



**City of Baytown  
Special Use Permit  
Staff Report  
August 15, 2023**

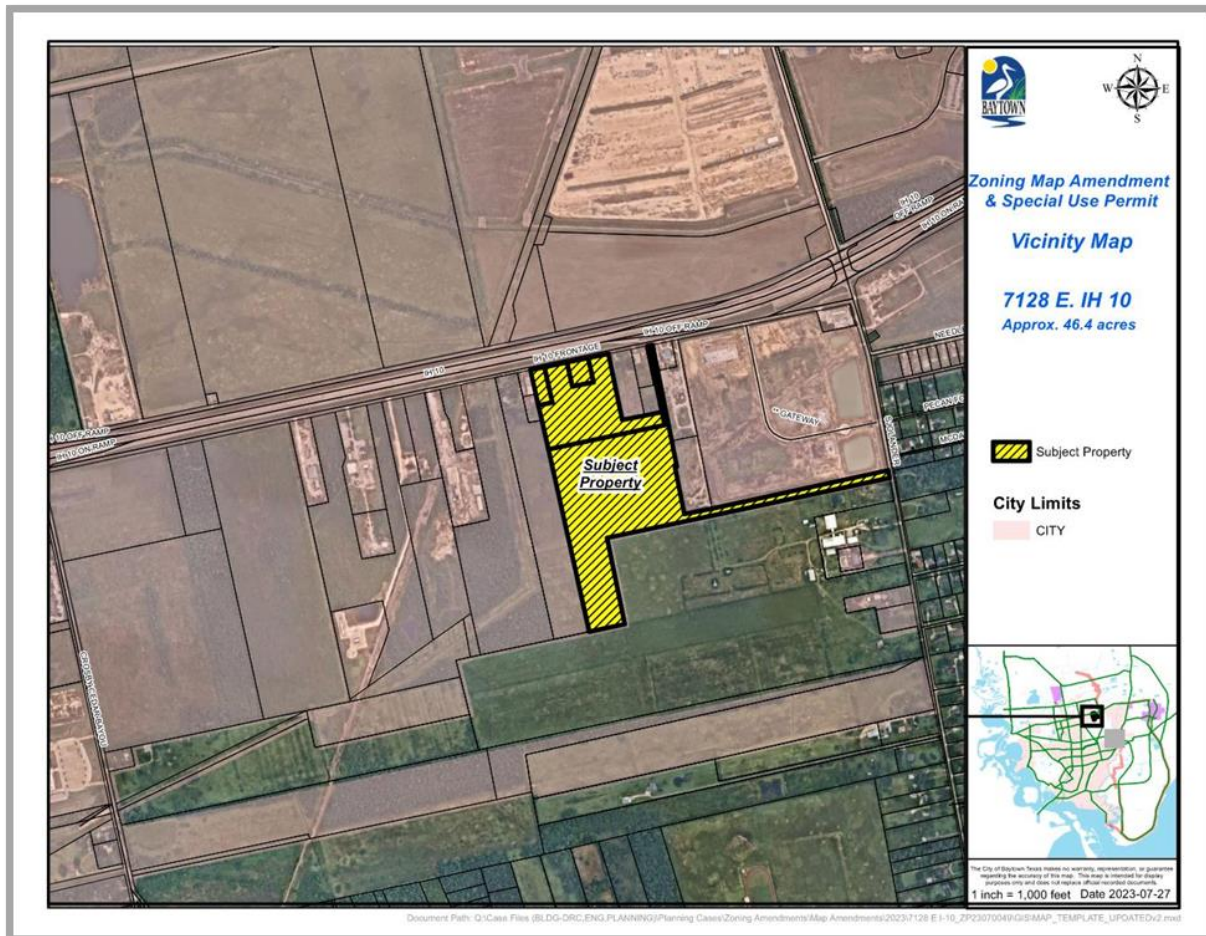
**Plan Number:** ZP23070051

**Address:** 7128 E. IH 10

**Requested Action:** A Special Use Permit (SUP) to allow for a warehouse development within the General Commercial (GC) Zoning District for approximately 46.4 acres of land, legally described as Tracts 1, 1R, 1R-1, 1L, and 1M, ABST 954 A Smith, Baytown, Texas.

