

**CITY OF SAN ANTONIO
PLANNING DEPARTMENT
CITY COUNCIL AGENDA MEMORANDUM**

TO: Mayor and City Council

FROM: Emil R. Moncivais, AICP, AIA, CNU, Director, Planning Department

SUBJECT: South Lake Development Agreement

DATE: January 5, 2006

SUMMARY AND RECOMMENDATIONS

Fermin Rajunov of Presto Tierra Ltd, with Crosswinds at South Lake. L.P., a Texas limited partnership is requesting the approval of a development agreement regarding the South Lake Development, a 532.59-acre tract of land located at the southwest corner of State Highway 16 and Watson Road. The developer requested a development agreement to provide flexibility to allow certain amendments and exceptions to the Flex Zoning District Provisions. To accommodate other development opportunities for this site, a development agreement can be executed in the ETJ that provides the City of San Antonio the ability to extend and enforce land use and development regulations, as well as regulations other than those that apply within the municipality's boundaries as may be agreed by the landowner; provide for infrastructure, authorize enforcement of environmental regulations, and consideration and terms for future annexation (Section 212.171 of the *Local Government Code*).

To accommodate the large-scale commercial development not permitted in the Flex Districts at this location, mitigation will be achieved through wider roadway buffers, increased pedestrian linkages, providing a small-scale mixed commercial area in conformance with pedestrian oriented standards, and 139 acres of open space with the construction of a pedestrian/bike trail adjacent to the Medina River.

Staff recommends approval.

BACKGROUND INFORMATION

South Lake is a proposed 532.59-acre development in City South, generally located at the southwest intersection of State Highway 16 and Watson Road. It is located in the City South Limited Purpose Annexation area and is not recommended for full purpose annexation at this time.

In conjunction with the development agreement, the applicant is requesting both a zoning change and plan amendment. On December 6, 2005, the Zoning Commission recommended approval of the requested zoning change from Farm and Ranch District and Rural Development District, to Rural Development District CD with a conditional use for a density not to exceed four (4) dwelling units per acre. The condition also provided that the total units in the Rural

Development District will not exceed 1560 residential dwelling units. The applicant plans to amend the request at the city council meeting to clarify that the total acreage of the conditional use of four (4) dwelling units per acre will not exceed 110 acres. The zoning change will be considered by City Council on January 5, 2006.

The Planning Commission recommended approval of the plan amendment request from Agriculture land use to Rural Living land use on November 23, 2005. The plan amendment was continued by City Council on December 15, 2005, and will be considered on January 5, 2006, in conjunction with the zoning change.

POLICY ANALYSIS

The proposal is consistent with the City South Community Plan, adopted June 26, 2003, which calls for:

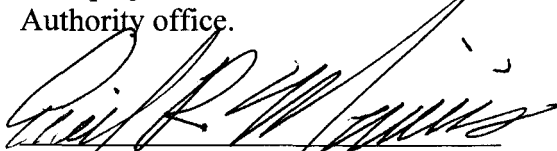
- Mixed-use neighborhood centers consisting of residences, retail, small office and neighborhood services that are accessible by walking, biking or driving from nearby housing
- Open space preservation through cluster development
- Protection of riparian areas
- Preservation of greenways with interconnecting trail systems
- Scenic roadway buffers

FISCAL IMPACT

This action has no fiscal impact.

COORDINATION

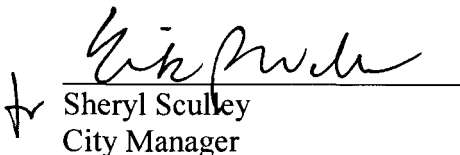
This project was coordinated with the City Attorney's office and the City South Management Authority office.



Emil R. Moncivais, AICP, AIA, CNU
Director, Planning Department



Jélynne LeBlanc Burley
Assistant City Manager



Sheryl Sculley
City Manager



CITY SOUTH
LAKE

A World Class Community

**South Lake
Development Agreement**

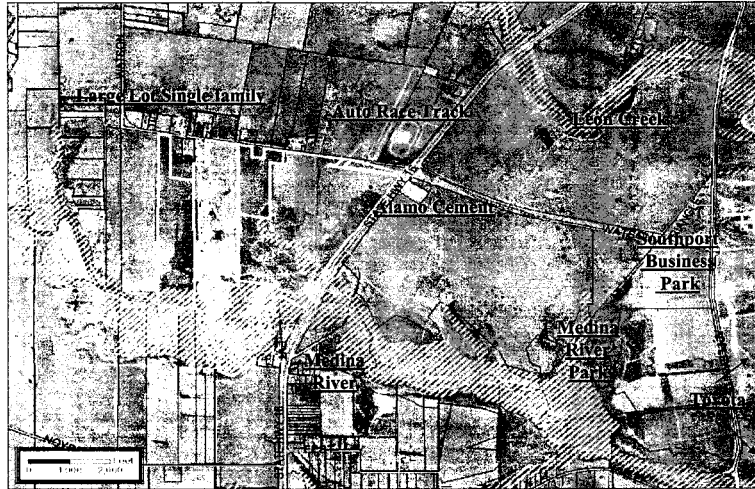
Emil R. Moncivais, AICP, AIA, CNU
Planning Director
Agenda Item No. 6
January 5, 2006

