



City of San Antonio

Agenda Memorandum

File Number: 15-2338

Agenda Item Number: 10.

Agenda Date: 4/7/2015

In Control: Zoning Commission

DEPARTMENT: Development Services

DEPARTMENT HEAD: Roderick Sanchez

COUNCIL DISTRICTS IMPACTED: 3

SUBJECT:

Zoning Case Z2015122

SUMMARY:

Current Zoning: "FR AHOD" Farm and Ranch Airport Hazard Overlay District

Requested Zoning: "C-2 NA AHOD" Commercial Non-Alcoholic Sales Airport Hazard Overlay District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: April 7, 2015

Case Manager: Ernest Brown, Planner

Property Owner: Bexar County (Executive Director, Aurora Sanchez)

Applicant: San Antonio Lifetime Recovery, Inc (Registered Agent, David A. Phipps)

Representative: Kaufman and Killen (Ashley Farrimond)

Location: 10290 Southton Road

Legal Description: A 25.678 acre parcel of land out of NCB 10915

Total Acreage: 25.678

Notices Mailed

Owners of Property within 200 feet: 11

Registered Neighborhood Associations within 200 feet: NA

Planning Team: Heritage South Sector Plan-35

Applicable Agencies: Stinson Airport

Property Details

Property History: The subject property was annexed January 9, 2014 and is currently zoned “FR”, Farm and Ranch District. The subject property is a fully developed and operating nursing facility with approximately 94 beds. The subject property is not platted in its current configuration.

Topography: The subject property does not include any abnormal physical features such as significant slope or inclusion in a flood plain.

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: “FR”, “RM-4”, “UD”

Current Land Uses: Vacant, Residence, Residence

Direction: East, South

Current Base Zoning: “FR”

Current Land Uses: Rehabilitation Center

Direction: West

Current Base Zoning: “UD”, “MPCD”

Current Land Uses: Vacant

Overlay and Special District Information: All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

Transportation

Thoroughfare: Southton Road

Existing Character: Enhanced Secondary Arterial; one lane each direction.

Proposed Changes: None known

Thoroughfare: Shane Road

Existing Character: Rural; one lane each direction

Proposed Changes: None known

Public Transit: There are no VIA route nearby the subject property.

Traffic Impact: A Traffic Impact Analysis (TIA) report is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

Parking Information: Off-street vehicle parking requirements are typically determined by the type of use and building size. The zoning application refers to a nursing facility.

Minimum Parking Requirement: 0.3 per bed;

Maximum Parking Requirement: 1 per bed.

ISSUE:

None.

ALTERNATIVES:

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation.

FISCAL IMPACT:

None.

RECOMMENDATION:

Staff Analysis and Recommendation: Approval pending Plan Amendment.

Criteria for Review: According to Section 35-421, zoning amendments shall be based on the approval criteria below.

1. Consistency:

The property is located within the Heritage South Sector Plan and is currently designated as Country Tier in the future land use component of the plan. The subject property is fully developed, but not consistent with the current land use designation. The requested zoning change will require a plan amendment to the Heritage South Sector Plan.

2. Adverse Impacts on Neighboring Lands:

Staff has found no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request.

3. Suitability as Presently Zoned:

The existing “FR” zoning district is not an appropriate zoning district based on the transition of farm to urban development uses in the surrounding area.

4. Health, Safety and Welfare:

Staff has found no indication of likely adverse effects on the public health, safety, or welfare.

5. Public Policy:

The rezoning request does not appear to conflict with any public policy objective.

6. Size of Tract:

The subject property measures 25.678 acres in size. The subject property is a fully developed and operating nursing facility with parking area.

7. Other Factors:

The applicant has initiated a plan amendment to the Heritage South Sector Plan. Staff and Planning Commission recommended approval.

Nursing facilities uses are not permitted by right under the subject property’s current zoning district. Although the property has continuation of land use rights, per Chapter 211 of the Texas Local Government Code, Chapter 35, Unified Development Code states that newly annexed property must file for non-conforming use rights within 60 days and all proposed construction requires review by the Zoning Commission. Alternatively, newly annexed property may be rezoned to facilitate development.