

# Consider Recommendation Bars / Entertainment Venues

Roque Salinas

Economic Development Director

Council meeting

May 16, 2023

# Summary

- Should the City revise the zoning code to add new definitions for alcohol related establishments, add “Entertainment – Indoor” and “Entertainment – Outdoor” and allowing use without a Specific Use Permit / by right in certain zoning districts?

## **Options:**

1. Approve proposed revisions
2. Denial of proposed revisions
3. Other

# Purpose

- To add the following definitions to “*Chapter 15 Zoning, Division 2 – Rules of Construction and Definitions, Sec. 15.02.052 – Definitions*”
  - Bar/Tavern Completely Enclosed – an establishment with less than five thousand (5,000) square feet and under license from the Texas Alcohol and Beverage commission (TABC), which is principally engaged in the retail sale of alcoholic beverages, with food only incidental to the sale of alcohol. A bar/tavern use may include live entertainment for indoor use only.
  - Bar/Tavern With Outdoor Entertainment Area – an establishment with less than five thousand (5,000) square feet and under license from the Texas Alcohol and Beverage commission (TABC), which is principally engaged in the retail sale of alcoholic beverages, with food only incidental to the sale of alcohol. This use may include live entertainment both indoor and outdoor in designated areas.
  - Nightclub/Large tavern - A bar/tavern with more than five thousand (5,001) square feet of floor area excluding kitchens, restrooms, and storage areas. This use may include a live entertainment, performance by musicians, dancers, stand-up comedians, other performance artists, live bands, musical actions; or the amplification of recorded music/entertainment by live disk jockeys for use both indoors and outdoors, in designated areas.

# Purpose

- To amend following definitions to “*Chapter 15 Zoning, Division 2 – Rules of Construction and Definitions, Sec. 15.02.052 – Definitions*”
  - Entertainment - Indoor - a use which includes, billiard parlor, bowling center, playground, skating center, video/game room, playroom/birthday party room, aquarium, museum, and other similar entertainment. On-premises sale and consumption of alcoholic beverages is allowed so long as it does not make up 51% or more of gross revenue.
  - Entertainment - Outdoor - A use which includes Baseball/softball/volleyball park, equestrian center, fairground, football field, go-karts, golf - miniature or other, sports complex, live entertainment, and other similar entertainment. On-premises sale and consumption of alcoholic beverages is allowed so long as it does not make up 51% or more of gross revenue.

# Proposed Amendment 5/2/2023

## Current

Use	O-1	B-1	B-2	B-3	I-1
Bar	X	X	X	SUP	SUP
Entertainment - indoor	X	SUP	SUP	SUP	P
Entertainment - outdoor	X	SUP	SUP	SUP	X

## Proposed

Use	O-1	B-1	B-2	B-3	I-1
Bar	SUP	P	P	P	P
Entertainment - indoor	X	SUP	P	P	P
Entertainment - outdoor	X	SUP	P	P	P

- P - Allowed by right
- X - Not allowed
- SUP - Specific use permit

# Entertainment- Indoor

- Entertainment - Indoor - a use which includes, billiard parlor, bowling center, playground, skating center, video/game room, playroom/birthday party room, aquarium, museum, and other similar entertainment. On-premises sale and consumption of alcoholic beverages is allowed so long as it does not make up 51% or more of gross revenue.

