



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-7614

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 10/17/2019

**Title:** ZONING CASE Z-2019-10700217 S (Council District 2): Ordinance amending the Zoning District Boundary from "I-1 MLOD-3 MLR-1" General Industrial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District to "I-2 S MLOD-3 MLR-1" Heavy Industrial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District with Specific Use Authorization for a Metal Recycling Entity with Outside Storage and/or Processing on 31.046 acres out of CB 5128, located at 1341 South Foster Road and 5765 US Highway 87 East. Staff recommends Approval. Zoning Commission recommendation pending the October 15, 2019 hearing.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. Draft Ordinance, 4. Metes and Bounds, 5. Ordinance 2019-10-17-0867

Date	Ver.	Action By	Action	Result
10/17/2019	1	City Council A Session		

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z-2019-10700217 S

**SUMMARY:**

**Current Zoning:** "I-1 MLOD-3 MLR-1" General Industrial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District

**Requested Zoning:** "I-2 S MLOD-3 MLR-1" Heavy Industrial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District with Specific Use Authorization for Metal Recycling Entity with Outside Storage and/or Processing

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 15, 2019

**Case Manager:** Lorianne Thennes, Planner

**Property Owner:** GMU, LLC

**Applicant:** Andres Pena

**Representative:** Kaufman and Killen, Inc. (c/o Andres Pena)

**Location:** 1341 South Foster Road and 5765 US Highway 87 East

**Legal Description:** 31.046 acres out of CB 5128

**Total Acreage:** 31.046 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 20

**Registered Neighborhood Associations within 200 feet:** Lakeside Neighborhood Association

**Applicable Agencies:** Martindale Army Airfield, Texas Department of Transportation

**Property Details**

**Property History:** The property is currently vacant. It was annexed into the city and zoned "I-1" on August 31, 2017, established by Ordinance 2017-08-31-0622.

**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-1"

**Current Land Uses:** Vacant

**Direction:** East

**Current Base Zoning:** "RE," "RP," "L," and "I-1"

**Current Land Uses:** Pawn shop and rentals, homestead, construction, shopping center

**Direction:** South

**Current Base Zoning:** "C-2," "C-2NA," and "R-6"

**Current Land Uses:** Churches, single-family dwellings

**Direction:** West

**Current Base Zoning:** "L," "NP-10," and "R-6"

**Current Land Uses:** Auto shop, commercial buildings, homestead, bingo parlor, church

**Overlay and Special District Information:**

"MLOD-3"

All surrounding properties carry the "MLOD-3" Military Lighting Overlay District, due to their proximity to Martindale Army Airfield. The "MLOD-3" 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.

**Transportation**

**Thoroughfare:** US Highway 87 East

**Existing Character:** Secondary Arterial

**Proposed Changes:** None

**Public Transit:** There are not VIA bus routes within walking distance of the subject property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** The minimum parking requirement for a metal recycling entity is 1 space per 1500 square feet of building area.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** The "I-1" General Industrial district accommodates areas of heavy and concentrated fabrication, manufacturing and industrial uses which are suitable based upon adjacent land uses, access to transportation and the availability of public services and facilities. It is the intent of this district to provide an environment for industries that is unencumbered by nearby residential or commercial development. "I-1" must be located in areas where conflicts with other uses can be minimized to promote orderly transitions and buffers between uses. These districts are located for convenient access for existing and future arterial thoroughfares and railway lines. These districts are in many instances separated from residential areas by business or light industry areas or by natural barriers; where they are adjacent to residential areas some type of artificial separation may be required.

**Proposed:** The "I-2" Heavy Industrial district accommodates uses that are highly hazardous, environmentally severe in character and/or generate very high volumes of truck traffic. The "I-2" district is 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" district. These districts are located for convenient access for existing and future arterial thoroughfares and railway lines. These districts are in many instances separated from residential areas by business or light industry areas or by natural barriers; where they are adjacent to residential areas some type of artificial separation may be required.

**FISCAL IMPACT:**

None.

**PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:**

The property is not within a regional center or a premium transit corridor.

**RECOMMENDATION:** Staff recommends Approval.

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

**1. Consistency:**

The subject property is located within the Eastern Triangle Community Plan and is currently designated as "Industrial" in the future land use component of the plan. The requested "I-2" base zoning district is consistent with the future land use designation.

**2. Adverse Impacts on Neighboring Lands:**

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request.

**3. Suitability as Presently Zoned:**

The current “I-1” General Industrial District is an appropriate zoning for the property and surrounding area. The proposed “I-2” Heavy Industrial District is more intense, however the “S” Specific Use Authorization allows for consideration of additional regulations such as: screening, buffers, setbacks, hours of operation, fencing and limitations on temporary signage.

**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 proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the Eastern Triangle Community Plan:

Goal 21: Consolidate or create programs to better address the needs of the community effectively and efficiently.

Principle: The Eastern Triangle Community Plan calls for general industrial land use to include heavy manufacturing, processing and fabricating businesses.

**6. Size of Tract:**

The subject property is 31.046 acres, which could reasonably accommodate a metal recycling entity with outside storage and/or processing.

**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, JBSA was notified of the proposed 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 with may, under the right set of circumstances and conditions be acceptable in certain specific locations.