



# City of San Antonio

## Legislation Details (With Text)

**File #:** 21-1997  
**Type:** Zoning Case  
**In control:** Zoning Commission  
**On agenda:** 3/16/2021  
**Title:** ZONING CASE Z-2021-10700020 HL (Council District 1): A request for a change in zoning from "RM-4 NCD-1 AHOD" Residential Mixed South Presa Street and South Street Mary's Street Neighborhood Conservation Airport Hazard Overlay District to "RM-4 HL NCD-1 AHOD" Residential Mixed Historic Landmark South Presa Street and South Street Mary's Street Neighborhood Conservation Airport Hazard Overlay District on Lot 7, Block 2, NCB 3097, located at 118 Lotus Avenue. Staff recommends Approval. (Juanita Romero, Senior Planner, (210) 207-7232, [juanita.romero@sanantonio.gov](mailto:juanita.romero@sanantonio.gov), Development Services Department)  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Map, 2. 01 OHP Memo 118 Lotus, 3. 02 20210120\_HDRC Action Letter 118 Lotus, 4. 03 20210120\_HDRC Case File 118 Lotus (1), 5. 04 118 Lotus Resolution 2020-12-17-0058R

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

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:** Zoning Case Z-2021-10700020 HL

### SUMMARY:

**Current Zoning:** "RM-4 NCD-1 AHOD" Residential Mixed South Presa Street and South Saint Mary's Street Neighborhood Conservation Airport Hazard Overlay District

**Requested Zoning:** "RM-4 HL NCD-1 AHOD" Residential Mixed Historic Landmark South Presa Street and South Saint Mary's Street Neighborhood Conservation Airport Hazard Overlay District

### BACKGROUND INFORMATION:

**Zoning Commission Hearing Date:** March 16, 2021

**Case Manager:** Juanita Romero, Planner

**Property Owner:** Stillwell Group Investments, LLC

**Applicant:** Office of Historic Preservation

**Representative:** Office of Historic Preservation

**Location:** 118 Lotus Avenue

**Legal Description:** Lot 7, Block 2, NCB 3097

**Total Acreage:** 0.1743

**Notices Mailed**

**Owners of Property within 200 feet:** 43

**Registered Neighborhood Associations within 200 feet:** Lavaca Neighborhood Association

**Applicable Agencies:** Office of Historic Preservation

**Property Details**

**Property History:** The property is part of the original 36 Square Miles of San Antonio and was originally zoned “J” Commercial District. The property was rezoned from “J” Commercial District to “R-2” Two Family District by Ordinance 74924, dated December 9, 1991. The subject property converted from “R-2” Two Family Residence District to the current “RM-4” Residential Mixed District with the adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001.

**Topography:** The property does not include any abnormal physical features such as slope or incursion in a flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** “RM-4”

**Current Land Uses:** Single-family dwellings

**Direction:** South

**Current Base Zoning:** “RM-4”

**Current Land Uses:** Single-family dwellings

**Direction:** East

**Current Base Zoning:** “IDZ”

**Current Land Uses:** Single-family dwellings

**Direction:** West

**Current Base Zoning:** “RM-4”

**Current Land Uses:** School

**Overlay and Special District Information:**

“NCD”

The South Presa Street and South Saint Mary’s Street Neighborhood Conservation District (NCD-1) is an overlay zoning district that contains design guidelines for rehabilitation of existing residential and commercial development. Property owners, together with the Department of Planning and Community Development staff, develop the design guidelines. These guidelines can address building materials, height, size, massing, signage, sidewalk location, etc. A zoning review is performed by the Zoning Section of the Development Services Department.

**"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 "HL" Historic 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:** South Saint Mary's Street

**Existing Character:** Local

**Proposed Changes:** None

**Public Transit:** There are 2 VIA bus routes within walking distance of the subject property.

**Routes Served:** 34, and 42

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

**Parking Information:** There is no minimum parking requirement for a historic landmark designation.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** The present zoning district designation of "RM-4" Residential Mixed District provides areas for medium- to high-density, single-family residential uses where adequate public facilities and services exist with capacity to serve development. These districts are composed mainly of areas containing single-family dwellings and open area where similar residential development seems likely to occur. Residential single-family provides minimum lot size and density requirements in order to preserve neighborhood character.

**Proposed:** The proposed "RM-4 HL" allows all of the above in addition to adding a Historical Landmark Overlay.

**FISCAL IMPACT:** None.

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

The subject property is not located within a Regional Center but is located within a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends 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 Downtown Area Regional Center Plan. Application of a Historic Overlay is consistent with the goals and objectives of the plan for historic designation.

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

Staff does not find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request.

**3. Suitability as Presently Zoned:**

The current “RM-4” Residential Mixed District is an appropriate zoning for the property and surrounding area. The base zone remains the same and the “HL” is simply the addition of a historic overlay.

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

Staff has not found indication of likely adverse effects on the public health, safety, or welfare.

**5. Public Policy:**

The proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the Guadalupe Westside Community Plan:

- Objective 19.2: Encourage Rehabilitation of Buildings
  - Promote the merits of preserving existing buildings for cultural heritage purposes
  - Gather information about program assistance available from public, private, and non-profit sources and make information available at a centralized location.
- Objective 19.5: Monitor Impact of Rising Property Values
  - Take steps to ensure that economic development does not tax people out of their homes
- Objective 20.2: Home Improvement and Maintenance
  - Identify and rehabilitate dilapidated historic as well as culturally significant housing stock.

**6. Size of Tract:**

The subject property is 0.1743 acres, which reasonably accommodates the existing use and a historic landmark overlay designation.

**7. Other Factors:**

The request for landmark designation was initiated by the City Council. The owner does not support designation.

On November 4, 2020, the Historic and Design Review Commission approved a Finding of Historic Significance for the property at 118 Lotus. On December 17, 2020, City Council approved Resolution 2020-12-17-0058R initiating a change in zoning for the property to include a historic landmark overlay. As a step in the zoning process, a recommendation regarding the proposed designation was required from the HDRC. On January 20, 2021, the HDRC recommended designation.