



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** December 5, 2023

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 2

**SUBJECT:**  
ZONING CASE Z-2023-10700285 S

**SUMMARY:**

**Current Zoning:** "I-1 MLOD-3 MLR-1 AHOD" General Industrial Martindale Army Airfield Military Lighting Overlay Airport Hazard Overlay District

**Requested Zoning:** "I-2 S MLOD-3 MLR-1 AHOD" Heavy Industrial Martindale Army Airfield Military Lighting Overlay Airport Hazard Overlay District with a Specific Use Authorization for Sanitary Landfill

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 5, 2023. This item was continued from November 7, 2023.

**Case Manager:** Joseph Leos, Zoning Planner

**Property Owner:** 3600 Halifax, LLC

**Applicant:** 3600 Halifax, LLC

**Representative:** Killen, Griffin, and Farrimond, PLLC

**Location:** 5523 Dietrich Road

**Legal Description:** 552 square feet out of NCB 10597

**Total Acreage:** 0.0127

**Notices Mailed**

**Owners of Property within 200 feet:** 8

**Registered Neighborhood Associations within 200 feet:** There is no registered Neighborhood and Community Association within 200 feet.

**Applicable Agencies:** Military, Planning Department

**Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 61630, dated December 29, 1985, and zoned Temporary "R-1" Single Family Residence District. The property was rezoned by Ordinance 70527, dated November 2, 1989, to "I-1" Light Industry District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "I-1" Light Industry District converted to the current "I-1" General Industrial District.

**Code & Permitting Details:**

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 incursion in a floodplain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "I-1"

**Current Land Uses:** Trailer Dealer

**Direction:** East

**Current Base Zoning:** "I-1"

**Current Land Uses:** Fuel Supplier

**Direction:** South

**Current Base Zoning:** "I-1"

**Current Land Uses:** Truck Wash

**Direction:** West

**Current Base Zoning:** "I-1"

**Current Land Uses:** Plumber

**Overlay District Information:**

The "MLOD-3" Martindale Army Airfield Military Lighting Overlay District does not restrict permitted uses but does regulate outdoor lighting in an effort to minimize night-time light pollution and its effects on operations at the military installation.

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:** Dietrich Road

**Existing Character:** None

**Proposed Changes:** None Known

**Thoroughfare:** Ackerman Road

**Existing Character:** Secondary Arterial A

**Proposed Changes:** None Known

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

**Traffic Impact:** A Traffic Impact Worksheet was submitted. Any additional traffic requirements will be reviewed at the build permit phase of the project.

**Parking Information:** The minimum parking requirement for Sanitary Landfill is 1 per employee. There is no maximum parking requirement for Sanitary Landfill.

**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.

Proposed 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.

The "S" Specific Use Authorization will allow a Sanitary Landfill use within a building in a 552 square foot space.

**FISCAL IMPACT:**

None.

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

Subject property is located within the Fort Sam Houston Regional Center but is not within ½ a mile from the 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 IH-10 East Corridor Perimeter Plan and is currently designated as “Industrial” in the future land use component of the plan. The requested “I-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.
3. **Suitability as Presently Zoned:** The existing “I-1” General Industrial District is an appropriate zoning for the property and surrounding area. The proposed “I-2 S” Heavy Industrial District with a Specific Use Authorization for Sanitary Landfill is also an appropriate. The surrounding area is largely high intense industrial uses that align with the proposed Sanitary Landfill. The requested rezoning is for a space measuring 552 square feet within the inside of an existing building. The applicant provided a prescribed site plan which indicates the use of the property and structures. Any major amendments to the site plan will require additional zoning 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 objective.
6. Relevant Goals and Policies of the Comprehensive Plan may include:
  - 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.
  - JEC Goal 4: San Antonio’s economic environment fosters innovation and attracts new and innovative businesses, investment and industries.
  - JEC P33: Encourage the appropriate mixture of industries and uses within regional centers by identifying each center’s market strengths, and niches and uses that support these strengths.

- GCF P14: Establish appropriate buffers and transitions (land use, form and/or landscaping) between residential neighborhoods and surrounding higher-density development.

7. **Size of Tract:** The 0.0127-acre site is of sufficient size to accommodate the proposed industrial development.
8. **Other Factors:** The subject property is located within the Martindale Army Airfield Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, Texas Army National Guard and JBSA were notified of the proposed request. The Military has indicated that there are no objections to this request.

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 to develop a sanitary landfill in a 552 square foot footprint of the existing building.

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