

## HISTORIC AND DESIGN REVIEW COMMISSION

February 07, 2018

**HDRC CASE NO:** 2018-034  
**ADDRESS:** 121 BUFORD  
**LEGAL DESCRIPTION:** NCB 1369 BLK 6 LOT S 81.3 FT OF 5  
**ZONING:** R-4, H  
**CITY COUNCIL DIST.:** 2  
**DISTRICT:** Dignowity Hill Historic District  
**APPLICANT:** Ryan McWhirter/LUSH Greenscape Design  
**OWNER:** Chris H. Williams Laura Lopez  
**TYPE OF WORK:** Front yard site elements  
**APPLICATION RECEIVED:** January 17, 2018  
**60-DAY REVIEW:** March 16, 2018  
**REQUEST:**

The applicant is requesting a Certificate of Appropriateness for approval to:

1. Amend an administrative approval to allow a fence height of six feet, past the plane of the front façade.
2. Removal of the sidewalk at the public right of way and to install black basalt gravel paving.
3. Removal of natural lawn in the front and side yards and to install decomposed granite and low-ground cover.
4. Install concrete pavers.
5. Install a steel planter below front façade windows.
6. Install a steel planter adjacent to the front porch and steps.
7. Install a concrete planter with a steel skirt.
8. Install a two foot tall gabion wall with a 6-inch tall steel planter.
9. Install a six foot tall masonry solar screen with three, 6-inch tall planters.

### APPLICABLE CITATIONS:

*Historic Design Guidelines, Chapter 5, Guidelines for Site Elements*

#### 1. Topography

##### A. TOPOGRAPHIC FEATURES

- i. *Historic topography*—Avoid significantly altering the topography of a property (i.e., extensive grading). Do not alter character-defining features such as berms or sloped front lawns that help define the character of the public right-of-way. Maintain the established lawn to help prevent erosion. If turf is replaced over time, new plant materials in these areas should be low-growing and suitable for the prevention of erosion.
- ii. *New construction*—Match the historic topography of adjacent lots prevalent along the block face for new construction. Do not excavate raised lots to accommodate additional building height or an additional story for new construction.
- iii. *New elements*—Minimize changes in topography resulting from new elements, like driveways and walkways, through appropriate siting and design. New site elements should work with, rather than change, character-defining topography when possible.

#### 2. Fences and Walls

##### B. NEW FENCES AND WALLS

- i. *Design*—New fences and walls should appear similar to those used historically within the district in terms of their scale, transparency, and character. Design of fence should respond to the design and materials of the house or main structure.
- ii. *Location*—Avoid installing a fence or wall in a location where one did not historically exist, particularly within the front yard. The appropriateness of a front yard fence or wall is dependent on conditions within a specific historic district. New front yard fences or wall should not be introduced within historic districts that have not historically had them.
- iii. *Height*—Limit the height of new fences and walls within the front yard to a maximum of four feet. The appropriateness of a front yard fence is dependent on conditions within a specific historic district. New front yard fences should not be introduced within historic districts that have not historically had them. If a taller fence or wall existed

historically, additional height may be considered. The height of a new retaining wall should not exceed the height of the slope it retains.

iv. *Prohibited materials*—Do not use exposed concrete masonry units (CMU), Keystone or similar interlocking retaining wall systems, concrete block, vinyl fencing, or chain link fencing.

v. *Appropriate materials*—Construct new fences or walls of materials similar to fence materials historically used in the district. Select materials that are similar in scale, texture, color, and form as those historically used in the district, and that are compatible with the main structure. *Screening incompatible uses*—Review alternative fence heights and materials for appropriateness where residential properties are adjacent to commercial or other potentially incompatible uses.

### C. PRIVACY FENCES AND WALLS

i. *Relationship to front façade*—Set privacy fences back from the front façade of the building, rather than aligning them with the front façade of the structure to reduce their visual prominence.

ii. *Location* – Do not use privacy fences in front yards.

## 3. Landscape Design

### A. PLANTINGS

i. *Historic Gardens*—Maintain front yard gardens when appropriate within a specific historic district.

ii. *Historic Lawns*—Do not fully remove and replace traditional lawn areas with impervious hardscape. Limit the removal of lawn areas to mulched planting beds or pervious hardscapes in locations where they would historically be found, such as along fences, walkways, or drives. Low-growing plantings should be used in historic lawn areas; invasive or large-scale species should be avoided. Historic lawn areas should never be reduced by more than 50%.

iii. *Native xeric plant materials*—Select native and/or xeric plants that thrive in local conditions and reduce watering usage. See UDC Appendix E: San Antonio Recommended Plant List—All Suited to Xeriscape Planting Methods, for a list of appropriate materials and planting methods. Select plant materials with a similar character, growth habit, and light requirements as those being replaced.

iv. *Plant palettes*—If a varied plant palette is used, incorporate species of taller heights, such informal elements should be restrained to small areas of the front yard or to the rear or side yard so as not to obstruct views of or otherwise distract from the historic structure.

v. *Maintenance*—Maintain existing landscape features. Do not introduce landscape elements that will obscure the historic structure or are located as to retain moisture on walls or foundations (e.g., dense foundation plantings or vines) or as to cause damage.

