

AN ORDINANCE 2008-09-18-0846

**AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SAN ANTONIO BY AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, SECTION 35-304, OF THE CITY CODE OF SAN ANTONIO, TEXAS BY CHANGING THE ZONING DISTRICT BOUNDARY OF CERTAIN PROPERTY.**

\* \* \* \* \*

**WHEREAS**, a public hearing was held regarding this amendment to the Official Zoning Map at which time parties in interest and citizens were given an opportunity to be heard; and

**WHEREAS**, the Zoning Commission has submitted a final report to the City Council regarding this amendment to the Official Zoning Map of the City of San Antonio; **NOW THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** Chapter 35, Unified Development Code, Section 35-304, Official Zoning Map, of the City Code of San Antonio, Texas is amended by changing the zoning district boundary of Parcel 8C, Parcel 10B, and Parcel 10D CB 4297 from "MI-1" Mixed Light Industrial District to "HE MI-1" Historic Exceptional, Mixed Light Industrial District.

**SECTION 2.** All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35 -491.

**SECTION 3.** The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

**SECTION 4.** This ordinance shall become effective September 28, 2008.

**PASSED AND APPROVED** this 18th day of September, 2008.

  
M A Y O R

**PHIL HARDBERGER**

ATTEST:   
City Clerk

APPROVED AS TO FORM:   
City Attorney



Request for  
**COUNCIL  
ACTION**

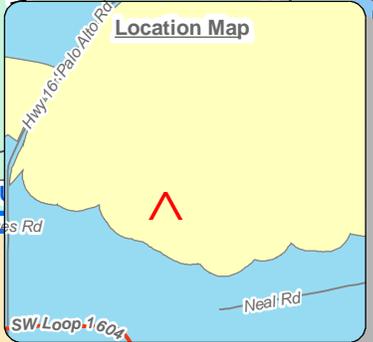
City of San Antonio



## Agenda Voting Results - Z-9


<b>Name:</b>	Z-2, Z-3, Z-4, Z-5, Z-6, Z-7, Z-9, Z-10, Z-12, P-1, Z-13, Z-14, Z-15, Z-16, Z-17, Z-18, Z-19, Z-22, Z-23, Z-25, Z-29, Z-30, Z-33, Z-34
<b>Date:</b>	09/18/2008
<b>Time:</b>	02:35:17 PM
<b>Vote Type:</b>	Motion to Approve
<b>Description:</b>	ZONING CASE # Z2008231 (District 4): An Ordinance amending the Zoning District Boundary from "MI-1" Mixed Light Industrial District to "HE MI-1" Historic Exceptional, Mixed Light Industrial District on Parcel 8C, Parcel 10B, and Parcel 10D CB 4297 located at the 17200 Block of Applewhite Road. Staff and Zoning Commission recommend approval. The City South Management Authority Board recommends approval.
<b>Result:</b>	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Phil Hardberger	Mayor		x				
Mary Alice P. Cisneros	District 1		x				
Sheila D. McNeil	District 2		x				
Jennifer V. Ramos	District 3		x				
Philip A. Cortez	District 4		x				
Lourdes Galvan	District 5		x				
Delicia Herrera	District 6		x			x	
Justin Rodriguez	District 7		x				
Diane G. Cibrian	District 8		x				
Louis E. Rowe	District 9		x				
John G. Clamp	District 10		x				x



# Zoning Case Notification Plan

## Case Z2008231

Council District 4

Scale: 1" approx. = 800'

Subject Property Legal Description(s): Parcels P-8C (62.0 AC), P-10B (7.954 AC), & P-10D (73.3 AC) - CB 04297 - Abstract 13 Applegate

### Legend

- Subject Property  (143.25 Acres)
- 200' Notification Buffer
- Current Zoning R6
- Requested Zoning Change (R6)
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept  
(07/25/2008)

**Z2008231**

**ZONING CASE NUMBER Z2008231 (Council District 4)** – August 5, 2008

A request for a change in zoning from “MI-1” Mixed Light Industrial District to “HE MI-1” Historic Exceptional, Mixed Light Industrial District on Parcel 8C, Parcel 10B, and Parcel 10D CB 4297, Approximate 17200 Block of Applewhite Road. Staff recommends approval.

