

**Parcel Information:**

**Current Use:** Primarily vacant and undeveloped

**Proposed Use:** Commercial - warehouse development

**Future Land Use Plan:** Large Scale Commercial

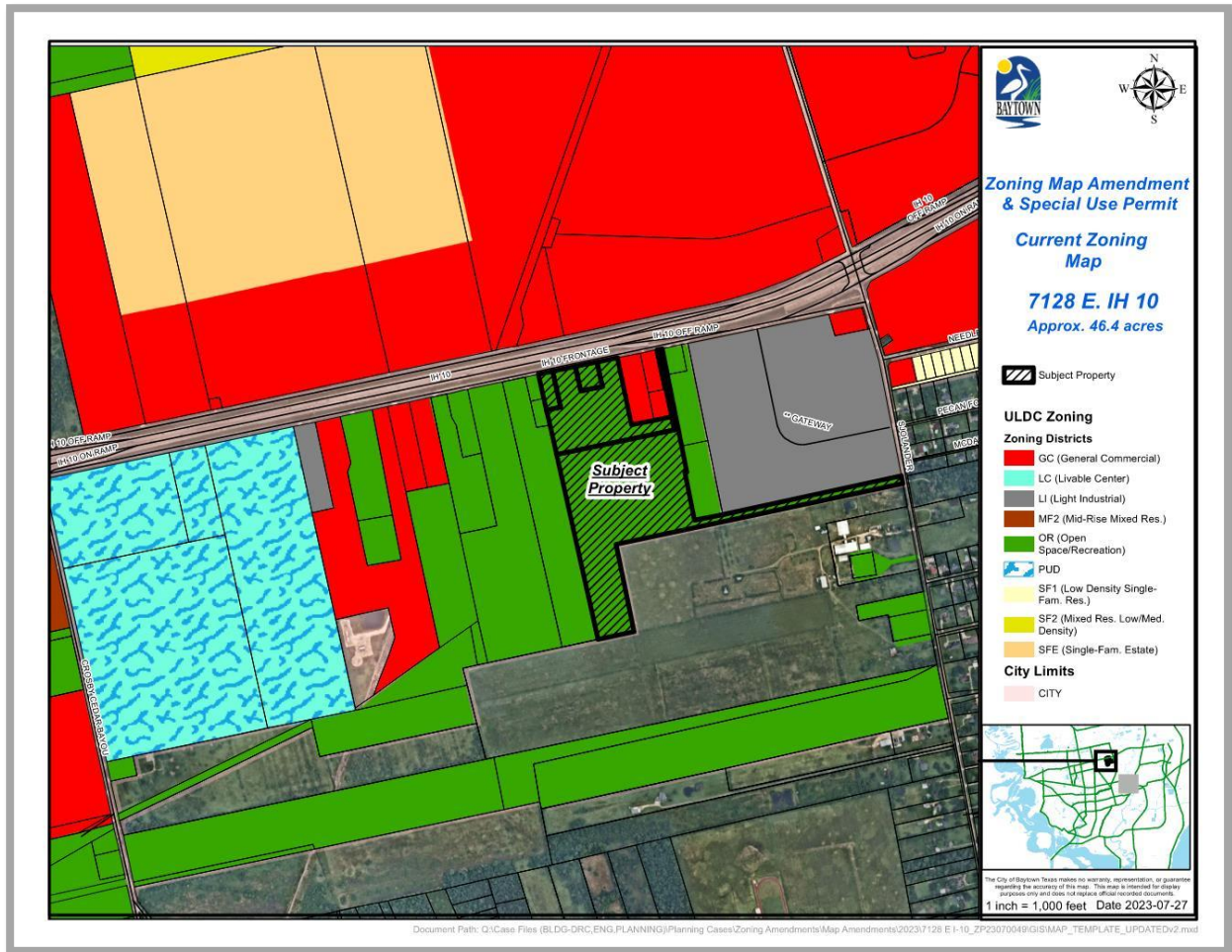
**Adjacent Parcel Information:**

**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)



*Current Zoning Map*

**Staff Analysis**

The applicant is requesting to rezone the subject property, approximately 46.4 acres, from Open Space/Recreation (OR) to General Commercial (GC) to allow for a warehouse development on the subject property. The subject property, which contains 5 tracts of land, is currently occupied by two billboards and a single-family dwelling and is subject to pipeline and Harris County Flood Control District (HCFCD) easements at the southern portion of the property. Following the rezoning application and prior to any property improvement, the applicant must plat the property in accordance with Unified Land Development Code, Chapter 126.

A Special Use Permit is being considered concurrently with this application to allow the use of warehouse development in GC.

