



CITY OF FAIR OAKS RANCH

PLANNING AND ZONING COMMISSION MEETING

Thursday, August 12, 2021 at 6:30 PM

City Hall Council Chambers, 7286 Dietz Elkhorn, Fair Oaks Ranch

AGENDA

OPEN MEETING

1. Roll Call - Declaration of a Quorum
2. Pledge of Allegiance

CITIZENS and GUEST FORUM

To address the Commission, please sign the Attendance Roster located on the table at the entrance of the Council Chambers. In accordance with the Open Meetings Act, the P&Z Commission may not discuss or take action on any item which has not been posted on the agenda. Speakers shall limit their comments to five (5) minutes each.

3. Citizens to be heard.

CONSENT AGENDA

All of the following items are considered to be routine by the P&Z Commission, there will be no separate discussion on these items and will be enacted by one motion. Items may be removed by any Commissioner by making such request prior to a motion and vote.

4. Approval of the May 13, 2021 Planning and Zoning Commission Regular Meeting Minutes.

Christina Picioccio, City Secretary

CONSIDERATION / DISCUSSION ITEMS

5. Consideration and possible action recommending the approval for Front Gate Unit 6 Tree Preservation Plan.

Melissa Castro, Environmental Project Manager

6. Consideration and possible action recommending the approval of a Preliminary Plat request from SA Front Gate, LLC for Front Gate Unit 6 proposing 44 single-family residential lots, generally located south of Dietz Elkhorn Road and north of Fair Oaks Parkway, City of Fair Oaks Ranch, Texas.

Lata Krishnarao, AICP, LEED ND, Consultant, Gunda Corporation

7. Consideration and possible action recommending the approval of a Preliminary Plat request from Elkhorn Ridge SA, LLC for Elkhorn Ridge Unit 8 proposing 27 single-family residential lots, generally located north of the intersection of Dietz Elkhorn Road and Elkhorn Ridge, City of Fair Oaks Ranch, Texas.

Lata Krishnarao, AICP, LEED ND, Consultant, Gunda Corporation

8. Request of Bitterblue (Lloyd A. Denton, Jr.) to discuss the Conservation Development Alternative (CDA) option for the proposed Post Oak Ranch (Noll Tract) Single Family Residential Development. Generally located south-east of the intersection of Ammann Road and Ralph Fair Road and northeast of Setterfeld Estates along the east side of FM 3351.

Lata Krishnarao, AICP, LEED ND, Consultant, Gunda Corporation
Paul Schroeder, P.E., RPLS, Vickrey & Associates, LLC.

REPORTS FROM STAFF

9. Status update on the Unified Development Code amendment process.

Carole Vanzant, Assistant City Manager

ADJOURNMENT

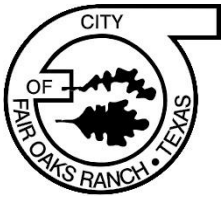
Signature of Agenda Approval: s/Tobin E. Maples

Tobin E. Maples, City Manager

I, Christina Picioccio, City Secretary, certify that the above Notice of Meeting was posted on the outside bulletin board at the Fair Oaks Ranch City Hall, 7286 Dietz Elkhorn, Fair Oaks Ranch, Texas, and on the city's website www.fairoaksranchtx.org, both places being convenient and readily accessible to the general public at all times.

As per Texas Government Code 551.045, said Notice was posted by 6:30 PM, August 9, 2021 and remained so posted continuously for at least 72 hours before said meeting was convened.

The Fair Oaks Ranch City Hall is wheelchair accessible at the side entrance of the building from the parking lot. Requests for special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary's office at (210) 698-0900. Braille is not available.



CITY OF FAIR OAKS RANCH
PLANNING & ZONING COMMISSION

Thursday, May 13, 2021 at 6:30 PM
 City Council Chambers

MINUTES

OPEN MEETING

Roll Call - Declaration of a Quorum

Present: Chairperson Frank Trapasso and Vice Chairperson Bobbe Barnes
 Commissioners: Linda Tom, David Horwath, Douglas Leonard, and Lamberto Balli

Absent: Commissioner Dale Pearson

With a quorum present, the meeting was called to order at 6:30 PM.

CITIZENS and GUEST FORUM

1. Citizens to be heard.

- A. Sharon Brimhall, resident, noted that the Noll Tract to be addressed at this meeting do not conform to any of the city's master or water plans. Ms. Brimhall asked the Commission to help preserve the semi-rural environment by not allowing high density development.

The City Secretary read the following letter into the records

- B. Donna Crissey, resident, asked that the Commission deny the request for a zoning variance on the Noll tract due to the effects on the water system, roads and schools as well as increased construction traffic to Ralph Fair Road. Ms. Crissey expressed difficulties in her HOA with Denton and asked that the City consider resident concerns in other Denton Communities and not allow them to continue bending rules.
- C. James Biasioli, resident, wrote questioning where the water source to sustain 180 new homes would come especially in light of current water restrictions should a variance be provided to Denton Development.
- D. Christopher Gilfillan, resident, wrote regarding "excessive tree removal" in the proposed tree preservation plan for Front Gate Unit 7. He asked the Commission to enact additional requirements for this and future developments and also voiced concerns regarding the community management by the developer.
- E. Sarika Khanwilkar, resident, recommended against the approving the removal of 3 heritage trees as she saw no plans to ensure the protection and survival of trees planted as mitigation.
- F. Craig Welzenbach, resident, listed several grievances raised by the residents and the lack of satisfactory responses from the developer within Setterfeld Estates, another Denton Development. He urged that Denton Development's variance not be granted.

