

**SAN ANTONIO HISTORIC AND DESIGN REVIEW COMMISSION  
OFFICIAL MINUTES  
JANUARY 21, 2015**

- The Historic and Design Review Commission of the City of San Antonio met in session at 3:00 P.M., in the Board Room, Development and Business Services Center, 1901 S. Alamo
- The meeting was called to order by Commissioner Cone, Chair and the roll was called by the Secretary.

**PRESENT: Cone, Laffoon, Guarino, Zuniga, Salas, Feldman, Connor**

**ABSENT: Judson, Valenzuela, Rodriguez**

- Chairman’s Statement
- Citizens to be heard
- Announcements

The Commission then considered the Consent Agenda which consisted of:

- |                       |                         |
|-----------------------|-------------------------|
| 1. Case No. 2015-016  | 131 Taylor St.          |
| 2. Case No. 2015-022  | 101 Ambrosia St.        |
| 3. Case No. 2015-018  | 2915 E. Commerce St.    |
| 4. Case No. 2014-399  | 7888 Dave Erwin Dr.     |
| 5. Case No. 2015-017  | 130 I St.               |
| 6. Case No. 2015-014  | 624 Leigh St.           |
| 7. Case No. 2015-015  | 415 Furr Dr.            |
| 8. Case No. 2015-031  | 600 Hemisfair Plaza Way |
| 9. Case No. 2015-029  | 123 Roy Smith           |
| 10. Case No. 2015-030 | 524 E. Guenther         |
| 11. Case No. 2014-291 | 604 S. Alamo St.        |
| 12. Case No. 2015-037 | 434 S. Alamo            |
| 13. Case No. 2014-048 | 308 W. Summit           |

Item 4 and 13 were pulled from the Consent Agenda to be heard under Individual Consideration.

**COMMISSION ACTION:**

The motion was made by Commissioner Guarino and seconded by Commissioner Laffoon to approve the remaining cases on the Consent Agenda based staff recommendations.

**AYES: Cone, Laffoon, Guarino, Zuniga, Salas, Feldman, Connor**

**NAYS: None**

**THE MOTION CARRIED.**

**4. HDRC NO. 2014-399**

Applicant: John McCarthy

Address: 7888 Dave Erwin Dr.

The applicant is requesting conceptual approval to:

1. Demolish building 185 (a contributing building) located within the School of Aerospace Medicine Historic District. The applicant claims that retaining this building will result in an unreasonable economic hardship on the owner of the property; and
2. Construct an apartment complex for the new home of the Incarnate Word School of Osteopathic Medicine. A site plan and architectural renderings have been submitted for conceptual review.

**FINDINGS:**

Findings related to request item #1:

a. Building 185 was built as a vivarium support facility in 1963 and was part of the initial development of the School of Aerospace Medicine. The building is located on the southeastern edge of the district and was used to house animals that were studied for

experimental space research.

b. The institutional building was constructed in the district's dominating International Style. The rectangular, horizontal building is sheathed in red brick veneer over concrete masonry units. The building features a flat, built-up roof with a corrugated metal penthouse. The fenestration is similar to that of many other buildings in the historic district, and includes symmetrical, narrow, floor-to-ceiling window openings of glazing and blue metal panels.

c. The applicant has cited maintenance issues with the building including de-lamination of the brick façade and structural cracks.

d. Building 185 is no longer considered functional or appropriate for animal care and the potential reuse/rehabilitation has been explored by the applicant. However, the specific functional design of the building presents problems for the re-use of the facility. The building has few windows and contains a series of small concrete and tile cells making it difficult to reuse the building without significant investment and substantial alterations.

e. The Design Guidelines & Master Plan for the School of Aerospace Medicine envisioned building 185 for potential demolition and as an allowable expansion area for development. The building is listed in the School of Aerospace Medicine Design Guidelines as having, "no significant façade" and states that, "Building 185 can be modified on any side of the building."

f. Generally, property owners are encouraged to explore ways to incorporate historic and contributing buildings into new developments. Rehabilitation work for designated buildings is eligible for local, state and federal tax incentives. Demolition should always be a last resort.

g. Demolition of any contributing building within the complex should only occur after every attempt has been made, within reason, to successfully reuse the structure. Clear and convincing evidence supporting an unreasonable economic hardship on the applicant if the application for a certificate is disapproved must be presented by the applicant in order for demolition to be considered. The criteria for establishing unreasonable economic hardship are listed in 35-614 (b) (3). The applicant must prove by a preponderance of the evidence that:

*A. The owner cannot make reasonable beneficial use of or realize a reasonable rate of return on a structure or site, regardless of whether that return represents the most profitable return possible, unless the highly significant endangered, historic and cultural landmark, historic and cultural landmarks district or demolition delay designation, as applicable, is removed or the proposed demolition or relocation is allowed;*

[The applicant claims that building 185 has been shown to have no reasonable beneficial use because of its highly specialized and outdated design as a vivarium facility to support Air Force research functions. Since the Air Force vacated the facility in April 2011, the Brooks Development Authority has attempted to market the building to private medical research companies as well as to the City of San Antonio Animal Care Services Department for a like use of holding animals. There has been no interest shown in the use of the facility after showing it, because of its outdated design as an animal care facility as compared to modern standards established for such facilities.]

*B. The structure and property cannot be reasonably adapted for any other feasible use, whether by the current owner or by a purchaser, which would result in a reasonable rate of return;* [The applicant claims that, no interest has been shown by others in reasonably adapting the facility for any other feasible reuse that could result in a reasonable rate of return. The necessary modifications to the facility for adaptive reuse would so alter the building that it would lose any existing historical integrity as 90% of the interior would have to be demolished and a significant portion of the exterior would be altered to add windows and improve the design of the building. This further contributes to the facility's functional and economic obsolescence.]; and

*C. The owner has failed to find a purchaser or tenant for the property during the previous two (2) years, despite having made substantial ongoing efforts during that period to do so. The evidence of unreasonable economic hardship introduced by the owner may, where applicable, include proof that the owner's affirmative obligations to maintain the structure or property make it impossible for the owner to realize a reasonable rate of return on the structure or property.* [The University of Incarnate Word will be establishing a School of Osteopathic Medicine on the adjacent campus in 2016, and a multi-family housing complex is being planned for the site surrounding Building 185 to support the development of the medical school. The applicant claims that, the location of Building 185 on the periphery of the campus with no viable reuse will hinder the development of this important housing complex and potentially compromise the economic development of the surrounding community. The applicant states that, "Careful consideration of each building within the district was carried out in the Master Plan process that was coordinated with the OHP and approved by HDRC, and this was one of a few buildings on the entire campus that was identified as a potential demolition candidate. Therefore, the Brooks Development Authority in accordance with the approved master plan for the historic district, and in good faith with the OHP and HDRC, is requesting approval for the demolition of Building 185 to mitigate the existing unreasonable economic hardship."]

h. Staff finds that the applicant has made a legitimate claim for an economic hardship based on Criterion A, B and C. If the HDRC concurs and finds that the claim for an economic hardship has been thoroughly substantiated and that the conditions of UDC 35-614 which would warrant demolition apply, a recommendation for approval of the request for demolition will not authorize the issuance of a demolition permit. A permit will not be issued until replacement plans for the new construction are approved and all applicable fees are collected. The UDC states that permits for demolition and new construction shall be issued simultaneously if the requirements for new construction are met, and the property owner provides financial proof of his ability to complete the project.

i. Photo documentation as required by UDC Section 35-614 3D will be required to be submitted to staff.