# Entertainment- Indoor

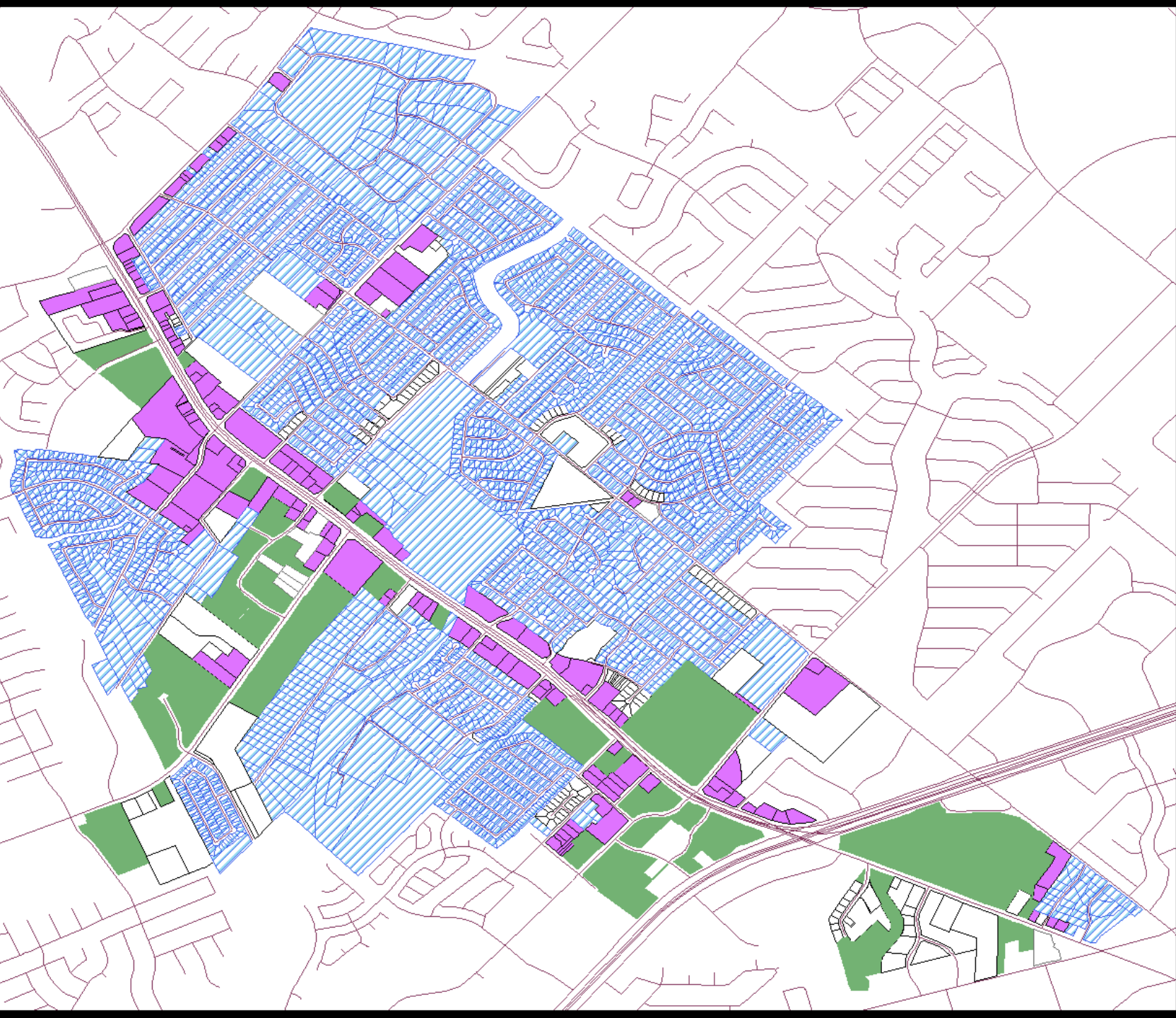
## Current




Use	O-1	B-1	B-2	B-3	I-1	SO	CIO	GO	Notes
Entertainment - indoor	X	SUP	SUP	SUP	P	U	U	U	

