



**CITY OF SAN ANTONIO
OFFICE OF THE CITY COUNCIL
COUNCIL CONSIDERATION REQUEST**

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CITY CLERK
2015 APR 23 PM 4:13

TO: Mayor & City Council

FROM: City Council Member Roberto C. Treviño

COPIES TO: Sheryl Sculley, City Manager; Erik Walsh, Deputy City Manager; Leticia Vacek, City Clerk; Rod Sanchez, Director of Development Services; Shanon Shea Miller, Director of Office of Historic Preservation; Martha G. Sepeda, Acting City Attorney; Christopher Callanen, Assistant to the City Council

SUBJECT: Procedures for (1) Providing Certain Citizens, Including Senior Citizens and Veterans, with Additional Protection from Demolition of their Houses; and (2) Mandating Important Educational and Background Requirements for Appointees to the Building Standards Board; and (3) Providing for a way to resolve conflict when the Historic Design and Review Board Issues an Order Declaring a Property to be Historically Significant, and the Building Standards Board issues a Subsequent, Conflicting Order Granting a Request for Demolition of the same Property.

DATE: April 22, 2015

Issue Proposed for Consideration

I ask for your support for the inclusion of the following item on the agenda of the earliest available meeting of the Governance Committee:

This City Council Consideration Request seeks to: (1) provide certain citizens, including senior citizens and veterans with additional protection from demolition; (2) mandate educational and background requirements for appointees to the Building Standards Board; and (3) provide for a city code provision to resolve conflicting votes by the Historic Design and Review Commission and the Building Standards Board affecting the same property

I respectfully request that the Development Services Department, the Office of Historic Preservation and the City Attorney's Office review current procedures and code requirements and bring recommended City Code provisions forward for City Council consideration that will accomplish these expressed goals.

Brief Background

City Code Chapter 6 and Chapter 35 currently stipulate how the Development Services Department (DSD) and Office of Historic Preservation (OHP) address designated historic structures that are defined as "dangerous buildings" due to significant structural and/or safety defects. City Code further outlines how DSD and OHP utilize the Historic Design and Review Commission (HDRC) and the Building Standards Board (BSB) to review these properties to determine feasibility of repair or demolition to abate the hazards. Changes to procedures and City Code will help ensure that these historic properties, their owners and the historic neighborhoods are afforded every opportunity to efficiently rehabilitate these designated structures while maintaining safety in these areas. In addition, a serious conflict in the authority of the HDRC and the BSB will be resolved.

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(1) Providing Certain Citizens, Including Senior Citizens and Veterans, with Additional Protection from Demolition.

- (a) There is hereby established a protected class of citizens as follows: persons over the age of 65 years, veterans of the United States Military Services, persons who have owned and lived in their houses for 20 years or longer, and persons who have a serious, chronic health condition.
- (b) In order to preserve significant housing stock and in order to help members of the protected class remain in their houses, any such owner described in (a) above of any single-family property being reviewed for possible demolition shall be given 6 months in addition to all time periods currently provided in order to develop a rehabilitation plan. During all such periods of time, no penalties or fines against any such owner shall be recommended or assessed by any city board or commission.

(2) Mandating Educational and Background Requirements for Appointees to the Building Standards Board.

The Building Standards Board is charged by the city code with hearing and ruling on violations of the San Antonio Property Maintenance Code, summary abatement appeals, civil penalties, and repair or demolition of unsafe structures. The Board of 14 members is appointed by the Mayor and Council with an additional 3 members-at-Large appointed by the Mayor. The Board is divided into two panels of 7 members which rotate the scheduled meetings. The current qualifications required are that the Mayor's appointee and the 3 appointees at large must be rental property managers and one an historic preservation professional. Because of the technical nature and extreme importance of the Board's work, it is recommended that the 7 members of each of the two panels represent a different one of the following categories: an architect, a civil engineer, a general contractor, a social worker, a health care professional, a retired person (over the age of 65 years), and a veteran of the United States Military service.

(3) Providing for a Code Provision to Resolve Conflicting Votes By the Historic Design and Review Commission and the Building Standards Board Affecting the Same Property.

It is possible for the Historic Design and Review Commission to vote to designate a property as a "structure having significance," and for the BSB to subsequently approve a request for demolition of the same property. In such a case, the ruling of the Building Standards Board is controlling. In the event of such a conflict, the full Building Standards Board of 14 members (or a minimum of 11 members if the full board is not able to meet) will convene as a body of the whole to consider the demolition request. The decision of the full Board is a final, binding decision and will resolve the conflict with the ruling of the Historic Design and Review Board. This additional hearing will better protect historically, culturally, architecturally and archeologically significant structures, while continuing to safeguard the public safety, health, and general welfare of our citizens.

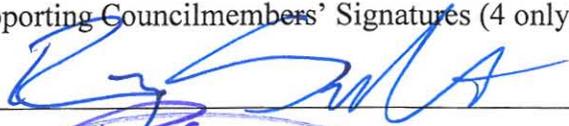
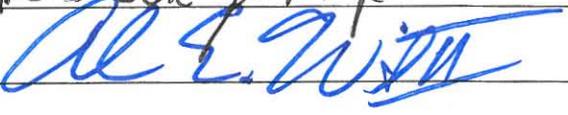
Submitted for Council consideration
by:



Council Member Roberto C. Treviño 4-22-15

Supporting Councilmembers' Signatures (4 only)

District No.

- | Supporting Councilmembers' Signatures (4 only) | District No. |
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| 1.  | 4 |
| 2.  | 8 |
| 3. Rebecca Vinpan | 3 |
| 4.  | 2 |

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