



City of San Antonio

Agenda Memorandum

Agenda Date: October 4, 2022

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 2

SUBJECT:
ZONING CASE Z-2022-10700254

SUMMARY:
Current Zoning: "I-1 AHOD" General Industrial Airport Hazard Overlay District

Requested Zoning: "IDZ-2 AHOD" Medium Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and Bar and/or Tavern without cover charge 3 or more days per week

BACKGROUND INFORMATION:
Zoning Commission Hearing Date: October 4, 2022

Case Manager: Ann Benavidez, Planner

Property Owner: Patrick Shearer, Manager, OT Partners LLC

Applicant: Patrick Shearer, Manager, OT Partners LLC

Representative: William Kaufman, The Kaufman Group

Location: 509 East Grayson Street and 511 East Grayson Street

Legal Description: 0.242 acres out of NCB 978

Total Acreage: 0.242 Acres

Notices Mailed

Owners of Property within 200 feet: 30

Registered Neighborhood Associations within 200 feet: Government Hill

Applicable Agencies: Fort Sam Houston, Planning Department

Property Details

Property History: The subject property was located within the original 36 square miles of the City of San Antonio and originally zoned "J" Commercial District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "J" Commercial District converted to the current "I-1" General Industrial District.

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: "I-1"

Current Land Uses: Dog Kennel, Motor Vehicle Sales

Direction: South

Current Base Zoning: "IDZ" "IDZ-3"

Current Land Uses: Bar, Residential Dwelling

Direction: East

Current Base Zoning: "IDZ" "I-1"

Current Land Uses: Restaurant, Bar, Church

Direction: West

Current Base Zoning: "IDZ" "I-1"

Current Land Uses: Residential Dwelling, Vacant

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:

The Infill Development Zone (IDZ) District provides flexible standards for developments. IDZ may be approved as either a base zoning district or an overlay zoning district. Typically, IDZ gives flexibility to parking requirements, lots sizes, and setbacks.

Transportation

Thoroughfare: East Grayson

Existing Character: Minor

Proposed Changes: None Known

Public Transit: VIA bus routes are within walking distance of the subject property.

Routes Served: 9, 14, 20, 209

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 a bar/tavern is 1 parking space per 100 square feet of gross floor area. The minimum parking requirement for a mobile food court is 2 parking space per mobile food truck.

The "IDZ-2" base zoning district waives the parking requirement by 50%.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: "I-1" General Industrial District accommodates areas of heavy and concentrated fabrication and manufacturing and industrial uses which are suitable based on the character of adjacent development. Examples of permitted uses: auto & light truck auction, truck stop, abrasives manufacturing, food & drug manufacturing, sand & gravel storage & sales, outdoor flea market, manufactured homes/oversized vehicles sales, service and storage.

Proposed Zoning: "IDZ-2" Medium Intensity Infill Development Zone allows rezoning requests up to 50 units per acre, and uses permitted in "C-2" and "O-1.5". All approved uses must be requested and stated within the ordinance. Provide flexible standards for setbacks and parking for the development and reuse of underutilized parcels within a qualifying area of the city.

The "IDZ-2" Medium Intensity Infill Development Zone would permit a bar/tavern on the property, as well as a mobile food court on the property.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is located within the Midtown Regional Center and is within a ½ mile of the Austin Highway Premium Transit Corridor and the New Braunfels 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 Midtown Area Regional Center Plan and is currently designated as “Regional Mixed Use” in the future land use component of the plan. The requested “IDZ-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. IDZ base zoning designations can be found in proximity to the subject property, and the proposed hospitality-oriented businesses are consistent with the development pattern along East Grayson.
3. **Suitability as Presently Zoned:** The current “I-1” General Industrial District is not an appropriate zoning for the property and surrounding area. “I-1” General Industrial uses are not appropriate in proximity to residential land use. Furthermore, given that there is residential land use and zoning immediately abutting the property to the west and northwest sides, a 30' setback would be enforced for any industrial uses, rendering half of the subject property undevelopable without a variance. The proposed “IDZ-2” Medium Intensity Infill Development Zone District with uses permitted for “C-2” Commercial District and for a Bar/Tavern is more appropriate for the surrounding 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 Midtown Area Regional Center Plan:
 - Goal 1: Preserve Midtown’s Distinct Character
 - Preserve Midtown’s essential character-defining elements: the diversity of people and the unique character of individual places and neighborhoods.
 - Continue to nurture Midtown’s identity as a welcoming place for diverse families.
 - Goal 7: Stimulate a Thriving Economy
 - Create more employment opportunities to continue attracting a diverse residential population.
6. **Size of Tract:** The subject property is 0.242 acres, which can reasonably accommodate the proposed development.
7. **Other Factors:** The applicant intends to rezone to “IDZ-2” to develop a bar/tavern on the property, as well as to operate a mobile food court on the property.

The subject property is located within the Fort Sam Houston 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.

The applicant will be required to seek a variance to satisfy the 200-foot minimum distance requirement between the mobile food court and the residential properties directly abutting to the west of the subject property.

The applicant indicates a shared parking lot with the properties directly abutting to the east of the subject property.