EXHIBIT (B)

MISSION DRIVE-IN MASTER PLAN FRAMEWORK

MISSION DRIVE-IN THEATER SITE

MAY 2012

MASTER PLAN FRAMEWORK

CITY OF SAN ANTONIO

Center City Development Office

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SITE AREA

MISSION LIBRARY REDEVELOPMENT AREA

MISSION DRIVE-IN REDEVELOPMENT AREA

- Mission Viewshed (Actual)
- Mission Viewshed (Conceptual)
- FEMA 100 yr
- River Improvement Overlay
- 1/4 Mile Pedestrian Shed

0 250 500 1,000 Feet

N

EXECUTIVE SUMMARY

This document expands on the Planning Principles created from the draft Concept Master Plan prepared by Kell-Munoz Architects. These principles were developed over a four-year public input process, and place a heavy emphasis on the historical context of the property. This document builds on those principles and provides additional guidance and implementation strategies necessary to complete a compatible development on the Mission Drive-In site.

BACKGROUND

The 26 acre site was purchased by the City of San Antonio in 2007 to provide redevelopment opportunities for public and private projects. Kell-Munoz Architects was selected by the City in 2008 to create the library and site plans for the project. The plan included a 15,000 square foot library, a recreated drive/ entrance through the property, playground equipment, trails, open spaces, and additional public amenities. The site master planning effort was suspended in order to focus on the completion of the library project. The public input process continued after the completion of the library in 2011. A series of meetings were held from December 2010 to November 2011 to gather public input for the redevelopment of the remainder of the site.

In 2011, the District 3 branch library opened, becoming the first public project completed on the site. With current projects underway to complete the loop street access drive, the Screen Park open space, and the renovation of the historic drive-in marquee, the site is beginning the transition from a drive-in movie venue to a mixed use town center with complementing civic uses. Neighboring projects will also influence the transition of the area around the site, creating new development opportunities for the south side.

The Mission Drive-In Master Plan Framework formalizes the previous site planning efforts. This plan examines neighboring development projects, recognizes current Mission Drive-In site projects, highlights the framework envisioned by the original Planning Principles, and lists the implementation strategy for a successful development for the property. The focus of the Mission Drive-In Master Plan Framework is to build on the success of the new District 3 branch library and identify specific land use concepts that will facilitate a successful site build-out.

TAX INCREMENT REINVESTMENT ZONE (TIRZ)

The Mission Drive-In site is within the TIRZ 32 boundary. Tax Increment Financing (TIF) is a special funding tool used by the City to promote public and private investment in areas where little to no private sector investment is currently taking place. A portion of collected taxes are contributed to a fund that is used to help revitalize a designated area or ‘zone’. Tax Increment Reinvestment Zone (TIRZ) funds may be utilized to build and repair infrastructure and rehabilitate historic facilities and existing vacant buildings. Consisting of approximately 1,365 acres, the Mission Drive-In TIRZ was designated in 2008 and is expected to exist through fiscal year 2028.

The Mission Drive-In Master Plan Framework shall serve as a blueprint for the site development and site build-out. Future development efforts within this 26 acre boundary shall comply with the guidance outlined in this plan.

PLANNING PRINCIPLES

1. Create a sustainable and socially responsive redevelopment that creates a town center and central civic space for the southside;
2. Provide a location for the new district 3 branch library;
3. Provide site location opportunities for administrative headquarters for institutional partners;
4. Emphasize the preservation and revitalization of the c.1948 Mission Drive-In Theater Marquee as an Iconic landmark for the development;
5. Introduce commercial development parcels to front Roosevelt and VFW Blvd.;
6. Provide an efficient internal network of streets and pedestrian trails that connect to neighborhoods, mission trails and the Mission River Reach;
7. Dedication of a view corridor that visually reconnects the Mission to the river;
8. Respect for Viewsheds of the Mission San Jose, minimizing intrusive buildings and visual obstructions along Roosevelt Avenue;
9. Reconfigure the drainage flow to reduce flooding at the Roosevelt and VFW intersection;
10. Incorporate site and architectural design guidelines and standards into the property deed. Deed restrictions will ensure building compatibility with the surrounding historic architecture of the area;
11. Include a site opportunity for a community/ cultural center

NEIGHBORING PROJECTS

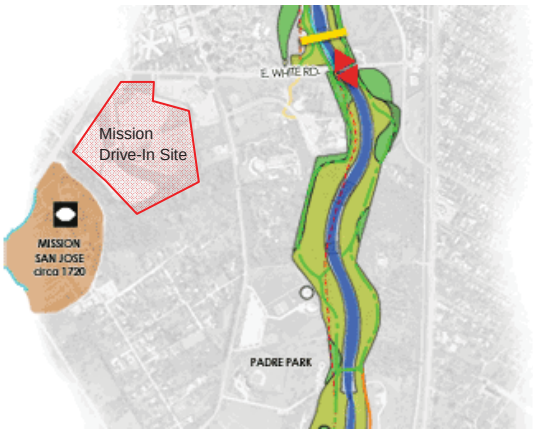
ILLUSTRATIVE AREA CONCEPT PLAN

Neighboring Projects

Several area projects are currently in different phases of development. Collectively, these projects will complement the Mission Drive-In development, creating an expansive renewal effort for the area.

THE SAN ANTONIO RIVER IMPROVEMENT PROJECT

The San Antonio River Improvements Project (SARIP) is a $358.3 million on-going investment by the City of San Antonio, Bexar County, San Antonio River Authority (SARA), the U.S. Army Corps of Engineers (USACE) and the San Antonio River Foundation in flood control, amenities, ecosystem restoration and recreational improvements along 13 miles of the San Antonio River. A portion of the 8 mile Mission Reach section of the project is located approximately 1/4 mile east and northeast of the Mission Drive-In site. The Mission Reach Ecosystem and Recreation Project is transforming the eight mile stretch of the River into a quality riparian woodland ecosystem. This unique project restores riverine features and riparian woodlands, reintroduces native plants, enhances aquatic habitat, and reconnects cultural and historical features. The project also includes enhanced pedestrian trails and paths, including a portal structure that will lead to Mission San Jose.



A portion of the Mission Reach river improvements project near the Mission Drive-In Site.

Rendering of the proposed San Jose Portal, part of the enhancement efforts of the Mission Reach Project.

THE MISSION COUNTY PARK REDEVELOPMENT PLAN

The 16 acre Mission County Park is separated from the Mission Drive-In site by the VFW property and Padre Drive to the north east. In January, 2012, the Bexar County Commissioners Court approved a $5.275 million contract to redevelop and improve the park. This effort will connect the park to the Mission River Reach project, serving as a major portal between the river trails and the San Antonio Missions National Historical Park. The project also includes renovating the Rotunda Pavilion, kitchen and barbecue building and the existing restrooms. New structures will include picnic pavilions, a performance pavilion, and a service and maintenance building. The project began in February 2012, and is scheduled for completion in the fall 2012.

Illustration of the proposed Mission County Park improvements.

Neighboring Projects

The renderings above illustrate the San Jose Portal (above left), and the Mission Portal site plan (above right). The Portal will be positioned along the river trail and will provide unobstructed viewing opportunities to Mission San Jose (below). [illustrations courtesy of RIALTO STUDIO]

From the Portal Plaza, pedestrian trails will connect the River Reach project to Mission San Jose.

ROOSEVELT/ VFW INTERSECTION IMPROVEMENTS

Beginning in the summer 2012, the Texas Department of Transportation plans to widen Roosevelt Avenue from Mission Road to Southcross. This project will provide a center turn lane, bike lanes, and sidewalk improvements. This effort is partnered with the Bexar County flood control project, which will channel Roosevelt Avenue stormwater runoff along VFW Drive to the river. Additional improvements to the Roosevelt/ VFW Drive intersection is also planned as part of this project.

Planned infrastructure and drainage improvement projects will relieve flooding events along Roosevelt Avenue.

NEIGHBORING PROJECTS

SITE PROJECTS

DISTRICT 3 LIBRARY

Opened in 2011, The Mission Branch Library accommodates about 4 acres of the 26 acre Mission Drive-In site. Architectural design elements of the building attempt to capture the historic significance of the area, visually connecting the building with the historic Mission San Jose to the south. When completed, walking trails and playground equipment will provide additional public recreational opportunities on the library site.

