



City of San Antonio

Agenda Memorandum

Agenda Date: November 2, 2023

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 2

SUBJECT:
ZONING CASE Z-2023-10700223 CD

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

Requested Zoning: "C-2P CD IDZ AHOD" Commercial Pedestrian Infill Development Zone Overlay Airport Hazard Overlay District with a Conditional Use for Bar and/or Tavern without Cover Charge 3 or More Days Per Week

BACKGROUND INFORMATION:
Zoning Commission Hearing Date: October 3, 2023

Case Manager: Camryn Blackmon, Zoning Planner

Property Owner: Hollywood Ventures LLC

Applicant: Hollywood Ventures LLC

Representative: P.W. Christensen, PLLC

Location: 101 East Carson Street

Legal Description: Lot 1, Block 10, NCB 481

Total Acreage: 0.107 acres

Notices Mailed

Owners of Property within 200 feet: 20

Registered Neighborhood Associations within 200 feet: Government Hill Alliance

Applicable Agencies: Fort Sam Houston, Planning Department

Property Details

Property History: The property was part of the original 36 square miles of the City of San Antonio and 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 “I-1” General Industrial District. The property was rezoned by Ordinance 2010-11-04-0971, dated November 4, 2010, to the current “C-2” Commercial District.

Code & Permitting Details:

Commercial Project Application (COM-PRJ-APP23-39801337) – May 2023

There is no code history for this property.

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: "IDZ" with Uses Permitted in “C-1”, “RM-6”

Current Land Uses: Restaurant

Direction: East

Current Base Zoning: "RM-6"

Current Land Uses: Single-Family Dwelling

Direction: South

Current Base Zoning: "IDZ" with Uses Permitted in “RM-4”, “C-3”

Current Land Uses: Office

Direction: West

Current Base Zoning: "IDZ" with Uses Permitted in “RM-4”, “C-3”, “I-1”

Current Land Uses: Office

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:** West Carson Street**Existing Character:** None**Proposed Changes:** None Known**Thoroughfare:** Austin Street**Existing Character:** None**Proposed Changes:** None Known**Public Transit:** There is no public transit within walking distance of the subject property.**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:** "IDZ" as an overlay district waives the minimum parking requirement.**ISSUE:**

None.

ALTERNATIVES:

Current Zoning: "C-2" Commercial District accommodates 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-2P CD" Commercial Pedestrian District is identical to C-2 districts except that there is a 35-foot maximum front setback, rear parking requirements, and additional window requirements.

The proposed Conditional Use is for Bar and/or Tavern without Cover Charge 3 or More Days Per Week

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

Subject property is located with the Midtown Regional Center but is not within ½ a mile from a Premium Transit Corridor

RECOMMENDATION:**Staff Analysis and Recommendation:** Staff and Zoning Commission recommend 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 Government Hill Neighborhood Plan and is currently designated as “Mixed Use” in the future land use component of the plan. The requested “C-2P” 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 “IDZ” Infill Development Zone with various office, general commercial and industrial uses.
- 3. Suitability as Presently Zoned:** The existing “C-2” Commercial District is an appropriate zoning for the property and surrounding area. The proposed “C-2P CD” Commercial Pedestrian District with a Conditional Use for Bar and/or Tavern without Cover Charge 3 or More Days Per Week is also an appropriate zoning. The proposed zoning is consistent with the established development pattern of the surrounding area, with a mix of offices, restaurants, and residential uses. The “CD” Conditional Use allows consideration of the Bar/Tavern use but has a base commercial district. The Conditional Use also requires a prescribed site plan and allows conditions to be added as needed. Any major site plan amendments require another zoning application and final consideration by City Council.
- 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 Government Hill Neighborhood Plan.

Relevant Goals and Policies of the Comprehensive Plan may include:

- GCF Goal 4: Sustainable infill and mixed-use development provide walkable and bikeable destinations for all residents.
- GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
- GCF P8: Continue to focus on the revitalization of neighborhoods adjacent to downtown and extend these efforts to regional centers, urban centers and transit corridors.
- H P30: Ensure infill development is compatible with existing neighborhoods

Relevant Goals and Objectives of the Government Hill Neighborhood Plan may include:

- Goal: Redevelop and revitalize the neighborhood.
- Objective: To encourage and support any revitalization and redevelopment efforts consistent with this plan.

- 6. Size of Tract:** The 0.107 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.

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 bar and/or tavern.

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