#### Current Zoning Districts

The subject property and its adjacent properties to the east and west were annexed into the city in 2017 and were zoned Open Space/Recreation (OR) as a default zone. A rezone of the subject property and any property zoned OR must occur in order to allow for any future development or property improvements.

#### Proposed Zoning District (GC)

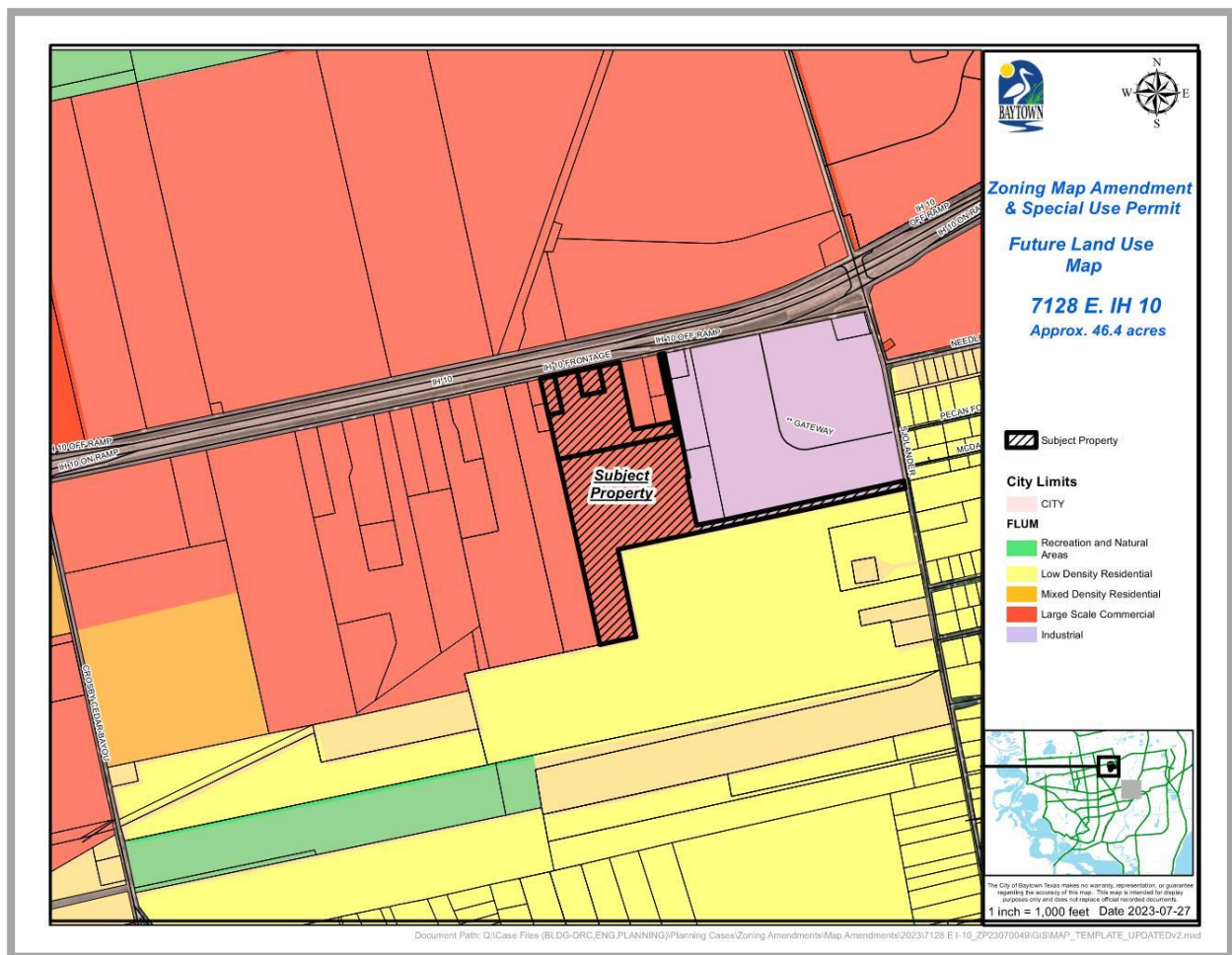
As defined in the ULDC, the GC district is *“intended to provide for a variety of uses including offices, retail, personal and commercial services, and related uses that are mixed within buildings either vertically and/or horizontally. Uses in this district are generally conducted wholly within an enclosed building, but may include outdoor display merchandise or storage of materials. The GC district may be used as a transitional district between more intensive nonresidential districts (e.g., light industrial) and higher density residential districts or as the primary district for such corridors as Garth Road or Main Street.”*

Warehouse and freight movement development is a permitted use in the GC district with condition A40 that includes the new requirement of a SUP, (see table below). This development will be required to meet all below criteria, as shown on their proposed site plan.

