



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** September 17, 2024

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

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

**COUNCIL DISTRICTS IMPACTED:** District 7

**SUBJECT:**

ZONING CASE Z-2024-10700182 CD S

**SUMMARY:**

**Current Zoning:** "C-3NA CD" General Commercial Nonalcoholic Sales District with a Conditional Use for Wholesale Plant Nursery and "C-3 CD" General Commercial District with a Conditional Use for Wholesale Plant Nursery

**Requested Zoning:** "C-3NA CD S" General Commercial Nonalcoholic Sales District with a Conditional Use for Landscaping Materials - Sales and Storage and a Specific Use Authorization for Storage - Outside (Screening from Public ROWs and Adjacent Property Required)

**BACKGROUND INFORMATION:**

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

**Case Manager:** Samantha Benavides, Zoning Planner

**Property Owner:** EK Investments, LLC

**Applicant:** SiteOne Landscape Supply, LLC

**Representative:** Killen, Griffin & Farrimond, PLLC (Rep)

**Location:** 8349 West Loop 1604 North

**Legal Description:** Lot P-4A, Lot P-4C, and Lot P-4E, NCB 16051

**Total Acreage:** 7.8690 Acres

### **Notices Mailed**

**Owners of Property within 200 feet:** 11

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

**Applicable Agencies:** Planning Department, TxDOT

### **Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 79037, dated December 30, 1993, and zoned Temporary “R-1” Single-Family Residence District. A portion of the property was rezoned by Ordinance 81169, dated November 10, 1994, to “B-3 SUP” Business District with a Specific Use Permit for Outside Storage. A portion of the property was rezoned by Ordinance 88277, dated August 13, 1998, to “B-3NA SUP” Business, Nonalcoholic Sales District with a Specific Use Permit for a Wholesale Plant Nursery with Outside Storage. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 2001, the property zoned “B-3 SUP” Business District with a Specific Use Permit for Outdoor Storage converted to the current “C-3 CD” General Commercial District with a Conditional Use for Outdoor Storage and the property zoned “B-3NA SUP” Business, Nonalcoholic Sales District with a Specific Use Permit for a Wholesale Plant Nursery with Outside Storage converted to the current “C-3NA CD” General Commercial Nonalcoholic Sales District with a Conditional Use for a Wholesale Plant Nursery with Outside Storage.

### **Code & Permitting Details:**

Sign Permit Application (SIG-PMT-APP23-20801196) May 2023

Sign Investigation (INV-SGN-INV23-23600199) May 2023

**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:**

**Current Land Uses:** Church, Vacant

**Direction:** East

**Current Base Zoning:** UZROW

**Current Land Uses:** UZROW

**Direction:** South

**Current Base Zoning:**

**Current Land Uses:** Vacant, Self Storage

**Direction:** West

**Current Base Zoning:**

**Current Land Uses:** Self Storage

**Overlay District Information:**

None

**Special District Information:**

None

**Transportation**

**Thoroughfare:** West Loop 1604 North

**Existing Character:** Interstate

**Proposed Changes:** None

**Public Transit:** There is no public transit within walking distance of the subject property

**Routes Served:** None

**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 Materials – Sales and Storage is 1 space per 500 sf GFA of sales and service building.

**Thoroughfare:** West Loop 1604 North

**Existing Character:** Interstate

**Proposed Changes:** None

**Public Transit:** There is no public transit within walking distance of the subject property

**Routes Served:** None

**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 Materials – Sales and Storage is 1 space per 500 sf GFA of sales and service building.

**Thoroughfare:** West Loop 1604 North

**Existing Character:** Interstate

**Proposed Changes:** None

**Public Transit:** There is no public transit within walking distance of the subject property

**Routes Served:** None

**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 Materials – Sales and Storage is 1 space per 500 sf GFA of sales and service building.

**ISSUE:**

None

**ALTERNATIVES:**

Current Zoning: C-3 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. C-3NA districts are identical to C-3 districts except that the sale of alcoholic beverages is prohibited.