### B. ROCKS OR HARDSCAPE

i. *Impervious surfaces* —Do not introduce large pavers, asphalt, or other impervious surfaces where they were not historically located.

ii. *Pervious and semi-pervious surfaces*—New pervious hardscapes should be limited to areas that are not highly visible, and should not be used as wholesale replacement for plantings. If used, small plantings should be incorporated into the design.

iii. *Rock mulch and gravel* - Do not use rock mulch or gravel as a wholesale replacement for lawn area. If used, plantings should be incorporated into the design.

## 5. Sidewalks, Walkways, Driveways, and Curbing

### A. SIDEWALKS AND WALKWAYS

i. *Maintenance*—Repair minor cracking, settling, or jamming along sidewalks to prevent uneven surfaces. Retain and repair historic sidewalk and walkway paving materials—often brick or concrete—in place.

ii. *Replacement materials*—Replace those portions of sidewalks or walkways that are deteriorated beyond repair. Every effort should be made to match existing sidewalk color and material.

iii. *Width and alignment*—Follow the historic alignment, configuration, and width of sidewalks and walkways. Alter the historic width or alignment only where absolutely necessary to accommodate the preservation of a significant tree.

iv. *Stamped concrete*—Preserve stamped street names, business insignias, or other historic elements of sidewalks and walkways when replacement is necessary.

v. *ADA compliance*—Limit removal of historic sidewalk materials to the immediate intersection when ramps are added to address ADA requirements.

### B. DRIVEWAYS

i. *Driveway configuration*—Retain and repair in place historic driveway configurations, such as ribbon drives. Incorporate a similar driveway configuration—materials, width, and design—to that historically found on the site. Historic driveways are typically no wider than 10 feet. Pervious paving surfaces may be considered where replacement is necessary to increase stormwater infiltration.

ii. *Curb cuts and ramps*—Maintain the width and configuration of original curb cuts when replacing historic driveways. Avoid introducing new curb cuts where not historically found.

### C. CURBING

- i. *Historic curbing*—Retain historic curbing wherever possible. Historic curbing in San Antonio is typically constructed of concrete with a curved or angular profile.
- ii. *Replacement curbing*—Replace curbing in-kind when deteriorated beyond repair. Where in-kind replacement is not be feasible, use a comparable substitute that duplicates the color, texture, durability, and profile of the original. Retaining walls and curbing should not be added to the sidewalk design unless absolutely necessary.

## 7. Off-Street Parking

### A. LOCATION

- i. *Preferred location*—Place parking areas for non-residential and mixed-use structures at the rear of the site, behind primary structures to hide them from the public right-of-way. On corner lots, place parking areas behind the primary structure and set them back as far as possible from the side streets. Parking areas to the side of the primary structure are acceptable when location behind the structure is not feasible. See UDC Section 35-310 for district-specific standards.
- ii. *Front*—Do not add off-street parking areas within the front yard setback as to not disrupt the continuity of the streetscape.
- iii. *Access*—Design off-street parking areas to be accessed from alleys or secondary streets rather than from principal streets whenever possible.

