



CITY OF ST. LOUIS
**PLANNING & URBAN
DESIGN AGENCY**
FRANCIS G. SLAY, Mayor

File No. PDA-021-16-PRS

To: City of St. Louis Planning Commission

From: Don Roe, Director

Subject: Request for review of Preservation Board Demolition Decisions
Preservation Board denied demolition of (2711-13 Gravois Ave. – Fox Park
Neighborhood CB 2069.02).
The Applicant is requesting Planning Commission Review of the Decision

Date: January 29, 2016

Summary

Decisions regarding demolitions by the Preservation Board are subject to review by the Planning Commission. It is the discretion of the Planning Commission to accept or deny the undertaking of such a review. In other words once an applicant has made such a request it is a two step process. The first step is the Planning Commission vote on if it will conduct the review. If it decides to conduct the review it provides notice to the affected parties and sets a time and date of the actual review. If the Planning Commission chooses not to do the review, it is treated like all other Preservation Board decisions. Where the Preservation Board action is treated under Section 536 of the Mo Revised Statutes and the applicant (and other parties with standing within designated time periods) may make an administrative appeal to Circuit Court.

You are at step one – decide to undertake the review or not of this decision.

If you agree to undertake the review, the review shall be limited to determining the correctness of the provisional decision of the Preservation Board by reviewing the record as adduced before the Preservation Board in light of the applicable and appropriate standard. You may consider oral and written arguments but no new or additional evidence may be considered.

Background

Subject: Preservation Board decision denying the demolition of 2711-13 Gravois Ave., a three-story commercial building in the Fox Park Local Historic District; the St. Francis de Sales National Register Historic District; and a Preservation Review District, owned by St. Louis City Catholic Church Real Estate Corporation. The matter was called, heard and considered by the Board at a hearing on December 14, 2015. Brandon S. Rothkopt, Associate General Counsel for the Archdiocese of St. Louis, filed the review request on behalf of the property owner in a letter dated January 12, 2016.

Procedure: Demolition permits are applied for at the Building Division then routed to relevant reviewers including the Cultural Resource Office (CRO). Decisions of the CRO are appealed to the Preservation Board. This demolition came before the Preservation Board as an appeal of the office's decision. For procedural reasons the resulting decision of the Preservation Board is called a "provisional decision". The proper terminology for the action before the Planning Commission is a "review".

Ordinance: This review is allowed for under Ordinance 64925, which revised Ordinance 64689. Section Fifty of which states in part: "The decision of the Planning Commission to accept or deny such review shall be exercisable in its sole, unrestricted discretion by a vote of a majority of a quorum of the Planning Commission." Section Fifty-Three relates to the actual review and states: "In reviewing the decisions of the Preservation Board under Sections Fifty and Sixty-Three hereof the Planning Commission shall be limited to determining the correctness of the provisional decision by reviewing the record as adduced before the Preservation Board in light of the applicable and appropriate standard. The Planning Commission may consider both oral and written arguments but no new or additional evidence may be considered... The Planning Commission shall, in writing affirm, reverse or modify the decision of the Preservation Board."

Requested Action

The Planning Commission discussion with staff followed by a vote in regards to accepting the undertaking of this review at a future meeting.