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Council Action Requested

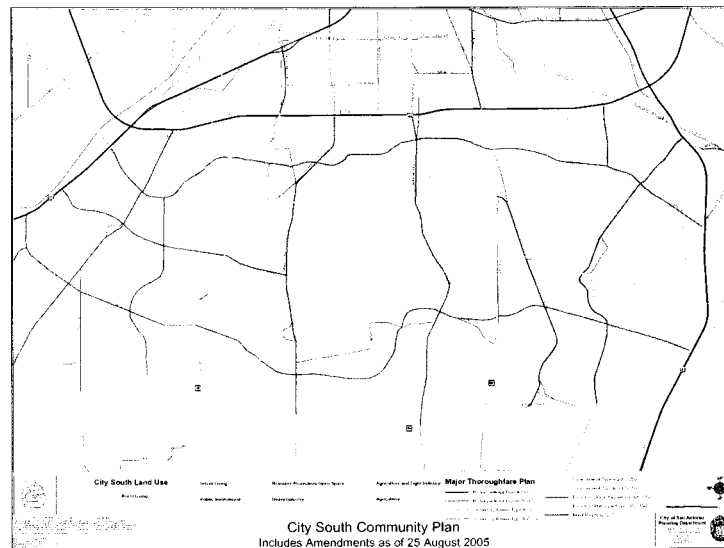
An ordinance authorizing the City Manager to execute a development agreement with Fermin Rajunov of Presto Tierra Ltd, with Crosswinds at South Lake, L.P, a Texas Limited Partnership for 532.59 acres of land generally located at the southwest corner of State Highway 16 and Watson Road, known as South Lake.

Background – South Lake



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City South – Amended Land Use Plan



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Development Agreement – Purpose

Section 212.171 of the Local Government Code grants the City the authority to execute a development agreement in the ETJ (extra-territorial jurisdiction) that may include:

- ◆ Extending and enforcing land use and development regulations
- ◆ Providing for infrastructure



Agreement Provisions

To accommodate uses not specifically provided for in the Flex Development Districts, the agreement allows for:

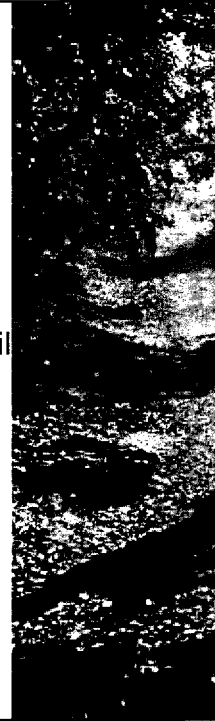
- ◆ Density bonus up to 4 dwelling units per acre on 110 acres and a cap of 1560 total dwelling units for the entire development
- ◆ Large scale commercial development along SH 16
- ◆ Option to locate small scale commercial uses in the Rural Development District or the Mixed Light Industrial Zoning District
- ◆ Sign plan for monument signs along SH 16 and Watson Rd frontages



Agreement Provisions

The developer agrees to provide the following:

- ◆ Flex Development Plan and Conservation Subdivision with a large open space/conservation area and a bike/pedestrian trail adjacent to the Medina River
- ◆ Expanded scenic buffers along SH 16 and Watson Rd.
- ◆ Walkways linking commercial and residential areas
- ◆ Design standards for both large scale and small scale commercial uses



Conceptual Plan for South Lake

Agreement Terms

- ◆ If the Agreement is not implemented in accordance with UDC Section 35-412 “Master Development Plans” within 15 years, the Agreement shall expire, unless the terms of the agreement are renewed
- ◆ Agreement filed with Bexar County Clerk’s Office as a covenant to the property’s title



Policy Analysis

The agreement is consistent with the City South Community Plan that calls for:

- ◆ Mixed use neighborhood centers that are accessible by walking, biking or driving from nearby housing
- ◆ Open space preservation through cluster development
- ◆ Protection of riparian areas
- ◆ Preservation of greenways with interconnecting trail systems
- ◆ Scenic roadway buffers



Coordination & Recommendation

The project was coordinated with the:

- ◆ City Attorney's office
- ◆ City South Management Authority office

Staff recommendation:

- ◆ Approval