### FINDINGS:

- a. The structure at 121 Buford was constructed circa 1920 in the minimal traditional architectural style. The structure is a single-story, single-family residential home that features a jerkinhead roof, a front porch with two entry doors, and double-hung wood windows. All of the following requests have been installed or initiated prior to approval.
- b. FENCE – The applicant received administrative approval to install a privacy fence, featuring metal posts, and horizontal cedar planks to feature six feet in height in the rear and four feet in height past the rear plane of the front porch. The applicant has proposed a height beyond rear plane of the front porch of six feet in height to the public right of way. The applicant has failed to adhere to the administratively approved fence plan and has previously constructed a six foot tall fence in the front yard. Staff finds this request is inconsistent with Guidelines for Site Elements 2.B.iii., 2.C.i and ii.
- c. PARKING – The applicant has removed the sidewalk and portions of natural lawn and installed black basalt gravel to create a parking area in the front yard. Per the Guidelines for Site Elements 5.B and 5.C. every effort should be made to match existing sidewalk color and material when the original sidewalk is deteriorated beyond repair; new driveways should feature a similar configuration in materials, width, and design to that historic found on the site; applicants should avoid new curb cuts where not historically found and applicants should replace curbing in-kind when deteriorated beyond repair. Staff finds this request is not consistent with the aforementioned Guidelines. Staff also finds that the installation is a negative impact to Buford Alley by interrupting the public right-of-way sidewalk in lieu of private parking.
- d. XERISCAPE – The applicant has removed the natural lawn in the front and side yards and has begun the installation of decomposed granite and plantings. Per the Guidelines for Site Elements 3.A.ii and iii, historic lawns should never be reduced by more than 50%; and applicants should select native and/or xeric plants that thrive in local conditions and reduce water usage. Staff finds that the applicant has reduced the natural lawn far beyond 50% and that the proposed amount of plantings and ground cover is not yet sufficient to justify the xeriscaping requesting.
- e. CONCRETE PAVERS – The applicant has installed concrete pavers in the front yard prior to approval. Per the Guidelines for Site Elements 3.B.i, large pavers, asphalt, and impervious surfaces should not be introduced where they are not historically found. Staff finds that the request is inconsistent with the Guidelines and that the simple concrete walkway to the front porch should be restored after the removal of concrete pavers.
- f. STEEL PLANTER (WINDOW) – The applicant has installed a steel planter (68” long, 12” deep, 26” tall) prior to approval. The planter is located below the front façade window. Staff finds that the proposed massing and material of the planter is inconsistent with Guidelines for Site Elements 1.A.iii. The height of this planter should feature wood construction instead of steel and be reduced to match the height of the planter requested in finding g.
- g. STEEL PLANTER (PORCH)- The applicant has installed a steel planter (80” long, 32” deep, 16” tall) prior to approval. The planter is located adjacent to the front porch and steps. Staff finds that the proposed material of the

- planter is inconsistent with Guidelines 1.A.iii. The planter should feature wood construction instead of steel.
- h. **CONCRETE PLANTER** – The applicant has proposed to install a low-ground concrete planter with a steel skirt (30” long, 30” deep, 6” tall). The applicant has not begun this installation as of (note date). Staff finds that the proposed material of the planter is consistent with Guideline 1.A.iii. The planter should feature wood construction instead of concrete and steel
  - i. **GABION WALL/ROCK PLANTER**– The applicant has installed a gabion wall prior to approval. The gabion wall features a steel cage filled with river rock (20’4” long, 36” deep, 24” tall) and is topped with a steel planter (19’4” long, 24” deep, 6” tall). The planter is proposed to feature black bamboo which will add up to 6 feet in height per the illustrations. Per the Guidelines for Site Elements 2.B.i, new walls should appear similar to those used historic within the district in terms of their scale, transparency, and character and that the design should respond to the design and materials of the house or main structure. Staff finds that there is absolutely no historic precedent on Buford Alley and its immediate neighboring blocks, nor the Dignowity Hill Historic District, nor the minimal traditional architecture style that calls for the installation of a gabion wall nor bamboo plantings that would screen a majority of the front façade.
  - j. **MASONRY WALL/SOLAR SCREEN** – The applicant has installed a solar screen prior to approval. The solar screen (10’ wide, 6’ tall) features two perforated masonry panels between three CMU columns topped with 6” steel planters. The planters are proposed to feature giant hesperaloe which will add up to 2 feet per the illustrations. Per the Guidelines for Site Elements 2.B.i, new walls should appear similar to those used historically within the district in terms of their scale, transparency, and character and that the design should respond to the design and materials of the house or main structure, (2.B.iii) new walls are limited to four feet in height in the front yard, and (3.B.iv) concrete masonry units and concrete blocks are expressly prohibited construction materials for new fences and walls. Staff finds that there is no historic precedent on Buford Alley, within the Dignowity Hill Historic District or associated with the structure’s architecture style to support this installation.

#### **RECOMMENDATION:**

1. Staff does not recommend approval of the proposed to amend the previously issued administrative Certificate of Appropriateness to allow 6-foot tall fencing beyond the rear plane of front porch. The approved design should be adhered to.
2. Staff does not recommend approval the removal of sidewalk and natural lawn for the installation of black basalt gravel parking. The gravel should be removed and the concrete sidewalk should be restored.
3. Staff does not recommend approval of the wholesale removal of natural lawn for the installation of decomposed granite and plantings as proposed. Staff recommends that portions of natural lawn should be reintroduced to the site or that additional low-ground plantings be installed, if the HDRC conceptually approves of the xeriscaping.
4. Staff does not recommend approval of the concrete pavers. Staff recommends their immediate removal followed by the reinstallation of a simple walkway from the sidewalk to the porch as historically found on the site.
5. Staff does not recommend the installation of the steel planter beneath the window as proposed. Staff recommends the applicant resubmit a planter design that features wood construction and a reduced height.
6. Staff does not recommend the installation of a steel planter adjacent to the porch and steps as proposed. Staff recommends the applicant resubmit a planter design that features wood construction.
7. Staff does not recommend the installation of the low-ground concrete planter with a steel skirt. Staff recommends the applicant resubmit a planter design that features wood construction.
8. Staff does not recommend the installation of a gabion wall that features bamboo plantings. Staff recommends the gabion wall be removed. The applicant may submit to staff a front yard fence design that is consistent with the Guidelines.
9. Staff does not recommend the installation of a solar screen as proposed. Staff recommends the solar screen be removed. The applicant may resubmit to staff a front yard fence design that is consistent with the Guidelines.

