

# SAN ANTONIO PLANNING COMMISSION AGENDA



June 9, 2010



2:00 P.M.

Amelia Hartman, *Chair*

Jose R. Limon, *Vice Chair*

Andrea Rodriguez, *Chair Pro Tem*

Dr. Sherry Chao-Hrenek

Christopher M. Lindhorst

Lynda Billa Burke

Marcello Diego Martinez

Rolando H. Briones

Jody R. Sherrill



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

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

## 1. PRELIMINARY ITEM:

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

- Agenda items may be discussed (Planning and Development Services)

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

3. Roll Call

4. Citizens to be heard

5. TAC interviews and appointments.

## 6. PUBLIC HEARING

### REPLAT W/ WRITTEN NOTIFICATION:

A. 090260

Wood Land Manor Unit 3  
Lot 16, Block 18, NCB 14728

(On the southeast side of Pebble Lane, southwest of Moon Light Way)

Council District	Ferguson Index #
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8

549 A-2

## CONSENT AGENDA

**NOTICE TO THE PUBLIC:** All matters listed under "Consent Agenda" are considered by the Planning Commission to be routine, and have met all standards for development under state

\* Project is located in the Camp Bullis Notification Area.



**OTHER ITEMS:**

15. Approval of the minutes for the May 26, 2010 Planning Commission meeting
16. Director's report
  - o Budget and Department Performance
  - o Camp Bullis Awareness Zone
  - o City Council Report
  - o Edwards Aquifer
  - o Master Plan update
  - o Professional Development Opportunity – conferences and workshops
  - o Steering Committee on Historic Preservation
  - o Technical Advisory Committee
  - o Transportation
  - o Unified Development Code
17. Executive Session: consultation on attorney-client matters (real estate, litigation, contracts, personnel, and security matters) as well as any of the above agenda items may be discussed
18. **ADJOURNMENT**

**PLANNING COMMISSION**  
**PUBLIC HEARING AND CONSIDERATION OF REPLAT WITH**  
**WRITTEN NOTIFICATION**  
**AGENDA ITEM NO: 6A & 7 June 9, 2010**

WOOD LAND MANOR UNIT 3  
LOT 16, BLOCK 18, N.C.B. 14728  
SUBDIVISION NAME

MAJOR PLAT

090260  
PLAT #

**COUNCIL DISTRICT:** 8  
**FERGUSON MAP GRID:** 549 A-2  
**OWNER:** Dr. Juan Carlos Garza, M.D.  
**ENGINEER:** David A. Galvan, P.E.  
**CASE MANAGER:** Richard Carrizales, Planner (207-8050)

**Date filed with Planning Commission:** May 18, 2010

**Location:** On the southeast side of Pebble Lane, southwest of Moon Light Way

**Services Available:** SAWS Water and Sewer

**Zoning:** O1 Office District  
ERZD Edwards Recharge Zone District

**Proposed Use:** Office

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**APPLICANT'S PROPOSAL:**

To plat 0.728 acres consisting of 1 non-single family lot.

**DISCUSSION:**

This plat lies within the Edwards Recharge Zone District and has been reviewed by the Aquifer Protection and Evaluation Section of the San Antonio Water Systems, as indicated in the attached report. No significant recharge features were observed on this site. This plan meets all of the requirements for development over the recharge zone.

The Planning Commission will hold a public hearing on the proposed replatting of this property on June 9, 2010. Seven notices were mailed to the adjacent property owners, as of this writing, no written opposition was submitted. In addition, the site is not within a Neighborhood Association registered with the City of San Antonio.

**STAFF RECOMMENDATION:**

Approval



LOCATION MAP (NOT TO SCALE)

SURVEYOR'S NOTES

- 1. 1/2" IRON ROD SET AT ALL CORNERS UNLESS OTHERWISE NOTED.
2. THE BASIS OF MONUMENTATION FOR THIS PLAT ARE THOSE SHOWN FOUND.
3. THE BEARINGS FOR THIS SUBDIVISION PLAT ARE BASED ON THE WOOD LAND MANOR UNIT-3 SUBDIVISION PLAT, RECORDED IN VOLUME 2805, PAGE 258 BEXAR COUNTY PLAT AND DEED RECORDS.
4. COORDINATES SHOWN ARE TEXAS STATE PLANE--SOUTH CENTRAL ZONE NAD83
5. DISTANCES SHOWN ARE SURFACE IN U.S. SURVEY FEET
6. ALL LOTS SHOWN HEREIN CAN BE PROVIDED WITH ON-SITE SEWAGE FACILITIES IN ACCORDANCE WITH ALL REQUIREMENTS OF TAC CHAPTER 285, SUBJECT TO PERMIT AND INSPECTION BY BEXAR COUNTY.
7. FINISHED FLOOR ELEVATIONS MUST BE A MINIMUM OF 8-INCHES ABOVE FINAL ADJACENT GRADE.
8. ALL STREETS ARE EXISTING, DEDICATED PUBLIC ROADWAYS.
9. WATER SERVICE PROVIDED BY SAN ANTONIO WATER SYSTEMS (SAWS)

STORMWATER / FLOODPLAIN NOTE

NO PORTIONS OF THIS SUBDIVISION LIE WITHIN THE 100-YEAR FLOOD PLAIN AS INDICATED ON FEMA/FIRM COMMUNITY PANEL 48029C0282 F EFFECTIVE DATE: JANUARY 4, 2002.

STATE OF TEXAS

COUNTY OF BEXAR
THIS AREA BEING REPLATTED WAS PREVIOUSLY PLATTED ON PLAT WOOD LAND MANOR UNIT 3 SUBDIVISION ID NO. 705720, WHICH IS RECORDED IN VOLUME 2805, PAGE 258, BEXAR COUNTY PLAT AND DEED RECORDS. THE SAN ANTONIO PLANNING COMMISSION AT ITS MEETING OF HELD A PUBLIC HEARING WHICH INCLUDED NOTIFICATION ON THE PROPOSED REPLATTING OF 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: DR. JUAN CARLOS ORTEGA, M.D.
4349 SADDLE LAKE TRAIL
SAN ANTONIO, TX 78249

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPOINTED DR. JUAN CARLOS ORTEGA, M.D., KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

STATE OF TEXAS
COUNTY OF BEXAR
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES \_\_\_\_\_

STATE OF TEXAS
COUNTY OF BEXAR
THE OWNER OF THE LAND SHOWN ON THIS PLAT, AND WHOSE NAME IS SUBSCRIBED HEREIN, AND IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE CITY OF SAN ANTONIO, TEXAS, FOR THE USE OF THE PUBLIC FURNISH ALL STREETS, ALLEYS, PARCEL WATER COURSES, DRAINS, EASEMENTS, AND THE WATER AND SEWER LINES IN ALL OF THE FOREGOING PUBLIC PLACES AND ALL OTHER PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

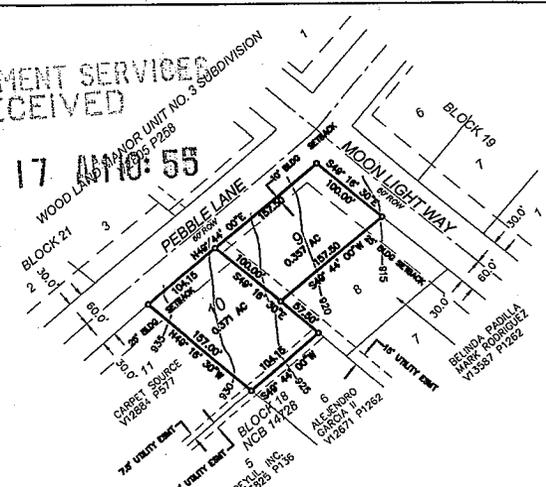
STATE OF TEXAS
COUNTY OF BEXAR
BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPOINTED DR. JUAN CARLOS ORTEGA, M.D., KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

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

STATE OF TEXAS
COUNTY OF BEXAR
I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

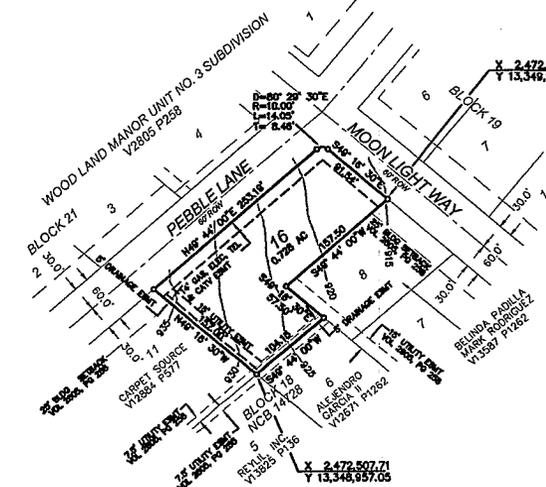
REGISTERED PROFESSIONAL LAND SURVEYOR
dga DAVID A GALVAN, P.E.
1423 N Flores | San Antonio, Texas 78212 | Phone 210.559.6549
bdagalvan@sbctwr.com

DEVELOPMENT SERVICES RECEIVED
2010 MAY 17 AM 10:55



AREA BEING REPLATTED THROUGH PUBLIC HEARING W/WRITTEN NOTIFICATION

AREA BEING REPLATTED WAS PREVIOUSLY PLATTED WITH WOOD LAND MANOR UNIT NO. 3 SUBDIVISION WHICH IS RECORDED IN VOLUME 2805, PAGE 258, BEXAR COUNTY PLAT AND DEED RECORDS.



REPLAT

REPLAT ESTABLISHING
WOOD LAND MANOR UNIT NO. 3 SUBDIVISION
LOT 16, BLOCK 18, NCB 14728

BEING A 0.73-ACRE TRACT TRACT OF LAND CONSISTING PREVIOUSLY OF LOTS 9 & 10, BLOCK 18, NCB 14728, WOOD LAND MANOR UNIT NO. 3 SUBDIVISION AS RECORDED IN VOLUME 2805, PAGE 258 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS

SCALE: 1"=100'



PLAT NO. 090260

C.P.S. NOTE:
1. The City of San Antonio on part of its electric and gas system (City Public Service Board) is hereby dedicated the easements and rights-of-way for electric and gas distribution and service facilities in the area delineated on this plat as "Electric Easement," "Gas Easement," "Another Easement," "Service Easement," "Overhead Easement," "Utility Easement," and "Crossing Easement." For the purpose of installing, constructing, re-constructing, maintaining, repairing, replacing, and moving poles, towers, or guy wires, cables, conductors, insulators, cross-arms, and other appurtenances together with the right of ingress and egress over grantor's adjacent land, the right to remove said facilities within said easements and right-of-way areas, and the right to remove from said lands all trees or parts thereof, or other obstructions which encroach 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 areas.
2. Any CPE necessary has resulted from modifications required of CPE equipment, located above and below ground, and any other equipment or ground structure alterations shall be observed to the person or persons deemed responsible for said gross changes or ground structure alterations.
3. This plat does not amend, alter, release or otherwise affect any existing electric, gas, water, sewer, drainage, cable easements or any other easements for utilities unless the changes to such easements are described below.
4. Concrete driveway easements are allowed within the (C) foot wide electric and gas easements when lots are served only by post set underground electric and gas facilities.
5. Road easements are allowed within the (3) foot wide electric and gas easements when any underground electric and gas facilities are proposed or existing within those the (3) foot wide easements.

- LEGEND:
ELEC: ELECTRIC
CATV: CABLE TELEVISION
TEL: TELEPHONE
ESMT: EASEMENT
BLDG: BUILDING
FLR: FOUND 1/2" IRON ROD
O.P.R.: OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BEXAR COUNTY, TEXAS
D.&P.: DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
D.R.: DEED RECORDS OF BEXAR COUNTY, TEXAS

FINISHED FLOOR NOTE:
ACTUAL FINISHED FLOOR ELEVATIONS FOR EACH LOT ARE TO BE DETERMINED BY THE BUILDER AND SHALL TAKE INTO CONSIDERATION ALL-BUILT CONDITIONS FOR FOUND SEWER SERVICES AND ACTUAL LATERAL PLACEMENT.

STREETScape NOTE:
STREETSCAPE TREE PLANTING WILL BE COMPLETED DURING BUILDING STAGE.

WASTEWATER EDU NOTE:
THE NUMBER OF WASTEWATER EQUIVALENT DWELLING 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 DEPARTMENT.

IMPACT FEE PAYMENT NOTE:
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/OR WASTEWATER SERVICE CONNECTION.

STORM WATER MANAGEMENT PROGRAM NOTE:
THIS SUBDIVISION IS PARTICIPATING IN THE CITY'S STORM WATER MANAGEMENT PROGRAM FOR TOTAL AREA OF 0.73-ACRES.

EDWARDS AQUIFER RECHARGE ZONE NOTE:
1. THIS SUBDIVISION IS WITHIN THE EDWARDS RECHARGE ZONE. TO THE EXTENT APPLICABLE, DEVELOPMENT WITHIN THIS SUBDIVISION IS SUBJECT TO CHAPTER 34, ARTICLE V, DIVISION 6 OF THE SAN ANTONIO CITY CODE ENTITLED "AQUIFER RECHARGE ZONE AND WATERSHED PROTECTION," OR LATEST REVISIONS THEREOF.
2. NO PERSON SHALL COMMENCE THE CONSTRUCTION OF ANY REGULATED ACTIVITY UNTIL AN EDWARDS AQUIFER PROTECTION PLAN ("WATER POLLUTION ABATEMENT PLAN" OR "WAP") OR MODIFICATION TO AN APPROVED PLAN AS REQUIRED BY 30 TAC 213.5 OF THE TEXAS WATER CODE, OR LATEST REVISION THEREOF, HAS BEEN FILED WITH THE APPROPRIATE REGIONAL TCEQ OFFICE, AND THE APPLICATION HAS BEEN APPROVED BY THE EXECUTIVE DIRECTOR OF THE REGIONAL TCEQ OFFICE.

DRAINAGE EASEMENT NOTE:
NO STRUCTURE, FENCES, WALLS OR OTHER OBSTRUCTIONS THAT WOULD DRAMAAGE SHALL BE PLACED WITHIN THE LIMITS OF THE DRAINAGE EASEMENTS SHOWN ON THIS PLAT. NO UNDERPINNING OR OTHER TYPE OF MODIFICATIONS, WHICH ALTER THE CROSS-SECTION 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 GRANOR'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.

THIS REPLAT OF WOOD LAND MANOR UNIT NO. 3 HAS BEEN SUBMITTED AND IS CONSIDERED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO, TEXAS, AND IS HEREBY APPROVED BY SUCH COMMISSION. DATED THIS DAY OF A.D. 20

By: CHAIRMAN
By: SECRETARY

STATE OF TEXAS
COUNTY OF BEXAR
I, GERRY RICHGHOFF, COUNTY CLERK OF SAID COUNTY, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE, ON THE DAY OF A.D. AT M. AND DULY RECORDED THE DAY OF A.D. AT M. IN THE RECORDS OF SAID COUNTY, IN BOOK VOLUME ON PAGE

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

COUNTY CLERK, BEXAR COUNTY, TEXAS
By: DEPUTY



DEVELOPMENT SERVICES  
RECEIVED

2010 MAY 17 AM 11:07

April 7, 2010

Mr. David Galvan, P.E.  
DGA  
1423 North Flores  
San Antonio, Texas 78212

RE: File No. 0910003 - Request for review of **Woodland Manor Unit No. 3 Subdivision, Plat No. 090260** located on the southeast corner of Moon Light Way and Pebble Lane

Dear Mr. Galvan:

On October 8, 2009, the Aquifer Protection & Evaluation Section of the Resource Protection Division of the San Antonio Water System (SAWS) received a request to review a plat for the property referenced above. Staff reviewed the documentation submitted and conducted field observations of the referenced plat to ensure compliance with applicable requirements for development over the Edwards Aquifer Recharge Zone (EARZ). The land use of the subject plat is for commercial and consists of approximately 0.73 acres located entirely within the EARZ. No notable significant features were observed. The property is not within a 100-year floodplain preservation area.

The proposed development is a **Category 2** property under the provisions of Aquifer Protection Ordinance No. 81491. In accordance with Ordinance No. 81491, an Aquifer Protection Plan for all Category 2 and 3 properties is required to be submitted to and approved by the Aquifer Protection & Evaluation Section of the San Antonio Water System. An Aquifer Protection Plan has not been submitted to SAWS for approval at the time of this request. **The release of building/water service permits will be contingent on receipt and approval of the Aquifer Protection Plan.**

Should any documentation become available that would alter this Category designation, the documentation may be submitted to the San Antonio Water System for review and possible Category redesignation.

At the time of this request, it is unknown if a Water Pollution Abatement Plan (WPAP) and an Organized Sewage Collection System (SCS) Plan has been submitted to or approved by the Texas Commission on Environmental Quality (TCEQ). **No building permit will be released until a Water Pollution Abatement Plan has been submitted to and approved by TCEQ.**

Mr. David Galvan, P.E.

Woodland Manor Unit No. 3 Subdivision, Plat No. 090260

DEVELOPMENT SERVICES  
RECEIVED  
MAY 17 2010

Page 2

After careful review of the project and the documentation submitted by the applicant, the Aquifer Protection & Evaluation Section of the Resource Protection Division of the San Antonio Water System, recommends the approval of Woodland Manor Unit No. 3 Subdivision, Plat No. 090260.

If you have any questions regarding this matter, please contact the Aquifer Protection & Evaluation Section at (210) 233-3520.

Sincerely,



Kirk M. Nixon

Manager

Resource Protection Division

KMN:GDJ:pzg

**PLANNING COMMISSION  
SUBDIVISION**

**AGENDA ITEM NO:** 8 June 9, 2010

CROSSBRIDGE

COMMUNITY CHURCH  
**SUBDIVISION NAME**

MAJOR PLAT

090222  
**PLAT #**

**COUNCIL DISTRICT:** Outside San Antonio City Limits

**FERGUSON MAP GRID:** 451 D-7

**OWNER:** Crossbridge Community Church of San Antonio, by Randolph V. Brown, Agent

**ENGINEER:** M.W.Cude Engineers, L.L.C., by Joshua M. Cude, P.E.

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

**Date filed with Planning Commission:** May 25, 2010

**Location:** On the east side of Overlook Parkway, west of Highway 281

**Services Available:** Bexar Metropolitan Water District and SAWS Sewer

**Zoning:** Outside San Antonio City Limits

**Plat is associated with:** MDP 662, Oliver Ranch, accepted on January 21, 2000

**Proposed Use:** Church

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**APPLICANT'S PROPOSAL:**

To plat 3.051 acres consisting of 1 non-single family lot

**DISCUSSION:**

This plat lies within the Edwards Recharge Zone District and has been reviewed by the Aquifer Protection and Evaluation Section of the San Antonio Water Systems, as indicated in the attached report. No significant recharge features were observed on this site. This plan meets all of the requirements for development over the recharge zone.

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

**STAFF RECOMMENDATION:**

Approval



M.W. CUDE ENGINEERS, L.L.C.  
10325 BANDERA ROAD  
SAN ANTONIO, TEXAS 78250  
TEL. 210.681.2051 • FAX 210.523.7112  
WWW.MWCUDE.COM  
TYPE FIRM #455  
CONTACT: CHRISTOPHER R. CUDE, P.E.

SUBDIVISION PLAT  
ESTABLISHING  
**CROSSBRIDGE  
COMMUNITY CHURCH**

3.051 ACRES OF LAND OUT OF TRACT 1 DESIGNATED AS 23.34 ACRES AS DESCRIBED BY DEED RECORDED IN VOLUME 11374, PAGE 204 OF THE OFFICIAL PUBLIC RECORDS OF BEAR COUNTY, TEXAS AND OUT OF THE H.J. HUPPERTZ SURVEY NO. 417% ABSTRACT NO. 934, COUNTY BLOCK 4865, BEAR COUNTY, TEXAS.

THIS PLAT OF CROSSBRIDGE COMMUNITY CHURCH HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO, TEXAS, AND IS HEREBY APPROVED BY SUCH COMMISSION.

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

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

STATE OF TEXAS  
COUNTY OF BEAR

THE OWNER OF THE LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, HEREBY TO THE USE OF THE PUBLIC, EXCEPT AREAS DESIGNATED AS PRIVATE, FOREVER ALLS, PARKS, WATERCOURSES, DRAINAGE, EASEMENTS AND PUBLIC PLACES THEREIN SHOWN FOR THE PURPOSE AND CONSIDERATION THEREOF EXPRESSLY.

CROSSBRIDGE COMMUNITY CHURCH, PAGE 204, TRACT 1, 23.34 ACRES AS DESCRIBED BY DEED RECORDED IN VOLUME 11374, PAGE 204 OF THE OFFICIAL PUBLIC RECORDS OF BEAR COUNTY, TEXAS. CONTACT PERSON: RANDOLPH V. BROWN

STATE OF TEXAS  
COUNTY OF BEAR

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED RANDOLPH V. BROWN 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 SET FORTH.  
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 20th DAY OF MAY, A.D. 2010.

*Joshua M. Cude*  
NOTARY PUBLIC  
IN AND FOR THE STATE OF 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.

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

STATE OF TEXAS  
COUNTY OF BEAR

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

M.W. CUDE ENGINEERS L.L.C.  
STEPHANIE L. JAMES, R.P.L.S.  
REGISTERED PROFESSIONAL LAND SURVEYOR

STATE OF TEXAS  
COUNTY OF BEAR

I, \_\_\_\_\_ COUNTY CLERK OF BEAR 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 OFFICIAL PUBLIC RECORDS OF SAID COUNTY, IN BOOK / VOLUME \_\_\_\_\_ ON PAGE \_\_\_\_\_ IN RESTRYMENT WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. \_\_\_\_\_  
\_\_\_\_\_  
COUNTY CLERK, BEAR COUNTY, TEXAS

BY: \_\_\_\_\_ DEPUTY  
JOB# 245410 MAY 2010 SHEET 1 OF 1

- NOTE:
1. ALL ACCESS DRIVEWAYS SHALL BE PROVIDED WITH CLEAR VISION AREA IN ACCORDANCE WITH UDC 306-006(4)(3).
  2. OWNER SHALL PROVIDE SHARED CROSS ACCESS IN ACCORDANCE WITH THE CITY OF SAN ANTONIO U.D.C. 33-006 (1)(2)

**DRAINAGE NOTE:**  
NO STRUCTURES, FENCES, WALLS, OR OTHER OBSTRUCTIONS THAT IMPIDE DRAINAGE SHALL BE PLACED WITHIN THE LIMITS OF THE DRAINAGE EASEMENTS AND RIGHT-OF-WAYS SHOWN ON THIS PLAT. NO LANDSCAPING OR OTHER TYPE OF MODIFICATIONS, WHICH ALTER THE CROSS-SECTIONS OF THE DRAINAGE EASEMENTS AND RIGHT-OF-WAYS, AS APPROVED, SHALL BE ALLOWED WITHOUT THE APPROVAL OF THE DIRECTOR OF PUBLIC WORKS OF THE CITY OF SAN ANTONIO AND BEAR COUNTY. ALL SHALL HAVE THE RIGHT OF INGRESS AND EGRESS OVER EASEMENT'S ADJACENT PROPERTY TO REMOVE ANY IMPEDING OBSTRUCTIONS PLACED WITHIN THE LIMITS OF SAID DRAINAGE EASEMENTS AND RIGHT-OF-WAYS AND TO MAKE ANY MODIFICATIONS OR IMPROVEMENTS WITHIN SAID DRAINAGE EASEMENTS AND RIGHT-OF-WAYS.

**MAINTENANCE NOTE:**  
THE MAINTENANCE OF DRAINAGE EASEMENTS, CULVERTS, AND OPEN PERMEABLE SPACES SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION/PROPERTY OWNER, HIS SUCCESSORS, OR ASSIGNEES AND NOT THE RESPONSIBILITY OF THE CITY OF SAN ANTONIO OR BEAR COUNTY.

**CURVE MAINTENANCE NOTE:**  
BEAR COUNTY WILL NOT MAINTAIN PRIVATE STREETS, DRAINAGE, PARKS, LANDSCAPE BUFFERS, EASEMENTS OF ANY KIND, GREENBELT, OPEN SPACES, TRAFFIC ISLANDS, ETC. DEVELOPER/OWNER, HIS SUCCESSORS OR ASSIGNS WILL BE RESPONSIBLE FOR MAINTAINING THESE AREAS.

**EDWARDS ADJURER NOTE:**  
THIS SUBDIVISION IS WITHIN THE EDWARDS RECHARGE ZONE. DEVELOPMENT WITHIN THIS SUBDIVISION IS SUBJECT TO CHAPTER 34, ARTICLE V, DIVISION 6 OF THE SAN ANTONIO CITY CODE ENTITLED "AQUIFER RECHARGE ZONE AND WATERED PROTECTION" OR THE LATEST REVISION THEREOF. NO PERSON SHALL COMMENCE THE CONSTRUCTION OF ANY REGULATED ACTIVITY UNTIL AN EDWARDS ADJURER PROTECTION PLAN ("WATER POLLUTION ABATEMENT PLAN" OR "WAP") OR MODIFICATION TO AN APPROVED PLAN AS REQUIRED BY 30 TAC 215.5 OF THE TEXAS WATER CODE, OR LATEST REVISION THEREOF, HAS BEEN FILED WITH THE APPROPRIATE REGIONAL TCEQ OFFICE, AND THE APPLICATION HAS BEEN APPROVED BY THE DIRECTOR OF THE TCEQ.

