

HISTORIC AND DESIGN REVIEW COMMISSION

November 07, 2018

HDRC CASE NO: 2018-525
ADDRESS: 115 DEVINE ST
LEGAL DESCRIPTION: NCB 723 (115 DEVINE SUBD), BLOCK 5 LOT 23
ZONING: IDZ CD
CITY COUNCIL DIST.: 1
DISTRICT: Lavaca Historic District
APPLICANT: Brian Voges/Voges Design, LLC
OWNER: Operative Holdings LLC
TYPE OF WORK: Construction of five, two story, multi-use structures
APPLICATION RECEIVED: October 12, 2018
60-DAY REVIEW: December 11, 2018
REQUEST:

The applicant is requesting conceptual approval to construct five, two-story, multi-use structures on the vacant lot at 115 Devine, located within the Lavaca Historic District.

APPLICABLE CITATIONS:

Historic Design Guidelines, Chapter 4, Guidelines for New Construction

1. Building and Entrance Orientation

A. FAÇADE ORIENTATION

- i. *Setbacks*—Align front facades of new buildings with front facades of adjacent buildings where a consistent setback has been established along the street frontage. Use the median setback of buildings along the street frontage where a variety of setbacks exist. Refer to UDC Article 3, Division 2. Base Zoning Districts for applicable setback requirements.
- ii. *Orientation*—Orient the front façade of new buildings to be consistent with the predominant orientation of historic buildings along the street frontage.

B. ENTRANCES

- i. *Orientation*—Orient primary building entrances, porches, and landings to be consistent with those historically found along the street frontage. Typically, historic building entrances are oriented towards the primary street.

2. Building Massing and Form

A. SCALE AND MASS

- i. *Similar height and scale*—Design new construction so that its height and overall scale are consistent with nearby historic buildings. In residential districts, the height and scale of new construction should not exceed that of the majority of historic buildings by more than one-story. In commercial districts, building height shall conform to the established pattern. If there is no more than a 50% variation in the scale of buildings on the adjacent block faces, then the height of the new building shall not exceed the tallest building on the adjacent block face by more than 10%.
- ii. *Transitions*—Utilize step-downs in building height, wall-plane offsets, and other variations in building massing to provide a visual transition when the height of new construction exceeds that of adjacent historic buildings by more than one-half story.
- iii. *Foundation and floor heights*—Align foundation and floor-to-floor heights (including porches and balconies) within one foot of floor-to-floor heights on adjacent historic structures.

B. ROOF FORM

- i. *Similar roof forms*—Incorporate roof forms—pitch, overhangs, and orientation—that are consistent with those predominantly found on the block. Roof forms on residential building types are typically sloped, while roof forms on non-residential building types are more typically flat and screened by an ornamental parapet wall.

C. RELATIONSHIP OF SOLIDS TO VOIDS

- i. *Window and door openings*—Incorporate window and door openings with a similar proportion of wall to window space as typical with nearby historic facades. Windows, doors, porches, entryways, dormers, bays, and pediments shall be

considered similar if they are no larger than 25% in size and vary no more than 10% in height to width ratio from adjacent historic facades.

ii. *Façade configuration*—The primary façade of new commercial buildings should be in keeping with established patterns. Maintaining horizontal elements within adjacent cap, middle, and base precedents will establish a consistent street wall through the alignment of horizontal parts. Avoid blank walls, particularly on elevations visible from the street. No new façade should exceed 40 linear feet without being penetrated by windows, entryways, or other defined bays.

D. LOT COVERAGE

i. *Building to lot ratio*—New construction should be consistent with adjacent historic buildings in terms of the building to lot ratio. Limit the building footprint for new construction to no more than 50 percent of the total lot area, unless adjacent historic buildings establish a precedent with a greater building to lot ratio.

3. Materials and Textures

A. NEW MATERIALS

i. *Complementary materials*—Use materials that complement the type, color, and texture of materials traditionally found in the district. Materials should not be so dissimilar as to distract from the historic interpretation of the district. For example, corrugated metal siding would not be appropriate for a new structure in a district comprised of homes with wood siding.

ii. *Alternative use of traditional materials*—Consider using traditional materials, such as wood siding, in a new way to provide visual interest in new construction while still ensuring compatibility.

iii. *Roof materials*—Select roof materials that are similar in terms of form, color, and texture to traditionally used in the district.

iv. *Metal roofs*—Construct new metal roofs in a similar fashion as historic metal roofs. Refer to the Guidelines for Alterations and Maintenance section for additional specifications regarding metal roofs.

v. *Imitation or synthetic materials*—Do not use vinyl siding, plastic, or corrugated metal sheeting. Contemporary materials not traditionally used in the district, such as brick or simulated stone veneer and Hardie Board or other fiberboard siding, may be appropriate for new construction in some locations as long as new materials are visually similar to the traditional material in dimension, finish, and texture. EIFS is not recommended as a substitute for actual stucco.

B. REUSE OF HISTORIC MATERIALS

Salvaged materials—Incorporate salvaged historic materials where possible within the context of the overall design of the new structure.

4. Architectural Details

A. GENERAL

i. *Historic context*—Design new buildings to reflect their time while respecting the historic context. While new construction should not attempt to mirror or replicate historic features, new structures should not be so dissimilar as to distract from or diminish the historic interpretation of the district.

ii. *Architectural details*—Incorporate architectural details that are in keeping with the predominant architectural style along the block face or within the district when one exists. Details should be simple in design and should complement, but not visually compete with, the character of the adjacent historic structures or other historic structures within the district. Architectural details that are more ornate or elaborate than those found within the district are inappropriate.

iii. *Contemporary interpretations*—Consider integrating contemporary interpretations of traditional designs and details for new construction. Use of contemporary window moldings and door surroundings, for example, can provide visual interest while helping to convey the fact that the structure is new. Modern materials should be implemented in a way that does not distract from the historic structure.

5. Garages and Outbuildings

A. DESIGN AND CHARACTER

i. *Massing and form*—Design new garages and outbuildings to be visually subordinate to the principal historic structure in terms of their height, massing, and form.

ii. *Building size*—New outbuildings should be no larger in plan than 40 percent of the principal historic structure footprint.

iii. *Character*—Relate new garages and outbuildings to the period of construction of the principal building on the lot through the use of complementary materials and simplified architectural details.

iv. *Windows and doors*—Design window and door openings to be similar to those found on historic garages or

outbuildings in the district or on the principle historic structure in terms of their spacing and proportions.

v. *Garage doors*—Incorporate garage doors with similar proportions and materials as those traditionally found in the district.

