



City of San Antonio

Agenda Memorandum

Agenda Date: September 20, 2022

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 6

SUBJECT:
ZONING CASE Z-2022-10700224 CD

SUMMARY:
Current Zoning: "C-2 AHOD" Commercial Airport Hazard Overlay District

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

BACKGROUND INFORMATION:
Zoning Commission Hearing Date: September 20, 2022

Case Manager: Elizabeth Steward, Planner

Property Owner: JG4CE, LLC

Applicant: Joe Lugo

Representative: Joe Lugo

Location: 6025 Tezel Road

Legal Description: 0.031 acres out of NCB 18830

Total Acreage: 0.031

Notices Mailed
Owners of Property within 200 feet: 6

Registered Neighborhood Associations within 200 feet: Great Northwest Neighborhood Association

Applicable Agencies: N/A

Property Details

Property History: The Subject property is zoned “C-2 AHOD” Commercial Airport Hazard Overlay District. The property was annexed into the City of San Antonio by Ordinance 68296, dated December 30, 1989 and zoned Temporary “R-1” Single-Family Residence. The property was rezoned by Ordinance 71383, dated April 12, 1990 to “B-2” Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “B-1” Business District converted to the current “C-2” Commercial District.

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

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: C-2

Current Land Uses: Strip Mall and Convenience Store

Direction: South

Current Base Zoning: C-3 R

Current Land Uses: Storage Facility

Direction: East

Current Base Zoning: R-6

Current Land Uses: Residential Dwelling

Direction: West

Current Base Zoning: R-6

Current Land Uses: Residential Dwelling

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:

N/A

Transportation

Thoroughfare: Tezel Road

Existing Character: Minor Secondary Arterial A

Proposed Changes: None Known

Thoroughfare: Timber Path
Existing Character: Local
Proposed Changes: None Known

Public Transit: There is public transit within walking distance of the subject property.
Routes Served: 610

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 Tattoo Parlor/ Studio 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-1 CD" Light Commercial districts accommodate neighborhood commercial uses which depend on a greater volume of vehicular traffic than an NC district. C-1 uses are considered appropriate buffers between residential uses and C-2 and C-3 districts and uses. Building size is limited to 5,000 square feet. Examples of permitted uses: arcade, boarding house, noncommercial athletic field, retail furniture sales, grocery store, nursery (retail – no growing of plants on site permitted), retail office equipment and supply, and retail rug or carpet sales. No outdoor storage or display of goods shall be permitted except for outdoor dining.

The "CD" Conditional Use would allow for a Tattoo Studio/ Parlor.

FISCAL IMPACT:
None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

Subject property is located within the West Northwest Regional Center and is within ½ a mile from the Huebner- Grissom Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Approval.

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 Northwest Community Plan and is currently designated as “Neighborhood Commercial” in the future land use component of the plan. The requested “C-1 CD” 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, which consists of “C-2” Commercial zoning.
3. **Suitability as Presently Zoned:** The existing “C-2” Commercial District is an appropriate zoning for the property and surrounding area. The requested “C-1 CD” Light Commercial District with Conditional Use for a Tattoo Parlor/Studio is also an appropriate. The proposed base “C-1” Light Commercial lowers the commercial intensity and the “CD” Conditional Use allows of the addition of the one use classified as Tattoo Parlor/ Studio. By utilizing the base “C-1” Light Commercial zoning designation for the request the applicant also maintains consistency with the “Neighborhood Commercial” land use.
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 Northwest Community Plan.
 - Goal-2: Encourage commercial development at nodes
 - Strategy 2-7 Encourage appropriate commercial development and uniform signage at major arterials and neighborhood nodes
6. **Size of Tract:** The 0.031 acre site is of sufficient size to accommodate the proposed commercial development.
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.

The applicant is rezoning to operate a Tattoo Studio/ Parlor.