

# HISTORIC AND DESIGN REVIEW COMMISSION

July 07, 2021

**HDRC CASE NO:** 2021-242  
**ADDRESS:** 134 W MISTLETOE  
**LEGAL DESCRIPTION:** NCB 1837 BLK 15 LOT 1 & W 14.28 FT OF 2  
**ZONING:** R-4, H  
**CITY COUNCIL DIST.:** 1  
**DISTRICT:** Monte Vista Historic District  
**APPLICANT:** Lyndsay Thorn/Thorn Architects  
**OWNER:** ARCHER JOHN CHRISTIAN  
**TYPE OF WORK:** Demolition of a rear accessory structure  
**APPLICATION RECEIVED:** May 07, 2021  
**60-DAY REVIEW:** Not applicable due to City Council Emergency Orders  
**CASE MANAGER:** Rachel Rettaliata

## REQUEST:

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

1. Demolish a contributing rear accessory structure.
2. Construct a rear carport.
3. Replace the existing front concrete walkway with a new red brick walkway. The walkway footprint is requested to be modified, while the width is requested to be retained at six feet.

## APPLICABLE CITATIONS:

*Unified Development Code Sec. 35-614. - Demolition.*

Demolition of a historic landmark constitutes an irreplaceable loss to the quality and character of the City of San Antonio. Accordingly, these procedures provide criteria to prevent unnecessary damage to the quality and character of the city's historic districts and character while, at the same time, balancing these interests against the property rights of landowners.

(a) Applicability. The provisions of this section apply to any application for demolition of a historic landmark (including those previously designated as historic exceptional or historic significant) or a historic district.

(1) Historic Landmark. No certificate shall be issued for demolition of a historic landmark unless the applicant provides sufficient evidence to support a finding by the commission of unreasonable economic hardship on the applicant. In the case of a historic landmark, if an applicant fails to prove unreasonable economic hardship, the applicant may provide to the historic and design review commission additional information regarding loss of significance as provided is subsection (c) in order to receive a historic and design review commission recommendation for a certificate for demolition.

(2) Entire Historic District. If the applicant wishes to demolish an entire designated historic district, the applicant must provide sufficient evidence to support a finding by the commission of economic hardship on the applicant if the application for a certificate is to be approved.

(3) Property Located in Historic District and Contributing to District Although Not Designated a Landmark. No certificate shall be issued for property located in a historic district and contributing to the district although not designated a landmark unless the applicant provides sufficient evidence to support a finding by the commission of unreasonable economic hardship on the applicant if the application for a certificate is disapproved. When an applicant fails to prove unreasonable economic hardship in such cases, the applicant may provide additional information regarding loss of significance as provided is subsection (c) in order to receive a certificate for demolition of the property.

### *(b) Unreasonable Economic Hardship.*

(1) Generally. The historic and design review commission shall be guided in its decision by balancing the historic, architectural, cultural and/or archaeological value of the particular landmark or eligible landmark against the special merit of the proposed replacement project. The historic and design review commission shall not consider or be

persuaded to find unreasonable economic hardship based on the presentation of circumstances or items that are not unique to the property in question (i.e. the current economic climate).

(2) Burden of Proof. The historic and design review commission shall not consider or be persuaded to find unreasonable economic hardship based on the presentation of circumstances or items that are not unique to the property in question (i.e., the current economic climate). When a claim of unreasonable economic hardship is made, the owner must provide sufficient evidence to support a finding by the commission that:

A. The owner cannot make reasonable beneficial use of or realize a reasonable rate of return on a structure or site, regardless of whether that return represents the most profitable return possible, unless the highly significant endangered, historic and cultural landmark, historic and cultural landmarks district or demolition delay designation, as applicable, is removed or the proposed demolition or relocation is allowed;

B. The structure and property cannot be reasonably adapted for any other feasible use, whether by the current owner or by a purchaser, which would result in a reasonable rate of return; and

C. The owner has failed to find a purchaser or tenant for the property during the previous two (2) years, despite having made substantial ongoing efforts during that period to do so. The evidence of unreasonable economic hardship introduced by the owner may, where applicable, include proof that the owner's affirmative obligations to maintain the structure or property make it impossible for the owner to realize a reasonable rate of return on the structure or property.

(3) Criteria. The public benefits obtained from retaining the cultural resource must be analyzed and duly considered by the historic and design review commission.

As evidence that an unreasonable economic hardship exists, the owner may submit the following information to the historic and design review commission by affidavit:

A. For all structures and property:

- i. The past and current use of the structures and property;
- ii. The name and legal status (e.g., partnership, corporation) of the owners;
- iii. The original purchase price of the structures and property;
- iv. The assessed value of the structures and property according to the two (2) most recent tax assessments;
- v. The amount of real estate taxes on the structures and property for the previous two (2) years;
- vi. The date of purchase or other acquisition of the structures and property;
- vii. Principal balance and interest rate on current mortgage and the annual debt service on the structures and property, if any, for the previous two (2) years;
- viii. All appraisals obtained by the owner or applicant within the previous two (2) years in connection with the owner's purchase, financing or ownership of the structures and property;
- ix. Any listing of the structures and property for sale or rent, price asked and offers received;
- x. Any consideration given by the owner to profitable adaptive uses for the structures and property;
- xi. Any replacement construction plans for proposed improvements on the site;
- xii. Financial proof of the owner's ability to complete any replacement project on the site, which may include but not be limited to a performance bond, a letter of credit, an irrevocable trust for completion of improvements, or a letter of commitment from a financial institution; and
- xiii. The current fair market value of the structure and property as determined by a qualified appraiser.
- xiv. Any property tax exemptions claimed in the past five (5) years.

B. For income producing structures and property:

- i. Annual gross income from the structure and property for the previous two (2) years;
- ii. Itemized operating and maintenance expenses for the previous two (2) years; and
- iii. Annual cash flow, if any, for the previous two (2) years.

C. In the event that the historic and design review commission determines that any additional information described above is necessary in order to evaluate whether an unreasonable economic hardship exists, the historic and design review commission shall notify the owner. Failure by the owner to submit such information to the historic and design review commission within fifteen (15) days after receipt of such notice, which time may be extended by the historic and design review commission, may be grounds for denial of the owner's claim of unreasonable economic hardship.

D. Construction cost estimates for rehabilitation, restoration, or repair, which shall be broken out by design discipline and construction trade, and shall provide approximate quantities and prices for labor and materials. OHP shall review such estimates for completeness and accuracy, and shall retain outside consultants as needed to provide expert analysis to the HDRC.

When a low-income resident homeowner is unable to meet the requirements set forth in this section, then the historic and design review commission, at its own discretion, may waive some or all of the requested information and/or request substitute information that an indigent resident homeowner may obtain without incurring any costs. If the historic and

design review commission cannot make a determination based on information submitted and an appraisal has not been provided, then the historic and design review commission may request that an appraisal be made by the city.

*(c) Loss of Significance.*

When an applicant fails to prove unreasonable economic hardship the applicant may provide to the historic and design review commission additional information which may show a loss of significance in regards to the subject of the application in order to receive historic and design review commission recommendation of approval of the demolition. If, based on the evidence presented, the historic and design review commission finds that the structure or property is no longer historically, culturally, architecturally or archeologically significant, it may make a recommendation for approval of the demolition. In making this determination, the historic and design review commission must find that the owner has provided sufficient evidence to support a finding by the commission that the structure or property has undergone significant and irreversible changes which have caused it to lose the historic, cultural, architectural or archeological significance, qualities or features which qualified the structure or property for such designation. Additionally, the historic and design review commission must find that such changes were not caused either directly or indirectly by the owner, and were not due to intentional or negligent destruction or a lack of maintenance rising to the level of a demolition by neglect.

The historic and design review commission shall not consider or be persuaded to find loss of significance based on the presentation of circumstances or items that are not unique to the property in question (i.e. the current economic climate).

For property located within a historic district, the historic and design review commission shall be guided in its decision by balancing the contribution of the property to the character of the historic district with the special merit of the proposed replacement project.

*(d) Documentation and Strategy.*

(1) Applicants that have received a recommendation for a certificate shall document buildings, objects, sites or structures which are intended to be demolished with 35mm slides or prints, preferably in black and white, and supply a set of slides or prints or provide a set of digital photographs in RGB color to the historic preservation officer. Digital photographs must have a minimum dimension of 3000 x 2000 pixels and resolution of 300 dpi.

(2) Applicants shall also prepare for the historic preservation officer a salvage strategy for reuse of building materials deemed valuable by the historic preservation officer for other preservation and restoration activities.

(3) Applicants that have received an approval of a certificate regarding demolition shall be permitted to receive a demolition permit without additional commission action on demolition, following the commission's recommendation of a certificate for new construction. Permits for demolition and construction shall be issued simultaneously if requirements of section 35-609, new construction, are met, and the property owner provides financial proof of his ability to complete the project.

(4) When the commission recommends approval of a certificate for buildings, objects, sites, structures designated as landmarks, or structures in historic districts, permits shall not be issued until all plans for the site have received approval from all appropriate city boards, commissions, departments and agencies. Permits for parking lots shall not be issued, nor shall an applicant be allowed to operate a parking lot on such property, unless such parking lot plan was approved as a replacement element for the demolished object or structure.

(e) Issuance of Permit. When the commission recommends approval of a certificate regarding demolition of buildings, objects, sites, or structures in historic districts or historic landmarks, permits shall not be issued until all plans for the site have received approval from all appropriate city boards, commissions, departments and agencies. Once the replacement plans are approved a fee shall be assessed for the demolition based on the approved replacement plan square footage. The fee must be paid in full prior to issuance of any permits and shall be deposited into an account as directed by the historic preservation officer for the benefit, rehabilitation or acquisition of local historic resources. Fees shall be as follows and are in addition to any fees charged by planning and development services:

0—2,500 square feet = \$2,000.00

2,501—10,000 square feet = \$5,000.00

10,001—25,000 square feet = \$10,000.00

25,001—50,000 square feet = \$20,000.00

Over 50,000 square feet = \$30,000.00

NOTE: Refer to City Code Chapter 10, Subsection 10-119(o) regarding issuance of a permit.

(f) The historic preservation officer may approve applications for demolition permits for non-contributing minor outbuildings within a historic district such as carports, detached garages, sheds, and greenhouses determined by the historic preservation officer to not possess historical or architectural significance either as a stand-alone building or structure, or as part of a complex of buildings or structures on the site.  
(Ord. No. 98697 § 6) (Ord. No. 2010-06-24-0616, § 2, 6-24-10) (Ord. No. 2014-04-10-0229, § 4, 4-10-14)(Ord. No. 2015-10-29-0921 , § 2, 10-29-15)(Ord. No. 2015-12-17-1077 , § 2, 12-17-15)

#### *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 principal 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.

