

SAN ANTONIO PLANNING COMMISSION AGENDA



July 13, 2011



2:00 P.M.

Amelia Hartman, *Chair*
Jose R. Limon, *Vice Chair*
Andrea Rodriguez, *Chair Pro Tem*
Christopher M. Lindhorst
Lynda Billa Burke
Marcello Diego Martinez
Rolando H. Briones
Jody R. Sherrill
Rob Rodriguez



The Cliff Morton Development and Business Service Center, located at 1901 South Alamo Street is wheelchair-accessible. Accessible parking is located at the front of the building. Auxiliary Aids and Services are available upon request (Interpreters for the Deaf must be requested forty-eight [48] hours prior to the meeting). For Assistance, Call (210) 207-7245 Voice/TTY.

Please note that Citizens Comments are limited up to three (3) minutes per person and may change as needed
CALL (210) 207-0121 FOR ADDITIONAL INFORMATION ON ANY AGENDA ITEM BELOW.

1. PRELIMINARY ITEMS:

Work session, 1:30 P.M., Tobin Room

- Agenda items may be discussed (Development Services Department)
- Briefing on the Midtown Brackenridge Plan and possible updates to the Tobin Hill, Government Hill, Westfort Alliance, Mahncke Park and River Road Neighborhood Plans. (Department of Planning and Community Development by; Andrea Gilles)

2. 2:00 P.M.– Call to Order, Board Room

3. Roll Call

4. Citizens to be heard

5. PUBLIC HEARINGS

REPLAT :

A. 110080

Sideoats Industrial Park

(On the east side of North East Loop 410, south of Winnco Drive)

Council Ferguson
District Index #

2 584 D-7

CONSENT AGENDA

NOTICE TO THE PUBLIC: All matters listed under "Consent Agenda" are considered by the Planning Commission to be routine, and have met all standards for development under state law, and will be enacted by one motion. There will be no separate discussion of these items unless

* Project is located in the Camp Bullis Notification Area.

LAND TRANSACTIONS:

14. **S.P. 1488** Request to declare as surplus to the needs of the City of San Antonio and sell a 0.543 acre tract out of Lot 42, Block 1, NCB 2444 located at 1310 Guadalupe Street (Capital Improvements Management Services by Martha Almeria)
15. **S.P. 1553** Request to close a portion of Monterey Street (Capital Improvement Management Services by Mary Fors)

COMPREHENSIVE MASTER PLANS:

16. Public hearing and consideration of a resolution recommending the approval on the release of approximately 2,716 acres (4.12 square miles) from the Extraterritorial Jurisdiction of the City of San Antonio generally located along the intersection of I-35 South and SW Loop 1604, south of the Medina River. (Department of Planning and Community Development by; Priscilla Rosales-Piña)
17. **PA11017-B** - Public hearing and consideration of a resolution amending the land use plan contained in the Stinson Airport Vicinity Land Use Plan, a component of the Master Plan of the City, by changing the use of approximately 16.30 acres located at 9425 South Presa Street from Mixed Use land use to Regional Commercial land use. (Planning and Community Development Department by Tyler Sorrells)
18. **PA11038** - Public hearing and consideration of a resolution amending the land use plan contained in the Near Northwest Community Plan, a component of the Master Plan of the City, by changing the use of approximately 0.2961 acres located at 511 Shadwell Drive from Low Density Residential land use to Medium Density Residential land use. (Planning and Community Development Department by Robert C. Acosta)
19. **PA110039** - Public hearing and consideration of a resolution amending the land use plan contained in the North Sector Plan, a component of the Master Plan of the City, by changing the use of approximately 2.68 acres located at 16088 San Pedro Avenue from Suburban Tier land use to Regional Center land use. (Planning and Community Development Department by John Osten)
20. **PA11040** - Public hearing and consideration of a resolution amending the land use plan contained in the Downtown Neighborhood Plan, a component of the Master Plan of the City, by changing the use of approximately 0.2686 acres located at 323 S. Frio from Public Institutional land use to Community Commercial land use. (Planning and Community Development Department by Gary Edenburn)
21. **PA11041** - Public hearing and consideration of a resolution amending the land use plan contained in the Kelly/ South San PUEBLO Community Plan, a component of the Master Plan of the City, by changing the use of approximately 2.544 acres located at 911, 1000,

* Project is located in the Camp Bullis Notification Area.

and 1001 Harriman Place from Low Density Residential land use and Medium Density Residential land use to Neighborhood Commercial land use. (Planning and Community Development Department by Michael Taylor)

22. **PA11042** - Public hearing and consideration of a resolution amending the land use plan contained in the Heritage South Sector Plan, a component of the Master Plan of the City, by changing the use of approximately 217.8 acres located at 3970 Rabel Road from Civic Center and Rural Estate Tier land use to Agribusiness/RIMSE land use. (Planning and Community Development Department by Priscilla Rosales-Piña)

OTHER ITEMS:

23. Approval of the minutes for the June 22, 2011 Planning Commission meeting.
24. Director's report – City Council Action Update (Planning Commission Items sent to Council)
25. Executive Session: consultation on attorney-client matters (real estate, litigation, contracts, personnel, and security matters) as well as any of the above agenda items may be discussed
26. **ADJOURNMENT**

Consent Agenda

**PLANNING COMMISSION
PUBLIC HEARING AND CONSIDERATION OF REPLAT**

AGENDA ITEM NO: 5A & 6 July 13, 2011

SIDEOATS INDUSTRIAL PARK
SUBDIVISION NAME

MAJOR PLAT

110080
PLAT #

COUNCIL DISTRICT: 2

FERGUSON MAP GRID: 584 D-7

OWNER: Sideoats, LLC, by David A. Ladensohn

ENGINEER: Pape-Dawson Engineers, Inc., by Dennis R. Rion, P.E.

CASE MANAGER: Luz M. Gonzales, Planner (207-7898)

Date filed with Planning Commission: June 23, 2011

Location: On the east side of N.E. Loop 410, south of Winnco Drive

Services Available: SAWS Water and Sewer

Zoning: I-2S Heavy Industrial District with a Special Use Authorization for a Bulk Plant or Terminal

AHOD Airport Hazard Overlay District

Proposed Use: Industrial

APPLICANT'S PROPOSAL:

To plat 6.000 acres consisting of 1 non-single family lot.

DISCUSSION:

The Planning Commission will hold a public hearing on the proposed replatting of this property on July 13, 2011. The plat is not within 200 feet of a registered Neighborhood Association.

STAFF RECOMMENDATION:

Approval

Individual Consideration

**PLANNING COMMISSION
SUBDIVISION**

AGENDA ITEM NO: 7 July 13, 2011

RIVER ROCK RANCH
P.U.D UNIT 2C, PHASE 1
SUBDIVISION NAME

MAJOR PLAT

110180
PLAT #

COUNCIL DISTRICT: Outside San Antonio City Limits

FERGUSON MAP GRID: 447 B-8

OWNER: Green Land Ventures, LTD., by Dana Green

ENGINEER: Moy Tarin Ramirez Engineers, LLC., by Raymond Tarin Jr., P.E.

CASE MANAGER: Richard Carrizales, Planner (207-8050)

Date filed with Planning Commission: Pending

Location: West of the intersection of River Trace and Enchanted Dawn

Services Available: SAWS Water and Sewer

Zoning: Outside San Antonio City Limits

Plat is associated with:

MDP 036A-06, River Rock Ranch, accepted on December 10, 2010

PUD 06-033A, River Rock Ranch, approved on December 10, 2010

Proposed Use: Residential

APPLICANT'S PROPOSAL:

To plat **3.084** acres consisting of **10** single family lots and **379** linear feet of private streets.

DISCUSSION:

The dedicatory instrument (Legal Instrument) must be approved by the City Attorney as to legal form prior to any plat recordation and shall be recorded at the same time as the plat in accordance with UDC provision 35-344(i).

Furthermore, this plan lies within the Camp Bullis 5 Mile Awareness Zone and the tract is less than 10 acres and is not immediately adjoining the Camp Bullis or Camp Stanley Installation. Therefore, the review was not applicable in accordance with the executed MOU.

However, the applicant will need to comply with the dark sky lighting measures of Bexar County as of Court Order on July 22, 2008.

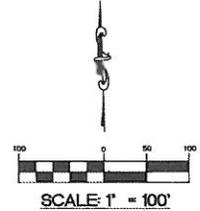
STAFF RECOMMENDATION:

Pending

SUBDIVISION PLAT
ESTABLISHING

RIVER ROCK RANCH P.U.D.
UNIT 2C, PHASE 1

BEING A 3.084 ACRE TRACT OF LAND OUT OF THE M.F. HERNANDEZ SURVEY NO. 420, ABSTRACT NO. 314, COUNTY BLOCK 4709 BEAR COUNTY, TEXAS, SAID 3.084 ACRE TRACT ALSO BEING A PORTION OF THAT CERTAIN 96.858 ACRE TRACT CONVEYED TO GREEN LAND VENTURES, LTD. BY DEED RECORDED IN VOLUME 12100, PAGES 707-711, OFFICIAL PUBLIC RECORDS, BEAR COUNTY, TEXAS, AND ALSO BEING A PORTION OF THAT CERTAIN 96.858 ACRE TRACT CONVEYED TO GREEN LAND VENTURES, LTD. BY DEED RECORDED IN VOLUME 12100, PAGES 658-662, OFFICIAL PUBLIC RECORDS, BEAR COUNTY, TEXAS.



MIR
Moy Tarin Ramirez Engineers, LLC
FIRM TYPE NO. F-3027
12770 CHAMBERLAIN PATH, SUITE 100
SAN ANTONIO, TEXAS 78249
TEL: (210) 898-5001
FAX: (210) 898-5085

STATE OF TEXAS
COUNTY OF BEAR
THE OWNER OF THE LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, REQUESTS THE USE OF THE PUBLIC EASEMENT AREAS IDENTIFIED AS PRIVATE OR PART OF AN ENCLAVE OR PLANNED UNIT DEVELOPMENT, COVERED ALL STREETS, ALLEYS, PARKS, HYDROLOGICAL CHANNELS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSLY SET FORTH.

Jamie
OWNER DEVELOPER:
GREEN LAND VENTURES, LTD.
300 HADSON OAK DRIVE
SAN ANTONIO, TEXAS 78238

TO THE FOREGOING RETIREMENT, AND ACKNOWLEDGES TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 20th DAY OF June 2011.

Rita A. Rankin
RITA A. RANKIN
My Commission Expires April 08, 2018
NOTARY PUBLIC
BEAR COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF BEAR
THIS PLAT OF RIVER ROCK RANCH P.U.D., UNIT 2C, PHASE 1 HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO, TEXAS, AND IS HEREBY APPROVED BY SUCH COMMISSION IN ACCORDANCE WITH STATE OF LOCAL LAWS AND ORDINANCES AND/OR WHERE ADMINISTRATIVE EXPEDITED AND/OR VARIANCES HAVE BEEN GRANTED.

DATED THIS _____ DAY OF _____ A.D. _____

BY _____ CHAIRMAN

BY _____ SECRETARY

CERTIFICATE OF APPROVAL
THE UNDERSIGNED, COUNTY CLERK OF BEAR COUNTY, TEXAS, AND PRESIDING OFFICER OF THE COMMISSIONERS COURT OF BEAR COUNTY, DOES HEREBY CERTIFY THAT THE ATTACHED PLAT WAS DULY FILED WITH THE COMMISSIONERS COURT OF BEAR COUNTY, TEXAS ON _____ AND THAT AFTER EXAMINATION IT APPEARED THAT SAID PLAT IS IN CONFORMITY WITH THE STATUTES, RULES AND REGULATIONS GOVERNING SAME, AND THIS PLAT WAS APPROVED BY THE SAID COMMISSIONERS COURT.

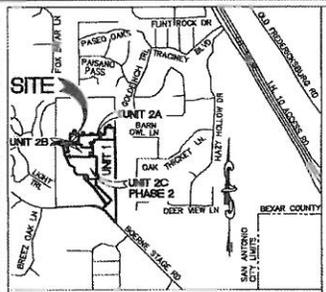
DATED THIS _____ DAY OF _____ A.D. 20 _____

COUNTY JUDGE, BEAR COUNTY, TEXAS COUNTY CLERK, BEAR COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF BEAR
I, _____ COUNTY CLERK OF SAID COUNTY, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE, ON THE _____ DAY OF _____ A.D. 20 _____ AT _____ H. AND DULY RECORDED THE _____ DAY OF _____ A.D. 20 _____ IN THE RECORDS OF _____ OF SAID COUNTY, IN BOOK _____ ON PAGE _____ IN TESTIMONY WHEREOF, I HAVE MY HAND AND OFFICIAL SEAL OF OFFICE, THIS _____ DAY OF _____ A.D. 20 _____

COUNTY CLERK, BEAR COUNTY, TEXAS

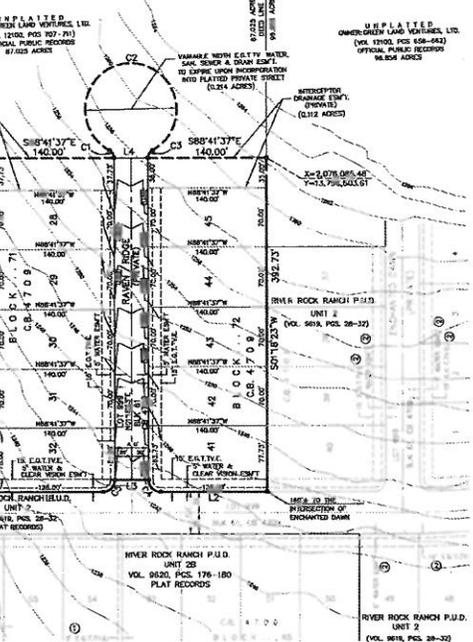
BY _____ DEPUTY



LOCATION MAP NOT TO SCALE GRID NO. 447, BE

- LEGEND**
- BOUNDARIES**
- EXISTING CONTOUR
 - PROPOSED CONTOUR
 - ELECTIVE
 - EMT.
 - ①
 - ②
 - STREET CENTERLINE
- EASEMENTS**
- RIVER ROCK RANCH P.U.D. UNIT 2B VOL. 9620, PGC. 176-180 PLAT RECORDS
 - RIVER ROCK RANCH P.U.D. UNIT 2 VOL. 9618, PGC. 28-32 PLAT RECORDS
 - RIVER ROCK RANCH, P.U.D. CLEAR CASE NO. 07-08-2008R
 - STREET CENTERLINE

- EXCEPT AS SHOWN, PROPERTY OWNERS WILL BE NOTICED WITH A SET 1/2" (MIN) ROD WITH AN ORANGE WITH (MIN) PLASTIC CAP WHERE PRACTICAL, OTHERWISE A WARNING THAT IS PERMANENT AND STABLE WILL BE USED.
- BASES OF SPACING ARE ESTABLISHED FROM BEST REPRODUCIBLE IN VOLUME 12100 PAGES 658-662, OFFICIAL PUBLIC RECORDS, BEAR COUNTY, TEXAS. STATE PLAT, COORDINATES PROVIDED BY GEODEX INC.
- FINISHED FLOOR ELEVATIONS MUST BE A MINIMUM OF 8" ABOVE FINAL ADJACENT GRADE, ADJACENT TO FLOORPLAN. FINISHED FLOOR ELEVATIONS SHALL BE ELEVATED AN EXACT 1 FOOT HIGHER THAN THE COMPUTED WATER SURFACE ELEVATION FOR THE 100-YEAR ULTIMATE DEVELOPMENT.
- NO VENTUREMENT, FINISH WALLS OR OTHER OBSTRUCTIONS THAT WOULD PREVENT SHALL BE PLACED WITHIN THE LIMITS OF THE DRAINAGE EASEMENTS SHOWN ON THIS PLAT. NO LANDSCAPING OR OTHER TYPE OF MODIFICATIONS SHALL BE PERMITTED TO OCCUR WITHIN THE DRAINAGE EASEMENTS UNLESS THEY BE ALLOWED WITHOUT THE APPROVAL OF THE DIRECTOR OF PUBLIC WORKS. THE CITY OF SAN ANTONIO AND BEAR COUNTY SHALL HAVE THE RIGHT OF ACCESS AND EGRESS OVER GRANTEE'S ADJACENT PROPERTY TO REMOVE ANY OBSTRUCTIONS PLACED WITHIN THE LIMITS OF SAID DRAINAGE EASEMENTS.
- OWNER SHALL COMPLY WITH THE STRUCTURAL REQUIREMENTS OF THE UNIFIED DEVELOPMENT CODE (SECTION 20-312) DURING ANY CONSTRUCTION PHASE.
- THE DEVELOPER INDICATES THE SANITARY SEWER MAINS UNDER COMPLETION BY THE WELDFIELD AND ACCEPTANCE BY THE SAN ANTONIO WATER SYSTEM, THE SAN ANTONIO WATER SYSTEM WILL OWN AND MAINTAIN SAID SANITARY SEWER MAINS WHICH ARE INCLUDED WITH THIS SUBDIVISION PLAT.
- RIVER ROCK RANCH HOMEOWNERS ASSOCIATION, THEIR SUCCESSORS OR ASSIGNS, WILL PROVIDE MAINTENANCE FOR ALL PRIVATE STREETS, EASEMENTS, TRAFFIC SIGNALS, PARKS AND OPEN SPACE.
- ALL SUBDIVISION PERMITTED BOUNDARY COURSES AND DISTANCES ARE PER THE RECORDED INFORMATION OF THE CURRENT DEEDS OF LAND, AS APPLICABLE, UNLESS OTHERWISE NOTED.
- IN AN EFFORT TO MEET THE CITY OF SAN ANTONIO'S FIRE FLOW REQUIREMENTS FOR THE PROPOSED RESIDENTIAL DEVELOPMENT, THE PUBLIC WATER MAIN SYSTEM HAS BEEN DESIGNED FOR FOR A MINIMUM FIRE FLOW DEMAND OF 1,000 GPM AT 20 PSI PERMANENT PRESSURE. THE FIRE FLOW REQUIREMENTS FOR MINIMUM FIRE STRUCTURES WILL BE REVIEWED DURING THE BUILDING PERMIT PROCESS IN ACCORDANCE WITH THE PROCEDURES SET FORTH BY THE CITY OF SAN ANTONIO DIRECTOR OF PLANNING AND DEVELOPMENT SERVICES AND THE SAN ANTONIO FIRE DEPARTMENT FIRE MARSHAL.
- THE MAINTENANCE OF THE WATER QUALITY BASIN AND OUTLET STRUCTURE SHALL BE THE RESPONSIBILITY OF THE LOT OWNERS OR HOME OWNERS ASSOCIATION OR ASSIGNS AND NOT THE RESPONSIBILITY OF THE CITY OF SAN ANTONIO AND/OR BEAR COUNTY.
- THE 1% ANNUAL CHANCE (100-YR) FLOODPLAIN LIMITS SHOWN ON THIS PLAT WERE DELINEATED BASED UPON A LETTER OF MAP REVISION (LOW) STUDY PREPARED BY ATR ENGINEERS AND APPROVED BY FEMA ON SEPTEMBER 21, 2010 CASE NO. 10-06-0377P. THE GRAPHIC LOCATION OF THE SUBJECT TRACT IS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP CONFORMANCE NO. 4802000000P, EFFECTIVE DATE SEPTEMBER 20, 2010. CONSTRUCTION, IMPROVEMENTS, OR STRUCTURES WITHIN THE FLOODPLAIN ARE PROHIBITED WITHOUT PRIOR WRITTEN APPROVAL FROM THE CITY OF SAN ANTONIO AND/OR BEAR COUNTY.



LINE TABLE

LINE	LENGTH	BEARING
L1	126.00	N88°41'37"W
L2	128.00	N88°41'37"W
L3	20.00	N88°41'37"W
L4	20.00	N88°41'37"W

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE
C1	82°00'49"	10.00'	10.82'	N2°24'02"W	10.31'
C2	34°10'34"	24.00'	208.82'	N88°41'37"W	208.82'
C3	82°00'49"	10.00'	10.82'	S2°24'02"W	10.31'
C4	34°10'34"	24.00'	208.82'	N88°41'37"W	208.82'

WASTEWATER FDU NOTE:
THE NUMBER OF WASTEWATER EQUIVALENT DWELLING UNITS (EDUs) PAID FOR THIS SUBDIVISION PLAT ARE KEPT ON FILE AT THE SAN ANTONIO WATER SYSTEM UNDER THE PLAT NUMBER ISSUED BY DEVELOPMENT SERVICES DEPARTMENT.

IMPACT FEE PAYMENT:
WATER AND WASTEWATER IMPACT FEES WERE NOT PAID AT THE TIME OF PLATING FOR THIS PLAT. ALL IMPACT FEES MUST BE PAID PRIOR TO WATER METER SET AND / OR WASTEWATER SERVICE CONNECTION.

STATE OF TEXAS
COUNTY OF BEAR
I HEREBY CERTIFY THAT THE ABOVE PLAT CONFORMS TO THE MINIMUM STANDARDS SET FORTH BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND BY:
MOY TARIN RAMIREZ ENGINEERS, LLC

DONALD DEAN BOERNER
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5207
MOY TARIN RAMIREZ ENGINEERS, LLC
12770 CHAMBERLAIN PATH, SUITE 100
SAN ANTONIO, TEXAS 78249
PH: (210) 898-5001

STATE OF TEXAS
COUNTY OF BEAR
I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THIS PLAT TO THE MATTERS OF STREETS, LOTS, AND DRAINAGE LAYOUT. TO THE BEST OF MY KNOWLEDGE THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE UNIFIED DEVELOPMENT CODE, EXCEPT FOR THOSE VARIANCES GRANTED BY THE SAN ANTONIO PLANNING COMMISSION.

RAYMOND TARIN, JR.
LICENSED PROFESSIONAL ENGINEER NO. 87060
MOY TARIN RAMIREZ ENGINEERS, LLC
12770 CHAMBERLAIN PATH, SUITE 100
SAN ANTONIO, TEXAS 78249
PHONE: (210) 898-5051



PLAT NO. 10180, SHEET 1 OF 1

**PLANNING COMMISSION
SITE IMPROVEMENT TIME EXTENSION**

AGENDA ITEM NO: 8 July 13, 2011

HUNTER'S POND PHASE 6A, T.I.F.
SUBDIVISION NAME

060626
PLAT #

COUNCIL DISTRICT: 3

FERGUSON MAP GRID: 681 E-5

OWNER: Hunter's Pond, LLP., by Harry Hausman

ENGINEER: Briones Engineering and Consulting, Ltd., by Andy Rodriguez, P.E.

CASE MANAGER: Richard Carrizales, Planner (207-8050)

Location: South of the intersection of Dry Moss Pass and Hunters Pond Drive

Plat status: The Planning Commission approved this plat on July 23, 2008. The plat has not been recorded.

APPLICANT'S REQUEST:

Applicant is requesting a three (3) year time extension for completion of the required site improvements in accordance with the City of San Antonio's Unified Development Code Section 35-430 (f)(2).

DISCUSSION:

The applicant states that improvements have not been completed on this project due to economic factors. The percentages of improvements completed are as follows:

- Drainage 0%
- Streets 0%
- Sidewalk 0%
- Water infrastructure 0%
- Sanitary sewer 0%

STAFF RECOMMENDATION:

Approval

TOWNHOUSE AND SUBDIVISION PLAT ESTABLISHING
**HUNTER'S POND SUBDIVISION,
PHASE - 6A, T.I.F.**

Being 0.877 acres situated in the Charles Tennessee Survey No. 50, Abstract No. 747, County Block 4266, Bexar County, Texas, and being out of a tract of land said to contain 83.015 acres of land in a deed dated May 6, 2003 to Hunter's Pond, L.L.P., as recorded in Volume 10001, Page 2066, Official Public Records of Real Property of Bexar County, Texas.

THIS PLAT OF HUNTER'S POND SUBDIVISION, PHASE - 6A, T.I.F. HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO, TEXAS, AND IS HEREBY APPROVED BY SUCH COMMISSION.

DATED THIS _____ DAY OF _____ A.D. 20____
BY: _____ CHAIRMAN
BY: _____ SECRETARY

STATE OF TEXAS
COUNTY OF BEXAR
I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT TO THE MATTERS OF STREETS, LOTS AND DRAINAGE LAYOUT, TO THE BEST OF MY KNOWLEDGE THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE UNIFIED DEVELOPMENT CODE, EXCEPT FOR THOSE VARIANCES GRANTED BY THE SAN ANTONIO PLANNING COMMISSION.

LICENSED PROFESSIONAL ENGINEER

STATE OF TEXAS
COUNTY OF BEXAR
I HEREBY CERTIFY THAT THE ABOVE PLAT CONFORMS TO THE MINIMUM STANDARDS SET FORTH BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND BY GEORGE OZUNA, JR., P.E., L.S.

REGISTERED PROFESSIONAL LAND SURVEYOR

STATE OF TEXAS
COUNTY OF BEXAR
THE OWNER OF THE LAND SHOWN ON THIS PLAT, AND WHOSE NAME IS SUBSCRIBED HEREIN, AND IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

OWNER

DULY AUTHORIZED AGENT

STATE OF TEXAS
COUNTY OF BEXAR
BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED SUBSCRIBED TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED, GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____ 20____

JOSE R. GONZALEZ
NOTARY PUBLIC, BEXAR COUNTY, TEXAS
NOVEMBER 30, 2011

STATE OF TEXAS
COUNTY OF BEXAR
I, _____ COUNTY CLERK OF SAID COUNTY DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE ON THE _____ DAY OF _____ A.D. _____ AT _____ M. AND BEING RECORDED IN THE _____ DEED AND PLAT RECORDS OF SAID COUNTY, IN BOOK VOLUME _____ ON PAGE _____ IN TESTIMONY WHEREOF, I HAVE SET MY HAND AND OFFICIAL SEAL OF OFFICE, THIS _____ DAY OF _____ A.D. 20____

COUNTY CLERK, BEXAR COUNTY, TEXAS

BY: _____ DEPUTY



LOCATION MAP
NOT TO SCALE

D.P.R. Notes
THE CITY OF SAN ANTONIO AS PART OF ITS ELECTRIC AND GAS SYSTEM (CITY PUBLIC SERVICE BOARD) IS HEREBY DEDICATED THE EASEMENT AND RIGHT-OF-WAY FOR ELECTRIC AND GAS DISTRIBUTION AND SERVICE FACILITIES IN THE AREAS DESIGNATED ON THIS PLAT AS "ELECTRIC EASEMENT", "GAS EASEMENT", "SERVICE EASEMENT", "OVERHANG EASEMENT", "DAS EASEMENT", "UTILITY EASEMENT" AND "TRANSFORMER EASEMENT" FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, RECONSTRUCTION, MAINTAINING, REMOVING, INSPECTING, PATROLLING AND ERECTING POLES, HANGING OR BURNING WIRES, CABLES, CONDUITS, PROBES OF TRANSFORMERS, EACH WITH ITS NECESSARY APPURTENANCES, TOGETHER WITH THE RIGHT OF ACCESS AND EGRESS OVER GRANITOR'S ADJACENT LAND, THE RIGHT TO RELOCATE SAID FACILITIES WITHIN SAID EASEMENTS, AND THE RIGHT TO REMOVE FROM SAID LANDS ALL TREES OR PARTS THEREOF, OR ANY OTHER OBSTRUCTIONS WHICH ENDANGER OR MAY INTERFERE WITH EFFICIENCY OF SAID LINES OR APPURTENANCES THEREOF, IT IS AGREED AND UNDERSTOOD THAT NO BUILDINGS, CONCRETE SLABS, OR WALLS WILL BE PLACED WITHIN SAID EASEMENT AREAS.

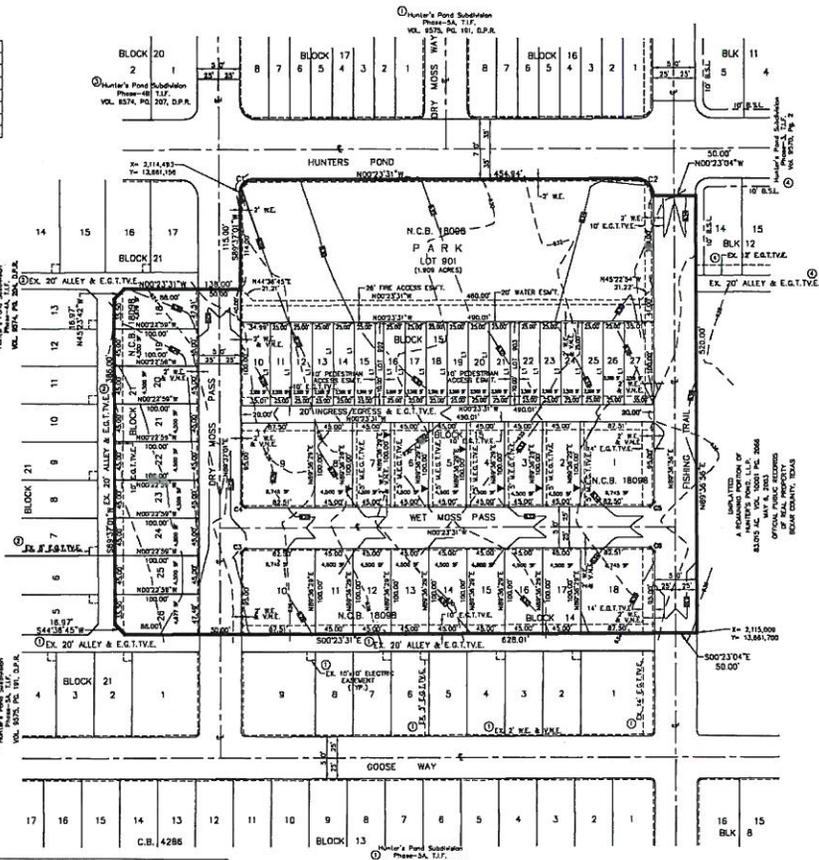
ANY CIPS MONETARY LOSS RESULTING FROM MODIFICATIONS REQUIRED OF CIPS EQUIPMENT, LOCATED WITHIN SAID EASEMENT, DUE TO GRADE CHANGES OR GROUND ELEVATION ALTERATIONS SHALL BE CHARGED TO THE PERSON OR PERSONS DEEMED RESPONSIBLE FOR SAID GRADE CHANGES OR GROUND ELEVATION ALTERATIONS.

General Notes
1) PROPOSED FINISHED CONTOUR-----
2) FOUND 1/2" IRON ROD UNLESS OTHERWISE NOTED-----
3) SET 1/2" IRON ROD UNLESS OTHERWISE NOTED-----
4) ELECTRIC, TELEPHONE, GAS & CABLE T.V. EASEMENT-----
5) R.P.R. = OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BEXAR COUNTY, TEXAS.
6) D.P.R. = DEED AND PLAT RECORDS, BEXAR COUNTY, TEXAS.
7) ALL FINISHED FLOOR ELEVATIONS MUST BE A MINIMUM OF 8 INCHES ABOVE FINISHED ADJACENT GRADE.
8) CONCRETE DRIVEWAY APPROACHES AND EAVE OVERHANDS ARE ALLOWED WITHIN THE E.T.V. EASEMENTS WHEN LOTS ARE SERVED ONLY BY REAR LOT UNDERGROUND ELECTRIC, GAS, TELEPHONE OR CABLE TELEVISION FACILITIES.
9) ALL CORNERS NOT MARKED ARE 1/2" IRON ROD SET.
10) IMPACT FEE PAYMENT DUE:
A) WASTEWATER IMPACT FEES WERE NOT PAID AT THE TIME OF PLATING FOR THIS PLAT. ALL IMPACT FEES MUST BE PAID PRIOR TO WASTEWATER SERVICE CONNECTION.
B) BEXAR MET HOTEL WATER IMPACT FEES WERE NOT PAID AT THE TIME OF PLATING FOR THIS PLAT. ALL IMPACT FEES MUST BE PAID PRIOR TO WATER METER SET.
11) FLOOD HAZARD MAP FOR BEXAR COUNTY, REFERENCE MAP NO. 40-000000000 E, WITH AN EFFECTIVE DATE OF FEBRUARY 16, 1995, THIS PROPERTY IS NOT WITHIN THE 100-YEAR FLOODPLAIN.
12) THE NUMBER OF WASTEWATER EQUIVALENT DWELLING UNITS (EDU) PAID FOR THIS SUBDIVISION PLAT ARE KEPT ON FILE AT THE SAN ANTONIO WATER SYSTEM UNDER THE PLAT NUMBER ISSUED BY THE DEVELOPMENT SERVICES DEPARTMENT.

10) OWNER/DEVELOPER WILL COMPLY WITH UDC 35-512. STREET SCAPE REQUIREMENT FOR TREES TO BE PLACED WITHIN THE STREET RIGHT-OF-WAY (IF APPLICABLE), AND WILL BE SUBMITTED WITH THE BUILDING PERMIT.
11) CLEAR VISION EASEMENT MUST BE FREE OF VISUAL OBSTRUCTIONS, E.G. STRUCTURES, WALLS, FENCES, AND VEGETATION, WHICH ARE HIGHER THAN THREE FEET AND LOWER THAN EIGHT FEET ABOVE THE PAVEMENT AS PER THE LATEST VERSION OF THE AMERICAN ASSOCIATION OF STATE HIGHWAY & TRANSPORTATION OFFICIALS (AASHTO). A POLICY ON GEOMETRIC DESIGN OF HIGHWAYS AND STREETS.
12) ALL ALLEYS ARE PUBLIC RIGHT OF WAY AND TO BE OWNED AND MAINTAINED BY THE CITY OF SAN ANTONIO.
13) ALL ALLEY LOADED LOTS SHALL HAVE A 2'0" VEHICULAR NON-ACCESS EASEMENT ON THE FRONT OF THE LOTS, STREET SIDE.
14) LOT 901, BLOCK 15, DENOTES AS PARK SHOWN HEREON IS A PLEASABLE AREA (1,909 ACRES).
15) LOT 100, BLOCK 15, DENOTES AS PARK SHOWN HEREON IS A PLEASABLE AREA (1,909 ACRES).
16) NOTE: FINISHED FLOOR ELEVATIONS MUST BE A MINIMUM OF (8) INCHES ABOVE FINAL ADJACENT GRADE. (35-504 (E) (2) P-5-10)
17) LOTS 10-37, BLOCK 15, ARE LIMITED TO TOWNHOUSE USE, AS PER THE APPROVED MAP #00-000000000 A FOR HUNTER'S POND SUBDIVISION T.I.F. APPROVED ON 7/18/04.
18) FIVE (5) FOOT WIDE MAINTENANCE EASEMENTS ARE ESTABLISHED WITHIN THE LOT ADJACENT TO ALL NON-ATTACHED ZERO LOT LINES. SUCH EASEMENTS SHALL EXTEND FOR THE DEPTH OF THE LOT AND ARE INCLUDED IN THE DEED RESTRICTIONS FOR ALL AFFECTED PROPERTIES.

