



# City of San Antonio

## Agenda Memorandum

**File Number:**16-5724

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**Agenda Item Number:** 12.

**Agenda Date:** 11/15/2016

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z2017002 CD

**SUMMARY:**

**Current Zoning:** "C-2 NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District

**Requested Zoning:** "C-1 CD AHOD" Light Commercial Airport Hazard Overlay District with Conditional Use for a Tattoo Parlor

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 15, 2016

**Case Manager:** Oscar Aguilera, Planner

**Property Owner:** Jose C Gonzales and Consuelo M. Gonzales

**Applicant:** Benjamin Upton

**Representative:** Agents of OCI Group and Benjamin Upton

**Location:** 1620 Fredericksburg Road

**Legal Description:** Lot 26, Block 50, NCB 2744

**Total Acreage:** 0.2755

**Notices Mailed**

**Owners of Property within 200 feet:** 32

**Registered Neighborhood Associations within 200 feet:** Keystone Neighborhood Association and Jefferson Heights 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. On March 16, 1989 Ordinance 69075, rezoned to “B-2NA” Business Nonalcoholic Sales District. Upon the adoption of the 2001 Unified Development Code, the previous base zoning districts converted to “C-2NA” Commercial Nonalcoholic Sales District.

**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:** C-3NA, C-2NA, C-2, R-6, MF-33

**Current Land Uses:** Restaurant, Printing Services, Retail Center, Single-Family Residential, Apartments.

**Direction:** East, South

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

**Current Land Uses:** Restaurant, Office, 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:** Fredericksburg Road

**Existing Character:** Secondary Arterial Type B

**Proposed Changes:** None known

**Public Transit:** There is a bus stop for VIA bus routes 95, 96, 97, and 296 adjacent to the property.

**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:** Tattoo Studio: Minimum vehicle parking spaces 1 per 300 sf GFA. Maximum vehicle parking spaces 1 per 200 sf 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 Near Northwest Community Plan and is currently designated as Neighborhood Commercial in the land use component of the plan. The requested "C-1" base zoning district is consistent with the adopted land use designation.

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

Staff has found no evidence of likely adverse impacts on surrounding properties. The commercial use is separated from nearby residential properties by an alley.

**3. Suitability as Presently Zoned:**

"C-1 CD" Light Commercial Airport Hazard Overlay District with Conditional Use for a Tattoo Parlor is appropriate for the subject property. The request for "C-1" will not have any negative effects on future development, but rather provide additional services to the area. The site location is on a major thoroughfare. Finally the property is surrounded by similar uses.

**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 0.2755 acres in size, which accommodates the proposed development with adequate space for parking.

**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 recommends the following conditions if approved:

1. All on-site lighting shall be directed onto the site and point away from any residential zoning or uses using 90-degree or less cut-off fixtures.
2. Hours of Operation shall be from 9 am to 10 pm.