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**CITY OF SAN ANTONIO** AGENDA ITEM NO. \_\_\_\_\_  
**INTERDEPARTMENTAL CORRESPONDENCE**  
**PLANNING DEPARTMENT**

**TO:** Mayor and City Council

**FROM:** Emil R. Moncivais, AICP, AIA, Director, Planning Department

**THROUGH:** Terry M. Brechtel, City Manager

**COPY:** Jelynn LeBlanc Burley, Assistant City Manager; Florencio Pena, Director, Development Services Department; File

**SUBJECT:** An Ordinance amending Chapter 35, Unified Development Code, Article IV, Section 35.403, by adding notification and signage procedures regarding Historic Landmark Designation of properties through the Demolition Permit Application process

**DATE:** January 29, 2004

**SUMMARY AND RECOMMENDATIONS**

A Council Consideration Request dated September 3, 2003 requested staff to bring forward amendments to the UDC regarding the public notification process when a demolition application request is submitted for a property with potential historic significance. This ordinance would amend the UDC to require notification of all property owners and registered Neighborhood Associations within 200 feet and the placement of a sign announcing the Historic and Design Review Commission meeting on the property. Staff recommends approval of this amendment.

**BACKGROUND INFORMATION**

A structure that has potential historical significance is not protected from demolition unless it is a Designated Landmark or located within a local Historic District. A structure is given a designation of Historic by City Council through the zoning process. Historic designation is a zoning overlay which does not effect the underlying base zoning district.

All demolition applications are reviewed by the Historic Preservation Office (HPO) to determine historic significance. The HPO has the authority to approve demolition applications for non-designated structures as a part of the normal Demolition Application process. (*Unified Development Code (UDC) 350-455, b2*). If the HPO believes the structure might have historic significance, the demolition process is halted in order to present the demolition application to the Historic and Design Review Commission (HDRC) for further review. Notification of the public hearing is sent to the property owner. Using criteria for Landmark Designation established in the UDC, HDRC makes a finding.

Criteria include: architectural, cultural, or historic significance; association with a person or event; design by a well known architect; good example of a particular era; association with an ethnic group, etc.

A positive "Finding of Historic Significance" from the HDRC halts the demolition. The case is forwarded to the Zoning Commission and City Council for a zoning designation of Historic. This zoning designation by City Council will protect the building from demolition.

As of July 2003, our policy of notification was revised to include notifying the Neighborhood Association by Certified letter of the public hearing for the structure at the HDRC.

On January 14, 2004, Planning Commission recommended approval of the amendment. This item is scheduled to be heard by the Zoning Commission on January 20, 2004. The recommendation will be reported at the City Council meeting.

### **POLICY ANALYSIS**

Notification of property owners and registered Neighborhood Associations within 200 feet and a posting of a sign announcing the HDRC public hearing will inform the surrounding property owners of the potential demolition and landmark designation. This policy will mirror the zoning application process for notification of a public hearing before Zoning Commission and City Council.

### **FISCAL IMPACT**

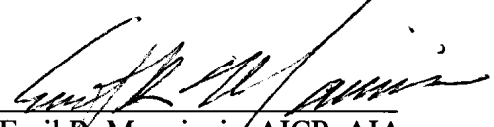
The potential cost of implementing this change is \$1,150 per year. This assumes an average of 24 cases and 45 mail outs per case. The Planning Department will assume costs for FY 2004 and reassess costs during the FY 2005 budget process.

### **COORDINATION**

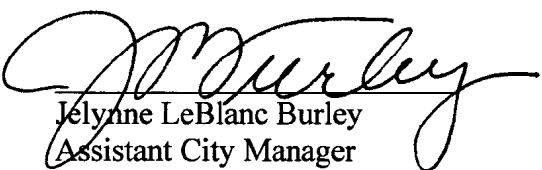
This ordinance has been coordinated with Development Services Department, City Attorney's Office, Governance Committee, and Urban Affairs Committee.

### **SUPPLEMENTARY COMMENTS**

This item was heard by the Governance Committee on September 17, 2003 with a recommendation to forward to Urban Affairs Committee for consideration. On October 13, 2003, the Urban Affairs Committee recommended the item be brought forward to City Council for consideration.

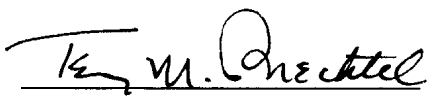


Emil R. Moncivais, AICP, AIA  
Director, Planning Department



Jelynn LeBlanc Burley  
Assistant City Manager

Approved:



Terry M. Brechtel  
City Manager

**CITY OF SAN ANTONIO**  
**OFFICE OF THE CITY COUNCIL**  
**INTERDEPARTMENTAL CORRESPONDENCE SHEET**

**TO:** Mayor and Councilmembers

**FROM:** Councilman Roger O. Flores, District 1

**COPIES TO:** City Manager; Interim City Clerk; City Attorney; Director of Development Services; Planning Director; Assistant to City Council and Mayor; File

**SUBJECT:** Historic Demolitions

**DATE:** September 3, 2003

I am requesting City Council concurrence on bringing forward amendments to the City of San Antonio Historic Demolition Code to the Urban Affairs Council Committee. Too often historic structures are approved for demolition without the surrounding community knowing until it is too late. As such, I am requesting that the notification process for Historic Structure demolitions mimic the process for changes in zoning.

Additionally I am requesting that a moratorium be placed on all demolitions of Historic Structures until City Council takes action on the ordinance.

Your favorable consideration of this matter is requested.

  
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ROGER O. FLORES, DISTRICT 1

  
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EDWARD D. GARZA, MAYOR

  
\_\_\_\_\_  
JOEL WILLIAMS, DISTRICT 2

  
\_\_\_\_\_  
RON H. SEGOVIA, DISTRICT 3

  
\_\_\_\_\_  
RICHARD PEREZ, DISTRICT 4

  
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PATTI RADLE, DISTRICT 5

  
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ENRIQUE BARRERA, DISTRICT 6

  
\_\_\_\_\_  
JULIAN CASTRO, DISTRICT 7

  
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ART A. HALL, DISTRICT 8

  
\_\_\_\_\_  
CARROLL W. SCHUBERT, DISTRICT 9

  
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CHIP HAASS, DISTRICT 10

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