

City of San Antonio Board of Adjustment

Regular Public Hearing Agenda

Monday, November 4, 2013

1:00 P.M.

Board Room, Cliff Morton Development and Business Services Center

Anytime during the public hearing, the Board of Adjustment may meet in Executive Session to consult on attorney-client matters (real estate, litigation, personnel and security matters), as well as to discuss any of the agenda items. This notice was posted on the Development Services Department website (www.sanantonio.gov/dsd), and the City Hall kiosk, at least seventy-two (72) hours prior to this public hearing, in compliance with the Texas Open Meetings Act.

1. **1:00 PM** - Public Hearing – Call to Order
2. Roll Call
3. Pledges of Allegiance
4. **A-13-073:** The request of Pape-Dawson Engineers, Inc. for up to a 4-foot variance from the 6-foot maximum height limitation to allow a wall up to 10 feet in height in the rear yard, located at 5731 Rittiman Road. (Council District 2)
5. **A-13-094:** The request of Jose Moreno for 1) a 16-foot, 7-inch variance from the 20-foot required rear yard setback to allow a structure 3 feet, 5 inches from the rear property line; and 2) a 1-foot, 10-inch variance from the maximum 4-foot fence height to allow a predominately open fence 5 feet, 10 inches in the front yard, located at 1111 North Sabinas Street. (Council District 1)
6. **A-14-001:** The request of Domitila Mireles for a 3-foot, 6-inch variance from the 5-foot south side yard setback to allow a carport 1 foot, 6 inches from the south side property line, located at 718 SW 41st Street. (Council District 6)
7. **A-14-003:** The request of Melinda Carrion for a 3-foot variance from the maximum 3-foot height for a solid fence in the front yard to allow a 6-foot section of privacy fencing, 6 feet in height on the side property line, located at 165 W. Dickson Avenue. (Council District 3)
8. **A-14-002:** The request of the San Antonio Conservation Society for an appeal of the Historic and Design Review Commission's (HDRC) denial of a finding of Historic Significance for the building and property located at 411 East César E. Chávez Boulevard. (Council District 1)
9. Approval of the minutes – October 21, 2013
10. Announcements and Adjournment

ACCESSIBILITY STATEMENT - This meeting site is accessible to persons with disabilities. Parking is available. Auxiliary aids and services, including Deaf interpreters, must be requested forty-eight [48] hours prior to the meeting. For assistance, call (210) 207-7245 or 711 (Texas Relay Service for the Deaf).

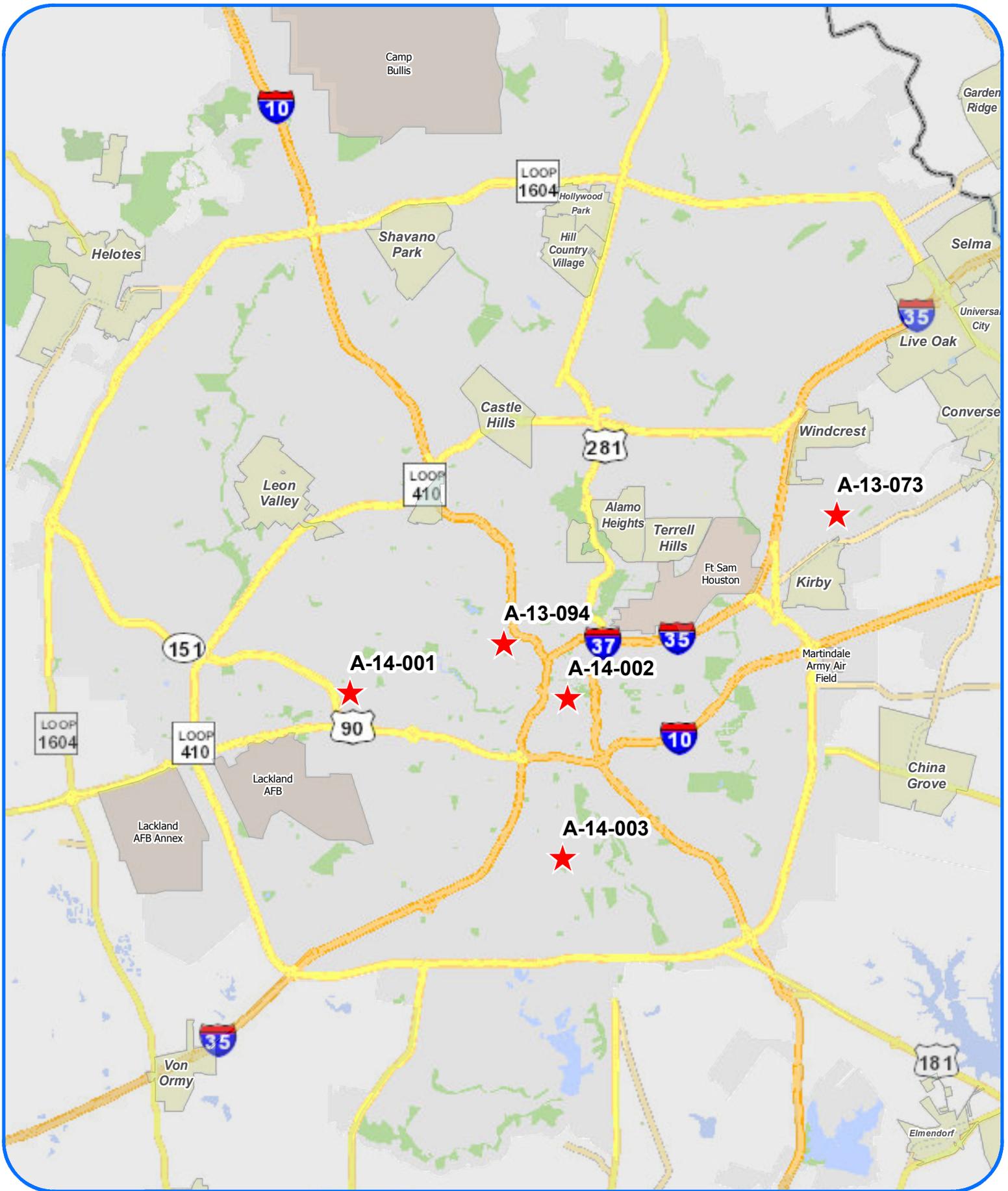
DECLARACIÓN DE ACCESIBILIDAD – Este lugar de la reunión es accesible a personas incapacitadas. Se hará disponible el estacionamiento. Ayudas auxiliares y servicios y interpretes para los sordos se deben pedir con cuarenta y ocho [48] horas de anticipación al la reunión. Para asistencia llamar a (210) 207-7245 o al 711 (servicio de transmitir para sordos).

Board of Adjustment Membership

Michael Gallagher, District 10, Chair Andrew Ozuna, District 8, Vice Chair
Frank Quijano, District 1 • Edward Hardemon, District 2 • Helen Dutmer, District 3 • George Britton, District 4
Brian Smith, District 5 • Jesse Zuniga, District 6 • Mary Rogers, District 7 • John Kuderer, District 9 • Gene Camargo, Mayor

Alternate Members

Harold O. Atkinson • Maria D. Cruz • Paul E. Klein • Henry Rodriguez • Steve G. Walkup



Board of Adjustment

**Subject Property Locations
Cases for 4th November 2013**





City of San Antonio Development Services Department Staff Report

To: Board of Adjustment
Case No.: A-13-073
Date: November 4, 2013 (Continued from September 16, 2013)
Applicant: Pape-Dawson Engineers, Inc.
Owner: H. E. Butt Grocery Company
Location: 5731 Rittiman Road
Legal Description: 42.8 acres out of NCB 16828
Zoning: "I-1 AHOD" General Industrial Airport Hazard Overlay District and "C-3 AHOD" General Commercial Airport Hazard Overlay District
Prepared By: Tony Felts, Planner

Request

A request from Section 35-514(d) of the UDC for up to a 4-foot variance from the 6-foot maximum height limitation to allow a wall up to 10 feet in height.

Procedural Requirements

A variance from the requirements of the zoning ordinance is a decision vested with the Board of Adjustment. State law prescribes specific factors that must be satisfied when deciding to grant a variance. The request was publicly noticed in accordance with Section 35-403 of the Unified Development Code ("UDC"). Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on or before October 17, 2013. The application was published in The Daily Commercial Recorder, an official newspaper of general circulation, on October 18, 2013. Additionally, notice of this meeting was posted at City Hall and on the City's internet website on or before November 1, 2013, in accordance with Section 551.043(a) of the Texas Government Code.

Executive Summary

The subject property is a 42.8 acre track of land located generally on the north side of Rittiman Road between Rosillo Creek and Castle Cross (note that there are several out parcels within this area). The site is currently undeveloped, but is planned to be a truck terminal in support of HEB Grocery's operations in the immediate vicinity. To the north, the site abuts single-family residential properties along Castle Prince Drive, Castle Knoll, and Castle Hunt Drive.

The site is proposed to be a 24-hour operation, with frequent heavy truck traffic. Some parking and driveways are located adjacent to the single family homes on Castle Hunt Drive.

The applicant has already received approval from the Board for a similar wall behind their distribution center and snack plant to the west of the subject property. The wall behind the distribution center received approval from the Board in May, while the wall behind the snack plant received a variance in 1997. The proposed wall is similar to these, and an attempt by the applicant to be a good neighbor to the adjacent residents.

The stone wall is proposed to be up to 10-feet in height, the maximum height allowed for a wall by city code. The wall will have variable height of 8 to 10 feet, and will only be 10 feet in height in areas where topographical issues are a concern.

The applicant has stated that the wall will be properly engineered so as to ensure safety and will be constructed of a decorative “fencecrete” material.

It should also be noted that the applicant would also have to comply Section 35-510 of the UDC, and install a “Type C” Bufferyard between the subject property and the adjacent residential properties. The “Type C” Bufferyard requires a minimum width of 25 feet, specified plantings, and a solid fence or wall of at least 6 feet in height. Maintenance of the bufferyard, wall, as well as any areas beyond the wall would be the responsibility of the property owners.

Lastly, the proposed scope of the project has been modified from the original proposal submitted to the Board in September. At the time, the Board directed the applicant to meet with the neighboring community member and discuss options for the project. After meeting with the community, the applicant modified the proposed height of the fence/wall to 10 feet, and reduced the extent of the wall.

Subject Property Zoning/Land Use

| Existing Zoning | Existing Use |
|--|---|
| “I-1 AHOD” (General Industrial Airport Hazard Overlay District), “C-3 AHOD” (General Commercial Airport Hazard Overlay District) | Vacant (proposed truck staging area and truck scales) |

Surrounding Zoning/Land Use

| Orientation | Existing Zoning District(s) | Existing Use |
|-------------|---|-------------------------|
| North | “R-6 AHOD” (Residential Single-Family Airport Hazard Overlay District) | Single-Family Dwellings |
| South | “I-1 AHOD” (General Industrial Airport Hazard Overlay District), “L AHOD” Light Industrial Airport Hazard Overlay District, and “C-3 AHOD” (General Commercial Airport Hazard Overlay District) | Vacant and Warehousing |
| East | “C-2 AHOD” (Commercial Airport Hazard Overlay District) | Restaurant and Car Wash |

| | | |
|------|--|-------------|
| West | "I-1 AHOD" (General Industrial Airport Hazard Overlay District), | Snack Plant |
|------|--|-------------|

Comprehensive Plan Consistency/Neighborhood Association

The subject property is not located within a community, land use, or sector plan. The subject property is also located within the boundaries of the East Village Neighborhood Association, a registered Neighborhood Association. As such, the neighborhood association was notified and asked to comment.

Criteria for Review

According to Section 35-482(e) of the UDC, in order for a variance to be granted, the applicant must demonstrate all of the following:

1. *The variance is not contrary to the public interest:*

Usually, fence and wall height restrictions are put into place in order to provide orderly development and encourage a sense of community. In this case, a large industrial truck staging area is proposed to be located adjacent to single-family residences and has the potential to create issues of noise and light pollution. In an effort to be a good neighbor, the applicant has proposed the wall as a means of mitigating some of the possible negative impacts of their operation. As such, the variance is not contrary to the public interest.

2. *Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship.*

A literal enforcement of the ordinance would provide inadequate buffering and screening of the proposed industrial use from the single-family residential homes adjacent to it, and as such would result in an unnecessary hardship to the residents of those homes.

3. *By granting the variance, the spirit of the ordinance will be observed and substantial justice will be done.*

The UDC contemplates that higher fences are sometimes required to protect and segregate incompatible land uses; the applicant's proposal is such a case. Because of this, the spirit of the ordinance will be observed and substantial justice done.

4. *Such variance will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the variance is sought is located.*

The requested variance will not authorize the operation of a use on the subject property other than those specifically permitted in the General Industrial or General Commercial base zoning districts.

5. *Such variance will not substantially injure the appropriate use of adjacent conforming property or alter the essential character of the district in which the property is located.*

The requested variance, if approved, will not injure the appropriate use of adjacent conforming properties but rather the variance would likely have the effect of enhancing the quality of life for the residents of the adjacent single-family residences by reducing noise and light pollution.

6. *The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not merely financial, and are not due to or the result of general conditions in the district in which the property is located.*

The unique circumstances existing on the property were not caused by the applicant, but rather they will result from the development of a conforming use on the subject property adversely impacting adjacent single-family properties.

Alternatives to Applicant's Request

The alternative to the applicant's request is to construct a wall of only 6 feet in height uniformly, which may be insufficient to accomplish the applicant's goal of mitigating the negative impacts of their proposed operation.

Staff Recommendation

Staff recommends **approval of A-13-073** because of the following reasons:

- The proposed wall will provide an effective light and noise barrier for the residents of the single-family homes adjacent to a proposed industrial use.

Attachments

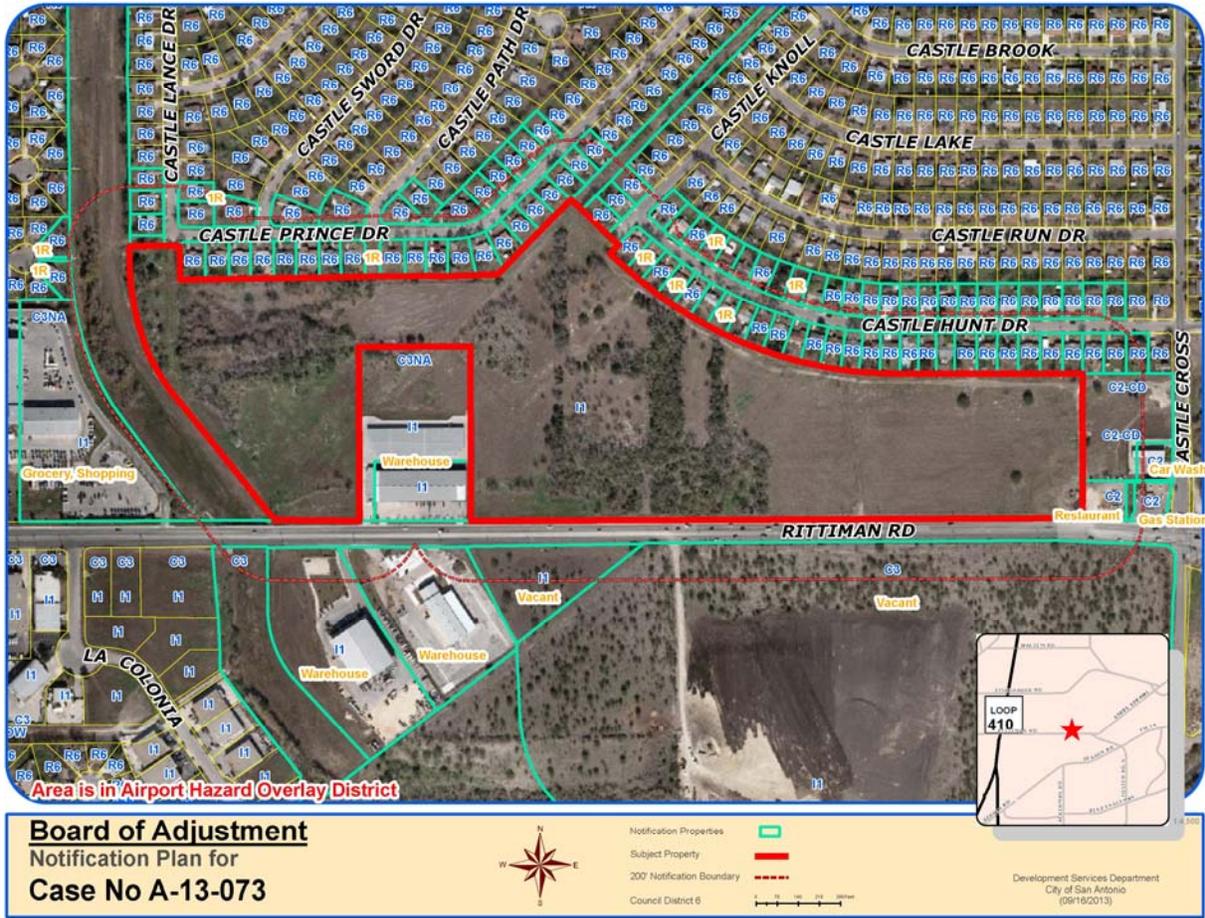
Attachment 1 – Notification Plan (Location Map)

Attachment 2 – Plot Plan

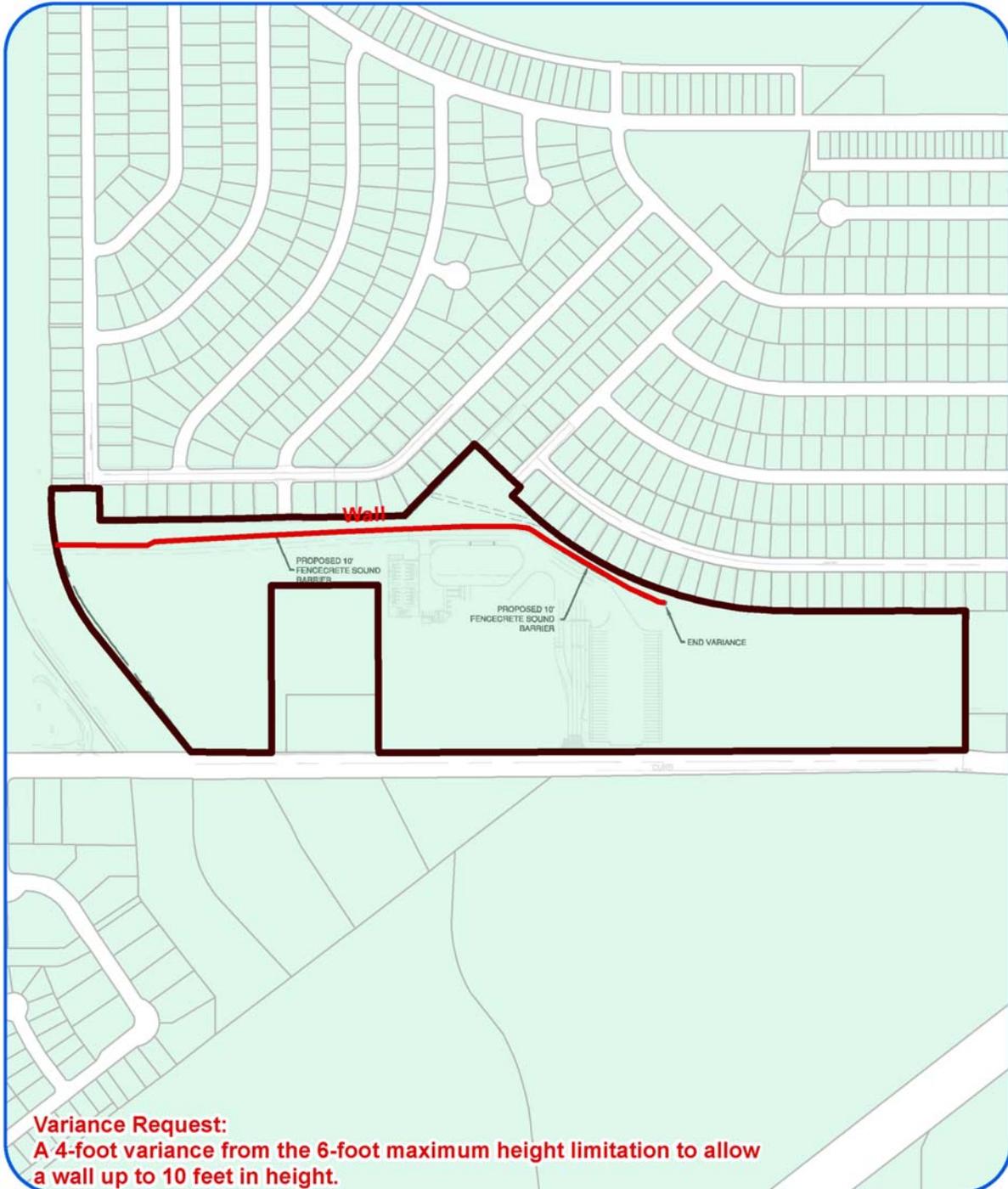
Attachment 3 – Applicant's Site Plan

Attachment 4 – Proposed Fence Material

Attachment 1 (Continued) Notification Plan



**Attachment 2
Plot Plan**



Variance Request:
A 4-foot variance from the 6-foot maximum height limitation to allow a wall up to 10 feet in height.

Board of Adjustment
Plot Plan for
Case No A-13-073



"NOT TO SCALE,
FOR ILLUSTRATIVE PURPOSES ONLY"
Council District 2

5731 Rittiman

1:5,180

Development Services Department
City of San Antonio

Attachment 2 (Continued)
Plot Plan



Board of Adjustment
Plot Plan for
Case No A-13-073



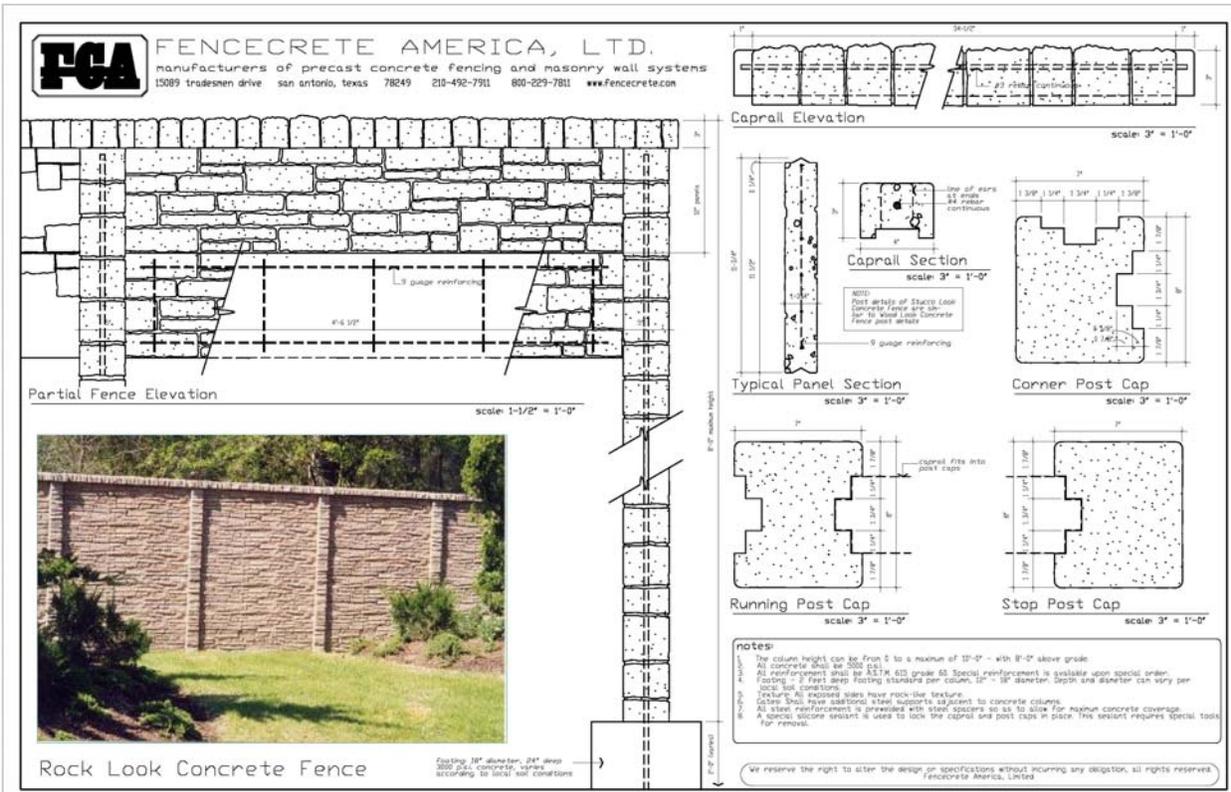
"NOT TO SCALE,
FOR ILLUSTRATIVE PURPOSES ONLY"
Council District 2

5731 Rittiman

Development Services Department
City of San Antonio

1.5.180

Attachment 4 Proposed Fence Material





City of San Antonio Development Services Department Staff Report

To: Board of Adjustment
Case No.: A-13-094
Date: November 4, 2013
Applicant: Jose Moreno
Owner: Martin Moreno
Location: 1111 North Sabinas Street
Legal Description: 0.097 acres out of Lot 22, Block 14 NCB 2147
Zoning: "MF-33 AHOD" Multi-Family Airport Hazard Overlay District
Prepared By: Tony Felts, Planner

Request

A request from Table 310-1 and Section 35-514(d) for 1) a 16-foot, 7-inch variance from the 20-foot required rear yard setback to allow a structure 3 feet, 5 inches from the rear property line; and 2) a 1-foot, 10-inch variance from the maximum 4-foot fence height to allow a predominately open fence 5 feet, 10 inches in the front yard.

