



City of San Antonio

Agenda Memorandum

Agenda Date: October 20, 2022

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 2

SUBJECT:

ZONING CASE Z-2022-10700186
(Associated Plan Amendment PA-2022-11600067)

SUMMARY:

Current Zoning: "C-3 MSAO-2 MLOD-3 MLR-1 AHOD" General Commercial Military Sound Attenuation Overlay Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

Requested Zoning: "I-1 MSAO-2 MLOD-3 MLR-1 AHOD" General Industrial Military Sound Attenuation Overlay Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: September 20, 2022

Case Manager: Ann Benavidez, Planner

Property Owner: Dahjur, LP

Applicant: H M Palm

Representative: H M Palm

Location: 2695 North Foster Road

Legal Description: 7.676 Acres

Total Acreage: 7.676 acres of NCB 17978

Notices Mailed

Owners of Property within 200 feet: 8

Registered Neighborhood Associations within 200 feet: NA

Applicable Agencies: Martindale Army Airfield

Property Details

Property History: The subject property is currently zoned "C-3 MSAO-2 MLOD-3 MLR-1 AHOD" General Commercial Military Sound Attenuation Overlay Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District. The property was annexed into the City of San Antonio by Ordinance 69199 dated March 31, 1989, and originally zoned Temporary "R-1" Residential Single-Family District. The property was rezoned by Ordinance 67693 dated September 22, 1988, to "B-3" Business District. Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B-3" Business District converted to the current "C-3" General Commercial District.

Topography: The property does not include any abnormal physical features such as slope. A small portion of the property on the most northwestern portion is in the floodplain.

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: "I-1"

Current Land Uses: Vacant

Direction: South

Current Base Zoning: "C-3" "I-1"

Current Land Uses: Truck wash, Hotel

Direction: East

Current Base Zoning: "C-3" "I-1"

Current Land Uses: Weigh Station, Tire Center, Truck Stop

Direction: West

Current Base Zoning: "C-3" "I-1"

Current Land Uses: Vacant, Trucking Company, Truck Repair Shop

Overlay District Information:

The "MSAO-2" Martindale Army Airfield Military Sound Attenuation Overlay District does not restrict permitted uses but does enforce construction standards intended to lessen the impact of external noise from the nearby military installation. The "MSAO-2" regulations apply to new construction of habitable structures.

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: North Foster Road

Existing Character: Secondary Arterial A

Proposed Changes: None known.

Thoroughfare: Interstate 10 East

Existing Character: Interstate

Proposed Changes: None known.

Public Transit: There are no VIA bus routes in proximity to 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 warehousing is 1 parking space per 5,000 feet of gross floor area.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: C-3 General Commercial District is 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" 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.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not located within a Regional Center or within a ½ mile of a Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff and Zoning Commission recommend 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 Perimeter Plan and is currently designated as “Community Commercial” and “Parks Open Space” in the future land use component of the plan. The requested “I-1” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “Industrial”. 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. “I-1” General Industrial District zoning abuts the property on all sides.
3. **Suitability as Presently Zoned:** The current “C-3” General Commercial District is an appropriate zoning for the property and surrounding area. The proposed “I-1” General Industrial District is a more appropriate for the property given the industrial zoning and land use that encompasses the subject property.
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.
 - Goal 4: Improve the Corridor- Analyze design standards that can be implanted along the IH 10 East Corridor.
6. **Size of Tract:** The subject property is 7.676 Acres, which can reasonably accommodate the proposed industrial development.

7. **Other Factors** The applicant intends to rezone to “I-1” General Industrial District to be consistent with the zoning of the surrounding properties, and for the purposes of a general warehousing facility to be developed on the property.

The subject property is located within the Martindale Airfield Base 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, but indicate the following conditions:

- a. All exterior lighting that is used, must be downward pointing to limit light pollution and possible interference with any night flight training missions in the future.
- b. A height restriction, not to exceed 3 stories, be placed on this parcel to avoid potential issues on approach to or take off from Martindale Airfield.