

AN ORDINANCE 2008-09-18-0842

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 9.650 acres out of NCB 17978 from "I-1" General Industrial District to "C-3" 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:

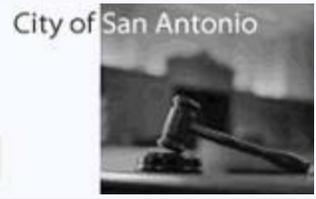

City Clerk

APPROVED AS TO FORM:


For City Attorney



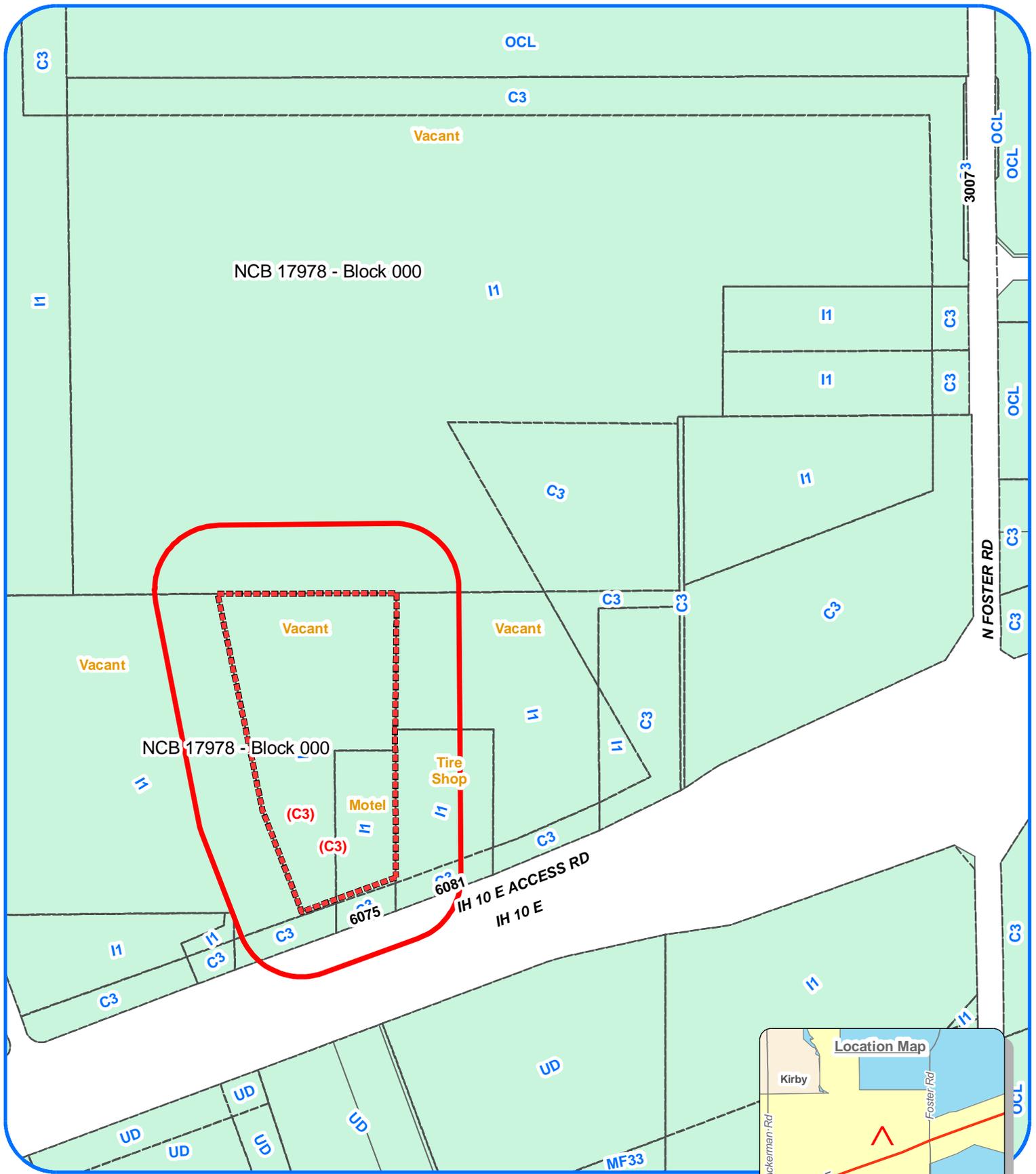
Request for
**COUNCIL
ACTION**



Agenda Voting Results - Z-4

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 # Z2008244 (District 2): An Ordinance amending the Zoning District Boundary from "I-1" General Industrial District to "C-3" General Commercial District on 9.650 acres out of NCB 17978 located at 6075 IH-10 East. 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 Z2008244

