

AN ORDINANCE 101308

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.

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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:

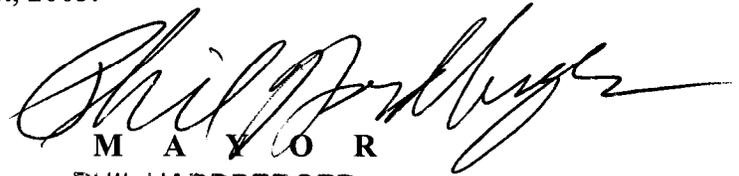
SECTION 1. Chapter 35, Unified Development Code, Section 35-304, Official Zoning Map, of the City Code of San Antonio, Texas is amended by changing the zoning district boundary of the East 33 feet of Lot 2, Block 2, NCB 214 from "R-4" Residential Single-Family District to (HS) "R-4" Historic Significant Residential Single-Family District.

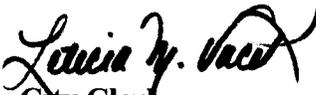
SECTION 2. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

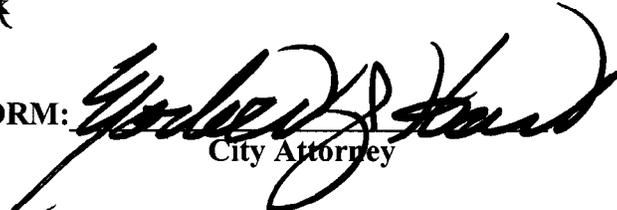
SECTION 3. The Director of Planning shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 4. This ordinance shall become effective immediately upon passage if passed by eight or more votes otherwise this ordinance shall become effective September 4, 2005.

PASSED AND APPROVED this 25th day of August, 2005.


M A Y O R
PHIL HARDBERGER

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
City Attorney

Agenda Voting Results

Name: Z-5

Date: 08/25/05

Time: 03:35:49 PM

Vote Type: Multiple selection

Description: Z-5. ZONING CASE #Z2005132 (District 1): An Ordinance changing the zoning district boundary on the East 33 feet of Lot 2, Block 2, NCB 214, to "HS" Historic Significant, 708 Marshall Street, as requested by City of San Antonio, Historic Preservation Officer, Applicant, for James Wuneburger, Owner(s). Staff has recommended approval and Zoning Commission has recommended approval.

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
SHEILA D. MCNEIL	DISTRICT 2		x		
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
DELICIA HERRERA	DISTRICT 6		x		
ELENA K. GUAJARDO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
KEVIN A. WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR PHIL HARDBERGER	MAYOR		x		

CASE NO: Z2005132

Staff and Zoning Commission Recommendation - City Council

Date: August 25, 2005
Zoning Commission Meeting Date: June 21, 2005
Council District: 1
Ferguson Map: 616 D3

Applicant:

City of San Antonio, Historic
Preservation Officer

Zoning Request:

To designate property "HS" Historic, Significant

Owner:

James Wuneburger

The east 33 feet of Lot 2, Block 2, NCB 214

Property Location:

708 Marshall Street

Proposal:

To designate property "HS" Historic, Significant

**Neighborhood
Association:**

Five Points Neighborhood Association

Neighborhood Plan:

Five Points Neighborhood Plan

TIA Statement:

A Traffic Impact Analysis is not required

Staff Recommendation:

Consistent. The housing element of the Five Points Neighborhood Plan describes the following goal: "Preserve, rehabilitate and improve the housing stock." One of the specific strategies under this goal included: "pursue historic district or conservation district designation with the City of San Antonio (page 8)."

Approval. The zoning request conforms with the Five Points Community Plan. The plan calls for single-family residential land use. The proposed zoning does not request a change in the base zoning. Historic Significance is appropriate for this single-family residential land use and is supported by the plans goal to preserve, rehabilitate and improve the housing stock. On March 2, 2005, the Historic and Design Review Commission (HDRC) recommended a finding of Historic Significance for this property. The building qualifies as a City of San Antonio Landmark according to the following criteria of the Historic and Design Section of the Unified Development Code:

- (1) It is a visible reminder of the cultural heritage of the community (35-607, B-1);
- (2) Its historical, architectural, or cultural integrity of location, design, materials, and workmanship (35-607, B-8; and
- (3) The building has come to represent a part of San Antonio's cultural heritage for at least twenty-five years (35-607, C-2a).

This application was initiated by the property owner through the City of San Antonio's Historic Preservation Office and is in favor.

Zoning Commission Recommendation:

Approval

CASE MANAGER : Judy Equez 207-7442

VOTE

FOR	10
AGAINST	0
ABSTAIN	0
RECUSAL	0

Z2005132

ZONING CASE NO. Z2005132 – June 21, 2005

Applicant: City of San Antonio, Historic Preservation Office

Zoning Request: To designate property Historic Significance

Ann McGlone, Historic Preservation Officer, stated the property owner through the City of San Antonio's Historic Preservation Office initiated the application. She further stated this request conforms with the Five Points Community Plan.

Jim Wuneburger, 7935 Rustic Forest, owner, stated he has presented his proposal to the Historic Design and Review Commission on March 2, 2005 and was recommended for a finding of Historic Significance for this property. He stated his intent is to restore the structure and retain the historical character.

FAVOR

Sonia Fieska, stated she has lived in the neighborhood for approximately 50 years. She stated she is in support of this request however her concern is that Mr. Wuneburger would rent out this house. There are several rental houses in the neighborhood, which she feels has deteriorated the community

Alex Vidal, 709 Marshall, stated the proposed house has been operating as a warehouse in the past. He stated he is in support of this zoning request. He feels this change would good for the community.

Jeannie Ruiz, Elmira Street, stated she is support of this change. She stated this structure has deteriorated and supports Mr. Wuneburger's intent.

Staff stated there were 84 notices mailed out to the surrounding property owners, 0 returned in opposition from the surrounding property owners and 4 returned in opposition from the Five Points Planning Team Members and 0 returned in favor and no response Five Point Neighborhood Association.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

FINDING OF CONSISTENCY OF THE MASTER PLAN

COMMISSION ACTION

The motion was made by Commissioner Kissling and seconded by Commissioner McAden to find consistency with the neighborhood plan.

Z2005132

(A verbal vote was taken)

**AYES: Martinez, Robbins, Rodriguez, Kissling, Dutmer, Sherrill, McAden, Avila,
Stribling, Peel**

NAYS: None

THE MOTION CARRIED

COMMISSION ACTION

The motion was made by Commissioner Kissling and seconded by Commissioner McAden to recommend approval.

1. Property is located on the east 33 feet of Lot 2, Block 2, NCB 214 at 708 Marshall Road.
2. There were 84 notices mailed, 0 returned in opposition and 0 in favor.
3. Staff recommends approval.

**AYES: Martinez, Robbins, Rodriguez, Kissling, Dutmer, Sherrill, McAden, Avila,
Stribling, Peel**

NAYS: None

THE MOTION CARRIED

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.