



City of San Antonio

Legislation Details (With Text)

File #: 16-1315
Type: Zoning Case
In control: Zoning Commission
On agenda: 1/19/2016
Title: ZONING CASE # Z2016048 CD (Council District 2): A request for a change in zoning from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with Conditional Use for a Pawn Shop on Lots 1 through 4, Block 16, NCB 1314 located at 1301 Lamar Street. Staff recommends Denial, with Alternate Recommendation.
Sponsors:
Indexes:
Code sections:
Attachments: 1. Z2016-048 Location Map, 2. Z2016048 CD Site Plan

Date	Ver.	Action By	Action	Result
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DEPARTMENT: Development Services

COUNCIL DISTRICTS IMPACTED: 2

SUBJECT:
Zoning Case Z2016048 CD

SUMMARY:
Current Zoning: "I-1 AHOD" General Industrial Airport Hazard Overlay District

Requested Zoning: "C-2 CD AHOD" Commercial Airport Hazard Overlay District with Conditional Use for a Pawn Shop

BACKGROUND INFORMATION:
Zoning Commission Hearing Date: January 19, 2016

Case Manager: Robert C. Acosta, Planner

Property Owner: William Dimick, David Malley, and Richard Warncke

Applicant: Richard Warncke

Representative: Richard Warncke

Location: 1301 Lamar Street

Legal Description: Lots 1 through 4, Block 16, NCB 1314

Total Acreage: 0.405 per survey

Notices Mailed

Owners of Property within 200 feet: 48

Registered Neighborhood Associations within 200 feet: Dignowity Hill, Harvard Place-Eastlawn

Applicable Agencies: None

Property Details

Property History: The subject property was part of the original 36 square miles city limits and was originally zoned “J” Commercial District. Upon the adoption of the 2001 Unified Development Code, the base zoning converted to “I-1” General Industrial District.

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

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: C-3, I-1, MF-33

Current Land Uses: Commercial Uses and Single-Family Residences

Direction: East

Current Base Zoning: MF-33

Current Land Uses: Single-Family Residences

Direction: South

Current Base Zoning: C-3, I-1, MF-33

Current Land Uses: Commercial Uses and Single-Family Residences

Direction: West

Current Base Zoning: C-3

Current Land Uses: Commercial Uses and Single-Family Residences

Overlay and Special District Information: All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The “AHOD” does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

Transportation

Thoroughfare: New Braunfels Avenue

Existing Character: Primary Arterial Type B

Proposed Changes: None Known

Thoroughfare: IH-35

Existing Character: Freeway

Proposed Changes: None known.

Thoroughfare: Lamar Street

Existing Character: Local

Proposed Changes: None known

Thoroughfare: Gabriel Street

Existing Character: Local Street

Proposed Changes: None known

Public Transit: There is a VIA bus stop three blocks south at the corner of North New Braunfels Avenue and Hayes Street. Routes 20, 22 and 222 provide service to the area.

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: Pawn Shop: Minimum 1 space per 300sf. GFA. Maximum Parking Requirement: 1 space per 150sf. GFA.

ISSUE:

None.

ALTERNATIVES:

Denial of the zoning request will result in the subject property retaining the "I-1" zoning.

FISCAL IMPACT:

None.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Denial, with an Alternate recommendation for "C-2" Commercial zoning.

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

1. Consistency:

The property is located within the Arena District Eastside Community Plan and is designated as Mixed Use in the future land use component of the Plan. The requested "C-2" base zoning district is consistent with the adopted land use designation. However, the applicant is requesting to condition down a use which is permitted in "C-3" General Commercial and "L" Light Industrial which is inconsistent with the designated land use and adjacent single-family residential use. The subject property consists of a vacant commercial building.

2. Adverse Impacts on Neighboring Lands:

Staff has found evidence of likely adverse impacts on surrounding properties in relation to this zoning change request. The heavy saturation of pawn shops and other similar uses could be detrimental to the future economic development of the area.

3. Suitability as Presently Zoned:

The current "I-1" zoning is not suitable for the subject property. The parcel is only 0.405 acres and, as such, industrial development on this site would be difficult considering the surrounding residential uses and the setback and buffering requirements. Therefore, staff recommends rezoning to "C-2" Commercial without allowance of the Conditional Use for a Pawn Shop.

4. Health, Safety and Welfare:

Staff has found indication of likely adverse effects on the public health, safety, or welfare should the property remain "I-1" General Industrial the future use made produce noise, pollution and other industrial encroachment adjacent to a residential use.

5. Public Policy:

The requested rezoning does appear to be in conflict with any public policy. The subject property is located along an area that predominately has single-family residential uses to the north, east and south. This use would be contrary to the goals of the Arena District/Eastside Community Plan of promoting that existing neighborhoods are conserved and protected by appropriate adjacent uses. Additionally, the eastside commercial corridors are going through a revitalization effort and the additional saturation of pawn shops and like uses could result in a negative impact to these efforts.

6. Size of Tract:

The subject property is 0.405 acres in size.

7. Other Factors:

None.