



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-1910

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 4/18/2019

**Title:** ZONING CASE # Z-2018-900055 HL (Council District 5): Ordinance amending the Zoning District Boundary from "I-1 MLOD-2 MLR-2 AHOD" General Industrial Lackland Military Lighting Overlay Military Lighting Region-2 Airport Hazard Overlay District and "C-3 S MLOD-2 MLR-2 AHOD" General Commercial Lackland Military Lighting Overlay Military Lighting Region-2 Airport Hazard Overlay District with Specific Use Authorization for a Communication Transmission Tower to "I-1 HL MLOD-2 MLR-2 AHOD" General Industrial Historic Landmark Lackland Military Lighting Overlay Military Lighting Region-2 Airport Hazard Overlay District and "C-3 S HL MLOD-2 MLR-2 AHOD" General Commercial Historic Landmark Lackland Military Lighting Overlay Military Lighting Region-2 Airport Hazard Overlay District with Specific Use Authorization for a Communication Transmission Tower on 1.7684, NCB 18, located at 905 Nogalitos Street. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Office of Historic Preservation Memo, 3. Resolution, 4. HDRC Recommendation, 5. HDRC Published Exhibits, 6. SACS Support, 7. Zoning Minutes, 8. Draft Ordinance

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 5

**SUBJECT:**

Zoning Case Z-2018-900055 HL

**SUMMARY:**

**Current Zoning:** "I-1 MLOD-2 MLR-2 AHOD" General Industrial Lackland Military Lighting Overlay Military Lighting Region-2 Airport Hazard Overlay District and "C-3 S MLOD-2 MLR-2 AHOD" General Commercial Lackland Military Lighting Overlay Military Lighting Region-2 Airport Hazard Overlay District with Specific Use Authorization for a Communication Transmission Tower

**Requested Zoning:** "I-1 HL MLOD-2 MLR-2 AHOD" General Industrial Historic Landmark Lackland Military Lighting Overlay Military Lighting Region-2 Airport Hazard Overlay District and "C-3 S HL MLOD-2 MLR-2 AHOD" General Commercial Historic Landmark Lackland Military Lighting Overlay Military Lighting Region-2 Airport Hazard Overlay District with Specific Use Authorization for a Communication Transmission Tower

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** February 5, 2019. This case is continued from the December 18, 2018 and January 15, 2019 hearings.

**Case Manager:** Mary Morales-Gonzales, Senior Planner

**Property Owner:** Hetos Galanos

**Applicant:** Office of Historic Preservation

**Location:** 905 Nogalitos Street

**Legal Description:** 1.7684 acres out of NCB 18

**Total Acreage:** 1.7684

**Notices Mailed**

**Owners of Property within 200 feet:** 15

**Registered Neighborhood Associations within 200 feet:** Collins Garden Neighborhood Association

**Applicable Agencies:** Office of Historic Preservation, Planning Department

**Property Details**

**Property History:** The subject property was located in the Original 36-square-mile City Limits of San Antonio and zoned “J” Commercial District. Upon adoption of the 1965 zoning districts, the zoning converted to “I-1” Light Industry District. The zoning converted to the current “I-1” General Industrial District upon adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 2001. The current “C-3 S” General Commercial District with Specific Use Authorization converted from the previous “B-3 CC” Business District with special City Council Approval upon adoption of the 2001 Unified Development Code. The previous “B-3 CC” zoning was established by Ordinance 81927, dated March 23, 1995.

**Topography:** A portion of the subject property is located within the 100-year flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** IDZ, R-5

**Current Land Uses:** Boys & Girls Club, Vacant Lot

**Direction:** East

**Current Base Zoning:** I-1

**Current Land Uses:** Auto Repair Shop, Vacant Industrial

**Direction:** South

**Current Base Zoning:** N/A

**Current Land Uses:** Drainage Right-Of-Way

**Direction:** West

**Current Base Zoning:** N/A

**Current Land Uses:** Drainage Right-Of-Way

**Overlay and Special District Information:**

"MLOD-2"

All surrounding properties carry the "MLOD-2" Military Lighting Overlay District, due to their proximity to Lackland. The "MLOD-2" does not restrict permitted uses, but does regulate outdoor lighting in an effort to minimize night-time light pollution and its effects on operations at the military installation.

