



# City of San Antonio

## Legislation Details (With Text)

<b>File #:</b>	21-4748
<b>Type:</b>	Zoning Case
<b>In control:</b>	Zoning Commission
<b>On agenda:</b>	7/20/2021
<b>Title:</b>	ZONING CASE Z-2021-10700163 HL (Council District 1): A request for a change in zoning from "D AHOD" Downtown Airport Hazard Overlay District to "D HL AHOD" Downtown Historic Landmark Airport Hazard Overlay District on Lot 17, Block 23, NCB 425, located at 311 3rd Street. Staff recommends Approval. (Azadeh Sagheb, Senior Planner, (210) 207-5407, Azadeh.Sagheb@sanantonio.gov, Development Services Department).
<b>Sponsors:</b>	
<b>Indexes:</b>	
<b>Code sections:</b>	
<b>Attachments:</b>	1. Map, 2. 01 OHP Memo 311 3rd St, 3. 02_311 3rd St_HDRC Action Letter, 4. 03 311 3rd St_HDRC Exhibits, 5. 04 Designation Info Sheet

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-2021-10700163 HL

### SUMMARY:

**Current Zoning:** "D AHOD" Downtown Airport Hazard Overlay District

**Requested Zoning:** "D HL AHOD" Downtown Historic Landmark Airport Hazard Overlay District

### BACKGROUND INFORMATION:

**Zoning Commission Hearing Date:** July 20, 2021

**Case Manager:** Azadeh Sagheb, Senior Planner

**Property Owner:** DCL LLC

**Applicant:** Gregory Papay

**Representative:** Office of Historic Preservation

**Location:** 311 3rd Street

**Legal Description:** Lot 17, Block 23, NCB 425

**Total Acreage:** 0.4260

**Notices Mailed**

**Owners of Property within 200 feet:** 22

**Registered Neighborhood Associations within 200 feet:** Downtown Residents Association

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

**Property Details**

**Property History:** The subject property was located within the original 36 square miles of the City of San Antonio and was originally zoned "I" Industry District. The property converted to "I-1" Industrial District with the adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001. The subject property was rezoned to "D" Downtown District by Ordinance 97651, dated May 22, 2003.

**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:** "UZROW" & "D HS"

**Current Land Uses:** Secondary Arterial B, San Antonio Express News

**Direction:** South

**Current Base Zoning:** "UZROW" & "D H"

**Current Land Uses:** Secondary Arterial A, US Post Office/Federal Building

**Direction:** East

**Current Base Zoning:** "D"

**Current Land Uses:** Office Professional & Restaurant

**Direction:** West

**Current Base Zoning:** "D"

**Current Land Uses:** Office

**Overlay and Special District Information:**

"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:** 3<sup>rd</sup> Street

**Existing Character:** Secondary Arterial B

**Proposed Changes:** None known

**Thoroughfare:** North Alamo Street

**Existing Character:** Secondary Arterial A

**Proposed Changes:** None known

**Thoroughfare:** East Travis Street

**Existing Character:** Secondary Arterial A

**Proposed Changes:** None known

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

**Routes Served:** 6, 9, 10, 14, 17, 21, 22, 24, 25, 28, 30, 34, 36, 67, 88, 90, 96, 97, 100, 209, 225, 230, 242, 246, 251, and 275.

**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 current “D” district provides concentrated downtown retail, service, office and mixed uses in the existing downtown business district. Major/regional shopping centers are permitted, but urban design standards are required in order to maintain a neighborhood commercial scale, to promote pedestrian activity, and to maintain the unique character of the center. Large outdoor sales areas are not permitted.

**Proposed:** The proposed “D HL” allows all of the above in addition to adding a Historical Landmark Overlay, which provides for design review of proposed construction.

**FISCAL IMPACT:** None.

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

The subject property is located within the Downtown Regional Center as well as within the 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 Sector 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. The proposed application of historic overlay requires design review for proposed changes to the property.

## **3. Suitability as Presently Zoned:**

The current “D” 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 Downtown Area Regional Center Sector Plan:

### **Goal 1: Preserve and Enhance Downtown’s Authenticity**

- Grow and evolve in meaningful ways that encourage attachment between people and places.
- Respect historic and culturally significant places, including significant examples of more contemporary and modern architecture.
- Preserve and protect the World Heritage designated San Antonio Missions and other historical sites by ensuring compatible growth.

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

The subject property is 0.4260 acres, which reasonably accommodates a historic landmark designation.

## **7. Other Factors:**

The request for landmark designation was initiated by the owner.

On May 19, 2021, the Historic and Design Review Commission (HDRC) 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 criteria identified as being applicable to the subject property are specified below.

HDRC concurred with the applicant that 311 3rd St met UDC criterion [35-607(b)5], [35-607(b)13], and [35-607(b)16] 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: 311 3rd St meets three.

5. Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials; it is an example of a Spanish Revival-style two-part commercial block.

13. It bears an important and significant relationship to other distinctive structures, sites, or areas, either as an important collection of properties or architectural style or craftsmanship with few intrusions, or by contributing to the overall character of the area according to the plan based on architectural, historic, or cultural motif; the property is in an area dense with local historic landmarks and historic districts and contributes to an understanding of the commercial development of the city in the early 20th Century.

16. It is designated as a Recorded Texas Historic Landmark or State Archeological Landmark or is included on

the National Register of Historic Places; the property contributes to the San Antonio Downtown and River Walk National Register Historic District, listed in the National Register of Historic Places in 2018.