

AN ORDINANCE 2008-12-04-1126

**ADOPTING THE DOWNTOWN NEIGHBORHOOD PLAN - EAST NEIGHBORHOOD LAND USE ELEMENT UPDATE AS A COMPONENT OF THE MASTER PLAN OF THE CITY BY 1) ADDING THE FOLLOWING TEXT TO THE LAND USE PLAN SECTION, DISTRICT G, DENVER HEIGHTS: "LIMITED MEDIUM-DENSITY RESIDENTIAL (DUPLEX, TRIPLEX, QUADPLEX) AND NEIGHBORHOOD COMMERCIAL USES PERMITTED ALONG STREETS WITH HIGHER TRAFFIC VOLUMES AND ON CORNER LOTS IF CONSISTENT WITH THE HISTORIC DEVELOPMENT PATTERN"; AND 2) CHANGING THE USE OF APPROXIMATELY 10.50 ACRES LOCATED ON THE SOUTH SIDE OF EAST COMMERCE STREET BETWEEN NORTH CHERRY STREET AND NORTH MONUMENTAL STREET FROM RESIDENTIAL LAND USE TO MIXED USE LAND USE.**

\* \* \* \* \*

**WHEREAS**, the Downtown Neighborhood Plan was first adopted by City Council on May 13, 1999 as a component of the City Master Plan adopted May 29, 1997; and

**WHEREAS**, the Unified Development Code requires consistency between zoning and the Master Plan and Section 213.003 of the TEXAS LOCAL GOVERNMENT CODE allows amendment of the Master Plan following a public hearing and review by the Planning Commission; and

**WHEREAS**, a public hearing was held on October 22, 2008 by the Planning Commission allowing all interested citizens to be heard; and

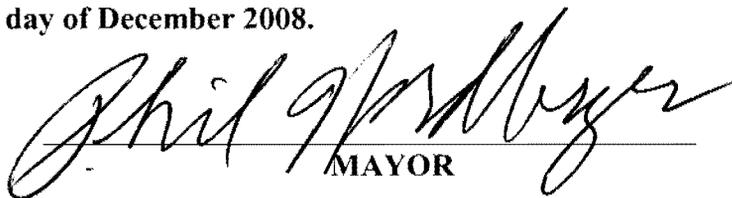
**WHEREAS**, the San Antonio City Council has considered the effect of this amendment to the Master Plan of the City and has determined that it conforms to the approval criteria set forth in the Unified Development Code §35-420, Comprehensive, Neighborhood, Community, and Perimeter Plans; **NOW THEREFORE**;

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The Downtown Neighborhood Plan, a component of the Master Plan of the City, is hereby amended to update the land use element by: 1) adding the following text to the Land Use Plan Section, District G, Denver Heights: "Limited medium-density residential (duplex, triplex, quadplex) and neighborhood commercial uses permitted along streets with higher traffic volumes and on corner lots if consistent with the historic development pattern"; and 2) changing the use of approximately 10.50 acres located on the south side of East Commerce Street between North Cherry Street and North Monumental Street from Residential land use to Mixed Use land use. A copy of the land use plan update and a copy of the land use map are attached hereto and incorporated by reference as **Attachment I:** Land Use Map Amendment and **Attachment II:** Text Amendment.

SECTION 2. This ordinance shall take effect December 14th, 2008.

PASSED AND APPROVED on this 4<sup>th</sup> day of December 2008.

  
MAYOR

ATTEST:  
  