B. SETBACKS AND ORIENTATION

i. *Orientation*—Match the predominant garage orientation found along the block. Do not introduce front-loaded garages or garages attached to the primary structure on blocks where rear or alley-loaded garages were historically used.

ii. *Setbacks*—Follow historic setback pattern of similar structures along the streetscape or district for new garages and outbuildings. Historic garages and outbuildings are most typically located at the rear of the lot, behind the principal building. In some instances, historic setbacks are not consistent with UDC requirements and a variance may be required.

6. Mechanical Equipment and Roof Appurtenances

A. LOCATION AND SITING

i. *Visibility*—Do not locate utility boxes, air conditioners, rooftop mechanical equipment, skylights, satellite dishes, and other roof appurtenances on primary facades, front-facing roof slopes, in front yards, or in other locations that are clearly visible from the public right-of-way.

ii. *Service Areas*—Locate service areas towards the rear of the site to minimize visibility from the public right-of-way.

B. SCREENING

i. *Building-mounted equipment*—Paint devices mounted on secondary facades and other exposed hardware, frames, and piping to match the color scheme of the primary structure or screen them with landscaping.

ii. *Freestanding equipment*—Screen service areas, air conditioning units, and other mechanical equipment from public view using a fence, hedge, or other enclosure.

iii. *Roof-mounted equipment*—Screen and set back devices mounted on the roof to avoid view from public right-of-way.

7. Designing for Energy Efficiency

A. BUILDING DESIGN

i. *Energy efficiency*—Design additions and new construction to maximize energy efficiency.

ii. *Materials*—Utilize green building materials, such as recycled, locally-sourced, and low maintenance materials whenever possible.

iii. *Building elements*—Incorporate building features that allow for natural environmental control – such as operable windows for cross ventilation.

iv. *Roof slopes*—Orient roof slopes to maximize solar access for the installation of future solar collectors where compatible with typical roof slopes and orientations found in the surrounding historic district.

B. SITE DESIGN

i. *Building orientation*—Orient new buildings and additions with consideration for solar and wind exposure in all seasons to the extent possible within the context of the surrounding district.

ii. *Solar access*—Avoid or minimize the impact of new construction on solar access for adjoining properties.

C. SOLAR COLLECTORS

i. *Location*—Locate solar collectors on side or rear roof pitch of the primary historic structure to the maximum extent feasible to minimize visibility from the public right-of-way while maximizing solar access. Alternatively, locate solar collectors on a garage or outbuilding or consider a ground-mount system where solar access to the primary structure is limited.

ii. *Mounting (sloped roof surfaces)*—Mount solar collectors flush with the surface of a sloped roof. Select collectors that are similar in color to the roof surface to reduce visibility.

iii. *Mounting (flat roof surfaces)*—Mount solar collectors flush with the surface of a flat roof to the maximum extent feasible. Where solar access limitations preclude a flush mount, locate panels towards the rear of the roof where visibility from the public right-of-way will be minimized.

OHP Window Policy Document

Windows used in new construction should:

- Maintain traditional dimensions and profiles;
- Be recessed within the window frame. Windows with a nailing strip are not recommended;
- Feature traditional materials or appearance. Wood windows are most appropriate. Double-hung, block frame windows that feature alternative materials may be considered on a case-by-case basis;

- Feature traditional trim and sill details. Paired windows should be separated by a wood mullion. The use of low-e glass is appropriate in new construction provided that hue and reflectivity are not drastically different from regular glass.

Historic Design Guidelines, Chapter 5, Guidelines for Site Elements

3. Landscape Design

- 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%.

FINDINGS:

- The applicant is requesting conceptual approval to construct five, two-story, multi-use structures on the vacant lot at 115 Devine, located within the Lavaca Historic District.
- CONCEPTUAL APPROVAL – Conceptual approval is the review of general design ideas and principles (such as scale and setback). Specific design details reviewed at this stage are not binding and may only be approved through a Certificate of Appropriateness for final approval.
- DESIGN REVIEW COMMITTEE – This request was reviewed by the Design Review Committee on October 30, 2018. At that meeting, committee members noted that existing setbacks should be shown in context on the proposed site plan, that variations in building forms should be proposed, that a street elevation should be submitted to determine if the proposed height is appropriate, that incorporating front porch massing that's consistent with that which is found historically in the district, and that the rear structures should feature a mass that's subordinate to that of the structure at the street.
- CONTEXT AND DEVELOPMENT PATTERN – This block of Devine primarily features lots with single story, historic structures. As Devine Street intersects S Presa Street, commercial structures and surface parking lots exist. A one story church currently exists at the corner of Devine Street and Eager Street. The Lavaca Historic District predominantly features one story historic structures.
- BUILDING TO LOT RATIO – The Guidelines for New Construction 2.D.i., notes new construction should be consistent with adjacent historic buildings in terms of the building to lot ratio. The proposed building to lot ratio is not consistent with the Guidelines nor the historic development pattern found throughout the Lavaca Historic District.
- SETBACKS & ORIENTATION – According to the Guidelines for New Construction, the front facades of new buildings are to align with front facades of adjacent buildings where a consistent setback has been established along the street frontage. Additionally, the orientation of new construction should be consistent with the historic examples found on the block. The historic structures on this face of the block feature setbacks that range in depth from approximately twenty-three (23) feet to approximately thirty-one (31) feet. At this time, the applicant has not specified a setback from the street facing structure. Staff finds that a setback that is greater than those found historically on the block should be used. The proposed orientation for the street facing structure is consistent with the Guidelines; however, the middle structures, which feature an orientation toward the side yard are a departure from the typical development patterns in the vicinity and throughout the district.
- ENTRANCES – According to the Guidelines for New Construction 1.B.i., primary building entrances should be oriented towards the primary street. The southernmost structure will feature an entrance that faces Devine Street. The two middle structures will feature entrances that face east, toward the side yard. The rear most structures will feature entrances that face toward to center of the lot and Devine Street. Typically, historic entrances are orientated towards the primary street. This is true for this particular block of Devine and the Lavaca Historic District. Staff finds the front unit's entrance orientation to be consistent with the Guidelines, but finds the orientation and entrances of the middle two units to be a departure from typical development patterns in the vicinity and throughout the district. Staff finds that a primary and secondary relationship between the proposed structures would be more consistent with the Guidelines.
- SCALE & MASS – Per the Guidelines for New Construction 2.A.i., a height and massing similar to historic

structures in the vicinity of the proposed new construction should be used. In residential districts, the height and scale of new construction should not exceed that of the majority of historic buildings by more than one-story. As noted in finding d, this block of Devine features only one story structures. A proposal of two stories is a departure from the historic development pattern of the block. Providing a street elevation noting the proposed heights of the new construction in context with the heights of the historic structures may provide additional information regarding the appropriateness of two stories in height.

