

AN ORDINANCE

2019-03-07-0206

**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 after notice and publication 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 9.490 acres out of NCB 14615 from "R-6 ERZD" Residential Single-Family Edwards Recharge Zone District to "PUD MF-18 ERZD" Planned Unit Development Limited Density Multi-Family Edwards Recharge Zone 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.** The City Council approves this Planned Unit Development so long as the attached site plan is adhered to. A site plan is attached as **Exhibit "B"** and made a part hereof and incorporated herein for all purposes.

**SECTION 4.** This change of zoning district boundary is conditioned on the requirement that the impervious cover on the property described by this ordinance shall not exceed 50%.

**SECTION 5.** 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 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 6.** 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 7.** 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 8.** 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 9.** 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 10.** If a court of competent jurisdiction enters a final judgment on the merits that is no longer subject to appeal and substantially limits or impairs the essential elements of sections one through five of this ordinance, then sections one through five are invalid and have no legal effect as of the date of entry of such judgment notwithstanding any other ordinance or provision of the City Code of San Antonio.

**SECTION 11.** This ordinance shall become effective March 17, 2019.

**PASSED AND APPROVED** this 7<sup>th</sup> day of March 2019.

M A Y O R  
Ron Nirenberg

ATTEST:

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

Andrew Segovia, City Attorney



<b>Agenda Item:</b>	<b>Z-11</b>						
<b>Date:</b>	03/07/2019						
<b>Time:</b>	02:21:34 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	ZONING CASE # Z-2018-900051 ERZD (Council District 8): Ordinance amending the Zoning District Boundary from "R-6 ERZD" Residential Single-Family Edwards Recharge Zone District to "PUD MF-18 ERZD" Planned Unit Development Limited Density Multi-Family Edwards Recharge Zone District on 9.490 acres out of NCB 14615, located at 12735 Woller Road. Staff and Zoning Commission recommend Approval.						
<b>Result:</b>	Passed						
<b>Voter</b>	<b>Group</b>	<b>Not Present</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Motion</b>	<b>Second</b>
Ron Nirenberg	Mayor	x					
Roberto C. Treviño	District 1		x				x
Art A. Hall	District 2		x				
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Greg Brockhouse	District 6		x				
Ana E. Sandoval	District 7		x				
Manny Pelaez	District 8		x			x	
John Courage	District 9		x				
Clayton H. Perry	District 10		x				

SG/lj  
03/07/2019  
Item No. Z-11

# **EXHIBIT “A”**



**FIELD NOTES  
FOR  
A 9.490 ACRE TRACT**

A **9.490 acre** tract of land, out of the M. Cooper Survey, Section No. 344, Abstract No. 162, the M. Cooper Survey, Section No. 343, Abstract No. 161, the H.A. Langwell Survey, Section No. 350, Abstract No. 439, all of which are in N.C.B. 14615 and located in Bexar County, Texas, being the remainder of Tract G, of the Frank Woller Partition, of record in Volume 1363, Page 286, of the Official Public Records of Bexar County, Texas, and all of a called 9.47 acre tract, conveyed to John N. Igo, Jr., of record in Volume 6938, Page 711, of the Official Public Records of Bexar County, Texas, and being more particularly described by metes and bounds as follows:

**BEGINNING** at a found ½" iron rod in the west line of Woller Road, a variable width right-of-way, for the southeast corner of Woller Creek Subdivision, Unit 1, of record in Volume 9528, Page 50, of the Deed and Plat Records of Bexar County, Texas, the northeast corner tract described herein;

**THENCE: S 00°47'53" E**, along and with the west line of Woller Road, the east line of the tract described herein, a distance of **497.03 feet** to a found ½" iron rod for the northeast corner of a called 4.591 acre tract, conveyed to Steven L. Kouri and wife, Jodie Kouri, of record in Volume 7018, Page 745, of the Official Public Records of Bexar County, Texas, also known as Tract H, of the Frank Woller Partition, the southeast corner of the tract described herein;

**THENCE: S 89°28'57" W**, leaving the west line of Woller Road, along and with the north line of the 4.591 acre tract, the south line of the tract described herein, a distance of **830.71 feet** to a found ½" iron rod in the east line of a called 0.296 acre Drainage Right-of-Way, established by the Kyle Seal Parkway Subdivision, of record in Volume 9590, Page 182, of the Deed and Plat Records of Bexar County, Texas, for the northwest corner of the 4.591 acre tract, the southwest corner of the tract described herein, from which a found ½" iron rod bears S 01°29'34" E, a distance of 229.44 feet for the southwest corner of the 4.591 acre tract;