City Clerk

APPROVED AS TO FORM:   
For City Attorney



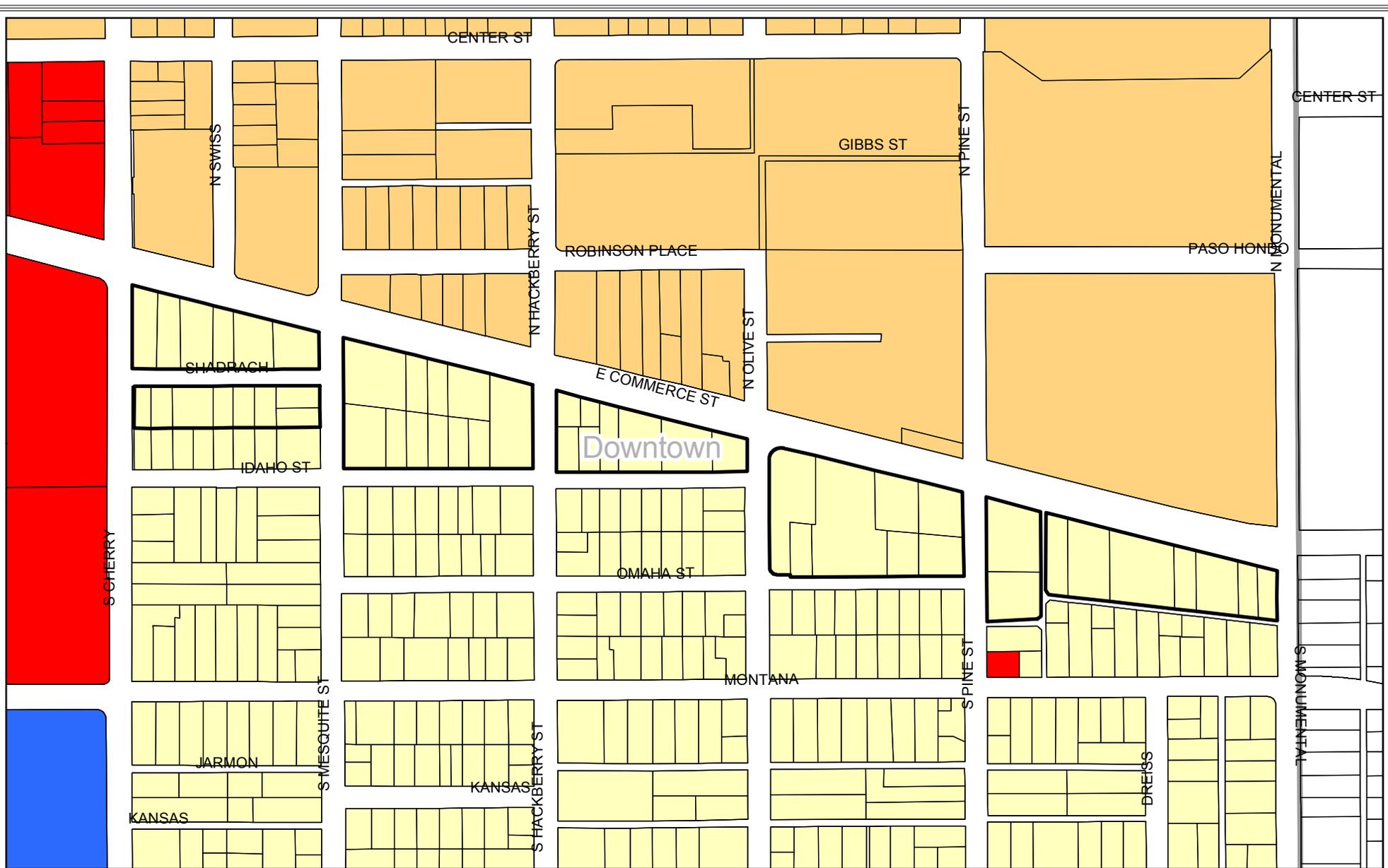
Request for  
**COUNCIL  
ACTION**



## Agenda Voting Results - P-5

<b>Name:</b>	P-1, P-2, P-3, Z-2, Z-3, Z-9, Z-11, Z-12, P-5, P-6, Z-15, Z-17
<b>Date:</b>	12/04/2008
<b>Time:</b>	05:10:07 PM
<b>Vote Type:</b>	Motion to Approve
<b>Description:</b>	PLAN AMENDMENT # U09002 (District 2): An Ordinance amending the Downtown Neighborhood Plan: East Neighborhood, Denver Heights District, a component of the Master Plan of the City, by supporting the creation of the East Commerce Street Arts & Entertainment District, changing the use of approximately 10.50 acres located on the south side of East Commerce Street between North Cherry Street and North Monumental Street from Residential land use to Mixed Use land use and by adding the following text to the Land Use Plan Section, District G, Denver Heights: "Limited medium-density residential (duplex, triplex, quadplex) and neighborhood commercial uses permitted along streets with higher traffic volumes and on corner lots if consistent with the historic development pattern". Staff and Planning Commission recommend approval. (Associated Zoning Case Z2009010 S)
<b>Result:</b>	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Phil Hardberger	Mayor		x				
Mary Alice P. Cisneros	District 1	x					
Sheila D. McNeil	District 2		x				
Jennifer V. Ramos	District 3		x				
Philip A. Cortez	District 4		x				
Lourdes Galvan	District 5	x					
Delicia Herrera	District 6		x			x	
Justin Rodriguez	District 7		x				
Diane G. Cibrian	District 8		x				
Louis E. Rowe	District 9	x					
John G. Clamp	District 10		x				x

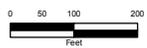


- Residential
- Commercial
- Commercial/ Warehousing
- Mixed Use
- Government/ Educational
- Office/ Commercial/ Mixed
- PARCELS
- Neigh\_com\_perim\_plans

