



CITY OF SAN ANTONIO  
**OFFICE OF HISTORIC PRESERVATION**

42017271

August 25, 2017

**APPLICATION FOR CHANGE OF ZONING, TWO HISTORIC GAS STATIONS**

**Request:**

The Office of Historic Preservation is requesting a change in zoning to add "HL" Historic Landmark designation to 127 Lotus Avenue.

OHP Staff recommends approval.

**Case Comments:**

On July 14, 2017, the property owner submitted an application requesting landmark designation. The HDRC approved a Finding of Historic Significance for this property on August 2, 2017.

**Case History:**

October 3, 2017 – Zoning Commission hearing

August 2, 2017 – Historic & Design Review Commission (HDRC) hearing

July 14, 2017 – Property owner submitted application

**Applicable Citations:**

Note: In accordance with the process for designation of a historic landmark, as outlined in Section 35-607 of the UDC, properties must meet three of sixteen criteria. Each of the gas station properties meets three or more of the Criteria for Evaluation.

*UDC Section 35-607 – Designation Criteria for Historic Districts and Landmarks:*

a. Process for Considering Designation of Historic Districts and Landmarks. Historic districts and landmarks shall be evaluated for designation using the criteria listed in subsection (b) and the criteria applied to evaluate properties for inclusion in the National Register. In order to be eligible for historic landmark designation, properties shall meet at least three (3) of the criteria listed. Historic districts shall consist of at least two (2) or more structures within a legally defined boundary that meet at least three (3) of the criteria. Additionally, all designated landmarks and districts shall demonstrate clear delineation of the legal boundaries of such designated resources.

b. Criteria for Evaluation.

(5) Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;

(12) It is an important example of a particular architectural type or specimen: The building's T-shaped plan stands out as an architectural type that is different;

(13) It bears an important and significant relationship to other distinctive structures, sites, or areas, either as an important collection of properties or architectural style or craftsmanship with few intrusions, or by contributing to the overall character of the area according to the plan based on architectural, historic or cultural motif;

**Findings:**

- a. The request for landmark designation has been submitted by the property owner.
- b. Bexar County records indicate that William F. Matthies, along with son William C. Matthies, Alfred Duerler and Charles Graebner, owned all parcels which were laid out, subdivided and platted as the D.G. & M. addition on May 25, 1907. The plat established Lotus Street as a public right of way and the parcel





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for 127 Lotus (originally 119 Lotus) appears as Lot 5 in Block 1 along Lotus. According to Bexar County deed records the property has been continuously owned by the Matthies family for over 100 years.

- c. The structure at 127 Lotus was constructed circa 1915. The address first appears in the City Directories in 1915 as a vacant lot, but by 1916 the city directory indicates a rental residence existed on the property. The 1918 city directory lists it as the residence of William C. and Sophie Matthies. The structure first appears on the 1911-1954 Sanborn map.
- d. **STRUCTURE** –The structure is a one-story simplified late-Victorian with a T-shaped plan. The house features wood lap siding, with a cross-gabled roof with composition roofing material. The front porch with a low sloop roof is supported by three wooden simplified Doric columns. The windows are wood, double-hung, either one-over-one, or two-over-two. The window over the front porch features a distinctive diamond sash pattern on the top sash. The house is set within a residential neighborhood among houses that share similar materials, character, forms, and setbacks. The structure is in need of repair. On February 20, 2017 OHP received notification that the property was being prepared for a hearing before the Building Standards Board. The notification noted roof dilapidation, damaged siding, broken windows, and a lack of weather protection. Damage to the porch and front door were also noted. The property owner is working towards repair and has hired a preservation architect. The BSB case has been dropped in light of the property owner's intent to repair.
- e. **CRITERIA** – As referenced in the applicable citations, 127 Lotus Avenue meets UDC criterion [35-607 (b)1], [35-607 (b)8], [35-607 (b)11], for a finding of historic significance in the process of seeking designation as a local historic landmark. In order to be eligible for landmark designation, a property must meet at least three of the criteria; 127 Lotus Avenue meets three.

**(5) Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials:** The building is a late-Victorian style structure with a distinct T-shaped plan. Significant architectural features consist of three wooden Doric columns supporting the porch as well as raking molding lining the gable roof on the street façade.

