City of San Antonio

Legislation Details (With Text)

File #: 20-1751

Type: Zoning Case

In control: City Council A Session

On agenda: 2/20/2020

Title: ZONING CASE Z-2019-10700250 CD (Council District 5): Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with Conditional Use for Auto, Light Truck, and Oversized Vehicle Sales and Storage (Full Service) on Lot 2 and the south 67.6 feet of Lot 1, Block 2, NCB 2307, located at 1406 West Commerce Street. Staff and Zoning Commission recommend Approval.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Ordinance 2020-02-20-0139

Date	Ver.	Action By	Action	Result
2/20/2020	1	City Council A Session	adopted	Pass

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 5

SUBJECT:
Zoning Case Z-2019-10700250 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 Auto, Light Truck, and Oversized Vehicle Sales and Storage (Full Service)

BACKGROUND INFORMATION:
Zoning Commission Hearing Date: December 17, 2019. This case is continued from the December 3, 2019 hearing.

Case Manager: Michael Pepe, Planner

Property Owner: Jack McLean

Applicant: James Michael Bryan

Representative: James Michael Bryan

Location: 1406 West Commerce Street

Legal Description: Lot 2 and the south 67.6 feet of Lot 1, Block 2, NCB 2307

Total Acreage: 0.2565 Acres

Notices Mailed
Owners of Property within 200 feet: 34
Registered Neighborhood Associations within 200 feet: Historic Westside Residents Association
Applicable Agencies: None

Property Details
Property History: The property was part of the original 36 square miles of the City of San Antonio. The property was originally zoned "J" Industry. The property was then converted to "I-1" General Industrial with the adoption of the 2001 Unified Development Code by Ordinance 93881, dated May 3rd, 2001.

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: "IDZ"
Current Land Uses: Vacant

Direction: East
Current Base Zoning: "I-1"
Current Land Uses: Single Family Dwellings, Auto Shop

Direction: West
Current Base Zoning: "I-1"
Current Land Uses: Retail

Direction: South
Current Base Zoning: "C-2"
Current Land Uses: Multi-Family Dwellings, Law Office

Overlay and Special District Information:
"AHOD"
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: Commerce
Existing Character: Principal
Proposed Changes: None Known

Thoroughfare: Richter
Existing Character: Local

Proposed Changes: None Known

Thoroughfare: Felan
Existing Character: Local
Proposed Changes: None Known

Public Transit: VIA bus routes are within walking distance of the subject property.
Routes Served: 66, 70, 75, 76, 268, 275, 276

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 parking minimum for an Auto Sales Small Scale is 1 space per 500 square feet of gross floor area.
ISSUE:
None.

ALTERNATIVES:
Current: The present zoning district designation of "I-1" General Industrial 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 vehicles sales, service and storage.

Proposed: The proposed "C-2" Commercial district accommodates community commercial uses, with unlimited building size, and building height limitation of 25 feet. Examples of permitted uses: liquor store, miniature golf and other indoor gaming facilities, small indoor movie theater, pet cemetery, auto & light truck oil, lube & tune-up, auto glass tinting, tire repair (sale and installation only), gas station, appliance sales & repair, charitable food & clothing banks and dry cleaning. No outdoor storage or display of goods shall be permitted except for outdoor dining. The "CD" would allow for motor vehicle sales and service.

FISCAL IMPACT:
None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:
The property is not part of a regional center but it is within a premium transit corridor.

RECOMMENDATION:
Staff Analysis and Recommendation: Staff and Zoning Commission (8-0) recommend 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 Downtown Neighborhood Plan and is currently designated as "Low Density Mixed Use" in the future land use component of the plan. The requested "C-2" base zoning district 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. This downzoning from "I-1" to "C-2" decreases potential impacts and limits more intense commercial activities to a site plan. The property is surrounded by industrial and commercial zoning.

3. Suitability as Presently Zoned:
The current "I-1" zoning is not appropriate for the property and surrounding area. The proposed "C-2" would be a more appropriate zoning for the scale of the neighborhood and for the established use on the property.

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 1999 Downtown Neighborhood Plan:

a. Encourage the development of neighborhood businesses including dry cleaners, pharmacies and a grocery store for downtown residents.

c. Encourage new mid-to-high rise mixed use housing developments and "above the shop" housing throughout area.

6. Size of Tract:
The subject property is 0.2565 Acres, which could reasonably accommodate Commercial uses.

7. Other Factors:
The applicant is rezoning to bring an existing auto repair and sales shop in to compliance.

The property owner maintains a Nonconforming Use Registration for Auto Repair.

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