

AN ORDINANCE 2008-09-18-0854

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SAN ANTONIO BY AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, SECTION 35-304, OFFICIAL ZONING MAP 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 P-1A, P-1B and P-1E, NCB 34450 and P-2A, NCB 34451 from "DR ERZD" Development Reserve Edwards Recharge Zone District to "HE DR ERZD" Historic Exceptional, Development Reserve Edwards Recharge Zone District.

SECTION 2. The owner or owner's agent shall inform any person leasing this tract or any portion of this tract that storage of chemicals and/or hazardous materials is not permitted. Provisions prohibiting the storage of chemicals and/or hazardous materials shall be included in the lease agreement. The owner or owner's agent shall provide a copy of the of the lease provisions regarding the storage of chemicals and/or hazardous materials to the Aquifer Protection and Evaluation Section of the San Antonio Water System for approval. The Aquifer Protection and Evaluation Section of the San Antonio Water System may randomly inspect, without notice, any or all facilities on the site to ensure compliance with this ordinance.

SECTION 3. All water pollution abatement structures or features approved by the Texas Commission on Environmental Quality shall be properly maintained and kept free of trash and debris. A water quality maintenance plan and schedule agreement signed by the property owner must be submitted to the Resource Protection Division of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. A water quality maintenance plan signed by the new owner must be submitted to the Resource Protection Division of SAWS.

SECTION 4. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and

fertilizer application. Preventing Groundwater Pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210/222-2204), or equivalent information produced by the U.S. Natural Resource Conservation Service, the Texas Department of Agriculture, or the U.S. Department of Agriculture shall be used.

SECTION 5. 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 6. 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 7. 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
Fa

Z2008232

This case is scheduled for consideration by Zoning Commission on September 16, 2008 therefore no minutes are available at this time.



Request for
**COUNCIL
ACTION**

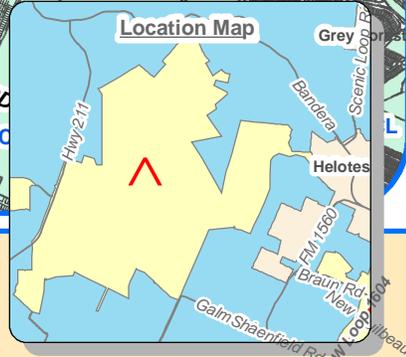
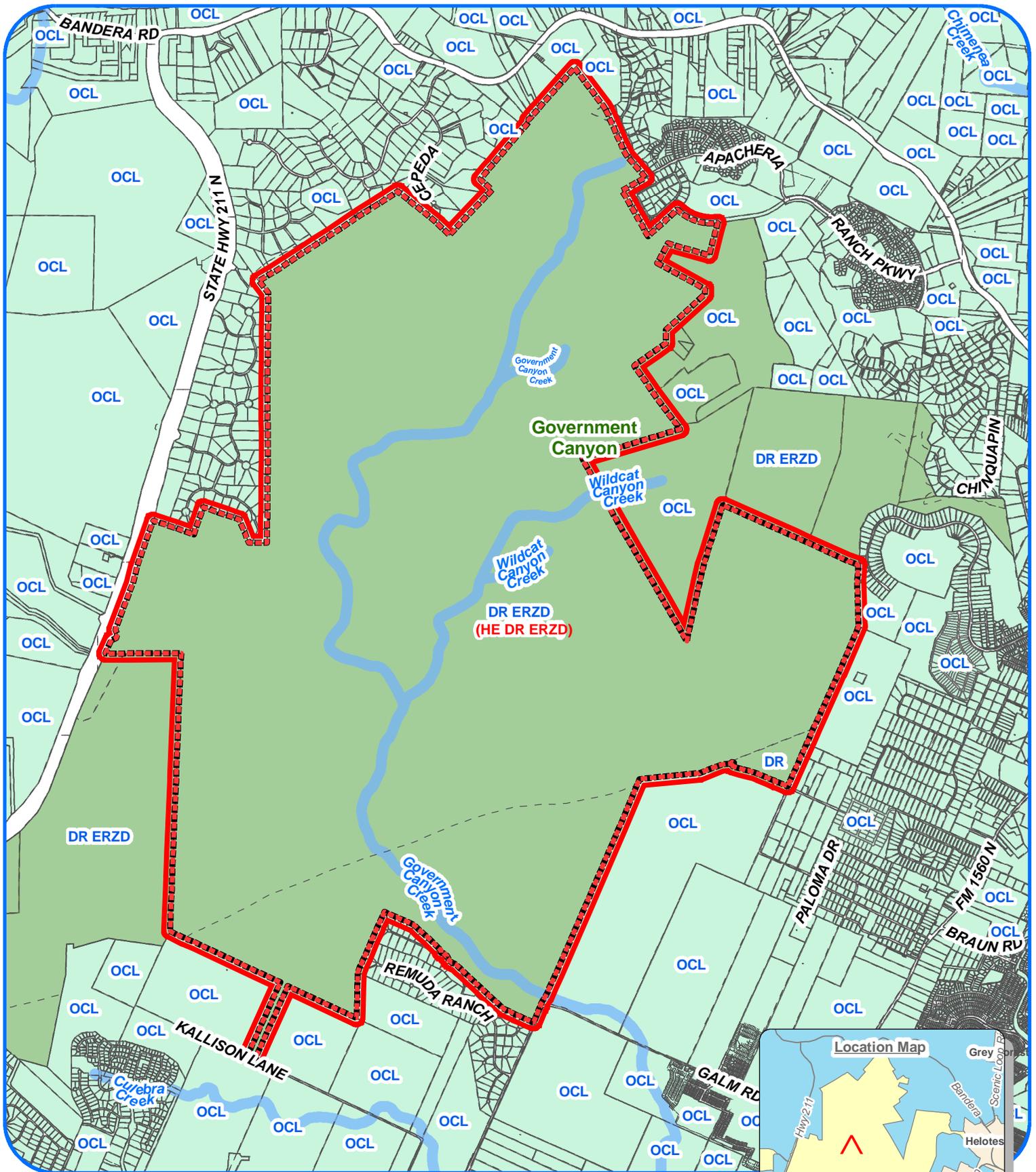
City of San Antonio



