



# City of San Antonio

## Agenda Memorandum

**File Number:**21-4561

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**Agenda Item Number:** 17.

**Agenda Date:** 7/6/2021

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z-2021-10700135 HL

**SUMMARY:**

**Current Zoning:** "R-6" Residential Single-Family District

**Requested Zoning:** "R-6 HL" Residential Single-Family Historic Landmark District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** July 6, 2021

**Case Manager:** Lorianne Thennes, Senior Planner

**Property Owner:** James and Leisa Shannon

**Applicant:** Office of Historic Preservation

**Representative:** Office of Historic Preservation

**Location:** 135 Leopold Street

**Legal Description:** the west triangular 35 feet of Lot A, NCB 3553 and Lot 10, Block 1, NCB 2959

**Total Acreage:** 0.2210

**Notices Mailed**

**Owners of Property within 200 feet:** 37

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

**Applicable Agencies:** Office of Historic Preservation

### **Property Details**

**Property History:** The property was rezoned by Ordinance 74924, dated December 9, 1991 “D” Apartment District to “R-1” Single-Family Residential District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “R-1” Single-Family Residence District converted to the current “R-6” Residential Single-Family 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:** “R-6”

**Current Land Uses:** single-family homes

**Direction:** South

**Current Base Zoning:** “R-6”

**Current Land Uses:** single-family homes

**Direction:** East

**Current Base Zoning:** “RM-4”

**Current Land Uses:** residential units

**Direction:** West

**Current Base Zoning:** “R-6”

**Current Land Uses:** residential units

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

"HS" or "HL"

A number of surrounding properties carry the “HS” Historic Significant landmark designation or “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:** Leopold Street

**Existing Character:** Local Street

**Proposed Changes:** None

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

**Route Served:** 36

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. The traffic generated by the proposed development does not exceed the threshold requirements. Right-of-way dedication and improvement may be required along Leopold.

**Parking Information:** The minimum parking requirement for residential is one (1) space per unit. However, there is no minimum parking requirement for a historic landmark designation.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** The “R-6” Residential Single-family dwelling (detached) provides for a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, as well as foster family home, public and/or private schools.

**Proposed:** The proposed “R-6 HL” provides as noted above and add the “HL” Historic Landmark designation overlay.

**FISCAL IMPACT:**

None.

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

The subject property is not within a Regional Center and is not 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 Regional Center Plan and is currently designated as “Urban Low Density Residential” in the future land use component of the 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 “R-6” Residential Single-Family 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 Downtown Area Regional Center Plan:

- Goal 1: Preserve and Enhance Downtown’s Authenticity
  - o Respect historic and culturally significant places, including significant examples of more contemporary and modern architecture
  - o Encourage adaptive reuse

**6. Size of Tract:**

The subject property is 0.2210, which could reasonably accommodate the existing residential use.

## **7. Other Factors:**

The request for landmark designation was initiated by the owner.

On May 5, 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 135 Leopold St met UDC criterion [35-607(b)3], [35-607(b)5], 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; 135 Leopold 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; the house is an example of a free classic Queen Anne residence, a style popular in the U.S. from 1880 to 1910.

8. Its historical, architectural, or cultural integrity of location, design, materials, and workmanship; the house is an example of a multigenerational home, built for Albert and Emma Merklen passed down two subsequent generations of the Merklen Family.

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 located in an area bordered by three local historic districts (Lavaca to the north, King William to the northwest, and Mission to the southwest) and in a neighborhood that contains multiple individual landmarks. Staff has identified this area as an eligible local historic district; should this part of the Lavaca neighborhood choose to designate the house would be considered contributing.