"AHOD"

All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

"HL"

A number of surrounding properties carry the "HS" Historic Significant landmark designation, signifying the historic architectural character or cultural significance of the structure or location. Historic Landmark designations do not affect the possible uses of the property, but do regulate the exterior aesthetic of the structure. Building plans and permit applications will be subject to review by the Office of Historic Preservation and the Historic and Design Review Commission (HDRC) prior to any permits being issued.

**Transportation**

**Thoroughfare:** Nogalitos Street

**Existing Character:** Secondary Arterial Type B

**Proposed Changes:** None known

**Thoroughfare:** Ralph Avenue

**Existing Character:** Local Street

**Proposed Changes:** None known

**Public Transit:** There are bus stops within walking distance of the subject property on Nogalitos Street along Bus Routes 51, 54, and 251.

**Traffic Impact:** A Traffic Impact Analysis (TIA) Report is not required. The traffic generated by the proposed development does not exceed threshold requirements.

**Parking Information:** An "HL" Historic Landmark designation does not alter the current parking regulations for the subject property.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation. The "C-3" base zoning district is intended to provide for more intensive commercial uses than those located within the NC, C-1 or C-2 zoning districts. C-3 uses are typically characterized as regional shopping centers, power centers, and/or assembly of similar uses into a single complex. There are no building size limitations, and building height is limited to 35 feet. Examples of permitted uses: bar/tavern & nightclub, amusement/theme parks, dance hall, indoor movie theater, auto repair, auto sales, auto glass sales (installation permitted), auto muffler (sales and installation only), hotel, bookbinder, dry cleaning or laundry plant, indoor flea market, home improvement center, body piercing/massage/tattoo parlor. No outdoor storage is permitted. Outdoor operations and display shall be permitted in areas which are screened as provided in 35-510 of the Unified Development Code. The "I-1" General Industrial District accommodates areas of heavy and

concentrated fabrication and manufacturing and industrial uses which are suitable based on the character of adjacent development. Examples of permitted uses: auto & light truck auction, truck stop, abrasives manufacturing, food & drug manufacturing, sand & gravel storage & sales, outdoor flea market, manufactured homes/oversized vehicles sales, service and storage.

**FISCAL IMPACT:**

None.

**PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:**

The subject property is not located within a Regional Center nor a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (11-0) recommend Approval.

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

**1. Consistency:**

The subject property is located within the Lone Star Community Land Use Plan. The proposal is to add “HL” Historic Landmark District as an overlay zoning district without proposing to change base zoning districts, a consistency review is not applicable.

**2. Adverse Impacts on Neighboring Lands:**

Staff has not found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. This action is to apply historic landmark designation on the property.

**3. Suitability as Presently Zoned:**

The existing “I-1” base zoning districts are not appropriate for the surrounding area. The existing “C-3” base zoning district is appropriate for the surrounding area. In this case however, this request is simply adding the Historic Landmark Overlay designation.

**4. Health, Safety and Welfare:**

Staff has not found any indication of likely adverse effects on the public health, safety, or welfare. The historic landmark overlay is only being proposed for the subject property located at 905 Nogalitos Street. The overlay for this property does not apply to surrounding properties and does not indicate likely adverse effects.

**5. Public Policy:**

The request does not appear to conflict with any public policy objective. The zoning request is solely to add the “HL” Historic Landmark designation to the subject property.

Relevant Goals and Policies of the SA Tomorrow Comprehensive Plan may include:

- HPCH Goal 4: Historic and cultural preservation is effectively used as a tool for economic development in San Antonio.
- HPCH Goal 6: San Antonio strategically incentivizes reinvestment in and reuse of landmark buildings and districts to protect those historic resources in accordance with established zoning and design guidelines.
- HPCH P24: Proactively work with property owners and community groups, especially those in historically underserved areas, to designate new historic landmarks and districts that are valuable to the

city.