Agenda Voting Results - Z-17

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 # Z2008232 ERZD (District 6): An Ordinance amending the Zoning District Boundary from "DR ERZD" Development Reserve Edwards Recharge Zone District to "HE DR ERZD" Historic Exceptional, Development Reserve Edwards Recharge Zone District on P-1A, P-1B and P-1E, NCB 34450 and P-2A, NCB 34451 located at 12861 Galm Road. Staff recommends approval. Zoning Commission recommendation pending September 16, 2008 public hearing.
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 Z2008232

Council District 6

Scale: 1 inch approx. = 0.75 miles

Subject Property Legal Description(s): Parcels P-1A, P-1B and P-1E, NCB 34450 and P-2A, NCB 34451

Legend

- Subject Property (8622 Acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(08/04/2008)

RECEIVED

08 AUG 27 PM 1:13

SAN ANTONIO WATER SYSTEM
Interdepartmental Correspondence Sheet

LAND DEVELOPMENT
SERVICES DIVISION

To: Zoning Commission Members

From: Kirk M. Nixon, Manager, Resource Protection Division, San Antonio Water System

Copies To: Scott R. Halty, Director, Resource Protection & Compliance Department, Michael A. Escalante, Resource Protection Specialist II, Aquifer Protection & Evaluation Section, File

Subject: Zoning Case Z2008232 (Zizlmann House)

Date: August 28, 2008

SUMMARY

A request for a change in zoning has been made for an approximate 8,622-acre tract located on the city's northwest side. A change in zoning from **DR ERZD** to **DR ERZD H** is being requested by the applicant, City of San Antonio-Historic Preservation Office, by Ms. Kay Hindes. The change in zoning has been requested to allow an existing house to be designated "historic".

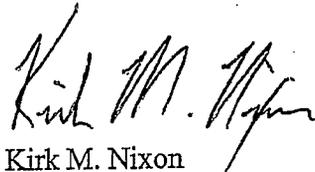
The subject property is located in City Council District 6, at 12861 Galm Rd. A total of 7,587 acres of the property lies within the Edwards Aquifer Recharge Zone. The remaining 1,034 acres are located on the Transition Zone (Figures 1 and 2).

Government Canyon State Natural Areas comprises a total of 8,622 acres maintained and managed by the Texas Parks & Wildlife Department. The state park is currently surrounded by residential communities and agricultural land uses. The Natural Areas contain nature trails for hiking/biking/horse riding, primitive campsites, and an interpretive educational center. To the northeast portion of the park 1,121 acres is designated as a protected habitat area for endangered migratory songbirds and cave dwelling invertebrates. The natural areas are home to several archaeological sites to both Native American and early settlers. The Zizlmann House is located in the northwest portion of the park next to Government Canyon Creek, and was built in 1882.

