



# City of San Antonio

## Agenda Memorandum

**File Number:**18-6376

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**Agenda Item Number:** 20.

**Agenda Date:** 11/20/2018

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z-2018-900018 HL

**SUMMARY:**

**Current Zoning:** "R-6 UC-5 AHOD" Residential Single-Family McCullough Avenue Urban Corridor Airport Hazard Overlay District

**Requested Zoning:** "R-6 HL UC-5 AHOD" Residential Single-Family Historic Landmark McCullough Avenue Urban Corridor Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 20, 2018

**Case Manager:** Kayla Leal, Planner

**Property Owner:** Phillip Martinez

**Applicant:** Office of Historic Preservation

**Location:** 314 East Ashby Place

**Legal Description:** Lot 4, Block 5, NCB 2995

**Total Acreage:** 0.1719

**Notices Mailed**

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

**Registered Neighborhood Associations within 200 feet:** Tobin Hill Community Association

**Applicable Agencies:** Office of Historic Preservation

## **Property Details**

**Property History:** The subject property was included in the Original 1938 City Limits of San Antonio and zoned “D” Apartment District. The zoning changed to “R-1” Single-Family Residence District on December 14, 1995, established by Ordinance 83331. The current “R-6” Residential Single-Family District converted from the previous “R-1” base zoning district upon adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 2001.

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

## **Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** R-6, C-3

**Current Land Uses:** Single-Family Residential, Office, Retail Shops

**Direction:** East

**Current Base Zoning:** R-6

**Current Land Uses:** Single-Family Residential

**Direction:** South

**Current Base Zoning:** R-6, C-3NA, MF-33

**Current Land Uses:** Single-Family Residential, Car Wash

**Direction:** West

**Current Base Zoning:** C-3

**Current Land Uses:** Parking Lot, Bar

## **Overlay and Special District Information:**

“UC”

The Urban Corridor overlay was established because there are many roadway corridors which have been and/or will continue to be very significant to the city. The corridors are important because they have shaped the sense of what individual neighborhoods are in their role as historic entrances to the city. Other corridors are significant because they serve as gateways to the city or because of surrounding natural, historic, cultural, and aesthetic areas. The establishment of “UC” serves to preserve, enhance, and perpetuate the value of specific roadway corridors.

"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:** East Ashby Place

**Existing Character:** Collector  
**Proposed Changes:** None known

**Public Transit:** There are bus stops within walking distance on East Ashby Place and McCullough Avenue along Bus Routes 20, 5, and 204.

**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:** A Single-Family Dwelling requires one (1) parking space and does not have a maximum.

**ISSUE:**

Costs associated with this designation include zoning application fees of \$832.10 and are funded in the Office of Historic Preservation FY 2019 budget. However, the Office of Historic Preservation requests a waiver for all related fees.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation.

**FISCAL IMPACT:**

None.

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

The subject property is located within the Midtown Regional Center. The subject property is also located within a half-mile of the New Braunfels Avenue Premium Transit Corridor and the San Pedro Avenue 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 Tobin Hill 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. The proposed use is consistent with the established development pattern of the surrounding area. The Office of Historic Preservation has proposed a Historic Landmark Overlay District to the subject property. This overlay does not pose likely adverse impacts.

**3. Suitability as Presently Zoned:**

The existing “R-6” base zoning district is appropriate for the surrounding area. There is a single-family home currently on the subject property, and the base zoning district is remaining the same.

#### **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 314 East Ashby Place. 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.

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

The 0.1719 acre site is of sufficient size to accommodate the proposed development.

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

On October 3, 2018, 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 three criteria identified as being applicable to the subject property are specified below. The property owner submitted the application for supports Historic Landmark designation.

The Office of Historic Preservation is submitting the rezoning request on behalf of the property owner. The Office of Historic Preservation worked with the applicant on this rezoning request and supports Approval of the added "HL" Historic Landmark designation.

314 E Ashby Place meets UDC criterion [35-607(b)5], [35-607 (b)11], and [35-607 (b)13], 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; 314 E Ashby Place 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;** as a single family home with influences from both Folk Victorian and Craftsman styles, styles integral to the homes found in the neighborhood.

**(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;** as part of an important and diverse historic neighborhood in San Antonio, established as San Antonio grew with the establishing of the railroad and the economic boom in the 1920s.

**(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;** as part of the original plat in the Dalkowitz Subdivision with few intrusions.