



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-6057

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 8/22/2019

**Title:** ZONING CASE Z-2019-10700135 S (Council District 2): Ordinance amending the Zoning District Boundary from "AE-1 AHOD" Arts and Entertainment Airport Hazard Overlay District to "AE-1 S AHOD" Arts and Entertainment Airport Hazard Overlay District with a Specific Use Authorization for Electronic Equipment Repairs on Lots 6-7, and the east 45.84 feet of Lot 8, Block 109, NCB 1386, located at 1730 East Commerce Street. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Ordinance 2019-08-22-0674

Date	Ver.	Action By	Action	Result
8/22/2019	1	City Council A Session	Motion to Approve	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z-2019-10700135 S

**SUMMARY:**

**Current Zoning:** "AE-1 AHOD" Arts and Entertainment Airport Hazard Overlay District

**Requested Zoning:** "AE-1 S AHOD" Arts and Entertainment Airport Hazard Overlay District with a Specific Use Authorization for Electronic Equipment Repairs

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** August 6, 2019

**Case Manager:** Mirko Maravi, Planner

**Property Owner:** Moment of Truth Ministries

**Applicant:** William A. Morgan Investments, LLC

**Representative:** Bill Morgan

**Location:** 1730 East Commerce Street

**Legal Description:** Lots 6-7, and the east 45.84 feet of Lot 8, Block 109, NCB 1386

**Total Acreage:** 0.4467

**Notices Mailed**

**Owners of Property within 200 feet:** 30

**Registered Neighborhood Associations within 200 feet:** Denver Heights Neighborhood Association and Dignowity Hill Neighborhood Association

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property was part of the original 36 square miles of the City of San Antonio zoned "K" Commercial District. The property was rezoned from "K" Commercial District to "B-3" Business District by Ordinance 79329, dated December 16, 1993. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the property zoned "B-3" Business District converted to "C-3" General Commercial District. The property was rezoned from "C-3" General Commercial District to the current "AE-1" Arts and Entertainment District.

**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:** "R-4"

**Current Land Uses:** Cemetery

**Direction:** South

**Current Base Zoning:** "AE-2"

**Current Land Uses:** Residential

**Direction:** East

**Current Base Zoning:** "AE-1"

**Current Land Uses:** Vacant

**Direction:** West

**Current Base Zoning:** "AE-1"

**Current Land Uses:** Commercial

**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:** East Commerce Street

**Existing Character:** Primary Arterial B

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property.

**Routes Served:** 25, 225

**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 electronic equipment repair is 1 space per 300 square feet.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of “AE-1” base zoning district. The arts and entertainment special zoning districts are designed to support existing arts and entertainment venues and promote the creation of additional venues and supporting uses. These special zoning districts are appropriate where existing arts and entertainment venues are adjacent to areas with high building and lot vacancy rates where infill development and redevelopment is desired. By creating a distinct area for arts and entertainment venues and supporting uses, this zoning district allows a community to capitalize on nearby venues and draw visitors into the community. The arts and entertainment districts facilitate infill development and redevelopment by creating a consistent pattern of zoning, creating certainty about the form and function of future development and creating an identity that may be utilized to attract investment. The arts and entertainment districts include four (4) unique districts designed to accommodate a range of existing conditions and desired outcomes. All of the arts and entertainment districts require quality building design and materials and a pedestrian-oriented, mixed-use environment.

**FISCAL IMPACT:**

None.

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

The subject property is not within a Regional Center and located within the 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 “Mixed Use” in the future land use component of the plan. The requested “AE-1” 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.

**3. Suitability as Presently Zoned:**

The current “AE-1” Arts and Entertainment District is an appropriate zoning for the property and surrounding area.

**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 Downtown Neighborhood Plan:

Geographically balance businesses, entertainment, community facilities, arts, culture and residential projects to enhance downtown’s urban character. Create design standards and a model downtown neighborhood.

Develop downtown businesses and a healthy, diversified economic base through partnerships, tax incentives, promotions, marketing, financing and funding strategies.

**6. Size of Tract:**

The subject property is 0.4467 acres, which could reasonably accommodate electronic repair shop.

**7. Other Factors:**

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.