- i. FOUNDATION & FLOOR HEIGHTS – According to the Guidelines for New Construction 2.A.iii., foundation and floor height should be aligned within one (1) foot of neighboring structure’s foundation and floor heights. The applicant has not specified foundation heights at this time. The applicant is responsible for complying with the Guidelines.
- j. ROOF FORM – The applicant has noted front facing roofs for each of the five structures to feature gables, while the rear of the structures feature a flat roof with a parapet wall for access to a rooftop deck. As proposed, the roofs present a combination that is not found historically in the district. Staff finds that the proposed flat roofs and parapet walls should be revised to better complement historic roof forms of the district.
- k. ARCHITECTURAL DETAILS – At this time, the applicant has provided perspectives noting massing and some architectural details. The applicant has proposed second level massing that extends forward of the first floor massing. This is atypical of the massing of two story structures found historically within the district. Two story, historic structures feature either a double height porch element with front facades sharing the same wall plane, or feature porches that are recessed behind protruding bays. Staff finds that the applicant should incorporate architecture elements and forms that are found historically in the district into the design.
- l. MATERIALS – At this time, the applicant has not provided information in regards to materials. The applicant is responsible for complying with the Historic Design Guidelines in regards to materials.
- m. WINDOW MATERIALS – At this time, the applicant has not specified window materials. Staff finds that a double-hung, one-over-one wood windows or aluminum-clad wood windows be used.. Meeting rails must be no taller than 1.25” and stiles no wider than 2.25”. White manufacturer’s color is not allowed, and color selection must be presented to staff. There should be a minimum of two inches in depth between the front face of the window trim and the front face of the top window sash. This must be accomplished by recessing the window sufficiently within the opening or with the installation of additional window trim to add thickness. Window trim must feature traditional dimensions and architecturally appropriate sill detail (need to add detail here). Window track components must be painted to match the window trim or concealed by a wood window screen set within the opening.
- n. MECHANICAL EQUIPMENT – Per the Guidelines for New Construction 6, all mechanical equipment should be screened from view at the public right of way. The applicant is responsible for screening all mechanical equipment where it cannot be viewed from the public right of way at Devine.
- o. DRIVEWAY – The applicant has proposed a ribbon strip driveway to be located on the east side of the lot. This is consistent with the historic driveway location found on the block. The applicant should ensure that the proposed driveway does not exceed ten (10) feet in width.
- p. SIDEWALK – The applicant has included concrete pavers in the list of potential materials. The original front yard sidewalk no longer exists. The Guidelines note that the historic alignment, configuration, and width of sidewalks and walkways are to be adhered to. Staff finds that a concrete paver walkway may be appropriate provided that the width is consistent with the width of historic walkways found on this block; typically three to four feet.
- q. LANDSCAPING – The applicant has noted the location of landscaping materials to facilitate onsite parking, plant materials, and trees. Per the site plan, the majority of the site will feature new construction or hardscaping. The Guidelines for Site Elements 3.A.ii. notes that historic lawn area should not be reduced by more than fifty (50) percent. Non-lawn areas, such as planting beds or mulched locations should exist where they historically were found, such as along fences, walkways or drives. The proposed landscaping is not consistent with the Guidelines.

RECOMMENDATION:

Staff does not recommend conceptual approval at this time. Staff recommends that the applicant address the following items prior to receiving a recommendation for conceptual approval.

- i. That a building to lot ration that is more consistent with that found historically in the district and the Guidelines be proposed as noted in finding e.
- ii. That the applicant proposed a front setback that is greater than the setbacks of the historic structures on the block

- as noted in finding f.
- iii. That the applicant provide additional information, such as a street elevation to address the proposed height being inconsistent with the historic heights found on the block.
 - iv. That the applicant propose a foundation height that is consistent with the Guidelines as noted in finding i.
 - v. That the applicant eliminate the proposed flat roofs and incorporate a roof form that is complementary of those found historically in the district as noted in finding j.
 - vi. That the applicant proposed architectural elements, particularly those pertaining to roof forms and front façade massing and arrangement that are complementary of the historic architectural elements and massing found in the district as noted in finding k.
 - vii. That the applicant utilize materials that are consistent with the Guidelines as noted in finding l.
 - viii. That a double-hung, one-over-one wood windows or aluminum-clad wood windows be used.. Meeting rails must be no taller than 1.25” and stiles no wider than 2.25”. White manufacturer’s color is not allowed, and color selection must be presented to staff. There should be a minimum of two inches in depth between the front face of the window trim and the front face of the top window sash. This must be accomplished by recessing the window sufficiently within the opening or with the installation of additional window trim to add thickness. Window trim must feature traditional dimensions and architecturally appropriate sill detail (need to add detail here). Window track components must be painted to match the window trim or concealed by a wood window screen set within the opening.
 - ix. That all mechanical equipment be screened from view from the public right of way as noted in finding n.
 - x. That a landscaping plan be submitted that is consistent with the Guidelines as noted in finding q.

CASE MANAGER:

Edward Hall



Flex Viewer

Powered by ArcGIS Server

Printed: Oct 30, 2018

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115 Devine St



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

**Historic and Design Review Commission
Design Review Committee
Report & Recommendation**

DATE: OCTOBER 30, 2018

HDRC Case# 2018-525

ADDRESS: 115 AEVINE

Meeting Location: 1901 S ALAMO

APPLICANT: BRIAN VOGES / VOGES DESIGN

DRC Members present: SCOTT CARPENTER, MATT BOWMAN

Staff present: EDWARD HALL

Others present: _____

REQUEST: CONSTRUCTION OF 5, TWO STORY RESIDENTIAL STRUCTURES:

CONCEPTUAL APPROVAL

COMMENTS/CONCERNS: BV: OVERVIEW OF PROPOSED NEW CONSTRUCTION,

OVERVIEW OF EXISTING SITE CONDITIONS. SC: SHOW EXISTING SETBACKS

IN CONTEXT WITH PROPOSED SETBACKS. PROVIDE STREET SCAPE

ELEVATION TO JUDGE WHETHER HEIGHT IS APPROPRIATE FOR BLOCK

OR NOT. SC: INCLUDE VARIATIONS IN BUILDING FORMS, MATERIALS,

MB: FOCUS DESIGN - MASSING, PORCH MASSING ON FRONT DESIGN.

MB: HAS THERE BEEN DESIGN EFFORTS TO SUPPRESS MASSING OF

REAR STRUCTURES? SC: WORK ON VARIATION IN FACADES AND MASSING.