Procedural Requirements

A variance from the requirements of the zoning ordinance is a decision vested with the Board of Adjustment. State law prescribes specific factors that must be satisfied when deciding to grant a variance. The request was publicly noticed in accordance with Section 35-403 of the Unified Development Code ("UDC"). Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on or before October 17, 2013. The application was published in The Daily Commercial Recorder, an official newspaper of general circulation, on October 18, 2013. Additionally, notice of this meeting was posted at City Hall and on the City's internet website on or before November 1, 2013, in accordance with Section 551.043(a) of the Texas Government Code.

Executive Summary

The subject property is located on the west side of North Sabinas Street, approximately 90 feet north of Delgado Street.

The site is currently developed as a single-family residence. The applicant has constructed an addition to the rear of the residence that is within 3 feet, 5 inches of the rear property line without permits. Additionally, a predominately open chain link fence 5 feet, 10 inches in height was

installed in the front yard, 5 feet, 10 inches in height without a permit. The applicant was cited by code compliance for the addition.

The structure was constructed, according to BCAD records, in 1949. The structure was originally on the same lot as the structure to the south, which is addressed off of Delgado Street. As such, the rear yard for the subject property was considered to be the side yard, requiring only a 5 foot setback. Before the construction of the addition, the structure had a 16.4 foot setback.

When the property was deeded off in 2012, the front yard became the side of the property facing North Sabinas Street, and the side that had been a side yard became the rear yard. While the UDC requires a rear yard of 20 feet, the structure would have been considered non-conforming because of the age and the fact that it was originally part of a larger lot. When the addition was constructed, the non-conformity was increased substantially, thus requiring a variance.

The addition must meet all applicable building codes. The Plans Review section has indicated that fireproofing consistent with the adopted International Residential Code will be required, and that a code modification request would likely not be approved. In addition to the improper construction and fence, it should be noted that the subject property was improperly deeded off in 2012, and will need to be replatted through the Land Entitlements Section of Development Services in order for a permit to be obtained.

Subject Property Zoning/Land Use

| Existing Zoning | Existing Use |
|---|-------------------------|
| “MF-33 AHOD” (Multi-Family Airport Hazard Overlay District) | Single-family residence |

Surrounding Zoning/Land Use

| Orientation | Existing Zoning District(s) | Existing Use |
|-------------|---|-------------------------|
| North | “MF-33 AHOD” (Multi-Family Airport Hazard Overlay District) | Single-Family Residence |
| South | “MF-33 AHOD” (Multi-Family Airport Hazard Overlay District) | Single-Family Residence |
| East | “MF-33 AHOD” (Multi-Family Airport Hazard Overlay District) | Single-Family Residence |
| West | “MF-33 AHOD” (Multi-Family Airport Hazard Overlay District) | Single Family Residence |

Comprehensive Plan Consistency/Neighborhood Association

The subject property is not located within a future land use plan area. The subject property is located within the boundaries of the Gardendale Neighborhood Association, a registered neighborhood association; as such, they were notified and asked to comment.

Criteria for Review

According to Section 35-482(e) of the UDC, in order for a variance to be granted, the applicant must demonstrate all of the following:

1. *The variance is not contrary to the public interest:*

Building setbacks are designed to preserve adequate access, access to light and air, and preserve public safety by ensuring proper separation of buildings. The structure abuts the neighboring property's required rear and side yard areas. By allowing the addition to remain, it may adversely affect the neighboring property by not allowing for adequate access and improper building separations.

Additionally, the applicant did not provide any information regarding the fence, and chain link front yard fence of the requested height are not common in the area. As such, the requested variances are contrary to the public interest.

2. *Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship.*

Though the subject property is only 4,221 square feet in area and 62.19 feet deep, it does meet the minimum zoning standards for a lot developed with a single-family residence in the "MF-33" district. There are no special conditions that exist on the lot that would result in an unnecessary hardship.

3. *By granting the variance, the spirit of the ordinance will be observed and substantial justice will be done.*

The spirit of the ordinance will not be observed by granting the variance as the addition, as constructed, does not provide for adequate building separation from the neighboring property.

4. *Such variance will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the variance is sought is located.*

The requested variance will not authorize the operation of a use on the subject property other than those specifically permitted in the "MF-33" Multi-Family base zoning districts.

5. *Such variance will not substantially injure the appropriate use of adjacent conforming property or alter the essential character of the district in which the property is located.*

The requested variance, if approved, may injure the appropriate use of the adjacent property to the west if that property owner were to construct an addition as there would not be adequate separation of the structures.

6. *The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not merely financial, and are not due to or the result of general conditions in the district in which the property is located.*

There are no unique circumstances readily apparent to warrant the granting of the requested variances.

Alternatives to Applicant's Request

The alternative to the applicant's request is to not construct the requested addition.

Staff Recommendation

Staff recommends **denial of A-13-094** because of the following reasons:

- The addition does not provide adequate building separation and does not meet the spirit of the ordinance.
- Front yard chain link fences of the height proposed are not common in the area.

Attachments

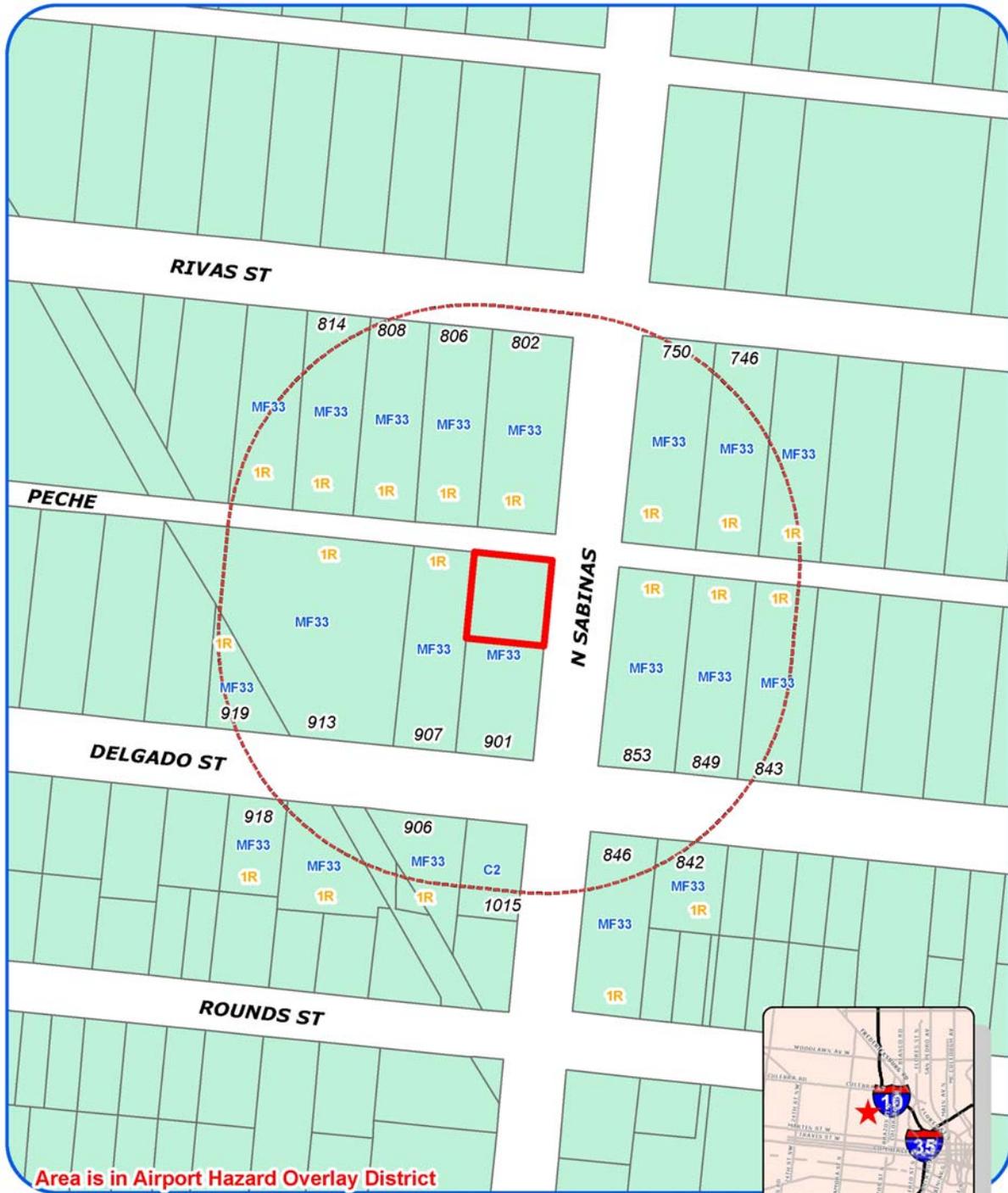
Attachment 1 – Notification Plan (Location Map)

Attachment 2 – Plot Plan

Attachment 3 – Applicant's Site Plan

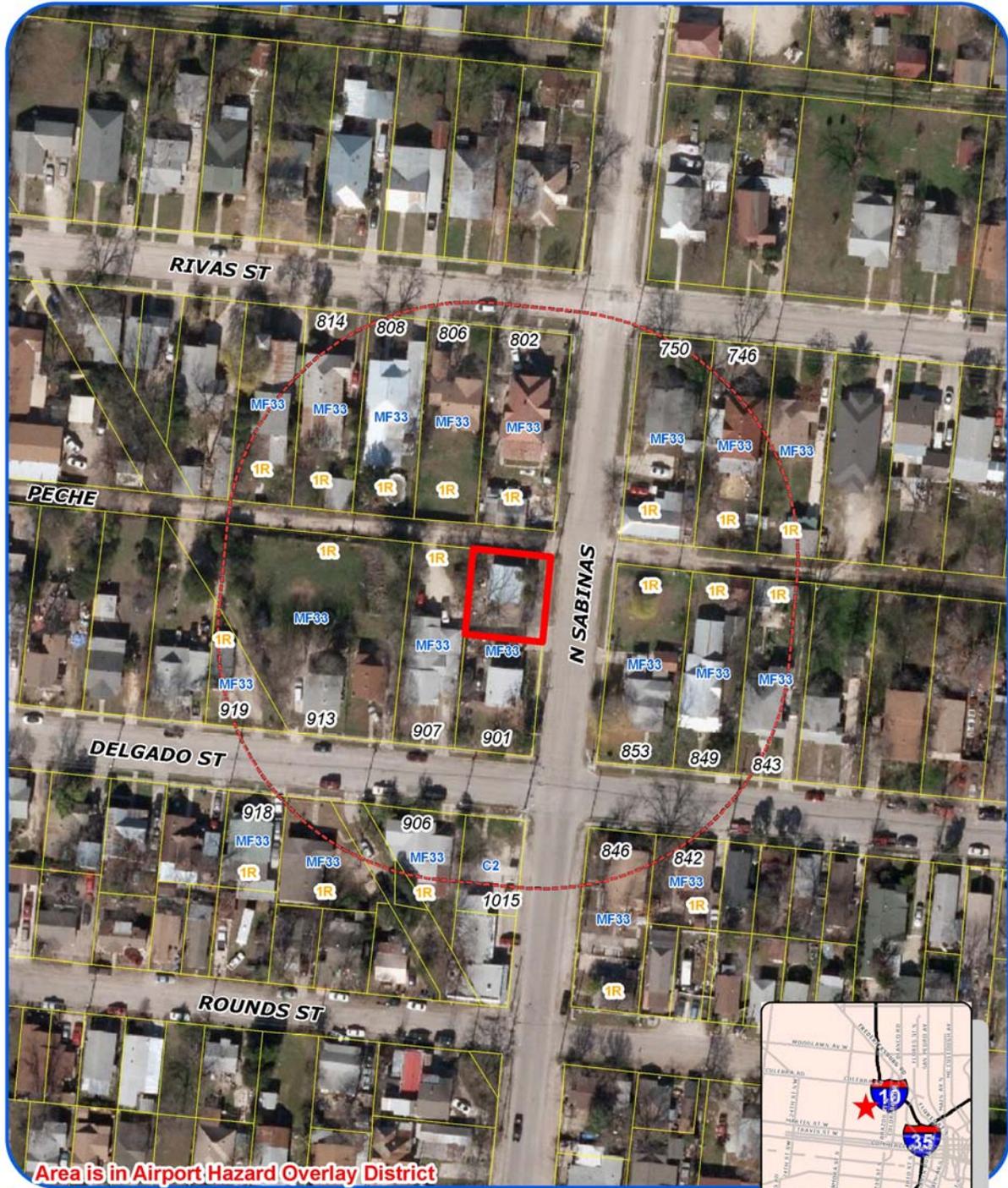
Attachment 4 – Site Photos

Attachment 1 Notification Plan



| | | | |
|---|--|--|--|
| <p>Board of Adjustment Notification Plan for Case No A-13-094</p> | | <p>San Antonio City Limits </p> <p>Subject Property </p> <p>200' Notification Boundary </p> <p>Council District 1 </p> | <p>Development Services Department City of San Antonio</p> |
|---|--|--|--|

**Attachment 1 (Continued)
Notification Plan**



**Board of Adjustment
Notification Plan for
Case No A-13-094**



- San Antonio City Limits 
- Subject Property 
- 200' Notification Boundary 
- Council District 1 

Development Services Department
City of San Antonio

**Attachment 2
Plot Plan**



Variance Request:

- 1) A 16-foot, 7-inch variance from the 20-foot required rear yard setback to allow a structure 3 feet, 5 inches from the rear property line; and
- 2) A 1-foot, 10-inch variance from the maximum 4-foot fence height to allow a predominately open fence 5 feet, 10 inches in the front yard

Board of Adjustment
Plot Plan for
Case No A-13-094



"NOT TO SCALE,
FOR ILLUSTRATIVE PURPOSES ONLY"
Council District 1

1111 N Sabinas ^{1:150}

Development Services Department
City of San Antonio

Attachment 2 (Continued)
Plot Plan



Variance Request:
1) A 16-foot, 7-inch variance from the 20-foot required rear yard setback to allow a structure 3 feet, 5 inches from the rear property line; and
2) A 1-foot, 10-inch variance from the maximum 4-foot fence height to allow a predominately open fence 5 feet, 10 inches in the front yard

Board of Adjustment
Plot Plan for
Case No A-13-094

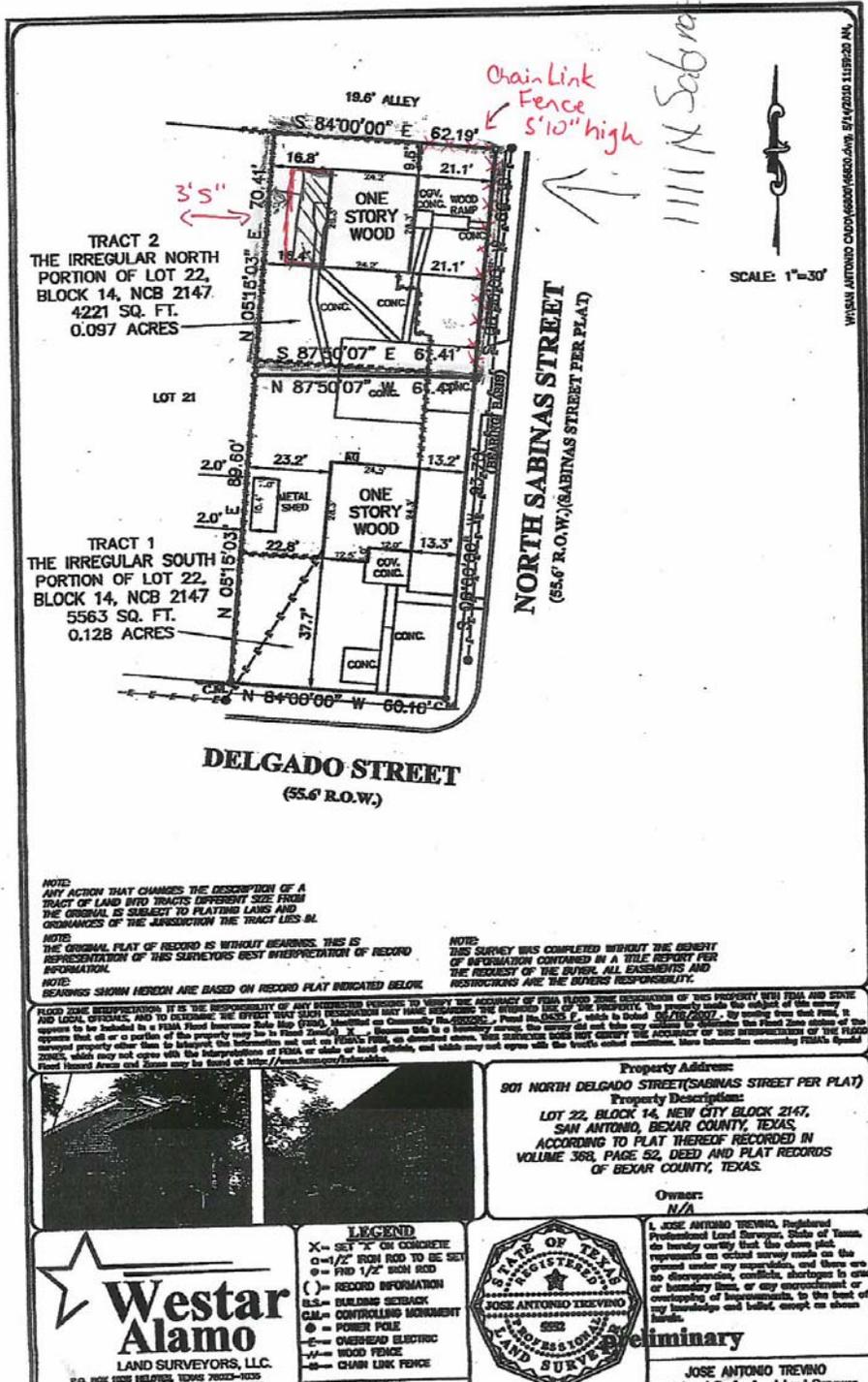


"NOT TO SCALE,
FOR ILLUSTRATIVE PURPOSES ONLY"
Council District 1

1111 N Sabinas

Development Services Department
City of San Antonio

**Attachment 3
Applicant's Site Plan**



**Attachment 4
Site Photos**





City of San Antonio Development Services Department Staff Report

To: Board of Adjustment
Case No.: A-14-001
Date: November 4, 2013
Applicant: Domilita Mireles
Owner: Felicita Avila
Location: 718 SW 41st Street
Legal Description: Lot 18, Block 14 NCB 8988
Zoning: "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District
Prepared By: Tony Felts, Planner

Request

A request from Table 310-1 for a 3-foot, 6-inch variance from the 5-foot south side yard setback to allow a carport 1 foot, 6 inches from the south side property line.

Procedural Requirements

A variance from the requirements of the zoning ordinance is a decision vested with the Board of Adjustment. State law prescribes specific factors that must be satisfied when deciding to grant a variance. The request was publicly noticed in accordance with Section 35-403 of the Unified Development Code ("UDC"). Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on or before October 17, 2013. The application was published in The Daily Commercial Recorder, an official newspaper of general circulation, on October 18, 2013. Additionally, notice of this meeting was posted at City Hall and on the City's internet website on or before November 1, 2013, in accordance with Section 551.043(a) of the Texas Government Code.

Executive Summary

The subject property is located on the east side of SW 41st Street, approximately 120 feet north of Irma Avenue.

The site is currently developed as a single-family residence. The applicant has constructed an attached carport to the south side of the home 1 foot, 6-inches from the property line. The carport was constructed without permits and the applicant was cited by Code Compliance for the violation.

If the variance were to be approved, the Plan Review section has indicated that the applicant would be required to apply for a code modification from the Plans Review Section because of

fire separation distances, but that likely a code modification would be approved and no changes to the structure would need to be made.

Subject Property Zoning/Land Use

| Existing Zoning | Existing Use |
|--|-------------------------|
| "R-4 AHOD" (Residential Single-Family Airport Hazard Overlay District) | Single-family residence |

Surrounding Zoning/Land Use

| Orientation | Existing Zoning District(s) | Existing Use |
|-------------|--|-------------------------|
| North | "R-4 AHOD" (Residential Single-Family Airport Hazard Overlay District) | Single-Family Residence |
| South | "R-5 AHOD" (Residential Single-Family Airport Hazard Overlay District) | Single-Family Residence |
| East | "R-4 AHOD" (Residential Single-Family Airport Hazard Overlay District) | Single-Family Residence |
| West | "R-4 AHOD" (Residential Single-Family Airport Hazard Overlay District) | Single Family Residence |

Comprehensive Plan Consistency/Neighborhood Association

The subject property is not located within West/Southwest Sector Plan (designated as General Urban Tier). The subject property is also located within the boundaries of the Community Workers Council Neighborhood Association, a registered neighborhood association; as such, they were notified and asked to comment.

Criteria for Review

According to Section 35-482(e) of the UDC, in order for a variance to be granted, the applicant must demonstrate all of the following:

1. *The variance is not contrary to the public interest:*

Building setbacks are designed to preserve adequate access, access to light and air, and preserve public safety by ensuring proper separation of buildings. The structure abuts the neighboring property's required rear yard area. By allowing the addition to remain, it may adversely affect the neighboring property by not allowing for adequate access.

The need for access for maintenance is evident in the site photos as it can clearly be seen that the portion of the structure constructed against the property line has not been painted, while the remainder of the structure has.

2. *Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship.*

The subject property is sufficiently deep to allow the construction of a compliant carport or garage in the rear of the main structure. Likewise, there is sufficient room for the applicant to access the rear of the property with an automobile, and therefore, any garage. As such, no special conditions exist on the property to warrant to granting of a variance.

3. *By granting the variance, the spirit of the ordinance will be observed and substantial justice will be done.*

The spirit of the ordinance will not be observed by granting the variance as the carport, as constructed, does not provide for adequate room to access the structure for maintenance and there are adequate alternatives to the structure's current placement.

4. *Such variance will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the variance is sought is located.*

The requested variance will not authorize the operation of a use on the subject property other than those specifically permitted in the "R-4" Residential Single-Family base zoning district.

