

AN ORDINANCE 2008-09-04-0772

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SAN ANTONIO BY AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, SECTION 35-304, OFFICIAL ZONING MAP OF THE CITY CODE OF SAN ANTONIO, TEXAS BY CHANGING THE ZONING DISTRICT BOUNDARY OF CERTAIN PROPERTY.

* * * * *

WHEREAS, a public hearing was held regarding this amendment to the Official Zoning Map at which time parties in interest and citizens were given an opportunity to be heard; and

WHEREAS, the Zoning Commission has submitted a final report to the City Council regarding this amendment to the Official Zoning Map of the City of San Antonio; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Chapter 35, Unified Development Code, Section 35-304, Official Zoning Map, of the City Code of San Antonio, Texas is amended by changing the zoning district boundary of 3.650 acres out of NCB 19221 from "C-2 ERZD" Commercial Edwards Recharge Zone District to "C-2 S ERZD" Commercial Edwards Recharge Zone District with a Specific Use Authorization for a Hospital.

SECTION 2. A description of the property is attached as Exhibit "A" and made a part hereof and incorporated herein for all purposes.

SECTION 3. The City Council finds as follows:

- A. The specific use will not be contrary to the public interest.
- B. The specific use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district.
- C. The specific use will be in harmony with the spirit and purpose as set forth in Section 35-423, Specific Use Authorization, of the Unified Development Code.
- D. The conditional use will not substantially weaken the general purposes or the regulations as set forth in Section 35-423, Specific Use Authorization, of the Unified Development Code.
- E. The specific use will not adversely affect the public health, safety and welfare.

SECTION 4. The City Council finds that the following conditions shall be met to insure compatibility with the surrounding properties:

- A. All on-site lighting shall be directed downward onto the site and point away from any residential zoning or uses using 90 degree or less cut-off fixtures.

SECTION 5. The City council approves this Specific Use Authorization so long as the attached site plan is adhered to. A site plan is attached as Exhibit "B" and made a part hereof and incorporated herein for all purposes.

SECTION 6. This change of zoning district boundary is conditioned on the requirement that the impervious cover on the property described by this ordinance shall not exceed 46.5%.

SECTION 7. The owner or owner's agent shall inform any person leasing this tract or any portion of this tract that storage of chemicals and/or hazardous materials is not permitted. Provisions prohibiting the storage of chemicals and/or hazardous materials shall be included in the lease agreement. The owner or owner's agent shall provide a copy of the of the lease provisions regarding the storage of chemicals and/or hazardous materials to the Aquifer Protection and Evaluation Section of the San Antonio Water System for approval. The Aquifer Protection and Evaluation Section of the San Antonio Water System may randomly inspect, without notice, any or all facilities on the site to ensure compliance with this ordinance.

SECTION 8. All water pollution abatement structures or features approved by the Texas Commission on Environmental Quality shall be properly maintained and kept free of trash and debris. A water quality maintenance plan and schedule agreement signed by the property owner must be submitted to the Resource Protection Division of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. A water quality maintenance plan signed by the new owner must be submitted to the Resource Protection Division of SAWS.

SECTION 9. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing Groundwater Pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210/222-2204), or equivalent information produced by the U.S. Natural Resource Conservation Service, the Texas Department of Agriculture, or the U.S. Department of Agriculture shall be used.

SECTION 10. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

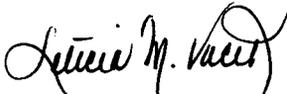
SECTION 11. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

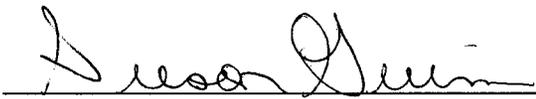
SECTION 12. If a court of competent jurisdiction enters a final judgment on the merits that is no longer subject to appeal and substantially limits or impairs the essential elements of sections one through five of this ordinance, then sections one through five are invalid and have no legal effect as of the date of entry of such judgment notwithstanding any other ordinance or provision of the City Code of San Antonio.

SECTION 13. This ordinance shall become effective September 14, 2008.

PASSED AND APPROVED this 4th day of September 2008.


