



# City of San Antonio

## Legislation Details (With Text)

**File #:** 17-6198

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 12/7/2017

**Title:** ZONING CASE # Z2017258 CD (Council District 5): An Ordinance amending the Zoning District Boundary from "NC AHOD" Neighborhood Commercial Airport Hazard Overlay District to "C-2 NA CD AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Conditional Use for a Tattoo Parlor on Lot 13 and Lot 14, Block 104, NCB 6668, located at 619 SW 24th Street. Staff and Zoning Commission recommend Approval with Conditions.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Ordinance 2017-12-07-0968

Date	Ver.	Action By	Action	Result
12/7/2017	1	City Council A Session	Motion to Appr w Cond	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 5

**SUBJECT:**

Zoning Case Z2017258 CD

**SUMMARY:**

**Current Zoning:** "NC AHOD" Neighborhood Commercial Airport Hazard Overlay District

**Requested Zoning:** "C-2 NA CD AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Conditional Use for a Tattoo Parlor

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 17, 2017. This case is continued from the October 3, 2017 Zoning hearing.

**Case Manager:** Kayla Leal, Planner

**Property Owner:** Jesse and Stella Castillo

**Applicant:** Stella Castillo

**Representative:** N/A

**Location:** 619 SW 24th Street

**Legal Description:** Lot 13 and Lot 14, Block 104, NCB 6668

**Total Acreage:** 0.3737

**Notices Mailed**

**Owners of Property within 200 feet:** 20

**Registered Neighborhood Associations within 200 feet:** Prospect Hill Neighborhood Association

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property was partly in the Original City Limits of San Antonio and part was annexed on August 3, 1944, established by Ordinance 1258. The property was zoned "R-1" Single Family Residence District and changed to "NC" Neighborhood Commercial District, established by Ordinance 94788, dated October 25, 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:** C-1

**Current Land Uses:** Our Lady of the Lake University

**Direction:** East

**Current Base Zoning:** R-6

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

**Direction:** South

**Current Base Zoning:** C-2NA, C-3NA, C-1

**Current Land Uses:** Chapel, Vacant Building, Single-Family Residence

**Direction:** West

**Current Base Zoning:** R-6

**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:** SW 24<sup>th</sup> Street

**Existing Character:** Secondary Arterial Type B

**Proposed Changes:** None known

**Thoroughfare:** San Fernando Street

**Existing Character:** Local Street

**Proposed Changes:** None known

**Public Transit:** The nearest bus stop (Stop #94237) is directly in front of the property and runs along Bus Routes 522 and 70 along SW 24<sup>th</sup> Street.

**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:** A Tattoo Parlor/Studio requires a minimum of one (1) parking space per 300 square-feet of the Gross Floor Area (GFA) and a maximum of one (1) parking space per 200 square-feet of the GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation. Neighborhood Commercial zoning provides small areas for offices, professional services, service and storefront retail uses; all designed in scale with surrounding residential development. Building size is limited to 3,000 square feet. Examples of permitted uses: animal and pet services, fitness/health club, antique store, apparel and accessory store, bookstore, bakery, florist, gift shop, professional offices, music store, convenience store, and restaurant.

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center.

The subject property is located within a half (1/2)-mile from the Commerce-Houston Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (10-0) 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 not located within an adopted Neighborhood, Community, Perimeter, or Sector Plan therefore, a finding of consistency is not required.

**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. The proposed use is consistent with the established development pattern of the surrounding area. The property is already zoned commercial, and there are commercial uses currently within the building, so the rezoning to a conditional use for a tattoo parlor does not present evidence of likely adverse effects.

**3. Suitability as Presently Zoned:**

The existing "NC" base zoning district is appropriate for the surrounding area. There is single-family residential to the west and east of the property, making Neighborhood Commercial an appropriate zoning. With the property being on a corner location and SW 24<sup>th</sup> Street being a Secondary Arterial, changing the zoning to

“C-2” base zoning district will also suit the property.

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

Staff has not found any indication of likely adverse effects on the public health, safety, or welfare. The nearest tattoo parlor is approximately 1.5 miles away from the subject property, so there is no sign of saturation of tattoo parlors in the area. The structure already exists and consists of commercial uses.

**5. Public Policy:**

The request does not appear to conflict with any public policy objective considering it is not located within any plan.

**6. Size of Tract:**

The 0.3737 acre site is of sufficient size to accommodate the proposed development. There is currently a commercial building on the property which contains suites.

**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.

Staff and Zoning Commission recommend approval with the following condition:

- Hours of operation are Sunday through Thursday: 9:00 am- 9:00 pm and Friday through Saturday: 9:00 am - 10:30 pm.