



City of San Antonio  
Cliff Morton Development and Business Services Center  
1901 South Alamo Street  
San Antonio, Texas 78204

**PLANNING COMMISSION AGENDA**  
**☞ October 24, 2012 ☞**  
**2:00 P.M.**

Rob Rodriguez, *Chair Pro Tem*

Donald Oroian  
Jody R. Sherrill  
Kevin Love  
Zachary Harris

Andrea Rodriguez  
Daniel D. Kossl  
George Peck

*Citizens may appear before the Planning Commission to speak for or against any item on this agenda, in accordance with procedural rules governing Planning Commission meetings. Questions relating to these rules may be directed to the Development Services Department at (210) 207-1111. Please note that citizen comments are limited up to three (3) minutes per person and may change as needed. Please plan to attend the meeting fifteen (15) minutes prior to the scheduled time.*

**DISABILITY ACCESS STATEMENT** - This meeting site is accessible to persons with disabilities. Parking is available. Auxiliary aids and services, including Deaf interpreters, must be requested forty-eight (48) hours prior to the meeting. For assistance, please call (210) 207-1111 or 711 (Texas Relay Service for the Deaf).

**DECLARACIÓN DE ACCESIBILIDAD** - El lugar de reunión cuenta con el acceso disponible y estacionamiento para personas discapacitadas. También incluye servicios especiales e intérpretes para personas con problemas auditivos. Este servicio debe ser solicitado cuarenta y ocho (48) horas antes del día programado para la reunión. Para más información favor comunicarse al (210) 207-1111 o al 711 (Servicio para personas con problemas auditivos Texas Relay)

*For additional information on any item on this agenda, please call (210) 207-1111.*

1. **1:30 P.M.** - Work Session, Tobin Room
  - A. Briefing on proposed updates to the future land use plan contained in the **Dignowity Hill Neighborhood Plan** and corresponding comprehensive rezoning case (John Olsten, Senior Planner, (210) 207-2187, John.Olsten@sanantonio.gov, Department of Planning and Community Development)
  - B. Agenda items may be discussed (Development Services Department)

At any time during the meeting, the Planning Commission may meet in executive session for consultation concerning attorney-client matters under Chapter 551 of the Texas Government Code

2. **2:00 P.M.** - Call to Order, Board Room
3. Roll Call

4. Citizens to be heard

**THE FOLLOWING ITEMS MAY BE CONSIDERED AT ANY TIME DURING THE REGULAR PLANNING COMMISSION MEETING:**

*Public Hearing and Consideration of the following Plats, Variances, Planned Unit Development (PUD) plans, Street Rename, Appeals, Land Transactions, Adoption and Amendments of the Neighborhood, Community and Sector Plans as Components of the Master Plan, and other items as identified below.*

**Planned Unit Development (PUD) Plan**

5. **PUD 04-002B:** Request by Rogers Shavano Ranch No.2, LTD, for approval of a Major Amendment to the **Rogers Ranch Planned Unit Development (PUD) Plan Units G1-G4, P1-10, & E10-13**, generally located west of the intersection of Rogers Ranch Parkway and Point Bluff Drive, within City Council District 9. Staff recommends **approval**. (Luz M. Gonzales, Planner, (210) 207-7898, luz.gonzalez@sanantonio.gov, Development Services Department)

**Plats**

6. **120083:** Request by Remuda Ranch 530, L.P., for approval of a major plat to subdivide a 19.195-acre tract of land to establish the **Remuda Ranch South Subdivision, Unit 1**, generally located on the west side of Galm Road, north of Culebra Road, Outside San Antonio City Limits. Staff recommends **approval**. (Richard Carrizales, Planner, (210) 207-8050, Richard.Carrizales@sanantonio.gov, Development Services Department)
7. **120154:** Request by KB Home Lone Star, Inc., for approval of a major plat to subdivide a 7.114-acre tract of land to establish the **Valley View Subdivision Unit-7B**, generally located northwest of the intersection of Binz-Engleman Road and Sunview Valley, Outside the San Antonio City Limits. Staff recommends **approval**. (Larry Odis, Planner, (210) 207-0210, larry.odis@sanantonio.gov, Development Services Department)
8. **120173:** Request by Melinda and Roberto Rodriguez for approval of a major plat to replat a 3.004-acre tract of land to establish the **Jenkins Hill Subdivision**, generally located south of the intersection of Cielo Vista Drive and Jenkins Hill, located within City Council District 8. Staff recommends **approval**. (Larry Odis, Planner, (210) 207-0210, larry.odis@sanantonio.gov, Development Services Department)
9. **120210:** Request by Pulte Homes of Texas, L.P., for approval of a major plat to subdivide a 0.685-acre tract of land to establish the **Hillcrest Subd. Unit 5B PH 1A**, generally located at the extension of Range Boss (from Hillcrest Unit 3 as recorded in Volume 9572, Pages 95-96), Outside San Antonio City Limits. Staff recommends **approval**. (Luz M. Gonzalez, Planner, (210) 207-7898, Luz.Gonzalez@sanantonio.gov, Development Services Department)
10. **120327:** Request by the City of San Antonio for approval of a minor plat to replat a 3.291-acre tract of land to establish the **Fire Station No. 2**, generally located east of South Zarzamora Street, south of West Villaret Boulevard, within City Council District 4. Staff recommends **approval**. (Rudy Muñoz, Planner, (210) 207-5014, rudy.munoz@sanantonio.gov, Development Services Department)
11. **120343:** Request by Neom, LLC, for approval of a minor plat to replat a 0.445-acre tract of land to establish **Villa Santiago Townhouses 2**, generally located on the north side of Whitby Road, east of Babcock Road within City Council District 7. Staff recommends **approval**. (Rudy Muñoz, Planner, (210) 207-5014, rudy.munoz@sanantonio.gov, Development Services Department)

12. **120344:** Request by Neom, LLC, for approval of a major plat to replat a 1.038-acre tract of land to establish **Villa Santiago Townhouses 3**, generally located on the north side of Whitby Road, east of Babcock Road, within City Council District 7. Staff recommends **approval**. (Larry Odis, Planner, (210) 207-0210, larry.odis@sanantonio.gov, Development Services Department)
13. **120345:** Request by Neom, LLC, for approval of a major plat to replat a 1.202-acre tract of land to establish **Villa Santiago Townhouses 4**, generally located on the north side of Whitby Road, east of Babcock Road, within City Council District 7. Staff recommends **approval**. (Luz M. Gonzalez, Planner, (210) 207-7898, Luz.Gonzalez@sanantonio.gov, Development Services Department)

#### **Plat Deferral**

14. **130001:** Request by Messiah Lutheran Church for temporary utility service prior to plat approval and recordation for the **Messiah Lutheran Subdivision**, a one (1) non-single family lot consisting of 15.474 acres, generally located at the northwest corner of Dietz-Elkorn Road and Old Fredericksburg Road, Outside San Antonio City Limits. Staff recommends **approval**. (Donna Camacho, Planner, (210) 207-5016, donna.camacho@sanantoino.gov, Development Services Department)

#### **Time Extension**

15. **080474:** Request by Keith W. Leibbrant for a three (3) year time extension in accordance with Section 35-430(f) of the City of San Antonio's Unified Development Code (UDC), for the **Mission Center Subdivision**, generally located northeast of the intersection of Blanco Road and Deercrest, within City Council District 9. Staff recommends **approval**. (Rudy Muñoz, Planner, (210) 207-5014, rudy.munoz@sanantonio.gov, Development Services Department)

#### **Variance**

16. **TPV 12-007:** Request by Capital Improvements Management Services for a Tree Preservation variance from the Unified Development Code (UDC) Article V, Section 35-523(h) 100-Year Floodplain and Environmentally Sensitive Areas, to provide improvements for **Seeling Channel** generally located from Woodlawn Lake to Wilson Boulevard, to reduce flooding along Seeling Channel, within City Council District 7. Staff recommends **approval**. (Donna Camacho, Planner, (210) 207-5016, donna.camacho@sanantonio.gov, Development Services Department)

#### **Land Transactions**

17. **S.P. 1448:** A resolution authorizing the closure, vacation and abandonment of an unimproved portion of **Eagleland Street Public Right of Way** consisting of 0.017 of an acre (726 square feet) located at the northwest corner of Eagleland and E. Guenther Streets adjacent to NCB 2917 within City Council District 5. Staff recommends **approval**. (Jesse Quesada, Management Analyst, (210) 207-6971, jesse.quesada@sanantonio.gov, Capital Improvements Management Services)
18. **S.P. 1617:** Request to close and barricade to vehicular traffic at **Ellis Bean railroad crossing**, within City Council District 5. Staff recommends **approval**. (Amer Gilani, Senior Engineer, (210) 207-7767, Amer.Gilani@sanantonio.gov, Department of Public Works)

19. **A: S.P. 1556;** Requests by San Antonio Water Systems (SAWS) to declare as surplus and dispose of properties located at:
- 1: **11800 Queenspoint** (three unimproved residential lots in NCB 34400B, City Council District 6);
  - 2: **16236 White Fawn** (0.107 acre unimproved real property in NCB 14789, City Council District 8);
  - 3: **1503 Edison** (0.1062 acre unimproved real property in NCB 7092, City Council District 1); and
  - 4: **127 Hillcrest** (0.1789 acre unimproved real property in NCB 11410, City Council District 7).
- B: S.P. 1664:** Requests by SAWS to declare as surplus and dispose of properties located at:
- 1: **7000 Dorothy Louise** (0.68 acre circular tract in NCB 11611, City Council District 8);
- Staff recommends **approval**. (Mary L. Fors, Management Analyst, (210) 207-4083, mary.fors@sanantonio.gov, Capital Improvement Management Services)

### **Comprehensive Master Plan Amendments**

20. **PA12075-** Public hearing and consideration of a resolution amending the land use plan contained in the **Midtown Neighborhoods Plan**, a component of the Master Plan of the City, by changing the use of approximately 0.2006 acres of land out of Lot 17, Block 4 NCB 2047 located at 120 Princeton from Mixed Use, Low Density Residential and Transit Oriented Development to Medium Density Residential land use within City Council District 1. Staff recommends **approval**. (Robert C. Acosta, Planner (210) 207-0157, Robert.Acosta@sanantonio.gov, Planning and Community Development Department)
21. **PA12079-** 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 0.8413 acres of land out of Lots 21 and 22, Block G, NCB 8394 located at 1518 Hillcrest Drive from Mixed Use to Community Commercial land use, within City Council District 7. Staff recommends **approval**. (Robert Acosta, Planner, (210) 207-0157, Robert.Acosta@sanantonio.gov, Planning and Community Development Department)
22. **PA12080-** Public hearing and consideration of a resolution amending the land use plan contained in the **San Antonio International Airport Vicinity Land Use Plan**, a component of the Master Plan of the City, by changing the use of approximately 1.377 acres of land out of Lot 1, Block 3, NCB 16161 located approximately 350 feet west of the intersection of Blanco Road and Wurzbach Parkway from Neighborhood Commercial to Mixed Use land use, within City Council District 9. Staff recommends **approval**. (Robert C. Acosta, Planner, (210) 207-0157, Robert.Acosta@sanantonio.gov, Planning and Community Development Department)
23. **PA12081-** 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 8.84 acres of land out of Lot 5B, NCB 10931 located at Southwest corner of South Presa Street and Southeast Military Drive from Community Commercial to Light Industrial land use, within City Council District 3. Staff recommends **approval**. (Tyler, Sorrells, AICP, Planner, (210) 207-7395, Tyler.Sorrells@sanantonio.gov, Planning and Community Development Department)

### **Other Items**

24. Briefing on amendments to the Unified Development Code (UDC) sections 35-388, 35-424, 35-488, 35-497, 35-A101 and 35-B118 relative to Sexually Oriented Business use regulations, licensing and appeal procedures, penalties, definitions and application requirements. (Paul Wendland, III, (210) 207-8961, Paul.WendlandIII@sanantonio.gov, Office of the City Attorney)
25. Consideration of alternative Planning Commission meeting dates due to the 2012 Holiday Schedule. (Melissa Ramirez, Planning Manager, Development Services Department)

26. Approval of the minutes for the October 10, 2012 Planning Commission meeting.
27. Director's report - City Council Action Update (Planning Commission Items sent to Council).
28. Adjournment.



# CITY OF SAN ANTONIO

DEVELOPMENT SERVICES DEPARTMENT

LAND ENTITLEMENTS SECTION

STAFF REPORT

AGENDA NO. 5

**Public Hearing:**

Planning Commission

October 24, 2012

**Application/Case Number:**

PUD 04-002B

**Project Name:**

Rogers Ranch PUD Plan Units G1-G4, P1-P9 & E10-E13

**Applicant:**

Rogers Shavano Ranch No. 2 LTD  
c/o Lloyd A. Denton, Jr.

**Representative:**

Pape-Dawson Engineers, Inc.  
c/o Jon Adame, P.E.

**Owner:**

Rogers Shavano Ranch No. 2 LTD

**Staff Coordinator:**

Luz M. Gonzales, Planner

(210) 207-7898

Luz.gonzales@sanantonio.gov

**Property Address/Location:**

West of the intersection of Rogers  
Ranch Parkway and Point Bluff Drive

**MAPSCO Map Grid (Ferguson):**

515 D-2

**Tract Size:**

328.32 acres

**Council District:**

9

**Notification:**

Thirty two (32) notices were mailed to property owners within 200 feet, and to the Salado Canyon Home Owners Association.

Internet Agenda posting October 19, 2012

**REQUEST**

Approval of a major amendment to the **Rogers Ranch Planned Unit Development (PUD) Plan Units G1-G4, P1-P9 & E10-E13.**

**RECOMMENDED ACTION**

**Approval**

**ALTERNATIVE ACTIONS**

The possible actions the Planning Commission may make on this item are as follows:

1. Approval as requested
2. Approval with conditions
3. Denial

**CASE HISTORY**

This is an amendment to the PUD 04-002A Rogers Ranch PUD Plan Units G-1-G-4, P1-P-9 & E10-E-13, which was approved by the Planning Commission on August 11, 2008.

**ANAYSIS**

**A. Proposed Uses**

The proposed PUD Plan will consist of eight hundred and ten (810) single-family residential lots, seventy three (73%) of open space, and approximately forty one thousand six hundred sixty (41,660) linear feet of private streets.

**B. Zoning**

“PUD R-6 MSAO-1 MLOD-1 ERZD AHOD” Planned Unit Development Single-Family Residential Military Sound Attenuation Overlay Military Lighting Overlay Edwards Recharge Zone Airport Hazard Overlay District.

The PUD zoning designation on the subject property was established by Ordinance No. 87436, which was approved on February 26, 1998.

### C. Surrounded Land Uses and Zoning

| <b>Land Use Overview</b> |                           |                           |
|--------------------------|---------------------------|---------------------------|
|                          | <b>Zoning Districts</b>   | <b>Current Land Use</b>   |
| North                    | R-6 PUD MSAO-1ML0D-1 AHOD | Vacant                    |
| South                    | R-6 PUD MSAO-1ML0D-1 AHOD | Vacant                    |
| East                     | R-6 PUD MSAO-1ML0D-1 AHOD | Single-family residential |
| West                     | R-6 PUD MSAO-1ML0D-1 AHOD | Quarry                    |

### D. Major Thoroughfare(s)

Rogers Ranch Parkway, Secondary Arterial Type A, 86-foot minimum ROW.

### E. Inter-jurisdictional Review

Letters of Certification (LOCs) were issued from all reviewing agencies on September 4, 2012.

The subject property lies within the Camp Bullis 5-mile Awareness Zone, and was reviewed by the City's Office of Military Affairs and the Camp Bullis Military Installation. According to the Garrison Commander's response, the subject property is located in karst zones one (1) and two (2), and contains some dense old growth vegetation. Per request of the Garrison Commander, the applicant addressed Camp Bullis' concerns regarding potential karst invertebrate or golden-cheeked warbler issues by completing the habitat compliance form and submitting biological surveys to United States Fish and Wildlife Services.

The applicant acknowledges receipt of the response from the Garrison Commander, and indicated they have complied with the UDC requirements.

### F. Interdepartmental Review

LOCs were issued from all reviewing agencies on September 27, 2012.

## SUPPLEMENTAL INFORMATION

### A. Notices

To the present, staff has not received a written response from the surrounding property owners.

### B. Evaluation Criteria

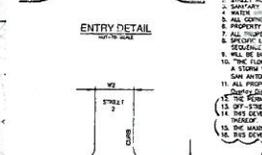
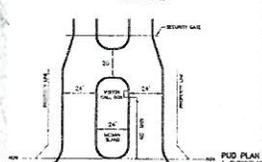
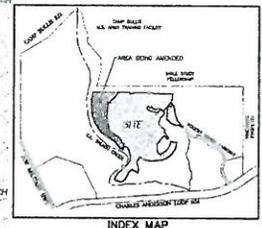
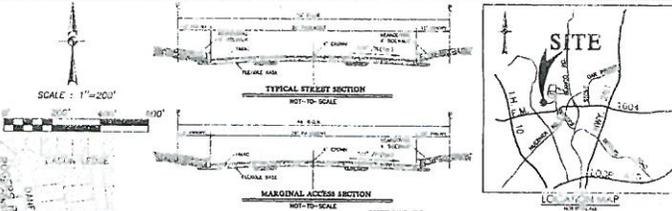
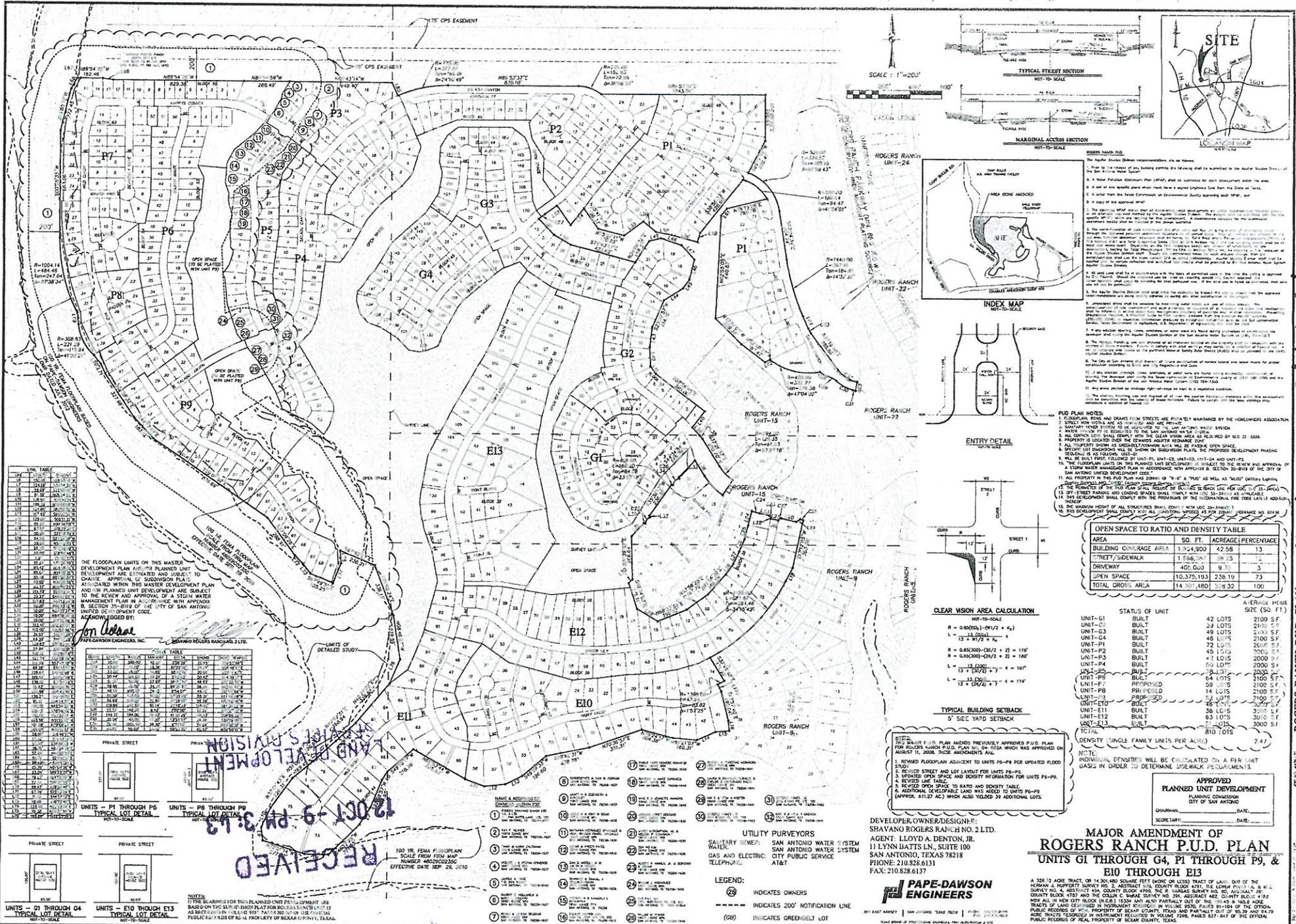
According to Section 35-344(a) of the Unified Development Code (UDC), the Planning Commission shall utilize the evaluation criteria of this Section in reviewing a PUD plan. The Planning Commission approved the PUD 04-002A, Rogers Ranch P.U.D. Plan Units G1-G4, P1-P9 & E10-E13 on August 11, 2008. The Director approved the associated Master Development Plan 538B on June 14, 2006. With the accepted MDP, the single-family residential development of the Rogers Ranch PUD, as proposed, meets the evaluation criteria of Section 35-344(a) of the UDC.

## RECOMMENDATION

Approval of the proposed **Rogers Ranch P.U.D. Plan Units G1-G4, P1-P9 & E10-E13.**

## ATTACHMENTS

1. Proposed PUD Plan



| AREA                   | SQ. FT.    | ACREAGE | PERCENTAGE |
|------------------------|------------|---------|------------|
| BUILDING COVERAGE AREA | 1,354,900  | 42.58   | 13         |
| STREET/SIDEWALK        | 1,086,300  | 38.15   | 12         |
| DRIVEWAY               | 402,600    | 9.90    | 3          |
| GREEN SPACE            | 10,375,193 | 238.19  | 73         |
| TOTAL GROSS AREA       | 14,800,480 | 33.32   | 100        |

| UNIT     | BUILT    | 42 LOTS   | AVERAGE HOME SIZE (SQ. FT.) |
|----------|----------|-----------|-----------------------------|
| UNIT-G1  | BUILT    | 2100 S.F. |                             |
| UNIT-G2  | BUILT    | 2100 S.F. |                             |
| UNIT-G3  | BUILT    | 2100 S.F. |                             |
| UNIT-G4  | BUILT    | 2100 S.F. |                             |
| UNIT-P1  | BUILT    | 2600 S.F. |                             |
| UNIT-P2  | BUILT    | 2600 S.F. |                             |
| UNIT-P3  | BUILT    | 2600 S.F. |                             |
| UNIT-P4  | BUILT    | 2600 S.F. |                             |
| UNIT-P5  | BUILT    | 2600 S.F. |                             |
| UNIT-P6  | BUILT    | 2600 S.F. |                             |
| UNIT-P7  | PROPOSED | 2100 S.F. |                             |
| UNIT-P8  | PROPOSED | 2100 S.F. |                             |
| UNIT-P9  | PROPOSED | 2100 S.F. |                             |
| UNIT-E10 | BUILT    | 3000 S.F. |                             |
| UNIT-E11 | BUILT    | 3000 S.F. |                             |
| UNIT-E12 | BUILT    | 3000 S.F. |                             |
| UNIT-E13 | BUILT    | 3000 S.F. |                             |

DENSITY (SINGLE FAMILY UNITS PER ACRE) 2.47

NOTE: INDIVIDUAL UNITS WILL BE CALCULATED ON A PER UNIT BASIS IN ORDER TO DETERMINE SIDEWALK REQUIREMENTS.

APPROVED PLANNED UNIT DEVELOPMENT

PLANNING COMMISSION CITY OF SAN ANTONIO

CHAIRMAN: \_\_\_\_\_ DATE: \_\_\_\_\_

SECRETARY: \_\_\_\_\_ DATE: \_\_\_\_\_

DEVELOPER/OWNER/DESIGNER:  
SHAVANO ROGERS RANCH NO. 2 LTD.  
AGENT: LLOYD A. DENTON, JR.  
11 LYNN DATTS LN., SUITE 100  
SAN ANTONIO, TEXAS 78218  
PHONE: 210.828.6131  
FAX: 210.828.6137

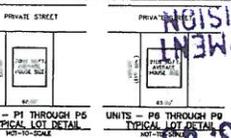
LEGEND:  
② INDICATES OWNERS  
--- INDICATES 200' NOTIFICATION LINE  
(GH) INDICATES GREENBELT LOT

| UNIT | LOT     | AREA | TYPE          | STATUS |
|------|---------|------|---------------|--------|
| G1   | 1-12    | 42   | Single Family | Built  |
| G2   | 13-24   | 42   | Single Family | Built  |
| G3   | 25-36   | 42   | Single Family | Built  |
| G4   | 37-48   | 42   | Single Family | Built  |
| P1   | 49-60   | 42   | Single Family | Built  |
| P2   | 61-72   | 42   | Single Family | Built  |
| P3   | 73-84   | 42   | Single Family | Built  |
| P4   | 85-96   | 42   | Single Family | Built  |
| P5   | 97-108  | 42   | Single Family | Built  |
| P6   | 109-120 | 42   | Single Family | Built  |
| P7   | 121-132 | 42   | Single Family | Built  |
| P8   | 133-144 | 42   | Single Family | Built  |
| P9   | 145-156 | 42   | Single Family | Built  |
| E10  | 157-168 | 42   | Single Family | Built  |
| E11  | 169-180 | 42   | Single Family | Built  |
| E12  | 181-192 | 42   | Single Family | Built  |
| E13  | 193-204 | 42   | Single Family | Built  |

THE FLOODPLAIN LIMITS ON THIS MASTER DEVELOPMENT PLAN AND PLANNED UNIT DEVELOPMENT ARE ESTIMATED AND SUBJECT TO CHANGE UPON APPROVAL OF SUBDIVISION PLANS. ALL UNITS WITHIN THIS MASTER DEVELOPMENT PLAN AND PLANNED UNIT DEVELOPMENT ARE SUBJECT TO THE REVIEW AND APPROVAL OF A STORM WATER MANAGEMENT PLAN IN ACCORDANCE WITH APPENDIX B, SECTION 37-0119 OF THE CITY OF SAN ANTONIO UNIFIED DEVELOPMENT CODE. AGENT/OWNER/DESIGNER:

PAPE-DAWSON ENGINEERS, INC. SHAVANO ROGERS RANCH NO. 2 LTD.

| UNIT | LOT     | AREA | TYPE          | STATUS |
|------|---------|------|---------------|--------|
| G1   | 1-12    | 42   | Single Family | Built  |
| G2   | 13-24   | 42   | Single Family | Built  |
| G3   | 25-36   | 42   | Single Family | Built  |
| G4   | 37-48   | 42   | Single Family | Built  |
| P1   | 49-60   | 42   | Single Family | Built  |
| P2   | 61-72   | 42   | Single Family | Built  |
| P3   | 73-84   | 42   | Single Family | Built  |
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| P5   | 97-108  | 42   | Single Family | Built  |
| P6   | 109-120 | 42   | Single Family | Built  |
| P7   | 121-132 | 42   | Single Family | Built  |
| P8   | 133-144 | 42   | Single Family | Built  |
| P9   | 145-156 | 42   | Single Family | Built  |
| E10  | 157-168 | 42   | Single Family | Built  |
| E11  | 169-180 | 42   | Single Family | Built  |
| E12  | 181-192 | 42   | Single Family | Built  |
| E13  | 193-204 | 42   | Single Family | Built  |



RECEIVED  
12 OCT -9 PM 3:43  
LAND DEVELOPMENT DIVISION

100 YR FEMA FLOODPLAIN SCALE FROM FEMA MAP NUMBER 48023C0230C EFFECTIVE DATE SEP-26-2010

1. REVISIONS TO THIS PLAN SHOULD BE SUBMITTED TO THE CITY OF SAN ANTONIO PLANNING COMMISSION FOR APPROVAL.
2. ALL UNITS MUST BE BUILT IN ACCORDANCE WITH THE CITY OF SAN ANTONIO UNIFIED DEVELOPMENT CODE.
3. THE CITY OF SAN ANTONIO WILL BE RESPONSIBLE FOR THE CONSTRUCTION AND MAINTENANCE OF THE STORM WATER MANAGEMENT SYSTEM.
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27. THE CITY OF SAN ANTONIO WILL BE RESPONSIBLE FOR THE CONSTRUCTION AND MAINTENANCE OF THE STORM WATER MANAGEMENT SYSTEM.
28. THE CITY OF SAN ANTONIO WILL BE RESPONSIBLE FOR THE CONSTRUCTION AND MAINTENANCE OF THE STORM WATER MANAGEMENT SYSTEM.
29. THE CITY OF SAN ANTONIO WILL BE RESPONSIBLE FOR THE CONSTRUCTION AND MAINTENANCE OF THE STORM WATER MANAGEMENT SYSTEM.
30. THE CITY OF SAN ANTONIO WILL BE RESPONSIBLE FOR THE CONSTRUCTION AND MAINTENANCE OF THE STORM WATER MANAGEMENT SYSTEM.
31. THE CITY OF SAN ANTONIO WILL BE RESPONSIBLE FOR THE CONSTRUCTION AND MAINTENANCE OF THE STORM WATER MANAGEMENT SYSTEM.
32. THE CITY OF SAN ANTONIO WILL BE RESPONSIBLE FOR THE CONSTRUCTION AND MAINTENANCE OF THE STORM WATER MANAGEMENT SYSTEM.

UTILITY PURVEYORS  
SEWER: SAN ANTONIO WATER SYSTEM  
WATER: SAN ANTONIO WATER SYSTEM  
GAS AND ELECTRIC: CITY PUBLIC SERVICE  
TELEPHONE: AT&T

PAPE-DAWSON ENGINEERS  
381 EAST RANSBY | SAN ANTONIO, TEXAS 78214 | 210.828.6131  
FAX: 210.828.6137

ATTACHMENT 7  
ROGERS RANCH P.U.D. PLAN



# CITY OF SAN ANTONIO

DEVELOPMENT SERVICES DEPARTMENT

LAND ENTITLEMENTS SECTION

STAFF REPORT

AGENDA NO. 6

**Public Hearing:**

Planning Commission

October 24, 2012

**Application/Case Number:**

120083

**Project Name:**

Remuda Ranch South Subdivision,

Unit 1

**Applicant:**

Remuda Ranch 530, L.P.

c/o Norman T. Douglas, Jr.

**Representative:**

M.W. Cude Engineering, LLC

c/o Christopher R. Dice, P.E.

**Owner:**

Remuda Ranch 530, L.P

**Staff Coordinator:**

Richard Carrizales, Planner

(210) 207-8050

Richard.Carrizales@sanantonio.gov

**Property Address/Location:**

On the west side of Galm Road,

North of Culebra Road.

**MAPSCO Map Grid (Ferguson):**

545 B-7

**Tract Size:**

19.195 acres

**Council District:**

ETJ

**NOTIFICATION:**

Internet Agenda Posting October 19,

2012

**REQUEST**

Approval of a major plat to subdivide a 19.195-acre tract of land to establish the **Remuda Ranch South Subdivision, Unit 1**

**APPLICATION TYPE**

Subdivision Plat

**RECOMMENDED ACTION**

Approval

**DATE FILED WITH PLANNING COMMISSION**

October 10, 2012

**I. ANALYSIS**

**A. Proposed Uses**

The proposed plat will consist of sixty-nine (69) single-family residential lots, four (4) non-single family residential lots and approximately three thousand seven hundred thirty-two (3,732) linear feet of public streets.

**B. Zoning**

The proposed plat is located outside the city limits of San Antonio, therefore zoning is not applicable.

**C. Major Thoroughfares**

Galm Road, Secondary Arterial Type A, 86-foot minimum right-of-way.

**D. Services Available**

SAWS Water and Sewer.

**E. Inter-jurisdictional Review**

Letters of Certification (LOC's) were issued from all reviewing agencies on October 8, 2012.

**F. Interdepartmental Review**

LOC's were issued from all reviewing agencies on October 10, 2012.

**II. SUPPLEMENTAL INFORMATION**

**A. Associated Applications**

MDP 433A, Remuda Ranch Subdivision, accepted on October 8, 2012  
RD 11-01-026 Remuda Ranch Subdivision, approved on March 8, 2011

**III. RECOMMENDATION**

Approval of the proposed **Remuda Ranch South Unit 1** Subdivision Plat.

**IV. ATTACHMENTS**

1. Proposed Subdivision Plat









# CITY OF SAN ANTONIO

DEVELOPMENT SERVICES DEPARTMENT

LAND ENTITLEMENTS SECTION

STAFF REPORT

AGENDA NO. 7

**Public Hearing:**

Planning Commission  
October 24, 2012

**Application/Case Number:**

120154

**Project Name:**

Valley View Subdivision Unit-7B

**Applicant:**

KB Home Lone Star, Inc.  
c/o Joseph C. Hernandez

**Representative:**

Pape-Dawson Engineers, Inc.  
c/o Rick Wood, P.E.

**Owner:**

KB Home Lone Star, Inc.  
c/o Joseph C. Hernandez

**Staff Coordinator:**

Larry Odis, Planner  
(210)207-0210  
larry.odis@sanantonio.gov

**Property Address/Location:**

Northwest of the intersection of Binz-  
Engleman Road and Sunview Valley

**MAPSCO Map Grid (Ferguson):**

586 A-6

**Tract Size:**

7.114 acres

**Council District(s):**

ETJ

**Notification:**

Internet Agenda Posting October 19,  
2012

**REQUEST**

Approval of a major plat to subdivide a 7.114-acre tract of land to establish the **Valley View Subdivision Unit-7B**

**APPLICATION TYPE**

Subdivision Plat

**RECOMMENDED ACTION**

Approval

**DATE FILED WITH PLANNING COMMISSION**

October 11, 2012

**I. ANALYSIS**

**A. Proposed Use(s)**

The proposed plat will consist of forty-eight (48) single-family residential lots, three (3) non-single family residential lots and approximately one thousand two hundred forty-six (1,246) linear feet of public streets.

**B. Zoning**

The proposed plat is located outside the city limits of San Antonio, therefore zoning is not applicable.

**C. Major Thoroughfare(s)**

Binz-Engleman Road, Secondary Arterial Type A, 86-foot minimum right-of-way.

**D. Services Available**

SAWS Water and San Antonio River Authority Sewer

**E. Inter-jurisdictional Review**

Letters of Certification (LOCs) were issued from all reviewing agencies on October 5, 2012.

**F. Interdepartmental Review**

LOCs were issued from all reviewing agencies on September 13, 2012.

It is noted that no building permits will be issued until a FEMA LOMR flood plain study is prepared and approved by FEMA. In addition, a letter of map revision must be issued by FEMA indicating no 100-year flood plain encroachment exists on Lots 82 thru 87, Block 61, Lots 24 thru 26, Block 76, and Lot 1, Block 77, CB 5080. Elevation certificates for homes constructed on the above-mentioned lots shall be submitted to the City of San Antonio and Bexar County.

**II. SUPPLEMENTAL INFORMATION**

**A. Associated Applications**

MDP 789-C, Valley View Subdivision, accepted on October 24, 2011

**I. RECOMMENDATION**

Approval of the proposed **Valley View Subdivision Unit-7B** Subdivision Plat.

**IV. ATTACHMENTS**

1. Proposed Plat





# CITY OF SAN ANTONIO

DEVELOPMENT SERVICES DEPARTMENT

LAND ENTITLEMENTS SECTION

STAFF REPORT

AGENDA NO. 8

**Public Hearing:**

Planning Commission  
October 24, 2012

**Application/Case Number:**

120173

**Project Name:**

Jenkins Hill Subdivision

**Applicant:**

Melinda & Roberto Rodriguez

**Representative:**

GE Reaves Engineering, Inc.  
c/o Anthony T. Recine III, P.E.

**Owner:**

Melinda & Roberto Rodriguez

**Staff Coordinator:**

Larry Odis, Planner  
(210)207-0210  
larry.odis@sanantonio.gov

**Property Address/Location:**

South of the intersection of Cielo  
Vista Drive and Jenkins Hill

**MAPSCO Map Grid (Ferguson):**

479 E-3

**Tract Size:**

3.004 acres

**Council District:**

8

**Notification:**

Published in Daily Commercial  
Recorder on October 5, 2012  
Eight (8) notices were mailed to  
property owners within 200 feet  
within the subdivision and to the  
Cielo Vista Neighborhood  
Association  
Internet Agenda posting October 19,  
2012

**REQUEST**

Approval of a major plat to replat a 3.004-acre tract of land to  
establish the **Jenkins Hill Subdivision**

**APPLICATION TYPE**

Replat

**RECOMMENDED ACTION**

Approval

**DATE FILED WITH PLANNING COMMISSION**

October 2, 2012

**CASE HISTORY**

Area being replatted is a portion of lot 1 of the F. Haeri  
Subdivision, recorded in Volume 9100, Page 237, of the Deed  
and Plat Records of Bexar County, Texas.

**I. ANALYSIS**

**A. Proposed Use**

The proposed plat will consist of one (1) single-family residential lot.

**B. Zoning**

“R-6 GC-1 MLOD-1” Residential Single-Family, Hill Country Gateway Corridor, Military Lighting Overlay District and “R-6 MLOD-1” Residential Single-Family, Military Lighting Overlay District.

**C. Services Available**

Water Well and On Site Sewer Facility

**D. Inter-jurisdictional Review**

Letters of Certification (LOCs) were issued from all reviewing agencies on September 25, 2012.

Furthermore, this plat lies within the Camp Bullis 5-Mile Awareness Zone, the tract is less than ten (10) acres, and is not immediately adjoining the Camp Bullis or Camp Stanley installations. Therefore, the Military Installation’s review was not applicable in accordance with the executed Memorandum of Understanding (MOU).

However, it is noted that the applicant will need to comply with the Military Lighting Overlay District (MLOD-1) of April 2, 2009 (Ordinance 2009-04-02-0258).

**E. Interdepartmental Review**

LOCs were issued from all reviewing agencies on September 28, 2012.

**II. SUPPLEMENTAL INFORMATION**

**A. Notices**

To the present, staff has not received any written responses from the surrounding property owners.

**III. RECOMMENDATION**

Approval of the proposed **Jenkins Hill Subdivision** Replat.

**IV. ATTACHMENTS**

1. Proposed Replat

PLAT NUMBER 120173

REPLAT ESTABLISHING JENKINS HILL SUBDIVISION

BEING 3.004 ACRES OF LAND ESTABLISHING LOT 18, BLOCK 1, N.C.B. 16391, OUT OF A PORTION OF LOT 1, BLOCK 1, N.C.B. 34730, F HAERI SUBDIVISION, AS RECORDED IN VOLUME 9100, PAGE 237, OF THE DEED AND PLAT RECORDS OF BEAR COUNTY TEXAS.



CRE Reeves Engineering, Inc. P.O. Box 791793 San Antonio, TX 78279-1793 (210) 490-4506 Fax 490-4812 Texas Registration F-1808

SCALE: 1" = 100'

DATE: 02/02/12

CRE JOB NO.: 11-0497E

STATE OF TEXAS COUNTY OF BEAR

THE AREA BEING RE-PLATTED WAS PREVIOUSLY PLATTED ON PLAT F HAERI SUBDIVISION WHICH IS RECORDED IN VOLUME 9100, PAGE 237, BEAR COUNTY PLAT AND DEED RECORDS. THE SAN ANTONIO PLANNING COMMISSION AT ITS MEETING OF ... HELD A PUBLIC HEARING WHICH INVOLVED NOTIFICATION OF THE PROPOSED REPLATING ON THIS PROPERTY.

I (WE), THE OWNER(S) OF THE PROPERTY SHOWN ON THIS REPLAT HEREBY CERTIFY THAT THIS REPLAT DOES NOT AMEND OR REMOVE ANY COVENANTS OR RESTRICTIONS.

OWNER(S): ROBERTO & MELINDA RODRIGUEZ LOT 18, BLK 1, NCB 16391 23702 JENKINS HILL SAN ANTONIO, TX 78228 (210) 724-4298

SWORN AND SUBSCRIBED BEFORE ME THIS ... DAY OF 2012.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES: ...

STATE OF TEXAS COUNTY OF BEAR

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

OWNER(S): ROBERTO & MELINDA RODRIGUEZ DULY AUTHORIZED AGENT

STATE OF TEXAS COUNTY OF BEAR

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED ... 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 ... DAY OF ... 20...

NOTARY PUBLIC, BEAR COUNTY, TEXAS

THIS PLAT OF JENKINS HILL SUBDIVISION HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO, TEXAS, IS HEREBY APPROVED BY SUCH COMMISSION IN ACCORDANCE WITH STATE OR LOCAL LAWS AND REGULATIONS; AND/OR WHERE ADMINISTRATIVE EXCEPTION(S) HAVE BEEN GRANTED.

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

BY: CHAIRMAN

BY: SECRETARY

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 DEED AND PLAT RECORDS OF SAID COUNTY, IN BOOK VOLUME ... ON PAGE ... IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE, THIS DAY OF ... A.D. 20...

COUNTY CLERK, BEAR COUNTY, TEXAS BY: DEPUTY

REPLAT

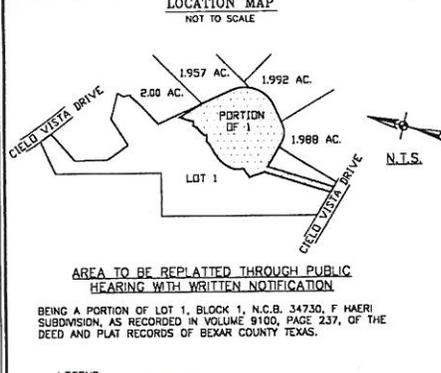


C.P.S. NOTES: 1. THE CITY OF SAN ANTONIO AS A PART OF ITS ELECTRIC AND GAS SYSTEM (CITY PUBLIC SERVICE BOARD) IS HEREBY DEDICATED THE EASEMENTS AND RIGHT-OF-WAY FOR ELECTRIC DISTRIBUTION AND SERVICE FACILITIES IN THE AREAS DESIGNATED ON THIS PLAT AS 'ELECTRIC EASEMENT', 'ANCHOR EASEMENT', 'SERVICE EASEMENT', 'OVERHANG EASEMENT', 'UTILITY EASEMENT', 'GAS EASEMENT' AND 'TRANSFORMER EASEMENT' FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, RECONSTRUCTING, MAINTAINING, REPAIRING, INSPECTING, PATROLLING AND ERECTING POLES, HANGING OR BURYING WIRES, CABLES, CONDUITS, PIPELINES OR TRANSFORMERS, EACH WITH ITS NECESSARY APPURTENANCES; TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER GRANTOR'S ADJACENT LAND, THE RIGHT TO RELOCATE SAID FACILITIES WITHIN SAID EASEMENT AND RIGHT-OF-WAY AREAS, AND THE RIGHT TO REMOVE FROM SAID LANDS ALL TREES OR PARTS THEREOF, OR OTHER OBSTRUCTIONS WHICH ENDANGER OR MAY INTERFERE WITH THE EFFICIENT OPERATION 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 CPS MONETARY LOSS RESULTING FROM MODIFICATIONS REQUIRED OF CPS 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 ALTERATION. 3. THIS PLAT DOES NOT AMEND, ALTER, RELEASE OR OTHERWISE AFFECT ANY EXISTING ELECTRIC, GAS, WATER, SEWER, DRAINAGE, TELEPHONE, CABLE EASEMENTS OR ANY OTHER EASEMENTS FOR UTILITIES UNLESS THE CHANGES TO SUCH EASEMENTS ARE DESCRIBED HEREON. 4. CONCRETE DRIVEWAY APPROACHED ARE ALLOWED WITHIN THE FIVE (5) FOOT WIDE ELECTRIC AND GAS EASEMENTS WHEN LOTS ARE SERVED ONLY BY REAR LOT UNDERGROUND ELECTRIC AND GAS FACILITIES. 5. ROOF OVERHANGS ARE ALLOWED WITHIN THE FIVE (5) FOOT WIDE ELECTRIC AND GAS EASEMENTS WHEN ONLY UNDERGROUND ELECTRIC AND GAS FACILITIES ARE PROPOSED OR EXISTING WITHIN THOSE FIVE (5) FOOT WIDE EASEMENTS.

CURVE TABLE with columns: CURVE, RADIUS, DELTA, LENGTH, CH. BEARING, CH. LENGTH. Rows C1 through C7.

LINE TABLE with columns: LINE, CHORD BEARING, LENGTH. Rows L1 through L10.

- NOTES: NO STRUCTURE, FENCES, WALLS OR OTHER OBSTRUCTIONS THAT IMPEDE 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 BEAR COUNTY. ...



- LEGEND: - - - - - EXISTING CONTOURS
- NOTES: 1.) SET 1/2" IRON RODS AT ALL CORNERS UNLESS OTHERWISE NOTED. 2.) BEARING SHOWN HEREON ARE REFERENCED TO PREVIOUS SUBDIVISION PLATS OF THIS OR ADJACENT PROPERTIES. 3.) DISTANCES SHOWN ON THE PLAT ARE ACTUAL GROUND DISTANCES. 4.) DISTANCE SHOWN ARE SURFACE. BEARINGS ARE BASED ON THE SOUTH PROPERTY LINE BEING N73°16'16"W. 5.) COORDINATES SHOWN HEREON ARE TEXAS STATE PLANE COORDINATES - SOUTH CENTRAL ZONE. COORDINATES EXPRESSED IN U.S. SURVEY FEET (NAD83).

STATE OF TEXAS COUNTY OF BEAR I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE THAT AT THE TIME OF PLANNING COMMISSION APPROVAL, A POTABLE GROUND WATER SUPPLY WHICH MEETS THE CURRENT STANDARDS AS ESTABLISHED BY THE TEXAS DEPARTMENT OF HEALTH FOR DRINKING WATER UNDERLIES EACH LOT AND SUCH WATER IS SUFFICIENT QUANTITY TO SUPPLY THE DOMESTIC NEEDS OF THE IMPROVEMENTS TO BE CONSTRUCTED ON THE INDIVIDUAL LOTS WITHIN THE SUBDIVISION. EACH INDIVIDUAL PROPERTY OWNER IS RESPONSIBLE FOR THE CONSTRUCTION OF AN INDIVIDUAL WATER WELL THAT IS IN COMPLIANCE WITH THE RULES AND REGULATIONS OF THE TEXAS DEPARTMENT OF HEALTH.