5. *Such variance will not substantially injure the appropriate use of adjacent conforming property or alter the essential character of the district in which the property is located.*

The requested variance, if approved, may injure the appropriate use of the adjacent property to the south because there is not adequate space to maintain the structure.

6. *The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not merely financial, and are not due to or the result of general conditions in the district in which the property is located.*

There are no unique circumstances readily apparent to warrant the granting of the requested variances.

Alternatives to Applicant's Request

The alternative to the applicant's request is to construct the carport in the rear of the main structure.

Staff Recommendation

Staff recommends **denial of A-14-001** because of the following reasons:

- The addition does not allow enough room to be maintained and does not meet the spirit of the ordinance.

Attachments

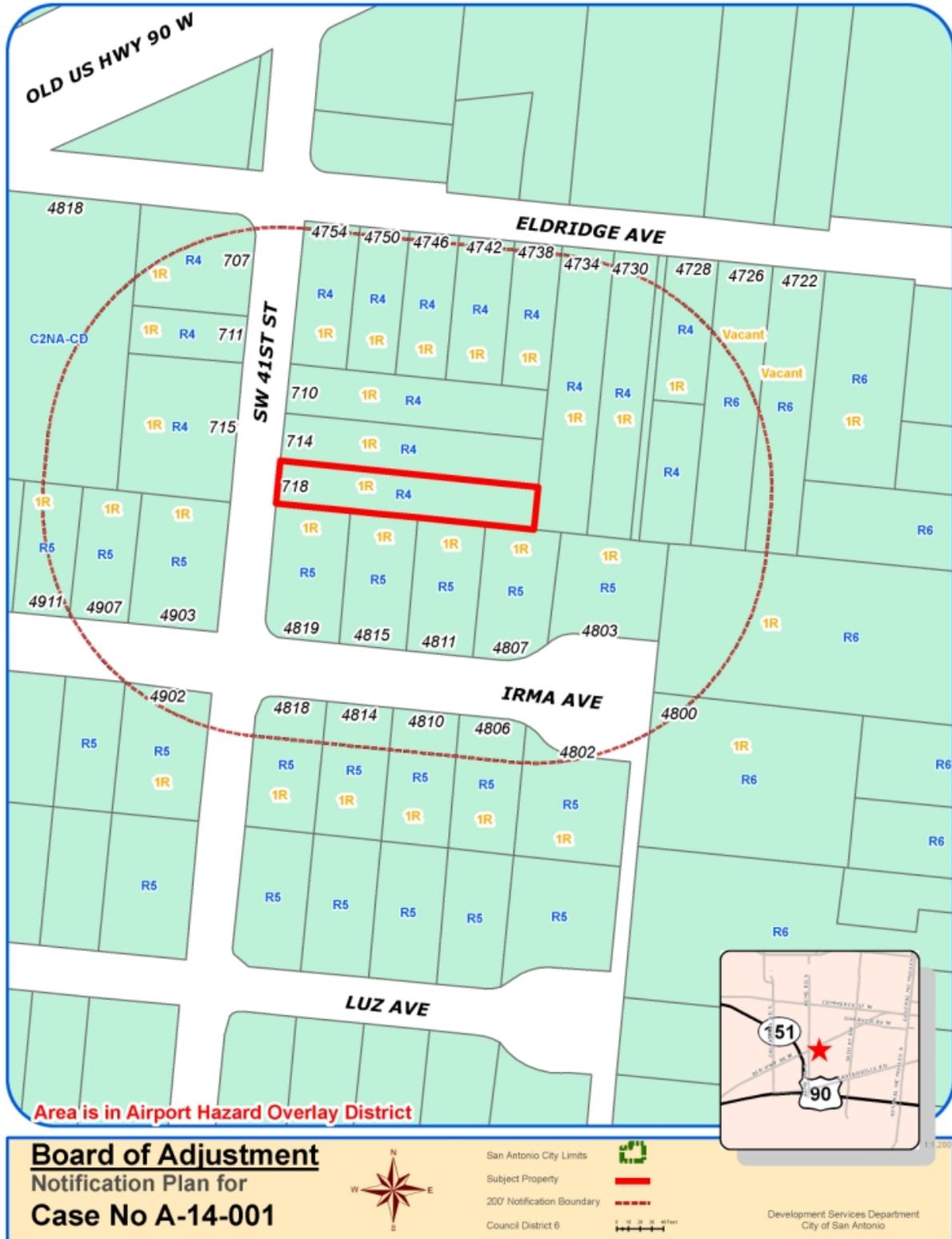
Attachment 1 – Notification Plan (Location Map)

Attachment 2 – Plot Plan

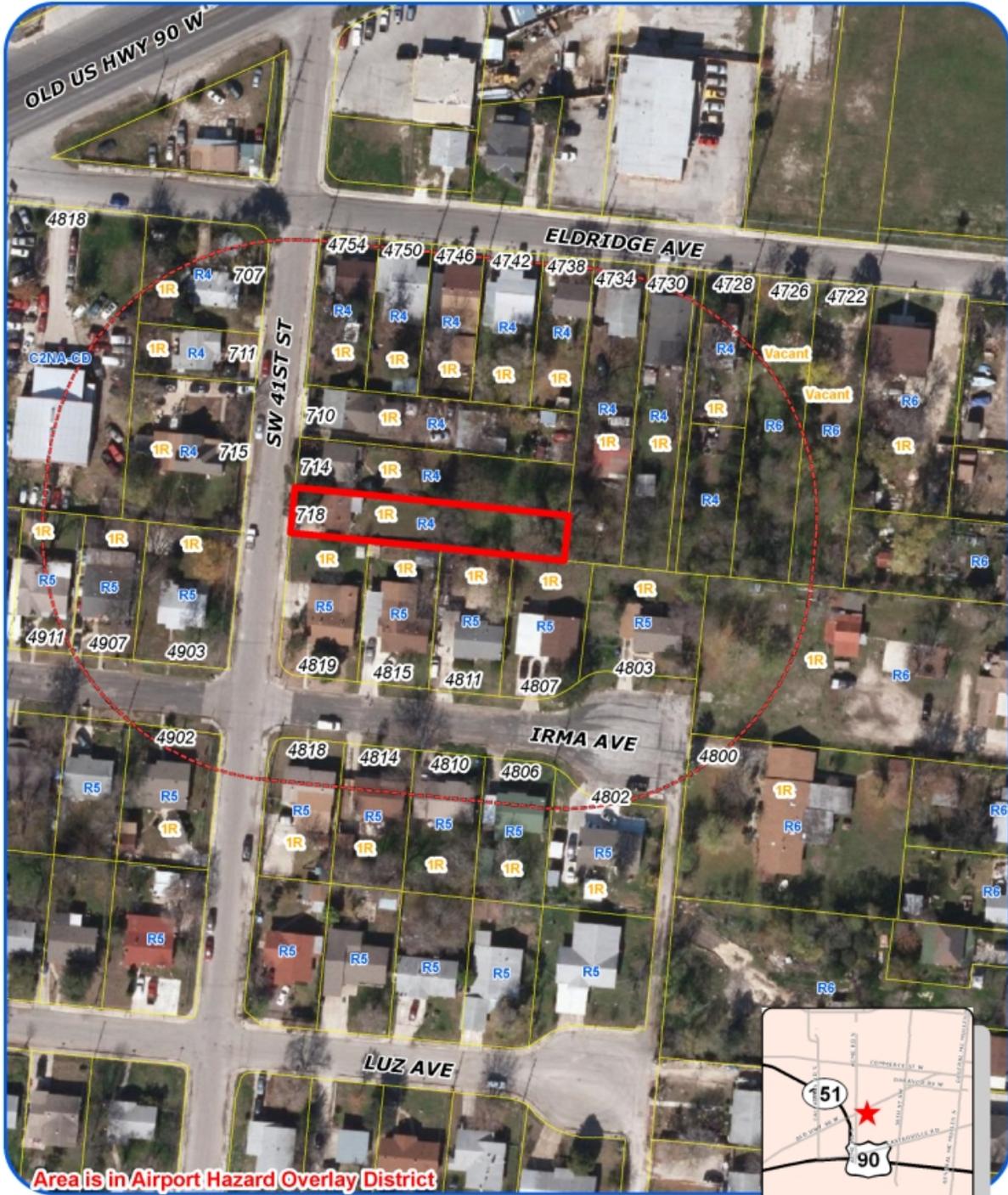
Attachment 3 – Applicant's Site Plan

Attachment 4 – Site Photos

Attachment 1 Notification Plan



**Attachment 1 (Continued)
Notification Plan**



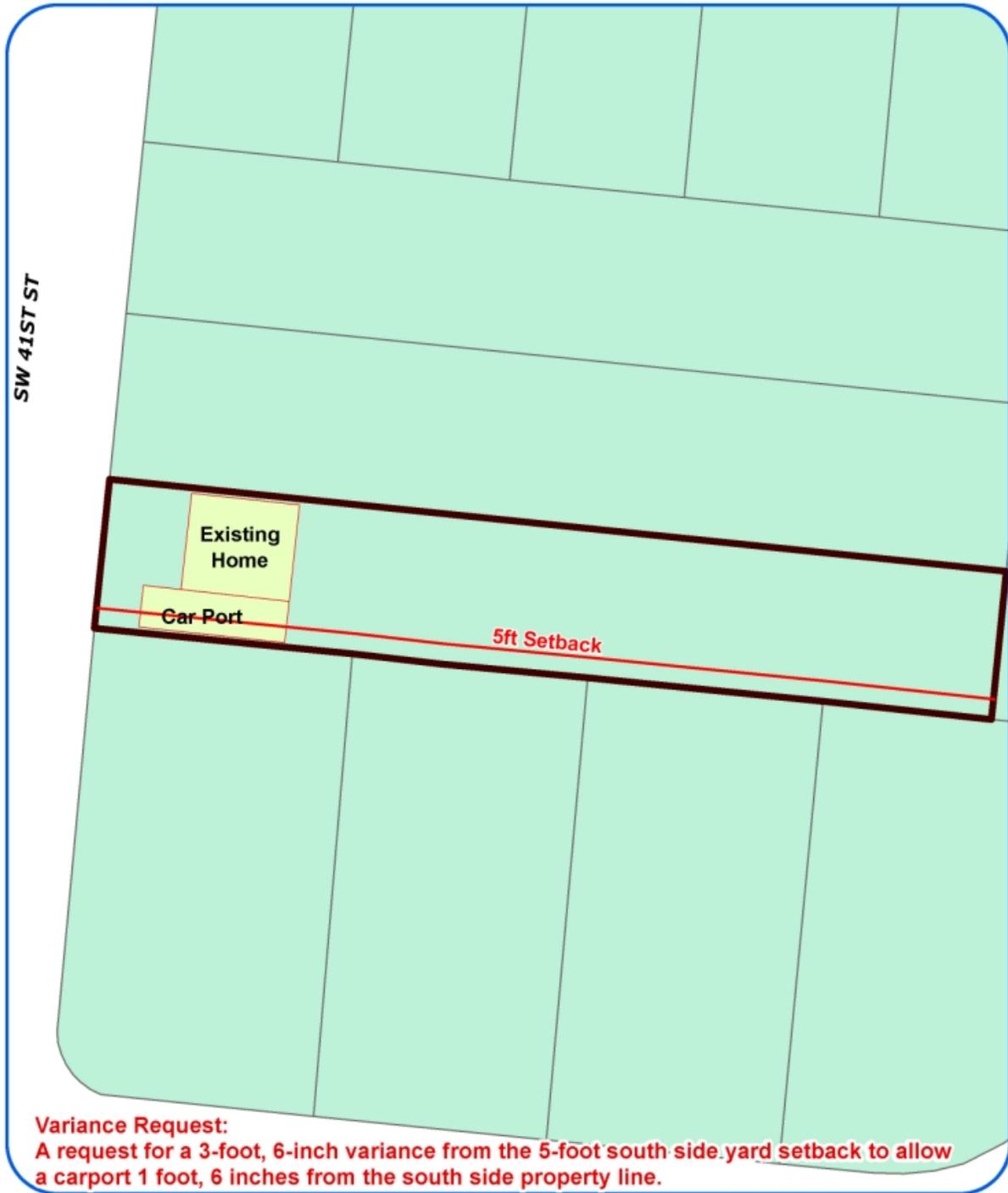
Board of Adjustment
Notification Plan for
Case No A-14-001



- San Antonio City Limits 
- Subject Property 
- 200' Notification Boundary 
- Council District 6 

Development Services Department
City of San Antonio

**Attachment 2
Plot Plan**



Board of Adjustment
Plot Plan for
Case No A-14-001



"NOT TO SCALE,
FOR ILLUSTRATIVE PURPOSES ONLY"
Council District 6

718 SW 41st St. ¹³⁸⁵

Development Services Department
City of San Antonio

Attachment 2 (Continued)
Plot Plan



Board of Adjustment
Plot Plan for
Case No A-14-001

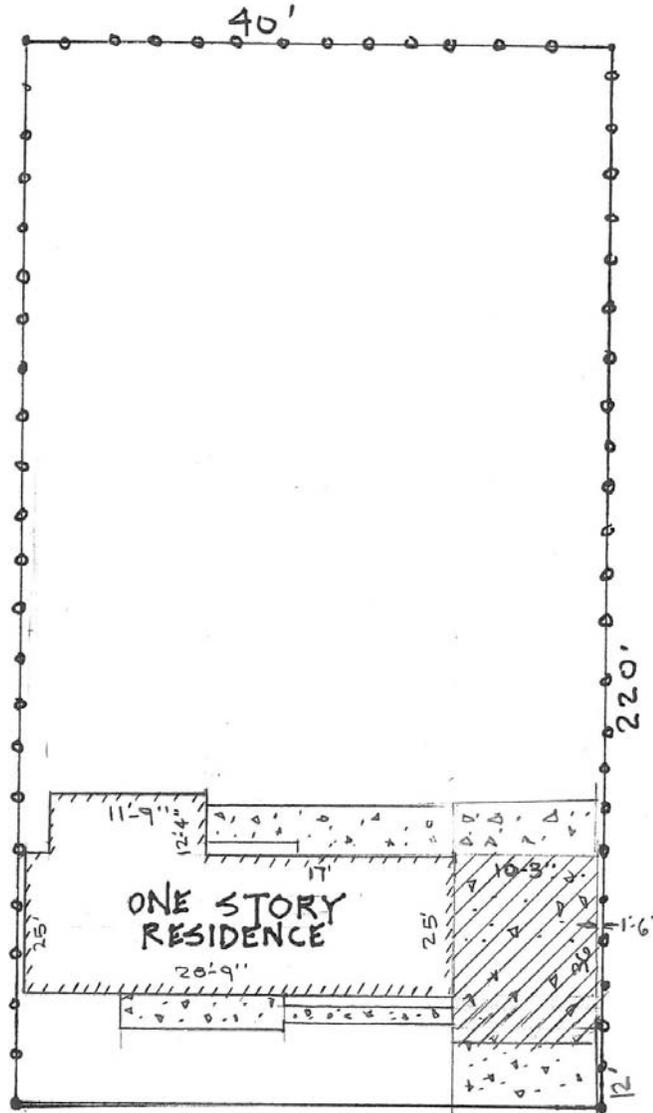


"NOT TO SCALE,
FOR ILLUSTRATIVE PURPOSES ONLY"
Council District 6

718 SW 41st St. ¹³⁸⁵

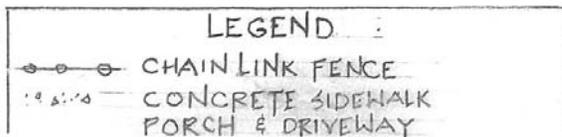
Development Services Department
City of San Antonio

Attachment 3
Applicant's Site Plan



718

S.W. 41ST ST.



**Attachment 4
Site Photos**





**City of San Antonio
Development Services Department
Staff Report**

To: Board of Adjustment
Case No.: A-14-003
Date: November 4, 2013
Applicant: Melinda Carrion
Owner: Alfonso & Melinda Carrion
Location: 165 W. Dickson Street
Legal Description: Lot 13, NCB 8057
Zoning: "R-6 AHOD" Residential Single-Family Airport Hazard Overlay Districts
Prepared By: Margaret Pahl, AICP Senior Planner

Request

A request for a 3-foot variance from the 3-foot maximum screen fence height, as detailed in Section 35-514 (d), to allow a 6-foot privacy fence 6 feet in length in the front yard.

Procedural Requirements

A variance from the requirements of the zoning ordinance is a decision vested with the Board of Adjustment. State law prescribes specific factors that must be satisfied when deciding to grant a variance. The request was publicly noticed in accordance with Section 35-403 of the Unified Development Code ("UDC"). Notices were sent to property owners within two hundred (200) feet of the subject property on October 18, 2013. The application details were published in The Daily Commercial Recorder, an official newspaper of general circulation, on October 18, 2013. Additionally, notice of this meeting was posted at City Hall and on the City's internet website on or before November 1, 2013, in accordance with Section 551.043(a) of the Texas Government Code.

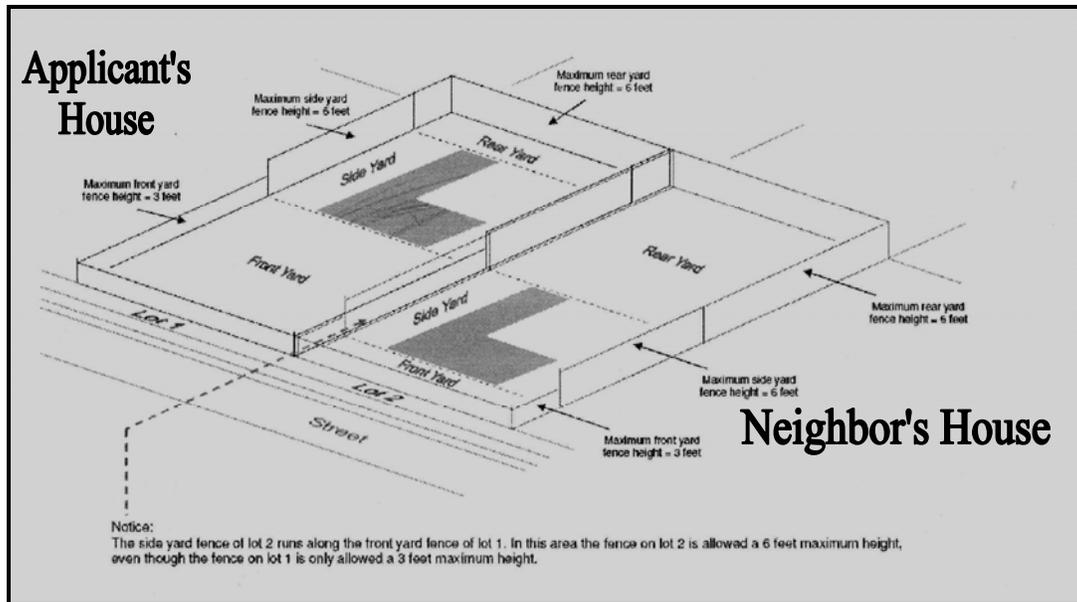
Executive Summary

The subject property is located in the Southbrook Subdivision, recorded in March of 1949 in the South Central part of San Antonio, just west of S. Flores Street. According to the Bexar County Appraisal District, the homes in the area were constructed between 1949 and 1951 and range in size from 1,000 square feet to 1,800 square feet. The applicant has owned the home for 15 years.

According to the applicant, a burglar was trapped and arrested by Police in her back yard last year and her elderly neighbor has been very frightened since then. The applicant installed the fence along her section of the side property line to block her neighbor's bedroom window. Her teenage son shoots basketball in her driveway and she was trying to provide some protection for the neighbor. On a previous occasion, the ball went into the neighbor's yard and the neighbor

refused to return it. Instead, she threw it into her trash can. According to the site plan submitted with the application, the front edge of the fencing is approximately 27 feet behind the sidewalk.

Section UDC 35-514 includes a diagram that illustrates fencing allowed when two abutting houses have differing front yard setbacks. In this diagram, it shows that the house closer to the street can have the 6-foot privacy fencing up to and even with their front façade, regardless of where the neighboring front façade is located. In this case, the applicant’s front façade is setback an additional 3 feet from the neighbor’s front façade. If the neighbor had installed the fence, it would be a 3-foot variance rather than a 6-foot variance, since her house is 3 feet closer to the street than the applicant. Essentially, this placement changes the definition of the fencing from front yard fencing, limited to 3 feet in height, to side yard fencing allowed at 6 feet.



Subject Property Zoning/Land Use

| Existing Zoning | Existing Use |
|---|------------------------|
| “R-6 AHOD” Residential Single-Family Airport Hazard Overlay Districts | Single-family dwelling |

Surrounding Zoning/Land Use

| Orientation | Existing Zoning District(s) | Existing Use |
|-------------|---|------------------------|
| North | “R-6 AHOD” Residential Single-Family Airport Hazard Overlay Districts | Single-family dwelling |
| South | “R-6 AHOD” Residential Single-Family Airport Hazard Overlay Districts | Single-family dwelling |
| East | “R-6 AHOD” Residential Single-Family Airport Hazard Overlay Districts | Single-family dwelling |
| West | “R-6 AHOD” Residential Single-Family Airport Hazard Overlay Districts | Single-family dwelling |

Comprehensive Plan Consistency/Neighborhood Association

The subject property is located within the South Central Neighborhood Plan, adopted by the City Council in October of 2005. The future land use plan designated this area for low-density residential land use. The subject property is not located within the boundary of a registered neighborhood association.

Criteria for Review

According to Section 35-482(e) of the UDC, in order for a variance to be granted, the applicant must demonstrate all of the following:

1. *The variance is not contrary to the public interest.*

The public interest is defined as the general health, safety and welfare of the public at large. The applicant is requesting additional fence height for this 6-foot section to reduce conflict between neighbors. The added privacy will benefit both sides of the fence and therefore it may be in the public interest.

2. *Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship.*

The special condition seems to be the disagreements between the neighboring property owners. The applicant states that her family has tried to be neighborly and get along over the last fifteen years. Additionally, because the two houses have different front yard setbacks, the portion of fence built by the applicant needing a variance is longer (6 feet) than it would have been if the neighbor initiated the request. The Board will have to determine if the literal enforcement of the ordinance results in an unnecessary hardship.

3. *By granting the variance, the spirit of the ordinance will be observed and substantial justice will be done.*

The ordinance has a provision for side yard fencing when there is a disparity between front setbacks, but it is a right given to the owner of the home closest to the street, rather than the one whose front yard is deeper. The Board must determine the “spirit” of the ordinance is observed as contrasted with the “strict letter” of the law for this unique case.

4. *Such variance will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the variance is sought is located.*

The requested variance will not authorize the operation of a use on the subject property other than those specifically permitted in the “R-6 AHOD” zoning district.

5. *Such variance will not substantially injure the appropriate use of adjacent conforming property or alter the essential character of the district in which the property is located.*

Many property owners struggle with privacy concerns along their side property boundary between homes; this is usually the smallest minimum setback. The UDC allows 6-foot fencing in the side yard to resolve these concerns. However, when one home is 3 feet closer to the street than the other, the difference in placement creates the situation faced by the applicant. In any case, the fencing protrudes 3-feet even from the front façade of the neighbor, who is in

opposition to the fencing. The neighbor has submitted a letter of concern stating that it blocks the CPS meter.

- 6. The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not merely financial, and are not due to or the result of general conditions in the district in which the property is located.*

The only unique circumstance related to the property is the slight variation in the front setbacks between these two lots. The applicant's home is setback 3-feet further from the sidewalk than the neighbors. This unique circumstance provides the neighbor with additional privacy fencing, but not the applicant.

Alternatives to Applicant's Request

The alternative to the applicant's request is to remove the 6-foot linear section of fencing that protrudes into the strictly defined front yard.