#### **CASE COMMENT:**

During a site visit conducted on January 12, 2018, staff found that a CMU wall/solar screen, concrete pavers, decomposed granite, and metal fence posts were installed prior to approval – and communicated accordingly to the homeowner Ms. Lopez and the fence contractor (LUSH associate). The contractor had agreed to seek administrative approval for the fence and to communicate the remaining violations to LUSH management. An investigation report was generated that morning. LUSH applied and received an administrative Certificate of Appropriateness for the privacy fence (6 foot tall in rear, 4 foot tall in front) that afternoon. Staff communicated during the site visit and during the application submission that no other work should occur until approval was acquired.

On January 17, 2018, LUSH submitted an HDRC application for all other site elements in question.

On a second site visit conducted on January 19, 2018 at 3pm, staff finds that the front yard fence featured a 6-foot height when only 4-foot was approved, and that a gabion wall and two steel planters were installed prior to approval. Staff reiterated to homeowner Ms. Lopez that no work should be occurring prior to approval, nor during the review process. Time-stamped photos were taken at this time. By 4pm, both staff and the owner notified LUSH via phone/email of the site visit and reiterated that no work should occur prior to approval. LUSH responded to staff on January 21, 2018 justifying their design choices and installation.

On a third site visit conducted on January 23, 2018 at 10am, staff finds that LUSH associates were performing deck repairs and repainting as well as minor maintenance tasks regarding the other site elements. Staff reiterated again that no work should be occurring prior to approval and that in-kind deck repairs were eligible for administrative approval. Staff communicated the severity of continued work prior to approval to LUSH management via phone during the site visit. An investigation report was generated by 11am. In the evening, the other homeowner Mr. Williams had emailed staff for clarification on the situation.

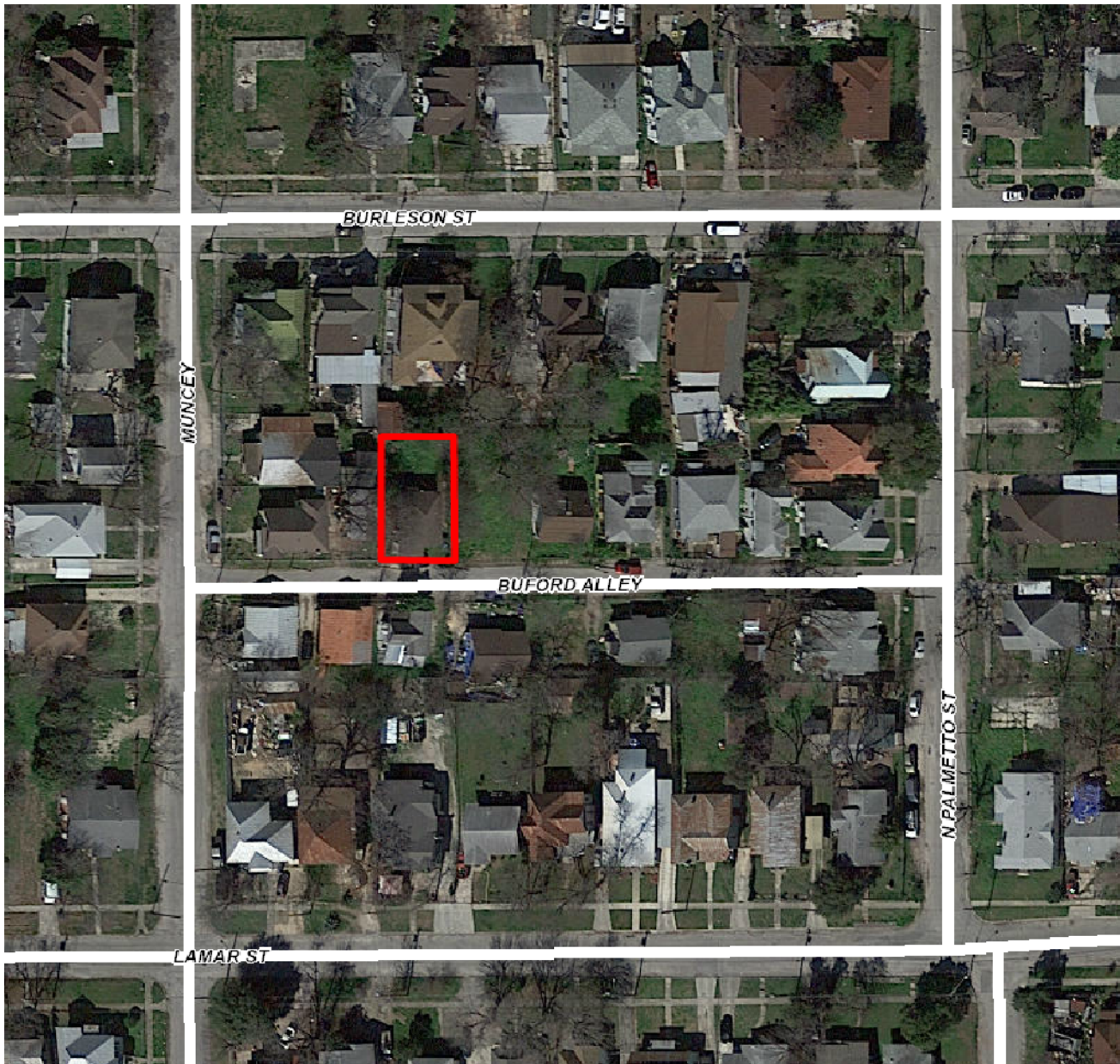
Staff corresponded with Mr. Williams by both phone and email on the morning of January 24, 2018, reiterating that no work should occur prior to approval. Mr. Williams then received administrative approval to perform deck repairs and staining and was given verbal and written permission to store the plants and gravel on the site while awaiting approval. Mr. Williams understands that all work performed prior to approval may be subjected to removal and will order LUSH to cease all work (except for deck and rear fence) until the hearing.