**(12) It is an important example of a particular architectural type or specimen:** The building's T-shaped plan stands out as an architectural type that is different. The plan of the house is laid out such that the upper portions of the T-shape extend to the front and back of the property. This unique setting and shape of the building make the property an important example of a particular architectural type.

**(13) It bears an important and significant relationship to other distinctive structures, sites, or areas, either as an important collection of properties or architectural style or craftsmanship with few intrusions, or by contributing to the overall character of the area according to the plan based on architectural, historic or cultural motif:** The house on 127 Lotus Ave is set within a residential neighborhood with adjacent houses sharing similar qualities of materials, building forms and setbacks, forming a distinct neighborhood character.

- f. The City offers a tax incentive for the substantial rehabilitation of historic properties because historic landmarks possess cultural and historical value and contribute to the overall quality and character of the City and its neighborhoods. If historic designation is approved, rehabilitation and restoration work may be eligible for this incentive. State and Federal tax incentives are also available for properties listed on the National Register of Historic Places and provide substantial relief for rehabilitation projects.
- g. If the HDRC approves the Finding of Historic Significance, then the recommendation for designation is submitted to the zoning commission. The zoning commission will schedule a hearing and then forward its recommendation to the City Council. City Council has the ultimate authority to approve the historic designation zoning overlay.



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- g. If the HDRC approves the Finding of Historic Significance, then the recommendation for designation is submitted to the zoning commission. The zoning commission will schedule a hearing and then forward its recommendation to the City Council. City Council has the ultimate authority to approve the historic designation zoning overlay.
- h. Per UDC Sec. 35-453, once the commission makes a recommendation for designation, property owners must receive a written approval (a Certificate of Appropriateness) for any exterior work until the City Council makes their final decision.
- i. This property had fallen into disrepair and was identified as a dangerous premise. The owner has since decided to work to rehabilitate the structure and is pursuing designation in order to take advantage of the Substantial Rehabilitation Tax Incentive for local historic properties. Designation and rehabilitation will also have a positive impact on the neighborhood as it will help keep the social and built fabric intact, improve the block's appearance and sustains the neighborhood character.

#### **RECOMMENDATION:**

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Staff recommends approval of a Finding of Historic Significance and that the Historic & Design Review Commission recommend approval for the landmark designation of 127 Lotus Avenue to the Zoning Commission and to the City Council based on findings a through i.

#### **CASE MANAGER:**

Lauren Sage



property.

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*Unified Development Code Sec. 35-607. – Designation Criteria for Historic Districts and Landmarks.*

(a) **Process for Considering Designation of Historic Districts and Landmarks.** Historic districts and landmarks shall be evaluated for designation using the criteria listed in subsection (b) and the criteria applied to evaluate properties for inclusion in the National Register. In order to be eligible for historic landmark designation, properties shall meet at least three (3) of the criteria listed. Historic districts shall consist of at least two (2) or more structures within a legally defined boundary that meet at least three (3) of the criteria. Additionally, all designated landmarks and districts shall demonstrate clear delineation of the legal boundaries of such designated resources.

(b) **Criteria For Evaluation.**

(5) Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period; type, method of construction, or use of indigenous materials;

(12) It is an important example of a particular architectural type or specimen: The building's T-shaped plan stands out as an architectural type that is different;

(13) It bears an important and significant relationship to other distinctive structures, sites, or areas, either as an important collection of properties or architectural style or craftsmanship with few intrusions, or by contributing to the overall character of the area according to the plan based on architectural, historic or cultural motif;