## Proposed

Use	O-1	B-1	B-2	B-3	I-1	SO	CIO	GO	Notes
Entertainment - Indoor	X	SUP	P	P	P	U	U	U	

- P - Allowed by right
- X - Not allowed
- SUP - Specific use permit



Single Resident Home	
B2	
B-3	



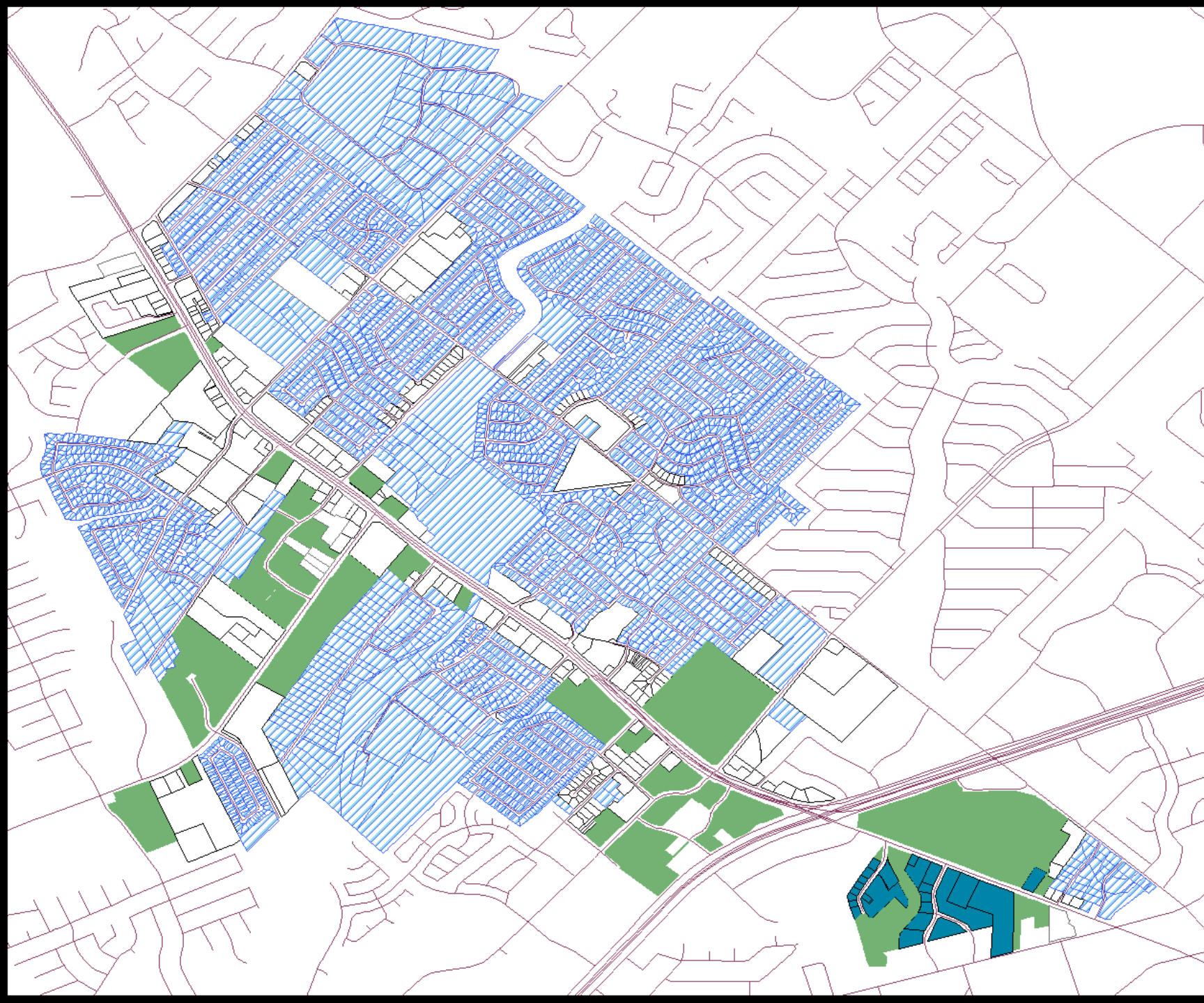
# Entertainment- Outdoor




- Entertainment - Outdoor - A use which includes Baseball/softball/volleyball park, equestrian center, fairground, football field, go-karts, golf - miniature or other, sports complex, live entertainment, and other similar entertainment. On-premises sale and consumption of alcoholic beverages is allowed so long as it does not make up 51% or more of gross revenue.

# Entertainment- Outdoor

Current									
Use	O-1	B-1	B-2	B-3	I-1	SO	CIO	GO	Notes
Entertainment - outdoor	X	SUP	SUP	SUP	X	U	P	U	
Proposed									
Use	O-1	B-1	B-2	B-3	I-1	SO	CIO	GO	Notes
Entertainment - Outdoor	X	SUP	SUP	P	P	U	P	U	

- P - Allowed by right
- X - Not allowed
- SUP - Specific use permit



Single Resident Home	
B-3	
I-1	

# International Building Code

NO.	CLASSIFICATION	OCCUPANCY	DESCRIPTION
1	Assembly	A-1d	Theaters and other buildings for the performing arts and motion pictures
		A-2d	Nightclubs, bars, taverns, dance halls and buildings for similar purposes
			Restaurants, banquet halls and food courts
		A-3d	Auditoriums without permanent seating, art galleries, exhibition halls, museums, lecture halls, libraries, arcades and gymnasiums
			Passenger terminals and transportation facilities
			Places of worship and other religious services.
		A-4	Coliseums, arenas, skating rinks, pools and tennis courts for indoor sporting events and activities
A-5	Stadiums, amusement parks, bleachers and grandstands for outdoor sporting events and activities		

## Bar/Tavern Completely Enclosed

- Bar/Tavern Completely Enclosed – an establishment with less than five thousand (5,000) square feet and under license from the Texas Alcohol and Beverage commission (TABC), which is principally engaged in the retail sale of alcoholic beverages, with food only incidental to the sale of alcohol. A bar/tavern use may include live entertainment for indoor use only.