- G. Stacey Gilfillan, resident, wrote on behalf of her household and 32 other unit owners from Front Gate stating general displeasure with Denton Communities and First Service Residential. She cited the lack of a requirement for reserve funding for its private roads as the residents will need to fund road maintenance upon build-out. Ms. Gilfillan asked that the Commission and Council address this issue for any future developments.

CONSENT AGENDA

2. **Approval of April 8, 2021 Planning and Zoning Commission Regular Meeting Minutes.**
3. **Approval of April 22, 2021 Planning and Zoning Commission Special Meeting Minutes.**

MOTION: Made by Commissioner Balli, seconded by Commissioner Horwath to approve the minutes as written.

VOTE: 6-0, Motion Passed

CONSIDERATION / DISCUSSION ITEMS

4. **Consideration and possible action recommending the approval for Front Gate Unit 7 Tree Preservation Plan.**

MOTION: Made by Commissioner Leonard, seconded by Vice Chairperson Barnes to recommend approval of the Front Gate Unit 7 Tree Preservation Plan.

VOTE: 6-0, Motion Passed

5. **Request of Denton Communities to discuss the Noll Tract Development for the proposed Post Oak Ranch Single Family Residential Development. Generally located south-east of the intersection of Ammann Road and Ralph Fair Road and northeast of Setterfeld Estates, along the east side of FM 3351.**

Insight and direction was requested in regard to a conceptual land plan proposed by Denton Communities. Discussion amongst the Commission, City Attorney and City's Consultant regarding the legality of this agenda item and whether the development complied with the Comprehensive Plan, Future Land Use Map and Unified Development Code (UDC). As current proposed development of 1 acre lot size is inconsistent with the current comprehensive plan and future land use map general consensus supported following plans as currently written and based on citizen input.

WORKSHOP

6. **Discussion on the proposed amendments to the Unified Development Code - Session 5.**

Lata Krishnarao, AICP, LEED ND, of Gunda Corporation, guided the Commission through a presentation on amendments to the Fair Oaks Ranch Unified Development Code and answered questions from the Commission.

ADJOURNMENT

Chairperson Trapasso adjourned the meeting at 9:27 PM.

ATTEST:

Frank Trapasso, Chairperson

Christina Picioccio, City Secretary



PLANNING & ZONING CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS
August 12, 2021

AGENDA TOPIC: Consideration and possible action recommending the approval for Front Gate Unit 6 Tree Preservation Plan

DATE: August 12, 2021

DEPARTMENT: Public Works

PRESENTED BY: Melissa Castro, Environmental Project Manager

INTRODUCTION/BACKGROUND:

On June 29, 2021, a preliminary plat establishing Front Gate Unit 6 was submitted to the Public Works Department by Vickrey and Associates, Inc. This preliminary plat consists of 13.21 acres of residential development.

Regarding the submission of a preliminary plat, currently vested under the City's previous subdivision ordinance, Article II, Section 1 (C, 13) of said ordinance states, "The submittal shall conform to the requirements of Article III, Section 6 of this ordinance." This section contains a requirement by the Tree and Habitat Protection ordinance which states: "City Council approval is required prior to removal of any tree which is twenty-four inches (24") caliper in size or larger (heritage tree). The tree caliper is to be measured at 4-1/2 feet above the ground."

The submitted Tree Plan shows the following heritage trees:

Tree #700 – 28" Oak – To Be Saved

Tree #701 – 36" Oak – To Be Removed

Tree #727 – 32" Oak – To Be Saved

Tree #728 – 28" Oak – To Be Saved

Tree #770 – 37" Oak – To Be Saved

Tree #783 – 62" Oak – To Be Saved

Tree #832 – 30" Oak – To Be Saved

Tree #837 – 27" Oak – To Be Saved

Tree #843 – 30" Oak – To Be Saved

To mitigate, three (3) trees with a caliper of at least two and one half - inches (2.5") will be planted. The applicant has been informed that the heritage trees will require City Council approval prior to removal.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

Article III Section 6(A) of the previous subdivision ordinance states:

"It shall be unlawful for any person to remove, destroy, or cause the removal or destruction of any tree which is nine - inches (9") caliper in size or larger (protected tree) and which is located on an undeveloped tract of land within the city limits or extraterritorial jurisdiction (ETJ) without

submitting a Tree Removal and Preservation Plan with the preliminary plat. City Council approval is required prior to removal of any tree which is twenty-four inches (24") caliper in size or larger (heritage tree). The tree caliper is to be measured at 4-1/2 feet above the ground."

Furthermore, item "D" of the same section states the following:

"The Public Works Department shall review and recommend approval of the Plan if:

1. The tree(s) is located within ten feet of the perimeter of, the proposed building footprint, the area over a septic tank, areas necessary for site access, or within areas designated for the construction or installation of public facilities such as streets or utilities; or
2. The application demonstrates that the denial of the request for tree removal will affect a hardship prohibiting the development of the property in otherwise compliance with the regulations of the City of Fair Oaks Ranch; and
3. The application demonstrates that three (3) trees with a caliper of at least two and one half - inches (2.5") will be planted on the site or at another approved location for each tree removed that has a caliper of twenty-four - inches (24") or larger (heritage tree)."

