



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** October 20, 2022

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 4

**SUBJECT:**

ZONING CASE Z-2022-10700236 S

**SUMMARY:**

**Current Zoning:** "I-2 MLOD-2 MLR-1 AHOD" Heavy Industrial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

**Requested Zoning:** "I-2 S MLOD-2 MLR-1 AHOD" Heavy Industrial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Specific Use Authorization for Hazardous Materials Storage

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 20, 2022

**Case Manager:** Ann Benavidez, Planner

**Property Owner:** SA Fischer Road, LP

**Applicant:** Hasa, Inc.

**Representative:** Killen, Griffin, & Farimond, PLLC

**Location:** 10425 Fischer Road

**Legal Description:** Lot 1, Block 5, CB 4301E

**Total Acreage:** 10.1 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 5

**Registered Neighborhood Associations within 200 feet:** NA

**Applicable Agencies:** Lackland Airforce Base

**Property Details**

**Property History:** The subject property is currently zoned "I-2 MLOD-2 MLR-1 AHOD" Heavy Industrial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District. The property underwent a limited purpose annexation into the City of San Antonio by Ordinance 201401090001, dated January 8, 2014 and was zoned "I-2" Heavy Industrial District. The subject property underwent a full purpose annexation into the City of San Antonio by Ordinance 201611100881, dated November 9, 2016.

**Topography:** The property does not include any abnormal physical features such as slope or incursion in a flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "I-2"

**Current Land Uses:** Vacant, HVAC Rental

**Direction:** South

**Current Base Zoning:** "I-2"

**Current Land Uses:** Oilfield, Warehouse, Uniform Store

**Direction:** East

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

**Current Land Uses:** Oilfield, Packaging Company

**Direction:** West

**Current Base Zoning:** "I-2"

**Current Land Uses:** Vacant

**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-2" Lackland 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:**

None.

**Transportation**

**Thoroughfare:** Fischer Road

**Existing Character:** Secondary Arterial A

**Proposed Changes:** None Known

**Public Transit:** There are no VIA bus routes are within walking distance of the subject property.

**Routes Served:** NA

**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 a hazardous materials storage facility is 1 parking space per employee.

**ISSUE:**

None.

**ALTERNATIVES:**

Current 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.

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 "S" Specific Use Authorization would permit hazardous materials storage on the property.

**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 United Southwest Plan and is currently designated as “Heavy Industrial” in the future land use component of the plan. The requested “I-2 S” 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. This portion of Fischer Road is comprised entirely of various industrial zoning and land use.
3. **Suitability as Presently Zoned:** The current “I-2” General Industrial District is an appropriate zoning for the property and surrounding area. The proposed “I-2 S” General Industrial District with a Specific Use Authorization for Hazardous Materials Storage is also appropriate. The level of industrial intensity is consistent with the established development pattern of the area.
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 United Southwest Plan:
  - Objective 1.1: Commercial Development Implement strategies to attract commercial development.
    - o 1.1.2 Work with the San Antonio Economic Development Foundation to solicit companies to locate and build industrial and commercial development along IH35 South and along Fischer Road.
6. **Size of Tract:** The subject property is 10.1 acres, which can reasonably accommodate the proposed industrial development.
7. **Other Factors:** The applicant intends to rezone to “I-2 S” to store pool related bleach and acid used to create pool treatment products. The existing structures will be utilized for office, warehousing, bottling, and distribution spaces, and there is a proposed storage area to be constructed on the property.

The subject property is located within the Lackland 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.

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.