M A Y O R

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
City Attorney
for



Request for
**COUNCIL
ACTION**

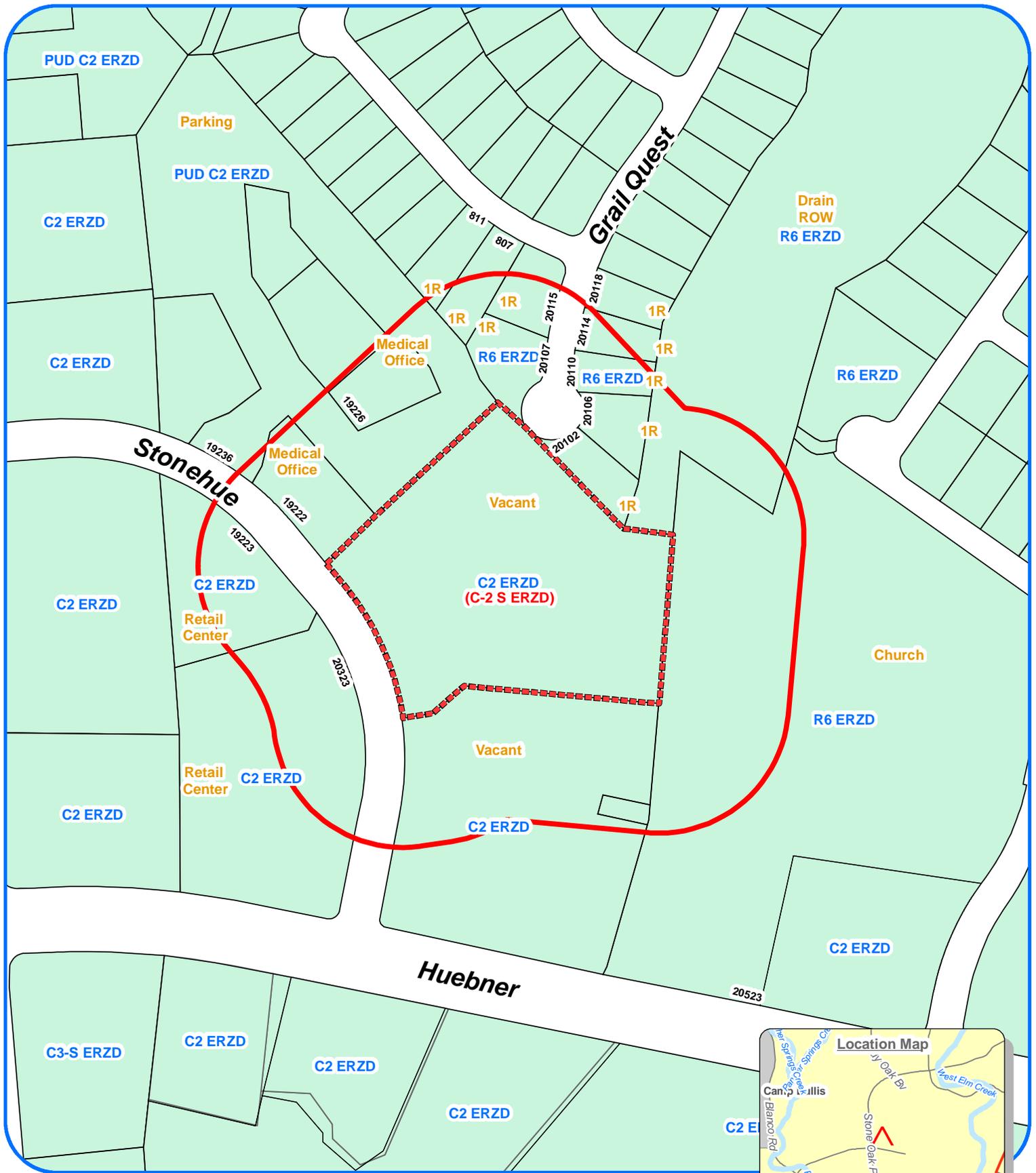
City of San Antonio



Agenda Voting Results - Z-5

Name:	Z-5
Date:	09/04/2008
Time:	03:55:00 PM
Vote Type:	Motion to Appr w Cond
Description:	ZONING CASE # Z2008164 S ERZD (District 9): An Ordinance amending the Zoning District Boundary from "C-2 ERZD" Commercial Edwards Recharge Zone District to "C-2 S ERZD" Commercial Edwards Recharge Zone District with a Specific Use Authorization for a Hospital on 3.650 acres out of NCB 19221 located at 20400 Block of Huebner Road. Staff and Zoning Commission recommend approval.
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Phil Hardberger	Mayor		x				
Mary Alice P. Cisneros	District 1		x				
Sheila D. McNeil	District 2		x				
Jennifer V. Ramos	District 3		x				
Philip A. Cortez	District 4	x					
Lourdes Galvan	District 5	x					
Delicia Herrera	District 6	x					
Justin Rodriguez	District 7	x					
Diane G. Cibrian	District 8		x				
Louis E. Rowe	District 9		x			x	
John G. Clamp	District 10		x				x