Findings related to request item #2:

j. Per the conceptual site plan, only one of the proposed six new buildings will be located within the boundary of the district; therefore, the proposed new construction replacement structure is the only building that is subject to historic design review.

k. The applicant submitted two separate conceptual plans for new construction. The massing is rectilinear and horizontal. The horizontal dimension is at least twice as long as the vertical height and this consistent with guideline, 5.C.3.c. 1-3. Based on renderings submitted by the applicant, the design of the proposed new construction appears to be generally consistent with the character of the existing structures within the district. This is consistent with the School of Aerospace Medicine Design Guidelines 5.C1.

l. The rear parking lot illustrated in the submitted design for "Building Type II" is consistent with 5.A.5.h. The guideline states that, "parking lots should be located on the rear or side of the building. The standard suburban model of parking adjacent to the front door should be avoided." The parking lot in front of the proposed "Building Type IV" would not be consistent with the guidelines.

m. The height of both of the proposed buildings exceeds 35 feet. The proposed plans show the building either three or four stories high. This is not consistent with guideline, 5.C.3.c.4., which states that the height of new construction should not exceed 35 feet; however, the strong rectilinear shape still emphasizes the horizontality of the building.

n. Typically the guidelines recommend that, "roofs shall be flat" (5.C.3.d.1). Both plans feature a low sloped asphalt shingled roof. This is consistent with The School of Aerospace Medicine Design Guideline 5.C.3.d. 1, as long as the slope is not visible from the ground.

o. The proposed doorway metal entrance canopies are permitted (5.C.3.d.)

p. The exterior wall materials will consist of brick and stucco. The proposed brick shall match the existing terra-cotta colored brick used in the surrounding buildings. This is consistent with recommended exterior wall materials as stated in guideline 5.C.3.e.4. The proposed stucco finish is prohibited per guideline 5.C.3.e.4., which states that, "Cementitious stucco, synthetic stucco, or EIFS systems, tilt wall, fiber cement siding, wood siding, exposed concrete block are prohibited." The design guidelines state, "New construction shall be brick masonry, aluminum storefront, glass, pre-finished metal spandrel panels, or ceramic tile panels similar to materials on the historic campus."

q. The window patterns are appropriate and are more vertical than horizontal and are sympathetic to the original character of the campus. This is consistent with 5.C.3.g.4-5. The proposed white, vinyl windows are not consistent with guideline, 5.C.3.7. This guideline states that, "Windows shall be clear anodized window and/or storefront systems, including doors."

1. Staff recommends approval for demolition of building 185 based on findings a through i. A demolition permit will not be issued until all fees are collected and replacement plans are approved.

2. If the demolition requested in item 1 is approved by the HDRC, then staff recommends conceptual approval of "Building Type II" with the following stipulations:

- i. That the proposed windows and doors be clear anodized window and/or storefront systems; and
- ii. That the proposed exterior stucco finish be restudied and substituted with a finish that is consistent with the School of Aerospace Medicine Design Guidelines.

**COMMISSION ACTION:**

The motion was made by Commissioner Guarino and seconded by Commissioner Connor to approve based on staff recommendations based on findings a through q.

**AYES: Laffoon, Guarino, Zuniga, Salas, Feldman, Connor**

**NAYS: None**

**RECUSED: Cone**

**THE MOTION CARRIED.**

**13. HDRC NO. 2014-048**

Applicant: Irby Hightower

Address: 308 W. Summit

The applicant is requesting a Certificate of Appropriateness for approval of revised plans for the previously-approved addition to 308 W Summit.

**FINDINGS:**

- a. This request received a Certificate of Appropriateness from the HDRC on February 19, 2014. At the time of that request, the applicant indicated the height of the addition to be 25'-3" above the finish floor level of the house. The overall parapet height was represented to match the height of the adjacent garage.
- b. Due to unknown differences between the finish floor elevation of the house and garage and a change in detailing by the contractor, the constructed height of the framed addition was taller than what had been previously approved. The applicant recognized the issue and worked diligently with staff to provide a solution.
- c. The proposed revision removes the parapet wall at the roof and lowers the plate height of the addition by approximately 9 inches. The addition will match the previously-approved height and the massing will appear the same when viewed from the street. Due to the unknown difference in finish floor height and slope of the property, the overall height of the addition will ultimately remain slightly taller than the garage.
- d. In the revised drawings, an external gutter is specified on the north façade of the addition. This detail was not previously included in the design but is necessitated by the removal of the parapet. Staff finds that the applicant should explore ways to drain the roof internally or relocate the gutter system to a less visible location in order to remain consistent with the previous approval.

Staff recommends approval with the stipulation that the roof drainage be resolved in a manner that has less of a visual impact based on finding d.

The applicant submitted updated drawings on January 16, 2015, that show a rear gutter.

**COMMISSION ACTION:**

The motion was made by Commissioner Feldman and seconded by Commissioner Zuniga to approve with the stipulation that the roof drainage be resolved in a manner that has less of a visual impact based on finding d. The applicant submitted updated drawings on January 16, 2015, that show a rear gutter.

**AYES: Laffoon, Zuniga, Salas, Feldman, Connor, Shafer**

**NAYS: None**

**RECUSED: Cone, Guarino**

**THE MOTION CARRIED**

**14. HDRC NO. 2015-009**

Applicant: Stephen Jackson

Address: 139 Thorain Blvd.

The applicant is requesting a Certificate of Appropriateness for approval to:

Construct a bathroom addition on the north (side) façade of the house at 139 Thorain. The addition will have a footprint of approximately 108 sf additions, a side gable and stone exterior to match.

**FINDINGS:**

- a. The house at 139 Thorain was constructed circa 1940. According to Sanborn maps, the existing porch configuration appears to be original, and the addition will impact an original portion of the house. The proposed addition will require the removal of four original window openings.
- b. According to the Guidelines for Additions 1.A.i., residential additions should be positioned at the side or rear of the building whenever possible in order to minimize views of the addition from the public right-of-way. While the proposed addition is located on the side of the structure, it is at a highly visible location towards the front of the house and will impact views from the right-of-way.
- c. According to the Guidelines for Additions 1.A.iii., new additions should utilize a similar roof pitch, form, overhang, and orientation as the historic structure. The proposed addition will result in the addition of a new gable on the north façade, obscuring the original roof form. This does not meet the intent of the Guidelines.
- d. According to the Guidelines for Additions 1.B.i., new additions should be subordinate to the principal façade of the original structure in terms of their scale and mass. The proposed addition projects past the original porch and side gable and is not subordinate to the structure. A rear addition or one that is located behind the existing side gable would be more appropriate.

Staff does not recommend approval based on findings a through d.

**COMMISSION ACTION:**

The motion was made by Commissioner Connor and seconded by Commissioner Zuniga to approve as submitted per drawings presented 1-21-15.

**AYES: Laffoon, Zuniga, Salas, Connor**

**NAYS: Cone, Guarino**

**THE MOTION CARRIED**

**15. HDRC NO. 2015-032**

Applicant: Jenifer Brown

Address: 4242 Broadway

Withdrawn per applicant.

**16. HDRC NO. 2015-026**

Applicant: Linda Flores

Address: 5118 San Pedro Ave.

The applicant is requesting a Certificate of Appropriateness for approval to: 1. Install a 4'x24' externally illuminated wall mounted sign. 2. Install two 17"x90" wall mounted signs on north and south wall.

