

HISTORIC AND DESIGN REVIEW COMMISSION

April 03, 2019

HDRC CASE NO: 2019-142
ADDRESS: 311 W HUISACHE AVE
LEGAL DESCRIPTION: NCB 3001 BLK 3 LOT 20
ZONING: R-4,H
CITY COUNCIL DIST.: 1
DISTRICT: Monte Vista Historic District
APPLICANT: OCG Austin, LLC
OWNER: OCG Austin, LLC
TYPE OF WORK: Historic Tax Certification
APPLICATION RECEIVED: March 14, 2019
60-DAY REVIEW: May 13, 2019
CASE MANAGER: Adam Rajper
REQUEST:

The applicant is requesting Historic Tax Certification for the property at 311 W Huisache.

APPLICABLE CITATIONS:

UDC, 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 primary structure at 311 W Huisache is a one-story single-family Craftsman-style residence constructed in c. 1920. The structure features a primary hipped roof, a stucco chimney, and two pairs of French doors flanking the front entrance. Later modifications include the enclosure of an original porch on the east side of the home, modifications to the front door configuration, and the installation of new siding. The structure is contributing to the Monte Vista Historic District.
- b. VIOLATION – At the November 7, 2018, hearing, the applicant requested a Certificate of Appropriateness to: (1) Enclose a street-facing door on a side addition with siding to match the existing; (2) Modify the front porch railing and columns; (3) Install a metal shed roof on the front porch to replace a non-original metal awning structure. At that time, the HDRC did not approve the door enclosure but approved the two porch modifications. Upon further review, staff found that the applicant enclosed the front-facing door without satisfying staff stipulations or receiving a Certificate of Appropriateness. The applicant also did not satisfy staff stipulations or receive a Certificate of Appropriateness for the two porch modifications.

- c. DOOR ENCLOSURE - The applicant has enclosed a door opening on the east side of the primary façade, as noted in finding b. This scope of work was not approved by the HDRC at the November 7, 2018, hearing. According to Guideline 6.A.i for Exterior Maintenance and Alterations, historic openings should be preserved. While the door opening is not original, the enclosure of the door and with siding creates an uninterrupted expanse of siding that is uncommon for street-facing façades in the district. Staff finds that this modification should be reversed or, per the original staff stipulation, that a window should be installed at this location.

HISTORIC TAX CERTIFICATION

- d. The applicant is requesting Historic Tax Certification at 311 W Huisache. The applicant is simultaneously requesting Historic Tax Verification for the same property at the April 3, 2019 HDRC hearing.
- e. A number of interior and exterior rehabilitative scopes of work have been completed. Exterior work includes enclosure of a street-facing door, modifications to the porch railing, and replacement of a non-original metal awning with a metal shed roof on the front porch. Staff finds that the applicant has enclosed the front-facing door without satisfying staff stipulations or receiving a Certificate of Appropriateness. The applicant has also not satisfied staff stipulations or obtained a Certificate of Appropriateness for the two porch modifications. The property is not eligible for Historic Tax Certification or Historic Tax Verification until these items are resolved with approval, reversal, or correction.
- f. The applicant began work in August 2018. Staff conducted a site visit on March 26, 2019 to examine the exterior conditions of the property. During the site visit, staff confirmed that the exterior work has been completed.
- g. The applicant submitted an itemized list of costs that meets the threshold to be eligible for Historic Tax Certification.

RECOMMENDATION:

Staff does not recommend approval based on findings a through g. Staff recommends that the applicant:

- i. Reverse the unapproved work on the primary façade or comply with the previous staff stipulation dated November 7, 2018 requiring the installation of a window on the street-facing portion of the side addition that is consistent with the size, proportions, configuration, inset, and detailing as those on the original structure or similar to those in the district. The applicant is required to submit a window specification and updated elevation to staff for review and approval prior to receiving a Certificate of Appropriateness.
- ii. That the applicant submit final dimensioned drawings for the front porch railing and new front porch roof to staff for review and approval prior to receiving a Certificate of Appropriateness.

