



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** May 7, 2024

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 1

**SUBJECT:**  
ZONING CASE Z-2024-10700072 HL

**SUMMARY:**  
**Current Zoning:** "R-6 NCD-5 AHOD" Residential Single-Family Beacon Hill Neighborhood Conservation Overlay Airport Hazard Overlay District

**Requested Zoning:** "R-6 HL NCD-5 AHOD" Residential Single-Family Historic Landmark Beacon Hill Neighborhood Conservation Overlay Airport Hazard Overlay District

**BACKGROUND INFORMATION:**  
**Zoning Commission Hearing Date:** May 7, 2024

**Case Manager:** Bronte Frere, Zoning Planner

**Property Owner:** Duncan Hayse

**Applicant:** Office of Historic Preservation

**Representative:** Office of Historic Preservation

**Location:** 824 West Magnolia Avenue

**Legal Description:** the east 25 feet of Lot 4 and the west 45 feet of Lot 5, Block 21, NCB 1829

**Total Acreage:** 0.2169

### **Notices Mailed**

**Owners of Property within 200 feet:** 21

**Registered Neighborhood Associations within 200 feet:** Beacon Hill Area Neighborhood Association

**Applicable Agencies:** Office of Historic Preservation, Near North Planning

### **Property Details**

**Property History:** The subject property was part of the original 36 square miles of the City of San Antonio and was originally zoned “D” Apartment District. The property was then rezoned by Ordinance 86704, dated September 25, 1997, to “R-1” Single-Family Residence 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 “R-6” Residential Single-Family District.

### **Code & Permitting Details:**

There is no code enforcement or permitting history for the subject property.

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

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

**Direction:** North

**Current Base Zoning:**

**Current Land Uses:** Vacant Land, Single-Family Residential, Multi-Family Residential

**Direction:** South

**Current Base Zoning:**

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

**Direction:** East

**Current Base Zoning:**

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

**Direction:** West

**Current Base Zoning:**

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

### **Overlay District Information:**

The “HL” Historic Landmark, “HS” Historic Significant or “HE” Historic Exceptional overlay district designation signifies 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. The \_\_\_\_\_ Neighborhood Conservation District (NCD-\_) 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. The "AHOD" Airport Hazard Overlay District, due to the location of the property and its proximity to an airport or approach path, does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

**Special District Information:**

N/A

**Transportation**

**Thoroughfare:** West Magnolia Avenue

**Existing Character:** Local

**Proposed Changes:** None known.

**Thoroughfare:** Blanco Road

**Existing Character:** Minor, Secondary Arterial B

**Proposed Changes:** None known.

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

**Routes Served:** 2, 202

**Traffic Impact:** A Traffic Impact Analysis Worksheet was submitted. Any further traffic requirements will be evaluated at the Building Permit phase.

**Parking Information:** The current use is residential single family and no proposed uses. Any further traffic requirements will be evaluated at the Building Permit phase.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current Zoning:** Single-family dwelling (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

**Proposed Zoning:** Single-family dwelling (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools. Historic Landmarks are those considered to be important or unique in terms of historic, cultural, archeological significance and their demolition would mean a serious or irreplaceable loss to the quality and character of the city. Previously "HS" Historic Significant and "HE" Historic Exceptional designations. Additional design standards, regulated by the Office of Historic Preservation apply in these districts.

The "HL" adds a Historic Overlay.

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Transit Center and is within ½ a mile of the Fredericksburg, San Pedro, and New Braunfels Premium Transit Corridors.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff Recommends Approval.

**Criteria for Review: According to Section 35-421, zoning amendments shall be based on approval criteria below.**

1. **Consistency:** The subject property is located within the Midtown Neighborhoods Land Use Plan, adopted 2000, and is currently designated as "Low Density Residential" in the use component of the plan. The requested addition of "HL" Historic Landmark to the base zoning district would be consistent with the goals and objectives of the adopted plan.
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. Staff does not find 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, but the proposed density is out of character with the surrounding area. There are other Historic Landmark Sites nearby to the west and southwest of the subject property. The proposed rezoning is for the application of historic designation and does not change the current use or base zoning designation
3. **Suitability as Presently Zoned:** The proposed rezoning is for the application of "HL" Historic Landmark Overlay designation and does not change the current base zoning designation.
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 request does not appear to conflict with any public policy objectives. Relevant principles and goals of the Midtown Neighborhoods Plan: - Goal 1: Economic Development- Revitalize and enhance the neighborhoods' historic commercial centers. - Objective 1.1: Historic Character - Preserve the historic character of the neighborhood commercial centers along Blanco, Fredericksburg, Hildebrand, Flores, and San Pedro.
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6. **Size of Tract:** The 0.2169-acre site is of sufficient size to accommodate the existing residential development and historic designation.

7. **Other Factors:** The request for landmark designation was initiated by the owner. The application is for an “HL” Historic Landmark designation for an “R-6” Residential Single-Family District. On March 6, 2023, 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 824 West Magnolia Avenue met UDC criterion [35-607(b)3], [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. In order to be eligible for landmark designation, a property must meet at least three of the criteria; 824 West Magnolia Avenue meets three.

On March 6, 2023, 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 824 West Magnolia Avenue met UDC criterion [35-607(b)3], [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. In order to be eligible for landmark designation, a property must meet at least three of the criteria; 824 West Magnolia Avenue meets three.

3. Its identification with a person or persons who significantly contributed to the development of the community, county, state, or nation; for its association with the Tips and Walthall families.

8. Its historical, architectural, or cultural integrity of location, design, materials, and workmanship; as an example of a Colonial Revival style residence.

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 one of the earliest homes in the Beacon Hill neighborhood.

In accordance with the San Antonio City Unified Development Code, the Office of Historic Preservation reviews all demolition applications for any property located within the city limits of San Antonio. Approval of a zoning change does not imply approval of or take the place of such demolition review as directed by the UDC. To date, no application for demolition at this address to accommodate the proposed use has been submitted for review to the Office of Historic Preservation.