LONGTERM FINANCIAL & BUDGETARY IMPACT:

None

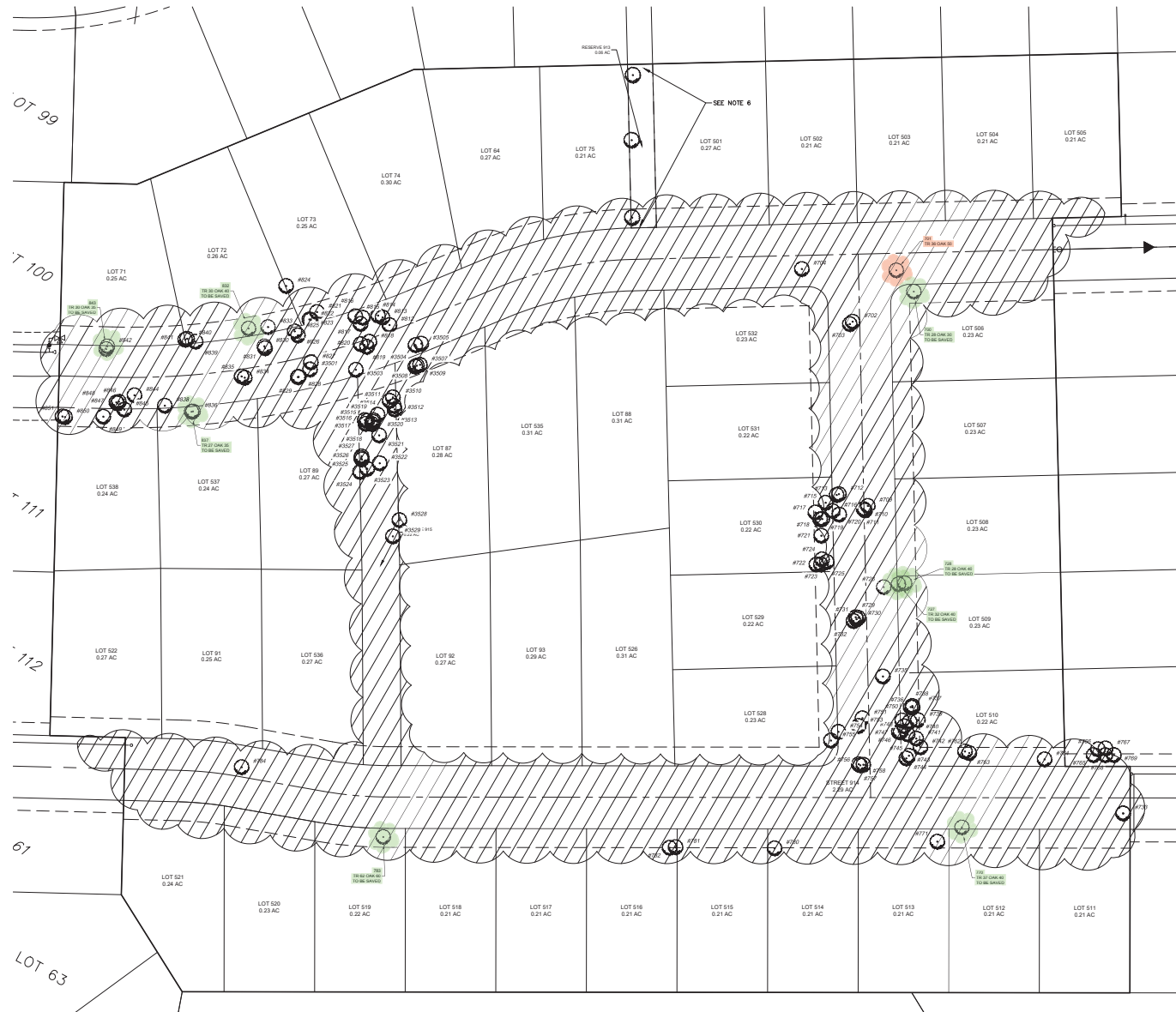
LEGAL ANALYSIS:

Not Applicable

RECOMMENDATION/PROPOSED MOTION:

Staff has reviewed the Front Gate Unit 6 Tree Preservation Plan and recommends approval based on conformance with the City's previous subdivision ordinance Article III, Section 6.

Motion: I move to recommend approval of the Front Gate Unit 6 Tree Preservation Plan.



- NOTES:
- 1) NO OLD GROWTH CEDAR.
 - 2) EACH BUILDER WILL BE REQUIRED TO PLANT TWO TREES.
 - 3) ALL TREE REMOVAL WILL BE PERFORMED IN COMPLIANCE WITH THE CITY'S TREE MAINTENANCE ORDINANCE.
 - 4) FOR EACH TREE GREATER THAN 24" TO BE REMOVED: 3 TREES WITH A CALIPER OF AT LEAST 2-1/2" EACH SHALL BE PLANTED.
 - 5) THERE ARE 9 HERITAGE TREES, 1 TO BE REMOVED, 8 TO BE SAVED.
 - 6) TREES TO BE PLANTED TO MITIGATE TREES #701.
 - 7) A PRECONSTRUCTION "TREE WALK" IS REQUIRED PRIOR TO THE REMOVAL OF ANY TREE