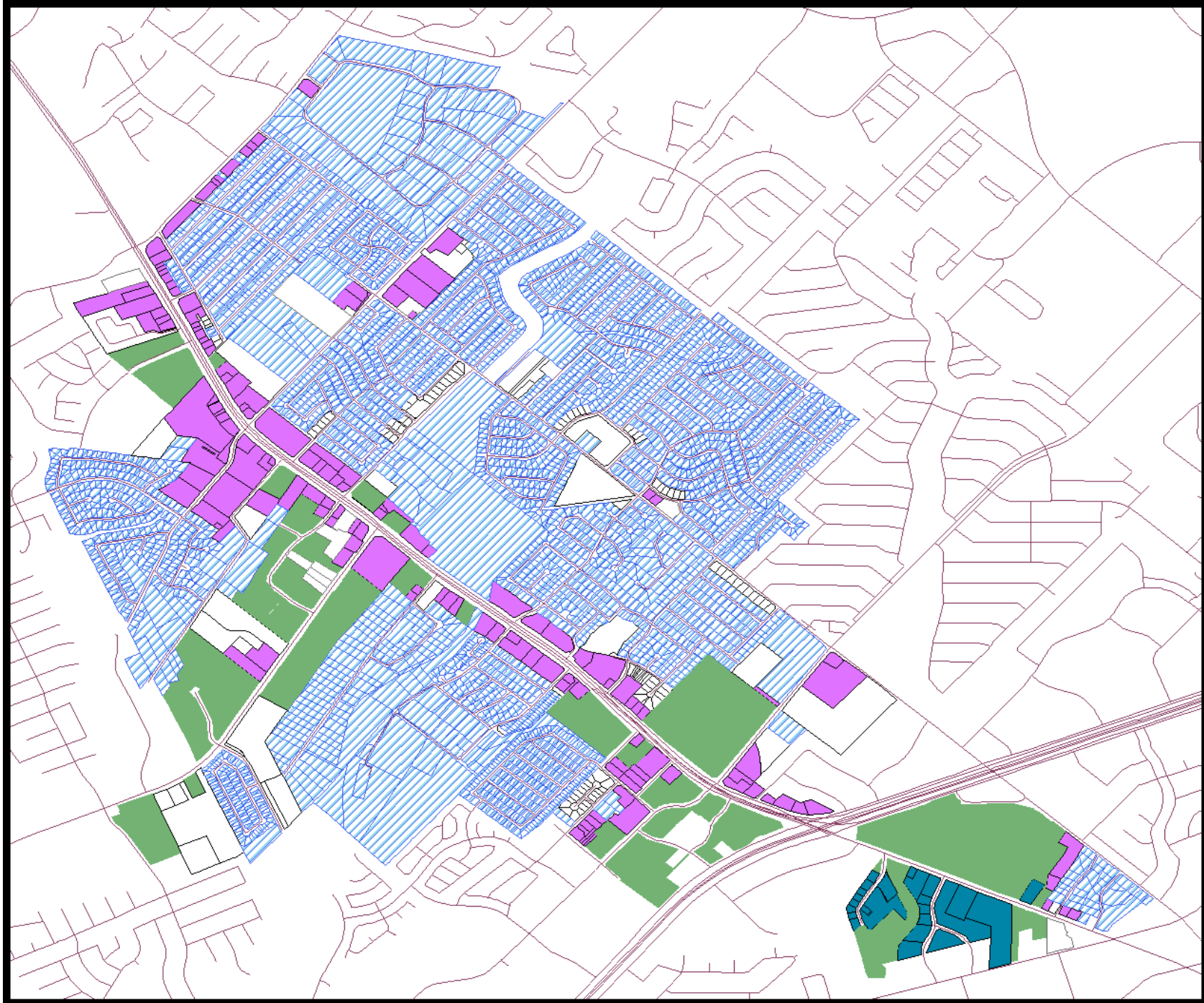
# Bar/Tavern Completely Enclosed

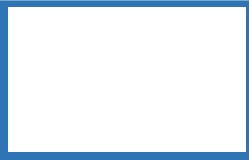



Current									
Use	O-1	B-1	B-2	B-3	I-1	SO	CIO	GO	Notes
Bar	X	X	X	SUP	SUP	U	U	U	
Proposed									
Use	O-1	B-1	B-2	B-3	I-1	SO	CIO	GO	Notes
Bar/Tavern Completely Enclosed	X	SUP	P	P	P	U	U	U	