LOOP STREET (drainage/ lighting/ parking)

The loop street access drive connects Roosevelt Avenue to VFW Boulevard. Although an important access feature of the site, it is not designated as a public street. The drive provides parking spaces along the perimeter of the Screen Park open space. It also provides storm water drainage functions for this portion of the property. Access to the library is provided by this drive, and it is anticipated to accommodate additional parking and access to future site development along the Screen Park open space. Decorative lighting will line the access drive, providing aesthetic and safety enhancements to the property.

Site Projects

MISSION DRIVE-IN MARQUEE RESTORATION

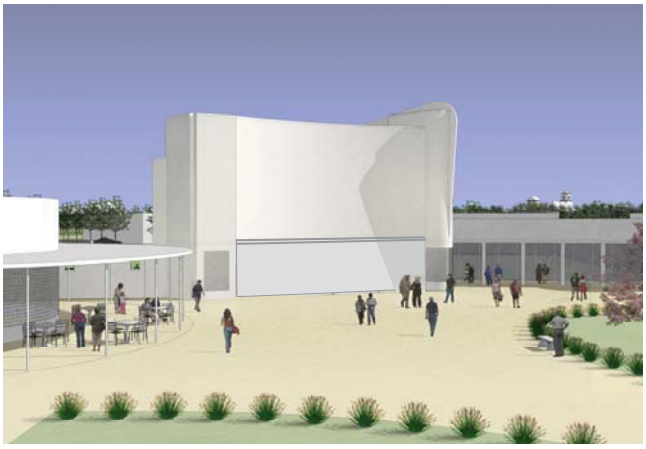
In the Spring of 2012, Public Art San Antonio (PASA), in coordination with the Office of Historic Preservation, will select a bid to re-create the Historic Mission Drive-In Marquee Mural. The original marquee was installed in 1948 on the façade of the structure. The scope of work for this project includes re-creating the original mural components in a manner that complies with the historic preservation standards. The project will be coordinated with the Mission Marquee Outdoor Plaza project, and should be completed by the summer, 2012.

The Mission Drive-In Theater was initially constructed in 1948 and featured a mural of the nearby Mission San Jose outlined in neon lighting. The theater closed in 2007 and the City of San Antonio purchased the property. In 2010, the City signed a Memorandum of Agreement with the Texas Historical Commission to establish a partnership that would foster effective rehabilitation of the marquee screen, step wing walls, and adjacent landscaping. When completed, the Mission Drive-In Theater will serve as an icon for preservation and neighborhood redevelopment, and will once again function as a setting for community and cultural events. The sloped lawn toward the marquee will be used both as an amphitheater and as a public park.

The Mission Drive-In marquee will be the centerpiece of the development. When completed, the marquee will resemble the original 1948 design.

SCREEN PARK/ PLAZA IMPROVEMENTS (gateway/ frontage improvements)

The Screen Park Plaza will serve as the entryway and gateway to the project. It will be an iconic frontage, identifying the project from the Roosevelt– VFW intersection. The Screen Park development will proceed after the Roosevelt/ VFW intersection improvements are completed. Bexar County and the Texas Department of Transportation Department are scheduled to begin the intersection and drainage improvements in the Spring, 2012 and should be completed by the summer 2013.



A sample illustration of the Mission Drive-In gateway. Fronting Roosevelt Avenue, this area provides a visual identifier to the development. Mission San Jose can be seen in the far background.

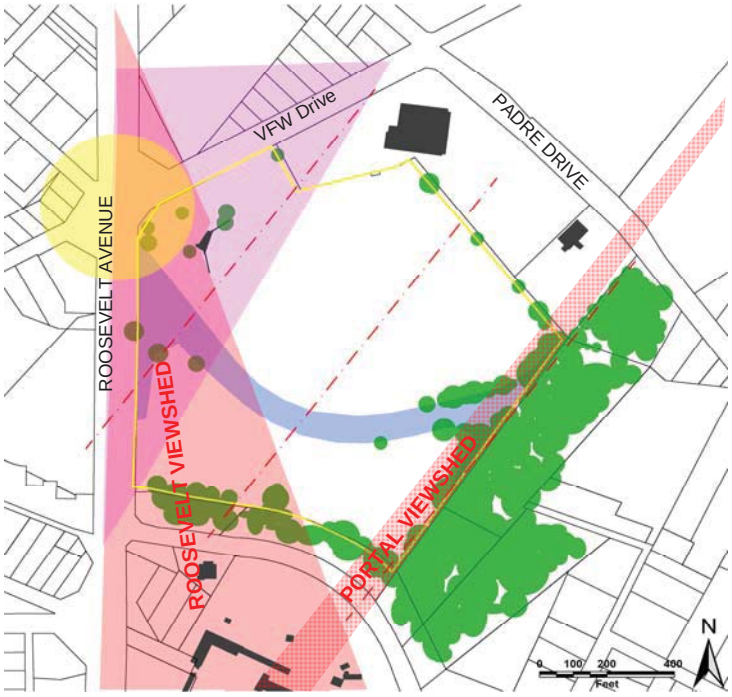
VIEWSHED PRESERVATION PLAN

The dedication of a view corridor that follows the 18th century Mission Era pattern of landscape and visually reconnects Mission San Jose Church to the San Antonio River will be established prior to additional site development. The Viewshed Preservation Plan will also respect the critical viewsheds of the Mission San Jose Church by minimizing intrusive buildings and visual obstructions along Roosevelt Avenue frontage zones.

Stipulation IV of the 2010 Memorandum of Agreement (MOA) between the City and the Texas Historical Commission outlines the steps necessary to create a viable Viewshed Preservation Plan. The Plan will include design requirements intended to strengthen and maintain the view corridors and will include:

- Preservation of open space, a scenic buffer and scenic corridor, along the southern and southeastern property line between the Mission San Jose and the Mission Drive-In property;
- Roosevelt Street/Mission San Jose View Corridor;
- Open space adjacent to the National Parks Service (NPS) San Jose Mission site; and,
- Protection of the National Register of Historic Places– eligible resources from the Mission Drive-In Theater that will be retained.

The Viewshed Preservation Plan will be implemented through a collection of efforts which may include covenants, zoning and other necessary means for adoption by City Council. The plan should be completed by the end of 2012.



A Viewshed Preservation Plan will serve to protect the historical view corridors of Mission San Jose and satisfy Stipulation IV of the Memorandum of Agreement with the Texas Historical Commission.

DEVELOPMENT FRAMEWORK

Development Framework

The strategic location and context of the Mission Drive-In Theater site provides and extraordinary opportunity for civic and community development. Acquisition of the 26-acre property by the City of San Antonio enables a more sustainable and socially responsive redevelopment that creates a town center and central civic space for South San Antonio. Significant site features, viewsheds, geographic elements, and other site components were identified by Kel-Munoz Architects and documented in the Mission Drive-In Theater Site Concept Master Plan. These findings, along with the public input process, guided the planning effort to create the site configuration and suggested use pattern recognized in the Development Framework. This framework expands the 12 key planning principles identified by the Kell-Munoz Concept Master Plan, providing the scope and direction for future site development. It also serves as the foundation to the implementation phase of the plan.

CONNECTIVITY

Creating a well connected site to adjacent amenities is a critical component to the overall site development. Improved pedestrian connection paths to Mission San Jose, Mission County Park, and the San Antonio River should include uniform way finding, signage, wide pathways/ trails, and pedestrian scaled lighting.

The VFW Post 9186 property abuts the Mission Drive-In site to the north and presents an access barrier to the county park and river amenities. Shared parking agreements, right-of-way dedications, access easements, and other connectivity opportunities should be explored to provide improved site connectivity to the Mission County Park and the San Antonio River.

Internal Connectivity A convenient network of pedestrian trails and paths will connect internal uses within the Mission Drive-In development. Internal site connectivity will be an important component to the development.

A street connecting Roosevelt to Padre Drive will provide public access to the proposed internal parcels of the property. The street will also serve as the public right-of-way for utilities and infrastructure.

Roosevelt — Padre Drive A dedicated public street will provide a direct connection from Roosevelt Avenue to Padre Drive. This connection is necessary in order to provide the required right-of-way frontage to the proposed interior parcels. Additionally, the right-of-way will accommodate necessary utility and infrastructure easements. To achieve this, the City should explore partnering opportunities with the adjacent VFW property for access improvements and other mutually beneficial site projects.

Development Framework

Vacate San Jose Drive A portion of San Jose Drive, from Roosevelt to E. Pyron Avenue, should be vacated and transitioned to a pedestrian street. The City should partner with the National Parks Services to create a connected pedestrian path from the Mission Drive-In site to Mission San Jose. The path will tie into the San Jose pedestrian drive, providing an incredible pedestrian gateway into the Mission. Due to public street spacing standards, the vacated San Jose Drive will allow a new public street to serve the Mission Drive-In site, and will be accessed off Roosevelt Avenue located on the Mission Drive-In site.

