



# City of San Antonio

## Agenda Memorandum

**File Number:**16-2721

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**Agenda Item Number:** 5.

**Agenda Date:** 4/19/2016

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z2016098 CD

**SUMMARY:**

**Current Zoning:** "R-4 NCD-6" Residential Single-Family Mahncke Park Neighborhood Conservation Overlay District

**Requested Zoning:** "R-4 CD NCD-6" Residential Single-Family Mahncke Park Neighborhood Conservation Overlay District with a Conditional Use for a Hair Salon

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 19, 2016. This case is continued from the March 15, 2016 and April 5, 2016 hearings.

**Case Manager:** Oscar Aguilera, Planner

**Property Owner:** Georgina Terry and Andrew Guerra

**Applicant:** Andrew Guerra

**Representative:** Stephanie Reaves

**Location:** 143 Perry Court

**Legal Description:** 0.1886 acres of land out of NCB 6229

**Total Acreage:** 0.1886

**Notices Mailed**

**Owners of Property within 200 feet:** 22

**Registered Neighborhood Associations within 200 feet:** Mahncke Park Neighborhood Association  
**Applicable Agencies:** None

### **Property Details**

**Property History:** The subject property is located within the city limits as recognized in 1938 and was originally zoned “B” Residence District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to “R-4” Residential Single-Family District. Finally, on January 17, 2008 Ordinance 2008-01-17-0050 added the Mahncke Park Neighborhood Conservation Overlay District to the subject property.

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

### **Adjacent Base Zoning and Land Uses**

**Direction:** West, North

**Current Base Zoning:** MF-33 NCD-6, C-2 NCD-6, OCL

**Current Land Uses:** Business, Apartments, ROW, OCL.

**Direction:** East, South

**Current Base Zoning:** R-4 NCD-6, C-2 NCD-6, MF-25 NCD-6 MF-33 PUD NCD-6

**Current Land Uses:** Business, Apartments, and Single-Family Homes.

**Overlay and Special District Information:** The Mahncke Park Neighborhood Overlay District (NCD-6) is an overlay zoning district that contains design guidelines for rehabilitation of existing residential and commercial development. Property owners, together with the Department of Planning and Community Development staff, develop the design guidelines. These guidelines can address building materials, height, size, massing, signage, sidewalk location, etc. A zoning review is performed by the Zoning Section of the Development Services Department.

### **Transportation**

**Thoroughfare:** Burr Road

**Existing Character:** Local Street

**Proposed Changes:** None known

**Thoroughfare:** Perry Court

**Existing Character:** Local Street

**Proposed Changes:** None known

**Public Transit:** The VIA number 509 and 8 bus lines operates along Burr Road and North New Braunfels Ave.

**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:** Barber or Beauty Shop: Minimum vehicle parking spaces 1 per 300 square feet of GFA. Maximum vehicle parking spaces 1 per 200 square feet of GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**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 subject property is located within the Mahncke Park Neighborhood Plan and is currently designated as Urban Single-Family Residential. The requested Conditional Use for a Hair Salon is consistent with the more intense and similar uses surrounding the subject property.

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

Staff has found no evidence of likely adverse impacts on surrounding properties.

**3. Suitability as Presently Zoned:**

The proposed rezoning to "R-4" is appropriate for the subject property. The subject property location, next to Burr Road and adjacent to other commercial and multi-family properties, makes it appropriate for the "R-4 CD" Residential Single-Family District with a Conditional Use for a Hair Salon. The development of the subject property contributes toward the Park Neighborhood Plan vision of compatibility and purpose of the plan.

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

**6. Size of Tract:**

The subject property is 0.1886 acres in size, which accommodates the proposed development with adequate space for parking.

**7. Other Factors:**

The conditional zoning procedure is designed to provide for a land use within an area 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 in addition to those in subsection (e)(2) above 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 of operation for the general public shall not be permitted before 7:00 a.m. or after 6:00 p.m..