

CASE NO: Z2004161 C

Staff and Zoning Commission Recommendation - City Council

Zoning Commission continuance from July 20
City Council continuance from August 26, 2004

Date: September 09, 2004

Zoning Commission Meeting Date: August 03, 2004

Council District: 7

Ferguson Map: 615 A1

Appeal: No

Applicant:

The Center for Health Care Service

Owner:

The Center for Health Care Service, Bexar County
Mental Health Mental Retardation (MHMR)

Zoning Request: From C-1 Light Commercial District to C-2NA C Commercial Nonalcoholic Sales District with a Conditional Use for a Homeless Shelter

Lots 1 through 8, Block 1, NCB 9645

Property Location: 3551 Culebra Road

Proposal: To operate a homeless shelter to include housing and healthcare services for twenty-two homeless females and social services available to individuals on a drop-in basis.

Neighborhood Association: Third World Neighborhood Association, Loma Park Neighborhood Association within 200 feet

Neighborhood Plan: None

TIA Statement: A traffic impact analysis is not required.

Staff Recommendation:

Denial. A vacant residential building is currently on the subject property. Since 1961, the building has operated in a shelter capacity. Bexar County Mental Health Mental Retardation (MHMR) purchased the subject property in the early 1970's to operate a shelter for homeless women. The residential building on the subject property has been vacant for the past year. The subject property is located at the intersection of Culebra Road, a major arterial, and Hillcrest Drive, a collector street for the residential neighborhood to the north. There are various commercial uses to the east, south, and west of the subject property. A current MHMR shelter for homeless adult males is located directly across the street, south of Culebra Road. The subject property is located on the southern boundary of a residential neighborhood. The subject property's north property line is shared with three existing and two newly constructed single-family homes. The subject property is an inappropriate location for C-3 uses given the close proximity to the residences directly north.

Zoning Commission Recommendation:

Approval of C-2 NA C Commercial Nonalcoholic Sales District with a Conditional Use for a Residential Treatment Facility with the following conditions:

1. Curfew for residents shall be from 9:30 pm to 6:00am Monday through Thursday and 10:30 pm to 6:00am Friday through Sunday,
2. The natural buffer and a fence shall be maintained along the north property line, and
3. Outside lighting shall be directed downward onto the subject property and not emit any lighting on nearby residences on lots 1 through 5.

VOTE

FOR	6
AGAINST	1

CASE MANAGER : Christie Chapman 207-8389

ABSTAIN	0
RECUSAL	0

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ZONING CASE NO. Z2004161 C – July 20, 2004

Applicant: The Center for Health Care Service

Zoning Request: "C-1" Light Commercial District to "C-2NA" C Commercial
Nonalcoholic Sales District with Conditional Use for an Emergency
Shelter.

Leon Evans, 3031 IH 10 West, representing the applicant, stated their intent is to operate an emergency shelter with housing and healthcare services for twenty-two homeless females. He stated they are the public mental health and mental retardation authority for San Antonio and Bexar County. He stated they also provide substance abuse services. This operation is a residential treatment facility and stay is up to two years. He further stated they have operated a mental facility since 1991. He stated this facility would treat the homeless and get them reintegrated. He feels this is a need program for the community.

FAVOR

David Morris, 300 E. Mulberry, stated this is a residential treatment facility for females for substance abuse. He stated they have another operation in the Monte Vista area that has been in operation for about 38 years. This facility is strictly to help rehabilitate these homeless people and also provide health care service for substance abuse. He further stated they would provide temporary housing for two years these residents, no longer term housing.

Saul Santos, Jr., stated he strongly supports this operation. He stated this is a very important program and feels there is a need for this type of facility. He further stated his church has participated in helping homeless people.

John Smith, 3382 W. Woodlawn Ave., stated he would like to express his support. He stated he believes the proposed project is extremely worthwhile and is very much needed for the City. The opportunity to provide hope, change and a chance to receive the necessary treatment that would change the lives to the women who would benefit from this program is an opportunity to bring those individuals back into our community.

OPPOSE

Teri Kilmer, 655 Maria Elena, President of Loma Park Neighborhood Association, stated she has been in contact with the president of Third World Neighborhood Association who is also in opposition of this request as well as Loma Vista, Memorial Heights and Loma Terrace. She stated they do not welcome this operation into their neighborhood. She stated the majority of the residents in this area are senior citizens and are concerned for

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their safety. She stated these individuals that would be housed in this facility would cause a threat to their community. She fears that these individuals would prowl in and out of the neighborhood and may cause harm to the residents. She feels the crime rate will rise as well as vandalism. Therefore she would request this zoning change be denied.

