



# City of San Antonio

## Agenda Memorandum

**File Number:**19-6734

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**Agenda Item Number:** Z-7.

**Agenda Date:** 9/19/2019

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z-2019-10700133 S

**SUMMARY:**

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

**Requested Zoning:** "C-2 S AHOD" Commercial Airport Hazard Overlay District with Specific Use Authorization for a Bar and/or Tavern Without Cover Charge 3 or more days per week

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** August 6, 2019

**Case Manager:** Mirko Maravi, Planner

**Property Owner:** Rene and Susana Euresti

**Applicant:** Rene Euresti

**Representative:** Rene Euresti

**Location:** 217 Casa Blanca

**Legal Description:** Lot 36, NCB 984

**Total Acreage:** 0.16

**Notices Mailed**

**Owners of Property within 200 feet:** 12

**Registered Neighborhood Associations within 200 feet:** Government Hill Alliance

**Applicable Agencies:** Fort Sam Houston

### **Property Details**

**Property History:** The subject property was part of the original 36 square miles of the City of San Antonio and zoned Temporary "D" Apartment District. The property was rezoned by Ordinance 61102, dated July 25, 1985 from Temporary "D" Apartment District to "B-1" Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the property zoned "B-1" Business District converted to the current "C-1" Commercial 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:** "IDZ" with uses permitted in "RM-4" Residential Mixed District, "C-3" General Commercial, and Multi-Family uses (apartments and/or condominiums) not to exceed 100 units per acre

**Current Land Uses:** Parking lot

**Direction:** South

**Current Base Zoning:** "MF-18"

**Current Land Uses:** Apartments

**Direction:** East

**Current Base Zoning:** "MF-33"

**Current Land Uses:** Residential Single Family

**Direction:** West

**Current Base Zoning:** "C-2"

**Current Land Uses:** Commercial use

### **Overlay and Special District Information:**

"AHOD"

All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

### **Transportation**

**Thoroughfare:** Casa Blanca

**Existing Character:** Collector

**Proposed Changes:** None Known

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

**Routes Served:** 9, 10, 209

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** The minimum parking requirement for a bar/tavern is 1 space per 100 square feet.

**ISSUE:**

None.

#### **ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of "C-1" base zoning district. These districts permit general commercial activities designed to serve the community such as repair shops, wholesale businesses, warehousing and limited retail sales with some outdoor display of goods. These districts promote a broad range of commercial operations and services necessary for large regions of the city, providing community balance. "C-1" 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.

The requested "C-2" districts accommodate commercial and retail uses that are more intensive in character than "NC" and "C-1" uses, and which generate a greater volume of vehicular traffic and/or truck traffic.

#### **FISCAL IMPACT:**

None.

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

The subject property is within the Midtown Regional Center and located within the Premium Transit Corridor.

#### **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (9-0) recommend Approval.

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

##### **1. Consistency:**

The subject property is located within the Midtown Regional Center Plan and is currently designated as Regional Mixed Use 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.

##### **3. Suitability as Presently Zoned:**

The current "C-1" Commercial District is an appropriate zoning for the property and surrounding area. The proposed "C-2" will allow various retail and commercial uses. The addition of the Specific Use Authorization allows consideration of a Bar and/or Tavern Without Cover Charge 3 or more days per week with any necessary conditions.

##### **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 proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the Midtown Regional Center Plan:

Goal 7: Stimulate a Thriving Economy

Continue to improve the Midtown Area's great assets and public spaces, such as the Broadway Cultural Corridor, to attract more employers.

**6. Size of Tract:**

The subject property is 0.16 acres, which could reasonably accommodate use for a tavern/bar.

**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 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 with may, under the right set of circumstances and conditions be acceptable in certain specific locations.