

AN ORDINANCE 2008-09-18-0856

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 a 0.0647 of an acre parcel out of Lot 5, Block 8, NCB 18163 from "C-3" General Commercial District to "HE C-3" Historic Exceptional, General Commercial District.

SECTION 2. A description of the property is attached as Exhibit "A" and made a part hereof and incorporated herein for all purposes.

SECTION 3. 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 4. 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 5. 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: 
For City Attorney



Request for
**COUNCIL
ACTION**

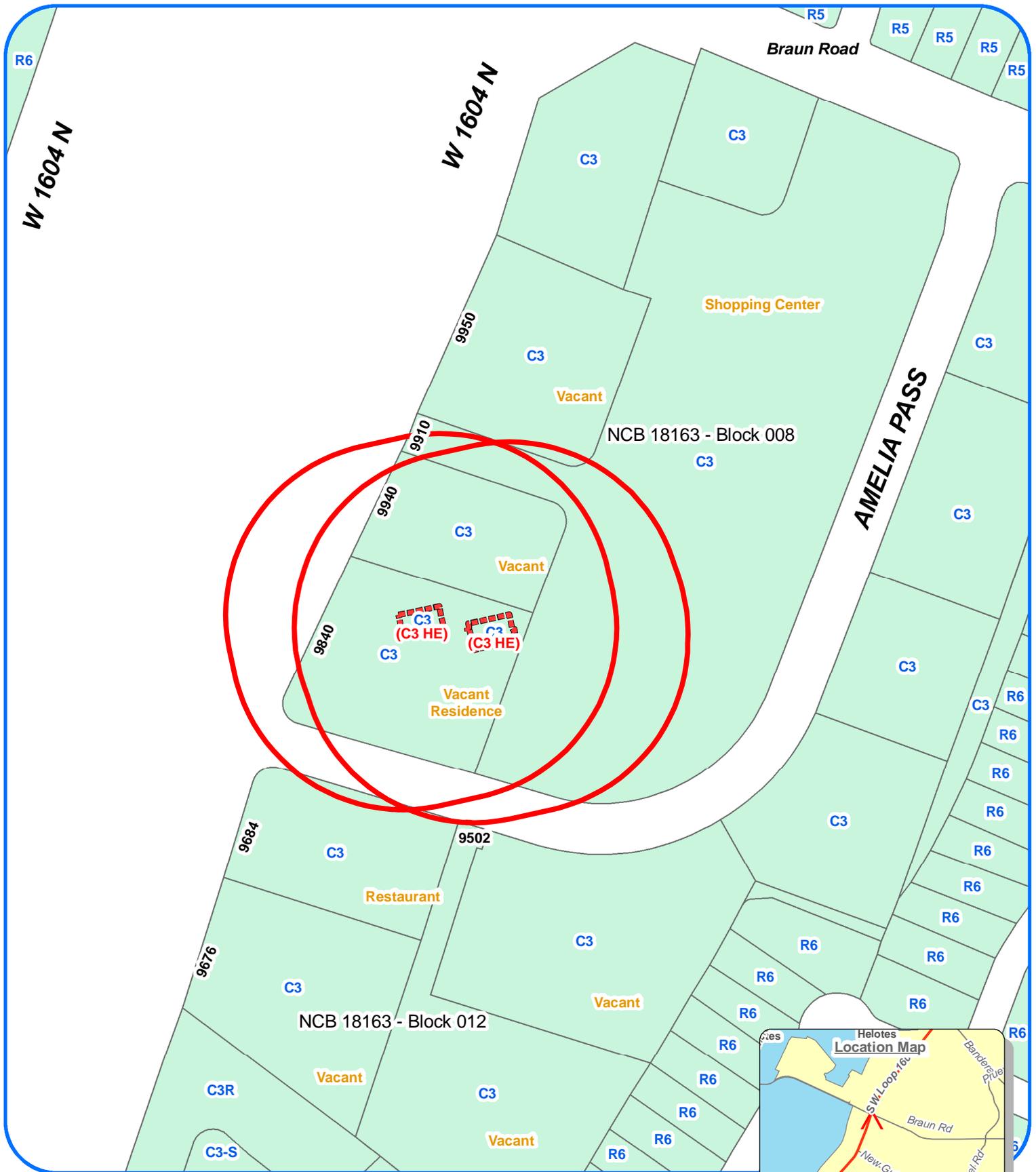
City of San Antonio



Agenda Voting Results - Z-19

Name:	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
Date:	09/18/2008
Time:	02:35:17 PM
Vote Type:	Motion to Approve
Description:	ZONING CASE # Z2008234 (District 7): An Ordinance amending the Zoning District Boundary from "C-3" General Commercial District to "HE C-3" Historic Exceptional General Commercial District on 0.0647 of an acre parcel out of Lot 5, Block 8, NCB 18163 located at 9760 Braun Road. Staff and Zoning Commission recommend approval.
Result:	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 Z-2008-234

Council District 7

Scale: 1" approx. = 150'

Subject Property Legal Description(s): A portion of Lot 5 Blk 008 NCB 18163

Legend

- Subject Property (0.0647 Acres)
- 200' Notification Buffer
- Current Zoning R6
- Requested Zoning Change (R6)
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(8/6/2008)



Z2008234

MACINA · BOSE · COPELAND and ASSOCIATES, INC