- P - Allowed by right
- X - Not allowed
- SUP - Specific use permit

# B-1 in Leon Valley





Single Resident Home	
B2	
B-3	
I-1	



# Bar/Tavern With Outdoor Entertainment Area

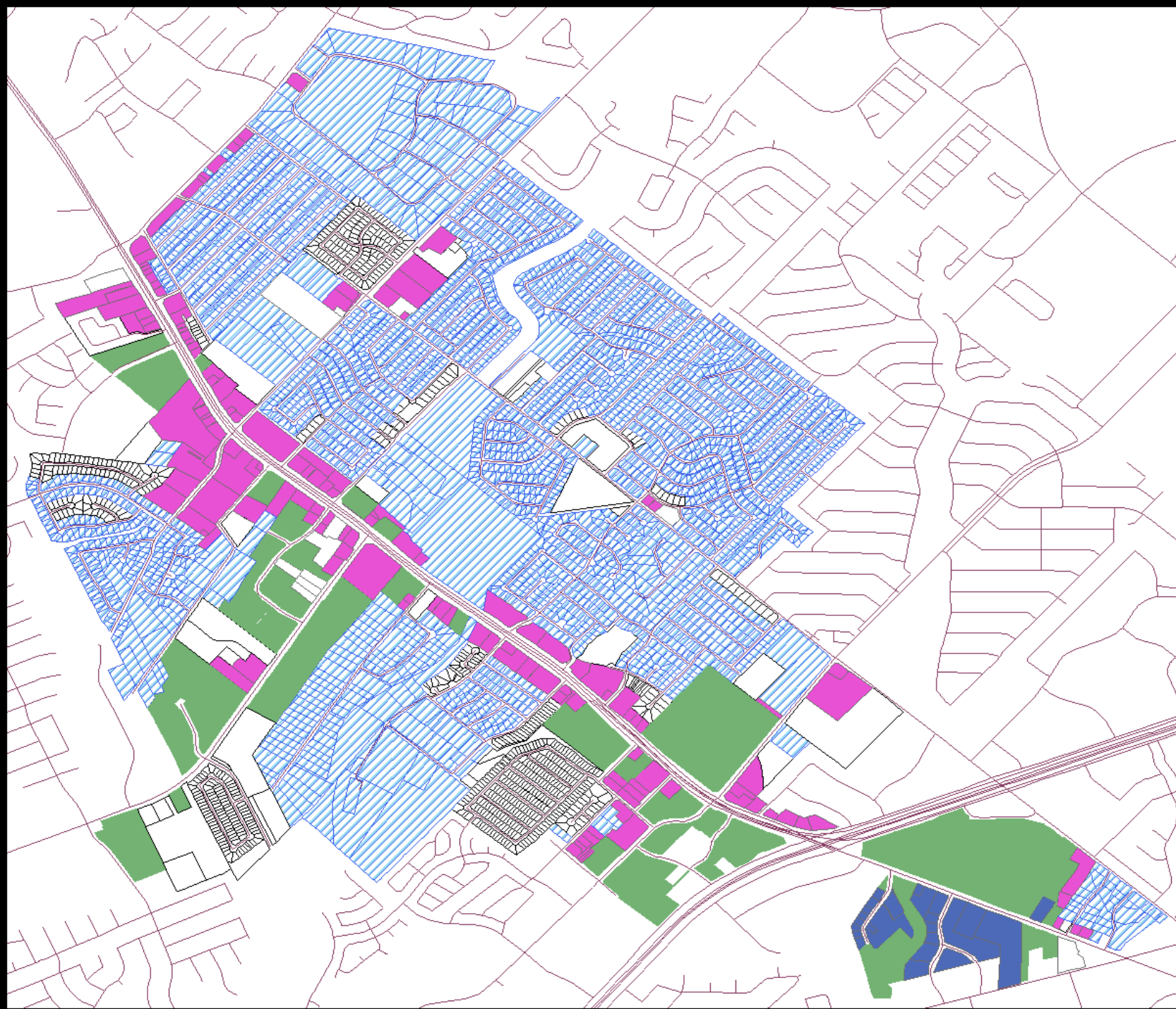
- Bar/Tavern With Outdoor Entertainment Area – an establishment with less than five thousand (5,000) square feet and under license from the Texas Alcohol and Beverage commission (TABC), which is principally engaged in the retail sale of alcoholic beverages, with food only incidental to the sale of alcohol. This use may include live entertainment both indoor and outdoor in designated areas.