Zoning Case Notification Plan

Case Z-2008-164 S

Council District 9

Scale: 1" approx. = 200'

Subject Property Legal Description(s): 3.65 Acres out of NCB 19221 Block: 009

Legend

- Subject Property (3.6 Acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(5/13/2008)

Z2008164 S ERZD

ZONING CASE NUMBER Z2008164 S ERZD (Council District 9) – July 15, 2008

A request for a change in zoning from “C-2 ERZD” Commercial Edwards Recharge Zone District to “C-2 S ERZD” Commercial Edwards Recharge Zone District with a Specific Use Authorization for a Hospital on 3.650 acres out of NCB 19221, 20400 Block of Huebner Road. Staff recommends approval.

Tina Larson, representative, stated the purpose of this request is to allow the development of a 40,000 square foot physical rehabilitation hospital.

Staff stated there were 22 notices mailed out to the surrounding property owners, 1 returned in opposition and 0 returned in favor and Stone Oak Property Owners Association is in favor and no response from Stone Oak Communities of Mutual Amenities.

COMMISSION ACTION

The motion was made by Commissioner Wright and seconded by Commissioner Gray to recommend approval with SAWS recommendations.

**AYES: Sherrill, Robbins, Westheimer, Gadberry, Hawkins, Myers, Wright,
Martinez, R. Valadez, Gray**

NAY: None

THE MOTION CARRIED

RECEIVED

08 MAY 29 AM 9:15

SAN ANTONIO WATER SYSTEM
Interdepartment Correspondence Sheet

LAND DEVELOPMENT
SERVICES DIVISION

To: Zoning Commission Members

From: Kirk M. Nixon, Manager, Resource Protection Division, San Antonio Water System

Copies To: Scott R. Halty, Director, Resource Protection & Compliance Department, Gregory James, P.G., Michael A. Escalante, Resource Protection Specialist II, Aquifer Protection & Evaluation Section, File

Subject: Zoning Case Z2008164 (Global Rehab Hospital)

Date: May 28, 2008

SUMMARY

A request for a change in zoning has been made for an approximate 3.65-acre tract located on the city's north side. A change in zoning from **C-2 ERZD to C-2 SUP ERZD** is being requested by the applicant, Cirrus Group, by Jason Dodd. The change in zoning has been requested to allow for the development of a rehabilitation hospital development. The property is classified as a Category 1.

Based on the site evaluation of the property, and the information submitted by the applicant, SAWS staff recommends **approval** of the proposed land use. Should the City Council rezone the property that is the subject of this report, the San Antonio Water System recommends that any development on that property after the zoning classification has been changed should be restricted as stated in the environmental recommendations section of this report.

LOCATION

The subject property is located in City Council District 9, near the northeast intersection of Huebner Rd. and Stonehue. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

SITE EVALUATION

1. Development Description:

The proposed change is from C-2 ERZD to C-2 SUP ERZD and will allow for the development of a rehabilitation hospital development named the Global Rehab Hospital. Currently the site is undeveloped with undisturbed vegetation.

2. Surrounding Land Uses:

A medical office park is located to the northwest and Knights Cross subdivision to the northeast of the property. Holy Trinity Catholic Church is located to the east of the property. Stonehue Rd. is located to the west of the property. Undeveloped property bounds the southern portion of the subject site.

3. Water Pollution Abatement Plan:

As of the date of this report, a WPAP has not been submitted to the Texas Commission on Environmental Quality (TCEQ). A WPAP will be required to be submitted to and approved by the TCEQ prior to commencement of construction.

4. Geologic Conditions:

The Resource Protection Division of the San Antonio Water System conducted a site evaluation on May 8, 2008 & May 13, 2008 of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS Environmental Geologist, Ms. Joan Falkenberg, P.G., was present during the site evaluation.

- A. The subject site is approximately 3.65 acres and is part of a larger parent tract of approximately 7 acres. The site was moderately vegetated with native trees, tall grasses and leaf litter. A moderate exposure of bedrock was observed throughout the site. The native soil on the site consists of the Eckrant cobbly clay - Group C and approximately 0 to 1 feet thick. Some illegal dumping has occurred on the site.
- B. Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site is underlain by the Dolomitic Member of the Kainer Formation of the Edwards Aquifer. The exposed limestone observed on the subject site was consistent with characteristics of the Dolomitic Member.