Staff finds that LUSH has published photographs and videos of continuing work at 121 Buford onto a public social media account on January 8, 9, 19, and 25 of 2018.

Staff finds that LUSH has continued to perform site modifications and installations prior to approval despite the multiple documented efforts staff has made on-site, in-person, by email, and by phone to explain the design review process and the penalties of disregarding it.

**CASE MANAGER:**

Huy Pham



117 Buford

Powered by ArcGIS Server

Printed: Jan 24, 2018

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117 Buford Alley







## **Background Information**

The home located at 117 Buford Alley is listed as being built in 1920.

I purchased the property in 2009. Sometime prior to this time the house had been totally modernized.

The wiring had been updated, pvc pipes had been installed, a smoke detection system had been installed. Modern aluminum window had been installed, sinks, cabinets, tub/shower had been updated, a single tab roof was in place. The home had been sheetrocked inside. I did minor repairs, and repainted the interior.

I sold the home under a general warranty deed in 2011. The current residents were unaware that a permit was needed to complete an addition.

Their family has grown, and they require additional square footage. They want to continue to live in their residence as relatives live on the same street.

I inspected the property on 07/19/2017. The addition looks professional and follows the contours of the original house.

The family and I are committed to obtaining the necessary permits and approvals needed to expand their living space.

07/29/2017

117 Buford

San Antonio, TX 78202

Work Proposal:

The property was purchased in January of 2009.

At that time the property had already been totally updated, I assume by the prior owner. The wiring was new, all the plumbing was new, new modern windows were already installed, a single tab roof was in place, modern sheetrock was in all rooms, updated sinks, tubs, and faucets were already present.

In 2011 I sold the home under a general warranty deed.

The house is extremely small at 780 square feet. The current family that originally bought the house needed to expand, due to their growing family.

They would like to add another 700 feet to the property to expand it to approximately 1480 square feet.

The proposal is to follow the original lines of the house on each side – this would be an addition of 27 feet back and 27 feet across

Four small bedrooms would be added, a bathroom, and a laundry room.



## **Scope of Work**

The rear addition to the property is approximately 27 feet wide by 27 feet long. This will result in an additional 729 square feet.

## **Materials to be Used**

- Concrete Pier were installed 3 ½ under the ground
- Plywood flooring – 11/32 x 4 x 8, Southern Yellow Pine
- 2x4 Framing was used for the internal and external walls
- Exterior wall material is
- Siding to be installed will be 1 inch x 6 inch x 8 feet siding board
- Exterior color will match current exterior color – UL120-23  
Chipotle Paste Interior/Exterior Paint Behr Premium Plus Ultra
- Windows will be 24x60 aluminum frame double pane windows, white that will match the current window type - 2 windows for each room.
- The rear door will be installed in the center of the addition and will be a pre-hung primed steel framed 32x80.
- Matching shingles will be installed on the addition, 32.8 square feet of Owens Corning Oakridge Brownwood dimensional.

The construction would be of similar material. A pier foundation, plywood flooring, siding, a single tab roof shingle.