## *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.

### 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.

## FINDINGS:

- a. The primary structure located at 134 W Mistletoe is a 2 ½ story residential structure constructed circa 1910 in the Craftsman style by prominent San Antonio architect Atlee B. Ayers. The home features woodlap and wood shake siding, a hipped roof, and prominent front porch. The property features a 1-story rear accessory structure of wood construction fronting Howard Street with two garage doors and a full concrete driveway pad. The property is contributing to the Monte Vista Historic District.
- b. **DEMOLITION** – The applicant is requesting approval for the demolition of the rear accessory structure only and is requesting to replace the structure with a rear carport. In general, accessory structures contribute to the character of historic properties and the historical development pattern within a historic district.
- c. **CONTRIBUTING STATUS** – The existing rear accessory structure is a 1-story, two-bay auto structure that may have been constructed circa 1950. A series of rear accessory structures, including a stable, appear on the 1911 and 1931 Sanborn Maps. A rear accessory structure matching the footprint of the existing rear accessory structure first appears on the Sanborn Map in 1951. The existing rear accessory structure has either been modified since construction or is a newer structure that matches the circa 1950 rear accessory structure in footprint and location. The structure is contributing to the district.

### Findings related to request item #1:

- 1a. The loss of a contributing structure is an irreplaceable loss to the quality and character of San Antonio. Demolition of any contributing buildings should only occur after every attempt has been made, within reason, to successfully reuse the structure. Clear and convincing evidence supporting an unreasonable economic hardship on the applicant if the application for a certificate is disapproved must be presented by the applicant in order for demolition to be considered. The criteria for establishing unreasonable economic hardship are listed in UDC Section 35-614 (b)(3). The applicant must prove by a preponderance of the evidence that:

*A. The owner cannot make reasonable beneficial use of or realize a reasonable rate of return on a structure or site, regardless of whether that return represents the most profitable return possible, unless the highly significant endangered, historic and cultural landmark, historic and cultural*

*landmarks district or demolition delay designation, as applicable, is removed or the proposed demolition or relocation is allowed;*

[The applicant has provided one cost estimate of \$50,000 for the rehabilitation of the existing structure and has expressed that the applicant finds the structure to have likely been built circa 1980 and to be noncontributing to the district. The applicant has provided a cost estimate of \$20,000 for the demolition of the structure.]

*B. The structure and property cannot be reasonably adapted for any other feasible use, whether by the current owner or by a purchaser, which would result in a reasonable rate of return;*

[The applicant has provided one cost estimate for rehabilitation of the existing structure. The applicant does not find that the structure can be reasonably adapted to suit their needs.]

*C. The owner has failed to find a purchaser or tenant for the property during the previous two (2) years, despite having made substantial ongoing efforts during that period to do so. The evidence of unreasonable economic hardship introduced by the owner may, where applicable, include proof that the owner's affirmative obligations to maintain the structure or property make it impossible for the owner to realize a reasonable rate of return on the structure or property.*

[This is not applicable to the current owner.]

- 1b. LOSS OF SIGNIFICANCE – The applicant may provide to the Historic and Design Review Commission additional information which may show a loss of significance in regard to the subject of the application in order to receive Historic and Design Review Commission recommendation of approval of the demolition. If, based on the evidence presented, the Historic and Design Review Commission finds that the structure or property is no longer historically, culturally, architecturally, or archeologically significant, it may make a recommendation for approval of the demolition. In making this determination, the Historic and Design Review Commission must find that the owner has provided sufficient evidence to support a finding by the Commission that the structure or property has undergone significant or irreversible changes which have caused it to lose the historic, cultural, architectural, or archeological significance, qualities or features which qualified the structure or property for such designation. Additionally, the Historic and Design Review Commission must find that such changes were not caused either directly or indirectly by the owner and were not due to intentional or negligent destruction or a lack of maintenance rising to the level of a demolition by neglect. The existing rear accessory structure shows evidence of bowing along the roof line, wood rot at the base of the structure and on the rafter tails, and the rear of the structure has been partially clad with wood privacy fencing. Staff finds that a loss of significance may have occurred due to the modifications and deterioration of original materials.
- 1c. In general, staff encourages the rehabilitation, and when necessary, reconstruction of historic structures. Such work is eligible for local tax incentives. The financial benefit of the incentives should be taken into account when weighing the costs of rehabilitation against the costs of demolition with new construction.

Findings related to request item #2:

- 2a. SETBACKS & ORIENTATION – The applicant has proposed to construct a rear carport with a storage area and outdoor kitchen area in place of the existing rear accessory structure. According to the Guidelines for New Construction, the orientation of new construction should be consistent with the historic example found on the block. The applicant has proposed to orient the proposed carport on the lot to front Howard Street, which generally reflects that of the historic structure currently on the site. The applicant has proposed to set the carport along the property line. The existing structure currently features a setback of 15'-6" and a fully concrete driveway that extends from the apron to the structure. Staff finds that the proposed carport should feature a setback in keeping with the existing rear accessory structure and remain in line with the neighboring structure at 1712 Howard Street.
- 2b. SCALE & MASS – The applicant has proposed a 1-story carport structure with a Dutch gable roof.

The structure will measure approximately 14'-11" in height. The Historic Design Guidelines state that new construction should be consistent with the height and overall scale of nearby historic buildings and rear accessory structures. The scale of the proposed structure does not impact or visually compete with primary structure on the lot or nearby historic structures. Staff finds the proposal consistent with the Guidelines.

- 2c. FOOTPRINT – The applicant has proposed a footprint of approximately 865 square feet for the carport structure and approximately 93 square feet for an attached rear storage area. The structure will feature two attached pergolas over the outdoor kitchen area on the east side of the structure and on the north side of the structure. According to the Historic Design Guidelines, new construction should be consistent with adjacent historic buildings in terms of the building to lot ratio. The existing rear accessory structure is approximately 438 square feet, which is consistent with the historic development pattern of the district. The proposed carport will more than double the square footage of the existing rear accessory structure. Staff finds that the proposed footprint should more closely reflect the footprint of the existing rear accessory structure.
- 2d. ROOF FORM – The applicant has proposed a Dutch gable roof form. Guideline 2.B.i for New Construction states that new construction should incorporate roof forms – pitch, overhangs, and orientation – that are consistent with those predominantly found on the block. The roof form on the existing rear accessory structure is a shed roof form that slopes toward the rear. Staff finds the proposal appropriate.
- 2e. MATERIALS – The applicant has not provided material specifications for the proposed rear carport at this time. In the submitted elevation drawings, the proposed carport appears to feature a composition shingle roof and wood construction. The existing structure features board and batten siding and a metal roof. Staff finds that the applicant should submit final material specifications to staff for review.
- 2f. ARCHITECTURAL DETAILS – New structures should be designed to reflect their time while representing the historic context of the district. Additionally, architectural details should be complementary in nature and should not detract from nearby historic structures. Staff finds the proposed carport appropriate.

#### Findings related to request item #3:

- 3a. WALKWAY –The applicant has proposed to remove the existing continuous concrete walkway leading from the street to the porch with a walkway constructed of individual red bricks. Per the applicant, the existing walkway is sinking and is in disrepair and in need of replacement. The applicant has proposed to modify the existing curved landing with a rectangular footprint but will retain the existing width at 6 feet. According to the Historic Design Guidelines, walkways should be replaced in-kind and follow the historic alignment, configuration, and width of those historically found in the district. The historic width, alignment, or design should only be altered where absolutely necessary to accommodate the preservation of a significant tree. Staff does not find the proposal consistent with the Guidelines.

#### **RECOMMENDATION:**

- 1. Staff does not recommend approval of request item #1, the demolition of the historic rear accessory structure based on findings 1a through 1c.

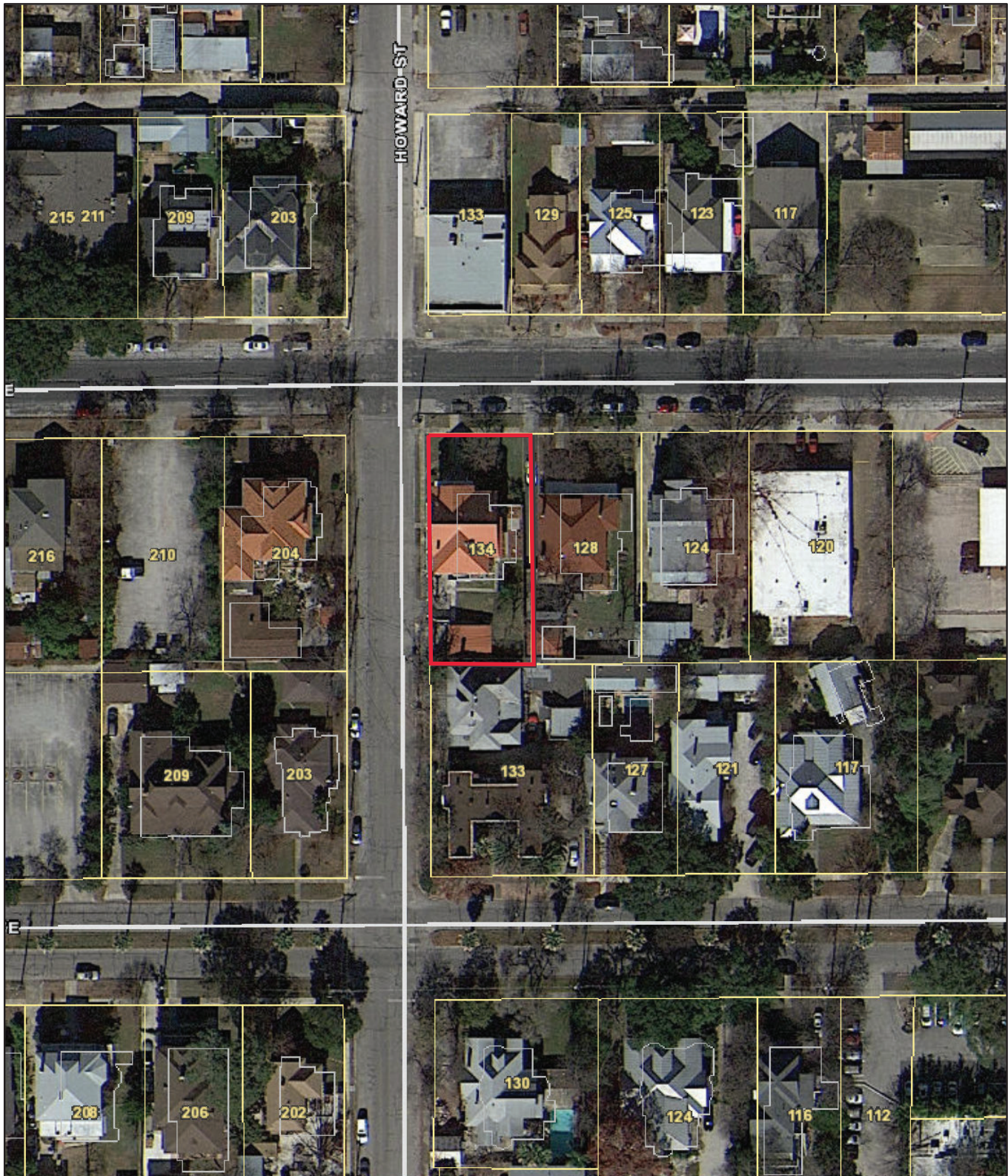
If the HDRC finds that there is unreasonable economic hardship or, failing that, finds a loss of significance has occurred and approves the requested demolition, then staff makes the following recommendations regarding the requested new construction:

- 2. Staff recommends approval of request item #2, the construction of a rear carport structure, based on findings 2a through 2f with the following stipulations:
  - i. That materials from the historic accessory structure including salvageable wood siding, and wood doors be salvaged and stored on site for use in future construction.
  - ii. That the applicant explores a setback in keeping with the existing rear accessory structure that remains in line with the neighboring structure at 1712 Howard Street. An updated site plan must be submitted to staff for review and approval prior to the issuance of a Certificate of Appropriateness.

