



City of San Antonio

Agenda Memorandum

Agenda Date: August 16, 2022

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 2

SUBJECT:

ZONING CASE Z-2022-10700195

(Associated Plan Amendment PA-2022-11600071)

SUMMARY:

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

Requested Zoning: "I-1 S MLOD-3 MLR-1 AHOD" General Industrial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Specific Use Authorization for Outside Storage

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: August 16, 2022. This case is expedited to City Council on August 18, 2022.

Case Manager: Elizabeth Steward, Planner

Property Owner: Devron-GD Cornerstone, LLC

Applicant: Federal International Recycling and Waste Solutions, LLC

Representative: Killen, Griffin, and Farrimond, PLLC

Location: 8034 Northeast Loop 410

Legal Description: 4.982 acres out of NCB 10597

Total Acreage: 4.982

Notices Mailed

Owners of Property within 200 feet: 5

Registered Neighborhood Associations within 200 feet: N/A

Applicable Agencies: Texas Department of Transportation, Planning Department, Martindale Army Air Field, and Fort Sam Military Base

Property Details

Property History: The property was annexed into the City of San Antonio by Ordinance 61630, dated December 29, 1985 and zoned "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" Industrial 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-2 S

Current Land Uses: Diesel Fuel Supplier

Direction: South

Current Base Zoning: UZROW

Current Land Uses: Loop 410

Direction: East

Current Base Zoning: I-1

Current Land Uses: Transportation Company

Direction: West

Current Base Zoning: I-1

Current Land Uses: Vacant Land

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. 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.

Special District Information: N/A

Transportation

Thoroughfare: Northeast Loop 410

Existing Character: Collector

Proposed Changes: None Known

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

Traffic Impact: The traffic generated by the proposed development does not exceed the threshold requirements. Development generates less than seventy-six (76) PHT Sec. 35-502**

A TIA Report is not required.

Parking Information: The minimum parking requirement for a paper products manufacturing is 1 space per 1500 sf GFA.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: "I-1" 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.

"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.

Proposed Zoning: "I-1 S" 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 is to allow Outdoor Storage.

FISCAL IMPACT: None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The property is located within the Fort Sam Houston Regional Center and within ½ mile of the FM-78 Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Approval, pending Plan Amendment.

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 Perimeter Plan and is currently designated as “Light Industrial” in the future land use component of the plan. The requested “I-1 S” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “Industrial”. Staff recommends Approval. Planning Commission recommendation is pending the August 10, 2022 hearing.
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. The building to be used is already present. The surrounding properties also carry “I-1” General Industrial and “I-2” Heavy Industrial zoning designations.
3. **Suitability as Presently Zoned:** The existing “I-1” Industrial District and “C-3” General Commercial District are appropriate zonings for the property and surrounding area. The requested “I-1 S” Industrial District with Specific Use Authorization for Outdoor Storage is also an appropriate zoning for the property and surrounding area. The requested consolidates the zoning over the entire property and the “S” specific Use Authorization allows consideration of Outdoor Storage with any needed conditions if necessary.
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 of the IH 10 East Perimeter Plan.
 - Goal 3: Compatibility of Land Uses Improve the quality of life and safety of residents of the IH 10 East Perimeter Planning area by addressing incompatible land uses
 - Objective 3.1: Increase Building Inspection efforts and Code Compliance throughout the community.
6. **Size of Tract:** The 4.982 acre site is of sufficient size to accommodate the proposed industrial development.
7. **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 allow for Outdoor Storage at a Paper Recycling Facility.