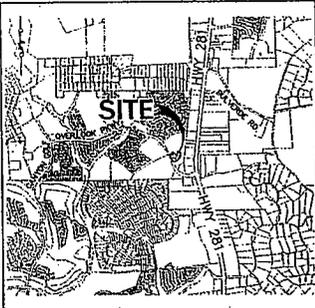
**CURVE TABLE**

CURVE	RADIUS	DELTA	TANGENT	LENGTH	CHORD	CHORD BEARING
C1	80.50'	173°28'	12.51'	24.89'	21.76'	S89°28'21"E
C2	227.50'	01°21'50"	3.16'	6.35'	6.35'	S00°00'00"E
C3	231.00'	12°29'00"	32.32'	102.18'	102.18'	S72°51'20"E
C4	170.00'	20°35'44"	50.25'	119.21'	119.21'	S44°00'00"E
C5	103.00'	12°00'00"	108.00'	108.39'	108.39'	S00°00'00"E
C6	43.50'	82°40'28"	38.27'	62.17'	57.55'	N84°51'54"E
C7	208.50'	00°48'22"	1.41'	2.87'	2.87'	N00°00'00"E
C8	81.00'	17°22'28"	8.07'	13.72'	13.80'	N02°21'17"E
C9	211.50'	23°21'55"	47.60'	83.53'	82.87'	N02°11'17"E
C10	308.00'	40°12'41"	112.30'	210.50'	210.50'	N42°00'00"E
C11	26.67'	16°02'28"	23.31'	38.67'	38.67'	S00°00'00"E

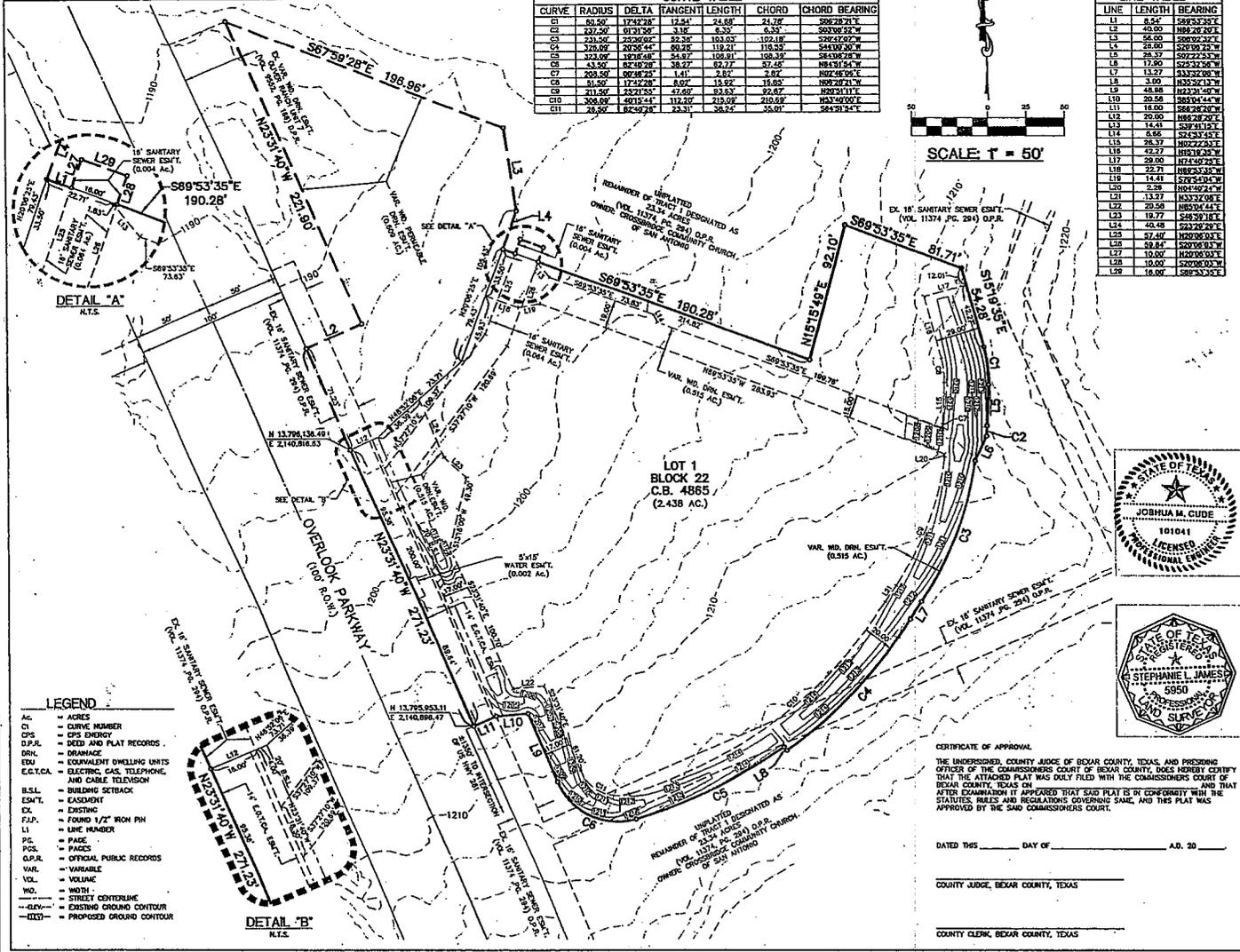
**LINE TABLE**

LINE	LENGTH	BEARING
L1	8.54'	S89°28'21"E
L2	49.00'	N89°28'21"E
L3	26.00'	S00°00'00"E
L4	25.00'	S00°00'00"E
L5	26.37'	S00°00'00"E
L6	17.90'	S23°32'54"E
L7	13.27'	S33°32'54"E
L8	3.00'	N00°00'00"E
L9	48.88'	N42°00'00"E
L10	20.58'	S00°00'00"E
L11	16.00'	S89°28'21"E
L12	20.90'	N89°28'21"E
L13	14.41'	S00°00'00"E
L14	5.85'	S24°24'24"E
L15	26.37'	N02°21'17"E
L16	42.27'	N02°21'17"E
L17	28.00'	N74°42'24"E
L18	22.71'	N02°21'17"E
L19	14.41'	S24°24'24"E
L20	2.28'	N04°02'24"E
L21	13.17'	N89°28'21"E
L22	20.58'	N85°04'41"E
L23	18.77'	S48°30'18"E
L24	49.48'	S00°00'00"E
L25	57.40'	N20°00'00"E
L26	59.82'	S00°00'00"E
L27	10.00'	N00°00'00"E
L28	10.00'	S20°00'00"E
L29	16.00'	S89°28'21"E

SCALE 1" = 50'



LOCATION MAP NOT TO SCALE 451-07



- LEGEND**
- AC = ACRES
  - CL = CURVE NUMBER
  - CPS = CURVE POINT
  - D.P.R. = DEED AND PLAT RECORDS
  - DRN. = DRAINAGE
  - EDW. = EQUIVALENT DWELLING UNITS
  - E.C.T.C. = ELECTRIC, GAS, TELEPHONE, AND CABLE TELEVISION
  - B.S.L. = BUILDING SETBACK
  - ESMT. = EASEMENT
  - EX. = EXISTING
  - F.P.P. = FOUND 1/2" IRON PIN
  - LI = LINE NUMBER
  - P.E. = PAGE
  - P.C.S. = PAGES
  - O.P.R. = OFFICIAL PUBLIC RECORDS
  - VAR. = VARIABLE
  - VOL. = VOLUME
  - W.D. = WIDTH
  - ST. = STREET CENTERLINE
  - CONTOUR = EXISTING GROUND CONTOUR
  - DOTTED = PROPOSED GROUND CONTOUR

DETAIL 'B' N.T.S.

DETAIL 'A' N.T.S.



August 18, 2009

Mr. Louie P. Lopez  
M.W. Cude Engineers  
10325 Bandera Road  
San Antonio, Texas 78250

RE: File No. 0908001 - Request for review of **Crossbridge Community Church, Plat No. 090222** located west of US 281 and north of Overlook Parkway.

Dear Mr. Lopez:

On August 5, 2009, the Aquifer Protection & Evaluation Section of the Resource Protection Division of the San Antonio Water System (SAWS) received a request to review a plat for the property referenced above. Staff reviewed the documentation submitted and conducted field observations of the referenced plat to ensure compliance with applicable requirements for development over the Edwards Aquifer Recharge Zone (EARZ). The land use of the subject plat is for church and consists of approximately 2.619 acres located entirely within the EARZ. No significant features were observed. The property is not within the 100-year floodplain preservation area.

The proposed development is a **Category 1** property under the provisions of Aquifer Protection Ordinance No. 81491-File No. 1798. Should any documentation become available that would alter this Category designation, the documentation may be submitted to the San Antonio Water System for review and possible Category redesignation.

A Water Pollution Abatement Plan (WPAP) have been submitted to the Texas Commission on Environmental Quality (TCEQ) and approved in their letter dated July 8, 2009. An Organized Sewage Collection System (SCS) Plan has been submitted for review and approval by the Texas Commission on Environmental Quality (TCEQ).

After careful review of the project and the documentation submitted by the applicant, the Aquifer Protection & Evaluation Section of the Resource Protection Division of the San Antonio Water System, recommends the approval of Crossbridge Community Church, Plat No. 090222.

If you have any questions regarding this matter, please contact the Aquifer Protection & Evaluation Section at (210) 233-3520.

Sincerely,

A handwritten signature in black ink that reads "Kirk M. Nixon".

Kirk M. Nixon  
Manager  
Resource Protection Division

KMN:GDJ:pzg

**PLANNING COMMISSION  
SUBDIVISION**

AGENDA ITEM NO:   9   June 9, 2010

REDLAND HILLS UNIT 2  
SUBDIVISION NAME

MAJOR PLAT

100007  
PLAT #

**COUNCIL DISTRICT:** 10

**FERGUSON MAP GRID:** 517 F-3

**OWNER:** FCS Fischer, LTD, by Rick Sheldon

**ENGINEER:** Pape-Dawson Engineers, Inc., by Shauna L. Weaver, P.E.

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

**Date filed with Planning Commission:** May 24, 2010

**Location:** On the north side of Jones Maltsberger Road, east of Redland Road

**Services Available:** SAWS Water and Sewer

**Zoning:** C-2 Commercial District  
ERZD Edwards Recharge Zone District

**Plat is in associated with:**

MDP 859, FCS Fischer, LTD, accepted November 17, 2005

**Proposed Use:** Commercial

**Major Thoroughfare:** Redland Road is a secondary arterial, Type A , minimum R.O.W. 86 feet

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**APPLICANT'S PROPOSAL:**

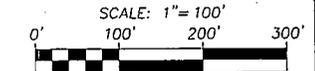
To plat 17.144 acres consisting of 5 non-single family lots.

**DISCUSSION:**

This plat lies within the Edwards Recharge Zone District and has been reviewed by the Aquifer Protection and Evaluation Section of the San Antonio Water Systems, as indicated in the attached report. No significant recharge features were observed on this site. This plan meets all of the requirements for development over the recharge zone.

**STAFF RECOMMENDATION:**

Approval



**PAPE-DAWSON ENGINEERS**

555 EAST RAINEY | SAN ANTONIO, TEXAS 78216 | PHONE: 210.375.9000 FAX: 210.375.9010  
TEXAS BOARD OF PROFESSIONAL ENGINEERS, FIRM REGISTRATION # 470

**SUBDIVISION PLAT OF REDLAND HILLS - UNIT 2**

A 17.144 ACRE TRACT OF LAND OUT OF AN 86.73 ACRE TRACT OF LAND CONVEYED TO FCS FISCHER, LTD. IN GENERAL WARRANTY DEED WITH VENDORS LIEN RECORDED IN VOLUME 8368, PAGES 210-226 OF THE OFFICIAL PUBLIC RECORDS OF BEAR COUNTY, TEXAS, OUT OF THE JUAN ESCAMBA SURVEY NUMBER 386 1/2, ABSTRACT 218, COUNTY BLOCK 4954 AND THE JOEL SURVEY NUMBER 384, ABSTRACT 201, COUNTY BLOCK 4968, IN NEW CITY BLOCK 17725, IN THE CITY OF SAN ANTONIO, BEAR COUNTY, TEXAS.

**C.P.S. NOTES:**  
1. THE CITY OF SAN ANTONIO AS PART OF ITS ELECTRIC AND GAS SYSTEM (CITY PUBLIC SERVICE BOARD) IS HEREBY DEDICATED RIGHTS-OF-WAY FOR ELECTRIC ENGINEERING AND SERVICE FACILITIES IN THE AREAS DESIGNATED ON THIS PLAT AS "ELECTRIC EASEMENT," "ANCHOR EASEMENT," "SERVICE EASEMENT," "COVERING EASEMENT," "UTILITY EASEMENT," "GAS EASEMENT," AND "TRANSFORMER EASEMENT" FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, RECONSTRUCTING, MAINTAINING, REMOVING, INSPECTING, PATROLLING, AND ERECTING POLES, HANGING OR BURNING WIRES, CABLES, CONDUITS, PIPES OR REBARINGS, EACH WITH HIS NECESSARY APPURTENANCES TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER GRANOR'S ADJACENT LAND, THE RIGHT TO RELOCATE SAID FACILITIES WITHIN SAID EASEMENT AND RIGHT-OF-WAY AREAS, AND THE RIGHT TO REMOVE FROM SAID LAND ALL TREES OR PARTS THEREOF, OR OTHER OBSTRUCTIONS WHICH ENDANGER OR MAY INTERFERE WITH THE EFFICIENCY OF SAID LINES OR APPURTENANCES THEREOF, IT IS AGREED AND UNDERSTOOD THAT NO BUILDINGS, CONCRETE SLABS, OR WALLS WILL BE PLACED WITHIN SAID EASEMENT AREA.  
2. ANY C.P.S. INCIDENTAL LOSS RESULTING FROM MODIFICATIONS REQUIRED OF C.P.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.  
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 HEREON.

**DRAINAGE EASEMENT NOTE:**  
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 THE GRANOR'S ADJACENT PROPERTY TO REMOVE ANY INTERFERING OBSTRUCTIONS PLACED WITHIN THE LIMITS OF SAID DRAINAGE EASEMENTS AND TO MAKE ANY MODIFICATIONS OR IMPROVEMENTS WITHIN SAID DRAINAGE EASEMENTS.

**DRAINAGE AND DETENTION STUDY NOTE:**  
1. NO BUILDING OR DRIVEWAY PERMIT WILL BE ISSUED FOR THIS PLATTED PROPERTY UNLESS A DRAINAGE AND DETENTION STUDY HAS BEEN REVIEWED AND APPROVED BY THE ENGINEERING DIVISION OF THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT OF THE CITY OF SAN ANTONIO.  
2. STORM WATER DETENTION IS REQUIRED FOR THIS PROPERTY. NO BUILDING PERMITS WILL BE ISSUED FOR THE PROPERTY UNTIL A COMPLETE DETENTION BASIN DESIGN IS APPROVED BY THE CITY OF SAN ANTONIO. FOR LOT 19, THE ENGINEER OF RECORD FOR THIS SUBDIVISION PLAT HAS ESTIMATED THAT AN AREA OF APPROXIMATELY 1,027 ACRES AND A VOLUME OF APPROXIMATELY 0.34 ACRE FEET WILL BE REQUIRED. FOR LOT 20, THE ENGINEER OF RECORD FOR THIS SUBDIVISION PLAT HAS ESTIMATED THAT AN AREA OF APPROXIMATELY 826 ACRES AND A VOLUME OF APPROXIMATELY 0.34 ACRE FEET WILL BE REQUIRED. FOR LOT 21, THE ENGINEER OF RECORD FOR THIS SUBDIVISION PLAT HAS ESTIMATED THAT AN AREA OF APPROXIMATELY 1,027 ACRES AND A VOLUME OF APPROXIMATELY 0.34 ACRE FEET WILL BE REQUIRED. FOR LOT 22, THE ENGINEER OF RECORD FOR THIS SUBDIVISION PLAT HAS ESTIMATED THAT AN AREA OF APPROXIMATELY 1,024 ACRES AND A VOLUME OF APPROXIMATELY 1.33 ACRE FEET WILL BE REQUIRED. THIS IS AN ESTIMATE ONLY AND A DETAILED ANALYSIS MAY REVEAL DIFFERENT REQUIREMENTS.

**MAINTENANCE NOTE:**  
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 THEIR SUCCESSORS OR AGENTS AND NOT THE RESPONSIBILITY OF THE CITY OF SAN ANTONIO OR BEAR COUNTY.

THIS PLAT OF REDLAND HILLS - UNIT 2 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\_\_\_\_

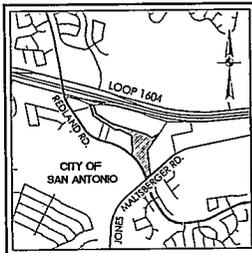
BY: \_\_\_\_\_ CHAIRMAN  
BY: \_\_\_\_\_ SECRETARY

STATE OF TEXAS  
COUNTY OF BEAR

I, \_\_\_\_\_, COUNTY CLERK OF BEAR COUNTY, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE, ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_ AT \_\_\_\_\_, AND I HAVE RECORDED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_ AT \_\_\_\_\_ 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. 20\_\_\_\_

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

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



**LOCATION MAP**

MARSCO MAP SERIES STIFF 10:10 SCALE

**LEGEND**

- DR DEED RECORDS OF BEAR COUNTY, TEXAS
- OPR OFFICIAL PUBLIC RECORDS (OFFICIAL PUBLIC RECORDS OF REAL PROPERTY) OF BEAR COUNTY, TEXAS
- DRR DEED AND PLAT RECORDS OF BEAR COUNTY, TEXAS
- ROR RIGHT-OF-WAY
- NB NEW CITY BLOCK
- BLK BLOCK
- VL VOLUME
- PG PAGE(S)
- FO FOUND 1/2" CON ROD (UNLESS NOTED OTHERWISE)
- FO FOUND TADOT IMPLEMENTATION
- 1140--- EXISTING CONTOURS
- EFFECTIVE (EXISTING) FEMA 100-YEAR FLOODPLAIN
- 100-YEAR FUTURE CONDITIONS (REGULATORY) FLOODPLAIN

SEE SHEET 2 OF 2 FOR CURVE AND LINE TABLE

- ① 14" GAS, ELECTRIC, TELEPHONE AND CABLE TV EASEMENT
- ② 1" VEHICULAR NON-ACCESS EASEMENT
- ③ VARIABLE WIDTH DRAINAGE EASEMENT (8.211 ACRES)
- ④ 13' RIGHT-OF-WAY DEDICATION TO THE CITY OF SAN ANTONIO (1,028 ACRES)
- ⑤ LOT 1, BLOCK 20, NCS 17725 FISCHER 4.8 ACRES (VOL 9574, PG 211, OPR)

STATE OF TEXAS  
COUNTY OF BEAR

THE OWNERS 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/DEVELOPER: RICK SHELDON  
FCS FISCHER, LTD.  
601 SONTERRA BLVD.  
SAN ANTONIO, TEXAS 78258  
(210) 490-2500

STATE OF TEXAS  
COUNTY OF BEAR

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED RICK SHELDON, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED, GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_

\_\_\_\_\_, NOTARY PUBLIC, BEAR COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF BEAR

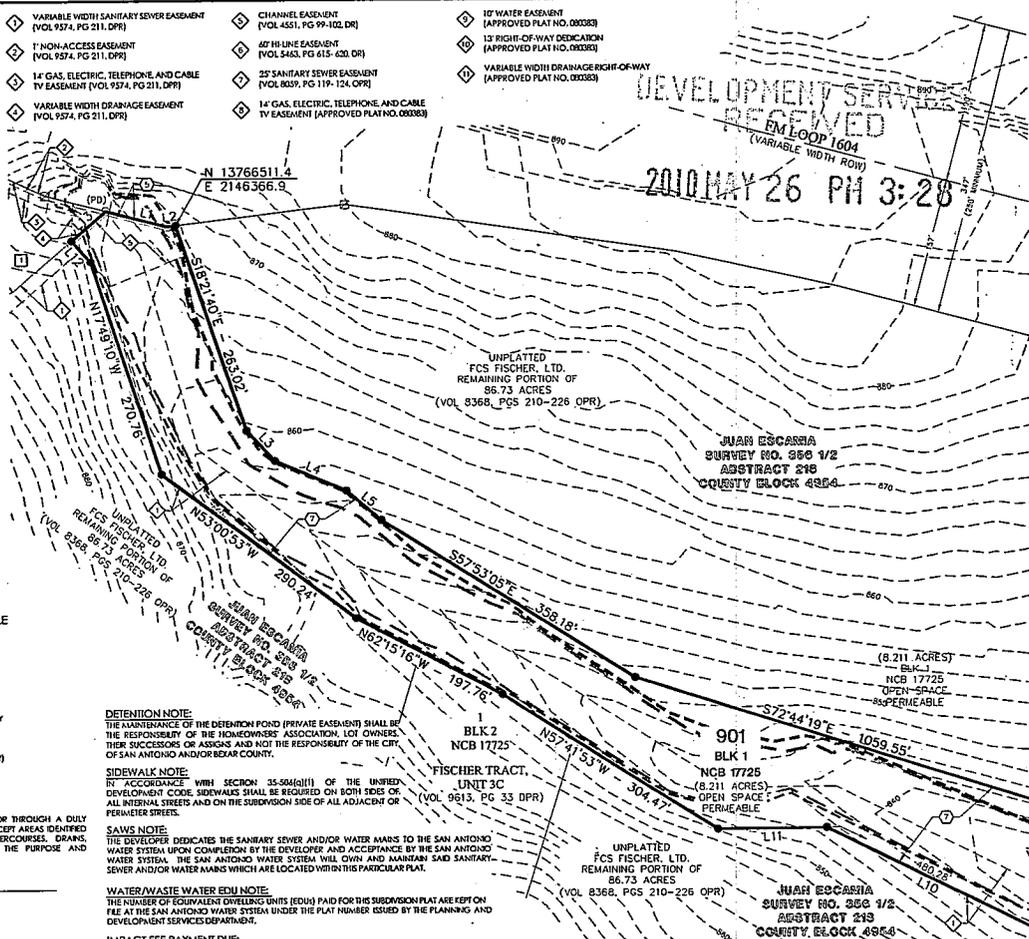
I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT TO THE MATTERS OF STREETS, LOTS AND DRAINAGE LAYOUT, TO THE BEST OF MY KNOWLEDGE, THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE UNITED DEVELOPMENT CODE, EXCEPT FOR THOSE VARIANCES GRANTED BY THE SAN ANTONIO PLANNING COMMISSION.

\_\_\_\_\_, LICENSED PROFESSIONAL ENGINEER

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: PAPE-DAWSON ENGINEERS, INC.

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



**DETENTION NOTE:**  
THE MAINTENANCE OF THE DETENTION POND (PRIVATE EASEMENT) SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION, LOT OWNERS, THEIR SUCCESSORS OR AGENTS AND NOT THE RESPONSIBILITY OF THE CITY OF SAN ANTONIO AND/OR BEAR COUNTY.

**SIDEWALK NOTE:**  
IN ACCORDANCE WITH SECTION 35-504(a)(1) OF THE UNITED DEVELOPMENT CODE, SIDEWALKS SHALL BE REQUIRED ON BOTH SIDES OF ALL INTERNAL STREETS AND ON THE SUBDIVISION SIDE OF ALL ADJACENT OR PERMETER STREETS.

**SAWES NOTE:**  
THE DEVELOPER DEDICATED THE SANITARY SEWER AND/OR WATER MAINS TO THE SAN ANTONIO WATER SYSTEM UPON COMPLETION BY THE DEVELOPER AND ACCEPTANCE BY THE SAN ANTONIO WATER SYSTEM. THE SAN ANTONIO WATER SYSTEM WILL OWN AND MAINTAIN SAID SANITARY SEWER AND/OR WATER MAINS WHICH ARE LOCATED WITHIN THIS PARTICULAR PLAT.

**WATER/WASTE WATER EDU NOTE:**  
THE NUMBER OF EQUIVALENT DWELLING UNITS (EDU) PAID FOR THIS SUBDIVISION PLAT ARE EIGHT ON FEE AT THE SAN ANTONIO WATER SYSTEM UNDER THE PLAT NUMBER ISSUED BY THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT.

**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/OR WASTEWATER SERVICE CONNECTION.

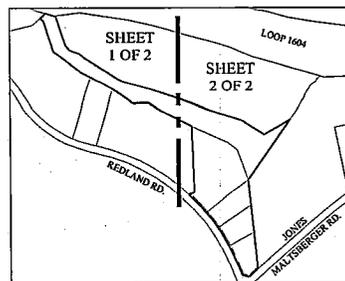
**FIRE DEPARTMENT CROSS ACCESS EASEMENT NOTE:**  
INGRESS AND EGRESS SHALL BE PROVIDED BETWEEN ALL ADJACENT LOTS FOR ADEQUATE FIRE DEPARTMENT VEHICLE ACCESS FOR THE CITY OF SAN ANTONIO FIRE CODE. THE CROSS ACCESS SHALL NOT BE BLOCKED NOR ANY TIE IN BE TAKEN OFF OF THE PLAT WITHOUT WRITTEN PERMISSION FROM THE CITY OF SAN ANTONIO DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES AND THE SAN ANTONIO FIRE DEPARTMENT FIRE MARSHAL.