Vacating a portion of San Jose Drive will allow a new public street to be constructed on the Mission Drive-In site.

Mission County Park/ San Antonio River Pedestrian connectivity should include a seamless transition from the Mission Drive-In site to the County park and San Antonio River. Trails should tie directly into the County park trails from Padre Drive, and should utilize similar signage, wayfinding, and pedestrian character. The National Park Services maintains a trail network connecting Mission San Jose to Padre Drive. Connecting into this trail system from the Mission Drive-In site is encouraged by the National Parks Services.

A pedestrian trail runs through the National Parks Services property, connecting Mission San Jose to Padre Drive. The trail abuts the Mission Drive-In site to the south east. The National Parks Services encourages connectivity opportunities to adjacent uses.

PARCEL PLAN

The 2009 draft concept master plan recognized nine geographic areas of the Mission Drive-In site, and suggests a broad range of uses for each developable area. The intent is to offer compatible, broad range uses for the site. The nine geographic areas demonstrate the approximate placement of these uses within the 26 acre parcel. The color scheme is representative of the use pattern for the site. Green parcels reflect park and/or open space opportunities, blue shows the civic use of the library, pink represents commercial uses, and mixed use parcels are shown in yellow/ beige.

AREA A: This 5.06 acre portion of the property will provide an additional landscape buffer for Mission San Jose along San Jose Drive. This open space will also serve as a portion of the viewshed preservation corridor from Padre Drive to Mission San Jose Church. The existing drainage easement will be reconfigured as a shallow and grassed swale from Roosevelt to the NE corner of the property. Area A will accommodate walking trails, bike paths, picnic and recreation areas, and serve the primary pedestrian connection routes to Mission San Jose to the south and Mission County Park to the north east.

AREA B: This 4.02 acre parcel accommodates the new District 3 branch library, walking trails, and playground equipment. It will include future expansion of the library and other civic facilities. This parcel is prominent and readily accessible from Roosevelt Avenue via the Loop Street access drive. Future development should include connecting trails to the adjacent Mission San Jose, clearly marked internal pedestrian paths to other site developments, including the Screen Park open space area. The Roosevelt Avenue/ Mission Road viewshed includes a portion of the property fronting Roosevelt Avenue. Future construction and other site components must adhere to this viewshed. The Roosevelt Avenue Metropolitan zoning corridor provides additional design standards for frontage along the Area B parcel.

Development Framework

AREAS C and E: These parcels provide about 2 collective acres for commercial retail, restaurant and other high-traffic commercial uses. Both have dual public street and Theater Plaza frontage. This arrangement enables positive edge activity along the public spaces for outdoor dining and window-shopping. Access to parking can be achieved from the Loop Street access drive. Both parcels encourage pedestrian activity with wide sidewalks and accessible paths to adjacent site uses. Retail and restaurant uses should be conveniently accessible from the Theater Plaza, and a clearly marked pedestrian path should provide seamless connectivity to the adjacent library.

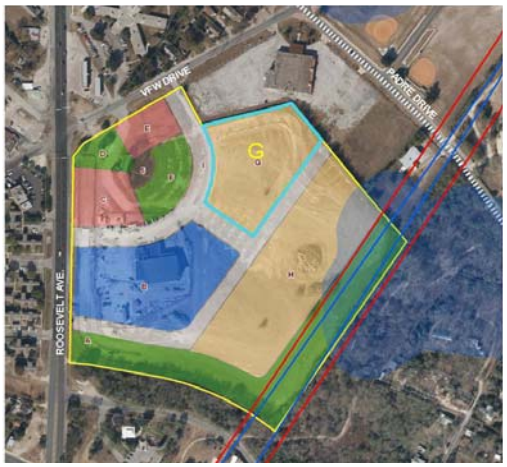
The above rendering shows the concept of a retail/ restaurant use (C and E) with dual frontage. Pedestrian access to the Theater Plaza is an important component to this parcel configuration.

AREA D: This 0.56 acre area provides plaza space to accommodate commercial and public activity. Fronting Roosevelt Avenue, it is the appropriate visual setting for the marquee/ screen as a development signifier, project gateway, and community icon. The area provides sufficient space for future street and transit improvements, increased landscaped opportunities, and scaled joint tenant signage for uses within the site.

Area F: This 1.28 acre parcel forms the heart of the development as a multi-use public space. The fan shape plan preserves the historic spatial relationship of the marquee/ screen and car park, but most importantly provides a public gathering area for programmed events and casual use. Theater Plaza is planned to host different public venues, and provide public open space for recreational use. The Loop Street access drive provides parking along the perimeter of the park. The only structure planned for this space is projector building that is intended to resemble the original movie structure. It may house public facilities, or serve as a small site maintenance storage facility.

A concept rendering showing the film house structure on the perimeter of Theater Park. This illustration shows the building in it's original footprint, facing the marquee screen.

Area G: This 3.28 acre parcel is to be developed as a mixed-use complex of commercial retail, office and residential buildings. Although a mix of compatible uses is encouraged on this parcel, market conditions may dictate a single or dominant use. This parcel is intended for private development and site design standards will provide a level of aesthetic continuity for any development that is planned for this site. Design standards shall be incorporated into the property deed prior to any transfer or sale to any private or partnering entity. Design standards may include building materials, height and number of stories, fenestration, architectural features, utility placement, fencing, parking arrangement, and landscape standards. Design standards serve to ensure the compatibility of the development with the overall site, and provide a level of predictability to investors and the development community.



Development Framework

Area H: Area H represents the largest developable tract. The 5.74 acre parcel is planned for a variety of uses, and may accommodate public/ community facilities, a meeting or conference space, and potential lodging. Abutting Area A to the south and east, this parcel provides opportunities to tie into the National Parks trail system that runs from Mission San Jose to Padre Drive and ultimately to the San Antonio river via Mission County Park. The frontage of Area H abutting the open space provides a remarkable opportunity for connectivity to Mission San Jose, boardwalk-lined buildings facing the open space areas and trail systems, and increased consumer and pedestrian traffic along southeast portion of the development.

Design standards shall be incorporated into the parcel H deed prior to any transfer or sale to a private entity. Design standards may include building materials, height and number of stories, fenestration, architectural features, utility placement, fencing, parking arrangement, and landscape standards. Design standards serve to ensure the compatibility of the development with the overall site, and provide a level of predictability to investors and the development community.

The 5.7 acre parcel H provides the largest developable area within the site. Abutting open space to the south and east offers additional connectivity options to the neighboring National Park trails to the east.

Area I: This area represents all drives and public access roads. Approximately 4 acres of the site is dedicated for site accessibility. A replat of the property will recognize public roads and easements and will provide the necessary frontage to develop the internal lots.

COMPATIBLE DEVELOPMENT

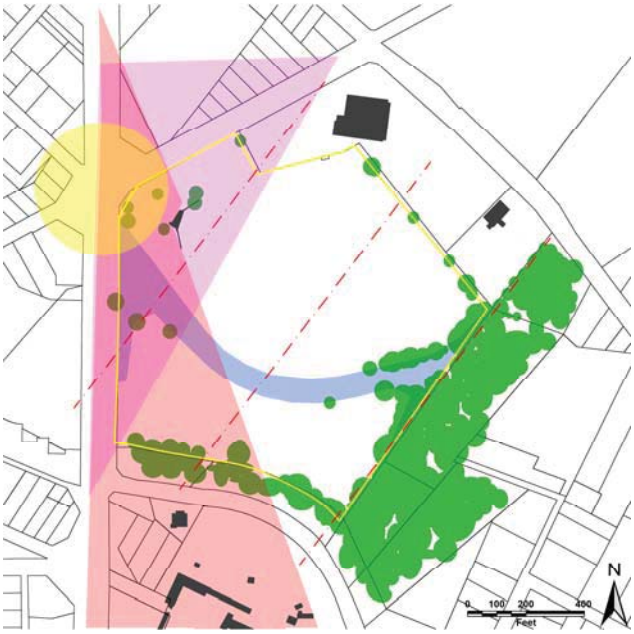
To ensure appropriate and compatible projects are developed and maintained throughout the site, several architectural, site, and property management standards shall be utilized. These measures are intended to protect the Mission Drive-In development from insensitive or incompatible design, ensure a cohesive and unified character, and to protect the historic components of the site.