- iii. That the applicant reduces the overall footprint to more closely reflect the footprint of the existing rear accessory structure. An updated site plan and updated elevation drawings must be submitted to staff for review and approval prior to the issuance of a Certificate of Appropriateness.
  - iv. That the applicant submits final material specifications to staff for review and approval prior to the issuance of a Certificate of Appropriateness.
3. Staff does not recommend approval of request item #3 based on finding 3a. The repouring of the walkway in-kind is eligible for administrative approval.

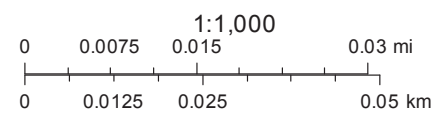


# City of San Antonio One Stop



June 11, 2021

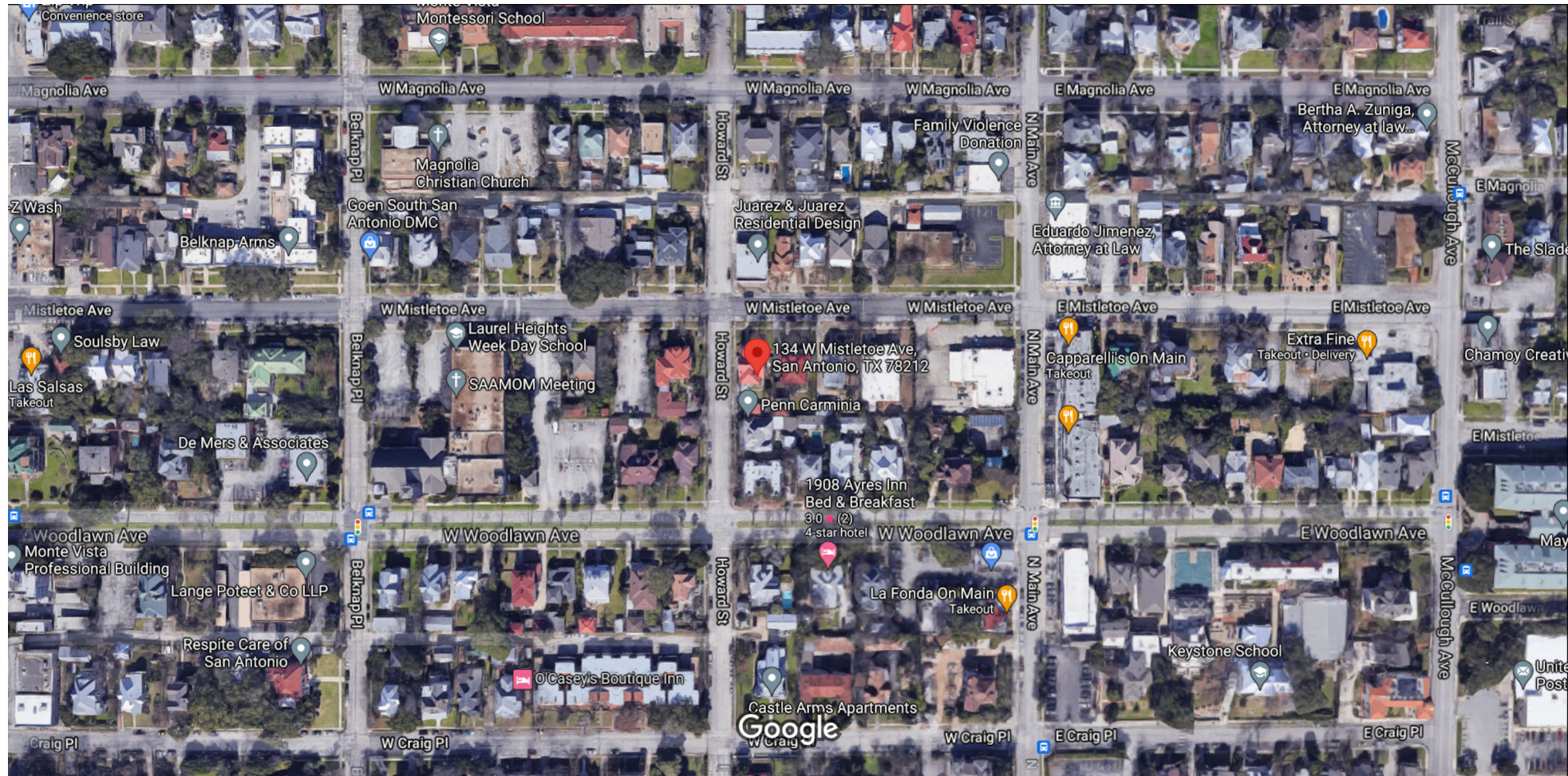
— User drawn lines







134 W Mistletoe Ave



Imagery ©2021 Google, Imagery ©2021 CAPCOG, CNES / Airbus, Maxar Technologies, USDA Farm Service Agency, Map data ©2021

100 ft



Google Maps 134 W Mistletoe Ave

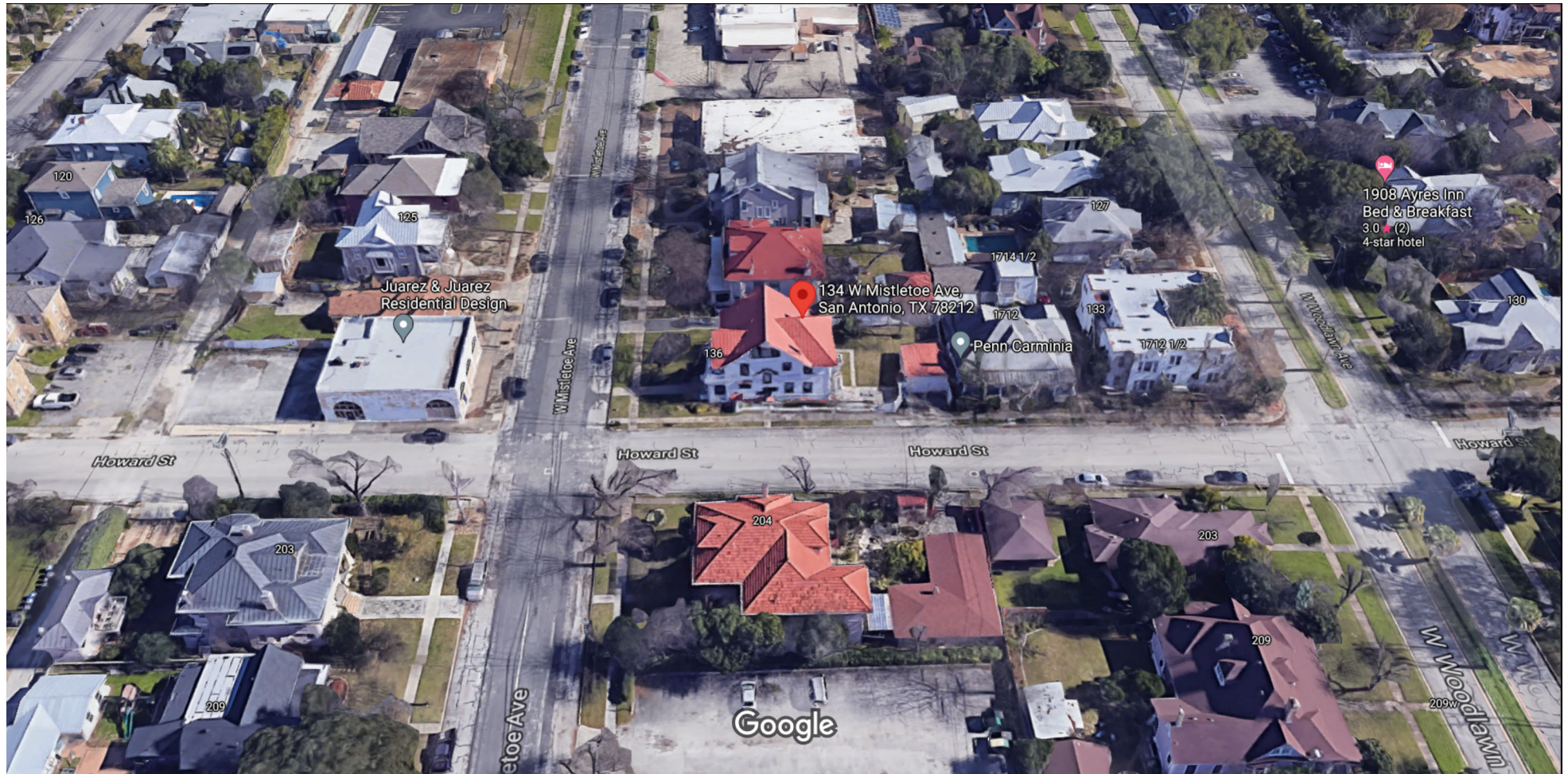


Imagery ©2021 Google, Imagery ©2021 CAPCOG, CNES / Airbus, Maxar Technologies, Map data ©2021 50 ft