**Applicant:** Austin Haynes, Altar Group LLC.

**Subject Property:**



*Vicinity Map*

**Parcel Information:**

**Current Use:** Primarily vacant and undeveloped

**Proposed Use:** Commercial – warehouse development

## Future Land Use Plan: Large Scale Commercial

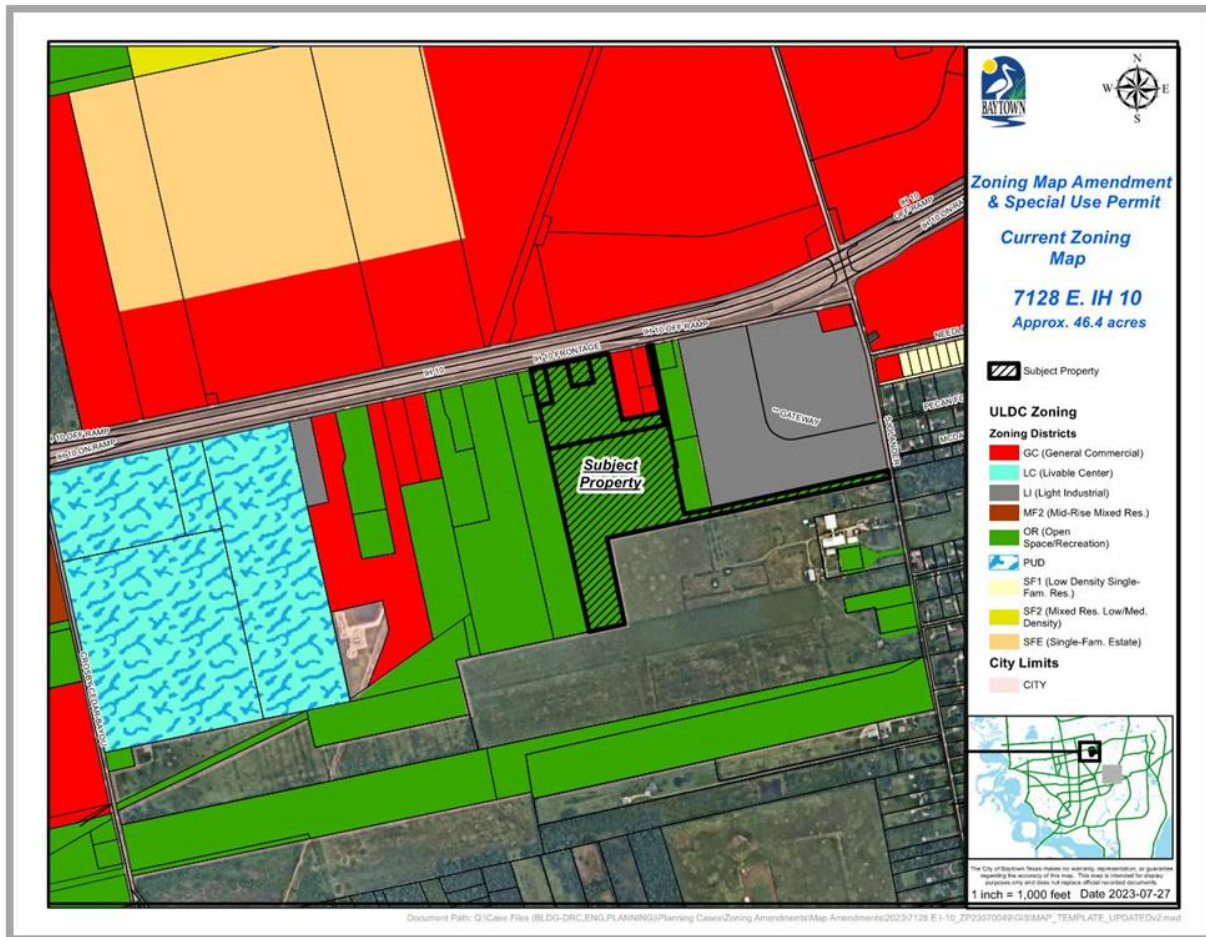
### Adjacent Parcel Information:

**North:** IH 10 and General Commercial (GC)

**South:** Extra Territorial Jurisdiction (ETJ)

**East:** General Commercial (GC) and Open Space/Recreation (OR)

**West:** Open Space/Recreation (OR)



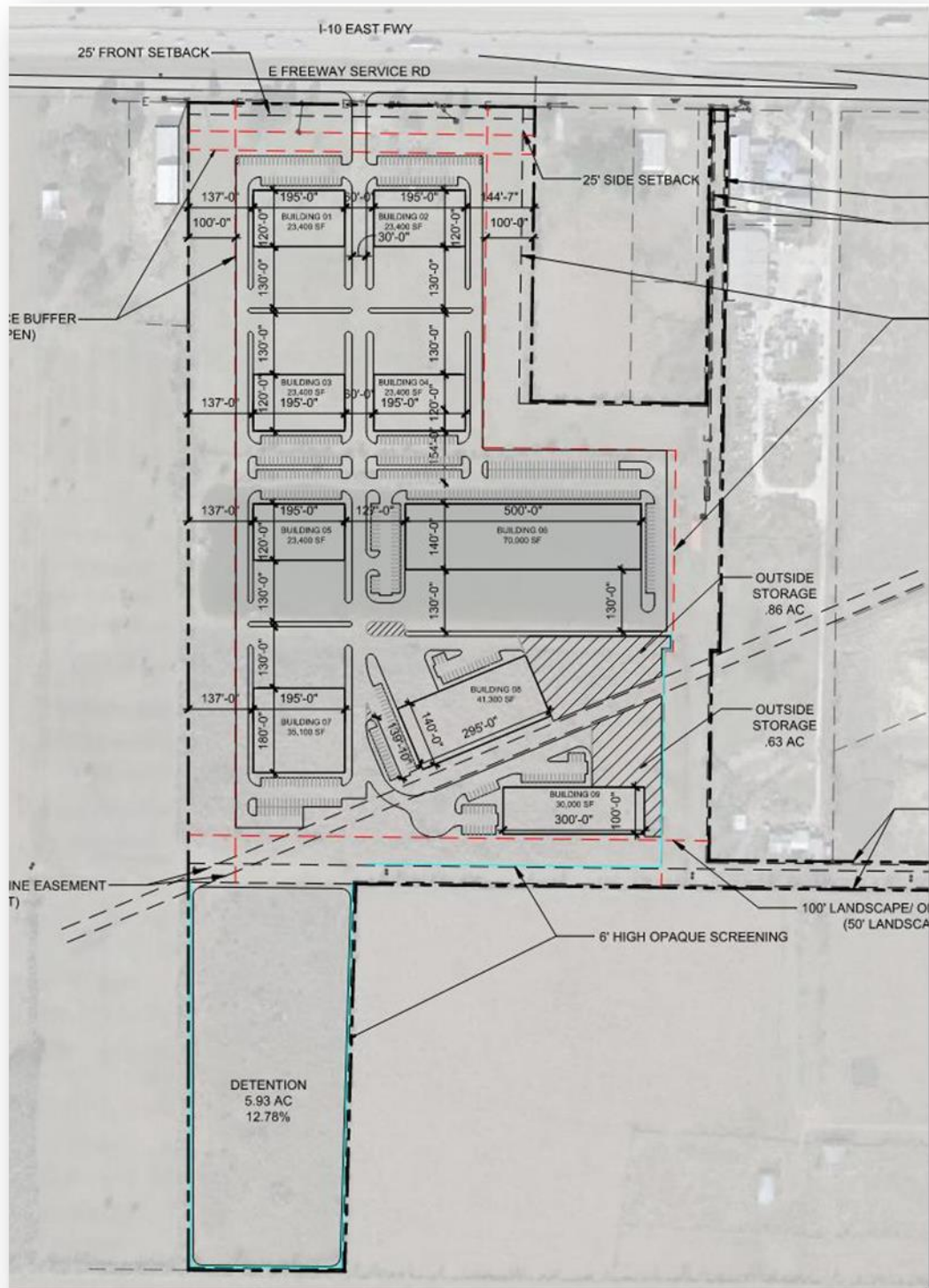
*Zoning Map*

### Staff Analysis

The applicant is requesting approval of a Special Use Permit (SUP) to allow for the warehouse land use within the GC district. The proposed development includes nine logistic buildings, both offices and warehouses in the proposed layout, that vary in size between 24,400 square feet and 70,000 square feet with a total building area of 293,400 square feet. The proposed development will be serviced by one access point off of IH-10 with internal lanes and dedicated parking spaces for each building.

