



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-7421

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 1/19/2021

**Title:** ZONING CASE Z-2020-10700242 HL (Council District 2): A request for a change in zoning from "AE-2 AHOD" Arts and Entertainment Airport Hazard Overlay District to "AE-2 HL AHOD" Arts and Entertainment Historic Landmark Airport Hazard Overlay District on Lot 9 and the west 26.04 feet of Lot 10, Block B, NCB 604, located at 403 Montana Street. Staff recommends Approval. (Mercedes Rivas, Senior Planner, (210) 207-0215, Mercedes.Rivas2@sanantonio.gov, Development Services Department)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z-2020-107000242 HL

**SUMMARY:**

**Current Zoning:** "AE-2 AHOD" Arts and Entertainment Airport Hazard Overlay District

**Requested Zoning:** "AE-2 HL AHOD" Arts and Entertainment Historic Landmark Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** January 19, 2021

**Case Manager:** Mercedes Rivas, Senior Planner

**Property Owner:** Jagath Santha

**Applicant:** Office of Historic Preservation

**Representative:** Office of Historic Preservation

**Location:** 403 Montana Street

**Legal Description:** Lot 9 and the west 26.04 feet Lot 10, Block B, NCB 604

**Total Acreage:** 0.1723

**Notices Mailed**

**Owners of Property within 200 feet:** 40

**Registered Neighborhood Associations within 200 feet:** Alamodome Gardens Neighborhood Association

**Applicable Agencies:** Office of Historic Preservation and Planning Department

**Property Details**

**Property History:** The subject property is part of the original 36 square miles of the City of San Antonio and was originally zoned "B" Residence District. The property was then rezoned from "B" Residence District to "R-2" Two Family Residence District by Ordinance 79329 dated December 28, 1993. Under the 2001 Unified Development Code established by Ordinance 93881 dated May, 03, 2001, the property converted from "R-2" Two Family Residence District to "RM-4" Residential Mixed District. The subject property was then rezoned from "RM-4" Residential Mixed District to "AE-2" Arts and Entertainment District by Ordinance 2008-12-04-1128 dated December 4, 2008.

**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:** "AE-2"

**Current Land Uses:** Residential

**Direction:** South

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

**Current Land Uses:** Residential

**Direction:** East

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

**Current Land Uses:** Residential

**Direction:** West

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

**Current Land Uses:** Residential

**Overlay and Special District Information:**

"HL"

A number of surrounding properties carry the "HS" Historic Significant landmark designation, signifying the historic architectural character or cultural significance of the structure or location. Historic Landmark designations do not affect the possible uses of the property, but do regulate the exterior aesthetic of the structure. Building plans and permit applications will be subject to review by the Office of Historic Preservation and the Historic and Design Review Commission (HDRC) prior to any permits being issued.

"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:** Montana Street

**Existing Character:** Local

**Proposed Changes:** None

**Thoroughfare:** South Mesquite Street

**Existing Character:** Local

**Proposed Changes:** None

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

**Routes Served:** 28 and 230

**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 single-family dwelling is 1 space per unit.

### **ISSUE:**

None.

### **ALTERNATIVES:**

**Current:** The present zoning district designation of "AE-2" Arts and Entertainment District is 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.

**Proposed:** The proposed "AE-2 HL" allows all of the above in addition to adding a Historical Landmark Overlay.

### **FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center and is located within a Premium Transit Corridor.

### **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends 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. Application of a Historic Overlay is consistent with the goals and objectives of the plan for historic 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-2” Arts and Entertainment District is an appropriate zoning for the property and surrounding area. The base zone remains the same. The rezoning establishes the historic overlay.

**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.
- Preserve and enhance downtown’s character/spirit and celebrate its history and culture. Balance franchises to maintain originality of River Walk.

**6. Size of Tract:**

The subject property is 0.1723 acres, which reasonably accommodates a single-family dwelling.

**7. Other Factors:**

The request for landmark designation was initiated by the City Council. The owner does not support designation.

On September 2, 2020, the Historic and Design Review Commission approved a Finding of Historic Significance for the property at 403 Montana. On October 8, 2020, City Council approved Resolution 2020-10-08-0045R initiating a change in zoning for the property to include a historic landmark overlay. As a step in the zoning process, a recommendation regarding the proposed designation was required from the HDRC. On November 18, 2020, the HDRC recommended designation.