The Edwards Aquifer Recharge Zone encompasses 88% of Government Canyon State Natural Areas. It's also located within two natural zones: the Karst Preserve in the Balcones Escarpment upland and Oak-Juniper-Mesquite Savannah to the south of the escarpment. There are three main creeks: Government Canyon, Wildcat Canyon, and Laurel Canyon which traverses through the park and leads into the Leon Creek. The Natural Areas are situated within the Balcones Escarpment and Edwards Plateau sub-region where paleo-springs and numerous geologic features such as caves, sinkholes, and solution cavities can be found throughout the park. The park serves as a sensitive ecological habitat for flora, fauna, and geologic formations. This vital sanctuary helps to improve our water quality and will be protected from encroaching development.

Zoning Commission Members
Z2008232 (Zizelmann House)
Page 2

Land acquisition for Government Canyon State Natural Areas was first obtained in 1994. The Trust for Public Land purchased large tracts of properties through partnerships with local public agencies and private funding. Throughout the course of eight years (1994-2002) the Trust for Public Land, Texas Parks & Wildlife Dept., the City of San Antonio, San Antonio Water System, and the Edwards Aquifer Authority together funded 75% for the purchase of the Natural Areas. The remaining land acquisition was purchased through private fundraisers. SAWS has established through deed restrictions and memorandum of understanding, conservation easements throughout the park. Based on the memorandum of understanding with Texas Parks & Wildlife Dept., SAWS reserves any recommendations for the subject property.

