



City of San Antonio

Agenda Memorandum

Agenda Date: September 6, 2022

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 10

SUBJECT:

ZONING CASE Z-2022-10700196 S
(Associate Plan Amendment PA-2022-11600070)

SUMMARY:

Current Zoning: "L IH-1 AHOD" Light Industrial Northeast Gateway Corridor Airport Hazard Overlay District

Requested Zoning: "I-2 S IH-1 AHOD" Heavy Industrial Northeast Gateway Corridor Airport Hazard Overlay District with a Specific Use Authorization for a Sanitary Landfill

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: September 6, 2022. This case is continued from the August 16, 2022 hearing.

Case Manager: Elizabeth Steward, Planner

Property Owner: MRP Texas, LLC

Applicant: MRP Texas, LLC

Representative: Killen, Griffin, & Farrimond, PLLC

Location: 11135 North Interstate Highway 35

Legal Description: 0.158 acres out of NCB 15911

Total Acreage: 0.158

Notices Mailed**Owners of Property within 200 feet: 4****Registered Neighborhood Associations within 200 feet: N/A****Applicable Agencies: Randolph Air Force Base****Property Details**

Property History: The property was annexed into the City of San Antonio by Ordinance 41430, dated December 25, 1972 and zoned "J" Commercial District. The property was rezoned by Ordinance 51465, dated November 8, 1979 to "B-3" Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B-3" Business District converted to "C-3" General Commercial District. The property was rezoned by Ordinance 2014-08-21-0636, dated August 16, 2014 to "L" Light 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: L****Current Land Uses: Drainage****Direction: South****Current Base Zoning: C-3****Current Land Uses: Bingo Hall****Direction: East****Current Base Zoning: L and C-3****Current Land Uses: Bingo Hall****Direction: West****Current Base Zoning: C-3****Current Land Uses: School of Science and Technology****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 Northeast Gateway Corridor District ("IH-1") provides site development standards for commercial properties up to 1,000 feet of Interstate 35 between Walzem Road and the northern City Limits. The standards primarily address building placement, landscaping, building materials, façade design and signage to promote a coordinated development scheme for the Corridor. A zoning review is performed by the Zoning Section of the Development Services Department.

Special District Information: N/A

Transportation

Thoroughfare: North Interstate Highway 35

Existing Character: Interstate

Proposed Changes: None Known

Thoroughfare: North Weidner Road

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

Parking Information: The minimum parking requirement for a Sanitary Landfill/ Solid Waste Facility is 1 space per employee.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: "L" Light Industrial district provides for a mix of light manufacturing uses, office park, flex-space with limited retail and service uses that serve the industrial development in the zone. Examples of permitted uses: auto sales & repair, wrecker services, cabinet/carpenter shop, can recycle collection station (no shredding), lumber yard and building materials, mobile vending base operations, machine shop, equipment & event rentals, tree service, moving company.

Proposed Zoning: "I-2 S" 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 Specific Use Authorization allows for a Sanitary Landfill.

The Specific Use Authorization allows for a Sanitary Processing.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The property is located within the Northeast Regional Center.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Denial.

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 North Sector Plan and is currently designated as “Agribusiness Tier” in the future land use component of the plan. The requested “I-2 S” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “Specialized Center Tier”. Staff recommends Approval. The Planning Commission recommendation is pending the September 28, 2022 hearing.
2. **Adverse Impacts on Neighboring Lands:** Staff finds evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is not consistent with the established development pattern of the surrounding area.
3. **Suitability as Presently Zoned:** The existing “L” Light Industrial District is an appropriate zoning for the property and surrounding area. The proposed “I-2 S” Heavy Industrial District with Specific Use Authorization for Sanitary Landfill is not appropriate as it allows a heavy industrial use, specifically sanitary service processing for port-o-potties.
4. **Health, Safety and Welfare:** Staff has found indication of likely adverse effects on the public health, safety, or welfare. In general heavy industrial uses may bring heavy truck traffic as well as potential environmental pollutants.
5. **Public Policy:** The request does appear to conflict with any public policy objectives of the North Sector Plan.
 - Goal LU-3 Higher density/intensity tiers are recommended adjacent or proximate to activity centers.
 - LU-3.1 Set priority for pursuing a compatible and highest and best use for development of vacant infill and underutilized parcels between Loop 1604 and Loop 410 in a compatible manner as recommended in the Sector Land Use Plan.
 - LU-3.3 Promote job growth in the Specialized, Regional, and Mixed Use Centers to achieve the City’s diversified business targets through land use guidance and economic incentives.
6. **Size of Tract:** The 0.158 acre site is of sufficient size to accommodate the proposed industrial development.
7. **Other Factors:** The applicant is rezoning to continue their port-o-potty business to include cleaning and sanitizing (sanitary processing) of the rental toilets.

The subject property is located within the Randolph AFB Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA was 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.