mr. Beuhler opposed the motion.

Motion: Ms. Japhet moved to recommend to City Council that the request for rezoning be denied because it does not fit within City Code. Mr. Beuhler seconded the motion. The motion carried 3 to 2. Ms. Japhet, Mr. Boeckner, and Mr. Beuhler voted in favor of the motion. Mr. Turner and Mr. Steadman opposed the motion.

V. ADJOURNMENT

Motion: Mr. Beuhler moved to adjourn the meeting. Ms. Japhet seconded the motion. The motion passed unanimously, and the meeting adjourned at 8:44 p.m.

Tim Turner, Acting Chairman

Attest:

Linda Gill, City Secretary