This case was approved by consent.

Staff stated there were 12 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor. Staff mailed 80 notices to the planning team.

**COMMISSION ACTION**

The motion was made by Commissioner Gadberry and seconded by Commissioner Robbins to recommend approval.

**AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Hawkins, Myers,  
Martinez**

**NAY: None**

**THE MOTION CARRIED**



02008281

HISTORIC AND DESIGN REVIEW COMMISSION  
CERTIFICATE OF APPROPRIATENESS

June 04, 2008

CITY OF SAN ANTONIO

HDRC CASE NO: 2008-182

ADDRESS:

LEGAL DESCRIPTION: CB 4297 P-8, 10

PUBLIC PROPERTY: No

HISTORIC DISTRICT:

LANDMARK DISTRICT:

APPLICANT: COSA, 1901 S Alamo

OWNER: COSA

TYPE OF WORK: Finding of Historic Significance

REQUEST:

The applicant is requesting a Certificate of Appropriateness for a Finding of Historic Significance.

RECOMMENDATION:

The Lt. Col. Ygnacio Perez Stone Rancho, 41BX274 meets the following criteria for Landmark status (35-607) (b) (1) serves as a visible reminder of the cultural heritage of the community; (3) Its identification with a person or persons who significantly contributed to the development of the community; (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; (7) its unique location or singular physical characteristics that make it an established or familiar visual feature; (8) Its historical, architectural or cultural integrity of location, design, materials, and workmanship; and, additionally, 35-607 (c) (1) E. the property is associated with family persons important to the history of San Antonio; (c) (2) A. Buildings or places which have come to represent a part of San Antonio's cultural heritage for at least twenty-five (25) years; (c)(2) E. Archaeological sites of cultural importance to local people or social or ethnic groups, such as locations of important events in their history.

COMMISSION ACTION:

Approval of a finding of historic significance. The Historic and Design Review Commission is also recommending approval to the Zoning Commission and to the City Council for designation of Historic District for the Lt. Col. Ygnacio Perez Stone Rancho.

Ann Benson McGlone  
Historic Preservation Officer

City Landmark Designation

**HDRC CASE NO.**

**KNOWN AS:** Lt. Col. Ygnacio Perez Stone  
Rancho, 41BX274

**ADDRESS:**

**LEGAL DESCRIPTION:** CB 4297 P-8, 10

**ZONING:** FR

**COUNCIL DISTRICT:**

**HISTORIC DISTRICT**

**LANDMARK:** Finding of Historic Significance

**APPLICANT:** City of San Antonio

**OWNER:** City of San Antonio

**TYPE OF WORK:**

**ARCHAEOLOGICAL SITE NUMBER:**

41BX274

**State Archeological Landmark**

**HISTORY:**

From *THE PEREZ FARM AND RANCHO: LATE SPANISH COLONIAL, MEXICAN, AND REPUBLIC PERIOD FARMING AND RANCHING ACTIVITIES ALONG THE LOWER MEDINA RIVER, BEXAR COUNTY, TEXAS* by Kay Hindes Source:

McGraw, A. Joachim and Kay Hindes. Chipped

Stone and Adobe: A Cultural Resources

Assessment of the Proposed Applewhite

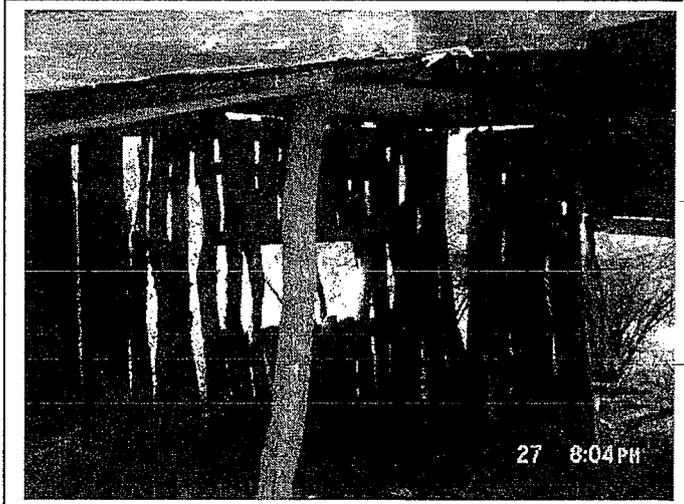
Reservoir, Bexar County, Texas. Archaeological

Survey Report, No. 163, 1987, Center for

Archaeological Research, The University of Texas

at San Antonio, pgs. 110-113.

Lieutenant Colonel Juan Ygnacio Perez was granted four **sitios** of land on the south bank of the Medina River by Colonel Antonio Cordero in 1808 for **ganado mayor** and one league of land on the north bank by Nemesio Salcedo the same year (McGraw and Hindes 1987:111). The occupation of the land by Col. Perez predated the official grant by at least 15 years to 1793 (Paul vs. Perez, 1853). The land was originally part of the extensive holdings of the Mission San Jose y San Miguel de Aguayo (Jackson, 1986:39). Perez may have controlled portions of the property while it still was under the auspices of mission ownership with the consent and knowledge of the



**padres** (Jack Jackson, personal communication). In 1793, when partial secularization of the mission's lands occurred, Perez may have already been established in this area.

### Perez Family

The Perez family was one of the most influential families of Spanish Texas, politically, socially, and economically. The patriarch of the family, Juan Ygnacio Perez, was an officer in the Spanish Army, father-in-law to Governor Antonio Cordero and an interim Governor from 1815 to 1817. The son of Domingo and Maria Concepcion (de Carvajal) Perez was born on Feb. 8, 1756 (Bexar County Archives San Fernando Church Records.) Grandparents of Juan Ygnacio Perez were Joseph Antonio Peres and Paula (Granado), daughter of Juan and Maria Robaina de Bethencourt, both Canary Islanders who arrived in San Antonio in 1731 (Chabot 1937:178).

Juan Ygnacio Perez married Clemencia Hernandez (granddaughter of Andres Hernandez) in 1781. From this union, seven children were born: (1) Maria Leocadia, born Dec. 8, 1784, died Dec. 18, 1784; (2) Jose Ygnacio, born Sept 25, 1786, married Maria Josefa Cortinas May 30, 1812; (3) Maria Gertrudis, born Jan. 2, 1790, first marriage to Antonio Cordero, governor and second marriage to Jose Cassiano; (4) Pedro Jose Antonio de la Concepcion, born March 23, 1794, died March 1794; (5) Concepcion, born Sept. 2, 1795; (6) Maria Antonio (born or adopted), married Jacinto Jimenez 1812; and (7) Maria Josefa (adopted?) died Dec. 2, 1815. An eighth child, Jose Antonio de la Concepcion was rescued from the Comanche's at the age of five and adopted by Perez.

In 1804, Juan Ygnacio Perez bought the Commandencia of the Presidio (Spanish Governor's Palace) from Joseph Menchaca for the sum of 800 pesos (Bexar County Land Grants and Sales No. 511:104). In 1813, as a Spanish Cavalry captain, he participated in the Battle of the Medina under the leadership of General Joaquin de Arredondo. He was one of the soldiers, who along with Elizondo, pursued the escaping Republicans to Nacogdoches. (Bacarisse 1955).

Juan Ygnacio Perez's will, made in 1820, recorded the following:

"I declare that I have a ranch of four leagues, for large stock on the other side of the Medina River and another league on this side... on this league there is a stone house and wooden corrals... On these pasture lands there is some large stock both branded and unbranded, which I consider part of my property... I declare that I have 23 mules with harness of knotted rope and 15 mules with trace chains and all the horses and mules marked with my brand after my son Jose Ygnacio has taken those he chooses as his since he acquired them by his own personal labor and industry, and not having a brand he used... I also have farming equipment, oxen and other movable goods." (Walsh n.d.).

