

AN ORDINANCE 37957

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN

\*\*\*\*\*

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

SECTION 1. That Section 42-22 of Chapter 42 of the City Code that constitutes the comprehensive zoning ordinance of the City of San Antonio be and the same is hereby amended, so that it shall hereafter include the following described changes in classification and the rezoning of the hereinafter designated property, to-wit:

(CASE NO. 3524)

The rezoning and reclassification of property to place the below mentioned in the "H" Historic Zone:

All of NCB 124, 114, 130, 126, 900, 155 and 142.  
Lots 1 thru 6 inclusive, Tracts A-1, A-2, A-3, A-4, A-5, A-35, and AB-35, Lot 36, the remaining portions of Lots 37, 7 and A-6, NCB 901.

SECTION 2. That all other provisions of said Chapter 42, as amended, shall remain in full force and effect, including the penalties for violations as made and provided in Section 42-11.

SECTION 3. That the Director of Planning shall change his records and zoning maps in accordance herewith and the same shall be available and open to the public for inspection.

PASSED AND APPROVED this 2<sup>nd</sup> day of October 1969.

*W. M. McCrester*  
M A Y O R

ATTEST: *J. H. Dusekman*  
C i t y C l e r k

APPROVED AS TO FORM: *Howard G. Walker*  
C i t y A t t o r n e y

DISTRIBUTION

| DEPARTMENT            | DATE | ORD. OR RESOL. | CONTRACT |
|-----------------------|------|----------------|----------|
| AVIATION DIRECTOR     |      |                |          |
| BUDGET                |      |                |          |
| CITY MANAGER          |      |                |          |
| CITY PUBLIC SERVICE   |      |                |          |
| CITY WATER BOARD      |      |                |          |
| COMMERCIAL RECORDER   |      |                |          |
| CONVENTION BUREAU     |      |                |          |
| CONVENTION CENTER     |      |                |          |
| FINANCE DIRECTOR      |      |                |          |
| ASSESSOR & COLL.      |      |                |          |
| CONTROLLER            |      |                |          |
| CORPORATION COURT     |      |                |          |
| INTERNAL AUDIT        |      |                |          |
| PROPERTY RECORDS      |      |                |          |
| PURCHASING            |      |                |          |
| FIRE CHIEF            |      |                |          |
| HEALTH DIRECTOR       |      |                |          |
| HOUSING & INS. DIR.   |      |                |          |
| LEGAL                 |      |                |          |
| BACK TAX ATTY.        |      |                |          |
| CONDEMNATION ATTY.    |      |                |          |
| LAND DIVISION         |      |                |          |
| LIBRARY DIRECTOR      |      |                |          |
| MODEL CITIES          |      |                |          |
| MUNICIPAL FACILITIES  |      |                |          |
| PARKS & REC. DIR.     |      |                |          |
| PERSONNEL DIRECTOR    |      |                |          |
| PLANNING DIRECTOR     |      |                |          |
| POLICE CHIEF          |      |                |          |
| PUBLIC INFORMATION    |      |                |          |
| PUBLIC WORKS DIR.     |      |                |          |
| ASST. DIRECTOR        |      |                |          |
| TRAFFIC & TRANS. DIR. |      |                |          |

ITEM NO.

*K. G. - 42*

MEETING OF THE CITY COUNCIL

DATE:

*Oct. 2, 1969*

MOTION BY:

*Trer*

SECONDED BY:

*Cald*

ORD. NO.

*37957*

ZONING CASE

*3524*

RESOL.