Staff Recommendation

Staff recommends **approval of at least a 3-foot variance as detailed in Case A-14-003** based on the following findings:

1. The additional 3-feet of fencing would be permitted if it were installed by the neighbor.

Attachments

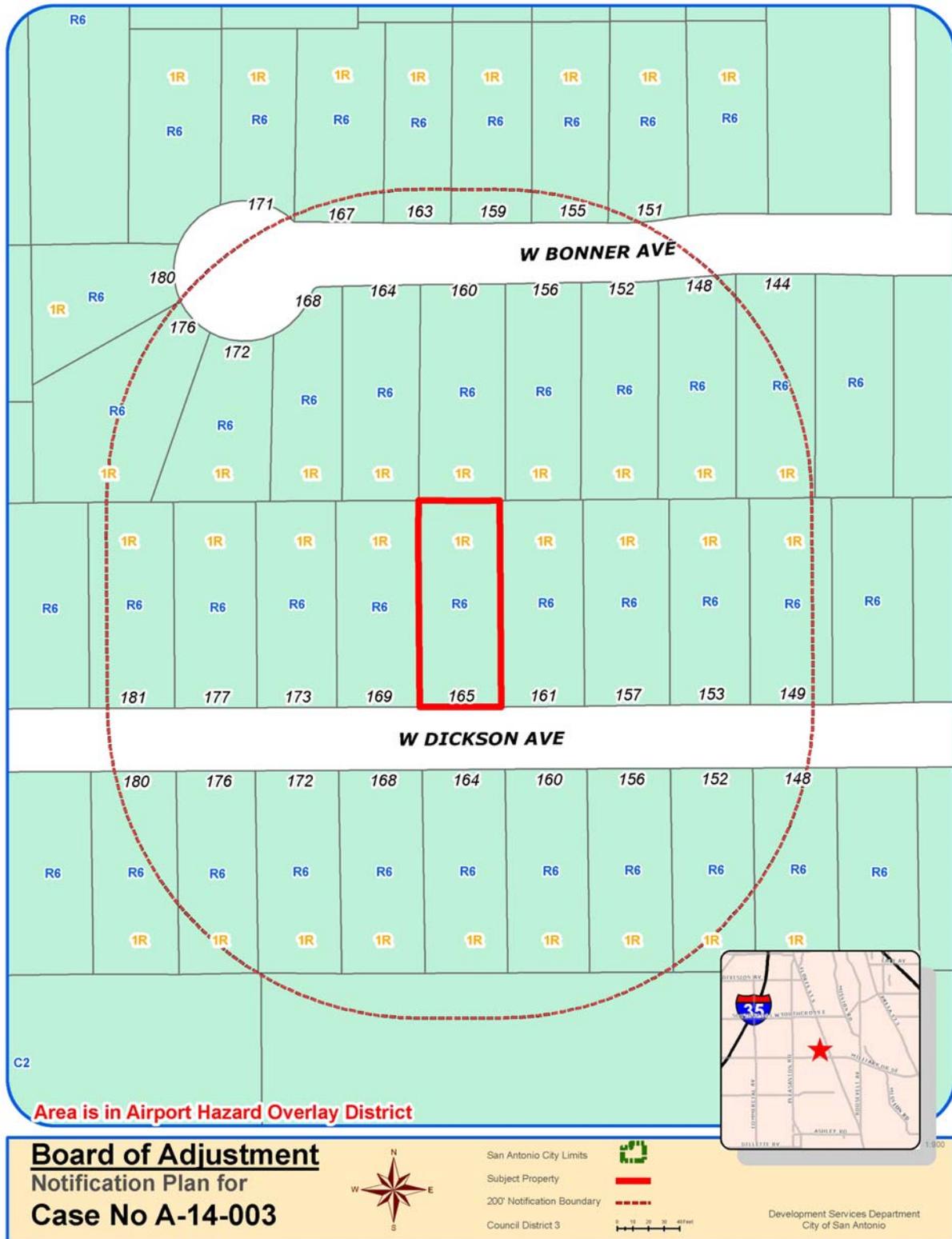
Attachment 1 – Notification Plan (Location Map)

Attachment 2 – Plot Plan

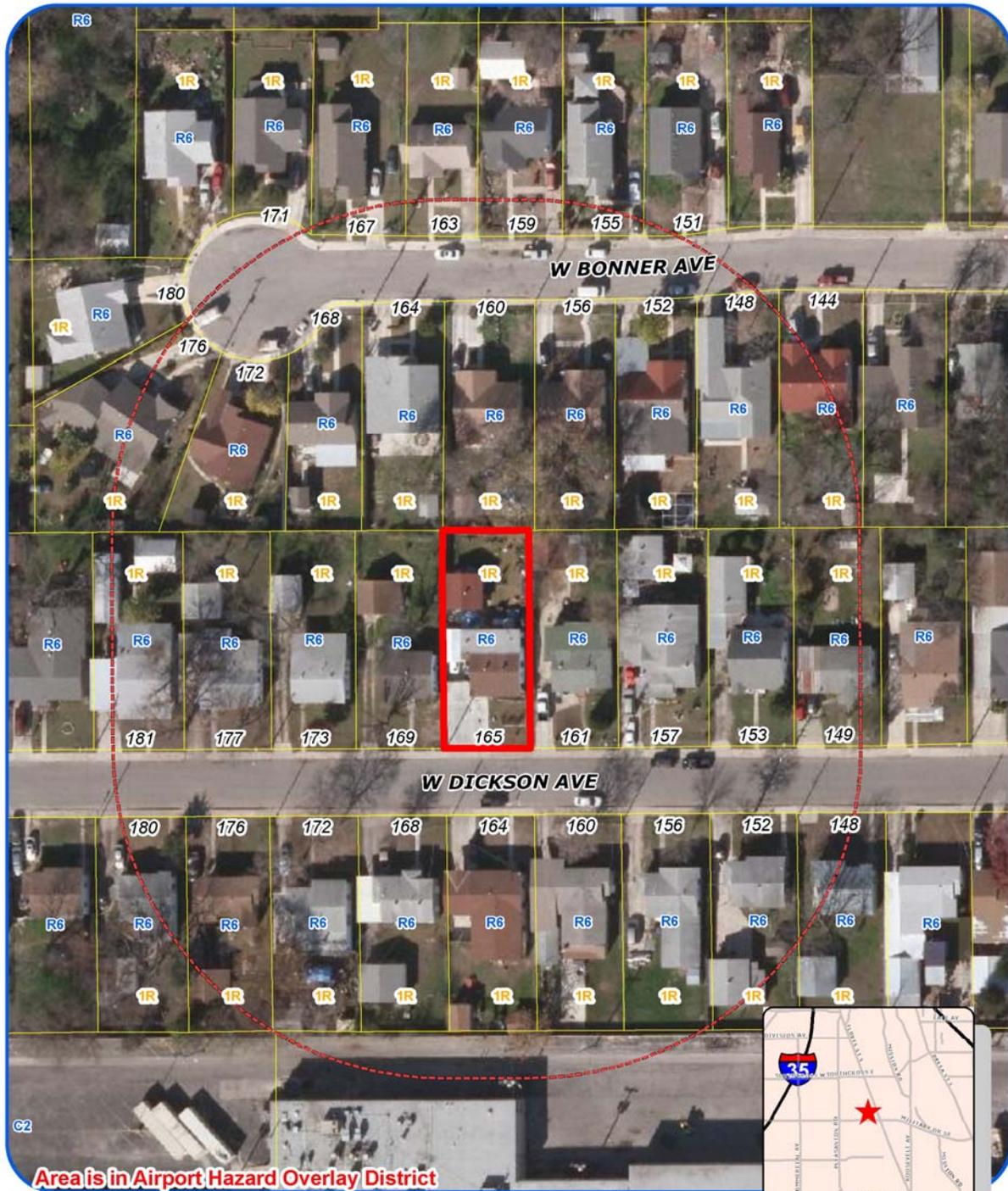
Attachment 3 – Applicant's Site Plan

Attachment 4 – Site Photos

Attachment 1 Notification Plan



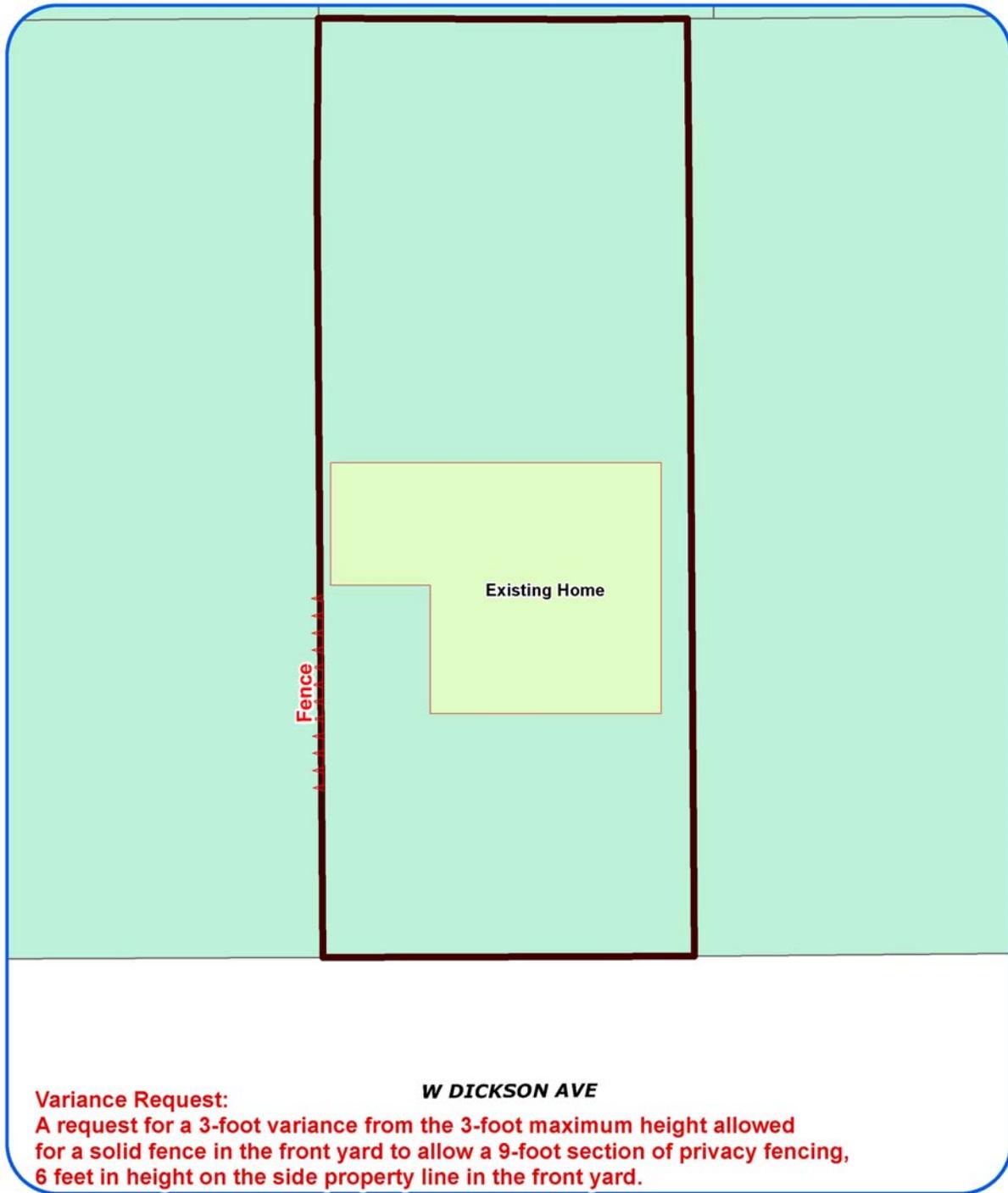
Attachment 1 Notification Plan (continued)



Area is in Airport Hazard Overlay District

| | | | |
|---|--|--|--|
| <p>Board of Adjustment Notification Plan for Case No A-14-003</p> | | <p>San Antonio City Limits </p> <p>Subject Property </p> <p>200' Notification Boundary </p> <p>Council District 3 </p> | <p></p> <p style="font-size: small;">Development Services Department City of San Antonio</p> |
|---|--|--|--|

**Attachment 2
Plot Plan**



Board of Adjustment
Plot Plan for
Case No A-14-003



"NOT TO SCALE,
FOR ILLUSTRATIVE PURPOSES ONLY"
Council District 3

165 W Dickson

Development Services Department
City of San Antonio

**Attachment 2
Plot Plan (continued)**



Variance Request:
A request for a 3-foot variance from the 3-foot maximum height allowed for a solid fence in the front yard to allow a 9-foot section of privacy fencing, 6 feet in height on the side property line in the front yard.

Board of Adjustment
Plot Plan for
Case No A-14-003



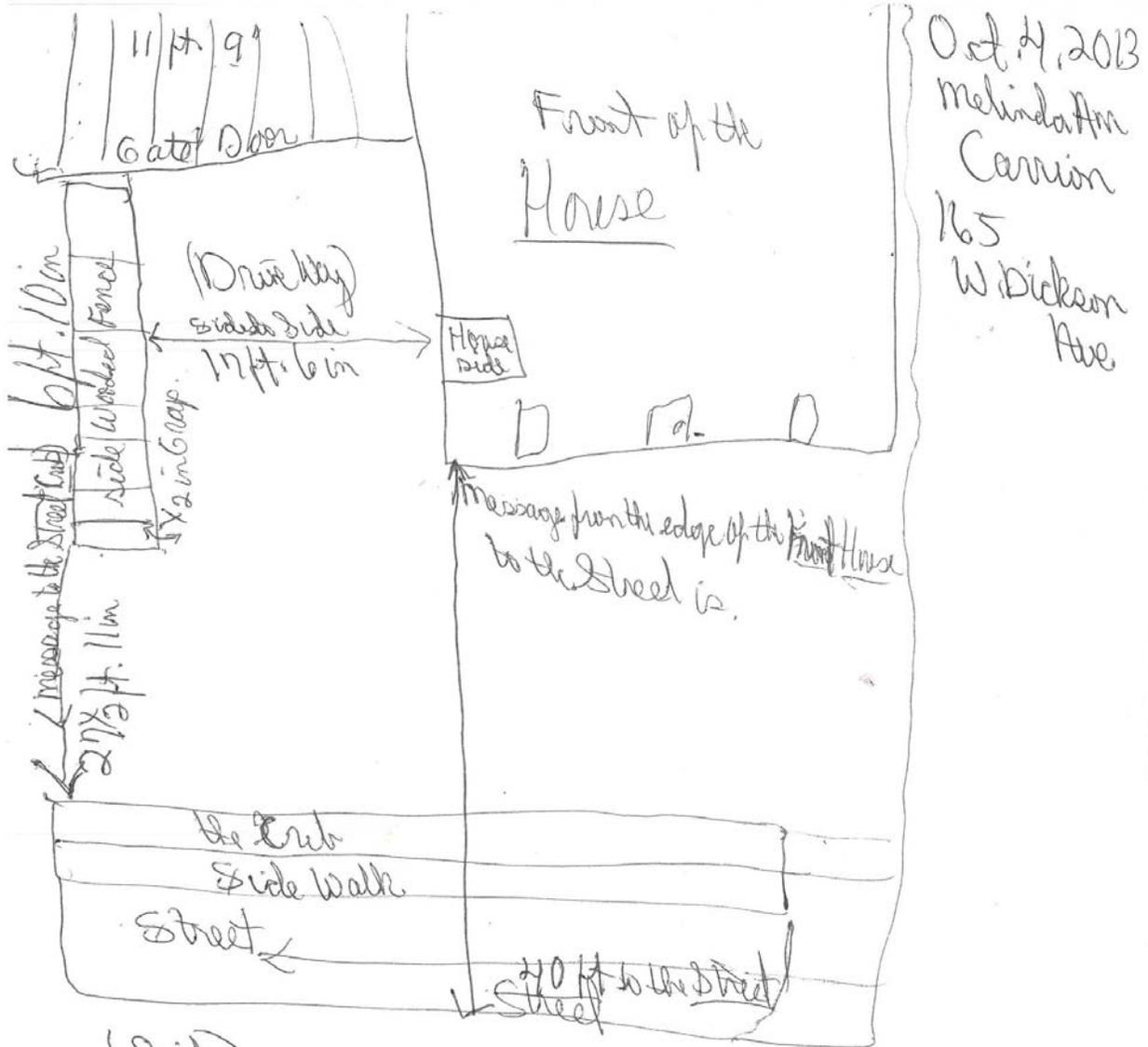
"NOT TO SCALE,
FOR ILLUSTRATIVE PURPOSES ONLY"
Council District 3

165 W Dickson

Development Services Department
City of San Antonio

1/210

**Attachment 3
Applicant's Site Plan**



(Side)
 the wood fence is on top of the Concrete Driveway.
 It is less than 1/2 way, and it doesn't.
 Block anyone view from back ~~out~~ of their Driveway.
 I would like to mention this please also.

Attachment 4
Site Photos





City of San Antonio Development Services Department Staff Report

To: Board of Adjustment
Case No.: A-14-002
Date: November 4, 2013
Applicant: San Antonio Conservation Society
Owner: UNV Texas, LP.
Location: 411 E. Cesar E. Chavez
Legal Description: Lot A-1, Block 3, NCB 928
Zoning: "D RIO-3" Downtown River Improvement Overlay
Prepared By: Margaret Pahl, AICP Senior Planner

Request

In review of the application as submitted, staff has prepared this report addressing the request for an appeal as submitted by the San Antonio Conservation Society.

The San Antonio Conservation Society has appealed the Historic and Design Review Commission's (HDRC) decision to deny a finding of Historic Significance for the property located at 411 E. Cesar Chavez. The San Antonio Conservation Society states that consideration of the proposed redevelopment of the property was improper.

Procedural Requirements

According to the Unified Development Code ("UDC"), Section 35-481, and Local Government Code Section 211.009, *et seq.*, the Board of Adjustment ("Board") is empowered to consider an appeal of a decision made by an administrative official submitted by a "person aggrieved" by the decision. The Board must consider the appeal at a quasi-judicial public hearing, pursuant to UDC Section 35-404 and Local Government Code Section 211.009. Under that authority, and with the concurring vote of 75% of its members, the Board may affirm, modify or reverse the administrative official's order, requirement, decision or determination from which the appeal is taken and make the correct order, requirement, decision or determination, and for that purpose the Board has the same authority as the administrative official. This appeal was publicly noticed in accordance with Section 35-403 of the UDC. Notices were sent to property owners within two hundred (200) feet of the subject property on October 18, 2013. The application details were published in The Daily Commercial Recorder, an official newspaper of general circulation, on October 18, 2013. Additionally, notice of this meeting was posted at City Hall and on the City's website on or before November 1, 2013, in accordance with Section 551.043(a) of the Texas Government Code.

Applicable Code References for Appeal and Summary of Proceedings

As written, the San Antonio Conservation Society submitted an appeal of the HDRC's decision to deny the historic landmark designation (finding of Historic Significance) of the Univision Building located at 411 E. Cesar Chavez. The San Antonio Conservation Society complains that the HDRC staff incorrectly referred to the proposed development of the property; however, staff reports are not administrative decisions and cannot be the subject of an appeal to the Board of Adjustments. In this case, the HDRC reviewed the record and heard comments and/or statements from Staff, the Conservation Society, the Property Owner and the proposed Buyer. The Property Owner and the Proposed Buyer registered opposition to a finding of Historic Significance.

After considering the record and comments, the members of the HDRC discussed all aspects of the matter under review and discussed alternatives. After full discussion, the HDRC voted 5-3 to deny a finding of Historic Significance.

UDC 35-481 provides for Appeals to the Board of Adjustment which includes the following:

Applicability. Generally, any of the following persons may appeal to the Board of Adjustment a decision made by an administrative official:

A person aggrieved by the decision; or

Any officer, department, board, or bureau of the City affected by the decision.

Decision. Hearing. The Board of Adjustment shall consider the appeal at a quasi-judicial public hearing, pursuant to Section 35-404. Pursuant to State law, the Board may reverse or affirm, in whole or in part, or modify the administrative office's order, requirement, decision or determination from which an appeal is taken and make the correct order, requirement, decision or determination and for that purpose the Board has the same authority as the administrative official.

UDC 35-607 provides the Designation Criteria for Historic Landmarks which includes the following:

Process for Considering Designation of Historic Landmarks. Historic Landmarks shall be evaluated for designation using the criteria listed in subsection (b) and the criteria applied to evaluate properties for inclusion in the National Register. In order to be eligible for landmark designation, properties shall meet at least 3 of the criteria listed.

Criteria for Evaluation. According to the Conservation Society, the proposed criteria are applicable to the Univision Building:

- Its value as a visible or archeological reminder of the cultural heritage of the community or national event;
- Its location as a site of a significant local, county, state, or national event;
- Its identification with a person or persons who significantly contributed to the development of the community, county, state, or nation;

- Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;
- It is distinctive in character, interest or value; strongly exemplifies the cultural, economic, social, ethnic, or historical heritage of San Antonio, Texas or the United States.

The Subject Property Recent History

The property owner, the Cortez family, has owned the 4 acre site for 58 years and is interested in selling the land, preserving the broadcast tower on site and relocating the station offices and functions to El Mercado. They feel this central location will offer better community access. They commissioned a building assessment, which determined the structural integrity was severely compromised.

A buyer is under contract to purchase the property and has prepared a development plan for 350 residential units. Nearly \$1M has been invested to date on design expenses. Given the condition of the building, the design does not include its preservation and reuse. After two reviews, their plan has received conceptual approval from the HDRC. A subdivision plat was required. The subdivision plat has been prepared and approved, and is ready to be recorded. A \$1M non-refundable escrow account has been established with the seller. A demolition permit was submitted to begin site construction.

The City of San Antonio Center City Development Office has offered the project \$4.7M in incentives for helping achieve the downtown residential population goals of SA 2020.

The Application Materials

The San Antonio Conservation Society based their nomination on the criteria enumerated in UDC 35-607 as specified. The code includes 16 non-exclusive criteria that can be considered, explaining the importance of each. Their nomination used 5 of these, with a bibliography and historic photographs attached. Their application included the following materials:

- Cover letter with application stating preservation of Latino & Hispanic cultural heritage.
- Emphasized the importance of the building as a visible reminder of the cultural heritage and significant contribution of Raoul Cortez in establishing the first Spanish-language radio and first Spanish language TV station, both housed in the building.
- Statement made by then President of SACS, Nancy Avellar, at May 15th HDRC meeting about proposed future development at 411 E. Cesar Chavez regarding importance of site.
- A letter of support from the Executive Director of the Texas Historical Commission. Their staff conducted a review of the eligibility for listing on the National Register of Historic Places, citing the station's contribution of national significance to the Hispanic civil rights movement. They offered future assistance.
- A letter from the Westside Preservation Alliance, signed by 17 people, dismayed over demolition. Their mission is to preserve the history & culture of the Mexican-American Westside.

- A letter from the National Trust for Historic Preservation, (Houston Field Office) “tells an important story in the diverse history of the country.”
- Letters from Patti Elizondo (national correspondent for Univision) asserting that its equipment “documented & broadcast countless battles for equality led by Civil Rights leaders of the 1960’s. Suggested use as a Museum for Mexican American children to see what ancestors accomplished.

Historic & Design Review Commission Review

The Office of Historic Preservation (Office) scheduled a site visit with Designation & Demolition subcommittee of the HDRC. The committee expressed interest in incorporating the original footprint into the proposed future development.

The Office prepared a staff report, and found the building to be eligible for consideration. Staff recommended denial of the finding of historic significance. A hearing was scheduled and required notice was provided. The report noted that should a finding of historic significance not be supported, the structure should be documented in black and white photography. The report also noted that if the Commission approved a finding of historic significance, the HDRC would request a City Council resolution to proceed with the landmark designation process.

HDRC Public Hearing September 4, 2013

Staff: The Office presented the proposed application to the HDRC, including the complicated history of property owner dissent and previous new development approval. The property owner and the buyer were in attendance to object to the application.

Applicant: The San Antonio Conservation Society presented their application, stating that the criteria for evaluation does not mention previous proposed developments and that the current review process has been violated. They stated that they objected to the proposed development project at its conceptual review hearing, raising concerns about the existing building’s importance. In addition, they asserted that, according to the UDC Section 35-608, conceptual approval for new development is not binding and should not be relevant.