**FINDINGS:**

a. According to the Guidelines for Signage, total signage square footage should not exceed 50 square feet. The proposed signs will total 117 square feet. Although in general San Pedro Avenue is largely oriented towards vehicular traffic, this block has a smaller scale and a more residential feel. Signage should respond to the character and period of the area without distracting from building features, in proportion to the façade, and subordinate to the overall building composition. Due to the size of the building, small scale of adjacent buildings and adjacent signage sizes, staff does not find that additional square footage is necessary at this location.

b. Signs should not conceal architectural details or extend above the cornice or uppermost portion of a façade wall consistent with the Guidelines for Signage. The proposed sign on the front façade is not consistent with the guidelines since it will extend significantly above the uppermost part of the canopy concealing this architectural detail.

c. A freestanding sign closer to the edge of the street and a smaller wall mounted sign are commonly used by other commercial buildings on this block. Staff finds this alternative may be a more appropriate solution.

Staff does not recommend approval as submitted based on findings a-c. Staff recommends that square footage is reduced to no more than 50 square feet and that no sign extends past the uppermost portion of the canopy.

**COMMISSION ACTION:**

The motion was made by Commissioner Connor and seconded by Commissioner Guarino to approve as submitted.

**AYES: Cone, Laffoon, Guarino, Zuniga, Salas, Connor**

**NAYS: None**

**THE MOTION CARRIED**

**17. HDRC NO. 2015-033**

Applicant: Office of Historic Preservation

Address: 314 Lamar St.

The applicant is requesting a recommendation to the Building Standards Board for the main and accessory structures at 314 Lamar. The City of San Antonio Code Enforcement Division has determined that the wood frame main and accessory structures are unsafe and is

recommending repair of both structures per Chapter 6-156, subsections 2, 4, 5, 7, 8, 11, 12 and 15 for the main structure and subsections 1,2,4,5,7,8,11,12,15 and 18 for the accessory structure.

**FINDINGS:**

- a. The property was originally acquired in 1901 by John C. Herren, a prominent young Sunset Railway engineer. The house was built in 1905 in the Folk Victorian Style. The property is part of the second generation of construction in the Dignowity Hill Historic District when the originally wealthy suburb transitioned into a working class neighborhood after the advent of the railroad in 1877.
- b. The main house is contributing to the Dignowity Hill Historic District and was designated under ordinance #57994. The accessory structure is not contributing to the district.
- c. The main house is deteriorated and in need of repairs especially the front porch and roof, however repairs appear to be feasible. Demolition of a contributing structure within a historic district constitutes an irreplaceable loss to the quality and character of our community and should always be a measure of last resort.
- d. According to Sec. 35-614 of the UDC, in order for the demolition of a contributing structure to be approved, the owner must provide proof of economic hardship and evidence that repairs are not feasible. This information has not been provided to the HDRC for its consideration. If economic hardship cannot be proven, the UDC requires proof of loss of significance. Staff finds that overall the main structure has not suffered major modifications, the majority of its original material is intact and its historical and architectural integrity remain which retains the building's significance.
- e. If demolished as a public safety hazard, the UDC Sec. 35-615 requires that no permits be issued for the property for a period of 5 years from the date of demolition. Furthermore, a demolition permit shall not be issued until all appropriate fees outlined in Sec. 35-614 (e) have been collected.

Staff concurs with Code Enforcement staff's recommendation for repairs of the main structure.

**COMMISSION ACTION:**

The motion was made by Commissioner Guarino and seconded by Commissioner Connor to recommend repairs be made to the main structure at 314 Lamar.

**AYES: Cone, Laffoon, Guarino, Zuniga, Salas, Connor**  
**NAYS: None**

**THE MOTION CARRIED**

**18. HDRC NO. 2015-021**

Applicant: Michael Looney

Address: 706 E. Guenther St.

The applicant is requesting a Certificate of Appropriateness for approval to: Construct a 10' x 20' shed at the east side of the property at 706 E Guenther. The back wall of the shed will be a part of the existing fence dividing the parking area/driveway. The opening to the shed will face the backyard with a small overhang for rain protection. The materials will match the studio/shop structure (hardie board and a standing seam metal roof to match the existing house and studio/shop).

**FINDINGS:**

- a. According to the Guidelines for New Construction 5 A, new garages and outbuildings should be designed to be visually subordinate to the principal historic structure in terms of their height, massing, and form, should be no larger in plan than forty (40) percent of the principal historic structure footprint and should relate to the period of construction of the principal building on the lot through the use of complementary materials. The proposed shed located at 706 E Guenther is noted to be 10' x 12' in size, approximately 10' feet in height and features complementary materials such as Hardie Board siding and a standing seam metal roof to match the existing house and garage. This is consistent with the Guidelines.
- b. Historically, accessory structures found in the King William Historic District, particularly those found on lots along Guenther Street are located toward the rear of the property often behind the lot's principal building.
- c. The proposal to position the accessory structure in the side yard setback approximately thirty (30) feet from E Guenther does not match the predominant accessory structure orientation found along the block and is not consistent with the Guidelines for New Construction 5. B. i and ii. It would be more appropriate if the proposed accessory structure was located further to the rear of the lot or behind the principal structure to be less visible from the public right of way.

Staff does not recommend approval based on findings b and c.

**COMMISSION ACTION:**

The motion was made by Commissioner Guarino and seconded by Commissioner Connor to approve with stipulations: That the applicant reduces the height of the proposed outbuilding to be consistent with that of the existing fence at six (6) feet tall.

**AYES: Cone, Laffoon, Guarino, Zuniga, Salas, Connor**

**NAYS: None**

**THE MOTION CARRIED**

**19. HDRC NO. 2015-025**

Applicant: Meredith Siegel/Sprinkle & CO. Architects

Address: 138 E. Agarita

The applicant is requesting a Certificate of Appropriateness for approval to: 1. Demolish an existing carport 2. Construct a new carport 3. Construct a veranda at the rear of the main structure 4. Replace an existing fence 5. Install a pool and hardscape at the rear yard.

**FINDINGS:**

- a. The existing carport is not of historic age and considered to be non-contributing to the historic district. The proposed demolition will cause no adverse effect.
- b. Consistent with the Guidelines for New Construction, outbuildings should be visually subordinate and relate to the period of construction of the principal structure. The proposed design is appropriate in material and size, however its long shed roof which raises to a maximum height of approximately 14 feet, is not visually subordinate to the main structure and does not relate to the Tudor style of the main house. A gable roof would be more appropriate and consistent with the guidelines.
- c. Additions should be located in the rear of a structure to minimize visual impact from the street; they should utilize a similar roof pitch and complementary materials according to the Guidelines for Additions. The proposed veranda along the rear elevation of the house is consistent with the guidelines through its use of a similar roof pitch and complementary materials. However, as proposed the veranda will extend past the west side of the house. Reducing the width of the veranda so that it is flush with the edge of the building will minimize visual impact from the street.
- d. The proposed carport will maintain historic setbacks along the rear and side property lines. The applicant has already secured a variance.
- e. The Guidelines for Site Elements recommend that large pavers, asphalt, or other impervious surfaces are not introduced where not historically located. As presented the majority of the rear yard which is currently a lawn area will be covered by concrete. Consistent with the Guidelines for Site Elements, historic lawn areas should never be reduced by more than 50%. Incorporating more green areas and pervious ground cover would be more appropriate.
- f. The proposed privacy fencing is set back behind the front façade of the building and is consistent with the Guidelines for Site Elements.
- g. The proposed pool is appropriately located in the rear yard and will not adversely affect the historic setting or main structure. However, careful consideration should be placed on the percentage of impervious cover that is proposed as noted on finding e.