PETITION

| COUNCIL MEMBER                                  | ROLL CALL | AYE                                 | NAY |
|---|-----------|-------------------------------------|-----|
| WALTER W. McALLISTER, SR.<br>PLACE NO. 1 MAYOR  |           | <i>absent</i>                       |     |
| DR. HERBERT CALDERON<br>PLACE NO. 2             |           | <input checked="" type="checkbox"/> |     |
| E. J. BURKE<br>PLACE NO. 3                      |           | <input checked="" type="checkbox"/> |     |
| S. H. JAMES<br>PLACE NO. 4                      |           | <i>- absent</i>                     |     |
| MRS. LILA COCKRELL<br>PLACE NO. 5 MAYOR PRO-TEM |           | <input checked="" type="checkbox"/> |     |
| DR. D. FORD NIELSEN<br>PLACE NO. 6              |           | <input checked="" type="checkbox"/> |     |
| FELIX B. TREVINO<br>PLACE NO. 7                 |           | <input checked="" type="checkbox"/> |     |
| EDWARD H. HILL<br>PLACE NO. 8                   |           | <input checked="" type="checkbox"/> |     |
| PETE TORRES, JR.<br>PLACE NO. 9                 |           | <input checked="" type="checkbox"/> |     |

BRIEFED BY:

ADDITIONAL INFORMATION:

*amended*

69 43

REMARKS:

DISTRIBUTION

| DEPARTMENT            | DATE | ORD. OR RESOL. | CONTRACT |
|-----------------------|------|----------------|----------|
| AVIATION DIRECTOR     |      |                |          |
| BUDGET                |      |                |          |
| CITY MANAGER          |      |                |          |
| CITY PUBLIC SERVICE   |      |                |          |
| CITY WATER BOARD      |      |                |          |
| COMMERCIAL RECORDER   |      |                |          |
| CONVENTION BUREAU     |      |                |          |
| CONVENTION CENTER     |      |                |          |
| FINANCE DIRECTOR      |      |                |          |
| ASSESSOR & COLL.      |      |                |          |
| CONTROLLER            |      |                |          |
| CORPORATION COURT     |      |                |          |
| INTERNAL AUDIT        |      |                |          |
| PROPERTY RECORDS      |      |                |          |
| PURCHASING            |      |                |          |
| FIRE CHIEF            |      |                |          |
| HEALTH DIRECTOR       |      |                |          |
| HOUSING & INS. DIR.   |      |                |          |
| LEGAL                 |      |                |          |
| BACK TAX ATTY.        |      |                |          |
| CONDEMNATION ATTY.    |      |                |          |
| LAND DIVISION         |      |                |          |
| LIBRARY DIRECTOR      |      |                |          |
| MODEL CITIES          |      |                |          |
| MUNICIPAL FACILITIES  |      |                |          |
| PARKS & REC. DIR.     |      |                |          |
| PERSONNEL DIRECTOR    |      |                |          |
| PLANNING DIRECTOR     |      |                |          |
| POLICE CHIEF          |      |                |          |
| PUBLIC INFORMATION    |      |                |          |
| PUBLIC WORKS DIR.     |      |                |          |
| ASST. DIRECTOR        |      |                |          |
| TRAFFIC & TRANS. DIR. |      |                |          |

REMARKS:

ITEM NO. 9

MEETING OF THE CITY COUNCIL

DATE: 9-4-69

MOTION BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

ORD. NO. \_\_\_\_\_

ZONING CASE 3524

RESOL. \_\_\_\_\_

PETITION \_\_\_\_\_

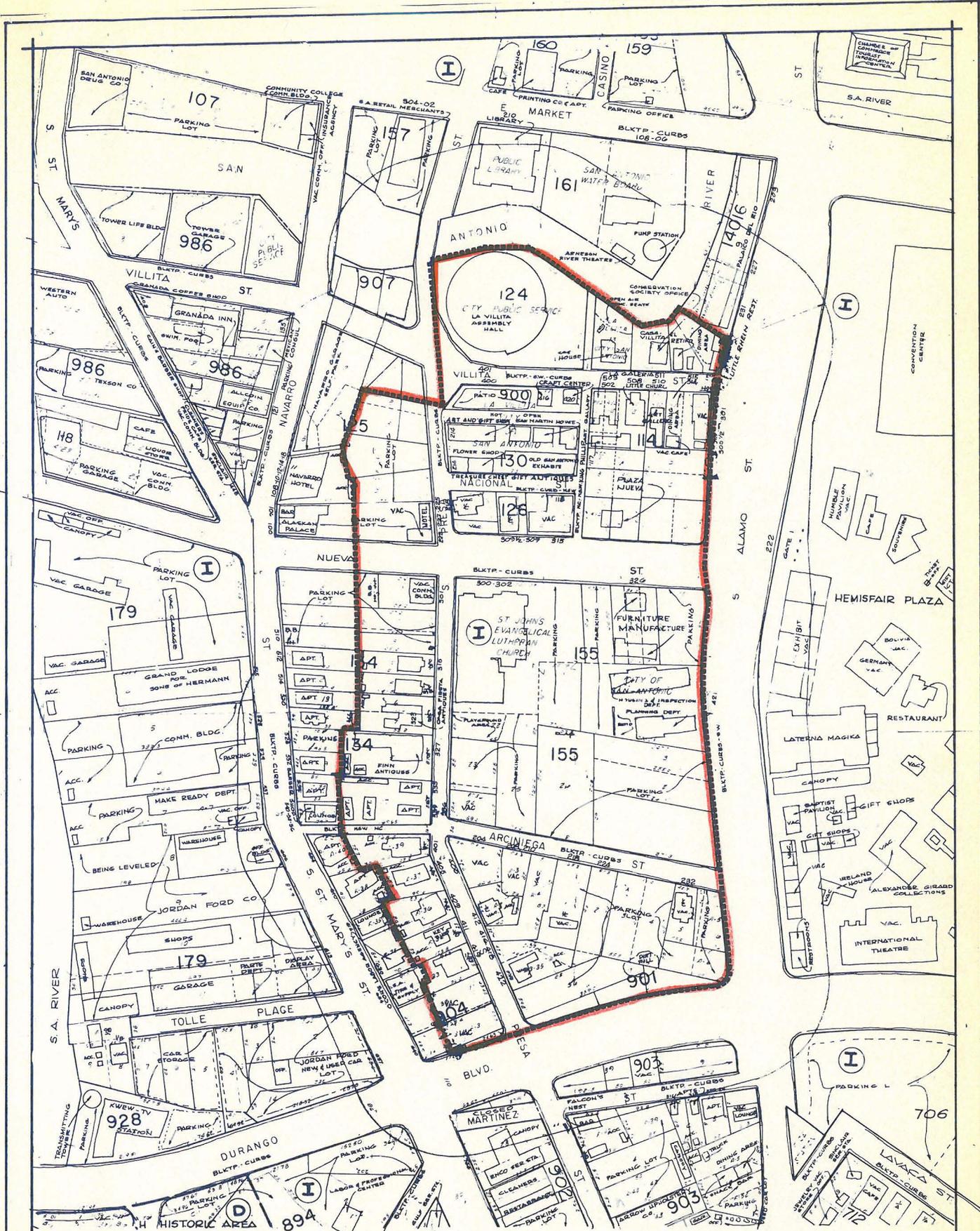
| COUNCIL MEMBER                                  | ROLL CALL | AYE | NAY |
|---|-----------|-----|-----|
| WALTER W. McALLISTER, SR.<br>PLACE NO. 1 MAYOR  |           |     |     |
| DR. HERBERT CALDERON<br>PLACE NO. 2             |           |     |     |
| E. J. BURKE<br>PLACE NO. 3                      |           |     |     |
| S. H. JAMES<br>PLACE NO. 4                      |           |     |     |
| MRS. LILA COCKRELL<br>PLACE NO. 5 MAYOR PRO-TEM |           |     |     |
| DR. D. FORD NIELSEN<br>PLACE NO. 6              |           |     |     |
| FELIX B. TREVINO<br>PLACE NO. 7                 |           |     |     |
| EDWARD H. HILL<br>PLACE NO. 8                   |           |     |     |
| PETE TORRES, JR.<br>PLACE NO. 9                 |           |     |     |

*Put on action chart*

BRIEFED BY: \_\_\_\_\_

ADDITIONAL INFORMATION:

*Postponed for 30 days for Oct 2nd*



**ZONING CASE 3524**  
 REQUESTED ZONING CHANGE  
 TO PLACE IN THE "H" HISTORIC ZONE  
 DATE OCT., 1969  
 SCALE 1"=100'



NORTH

TO: CITY CLERK

DATE September 15, 1969

REQUEST FOR NOTICE FOR PUBLIC HEARING:

CASE 3524

NAME City of San Antonio, Texas

The rezoning and ~~reclassification~~ of:

All of NCB 124, 114, 130, 126, 900, 155 and 142.  
Lots 1 thru 6 inclusive, Tracts A-1, A-2, A-3, A-4,  
A-5, A-35, and AB-35, Lot 36, the remaining portions  
of Lots 37, 7 and A-6, NCB 901, Tracts A-34, A-36, A-37,  
A-39, the east irregular 104.2' of Lot 33, the east 104.2'  
of Lots 31 and 32, and the east 104.2' of the remaining  
portion of A-30, NCB 904, Lots 1 thru 7 inclusive, Lots  
15 and 17, NCB 134, Lots 2, 3, 4 and 5, the east 144' of  
Lots 6, NCB 125.

FOR INFORMATION ONLY

Subject properties are located on the north side of Villita Street, between South Presa Street and South Alamo Street, on the west side of South Presa Street, between Durango Boulevard and a point 70.3' south of Villita Street, also property bounded by Villita Street on the north, South Alamo Street on the east, Durango Boulevard on the south and South Presa Street on the west.

FROM: To place the above mentioned in the "H" Historic zone.

TO:

The Planning and Zoning Commission has recommended that this request for change of zone be \_\_\_\_\_ approved \_\_\_\_\_ by the City Council.

Department of Planning

ZONING CASE 3524

Appeal Case

Yes

No XXX

APPLICANT: City of San Antonio

DATE OF APPLICATION: December 5, 1968

LOCATION OF PROPERTY:

All of NCB 124, 114, 130, 126, 900, 155 and 142. Lots 1 thru 6 inclusive, Tracts A-1, A-2, A-3, A-4, A-5, A-35, and AB-35, Lot 36, the remaining portions of Lots 37, 7 and A-6, NCB 901, Tracts A-34, A-36, A-37, A-39, the east irregular 104.2' of Lot 33, the east 104.2' of Lots 31 and 32, and the east 104.2' of the remaining portion of A-30, NCB 904, Lots 1 thru 7 inclusive, Lots 15 and 17, NCB 134, Lots 2, 3, 4, and 5, the east 144' of Lots 6, NCB 125.

FOR INFORMATION ONLY

Subject properties are located on the north side of Villita Street, between South Presa Street and South Alamo Street, on the west side of South Presa Street, between Durango Boulevard and a point 70.3' south of Villita Street, also property bounded by Villita Street on the north, South Alamo Street on the east, Durango Boulevard on the south and South Presa Street on the west

ZONING CHANGE REQUESTED

To place the above mentioned property in the "H" Historic District

ZONING COMMISSION PUBLIC HEARING ON DECEMBER 18, 1968

Information Presented by Applicant

The Staff explained that on August 10, 1967, the City Council passed an ordinance which provided for the establishment and creation of historic districts in the City of San Antonio, one of which is the King William area. The purpose of creating historic districts is to preserve certain historical significance and architectural character in an area of the City. After the King William area was designated as a historic district, the City Council and other interested parties requested that subject property be considered as a historic district area. A "historic district" is defined as an area which has outstanding historical and cultural significance within which the buildings, structures or appurtenances are of basic and vital importance for the development of culture and tourism because of their association with history. A Board of Review was created by the City Council and is composed of nine members who meet every two weeks to consider requests in the historic districts. Procedure followed by the Board was then explained by the Staff.

In outlining the area in question, the Staff stated that much of subject property is already City-owned. Some of the property, such as that property which is South of Arciniega Street has been purchased by Urban Renewal and it is assumed it will be sold to private enterprise for apartment/townhouse development along with some supporting commercial use.

Staff Observations

The Planning Department recommended approval of this application.