CURVE TABLE					
CURVE	RADIUS	LENGTH	TANGENT	DELTA	CHORD
C1	15.00	23.56	15.00	89°59'28"	21.21
C2	20.00	31.48	20.00	90°10'40"	28.33
C3	5.00	7.85	5.00	89°59'28"	7.07
C4	5.00	7.85	5.00	89°59'32"	7.07
C5	5.00	7.85	5.00	89°59'33"	7.07
C6	5.00	7.85	5.00	90°00'27"	7.07

LINE TABLE		
LINE	LENGTH	BEARING
L1	100.00	N89°36'29"E

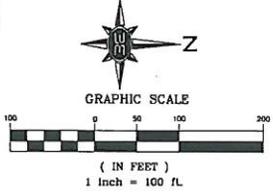


ADJACENT SUBDIVISIONS

LOT	VOLUME & PAGE
1	HUNTER'S POND SUBDIVISION, PHASE 5A, T.I.F. VOLUME 8575, PAGE 181
2	HUNTER'S POND SUBDIVISION, PHASE 6A, T.I.F. VOLUME 9574, PAGE 204
3	HUNTER'S POND SUBDIVISION, PHASE 6B, T.I.F. VOLUME 9574, PAGE 207
4	HUNTER'S POND SUBDIVISION, PHASE 3, T.I.F. VOLUME 9570, PAGE 2

LEGEND
D.&P. = DEED & PLAT RECORDS
R.P.R. = DEED RECORDS
E.G.T.V.E. = ELECTRIC, GAS, TELEPHONE & CABLE T.V. EASEMENT
FND. I.R. = FOUND IRON ROD
W.E. = WATER EASEMENT
V.N.E. = VEHICULAR NON-ACCESS EASEMENT
D. = DENOTES ZERO LOTLINE
M.E.G.T.V.E. = MAINTENANCE, ELECTRIC, GAS, TELEPHONE & CABLE T.V. EASEMENT

DEVELOPER/OWNER:
Hunter's Pond, L.L.P.
P.O. BOX 1341
Helotes, Tx. 78023
(210)372-0092
(210)372-0738 (Fax)



BRIONES
CONSULTING & ENGINEERING LTD.
8116 BROADWAY (210) 828-1431
SAN ANTONIO, TX 78209 (210) 828-1432 fax

RECEIVED
06 JUL 22 AM 10:10
LAND DEVELOPMENT
SERVICES DIVISION

HUNTERS POND, L.P.
P. O. BOX 1341
Helotes, TX 78023
TEL 210-372-0092/ FAX 210-372-0738

RECEIVED
11 JUN -6 PM 2:28

LAND DEVELOPMENT
SERVICES DIVISION

June 3, 2011

Development Services Department
1901 S. Alamo
San Antonio, Texas 78204
Attn: Elizabeth Carol
Sr. Management Analysis
Subdivisions
Land Entitlements

RE: Hunter's Pond Subdivision Phase 6A, T.I.F. Plat No. 060626
Time Extension Application

Dear Ms. Carol:

Due to circumstances beyond my control, I have not been able to start Phase 6A of Hunter's Pond Subdivision. At the time of the approval on July 23, 2008 we had an assurance from the bank that was going to finance the project. Because of the housing market crash the bank is not willing to finance the project at this time. I am requesting for the commission to please provide me with a three year extension in expectation that the economy will revive so that I can obtain the funding for the project.

If you have any questions or if there is any additional information required please feel free to call me at (210) 372-0092.

Sincerely,



Harry Hausman
Hunters Pond, L.P.
Managing Partner

**PLANNING COMMISSION
SITE IMPROVEMENT TIME EXTENSION**

AGENDA ITEM NO: 9 July 13, 2011

HIGHLAND FARMS III UNIT 9
SUBDIVISION NAME

060771
PLAT #

COUNCIL DISTRICT: 2

FERGUSON MAP GRID: 585 C-6

OWNER: HLL II Land Acquisitions of Texas, L. P., by Ben Wissink

CASE MANAGER: Donna L. Camacho, Planner (207-5016)

Location: West of the intersection of Braden Gate and Acacia Hill

Plat status: The Planning Commission approved this plat on August 27, 2008. The plat has not been recorded.

APPLICANT'S REQUEST:

Applicant is requesting a three (3) year time extension for completion of the required site improvements in accordance with the City of San Antonio's Unified Development Code Section 35-430(f)(2).

DISCUSSION:

The applicant states that improvements have not been initiated on this project due to economic factors. The percentages of improvements completed are as follows:

- Drainage 0%
- Streets 0%
- Water infrastructure 0%
- Sanitary sewer 0%
- Sidewalk 0%

STAFF RECOMMENDATION:

Approval

SUBDIVISION PLAT
OF

**HIGHLAND FARMS III
SUBDIVISION UNIT 9**

BEING 15.869 ACRES OF LAND OUT OF A 45.25 ACRE TRACT RECORDED IN VOLUME 11447, PAGES 2039-2052, AND A 49.02 ACRE TRACT RECORDED IN VOLUME 11330, PAGE 1661-1666, R.P.R., OUT OF THE FRANCISCO CADENA SURVEY NO. 133 ABSTRACT NO. 134, N.C.B. 16611 CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS.

STATE OF TEXAS
COUNTY OF TARRANT

THE OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC, IN EXCESS AREAS IDENTIFIED AS PRIVATE, FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

OWNER: HLL II LAND ACQUISITIONS OF TEXAS, L.P.
A TEXAS LIMITED PARTNERSHIP
BY: HLL DEVELOPMENT, LLC, ITS SOLE GENERAL PARTNER
BY: UNITED DEVELOPMENT FUNDING II, INC. MANAGER

DULY AUTHORIZED AGENT:

STATE OF TEXAS
COUNTY OF TARRANT

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED

BEN MESSINA KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND & SEAL OF OFFICE THIS _____ DAY OF _____ A.D., 2008.

NOTARY PUBLIC, TARRANT COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT TO THE MATTERS OF STREETS, LOTS AND DRAINAGE LAYOUT, TO THE BEST OF MY KNOWLEDGE THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE UNIFIED DEVELOPMENT CODE, EXCEPT FOR THOSE VARIANCES GRANTED BY THE SAN ANTONIO PLANNING COMMISSION.

REGISTERED PROFESSIONAL ENGINEER
PAUL W. DENHAM

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT THE ABOVE PLAT CONFORMS TO THE MINIMUM STANDARDS SET FORTH BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND.

REGISTERED PROFESSIONAL LAND SURVEYOR
GARY B. NELL

THIS PLAT OF HIGHLAND FARMS III SUBDIVISION UNIT 9 HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO, TEXAS AND IS HEREBY APPROVED BY SUCH COMMISSION.

DATED THIS _____ DAY OF _____ A.D., 2008.

BY: _____ CHAIRMAN

BY: _____ SECRETARY

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE, ON THE _____ DAY OF _____ A.D. _____ AT _____ M., AND DULY RECORDED THE _____ DAY OF _____ A.D. _____ AT _____ M. IN THE RECORDS OF _____ OF SAID COUNTY, IN BOOK VOLUME _____.

ON PAGE _____ IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS _____ DAY OF _____ A.D. _____ COUNTY CLERK, BEXAR COUNTY, TEXAS

BY: _____ DEPUTY

"CLEAR VISION EASEMENT"

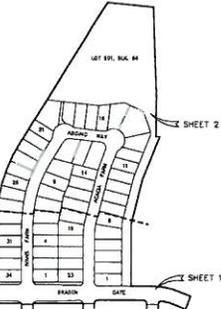
"CLEAR VISION EASEMENT" (DEFINED AS THE AREA BETWEEN THE CLEAR VISION LINE AND THE "STREET RIGHT-OF-WAY") CLEAR VISION EASEMENT MUST BE FREE OF VISUAL OBSTRUCTIONS, E.G. STRUCTURES, WALLS, FENCES, AND VEGETATION WHICH ARE HIGHER THAN THREE FEET AND LOWER THAN EIGHT FEET ABOVE THE PAVEMENT AS PER THE AMERICAN ASSOCIATION OF STATE HIGHWAY & TRANSPORTATION OFFICIALS (AASHTO) POLICY ON GEOMETRIC DESIGN OF HIGHWAYS AND STREETS, OR LATEST REVISION THEREOF.

SETBACK NOTE:

THE SETBACKS IMPOSED ON THIS PLAT ARE AT THE DISCRETION OF THE DEVELOPER OR BEXAR COUNTY AND ARE NOT SUBJECT TO ENFORCEMENT BY THE CITY OF SAN ANTONIO.

LEGEND & NOTES

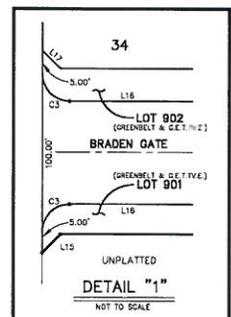
- 1. BUILDING SETBACK LINE _____ B.S.L.
- 2. ELECTRIC, TELEPHONE & CABLE TELEVISION EASEMENT _____ E.T.T.V.E.
- 3. ELECTRIC & CABLE TELEVISION EASEMENT _____ E.T.T.V.E.
- 4. ELECTRIC, CABLE, TELEVISION EASEMENT _____ E.T.T.V.E.
- 5. GAS, ELECTRIC, TELEPHONE & CABLE TELEVISION EASEMENT _____ E.T.T.V.E.
- 6. VEHICULAR NON-ACCESS ESM _____ V.N.E.
- 7. CLEAR VISION EASEMENT _____ C.V.E.
- 8. THE NUMBER OF WASTEWATER EQUIVALENT DWELLING UNITS (EDU) PAID FOR THIS SUBDIVISION PLAT ARE SET ON THE FILE AT THE SAN ANTONIO WATER SYSTEM UNDER THE PLAT NUMBER ISSUED BY THE DEVELOPMENT SERVICES DEPARTMENT (DSD).
- 9. FINISHED FLOOR ELEVATIONS MUST BE A MINIMUM OF 8 INCHES ABOVE FINISHED ADJACENT GRADE.
- 10. THE VALUES OF THE SETS OF COORDINATES SHOWN HEREON WERE OBTAINED WITH A LOCAL POSITIONING RECEIVER SYSTEM IS HAD BOUNDARY, TEXAS STATE PLANE COORDINATE SYSTEM - SOUTH CENTRAL ZONE.
- 11. SCALE FACTOR IS 1.0007.
- 12. ROTATION GRID TO PLAT IS 0000/35°.
- 13. MONUMENTATION AS SHOWN, IT IS THE PRACTICE OF DENHAM-RAMONES ENGINEERING AND ASSOCIATES, INC. TO MONUMENT ALL CORNERS (IF PRACTICAL) IN THE SUBDIVISION WITH 1/2" IRON & D-R-E PLASTIC CAPS, UPON COMPLETION OF CONSTRUCTION.
- 14. BEARING REFERENCE SOURCE IS THE WEST END OF LOT 34, BLOCK 60 (PARK), BETWEEN TWO FOUND 1/2" BEAR SHOWN AS N022°15'W ON THE PLAT OF HIGHLAND FARMS III SUBDIVISION UNIT 7 RECORDED IN VOLUME 9573, PAGE 185, D.P.R. AND PLAT RECORDS, BEXAR COUNTY, TEXAS.
- 15. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BEXAR COUNTY, TEXAS.
- 16. D.P.R. = DEED AND PLAT RECORD, BEXAR COUNTY, TEXAS.
- 17. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BEXAR COUNTY, TEXAS.
- 18. FINISHED FLOOR ELEVATIONS MUST BE A MINIMUM OF 8 INCHES ABOVE FINISHED ADJACENT GRADE.
- 19. IMPACT FEE PAYMENT DUE: WATER AND SEWER IMPACT FEES WERE NOT PAID AT THE TIME OF PLATING FOR THIS PROPERTY. THE IMPACT FEE, AT THE RATE IN EFFECT AT THE TIME OF PLAT RECORDEMENT, MUST BE PAID PRIOR TO WATER METER SET AND/OR SEWER SERVICE CONNECTION.



INDEX MAP
1"=400'

MONUMENT NOTE:

- = 1/2" IRON ROD 1000 R.F.D. CAP
- = 1/2" IRON ROD 1000 R.F.D. E-C CAP
- = 1/2" IRON ROD 500 SET W/8-E-C CAP



DETAIL #1
NOT TO SCALE

"C.P.S. NOTES"

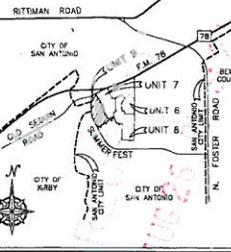
- 1) THE CITY OF SAN ANTONIO AS PART OF ITS WATER AND GAS SYSTEM (CITY PUBLIC UTILITY BOARD) IS HEREBY DEDICATING THE EASEMENTS AND RIGHTS-OF-WAY FOR WATER AND GAS DISTRIBUTION AND SERVICE FACILITIES TO THE AREAS DESIGNATED ON THIS PLAT AS EASEMENT, GAS EASEMENT, "ANCHOR EASEMENT", "TERRACE EASEMENT", "UTILITY EASEMENT", "TRANSFORMER EASEMENT" FOR THE PURPOSES OF INSTALLING, CONSTRUCTING, RECONSTRUCTING, MAINTAINING, REMOVING, INSPECTING, PATROLLING, AND ERECTING POLES, HANGERS OR BIRDS, WIRES, CABLES, CONDUITS, PIPES, TRANSFORMERS, EACH WITH ITS NECESSARY APPURTENANCES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER GRADINGS ADJACENT LAND. THE RIGHT TO RELOCATE SAID FACILITIES WITHIN SAID EASEMENT AND RIGHT-OF-WAY AREAS AND THE RIGHT TO REMOVE FROM SAID AREAS TREES AND SHRUBS THEREON, OR OTHER OBSTRUCTIONS WHICH ENDANGER OR MAY INTERFERE WITH THE EFFICIENCY OF SAID LINES OR APPURTENANCES THEREON, IT IS AGREED AND UNDERSTOOD THAT NO BUILDINGS, CONCRETE SLABS OR WALLS WILL BE PLACED WITHIN SAID EASEMENT AREAS.
- 2) ANY CIVIL LIABILITY RESULTING FROM MODIFICATIONS REQUIRED OF CPS EQUIPMENT LOCATED WITHIN SAID EASEMENT, DUE TO GRADE CHANGES OR GROUND ELEVATION ALTERATION SHALL BE CHARGED TO THE PERSON OR PERSONS DESIGNATED RESPONSIBLE FOR SAID GRADE CHANGES OR GROUND ELEVATION ALTERATION.
- 3) THIS PLAT DOES NOT AFFECT, ALTER, RELEASE OR CHANGE ANY EXISTING ELECTRIC, GAS, WATER, SEWER, DRAINAGE, TELEPHONE, CABLE EASEMENTS OR ANY OTHER EASEMENTS OR RIGHTS-OF-WAY WHICH ARE SHOWN ON THIS PLAT AND DESCRIBED BELOW.
- 4) CONCRETE DRIVEWAY APPROACHES ARE ALLOWED WITHIN THE FIVE (5) FOOT WIDE ELECTRIC AND GAS EASEMENTS WHEN LOTS ARE SERVED ONLY BY REAR LOT UNDERGROUND ELECTRIC, GAS, TELEPHONE OR CABLE TELEVISION FACILITIES. DRIVEWAY APPROACHES ARE ALLOWED WITHIN THE FIVE (5) FOOT WIDE UTILITY EASEMENTS WHEN ONLY UNDERGROUND ELECTRIC, GAS, TELEPHONE OR CABLE TELEVISION FACILITIES ARE PROPOSED OR EXISTING WITHIN THOSE FIVE (5) FOOT WIDE EASEMENTS.

PLAT REFERENCE

1	HIGHLAND FARMS III SUBDIVISION UNIT 6 (VOL. 9587, PGS. 158-158, D.P.R.)
2	HIGHLAND FARMS III SUBDIVISION UNIT 8 (VOL. 9572, PGS. 80-81 D.P.R.)
3	HIGHLAND FARMS III SUBDIVISION UNIT 7 (VOL. 9573, PG. 185 D.P.R.)

CURVE TABLE

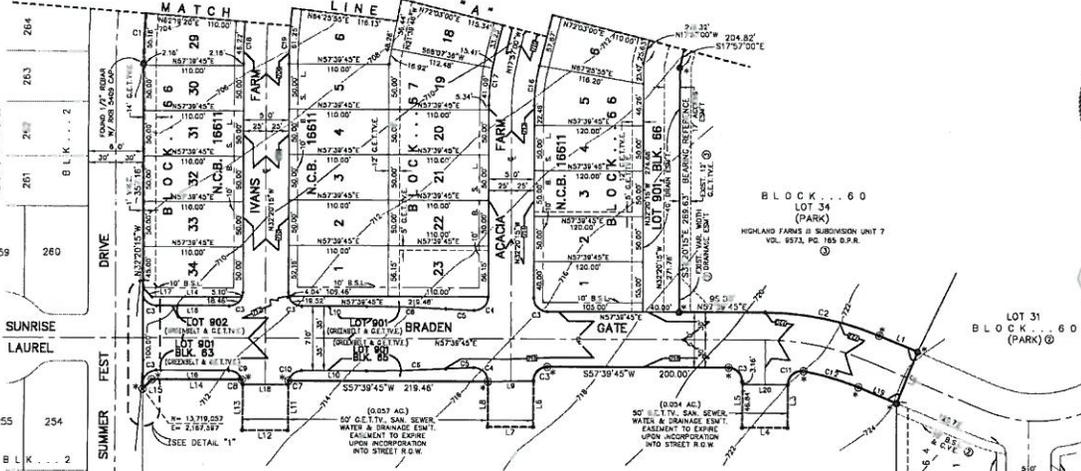
CURVE	DELTA	RADIUS	TANGENT	CHORD	CHORD
C1	37°42'32"	878.44	193.17	376.36	371.38
C2	27°22'54"	339.00	65.28	128.81	128.09
C3	85°05'00"	15.00	15.00	23.96	23.96
C4	27°00'30"	15.00	10.24	24.12	23.87
C5	111°11'48"	1189.00	19.32	31.00	31.00
C6	318°30'	150.00	43.51	87.12	87.12
C7	180°00'	15.00	2.03	3.03	3.03
C8	18°28'18"	15.00	2.87	5.02	5.02
C9	70°26'14"	15.00	10.07	18.46	18.46
C10	74°33'51"	15.00	11.42	19.81	19.81
C11	88°01'30"	15.00	17.87	29.82	29.82
C12	142°32'27"	276.00	31.62	63.82	63.82
C13	168°30'00"	20.00	32.58	45.81	45.81
C14	180°00'00"	9.00	36.65	55.55	55.55
C15	37°24'50"	36.00	9.86	18.18	18.83
C16	142°31'18"	175.00	22.02	43.81	43.83
C17	142°00'18"	235.00	28.40	58.50	58.30
C18	31°37'12"	588.44	101.85	212.35	211.32
C19	142°32'27"	276.00	31.62	63.82	63.82
C20	84°37'00"	25.00	13.81	28.12	28.71
C21	180°00'00"	15.00	2.03	3.03	3.03
C22	132°52'10"	50.00	13.72	27.23	28.07
C23	79°00'00"	420.00	28.05	55.05	52.07
C24	102°00'00"	370.00	22.42	45.42	42.82



LOCATION MAP
NOT TO SCALE

LINE TABLE

LINE	BEARING	DISTANCE
1	N89°02'45"E	48.83
2	S89°57'18"E	81.00
3	S32°22'15"E	88.84
4	S57°39'45"W	10.00
5	N02°10'15"W	50.00
6	S02°22'15"E	50.00
7	S57°39'45"W	50.00
8	S12°22'15"E	48.84
9	S89°57'18"E	26.11
10	S32°22'15"E	71.22
11	S32°22'15"E	50.00
12	S02°22'15"E	50.00
13	N02°10'15"W	50.00
14	S89°57'18"E	59.14
15	N02°22'15"E	14.14
16	S12°22'15"E	80.00
17	S12°22'15"E	48.84
18	S32°22'15"E	50.00
19	S89°57'18"E	48.83
20	N02°22'15"E	80.00
21	N02°10'15"W	48.83
22	N02°22'15"E	80.00
23	S32°22'15"E	11.00
24	N89°57'18"E	82.81
25	N02°22'15"E	82.82
26	N02°22'15"E	11.00
27	N89°57'18"E	50.00
28	N02°22'15"E	11.00
29	N89°57'18"E	50.00
30	N02°22'15"E	11.00
31	N89°57'18"E	8.00
32	N02°22'15"E	8.00
33	N89°57'18"E	18.00
34	N02°22'15"E	21.11
35	N89°57'18"E	71.39
36	N02°22'15"E	71.39
37	N89°57'18"E	12.59
38	N02°22'15"E	12.59
39	N89°57'18"E	67.86
40	N02°22'15"E	11.00
41	N02°22'15"E	7.00



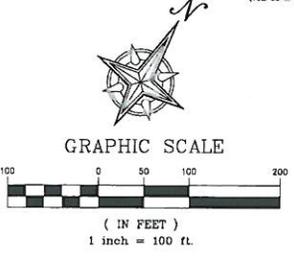
DEVELOPER/OWNER:
HLL II LAND ACQUISITIONS OF TEXAS, L.P.
300 EAST SONTERRA BLVD., SUITE 1130
SAN ANTONIO, TEXAS 78258
PHONE: (210) 403-6200



18585 Sigma Rd., Suite 101 (210) 495-3100 Office
San Antonio, Tx. 78258 (210) 495-3122 Fax

NOTES:

- 1. ALL EASEMENTS SUCH AS DRAINAGE, CONSERVATION, GREENBELT, LANDSCAPE AND OPEN SPACE, FENCING, HERDING AND PERMISSIBLE AREAS UNLESS NOTED OTHERWISE.
- 2. NO STRUCTURES, FENCES, WALLS OR OTHER OBSTRUCTIONS THAT IMPED DRAINAGE SHALL BE PLACED WITHIN THE LIMITS OF THE DRAINAGE EASEMENTS SHOWN ON THIS PLAT. NO LANDSCAPING OR OTHER TYPE OF MODIFICATIONS WHICH ALTER THE CROSS-SECTIONS OF THE DRAINAGE EASEMENTS, AS APPLICABLE, SHALL BE ALLOWED WITHOUT THE APPROVAL OF THE DIRECTOR OF PUBLIC WORKS OF THE CITY OF SAN ANTONIO. BEXAR COUNTY SHALL MAKE THE RIGHT OF INGRESS AND EGRESS OVER GRANTOR'S ADJACENT PROPERTY TO REMOVE ANY IMPEDING OBSTRUCTIONS PLACED WITHIN THE LIMITS OF SAID DRAINAGE EASEMENTS AND TO MAKE ANY MODIFICATIONS OR IMPROVEMENTS WITHIN SAID DRAINAGE EASEMENTS.
- 3. THE MAINTENANCE OF DRAINAGE EASEMENTS SHALL BE THE RESPONSIBILITY OF THE HOME OWNER'S ASSOCIATION, ITS SUCCESSORS OR ASSIGNEES, AND NOT THE RESPONSIBILITY OF THE CITY OF SAN ANTONIO/BEXAR COUNTY.
- 4. AS PART OF S.A.W.S. UTILITY SERVICE REGULATIONS 2/18/2007, "MINIMUM STANDARDS FOR WATER SYSTEM FACILITIES", LOTS WITH ELEVATION LESS THAN 740 ± FEET SHALL HAVE INDIVIDUAL PRESSURE REDUCING VALVES INSTALLED ON CUSTOMER SIDE OF THE METER. ALL THE LOTS WITHIN THIS SUBDIVISION WILL ACQUIRE PRESSURE REDUCING VALVE.
- 5. CONTOURS SHOWN ARE FOR GRAPHICAL USE ONLY. GUTTER ELEVATIONS AND CENTERLINE PAVEMENT ARE NOT REFLECTED DUE TO THE SCALE OF THE PLAT.
- 6. MINIMUM FINISHED FLOOR ELEVATIONS FOR RESIDENTIAL AND COMMERCIAL LOTS SHALL BE ELEVATED AT LEAST 1 FOOT HIGHER THAN THE COMPUTED WATER SURFACE ELEVATION FOR THE 100 YEAR ULTIMATE DEVELOPMENT.



SUBDIVISION PLAT
OF

**HIGHLAND FARMS III
SUBDIVISION UNIT 9**

BEING 15.869 ACRES OF LAND OUT OF A 45.25 ACRE TRACT RECORDED IN VOLUME 11447, PAGES 2039-2052, AND A 49.02 ACRE TRACT RECORDED IN VOLUME 11330, PAGE 1661-1666, R.P.R., OUT OF THE FRANCISCO CADENA SURVEY NO. 133 ABSTRACT NO. 134, N.C.B. 16611 CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS.

STATE OF TEXAS
COUNTY OF TARRANT

THE OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC, EXCEPT AREAS IDENTIFIED AS PRIVATE, FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

OWNER: HLL II LAND ACQUISITIONS OF TEXAS, L.P.
A TEXAS LIMITED PARTNERSHIP
BY: HLL DEVELOPMENT, LLC, ITS SOLE GENERAL PARTNER
BY: UNITED DEVELOPMENT FUNDING II, INC. MANAGER

DULY AUTHORIZED AGENT:

STATE OF TEXAS
COUNTY OF TARRANT

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED

WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.
GIVEN UNDER MY HAND & SEAL OF OFFICE THIS _____ DAY OF _____ A.D. 2008.

NOTARY PUBLIC, TARRANT COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT TO THE MATTERS OF STREETS, LOTS AND DRAINAGE LAYOUT, TO THE BEST OF MY KNOWLEDGE THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE UNIFIED DEVELOPMENT CODE, EXCEPT FOR THOSE VARIANCES GRANTED BY THE SAN ANTONIO PLANNING COMMISSION.

REGISTERED PROFESSIONAL ENGINEER
PAUL W. DENHAM

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT THE ABOVE PLAT CONFORMS TO THE MINIMUM STANDARDS SET FORTH BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND.

REGISTERED PROFESSIONAL LAND SURVEYOR
GARY B. NEILL

THIS PLAT OF _____ HIGHLAND FARMS III SUBDIVISION UNIT 9 HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO, TEXAS AND IS HEREBY APPROVED BY SAID COMMISSION.

DATED THIS _____ DAY OF _____ A.D. 2008.

BY: _____ CHAIRMAN

BY: _____ SECRETARY

STATE OF TEXAS
COUNTY OF BEXAR

DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE, ON THE _____ DAY OF _____ A.D. _____ AT _____ M., AND DULY RECORDED THE _____ DAY OF _____ A.D. _____ AT _____ M., IN THE RECORDS OF _____ OF SAID COUNTY, IN BOOK VOLUME _____

ON PAGE _____ IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS _____ DAY OF _____ A.D. _____ COUNTY CLERK, BEXAR COUNTY, TEXAS

BY: _____ DEPUTY

"CLEAR VISION EASEMENT"

"CLEAR VISION EASEMENT" (DEFINED AS THE AREA BETWEEN THE CLEAR VISION LINE AND THE STREET RIGHT-OF-WAY). CLEAR VISION EASEMENT MUST BE FREE OF VISUAL OBSTRUCTIONS (E.G. STRUCTURES, WALLS, FENCES, AND VEGETATION), WHICH ARE HIGHER THAN THREE FEET AND LOWER THAN EIGHT FEET ABOVE THE PAYMENT AS PER THE AMERICAN ASSOCIATION OF STATE HIGHWAY & TRANSPORTATION OFFICIALS (AASHTO) POLICY ON GEOMETRIC DESIGN OF HIGHWAYS AND STREETS, OR LATEST REVISION THEREOF.

SETBACK NOTE

THE SETBACKS IMPOSED ON THIS PLAT ARE AT THE DISCRETION OF THE DEVELOPER OR BEXAR COUNTY AND ARE NOT SUBJECT TO ENFORCEMENT BY THE CITY OF SAN ANTONIO.

LEGEND & NOTES

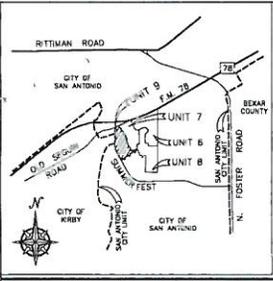
- BUILDING SETBACK LINE
- ELECTRIC, TELEPHONE & CABLE TELEVISION EASEMENT
- ELECTRIC & CABLE TELEVISION EASEMENT
- TELEPHONE & CABLE TELEVISION EASEMENT
- GAS, ELECTRIC, TELEPHONE & CABLE TELEVISION EASEMENT
- VEHICULAR NON-ACCESS ESM
- CLEAR VISION EASEMENT
- THE NUMBER OF WASTEWATER EQUIVALENT DWELLING UNITS (EDU) PAID FOR THIS SUBDIVISION PLAT ARE KEPT ON FILE AT THE SAN ANTONIO WATER SYSTEM UNDER THE PLAT NUMBER ISSUED BY THE DEVELOPMENT SERVICES DEPARTMENT. [760]
- THE VALUES OF THE SETS OF COORDINATES SHOWN HEREON WERE OBTAINED WITH GLOBAL POSITIONING SYSTEMS (GPS) WHICH IS HAD BY (30) (RANGE), TEXAS STATE PLANE COORDINATE SYSTEM - SOUTH CENTRAL ZONE. SCALE FACTOR IS 1.00071. ROTATION USED TO PLAT IS 0.000035°.
- MONUMENTATION AS SHOWN, IT IS THE PRACTICE OF DENHAM-RAMONES ENGINEERING AND ASSOCIATES, INC. TO MONUMENT ALL CORNERS (IF PRACTICAL) IN THE SUBDIVISION WITH 1/2" REBAR AND D-R E PLASTIC CAPS, UPON COMPLETION OF CONSTRUCTION.
- BEARING AND DISTANCE SOURCE IS THE WEST LINE OF LOT 34, BLOCK 80 (PART), BETWEEN TWO YOUNG 1/2" REBAR SHOWN AS N32°20'15"W ON THE PLAT OF HIGHLAND FARMS III SUBDIVISION UNIT 7 RECORDED IN VOLUME 9572, PAGE 158, DEED AND PLAT RECORDS, BEXAR COUNTY, TEXAS.
- B.S.P. - CRITICAL PUBLIC RECORDS OF REAL PROPERTY, BEXAR COUNTY, TEXAS.
- O.P.R. - DEED AND PLAT RECORDS, BEXAR COUNTY, TEXAS.
- ALL STRUCTURES CONTAINED WITHIN THIS SUBDIVISION ARE DEDICATED AS PUBLIC STREETS AND ARE AVAILABLE FOR USE BY ALL UTILITY SYSTEMS.
- FINISHED FLOOR ELEVATIONS MUST BE A MINIMUM OF 8 INCHES ABOVE FINISHED ADJACENT GRADE.
- THE DEVELOPER DEDICATES THE SANITARY SEWER MAINS UPON COMPLETION BY THE DEVELOPER AND ACCEPTANCE BY SAN ANTONIO WATER SYSTEMS, SEWER, SANITARY MAIN AND MAINTAIN SAID SANITARY SEWER MAINS WHICH ARE LOCATED WITHIN THIS PARTICULAR SUBDIVISION.
- IMPACT FEE PAYMENT DUE: WATER AND SEWER IMPACT FEES WERE NOT PAID AT THE TIME OF PLATING FOR THIS PROPERTY. ALL WATER FEES, AT THE RATES IN EFFECT AT THE TIME OF PLAT RECORDATION, MUST BE PAID PRIOR TO WATER METER SET AND/OR SEWER SERVICE CONNECTION.