Council District 2

Scale: 1" approx. = 400'

Subject Property Legal Description(s): P-11, P-12 & 9 Block 001 NCB 17978

Legend

- Subject Property (9.51 Acres)
- 200' Notification Buffer
- Current Zoning R6
- Requested Zoning Change R6
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(08/06/2008)

Dye Enterprises

Engineers • Surveyors • Planners

Z2008244

RECEIVED

D. Scott Dye, P.E., R.P.L.S.

08 JUL 21 PM 2:08

July 18, 2008

LAND DEVELOPMENT
SERVICES DIVISION

RE: 6075 IH-10 East
San Antonio, Texas

DESCRIPTION OF AREA TO BE REZONED

BEING: a 9.650 acre tract out of a 52.43 acre tract situated in New City Block 17978, City of San Antonio, Bexar County, Texas, out of the Clemente Texada Original Survey No. 113, Abstract 743, County Block 5098; said 52.43 acre tract being that same and identical tract conveyed by Deed recorded in Volume 10768, Page 1 of the Official Public Records of Real Property of Bexar County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING: at the southwest corner of Lot 22, Southern Tire Mart, recorded in Volume 9536, Page 168 of the Deed and Plat Records of Bexar County, Texas, and the Southeast corner of Lot 9, Block 1, New City Block 17978, Ali-Baba Unit 1 Subdivision, recorded in Volume 9544, Page 163, Deed and Plat Records of Bexar County, Texas; said point being located on the north right of way of Interstate Highway 10 East;

THENCE: N.00°10'58"E., departing said north right-of-way line with the common line of said Lots 9 and 22 and the east line of said 52.43 acre tract, a distance of 106.22 feet to the southeast corner and the **POINT OF BEGINNING** of the herein described tract; said point being on the current existing C3 zoning district line;

THENCE: upon, over and across the above mentioned 52.43 acre tract the following courses:

S.70°28'41"W., with said zoning line, 100.00 feet from and parallel to said north right-of-way line, passing at a distance of 200.04 feet the west line of said Lot 9, a total distance of 310.83 feet to a point for the southwest corner of the herein described tract; said point being on the east line of an unrecorded 50 feet wide water facilities easement as shown on SAWS Job No. 01-8619-215 plans;

N.20°21'45"W., departing said zoning line with the east line of said easement, a distance of 337.18 feet to an angle point;

N.10°29'02"W., continuing along said easement line, a distance of 693.75 feet to a point on the north line of said 52.43 acre tract for the northwest corner of the herein described tract; said point also being on a south line of a 124.051 acre tract recorded in Volume 11164, Page 603 of the Official Public Records of Real Property, of Bexar County, Texas;

THENCE: N.89°55'16"E., along the north line of said 52.43 acre tract and said south line of 124.051 acre tract, a distance of 539.38 feet to a point for the northeast corner of said 52.43 acre tract and the herein described tract; said point also being a reentrant corner of said 124.051 acre tract;

4047 Stahl Rd. #3 • San Antonio • Texas 78217
Phone (210) 599-4123 • Fax (210) 599-4191

EXHIBIT A

RECEIVED

THENCE: S.00°10'58"W., along the common property line of said 52.43 acre tract, Lot 9, 24.05 acre tract and Lot 22, passing at a distance of 501.38 feet the northeast corner of said Lot 9, and continuing for a total distance of 895.15 feet to the **POINT OF BEGINNING**, and containing 9.650 acres of land, more or less.

LAND DEVELOPMENT
SERVICES DIVISION

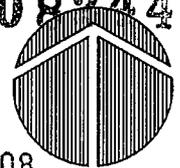
NOTE: Bearings for this legal description are based on the deed of the herein described 52.43 acre tract recorded in Volume 10768, Page 1, of the Official Public Records of Real Property of Bexar County, Texas.