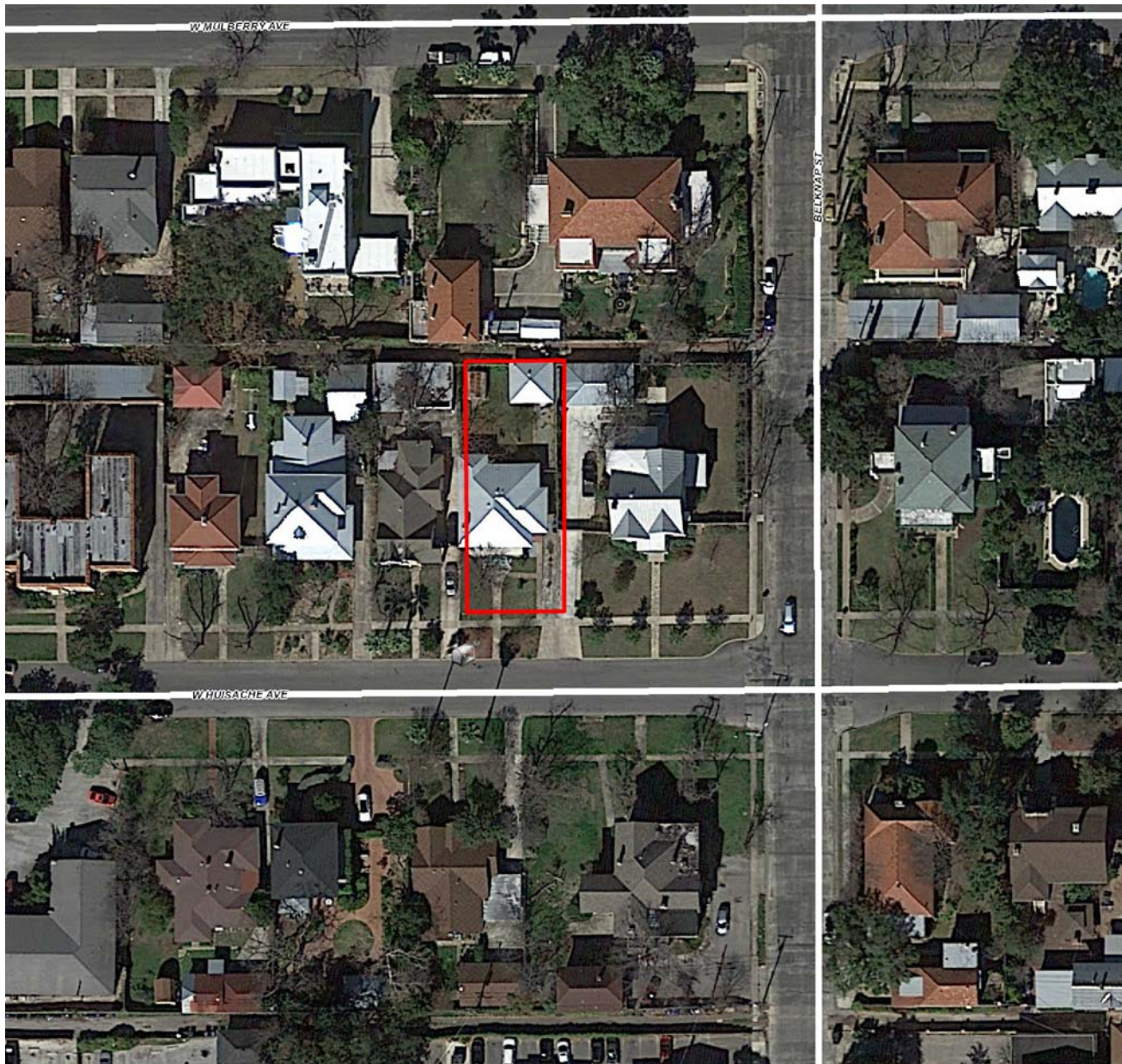
If the Commission is compelled to approve the door enclosure, then the property is eligible for Historic Tax Certification.

The applicant agreed to meet the previously-approved HDRC stipulations on March 29, 2019.

CASE COMMENT:

VIOLATION – At the November 7, 2018, hearing, the applicant requested a Certificate of Appropriateness to carry out various exterior modifications. At that time, the HDRC did not approve a front-facing door enclosure but approved the two porch modifications. Upon further review, staff found that the applicant enclosed the door without satisfying staff stipulations or receiving a Certificate of Appropriateness. The applicant also did not satisfy staff stipulations or receive a Certificate of Appropriateness for the two porch modifications.

The applicant agreed to meet the previously-approved HDRC stipulations and work with staff to bring the property back into compliance on March 29, 2019.



Flex Viewer

Powered by ArcGIS Server

Printed: Mar 27, 2019

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311 West
Huisache Avenue

W Huisache Ave

W Huisache Ave

W Huisache Ave

W Huisache Ave

Belknap Pl

Belknap Pl

201 East Huisache

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311 W. Huisache - Detailed Scope of Work

August 16, 2019

Trashout Property

Electrical (Add recessed lighting in kitchen; Remove unnecessary outlets; Add AC breakers; Update panel; Install electrical trim)

Plumbing (Add bathroom plumbing to add on; all plumbing fixtures; Scope sewer line; Add shower valve to hall bath; Install plumbing trim)

Roofing (Frame and tie in roof in front using like existing metal roof)

Landscaping (Add grass bushes and flowers as needed; Add mulch to front with pavers to separate from grass)

Paint (Interior and exterior of both houses; 2 colors body and trim)

Flooring (Refurbish wood flooring; Tile kitchen and bath areas)

Cabinets (Install cabinets)

Back Unit (Paint Cabinets; Re tile shower; Replace ac wall unit)

Repair Foundation

Repair closet in master bath; Remove door in front; Remove hall tile in bathroom; Sheetrock Repair

Work began August 2018. **Estimated time of completion 1/31/2019.** ✓

Actual Completion Date 2/28/2019 ✓

Permits: General, Electrical, Plumbing

After Rehabilitation



After Rehabilitation



Before Rehabilitation



Before Rehabilitation

