ANTHONY T. RECINE III LICENSED PROFESSIONAL ENGINEER No. 94575 SWORN AND SUBSCRIBED BEFORE ME THIS ... DAY OF ... 2012.

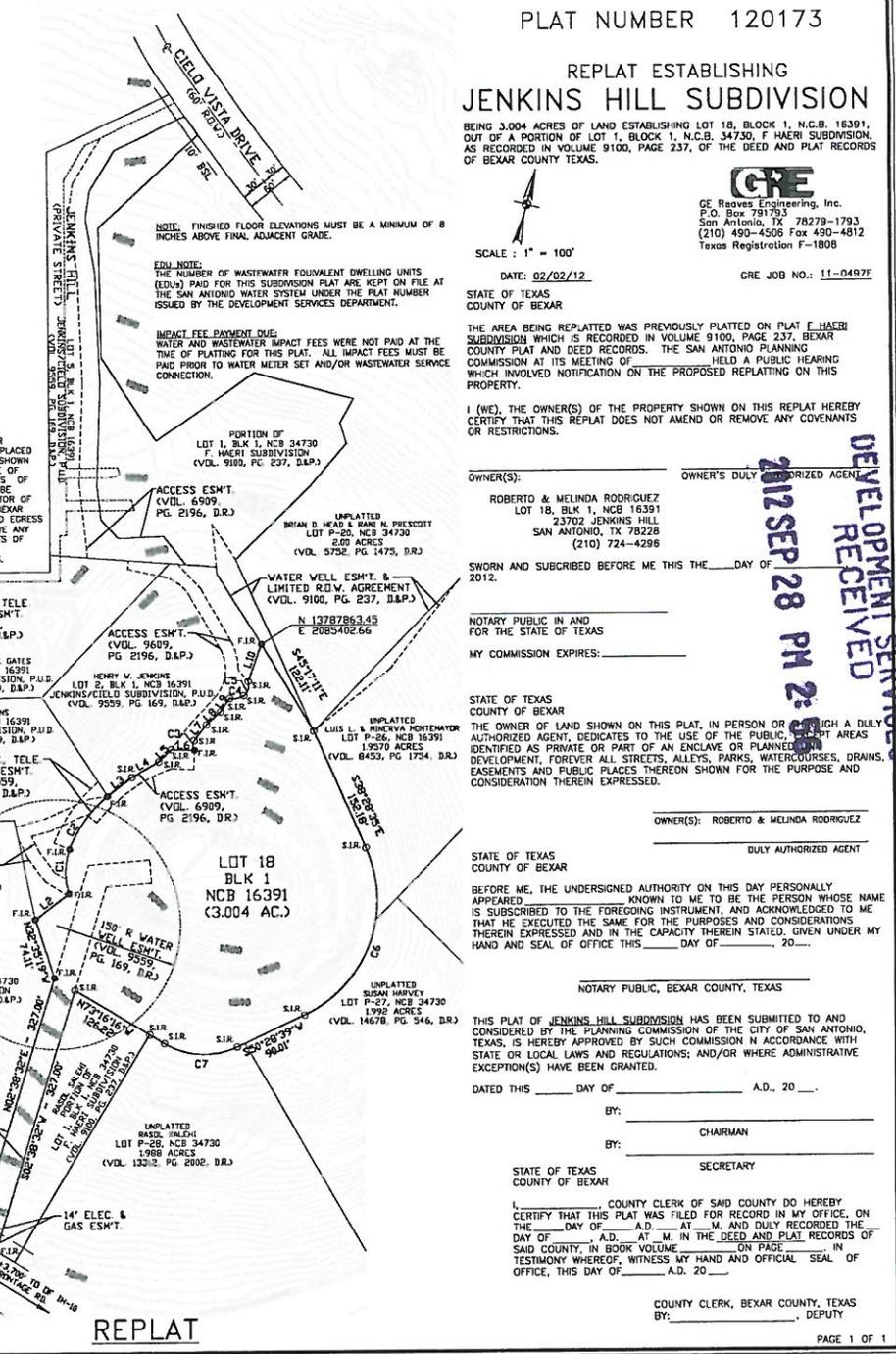
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS MY COMMISSION EXPIRES: ...

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. 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.

ANTHONY T. RECINE III LICENSED PROFESSIONAL ENGINEER No. 94575

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: GAYLORD E. BEAVES

REGISTERED PROFESSIONAL LAND SURVEYOR NO. 3501



Vertical stamp: DEVELOPMENT SERVICES 2012 SEP 28 PM 2:58

Vertical stamp: Attachment 1



# CITY OF SAN ANTONIO

DEVELOPMENT SERVICES DEPARTMENT

LAND ENTITLEMENTS SECTION

STAFF REPORT

AGENDA NO. 9

**Public Hearing:**

Planning Commission  
October 24, 2012

**Application/Case Number:**

120210

**Project Name:**

Hillcrest Subd. Unit 5B PH 1A

**Applicant:**

Pulte Homes of Texas, L.P.  
c/o Charles Marsh

**Representative:**

Denham-Ramones Engineering  
c/o Paul W. Denham, P.E.

**Owner:**

Pulte Homes of Texas, L.P.

**Staff Coordinator:**

Luz M. Gonzales, Planner  
(210)207-7898  
Luz.gonzales@sanantonio.gov

**Property Address/Location:**

The extension of Range Boss from  
Hillcrest Subdivision Unit 3 as  
recorded in Volume 9572, Pages 95-  
96

**MAPSCO Map Grid (Ferguson):**

646 B-2

**Tract Size:**

0.685 acres

**Council District(s):**

Outside San Antonio City Limits

**Notification:**

Internet Agenda Posting October 19,  
2012

**REQUEST**

Approval of a major plat to subdivide a 0.685-acre tract of land to  
establish the **Hillcrest Subd. Unit 5B PH 1A**

**APPLICATION TYPE**

Subdivision Plat

**RECOMMENDED ACTION**

Approval

**DATE FILED WITH PLANNING COMMISSION**

October 4, 2012

**I. ANALYSIS**

**A. Proposed Use**

The proposed plat will consist of 495 linear feet of public streets.

**B. Zoning**

The proposed plat is located outside the city limits of San Antonio, therefore zoning is not applicable.

**C. Services Available**

SAWS Water and Sewer

**D. Inter-jurisdictional Review**

Letters of Certification (LOCs) were issued from all reviewing agencies on September 4, 2012.

**E. Interdepartmental Review**

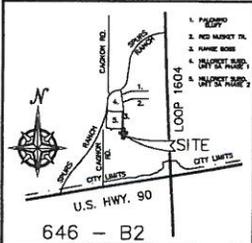
LOC's were issued from all reviewing agencies on September 4, 2012.

**III. RECOMMENDATION**

Approval of the proposed **Hillcrest Unit 5B Phase 1A** Subdivision plat.

**IV. ATTACHMENTS**

1. Proposed plat



646 - B2  
LOCATION MAP  
NOT TO SCALE

**LEGEND**

- |  |              |
|--|--------------|
| 1. BUILDING SETBACK LINE   | B.S.L.       |
| 2. CLEAR VISION EASEMENT   | C.V.E.       |
| 3. ELECTRIC & CABLE TELEVISION EASEMENT  | E.T.V.E.     |
| 4. TELEPHONE & CABLE TELEVISION EASEMENT   | T.V.E.       |
| 5. GAS, ELECTRIC, TELEPHONE & CABLE TELEVISION EASEMENT  | G.E.T.V.E.   |
| 6. VESICULAR NON-ADJACENT EASEMENT   | V.A.E.       |
| 7. ELECTRIC, GAS, TELEPHONE & CABLE TELEVISION EASEMENT  | E.G.T.V.E.   |
| 8. UTILITY (ELECTRIC, GAS, TELEPHONE & CABLE TV), SANITARY SEWER, WATER, SIDEWALK & CLEAR VISION EASEMENT  | U.S.W.C.V.E. |
| 9. D.P.R. = OFFICIAL RECORDS, REAL PROPERTY, BEAR COUNTY, TEXAS.   |              |
| 10. D.P.R. = DEED AND PLAT RECORDS, BEAR COUNTY, TEXAS.  |              |
| 11. PROPOSED FINISHED CONTOUR  |              |
| 12. THE VALUES OF THE SETS OF COORDINATES SHOWN HEREON WERE OBTAINED WITH GLOBAL POSITIONING RECEIVERS DATUM IS NAD 83/NA83, TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, CONVERSION SCALE FACTOR IS 1.00017 ROTATION CORRECTION TO PLAT IS 0.00009          |              |
| 13. ORIENTATION AS SHOWN: IT IS THE PRACTICE OF DEPRAL-RANOKES ENGINEERING AND ASSOCIATES, INC. TO MONUMENT ALL CORNERS OF (PRACTICAL) IN THE SUBDIVISION 1/4/2' REBAR AND D-RE PLASTIC CAP UPON COMPLETION OF CONSTRUCTION.   |              |
| 14. BEARING REFERENCE SOURCE IS THE LINE BETWEEN MONUMENTS SHOWN HEREON AT THE SOUTHWEST CORNER LOT 1 AND THE SOUTHWEST CORNER OF LOT 4, BLOCK 120 OF THE HILLCREST SUBDIVISION UNIT 5A PHASE 1, RECORDED IN VOLUME 9616, PAGE 147, D.P.R. AND CALLED 58942317W THEREON. |              |

**MONUMENT NOTE:**  
 ○ = 1/2" I.R.T.  
 ● = 1/2" I.R.T. W/D-A E.C.P.  
 ○ = 1/2" I.R.T. W/D-A E.C.P.

| PLAT REFERENCE | DESCRIPTION  |
|----------------|--|
| ①              | HILLCREST SUBD. - 10N UNIT 3 VOL. 9572, P. 1 - PG. D.P.R.        |
| ②              | HILLCREST SUBDIVISION UNIT 5A PHASE 2 VOL. 9636, POS. 184 D.P.R. |

| LINK | DATE    | FROM  | THROUGH | LENGTH | CHANG. |
|------|---------|-------|---------|--------|--------|
| 1    | 8/26/09 | 14.00 | 14.00   | 21.87  | 18.87  |
| 2    | 8/26/09 | 14.00 | 14.00   | 21.87  | 18.87  |

| LINK | DATE    | FROM  | THROUGH | LENGTH | CHANG. |
|------|---------|-------|---------|--------|--------|
| 1    | 8/26/09 | 14.00 | 14.00   | 21.87  | 18.87  |
| 2    | 8/26/09 | 14.00 | 14.00   | 21.87  | 18.87  |
| 3    | 8/26/09 | 14.00 | 14.00   | 21.87  | 18.87  |
| 4    | 8/26/09 | 14.00 | 14.00   | 21.87  | 18.87  |
| 5    | 8/26/09 | 14.00 | 14.00   | 21.87  | 18.87  |

**BUILDING SETBACK NOTE**

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

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, 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

REGISTERED PROFESSIONAL ENGINEER  
PAUL W. DONHAM

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.

REGISTERED PROFESSIONAL LAND SURVEYOR  
GARY B. NEILL



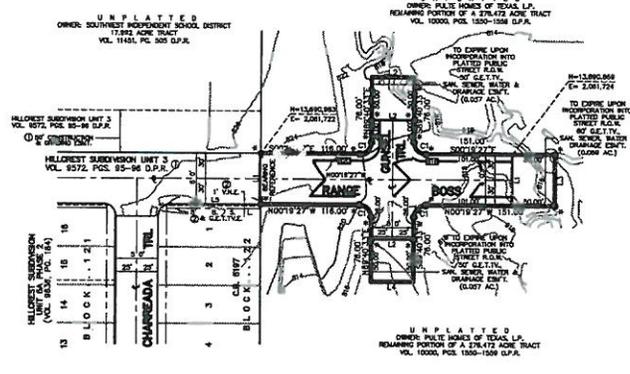
REGISTERED PROFESSIONAL LAND SURVEYOR  
GARY B. NEILL

**EDU NOTE:**

THE NUMBER OF WASTEWATER EQUIVALENT DWELLING UNITS (EDU) PAID FOR THIS SUBDIVISION PLAT ARE SHOWN ON THIS PLAT BY THE SAN ANTONIO WATER SYSTEM UNDER THE PLAT NUMBER ISSUED BY THE DEVELOPMENT SERVICE DEPARTMENT.

**OTHER NOTES:**

- 1) ALL STREETS CONTAINED WITHIN THIS SUBDIVISION ARE DEDICATED AS PUBLIC STREETS AND ARE AVAILABLE FOR USE BY ALL UTILITY SYSTEMS.
- 2) FINISHED FLOOR ELEVATIONS MUST BE A MINIMUM OF 8 INCHES ABOVE FINISHED ADJACENT GRADE.
- 3) THE DEVELOPER DEDICATES THE SANITARY SEWER MAINS UPON COMPLETION BY THE DEVELOPER AND ACCEPTANCE BY SAN ANTONIO WATER SYSTEMS "SEWER" SANS WILL OWN AND MAINTAIN SAID SANITARY SEWER MAINS WHICH ARE LOCATED WITHIN THIS PARTICULAR SUBDIVISION.
- 4) THE MAINTENANCE OF PARKS, LANDSCAPE BUFFERS, OPEN SPACE, GREENBELTS AND DRAINAGE EASEMENTS SHALL BE THE RESPONSIBILITY OF THE HOME OWNERS ASSOCIATION, ITS SUCCESSORS OR ASSIGNEES, AND NOT THE RESPONSIBILITY OF THE CITY OF SAN ANTONIO/BEAR COUNTY.
- 5) ALL EASEMENTS SUCH AS DRAINAGE, CONSERVATION, GREENBELT, LANDSCAPE AND OPEN SPACE SHOWN HEREON ARE PERMISSIBLE AREAS UNLESS NOTED OTHERWISE.
- 6) NO STRUCTURES, FENCES, WALLS OR OTHER OBSTRUCTIONS THAT IMPERE DRAINAGE SHALL BE PLACED WITHIN THE LIMITS OF THE DRAINAGE EASEMENTS SHOWN ON THIS PLAT. NO LANDSCAPES OR OTHER TYPE OF MODIFICATIONS SHALL ALTER THE CROSS-SECTIONS OF THE DRAINAGE EASEMENTS, AS APPROVED, WHICH ALLOW THE CITY OF SAN ANTONIO AND BEAR COUNTY SHALL HAVE THE RIGHT OF INGRESS AND EGRESS OVER GRANTEE'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.
- 7) SAID IMPACT FEE PAYMENT DUES - 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.



DEVELOPMENT SERVICES RECEIVED

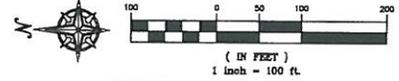
2012 OCT -8 PM 4:09

THIS DOCUMENT HAS BEEN PRODUCED FROM MATERIAL THAT WAS STORED AND/OR TRANSMITTED ELECTRONICALLY AND MAY HAVE BEEN INADEQUATELY ALIGNED, DISTORTED, OR OTHERWISE IMPAIRED. ORIGINAL DOCUMENTS BEING THE COMPLETELY ORIGINAL SIGNATURE AND SEAL.

PLAT No. 120210  
SUBDIVISION PLAT  
OF  
**HILLCREST SUBD.**  
**UNIT 5B PH 1A**

BEING A 0.685 ACRE TRACT OF LAND OUT OF THE REMAINDER OF A 276.472 ACRE TRACT RECORDED IN VOL. 10000, PG. 1550, REAL PROPERTY RECORDS OF BEAR COUNTY, TEXAS AND LYING IN THE WILLIAM REAR SURVEY No. 62, ABSTRACT No. 544, COUNTY BLOCK 5197, BEAR COUNTY, TEXAS.

**GRAPHIC SCALE**



OWNER/DEVELOPER  
PULTE HOMES OF TEXAS, L.P.  
1354 NORTH LOOP 1604, SUITE 108  
SAN ANTONIO, TEXAS 78232  
PHONE: (210) 460-1000



1300 Parkside Way, Suite 200  
San Antonio, TX 78205  
Phone: (210) 460-1000 FAX: (210) 460-1000  
Cell: (210) 460-3000  
Cell: (210) 460-3125 Per  
Texas Professional Engineers License # 4404 & 4261A, 4261B, 4261C

STATE OF TEXAS  
COUNTY OF BEAR

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 OR PART OF AN ENCLAVE OR PUBLIC PLACE THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREON EXPRESSED.

OWNER: \_\_\_\_\_  
BY: \_\_\_\_\_  
LAND DEVELOPMENT MANAGER

STATE OF TEXAS  
COUNTY OF BEAR

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_  
CHARRLES MARSH  
WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREON EXPRESSED AND IN THE CAPACITY THEREON STATED.

GIVEN UNDER MY HAND & SEAL OF OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 2012.

NOTARY PUBLIC, BEAR COUNTY, TEXAS

**CERTIFICATE OF APPROVAL**

THE UNDERSIGNED, COUNTY CLERK OF BEAR COUNTY, TEXAS AND TRUSTEE 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 AND THAT AFTER EXAMINATION WITH STATE OR LOCAL LAWS AND REGULATIONS; AND/OR WHERE ADMINISTRATIVE EXCEPTION(S) AND/OR VARIANCES HAD BEEN GRANTED.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 2012.

COUNTY JUDGE, BEAR COUNTY, TEXAS  
\_\_\_\_\_  
COUNTY CLERK, BEAR COUNTY, TEXAS  
\_\_\_\_\_

STATE OF TEXAS  
COUNTY OF BEAR

THIS PLAT OF \_\_\_\_\_ HILLCREST SUBDIVISION UNIT 5B PHASE 1A 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 OR LOCAL LAWS AND REGULATIONS; AND/OR WHERE ADMINISTRATIVE EXCEPTION(S) AND/OR VARIANCES HAD BEEN GRANTED.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 2012.

BY: \_\_\_\_\_ CHAIRMAN

STATE OF TEXAS  
COUNTY OF BEAR

BY: \_\_\_\_\_ SECRETARY

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 \_\_\_\_\_ OF SAID COUNTY, IN BOOK VOLUME \_\_\_\_\_

ON PAGE \_\_\_\_\_ IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 2012.

BY: \_\_\_\_\_ DEPUTY

Attachment 1



# CITY OF SAN ANTONIO

DEVELOPMENT SERVICES DEPARTMENT

LAND ENTITLEMENTS SECTION

STAFF REPORT

AGENDA NO. 10

**Public Hearing:**

Planning Commission

October 24, 2012

**Application/ Case Number:**

Plat 120327

**Project Name:**

Fire Station No. 2 Subdivision

**Applicant:**

Vickrey & Associates, Inc.

c/o Brady D. Baggs, P.E.

**Representative:**

CIMS Department

c/o Mark Beaver

**Owner:**

City of San Antonio

**Staff Coordinator:**

Rudy Muñoz, Planner

(210) 207-5014

rudy.munoz@sanantonio.gov

**Property Address/Location:**

East of South Zarzamora Street, south  
of West Villaret Boulevard

**MAPSCO Map Grid (Ferguson):**

681 F-4

**Tract Size:**

3.291 acres

**Council District:**

4

**Notification:**

Published in Daily Commercial  
Recorder on October 5, 2012

Eleven notices were mailed to  
property owners within 200 feet  
within the subdivision

Internet Agenda posting October 19,  
2012

**REQUEST**

Approval of a minor plat to replat a 3.291-acre tract of land to  
establish **Fire Station No. 2 Subdivision.**

**APPLICATION TYPE**

Replat

**RECOMMENDED ACTION**

Approval

**DATE FILED WITH PLANNING COMMISSION**

September 27, 2012

**CASE HISTORY**

Area being replatted was previously platted as Lot 359, Block 38,  
New City Block 11137, of the Mayfield Park Subdivision,  
recorded in Volume 980, Pages 94, of the Deed and Plat Records  
of Bexar County, Texas.

**I. ANALYSIS**

**A. Proposed Use**

The proposed plat will consist of one (1) non-single family lot.

**B. Zoning**

“RM-4 AHOD C-2” Residential Mixed District, Commercial District, Airport Hazard Overly District.

**C. Major Thoroughfare**

South Zarzamora Street, Secondary Arterial Type A, 86-foot minimum right-of-way.

**D. Services Available**

SAWS Water and Sewer.

**E. Inter-jurisdictional Review**

Letters of Certification (LOCs) were issued from all reviewing agencies on September 16, 2012.

**F. Interdepartmental Review**

LOCs were issued from all reviewing agencies on September 23, 2012.

**II. SUPPLEMENTAL INFORMATION**

**A. Notices**

To the present, staff has not received any written responses from the surrounding property owners.

**III. RECOMMENDATION**

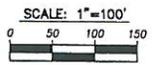
Approval of the proposed **Fire Station No. 2 Subdivision** Replat.

**IV. ATTACHMENTS**

1. Proposed Replat

REPLAT ESTABLISHING FIRE STATION NO. 2 SUBDIVISION

BING 3.991 ACRES OF LAND ESTABLISHING LOT 381, BLOCK 38, N.C.B. 11137 OUT OF LOT 359, BLOCK 38, NEW CITY BLOCK 11137, MAYFIELD PARK, A SUBDIVISION IN THE CITY OF SAN ANTONIO, BEING THAT SAME TRACT OF LAND CALLED 3.235 ACRES COVERED BY GABRIEL MENDEZ, INC. TO CITY OF SAN ANTONIO BY DEED RECORDED IN VOLUME 12704, PG. 392, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, TEXAS.



VICKREY & ASSOCIATES, INC. CONSULTING ENGINEERS 12840 County Parkway San Antonio, Texas 78218 Telephone: (210)343-3271 Firm Registration No. F-159



CPS NOTES:

- 1. THE CITY OF SAN ANTONIO AS A PART OF ITS ELECTRIC AND GAS SYSTEM (CITY PUBLIC SERVICE ROAD) IS HEREBY DESIGNATED THE EASEMENTS AND RIGHT-OF-WAY FOR ELECTRIC AND GAS DISTRIBUTION AND SERVICE FACILITIES IN THE AREAS DESIGNATED ON THIS PLAT AS "ELECTRIC EASEMENT", "GAS EASEMENT", "AIRBORNE EASEMENT", "SERVICE EASEMENT", "OVERHANG EASEMENT", "UTILITY EASEMENT", AND "TRANSFORMER EASEMENT" FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, RECONSTRUCTING, MAINTAINING, REMOVING, INSPECTING, PATROLLING, AND ERECTING POLES, HANDING OR BURYING WIRES, CABLES, CONDUITS, PIPELINES OR TRANSFORMERS, EACH WITH ITS NECESSARY APPURTENANCES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER GRANTEE'S ADJACENT LAND, THE RIGHT TO RELOCATE SAID FACILITIES WITHIN SAID EASEMENT AND RIGHT-OF-WAY AREAS AND THE RIGHT TO REMOVE FROM SAID LANDS ALL TREES OR PARTS THEREOF, OR OTHER OBSTRUCTIONS WHICH ENDANGER OR MAY INTERFERE WITH THE EFFICIENT 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.
2. ANY CPS METER LOSS RESULTING FROM MODIFICATIONS REQUIRED OF CPS 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 ALTERATION.
3. THIS PLAT DOES NOT AVOID, ALTER, RELEASE OR OTHERWISE AFFECT ANY EXISTING ELECTRIC, GAS, WATER, SEWER, DRAINAGE, TELEPHONE, CABLE EASEMENTS OR ANY OTHER EASEMENTS FOR UTILITIES UNLESS THE CHANGES TO SUCH EASEMENTS ARE DESCRIBED BELOW.

NOTES: COORDINATES CITED IN THIS DESCRIPTION ARE BASED ON NORTH AMERICAN DATUM OF 1983, TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204). BEARINGS SHOWN HEREIN ARE BASED ON NORTH AMERICAN DATUM OF 1983, TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204). CONTOUR ELEVATIONS SHOWN HEREIN ARE BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988.

WASTEWATER EDU NOTE: THE NUMBER OF WASTEWATER EQUIVALENT DRAINING UNITS (EDU'S) PAID FOR THIS SUBDIVISION PLAT ARE KEPT ON FILE AT THE SAN ANTONIO WATER SYSTEM UNDER THE PLAT NUMBER ISSUED BY THE PLANNING AND DEVELOPMENT SERVICES. IMPACT FEE PAYMENT DUE: WATER AND WASTEWATER IMPACT FEES WERE NOT PAID AT TIME OF PLATTING FOR THIS PLAT. ALL IMPACT FEES MUST BE PAID PRIOR TO WATER METER SET AND/OR WASTEWATER SERVICE CONNECTION.

DRAINAGE NOTES:

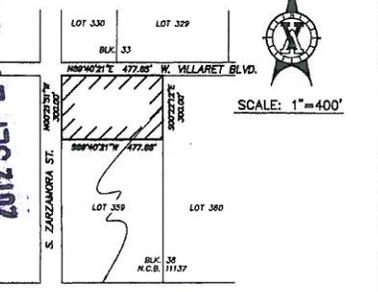
- A. NO STRUCTURE, FENCES, WALLS, OR OTHER OBSTRUCTIONS THAT IMPERE DRAINAGE SHALL BE PLACED WITHIN THE LIMITS OF THE DRAINAGE EASEMENTS SHOWN ON THIS PLAT. NO LANDSCAPING OR OTHER TYPE OF MODIFICATIONS, WHICH ALTER THE CROSS-SECTIONS OF THE DRAINAGE EASEMENTS, AS APPROVED, SHALL BE ALLOWED WITHOUT THE APPROVAL OF THE DIRECTOR OF PUBLIC WORKS. THE CITY OF SAN ANTONIO AND BEAR COUNTY SHALL HAVE THE RIGHT OF INGRESS AND EGRESS OVER GRANTEE'S ADJACENT PROPERTY OR REMOVE ANY OBSTRUCTIONS PLACED WITHIN THE LIMITS OF SAID DRAINAGE EASEMENTS AND TO MAKE ANY MODIFICATIONS OR IMPROVEMENTS WITHIN SAID DRAINAGE EASEMENTS.
B. STORM WATER DETENTION IS REQUIRED FOR THIS PROPERTY. THE ENGINEER OF RECORD FOR THIS SUBDIVISION PLAT HAS ESTIMATED THAT AN AREA OF APPROXIMATELY 0.67 ACRES AND A VOLUME OF APPROXIMATELY 0.86 ACRE-FOOT WILL BE REQUIRED FOR THIS USE. THIS IS AN ESTIMATE. A DETAILED HYDROLOGICAL ANALYSIS MAY REVEAL DIFFERENT REQUIREMENTS. NO BUILDING PERMIT SHALL BE ISSUED FOR THIS PLATTED PROPERTY UNLESS A STORMWATER DETENTION SYSTEM DESIGN HAS BEEN APPROVED BY THE CITY OF SAN ANTONIO OR BEAR COUNTY FOR COMMERCIAL PROPERTIES WITHIN THE CITY.
C. THE MAINTENANCE OF THE DETENTION POND AND OUTLET STRUCTURE SHALL BE THE RESPONSIBILITY OF THE LOT OWNERS OR HOME OWNERS ASSOCIATION AND THEIR SUCCESSORS OR ASSIGNEES AND NOT THE RESPONSIBILITY OF THE CITY OF SAN ANTONIO AND/OR BEAR COUNTY.
D. THE MAINTENANCE OF DRAINAGE EASEMENTS, GRIEDGETS, AND OPEN PERMEABLE SPADES SHOWN HEREIN SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER OR HOME OWNERS ASSOCIATION AND THEIR SUCCESSORS OR ASSIGNEES AND NOT THE RESPONSIBILITY OF THE CITY OF SAN ANTONIO OR BEAR COUNTY.
E. FINISHED FLOOR ELEVATIONS MUST BE A MINIMUM OF 8 INCHES ABOVE FINAL ADJACENT GRADE.



LOCATION MAP NOT TO SCALE MAPSCO GRID NO. 581 F4

- LEGEND
O SET 1/2" IRON ROD WITH CAP STAMPED 'MOCKEY PROP. COR.' UNLESS OTHERWISE NOTED
● FOUND 1/2" IRON ROD UNLESS OTHERWISE NOTED
--- 655 --- EXISTING CONTOURS
VOL. VOLUME
PG. PAGE
R.O.W. RIGHT-OF-WAY
G.E.T.O.A. GAS, ELECTRIC, TELEPHONE AND CABLE TV EASEMENT
V.W.A.E. VEHICULAR NON-ACCESS EASEMENT
B.S.L. BUILDING SETBACK LINE
D.S.P.R. DEED AND PLAT RECORDS OF BEAR COUNTY, TEXAS
O.P.R. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEAR COUNTY, TEXAS
E.S.M.T. EASEMENT
N.C.B. NEW CITY BLOCK
DEED CALL - VOLUME 13704, PG. 392, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BEAR COUNTY, TEXAS

DEVELOPMENT SERVICES RECEIVED 2012 SEP 27 AM 8:42



THE AREA BEING REPLATTED WAS A PORTION OF THE PREVIOUSLY PLATTED LOT 359, BLOCK 38, NCB 11137 ON A PLAT KNOWN AS MAYFIELD PARK SUBDIVISION, WHICH IS RECORDED IN VOLUME 980, PAGE 94 IN THE DEED AND PLAT RECORDS OF BEAR COUNTY, TEXAS.

STATE OF TEXAS COUNTY OF BEAR THE AREA BEING REPLATTED WAS PREVIOUSLY PLATTED ON A PLAT KNOWN AS MAYFIELD PARK SUBDIVISION, WHICH IS RECORDED IN VOLUME 980, PAGE 94, BEAR COUNTY PLAT AND DEED RECORDS. THE SAN ANTONIO PLANNING COMMISSION AT ITS MEETING OF \_\_\_\_\_ HELD A PUBLIC HEARING WHICH INVOLVED NOTIFICATION ON THE PROPOSED REPLATTING OF THIS PROPERTY.

(I/WE), THE OWNER(S) OF THE LAND SHOWN ON THIS REPLAT HEREBY CERTIFY THAT THIS PLAT DOES NOT AVOID OR REMOVE ANY COVENANTS OR RESTRICTIONS. OWNER/DEVELOPER CITY OF SAN ANTONIO P.O. BOX 839986 SAN ANTONIO, TEXAS 78283 MARK BEAVERS OMS PROJECT MANAGER

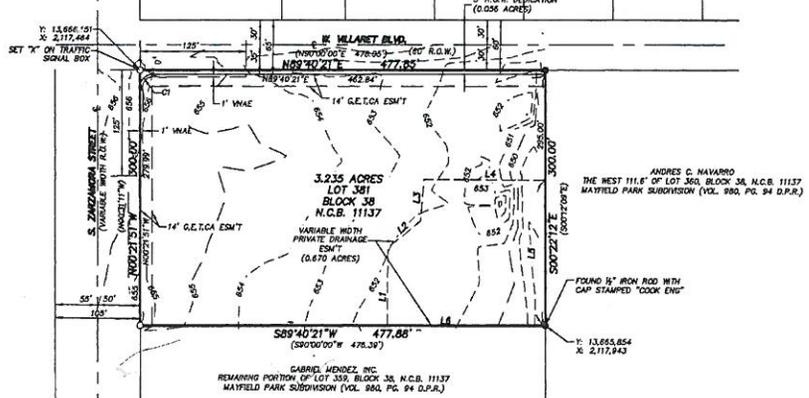
SWORN TO AND SUBSCRIBED BEFORE ME ON THIS 21ST DAY OF SEPTEMBER, A.D. 20 12. Notary Public, Bear County, Texas

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 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.

MOOREY & ASSOCIATES, INC. BY: BRADY D. BAGOS, P.E. Licensed Professional Engineer 9/18/12

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: MOOREY & ASSOCIATES, INC.

MOOREY & ASSOCIATES, INC. BY: ROBERT M. ANGLIANO, R.P.L.S. Registered Professional Land Surveyor 2-18-12



CURVE TABLE with columns: CURVE, DELTA, RADIUS, LENGTH, TANGENT, CHORD BEARING, CHORD

LINE TABLE with columns: LINE, BEARING, LENGTH

STATE OF TEXAS COUNTY OF BEAR THE OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATED TO THE USE OF THE PUBLIC, EXCEPT AREAS IDENTIFIED AS PRIVATE OR PART OF AN ENCLAVE OR PLANNED UNIT DEVELOPMENT, FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREIN SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

OWNER/DEVELOPER CITY OF SAN ANTONIO P.O. BOX 839986 SAN ANTONIO, TEXAS 78283 MARK BEAVERS OMS PROJECT MANAGER

STATE OF TEXAS COUNTY OF BEAR BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_ NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE AND IN THE CAPACITY THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 21ST DAY OF SEPTEMBER, A.D. 20 12. Notary Public, Bear County, Texas



THIS PLAT OF FIRE STATION NO. 2 SUBDIVISION HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO, TEXAS, IS HEREBY APPROVED BY SUCH COMMISSION IN ACCORDANCE WITH STATE OR LOCAL LAWS AND REGULATIONS, AND/OR WHERE ADMINISTRATIVE EXCEPTION(S) AND/OR VARIANCE(S) HAVE BEEN GRANTED.

DATE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. BY: \_\_\_\_\_ COUNTY CLERK OF SAID COUNTY, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ AT \_\_\_\_\_ M. AND DULY RECORDED THE \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. \_\_\_\_\_ AT \_\_\_\_\_ M. IN THE RECORDS 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, BEAR COUNTY, TEXAS

Attachment 1



# CITY OF SAN ANTONIO

DEVELOPMENT SERVICES DEPARTMENT

LAND ENTITLEMENTS SECTION

STAFF REPORT

AGENDA NO. 11

**Public Hearing:**

Planning Commission  
October 24, 2012

**Application/Case Number:**

120343

**Project Name:**

Villa Santiago Townhouses 2

**Applicant:**

Neom, LLC  
c/o Nancey E. Ortiz Morales

**Representative:**

Gomez-Garcia & Assoc., Inc.  
c/o Alejandro R. Gomez, P.E.

**Owner:**

Neom, LLC

**Staff Coordinator:**

Rudy Muñoz, Planner  
(210)207-0210  
rudy.munoz@sanantonio.gov

**Property Address/Location:**

On the north side of Whitby Road,  
east of Babcock Road

**MAPSCO Map Grid (Ferguson):**

548 C-7

**Tract Size:**

0.445 acres

**Council District(s):**

7

**Notification:**

Published in Daily Commercial  
Recorder on October 5, 2012  
One notice was mailed to property  
owner within 200 feet within the  
subdivision  
Internet Agenda posting October 19,  
2012

**REQUEST**

Approval of a minor plat to replat a 0.445-acre tract of land to  
establish the **Villa Santiago Townhouses 2.**

**APPLICATION TYPE**

Replat

**RECOMMENDED ACTION**

Approval

**DATE FILED WITH PLANNING COMMISSION**

October 3, 2012

**CASE HISTORY**

Area being replatted is a portion of Lot 23 of the Villa Santiago  
Townhouses, recorded in Volume 9642, Page 1, of the Deed and  
Plat Records of Bexar County, Texas.

**I. ANALYSIS**

**A. Proposed Use(s)**

The proposed plat will consist of four (4) single-family residential lots.

**B. Zoning**

“RM-5” Residential Mixed District.

**C. Services Available**

SAWS Water and Sewer.

**D. Inter-jurisdictional Review**

Letters of Certification (LOCs) were issued from all reviewing agencies on September 10, 2012.

**E. Interdepartmental Review**

LOCs were issued from all reviewing agencies on August 29, 2012.

**II. SUPPLEMENTAL INFORMATION**

**A. Notices**

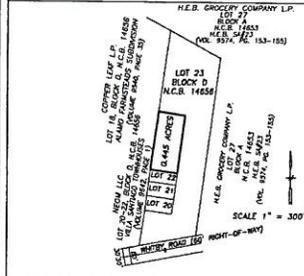
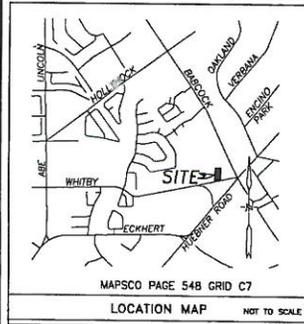
To the present, staff has not received a written response from the surrounding property owner.

**III. RECOMMENDATION**

Approval of the proposed **Villa Santiago Townhouses 2** Replat.

**IV. ATTACHMENTS**

1. Proposed replat



**LEGEND**

- EXISTING CONTOURS
- ELECTRIC, GAS, TELEPHONE, AND CABLE TELEVISION
- N.C.B. NEW CITY BLOCK
- R.O.W. RIGHT-OF-WAY
- ESMT EASEMENT
- V.N.A.E. VEHICULAR NON-ACCESS EASEMENT
- O.P.R. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEAR COUNTY, TEXAS
- D.P.R. DEED & PLAT RECORDS OF BEAR COUNTY, TEXAS
- F.I.R. FOUND 1/2" IRON ROD
- S.I.R. SET IRON ROD
- F.I.P. FOUND IRON PIPE

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.

THOMAS C. HAUDRIE  
REGISTERED PROFESSIONAL LAND SURVEYOR  
TEXAS REGISTRATION NO. 4390

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, 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.

ALEJANDRO R. GOMEZ, P.E., C.F.M.  
LICENSED PROFESSIONAL ENGINEER  
TEXAS REGISTRATION NO. 90145

**NOTES:**

- WASTEWATER EDU NOTE: THE NUMBER OF 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 DEVELOPMENT SERVICES DEPARTMENT.
- NO STRUCTURE, FENCES, WALLS OR OTHER OBSTRUCTIONS THAT IMPROVE DRAINAGE SHALL BE PLACED WITHIN THE LIMITS OF THE DRAINAGE EASEMENTS SHOWN ON THIS PLAT UNLESS OTHERWISE BY 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 BEAR COUNTY SHALL HAVE THE RIGHT OF INGRESS AND EGRESS OVER GRANATOR'S ADJACENT PROPERTY TO REMOVE ANY IMPROVING OBSTRUCTIONS PLACED WITHIN THE LIMITS OF SAID DRAINAGE EASEMENTS AND TO MAKE ANY MODIFICATIONS OR IMPROVEMENTS WITHIN SAID DRAINAGE EASEMENTS.
- FINISHED FLOOR ELEVATIONS SHALL BE A MINIMUM OF 8" ABOVE FINAL GRADE OF ADJACENT GRADE.
- IMPACT FEE PAYMENT DUE: 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 TRENCH CONNECTION.
- 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 A MINIMUM FIRE FLOW DEMAND OF 2000 GPM AT 25 PSY RESIDUAL PRESSURE. THE FIRE FLOW REQUIREMENTS FOR INDIVIDUAL 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.

6. ALL LOTS IN THE SUBDIVISION SHALL BE LIMITED TO TOWNHOUSE USE.

7. IRREVOCABLE INGRESS/EGRESS EASEMENTS SHALL BE IN ACCORDANCE WITH UDC SECTION 35-518(C)(4).

8. THE MAINTENANCE OF ALL DRAINAGE EASEMENTS, GREENBELTS, AND OPEN PERMEABLE SPACES SHOWN HEREON SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER OR HOMEOWNER ASSOCIATION AND THEIR SUCCESSORS OR ASSIGNEES AND NOT THE RESPONSIBILITY OF THE CITY OF SAN ANTONIO OR BEAR COUNTY.

**CPS NOTES:**

- THE CITY OF SAN ANTONIO AS PART OF ITS ELECTRIC AND GAS SYSTEM (CITY PUBLIC SERVICE BOARD) IS HEREBY DEDICATED THE EASEMENTS AND RIGHTS-OF-WAY FOR ELECTRIC DISTRIBUTION AND SERVICE FACILITIES IN THE AREAS DESIGNATED ON THIS PLAT AS "ELECTRIC EASEMENT," "ANCHOR EASEMENT," "SERVICE EASEMENT," "OVERHANG EASEMENT," "UTILITY EASEMENT," "GAS EASEMENT," AND "TRANSFORMER EASEMENT" FOR THE PURPOSES OF INSTALLING, RECONSTRUCTING, MAINTAINING, REPAIRING, INSPECTING, PATROLLING, AND TRENCHING POLES, HANGING OR BURNING WIRES, CABLES, CONDUITS, PIPELINES OR TRANSFORMERS, EACH WITH ITS NECESSARY APPURTENANCES TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER GRANATOR'S ADJACENT LAND, THE RIGHT TO RELOCATE SAID FACILITIES WITHIN SAID EASEMENT AND RIGHT-OF-WAY AREAS, AND THE RIGHT TO REMOVE FROM SAID LANDS ALL TREES OR PARTS THEREOF 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 AREA.
- ANY CPS MONETARY LOSS RESULTING FROM MODIFICATIONS REQUIRED OF CPS 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.
- THIS PLAT DOES NOT AMEND, ALTER, RELEASE OR OTHERWISE AFFECT ANY EXISTING ELECTRIC, GAS, WATER, SEWER, DRAINAGE, TELEPHONE, CABLE EASEMENTS OR ANY OTHER EASEMENTS FOR UTILITIES UNLESS THE CHANGES TO SUCH EASEMENTS ARE DESCRIBED.
- CONCRETE DRIVEWAY APPROACHES ARE ALLOWED WITHIN THE FIVE (5) FOOT WIDE ELECTRIC AND GAS EASEMENTS WHEN LOTS ARE SERVED ONLY BY REAR OR UNDERGROUND ELECTRIC AND GAS FACILITIES.
- ROOF OVERHANGS ARE ALLOWED WITHIN THE FIVE (5) FOOT WIDE ELECTRIC AND GAS EASEMENTS WHEN ONLY UNDERGROUND ELECTRIC AND GAS FACILITIES ARE PROVIDED OR EXISTING WITHIN THOSE FIVE (5) FOOT WIDE EASEMENTS.

**SURVEYOR'S NOTES:**

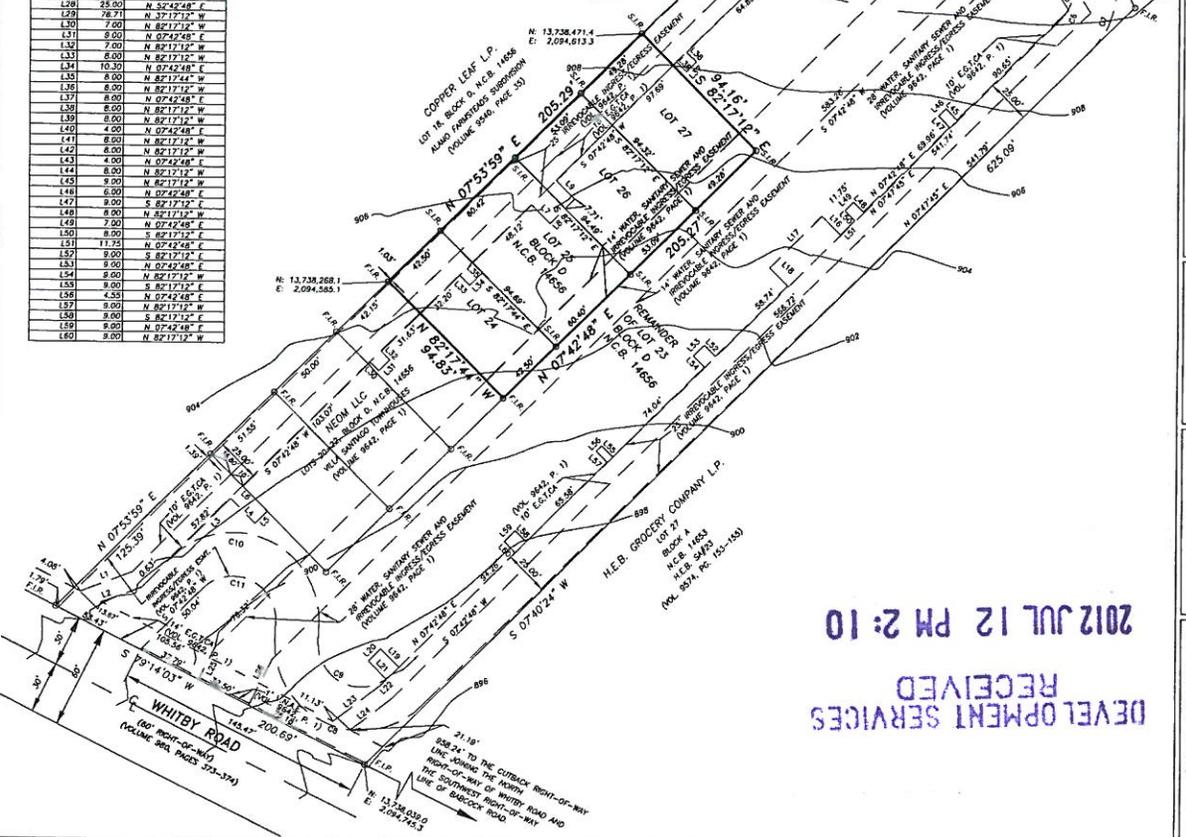
- BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM (PROJ. SOUTH CENTRAL ZONE NAD83).
- STATE PLANE COORDINATES ARE RELATIVE TO THE CURRENT PUBLISHED POSITION FOR TRIANGULATION STATION LOCKHILL 2, AND AN ADJUSTED CORNER SCALE FACTOR IS 0.999983438.