Traffic and Transportation Department Recommendations

A report from the Traffic Department stated that with the exception of the North side of Nueva Street from Presa to Navarro, all the remaining streets, Presa, Arciniega, Villita, Nactional, etc., are important only for local access.

RESULTS OF NOTICES RECEIVED BEFORE HEARING

Sixty-nine notices were mailed to the surrounding property owners. None were returned in opposition; one was returned in favor; three were returned undecided and eight were returned "unclaimed."

OPPONENTS PRESENT

1. Mr. John Yturri, 118 Adams, felt this area was different from the King William area because it is residential and they are not. He felt that for any preservation to be a success, it has to be a paying proposition; otherwise the property will deteriorate with time. He felt that it was not enough to designate a house as historic. It must also be profitable to the property owners. More restrictions in this area can only be harmful. They are now competing with the La Villita area and are competing with those places which are to be left in the Hemisfair area. The closing of South Presa Street has definitely hurt the area. He made specific reference to two antique shops. Mr. Yturri said that so many of these areas eventually turn into slum areas. The City has to take a big interest in it to make it successful, such as in Williamsburg and New Orleans. He suggested that before taking any more area in as a historic area, the City beautify the approximate 33 blocks in the King William area, then proceed from that point. When a person does not live in the area, then he must look at the return of his investment.

2. The owner of property at 315 South Presa Street, stated that she is very close to the downtown area. As owners in a historic district, she felt that she would not be able to have a business on her property that would be beneficial to her. If made a historic district, she suggested that the City make it profitable for them so that all property owners will have to pay.

COMMISSION ACTION

Postponed action until further study has been given to this area.

ZONING COMMISSION PUBLIC HEARING ON FEBRUARY 26, 1969

COMMISSION ACTION

Recommended approval.

ZONING CASE . 3524

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RESULTS OF NOTICES FOR COUNCIL HEARING ON SEPTEMBER 4, 1969

Seventy-three notices were mailed to the surrounding property owners. Seven were returned in opposition to the request; six were returned in favor; one was returned indifferent and eleven were returned "unclaimed."

COUNCIL ACTION

Postponed case #3524 until October 2, 1969.

RESULTS OF NOTICES FOR COUNCIL HEARING ON OCTOBER 2, 1969

(To be provided at Council hearing).

# Affidavit of Publisher

THE STATE OF TEXAS, }

COUNTY OF BEXAR  
CITY OF SAN ANTONIO }

Before me, the undersigned authority, on this day personally appeared \_\_\_\_\_

Mrs. Charles D. Treuter

, who being by me duly sworn,

says on oath that he is <sup>s</sup> ~~one of~~ the publishers of the Commercial Recorder

a newspaper of general circulation in the City of San Antonio, in the State and County aforesaid, and

that the An Ordinance hereto attached has been published in

every issue of said newspaper on the following days, to-wit: \_\_\_\_\_

October 6, 19 69

**AN ORDINANCE**

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN

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

SECTION 1. That Section 42-22 of Chapter 42 of the City Code that constitutes the comprehensive zoning ordinance of the City of San Antonio be and the same is hereby amended, so that it shall hereafter include the following described changes in classification and the re-zoning of the hereinafter designated property, to-wit:

**CASE NO. 3524**

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All of NCB 124, 114, 130, 126, 900, 155 and 142. Lots 1 thru 6 inclusive, Tracts A-1, A-2, A-3, A-4, A-5, A-35, and AB-35, Lot 36, the remaining portions of Lots 37, 7 and A-6, NCB 901.

SECTION 2. That all other provisions of said Chapter 42, as amended, shall remain in full force and effect, including the penalties for violations as made and provided in Section 42-11.

SECTION 3. That the Director of Planning shall change his records and zoning maps in accordance herewith and the same shall be available and open to the public for inspection.

PASSED AND APPROVED this 2nd day of October, 1969.

W. W. McALLISTER  
Mayor

ATTEST:  
J. H. INSELMANN,  
City Clerk.

Mrs. Charles D. Treuter

Sworn to and subscribed before me this 6th day of October, 1969

Ernest C. Carrol

Notary Public in and for Bexar County, Texas