The requested SUP is being reviewed concurrently with a zoning map amendment application to rezone the subject property from Open Space/Recreation (OR) to General Commercial (GC).

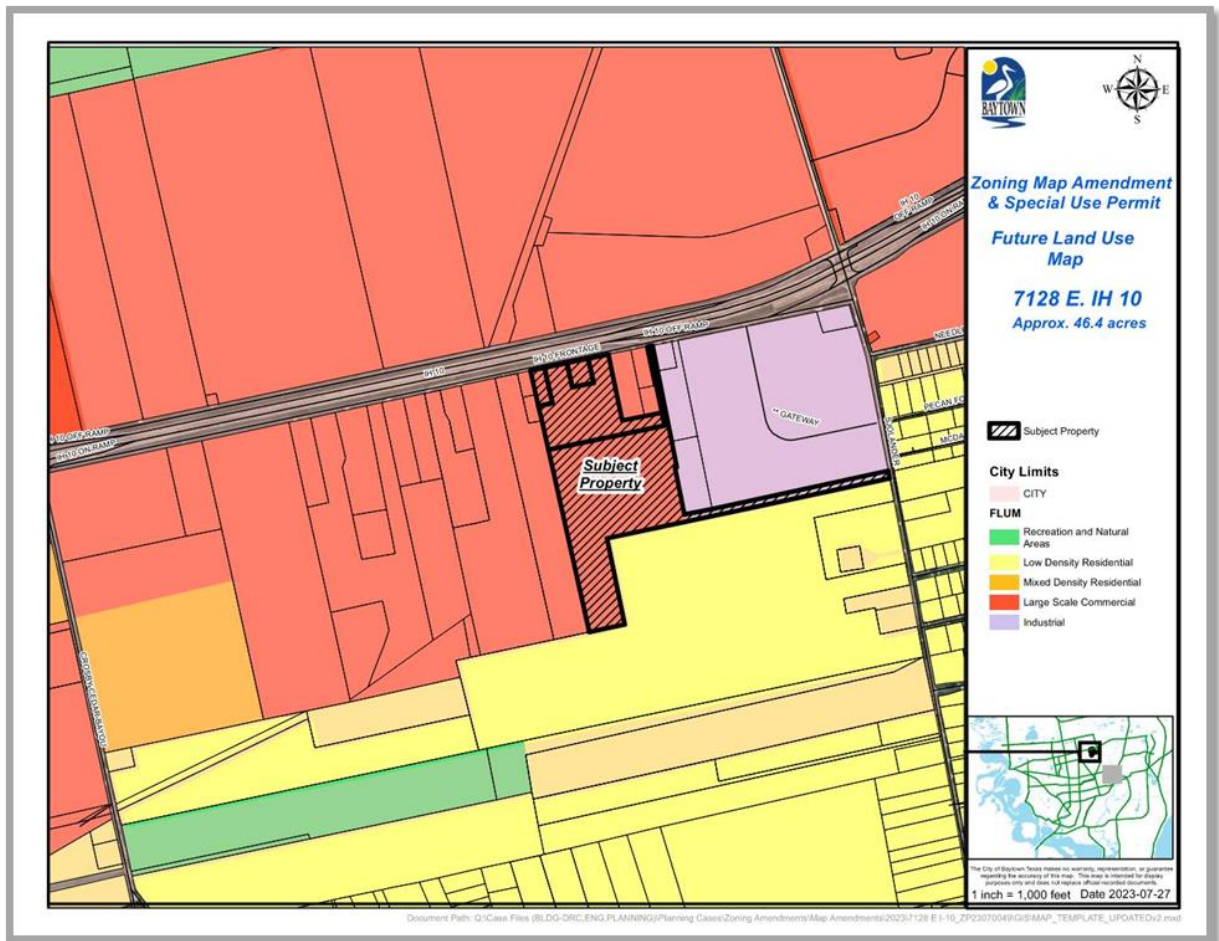




*Site Plan*

A minimum building setback of 100 feet is provided, within this setback, a 50 foot open space and 50 foot vegetative buffer are provided along property boundaries. Buildings with loading docks are proposed internal to the site facing north and south; and a detention pond is proposed

at the southwestern corner of the property that shall address storm water management on site and meet all engineering standards and requirements.