134 W Mistletoe Ave



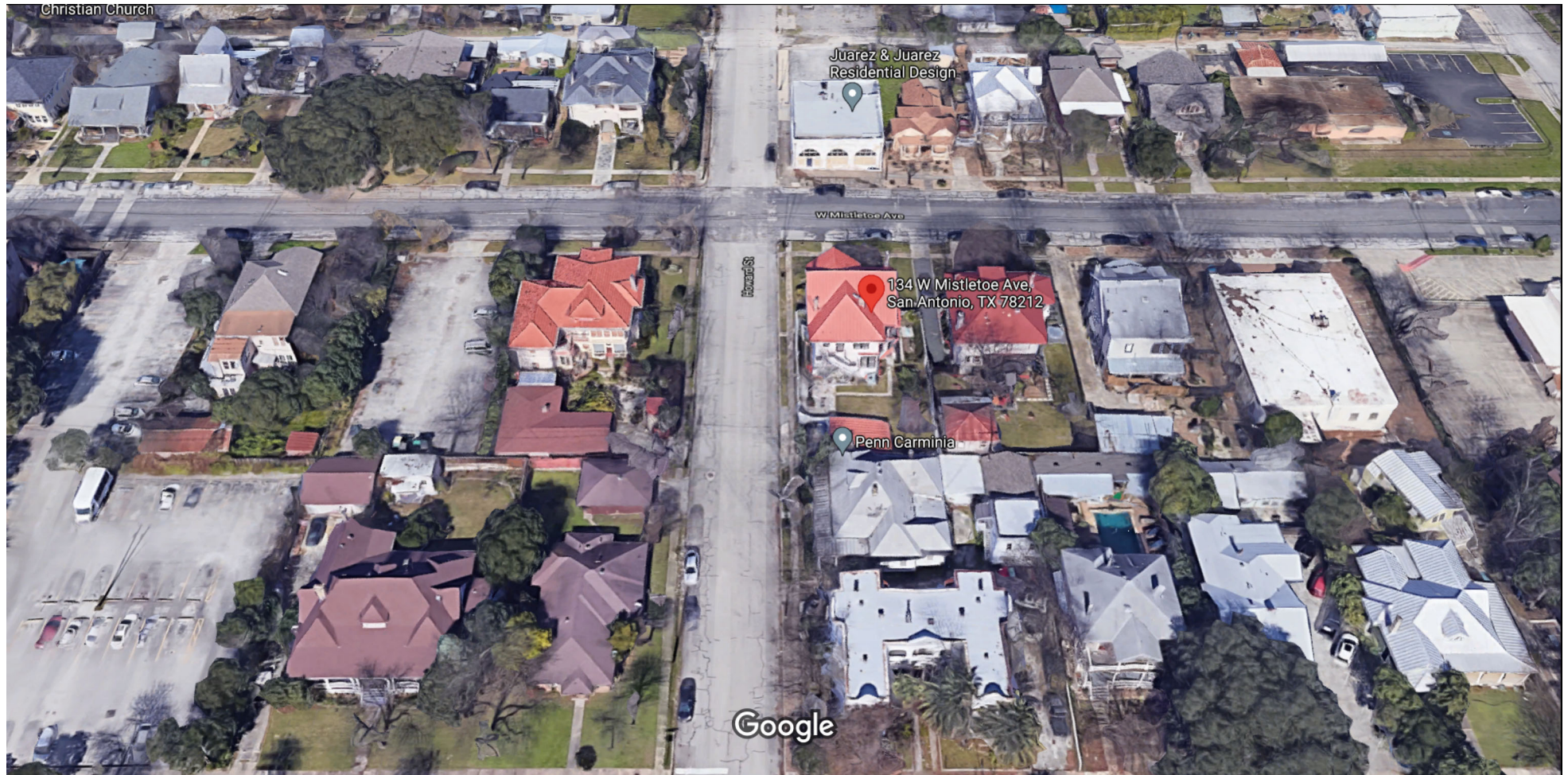
Imagery ©2021 Google, Imagery ©2021 CAPCOG, CNES / Airbus, Maxar Technologies, Map data ©2021

50 ft





134 W Mistletoe Ave



Imagery ©2021 Google, Imagery ©2021 CAPCOG, CNES / Airbus, Maxar Technologies, Map data ©2021

50 ft





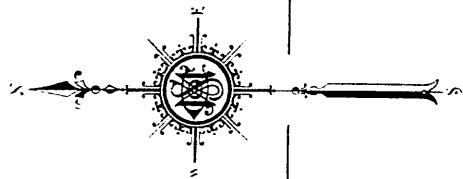
134 W Mistletoe Ave



Imagery ©2021 Google, Imagery ©2021 CAPCOG, CNES / Airbus, Maxar Technologies, Map data ©2021

50 ft





E. MAGNOLIA

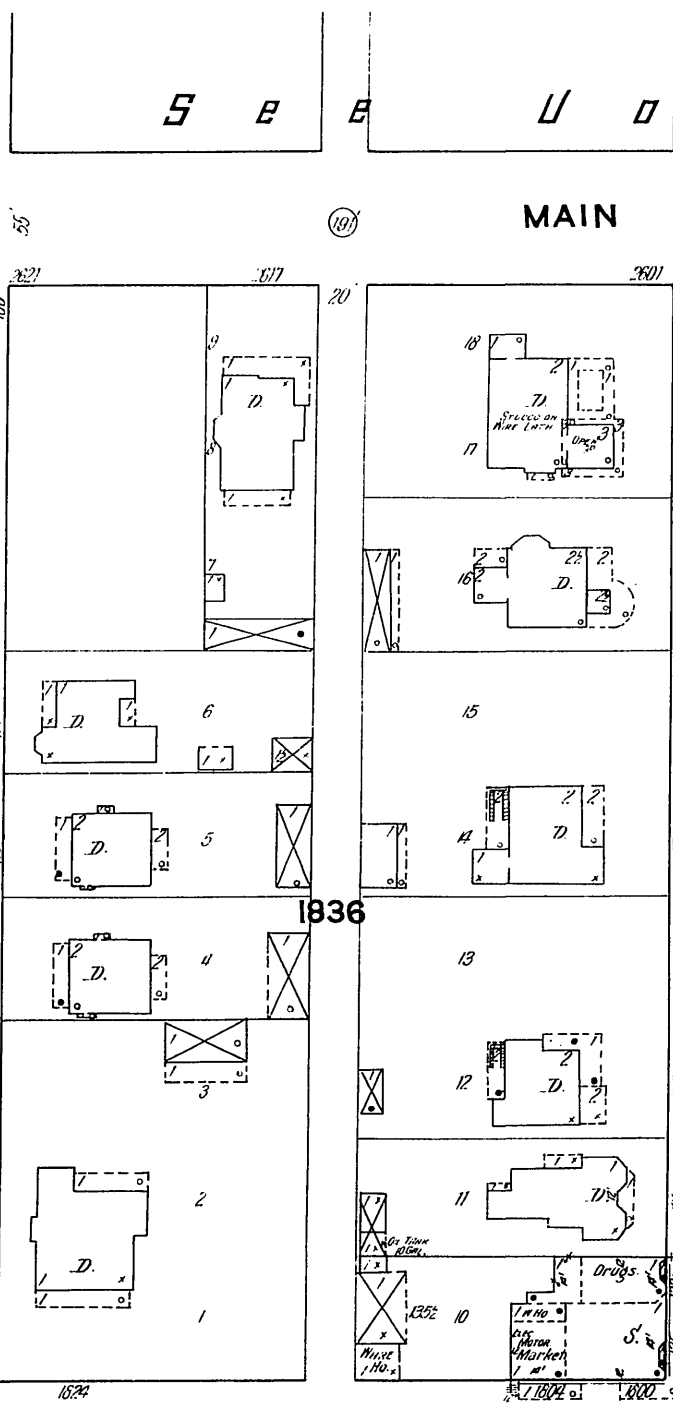
AV. CORNELIO

W. MAGNOLIA

NOT PAVED

6" W. PIPE

74



MAIN

HOWARD

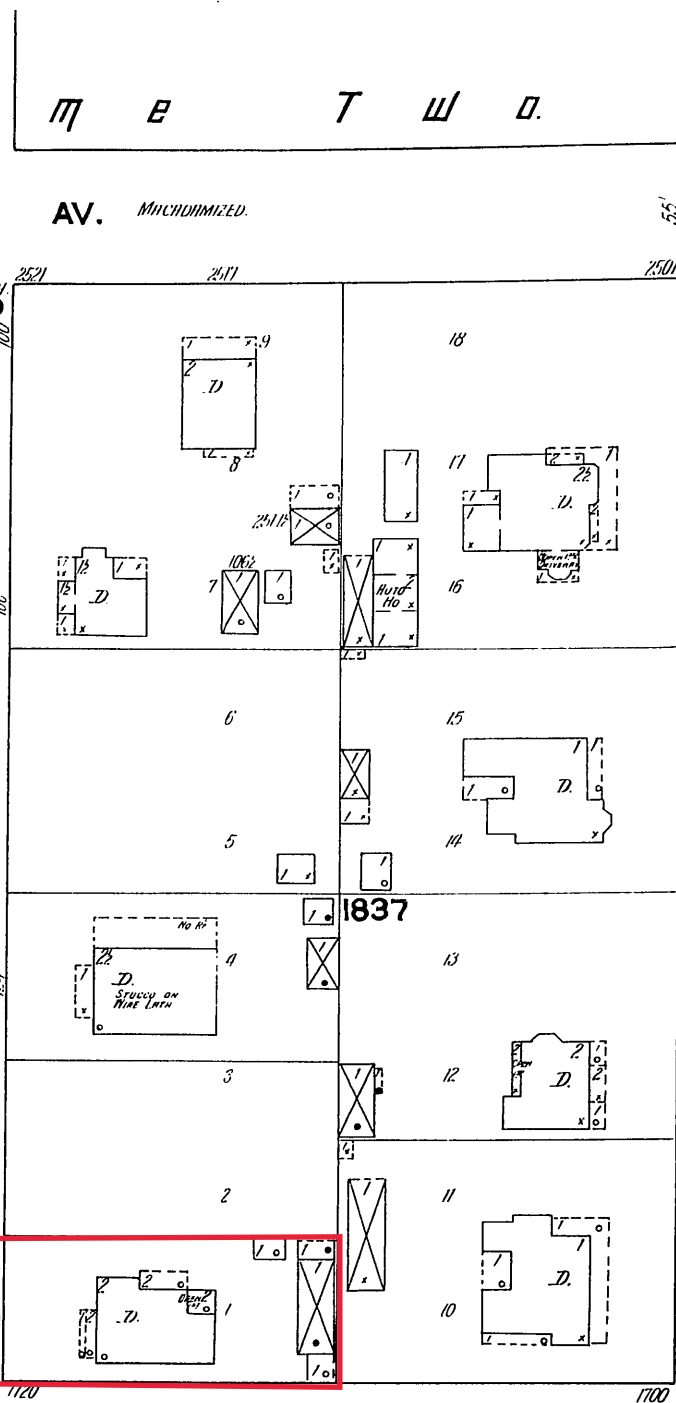
E. MISTLETOE

AV. CORNELIO

W. MISTLETOE

6" W. PIPE

79



AV. MICROFILMED

PL. MICROFILMED

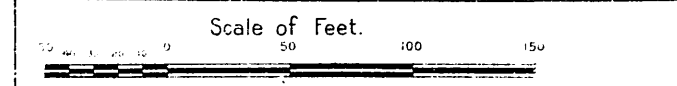
E. WOODLAWN

AV. MICROFILMED

W. WOODLAWN

6" W. PIPE

76



BELKNAP

LAUREL HEIGHTS METHODIST CHURCH

TEMPORARY CHURCH

HEAT, STEAM, LIGHT, ELECTRIC, 32 TO ENDS.



E. MAGNOLIA

S E E U D

E. MISTLETOE

E. WOODLAWN

1931

MAIN

AV. MACADAMIZED.

AV. GRAVELED.

AV. MACADAMIZED.

HOWARD

GRAVELED.

W. WOODLAWN

W. MAGNOLIA

W. MISTLETOE

BELKNAP

PL. MACADAMIZED.

Scale of Feet.