Lt. Col. Juan Ignacio Perez died in 1823 and was buried Oct. 7, in the Purisima Concepcion Chapel, the parish church of the city (Chabot 1937:179). Clemencia (Hernandez) Perez died in 1825 at the age of 60 years and was buried near Ygnacio (Bexar County Archives Perez files).

“that Ygnacio Perez was the owner of several houses... one hacienda with a farm near this villa, and a considerate number of head of stock.” (BAT Vol. 19:60).

A division and partition of the property in 1839 (?) resulted in Jose Ygnacio Perez acquiring three leagues on the south bank of the Medina River (two leagues to him and one league he bought from Concepcion Perez for \$30) and one league to Gertrudis Perez (whose first husband was Antonio Cordero, Spanish Governor, and second husband was Jose Cassiano (Bexar County Deed Records Book B2:32).

Jose Ygnacio Perez inherited, held possession and lived on the Perez Ranch, a “stone ranch,” from at least the year 1800 until 1836. The land was cultivated and he owned a large stock of cattle, horses, sheep, etc., that he pastured on the ranch (Texas. General Land Office Paul vs. Perez).

In 1834, Ygnacio Perez petitioned the governor of the State of Coahuila and Texas for a legalized copy of the title of the Perez Ranch, stating that, in the lapse of years, the testimonio of the corresponding title had been lost and that the original should exist in the archives of the former Province of Coahuila. The search was instituted and the copy, certified as true and legal was made (Texas General Land Office Paschal vs. Perez.)

### Houses

The Perez Rancho (both on the south bank and the north bank) contained a number of structures and/or enclosures. The main ranch headquarters (41BX274) contained one main stone structure, at least four to five jacal structures (**one of which is the property being nominated**), a cultivated field enclosed by a wooden fence, and corrals (Antonio Menchaca, Felipe Garza, Paul vs. Perez 1853; Will of Perez). The jacals, some of which were constructed in 1808, predated the stone building which was apparently erected sometime between 1813-1820 (*ibid.*).

### REQUEST: Finding of Historical Significance

**CASE COMMENTS:** : The Lt. Col. Ygnacio Perez Stone Rancho, 41BX274 meets the following criteria for Landmark status (35-607) (b) (1) serves as a visible reminder of the cultural heritage of the community; (3) Its identification with a person or persons who significantly contributed to the development of the community; (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; (7) its unique location or singular physical characteristics that make it an established or familiar visual feature; (8) Its historical, architectural or cultural integrity of location, design, materials, and workmanship; and, additionally, 35-607-(c)-(1)-E. the property is associated with family persons important to the history of San Antonio; (c) (2) A. Buildings or places which have come to represent a part of San Antonio’s cultural heritage for at least twenty-five (25) years; (c)(2) E. Archaeological sites of cultural importance to local people or social or ethnic groups, such as locations of important events in their history.



**CITY OF SAN ANTONIO**  
**Request for Council Action**

Agenda Item # Z-9  
Council Meeting Date: 9/18/2008  
RFCA Tracking No: R-3734

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICT(S) IMPACTED:**  
Council District 4

**SUBJECT:**  
Zoning Case Z2008231

**SUMMARY:**  
From "MI-1" Mixed Light Industrial District to "HE MI-1" Historic Exceptional, Mixed Light Industrial District.

**BACKGROUND INFORMATION:**  
**Zoning Commission Meeting Date:** August 05, 2008

**Applicant:** City of San Antonio Historic Preservation Office

**Owner:** City Of San Antonio

**Property Location:** Approximate 17200 Block of Applewhite Road

Parcel 8C, Parcel 10B, and Parcel 10D CB 4297

On the north side of Old Applewhite Road, between West Jett Road and Applewhite Road

**Proposal:** To designate Historic Exceptional

**Neighborhood Association:** None

**Neighborhood Plan:** City South Community Plan

**TIA Statement:** A Traffic Impact Analysis is not required at this time, however a study may be required should future development occur.

