



City of San Antonio

Agenda Memorandum

Agenda Date: January 18, 2022

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 5

SUBJECT:

Zoning Case Z-2021-10700328

SUMMARY:

Current Zoning: "C-1 AHOD" Light Commercial Airport Hazard Overlay District

Requested Zoning: "C-3 AHOD" General Commercial Airport Hazard Overlay District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: January 18, 2022

Case Manager: Despina Matzakos, Planner

Property Owner: Chifladas LLC

Applicant: Veronica Riffle

Representative: Veronica Riffle

Location: 1804 West Martin Street

Legal Description: the North 47 feet of Lot 5 and the west 15.87 feet of the north 47 feet of Lot 6, Block 1, NCB 2234

Total Acreage: 0.0723 acres

Notices Mailed

Owners of Property within 200 feet: 35

Registered Neighborhood Associations within 200 feet: West End Hope in Action,
Gardendale, Prospect Hill
Applicable Agencies: NA

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 under Ordinance 2012-11-01-0869, dated November 1, 2012, from "I-1" General Industrial District to the current "C-1" Light Commercial District.

Topography: A portion of subject property is located with the Artesian Zone Aquifer and Upper SAR Watershed.

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: I-1, RM-4

Current Land Uses: Single-Family Homes

Direction: South

Current Base Zoning: I-1

Current Land Uses: Single-Family Homes

Direction: East

Current Base Zoning: I-1

Current Land Uses: Empty Lot, Single-Family Homes, Service Shop, Food Service

Direction: West

Current Base Zoning: I-1

Current Land Uses: Single-Family Homes, Refrigerator Store, Food Service, Salon

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:

None

Transportation

Thoroughfare: Martin Street

Existing Character: Minor Roadway

Proposed Changes: None

Public Transit: There are 2 VIA bus routes within proximity to the subject property.
Routes Served: 77, 277

Traffic Impact: ROW dedication and improvement may be required along Martin. All Substandard Street improvements can be reviewed as part of the associated plat, the option of submitting SIP is also available which will be required at time of Building permit. TIA review will be revisited at time of building permit and/or plat (site plan will be required).

Parking Information:

The minimum parking requirement is 1 per 100 sf of GSF.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: “C-1” Light Commercial Districts accommodate neighborhood commercial uses which depend on a greater volume of vehicular traffic than an NC district. C-1 uses are considered appropriate buffers between residential uses and C-2 and C-3 districts and uses. Building size is limited to 5,000 square feet. Examples of permitted uses: arcade, boarding house, noncommercial athletic field, retail furniture sales, grocery store, nursery (retail – no growing of plants on site permitted), retail office equipment and supply, and retail rug or carpet sales. No outdoor storage or display of goods shall be permitted except for outdoor dining.

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:

The subject property is located within proximity to a premium transit corridor and within proximity to the Downtown Regional Center.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Denial.

Criteria for Review: According to Section 35-421, zoning amendments shall be based on approval criteria below.

1. Consistency:

The subject property is not located within a Neighborhood, Community, or Sector Plan therefore a finding of consistency is based on existing and surrounding zoning and uses.

2. Adverse Impacts on Neighboring Lands: Staff does 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 primarily zoned “I-1” General Industrial District. However, most of the existing land use is for single-family residential to the rear of the block and commercial on the west side of the block.

3. Suitability as Presently Zoned: The existing “C-1” Light Commercial District is an appropriate zoning for the property and surrounding area. The proposed “C-3” General Commercial District is not an appropriate zoning for the property and surrounding area given its proximity to single-family residential homes. The current “C-1” Light Commercial allows for neighborhood-friendly businesses that are to scale with the surrounding residential uses.

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 objective.

6. Size of Tract: The 0.0723-acre site is of sufficient size to accommodate the proposed Commercial uses and development.

7. Other Factors: The applicant would like to open a neighborhood bar. In addition to the primary use as a bar/tavern, the applicant wishes to have other uses such as mobile food trucks, entertainment, local vendors, and artwork.

The current “C-1” Light Commercial allows a Food Service Establishment with or without alcohol sales.

The current zoning of “C-1” Light Commercial also allows a mobile food vendor as a Food Service Establishment however the onsite building cannot be utilized independently for alcohol sales. It then becomes a Bar/Tavern.