Deed Restrictions The City of San Antonio owns the 26 acre Mission Drive-In site and can elect to impose architectural and site design standards into the property deed. Deed restrictions are recorded with the County, becoming a legal instrument of the property. Any deed restriction will convey to future owners of the property.

Zoning The site is currently zoned Infill Development Zone (IDZ) Historic (H) and Historic Significant (HS). A portion of the property fronting Roosevelt is within the Roosevelt Metropolitan Corridor (MC1). In addition to the IDZ and Historic designation, the Roosevelt Metropolitan Corridor provides additional design standards including streetscape buffers, building materials, and parking arrangements.

Property Management Provision The establishment of a "Mission Drive-In Property Management Association" will provide the opportunity for shared site services. These shared services may include property maintenance, security, and parking agreements. A formal property management association shall be established prior to the sale, transfer, or development to any non-city partner or interest.

Viewshed Preservation Plan Stipulation IV of the Memorandum of Agreement between the City of San Antonio and the Texas Historical Commission provides for the creation and adoption of a Viewshed Preservation Plan. Once adopted, the Plan will become a component of this Master Plan Framework.



Mapping the significant features of the site provides the basis for determining the opportunities and constraints that influence the conceptual basis of the planning process.

IMPLEMENTATION

IMPLEMENTATION

Implementation of the Master Plan Framework details the steps necessary to complete the development build-out of the Mission Drive-In site. Guided by the Framework Plan, implementation provides the development action of plan. Implementation does not obligate a timeframe for completion, designate funding sources, commit to specific partnering projects or developments.

The project timeframe indicates the anticipated duration for completion after project commencement.

PROJECT 1.0: **ACQUIRE VFW ROW**

TIMEFRAME: concurrent with the implementation process and is necessary prior to a replat of the property.

Approximately 0.25 acres of the VFW property is required to complete the right-of-way necessary to extend a street from Roosevelt Avenue to Padre Drive. This access will provide the right-of-way dedication required to plat and develop the internal lots. To achieve this, the City will explore reasonable options to acquire this portion of the VFW property.

PROJECT 2.0: **VACATE SAN JOSE DRIVE**

TIMEFRAME: 2 –4 weeks. The adjoining National Parks Services supports this closure.

Closing San Jose Drive at the intersection of Roosevelt will allow a new public street to be created on the site. This street will bisect the Mission Drive-In property, creating new intersections along Roosevelt and Padre Drive. A petition to vacate is processed with the City of San Antonio and will be reviewed and considered by different departments.

PROJECT 3.0: **MAJOR REPLAT**

TIMEFRAME: 6—12 months

A formal division of the 26 acre site will create new parcels for development, recognize open spaces, and identify right-of-way for roads and utilities. Deed restrictions/ site design standards, and the provision for the creation of a Property Management Association will be incorporated into the plat recordation, and serve as the legal instrument of the property. The Framework recognizes four land use categories for the site. The 26 acre tract will be subdivided based, in part, by these land use designations. Additional mixed use parcels may be created from the 5.74 acre H parcel.

PROJECT 4.0: **PROPERTY DEED RESTRICTIONS**
TIMEFRAME: Concurrent with platting process

Site Design Standards: Site and architectural standards will be created and incorporated into the deed of each platted parcel. The design standards will promote site continuity, architectural guidelines, and development standards.

Property Management Association will be drafted and incorporated into the deed of each platted parcel. A property management association will administer the deed restrictions, promote shared site resources, and serve as a resource for future and surrounding developments.

PROJECT 5.0: **RFQ FOR MASTER DEVELOPER**
TIMEFRAME: upon completion of the site replat

A request for qualifications to a master developer will be issued through a bidding process. The master developer will be solicited to provide development options for the site, and will develop the site based on the Master Plan Framework, the constraints of the replatted property configuration, and the site design standards of the deed restrictions. A developers agreement may accompany any future development proposal. Public Private Partnerships should also be explored to leverage preferred site development.

PROJECT 6.0: **SITE INFRASTRUCTURE/ IMPROVEMENTS**
TIMEFRAME: upon completion of the site replat

ROAD: A public road to be constructed through the property.
UTILITIES: Utilities to service the internal parcels of the project will be extended based on the utility easement identified on the plat.
DRAINAGE: Drainage and storm water management will be provided as identified on the final recorded plat.

Infrastructure improvements will facilitate future site development, providing attractive build-out opportunities for partnering agencies and the development community.

PROJECT 7.0: **AREA REDEVELOPMENT**
TIMEFRAME: Concurrent

Much of the area surrounding the Mission Drive-In site is underutilized and in distressed condition. The Roosevelt Avenue corridor has a strong potential to serve as a gateway to downtown. Development opportunities along Roosevelt Avenue and the surrounding area should be prioritized to leverage the River Improvement project, the Mission Drive-In Redevelopment, the Bexar County Park improvement project, and the Roosevelt Avenue drainage and street improvement project. The City should continue to explore options to facilitate the transition of the Roosevelt Avenue corridor into a revitalized downtown gateway. A market study, including a targeted industries study, and area marketing plan should be considered to promote and attract new economic development opportunities for the south side.

PROJECT 8.0: **BUILD OUT**
TIMEFRAME: upon completion of site infrastructure

Construction and build out of the Mission Drive-In site will occur after the property has been platted and infrastructure is available to the parcels. The build out process is dependent on the previous projects, and will be governed by deed restrictions, zoning, special overlay districts, and applicable city codes. The historic nature of the property will also be considered, and approval from the Historic Design and Review Commission must be obtained prior to any construction.

APPENDIX A

TEXAS HISTORICAL COMMISSION
real places telling real stories

December 16, 2009

Kay Hindes
City Archeologist
Office of Historic Preservation
1901 South Alamo Street, 2nd Floor
San Antonio, TX 78204

Re: *Mission Drive-in Theater, San Antonio, Bexar County*
Final MOA

Dear Ms. Hindes:

The Texas Historical Commission received the final Memorandum of Agreement (MOA) on December 10, 2009 in reference to the above named project. This letter serves as comment on the proposed undertaking from the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission.

The MOA was previously signed by the San Antonio Conservation Society as a concurring party. The National Park Service supports the intent of the MOA but does not wish to sign it as a concurring party.

The Texas Historical Commission generally requires that we be the last signatory to an agreement and retain the original. However, the Texas Historical Commission signed the MOA before the City of San Antonio, at your request. The MOA must now be signed by the City of San Antonio and the original returned to our office. Once received, we will provide photocopies to all signatories. We are pleased to have worked with you on this MOA for the undertaking at Mission Drive-In Theater.

We look forward to further consultation with your office and hope to maintain a partnership that will foster effective historic preservation. Thank you for your cooperation in this federal review process, and for your efforts to preserve the irreplaceable heritage of Texas. **If you have any questions concerning our review or if we can be of further assistance, please contact Kim Barker at 512/463-8952.**

Sincerely,

Kim Barker, Project Reviewer
for: Mark Wolfe, State Historic Preservation Officer

cc: Virginia S. Nicholas, Bexar County Historical Commission
Anna Mod, SWCA Environmental Consultants

Enclosure

MW/KB

RICK PERRY, GOVERNOR • JON T. HANSEN, CHAIRMAN • MARK WOLFE, EXECUTIVE DIRECTOR
P.O. BOX 12276 • AUSTIN, TEXAS • 78711-2276 • P 512.463.6100 • F 512.475.4872 • TDD 1.800.735.2989 • www.thc.state.tx.us

MEMORANDUM OF AGREEMENT BETWEEN
THE TEXAS STATE HISTORIC PRESERVATION OFFICER
AND
THE CITY OF SAN ANTONIO

REGARDING THE REDEVELOPMENT OF THE MISSION DRIVE-IN THEATER IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS

November 16, 2009

WHEREAS, the City of San Antonio (CoSA) owns the Mission Drive-In Theater, and seeks to sell, lease or transfer portions of the property to a private developer, non-profit agency or other agent for redevelopment (the undertaking); and

WHEREAS, the Mission Drive-In Theater is currently located on public land owned by CoSA and therefore subject to the Antiquities Code of Texas Title 9, Chapter 191 of the Texas Natural Resources Code (ACT); and

WHEREAS, there is no lead federal agency identified in the redevelopment of Mission Drive-In Theater to constitute an undertaking as defined under 36 C.F.R. §800 and implement Section 106 of the National Historic Preservation Act (NHPA) as amended (16 U.S.C. 470f); and

WHEREAS, it is possible that a federal agency may become involved in the redevelopment in the future, thereby subjecting the undertaking to compliance with the NHPA; and