DESIGNATES AREA TO BE CLEARED

VICKREY & ASSOCIATES, LLC	
CONSULTING ENGINEERS	
CIVIL • ENVIRONMENTAL SURVEY	
REVISIONS	
1	
2	



TREE PLAN
FRONT GATE UNIT 6
FAIR OAKS RANCH, TEXAS

DATE: JULY 2021



SHEET 1	OF 2
PROJ. NO. 2742-003	

TREE INVENTORY		
Point #	DESCRIPTION	
** 700	TR 28	OAK 30
* 701	TR 36	OAK 50
702	TR 12	OAK 20
703	TR 12	OAK 25
704	TR 18	OAK 25
709	TR 11	OAK 20
710	TR 13	OAK 25
711	TR 9	OAK 20
712	TR 10	OAK 20
713	TR 11	OAK 20
715	TR 8	OAK 20
716	TR 8	OAK 20
717	TR 17	OAK 25
718	TR 13	OAK 25
719	TR 16	OAK 25
720	TR 8	OAK 25
721	TR 11	OAK 25
722	TR 12	OAK 25
723	TR 6	OAK 20
724	TR 9	OAK 20
725	TR 9	OAK 20
726	TR 8	ELM 10
** 727	TR 32	OAK 40
** 728	TR 28	OAK 40
729	TR 9	OAK 20
730	TR 11	OAK 25
731	TR 10	OAK 20
732	TR 10	OAK 20
733	TR 12	OAK 25
735	TR 12	OAK 30
736	TR 9	OAK 20
737	TR 11	OAK 20
738	TR 7	OAK 20
739	TR 6	OAK 20
740	TR 7	OAK 15

TREE INVENTORY		
Point #	DESCRIPTION	
741	TR 6	OAK 15
742	TR 6	OAK 15
743	TR 8	OAK 20
744	TR 6	OAK 15
745	TR 8	OAK 20
746	TR 7	OAK 20
747	TR 8	OAK 20
748	TR 6	OAK 20
750	TR 6	OAK 15
751	TR 9	OAK 20
753	TR 18	OAK 20
754	TR 12	OAK 25
755	TR 11	OAK 20
756	TR 17	OAK 25
757	TR 18	OAK 20
758	TR 11	OAK 25
762	TR 8	OAK 20
763	TR 14	OAK 30
764	TR 12	OAK 25
765	TR 7	OAK 20
766	TR 10	OAK 20
767	TR 6	OAK 10
768	TR 6	OAK 15
769	TR 9	OAK 15
** 770	TR 37	OAK 40
771	TR 13	OAK 25
780	TR 12	OAK 30
781	TR 8	OAK 20
782	TR 9	OAK 20
** 783	TR 62	OAK 60
784	TR 17	MES 30
812	TR 10	OAK 20
813	TR 13	OAK 20
814	TR 9	OAK 20
815	TR 14	OAK 25

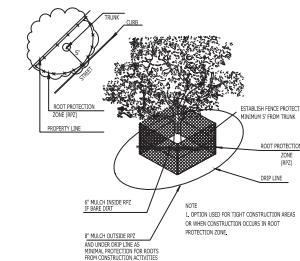
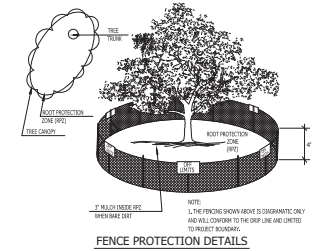
TREE INVENTORY		
Point #	DESCRIPTION	
816	TR 9	OAK 15
817	TR 12	OAK 20
818	TR 17	OAK 25
819	TR 17	OAK 25
820	TR 11	OAK 20
821	TR 10	OAK 20
822	TR 7	OAK 15
823	TR 9	OAK 15
824	TR 13	OAK 25
825	TR 7-5	OAK 20
826	TR 7	OAK 15
827	TR 10	OAK 25
828	TR 9	OAK 20
829	TR 10	OAK 25
830	TR 9	OAK 20
831	TR 9	OAK 20
** 832	TR 30	OAK 40
833	TR 6	OAK 15
834	TR 9	OAK 25
835	TR 9	OAK 25
836	TR 20	OAK 25
** 837	TR 27	OAK 35
838	TR 19	OAK 30
839	TR 9	OAK 25
840	TR 7	OAK 15
841	TR 12	OAK 25
842	TR 11	OAK 25
** 843	TR 30	OAK 35
844	TR 14	OAK 35
845	TR 8	OAK 20
846	TR 12	OAK 25
847	TR 9	OAK 20
848	TR 11	OAK 25
849	TR 13	OAK 25
850	TR 13	OAK 25

TREE INVENTORY		
Point #	DESCRIPTION	
851	TR 9	OAK 20
3501	TR 13	OAK 20
3503	TR 22	OAK 40
3504	TR 10	OAK 25
3505	TR 9	OAK 25
3507	TR 9	OAK 10
3508	TR 10	OAK 15
3509	TR 9	OAK 15
3510	TR 9	OAK 15
3511	TR 8	OAK 15
3512	TR 10	OAK 20
3513	TR 9-4	OAK 20
3514	TR 7	OAK 20
3515	TR 7	OAK 20
3516	TR 9	OAK 20
3517	TR 7	OAK 20
3518	TR 8	OAK 20
3519	TR 7	OAK 20
3520	TR 7	OAK 20
3521	TR 7	OAK 20
3522	TR 8-5	OAK 20
3523	TR 8	OAK 20
3524	TR 6	OAK 15
3525	TR 7	OAK 15
3526	TR 7	OAK 15
3527	TR 7	OAK 15
3528	TR 10	OAK 20
3529	TR 17	OAK 30

