



CITY OF HILL COUNTRY VILLAGE
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MINUTES
ZONING COMMISSION MEETING
CITY OF HILL COUNTRY VILLAGE, TEXAS
CITY HALL
HILL COUNTRY VILLAGE, TEXAS 78232
WEDNESDAY, SEPTEMBER 11, 2019
6:00 P.M.

The Zoning Commission for the City of Hill Country Village met for a meeting Wednesday, September 11th, 2019 at 6:00 p.m. at City Hall.

Members Present:

Kirk Francis – Chair
Melissa Childers-White-Vice Chair
Doug Boom
Paul Blackburn
Greg Blasko
Elizabeth Worley
Roxanna Gonzales-Soza

City Staff Present:

City Administrator, Frank Morales
Administrative Assistant, Ismael Urias

1. Call to order.

Chair Francis announced that a quorum was present and called the meeting to order at 6:00 p.m.

2. Discussion and possible action regarding approval of the meeting minutes of July 31st, 2018.

Mr. Boom motioned to approve the meeting minutes of July 31st, 2018, seconded by Ms. Childers-White. Motion passed unanimously.

3. Citizens to be Heard

At this time, citizens who have filled out a registration form prior to the start of the meeting may speak on any topic they wish to bring to the attention of the governing body so long as that topic is not on the agenda for this meeting. Citizens may speak on specific agenda items when that item is called for discussion. During the Citizens to be Heard

section no commission action may take place and no commission discussion or response is required to the speaker. A time limit of two minutes per speaker is permitted; the commission may extend this time at their discretion.

Citizens chose to be heard under item #4.

4. A public hearing, discussion and possible action regarding an application for a zoning district change for the property located at 203 W. Bitters Road, San Antonio, Texas 78216, Legal Description CB 5833E BLK LOT 194, City of Hill Country Village, from Residential "R-1" to Business "B-2" submitted by Ms. Ana Khan (purchaser) being represented by Associate Broker Mr. Avery Murrah as authorized by Hawkins Family Partners, LP, Ms. Nedra J. Hawkins, the current property owner.

Chair Francis opened the public hearing at 6:03 p.m.

Mr. Avery Murrah spoke on behalf of Ms. Ana Khan who was not present. Mr. Murrah handed the commission photographs of the property at 203 W. Bitters Rd. and gave a presentation on the proposed assisted living facility. Mr. Murrah proposed changing the zoning from R1 Residential to B2 Business in order to use the property for an assisted living facility for up to 16 elderly residents. Mr. Murrah explained how an assisted living facility could serve the loved ones of Hill Country Village residents.

Ms. Stevann McDonald of Coldwell Banker Realtors explained to the commission that she has been working with the current homeowner for close to four years by trying to help them sell their home. Ms. McDonald said that trying to sell the home in its current location has been challenging. Ms. McDonald said that 37,000 vehicles drive in front of the home every day which makes it impossible for the current homeowners to properly raise their young children as if they were in a quiet neighborhood.

Mr. Murrah explained that by using the property as an assisted living facility, it would not have a negative impact on the residents of Hill Country Village. Mr. Murrah said they were asking for a zoning change with a very restrictive covenant that goes with the property and could only be used as an assisted living facility.

Dr. Jocelyn Theard of 136 South Tower was concerned that if the zoning was changed and the assisted living facility went out of business, what kind of business could go in there next.

Mr. Joe Calvey of 105 Aspen Lane said he has known the current homeowner (Mr. Daniel Evans) of 203 W. Bitters Rd. for 40 years. Mr. Calvey claimed that when he met Mr. Evans, Mr. Evans ran a chain of psychic stores and that if you were to look at google maps, you can see that 203 W. Bitters Rd. is listed as a psychic center.

Mr. Kenneth Cloud of 130 South Tower is opposed to any further commercial development. Mr. Cloud wanted to know if any residential home could become an

assisted living facility and if the home would have to be rezoned. Mr. Cloud is against rezoning the property.

Mr. Steve Marceau of 215 Tomahawk Trail said he is opposed to the zoning change and asked the commission to look out for the health, welfare and safety of the citizens of Hill Country Village.

Mr. Scott Taylor of 106 Aspen Lane is opposed to the zoning change.

Mr. Avery Murrah told the audience that the only reason they are asking for the property to be rezoned is because they cannot operate a facility of 16 residents without the property being commercial.

Mr. Patrick Kocurek of 110 Aspen Lane is opposed to the zoning change.

Chair Francis read responses of residents that mailed or handed in the letter about the proposed zoning change.

Mr. George Dennis of 102 Powderhorn Trail voted to disapprove.

Ms. Sarah Ojeda of 109 Aspen Lane voted to disapprove.

Mr. Kenneth Cloud of 130 South Tower voted to disapprove.

Mr. John Battles and Dr. Jocelyn Theard of 136 South Tower voted to disapprove.

Mr. Patrick Kocurek of 110 Aspen Lane voted to disapprove.

Mr. Joe Calvey of 105 Aspen Lane voted to disapprove.

Mr. Scott Taylor of 106 Aspen Lane voted to disapprove.

Judge Fred Biery of 208 Village Circle voted to approve.

Chair Francis closed the public hearing at 7:02 p.m.

Attorney Marc Schnall answered questions or comments that came from the citizens to be heard.

Mr. Schnall said that Chapter 123 of the Human Resources Code allows a small type of assisted living facility to be in any residential district as long as there were no more than six persons with disabilities and two supervisors that reside in that community home at the same time.

Vice Childers-White asked about staffing. Mr. Murrah said the facility would be staffed 24 hours per day, 7 days a week.

Chair Francis recessed the meeting and called for an Executive Session at 7:15 p.m.

Chair Francis announced the commission came out of Executive Session at 7:25 p.m.

Chair Francis resumed the regular meeting at 7:27 p.m.

Mr. Blasko informed Mr. Murrah about restrictions and requirements for commercial properties. Mr. Blasko also suggested that Mr. Murrah ask to be rezoned to B4 Business instead of B2 Business.

Chair Francis explained options to Mr. Murrah. The commission could rule tonight and if the ruling was against the rezoning to B2 Business, Mr. Murrah would have to wait six months before he could reapply to the Zoning Commission. Chair Francis gave Mr. Murrah the option to withdraw his application and come back better prepared at a later date. Mr. Murrah withdrew his application to re-address it at a later date.

5. A public hearing, discussion, and possible action regarding a request from Ms. Ana Khan (purchaser) being represented by Associate Broker Mr. Avery Murrah as authorized by Hawkins Family Partners, LP, Ms. Nedra J. Hawkins, the current property owner for an additional commercial use for an assisted living facility to serve 16 elderly residents at 203 W. Bitters Road, Hill Country Village, Texas 78232, in the B-2 Zoning District.

No action taken.

6. Discussion and possible action electing new officers to the Zoning Commission.

Mr. Boom made a motion to elect Mr. Blasko as Chair and Ms. Worley as Vice Chair, seconded by Ms. Gonzales-Sosa. Motion passed unanimously.

7. Communications with the City Administrator.


City Administrator Frank Morales informed the commission that he would be sending them an email to them to check their availability for October 14, 15, 16 or 17, 2019 to schedule a meeting about a preliminary plat.

8. Adjourn

The meeting was adjourned at 7:53 p.m.

The Zoning Commission reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development)

PASSED AND APPROVED THIS 11th DAY OF NOVEMBER 2019.

ATTEST:

Frank Morales
City Administrator


Greg Blasko
Chair