# Bar/Tavern with Outdoor Entertainment Area

Current									
Use	O-1	B-1	B-2	B-3	I-1	SO	CIO	GO	Notes
Bar	X	X	X	SUP	SUP	U	U	U	
Proposed									
Use	O-1	B-1	B-2	B-3	I-1	SO	CIO	GO	Notes
Bar/Tavern with Outdoor Entertainment Area	X	X	SUP	P	P	U	U	U	

- P - Allowed by right
- X - Not allowed
- SUP - Specific use permit



R-1	
B-2	
B-3	
I-1	

# Nightclub/Large tavern

- Nightclub/Large tavern - A bar/tavern with more than five thousand (5,001) square feet of floor area excluding kitchens, restrooms, and storage areas. This use may include a live entertainment, performance by musicians, dancers, stand-up comedians, other performance artists, live bands, musical actions; or the amplification of recorded music/entertainment by live disk jockeys for use both indoors and outdoors, in designated areas.

**CLEAR CREEK SHOPPING CENTER**  
**NEC BANDERA RD & HUEBNER RD**  
 7007 BANDERA RD. SAN ANTONIO, TX 78238

**FOR LEASE**

Units shown on map include: Esta Noche Dance Studio Suite 10, Bebe's XV Site 11, Site 8, Texas Concept Site 16, Site 21, Alamo City Distributors Suite 23, Speedy Cash Site 24, Nacho Pochu Peruvian Grill Site 12, I Love Churros Site 13 & 14, Elite Tailoring Site 15, Wolf's Blood Fitness Suite 4, Reason Gracie Jiu Jitsu Site 3, Cloud Ponics Site 2, Kwik Wash Laundry Site 1.