Staff recommends approval of item 1 as submitted based on findings a. Staff recommends approval of item 2 with the following stipulations:

- a. A gable roof is used instead based on finding b.
- b. The metal roof has panels 18-21" with ridges less than 2" high, and a double munched seam or low profile cap with no ridge vent.

Staff recommends approval of item 3 with the stipulation that the veranda does not extend past the west side of the main house.

Staff recommends approval of item 4 with the stipulation that fencing is no taller than 6ft based on finding f.

Staff does not recommend approval as submitted based on findings e and g. Staff recommends the percentage of impervious cover on the rear yard to be reduced to no more than 50%.

**COMMISSION ACTION:**

The motion was made by Commissioner Guarino and seconded by Commissioner Connor to approve items 1-4 as submitted in modified design. Approval of item 5 with the stipulation that the applicant return to staff with an alternate paving design.

**AYES: Cone, Laffoon, Guarino, Zuniga, Salas, Connor**

**NAYS: None**

**THE MOTION CARRIED**

**20. HDRC NO. 2015-023**

Applicant: Jennifer Boone

Address: 415 E. Park Ave.

The applicant is requesting a Certificate of Appropriateness for approval to construct a 2-1/2 story single family house. The proposed design will have a metal roof, vinyl windows, cement board plank and shingle siding and a rooftop balcony. A new driveway and a wrought iron front and privacy rear yard fence will be installed.

**FINDINGS:**

- a. The proposed construction site originally belonged to the parcel at 411 E. Park. This large lot was subdivided into two smaller parcels to make way for the construction of a new house. The applicant is currently working on expanding the west property line of the lot at 415 E. Park so that the lot width is sufficient to allow for a driveway for the new project.
- b. The project was reviewed by the Design Review Committee on October 7, 2014, at that time Committee members were concerned with front yard parking, the disruption of historic pattern along the street, massing, the introduction of a front yard fence and roof form. The Committee recommended extending the roof further over the deck, exploring adding more windows/articulation and revising the roof form. The project was presented to the DRC again on October 21, 2014, at that time committee members noted that front yard fencing, front yard parking, and the depth of the rooftop deck were a concern.
- c. Consistent with the Guidelines for New Construction, new buildings should align with adjacent buildings while keeping a similar height and scale. The majority of the houses on this block of East Park are large and over 2 stories tall. The proposed design is appropriate for its context and in keeping with the guidelines.
- d. Although the foundation of the proposed house aligns with adjacent houses consistent with the Guidelines for New Construction, the proposed split faced CMU skirting is not a commonly used material in historic districts. According to the guidelines, new construction should incorporate materials that complement historic materials in type, size and texture. The proposed skirting material would be more appropriate in commercial suburban construction and is not consistent with the guidelines.
- e. According to the Guidelines for New Construction, new buildings should incorporate similar roof forms and pitch that are consistent with other buildings on the block. The proposed gable roof design is typical of houses on the street and appropriate for this setting. The proposed metal roof is a traditionally used material in historic districts and consistent with the guidelines as long as the recommended detailing for metal roofs is used.
- f. Consistent with the Guidelines for New Construction window and door openings should have a similar proportion of wall to window space as typical with nearby historic facades. Windows, doors, porches, entryways, dormers, bays, and pediments shall be considered similar if they are no larger than 25% in size and vary no more than 10% in height to width ratio from adjacent historic facades. Although the front and rear appear to have a similar wall to window ratio to adjacent structures, the side elevations have large expanses of blank walls which should be avoided. In addition, the proposed windows on the front elevation have a square proportion that is not typical of historic homes. Using rectangular windows that are vertically elongated would be more appropriate and in keeping with the guidelines.
- g. According to the Guidelines for New Construction, new buildings should be of their time while respecting the historic context. Architectural details that are in keeping with the predominant architectural style along the block face are recommended when they are simple in design and complement, but not visually compete with, the character of the adjacent historic structures. The majority of houses on the street have Greek Revival detailing. The proposed Craftsman style columns are not historically appropriate or in keeping with the surrounding buildings. Simplified square or round columns would complement the adjacent houses and be more appropriate for their setting consistent with the Guidelines for New Construction.

h. The appropriateness of a front yard fence is dependent on conditions within a specific historic district consistent with the Guidelines for Site Elements. There are only two houses on this block that have front yard fences. In general, the majority of front yards along this area of Park Avenue are predominantly open. Although front yard fences might be commonly used within the Tobin Hill Historic District, a front yard fence at this location will break the continuity of the street and is not appropriate for its setting.

i. Driveways and walkways should follow historic alignment and configuration as indicated in the Guidelines for Site Elements. Driveways in the Tobin Hill Historic District are typically straight and no wider than 10 feet. Historically, houses had a linear walkway connecting the main door to the sidewalk. The proposed curved driveway is not consistent with the guidelines or in keeping with other driveways in the district. In addition, the proposed curved walkway adjacent to the driveway is not a typical alignment for a front yard walkway and is not consistent with the guidelines.

Staff does not recommend approval as submitted based on findings a-g. Staff recommends that the design is revised to be consistent with the Historic Design Guidelines.

**COMMISSION ACTION:**

The motion was made by Commissioner Guarino and seconded by Commissioner Connor to refer to the DRC.

**AYES: Cone, Laffoon, Guarino, Zuniga, Salas, Connor**

**NAYS: None**

**THE MOTION CARRIED**

**21. HDRC NO. 2015-036**

Applicant: Allison Chambers

Address: 3801 Broadway

Reset to February 4, 2015

**22. HDRC NO. 2015-034**

Applicant: Chris Crim/Bury, Inc.

Address: 516 S. Flores St.

The applicant is requesting conceptual approval to:

1. Construct a new 11,950sf grocery store and a four pump, covered fuel station. The store will be located on a parcel at the southeast corner of S Flores Street and E Cesar Chavez Blvd along the southern property line adjacent to the Commander's House Park. Exterior finishes for the store include brick masonry, flat seam metal panels and "green" planter walls. The roof of the store consists of a long, barrel vault with monitor windows. A covered, outdoor dining patio will be located along S Flores with pedestrian access to the park. A simple, 4-foot wrought iron fence will be located along the recently-constructed bike path to provide separation between the path and the dining area. Surface parking with landscaping will be located to the north of the store with the fuel station immediately to the east of the parking area. The canopy for the fuel station features a barrel vault roof with standing seam metal. Visual impacts to the park will be mitigated through the use of screening and vegetation along the southern wall of the store. Stone blocks salvaged from the partial removal of the historic perimeter wall along S Flores will be reused to define the park edge but is not intended replicate the original wall which features end pillars and capstones. Previously-approved curb cuts, perimeter landscaping and a VIA bus shelter have recently been completed at this location; and

2. Install signage at four locations to include a blade sign with frontage along S Flores, a painted wall sign facing S Flores, a sign mounted to the fuel station canopy, and a fuel prices sign. The blade sign and fuel station sign will feature integrated neon lighting. LED digits will not be used to indicate fuel prices.

**FINDINGS:**

a. This request was reviewed by the Design Review Committee on January 13, 2015. At that meeting, the commissioner present noted that the location of the store presented a conflict with the Downtown Design Guide. The applicant indicated that the store location had been determined based on early feedback and a desire for the store to engage with the park.

b. The proposed new construction will occur on an existing surface parking lot. A one-story addition to the adjacent office building will be demolished to allow for the proposed fuel station.