COMMITTEE RECOMMENDATION: APPROVE [] DISAPPROVE []
APPROVE WITH COMMENTS/STIPULATIONS:

Committee Chair Signature (or representative)

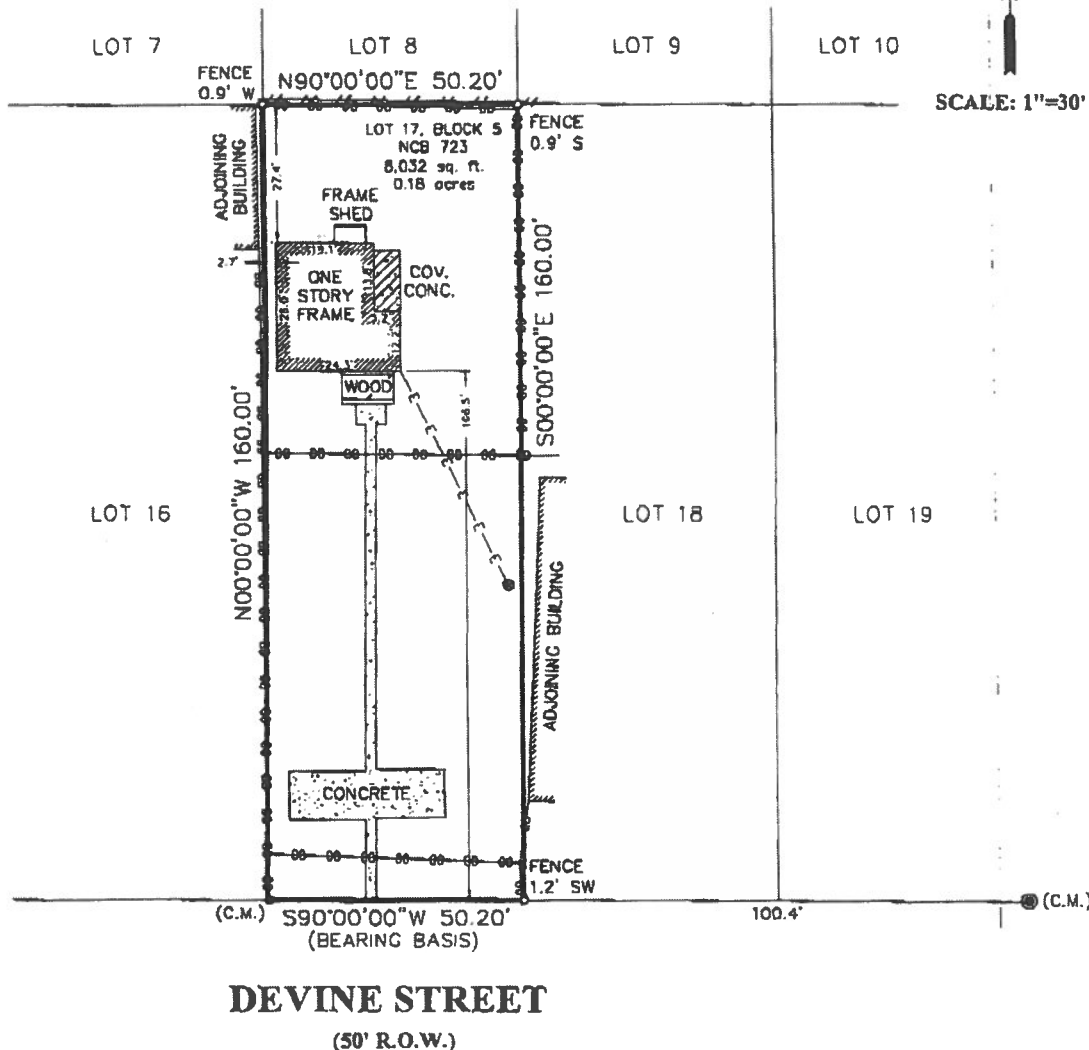
10/30/2018
Date

LEGEND	● = FND IRON ROD	C.M. = CONTROLLING MONUMENT	● = POWER POLE	B.S. = BUILDING SETBACK
	X = FND "X" ON CONCRETE	☐ = TELEPHONE PEDESTAL	-C- = OVERHEAD ELECTRIC	U.E. = UTILITY EASEMENT
	△ = PK NAIL	⊙ = CABLE TELEVISION	-W- = WIRE FENCE	D.E. = DRAINAGE EASEMENT
	○ = FND PIPE	() = RECORD INFORMATION	-V- = WOOD FENCE	E.E. = ELECTRIC EASEMENT
	○ = 1/2" IRON ROD SET W/ CAP STAMPED "WESTAR"		-CL- = CHAIN LINK FENCE	M.E. = MAINTENANCE EASEMENT

As noted from FEMA's FLOOD INSURANCE RATE MAP, Community No. 480045, Panel No. 0481-E, Panel Dated 2-18-88, this tract is in Zone(s) X and (B) in a special flood hazard zone. This flood zone information is to be used for informational purposes only. This surveyor does not certify to any information provided by FEMA.

NOTE:
TITLE REPORT INDICATES THERE ARE NO RESTRICTIONS OR COVENANTS OF RECORD.

NOTE:
BEARINGS SHOWN HEREON ARE BASED ON RECORD PLAT INDICATED BELOW.



TITLE COMPANY: COMMERCE TITLE

PROPERTY ADDRESS

115 Devine Street

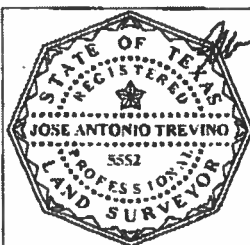
BORROWER

Ellsworth Sullivan and George Sullivan, Jr.

PROPERTY DESCRIPTION

Being Lot 17, Block 5, New City Block 723, City of San Antonio, Bexar County, Texas.

Westar
Alamo
LAND SURVEYORS, INC.
P.O. BOX 1038 HELOTES, TEXAS 78023-1036
PHONE (210) 372-9500 FAX (210) 372-9999



I, JOSE ANTONIO TREVINO, Registered Professional Land Surveyor, State of Texas, do hereby certify that the above plat represents an actual survey made on the ground under my supervision, and there are no discrepancies, conflicts, shortages in area or boundary lines, or any encroachment or overlapping of improvements, to the best of my knowledge and belief except as shown herein.