**LINE TABLE**

| LINE | LENGTH | BEARING       |
|------|--------|---------------|
| L1   | 32.02  | S 32°14'31" W |
| L2   | 24.86  | S 32°14'31" W |
| L3   | 72.37  | N 02°42'48" E |
| L4   | 20.00  | N 82°17'12" W |
| L5   | 10.00  | S 07°42'48" E |
| L6   | 20.00  | N 82°17'12" W |
| L7   | 18.00  | N 82°17'12" W |
| L8   | 21.00  | N 02°42'48" E |
| L9   | 15.00  | N 82°17'12" W |
| L10  | 19.68  | S 82°17'12" E |
| L11  | 17.00  | S 82°17'12" E |
| L12  | 116.11 | S 85°56'31" E |
| L13  | 115.00 | S 85°56'31" E |
| L14  | 21.88  | S 89°43'18" E |
| L15  | 12.54  | S 82°17'12" E |
| L16  | 15.00  | S 82°17'12" E |
| L17  | 35.00  | S 07°42'48" E |
| L18  | 15.00  | S 82°17'12" E |
| L19  | 15.00  | S 82°17'12" E |
| L20  | 10.00  | S 07°42'48" E |
| L21  | 18.00  | S 82°17'12" E |
| L22  | 4.87   | S 07°42'48" E |
| L23  | 34.59  | S 12°10'38" E |
| L24  | 32.35  | S 15°14'01" E |
| L25  | 20.67  | S 10°38'30" E |
| L26  | 29.68  | S 12°10'38" E |
| L27  | 34.21  | N 37°17'12" W |
| L28  | 25.00  | N 32°42'48" E |
| L29  | 78.71  | N 37°17'12" W |
| L30  | 7.00   | N 82°17'12" W |
| L31  | 9.00   | N 07°42'48" E |
| L32  | 7.00   | N 82°17'12" W |
| L33  | 8.00   | N 82°17'12" W |
| L34  | 10.30  | N 07°42'48" E |
| L35  | 9.00   | N 82°17'12" W |
| L36  | 8.00   | N 82°17'12" W |
| L37  | 8.00   | N 07°42'48" E |
| L38  | 8.00   | N 82°17'12" W |
| L39  | 8.00   | N 82°17'12" W |
| L40  | 8.00   | N 82°17'12" W |
| L41  | 8.00   | N 82°17'12" W |
| L42  | 8.00   | N 82°17'12" W |
| L43  | 8.00   | N 82°17'12" W |
| L44  | 8.00   | N 82°17'12" W |
| L45  | 9.00   | N 82°17'12" W |
| L46  | 6.00   | N 07°42'48" E |
| L47  | 9.00   | S 82°17'12" E |
| L48  | 9.00   | N 82°17'12" W |
| L49  | 7.00   | N 07°42'48" E |
| L50  | 8.00   | S 82°17'12" E |
| L51  | 11.25  | N 07°42'48" E |
| L52  | 9.00   | N 82°17'12" W |
| L53  | 9.00   | N 07°42'48" E |
| L54  | 8.00   | N 82°17'12" W |
| L55  | 9.00   | N 82°17'12" W |
| L56  | 4.55   | N 07°42'48" E |
| L57  | 5.00   | S 82°17'12" E |
| L58  | 9.00   | S 82°17'12" E |
| L59  | 9.00   | N 07°42'48" E |
| L60  | 9.00   | N 82°17'12" W |

**Curve Table**

| Curve # | Length | Radius | Delta      |
|---------|--------|--------|------------|
| C1      | 21.82  | 50.00  | 025°00'00" |
| C2      | 10.91  | 25.00  | 025°00'00" |
| C3      | 35.46  | 25.00  | 081°16'33" |
| C4      | 74.49  | 50.00  | 085°21'15" |
| C5      | 29.14  | 25.00  | 066°47'40" |
| C6      | 30.37  | 25.00  | 069°36'21" |
| C7      | 60.74  | 50.00  | 069°36'21" |
| C8      | 120.01 | 50.00  | 137°31'36" |
| C9      | 60.01  | 25.00  | 137°31'36" |
| C10     | 119.98 | 50.00  | 137°28'55" |
| C11     | 60.01  | 25.00  | 137°31'36" |



PLAT NUMBER 120343

A REPLAT ESTABLISHING

VILLA SANTIAGO TOWNHOUSES 2

ESTABLISHING LOTS 24-27, BLOCK D, N.C.B. 14656, (0.445 ACRES), BEING A PORTION OF LOT 23, BLOCK D, NEW CITY BLOCK 14656, VILLA SANTIAGO TOWNHOUSES, AS RECORDED IN VOLUME 9842, PAGE 1, DEED AND PLAT RECORDS OF BEAR COUNTY, TEXAS.



STATE OF TEXAS  
COUNTY OF BEAR

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

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED:

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 \_\_\_\_\_ A.D. \_\_\_\_\_

NOTARY PUBLIC  
BEAR COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF BEAR

THIS REPLAT OF VILLA SANTIAGO TOWNHOUSES 2 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, AND/OR WHERE ADMINISTRATIVE EXCEPTIONS HAVE BEEN GRANTED.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. \_\_\_\_\_

BY: \_\_\_\_\_  
DIRECTOR OF DEVELOPMENT SERVICES

STATE OF TEXAS  
COUNTY OF BEAR

STATE OF TEXAS  
COUNTY OF BEAR, COUNTY CLERK OF BEAR COUNTY, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE, ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 2012 AT \_\_\_\_\_ M. AND DULY RECORDED THE \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 2012 AT \_\_\_\_\_ M. IN THE DEED AND PLAT RECORDS OF BEAR COUNTY, IN BOOK/VOLUME \_\_\_\_\_ ON PAGE \_\_\_\_\_.

IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. \_\_\_\_\_

\_\_\_\_\_  
COUNTY CLERK, BEAR COUNTY, TEXAS

BY: \_\_\_\_\_, DEPUTY

PAGE 1 OF 1

2012 JUL 12 PM 2:10  
DEVELOPMENT SERVICES RECEIVED

*Macdonald*



# CITY OF SAN ANTONIO

DEVELOPMENT SERVICES DEPARTMENT

LAND ENTITLEMENTS SECTION

STAFF REPORT

AGENDA NO. 12

**Public Hearing:**

Planning Commission  
October 24, 2012

**Application/Case Number:**

120344

**Project Name:**

Villa Santiago Townhouses 3

**Applicant:**

Neom, LLC  
c/o Nancey E. Ortiz Morales

**Representative:**

Gomez-Garcia & Assoc., Inc.  
c/o Alejandro R. Gomez, P.E.

**Owner:**

Neom, LLC

**Staff Coordinator:**

Larry Odis, Planner  
(210)207-0210  
larry.odis@sanantonio.gov

**Property Address/Location:**

On the north side of Whitby Road,  
east of Babcock Road

**MAPSCO Map Grid (Ferguson):**

548 C-7

**Tract Size:**

1.038 acres

**Council District(s):**

7

**Notification:**

Published in Daily Commercial  
Recorder on October 5, 2012  
One notice was mailed to property  
owner within 200 feet within the  
subdivision  
Internet Agenda posting October 19,  
2012

**REQUEST**

Approval of a major plat to subdivide a 1.038-acre tract of land to  
establish the **Villa Santiago Townhouses 3**

**APPLICATION TYPE**

Replat

**RECOMMENDED ACTION**

Approval

**DATE FILED WITH PLANNING COMMISSION**

October 3, 2012

**CASE HISTORY**

Area being replatted is a portion of lot 23 of the Villa Santiago  
Townhouses, recorded in Volume 9642, Page 1, of the Deed and  
Plat Records of Bexar County, Texas.

**I. ANALYSIS**

**A. Proposed Uses**

The proposed plat will consist of eight (8) single-family residential lots and one (1) non-single family residential lot.

**B. Zoning**

“RM-5” Residential Mixed District.

**C. Services Available**

SAWS Water and Sewer.

**D. Inter-jurisdictional Review**

Letters of Certification (LOCs) were issued from all reviewing agencies on September 14, 2012.

**E. Interdepartmental Review**

LOCs were issued from all reviewing agencies on August 29, 2012.

**II. SUPPLEMENTAL INFORMATION**

**A. Notices**

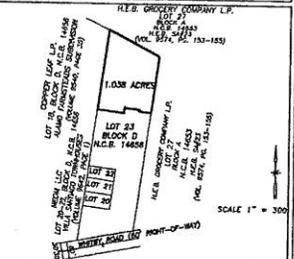
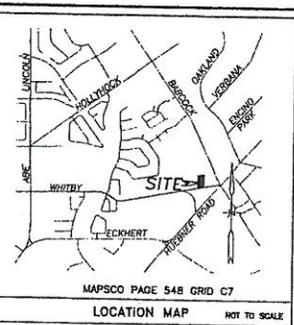
To the present, staff has not received a written response from the surrounding property owner.

**III. RECOMMENDATION**

Approval of the proposed **Villa Santiago Townhouses 3** Replat.

**IV. ATTACHMENTS**

1. Proposed Replat



- LEGEND**
- o F.I.R. FOUND 1/2" IRON ROD
  - S.I.R. SET IRON ROD
  - F.I.P. FOUND IRON PIPE
  - EXISTING CONTOURS
  - E.G.T.C.A. ELECTRIC, GAS, TELEPHONE, AND CABLE TELEVISION
  - N.C.B. NEW CITY BLOCK
  - R.O.W. RIGHT-OF-WAY
  - E.P.T. EASEMENT
  - V.A.I.C. VEHICULAR NON-ACCESS EASEMENT
  - D.P.R. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS
  - D.P.R. DEED & PLAT RECORDS OF BEXAR COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF BEXAR

THE AREA BEING REPLATED WAS PREVIOUSLY PLATTED ON PLAT VILLA SANTIAGO TOWNHOUSES, WHICH IS RECORDED IN VOLUME 14856, PAGE 1, NEW CITY BLOCK D, NEW CITY BLOCK 14856, VILLA SANTIAGO TOWNHOUSES, AS RECORDED IN VOLUME 14856, PAGE 1, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS.

I, THE OWNER(S) OF THE PROPERTY SHOWN ON THIS REPLAT HEREBY CERTIFY THAT THIS REPLAT DOES NOT AMEND OR REMOVE ANY COVENANTS OR RESTRICTIONS.

OWNER: *[Signature]*

OWNER'S DEUTY AUTHORIZED AGENT: *[Signature]* 25 DAY OF *[Date]*

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES: *[Date]*

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: *[Signature]* 9-26-2012

THOMAS C. HALL  
REGISTERED PROFESSIONAL LAND SURVEYOR  
TEXAS REGISTRATION NO. 4350

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 APPLICABLE CODES AND REGULATIONS AND DEVELOPMENT CODE, EXCEPT FOR THOSE VARIANCES GRANTED BY THE SAN ANTONIO PLANNING COMMISSION.

BY: *[Signature]* 9-25-2012

ALEJANDRO R. GOMEZ, P.E., C.E.M.  
LICENSED PROFESSIONAL ENGINEER  
TEXAS REGISTRATION NO. 90145

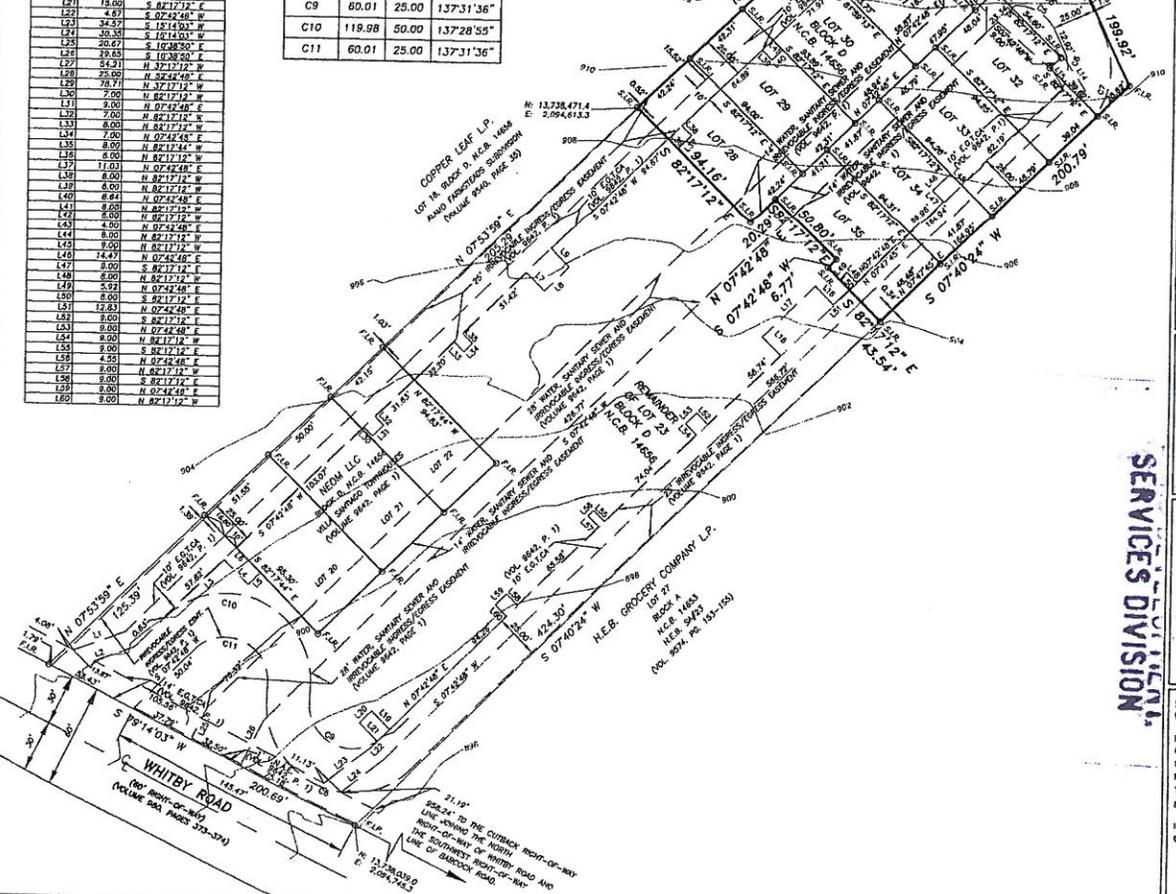
- NOTES:**
- WASTEWATER EDE NOTE: THE NUMBER OF EQUIVALENT DWELLING UNITS (EDU) PAID FOR THIS SUBDIVISION PLAN ARE KEPT ON FILE AT THE SAN ANTONIO WATER SYSTEM UNDER THE PLAT NUMBER ISSUED BY DEVELOPMENT SERVICES DEPARTMENT.
  - NO STRUCTURE, FENCES, WALLS OR OTHER OBSTRUCTIONS THAT IMPERE DRAINAGE SHALL 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 OF THE CITY OF SAN ANTONIO AND BEXAR COUNTY SHALL HAVE THE RIGHT OF INGRESS AND EGRESS OVER GRANTEE'S ADJACENT PROPERTY TO REMOVE ANY OBSTRUCTIONS WHICH ARE PLACED WITHIN THE LIMITS OF SAID DRAINAGE EASEMENTS AND TO MAKE ANY MODIFICATIONS OR IMPROVEMENTS WITHIN SAID DRAINAGE EASEMENTS.
  - FINISHED FLOOR ELEVATIONS SHALL BE A MINIMUM OF 8" ABOVE FINAL GRADE OF ADJACENT GRADE.
  - IMPACT FEE PAYMENT DUE: WATER AND WASTEWATER IMPACT FEES WERE NOT PAID AT THE TIME OF PLATTING FOR THIS PLAT. ALL IMPACT FEES MUST BE PAID PRIOR TO WATER METER SET AND JOM WASTEWATER SERVICE CONNECTION.
  - 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 A MINIMUM FLOW OF 2000 GPM AT 2.5 PSI RESIDUAL PRESSURE. THE FIRE FLOW REQUIREMENTS FOR INDIVIDUAL STRUCTURES WILL BE WITH THE PROCEDURES SET FORTH BY THE CITY OF SAN ANTONIO AND DEVELOPMENT SERVICES AND THE SAN ANTONIO FIRE DEPARTMENT FIRE MARSHAL.

**LINE TABLE**

| LINE # | LENGTH | BEARING       |
|--------|--------|---------------|
| L1     | 32.03  | S 32°14'03" W |
| L2     | 24.86  | S 32°14'03" W |
| L3     | 22.37  | S 07°42'48" E |
| L4     | 20.00  | N 07°42'48" E |
| L5     | 19.00  | S 07°42'48" E |
| L6     | 20.00  | N 07°42'48" E |
| L7     | 18.00  | N 07°42'48" E |
| L8     | 20.00  | N 07°42'48" E |
| L9     | 19.68  | S 82°17'12" E |
| L10    | 19.00  | S 82°17'12" E |
| L11    | 19.00  | S 82°17'12" E |
| L12    | 116.11 | S 82°53'51" E |
| L13    | 115.00 | S 82°53'51" E |
| L14    | 21.96  | S 02°44'16" E |
| L15    | 12.54  | S 02°44'16" E |
| L16    | 15.00  | S 82°17'12" E |
| L17    | 15.00  | S 82°17'12" E |
| L18    | 15.00  | S 82°17'12" E |
| L19    | 15.00  | S 82°17'12" E |
| L20    | 15.00  | S 07°42'48" E |
| L21    | 15.00  | S 07°42'48" E |
| L22    | 4.83   | S 07°42'48" E |
| L23    | 10.22  | S 10°14'03" E |
| L24    | 30.35  | S 10°14'03" E |
| L25    | 20.67  | S 10°14'03" E |
| L26    | 20.65  | S 10°14'03" E |
| L27    | 54.21  | N 37°12'12" W |
| L28    | 78.71  | N 37°12'12" W |
| L29    | 78.71  | N 37°12'12" W |
| L30    | 7.00   | N 82°17'12" E |
| L31    | 3.00   | N 82°17'12" E |
| L32    | 7.00   | N 82°17'12" E |
| L33    | 8.00   | N 82°17'12" E |
| L34    | 8.00   | N 82°17'12" E |
| L35    | 8.00   | N 82°17'12" E |
| L36    | 8.00   | N 82°17'12" E |
| L37    | 11.03  | N 82°17'12" E |
| L38    | 8.00   | N 82°17'12" E |
| L39    | 8.00   | N 82°17'12" E |
| L40    | 8.00   | N 82°17'12" E |
| L41    | 8.00   | N 82°17'12" E |
| L42    | 8.00   | N 82°17'12" E |
| L43    | 4.50   | N 07°42'48" E |
| L44    | 8.00   | N 82°17'12" E |
| L45    | 8.00   | N 82°17'12" E |
| L46    | 14.47  | N 07°42'48" E |
| L47    | 8.00   | S 82°17'12" E |
| L48    | 8.00   | S 82°17'12" E |
| L49    | 5.92   | N 07°42'48" E |
| L50    | 8.00   | N 82°17'12" E |
| L51    | 12.83  | N 02°44'16" E |
| L52    | 9.00   | N 82°17'12" E |
| L53    | 8.00   | N 02°44'16" E |
| L54    | 9.00   | N 82°17'12" E |
| L55    | 4.50   | N 02°44'16" E |
| L56    | 8.00   | N 82°17'12" E |
| L57    | 8.00   | N 82°17'12" E |
| L58    | 8.00   | N 82°17'12" E |
| L59    | 8.00   | N 82°17'12" E |
| L60    | 8.00   | N 82°17'12" E |

**Curve Table**

| Curve # | Length | Radius | Delta      |
|---------|--------|--------|------------|
| C1      | 21.82  | 50.00  | 025°00'00" |
| C2      | 10.91  | 25.00  | 025°00'00" |
| C3      | 35.46  | 25.00  | 081°16'33" |
| C4      | 74.49  | 50.00  | 085°21'15" |
| C5      | 28.14  | 25.00  | 066°47'40" |
| C6      | 30.37  | 25.00  | 069°36'21" |
| C7      | 60.74  | 50.00  | 069°36'21" |
| C8      | 120.01 | 50.00  | 137°31'36" |
| C9      | 60.01  | 25.00  | 137°31'36" |
| C10     | 119.98 | 50.00  | 137°28'55" |
| C11     | 60.01  | 25.00  | 137°31'36" |



- ALL LOTS IN THE SUBDIVISION SHALL BE LIMITED TO TOWNHOUSE USE.
- IRREVOCABLE INGRESS/EGRESS EASEMENTS SHALL BE IN ACCORDANCE WITH UCC SECTION 35-515(C)(4).
- THE MAINTENANCE OF ALL DRAINAGE EASEMENTS, GREENBELTS, AND OPEN PERMEABLE SPACES SHOWN HEREON SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER OR HOMEOWNERS ASSOCIATION AND THE SUCCESSORS OR ASSIGNEES AND NOT THE RESPONSIBILITY OF THE CITY OF SAN ANTONIO OR BEXAR COUNTY.

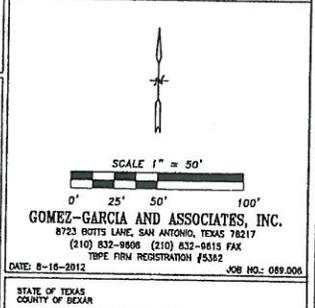
- CEC NOTES:**
- THE CITY OF SAN ANTONIO AS PART OF ITS ELECTRIC AND GAS SYSTEM (CITY PUBLIC SERVICE BOARD) IS HEREBY DEDICATED THE EASEMENTS AND RIGHTS-OF-WAY FOR ELECTRIC DISTRIBUTION AND SERVICE FACILITIES IN THE AREAS DESIGNATED ON THIS PLAT AS "ELECTRIC EASEMENT", "ANCHOR EASEMENT", "SERVICE EASEMENT", "OVERHANG EASEMENT", "UTILITY EASEMENT", "GAS EASEMENT", AND "TRANSFORMER EASEMENT" FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, RECONSTRUCTING, MAINTAINING, REMOVING, OR TRANSFORMING, EACH WITH ITS NECESSARY APPURTENANCES TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER GRANTEE'S ADJACENT LAND, THE RIGHT TO RELOCATE SAID FACILITIES WITHIN SAID EASEMENT AND RIGHT-OF-WAY AREAS, AND THE RIGHT TO REMOVE FROM SAID LANDS ALL TREES OR PARTS THEREOF, OR OTHER OBSTRUCTIONS WHICH ENJOIN 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 OVER SAID EASEMENT AREA.
  - ANY CIP'S MONETARY LOSS RESULTING FROM MODIFICATIONS REQUIRED OF CIP'S 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.
  - THIS PLAT DOES NOT AMEND, ALTER, RELEASE OR OTHERWISE AFFECT ANY EXISTING ELECTRIC, GAS, WATER, SEWER, DRAINAGE, TELEPHONE, CABLE EASEMENTS OR ANY OTHER EASEMENTS FOR UTILITIES UNLESS THE CHANGES TO SUCH EASEMENTS ARE DESCRIBED HEREON.
  - CONCRETE UNDERWAY APPROACHES ARE ALLOWED WITHIN THE FIVE (5) FOOT WIDE ELECTRIC AND GAS EASEMENTS WHEN LOTS ARE SERVED ONLY BY NEAR LOT UNDERGROUND ELECTRIC AND GAS FACILITIES.
  - ROCK OVERHANGS ARE ALLOWED WITHIN THE FIVE (5) FOOT WIDE ELECTRIC AND GAS EASEMENTS WHEN NOT UNDERGROUND ELECTRIC AND GAS FACILITIES ARE PROPOSED OR EXISTING WITHIN THOSE FIVE (5) FOOT WIDE EASEMENTS.
- SUBDIVISION NOTES:**
- BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM GRID, SOUTH CENTRAL ZONE NAD83.
  - STATE PLANE COORDINATES ARE RELATIVE TO THE CURRENT PUBLISHED POSITION FOR TRIANGULATION STATION LOCKHILL 2. PID AT0987. COMBINED SCALE FACTOR IS 0.99982435.

**PLAT NUMBER 120344**

**A REPLAT ESTABLISHING**

**VILLA SANTIAGO TOWNHOUSES 3**

ESTABLISHING LOTS 28-35 AND LOT 901, BLOCK D, N.C.B. 14856, (1.038 ACRES), BEING A PORTION OF LOT 23, BLOCK D, NEW CITY BLOCK 14856, VILLA SANTIAGO TOWNHOUSES, AS RECORDED IN VOLUME 8642, PAGE 1, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS.



GOMEZ-GARCIA AND ASSOCIATES, INC.  
8723 BOTTS LANE, SAN ANTONIO, TEXAS 78217  
(210) 832-8606 (210) 832-9615 FAX  
TYPE FIRM REGISTRATION #5382  
DATE: 8-18-2012 JOB NO.: 089.006

STATE OF TEXAS  
COUNTY OF BEXAR

THE OWNER OF THE LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DUTY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC, EXCEPT ANY AREAS AS PRIVATE OR PART OF AN ENCLAVE OR PLANNED UNIT DEVELOPMENT, FOREVER ALL STREETS, PLACES THEREON SHOWN FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

OWNER: *[Signature]*

14350 NORTHERWOOD DRIVE, SUITE 100  
SAN ANTONIO, TEXAS 78232

STATE OF TEXAS  
COUNTY OF BEXAR

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED *[Signature]* TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/ SHE/ IT ENJOINED THE SAME, FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, ON THIS *[Date]* DAY OF *[Month]*, 2012.

NOTARY PUBLIC  
BEXAR COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF BEXAR

THIS REPLAT OF VILLA SANTIAGO TOWNHOUSES 3 HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO, TEXAS, AS HEREBY APPROVED BY SUCH COMMISSION IN ACCORDANCE WITH STATE OR LOCAL LAWS AND REGULATIONS, AND/OR WHERE ADMINISTRATIVE EXCEPTION(S) AND/OR VARIANCE(S) HAVE BEEN GRANTED.

DATED THIS *[Date]* DAY OF *[Month]*, A.D. 20 *[Year]*

BY: *[Signature]* CHAIRMAN

BY: *[Signature]* SECRETARY

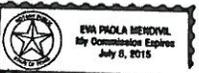
STATE OF TEXAS  
COUNTY OF BEXAR

I, \_\_\_\_\_ COUNTY CLERK OF BEXAR COUNTY, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE, ON THE *[Date]* DAY OF *[Month]*, A.D. 2012 AT *[Time]* M. AND DULY RECORDED IN VOLUME *[Volume]*, PAGE *[Page]* OF *[Page]* IN THE DEED AND PLAT RECORDS OF BEXAR COUNTY, IN BOOK/VOLUME \_\_\_\_\_ ON PAGE \_\_\_\_\_.

IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE, THIS *[Date]* DAY OF *[Month]*, A.D. 2012.

BY: \_\_\_\_\_ COUNTY CLERK, BEXAR COUNTY, TEXAS

811 \_\_\_\_\_ DEPUTY



Attachment 1



# CITY OF SAN ANTONIO

DEVELOPMENT SERVICES DEPARTMENT

LAND ENTITLEMENTS SECTION

AGENDA NO. 13

**Public Hearing:**

Planning Commission  
October 24, 2012

**Application/Case Number:**

120345

**Project Name:**

Villa Santiago Townhouses 4

**Applicant:**

Neom, LLC  
c/o Nancey E. Ortiz Morales

**Representative:**

Gomez-Garcia & Assoc., Inc.  
c/o Alejandro R. Gomez, P.E.

**Owner:**

Neom, LLC

**Staff Coordinator:**

Luz M. Gonzales, Planner  
(210)207-7898  
Luz.gonzales@sanantonio.gov

**Property Address/Location:**

On the north side of Whitby Road,  
west of Babcock Road

**MAPSCO Map Grid (Ferguson):**

548 C-7

**Tract Size:**

1.202 acres

**Council District(s):**

7

**Notification:**

Published in Daily Commercial  
Recorder on October 5, 2012  
One notice was mailed to property  
owner within 200 feet within the  
subdivision  
Internet Agenda posting October 19,  
2012

**REQUEST**

Approval of a major plat to subdivide a 1.202-acre tract of land to  
establish the **Villa Santiago Townhouses 4**

**APPLICATION TYPE**

Replat

**RECOMMENDED ACTION**

Approval

**DATE FILED WITH PLANNING COMMISSION**

October 4, 2012

**CASE HISTORY**

Area being replatted is a portion of lot 23 of the Villa Santiago  
Townhouses, recorded in Volume 9642, Page 1, of the Deed and  
Plat Records of Bexar County, Texas.

**I. ANALYSIS**

**A. Proposed Use(s)**

The proposed plat will consist of seven (7) single-family residential lots and two (2) non-single family residential lots.

**B. Zoning**

“RM-5” Residential Mixed District

**C. Services Available**

SAWS Water and Sewer

**D. Inter-jurisdictional Review**

Letters of Certification (LOCs) were issued from all reviewing agencies on September 4, 2012.

**E. Interdepartmental Review**

LOCs were issued from all reviewing agencies on September 27, 2012.

**II. SUPPLEMENTAL INFORMATION**

**A. Notices**

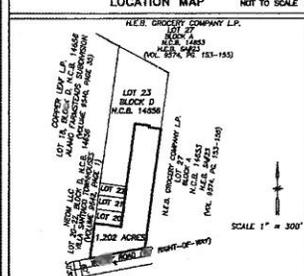
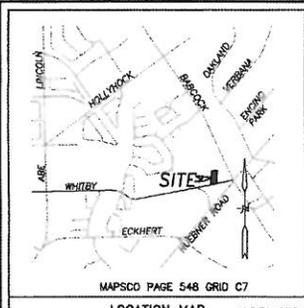
To the present, staff has not received a written response from the surrounding property owner.

**III. RECOMMENDATION**

Approval of the proposed **Villa Santiago Townhouses 4** Replat.

**IV. ATTACHMENTS**

1. Proposed Replat



**LEGEND**

- 0 F.R. FOUND 1/2" IRON ROD
- S.R. SET IRON ROD
- F.R. FOUND IRON PIPE
- EXISTING CONTAINERS
- E.L.G.C.A. ELECTRIC, GAS, TELEPHONE, AND CABLE TELEVISION
- H.C.B. NEW CITY BLOCK
- R.O.W. RIGHT-OF-WAY
- E.M.T. EASEMENT
- V.A.E. VEHICULAR NON-ACCESS EASEMENT
- D.P.R. DISTRICT PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS
- D.P.R. DEED & PLAT RECORDS OF BEXAR COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF BEXAR

THE AREA BEING REPLATED WAS PREVIOUSLY RECORDED IN VOLUME 9842, PAGE 1, BEING A PORTION OF LOT 23, BLOCK D, NEW CITY BLOCK 14656, VILLA SANTIAGO TOWNHOUSES, AS RECORDED IN VOLUME 9842, PAGE 1, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS.

OWNER'S DULY AUTHORIZED AGENT  
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.

THOMAS C. HANSEN  
REGISTERED PROFESSIONAL LAND SURVEYOR  
TEXAS REGISTRATION NO. 4350

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 UNITED DEVELOPMENT CODE, EXCEPT FOR THOSE VARIANCES GRANTED BY THE SAN ANTONIO PLANNING COMMISSION.

ALEJANDRO R. ROMAN, P.E., C.E.M.  
REGISTERED PROFESSIONAL ENGINEER  
TEXAS REGISTRATION NO. 90145

WATER EDU NOTE: THE NUMBER OF EQUIVALENT DWELLING UNITS (EDU) PAID FOR THIS SUBDIVISION MAY BE KEPT ON FILE AT THE SAN ANTONIO WATER SYSTEM UNDER THE PLAT NUMBER ISSUED BY DEVELOPMENT SERVICE DEPARTMENT.

2. NO STRUCTURE, 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 INGRESS AND EGRESS OVER GRANTEE'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. FINISHED FLOOR ELEVATIONS SHALL BE A MINIMUM OF 6" ABOVE FINAL GRADE OF ADJACENT GRADE.

4. IMPACT FEE PAYMENT DUE 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.

5. 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 A MINIMUM FIRE FLOW DEMAND OF 2000 GPM AT 25 PSI RESIDUAL PRESSURE. THE FIRE FLOW REQUIREMENTS FOR INDIVIDUAL 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 MARSHALL.

6. ALL LOTS IN THE SUBDIVISION SHALL BE LIMITED TO TOWNHOUSE USE.

7. REVOCABLE INGRESS/EGRESS EASEMENTS SHALL BE IN ACCORDANCE WITH UDC SECTION 35-315(0)(4).

8. THE MAINTENANCE OF ALL DRAINAGE EASEMENTS, GRENDBELTS, AND OPEN PERMEABLE SPACES SHOWN HEREIN SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER OR HOMEOWNERS ASSOCIATION AND THEIR SUCCESSORS OR ASSIGNEES AND NOT THE RESPONSIBILITY OF THE CITY OF SAN ANTONIO OR BEXAR COUNTY.

**LINE TABLE**

| LINE | LENGTH | BEARING       |
|------|--------|---------------|
| L1   | 32.09  | S 32°14'03" W |
| L2   | 24.66  | S 21°12'12" E |
| L3   | 72.37  | N 02°42'48" E |
| L4   | 20.00  | N 82°17'12" E |
| L5   | 10.00  | S 07°42'48" W |
| L6   | 17.50  | N 02°17'12" E |
| L7   | 15.00  | N 02°42'48" E |
| L8   | 20.00  | N 02°42'48" E |
| L9   | 15.00  | N 82°17'12" E |
| L10  | 12.00  | S 82°17'12" E |
| L11  | 10.00  | S 82°17'12" E |
| L12  | 118.11 | S 82°52'32" E |
| L13  | 115.00 | S 82°52'32" E |
| L14  | 21.88  | S 82°52'32" E |
| L15  | 12.54  | S 82°52'32" E |
| L16  | 16.00  | S 07°42'48" W |
| L17  | 23.00  | S 07°42'48" W |
| L18  | 16.00  | S 07°42'48" W |
| L19  | 16.00  | S 07°42'48" W |
| L20  | 10.00  | S 07°42'48" W |
| L21  | 15.00  | S 07°42'48" W |
| L22  | 4.27   | S 07°42'48" W |
| L23  | 34.57  | S 15°14'03" W |
| L24  | 36.35  | S 15°14'03" W |
| L25  | 20.87  | S 15°14'03" W |
| L26  | 29.35  | S 10°30'48" E |
| L27  | 54.24  | N 02°42'48" E |
| L28  | 25.00  | N 02°42'48" E |
| L29  | 78.91  | N 21°12'12" E |
| L30  | 7.00   | N 02°42'48" E |
| L31  | 9.00   | N 02°42'48" E |
| L32  | 7.00   | N 02°42'48" E |
| L33  | 7.00   | N 02°42'48" E |
| L34  | 10.30  | N 02°42'48" E |
| L35  | 6.00   | N 02°42'48" E |
| L36  | 6.00   | N 02°42'48" E |
| L37  | 117.03 | N 02°42'48" E |
| L38  | 8.00   | N 02°42'48" E |
| L39  | 6.00   | N 02°42'48" E |
| L40  | 8.64   | N 02°42'48" E |
| L41  | 8.00   | N 02°42'48" E |
| L42  | 6.00   | N 02°42'48" E |
| L43  | 4.00   | N 02°42'48" E |
| L44  | 6.00   | N 02°42'48" E |
| L45  | 9.00   | N 02°42'48" E |
| L46  | 6.00   | N 02°42'48" E |
| L47  | 6.00   | N 02°42'48" E |
| L48  | 6.00   | N 02°42'48" E |
| L49  | 6.00   | N 02°42'48" E |
| L50  | 6.00   | N 02°42'48" E |
| L51  | 44.80  | N 02°42'48" E |
| L52  | 8.00   | N 02°42'48" E |
| L53  | 11.48  | N 02°42'48" E |
| L54  | 9.00   | N 02°42'48" E |
| L55  | 9.00   | N 02°42'48" E |
| L56  | 4.55   | N 02°42'48" E |
| L57  | 9.00   | N 02°42'48" E |
| L58  | 9.00   | N 02°42'48" E |
| L59  | 18.18  | N 02°42'48" E |
| L60  | 9.00   | N 02°42'48" E |

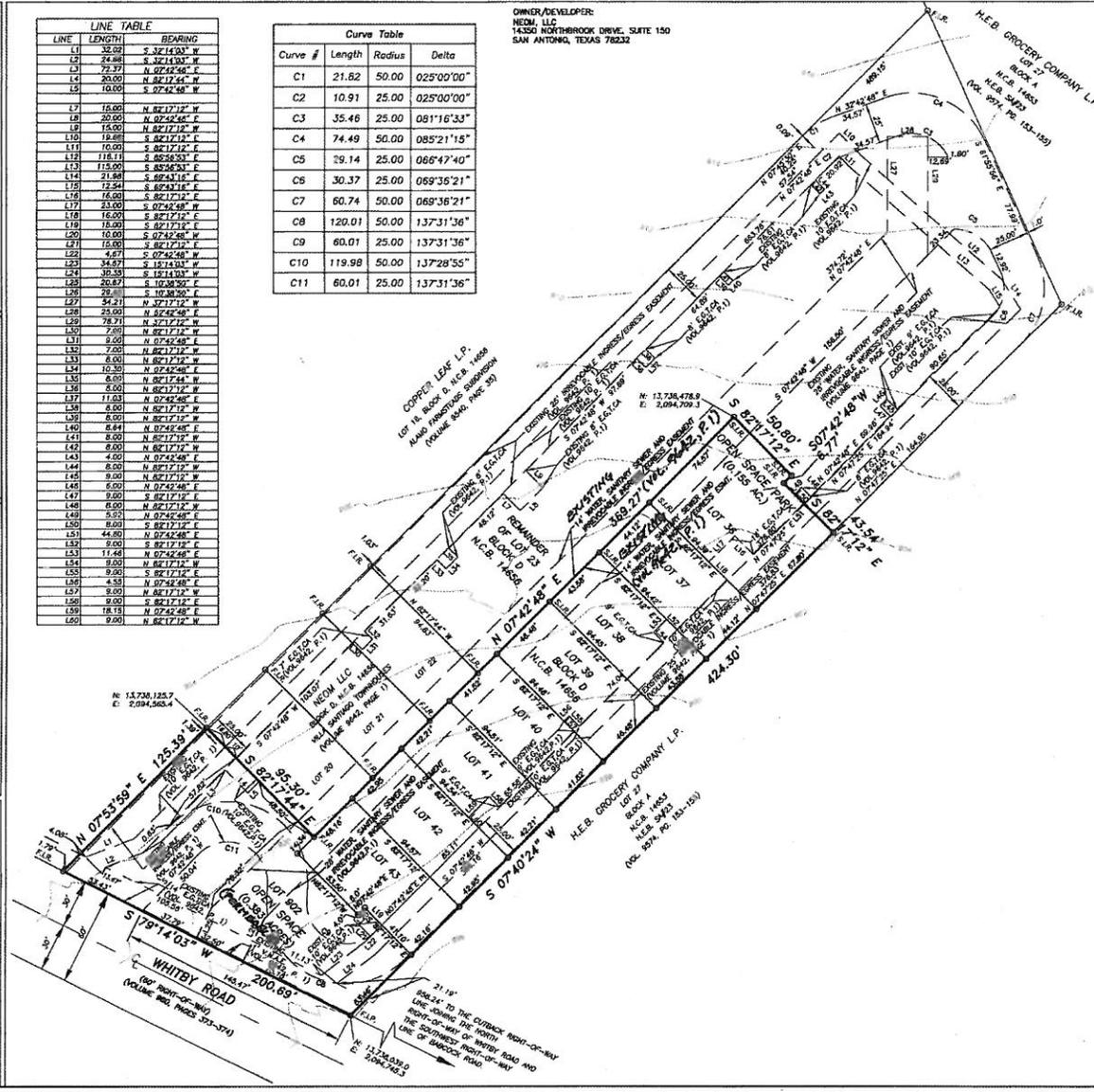
**Curve Table**

| Curve # | Length | Radius | Delta       |
|---------|--------|--------|-------------|
| C1      | 21.62  | 50.00  | 02°5'00"00" |
| C2      | 10.91  | 25.00  | 02°5'00"00" |
| C3      | 35.46  | 25.00  | 08°11'6"33" |
| C4      | 74.49  | 50.00  | 08°5'21"18" |
| C5      | 39.14  | 25.00  | 06°6'47"40" |
| C6      | 30.37  | 25.00  | 06°9'36"21" |
| C7      | 60.74  | 50.00  | 06°9'36"21" |
| C8      | 120.01 | 50.00  | 13°7'31"56" |
| C9      | 60.01  | 25.00  | 13°7'31"56" |
| C10     | 119.98 | 50.00  | 13°7'28"55" |
| C11     | 60.01  | 25.00  | 13°7'31"56" |

**OWNER/DEVELOPER:**  
HEML, LLC  
14350 NORTHBROOK DRIVE, SUITE 150  
SAN ANTONIO, TEXAS 78232

**OWNER'S DULY AUTHORIZED AGENT:**  
ALEJANDRO R. ROMAN, P.E., C.E.M.  
REGISTERED PROFESSIONAL ENGINEER  
TEXAS REGISTRATION NO. 90145

**DATE:** 9-27-2012



**PLAT NUMBER 120345**

**A REPLAT ESTABLISHING**

**VILLA SANTIAGO TOWNHOUSES 4**

ESTABLISHING LOTS 36-43 AND LOT 902, BLOCK D, N.C.B. 14656, (1,202 ACRES), BEING A PORTION OF LOT 23, BLOCK D, NEW CITY BLOCK 14656, VILLA SANTIAGO TOWNHOUSES, AS RECORDED IN VOLUME 9842, PAGE 1, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS.

**SCALE 1" = 50'**

**GOMEZ-GARCIA AND ASSOCIATES, INC.**  
8723 BUTTS LANE, SAN ANTONIO, TEXAS 78217  
(210) 832-9808 (210) 832-9615 FAX  
TYPE FIRM REGISTRATION #3382

**DATE:** 9-24-2012 **JOB NO.:** 068.007

STATE OF TEXAS  
COUNTY OF BEXAR

THE OWNER OF THE LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC, EGRESS AREAS IDENTIFIED AS PRIVATE OR PART OF AN EGRESS OR PLANNED UNIT DEVELOPMENT, FENCES, ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINAGE EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

**OWNER/DEVELOPER:** HEML, LLC  
14350 NORTHBROOK DRIVE, SUITE 150  
SAN ANTONIO, TEXAS 78232

**OWNER'S DULY AUTHORIZED AGENT:** [Signature]

STATE OF TEXAS  
COUNTY OF BEXAR

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED **Alejandro R. Roman** 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 27th day of September, 2012

**Thomas C. Hansen**  
NOTARY PUBLIC  
BEXAR COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF BEXAR

THE REPLAT OF VILLA SANTIAGO TOWNHOUSES 4 HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO, TEXAS IS HEREBY APPROVED BY SUCH COMMISSION IN ACCORDANCE WITH STATE OR LOCAL LAWS AND REGULATIONS AND/OR WHERE ADMINISTRATIVE EXCEPTION(S) AND/OR VARIANCE(S) HAVE BEEN GRANTED.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_

BY: \_\_\_\_\_ CHAIRMAN

BY: \_\_\_\_\_ SECRETARY

STATE OF TEXAS  
COUNTY OF BEXAR

I, \_\_\_\_\_ COUNTY CLERK OF BEXAR COUNTY, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE, ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 2012 AT \_\_\_\_\_ M. AND DULY RECORDED THE \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 2012 AT \_\_\_\_\_ M. IN THE DEED AND PLAT RECORDS OF BEXAR COUNTY, IN BOOK/VOLUME \_\_\_\_\_ ON PAGE \_\_\_\_\_

IN TESTIMONY WHEREOF, WITH MY HAND AND OFFICIAL SEAL OF OFFICE, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 2012.

\_\_\_\_\_  
COUNTY CLERK, BEXAR COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF BEXAR

BY: \_\_\_\_\_ DEPUTY

PAGE 1 OF 1



Date: Sep 27, 2012, 10:26am, User: ale, File: C:\Users\ale\Documents\4-Design\Town\Villa Santiago Townhouses 4-120345.dwg, Plot: Villa Santiago Townhouses 4



# CITY OF SAN ANTONIO

DEVELOPMENT SERVICES DEPARTMENT

LAND ENTITLEMENTS SECTION

STAFF REPORT

AGENDA NO. 14

**Public Hearing:**

Planning Commission  
October 24, 2012

**Application/Case Number:**

130001

**Project Name:**

Messiah Lutheran

**Applicant:**

Messiah Lutheran Church  
c/o Richard Pfaff

**Representative:**

Matkin-Hoover Engineering and  
Surveying; c/o Matthew B.  
McCormick, P.E.

**Owner:**

Messiah Lutheran Church

**Staff Coordinator:**

Donna Camacho, Planner  
(210) 207-5016  
Donna.Camacho@sanantonio.gov

**Property Address/Location:**

9401 Dietz Elkhorn

**MAPSCO Map Grid (Ferguson):**

412 F-8

**Tract Size:**

15.474

**Council District/ETJ:**

ETJ

**Notification:**

Internet Agenda posting October  
19, 2012

**REQUEST**

The applicant is requesting temporary utility service prior to plat approval and recordation of the **Messiah Lutheran Subdivision**, for one (1) non-single family lot consisting of 15.474 acres.

**APPLICATION TYPE**

Subdivision plat deferral

**ANALYSIS**

**A. Proposed Use**

Church

**B. Zoning**

The property is located outside of the city limits of San Antonio, therefore zoning is not applicable.

**C. Services Available**

Private Water Well and On Site Sewer Facility.

**D. Interdepartmental Review**

Request for reviews were approved by Streets, TIA and Storm Water divisions.

**RECOMMENDATION**

The Director of Development Services recommends **approval** of the plat deferral with the following conditions:

1. No permanent building permit and/or utility service shall be issued until the plat is approved and recorded in the office of the County Clerk.
2. The plat is formally filed within one hundred eighty (180) days of this action and considered by the Planning Commission within thirty (30) days of a formal plat filing.
3. If no building permit or utility service is issued, and/or a complete plat filing is not filed within one hundred eighty (180) days of this action, the plat filing fees shall not be refunded and the plat deferral request shall become null and void.

**ATTACHMENTS**

1. Proposed Plat.
2. Request Letter



**STREETSCAPE NOTE:**  
NO BUILDING PERMIT WILL BE ISSUED FOR THIS SITE UNTIL A STREETSCAPE PLAN HAS BEEN APPROVED. STREETSCAPE PLANTING MUST BE DONE AT TIME OF CONSTRUCTION AND BE IN ACCORDANCE WITH SECTION 35-512 OF THE UNIFIED DEVELOPMENT CODE.

**SHARED ACCESS NOTE:**  
OWNER SHALL PROVIDE FOR SHARED CROSS ACCESS WITH ADJACENT LOTS. SAN ANTONIO UDC 35-506(f)(3)

**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.

**EASEMENT NOTE:**  
BEXAR COUNTY WILL NOT MAINTAIN EASEMENTS OF ANY KIND. PROPERTY OWNER SHALL BE RESPONSIBLE FOR EASEMENT MAINTENANCE.