In Opposition: Senior Vice President Luis Patino representing the property owner stated that the building does not represent their contribution. Instead, he told the Commission that Univision has leased space in the Museo Alameda, recently re-established by the City of San Antonio and Texas A&M University. It is here that they plan to display their historical contributions for future generations. In addition, Univision will continue to send its broadcast signal through the original steel tower, (7,800 square feet) which will be preserved and memorialized.

The next speaker, Bill Kaufmann representing the buyer, spoke in opposition to the application. He spoke of their \$2M investment in architectural design, engineering and non-refundable purchase contract deposit. Since their conceptual HDRC approval on May 15th, the buyer has finalized an incentive agreement, asked and received City Council approval to vacate several utility easements and gained non-conforming rights for the seller to retain the tower. The buyer is ready to begin construction and does not want to inherit this stumbling block.

The Commission Deliberation: The HDRC complimented the Conservation Society for the quality of their application and spoke with concern and respect about the dilemma. One Commissioner recognized the building as an excellent example of Mid-century modern architecture and asked how the building could be incorporated into the project. Also, what are

the consequences of the building being preserved, what could its future use be, who would own and maintain it, and what about the structural concerns identified by the owner?

One Commissioner spoke about exploring options with the buyer, possibly pushing the density around other portions of the site to preserve the footprint of the original building. However, he said, some open area was preserved near St. Mary's to protect the view shed of the Wolfe House, an existing Landmark, and the gateway into King William District. He suggested forming a committee to work with the architect to explore the possibility of achieving the density elsewhere on the site and saving the footprint of the existing building (6,500 square feet).

The owner's representative said they have looked at opportunities over the last 5-10 years to renovate the building, since there is nobody more invested in that location than Univision. He spoke of their investment to date & their concerns about cancelling the purchase contract now.

A Commissioner raised the idea that the business relocation to Market Square would be more available to the public, rather than the somewhat isolated current location.

HDRC Decision

The vote to deny was (5-3). A letter of Commission action was sent to the Applicant stating the result.

Staff Recommendation

HDRC action is valid and the appeal is denied.

Attachments

Attachment 1 – The Appeal

Attachment 2 – The HDRC Staff Report & Minutes

Attachment 3 – The Application for Historic Landmark Designation

Attachment #1
The Appeal

Case No. A-14-002

Case Manager _____

APPEAL
To the
BOARD OF ADJUSTMENT

CITY OF SAN ANTONIO

§
§
§

COUNTY OF BEXAR

STATE OF TEXAS

TO THE HONORABLE BOARD OF ADJUSTMENT:

Property description (Attach field notes if necessary):

Lot no. A1

Block No. 3

NCB 928

Zoning D-R103

Property Address: 411 E Cesar Chavez

The Applicant, San Antonio Conservation Society of Bexar County, alleges that the following error in an order, requirement, decision or determination has been made by an administrative officer in the enforcement of the City of San Antonio's Zoning ordinances:*

*Note: Local Government Code § 211.010 (b) and San Antonio City Code § 35-481 (b)(1) require that the applicant give notice of the specific grounds for the appeal. Failure to state the reasons for the alleged error and applicable code sections will result in the return of your application. Please attach additional pages if necessary.

I have completed the following requirements:

1. Paid the filing fee of \$600.00, checks made payable to "City of San Antonio"
2. Submitted three (3) copies of the plot plan, plus one additional 8½-inch by 11-inch copy, all drawn to scale (if applicable)
3. Submitted other supporting documentation, e.g. HDRC decision, etc.

Respectfully submitted:

Applicant's name: Sue Ann Pemberton, FAIA, President, San Antonio Conservation Society

Status: Owner () Agent ()

Mailing address: 107 King William

Telephone: (Home) _____ (Work) (210) 224-6163

Other phone: _____ Email: conserve@saconservation.org

Sue Ann Pemberton
Applicant's signature _____ Date 2 Oct 2013

~~Representative's name: _____~~

~~Mailing address: _____~~

~~Telephone: (Home) _____ (Work) _____~~

~~Other phone: _____ Email: _____~~

Name of Property Owner: UVN TEXAS LP

Mailing address: 5999 Center Dr, Los Angeles, CA 90045-8901

Telephone: (Home) _____ (Work) (310) 216-3430

Other phone: _____ Email: _____

~~I, _____ the owner of the subject property, authorize
_____ to submit this application. I also authorize
_____ to represent me in this appeal before the
Board of Adjustment.~~

~~Property owner's signature _____ Date _____~~

FILING OF THE APPEAL STOPS ALL AFFECTED CONSTRUCTION ACTIVITY.

**NO APPLICATION MAY BE ACCEPTED BY MAIL, MESSENGER, OR FAX.
APPLICATIONS CAN ONLY BE ACCEPTED IN PERSON.**



SAN ANTONIO CONSERVATION SOCIETY

October 3, 2013

Commission Chairman Mike Gallagher
City of San Antonio Board of Adjustment
1901 South Alamo Street
San Antonio, TX 78283

Dear Chairman Gallagher,

The San Antonio Conservation Society respectfully appeals the decision of the Historic & Design Review Commission on September 4, 2013 to deny the historic landmark designation of the Univision Building, located at 411 E Cesar Chavez. The Historic Preservation Officer disregarded the process for historic landmark designation defined in Uniform Development Code (UDC) Section 35-607, and conflated the processes for conceptual approval and permission to demolish, which are defined separately in UDC Sections 35-608 and 35-614, respectively.

In their report submitted on September 4, 2013, HDRC staff recommended against a finding of historic significance for the Univision Building because of the “proposed development”. However, the “Criteria for Evaluation” listed in UDC Section 35-607 (b) does not include “proposed development” for consideration. The “proposed development” in fact has no bearing on the historic significance of the property in question, and this false assertion by staff undercuts the landmark designation process by forcing the HDRC to make an impossible comparison between the actual historical value of the existing site (demonstrated through criteria 1, 2, 3, 5, and 11 of UDC Section 35-607(b)) and the hypothetical value of a “proposed development”. The purpose of the historic landmark designation is to protect the unique character of San Antonio’s historic resources. The “proposed development” requires separate consideration as defined by UDC Section 35-608, and does not belong in the historic landmark designation process. “Finding a.” listed in the staff report states: “The Univision building at 411 E Cesar Chavez meets more than the three required criteria for landmark designation as per UDC Section 35-607, and is eligible for a Finding of Historic Significance.” The Historic Preservation Officer’s decision should have resulted in the designation of the Univision Building as a historic landmark.

107 KING WILLIAM STREET ♦ SAN ANTONIO, TEXAS 78204-1312 ♦ 210/224-6163 ♦ FAX: 210/224-6168

The Purpose of this Society is to preserve and to encourage the preservation of historic buildings, objects, places and customs, relating to the history of Texas, its natural beauty, and all that is admirably distinctive to our State; and by such physical and cultural preservation to keep the history of Texas legible and intact to educate the public, especially the youth of today and tomorrow, with knowledge of our inherited regional values.



The Historic Preservation Officer also erred when the claim was made that the conceptual approval process, defined in UDC Section 35-608, “constituted the demolition of the Univision Building” (staff report, “Finding c.”). In fact, a separate process defined in UDC Section 35-614 governs permission to demolish; conceptual approval is a review of “general design ideas and principals” and only a certificate of appropriateness constitutes final approval of project details (UDC Section 35-608 (b)).

Please find a list of attachments enclosed on page 3 of this letter.

Sincerely,

A handwritten signature in purple ink, appearing to read "Sue Ann Pemberton". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Sue Ann Pemberton, FAIA, President

Attached to this appeal, you will find the following supporting documentation:

- 1) Letter from Banks M. Smith, legal counsel for the San Antonio Conservation Society, dated September 2, 2013.
- 2) Application for Historic Landmark Designation for Univision Building, dated August 16, 2013.
 - a. Letter from Sue Ann Pemberton, FAIA, President of the San Antonio Conservation Society, to Historic Preservation Officer Shanon Miller and HDRC Chair Tim Cone, dated August 16, 2013.
 - b. Modern photographs of Univision Building.
 - c. Statement of Significance and Bibliography.
 - d. Historic photographs of Univision Building.
 - e. Statement from Nancy Avellar, President of the San Antonio Conservation Society, in relation to HDRC Case No. 2013-126, dated May 15, 2013.
 - f. Letter from Mark Wolfe, Executive Director of the Texas Historical Commission, finding the Univision Building eligible for listing on the National Register of Historic Places, dated June 5, 2013.
 - g. Letter from Westside Preservation Alliance regarding support for designation of the Univision Building as historic landmark, dated August 6, 2013.
 - h. Letters from Beth Wiedower, Senior Field Officer, National Trust for Historic Preservation, supporting the preservation of the Univision Building, dated August 7, 2013.
 - i. Letters from Patti Elizondo, Concerned Citizen, supporting the preservation of the Univision Building, dated August 16, 2013.
 - j. BCAD tax information for Univision Building property.
 - k. Warranty Deed for Univision Building property.
- 3) HDRC Case No. 2013-267, Request for Finding of Historic Significance for Univision Building, dated September 4, 2013.
- 4) HDRC Case No. 2013-126, Request for New Construction of 350-unit apartment complex at 441 E Cesar Chavez, dated May 15, 2013.
- 5) Letter from Lance Aaron, Historian, dated October 2, 2013.

SCHOENBAUM, CURPHY & SCANLAN, P.C.

ATTORNEYS AT LAW
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SAN ANTONIO, TEXAS 78205
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HARRY W. WOLFF III

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*BOARD CERTIFIED, TAX LAW
†BOARD CERTIFIED, COMMERCIAL REAL ESTATE LAW
*BOARD CERTIFIED, FARM AND RANCH REAL ESTATE LAW
TEXAS BOARD OF LEGAL SPECIALIZATION
*CERTIFIED AS AN ELDER LAW ATTORNEY
BY THE NATIONAL ELDER LAW FOUNDATION AS
RECOGNIZED BY THE TEXAS BOARD OF LEGAL SPECIALIZATION

bmsmith@scs-law.com

September 2, 2013

Mr. Bruce MacDougal, Executive Director
SAN ANTONIO CONSERVATION SOCIETY
107 King William Street
San Antonio, Texas 78204

RE: Univision Building

Dear Bruce:

The staff report of the Historic and Design Review Commission ("HDRC") found that the Univision Building is eligible for a Finding of Historic Significance. The Designation and Demolition Committee of HDRC performed a site visit on August 28, 2013, and, according to the staff report, "the three members agreed that the original 1950's construction was eligible for landmark designation".

The staff report, however, recommends against a finding that the Univision Building is historically significant based upon the prior conceptual approval of the proposed development on the property. Quoting the staff report: "the HDRC should weigh the architectural significance of the building and its cultural interpretation against the proposed development".

The staff is incorrect to assert that conceptual approval constituted the demolition of the Univision Building. According to Section 35-608 of the Uniform Development Code ("UDC"), "conceptual approval is the review of general design ideas and principals (such as scale and set back). Specific design details reviewed at this stage are not binding and may only be approved through a certificate of appropriateness for final approval".

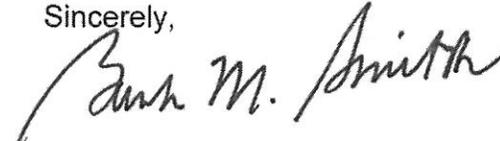
Conceptual approval of general design ideas does not constitute approval of the demolition of a building. The UDC requires a separate application, procedure and criteria for a determination of whether a building should be demolished.

Mr. Bruce MacDougal, Executive Director
September 2, 2013
Page 2

Likewise, conceptual approval of a proposed development does not determine the historical significance of a building located on the site. Instead the UDC provides a separate and independent procedure for the determination of the historic significance of a building. Conceptual approval of general designs for a development site is not a criteria to be considered in the determination of the historical significance of a building located on the site.

Section 35-607 provides specific criteria for determination of the historic landmark and, significantly, mandates that historic landmarks shall be evaluated according to the criteria listed in subsection (b) of Section 35-607. The HDRC staff is not correct in stating that the HDRC should consider the proposed development in weighing a determination of the historic significance of the building. The proposed development of a site is not a criteria set forth in Section 35-607 and should not be considered by the HDRC in a determination of historic significance. Instead, the HDRC should apply the criteria set forth in Section 35-607 to determine historical significance.

Sincerely,



Banks M. Smith

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cc: Mrs. Sue Ann Pemberton

October 2, 2013

Mr. Randel Falco, CEO
Univision
605 Third Ave., 12th Floor
New York, New York 10158

RE: Community request to save “Univision Building #1”: safeguarding the cultural patrimony and Hispanic heritage of the United States and Mexico for future generations.

Dear Mr. Falco,

We are writing to enlist your help to save a major Hispanic heritage treasure of national and international significance.

Either through willful neglect or an embarrassing lack of due diligence on the part of both Univision’s management team and San Antonio’s Office of Historic Preservation, the first Univision Building in the nation is slated for demolition. We seek your help to avert the destruction of this valuable heritage resource which is located in historic downtown San Antonio.

In support of the valiant efforts of San Antonio’s Westside Preservation Alliance, The Esperanza Peace & Justice Center, the San Antonio Conservation Society, the Texas Historical Commission and many other associations, organizations and individuals, we bring this grievous situation directly to your attention and Univision’s board’s attention and urge the company to take timely and decisive action.

The Texas Historical Commission recently determined that “Univision Building #1,” the site of the first full-time Spanish Language Radio and TV station in the United States is eligible for the **National Register of Historic Places**. This symbol of the American Dream is representative of the broad national patterns of United States and may be worthy of **National Historic Landmark** status. Destruction of this building would destroy the opportunity for these distinctions.

We were shocked to hear that Univision is opposed to any historic designation whatsoever. Instead, Univision gave its consent for the demolition of “Univision Building #1”.

Clearing the way for developers and special interest groups, Senior Vice President Luis Patiño told San Antonio’s Historic and Design Review Committee (HDRC), that Univision believes “the building itself is not what constitutes the historical relevance of Univision in San Antonio.”

Well, Univision is wrong. **The building is a John F. Kennedy-Lyndon B. Johnson, 1960’s civil rights era historic resource that historically links South Texas and Mexico.** A brass plaque mounted to the side of a contemporary condominium complex would represent another insulting reminder of our community’s loss.

Internationally significant sites and buildings, and the human stories behind them, do a magical thing for children and adults -- they visually convert long neglected history into memory. They confirm where and under what conditions history was made. This is something that historians and the people of this community know well. By protecting heritage, the stories behind the walls come to life – much like the Alamo.

It is disappointing to our Hispanic community that Univision failed to recognize the stories behind the physical structure, “Univision Building #1,” represent an important civil rights milestone of the Hispanic’s of our nation. Instead of building bonds of trust, Univision and San Antonio city management appear to have prioritized developer and political interests above the recommendations of historians, preservationists and the company’s audience and supporters.

This situation could go down in history as a case study emblematic of why less than 1% of all national Landmarks in our nation are designated for Latinos. If Hispanics don’t fight to save their 20th century heritage, there won’t be much to save. Univision is an “American” icon – a brand synonymous with “*orgullo*” or Hispanic pride. As you once stated, Univision’s brand recognition is on par with Apple and Coca Cola. Univision is a symbol of the growing cultural, political and economic influence of Latinos in our nation and may already be the most important and influential Latino brand ever created in the United States. But with success, comes responsibility.

Last year, Univision celebrated its 50th anniversary. San Antonio was proud when we read Univision’s press releases that shared the company’s origins officially began in 1962 as a single television network located on the east banks of the San Antonio River downtown. Other notable buildings of interest, likewise located downtown on the east side of the San Antonio River, include The Alamo and the building that houses the “Consulado General de México en San Antonio.”

“Univision Building #1” is historic on multiple levels. Most important, it is “la cuna,” the cradle of Mexican-American broadcast radio and television media. Mexican engineer and inventor of color television, Guillermo Gonzalez Camarena was in San Antonio as part of the technical team of the Azcárraga’s when KWEX was launched. KWEX-TV was the first television station to establish a “Teletón en español”, called “Teletón Navideño”, which lasted 27 years. In 1976 KWEX became the center of operations for SIN, the first Satellite interconnected Television Network in the United States. By 1987, “Univision Building #1’s” 25th anniversary, the network had more than 400 broadcast, satellite and cable outlets.

To underscore the historical value encased in the building, The Texas Historic Commission determined Univision’s building is eligible for the **National Register of Historic Places (NRHP)** in the areas of Communications and Ethnic Heritage for its Spanish language broadcasting history.

The opportunity for NRHP recognition should have made the safeguarding of the Mexican and Mexican-American history of this site a high priority for Univision, a company that reached its level of success by “defending” and “advocating” for the Hispanic Community. So why is Univision standing “cojo”?

The Mexican, Mexican-American and American giants behind the genesis of the company you lead today should be provided the pedestal they deserve. Their pioneering accomplishments in downtown San Antonio should be broadly recognized throughout the United States and Mexico as an inspiration for all children and adults.

One of those giants was Emilio Nicolas, Sr. (b. 1930) from Frontera, Coahuila. He was a founding partner and cornerstone of the network that became Univision. He was honored by the Congress of the United States as one of our nation’s pioneers of Spanish Language television. Demonstrating his leadership, Nicolas served as Chairman of the National Association of Spanish Broadcasters (NASB). Local leaders like Tom Frost of Frost Bank and Charles

Kilpatrick, top executive of the San Antonio Express News for 19 years, reiterate that Emilio . Nicolas placed San Antonio squarely on the international map. In 2007, the Hispanic Media Awards inducted Emilio Nicolas Sr. into its ring of honor. Former President of Mexico Vicente Fox was the Keynote Speaker.

Perhaps Irving Hockaday, former Chairman of Hallmark Greeting Cards summed up Emilio Nicolas's vision best when he said, "This is a man who had a dream about communication between people and between countries."

Mr. Nicolas studied at San Antonio's St. Mary's University and did his Master's at Trinity University. He also served on Trinity University's board for 25 years. In 1961, Mr. Nicolas and his partners bought KCOR, and renamed it KWEX after it was determined that the call name KXEW, like Vidaurer's station in Mexico City was taken.

His son Guillermo, a respected businessman in San Antonio, was one of the first to come forward and request that "Univision Building #1" and its legacies in Spanish language television and radio, be protected.

KWEX founder Emilio Azcárraga Vidaurer (1895-1973) from Tamaulipas was the most important entrepreneur in Mexican media history. As an outgrowth of the Mexican revolution, Vidaurer attended middle school in San Antonio and high school in Austin. He attended St. Edward's University in Austin. In 1930, the year his son Emilio Jr. was born in San Antonio, Vidaurer started XEW-AM "La voz de América Latina desde México" in Mexico City. The technological advances brought by XEW culturally changed Mexico. Vidaurer's son, Emilio "El Tigre" Azcárraga Milmo (1930-1997) was also born in San Antonio on September 6, 1930. Like his father, he too is a legend. No other San Antonian, or American for that matter, has made a greater impact on the business, political and entertainment landscape of Mexico.

Azcárraga Milmo developed his family's television and radio network businesses into the world's largest and most influential media empire in the Spanish-speaking world. For three decades, Azcárraga Milmo shaped Mexican culture and is recognized as one of the most successful and influential businessmen in Hispanic history.

Mr. Falco, what did Televisa's president Emilio Azcárraga Jean say about "*borrando*" the historic resources of his father and grandfather? Did you tell him that Univision has placed the memory markers of his family's Mexican-American from Texas legacies rooted in "*el corazón*" of San Antonio in harm's way?

As a city of Hispanic origin, many San Antonians take special pride in speaking Spanish. It's the main artery that keeps us connected to our loved ones in Mexico, Spain, and throughout Latin America.

Particularly in San Antonio, for the "*orgullo*" and inspiration of future generations, we take pride in the heroic and history making acts of our ancestors. Whether accomplished by Mexican-Americans like labor leader Emma Tenayuca, who fought for workers' rights in the 1930's, or politician Henry B. Gonzalez, who like Emilio Azcárraga, was a first generation American whose parents took refuge in San Antonio during the Mexican Revolution, the accomplishments are legendary and tied to Univision. Gonzalez played an integral role in John F. Kennedy's "Viva Kennedy" campaign and was the First Mexican-American from Texas elected to the U.S. Congress, where he served 37

years from 1961 to 1999. The timing of Gonzalez's election to Congress, as well as his very close friendship with Kennedy and Johnson, allowed him to play an instrumental role with the F.C.C. on behalf of KWEX's owners.

Nor can we forget Mexican-American Adina de Zavala, whose grandfather Lorenzo de Zavala from Tecoh, Yucatan was a leading 19th century Mexican politician and the first Vice President of the Republic of Texas. Adina chained herself to the Long Barracks of the Alamo so it would be preserved for future generations.

Univision's position has called into question the significance of San Antonio's Mexican-American history. It provokes outrage, indignation and alarm among many of the city's cultural and intellectual community, both Hispanic and non-Hispanic.

From Tejanos to Chicanos, from Mexicans to Mexican-Americans, when a community's cultural patrimony is under siege, San Antonio has a long history of banding together to protect what is "*importante y propio*." This tradition dates back to an example set by those who defended The Alamo in 1836.

Perhaps Univision would be wise to consult with Emilio Azcárraga Jean regarding the ramifications to Costco when they commenced to destroy 1950's-era frescos located at the Casino de la Selva in Cuernavaca Mexico in July 2001. Costco recognized it wrongfully prioritized the profit over the history, heritage and the interests of the community of Cuernavaca it aimed to serve only after a vigorous community campaign and painful media lashing. Although Costco eventually recognized it was wrong, the company's actions caused irreparable damage to the art and it's reputation in the country of Mexico.

Univision is part of our city's "*Mexicanidad*". Like the signing of NAFTA in San Antonio by Presidents Bill Clinton and Carlos Salinas de Gortari, for San Antonio, this history reflects the leadership role our city played in the 20th century to unite the "culture and commerce" of Mexico and the United States together. For our nation, it exemplifies the American Dream and landmark accomplishments achieved when good neighbors are unified with "one vision."

Univision is the single most important business accomplishment by Mexican and Mexican-Americans working together in the history of the United States. If you and your board agree, then please rescue these historic resources of our nation that Univision placed in harm's way. The organizations and associations copied on this communication will respect you and your organization for doing what is right. We look forward to your response.

¡Feliz Mes de la Herencia Hispana!

Lance Aaron,
622 Mesa Lane,
San Antonio, Texas 78258

Attachment #2
HDRC Hearing

**SAN ANTONIO HISTORIC AND DESIGN REVIEW COMMISSION
OFFICIAL MINUTES
SEPTEMBER 4, 2013**

- The Historic and Design Review Commission of the City of San Antonio met in session at 3:00 P.M., in the Board Room, Development and Business Services Center, 1901 S. Alamo
- The meeting was called to order by Commissioner Cone, Chair, and the roll was called by the Secretary.

PRESENT: Judson, Laffoon, Guarino, Zuniga, Valenzuela, Shafer, Feldman, Connor

ABSENT: Cone, Salas

- Chairman’s Statement
- Citizens to be heard
- Announcements

The Commission then considered the Consent Agenda which consisted of:

- | | |
|-----------------------|-----------------------------------|
| 1. Case No. 2013-250 | 3903 N. St. Mary’s |
| 2. Case No. 2013-271 | 430 Austin |
| 3. Case No. 2013-277 | 515 Kendall Way |
| 4. Case No. 2013-034 | 312 Pearl Pkwy, Bldg. 4, 5, and 6 |
| 5. Case No. 2013-276 | 321 Alamo Plaza |
| 6. Case No. 2013-282 | 604 – 606 Mission St. |
| 7. Case No. 2013-174 | 801 – 815 S. St. Mary’s |
| 8. Case No. 2013-270 | 221 W. Mistletoe |
| 9. Case No. 2013-275 | 5800 Hemphill Dr. |
| 10. Case No. 2013-273 | 136 E. Grayson |
| 11. Case No. 2013-283 | 408 E. Houston |
| 12. Case No. 2013-238 | 1101 Iowa |
| 13. Case No. 2013-279 | 631 E. Guenther |

Items 1, 6, 11, and 13 were pulled from the Consent Agenda to be heard under Individual Consideration.