Data Source: City of San Antonio Enterprise GIS, Bexar Metro 911, Bexar Appraisal District  
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 \*Please contact the responsible City of San Antonio Department for specific determinations.\*  
 City of San Antonio Planning Department GIS Manager: Woody Woodruff, woodruff@sanantonio.gov. Maps may be ordered at: (210) 207-7873  
 Map Created by: Preston Trinkle  
 Map Creation Date: October 3, 2008  
 Map File Location: Amend\_U09002.mxd  
 PDF Filename: 0810GP01.pdf

## Downtown Neighborhood Plan Update (Arts & Entertainment District)

### Adopted Plan Amendment U09002 Area

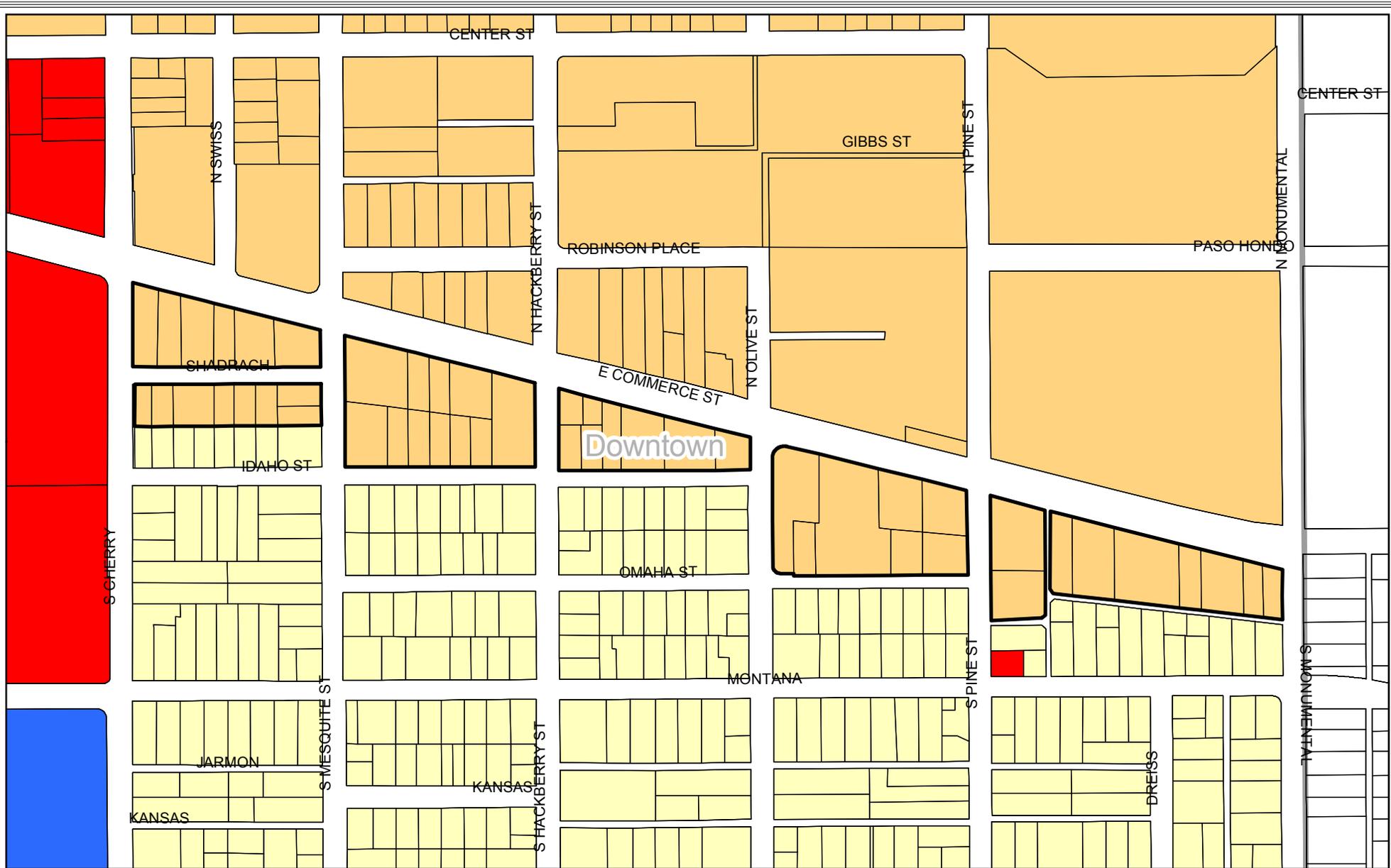


**City of San Antonio  
 Planning and Development  
 Services Department**

*Roderick J. Sanchez, AICP, CBO,  
 Director*

Development Business  
 Service Center  
 1901 S. Alamo  
 San Antonio, TX 78204





Data Source: City of San Antonio Enterprise GIS, Bexar Metro 911, Bexar Appraisal District  
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Map Created by: Preston Trinkle  
 Map Creation Date: October 3, 2008  
 Map File Location: Amend\_U09002.mxd  
 PDF Filename: 0810GP02.pdf