The Dolomitic Member of the Kainer Formation is characterized by the presence of massively bedded mudstone, grainstone, and recrystallized limestone with abundant chert nodules. The full section of thickness is approximately 110 to 130 feet.

- C. No creekways were observed on site and no portion of the site is within the 100 year floodplain. The site appeared to slope to the southeast and stormwater should drain into an offsite unnamed tributary of Panther Springs Creek. Several small non-karst closed depressions were observed across the property, consisting mainly of tree-holes and animal burrows. Two features were listed on the geologic assessment for the subject tract and consisted of a man made sewer and a small solution cavity. These features were not rated as sensitive and did not appear to be sensitive during the field investigation. Additionally a

man-made concrete drainage way crossed the northern boundary of the site and several (sealed) test holes were observed. Off site; but within the 7 acre parent tract, a small solution cavity was found which did not appear to be sensitive. The hydrogeologic map shows an inferred fault traversing thru the southeast corner of the parent tract. Field observation did not find this feature to be sensitive.

ENVIRONMENTAL CONCERNS

The environmental concerns associated with this development being constructed on the Edwards Aquifer Recharge Zone are:

1. Site Specific Concerns:
 - A. The improper handling and disposal of medical and bio-hazardous material to be generated on-site.
 - B. The presence and proper installation and operation for a proposed AST located on the site which is for the required back up generator.
2. Standard Pollution/Abatement Concerns:
 - A. The improper use of pesticides, herbicides, or fertilizers needed for landscape maintenance that may be carried off in the first flush of stormwater run-off.
 - B. The build-up of hydrocarbons and other pollutants on streets, parking lots and other paved areas that are then carried off in the first flush of stormwater run-off.

ENVIRONMENTAL RECOMMENDATIONS

The following recommendations address the environmental concerns raised by the construction of this development on the Edwards Aquifer Recharge Zone:

Site Specific Recommendations

1. The impervious cover shall not exceed 46.5% on the site.
2. The Water Quality Ordinance allows for 65% impervious cover for commercial land use, however, the developer has provided a site plan and agrees not to exceed 46.5% impervious cover.
3. Outside storage of chemicals will not be permitted on the site.

4. The Aboveground Storage Tank (AST) shall not exceed greater than 600 gallons which is required for the back up generator.
5. The AST shall be placed within a containment basin designed to capture and retain a minimum of 150 percent of the storage capacity of the AST.
6. All valves, pipes, fittings, and other controls connected to the AST shall be placed within the containment basin.
7. A spill containment kit and approved absorbent materials designed to capture and retain potential spills shall be clearly labeled and displayed within 20 feet of the containment area.
8. Hazardous and/or contaminated material shall be placed in properly labeled containers and disposed of by a licensed waste hauler/bio-waste hauler. All medical waste shipping documents shall be available for inspection, upon request by the Aquifer Protection and Evaluation Section of SAWS. Incineration on site, of any waste, in any quantity shall be strictly prohibited.
9. The land uses within the project site shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at the project site. If the land use is listed as special use, a special permit must be obtained for that use. If the land use is listed as not allowed, that land use will not be permitted on the project site.
10. The owner of all water pollution abatement structures shall ensure these structures are properly maintained and kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Resource Protection Division of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. The new owner must submit a signed water quality maintenance plan to the Resource Protection Division of SAWS.
11. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing Groundwater Pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210/222-2204), or equivalent information produced by the U.S. Natural Resource Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, shall be used.
12. The applicant shall notify the Construction Compliance Section of the Resource Compliance Division of SAWS at (210) 233-3564 no later than 48 hours prior to the commencement of construction at the site. If any significant geologic features such as, but not limited to, solution

openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3526.

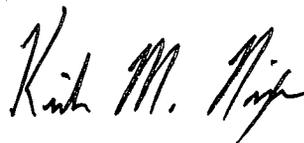
13. If any sensitive geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3526.

General Recommendations

1. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer Protection & Evaluation Section of the Resource Protection Division:
 - A. A copy of the Water Pollution Abatement Plan (WPAP) shall be submitted for each particular development/use within the area being considered for re-zoning,
 - B. A set of site specific plans which must have a signed Engineers Seal from the State of Texas,
 - C. A WPAP approval letter from the Texas Commission on Environmental Quality,
 - D. A copy of the approved Water Pollution Abatement Plan.
2. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal Law.
3. If a water quality basin is constructed on the property, the following is required:
 - A. Prior to the start of the basin construction, the owner will notify the Aquifer Protection and Evaluation Section of the San Antonio Water System at (210) 233-3526 to schedule a site inspection.
 - B. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Aquifer Protection and Evaluation Section at (210) 233-3526 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to SAWS Aquifer Protection and Evaluation Section.
 - D. If the basin fails to drain properly, the owner will notify the Construction Section of the Resource Compliance Division at (210) 233-3564 prior to any discharge of water.