**SHARED CROSS ACCESS NOTE:**  
IN ACCORDANCE WITH SECTION 35-510(1) OF THE UNITED DEVELOPMENT CODE, THE OWNER SHALL PROVIDE SHARED CROSS ACCESS WITH ADJACENT LOTS.

**FINISHED FLOOR NOTE:**  
FINISHED FLOOR ELEVATIONS MUST BE A MINIMUM OF 8" ABOVE FIRM ADJACENT GRADE. MINIMUM FINISHED FLOOR ELEVATIONS FOR RESIDENTIAL AND COMMERCIAL LOTS ADJACENT TO THE FLOODPLAIN SHALL BE ELEVATED AT LEAST 1 FOOT HIGHER THAN THE COMPIRED WATER SURFACE ELEVATION FOR THE 100-YEAR STORM EVENT FOR THE ULTIMATE DEVELOPMENT CONDITION. FINISHED FLOOR ELEVATIONS REPRESENT THE MINIMUM POSSIBLE FLOOR ELEVATION TO PROVIDE SANITARY SEWER SERVICE TO EACH LOT. ACTUAL FINISHED FLOOR ELEVATIONS FOR EACH LOT ARE TO BE DETERMINED BY THE BUILDER AND SHALL TAKE INTO CONSIDERATION AS-BUILT CONDITIONS FOR FOUND SEWER SERVICES AND ACTUAL LATERAL PLACEMENTS.

**EDWARDS AQUIFER RECHARGE ZONE NOTE:**  
1. THIS SUBDIVISION IS WITHIN THE EDWARDS AQUIFER RECHARGE ZONE. TO THE EXTENT APPLICABLE, DEVELOPMENT WITHIN THIS SUBDIVISION IS SUBJECT TO CHAPTER 34, ARTICLE VI, DIVISION 6 OF THE SAN ANTONIO CITY CODE ENTITLED "AQUIFER RECHARGE ZONE AND WATERBODIES PROTECTION OR LATEST REVISION THEREOF."  
2. NO PERSON SHALL COMMENCE THE CONSTRUCTION OF ANY REGULATED ACTIVITY UNLESS AN EDWARDS AQUIFER PROTECTION PLAN (WATER POLLUTION ABATEMENT PLAN OR "WAPP") OR MODIFICATION TO AN APPROVED PLAN AS REQUIRED BY 30 TAC 213 OF THE TEXAS ADMINISTRATIVE CODE, OR LATEST REVISION THEREOF, HAS BEEN FILED WITH THE APPROPRIATE REGIONAL TCEQ OFFICE, AND THE APPLICATION HAS BEEN APPROVED BY THE EXECUTIVE DIRECTOR OF THE REGIONAL TCEQ OFFICE.

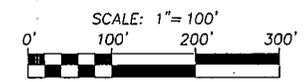
**TADOT NOTES:**  
1. FOR RESIDENTIAL DEVELOPMENT DIRECTLY ADJACENT TO STATE RIGHT-OF-WAY, THE DEVELOPER SHALL BE RESPONSIBLE FOR ADEQUATE SETBACK AND/OR SOUND ABATEMENT MEASURES FOR FUTURE MOTOR VEHICLE TRAFFIC.  
2. MAXIMUM ACCESS POINTS TO STATE HIGHWAY FROM THIS PROPERTY WILL BE REGULATED AS DIRECTED BY REGULATIONS FOR ACCESS DRIVeways TO STATE HIGHWAYS. THIS PROPERTY IS NOT ELIGIBLE FOR DIRECT ACCESS TO LOOP 1604.



**INDEX MAP**

NOT-TO-SCALE

**SURVEYOR'S NOTES:**  
1. PROPERTY CORNERS ARE MONUMENTED WITH CAP OR DISK MARKED "PAPE-DAWSON" UNLESS NOTED OTHERWISE.  
2. COORDINATES SHOWN ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 (NAD 83) (GCS 1998) FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE DISPLAYED IN GRID VALUES DERIVED FROM THE NGS COOPERATIVE CORS NETWORK.  
3. DIMENSIONS SHOWN ARE SURFACE.  
4. BEARINGS ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 (NAD 83) FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE.



**PAPE-DAWSON ENGINEERS**

555 EAST HANLEY | SAN ANTONIO, TEXAS 78216 | PHONE: 210.375.9000  
 210.375.9010  
 TEXAS BOARD OF PROFESSIONAL ENGINEERS, FIRM REGISTRATION # 470

SUBDIVISION PLAT  
 OF  
**REDLAND HILLS - UNIT 2**

A 17.144 ACRE TRACT OF LAND OUT OF AN 84.73 ACRE TRACT OF LAND CONVEYED TO FCS FISCHER, LTD. IN GENERAL WARRANTY DEED WITH VENDORS Lien RECORDED IN VOLUME 8368, PAGES 210-226 OF THE OFFICIAL PUBLIC RECORDS OF BEAR COUNTY, TEXAS, OUT OF THE JUAN ESCARMA SURVEY NUMBER 356 1/2 ABSTRACT 218, COUNTY BLOCK 4954 AND A LOT SURVEY NUMBER 354, ABSTRACT 291, COUNTY BLOCK 4968, IN NEW CITY BLOCK 17725, IN THE CITY OF SAN ANTONIO, BEAR COUNTY, TEXAS.

**C.P.S. NOTES:**  
 1. 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 THE DISTRIBUTION AND SERVICE FACILITIES IN THE AREAS DESIGNATED ON THIS PLAT AS "ELECTRIC EASEMENT," "GAS EASEMENT," AND "TRANSFORMER EASEMENT" FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, RECONSTRUCTING, MAINTAINING, REPAIRING, INSPECTING, PARALLELING, AND ERECTING POLES, HANGING OR BUNDLING WIRES, CABLES, CONDUITS, PIPES AND TRANSFORMERS, EACH WITH THE NECESSARY APPURTENANCES TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER GRANTORS ADJACENT LAND, THE RIGHT TO RELOCATE SAID FACILITIES WITHIN SAID EASEMENT AND RIGHT-OF-WAY AREAS, AND THE RIGHT TO REMOVE FROM SAID LOTS ALL TREES OR PARTS THEREOF, OR OTHER OBSTRUCTIONS WHICH ENDANGER OR MAY INTERFERE WITH THE EFFICIENCY OF SAID LINES OR APPURTENANCES THEREOF, IF IT IS AGREED AND UNDERSTOOD THAT NO BUILDINGS, CONCRETE SLABS, OR WALLS WILL BE PLACED WITHIN SAID EASEMENTS.  
 2. ANY CIP MONETARY LOSS RESULTING FROM MODIFICATIONS REQUIRED OF CIP 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 AFFECT, 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 THEREON.

**DRAINAGE EASEMENT NOTE:**  
 NO STRUCTURE, FENCE, WALL, 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 BEAR COUNTY SHALL HAVE THE RIGHT OF INGRESS AND EGRESS OVER THE GRANERS ADJACENT PROPERTY TO REMOVE ANY UNDESIRABLE OBSTRUCTIONS PLACED WITHIN THE LIMITS OF SAID DRAINAGE EASEMENTS, AND TO MAKE ANY MODIFICATIONS OR IMPROVEMENTS WITHIN SAID DRAINAGE EASEMENTS.

**DRAINAGE AND DETENTION STUDY NOTE:**  
 1. NO BUILDING OR DRIVEWAY PERMIT WILL BE ISSUED FOR THIS PLATTED PROPERTY UNTIL A DRAINAGE AND DETENTION STUDY HAS BEEN REVIEWED AND APPROVED BY THE ENGINEERING DIVISION OF THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT OF THE CITY OF SAN ANTONIO.  
 2. STORM WATER DETENTION IS REQUIRED FOR THIS PROPERTY, NO BUILDING PERMITS WILL BE ISSUED FOR THE PROPERTY UNTIL A COMPLETE DETENTION BASIN DESIGN IS APPROVED BY THE CITY OF SAN ANTONIO. FOR LOT 19, THE ENGINEER OF RECORD FOR THIS SUBDIVISION PLAT HAS ESTIMATED THAT AN AREA OF APPROXIMATELY 0.047 ACRES AND A VOLUME OF APPROXIMATELY 0.34 ACRE FEET WILL BE REQUIRED. FOR LOT 20, THE ENGINEER OF RECORD FOR THIS SUBDIVISION PLAT HAS ESTIMATED THAT AN AREA OF APPROXIMATELY 0.037 ACRES AND A VOLUME OF APPROXIMATELY 0.33 ACRE FEET WILL BE REQUIRED. FOR LOT 21, THE ENGINEER OF RECORD FOR THIS SUBDIVISION PLAT HAS ESTIMATED THAT AN AREA OF APPROXIMATELY 0.037 ACRES AND A VOLUME OF APPROXIMATELY 0.44 ACRE FEET WILL BE REQUIRED. FOR LOT 22, THE ENGINEER OF RECORD FOR THIS SUBDIVISION PLAT HAS ESTIMATED THAT AN AREA OF APPROXIMATELY 0.254 ACRES AND A VOLUME OF APPROXIMATELY 1.33 ACRE FEET WILL BE REQUIRED. THIS IS AN ESTIMATE ONLY AND A DETAILED ANALYSIS MAY REVEAL DIFFERENT REQUIREMENTS.

**MAINTENANCE NOTE:**  
 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 THEIR SUCCESSORS OR ASSIGNEES AND NOT THE RESPONSIBILITY OF THE CITY OF SAN ANTONIO OR BEAR COUNTY.

THIS PLAT OF REDLAND HILLS - UNIT 2 HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO, TEXAS, HEREBY APPROVED BY SUCH COMMISSION IN ACCORDANCE WITH STATE OR LOCAL LAWS AND REGULATIONS, AND WHERE ADMINISTRATIVE EXCEPTION(S) AND/OR VARIANCE(S) HAVE BEEN GRANTED.

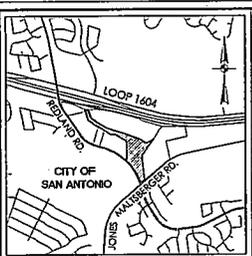
DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_  
 BY: \_\_\_\_\_ CHAIRMAN  
 BY: \_\_\_\_\_ SECRETARY

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

DATE: May 28, 2010, 10:17am  
 FILE: U:\639\pape\pape\com\pape\100007\100007.dwg  
 SHEET 2 OF 2

**CURVE TABLE**

CURVE	RADIUS	TANGENT	DELTA	CHORD BEARING	CHORD	LENGTH
C1	1667.28'	351.74'	23°49'32"	N55°29'58"W	888.32'	693.31'
C2	1680.28'	350.26'	23°33'00"	S35°21'42"E	1685.78'	1118.60' 63.1'



LOCATION MAP  
 MAPSCO MAP GRID: 3174  
 NOT TO SCALE

- LEGEND**
- DR DEED RECORDS OF BEAR COUNTY, TEXAS
  - OPR OFFICIAL PUBLIC RECORDS (OFFICIAL PUBLIC RECORDS OF REAL PROPERTY) OF BEAR COUNTY, TEXAS
  - OPR DEED AND PLAT RECORDS OF BEAR COUNTY, TEXAS
  - RHW RIGHT-OF-WAY
  - NCB NEW CITY BLOCK
  - BLK BLOCK
  - VOL VOLUME
  - PG PAGE(S)
  - FOUND 1/2" IRON ROD (UNLESS NOTED OTHERWISE)
  - ⊠ FOUND TADOT MONUMENTATION
  - - - - - EXISTING CONTOURS
  - - - - - EFFICIENT (EXISTING) FEMA 100-YEAR FLOODPLAIN
  - - - - - 100-YEAR FUTURE CONDITIONS (REGULATORY) FLOODPLAIN
  - ① 14" GAS, ELECTRIC, TELEPHONE AND CABLE TV EASEMENT
  - ② 1" VEHICULAR NON-ACCESS EASEMENT
  - ③ VARIABLE WIDTH DRAINAGE EASEMENT (8.21 ACRES)
  - ④ 13' RIGHT-OF-WAY DEDICATION TO THE CITY OF SAN ANTONIO (0.256 ACRES)
  - ⑤ LOT 1, BLOCK 20, NCB 17725 FISCHER 4.9 ACRES (VOL. 9274, PG. 211, DFR)

STATE OF TEXAS  
 COUNTY OF BEAR

THE OWNERS 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, GRASS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

OWNER/DEVELOPER: RICK SHELDON  
 FCS FISCHER, LTD.  
 601 SONTERRA BLVD.  
 SAN ANTONIO, TEXAS 78258  
 (210) 490-2500

STATE OF TEXAS  
 COUNTY OF BEAR

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED RICK SHELDON, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED, GIVEN UNDER MY HAND AND SEAL OF OFFICE.

NOTARY PUBLIC, BEAR COUNTY, TEXAS

STATE OF TEXAS  
 COUNTY OF BEAR

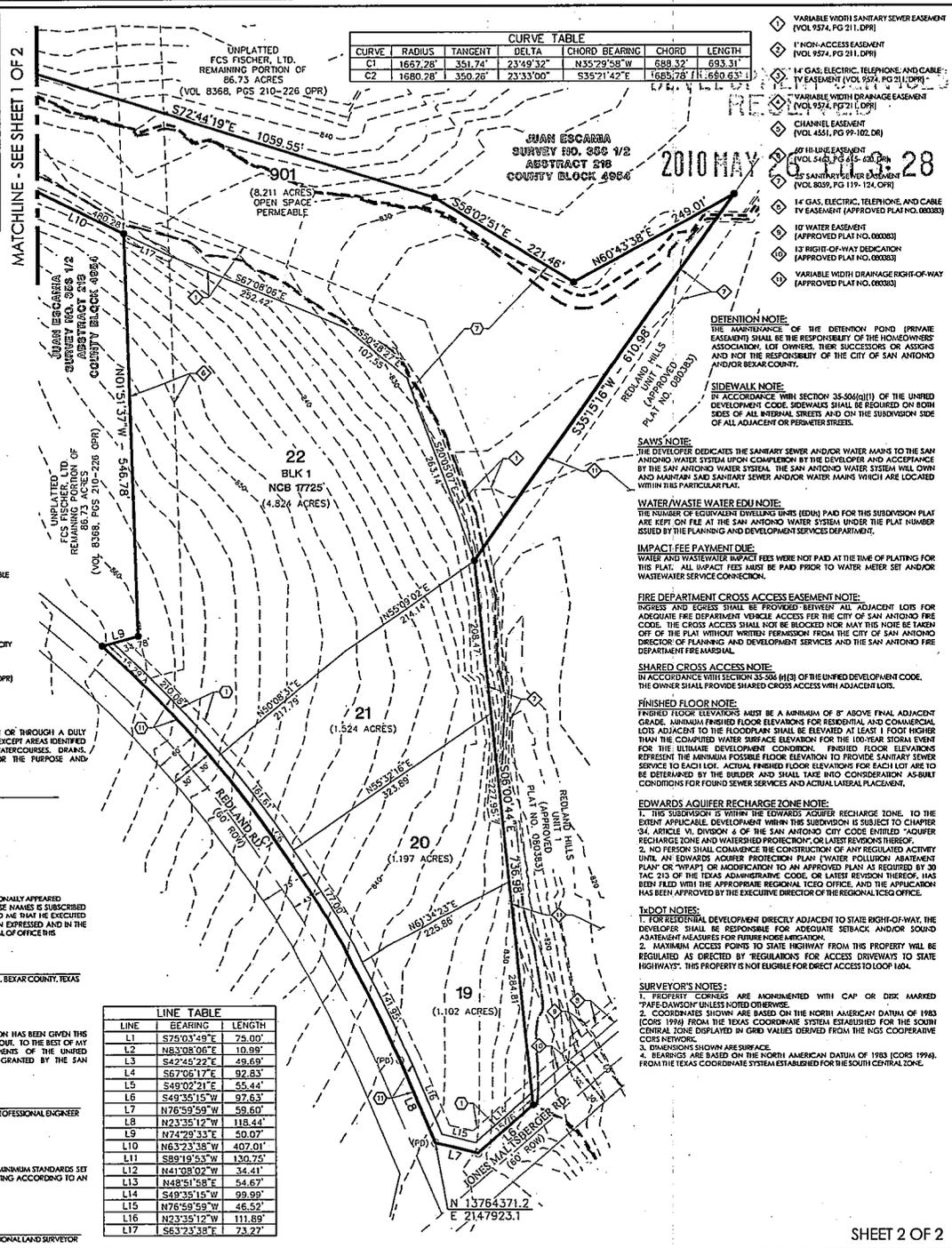
I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT TO THE MATTERS OF STREETS, LOTS AND DRAINAGE LAYOUT, TO THE BEST OF MY KNOWLEDGE THE PLAT CONFORMS TO ALL REQUIREMENTS OF THE UNIFIED DEVELOPMENT CODE, EXCEPT FOR THOSE VARIANCES GRANTED BY THE SAN ANTONIO PLANNING COMMISSION.

LICENSED PROFESSIONAL ENGINEER

STATE OF TEXAS  
 COUNTY OF 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 PAPE-DAWSON ENGINEERS, INC.

REGISTERED PROFESSIONAL LAND SURVEYOR



**LINE TABLE**

LINE	BEARING	LENGTH
L1	S75°03'49"E	75.00'
L2	N83°08'00"E	10.99'
L3	S47°42'22"E	49.69'
L4	S67°06'17"E	92.83'
L5	S49°02'21"E	55.44'
L6	S49°35'15"W	97.63'
L7	N76°59'59"W	59.60'
L8	N23°35'12"W	118.44'
L9	N74°29'53"E	50.07'
L10	N63°23'38"W	407.01'
L11	S89°19'53"W	130.75'
L12	N41°08'02"W	34.41'
L13	N48°51'58"E	54.67'
L14	S49°35'15"W	99.99'
L15	N76°59'59"W	46.52'
L16	N23°35'12"W	111.89'
L17	S63°23'38"E	73.27'



DEVELOPMENT SERVICES  
RECEIVED  
January 20, 2010  
2010 MAY 20 PM 2: 53

Ms. Shauna Weaver, P.E.  
Pape-Dawson Engineers, Inc.  
555 East Ramsey  
San Antonio, Texas 78216

RE: File No. 0912004 - Request for review of Redland Hills Unit 2, Plat No. 100007 located near the intersection of Redland Hills Road and Jones Maltzberger Road.

Dear Ms. Weaver:

On December 22, 2009, the Aquifer Protection & Evaluation Section of the Resource Protection Division of the San Antonio Water System (SAWS) received a request to review a plat for the property referenced above. Staff reviewed the documentation submitted and conducted field observations of the referenced plat to ensure compliance with applicable requirements for development over the Edwards Aquifer Recharge Zone (EARZ). The land use of the subject plat is for commercial and consists of approximately 17.116 acres located entirely within the EARZ. No sensitive features were observed. The property is not within the 100-year floodplain preservation area.

The proposed development is a Category 1 property under the provisions of Aquifer Protection Ordinance No. 81491-File No. 1822. Should any documentation become available that would alter this Category designation, the documentation may be submitted to the San Antonio Water System for review and possible Category redesignation.

At the time of this request it is unknown if a Water Pollution Abatement Plan (WPAP) or an Organized Sewage Collection System (SCS) Plan have been submitted to or approved by the Texas Commission on Environmental Quality (TCEQ). No building permit will be released until a Water Pollution Abatement Plan has been submitted to and approved by TCEQ.

After careful review of the project and the documentation submitted by the applicant, the Aquifer Protection & Evaluation Section of the Resource Protection Division of the San Antonio Water System, recommends the approval of Redland Hills Unit 2, Plat No. 100007.

If you have any questions regarding this matter, please contact the Aquifer Protection & Evaluation Section at (210) 233-3520.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kirk M. Nixon'.

Kirk M. Nixon

Manager

Resource Protection Division

KMN/GDJ:LRD

**PLANNING COMMISSION  
SUBDIVISION**

AGENDA ITEM NO: 10 June 9, 2010

MONTICELLO RANCH UNIT 5A  
SUBDIVISION NAME

MAJOR PLAT

100058  
PLAT #

**COUNCIL DISTRICT:** Outside San Antonio City Limits

**FERGUSON MAP GRID:** 611 B-4

**OWNER:** Centex Real Estate Corporation, by Charles Marsh

**ENGINEER:** M.W.Cude Engineers, L.L.C., by Joshua M. Cude, P.E.

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

**Date filed with Planning Commission:** May 25, 2010

**Location:** South of the intersection of Capri and Fontana Albero

**Services Available:** Bexar Metropolitan Water District and SAWS Sewer

**Zoning:** Outside San Antonio City Limits

**Plat is associated with:** MDP 790-C, Monticello Ranch, accepted on April 24, 2008

**Proposed Use:** Residential

---

**APPLICANT'S PROPOSAL:**

To plat 6.482 acres consisting of 44 single family lots, and 1,080 linear feet of public streets.

**STAFF RECOMMENDATION:**

Approval



M.W. CUDE ENGINEERS, L.L.C.  
10325 BANDERA ROAD  
SAN ANTONIO, TEXAS 78258  
TEL. 210.681.2951 FAX 210.681.2112  
WWW.MWCUDE.COM  
TX REG. NO. 100058  
PRM #433  
CONTACT: CHRISTOPHER DICE, P.E.

SUBDIVISION PLAT  
ESTABLISHING  
**MONTICELLO RANCH**  
**SUBDIVISION, UNIT 5A**

BEING 6.482 ACRES OF LAND OUT OF A 99.570 ACRE TRACT OF LAND RECORDED IN VOLUME 1051, PAGES 799 THROUGH 803, OFFICIAL PUBLIC RECORDS OF BEAR COUNTY, TEXAS, AND OUT OF THE VICENTE HERNANDEZ SURVEY NO. 200 3/4, ABSTRACT NO. 1181, COUNTY BLOCK 4365, BEAR COUNTY, TEXAS.

THIS PLAT OF MONTICELLO RANCH SUBDIVISION, UNIT 5A, HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO, TEXAS, AND IS HEREBY APPROVED BY SAID 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. \_\_\_\_\_  
BY: \_\_\_\_\_ CHAIRMAN  
BY: \_\_\_\_\_ SECRETARY

STATE OF TEXAS  
COUNTY OF BEAR

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

CENTEX HOMES,  
A NEVADA GENERAL PARTNERSHIP

OWNER / DEVELOPER  
1331 W. LOOP 1007 EAST, STE. 108  
SAN ANTONIO, TEXAS 78232  
PHONE: (210) 486-1885  
FAX: (210) 486-0418  
CONTACT PERSON: CHARLES WARDH BY: \_\_\_\_\_

CENTEX REAL ESTATE CORPORATION,  
A NEVADA CORPORATION,  
ITS MANAGING GENERAL PARTNER

DUTY AUTHORIZED AGENT  
STATE OF TEXAS  
COUNTY OF BEAR

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_ WHOM 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. \_\_\_\_\_

NOTARY PUBLIC  
IN AND FOR THE STATE OF TEXAS  
JOSHUA M. CUDE, P.E.  
10325 BANDERA ROAD  
SAN ANTONIO, TEXAS 78258  
PHONE: (210) 486-1885  
FAX: (210) 486-0418  
CONTACT PERSON: CHARLES WARDH BY: \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF BEAR

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

M.W. CUDE ENGINEERS, L.L.C.  
JOSHUA M. CUDE, P.E.  
REGISTERED PROFESSIONAL ENGINEER

STATE OF TEXAS  
COUNTY OF BEAR

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

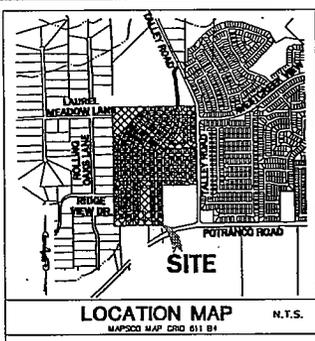
M.W. CUDE ENGINEERS, L.L.C.  
STEPHANIE L. JAMES, P.L.S.  
REGISTERED PROFESSIONAL LAND SURVEYOR

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 IN THE \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. \_\_\_\_\_ AT \_\_\_\_\_ M. IN THE OFFICIAL PUBLIC 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

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



THE CITY OF SAN ANTONIO AS A PART OF ITS ELECTRIC AND GAS SYSTEM (C.P.S. ENERGY) IS HEREBY DEDICATED 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," "ANCHOR EASEMENT," "SERVING EASEMENT," "OVERHANG EASEMENT," "UTILITY EASEMENT" AND "TRANSFORMER EASEMENT" FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, RECONSTRUCTING, MAINTAINING, REPAIRING, PATROLLING AND INSPECTING POLES, HANDING OR BURNING WIRES, CABLES, CONDUITS, PIPELINES OR TRANSFORMERS, EACH WITH ITS NECESSARY APPURTENANCES, TOGETHER WITH THE RIGHT OF ACCESS 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 OBSTRUCT OR MAY INTERFERE WITH THE EFFICIENT USE OF SAID LINES OR APPURTENANCES. HEREIN, IT IS AGREED AND UNDERSTOOD THAT NO BUILDINGS, CONCRETE SLABS OR WALLS WILL BE PLACED WITHIN SAID EASEMENT AREAS.