WHEREAS, in the absence of a lead federal agency and with the possibility of future federal involvement, CoSA has consulted with the Texas State Historic Preservation Officer (SHPO) pursuant to Section 106 of the NHPA as amended; and

WHEREAS, the Mission Drive-In Theater is adjacent to Mission San Jose, a National Historic Site administered by the National Park Service (NPS) as part of the San Antonio Missions National Historical Park; and

WHEREAS, the NPS has expressed interest in restoring part of a historic 18th century view corridor in which the Mission Drive-In Theater is situated; and

WHEREAS, the NPS has expressed interest in purchasing land and/or accepting land as a donation from a private citizen or non-profit organization and/or interest in leasing space in one of the new buildings within the redevelopment of the Mission Drive-In Theater; and

WHEREAS, CoSA, in consultation with the SHPO, has completed identification and evaluation of all resources within the Area of Potential Effect (APE) and finds the

Page 1 of 17

resources shown on Appendix A to be eligible for listing in the National Register of Historic Places (NRHP) under Criterion A; and

WHEREAS, the undertaking will require the demolition of NRHP-eligible Screen 2, the Concession Stand/Projection Booth, and the designed landscape associated with Screen 2 ; and

WHEREAS, CoSA has, through prior consultation with SHPO, demolished resources determined to be not eligible for the NRHP; and

WHEREAS, SHPO has determined that the redevelopment of Mission Drive-In Theater will have an adverse effect on properties eligible for listing in the NRHP; and

WHEREAS, CoSA has consulted with National Park Service (NPS) & San Antonio Conservation Society (SACS) regarding the effects of the undertaking on historic properties and has invited them to sign this MOA as concurring parties; and

NOW, THEREFORE, in an effort to comply with the NHPA and ACT, CoSA and the SHPO (the "Executing Parties") agree that the undertaking shall be implemented and administered in accordance with the following stipulations in order to take into account the effects of the undertaking on the identified historic properties.

STIPULATIONS

For the purposes of this agreement, the term executing party means CoSA and SHPO, each of which has authority under 36 C.F.R. §800.7(a) to terminate the consultation process.

CoSA will ensure that the following measures are carried out:

Stipulation I
Architectural Documentation

A. In consultation with the SHPO, CoSA will document the NRHP-eligible resources listed in Appendix A. Architectural documentation (documentation) shall meet Historic American Buildings Survey (HABS) Level III standards.

B. CoSA will submit a draft version of the documentation to the SHPO for review and comment. The SHPO will provide CoSA with written acceptance, rejection or required revisions of the materials within 30 days of its receipt. CoSA shall revise the documentation to reflect any recommendations of SHPO prior to submission of the final documentation package. One archival copy of large format negatives will be prepared for the National Park Service with archival photographic prints; review copies and copies for SHPO and local archives will include Black and White prints on Black and White paper acceptable to NPS photo standards.

C. Demolition or alteration of any NRHP eligible resource may not commence until documentation has been accepted by SHPO. At the discretion of the SHPO, demolition of the NRHP-eligible resources may be authorized to proceed upon submission of the draft version of the documentation.

D. CoSA shall submit a complete documentation package to SHPO. Upon final acceptance of the documentation package by SHPO, CoSA shall provide one archival copy of the documentation to a local archival repository selected by CoSA. Unless already authorized under Stipulation I.C. above, demolition of those resources previously approved by SHPO for demolition may proceed upon acceptance by SHPO of the final documentation package.

E. CoSA shall submit the final archival documentation package to NPS for inclusion in the HABS/HAER collection. CoSA shall make any necessary revisions for the documentation to be accepted by NPS for the collection.

F. CoSA shall complete Stipulation I within 12 months of the execution of this agreement. If it is determined that CoSA is unable to meet this deadline, CoSA shall consult with the executing parties to amend this agreement per Stipulation IX.

Stipulation II
PROTECTION

A. CoSA shall ensure that the NHRP-eligible Marquee Screen, Stepped Wing Wall and designed landscape associated with the Marquee Screen are retained and maintained in accordance with the Secretary of the Interior's *Standards for the Treatmentof Historic Buildings*.

B. CoSA shall apply for local historic designation for the Marquee Screen, Stepped Wing Wall and designed landscape associated with the Marquee Screen within 12 months of the execution of this agreement or prior to any transfer of the property containing these historic features, whichever is earlier. CoSA shall support the local historic designation of these structures.

C. CoSA shall use all best efforts to restore the mural and neon lighting feature of the Marquee Screen consistent with the historic period, and within all current local codes, laws and Ordinances.

Stipulation III
Design Review

A. Until such time as the Marquee Screen, Stepped Wing Wall and designed landscape associated with the Marquee Screen are protected by local historic designation as specified under II.B., all proposed alterations and modifications, including minor maintenance, shall be submitted to SHPO and any concurring party that requests a copy for review and comment. The SHPO will provide CoSA with written

acceptance, rejection or required revisions of the proposal within 30 days of its receipt. No construction shall proceed without the written acceptance of the proposal by SHPO.

B. Within two years of the effective date of this agreement, CoSA will submit design documents for the Marquee Screen to SHPO and any concurring parties that request a copy for review and comment, regardless of local historic designation. The development of the design documents will be conducted under the supervision of professional(s) meeting the *Secretary of the Interior's Professional Qualification Standards* as shown in Appendix B for History, Architectural History, or Historic Architecture. Design documents will be in keeping with the Secretary of the Interior's Standards for the Treatment of Historic Buildings (Appendix C) and associated guidelines. The SHPO will provide COSA with written acceptance, rejection, or recommendations regarding the drawings within 30 days of receipt. No construction shall proceed without acceptance of drawings by SHPO.

Stipulation IV
Viewshed Preservation Plan

A. CoSA will prepare a Viewshed Preservation Plan for the redevelopment of the Mission Drive-In Theater. The subsequent redevelopment shall conform to the Viewshed Preservation Plan.

1. The Viewshed Preservation Plan will include design requirements as they relate to:

   a. Preservation of open space, a scenic buffer and scenic corridor, along the southern and southeastern property line between the Mission San Jose and the Mission Drive-in property;

   b. Roosevelt Street/Mission San Jose View Corridor

   c. Open space adjacent to the NPS San Jose Mission site; and,

   d. Protection of the NRHP-eligible resources from the Mission Drive-In Theater that will be retained.

B. CoSA will submit the draft Viewshed Preservation Plan and associated exhibits to the SHPO and any concurring parties that request a copy for review and comment. The SHPO will provide CoSA with comments and specific requirements for a final Viewshed Preservation Plan as well as comments on exhibit materials within 30 days of receipt.

C. Upon acceptance of the draft Viewshed Preservation Plan by SHPO, a final Viewshed Preservation Plan will be provided to the SHPO and concurring parties, and construction on the Mission Drive-in Theater property may proceed.

D. CoSA will implement the Viewshed Preservation Plan through the best means possible which may include covenants, zoning or other means of adoption by City Council.

E. With the exception of activities covered by Stipulation III, redevelopment activities that conform to the Viewshed Preservation Plan do not require review by SHPO. Variations from the approved Viewshed Preservation Plan or revisions to the Viewshed Preservation Plan require SHPO review.

F. The architectural design of the new library is under development as this MOA instrument is being written. The design of the library shall be in compliance with the Viewshed Preservation Plan. If the final design of the library is completed prior to SHPO approval of the Viewshed Preservation Plan, CoSA requests that SHPO review and comment on the architectural drawings for the library within 30 days of submittal by CoSA. This is requested so that construction of the library may commence prior to the final approval of the Viewshed Preservation Plan.

Stipulation V
Post-Review Discoveries

In the event of discovery of archeological materials during any of the redevelopment activities, CoSA shall immediately stop work in the area of discovery and notify the SHPO. CoSA shall comply with 36 CFR § 800.13(b) and any other legal requirements to include consultation in accordance with Section 106 of the National Historic Preservation Act. CoSA will provide site information and a determination of National Register eligibility for the location to SHPO. SHPO shall have 30 days to review and concur with the determination of eligibility and any treatment needed. SHPO shall consider the circumstances and nature of the discovery along with the redevelopment schedule to expedite the SHPO response when feasible.

Stipulation VI
Duration

This agreement will be null and void if its terms are not carried out within five (5) years from the date of its execution. Prior to such time, CoSA shall consult with the other executing party and consulting parties to reconsider the terms of the MOA and amend it in accordance with Stipulation VIII below.