"C.P.S. NOTES"

- THE CITY OF SAN ANTONIO AS A PART OF ITS ELECTRIC AND GAS SYSTEM (CITY PUBLIC SERVICE BOARD) IS HEREBY DEDICATING THE EASEMENTS AND RIGHTS-OF-WAY FOR ELECTRIC AND GAS DISTRIBUTION AND SERVICE FACILITIES IN THE AREAS DESIGNATED ON THIS PLAT AS "ELECTRIC EASEMENT", "GAS EASEMENT", "ANCHOR EASEMENT", "SERVICE EASEMENT", "DRAINAGE EASEMENT", "UTILITY EASEMENT" AND "TRANSFORMER EASEMENT" FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, RECONSTRUCTING, MAINTAINING, REMOVING, INSPECTING, PATROLLING, AND ERECTING POLES, HANGING OR BURYING WIRES, CABLES, CONDUITS, PIPES, TRANSFORMERS, EACH WITH ITS NECESSARY APPURTENANCES, TOGETHER WITH RIGHT OF ACCESS AND EGRESS OVER GRADUALLY ADJACENT LAND; THE RIGHT TO RELOCATE SAID FACILITIES WITHIN SAID EASEMENT AND RIGHT-OF-WAY AREAS AND THE RIGHT TO REMOVE FROM SAID LOTS ALL TREES AND PARTS THEREOF; OR OTHER OBSTRUCTIONS WHICH ENDANGER OR MAY INTERFERE WITH THE EFFICIENCY OF SAID LINES OR APPURTENANCES THEREOF; IT IS AGREED AND UNDERSTOOD THAT NO BUILDINGS, CONCRETE SLABS OR WALLS WILL BE PLACED WITHIN SAID EASEMENT AREAS.
- ANY OPS MONETARY LOSS RESULTING FROM MODIFICATIONS REQUIRED OF CPS EQUIPMENT, LOCATED WITHIN SAID EASEMENT, DUE TO GRADE CHANGES OR GROUND ELEVATION ALTERATION SHALL BE CHARGED TO THE PERSON OR PERSONS DEEMED RESPONSIBLE FOR SAID GRADE CHANGES OR GROUND ELEVATION ALTERATION.
- THIS PLAT DOES NOT ALTER, ALTER, RELEASE OR OTHERWISE AFFECT ANY EXISTING ELECTRIC, GAS, WATER, WILKIN DRAINAGE, TELEPHONE, CABLE EASEMENTS OR ANY OTHER EASEMENTS FOR UTILITIES UNLESS THE CHANGES TO SUCH EASEMENTS ARE DESCRIBED BELOW.
- CONCRETE OR LEVAY APPROACHES ARE ALLOWED WITHIN THE FIVE (5) FOOT WIDE ELECTRIC AND GAS EASEMENTS WHEN LOTS ARE SERVED ONLY BY REAR LOT UNDERGROUND ELECTRIC, GAS, TELEPHONE OR CABLE FACILITIES.
- SEWER CHIMNEYS ARE ALLOWED WITHIN THE FIVE (5) FOOT WIDE G.E.T.V. EASEMENTS WHEN ONLY UNDERGROUND ELECTRIC, GAS, TELEPHONE OR CABLE TELEVISION FACILITIES ARE PROVIDED OR EXISTING WITHIN THOSE FIVE (5) FOOT WIDE EASEMENTS.

MONUMENT NOTE:

- = 1/2" IRON ROD FINISH W/NO CAP
- = 1/2" IRON ROD FINISH W/8" CAP
- = 1/2" IRON ROD SET W/8" CAP

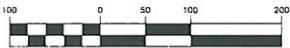


LOCATION MAP
NOT TO SCALE

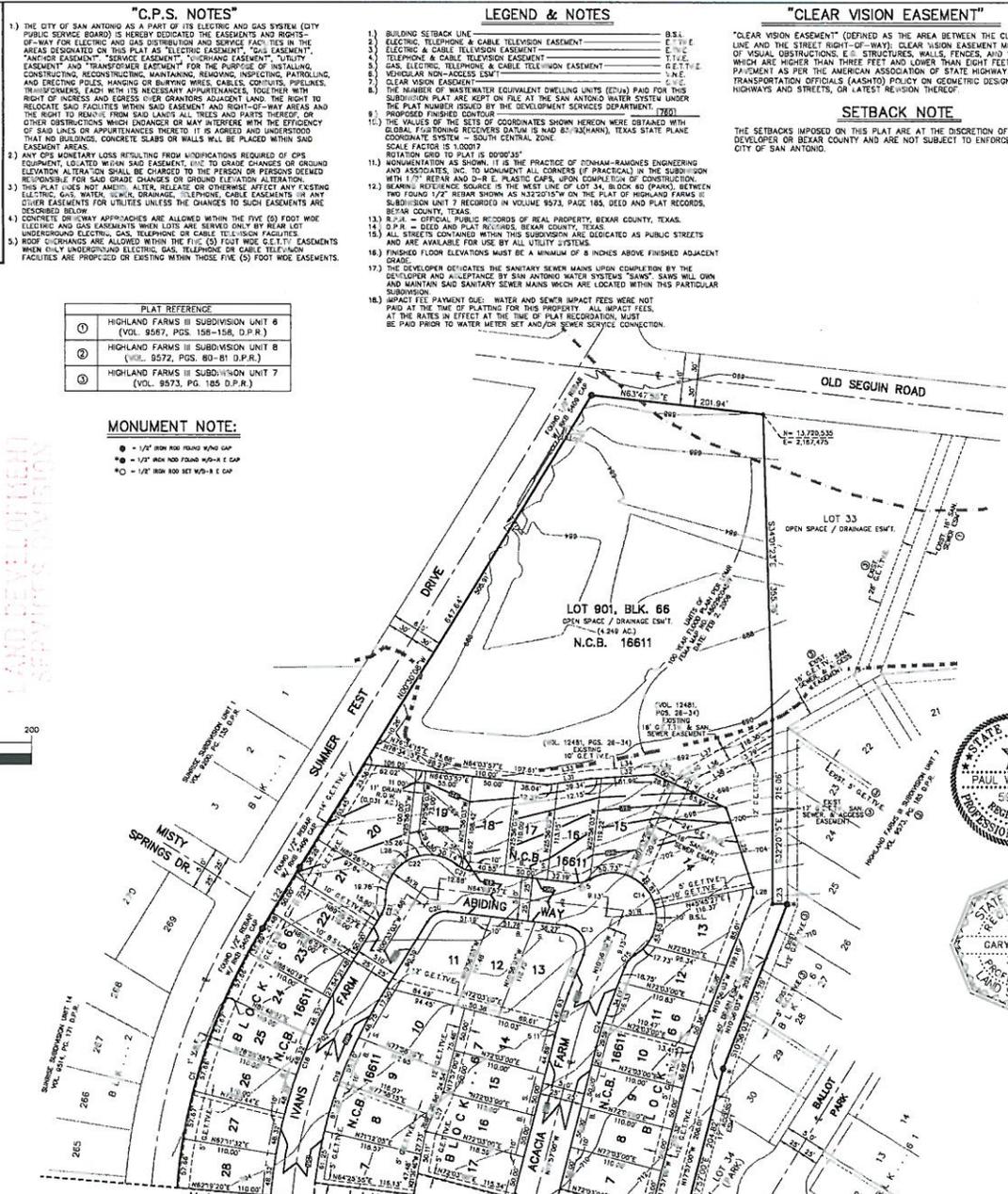
PLAT REFERENCE
① HIGHLAND FARMS III SUBDIVISION UNIT 6 (VOL. 9567, PGS. 158-159, D.P.R.)
② HIGHLAND FARMS III SUBDIVISION UNIT 8 (VOL. 9572, PGS. 80-81 D.P.R.)
③ HIGHLAND FARMS III SUBDIVISION UNIT 7 (VOL. 9573, PG. 155 D.P.R.)



GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.



NOTES:

- ALL EASEMENTS SUCH AS DRAINAGE, CONSERVATION, GREENBELT, LANDSCAPE AND OPEN SPACE SHOWN HEREON ARE PERMISSIBLE AREAS UNLESS NOTED OTHERWISE.
- NO STRUCTURES, FENCES, WALLS OR OTHER OBSTRUCTIONS THAT IMPED DRAINAGE SHALL BE PLACED WITHIN THE LIMITS OF THE DRAINAGE EASEMENTS SHOWN ON THIS PLAT. NO LANDSCAPING OR OTHER TYPE OF MODIFICATIONS WHICH ALTER THE CROSS-SECTIONS OF THE DRAINAGE EASEMENTS, AS APPROVED, SHALL BE ALLOWED WITHOUT THE APPROVAL OF THE DIRECTOR OF PUBLIC WORKS. THE CITY OF SAN ANTONIO AND BEXAR COUNTY SHALL HAVE THE RIGHT OF ACCESS AND EGRESS OVER GRANTOR'S ADJACENT PROPERTY TO REMOVE ANY IMPEDING OBSTRUCTIONS PLACED WITHIN THE LIMITS OF SAID DRAINAGE EASEMENTS AND TO MAKE ANY MODIFICATIONS OR IMPROVEMENTS WITHIN SAID DRAINAGE EASEMENTS.
- THE MAINTENANCE OF DRAINAGE EASEMENTS SHALL BE THE RESPONSIBILITY OF THE HOME OWNER'S ASSOCIATION, ITS SUCCESSIONS OR AGENTS, AND NOT THE RESPONSIBILITY OF THE CITY OF SAN ANTONIO/BEXAR COUNTY.
- AS PART OF S.A.W. UTILITY SERVICE REGULATIONS 2/18/2003, "DESIGN STANDARDS FOR WATER SYSTEM FACILITIES", LOTS WITH ELEVATION LESS THAN 742.50 FEET SHALL HAVE INDIVIDUAL PRESSURE REGULATING VALVES INSTALLED ON DOWNSTREAM SIDE OF METER. ALL THE LOTS WITHIN THIS SUBDIVISION WILL REQUIRE PRESSURE REGULATING VALVE.
- CONTOURS SHOWN ARE FOR DRAINAGE USE ONLY. ELEVATIONS AND TO MAKE ANY MODIFICATIONS OR IMPROVEMENTS WITHIN SAID DRAINAGE EASEMENTS.
- MINIMUM FINISHED FLOOR ELEVATIONS FOR RESIDENTIAL AND COMMERCIAL LOTS SHALL BE ELEVATED AT LEAST 1 FEET HIGHER THAN THE COMPUTED WATER SURFACE ELEVATION FOR THE 100 YEAR ULTIMATE DEVELOPMENT.

DEVELOPER/OWNER:
HLL II LAND ACQUISITIONS OF TEXAS, L.P.
300 EAST SONTERRA BLVD., SUITE 1130
SAN ANTONIO, TEXAS 78258
PHONE: (210) 403-6200



18585 Sigma Rd., Suite 101 (210) 495-3100 Office
San Antonio, Tx. 78258 (210) 495-3122 Fax

April 4, 2011

Mr. Roderick Sanchez
Director of Planning and Development Services
City of San Antonio
1901 S. Alamo
San Antonio, TX 78204

Re: Plat No. 060771
Highland Farms III Subdivision Unit 9

Mr. Sanchez:

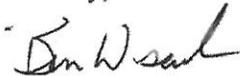
In accordance with Section 35-430(f) of the Unified Development Code of the City of San Antonio, we respectfully request a three year extension in order to fulfill the improvements required by the approval of the Highland Farms III Subdivision Unit 9 Plat. The current expiration date for the plat recording is set for August 28, 2011.

Highland Farms III Subdivision Unit 9 was approved by the Planning Commission on August 27, 2008. This project is the continuation following the prior completed five units.

In the 3rd quarter of 2007, sales dropped precipitously due to a severe downturn in the economy which halted the completion of this phase. The owner is planning, with serious intent, to complete this unit.

Enclosed are the \$300 filing fee and a reduced copy of the plat. Thank you for your consideration in this matter.

Sincerely,



Ben Wissink
HLL II Land Acquisitions of Texas, L.P.

1380 Pantheon Way
Suite 290
San Antonio, Texas 78232

Ph: (210) 495-3100
Fax: (210) 495-3122

PLANNING COMMISSION
SITE IMPROVEMENT TIME EXTENSION VARIANCE

AGENDA ITEM NO: 10 July 13, 2011

CACTUS BLUFF/SITTERLE
SUBDIVISION NAME

070483
PLAT #

COUNCIL DISTRICT: 9

FERGUSON MAP GRID: 483 C-4

OWNER: RKS Texas Investments, L.P., by Rick Sheldon

ENGINEER: M.W. Cude Engineers, LLC, by Christopher Dice, P.E.

CASE MANAGER: Larry Odis, Planner (207-0210)

Location: On the north side of Evans Road, west of U.S. Highway 281

Plat status: The Director of Development Services approved this plat on July 15, 2008. The plat has not been recorded and will expire on July 15, 2011.

APPLICANT'S REQUEST:

The applicant submitted a Site Improvement Time Extension Application on June 1, 2011. Because the application did not meet Section 35-430(f) Performance Agreements, the applicant was informed of staff's denial to accept the Time Extension Application by email on June 29, 2011.

DISCUSSION:

In response to this email, the applicant submitted the attached variance request to this denial on July 1, 2011, as per Section 35-483 Subdivision Variances. Time extensions were permitted under Section 35-430(f) Performance Agreements until recent legal interpretation prohibited a time extension for minor plats associated with pending impact fees and not associated with a performance agreement. The applicant asserts that the same pressures and circumstances of a major plat exist for minor plats. The applicant also indicates United States Fish and Wildlife Services is conducting a detailed endangered species study for this site and surrounding properties. The United States Fish and Wildlife Services study will not be completed until the end of the year and may affect the site with the possibility of rendering the site undevelopable. It will not be reasonable to record the plat or pay the impact fees until the endangered species study has been completed.

Prior to the January 1, 2011 biennial amendments to the UDC, Section 35-430 (f) (C) stated, "Time extension requests that are not eligible for approval or are not approved by the Director of Development Services may be considered by the Planning Commission." However, this section of the UDC has been amended by adding conditions that are not permitted to extend the life of a minor plat associated with impact fees. The conditions are as follows:

1. A decision to either approve or disapprove the extension is made by the Planning Commission at least thirty (30) days prior to the expiration of any current performance agreement or guarantee;
2. Any extension approved by the Planning Commission shall not exceed three years;
3. Any plat not recorded within six (6) years from the date of plat approval, including any time extension, shall expire; and
4. A guarantee of performance in an amount sufficient to cover the cost of remaining site improvements shall be required in order for an extension to be approved. Such guarantee must be filed and approved within thirty (30) days of the approval of the extension or the extension shall become null and void.

Planning Commission Options:

1. Find that granting of the variance to submit the Time Extension Application **does not** meet the intent of Section 35-430(f).
2. Find that granting of the variance to submit the Time Extension Application **does** meet the intent of Section 35-430(f), thus allowing the consideration of the Time Extension for two years as a subsequent item on this agenda.
3. Find that granting of the variance to submit the Time Extension Application **does** meet the intent of Section 35-430(f) with any conditions the Planning Commission may wish to impose in considering the variance.

STAFF RECOMMENDATION:

Staff has no objections to this request



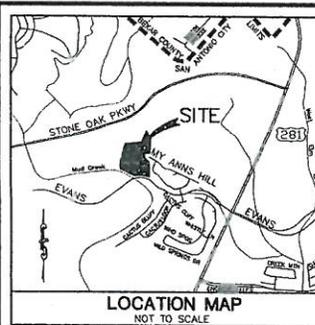
M.W. CUDE ENGINEERS, L.L.C. 1832 BANISTER ROAD SAN ANTONIO, TEXAS 78258 TEL: 210.481.9911 FAX: 210.522.7112 WWW.MWCUDE.COM

RECEIVED JUN 11 2008

SUBDIVISION PLAT

CACTUS BLUFF/SITTERLE SUBDIVISION

30.9841 ACRES OF LAND IN THE CITY OF SAN ANTONIO, N.C.B. 19219, BEING ALL OF A 19.391 ACRE TRACT DESIGNATED AS PART M AS DESCRIBED BY DEED RECORDED IN VOLUME 12456, PAGES 1831-1897, OFFICIAL PUBLIC RECORDS OF BEAR COUNTY, TEXAS, AND BEING ALL OF A 3.886 ACRE TRACT SURVEYED BEING THE SAME 4.00 ACRE TRACT DESIGNATED AS TRACT BB AND A 7.104 ACRE TRACT OUT OF A 24.00 ACRE TRACT DESIGNATED AS TRACT DD AS DESCRIBED BY DEED RECORDED IN VOLUME 6090, PAGE 1091, OFFICIAL PUBLIC RECORDS OF BEAR COUNTY, TEXAS.



ORIGIN OF STATE PLANE COORDINATES: NGS MARK MILLER PID AYO121. 1/2" IRON PINS FOUND AT ALL PROPERTY CORNERS UNLESS OTHERWISE NOTED.

OWNER/DEVELOPER: RKS TEXAS INVESTMENTS, L.P. CONTACT PERSON: RICK SHELDON 601 SONTERIA SAN ANTONIO, TEXAS 78258 FAX: (210) 490-4465 TEL: (210) 490-2500

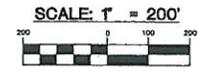
OWNER/DEVELOPER: BIG SPRINGS, LTD. CONTACT PERSON: FRANK SITTERLE 2015 EVANS ROAD, STE. 100 SAN ANTONIO, TEXAS 78258 FAX: (210) 494-5301 TEL: (210) 494-9192

LEGEND

- S.I.P. = SET 1/2" IRON PIN
---S30--- = EXISTING CONTOUR
E.G.T.C.A. ESM'T. = ELECTRIC, GAS, TELEPHONE AND CABLE T.V. EASEMENT
D.P.R. = OFFICIAL PROPERTY RECORDS
D.P.R. = DEED AND PLAT RECORDS
--- = CENTER LINE
EX. = EXISTING

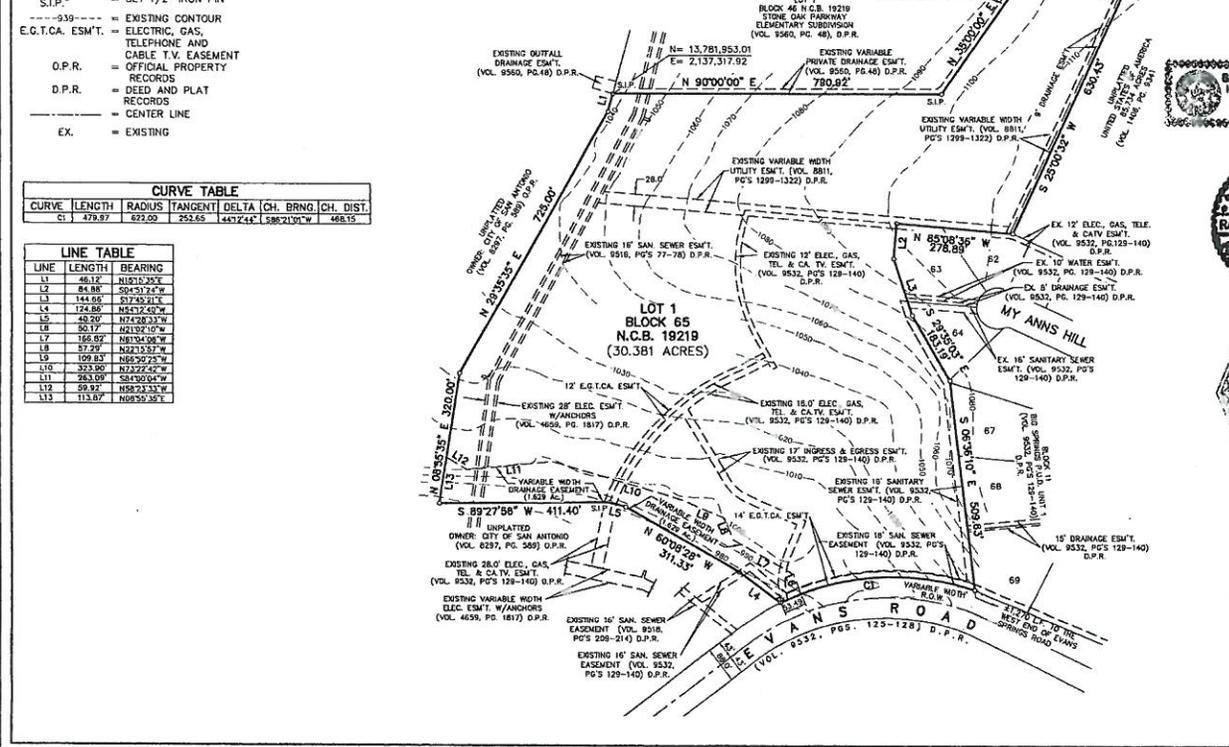
CURVE TABLE with columns: CURVE, LENGTH, RADIUS, TANGENT, DELTA, CH. BRNG, CH. DIST.

LINE TABLE with columns: LINE, LENGTH, BEARING



- D.P.R. NOTES: 1. THE CITY OF SAN ANTONIO AS A PART OF ITS ELECTRIC AND GAS SYSTEM... 2. ANY OPS MONETARY LOSS RESULTING FROM MODIFICATIONS... 3. THIS PLAT DOES NOT AFFECT, ALTER, RELEASE OR OTHERWISE AFFECT ANY EXISTING ELECTRIC, GAS, WATER, SEWER, DRAINAGE, TELEPHONE, CABLE T.V. EASEMENTS...

- DRAINAGE NOTE: NO STRUCTURE, FENCE WALLS, OR OTHER OBSTRUCTIONS THAT IMPED DRAINAGE...
WASTEWATER DISposal: THE NUMBER OF EQUIVALENT DWELLING UNITS (EDU'S) PAID FOR THIS SUBDIVISION PLAT ARE KEPT ON FILE AT THE SAN ANTONIO WATER SYSTEM...
SHARED ACCESS NOTE: OWNER SHALL PROVIDE SHARED CROSS ACCESS IN ACCORDANCE WITH UDC 35-506 (V)(3).



MARISSA N. SANCHEZ Notary Public State of Texas My Comm. Exp. 02-21-2011

STATE OF TEXAS COUNTY OF BEAR BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED Rick Sheldon known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated. GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 14th DAY of April 2008.

BANDRA C. MCGOWAN Notary Public State of Texas My Commission Expires November 08, 2011

STATE OF TEXAS COUNTY OF BEAR BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED Frank Sitterle known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated. GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 15th DAY of April 2008.



STATE OF TEXAS COUNTY OF BEAR I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THIS PLAT IN THE MATTERS OF STREETS, LOTS, AND DRAINAGE LAYOUT, TO THE BEST OF MY KNOWLEDGE THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE UNITED DEVELOPMENT CODE, EXCEPT FOR THOSE VARIANCES GRANTED BY THE SAN ANTONIO PLANNING COMMISSION.



STATE OF TEXAS COUNTY OF BEAR I HEREBY CERTIFY THAT THE ABOVE PLAT CONFORMS TO THE MINIMUM STANDARDS SET FORTH BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND BY: M.W. CUDE ENGINEERS, L.L.C.

THIS PLAT OF CACTUS BLUFF/SITTERLE SUBDIVISION HAS BEEN SUBMITTED TO THE CITY OF SAN ANTONIO, TEXAS, AND HAVING BEEN REVIEWED BY THE DIRECTOR OF DEVELOPMENT SERVICES, IS HEREBY APPROVED IN ACCORDANCE WITH STATE OR LOCAL LAWS AND REGULATIONS AS INDICATED BELOW.

DATED THIS ___ DAY OF ___ A.D. BY ___ DIRECTOR OF DEVELOPMENT SERVICES STATE OF TEXAS COUNTY OF BEAR I, ___ COUNTY CLERK OF SAID COUNTY DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE ON THE ___ DAY OF ___ A.D. AT ___ M AND DULY RECORDED THE ___ DAY OF ___ A.D. AT ___ M IN THE RECORDS OF SAID COUNTY IN BEAR VOLUME ___ ON PAGE ___ IN TESTIMONY WHEREOF I HAVE BY HAND AND OFFICIAL SEAL OF OFFICE THIS ___ DAY OF ___ A.D. COUNTY CLERK, BEAR COUNTY, TEXAS BY ___ DEPUTY JOB# 107620 MARCH 2008 SHEET 1 OF 1

KENNETH W. BROWN, AICP
DANIEL ORTIZ
JAMES B. GRIFFIN
PHILIP J. MOSS



PAUL M. JUAREZ
OF COUNSEL

112 E. PECAN STREET
SUITE 1360
SAN ANTONIO, TEXAS 78205
TELEPHONE: 210.299.3704
FAX: 210.299.4731

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11 JUL -1 PM 4: 20

LAND DEVELOPMENT
SERVICES DIVISION

July 1, 2011

Ms. Elizabeth Carol
Senior Management Analyst Supervisor
Development Services Department
1901 S. Alamo
San Antonio, Texas 78205

VIA Hand Delivery

Re: Variance Request from Section 35-430(f)(2) of the Unified Development Code and Time Extension Request for Plat No. 070483, Platting an 30.381-Acre Tract of Land, Located Southwest of the Intersection of Stone Oak Parkway and Evans Road, More Formally Known as Lots P-19, P-10 "Stone Oak," and P-12 "Stone Oak," in NCB 19219, in San Antonio, Texas (the "Subject Property;" *see Exhibit "1"*); *Our File No. 9001.*

Dear Ms. Carol,

The purpose of this correspondence is to request a variance from Section 35-430(f)(2) of the City of San Antonio ("COSA") Unified Development Code ("UDC") for the plat described above. Additionally, should this variance request be granted, we request a time extension for the plat described above. Specifically, the plat above is considered a "minor plat" and must be recorded by July 14, 2011 or it will expire in accordance with the UDC. The purpose of the requested variance is to allow for the time extension provisions of UDC Section 35-430(f)(2) to apply to this minor plat and, in turn, allow for a time extension of the plat itself.

The variance is necessary because, as explained in more detail below, the same pressures and circumstances of a typical "major" plat exist for this minor plat. However, pursuant to the UDC, a minor plat (because no performance agreement is associated with a minor plat) is not eligible for a time extension which would allow the plat to remain "valid" beyond the three (3)-year recordation deadline. As with a major plat, great time, expense, planning, and other efforts have been expended in preparing and approving the above plat. The same burdens and circumstances as a major plat exist for this minor plat and therefore should be afforded the same protections as a major plat in regard to the extension of time to record the plat. The extension itself is necessary for multiple reasons – mainly the fact that 1) the state of the economy warrants an extension of time to keep the plat valid, as development is occurring at a very slow pace currently, and 2) United States Fish and Wildlife Services is conducting a detailed endangered species study for the Subject Property and surrounding properties (*see Exhibit "2"*). This study,

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which will not be completed until the end of the year, will likely severely affect the Subject Property (including the possibility of rendering the entire property undevelopable) – therefore it is not reasonable or practical to record the plat (and incur the associated costs) until the endangered species study has been completed. Therefore, we respectfully request that COSA grant a variance (and subsequently, a time extension) to the requirements of Section 35-430(f)(2) of the UDC for the following reasons:

1. ***If the applicant complies strictly with the provisions of these regulations, he/she can make no reasonable use of his/her property.*** If the applicant complies strictly with the provisions of these regulations, he will not be afforded the protections and options of a similarly situated person in regard to the opportunity to request a time extension for a plat. As strictly interpreted, the UDC does not allow for a time extension for a minor plat. However, the minor plat associated with the subject property has the same pressures and circumstances as a major plat – there has been a great deal of planning, time and money spent on preparing this plat (both by COSA and the applicant), but no opportunity for an extension of time is allowed because of the classification of the plat as “minor” (more specifically, because no Performance Agreement is associated with the plat).
2. ***The hardship relates to the applicant’s land, rather than personal circumstance.*** The hardship relates to the land itself in the fact that the U.S. Fish and Wildlife Service has begun a detailed endangered species study on the Subject Property and surrounding properties. The future development of the Subject Property is completely dependent on the outcome of this study – the applicant is simply at the mercy of the outcome of the study, which will not be completed until the end of the year. This study is the result of the land itself and was not requested by the applicant or otherwise associated in any manner with the personal circumstances of the applicant.
3. ***The hardship is unique, or nearly so, rather than one shared by many surrounding properties.*** As stated in the two paragraphs above, the hardship is unique because of the “minor” designation of the plat, even though very similar circumstances and burdens exist for this plat as with a “major” plat, and also because of the endangered species study which is occurring on the Subject Property. Although the study also includes surrounding properties, the scope of the study is very small (only includes very few surrounding properties) and the Subject Property is one of the only undeveloped tracts subject to the study (therefore it is most affected by the study).
4. ***The hardship is not the result of the applicant’s own actions.*** Again, the hardship is not the result of the applicant’s own actions but rather the actions of the U.S. Fish and Wildlife Department, as well as the unique circumstance of having a plat deemed “minor” but having “major” plat-like qualities and circumstances. The actions of others are the sole reason the hardship for the Subject Property has occurred.
5. ***The granting of the variance will not be injurious to other property and will not prevent the orderly subdivision of other property in the area in accordance with these***

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regulations. The granting of this variance will not be injurious to other property and will not prevent the subdivision of other property because the variance only affects the Subject Property and **will** allow for the orderly subdivision of property because it will allow for a plat – already approved by COSA – to remain valid beyond the July 14th expiration date (which, once recorded, will result in the orderly subdivision of land).

In conclusion, the hardship imposed on the Subject Property by the disallowance of the opportunity for a time extension prevents any reasonable use of the property, was not created by the property owner, is unique, is related to the land itself, is not injurious to other property owners, and will not prevent the orderly subdivision of property in the area. Therefore, we respectfully request that a variance be granted to Section 35-430(f)(2) of the UDC for the 19.391 acre Subject Property. Additionally, should the variance be granted, we respectfully request that a time extension be granted for the Subject plat.

Please feel free to contact our office should you have any questions or concerns regarding this request.

Thank you,

BROWN & ORTIZ, P.C.

BY: Philip Alvarz for James Griffin
James B. Griffin



M.W. CUDE ENGINEERS, L.L.C. 1823 RANDOLPH ROAD SAN ANTONIO, TEXAS 78208 TEL: 210-840-2341 FAX: 210-840-7112 WWW.MWCUDE.COM

SUBDIVISION PLAT

CACTUS BLUFF/SITTERLE N.C.B. SUBDIVISION

30.381 ACRES OF LAND IN THE CITY OF SAN ANTONIO, N.C.B. 19219, BEING ALL OF A 19.391 ACRE TRACT DESIGNATED AS PART NO. 45 DESCRIBED BY DEED RECORDED IN VOLUME 12456, PAGES 1831-1867, OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS, AND BEING ALL OF A 3.868 ACRE TRACT SURVEYED BEING THE SAME 4.00 ACRE TRACT DESIGNATED AS TRACT BII AND A 7.104 ACRE TRACT OUT OF A 24.00 ACRE TRACT DESIGNATED AS TRACT DD AS DESCRIBED BY DEED RECORDED IN VOLUME 8090, PAGE 1091, OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS.

STATE OF TEXAS COUNTY OF BEXAR THE OWNER OF THE LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEMONSTRATES TO THE USE OF THE PUBLIC, EXCEPT AREAS DESIGNATED AS PRIVATE, FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINAGE, EASEMENTS AND PUBLIC PLACES THEREIN SHOWN FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

STATE OF TEXAS COUNTY OF BEXAR I, Rick Sheldon, Notary Public, My Comm. Exp. 02-21-2011, am duly authorized agent of the owner.

STATE OF TEXAS COUNTY OF BEXAR BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED Rick Sheldon, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

STATE OF TEXAS COUNTY OF BEXAR I, Rick Sheldon, Notary Public, My Comm. Exp. 02-21-2011, am duly authorized agent of the owner.

STATE OF TEXAS COUNTY OF BEXAR THE OWNER OF THE LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEMONSTRATES TO THE USE OF THE PUBLIC, EXCEPT AREAS DESIGNATED AS PRIVATE, FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINAGE, EASEMENTS AND PUBLIC PLACES THEREIN SHOWN FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

STATE OF TEXAS COUNTY OF BEXAR I, Frank J. Sitterle, Notary Public, My Comm. Exp. 02-21-2011, am duly authorized agent of the owner.

STATE OF TEXAS COUNTY OF BEXAR BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED Frank J. Sitterle, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

STATE OF TEXAS COUNTY OF BEXAR I, Sandra C. McGowan, Notary Public, My Comm. Exp. 02-21-2011, am duly authorized agent of the owner.

STATE OF TEXAS COUNTY OF BEXAR I HEREBY CERTIFY THAT PROFESSIONAL ENGINEERING CONSULTATION HAS BEEN GIVEN THIS PLAT TO THE MATTERS OF STREET, LOT, AND DRAINAGE LAYOUT. TO THE BEST OF MY KNOWLEDGE THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE UNIFORM DEVELOPMENT CODE, EXCEPT FOR THOSE VARIANCES GRANTED BY THE SAN ANTONIO DEVELOPMENT COMMISSION.

M.W. CUDE ENGINEERS, L.L.C. RAYMOND TARIN, P.E. LICENSED PROFESSIONAL ENGINEER

STATE OF TEXAS COUNTY OF BEXAR I HEREBY CERTIFY THAT THE ABOVE PLAT CONFORMS TO THE UNIFORM STANDARDS SET FORTH BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING ACCORDING TO AN ORIGINAL SURVEY MADE ON THE ORIGINAL NO. 45 PLAT.

M.W. CUDE ENGINEERS, L.L.C. STEPHANIE L. JAMES, A.P.L.S. LICENSED PROFESSIONAL LAND SURVEYOR

THIS PLAT OF THE CACTUS BLUFF/SITTERLE SUBDIVISION HAS BEEN SUBMITTED TO THE CITY OF SAN ANTONIO, TEXAS, AND HAS BEEN REVIEWED BY THE DEVELOPMENT SERVICES, AS HERETO APPROVED IN ACCORDANCE WITH STATE OF LOCAL LAND AND REGULATIONS AS REFERENCED BELOW.

DATED THIS 13th DAY OF April 2008 BY [Signature] DIRECTOR OF DEVELOPMENT SERVICES

STATE OF TEXAS COUNTY OF BEXAR I, [Signature], COUNTY CLERK OF SAO COUNTY DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE ON THIS DAY OF April 2008 AT [Signature] AND DULY RECORDED IN THE DAY OF April 2008 IN THE [Signature] OF [Signature] IN THE [Signature] OF SAO COUNTY IN BOOK VOLUME [Signature] FOR PAGE [Signature] IN INSTRUMENT WHOLLY WRITTEN BY HAND AND OFFICIAL SEAL OF OFFICE THIS DAY OF April 2008 A.D. [Signature] COUNTY CLERK, BEXAR COUNTY, TEXAS

BY [Signature] DEPUTY

JOB# 107620 MARCH 2008 SHEET 1 OF 1



C.E.R. NOTES: 1. THE CITY OF SAN ANTONIO AS A PART OF ITS ELECTRIC AND GAS SYSTEM (CITY PUBLIC SERVICE BOARD) IS HEREBY DESIGNATED THE EASEMENTS AND RIGHT-OF-WAY FOR ELECTRIC AND GAS DISTRIBUTION AND SERVICE FACILITIES IN THE AREA DEPICTED ON THIS PLAT AS "ELECTRIC EASEMENT", "GAS EASEMENT", "ANCHOR EASEMENT", "SERVICE EASEMENT", "DRAINAGE EASEMENT", "UTILITY EASEMENT" AND "DRAINAGE EASEMENT" FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, RECONSTRUCTING, MAINTAINING, REPAIRING, IMPROVING, PAINTING AND ERECTING POLES, WIRING OF BURNING WIRES, CABLES, CONDUITS, PIPES AND OR TRANSFORMERS EACH WITH THE NECESSARY APPURTENANCES TOGETHER WITH THE RIGHT OF ACCESS AND EGRESS OVER ADJACENT'S ADJACENT LAND, THE RIGHT TO RELOCATE SAID FACILITIES WITHIN SAID EASEMENT AND RIGHT-OF-WAY AREAS AND THE RIGHT TO REMOVE FROM SAID LAND, ALL TREES OR PARTS THEREOF, OR OTHER OBSTRUCTIONS WITHIN EASEMENT OR ANY INTERFERENCE WITH THE EFFECT OF SAID LINES OF APPURTENANCES THEREON. IT IS AGREED AND UNDERSTOOD THAT NO BUILDING, CONCRETE SLABS OR WALLS SHALL BE PLACED WITHIN SAID EASEMENT AREAS.