ANY C.P.S. ENERGY MONETARY LOSS RESULTING FROM MODIFICATIONS REQUIRED BY C.P.S. ENERGY COMPANY, 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 TELEVISION EASEMENTS FOR UTILITIES UNLESS THE CHANGES TO SUCH EASEMENTS ARE DESCRIBED BELOW.

ROOF OVERHANGS ARE ALLOWED WITHIN FIVE (5) FOOT WIDE E.G.T.C.A. EASEMENTS WHEN ONLY UNDERGROUND ELECTRIC, GAS, TELEPHONE, OR CABLE TELEVISION FACILITIES ARE PROPOSED OR EXISTING WITHIN THE FIVE (5) FOOT WIDE EASEMENT.

CONCRETE DRIVEWAY APPROACHES ARE ALLOWED WITHIN THE FIVE (5) FOOT WIDE E.G.T.C.A. EASEMENT WHEN LOTS ARE SERVED ONLY BY REAR LOT UNDERGROUND ELECTRIC, GAS, TELEPHONE, OR CABLE TELEVISION FACILITIES.

THE MAINTENANCE OF ALL EASEMENTS OF ANY NATURE, AS WELL AS THE MAINTENANCE OF OPEN SPACE WITHIN MONTICELLO RANCH SUBDIVISION, UNIT 5A SHALL BE THE RESPONSIBILITY OF THE HOME OWNERS ASSOCIATION, THEIR SUCCESSORS OR ASSOCIS, AND NOT THE RESPONSIBILITY OF THE CITY OF SAN ANTONIO OR BEAR COUNTY.

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.

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 PLANNING AND DEVELOPMENT SERVICES.

BEAR WFT IMPACT FEE PAYMENT DUE: WATER IMPACT FEES WERE NOT PAID AT THE TIME OF PLATTING FOR THIS PLAT. IMPACT FEES MUST BE PAID PRIOR TO WATER METER SET.

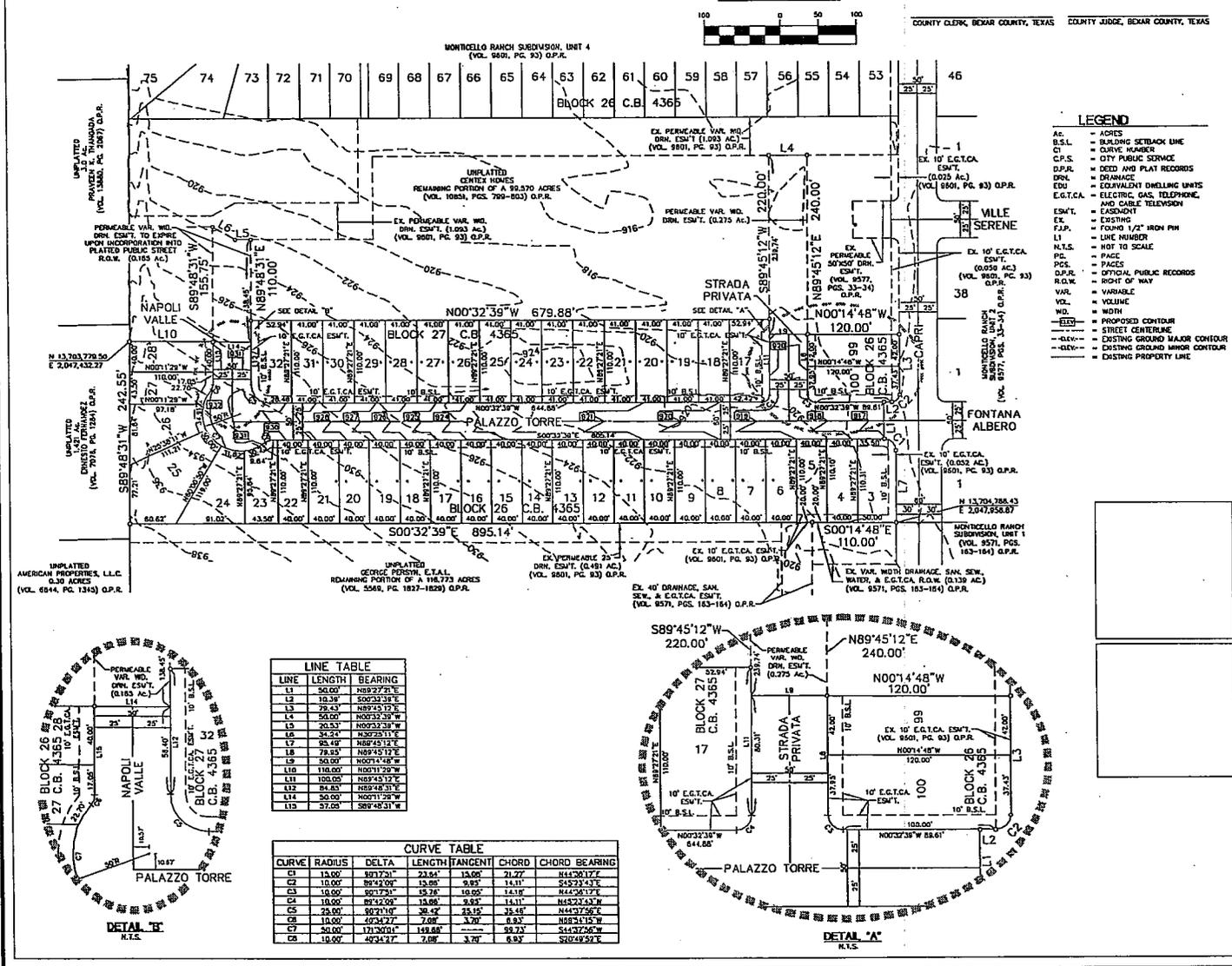
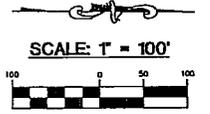
NO STRUCTURES, FENCES, WALLS, OR OTHER OBSTRUCTIONS THAT IMPIDE DRAINAGE SHALL BE PLACED WITHIN THE LIMITS OF THE DRAINAGE EASEMENTS AND RIGHT-OF-WAY SHOWN ON THIS PLAT. NO LANDSCAPING OR OTHER TYPE OF MODIFICATIONS WHICH ALTER THE CROSS-SECTIONS OF DRAINAGE EASEMENTS AND RIGHT-OF-WAY AS APPROVED, SHALL BE ALLOWED WITHOUT THE APPROVAL OF THE DIRECTOR OF PUBLIC WORKS. THE CITY OF SAN ANTONIO AND BEAR COUNTY SHALL HAVE THE RIGHT OF ACCESS AND EGRESS OVER GRANTOR'S ADJACENT PROPERTY TO REMOVE ANY NONCONFORMING OBSTRUCTIONS PLACED WITHIN THE LIMITS OF SAID DRAINAGE EASEMENTS AND RIGHT-OF-WAY AND TO MAKE ANY MODIFICATIONS OR APPROVATIONS WITHIN SAID DRAINAGE EASEMENTS AND RIGHT-OF-WAY.

ALL FINISHED FLOOR ELEVATIONS MUST BE A MINIMUM OF 8 INCHES ABOVE FINISHED ADJACENT GRADE.

THE COORDINATES SHOWN ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD (83).

THE BOUNDARIES ON THIS PLAT ARE REFERENCED TO THE SEEDS OF THE 98.570 ACRE TRACT RECORDED IN VOLUME 1051, PAGE 799-803, OFFICIAL PUBLIC RECORDS OF BEAR COUNTY, TEXAS.

1/8" IRON PINS WITH RED CAP STAMPED M.W. CUDE SET AT ALL PROPERTY CORNERS UNLESS OTHERWISE NOTED.



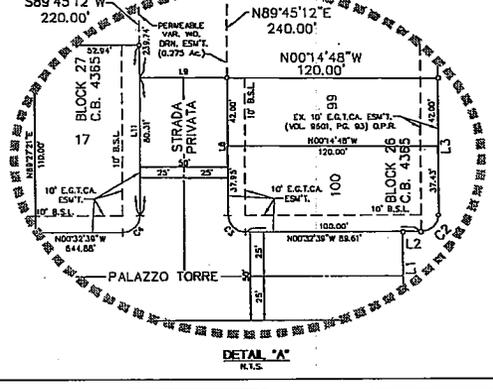
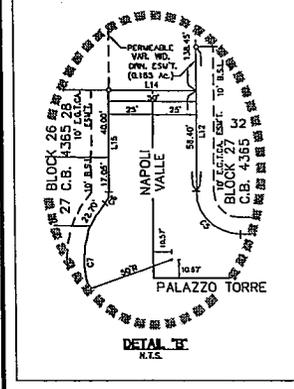
- LEGEND**
- AC - ACRES
  - B.S.L. - BUILDING SETBACK LINE
  - CP - CURVE NUMBER
  - C.P.S. - CITY PUBLIC SERVICE
  - D.P.R. - DEED AND PLAT RECORDS
  - DRN. - DRAINAGE
  - EDI - EQUIVALENT DWELLING UNITS
  - E.G.T.C.A. - ELECTRIC, GAS, TELEPHONE, AND CABLE TELEVISION
  - ESMT. - EASEMENT
  - EX. - EXISTING
  - F.Z.P. - FLOOD ZONE 1% 2" IRON PIN
  - L.I. - LINE NUMBER
  - N.T.S. - NOT TO SCALE
  - P.C. - PAGES
  - P.R. - PAGES
  - P.P.R. - OFFICIAL PUBLIC RECORDS
  - R.O.W. - RIGHT OF WAY
  - VAR. - VARIABLE
  - VOL. - VOLUME
  - WD - WIDTH
  - PROPOSED CONTOUR
  - EASEMENT
  - STREET CENTERLINE
  - DISTING GROUND MAJOR CONTOUR
  - DISTING GROUND MINOR CONTOUR
  - EXISTING PROPERTY LINE

**LINE TABLE**

LINE	LENGTH	BEARING
L1	50.00'	N89°27'29"E
L2	16.33'	S89°48'31"W
L3	78.43'	N89°45'12"E
L4	50.00'	N00°32'39"W
L5	20.33'	N00°32'39"W
L6	34.24'	N29°29'11"E
L7	95.49'	N89°45'12"E
L8	78.83'	N89°45'12"E
L9	50.00'	N00°14'48"W
L10	110.00'	N00°14'48"W
L11	104.00'	N89°45'12"E
L12	84.83'	N89°48'31"W
L13	50.00'	N00°14'48"W
L14	50.00'	N00°14'48"W
L15	27.00'	S89°48'31"W

**CURVE TABLE**

CURVE	RADIUS	DELTA	LENGTH/TANGENT	CHORD	CHORD BEARING	
C1	15.00'	87°17'31"	23.84'	15.00'	21.27'	N44°38'17"E
C2	10.00'	89°42'09"	15.89'	9.83'	14.11'	S45°23'43"E
C3	10.00'	90°27'33"	15.36'	10.00'	14.16'	S44°58'17"E
C4	10.00'	89°42'09"	15.89'	9.83'	14.11'	N45°23'43"W
C5	28.00'	80°21'10"	38.42'	25.15'	35.48'	N44°37'56"E
C6	10.00'	10°24'27"	7.08'	3.70'	8.82'	N85°31'15"W
C7	50.00'	171°20'01"	149.88'	59.72'	54.27'±0.26'	S43°27'36"W
C8	10.00'	47°24'27"	7.08'	3.70'	8.82'	S10°49'52"E



**PLANNING COMMISSION**  
**SITE IMPROVEMENT TIME EXTENSION**

AGENDA ITEM NO:   //   June 9, 2010

WESTWINDS SOUTH UNIT 4 P.U.D.  
**SUBDIVISION NAME**

070338  
**PLAT #**

**COUNCIL DISTRICT:** Outside San Antonio City Limits

**FERGUSON MAP GRID:** 482 E-1

**OWNER:** AR Development, Inc., by A. Bradford Galo

**ENGINEER:** Pape-Dawson Engineers, Inc. by Al Chua, P.E.

**CASE MANAGER:** Robert Lombrano, Planner (207-5014)

**Location:** On the east side of Alamo Parkway, south of Wild Pine.

**Plat status:** The Planning Commission approved this plat on October 10, 2007. The plat has not been recorded.

---

**APPLICANT'S REQUEST:**

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

**DISCUSSION:**

The applicant states that due to the economic downturn, improvements have been delayed. The percentages of improvements completed are as follows:

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

The Sidewalks are deferred to the building construction phase.

**STAFF RECOMMENDATION:**

Approval



April 13, 2010

Mr. Roderick J. Sanchez, Director  
City of San Antonio - Planning & Development Services Department  
1901 South Alamo  
San Antonio, Texas 78204

RECEIVED  
10 APR 16 PM 3:10  
LAND DEVELOPMENT  
SERVICES DIVISION

Re: Westwinds South, Unit-4 (P.U.D.)  
Plat No. 070338

Dear Mr. Sanchez:

On behalf of the owner and developer of Westwinds South, Unit-4 (P.U.D.), AR Development, Inc., we are requesting a three-year Site Improvement Time Extension per Section 35-430(f)(3) of the Unified Development Code for site improvements associated with Westwinds South, Unit-4 (P.U.D.), (Plat No. 070338). The subdivision plat was approved by the Planning Commission on October 10, 2007.

The reasons for the delay in the completion of site improvements are:

1. The economic downturn and its impact on the housing industry delayed new home construction in the subdivision. The developer has lot inventory remaining in Westwinds South, Unit-2 (P.U.D), and construction within Westwinds South, Unit-3 (P.U.D.) is anticipated to resume this year. These lots need to be absorbed before beginning construction on Westwinds South, Unit-4 (P.U.D.).
2. However at this time, development of additional lots is not an economically feasible option, considering the developer still has lots to absorb, which would create a hardship for the developer.
3. Despite the national economic problems, our client still considers, with serious intent, to complete this unit of this master planned community. This extension will allow the developer time to secure financial funding and reduce existing lot inventory.

Mr. Roderick J. Sanchez  
Westwinds South, Unit-4 (P.U.D.)  
April 13, 2010  
Page 2 of 2

Enclosed is the \$300 filing fee required to process this request and an 8 ½ x 11 reduced copy of the plat. If additional information is required, please contact our office.

Sincerely,  
Pape-Dawson Engineers, Inc.  
Texas Board of Professional Engineers, Firm Registration # 470



Cara C. Tackett, P.E., LEED® AP  
Vice President, Land Development

Enclosures

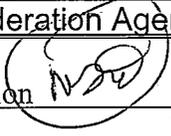
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RECEIVED  
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LAND DEVELOPMENT  
SERVICES DIVISION

# AGENDA NO. 12

## CITY OF SAN ANTONIO CAPITAL IMPROVEMENTS MANAGEMENT SERVICES INTERDEPARTMENTAL CORRESPONDENCE SHEET

**TO:** Planning Commission Individual Consideration Agenda

**FROM:** Marcia Shelf Orlandi, Real Estate Manager, Real Estate Division 

**COPY:** Mike Frisbie, P.E. City Engineer/Director, Capital Improvements Management Services Department

**SUBJECT:** S. P. No. 1394 - Request for a License Agreement to use approximately 384 Square Feet of E. Houston Street Public Right of Way

**DATE:** May 25, 2010

**PETITIONER:** SAT Houston St. LLC  
Attn: W. Bebb Francis, III  
112 E. Pecan St., Suite 200  
San Antonio, Texas 78205-1517

Staff is requesting that this item be placed on the Individual Consideration Agenda for the Planning Commission meeting on 06/09/2010.

### **BACKGROUND**

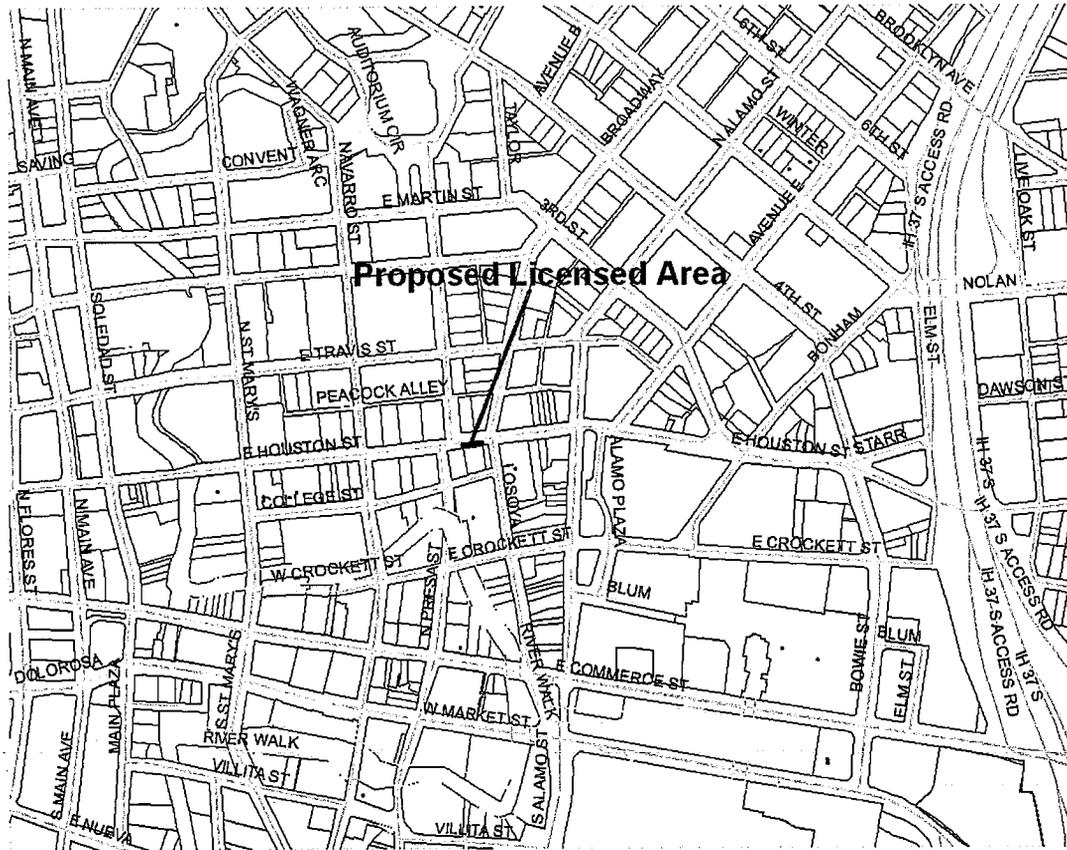
SAT Houston St. LLC (petitioner) is requesting a license to use approximately 384 square feet of E. Houston Street Public Right of Way adjacent to New City Block 416 in front of its property located at 408 E. Houston Street in City Council District No. 1, as shown on Exhibits "A" and "B." The proposed licensed area is located between North Presa and Losoya Streets. If approved, the petitioner plans to construct an Aloft Hotel on its property and utilize the licensed area for a curb cut for its exclusive use as the guest and valet drop off and pick up for the hotel.

### **COORDINATION AND FINANCIAL IMPACT**

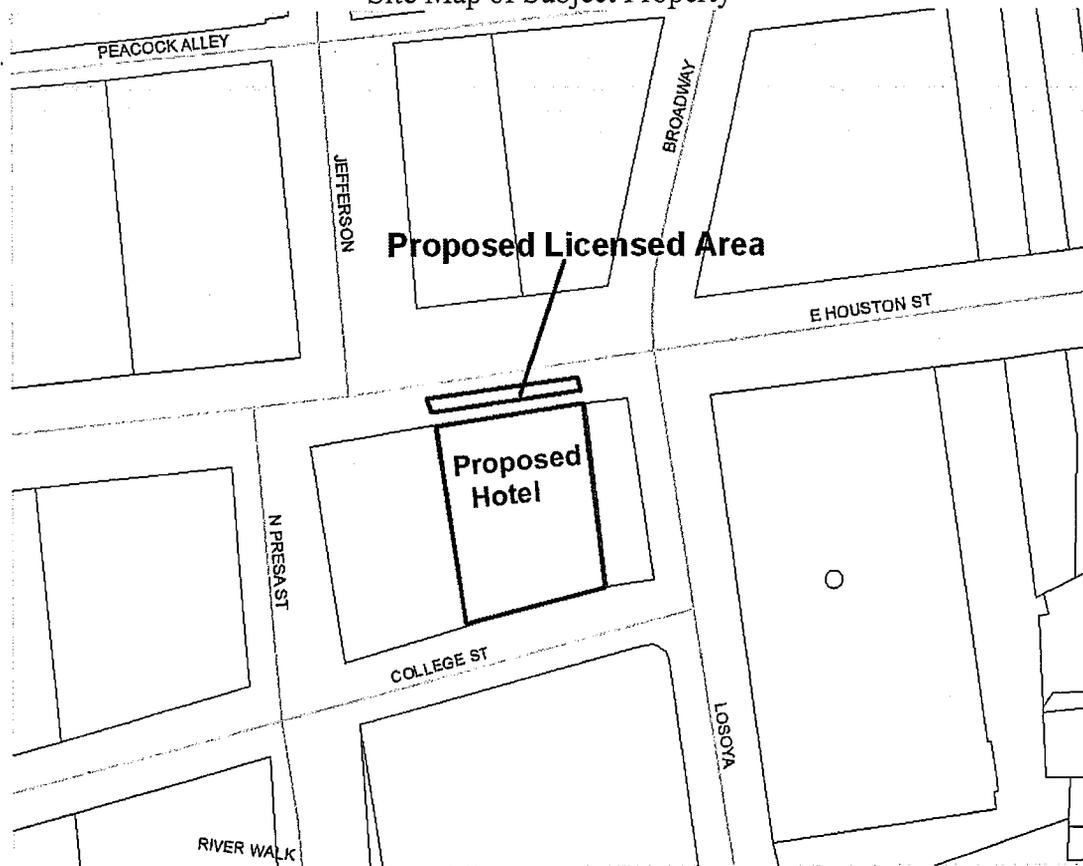
In compliance with City procedures, petitioner's request has been canvassed through interested City departments, utilities and applicable agencies. An executed Letter of Agreement by which the petitioner agrees with all fees and conditions imposed through this canvassing is attached for your review.

### **CONCLUSION AND RECOMMENDATION**

Staff recommends approval of this request.



Site Map of Subject Property



Map of Subject Property

# Exhibit "A"



Aerial Photograph of Subject Property





# CITY OF SAN ANTONIO

CAPITAL IMPROVEMENTS MANAGEMENT SERVICES

P. O. BOX 839966

SAN ANTONIO TEXAS 78283-3966

May 21, 2010

SAT Houston St. LLC  
Attn: W. Bebb Francis, III  
112 E. Pecan St., Suite 200  
San Antonio, Texas 78205-1517

Re: Special Project No. 1394 - Request for a license to use approximately 384 square feet of E. Houston Street Public Right of Way

Dear Mr. Francis:

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 client's request subject to the following conditions:

**PLANNING AND DEVELOPMENT SERVICES DEPARTMENT:**

- Plans for construction in the Right of Way and for the building shall require approval by the Historic Design and Review Commission (HDRC) for the construction of the proposed hotel.
- Petitioner must obtain proper permits.

**PUBLIC WORKS DEPARTMENT:**

**Disability Access Office:**

- Non exclusive use – available as time limited zone for unloading passengers not residing at the hotel.
- Eleven (11) feet clear sidewalk width maintained.
- Existing plan may not be compliant with Texas Accessibility Standards (TAS). This office has no authority to vary TAS standards. Based on the State's required review of the entire project including the proposed cut-out, the acceptance of the loading zone can be determined. A variance can be prepared as appropriate to the state review and approval process.

**Right of Way Management Division:**

- The developer will provide two (2) ADA ramps, relocate the trees to another area along Houston Street, the bus stop and bench will be adjusted so as not to interfere with the valet area.
- At least 11 feet of sidewalk will be maintained.

**Traffic Engineering Division:**

- The curb cut for loading and unloading along Houston Street is acceptable; however, conflicts with the existing VIA bus stop need to be resolved.
- In addition, a minimum clear sidewalk width of Eleven (11) feet must be maintained throughout.
- Designating the curb cut for the exclusive use of only one entity is not acceptable. The area can be designated as a time limited passenger loading zone or time limited commercial loading zone but would be available for any business to utilize.
- It will be the responsibility of the City to designate the type of loading zone and erect signs stating the type of restriction within the curb cut. (See CIMS additional comment on costs for signs).

**CAPITAL IMPROVEMENTS MANAGEMENT SERVICES DEPARTMENT:**

There are several issues of concern:

Utility issues (street light pole, electrical outlets, water meters, water valves and a man hole)

Traffic issues (Jefferson signal light)

Via issues (Bus Stop)

Arborist issues (Ten Palm Trees and 1 Elm Tree)

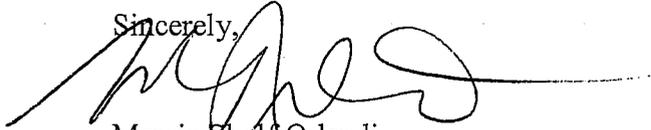
- The trees and planter will be located as shown on Exhibit B.
- Petitioner will pay for the signs at its own cost when the sign permit is pulled.