At such time that CoSA determines that Stipulations I, II, III and IV have been fully carried out, CoSA shall notify the executing party and concurring parties of the proposed termination date of this agreement no less than 90 days in advance. Provided that the Marquee Screen, Stepped Wing Walls and designed landscape associated with the Marquee Screen have been protected by local historic designation, this agreement shall terminate upon completion of the 90 day notice period.

If the Marquee Screen, Stepped Wing Walls and designed landscape associated with the Marquee Screen have not been protected by local historic designation at the completion of Stipulations I, II, III and IV, the parties shall consult on alternative methods of protection prior to the expiration or termination of this agreement.

Stipulation VII
Monitoring and Reporting

Each year, during the month of May, following the execution of this agreement until it expires or is terminated, CoSA shall provide all concurring parties to this agreement a summary report detailing work undertaken pursuant to its terms. Such report shall include any scheduling changes proposed, any problems encountered, and any disputes and objections received in CoSA's efforts to carry out the terms of this agreement.

Stipulation VIII
Concurring Parties to the Agreement

CoSA and the SHPO as the signatories, and Executing Parties to this Agreement, agree and understand that the concurring parties identified in this Agreement do not have legal standing to amend or alter this Agreement in any manner. The concurring parties may offer suggestions, comments and/or objections to the Executing Parties, but the Executing Parties are under no obligation to accept or incorporate any suggestions, comments or objections by the concurring parties. The Executing Parties will respond in writing to any suggestions, comments and objections of any concurring party within thirty days of receipt. This Agreement shall be effective upon execution by the Executing Parties, irregardless of whether one, both, or neither of the concurring parties has executed the Agreement.

Stipulation IX
Party Dispute Resolution

Should any Executing Party to this agreement object at any time to any actions proposed or the manner in which the terms of this agreement are implemented, the other Executing Party shall consult with the objecting party to resolve the objection. If CoSA determines, within 30 days, that such objection(s) cannot be resolved, CoSA will:

A. Forward all documentation relevant to the dispute, including the party's proposed resolution, to the Advisory Council on Historic Preservation (ACHP). The ACHP shall provide the objecting party with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, CoSA shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP and signatories, and provide them with a copy of this written response. CoSA will then proceed according to its final decision.

B. If the ACHP does not provide its advice regarding the dispute within the thirty (30) day period, CoSA may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, CoSA shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories and concurring parties to the agreement, and provide them and the ACHP with a copy of such written response.

C. CoSA's responsibility to carry out all other actions subject to the terms of this agreement that are not the subject of the dispute remain unchanged.

Stipulation X
Public Dispute Resolution

At any time during implementation of the measures stipulated in this Agreement, should an objection pertaining to this Agreement be raised by a member of the public, including but not limited to the consulting parties, CoSA shall notify the parties to this Agreement and take the objection into account, consulting with the objector and with the parties to this Agreement to resolve the objection.

Stipulation XI
Amendments

This agreement may be amended when such an amendment is agreed to in writing by the Executing Parties. The amendment will be effective on the date of the last signing Executing Party to the amendment. Concurring parties to this agreement will be given the opportunity to concur with any amendments, however their concurrence is not required for the amendment to be executed, or to be effective.

Stipulation XII
Early Termination Prior to Completion of the Stipulations

If either of the Executing Parties of this agreement determines that its terms will not or cannot be carried out, that party shall immediately consult with the other Executing Party to attempt to develop an amendment per Stipulation IX above. If within thirty (30) days (or another time period agreed to by all executing parties) an amendment cannot be reached, any Executing Party may terminate the agreement upon written notification to the other Executing Party and concurring parties.

Once the agreement is terminated, and prior to work continuing on the undertaking, CoSA must either (a) execute an MOA pursuant to 36 C.F.R. §800.6 or (b) request, take into account, and respond to the comments of the ACHP under 36 C.F.R. §800.7. CoSA shall notify the SHPO and concurring parties as to the course of action it will pursue.

EXECUTION of this Memorandum of Agreement by CoSA and SHPO; and implementation of its terms evidences that CoSA has taken into account the effects of this undertaking on historic properties.

Executing Parties:

TEXAS STATE HISTORIC PRESERVATION OFFICER

Mark Wolfe 12/15/09

Mark S. Wolfe, ~~Deputy~~ Texas State Historic Preservation Officer **Date**

CITY OF SAN ANTONIO

Mike Frisbie, Director, CIMS **Date**

Concurring Parties:

NATIONAL PARK SERVICE

Date

SAN ANTONIO CONSERVATION SOCIETY

Rollette Schreckenghost 12-7-09

Rollette Schreckenghost, President

Date

Appendix A
NRHP-eligible Resources

The following historic resources were identified in the *Intensive Cultural Resources Survey of the District 3 New Branch Library at the Site of the Mission Drive-in Theater, City of San Antonio, Bexar County, Texas (revised October 15, 2008). The ID#s reference the report.*

ID #	Name	Date
1	Marquee/Screen 1	1948
2	Screen 2	1959
5a	Landscape (associated with Screen 1/Marquee)	1948
5b	Landscape (associated with Screen 2)	1959
8	Concession building	c.1959
12	Stepped wing wall with *nichos*	c.1948

Appendix B

Secretary of the Interior's Professional Qualifications for Architectural History, Historic Architecture and History

These three categories are not comprehensive. Furthermore, it should be understood that not all of these products and activities are needed in order to meet the Standard; rather, a combination of several products and activities would be more typical.

ARCHITECTURAL HISTORY

HISTORIC PRESERVATION PROFESSIONAL QUALIFICATION STANDARDS

Architectural History is the study of the development of building practices through written records and design and the examination of structures, sites, and objects in order to determine their relationship to preceding, contemporary, and subsequent architecture and events.

Standard for Architectural Historian

(a) The applicant, employee, consultant, or advisor will have a graduate degree in Architectural History or a closely related field of study (see Academic Background for Architectural History), **PLUS** a minimum of two (2) years of full-time professional experience applying the theories, methods, and practices of Architectural History that enables professional judgments to be made about the identification, evaluation, documentation, registration, or treatment of historic properties in the United States and its Territories; **AND** products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Applying the Standard for Architectural Historians); **OR...**

(b) An undergraduate degree in Architectural History or a closely related field of study (see Academic Background for Architectural History), **PLUS** a minimum of four (4) years of full-time professional experience applying the theories, methods, and practices of Architectural History that enables professional judgments to be made about the identification, evaluation, documentation, registration, or treatment of historic properties in the United States and its Territories; **AND** products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Applying the Standard for Architectural Historians).

*(**Note**: Pursuant to 36 CFR part 61, a person meeting this Standard is required as part of the core staff for each State Historic Preservation Office (SHPO) and as part of each State Review Board. Expertise described by this standard is also needed for Tribal Preservation Office staff or consultants of tribes that have executed a Memorandum of Agreement to implement Section 101(d) of the National Historic Preservation Act. It also may be needed for consultants hired with HPF grant funds and for members of Certified Local Government Commissions.)*

ACADEMIC BACKGROUND FOR ARCHITECTURAL HISTORIAN

Closely related fields: Professional Architectural Historians typically receive their formal training through Architectural History, Art History, or Historic Preservation programs, which include course work in American Architectural History. Other fields of study may offer relevant training, provided that course work in American Architectural History is taken. These other fields may include American Studies, American Civilization, Architecture, Landscape Architecture, Urban and Regional Planning, American History, Historic Preservation, and Public History.

Discipline specializations: Architectural Historians tend to be generalists, although specializations within Architectural History are typically based on time periods (such as 18th century), on a particular architectural style (such as Georgian or vernacular), or a combination of these (such as plantation architecture in the antebellum South).

APPLYING THE STANDARD FOR ARCHITECTURAL HISTORIAN

Documenting Professional Experience

Products and activities: Professional experience and expertise must be documented through "products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation." A professional Architectural Historian typically has expertise in research, survey, documentation, and evaluation of architectural resources, including buildings, structures, objects, and districts. Documentation of such experience is desirable. Products and activities that meet the appropriate Secretary's Standards for Archeology and Historic Preservation may include:

- Survey reports assessing the significance of historic properties.
- Historic structure reports.
- National Register documentation resulting in property listings or Determinations of Eligibility.
- Documentation that meets HABS/HAER standards for recording historic properties.
- Publications, which might include articles in regional, national, or international professional journals, monographs, books, or chapters in edited books, related to the preservation of historic structures.
- Presentations at regional, national, or international professional conferences related to the preservation of historic structures.
- Professional service on boards or committees of regional, national, or international professional organizations concerned with the preservation of historic structures.
- Awards, research grants, research fellowships, or invitations to teaching posts.