- Residential
- Commercial
- Commercial/ Warehousing
- Mixed Use
- Government/ Educational
- PARCELS
- Neigh\_com\_perim\_plans

## Downtown Neighborhood Plan Update (Arts & Entertainment District)

### Proposed Plan Amendment U09002 Area



**City of San Antonio  
 Planning and Development  
 Services Department**

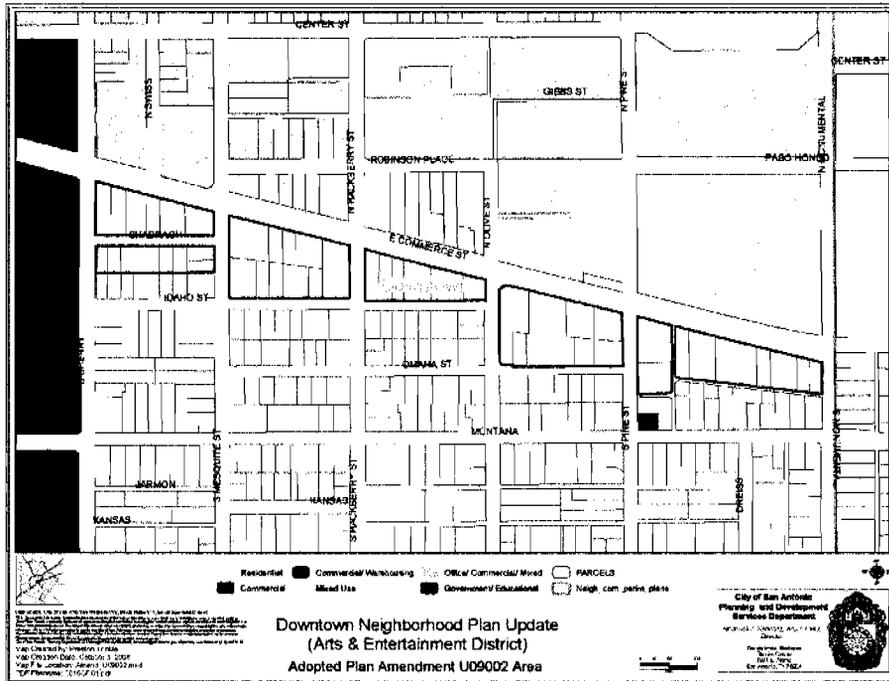
*Roderick J. Sanchez, AICP, CBO,  
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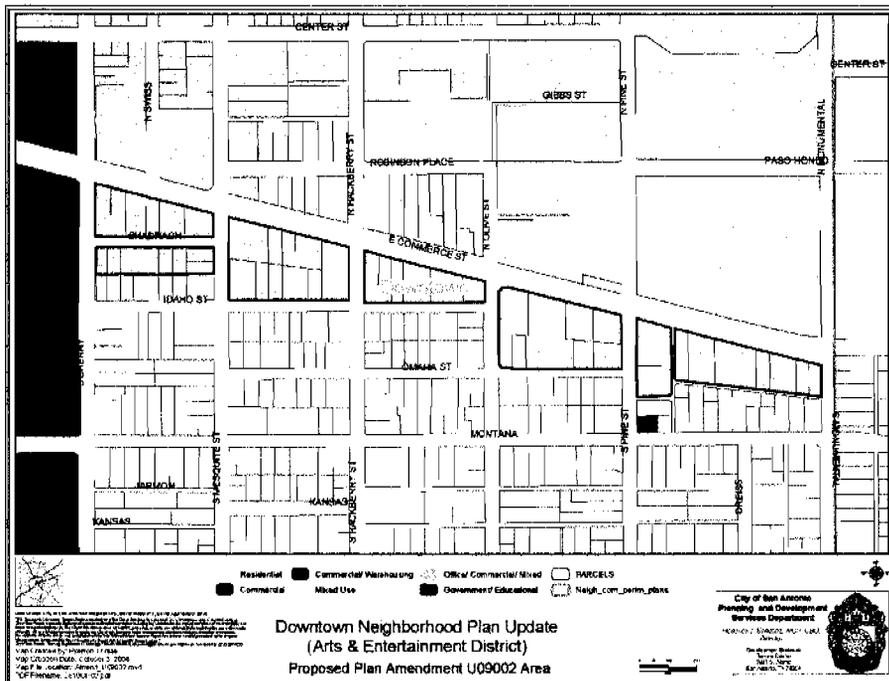


Attachment I:  
Land Use Map Amendment

Land Use Map as Adopted



Proposed Amendment



# Land Use Plan

*The following Land Use Plan is derived from the “Downtown Concept Map” that the general public developed during the planning process.*

\*The San Antonio Housing Authority is working with the community to determine the redevelopment of the Victoria Courts site with the results of the study due by Spring 1999.