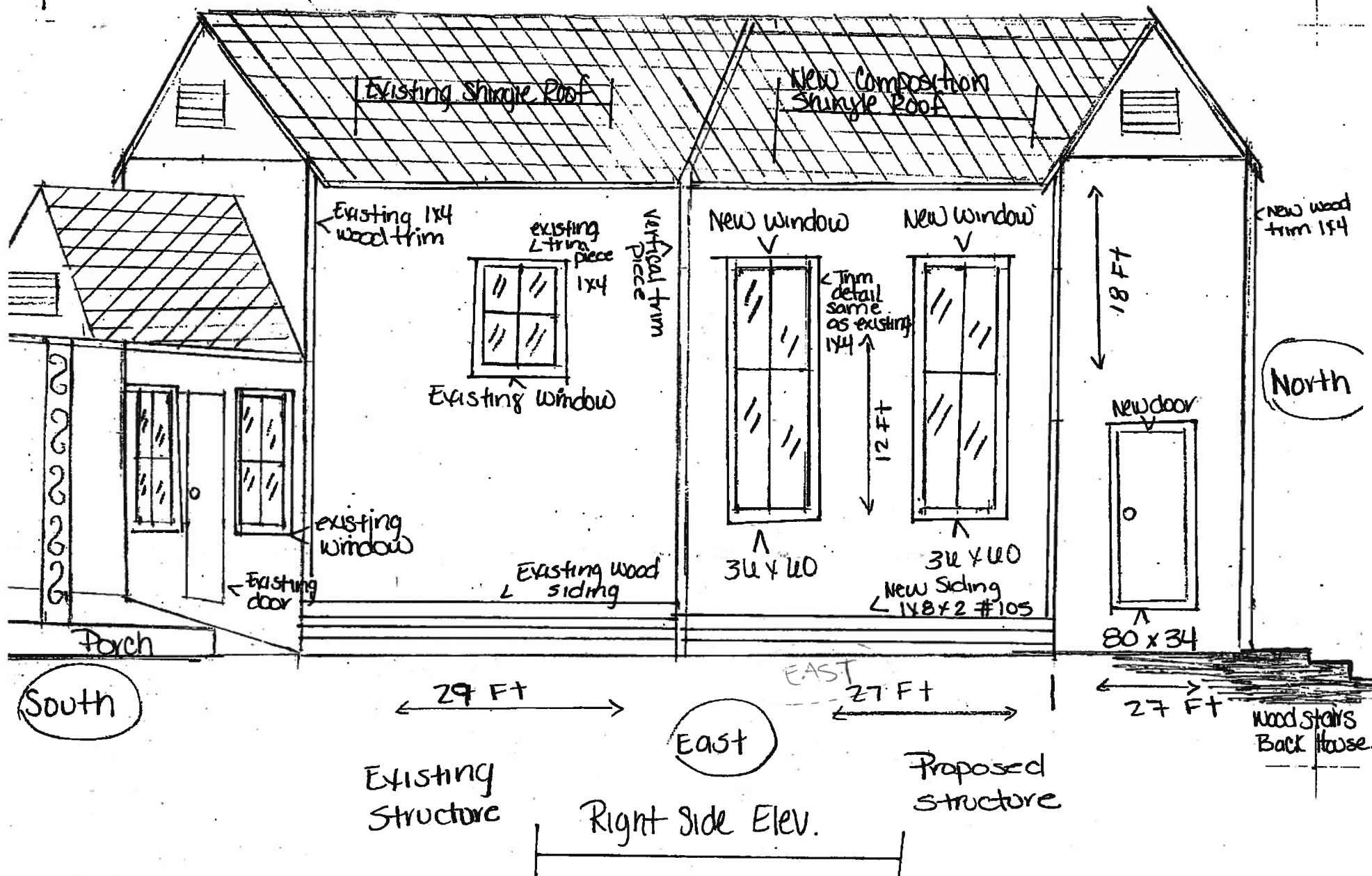
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