CONSULTING ENGINEERS AND LANDSURVEYORS

1035 Central Parkway North, San Antonio, Texas 78232
(210) 545-1122 FAX (210) 545-9302
www.mbcengineers.com

METES AND BOUNDS DESCRIPTION
FOR BUILDING NO. 1

A 0.0356 OF AN ACRE (1,550 SQUARE FEET) PARCEL OUT OF LOT 5, BLOCK 8, BRAUN POINTE SUBDIVISION (PLAT REFERENCE: VOLUME 9573, PAGE 190), NEW CITY BLOCK 18163, CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED IN A CLOCKWISE MANNER AS FOLLOWS:

COMMENCING: At a set "X" in curb at the easternmost corner of said Lot 5, same being the southernmost corner of Lot 4, Block 8;

THENCE: N 70°38'16" W, 25.03 feet, along and with the common line of said Lot 4 and Lot 5, to a point;

THENCE: S 19°21'44" W, 11.12 feet to a point at the corner of a building, the POINT OF BEGINNING of this description;

THENCE: The following courses and distances along and with the exterior wall line of said building:

S 12°36'58" E, 18.00 feet

N 77°23'02" E, 2.00 feet

S 12°36'58" E, 5.70 feet

S 77°23'02" W, 2.00 feet

S 12°36'58" E, 7.70 feet

S 77°23'02" W, 48.70 feet

N 12°36'58" W, 23.20 feet

S 77°23'02" W, 2.50 feet

N 12°36'58" W, 3.70 feet

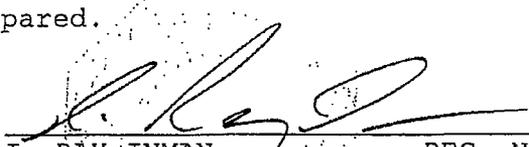
Z2008234

N 77°23'02" E, 2.50 feet

N 12°36'58" W, 4.50 feet

N 77°23'02" E, 48.70 feet to the POINT OF
BEGINNING.

I, I. Ray Inman, Registered Professional Land Surveyor do hereby affirm that this description is based on the results of a survey made on the ground of the above referenced Lot 4 and Lot 5 by the firm of Macina, Bose, Copeland and Associates, Inc., of which a subdivision plat has been prepared.