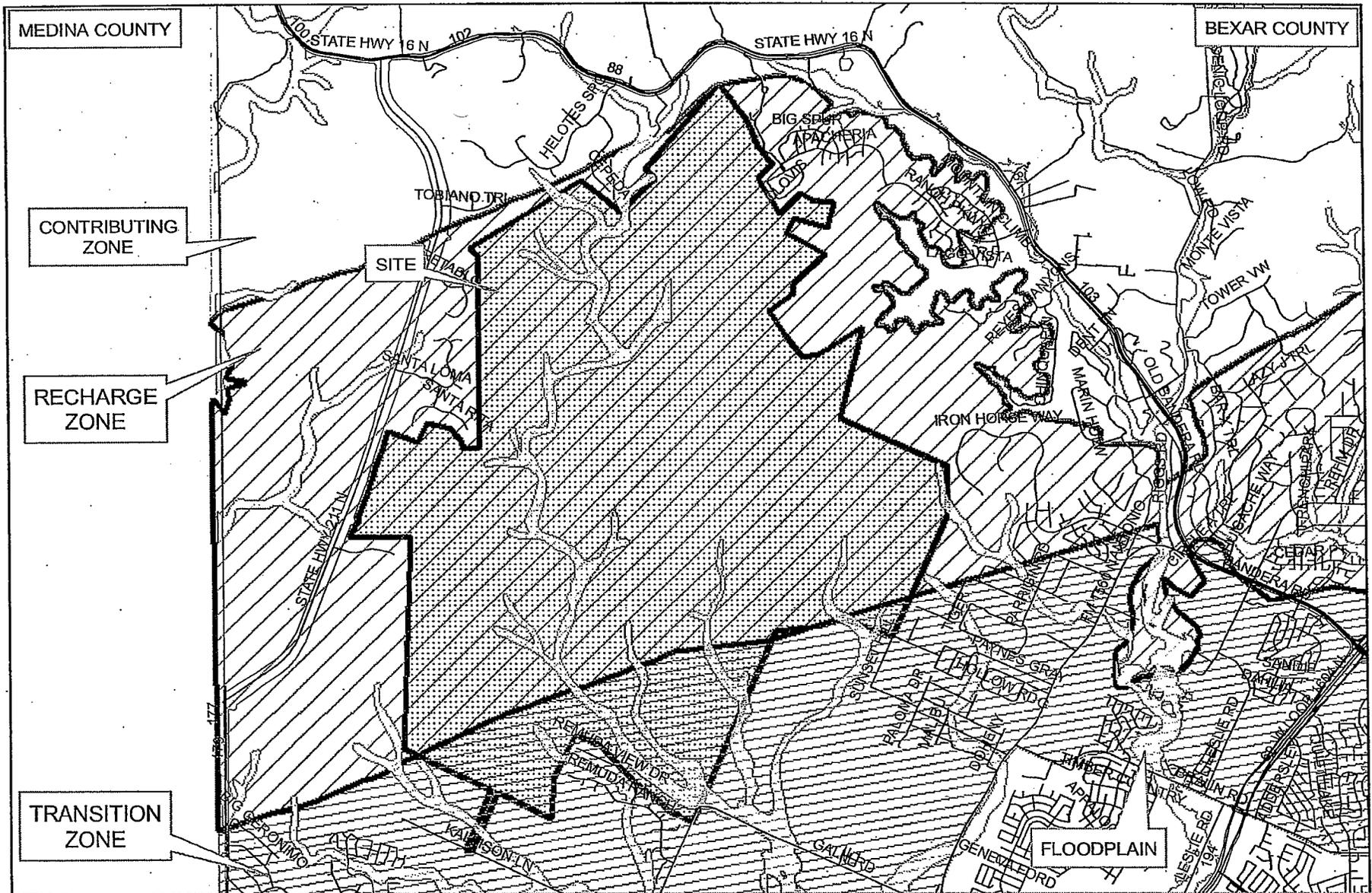


Kirk M. Nixon
Manager
Resource Protection Division

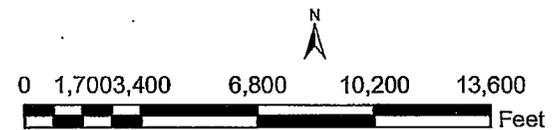
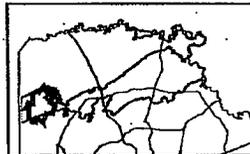


Scott R. Halty
Director,
Resource Protection & Compliance Department

KMN:MAE



ZONING FILE : ZIZELMANN HOUSE FIGURE 2
ZONING ID: Z2008232
MAP PAGE 545 B1 X=2045508 Y=13757413
Map Prepared by Aquifer Protection & Evaluation PMG 8/25/08





22008232

HISTORIC AND DESIGN REVIEW COMMISSION
CERTIFICATE OF APPROPRIATENESS

June 04, 2008

CITY OF SAN ANTONIO

HDRC CASE NO: 2008-181
ADDRESS: 12861 Galm Road
LEGAL DESCRIPTION: NCB 34450 P-1A, P-1B, P-1E, NCB 34451, P-2A
PUBLIC PROPERTY: No
HISTORIC DISTRICT:
LANDMARK DISTRICT:
APPLICANT: COSA, 1901 S Alamo
OWNER: State of Texas Parks & Wildlife Department
TYPE OF WORK: Finding of Historic Significance

REQUEST:

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

RECOMMENDATION:

The Zizeleman house 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 for 12861 Galm Road. 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 12861 Galm Road.

Ann Benson McGlone
Historic Preservation Officer

City Landmark Designation

HDRC CASE NO.

KNOWN AS: Zizelmann House (also spelled Zitzelmann), 41BX

ADDRESS: Government Canyon/Bexar County, TX

12861 Galm Road, San Antonio, Tx 78254

LEGAL DESCRIPTION: NCB 34450 P-1A, P-1B, P-1E, NCB 34451, P-2A

ZONING: DR ERZD

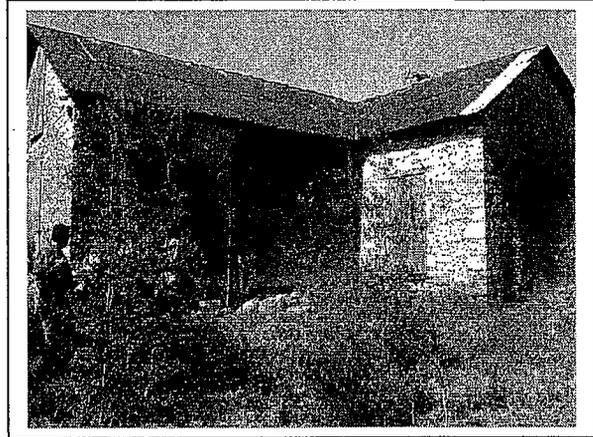
COUNCIL DISTRICT: 6

HISTORIC DISTRICT

LANDMARK: Finding of Historical Significance

APPLICANT: City of San Antonio

OWNER: State of Texas
Parks & Wildlife Department
4200 Smith Road
Austin, TX 78744



TYPE OF WORK:

ARCHAEOLOGICAL SITE NO.

HISTORY:

The Zizelmann House, built in 1882 by Christian Zizelmann, is located in Government Canyon. It is accessible by an approximate two hour hike on an extremely rocky trail (Joe Johnston route) from the entry point of the state natural area.