COMMISSION ACTION:

The motion was made by Commissioner Connor and seconded by Commissioner Laffoon to approve the remaining cases on the Consent Agenda based staff recommendations.

AYES: Judson, Laffoon, Guarino, Zuniga, Valenzuela, Shafer, Feldman, Connor

NAYS: None

THE MOTION CARRIED.

1. HDRC NO. 2013-250

Applicant: Raul Zuniga

Address: 3903 N. St. Mary’s

The applicant is requesting a Certificate of Appropriateness for approval to:

Construct an addition to the existing Animal Care Facility at the San Antonio Zoo. The existing facility, which was constructed c.1971, is 2,635 square feet and the proposed addition would be 1,054 square feet including a new animal surgery room, pharmacy and additional lab space. The existing building has 8” concrete masonry unit walls that are painted and a concrete waffle roof structure. The proposed addition will also have 8” concrete masonry unit walls that are painted and an updated structure steel roof system and a prefinished standing seam metal roof. The proposed addition will be constructed on the south façade of the existing building which contains the buildings primary entrance.

new. The new roofline will tie into the original structure behind an existing side gable as to not obscure any significant architectural features. This is consistent with the Guidelines for Additions 1.A.i, 1.A.iv and 1.B.i.

- c. As submitted, the proposed addition is approximately 1,458 sf (excluding porches). Due to the large lot and size of the yard, the proposed addition does not overwhelm the site. According to the Guidelines for Additions 1.B.iv, residential additions should not be so large as to double the existing building footprint, regardless of lot size. The existing house is approximately 2,305 sf (excluding porches), which meets this guideline. However, due to the placement of the addition predominately to the side of the original structure, further attempts to reduce the addition footprint would be more consistent with this guideline. The applicant has agreed to remove the proposed shed from the design in an initial effort to reduce the size of the addition.
- d. As submitted, the proposed height of the addition is subordinate to the height of the original house. Also, the proposed setback from the front plane of the house will help to reduce how tall the additional appears to be from the street. This is consistent with the Guidelines for Additions 1.B.v.
- e. The proposed materials, although synthetic, will mimic the appearance of wood siding and shingles. The applicant has indicated that a smooth finish hardi product with similar dimensions as the wood siding on the original house will be used. This is consistent with the Guidelines for Additions 3.A.i.
- f. The proposed metal roof meets the guidelines for metal roofs outlined in the Guidelines for Additions 3.A.ii.
- g. The proposed new construction features architectural details which reference the original house, such as the proposed porch and gable details. This is consistent with the Guidelines for Additions 4.A.i. and 4.A.ii.
- h. The Guidelines for Additions 4.A.ii. also address window openings. The applicant has worked with staff to develop the street-facing fenestrations. Drawings submitted on August 28, 2013 are consistent with this Guideline.
- i. Staff finds that the proposed work to the rear dormer of the original house will be a more appropriate addition than the current conditions, and is consistent with the Guidelines for Additions 1.A.iii.
- j. As submitted, a non-heritage tree will be removed for the addition. A large pecan tree and palm tree are protected in the design. Any tree removal will require a permit from the City Arborist.

Staff recommends conceptual approval with the stipulation that future revisions to the design include further reduction to the building footprint. Revised drawings will be required prior to an application for a Certificate of Appropriateness for final approval.

COMMISSION ACTION:

The motion was made by Commissioner Connor and seconded by Commissioner Feldman to refer to the Design Review Committee.

AYES: Judson, Laffoon, Guarino, Zuniga, Valenzuela, Shafer, Feldman, Connor

NAYS: None

THE MOTION CARRIED.

14. HDRC NO. 2013-267

Applicant: San Antonio Conservation Society

Address: 411 E. Cesar Chavez

The applicant is requesting a Finding of Historic Significance for the Univision Building at 411 E Cesar Chavez. The Univision building was constructed in 1955 as the headquarters for KCOR-TV, Channel 41. The property has been used continuously as a television studio, and Univision occupied the building until recently when the station relocated.

FINDINGS:

- a. The Univision building at 411 E Cesar Chavez meets more than the three required criteria for landmark designation, as per UDC Section 35-607, and is eligible for a Finding of Historic Significance (see citations above).

- b. The KCOR-TV station was constructed in 1955. It is a two story, L-shaped, brick and stucco building with a flat roof. The building has an original entrance on the south façade articulated by a full-height portion of aluminum storefront glazing, oriented towards E Cesar Chavez Blvd. Additional horizontal windows are located on the 2nd-story portion of the south and north facades. The building has no other windows other than those found in a non-historic, 2-story addition to the northwest corner of the building. The eastern ell of the original structure features a second-level stucco mass resting on a first-level brick podium. Little architectural detail or ornamentation exists elsewhere in the original structure. A later rear addition is located adjacent to the existing surface parking lot and has served as the main entrance until recently.
- c. The Designation and Demolition Committee performed a site visit on August 28, 2013. At that meeting, staff briefed the committee on the building's history. The three members present agreed that the original 1950's construction was eligible for landmark designation. The committee members present were interested to see if the building could somehow be incorporated into the proposed development. The later rear addition was determined to be non-contributing and would not be considered a part of any potential designation.
- d. A request for new construction of a 350-unit, multifamily development, which constituted the demolition of the Univision Building, was given conceptual approval by the HDRC on May 15, 2013. At that hearing, the history of the building was included in Staff's recommendation. When questioned about the feasibility of retaining the building, the developer stated on record that preserving it in place would significantly impact the developer's ability to achieve the number of units required to meet a reasonable rate of return. Given the fact that the existing telecommunications yard was to remain in use on the site, the HDRC felt that it was appropriate to memorialize the KCOR-TV studio building with some sort of interpretive element near the telecommunications yard. This was included as one of ten stipulations added to the conceptual approval.
- e. A demolition application for the Univision building was submitted by the developer of this property on August 16, 2013. If a Finding of Historic Significance is not approved by the HDRC, a demolition permit may be issued.
- f. The HDRC may approve a Finding of Historic Significance without the consent of the property's owner. According to UDC Section 35-607(b)(1), owner consent for historic landmark designation shall be required unless a City Council resolution to proceed with the designation has been approved. If a Finding of Historic Significance for 411 E Cesar Chavez is approved by the HDRC, the HDRC shall direct its secretary, the Historic Preservation Officer, to request City Council resolution to proceed with the designation.

Staff does not recommend approval. The Univision Building at 411 E Cesar Chavez is eligible for a Finding of Historic Significance based on the UDC requirements. However, considering the circumstances in which conceptual approval for the proposed new development has previously been given, the HDRC should weigh the architectural significance of the building and its cultural interpretation against the proposed development. If a Finding of Historic Significance is not approved by the HDRC, staff recommends that the structure be documented with 35mm black and white photography prior to demolition and that the negatives and contact sheets be filed with the Office of Historic Preservation, the San Antonio Conservation Society, and any other interested parties.

Sue Ann Pemberton, San Antonio Conservation Society President, read into the record a letter of support for the Finding of Historic Significance for the Univision Building. Ms. Pemberton indicated that the Texas Historical Commission has determined that the Univision Building is eligible for listing in the National Register of Historic Places. The Univision Building qualifies as an architectural landmark, under Criterion C, in the area of Architecture. It is eligible under Criterion A, in the area of Communications and Ethnic Heritage for its association with Spanish-language television broadcasting in San Antonio, and probably under Criterion B, in the areas of Communications and Ethnic Heritage for its association with Raoul Cortez

Luis Patino, representative for Univision Communications Inc., Sr. Vice-President, stated Univision opposes historic designation for 411 E. Cesar Chavez. The building is not what constitutes historic relevance of Univision in San Antonio. The building is not structurally sound and several additions have been made. The steel tower will remain.

Bill Kaufman, representative for Greystar, spoke in opposition of historic designation. The building was not on an inventory list subject to be designated. The case has appeared before committee and commission on four occasions. Significance of the site is the tower. Greystar and Univision have committed to memorialize the site

Commissioner Shafer stated a correction should be made to the report for the site visit by the Designation Committee. The report indicates that three of the committee members present agreed that the original construction was eligible for historic designation. The correction should indicate that two members were in agreement and one committee member reserved opinion until further discussion.

Sue Ann Pemberton, San Antonio Conservation Society, indicated that SACS does not oppose development of the site but does request that the building be incorporated into the development. Conceptual approval for the project was granted prior to the investigation of whether or not the building was significant. San Antonio Conservation Society believes that the process was violated.

Commissioner Guarino stated the building is a very good example of Mid Century Architecture. The buildings historic significance continues with the survival and growth of the network and which is not leaving San Antonio. Commissioner Guarino expressed concern if development was pushed up towards St. Mary's then the view of another set of landmarks is compromised being Huizar Park, Wolf House and the beginning gate way to King William. Commissioner Guarino further stated he would like to see considered whether or not the developer's architect can achieve the density by retaining the original footprint of the building.

Commissioner Connor stated he is supportive of development in the inner city and the Mayor's vision in putting residential units downtown but very much in support of preservation of major landmarks. The Univision building is a fine example of Mid Century design of which San Antonio has precious few.

Commissioner Valenzuela stated he is in favor of a finding of Historic Significance.

COMMISSION ACTION:

The motion was made by Commissioner Feldman and seconded by Commissioner Shafer to grant denial of a finding of Historic Significance for 411 E. Cesar Chavez.

AYES: Judson, Laffoon, Guarino, Shafer, Feldman

NAYS: Zuniga, Valenzuela, Connor

THE MOTION CARRIED.

15. HDRC NO. 2013-253

Applicant: ADA Inc.

Address: 654 Leigh St.

The applicant is requesting a Certificate of Appropriateness for approval to construct a 2-story, single family residence on a vacant lot at 654 Leigh St. The lot is located on a cul-de-sac, and has an existing concrete approach and driveway. The proposed new construction has a footprint of approximately 1,361 sf. The design features a single-slope, standing seam metal roof with exposed rafter ends, a stucco and clapboard exterior, an inset front porch with shed roof over the entry, fixed aluminum windows, horizontal sliding aluminum windows, and an inset second-floor balcony with wood railings. The balcony is accessed by series of French doors on the 2nd floor. The existing driveway will remain as is with the addition of a decomposed granite parking pad will be installed in front of the home which will be screened with plantings. Existing significant pecan trees and a heritage pecan tree towards the front of the property will be retained.

FINDINGS:

a. This request was reviewed by the Design Review Committee on August 27, 2013. At that meeting, the applicant presented an updated site plan which showed no trees to be removed. There was still concern that potential excavations would impact the mature pecan trees on site. The applicant stated that the building footprint to lot ratio was at 35%. Staff brought up issues related to footprint, fenestration pattern and roof form that were identified in the staff report. The applicant was willing to explore all of these areas and was in the process of revising the drawings. One major revision to the design included extending the front, street-facing façade to enclose the spiral staircase. Revised elevation drawings were not presented at that time. The applicant indicated that the fenestration pattern on the front façade would be developed for



HISTORIC AND DESIGN REVIEW COMMISSION
COMMISSION ACTION

This is not a Certificate of Appropriateness and cannot be used to acquire permits.

September 04, 2013

HDRC CASE NO: 2013-267
ADDRESS: 411 E Cesar Chavez / Univision Building
LEGAL DESCRIPTION: NCB 928 BLK 3 LOT A1 EXC W IRRG 20 FT
HISTORIC DISTRICT: RIO-3
APPLICANT: San Antonio Conservation Society 107 King William Street
OWNER: UVN Texas LP
TYPE OF WORK: Finding of Historic Significance

REQUEST:

The applicant is requesting a Finding of Historic Significance for the Univision Building at 411 E Cesar Chavez. The Univision building was constructed in 1955 as the headquarters for KCOR-TV, Channel 41. The property has been used continuously as a television studio, and Univision occupied the building until recently when the station relocated.

FINDINGS:

- a. The Univision building at 411 E Cesar Chavez meets more than the three required criteria for landmark designation, as per UDC Section 35-607, and is eligible for a Finding of Historic Significance (see citations above).
- b. The KCOR-TV station was constructed in 1955. It is a two story, L-shaped, brick and stucco building with a flat roof. The building has an original entrance on the south façade articulated by a full-height portion of aluminum storefront glazing, oriented towards E Cesar Chavez Blvd. Additional horizontal windows are located on the 2nd-story portion of the south and north facades. The building has no other windows other than those found in a non-historic, 2-story addition to the northwest corner of the building. The eastern ell of the original structure features a second-level stucco mass resting on a first-level brick podium. Little architectural detail or ornamentation exists elsewhere in the original structure. A later rear addition is located adjacent to the existing surface parking lot and has served as the main entrance until recently.
- c. The Designation and Demolition Committee performed a site visit on August 28, 2013. At that meeting, staff briefed the committee on the building's history. The three members present agreed that the original 1950's construction was eligible for landmark designation. The committee members present were interested to see if the building could somehow be incorporated into the proposed development. The later rear addition was determined to be non-contributing and would not be considered a part of any potential designation.
- d. A request for new construction of a 350-unit, multifamily development, which constituted the demolition of the Univision Building, was given conceptual approval by the HDRC on May 15, 2013. At that hearing, the history of the building was included in Staff's recommendation. When questioned about the feasibility of retaining the building, the developer stated on record that preserving it in place would significantly impact the developer's ability to achieve the number of units required to meet a reasonable rate of return. Given the fact that the existing telecommunications yard was to remain in use on the site, the HDRC felt that it was appropriate to memorialize the KCOR-TV studio building with some sort of interpretive element near the telecommunications yard. This was included as one of ten stipulations added to the conceptual approval.
- e. A demolition application for the Univision building was submitted by the developer of this property on August 16, 2013. If a Finding of Historic Significance is not approved by the HDRC, a demolition permit may be issued.

2013-267
9/4/13

f. The HDRC may approve a Finding of Historic Significance without the consent of the property's owner. According to UDC Section 35-607(b)(1), owner consent for historic landmark designation shall be required unless a City Council resolution to proceed with the designation has been approved. If a Finding of Historic Significance for 411 E Cesar Chavez is approved by the HDRC, the HDRC shall direct its secretary, the Historic Preservation Officer, to request City Council resolution to proceed with the designation.

RECOMMENDATION:

Staff does not recommend approval. The Univision Building at 411 E Cesar Chavez is eligible for a Finding of Historic Significance based on the UDC requirements. However, considering the circumstances in which conceptual approval for the proposed new development has previously been given, the HDRC should weigh the architectural significance of the building and its cultural interpretation against the proposed development. If a Finding of Historic Significance is not approved by the HDRC, staff recommends that the structure be documented with 35mm black and white photography prior to demolition and that the negatives and contact sheets be filed with the Office of Historic Preservation, the San Antonio Conservation Society, and any other interested parties.

COMMISSION ACTION:

Denial of a finding of Historic Significance for 411 E. Cesar Chavez.



Shanon Shea Miller
Historic Preservation Officer

HISTORIC AND DESIGN REVIEW COMMISSION

September 04, 2013

Agenda Item No: 15

HDRC CASE NO: 2013-267
COMMON NAME: Univision Building
ADDRESS: 411 E Cesar Chavez
LEGAL DESCRIPTION: NCB 928 BLK 3 LOT A1 EXC W IRRG 20 FT
ZONING: D RIO-3
CITY COUNCIL DIST.: 1
DISTRICT: RIO-3
APPLICANT: San Antonio Conservation Society
OWNER: UVN Texas LP
TYPE OF WORK: Finding of Historic Significance
REQUEST:

The applicant is requesting a Finding of Historic Significance for the Univision Building at 411 E Cesar Chavez. The Univision building was constructed in 1955 as the headquarters for KCOR-TV, Channel 41. The property has been used continuously as a television studio, and Univision occupied the building until recently when the station relocated.

APPLICABLE CITATIONS:

UDC Section 35-607(b) – Designation Criteria for Historic Districts and Landmarks

1.Its value as a visible or archeological reminder of the cultural heritage of the community, or national event [35-607(b)1];

Designed by local firm of Cerf Ross-Edwin Nicholson Associates, the original KCOR television station opened on June 10, 1955 as the first Spanish-language television station in the United States.

2.Its location as a site of a significant local, county, state, or national event [35-607(b)2];

The Univision Building housed the first Spanish-language television station in the United States, as well as the oldest Spanish-language radio station in the United States.

3.Its identification with a person or persons who significantly contributed to the development of the community, county, state, or nation [35-607(b)3];

The station operated under the ownership of Spanish-language media pioneer Raoul Cortez. Cortez not only established the first Spanish-language radio (KCRO-AM) and television (KCOR-TV) stations in the United States owned and operated by a Mexican American. He further distinguished himself by his work with the League of United Latin American Citizens (LULAC) in fighting the bigotry against Hispanics prevalent in the country at the time and for meeting with Mexican President Miguel Aleman and U.S. President Harry S. Truman to discuss the plight of the Mexican illegal alien.

5.Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials [35-607(b)5];

The former KCOR station embodies the distinguishing characteristics of the Mid Century Modern style of architecture that has recently come of age as worthy of study. Some of the key stylistic elements reflected in the KCOR TV station are: an emphasis on rectangular forms and low, horizontal massing; the use of large expanses of glass to create a connection between the building interior and its site, while providing natural light; and the use of traditional materials such as tile and brick in simplified ways to create a modern aesthetic.

11.It is distinctive in character, interest or value; strongly exemplifies the cultural, economic, social, ethnic or historical heritage of San Antonio, Texas or the United States [35-607(b)5];

The creation of these early channels was a response to the presence and growth of Hispanics in the U.S. population and their underrepresentation in the English-language mainstream media. The millions of Mexican immigrants and Mexican Americans living in the U.S. represented one of the wealthiest – and virtually untapped – Spanish-language markets in

the world. The importance of the Hispanic market to advertisers, while significant, was not the only reason for the rise and success of Spanish-language broadcasting. Equally as important, the programming was relevant to the experiences of the Hispanic audiences and appealed to their desire to stay connected to Latino culture. Maintaining connections to their heritage heightened cultural awareness, promoted language proficiency and, by being informed of local news and events, helped the process of assimilation.

FINDINGS:

- a. The Univision building at 411 E Cesar Chavez meets more than the three required criteria for landmark designation, as per UDC Section 35-607, and is eligible for a Finding of Historic Significance (see citations above).
- b. The KCOR-TV station was constructed in 1955. It is a two story, L-shaped, brick and stucco building with a flat roof. The building has an original entrance on the south façade articulated by a full-height portion of aluminum storefront glazing, oriented towards E Cesar Chavez Blvd. Additional horizontal windows are located on the 2nd-story portion of the south and north facades. The building has no other windows other than those found in a non-historic, 2-story addition to the northwest corner of the building. The eastern ell of the original structure features a second-level stucco mass resting on a first-level brick podium. Little architectural detail or ornamentation exists elsewhere in the original structure. A later rear addition is located adjacent to the existing surface parking lot and has served as the main entrance until recently.
- c. The Designation and Demolition Committee performed a site visit on August 28, 2013. At that meeting, staff briefed the committee on the building's history. The three members present agreed that the original 1950's construction was eligible for landmark designation. The committee members present were interested to see if the building could somehow be incorporated into the proposed development. The later rear addition was determined to be non-contributing and would not be considered a part of any potential designation.
- d. A request for new construction of a 350-unit, multifamily development, which constituted the demolition of the Univision Building, was given conceptual approval by the HDRC on May 15, 2013. At that hearing, the history of the building was included in Staff's recommendation. When questioned about the feasibility of retaining the building, the developer stated on record that preserving it in place would significantly impact the developer's ability to achieve the number of units required to meet a reasonable rate of return. Given the fact that the existing telecommunications yard was to remain in use on the site, the HDRC felt that it was appropriate to memorialize the KCOR-TV studio building with some sort of interpretive element near the telecommunications yard. This was included as one of ten stipulations added to the conceptual approval.
- e. A demolition application for the Univision building was submitted by the developer of this property on August 16, 2013. If a Finding of Historic Significance is not approved by the HDRC, a demolition permit may be issued.
- f. The HDRC may approve a Finding of Historic Significance without the consent of the property's owner. According to UDC Section 35-607(b)(1), owner consent for historic landmark designation shall be required unless a City Council resolution to proceed with the designation has been approved. If a Finding of Historic Significance for 411 E Cesar Chavez is approved by the HDRC, the HDRC shall direct its secretary, the Historic Preservation Officer, to request City Council resolution to proceed with the designation.

RECOMMENDATION:

Staff does not recommend approval. The Univision Building at 411 E Cesar Chavez is eligible for a Finding of Historic Significance based on the UDC requirements. However, considering the circumstances in which conceptual approval for the proposed new development has previously been given, the HDRC should weigh the architectural significance of the building and its cultural interpretation against the proposed development. If a Finding of Historic Significance is not approved by the HDRC, staff recommends that the structure be documented with 35mm black and white photography prior to demolition and that the negatives and contact sheets be filed with the Office of Historic Preservation, the San Antonio Conservation Society, and any other interested parties.

CASE COMMENTS:

At the time of application, UVN Texas LP was listed as the current owner of the property. The owner has provided a letter of opposition in the packets. The property is currently under contract to Greystar, the developer of this property.

CASE MANAGER:

Cory Edwards

Univision Communications Inc.

Glenpointe Centre West
500 Frank W. Burr Blvd. Ste. 19
Teaneck, NJ 07666
Tel. (201) 287-4254
Cell (201) 214-3790
Fax (201) 287-9430



Peter J. Lynch
Director, Corporate Real Estate Services

August 21, 2013

Shannon Shea Miller
Director
Office of Historic Preservation
City of San Antonio
1901 S. Alamo Street
San Antonio, Texas 78204

Re: Proposed Historic Landmark Designation of Building Located at 411 E. Cesar Chavez Boulevard

Dear Ms. Miller,

As you are aware, UVN Texas, L.P., an affiliate of Univision Communications, Inc., owns the property at 411 E. Cesar Chavez Boulevard ("Property"). It is our understanding that your office has received a request from the San Antonio Conservation Society to designate the Univision building located on the Property as a historic landmark. UVN Texas, L.P. strongly objects to this historic landmark designation request.

City of San Antonio Unified Development Code Section 35-606(a) states:

"Requests for landmark designation may only be made by or with the concurrence of the property owner. In instances where a property owner does not consent to the landmark designation, the historic preservation officer shall request a resolution from city council to proceed with the designation process..."

It is our understanding that your office is already processing the historic landmark designation request as if UVN Texas, L.P. does not consent to the designation. Please continue to proceed in this manner. Representatives of UVN Texas, L.P., will be present at the September 4, 2013 Historic Design and Review Commission hearing to speak in opposition to the designation request. Please note our opposition to this designation to the Commission members.

Glenpointe Centre West
500 Frank W. Burr Blvd. Ste. 19
Teaneck, NJ 07666
Tel. (201) 267-4254
Cell (201) 214-3790
Fax (201) 287-9430



Peter J. Lynch
Director, Corporate Real Estate Services

Shannon Shea Miller

Page 2

Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Peter J. Lynch', written over a horizontal line.

UVN Texas, L.P.

cc: Mayor Julian Castro
Councilman Diego Bernal
Councilman Ron Nirenberg
Timothy B. Cone, Chair, Historic Design & Review Commission

Attachment #3
Application for Landmark



SAN ANTONIO CONSERVATION SOCIETY

16 August 2013

Shanon Shea Miller, AICP
Director, Office of Historic Preservation
Business Services Center
City of San Antonio
1901 S. Alamo
San Antonio, Texas 78204

Tim Cone, Chair
Historic and Design Review Commission Development and

RE: 441 E. Cesar Chavez
Univision Building

Dear Ms Miller and Mr. Cone;

This letter serves as the initiation for of application for the Historic Designation for the above reference address as per section 35-606 (b) (1) of the City's Unified Development Code.