**AVAILABLE Site 18-19 6,400 SF**  
 Former Pediatric Medical Clinic

**Church's**

BANDERA ROAD



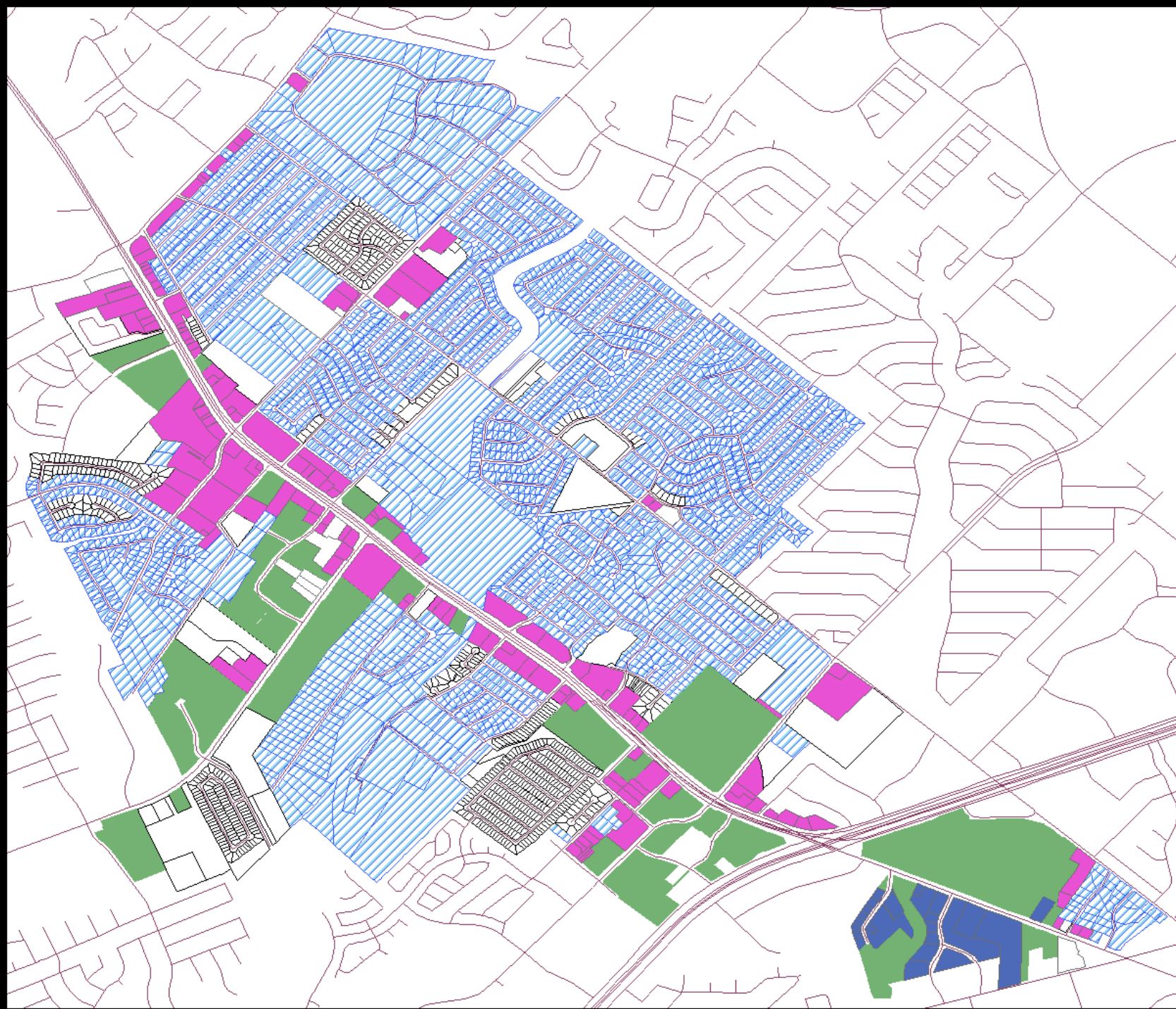
**1ST FLOOR**





SUITE 101	3,440 SF	DECO CAFE FILIPINIANA
SUITE 102	13,033 SF	CENTER FOR HEALTH SERVICES
SUITE 106	5,253 SF	GLORIA'S BARBER COLLEGE
SUITE 107	2,844 SF	ALAMO CITY HOBBY
SUITE 108	1,319 SF	FARMER'S INSURANCE
SUITE 109	2,440 SF	KUK SOOL WON
SUITE 110	1,457 SF	SHOWCASE FITNESS
SUITE 112	1,043 SF	CUTS UNLIMITED
SUITE 113	1,847 SF	CENTER FOR HEALTH SERVICES
<b>SUITE 119</b>	<b>1,227 SF</b>	<b>AVAILABLE MARCH 2023</b>
SUITE 124	5,082 SF	PRIMROSE LANE
<b>SUITE 126</b>	<b>5,931 SF</b>	<b>AVAILABLE MARCH 2023</b>

# Nightclub/Large tavern

Current									
Use	O-1	B-1	B-2	B-3	I-1	SO	CIO	GO	Notes
Bar	X	X	X	SUP	SUP	U	U	U	
Proposed									
Use	O-1	B-1	B-2	B-3	I-1	SO	CIO	GO	Notes
Nightclub/Tavern	X	X	SUP	SUP	SUP	U	U	U	

- P - Allowed by right
- X - Not allowed
- SUP - Specific use permit



R-1	
B-2	
B-3	
I-1	

# Overall proposal

Current									
Use	O-1	B-1	B-2	B-3	I-1	SO	CIO	GO	Notes
Bar	X	X	X	SUP	SUP	U	U	U	
Entertainment - indoor	X	SUP	SUP	SUP	P	U	U	U	
Entertainment - outdoor	X	SUP	SUP	SUP	X	U	P	U	
Proposed									
Use	O-1	B-1	B-2	B-3	I-1	SO	CIO	GO	Notes
Bar/Tavern Completely Enclosed	X	SUP	P	P	P	U	U	U	
Bar/Tavern with Outdoor Entertainment Area	X	X	SUP	P	P	U	U	U	
Nightclub/Large Tavern	X	X	SUP	SUP	SUP	U	U	U	
Entertainment - Indoor	X	SUP	P	P	P	U	U	U	
Entertainment - Outdoor	X	SUP	SUP	P	P	U	P	U	