- E. If at any time the ownership of the property changes, the seller must inform the buyer of all requirements for maintenance of the basin. A signed basin maintenance plan and schedule agreement, from the new owner, must be submitted to the Resource Protection Division of SAWS.
4. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.
5. The Resource Protection Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

Based on the site evaluation of the property, and the information submitted by the applicant, staff recommends **approval** of the proposed land use. Additionally, SAWS staff recommends that the applicant, or any future owner, comply with the above recommendations in regards to the development of the subject property.



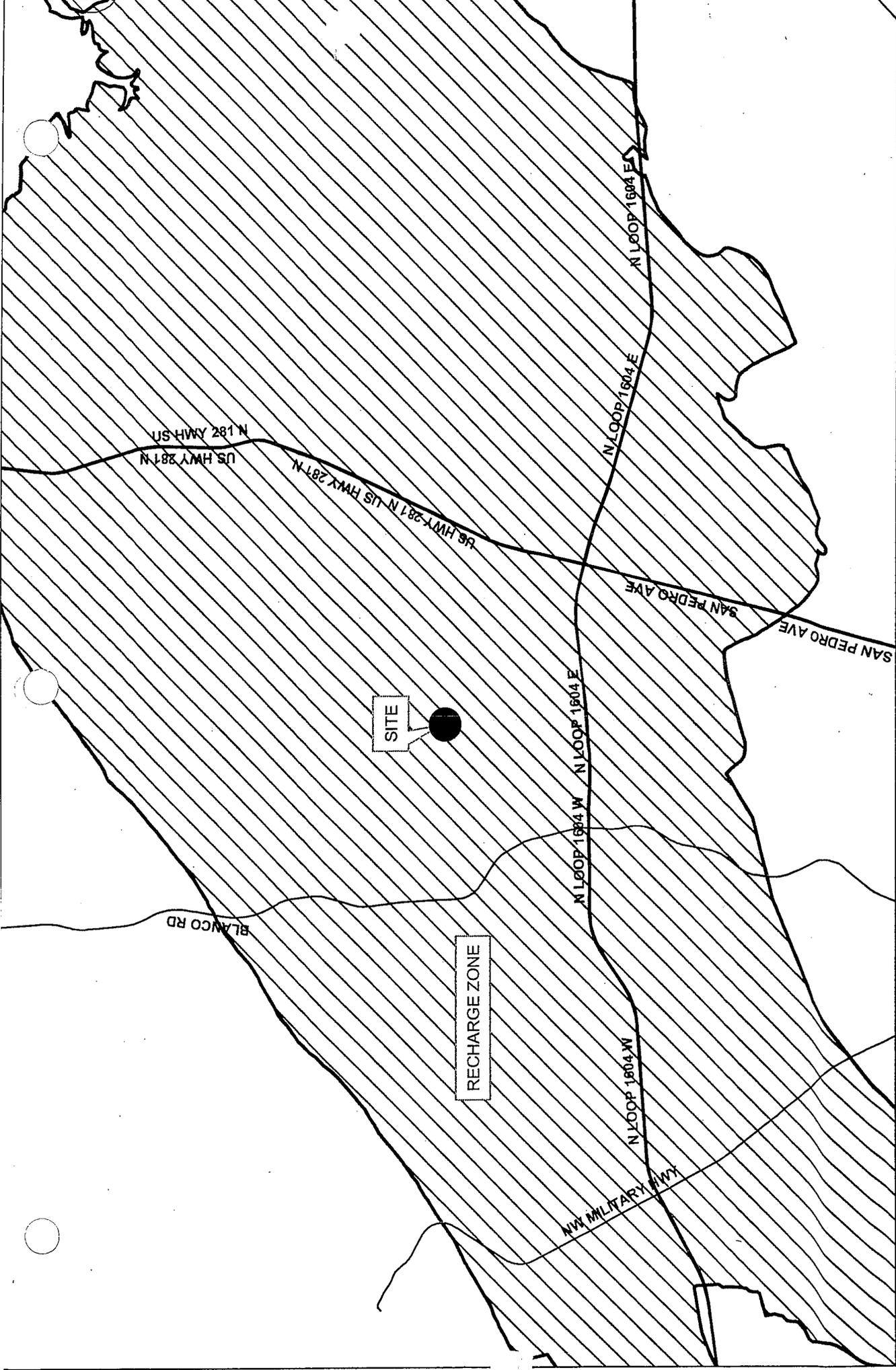
Kirk M. Nixon
Manager
Resource Protection Division