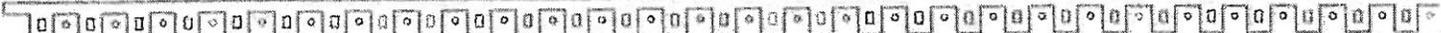
The Texas Historical Commission has determined that the Univision Building, which opened in 1955, is **eligible for listing in the National Register of Historic Places**, the Univision Building certainly qualifies as an architectural landmark, under Criterion C, in the area of Architecture, as an excellent local example of Midcentury Modern design. It is eligible under Criterion A; in the area of Communications and Ethnic Heritage for its association with Spanish-language television broadcasting in San Antonio, and probably under Criterion B, in the areas of Communications and Ethnic Heritage for its association with Raoul Cortez.

This association with our City's important Hispanic heritage and Raoul Cortez are the main reasons the Society thinks this building should be saved. The preservation of Latino and Hispanic cultural heritage should be a high priority for the City of San Antonio. These under-told stories that speak to the ethnic and racial diversity of our city, state, and country, deserve the same attention paid to other historical sites. By preserving the Univision Building, the City of San Antonio has the opportunity to embrace and celebrate the cultural heritage of our Spanish-speaking citizens by recognizing the national significance of this site and its history.

Yes, Univision has moved out and the property has been sold, but it is not too late to save the building. Recently, GreyStar, Inc. brought a development proposal before the Historic and Design Review Commission (HDRC) that called for the demolition of the Univision Building at 411 E. Cesar Chavez St., to make way for apartments. That application was approved in spite of the Conservation Society's statement recommending Historic Designation and reuse. We still believe GreyStar should incorporate this iconic Midcentury Modern building into their new development.

Sue Ann Pemberton, FAIA
President

107 KING WILLIAM STREET ♦ SAN ANTONIO, TEXAS 78204-1312 ♦ 210/224-6163 ♦ FAX: 210/224-6168



The Purpose of this Society is to preserve and to encourage the preservation of historic buildings, objects, places and customs, relating to the history of Texas, its natural beauty, and all that is admirably distinctive to our State; and by such physical and cultural preservation to keep the history of Texas legible and intact to educate the public, especially the youth of today and tomorrow, with knowledge of our inherited regional values.



PLEASE SUBMIT THIS FORM ALONG WITH:

- A** **Photographs of all four sides** of the building
- B** **Statement of Significance** including an architectural description, history of the property, and people associated with the property. Please provide references and sources for any research.
- C** **Copy of the current tax appraisal details**, available from Bexar County Appraisal District or www.bcad.org
- D** **Copy of the current Warranty Deed**, on file with the County Clerk or available online at <https://gov.propertyinfo.com/tx-bexar/>.
- Signed Authorization form from the Zoning Application** granting the Office of Historic Preservation permission to act as the applicant for the historic zoning overlay (available from OHP staff).

THIS COMPLETED APPLICATION AND SUPPORTING DOCUMENTS MUST BE SUBMITTED IN PERSON TO THE:

Office of Historic Preservation
Development and Business Services Center
1901 S. Alamo
San Antonio, TX 78283-3966
Telephone: (210) 207-7991

Historic landmark designation is a zoning overlay that provides protection for historic properties from hasty demolition and inappropriate or incompatible development through a design review process for exterior alterations. Please refer to the City of San Antonio Historic Design Guidelines for additional information, available at: <http://www.sanantonio.gov/historic/HistoricDistrictGuidelines.aspx>.



APPLICATION FOR HISTORIC LANDMARK DESIGNATION

CITY OF SAN ANTONIO

OFFICE OF HISTORIC PRESERVATION

1901 S. ALAMO, SAN ANTONIO, TEXAS 78204

P: 210.215.9274 E: OHP@SANANTONIO.GOV

DATE RECEIVED

LOCATION AND CLASSIFICATION

Property Address 411 E Cesar Chavez St, San Antonio, TX 78204

Proposed Landmark Name (Common Name) Univision Building

Parcel Identification: NCB 928 Block 3 Lot A1

Current Zoning D-RIO 3

Private Property River Improvement Overlay Public Property
 Other:

OWNER INFORMATION

Owner Name UVN TEXAS LP

Mailing Address 5999 Center Dr. Los Angeles, CA 90045-8901

Business Phone 310-216-3430

Home Phone

E-Mail

APPLICANT (AUTHORIZED AGENT) INFORMATION

Applicant (Authorized Agent) Name San Antonio Conservation Society

Mailing Address 107 King William St. San Antonio, TX 78204

Business Phone 210-224-6163

Home Phone (210) 227-4141

E-Mail conserve@saconservation.org

The Office of Historic Preservation designates landmarks on the basis of historical, architectural, and cultural significance. Section 35-607 of the Unified Development Code outlines the Designation Criteria for Historic Districts and Landmarks. Please provide a **Statement of Significance** for why the property meets the criteria as outlined by the Unified Development Code.

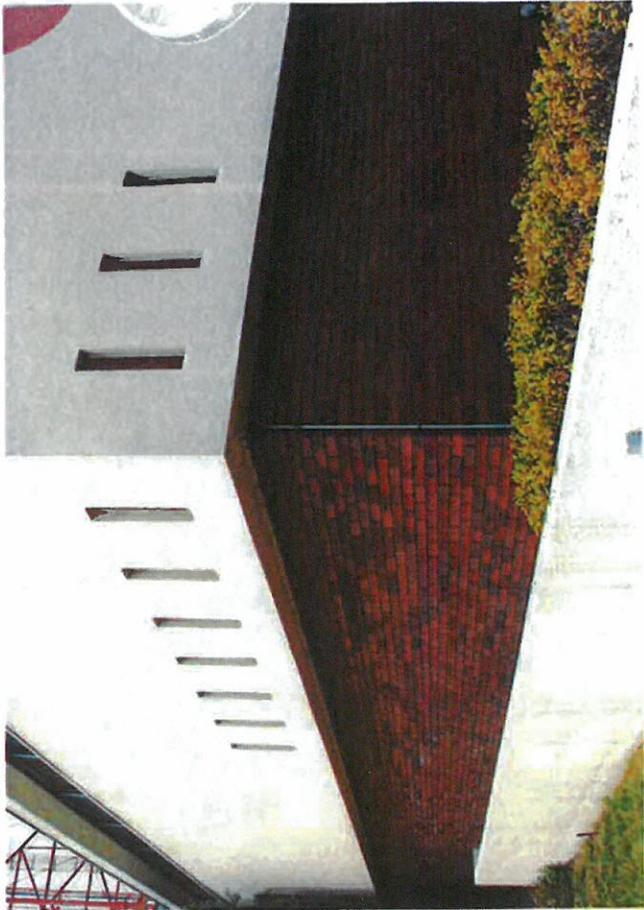
I, THE APPLICANT, DECLARE THAT I AM THE ~~OWNER OR AUTHORIZED AGENT OF THE OWNER(S)~~ ^{APPLICANT} TO REQUEST HISTORIC LANDMARK DESIGNATION OF THIS PROPERTY AND THAT THE INFORMATION PRESENTED IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

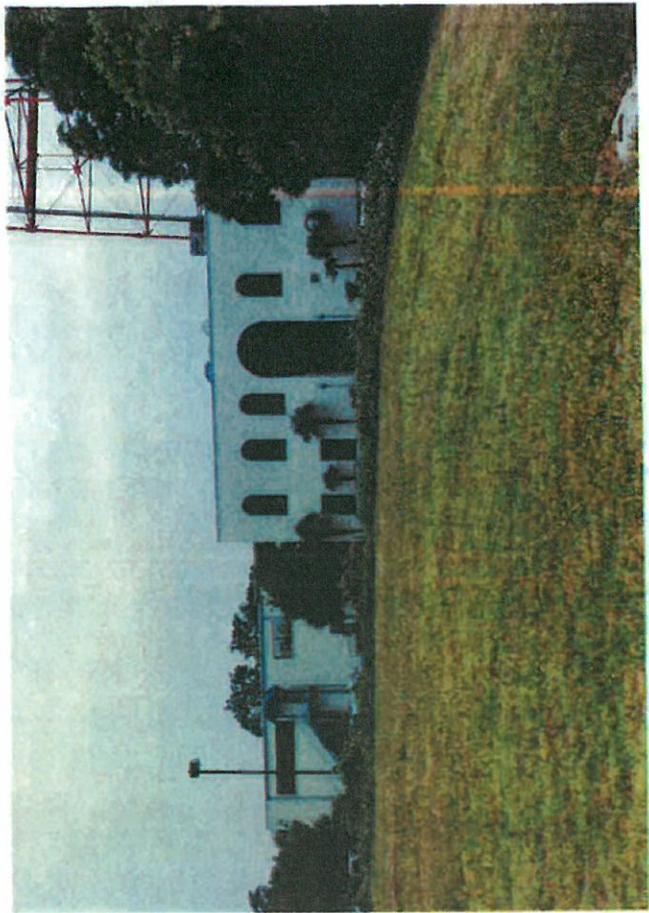
SIGNATURE

Jim Santambrogio
 PRESIDENT, SAN ANTONIO CONSERVATION SOCIETY

DATE

16 Aug 2013







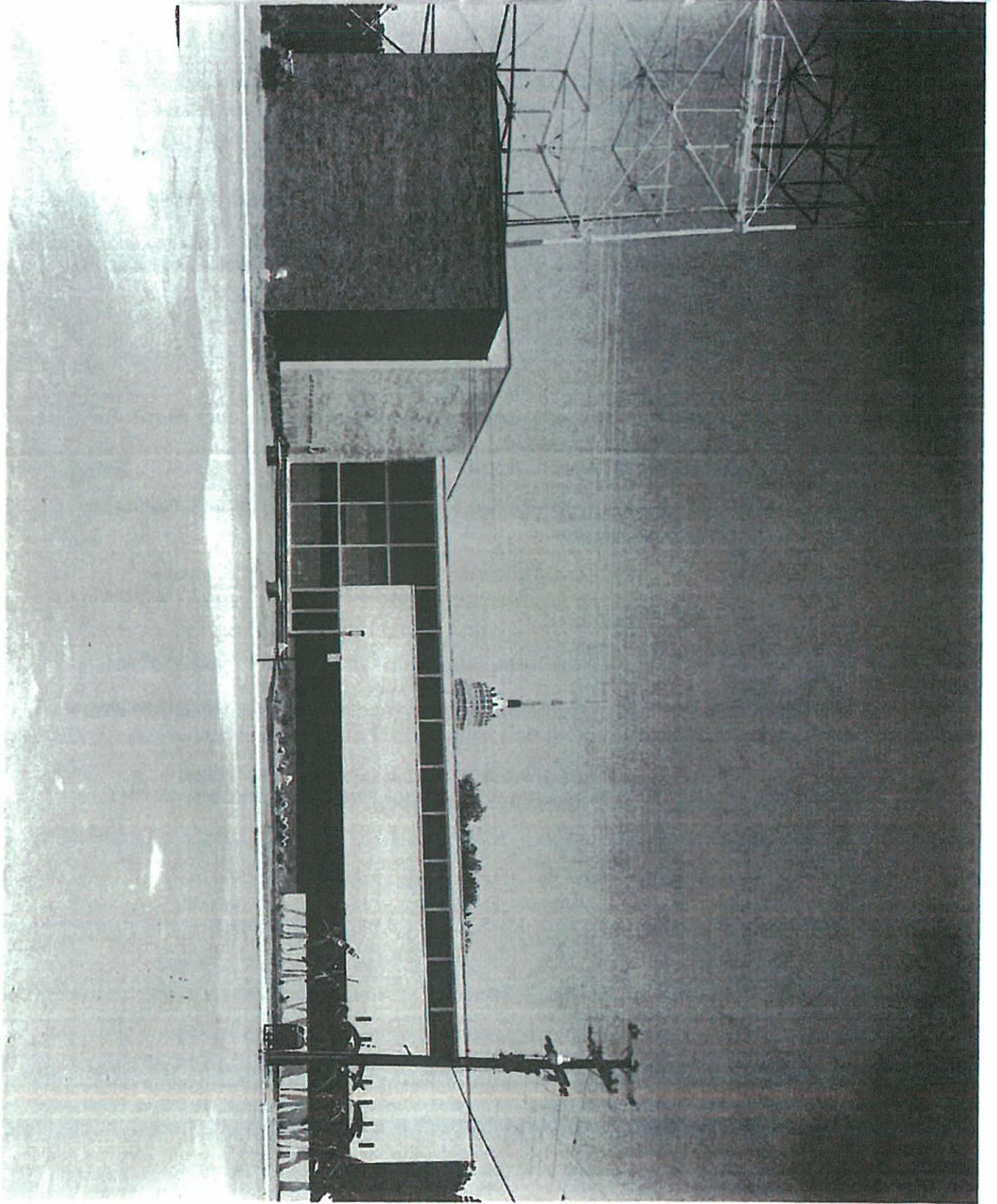
Univision Building Significance

The Univision Building, located at 411 E Cesar Chavez Blvd, is eligible to be designated as a San Antonio landmark as it meets the following criteria:

1. Its value as a visible or archaeological reminder of the cultural heritage of the community, or national event.
 - a. Designed by the local firm of Cerf Ross-Edwin Nicholson Associates, the original KCOR television station opened on June 10, 1955 as the first Spanish-language television station in the United States.
2. Its location as a sign of a significant local, county, state, or national event.
 - a. The Univision Building housed the first Spanish-language television station in the United States, as well as the oldest Spanish-language radio station in the United States.
3. Its identification with a person or persons who significantly contributed to the development of the community, county, state, or nation.
 - a. The station operated under the ownership of Spanish-language media pioneer Raoul Cortez. Cortez not only established the first Spanish-language radio (KCOR-AM) and television (KCOR-TV) stations in the United States owned and operated by a Mexican American. He further distinguished himself by his work with the League of United Latin American Citizens (LULAC) in fighting the bigotry against Hispanics prevalent in the country at the time and for meeting with Mexican President Miguel Aleman and U.S. President Harry S. Truman to discuss the plight of the Mexican illegal alien.
5. Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials.
 - a. The former KCOR station embodies the distinguishing characteristics of the Mid Century Modern style of architecture that has recently come of age as worthy of study. Some of the key stylistic elements reflected in the KCOR TV station are: an emphasis on rectangular forms and low, horizontal massing; the use of large expanses of glass to create a connection between the building's interior and its site, while providing natural light; and the use of traditional materials such as tile and brick in simplified ways to create a modern aesthetic.
11. It is distinctive in character, interest or value; strongly exemplifies the cultural, economic, social, ethnic or historical heritage of San Antonio, Texas or the United States.
 - a. The creation of these early channels was a response to the presence and growth of Hispanics in the U.S. population and their underrepresentation in the English-language mainstream media. The millions of Mexican immigrants and Mexican Americans living in the U.S. represented one of the wealthiest – and virtually untapped - Spanish-language markets in the world. The importance of the Hispanic market to advertisers, while significant, was not the only reason for the rise and success of Spanish-language broadcasting. Equally as important, the programming was relevant to the experiences of the Hispanic audiences and appealed to their desire to stay connected to Latino culture. Maintaining connections to their heritage heightened cultural awareness, promoted language proficiency and, by being informed of local news and events, helped the process of assimilation.

Bibliography

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Z-1310-1832

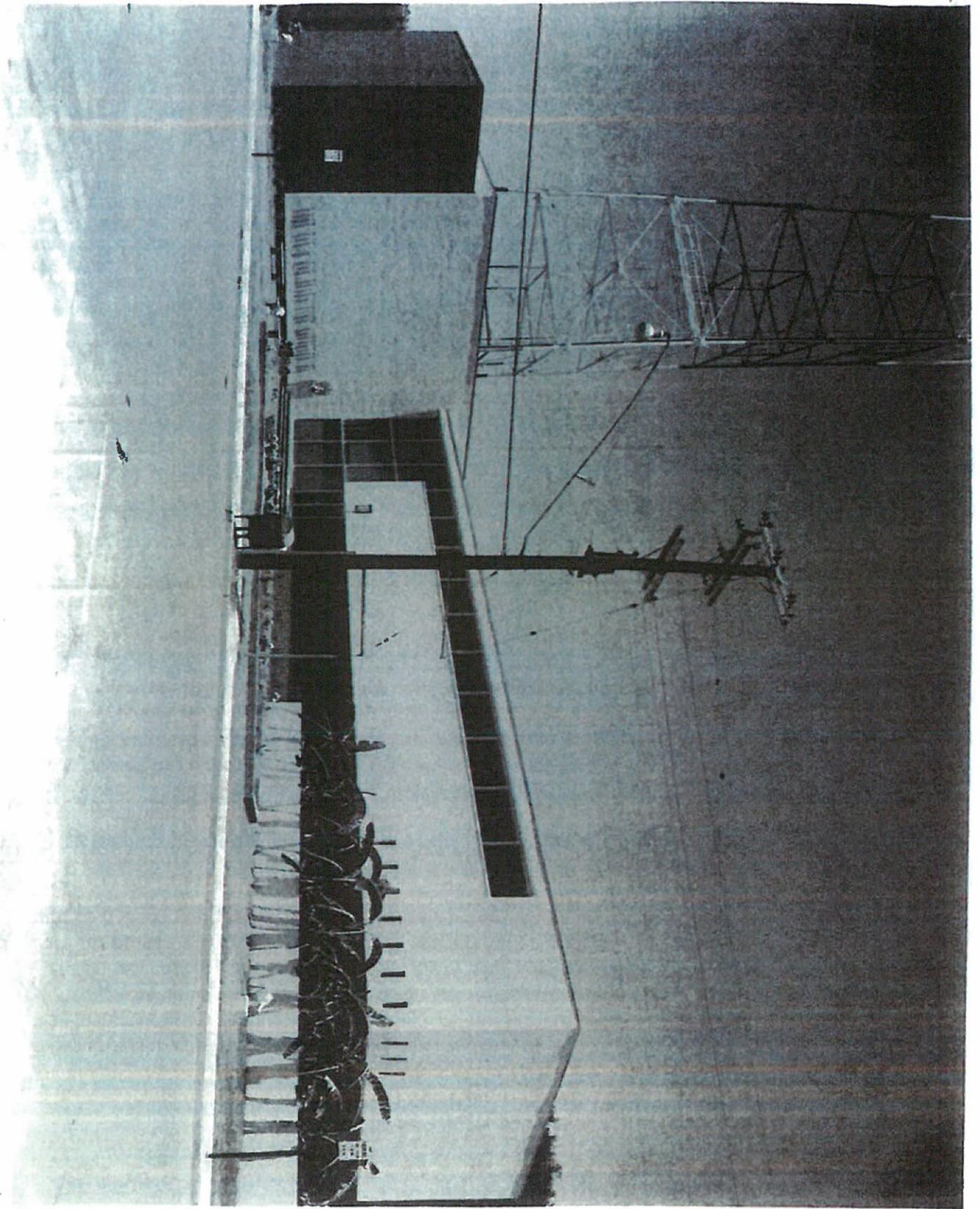
May 1956

Courtesy UTSA Archives
at Institute of Texan Cultures

B4

Z-1310-1833

May 1956



Courtesy UTSA Archives
at Institute of Texas Cultures

May 15, 2013

STATEMENT

To: Tim Cone, Chair, and Members,
Historic and Design Review Commission

Re: Agenda Item No. 8 - 441 E. Cesar Chavez
Historic District/ Designation

The San Antonio Conservation Society will comment on this item in two sections:

The first comments pertain to the design of the project submitted for review.

- In addition to the comments provided in the Applicable Citations presented in your packet, we suggest that the river frontage restudy include some kind of design feature, such as a canopy or shade overhang, to run horizontally on the River Walk elevation to help break up the verticality of the five story height of the building. We concur with the finding that the "Grand Staircase" on the River Walk is out of scale with the building and not in keeping with the character of the building or the River Walk. It should be noted that, in the original section of the River Walk, Robert H. H. Hugman presents a number of examples of how the transition from the river level to street level can be functional and aesthetically pleasing, as well as present an inviting pedestrian scale.

The second comments address the retention and preservation of the building located at 441 East Cesar Chavez.

- Designed by the local firm of Cerf Ross-Edwin Nicholson Associates and opened on June 10, 1955, the original KCOR radio and television station meets the criteria for local landmark designation in three keys areas. As home to the first Spanish-language television station in the United States, the building is associated with an event that has both local and national significance under Criterion 2. Constructed for Spanish-language media pioneer Raoul Cortez, the building also qualifies under Criterion 3: identification with a person who significantly contributed to the development of the community, county, state, or nation. Mr. Cortez not only has the distinction of establishing the first

Spanish-language radio (KCOR-AM) and television (KCOR-TV) stations owned and operated by a Mexican American in the United States. He is further noted for his work with the League of United Latin American Citizens (LULAC) in fighting the bigotry against Hispanics that prevailed at the time and for meeting with Mexican President Miguel Aleman and U.S. President Harry S. Truman to discuss the plight of the Mexican illegal alien. Finally, the former KCOR station meets Criterion 5 for embodying the distinguishing characteristics of the Mid-Century Modern style of architecture, which has recently come of age as worthy of study. Some of the key stylistic elements reflected in the KCOR TV station are: an emphasis on rectangular forms and low, horizontal massing; the use of large expanses of glass to create a connection between the building's interior and its site, while providing natural light; and the use of traditional materials such as tile and brick in simplified ways to create a modern aesthetic. Further research on architect Cerf Ross, who began his career as a junior draftsman for renowned local architect Ralph H. Cameron and established his own firm in 1949, may also lead to qualification under Criterion 4: identification as the work of an architect whose individual work has influenced the development of the community, county, state, or nation.

We believe at a time when preservationists are beginning to embrace architecture of the recent past, it is critical to take a second look at the Mid-Century Modern attributes of the KCOR building. Also, at a time when San Antonio is starting to recognize and designate buildings and sites that relate to our diverse culture, we should not fail to promote the preservation of properties that are significant to the history of successes of our Hispanic community. We recommend that the Historic and Design Review Commission consider Landmark Designation for 441 East Cesar Chavez and recommend redesign of the project to incorporate the building into the project.

Thank you for your consideration of our comments.

Nancy H. Avellar
President

TEXAS HISTORICAL COMMISSION
real places telling real stories

RECEIVED

JUN 11 2013

June 5, 2013

Nancy Avellar
President
San Antonio Conservation Society
107 King William Street
San Antonio, TX 78204

Re: *Proposed Demolition of the Univision Building (a.k.a. KCOR-TV), 441 E. Cesar Chavez Boulevard, San Antonio, Bexar County*

Dear Ms. Avellar:

Thank you for your correspondence dated May 21, 2013 regarding the above referenced project. This letter presents the comments of the Executive Director of the Texas Historical Commission.

The review staff, led by Kim Barker, has completed its review of the project documentation provided. Staff has determined that the Univision Building is **eligible for listing in the National Register of Historic Places**, under Criterion A in the area of Communications and Ethnic Heritage, for its association with Spanish-language television broadcasting in San Antonio. The building may also be eligible under Criterion B in the areas Communications and Ethnic Heritage for its association with Raoul Cortez, and Criterion C in the area of Architecture as a good local example of midcentury modern design. The building is eligible at the local level of significance, but more information about its role in Spanish-language broadcasting and Cortez' role in the Hispanic civil rights movement may support listing at the state or national levels. The National Register is a federal program that provides national recognition of a property's historic and/or architectural significance and denotes that it is worthy of preservation.

The Univision Building was constructed in 1955 to house the headquarters and broadcasting facilities of KCOR-TV, the first Spanish language television station in the United States, and KCOR-AM radio, both of which were owned by Cortez. Cortez started KCOR-AM as the country's first Spanish-language radio station in 1946. He also served as President of the League of United Latin American Citizens (LULAC) and held talks with both President Harry S. Truman and Mexican President Miguel Aleman to address the plight of illegal "aliens." Through a series of purchases, the original television station became part of what is now Univision, with the original building serving much its same purpose in the ensuing decades.