JOSE ANTONIO TREVINO
Registered Professional Land Surveyor
Texas Registration No. 5552

G.F. NO. 178894

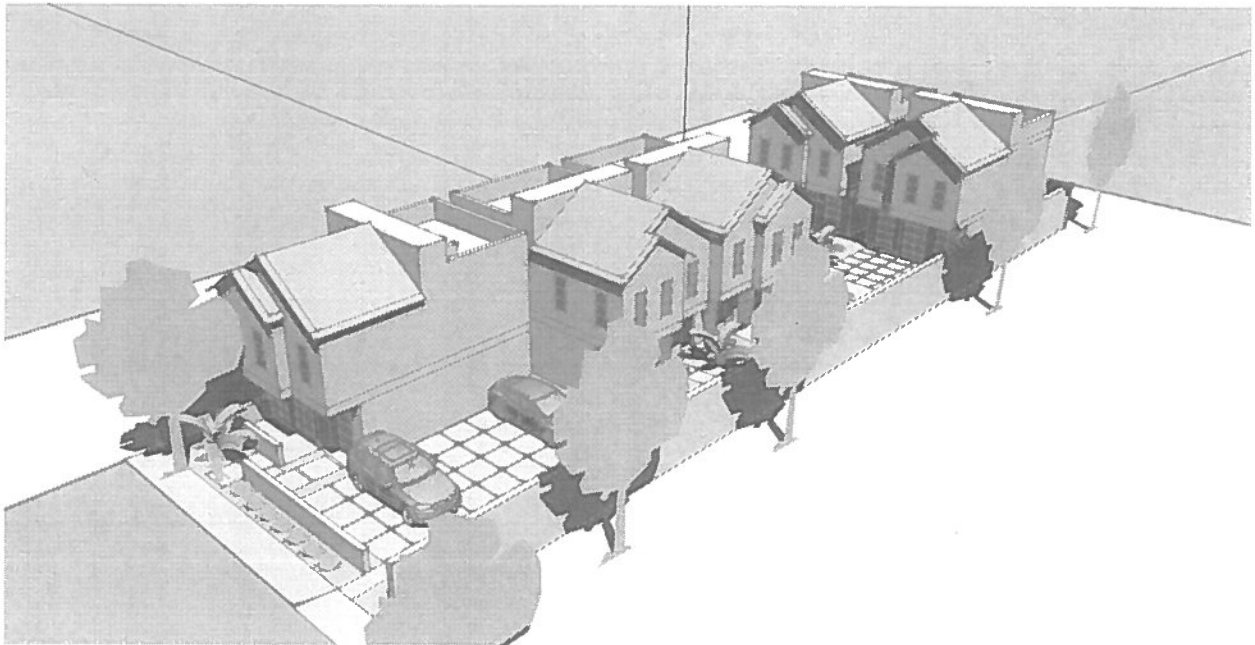
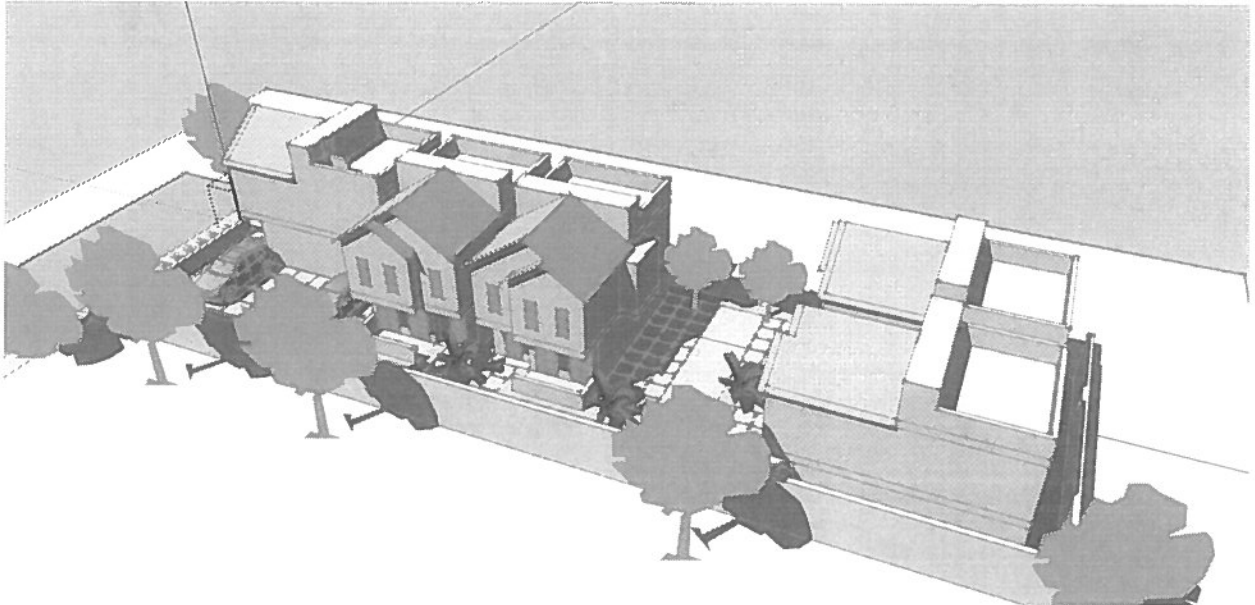
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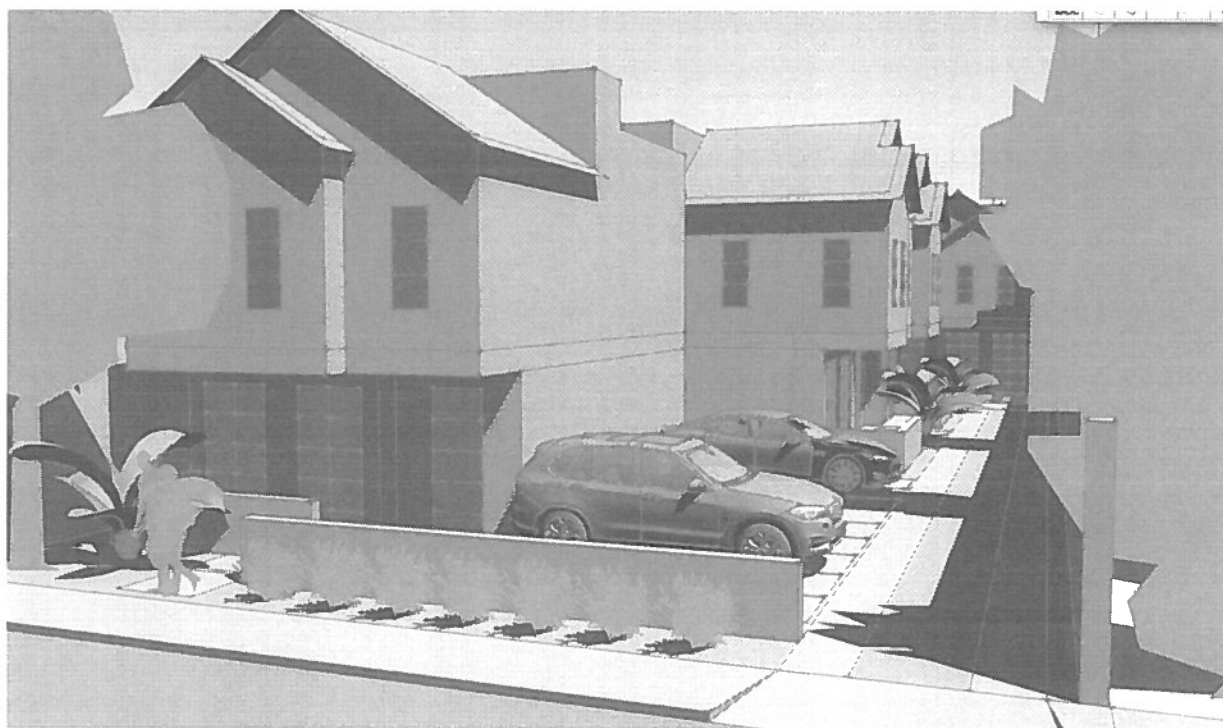
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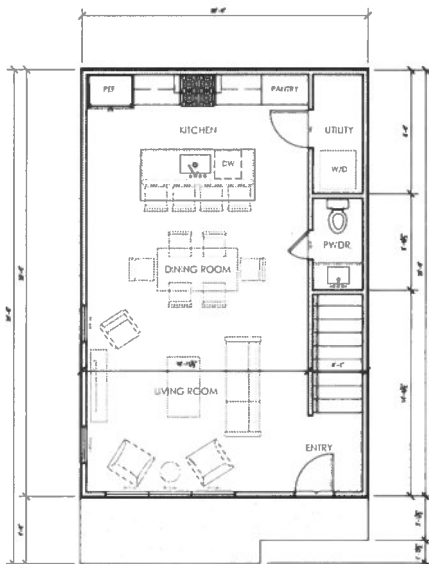
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VD

