



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** September 19, 2024

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Amin Tohmaz, Interim Director

**COUNCIL DISTRICTS IMPACTED:** District 5

**SUBJECT:**

ZONING CASE Z-2024-10700104

**SUMMARY:**

**Current Zoning:** "I-2 AHOD" Heavy Industrial Airport Hazard Overlay District

**Requested Zoning:** "C-2 IDZ AHOD" Commercial Infill Development Zone Overlay Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** August 20, 2024

**Case Manager:** Bronte Frere, Zoning Planner

**Property Owner:** Martha Gonzales

**Applicant:** Jesse Martinez

**Representative:** Jesse Martinez

**Location:** 417 Probandt Street

**Legal Description:** The West 120.26 feet of Lot 48, and the West 119.75 feet of Lot 49, NCB 2585

**Total Acreage:** 0.3014 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 23

**Registered Neighborhood Associations within 200 feet:** Lone Star Neighborhood Association

**Applicable Agencies:** Texas Department of Transportation

**Property Details**

**Property History:** The subject property was located within the original 36 square miles of the City of San Antonio and zoned “L” First manufacturing District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “L” First Manufacturing District converted to the current “I-2” Heavy Industrial District.

**Code & Permitting Details:** There is no code enforcement of permitting history for the subject property.

**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:** “R-6,” “C-1,” “I-2”

**Current Land Uses:** Single-Family Dwellings, Law Office, Home Builder, Social Services Organization

**Direction:** South

**Current Base Zoning:** “R-6”

**Current Land Uses:** Single-Family Dwellings

**Direction:** East

**Current Base Zoning:** “I-1,” “I-2,” “IDZ-1”

**Current Land Uses:** Real Estate Agency, Recycling Center

**Direction:** West

**Current Base Zoning:** “I-1 HS,” “R-6”

**Current Land Uses:** Single-Family Dwellings

**Overlay District Information:**

The “IDZ” Infill Development Zone overlay would waive parking requirements for the subject property.

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:**

NA

**Transportation**

**Thoroughfare:** Probandt Street

**Existing Character:** Minor Arterial

**Proposed Changes:** Streets, Bridges, and Sidewalk Improvements

**Thoroughfare:** Lone Star Boulevard

**Existing Character:** Collector

**Proposed Changes:** Streets, Bridges, and Sidewalk Improvements

**Public Transit:** There are no VIA bus routes within a ½ mile of the subject property.

**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 for a restaurant is 1 space per 100 square feet GFA, and the maximum is 1 space per 40 square feet GFA. The proposed “IDZ” overlay would waive parking requirements.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: “I-2” Heavy Industrial District allows uses that are highly hazardous, environmentally severe in character and/or generate very high volumes of truck traffic. The district was established in order to provide sites for activities which involve major transportation terminals and manufacturing facilities that have a greater impact on the surrounding area than industries found in the L or I-1 districts. Examples of permitted uses: acetylene gas manufacturing & storage, asphalt products manufacturing, boiler & tank works, chemical process clothing manufacturing, and grain drying & milling.

Proposed Zoning: “C-2 IDZ” 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.

The “IDZ” as an overlay waives parking requirements.

**FISCAL IMPACT:**

None.

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

Subject property is located within the Downtown Regional Center and within ½ a mile from the Rockport Subdivision Transit Corridor.

## **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission recommend Approval.

**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 Downtown Area Regional Center Plan, adopted December 2019, and is currently designated as “Urban 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. The proposed use is consistent with the established development pattern of the surrounding area. Surrounding properties are “I-1” General Industrial District, “I-2” Heavy Industrial District, “R-6” Residential Single-Family District, “C-1” Light Commercial District, “IDZ-3” with uses permitted in “MF-40” Multi-Family District and “C-3” General Commercial District.
- 3. Suitability as Presently Zoned:** The existing “I-2” Heavy Industrial District not an appropriate zoning for the property and surrounding area. The proposed “C-2 IDZ” Commercial Infill Development Zone Overlay District is more appropriate. The subject property is close to an established residential neighborhood. The proposed “C-2” Commercial District constitutes a downzoning from a heavy industrial zoning and will accommodate less intense land uses, which can service the surrounding neighborhoods. Additionally, the “IDZ” Infill Development Zone as an overlay will way parking requirements on the property.
- 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 Downtown Area Regional Center Plan:
  - Goal 4: Diversify the Mix of Uses in the Downtown Core – Encourage the development of vacant lots in the city center with a geographically balanced mix of uses.
  - Goal 4: Diversify the Mix of Uses in the Downtown Core – Cultivate entrepreneurship, small business, and innovation.
  - Goal 5: Leverage and Enhance Downtown’s Reputation as a Destination for Hospitality and Tourism - Ensure residents and visitors have places to eat, play, and experience San Antonio’s authentic culture.
  - Goal 5: Leverage and Enhance Downtown’s Reputation as a Destination for Hospitality and Tourism – Create complimentary uses that engage both visitors and residents.
- 6. Size of Tract:** The 0.3014-acre site is of sufficient size to accommodate the proposed commercial development.
- 7. Other Factors:** The proposed zoning change is to allow a restaurant to be developed on the currently vacant lot. The requested IDZ overlay would waive the parking requirements for the

subject property. No access may be allowed onto Probandt Street, as stated by Texas Department of Transportation.

In accordance with the San Antonio City Unified Development Code, the Office of Historic Preservation reviews all demolition applications for any property located within the city limits of San Antonio. Approval of a zoning change does not imply approval of or take the place of such demolition review as directed by the UDC. To date, the Office of Historic Preservation has not received an application for demolition at this address and a demolition application with OHP will be required if demolition is a listed scope of work.