

CITY OF ALAMO HEIGHTS

CITY COUNCIL

March 10, 2025

A Work Session of the City Council of the City of Alamo Heights, Texas was held at the Council Chambers, located at 6116 Broadway, San Antonio, Texas, at 4:00 p.m. on Monday, March 10, 2025. A teleconference was held via Zoom.

Present and composing a quorum were:

Mayor Bobby Rosenthal
Mayor Pro Tem Lynda Billa Burke
Councilmember Karl P. Baker
Councilmember Blake M. Bonner
Councilmember Trey Jacobson

Also attending were:

City Manager Buddy Kuhn
City Attorney Frank J. Garza
Assistant City Manager Phil Laney
Assistant to City Manager Jennifer Reyna
City Secretary Elsa T. Robles
Community Development Services Director Lety Hernandez

Absent:

Councilmember Lawson Jessee

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Mayor Bobby Rosenthal opened the meeting 4:24 p.m.

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Item # 1 Mayor Rosenthal read the following caption.

Discussion of City Historical Preservation ideas and initiatives.

City Manager Buddy Kuhn stated the proposed draft Historic District Designation ordinance was written by City Attorney Frank J. Garza and reviewed the criteria pertaining to Sec. 3-76 Designation of Historic Districts.

Initiated when all of the following are met:

- Contains properties & environmental setting that meet one or more designation criteria;
- Constitutes distinct section of city; and
- More than 51% of property owners agree (Is this too low?)
- Staff question re: property owner support threshold

Due process:

- Commission/ARB written recommendation to Council within 14 days of hearing (Timeline may need to be a little bit longer.)
- Council hearing within 14 days from receiving recommendation
- Designation recorded in Official Public Records & zoning maps

Removal of Designation:

- District, either whole or part, no longer conforms to criteria, and
- More than 51% of property owners petition City for removal
(Staff question re: property owner support for removal; equal threshold for removal?)

Mr. Kuhn continued and reviewed other criteria.

Sec. 3-77 Certificate of Appropriateness for Alteration or New Construction Affecting Landmarks or Historic District. Certificate of Appropriateness (CofA) required prior to any work beginning on historic landmark or property within historic district

- Construction, reconstruction, alteration, restoration, rehabilitation, or relocation
- No material change in light fixtures, signs, sidewalks, fences, steps, paving or other exterior elements visible from right-of-way
(Staff question re: whether CofA requirement to apply to non-contributing (contemporary, non-historical, etc.) structures in historic district?)

Sec. 3-78.1 Criteria for Approval of Certificate of Appropriateness. In determining CofA, Commission/ARB guided by any adopted design guideline & Sec. of Interior's Standards for Rehabilitation of Historical Buildings (where applicable).

- Describes what is allowed, encouraged, or not encouraged

Criteria:

- Every reasonable effort for minimal alteration of building, site, etc. & its environment
- Distinguishing original qualities or character shall not be destroyed; removal or alternating historic materials or distinctive features avoided
- All features recognized as products of their own time; discourage alterations w/ no historical basis or which seek to create earlier appearance
- Changes over time are evidence of history & may have acquired own significance
- Distinctive stylistic features or examples of skilled craftsmanship to be kept where possible
- Deteriorated architectural features repaired rather than replaced
 - If replacement, new material should reflect material being replaced in look & feel
 - Repair or replacement of missing architectural features based on accurate duplications from historical, physical, or pictorial evidence
- Surface cleaning with gentlest means possible
- Contemporary design for alterations & additions not to be discouraged when alterations & additions don't destroy significant historical, architectural, or cultural material & design compatible with property, neighborhood or environment
- New additions or alterations to be done in manner that if such additions or alterations were removed in future, essential form & integrity would be unimpaired
(Staff question re: whether CofA criteria prohibits contemporary new construction?)

Assistant City Manager Phillip Laney addressed City Council and reviewed the application procedure.

Sec. 3-78.2 Certificate of Appropriateness Application Procedure. Owner to file application & required materials prior to any work requiring CofA. No building permit to be issued until CofA issued by Commission

- CofA to be in addition to – and not in lieu of – any other required building permit

Due process:

- Commission/ARB review meeting within 30 days from date application received
- Commission/ARB to issue written findings within 30 days after review meeting
- If Commission/ARB does not act within 60 days of application receipt, permit may be granted
- Right to appeal decision to Council within 30 days of written notification of action

Sec. 3-78.3 Certificate of Appropriateness Required for Demolitions

- Prohibit demolition permit of historic landmark or property within historic district without CofA from Commission/ARB
(Staff question re: Are there exceptions for circumstances requiring emergency demolition?)