HISTORIC ARCHITECTURE

HISTORIC PRESERVATION PROFESSIONAL QUALIFICATION STANDARDS

Historic Architecture is the practice of applying artistic and scientific principles to the research, planning, design, and management of the built environment with specialized training in the principles, theories, concepts, methods, and techniques of preserving historic buildings and structures.

Standard for Historical Architect

(a) The applicant, employee, consultant, or advisor will have a State Government-recognized license to practice Architecture, **PLUS** a minimum of two (2) years of full-time professional experience applying the theories, methods, and practices of Architecture that enables professional judgments to be made about the evaluation, documentation, or treatment of historic structures in the United States and its Territories; **AND** products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Historical Architects); **OR...**

(b) A Masters of Architecture degree with demonstrable course work in Architectural Preservation, Architectural History, Historic Preservation, Historic Preservation Planning, or a closely related field (see Academic Background for Historic Architecture), **PLUS** a minimum of two (2) years of full-time professional experience applying the theories, methods, and practices of Historic Architecture that enables professional judgments to be made about the evaluation, documentation, or treatment of historic structures in the United States and its Territories; **AND** products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Historical Architects); **OR...**

(c) A Bachelors of Architecture degree with at least one year of graduate study in Architectural Preservation, Architectural History, Historic Preservation, Historic Preservation Planning, or a closely related field (see Academic Experience for Historic Architecture), **PLUS** a minimum of two (2) years of full-time professional experience applying the theories, methods and practices of Historic Architecture that enables professional judgments to be made about the evaluation, documentation, or treatment of historic structures in the United States and its Territories; **AND** products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Historical Architects).

*(**Note**: only persons who are licensed to practice Architecture in that State may prepare and seal plans and specifications in order to obtain construction permits, authorize payments to contractors, and certify that the work is completed. However, State staff, State Review Board members, and CLG staff or Commission members who are not licensed, but who meet the Standard for Historical Architect under (b) or (c) above, can review proposed and completed work for compliance with the applicable Secretary's Standards for Tax Act, HPF Grant, or other related programs.)*

***ACADEMIC BACKGROUND* FOR HISTORIC ARCHITECT**

Closely related fields: The Bachelor of Architecture degree is a five-year degree that does not always include historic preservation course work. The same may be true of a Masters of Architecture degree. An Historical Architect is first an Architect and, as such, is well grounded in all aspects of architectural practice, including architectural design, planning, construction specifications, and contract administration. Although this background is essential, additional training is needed in order to understand and work with historic structures, with their complex material evolution and treatment problems. Specialized training, to supplement that provided by the professional Architecture program, should be acquired in such areas as American

Architectural History, Architectural Preservation, Conservation, Historic Construction Technologies, Historic Building Materials, and Historic Preservation.

Discipline specialization: Historic Architecture is a specialization within the broader discipline of Architecture

APPLYING THE STANDARD FOR HISTORIC ARCHITECT

Documenting Professional Experience: To be licensed by a State Government as a professional Architect, an individual must pass a written exam and successfully fulfill education, training, and experience requirements. In addition, a professional Historical Architect has both theoretical knowledge and technical skill associated with preserving historic structures, and with the application of Architecture theories, methods, and practices that enables professional judgments to be made about the evaluation, documentation, or treatment of historic properties in the United States and its Territories. A professional Historical Architect typically has gained experience on structural preservation projects, which have included research and detailed investigations of historic structures and preparation of recommendations for the treatment of properties in order to preserve them in accordance with the appropriate Secretary's Standards for Archeology and Historic Preservation (particularly the Secretary's Standards for the Treatment of Historic Properties).

Products and activities: Professional experience and expertise must be documented through "products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation." Products and activities that meet the Secretary Standards for Archeology and Historic Preservation may include:

- Plans and Specifications for the preservation, rehabilitation, or restoration of historic structures.
- Adaptive reuse or feasibility studies that make recommendations for preserving historic structures.
- Historic Structure Reports or Condition Assessments of historic structures.
- Documentation that meets HABS/HAER standards for recording historic structures.
- Experience applying the Secretary of the Interior's Standards for the Treatment of Historic Properties to the review of work on historic structures.
- Awards for historic structure preservation, rehabilitation, or restoration received from local, regional, national, or international professional organizations.
- Publications, which might include articles in regional, national, or international professional journals, monographs, books, or chapters in edited books about the preservation of historic structures.
- Presentations at regional, national, or international professional conferences, symposia, workshops, or exhibits about the preservation of historic structures.
- Professional service on boards or committees or regional, national, or international professional organizations concerned with the preservation of historic structures.

HISTORY

HISTORIC PRESERVATION PROFESSIONAL QUALIFICATION STANDARDS

History is the study of the past through written records, oral history, and material culture and the examination of that evidence within a chronological or topical sequence in order to interpret its relationship to preceding, contemporary and subsequent events.

Standard for Historian

(a) The applicant, employee, consultant, or advisor will have a graduate degree in History or a closely related field of study (see Academic Background for History), **PLUS** a minimum of two (2) years of full-time professional experience applying the theories, methods, and practices of History that enables professional judgments to be made about the identification, evaluation, documentation, registration, or treatment of historic properties in the United States and its Territories; **AND** products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Historians); **OR...**

(b) An undergraduate degree in History or a closely related field of study (see Academic Background for History), **PLUS** a minimum of four (4) years of full-time professional experience applying the theories, methods, and practices of History that enables professional judgements to be made about the identification, evaluation, documentation, registration, or treatment of historic properties in the United States and its Territories; **AND** products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Historians).

*(**Note**: Pursuant to 36 CFR part 61 a person meeting this Standard is required as part of the core staff for each State Historic Preservation Office (SHPO) and as part of each State Review Board. Expertise described by this standard is also needed for Tribal Preservation Office staff or consultants of tribes that have executed a Memorandum of Agreement to implement Section 101(d) of the National Historic Preservation Act. It also may be needed for consultants hired with HPF grant funds and for members of Certified Local Government Commissions.)*

ACADEMIC BACKGROUND FOR HISTORIAN

Closely related fields: For this Standard, the professional degree is typically awarded in History, American History, or Public History. Relevant training can be obtained in programs of American Studies, American Civilization, Historical or Cultural Geography, Anthropology, Ethnohistory, and Historic Preservation, providing that course work is offered in historical research methods and techniques. Education in the social and cultural history of countries other than North America may be relevant when dealing with the histories of immigrant, ethnic or minority groups in the United States.

Discipline specializations: Professional Historians tend to concentrate their education and experience in one of the many chronological, regional, and topical specializations within

American History (such as colonial history, southern history, community history, women's history, military history, history of technology, or industrial history).

APPLYING THE STANDARD FOR HISTORIAN

Documenting Professional Experience: A professional Historian has experience in archival and primary documents research, evaluating and synthesizing this information, and preparation of scholarly narrative histories. Historic research experience in countries other than North America may be relevant when researching the histories of immigrant, ethnic or minority groups in the United States of America.

Products and activities: Professional experience and expertise must be documented through "products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation." Products and activities that meet the appropriate Secretary's Standards for Archeology and Historic Preservation may include:

- National Register documentation that has resulted in property listings or Determinations of Eligibility.
- Documentation that meets HABS/HAER standards for recording historic properties.
- Survey reports assessing the significance of historic properties.
- Publications, which might include articles in regional, national, or international professional journals, monographs, books, or chapters in edited books, related to documenting and evaluating the significance of historic properties.
- Presentations at regional, national or international professional conferences, symposia, workshops, or exhibits related to documenting and evaluating historic properties.
- Professional service on boards or committees of regional, national, or international professional organizations concerned with documenting and evaluating the significance of historic properties.
- Awards, research grants, research fellowships, or invitations to teaching posts.

Appendix C

The Secretary of the Interior's Standards for Rehabilitation

The Standards (Department of Interior regulations, 36 CFR 67) pertain to historic buildings of all materials, construction types, sizes, and occupancy and encompass the exterior and the interior, related landscape features and the building's site and environment as well as attached, adjacent, or related new construction. The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.

6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated

from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

AZJ 01-14-2010
Item No. 20.

AN ORDINANCE 2010-01-14-0017

AUTHORIZING A MEMORANDUM OF AGREEMENT WITH THE TEXAS HISTORICAL COMMISSION REGARDING THE PROPER RESTORATION, REHABILITATION AND ADAPTIVE REUSE OF HISTORIC ELEMENTS AT THE MISSION DRIVE-IN THEATER, LOCATED AT 3100 ROOSEVELT IN COUNCIL DISTRICT 3.