*A mixed use building contains residential and retail and/or office uses within multiple floors*

- G. Denver Heights – Single Family Housing at a maximum density of 8 units per gross acre; continuation of infill and housing rehabilitation development to maintain existing neighborhood character. [Limited medium-density residential \(duplex, triplex, quadplex\) and neighborhood commercial uses permitted along streets with higher traffic volumes and on corner lots if consistent with the historic development pattern.](#)
- H. Special Events District – Continuation of Henry B. Gonzalez Convention Center activities, federal offices, Institute of Texan Cultures and the Alamodome. The community identified this district as one appropriate location to be considered for any proposed arena (The 1997 Master Plan advocates a downtown location for major sporting facilities). For further information refer to the Hemisfair Park Area Master Plan.
- I. Lavaca – For further information refer to the Lavaca Neighborhood Plan
- J. Lower River District – Redominantly a mid-rise mixed use neighborhood that has the San Antonio Riverwalk as the neighborhood focal point. Durango develops as a mixed use, mid-rise corridor with parking facilities and hotels and ground floor retail. Mid-rise includes up to 5-stories with a maximum of 50 units per gross acre Durango buildings are stepped-back going north (please see Glossary)
- K. King William – Single family and duplex housing at a maximum density of 12 units per gross acre. Continue preservation within the historic district. Maximum densities of 40 units per acre along low-rise mixed use corridors along S. Alamo and S. St. Mary’s Streets.
- L. Flores St. /Arsenal – A mixed use, low-rise district at 3-stories and a maximum of 40 units per gross acre. Redevelop San Pedro Creek as a linear park, for a new neighborhood and its residents with a neighborhood commercial center along South Flores Street.

Attachment II:  
Text Amendment

Downtown Neighborhood Plan

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**Land Use  
Plan**

*The following Land Use Plan is derived from the "Downtown Concept Map" that the general public developed during the planning process.*

\*The San Antonio Housing Authority is working with the community to determine the redevelopment of the Victoria Courts site with the results of the study due by Spring 1999.

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RESOLUTION NO. 08-10-02

RECOMMENDING TO APPROVE AN AMENDMENT TO UPDATE THE LAND USE ELEMENT OF THE DOWNTOWN NEIGHBORHOOD PLAN – EAST NEIGHBORHOOD BY, 1) ADDING THE FOLLOWING TEXT TO THE LAND USE PLAN SECTION, DISTRICT G, DENVER HEIGHTS: “LIMITED MEDIUM-DENSITY RESIDENTIAL (DUPLEX, TRIPLEX, QUADPLEX) AND NEIGHBORHOOD COMMERCIAL USES PERMITTED ALONG STREETS WITH HIGHER TRAFFIC VOLUMES AND ON CORNER LOTS IF CONSISTENT WITH THE HISTORIC DEVELOPMENT PATTERN”; AND 2) CHANGING THE USE OF APPROXIMATELY 10.50 ACRES LOCATED ON THE SOUTH SIDE OF EAST COMMERCE STREET BETWEEN NORTH CHERRY STREET AND NORTH MONUMENTAL STREET FROM RESIDENTIAL LAND USE TO MIXED USE LAND USE, TO CITY COUNCIL TO BECOME A COMPONENT OF THE CITY’S COMPREHENSIVE MASTER PLAN AS IT CONFORMS TO THE APPROVAL CRITERIA SET FORTH IN THE UNIFIED DEVELOPMENT CODE, §35-420, PERTAINING TO “COMPREHENSIVE, NEIGHBORHOOD, COMMUNITY, AND PERIMETER PLANS.”

WHEREAS, the 1997 Master Plan Neighborhood Goal 2 calls for strengthening neighborhood plans; and

WHEREAS, the San Antonio Planning Commission has approved the 1998 Community Building and Neighborhood Planning Program; and

WHEREAS, the *Unified Development Code* (adopted May 3, 2001), §35-420, sets forth provisions for the development and approval of Comprehensive, Neighborhood, Community and Perimeter Plans and requires the Plan shall be reviewed by the planning commission at least once every five years; and

WHEREAS, the San Antonio Planning Commission has reviewed the amendment to update the land use element of the Downtown Neighborhood Plan – East Neighborhood and found the amendment to be **CONSISTENT** with City policies, plans and regulations and in conformance with the *Unified Development Code*, §35-420, therefore meeting all requirements; and

WHEREAS, the San Antonio Planning Commission held a public hearing on October 22, 2008 and **APPROVED** the amendment; and

**NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO:**

SECTION 1: The amendment to update the land use element of the Downtown Neighborhood Plan – East Neighborhood attached hereto and incorporated herein by reference is to be submitted to the City Council with this Commission’s recommendation for **APPROVAL** by the City Council that it be adopted as a component to the City’s Comprehensive Master Plan.

