



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** January 16, 2025

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

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

**COUNCIL DISTRICTS IMPACTED:** District 10

**SUBJECT:**  
ZONING CASE Z-2024-10700289

**SUMMARY:**

**Current Zoning:** "I-1 AHOD" General Industrial Airport Hazard Overlay District and "I-1 S AHOD" General Industrial Airport Hazard Overlay District with a Specific Use Authorization for Retail Liquid Petroleum (Propane) Gas Sales

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 17, 2024

**Case Manager:** Alexa Retana, Zoning Planner

**Property Owner:** Clinton Popham

**Applicant:** Clinton Popham

**Representative:** Clinton Popham

**Location:** 11825 Nacogdoches Road

**Legal Description:** Lot P-9A, Lot P-9B, Lot P-9C, and Lot P-9D, NCB 15684 and Lot 11, Block 4, NCB 16151

**Total Acreage:** 1.0760

**Notices Mailed****Owners of Property within 200 feet:** 17**Registered Neighborhood Associations within 200 feet:** N/A**City-Wide Community Organizations:** T.H.U.G.G.I.N for Christ, Women in Film & Television San Antonio, NES Foundation, and Lifeline Overeaters Anonymous Community Organizations**Applicable Agencies:** Aviation Department**Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 41430, dated December 26, 1972, and zoned "I-1" Light Industry District. The northern tip of the property was rezoned by Ordinance 61831, dated November 14, 1985, to "I-1 CC" Light Industry District with City Council approval for Retail Liquid Petroleum (Propane) Gas Sales. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the portion of the property zoned "I-1" Light Industry District converted to the current "I-1" General Industrial District and the portion zoned "I-1 CC" Light Industry District with City Council approval for Retail Liquid Petroleum (Propane) Gas Sales converted to the current "I-1 S" General Industrial District with a Specific Use Authorization for Retail Liquid Petroleum (Propane) Gas Sales.

**Code & Permitting History:**

There is no code enforcement or permitting history for the subject property.

**Topography:** The property does not include any abnormal physical features such as slope or inclusion in a floodplain.

**Adjacent Base Zoning and Land Uses****Direction:** North**Current Base Zoning:** C-3NA**Current Land Uses:** Masonry Contractor, Vacant**Direction:** South**Current Base Zoning:** R-6, I-1**Current Land Uses:** Residential Dwellings, Movers**Direction:** East**Current Base Zoning:** R-6, C-3**Current Land Uses:** Residential Dwellings, Commercial Strip**Direction:** West**Current Base Zoning:** C-2, C-3 CD, R-6**Current Land Uses:** Electrician, Pool Company**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:** Nacogdoches Road

**Existing Character:** Local

**Proposed Changes:** None known.

**Thoroughfare:** Old Perrin-Beitel Road

**Existing Character:** Local

**Proposed Changes:** None known.

**Public Transit:** There is public transit within walking distance of the subject property.

**Routes Served:** 9, 502, 14

**Traffic Impact:** A Traffic Impact Analysis Worksheet was submitted. Any further traffic requirements will be evaluated at the Building Permit phase.

**Parking Information:** The parking requirements for commercial uses can be found at Unified Development Code, Table 526-3b.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: "I-1" General Industrial District accommodates areas of heavy and concentrated fabrication and manufacturing and industrial uses which are suitable based on the character of adjacent development. Examples of permitted uses: auto & light truck auction, truck stop, abrasives manufacturing, food & drug manufacturing, sand & gravel storage & sales, outdoor flea market, manufactured homes/oversized vehicles sales, service and storage.

"I-1 S" General Industrial District accommodates areas of heavy and concentrated fabrication and manufacturing and industrial uses which are suitable based on the character of adjacent development. Examples of permitted uses: auto & light truck auction, truck stop, abrasives manufacturing, food & drug manufacturing, sand & gravel storage & sales, outdoor flea market, manufactured homes/oversized vehicles sales, service and storage.

The "S" Specific Use Authorization allows for Specific Use Authorization for Retail Liquid Petroleum (Propane) Gas Sales

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 not located within a Regional Center but is within ½ a mile of the Austin Highway Premium 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 NE I-35 and Loop 410 Area Regional Center Plan, adopted September 1, 2022, and is currently designated as “Business/Innovation Mixed-Use” in the future land use component of the plan. The requested “C-3” 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 “C-3NA” General Commercial Non-Alcoholic Sales District, “C-2” Commercial District, and “C-3” General Commercial District.
3. **Suitability as Presently Zoned:** The existing "I-1" General Industrial District and "I-1 S" General Industrial with a Specific Use Authorization for Retail Liquid Petroleum (Propane) Gas Sales are appropriate zonings for the property and surrounding area. The proposed “C-3” General Commercial District is more appropriate. The proposed zoning would result in a downzoning. Additionally, the subject property is located within a mix of commercial, industrial, and residential uses. The property location and the intersection of two streets accommodates traffic and is conducive to commercial development.
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 public policy. Relevant Goals and Policies of the Comprehensive Master Plan may include:
  - GCF Goal 1 – Higher density uses are focused within the city’s 13 regional centers and along its arterial and transit corridors.
  - GCF P14: Establish appropriate buffers and transitions (land use, form and/or landscaping) between residential neighborhoods and surrounding higher-density development

Relevant Goals and Policies of the NE I-35 and Loop 410 Area Regional Center Plan may include:

- Recommendation #1: Support land use and zoning that will encourage redevelopment and revitalization of aging, underutilized, and outdated commercial areas with spaces that meet the demands of modern markets and lifestyles.
6. **Size of Tract:** The subject property is 1.0760 acres, which can reasonably accommodate the proposed commercial development.
  7. **Other Factors:** The applicant is intending to rezone the property for the purpose of a retail store.