- c. The proposed grocery store site is intended to be accessible by pedestrians and cyclists consistent with UDC Section 35-672(a). A pedestrian/bike path has recently been constructed along the perimeter of this property and incorporates specialty paving in areas to direct pedestrians to access points.
- d. The S Flores corridor predominantly features commercial buildings along the street edge ranging in height between 1 and 4 stories. The proposed store is oriented towards S Flores with a primary entrance at the northwest corner of the building. This maintains the established pattern of the street edge consistent with UDC Section 35-673(b). The building's prominence on S Flores is further enhanced by the placement of an outdoor dining area, canopy and signage. The dining area is accessible to the park encouraging use of the public space.
- e. Because of the site's close proximity to the historic Commander's House Park, there is concern that site and building lighting may negatively impact the park. UDC Section 35-673(j) requires that site lighting be shielded or designed to prevent spillover into adjacent properties. The applicant has provided information regarding the style of fixtures, but it is unclear what the overall impact will be. Lighting for the fuel station canopy has not been provided. Future applications by the applicant should consider these lighting requirements and a site lighting diagram should be provided for HDRC consideration.
- f. The south façade of the store has been designed to incorporate a living "green" wall. This creates a compatible surface along the park edge. A service area adjacent to the property line will also be adequately screened consistent with UDC Section 35-673(m). No parking areas will be immediately visible from the Commander's House Park.
- g. The proposed store features architectural elements and an overall character that are compatible within the RIO-4 district, consistent with UDC Section 35-674(a).
- h. The proposed store features a façade composition and architectural details that reinforce the human scale, consistent with UDC Section 35-674(b). The proposed dining area and shade canopy further enhance pedestrian comfort at the street level.
- i. The proposed store is a single level with a clerestory. The proposed store is similar in height to nearby buildings, consistent with UDC Section 35-674(c).
- j. The proposed store features traditional materials, finishes and colors consistent with UDC Section 35-674(d).
- k. The façade of the proposed store is articulated by visual breaks in form and materials, consistent with UDC Section 35-674(e). The proposed storefront windows are divided by regularly-spaced mullions consistent with 35-674(e)(2) and the entrance is well-defined by architectural features consistent with 35-674(e)(3).
- l. The applicant has expressed a commitment to fulfilling all requirements for archaeology outlined in UDC Section 35-675.
- m. The four proposed signs are well-oriented for this site and do not appear to be visible from the Commander's House Park. The applicant has further indicated that an electronic message board will not be used at the fuel station consistent with UDC Section 35-678(a).
- n. The size, placement and graphics of the proposed signs are appropriate for the scale of the development and are consistent with UDC Section 35-678(c). The use of neon lighting as an integral feature in the signs is appropriate at this location and is not expected to have an impact on the adjacent park.
- o. The proposed blade sign is oriented towards both pedestrian and vehicular traffic on S Flores and is proportionate to the height and scale of the store. The painted wall sign is further compatible with the overall character of the neighborhood, consistent with UDC Section 35-678(d).
- p. The total number of signs requested is appropriate for the development and is consistent with UDC Section 35-678(e). While the combination of signs exceeds the normally-allotted 50sf, the selected sizes appear to be appropriate for the size and scope of the site.
- q. The adopted Downtown Design Guide applies to this property only in instances that are not already covered by the RIO provisions. While RIO provides guidance for building orientation, the Downtown Guide 3.A.7. is more stringent and requires that at least one building entrance be provided along each street frontage. Currently, only a single entrance faces Cesar Chavez. This may be resolved by adding a second entrance on S Flores or a corner entry at the NW corner of the building in the spirit of the Downtown Guide.
- r. The Downtown Guide recommends that the ground floor retail space wrap the building corners at intersections to maintain an active building edge. The applicant has indicated that placement of the building at the street intersection is not the preferred configuration due to a desire to engage the store with the park. In the spirit of the Downtown Guide, staff finds that the applicant should explore ways to activate the corner of the building at the park. This could be achieved by an additional entrance, storefront, dining patio or canopy structure.

Staff recommends conceptual approval with the following stipulations:

1. That site and building lighting study be addressed in a future application based on finding e;
2. That an entrance on S Flores or corner entrance be added based on finding q; and
3. That the applicant explore ways to engage the store with the park based on finding r.

**COMMISSION ACTION:**

The motion was made by Commissioner Connor and seconded by Commissioner Zuniga to approve with stipulations 1. That site and building lighting study be addressed in a future application based on finding e; 2. That an entrance on S Flores or corner entrance be added based on finding q; and 3. That the applicant explore ways to engage the store with the park based on finding r.

**AYES: Cone, Laffoon, Feldman, Zuniga, Salas, Connor**

**NAYS: None**

**RECUSED: Guarino**

**THE MOTION CARRIED**

**23. HDRC NO. 2015-024**

Applicant: David Lake

Address: 155-161 E. Commerce St.

The applicant is requesting conceptual approval to:

1. Demolish the structure at 161 E Commerce commonly known as the Sullivan Building, the Alamo Savings Building and the MIC Building. The applicant claims that retaining the structure will result in an unreasonable economic hardship on the owner of the property as well as make the property undevelopable; and
2. Construct a new 18 story hotel tower at the corner of E Commerce and N St. Mary's Street that retains the building at 155 E Commerce, commonly known as the Fishmarket Building. At approximately 200' in height with 114,767 square feet, the hotel will feature 197 rooms and approximately 7,600 square feet of restaurant and retail space.

**FINDINGS:**

**Findings related to request item #1:**

- a. 159 - 161 E Commerce, which was at one time known as 301 – 303 W Commerce, commonly known as the Sullivan Building, Alamo Savings Association and the MIC (Mortgage Investment Corporation) Building is a local historic Landmark.
- b. The demolition of the Sullivan Building received conceptual approval based on unreasonable economic hardship on December 16, 2009. However, the status of that approval has expired and the applicant must reapply for demolition in compliance with UDC Section 35-614.
- c. Generally, property owners are encouraged to explore ways to incorporate historic and contributing buildings into new developments. Rehabilitation work for designated buildings is eligible for local, state and federal tax incentives. Demolition should always be a last resort.
- d. The loss of a historic landmark constitutes an irreplaceable loss to the quality and character of San Antonio. Demolition of any contributing buildings should only occur after every attempt has been made, within reason, to successfully reuse the structure. Clear and convincing evidence supporting an unreasonable economic hardship on the applicant if the application for a certificate is disapproved must be presented by the applicant in order for demolition to be considered. The criteria for establishing unreasonable economic hardship are listed in UDC Section 35-614 (b)(3). The applicant must prove by a preponderance of the evidence that:

*A. The owner cannot make reasonable beneficial use of or realize a reasonable rate of return on a structure or site, regardless of whether that return represents the most profitable return possible, unless the highly significant endangered, historic and cultural landmark, historic and cultural landmarks district or demolition delay designation, as applicable, is removed or the proposed demolition or relocation is allowed; [The applicant claims that without the demolition of 161 E Commerce, the owner would not be able to develop an economically viable project at this location without adding additional density to the site. The property was originally purchased in 2013 for \$2,150,000. In total, the applicant has indicated that the current owner has invested over 1 million dollars throughout the period of ownership on improvements, taxes and architectural work attempting to re-use both buildings. During this time of ownership, the applicant has claimed a net loss of \$176,414.55. A 2013 estimate of the fair market value of the structure and property as determined by a qualified appraiser was \$2,100,000.]*

*B. The structure and property cannot be reasonably adapted for any other feasible use, whether by the current owner or by a purchaser, which would result in a reasonable rate of return;*[The applicant claims that, due to issues related to the integrity of the structure of the existing building as well as existing constraints such as the structure's footprint, it is not feasibly possible to re-use both buildings, meet current fire and safety codes and retain enough sufficient space to lease the building. A construction estimate provided in the summer of 2013 estimated the cost of the rehabilitation of the existing building to include 4 apartments and a shell (unfinished) restaurant space was \$4,290,942. The applicant has also noted that the property in question has been vacant for the past 30 + years.]

