



# City of San Antonio

## Agenda Memorandum

**File Number:**19-8553

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**Agenda Item Number:** 15.

**Agenda Date:** 12/3/2019

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z-2019-10700288 HL

**SUMMARY:**

**Current Zoning:** "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District

**Requested Zoning:** "RM-4 HL AHOD" Residential Mixed Historic Landmark Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 3, 2019

**Case Manager:** Mirko Maravi, Planner

**Property Owner:** Hector Ubaldo

**Applicant:** Office of Historic Preservation

**Representative:** Office of Historic Preservation

**Location:** 214 Lotus Avenue

**Legal Description:** Lot 4 and Lot 5, Block 30, NCB 3036

**Total Acreage:** 0.3627

**Notices Mailed**

**Owners of Property within 200 feet:** 32

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

**Applicable Agencies:** Office of Historic Preservation

### **Property Details**

**Property History:** The subject property is part of the original 36 square miles of the City of San Antonio and was originally zoned "D" Apartment District. The property was rezoned by Ordinance 74924, dated December 9, 1991 from "D" Apartment District to "R-2" Two Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the property zoned "R-2" Two Family Residence District converted to the current "RM-4" Residential Mixed District.

**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:** Residential

**Direction:** South

**Current Base Zoning:** "R-6"

**Current Land Uses:** Residential

**Direction:** East

**Current Base Zoning:** "RM-4"

**Current Land Uses:** Residential

**Direction:** West

**Current Base Zoning:** "C-2" and "IDZ" with uses permitted in "MF-25"

**Current Land Uses:** Vacant commercial building and vacant lot

### **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.

### **Transportation**

**Thoroughfare:** Lotus Avenue

**Existing Character:** Local

**Proposed Changes:** None Known

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

**Routes Served:** 36, 242

**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:** The minimum parking requirement for single-family dwelling is 1 space per unit.

**ISSUE:**

None.

## **ALTERNATIVES:**

**Current:** The present zoning district designation of "RM-4" Residential Mixed District provides areas for medium to high-density residential uses where adequate public facilities and services exist with capacity to serve development. These districts are composed mainly of areas containing a mixture of single-family, two-family and multi-family dwellings and open space where similar residential development seems likely to occur. The district regulations are designed to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools and churches; and to preserve the openness of the area by requiring flexible yard and area standards. Mixed residential districts provide flexible density requirements in order to allow for market and design flexibility while preserving the neighborhood character and permitting applicants to cluster development in order to preserve environmentally sensitive and agricultural land areas.

**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 within the Downtown Regional Center but not located 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 Lavaca Neighborhood Plan. A finding of consistency is not required for applications of a historical overlay.

### **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 District is an appropriate zoning for the property and surrounding area. The base zone remains the same. The rezoning establishes the 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 subject property is located within the Lavaca Neighborhood Plan and the SA Tomorrow Downtown Regional Center Plan area.

Goal 2 of The Lavaca Neighborhood Plan specifically establishes a housing goal to "improve the overall quality of housing while maintaining the historic character within the Lavaca Neighborhood." Objective 2.1 states "Maintain the existing character of the historic residential buildings and encourage compatible infill

housing within the neighborhood. Action Step 2.1.1 states “Preserve the character of the historic housing stock in the Lavaca Neighborhood”.

Relevant Goals and Policies of the Comprehensive Plan may include:

HPCH Goal 1: San Antonio’s zoning and design review processes and procedures promote clear and effective historic and cultural preservation decisions.

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.

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

The subject property is 0.3627 acres, which reasonably accommodates a single-family dwelling.

## **7. Other Factors:**

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

On September 4, 2019, 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 214 Lotus met UDC criterion [35-607(b)5], [35-607(b)8], and [35-607(b)13] for a finding of historic significance in the process of seeking designation as a local historic landmark. On October 17, 2019, City Council directed staff to initiate designation of 214 Lotus. In order to be eligible for landmark designation, a property must meet at least three of the criteria; 214 Lotus 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;** 214 Lotus is an example of the Queen Anne style.
- 8. Its historical, architectural, or cultural integrity of location, design, materials, and workmanship;** the structure was one of the first on Lotus St, which was established c. 1909.
- 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 structure contributes to a greater understanding of the development of the Lavaca neighborhood. It is located in an area identified by staff as an eligible local historic district.