



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** September 6, 2022

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 1

**SUBJECT:**

ZONING CASE Z-2022-10700199

(Associated Plan Amendment PA-2022-11600073)

**SUMMARY:**

**Current Zoning:** “R-4 CD AHOD” Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Barber Shop/ Beauty Salon

**Requested Zoning:** “NC AHOD” Neighborhood Commercial Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 6, 2022

**Case Manager:** Ann Benavidez, Planner

**Property Owner:** Karina Miriam Rodriguez

**Applicant:** Karina Miriam Rodriguez

**Representative:** Karina Miriam Rodriguez

**Location:** 827 Viendo

**Legal Description:** Lot 15, Block 5, NCB 6176

**Total Acreage:** 0.1435 Acres

**Notices Mailed****Owners of Property within 200 feet:** 24**Registered Neighborhood Associations within 200 feet:** Los Angeles Heights NA**Applicable Agencies:** None.**Property Details**

**Property History:** The subject property is currently zoned "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Barber/Beauty Shop. The property was part of the original 36 square miles of the City of San Antonio and was originally zoned "B" Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned, "B" Residence District converted to "R-4" Residential Single-Family District. The property was rezoned by Ordinance 2020-06-04-0373, dated June 4, 2020, to the current "R-4 CD".

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

**Adjacent Base Zoning and Land Uses****Direction:** North**Current Base Zoning:** "R-4"**Current Land Uses:** Residential Dwelling**Direction:** South**Current Base Zoning:** "C-3R"**Current Land Uses:** Electric Tower, Self Service Carwash**Direction:** East**Current Base Zoning:** "R-4"**Current Land Uses:** Residential Dwelling**Direction:** West**Current Base Zoning:** "C-2" "C-3R"**Current Land Uses:** Vacant lot, Urgent Care**Overlay District Information:**

The "AHOD" Airport Hazard Overlay District, due to the location of the property and its proximity to an airport or approach path, does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

**Special District Information:**

None.

**Transportation**

**Thoroughfare:** Viendo

**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** Angeles Drive

**Existing Character:** Local

**Proposed Changes:** None known

**Public Transit:** There are VIA bus routes in proximity to the subject property.

**Routes Served:** 651, 509, 296, 97, 96, 95

**Traffic Impact:** The traffic generated by the proposed development does not exceed the threshold requirements. Development generates less than seventy-six (76) PHT Sec. 35-502

A TIA Report is Not Required

**Parking Information:** The minimum parking requirement for a professional office is 1 parking space per 300 square feet of gross floor area.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: "R-4" Residential Single-Family District permits single-family dwellings (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. The CD Conditional Use permits a salon/barber shop on the property.

Proposed Zoning: "NC" Neighborhood Commercial District provides small areas for offices, professional services, service and storefront retail uses; all designed in scale with surrounding residential development. Building size is limited to 3,000 square feet. Examples of permitted uses: animal and pet services, fitness/health club, antique store, apparel and accessory store, bookstore, bakery, florist, gift shop, professional offices, music store, convenience store, and restaurant.

**FISCAL IMPACT:**

None.

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

The subject property is not within a Regional Center but is within a ½ mile of the Fredericksburg Premium Transit Corridor and the Zarzamora Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial.

**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 Near Northwest Community Plan and is currently designated as “Urban Low Density Residential” in the future land use component of the plan. The requested “NC” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “Neighborhood Commercial”. Staff recommends Denial. The Planning Commission recommendation is pending the September 7, 2022 hearing.
2. **Adverse Impacts on Neighboring Lands:** Staff does find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is not consistent with the established development pattern of the surrounding area. The property resides in a neighborhood comprised entirely of residential zoning and land use.
3. **Suitability as Presently Zoned:** The current “R-4” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed “NC” Neighborhood Commercial District is not appropriate. While the property is in proximity to both the Fredericksburg and the West Avenue commercial corridors, it is part of an established single-family neighborhood. The proposed “Neighborhood Commercial” constitutes commercial encroachment into a residential area.
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 of the Near Northwest Community Plan:
  - Objective 3.3: Design Standards Protect and preserve the Near Northwest’s unique housing character.
  - Objective 2.2: Business Development Create opportunities for new business development to ensure a diversity of attractive businesses in pedestrian friendly environments.
6. **Size of Tract:** The subject property is 0.1435 acres, which can reasonably accommodate the proposed development.
7. **Other Factors:** The applicant intends to rezone to add a second story to the existing structure, and to add office and storage space for book-keeping and retail sales of beauty products.

The applicant has also indicated that she hopes to have additional commercial options by rezoning to “NC” Neighborhood Commercial District.

The property was rezoned for the current “CD” Conditional Use for a Beauty/Barber Shop by Ordinance 2020-06-04-0373 dated June 4, 2020, with the following conditions:

- A. Parking on Viendo Street only.
- B. Hours of operation from 8:00 a.m. to 7:00 p.m.

