



# City of San Antonio

## Legislation Details (With Text)

**File #:** 17-5388  
**Type:** Zoning Case  
**In control:** Zoning Commission  
**On agenda:** 10/3/2017  
**Title:** ZONING CASE # Z2017255 CD (Council District 1): A request for a change in zoning from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for a Music Store on Lot 35, Block 15, NCB 9218, located at 572 West Hermosa. Staff recommends Approval.  
**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:** 1

**SUBJECT:**  
Zoning Case Z2017255 CD

**SUMMARY:**  
**Current Zoning:** "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District

**Requested Zoning:** "R-4 CD AHOD" Residential Single- Family Airport Hazard Overlay District with Conditional Use for a Music Store

**BACKGROUND INFORMATION:**  
**Zoning Commission Hearing Date:** October 3, 2017

**Case Manager:** Nyliah Acosta, Planner

**Property Owner:** Mojgan Bagherzadeh

**Applicant:** Abbas Selgi

**Representative:** Abbas Selgi

**Location:** 572 West Hermosa

**Legal Description:** Lot 35, Block 15, NCB 9218

**Total Acreage:** 0.1986

**Notices Mailed**

**Owners of Property within 200 feet:** 33

**Registered Neighborhood Associations within 200 feet:** Edison Neighborhood Association and Central Los Angeles Heights Neighborhood Association

**Applicable Agencies:** no

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio in 1940 and was zoned "B" Residence District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "R-4" Residential Single-Family District.

**Topography:** The property does not include any abnormal physical features such as slope or inclusion in a floodplain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** R-4

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

**Direction:** East

**Current Base Zoning:** R-4

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

**Direction:** South

**Current Base Zoning:** R-4, MF-33 S

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

**Direction:** West

**Current Base Zoning:** R-4, C-2 NA CD, C-3 NA

**Current Land Uses:** Auto Sales, Tire Shop, Appliance Repairs, Parking Lot, Retail Center, 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:** Blanco Road

**Existing Character:** Secondary Arterial

**Proposed Changes:** None Known

**Thoroughfare:** West Hermosa

**Existing Character:** Local Road  
**Proposed Changes:** None Known

**Public Transit:** VIA route 202 is within walking distance of the subject property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** Music Store- Minimum vehicle spaces: 1 per 300 sf GFA. Maximum vehicle spaces: 1 per 200 sf GFA.

**ISSUE:**  
None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current base zoning district. Single-family dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, foster family home, public and private schools.

**FISCAL IMPACT:**  
None.

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

The subject property is not within a Regional Center or a Premium Transit Corridor.

**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 North Central Community Plan, and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “R-4” Residential Single-Family base zoning district is consistent with the future land use designation.

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

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The applicant intends to use the property for a music store, the base district will remain the same and the conditional use will allow for the additional use.

**3. Suitability as Presently Zoned:**

The current “R-4” base zoning district is appropriate for the subject property’s location.

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

## **6. Size of Tract:**

The subject property totals 0.1986 acres in size, which reasonably accommodates the uses permitted in “R-4” Residential Single-Family District.

## **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.

The following conditions 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. Business hours operation shall not be permitted before 7:00 a.m. or after 6:00 p.m.