The fee established for this license is \$38,400.00, which has been waived in accordance with the 100% reduction provided under the City's Incentive Scorecard System. Petitioner agrees pay for the signs and permits stipulated by the Traffic Engineering Division of the Public Works Department. The City of San Antonio must be formally released from any and all liabilities, which may be incurred in connection with this request. A Certificate of Insurance must be provided. Petitioner asserts that all evidence of ownership of Public Right of Way proposed to be used by the City of San Antonio is true and correct.

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 signed Letter of Agreement, the three (3) original License Agreements, the Certificate of Insurance, a 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.

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.

Sincerely,



Marcia Shell Orlandi  
Real Estate Manager  
Real Estate Division

**AGREED AS TO TERMS AND CONDITIONS:**

**SAT Houston St. LLC**



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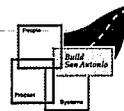
By Nick Naik

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Title: President

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

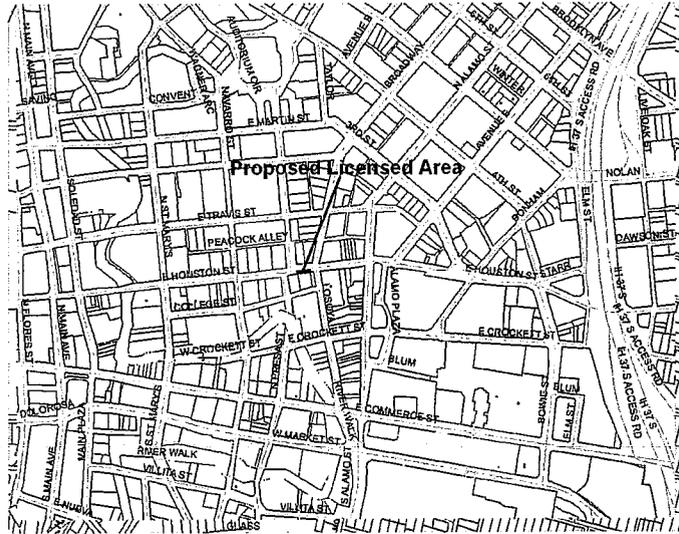
**Planning Commission  
Individual Consideration Item  
Special Project 1394  
License Agreement  
June 9, 2010**



**Planning Commission Item**

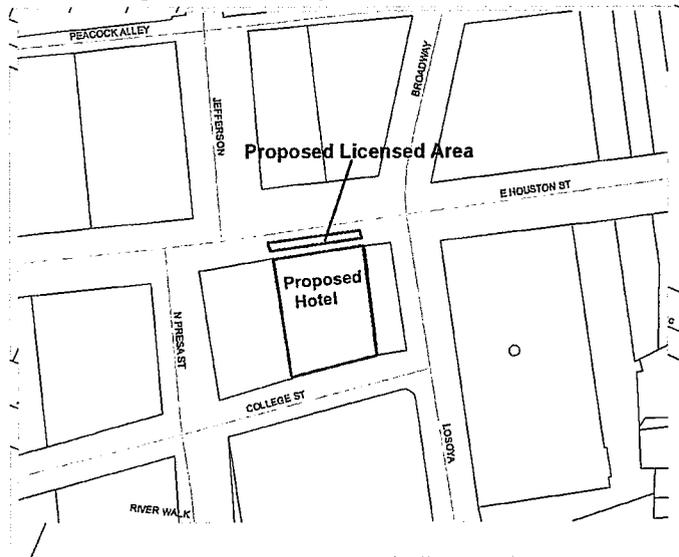
- SAT Houston St. LLC (petitioner) is requesting a License Agreement to use approximately 384 square feet of E. Houston Street Public Right of Way in front of its property located at 408 E. Houston Street Council District 1.
- The proposed licensed area is located between North Presa and Losoya Streets.
- If approved, the petitioner plans to construct an Aloft Hotel on its property and utilize the licensed area for a curb cut for its exclusive use as the guest and valet drop off and pick up for the hotel.

# Exhibit "A" Site Map of Subject Property



3

# Exhibit "A" (Cont.) Map of Subject Property



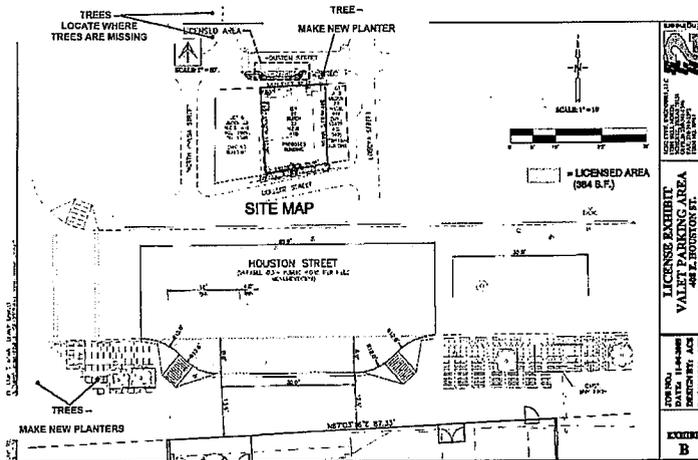
4

# Exhibit "A" (cont.) Aerial Photograph of Subject Property



5

# Exhibit "B"



6

## **Background (cont.)**

### Coordination:

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

7

## **Fiscal Impact**

### Financial Impact:

- The fee established for this license is \$38,400.00. Petitioner qualified for a 100% reduction of the proposed License Agreement in accordance with the Incentive Scorecard Agreement, so the fee will be waived.

8

## Issues & Recommendation

### Policy Analysis:

- This action is consistent with City Code which requires City Council approval for any private use of property owned or controlled by the City.

### Recommendation:

- Staff recommends approval of this request.

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

**A RESOLUTION SUPPORTING THE GRANT OF A LICENSE TO USE APPROXIMATELY 384 SQUARE FEET OF E. HOUSTON STREET IN FRONT OF 408 E. HOUSTON STREET LOCATED BETWEEN NORTH PRESA AND LOSOYA STREETS, COUNCIL DISTRICT 1, AS REQUESTED BY SAT HOUSTON ST. LLC**

\* \* \* \* \*

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

WHEREAS, SAT Houston St. LLC has filed an application requesting a license to use approximately 384 square feet of E. Houston Street Public Right of Way adjacent to New City Block 416 in front of its property located at 408 E. Houston Street identified in Exhibits A and B; 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:**

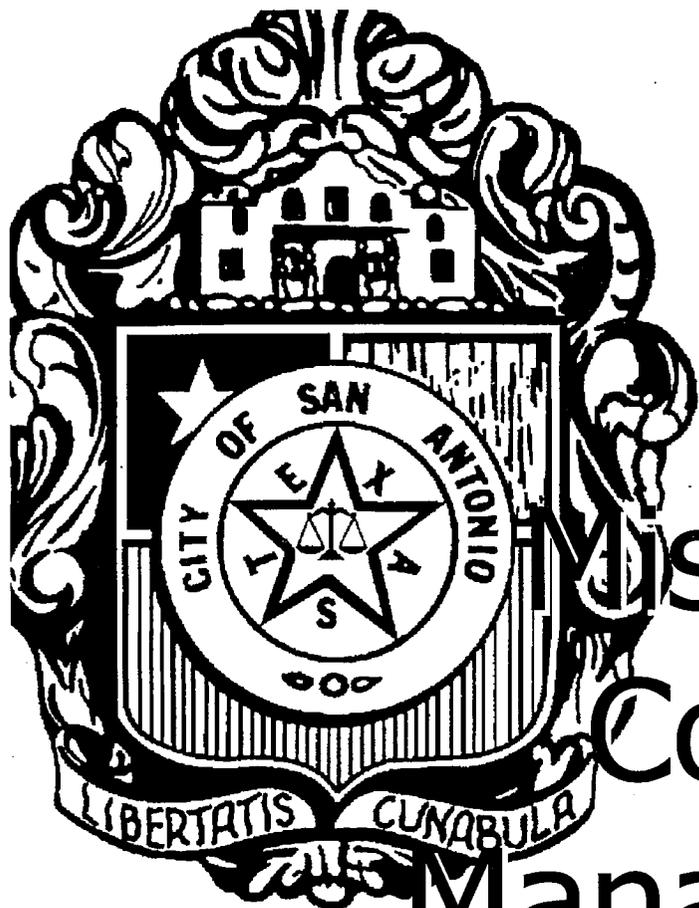
**SECTION 1.** The Planning Commission recommends City Council approve the attached license application.

**SIGNED this 9<sup>th</sup> day of June, 2010.**

\_\_\_\_\_  
**Amelia Hartman, Chair**

Attest:

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



# Mission Reach Coordinated Management Plan

City of San Antonio  
Stakeholder Briefings  
June 2010

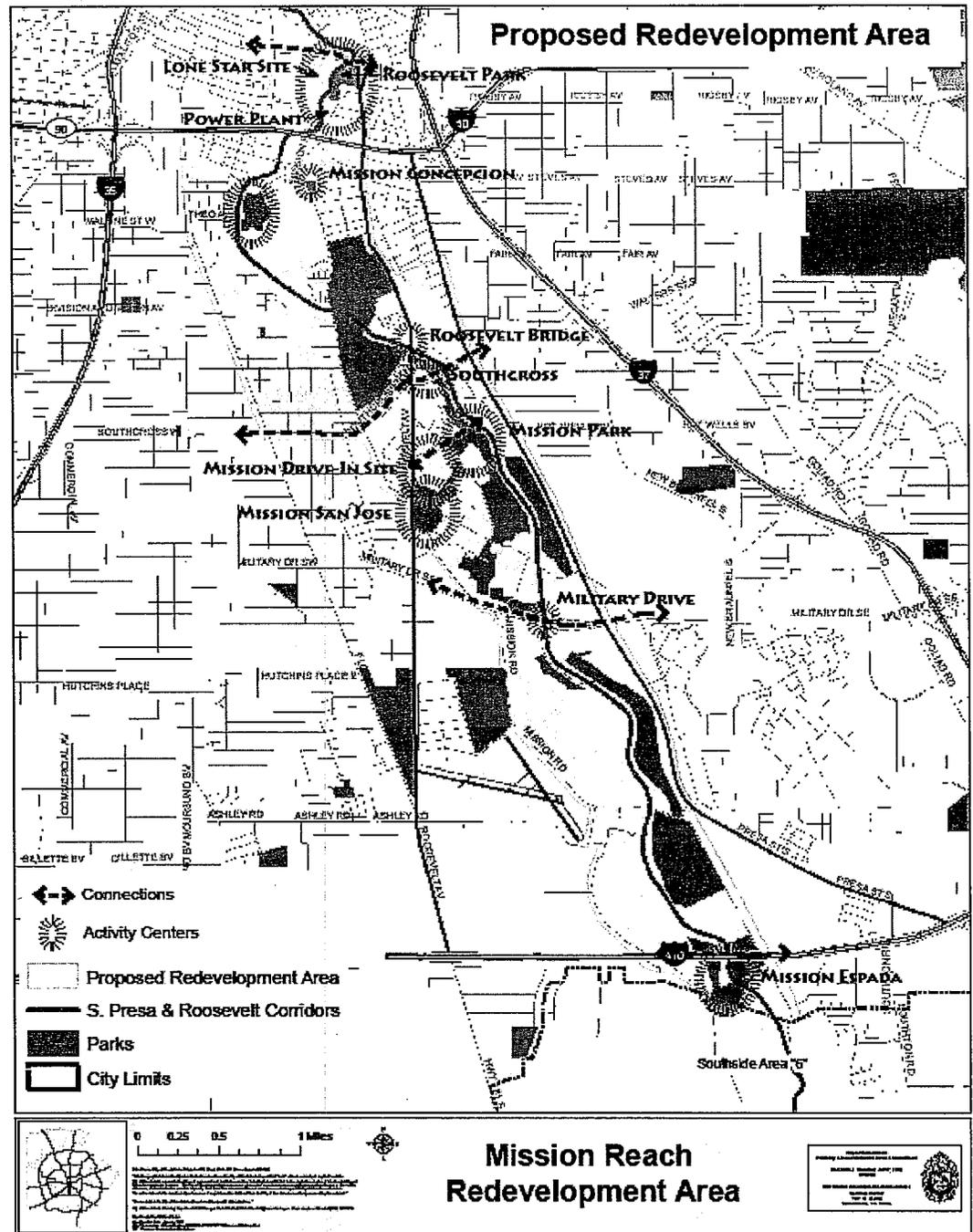
# Purposes of Planning Effort

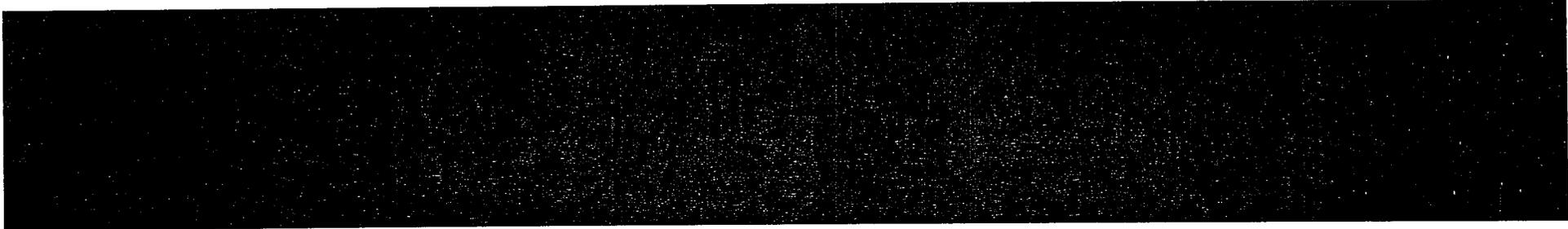
1. Protect the community's investment in the redeveloped River
2. Maximize the return on investment/promote economic development
3. Establish coordinated framework among agencies for essential functions
4. Ensure seamless, integrated management of the river and related areas
5. Promote National Park boundary study and land management plan.

***“Protect, Promote, Coordinate”***

- Mission Reach
- Adopted Plans
- TIRZ
- Zoning Efforts

- ★ Inner City Reinvestment/Infill Policy
  - ★ Tier 1 Target Area



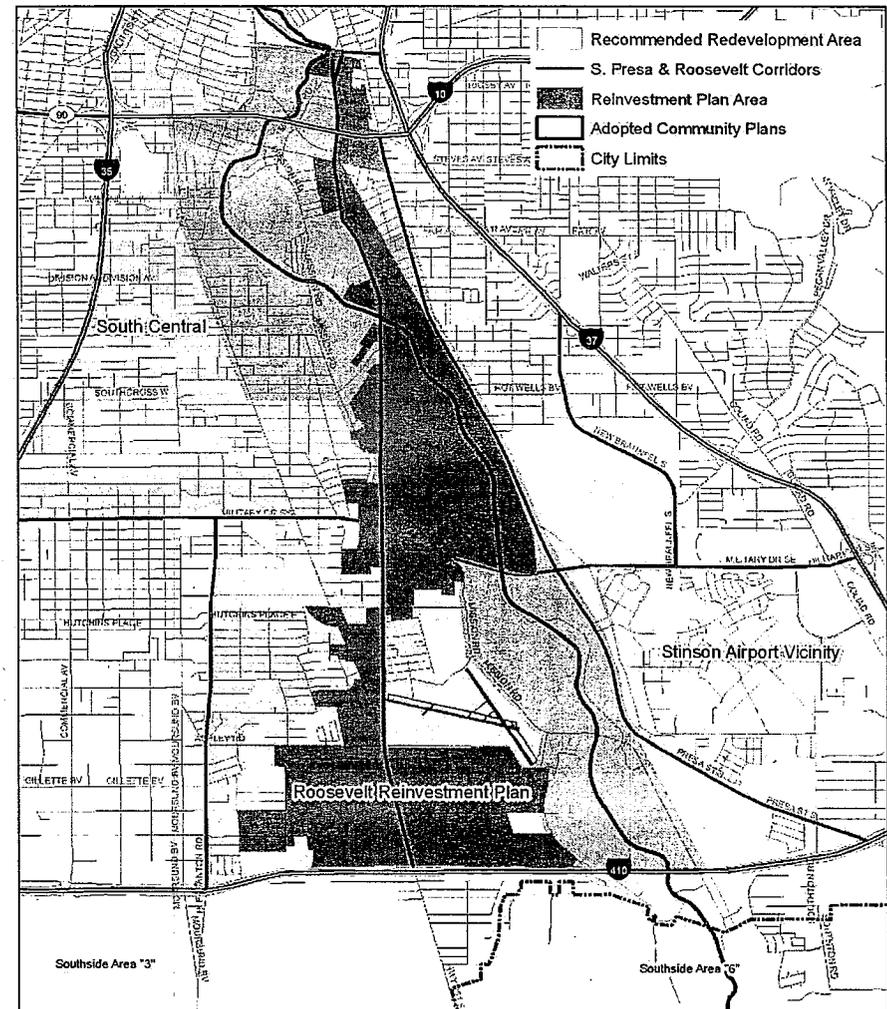


	<b>S. Central &amp; Stinson Plan Areas</b>	<b>City of San Antonio</b>
Population Density	4.92 persons/acre	5.01 persons/acre
Less than High School	42.6%	20.3%
College Degree	9.9%	30.0%
Median HH Income	\$30,630	\$41,593
Percent in Poverty	21.2%	18.2%

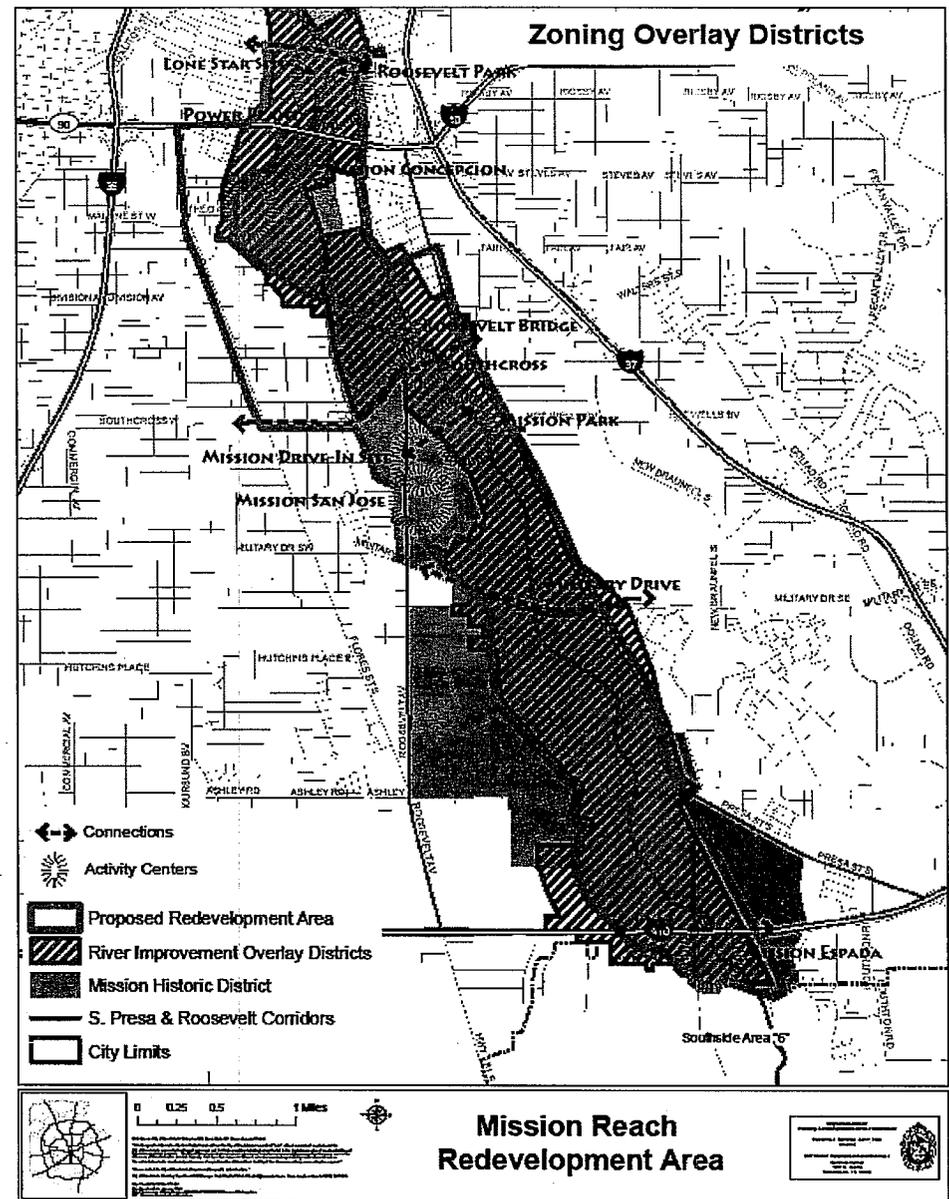
\*Figures Based on 2008 Estimates



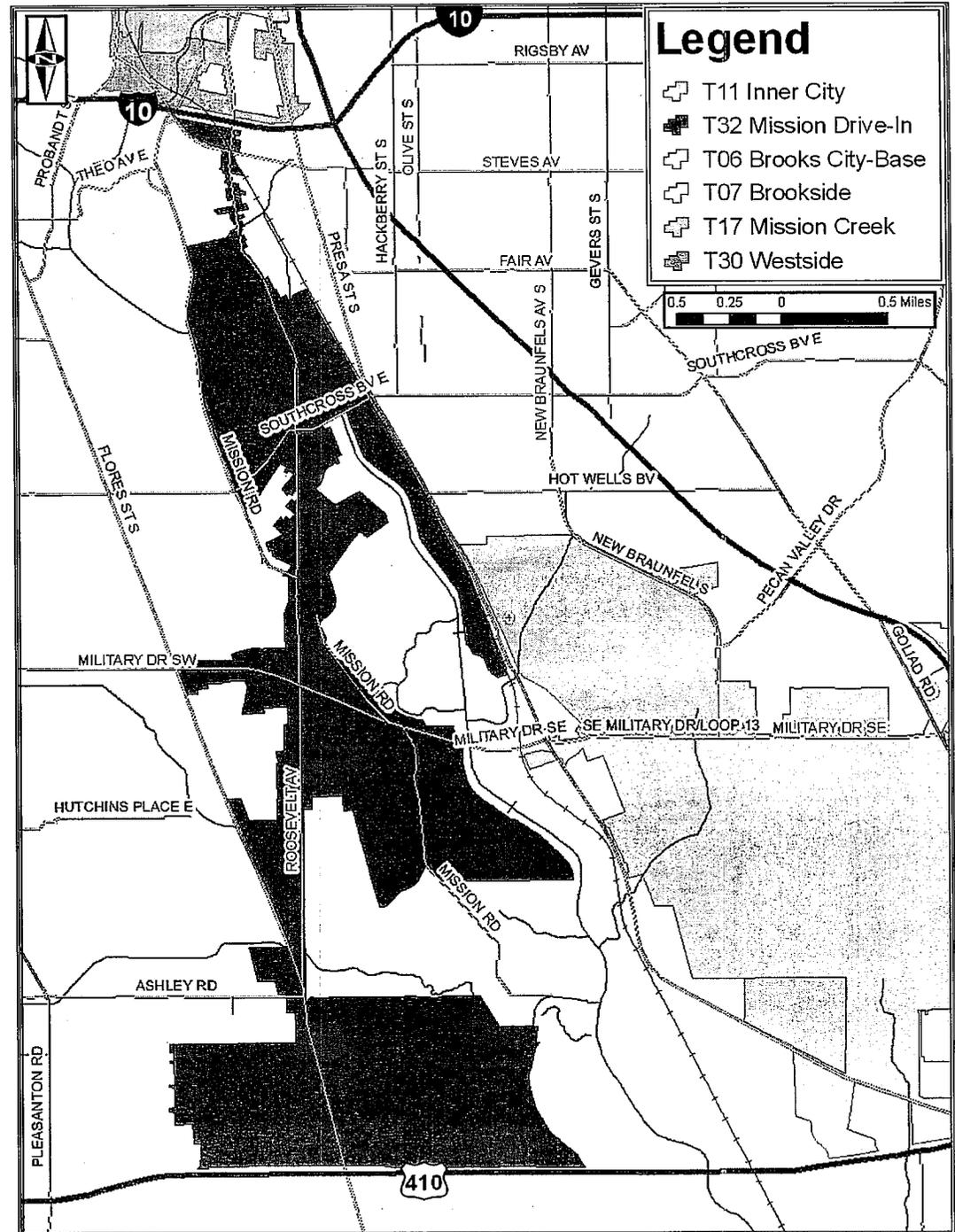
- South Central San Antonio Community Plan (Adopted 1999, Updated 2005)
- Stinson Airport Vicinity Land Use Plan (Adopted 2009)
- Roosevelt Corridor Reinvestment Plan (Adopted 2009)



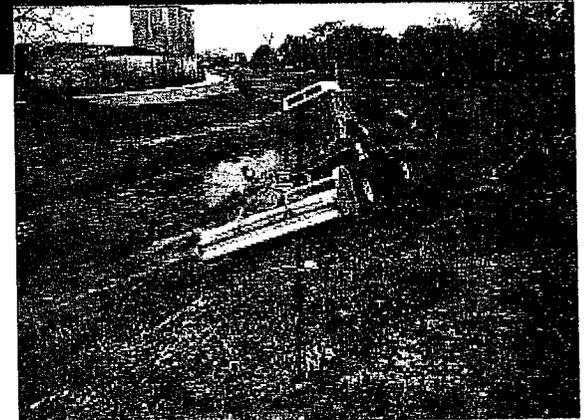
- Corridor Rezoning Initiatives
  - Roosevelt Corridor
  - S. Presa Corridor
- RIO Districts
- Mission Historic District



- Inner City
- Mission Drive In
- Brooks City Base
- Brookside
- Mission Creek
- Westside



- SARIP
  - SARA (maintenance)
  - COSA (security)
- COSA Parks
  - Parks and Recreation Department (maintenance)
  - SAPD (security)
- County Parks
  - Bexar County Facilities Division (maintenance)
  - Bexar County Sheriffs Department and Precinct 1 Constable (security)
- Missions and other National Park Land
  - National Park Services (maintenance)
  - National Park Rangers (security)





- **Boundary Study**
  - Analyze to determine if the existing boundary provides adequate protection and preservation of the natural, historic, cultural, scenic and recreational resources integral to the park
  - Identify lands that would be suitable for inclusion within the boundaries of the park based on natural, cultural, recreational, and scenic values and characteristics
  
- **Land Protection Plan**
  - Identify lands that need to be protected from the boundary study and analyze each parcel to determine the best protection strategy
  - Identify the minimum interest in those lands that the National Park Service must acquire to protect the lands (i.e. Cooperative Agreement, Easement, federal ownership, etc.)
  