I. RAY INMAN REG. NO. 4496
REGISTERED PROFESSIONAL LAND SURVEYOR

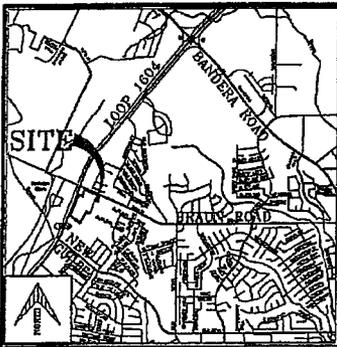
29048-0674

July 27, 2007

Revised: September 10, 2008

IRI/lk

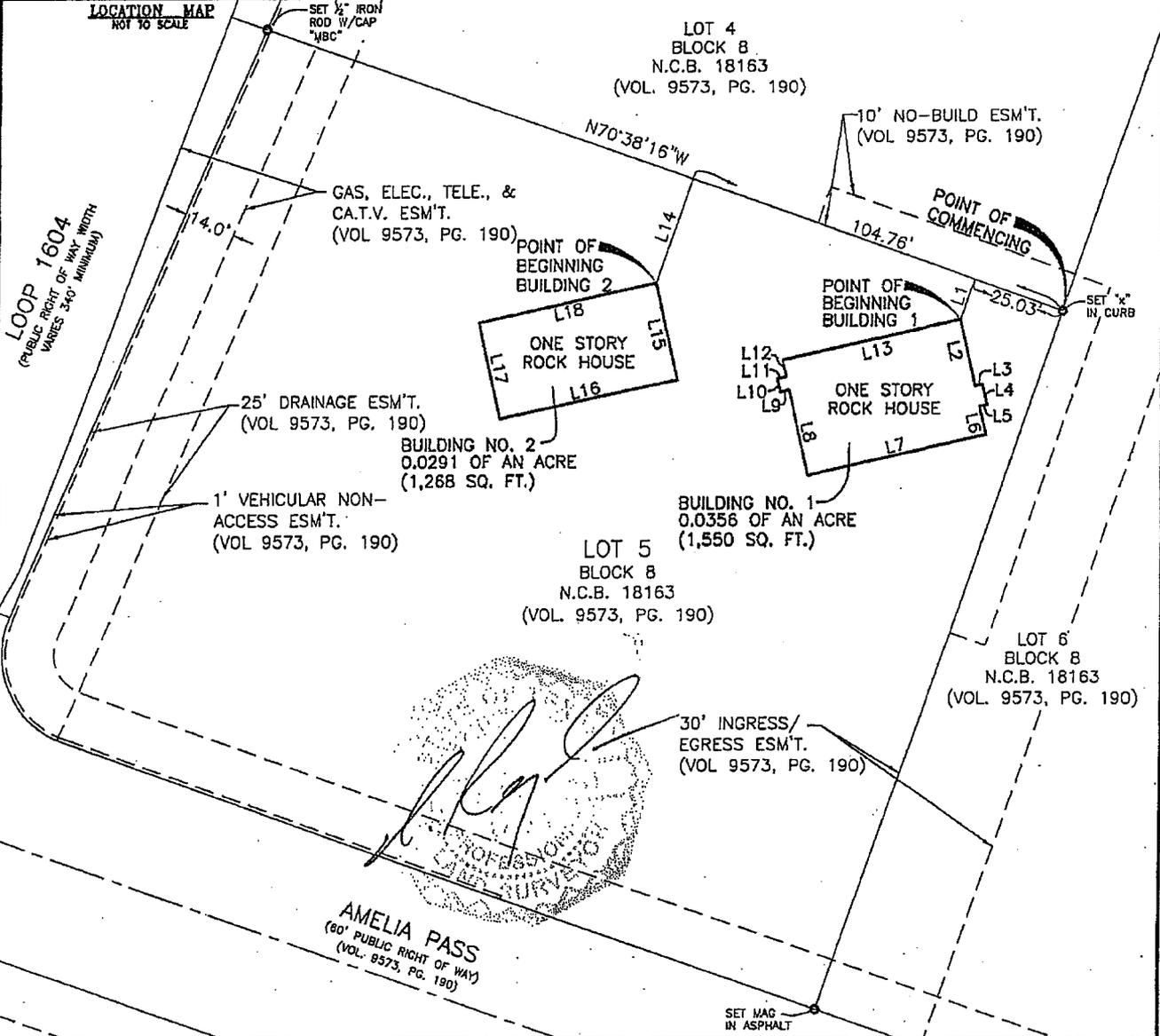
Z2008234



LINE TABLE			LINE TABLE		
NUMBER	DIRECTION	DISTANCE	NUMBER	DIRECTION	DISTANCE
L1	S19°21'44"W	11.12'	L10	N12°36'58"W	3.70'
L2	S12°36'58"E	18.00'	L11	N77°23'02"E	2.50'
L3	N77°23'02"E	2.00'	L12	N12°36'58"W	4.50'
L4	S12°36'58"E	5.70'	L13	N77°23'02"E	48.70'
L5	S77°23'02"W	2.00'	L14	S19°21'44"W	28.76'
L6	S12°36'58"E	7.70'	L15	S12°26'20"E	26.20'
L7	S77°23'02"W	48.70'	L16	S77°33'40"W	48.40'
L8	N12°36'58"W	23.20'	L17	N12°26'20"W	26.20'
L9	S77°23'02"W	2.50'	L18	N77°33'40"E	48.40'



SCALE: 1"=40'
 BEARINGS ARE BASED ON THE SOUTHEAST RIGHT OF WAY LINE OF LOOP 1604 AS BEING N19°21'45"E.



1035 Central Parkway North
 San Antonio, Texas 78232
 (210) 545-1122
 FAX (210) 545-9302

EXHIBIT OF
 BUILDING NO. 1

A 0.0356 OF AN ACRE (1,550 SQUARE FEET) PARCEL OUT OF LOT 5, BLOCK 8, BRAUN POINTE SUBDIVISION (PLAT REFERENCE: VOLUME 9573, PAGE 190), NEW CITY BLOCK 18163, CITY OF SAN ANTONIO, BEXAR COUNTY.

DESIGN RG
 DRAWN JC
 CHECKED RG
 DATE Jul. 09, 2008
 JOB NO. 29048-0674
 SHT. 3 of 3

Z2008234

ZONING CASE NUMBER Z2008234 (Council District 7) – August 19, 2008

A request for a change in zoning from “C-3” General Commercial District to “HE C-3” Historic Exceptional General Commercial District on a 0.0647 of an acre parcel out of Lot 5, Block 8, NCB 18169, 9760 Braun Road. Staff recommends approval.