D. Scott Dye, R.P.L.S. #5315
Job No. 00-0230.03

Z:\2000\000230.03 IH 10 E\Legal Description\Legal.doc

Z2008944



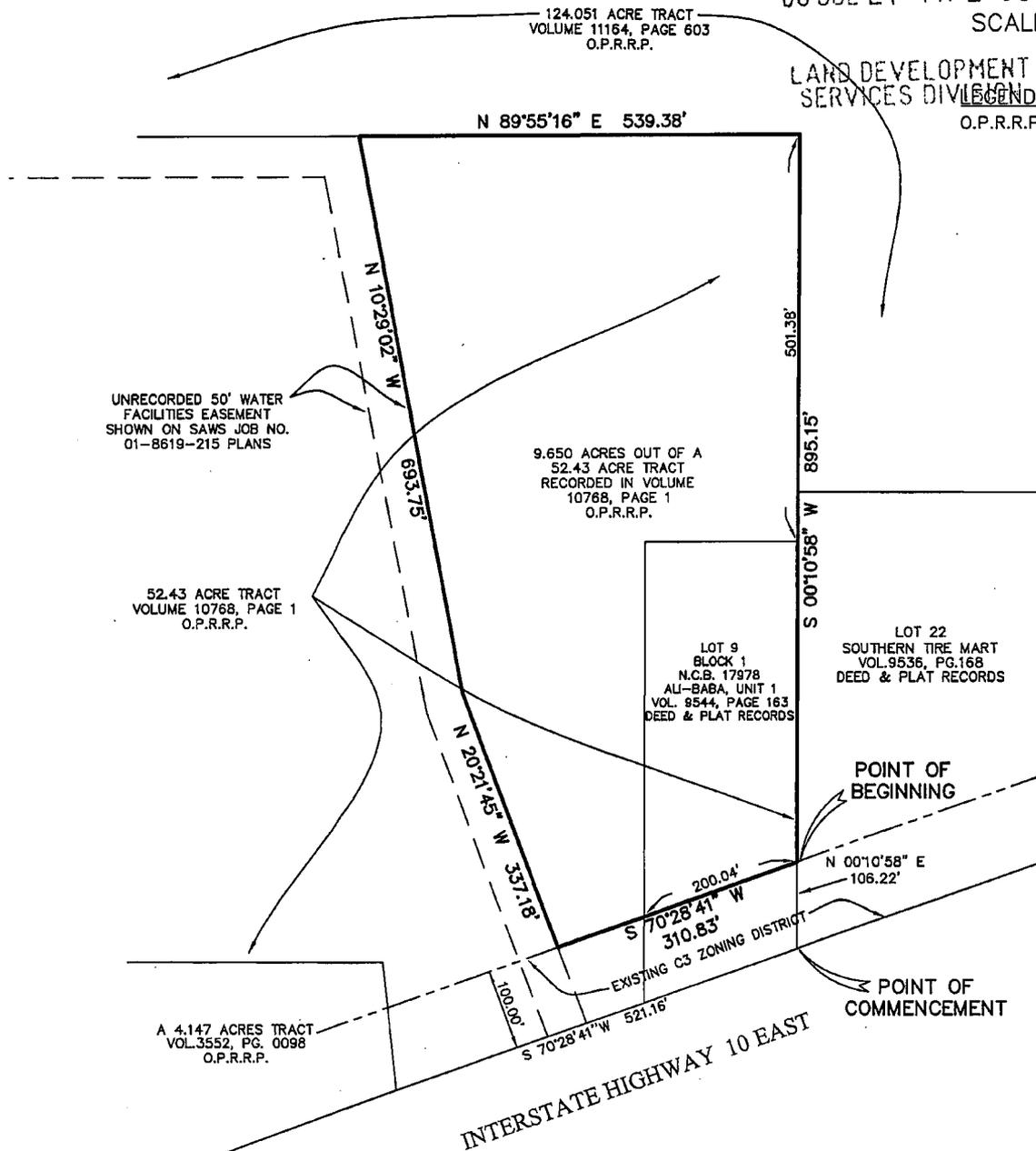
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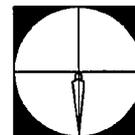
SCALE: 1" = 200'

LAND DEVELOPMENT SERVICES DIVISION

O.P.R.R.P. - OFFICIAL PUBLIC RECORDS OF REAL PROPERTY



"ZONING EXHIBIT"



DYE ENTERPRISES

4047 STAHL ROAD, SUITE #3
SAN ANTONIO, TEXAS 78217
TEL. (210) 599-4123
FAX (210) 599-4191

Z2008235

ZONING CASE NUMBER Z2008235 (Council District 2) – August 19, 2008

A request for a change in zoning from “I-2” Heavy Industrial District to “HE I2” Historic Exceptional Heavy Industrial District on 53.887 acres out of NCB 10568, 3803 Old Seguin Road. Staff recommends approval.

City staff represented this case.

The following citizen(s) appeared to speak:

Rollette Schreckenghost, representing San Antonio Conservation Society, stated they are in support of this request. They feel it serves as a symbol of Bexar County’s rich farm and ranch history.

Staff stated there were 8 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor.

COMMISSION ACTION

The motion was made by Commissioner Hawkins for denial.

MOTION FAILED DUE TO LACK OF SECOND

Commissioner Hawkins withdrew her motion.

