



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** May 6, 2025

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 6

**SUBJECT:**

ZONING CASE Z-2025-10700056

(Associated Plan Amendment Case PA-2025-11600018)

**SUMMARY:**

**Current Zoning:** "NP-10 AHOD" Neighborhood Preservation Airport Hazard Overlay District

**Requested Zoning:** "C-2NA CD S AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Conditional Use is for Landscaping Materials - Sales and Storage and a Specific Use Authorization for Storage Shipping Container

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 6, 2025

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

**Property Owner:** Matthew D. Gill

**Applicant:** Matthew D. Gill

**Representative:** Brown & McDonald, PLLC

**Location:** generally in the 6000 block of Heath Road

**Legal Description:** Lot P-7J, Lot P-131, and Lot P-132, NCB 15004

**Total Acreage:** 9.371 acres

### **Notices Mailed**

**Owners of Property within 200 feet:** 19

**Registered Neighborhood Associations within 200 feet:** N/A

**City-Wide Community Organizations:** Women in Film & Television San Antonio, San Antonio African American Community Archive and Museum

**Applicable Agencies:** Planning Department, Public Works

### **Property Details**

**Property History:** The subject property was annexed into the City of San Antonio by Ordinance 68297, dated December 30, 1989, and zoned Temporary "R-1" Single-Family Residence District. The property was rezoned by Ordinance 71383, dated April 12, 1990, to "R-A" Residence-Agriculture District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 2001, the property zoned "R-A" Residence-Agriculture District converted to the current "NP-10" Neighborhood Preservation District.

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

**Topography:** The property has inclusion in a floodplain.

### **Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "NP-10," "C-3NA"

**Current Land Uses:** Vacant Land, Athletic Fields

**Direction:** South

**Current Base Zoning:** "R-6," "C-1," "O-2"

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

**Direction:** East

**Current Base Zoning:** "C-3NA"

**Current Land Uses:** Auto Repair, Single-Family Dwellings

**Direction:** West

**Current Base Zoning:** "C-3NA," "C-3NA CD," "C-1"

**Current Land Uses:** Landscape Nursery and Material Storage, Single-Family Dwellings

### **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:**

N/A

**Transportation**

**Thoroughfare:** Heath Road

**Existing Character:** Local

**Proposed Changes:** None known.

**Thoroughfare:** Clyde Dent Drive

**Existing Character:** Local

**Proposed Changes:** None known.

**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 requirement for landscaping material sales and storage is 1 space per 500 sf GFA of sales and service building and the maximum parking requirement is 1 space per 375 sf GFA of sales and service building.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: “NP-10” Neighborhood Preservation District uses are the same as within the “R-6” zoning district. Designed to protect existing platted subdivisions which are substantially developed with single-family detached dwelling units. (8,000 sq. ft. minimum lot size for NP-8, 10,000 sq. ft. minimum lot size for NP-10, and 15,000 sq. ft. minimum lot size for NP-15)

Proposed Zoning: “C-2NA CD S” Commercial Nonalcoholic Districts are identical to C-2 districts except that the sale of alcoholic beverages is prohibited.

The “CD” Conditional Use is for Landscaping Materials - Sales and Storage.

The “S” Specific Use Authorization is for Storage Shipping Container.

**FISCAL IMPACT:**

None.

**PROXIMITY TO CURRENT AND/OR PLANNED REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR AS IDENTIFIED IN THE SA TOMORROW COMPREHENSIVE PLAN:**

Subject property is not located within a Regional Center and is not within ½ a mile from a Premium Transit Corridor.

## **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff 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 Northwest Community Plan, adopted September 1998 and updated April 2004 and June 2011, and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “C-2NA” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “Business/ Office Park.” Staff and Planning Commission recommend Approval.
- 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 “R-6” Single-Family Residential District, “NP-10” Neighborhood Preservation District, “C-1” Light Commercial District, “O-2” High-Rise Office District, and “C-3NA” General Commercial Nonalcoholic Sales District.
- 3. Suitability as Presently Zoned:** The existing “NP-10” Neighborhood Preservation District is an appropriate zoning for the property and surrounding area. The proposed “C-2NA CD S” Commercial Nonalcoholic Sales District with a Conditional Use is for Landscaping Materials - Sales and Storage and a Specific Use Authorization for Storage Shipping Container is also appropriate. The subject property is located within proximity to other properties zoned for industrial use to the north and south. There is existing “C-3NA CD” General Commercial Nonalcoholic Sales District with a Conditional Use for Contactor’s Yard with Outside Storage to the north and west. This property is significantly in the floodplain, making the proposed “C-2NA” commercial base zoning is more suitable for the property than the existing zoning, since residential uses are typically unsafe for development in the floodplain.
- 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. Relevant Goals and Policies of the Northwest Community Plan may include:
  - **Goal-1 Strategy 1:** Promote more businesses to be with neighborhood scale.
  - **Goal-1 Strategy 3:** Community to help reducing commercial vacancy along Tezel Road.
  - **Goal-2 Strategy 1:** Discourage commercial strip development.
- 6. Size of Tract:** The 9.371-acre site is of sufficient size to accommodate the proposed commercial development.
- 7. Other Factors:** The Conditional Use zoning procedure is designed to provide for a land use that is not permitted by the established zoning district, but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions.

The applicant is rezoning to develop Landscaping Materials - Sales and Storage.

The purpose of the Specific Use Authorization is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but may, under the right set of circumstances and conditions be acceptable in certain specific locations.

The applicant is rezoning for Storage Shipping Container.

The change of zoning request is to allow for sales storage of landscaping materials and a storage shipping container on the subject property. Landscaping equipment and materials are intended to be stored on-site, and sales of landscaping materials are intended on-site.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates commercial uses.

The subject site is **approximately 90% inundated by the FEMA 100-year floodplain** and Citi Dent Drive and Heath Road are also inundated by the floodplain leaving the property without unflooded access. There is a City 2022 bond project to major channel improvements along this property and Heath Road, as well as a 2025 PER for Leon Creek and Lower French Creek with hopes to resolve the major flooding occurring in this area. It is highly unfavorable to develop this property without coordination with the Project Delivery team and the Floodplain Management team of Public Works. Coordination with the Stormwater Division is required prior to development of the property.