San Antonio, Vol. 1.  
**75**

TEX. . . 037

E. MAGNOLIA  
Rk

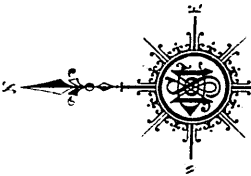
S E E U D

N MAIN

AV. MACDONALDIZED.

1951

E. WOODLAWN  
Rk



AV. GARVELED.

W. MAGNOLIA  
8" W. P.

NOT PAVED

8" W. P.

HOWARD

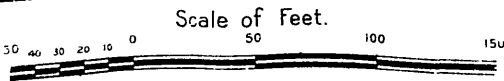
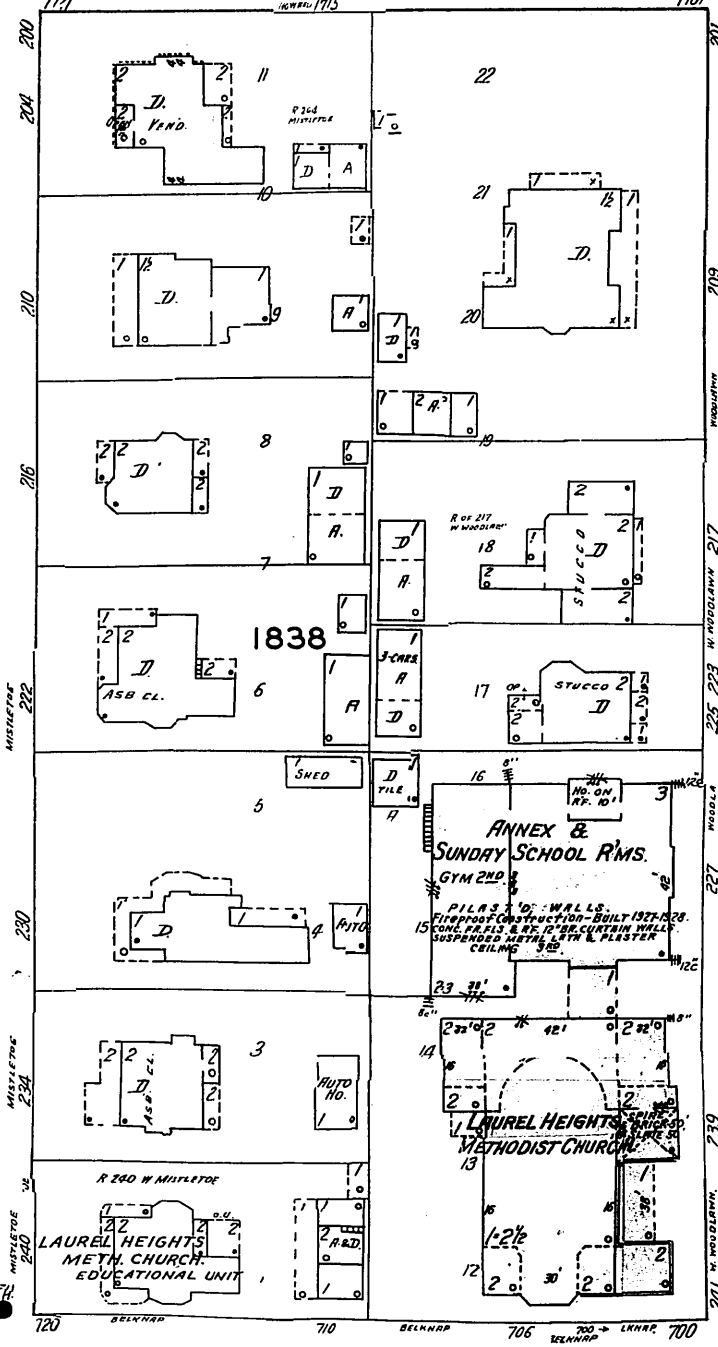
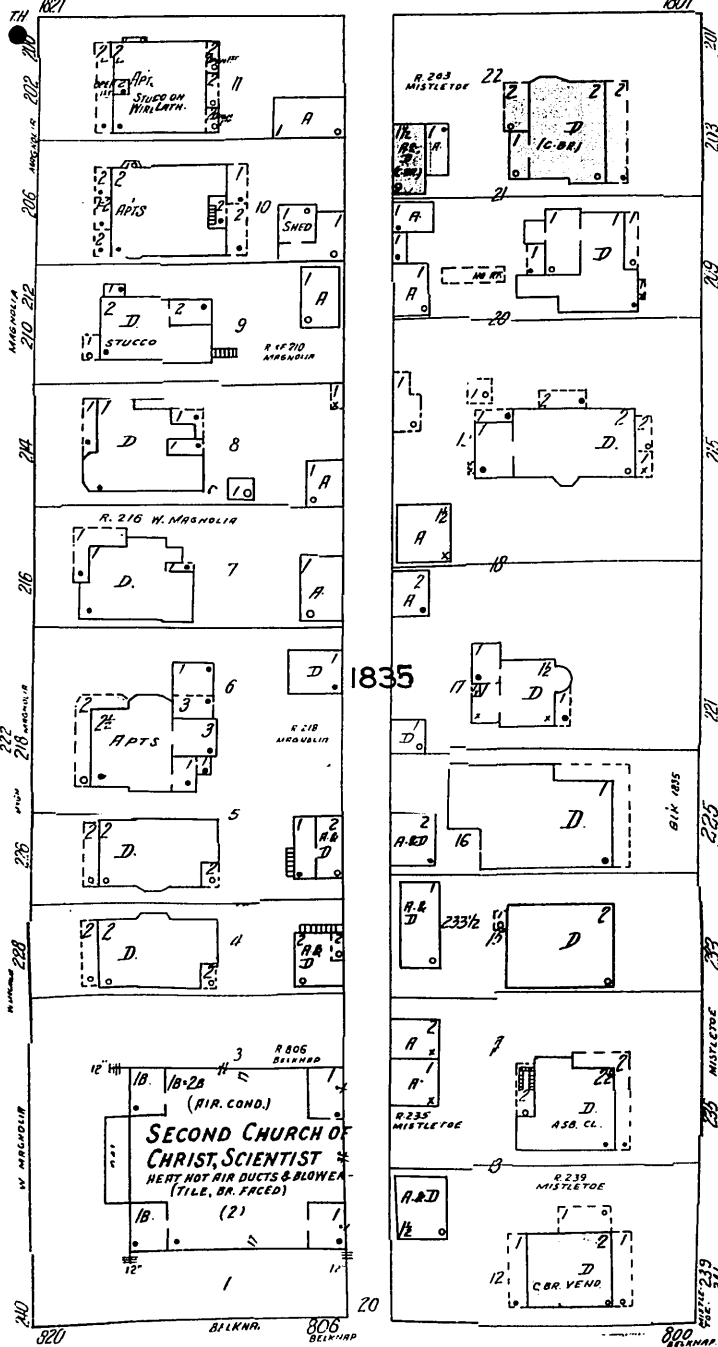
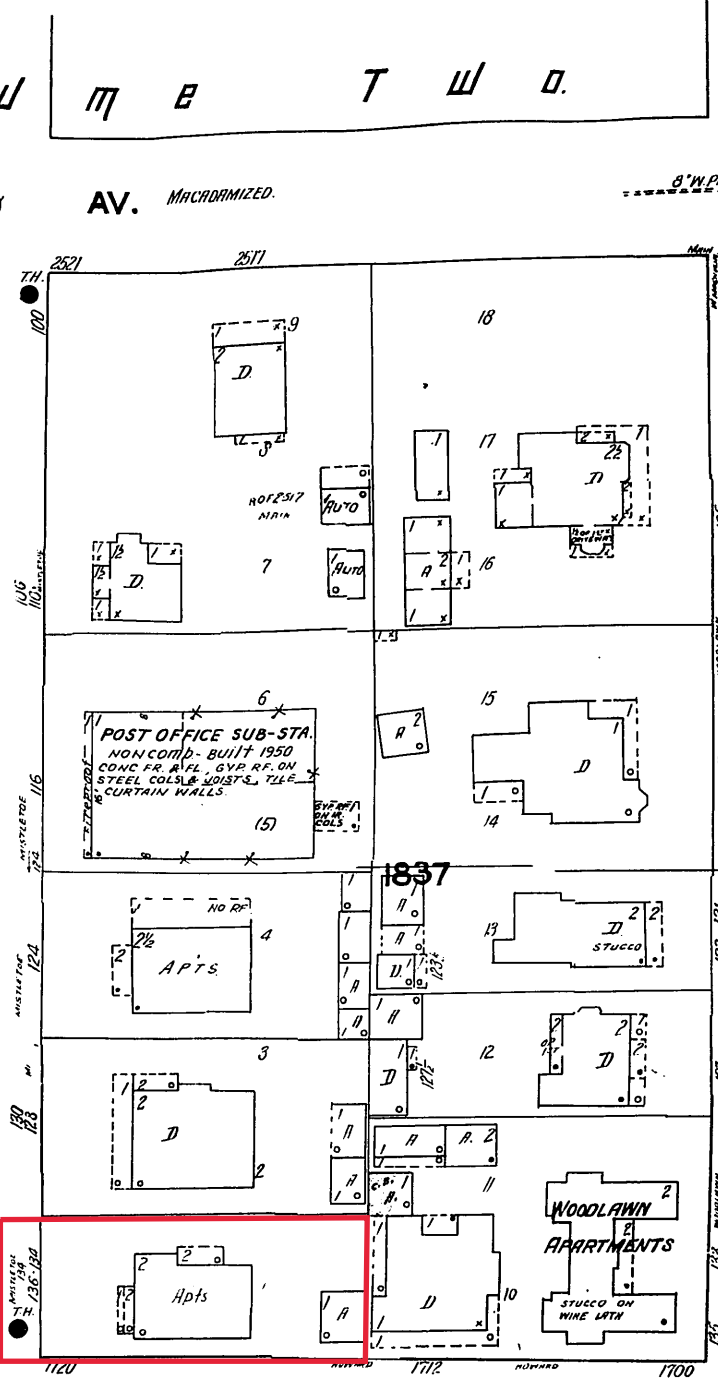
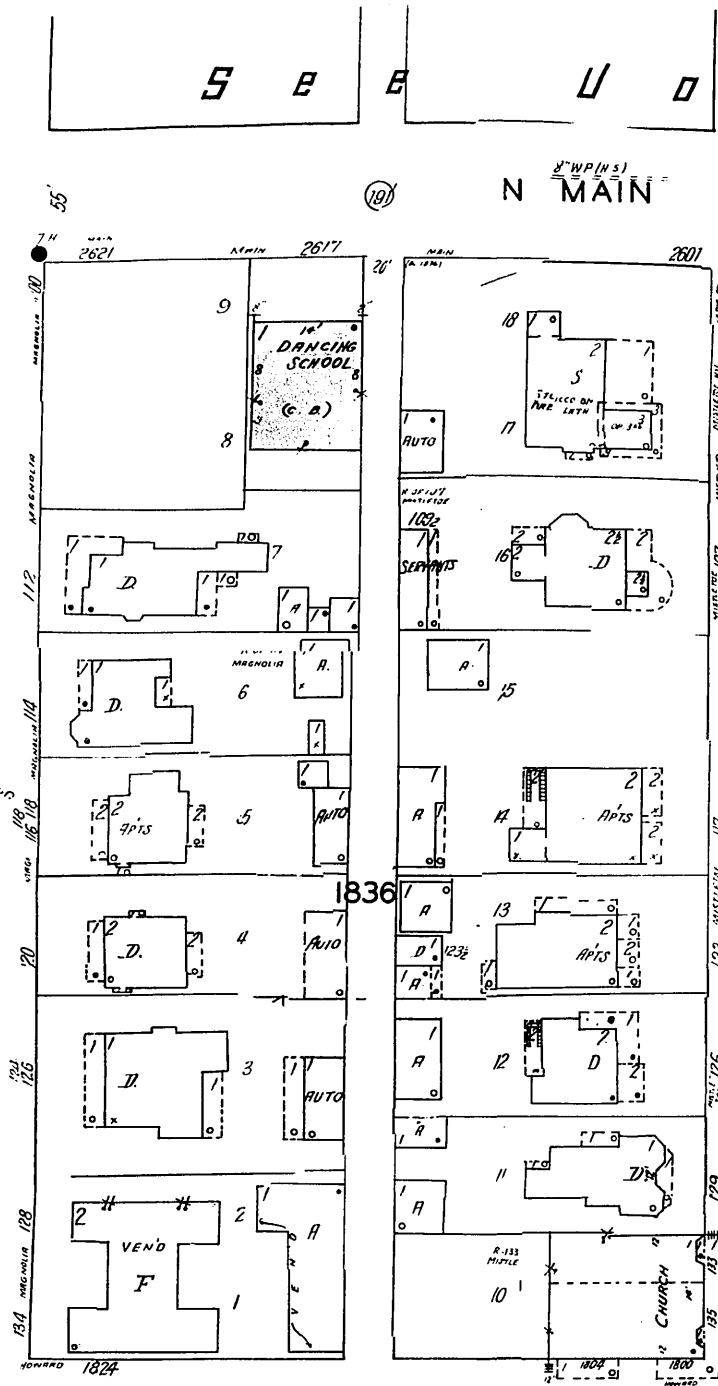
W. MISTLETOE  
8" W. P.