**ISSUE:**

Between 2003 and 2007, the San Antonio Conservation Society (SACS) and the City Historic Preservation Division surveyed and researched 19<sup>th</sup> century vernacular properties that qualify as Historic Texas Farm and Ranch Complexes. Of the 86 total properties found, only seventeen 19<sup>th</sup> century (1800-1899) vernacular farm and ranch complexes have been identified within the current city limits of San Antonio. These extremely rare resources represent **the last remaining visual vestiges** of the earliest

settlement of the city and county. Each year more and more of these precious resources are lost to development, vandalism, and deterioration. Landmark designation will help to preserve and protect these resources for future generations.

A historic context for these properties was approved by the State Board of Review for the National Register of Historic Places, as well as three individual property applications. **The seventeen properties located within the city limits meet the criteria for landmark designation at the highest levels.** They are significant due to their age, their association with the founding families of the city and their architectural significance. Landmark designation to protect them is important.

**ALTERNATIVES:**

Should the City Council deny this request, the base zoning district would remain in place and the historic district overlay would not be applied.

**FISCAL IMPACT:**

The applicant is the City of San Antonio. No rezoning fees are required.

**RECOMMENDATION:**

Staff and Zoning Commission (8-0) recommends approval. The City South Management Authority Board (8-0) recommends approval.

Since the base zone is not changing, a finding of consistency is not required. The City South Community Plan identifies future land use for a portion of the subject property as Agriculture and Light Industry and Resource Protection/Open Space for the remainder of the subject property.

The subject property, annexed as limited purpose in 2003 and full purpose in 2006, totals approximately 143.254 acres. The subject property is largely undeveloped, with the exception of a ranch complex with multiple structures. The subject property was zoned "MI-1" by City Council on September 25, 2003 (Ordinance #98228.)

Property to the north of the subject property is zoned "MI-1" Mixed Light Industrial District. Property to the south and west is zoned "RP" Resource Protection District. Property to the east across Applewhite Road is zoned "MI-2" Mixed Heavy Industrial District. Land uses immediately adjacent to subject property consist of undeveloped land to the north, west and south of the subject property. There is undeveloped land and a residence to the south across Jett Road. This zoning case is within three miles of the Toyota Manufacturing Plant. The Toyota facility is located immediately to the east of the subject property across Applewhite Road.

The Historic Division of the Planning and Community Development Department recommends a finding of Historic Significance based on the evaluation criteria in Section 35-607 for the Designation of Historic Districts and Landmarks. On June 4, 2008, the Historic and Design Review Commission concurred with Historic Division Staff and is also recommending approval of a finding of Historic Significance. Seeing that there is no proposed change to the land use of the subject property, Zoning Staff recommends approval.

Pursuant to Texas Local Government Code §§ 211.001 and 211.003, historic districts and landmark designations are adopted in order to protect and preserve places and areas of historical, cultural, or architectural importance and significance. Historic

districts and Landmark designation preserve and enhance the city's historic resources pursuant to Goal 2 of the Urban Design Element of the Master Plan.

**ATTACHMENT(S):**

File Description	File Name
<a href="#">Location Map</a>	Z2008231.pdf
<a href="#">Zoning Commission Minutes</a>	Z2008231.pdf
<a href="#">Historic and Design Review Commission Report</a>	Z2008231_HDRC Review.pdf
<a href="#">Voting Results</a>	
<a href="#">Ordinance/Supplemental Documents</a>	200809180846.pdf

**DEPARTMENT HEAD AUTHORIZATIONS:**

Roderick Sanchez Director Development Services

**APPROVED FOR COUNCIL CONSIDERATION:**

T.C. Broadnax Assistant City Manager