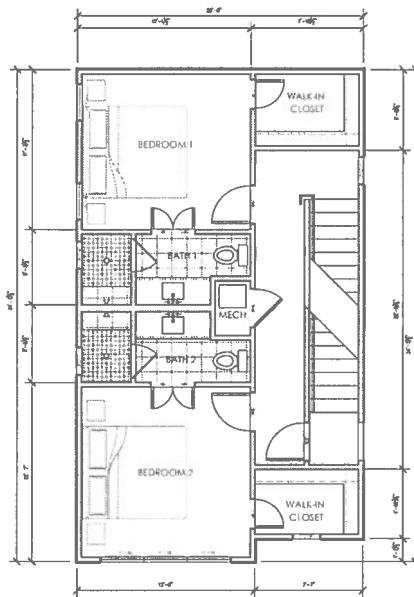


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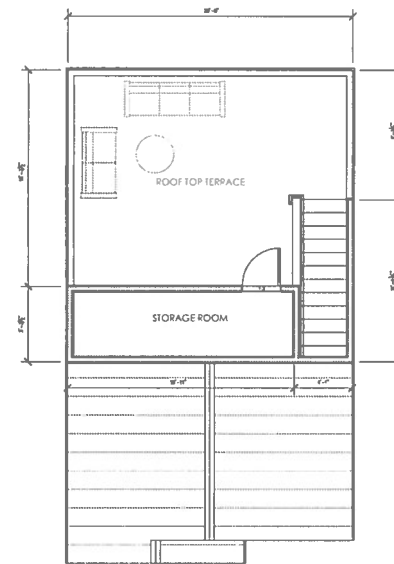




1 GROUND FLOOR-TYPICAL PLAN
SCALE: 1/4" = 1'



2 SECOND FLOOR-TYPICAL PLAN
SCALE: 1/4" = 1'



3 ROOFTOP FLOOR-TYPICAL PLAN
SCALE: 1/4" = 1'

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APP. 10/11/18



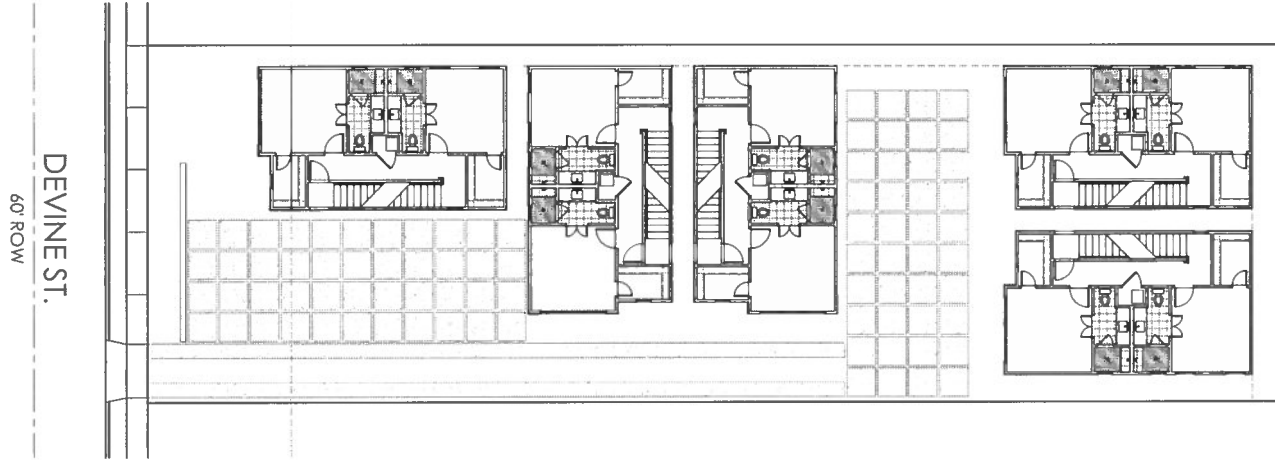
PROJECT NAME:
PALOMAS ON PRESA
SAN ANTONIO, TEXAS
PROJECT ADDRESS:
115 DEVINE ST.
SAN ANTONIO, TEXAS 78210
LAVACA HISTORIC DISTRICT

DESIGNED BY: VOGES
CHECKED BY: VOGES
DATE: 10/11/18
SCALE: 1/4" = 1'