**THENCE: N 00°39'40" W**, along and with the east line of the 0.296 acre Drainage Right-of-Way, the west line of the tract described herein, a distance of **498.95 feet** to a found ½" iron rod in the south line of Woller Creek Subdivision, Unit 1, for the northwest corner of the tract described herein, from which a found ½" iron rod bears N 48°47'47" E, a distance of 29.68 feet for the point of curve of Lot 16, Block 5, Woller Creek Subdivision, Unit 1;

**THENCE: N 89°36'56" E**, along and with the south line of Woller Creek Subdivision, Unit 1, the north line of the tract described herein, passing at a distance of 821.76 feet a found ½" iron rod with a plastic cap stamped "CUDE", from which a found ½" iron rod bears N 00°41'57" W, a distance of 19.76 feet for the southeast corner of Lot 1, Block 5, Woller Creek Subdivision, Unit 1, continuing for a total distance of **829.53 feet** to the **POINT OF BEGINNING** and containing **9.490 acres**, more or less, situated in Bexar County, Texas. Bearings are based on NAD83 (2011) Texas State Plane South Central Zone, 4204.

Job No.:	18-106
Prepared by:	KFW Surveying
Date:	September 21, 2018
Revised:	December 3, 2018
File:	S:\Draw 2018\18-106 12735 Woller Rd\DOCS\FN -9.490AC.doc

*James Janisse*

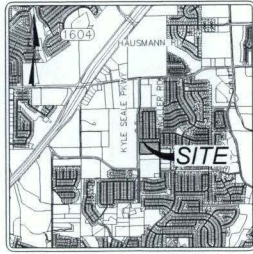


**Exhibit "A"**

SG/lj  
03/07/2019  
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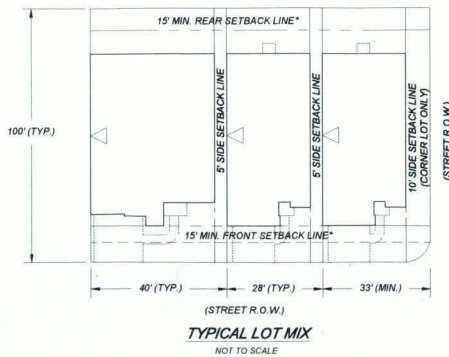
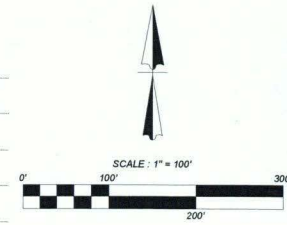
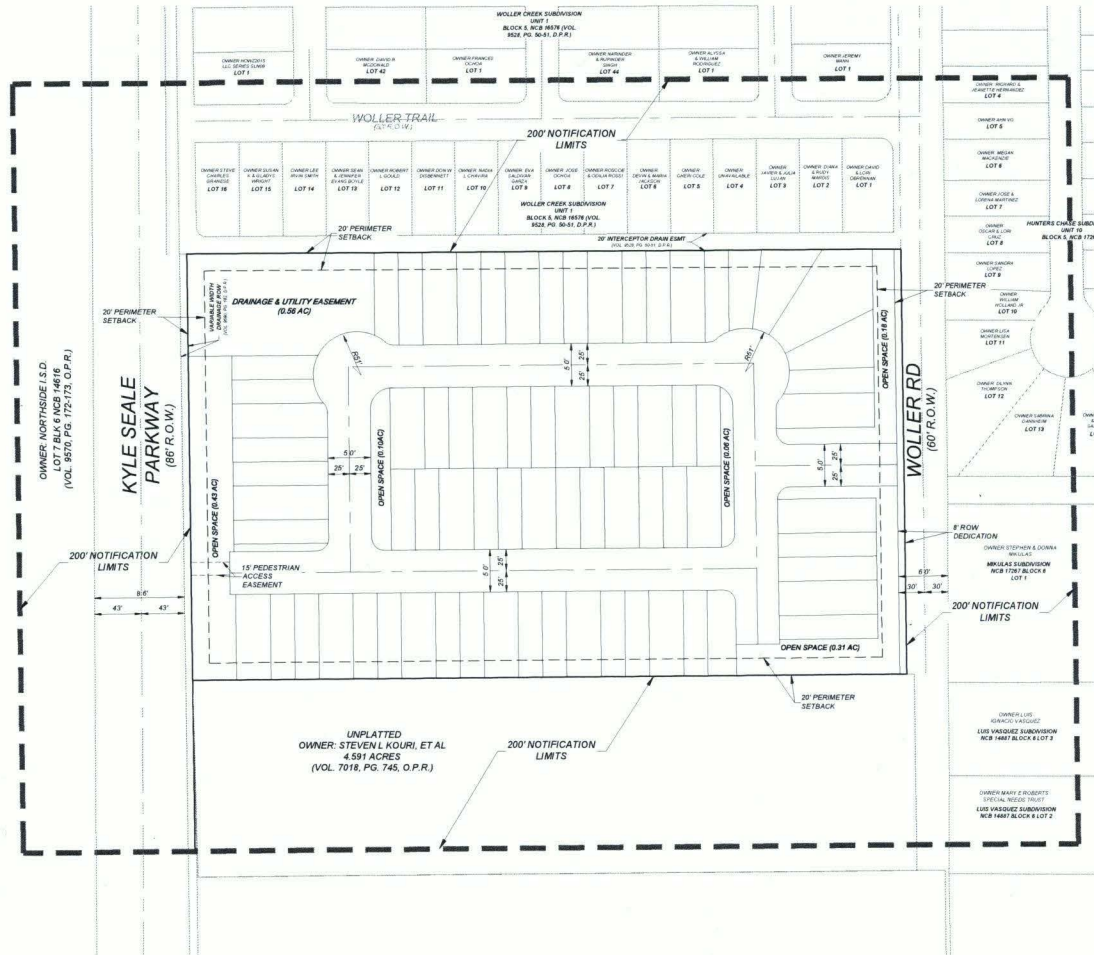
# **EXHIBIT “B”**





