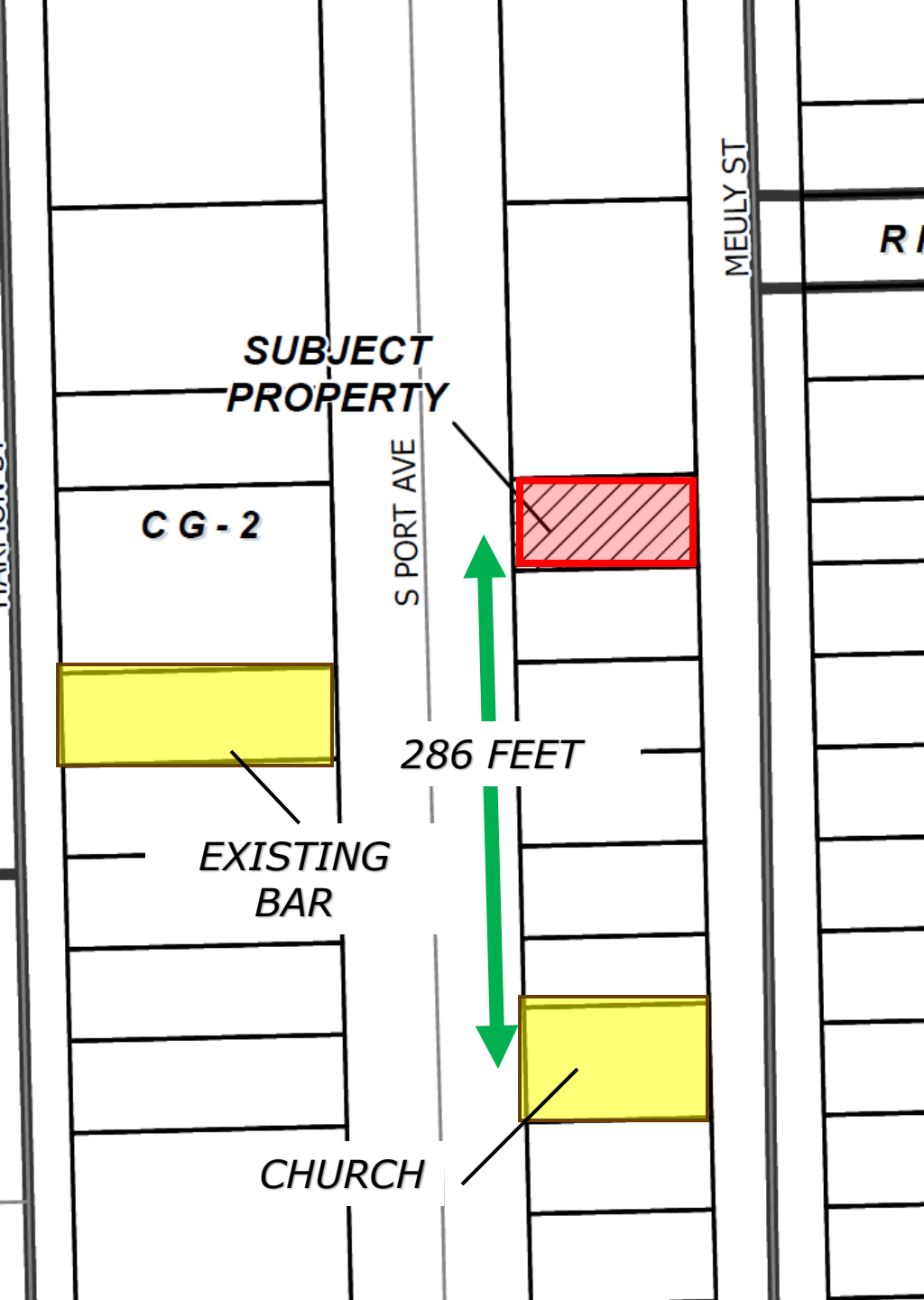




REQUEST FOR T.A.B.C. VARIANCE

CASE NO. ZN9019

702 S Port, LLC



REQUEST

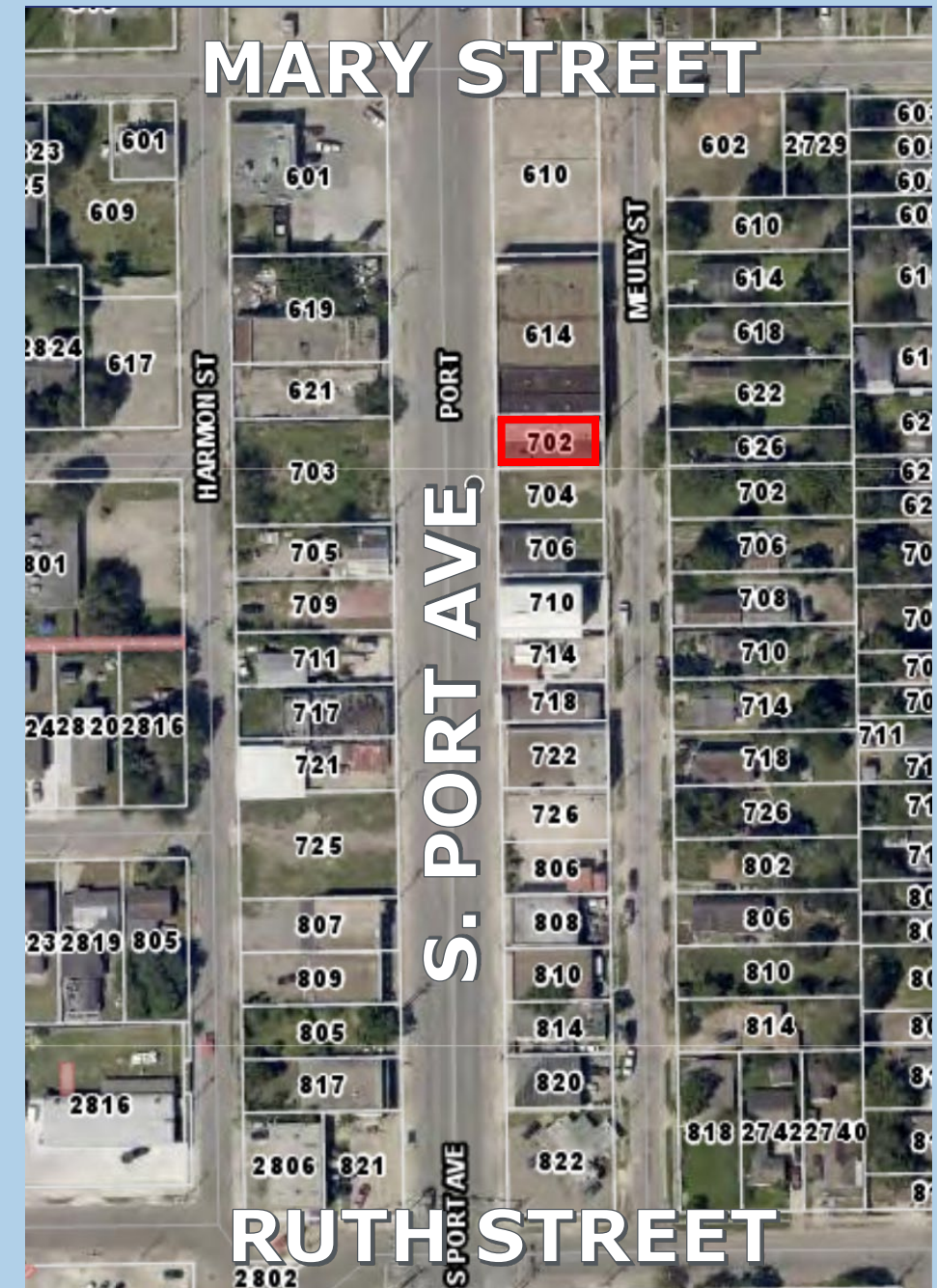
SUMMARY

To permit the operation of a bar/tavern at 702 South Port Avenue, located less than 300 feet from the front door of the subject property to the front door of Iglesia de Dios Alfa y Omega, an evangelical church



