



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-1768

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 2/5/2019

**Title:** (Continued from 01/15/19) ZONING CASE # Z-2018-900062 CD (Council District 5): A request for a change in zoning from "R-4 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Region 2 Airport Hazard Overlay District to "C-2 CD AHOD MLOD-2 MLR-2" Commercial Lackland Military Lighting Overlay Military Region 2 Airport Hazard Overlay District with Conditional Use for a Tattoo Parlor/Studio on Lot 23 and Lot 24, Block 9, NCB 3912, located at 308 Espinosa Street. Staff recommends Approval, pending Plan Amendment. (Associated Plan Amendment PA-2018-900018)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 5

**SUBJECT:**

Zoning Case Z-2018-900062 CD  
(Associated Plan Amendment PA-2018-900018)

**SUMMARY:**

**Current Zoning:** "R-4 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Region 2 Airport Hazard Overlay District

**Requested Zoning:** "C-2 CD" AHOD MLOD-2 MLR-2" General Commercial Lackland Military Lighting Overlay Military Region 2 Airport Hazard Overlay District with Conditional Use for Tattoo Parlor/Studio

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** February 5, 2019. This case is continued from the January 15, 2019 hearing.

**Case Manager:** Dominic Silva, Planner

**Property Owner:** Betty Garcia Alaniz

**Applicant:** Rene Saucedo

**Representative:** Rene Saucedo

**Location:** 308 Espinosa Street

**Legal Description:** Lot 23 and Lot 24, Block 9, NCB 3912

**Total Acreage:** 0.1435

**Notices Mailed**

**Owners of Property within 200 feet:** 24

**Registered Neighborhood Associations within 200 feet:** There is no Neighborhood Association within 200 feet.

**Applicable Agencies:** San Antonio ISD

**Property Details**

**Property History:** The subject property was originally “R-7” Residential District, established by Ordinance 33412, dated June 28, 1965. Upon the adoption of the 2001 Unified Development Code, the previous “R-7” converted to the current “R-4” Residential Single-Family District.

**Topography:** The subject property is not located within the 100-year flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** “R-4”

**Current Land Uses:** Residential

**Direction:** East

**Current Base Zoning:** UZROW

**Current Land Uses:** Interstate Highway 35

**Direction:** South

**Current Base Zoning:** “R-4”

**Current Land Uses:** Residential

**Direction:** West

**Current Base Zoning:** “R-4”

**Current Land Uses:** Residential

**Overlay and Special District Information:**

**Transportation**

**Thoroughfare:** Recio Street

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** There are no Via bus routes within walking distance of the subject property.

**Thoroughfare:** Espinosa Street

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** There are no Via bus routes within walking distance of the subject property.

**Thoroughfare:** Interstate Highway 35

**Existing Character:** Interstate

**Proposed Changes:** None Known

**Public Transit:** There are no Via bus routes within walking distance of the subject property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is required.

**Parking Information:**

The minimum number of parking spaces for a variety of commercial retail is 1 per 300 sf GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of “R-4”. These districts provide areas for medium- to high-density, single-family residential uses where adequate public facilities and services exist with capacity to serve development. These districts are composed mainly of areas containing single-family dwellings and open area where similar residential development seems likely to occur. Residential single-family provides minimum lot size and density requirements in order to preserve neighborhood character.

**FISCAL IMPACT:**

None.

**Proximity to Regional Center/Premium Transit Corridor**

The property is located within 1 mile of the Downtown Regional Center and is not located within a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval, pending Plan Amendment.

**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 Nogalitos/South Zarzamora Plan and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “C-2” base zoning is not compatible with the future land use designation. The applicant is seeking a Plan Amendment to “Mixed Use.” Staff and Planning Commission recommend Approval.

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

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request as it is separate

**3. Suitability as Presently Zoned:**

The current “R-6” Residential Single-Family is an appropriate zoning for the property and surrounding area.

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

Staff has not found indication of likely adverse effects on the public health, safety, or welfare.

**5. Public Policy:**

The proposed rezoning does appear to conflict with the following goals, principles, and objectives of the Huebner/Leon Creeks Community Plan.

Huebner/Leon Creeks Community Plan Relevant Goals and Objectives:

- Goal 1; Objective 1.1: Growth Management - Promote new commercial and residential development that is respectful of the primarily residential character of the area.
- Goal 1; Objective 1.3: Low Density - Maintain the low density development pattern.
- Goal 1; Objective 1.4: Neighborhood Conservation and Nodal Development - Seek techniques to maintain existing development patterns.

**6. Size of Tract:**

The subject property is .1435 acres, which would adequately support a variety of commercial as well as the proposed Tattoo Parlor/Studio.

**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 is working with the applicant for a more complete site plan.