LOCATION MAP  
NOT-TO-SCALE

ADDRESS: 12375 WOLLER RD  
SAN ANTONIO, TX 78249



OVERALL LAND USE TABLE

AREA (ACRES)	DWELLING UNITS	TOTAL FLOOR AREA (SQ FT)	PASSIVE OPEN SPACE (ACRES)	ACTIVE OPEN SPACE (ACRES)	DENSITY (UNIT/ACRE)	OFF-STREET PARKING SPACES
9.49	49 - 28' WIDE 24 - 40' WIDE	125,945	1.64	N/A	7.69	292

CHRISTINE D. KIESEL, INDEPENDENT  
I, EXECUTOR OF THE ESTATE OF JOHN N. IGO, THE PROPERTY OWNER  
ACKNOWLEDGE THAT THIS SITE PLAN SUBMITTED FOR THE PURPOSE OF  
REZONING THIS PROPERTY IS IN ACCORDANCE WITH ALL APPLICABLE  
PROVISIONS OF THE UNIFIED DEVELOPMENT CODE. ADDITIONALLY, I  
UNDERSTAND THAT CITY COUNCIL APPROVAL OF A SITE PLAN IN  
CONJUNCTION WITH A REZONING CASE DOES NOT RELIEVE ME FROM  
ADHERENCE TO ANY/ALL CITY-ADOPTED CODES AT THE TIME OF PLAN  
SUBMITTAL FOR SUBDIVISION PLATTING OR BUILDING PERMITS/

LEGAL DESCRIPTION:

A 9.49 ACRE TRACT OF LAND, OUT OF THE M. COOPER SURVEY, SECTION NO. 344, ABSTRACT NO. 162, THE M. COOPER SURVEY, SECTION NO. 343, ABSTRACT NO. 161, THE H.A. LANGWELL SURVEY, SECTION NO. 350, ABSTRACT NO. 439, ALL OF WHICH ARE LOCATED IN BEXAR COUNTY, TEXAS, BEING THE REMAINDER OF TRACT G, OF THE FRANK WOLLER PARTITION, OF RECORD IN VOLUME 1363, PAGE 286, OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS AND ALL OF A CALLED 9.47 ACRE TRACT, CONVEYED TO JOHN N. IGO, JR. OF RECORD IN VOLUME 6938, PAGE 711, OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS.

**KFW**  
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E-Mail: info@kfw.com

ISSUE DATE  
REVISIONS

IGO TRACT P.U.D.  
SAN ANTONIO, TEXAS  
CONCEPTUAL SITE PLAN

JOB NO.:  
DATE:  
DRAWN: CHECKED:  
SHEET NUMBER:  
**SHEET**  
**1 OF 1**

Exhibit "B"