SUBJECT PROPERTY

- Previously used as a resale shop and retailed fresh masa suitable for tamales
- Located between Ruth Street and Mary Street
- Zoned CG-2, platted in 1926
- Currently undergoing renovations



BACKGROUND

MUNICIPAL & STATE REGULATION OF LIQUOR

- State grants cities authority to establish spacing requirements
- However, does not mandate municipal adoption
- State defines distance requirements:
 - 300 feet of a church, public or private school, or public hospital
- City adopted the state-defined requirements
- State grants cities the authority to grant variance to distance requirements
- City adopted the ability to grant variance to distance requirements



BACKGROUND

MUNICIPAL & STATE REGULATION OF LIQUOR

- Variance may be granted if the council determines that enforcement of the distance requirement:
 - Is not in the best interest of the public
 - Results in wasteful or inefficient use of land or other resources
 - Imposes an undue hardship on the applicant seeking a license
 - Fails to serve its intended purpose, lacks effectiveness or necessity
 - Or after consideration of public health, safety, welfare, and the equities of the situation – is not in the best interest of the community



FINDINGS

CONFORMANCE TO CITY POLICY

- Westside Area Development Plan (2023)
 - Policy Initiative: Foster an environment for economic development that attracts new business, increases employment, and revitalizes or enhances existing commercial and industrial areas.
 - Target reinvestment for commercial businesses along major corridors, including the Leopard Street and Morgan Avenue corridors.
 - Support revitalization and upgraded infrastructure to encourage the development of more restaurants, retail, and nightlife to serve the west side residents.
 - Future Land Use: The South Port Avenue corridor is designated for commercial uses