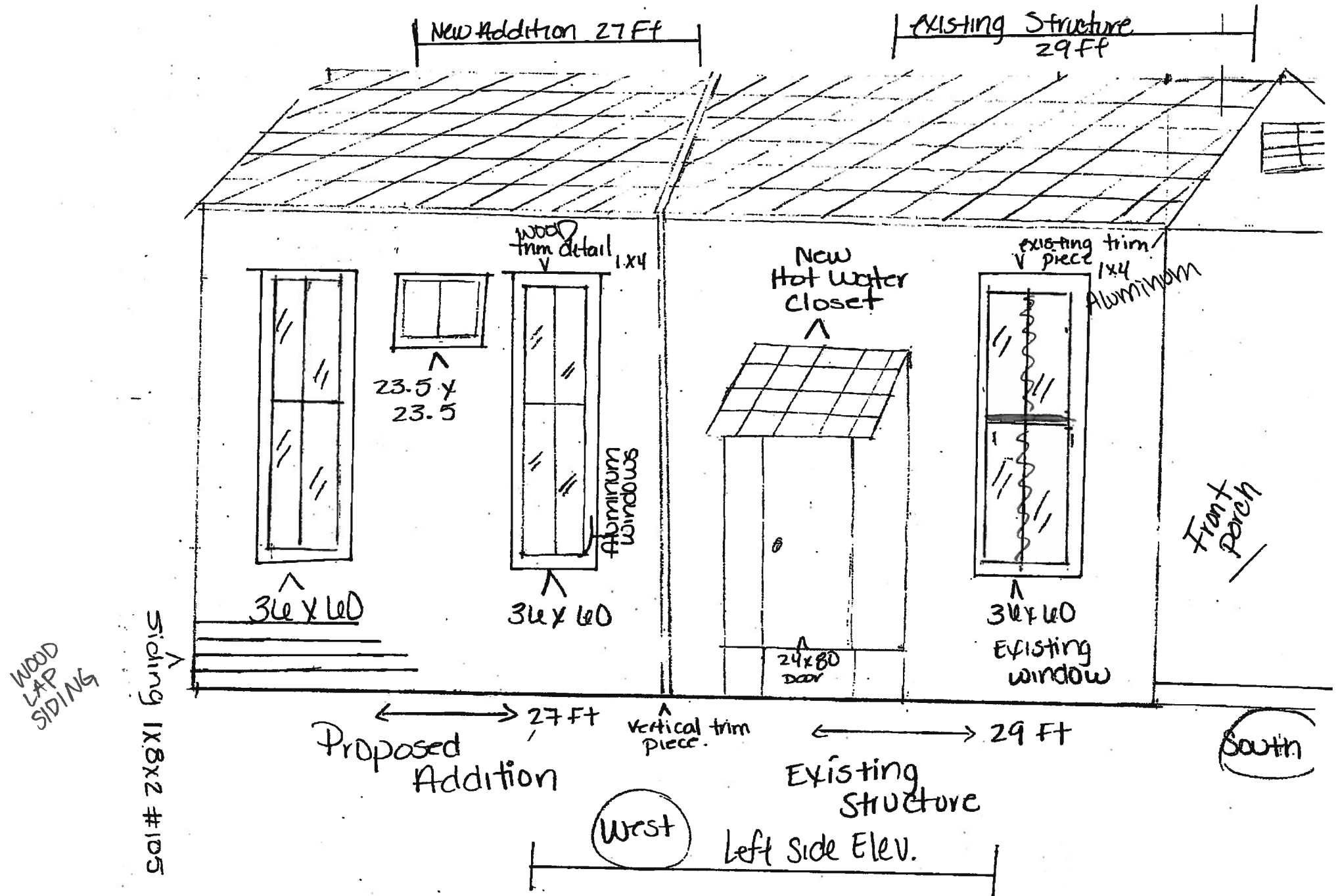