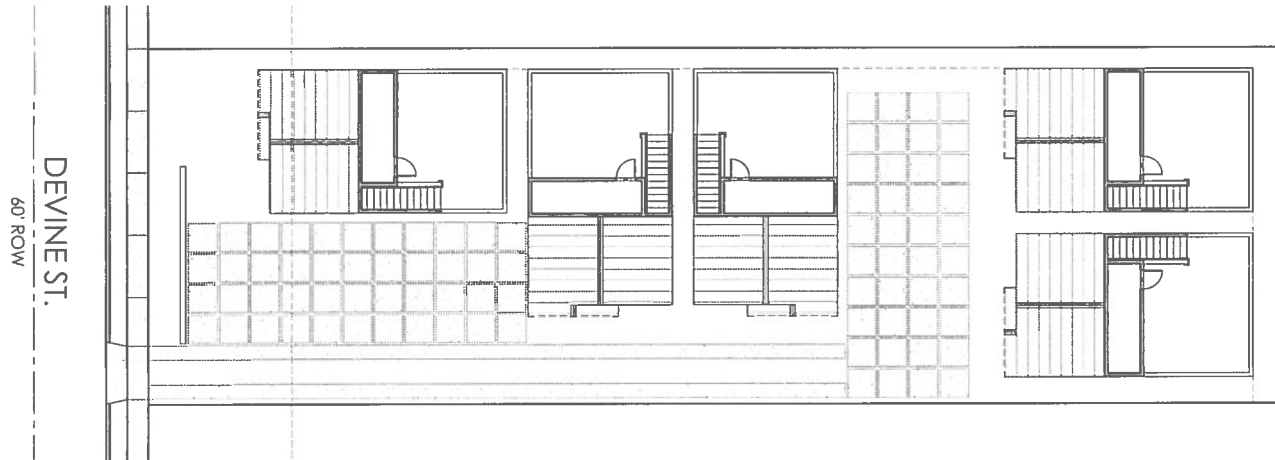
REV.	DATE	BY	DESCRIPTION

FLOOR PLAN
SCHEMATIC DESIGN

DRAWN BY: BL/VOGES
DATE: 10/10/18
SCALE: NOTED
SHEET: A1.0



1 SECOND FLOOR-SITE LAYOUT
SCALE: 1/8" = 1'



2 ROOFTOP FLOOR-SITE LAYOUT
SCALE: 1/8" = 1'

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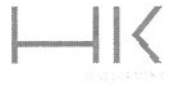


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PROJECT NAME:
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SAN ANTONIO, TEXAS
PROJECT ADDRESS:
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SAN ANTONIO, TEXAS 78210
LAVACA HISTORIC DISTRICT

PROJECT STAFF
CLIENT: H&K
DESIGNER: VOGES
CHECKED BY: [Signature]
DATE: [Date]

REVISIONS
REV: [Number] DATE: [Date] BY: [Name] DESCRIPTION: [Description]

DATE: [Date]
BY: [Name]
FOR: [Name]
NOTED: [Name]

DATE: 10/10/18
BY: [Name]
FOR: [Name]
NOTED: [Name]

A3.0

AN ORDINANCE 2011-08-04-0624

**AMENDING THE OFFICIAL ZONING MAP OF THE CITY
OF SAN ANTONIO BY AMENDING CHAPTER 35, UNIFIED
DEVELOPMENT CODE, SECTION 35-304, OF THE CITY
CODE OF SAN ANTONIO, TEXAS BY CHANGING THE
ZONING DISTRICT BOUNDARY OF CERTAIN PROPERTY.**

* * * * *

WHEREAS, a public hearing was held after notice and publication regarding this amendment to the Official Zoning Map at which time parties in interest and citizens were given an opportunity to be heard; and

WHEREAS, the Zoning Commission has submitted a final report to the City Council regarding this amendment to the Official Zoning Map of the City of San Antonio; **NOW THEREFORE**,

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

SECTION 1. Chapter 35, Unified Development Code, Section 35-304, Official Zoning Map, of the City Code of San Antonio, Texas is amended by changing the zoning district boundary of Lot 23, Block 5, NCB 723 from "H R-6 CD AHOD" Lavaca Historic Residential Single-Family Airport Hazard Overlay District with a Conditional Use for multi-family not to exceed three units to "H IDZ AHOD" Lavaca Historic Infill Development Zone Airport Hazard Overlay District with uses permitted in "MF-33" Multi-Family District and "C-1" Light Commercial District.

SECTION 2. The City council approves this Infill Development Zone so long as the attached site plan is adhered to. A site plan is attached as **Attachment "A"** and made a part hereof and incorporated herein for all purposes.

SECTION 3. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

SECTION 4. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 5. This ordinance shall become effective August 14, 2011.

PASSED AND APPROVED this 4th day of August 2011.