*C. The owner has failed to find a purchaser or tenant for the property during the previous two (2) years, despite having made substantial ongoing efforts during that period to do so. The evidence of unreasonable economic hardship introduced by the owner may, where applicable, include proof that the owner's affirmative obligations to maintain the structure or property make it impossible for the owner to realize a reasonable rate of return on the structure or property.*[While the applicant has not actively marketed the site to potential purchasers, a history of projects have been proposed at this site by multiple owners that have been not been successful due to a lack of feasibility or economic hardships. The applicant as indicated that under the current proposal for demolition of the Sullivan building, additional density could be added while preserving to Fishmarket leading to the successful redevelopment of the corner of E Commerce and N St. Mary's.]

e. Staff finds that the applicant has made a legitimate claim for an economic hardship based on Criterion A, B and C. However, staff finds that further explorations may indicate whether additional sections of the Sullivan Building can be retained, particularly if the preservation of additional portions is eligible for local, state and federal tax incentives. f. If the HDRC finds that the claim for an economic hardship has been thoroughly substantiated in the application and that the conditions of UDC 35-614 which would warrant demolition apply, a recommendation for approval of the request for demolition will not authorize the issuance of a demolition permit. A permit will not be issued until replacement plans for the new construction are approved and all applicable fees are collected. The UDC states that permits for demolition and new construction shall be issued simultaneously if the requirements for new construction are met, and the property owner provides financial proof of his ability to complete the project. Findings related to request item #2:

g. Previously, conceptual approval was given to a similar proposal of a hotel tower at this site on May 5, 2010. Since that time, both the design and owners of the property have changed. On October 2, 2013, conceptual approval was given to another proposal to restore the facades of both 155 and 161, remove the rear façade of the Sullivan Building to create an open courtyard, install storefront windows and balconies and to construct a single story addition to the building at 161 E Commerce.

h. This current request was reviewed by the Design Review Committee on November 24, 2014. At that meeting, concern was expressed over solar access to the river, the proposed materials, the demolition process and the visual weight of the concrete wall that's proposed for the E Commerce façade. Since then, the applicant has provided additional information in regards to each of these concerns.

i. This request was reviewed again by the Design Review Committee on January 13, 2015. At that meeting concern was expressed over the façade arrangement in regards to the UDC Section 35-674(d)(1), how much of the original flood wall would be retained and if there would be any re-use of stone at the river level.

j. The request for demolition was also reviewed by the Designation and Demolition Committee on January 14, 2014. At that meeting, the previous approval of the demolition of the Sullivan Building was discussed as well as the changes to the new construction and how they were different than the previous two approvals. The preservation of the Fishmarket as well as the preservation of the Rio Rita Cistern were two of the main concerns during this site visit.

k. The applicant has proposed a restaurant and outdoor seating area at the Riverwalk level at the rear of the proposed hotel tower. The proposal is consistent with the UDC Section 35-672(a)(2) in regards to pedestrian circulation and linking the various functions and spaces on a site with sidewalks in a coordinated system. UDC Section 25-672(a)(5) addresses pedestrian access along the Riverwalk pathway and how it shall not be blocked by queuing, hostess stations and tables and chairs. The applicant is responsible for complying with this section.

l. Given its unique placement at the corner of E Commerce and N St. Mary's as well as its placement on the San Antonio River, this proposal will be the focal point of many views. According to the UDC Section 35-672(c)(1), properties that appear to be the terminus at the end of the street or at a prominent curve in the river shall incorporate into their design an architectural feature that will provide a focal point at the end of the view. The proposed hotel is consistent with the section in many regards including additional height, variation in roof shape, change of color or material and the addition of other design enhancement features.

m. The UDC Section 35-673(a)(1) provides guidelines for solar access to the San Antonio River in regards to new construction. The applicant has provided a solar study of both the summer and winter solstices indicating the impact that the proposed tower will have on solar access to the river. As shown in the solar study, the applicant's request is consistent with the UDC.

n. According to the UDC Section 35-673, buildings should be sited to help define active spaces for area users, provide pedestrian connections between sites, help animate the street scene and define street edges. Primary entrances should be oriented toward the street and shall be distinguishable by an architectural feature. The applicant has proposed a material change at the ground floor where the primary entrances are located. This is consistent with the UDC Section 35-673.

- o. The applicant has proposed to retain the existing trees in the public right of way along N St Mary's and to plant a new tree at the river level as well as install planters at the property line along the Riverwalk. This is consistent with the UDC Section 35-673(f) in regards to plant materials.
- p. The applicant has proposed to create two dining areas at the Riverwalk level which have been named Cypress Dining and Riverwalk Dining. While no specific paving material has been specified, the applicant is responsible to complying with the UDC Section 35-673(g) in regards to paving materials. In addition to this, the applicant is also responsible for complying with UDC Section 35-673(i) in regards to street furnishing at both the Riverwalk level as well as the street level.
- q. Lighting design for any project located in a RIO district is an important aspect of not only that particular project's design, but also the adjacent buildings as well as the Riverwalk. While a detailed lighting design has not been proposed at this time, the applicant is responsible for complying with the UDC Section 35-673(j) in regards to lighting.
- r. The UDC Section 35-673(l)(3)(A) addresses access to the public pathway along the river. The applicant has proposed to include dining areas at the Riverwalk level, therefore a clearly defined from the site onto the public right of way must be included into the design with either an architectural or landscape element. The applicant has complied with this section by including both architectural elements and landscaping elements in the form of planters.
- s. The UDC Section 35-673(n) addresses service areas and mechanical equipment and their impact on the public. Service areas and mechanical equipment should be visually unobtrusive and should be integrated with the design of the site and building. Noise generated from mechanical equipment shall not exceed city noise regulations. The applicant is responsible for complying with this section.
- t. According to the UDC Section 35-674(b) a building shall appear to have a "human scale". To comply with this, an building must (1) express façade components in ways that will help to establish building scale, (2) align horizontal building elements with others in the blockface to establish building scale, (3) express the distinction between upper and lower levels, (4) in this instance, divide the façade of the building into modules that express traditional and (5) organize the mass of a building to provide solar access to the river. The applicant has provided evidence that they have met each of these requirements.
- t. The applicant has proposed a pool deck which is to extend out from the proposed hotel eastward over the Fishmarket. The applicant has not made final design decisions on the specifics of the structural nor aesthetic properties of this proposed deck. The UDC Section 35-676 provides guidelines for the alteration, restoration and rehabilitation of historic structures and the applicant is responsible for complying with this section.
- u. According to the UDC Section 35-674(c) in regards to the height of new construction in RIO districts, there are no height restrictions for new construction in RIO 3 other than the solar access standards in which this proposal complies. Section 35-674(c)(3) states that building facades shall appear similar in height to those of other buildings found traditionally in the area. This section also states that if fifty (50) percent of the building facades within a block face are predominantly lower than the maximum height allowed, the new building façade on the street-side shall align with the average height of those lower buildings within the block face, or with a particular building that falls within the fifty (50) percent range. While the current proposal is taller than more than fifty (50) percent of the other facades along the block face, staff finds that there are other buildings of similar height in the area, notably the Drury Plaza Hotel located on the south side of E Commerce, and that the proposed height of approximately twohundred (200) feet is appropriate at this location.
- v. In regards to materials and finishes, the UDC Section 35-674(d)(1) states that indigenous materials and traditional building materials should be used for primary wall surfaces. A minimum of seventy-five (75) percent of walls (excluding window fenestrations) shall be composed of the following: Modular masonry materials including brick, stone, and rusticated masonry block, tile, terra-cotta, structural clay tile and cast stone. Concrete masonry units (CMU) are not allowed. However according to 35-674(2)(B), glass curtain wall panels are allowed in RIO-3 as long as the river and street levels comply with 35-674(d)(1). The proposal materials and finishes at the street and river level do not comply with UDC 35-674 and the applicant must meet those requirements before this request will be in compliance with 35-674(d)(1).
- w. According to the UDC Section 35-674 in regards to façade composition, high rise buildings, more than one hundred (100) feet in height shall terminate with a distinctive top or cap. In addition to this, curtain wall systems shall be designed with modulating features such as projecting horizontal and/or vertical mullions, entrances shall be easy to find, be a special feature of the building and be appropriately scaled and the riverside façade of a building shall have simpler detailing and composition than the street façades.
- x. The applicant is proposing a black canopy to wrap from the E Commerce façade, to the N St. Mary's Façade and then to the Riverwalk side of the building to cover the entrance to the river level of the building at the patios. The proposal is consistent with the UDC Section 35-674(g) in regards to form and color, however the applicant is responsible for complying with item (3) in regards to incorporating lighting into the design of the canopy.
- y. The UDC Section 35-675 states that an HDRC application for commercial development projects within a river improvement overlay district shall be reviewed by the city archaeologist to determine if there is potential of containing intact archaeological deposits. The applicant is responsible for complying with this section of the UDC.