This case was approved by consent.

Staff stated there were 6 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no response from Saddlebrook Farms Neighborhood Association. Staff mailed 65 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, R. Valadez, Gray

NAY: None

THE MOTION CARRIED



HISTORIC AND DESIGN REVIEW COMMISSION
CERTIFICATE OF APPROPRIATENESS

June 18, 2008

CITY OF SAN ANTONIO

HDCR CASE NO: 2008-171
ADDRESS: 9760 Braun Road
LEGAL DESCRIPTION: NCB 18163, Lot 17, Blk Lot P-17, Formerly P-15
PUBLIC PROPERTY: No
HISTORIC DISTRICT:
LANDMARK DISTRICT:
APPLICANT: COSA, 1901 S Alamo
OWNER: JASTCO, LTD
TYPE OF WORK: Finding of Historic Significance

REQUEST:

The applicant is requesting a Certificate of Appropriateness for approval of a finding of historic significance for the property. The accompanying exhibits provide additional information.

RECOMMENDATION:

The Philip Ruempel property 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) A. Properties that are part of a cluster which provide a specific representation of an architectural or historic era or event 35-607 (c) (1) B. Properties which are determined to contribute to a San Antonio historic district; (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 City Council for designation of Historic Landmark for 9760 Braun Road.

Kay Hindes
Interim Historic Preservation Officer

72008234

City Landmark Designation

HDRC CASE NO.