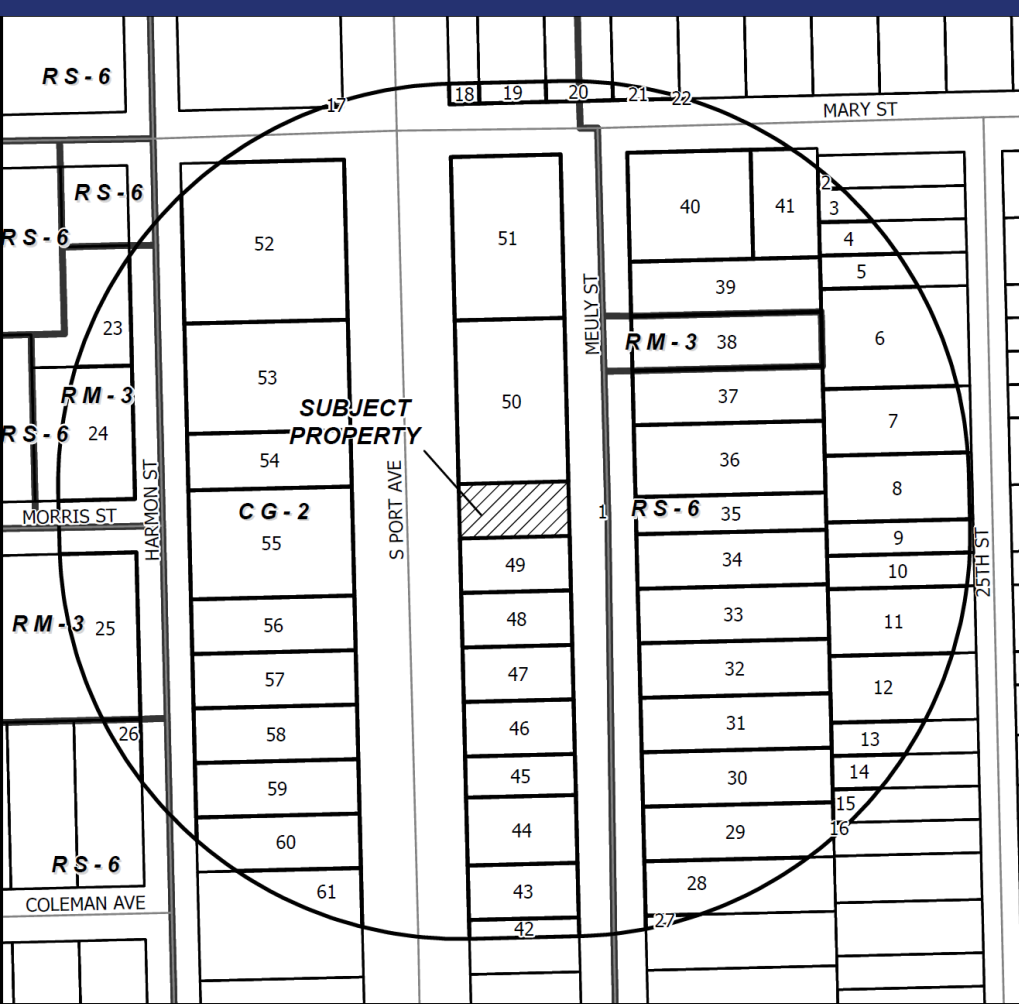


FINDINGS

CONFORMANCE TO CITY ORDINANCE

- Unified Development Code 4.5.2
 - Bars/Taverns or Pubs are permitted in the CG-2 General Commercial District with UDC §5.2.7, providing specific standards
 - A bar, tavern or pub shall be permitted in accordance with the use tables in [Article 4](#) provided that the bar, tavern or pub shall not be located any closer than 300 feet from church, or public or private school, child care facility, daycare center, or public hospital.





FINDINGS

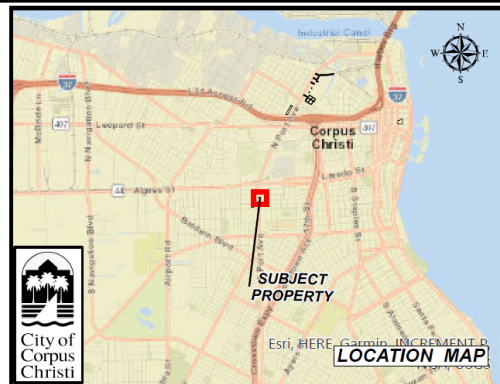
PUBLIC INPUT

- Notice of public hearing published in the newspaper
- 61 notices of public hearing mailed to property owners 300 feet
- 1 notice sent to CCISD

CASE: ZN9019

RM-1 Multifamily 1	IL Light Industrial
RM-2 Multifamily 2	IH Heavy Industrial
RM-3 Multifamily 3	PUD Planned Unit Dev. Overlay
ON Professional Office	RS-10 Single-Family 10
RM-AT Multifamily AT	RS-6 Single-Family 6
CN-1 Neighborhood Commercial	RS-4.5 Single-Family 4.5
CN-2 Neighborhood Commercial	RS-TF Two-Family
CR-1 Resort Commercial	RS-15 Single-Family 15
CR-2 Resort Commercial	RE Residential Estate
CG-1 General Commercial	RS-TH Townhouse
CG-2 General Commercial	SP Special Permit
CI Intensive Commercial	RV Recreational Vehicle Park
CBD Downtown Commercial	RMH Manufactured Home
CR-3 Resort Commercial	
FR Farm Rural	
H Historic Overlay	
BP Business Park	