APPROVED:



Scott R. Halty
Director
Resource Protection & Compliance Department

KMN:MAE



ZONING FILE: GLOBAL REHAB HOSPITAL (FIGURE 1)

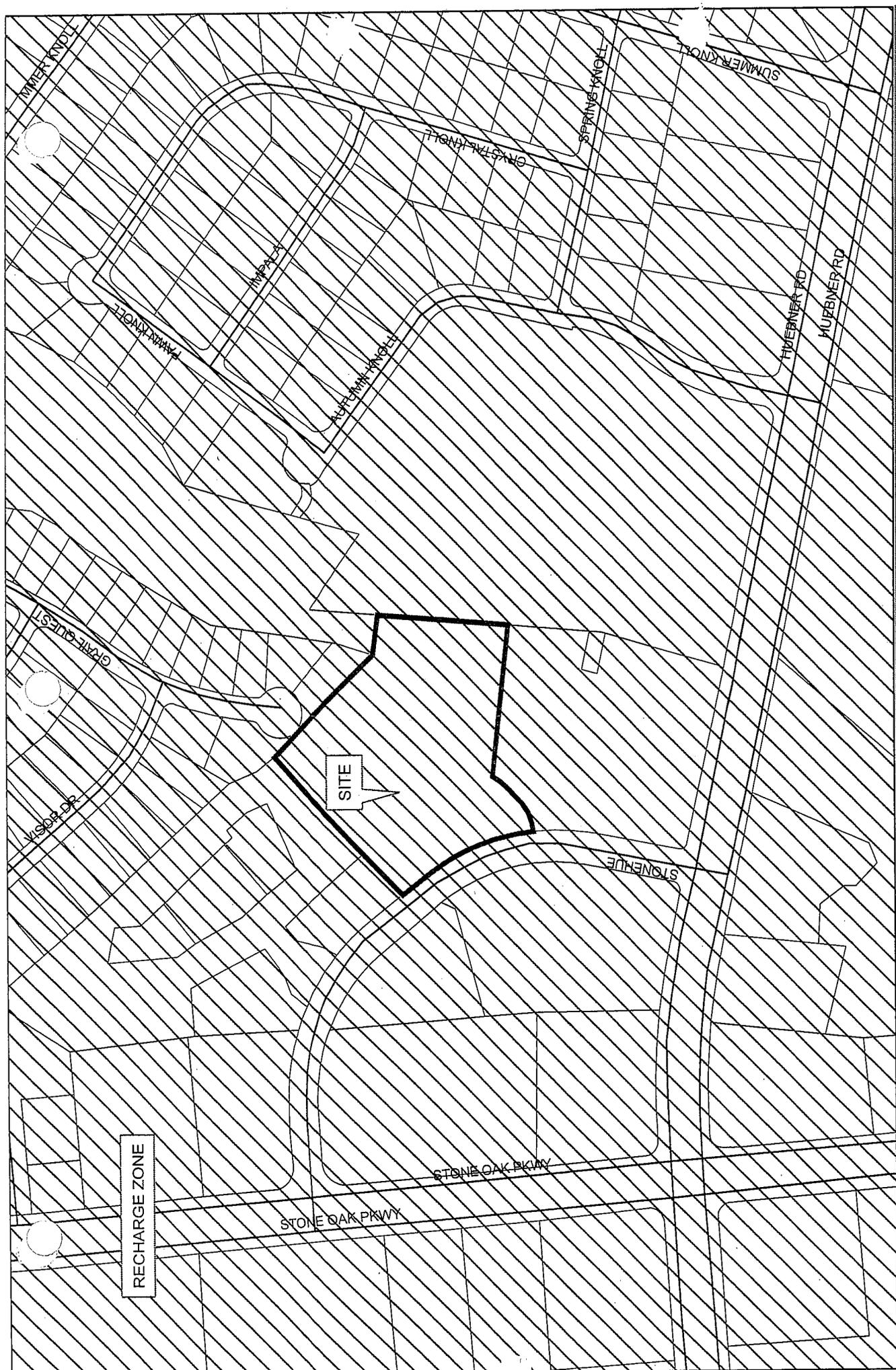
ZONING ID: Z2008164

MAP PAGE: '92, E 7 X= 2129767 Y= 13776156

Map Prepared by Aquifer Protection & Evaluation MAE 5/6/2008

1 inch equals 6,011.176885 feet



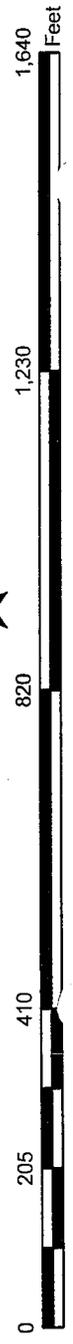


ZONING FILE: GLOBAL REHAB HOSPITAL (FIGURE 2)