ORIGIN OF STATE PLANE COORDINATES: HOS MARK MILLER P.O. #10121 1/2" IRON PINS FOUND AT ALL PROPERTY CORNERS UNLESS OTHERWISE NOTED.

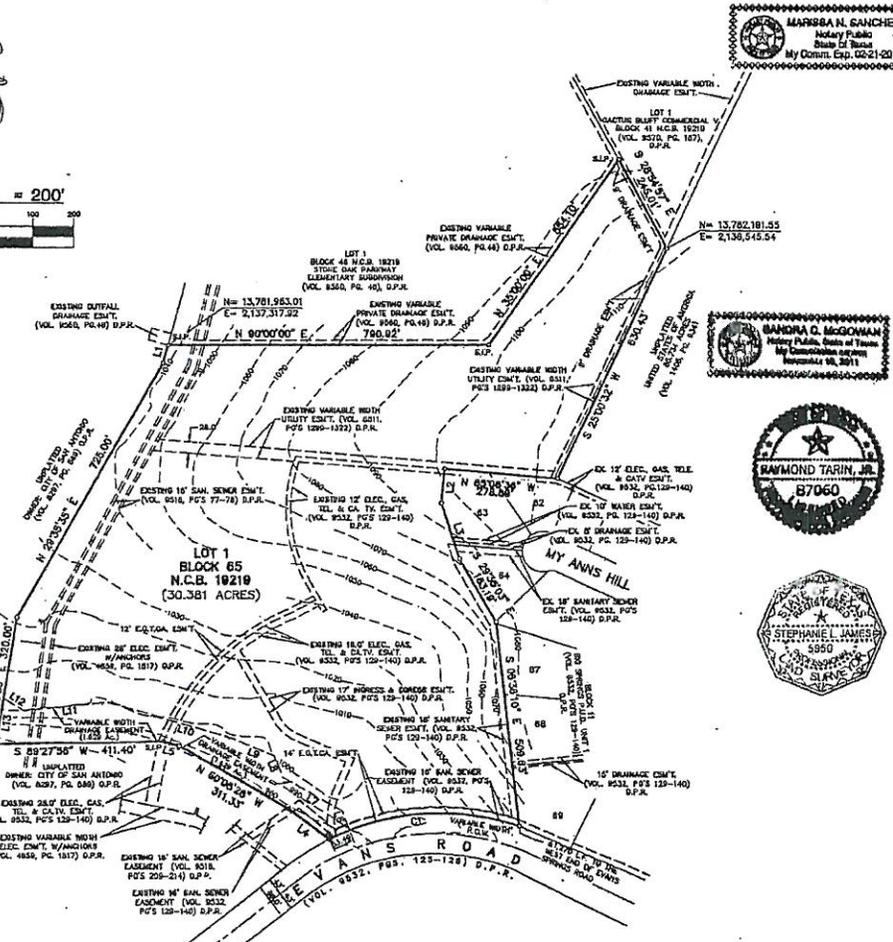
OWNER/DEVELOPER: RKS TEXAS INVESTMENTS, L.P. CONTACT PERSON: RICK SHELDON 601 SONTERRA SAN ANTONIO, TEXAS 78258 FAX: (210) 490-4466 TEL: (210) 490-2500

OWNER/DEVELOPER: BIG SPRINGS, LTD. CONTACT PERSON: FRANK SITTERLE 2015 EVANS ROAD, STE. 100 SAN ANTONIO, TEXAS 78258 FAX: (210) 494-5301 TEL: (210) 484-9192

LEGEND table with symbols for S.I.P., E.G.T.C.A. ESMT., D.P.R., D.P.R., ED.

CURVE TABLE table with columns: CURVE, LENGTH, RADIUS, TANGENT, DELTA, CH. BRNG., CH. DIST.

LINE TABLE table with columns: LINE, LENGTH, BEARING



MARISBA N. SANCHEZ Notary Public State of Texas My Comm. Exp. 02-21-2011

SANDRA C. MCGOWAN Notary Public, State of Texas My Commission Expires November 08, 2011

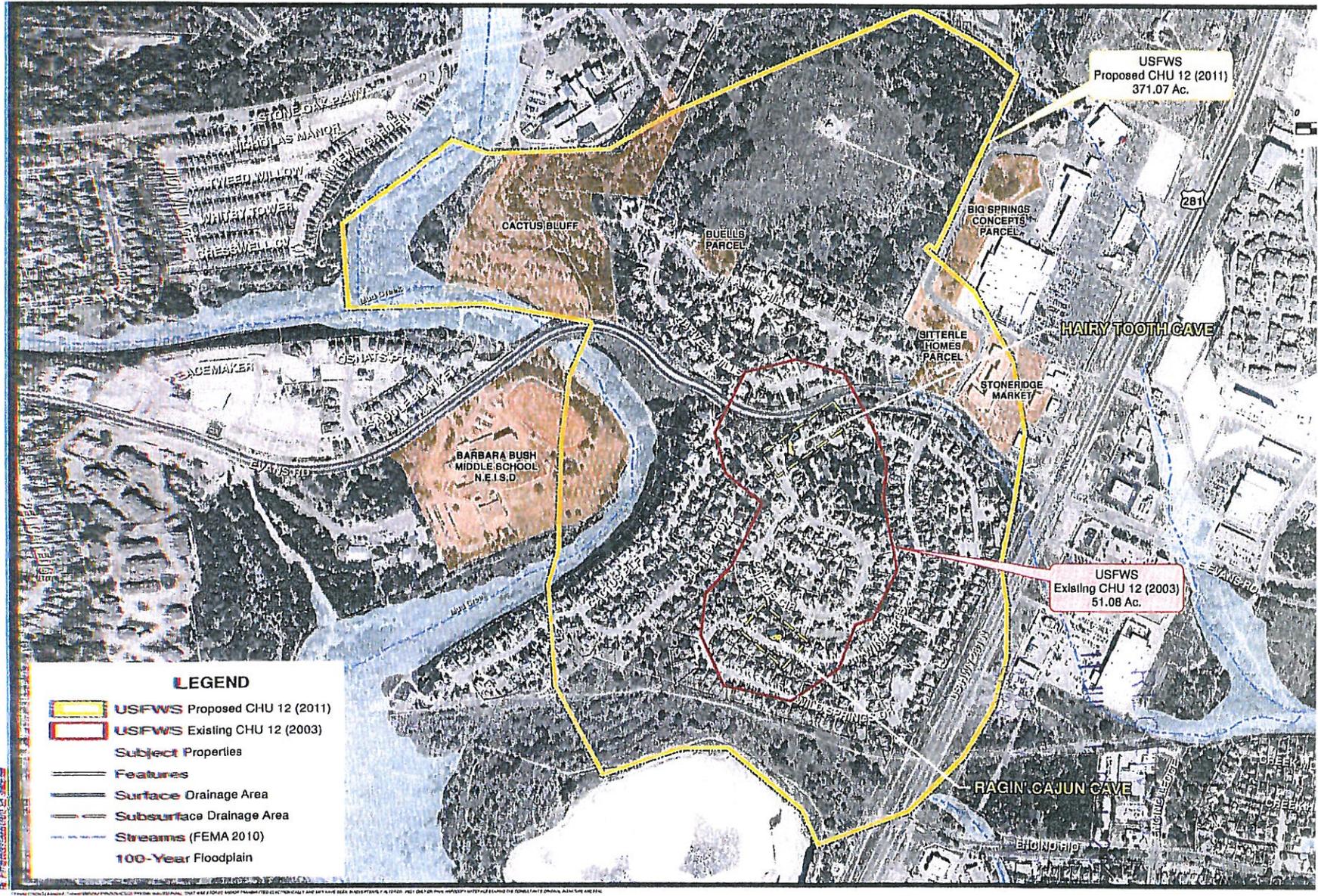
RAYMOND TARIN, JR. 87060

STEPHANIE L. JAMES A.P.L.S. LICENSED PROFESSIONAL LAND SURVEYOR



Blumberg No. 5208

EXHIBIT



THE INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE. IT IS THE PROPERTY OF THE U.S. FISH AND WILDLIFE SERVICE AND IS LOANED TO YOUR AGENCY. IT IS TO BE USED ONLY FOR THE PURPOSES AUTHORIZED BY THE LOAN AGREEMENT. IT IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE U.S. FISH AND WILDLIFE SERVICE.

**PLANNING COMMISSION
TIME EXTENSION**

AGENDA ITEM NO: 11 July 13, 2011

CACTUS BLUFF/SITTERLE
SUBDIVISION NAME

070483
PLAT #

COUNCIL DISTRICT: 9

FERGUSON MAP GRID: 483 C-4

OWNER: RKS Texas Investments, L.P., by Rick Sheldon

ENGINEER: M.W. Cude Engineers, LLC, by Christopher Dice, P.E.

CASE MANAGER: Larry Odis, Planner (207-0210)

Location: On the north side of Evans Road, west of U.S. Highway 281

Plat status: The Director of Development Services approved this plat on July 15, 2008. The plat has not been recorded.

APPLICANT'S REQUEST:

Applicant is requesting a two year time extension in accordance with the City of San Antonio's Unified Development Code Section 35-430 (f)(2).

DISCUSSION:

The applicant states that due to the economic downturn, impact fees have not been paid:

- Drainage Fee – \$87,159
- Sewer Impact Fee - \$205,920

STAFF RECOMMENDATION:

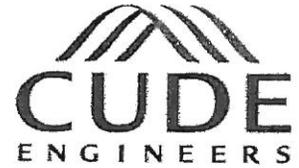
Pending

DEVELOPMENT SERVICES
RECEIVED

2011 JUN -1 AM 8:23

DEVELOPMENT SERVICES
RECEIVED

2011 MAY 31 AM 8:23



May 31, 2011

Development Services
City of San Antonio
1901 S. Alamo
San Antonio, Texas 78204

Re: Cactus Bluff Sitterle Subdivision
Plat ID # 070483

To whom it may concern,

In accordance with Chapter 35, Section 35-430 (f)(2), Performance Agreements, Time Extension Granted by Planning Commission, Unified Development Code of San Antonio, Texas, on behalf of RKS Texas Investments, L.P., the following request is being submitted for consideration by the Planning Commission.

We wish to formally request a time extension of two (2) years, and in support of this request, the following is being provided:

Due to the present economy, development and sales of commercial properties is at a minimum. Due to this factor we are formally requesting a two (2) year extension to allow for the development of this property at a later time than originally expected.

Please review this request for plat approval extension and inform us as to your staff's recommendation prior to placing the plat on the Planning Commission agenda.

If you have any questions, please feel free to contact me at 210.681.2951 ext. 107.

Sincerely,

A handwritten signature in black ink, appearing to read "CRD", is written over the typed name.

Christopher R. Dice, PE
Associate

CRD/wpm

PLANNING COMMISSION
SITE IMPROVEMENT TIME EXTENSION VARIANCE

AGENDA ITEM NO: 12 July 13, 2011

MARBACH HILLS UNIT 1
SUBDIVISION NAME

070521
PLAT #

COUNCIL DISTRICT: Outside San Antonio City Limits

FERGUSON MAP GRID: 612 E-6

OWNER: Marbach Medio Partners, Ltd., by Jeffrey S. Tondre, P.E., Agent

ENGINEER: Jeffrey S. Tondre, P.E.

CASE MANAGER: Luz M. Gonzales, Planner (207-7898)

Location: South of Marbach Road, east of Marbach Oaks

Plat status: The Director of Development Services approved this plat on July 24, 2008. The plat has not been recorded.

APPLICANT'S PROPOSAL:

The applicant's proposal is to appeal staff's decision to deny acceptance of the Site Improvement Time Extension Application, as per Section 34-430(f) of the Unified Development Code (UDC) regarding Performance Agreements. Further, to request that the Planning Commission grant the variance request to allow staff to accept the Time Extension Application, which if approved has been placed as the next item on this agenda for a two (2) year Time Extension to expire on July 24, 2013.

DISCUSSION:

The applicant submitted a Site Improvement Time Extension Application on May 12, 2011. Because the application did not meet Section 35-430(f) Performance Agreements, the applicant was informed of staff's denial to accept the Time Extension Application by phone on June 14, 2011. A subsequent meeting was held on June 16, 2011 to further discuss this issue.

In response to this meeting, the applicant submitted the attached variance request to this denial on July 5, 2011, as per Section 35-483 Subdivision Variances. The applicant asserts that Time Extensions were permitted under Section 35-430(f) Performance Agreements until recent legal interpretation prohibited a Time Extension for minor plats associated with pending impact fees and not associated with a performance agreement. Further, that the public improvements required for this minor plat were previously constructed as part of other projects resulting in no public infrastructure required for this subdivision. Moreover, the plat has no public improvements, however; it is associated with substantial impact fees as referenced in the attached variance request. The applicant contends that the project loan funding will be available within approximately eighteen (18) months.

Prior to the January 1, 2011 biennial amendments to the UDC, Section 35-430 (f) (C) stated, "Time extension requests that are not eligible for approval or are not approved by the Director of Development Services may be considered by the Planning Commission." However, this section of the UDC has been amended by adding conditions that are not permitted to extend the life of a minor plat associated with impact fees. The conditions are as follows:

1. A decision to either approve or disapprove the extension is made by the Planning Commission at least thirty (30) days prior to the expiration of any current performance agreement or guarantee;
2. Any extension approved by the Planning Commission shall not exceed three years;
3. Any plat not recorded within six (6) years from the date of plat approval, including any time extension, shall expire; and
4. A guarantee of performance in an amount sufficient to cover the cost of remaining site improvements shall be required in order for an extension to be approved. Such guarantee must be filed and approved within thirty (30) days of the approval of the extension or the extension shall become null and void.

Planning Commission Options:

1. Find that granting of the variance to submit the Time Extension Application **does not** meet the intent of Section 35-430(f).
2. Find that granting of the variance to submit the Time Extension Application **does** meet the intent of Section 35-430(f), thus allowing the consideration of the Time Extension for eighteen (18) months as a subsequent item on this agenda.
3. Find that granting of the variance to submit the Time Extension Application **does** meet the intent of Section 35-430(f) with any conditions the Planning Commission may wish to impose in considering the variance.

STAFF RECOMMENDATION:

Staff has no objections to this request.

VICKREY & ASSOCIATES, Inc.

CONSULTING ENGINEERS

July 5, 2011

Revised July 7, 2011

Luz Gonzales
Variance Request Review
Development Services Department
City of San Antonio
1901 S. Alamo, 1st Floor
San Antonio, TX 78204

Re: Marbach Hills Unit 1
Plat No. 070521
Subdivision Planning Variance – Time Extension
Variance from Section 35-430(f)(2) of the Unified Development Code
V&A Job No. 1690-027-052

Dear Ms. Gonzales:

On behalf of our client, Marbach-Medio Partners, LLC, we are hereby requesting a subdivision planning variance to allow for a time extension of the Marbach Hills Unit 1 subdivision. Time extensions are permitted under 35-430 (f) Performance Agreements of the Unified Development Code (UDC). In accordance with recent interpretations by City legal staff, this section only provides the ability for time extensions when the subject plat is subject to a Performance Agreement. Performance Agreements are generally limited to major subdivision plats only. The subject subdivision plat is a minor plat, not requiring the construction of public infrastructure. Although, the specific wording to the Code is not clear, it does appear that the Code Section does allow for time extensions that do not meet performance agreement criteria to be considered by the Planning Commission as a Variance to Section 35-430(f)(2) of the UDC.

Time extensions are normally most applicable to delay incomplete construction of public infrastructure associated with a subdivision plat. The developer previously constructed all public infrastructure required for this subdivision plat as part of other projects resulting in no public infrastructure to be built as part of the Marbach Hills Unit 1 subdivision. There are extensive development fees, outside of what is typical for the minor subdivision plat. Normally minor subdivision plats are only required to pay the City of San Antonio Storm Water Detention Fee In Lieu payment in order to be recorded, which is \$48,990. The subject site is also located within the Bexar Metropolitan Water District (BexarMet) water service area and the San Antonio Water System (SAWS) sewer service area. As a result SAWS will not defer sewer impact fees which were increased in May, 2011. Therefore, an additional fee of \$247,086 is required prior to the recordation of the subdivision plat. As with the sewer impact fee that was increased, the plat is subject to all fee increases until the plat is recorded, and the time extension will not change this requirement.

The project proposed is a Mixed Income Work Force Housing Project in partnership with the Bexar County Housing Authority. It will be funded using TDHCA Private Activity Bonds and the sale of Low Income Tax Credits. The availability of the fund has been delayed as a result of the economy and due to internal review policy changes within HUD. The application has been reviewed by County Staff and is



Luz Gonzales
July 5, 2011
Revised July 7, 2011

expected to get approval from Bexar County Commissioners Court within the next 60 days. The developer anticipates final HUD approval within 6 months of the Commissioners Court approval, with a project loan closing in approximately one year at which time the funds for payment of the City and SAWS fees would be available. In order to build a cushion in the schedule, we would request a time extension of 2-years.

Historically minor plats were treated no differently than major plats in obtaining time extensions. The review by City legal staff has concluded that the Unified Development Code does provide a distinction and specifically excludes minor plats from the time extension policy. Since minor plats were previously allowed to gain time extensions, we believe that it was an oversight in the wording of the Unified Development Code that is now interpreted to exclude this time extension.

Specifically, the Unified Development Code section 35-483 requires the following five (5) items to be addressed with variance requests:

- *If the applicant complies strictly with the provisions of these regulations, it can make no reasonable use of the property;*
 - As currently interpreted, the UDC does not allow for a time extension for a minor plat. However, the minor plat associated with the subject property has the same pressures and circumstances as a major plat – there has been a great deal of planning, time and money spent on preparing this plat (both CoSA, County and the applicant), but no opportunity for an extension of time is allowed because of the classification of the plat as “minor” (more specifically, because no Performance Agreement is associated with the plat).
- *The hardship relates to the applicant’s land, rather than personal circumstances;*
 - The request is due to the very large impact fee required by SAWS for an apartment complex located in the San Antonio ETJ and BexarMet water service area. Due to historical issues between SAWS and BexarMet, SAWS will not defer sewer impact fees for this property as they normally will for areas within their water service area. The future development of the subject property is dependent upon obtaining funding through HUD and TDHCA in order to pay these large impact fees.
- *The hardship is unique, or nearly so, rather than one shared by many surrounding properties;*
 - The size of the hardship is limited to multifamily tracts located within the BexarMet’s water service area, and limited to projects that have completed all of the public infrastructure as part of other projects. This is a relatively unique circumstance.
- *The hardship is not the result of the applicant’s own actions; and,*
 - The hardship is a result of economic conditions and changes in review policy within HUD delaying the funding for this project. The extent of the hardship is limited to multifamily tracts located within the BexarMet’s water service area.



Luz Gonzales
July 5, 2011
Revised July 7, 2011

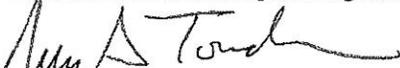
- *The granting of the exception/variance will not be injurious to other property and will not prevent the orderly subdivision of other property in the area and in accordance with these regulations.*
 - The subdivision Plat is in general conformance with current subdivision plat regulations and the granting of this variance will not be injurious to other properties or prevent the orderly subdivision platting process, because the variance only affects the subject property to extend the recordation of the previously approved subdivision plat.

In our professional opinion, the proposed variance remains in harmony with the spirit and intent of the UDC as it will not adversely affect the health, safety, or welfare of the public.

Therefore, we respectfully request that a variance be granted to Section 35-430(f)(2) of the UDC for the subject property. Additionally, should the variance be granted, we respectfully request that a time extension be granted for the subject plat.

Sincerely,

VICKREY & ASSOCIATES, INC.
Texas Board of Professional Engineers Registration #F-159



Jeffrey S. Tondre, PE, CFM, RAS
Associate

JST/ksh

Attachments



**PLANNING COMMISSION
TIME EXTENSION**

AGENDA ITEM NO: 13 July 13, 2011

MARBACH HILLS UNIT 1
SUBDIVISION NAME

070521
PLAT #

COUNCIL DISTRICT: Outside San Antonio City Limits

FERGUSON MAP GRID: 612 E-6

OWNER: Marbach Medio Partners, Ltd., by Jeffrey S. Tondre, P.E., Agent

ENGINEER: Jeffrey S. Tondre, P.E.

CASE MANAGER: Luz M. Gonzales, Planner (207-7898)

Location: South of Marbach Road, east of Marbach Oaks

Plat status: The Director of Development Services approved this plat on July 24, 2008. The plat has not been recorded.

APPLICANT'S REQUEST:

Applicant is requesting a two (2) year Time Extension to secure the funding for this site in accordance with the City of San Antonio's Unified Development Code Section 35-430(f)(2).

DISCUSSION:

The applicant states that due to the downturn in economy, impact fees have not been paid. He asserts that once funding is secured by the U.S. Department of Housing and Urban Development, the fees for the Storm Water Fee-in-Lieu, the Tree Canopy Fee and the Sewer Impact Fee will be paid. The pending impact fee amounts are as follows:

- Storm Water Fee-in-Lieu of Drainage Fee - \$48,990.00
- Tree Canopy - \$400.00
- Sewer Impact Fee - \$163,170.00

STAFF RECOMMENDATION:

Pending

VICKREY & ASSOCIATES, Inc.

CONSULTING ENGINEERS

May 11, 2011
Revised July 7, 2011

Mr. Roderick Sanchez
Director of Planning and Development Services
City of San Antonio
1901 S. Alamo, 2nd Floor
San Antonio, Texas 78204

Re: Marbach Hills Unit 1
Plat No. 070521
Time Extension

Dear Mr. Sanchez

On behalf of our client, Marbach Medio Partners, Ltd., Vickrey & Associates, Inc. is respectfully requesting a two-year time extension for plat recordation in accordance with Section 35-430(f) of the Unified Development Code of the City of San Antonio. The current plat expiration date for the plat recording is July 24, 2011. This plat was approved by the Director of Development Services on July 24, 2008.

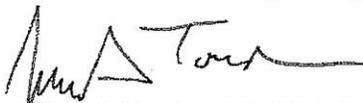
Due to the downturn in the economy, our client has encountered difficulty securing the funding for this site. The funding will be provided by the U.S. Department of Housing and Urban Development (HUD). Until such funding has been made available by HUD our client is not able to pay the fees for the Stormwater Fee-in-Lieu, the Tree Canopy Fee and the Sewer Impact Fee due in order to record the plat. The two-year extension will hopefully provide an additional time frame in which our client will be able to financially complete this project.

Included with this request is the application for time extension and the processing fee of \$300.00.

If you have any questions, please contact me.

Sincerely,

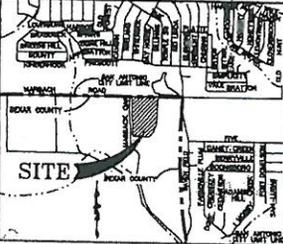
VICKREY & ASSOCIATES, INC.
Texas Board of Professional Engineers Registration #F-159



Jeffrey S. Tondre, P.E., CFM, RAS
Associate

JST/ksh





3:57

NOTE: NO STRUCTURE, FENCE, HULL, OR OTHER OBSTRUCTIONS THAT IMPAIR DRAINAGE OR PLACED WITHIN THE LIMITS OF THE DRAINAGE EASEMENTS SHOWN ON THIS PLAT...

LINE TABLE with columns for LINE NO., BEARING, DISTANCE, and POINT NO.

CURVE TABLE with columns for CURVE NO., DATA, RADIUS, ANGLE, TANGENT, CHORD BEARING, and CHORD DISTANCE.

THE SETBACKS SHOWN ON THIS PLAT ARE AT THE DISCRETION OF THE DEVELOPER IN BEAR COUNTY AND ARE NOT SUBJECT TO ENFORCEMENT BY THE CITY OF SAN ANTONIO.

BEARERS PROVISIONS FOR THIS SURVEY IS BASED ON TEXAS STATE PLANE COORDINATE SYSTEM HAS AS SOUTH CENTRAL ZONE HOLDING SAN ANTONIO CONTROL STATION TOWN AND JUSTIN CONTROL STATION TOWN.

STATE OF TEXAS COUNTY OF BEAR I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT TO THE MATTERS OF STREETS, LOTS AND DRAINAGE LAYOUT...

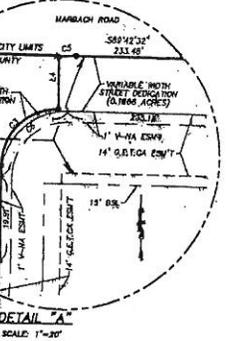
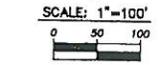
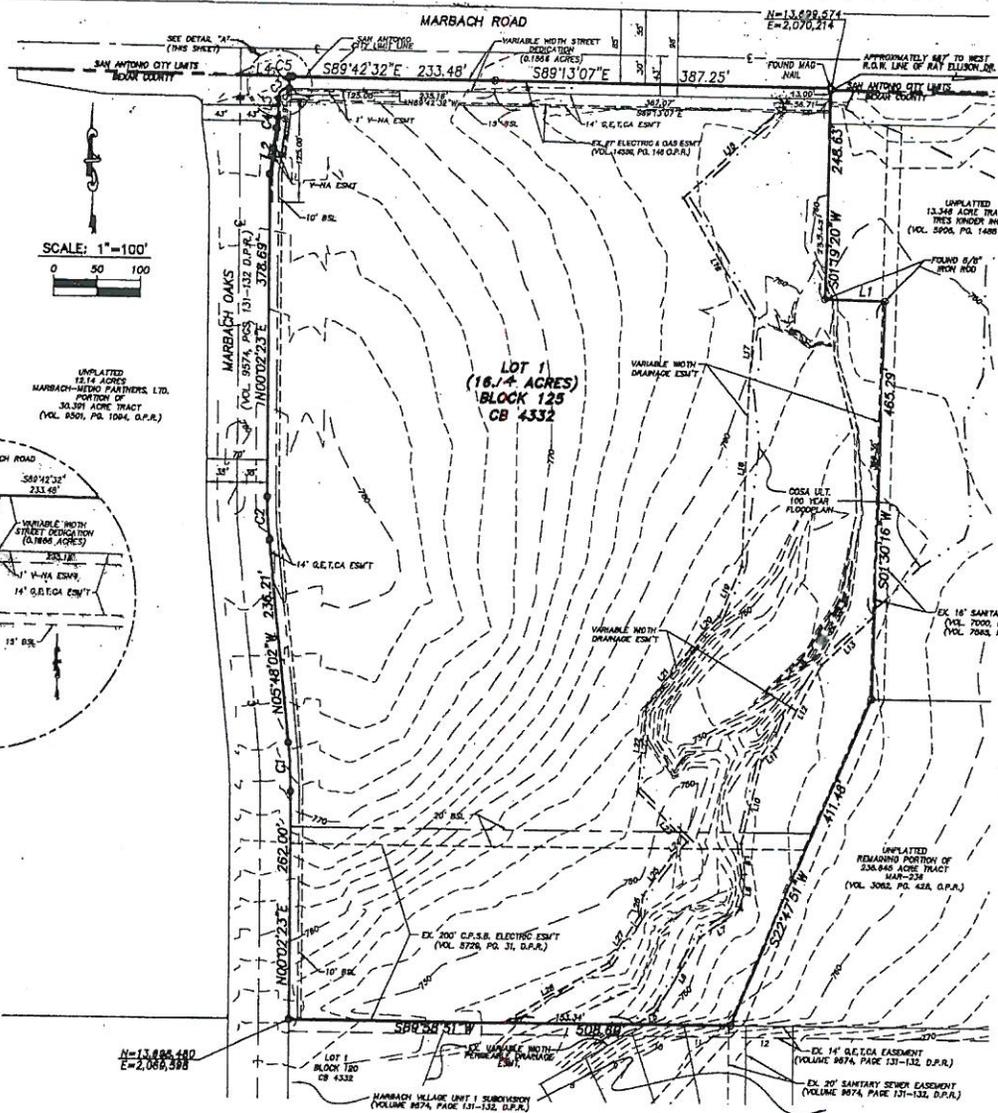
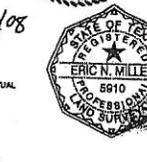


Table with columns for CURVE NO., DATA, RADIUS, ANGLE, TANGENT, CHORD BEARING, and CHORD DISTANCE.



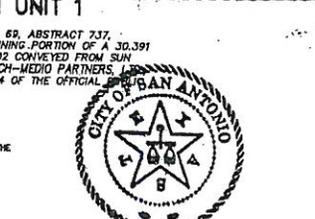
THIS PLAT CONTAINS AMENDMENTS APPROVED BY THE DIRECTOR OF PLANNING AND DEVELOPMENT SERVICES ON 3/16/10

VICKREY & ASSOCIATES, INC. CONSULTING ENGINEERS 12840 County Parkway, San Antonio, Texas 78218

SUBDIVISION PLAT ESTABLISHING MARBACH HILLS SUBDIVISION UNIT 1 BEING 16.33 ACRES OF LAND OUT OF THE CLEMENTE TEXADA SURVEY NO. 69, ABSTRACT 237...

THIS PLAT OF MARBACH HILLS SUBDIVISION UNIT 1 HAS BEEN SUBMITTED TO THE CITY OF SAN ANTONIO, TEXAS, AND HAVING BEEN REVIEWED BY THE DIRECTOR OF DEVELOPMENT SERVICES IS HEREBY APPROVED IN ACCORDANCE WITH STATE AND LOCAL LAWS AND REGULATIONS AS RECORDED HEREIN.

GINGER I MILLER Notary Public, State of Texas My Commission Expires May 28, 2010



LEGEND table defining symbols for FOUND 1/2" IRON ROD, SET 1/2" IRON ROD WITH WOODEN & ASSOCIATED CAP, EXISTING CONDUITS, GAS ELECTRIC TELEPHONE AND CABLE TV EASEMENT, BUILDING SETBACK LINE, EXISTING, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEAR COUNTY, TEXAS, DEED A PLAT RECORDS OF BEAR COUNTY, TEXAS, COUNTY BLOCK, and 1" VEHICULAR ROW-ACCESS.

- CP'S NOTES: 1. THE CITY OF SAN ANTONIO AS A PART OF ITS ELECTRIC AND GAS SYSTEM (CITY PUBLIC SERVICE BOARD) IS HEREBY DESIGNATED THE EASEMENTS AND RIGHTS-OF-WAY FOR ELECTRIC AND GAS DISTRIBUTION AND SERVICE FACILITIES IN THE AREAS DESIGNATED ON THIS PLAT AS "ELECTRIC EASEMENT", "GAS EASEMENT", "FACILITY EASEMENT", "SERVICE EASEMENT", "OVERHEAD EASEMENT", "UTILITY EASEMENT", AND "TRANSFORMER EASEMENT" FOR THE PURPOSE OF INSTALLING AND MAINTAINING, REPAIRING, RECONSTRUCTING, MAINTAINING, REPAIRING, INSPECTING, PATROLLING AND DIRECTING POLES, HANDING OR BURNING WIRES, CABLES, CONDUITS, AND SERVICE FACILITIES, EACH WITH ITS NECESSARY APPURTENANCES, TOGETHER WITH THE RIGHT OF ACCESS AND CROSSING OVER GRANTEE'S ADJACENT LANDS...



THIS MINOR PLAT MARBACH HILLS SUBDIVISION UNIT 1 HAS BEEN SUBMITTED TO BEAR COUNTY, TEXAS INFRASTRUCTURE SERVICES AND HAVING BEEN REVIEWED BY THE EXECUTIVE DIRECTOR, IS HEREBY APPROVED IN ACCORDANCE WITH STATE AND LOCAL LAWS AND REGULATIONS AS INDICATED BELOW.

STATE OF TEXAS COUNTY OF BEAR THE OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DESIGNATED TO THE USE OF THE PUBLIC, EXCEPT AREAS IDENTIFIED AS PRIVATE, FOREVER BROWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

STATE OF TEXAS COUNTY OF BEAR BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED MICHAELA HOGAN whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

STATE OF TEXAS COUNTY OF BEAR I, _____ COUNTY CLERK OF SAID COUNTY, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE, ON THE _____ DAY OF _____ A.D. _____ AT _____ M. AND I HAVE RECORDED THE _____ DAY OF _____ OF SAID COUNTY, IN BOOK VOLUME _____ IN THE RECORDS OF _____ ON PAGE _____ IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE, THIS DAY OF _____ A.D. _____ COUNTY CLERK, BEAR COUNTY, TEXAS

CITY OF SAN ANTONIO
CAPITAL IMPROVEMENTS MANAGEMENT SERVICES
INTERDEPARTMENTAL CORRESPONDENCE SHEET

TO: Planning Commission

FROM:  Marcia Shelf Orlandi, Real Estate Manager

COPIES TO: Mike Frisbie, P.E., Director of Capital Improvements Management Services

SUBJECT: S. P. No. 1488—Request to declare as surplus to the needs of the City of San Antonio and sell an unimproved 0.543 acre tract of land out of Lot 42, Block 1, NCB 2444 located at 1310 Guadalupe Street

DATE: June 29, 2011

PETITIONER: Avenida Guadalupe Association
 Attn: J. Oscar Ramirez, President/CEO
 1313 Guadalupe Street
 San Antonio, TX 78207

Staff is requesting that this item be placed on the agenda for the Planning Commission meeting on July 13, 2011.