The proposal to apply the “HL” Historic Landmark designation is consistent with the above listed goals and policies of the SA Tomorrow Comprehensive Plan.

#### **6. Size of Tract:**

The 1.7684 acre site is of sufficient size to accommodate the proposed development.

#### **7. Other Factors:**

A demolition application was submitted on October 3, 2017, to the Office of Historic Preservation (OHP) by the property owner for the gas station structure located at 905 Nogalitos (currently addressed 901 and 903 Nogalitos) which is located in the Collins Garden Neighborhood. OHP Staff conducted research, met with the owner and contacted the Collins Gardens Neighborhood Association during the 30 day review period provided by UDC 35-455.

A Request for Review of Historic Significance for the gas station structure located at 905 Nogalitos was submitted to OHP by the San Antonio Conservation Society on October 13, 2017.

On December 6, 2017, the Historic and Design Review Commission approved a Finding of Historic Significance, identifying the property as historically significant based on criteria listed in Section 35-607 (b) of the Unified Development Code. The six criteria identified as being applicable to the subject property are specified below.

OHP submitted a Request for Council Action on January 18, 2018. City Council continued the request for 60 days. The Request for Council Action was revisited on March 29, 2018, and City Council continued the request for an additional six months. On October 11, 2018, City Council approved the request, directed OHP to initiate the designation process, and waived all required zoning fees.

The Office of Historic Preservation is submitting the rezoning request on behalf of the applicant, the Historic and Design Review Commission, per RID 2014-003. The Office of Historic Preservation worked with the HDRC on this rezoning request and supports approval of the added “HL” Historic Landmark designation.

905 Nogalitos meets UDC criterion [35-607(b)1], [35-607 (b)6], [35-607 (b)8], [35-607 (b)11], [35-607 (b)12], and [35-607 (b)15], for a finding of historic significance in the process of seeking designation as a local historic landmark. In order to be eligible for landmark designation, a property must meet at least three of the criteria; 905 Nogalitos meets six.

- **35-607(b)(1) Its value as a visible or archeological reminder of the cultural heritage of the community, or national event;** this property is a reminder of the cultural heritage of San Antonio as a crossroads for many historic routes such as the Meridian Highway. Its site along the historic San Pedro Creek also connects the property to the city’s cultural heritage.
- **35-607 (b)(6) Its historical, architectural or cultural character as a particularly fine or unique example of a utilitarian structure, including, but not limited to, bridges, acequias, gas stations, transportation shelters, or other commercial structures;** this utilitarian structure maintains its historic, architectural, and cultural character as the only example of a Tudor Style Gas Station and the only extant Pure Oil Station remaining in San Antonio.
- **35-607 (b)(8) Its historical, architectural, or cultural integrity of location, design, materials, and workmanship;** the property maintains a high level of historical, architectural and cultural integrity in location, design, materials and workmanship. The structure is largely intact with few intrusions or modifications, reflecting the original design of Pure Oil Company brand.

- **35-607 (b)(11) It is distinctive in character, interest or value; strongly exemplifies the cultural, economic, social, ethnic or historical heritage of San Antonio, Texas or the United States;** this gas station exemplifies the economic heritage of the oil industry that played an important role in the economic growth of the state and the city in the early twentieth century. It also represents a societal shift from older transportation methods to a reliance on personal automobiles.
- **35-607 (b)(12) It is an important example of a particular architectural type or specimen;** as an important example of a Tudor Style Gas Station featuring a residential appearance with typical Tudor stylistic characteristics including steeply pitched, side gable roof and half timbering on the gabled ends of the building and canopy with few intrusions or modifications.
- **35-607 (b)(15) It represents a resource, whether natural or man-made, which greatly contributes to the character or image of a defined neighborhood or community area;** located at a prominent corner, where the street bends at the approach to the historic San Pedro Creek, the structure commands a highly visible location in the Collins Gardens Neighborhood near the edge of the Lone Star Neighborhood, and plays a part in defining the Nogalitos Corridor's historic evolution as a connection to local and transnational automotive travel.