HERITAGE TREES
 * - TO BE REMOVED
 ** - TO BE SAVED

DESCRIPTION KEY
 TREE OF EACH TRUNK (IN INCHES)
 TR 19 OAK 25
 SIZE OF CANOPY (IN FEET)
 TYPE OF TREE

LEGEND
 OAK -LIVE OAK
 HACK-HACKBERRY
 ASJ -ASHIE JUNIPER
 ELM - ELM TREE



REVISIONS
 1
 2
 3
 4
 5
 DATE

VICKREY & ASSOCIATES, LLC
 CONSULTING ENGINEERS
 CIVIL • ENVIRONMENTAL • SURVEY
 12400 Country Parkway San Antonio, TX 78248
 Telephone (210) 480-2374
 Fax (210) 480-2375



TREE PLAN
 FRONT GATE UNIT 6
 FAIR OAKS RANCH, TEXAS



DATE: JULY 2021
 Vertical Scale 1"= 10'
 Horizontal Scale 1"= 10'
 SHEET 2 OF 2
 PROJ. NO. 2019-008



PLANNING & ZONING CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS
August 12, 2021

AGENDA TOPIC: Consideration and possible action recommending the approval of a Preliminary Plat request from SA Front Gate, LLC for Front Gate Unit 6 proposing 44 single-family residential lots, generally located south of Dietz Elkhorn Road and north of Fair Oaks Parkway, City of Fair Oaks Ranch, Texas.

DATE: August 12, 2021

DEPARTMENT: Public Works and Engineering Services

PRESENTED BY: Lata Krishnarao, AICP, LEED ND, Consultant, Gunda Corporation

SUMMARY:

The purpose of this Preliminary Plat is to create 44 residential lots, 3 private streets (Shady Gate, Gate Forest, and Irving Way), and 2 reserves that will be maintained as green belt, drainage easement, open space, and underground utility easements. The lot sizes range from 0.21 acres to 0.31 acres.

The subdivision is generally located south of Dietz Elkhorn Road and north of Fair Oaks Parkway (see attached Exhibit A: Location Map). Street access to the subdivision will be provided from Gate Forest and Shady Gate.

BACKGROUND:

A Master Plan for this 173-acre development was approved in 2012 and included 548 lots and 10.3 acres (approximately) of open space. The Master Plan showed the general location, number of lots, and lot breakdown based on lot size. According to the Subdivision Ordinance that this development was approved under, the minimum lot width required was 70 foot for each lot. An updated Master Plan has been attached as Exhibit B.

Attached Exhibit B shows the location of the area being platted in relation to the entire Front Gate development. Exhibit C shows the current status of the development, number and size of lots, lot configuration, recordation data, and construction status. A detailed breakdown of the development progress (as of July 2021) of the various units, as provided by the applicant, is summarized below in Table 1: Front Gate Development Construction Status. The total number of lots actually platted, constructed, and planned appears to be less than the 548 lots shown on the Master Plan. Additionally, the open space amounts to 10.79 acres.

Table 1: Front Gate Development Construction Status

Status	Constructed	Not Platted
Units	1, 2A, 2B, 3, 4, 5 8, 9, 10, 12	6,7
Number of lots	478	65

The open space exhibits (Exhibits D and E) show the amount and location of open space. As per the Open Space Plan provided by the applicant and dated July 21, 2021, Unit 6 does not contain

any open space. However, the plat layout shows 0.28 acres of reserves that will also be maintained as open space. Attachment F shows an aerial view of the Front Gate Unit development. The aerial map is not current and the streets giving access to this subdivision are constructed and have been accepted by the City.

The proposed Preliminary Plat that establishes Front Gate Unit 6 is in conformance with the Master Plan.

The parcel has protected trees on site that need mitigation. The applicant has prepared a tree mitigation plan (Tree Plan) that is placed on this agenda and needs to be approved prior to approval of the Preliminary Plat. The Master Plan permits 45 lots, however in an effort to preserve trees, the number of lots have been reduced to 44 lots.

The Preliminary Plat review is based on the requirements of the Subdivision Regulations contained in Chapter 10 of the Code of Ordinances, that was in effect at the time of the approval of the Master Plan. Staff has reviewed the Preliminary Plat and relayed review comments to the applicant. All comments have been addressed in the resubmittal except a minor addition of the plat revision and approval dates.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

The City of Fair Oaks Ranch's current process requires the Planning and Zoning Commission to consider the Preliminary Plat application and make a recommendation to the City Council. The City Council has the final authority to act on the plat.

LONGTERM FINANCIAL & BUDGETARY IMPACT:

N/A

LEGAL ANALYSIS:

Sec. 212.006 (a) of the Texas Local Government Code titled, Authority Responsible for Approval Generally, states the following:

"The municipal authority responsible for approving plats under this subchapter is the municipal planning commission or, if the municipality has no planning commission, the governing body of the municipality. The governing body by ordinance may require the approval of the governing body in addition to that of the municipal planning commission."

