

## HISTORIC AND DESIGN REVIEW COMMISSION

December 06, 2017

**HDRC CASE NO:** 2017-605  
**ADDRESS:** 1118 S ALAMO ST  
**LEGAL DESCRIPTION:** NCB 934 BLK 5 LOT 10 (ST BENEDICTS SUBD)  
**ZONING:** C-2 H  
**CITY COUNCIL DIST.:** 1  
**DISTRICT:** King William Historic District  
**APPLICANT:** King William Association  
**OWNER:** Dwight Hobart  
**TYPE OF WORK:** Installation of art benches  
**APPLICATION RECEIVED:** November 1, 2017  
**60-DAY REVIEW:** December 31, 2017

### REQUEST:

The applicant is requesting conceptual approval to install art benches on the lot at 1118 S Alamo, adjacent to the public right of way.

### APPLICABLE CITATIONS:

*Unified Development Code – Division 5 – Public Art San Antonio*

The purpose of Public Art San Antonio (PASA) is to support a public process for incorporating artist services and artworks in the design of civic spaces and capital projects and to define the City of San Antonio's policies and guidelines for acquiring and commissioning art of the highest standards which shall enrich the quality of life for all residents and visitors of San Antonio.

The goals of Public Art San Antonio (PASA) are to create a better visual environment for the residents and visitors of San Antonio, to integrate the design work of artists into the development of city eligible capital improvement projects, and to promote tourism and the economic vitality of the city through the enhancement of public spaces. Public Art San Antonio (PASA) serves the entire City of San Antonio as the public art program for all city departments, capital projects and public art initiatives, and is a division of the Office of Cultural Affairs (OCA). Public Art San Antonio (PASA) specifically seeks:

- To encourage the selection of artists at the beginning stages of each project who can work successfully as members of the project design team, and to encourage collaboration among all arts and building disciplines;
- To foster quality design and the creation of an array of artwork in all media, materials and disciplines that best respond to the distinctive characteristics of each project site and the community that it serves;
- To select experienced artists who represent the diverse cultural landscape of San Antonio;
- To encourage the selection of design enhancements that are accessible to the public and respect the historical resources and mobility of the citizenry;
- To encourage artists, design enhancements and programs for open spaces, parks, infrastructure and facilities that contribute to neighborhood revitalization and enhance the quality and pride of neighborhoods in the city;
- To encourage participation by citizens in the process of acquiring and commissioning of design enhancements;
- To encourage the role of public art and design enhancements in enhancing economic development and cultural tourism;
- To encourage the role of artists in the functional design of eligible capital improvement projects;
- To exhibit art in designated city facilities for the enjoyment of the public and to heighten awareness and appreciation

for local artists; and

- To maintain and provide stewardship of the city public art and design enhancements collection.

Sec. 35-656. - Guidelines for the Review and Disposition of Art.

(a) Policy. The PASA program director shall initiate a disposition review for a public artwork placed on city property, upon the existence of one (1) or more of the following conditions:

- (1) The condition or security of the artwork cannot be ably guaranteed.
- (2) The artwork requires excessive maintenance or has faults of design or workmanship and repair or remedy is impractical or unfeasible.
- (3) The artwork has been damaged and repair is impractical or unfeasible.
- (4) The artwork endangers public safety.
- (5) No suitable site is available, or significant changes in the use of character or design of the site have occurred, which affect the integrity of the work.
- (6) Significant adverse public reaction over an extended period of time.
- (7) The quality of the artwork is called into question.
- (8) Written request from the artist has been received.
- (9) The public art board wishes to replace the artwork with a more appropriate work by the same artist.

(b) Review Procedures. The following steps are required:

- 1) Review of the artist's contract and other agreements that may pertain.
- (2) Discussion with the artist of the circumstances prompting the review.
- (3) Gathering of opinions of more than one (1) independent professional qualified to recommend on the concern prompting review (conservators, engineers, architects, critics, art historians, safety experts, etc.).
- (4) Review of written correspondence, press and other evidence of public debate, if applicable.
- (5) Review the artwork's historic significance or if placed within a city designated historic in accordance to historic design and review commission, if applicable.

(c) Recommendations.