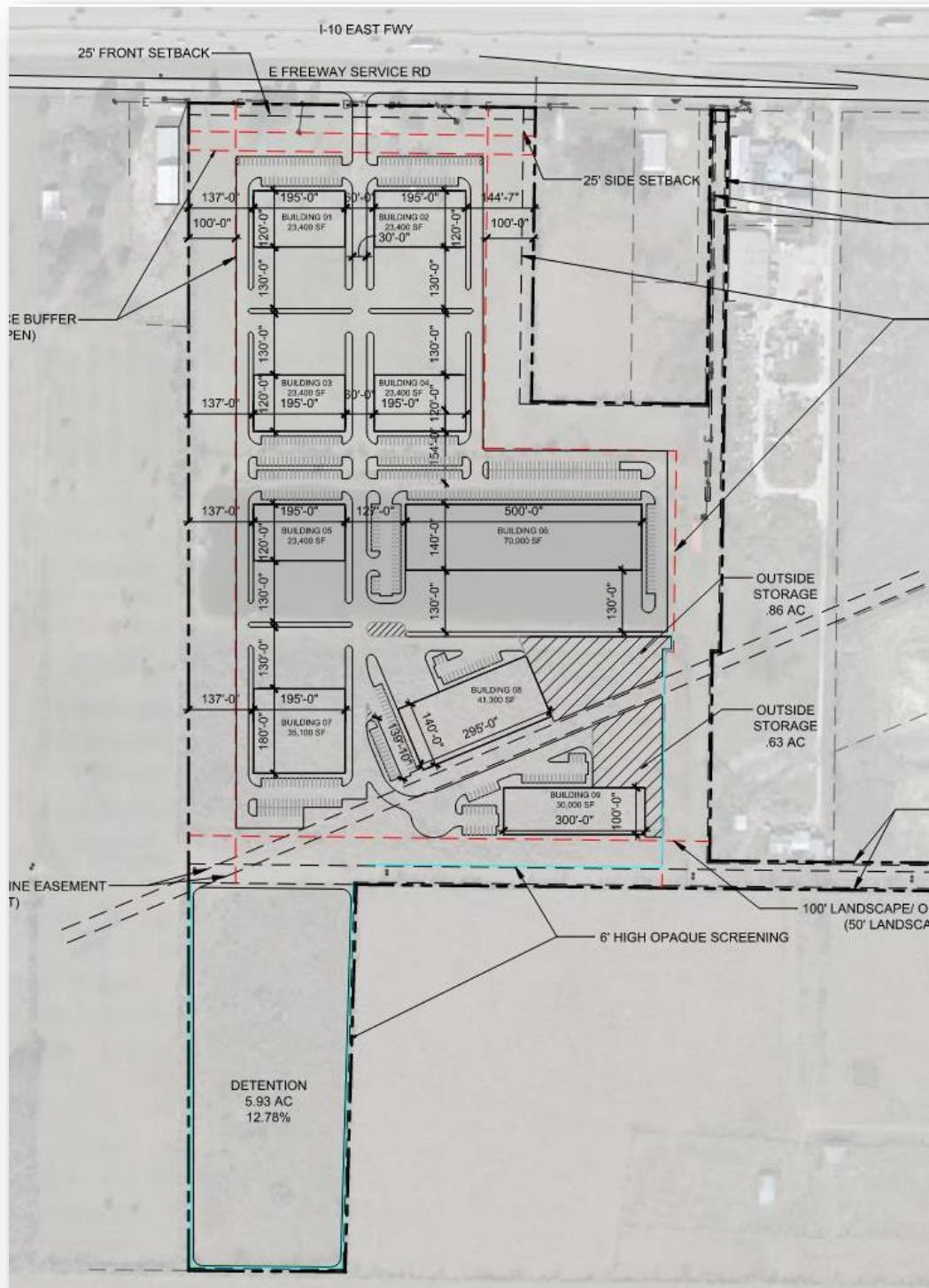
(a)	Warehouse and freight movement excludes shipment or storage of hazardous cargo and/or materials.
(b)	Warehouse shall have a maximum building height of 40 feet.
(c)	Outdoor storage shall be separated by opaque screening from all adjacent uses and all public rights-of-way.
(d)	Loading docks or bay doors shall not face arterial or collector street.
(e)	If warehouse exceeds 10,000 square feet, must adhere to LI vegetative buffer described in Sec. 18-1206.5 of the Code of Ordinances.
(f)	No rail, boat, or air transport of cargo may be used for freight movement on site.
(g)	The primary activity must be done within the enclosed warehouse structure.
(h)	Warehouse must be located on an arterial street.
(i)	Minimum lot size must be at least one acre.
(j)	The minimum building setback shall be 100 feet. Within this setback, a 50-foot open space and a 50-foot vegetative buffer shall be provided.