COMMISSION ACTION

The motion was made by Commissioner Hawkins and seconded by Commissioner Gray to recommend a continuance until September 2, 2008.

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

NAY: None

THE MOTION CARRIED

Z2008235

ZONING CASE NUMBER Z2008235 (Council District 2) – September 2, 2008

A request for a change in zoning from “I-2” Heavy Industrial District to “HE I2” Historic Exceptional Heavy Industrial District on 53.887 acres out of NCB 10568, 3803 Old Seguin Road. Staff recommends approval.

City staff represented this case.

The following citizen(s) appeared to speak:

Marcie Ince, representing San Antonio Conservation Society, stated this structure was built in 1874 and is one of the 19th Century farm and ranch complexes that have been researched by the San Antonio Conservation Society. She stated they are in support of the “HE” designation.

Staff stated there were 8 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor.

COMMISSION ACTION

The motion was made by Commissioner Westheimer and seconded by Commissioner Wright to recommend approval.

AYES: Sherrill, Robbins, J. Valadez, Westheimer, Gadberry, Wright, Martinez

NAY: None

THE MOTION CARRIED



22008235

HISTORIC AND DESIGN REVIEW COMMISSION
CERTIFICATE OF APPROPRIATENESS

June 04, 2008

CITY OF SAN ANTONIO

HDRC CASE NO: 2008-168
ADDRESS: 3803 Old Seguin Road
LEGAL DESCRIPTION: NCB10568, Lot W IRR, 589.35 ft. of TR-4 Parcel 991358
PUBLIC PROPERTY: No
HISTORIC DISTRICT:
LANDMARK DISTRICT:
APPLICANT: COSA, 1901 S Alamo
OWNER: COSA
TYPE OF WORK: Finding of Historic Significance

REQUEST:

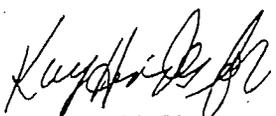
The applicant is requesting a Certificate of Appropriateness for a Finding of Historic Significance.

RECOMMENDATION:

The Mayor Jack White 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 for 3803 Old Seguin 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 3803 Old Seguin Road.


Ann Benson McGlorie
Historic Preservation Officer

City Landmark Designation**HDRC CASE NO.**

KNOWN AS: Fred and Rosina Ackerman/Jack
White House, 41BX

ADDRESS: 3803 Old Seguin Road, San Antonio,
TX

LEGAL DESCRIPTION: NCB10568, Lot W
IRR, 589.35 ft. of TR-4 Parcel 991358 Property
ID 991358

ZONING: Industrial

3 acres – R1 Family not Farm; 50.8870 acres -
Industrial

COUNCIL DISTRICT: 2

HISTORIC DISTRICT

LANDMARK: Finding of Historical Significance

APPLICANT: City of San Antonio

OWNER: City of San Antonio

P.O. Box 839966

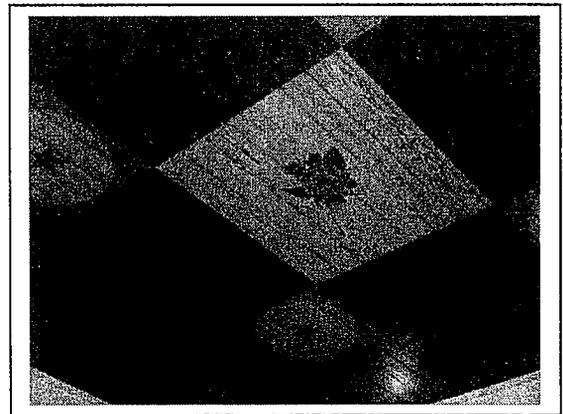
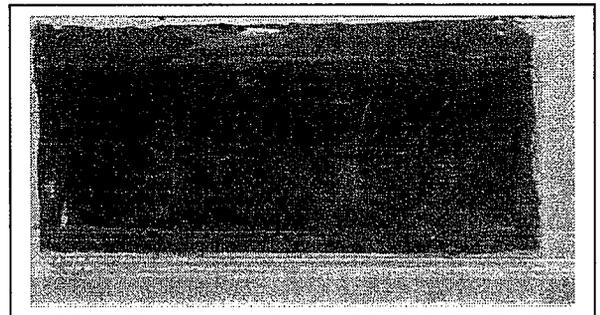
San Antonio, TX 78282-3974

ARCHAEOLOGICAL SITE NO.