- **Estimated Completion - October 2010**

- 
- Engage other City and County Departments
    - Public Works, CIMS, SAPD, CVB, Aviation, HDRC, Planning and Zoning Commission, TIRZ Boards, etc
  - Engage other agencies and organizations
    - TxDOT, CPS, BDA, South San Antonio Chamber of Commerce, Parks Foundation, River Foundation, etc
  - Provide progress reports to Commissioners Court and City Council as requested
  - Return to City Council in September with a final report/plan in September that includes a recommendation for increased coordination and oversight of the area and other economic development initiatives.
- 

# AGENDA NO. 14

**Summary:**

Consideration of a resolution to approve changes to City of San Antonio's Floodplain Ordinance to be in compliance with FEMA's base ordinances.

**Discussion:**

The FEMA DFIRM maps will be effective on September 29, 2010 and with the updates to the maps, FEMA is updating their Floodplain Ordinance. The City of San Antonio is required to adopt FEMA's base ordinance in order to continue our participation in NFIP. Public Works Storm Water Engineering updated our current Floodplain ordinance to reflect the changes made to FEMA's base ordinance.

The changes made included adding definitions to our ordinance, clarifying language and grammar, and updating terminology. We have presented this updated ordinance to the Development Process Task Force, PEPP/AIA, and Drainage Subcommittee and they have given their approval to the proposed changes.

**Recommendation:**

Staff recommends approval of this item.



# UDC APPENDIX F Amendments for Flood Ordinance Adoption

**Robert Browning, PE, CFM**  
Chief Storm Water Engineer

# Reason for Updates

- City of San Antonio is required to adopt FEMA's base ordinance in order to continue our participation in NFIP
- FEMA DFIRM maps will be effective on September 29, 2010

# Sample of FEMA "Base Ordinance" – CoSA Ordinance Comparison

## FEMA "Base Ordinance" – CoSA Ordinance Comparison UDC Appendix F. Floodplains – Areas of Special Flood

FEMA Base Standards		CoSA UDC		Proposed CoSA UDC	
Reference	Language	Reference	Language	Reference	Language
Section B.	<p><b>Basis For Establishing The Areas Of Special Flood Hazard</b></p> <p>The areas of special flood hazard identified by the Federal Emergency Management Agency in the current scientific and engineering report entitled, "The Flood Insurance Study (FIS) for <del>from the FIS Title</del>," dated <del>(date of latest FIS and/or Index Panel)</del>, with accompanying Flood Insurance Rate Maps and/or Flood Boundary-Floodway Maps (FIRM and/or FBFM) dated <del>(date of latest FIRM and/or FBFM)</del>, and any revisions thereto are hereby adopted by reference and declared to be a part of this ordinance.</p>	Sec. 35-F108.	<p><b>Basis for Establishing the Areas of Special Flood Hazards</b></p> <p>The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled "The Flood Insurance Study, Bexar County, Texas and Incorporated Areas", updated periodically by the Federal Emergency Management Agency, together with the accompanying Flood Insurance Rate Maps and Flood Hazard Boundary-Floodway Maps and any revisions thereto, are hereby adopted by reference and declared to be a part of these regulations. The areas of special flood hazard identified by the Federal Emergency Management Agency on its Flood Insurance Rate Maps (FIRM), currently published for the City of San Antonio and surrounding counties shall be used as the controlling study for the base flood within the city limits of San Antonio and its ETJ unless a more current study is required by the floodplain administrator. Typically, new studies will be required for development where existing studies were performed prior to the City of San Antonio's adoption of the 1997 Drainage "Ordinance 8671 1" and/or where city records indicate the ultimate development of the watershed has not been considered. Similar studies done by FEMA shall also be used for control in the City of San Antonio's area of extraterritorial jurisdiction, along with the floodplain information reports prepared by the United States Corps of Engineers, and the United States Geological Survey, Water Resources Division District Office, Austin, Texas, 1:24,000 U.S.G.S. quadrangle maps as prepared for the Federal Emergency Management Agency or the latest revisions thereof. These reports and maps are available for inspection by the public in the office of the city drainage engineer. Information and studies sanctioned and adopted by the floodplain administrator or by city council subsequent to publication of the Flood Insurance Study and associated FIRM which update the base flood elevations, floodplain boundaries or flows shall also be used for control. (Ord. No. 95415 § 1 Attachment A)</p>	Sec. 35-F108.	<p><b>Basis for Establishing the Areas of Special Flood Hazards</b></p> <p>The areas of special flood hazard identified by the Federal Emergency Management Agency in the current scientific and engineering report entitled, "The Flood Insurance Study (FIS) for Bexar County dated September 29, 2010, updated periodically by the Federal Emergency Management Agency, together with accompanying Flood Insurance Rate Maps (FIRM) and Flood Boundary-Floodway Maps (FIRM and/or FBFM) dated September 29, 2010 and any revisions thereto are hereby adopted by reference and declared to be a part of this ordinance. The areas of special flood hazard identified by the Federal Emergency Management Agency on its Flood Insurance Rate Maps (FIRM), currently published for the City of San Antonio and surrounding counties shall be used as the controlling study for the base flood within the city limits of San Antonio and its ETJ unless a more current study is required by the floodplain administrator. Typically, new studies will be required for development where existing studies were performed prior to the City of San Antonio's adoption of the 1997 Drainage "Ordinance 8671 1" and/or where city records indicate the ultimate development of the watershed has not been considered. Similar studies done by FEMA shall also be used for control in the City of San Antonio's area of extraterritorial jurisdiction, along with the floodplain information reports prepared by the United States Corps of Engineers, and the United States Geological Survey, Water Resources Division District Office, Austin, Texas, 1:24,000 U.S.G.S. quadrangle maps as prepared for the Federal Emergency Management Agency or the latest revisions thereof. These reports and maps are available for inspection by the public in the office of the city drainage engineer. Information and studies sanctioned and adopted by the floodplain administrator or by city council subsequent to publication of the Flood Insurance Study and associated FIRM which update the base flood elevations, floodplain boundaries or flows shall also be used for control.</p>

# Sample of Proposed CoSA UDC

Reference	Language
Sec 35-F106	<p><b>Special Floodplain Definitions</b></p> <p>Unless specifically defined below, words or phrases used in this ordinance shall be interpreted to give them the meaning they have in common usage and to give this ordinance its most reasonable application. The following definitions apply only to this ordinance:</p> <p><b>1% annual chance floodplain (formerly 100-year floodplain)</b> is the land within a community subject to a one (1) percent or greater chance of flooding in any given year. These areas are typically designated as a Federal Emergency Management Agency (FEMA) Zone A, AE, AH, or AO on FEMA Flood Insurance Rate Maps (FIRM Panels).</p> <p><b>Alluvial fan flooding</b> means flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.</p> <p><b>Apex</b> means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.</p> <p><b>Appurtenant structure</b> means a structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.</p> <p><b>Area of flood inundation</b> refers to sites that are subject to flooding as a result of water ponding in the controlled storage areas of dams, detention and retention ponds.</p> <p><b>Area of future flood conditions</b> means the land area that would be inundated by the 1-percent-annual chance (100 year) flood based on future conditions hydrology.</p> <p><b>Area of shallow flooding</b> means a designated AO, AH, AR/AO, AR/AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a one (1) percent or greater annual chance of flooding to an average depth of one (1) to three (3) feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.</p> <p><b>Area of special flood hazard</b> is the land in the floodplain within a community subject to a one (1) percent or greater chance of flooding in any given year. The area may be designated as Zone A on the Flood Hazard Boundary Map (FHBH). After detailed rate making has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1-30, VE or V. This area is also known as the 100-year floodplain. The area is designated as a Federal Emergency Management Agency Zone A, AE, AH, AO on the Flood Insurance Rate Maps.</p> <p><b>Base flood</b> means the flood having a one (1) percent chance of being equaled or exceeded in any given year.</p> <p><b>Base flood elevation (BFE)</b> The elevation shown on the Flood Insurance Rate Map (FIRM) and found in the accompanying Flood Insurance Study (FIS) for Zones A, AE, AH, A1-A30, AR, V1-V30, or VE that indicates the water surface elevation resulting from the flood that has a 1% chance of equalling or exceeding that level in any given year - also called the Base Flood.</p> <p><b>Basement</b> means any area of the building having its floor subgrade (below ground level) on all sides.</p> <p><b>Breakaway wall</b> means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.</p>

# UDC Update Highlights

## DFIRM TRACK

- Adding DFIRM specific items
  - Changed 100 year floodplain to 1% annual chance
  - Changed Ultimate Development to Future Development
  - More to come with biennial update
    - Increased rainfall intensities
    - Incorporation of areal reduction
    - Zone AE requirements
    - CLOMR requirements

# UDC Update Highlights

## DFIRM TRACK

- Adjusting to meet FEMA's base ordinances
  - Adding Definitions
  - Referencing national ordinances
- Clarifying Language and Grammar
  - Noting increased BFE only on applicants property
  - Moving “restrictions” to “not allowed” list
- Updating Terminology
  - Replacing duplicates with references (Added pointers)



# UDC APPENDIX F Amendments for Flood Ordinance Adoption

## Questions?

**FEMA "Base Ordinance" – CoSA Ordinance Comparison**  
**UDC Appendix F. Floodplains – Areas of Special Flood**  
Proposed COSA UDC

Reference	Language
<b>Sec. 35-F100</b>	<p><b><u>Statutory Authorization and Severability</u></b></p> <p>a) <u>The Legislature of the State of Texas has in the Flood Control Insurance Act, Texas Water Code, Section 16.315, delegated the responsibility of local governmental units to adopt regulations designed to minimize flood losses. Therefore, the City Council of the City of San Antonio, Texas does ordain as follows:</u></p> <p>b) <u>Severability if any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.</u></p>
<b>Sec. 35-F101</b>	<p><b>Title, Duties of Officials.</b></p> <p>The provisions of this appendix shall be known as and may be cited as the city's Floodplain Ordinance, and all officials of the city having duties under these regulations are ordered and directed to perform such duties as required of them under these regulations.</p>
<b>Sec. 35-F102</b>	<p><b>Reporting Violations, Other Remedies.</b></p> <p>Violations of this appendix shall be reported by the city floodplain administrator as set out herein. Any person who fails to comply with these regulations is guilty of a misdemeanor. In addition to the other remedies provided by law, the city council may institute appropriate action to abate violations of these regulations as a public nuisance and in violation of this chapter.</p>
<b>Sec.35-F103</b>	<p><b>Findings of Fact</b></p> <p>(a) The <u>special</u> flood hazard areas of the City of San Antonio are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.</p> <p>(b) These flood losses are created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of <u>special</u> flood hazard areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, floodproofed, or otherwise protected from flood damage.</p>

**FEMA "Base Ordinance" – CoSA Ordinance Comparison**  
**UDC Appendix F. Floodplains – Areas of Special Flood**  
Proposed COSA UDC

Reference	Language
Sect.35-F104	<p><b>Statement of Purpose</b></p> <p>(a) <u>It is the purpose of this ordinance to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to.</u> <del>It is also the purpose of this ordinance appendix to promote land use controls necessary to qualify the city for flood insurance under requirements of the National Flood Insurance Act of 1968 with provisions designed:</del></p> <ol style="list-style-type: none"> <li>(1) To protect human life, and property exposed to the hazards of flooding;</li> <li>(2) To avoid increasing flood levels or flood hazards or creating new flood hazards areas;</li> <li>(3) To minimize public and private property losses due to flooding;</li> <li>(4) To preserve the natural floodplains where at all possible;</li> <li>(5) To ensure that potential property owners are notified if property is in a special flood hazard area;</li> <li>(6) To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;</li> <li>(7) To minimize prolonged business interruptions;</li> <li>(8) To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, and bridges located in special flood hazard areas;</li> <li>(9) To minimize expenditure of future public money for costly flood control projects; and</li> <li>(10) To help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize future flood blight areas.</li> </ol>
Sect.35-F105	<p><b>Methods of Reducing Flood Losses</b></p> <p>(a) <del>In order to accomplish reduction of flood loss, this ordinance its purposes, subdivision uses the following methods:</del></p> <ol style="list-style-type: none"> <li>(1) <u>Restrictions</u> <del>Restriets or prohibitions prohibits to ef</del> uses that are dangerous to health, safety or property in times of flood, or cause increases in flood heights or velocities;</li> <li>(2) <u>Requiring</u> <del>Requires</del> that uses vulnerable to floods, including public facilities which serve such uses, be protected against flood damage at the time of initial construction;</li> <li>(3) <u>Controlling</u> <del>Controls</del> the alteration of natural floodplains, <u>stream channels, and natural protective barriers, which are involved in the accommodation of flood waters: their protective barriers and stream channels;</u></li> <li>(4) <u>Preventing</u> <del>Prevents or regulating</del> the construction of flood barriers which will <u>unnaturally divert flood waters</u> <del>floodwaters</del> or which may increase flood hazards to other lands and subject other lands to greater flood hazards.</li> <li>(5) <u>Controlling</u> development which would cause greater erosion or potential flood damage such as grading, dredging, excavation, and filling;</li> <li>(6) <u>Control filling, grading, dredging and other development which may increase flood damage;</u></li> <li>(7) <u>Imposing</u> <del>Imposes</del> a regulatory <u>1% annual chance</u> <del>100-year</del> floodplain that requires using the ultimate development of the watershed to determine the <u>1%</u></li> </ol>

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	<p><u>annual chance</u> 100-year water surface elevations. New developments must be constructed above this elevation.</p>

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Sec.35-F106	<p><b>Special Floodplain Definitions</b></p> <p>Unless specifically defined below, words or phrases used in this ordinance shall be interpreted to give them the meaning they have in common usage and to give this ordinance its most reasonable application. The following definitions apply only to this ordinance:</p> <p><b>1% annual chance floodplain (formerly 100-year floodplain)</b> is the land within a community subject to a one (1) percent or greater chance of flooding in any given year. These areas are typically designated as a Federal Emergency Management Agency (FEMA) Zone A, AE, AH, or AO on FEMA Flood Insurance Rate Maps (FIRM Panels).</p> <p><u>Alluvial fan flooding means flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.</u></p> <p><u>Apex means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.</u></p> <p><u>Appurtenant structure means a structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure</u></p> <p><b>Area of flood inundation</b> refers to sites that are subject to flooding as a result of water ponding in the controlled storage areas of dams, detention and retention ponds.</p> <p><u>Area of future flood conditions means the land area that would be inundated by the 1-percent-annual chance (100 year) flood based on future conditions hydrology.</u></p> <p><b>Area of shallow flooding</b> means a designated AO, AH, <u>AR/AO, AR/AH</u>, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a one (1) percent or greater annual chance of flooding to an average depth of one (1) to three (3) feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.</p> <p><b>Area of special flood hazard</b> is the land in the floodplain within a community subject to a one (1) percent or greater chance of flooding in any given year. <u>The area may be designated as Zone A on the Flood Hazard Boundary Map (FHBM). After detailed rate making has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1-30, VE or V. This area is also known as the 100-year floodplain. The area is designated as a Federal Emergency Management Agency Zone A, AE, AH, AO on the Flood Insurance Rate Maps.</u></p> <p><b>Baseflood</b> means the flood having a one (1) percent chance of being equaled or exceeded in any given year.</p> <p><u>Base flood elevation (BFE) The elevation shown on the Flood Insurance Rate Map (FIRM) and found in the accompanying Flood Insurance Study (FIS) for Zones A, AE, AH, A1-A30, AR, V1-V30, or VE that indicates the water surface elevation resulting from the flood that has a 1% chance of equaling or exceeding that level in any given year - also called the Base Flood.</u></p> <p><b>Basement</b> means any area of the building having its floor subgrade (below ground level) on all sides.</p> <p><u>Breakaway wall means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces.</u></p>

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	<p><u>without causing damage to the elevated portion of the building or supporting foundation system.</u></p> <p><b>CLOMR</b> means a Conditional Letter of Map Revision. A CLOMR will be submitted for FEMA approval for all proposed physical changes to the floodplain that will result in a change to the floodplain boundary.</p> <p><u><b>Critical feature</b> means an integral and readily identifiable part of a flood protection system without which the flood protection provided by the entire system would be compromised.</u></p> <p><b>Development</b> means any man-made change to improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.</p> <p><b>Elevated building</b> means a non-basement building (i) built, in the case of a building in Zones AE, A, A99, AO, AH, X, and D, to have the top of the elevated floor, elevated above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the floor of the water and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of Zones AE, A, A99, AO, AH, X, D, "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters.</p> <p><b>Existing construction</b> means for the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. "Existing construction" may also be referred to as "existing structures."</p> <p><b>Existing manufactured home park or subdivision</b> means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.</p> <p><b>Expansion to an existing manufactured home park or subdivision</b> means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).</p> <p><b>Flood or flooding</b> means a general and temporary condition of partial or complete inundation of normally dry land areas from:</p> <ol style="list-style-type: none"> <li>(1) The overflow of inland or tidal waters.</li> <li>(2) The unusual and rapid accumulation or runoff of surface waters from any source.</li> </ol> <p><u><b>Flood elevation study</b> means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.</u></p> <p><b>Flood Insurance Rate-Insurance Map (FIRM)</b> means an official map of a community, on which the Federal Emergency Management Agency has delineated both the special flood hazard areas and the risk premium zones applicable to the community.</p> <p><b>Flood Insurance Study (FIS)</b> is the official report provided by the Federal Emergency Management Agency. The report contains flood profiles, water surface elevation or the base flood, as well as the flood boundary map. <i>Also see Flood Elevation Study</i></p>

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	<p><b>Floodplain</b> means any land area susceptible to being inundated by water from any source (see definition of flooding). The <u>1 % annual chance 100-year</u> floodplain is also known as the area of special flood hazard. <u>Also see Regulatory Floodplain.</u></p> <p><b>Flood-prone</b> area means any land area susceptible to being inundated by water from any source (see definition of flooding).</p> <p><b>Floodplain management</b> means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.</p> <p><b>Floodplain management regulations</b> means zoning ordinances, subdivision regulations, <u>building</u> <del>building</del> codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications <u>of</u> <del>or</del> police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.</p> <p><b>Flood protection system</b> means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent <u>of</u> <del>or</del> the area within a community subject to a "special flood hazard" and the extent <u>of</u> <del>or</del> the depths <u>of</u> <del>or</del> associated flooding. Such a system typically includes hurricane tidal barriers, {dams}, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.</p> <p><b>Floodproofing</b> means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.</p> <p><b>Floodway</b> <u>see Regulatory Floodway</u> <del>means the channel or a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood. The floodway is the 100-year floodplain in the City of San Antonio.</del></p> <p><b>Functionally dependent use</b> means a use, <u>which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.</u></p> <p><b>Habitable structure</b> means a structure that has facilities to accommodate people for an overnight stay. These include, but are not limited to, residential homes, apartments, condominiums, hotels, motels, and manufactured homes. Recreational vehicles are not included in this definition.</p> <p><b>Highest adjacent grade</b> means <u>the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.</u></p> <p><b>Historic structure</b> means any structure that is:</p> <ol style="list-style-type: none"> <li>(1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;</li> <li>(2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;</li> </ol>

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	<p>(3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or</p> <p>(4) Individually listed on a local inventory or historic places in communities with historic preservation programs that have been certified either:</p> <p style="padding-left: 40px;">(a) By an approved state program as determined by the Secretary of the Interior or;</p> <p style="padding-left: 40px;">(b) Directly by the Secretary of the Interior in states without approved programs.</p> <p><b>Levee</b> means a man-made structure; usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.</p> <p><u><b>Levee system</b> means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.</u></p> <p><b>LOMR</b> means a letter of map revision. A LOMR will be submitted for FEMA approval for all changes to the floodplain boundary that are delineated on the current Flood Insurance Rate Maps.</p> <p><b>Lowest floor</b> means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood Insurance Program regulations.</p> <p><b>Manufactured home</b> means a structure transportable in one (1) or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle".</p> <p><b>Manufactured home park or subdivision</b> means a parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.</p> <p><b>Mean sea level</b> means, for purposes of the National Flood Insurance Program, the <u>North American Vertical Datum (NAVD) of 1988</u> <del>National Geodetic Vertical Datum (NGVD) of 1929</del> or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.</p> <p><b>Natural state</b> means the topography that exists at the time information is gathered for flood insurance rate maps or any subsequent approved revisions to those maps.</p> <p><b>New construction</b> means, for the purpose of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.</p> <p><b>New manufactured home park or subdivision</b> means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are</p>

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	<p>to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.</p> <p><b>Recreational vehicle</b> means a vehicle which is (i) built on a single chassis; (ii) four hundred (400) square feet or less when measured at the largest horizontal projections; (iii) designed to be self-propelled or permanently towable by a light duty truck; and (iv) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.</p> <p><b>Regulatory floodplain</b> is the land within the community subject to a one (1) percent or greater chance of flooding in any given year assuming <u>all future ultimate</u> development has occurred throughout the watershed. <del>For the purposes of this section the regulatory floodplain is limited to the reach of the stream which is designated as an area of special flood hazard</del> <u>The regulatory floodplain is delineated on</u> the currently effective FEMA Flood Insurance Rate Maps (FIRM Panels). NOTE: As the city's floodplain ordinance (this Appendix F of the Unified Development Code) is approved by FEMA as a condition of participation in the National Flood Insurance Program (NFIP), the city's regulatory floodplain is considered FEMA's <u>future base flood regulatory floodplain</u>.</p> <p><u><b>Regulatory floodway</b> means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. The floodway is congruent with the regulatory 1% annual chance floodplain in the City of San Antonio and its Extra Territorial Jurisdiction.</u></p> <p><b>Repetitive loss</b> means flood-related damages sustained by a structure on two (2) separate occasions during a ten-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds twenty-five (25) percent of the market value of the structure before the damage occurred.</p> <p><u><b>Riverine</b> means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.</u></p> <p><u><b>Special flood hazard area</b> see <i>Area of Special Flood Hazard</i></u></p> <p><b>Start of construction</b> means for all new construction and substantial improvements, the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within one hundred eighty (180) days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction includes land preparation, such as clearing, grading and filling; includes the installation of streets and/or walkways; excavation for a basement, footings, piers or foundations or the erection of temporary forms; the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. The start of construction period is valid for one hundred eighty (180) days. Any delay beyond this period would require resubmission of added data and the permit application. <u>For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.</u></p> <p><b>Structure</b> means, <u>for floodplain management purposes</u>, a walled and roofed building, including a gas or liquid storage tank, <u>that which</u> is principally above ground, as well as a manufactured home.</p>

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	<p><b>Substantial damage</b> means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred. Substantial damage also means flood-related damages sustained by a structure on two (2) separate occasions during a ten-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds twenty-five (25) percent of the market value of the structure before the damage occurred.</p> <p><b>Substantial improvement</b> means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure before "start of construction" of the improvement. This includes "substantial damage", regardless of the structures which have incurred "repetitive loss" or actual repair work performed. The term does not, however, include either:</p> <ol style="list-style-type: none"> <li>(1) Any structure's continued designation as a "historic structure" project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary conditions or</li> <li>(2) Any alteration of a "historic structure", provided that the alteration will not preclude the structures continued designation as a "historical structure."</li> </ol> <p><b>Unflooded access</b> means that vehicular traffic has safe access to a property from a public street in times of flood (regulatory <u>1% annual chance event 100-year</u>). A property will be considered to have unflooded access to an existing street if flow depths for access on the public street <u>that are contiguous with adjacent to</u> the property do not exceed one (1) foot and fall within the safe range on Figure 504-2 "Dangerous Conditions on Crossing During Floods."</p> <p><b>Variance</b> is a grant of relief to a person from the requirement of this chapter when specific enforcement would result in unnecessary hardship. A variance, therefore, permits construction or development in a manner otherwise prohibited by this subdivision. (For full requirements see Section 60.6 of the National Flood Insurance Program regulations.)</p> <p><b>Violation</b> means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in <u>44 CFR Section 60.3 (Floodplain management criteria for flood-prone areas)</u> <del>this chapter</del> is presumed to be in violation until such time as that documentation is provided.</p> <p><b>Water surface elevation</b> means the height, in relation to the <u>North American Vertical Datum (NAVD) of 1988 National Geodetic Vertical Datum (NGVD) of 1929</u> (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.</p>
Sec. 35-F107	<p><b>Lands to Which Provisions Apply</b></p> <p>This ordinance subdivision shall only apply to areas of special flood hazard within the jurisdiction of the city and where applicable in its area of extraterritorial jurisdiction.</p>
Sec. 35-F108	<p><b>Basis for Establishing the Areas of Special Flood Hazards</b></p> <p>The areas of special flood hazard identified by the Federal Emergency Management Agency in the current scientific and engineering report entitled, "The Flood Insurance Study (FIS) for Bexar</p>