ZONING ID: Z2008164

MAP PAGE: 482, E 7 X= 2129767 Y= 13776156

Map Prepared by Aquifer Protection & Evaluation MAE 5/12/2008



1 inch equals 237.614259 feet

72008164

Sinclair & Associates, Inc.

3201 Cherry Ridge, Suite A101
San Antonio, Texas 78230
210-341-4518

April 15, 2008

3.650 acres out of the
Beaty, Seale and Forwood Survey No. 11
Abstract 114
New City Block 19221
City of San Antonio

THE STATE OF TEXAS
COUNTY OF BEXAR

FIELDNOTES OF A SURVEY OF

3.650 acres out of the Beaty, Seale and Forwood Survey No. 11, Abstract 114, New City Block 19221, City of San Antonio, Bexar County, Texas, being a portion of that 7.005-acre tract of land described in deed of record in Volume 11544 at page 1371 of the Official Public Records of Bexar County, Texas, and being more particularly described by metes and bounds, as surveyed, as follows:

Beginning at an ½" iron bar with a cap marked "RPLS 3485" found set in the ground in the northeast right-of-way line of Stonehue as shown by plat of record in Volume 9543 at page 88 of the Plat Records of Bexar County, Texas, the west corner of a 7.005-acre tract of land described in deed of record in Volume 11544 at page 1371 of the Official Public Records of Bexar County, Texas and the south corner of Lot 2, Block 9, Stonehue P.U.D. 1, City of San Antonio as shown by plat of record in Volume 9546 at page 205 of the Plat Records of Bexar County, Texas, for the west corner of this tract;

Thence N 47°02'35" E with the northwest boundary line of said 7.005-acre tract and the southeast boundary lines of Lots 2 and 6, said Stonehue P.U.D. 1 a distance of 369.28 feet to an

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½" iron bar found set in the ground, the north corner of said 7.005-acre tract, the east corner of said Lot 6 and a corner of Lot 31, Block 4, Knights Cross as shown by plat of record in Volume 9536 at page 179 of the Plat Records of Bexar County, Texas, for the north corner of this tract;

Thence S 43°10'21" E with the northeast boundary line of said 7.005-acre tract and the southwest boundary line of said Lot 31 a distance of 63.08 feet to a point, the south corner of said Lot 31 and the west corner of Lot 23, said Block 4 and continuing on the same course and by the same count with the southwest boundary line of said Lot 23 an overall distance of 273.67 feet to an ½" iron bar found set in the ground, a reentrant corner of said 7.005-acre tract and the southwest corner of said Lot 23, for a reentrant corner of this tract;

Thence S 84°39'08" E with the north boundary line of said 7.005-acre tract and the south boundary line of said Lot 23 a distance of 77.92 feet to an ½" iron bar found set in the ground in the west boundary line of Lot 62, Block 5, Holy Trinity Catholic Church Subdivision II as shown by plat of record in Volume 9559 at pages 184 and 185 of the Plat Records of Bexar County, Texas, the northeast corner of said 7.005-acre tract and the southeast corner of said Lot 23, for the northeast corner of this tract;

Thence S 5°11'40" W with the east boundary line of said 7.005-acre tract and the west boundary line of said Lot 62 a distance of 258.52 feet to an ½" iron bar with an orange cap marked "Sinclair and Associates" set in the ground for the southeast corner of this tract;

Thence N 84°48'20" W crossing said 7.005-acre tract a distance of 302.33 feet to an ½" iron bar with an orange cap marked "Sinclair and Associates" set in the ground for a corner of this tract;

Thence S 48°38'17" W a distance of 64.60 feet to an ½" iron bar with an orange cap marked "Sinclair and Associates" set in the ground for a corner of this tract;

Thence S 81°27'38" W a distance of 46.78 feet to an ½" iron bar with an orange cap marked "Sinclair and Associates" set in the ground in the arc of a curve having a radius of 429.59 feet, the northeast right-of-way line of said Stonehue and the southwest boundary line of said 7.005-acre tract for the southwest corner of this tract;