BELKNAP

PL. MACDONALDIZED.

W. WOODLAWN  
8" W. P.

76



79

1955

Historic  
Aerial





### ADD ALTERNATES

## SITE INFORMATION

ALLOW \$\_\_\_\_\_ FOR \_\_\_\_\_

[illegible]

No.	Revisions/Date

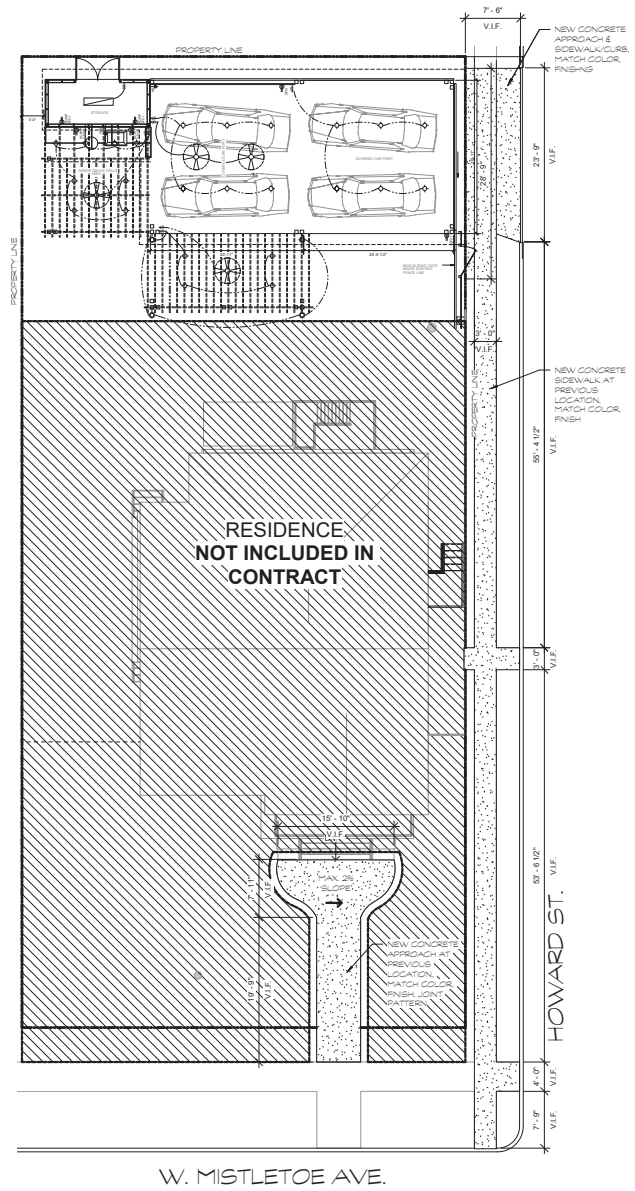


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 Author: 2037  
 Checked: Date:  
 Checker: 05/05/21  
 Scale: 1/8" = 1'-0"

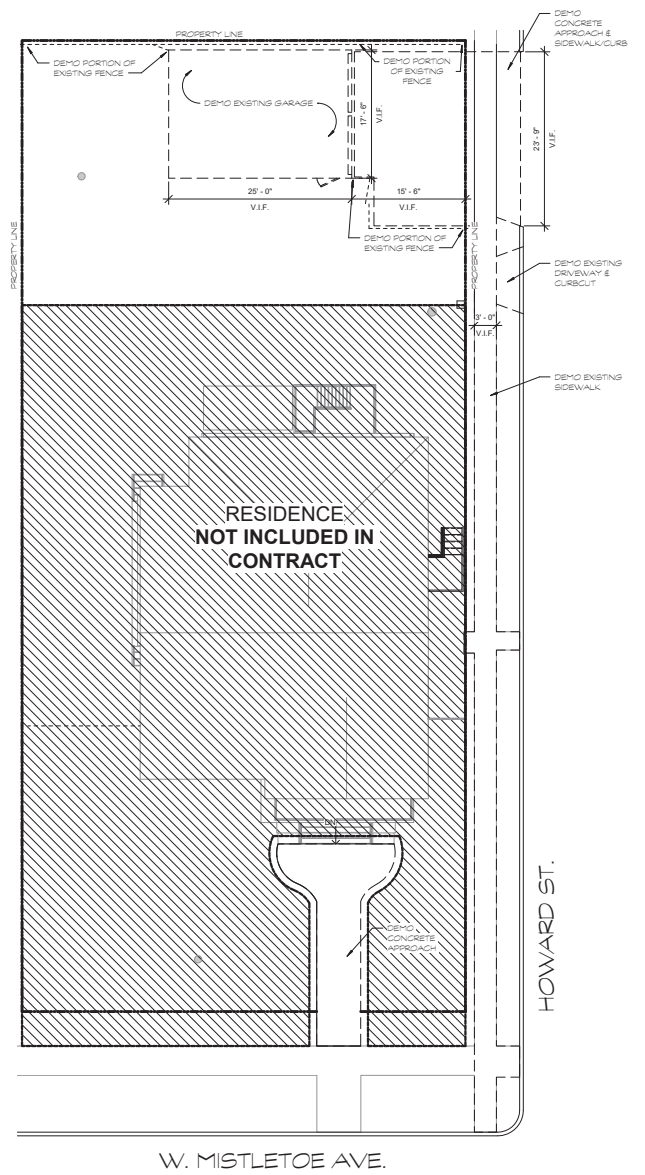
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 SITE PLAN - CARPORT

Sheet No.

**A-0**



**2** Site - Carport  
 1/8" = 1'-0"

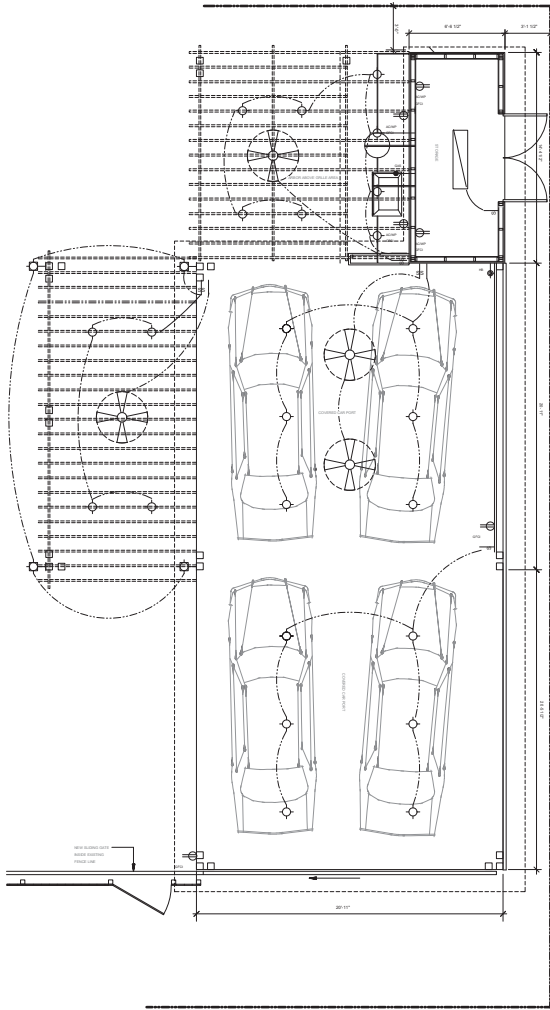


**1** Site - Demo  
 1/8" = 1'-0"

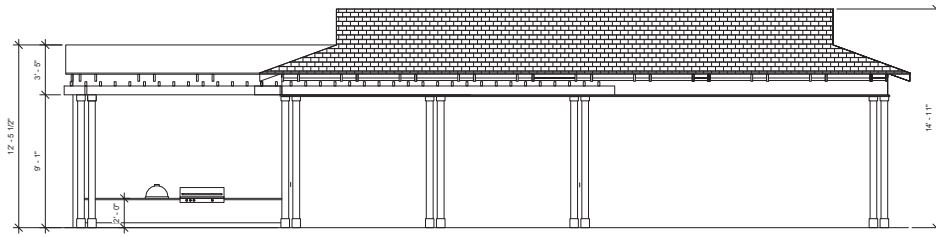


Drawn: Project No. 2037  
Author: Date: 05/05/21  
Checked: 1/4" = 1'-0"  
Checker: Scale:  
Drawing Title:  
PROPOSED FLOOR PLAN  
SECTION AND  
ELEVATIONS

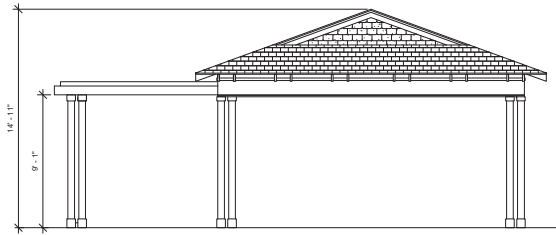
Sheet No.  
**A-1**



A-1.1 FLOOR PLAN  
Scale 1/4" = 1'-0"