## FINDINGS:

- a. The request for landmark designation has been submitted by the property owner.
- b. Bexar County records indicate that William F. Matthies, along with son William C. Matthies, Alfred Duerler and Charles Graebner, owned all parcels which were laid out, subdivided and platted as the D.G. & M. addition on May 25, 1907. The plat established Lotus Street as a public right of way and the parcel for 127 Lotus (originally 119 Lotus) appears as Lot 5 in Block 1 along Lotus. According to Bexar County deed records the property has been continuously owned by the Matthies family for over 100 years.
- c. The structure at 127 Lotus was constructed circa 1915. The address first appears in the City Directories in 1915 as a vacant lot, but by 1916 the city directory indicates a rental residence existed on the property. The 1918 city directory lists it as the residence of William C. and Sophie Matthies. The structure first appears on the 1911-1954 Sanborn map.
- d. **STRUCTURE** –The structure is a one-story simplified late-Victorian with a T-shaped plan. The house features wood lap siding, with a cross-gabled roof with composition roofing material. The front porch with a low sloop roof is supported by three wooden simplified Doric columns. The windows are wood, double-hung, either one-over-one, or two-over-two. The window over the front porch features a distinctive diamond sash pattern on the top sash. The house is set within a residential neighborhood among houses that share similar materials, character, forms, and setbacks. The structure is in need of repair. On February 20, 2017 OHP received notification that the property was being prepared for a hearing before the Building Standards Board. The notification noted roof dilapidation, damaged siding, broken windows, and a lack of weather protection. Damage to the porch and front door were also noted. The property owner is working towards repair and has hired a preservation architect. The BSB case has been dropped in light of the property owner's intent to repair.
- e. **CRITERIA** – As referenced in the applicable citations, 127 Lotus Avenue meets UDC criterion [35-607 (b)1], [35-607 (b)8], [35-607 (b)11], for a finding of historic significance in the process of seeking designation as a local historic landmark. In order to be eligible for landmark designation, a property must meet at least three of the criteria; 127 Lotus Avenue meets three.

**(5) Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials:** The building is a late-Victorian style structure with a distinct T-shaped plan. Significant architectural features consist of three wooden Doric columns supporting the porch as well as raking molding lining the gable roof on the street façade.

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**(13) It bears an important and significant relationship to other distinctive structures, sites, or areas, either as an important collection of properties or architectural style or craftsmanship with few intrusions, or by contributing to the overall character of the area according to the plan based on architectural, historic or cultural motif:** The house on 127 Lotus Ave is set within a residential



**HISTORIC AND DESIGN REVIEW COMMISSION**

August 02, 2017

**HDRC CASE NO:** 2017-379  
**ADDRESS:** 127 LOTUS AVENUE  
**LEGAL DESCRIPTION:** NCB 3097 BLK 1 LOT 5 W 5 FT OF 4  
**ZONING:** RM-4, NCD-1  
**CITY COUNCIL DIST.:** 1  
**APPLICANT:** Sue Ann Pemberton  
**OWNER:** Michael Cappelli  
**TYPE OF WORK:** Landmark designation  
**REQUEST:**

The applicant is requesting a finding of historic significance for the property at 127 Lotus Avenue.

**APPLICABLE CITATIONS:**

*Unified Development Code Sec. 35-606. - Designation Process for Historic Landmarks.*

(a) **Authority.** Requests for landmark designation may only be made by or with the concurrence of the property owner. In instances where a property owner does not consent to the landmark designation, the historic preservation officer shall request a resolution from city council to proceed with the designation process prior to any zoning commission hearing. Notwithstanding the foregoing, a request for landmark designation may be made and approved by the city council. To the extent that this subsection conflicts with any other provisions of this chapter, this paragraph shall control except for buildings, objects, sites, structures, or clusters heretofore designated as local landmarks or districts, National Register landmarks or districts, state historic landmarks or sites, or state archaeological landmarks or sites. Additionally, requests for designation shall be made on a form obtained from the city historic preservation officer through the office of historic preservation. Completed request forms shall be returned to the office of historic preservation for processing. All buildings, objects, sites, structures, or clusters heretofore designated by the city council as historic landmarks under any pre-existing ordinance of the City of San Antonio shall be accorded the protection of properties designated historic landmarks under this chapter and shall continue to bear the words "historic, exceptional" (HE) or "historic, significant" (HS) in their zoning designation.

**(b) Designation of Historic Landmarks.**

(1) **Initiation.** Any person, the historic and design review commission, zoning commission, the historic preservation officer, or the city council may initiate a historic landmark designation by filing an application with the historic preservation officer. Requests for designation shall be made on a form obtained from the city historic preservation officer. Completed request forms shall be returned to the office of historic preservation for processing. Owner consent for historic landmark designation shall be required unless a city council resolution to proceed with the designation has been approved. Additionally, owners may submit with the application a written description and photographs or other visual material of any buildings or structures that they wish to be considered for designation as non-contributing to the historic landmark.

