



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** October 21, 2021

**In Control:** City Council Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 5

**SUBJECT:**  
ZONING CASE Z-2021-10700212

**SUMMARY:**

**Current Zoning:** "I-1 AHOD" General Industrial Airport Hazard Overlay District and "C-3 NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 21, 2021

**Case Manager:** Rebecca Rodriguez

**Property Owner:** Poppe Partners LTD & Black Rose MGMT Trust

**Applicant:** Patrick Christensen

**Representative:** Patrick Christensen

**Location:** 716 South Frio Street

**Legal Description:** Lot 24 and Lot 26, Block 9, NCB 278

**Total Acreage:** 1.5864

**Notices Mailed**

**Owners of Property within 200 feet:** 42

**Registered Neighborhood Associations within 200 feet:** Historic Westside Neighborhood Association

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property was located within the original 36 square miles of the City of San Antonio and zoned "K" Commercial District. The eastern portion of the property was rezoned by Ordinance 62039, dated December 19, 1985 from "K" Commercial District to "R-3" Multiple-Family Residence District. The eastern portion of the property was rezoned by Ordinance 79512, dated January 27, 1994 from "R-3" Multiple-Family Residence District to "B-3NA" Business Non-Alcoholic Sales District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "K" Commercial District converted to the current "I-1" General Industrial District and the property zoned "B-3NA" Business Non-Alcoholic Sales District converted to the current "C-3NA" General Commercial Nonalcoholic Sales District.

**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:** "I-1"

**Current Land Uses:** Bail Bond Agency

**Direction:** South

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

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

**Direction:** East

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

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

**Direction:** West

**Current Base Zoning:** "IDZ"

**Current Land Uses:** Construction of Multi-Family units

**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:** S. Frio Street

**Existing Character:** Collector

**Proposed Changes:** None

**Thoroughfare:** El Paso Street

**Existing Character:** Local

**Proposed Changes:** None

**Public Transit:** There are VIA bus routes are within walking distance of the subject property.  
Routes Served: 62, 68

**Traffic Impact:** Frio is identified on the City's Major Throughfare Plan as (Secondary Arterial Type A 86' ROW), ROW dedication and improvement may be required. ROW dedication and improvement may be required along San Fernando and El Paso.

**Parking Information:** Minimum parking requirement for auto and light truck repair with retail is 1 per 500 sf GFA including service bays, wash tunnels and retail areas, plus 2 additional spaces for each inside service bay.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current Zoning:** "C-3NA" General Commercial Nonalcoholic Sales districts are identical to C-3 districts except that the sale of alcoholic beverages is prohibited. The 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 "NA" Nonalcoholic Sales prohibits the sale of alcohol on the property.

**Current Zoning:** "I-1" General Industrial District accommodates areas of heavy and concentrated fabrication, manufacturing and industrial uses which are suitable based upon adjacent land uses, access to transportation and the availability of public services and facilities. It is the intent of this district to provide an environment for industries that is unencumbered by nearby residential or commercial development. "I-1" must be located in areas where conflicts with other uses can be

minimized to promote orderly transitions and buffers between uses. These districts are located for convenient access for existing and future arterial thoroughfares and railway lines. These districts are in many instances separated from residential areas by business or light industry areas or by natural barriers; where they are adjacent to residential areas some type of artificial separation may be required.

**Proposed Zoning:** “C-3NA” General Commercial Nonalcoholic Sales 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.

The “NA” Nonalcoholic Sales prohibits the sale of alcohol on the property.

**FISCAL IMPACT:**

None.

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

The subject property is within a Regional Center but is not located within the Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission recommends 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 and is currently designated as “Regional Mixed Use” in the future land use component of the plan. The requested “C-3NA” 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.
3. **Suitability as Presently Zoned:** The existing “I-1” General Industrial District is not an appropriate zoning for the property and surrounding area. The proposed “C-3NA” General Commercial Nonalcoholic Sales District is an appropriate zoning for the property as it

minimizes the intensity of uses permitted by right for the subject site. It will also allow the currently operating auto parts retailer to conform to the required base zoning district.

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 objective of the Downtown Area Regional Center Plan.

**Analysis:**

The subject property is located within the Historic Westside Neighborhood Association and the adopted Downtown Area Regional Center Plan. Currently a warehouse, the subject property is located on South Frio Street, two blocks north of the Guadalupe Street Bridge. The proposed zoning change is requested to allow auto parts sales.

**Relevant Goals and Policies of the Comprehensive Plan may include:**

**GCF Goal 2:** Priority growth areas attract jobs and residents.

**GCF P6:** Align land uses and infrastructure improvements in regional centers with employment uses and jobs best suited for each center's unique assets.

**GCF P7:** Ensure employment centers provide a variety of land uses and infrastructure that will allow the city to remain economically competitive.

**Relevant Goals, Strategies and recommendations of the Downtown Area Regional Center Plan may include:**

**Land Use Strategy 4.3:** Legacy industrial properties should be preserved and repurposed through adaptive reuse.

**Focus Area Recommendation #4:** Ensure transitions between new, higher-intensity development in focus areas and mixed-use corridors and established tradition neighborhoods.

The proposal is generally consistent with the above listed goals and policies of the SA Tomorrow Comprehensive Plan as well as the goals, strategies and recommendations of the Downtown Area Regional Center Plan. Additionally, the subject property is located in the South Frio Street Mixed-Use Corridor, and while mixed-use development is the preferred development type for this area the use of an existing warehouse structure for a new use and the requested zoning are consistent with the Downtown Area Regional Center Plan.

6. **Size of Tract:** The 1.5864-acre site is of sufficient size to accommodate commercial uses and the proposed auto repair and auto retailer development.
7. **Other Factors** Applicant has provided a Certificate of Occupancy that establish the auto storage/office use since 1979, however, the auto repair is out of compliance. Rezoning the property will allow the structure to conform to the required zoning base district and in addition allow the accessory use of auto repair.