



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** October 1, 2024

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Amin Tohmaz, Interim Director

**COUNCIL DISTRICTS IMPACTED:** District 1

**SUBJECT:**

ZONING CASE Z-2024-10700187

**SUMMARY:**

**Current Zoning:** “C-3NA RIO-2 AHOD” General Commercial Nonalcoholic Sales River Improvement Overlay 2 Airport Hazard Overlay District

**Requested Zoning:** “C-3 RIO-2 AHOD” General Commercial River Improvement Overlay 2 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 1, 2024

**Case Manager:** Samantha Benavides, Zoning Planner

**Property Owner:** Mother's Window Tint, Inc.

**Applicant:** Joseph Calvey

**Representative:** Joseph Calvey

**Location:** 109 West Grayson Street

**Legal Description:** Lots 10-12, Block A, NCB 7006

**Total Acreage:** 0.2619 acres

### **Notices Mailed**

**Owners of Property within 200 feet:** 14

**Registered Neighborhood Associations within 200 feet:** Tobin Hill Community Neighborhood Association, San Antonio Texas District One Resident Association

**Applicable Agencies:** Fort Sam Houston, Office of Historic Preservation

### **Property Details**

**Property History:** The subject property is part of the original 36 square miles of the City of San Antonio and was originally zoned "J" Commercial District. The property was rezoned by Ordinance 83331, dated December 14, 1995, from "J" Commercial District to "B-3NA" Business District, Nonalcoholic Sales. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, "B-3NA" Business District, Nonalcoholic Sales converted to the current "C-3NA" General Commercial Nonalcoholic Sales 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:** "I-1"

**Current Land Uses:** Vacant Building

**Direction:** East

**Current Base Zoning:** "IDZ", "MF-50 IDZ"

**Current Land Uses:** Restaurant, Warehouse, Parking Lot

**Direction:** South

**Current Base Zoning:** "C-3", "C-3NA"

**Current Land Uses:** Offices, Dog Boarding

**Direction:** West

**Current Base Zoning:** "C-3NA", "C-3 IDZ"

**Current Land Uses:** Vacant Buildings

### **Overlay District Information:**

The "RIO-2" River Improvement Overlay District is an overlay district to establish regulations to protect, preserve and enhance the San Antonio River and its improvements by establishing design standards and guidelines.

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:** West Grayson Street

**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** East Euclid Avenue

**Existing Character:** Local

**Proposed Changes:** None known

**Thoroughfare:** East Elmira Street

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** There is public transit within walking distance of the subject property.

**Routes Served:** 20, FlixBus 2230, 8, 9, 209,14, 214

**Traffic Impact:** A Traffic Impact Analysis Worksheet was submitted. Any further traffic requirements will be evaluated at the Building Permit phase.

**Parking Information:** The minimum parking requirement for FOOD – restaurant or cafeteria is 1 per 100 sf GFA.

**ISSUE:**

None

**ALTERNATIVES:**

Current Zoning: "C-3NA" General Commercial Nonalcoholic Sales Districts are identical to C-3 districts except that the sale of alcoholic beverages is prohibited.

Proposed Zoning: "C-3" General Commercial Districts are intended to provide for more intensive commercial uses than those located within the NC, C-1 or C-2 zoning districts. C-3 uses are typically characterized as regional shopping centers, power centers, and/or assembly of similar uses into a single complex. There are no building size limitations, and building height is limited to 35 feet. Examples of permitted uses: bar/tavern & nightclub, amusement/theme parks, dance hall, indoor movie theater, auto repair, auto sales, auto glass sales (installation permitted), auto muffler (sales and installation only), hotel, bookbinder, dry cleaning or laundry plant, indoor flea market, home improvement center, body piercing/massage/tattoo parlor. No outdoor storage is permitted. Outdoor operations and display shall be permitted in areas which are screened as provided in 35-510 of the Unified Development Code.

**FISCAL IMPACT:**

None

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

Subject property is located with the Midtown Regional Center and within ½ a mile from the New Braunfels Ave and Austin Highway Metro Premium Plus Transit Corridors.

**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 Midtown Area Regional Center Plan, adopted in 2019, and is currently designated as "Regional Mixed Use" in the future land use component of the plan. The requested "C-3" 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-3" General Commercial District and "C-3NA" General Commercial Nonalcoholic Sales District.
3. **Suitability as Presently Zoned:** The existing "C-3NA" General Commercial Nonalcoholic Sales District is an appropriate zoning for the property and surrounding area. The proposed "C-3" General Commercial District is also appropriate. The request to rezone is to permit the development of a restaurant with alcohol sales. The surrounding area is comprised of other commercial uses, including food service establishments, making the proposal consistent with what is currently present in the 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. Relevant Goals and Policies of the Comprehensive Plan may include:
  - GCF Goal 1: Higher-density uses are focused within the city's 13 regional centers and along its arterial and transit corridors.
  - GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
  - JEC Goal 1: Employment is focused in the city's 13 Regional Centers, in site-specific locations in Urban Centers and along mobility corridors, providing easy connectivity for San Antonio's residents and businesses.
  - JEC P30: Coordinate economic development efforts and land use plans to encourage and incentivize employment growth within regional centers and along transit corridors.

Relevant Goals and Policies of the Midtown Area Regional Center Plan may include:

- Goal 1: Preserve Midtown's Distinct Character
- Goal 3: Support Great Transit

- Goal 4: Support Unique, Mixed Activity Areas
- Goal 7: Stimulate a Thriving Economy

6. **Size of Tract:** The 0.2619 acre site is of sufficient size to accommodate the proposed commercial development.
  
7. **Other Factors:** The subject property is located within the Fort Sam Houston Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA was notified of the proposed request. The Military has indicated that there are no objections to this request.