TYPE OF WORK:

HISTORY:

The land on which the house sits was out of the south ½ of the Charles F. King Headright #15 that began at the intersection of Salado Creek and the north line of the Old Seguin Road. In 1845, 360 acres were auctioned off by Sheriff George Thomas Howard and sold to David G. Hill for \$110.00. Fred and Rosina Ackerman purchased the acreage on Salado Creek in May 1873 from Sarah Ann Hill, wife of David G. Hill, for \$5,500 in gold, (BCDR Vol. 1, p.112, 1873 and BCDR Vol. C2, p.118, 1845). The amount of the sale seems to imply that the house may have been on the property by this date; however, the date painted on the interior wooden lintel (if original) places the construction as 1874, thus suggesting that it was probably built by the Ackerman's.



In 1897, Fred and Rosina Ackerman both gifted and sold portions of this property as well as other property to their children. Stipulations of the gifted property were that a portion of the land was to include a cemetery, acreage for a school and a church. An additional stipulation required that all the children continue in the Lutheran religion or they would lose their rights and benefits to the property. (BCDR Vol. 164 p224+ 1897) Ben

Ackerman's siblings subsequently sold their shares in the land to him. In 1945, White purchased 90.97 acres of the land from Ben and Emma Ackerman (BCDR Vol. 2121, p.267).

As noted above, the complex was later the residence of former S.A. Mayor Arthur C. "Jack" White. Mayor White served as Mayor of the City of San Antonio from 1949-1952 and again in 1953-54. Jack White was born on a cotton farm near Weatherford, Texas and orphaned at age 6. He worked his way from a bellboy in a 35 room hotel in Mineral Wells to a manager at the age of 17. When the old Westbrook hotel opened in Ft. Worth, he moved there as a room clerk. He moved to San Antonio in 1913 and clerked at night at the Gunter Hotel and studied music during the days. Later he became assistant manager and after serving in World War I as a captain, he opened the Robert E. Lee hotel as manager. He eventually became the owner of a string of Texas hotels, including the White Plaza Hotel in San Antonio as well as other associated enterprises. With Conrad Hilton, he built and operated the Hilton Hotel in Dallas. Later he became associated with the Smith brothers in the building of the Tower Life Building. He was an early crusader for the beautification of the downtown section of the San Antonio River and became chairman of the river improvement district that finally accomplished the project. He organized the San Antonio Beautification Committee who hired Hugman and Arneson to prepare drawings for WPA funding.

During his years as mayor, White divided his time between his penthouse in the White Plaza Hotel and his 90-acre farm on Seguin Road. He retained his interest in music, even singing in his tenor voice during his political heyday. He cut a record of "Irish Heart" for the Cardinals in 1951.

Jack White died in August 1961 at the age of 70 years. In July 1961, shortly before his death, Jack White sold the property to his former wife, Ruth Barrett White. As of 2007, 59.60 acres of the 90.97 acre tract is owned by the City of San Antonio and managed by the City Park Service as a park police substation.

REQUEST: Finding of Historical Significance

CASE COMMENTS: The Mayor Jack White 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)

Z2008235

(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-3
Council Meeting Date: 9/18/2008
RFCA Tracking No: R-3840

DEPARTMENT: Development Services

DEPARTMENT HEAD: Roderick Sanchez

COUNCIL DISTRICT(S) IMPACTED:
Council District 2

SUBJECT:
Zoning Case Z2008235

SUMMARY:

From "I-2" Heavy Industrial District to "HE I-2" Historic Exceptional, Heavy Industrial District.

BACKGROUND INFORMATION:

Zoning Commission Meeting Date: September 2, 2008

Applicant: City of San Antonio Historic Preservation Office

Owner: City of San Antonio

Property Location: 3803 Old Seguin Road

53.887 acres out of NCB 10568

On the west side of Seguin Road, between Binz-Engleman to the north and Shipman to the southwest

Proposal: To designate Historic Exceptional

Neighborhood Association: None

Neighborhood Plan: None

TIA Statement: A Traffic Impact Analysis 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 and Zoning Commission (7-0) recommend approval.

The subject property is occupied by a 3,320 square foot structure, which is currently being used as a Park Police substation. The property is surrounded by I-2 zoning. The surrounding land uses consist of undeveloped land and a hotel to the east; apartments and undeveloped land to the north; Fort Sam Houston to the west and undeveloped land and industrial uses to the south.

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, 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
Location Map	Z2008235.pdf
Certificate of Appropriateness	Certificate of Appropriateness.pdf
Zoning Commission Minutes	Z2008235.pdf
Voting Results	
Ordinance/Supplemental Documents	200809180841.pdf

DEPARTMENT HEAD AUTHORIZATIONS:

Roderick Sanchez Director Development Services

APPROVED FOR COUNCIL CONSIDERATION:

T.C. Broadnax Assistant City Manager