



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** June 16, 2022

**In Control:** City Council Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 1

**SUBJECT:**

ZONING CASE Z-2022-10700094 CD  
(Associated Plan Amendment PA-2022-11600030)

**SUMMARY:**

**Current Zoning:** "C-2 NCD-8 AHOD" Commercial Woodlawn Lake Neighborhood Conservation Airport Hazard Overlay District

**Requested Zoning:** "C-2 CD NCD-8 AHOD" Commercial Woodlawn Lake Neighborhood Conservation Airport Hazard Overlay District with a Conditional Use for a Bar/Tavern with Cover Charge 3 or More Days Per Week

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 17, 2022

**Case Manager:** Despina Matzakos, Planner

**Property Owner:** Jesse and Stella Castillo

**Applicant:** Rene Zamora

**Representative:** Rene Zamora

**Location:** generally located at 1016/1024 Cincinnati Avenue

**Legal Description:** Lots 7-11, the west 5-feet of Lot 12, and Lot P-104, Block 8, NCB 2026

**Total Acreage:** 0.7824 acres

### **Notices Mailed**

**Owners of Property within 200 feet:** 20

**Registered Neighborhood Associations within 200 feet:** Woodlawn Lake

**Applicable Agencies:** Aviation Department, Planning Department, Parks and Recreation

### **Property Details**

**Property History:** The subject property was part of the original 36 square miles of the City of San Antonio and zoned "F" Local Retail District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "F" Local Retail District converted to the current "C-2" Commercial District.

**Topography:** The subject property is located within an Aquifer Artesian Zone and Upper SAR Watershed.

### **Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** R-6

**Current Land Uses:** Woodlawn Gym Parking, Woodlawn Gym

**Direction:** South

**Current Base Zoning:** R-4

**Current Land Uses:** Single-Family Residential Homes

**Direction:** East

**Current Base Zoning:** C-2

**Current Land Uses:** Housing, Offices, Metal Fabricator

**Direction:** West

**Current Base Zoning:** R-6

**Current Land Uses:** Woodlawn Lake Dog Park and Casting Pond, Woodlawn

### **Overlay District Information:**

The Woodlawn Lake Neighborhood Conservation District (NCD-8) is an overlay zoning district that contains design guidelines for rehabilitation of existing residential and commercial development. Property owners, together with the Department of Planning and Community Development staff, develop the design guidelines. These guidelines can address building materials, height, size, massing, signage, sidewalk location, etc. A zoning review is performed by the Zoning Section of the Development Services Department.

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:** Cincinnati Avenue**Existing Character:** Minor**Proposed Changes:** None Known**Thoroughfare:** Alexander Avenue**Existing Character:** Local**Proposed Changes:** None Known**Public Transit:** VIA bus routes are within walking distance of the subject property.**Routes Served:** 103**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 per 100 sf of GSF.**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-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.

The requested Conditional Use Authorization would allow for Bar/Tavern.

**FISCAL IMPACT:**

None.

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

The property is within a Premium Transit Corridor but not within a Regional Center.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial. Zoning Commission recommends Approval, with Conditions.

The following Condition was recommended:

Hours of amplified sound outdoors is limited to 4:00pm to 12:00am.

**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 Area Community Plan and is currently designated as "Neighborhood Commercial" in the future land use component of the plan. The requested "C-2" Commercial base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to "Community Commercial". Staff recommends Denial. The Planning Commission recommends Approval.
2. **Adverse Impacts on Neighboring Lands:** Staff finds evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is typically allowed by right in the "C-3" General Commercial District and is more intense in nature than the existing "C-2" Commercial District. Surrounding properties are primarily zoned "R-4" Residential Single-Family Districts "R-6" Residential Single-Family District, and "C-2" Commercial District.
3. **Suitability as Presently Zoned:** The existing "C-2" Commercial District is appropriate zoning for the property and surrounding area but is not aligned with the land use or the existing development of the property as a Bar. The proposed "C-2 CD" Commercial District with a Conditional Use for a Bar/Tavern with Cover Charge 3 or More Days Per Week District is not appropriate zoning for the property and surrounding area. The request takes an intense "C-3" General Commercial use and conditions the use of a Bar/Tavern down into the "C-2" Commercial District.
4. **Health, Safety and Welfare:** Staff has found indication of likely adverse effects on the public health, safety, or welfare. The proposed Bar/Tavern allows the addition of a patio bar on the property with outdoor speakers, which could create noise intrusion.
5. **Public Policy:** The request does appear to conflict with public policy objectives.

**Relevant Goals and Policies of the Comprehensive Plan may include:**

- GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
- GCF Policy 9: Allow higher-density and mixed uses in portions of, or adjacent to, single-family residential areas to encourage shopping, services, and entertainment amenities in closer proximity to housing and where appropriate.
- JEC Policy 25: Continue efforts to revitalize the urban core and encourage creation of other mixed-use nodes to create environments attractive to young professionals and other workers."

**Relevant Goals and Policies of the Near Northwest Area Community Plan may include:**

- Goal 2- Ensure the Near NW Community's business corridors are filled with a mix of uses including professional offices, residences, and busy shops, providing neighbors an attractive place to walk for shopping, playing, working and relaxing both day and night.

6. **Size of Tract:** The 0.7824-acre site is of sufficient size to accommodate the proposed commercial use and development.
7. **Other Factors:** The existing Lighthouse Lounge had a Non-Conforming Use Letter approved for a Bar/Lounge but recently added a patio with outdoor speakers that expanded the use of their business and now requires conformity to zoning.

The applicant intends to continue to utilize the space for a neighborhood bar, with the addition of outdoor patio with speakers, which were constructed onsite over the pandemic.

The Conditional Use zoning procedure is designed to provide for a land use within the area 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 granting of zoning with Conditional Use shall only be for the zoning case named in the ordinance approving the Zoning Districts with the specified Conditional Use provisions.