BACKGROUND

The Avenida Guadalupe Association (AGA) (petitioner) requests that the City of San Antonio declare as surplus to its needs and sell an unimproved 0.543 acre tract of land located at 1310 Guadalupe Street. The subject property totals 23,668 square feet out of Lot 42, Block 1, NCB 2444 as shown on attached Exhibit A. The AGA has leased and managed the surrounding two and a half acre property for many years, and after 30 years of providing programs to support residents in the neighborhood, AGA is now making a concerted effort to create additional viable opportunities for this community to combat the poverty and economically distressed conditions it chronically experiences. To that end, the Avenida Promesa Project was initiated; an extensive and comprehensive economic development project. As part of Phase I of this endeavor, the petitioner has obtained federal funding and plans to redevelop several dilapidated buildings along with the construction of a new building on the subject property; all of which will be used for workforce development, and office and commercial space. The goal is to ignite economic development and community revitalization with the enhancement of economic development opportunities and supportive creation of new living wage jobs by attracting businesses and agencies directly into this community.

COORDINATION AND FINANCIAL IMPACT

In compliance with state statutes and in coordination with the Office of the City Attorney, the subject property was advertised to the public via newspaper and website venues.

CONCLUSION AND RECOMMENDATION

Staff recommends approval of this request.



Exhibit 'A'

**City of San Antonio
Capital Improvements Management
Services Department**

**July 13, 2011
Agenda Item #**

Request to declare as surplus and sell a
0.543 acre tract of land

Petitioner: Avenida Guadalupe Association
(AGA)



Planning Item

- The AGA requests that the City of San Antonio declare as surplus to its needs and sell an unimproved 0.543 acre (23,668 sq ft) tract of land out of Lot 42, Block 1, NCB 2444, located at 1310 Guadalupe St., in Council District 5.

Background

Purpose:

- The AGA has leased and managed the surrounding two and a half acre property for many years, and after 30 years of providing programs to support residents in the neighborhood, AGA is now making a renewed and concerted effort to create additional viable opportunities for this community to help combat the poverty and economically distressed conditions it chronically experiences.

3

Background (cont)

Purpose:

- To that end, the Avenida Promesa Project was initiated; which is an extensive and comprehensive economic development project. The petitioner has obtained federal funding and as part of Phase I of this endeavor, plans to redevelop several dilapidated buildings along with the construction of a new building on the subject property; all of which will be used for workforce development, and office and commercial space.
- The goal is to ignite community revitalization with the enhancement of economic development opportunities and supportive creation of new living wage jobs by attracting businesses and agencies directly into this community.

4

Exhibit "A" - Map

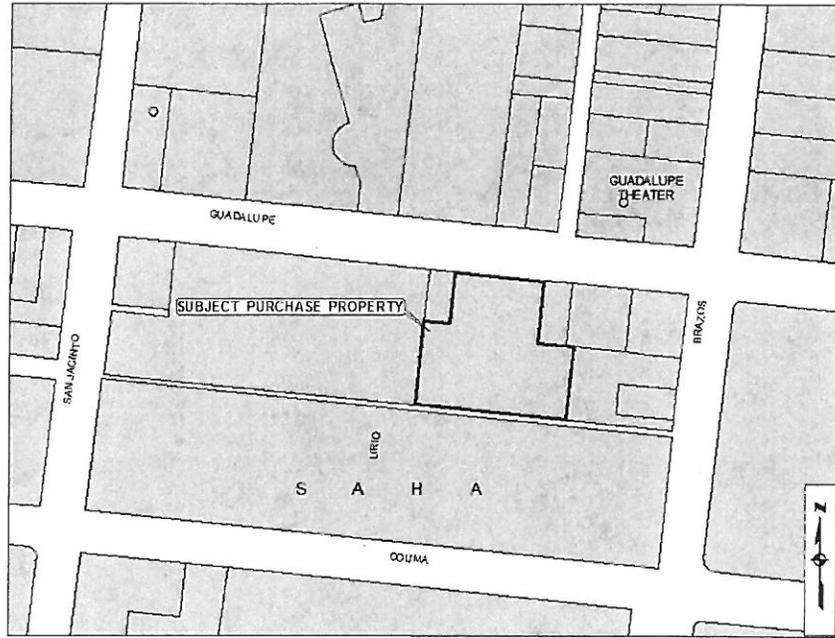


Exhibit "B" - Aerial



Background (cont)

Coordination:

- In compliance with state statutes and in coordination with the Office of the City Attorney, the subject property was advertised to the public via newspaper and website venues.

7

Fiscal Impact

Financial Impact:

- The City will collect \$31,005.00 for the sale of this property.

8

Issues & Recommendation

Policy Analysis:

- This action is consistent with City Code and Ordinances relative to the disposition of City owned property.

Recommendation:

- Staff recommends approval of this request.

RESOLUTION # _____

A RESOLUTION SUPPORTING THE SALE OF AN UNIMPROVED 0.543 ACRE (23,668 SQ. FT.) TRACT OF LAND OUT OF LOT 42, BLOCK 1, NCB 2444, LOCATED AT 1310 GUADALUPE STREET IN COUNCIL DISTRICT 5, AS REQUESTED BY THE AVENIDA GUADALUPE ASSOCIATION.

* * * * *

WHEREAS, the City Charter has empowered the Planning Commission to approve certain transactions as consistent with the Master Plan; and

WHEREAS, Avenida Guadalupe Association filed an application requesting to purchase an unimproved 0.543 acre (23,668 sq. ft.) tract of land out of Lot 42, Block 1, NCB 2444 located at 1310 Guadalupe Street as identified on Exhibit A; and

WHEREAS, after careful consideration and deliberation, the Planning Commission has elected to support the application and recommend its hearing and approval by City Council;

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO:

SECTION 1. The Planning Commission recommends City Council approve the attached sale of land.

SIGNED this 13th day of July, 2011.

AMELIA HARTMAN, *Chair*

Attest:

Executive Secretary
San Antonio Planning Commission

CITY OF SAN ANTONIO
CAPITAL IMPROVEMENTS MANAGEMENT SERVICES
INTERDEPARTMENTAL CORRESPONDENCE SHEET

TO: Planning Commission

FROM: Marcia Shelf Orlandi, Real Estate Manager 

COPIES TO: Mike Frisbie, P.E., Director of Capital Improvements Management Services

SUBJECT: S.P. 1553 Request to close, vacate and abandon a portion of Monterey Street, from South Comal Street on the west, to South Solado Street on the east.

DATE: June 23, 2011

PETITIONER: Bexar County

Staff is requesting that this item be placed on the Planning Commission meeting agenda of July 13, 2011.

BACKGROUND

Petitioner is requesting the closure, vacation and abandonment of a portion of Monterey Street (between South Comal Street and South Salado Street; between NCB 227 and NCB 228).

COORDINATION AND FINANCIAL IMPACT

In compliance with City procedures, petitioner's request has been canvassed through interested City departments, utilities and applicable agencies. An Executed Letter of Agreement by which the petitioner agrees with all fees and conditions imposed through this canvassing is attached for your review.

CONCLUSION AND RECOMMENDATION

Staff recommends approval of this request.



CITY OF SAN ANTONIO

CAPITAL IMPROVEMENTS MANAGEMENT SERVICES

P. O. BOX 839966

SAN ANTONIO TEXAS 78283-3966

Telephone (210) 207-4032

April 11, 2011

Bexar County Infrastructure Services Department
233 N. Pecos La Trinidad, Suite 420
San Antonio, Texas 78207
Attn: Joe Newton, Asset Manager

Via Certified Mail
[7009 3410 0002 2282 9278]

Re: S.P. No. 1553- Request to close, vacate and abandon a portion of Monterey Street from South Comal Street on the west, to South Salado Street on the east.

Dear Mr. Newton,

With reference to the captioned project, please be advised that the City of San Antonio has now completed the canvassing process and will recommend approval of your request subject to the following conditions.

CPS Energy: Petitioner must agree to reserve a perpetual easement for all existing natural gas facilities located within the closure area and agrees to allow perpetual access to any such facilities for construction, inspection, operational and maintenance purposes or may seek the relocation of the facilities with the express permission and coordination of CPS Energy and at the sole expense of the petitioner. Existing 4" steel gas main in Monterey St. ROW feeding services to 301 S. Salado, 800 Buena Vista #100 and 800 Business Vista #200 must be centered within a 14' easement or, if more practical, the easement boundaries can mirror the boundaries of the existing ROW. In addition, the gas services to the aforementioned addresses will also require easement(s) if the property located at those addresses is owned by someone other than the petitioner.

Need to retain as an easement for existing electric and gas facilities, including transmission facilities hanging over on the west end of this closure.

Planning & Development: The site must be assembled with petitioner's property and platted in accordance with code.

Capital Improvements Management Services

- The closure, vacation and abandonment of these Public Rights of Way will be authorized by a City Ordinance.
- Petitioner asserts that all evidence of ownership of property abutting the Public Rights of Way proposed to be closed, vacated and abandoned by the City of San Antonio is true and correct.

- The petitioner acknowledges that these properties will be accepted in its 'as is' condition.
- Petitioner agrees to reserve a perpetual easement for all existing overhead, surface or subsurface utilities within the Public Right of Way proposed to be closed, including but not limited to: electrical, water, sewer, telephone, cable, fiber optic conduit, etc. Petitioner agrees to allow perpetual access to any such utilities or may seek the relocation of a specific utility with the express permission and coordination of the respective owner of the utility and at the sole expense of the petitioner.

This Letter of Agreement is being offered by City of San Antonio only to the petitioner named above and will expire thirty (30) days after date of issuance unless a specific extension is requested by the petitioner and granted by the City.

If you concur with the above mentioned conditions, please countersign this letter in the spaces provided below and return to the undersigned. *Upon receipt of this executed Letter of Agreement we will continue processing your request.*

Sincerely,



 Marcia Shelf Orlandi
 Real Estate Manager

AGREED AS TO TERMS AND CONDITIONS:

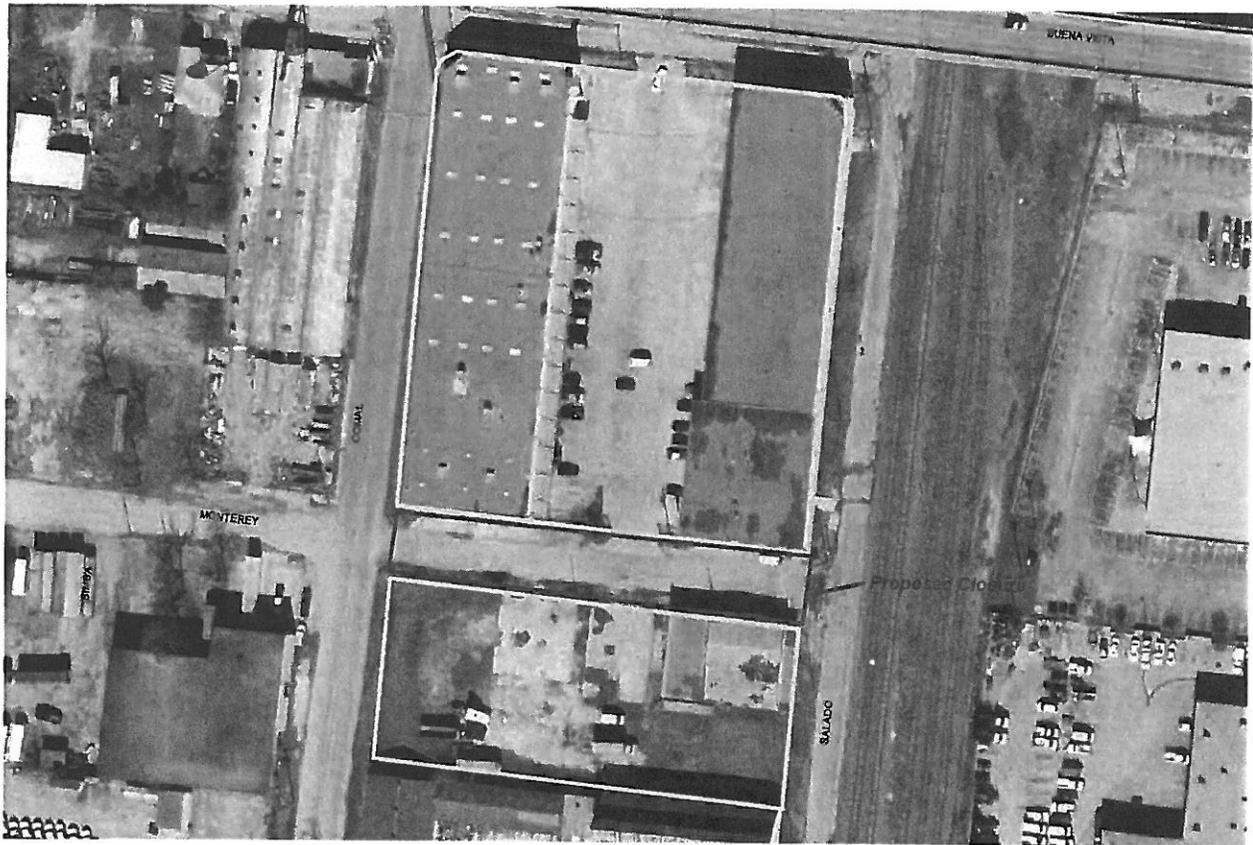
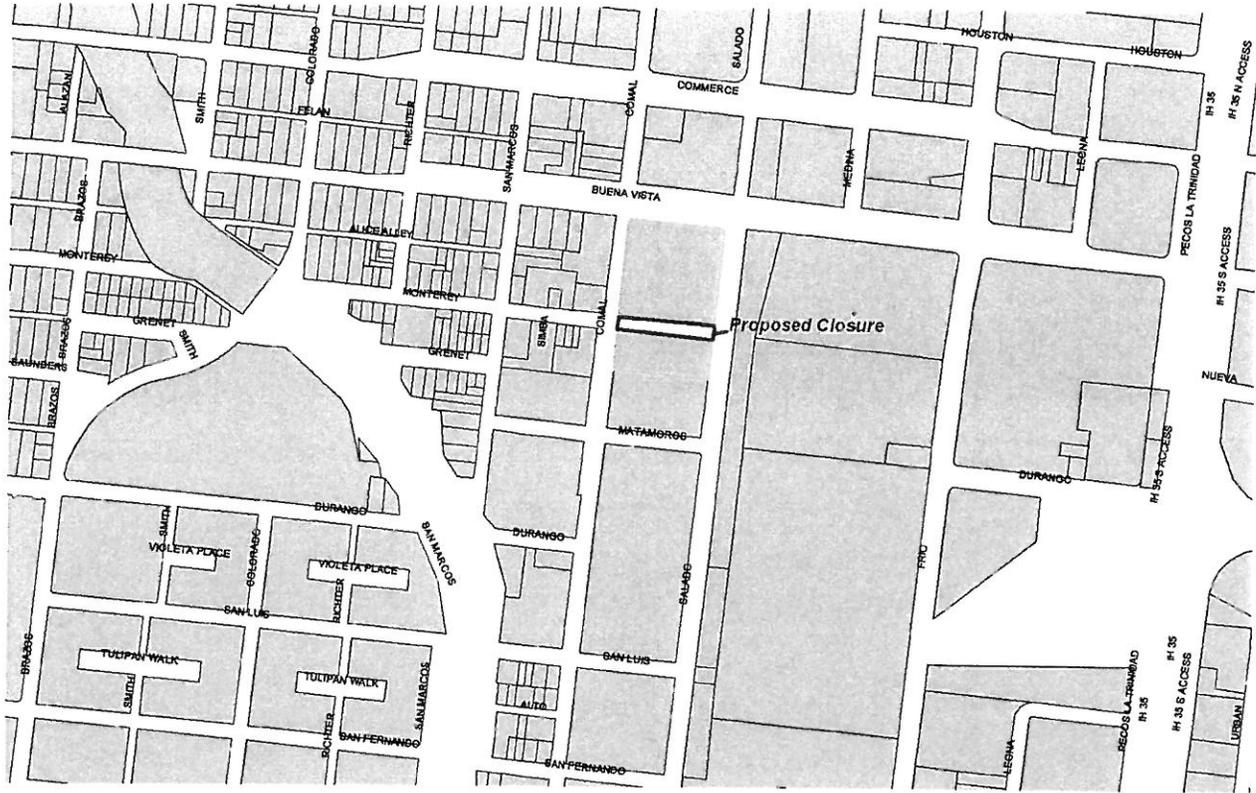
PETITIONER

 By _____

ASSET MANAGER
 Title _____

JDE NEWTON
 Print Name _____

4-25-11
 Date _____



**S.P. 1553 Bexar County
Request to close, vacate and abandon a portion of Monterey St.
(between South Comal and South Salado)**

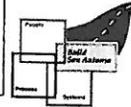
**City of San Antonio
Capital Improvements Management Services
Department**

July 13, 2011

**Request to close, vacate
and abandon a portion
Monterey Street**

Petitioner:

Bexar County



Planning Item

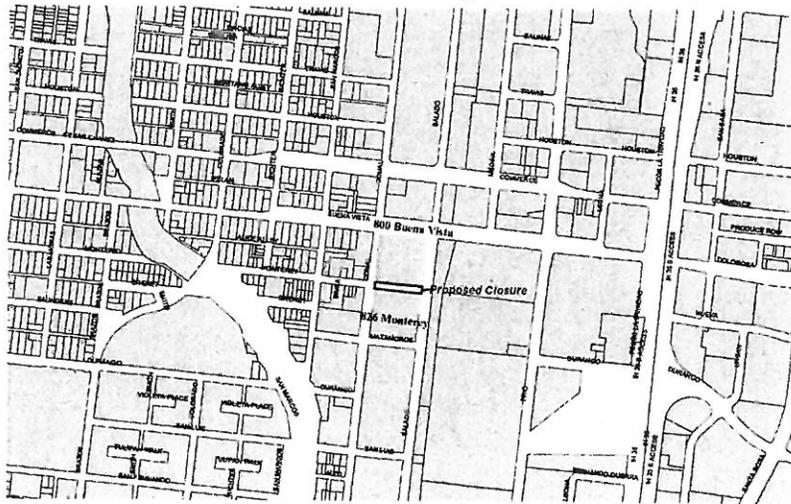
- **Bexar County is requesting the closure, vacation and abandonment of a 0.426 acre portion of Monterey Street located between South Comal Street and South Salado Street**

Background

- Bexar County purchased property located at 826 Monterey Street and 800 Buena Vista Street (the entire block)
- The properties are separated by a portion of Monterey Street
- Bexar County would like to close this portion of Monterey Street and replat it with their abutting properties
- Bexar County plans to use the property as an Adult Detention Center campus

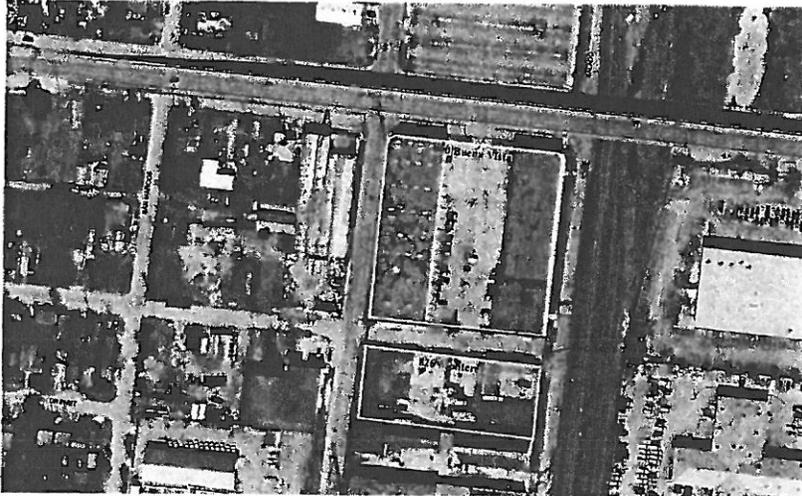
3

Site Map – 800 block of Buena Vista and 826 Monterey Street



4

Aerial Map – 800 block of Buena Vista and 826 Monterey Street



5

Coordination:

- Project has been canvassed through all interested City Departments and Utility Agencies.
- Project received conditional approval.
- Petitioner has agreed to comply with all conditions.

6

Recommendation

- Staff recommends approval to close, vacate and abandon a 0.426 acre portion of Monterey Street between South Comal Street and South Salado Street

RESOLUTION # _____

A RESOLUTION SUPPORTING THE CLOSURE, VACATION AND ABANDONMENT OF A 0.426 ACRE PORTION OF MONTEREY STREET BETWEEN SOUTH COMAL STREET (NCB 227) AND SOUTH SALADO STREET (NCB 228).

* * * * *

WHEREAS, the City Charter has empowered the Planning Commission to approve certain transactions as consistent with the Master Plan; and

WHEREAS, the City Code further subjects approval of street closures to public hearing and approval by act of City Council; and

WHEREAS, Bexar County filed an application requesting the closure of a portion of Monterey Street Public Right of Way located between South Comal Street (NCB 227) and South Salado Street (NCB 228); and

WHEREAS, after careful consideration and deliberation, the Planning Commission has elected to support the application and recommend its hearing and approval by City Council;

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO:

SECTION 1. The Planning Commission recommends City Council approve the attached application seeking closure of a portion of Monterey Street Public Right of Way located between South Comal Street (NCB 227) and South Salado Street (NCB 228).

SIGNED this 13th day of July 2011.

Amelia Hartman, Chair

Attest:

Executive Secretary
San Antonio Planning Commission

CITY OF SAN ANTONIO
PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

PLANNING COMMISSION
STAFF REPORT
JULY 13, 2011

SUBJECT

Request from the City of Von Ormy for the release of approximately 2,717 acres from the City of San Antonio's Extraterritorial Jurisdiction (ETJ).

SUMMARY

In September 2010, the City of Von Ormy requested that San Antonio release a portion of its Extraterritorial Jurisdiction (ETJ) area. The Von Ormy City Council submitted a resolution to proceed with the request to establish a one-half (½) mile ETJ around Von Ormy city limits. In the resolution, Von Ormy indicated that they would provide voluntary annexation option as well future municipal services to residents whom choose to incorporate into the City of Von Ormy.

BACKGROUND INFORMATION

City of Von Ormy Request: In September 2010, Von Ormy submitted a resolution requesting the release of a portion of San Antonio's ETJ so that Von Ormy could establish its ETJ. The Texas Local Government Code allows a ½-mile ETJ for general-law municipalities with a population between 1 and 4,999 residents. The 2010 Census reported 1,085 people for Von Ormy's population.

The requested ETJ release is generally located in southwest Bexar County, near the intersection of I-35 and Loop 1604, and south of the Medina River.

On April 12, 2011, the City of Von Ormy revised their request to exclude territories located within the City of San Antonio limits and territory located within CSMA (City South Management Authority) boundaries from their original request. The request still includes the Sacred Heart Catholic Church property, which is located within the CSMA boundary, which is set for immediate annexation. The CSMA Executive Board was briefed of Von Ormy's ETJ request.

Future Land Use: Presently, the subject property is located within the City of San Antonio Heritage South Sector Plan. The Future Land Use Plan designated the subject property as Rural Estate and Natural uses. Existing land use consists of mainly agriculture use made up of large tracts with single-family housing. In addition, the Medina Creek and Elm Creek flood plains traverse through the subject property.

Services in the ETJ: With the exception of CPS electrical utility services, the City of San Antonio currently does not provide municipal services to the area. The area is located within the water CCN (Certificate of Convenience and Necessity) of the Atascosa Rural Water Supply Corporation. Currently, there is no CCN for wastewater services within the subject property. SAWS does not provide either water or wastewater services to this area. Property owners utilize septic systems. The Jarrett Volunteer Fire Department provides fire protection. Bexar County

Emergency Service District #5 provides EMS (Emergency Medical Services). The Bexar County Sheriff provides police protection to residents within the subject property.

Von Ormy Municipal Services: The City of Von Ormy would provide a comparable level of service presently provided to residents within the subject property. The service providers for water, electric, fire protection and EMS services would remain the same. A few exceptions are police protection and contracted garbage collection services. The City of Von Ormy has established a Police Marshall Office made up of volunteer peace officers to enhance police protection for its citizens.

In March 2011, Von Ormy adopted plat and subdivision regulations. In addition, Von Ormy is identifying capital improvement projects and potential funding sources in a proposed Capital Improvement Plan. Recently, Von Ormy adopted a Park Master Plan. However, Von Ormy currently does not have a Comprehensive Master Plan or a Major Thoroughfare Plan.

ISSUE

The requested release was evaluated based on the City's adopted annexation goals and policies. The City's annexation goals are to preserve the City's range of annexation options, promote the orderly growth and provision of municipal services, enhance the City's fiscal position, preserve the integrity of the City and the ETJ, and maintain a systematic annexation process.

Annexation is not a viable option in the near future based on the land use and location of the subject property, and the difficulty of providing municipal services. Von Ormy is located approximately 2.8 miles from San Antonio's main body of City limits. As mentioned, the primary use in the area is currently agricultural. Per state law, Cities are required to offer a 15-year non-annexation agreement to property owners whose properties have agricultural exemptions. This agreement is only in effect if the property owner accepts the agreement and keeps the property as an agricultural use. The agreement would terminate if a permit (plat) for development were to be submitted. Upon release of the ETJ, the City of Von Ormy plans to place the subject property within its own ETJ, and provide voluntary annexation to those whom petition to be incorporated.

The City of San Antonio desire to preserve its existing City boundary along IH 35, along with the EJJ boundary to the south, and the CSMA area. The IH 35 corridor and area to the east are currently protected by CSMA zoning and planning regulations. The CSMA Executive Board concurred with the revised request.

ALTERNATIVES

An alternative explored was the exchange of ETJ or municipal territory with the City of Von Ormy. However, the City of Von Ormy does not have ETJ and municipal territory that is contiguous to the main body of the City of San Antonio limits. Therefore, San Antonio would not benefit for the purposes of annexation. The City of San Antonio already contains most of the area surrounding the City of Von Ormy within its ETJ.

FISCAL IMPACT

This request is fiscally neutral for the general fund. There is no general fund revenue loss to the City of San Antonio associated with this release. The property is currently within the ETJ of San

Antonio where neither property taxes nor sales taxes are collected. The City of San Antonio collects fees for plats and Master Development Plans (MDP) processed in the ETJ. Since there are no existing or proposed MDPs or platting activities in the subject property, there is no current revenue from such fees. CPS Energy fees will apply within Bexar County.

RECOMMENDATIONS

Staff Recommendation

Staff recommends approval of the release of approximately 2,717 acres of ETJ (Extraterritorial Jurisdiction).

CSMA Executive Board

Briefing Date: January 28, 2011

Infrastructure and Growth Council Committee

Meeting & Public Hearing Date: May 18, 2011

Approval

ATTACHMENTS

Maps

PLANNING AND COMMUNITY DEVELOPMENT STAFF

David Ellison

Interim Director

Christopher Looney, AICP

Interim Assistant Director

Trish Wallace, AICP

Manager, Regional Planning

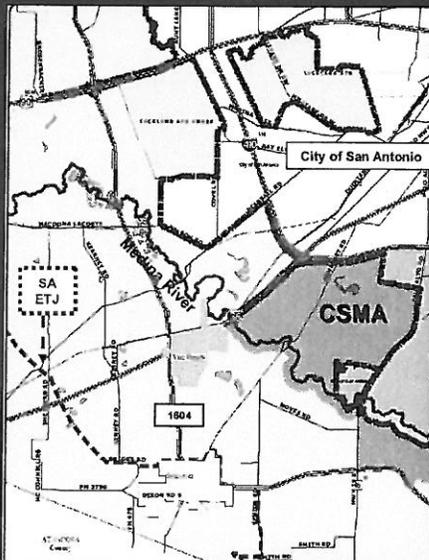
Priscilla Rosales-Piña

Planning Coordinator

City of Von Ormy Request for Release of a portion the City of San Antonio Extraterritorial Jurisdiction (ETJ)

Planning Commission
July 13, 2011

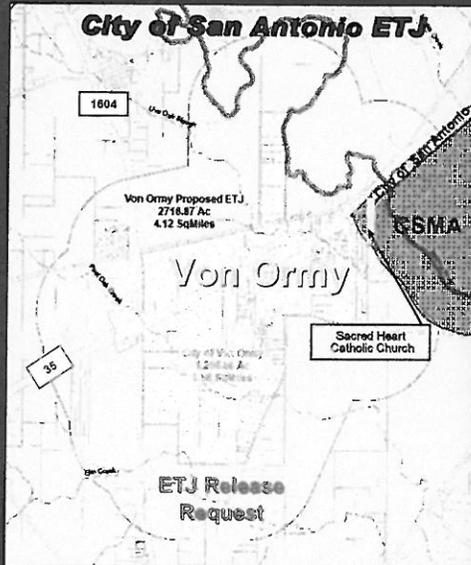
City of Von Ormy



Background:

- Jan. 2008: CoSA consent for Von Ormy to incorporate
- May 2008: Von Ormy incorporated Type A, general law municipality
- 2010 Census population: 1,085 people
- City size: approx. 1.88 square miles, without ETJ

Request Summary



Reasons for Request:

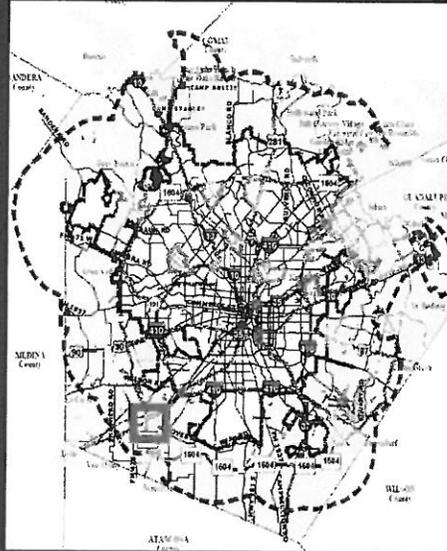
- Establish a ½ mile ETJ
- Provide voluntary annexation option & future municipal services
- Includes Sacred Heart Catholic Church property
- Approx. 2,717 acres (4.12 sq. mi.)

City of Von Ormy Services

- Fire: Jarrett Volunteer Fire Dept.
- EMS: ESD #5
- Police: Von Ormy Police Marshall's Office & Bexar County Sheriff Dept.
- Electric: CPS Energy
- Water: Atascosa Rural Water Supply Corp.
- Waste Water: No CCN (septic system)
- Subdivision Regulations: adopted March 2011

Evaluation of Policy Issues

- Annexation is not a viable option
 - Not contiguous to main body of CoSA
 - Difficult to provide municipal services
- Land use is mainly agriculture
 - 15-year non-annexation agreement for property with agriculture exemption



Fiscal Impact

- Fiscally Neutral
 - No Property Tax received by CoSA in ETJ
 - No Sales Tax received by CoSA in ETJ
 - MDP & Plat fees assessed (*but only as a User Fee to cover cost of service*)
 - CPS fees continue to apply
 - SAWS fees not applicable

Approval Timeline

- CSMA Executive Board - January 28
- Infrastructure & Growth Committee - May 18
- Planning Commission Briefing - June 22
- Planning Commission Hearing - July 13
- City Council -TBA

Recommendation

Staff recommends Approval of the release of approximately 2,716 acres of Extraterritorial Jurisdiction

RESOLUTION NO.

RECOMMENDING THE RELEASE OF APPROXIMATELY 2,717 ACRES OF LAND GENERALLY LOCATED ALONG THE INTERSECTION OF I-35 SOUTH AND LOOP 1604; SOUTH OF THE MEDINA RIVER; IN SOUTHWEST BEXAR COUNTY FROM THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF SAN ANTONIO AS PETITIONED BY THE CITY OF VON ORMY.

WHEREAS, the City of Von Ormy has requested the release of approximately 2,717 acres from the extraterritorial jurisdiction (ETJ) of the City of San Antonio; and

WHEREAS, it is the desire of Von Ormy to gain this area of ETJ; and establish a one-half (½) mile ETJ around Von Ormy city limits

WHEREAS, Annexation by the City of San Antonio is not a viable option in the near future based on the location of subject area and the difficulty to provide municipal services; and

WHEREAS, if subject area is placed in Von Ormy's ETJ, the City of Von Ormy would provide a voluntary annexation option as well as future municipal services to residents whom incorporate into the City of Von Ormy and

WHEREAS, the Planning Commission has considered the request from the City of Von Ormy to release approximately 2,717 acres from San Antonio's ETJ;

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO:

SECTION 1: The Planning Commission recommends approval of the release of approximately 2,717 acres of land from the Extraterritorial Jurisdiction of the City of San Antonio as illustrated in Attachment I, to the City Council for adoption.

PASSED AND APPROVED ON THIS 13th DAY OF JULY 2011.

Approved:

Attest:

Amelia Hartman Chair
San Antonio Planning Commission

Executive Secretary
San Antonio Planning Commission

**City of San Antonio Planning and Community Development Department
Plan Amendment Recommendation**

Plan Amendment Application Case No.: PA 11017 - B

Council District: 3

City Council Meeting Date: **August 18, 2011**

Plan Amendment Maps – Attachment 1

Digital Ortho Image – Attachment 2

ITEM # 17

Summary:

Neighborhood/Community/Perimeter Plan: **Stinson Airport Vicinity Land Use Plan**

The applicant requests to amend the Land Use Plan designation *from Mixed Use* land use *to Regional Commercial* land use.

Background Information:

Applicant: City of San Antonio

Owner: Leslie Alfred Beckman, Etal

Property Location: 9425 South Presa Street

Acreage: approximately 16.307 acres

Current Land Use of site: Vacant

Adjacent Land Uses:

N: designated Parks/Open Space; (vacant, residential, auto repair)

E: designated Mixed Use; (residential, limousine service)

S: Undesignated, Suburban Tier; (highway, Heritage South Sector Plan)

W: Mixed Use; (vacant, bar)

Issue:

LAND USE ANALYSIS:

The subject property is an approximately 16.307 acre parcel bounded by South Presa Street to the north and east, Southton Street to the west, and Southwest Loop 410 to the south, and is within the Stinson Airport Vicinity Land Use Plan. The proposed plan amendment is associated with the establishment of the South Presa Metropolitan Corridor Overlay District which was initiated by City Council Resolution 2010-03-18-0018R on March 18, 2010. The resolution directed staff to establish a corridor overlay district on South Presa and to include a base rezoning and assess the land use plan in order to maintain consistency between the plan and the proposed zoning districts. The primary Plan Amendment, PA 11017, was recommended for approval by the Planning Commission on March 9, 2011 and was approved by City Council on May 19, 2011.

The current land use designation for the property is Mixed Use land use. Surrounding land use designations include Mixed Use land use to the east and west with Parks/Open Space, Mixed Use, and Low Density Residential land uses to the north. The properties to the south are in the Heritage South Sector Plan and are classified as Suburban Tier land use.

The subject property is currently classified as Mixed Use land use in the Stinson Airport Vicinity Land Use Plan. Mixed Use land use calls for a blend of residential, retail, professional service, office, entertainment and leisure, and other related uses designed to create a pedestrian-oriented environment. Development in the Mixed Use land use classification should also feature high quality urban design features such as attractive streetscapes and parks or plazas as well as featuring nodal development along arterial roads or transit stops. Additionally, these developments in this land use classification should feature a mix of uses in the same building or development with commercial uses on the ground floor and residential or office uses on the upper floors. Mixed Use land use is also inclusive of community commercial uses and the medium and high density residential categories.

**City of San Antonio Planning and Community Development Department
Plan Amendment Recommendation**

The proposed plan amendment would change the land use classification for the subject property to the Regional Commercial land use. This land use category accommodates high intensity land uses intended to draw their customer base from a larger geographic region. Development in this land use classification should be located at intersection nodes along major arterial roadways or along mass transit system nodes, and should be twenty acres in area or greater. Additionally, development within the Regional Commercial land use should incorporate shared internal circulation, limited curb cuts to arterial streets, and sidewalks. Examples of uses in this land use classification include automobile sales, major auto repair, mini-warehouses, large commercial centers and malls, home improvement centers, large hotels and motels, and low to high-rise office buildings incorporating a mix of uses.

The subject property is served by South Presa Street to the north and Southton Street to the west. South Presa and Southton Streets are classified as Secondary Arterial Type A roadways in the Major Thoroughfare Plan. The subject property is also bounded by Southwest Loop 410 to the south, which is classified as a Freeway in the Major Thoroughfare Plan. The road network in the vicinity of the subject property is appropriately classified to accommodate potential land uses recommended for the Regional Commercial land use classification. The Stinson Airport Vicinity Land Use Plan also recommends that Regional Commercial land uses be located at major intersection nodes of major arterial roadways. The Major Thoroughfare classifications of South Presa Street and Southton Street, and their intersection with Southwest Loop 410 would meet this locational recommendation.

Adjacent properties to the east and west are classified as Mixed Use land use. The Mixed Use land use classification recommends a less intensive combination of commercial and residential land uses. This combination of uses could serve as a transitional buffer between the subject property and the existing residential properties to the north and west. Additionally, there is an area to the immediate north of the subject property that is classified as Parks/Open Space land use. The Parks/Open Space land use category allows for public and private lands available for active use or passive enjoyment. This land use classification includes city parks as well as private parks associated with homeowner associations. The Parks/Open Space land use designation on the property to the north would serve to reduce the amount of residentially designated properties that would be directly affected by the proposed amendment.

Minimal Impact Impact can be mitigated Significant Impact - Incompatible Land Use

TRANSPORTATION/INFRASTRUCTURE ANALYSIS:

Major Thoroughfare Plan Designations: South Presa Street and Southton Street are classified Secondary Arterial Type A; Southwest Loop 410 is classified as a Freeway.

Comments: There is a VIA bus stop located on the subject property approximately 250 feet northwest of the intersection of South Presa Street and Southwest Loop 410.

Minimal Impact Impact can be mitigated Significant Impact to Transportation Capacity

COMMUNITY FACILITIES ANALYSIS:

Nearby Public Facilities: The San Antonio Missions National Historical Park is in the vicinity of the subject properties. Public investment is currently underway with the Mission Reach Ecosystem Restoration and Recreation Project. Mission San Juan de Capistrano is located approximately 1 mile south of the subject property. The subject property is located approximately 0.75 miles south of Brooks City Base and approximately 0.5 miles south of the Mission Academy School.

Comments:

Minimal Impact Impact can be mitigated Significant Impact to Community Facilities Capacity

**City of San Antonio Planning and Community Development Department
Plan Amendment Recommendation**

Recommendation:

STAFF RECOMMENDATION:

Approval Denial Alternate Recommendation:

Comments: The proposed plan amendment to a Regional Commercial land use classification would create nodal commercial development at the intersection of South Presa Street and Southwest Loop 410. The proposed plan amendment to Regional Commercial would provide regional retail services to the surrounding area. Additionally, the road network in the vicinity of the subject property is appropriately classified to accommodate potential land uses recommended for the Regional Commercial land use classification.

PLANNING COMMISSION RECOMMENDATION:

Meeting & Public Hearing Date: July 13, 2011

Approval Denial Resolution Attached

Newspaper Publication Date of Public Hearing: June 24, 2011

No. Notices mailed 10 days prior to Public Hearing: 19 notices were mailed to property owners within 200' of the subject property; 16 notices were sent to members of the Stinson Stakeholders Group.

~~Registered Neighborhood Association(s) and Community Groups Notified: Stinson Airport Vicinity Land Use Plan Stakeholders Group.~~

Comments: There are no registered neighborhood associations within 200 feet of the subject property.

ZONING COMMISSION SUPPLEMENTAL INFORMATION: Z2011076-B

Current zoning district: C-3, C-3 MC-2, I-1, and I-1 MC-2

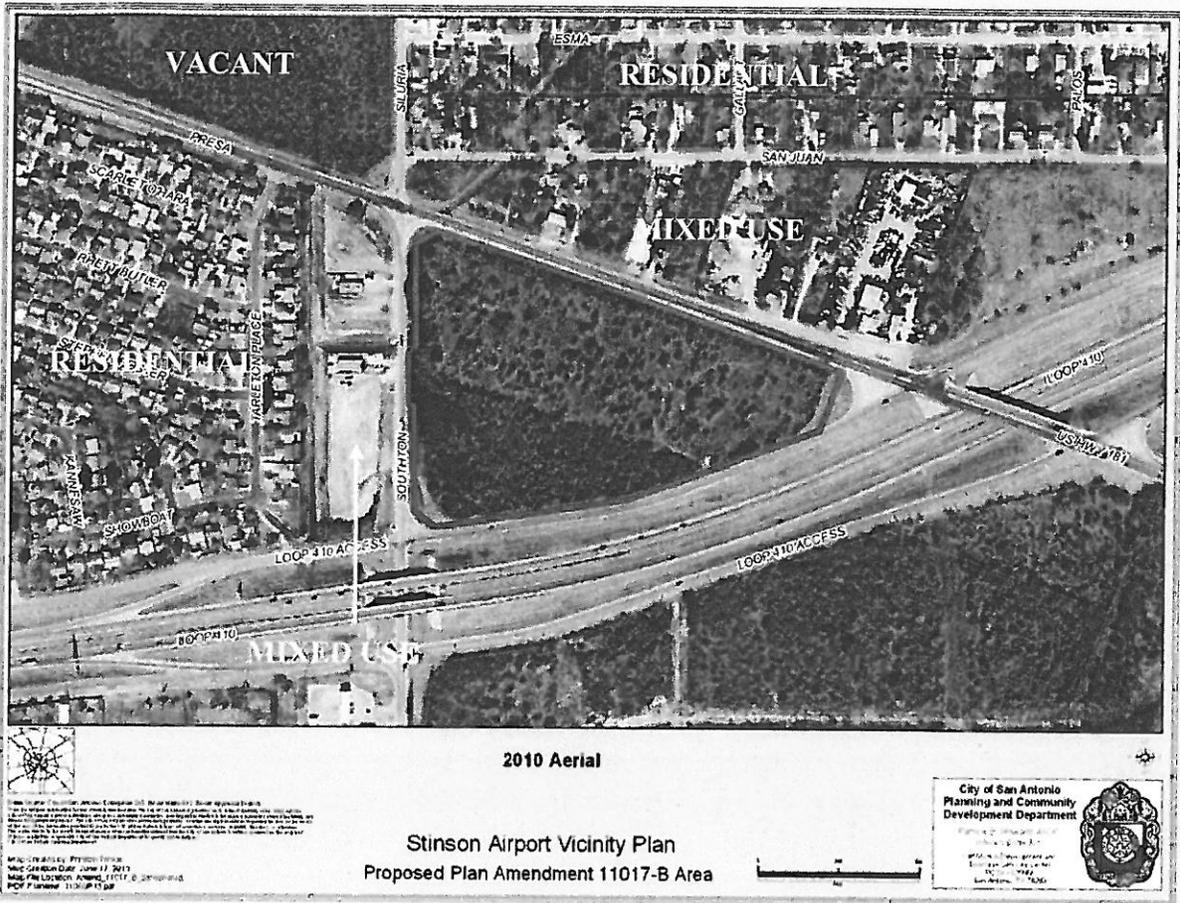
Proposed zoning district: C-3 and C-3 MC-2

Zoning Commission Public Hearing Date: July 19, 2011

Approval Denial

Planning and Community Development Department Staff:

David Ellison	Interim Director	
Andrea Gilles	Planning Manager	
Case Manager: Tyler Sorrells, AICP	Planner	Phone No.: 210.207.7395

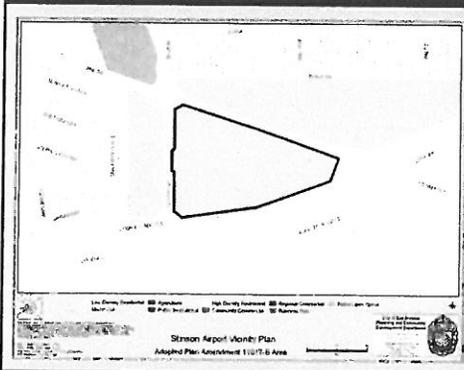


Master Plan Amendment 11017-B Stinson Airport Vicinity Land Use Plan

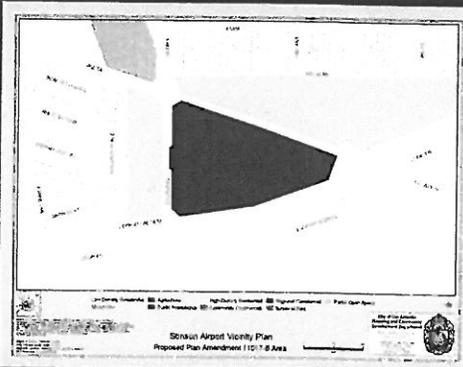
Planning Commission
July 13, 2011
Agenda Item No. XX

Amendment 11017-B

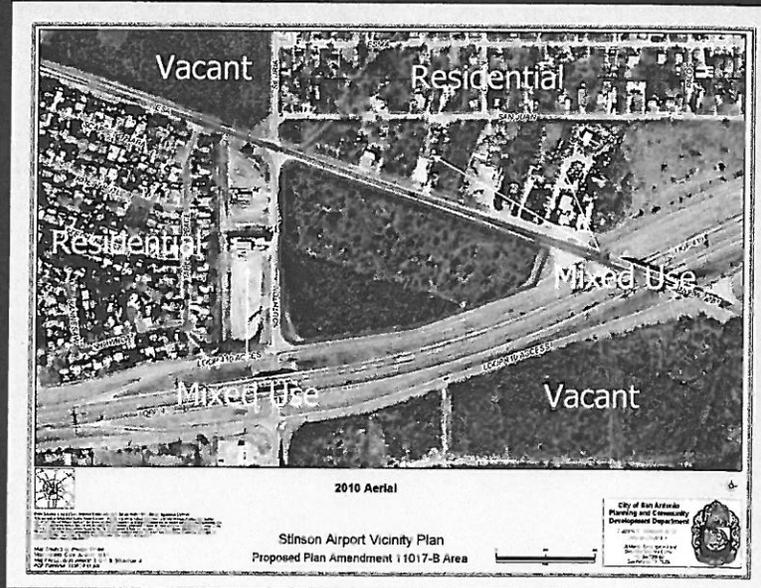
Plan as adopted:



Proposed amendment:



Surrounding Land Uses



Area Images



Subject Property



West



South



East

Staff Recommendation

Approval of the request to amend
from Mixed Use land use to
Regional Commercial land use

RESOLUTION NO.

RECOMMENDING TO APPROVE THE AMENDMENT OF THE LAND USE PLAN CONTAINED IN THE STINSON AIRPORT VICINITY LAND USE PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE FROM MIXED USE LAND USE TO REGIONAL COMMERCIAL LAND USE FOR AN AREA OF APPROXIMATELY 16.307-ACRES LOCATED AT 9425 SOUTH PRESA STREET.

WHEREAS, City Council approved the Stinson Airport Vicinity Land Use Plan as an addendum to the Master Plan on April 2, 2009; and

WHEREAS, the May 3, 2001 Unified Development Code requires consistency between zoning and the Master Plan as specified in Sections 35-105, 35-420 (h), and 35-421 (d) (3); and

WHEREAS, Chapter 213.003 of the Texas Local Government Code provides that the Master Plan may be amended by ordinance following a public hearing and review by the Planning Commission; and

WHEREAS, the San Antonio Planning Commission held a public hearing on July 13, 2011 and **APPROVED** the amendment on July 13, 2011; and

WHEREAS, the San Antonio Planning Commission has considered the effect of this amendment to the Master Plan as it pertains to land use intensity, compatibility, community facilities, and the transportation network and found the amended plan to be **CONSISTENT** with City policies, plans and regulations and in conformance with the *Unified Development Code*, Section 35-420, therefore meeting all requirements; and

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO:

SECTION 1: The amendment to the Stinson Airport Vicinity Land Use Plan attached hereto and incorporated herein by reference is recommended to the City Council with this Commission's recommendation for **APPROVAL** as an amendment to the City's Comprehensive Master Plan.

PASSED AND APPROVED ON THIS 13th DAY OF JULY 2011.

Attest:

Approved:

Executive Secretary
San Antonio Planning Commission

Amelia Hartman, Chair
San Antonio Planning Commission

**City of San Antonio Planning and Community Development Department
Plan Amendment Recommendation**

Plan Amendment Application Case No.: PA 11038

Council District: 7

City Council Meeting Date: 8/18/2011

- Plan Amendment Maps – Attachment 1
- Digital Ortho Image – Attachment 2

ITEM # 18

Summary:

Neighborhood/Community/Perimeter Plan: **Near Northwest Community Plan**

The applicant requests to amend the Land Use Plan designation *from Low Density Residential* land use *to Median Density Residential* land use.

Background Information:

Applicant: Andrew Guerrero

Owner: Hermanas Josefinas

Property Location: 511 Shadwell Drive

Acreage: 0.2961

Current Land Use of site: Vacant single family residence

Adjacent Land Uses:

- N: Low Density Residential (multi-family residence)
- E: Low Density Residential (single family residence)
- S: Low Density Residential (single family residence)
- W: Low Density Residential (single family residence)

Issue:

LAND USE ANALYSIS:

The subject property is located on the northside of Shadwell Drive approximately 100 feet west of the intersection of Shadwell Drive and St. Cloud Road within the Near Northwest Community Plan. The subject property is a single family dwelling and is located along an area that is multi-family residential on the north and predominately single family residential in character on the south, east and west. The Near Northwest Community Plan designates the properties to the north, south, east, and west as Low Density Residential land use.

The Near Northwest Community Plan designates the land use for the subject property as Low Density Residential land use. Low Density Residential land use is composed of single-family houses on individual lots, reflecting the predominant lot size in the area. Certain non-residential uses, such as schools, places of worship and parks, are appropriate within these areas and should be centrally located to provide easy accessibility.

The applicant is requesting to change the future land use for the subject property to Medium Density Residential land use. Medium Density Residential land use includes single family houses, duplexes, triplexes, fourplexes, townhomes, cottage housing and accessory dwelling units. Certain non-residential uses, such as schools, places of worship and parks, are appropriate within these areas and should be centrally located to provide easy accessibility.

The applicant is requesting this plan amendment and associated zoning change to construct a one story residential facility for retired Sisters. The Sisters are members of the Las Hermanas Josefinas, a religious order of retired Sisters presently residing within the St. Paul Catholic Parish. The Sisters currently have a similar residential facility abutting the subject property on the north side.

**City of San Antonio Planning and Community Development Department
Plan Amendment Recommendation**

The request for Medium Density Residential land use would allow for development that is not consistent with the surrounding properties to the east, west and south, which are single family residential uses. In addition, the subject property is a smaller parcel and one parcel in from St. Cloud Road. A medium density residential use would generally be more appropriate immediately adjacent to the street to function as a buffer to the single family homes in the interior of the neighborhood.

The requested change would not be in support of the goals of the Near Northwest Community Plan that encourage housing development that is compatible with the character of the community. Additionally, a multi-family development would change the character of this established and predominately low density residential area.

Minimal Impact Impact can be mitigated Significant Impact - Incompatible Land Use

TRANSPORTATION/INFRASTRUCTURE ANALYSIS:

Major Thoroughfare Plan Designations: St. Cloud Road is a Secondary Arterial Type B.

Other streets: Shadwell Drive and John Adams are local streets. There is a VIA bus stop on St. Cloud Road and John Adams Street.

Comments: The area does not include sidewalks which would allow pedestrian access to and from the adjacent residential areas. This request could add additional traffic to local streets.

Minimal Impact Impact can be mitigated Significant Impact

COMMUNITY FACILITIES ANALYSIS:

Nearby Public Facilities: St. Paul Catholic Church and St. Paul Community Center and Athletic Fields are within walking distance. The Children's Shelter, James Madison Elementary School, Church of Jesus Christ Latter Day Saints and Joe Ward Community Center are also nearby.

Comments: The existing community facilities could support any additional demand generated by the requested land use change.

Minimal Impact Impact can be mitigated Significant Impact

Recommendation:

STAFF RECOMMENDATION:

Approval Denial Alternate Recommendation:

Comments: Amending the land use plan to Medium Density Residential land use would not be consistent with the goals and objectives of the Near Northwest Community Plan. Any Medium Density Residential development would not be consistent with appropriate in this established and predominately low density residential area.

PLANNING COMMISSION RECOMMENDATION:

Meeting & Public Hearing Date: July 13, 2011

Approval Denial Resolution Attached

Newspaper Publication Date of Public Hearing: June 27, 2011

No. Notices mailed 10 days prior to Public Hearing: 18 to property owners, 35 to Planning Team members and 5 to neighborhood associations.

Registered Neighborhood Association(s) Notified: Donaldson Terrace, Jefferson, Woodlawn Lake, Keystone, and Los Angeles Heights

**City of San Antonio Planning and Community Development Department
Plan Amendment Recommendation**

ZONING COMMISSION SUPPLEMENTAL INFORMATION: Z2011147

Current zoning district: R-5

Proposed zoning district: MF-18

Zoning Commission Public Hearing Date: July 19, 2011

Approval

Denial

Planning and Community Development Department Staff:

David L. Ellison

Interim Director

Andrea Gilles

Planning Manager

Robert C. Acosta

Planner

Phone No.: 207-0157

Attachment 1

Land Use Plan as adopted:



Proposed Amendment:



Master Plan Amendment 11038

Near Northwest Community Plan

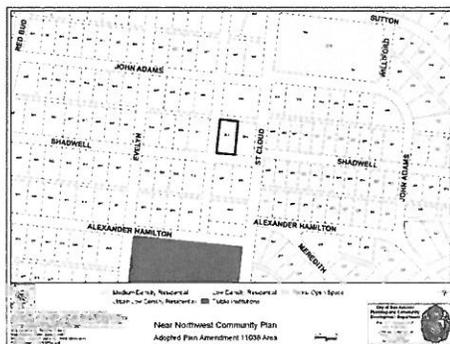
Planning Commission

July 13, 2011

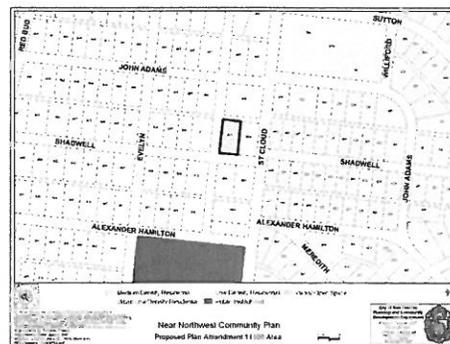
Agenda Item No. XX

Amendment 11038

Plan as adopted:



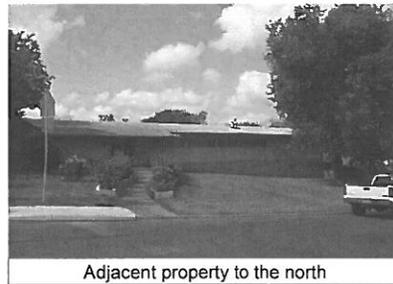
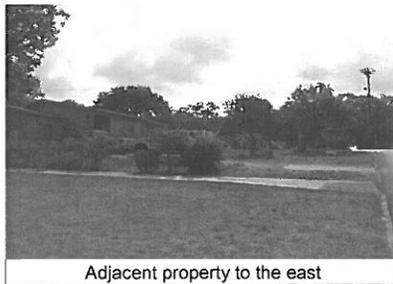
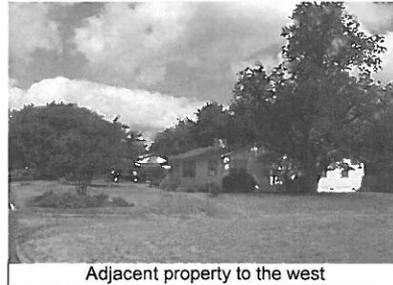
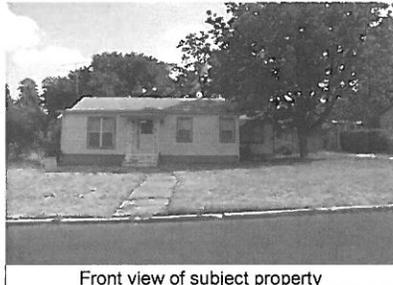
Proposed amendment:



Surrounding Land Uses



Area Images



Staff Recommendation

Denial of the request to amend from
Low Density Residential land Use to
Medium Density Residential land use

RESOLUTION NO.

RECOMMENDING TO DENY THE AMENDMENT OF THE LAND USE PLAN CONTAINED IN THE NEAR NORTHWEST COMMUNITY PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE FROM LOW DENSITY RESIDENTIAL LAND USE TO MEDIUM DENSITY RESIDENTIAL LAND USE FOR AN AREA OF APPROXIMATELY 0.2961 ACRES LOCATED AT 511 SHADWELL DRIVE.

WHEREAS, City Council approved the Near Northwest Community Plan as an addendum to the Master Plan on February 14, 2002; and

WHEREAS, the May 3, 2001 Unified Development Code requires consistency between zoning and the Master Plan as specified in Sections 35-105, 35-420 (h), and 35-421 (d) (3); and

WHEREAS, Chapter 213.003 of the Texas Local Government Code provides that the Master Plan may be amended by ordinance following a public hearing and review by the Planning Commission; and

WHEREAS, the San Antonio Planning Commission held a public hearing on July 13, 2011 and **DENIED** the amendment on July 13, 2011; and

WHEREAS, the San Antonio Planning Commission has considered the effect of this amendment to the Master Plan as it pertains to land use intensity, compatibility, community facilities, and the transportation network and found the amended plan to be **INCONSISTENT** with City policies, plans and regulations and in conformance with the *Unified Development Code*, Section 35-420, therefore meeting all requirements; and

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO:

SECTION 1: The amendment to the Near Northwest Community Plan attached hereto and incorporated herein by reference is recommended to the City Council with this Commission's recommendation for **DENIAL** as an amendment to the City's Comprehensive Master Plan.

PASSED AND APPROVED ON THIS 13th DAY OF July 2011.

Attest:

Approved:

Executive Secretary
San Antonio Planning Commission

Amelia Hartman, Chair
San Antonio Planning Commission

**City of San Antonio Planning and Community Development Department
Plan Amendment Recommendation**

Plan Amendment Application Case No.: PA11039

Council District: 9

City Council Meeting Date: 8/18/2011

Plan Amendment Maps – Attachment 1

Digital Ortho Image – Attachment 2

ITEM # 19

Summary:

Neighborhood/Community/Perimeter/Sector Plan: **North Sector Plan**

The applicant requests to amend the Land Use Plan designation *from Suburban Tier* land use to **Regional Center** land use.

Background Information:

Applicant: Brown and Ortiz, PC

Owner: MTC Holdings, LTD

Property Location: 16088 San Pedro Avenue

Acreage: 2.68

Current Land Use of site: Vacant commercial building

Adjacent Land Uses:

N: Suburban Tier (restaurant)

E: Suburban Tier (mobile home park)

S: Suburban Tier (restaurants)

W: None (Interstate 281 North Right-Of-Way and City of Hill Country Village)

Issue:

LAND USE ANALYSIS:

The subject property is located along the east side of Highway 281 North Access Road (San Pedro Avenue). This 2.68-acre parcel is currently occupied by a vacant commercial structure. South and north of this parcel are restaurants; to the east is a mobile home park; and to the west is the access road of Highway 281 North. This property is currently designated as Suburban Tier land use in the North Sector Plan. The applicant is requesting a change from Suburban Tier land use to Regional Center land use to develop the subject property with a hospital/emergency room clinic.

The Suburban Tier land use includes both residential and non-residential uses. Non-residential uses are characterized as neighborhood and community commercial uses. This generally includes outlying areas where detached retail services such as service stations, professional offices, restaurants, bakeries, bookstores, supermarkets, clinics, hotels and other retail stores are appropriate. Commercial uses in the Suburban Tier land use serve both neighborhood and community scale markets. The intensity of the commercial use should not interfere with the character and density of nearby residential uses and adequate buffers should be maintained. Community commercial uses should be accessible by car and bike, and the commercial areas should be friendly to bicycles and pedestrians.

Regional Center land use also includes both residential and non-residential uses, but is at a higher density and intensity than those within the Suburban Tier land use. Residential uses within a Regional Center land use are characterized as high density residential. Non-residential uses are characterized as regional commercial and office uses. These generally include “big box” or “power centers”, shopping malls, movie theaters, hospitals, office complexes, laboratories, wholesalers, and light manufacturing. Regional Centers accommodate the most intense commercial uses and should be located at the intersection of Expressways and Major Arterials. Serving a regional market, streets need to accommodate large volumes of automobile traffic traveling to, and within, the development. Internal

**City of San Antonio Planning and Community Development Department
Plan Amendment Recommendation**

access and circulation is important. Pedestrians and bicycles should be able to travel safely within the development. Mass transit accessibility is encouraged.

The North Sector Plan recommends that the Regional Center land uses should be located at the intersections of two major roadways instead of commercial strip developments along major roads. Currently, the North Sector Plan designates a Regional Center at the Loop 1604 and Highway 281 North and at Bitters and Highway 281 North. The subject property is 1.25 and 1.5 miles away from these Regional Centers respectively. The subject property is within a Suburban Tier land use designated area where an intersection of two major arterials doesn't exist.

Regional Center land use is designed to accommodate large size structures and intense uses on large size parcels. The subject property's 2.68 acres is not a sufficient amount for a desired Regional Center land use character. In addition, Regional Center land use has the potential to increase traffic significantly. The only egress/ingress for the adjacent mobile 325-unit mobile home park is a private road and is located immediately north of the subject property. An increase in traffic will have a potential impediment on access for the residents. Regional Center land use is incompatible with the adjacent residential use.

The intended use for this location can be obtained with a C-2 ERZD S zoning classification. This zoning classification will be consistent with the North Sector Plan and will not require a plan amendment.

Minimal Impact Impact can be mitigated Significant Impact - Incompatible Land Use

TRANSPORTATION/INFRASTRUCTURE ANALYSIS:

Major Thoroughfare Plan Designations: Highway 281 North is a highway.

Other streets: The subject parcel is 0.3 miles south of Thousand Oaks and 1.65 miles north of Bitters Road – both are Secondary Arterial Type A with 86-foot right-of-way. The adjacent mobile home park has only one ingress/egress through a private road on San Pedro Avenue. This private road runs just north of the subject property.

Comments: Bus route number 502 runs along San Pedro Avenue. The subject property has access to the bust stop along this route.

Minimal Impact Impact can be mitigated Significant Impact to Transportation Capacity

COMMUNITY FACILITIES ANALYSIS:

Nearby Public Facilities: Both Northside Church of Christ and St. Marks Catholic Church are within the walking distance.

Comments:

Minimal Impact Impact can be mitigated Significant Impact to Community Facilities Capacity

Recommendation:

STAFF RECOMMENDATION:

Approval Denial Alternate Recommendation:

Comments: Regional Center land use is recommended at the intersection of major roadways and for larger parcels and developments. The subject property is located within a Suburban Tier land use area which recommends community commercial oriented uses. There is an established residential neighborhood adjacent on the eastern boundary. The request is too intense for this location and may significantly impact the neighboring residential use with increased traffic that will result from the intensity of a Regional Center land use.

**City of San Antonio Planning and Community Development Department
Plan Amendment Recommendation**

PLANNING COMMISSION RECOMMENDATION:

Meeting & Public Hearing Date: July 13, 2011

Approval

Denial

Resolution Attached

Newspaper Publication Date of Public Hearing: June 24, 2011

No. Notices mailed 10 days prior to Public Hearing: 77

Registered Neighborhood Association(s) Notified: Shady Oaks

Comments:

ZONING COMMISSION SUPPLEMENTAL INFORMATION: Z201150 ERZD S

Current zoning district: C-3 ERZD

Proposed zoning district: C-3 ERZD S

Zoning Commission Public Hearing Date: July 19, 2011

Approval

Denial

Planning and Community Development Department Staff:

David L. Allison

Interim Director

Andrea Gilles

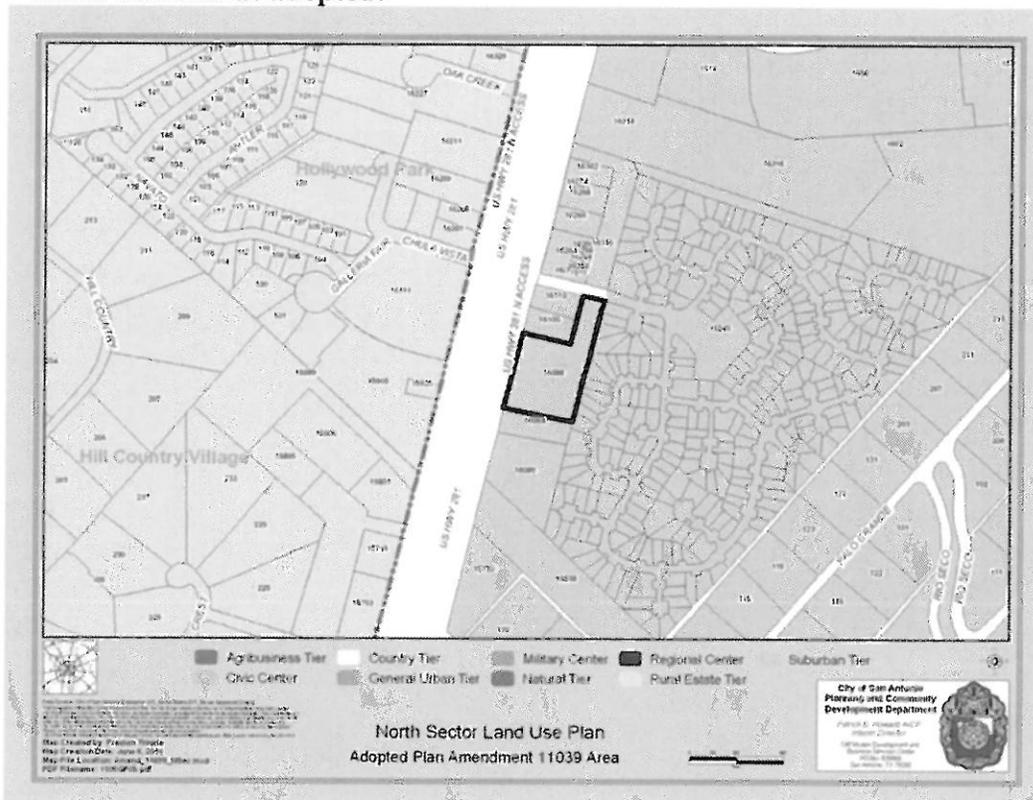
Planning Manager

Case Manager: John Osten

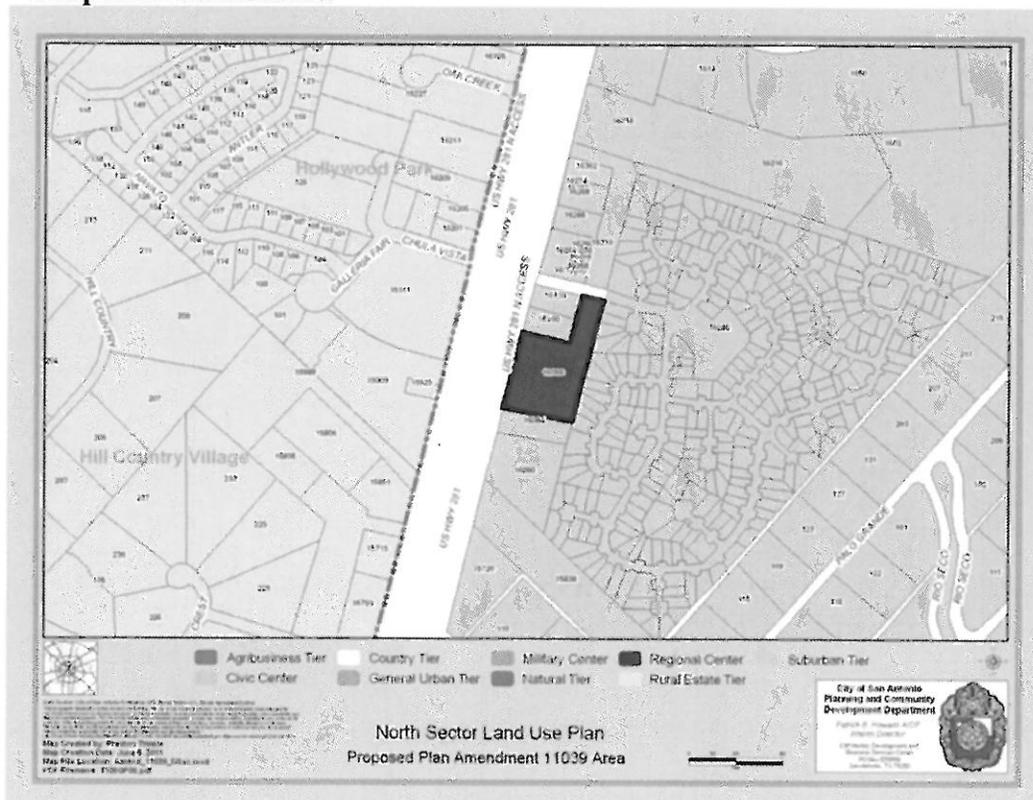
Senior Planner

Phone No.:207-2187

Land Use Plan as adopted:



Proposed Amendment:





2010 Aerial



Data Source: City of San Antonio Enterprise GIS, Source: MetroGIS, Source: Geographic Center
 All geographic information herein is provided for informational purposes only. It is not intended to be used as a basis for any legal action or as a substitute for professional advice. The City of San Antonio and its employees and agents assume no liability for any errors or omissions in this information. This information is provided as a public service and is not intended to be used for any other purpose. For more information, please contact the City of San Antonio GIS Department at (214) 747-3333 or visit our website at www.sanantonio.gov/gis.
 Map Created by: Preston Trinkle
 Map Creation Date: June 6, 2011
 Map File Location: Amend_11039_NS.ec.mxd
 PDF Filename: 1106GP06.pdf

North Sector Land Use Plan
 Proposed Plan Amendment 11039 Area



City of San Antonio
 Planning and Community
 Development Department

Patrick B. Howard AICP
 Interim Director

City of San Antonio
 Planning and Community
 Development Department
 100 East Edinger
 San Antonio, TX 78202

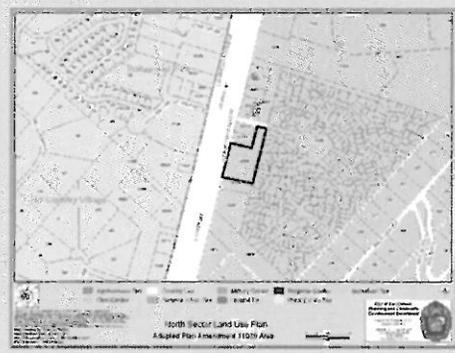
Master Plan Amendment 11039

North Sector Plan

Planning Commission
July 13, 2011
Agenda Item No. XX

Amendment 11039

Plan as adopted:



Proposed amendment:



Surrounding Land Uses



Area Images



The subject Property – 2.68 acres commercial



Adjacent Trailer Park to the east



Adjacent Restaurant to the south



Adjacent Restaurant to the north

Staff Recommendation

Denial of the request to amend
from Suburban Tier land Use to
Regional Center land use

RESOLUTION NO.