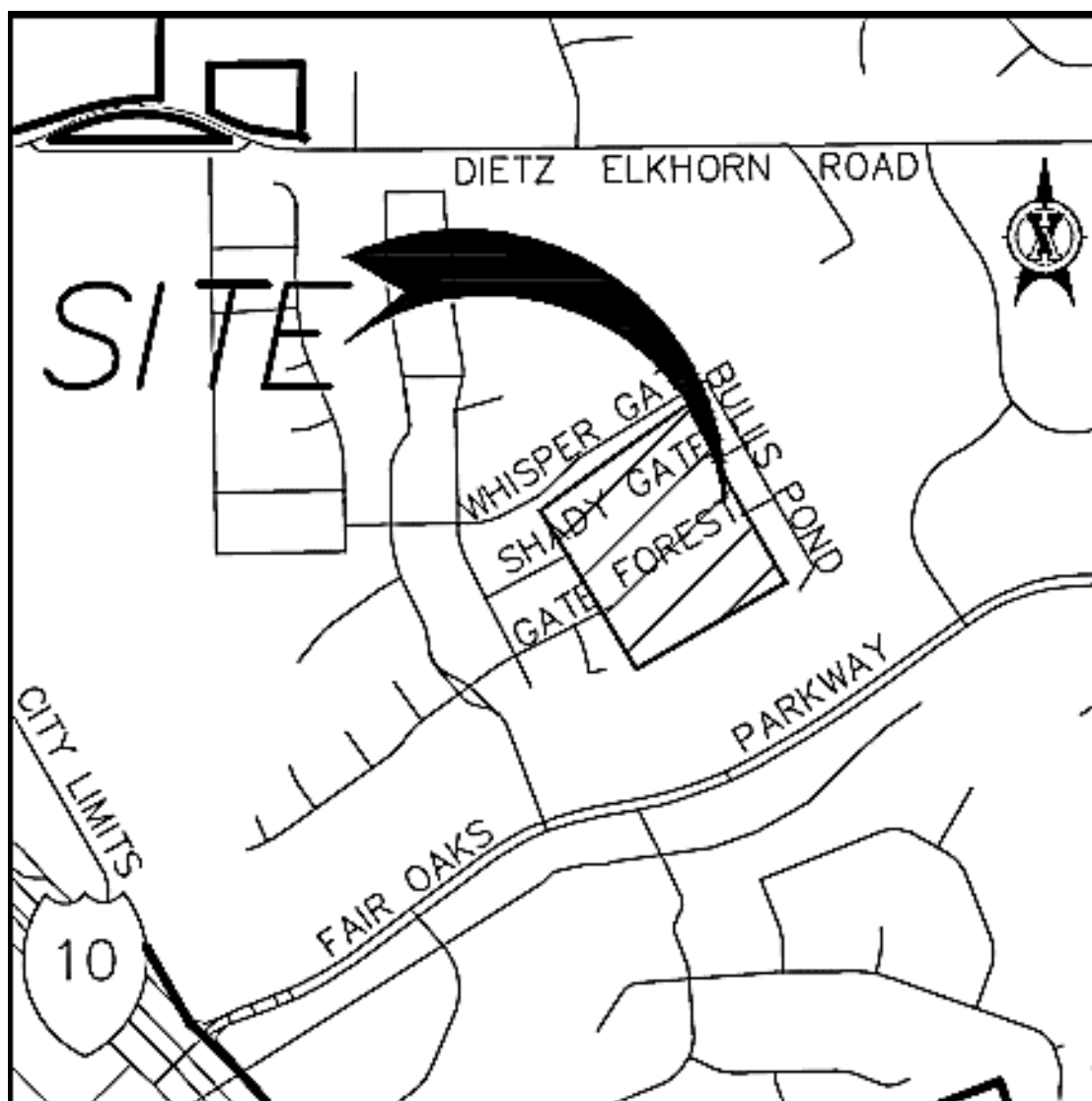
RECOMMENDATION/PROPOSED MOTION:

Staff has reviewed the revised plans and recommends approval of the Preliminary Plat.

Motion: I move to recommend approval of the Preliminary Plat of Front Gate Unit 6 with the following minor condition.