1. The demolition of a historic landmark constitutes an irreplaceable and irreversible loss to the quality and character of the City of San Antonio. Staff does not recommend approval of demolition at this time based on finding e. All incentives and resources should be fully explored in order to substantiate a claim for economic hardship.

2. If the demolition requested in item 1 is approved by the HDRC, then staff recommends conceptual approval of the proposed development with the following stipulations:

- i. That the applicant provide a salvaging plan for incorporating historic materials that are indicative of the history of the Sullivan Building into the proposed development.
- ii. That the applicant return to the Design Review Committee to resolve certain aspects of the new construction including, but not limited to lighting design, street and river level façade arrangement, the placement of mechanical and service equipment.

**COMMISSION ACTION:**

The motion was made by Commissioner Feldman and seconded by Commissioner Connor to approve with stipulations: i. That the applicant provide a salvaging plan for incorporating historic materials that are indicative of the history of the Sullivan Building into the proposed development. ii. That the applicant return to the Design Review Committee to resolve certain aspects of the new construction including, but not limited to lighting design, street and river level façade arrangement, the placement of mechanical and service equipment.

**AYES: Cone, Laffoon, Zuniga, Salas, Feldman, Connor**  
**NAYS: None**

**THE MOTION CARRIED**

**24. HDRC NO. 2014-328**

Applicant: Daniel Ortiz/Brown & Ortiz, P.C.

Address: 903 Labor

Withdrawn per the applicant.

**25. HDRC NO. 2015-038**

Applicant: Syngman Stevens

Address: 619 Nolan

1. The applicant is requesting a Certificate of Appropriateness for approval to demolish the house at 619 Nolan
2. The applicant is requesting a Certificate of Appropriateness for approval to demolish the house at 621 Nolan.
3. The applicant is requesting Conceptual approval to construct a new two story house on each lot.

**FINDINGS:**

**Item #1:**

a. The property at 619-621 Nolan is associated with Captain William Holt which acquired the property by 1892. William together with his wife Sarah and sons Thomas and William Jr. lived at the family house on 621 Nolan. Frank Holt and his wife Emma occupied the house at 619 Nolan by 1895. Capt. Holt served as the civil service clerk at Fort Sam Houston for many years. Later he became alderman and also chancellor of the local chapter of the Knights of Pythias. During the time the family occupied the property, the site was venue to many family events including William Jr.'s secret wedding to Ida Zinsemeyer in 1891, Thomas' wedding to Katie Guon in 1897, William Jr.'s funeral after he died in a two train head on collision in 1896, and Thomas' funeral after he was murdered at a local bar in 1902. Frank and Emma occupied the house at 619 Nolan until Emma's death in 1912 when the house became a rental property. Sarah Holt occupied the house at 621 Nolan until 1924.

b. Although the property was occupied by 1892, the Craftsman style of the house (which became popular in the early 20th century) indicates it was built at a later time. There are no Sanborn Maps available prior to 1904 for the area; however the 1904 footprint of the house at 619 Nolan is much smaller than the current structure. The 1911 map shows a similar sized structure to the 1904 footprint. The 1951 map shows a wider and much longer structure similar to the existing house. It is unknown if the original 1904 structure was enlarged or reconstructed. However, the Craftsman details on the house indicate it was built ca. 1900-1915.

c. The house was identified in the Dignowity Hill Historic District survey as contributing based on its scale and materials. The house at 619 Nolan has been modified from its original condition including the enclosure of the front porch.

d. A demolition request for the house at 619 Nolan was heard by the HDRC on June 4, 2014, at that time the request was referred to the Designation and Demolition Committee. The DDC performed a site visit to the property on June 11, 2014. Overall, the committee found that the structure was extremely deteriorated and had lost its significance. The committee recommended that, if demolition was approved, the materials be salvaged. The case was presented to the HDRC on June 18, 2014, and was postponed until the applicant could present a salvage plan. The case was set for July 2, 2014, but no action was taken by the HDRC since the case was postponed by the applicant. Staff performed a site visit to the property on April 2, 2014. At that time, staff found that the home is in a deteriorated condition, has undergone several modifications and various incompatible additions have been constructed.

e. The 600 block of Nolan is generally intact. Only one vacant parcel existed on this block which recently became the site to a relocated house. This portion of Nolan serves as a gateway into the Dignowity Hill Historic District and should be protected.

f. Although the home is in a deteriorated state, demolition of a contributing resource in a historic district should always be the last resort where a loss of significance has occurred or where repairs to the structure are found to be unfeasible, resulting in an unreasonable economic hardship as outlined in the UDC Section 35-614. The loss of a contributing building constitutes an irreplaceable loss to the quality and character of San Antonio. A great number of demolitions have previously occurred within the Dignowity Hill Historic District, and this block of Nolan is especially threatened with future demolitions. Demolition of any contributing buildings should only occur after every attempt has been made, within reason, to successfully reuse the structure. Clear and convincing evidence supporting an unreasonable economic hardship on the owner must be presented by the applicant in order for demolition to be considered. The criteria for establishing unreasonable economic hardship are listed in Sec. 35-614 (b) (3). The applicant must prove by a preponderance of the evidence that: *A. The owner cannot make reasonable beneficial use of or realize a reasonable rate of return on a structure or site, regardless of whether that return represents the most profitable return possible, unless the highly significant endangered, historic and cultural landmark, historic and cultural landmarks district or demolition delay designation, as applicable, is removed or the proposed demolition or relocation is allowed;*

*B. The structure and property cannot be reasonably adapted for any other feasible use, whether by the current owner or by a purchaser, which would result in a reasonable rate of return;*

*C. The owner has failed to find a purchaser or tenant for the property during the previous two (2) years, despite having made substantial ongoing efforts during that period to do so. The evidence of unreasonable economic hardship introduced by the owner may, where applicable, include proof that the owner's affirmative obligations to maintain the structure or property make it impossible for the owner to realize a reasonable rate of return on the structure or property.* [In April of 2014, the applicant provided several construction estimates for repairs at 619 Nolan including foundation repair, replacement of damaged/missing floor boards, sheet rock, window repair, siding repair, painting, plumbing and electrical work, and roof replacement. This work is estimated to cost approximately \$130,000. No information on consideration to make the property available for sale has been submitted by the applicant. Although rehabilitating this structure would be costly, staff does not find that an economic hardship has been proven.]

g. According to Section 35-614, if demolition is approved the applicant must document all structures to be demolished and supply a set of prints to the historic preservation officer. The applicant shall also prepare a salvage strategy for reuse of building materials deemed valuable by the historic preservation officer. A salvage plan has not been provided by the applicant.