RECOMMENDING TO DENY THE AMENDMENT OF THE LAND USE PLAN CONTAINED IN THE NORTH SECTOR PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE FROM SUBURBAN TIER LAND USE TO REGIONAL CENTER LAND USE FOR AN AREA OF APPROXIMATELY 2.68-ACRES LOCATED AT 16088 SAN PEDRO AVENUE.

WHEREAS, City Council approved the North Sector Plan as an addendum to the Master Plan on August 5, 2010; and

WHEREAS, the May 3, 2001 Unified Development Code requires consistency between zoning and the Master Plan as specified in Sections 35-105, 35-420 (h), and 35-421 (d) (3); and

WHEREAS, Chapter 213.003 of the Texas Local Government Code provides that the Master Plan may be amended by ordinance following a public hearing and review by the Planning Commission; and

WHEREAS, the San Antonio Planning Commission held a public hearing on July 13, 2011 and **DENIED** the amendment on July 13, 2011; and

WHEREAS, the San Antonio Planning Commission has considered the effect of this amendment to the Master Plan as it pertains to land use intensity, compatibility, community facilities, and the transportation network and found the amended plan to be **INCONSISTENT** with City policies, plans and regulations and in conformance with the *Unified Development Code*, Section 35-420; and

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO:

SECTION 1: The amendment to the North Sector Plan attached hereto and incorporated herein by reference is recommended to the City Council with this Commission's recommendation for **DENIAL** as an amendment to the City's Comprehensive Master Plan.

PASSED AND APPROVED ON THIS 13th DAY OF JULY 2011.

Attest:

Approved:

Executive Secretary
San Antonio Planning Commission

Amelia Hartman, Chair
San Antonio Planning Commission

**City of San Antonio Planning and Community Development Department
Plan Amendment Recommendation**

Plan Amendment Application Case No.: PA 11040

Council District: 5

City Council Meeting Date: **August 18, 2011**

- Plan Amendment Maps – Attachment 1
- Digital Ortho Image – Attachment 2

ITEM # 20

Summary:

Neighborhood/Community/Perimeter Plan: **Downtown Neighborhood Plan**

The applicant requests to amend the Land Use Plan designation *from* **Government/ Educational** land use to **Community Commercial** land use.

Background Information:

Applicant: Jerry Arredondo

Owner: Steves Brothers

Property Location: 323 South Frio Street

Acreage: 0.2686

Current Land Use of site: Vacant Firehouse

Adjacent Land Uses:

- N: Government/Educational (City of San Antonio Fleet Services)
- E: Government/Educational (UTSA Downtown Campus)
- S: Government/Educational (Frank Wing Municipal Court Building)
- W: Government/Educational (City of San Antonio Fleet Services)

Issue:

LAND USE ANALYSIS:

The subject property is located west of the University of Texas at San Antonio's downtown campus and is adjacent to the Frank Wing Municipal Court Building immediately to the south, and the City of San Antonio's Fleet Services to the north and west. Although properties in the immediate vicinity of the subject property are predominantly civic and institutional uses, a hotel is located at the south east corner of Frio and Durango, immediately south east of the subject property. The subject property is approximately one block south of the Commerce Street Bridge and is designated Government/Educational land use in the Downtown Neighborhood Plan.

City, County, and educational facilities are clustered within this area of the Downtown Neighborhood Plan. The Government/Educational land use classification appropriately reflects this pattern of uses within the downtown area. The adopted Downtown Neighborhood Plan does not provide a specific classification description for the Government/Educational land use. However, the plan designates the area as the UTSA/Government District and promotes the "continued development and expansion of community facilities within the district and surrounding adjacent areas."

The applicant is requesting a land use change from Government/Educational land use to Community Commercial land use in order to accommodate a "commercial/office use" at this location. Community Commercial land use provides "retail uses such as cafes, restaurants, beauty parlors, neighborhood groceries or markets, pharmacies, and similar uses." The Community Commercial land use classification was added to the Downtown Neighborhood Plan during the 2009 West Neighborhood Update. This classification supports retail and service oriented businesses intended to attract and serve residents within a larger community area.

The historic structure located on the subject property is the former San Antonio Fire Station No. 11, a two-story brick Mission Revival building built in 1925 to serve the fire safety needs of the immediate

**City of San Antonio Planning and Community Development Department
Plan Amendment Recommendation**

area. Additionally, the subject property is located within the Westside Reinvestment Plan Area. This plan describes South Frio Street as the corridor which connects the Avenida Guadalupe cultural corridor to the UTSA downtown campus, University Health System, Municipal Court building, the planned VIA Multi-Modal facility and ultimately to the Downtown Central Business District. "Segment A Priority Actions" of the Westside Reinvestment Plan suggests that the Frio Street streetscape improvements be made to address pedestrian connectivity and walkability. There have been several workshops and design charrettes held at the UTSA Downtown campus in conjunction with the reinvestment plan envisioning South Frio Street as a mid-rise, mixed-use pedestrian-oriented and landscaped corridor serving the student and permanent resident populations.

The subject property is also within the Tier 1 Inner City Reinvestment / Infill Policy. This policy provides incentives for infill and adaptive reuse projects within this targeted area. With recent plan amendments to Mixed Use land use along South Frio Street, the corridor is beginning to transition to a mixed use environment, supporting residential and commercial uses. Mixed uses provide additional residential and retail/office opportunities that could serve and complement the established civic and institutional uses in the area.

The request to Community Commercial land use limits the potential to accomplish the vision for properties along Frio to provide a mix of services and functions to the student, business, and resident populations in the area. An alternate recommendation of Mixed Use land use will encourage a mix of uses to accommodate this site. A designation to Mixed Use land use will also be consistent with the goals and strategies identified in the Reinvestment Plan, and will provide continuity to the transitioning land use pattern of privately held properties along the South Frio Corridor. Mixed Use land use will allow for commercial uses that could benefit from being located on an arterial.

Minimal Impact Impact can be mitigated Significant Impact - Incompatible Land Use

TRANSPORTATION/INFRASTRUCTURE ANALYSIS:

Major Thoroughfare Plan Designations: South Frio Street is designated as a Secondary Arterial Type A requiring 86 feet of right-of-way.

Comments: The proposed VIA Multi-Modal facility is to be located within a one-quarter mile radius of the subject property.

Minimal Impact Impact can be mitigated Significant Impact to Transportation Capacity

COMMUNITY FACILITIES ANALYSIS:

Nearby Public Facilities: Frank Wing Municipal Court Building, City of San Antonio Fleet Services facility, Bexar County Jail, Haven for Hope, University Health System, Post Office, the UTSA Downtown Campus, and the proposed VIA Multi-Modal facility are within walking distance.

Comments: An alternate recommendation of Mixed Use land use will support and complement existing community facilities by allowing and encouraging a variety of pedestrian type uses along the South Frio Street corridor.

Minimal Impact Impact can be mitigated Significant Impact to Community Facilities Capacity

Recommendation:

STAFF RECOMMENDATION:

Approval Denial Alternate Recommendation: Approval of Mixed Use Land Use

**City of San Antonio Planning and Community Development Department
Plan Amendment Recommendation**

A Mixed Use land use pattern along South Frio Street will help facilitate revitalization along this corridor. The change to Mixed Use land use will also support a variety of uses, promote additional infill and adaptive reuse opportunities, and provide a more appropriate mix of residential and commercial densities. The South Frio Street corridor connects Avenida Guadalupe to the south and UTSA, University Health System, Municipal Court Center, and the proposed VIA Multi-Modal facility to the north and Downtown to the northeast. Additionally, Mixed Use land use is compatible with the desired improvements envisioned for the South Frio Street corridor identified in the Westside Reinvestment Plan.

PLANNING COMMISSION RECOMMENDATION:

Meeting & Public Hearing Date: July 13, 2011

Approval

Denial

Resolution Attached

Newspaper Publication Date of Public Hearing: June 24, 2011

No. Notices mailed 10 days prior to Public Hearing: 8 total notices: 5 Neighborhood Associations, 3 adjacent property owners within 200 feet of the subject property.

Registered Neighborhood Association(s) Notified: Avenida Guadalupe Association, Collins Gardens Neighborhood Association, Downtown Residents Association, King William Association

ZONING COMMISSION SUPPLEMENTAL INFORMATION: Z2011140CD

Current zoning district: I-2 HE

Proposed zoning district: C2 S IDZ HL
(specific use for a bail bonds)

Zoning Commission Public Hearing Date: July 19, 2011

Approval

Denial

Planning and Community Development Department Staff:

David L. Ellison

Interim Director

Andrea Gilles

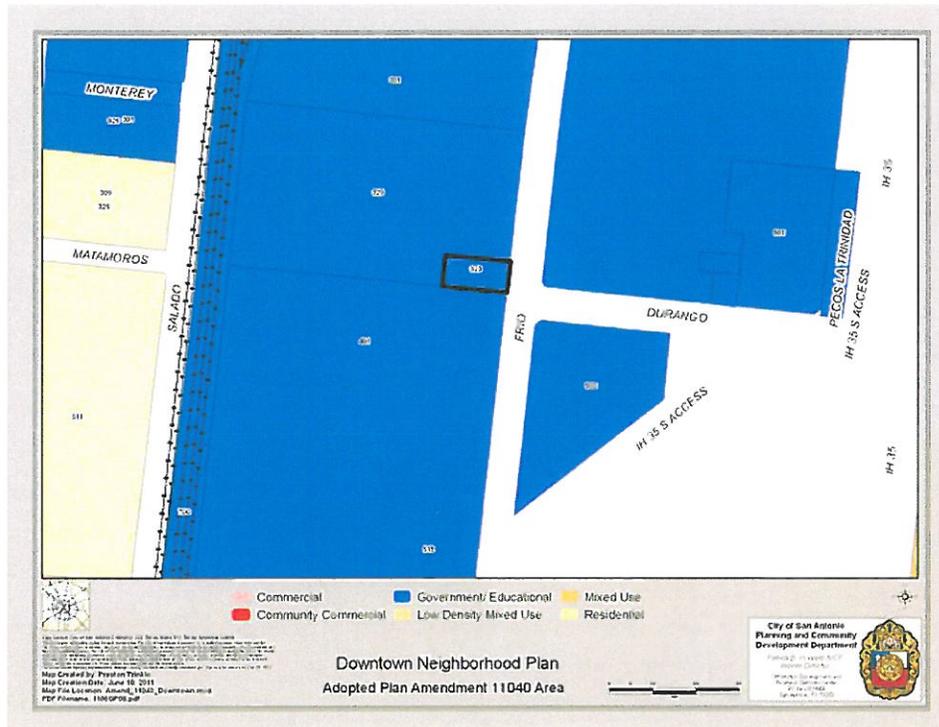
Planning Manager

Gary Edenburn

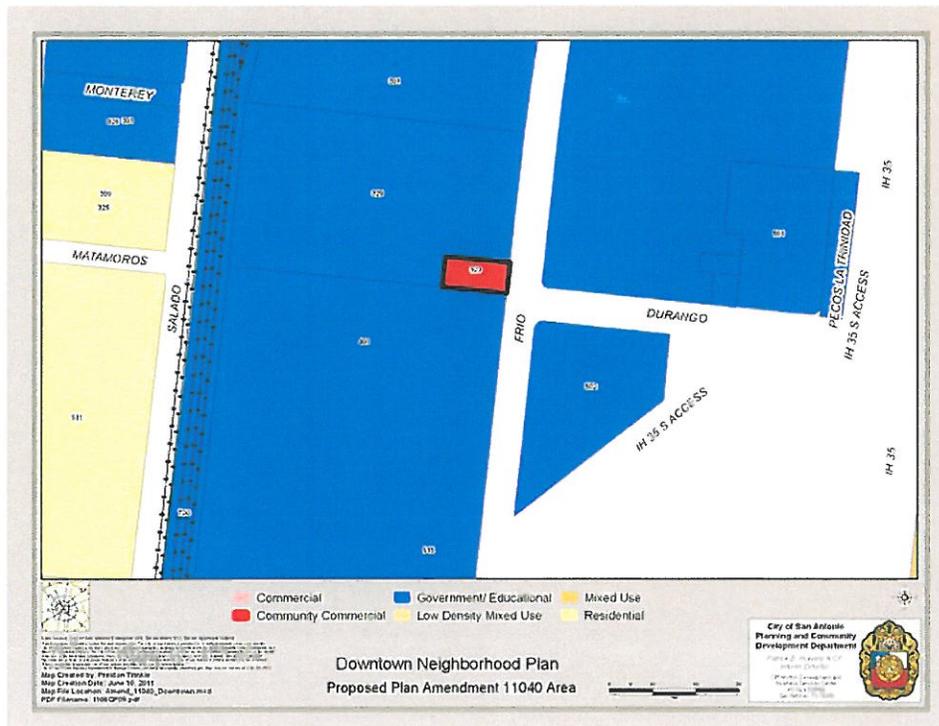
Senior Planner

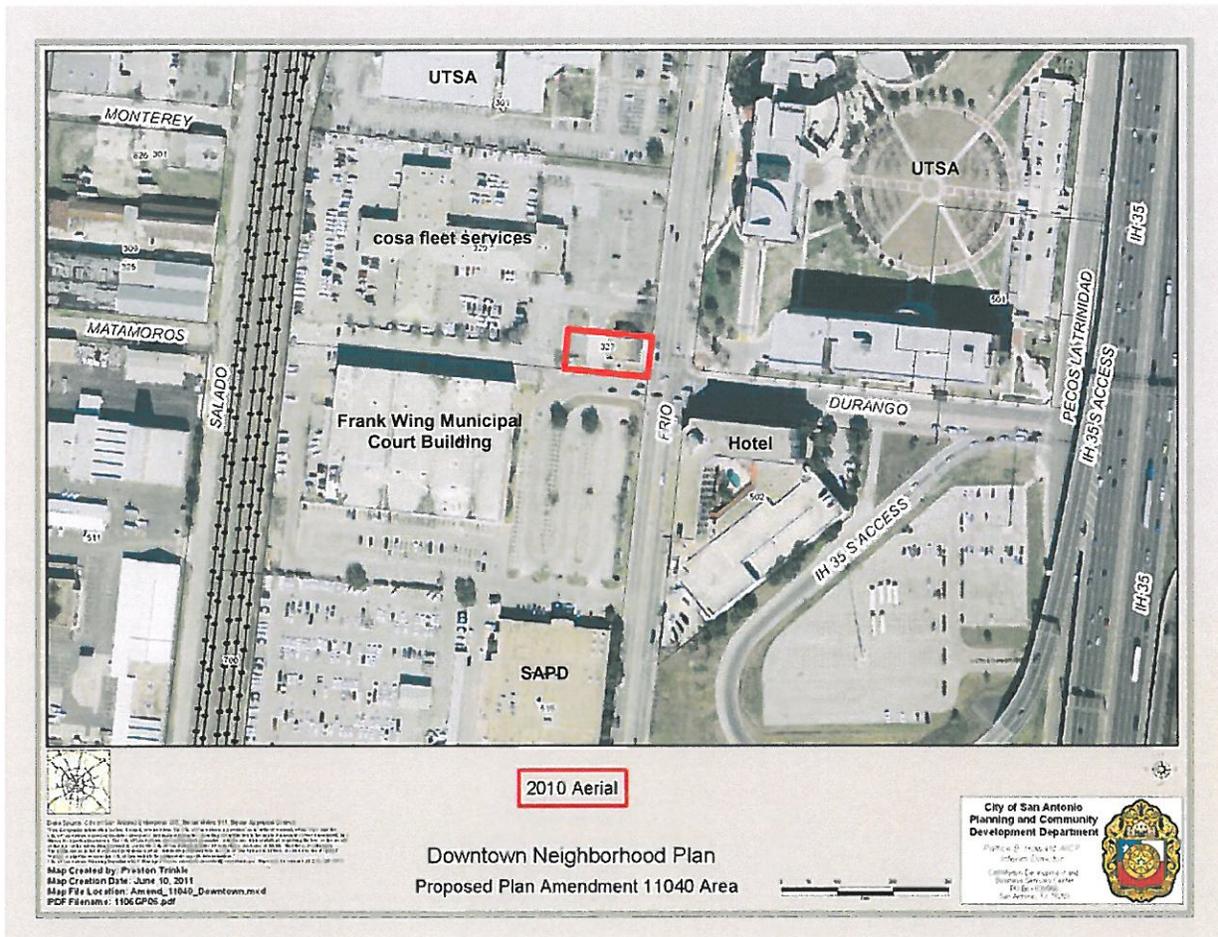
Phone No.: 207-0139

Land Use Plan as adopted:



Proposed Amendment:





2010 Aerial

Downtown Neighborhood Plan
Proposed Plan Amendment 11040 Area

City of San Antonio
Planning and Community
Development Department



PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CITY OF SAN ANTONIO
150 N. MEYER
SAN ANTONIO, TEXAS 78202

Data Source: City of San Antonio, 2010 Aerial
This graphic is for informational purposes only. It is not intended to be used for any other purpose.
The City of San Antonio is not responsible for any errors or omissions in this graphic.
Map Created by: Praxion Trinkle
Map Creation Date: June 10, 2011
Map File Location: Amend_11040_Downtown.mxd
PDF Filename: 11040PDF.pdf

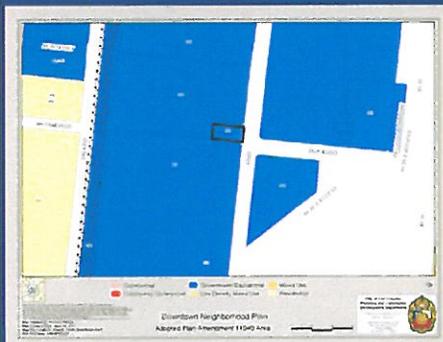
Master Plan Amendment 11040

Downtown Neighborhood Plan

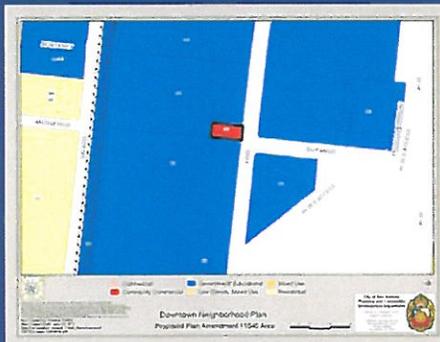
Planning Commission
July 13, 2011
Agenda Item No. TBD

Amendment 11040

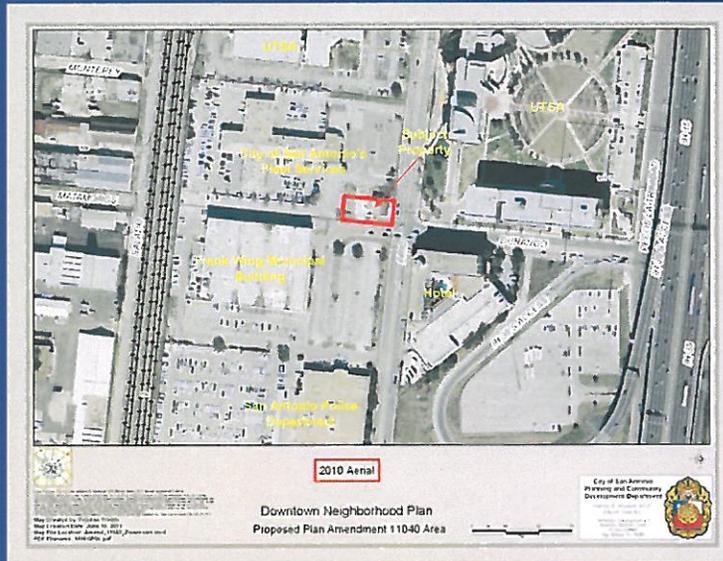
Plan as adopted:



Proposed amendment:



Surrounding Land Uses



3

Area Images



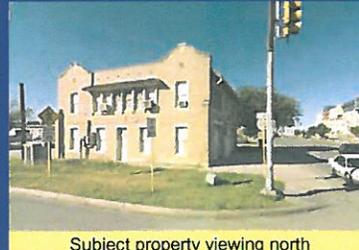
Subject property viewing east



Southwest view from South Frio Street



West view of subject property



Subject property viewing north

Staff Recommendation

Denial of the request to amend from
Government/Educational land Use to
Community Commercial land use

Staff supports an alternate
recommendation from
Government/Educational land Use to
Mixed Use land use

RESOLUTION NO.

RECOMMENDING TO APPROVE THE AMENDMENT OF THE LAND USE PLAN CONTAINED IN THE DOWNTOWN NEIGHBORHOOD PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE FROM GOVERNMENT/EDUCATIONAL LAND USE TO MIXED USE LAND USE FOR AN AREA OF APPROXIMATELY 0.2686 ACRES LOCATED AT 323 SOUTH FRIO STREET.

WHEREAS, City Council approved the Downtown Neighborhood Plan as an addendum to the Master Plan on May 13, 1999; and

WHEREAS, the May 3, 2001 Unified Development Code requires consistency between zoning and the Master Plan as specified in Sections 35-105, 35-420 (h), and 35-421 (d) (3); and

WHEREAS, Chapter 213.003 of the Texas Local Government Code provides that the Master Plan may be amended by ordinance following a public hearing and review by the Planning Commission; and

WHEREAS, the San Antonio Planning Commission held a public hearing on July 13, 2011 and **APPROVED** the amendment on July 13, 2011; and

WHEREAS, the San Antonio Planning Commission has considered the effect of this amendment to the Master Plan as it pertains to land use intensity, compatibility, community facilities, and the transportation network and found the amended plan to be **CONSISTENT** with City policies, plans and regulations and in conformance with the *Unified Development Code*, Section 35-420, therefore meeting all requirements; and

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO:

SECTION 1: The amendment to the Downtown Neighborhood Plan attached hereto and incorporated herein by reference is recommended to the City Council with this Commission's recommendation for **APPROVAL** as an amendment to the City's Comprehensive Master Plan.

PASSED AND APPROVED ON THIS 13th DAY OF JULY, 2011.

Attest:

Approved:

Executive Secretary
San Antonio Planning Commission

Amelia Hartman, Chair
San Antonio Planning Commission

**City of San Antonio Planning and Community Development Department
Plan Amendment Recommendation**

Plan Amendment Application Case No.: PA 11041

Council District: 5

City Council Meeting Date: **August 18, 2011**

ITEM # 21

- Plan Amendment Maps – Attachment 1
- Digital Ortho Image – Attachment 2

Summary:

Neighborhood/Community/Perimeter Plan: **Kelly/ South San PUEBLO Community Plan**
The applicant requests to amend the Land Use Plan designation *from Low Density Residential and Medium Density Residential* land use *to Neighborhood Commercial* land use.

Background Information:

Applicant: Al Salazar

Owner: City of San Antonio

Property Location: 911, 1000, and 1001 Harriman Place

Acreage: 2.544

Current Land Use of site: Multiple buildings currently vacant; formerly used for Head Start, Inc. administrative offices

Adjacent Land Uses:

N: Low Density Residential (single family residences)

E: Low Density Residential and Medium Density Residential (single family residences)

S: Low Density Residential, Medium Density Residential, Public Institutional (single family residences, school)

W: Low Density Residential (vacant)

Issue:

LAND USE ANALYSIS:

The subject property is located in the northeast section of the Kelly/ South San PUEBLO Community Plan and is situated northeast of the point where Kirk Place passes over General Hudnell Drive. General Hudnell Drive abuts the subject property to the west, but this limited-access, divided-lane Super Arterial does not provide vehicular access to and from the subject property or any other abutting property or local street in the area. Single-family residences are located to the north of the subject property across Darby Boulevard, to the east of the subject property across Niemeyer Street and Grothues Place, and to the south of the subject property across Harriman Place. These properties are designated as Low Density Residential land use. There is one single-family residence that abuts the southeast portion of the subject property. This property is designated as Medium Density Residential land use. All other adjacent single-family residences are separated from the subject property by public right-of-ways. The subject property is currently occupied by three two-story brick buildings and one one-story brick and metal building. The subject property is owned by the City of San Antonio and formerly housed the administrative offices for Head Start, Inc. The City of San Antonio offered the property for sale through a competitive bid process. The applicant submitted the winning bid. According to the applicant, if the proposed plan amendment is approved, he will pursue a rezoning for the subject property to allow for an adult day care facility with occupational training.

The northern portion of the subject property, north of Harriman Place, is designated as Low Density Residential land use. The Low Density Residential land use category includes single-family houses on individual lots. One accessory dwelling (granny flat or garage apartment) is permitted per lot and should reflect the appearance of the main structure. Certain non-residential activities such as schools, places of worship, and parks are appropriate within these areas and should be centrally located to provide easy access. Growth under this category of land use should be oriented toward the center of the

**City of San Antonio Planning and Community Development Department
Plan Amendment Recommendation**

neighborhood and located away from major arterials and high traffic areas and should ideally be within walking distance of elementary schools and neighborhood commercial uses. The southern portion of the subject property (south of Harriman Place) is designated as Medium Density Residential land use. The Medium Density Residential land use category includes duplexes, triplexes, and fourplexes on single lots, and may also include cottage homes and townhouses. Medium Density Residential land use is most appropriately placed at the perimeter of a neighborhood's low density core, and is recommended on collectors or higher order streets. Low Density Residential uses are also included in this category. Certain small to medium scale lower impact community oriented uses such as churches, parks, and open space may also be encouraged in this category.

The applicant is requesting to change the land use classification for the subject property to Neighborhood Commercial. The Neighborhood Commercial land use category includes smaller intensity commercial uses such as small scale retail or offices, professional services, convenience retail, and shop front retail that serve a market equivalent to a neighborhood. Neighborhood Commercial land uses should be located at the intersection of collector streets and higher order streets within walking distance of neighborhood residential areas, or along arterials where an existing commercial area is already established. Examples of neighborhood commercial uses include flower shops, small restaurants, lawyer's offices, coffee shops, hairstylist or barbers shops, book stores, copy service, dry cleaning, and convenience stores without gasoline. Refuse containers should be found behind the principal structure and should be screened from adjacent residential uses. Appropriate buffering such as a buffer yard and/ or landscaping should form a screen between this category and residential uses. Whenever possible, parking should be located in the back of the structure. Monument signage is encouraged and lighting should be directed onto the site and away from adjoining properties.

Neighborhood Commercial land use would be appropriate for the subject property. The subject property abuts General Hudnell Drive and a railroad right-of-way. The noise, light, and pollution associated with high capacity roadways and rail lines make the subject property less desirable for Low Density and Medium Density Residential land use. These negative effects are less likely to have an impact on the proposed Neighborhood Commercial land use. The subject property is well suited for Neighborhood Commercial land use because it is situated on the edge of a single-family residential neighborhood and separated from adjacent properties designated as Low Density Residential land use by public right-of-ways. Vehicular access to the site is provided from a collector street, Kirk Place. Kirk Place is designed to carry a significant amount of vehicular traffic including VIA buses because it is the only street in the area that provides access across General Hudnell Drive. The subject property does not have direct or indirect vehicular access from General Hudnell Drive so any retail use of the site would be limited to neighborhood serving businesses. The zoning districts that are consistent with Neighborhood Commercial land use will ensure that the intensity of any commercial uses on the site are limited and that adequate buffering and screening from adjacent residential uses is provided.

Minimal Impact Impact can be mitigated Significant Impact - Incompatible Land Use

TRANSPORTATION/INFRASTRUCTURE ANALYSIS:

Major Thoroughfare Plan Designations: General Hudnell Drive is a Super Arterial Type A (200-250 foot ROW). General Hudnell Drive is a limited access street with no connections to the abutting local streets. The subject property abuts General Hudnell Drive but does not have vehicular access to the street. Vehicular and pedestrian access to the subject property is provided by Darby Boulevard, Harriman Place, and Kirk Place. Darby Boulevard and Harriman Place are local streets. Kirk Place functions as a collector and is the only street in the area that provides vehicular and pedestrian access across General Hudnell Drive. All 3 of these streets intersect South Zarzamora Street, a Primary Arterial Type B, approximately 0.4 mile east of the subject property. VIA bus route #62 Kirk provides access between Downtown and Port San Antonio with stops along Kirk Place located to the south of the subject property.

**City of San Antonio Planning and Community Development Department
Plan Amendment Recommendation**

Comments: The vehicular and pedestrian infrastructure and mass transit service in the area have the capacity needed to serve a neighborhood commercial use.

Minimal Impact Impact can be mitigated Significant Impact to Transportation Capacity

COMMUNITY FACILITIES ANALYSIS:

Nearby Public Facilities: Lowell Academy, an SAISD Charter School, is approximately 200 feet south of the subject property. The San Juan Community Center and San Juan-Brady Park are located approximately 0.75 miles northeast of the subject property.

Comments: Neighborhood Commercial uses generally do not generate additional demands on existing community facilities.

Minimal Impact Impact can be mitigated Significant Impact to Community Facilities Capacity

Recommendation:

STAFF RECOMMENDATION:

Approval Denial Alternate Recommendation:

The noise, light, and pollution associated with the abutting high capacity roadway and rail line make the subject property less desirable for Low Density and Medium Density Residential land use. These negative effects are less likely to have an impact on the proposed Neighborhood Commercial land use. The subject property is well suited for Neighborhood Commercial land use because it is situated on the edge of a single-family residential neighborhood and separated from adjacent properties designated as Low Density Residential land use by public right-of-ways. Vehicular access to the site is provided from a collector street, Kirk Place. The subject property does not have direct or indirect vehicular access from General Hudnell Drive so any retail use of the site would be limited to neighborhood serving businesses. The zoning districts that are consistent with Neighborhood Commercial land use will ensure that the intensity of the commercial uses on the site are limited and that adequate buffering and screening from adjacent residential uses is provided.

PLANNING COMMISSION RECOMMENDATION:

Meeting & Public Hearing Date: July 13, 2011

Approval Denial Resolution Attached

Newspaper Publication Date of Public Hearing: June 27, 2011

No. Notices mailed 10 days prior to Public Hearing: 34 to owners of property within 200 feet; 41 to members of the Kelly/ South San PUEBLO planning team

Registered Neighborhood Association(s) Notified: The subject property is not within the boundaries of a registered Neighborhood Association.

