



# City of San Antonio

## Agenda Memorandum

**File Number:** 16-1698

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**Agenda Item Number:** 7.

**Agenda Date:** 2/16/2016

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** 10

**SUBJECT:**

Zoning Case Z2016067 CD

**SUMMARY:**

**Current Zoning:** "R-20 AHOD" Residential Single-Family Airport Hazard Overlay District

**Requested Zoning:** "R-20 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for an Assisted Living Facility with no more than 16 residents

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** February 16, 2016. This case is continued from the February 2, 2016 hearing.

**Case Manager:** Oscar Aguilera, Planner

**Property Owner:** Judith Paxton Hyndman and Lisbeth Paxton Kirsh

**Applicant:** Glen Hope Harbor Inc

**Representative:** Donald Oroian

**Location:** 8723 Post Oak Lane

**Legal Description:** Lot 11, Block 2, NCB 11977

**Total Acreage:** 0.792

**Notices Mailed**

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

**Registered Neighborhood Associations within 200 feet:** Forest Oak Neighborhood Association

**Applicable Agencies:** Aviation Department

**Property Details**

**Property History:** The property was annexed into the City Limits on 09/25/2016 (ordinance 18115) and was originally zoned Temporary “R-1” Single-Family District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to “R-6” Single-Family Residential. Finally, on January 17, 2013 (Ordinance 2013-01-17-0060) the property was rezoned to “R-20” Residential Single-Family District.

**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:** NP-8 and R-20

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

**Direction:** East

**Current Base Zoning:** C-2, R-5, MF 33

**Current Land Uses:** Assisting Living Facility and Senior Home.

**Direction:** South

**Current Base Zoning:** R-20, RM-4 and C-2,

**Current Land Uses:** Single-Family Homes, and Assisting Living Facility.

**Direction:** West

**Current Base Zoning:** NP-8, RM-4 and C-2

**Current Land Uses:** Single-Family Homes, and Retail Business.

**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:** Post Oak Lane one lane in each direction no sidewalks

**Existing Character:** Local Street

**Proposed Changes:** None known

**Thoroughfare:** Interstate 410 Loop

**Existing Character:** Freeway 250' - 500'

**Proposed Changes:** None known

**Public Transit:** VIA bus route 509 at the corner of Post Oak and Interstate 410 Loop.

**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:** Assisted Living Facility with seven or more residents - Minimum requirement: 0.03 spaces per resident plus 1 space for each employee. Maximum: 1 spaces per resident plus 1 space for each employee.

**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:** Staff recommends Approval.

**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 San Antonio Airport Vicinity Land Use Plan and is designated as Low Density Residential Land Use. The proposed “R-20” Residential Single-Family district is consistent with the adopted land use designation.

**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 proposed “R-20 CD” Residential Single-Family with Conditional Use for an Assisted Living Facility with no more than 16 residents is consistent with surrounding zoning uses. The proposed uses already exist in the area. Currently, there are four (4) assisted living facilities within the same city block of the proposed development.

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

**6. Size of Tract:**

The subject property measures 0.792 acres in size and is sufficient to accommodate the proposed zoning request.

**7. Other Factors:**

The conditional use zoning procedure is designed to provide for a land use that is not permitted by the established zoning district, but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions.

This use will be subject to sec 35-422 (3). The following conditions in addition to those in subsection (e)(2) above shall apply to the operation of nonresidential conditional uses permitted within any residential district, unless otherwise approved by the city council:

- A. There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of the main structure.
- B. No construction features shall be permitted which would place the structure out of character with the surrounding residential neighborhood.
- C. Visitation Hours or office hours of operations shall not be permitted before 7:00 a.m. or after 6:00 p.m.

In addition, conversion of a residential structure into commercial use may impose additional city code requirements including but not limited to the building code, electric code or fire code, as applicable, based on the nature of the proposed use and occupancy classification.