(k)	Existing uses may expand no more than 50% of the total square footage of all buildings lawfully existing on December 20, 2015, and be exempt from all use conditions, property development and compatibility standards except for the following: » Meet LI setbacks along with all other standards for GC in Table 3-1; and » Provide a minimum of six feet of opaque screening from all adjacent uses.
(l)	All outdoor storage shall be separated by a vegetative or transition buffer, as described in section 3.14(i) of the Code of Ordinances, from all adjacent uses and all public streets.
(m)	Warehousing, freight movement, and logistics operations in a GC district shall obtain a Special Use Permit.



*Future Land Use Map*



*Proposed Site Plan*

The applicant is proposing to construct nine buildings, including 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 from IH-10 with internal lanes and dedicated parking spaces for each building. A minimum building setback of 100 feet is provided; within this setback, a 50-foot open space and

50-foot vegetative buffer is 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.

In order to recommend approval of an application for a zoning map amendment, the Planning and Zoning Commission shall consider the following factors:

1. **Consistency with Guiding Documents.**

The Baytown 2040 Comprehensive Plan provides guidance for decisions related to the City's zoning map (zone change requests, variance applications, etc.). 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.

The proposed zoning change of the subject property from OR to GC is consistent with the 2040 Comprehensive Plan guidance and supported by the FLUM designation.

2. **Compatible with the Surrounding Area.**

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 is 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 rezone request to GC is considered compatible with the surrounding existing and planned commercial uses.

3. **Promotion of health, safety, or general welfare.**

It is not anticipated that the proposed development would be detrimental to the health, safety, or general welfare of the general area. The proposed rezoning of the subject property will allow the applicant to manage the subject property (5 tracts of land) as one contiguous development which will promote general welfare and coordinated development. In addition to the proposed detention pond at the southwest corner of the development, the applicant is proposing a 50-foot vegetative buffer as well as 50 feet of open space along property boundaries in accordance with city standards. The applicant will also be required to provide interior landscaping and public sidewalks along IH-10 frontage road. The proposed development will also be required to meet all current adopted codes of the City of Baytown and therefore promote health, safety and welfare of the community.

4. **Facilitation of infrastructure.**

Utilities will be provided for the proposed development prior to issuance of certificate of occupancy. City staff will review building permit and site work permit against all City of Baytown Codes and standards in addition to other state/local requirement such as 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; and 3) a fire lane within the site that meets fire code standards.

5. **There are changed conditions.**

The subject property and its adjacent properties to the west were annexed in 2017 and zoned OR which does not permit a commercial use. The rezone of the subject property to GC will change the conditions from OR, a restrictive zoning district, to a commercial zone that is meant to accommodate commercial uses including warehousing and freight movement. It is anticipated that truck traffic will be increased in the area by the proposed development, however, a traffic impact analysis may be required at the detailed stage to mitigate the development's impact on adjacent properties and public right-of-way.

6. **Effect on natural environment.**

It is not anticipated that the proposed rezone will have any adverse effect on the natural environment. However, future development must comply with the city code of ordinances and development standards. The applicant is proposing to comply with the 100-foot buffer requirement, will provide sidewalks along public right-of-ways, and will manage floodplain on the development site.

7. **Community need.**

The Comprehensive Plan Economic Development (ED) Goal #1 supports: *“An economically resilient and diversified business environment that encourages entrepreneurs and local business start-ups to serve potential growth markets.”* Identifying target industries is a process that considers an area's strengths, such as location, infrastructure, available workforce, housing, and existing industry clusters. Baytown-West Chambers County Economic Development Foundation's (EDF) Target Industry Analysis, May 19, 2017, identified that the “Logistics and Distribution” is one of the target industries for its service area. Between 2011 and 2016, the number of Freight & Rail Transportation Support jobs in the EDF service area rose approximately 19%, which is nearly twice the rate of growth experienced by the sector in the broader Greater Houston region.

Baytown is well-poised to develop a premier logistics and distribution industry due to its location and transportation access. Diversifying Baytown's Economic Base Strategic Action Plan (SAP) #4 *“promotes the development and recruitment of target industries through appropriate infrastructure and supportive economic development policies.”*

The proposed logistics development: 1) promotes one of the targeted industries; 2) is considered in line with the comprehensive plan economic development goals; 3) will make use of undeveloped lands; and 4) will support the City's growing community needs.

**Planning Staff Recommendations**

Staff recommends approval of the proposed zoning change from Open Space/Recreation (OR) to General Commercial (GC).