



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** May 16, 2023

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 8

**SUBJECT:**

ZONING CASE Z-2023-10700071 S

**SUMMARY:**

**Current Zoning:** "C-2" Commercial District

**Requested Zoning:** "C-2 S" Commercial District with a Specific Use Authorization for Bar and/or Tavern Without Cover Charge 3 or More Days Per Week

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 16, 2023

**Case Manager:** Kellye Sanders, Planning Coordinator

**Property Owner:** Jayhawk Group, LP

**Applicant:** Jayhawk Group, LP

**Representative:** Brown & McDonald PLLC

**Location:** 11115 Wurzbach Road

**Legal Description:** Lot 6, Block 2, NCB 16957

**Total Acreage:** 0.9790

**Notices Mailed****Owners of Property within 200 feet:** 62**Registered Neighborhood Associations within 200 feet:** N/A**Applicable Agencies:** Planning Department**Property Details**

**Property History:** The property was annexed into the City of San Antonio on May 26, 1971 by Ordinance 39443 and was zoned Temporary "R-1" Single Family Residence District. The property was rezoned from Temporary "R-1" Single Family Residence district to "B-2" Business District by Ordinance 61017, dated July 11, 1985. The property converted from "B-2" Business District to the current "C-2" Commercial District with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001.

**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:** Sports Complex**Direction:** South**Current Base Zoning:** O-2**Current Land Uses:** Commercial and Office Uses**Direction:** East**Current Base Zoning:** C-2**Current Land Uses:** Sports Complex**Direction:** West**Current Base Zoning:** O-2**Current Land Uses:** Office Uses**Overlay District Information:**

N/A

**Special District Information:**

N/A

**Transportation****Thoroughfare:** Wurzbach Road**Existing Character:** Secondary Arterial A

**Proposed Changes:** Wurzbach (Northwest Military Highway to Fredericksburg Road) -- Leverage funds for improvements at key intersections along the Wurzbach Corridor. Cost reflects City of San Antonio's contribution to a proposed federal and state funded project.

**Public Transit:** There are VIA bus routes within walking distance of the subject property.  
**Routes Served:** 96 534,

**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 Bar/Tavern is 1 per 100sf of GSF. The maximum is 1 per 75sf 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 S” 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.

If approved, the “S” Specific Use Authorization will permit 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 not located within any Regional Centers and not within ½ a mile from any Premium Transit Corridor

**RECOMMENDATION:**

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

If recommended for Approval, staff recommends the following Conditions:

1. No temporary signs, wind-wavers, pennants, bandit or snipe signs.
2. Downward facing lighting on the exterior of building.
3. No outdoor, amplified sound or speakers permitted.
4. Hours of Operation: Monday-Thursday: 5:00pm - 12:00am and Friday: 12:00pm – 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 North Sector Plan and is currently designated as "Suburban Tier" in the future land use component of the plan. The requested "C-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. Surrounding properties are a mix of "O-2" High Rise Office District, "C-2" Commercial District and "MF-33" Multi-Family District, which permit higher intense commercial and office uses that coordinate with the proposed local wine bar.
3. **Suitability as Presently Zoned:** The existing "C-2" Commercial District is an appropriate zoning for the property and surrounding area. The requested "C-2 S" Commercial District with a Specific Use Authorization for Bar and/or Tavern Without Cover Charge 3 or More Days Per Week is also an appropriate zoning. The "S" Specific Use Authorization allows the Bar and/or Tavern use in addition to all the "C-2" Commercial District uses. The applicant provided a prescribed site plan which indicates the use of the property and structures. Any major amendments to the site plan will require additional zoning consideration.
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 North Sector Plan.

**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.

**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.

**Relevant Goals and Strategies of the North Sector Plan may include:**

**Goal LU-1:** Compatible land use pattern promoted so that natural resources are preserved, and the local economy remains viable.

**LU-5.2:** Encourage development and preservation of diverse and distinctive neighborhoods that build on the patterns of the natural landscape and are sensitive to their locations and historic contexts.

**LU-6.5:** Encourage development that is visually and functionally compatible with its surrounding neighborhoods by maintaining a massing and density of development that is compatible with adjacent developed neighborhood.

6. **Size of Tract:** The 0.9790 acre site is of sufficient size to accommodate the proposed commercial development.
7. **Other Factors:** The purpose of the Specific Use Authorization is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but may, under the right set of circumstances and conditions be acceptable in certain specific locations.

The applicant is rezoning to develop a Bar/Tavern without cover charge 3 or more days a week.