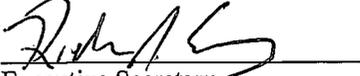
PASSED AND APPROVED ON THIS 22<sup>th</sup> DAY OF OCTOBER, 2008.

Approved:



Murray H. Van Eman, Chairman  
San Antonio Planning Commission

Attest:



Executive Secretary  
San Antonio Planning Commission



**CITY OF SAN ANTONIO  
OFFICE OF THE CITY COUNCIL  
COUNCIL CONSIDERATION REQUEST**

RECEIVED  
CITY OF SAN ANTONIO  
CITY CLERK

2007 SEP 19 PM 12: 24

TO: Mayor & City Council

FROM: Councilwoman Sheila McNeil

COPIES TO: Sheryl Sculley, City Manager; Leticia Vacek, City Clerk; T.C. Broadnax, Assistant City Manager; Chris Callanen, Assistant to the City Council

SUBJECT: Request for Placement of Item on City Council Meeting Agenda

DATE: September 13, 2007

Issue Proposed for Consideration

I ask for your support for the inclusion of the following item on the agenda of the earliest available meeting of the City Council:

I am respectfully requesting that the Planning and Community Development Department, and the Development Services Department, take appropriate steps in bringing forward to the Zoning Commission and Planning Commission for their recommendations, and to City Council for final action, an amendment of the Unified Development Code that would include either a modification of the existing "ED" Entertainment District zoning district, or the creation of a new zoning district, that would include an arts and entertainment component with appropriate development standards, pursuant to HB 2514, and not require the existence of a theme park for such designation.

I am also respectfully requesting that the Planning and Community Development Department and the Development Services Department take appropriate steps in bringing forward to the Zoning Commission for recommendation and to City Council for final action, a rezoning case to designate an "arts and entertainment" district to include properties within the vicinity of the Alamodome and the AT&T Center/Freeman Coliseum/Willowsprings Golfcourse area, as well as East Commerce Street between these two areas. I request that Staff research the aforementioned areas to identify the appropriate locations/boundaries for such a zoning district.

Brief Background

Coinciding with the passage into law of HB 2514, relating to the creation of an arts and entertainment district by a populous municipality, the City of San Antonio has a unique opportunity to create an Arts and Entertainment District on the East Side to spur economic development and highlight the numerous venues for entertainment that the City has to offer.

Continues...

Specifically, House Bill 2514 amends the Local Government Code to authorize a municipality with a population of more than one million to designate an area as an arts and entertainment district and develop the area in the district so that it contributes to the public through certain uses. The bill authorizes a municipality to solicit grants and donations to develop the district, provide incentives to persons to develop the area in the district for public purposes, and provide tax breaks to persons to develop the district for public purposes.

Submitted for Council consideration  
by:

*Janice McNeil*  
Sponsoring Councilmember

9/18/07

Supporting Councilmembers' Signatures (4 only)	District No.
1. <i>Mary Ann P. Chapman</i>	1
2. <i>Melicia Ferrero</i>	6
3. <i>[Signature]</i>	10
4. <i>[Signature]</i>	9

RECEIVED  
CITY OF SAN ANTONIO  
CITY CLERK  
2007 SEP 19 / PM 12: 24



**CITY OF SAN ANTONIO**  
**Request for Council Action**

Agenda Item # P-5  
Council Meeting Date: 12/4/2008  
RFCA Tracking No: R-4215

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**DEPARTMENT:** Planning & Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICT(S) IMPACTED:**  
Council District 2

**SUBJECT:**  
Plan Update U09002 (Downtown Neighborhood Plan Update)

**SUMMARY:**

Neighborhood/Community/Perimeter Plan: **Downtown Neighborhood Plan: East Neighborhood, Denver Heights District**

This proposed update to the Downtown Neighborhood Plan would support the creation of the East Commerce Street Arts & Entertainment District. This update to the Downtown Neighborhood Plan includes **1)** changing the use of approximately 10.50 acres located on the south side of East Commerce Street between North Cherry Street and North Monumental Street from Residential land use to Mixed Use land use and, **2)** adding the following text to the Land Use Plan Section, District G, Denver Heights: "Limited medium-density residential (duplex, triplex, quadplex) and neighborhood commercial uses permitted along streets with higher traffic volumes and on corner lots if consistent with the historic development pattern"

**BACKGROUND INFORMATION:**

**Owner:** Various

**Property Location:** Land use plan amendment includes 10.50 acres in the Denver Heights District located on the south side of East Commerce Street between North Cherry Street and North Monumental Street; text amendment is applicable to the Denver Heights District (Bound by East Commerce Street to the north, North Monumental Street to the east, Iowa and Durango Streets to the South and North Cherry Street to the west.