- (1) A recommendation of reasonable measures is formulated to address the concerns that prompted the review and forwarded to public art board by the PASA program director.
- (2) The recommendation shall be reviewed at an open public meeting of the public art board and upon its acceptance by the public art board, the PASA program director shall take necessary steps to implement the recommended action, if short of "removal."
- (3) If the recommendation is removal, or if public art board determines that reasonable efforts to resolve the concern(s) which prompted the review have been made but have failed to resolve the situation, then public art board shall appoint a mediating organization or consultant to designate a panel of impartial persons qualified to carry out steps in considering the removal of the artwork. The public art board shall consider the varying needs of the parties to the dispute in selecting the mediating organization or consultant.
- (4) The mediating organization/consultant may draw panel members from groups such as preservationists, art historians, museum curators, artists, urban planners, arts or public interest lawyers, social psychologists, policy analysts, and community improvement activists. The panel shall:
  - (A) Review the public art board's determination that reasonable efforts to resolve the concern have been made, yet have failed to resolve it.
  - (B) The panel may recommend any specific measures to resolve the concern including relocation or removal. This recommendation shall provide a reasonable timeframe in which to carry out the recommended measures.
  - (C) Upon the panel's determination that the public art board's decision was correct, or that recommendations referred to in (1a) above have not resolved all concerns, the panel shall then consider the following, in the following order of priority:
    - i. Relocation of public display (if the work was designed for a specific site, best efforts should be made to relocate it to a new site consistent with the artist's intention. As a courtesy, the artist(s) should be consulted in this determination. In the event of death or incapacitation of the artist, best efforts should be made to consult and/or notify the executor of the artist's estate as to the proposed disposition of the work of art in question.)
    - ii. Removal from the collection by sale, extended loan, or gift. Three independent professional appraisals of the fair market value of the work shall be secured on which to base decisions.
    - iii. If sale, trade, gift, extended loan, or relocation is not feasible, the work will be destroyed.
- If feasible, the artist should be given first option on purchase.

- Sale may be through auction, gallery resale, or direct bidding by individuals.
- Trade may be through artist, gallery, museum, or other institutions.
- Proceeds from the sale of the work of art shall be deposited into an account to be used for future public art projects. Any pre-existing contractual agreements between the artist and the (responsible agency) regarding resale shall be honored.

iv. Any of the options enumerated above require the prior approval by public art board, and may require review by historic design and review commission if artwork is deemed historic or located in a historic district. (d) Project Files and Records. PASA shall maintain records on each project, which shall include, but not be limited to the following:

- (1) All materials in proposals submitted and other visual or written materials relating to the artist's design or method of execution as submitted or become available.
- (2) Conveyance of title enumerating any donor conditions.
- (3) Records of the public art board and city action bearing on the project.
- (4) Any agreements relating to the project.
- (5) Correspondence and memoranda relating to the project.
- (6) Records of all billings made in connection with the project.

(e) Exceptions. These guidelines shall not apply to:

- (1) Artwork loaned to the city for one (1) year or less.
- (2) Artwork loaned for inclusion in temporary exhibitions in city facilities and city-owned and managed by the city.
- (3) Artwork loaned or donated to city employees or appointed city officials for display in their personal offices.
- (4) Gifts of state presented to the city by other governmental entities (municipal, state, national, foreign).
- (5) Artwork loaned or donated to the private collections of nonprofit organizations that manage city entities, or included in temporary exhibitions at those facilities.

#### **FINDINGS:**

- a. The applicant is requesting conceptual approval to install art benches on the lot at 1118 S Alamo, adjacent to the public right of way. The proposed benches will feature plate steel inserted into limestone seat faces. The installation will include five limestone bases with five steel plates, each the shape of the letters P,A,U,S, and E. The total height of each seat will be 37 inches.
- b. Conceptual approval is the review of general design ideas and principles (such as scale and setback). Specific design details reviewed at this stage are not binding and may only be approved through a Certificate of Appropriateness for final approval.
- c. Staff finds the proposed size and materials to be appropriate. Additionally, staff finds the proposed installation to be consistent with Division 5 of the UDC regarding Public Art.

#### **RECOMMENDATION:**

Staff recommends conceptual approval as submitted based on findings a through c.

#### **CASE MANAGER:**

Edward Hall



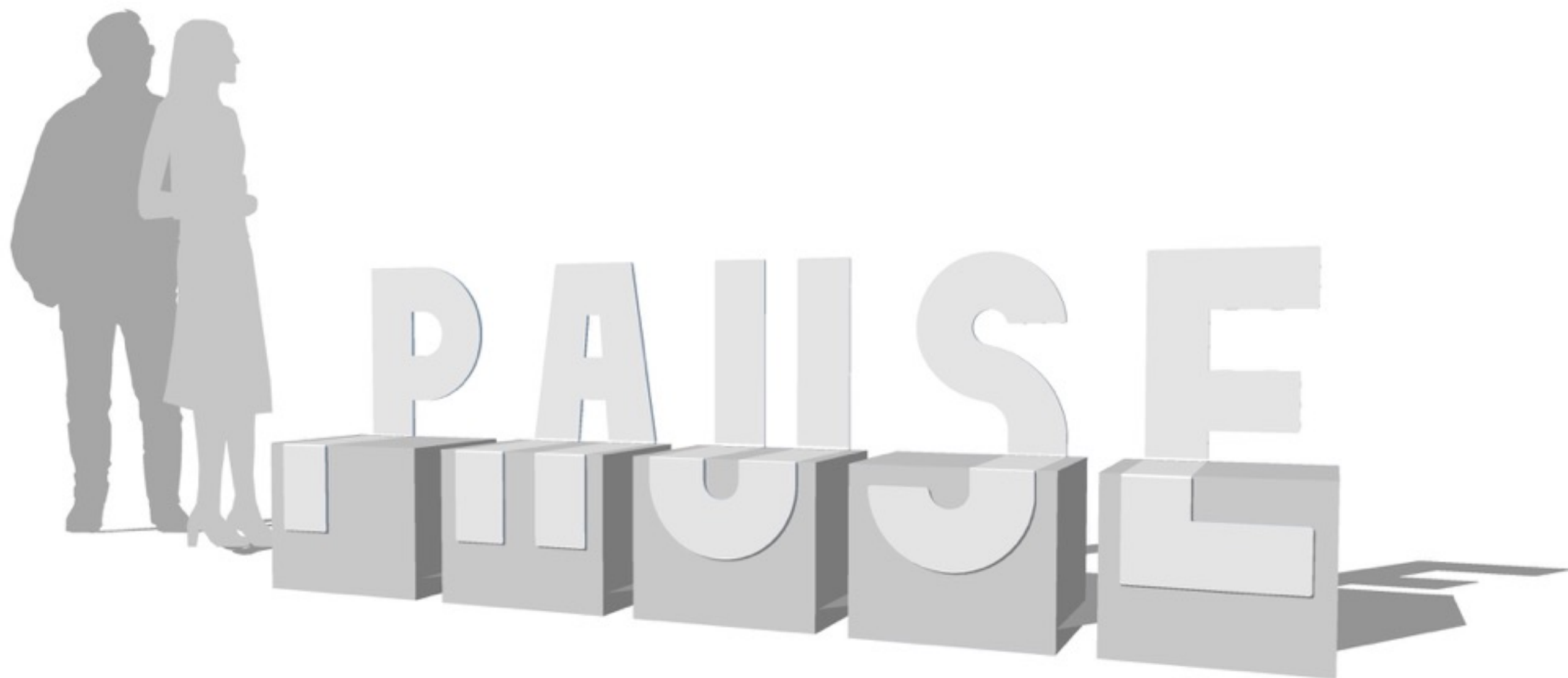
## Flex Viewer

Powered by ArcGIS Server

Printed: Nov 28, 2017

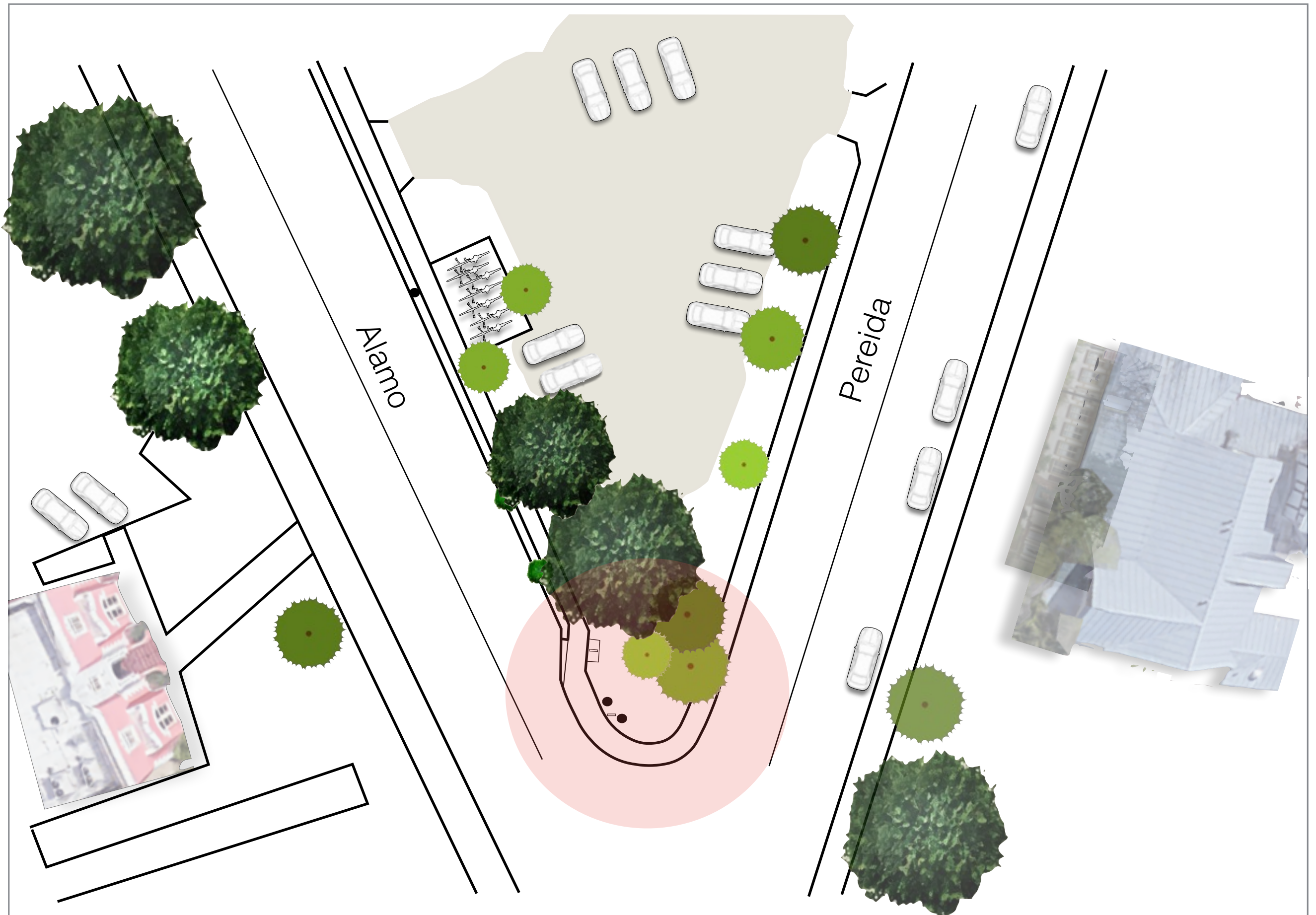
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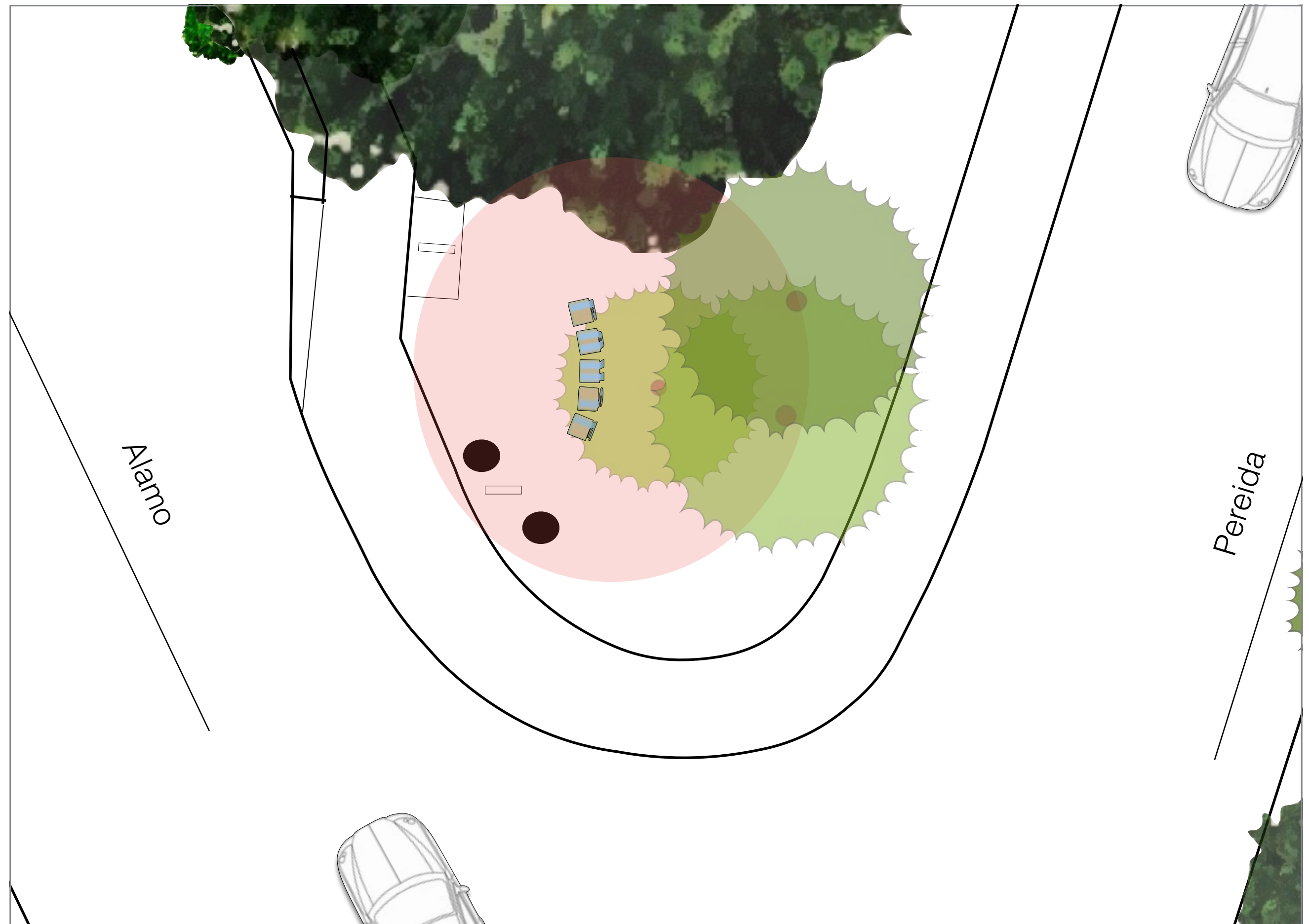




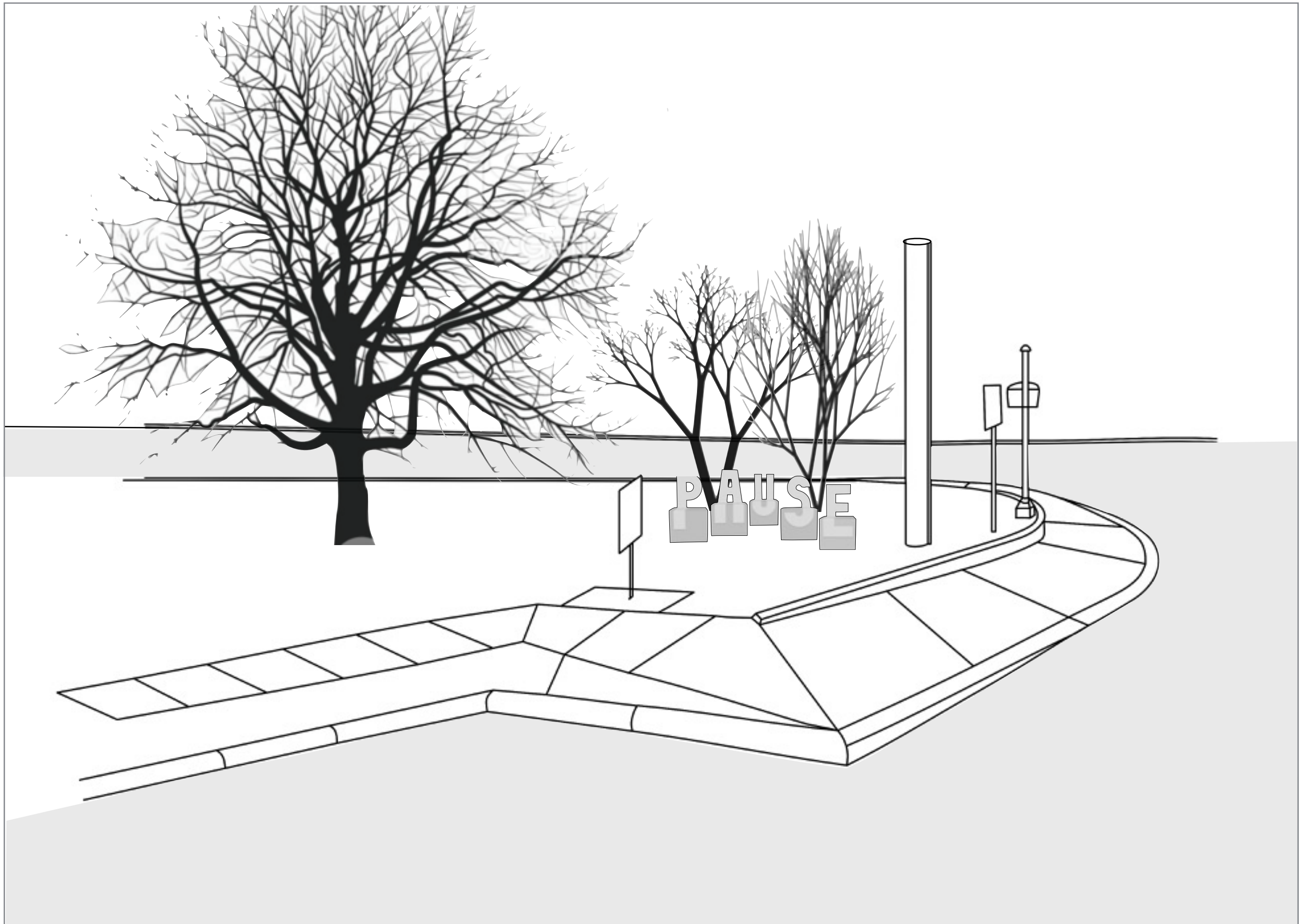


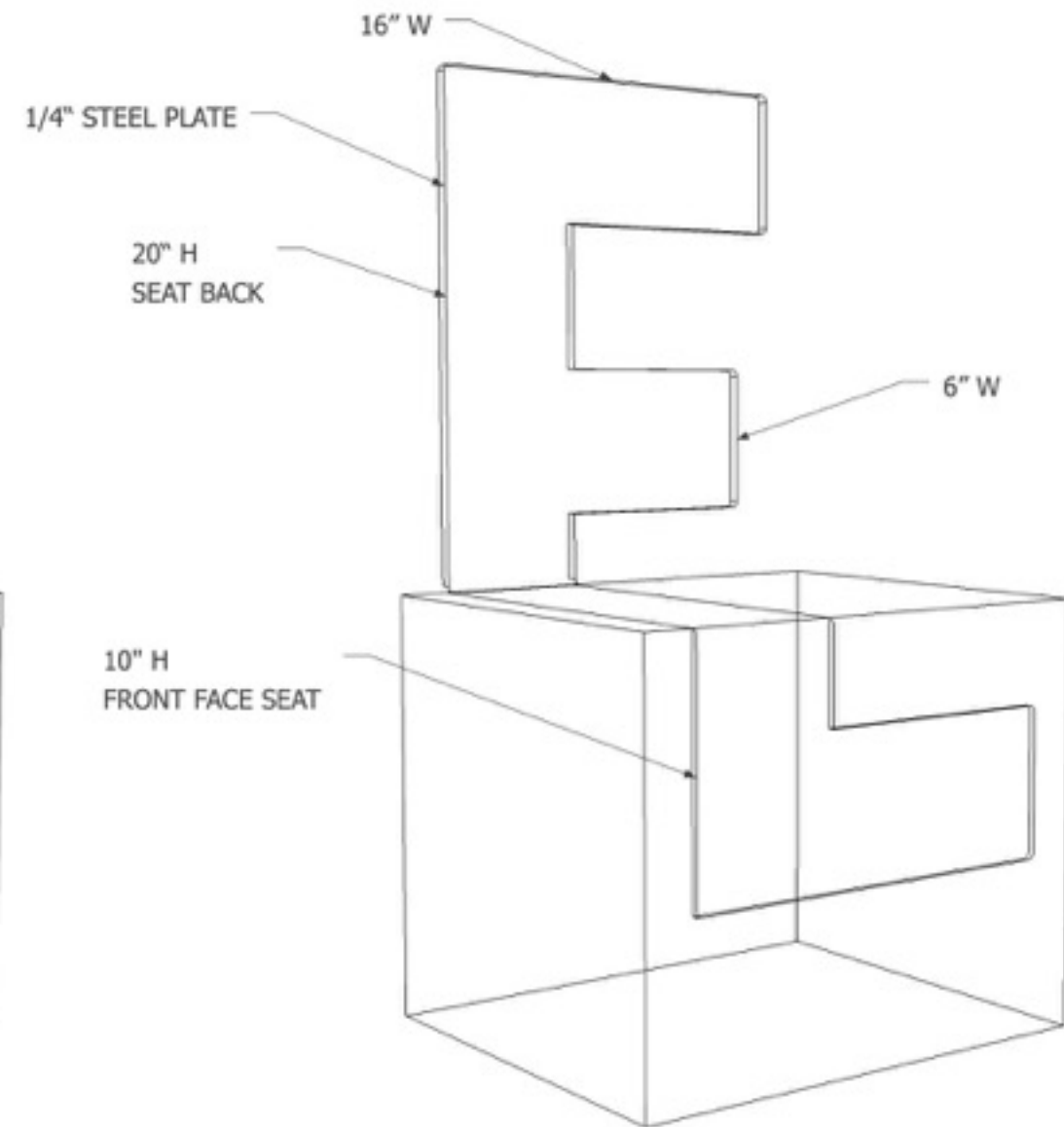
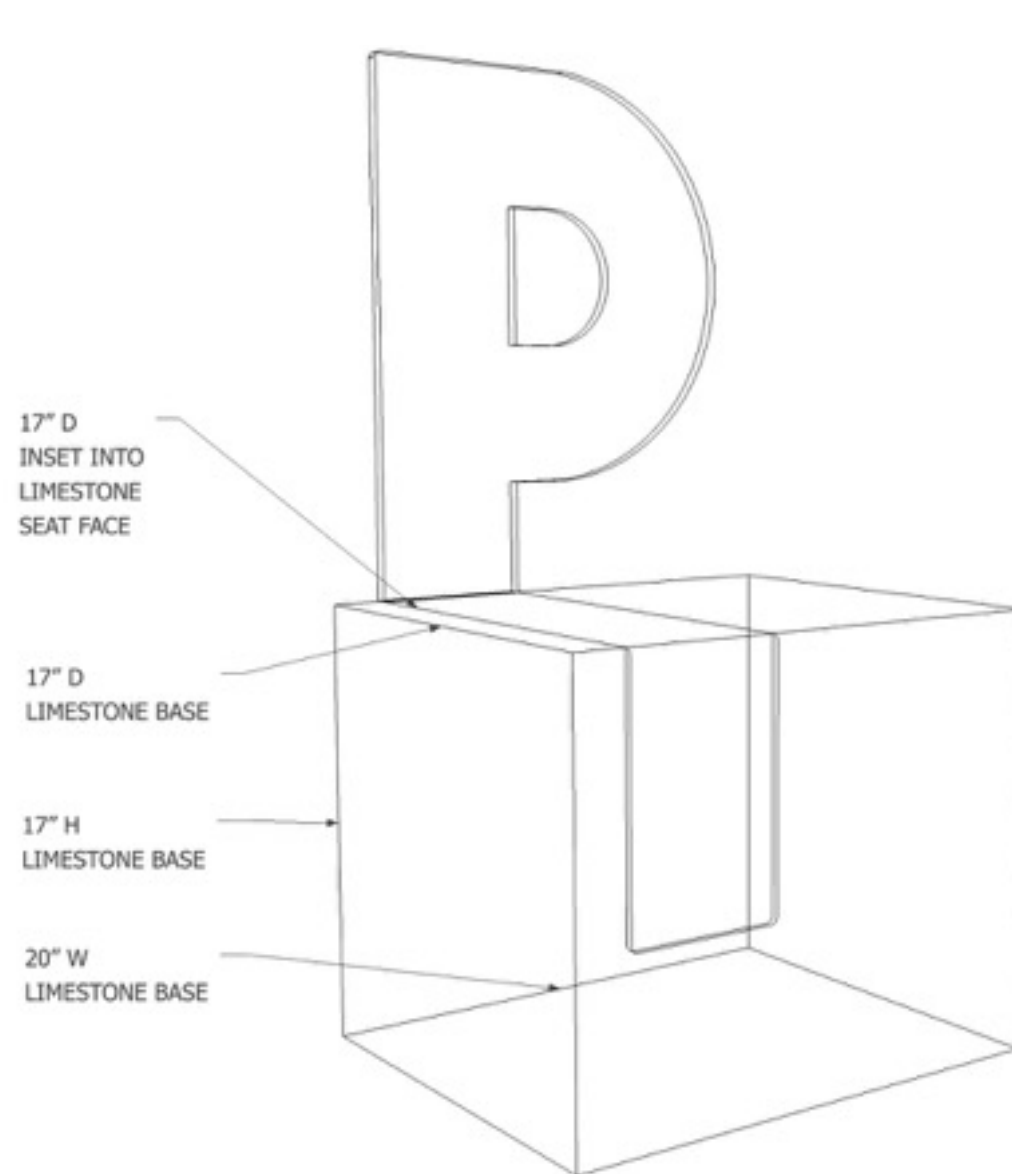
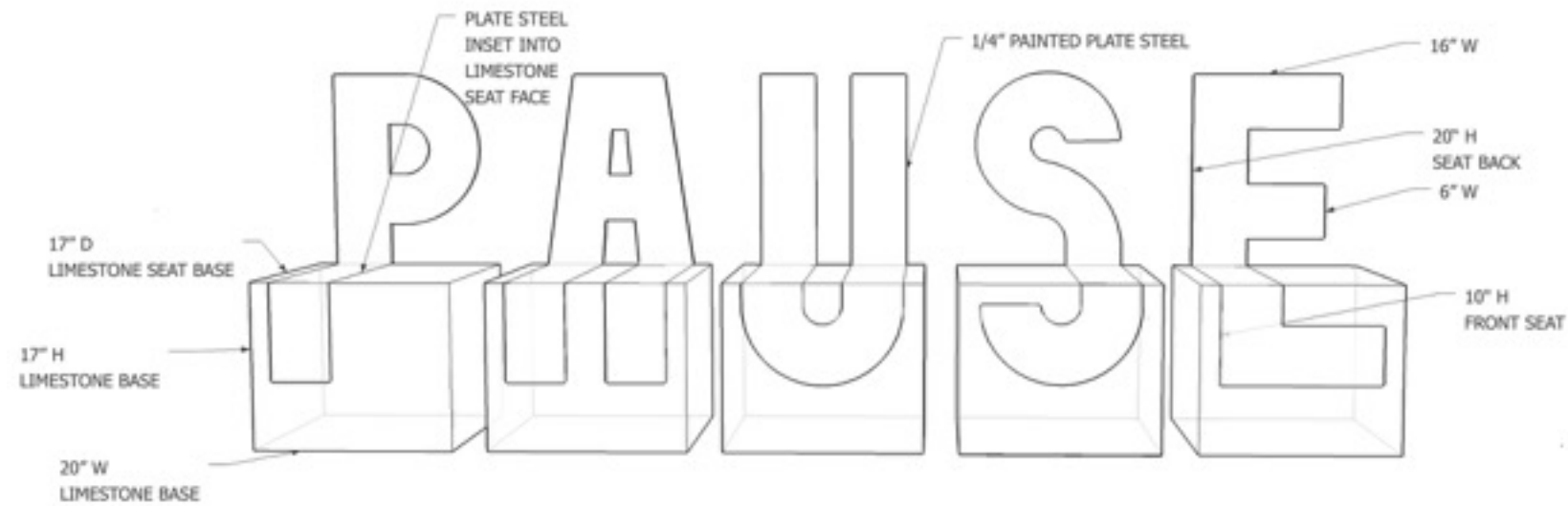






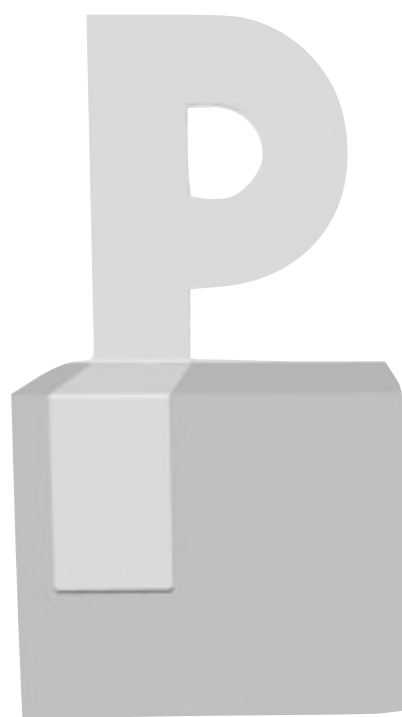








FRONT PERSPECTIVE



BLOCK 1



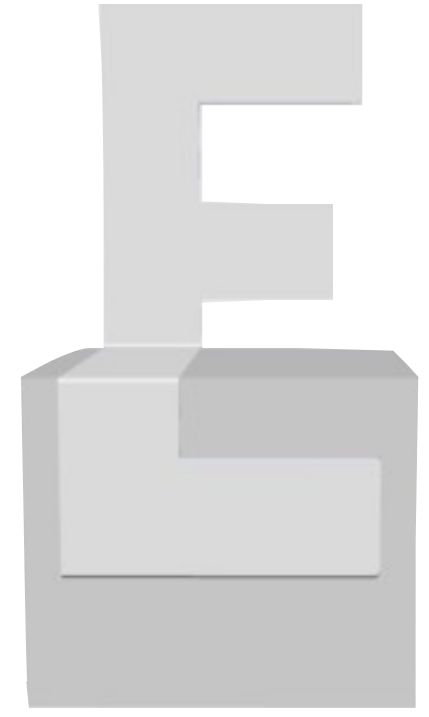
BLOCK 2



BLOCK 3



BLOCK 4



BLOCK 5



PAUSE