KNOWN AS: Phillip Ruempel House,
41BX1618

ADDRESS: ~~9840~~ Braun Road
San Antonio, TX

LEGAL DESCRIPTION: *NCB 18163*
BLK 8 LOT 5

ZONING: C3

COUNCIL DISTRICT: 7

HISTORIC DISTRICT

LANDMARK: Finding of Historical
Significance

APPLICANT: City of San Antonio

OWNER: JASTCO, LTD

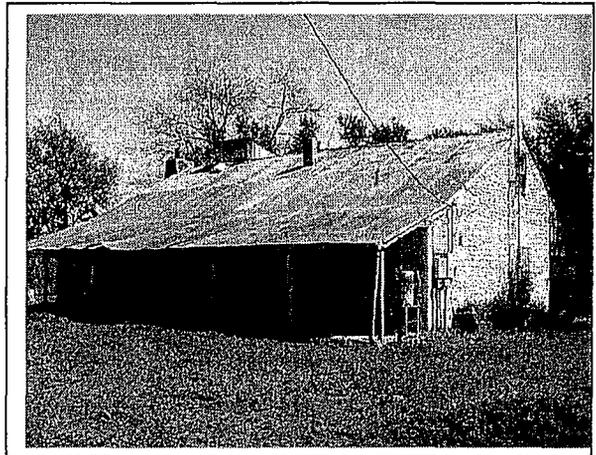
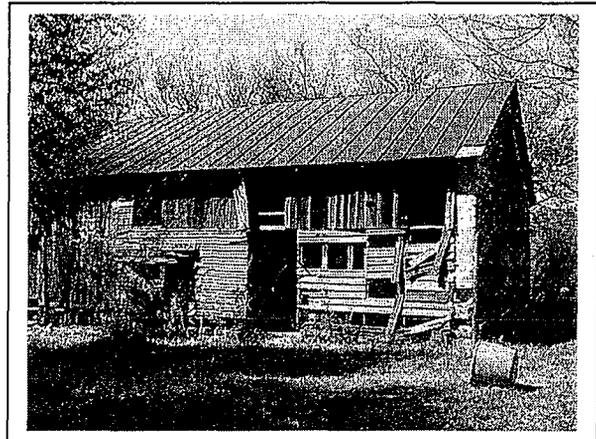
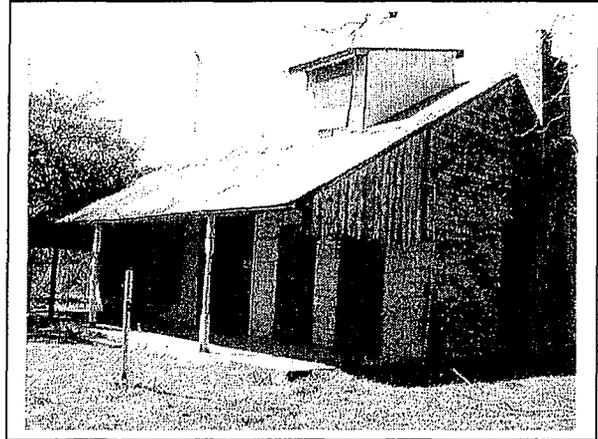
9100 IH10 West, Suite 230
San Antonio, TX 78230

TYPE OF WORK:

ARCHAEOLOGICAL SITE NO. 41BX

HISTORY:

Phillip Ruempel, (1837-1909) was born in Offenbeck, Germany to Johannes Ruempel (1801- 1887) and Christina Sinnborn Lex (1802-1864). At the age of 18, he immigrated with his parents to Texas in 1855, along with other families from Offenber and Bicken, Germany. They arrived in Galveston and initially established their home in New Braunfels, living in the household of Joseph and Katharine Mann. On April 23, 1869, Phillip Ruempel, who was then 32 years of age, married Carolina Braun, daughter of Phillip Braun (1810-1887) and Maria Susanna Braun (1812-1903), who had also immigrated to Texas from Germany.