* * * * *

WHEREAS, this project is part of an overall Master Plan for redevelopment of the 26-acre Mission Drive-In Site, which the City of San Antonio purchased through Ordinance Number 2007-10-11-1077, approved by City Council on October 11, 2007; and

WHEREAS, an Intensive Cultural Resources Survey was completed in July of 2008 whose purpose was to document site elements that are eligible for the National Register of Historic Places; and

WHEREAS, the survey and following report found elements of the site eligible and mandatory to retain; and

WHEREAS, this Ordinance will authorize a Memorandum of Agreement that provides for the Texas Historical Commission to operate in the absence of a lead Federal Agency to verify compliance with the terms of the National Historic Preservation Act; and

WHEREAS, approval of this Ordinance will be a continuation of City Council policy to maintain and enhance our historic heritage; **NOW THEREFORE,**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Manager or her designee is hereby authorized to execute a Memorandum of Agreement between the City of San Antonio and the Texas Historical Commission regarding the proper restoration, rehabilitation and adaptive reuse of historic elements at the Mission Drive-In Theater.

SECTION 2. There is no financial impact with this Ordinance.

SECTION 3. This Ordinance shall be effective immediately upon passage by eight or more affirmative votes; otherwise, it shall be effective on the tenth day after passage.

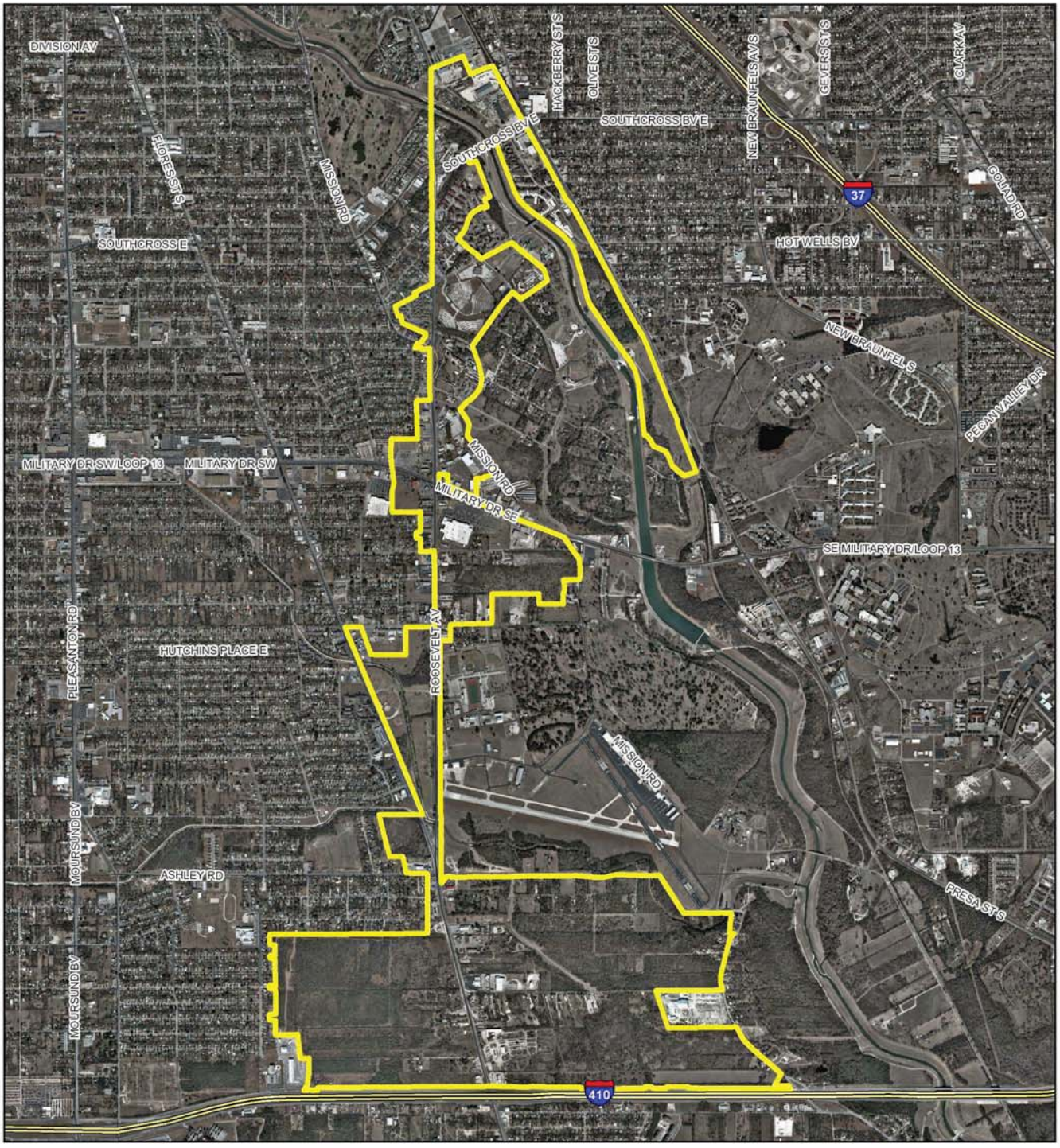
PASSED AND APPROVED this **14th** day of **January**, **2010.**

M A Y O R
JULIÁN CASTRO

ATTEST: Leticia M. Vacek
CITY CLERK

APPROVED AS TO FORM:
City Attorney

APPENDIX B



Data Source: City of San Antonio Enterprise GIS, Bexar Metro 911, Bexar Appraisal District

"This Geographic Information System Product, received from The City of San Antonio is provided "as is" without warranty of any kind, and the City of San Antonio expressly disclaims all expressed and implied warranties, including but not limited to the implied warranties of merchantability and fitness for a particular purpose. The City of San Antonio does not warrant, guarantee, or make any representations regarding the use, or the results of the use, of the information provided to you by the City of San Antonio in terms of correctness, accuracy, reliability, timeliness or otherwise. The entire risk as to the results and performance of any information obtained from the City of San Antonio is entirely assumed by the recipient."

"Please contact the responsible City of San Antonio Department for specific determinations."
City of San Antonio Housing & Neighborhood Services Department Manager: Adrian Lopez, adrian.lopez@sanantonio.gov
Map Created by: Zenon "Zeke" Solis
Map Creation Date: January 15, 2009
Map file location: K:\TIF UNIT\TIRZ Projects\T32-Mission Drive-In\Maps
PDF file name: Mission with Aerial 1-15-09

Mission Drive-Inn TIRZ

Major Roads

Highways

City of San Antonio

Mission Drive-Inn TIRZ Boundary

0 0.25 0.5
Miles

City of San Antonio
Housing & Neighborhood Services Department
David D. Garza, Director
Tax Increment Financing (TIF) Unit
1400 S. Flores
San Antonio, TX 78204

APPENDIX C

PUBLIC PROCESS

A Community Advisory Committee was created 2008 to facilitate public input and gather feedback from stakeholders and partnering groups. Committee members included representation from the National Parks Service, Los Compadres, Hispanic Association of Colleges and Universities, Symphony Lane Neighborhood Association, San Antonio Conservation Society, Mission Trails & San Antonio River Oversight Committee, Old San Antonio Missions, and the Mission San Jose Church.

Meetings were held to solicit public feedback for the various site projects. Additionally, presentations by partnering agencies were given to explain adjacent projects and development efforts. Public outreach for the Mission Drive-In project included presentations from the San Antonio River Authority, the National Parks Services, the City of San Antonio, and dialogue sessions for the development of the site. Status updates were also given for current site projects such as the marquee plaza project, loop road, and other library improvements.

Neighborhood Advisory Committee Meetings

April 8, 2008
May 20, 2008
June 20, 2008
July 13, 2008
September 29, 2008
October 2, 2008
October 31, 2008
November 17, 2008
January 26, 2009

Community Meetings (Gilbert Elementary School and the new Branch Library)

May 2008
July 2008
September 2008
January 2009
February 2009
December 15, 2010
January 18, 2011
February 15, 2011
March 15, 2011
April 19, 2011
May 17, 2011
June 28, 2011
November 16, 2011

APPENDIX D

RESERVED FOR CITY COUNCIL ORDINANCE

MISSION DRIVE-IN
THEATRE
JIMMY DURANTE "THE MILKMAN-
JOHNNY WEISSMUELLER "PYGMY
DONALD O CONNER
ISLAND" CARTOON