



# City of San Antonio

## Agenda Memorandum

---

**Agenda Date:** October 17, 2023

**In Control:** Zoning Commission Meeting

---

**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 1

**SUBJECT:**

Zoning Case Z-2023-10700268 HL

**SUMMARY:**

**Current Zoning:** “R-5 AHOD” Residential Single-Family Airport Hazard Overlay District

**Requested Zoning:** “R-5 HL AHOD” Residential Single-Family Historic Landmark Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 17, 2023

**Case Manager:** Mark Chavez

**Property Owner:** Mitch Ford

**Applicant:** Office of Historic PreservationOffice of Historic Preservation

**Representative:** Office of Historic Preservation

**Location:** 228 Odell Street

**Legal Description:** Lot 12 and 13, Block 22, NCB 7391

**Total Acreage:** 0.1320

**Notices Mailed****Owners of Property within 200 feet:** 34**Registered Neighborhood Associations within 200 feet:** Kenwood**Applicable Agencies:** Office of Historic Preservation, Planning Department**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio by Ordinance 1941, dated May 30, 1940, and zoned “R-5” Single-Family Residence District. With the adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “R-5” Single-Family Residence District converted to the current “R-5” 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 flood plain.

**Adjacent Base Zoning and Land Uses****Direction:** North**Current Base Zoning:** R-5**Current Land Uses:** Single-Family Residential**Direction:** East**Current Base Zoning:** “R-5”**Current Land Uses:** Single-Family Residential**Direction:** South**Current Base Zoning:** R-5**Current Land Uses:** Single-Family Residential**Direction:** West**Current Base Zoning:** R-5**Current Land Uses:** Single-Family Residential**Overlay District Information:**

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. 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.

**Transportation**

**Thoroughfare:** Howard Street

**Existing Character:** Local

**Proposed Changes:** None known.

**Thoroughfare:** Odell Street

**Existing Character:** Local

**Proposed Changes:** None known.

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

**Routes Served:** 5, 204.

**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: "R-5" Residential Single-Family District permits single-family dwelling (detached) with a minimum lot size of 5,000 square feet and a minimum lot width of 45 feet, foster family home, public and private schools.

Proposed Zoning: "R-5 HL" Residential Single-Family District permits single-family dwelling (detached) with a minimum lot size of 5,000 square feet and a minimum lot width of 45 feet, foster family home, public and private schools.

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 Center but is within half mile of 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 approval criteria below.

1. **Consistency:** The subject property is located within the North Central Neighborhoods Community Land Use Plan, adopted February 2002, and is currently designated as “Low Density Residential” in the land use component of the plan. Application of the historic landmark is 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. The proposed rezoning is for the application of historic designation and does not change the current use or base zoning designation. Staff does not find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. 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 objective. Relevant Goals and Policies of North Central Neighborhoods Community Plan - Goal 13: Establish a clean, safe, and aesthetically pleasing living environment for residents of the North Central Neighborhoods. - Objective 13.3: Create and enhance the neighborhood character throughout the North Central Neighborhoods Community. The request does not appear to conflict with any public policy objective. Relevant Goals and Policies of North Central Neighborhoods Community Plan
  - Goal 13: Establish a clean, safe, and aesthetically pleasing living environment for residents of the North Central Neighborhoods.
  - Objective 13.3: Create and enhance the neighborhood character throughout the North Central Neighborhoods Community.
6. **Size of Tract:** The 0.1320-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 a “R-5” Residential Single-Family District.

On September 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 228 Odell Street met UDC criterion [35-607(b)3], [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; 228 Odell Street 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 prominent family of Reverend E.J. and Jessie Lee Martin who both contributed to the development of the historically Black Kenwood 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 a significant social space where community organizations' meetings, visitors, and gatherings were hosted by the Martin 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; as one of the last remaining bungalow residences in the Kenwood neighborhood. Although the building has modifications, it retains its location, bungalow design, neighborhood setting and feeling, and domestic association.