(3) **Decision.** The historic preservation officer shall refer a completed application for historic landmark designation to the historic and design review commission. Property owners of proposed historic landmarks shall be notified of the historic and design review commission hearing by the historic preservation officer by mail prior to a historic and design review commission hearing for historic landmark designation. Notice to property owners shall state the place, date, time and purpose of the historic and design review commission hearing. The historic preservation officer shall also send notice of the meeting to any registered neighborhood associations located within the proposed district boundary. The historic and design review commission shall make and forward its recommendation to the zoning commission within forty-five (45) days from the date of submittal of the designation request by the historic preservation officer. Upon submittal of the historic and design review commission's recommendation, the proposed historic district or landmark designation shall be submitted to the zoning commission for its review recommendations along with its finding of historic significance. The zoning commission and the city council shall process the application as prescribed in [section 35-421](#) of this chapter and this section. The zoning commission shall schedule a hearing on the historic and design review commission recommendation to be held within sixty (60) days of receipt of such recommendation and shall forward its recommendation to city council which shall schedule a hearing to be held within sixty (60) days of council's receipt of such recommendation. Upon passage of any ordinance designating a historic landmark, or removing or upgrading the designation of historic, the city clerk shall send notice of the fact by mail to the owner or owners of affected



the upper portions of the T-shape extend to the front and back of the property. This unique setting and shape of the building make the property an important example of a particular architectural type.

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f. The City offers a tax incentive for the substantial rehabilitation of historic properties because historic landmarks possess cultural and historical value and contribute to the overall quality and character of the City and its neighborhoods. If historic designation is approved, rehabilitation and restoration work may be eligible for this incentive. State and Federal tax incentives are also available for properties listed on the National Register of Historic Places and provide substantial relief for rehabilitation projects.

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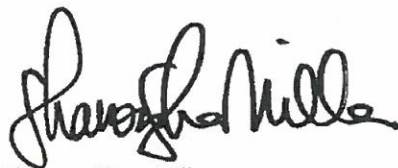
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**RECOMMENDATION:**

Staff recommends approval of a Finding of Historic Significance and that the Historic & Design Review Commission recommend approval for the landmark designation of 127 Lotus Avenue to the Zoning Commission and to the City Council based on findings a through i.

**COMMISSION ACTION:**

Approval of a Finding of Historic Significance and to forward a recommendation for approval to the Zoning Commission and City Council for the historic landmark designation of 127 Lotus.



Shanon Shea Miller  
Historic Preservation Officer



Z2017271

# CITY OF SAN ANTONIO OFFICE OF HISTORIC PRESERVATION

## HISTORIC AND DESIGN REVIEW COMMISSION CERTIFICATE OF APPROPRIATENESS

August 2, 2017

**HDRC CASE NO:** 2017-379  
**ADDRESS:** 127 LOTUS ST  
**LEGAL DESCRIPTION:** NCB 3097 BLK 1 LOT 5 W 5 FT OF 4  
**PUBLIC PROPERTY:** No  
**APPLICANT:** Sue Ann Pemberton - 709 Avenue E  
**OWNER:** Michael Cappelli - 354 Fairview Ave

### REQUEST:

The applicant is requesting a finding of historic significance for the property at 127 Lotus Avenue.

### FINDINGS:

- a. The request for landmark designation has been submitted by the property owner.
- b. Bexar County records indicate that William F. Matthies, along with son William C. Matthies, Alfred Duerler and Charles Graebner, owned all parcels which were laid out, subdivided and platted as the D.G. & M. addition on May 25, 1907. The plat established Lotus Street as a public right of way and the parcel for 127 Lotus (originally 119 Lotus) appears as Lot 5 in Block 1 along Lotus. According to Bexar County deed records the property has been continuously owned by the Matthies family for over 100 years.
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- d. **STRUCTURE** –The structure is a one-story simplified late-Victorian with a T-shaped plan. The house features wood lap siding, with a cross-gabled roof with composition roofing material. The front porch with a low sloop roof is supported by three wooden simplified Doric columns. The windows are wood, double-hung, either oneover-one, or two-over-two. The window over the front porch features a distinctive diamond sash pattern on the top sash. The house is set within a residential neighborhood among houses that share similar materials, character, forms, and setbacks. The structure is in need of repair. On February 20, 2017 OHP received notification that the property was being prepared for a hearing before the Building Standards Board. The notification noted roof dilapidation, damaged siding, broken windows, and a lack of weather protection. Damage to the porch and front door were also noted. The property owner is working towards repair and has hired a preservation architect. The BSB case has been dropped in light of the property owner's intent to repair.
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**ATTACHMENTS**

HDRC Recommendation

OHP Staff recommendation to HDRC and published Exhibits