



City of San Antonio

Agenda Memorandum

Agenda Date: December 19, 2024

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Amin Tohmaz, Interim Director

COUNCIL DISTRICTS IMPACTED: District 9

SUBJECT:

ZONING CASE Z-2024-10700254 CD ERZD

SUMMARY:

Current Zoning: "C-2 MLOD-1 MLR-1 ERZD" Commercial Camp Bullis Military Lighting Overlay Military Lighting Region 1 Edwards Recharge Zone District

Requested Zoning: "C-2 CD MLOD-1 MLR-1 ERZD" Commercial Camp Bullis Military Lighting Overlay Military Lighting Region 1 Edwards Recharge Zone District with a Conditional Use for a Tattoo Parlor/Studio

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: December 3, 2024

Case Manager: Samantha Benavides, Zoning Planner

Property Owner: Star C, Ltd

Applicant: Glenn Haddox

Representative: Killen, Griffin & Farrimond, PLLC

Location: 946 North 1604 West

Legal Description: 0.125 acres out of NCB 16329

Total Acreage: 0.125 Acres

Notices Mailed**Owners of Property within 200 feet:** 8**Registered Neighborhood Associations within 200 feet:** N/A**Applicable Agencies:** Camp Bullis, SAWS, Planning Department, TxDot**Property Details**

Property History: The property was annexed into the City of San Antonio by Ordinance 72639, dated December 30, 1990, and zoned Temporary "R-1" Residence District. The property was rezoned by Ordinance 73434, dated April 4, 1991, to "B-2" Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 2001, the property zoned "R-2" Business District converted to the current "C-2" Commercial District.

Code & Permitting Details

There is no code enforcement or permitting history for the subject property.

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:** UZROW**Current Land Uses:** North 1604 West**Direction:** East**Current Base Zoning:** "C-2"**Current Land Uses:** Car Wash**Direction:** South**Current Base Zoning:** "C-2"**Current Land Uses:** Golf Course**Direction:** West**Current Base Zoning:** "C-2", "C-3"**Current Land Uses:** Golf Course**Overlay District Information:**

The "MLOD-1" Camp Bullis Military Lighting Overlay District does not restrict permitted uses, but does regulate outdoor lighting in an effort to minimize night-time light pollution and its effects on operations at the military installation.

The "ERZD" Edwards Recharge Zone District does restrict permitted uses, due to the environmentally sensitive nature of the recharge zone. Per Chapter 34 of the City of San Antonio Code of Ordinances, the San Antonio Water System (SAWS) and City of San Antonio departments share regulatory jurisdiction over development within the "ERZD".

Special District Information:

None

Transportation

Thoroughfare: North 1604 West

Existing Character: Interstate

Proposed Changes: None Known

Public Transit: There are VIA bus routes within a ½ mile of the subject property.

Routes Served: 2, 503

Traffic Impact: A Traffic Impact Worksheet was submitted. Any additional traffic requirements will be reviewed at the build permit phase of the project.

Parking Information: The minimum parking requirement for a Tattoo Parlor is 1 space per 300 sf GFA.

ISSUE:

None

ALTERNATIVES:

Current Zoning: "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.

Proposed Zoning: "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.

The "CD" Conditional Use is for Tattoo Parlor.

FISCAL IMPACT:

None

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

Subject property is not located within a Regional Center but is within ½ a mile from the San Pedro Metro Premium Plus Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff, SAWS and Zoning Commission recommend Approval. SAWS recommends no additional changes to impervious cover.

Criteria for Review: According to Section 35-421, zoning amendments shall be based on approval criteria below.

- 1. Consistency:** The subject property is located within the North Sector, adopted in 2010, and is currently designated as "Mixed Use Center" in the future land use component of the plan. The requested "C-2" base zoning district is consistent with the future land use designation.
- 2. Adverse Impacts on Neighboring Lands:** Staff does not find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is consistent with the established development pattern of the surrounding area. Surrounding properties are zoned "C-2" Commercial District and "C-3" General Commercial District.
- 3. Suitability as Presently Zoned:** The existing "C-2" Commercial District is an appropriate zoning for the property and surrounding area. The proposed "C-2 CD" Commercial District with a Conditional Use for Tattoo Parlor is also appropriate. The applicant is requesting to rezone to establish a Tattoo Parlor in a unit within an existing shopping center. The surrounding area is comprised of other commercial uses and zones making the proposal consistent with what is present in the area. Additionally, the applicant will have to adhere to the prescribed site plan required for Conditional Use, and any deviation from the approved document could potentially warrant additional council consideration.
- 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 request does not appear to conflict with any public policy objectives. Relevant Goals and Policies of the North Sector Plan may include:
 - Goal LU-1: Compatible land use pattern promoted so that natural resources are preserved, and the local economy remains viable.
 - Goal LU-3 Higher density/intensity tiers are recommended adjacent or proximate to activity centers.
- 6. Size of Tract:** The 0.125-acre site is of sufficient size to accommodate the proposed commercial development.
- 7. Other Factors:** The subject property is located within the Camp Bullis Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JB SA was notified of the proposed request. The Military has indicated that there are no objections to this request.

No access may be allowed onto LP 1604.

Based on the information provided to SAWS staff, SAWS identifies the subject property as a Category 2 property. SAWS staff recommends approval of the zoning request with no impervious cover requirement. The tattoo parlor will go into a tenant space of an existing structure. Reference SAWS report dated October 24, 2024.

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 applicant is rezoning to develop a Tattoo Parlor.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates commercial uses.