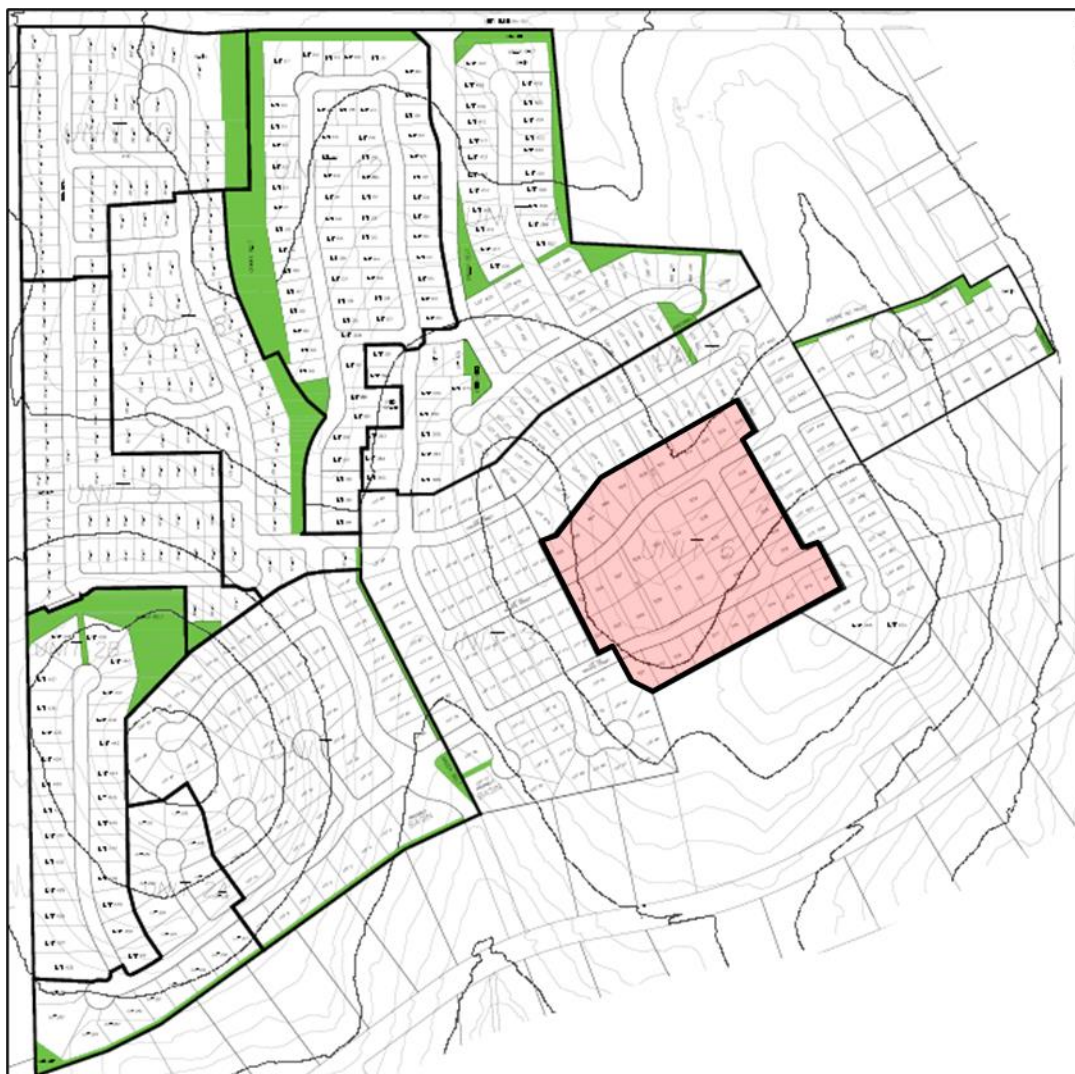
1. Applicant to add the date of revision and date of approval on the plat drawing.

Exhibit A: Front Gate Unit 6 Site Location Map



Source: Provided by the applicant

Exhibit B: Front Gate Subdivision Master Plan (Unit 6 Highlighted)



Source: Provided by the applicant

Exhibit C: Front Gate Subdivision - Progress Summary Table (July 2021)

		U 1	U 2A	U 2B	U 3	U 4	U 5	U 6	U 7	U 8	U 9	U 10	U 12
60' LOTS	177	—	—	—	—	46	—	—	—	33	54	44	—
70' LOTS	308	29	5	3	56	19	49	45	20	15	—	—	62
90' LOTS	63	26	14	23	—	—	—	—	—	—	—	—	—
TOTAL	548	55	19	26	56	65	49	45	20	48	54	44	62
RECORDING DATA		V.9640/P.82	V.9704/P.211	V.20001/P.2162	V.9658/P.82	V.20002/P.206	V.20002/P.619	NOT PLATTED	NOT PLATTED	V.9659/P.86	V.9716/P.137	V.9691/P.15	V.9762 P.28-29
CONSTRUCTION STATUS		COMPLETED	COMPLETED	COMPLETED	COMPLETED	COMPLETED	COMPLETED	N/A	N/A	COMPLETED	COMPLETED	COMPLETED	COMPLETED

Source: Provided by the applicant

Exhibit D: Front Gate Subdivision Open Space Plan (Unit 6 Highlighted)