The Zizelmann house is L-shaped with a full basement under the north end of the structure. The house is built with quarried limestone, possibly obtained from the Gugger quarry which opened in the same time period. The floor plan includes a bedroom, a living room with its fireplace and one other additional room usage unidentified. Stairs lead to a possible loft or storage attic that no longer exists. Interior walls are plastered.

Christian Zizelmann operated a successful bakery in San Antonio. He and his wife, Emilie Tausch Zizelman and their two daughters, Agnes and Emilie, lived in the building which housed the bakery located on the southeast corner of West Houston and North Flores, an area which is now encompassed by the downtown Frost Bank headquarters.

The property has also been referred to as the remains of Wildcat Canyon Historic Ranch. In the 1950s and the early 60's, the tract was known as the W.J. Lytle Ranch. A Hondo rancher, E.G. Pope leased 8,500 acres of the ranch in 1956 and grazed it with sheep and opened it for day hunting. E.G. Pope ran angora goats on the place and sometimes made

more on the goats than he did on the other game intended for the hunters. Hunters, who were tired of waiting for deer to appear, would sometimes shoot a goat intentionally. Pope, who usually got only \$5.00 for a goat, would charge a hunter anywhere from \$50 to \$75 per goat depending on how contrite the hunter acted when he explained how the goat got shot.

In the 1970's, the San Antonio Ranch New Town Corporation purchased the ranch to build a master planned community with a proposed population of more than 80,000 residents. The property continued to be leased as ranchland as the northeast corner along Highway 16 (Bandera Road) was being developed. However, in the late 1980's, the corporation was a victim of the failed savings and loans crises and the property was taken over by the Resolution Trust Corporation (RTC). RTC put the property up for auction for other development. Concerned citizens under the leadership of Kyle Cunningham and Danielle Milam formed the Government Canyon Coalition (GCC), a group of civic and environmental organizations advocating for the preservation of the land. The group gained support of the Trust for Public Lands (TPL) and were able to negotiate with the Texas Parks and Wildlife Department (TPWD). The TPL and the GCC convinced the City of San Antonio and the Edwards Underground Water District to share costs of the purchase with the TPWD with the TPWD maintaining the title and management of the property.

REQUEST: Finding of Historical Significance

CASE COMMENTS: The Zizeleman house 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-17
Council Meeting Date: 9/18/2008
RFCA Tracking No: R-3871

DEPARTMENT: Development Services

DEPARTMENT HEAD: Roderick Sanchez

COUNCIL DISTRICT(S) IMPACTED:
Council District 6

SUBJECT:
Zoning Case Z2008232 ERZD

SUMMARY:
From "DR ERZD" Development Reserve Edwards Recharge Zone District to "HE DR ERZD" Historic Exceptional, Development Reserve Edwards Recharge Zone District.

BACKGROUND INFORMATION:
Zoning Commission Meeting Date: September 16, 2008

Applicant: City of San Antonio Historic Preservation Office
Owner: State of Texas, Texas Parks and Wildlife Department

Property Location: 12861 Galm Road

P-1A, P-1B and P-1E, NCB 34450 and P-2A, NCB 34451

Galm Road, approximately 1.6 miles north of the Galm Road and Culebra Road Intersection

Proposal: To designate Historic Exceptional

Neighborhood Association: None

Neighborhood Plan: None

TIA Statement: A Traffic Impact Analysis (TIA) is not required.

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 recommends approval. Zoning Commission recommendation pending the September 16, 2008 public hearing.

The subject property was annexed in 2002 and totals approximately 8,622 acres. There is an existing vacant residential structure on the subject property that was constructed in 1882. The existing "DR ERZD" Development Reserve, Edwards Recharge Zone District zoning was applied to the subject property at annexation. The subject property is known as Government Canyon State Natural Area and is maintained and managed by the Texas Parks and Wildlife Department. Land uses immediately adjacent to the subject property consist of large tracts of undeveloped land, as well as several single-family residential subdivisions.

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 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

[Location Map](#)

[Zoning Commission Minutes](#)

[Historic and Design Review Commission Report](#)

File Name

Z2008232.pdf

Z2008232.pdf

Z2008232_HDRC Review.pdf

[SAWS Report](#)

SAWS Report.pdf

[Voting Results](#)

[Ordinance/Supplemental Documents](#)

200809180854.pdf

DEPARTMENT HEAD AUTHORIZATIONS:

Roderick Sanchez Director Development Services

APPROVED FOR COUNCIL CONSIDERATION:

T.C. Broadnax Assistant City Manager