**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.

**DETENTION NOTE:**  
NO BUILDING PERMIT WILL BE ISSUED FOR THIS PLATTED PROPERTY UNTIL A DETENTION DESIGN HAS BEEN APPROVED.

**NOTES:**

1. THE BASIS OF MONUMENTATION FOR THIS PLAT ARE THOSE SHOWN FOUND.
2. THE BEARINGS FOR THIS PLAT ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM SOUTH CENTRAL ZONE, NAD83.
3. DIMENSIONS SHOWN ARE SURFACE AND THE SURFACE ADJUSTMENT FACTOR IS 1.00017

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

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

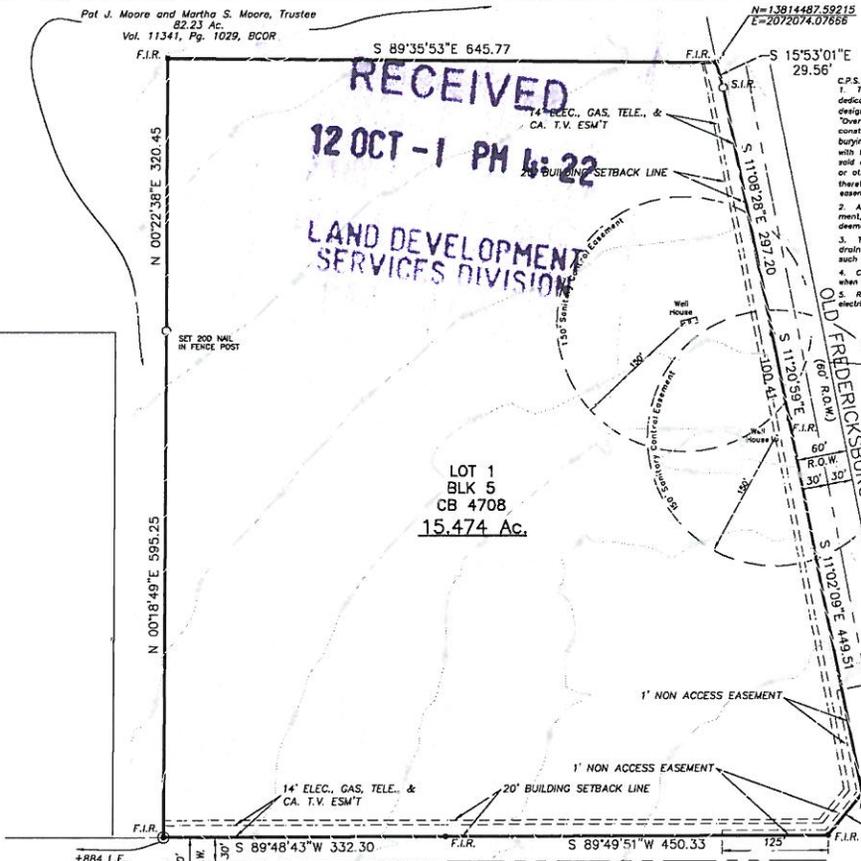
\_\_\_\_\_  
DULY AUTHORIZED AGENT

STATE OF TEXAS  
COUNTY OF BEXAR

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_ 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 \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC  
BEXAR COUNTY, TEXAS



PLAT. NO. 130001

**CPS NOTES:**

1. The City of San Antonio as part of its electric and gas system (City Public Service Board) is hereby dedicating the easements and right-of-way for electric and gas distribution and service facilities in the areas designated on this plat as "Electric Easement," "Gas Easement," "Access Easement," "Service Easement," "Overhang Easement," "Utility Easement," and "Transformer Easement" for the purpose of installing, constructing, reconstructing, maintaining, removing, inspecting, painting, and erecting poles, hanging or burying wires, cables, conduits, pipelines or transformers, each with its necessary appurtenances together with the right of ingress and egress over grantor's adjacent land, the right to relocate said facilities within said easement and right-of-way areas, and the right to remove from said lands of trees or parts thereof, or other obstructions which endanger or may interfere with the efficiency of said lines or appurtenances therein. It is agreed and understood that no buildings, concrete slabs, or walls will be placed within said easement area.
2. Any CPS inventory loss resulting from modifications required of CPS 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.
3. This plat does not amend, alter, release or otherwise affect any existing electric, gas, water, sewer drainage, telephone, cable easements or any other easements for utilities unless the changes to such easements are described below.
4. Concrete driveway approaches and steps are allowed within the five (5) foot wide electric and gas easements when lots are served only by rear underground electric and gas facilities.
5. Roof overhangs are allowed within five (5) foot wide electric and gas easements when any underground electric and gas facilities are proposed or existing within five (5) foot wide easements.

**Wastewater EDU note**  
The number of 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 the development services department.



**LEGEND**

- ELEC = ELECTRIC
- TELE = TELEPHONE
- CA. T.V. = CABLE TELEVISION
- ESM'T. = EASEMENT
- B.S.L. = BUILDING SETBACK LINE
- F.I.R. = FOUND IRON ROD
- S.I.R. = SET IRON ROD

**PLAT OF  
MESSIAH LUTHERAN SUBDIVISION**

A 15.474 ACRE, MORE OR LESS, TRACT OF LAND OUT OF THE JOSE RAMON APOCHA SURVEY NO. 171, ABSTRACT NO. 24, BEXAR COUNTY, TEXAS, CONSISTING OF ALL OF A 4.523 ACRE TRACT DESCRIBED IN DEED RECORDED IN VOLUME 8108, PAGE 789, BEXAR COUNTY OFFICIAL RECORDS, ALL OF A 5.00 ACRE TRACT DESCRIBED IN DEED RECORDED IN VOLUME 8485, PAGE 651, BEXAR COUNTY OFFICIAL RECORDS, ALL OF A 0.95 ACRE TRACT DESCRIBED IN DEED RECORDED IN VOLUME 7661, PAGE 886, BEXAR COUNTY OFFICIAL RECORDS AND ALL OF A 5.00 ACRE TRACT DESCRIBED IN DEED RECORDED IN VOLUME 6146, PAGE 2006, BEXAR COUNTY OFFICIAL RECORDS.

THIS PLAT OF \_\_\_\_\_ MESSIAH LUTHERAN SUBDIVISION HAS BEEN SUBMITTED TO THE CITY OF SAN ANTONIO, TEXAS, AND HAVING BEEN REVIEWED BY THE DIRECTOR OF PLANNING, IS HEREBY APPROVED IN ACCORDANCE WITH STATE OR LOCAL LAWS AND REGULATIONS AS INDICATED BELOW.

MINOR OR AMENDING PLAT APPROVED BY THE DIRECTOR OF DEVELOPMENT SERVICES  
DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_

By: \_\_\_\_\_  
DIRECTOR OF DEVELOPMENT SERVICES

**OWNER/DEVELOPER:**  
MESSIAH LUTHERAN CHURCH  
9401 DIETZ ELKHORN  
BOERNE, TX 78015  
PH: 800-755-4300

**MATKINHOOPER**  
ENGINEERING & SURVEYING  
200 BULL DOG BLVD SUITE 100  
BOERNE, TX 78015  
P.O. BOX 1000  
BOERNE, TX 78015  
(THE ENGINEER, SURVEYOR, LAND PLANNER, CONSTRUCTION MANAGER CONSULTANT)

MINOR PLAT:  
THIS MINOR PLAT OF \_\_\_\_\_ MESSIAH LUTHERAN SUBDIVISION HAS BEEN SUBMITTED TO BEXAR 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.

MINOR OR AMENDING PLAT APPROVED BY THE EXECUTIVE DIRECTOR OF INFRASTRUCTURE SERVICES  
DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. \_\_\_\_\_  
By: \_\_\_\_\_  
EXECUTIVE DIRECTOR OF INFRASTRUCTURE SERVICES

STATE OF TEXAS  
COUNTY OF KENDALL

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.

STATE OF TEXAS  
COUNTY OF BEXAR

\_\_\_\_\_  
REGISTERED PROFESSIONAL LAND SURVEYOR

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 IN BOOK VOLUME \_\_\_\_\_ ON PAGE \_\_\_\_\_ OF SAID COUNTY, IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. \_\_\_\_\_

\_\_\_\_\_  
COUNTY CLERK, BEXAR COUNTY, TEXAS  
By: \_\_\_\_\_, DEPUTY

Attachment 2

(MBS)

Attachment 2



September 28, 2012

RECEIVED

12 OCT -1 PM 4: 22

Development Services – To whom it may concern  
1901 South Alamo Street  
San Antonio, Texas 78204

LAND DEVELOPMENT  
SERVICES DIVISION

Re: Preliminary Review  
Messiah Lutheran Subdivision  
Drainage

To whom it may concern,

The purposed of this correspondence is to provide a preliminary drainage package for you review as required by our application for plat deferral. The submitted drainage study is from previous platting for the same site. The site has not been altered, but the platting procedure is being reinitiated for the same site with a plat deferral application. Attached at the end of this drainage study is the current FEMA flood plain map to update the study. Please provide your preliminary review as required by the Plat Deferral Application.

If you have any question feel free to contact us.

Sincerely,  
Matkin Hoover Engineering & Surveying  
TBPE Firm Registration No. F-4512

A handwritten signature in blue ink, appearing to read "Matt McCormick", is written over the typed name.

Matt McCormick, P.E.  
Project Manager



# CITY OF SAN ANTONIO

DEVELOPMENT SERVICES DEPARTMENT

LAND ENTITLEMENTS SECTION

STAFF REPORT

AGENDA NO. 15

**Public Hearing:**

Planning Commission  
October 24, 2012

**Application/Case Number:**

080474

**Project Name:**

Mission Center

**Applicant:**

Raymundo Villareal, R.P.L.S.

**Owner:**

Keith W. Leibbrandt

**Staff Coordinator:**

Rudy Muñoz, Planner  
(210) 207-5014  
rudy.munoz@sanantonio.gov

**Location:**

Northeast of the intersection of  
Blanco Road and Deercrest

**MAPSCO Map Grid (Ferguson):**

516 B-5

**Tract Size:**

0.714 acres

**Council District:**

9

**Notification:**

Internet Agenda Posting October 19,  
2012

**REQUEST**

A request for a three (3) year time extension in accordance with Section 25-430(f) of the City of San Antonio's Unified Development Code UDC for the **Mission Center Subdivision**.

**APPLICATION TYPE**

Time Extension

**RECOMMENDED ACTION**

Approval

**DISCUSSION**

According to the applicant, the economic downturn has resulted in the inability to pay, in full, the outstanding impact fees. These include the following, which must be paid prior to the plat being recorded.

- Drainage impact fee in the amount of \$2,142.00
- Water impact fee in the amount of \$5,862.00
- Sewer impact fee in the amount of \$2,424.80

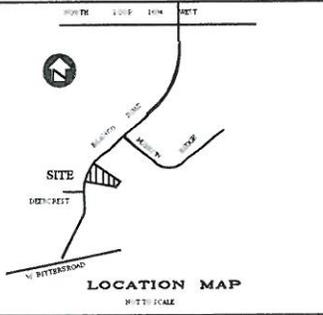
**CASE HISTORY**

The Director of the Development Services Department approved this plat on October 29, 2009. The plat has not been recorded.

**ATTACHMENTS**

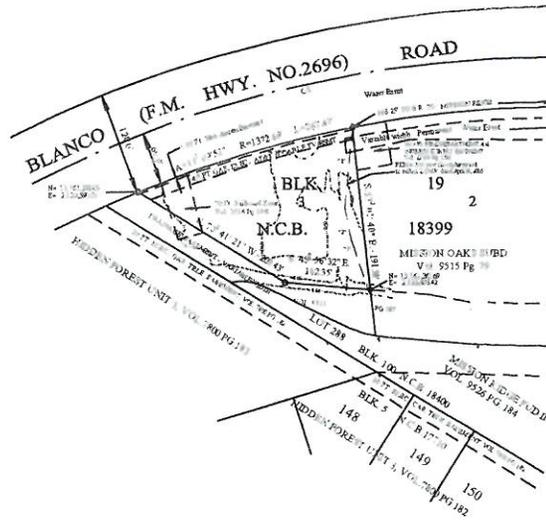
1. Proposed Plat
2. Applicant's Letter of Request

PLAT NO. 080474



|   |                  |       |
|---|------------------|-------|
| 1 | S. 44° 59' 00" E | 33.0  |
| 2 | S. 62° 10' 14" E | 40.16 |
| 3 | S. 62° 11' 16" E | 74.0  |

SCALE: 1"=100'



SUBDIVISION PLAT OF MISSION CENTER SUBDIVISION

A 0.714 ACRE TRACT OF LAND OUT OF DEED DATED MARCH 4, 2002, RECORDED IN VOLUME 9287 AT PAGE 1131 OF THE REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS, TO CREATE LOT 3, BLOCK 19, N.C.B. 18399.

GENERAL NOTES

- 1. 1/2" IRON PINS FOUND OR SET AT ALL CORNERS.
- 2. BASIS OF BEARING = N 38° 34' 00" E from TNDOT R.O.W. MAP
- 3. CONTOUR LINES AT TWO FOOT INTERVALS.

Wastewater EDU note. The number of wastewater equivalent dwelling units (EDUs) paid for this subdivision on plat are kept on file at the San Antonio Water System under the plat number issued by the Planning and Development Services Department.

Share Cross Access Note

Cross access is provided through the subdivision with the adjacent subdivision with 10' x 10' x 10' easement.

STATE OF TEXAS COUNTY OF BEXAR

I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATIONS HAVE 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.

LICENSED PROFESSIONAL ENGINEER

STATE OF TEXAS COUNTY OF BEXAR

THE OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATED TO THE USE OF THE PUBLIC, EXCEPT AREAS INDICATED AS PRIVATE, FURNISH ALL STREETS, ALLEYS, PARKS, WATERWAYS, DRAINAGE EASEMENTS AND PUBLIC PLACES THROUGH WHICH THE PURPOSES AND CONSIDERATIONS THEREOF EXPRESSED.

DRAWN/DEVELOPER: INVESTRON, LTD./1635 NE LOOP 410 #2809 NCB-9261 By: KEITH W. LEIBBRANDT

STATE OF TEXAS COUNTY OF BEXAR

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED KEITH W. LEIBBRANDT, 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, BEXAR COUNTY, TEXAS

DRWG. NO. 12458-D-7-08

RECEIVED CIVIL ENGINEERING & SURVEYING 3000 OCT 18 PM 5:43

DRAINAGE NOTES

- 1. Minimum finished floor elevations for residential and commercial lots adjacent to the floodplain shall be elevated at least 1 foot higher than the computed water surface elevation for the 100-year storm event for the ultimate development condition.
- 2. Finished floor elevations must be a minimum of 8 inches above final adjacent grade.
- 3. No structure, fences, walls, or other obstructions that impede 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 ingress and egress over (owner's) adjacent property to remove any impeding obstructions placed within the limits of said drainage easements and to make any modifications within said drainage easements.

EDWARDS RECHARGE ZONE NOTE:

This subdivision is within the Edwards Recharge Zone Development within this subdivision is subject to Chapter 34, Article VI, Division 6 of the San Antonio City Code entitled "Aquifer Recharge Zone and Watershed Protection," or latest revision thereof.

No person shall commence the construction of any regulated activity until an Edwards Aquifer Protection Plan ("Water Pollution Abatement Plan" or "WPAP") or modification to an approved plan as required by 30 TAC 231.5 of the Texas Water Code, or latest revision thereof, has been filed with the appropriate regional TECO office, and the application has been approved by the executive director of the TECO.

Attachment 1

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 RAYMUNDO VILLARREAL.



REGISTERED PROFESSIONAL LAND SURVEYOR No. 1559

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 ... H, AND DULY RECORDED THE ... DAY OF ... A.D. ... AT ... H, IN THE RECORDS OF ... OF SAID COUNTY, IN BOOK VOLUME ...

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

- "T.P.A. NOTES AND LEGEND"
- 1. THE CITY OF SAN ANTONIO AS A PART OF ITS ELECTRIC AND GAS STREET CITY PUBLIC SERVICE BOARD IS HEREBY RESOLVED THAT THE EASEMENTS AND RIGHTS-OF-WAY FOR ELECTRIC AND GAS DISTRIBUTION AND SERVICE FACILITIES IN THE "MICHIGAN SUBDIVISION" SERVICE EASEMENTS" "WISCONSIN EASEMENTS" "UTILITY EASEMENTS" AND "RECHARGE EASEMENTS" FOR THE PURPOSES OF IMPROVING, CONSTRUCTION, MAINTENANCE, REPAIRS, INSPECTION, OPERATIONS, AND ELECTRIC POWER, GAS, OR WATER TRANSMISSION, CONDUIT, CABLES, PUBLIC TRANSPORTATION, EVEN WITH ITS NECESSARY APPURTENANCES, THROUGH WITH RIGHT OF PASSAGE AND EGRESS OVER ANY ADJACENT LAND, THE RIGHT TO LOCATE AND PLACE WITHIN SAID EASEMENTS AND RIGHTS-OF-WAY AREAS AND THE RIGHT TO REMOVE FROM SAID LANDS AND RIGHTS-OF-WAY AREAS AND THE RIGHT TO REMOVE FROM SAID LANDS AND RIGHTS-OF-WAY AREAS, AFTER NOTICE AS OTHERWISE SET FORTH BY SAID INSTRUMENTS WITH THE EXCEPTION OF SAID LANDS OR APPURTENANCES THEREIN, IF IN COMPLIANCE WITH THE PROVISIONS OF SAID INSTRUMENTS, SHALL BE PLACED WITHIN SAID EASEMENTS AREAS.
  - 2. SET OFF EASEMENTS FOR THE PURPOSES OF IMPROVING, CONSTRUCTION, MAINTENANCE, REPAIRS, INSPECTION, OPERATIONS, AND EGRESS OVER ANY ADJACENT LAND, THE RIGHT TO LOCATE AND PLACE WITHIN SAID EASEMENTS AND RIGHTS-OF-WAY AREAS AND THE RIGHT TO REMOVE FROM SAID LANDS AND RIGHTS-OF-WAY AREAS, AFTER NOTICE AS OTHERWISE SET FORTH BY SAID INSTRUMENTS WITH THE EXCEPTION OF SAID LANDS OR APPURTENANCES THEREIN, IF IN COMPLIANCE WITH THE PROVISIONS OF SAID INSTRUMENTS, SHALL BE PLACED WITHIN SAID EASEMENTS AREAS.
  - 3. THIS PLAT DOES NOT AFFECT, ALTER, CHANGE OR OTHERWISE AFFECT ANY EXISTING ELECTRIC, GAS, WATER, OR OTHER UTILITY FACILITIES, CABLE EASEMENTS OR ANY OTHER EASEMENTS FOR UTILITIES UNLESS THE CHANGES TO SUCH EASEMENTS ARE DESCRIBED BELOW.
  - 4. CONCRETE DRIVEWAY APPROACHES ARE ALLOWED WITHIN THE FIVE (5) FOOT WIDE ELECTRIC AND GAS RIGHTS-OF-WAY ONLY BY BEING SET WITHIN THE ELECTRIC, GAS, WATER, OR OTHER UTILITY FACILITIES, CABLE EASEMENTS OR ANY OTHER EASEMENTS FOR UTILITIES UNLESS THE CHANGES TO SUCH EASEMENTS ARE DESCRIBED BELOW.
  - 5. ONLY UNDERGROUND ELECTRIC, GAS, WATER, OR OTHER UTILITY FACILITIES, CABLE EASEMENTS OR ANY OTHER EASEMENTS FOR UTILITIES UNLESS THE CHANGES TO SUCH EASEMENTS ARE DESCRIBED BELOW.
  - 6. FINISHED FLOOR ELEVATIONS MUST BE A MINIMUM OF 8 INCHES ABOVE FINISHED ADJACENT GRADE.

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

DATED THIS ... DAY OF ... A.D. 2008 BY ... DIRECTOR OF PLANNING AND DEVELOPMENT SERVICES

*Attachment 2*

**RAYMUNDO VILLARREAL**

REGISTERED PROFESSIONAL LAND SURVEYOR

SURVEYING, SUBDIVISIONS, DRAFTING, ETC.

(210) 344-8748

FAX (210) 344-5124

October 1, 2012

Mr. Roderick Sanchez  
City of San Antonio  
Development Services Department  
1901 South Alamo  
San Antonio, Tx. 78204

re: MISSION CENTER SUBDIVISION  
PLAT NO. 080474

Dear Mr. Sanchez,

The undersigned, representing the Developer of MISSION CENTER SUBDIVISION, Plat No. 080474, does hereby request a three (3) year Time Extension per Section 35-430(t) of the Unified Development Code. The Director of Development Services approved the Subdivision Plat on October 29, 2009.

The economic downturn and its impact to the real estate industry resulted in the delay of the site improvement of the above referenced subdivision. We plan to pursue the development as soon as the real estate market shows progress.

Enclosed is the \$300 filing fee required to process this request, a copy of the Plat and Time Extension Application form executed accordingly. If additional information is required, please do not hesitate to contact me.

Sincerely,



RAYMUNDO VILLARREAL

DEVELOPMENT SERVICES  
RECEIVED

2012 OCT 12 AM 9:04

Attachments



# CITY OF SAN ANTONIO

DEVELOPMENT SERVICES DEPARTMENT

LAND ENTITLEMENTS SECTION

STAFF REPORT

AGENDA NO. 16

**Public Hearing:**

Planning Commission  
October 24, 2012

**Application/Case Number:**

TPV 12-007

**Project Name:**

Seeling Channel Project

**Applicant:**

Capital Improvements Management  
Services, c/o David Pulido, PE

**Representative:**

AECOM  
c/o Stephanie Blew, PE

**Owner:**

City of San Antonio

**Staff Coordinator:**

Donna Camacho, Planner  
(210) 207-5016  
Donna.Camacho@sanantonio.gov

**Property Address/Location:**

Seeling Channel from Woodlawn  
Lake to Wilson Boulevard

**MAPSCO Map Grid (Ferguson):**

615 F-1

**Tract Size:**

4,200 foot long area of channel

**Council District(s):**

Council District 7

**Notification:**

Internet Agenda Posting October 19,  
2012

**REQUEST**

A request for a Tree Preservation variance from the Unified Development Code (UDC) Article V, Section 35-523(h) 100-Year Floodplain and Environmentally Sensitive Areas, to provide improvements to Seeling Channel from Woodlawn Lake to Wilson Boulevard to reduce flooding along Seeling Channel. Sensitive Areas for the **Seeling Channel Project**.

**APPLICATION TYPE:**

Variance

**ANALYSIS:**

The applicant wishes to go below the minimum preservation for significant and heritage trees in the floodplain for construction of the Seeling Channel Drainage Improvements working in conjunction with the Woodlawn Lake Park Pedestrian Bridge Project. DSD staff does agree with the applicant's request to go below the minimum preservation requirements for floodplain for the following reasons:

Existing conditions including the fact the project is entirely within the 100 year floodplain and approximately 62 properties will be removed from the floodplain various alternative construction methods and design enhancements have been incorporated to minimize impacts to existing trees and provide area to plant mitigation trees.

There will be 186 trees planted within the project limits. Total caliper inches to be planted will be 615 inches. Mitigation is met by a combination of planting and preservation of smaller unprotected trees within the project limits.

LID (Low Impact Design) principles to provide water quality and storm water benefits are included in the project design. There is 600 linear feet of bioswales proposed within the park area. Also, 41 percent of the channel will be benched and earthen creating more planting area within the project.

Five (5) Live oak trees and one (1) Mexican sycamore tree will be relocated within Woodlawn Lake Park rather than be removed.

Five (5) Montezuma cypress trees scheduled to be removed for construction of the new pedestrian bridge will be harvested and processed under the direction of the City Forester for use as park benches.

Through a coordinated effort by a resident, private arborist, the City Arborist, the City Forester and the Project Management Team alternative construction and Best Management Practices

(BMP's) have been incorporated to preserve and minimize impacts to a 29 inch Live oak on private property.

**RECOMMENDATION:**

The Director of Development Services recommends **approval** of the variance as stated in the attached report.

**ATTACHMENTS**

1. Letter requesting Variance
2. Map
3. Variance Request Analysis

# Attachment 1



## Capital Improvements Management Services CAPITAL PROGRAMS DIVISION

---

September 18, 2012

Administrative Exception / Variance Request Review  
c/o Development Services Staff  
Development Services Department  
City of San Antonio  
1901 S. Alamo  
San Antonio, TX 78204

**Project: Seeling Channel Phase I Drainage Improvements  
Request for Environmental Variance for UDC Sec. 35-523. - Tree Preservation (h) 100-Year  
floodplain(s) and Environmentally Sensitive Areas.**

Dear COSA DSD,

The Capital Improvements Management Services (CIMS) is requesting a Tree Variance for the 2007-2012 Bond Project: Seeling Channel Improvements Phase I.

The project will provide improvements to Seeling Channel from Woodlawn Lake to Wilson to reduce flooding along Seeling Channel. This project is working in conjunction with the Woodlawn Lake Park Pedestrian Bridge Project. The improvements include channel improvements beginning in the Woodlawn Lake Park and proceeding upstream along the channel to just upstream of the Wilson Blvd bridge over the channel. This is approximately 4,200' long. Additional improvements include converting the existing South Josephine Tobin Drive Bridge into a pedestrian only bridge and constructing a new vehicular bridge 260 feet West of the existing bridge as well as channel improvements. The project also includes incidental roadway construction along Mistletoe, Wilson Blvd, and Woodlawn Ave.

The Seeling Channel project will preserve 954 inches of significant canopy trees, 3 inches of significant understory trees, 625 inches of heritage canopy trees, and 0 inches of heritage understory trees. The project mitigation for significant trees is 4 inches and 1173 inches for heritage trees. With the Seeling Channel project, 615 inches of trees will be replanted within the project limits.

o Project present preservation:

|                               |            |
|-------------------------------|------------|
| Significant Canopy Trees:     | 954 inches |
| Significant Understory Trees: | 3 inches   |

|                            |            |
|----------------------------|------------|
| Heritage Canopy Trees:     | 625 inches |
| Heritage Understory Trees: | 0 inches   |

- Project mitigation total:

Significant: 4 inches  
Heritage: 1173 inches

- Total canopy inches being replanted within Project Limits: 615 inches

- *Code Issue: Identify the specific Unified Development Code (UDC) section for which the AEVR is proposed.*

**Sec. 35-523. - Tree Preservation (h) 100-Year Floodplain(s) and Environmentally Sensitive Areas.** Significant trees shall be preserved at eighty (80) percent preservation within both the 100-year floodplains and environmentally sensitive areas. Heritage trees shall be preserved at one hundred (100) percent preservation within both the 100-year floodplains and environmentally sensitive areas. The 100-year floodplain shall be determined by the floodplain administrator. Mitigation shall be prohibited in floodplains and environmentally sensitive areas except when a variance is granted by the planning commission. If trees are required to be removed by a governmental entity due to existing off-site conditions, then mitigation shall not be required by the applicant. The city arborist, the director of public works, the director of planning and development services, the Bexar County flood control division manager and one (1) representative from the Cibolo Creek Watershed, the Leon Creek Coalition, the Salado Creek Foundation, the San Antonio River Oversight Committee, and the Land Heritage Institute (for the Medina River) shall recommend a standard for treatment of drainageways, which standard shall be approved by the city council.

In accordance with Sec 35-523 – 80% tree preservation within the 100-yr floodplain will not be achieved.

- *Discussion / Justification: Provide rationale and supporting information, such as technical data, engineering calculations, results of actual field tests, requirements or allowances in other standard engineering references, etc. that provide the basis for the City to accept the request. Proposed design documents (e.g., architectural or engineering plans, photos, etc.) and supporting information listed above should be attached to the request as needed to clarify proposed request.*

Seeling Channel is a drainage improvement project. Its goal is to remove properties from the floodplain and, therefore, increase public safety. Phase 1 will remove approximately 62 properties from the floodplain. After the second phase is constructed (a 2012 – 2017 Bond Program project), an additional 192 properties will be removed from the floodplain. In order to achieve this goal, the existing channel will have to be widened. This affects the existing Josephine Tobin Bridge. The existing bridge will be replaced with a longer bridge – converted to pedestrian-only) to accommodate the new channel. A new vehicular bridge will also be constructed, approximately 300' to the west of the existing bridge. Therefore, since the design of the drainage project will dictate the design of the proposed Woodlawn Pedestrian Bridge project, it was incorporated into the Seeling Channel project.

The widening also affects a segment of the channel within the limits of the park. To allow for the widening, many trees will have to be removed. However, there is a tree preservation plan in place to compensate for the loss of trees. A detailed summary of trees to be removed and replacements has been provided in the plans.

The Tree Preservation Plan has been included in the bid documents. This plan includes trees designated to be transplanted, not removed, by the City Arborist. Also five (5) Montezuma Cypress trees have been chosen to be re-used for Parks. The canopy wood will be chipped for use at another Park. The trunks will be carefully processed so that they may be reused as lumber for proposed benches to be used in Woodlawn Lake Park. All of this will be under the supervision of the City Forester's Office as specified in the plan notes.

The proposed preservation plan incorporates tree species that are similar to those existing within the park and surrounding area. Also, as part of the improvements, the channel on the south bank will be "benched" so that additional trees can be planted. The CIMS Project Management team has provided direction to the design consultants to minimize the number of trees to be removed and maximize the amount of room available to add trees.

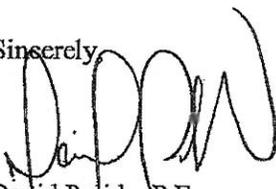
The lengths of preservation for the project are well beyond the Park area. One 29" Oak Tree located on a private residence has been protected by revisions to the roadway and sidewalk design. The PM Team has coordinated with the resident, their arborist, the City Arborist, the City Forester and the Landscape Architect to provide plans and guidelines to preserve the tree.

Some hardships encountered during the design of the Seeling Channel Project include the following:

- Due to the project being 100 percent within the floodplain limits, the re-vegetation of trees has become a challenge. However, we are implementing drastic measures such as re-alignment of the road and minimizing sidewalk widths to preserve large heritage trees along the project limits. Special care notes have also been added to the Tree Preservation Plan sheets to emphasize the importance of preserving the large heritage trees during construction.
- The aforementioned Tree Preservation Plan has been included to replace the amount of trees that have to be removed due to the project improvements.
- Rip-rap is used within the channel to help prevent erosion by reducing the velocity of the flow. However, 41 percent of the channel is going to be reconstructed as an earthen channel.
- There is 600 linear feet of proposed bioswales included within the park area.
- As a portion of this project is within a City Park, the total number of trees in the Park should be taken into consideration in this request for variance.
- The amount of trees to be added will further enhance the overall park experience and will not adversely affect the surrounding areas.

Based on the mitigation measures provided, it is my professional opinion that the proposed variance does not compromise the intentions of the UDC and will not adversely affect the health, safety, or welfare of the public. I respectfully ask that the committee approve the request for variance.

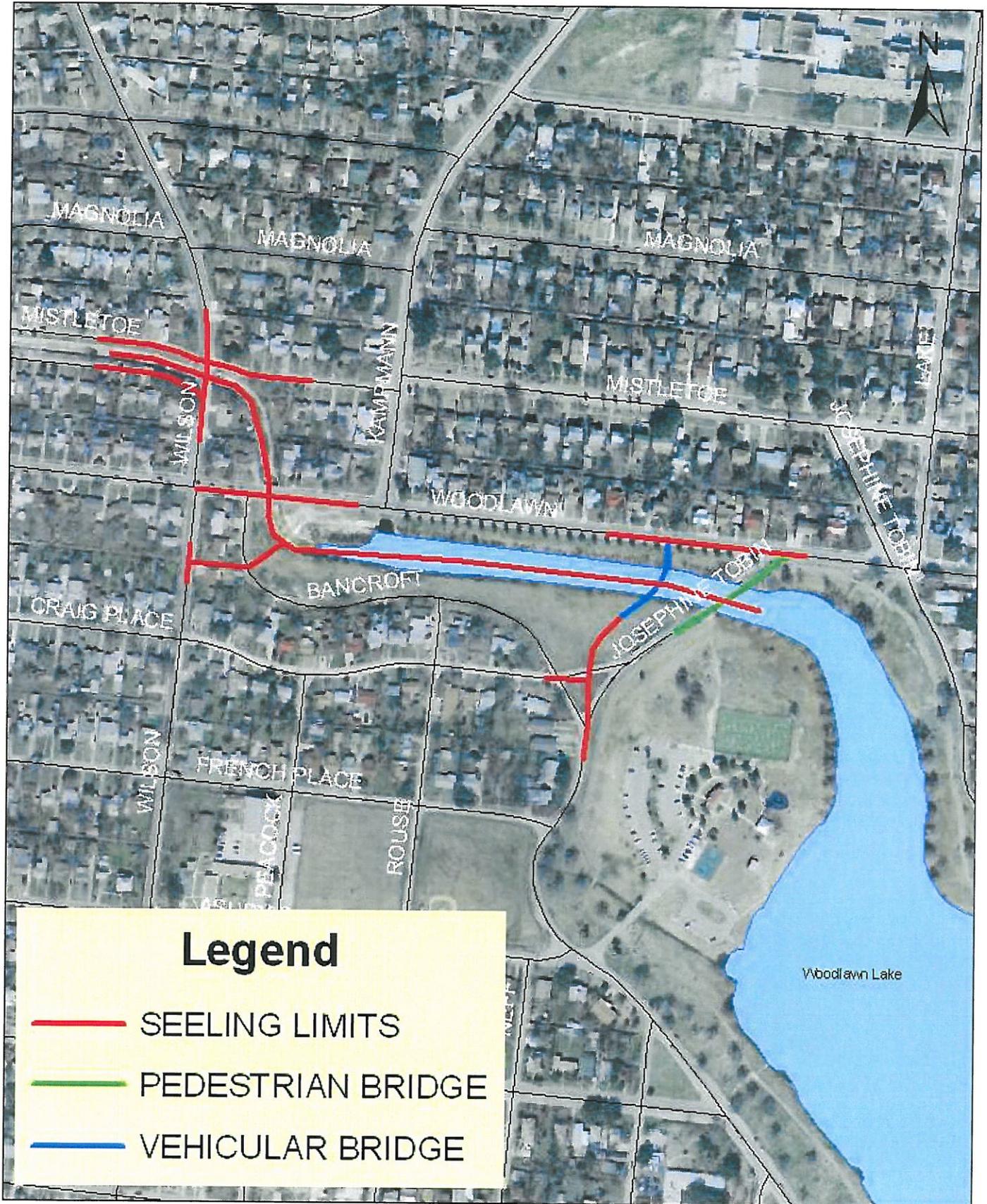
Sincerely,



David Pulido, P.E.  
Project Manager  
Capital Improvements Management Services

CC: Razi Hosseini, P.E.  
Luis Maltos, P.E.  
Christopher Alonzo, P.E.  
Mark Bird

# Seeling Channel



## Legend

- SEELING LIMITS
- PEDESTRIAN BRIDGE
- VEHICULAR BRIDGE





# CITY OF SAN ANTONIO

## DEVELOPMENT SERVICES DEPARTMENT

### VARIANCE REQUEST ANALYSIS

|                           |  |
|---------------------------|--|
| <b>Project:</b>           | Seeling Channel Drainage   |
| <b>Address:</b>           | Northwest end of Woodlawn Lake Park  |
| <b>A/P #/PPR #/Plat#:</b> | A/P# 1837993   |
| <b>VR #:</b>              | TPV-12-007   |
| <b>VR Submittal Date:</b> | September 20, 2012   |
| <b>VR Submitted by:</b>   | David Pulido, P.E. on behalf of Capital Improvements Management Services (CIMS)                                  |
| <b>Issue:</b>             | Below minimum preservation for significant and heritage trees in floodplains and Environmentally Sensitive Areas |
| <b>Code Sections:</b>     | Unified Development Code (UDC), Section 35-523 (h).  |
| <b>By:</b>                | Mark Bird, City Arborist   |

The Development Services Department (DSD) has reviewed the information presented in Mr. David Pulido's letter submitted September 20, 2012. Please refer to the attached map for approximate location. Also refer to the applicant's letter and site plan for more information.

The Unified Development Code (UDC) – Article V, Section 35-523 (h), Tree Preservation – Refer to section (h) for 100-Year Floodplain(s) and Environmentally Sensitive Areas. Significant trees shall be preserved at eighty (80) percent preservation within both the 100-year floodplains and environmentally sensitive area. Heritage trees shall be preserved at one hundred (100) percent preservation within both the 100-year floodplains and environmentally sensitive areas. Mitigation shall be prohibited in floodplains and environmentally sensitive areas except when a variance is granted by the Planning Commission.

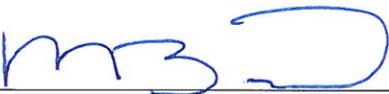
The applicant wishes to go below the minimum preservation for significant and heritage trees in the floodplain for construction of the Seeling Channel Phase I Drainage Improvements in conjunction with the Woodlawn Lake Park Pedestrian Bridge Project. DSD staff does agree with the applicant's analysis to go below the minimum preservation requirements for floodplain for the following reasons:

1. Existing conditions including the fact the project is entirely within the 100 year floodplain required various alternative construction methods and design enhancements to minimize impacts to existing trees and provide area for planting mitigation trees.
2. To meet mitigation requirements there will be 186 trees planted within the project limits. Total caliper inches to be planted will be 615 inches. Mitigation is met by a combination of planting and preservation of smaller unprotected trees within the project limits.

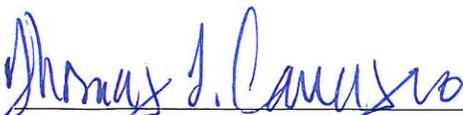
3. LID (Low Impact Design) principles to provide water quality and storm water benefits are included in the project design. There is 600 linear feet of bioswales proposed within the park area. Also, 41 percent of the channel will be benched and earthen creating more planting area within the project.
4. A total of 6 trees, five (5) Live oak trees and one (1) Mexican sycamore, will be relocated within Woodlawn Lake Park rather than be removed.
5. Five (5) Montezuma cypress trees scheduled to be removed for construction of the new pedestrian bridge will be harvested and processed under the direction of the City Forester for use as park benches.
6. Through a coordinated effort by a resident, private arborist, the City Arborist, the City Forester and the Project Management Team alternative construction and Best Management Practices (BMP's) have been incorporated to preserve and minimize impacts to a 29 inch Live oak on private property.

DSD staff feels the applicant's request for a variance is in the spirit of the Tree Ordinance and supports the request.

RECOMENDATION: Approval

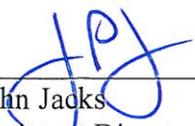
  
\_\_\_\_\_  
Mark Bird  
City Arborist  
DSD –Environmental

Date 10/18/2012

  
\_\_\_\_\_  
Thomas L. Carrasco, P.E.  
Development Services Engineer  
DSD – Land Development Engineering

Date 10/18/2012

I have reviewed the AEVR Analysis and concur with the recommendation.

  
\_\_\_\_\_  
John Jacks  
Assistant Director  
DSD

Date 10-18-12



# CITY OF SAN ANTONIO

CAPITAL IMPROVEMENTS MANAGEMENT SERVICES

REAL ESTATE DIVISION/DISPOSITION SECTION

STAFF REPORT

AGENDA NO. 17

**Public Hearing:**

Planning Commission

October 24, 2012

**Special Project Number:**

S.P. 1448

**Petitioner:**

Michael R. Gonzalez

**Representative:**

Michael R. Gonzalez

**Staff Coordinator:**

Jesse Quesada, Management Analyst

210 207-6971

jesse.quesada@sanantonio.gov

**Property Address/Location:**

Northwest corner of Eagleland and E.

Guenther Streets

**Tract Size:**

.017 of an acre or 726 square feet

**Council District(s):**

5

**REQUEST**

A resolution authorizing the closure, vacation and abandonment of an unimproved portion of Eagleland Street Public Right of Way consisting of 0.017 of an acre (726 square feet) located at the northwest corner of Eagleland and E. Guenther Streets adjacent to NCB 2917 in City Council District 5.

**RECOMMENDATION ACTION**

Staff recommends approval of this request.

**ALTERNATIVE ACTION**

The closure, vacation and abandonment of this Public Right of Way will allow Petitioner to incorporate the proposed closure with his adjacent property and use it for parking purposes. The disapproval of this request would disallow Petitioner from having parking adjacent to his property since the off street parking was impacted by the City of San Antonio Capital Improvements Management Service's Department (CIMS) and the San Antonio River Authority (SARA) Redevelopment Project.

## **I. BACKGROUND**

Michael R. Gonzalez (Petitioner) is requesting the closure, vacation and abandonment of an unimproved portion of Eagleland Street Public Right of Way located at the northwest corner of Eagleland and E. Guenther Streets adjacent to NCB 2917 in City Council District 5, as shown on attached Exhibit "A." The proposed closure consists .017 of an acre or 726 square feet and has no asphalt or concrete. Petitioner is the only abutting property owner to the proposed closure and owns the house located at 841 E. Guenther Street. Eagleland Street was part of the CIMS and SARA Redevelopment Project which has impacted Petitioner's off street parking. If approved, Petitioner will incorporate the proposed closure with his property and use it for parking purposes with the construction of a driveway.

## **II. SUPPLEMENTAL INFORMATION**

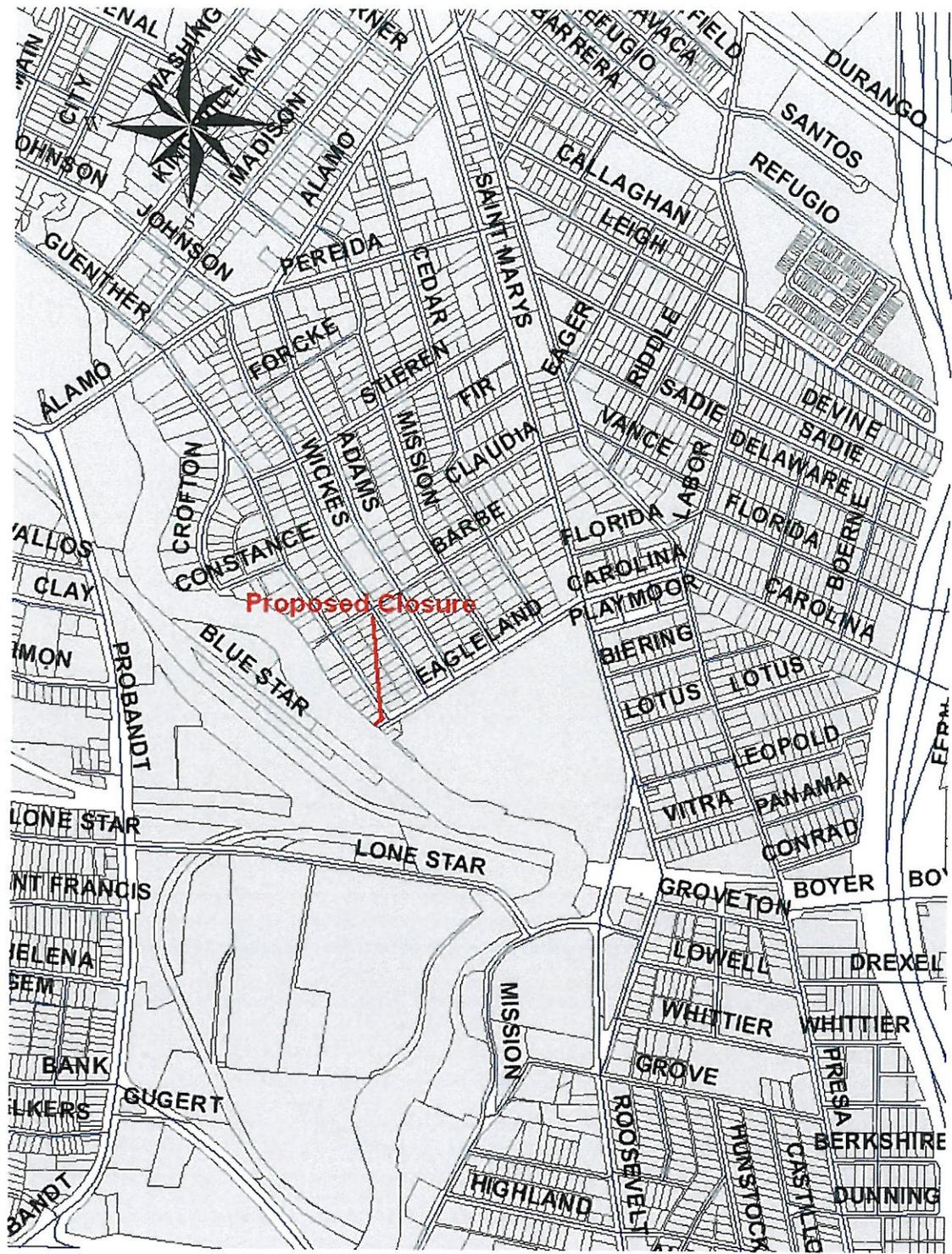
In compliance with City procedures, Petitioner's request has been canvassed through interested City departments, utilities and applicable agencies. An executed Letter of Agreement by which Petitioner agrees with all conditions imposed through this canvassing is attached for your review.

## **III. RECOMMENDATION**

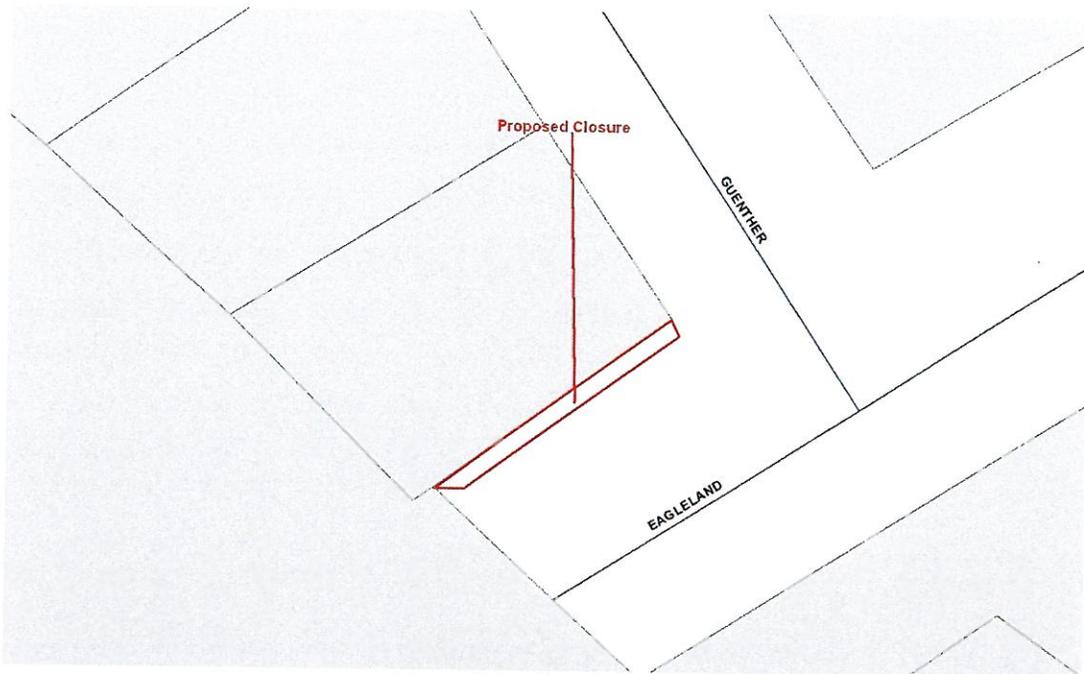
Staff recommends approval of this request to close, vacate and abandon an unimproved portion of Eagleland Street Public Right of Way consisting of 0.017 of an acre (726 square feet). This action is consistent with City Code and Ordinances relative to closing Public Rights of Way.

## **IV. ATTACHMENTS**

1. Exhibit "A"
2. Survey
3. Letter of Agreement
4. Resolution
5. PowerPoint



Site Map of Proposed Closure



Map of Subject Property



Aerial Photograph of Subject Property



View of Proposed Closure Facing West

**METES AND BOUNDS DESCRIPTION  
FOR**

**0.017 ACRES**

0.017 ACRE (726 SQUARE FEET) TRACT OF LAND BEING OUT OF THE EAGLELAND STREET RIGHT-OF-WAY AND ADJACENT TO LOT 11, BLOCK 6, NEW CITY BLOCK 2917, CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, BEING SAME TRACT RECORDED IN VOLUME 12804, PAGE 1288, REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

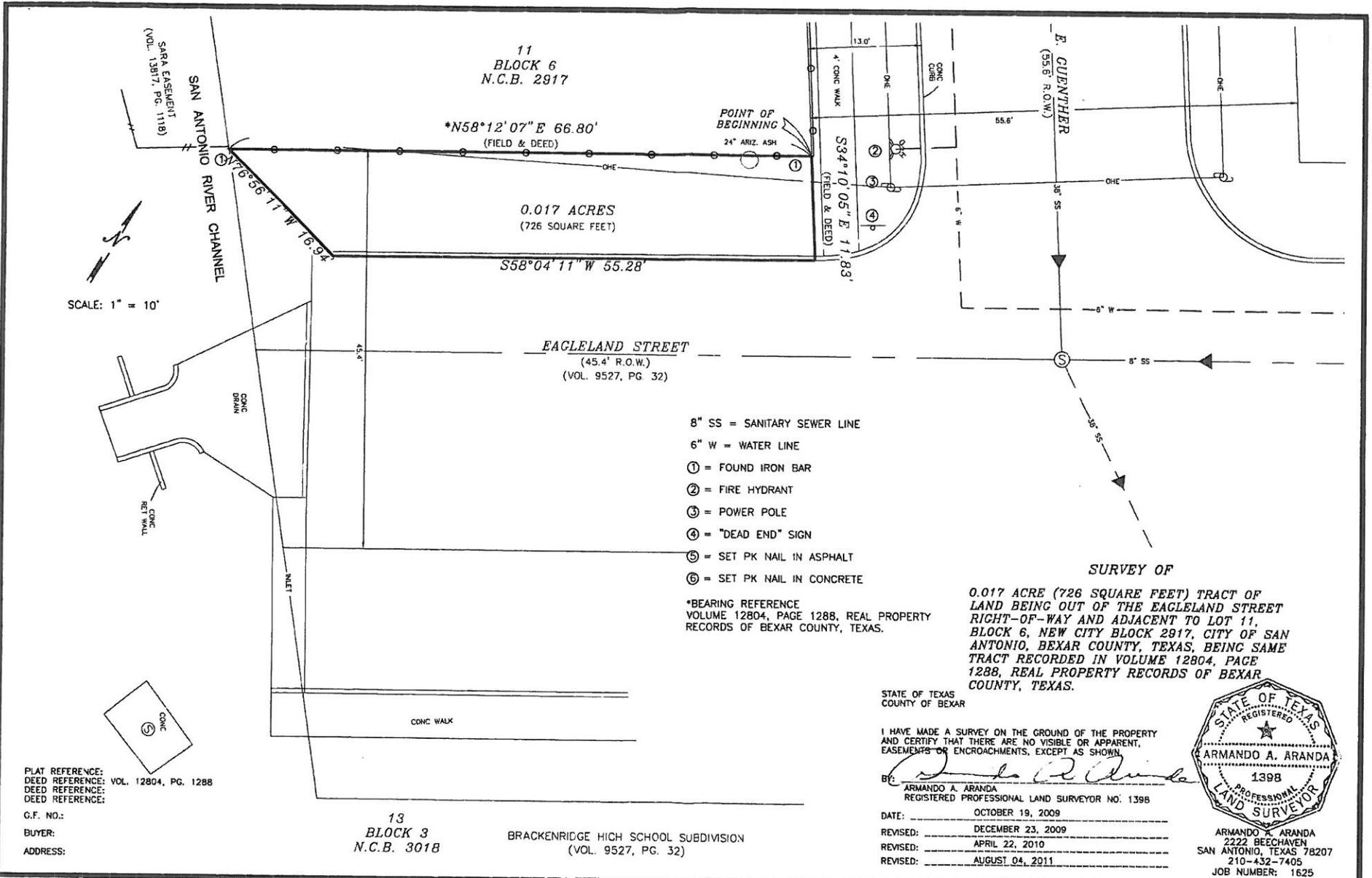
- BEGINNING: at a found 1/2" iron pin at the northeast corner of Lot 11, also being the intersection of the southwest right-of-way of E. Guenther and the northwest right-of-way of Eagleland Street;
- THENCE: S 34°10'05" E, a distance of 11.83 feet to a point, for the east corner of this tract;
- THENCE: S 58°04'11" W, a distance of 55.28 feet to a point, for the south corner of this tract;
- THENCE: N 76°56'11" W, a distance of 16.94 feet to a found 1/2" iron pin, at the southeast corner of Lot 11 for the west corner of this tract;
- THENCE: N 58°12'07" E, a distance of 66.80 feet to the POINT OF BEGINNING and containing 0.017 acres (726 square feet) of land.



Armando A. Aranda  
Registered Public Land Surveyor No. 1398



1625  
Revised August 4, 2011  
Revised April 22, 2010  
Revised December 23, 2009  
May 4, 2009  
AAA/amg



SCALE: 1" = 10'

PLAT REFERENCE:  
 DEED REFERENCE: VOL. 12804, PG. 1288  
 DEED REFERENCE:  
 DEED REFERENCE:

G.F. NO.:

BUYER:

ADDRESS:

13  
 BLOCK 3  
 N.C.B. 3018

BRACKENRIDGE HIGH SCHOOL SUBDIVISION  
 (VOL. 9527, PG. 32)

- 8" SS = SANITARY SEWER LINE
- 6" W = WATER LINE
- ① = FOUND IRON BAR
- ② = FIRE HYDRANT
- ③ = POWER POLE
- ④ = "DEAD END" SIGN
- ⑤ = SET PK NAIL IN ASPHALT
- ⑥ = SET PK NAIL IN CONCRETE

\*BEARING REFERENCE  
 VOLUME 12804, PAGE 1288, REAL PROPERTY  
 RECORDS OF BEXAR COUNTY, TEXAS.

**SURVEY OF**

0.017 ACRE (726 SQUARE FEET) TRACT OF  
 LAND BEING OUT OF THE EAGLELAND STREET  
 RIGHT-OF-WAY AND ADJACENT TO LOT 11,  
 BLOCK 6, NEW CITY BLOCK 2917, CITY OF SAN  
 ANTONIO, BEXAR COUNTY, TEXAS, BEING SAME  
 TRACT RECORDED IN VOLUME 12804, PAGE  
 1288, REAL PROPERTY RECORDS OF BEXAR  
 COUNTY, TEXAS.

STATE OF TEXAS  
 COUNTY OF BEXAR

I HAVE MADE A SURVEY ON THE GROUND OF THE PROPERTY  
 AND CERTIFY THAT THERE ARE NO VISIBLE OR APPARENT,  
 EASEMENTS OR ENCROACHMENTS, EXCEPT AS SHOWN.

BY: *Armando A. Aranda*  
 ARMANDO A. ARANDA  
 REGISTERED PROFESSIONAL LAND SURVEYOR NO. 1398

DATE: OCTOBER 19, 2009

REVISED: DECEMBER 23, 2009

REVISED: APRIL 22, 2010

REVISED: AUGUST 04, 2011



ARMANDO A. ARANDA  
 2222 BEECHAVEN  
 SAN ANTONIO, TEXAS 78207  
 210-432-7405  
 JOB NUMBER: 1625



# CITY OF SAN ANTONIO

CAPITAL IMPROVEMENTS MANAGEMENT SERVICES

P. O. BOX 839966

SAN ANTONIO TEXAS 78283-3966

September 4, 2012

Michael R. Gonzalez  
4049 Mark Alan  
San Antonio, TX 78261

S.P. No. 1448 - Request to close, vacate and abandon an unimproved portion of Eagleland Drive Street Public Right of Way

Dear Mr. Gonzalez:

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 gas and/or electric facilities and agrees to allow perpetual access to any such utilities for inspection, operational and maintenance purposes or may seek the relocation of the facilities with the express permission and coordination with the CPS Energy and at the sole expense of the petitioner.

DEVELOPMENT SERVICES DEPARTMENT: The site must be platted in accordance with the Unified Development Code, per section 35-430.

FIRE DEPARTMENT: The project must not impede access to the fire hydrant near the proposed closure.

HISTORIC PRESERVATION OFFICE: All State and Federal Cultural Resource Regulations must be adhered to.

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT: The site must be assembled with the petitioner's property and platted in accordance with code. Since the closure is in a historic area, any construction must conform to the Historic Preservation Office.

PUBLIC WORKS DEPARTMENT: All existing drainage patterns must remain intact and all drainage structures contained in the easements are required.

SAN ANTONIO RIVER AUHTORITY: The San Antonio River Authority's conditional approval is based on the City of San Antonio and the San Antonio River Authority's Operation and Maintenance Agreement (executed and dated May 20, 2009), which requires that permanent access to this area be maintained and available to San Antonio River Authority for the purpose of contractual obligations and conditions as set-forth in the agreement. The San Antonio River Authority requires a minimum of a 10 foot-wide unobstructed access for ingress and egress of vehicles, machinery and/or equipment to perform and accomplish maintenance for the Eagleland River Segment.

CAPITAL IMPROVEMENTS MANAGEMENT SERVICES DEPARTMENT: The closure, vacation and abandonment of this Public Right of Way will be authorized by a City Ordinance in accordance with current policies relevant to street/alley closures. Petitioner asserts that all evidence of ownership of property abutting the Public Right of Way proposed to be closed, vacated and abandoned by the City of San Antonio is true and correct. Petitioner acknowledges that the closure will not release rights relating to drainage, water and wastewater lines, electric transmission and distribution lines, gas lines, communication lines of all types, or any other rights except for the right of the public to travel on the subject tract. Neither will the ordinance give up any right arising other than from the plat or other document creating the street or alley. The City will expressly reserve all rights not released.

Petitioner further acknowledges that it must negotiate separately if it wants the reserved rights released and that utility providers will likely seek compensation if their facilities need to be removed.

The total fee established for this Public Right of Way Street Closure is \$6,984.00, which includes the assessed value of \$6,912.00 for the Public Right of Way and \$72.00 for recordation of the documents. The Petitioner qualifies for a 25% reduction of the total closure fee in accordance with the Inner City Reinvestment Infill Policy (ICRIP). The petitioner's portion of the total closure fee is \$5,256.00. The property was part of the San Antonio River Authority and City of San Antonio Capital Improvements Management Service's Department Redevelopment Project on Eagleland Drive which impacted the off street parking next to your property. Therefore, City Staff will recommend to City Council that the remaining closure fee be waived.

This Letter of Agreement is being offered by City of San Antonio only to the petitioners named below and will expire thirty (30) days after date of issuance unless a specific extension is requested by the petitioner and granted by the City. A Discretionary Contracts Disclosure Form will also need to be submitted to our office.

If you concur with the above mentioned conditions, please countersign this letter in the spaces provided below and return it to the undersigned. Upon receipt of this executed Letter of Agreement and the Discretionary Contracts Disclosure Form, (to be completed on the <http://www.sanantonio.gov/atty/ethics/forms.asp> website link then printed and signed), we will continue processing your request.

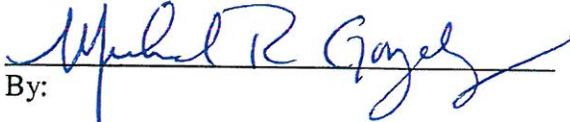
Sincerely,



Marcia Shelf Orlandi  
Real Estate Manager

**AGREED AS TO TERMS AND CONDITIONS:**

Michael R. Gonzalez

  
By: \_\_\_\_\_

*owner*

Title: \_\_\_\_\_

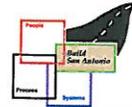
*Sept. 6, 2012*  
Date: \_\_\_\_\_

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

**October 24, 2012**

**Agenda Item**

Petitioner: Michael R. Gonzalez  
Request to close, vacate and abandon  
Public Right of Way



**Planning Commission Item**

- Petitioner is requesting the closure, vacation and abandonment of an unimproved portion of Eagleland Street Public Right of Way adjacent to New City Block 2917 in City Council District 5
- The proposed closure consists of 726 square feet or .017 of an acre and has no asphalt or concrete
- The proposed closure is located at the northwest corner of Eagleland and E. Guenther Streets

## Background

### Purpose:

- Petitioner is the only abutting property owner to the proposed closure and owns the house located at 841 E. Guenther Street
- Eagleland Street was part of the San Antonio River Authority (SARA) and City of San Antonio Capital Improvements Management Service's (CIMS) Department Redevelopment Project which has impacted Petitioner's off street parking
- If approved, Petitioner will use the proposed closure for parking purposes and construct a driveway

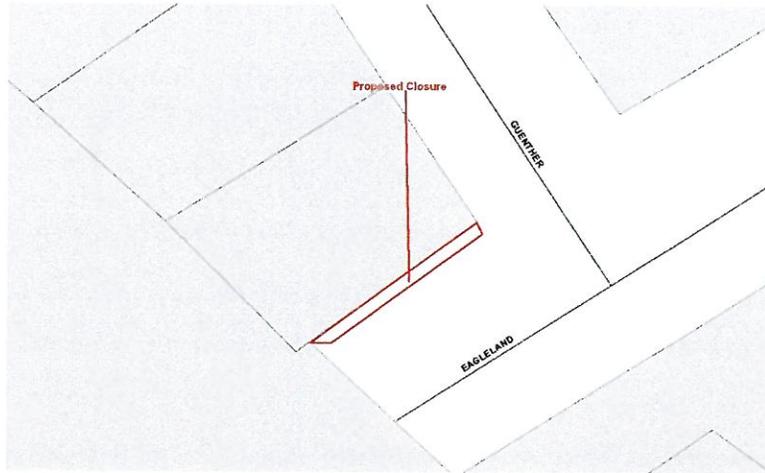
3

## Exhibit "A" Site Map of Proposed Closure



4

**Exhibit "A" (Cont.)  
Map of Proposed Closure**



5

**Exhibit "A" (Cont.)  
Aerial Photograph of Proposed Closure**



6

## Exhibit "A" (Cont.) View of Proposed Closure Facing West



7

## Coordination

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

8



## Fiscal Impact

### Financial Impact:

- The total fee established for this Public Right of Way Street Closure is \$6,984.00, which includes the assessed value of \$6,912.00 for the Public Right of Way and \$72.00 for recordation of the documents
- The Petitioner qualifies for a 25% reduction of the total closure fee in accordance with the Inner City Reinvestment Infill Policy (ICRIP)
- The petitioner's portion of the total closure fee is \$5,256.00

9



## Recommendation

### Policy Analysis:

- This action is consistent with City Code and Ordinances relative to closing Public Rights of Way

### Recommendation:

- Since the property was part of the SARA and CIMS Redevelopment Project on Eagleland Drive which impacted the off street parking next to Petitioner's property, City Staff will recommend to City Council that the total closure fee be waived
- Staff recommends approval of this request

10

RESOLUTION # \_\_\_\_\_

**A RESOLUTION SUPPORTING THE CLOSURE OF A 726 SQUARE FOOT (.017 OF AN ACRE) PORTION OF EAGLELAND STREET PUBLIC RIGHT OF WAY LOCATED AT THE NORTHWEST CORNER OF EAGLELAND AND E. GUENTHER STREETS ADJACENT TO NEW CITY BLOCK 2917 IN CITY COUNCIL DISTRICT 5, AS REQUESTED BY MICHAEL R. GONZALEZ**

\* \* \* \* \*

WHEREAS, the City Charter has empowered the Planning Commission to make, amend, extend, and add to the master plan for the physical development of the City; and

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

WHEREAS, Michael R. Gonzalez filed an application requesting the closure of a 726 square foot (.017 of an acre) unimproved portion of Eagleland Street Public Right of Way as identified in 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 application seeking the closure of a 726 square foot (.017 of an acre) unimproved portion of Eagleland Street.

**SIGNED this 24<sup>th</sup> day of October, 2012.**

\_\_\_\_\_  
**Planning Commission Chair**

Attest:

\_\_\_\_\_  
Executive Secretary  
San Antonio Planning Commission



# CITY OF SAN ANTONIO

DEVELOPMENT SERVICES DEPARTMENT

LAND ENTITLEMENTS SECTION

STAFF REPORT

AGENDA NO. 18

**Public Hearing:**

Planning Commission  
October 24, 2012

**Application/Case Number:**

S. P. 1617

**Applicant:**

City of San Antonio, Public Works  
Department

**Representative:**

Amer Gilani, Senior Engineer  
Public Works Department

**Staff Coordinator:**

Amer Gilani, Senior Engineer  
(210) 207-7767  
amer.gilani@sanantonio.gov

**Property Address/Location:**

Ellis Bean railroad crossing between  
LaChappelle and Lone Star Blvd

**Council District:**

5

**Notification:**

Internet Agenda Posting October 19,  
2012

**REQUEST**

A resolution authorizing the closure and barricading, to vehicular traffic, the Railroad Crossing at Ellis Bean

**RECOMMENDATION ACTION:**

Staff recommends approval of this request

**CASE HISTORY**

The proposed Ellis Bean Street crossing closure was first presented at the July 11, 2012 Planning Commission Meeting, where staff was directed to come back at a later date. The proposed crossing closure was then presented at the September 26, 2012 meeting, which was then moved to October 24, 2012 for an up or down vote.

**RECOMMENDATION**

Approval of the proposed crossing closure

**IV. ATTACHMENTS**

1. Conditional Approval Letter
2. Survey & Field notes
3. Map
4. Resolution



# CITY OF SAN ANTONIO

CAPITAL IMPROVEMENTS MANAGEMENT SERVICES

P. O. BOX 839966

SAN ANTONIO TEXAS 78283-3966

Telephone (210) 207-4032

June 21, 2012

**City of San Antonio  
Public Works Department  
Attn: Nefi Garza  
Municipal Plaza, 6<sup>th</sup> Floor  
San Antonio, TX 78205**

Re: S.P. 1617 Public Works request to close and barricade the railroad crossing at Ellis Bean

Dear Mr. Garza,

With reference to the captioned project, please be advised that the Capital Improvements Management Services (CIMS) Department of the City of San Antonio has now completed the canvassing process and has received conditional approval as expressed by the following:

**SAWS:**

From discussions with representatives of Capital Improvements Management Services and Public Works, it is my understanding that this will not be a conveyance out of the property and this street closure will not affect the areas Public Right of Way status or SAWS' rights to cross the railroad property. SAWS' intent is to not lose any rights it currently has. If you find out differently, this will need to be revisited.

**DEVELOPMENT SERVICES:**

Code Section UDC 35-506 (d) (6) states that: "Residential cul-de-sac streets greater than one-hundred-fifty (150) feet from the centerline of the cross street's pavement to the center point of the cul-de-sac turnaround shall be designed with a minimum one-hundred-foot diameter right-of-way". Turnarounds shall be provided for the public and emergency vehicles at all times.

**SOLID WASTE MANAGEMENT:**

Solid Waste trucks provide collection services on both sides of city streets. Dead-end streets should be minimized as this requires the truck to back up or down a street. A turn-around location is recommended on the Lonestar side.

**PUBLIC WORKS:**

**Disability Access Office:** Provide detail on how this closure impacts pedestrian traffic.

**Right-of-Way:** Contact & confirm with all utilities that there are no conflicts.

**CAPITAL IMPROVEMENTS MANAGEMENT SERVICES:**

On the petition form, abutting property owners at 133 Ellis Bean, (Peter Glassford and Ernesto Morales), gave conditional consent based on the City obtaining property for the benefit of tractor-trailers and large trucks delivering goods and material to their storage facilities located at 131 and 133 Ellis Bean Street. In accordance with policies and procedures, the consent of all abutting property owners is necessary for a permanent street closure.

This Letter of Acknowledgement 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.

In acknowledgement of the above mentioned conditions, please countersign this letter in the spaces provided below and return to Mary L. Fors, CIMS Real Estate. *Upon receipt of this executed Letter of Acknowledgement we will continue processing your request.*

Sincerely,

  
\_\_\_\_\_  
Marcia Shelf Orlandi  
Real Estate Manager

**ACKNOWLEDGEMENT**

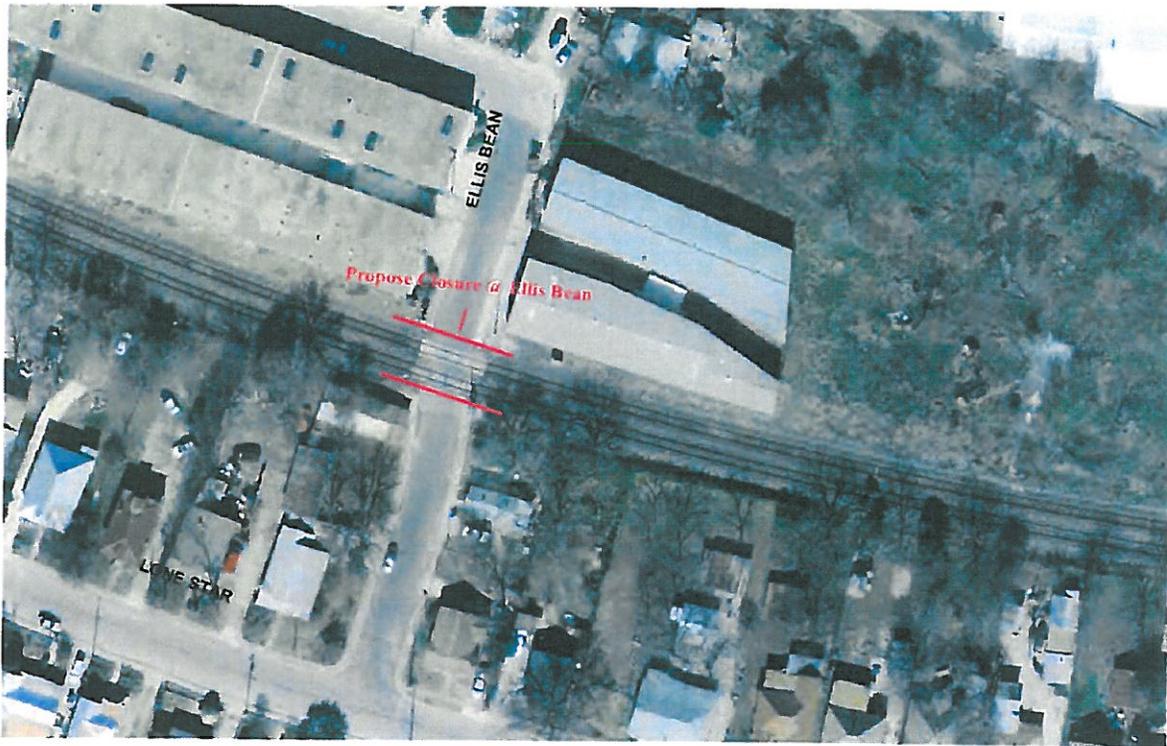
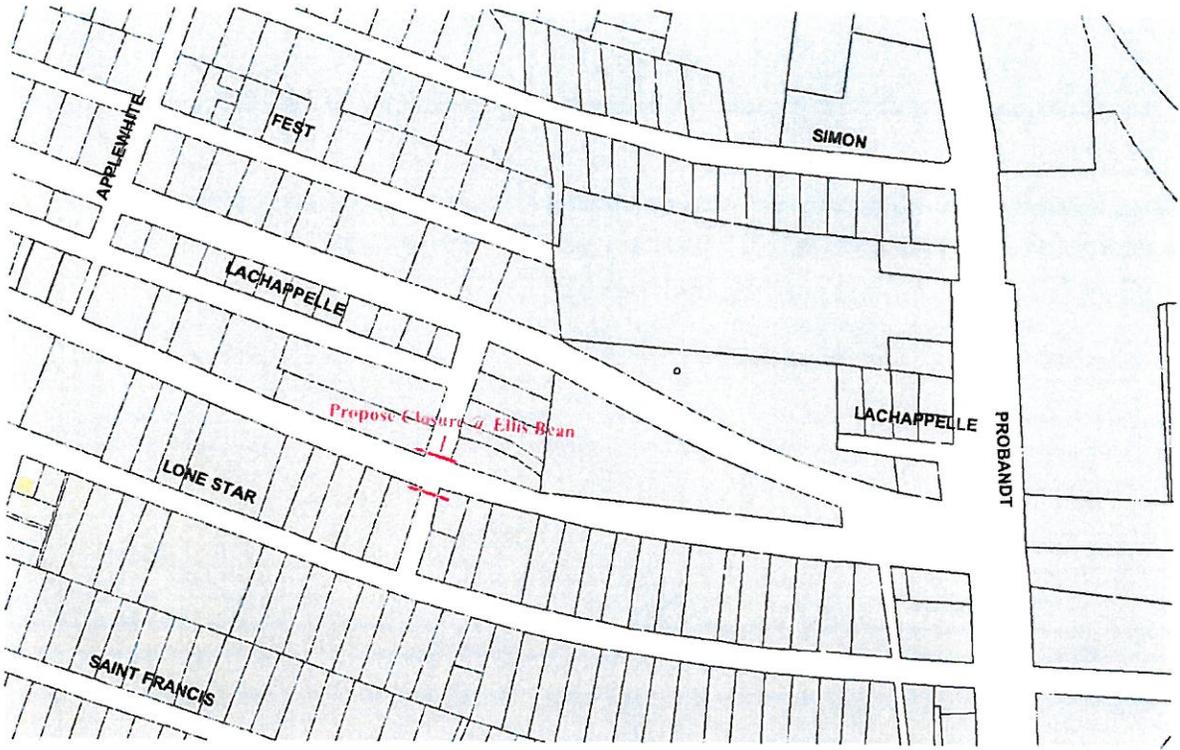
**PETITIONER: PUBLIC WORKS DEPARTMENT**

NEFI GARZA  
By \_\_\_\_\_

Asst. Dir. - Public Works  
Title \_\_\_\_\_

  
Print Name \_\_\_\_\_

6/22/12  
Date \_\_\_\_\_



**S.P. 1616 – QUIET ZONE Public Works request to close and barricade railroad crossing at Ellis Bean**

UNION PACIFIC AT ELLIS BEAN

A metes and bounds description of a 0.084 acre (3644 sq. ft.) tract of land situated in the City of San Antonio, Bexar County, Texas:

Beginning at a "+" on concrete set for the most northerly corner of the herein described tract, said corner being the most southerly corner of the Ellis Bean, LLC, property described as the south 49.8 feet of Lots 8-12 and the south 49.8 feet of the east 11.95 feet of Lot 7, Block 4, N.C.B. 2583, and the point of intersection of the north right-of-way line of the Union Pacific right-of-way and the west right-of-way line of Ellis Bean Street;

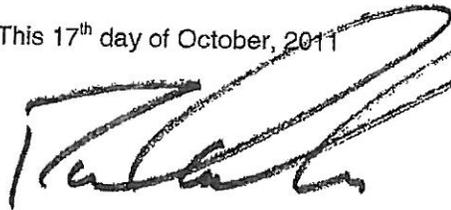
Thence S 71° 07' 10" E, 63.16 feet, along the north line of the herein described tract, along the north line of the Union Pacific Railroad right-of-way, crossing Ellis Bean, to an iron pin set for the most easterly corner of the herein described tract, said corner being the most westerly corner of the George O. Paz property described as the south irregular 46.6 feet of Lot 5, N.C.B. 2584, said corner also being the point of intersection of the north right-of-way line of the Union Pacific right-of-way and the east right-of-way line of Ellis Bean Street;

Thence S 08° 40' 39" W, 61.66 feet, along the east line of the herein described tract, crossing the Union Pacific Railroad right-of-way, to an iron pin set for the most southerly corner of the herein described tract, said corner being the most northerly corner of the De Vargas, Inc. property, described as the north 83 feet of Lot 30, N.C.B. 2585, said corner also being the point of intersection of the south right-of-way line of the Union Pacific Railroad right-of-way and the east right-of-way line of Ellis Bean Street;

Thence N 72° 28' 10" W, 50.00 feet, along the north line of the herein described tract, along the north line of the Union Pacific Railroad right-of-way, crossing Ellis Bean Street, to an iron pin set for the southwest corner of the herein described tract, said corner being the most easterly corner of the Roy & Anita Mendoza property, described as Lot 28, N.C.B. 2585, said corner also being the point of intersection of the south right-of-way line of the Union Pacific Railroad right-of-way and the west right-of-way line of Ellis Bean Street;

Thence N 01° 55' 21" W, 69.34 feet, along the west line of the herein described tract, crossing the Union Pacific Railroad right-of-way, to the point of beginning and containing 0.084 acres (3644 sq. ft.) of land.

This 17<sup>th</sup> day of October, 2011



Paul A. Wilkinson, R.P.L.S.

Project: S-5376.01

A corresponding survey plat of even date herein accompanies this metes & bounds  
All bearings are based on NAD 83 State Plane Coordinates, Texas, South Central Zone  
Copyright 2011. BAIN MEDINA BAIN, INC.

U:\My Documents\BW-CADD\S-5376.01\Metes&Bounds\EllisBean-24Oct11.doc



**CITY OF SAN ANTONIO  
CAPITAL IMPROVEMENTS  
MANAGEMENT SERVICES (CIMS)  
PROPERTY DISPOSITION DIVISION**

**PETITION**

\*\*\*\*\*

TO: CITY OF SAN ANTONIO

DATE: 4-17-2012

FORMAL REQUEST FOR: Ellis Bean Crossing Closure (please see attached plans)

PURPOSE: The Public Works Department of City of San Antonio is Planning to establish Lone Star Quiet Zones and this crossing is included in the Quiet Zone

\* Conditional Approval - SEE Attached Addendum.

PETITIONER: Public Works Department, City of San Antonio

REPRESENTATIVE: Amer Gilani

ADDRESS: 114 West Commerce Street, 7<sup>th</sup> Floor, San Antonio Texas 78205

PHONE NUMBER: 210-207-7767

FAX NUMBER: \_\_\_\_\_

EMAIL ADDRESS: amer.gilani@sanantonio.gov

ABUTTING PROPERTY OWNERS (REQUIRED FOR CLOSURE OF PUBLIC RIGHT OF WAY ONLY):

ADDRESS: 133 ELLIS BEAN ST. SAN ANTONIO TX 78204

NCB 2583 BLK 4 LOT 8-12

OWNER(S): Peter Glassford Ernesto Morales

SIGNATURE(S): [Signature] [Signature] \*

By signing this petition, the above signed abutting property owner agrees to the closure, vacation, and abandonment of certain Public Right of Way as requested by the petitioner. However, this agreement is not a quitclaim of any entitlement that the abutting property owner may have in the Public Right of Way. The conditions and other terms of this Petition are subject to the performance of all obligations of the City contained in the Addendum to Petition attached.

ADDRESS: \_\_\_\_\_

NCB \_\_\_\_\_ BLK \_\_\_\_\_ LOT \_\_\_\_\_

OWNER(S): \_\_\_\_\_

SIGNATURE(S): \_\_\_\_\_

By signing this petition, the above signed abutting property owner agrees to the closure, vacation, and abandonment of certain Public Right of Way as requested by the petitioner. However, this agreement is not a quitclaim of any entitlement that the abutting property owner may have in the Public Right of Way.

ADDRESS: \_\_\_\_\_

NCB \_\_\_\_\_ BLK \_\_\_\_\_ LOT \_\_\_\_\_

OWNER(S): \_\_\_\_\_

SIGNATURE(S): \_\_\_\_\_

By signing this petition, the above signed abutting property owner agrees to the closure, vacation, and abandonment of certain Public Right of Way as requested by the petitioner. However, this agreement is not a quitclaim of any entitlement that the abutting property owner may have in the Public Right of Way.

ADDRESS: \_\_\_\_\_

NCB \_\_\_\_\_ BLK \_\_\_\_\_ LOT \_\_\_\_\_

OWNER(S): \_\_\_\_\_

SIGNATURE(S): \_\_\_\_\_

By signing this petition, the above signed abutting property owner agrees to the closure, vacation, and abandonment of certain Public Right of Way as requested by the petitioner. However, this agreement is not a quitclaim of any entitlement that the abutting property owner may have in the Public Right of Way.

\* Conditional Approval - SEE ADDENDUM

**Addendum to Petition**

Peter Glassford and Ernesto Morales ("Owners"), for valuable consideration provided by the City of San Antonio ("City"), agree give their conditional consent to the closing of the railroad crossing at the intersection of Ellis Bean Street and the Union Pacific railroad crossing for so long as the railroad line is operated as an interstate freight or passenger service at the intersection, subject to the following conditions:

1. The consent and the closing of the intersection will commence and become effective only upon the completion in good and workmanlike manner at no cost whatsoever to the Owners of the following obligations of the City and/or the railroad set forth in this Addendum.
2. The City will obtain fee simple title or a perpetual easement ("Extension") to and on a strip of land at least 29 feet wide and at least 70 feet in length out of a lot believed to be owned by Marshall and Peggy Lasswell, fronting on Ellis Bean and Lachappelle Street, San Antonio, Texas. The size and configuration of the Extension will permit the largest trucks and tractor-trailers customarily delivering goods and materials to and from similar storage facilities to serve 133 ND 131 Ellis Bean Street.
3. The Extension will be designed, constructed using heavy-duty asphalt or better materials, paved, reconstructed and maintained in accordance with City standards and specification streets designed to be used by the largest trucks and heavy equipment. All below-ground and above-ground utilities and pipes at the Extension will be removed or reinforced. The AT&T and other utility poles, wires and facilities which might impede truck access to 133 and 131 Ellis Bean Street will be relocated.
4. The curb on the east side of Ellis Bean Street will be modified to flat-drive, level with the existing street.

Dated April 25, 2012.

  
Peter Glassford

  
Ernesto Morales

Owners

4/25/12

**EXHIBIT "A"**  
**FIELD NOTES**  
**for a 0.114 of an Acre (4,950 SQ. FT.)**  
**Parcel of Land**

**BEING A 0.114 OF AN ACRE (4,950 SQ. FT.) TRACT OF LAND, MORE OR LESS, SITUATED IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, OUT OF LOT 3, BLOCK 5, NCB 2584 (AN UNRECORDED SUBDIVISION), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;**

**BEGINNING** at a found 1/2" iron rod on the east Right-of-Way line of Ellis Bean Street, for the southwest corner of Lot 2, Block 5, NCB 2584, an unrecorded subdivision, conveyed to Alfredo C. Ortiz, Jr. in Volume 1682, Page 140 of the Official Public Records of Real Property, Bexar County, Texas, the northwest corner of Lot 3, Block 5, NCB 2584, an unrecorded subdivision, conveyed to Marshall White Lasswell and wife, Dolores D. Lasswell in Volume 2678, Page 805 of the Official Public Records of Real Property, Bexar County, Texas and being the northwest corner of the herein described parcel;

**(1) THENCE S. 70°48'26" E., 102.19 feet**, leaving the east Right of Way line of Ellis Bean Street with the common line of Lots 2 and 3, Block 5, NCB 2584, to a set 1/2" iron rod with a orange plastic cap stamped "BAIN MEDINA BAIN INC. PROP COR", for the northeast corner of the herein described tract;

**(2) THENCE S. 21°46'55" W., 51.50 feet**, leaving the south line of said Lot 2, Block 5, NCB 2584 and crossing Lot 3, Block 5, NCB 2584, to a set 1/2" iron rod with a orange plastic cap stamped "BAIN MEDINA BAIN INC. PROP COR", from which a building located at 134 Ellis Bean bears **S. 21°46'55" W., 1.00 foot**, for the southeast corner of the herein described tract;

**(3) N. 68°13'05" W., 99.02 feet**, along a line, 1.00 foot from and parallel to, said building, to a set 1/2" iron rod with a orange plastic cap stamped "BAIN MEDINA BAIN INC. PROP COR", for the southwest corner of the herein described tract, in the east Right-of-Way line of Ellis Bean Street and the west line of said Lot 3, from which the southwest corner of said Lot 3 bears **S. 18°02'29" W., 1.0 foot**;

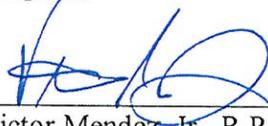
**THENCE: N. 18°02'29" E., 46.98 feet**, with the east Right-of-Way line of Ellis Bean Street and the west line of said Lot 3, to the **POINT OF BEGINNING** containing 4,950 square feet or 0.114 of an acre of land, more or less.

Bearings based on NAD 83(93), Texas South Central Zone, Surface Coordinates, Scale Factor 1.00017.

All distances are surface.

A plat of even date herewith accompanies this metes and bounds description.

Surveyed on the ground the 25th day of April, 2012

  
Victor Mendez, Jr., R.P.L.S. 6056  
Revised August 20, 2012



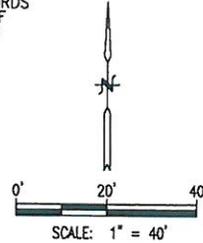
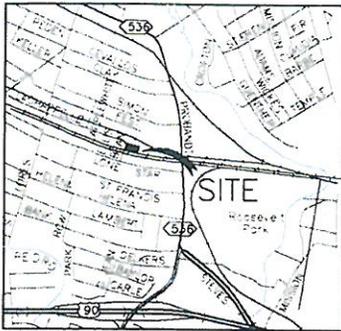
-----  
Parcel name: 132 Ellis Bean

North: 13697296.4999 East : 2128675.6314  
Line Course: S 70-48-26 E Length: 102.19  
North: 13697262.9052 East : 2128772.1415  
Line Course: S 21-46-55 W Length: 51.50  
North: 13697215.0821 East : 2128753.0311  
Line Course: N 68-13-05 W Length: 99.02  
North: 13697251.8260 East : 2128661.0808  
Line Course: N 18-02-29 E Length: 46.98  
North: 13697296.4961 East : 2128675.6307

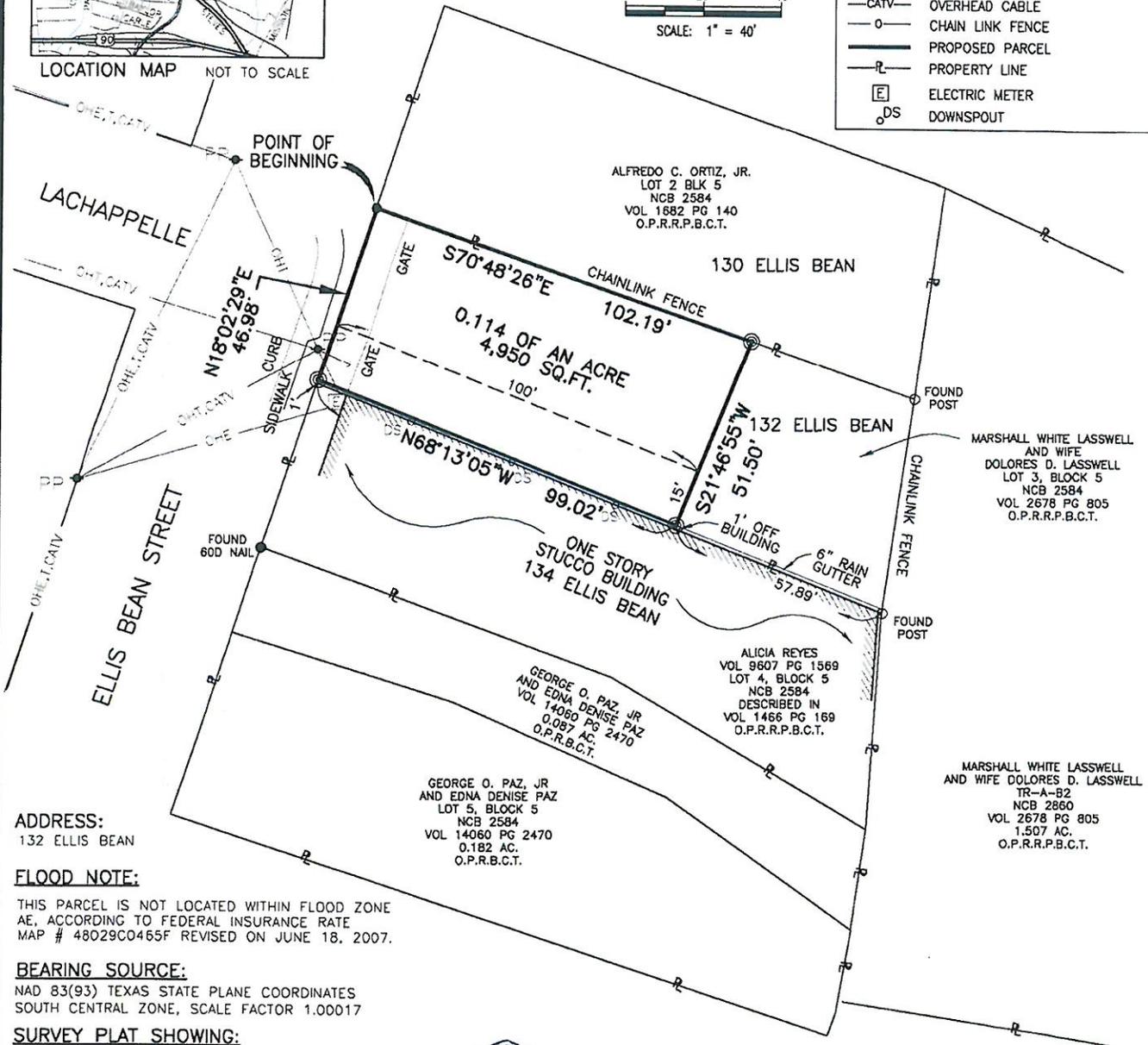
Perimeter: 299.69 Area: 4,950 sq. ft. 0.114 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)  
Error Closure: 0.0038 Course: S 10-12-45 W  
Error North: -0.00376 East : -0.00068  
Precision 1: 78,865.79

O.P.R.B.C.T. OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS  
O.P.R.R.P.B.C.T. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS



| LEGEND |  |
|--------|--|
| ●      | FOUND 1/2" IRON ROD  |
| ⊙      | SET 1/2" IRON ROD WITH ORANGE PLASTIC CAP STAMPED "BAIN MEDINA BAIN INC. PROP COR" |
| PP     | POWER POLE   |
| —OHE—  | OVERHEAD ELECTRIC  |
| —OHT—  | OVERHEAD TELEPHONE   |
| —CATV— | OVERHEAD CABLE   |
| —○—    | CHAIN LINK FENCE   |
| —      | PROPOSED PARCEL  |
| —R—    | PROPERTY LINE  |
| Ⓜ      | ELECTRIC METER   |
| ○DS    | DOWNSPOUT  |



ADDRESS:  
132 ELLIS BEAN

**FLOOD NOTE:**

THIS PARCEL IS NOT LOCATED WITHIN FLOOD ZONE AE, ACCORDING TO FEDERAL INSURANCE RATE MAP # 48029C0465F REVISED ON JUNE 18, 2007.

**BEARING SOURCE:**

NAD 83(93) TEXAS STATE PLANE COORDINATES SOUTH CENTRAL ZONE, SCALE FACTOR 1.00017

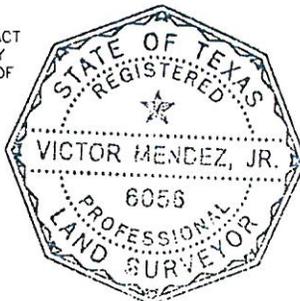
**SURVEY PLAT SHOWING:**

BEING A 0.114 OF AN ACRE (4,950 SQ.FT.) TRACT OF LAND, MORE OR LESS, SITUATED IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, OUT OF LOT 3, BLOCK 5, NCB 2584 (AN UNRECORDED SUBDIVISION).

**PREPARED BY:**



BAIN MEDINA BAIN, INC.  
ENGINEERS & SURVEYORS  
7073 San Pedro Ave.  
San Antonio, Texas 78216  
210/494-7223  
TLSF REG No. 100209-00



STATE OF TEXAS }  
COUNTY OF BEXAR }

THIS SURVEY PLAT WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION.

THIS 25 DAY OF APRIL, 2012 A.D.

Victor Mendez, Jr.  
Registered Professional Land Surveyor  
No. 6056 - State of Texas

**SAN ANTONIO PLANNING COMMISSION**

**RESOLUTION NO.:**

**A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL AUTHORIZES THE REQUEST TO CLOSE AND BARRICADE TO VEHICULAR TRAFFIC AT ELLIS BEAN RAILROAD CROSSINGS.**

**WHEREAS**, the City Planning Commission is tasked with the review and recommendation for the request to close and barricade to vehicular traffic at Ellis Bean railroad crossings.

**WHEREAS**, these crossing closures are presented for consideration and recommendation to the Planning Commission for the Ellis Bean railroad crossings.

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

Recommendation to the City of San Antonio City Council for the closures of these railroad crossings will facilitate establishing a Quiet Zone.

PASSED AND APPROVED ON THIS 24<sup>th</sup> day of October, 2012

Attest:

Approved:

\_\_\_\_\_

\_\_\_\_\_

Executive Secretary  
San Antonio Planning Commission

Chair  
San Antonio Planning Commission



# CITY OF SAN ANTONIO

## CAPITAL IMPROVEMENTS MANAGEMENT SERVICES REAL ESTATE - DISPOSITION STAFF REPORT

**Public Hearing:**

Planning Commission  
October 24, 2012

**Petitioner:**

San Antonio Water System (SAWS)

**Special Project Number(s):**

- S.P. 1664 SAWS Surplus –  
7000 Dorothy Louise, 0.68 acre  
circular tract, NCB 11611,  
Council District 8
  
- S.P. 1656 SAWS Surplus –  
11800 Queenspoint, three  
unimproved residential lots, NCB  
34400B, Council District 6
  
- 16236 White Fawn, 0.107 acre  
unimproved tract of real property,  
NCB 14789, Council District 8
  
- 1503 Edison Drive, 0.1062 acre  
unimproved tract of real property,  
NCB 7092, Council District 1
  
- 127 Hillcrest Drive, 0.1789 acre  
unimproved tract of real property,  
NCB 11410, Council District 7

**Staff Coordinator:**

Mary L. Fors  
Management Analyst  
CIMS – Real Estate  
(210) 207-4083  
mary.fors@sanantonio.gov

**REQUEST TYPE**

Surplus Property

**REQUEST**

Declaration as surplus and disposition of five real properties owned by the San Antonio Water System (SAWS)

**RECOMMENDED ACTION**

Staff recommends approval

In compliance with City procedures, petitioner’s request has been canvassed through interested City departments, utilities and applicable agencies. Petitioner has agreed to all conditions imposed through this canvassing

**ATTACHMENTS**

- Request for Council Action Memo
- Maps
  - Dorothy Louise Drive
  - Area Map, Surplus Properties:
    - Queenspoint
    - White Fawn
    - Edison Drive
    - Hillcrest Drive
- Letter of Agreement:
  - Dorothy Louise Drive
  - Queenspoint, White Fawn, Edison and Hillcrest
- Resolutions:
  - Dorothy Louise Drive
  - Queenspoint
  - White Fawn
  - Edison Drive
  - Hillcrest Drive

[View RFCA Detail](#) [Continue](#)

## CITY OF SAN ANTONIO Request for Council Action

Agenda Item #  
Council Meeting Date: 11/1/2012  
RFCA Tracking No: R-9738

---

**DEPARTMENT:** Capital Improvements  
Management Services

**DEPARTMENT HEAD:** Mike Frisbie

**COUNCIL DISTRICT(S) IMPACTED:**

Council District 1, Council District 6, Council District 7, Council District 8

**SUBJECT:**

Disposition: SAWS Sale of Surplus Property

**SUMMARY:**

Consideration of the following ordinances authorizing the declaration as surplus and disposition of five real properties owned by the San Antonio Water System (SAWS):

- A. An ordinance declaring as surplus an approximate 0.68 acre circular tract of property located off a private road at 7000 Dorothy Louise Drive within the Dream Hill Estates Subdivision, NCB 11611, in Council District 8.
- B. An ordinance declaring as surplus three unimproved residential lots located on Queenspoint Drive, NCB 34400B, in Council District 6.
- C. An ordinance declaring as surplus a 0.107 acre unimproved tract of real property located at 16236 White Fawn, NCB 14789, in Council District 8.
- D. An ordinance declaring as surplus a 0.1062 acre unimproved tract of real property located at 1503 Edison Drive, NCB 7092, in Council District 1.
- E. An ordinance declaring as surplus a 0.1789 acre unimproved tract of real property located at 127 Hillcrest Drive, NCB 11410, in Council District 7.

**BACKGROUND INFORMATION:**

The San Antonio Water System Board of Trustees declared properties as surplus to the system and authorized disposal of the properties through Resolution 12-305 dated June 5, 2012, property located at 7000 Dorothy Louise Drive, and Resolution 12-225 dated April 3, 2012, properties located at 11800 Queenspoint, 16236 White Fawn, 1503 Edison Drive and 127 Hillcrest Drive. SAWS no longer utilizes equipment and facilities located at these properties and the properties are no longer needed. Wells have been plugged in accordance with the Texas Department of Licensing and Regulation at the Dorothy Louise, Edison and Hillcrest locations. A tank was removed from the White Fawn property, and easements will be reserved for sewer lines on Queenspoint. Since SAWS is owned by the City, SAWS needs authorization from the City

Council to declare property as surplus in preparation for its disposal.

**ISSUE:**

These ordinances authorize the declaration as surplus and disposition of five real properties owned by the San Antonio Water System (SAWS):

- A. An ordinance declaring as surplus an approximate 0.68 acre circular tract of property located off a private road at 7000 Dorothy Louise Drive within the Dream Hill Estates Subdivision, NCB 11611, in Council District 8.
- B. An ordinance declaring as surplus three unimproved residential lots located on Queenspoint Drive, NCB 34400B, in Council District 6.
- C. An ordinance declaring as surplus a 0.107 acre unimproved tract of real property located at 16236 White Fawn, NCB 14789, in Council District 8.
- D. An ordinance declaring as surplus a 0.1062 acre unimproved tract of real property located at 1503 Edison Drive, NCB 7092, in Council District 1.
- E. An ordinance declaring as surplus a 0.1789 acre unimproved tract of real property located at 127 Hillcrest Drive, NCB 11410, in Council District 7.

These actions are consistent with City Code and Ordinances requiring City Council approval for the disposition and disposal of any surplus property.

**ALTERNATIVES:**

City Council could choose not to approve these requests; however that would prevent SAWS from disposing of properties that are no longer necessary for the operation of the Water System and would require SAWS to continue maintaining the properties.

**FISCAL IMPACT:**

There is no fiscal impact related to the sale of the surplus properties since the properties are controlled by SAWS.

**RECOMMENDATION:**

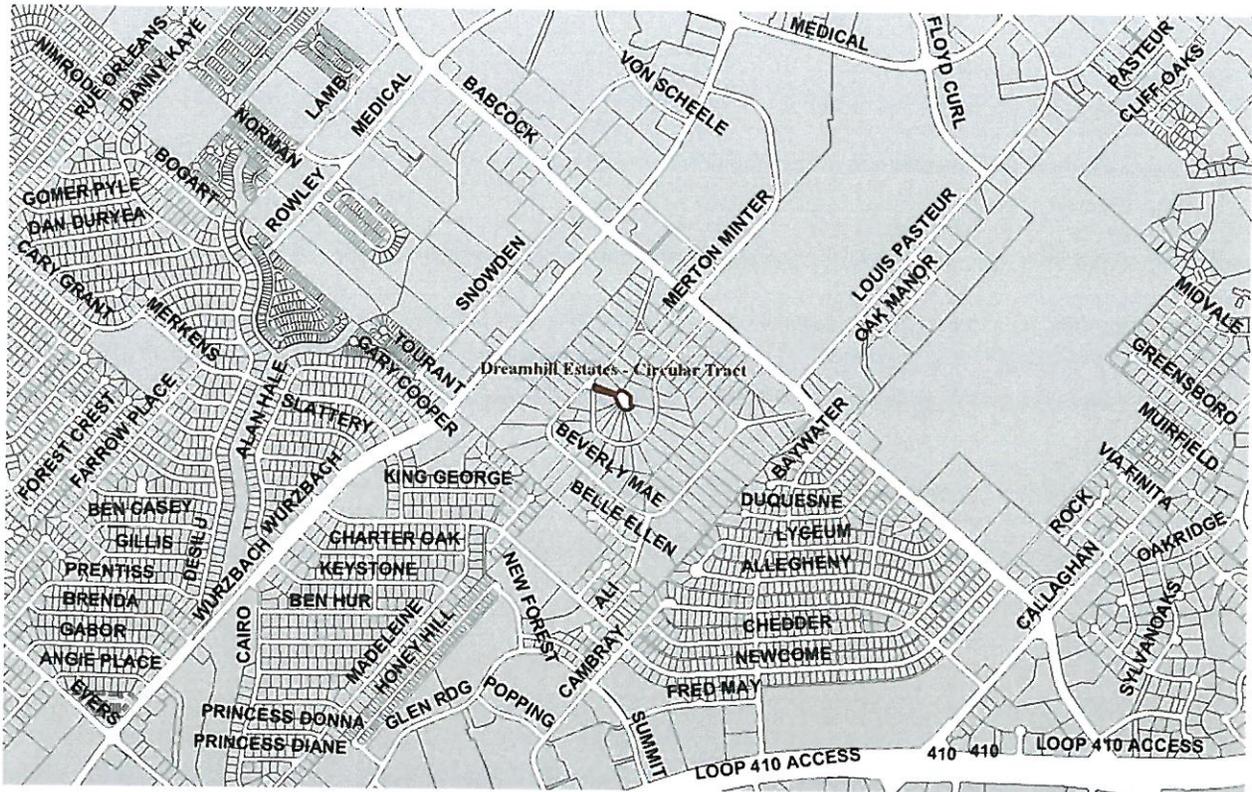
Staff recommends approval of the declaration as surplus and disposition of five real properties owned by the San Antonio Water System (SAWS):

- A. An ordinance declaring as surplus an approximate 0.68 acre circular tract of property located off a private road at 7000 Dorothy Louise Drive within the Dream Hill Estates Subdivision, NCB 11611, in Council District 8.
- B. An ordinance declaring as surplus three unimproved residential lots located on Queenspoint Drive, NCB 34400B, in Council District 6.
- C. An ordinance declaring as surplus a 0.107 acre unimproved tract of real property located at 16236 White Fawn, NCB 14789, in Council District 8.
- D. An ordinance declaring as surplus a 0.1062 acre unimproved tract of real property located at 1503 Edison Drive, NCB 7092, in Council District 1.

- E. An ordinance declaring as surplus a 0.1789 acre unimproved tract of real property located at 127 Hillcrest Drive, NCB 11410, in Council District 7.

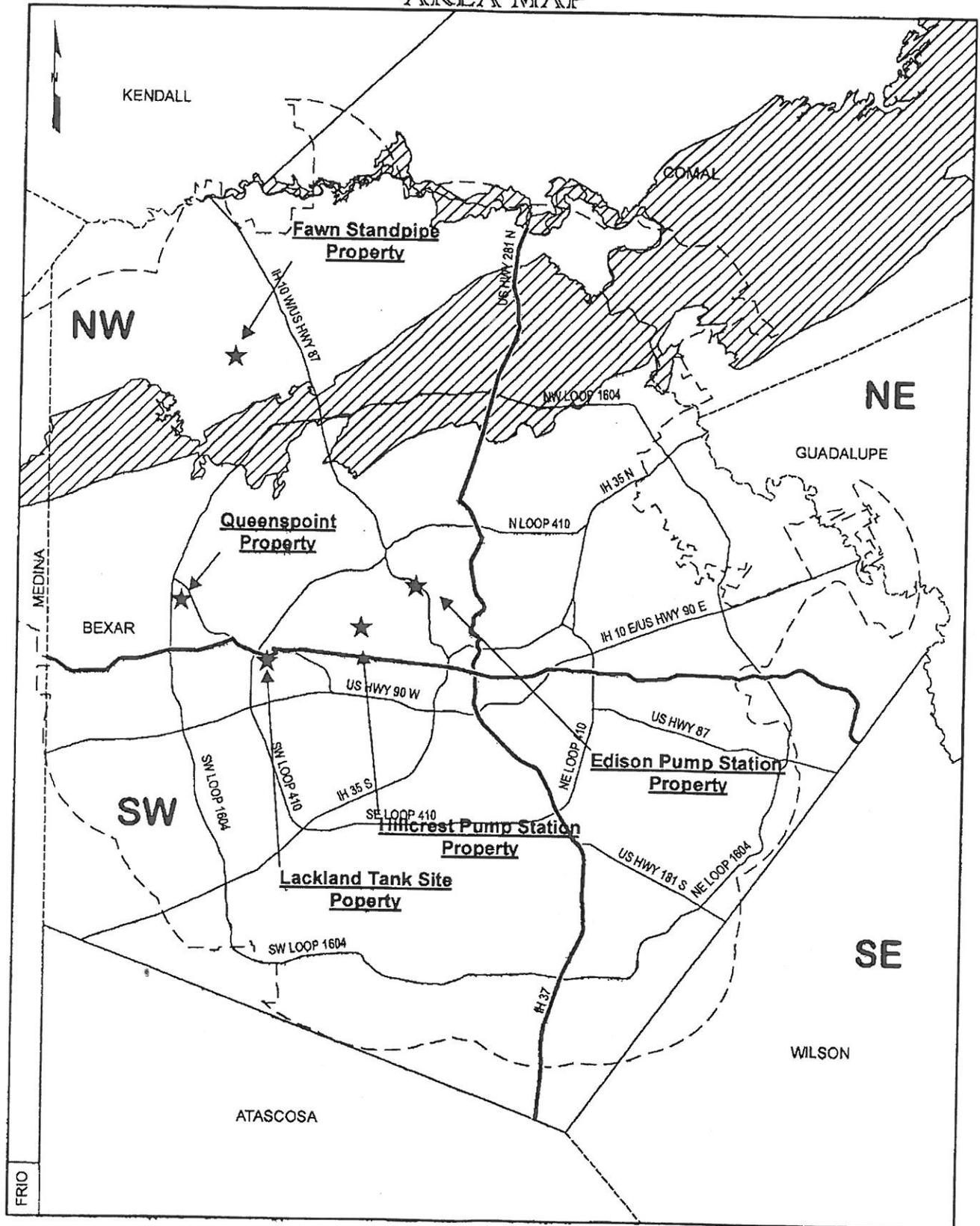
## ATTACHMENT(S):

| File Description   | File Name                  |
|--|----------------------------|
| <u>Map-Dorothy Louise</u>  | MAP_DorothyLouise.pdf      |
| <u>Area Map - SAWS Surplus properties</u>                                | AreaMap_Qu_WF_Ed_Hi.pdf    |
| <u>Map-Queenspoint</u>   | Map_Queenspoint.pdf        |
| <u>Map-White Fawn</u>  | Map_WhiteFawn.pdf          |
| <u>Map-Edison</u>  | Map_Edison.pdf             |
| <u>Map-Hillcrest</u>   | Map_Hillcrest.pdf          |
| <u>Letter of Agreement-Dorothy Louise</u>                                | LtrAgr_DorothyLouise.pdf   |
| <u>Letter of Agreement-Queenspoint, White Fawn, Edison and Hillcrest</u> | LtrAgr_Qu_WF_Ed_Hi_exe.pdf |



**S.P. 1664 SAWS Request to declare as surplus a circular tract of real property located off of a private road at 7000 Dorothy Louise Drive within the Dream Hill Estates Subdivision**

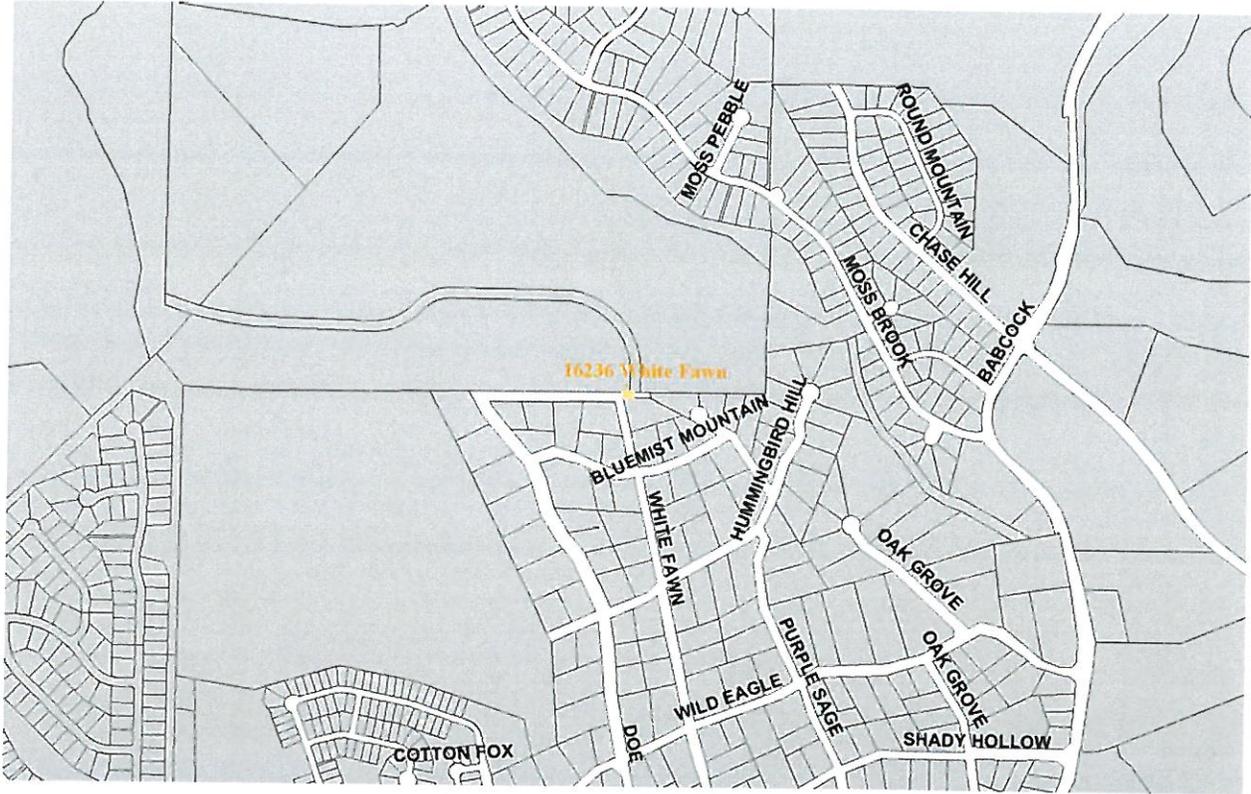
ATTACHMENT I  
SAN ANTONIO WATER SYSTEM  
AREA MAP



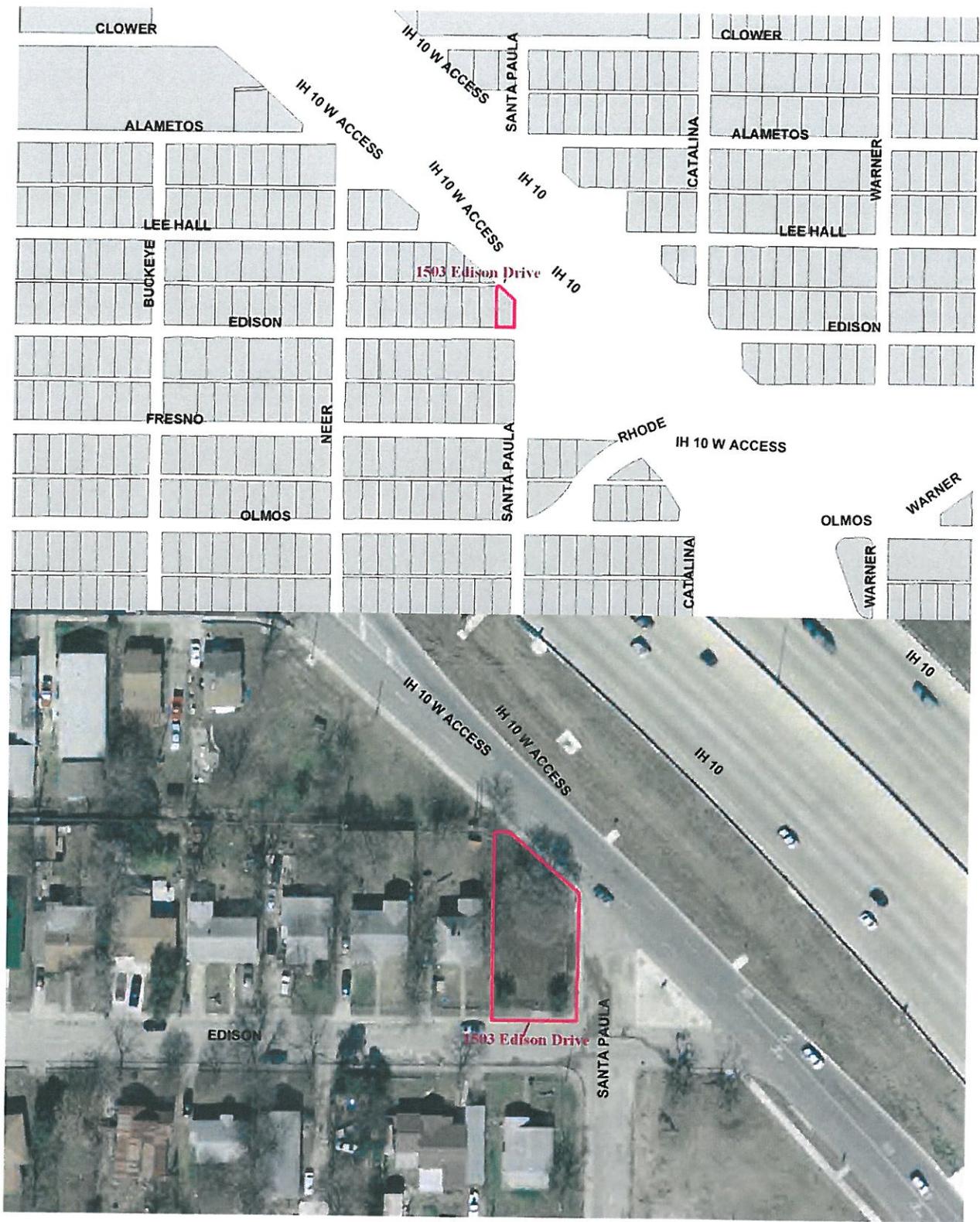
SURPLUS PROPERTIES



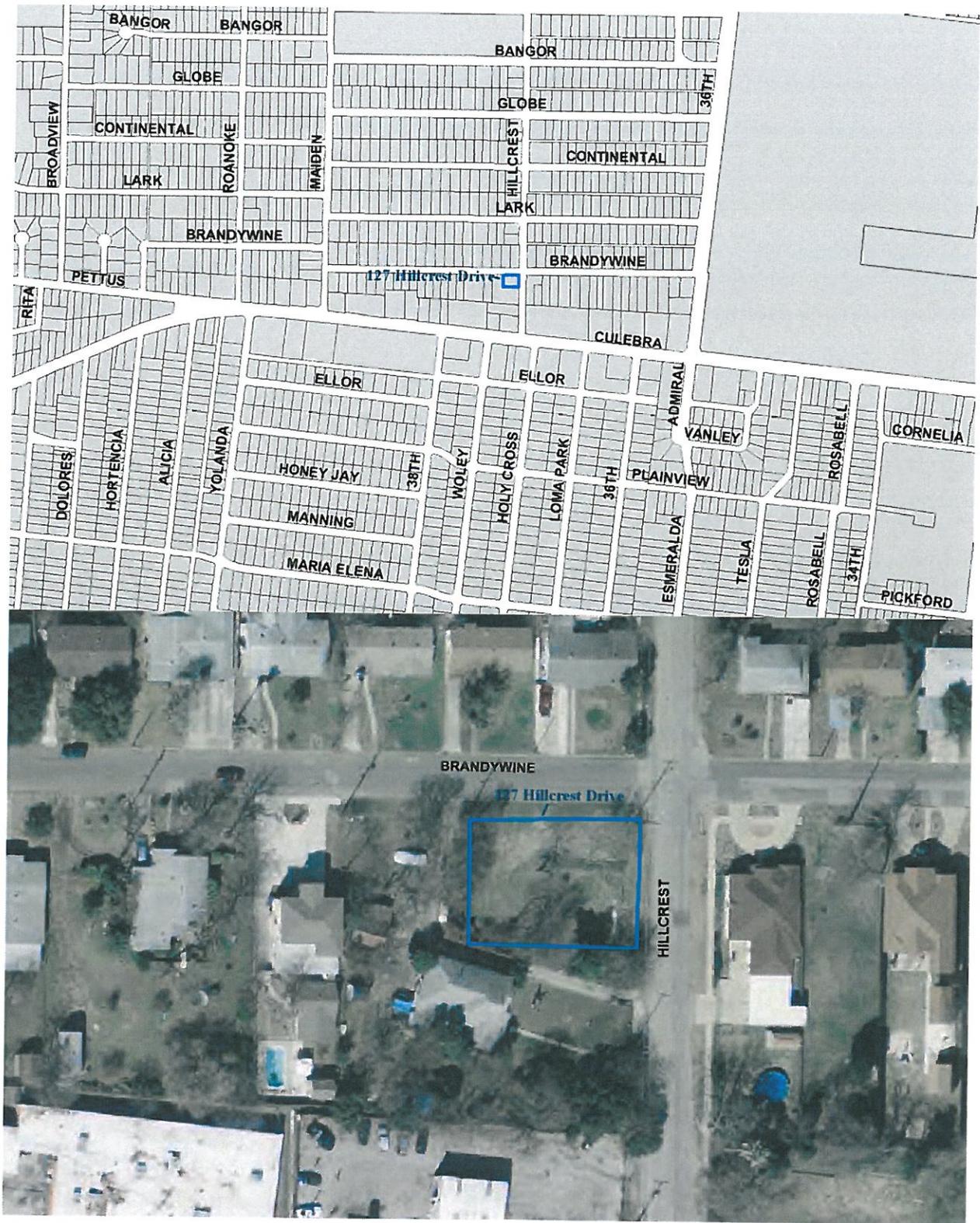
**S.P. 1656-A**  
**SAWS Request to declare as surplus and dispose of real property**  
**located at: 11800 Queenspoint**



**S.P. 1656-B**  
**SAWS Request to declare as surplus and dispose of**  
**real property located at: 16236 White Fawn**



**S.P. 1656-C**  
**SAWS Request to declare as surplus and dispose of**  
**an approximate 0.1062 acre of real property located at:**  
**1503 Edison Drive (Edison Pump Station)**



**S.P. 1656-D**

**SAWS Request to declare as surplus and dispose of real property  
located at 127 Hillcrest Drive, approximately 0.1789 acre  
Hillcrest Pump Station**



# CITY OF SAN ANTONIO

CAPITAL IMPROVEMENTS MANAGEMENT SERVICES

P. O. BOX 839966

SAN ANTONIO TEXAS 78283-3966

Telephone (210) 207-4032

August 24, 2012

**Bruce Haby**  
**San Antonio Water System**  
**2800 U.S. Hwy 281 North**  
**San Antonio, TX 78212**

Re: S.P. 1656A-D SAWS request to declare as surplus and dispose of real property located at:

- A) 11800 Queenspoint
- B) 16236 White Fawn
- C) 1503 Edison Drive
- D) 127 Hillcrest Drive

Dear Mr. Haby,

With reference to the captioned projects, 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 electrical and/or gas facilities and agrees to allow perpetual access to any such utilities for inspection, operational and maintenance purposes or may seek the relocation of the facilities with the express permission and coordination with City Public Service and at the sole expense of the petitioner.

**Public Works:** Contact and confirm with all utilities there are no conflicts.

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.*

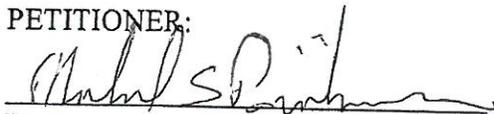
Sincerely,



Marcia Shelf Orlandi  
Real Estate Manager

AGREED AS TO TERMS AND CONDITIONS:

PETITIONER:

  
By

Vice President - Operations Services  
Title

Michael S. Brinkmann  
Print Name

September 11, 2012  
Date



# CITY OF SAN ANTONIO

CAPITAL IMPROVEMENTS MANAGEMENT SERVICES

P. O. BOX 839966

SAN ANTONIO TEXAS 78283-3966

Telephone (210) 207-4032

September 19, 2012

**Bruce Haby**  
San Antonio Water System  
2800 U.S. Hwy 281 North  
San Antonio, TX 78212

[Via Email: [Bruce.Haby@saws.org](mailto:Bruce.Haby@saws.org)]

Re: S.P. 1664 SAWS request to declare as surplus a circular tract located off a private road at 7000 Dorothy Louise, Dream Hill Estates subdivision

Dear Mr. Haby,

With reference to the captioned projects, 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 electrical and/or gas facilities and agrees to allow perpetual access to any such utilities for inspection, operational and maintenance purposes or may seek the relocation of the facilities with the express permission and coordination with City Public Service and at the sole expense of the petitioner.
- **Public Works:** Contact & confirm with all utilities that there are no conflicts.

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

\_\_\_\_\_

Title

\_\_\_\_\_

Print Name

\_\_\_\_\_

Date

RESOLUTION # \_\_\_\_\_

**A RESOLUTION SUPPORTING A REQUEST FROM THE SAN ANTONIO WATER SYSTEM TO DECLARE AS SURPLUS AND AUTHORIZE DISPOSAL OF A 0.68 ACRE CIRCULAR TRACT OF PROPERTY LOCATED OFF A PRIVATE ROAD AT 7000 DOROTHY LOUISE DRIVE WITHIN THE DREAM HILL ESTATES SUBDIVISION, NCB 11611, IN COUNCIL DISTRICT 8.**

\* \* \* \* \*

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 land use to public hearing and approval by act of City Council; and

WHEREAS, the San Antonio Water System (SAWS) filed an application requesting to declare as surplus and dispose of a 0.68 acre circular tract of property located off a private road at 7000 Dorothy Louise Drive within NCB 11611; 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 by the San Antonio Water System to declare a 0.68 acre circular tract of property located off a private road at 7000 Dorothy Louise Drive within NCB 11611.

**SIGNED this 24<sup>th</sup> day of October 2012.**

\_\_\_\_\_  
Chair

Attest:

\_\_\_\_\_  
Executive Secretary  
San Antonio Planning Commission

RESOLUTION # \_\_\_\_\_

**A RESOLUTION SUPPORTING A REQUEST FROM THE SAN ANTONIO WATER SYSTEM TO DECLARE AS SURPLUS AND AUTHORIZE DISPOSAL OF THREE (3) UNIMPROVED RESIDENTIAL LOTS LOCATED ON QUEENSPPOINT DRIVE, NCB 34400B, IN COUNCIL DISTRICT 6.**

\* \* \* \* \*

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 land use to public hearing and approval by act of City Council; and

WHEREAS, the San Antonio Water System (SAWS) filed an application requesting to declare as surplus and dispose of three (3) unimproved residential lots located on Queenspoint Drive, NCB 34400B; 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 by the San Antonio Water System to declare as surplus and dispose of three (3) unimproved residential lots located on Queenspoint Drive, NCB 34400B.

**SIGNED this 24<sup>th</sup> day of October 2012.**

\_\_\_\_\_  
**Chair**

Attest:

\_\_\_\_\_  
Executive Secretary  
San Antonio Planning Commission

RESOLUTION # \_\_\_\_\_

**A RESOLUTION SUPPORTING A REQUEST FROM THE SAN ANTONIO WATER SYSTEM TO DECLARE AS SURPLUS AND AUTHORIZE DISPOSAL OF A 0.107 ACRE UNIMPROVED TRACT OF REAL PROPERTY LOCATED AT 16236 WHITE FAWN, NCB 14789, IN COUNCIL DISTRICT 8.**

\* \* \* \* \*

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 land use to public hearing and approval by act of City Council; and

WHEREAS, the San Antonio Water System (SAWS) filed an application requesting to declare as surplus and dispose of a 0.107 acre unimproved tract of real property located at 16236 White Fawn, NCB 14789, in Council District 8; 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 by the San Antonio Water System to declare as surplus and dispose of a 0.107 acre unimproved tract of real property located at 16236 White Fawn, NCB 14789, in Council District 8.

**SIGNED this 24<sup>th</sup> day of October 2012.**

\_\_\_\_\_  
Chair

Attest:

\_\_\_\_\_  
Executive Secretary  
San Antonio Planning Commission

RESOLUTION # \_\_\_\_\_

**A RESOLUTION SUPPORTING A REQUEST FROM THE SAN ANTONIO WATER SYSTEM TO DECLARE AS SURPLUS AND AUTHORIZE DISPOSAL OF A 0.1062 ACRE UNIMPROVED TRACT OF REAL PROPERTY LOCATED AT 1503 EDISON DRIVE, NCB 7092, IN COUNCIL DISTRICT 1.**

\* \* \* \* \*

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 land use to public hearing and approval by act of City Council; and

WHEREAS, the San Antonio Water System (SAWS) filed an application requesting to declare as surplus and dispose of a 0.1062 acre unimproved tract of real property located at 1503 Edison Drive, NCB 7092, in Council District 1.

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 by the San Antonio Water System to declare as surplus and dispose of a 0.1062 acre unimproved tract of real property located at 1503 Edison Drive, NCB 7092, in Council District 1.

**SIGNED this 24<sup>th</sup> day of October 2012.**

\_\_\_\_\_  
Chair

Attest:

\_\_\_\_\_  
Executive Secretary  
San Antonio Planning Commission

RESOLUTION # \_\_\_\_\_

**A RESOLUTION SUPPORTING A REQUEST FROM THE SAN ANTONIO WATER SYSTEM TO DECLARE AS SURPLUS AND AUTHORIZE DISPOSAL OF A 0.1789 ACRE UNIMPROVED TRACT OF REAL PROPERTY LOCATED AT 127 HILLCREST DRIVE, NCB 11410, IN COUNCIL DISTRICT 7.**

\* \* \* \* \*

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 land use to public hearing and approval by act of City Council; and

WHEREAS, the San Antonio Water System (SAWS) filed an application requesting to declare as surplus and dispose of a 0.1789 acre unimproved tract of real property located at 127 Hillcrest Drive, NCB 11410, in Council District 7.

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 by the San Antonio Water System to declare as surplus and dispose of a 0.1789 acre unimproved tract of real property located at 127 Hillcrest Drive, NCB 11410, in Council District 7.

**SIGNED this 24<sup>th</sup> day of October 2012.**

\_\_\_\_\_  
Chair

Attest:

\_\_\_\_\_  
Executive Secretary  
San Antonio Planning Commission



# CITY OF SAN ANTONIO

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

NEIGHBORHOOD PLANNING AND URBAN DESIGN DIVISION

STAFF REPORT

AGENDA NO. 20

**Public Hearing:**

Planning Commission

October 24, 2012

**Case Number:**

PA 12075

**Applicant:**

Oscar Mendoza

**Representative:**

Oscar Mendoza

**Owner:**

Oscar Mendoza

**Staff Coordinator:**

Robert C. Acosta, Planner

(210) 207-0157

[racosta@sanantonio.gov](mailto:racosta@sanantonio.gov)

**Property Address/Location:**

120 Princeton Street

**Legal Description:**

Lot 17, Block 4, NCB 2047

**Tract Size:**

0.2006 acres

**Council District(s):**

District 1

**Notification:**

Published in Daily Commercial

Recorder 10/5/2012

Notices Mailed 10/11/2012

- 30 to property owners within 200 feet
  - 1 to applicant
  - 1 to registered neighborhood association within 200 feet
  - 18 to Planning Team members
- Internet Agenda Posting 10/19/2012

**REQUEST**

The Applicant requests a Master Plan Amendment to change the future land use plan contained in the Midtown Neighborhoods Plan from Mixed Use, Transit Oriented Development and Low Density Residential to Medium Density Residential.

**RECOMMENDED ACTION**

**Approval of the proposed amendment** to the Midtown Neighborhoods Plan to change the future land use designation of the subject property from Mixed Use, Transit Oriented Development and Low Density Residential to Medium Density Residential.

**ALTERNATIVE ACTIONS**

1. Recommend denial of the proposed amendment to the Midtown Neighborhoods Plan, as presented above.
2. Make an alternate recommendation.
3. Continue to a future date.

**SYNOPSIS OF ANALYSIS**

**Land Use:**

The Medium Density Residential classification supports the Midtown Neighborhoods Plan that encourage a safe, clean and livable environment and the reclassification of existing residential structures on the edges of the Transit Oriented Development classification to other land uses including Medium Density Residential. The proposed change should have minimal impact, if any, on adjacent properties.

**Transportation:**

The existing transportation infrastructure could support any additional demand generated by the requested land use change.

**Community Facilities:**

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

**CASE HISTORY**

This is the first public hearing of this case.

**I. ANALYSIS**

| <b>Comprehensive Plan Analysis</b>   |   |
|--|---|
| <b>Comprehensive Plan Component:</b> Midtown Neighborhoods Plan  |   |
| <b>Plan Adoption Date:</b> October 12, 2000  | <b>Update History:</b> November 9, 2005 |
| <b>Goal 2: Community Appearance and Safety: Promote a safe, clean and livable environment for area residents.</b>  |   |
| <b>Land Use Plan, pg. 46: Land use classifications should decrease in density as you travel towards the edge of the Transit Oriented Development node. Existing residential structures should be reclassified into other uses to include Medium Density Residential.</b> |   |
| The proposed development is consistent with the above-stated objectives of the Midtown Neighborhoods Plan.   |   |

| <b>Land Use Overview</b> |   |                                     |
|--------------------------|---|-------------------------------------|
|                          | <b>Future Land Use Classification</b>                               | <b>Current Use</b>                  |
| Subject Property         | Mixed Use, Transit Oriented Development and Low Density Residential | Single-family home                  |
| North                    | Mixed Use and Transit Oriented Development                          | Auto repair shop and vacant lot     |
| East                     | Transit Oriented Development  | Bar and restaurant                  |
| South                    | Transit Oriented Development and Low Density Residential            | Auto repair and single-family homes |
| West                     | Mixed Use and Low Density Residential                               | Single-family homes                 |

**Land Use:** The subject property is located on the southwest corner of the intersection of Princeton Street and Fredericksburg Road and is located within the boundaries of the Midtown Neighborhoods Plan. The subject property is occupied by a single-family residence and is located in an area that is single-family in character to the west, and a mixture of commercial uses to the north and east. The area to the south is a mixture of commercial uses and residential. The applicant requests to change the future land use from Mixed Use, Transit Oriented Development and Low Density Residential to Medium Density Residential.

The applicant requests this plan amendment and associated zoning change in order to construct a residential structure at the rear of the existing property. The structure would accommodate two additional residential units. The subject property is surrounded by single-family residences to the west and south and abuts commercial uses to the north, east and south. It is located with frontage on a local street that functions as a collector that intersects with a major arterial. Its location and the general conditions which include commercial uses to the north, east and south and a mix of existing commercial uses along Fredericksburg Road make it appropriate for Medium Density Residential. The proposed change would result in less potential of an increase in commercial density than the current land use allows today. The proposed change would also establish a buffer between the mix of commercial uses to the east and the single-family residences to the west. The Medium Density Residential classification supports the Midtown Neighborhoods Plan that encourage a safe, clean and livable environment and the reclassification of existing residential structures on the edges of the Transit Oriented Development classification to other land uses including Medium Density Residential. The proposed change should have minimal impact, if any, on adjacent properties.

The Mixed Use classification consists of a mix of land uses which includes Neighborhood Commercial, Medium-Density Residential, and High-Density Residential. Commercial development, potentially at a higher intensity than found in the Neighborhood Commercial classification, would be the most typical land use. This classification calls for the development of design guidelines to encourage safe, attractive and pedestrian-friendly environments, pedestrian linkages to surrounding areas, and options for easy travel by foot, bike or transit. The neighborhoods support the use or adaptive use of existing commercial

or residential structures in areas identified for Mixed-Use development while maintaining the buildings' architectural character. Businesses are encouraged to utilize on street parking and/or parking in the rear of the establishment. The neighborhoods also encourage mixed-use buildings where the first floor is used for retail or service businesses and the second/upper floor(s) is used for residences.

Transit-Oriented Development (TOD) provides for higher density and higher intensity land uses located within a focused distance of a transit stop. TOD includes the mix of uses described in the Mixed-Use Node classification, including commercial, retail, residential and civic uses at a higher density. The most intense and, dense uses should be concentrated at the transit stop or the center of the node. Uses should decrease in density as you travel towards the edges of the node. The edge of the node should include development, such as townhouses, which buffer the adjacent land uses. Transit-Oriented Development also includes urban design guidelines to encourage safe, attractive and pedestrian friendly environments, pedestrian linkages to surrounding areas, and options for easy travel by foot, bike or transit.

The Low Density Residential classification include single-family houses on individual lots. Low Density Residential uses also can include a duplex, and a granny flat or a garage apartment. For example, a single-family house with a garage apartment is allowed under this category. A duplex also is acceptable. However, a duplex and a granny flat on one lot is not considered to be a Low Density Residential use.

The Medium-Density Residential classification includes three-and four-unit multi-family dwellings and attached single-family homes such as townhouses. Low-Density Residential uses also can be found within this classification.

**Transportation:** Fredericksburg Road, Blanco Road and Colorado Street are Secondary Arterial Type B. Princeton Street and Myrtle Street are local streets. The area includes sidewalks which allow for pedestrian access to and from adjacent residential areas. There is a VIA bus stop on the northwest corner of Princeton and Fredericksburg Road. The existing transportation infrastructure could support any additional demand generated by the requested land use change.

**Community Facilities:** Higgs Carter King Academy, Kipp Aspire Academy, Beacon Hill Elementary School, and St. Ann's Church are within walking distance. San Pedro Springs Park and San Antonio College are also in close proximity. The existing community facilities could support any additional demand, if any, generated by the requested land use change.

## **II. SUPPLEMENTAL INFORMATION**

**Current Zoning:** C-3 NA

**Proposed Zoning:** RM-5

**Corresponding Zoning Case:** Z2012207

**Zoning Commission Public Hearing Date:** November 6, 2012

## **III. RECOMMENDATION**

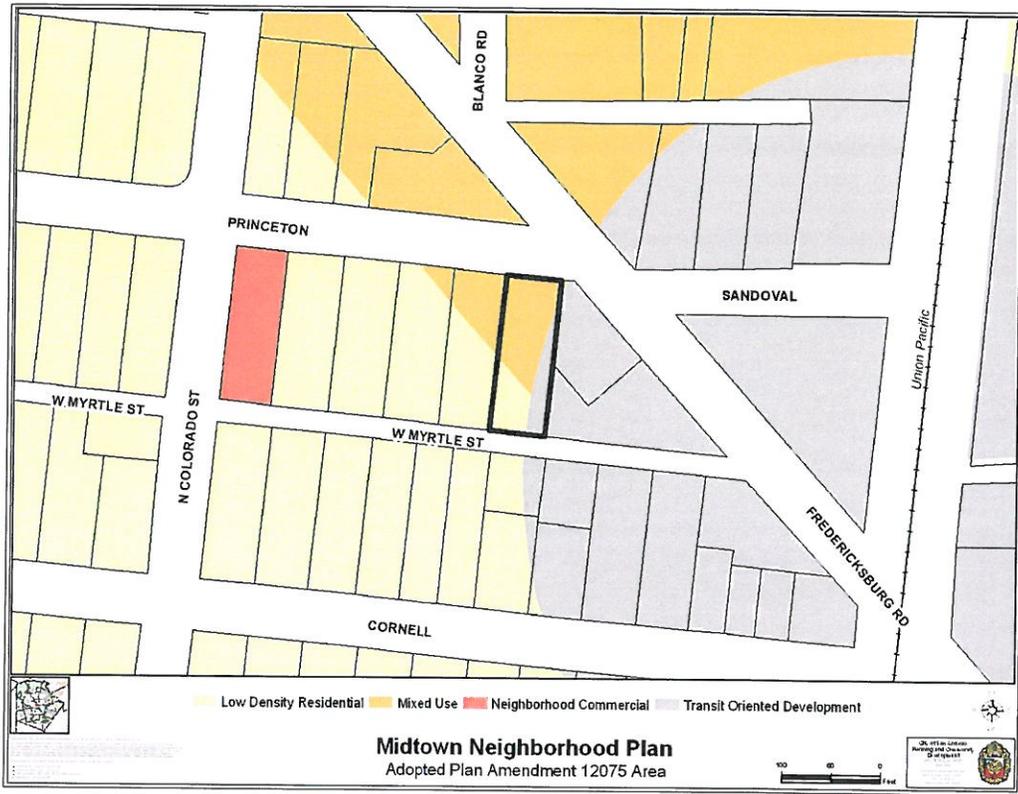
The subject property is surrounded by single-family residences to the west and south and abuts commercial uses to the north, east and south. It is located with frontage on a local street that functions as a collector that intersects with a major arterial. Its location and the general conditions which include commercial uses to the north, east and south and a mix of existing commercial uses along Fredericksburg Road make it appropriate for Medium Density Residential. The proposed change would result in less potential of an increase in commercial density than the current land use allows today. The proposed change would also establish a buffer between the mix of commercial uses to the east and the single-family residences to the west.

## **IV. ATTACHMENTS**

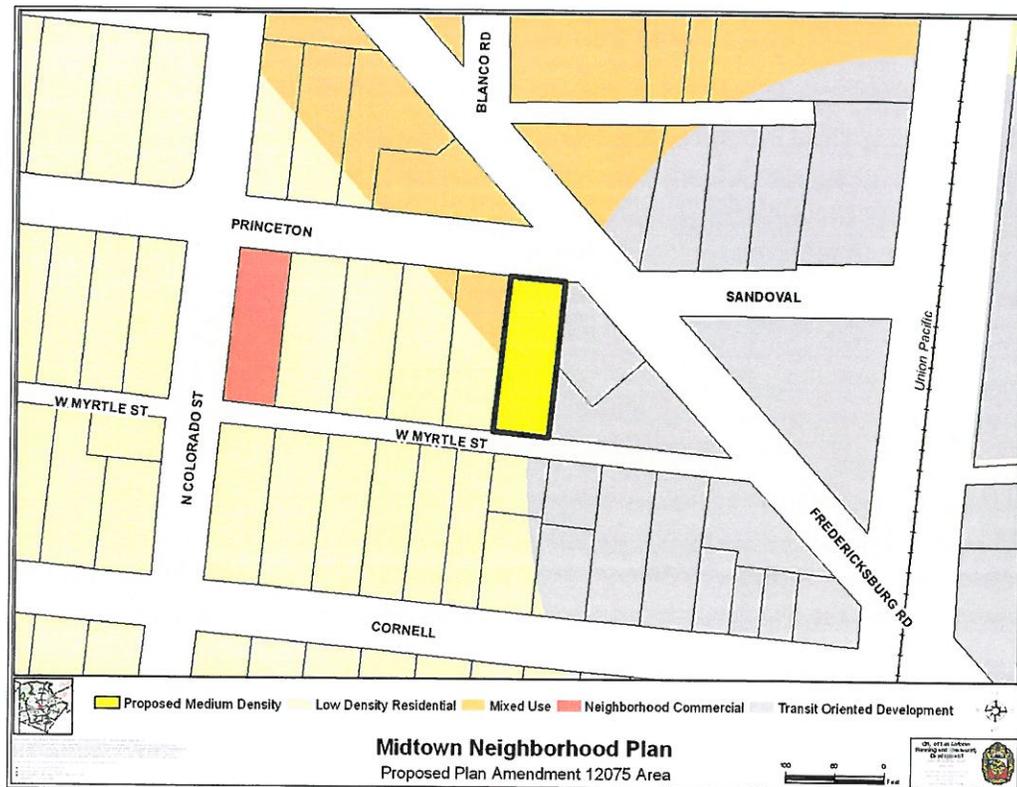
- A. Plan Amendment Maps
- B. Aerial Map

# Attachment A

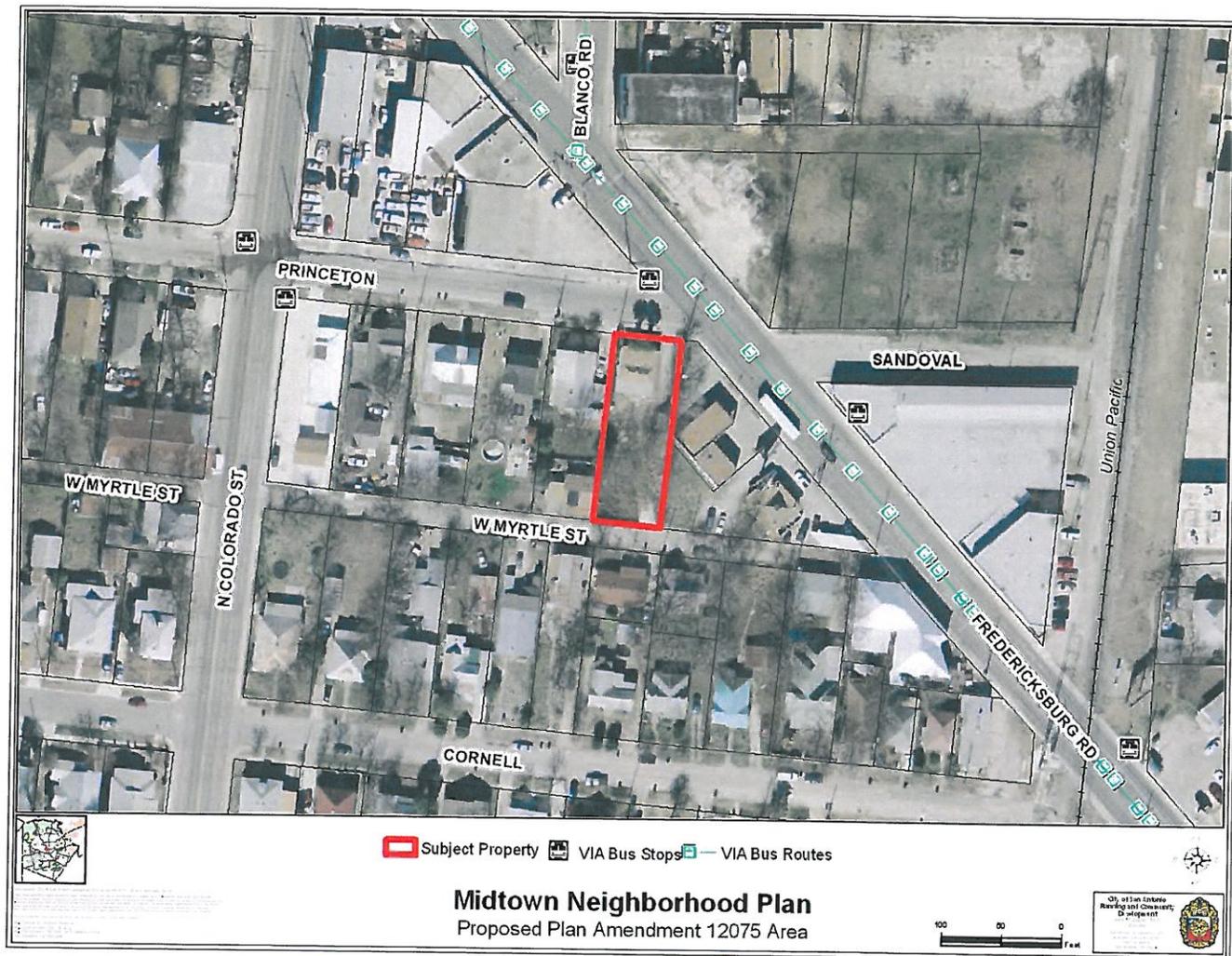
## Land Use Plan as adopted:



## Proposed Amendment:



Attachment B



**RESOLUTION NO.**

**RECOMMENDING TO APPROVE THE AMENDMENT OF THE LAND USE PLAN CONTAINED IN THE MIDTOWN NEIGHBORHOODS PLAN, A COMPONENT OF THE COMPREHENSIVE MASTER PLAN OF THE CITY, BY CHANGING THE USE FROM MIXED USE, TRANSIT ORIENTED DEVELOPMENT AND LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL FOR AN AREA OF APPROXIMATELY 0.2006 ACRES LOCATED AT 120 PRINCETON STREET.**

**WHEREAS**, City Council approved the Midtown Neighborhoods Plan as an addendum to the Comprehensive Master Plan on October 12, 2012; and

**WHEREAS**, the May 3, 2001 Unified Development Code requires consistency between zoning and the Comprehensive 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 October 24, 2012 and **APPROVED** the amendment on October 24, 2012; and

**WHEREAS**, the San Antonio Planning Commission has considered the effect of this amendment to the Comprehensive 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 Midtown Neighborhoods 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 24<sup>th</sup> DAY OF OCTOBER 2012.

Attest:

Approved:

\_\_\_\_\_  
Executive Secretary  
San Antonio Planning Commission

\_\_\_\_\_  
Chair  
San Antonio Planning Commission



# CITY OF SAN ANTONIO

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

NEIGHBORHOOD PLANNING AND URBAN DESIGN DIVISION

STAFF REPORT

AGENDA NO. 21

**Public Hearing:**

Planning Commission

October 24, 2012

**Case Number:**

PA 12079

**Applicant:**

Brown & Ortiz, PC

**Representative:**

Brown & Ortiz, PC

**Owner:**

City of San Antonio

**Staff Coordinator:**

Robert C. Acosta, Planner

(210) 207-0157

racosta@sanantonio.gov

**Property Address/Location:**

1518 Hillcrest Drive

**Legal Description:**

0.8413 acres out of Lot 21 and Lot 22, Block G, NCB 8394

**Tract Size:**

0.8413 acres

**Council District(s):**

District 7

**Notification:**

Published in Daily Commercial

Recorder 10/5/2012

Notices Mailed 10/11/2012

- 14 to property owners within 200 feet
  - 1 to applicant
  - 1 to registered neighborhood association within 200 feet
  - 33 to Planning Team members
- Internet Agenda Posting 10/19/2012

**REQUEST**

The Applicant requests a Master Plan Amendment to change the future land use plan contained in the Near Northwest Community Plan from Mixed Use to Community Commercial.

**RECOMMENDED ACTION**

**Approval of the proposed amendment** to the Near Northwest Community Plan to change the future land use designation of the subject property from Mixed Use to Community Commercial.

**ALTERNATIVE ACTIONS**

1. Recommend denial of the proposed amendment to the Near Northwest Community Plan, as presented above.
2. Make an alternate recommendation.
3. Continue to a future date.

**SYNOPSIS OF ANALYSIS**

**Land Use:**

The subject property is surrounded by commercial uses to the south, east and west and is located with frontage on a major arterial, and is near the intersection of two major arterials. Its location, which includes a major commercial node and the general surrounding conditions which include a mix of commercial uses along Bandera Road, make it appropriate for Community Commercial.

**Transportation:**

The existing transportation infrastructure could support any additional demand, if any, generated by the requested land use change.

**Community Facilities:**

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

**CASE HISTORY**

This is the first public hearing of this case.

I. ANALYSIS

| Comprehensive Plan Analysis   |   |
|---|---|
| <b>Comprehensive Plan Component:</b> Near Northwest Community Plan  |   |
| <b>Plan Adoption Date:</b> February 14, 2002  | <b>Update History:</b> September 24, 2008 |
| <b>Goal 2 - Economic Development:</b> Ensure the Near NW Community's business corridors are filled with a mix of uses including professional offices, residences and busy shops, providing neighbors an attractive place to walk for shopping, playing, working and relaxing both day and night |   |
| <b>Land Use Plan, pg. 46:</b> Community Commercial uses are typically located on arterials at major intersections (nodes) or in established commercial areas along arterials.   |   |
| The proposed development is consistent with the above-stated objectives of the Near Northwest Community Plan.   |   |

| Land Use Overview |                                |                                     |
|-------------------|--------------------------------|-------------------------------------|
|                   | Future Land Use Classification | Current Use                         |
| Subject Property  | Mixed Use                      | Vacant building                     |
| North             | Low Density Residential        | Fire Station and Single-family Home |
| East              | Mixed Use                      | Commercial                          |
| South             | Mixed Use                      | Commercial                          |
| West              | Mixed Use                      | Restaurant                          |

**Land Use:** The subject property is located along the east side of Hillcrest Drive just north of the intersection of Hillcrest Drive and Bandera Road and is located within the boundaries of the Near Northwest Community Plan. The property is a vacant, non-residential building and has single-family homes and a fire station abutting it to the north and commercial uses to the south, east and west. The Near Northwest Community Plan classifies the subject property and the areas to the south, east and west as Mixed Use. The area to the north is classified as Low Density Residential. The applicant requests to change the future land use from Mixed Use to Community Commercial.

The applicant requests this plan amendment and associated zoning change on behalf of the City of San Antonio in order to complete the sale of the property to a private buyer that plans to develop a pharmacy on this site. The subject property is surrounded by commercial uses to the south, east and west. It is located with frontage on a major arterial and at the intersection of two major arterials. Its location, which includes a major commercial node and the general surrounding conditions which include a mix of commercial uses along Bandera Road make it appropriate for Community Commercial. The Community Commercial classification supports the Near Northwest Community Plan objectives that encourage development along its business corridors to include arterials at major intersections or in established commercial areas. The proposed use should have minimal impact, if any, on adjacent properties.

Mixed-Use provides for a concentrated blend of high-density residential, retail, professional service, office, entertainment, leisure and other related uses at increased densities to create a pedestrian-oriented environment. Mixed Use should be located at the intersection of a collector and arterial street, two arterial streets or where an existing commercial area has been established. This classification allows for a mix of uses in the same building or in the same development such as small offices (dentists, insurance professionals, non-profits, etc.), small storefront retail establishment (coffee shops, cafes, shoe repair shops, gift shops) stores, specialty retails shops, hair salons, day care, drug stores, etc.), professional offices, and high-density residential uses.

Community Commercial development includes medium and high density land uses that draw its customer base from a larger community. This classification can include a mix of uses in the same building or in the same development. Community Commercial uses are typically located on arterials at major intersections (nodes) or in established commercial areas along arterials. Examples of Community Commercial uses include all Neighborhood Commercial uses, convenience stores with gas stations, grocery stores, plant nurseries, paint/carpet stores, offices, apartments and community shopping centers. Drives through establishments are permissible. Community commercial uses should incorporate well-defined and accessible entrances, shared internal circulation, limited curb cuts to arterial streets, ample sidewalks and shade trees in parking lots, landscaping on planter strips between the parking lot and street and well-designed, monument signage. Community Commercial centers should be designed to create safe, attractive and convenient vehicular and pedestrian linkages with adjoining land uses.

**Transportation:** Hillcrest Drive is a Secondary Arterial Type B and Bandera Road is a Primary Arterial Type A. Tank Street is a local street. The area includes sidewalks which allow for pedestrian access to and from adjacent residential areas. There is a VIA bus stop on the northeast and southwest corners of Hillcrest Drive and Bandera Road. The existing transportation infrastructure could support any additional demand generated by the requested land use change.

**Community Facilities:** Bexar County Academy, Longfellow Middle School and San Antonio Fire Station 27 are within walking distance. The existing community facilities could support any additional demand, if any, generated by the requested land use change.

## **II. SUPPLEMENTAL INFORMATION**

**Current Zoning:** R-5

**Proposed Zoning:** C-2

**Corresponding Zoning Case:** Z2012222

**Zoning Commission Public Hearing Date:** November 6, 2012

## **III. RECOMMENDATION**

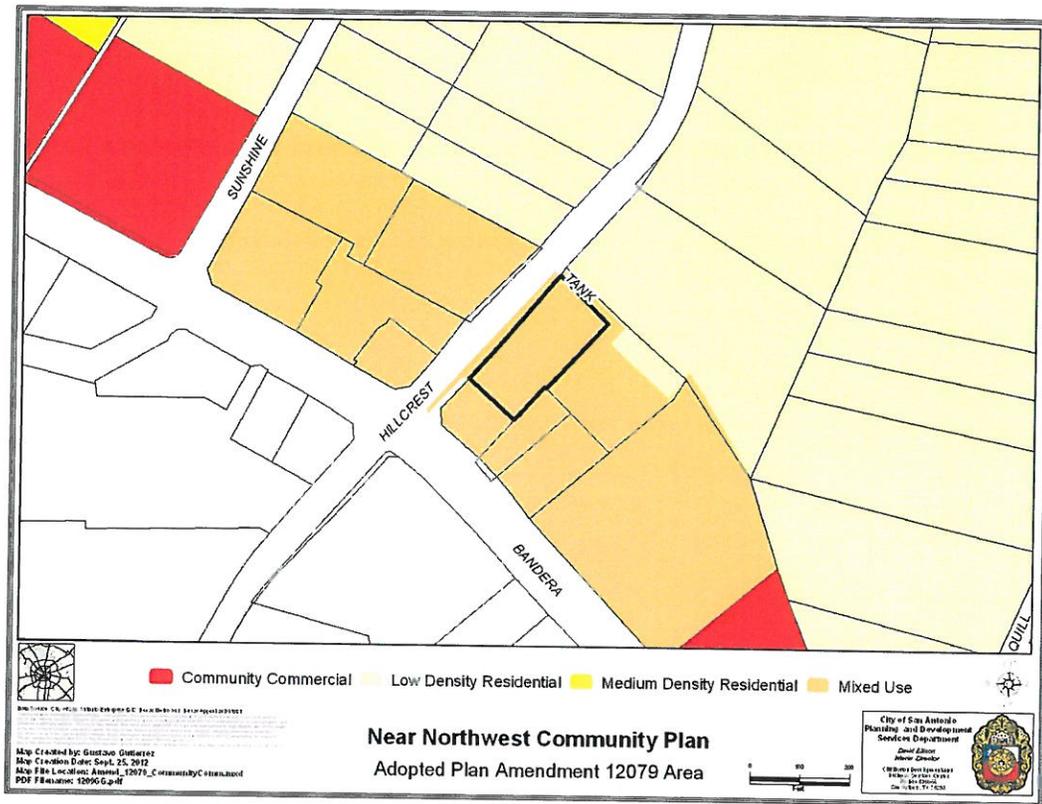
The subject property is surrounded by commercial uses to the south, east and west. It is located with frontage on a major arterial and at the intersection of two major arterials. Its location, which includes a major commercial node and the general surrounding conditions which include a mix of commercial uses along Bandera Road make it appropriate for Community Commercial.

## **IV. ATTACHMENTS**

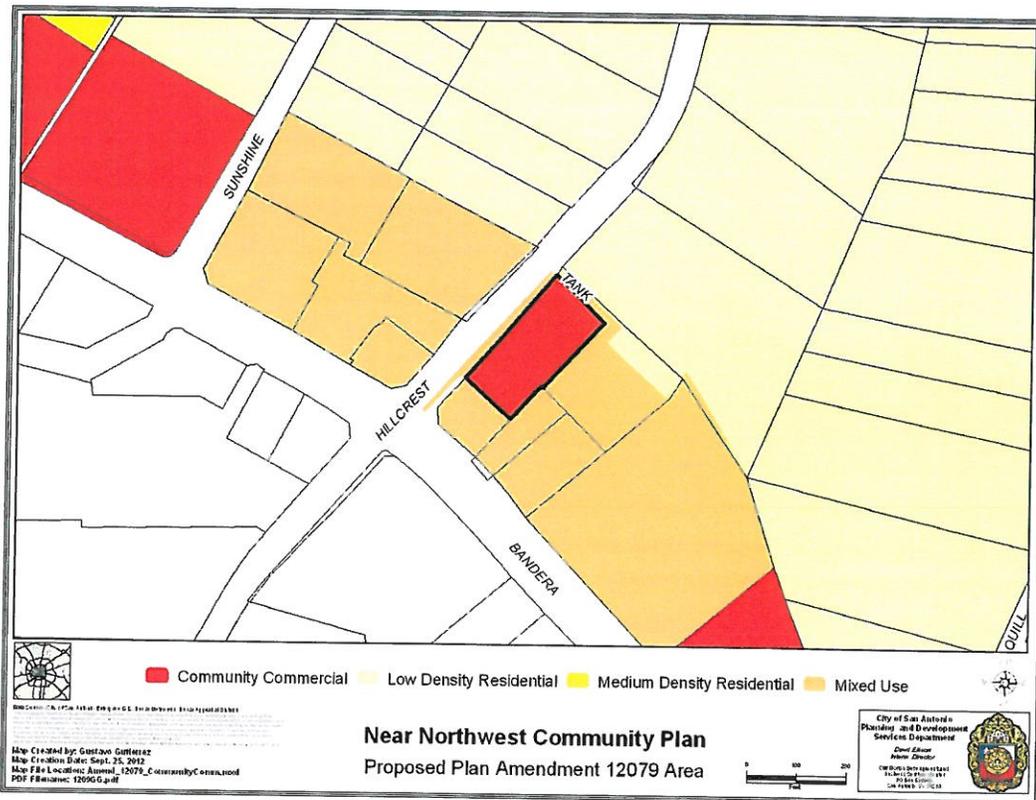
- A. Plan Amendment Maps
- B. Aerial Map

# Attachment A

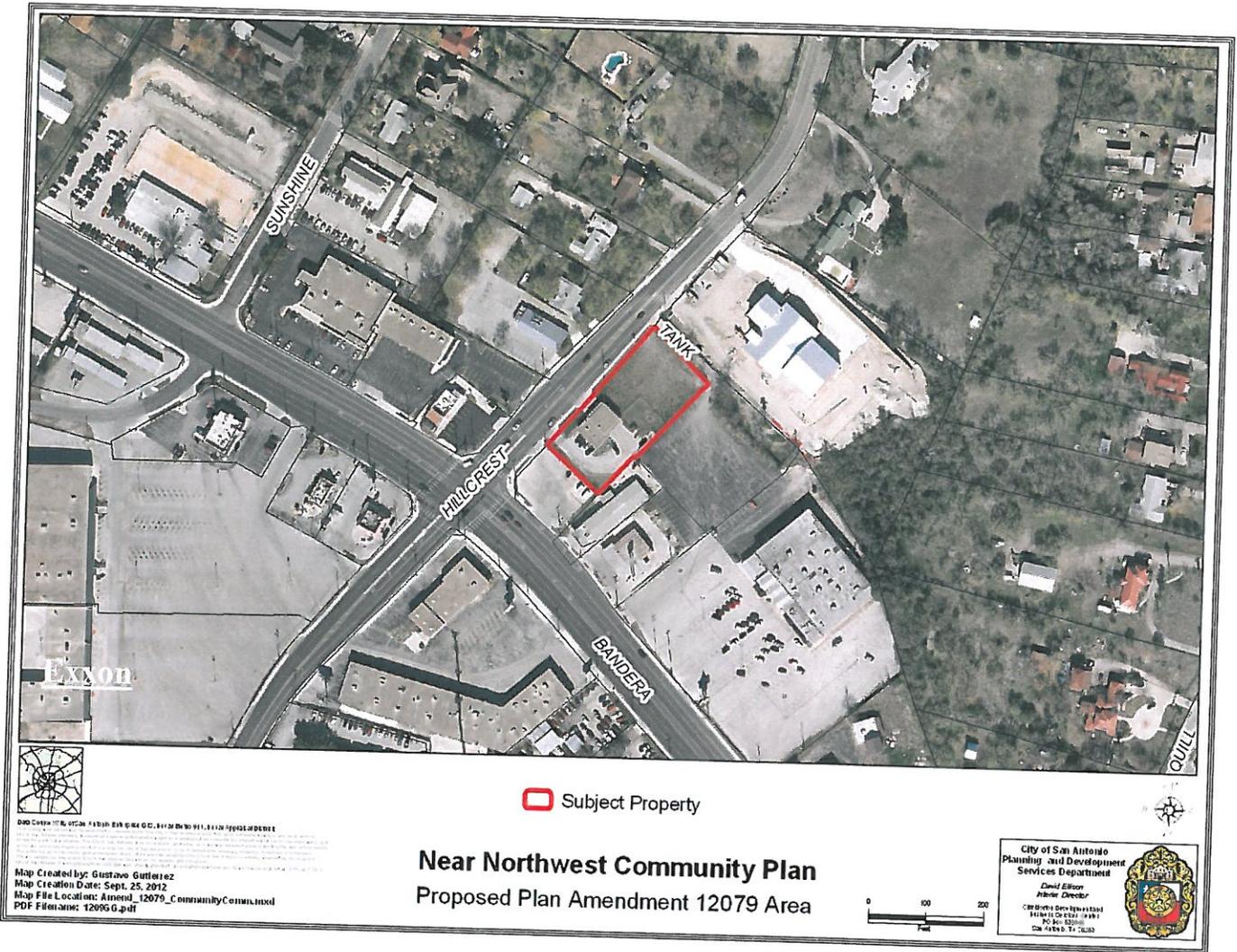
## Land Use Plan as adopted:



## Proposed Amendment:



Attachment B



**RESOLUTION NO.**

**RECOMMENDING TO APPROVE THE AMENDMENT OF THE LAND USE PLAN CONTAINED IN THE NEAR NORTHWEST COMMUNITY PLAN, A COMPONENT OF THE COMPREHENSIVE MASTER PLAN OF THE CITY, BY CHANGING THE USE FROM MIXED USE TO COMMUNITY COMMERCIAL FOR AN AREA OF APPROXIMATELY 0.8413 ACRES LOCATED AT 1518 HILLCREST DRIVE.**

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

**WHEREAS**, the May 3, 2001 Unified Development Code requires consistency between zoning and the Comprehensive 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 October 24, 2012 and **APPROVED** the amendment on October 24, 2012; and

**WHEREAS**, the San Antonio Planning Commission has considered the effect of this amendment to the Comprehensive 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 Near Northwest 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 24<sup>th</sup> DAY OF OCTOBER 2012.

Attest:

Approved:

\_\_\_\_\_  
Executive Secretary  
San Antonio Planning Commission

\_\_\_\_\_  
Chair  
San Antonio Planning Commission



# CITY OF SAN ANTONIO

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

NEIGHBORHOOD PLANNING AND URBAN DESIGN DIVISION

STAFF REPORT

AGENDA NO. 22

**Public Hearing:**

Planning Commission

October 24, 2012

**Case Number:**

PA 12080

**Applicant:**

Kaufman & Killen, Inc.

**Representative:**

Kaufman & Killen, Inc.

**Owner:**

Henrietta Investment Partners

**Staff Coordinator:**

Robert C. Acosta, Planner

(210) 207-0157

racosta@sanantonio.gov

**Property Address/Location:**

1.377 acres of land out of Lot 1, Block 3, NCB 16161 located approximately 350 feet west of the intersection of Blanco Road and Wurzbach Parkway

**Legal Description:**

1.377 acres of land out of Lot 1, Block 3, NCB 16161 located approximately 350 feet west of the intersection of Blanco Road and Wurzbach Parkway

**Tract Size:**

1.377 acres

**Council District(s):**

District 9

**Notification:**

Published in Daily Commercial Recorder 10/5/2012

Notices Mailed 10/11/2012

- 4 to property owners within 200 feet
- No registered neighborhood association within 200 feet
- 1 to applicant
- Internet Agenda Posting 10/19/2012

**REQUEST**

The Applicant requests a Master Plan Amendment to change the future land use plan contained in the San Antonio International Airport Vicinity Land Use Plan from Neighborhood Commercial to Mixed Use.

**RECOMMENDED ACTION**

**Approval of the proposed amendment** to change from Neighborhood Commercial to Mixed Use.

**ALTERNATIVE ACTIONS**

1. Recommend denial of the proposed amendment to the San Antonio International Airport Vicinity Land Use Plan, as presented above.
2. Make an alternate recommendation.
3. Continue to a future date.

**SYNOPSIS OF ANALYSIS**

**Land Use:**

The Mixed Use classification supports the San Antonio International Airport Vicinity Land Use Plan that encourages development along its business corridors to include arterials at major intersections. The proposed use should have minimal impact, if any, on adjacent properties.

**Transportation:**

The existing transportation infrastructure could support any additional demand generated by the requested land use change.

**Community Facilities:**

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

**CASE HISTORY**

This is the first public hearing of this case.

**I. ANALYSIS**

| <b>Comprehensive Plan Analysis</b>  |                             |
|---|-----------------------------|
| <b>Comprehensive Plan Component: San Antonio International Airport Vicinity Land Use Plan</b>   |                             |
| <b>Plan Adoption Date:</b> May 20, 2010   | <b>Update History:</b> None |
| <b>Land use Plan, pg. 26: Encourage compatible commercial uses along corridors that serve the neighborhoods and more intense commercial uses at major intersection nodes.</b> |                             |
| The proposed development is consistent with the above-stated objectives of the San Antonio International Airport Vicinity Land Use Plan.                                      |                             |

| <b>Land Use Overview</b> |  |                                    |
|--------------------------|--|------------------------------------|
|                          | <b>Future Land Use Classification</b>                | <b>Current Use</b>                 |
| Subject Property         | Neighborhood Commercial                              | Vacant                             |
| North                    | Neighborhood Commercial and Parks/Open Space         | Vacant land and City park          |
| East                     | Neighborhood Commercial and High Density Residential | Vacant land and Multi-family homes |
| South                    | Right of Way and Mixed Use                           | Wurzbach Parkway and Vacant land   |
| West                     | Neighborhood Commercial and Parks/Open Space         | Vacant land and City Park          |

**Land Use:** The subject property is located on the north side of Wurzbach Parkway just west of the intersection of Blanco Road and Wurzbach Parkway and located within the boundaries of the San Antonio International Vicinity Land Use Plan. The subject property is a vacant lot and located in an area that is heavily wooded to the north, east and west. Hardberger Park which is a 300 acre natural area is directly north and west of the subject property. The San Antonio International Airport Vicinity Land Use Plan classifies the subject property and the areas to the north, east and west as Neighborhood Commercial. The subject property abuts the Wurzbach Parkway to the south. The applicant requests to change the future land use from Neighborhood Commercial to Mixed Use.

The applicant requests this plan amendment and associated zoning change to include this tract as part of the overall development of the entire 5.826 acre tract. It is anticipated that approximately 0.925 acres will be donated to Hardberger Park and the remaining 4.901 acres will be used for the proposed commercial development. The subject property is located with frontage to the access road of a major arterial and near the intersection of two major arterials. Its location and the general surrounding conditions which include Hardberger Park to the north, Neighborhood Commercial and High Density Residential uses to the east, the Mixed Uses to the south and the mix of commercial uses along Blanco Road make it appropriate for Mixed Use. The Mixed Use classification supports the San Antonio International Airport Vicinity Land Use Plan that encourages development along its business corridors to include arterials at major intersections. The proposed use should have minimal impact, if any, on adjacent properties.

The Neighborhood Commercial classification includes low intensity commercial uses such as small scale retail or offices, professional services, convenience retail, and shopfront retail that serve a market equivalent to a neighborhood. Neighborhood Commercial uses should be located at intersection of collector streets and higher order streets within walking distance of a neighborhood residential areas, or along arterials where an existing commercial area is already established. Examples are flower shops, small restaurants, lawyer’s offices, coffee shops, hairstylist or barber shops, book stores, copy service, dry cleaning, or convenience stores without gasoline.

The Mixed Use classification provides for a mix of low intensity residential and commercial uses. This classification allows for a mix of uses in the same building or in the same development. Shared parking

should be located to rear of structure, and there should be limited curb cuts. This classification includes community commercial uses and low and medium density residential uses. Examples are professional/personal services, shop front retail with restaurants, cafes and gift shops.

**Transportation:** Blanco Road is designated a Secondary Arterial Type A. Wurzbach Parkway is designated a Super Arterial Type A. The Blanco Road/Wurzbach Parkway intersection is included in the TxDOT Wurzbach Parkway Extension Project. Improvements currently underway include the construction of an overpass over Blanco Road and new on-off ramps for Wurzbach Parkway. Mixed use developments often generate fewer vehicle trips than single-use developments because residential, retail, and office uses are within walking distance. The existing transportation infrastructure could support any additional demand generated by the requested land use change.

**Community Facilities:** Hardberger Park abuts the subject property and the Salado Creek Greenway is within walking distance. Churchill High School is in close proximity to the south. The existing community facilities could support additional demand, if any, generated by the requested land use change.

## **II. SUPPLEMENTAL INFORMATION**

**Current Zoning:** MF-33 AHOD

**Proposed Zoning:** C-2 AHOD

**Corresponding Zoning Case:** Z2012224

**Zoning Commission Public Hearing Date:** November 6, 2012

## **III. RECOMMENDATION**

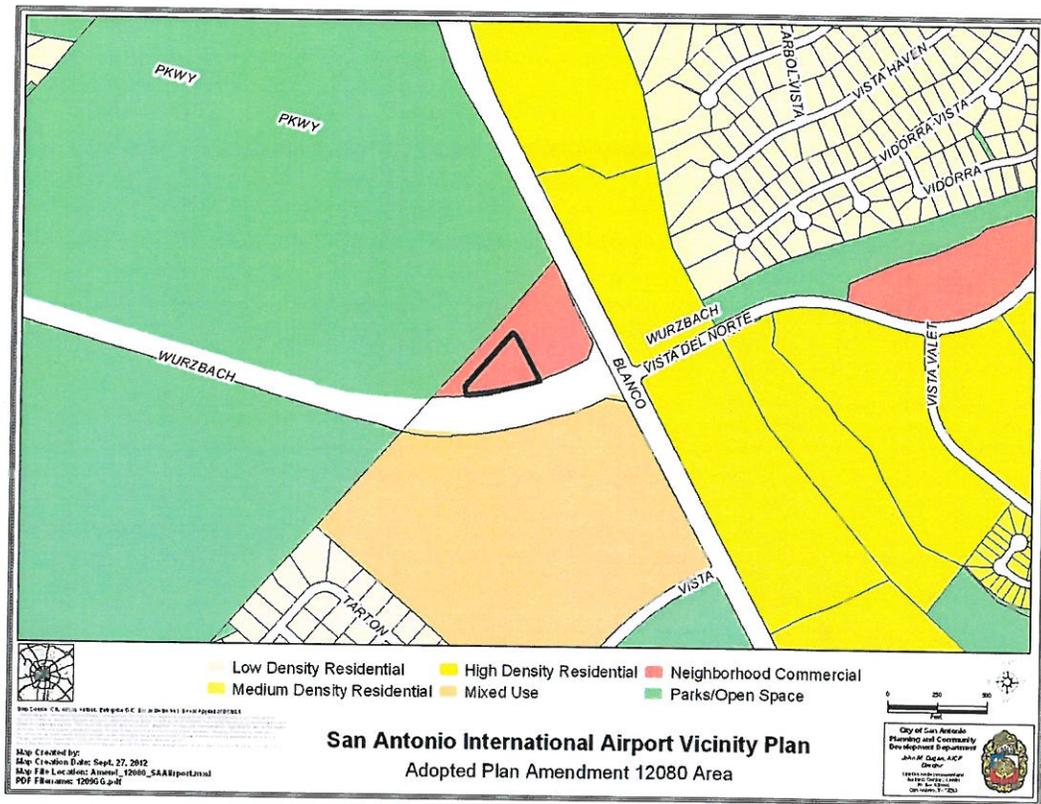
The subject property is located with frontage to the access road of a major arterial and near the intersection of two major arterials. Its location and the general surrounding conditions which include Hardberger Park to the north, Neighborhood Commercial and High Density Residential uses to the east, the Mixed Uses to the south and the mix of commercial uses along Blanco Road make it appropriate for Mixed Use. The Mixed Use classification supports the San Antonio International Airport Vicinity Land Use Plan that encourages development along its business corridors to include arterials at major intersections. The proposed use should have minimal impact, if any, on adjacent properties.

## **IV. ATTACHMENTS**

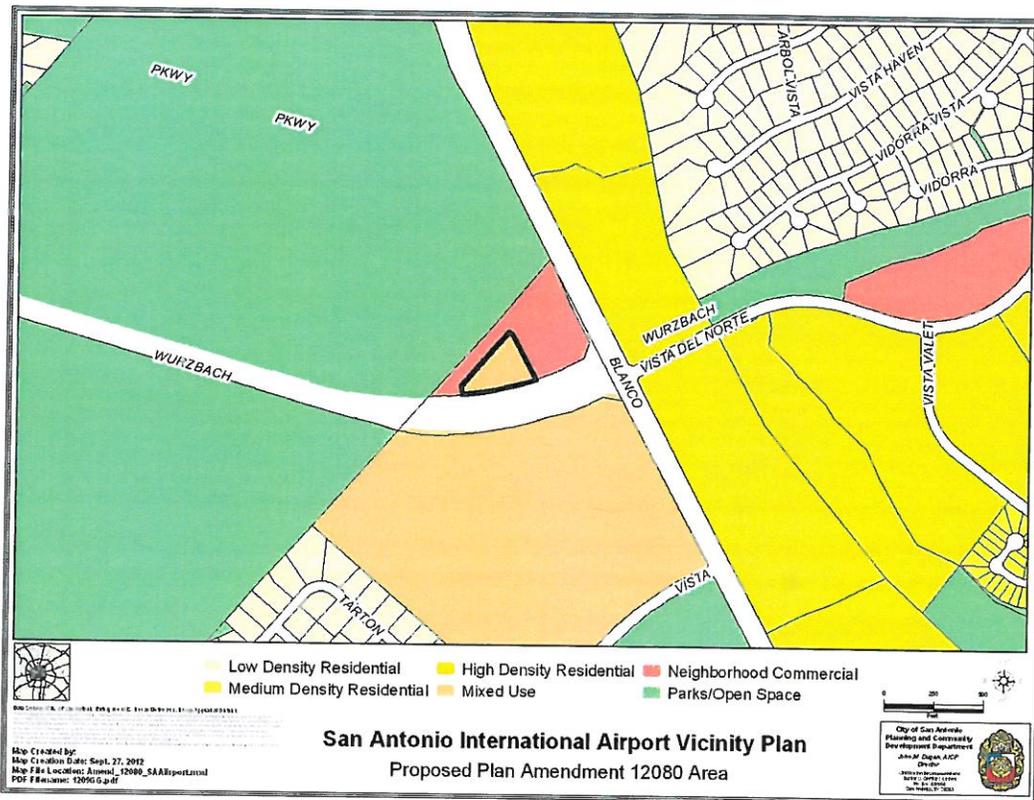
- A. Plan Amendment Maps
- B. Aerial Map

## Attachment A

### Land Use Plan as adopted:



### Proposed Amendment:





**RESOLUTION NO.**

**RECOMMENDING TO APPROVE THE AMENDMENT OF THE LAND USE PLAN CONTAINED IN THE SAN ANTONIO INTERNATIONAL AIRPORT VICINITY LAND USE PLAN, A COMPONENT OF THE COMPREHENSIVE MASTER PLAN OF THE CITY, BY CHANGING THE USE FROM NEIGHBORHOOD COMMERCIAL TO MIXED USE OF APPROXIMATELY 1.377 ACRES OF LAND OUT OF LOT 1, BLOCK 3, NCB 16161 LOCATED APPROXIMATELY 350 FEET WEST OF THE INTERSECTION OF BLANCO ROAD AND WURZBACK PARKWAY.**

**WHEREAS**, City Council approved the San Antonio International Airport Vicinity Land Use Plan as an addendum to the Comprehensive Master Plan on May 20 2010; and

**WHEREAS**, the May 3, 2001 Unified Development Code requires consistency between zoning and the Comprehensive 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 October 24, 2012 and **APPROVED** the amendment on October 24, 2012; and

**WHEREAS**, the San Antonio Planning Commission has considered the effect of this amendment to the Comprehensive 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 San Antonio International 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 24<sup>th</sup> DAY OF OCTOBER 2012. .

Attest:

Approved:

\_\_\_\_\_  
Executive Secretary  
San Antonio Planning Commission

\_\_\_\_\_  
Chair  
San Antonio Planning Commission



# CITY OF SAN ANTONIO

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

NEIGHBORHOOD PLANNING AND URBAN DESIGN DIVISION

STAFF REPORT

AGENDA NO. 23

**Public Hearing:**

Planning Commission  
October 24, 2012

**Case Number:**

PA 12081

**Applicant:**

NuStar Refinery, LLC

**Representative:**

Kaufman and Killen, Inc.

**Owner:**

NuStar Refinery, LLC

**Staff Coordinator:**

Tyler Sorrells, AICP, Planner  
(210) 207-7395  
[tyler.sorrells@sanantonio.gov](mailto:tyler.sorrells@sanantonio.gov)

**Property Address/Location:**

Southwest corner of South Presa  
Street and Southeast Military Drive.

**Legal Description:**

NCB 10931 Lot 5B

**Tract Size:**

8.84 acres

**Council District(s):**

District 3

**Notification:**

Published in Daily Commercial  
Recorder 10/5/2012  
Notices Mailed 10/11/2012

- 7 to property owners within 200 feet
- No registered neighborhood association within 200 feet
- 14 to planning team members

Internet Agenda Posting 10/19/2012

**REQUEST**

The Applicant requests a Master Plan Amendment to change the Stinson Airport Vicinity Land Use Plan future land use classification for the property subject to this application from Community Commercial to Light Industrial.

**RECOMMENDED ACTION**

**Approval of the proposed amendment** from Community Commercial to Light Industrial.

**ALTERNATIVE ACTIONS**

1. Recommend denial of the proposed amendment to the Stinson Airport Vicinity Land Use Plan, as presented above.
2. Make an alternate recommendation.
3. Continue to a future date.

**SYNOPSIS OF ANALYSIS**

**Land Use:**

The requested Light Industrial classification would also serve as a transitional land use between the commercially designated properties to the north.

**Transportation:**

Presa Street and Southeast Military Drive are classified as arterial roadways. The plan amendment is primarily intended to accommodate a parking facility for truck traffic entering and leaving the adjacent NuStar refinery. Truck traffic into and out of the refinery facility must currently queue along Presa Street which impedes vehicular street along the roadway. The proposed amendment would help mitigate this significant negative impact on the adjacent community.

**Community Facilities:**

The subject property is approximately 120 feet east of the San Antonio River and there is an existing railroad right of way immediately abutting the subject property. Additionally, the proposed land use would serve to lessen the impact of truck traffic transiting the area along South Presa Street. This would be advantageous to nearby community facilities such as the Center for Infectious Disease and Stinson Municipal Airport. Additionally, the subject property is in the San Antonio River Authority's Mission Reach Ecosystem Restoration and Recreation Project area. The distance between the subject property and the river as well as the railroad right of way abutting the subject property is anticipated to provide an adequate buffer for the Mission Reach project.

## CASE HISTORY

This is the first public hearing of this case.

### I. ANALYSIS

| Comprehensive Plan Analysis  |                            |
|--|----------------------------|
| <b>Comprehensive Plan Component:</b> Stinson Airport Vicinity Land Use Plan  |                            |
| <b>Plan Adoption Date:</b> April 2, 2009   | <b>Update History:</b> N/A |
| <b>Goal I: Protect the quality of life of residents including health, safety, and welfare</b><br>The requested classification is intended to accommodate a parking facility that will allow truck traffic currently queuing on South Presa Street to enter the refinery. The proposed parking facility will enhance the quality of life for residents in the vicinity of the subject property by decreasing the congestion caused by the truck traffic entering and exiting the existing NuStar facility. Additionally, the Light Industrial classification will further improve the quality of life and safety of residents by limiting the current refinery facility's ability to expand operations in the future. The proposed land use classification will also serve as a buffer between the commercially classified properties to the north and the refinery to the south, thus facilitating a more appropriate land use transition. |                            |
| <b>Goal II: Encourage economic growth that enhances airport operations and surrounding development.</b><br>The Light Industrial classification accommodates a range of light manufacturing uses, as well as warehousing, which could service future potential aviation operations, such as air freight, at the Stinson Municipal Airport. This is consistent with the Stinson Airport Vicinity Land Use Plan's focus on economic development compatible with aviation operations.  |                            |
| <b>Objective 3.1 Maintain and improve the Interstate Highway System, major arterials, and local streets as warranted</b><br>The subject property is in the vicinity of the intersection of South Presa Street and Southeast Military Drive, which are both classified as arterial roadways. The portion of South Presa that is adjacent to the subject property and the NuStar refinery currently experiences severe disruption due to truck traffic queuing along South Presa Street. The proposed amendment would mitigate this traffic disruption and its impact on residents by accommodating a parking facility that would allow truck traffic to exit thus improving traffic circulation in the area.  |                            |

| Land Use Overview |  |  |
|-------------------|--|--|
|                   | Future Land Use Classification                 | Current Use  |
| Subject Property  | Community Commercial                           | Vacant   |
| North             | Community Commercial                           | Vacant   |
| East              | Community Commercial, High Density Residential | Vacant, Apartments                                       |
| South             | Parks/Open Space, Light Industrial             | San Antonio River, Petroleum Refinery                    |
| West              | Community Commercial, Parks/Open Space         | Vacant auto sales facility, Vacant and San Antonio River |

**Land Use:** The subject property is located approximately 230 feet south of the intersection of South Presa Street and Southeast Military Drive. The subject property is classified as Community Commercial in the Stinson Airport Vicinity Land Use Plan, as are most of the surrounding properties south and southwest of the intersection. The subject property abuts the San Antonio River which is classified as Parks/Open Space.

The proposed land use classification would serve to facilitate the mitigation of truck traffic that currently poses severe negative impacts to traffic along South Presa. This is consistent with the Plan's goal of improving the maintenance and functionality of arterials in the planning area. Also, by accommodating

warehousing and light manufacturing uses the requested plan amendment could facilitate development that is focused on uses such as air freight and maintenance. These types of uses would be compatible with the Stinson Airport Vicinity Land Use Plan's focus on encouraging uses that enhance airport operations.

The Stinson Airport Vicinity Land Use Plan classifies the subject property as Community Commercial. Community Commercial includes medium intensity uses that serve two or more neighborhoods. These uses should be located at nodes on arterials at major intersections or where an existing commercial area has been established. Off-street parking and loading areas adjacent to residential uses should have buffer landscaping, lighting, and signage controls. Examples include cafes, offices, restaurants, neighborhood groceries or markets, and medical clinics. Light Industrial includes a mix of light manufacturing uses and limited ancillary retail and supplier uses that service the industrial uses. These uses should include proper screening and buffering, and be compatible with adjoining uses. Outside storage is not permitted. Examples include sporting goods manufacturing, machine shops, clothing manufacturers, sign manufacturers, auto paint and body shops, building contractors suppliers, and warehousing

**Transportation:** South Presa Street is classified as a Secondary Arterial Type B. Southeast Military Drive is classified as a Primary Arterial Type A. There is a VIA bus stop located at the southeast corner of South Presa Street and Southeast Military Drive. The proposed plan amendment, by reducing the number of heavy trucks queuing on South Presa, is anticipated to generate a significant reduction in the number of heavy trucks loitering on South Presa. This reduction in traffic will result in significant improvements in maintenance and traffic circulation in the area. This is consistent with the Plan's to maintain and improve arterials throughout the planning area.

**Community Facilities:** The subject property is approximately 0.20 miles southwest of the Texas Center for Infectious Disease. The subject property is also approximately 115 feet east of the San Antonio River. The subject property is also approximately 0.8 miles northeast of Espada Park and Stinson Municipal Airport. The proposed amendment is not anticipated to pose negative impacts to community facilities in the wider planning area.