Mary Helen Reedy, 842 Plainview, stated does not support this operation. She resides approximately 2 blocks away from the proposed facility. She supports helping homeless individuals however she is concerned for her safety. She stated she feels this operation would increase crime and vandalism in the neighborhood.

Mary Elizondo, 839 Plainview, stated she also resides 2 blocks away from the proposed facility. She fears that these homeless individuals may cause harm to the residents

Nora Guerra, 651 Ellar Drive, stated she also is in opposition of this request. She has experience vandals trespassing on her property. She feels this operation would be a threat to the community.

REBUTTAL

Leon Evans, 3031 IH 10 West, representing the applicant, stated the individuals that would be housed in this facility would not be criminals. This program is fit to help homeless women and also provide health services for substance abuse. He further stated he has worked with the surrounding neighbors to address their concerns. He stated their intent is to enhance the public safety.

Staff stated there were 24 notices mailed out to the surrounding property owners, 2 returned in opposition and 1 returned in favor and Loma Park Neighborhood Association is in opposition. There was no response from Third World Neighborhood Association.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

COMMISSION ACTION

The motion was made by Commissioner Sherrill and seconded by Commissioner McAden to recommend a continuance until August 3, 2004.

1. Property is located on Lots 1 through 8, Block 1, NCB 9645 at 3551 Culebra Road.
2. There were 24 notices mailed, 2 returned in opposition and 1 in favor.
3. Staff recommends denial.

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AYES: Martinez, Grau, Cardenas-Gamez, Dutmer, Dixon, Sherrill, McAden,
Avila, Stribling, Peel

NAYS: None

THE MOTION CARRIED

ZONING CASE NO. Z2004161 C – August 3, 2004

Applicant: The Center for Health Care Service

Zoning Request: "C-1" Light Commercial District to "C-2NA" C Commercial
Nonalcoholic Sales District with a Conditional Use for an Emergency
Shelter.

Leon Evans, 3031 IH 10 West, representing the applicant, stated they are propose to operate a emergency housing shelter and healthcare facility on the subject property. He stated they have met with the Commissioner Sherrill, Councilman Castro and the neighborhood association who are in support of this operation. They have acknowledged the residents concerns and feel they have addressed them. The facility would be staffed 24/7 and would have curfew for the residents in this facility.

OPPOSE

Teri Kilmer, 655 Maria Elena, President of Loma Park Neighborhood Association, stated they are opposition of this request. She stated she has visited her neighbors and collected a petition expressing their opposition. She further stated they fear the residents that would be housed in this facility would pose a threat to the community.

Eulcelio Torres, 114 Brandywine, stated he resides behind the proposed site and is concerned with the type of tenants that would be housed at the facility. He stated this type of operation is inappropriate for this area. He stated there is an existing men's homeless facility in the area and does not support another homeless shelter.

Cruz Torres, 114 Brandywine, stated she is concerned that the tenants that would be housed in this facility may wanders off into the nearby residential area and cause harm to the elderly residents. She feels this type of facility is not suitable for this area and is concerned for the children that attend the nearby elementary school.

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REBUTTAL

Leon Evans, 3031 IH 10 West, representing the applicant, stated this facility provides programs that fit to help homeless women and also provide health services for substance abuse. He further stated the tenants would occasionally be drug tested and if they test negative they would be disqualified for these programs.

Staff stated there were 24 notices mailed out to the surrounding property owners, 2 returned in opposition and 1 returned in favor. Loma Park Neighborhood Association is in opposition. Loma Park Neighborhood Association also submitted a petition of the surrounding neighbors expressing their opposition.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

COMMISSION ACTION

The motion was made by Commissioner Sherrill and seconded by Commissioner McAden to recommend approval of "C-2" C for a residential treatment facility with the following conditions: 1.) Curfew hours from 6am to 9:30pm Sunday thru Thursday, 6am to 10:30pm Friday and Saturday; 2.) Maintains of the existing natural fence along the northern portion of the property; 3.) Only cut off directional down lighting; 4.) Only apply to lots 1 thru 5.

1. Property is located on Lots 1 through 8, Block 1, NCB 9645 at 3551 Culebra Road.
2. There were 24 notices mailed, 2 returned in opposition and 1 in favor.
3. Staff recommends denial.

AYES: Martinez, Dixon, Sherrill, McAden, Stribling, Peel

NAYS: Dutmer, Avila

THE MOTION CARRIED

RESULTS OF COUNCIL HEARING August 26, 2004

City Council granted a continuance until September 9, 2004

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.