



# City of San Antonio

## Legislation Details (With Text)

**File #:** 17-4001

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 8/3/2017

**Title:** ZONING CASE # Z2017174 S (Council District 5): An Ordinance amending the Zoning District Boundary from "O-2 AHOD" High Rise Office Airport Hazard Overlay District and "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District to "C-2 S AHOD" Commercial Airport Hazard Overlay District with Specific Use Authorization for a Hospital on 3.717 acres out of NCB 3694, located at 836 Cupples Road. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. ZC Minutes, 4. Draft Ordinance.pdf, 5. Ordinance 2017-08-03-0543

Date	Ver.	Action By	Action	Result
8/3/2017	1	City Council A Session	Motion to Approve	

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 5

**SUBJECT:**

Zoning Case Z2017174 S

**SUMMARY:**

**Current Zoning:** "O-2 AHOD" High Rise Office Airport Hazard Overlay District and "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District

**Requested Zoning:** "C-2 S AHOD" Commercial Airport Hazard Overlay District with Specific Use Authorization for a Hospital

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 20, 2017

**Case Manager:** Kayla Leal, Planner

**Property Owner:** David Hayes Schoenert, Richard G. Schoenert, Robert F. Schoener, and Mary Gail Schoenert Flake

**Applicant:** Partners Fourth Quarter Capital II, LLC

**Representative:** Brown & Ortiz, PC

**Location:** 836 Cupples Road

**Legal Description:** 3.717 acres out of NCB 3694

**Total Acreage:** 3.717

**Notices Mailed**

**Owners of Property within 200 feet:** 26

**Registered Neighborhood Associations within 200 feet:** Thompson Neighborhood Association

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio on August 3, 1944 (Ordinance #1258). In 1986, it was zoned "O-1" Office District and "R-2" Two Family Residence District by Ordinance 63541, dated August 28, 1986. The current "O-2" and "RM-4" base zoning districts resulted from the zoning district conversion that accompanied the adoption of the 2001 Unified Development Code (Ordinance 93881, dated May 3, 2001).

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** N/A

**Current Land Uses:** West Highway 90

**Direction:** East

**Current Base Zoning:** R-6

**Current Land Uses:** Single-Family Residential

**Direction:** South

**Current Base Zoning:** C-1, R-6

**Current Land Uses:** Vacant Lot, Single-Family Residential

**Direction:** West

**Current Base Zoning:** R-6, O-2, R-5

**Current Land Uses:** Single-Family Residential

**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:** West Highway 90

**Existing Character:** Freeway

**Proposed Changes:** None known

**Thoroughfare:** Cupples Road

**Existing Character:** Secondary Arterial Type B

**Proposed Changes:** None known

**Public Transit:** The nearest bus stop is slightly less than a half-mile away on the corner of Cupples Road and Ceralvo Street, with about a ten (10)-minute walk. It is on the other side of West Highway 90 and is along Bus Routes #66 and #268 (Stop #33313).

**Traffic Impact:** A Traffic Impact Analysis (TIA) Report is required. A traffic engineer must be present during commission meetings.

**Parking Information:** A Medical Hospital requires a minimum of 1 parking space per 400 square feet of the Gross Floor Area and a maximum of 1 parking space per 100 square feet of the Gross Floor Area.

**ISSUE:**

None.

**ALTERNATIVES:**

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

**FISCAL IMPACT:**

None.

**PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:**

The subject property is not located within a Regional Center, nor is it located within a half-mile of a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (9-0)\_ recommend Approval.

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

**1. Consistency:**

The subject property is located within the Kelly/South San Pueblo Community Plan and is currently designated as Community Commercial in the land use component of the plan. The requested “C-2” base zoning district is consistent with the adopted land use designation.

**2. Adverse Impacts on Neighboring Lands:**

Staff has not found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. There is commercial development along Cupples Road and Single Family Residential in the surrounding areas. The proposed emergency care hospital developed with appropriate setbacks and buffers can minimize any impact to adjacent residential. The subject property also fronts the expressway frontage to the north and an arterial to the west.

**3. Suitability as Presently Zoned:**

The subject property is currently split-zoned. The “RM-4” base zoning district is appropriate for the surrounding area, seeing as it is surrounded by residential. However, the majority of the property is zoned “O-

2” and this base zoning district is not appropriate for the surrounding area. The potential of a tall office building can be developed in “O-2” and would not be suitable for this area.

**4. Health, Safety and Welfare:**

Staff has not found any indication of likely adverse effects on the public health, safety, or welfare. The change in zoning is for a proposed emergency care hospital, which would provide a helpful resource for the surrounding population.

**5. Public Policy:**

The request does not appear to conflict with any public policy object because it is consistent with the future land use plan.

**6. Size of Tract:**

The 3.717-acre site is of sufficient size to accommodate the proposed development. Their site plan provides the appropriate buffer yard and setback since the property is abutting residential property.

**7. Other Factors:**

The purpose of the Specific Use Authorization is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but which may under the right set of circumstances and conditions be acceptable in certain specific locations.