



City of San Antonio

Agenda Memorandum

Agenda Date: September 19, 2023

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 4

SUBJECT:

Zoning Case Z-2023-10700227

SUMMARY:

Current Zoning: “L MLOD-2 MLR-1 AHOD” Light Industrial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

Requested Zoning: “I-1 HL MLOD-2 MLR-2 AHOD” General Industrial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: September 19, 2023

Case Manager: Mark Chavez

Property Owner: Owner SP5, LLC

Applicant: NuGreen MetalsNuGreen Metals

Representative: Killen, Griffin & Farrimond, PLLC

Location: 7043 Industrial Way

Legal Description: Lot 11, CB 4310A

Total Acreage: 3.68

Notices Mailed**Owners of Property within 200 feet: 5****Registered Neighborhood Associations within 200 feet: N/A****Applicable Agencies:** Planning Department, Lackland Military**Property Details**

Property History: The property was subject to a limited purpose annexation agreement by Ordinance 2014-01-09-0001, dated January 9, 2014, and zoned by Ordinance 2014-01-09-0006, dated January 9, 2014, to the current "L" Light Industrial District. The property was then fully annexed into the City of San Antonio by Ordinance 2016-11-10-0881, dated November 10, 2016.

Code & Permitting Details:

There is no relevant code enforcement history for the subject property.

COM-PRJ-APP23-39801856 (Interior Finish Out) – July 2023

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: L

Current Land Uses: Pipe Manufacturing

Direction: East

Current Base Zoning: "L"

Current Land Uses: Industrial Park

Direction: South

Current Base Zoning: I-2, UZROW

Current Land Uses: Vacant, Railroad

Direction: West

Current Base Zoning: L

Current Land Uses: Vacant

Overlay District Information:

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. 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.

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Transportation

Thoroughfare: Industrial Way

Existing Character: Local

Proposed Changes: None known.

Thoroughfare: Old Pearsall Road

Existing Character: Local

Proposed Changes: None known.

Public Transit: There are no VIA bus routes are within walking distance of 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 proposed use, Recycling Facility, is not classified in Section 35-526 Parking and Loading Standards. The average minimum parking requirements for industrial uses are 1 per 1,500 sf GFA and the maximum being 1 per 300 sf GFA.

ISSUE:

None

ALTERNATIVES:

Current Zoning: "L-1" 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-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 vehicle sales, service and storage.

FISCAL IMPACT:

None

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not located within a Regional Center but is located within ½ a mile from any 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 United Southwest Communities Plan Land Use Plan and is currently designated as “Industrial” in the land use component of the plan. The requested “I-1” base zoning 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. 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 property is surrounded by “L” Light Industrial and “I-2” Heavy Industrial zoning as well as, the Union Pacific Railway.
3. **Suitability as Presently Zoned:** The existing “L” Light Industrial District is an appropriate zoning for the property and surrounding area. The requested “I-1” is also an appropriate zoning. Surrounding properties are a mix of “L” Light Industrial and “I-2” Heavy Industrial District, which permits higher intense industrial uses. The property abuts various industrial land uses which provide appropriate context for the proposed zoning. The requested “I-1” General Industrial is also an appropriate zoning. Surrounding properties are a mix of “L” Light Industrial and “I-2” Heavy Industrial District, which permits higher intense industrial uses. The property abuts various industrial land uses which provide appropriate context for the proposed zoning. The area has already been established for industrial use.
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. The United Southwest Community Plan designates the future land use of the property as “Industrial,” and the requested zoning does not conflict with the designation. - Goal 1- Economic Development: Attract new businesses, services, and retail establishments to the United Southwest Communities - Objective 1.1: Commercial Development- Implement strategies to attract commercial development. The request does not appear to conflict with any public policy objective.
Relevant Goals and Policies of the Comprehensive Plan may include:
 - JEC Goal 2: Traditional and targeted growth industries support San Antonio’s diversified economy and provide a wide range of job opportunities.
 - JEC Goal 4: San Antonio’s economic environment fosters innovation and attracts new and innovative businesses, investment and industries.Relevant principles and goals of the United Southwest Communities Plan:
 - Goal 1- Economic Development: Attract new businesses, services, and retail establishments to the United Southwest Communities

- Objective 1.1: Commercial Development- Implement strategies to attract commercial development.
6. **Size of Tract:** The 3.68-acre site is of sufficient size to accommodate the proposed industrial development.
 7. **Other Factors:** The applicant intends to rezone to “I-1” General Industrial to utilize the property as a Recycling Facility without Outside Storage and/or Processing (Excluding Metal Recycling Entity). The subject property is located within the Lackland 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 applicant intends to rezone to “I-1” General Industrial to utilize the property as a Recycling Facility without Outside Storage and/or Processing (Excluding Metal Recycling Entity).

The subject property is located within the Lackland 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.