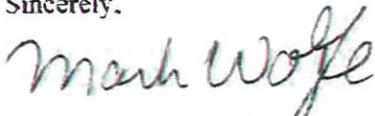
The Univision Building was designed by Cerf Ross-Edwin Nicholson Associates in the modern style. The building exemplifies this style in its clean lines, lack of traditional ornament, and bands of windows.



It is our understanding that Univision plans to sell the Univision Building and that it may be demolished to make way for construction of a new 350-unit apartment building. Given the Univision Building's eligibility to the National Register and its significance to San Antonio and Spanish-speaking people everywhere, we strongly support the retention and rehabilitation of this important building. If Univision now longer wants to utilize the building for its original purpose, it could be adaptively rehabilitated to serve a new use. The Texas Historical Commission is available to assist in the technical aspects of such a project and is available for consultation, recommendations, and guidance. Federal tax credits are available for substantial rehabilitation and we would be happy to provide additional information on this program. In addition, a new state tax credit has recently been approved by the Texas legislature, and should become available for use in the near future.

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 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,



Mark Wolfe, Executive Director

cc: Shanon Miller, Historic Preservation Officer, City of San Antonio
Virginia Nicholas, Chair, Bexar County Historical Commission

MW:KB

August 6, 2013

Sue Ann Pemberton
President
San Antonio Conservation Society
107 King William Street
San Antonio, TX 78204

RE: Proposed demolition of the Univision Building at 441 E. Cesar Chavez Blvd.

Dear Ms. Pemberton,

We, the members of the Westside Preservation Alliance (WPA), write to express our dismay at the proposal to demolish the Univision Building at 441 E. Cesar Chavez Blvd. As you know, the WPA is a volunteer organization whose members work to preserve the history, culture, and historic structures of San Antonio's predominately Mexican American Westside. Over the years we have witnessed the demolition of numerous building of historic, cultural, and architectural significance to the Mexican American community, such as La Gloria dance hall. The loss of these buildings coupled with the pending demolition of the Univision Building lead us to believe that the City of San Antonio and the Office of Historic Preservation (OHP) still have a long way to go to fully appreciate, protect, and preserve the historical significance of Mexican Americans to our city; this is particularly the case for the twentieth century.

Based upon the City of San Antonio's own guidelines for historic designation, which allow for equal consideration of architectural, historic and cultural significance, the Univision Building should be preserved. In this case, it seems as though the OHP has decided to ignore its own guidelines. Raoul Cortez, founder of KCOR, built this structure specifically to house Spanish language media stations, including the nation's first full-time Spanish language television station. That this happened in 1955, when nationally one out of three households did not even own a television, is historically significant in multiple registers of San Antonio's history, including the history of the commercial television industry in general and of Spanish language television in particular, as well as of business and social history. Furthermore, that this happened in San Antonio where a local audience could support a full-time Spanish language television station is culturally significant. To be content to replace this important part of San Antonio history with a plaque, as OHP appears to be, is telling of not only a limited commitment to preserving Mexican American history, concomitantly, it speaks to adherence to an outmoded historiographic and preservationist frame of San Antonio history.

Additionally, this plaque - the stipulation that OHP presented to the developer Greystar - begs the question, why even have historic preservation if a plaque is an adequate replacement for a historic structure? Would a plaque adequately replace the Alamo, the Missions, Joske's, or the Majestic Theater? Given that the Univision Building remains intact and structurally sound, we can see no justification in demolishing it in exchange for a plaque. Indeed, we would like to see more affordable housing downtown, and we agree with the San Antonio Conservation Society

that apartments could be built on the property in a way that incorporates the existing Univision Building so that it will remain visible to generations to come. Certainly preservation of the Casa Maldonado, an effort the WPA led and which notably was met with the same dismissive arguments, amply demonstrates that the existing building can be preserved and incorporated into new use of the property.

We look forward to further discussion about preserving significant structures in Mexican American and working class communities and to maintaining a partnership to further foster effective historic preservation city-wide.

Sincerely,

Westside Preservation Alliance Members

Sarah Gould
 Sarah Zenaida Gould, PhD
 Antonia Castañeda
 Antonia I. Castañeda
 Graciela S. Sandoval
 Melissa Rodriguez
 M. Cortez
 M. Cortez, Mansori
 Ana Carballo - Zibza Carballo
 Florie - Sembrillo (SS) Nino
 Gloria A. Ramirez
 ISABEL SANCHEZ
 Juiques Amador
 David R. ...
 ...

Catherine Muela - Waban, Ph.D.
 Rachel Delgado
 Murphy F., Esq.
 Susana Segura
 ...
 Cortez

Cc: Shanon Miller, Historic Preservation Officer, City of San Antonio
 Diego Bernal, District 1 City Councilman, City of San Antonio
 Virginia Nicholas, Chair, Bexar County Historical Commission
 Tino Duran, Publisher, La Prensa
 Ricardo O. Pimentel, San Antonio Express-News



**National Trust for
Historic Preservation**

Save the past. Enrich the future.

August 7, 2013

Councilman Diego Bernal
San Antonio City Council, District 1
1310 Vance Jackson
San Antonio, TX 78201

Dear Councilman Bernal,

The National Trust for Historic Preservation, the nation's leading voice for historic preservation and community revitalization, supports the preservation and reuse of the historic KCOR Univision building at 441 East Cesar Chavez Boulevard in San Antonio. As home to the first Spanish-language television station in the United States, the KCOR building carries both local and national significance and tells an important story in the diverse history of the county.

The KCOR Univision building's architecture embodies Mid-Century Modern design, and the station's founder, Raoul Cortez is an important figure in both the Texas and national civil rights movements during the 1940s and beyond. KCOR's role in the development of Spanish-language television in the United States cannot be overstated – as the home of the first Spanish-language television station as well as the first to be owned by a Mexican-American, the Univision Building speaks to the incredible contribution made by San Antonio to the nation's earliest Spanish-language media outlets. Preserving the KCOR building allows this important piece of Latino heritage to teach future generations to celebrate the cultural diversity evident in our nation's history.

The National Trust applauds our partners, the San Antonio Conservation Society, in their efforts to raise awareness of and work towards the preservation of the KCOR Univision building. We agree and lend our voice in support of preserving this significant building.

Sincerely,

A handwritten signature in blue ink, appearing to read "Beth Wiedower".

Beth Wiedower
Senior Field Officer
Houston Field Office

Houston Field Office

1601 South Shepherd Drive Houston, TX 77019

E bwiedower@savingplacas.org P 870.816.0774 www.PreservationNation.org



**National Trust for
Historic Preservation**
Save the past. Enrich the future.

August 7, 2013

The Honorable Julián Castro
Mayor of San Antonio
P.O. Box 839966
San Antonio, TX 78283

Dear Mayor Castro,

The National Trust for Historic Preservation, the nation's leading voice for historic preservation and community revitalization, supports the preservation and reuse of the historic KCOR Univision building at 441 East Cesar Chavez Boulevard in San Antonio. As home to the first Spanish-language television station in the United States, the KCOR building carries both local and national significance and tells an important story in the diverse history of the county.

The KCOR Univision building's architecture embodies Mid-Century Modern design, and the station's founder, Raoul Cortez is an important figure in both the Texas and national civil rights movements during the 1940s and beyond. KCOR's role in the development of Spanish-language television in the United States cannot be overstated – as the home of the first Spanish-language television station as well as the first to be owned by a Mexican-American, the Univision Building speaks to the incredible contribution made by San Antonio to the nation's earliest Spanish-language media outlets. Preserving the KCOR building allows this important piece of Latino heritage to teach future generations to celebrate the cultural diversity evident in our nation's history.

The National Trust applauds our partners, the San Antonio Conservation Society, in their efforts to raise awareness of and work towards the preservation of the KCOR Univision building. We agree and lend our voice in support of preserving this significant building.

Sincerely,

A handwritten signature in blue ink, appearing to read "Beth Wiedower".

Beth Wiedower
Senior Field Officer
Houston Field Office

Houston Field Office

1601 South Shepherd Drive Houston, TX 77019

E bwiedower@savingplaces.org P 870.816.0774 www.PreservationNation.org

August 16, 2013

The Honorable Julián Castro
Mayor of San Antonio

Dear Julián,

I am writing you because I am very distressed by the impending demolition of the KWEX TV building on César Chavez Blvd., a structure that is the cradle of Spanish language broadcast media in the United States.

As a native San Antonian, like you, and as someone who worked in that building and was recognized with Emmy accolades by the Academy of Television Arts and Sciences, I strongly urge this building be preserved.

Just as La Gloria was a first in San Antonio, (first multi pump gas station; first filling station to include a roof to protect from inclement weather; first and only Roof Garden for dancing under the stars to be welcoming to all San Antonians of all races, nationalities, and economic strata during the Great Depression) the KWEX building is a first on a national scale: first to house Spanish language television and radio communications in the entire United States.

It is such a fundamental cornerstone of communications history in this country that all San Antonio school children should have the opportunity to visit the site and marvel at the achievement of their forebears, feeling the justified pride of being the host city for a grand and visionary enterprise.

Mr. Mayor, KWEX, founded as KCOR-TV to honor co-founder Raúl Cortez, according to his co-founder Emilio Nicolas, was built expressly for television in 1955; later also housed KCOR radio founded in the 1940's; and is a testament to the changing technologies of television, ranging from live-only TV, to 2" tape technology, to ½ " Betamax, to modern digital platforms. It began as a stand-alone television station, became a repeater station with the advent of satellites and made possible the founding of over 600 TV stations across the country.

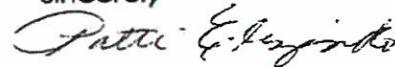
Its equipment documented and broadcast countless battles for equality led by Civil Rights leaders of the 60's, like your beloved mother Rosie Castro, civil rights attorney Gus Garcia and SWVRP founder Willie Velasquez, their valiant messages broadcast over the airwaves in Spanish by KWEX; the efforts and achievements of a myriad of education leaders like Jimmy Vasquez, spearhead for the Edgewood School District 1970's fight for the equitable distribution of school taxes, were documented and broadcast by KWEX; the relentless public health efforts to warn the population of the devastating effects of diabetes...there are far too many important battles fought on behalf of Mexican Americans, Hispanics and Americans in general, and chronicled within KWEX's walls to allow them just to fade away.

It all started here, in San Antonio, at KWEX. Mr. Mayor, I entreat you to make all San Antonio children proud, and especially to show Mexican American children, what their ancestors accomplished and made possible for the rest of the nation by preserving this building as a museum and showplace, with videos from these important battles projected in its studio and chronicled on its walls .

Please enforce the powers of your office and your leadership of the City Council to ensure that, whatever is built on the surrounding land, the KWEX building is preserved as a museum, next to the giant steel broadcast tower, to which Univision has retained ownership, as the network continues broadcasting its signal to succeeding generations of Hispanics.

Personally, I will never forget that you cast your vote in favor of preserving La Gloria's legacy, and I look forward to your leadership in this vital matter to the San Antonio community and to the preservation of our ever-increasing role in the important business of these United States.

Sincerely



Patti Elizondo

CC: Councilman Diego Bernal
Councilman Ron Nirenberg

August 16, 2013

Mr. Diego Bernal
City Council, District 1

Dear Mr. Bernal,

As the City Council representative for District 1, you have the enviable bragging rights to the greatest number of historic, buildings in San Antonio, a city committed to preserving her legacy in the important strides achieved nationally as the United States cemented its place as a world leader throughout the 20th century.

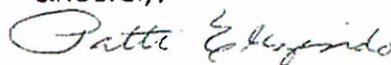
Today, you, the mayor and your council colleagues are faced with just such an important crossroads. Does San Antonio continue to honor the legacy of her forebears through the preservation of buildings that housed watershed moments in history, such as the Alamo, and the present opportunity to preserve the birthplace of Spanish language broadcast television communications, which later spread nationwide?

This question, Councilman Bernal, is the reason I am writing you at this time. I strongly believe the iconic, historic KWEX building should be preserved as a museum for future generations of San Antonio children and of San Antonio tourists as the cradle of Spanish language communications in the nation. I respectfully request that you read my attached letter to Mayor Castro which enumerates in greater detail the important people, events and technological history chronicled in this building.

This is a unique opportunity, made all the more attainable by the fact that the giant steel transmission tower next to the building will remain in place, as Univision has retained ownership of the tower.

As a television journalist who began my career within the walls of KWEX-TV as a local reporter and an Emmy Award winning correspondent for Univision Network, which led to positions as anchor-reporter for CBS affiliate KENS and reporter for KVDA, Telemundo; but more significantly, as a native San Antonian, I entreat you, Mayor Castro, my council representative Ron Nirenberg and your fellow council members to honor the vital legacy of the people who made history within the walls of KWEX and of the people who made Spanish language communications possible in these United States.

Sincerely,



Patti Elizondo

August 16, 2013

Mr. Ron Nirenberg
City Council, District 8

Dear Mr. Nirenberg,

Although I have not yet had the pleasure of meeting you, I am very favorably impressed by your leadership at last week's City Council meeting focusing on the 2014 budget.

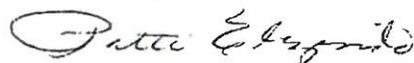
I am writing you on another matter of utmost urgency: the impending demolition of one of San Antonio's most iconic structures, namely the KWEX-TV building on Cesar Chavez Blvd. which should certainly be saved as a museum so future generations of San Antonians and her millions of visitors may learn about the stunning achievements of San Antonio's forebears in the founding of Spanish language broadcast communication in the United States.

I respectfully request that you read my attached letter to Mayor Castro, which outlines several vital historic points related to this piece of history.

Preserving the building is certainly within the powers of the City Council and is greatly facilitated by the fact that Univision has retained ownership of the giant steel broadcast tower next to which the building is situated.

As a native San Antonian, as a former local reporter and later as an Emmy Award winning national correspondent for Univision Network, who worked within the walls of KWEX and witnessed history unfold under her roof, I entreat you to do whatever you can to help preserve this important monument to the history of local and national Spanish language communications.

Sincerely



Patti Elizondo
District 8 Constituent

Bexar CAD

Property Search Results > 110385 UVN TEXAS LP for Year 2013

Property

Account

Property ID: 110385 Legal Description: NCB 928 BLK 3 LOT A1 EXC W IRRG 20 FT
 Geographic ID: 00928-003-0200 Agent Code: 60479
 Type: Real
 Property Use Code: 098
 Property Use Description: TRANSITIONAL USE

Location

Address: 411 E CESAR E CHAVEZ BLVD Mapsco: 616E6
 TX
 Neighborhood: NBHD code10012 Map ID:
 Neighborhood CD: 10012

Owner

Name: UVN TEXAS LP Owner ID: 2791507
 Mailing Address: 5999 CENTER DR % Ownership: 100.000000000000%
 LOS ANGELES, CA 90045-8901
 Exemptions:

Values

| | | | |
|---------------------------------------|---|-------------|-----------------------|
| (+) Improvement Homesite Value: | + | \$0 | |
| (+) Improvement Non-Homesite Value: | + | \$50,000 | |
| (+) Land Homesite Value: | + | \$0 | |
| (+) Land Non-Homesite Value: | + | \$1,373,360 | Ag / Timber Use Value |
| (+) Agricultural Market Valuation: | + | \$0 | \$0 |
| (+) Timber Market Valuation: | + | \$0 | \$0 |
| ----- | | | |
| (=) Market Value: | = | \$1,423,360 | |
| (-) Ag or Timber Use Value Reduction: | - | \$0 | |
| ----- | | | |
| (=) Appraised Value: | = | \$1,423,360 | |
| (-) HS Cap: | - | \$0 | |
| ----- | | | |
| (=) Assessed Value: | = | \$1,423,360 | |

Taxing Jurisdiction

Owner: UVN TEXAS LP
 % Ownership: 100.000000000000%
 Total Value: \$1,423,360

| Entity | Description | Tax Rate | Appraised Value | Taxable Value | Estimated Tax |
|--------|---------------------|----------|-----------------|---------------|---------------|
| 06 | BEXAR CO RD & FLOOD | 0.030679 | \$1,423,360 | \$1,423,360 | \$436.67 |
| 08 | SA RIVER AUTH | 0.017370 | \$1,423,360 | \$1,423,360 | \$247.24 |
| 09 | ALAMO COM COLLEGE | 0.149150 | \$1,423,360 | \$1,423,360 | \$2,122.94 |
| 10 | UNIV HEALTH SYSTEM | 0.276235 | \$1,423,360 | \$1,423,360 | \$3,931.82 |
| 11 | BEXAR COUNTY | 0.296187 | \$1,423,360 | \$1,423,360 | \$4,215.80 |

| | | | | | | |
|-----------------|--------------------------|----------|-------------|-------------|-----------------------------|-------------|
| 21 | CITY OF SAN ANTONIO | 0.565690 | \$1,423,360 | \$1,423,360 | \$8,051.81 | |
| 57 | SAN ANTONIO ISD | 1.357600 | \$1,423,360 | \$1,423,360 | \$19,323.53 | |
| CAD | BEXAR APPRAISAL DISTRICT | 0.000000 | \$1,423,360 | \$1,423,360 | \$0.00 | |
| Total Tax Rate: | | 2.692911 | | | | |
| | | | | | Taxes w/Current Exemptions: | \$38,329.81 |
| | | | | | Taxes w/o Exemptions: | \$38,329.82 |

Improvement / Building

| | | | | | | | |
|------------------------|------------|--------------------|----|---------------------|--------------|---------------|----------|
| Improvement #1: | Commercial | State Code: | F1 | Living Area: | 21178.0 sqft | Value: | \$48,831 |
|------------------------|------------|--------------------|----|---------------------|--------------|---------------|----------|

| Type | Description | Class CD | Exterior Wall | Year Built | SQFT |
|------|--------------------|----------|---------------|------------|--------|
| 314 | BROADCAST FACILITY | C | MA | 1954 | 5099.0 |
| 314 | BROADCAST FACILITY | C | MA | 1954 | 4691.0 |
| 314 | BROADCAST FACILITY | C | MA | 1954 | 3245.0 |
| 314 | BROADCAST FACILITY | C | MA | 1954 | 2823.0 |
| 314 | BROADCAST FACILITY | C | MA | 1954 | 992.0 |
| 314 | BROADCAST FACILITY | C | MA | 1954 | 360.0 |
| 314 | BROADCAST FACILITY | C | MA | 1954 | 3968.0 |

| | | | | | | | |
|------------------------|------------|--------------------|----|---------------------|------|---------------|-------|
| Improvement #2: | Commercial | State Code: | F1 | Living Area: | sqft | Value: | \$205 |
|------------------------|------------|--------------------|----|---------------------|------|---------------|-------|

| Type | Description | Class CD | Exterior Wall | Year Built | SQFT |
|------|-------------|----------|---------------|------------|-------|
| FEN | Fence | S | | 0 | 900.0 |

| | | | | | | | |
|------------------------|------------|--------------------|----|---------------------|------|---------------|-------|
| Improvement #3: | Commercial | State Code: | F1 | Living Area: | sqft | Value: | \$828 |
|------------------------|------------|--------------------|----|---------------------|------|---------------|-------|

| Type | Description | Class CD | Exterior Wall | Year Built | SQFT |
|------|-------------|----------|---------------|------------|---------|
| ASP | Asphalt | * | | 0 | 17000.0 |

| | | | | | | | |
|------------------------|------------|--------------------|----|---------------------|------|---------------|-------|
| Improvement #4: | Commercial | State Code: | F1 | Living Area: | sqft | Value: | \$136 |
|------------------------|------------|--------------------|----|---------------------|------|---------------|-------|

| Type | Description | Class CD | Exterior Wall | Year Built | SQFT |
|------|-------------|----------|---------------|------------|-------|
| RSH | Shed | G | | 2008 | 240.0 |

Land

| # | Type | Description | Acres | Sqft | Eff Front | Eff Depth | Market Value | Prod. Value |
|---|------|----------------------------|--------|----------|-----------|-----------|--------------|-------------|
| 1 | COB | Commercial Office Building | 0.7006 | 30519.00 | 0.00 | 0.00 | \$1,373,360 | \$0 |

Roll Value History

| Year | Improvements | Land Market | Ag Valuation | Appraised | HS Cap | Assessed |
|------|--------------|-------------|--------------|-------------|--------|-------------|
| 2013 | \$50,000 | \$1,373,360 | | 0 1,423,360 | \$0 | \$1,423,360 |
| 2012 | \$50,000 | \$1,373,360 | | 0 1,423,360 | \$0 | \$1,423,360 |
| 2011 | \$50,000 | \$1,373,360 | | 0 1,423,360 | \$0 | \$1,423,360 |
| 2010 | \$50,000 | \$1,373,360 | | 0 1,423,360 | \$0 | \$1,423,360 |
| 2009 | \$118,640 | \$1,373,360 | | 0 1,492,000 | \$0 | \$1,492,000 |
| 2008 | \$118,600 | \$1,373,400 | | 0 1,492,000 | \$0 | \$1,492,000 |

Deed History - (Last 3 Deed Transactions)

| # | Deed Date | Type | Description | Grantor | Grantee | Volume | Page | Deed Number |
|---|-----------------------|------|-----------------------|-------------------|--------------|--------|------|-------------|
| 1 | 8/30/2011 12:00:00 AM | CD | Correction Deed | SPANISH INTERNATI | UVN TEXAS LP | 15999 | 1313 | 20130052592 |
| 2 | 8/30/2011 12:00:00 AM | SWD | Special Warranty Deed | SPANISH INTERNATI | UVN TEXAS LP | 15289 | 0663 | 20110232366 |

C3

******For Internet Explorer 10 Users Click Here for Instructions******

2013 data current as of Jul 19 2013 1:41AM.

2012 and prior year data current as of Jul 11 2013 3:45PM

For property information, contact (210) 242-2432 or (210) 224-8511 or email.

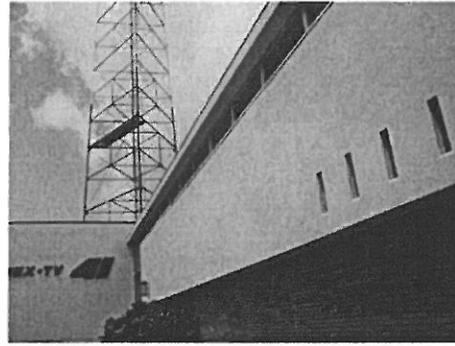
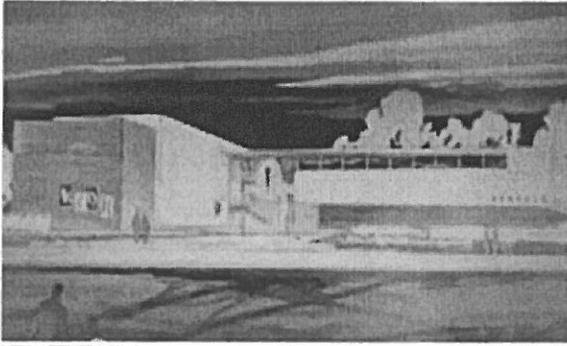
For website information, contact (210) 242-2500.

Website version: 1.2.2.2

Database last updated on: 7/19/2013 1:41 AM

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Pres. Vicente Fox
and Emilio Nicolas Sr.

Emilio Azcarraga Jr. and Sr.

Congressman Henry B. Gonzalez

cc:

- Lic. Emilio Azcárraga Jean, Presidente, Grupo Televisa
- Lic. Guillermo Nicolas, San Antonio, Texas
- Congressman Charlie Gonzalez
- Luis Patiño, Univision, Austin, Texas
- The Texas Historical Commission
- The Esperanza Peace & Justice Center and its members
- The San Antonio Conservation Society and its members
- The Hispanic Heritage Center of Texas and its members
- San Antonio's Westside Preservation Alliance and its members
- The San Antonio Hispanic Chamber of Commerce
- Ms. Shanon Shea Miller, Director, San Antonio Office of Historic Preservation
- Concerned associations, organizations and individuals