City	Use	Neighborhood Commercial N-C (SA only)	Office and Professional District O-1	B-1	C-1" Commercial (SA ONLY)	C-2" Commercial (SA ONLY)	Retial District B-2	Commerical District B-3	Central Business B-4 New Braunfels and Helotes only	Industrial District I-1	Medium Industrial District I-2
Leon Valley	Bar/Tavern Completely Enclosed	N/A	X	SUP	N/A	N/A	P	P	N/A	p	N/A
Live Oak	Tavern	N/A	X- This is their B1	X-This is their neighborhood Service District similar to our B-1	N/A	N/A	P -General business district Similar to our B-2	n/a	N/A	P	SUP
Helotes	Tavern (Completely Enclosed in B-2 and B-3 Districts)	N/A	X- This is their B1	X-This is their neighborhood Service District similar to our B-1	N/A	N/A	P -General business district Similar to our B-2	p	P	P	N/A
New Braunfels	Bar/tavern (no outdoor music)	N/A	X	P	N/A	N/A	P	P	P	P	P
San Antonio	Alcohol - Bar And/OR Tavern Without Cover Charge 3 or More Days Per Week	SUP	X	N/A	SUP	SUP	P	P	N/A	P	X
San Antonio	Alcohol - Bar And/OR Tavern With Cover Charge 3 or More Days Per Week	X	X	N/A	X	X	SUP	X	N/A	X	X
Selma	Dancehall, Tavern, or nightclub	N/A	X	SUP	N/A	N/A	SUP	ONLY HAS UP TO B-2	N/A	SUP	N/A
Leon Valley	Bar/Tavern with Outdoor Entertainment Area	N/A	X	X	N/A	N/A	SUP	p	N/A	p	N/A
Live Oak	Tavern	N/A	X- This is their B1	X-This is their neighborhood Service District similar to our B-1	N/A	N/A	P -General business district Similar to our B-2	n/a	N/A	P	SUP
Helotes	Tavern With Outdoor Area For Patrons/Entertainment Purposes	N/A	X- This is their B1	X-This is their neighborhood Service District similar to our B-1	N/A	N/A	SUP -General business district Similar to our B-2	p	P	P	N/A
New Braunfels	Bar/tavern	N/A	X	X	N/A	N/A	P	P	P	P	P
San Antonio	Alcohol - Bar And/OR Tavern Without Cover Charge 3 or More Days Per Week	SUP	X	N/A	SUP	SUP	P	P	N/A	P	X
San Antonio	Alcohol - Bar And/OR Tavern With Cover Charge 3 or More Days Per Week	X	X	N/A	X	X	SUP	X	N/A	X	X
Selma	Dancehall, Tavern, or nightclub	N/A	X	SUP	N/A	N/A	SUP	ONLY HAS UP TO B-2	N/A	SUP	N/A
Leon Valley	Nightclub/Tavern	N/A	X	X	N/A	N/A	SUP	SUP	N/A	SUP	N/A
Live Oak	Dance hall/night club	N/A	X- This is their B1	X-This is their neighborhood Service District similar to our B-1	N/A	N/A	P -General business district Similar to our B-2	n/a	N/A	P	SUP
Helotes	No outdoor use listed	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
New Braunfels	Dance hall/dancing facility	N/A	X	X	N/A	N/A	P	p	p	P	P
San Antonio	Alcohol - Nightclub Without Cover Charge 3 or More Days Per Week	X	X	N/A	X	X	X	P	N/A	P	X
San Antonio	Alcohol - Nightclub With Cover Charge 3 or More Days Per Week	X	X	N/A	X	X	X	SUP	N/A	X	X
Selma	Dancehall, Tavern, or nightclub	N/A	X	SUP	N/A	N/A	SUP	ONLY HAS UP TO B-2	N/A	SUP	N/A



# Fiscal Impact

- Proposed revisions may encourage these types of business to relocate to Leon Valley, which would increase sales tax, alcoholic beverage taxes, and possibly ad valorem taxes.

# S.E.E. Statement

- *Social Equity* – Changing the zoning districts in which these establishments are allowed to operate would allow all Leon Valley citizens to enjoy venues closer to home
- *Economic Development* – The proposed changes would encourage a diverse and versatile business environment that supports a healthy economy and may assist in attracting, expanding, and retaining viable businesses to promote development and redevelopment
- *Environmental Stewardship* – Any new or remodeled establishments would be required to conform to the 2021 International Energy and Building Codes

# Strategic Goals

**Economic Development** is a strategic goal outlined in Leon Valley's Strategic Plan.

- Create, review, and enforce codes that impact Economic Development
- Revitalize declining commercial areas by creating, reviewing, and enforcing codes that impact Economic Development
- Promote Leon Valley

# Recommendation

- The current Leon Valley zoning regulations restrict these types of establishments from operating in prime retail spaces.
- There is a demand for businesses that primarily generate revenue from the sale of alcoholic beverages. However, the current definition listed is too vague.
- Revising the definitions will provide clear structure to the type of businesses that can operate within the City limits, while providing venues for residents to attend.
- A change will allow for more businesses to move into Leon Valley and reduce the sales leakages from these types of establishments, which was cited in the 2018 master plan.
- At council discretion