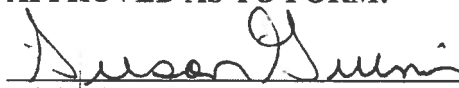
M A Y O R
Julián Castro

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



Michael D. Bernard, City Attorney
For



Request for
**COUNCIL
ACTION**

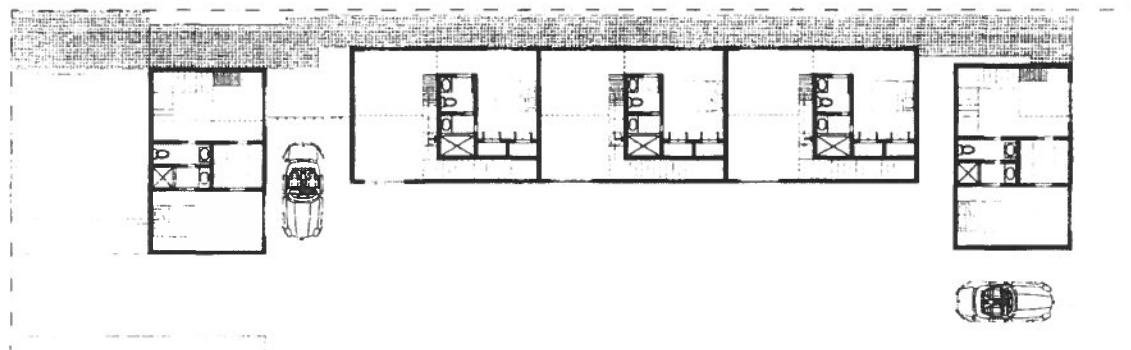
City of San Antonio



Agenda Voting Results - Z-5

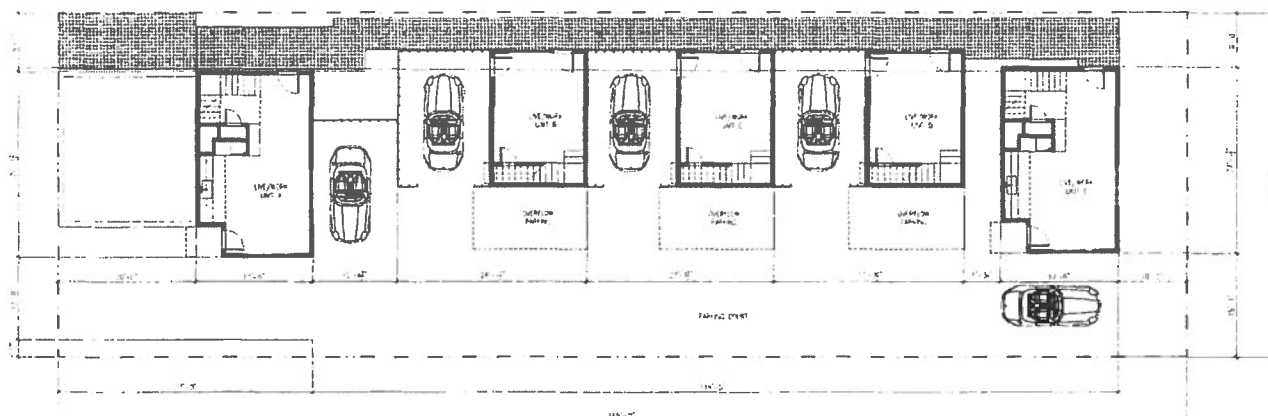
Name:	Z-2, Z-4, P-1, Z-5, P-2, Z-6, Z-7, Z-8, Z-10, Z-12, Z-13, Z-14, Z-15, Z-16, Z-17, Z-18, P-6, Z-19, P-7, Z-20, Z-22, Z-23, Z-24						
Date:	08/04/2011						
Time:	02:24:18 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2011092 (District 1): An Ordinance amending the Zoning District Boundary from "H R-6 CD AHOD" Lavaca Historic Residential Single-Family Airport Hazard Overlay District with a Conditional Use for multi-family not to exceed three units to "H IDZ AHOD" Lavaca Historic Infill Development Zone Airport Hazard Overlay District with uses permitted in "MF-33" Multi-Family District and "C-1" Light Commercial District on Lot 23, Block 5, NCB 723 located at 115 Devine Street. Staff and Zoning Commission recommend approval, pending plan amendment.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor	x					
Diego Bernal	District 1		x				
Ivy R. Taylor	District 2		x				
Jennifer V. Ramos	District 3		x				
Rey Saldaña	District 4		x				
David Medina Jr.	District 5		x				
Ray Lopez	District 6		x				x
Cris Medina	District 7		x				
W. Reed Williams	District 8		x				
Elisa Chan	District 9	x					
Carlton Soules	District 10		x			x	

DEVINE "STREET"



2 SECOND FLOOR

DEVINE STREET



① **FIRST FLOOR**

ATTACHMENT A

LAND USE DIAGRAM

1 2

3 4

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7 8

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**PRELIMINARY
NOT FOR CONSTRUCTION**

OWNER'S STATEMENT:

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[illegible]

**New Construction for
[5] New Residences at**

115 DEVINE STREET
SAN ANTONIO, TX 78204

HSD PROJECT # 07002

1 March 2011
Issued for Design Review

A
01

AN ORDINANCE 2011-08-04-0623

AMENDING THE LAND USE PLAN CONTAINED IN THE LAVACA NEIGHBORHOOD PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF APPROXIMATELY 0.1889 ACRES OF LAND LOCATED AT 115 DEVINE STREET FROM MIXED USE LAND USE AND LOW DENSITY RESIDENTIAL LAND USE TO MIXED USE LAND USE.

* * * * *

WHEREAS, the Lavaca Neighborhood Plan was adopted on September 27, 2001 by City Council 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 May 25, 2011 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:

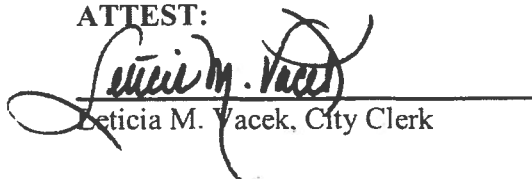
SECTION 1. The Lavaca Neighborhood Plan, a component of the Master Plan of the City, is hereby amended by changing the use of approximately 0.1889 acres of land located at 115 Devine Street from Mixed Use land use and Low Density Residential land use to Mixed Use land use. All portions of land mentioned are depicted in **Attachments "I" and "II"** attached hereto and incorporated herein for all purposes.

SECTION 2. This ordinance shall take effect August 14, 2011.

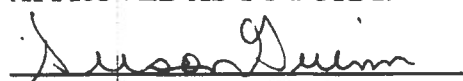
PASSED AND APPROVED on this 4th day of August 2011.

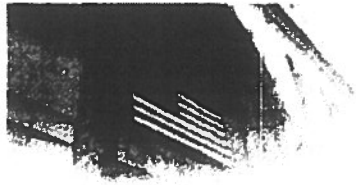

M A Y O R
Julián Castro

ATTEST:


Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:


Michael Bernard, City Attorney
For



Request for
**COUNCIL
ACTION**

City of San Antonio



Agenda Voting Results - P-1

Name:	Z-2, Z-4, P-1, Z-5, P-2, Z-6, Z-7, Z-8, Z-10, Z-12, Z-13, Z-14, Z-15, Z-16, Z-17, Z-18, P-6, Z-19, P-7, Z-20, Z-22, Z-23, Z-24						
Date:	08/04/2011						
Time:	02:24:18 PM						
Vote Type:	Motion to Approve						
Description:	PLAN AMENDMENT #11033 (District 1): An Ordinance amending the land use plan contained in the Lavaca Neighborhood Plan, a component of the Master Plan of the City, by changing the use of a 0.1889 acre tract of land located at 115 Devine Street from Mixed Use land use and Low Density Residential land use to Mixed Use land use. Staff and Planning Commission recommend approval. (Associated Zoning Case: #Z2011092)						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor	x					
Diego Bernal	District 1		x				
Ivy R. Taylor	District 2		x				
Jennifer V. Ramos	District 3		x				
Rey Saldaña	District 4		x				
David Medina Jr.	District 5		x				
Ray Lopez	District 6		x				x
Cris Medina	District 7		x				
W. Reed Williams	District 8		x				
Elisa Chan	District 9	x					
Carlton Soules	District 10		x			x	

Master Plan Amendment 11033 Lavaca Neighborhood Plan

ATTACHMENT I Land Use Plan as adopted:



ATTACHMENT II Proposed Amendment:

