

HISTORIC AND DESIGN REVIEW COMMISSION

January 02, 2019

HDRC CASE NO: 2018-579
ADDRESS: 2310 W KINGS HWY
LEGAL DESCRIPTION: NCB 9076 BLK LOT 25
ZONING: R-6, H
CITY COUNCIL DIST.: 7
DISTRICT: Monticello Park Historic District
APPLICANT: David Nguyen
OWNER: David Nguyen
TYPE OF WORK: Historic Tax Certification
APPLICATION RECEIVED: December 6, 2018
60-DAY REVIEW: February 5, 2019
REQUEST:

The applicant is requesting Historic Tax Certification for the property at 2310 W Kings Highway.

APPLICABLE CITATIONS:

Sec. 35-618. - Tax Exemption Qualifications.

- (a) Assessed Valuation. In accordance with the provisions of this article, a building, site, or structure which meets the definition of a historically significant site in need of tax relief to encourage preservation and which is substantially rehabilitated and/or restored as certified by the historic and design review commission and approved by the city tax assessor-collector, shall have an assessed value for ad valorem taxation as follows regardless of ownership during the granted time period:
 - (1) A residential property shall have the assessed value for ad valorem taxation for a period of ten (10) tax years equal to the assessed value prior to preservation.
- (b) Applicability. This exemption shall begin on the first day of the first tax year after verification of completion of the preservation required for certification; provided the building shall comply with the applicable zoning regulations for its use and location.
- (c) Application. Application for a historic structure preservation tax exemption pursuant to this division is to be filed with the office of historic preservation. The historic preservation officer shall be the agent of the city for the purposes of administering this division provided that the historic preservation officer request a recommendation from the historic and design review commission. Each application shall be signed and sworn to by the owner of the property and shall:
 - (1) State the legal description of the property proposed for certification;
 - (2) Include an affidavit by the owner describing the historic significance of the structure in need of tax relief;
 - (3) Include a final complete set of plans for the historic structure's restoration or rehabilitation;
 - (4) Include a statement of costs for the restoration or rehabilitation work;
 - (5) Include a projection of the estimated construction, time and predicted completion date of the historic restoration or rehabilitation;
 - (6) Authorize the members of the historic and design review commission, the city tax assessor-collector and city officials to visit and inspect the property proposed for certification and the records and books of the owners as necessary to certify that the property in question is in substantial need of restoration or rehabilitation;
 - (7) Include a detailed statement of the proposed use for the property; and
 - (8) Provide any additional information to the historic and design review commission which the owner deems relevant or useful such as the history of the structure or access to the structure by the public.

Each application shall contain sufficient documentation confirming or supporting the information submitted therein.

- (d) Certification.
 - (1) Historic and Design Review Commission Certification. Upon receipt of the owner's sworn application the historic and design review commission shall make an investigation of the property and shall certify the facts to the city tax assessor-collector within thirty (30) days along with the historic and design review commission's

documentation for recommendation of either approval or disapproval of the application for exemption.

- (2) Tax Assessor-Collector Approval. Upon receipt of the certified application for tax exemption as well as the recommendation of the historic and design review commission, the city's tax assessor-collector shall within thirty (30) days approve or disapprove eligibility of the property for tax relief pursuant to this division. In determining eligibility, the tax assessor-collector shall first determine that all the requirements of this division have been complied with and that only the historic structure and the land reasonably necessary for access and use thereof is to be provided favorable tax relief.
- (e) Verification of Completion. Upon completion of the restoration and rehabilitation, together with a fee as specified in Appendix "C" of this chapter, the owner, who may not be the same as at the time of application, shall submit a sworn statement of completion acknowledging that the historically significant site in need of tax relief to encourage preservation has been substantially rehabilitated or restored as certified by the historic and design review commission. The historic and design review commission, upon receipt of the sworn statement of completion, but no later than thirty (30) days thereafter, shall make an investigation of the property and shall recommend either approval or disapproval of the fact that the property has been substantially completed as required for certification. If the historic and design review commission recommends that it has not been substantially completed as so required, then the certified applicant may be required by the historic preservation officer to complete the restoration or rehabilitation in order to secure the tax exemption provided herein. If the verification of completion is favorable, the historic and design review commission shall recommend approval and the historic preservation office may notify the tax assessor-collector in writing of compliance. Thereafter, the tax assessor-collector shall provide the property with the historic tax exemption.
- (f) Historic Preservation Tax Exemptions.
 - (1) Historic Preservation Tax Exemption for Residences in Need of Substantial Repair. In accordance with the provisions of this chapter, a historically significant residential building, which meets both the definitions of a historically significant site in need of tax relief to encourage preservation and of a residential property in Appendix "A" of this chapter, and is either individually designated or is located within the boundaries of a locally designated historic district which is substantially rehabilitated and is approved by the chief appraiser of the Bexar County Appraisal District, shall have an assessed value for ad valorem taxation as follows:
 - A. A residential property shall have no assessed value for ad valorem taxation for a period of five (5) tax years after verification, as defined in Appendix "A" to this chapter. Thereafter, the exempt property shall be reappraised at current market value and assessed at a fifty (50) percent rate for an additional consecutive five-year period.
 - B. This exemption shall begin on the first day of the first tax year after verification of completion of the substantial rehabilitation by the historic and design review commission, provided compliance with subsection (b) of this section.
- (g) Eligibility.
 - (1) The tax exemption options outlined in subsection (f), above, will remain in effect unless terminated by designation status being removed pursuant to subsection 35-606(g) of this article.

FINDINGS:

- a. The applicant is requesting Historic Tax Certification at 2310 W Kings Hwy. The one-story ranch structure was constructed circa 1950 and contributes to the Monticello Park Historic District. The applicant is simultaneously requesting Historic Tax Verification for the same property at the January 2, 2019 hearing.
- b. COMPLIANCE – Staff notified the current property owner and applicant on August 17, 2018 that work was performed without approval by the previous owner at the property at 2310 W Kings Hwy including: replacement of a front bay window inconsistent with a previous issued approval, installation of flagstone landscaping elements and a rear privacy fence, and the enclosure of a rear porch addition with new vinyl windows. The homeowner has been cooperative with staff in acquiring administrative approval for appropriate items and has corrected the issue of the front bay window.
- c. A number of rehabilitative scopes of work have been approved including: (2016) driveway repairs, foundation repair, replacement of the aluminum bay window with new aluminum window, and repair of 10 wood windows, (2018) reissued bay window replacement to allow for vinyl if the divided light and sash configurations corrected the inappropriate replacement, installation of front flagstone walkway around the raised planting strips, rear flagstone landscaping, enclosure of the non-historic rear porch addition to feature vinyl windows, and installation

of a wood rear privacy fence. In addition to the previously noted exterior items, a number of interior scopes of work have been planned or completed including electrical and mechanical improvements, interior finishes and framing. The project began in November 2016 and was completed by December 2018.

- d. The applicant submitted an itemized list of cost that meets the threshold to be eligible for Historic Tax Certification.
- e. The requirements for Historic Tax Certification outlined in UDC Section 25-618 have been met and the applicant has provided evidence to that effect to the Historic Preservation Officer including photographs, an itemized list of cost, and a timeline of completion.
- f. Approval of Tax Verification by the HDRC in 2018 means that the property owners will be eligible for the Substantial Rehabilitation Tax Incentive beginning in 2019.

RECOMMENDATION:

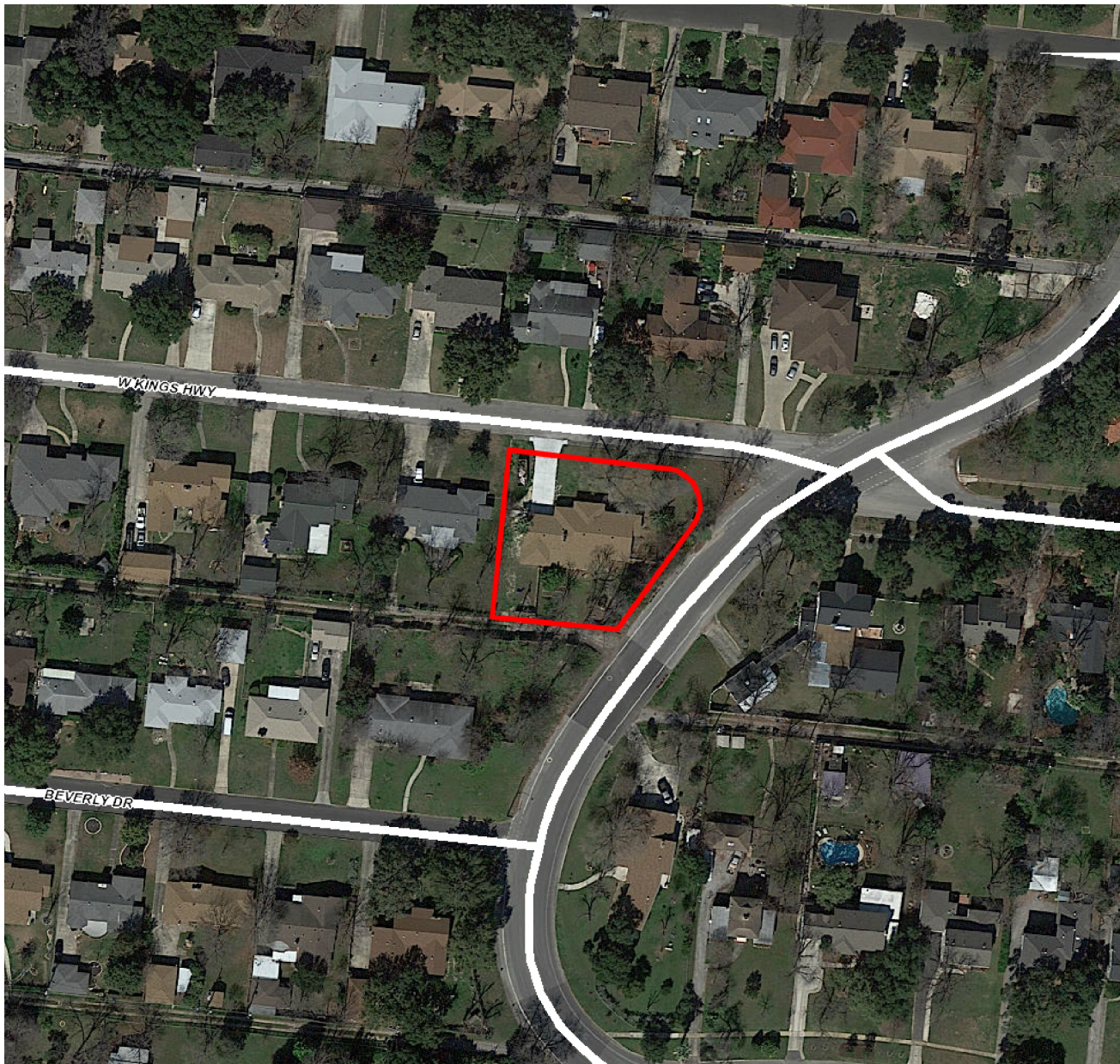
Staff recommends approval of Historic Tax Certification based on findings b through e.

CASE COMMENT:

Staff notified the current property owner and applicant on August 17, 2018 that work was performed without approval by the previous owner at the property at 2310 W Kings Hwy including: replacement of a front bay window inconsistent with a previous issued approval, installation of flagstone landscaping elements and a rear privacy fence, and the enclosure of a rear porch addition with new vinyl windows. The homeowner has been cooperative with staff in acquiring administrative approval for appropriate items and has corrected the issue of the front bay window.

CASE MANAGER:

Huy Pham



2310 W Kings Hwy

Powered by ArcGIS Server

Printed: Dec 12, 2018

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W Kings Hwy

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W Kings Hwy

Kampmann Blvd

Kampmann Blvd

W Kings Hwy

W Kings Hwy

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Kampmann Blvd

Beverly Dr

Beverly Dr

Beverly Dr

Google

Los Angelitos Y Mas

2310 West Kings Highway



2310 West
Kings Highway

2311 W Kings Hwy
San Antonio, Texas

 Google, Inc.

 Street View - Apr 2016



2311 W Kings Hwy

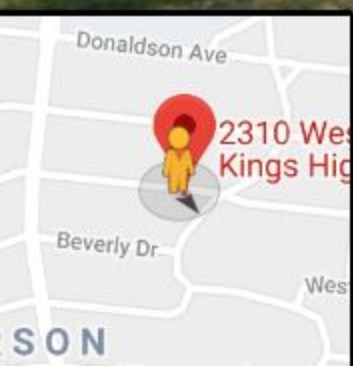
San Antonio, Texas



Google, Inc.



Street View - Mar 2013



November 15, 2018

City of San Antonio
Office of Historic Preservation
1901 S. Alamo
San Antonio, TX 78204

RE: 2310 W. Kings Hwy, San Antonio, TX 78201

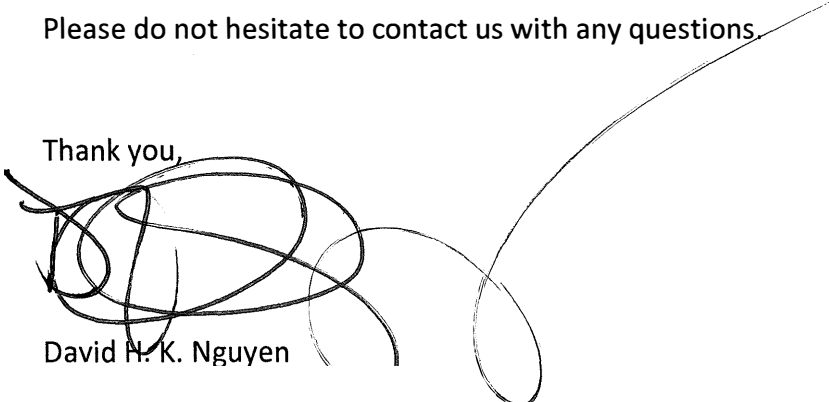
To Whom It May Concern:

Attached, please find our application for Ad Valorem Tax Exemption based on substantial rehabilitation for residential properties. Enclosed with this application is the Tax Certification Form, Tax Verification Form, itemized receipts and accounting of substantial rehabilitation in the amount of at least one hundred twenty-two thousand, three hundred and one dollars and seventy-five cents (\$122,301.75). In addition to the itemized receipts, photos have been attached to illustrate the completed rehabilitation of the residential property.

Thank you for your review of this application. Upon approval, we would respectfully request that the tax exemption be effective retroactively.

Please do not hesitate to contact us with any questions.

Thank you,



David H. K. Nguyen

































































Investigation Report

Property

Address	2310 W Kings Hwy
District/Overlay	Monticello Park
Owner Information	David Nguyen
Location Map	
	Lat: 29.4617228764106 Long: -98.5378809193643

Site Visit

Date	08/17/2018
Time	03:00 PM (-5 GMT)
Context	internal report
Present Staff	Huy Pham
Present Individuals	None
Present Companies	Josette Gonzales
Types of Work Observed	Exterior Maintenance and Alterations
Amount of Work Completed	Completed
Description of work	Replacement of bay windows, other in-kind repairs, flagstone landscape elements, and rear privacy fence.
Description of interaction	Spoke with realtor Josette in person and owner David Nguyen on the phone. Both were cooperative and looking forward to beginning compliance via email. Josette lead staff to the rear yard through the main entrance and interior.



Investigation Report

Action Taken

Violation Type	No Certificate of Appropriateness (Code 35-451a)
OHP Action	Spoke with property owner, Spoke with contractor(s) and/or crew
Deadline to contact office	08/17/2018
Will post-work application fee apply?	To be determined

Documentation

Photographs	 
	 



Investigation Report

	 August 17, 2018 at 3:10 PM 2310 W Kings Hwy San Antonio TX 78201 United States	 August 17, 2018 at 3:03 PM 2310 W Kings Hwy San Antonio TX 78201 United States
	 August 17, 2018 at 3:10 PM 2310 W Kings Hwy San Antonio TX 78201 United States	 August 17, 2018 at 3:03 PM 2310 W Kings Hwy San Antonio TX 78201 United States
	 August 17, 2018 at 3:03 PM 2310 W Kings Hwy San Antonio TX 78201 United States	 August 17, 2018 at 3:15 PM 2310 W Kings Hwy San Antonio TX 78201 United States
	 August 17, 2018 at 3:15 PM 2310 W Kings Hwy San Antonio TX 78201 United States	 August 17, 2018 at 3:14 PM 2310 W Kings Hwy San Antonio TX 78201 United States
08/17/2018 03:26 PM		