#### **Item#2:**

h. The property at 619-621 Nolan is associated with Captain William Holt which acquired the property by 1892. William together with his wife Sarah and sons Thomas and William Jr. lived at the family house on 621 Nolan. Frank Holt and his wife Emma occupied the house at 619 Nolan by 1895. Capt. Holt served as the civil service clerk at Fort Sam Houston for many years. Later he became alderman and also chancellor of the local chapter of the Knights of Pythias. During the time the family occupied the property, the site was venue to many family events including William Jr.'s secret wedding to Ida Zinsemeyer in 1891, Thomas' wedding to Katie Guon in 1897, William Jr.'s funeral after he died in a two train head on collision in 1896, and Thomas' funeral after he was murdered at a local bar in 1902. Frank and Emma occupied the house at 619 Nolan until Emma's death in 1912 when the house became a rental property. Sarah Holt occupied the house at 621 Nolan until 1924.

i. Although the property was occupied by 1892, the Craftsman style of the house (which became popular in the early 20th century) indicates it was built at a later time. There are no Sanborn Maps available prior to 1904 for the area; however the 1904 footprint for the house at 621 Nolan remained generally intact until the 1950's, and appears to match the current footprint which indicates the house was built ca. 1904.

j. The house was identified in the Dignowity Hill Historic District survey as contributing based on its scale, materials and details. The house at 621 Nolan has suffered no major modifications and overall materials and features are intact.

k. The 600 block of Nolan is generally intact. Only one vacant parcel existed on this block which recently became the site to a relocated house. This portion of Nolan serves as a gateway into the Dignowity Hill Historic District and should be protected.

l. Although the home is in a deteriorated state, demolition of a contributing resource in a historic district should always be the last resort where a loss of significance has occurred or where repairs to the structure are found to be unfeasible, resulting in an unreasonable economic hardship as outlined in the UDC Section 35-614. The loss of a contributing building constitutes an irreplaceable loss to the quality and character of San Antonio. A great number of demolitions have previously occurred within the Dignowity Hill Historic

District, and this block of Nolan is especially threatened with future demolitions. Demolition of any contributing buildings should only occur after every attempt has been made, within reason, to successfully reuse the structure. Clear and convincing evidence supporting an unreasonable economic hardship on the owner must be presented by the applicant in order for demolition to be considered. The criteria for establishing unreasonable economic hardship are listed in Sec. 35-614 (b) (3). The applicant must prove by a preponderance of the evidence that:

*A. The owner cannot make reasonable beneficial use of or realize a reasonable rate of return on a structure or site, regardless of whether that return represents the most profitable return possible, unless the highly significant endangered, historic and cultural landmark, historic and cultural landmarks district or demolition delay designation, as applicable, is removed or the proposed demolition or relocation is allowed;*

*B. The structure and property cannot be reasonably adapted for any other feasible use, whether by the current owner or by a purchaser, which would result in a reasonable rate of return;*

*C. The owner has failed to find a purchaser or tenant for the property during the previous two (2) years, despite having made substantial ongoing efforts during that period to do so. The evidence of unreasonable economic hardship introduced by the owner may, where applicable, include proof that the owner's affirmative obligations to maintain the structure or property make it impossible for the owner to realize a reasonable rate of return on the structure or property.*

[The applicant submitted an estimate for roof replacement at 621 Nolan. Work is estimated to cost \$39,000. No other repair estimates have been submitted by the applicant. No information on consideration to make the property available for sale has been submitted by the applicant. Staff does not find that an economic hardship has been proven.]

m. According to Section 35-614, if demolition is approved the applicant must document all structures to be demolished and supply a set of prints to the historic preservation officer. The applicant shall also prepare a salvage strategy for reuse of building materials deemed valuable by the historic preservation officer. A salvage plan has not been provided by the applicant.

**Item #3:**

n. Plans for the replacement of the structures at 619 and 621 Nolan have been provided by the applicant. The proposal includes constructing an identical house on each lot. According to Section 35-614 of the UDC, a demolition permit shall not be issued until all departments, boards and commissions have approved the replacement plans for the building, all applicable fees have been paid, and proof of financial means to complete the project are submitted. A demolition and building permit shall be issued simultaneously.

o. The proposed design for the new structure is compatible in orientation, height and setbacks to the surrounding buildings as recommended by the Guidelines for New Construction.

p. According to the Guidelines for New Construction, foundation and floor heights should align with adjacent historic structures. The proposed design sits low on the ground and does not have a similar foundation height to other historic houses on the street.

q. Roof forms including pitch, overhangs, and orientation should be consistent with those predominantly found on the block as recommended by the Guidelines for New Construction. Although there are a couple of houses that have hip roofs, the majority of the houses on the block have gable roofs. The proposed hip roof design is also not consistent with other hip roofs on the block in pitch and overhang depth.

r. The building footprint for new construction should be limited to no more than 50% of the total lot area consistent with the Guidelines for New Construction. In general, houses on this block except those located at the corners do not occupy an area larger than 50% of the lot area. As presented, the design appears to occupy over 50% of the lot area which is not consistent with the guidelines.

s. No indication of roofing material or information on fenestration pattern and relationship of solid to void on the sides and rear elevations have been received.

1. Demolition of a contributing building in a historic district constitutes an irreplaceable and irreversible loss to the quality and character of the city of San Antonio and should be considered only when all other measures have been exhausted. While repairs to the houses may be costly, no evidence to support a finding of economic hardship has been presented. Staff does not recommend approval of item 1 based on findings a-g.

2. Demolition of a contributing building in a historic district constitutes an irreplaceable and irreversible loss to the quality and character of the city of San Antonio and should be considered only when all other measures have been exhausted. While repairs to the houses may be costly, no evidence to support a finding of economic hardship has been presented. Staff does not recommend approval of item 2 based on findings h-m.

3. If the demolition requested in items 1 and/or 2 is approved, staff recommends the following:

a. The case is forwarded to the Design Review Committee and that the applicant presents additional information so that new construction is developed in accordance with the Historic Design Guidelines. This recommendation is based on findings n-s.

b. A salvage plan is submitted for approval.

c. Salvaged materials are incorporated in the new design.

January 21, 2015

17

**COMMISSION ACTION:**

The motion was made by Commissioner Connor and seconded by Commissioner Guarino to refer to the Designation & Demolition Committee.

**AYES: Cone, Laffoon, Zuniga, Salas, Feldman, Connor**

**NAYS: None**

**THE MOTION CARRIED**

- Executive Session: Consultation on attorney – client matters (real estate, litigation, contracts, personnel, and security matters) as well as the above mentioned agenda items may be discussed under Chapter 551 of the Texas Government Code.
- Adjournment.

There being no further business, the meeting adjourned at 6:00 P.M.

APPROVED



Tim Cone  
Chair