117 Buford Alley  
San Antonio Tx 78202

Existing house 29 ft

Addition 27 ft





















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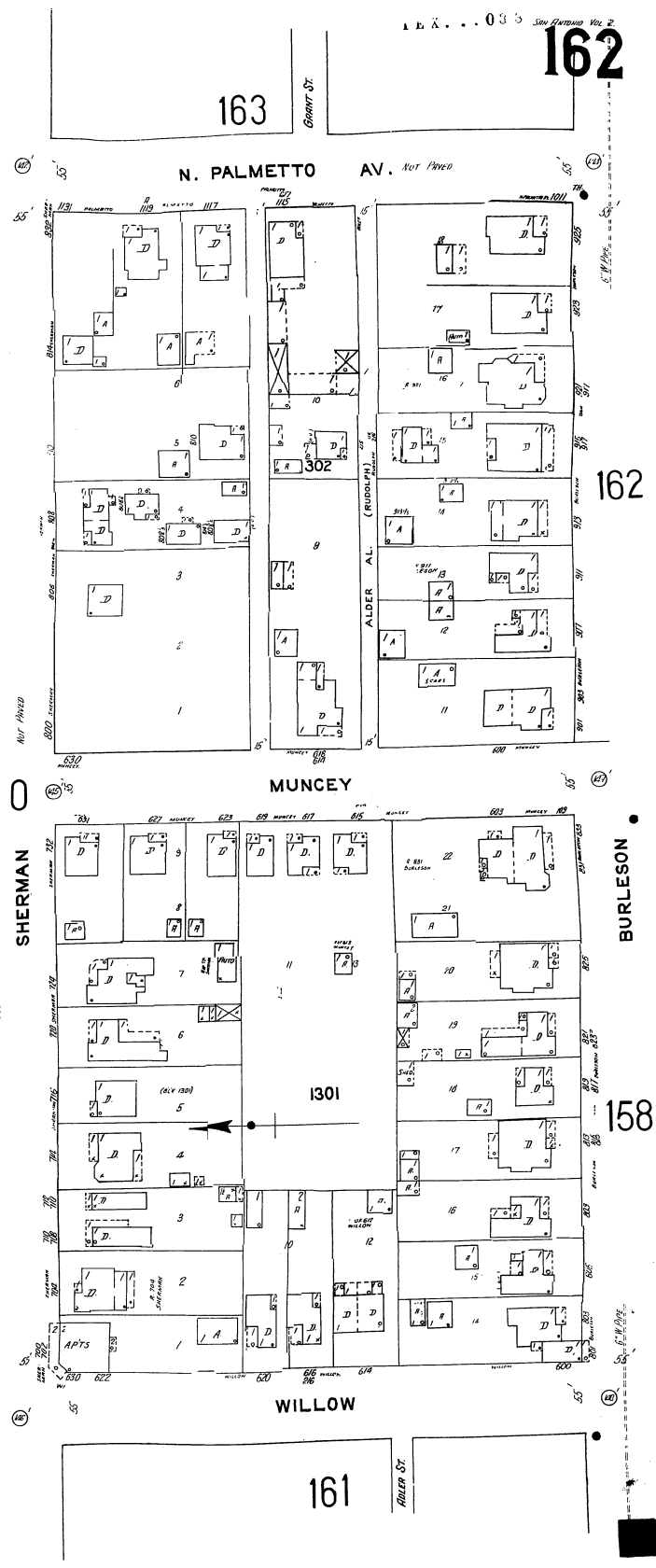
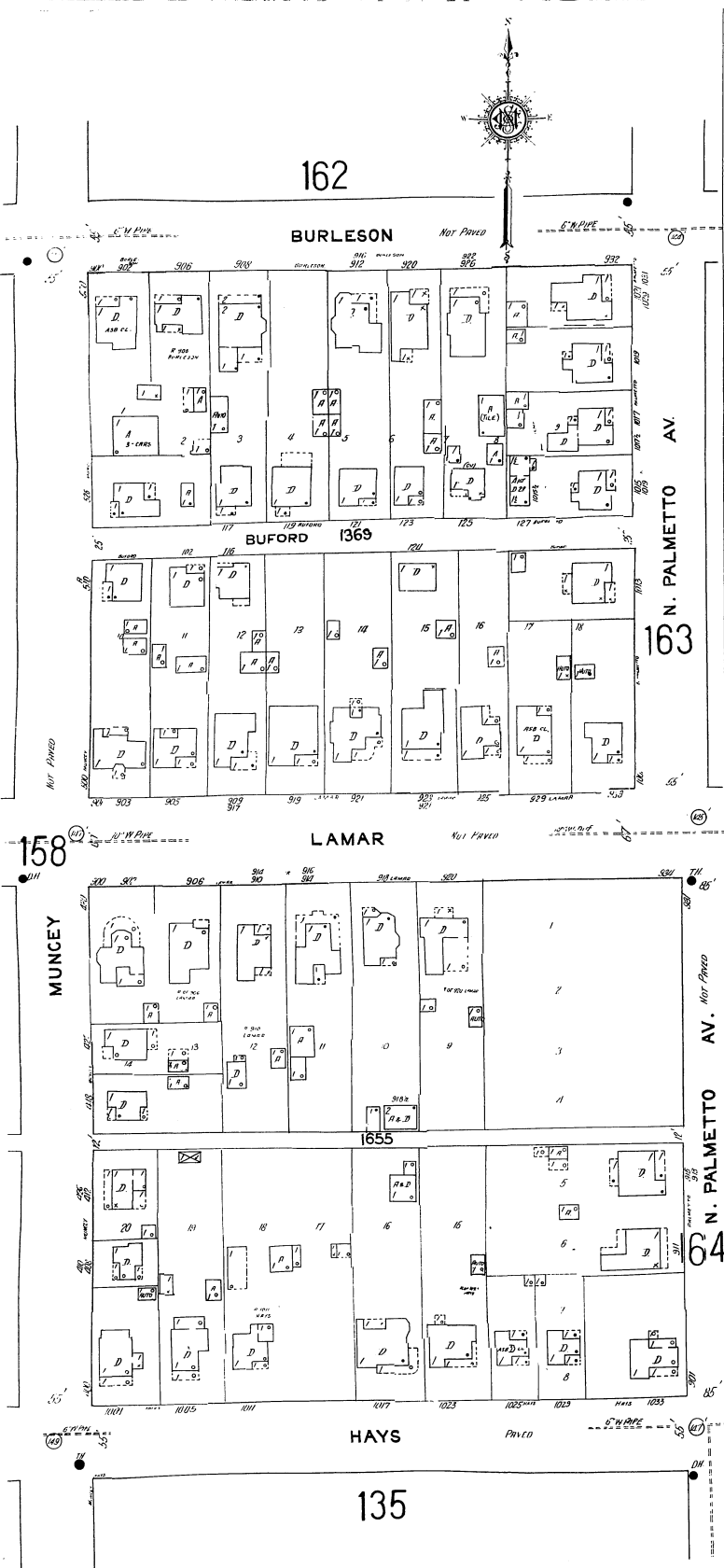
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Scale of Feet.