**Acres:** 10.50 acres for the land use plan amendment; 183 acres for the text amendment

**Current Land Use:** The south side of East Commerce Street (the area that is the subject of the land use plan amendment) is occupied by commercial buildings (both vacant and occupied) and vacant parcels; the balance of the Denver Heights District is occupied by a mix of single-family and low density multi-family dwellings, commercial, industrial and institutional uses.

**ISSUE:**

**PLANNING PROCESS:**

This proposed update to the Downtown Neighborhood Plan would support the creation of the East Commerce Street Arts & Entertainment District. The East Commerce Street

Arts & Entertainment District proposal includes an amendment to the Unified Development Code to create 4 new special zoning districts; updates to the Downtown Neighborhood Plan and the Arena District/Eastside Community Plan; and a comprehensive rezoning of the areas around the Alamodome, the AT&T Center and East Commerce Street in between. The East Commerce Street Arts & Entertainment District proposal was initiated via a Council Consideration Request signed September 18, 2008 by District 2 Councilwoman Sheila McNeil.

The East Commerce Street Arts & Entertainment District was developed through a community participation process that included 4 public meetings; individual meetings with property owners, business owners, and elected officials; and briefings to local boards and commissions. The process began with a Visioning Workshop in February. Community members were invited to share their vision for an Arts & Entertainment District and identify boundaries, acceptable and unacceptable uses and appropriate site and building design standards. Based on the information provided by the participants, staff returned to the community in March with an initial proposal that included 4 distinct districts with unique boundaries, permitted uses, and site and building design standards. Based on the comments received at this meeting, the proposal was further refined and an updated proposal was presented to the community during an Open House in April. Also during this meeting, property owners were provided information about the UDC amendment, rezoning and plan amendment processes. Over the next several months, staff solicited additional comment on the proposal through meetings with business owners, property owners, and elected officials; presentations to boards and commissions; review by the City Attorney's Office and other City departments; and review by the Planning Commission Technical Advisory Committee. During the fourth public meeting in August 2008, property owners within the proposed boundaries of the East Commerce Street Arts & Entertainment Districts were invited to learn more about the UDC amendment, rezoning and plan amendment processes and discuss the potential impacts to their properties.

#### **UPDATES TO PLAN:**

The East Commerce Street Arts & Entertainment District was conceived as a tool for implementing many of the goals outlined in the Downtown Neighborhood Plan: East Neighborhood, Denver Heights District. Some of these goals include:

- Develop East Commerce St as a mid-rise, metropolitan boulevard to connect the Eastside Cemeteries to UTSA with cultural and historical walkways, mixed-uses, and landscape improvements.
- Develop and rehabilitate housing, parks and businesses in existing neighborhoods.
- Encourage the Carver Center area to develop with educational-residential mixed-uses, cultural activities and medical facilities.
- Market east neighborhoods to increase the desirability of the neighborhood

The public meetings for the East Commerce Street Arts & Entertainment District were attended by members of the original Downtown – East planning team, representatives from neighborhood associations, residents, and business and property owners within the planning area. These amendments are consistent with the overall goals of the Plan; however, minor amendments to the Downtown Neighborhood Plan land use element are required to ensure the proposed Arts & Entertainment zoning districts are consistent with the future land use plan for all parcels.

**Amendment 1** includes changing the use of approximately 10.50 acres located on the south side of East Commerce Street between North Cherry Street and North Monumental Street from Residential land use to Mixed Use land use. The Residential land use category includes single family and duplexes at a maximum density of 8 units per gross acre. The Mixed Use land use category includes a mix of residential and retail

and/or offices within the same building or within the same block. Mixed use buildings are generally multi-story with retail and/or office on the bottom floor and residential on the top floors.

The properties on the north side of East Commerce Street are already designated as Mixed Use. The proposed amendment would apply the same future land use designation to the south side of East Commerce Street. Future land use designations are typically mirrored across streets to create coherent patterns of development. The adopted land use plan juxtaposes Mixed Use land use with Residential land use – a situation that is not commonly desired and conflicts with the existing development pattern that includes commercial development on the north and south side of East Commerce Street. The proposed amendment would bring the future land use plan more in-line with the existing development pattern which includes commercial and mixed use buildings on both the north and south side of East Commerce Street.