*Future Land Use Map*

In order to recommend approval of an application for a Special Use Permit (SUP), the Planning and Zoning Commission shall consider the following factors:

- 1. This special use permit will be compatible with and not injurious to the use and enjoyment of other property, not significantly diminish or impair property values within the immediate vicinity in any material way.**

The surrounding area consists of existing and planned commercial and industrial uses fronting IH-10 including a small warehouse development immediately adjacent to the eastern boundary of the subject property (rezoned to GC in 2021). An existing residential dwelling within the OR zoning district is adjacent to the southeastern boundary of the property. Further east of the subject property are planned commercial and industrial uses within the Gateway Ten Business Park area. Vacant properties and existing commercial uses are located to the west of the subject property, zoned OR, and further west, zoned GC. Given the location of the subject property and its adjacent properties along this major highway corridor, it is anticipated that all vacant properties in the surrounding area will be rezoned to commercial in the future. As such, the special use permit is considered

compatible with the existing and planned commercial uses and will not be injurious to any development or land uses within the immediate vicinity in any material way.

**2. This special use permit will not impede the normal and orderly development and improvement of surrounding property.**

The subject property is required to provide a 100-foot setback from all adjacent uses; within this setback, a 50-foot open space and a 50-foot vegetative buffer will be provided. The buffer and screening requirement will ensure that all warehousing activities are screened from adjacent uses and from the public right-of-way. The proposal will also improve the IH-10 frontage by providing sidewalks along approximately 730 feet of frontage of the property. The subject development will utilize one consolidated access point from IH-10 which will maintain orderly development and improvement of the surrounding property. It is anticipated that truck traffic will be increased in the area by the proposed development. A traffic impact analysis may be required to review the development's impact on adjacent developments and public right-of-way.

**3. This special use permit will ensure that adequate utilities, access roads, drainage and other necessary supporting facilities have been or will be provided prior to the issuance of a certificate of occupancy.**

The SUP will ensure that utilities are provided for the proposed development prior to issuance of certificate of occupancy. City staff will review permits against all City of Baytown Codes and standards in addition to meeting TxDOT regulations, Harris County Flood Control District (HCFCD), and pipeline approval. Pending the review of detailed plans, this development shall provide: 1) a dedication of lands for utility easements along E. IH 10; 2) a public sidewalk along E. IH 10; and 3) a fire lane within the site that is satisfactory to fire code standards.

**4. This special use permit will ensure that adequate nuisance prevention measures will be taken and maintained to prevent or control offensive odor, fumes, dust, noise and vibration prior to the issuance of a certificate of occupancy.**

The proposed warehouse construction is required to meet additional conditions within the GC district that provide adequate buffering and screening in order to reduce the overall impact to nearby areas. Further, this development is required to meet all city standards to ensure new development does not create a nuisance environment.

**5. This special use permit will ensure that there are sufficient landscaping, screening, setbacks and other land use measures to ensure harmony and compatibility with adjacent property.**

The applicant is required to provide screening and buffering to all adjacent uses per ULDC land use condition A-40. The 100-foot buffer, composed of 50 feet of vegetative buffer and 50 feet of open space, as well as screening of any outdoor storage, will be sufficient to visually screen the development from public views and all adjacent uses.

**6. The proposed use is consistent with the comprehensive plan and is generally consistent with the purposes of the ULDC.**

The Future Land Use Map (FLUM) graphically illustrates general future land uses based upon the recommendations made throughout the City's Comprehensive Plan. The FLUM designates the subject property as "Large Scale Commercial". According to the 2040 Comprehensive Plan, the primary land use in the large scale commercial designation is

commercial retail and service uses, typically three acres or larger. Uses such as offices, big box commercial stores, automobile services, hotel and recreational vehicle parks are primary uses that may be permitted in this designation given that the location criteria are met. Warehouse and freight movement is a permitted use within the GC zoning district upon the issuance of a SUP.

**7. In addition, the site plan must meet all the criteria set forth in ULDC Section 1.26 (e).**

The site plan submitted by the applicant generally complies with all additional criteria listed in the ULDC. A detailed review will be made at the time of permit application to further ensure compliance with these requirements.

**Planning Staff Recommendations**

Staff recommends approval of the requested special use permit with the following conditions:

- 1) Use: The only use authorized by this special use permit is a warehouse use.
- 2) Site Plan: The development of the subject property must generally comply with the submitted site plan.