"C-3NA CD" General Commercial Nonalcoholic Sales District is identical to C-3 districts except that the sale of alcoholic beverages is prohibited. The "CD" Conditional Use is for Wholesale Plant Nursery with Outside Storage

Proposed Zoning: C-3NA districts are identical to C-3 districts except that the sale of alcoholic beverages is prohibited.

The proposed "CD" Conditional Use is for Landscaping Materials – Sales and Storage.

The proposed "S" Specific Use is for Storage – Outside.

**FISCAL IMPACT:**

None

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

The subject property is not located within a Regional Center or 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 West/Southwest Sector Plan, adopted in 2011, and is currently designated as "Mixed Use Center" in the future land use component of the plan. The requested "C-3 NA" 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 "C-3 CD" General Commercial District with a Conditional Use for Outdoor Storage and "C-3NA CD" General Commercial Nonalcoholic Sales District with a Conditional Use for a Wholesale Plant Nursery with Outside Storage are appropriate zonings for the property and surrounding area. The proposed "C-3NA CD" General Commercial Nonalcoholic Sales District with a Conditional Use for Landscaping Materials - Sales and Outdoor Storage is also appropriate. The applicant is rezoning to expand their landscaping company that currently operates on the property while permitting them the use of outside storage. The proposed zoning and use is consistent with other commercial zoning and uses in the area. Additionally, the applicant will have to adhere to the prescribed site plan. Any deviation from the approved document could potentially warrant additional council consideration.
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. Relevant Goals and Policies of the SA Tomorrow Comprehensive Plan may include: - GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods. - GCF P1: Incentivize the development of housing and employment uses in the city's priority growth areas. - GCF P5: Invest in needed amenities and infrastructure that will facilitate higher-density development in the city's priority growth areas. - GCF P9: Allow higher-density and mixed uses in portions of, or adjacent to, single-family residential areas to encourage shopping, services and entertainment amenities in closer proximity to housing and where appropriate. - JEC Goal 1: Employment is focused in the city's 13 Regional Centers, in site-specific locations in Urban Centers and along mobility corridors, providing easy connectivity for San Antonio's residents and businesses. Relevant Goals and Policies of the Midtown Area Regional Center Plan may include: - Goal ED-1: The West/Southwest Sector is an economically sustainable community in which residents have a variety of employment opportunities. - Strategy ED-1.3: Stimulate and support increased activity of existing businesses. - Goal ED-3: The West/Southwest Sector community values existing and future businesses; businesses which in turn support the neighborhoods. - Goal LU-1: Land use pattern emphasizes compatibility and appropriateness between uses, and protects neighborhoods and businesses from incompatible land uses.
  - GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
  - GCF P1: Incentivize the development of housing and employment uses in the city's priority growth areas.
  - GCF P5: Invest in needed amenities and infrastructure that will facilitate higher-density development in the city's priority growth areas.

- GCF P9: Allow higher-density and mixed uses in portions of, or adjacent to, single-family residential areas to encourage shopping, services and entertainment amenities in closer proximity to housing and where appropriate.
- JEC Goal 1: Employment is focused in the city's 13 Regional Centers, in site-specific locations in Urban Centers and along mobility corridors, providing easy connectivity for San Antonio's residents and businesses.

Relevant Goals and Policies of the West/Southwest Sector Plan may include:

- Goal ED-1: The West/Southwest Sector is an economically sustainable community in which residents have a variety of employment opportunities.
- Strategy ED-1.3: Stimulate and support increased activity of existing businesses.
- Goal ED-3: The West/Southwest Sector community values existing and future businesses; businesses which in turn support the neighborhoods.
- Goal LU-1: Land use pattern emphasizes compatibility and appropriateness between uses, and protects neighborhoods and businesses from incompatible land uses.

**6. Size of Tract:** The 7.8690-acre site is of sufficient size to accommodate the proposed commercial development.

**7. Other Factors:** 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 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 expand their landscaping business and permit outdoor storage on the property. The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates commercial uses.

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