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Sec. 35-F109	<p>County dated September 29, 2010, updated periodically by the Federal Emergency Management Agency, together with accompanying Flood Insurance Rate Maps (FIRM) and Flood Boundary-Floodway Maps (FIRM and/or FBFM) dated September 29, 2010 and any revisions thereto are hereby adopted by reference and declared to be a part of <u>this ordinance</u>. <del>these regulations.</del> The areas of special flood hazard identified by the Federal Emergency Management Agency on its Flood Insurance Rate Maps (FIRM), currently published for the City of San Antonio and surrounding counties shall be used as the controlling study for the base flood within the city limits of San Antonio and its ETJ unless a more current study is required by the floodplain administrator. Typically, new studies will be required for development where existing studies were performed prior to the City of San Antonio's adoption of the 1997 Drainage "Ordinance 8671 1" and/or where city records indicate the ultimate development of the watershed has not been considered. Similar studies done by FEMA shall also be used for control in the City of San Antonio's area of extraterritorial jurisdiction, along with the floodplain information reports prepared by the United States Corps of Engineers, and the United States Geological Survey, Water Resources Division District Office, Austin, Texas, 1:24,000 U.S.G.S. quadrangle maps as prepared for the Federal Emergency Management Agency or the latest revisions thereof. These reports and maps are available for inspection by the public in the office of the city drainage engineer. Information and studies sanctioned and adopted by the floodplain administrator or by city council subsequent to publication of the Flood Insurance Study and associated FIRM which update the base flood elevations, floodplain boundaries or flows shall also be used for control.</p> <p><b><u>Establishment Of Development Permit &amp; Compliance</u></b></p> <p><u>A Floodplain Development Permit shall be required to ensure conformance with the provisions of this ordinance.</u></p> <p><b>Compliance</b></p> <p>No structure or land in an area of special flood hazard shall hereafter be located, altered, have its use changed, or otherwise be developed unless a floodplain development permit has been issued, pursuant to the terms of this appendix. Proposed work must be started within <u>six (6) twelve (12)</u> months of the date of approval of a floodplain development permit, otherwise the permit will become null and void. The floodplain development permit will be in effect for <u>twelve (12) six (6)</u> months following the start of construction unless otherwise approved on the permit by the floodplain administrator.</p> <p>No building permits, floodplain permits or plat approvals will be issued on properties with past floodplain violations unless the permits will remedy the violation. Work permitted with a floodplain development permit shall be undertaken in a manner designed to minimize surface runoff, erosion and sedimentation, and to safeguard life, limb, property and the public welfare <u>in</u> accordance with the NPDES (TPDES) Construction Site Regulation Ordinance, Ordinance No. 94002 as amended.</p>
Sec. 35-F110	<p><b>Abrogation and Greater Restrictions</b></p> <p>This <u>ordinance subdivision</u> is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this subdivision and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.</p>

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Sec. 35-F111	<p><b>Interpretation</b></p> <p>(a) In the interpretation and application of this ordinance, all provisions shall be:</p> <ol style="list-style-type: none"> <li>(1) Considered as minimum requirements;</li> <li>(2) Liberally construed in favor of the governing body; and</li> <li>(3) Deemed neither to limit nor repeal any other powers granted under state statutes.</li> </ol>
Sec. 35-F112	<p><b>Warning and Disclaimer of Liability</b></p> <p>The degree of flood protection required by this <u>ordinance subdivision</u> is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions greater floods can and will occur and flood heights may be increased by manmade or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This <u>ordinance ordinance</u> shall not create liability on the part of the City of San Antonio or any officer or employee thereof for any flood damages that result from reliance on these regulations or any administrative decision lawfully made thereunder.</p>
Subdivision B	<p><b>Administration and Enforcement</b></p>
Sec. 35-F121	<p><b>Designation of a <del>City</del> <u>The Floodplain Administrator.</u></b></p> <p>The director of public works <u>or his or her designee</u> is hereby appointed to administer and implement the provisions of this <u>ordinance subdivision</u>.</p>
Sec. 35-F122	<p><b>Duties and Responsibilities Of The Floodplain Administrator.</b></p> <p>(a) Duties and responsibilities of the <del>city</del> floodplain administrator shall include, but not be limited to:</p> <ol style="list-style-type: none"> <li>(1) Maintain and hold open for public inspection all records pertaining to the provisions of these regulations;</li> <li>(2) Review, approve or deny all applications for development permits required by section 35-F131 of this <u>ordinance chapter</u>;</li> <li>(3) Review permits for proposed development to assure that all necessary permits have been obtained from these federal, state or local governmental agencies <u>(including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334)</u> from which prior approval is required</li> <li>(4) Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the <u>floodplain administrator</u> <del>director of public works</del> shall make the necessary interpretation;</li> <li>(5) Notify (as applicable) <u>in riverine situations</u> adjacent communities, <u>the Texas Water Development Board (TWDB) and the Texas Commission on Environmental Quality</u></li> </ol>

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<p>Sec. 35-F123</p>	<p><u>(TCEQ), prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.</u></p> <p><u>(6) Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained. Assure that maintenance is provided within the altered or relocated portion of a watercourse so that the flood carrying capacity is not diminished, where appropriate easements are provided;</u></p> <p><u>(7)When base flood elevation data for various flood prone areas has not been provided in accordance with section 35-F108, the director of public works shall obtain, review, and reasonably utilize any base flood elevation data available from a federal, state or other source, in order to administer the provisions of this ordinance subdivision.</u></p> <p><u>(8) Reserved. No new construction, substantial improvements, or other development (including cut and/or fill) shall be permitted within zones A and AE on the community's flood insurance rate maps unless it is first demonstrated by engineering data submitted by the applicant's engineer in accordance with the various requirements and procedures as set forth in this subdivision that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, the water surface elevation of the regulatory 100-year floodplain at any point within the community.</u></p> <p><u>(9) Review permit application to determine whether to ensure that the proposed building site project, including the placement of manufactured homes, will be reasonably safe from flooding</u></p> <p><u>(10) No development in Zones A1-30, AE, AH, on the currently accepted FEMA FIRM panel which increases the regulatory base flood water surface elevation (BFE) on properties other than the developer's (revision requestor's) property shall be allowed.</u></p> <p><b>Enforcement.</b></p> <p><u>No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this court order by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this court order or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$500 for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent City of San Antonio from taking such other lawful action as is necessary to prevent or remedy any violation.</u></p> <p><u>Generally, If any person violates any provisions of these regulations, the director of public works shall notify the city attorney and direct him to take whatever action is necessary to remedy the violation, including but not limited to, filing suit to enjoin the violation and submitting a request to FEMA for denial of flood insurance.</u></p> <p>(a) Notice of Violation.</p> <p>(1) Generally, Whenever the floodplain administrator receives information of the existence of a floodplain violation, the floodplain administrator shall serve the owner of the property with a written notice informing the owner of such condition, directing that action be initiated to bring the property into compliance and advising the owner that he or she must respond in</p>

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	<p>person to the floodplain administrator or authorized representative within fifteen (15) days of receipt of the notice.</p> <p>(2) Service - Generally. Such notice may be served by personal delivery to the owner if he can be located within the city limits, but if he cannot be so located or served after reasonable effort, notice may be served by certified letter addressed to such owner at his post office address, but if such address cannot be ascertained after reasonable effort, notice may be served by publication two (2) times within ten (10) consecutive days in a newspaper of general circulation published in the city. In the case of community property, service upon either the husband or the wife shall be deemed sufficient notice hereunder.</p> <p>(3) Service - Corporation. If the owner is a corporation, service may be made by delivery of same to any office or place of business of such corporation or any officer of the corporation if such office, place of business or officer can be located within the city limits; but if such office, place of business, or officer cannot be so located after reasonable effort, service may be made by certified letter addressed to its corporate headquarters post office address; but if such address cannot be ascertained after reasonable effort, the notice may be served by publication two (2) times within ten (10) consecutive days in a newspaper of general circulation published in the city.</p> <p>(4) Service by Publication. Whether delivered personally, by mail, or by publication, the notice provided for above shall be addressed to the owner, but if the owner is not known, service may be had by publication addressed "To the owner of (legal description of the property involved)." The notice shall give the legal description of the property, state the condition which constitutes a violation hereof, and shall state that upon failure of the owner to take approved steps toward compliance within fifteen (15) days from date the notice is delivered or within fifteen (15) days from date of the second publication, if notice is to be served by publication, a criminal complaint may be filed in the municipal court of the city for violation of this chapter, stating the penalties for violation hereof as given below.</p> <p>(b) Remediation. <del>Remediation</del></p> <p>(1) Generally. The city may also cause the work necessary to bring any property into compliance herewith to be done, if the owner has failed to respond as set forth in subsection (b) above within fifteen (15) days from the date notice has been received or published, and to charge the owner for the costs incurred by the city. A statement of the costs incurred by the city to abate such condition shall be mailed to the owner of such premises if the owner and mailing address are known and, if not known, may be published in a newspaper of general circulation in the city. The statement shall demand payment within thirty (30) days from the date of receipt or publication.</p> <p>(2) Failure to Pay. If such statement has not been paid within such period, and if such work was further accomplished because the Director of the Department of Health certified that such work was required to abate an unwholesome or unsanitary condition described in V.T.C.A. Health and Safety Code Ch. 342, then the floodplain administrator may cause a statement of the expenses incurred to abate and correct such condition on the premises to be filed with the county clerk of the county in the deed records, and such statement shall be and the city shall have a privileged lien upon the lot, parcel, or tract of land upon which such expenses were incurred, second only to tax liens and liens for street improvement, together with ten (10) percent interest per annum on the delinquent amount from the date such payment was due. For any such expenditures and interest as aforesaid, suit may be instituted and foreclosure had in the name of the city; and the statement so made as aforesaid, or a certified copy thereof, shall be prima facie proof of the amount expended in any such work.</p>

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Sec. 35-F124	<p>(3) Large Trees. Although large trees are not covered hereby, and are not felt to be a nuisance or a hazard, it may be necessary at times to remove trees or parts thereof in order for the city crews or city contractors to affect entry of mowing or clearing equipment to property or portions of property not meeting standards established in this subdivision. In such case, the removal of such trees or parts thereof as is found necessary shall be done and is hereby authorized and the cost of this work shall be included in the cost charged to the owner.</p> <p>(c) Options.</p> <p>(1) Options Available. The following options are available to an owner of property in violation of the requirements of this section.  * The owner may cause all work, improvements, and grading performed in violation of this section to be restored to the natural state. Proof of compliance must be provided in the form of a certification signed by a registered professional engineer or surveyor to the effect that the property in question has been restored as nearly as possible to its natural state.  The owner may lease all or a portion of the work, improvements, and grading performed in violation of this subdivision and seek approval of a floodplain development permit by the floodplain administrator. Data presented with the permit application must demonstrate the compliance of any remaining improvements with this subdivision.</p> <p>(2) Time for Compliance. Each of the above options shall require a series of steps to be completed by the property owner at time intervals approved by the floodplain administrator. During the initial meeting set forth in subsection (b) (1) above, these options shall be discussed. Thereafter, the owner shall have fifteen (15) days to decide which option to pursue and provide a schedule of steps with completion dates necessary to rectify the violation. Upon failure of the owner to comply with these requirements or to complete the steps according to the schedule approved by the floodplain administrator, the city may choose to pursue the remedies set forth in subsections (b) or (c).</p> <p>(3) Time Periods. Each violation shall be considered on an individual basis. The time period for each step shall be approved by the floodplain administrator on the basis of hardship to the owner and danger to residents and citizens. The maximum time period allowed under any circumstances to perform all work necessary to bring a violation into compliance with the requirements of this subdivision is six (6) months.</p> <p>(d) Reporting Violations, Other Remedies. Violations of the Floodplain Ordinance (section 35-505 of this chapter) shall be reported by the city floodplain administrator as set out herein. Any person who fails to comply with these regulations is guilty of a misdemeanor. In addition to the other remedies provided by law, the city council may institute appropriate action to abate violations of these regulations as a public nuisance and in violation of chapter 35.</p> <p><b>Allowable Development Within the Regulatory Floodplain.</b></p> <p>This ordinance subdivision shall only apply to areas of special flood hazard within the jurisdiction of the city and where applicable in its area of extraterritorial jurisdiction.</p> <p>(a) <del>Reserved No development will be permitted that has a significant adverse impact to other properties refer to subsection 35-504(b)(1).</del></p> <p>(b) <del>Reserved No increase in the 100-year floodplain elevation will be permitted within the watershed as a result of development</del></p> <p>(c) An increase in water surface elevation is permitted solely when all the</p>

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	<p><del>following conditions are met: on the developer's property if the regulatory 100-year floodplain is contained in a dedicated drainage easement or right-of-way.</del></p> <ol style="list-style-type: none"> <li>1. <u>Property owner owns both sides of the floodplain.</u></li> <li>2. <u>The increase in the regulatory floodplain is contained in a dedicated drainage easement or right-of-way as required per Section 35-504 (d)(3).</u></li> <li>3. <u>Increase in water surface elevation for the 1% annual chance floodplain does not exceed six inches.</u></li> <li>4. <u>No increase in water surface elevations or velocities upstream and downstream outside of the owner's property limits.</u></li> </ol> <p>(d) Account for increase in discharge due to loss of storage <del>and increase in</del> <u>impervious cover in all reclamation analyses analysis.</u></p> <p>(e) Demonstrate that the development will not increase the regulatory <u>1% annual chance</u> <del>100-year</del> floodplain velocities above six (6) fps. <u>No increase in velocity will be permitted if predevelopment velocities in the floodplain exceed six (6) fps.</u></p> <p>(f) The following development may be allowed in the regulatory <u>1% annual chance</u> <del>100-year</del> and will require a floodplain development permit (see 35-B106 for permit requirements):</p> <ol style="list-style-type: none"> <li>(1) <u>All-weather street crossings that meet the requirements of Section 35-504 (g) (7).</u> <del>passes the ultimate development 100-year flood under the street.</del></li> <li>(2) Utility construction.</li> <li>(3) Parks.</li> <li>(4) Greenways.</li> <li>(5) Recreational facilities and golf courses.</li> <li>(6) Hike and bike trails.</li> <li>(7) Drainage improvements that mitigate existing or anticipated flood hazards.</li> <li>(8) <u>Publically funded capital</u> <del>Capital</del> <u>improvement projects that reduce flooding to protect the public safety.</u></li> <li>(9) Maintenance activities necessary to maintain the stormwater conveyance of the floodplain.</li> <li>(10) Drainage infrastructure repair.</li> <li>(11) Floodplain restoration.</li> <li>(12) Wetland reestablishment or mitigation.</li> <li>(13) Habitat re-establishment.</li> <li>(14) Installation of flood monitoring controls - rain gages, early flood warning systems, high water detection systems, etc.</li> <li>(15) Installations of emergency devices necessary to warn alarm and protect citizens</li> </ol>

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	at flood hazards.
(16)	Improvements to a structure that <del>do</del> does not fall under the definition of substantial improvement.
(17)	Elevating and/or floodproofing structures in the floodplain.
(18)	<u>1% annual chance 100-year</u> floodplain reclamation where the watershed drainage area is less than three hundred twenty (320) acres.
(19)	Parking lot construction where water depths do not exceed six (6) inches <u>during a future 1% annual chance storm event</u> .
(20)	<u>1% annual chance 100-year</u> floodplain reclamation in areas of ineffective flow where floodplain storage volume lost to reclamation is offset by comparable excavation within the same creek floodplain. (See subsections 35-F124(d) and 35-124(f)(27).)
(21)	<u>1% annual chance 100-year</u> floodplain reclamation in overbank areas subject to extensive shallow (0'--3') flooding where flood velocities in the overbank area are less than three (3) fps and where floodplain storage volume lost to reclamation is offset by comparable excavation within the same creek floodplain. (See subsections 35-F124(d) and 35-124(f)(27).)
(22)	Historic structure reconstruction, rehabilitation or restoration.
(23)	Development in the low risk flood area, as defined by appendix A or subject to the requirements of section 35-F145.
(24)	Reclamation between the <u>1% annual chance 100-year</u> floodplain and the regulatory <u>1% annual chance 100-year</u> floodplain.
(25)	<u>Reserved</u> Projects that are in the best interest of the public.
(26)	Nonresidential construction. <del>Some or all of The</del> the following restrictions will be placed on nonresidential construction in the floodplain: <ul style="list-style-type: none"> <li>A. Demonstrate that no <u>alternative sites are</u> <del>alternate site is</del> available for development within the property that is out of the floodplain.</li> <li>B. Meet all the requirements of subsection 35-F142(b), Nonresidential construction.</li> <li>C. Ensure the lowest finished floor elevation and/or the height to which the building must be floodproofed is no lower than the higher elevation of the energy grade line or the water surface elevation plus one (1) foot of the regulatory <u>1% annual chance 100-year</u> floodplain.</li> <li>D. <del>No increase in water surface elevations over existing conditions is permitted anywhere within the watershed as a result of the construction.</del> An increase in water surface elevation <u>may be</u> is permitted on the developer's property if the floodplain is contained in a dedicated drainage easement or right-of-way. <u>If all the requirements of</u></li> </ul>

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	<p align="center"><u>35-F124(c) are met.</u></p> <p>E. Reserved.</p> <p>F. Demonstrate that the development will not increase the <u>1% annual chance 100-year floodplain postdevelopment predevelopment</u> velocities above six (6) fps. No increase in velocity will be permitted if predevelopment velocities exceed six (6) fps.</p> <p>G. Demonstrate that the development will not be subject to damage from hydrostatic or hydrodynamic forces, debris impact, soaking, sediments and contaminants.</p> <p>H. Provide, operate and maintain an early flood warning system for the development. Warning systems will be subject to periodic inspection by the City of San Antonio to ensure they are maintained and operated as intended <u>as per floodplain administrator's direction.</u></p> <p>I. Complete the Letter of Map Revision process for the development.</p> <p>J. The owner shall indemnify the City of San Antonio against damages resulting from flooding on the owner's site.</p> <p>K. Other site-specific restrictions and/or requirements deemed appropriate by the floodplain administrator.</p> <p>(27) Construction in areas of flood inundation must meet the requirements of section 35-F141, General Standards. Structures associated with park and recreation development (fences, open construction type bleachers, concession stands etc.) may be permitted in areas of flood inundation. Keep this construction out of the flood conveyance section of the floodplain. Compensate for loss of storage. Secure structures to minimize damage from hydrostatic or hydrodynamic forces (including buoyancy) and debris impact.</p>
<p><b>Sec. 35-F125</b></p>	<p><b>Prohibited Development Within the Regulatory Floodplain.</b></p> <p>(a) The following development will not be allowed in the regulatory floodplain:</p> <p>(1) Development without first obtaining a floodplain development permit.</p> <p>(2) Habitable structures.</p> <p>(3) Street or access construction that does not <u>meet the requirements of Section 35-504 (g) (7).</u> <del>provide all-weather access.</del></p> <p>(4) Activity prohibited by Chapter 34, Article VI of the City Code "Aquifer Recharge Zone and Watershed Protection."</p> <p>(5) <u>1% annual chance</u> <del>One hundred year</del> floodplain reclamation where the watershed drainage area exceeds three hundred twenty (320) acres except as provided in section A.</p> <p>(6) <u>1% annual chance</u> <del>One hundred year</del> floodplain reclamation in over bank areas that are subject to flood depths greater than three (3) feet.</p>

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Sec. 35-F131	<p>(7) <u>1% annual chance</u> <del>One hundred-year</del> floodplain reclamation in over bank areas where flood velocities are greater than three (3) fps.</p> <p>(8) <u>No development will be permitted that has a significant adverse impact to other properties - refer to subsection 35-504(b) (1).</u></p> <p><b>Requirement.</b>  No development or other encroachment is allowed in a floodplain that will result in any increase in the base flood elevations <u>except as provided in 35-F124(c) within the floodplain during discharge of water of a base flood unless the floodplain is contained within an easement.</u> Where construction of structures in a floodplain is allowed by the <u>floodplain administrator</u> <del>director of public works</del>, a floodplain development permit shall be required to ensure conformance with the provisions of this <u>ordinance subdivision</u>. In addition, all land development in any area of special flood hazard shall be required to have a floodplain development permit.</p>
Sec 35-F132	<p><b>Application</b></p> <p>(a) Application for a floodplain development permit <u>must be approved by the</u> <del>shall be presented to the floodplain administrator</del> <del>director of public works</del>, on a form furnished by him, prior to any development. Application for a floodplain development permit for a proposed subdivision may be presented prior to or in conjunction with other data required for the platting process. For platting purposes, a floodplain development permit shall serve only as an approval of the floodplain ordinance requirements. No cut/or fill, building, or other site alterations shall proceed until the permit is approved.</p> <p>The permit application shall be accompanied by supporting data prepared by a licensed professional civil engineer in the State of Texas. Data required by the City of San Antonio Floodplain Submittal Checklist (see section <u>35-B106</u> <del>35-13106</del> for submittal requirements), must accompany all floodplain development permit applications except building renovation, reconstruction and restoration.</p> <p>(b) In addition to the above, the following information is required:</p> <p>(1) An elevation certificate for buildings on property located in or abutting the floodplain.</p> <p>(2) Elevation in relation to mean sea level to which any nonresidential structure shall be floodproofed.</p> <p>(3) Certification from a registered professional civil engineer <del>or registered architect</del> that the nonresidential floodproofed structure shall meet the floodproofing criteria of section 35-F142.</p> <p><u>(4) Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development:</u></p> <p><u>(5) Maintain a record of all such information in accordance with Sec 35-F122 (a) (1)</u></p> <p>(6) An existing structure may be improved (remodeled) without conforming to</p>

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Sec. 35-F133	<p>requirements of this subdivision when the improvement does not constitute a substantial improvement. In the event that the work is considered a substantial improvement then the structure must be brought into compliance with this <u>ordinance subdivision</u>.</p> <p>(7) Certification of the fair market value of an existing structure prepared by a certified real estate appraiser and a cost estimate of proposed improvements to the structure prepared by a registered architect or registered professional engineer shall be submitted to verify whether or not the proposed improvements exceed fifty (50) percent of the fair market value of the existing structure. In the case of a structure that has suffered damage, the date will verify the fair market value of the structure before the damage occurred.</p> <p><b>Permit Evaluation</b></p> <p>(a) Approval or denial of a floodplain development permit by the <u>floodplain administrator</u> <del>director of public works</del> shall be based on all of the provisions of this subdivision and the following relevant factors:</p> <p>(1) The danger to life and property due to flooding or erosion damage. Velocities in excess of six (6) feet per second may be considered erosive. Depths of flow within the "Dangerous" range by Figure 504-2 shall be considered dangerous to life.</p> <p>(2) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.</p> <p>(3) The danger that materials may be swept onto other lands to the injury of others</p> <p>(4) The compatibility of the proposed use with existing and anticipated development;</p> <p>(54) The impact the development may have on the overall function of the stormwater facilities and the impact on properties in its own and connecting watersheds. This may include but not be limited to changes in discharges as a result of changes in impervious cover, velocity, storage, creek roughness, etc.</p> <p>(65) The safety of access to the property in times of flood for ordinary and emergency vehicles; <u>flow depths for access shall be within the Proceed with Caution Range as per figure 504-2 for a future 1% annual chance flood event.</u></p> <p>(7) <u>The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;</u></p> <p>(87) The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the sites shall be analyzed.</p> <p>(9) <u>The necessity to the facility of a waterfront location, where applicable;</u></p> <p>(10 8) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use.</p> <p>(11 10) The relationship for the proposed use to the comprehensive plan for that area, with respect to the dedication of additional drainage easement for future bond projects, in</p>