Sec. 3-78.4 Economic Hardship Application Procedures. If CofA is denied, applicant may begin economic hardship process.

- No building or demolition permit to be issued until hardship found
 - Owner must prove – through diligent, good faith efforts & evidence – property:
 - Incapable of earning reasonable return, regardless of whether return represents most profitable return possible;
 - Cannot be adapted for any other use resulting in reasonable return; and
 - Efforts to find purchaser interested in acquiring property & preserving it have failed

CofA Exceptions:

Sec. 3-79 Ordinary Maintenance

- Nothing in ordinance prevents ordinary maintenance & repair of any architectural feature which does not involve change in design, material or outward appearance
- In-kind replacement or repair included within ordinary maintenance

Sec. 3-79.1 Demolition by Neglect

- Cannot permit exterior architectural feature in landmark or within district to fall into serious state of disrepair to diminish character of historic district or property
- Prohibit deterioration of any feature to create a hazardous condition which could lead to claim demolition is necessary for public safety
- Examples: deterioration of exterior walls, roof, exterior chimneys, stucco or mortar, or ineffective waterproofing of exterior walls, roof or foundations, including broken windows or doors

Sec. 3-80 Enforcement & Penalties

- Inspections required to ensure compliance with CofA; stop work order permitted if applicable
- Failure to comply liable for misdemeanor charges & penalties included in zoning requirements

Mr. Laney reviewed a map of pre-designated neighborhoods in the city adopted in 2009 through the city's comprehensive plan. In conclusion, he noted staff required direction on several key points.

- Interest in pursuing Certified Local Government designation, which would include new position or contracting services out?
- Take additional steps to determine if residents interested in establishing historic district(s), prior to adopting ordinance?

If ordinance adopted,

- Establish design standards
- Determine thresholds to get historic designation & designation removal
- Gain acceptance of longer, more complicated review process than current

City Attorney Frank J. Garza address the City Council and stated in developing the ordinance, he researched several established ordinances and looked at the good, the bad, and the ugly of each one of those ordinances. In an effort to keep the cost as minimal as possible the draft ordinance does not create a new historic commission but gives responsibilities to the Planning and Zoning Commission (P&Z) to establish a historic designation. The P&Z would make the recommendation to City Council; however, he ensured to include an appeal process in the ordinance which was not limited by the entity getting the appeal. The City Council will have the final decision on any historic designations.

Mr. Garza stated the ordinance would be similar to the City of San Antonio where the historic designation would require public hearings and several notices in order to have an area designated as historic. Every property landowner would have the ability to object or not. Additionally, it is recommended if no response is received, staff go door to door to see whether or not they object or not object to be included in historic designation. Once the district has been identified and 51% say, yes, they want to be in it, then anyone in that district is in a historic district. Mr. Garza added it would be Council's decision to determine the percentage for or against designation.

City Council discussed recommended design standards and requirements for establishing a historic district. They agreed more resident education and input was needed before moving forward with this initiative.

Mayor Rosenthal asked to hear comments from the audience.

Mr. Al Honigblum addressed the Council and stated usually historical districts are pertaining to downtown areas. He discussed the necessity of speaking to the community to further explore the possibility of creating these districts in the city. He noted it would take a super majority vote from the City Council to designate a historic district if 100% of the residents within the district did not vote in favor. Mr. Honigblum acknowledge Ms. Sarah Reveley and all the research she has done on the subject.

Mr. Michael Carroll stated he is the President of a Historical Association and has a master's degree in architectural history. He agreed the city needs to do the work and have something specific for residents to consider.

After some discussion, Council agreed the community should be asked if they think there should be regulations to help preserve the character of buildings and structures in the city. Additionally, incentives should be explored such as tax exemptions. Council concurred educating the public was key and polling residents via SurveyMonkey in the future was also an option.

In closing Council tasked staff to utilize community resources and create a group of residents to work on this initiative. Mr. Kuhn agreed and requested Council provide names of citizens staff could engage.

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With no further business to consider, Mayor Rosenthal closed the work session at 5:26 p.m.

PASSED AND APPROVED THIS 24th DAY OF MARCH, 2025.


Elsa T. Robles, TRMC
City Secretary


Bobby Rosenthal
Mayor