Phillip and Carolina Ruempel established their home in the area of present day Braun Road and Loop 1604. The tract of land was purchased on Jan. 8, 1867 for \$440.00 by Phillip Ruempel from Gustav Wuest, acting as agent for Peter Odet. Odet had patented the land in January 1854 for Francois Giraud. (BCDR Vol. U1, p.195). Philipp Ruempel was both a mason and a farmer and most likely built the home with the help of his friends

and neighbors. The Ruempels and the Brauns were members of Zion Lutheran Church and are buried in Cemetery #1 of Zion Lutheran, just across Loop 1604 from the Ruempel home. Philipp Ruempel and his son, Karl Joseph Ruempel were Charter members of the church. On April 29, 1916, after the death of Phillip Ruempel, all of the surviving Ruempel children quitclaimed their interest in the property to their mother, Carolina Braun Ruempel. The Ruempels were among the first European American inhabitants in the area that now comprises Leon Valley, Helotes and other nearby communities

Currently two buildings on the site. The large barn, which was likely the structure in which the family first lived is made of roughly quarried limestone. The barn is located to the north of the second larger structure, the family home. The home is made of neatly cut limestone blocks about 18 inches thick. It has porches on the east and west sides. There is a chimney on the east, one in the center and a newer chimney on the west. The roof is tin and the windows are 6/6 and 4/4. A third building, probably a root cellar stood on the property. The two remaining buildings are excellent examples of ethnic vernacular German farmsteads using indigenous materials.

REQUEST: Finding of Historical Significance

CASE COMMENTS: : The Philip Ruempel property 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) A. Properties that are part of a cluster which provide a specific representation of an architectural or historic era or event 35-607 (c) (1) B. Properties which are determined to contribute to a San Antonio historic district; (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-19
Council Meeting Date: 9/18/2008
RFCA Tracking No: R-3802

DEPARTMENT: Development Services

DEPARTMENT HEAD: Roderick Sanchez

COUNCIL DISTRICT(S) IMPACTED:
Council District 7

SUBJECT:
Zoning Case Z2008234

SUMMARY:

From "C-3" General Commercial District to "HE C-3" Historic Exceptional General Commercial District.

BACKGROUND INFORMATION:

Zoning Commission Meeting Date: August 19, 2008

Applicant: City of San Antonio Historic Preservation Office

Owner: Jastco, Ltd.

Property Location: 9760 Braun Road

A 0.0647 of an acre parcel out of Lot 5, Block 8, NCB 18163

On the northeast corner of Amelia Pass and Loop 1604 North

Proposal: To designate Historic Exceptional

Neighborhood Association: Saddlebrook Farms Neighborhood Association is within 200 feet.

Neighborhood Plan: Northwest Community Plan

TIA Statement: A Traffic Impact Analysis (TIA) 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 19th century vernacular properties that qualify as Historic Texas Farm and Ranch Complexes. Of the 86 total properties found, only seventeen 19th 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 (9-0) recommends approval.

Since the base zone is not changing, a finding of consistency is not required. The Northwest Community Plan identifies future land use for the subject property as Community Commercial.

The 0.0647 of an acre parcel was annexed in 1993 and currently two vacant buildings exist on the site. In 2002 following the adoption of the Unified Development Code, the existing "C-3" General Commercial District converted from the previous "B-3" Business District. The "B-3" Business District was adopted on September 22, 1994 (Ordinance number 80810). Property to the north, east and south of the site is zoned "C-3" General Commercial District. Land uses immediately adjacent to site consist of a shopping center to the east with undeveloped pad sites to the north and a drive-in restaurant to the south.

The City Council on June 19, 2008 passed and approved a resolution directing the city to initiate a change in the zoning district boundaries of fourteen (14) nineteenth century farm and ranch complexes identified within the San Antonio City Limits for Historic Designation. The Philip Ruempel House meets the criteria for Landmark status (35-607). The two remaining buildings are excellent examples of ethnic vernacular German farmsteads using indigenous materials.

The Historic Preservation Office 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 18, 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
Zoning Map	Z2008234.pdf
Zoning Commission Minutes	Z2008234.pdf
Historic Documents	Z2008234.pdf
Voting Results	
Ordinance/Supplemental Documents	200809180856.pdf

DEPARTMENT HEAD AUTHORIZATIONS:

Roderick Sanchez Director Development Services

APPROVED FOR COUNCIL CONSIDERATION:

T.C. Broadnax Assistant City Manager