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	<p>accordance with <u>this ordinance</u> <del>these subdivision regulations.</del></p> <p>(b e) If a floodplain development permit application is disapproved, the <u>floodplain administrator</u> <del>director of public works</del> shall notify the applicant in writing of the section and specific requirement of this <u>ordinance</u> <del>subdivision</del> with which the proposed development does not comply and the nature of such noncompliance.</p> <p>(c d) When there is a change in the alignment, width, or elevation of a floodplain identified on a flood insurance rate map, then a conditional letter of map revision (CLOMR), or letter of map revision (LOMR) if no improvements are proposed in the floodplain, must be submitted to the Federal Emergency Management Agency (FEMA) prior to approval of <del>a the plat or release of a building permit.</del> <u>Where private development</u> If improvements are proposed in the floodplain <del>a the</del> (CLOMR) must be approved by FEMA and the LOMR submitted to FEMA prior to <u>commencement of drainage system</u> <del>acceptance of the construction by the city.</del> <del>hold will be placed on all building permits for lots in a FEMA designated floodplain until FEMA has approved the LOMR or a performance bond is issued per subsection 35-F134(b).</del></p>
<b>Sec. 35F-134</b>	<p><b>Performance Bond</b></p> <p>(a) All proposed drainage improvements to be made within the limits of the area of special flood hazard, as set forth in section 35-F108, shall require a performance bond which shall be filed with the city clerk, after the approval of the floodplain development permit. An exception to this requirement is made for improvements being made in conjunction with the platting of a subdivision under the requirements of this chapter.</p> <p>(b) A performance bond may be issued for the Letter of Map Revision submittal in order to release the hold on the lot building permits. This bond shall be in the amount of the current fees required by FEMA for LOMR review plus one thousand dollars (\$1,000.00).</p> <p>(c) A performance bond will be executed by a surety company, licensed to do business in the State of Texas, in an amount equal to the cost estimate, such cost estimate to include an inflation factor based upon a locally recognized construction cost index, as approved by the <u>floodplain administrator</u> <del>director of public works</del>, of all incompletd and unaccepted improvements required by these regulations, with the condition that the developer shall complete such improvements and have them approved by the director of public works, within three (3) years from the date of approval of the floodplain development permit.</p> <p>(d) The performance bond shall be substantially in the same form as the bond instrument set out in Appendix B of this chapter. The <u>floodplain administrator</u> <del>director of public works</del> is authorized to sign the bond instrument on behalf of the City of San Antonio, and the city attorney shall approve the same as to form.</p>
<b>Sec. 35-F135</b>	<p><b>Variance Procedures</b></p> <p>(a) The <u>Planning Commission</u> <del>planning commission</del> shall consider requests for variances from the requirements of these regulations. Variance requests shall be processed as follows:</p> <ol style="list-style-type: none"> <li>(1) For cut and/or fill, building, building permits, or establishment of a mobile home site, the applicant shall present the disapproved permit to the director of development services together with information as to why the variance should be granted. The commission will then hear the request as soon as practical.</li> <li>(2) For subdivision plats, the applicant may submit the disapproved permit and the</li> </ol>

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	<p>request for variance prior to plat submission or in conjunction with other data required for the platting process. This request shall be handled similar to subsection (a)(1) above. If the applicant chooses to submit the disapproved permit as part of the plat submission process, then the variance request shall be handled similar to other variances requested under division 10, except that criteria for the floodplain variance shall be governed by this section.</p> <p>(3) The director of development services shall notify the <u>floodplain administrator</u> <del>director of public works</del> of the applicant's request for variance and shall furnish him with copy of the request together with the applicant's statement of facts that he feels warrant the granting of the variance. The <u>floodplain administrator</u> <del>director of public works</del> shall reply in writing as to his evaluation of the applicant's request and make a recommendation as to approval or denial of the variance request.</p> <p>(4) The director of development services shall notify the <u>floodplain administrator</u> <del>director of public works</del> of the decision of the planning commission. If the commission approves the request, the permit will be issued with the variance and with any special conditions that are attached to the variance.</p> <p><u>(5) The Planning Commission shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement or administration of this ordinance.</u></p> <p>(b) Any person or persons aggrieved by the decision of the planning commission may appeal such decision in the courts of competent jurisdiction.</p> <p>(c) The <u>floodplain administrator</u> <del>director of public works</del> shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.</p> <p>(d) Variances, without regard to the procedures set forth in the remainder of this section, may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Sites and Places or the Texas State Historic Survey List or the City of San Antonio Landmark List.</p> <p>(e) Upon consideration of the factors noted above and the intent of this ordinance, the planning commission may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives stated in section 35-F104.</p> <p>(f) Variances shall not be issued within any floodplain if any increase in flood levels during the <u>regulatory</u> <del>base flood</del> discharge would result, unless the increase in flood levels are contained within a dedicated drainage easement on the requestor's property.</p> <p>(g) Variances may be granted by the commission only upon a finding that:</p> <ol style="list-style-type: none"> <li>(1) The variance is the minimum necessary, considering the flood hazard, to afford relief;</li> <li>(2) There is good and sufficient cause;</li> <li>(3) Failure to grant the variance will result in exceptional hardship to the applicant; and</li> </ol>

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<b>Sec. 35-F136</b>	<p>(4) The variance will not result in increased flood heights, cause an additional threat to public safety, result in extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.</p> <p>(h) Any applicant to whom a variance or variances are granted shall be given written notice of the specific parts of the Floodplain Ordinance for which variances were granted and that the cost of flood insurance will be commensurate with the increased risk resulting from the granting of the variance.</p> <p><b>Notification; Creation of Lien</b></p> <p>(a) Whenever the floodplain administrator receives information of the existence of a floodplain violation, the floodplain administrator shall serve the owner of the property with a written notice informing the owner of such condition, directing that action be initiated to bring the property into compliance and advising the owner that he or she must respond in person to the floodplain administrator or authorized representative within fifteen (15) days of receipt of the notice.</p> <p>(b) Such notice may be served by personal delivery to the owner if he can be located within the city limits, but if he cannot be so located or served after reasonable effort, notice may be served by certified letter addressed to such owner at his post office address, but if such address cannot be ascertained after reasonable effort, notice may be served by publication two (2) times within ten (10) consecutive days in a newspaper of general circulation published in the city. In the case of community property, service upon either the husband or the wife shall be deemed sufficient notice hereunder.</p> <p>(c) If the owner is a corporation, service may be made by delivery of same to any office or place of business of such corporation or any officer of the corporation if such office, place of business or officer can be located within the city limits; but if such office, place of business, or officer cannot be so located after reasonable effort, service may be made by certified letter addressed to its corporate headquarters post office address; but if such address cannot be ascertained after reasonable effort, the notice may be served by publication two (2) times within ten (10) consecutive days in a newspaper of general circulation published in the city.</p> <p>(d) Whether delivered personally, by mail, or by publication, the notice provided for above shall be addressed to the owner, but if the owner is not known, service may be had by publication addressed "to the owner of (legal description of the property involved)." The notice shall give the legal description of the property, state the condition which constitutes a violation hereof, and shall state that upon failure of the owner to take approved steps toward compliance within fifteen (15) days from date the notice is delivered or within fifteen (15) days from date of the second publication, if notice is to be served by publication, a criminal complaint may be filed in the municipal court of the city for violation of this chapter, stating the penalties for violation hereof as given below.</p> <p>(e) The city may also cause the work necessary to bring any property into compliance herewith to be done, if the owner has failed to respond as set forth in subsection (a) above within fifteen (15) days from the date notice has been received or published, and to charge the owner for the costs incurred by the city. A statement of the costs incurred by the city to abate such condition shall be mailed to the owner of such premises if the owner and mailing address are known and, if not known, may be published in a newspaper of general circulation in the city. The statement shall demand payment within thirty (30) days from the date of receipt or publication.</p>

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Reference	Language
	<p>(f) If such statement has not been paid within such period, and if such work was further accomplished because the director of the Department of Health certified that such work was required to abate an unwholesome or unsanitary condition described in V.T.C.A. Health and Safety Code Ch. 342, then the floodplain administrator may cause a statement of the expenses incurred to abate and correct such condition on the premises to be filed with the county clerk in the deed records, and such statement shall be and the city shall have a privileged lien upon the lot, parcel, or tract of land upon which such expenses were incurred, second only to tax liens and liens for street improvement, together with ten (10) percent interest per annum on the delinquent amount from the date such payment was due. For any such expenditures and interest as aforesaid, suit may be instituted and foreclosure had in the name of the city; and the statement so made as aforesaid, or a certified copy thereof, shall be prima facie proof of the amount expended in any such work.</p> <p>(g) Although large trees are not covered hereby, and are not felt to be a nuisance or a hazard, it may be necessary at times to remove trees or parts thereof in order for the city crews or city contractors to affect entry of mowing or clearing equipment to property or portions of property not meeting standards established in this subdivision. In such case, the removal of such trees or parts thereof as is found necessary shall be done and is hereby authorized and the cost of this work shall be included in the cost charged to the owner.</p>
	<p>(h) Options.</p> <p>(1) The following options are available to an owner of property in violation of the requirements of this subdivision:</p> <p style="padding-left: 40px;">A. The owner may cause all work improvements, and grading performed in violation of this subdivision to be restored to the natural state. Proof of compliance must be provided in the form of a certification signed by a registered professional engineer or surveyor to the effect that the property in question has been restored as nearly as possible to its natural state.</p> <p style="padding-left: 40px;">B. The owner may lease all or a portion of the work, improvements, and grading performed in violation of this subdivision and seek approval of a floodplain development permit by the floodplain administrator. Data presented with the permit application must demonstrate the compliance of any remaining improvements with this <u>ordinance</u> subdivision.</p> <p>(2) Each of the above options shall require a series of steps to be completed by the property owner at time intervals approved by the floodplain administrator. During the initial meeting set forth in subsection (a) above, these options shall be discussed. Thereafter, the owner shall have fifteen (15) days to decide which option to pursue and provide a schedule of steps with completion dates necessary to rectify the violation. Upon failure of the owner to comply with these requirements or to complete the steps according to the schedule approved by the floodplain administrator, the city may choose to pursue the remedies set forth in subsections (d), (e), and (1).</p> <p>(3) Each violation shall be considered on an individual basis. The time period for each step shall be approved by the floodplain administrator on the basis of hardship to the owner and danger to residents and citizens. The maximum time period allowed under any circumstances to perform all work necessary to bring a violation into compliance with the requirements of this subdivision is six (6) months.</p>

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Reference	Language
Sec. 35-F137	<p><b>Continuing Obligations</b></p> <p>Drawings and other material or criteria submitted to the <u>floodplain administrator</u> <del>director of public works</del> in applying for such permit shall, upon approval and issuance of such a permit, be a part of a condition and term of such permit. In addition, all standards and requirements of this subdivision and all factors listed in this subdivision as relevant in approving or denying such permit shall be a part of such a permit and a condition and term of such a permit. In addition to named materials required to be submitted in applying for such a permit, <u>floodplain administrator</u> <del>director of public works</del> may require additional submission in order to verify whether such a permit should be issued. The conditions and terms shall constitute a continuing obligation upon all future occupants or users of the land to the extent same are applicable after development has been completed.</p>
Sec. 35-F141	<p><b>Standards For Flood Hazard Reduction</b></p> <p>(a) In all areas of special flood hazards the following provisions are required <u>for all new construction and substantial improvements</u>:</p> <ol style="list-style-type: none"> <li>(1) All new construction or substantial improvements shall be <u>designed (or modified) and adequately anchored</u> to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy (see U.S. Corps of Engineers Flood Proofing Regulations, <del>Chapter 6, Section 610</del>).</li> <li>(2) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage (see the United States Corps of Engineers Flood Proofing Regulations, <del>Chapter 5 and Chapter 6</del>).</li> <li>(3) All new construction or substantial improvements shall be constructed with materials and utility equipment resistant to flood damage (see the United States Corps of Engineers Flood Proofing Regulations, <del>Chapter 12 and Chapter 13</del>).</li> <li>(4) All new construction or substantial improvements shall be constructed with <u>electrical and mechanical equipment at a minimum of one (1) foot above the regulatory floodplain elevation</u>.</li> <li>(5-4) All new and <del>substantial improvements</del> <del>replacement</del> toilets, sinks, showers, water heaters, pressure tanks, furnaces, and other permanent plumbing installations shall be installed at a <u>minimum of one (1) foot above the regulatory floodplain elevation or floodproofed</u>.</li> <li>(6-5) All new and <del>substantial improvements</del> <del>replacement</del> water supply systems shall be designed to San Antonio Water System standards to minimize or eliminate infiltration of flood waters into the system and discharges from the systems into <u>flood waters</u> <del>floodwater</del>.</li> <li>(7-6) New and <del>replacement</del> sanitary sewage systems shall be designed to city sanitary sewer standards to minimize or eliminate infiltration of floodwaters into the system and discharges from the systems into <u>flood waters</u> <del>floodwater</del>.</li> <li>(8-7) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding. <u>Waste disposal systems shall be located above the regulatory floodplain base flood water surface elevation</u>.</li> <li>(9-8) Filling or the disposal of any materials which will diminish the water flow capacity of any waterway or floodplain defined by this ordinance must be compensated for with remedial</li> </ol>

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Reference	Language
<p><b>Sec. 35-F142</b></p>	<p>action. <u>An equal amount of storage volume must be created in another location of the same SFHA to compensate for the storage capacity lost by additional excavation or otherwise so as not to diminish water capacity.</u></p> <p>(10.9) Floodplain engineering procedures and requirements within FEMA or United States Corps of Engineers official flood prone areas shall conform to the engineering criteria of this section.</p> <p><b>Specific Standards</b></p> <p>In all areas of special flood hazards where base flood elevation data has been provided in accordance with <u>this ordinance</u> <del>these regulations</del>, the following provisions are required:</p> <p>(a) Residential Construction.</p> <p><u>(1) Construction of habitable structures within the regulatory floodplain (base flood) is not allowed. unless the floodplain is revised with a floodplain permit. New construction and substantial improvement of any residential structure shall have the lowest floor (including basement), elevated one (1) foot above the regulatory floodplain. A registered professional engineer, architect, or land surveyor shall submit a certification to the Floodplain Administrator that the standard of this ordinance-subsection as proposed in [site applicable UDC Section], is satisfied.</u></p> <p>(b) Nonresidential Construction.</p> <p>(1) New construction or substantial improvements of any commercial, industrial or other nonresidential structure shall have either (a) the lowest floor, including basement, elevated to one (1) foot above the <u>regulatory floodplain level of base flood elevation</u>, or (b) have the lowest floor, including basement, with attendant utility and sanitary facilities, be floodproofed so that below the <u>regulatory floodplain base flood level plus one (1) foot above the lowest floor</u>, the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy.</p> <p>(2) New construction and substantial improvements, with fully enclosed areas below the lowest <u>floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which (including basement) that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of flood waters floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:</u></p> <p>A minimum of two (2) openings <u>on separate walls</u> having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided.</p> <p>The bottom of all openings shall be no higher than one (1) foot above grade.</p> <p>Openings may be equipped with screens, louvers, or other covering or devices provided that they permit the automatic entry and exit of floodwaters.</p> <p>(3) Electrical heating, ventilation, plumbing and air-conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.</p>

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	<p>(4) A registered professional engineer <del>or registered architect</del> shall submit a certification to the <u>floodplain administrator</u> <del>director of public works</del> that the standards of this subsection are satisfied. The certification shall include a statement to the effect that the engineer has developed and/or reviewed structural design, specifications, and plans for the construction and finds them to be in accordance with this subsection. <u>A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the Floodplain Administrator.</u> The director of public works shall utilize the floodproofing regulations manual prepared by the United States Army Corps of Engineers as a guide in determining construction requirements.</p> <p>(c) <b>Manufactured Homes.</b></p> <p>(1) All manufactured homes shall be anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, the following (refer to FEMA Manual #85, Manufactured Home Installation in Flood Hazard Areas):</p> <p style="padding-left: 40px;">A. Over the top ties at each of the four (4) corners of the manufactured home with two (2) additional ties per side at intermediate locations. Manufactured homes more than fifty (50) feet long require one (1) additional tie per side.</p> <p style="padding-left: 40px;">B. Frame ties at each corner of the home with five (5) additional ties per side at intermediate points. Manufactured homes more than fifty (50) feet long require four (4) additional ties per side.</p> <p style="padding-left: 40px;">C. All components of the anchoring system shall be capable of carrying a force of four thousand eight hundred (4,800) pounds.</p> <p style="padding-left: 40px;">D. Any additions to the manufactured home shall be similarly anchored.</p> <p>(2) All manufactured homes to be placed or substantially improved within Zones A1-30, AH, and AE shall conform to the following criteria:</p> <p style="padding-left: 40px;">A. Stands or lots are elevated on compacted fill or on pilings so that the lowest floor of the mobile home will be one (1) foot above the base flood level. A registered professional civil engineer, registered architect, or registered public surveyor shall submit a certification to the director of public works that the standard of this paragraph complies with subsection (a).</p> <p style="padding-left: 40px;">B. Adequate surface drainage and access for a hauler are provided.</p> <p style="padding-left: 40px;">C. In the instance of elevation of pilings: (i) lots are large enough to permit steps, (ii) piling foundations are placed in stable soil no more than ten (10) feet apart, and (iii) reinforcement is provided for pilings more than six (6) feet above the ground level.</p> <p>(d) <b>Recreational Vehicles.</b></p> <p>Require that recreational vehicles placed on sites within Zones A1-30, AH, and AE on the community's FIRM either (i) be on the site for fewer than 180 consecutive days, or (ii) be fully licensed and ready for highway use, or (iii) meet the permit requirements of Article 4, Section C (1), and the elevation and anchoring requirements for "manufactured homes" in paragraph (4) of this section. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.</p>

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Reference	Language
Sec. 35-F143	<p><b>Areas of Shallow Flooding (AO/AH Zones).</b></p> <p>(a) Located within the areas of special flood hazard are areas designated as areas of shallow flooding. These areas have special flood hazards associated with base flood depths one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate, <u>and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow;</u> therefore, in these areas the following provisions shall apply:</p> <p style="padding-left: 40px;">(1) All new construction and substantial improvements of residential structures shall have the lowest floor <u>(including basement) elevated (1) foot above the regulatory floodplain base flood elevation</u> or one (1) foot above the highest adjacent grade or one (1) foot above the depth number specified on the community's FIRM (at least two (2) feet if no depth number is specified), whichever is higher controls.</p> <p style="padding-left: 80px;">A. Have the lowest floor <u>(including basement) elevated (1) foot above the regulatory floodplain base flood elevation</u> or the highest adjacent grade <u>at least as high as the depth number specified in feet</u> on the community's FIRM, (at least two (2) feet if no depth number is specified).</p> <p style="padding-left: 80px;">B. Together with attendant utility and sanitary facilities, be completely floodproofed to or above that level <u>so that below the base specified flood depth in an AO Zone, or below the Base Flood Elevation in an AH Zone,</u> and any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydro static and hydrodynamic loads and effects of buoyancy.</p> <p style="padding-left: 40px;">(3) A registered professional civil engineer, <del>registered public surveyor, or registered architect</del> shall submit a certification to the <u>floodplain administrator</u> <del>director of public works,</del> that the standards of this <u>ordinance section</u> <del>are</del> satisfied.</p> <p style="padding-left: 40px;">(4) Require within Zones AH and AO, adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.</p> <p>(d) Floodways. Located within the areas of special flood hazard are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles and erosion potential, the following provisions shall apply:</p> <p style="padding-left: 40px;">(1) Encroachments are prohibited, including fill, new construction, substantial improvements and other developments <u>within the adopted regulatory floodway</u>, unless certification by a registered professional engineer <del>or architect</del> is provided demonstrating that encroachments shall not result in any increase in flood levels during occurrence of the regulatory <del>base flood</del> discharge.</p> <p style="padding-left: 40px;">(2) If subsection (1) above is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this <u>ordinance chapter</u>.</p> <p style="padding-left: 40px;">(3) The placement of any manufactured home is prohibited except in an existing manufactured home park or subdivision.</p>

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Reference	Language
<b>Sec. 35-F144</b>	<p><b>Standards For Subdivision Proposals</b></p> <p>(1) All subdivision proposals including the placement of manufactured home parks and subdivisions shall be consistent with Article 1, Sections B, C, and D of this ordinance.</p> <p>(2) All proposals for the development of subdivisions including the placement of manufactured home parks and subdivisions shall meet Floodplain Development Permit requirements of Article 3, Section C; Article 4, Section C; and the provisions of Article 5 of this ordinance.</p> <p>(3) Base flood elevation data shall be generated for subdivision proposals and other proposed development including the placement of manufactured home parks and subdivisions which is greater than 50 lots or 5 acres, whichever is lesser, if not otherwise provided pursuant to Article 3, Section B or Article 4, Section B (8) of this ordinance.</p> <p>(4) All subdivision proposals including the placement of manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.</p> <p>(5) All subdivision proposals including the placement of manufactured home parks and subdivisions shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.</p>
<b>Sec. 35-F145</b>	<p><b>Low Risk Flood Area</b></p> <p>New construction or substantial improvement of any structure, as permitted by other ordinances and regulations unless otherwise stated, may be permitted in a low risk flood area through a floodplain development permit. The low risk flood area, generally known as the River Bend Area, is specifically described in Figure 1. This section shall apply only to the lower level of multilevel structures and the street level adjacent to the Riverwalk area. The lower level of a multilevel structure is in the low risk flood area if it is adjacent to the Riverwalk and has access to the Riverwalk area. The lower level is further defined as being below the regulatory flood level.</p> <p>(1) Permitted uses in the low risk flood area will be limited to nonresidential uses such as commercial restaurants with open air dining facilities, recreation and entertainment areas, and other commercial establishments.</p> <p>(2) Any permanent or temporary use as a place of residence or sleeping quarters shall not be permitted in the low risk flood area.</p> <p>(3) No construction shall be permitted below the Riverwalk level. All new construction along the Riverwalk shall be multistory, with street level egress from any newly constructed shop, restaurant, or other establishment on the Riverwalk. New construction at the Riverwalk level shall be essentially open with jalousies, folding doors, iron gates, or other similar provisions for security. All new construction in the low risk flood area shall utilize to a maximum extent decorating and building techniques that minimize flood damage. The first habitable floor shall be elevated one (1) foot above the base flood level.</p> <p>(b) The floodplain development permit application shall be submitted to the director of public works and signed and sealed by a registered professional engineer. The application shall include two (2) sets of documents with the following information:</p> <p>(1) Plans and specifications showing the site and location, dimensions of all property lines and topographic elevations of the lot, existing and proposed structures and improvements, fill, storage of materials, location and elevations</p>

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	of existing and proposed streets and utilities, floodproofing measures, relationship of the above to the location of the flood boundary, the regulatory flood elevation and data, and the existing and proposed flood control measures and improvements.
	(2) Cross-sections and profile of the area and the regulatory flood level.
	(3) Flood study and drainage report in areas where a study and report have not been reviewed and accepted by the city.
	(4) Description of surrounding properties and existing structures and uses.
	(5) Justification and reasons for the construction or substantial improvements with consideration of the intent and provisions of these regulations and information as may be applicable on the general standards of section 35-F141 and the following:
	A. The danger that materials may be swept onto other lands or downstream to the injury of others.
	B. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners.
	C. The importance of the services provided by the proposed facility to the community.
	D. The availability of alternative locations not subject to flooding for the proposed use.
	E. The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.
	F. The relationship of the proposed use to the floodplain management program for the area.
	G. The safety of access to the property in times of flood for emergency vehicles.
	H. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters expected at the site.
	I. That the construction or substantial improvement will not result in adverse increase of flood heights, additional threat to public safety, extraordinary public expense, or conflict with other laws or regulations.
	(6) An agreement whereby a notice will be inserted in the deed and other conveyance documents of the property and filed with the Bexar County Clerk's office that the property is located in a flood prone area. The notice shall also contain a statement of the number of feet the lowest non-floodproofed floor of the proposed structure is below the 100-year flood level and that actuarial flood insurance rates increase as the first floor elevation decreases.
	(7) Such other factors which are relevant to the purposes of these regulations.

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	<p>(c) The director of public works shall approve or deny a floodplain development permit in the low risk flood area based on the provisions of this section and other requirements of these regulations which may be applicable to the low risk flood area.</p> <p>(d) If a floodplain development permit is disapproved, the director of public works shall notify the applicant in writing of the section(s) and the specific requirement(s) of these regulations with which the proposed development does not comply and the nature of such noncompliance.</p> <p>(e) Requests for variances shall follow the variance procedures as set forth in section 35-F135.</p>

Consideration of a resolution to approve changes to City of San Antonio's Floodplain Ordinance to be in compliance with FEMA's base ordinances.

The FEMA DFIRM maps will be effective on September 29, 2010 and with the updates to the maps, FEMA is updating their Floodplain Ordinance. The City of San Antonio is required to adopt FEMA's base ordinance in order to continue our participation in NFIP. Public Works Storm Water Engineering updated our current Floodplain ordinance to reflect the changes made to FEMA's base ordinance.

The changes made included adding definitions to our ordinance, clarifying language and grammar, and updating terminology. We have presented this updated ordinance to the Development Process Task Force, PEPP/AIA, and Drainage Subcommittee and they have given their approval to the proposed changes.

**Recommendation:**

Staff recommends approval of this item.

**P/C AGENDA FOR June 9, 2010**

Item Number	Plat/PUD Name	Company	Owner Information
6A & 7	Wood Land Manor Unit 3 Lot 16, Blk. 8, N.C.B.14728		Dr. Juan Carlos Garza, M.D.
8	Crossbridge Community Church	Crossbridge Community Church of San Antonio	Randolph V. Brown, agent
9	Redland Ranch Unit 2	FCS Fischer, LTD	Rick Sheldon
10	Monticello Ranch Unit 5A	Centex Real Estate Corporation	Charles Marsh
11	Westwinds South Unit 4 PUD	AR Development, Inc.	A. Bradford Galo