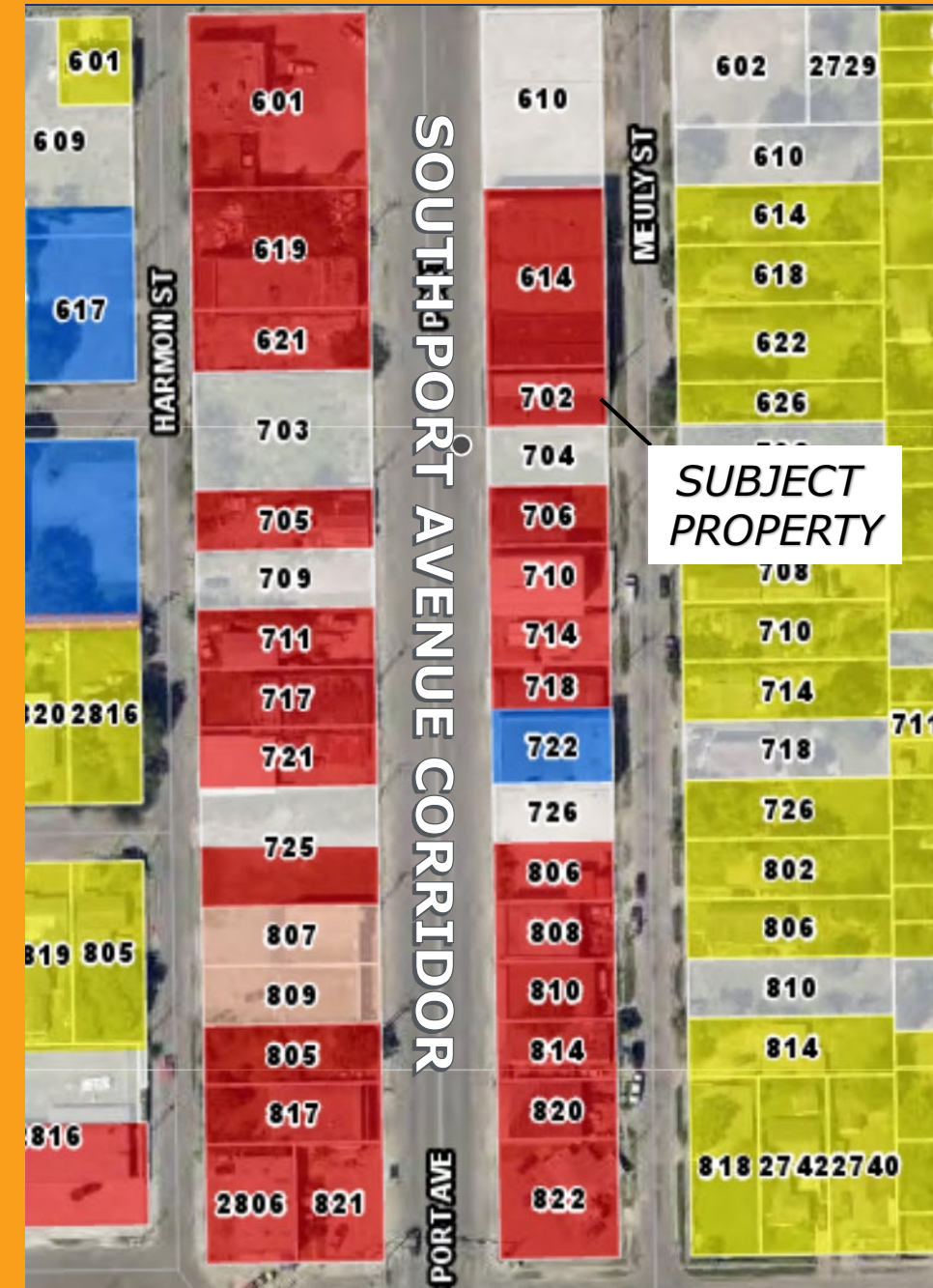
 Subject Property with 200' buffer
 Owners in favor
 Owners within 200' listed on attached ownership table
 Owners in opposition



FINDINGS

VARIANCE CONSIDERATION

- The South Port Avenue corridor is commercially established, and the subject property sits within this context.
- A bar/tavern exists directly across the street, indicating compatibility with alcohol-related uses.
- Bar/Tavern hours typically fall outside church service times, reducing potential conflicts
- Property is currently vacant and underutilized, supporting activation with a commercially aligned use
- The proposed use appears consistent with the character and function of the corridor and neighborhood.
- Staff recommends favorable consideration of the proposed use based on surrounding development patterns





RECOMMENDATION

Staff recommends approval of the variance request.





Thank you!