



# City of San Antonio

## Agenda Memorandum

**File Number:**18-1522

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**Agenda Item Number:** 27.

**Agenda Date:** 2/6/2018

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 6

**SUBJECT:**

Zoning Case Z2018060 CD

**SUMMARY:**

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

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** February 6, 2018. This case has been expedited to the February 15, 2018 City Council Hearing due to the cancellation of the January 16 Zoning Commission Meeting.

**Case Manager:** Nyliah Acosta, Planner

**Property Owner:** Humberto Arredondo Jr and Diana C. Arredondo

**Applicant:** Encarnacion Botello III

**Representative:** Encarnacion Botello III

**Location:** 1917 Castroville Road

**Legal Description:** Lot 1 and 2, Block 2, NCB 8540

**Total Acreage:** 0.1475

**Notices Mailed**

**Owners of Property within 200 feet:** 23

**Registered Neighborhood Associations within 200 feet:** Los Jardines

**Applicable Agencies:** Texas Department of Transportation

### **Property Details**

**Property History:** The property was annexed into the City of San Antonio in 1944 and was zoned "JJ" Commercial District. A 1990 case, Ordinance 72510, rezoned the property to "B-3 R" Business Restrictive Alcohol Sales District. Upon the adoption of the 2001 Unified Development Code the previous "B-3 R" converted to "C-3 R" General Commercial Restrictive Alcohol Sales District. Later a 2009 case, Ordinance 2009-03-19-0230, changed the zoning from "C-3 R" to the current "C-2 NA" Commercial Nonalcoholic Sales 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 Residences

**Direction:** East

**Current Base Zoning:** C-2 NA

**Current Land Uses:** Vacant Lot, Hair Saloon

**Direction:** South

**Current Base Zoning:** C-2 NA, R-6, O-1, C-2 NA CD

**Current Land Uses:** Madonna Neighborhood Center, Office, Auto Repairs

**Direction:** West

**Current Base Zoning:** R-6, R-4, C-2 NA CD

**Current Land Uses:** Vacant Lot, Commercial Truck, Storage/Repair

### **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:** Castroville Road

**Existing Character:** Secondary Arterial

**Proposed Changes:** None Known

**Thoroughfare:** Moraima Street

**Existing Character:** Local Road

**Proposed Changes:** None Known

**Public Transit:** VIA route 68 and 268 are directly in front 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:** Tattoo Studio: 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. “C-2” Commercial districts accommodate community commercial uses, with unlimited building size, and building height limitation of 25 feet. Examples of permitted uses: liquor store, miniature golf and other indoor gaming facilities, small indoor movie theater, pet cemetery, auto & light truck oil, lube & tune-up, auto glass tinting, tire repair

(sale and installation only), gas station, appliance sales & repair, charitable food & clothing banks and dry cleaning. No outdoor storage or display of goods shall be permitted except for outdoor dining. “C-2NA” districts are identical to “C-2” districts except that the sale of alcoholic beverages is prohibited.

**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 West/Southwest Sector Plan, and is currently designated as “General Urban Tier” in the future land use component of the plan. The requested “C-2” Commercial 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 is requesting the zone change to allow for a Tattoo Parlor/Studio. The current structure is a small 587 square foot building that will not drastically increase commercial activity in the area.

**3. Suitability as Presently Zoned:**

The current “C-2” base zoning district is appropriate for the subject property’s location. The base zoning will not change with this rezoning request and conditions may be added for additional regulation.

**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 0.1475 acres in size, which reasonably accommodates the uses permitted in “C-2” Commercial 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.