**Amendment 2** includes adding the following text to the Land Use Plan Section, District G, Denver Heights: "Limited medium-density residential (duplex, triplex, quadplex) and neighborhood commercial uses permitted along streets with higher traffic volumes and on corner lots if consistent with the historic development pattern." The entire Denver Heights District is designated as Residential land use on the future land use map. The Denver Heights District is within the original 36 square miles of the City and was originally developed in an era when neighborhoods were compact and include a variety of housing types, streets were laid out in a grid pattern and neighborhood businesses occupied corner lots and interior lots along streets with higher traffic volumes. Designating the entire 183 acre area of the Denver Heights District for single-family residential land use only ignores the traditional neighborhood design and the existing medium-density residential and neighborhood commercial uses and structures. The proposed text amendment supports the continued operation and in some cases the reestablishment of medium-density residential and neighborhood commercial uses along streets with higher traffic volumes and on corner lots if consistent with the historic development pattern.

#### **TRANSPORTATION/INFRASTRUCTURE ANALYSIS:**

Major Thoroughfare Plan Designations: East Commerce Street is a Primary Arterial Type B (70' – 120' ROW). South Hackberry and Iowa Streets are Secondary Arterials Type B (70' – 86' ROW).

Minimal Impact. East Commerce Street is designated as a Primary Arterial Type B in the Major Thoroughfare Plan and exists today as a 4-5 lane road with parallel parking on both sides. As such, mixed use future land use is more appropriate than Residential land use for the portion of East Commerce Street within the Denver Heights District. The existing transportation network which includes 3 arterials, a gridded street pattern and frequent VIA service can accommodate any increased traffic associated with this update.

#### **COMMUNITY FACILITIES ANALYSIS:**

Public Facilities: This area is in close proximity to existing libraries, schools, medical clinics, parks, recreation centers and community centers.

Minimal Impact. Despite the availability of community facilities, the population in the planning area has declined, leaving a rash of vacant lots and buildings. This plan update is intended to encourage infill development and redevelopment to increase the population density in an inner city area that is well served by existing community facilities.

#### **ALTERNATIVES:**

No action will maintain the land use element as currently adopted. The proposed Arts and Entertainment Special Zoning District zoning would not be consistent with the adopted land use

plan for some of the parcels included in the rezoning case.

**FISCAL IMPACT:**

None. A Master Plan Amendment carries no specific financial commitment to immediate action by the City or partnering agencies.

**RECOMMENDATION:**

**STAFF RECOMMENDATION:**

Approval. The land use plan amendment and text amendment would support the creation of the East Commerce Street Arts & Entertainment District, a redevelopment plan that was created through a cooperative effort by residents, property owners, business owners, City staff and elected officials.

**PLANNING COMMISSION RECOMMENDATION:**

Meeting & Public Hearing Date: October 22, 2008

Approval (Resolution Attached)

Newspaper Publication Date of Public Hearing: October 3, 2008

No. Notices mailed 10 days prior to Public Hearing: 136 to owners of land within 200 feet; 5 to the Downtown - East Planning Team; 187 to Arts & Entertainment public meeting attendees and stakeholders

Registered Neighborhood Association(s) Notified: Downtown, Historic Gardens, St. Paul Square, Dignowity Hill, Nevada Street, Denver Heights, Arena District, Jefferson Heights, Harvard Place – Eastlawn, Coliseum Oaks, Coliseum-Willow Park, United Homeowners, Government Hill Alliance, Skyline Park

**ZONING COMMISSION SUPPLEMENTAL INFORMATION:**

Z2009010 S

Current zoning district: Various

Proposed zoning district: AE-1, AE-2

Zoning Commission Public Hearing Date: December 2, 2008

Recommendation Pending December 2, 2008 Public Hearing

**ATTACHMENT(S):**

File Description	File Name
<a href="#">Adopted Land Use Map</a>	DT_Adopted.pdf
<a href="#">Proposed Land Use Map</a>	DT_Proposed.pdf
<a href="#">Proposed Text Amendment</a>	DT_Text_Amendment.pdf
<a href="#">CCR</a>	CCR.pdf
<a href="#">PC Resolution</a>	Signed_Resolution_DT.pdf
<a href="#">Voting Results</a>	
<a href="#">Ordinance/Supplemental Documents</a>	200812041126.pdf

**DEPARTMENT HEAD AUTHORIZATIONS:**

Jesus Garza Assistant Director Planning & Development Services

**APPROVED FOR COUNCIL CONSIDERATION:**

T.C. Broadnax Assistant City Manager