ZONING COMMISSION SUPPLEMENTAL INFORMATION: Z2011159 CD

Current zoning district: R-6 Proposed zoning district: C-1 CD (adult day care and activity center)

Zoning Commission Public Hearing Date: July 19, 2011

Approval Denial

Planning and Community Development Department Staff:

David L. Ellison

Interim Director

Andrea Gilles

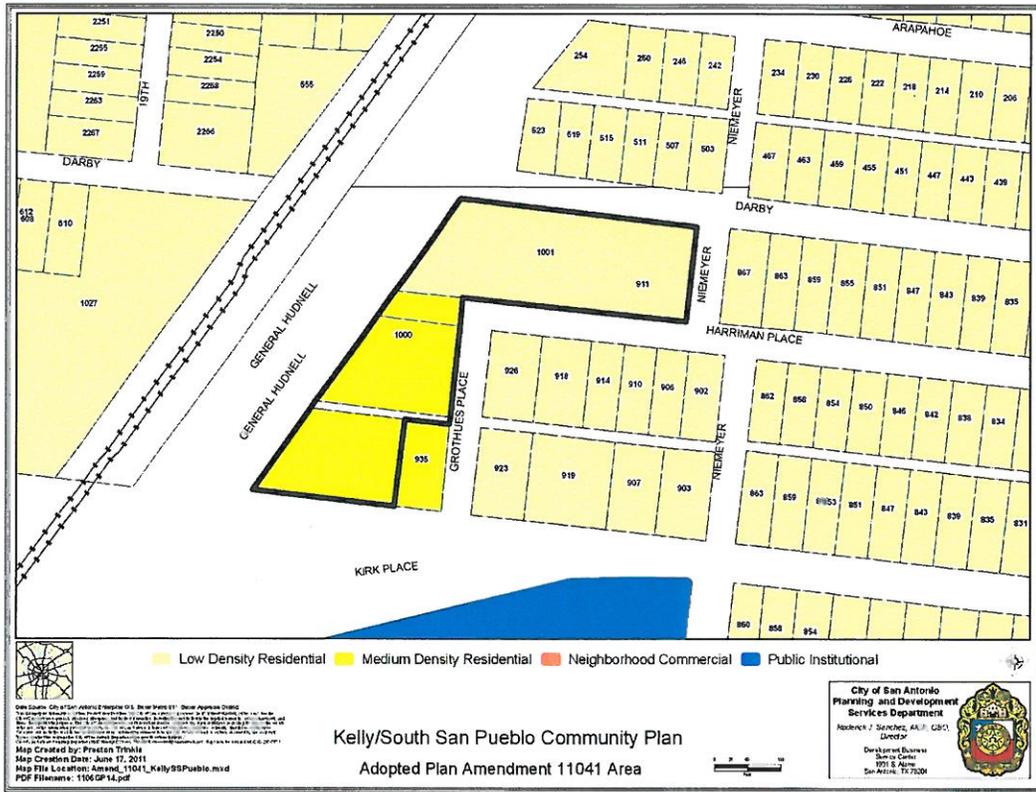
Planning Manager

Case Manager: Michael Taylor, AICP

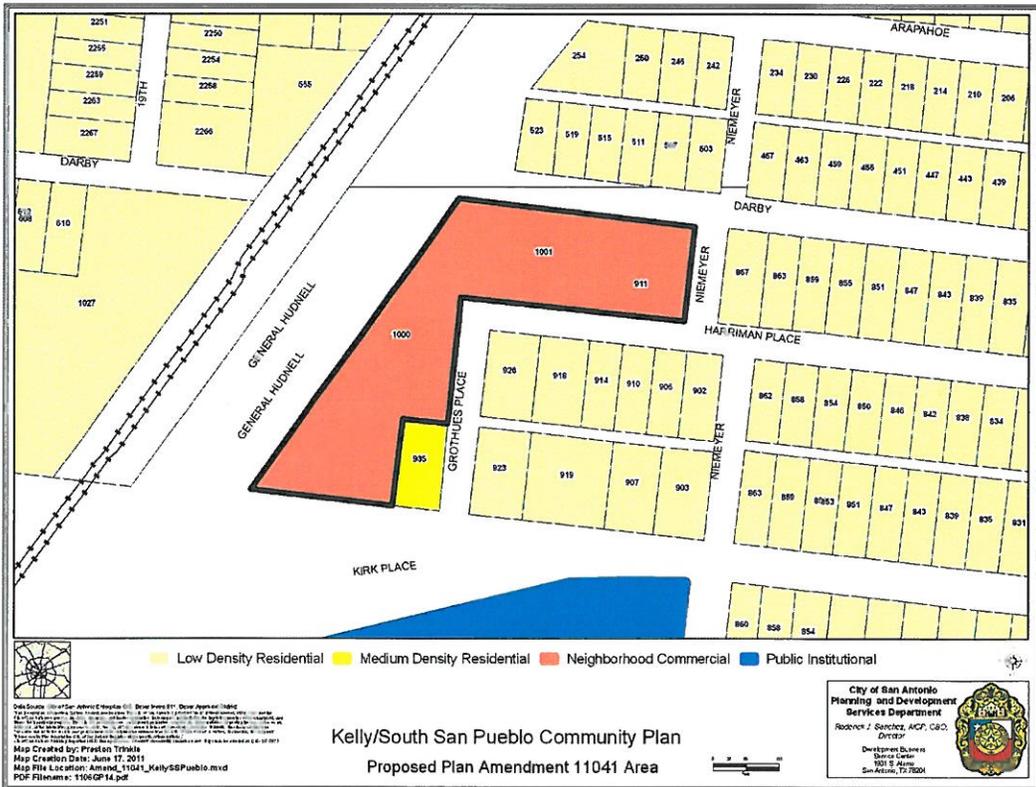
Sr. Mgmt. Analyst

Phone No.: 207-0145

Land Use Plan as adopted:



Proposed Amendment:



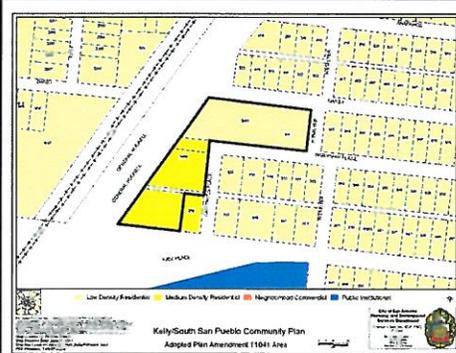
Master Plan Amendment 11041

Kelly/ South San PUEBLO Community Plan

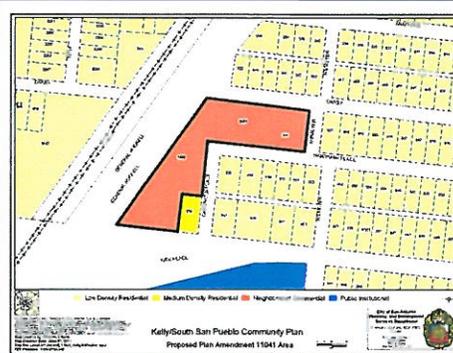
Planning Commission
July 13, 2011
Agenda Item No. XX

Amendment 11041

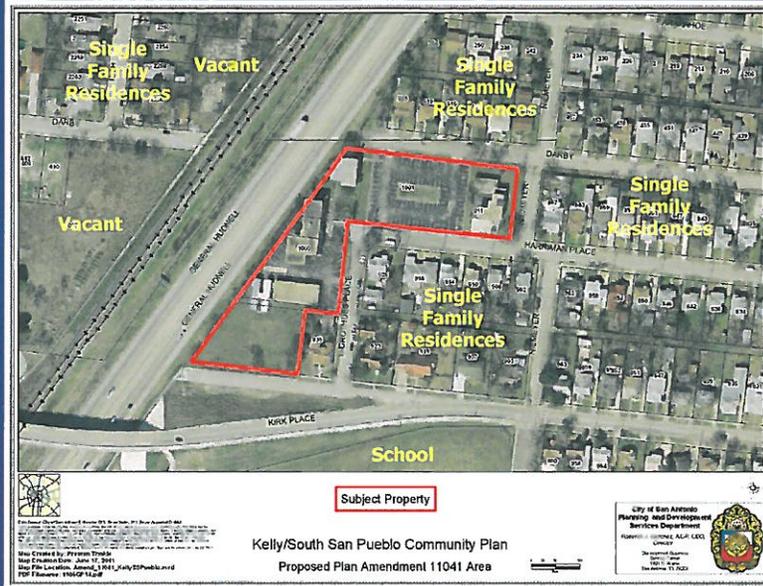
Plan as adopted:



Proposed amendment:



Surrounding Land Uses



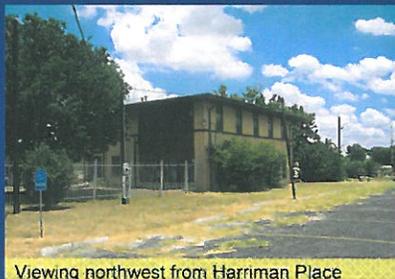
Subject Property



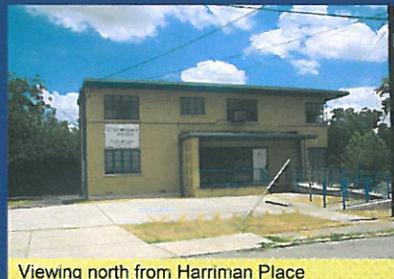
Viewing north from Kirk Place



Viewing west from Grothues Place



Viewing northwest from Harriman Place



Viewing north from Harriman Place

Area Images



Abutting single family residence to the east



Kirk Place bridge over General Hudnell Drive



Single family residence to the east



General Hudnell Drive to the west

Staff Recommendation

Approval of the request to amend from
Low Density Residential and Medium
Density Residential land use to
Neighborhood Commercial land use

RESOLUTION NO.

RECOMMENDING TO APPROVE THE AMENDMENT OF THE LAND USE PLAN CONTAINED IN THE KELLY/ SOUTH SAN PUEBLO COMMUNITY PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE FROM LOW DENSITY RESIDENTIAL LAND USE AND MEDIUM DENSITY RESIDENTIAL LAND USE TO NEIGHBORHOOD COMMERCIAL LAND USE FOR AN AREA OF APPROXIMATELY 2.544 ACRES LOCATED AT 911, 1000, AND 1001 HARRIMAN PLACE.

WHEREAS, City Council approved the Kelly/ South San PUEBLO Community Plan as an addendum to the Master Plan on February 15, 2007; and

WHEREAS, the May 3, 2001 Unified Development Code requires consistency between zoning and the Master Plan as specified in Sections 35-105, 35-420 (h), and 35-421 (d) (3); and

WHEREAS, Chapter 213.003 of the Texas Local Government Code provides that the Master Plan may be amended by ordinance following a public hearing and review by the Planning Commission; and

WHEREAS, the San Antonio Planning Commission held a public hearing on July 13, 2011 and **APPROVED** the amendment on July 13, 2011; and

WHEREAS, the San Antonio Planning Commission has considered the effect of this amendment to the Master Plan as it pertains to land use intensity, compatibility, community facilities, and the transportation network and found the amended plan to be **CONSISTENT** with City policies, plans and regulations and in conformance with the *Unified Development Code*, Section 35-420, therefore meeting all requirements; and

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO:

SECTION 1: The amendment to the Kelly/ South San PUEBLO Community Plan attached hereto and incorporated herein by reference is recommended to the City Council with this Commission's recommendation for **APPROVAL** as an amendment to the City's Comprehensive Master Plan.

PASSED AND APPROVED ON THIS 13th DAY OF JULY 2011.

Attest:

Approved:

Executive Secretary
San Antonio Planning Commission

Amelia Hartman, Chair
San Antonio Planning Commission

**City of San Antonio Planning and Community Development Department
Plan Amendment Recommendation**

Plan Amendment Application Case No.: PA 11042

Council District: 3 City Council Meeting Date: 8/18/2011

- Plan Amendment Maps – Attachment 1
- Digital Ortho Image – Attachment 2

ITEM # 22

Summary:

Neighborhood/Community/Perimeter/Sector Plan: **Heritage South Sector Plan**

The applicant requests to amend the Land Use Plan designation from **Civic Center Tier** and **Rural Estate Tier** land use to **Agribusiness/RIMSE Tier** land use.

Background Information:

Applicant: Kaufman & Killen

Owner: City of San Antonio/SAWS

Property Location: 3970 Rabel Road

Acreage: 217.8

Current Land Use of site: Civic Center Tier (Vacant)

Adjacent Land Uses:

N: Country Tier (single-family residential)

E: Country Tier and Rural Estate Tiers (single-family residential)

S: Civic Center Tier (Dos Rios Water Treatment Plant), Agribusiness/ RIMSE Tier, and Rural Estate Tier, (single-family residential)

W: Rural Estate Tier (single-family residential)

Issue:

LAND USE ANALYSIS:

The subject property is located at 3970 Rabel Road in southeast Bexar County. It is located within City Council District 3. It is also located within the boundaries of the City South Management Authority (CSMA) area. The 217.8 acres consists of the undeveloped, northwestern portion of a 513.8-acre parcel. The SAWS Dos Rios Water Treatment plant is located on the eastern and southern portion of the subject property. The applicant is proposing to lease the property to Sun Edison AE Webberville LLC for the construction and operation of a solar farm on the 217.8-acre portion.

Existing surrounding land uses to the north, west and south include large tract (25 acres or greater) detached single-family housing. The property to the east is currently mainly undeveloped. The Medina River and a 100-year flood plain traverse through the eastern and southeastern portions of the subject property.

The subject property falls within the boundaries of the Heritage South Sector Plan. The sector plan designates the subject property as Civic Center Tier land use and Rural Estate Tier land use. The Civic Center Tier encourages office, educational, governmental, and religious land uses. This designation recommends federal, state, county, municipal governmental and quasi-governmental use, public or private school or campus uses, or retreat areas or campuses for religious organizations. For residential use, the Civic Center Tier recommends dormitories and/or student housing.

The Rural Estate Tier land use encourages low-density residential estate uses; generally, large tract detached single-family housing. Residential properties will be served by central water and septic systems with lots greater than ½ acre. The Rural Estate Tier recommends neighborhood commercial land uses, generally in outlying areas where detached and limited retail services such as convenience

**City of San Antonio Planning and Community Development Department
Plan Amendment Recommendation**

stores, service stations, professional offices, restaurants, bed and breakfasts, and other small businesses are appropriate.

This request for a plan amendment is to change the land use designation of 217.8 acres to Agribusiness/RIMSE (Research, Industrial, Manufacturing, Sport & Entertainment) Tier. The Agribusiness/RIMSE Tier land use recommends a variety of uses and intensities including, neighborhood commercial land use in isolated areas where businesses that produce, process, or distribute agricultural products and/or livestock and conduct related agribusiness activities are appropriate. Agriculture uses are permitted throughout the tier and light industrial uses should be screened and buffered from adjoining non-industrial uses. Commercial uses should be located at the intersections of arterials and collectors or rural roads, or clustered into rural commercial villages located along arterials. The recommended residential use includes farm worker housing and farm homestead on generally large tract (25 acres or greater) with detached single-family housing.

The proposed change in land use classification would complement the land uses adjacent to the property. The adjacent Civic Center Tier is the site of the Dos Rios Water Treatment Plant. Additionally, Agribusiness/ RIMSE Tier is currently designated further to the south. Furthermore, the proposed land use and associated zoning change require screening and buffering from the surrounding residences. Also, the large-tract rural estates to the north provide open space creating additional buffering to the Dos Rio Subdivision.

In addition, the proposed use for a solar farm is consistent with the goals and strategies found in the Heritage Sector Plan. Goal UTI 2 states "Abundant opportunities for developing renewable energy resources." Strategy UTI-2.1 states "Promote solar energy utilization - including small scale household solar panel installation and large scale commercial solar farm."

Minimal Impact Impact can be mitigated Significant Impact - Incompatible Land Use

TRANSPORTATION/INFRASTRUCTURE ANALYSIS:

Major Thoroughfare Plan Designations: Rabel Road is designated as an Enhanced Secondary Arterial with 120 to 142 feet of right-of-way (ROW).

Comments: Currently Rabel Road exists as a rural roadway. Once completed, Rabel Road would provide an east/west connection in the area and eventually connect IH 35 to IH 37. The subject property is accessible only on Rabel Road through FM 1937. It dead-ends at the eastern edge of the subject property.

Minimal Impact Impact can be mitigated Significant Impact to Transportation Capacity

COMMUNITY FACILITIES ANALYSIS:

The SAWS Dos Rios Waste Water Treatment Plant is located on the subject property. The City of San Antonio provides municipal services including police protection, fire protection, and emergency medical services. Mass transit service does not currently operate in this area.

Minimal Impact Impact can be mitigated Significant Impact to Community
Facilities Capacity

Recommendation:

STAFF RECOMMENDATION:

Approval Denial Alternate Recommendation

**City of San Antonio Planning and Community Development Department
Plan Amendment Recommendation**

Comments: Staff recommends **approval** of the request to amend from Civic Center Tier and Rural Estate Tier land use to Agribusiness/RIMSE Tier land use for 217.8 acres. The proposed change in land use classification would complement the existing water treatment plant to the south and west. The flood plain acts a buffer to residential properties to the east and southeast. Furthermore, the screening and buffering requirements from the proposed land use and associated zoning change will mitigate impact to residential areas. The large-tract rural estates to the north also create buffering to surrounding residences. Finally, the Heritage South Sector Plan includes a strategy specific to promoting renewable energy resources.

PLANNING COMMISSION RECOMMENDATION:

Meeting & Public Hearing Date: July 13, 2011

Approval

Denial

Resolution Attached

Newspaper Publication Date of Public Hearing: June 24, 2011

No. Notices mailed 10 days prior to Public Hearing: 35

Registered Neighborhood Association(s) Notified: Dos Rios Neighborhood Association

ZONING COMMISSION SUPPLEMENTAL INFORMATION: Z2011156

Current zoning district: NP-10 (*Neighborhood Preservation*)

Proposed zoning district: L (*Light industrial*)

Zoning Commission Public Hearing Date: July 19, 2011

Approval

Denial

Planning and Community Development Department Staff:

David L. Ellison

Interim Director

Andrea Gilles

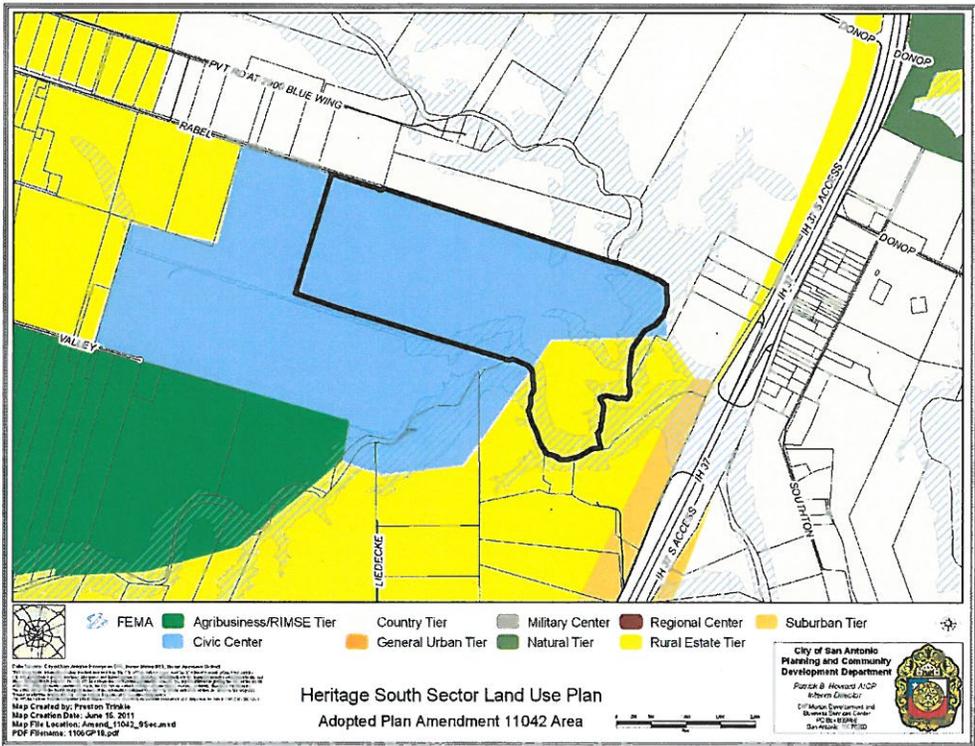
Planning Manager

Case Manager: Priscilla Rosales-Piña

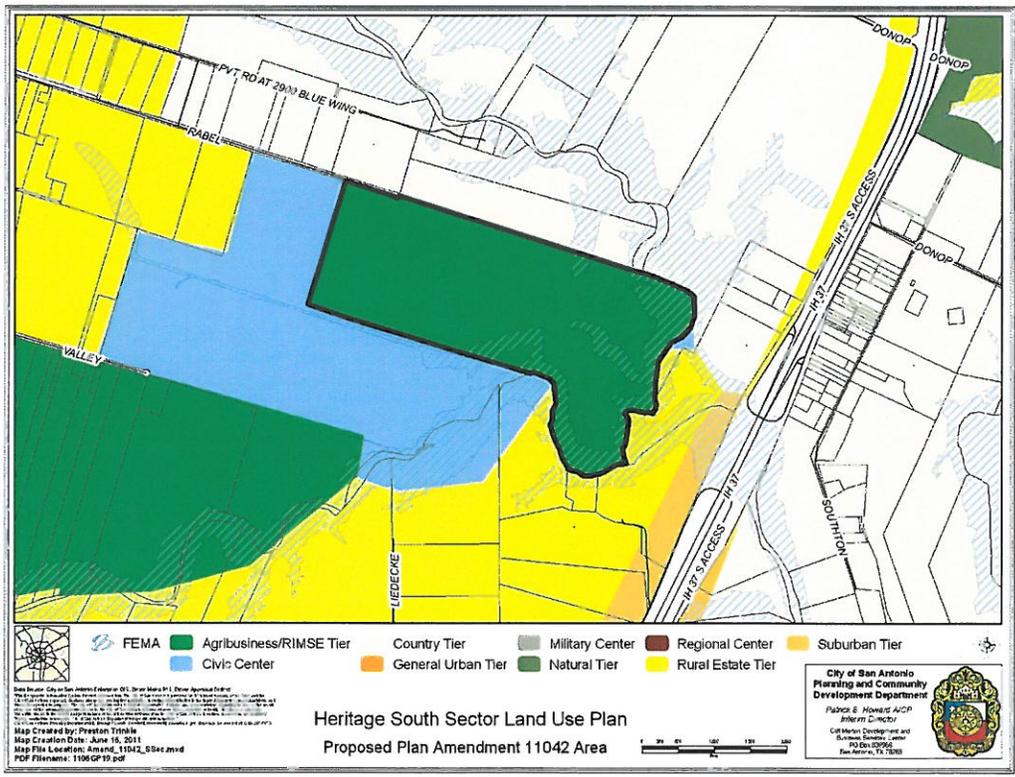
Planning Coordinator

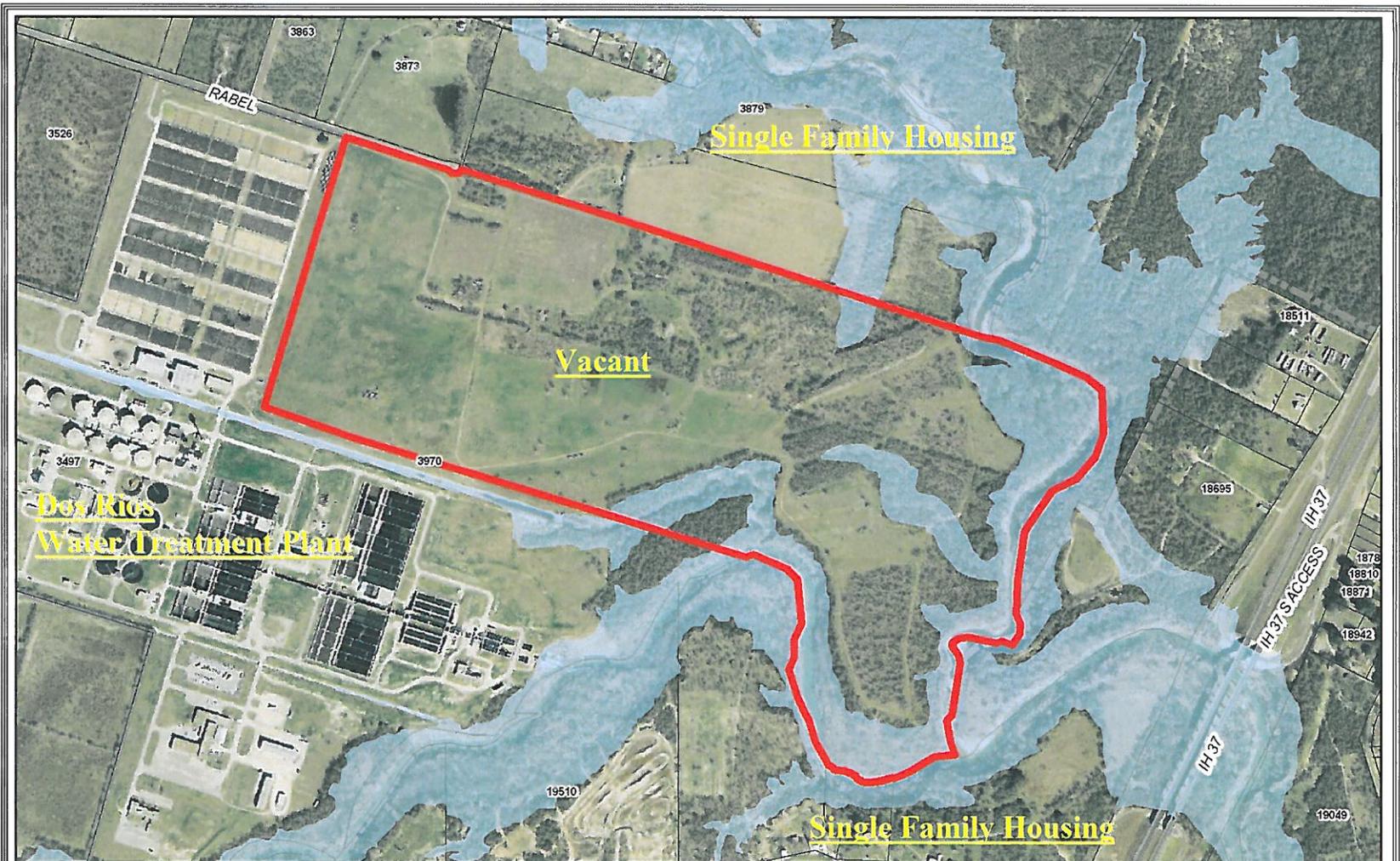
Phone No.:207-7839

Land Use Plan as adopted:



Proposed Amendment:





2010 Aerial

Heritage South Sector Land Use Plan
Proposed Plan Amendment 11042 Area



Data Source: City of San Antonio Enterprise GIS, Bezar Metro 911, Bezar Appraisal District
 This map is a reproduction of the City of San Antonio's GIS data. The City of San Antonio is not responsible for any errors or omissions in this map. The City of San Antonio is not responsible for any damages or liabilities arising from the use of this map. The City of San Antonio is not responsible for any damages or liabilities arising from the use of this map. The City of San Antonio is not responsible for any damages or liabilities arising from the use of this map.
 Map Created by: Preston Trinkle
 Map Creation Date: June 16, 2011
 Map File Location: Amend_11042_SSec.mxd
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City of San Antonio
 Planning and Community
 Development Department
 Patrick B. Howard AICP
 Interim Director
 City of San Antonio
 Business Services Center
 PO Box 625998
 San Antonio, TX 78263



Master Plan Amendment 11042

Heritage South Sector Plan

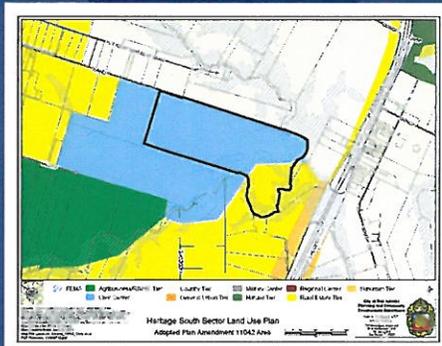
Planning Commission

July 13, 2011

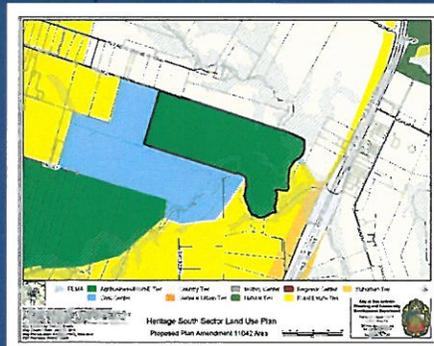
Agenda Item No. XX

Amendment 11042

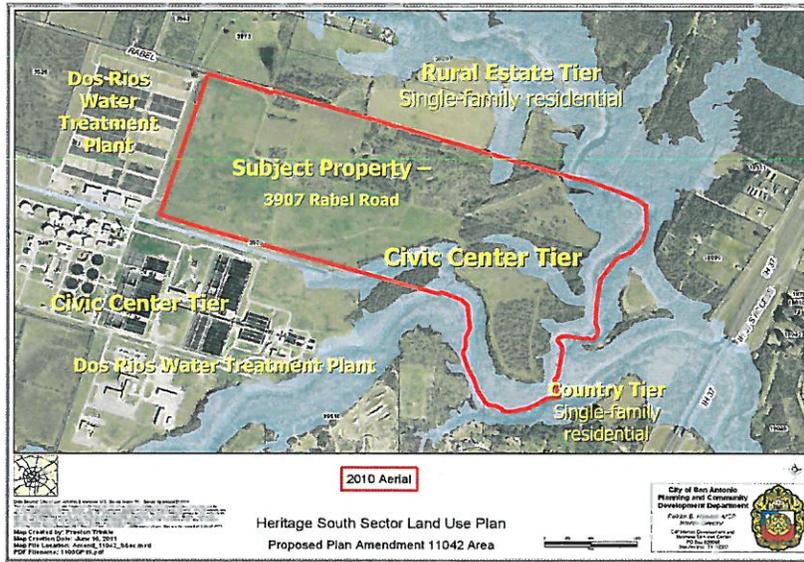
Plan as adopted:



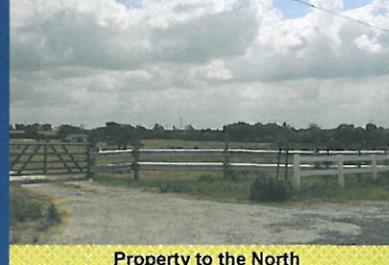
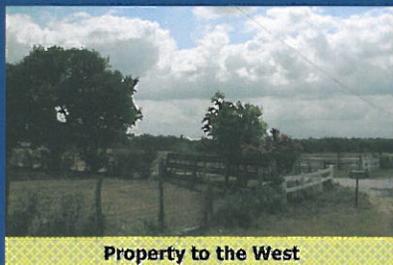
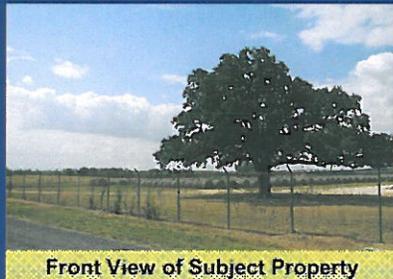
Proposed amendment:



Surrounding Land Uses



Area Images



Staff Recommendation

**Approval of the request to
amend from Civic Center Tier
and Rural Estate Tier land use
to Agribusiness/RIMSE Tier
land use**

RESOLUTION NO.

RECOMMENDING TO APPROVE THE AMENDMENT OF THE LAND USE PLAN CONTAINED IN THE HERITAGE SOUTH SECTOR PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE FROM CIVIC CENTER TIER AND RURAL ESTATE TIER TO AGRIBUSINESS/RIMSE TIER FOR AN AREA OF APPROXIMATELY 217.8 ACRES LOCATED AT 3970 RABEL ROAD.

WHEREAS, City Council approved the Heritage South Sector Plan as an addendum to the Master Plan on September 16, 2010; and

WHEREAS, the May 3, 2001 Unified Development Code requires consistency between zoning and the Master Plan as specified in Sections 35-105, 35-420 (h), and 35-421 (d) (3); and

WHEREAS, Chapter 213.003 of the Texas Local Government Code provides that the Master Plan may be amended by ordinance following a public hearing and review by the Planning Commission; and

WHEREAS, the San Antonio Planning Commission held a public hearing on July 13, 2011 and **APPROVED** the amendment on July 13, 2011; and

WHEREAS, the San Antonio Planning Commission has considered the effect of this amendment to the Master Plan as it pertains to land use intensity, compatibility, community facilities, and the transportation network and found the amended plan to be **CONSISTENT** with City policies, plans and regulations and in conformance with the *Unified Development Code*, Section 35-420, therefore meeting all requirements; and

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO:

SECTION 1: The amendment to the Heritage South Sector Plan attached hereto and incorporated herein by reference is recommended to the City Council with this Commission's recommendation for **APPROVAL** as an amendment to the City's Comprehensive Master Plan.

PASSED AND APPROVED ON THIS 13th DAY OF JULY 2011.

Attest:

Approved:

Executive Secretary
San Antonio Planning Commission

Amelia Hartman, Chair
San Antonio Planning Commission

P/C AGENDA FOR July 13, 2011

Item Number	Item Name	Company	Owner Information	Agent Information
5A & 6	Sideoats Industrial Park	Sideoats, LLC	David A. Ladensohn	
7	River Rock Ranch PUD Unit 2C, Phase 1	Green Land Ventures, LTD	Dana Green	
8	Hunter's Pond Phase 6A, T.I.F.	Hunter's Pond LLP	Harry Hausman	
9	Highland Farms III Unit 9	HLL II Land Acquisitions of Texas, L.P.	Ben Wissink	
10	Cactus Bluff/Sitterle	RKS Texas Investments	Rick Sheldon	James Griffin
11	Cactus Bluff/Sitterle	RKS Texas Investments	Rick Sheldon	Christopher Dice
12	Marbach Hills Unit 1	Marbach Medio Partners, Ltd.		Jeffrey S. Tondre
13	Marbach Hills Unit 1	Marbach Medio Partners, Ltd.		Jeffrey S. Tondre