## II. SUPPLEMENTAL INFORMATION

**Current Zoning:** C-2 H RIO-6 MC-2 AHOD

**Proposed Zoning:** L H RIO-6 MC-2 AHOD

**Corresponding Zoning Case:** Z2013002

**Zoning Commission Public Hearing Date:** November 6, 2012

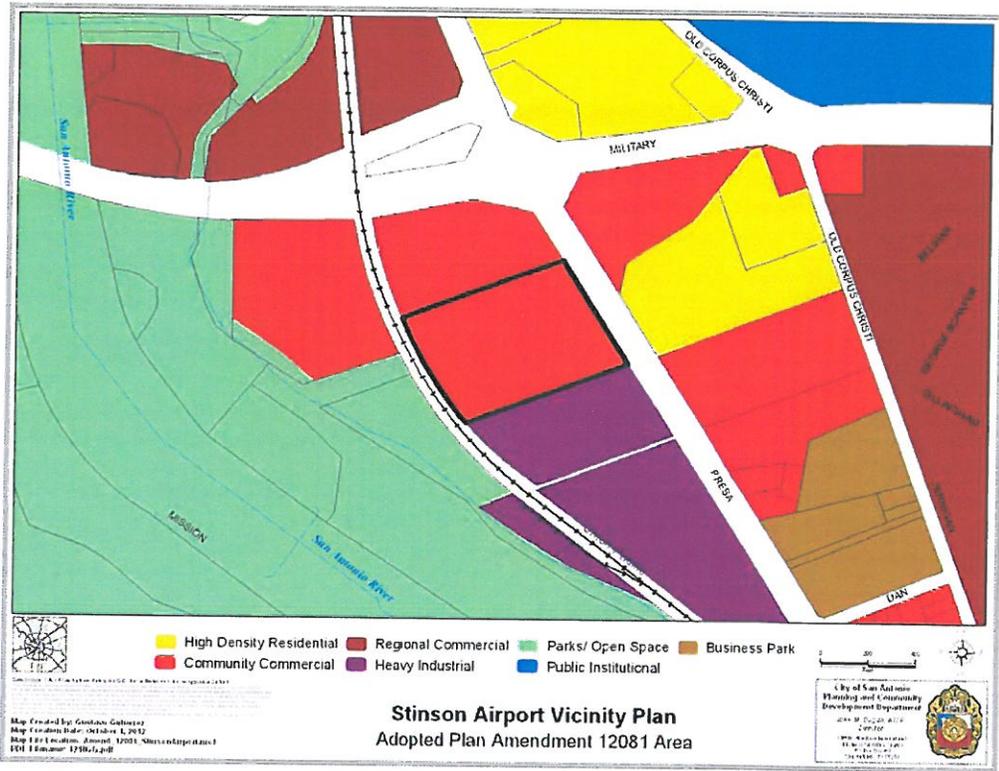
## III. RECOMMENDATION

**Approval.** The proposed plan amendment would accommodate expansion of a land use that is compatible with development in the immediate vicinity of the subject property and is consistent with multiple goals in the adopted land use plan. The surrounding community would be substantially served by the removal of truck traffic from South Presa Street.

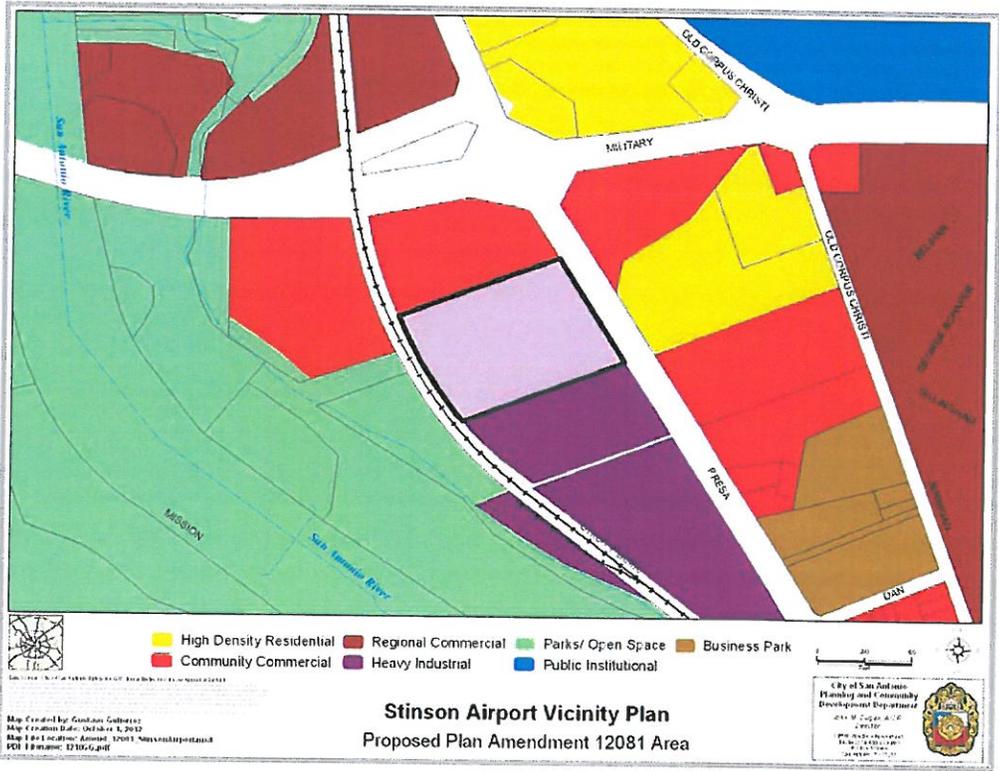
## IV. ATTACHMENTS

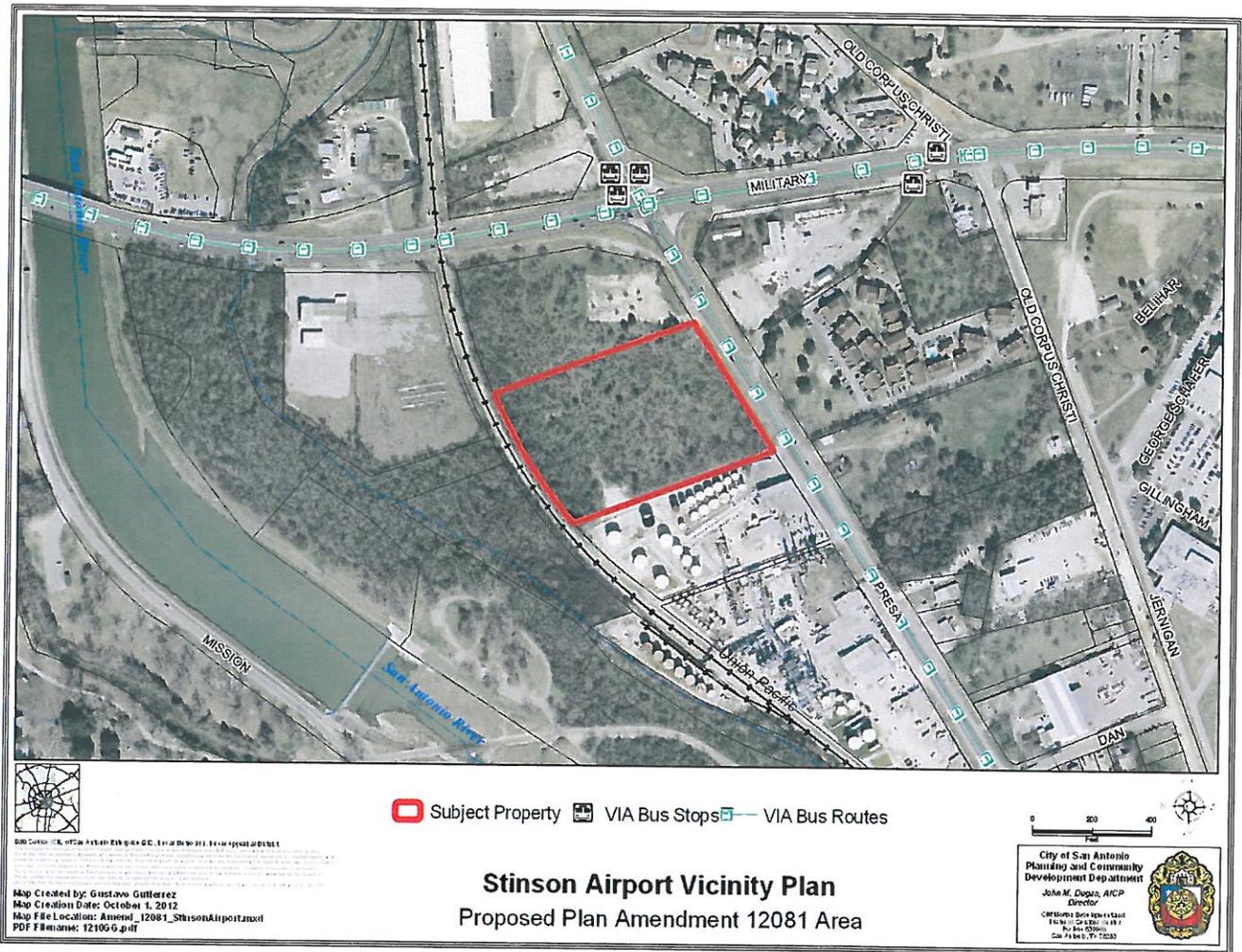
- A. Plan Amendment Maps
- B. Aerial Map

Future Land Use Plan as adopted:



Proposed Amendment:





**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 COMPREHENSIVE MASTER PLAN OF THE CITY, BY CHANGING THE USE FROM COMMUNITY COMMERCIAL TO LIGHT INDUSTRIAL FOR AN AREA OF APPROXIMATELY 8.84 ACRES LOCATED AT THE SOUTHWESTERN CORNER OF SOUTH PRESA STREET AND SOUTHEAST MILITARY DRIVE.**

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

**WHEREAS**, the May 3, 2001 Unified Development Code requires consistency between zoning and the Comprehensive 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 Comprehensive 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 October 24, 2012 and **APPROVED** the amendment on October 24, 2012; and

**WHEREAS**, the San Antonio Planning Commission has considered the effect of this amendment to the Comprehensive 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 24<sup>th</sup> DAY OF OCTOBER 2012.

Attest:

Approved:

\_\_\_\_\_  
Executive Secretary  
San Antonio Planning Commission

\_\_\_\_\_  
Chair  
San Antonio Planning Commission



# CITY OF SAN ANTONIO

OFFICE OF THE CITY ATTORNEY

DEVELOPMENT SERVICES DIVISION

STAFF REPORT

AGENDA NO. 24

**Public Hearing:**

Planning Commission  
October 24, 2012

**Application/Case Number:**

N/A

**Applicant:**

City of San Antonio

**Representative:**

Office of the City Attorney  
c/o Paul Wendland, III

**Owner:**

N/A

**Staff Coordinator:**

Paul Wendland, III, Assistant City  
Attorney  
(210) 207-8961  
Paul.wendlandiii@sanantonio.gov

**Property Address/Location:**

City-wide

**Council District(s):**

City-wide

**Notification:**

Internet Agenda Posting October 19,  
2012

**REQUEST**

Briefing on amendments to the Unified Development Code (UDC) sections 35-388, 35-424, 35-488, 35-497, 35-A101 and 35-B118 relative to Sexually Oriented Business use regulations, licensing and appeal procedures, penalties, definitions and application requirements.

**RECOMMENDED ACTION**

This item is a briefing of proposed UDC amendments to the Planning Commission. No action is required at this time.

**AN ORDINANCE**

**AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, OF THE CITY CODE OF SAN ANTONIO, TEXAS, BY AMENDING PROVISIONS REGARDING SEXUALLY ORIENTED BUSINESSES; AMENDING DEFINITIONS; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION.**

\* \* \* \* \*

**WHEREAS**, the San Antonio City Council adopted the revised Unified Development Code (UDC) on September 22, 2005; and

**WHEREAS**, the Zoning Commission has recommended approval of those amendments pertaining to zoning issues; and

**WHEREAS**, the Planning Commission has recommended approval of those amendments pertaining to planning issues; **NOW THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The City Code of San Antonio, Texas is hereby amended by adding the language that is underlined (added) and deleting the language that is stricken (~~deleted~~) to the existing text as set forth in this Ordinance.

**SECTION 2.** Chapter 35 of the City Code of San Antonio, Texas is hereby amended as follows:

\* \* \* \*

Chapter 35, Article III, Section 35-388 is amended as follows:

**Sec. 35-388. - Sexually Oriented Business Regulations.**

These regulations are authorized by V.T.C.A. Local Government Code Ch. 243.

- (a) **Applicability.** These regulations shall apply to all sexually oriented businesses operating on or after the effective date of this chapter. Further, any sexually oriented business annexed by the city after the effective date of this chapter shall be subject to all the requirements of this section. Existing sexually oriented businesses shall refer to this section and to nonconforming use regulations (article VII, division 1 of this chapter) to determine their appropriate classification.
- (b) **Property Uses Requiring Separation.** Notwithstanding any provision of this chapter to the contrary, it shall be a violation to use or occupy land or a

building for the purpose of operating or maintaining a sexually oriented business within one thousand (1,000) feet from property (referenced within this section as "protected property," "protected use," or "protected zone") that is described as follows:

- (1) Another sexually oriented business;
  - (2) Any property located within an "RP" or a residential zoning district boundary, whether temporary or permanent, or devoted to a residential use, including any land zoned for one (1) of the aforementioned residential uses which is also described as a planned unit development or traditional neighborhood development, but excluding airports;
  - (3) Any place of regular religious worship, including property used as a devoted to church, synagogue, mosque, or other religious worship facility used primarily for religious worship;
  - (4) Any public or private elementary, secondary or high school; ~~or~~
  - (5) Any public park; or -
  - (6) Any licensed child care facility.
- (c) Method of Measurement and Survey Requirements.
- (1) Sole Tenant. Measurements shall be in a straight line, without regard to intervening structures or objects, from the nearest property line of the lot on which the sexually oriented business is located, to the nearest property line of the protected properties described in the above subsection (a), which requires separation. This method of measurement shall apply to a sexually oriented business that ~~which~~ is the sole tenant within one (1) building located on one (1) platted lot.
  - (2) Multiple Tenants. Measurements shall be in a straight line, without regard to intervening structures or objects, from the nearest point of the occupied space of the sexually oriented business to the nearest property line of the protected property described in the above subsection (a) which requires separation. This method of measurement shall apply to a sexually oriented business that ~~which~~ is a tenant within a multiple tenant building.
  - (3) Easements Excluded. In calculating the distances described in subsections (b)(1) and (b)(2) above easements (such as right-of-way, drainage and utility easements) that are zoned as, or abut, a protected property classification, shall not be considered as part of the protected property.

- (4) Surveyor. A certified survey prepared by a licensed surveyor or licensed engineer showing distance measurements in accordance with (1) and (2) of this subsection shall be submitted to the director of ~~planning and development services~~ for all sexually oriented businesses as part of the application for the certificate of occupancy for the use. Any certificate of occupancy issued for a building or facility used to conduct a sexually oriented business without submission of the required survey shall be null and void.
- (d) Downtown District Prohibition. In addition to the location restrictions of subsection (a), it shall be a violation to operate, own, manage, or maintain a sexually oriented business within the "D" Downtown zoning district boundary.
- (e) Nonconforming Rights. See section 35-708 of this chapter.
- ~~(f)~~(1) Annexation. Any sexually oriented business annexed by the city after the effective date of this chapter shall be subject to all the requirements of this section.
- ~~(g)~~(f) Certificate of Occupancy. See subsection 35-424(c) for procedures for issuance of a certificate of occupancy for a sexually oriented business use.
- ~~(h)~~(g) Violations Subject to Criminal and Civil Penalties. See section 35-497 of this chapter.

\* \* \* \* \*

Chapter 35, Article IV, Section 35-424 is amended as follows:

**Sec. 35-424. - Ministerial Permits or Approvals.**

*STATEMENT OF PURPOSE*

*The purpose of this section is to prescribe procedures for permits ~~that which~~ do not require quasi-judicial or legislative notice or a public hearing. A public hearing is not required for permits set forth in this section for one (1) or more of the following reasons:*

- If required, public hearings have already been conducted relating to the permit application, and the permit application procedure is designed to ensure that the proposed use complies with a previously approved subdivision plat, master development plan, specific plan, comprehensive plan amendment, or conditional rezoning (e.g., building permit, certificate of occupancy).*
- The proposed use is permitted by right in the applicable zoning district (e.g., building permit, certificate of occupancy).*

- *The proposed use is subject to expedited review in order to avoid an unconstitutional prior restraint on speech (e.g., sexually oriented businesses, signs) or because of federal law (e.g., telecommunications permits).*

(a) Generally (Development Permits and Building Permits).

- (1) Applicability. No development or development activity may be undertaken within any incorporated territory of the city unless all development permits applicable to the proposed development are issued in accordance with the provisions of this chapter. Permits are required for all development, unless otherwise excepted, to ensure compliance with the various adopted codes, standards and laws and to ensure consistency with the master plan and policies of the city.
- (2) Initiation. The applicant shall file a complete application for a building permit with the director of ~~planning and development services~~ on a form prescribed by the ~~director~~ department of planning and development services. If master development plan review is required in accordance with section 35-412 or 35-413 of this chapter, the approved master development plan shall be submitted with the application for a building permit. An application for a master development plan is available from the department of planning and development services. If the proposed development or development activity is not subject to master development plan review, the building permit application shall include the information required by Appendix "B" to this chapter. The director ~~of planning and development services~~ shall assist the applicant in determining which materials are required for a submittal. Building permit applications are required and available from the department of ~~planning and development services~~.
- (3) Completeness Review. The director ~~of planning and development services~~ shall review an application for completeness within two (2) working days. The appellate agency for purposes of completeness review (see subsection 35-402(c) of this chapter) shall be the board of adjustment.
- (4) Decision. When the required materials are submitted to each respective department, the department of ~~planning and development services~~ shall review its application for conformance with applicable building codes and for conformance with this chapter. Within five (5) working days of receipt of a complete application, the director ~~of planning and development services~~ shall approve, approve with conditions, or deny the application for a building permit for purposes of this chapter.<sup>4\*</sup> Applications which are denied shall have the reasons for denial, in writing, attached to the application. If the director ~~of planning and development services~~ fails to render a decision relating to the building

permit application within this time period, the application shall be deemed approved. Such time periods shall not prevent the applicant and the city from agreeing to extend the city's response time contained in this subsection.

<sup>4</sup>Note: This subsection does not apply to review of the building permit application for purposes of compliance with the building code in which case the department of ~~planning and~~ development services shall respond within thirty-five (35) days.

- (5) Approval Criteria. The building permit shall be issued by the director only if the application complies with all applicable provisions of this chapter and any approved specific use authorization, conditional rezoning or master development plan.
  - (6) Subsequent Applications. Not applicable.
  - (7) Amendments. Any revision to an application for a building permit shall be processed in the same manner as the original application.
  - (8) Scope of Approval. The building permit shall be valid for a period of one hundred eighty (180) days in accordance with the International Building Code.
  - (9) Recording Procedures. An application for a building permit shall be maintained in the files of the department of ~~planning and~~ development services provided, however, that the applicant shall have the responsibility to maintain an original signed copy of the approved building permit.
- (b) Certificate of Occupancy. Certificate of occupancy for improvements to the premises shall be issued in accordance with chapter 6 of the City Code and the International Building Code. No certificate of occupancy shall be issued if said development activities do not conform to the applicable zoning district boundary or the approved master development plan, subdivision plat, or other previously issued permit or development order. The director of ~~planning and development services~~ may issue a temporary certificate of occupancy pursuant to the building code. A certificate of occupancy shall not be required for a single-family dwelling unit, a child care facility which does not require a state license, or a home occupation.
- (c) Zoning Determination Certificate of Occupancy for a Sexually Oriented Business use. (See Sexually Oriented Business Regulations)
- (1) Applicability. No sexually oriented business use shall be commenced or established unless and until a zoning determination for the use certificate

~~of occupancy~~ has been issued by the director and a license for the use has been issued by the Chief of Police.

- (2) Initiation. The applicant shall file a complete application for a zoning determination for the use with the director ~~of planning and development services~~. The application shall be on a form prescribed by the director and include the information prescribed by Appendix "B", Section 35-B118 35-B117.
- (3) Completeness Review. See subsection 35-424 (a)(3) ~~of this section~~. An applicant may appeal a determination by the director that an application is incomplete. The director shall schedule the appeal for hearing and decision at the next available regularly scheduled zoning board of adjustment meeting that will allow compliance with the Texas Open Meetings Act. The board of adjustment shall render its decision affirming or denying the decision application of the director within ten (10) days. If the board of adjustment fails to render its decision, the application shall be deemed complete and the director ~~of planning and development services~~ shall process the application as provided in subsection (4), below.
- (4) Decision. The director ~~of planning and development services~~ shall either issue or deny an application for a zoning determination for the use ~~certificate of occupancy~~ or a building permit for a sexually oriented business not more than thirty (30) business days subsequent to the date of the applicant's submission of an application therefore. If granted, the applicant shall be notified of such action by certified mail, return receipt requested. If denied, the applicant shall be notified of such action and the reason(s) therefor by certified mail, return receipt requested. The issuance of a zoning determination ~~certificate of occupancy~~ shall not be withheld if the sexually oriented business is determined to be in compliance with all applicable sections of this chapter. The decision may be appealed pursuant to section 35-488 of this article.
- (5) Approval Criteria. No zoning determination ~~certificate of occupancy~~ for a sexually oriented business use shall be issued or approved, and no sexually oriented business use shall be established, except in conformance with the sexually oriented business regulations (~~section 35-391~~) of this chapter.
- (6) Subsequent Applications. No restriction on the submission of subsequent applications is imposed by this section.
- (7) Amendments. Amendments to an application for a zoning determination ~~certificate of occupancy~~ authorizing a sexually oriented business use shall be processed in the same manner as the original application.

- (8) Scope of Approval. The approval of a zoning determination for a sexually oriented business use certificate of occupancy shall expire and become null and void unless a certificate of occupancy for the premises or improvements to the premises is obtained from the building official within a period of six (6) months following the issuance of the zoning determination thereof.
- (9) Recording Procedures. See subsection 35-424(a)(9)-(a)(9) of this section.

\* \* \* \* \*

Chapter 35, Article IV, Section 35-488 is amended as follows:

**Sec. 35-488. - Appeal Procedures for Sexually Oriented Businesses.**

(a) Appeal to City Board.

(1) An applicant may appeal the denial of a certificate of occupancy for a sexually oriented business by the director ~~of planning and development services~~ if the reason for the denial is other than one based upon location of the business. Such appeals shall be made to the appropriate technical board or commission (i.e. plumbing board, electrical board, etc.) and in the manner prescribed in the applicable section of this chapter.

(2) An applicant may appeal the denial of a zoning determination for a sexually oriented business by the director if the reason for the denial is one based upon location of the business. Such appeal may be made ~~In the event that this chapter does not provide a specific avenue for appeal an applicant may appeal~~ to the zoning board of adjustment by letter mailed or delivered to said board and the secretary of the board shall schedule the appeal for hearing and decision at the next available regularly scheduled zoning board of adjustment meeting which will allow compliance with the Texas Open Meetings Act. The board, after a hearing at which all interested parties shall be afforded an opportunity to be heard, shall either affirm or overrule the decision of the director ~~of planning and development services~~. Provided, however, the request for appeal must be made not more than ten (10) business days subsequent to the receipt of the decision of the director ~~of planning and development services~~ by the applicant.

~~(b) Appeal to Court. Notwithstanding the provisions of this subsection, an applicant who is denied the certificate of occupancy requested under the provisions of this chapter, may petition to any lawfully established court having jurisdiction of the subject matter, without first appealing to any board, including the zoning board of adjustment.~~

\* \* \* \* \*

Chapter 35, Article IV, Section 35-497 is amended as follows:

**Sec. 35-497. - Sexually Oriented Businesses.**

(a) A person commits an offense if the person ~~Any natural person or corporate entity who~~ violates any provision of the sexually oriented business regulations in this chapter. ~~(section 35-388) shall be guilty of a~~ An offense under this section is a Class A ~~€~~ misdemeanor offense, and upon conviction thereof, shall be punished by:

- (1) a fine not to exceed \$4,000;
- (2) confinement in jail for a term not to exceed one year; or
- (3) both such fine and confinement.

~~a fine not to exceed two thousand dollars (\$2,000.00).~~

(b) In addition to the criminal sanctions authorized by this section the subsection, the city attorney is authorized to bring a civil action in law or equity against any party who violates any provision of this section. The city attorney may bring a civil action against a party without first seeking criminal sanctions.

\* \* \* \* \*

Chapter 35, Article VII, Section 35-708 is amended as follows:

**Sec. 35-708. - Sexually Oriented Businesses.**

*STATEMENT OF PURPOSE*

*Commentary: Type A nonconforming use rights extend to those establishments granted such rights pursuant to the methodology established by Ordinance No. 82135, passed and approved April 27, 1995, and this chapter and are subject to section 35-706 of this chapter except for amortization at the direction of city council. Type B nonconforming use rights extend to all other establishments that were lawfully in operation either prior to the adoption of the sexually oriented business regulations (section 35-391 of this chapter) or outside of the city's corporate limits; but, as a result of the adoption of the sexually oriented business regulations (section 35-391 of this chapter), or annexation after the adoption of the sexually oriented business regulations (section 35-391 of this chapter), continued operation of the establishment is unlawful. A conforming use is one that is operating in a lawful manner consistent with the provisions of the sexually oriented business regulations (section 35-391 of this chapter).*

- (a) Establishment of Nonconforming Use Rights for Sexually Oriented Businesses.
  - (1) Type A Nonconforming Rights Pre-Dating Protected Use Within One Thousand (1,000) Feet. Any sexually oriented business legally operating on and after April 2, 1995, which is rendered nonconforming by the subsequent location of a protected use or a protected zone within the protected distance, shall have type A nonconforming use rights.
  - (2) Type B Rights and Conforming Uses.
    - A. Each sexually oriented business hereafter subject to the sexually oriented business regulations (section 35-391 of this chapter) through annexation must, within ninety (90) days of such annexation, apply for one (1) of two (2) classes of property use rights hereby established, as part of the application for a new certificate of occupancy:
      - 1. Type B nonconforming use rights of one-year duration from the date of issue of the certificate of occupancy; or
      - 2. Conforming.
    - B. The ninety-day time period prescribed within this subsection for the establishment of use rights may be extended, and an application accepted after the expiration of ninety (90) days, if the director of ~~planning and development services~~ determines that the use existed prior to the date of annexation, the sexually oriented business was operating in compliance with all applicable laws, and the failure to timely file the application for one (1) of two (2) classes of property use was not a result of gross negligence or conscious indifference. The director shall render his decision within thirty (30) business days of receipt of the application and shall transmit said determination to the applicant by certified mail, return receipt requested. The applicant may appeal an adverse determination by filing a written notice of appeal with the city clerk within ten (10) days of the date of the decision of the director. The appeal must be filed by the applicant or an authorized agent of the applicant. The city clerk shall place said appeal on the city council agenda within sixty (60) days from the date notice is received.
    - C. Type B nonconforming rights shall not be lost by the subsequent establishment of a protected use or protected zone within one thousand (1,000) feet.
- (b) Certificates of Occupancy Pursuant to Ordinance No. 82135. Any business that holds a certificate of occupancy issued for a sexually oriented business

pursuant to the provisions of Ordinance No. 82135 of April 27, 1995 is not required to re-apply, and all such certificates of occupancy are hereby confirmed.

- (c) Measurements. Measurements to determine if a sexually oriented business is conforming to type B nonconforming use shall be in the manner prescribed in the sexually oriented business regulations (~~section 35-391 of this chapter~~).
- (d) Amortization of Type B Nonconforming Use Rights Beyond One (1) Year.
  - (1) Amortization Hearing Before the Zoning City. The owner of a sexually oriented business that has been granted type B nonconforming use rights by the director of ~~planning and development services~~ may request a hearing before the city for a determination of a reasonable amortization period based upon the owner's investment and other generally accepted amortization factors in accordance with the appropriate provisions of section 35-706 of this chapter.
  - (2) Time Limit. The application for the hearing shall be made upon a form provided by the department of ~~planning and development services~~ and must be filed by the owner of the sexually oriented business with the zoning city on or before the date the type B nonconforming use rights would otherwise expire.
  - (3) Continuance of Nonconforming Rights. The filing of an amortization request shall continue the type B nonconforming use rights of a sexually oriented business to the date established by the city, who shall hear and determine the request after affording all interested parties an opportunity to be heard. If the city finds a reasonable amortization period is less than one (1) year, the period of nonconforming use rights may nevertheless continue for a minimum period of one (1) year from the date the type B nonconforming use certificate of occupancy is issued.
  - (4) Judicial Review. A person aggrieved by the finding of the city may petition the district court for review as provided by Texas law.

\* \* \* \* \*

Chapter 35, Appendix A, Definitions and Rules of Interpretation, Section 35-A101 is amended as follows:

**Sec. 35-A101. - Definitions and Rules of Interpretation**

\* \* \* \* \*

(1) *Adult arcade* means any "premises" place to which members of the public or members of any club, group or association are admitted and is permitted or invited, wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing to use one or more arcade devices ~~are designed and maintained to show images to five (5) or fewer persons per machine or device at any one time, and where the images so displayed are distinguished or characterized by the depiction or description of specified sexual activities or specified anatomical areas.~~

(2) *Adult bookstore* means an adult bookstore, adult novelty store, or adult video store where more than thirty (30) ~~twenty (20)~~ percent of its inventory (that is offered for sale, rental or viewing for any form of consideration to on-premises customers) or floor space consists of one (1) or more of the following:

(a) Books, magazines, or sound recordings, or printed, visual or audio material of any kind which are characterized by their emphasis on the description or depiction of specified anatomical areas or specified sexual activities; or

(b) Non-contraceptive instruments, devices, toys, or paraphernalia designed for use in connection with specified sexual activities, books, magazines, pamphlets, pictures, drawings, photographs, motion picture films, or sound recordings, or printed, visual or audio material of any kind, which, because of the depiction or description of specified sexual activities in the materials offered for sale, is restricted to adults.

(c) Novelty items designed as sight gags, advertised as such and not designed or advertised for sexual activity, are not instruments or devices as defined and regulated herein.

*Adult bookstore.* ~~A business enterprise which has a substantial or significant portion of its stock in trade in, or which has as its main purpose the offering for sale of books, magazines, pamphlets, pictures, drawings, photographs, motion picture films or sound recordings, or printed, visual or audio material of any kind, which are characterized by their emphasis on the description or depiction of specified anatomical areas or specified sexual activities; or a business establishment which offers for sale books, magazines, pamphlets, pictures, drawings, photographs, motion picture films, or sound recordings, or printed, visual or audio material of any kind, which entire business establishment, because of the depiction or description of specified anatomical areas or specified sexual activities in the materials offered for sale, is restricted to adults, or is advertised or promoted as being restricted to adults.~~

*Adult Cabaret* means an establishment that, as one of its primary business purposes, offers to customers live entertainment which is intended to provide sexual stimulation or sexual gratification to such customers, and which is distinguished by or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities, or specified anatomical areas.

~~*Adult entertainment establishment.* A place of business where live entertainment is provided for patrons, or a portion of a business set aside for providing live entertainment to patrons, in which a significant portion of the entertainment is characterized by an emphasis on the exhibition, depiction, or description of specified anatomical areas or specified sexual activities; or a place where entertainment is provided to patrons wherein, because of the exhibition of specified anatomical areas or specified sexual activities, admittance is limited to adults, or admittance is advertised or promoted as being restricted to adults.~~

*Adult mini-theater* means any premises that is subject to regulation under Chapter 243 of the Local Government Code, as amended, to which members of the public or members of any club, group or association are admitted and permitted to use one or more 'mini-theatre devices.'

(4) *Adult motel* means a motel, hotel or similar commercial establishment which: (a) offers public accommodations, in any form of consideration, which provides patrons with closed-circuit television transmission, films, motion pictures, video cassettes, slides, or other photography reproductions which are characterized by the depiction or description of specified sexual activities or specified anatomical areas, and (b) which advertises the availability of this sexually oriented type of material by means of a sign visible from the public right-of-way, or by means of any off-premises advertising, including, but not limited to, newspapers, magazines, pamphlets, leaflets, radio, or television.

~~*Adult motion picture theater.* A business place where motion pictures are shown to paying customers when such place is used for presenting material having as its dominant theme, or distinguished or characterized by, an emphasis on the depiction or description of specified anatomical areas or specified sexual activities for observation by patrons, and where admittance to such showings is totally limited to adults.~~

~~*Adverse effect.* A negative change in the quality of the historical, architectural, archaeological, or cultural significance of a resource, or in the characteristics that qualify the resource as historically, architecturally, archaeologically or culturally important.~~

*Adverse or Negative secondary effects* means any one of the following conditions caused by the existence of or geographic proximity to a sexually oriented business:

(a) The existence of violations of law, including but not limited to: prostitution, promotion of prostitution, aggravated promotion of prostitution, compelling prostitution, obscenity, sale or distribution or display of material harmful to a minor, sexual performance by a child, employment harmful to children, possession or promotion of child pornography, public lewdness, indecent exposure, indecency with a child, sexual assault, aggravated sexual assault, pandering, loitering, trespass, or any violation of Chapter 481 of the Texas Health and Safety Code, criminal attempt to conduct a violation of law, criminal conspiracy to conduct a violation of law, or solicitation to conduct a violation of law.

(b) Diminution of surrounding property value.

(c) Unsanitary health conditions resulting from improper disposition of bodily secretions thereby posing a threat of spreading infection or disease.

(d) Those adverse secondary effects found to exist by the Texas Legislature at Section 243.001(a) of the Texas Local Government Code.

(e) Those adverse secondary effects described by the United States Fifth Circuit Court in *J&B Entm't, Inc. v. City of Jackson, Miss.*, 152 F.3d 362 (5th Cir. 1998) and by the United States Supreme Court in *City of Erie v. Pap's A.M.*, 529 U.S. 277 (2000) and by the City of Jackson, Mississippi and the City of Erie, Pennsylvania as described in the legal opinions therein.

\* \* \* \* \*

*Arcade Device* means any coin, currency or slug operated or electronically or mechanically controlled machine or device that dispenses or effectuates the dispensing of "entertainment" that is intended for the viewing of five or fewer persons in exchange for any payment of consideration.

\* \* \* \* \*

(7) *Massage parlor* means any place where, for any form of consideration or gratuity, massage, alcohol rub, administration of fomentation, electric or magnetic treatments, or any other treatment or manipulation of the human body which occurs as a part of, or in connection with, such treatment, manipulation, or service related thereto, exposes specified anatomical areas. The definition of a massage parlors shall not include the practice of massage in any licensed hospital, nor by a licensed massage therapist, hospital, licensed physicians, surgeons, chiropractor, osteopath, nurse, technician working under the supervision of a licensed physician, surgeon, chiropractor, or osteopath, nor by trainers of any amateur, semiprofessional or professional athlete or athletic team or school athletic program.

\* \* \* \* \*

(9) *Nude modeling studio* means any place where a person who, for money or any form of consideration, appears in a state of nudity or displays specified anatomical areas, to be observed, sketched, drawn, painted, sculptured, photographed, or otherwise depicted by other persons. This definition shall not include nude modeling by an adult that occurs in conjunction with art classes of a university, college, or any art class supervised by an art instructor paid by an arts school.

(13) *Nude or nudity or state of nudity* means:

(a) The appearance of the bare buttock; anus; male genitals; female genitals; or entire female breast; or

- (b) A state of dress which fails to completely and opaquely cover the buttock; anus; male genitals; female genitals; or entire female breast.

~~Nudity. Total absence of clothing or covering for the human body.~~

(10) *Nudity attraction establishment* means any place of business where nudity or semi-nudity is regularly or routinely advertised as a characteristic of the business or which regularly attracts patrons with nudity or semi-nudity.

\* \* \* \* \*

~~*Partial nudity.* Exposure of the female breast or breasts, or exposure of the male or female pubic area or buttocks.~~

\* \* \* \* \*

(14) *Semi-nude or semi-nudity or state of semi-nudity* means a state of dress that which fails to completely and fully opaquely cover the crevice of the human buttocks, genitals, pubic region, and the post puberty female breast areola.

- (a) Human genitals, pubic region or public hair; or
- (b) Crevice of buttocks or anus; or
- (c) Any portion of the female breast that is situated below a point immediately above the top of the areola; or
- (d) Any combination of (a), (b), or (c).

\* \* \* \* \*

~~(8) *Sexual encounter establishment* means any business or commercial establishment that, as of its primary business purposes, offers for any form of consideration, a place where two (2) or more persons may congregate, associate, or consort for the purpose of specified sexual activities or the exposure of specified anatomical areas when one (1) or more of the persons is in a state of nudity or semi-nudity. The definition of sexual encounter establishment shall not include an establishment where a medical practitioner, psychologist, psychiatrist, or medical professional, licensed by the state engages in medically approved and recognized therapy or treatment.~~

*Sexually oriented business* means an adult arcade, adult bookstore, adult entertainment establishment, adult motel, adult motion picture theater, adult mini-theater, massage parlor, sexual encounter establishment, nude modeling studio, nudity attraction establishment, or any establishment that, as one of its primary business purposes, offers a service, live entertainment or the selling, renting, or exhibiting of devices or any specified anatomical parts intended to provide sexual stimulation or sexual gratification to the

customer and which is distinguished by or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas. Said term shall include any business that self-identifies itself as a sexually oriented business. Includes any of the land uses defined as follows:

- (3) — ~~Adult entertainment establishment means a nightclub, bar, restaurant "bottle club", "men's club", "gentlemen's club", "cabaret" or similar place of business, or portion thereof where live entertainment is provided for patrons, whether or not alcoholic beverages are served which features as a portion of the entertainment the exhibition, depiction, or description of specified anatomical areas or specified sexual activities; or a place where entertainment is provided to patrons wherein, because of the nudity or semi-nudity of person(s) employed by or associated with the operation of the business, admittance is limited to adults, or admittance is advertised or promoted as being restricted to adults.~~
- (5) — ~~Adult motion picture theater means a business place where one (1) or more films, videos, slides, motion pictures, or similar photographic reproductions are shown that have as a dominant theme, or are distinguished by, an emphasis on the depiction or description of specified sexual activities for observation by patrons or guests, and where admittance to such showings are restricted to adults.~~
- (6) — ~~Adult theater means a theater, concert hall, auditorium, or similar commercial establishment which, for any form of consideration, regularly features employees, volunteer patrons, or independent contractors, who appear nude or semi-nude and/or engage in specified sexual activity, or live performances which are characterized by exposure of specified anatomical areas or engagement in specified sexual activities.~~

*Additional definitions are as follows:*

- (15) ~~Negative secondary effects means any one (1) of the following conditions caused by geographic proximity to a sexually oriented business:~~
  - (a) ~~Depreciation in surrounding property values; and/or~~
  - (b) ~~Violations of law not limited to but including: indecent exposure, drug use, prostitution, pandering, exposing minors to harmful materials, possession and distribution of obscene materials, possession and distribution of controlled substances, public intoxication, disturbing the peace, and/or~~
  - (c) ~~Adverse impact upon the City of San Antonio's central business district as a family oriented vacation destination.~~

The term 'sexually oriented business' shall not be construed to include:

(1) Any business operated by or employing licensed psychologists, licensed physical therapists, licensed athletic trainers, licensed cosmetologists, or licensed barbers performing functions authorized under the licenses held;

(2) Any business operated by or employing licensed physicians or licensed chiropractors engaged in practicing the healing arts; or

(3) Any retail establishment whose major business is the offering of wearing apparel for sale to customers.

(11) *Specified anatomical areas* means ~~failure to completely and opaquely cover: the human genitals, crevice of buttocks, pubic region, anus, and the areola of the post puberty female breast.~~

- (a) Human genitals, pubic region or public hair; or
- (b) Crevice of buttocks or anus; or
- (c) Any portion of the female breast that is situated below a point immediately above the top of the areola; or
- (d) Human male genitals in a discernibly erect state, even if completely and opaquely covered.
- (e) Any combination of the foregoing

(12) *Specified sexual activity* means actual and simulated human genitals in a state of sexual stimulation or arousal, even if completely and opaquely covered, actual or simulated human masturbation, sexual intercourse, sodomy, fellatio, cunnilingus, fondling or other erotic touching of human genitals, pubic region, buttock or female breast, and excretory functions as part of or in connection with the above described activity or any act of bestiality, sadomasochism or physical contact with a person's own or another person's specified anatomical area.

(13) ~~Nude or nudity or state of nudity~~ means a state of dress which fails to cover the human anus, genitals, pubic region, and the areola of the post puberty female breast.

(14) ~~Semi-nude or semi-nudity or state of semi-nudity~~ means a state of dress which fails to fully opaquely cover the crevice of the human buttocks, genitals, pubic region, and the post puberty female breast areola.

\* \* \* \* \*

*Sexually oriented business regulations.* In addition to this chapter, See section 35-391 of this chapter see also Chapter 21 of the City Code of the City of San Antonio, Texas.

\* \* \* \* \*

~~*Specified anatomical areas.* Any showing of either the adult or minor human male or female genitals, anus or pubic area with less than a full opaque covering, or the showing of the post-puberty female areola with less than a full opaque covering.~~

\* \* \* \* \*

~~*Specified sexual activities.* Acts of masturbation, sexual intercourse, homosexuality or lesbianism, sodomy, fellatio, sadomasochism or physical contact with a person's own or another person's specified anatomical areas.~~

\* \* \* \* \*

Chapter 35, Appendix B, Application Submittal, Section 35-B118 is amended as follows:

**Sec. 35-B118. - Sexually Oriented Business.**

If the subject building or portion of the building is intended for future use or is currently used as a "sexually oriented business", then the following shall be submitted attached to and made part of the application for certificate of occupancy and/or building permit:

- (a) A certified survey map prepared by a state licensed surveyor or state licensed engineer which shows the required minimum distances from properties with protected uses or protected zoning; and
- (b) A sworn affidavit stating the name and mailing address of all owner(s) of the planned, or existing, sexually oriented business; and
- (c) If a corporate owner, the current name and street address of the corporate president and the registered agent for service on file with the Texas Secretary of State.
- (d) It shall be a violation of this ordinance for an owner of a sexually oriented business to fail or refuse to submit the prerequisite certified survey map or to fail or refuse to register the names and addresses of the owner(s). Without both the certified survey map and owner identification, no valid certificate of occupancy and/or building permit can be issued. Upon discovery of the absence of or the incorrectness of either document, the certificate of occupancy and/or building permit shall be declared invalid by the director of ~~planning and development services.~~
- (e) Permit/license issued by the Chief of Police

\* \* \* \* \*

Chapter 35, Appendix C, Fee Schedule, Section 35-C107 is amended as follows:

**Sec. 35-C107. - Sexually Oriented Businesses.**

A "sexually oriented business certificate of occupancy fee" of six hundred fifty (\$650) ~~five hundred seventy-five dollars (\$575.00)~~ shall be paid to the City of San Antonio with the submission of each application for a certificate of occupancy for a sexually oriented business to pay for the cost of review and verification of accuracy of the application, survey maps, ownership information, and conformance with other certificate requirements.

\* \* \* \* \*

**SECTION 3.** All other provisions of Chapter 35 of the City Code of San Antonio, Texas shall remain in full force and effect unless expressly amended by this ordinance.

**SECTION 4.** Should any Article, Section, Part, Paragraph, Sentence, Phrase, Clause, or Word of this ordinance, for any reason be held illegal, inoperative, or invalid, or if any exception to or limitation upon any general provision herein contained be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted and ordained without the portion held to be unconstitutional or invalid or ineffective.

**SECTION 5.** Notice of these changes to the Unified Development Code shall require the publication in an official newspaper of general circulation in accordance with

**SECTION 6.** The publishers of the City Code of San Antonio, Texas are authorized to amend said Code to reflect the changes adopted herein and to correct typographical errors and to index, format and number paragraphs to conform to the existing code.

**SECTION 7.** This ordinance shall be effective immediately upon passage by eight or more affirmative votes; otherwise, it shall be effective on the tenth day after passage.

**PASSED AND APPROVED** this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**M A Y O R**  
Julián Castro

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Leticia M. Vacek, City Clerk

\_\_\_\_\_  
Michael D. Bernard, City Attorney

# Sexually Oriented Businesses Proposed Revisions

# Summary of Proposed Revisions

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- Enhance criminal penalty
- Merge all city regulations related to Sexually Oriented Businesses into one code chapter.
- Require bikini tops

# Merge into one City Code chapter

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- Deletes duplicate Ch. 16
- Merges City Code Ch. 21, Article I – Adult Arcades into sexually oriented business section
- Ensures consistency of definitions between Chapter 21 – Sexually Oriented Businesses with definitions found in Chapter 35 of the UDC

# Permitting Process

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- Clarify licensing scheme for obtaining required SOB permits
  - Business, entertainers, and managers must obtain SOB permits
  - Requires display of permits while entertainers and managers are working at an SOB establishment
- If permit is denied or revoked, permittee has right to appeal to hearing officer and then to district court
- Permit process handled by SAPD Vice Division
  - Includes criminal background checks

# UDC Amendments

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- Add licensed child care facilities to the list of uses that must be separated in distance by at least 1,000 feet from SOB use.
- Application for SOB certificate of occupancy must include:
  - zoning determination letter
  - SAPD permit for SOB use
- Add language that clarifies the appeal process if SOB is denied issuance of a certificate of occupancy.
- Add Class A misdemeanor penalty provision.

# Effective Date

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## **60 days from passage of the ordinance**

- Allow current businesses to come into compliance with the revised ordinance
- Allow time for employees to obtain the required permits

# Public Presentations

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- Governance Committee – April 21, 2010
- Public Safety Committee – October 13, 2010
- Zoning Commission – November 6, 2012
- Planning Commission – November 14, 2012

## CITY OF SAN ANTONIO

### Interdepartmental Correspondence Sheet

**TO:** Members of the Planning Commission

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**FROM:** Melissa Ramirez, Planning Manager; Department of Development Services

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**COPIES TO:** Roderick Sanchez, Director; John Jacks, Assistant Director, File

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**SUBJECT:** Planning Commission Holiday Schedule for 2012

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Date: 17 October, 2012

To ensure a quorum is maintained and due to the recent changes to the upcoming 2012 City holiday schedule, the Development Services Department is recommending some changes to the scheduled Planning Commission meetings. Please note that it is important that we conduct the meetings to ensure all applicable projects continue to meet the Unified Development Code and State Law. Recommended dates and times are listed below: and are available after 9:00 am.

This year there will not be a conflict with the Thanksgiving holiday however, there will be a conflict with the Christmas holiday, as our regularly scheduled meeting falls on December 26, 2012 and the City of San Antonio will be closed that week. This year we are proposing to cancel the second meeting in December, and the first meeting in January and replace those meeting by scheduling a meeting between what would have been the regularly scheduled meeting dates. Essentially this will mean that the Planning Commission meetings during the holidays will be three weeks apart. The proposed schedule will ensure that all projects conform to UDC adopted timeline.

. Alternative dates to consider include:

Thursday January 3 – Board Room and Tobin Room are available all day  
Friday January 4 - Board Room and Tobin Room are available all day

As always, staff's recommendation is to schedule the meeting provided there will be a quorum.