A-1.2 INTERIOR GARDEN ELEVATION  
Scale 1/4" = 1'-0"



A-1.3 STREET ELEVATION  
Scale 1/4" = 1'-0"

ELECTRICAL LEGEND	
MARK	TYPE
□ A	6" REC. LED DOWNLIGHT - CLEAR OPAQUE LENS WHITE TRIM KIT
□ B	6" REC. LED WET LOCATION DOWNLIGHT - CLEAR OPAQUE LENS WHITE TRIM KIT
□ C	6" PINKSPOT WIDE FLOOD REC. LED DOWNLIGHT - CLEAR OPAQUE LENS WHITE TRIM KIT
⬢	JUNCTION BOX - ALL USE LIGHT FIXTURES BY OWNER BUT INSTAL. BY ELECTRICIAN
⬢	WALL SCONCE - "X" EXTERIOR - Allow \$200 per fct.
TEL	TELEPHONE OUTLET
⬢	DUPLEX RECEPTACLE OUTLET - 110v - 100v WHERE INDICATED USB - WHEN INDICATED AC - ABOVE COUNTER
⬢	DUPLEX RECEPTACLE OUTLET - 110v FLOOR OUTLET
GFI	DUPLEX RECEPTACLE OUTLET - 110v - 100v WHERE INDICATED USB - WHEN INDICATED AC - ABOVE COUNTER
WDP	WATERPROOF EXTERIOR DUPLEX RECEPTACLE OUTLET W/ GROUND FAULT INTERRUPT
WDP	WATERPROOF EXTERIOR DUPLEX RECEPTACLE OUTLET W/ GROUND FAULT INTERRUPT
⬢	UNDER CABINET SEQUENCE STRIP POWER OUTLET W/ USB OUTLETS
⬢	*PANSASONIC QUIET EXTRACTOR FAN
⬢	GAS OUTLET
⬢	SMOKE DETECTOR
⬢	KICHLER UNDERCABINET LIGHTING
⬢	SWITCH - DIM. W/ DIMMER - 3S - JAMM SWITCH - 3 - THREE WAYS - WATERPROOF
⬢	12V24 ULTIMA 2 - BULB VULCAN W/ AMP FLOOR CLOUD LAMP - 110v RE. W/ 3S - 3 - OR LOCAL
⬢	HOSE BIB
TV	TV CABLE OUTLET
⬢	CEILING A - WITH LIGHT KIT - ALLOW \$350 FAN B - EXT. WITHOUT LIGHT KIT - ALLOW \$350

UNLESS NOTED OTHERWISE:  
1- ALL OUTLETS ARE TO BE MOUNTED FROM 16" A.F.F. - REFER TO PLAN FOR HEIGHT OF OUTLETS ABOVE COUNTER TOP  
2- ALL SWITCHES TO BE 42" ON CENTER FROM PANEL  
3- DIMMER AND CUPB DIMMER - FAN SPEED CONTROLLER  
4- ALL DOWN LIGHTS & TRIM PACKS TO BE FLUSH MOUNTED  
5- VERIFY ALL TRANSFORMERS ARE COMPATIBLE W/ DIMMER  
6- SITE EVERY LOCATION OF ELECTRICAL PANEL AND  
7- ALL LIGHTING TO BE "WARM" COLOR LED



105 MONTCLAIR STREET  
SAN ANTONIO TX. 78209

MAY 6, 2021

To Whom This May Concern:

The accessory garage structure at 134 W. Mistletoe appears to have been built in the 1980s. Other than exterior paint color, it makes no effort to reflect the style of the primary residential structure on the property, design by Atlee B. Ayers. As such, I would consider this a non-contributing structure to the historic property and historic district in which it currently stands.

Having inspected the accessory garage structure, it is a liability rather than an asset to the owner. In order to render the existing structure safe and useful, the following repairs at a minimum would be required: a new roof; structural reinforcement especially at the primary vehicular entrance; new garage doors; new pedestrian door; new siding on all sides; ventilation repair; new gutters; and adjacent landscape drainage to prevent future wood rot at base. These repairs would cost at a minimum \$50,000 and amount to completely rebuilding a historically insignificant structure. Safely demolishing the current garage would cost approximately \$20,000 and would allow the owner to replace the structure with a more appropriate accessory structure. The difference in costs and lack of historical significance demonstrate an unreasonable economic hardship for the property owner.

Sincerely,

Lyndsay Thorn, B. Sc., B.Arch (U.s. M.Arch.), AIA  
Architect  
Principal

Marcus Guerra  
Construction Manager  
Associate Partner



134 W Mistletoe – Garage  
Existing Front Side





134 W Mistletoe – Garage  
Existing Left Side





134 W Mistletoe – Garage  
Existing Rear Side





EXISTING TREE

DN

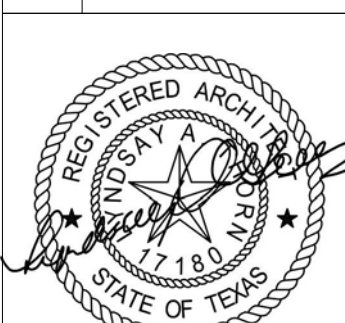
EXISTING  
SEWALK

W. MISTLETOE AVE.

HOWARD ST.



No.	Revisions/Date



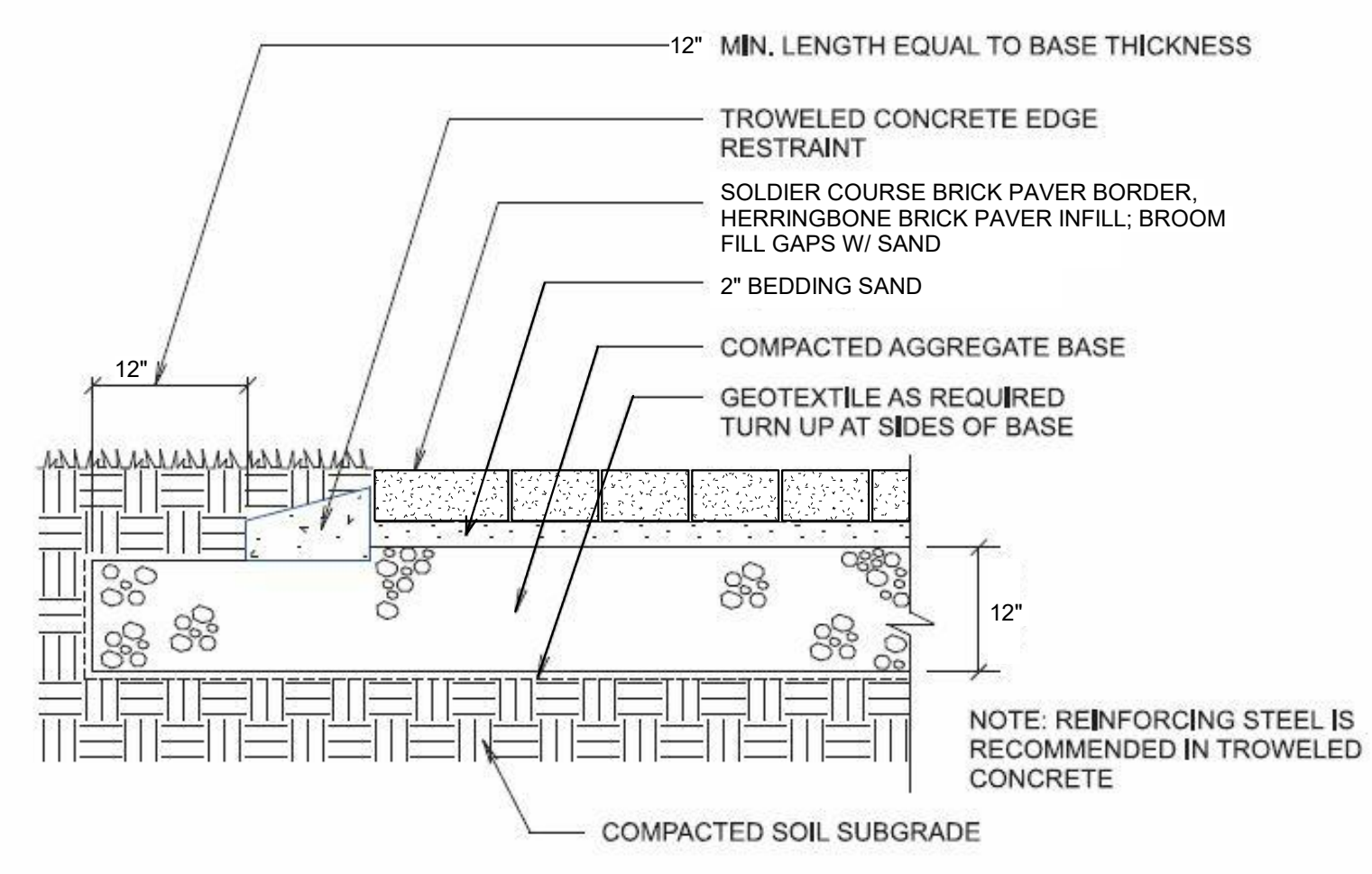
Drawn:	Project No.
Author:	2037
Checked:	Date:
Checker:	06/03/21