Thence curve left in a northwesterly direction along the arc of said curve having a radius of 429.59 feet with the northeast right-of-way line of said Stonehue and the southwest boundary line of said 7.005-acre tract, through a central angle of 30°55'34", a chord bearing and distance of N 24°15'47" W - 229.07 feet, a distance of 231.88 feet to an ½" iron bar with a cap marked "RPLS 3485" found set in the ground, a corner of said 7.005-acre tract, for a corner of this tract;

Thence N 39°46'15" W with the northeast right-of-way line of said Stonehue and a southwest

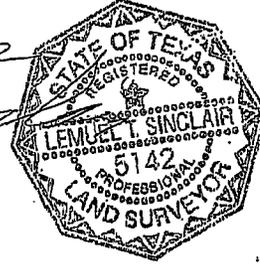
Z9008124

boundary line of said 7.005-acre tract a distance of 33.95 feet to the point of beginning.

Containing 3.650 acres (158,978 square feet) of land, more or less.

SINCLAIR & ASSOCIATES, INC


Lemuel T. Sinclair,
Registered Professional Land
Surveyor No. 5142



LTS



CITY OF SAN ANTONIO
Request for Council Action

Agenda Item # Z-5
Council Meeting Date: 9/4/2008
RFCA Tracking No: R-3815

DEPARTMENT: Development Services

DEPARTMENT HEAD: Roderick Sanchez

COUNCIL DISTRICT(S) IMPACTED:
Council District 9

SUBJECT:
Zoning Case Z2008164 S ERZD

SUMMARY:

From "C-2 ERZD" Commercial Edwards Recharge Zone District to "C-2 S ERZD" Commercial Edwards Recharge Zone District with a Specific Use Authorization for a Hospital.

BACKGROUND INFORMATION:

Zoning Commission Meeting Date: July 15, 2008

Applicant: Jason Dodd

Owner: Wright Dayton Property, LP

Property Location: 20400 Block of Huebner Road

3.650 acres out of NCB 19221

On the east side of Stonehue between Huebner to the south and Stone Oak Parkway to the northwest

Proposal: To allow a physical rehabilitation hospital

Neighborhood Association: Stone Oak Communities of Mutual Amenities and Stone Oak Property Owners Association

Neighborhood Plan: None

TIA Statement: A Traffic Impact Analysis is not required.

ISSUE:

This property is located within the Camp Bullis Awareness Zone (Five (5) mile buffer). The subject property is less than 10 acres, a representative from Camp Bullis has reviewed the rezoning request and has indicated to staff that there are no concerns with the proposed development.

ALTERNATIVES:

A denial of this zoning request would result in the subject property retaining the current zoning classification of "C-2" Commercial District, prohibiting the proposed hospital which is only allowed in the C-2 district with the approval of a specific use authorization.

FISCAL IMPACT:

None. The applicant has paid the required zoning fees.

RECOMMENDATION:

Staff and Zoning Commission (10-0) recommend approval.

The subject property consists of undeveloped land with frontage on Stonehue. The property is surrounded by C-2 zoning. The surrounding land uses consist of medical offices and residential dwellings to the north; undeveloped land to the south; a retail shopping center to the west and a church to the east.

The applicant is requesting a zoning change in order to allow a physical rehabilitation hospital of approximately 40,000 square feet. A significant amount of C-2 zoning exists within the vicinity of the subject property. Staff finds the request to be appropriate given the subject property's location near a major arterial Huebner Road (a Primary Arterial "Type A" street) to the south as well as the prevalence of commercial zoning and uses. The requested specific use for a physical rehabilitation hospital would be appropriate at this location in order to provide services that would compliment and serve the existing neighboring subdivisions and growing community. Furthermore, the base commercial zoning is not proposed to be changed and, therefore, the property may at any time still be developed for commercial uses in the future.

SAWS Summary:

1. SAWS recommends approval of the proposed land use.
2. SAWS currently identifies the property as a Category property.
3. The impervious cover shall not exceed 46.5% on site.

ATTACHMENT(S):

File Description	File Name
Location Map	Z2008164.pdf
Zoning Commission Minutes	Z2008164 S ERZD.pdf
Site Plan	Z2008164 S ERZD.pdf
SAWS Report	SAWS Report.pdf
Voting Results	
Ordinance/Supplemental Documents	200809040772.pdf

DEPARTMENT HEAD AUTHORIZATIONS:

Roderick Sanchez Director Development Services

APPROVED FOR COUNCIL CONSIDERATION:

T.C. Broadnax Assistant City Manager