Scale: As indicated

Drawing Title:  
SITE PLAN FRONT APPROACH

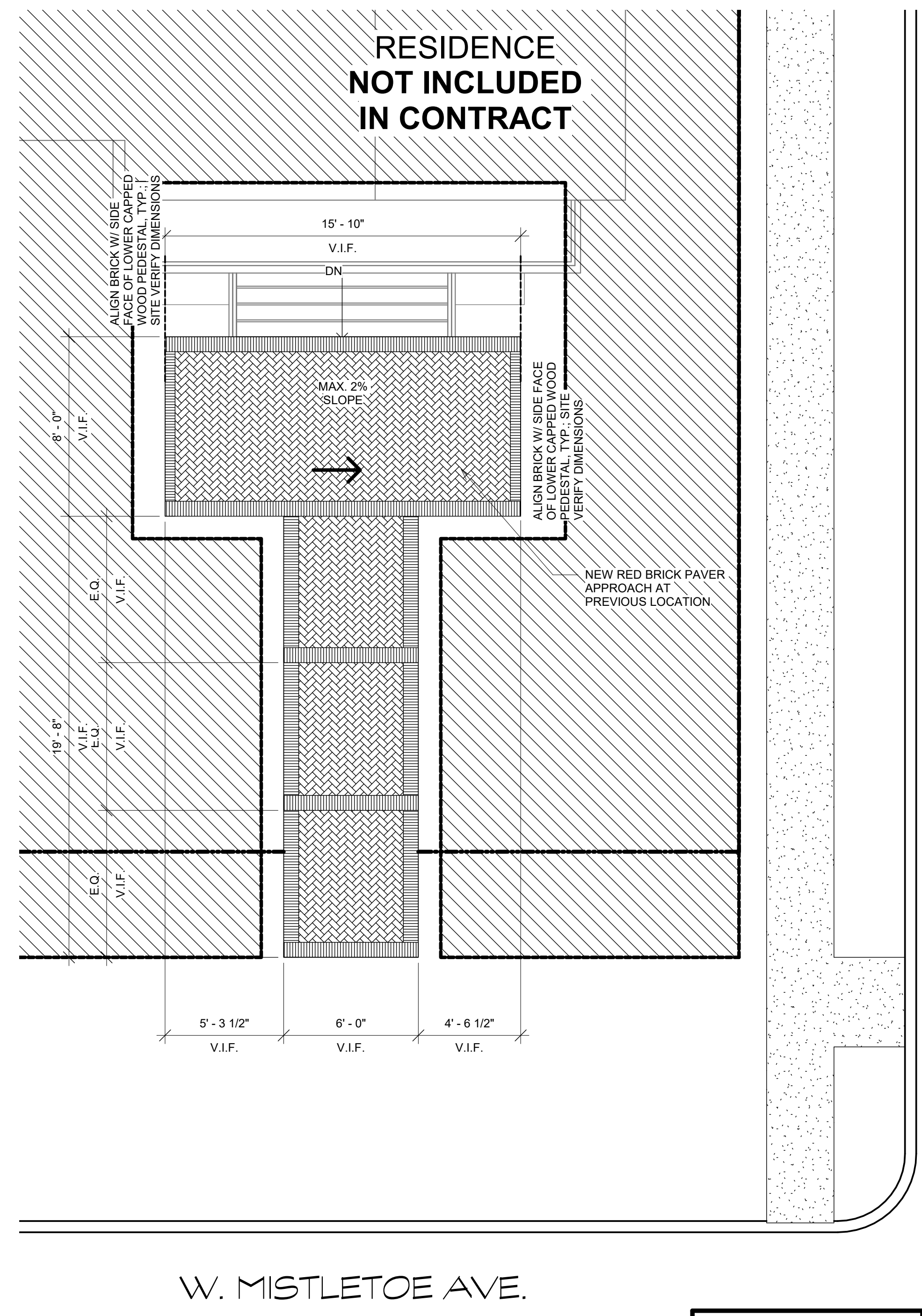
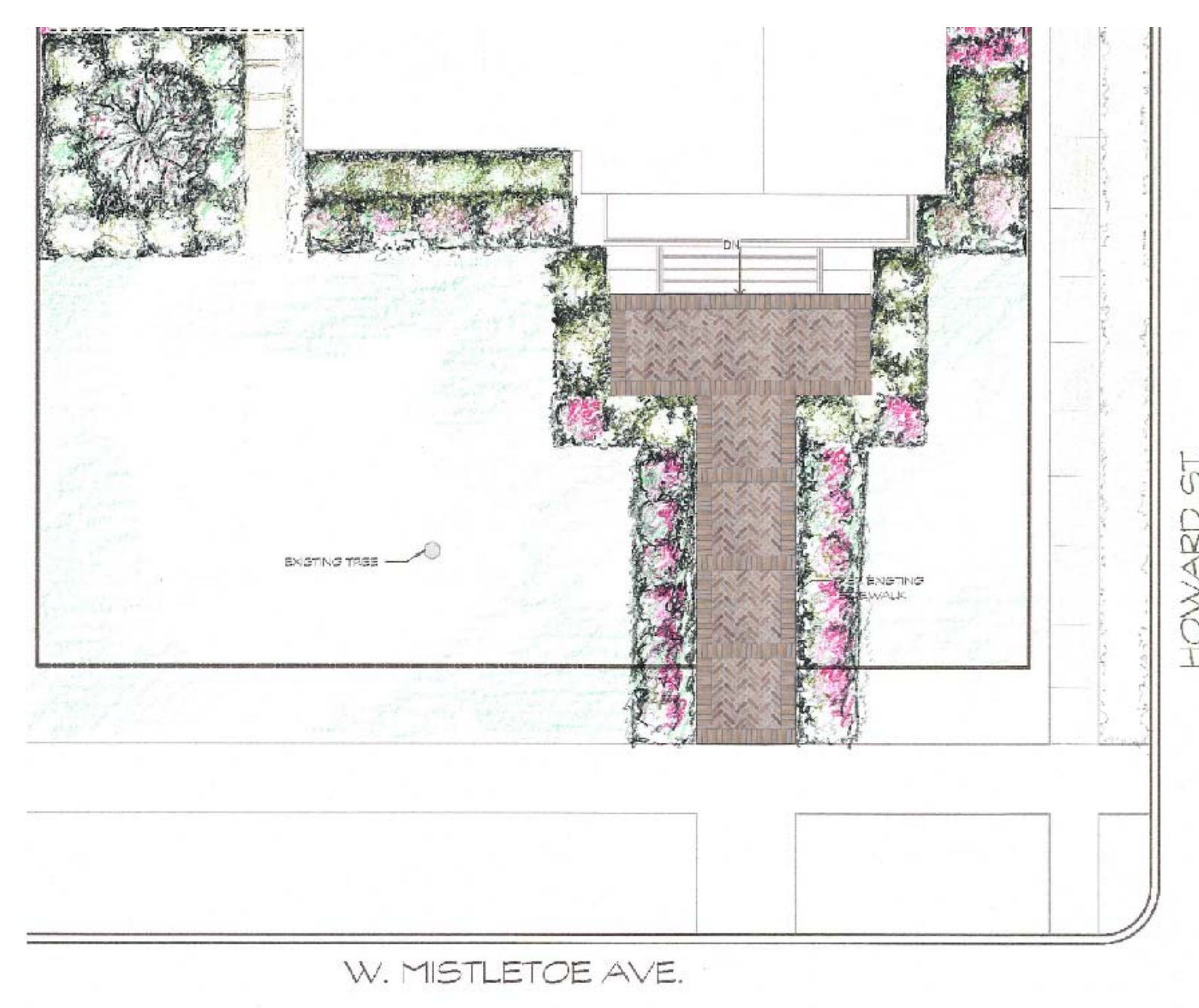
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A-00



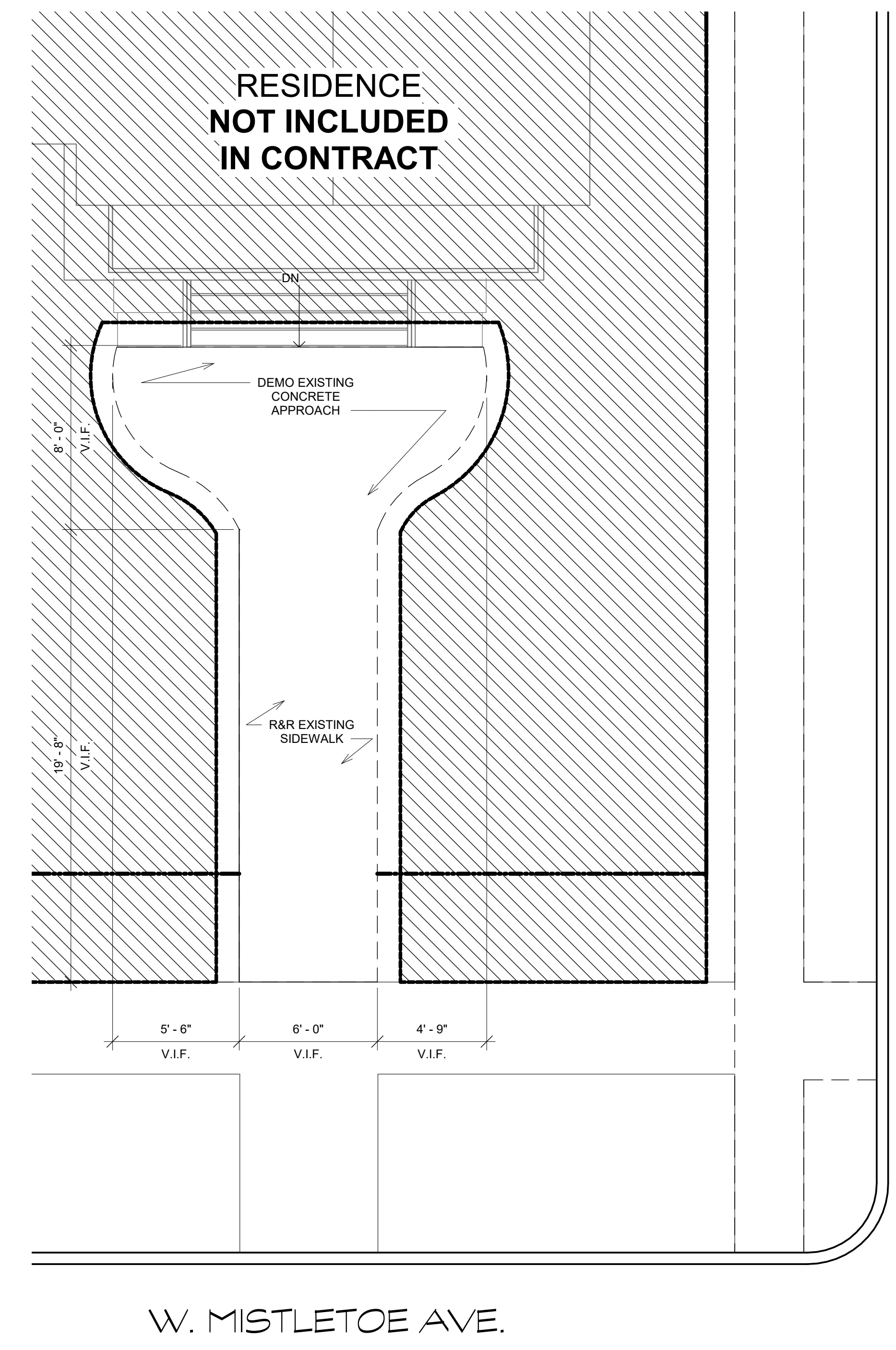
- NOTES:
1. USE 5:1 (AGGREGATE: CEMENT) MIX FOR CONCRETE EDGE.
  2. RECOMMENDED FOR NON-FREEZE THAW AREAS.
  3. CONSTRUCTION OF THIS DETAIL CAN BE USED ON RESIDENTIAL DRIVEWAYS. IN NON-FREEZE THAW AREAS, REINFORCING MAY BE REQUIRED IN THE EDGE RESTRAINT.
  4. THICKNESS OF AGGREGATE BASE WILL VARY WITH SUBGRADE CONDITIONS AND CLIMATE. COLDER CLIMATES MAY REQUIRE THICKER BASES.

3 Dtl. - Brick Pavers  
SCALE: NTS



2 Site - Front Approach  
1/4" = 1'-0"

NOTE:  
ALL DIMENSIONS TO BE SITE  
VERIFIED. MAIN PATHWAY TO  
MATCH EXISTING LOCATION  
AND SIZE.



1 Site - Demo  
1/4" = 1'-0"



