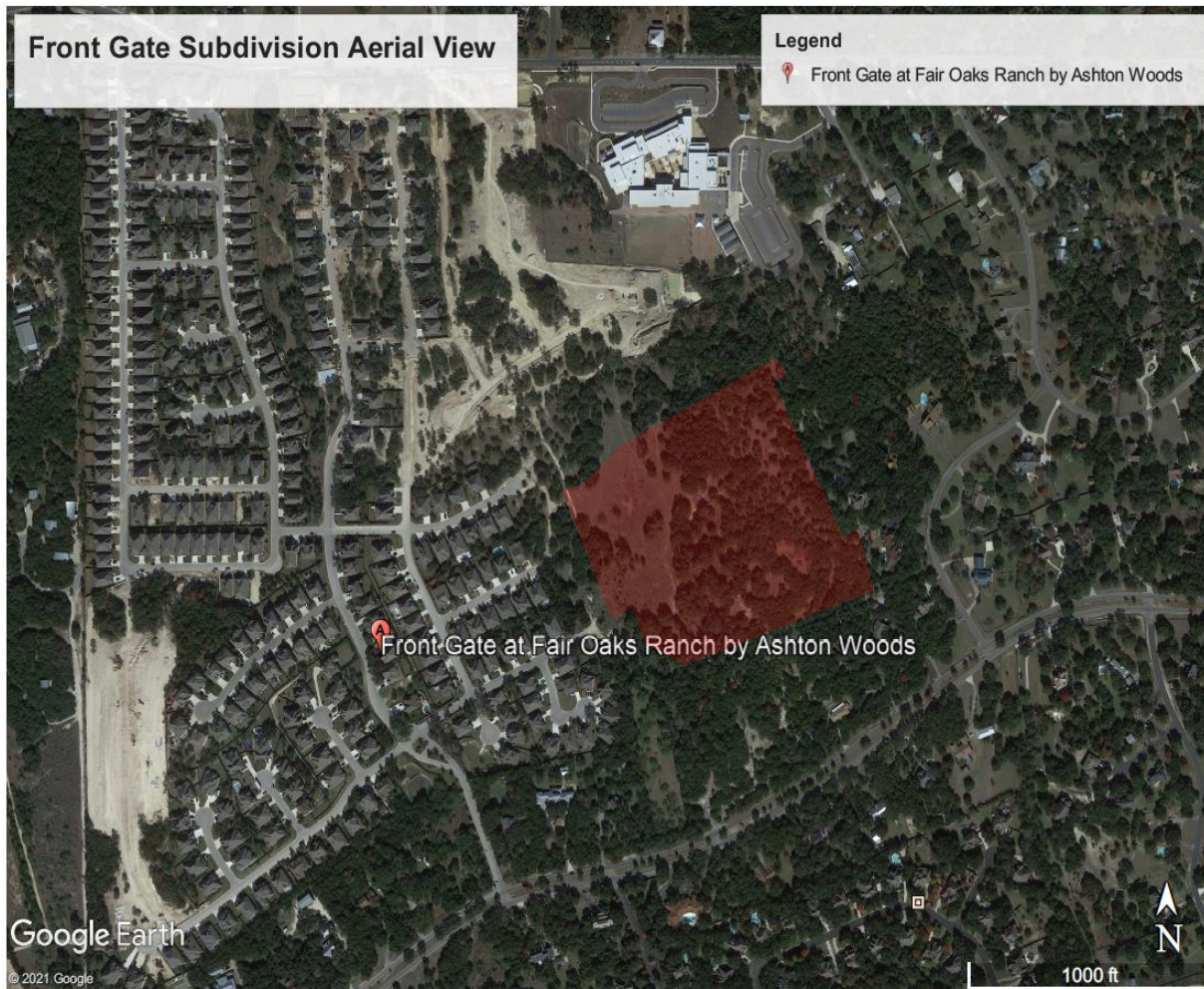
Source: Provided by the applicant

Exhibit E: Open Space Requirement

OPEN SPACE REQUIREMENT			
AREA = 548 LOTS/(100 LOTS/AC) = 5.48AC.			
UNIT NO.	OPEN SPACE AC.	STATUS	TOTAL ACCUMULATION
1	0.66	PLATTED	0.66
3	0.04	PLATTED	0.70
8	0.92	PLATTED	1.62
10	1.07	PLATTED	2.69
2A	0.24	PLATTED	2.93
9	0.18	PLATTED	3.11
12	3.06	PLATTED	6.17*
2B	2.15	PLATTED	8.32
4	1.98	PLATTED	10.3
5	0.00	PLATTED	10.3
6	0	2021	10.3
7	0.49	2021	10.8
TOTAL	10.79		

* SATISFIES SUBDIVISION OPEN SPACE REQUIREMENTS

Source: Provided by the applicant

Exhibit F – Front Gate Subdivision Aerial View (Unit 6 Highlighted)**Attachments:**

1. Appendix A Universal Application
2. S10 Preliminary Plat Specific Application Form
3. Letter of Intent
4. Front Gate Unit 6 Subdivision Plat
5. Front Gate Masterplan
6. Front Gate Open Space Exhibit



City of Fair Oaks Ranch

7286 Dietz Elkhorn Fair Oaks Ranch, TX 78015
 PH: (210) 698-0900.FAX: (210) 698-3565. hcodes@fairoaksranchtx.org www.fairoaksranchtx.org

UNIVERSAL APPLICATION (FORM UA)

All applications must be submitted with:

- (1) A complete **Universal Application** form (2 pages), and
 - (2) A complete **Specific Application Form** with all materials listed in the checklist for the specific application.
- The City staff is available to assist you in person at City Hall or over the phone at (210) 698-0900.

DEVELOPMENT INFORMATION

Project Name/Address/Location: Front Gate Unit 6 Acreage: 13.21
 Brief Description of Project: To create lots for a residential subdivision
 Is property platted? ☒ No ☐ Yes Subdivision name: _____ No. of Lots: 44
 Recordation #: _____ Parcel(s) Tax ID#: 1186415
 Existing Use: Residential Proposed Use: Residential
 Current Zoning: Existing Residential 2 Proposed Zoning: Existing Residential 2
 Occupancy Type: N/A Sq. Ft: N/A Bed #: N/A Bath #: N/A Car Garage #: N/A
 Water System ☐ Well ☒ Public Flood Zone: ☐ Yes ☒ No Sewer System: ☐ Septic ☒ Public

PROPERTY OWNER INFORMATION

Owner: SA Front Gate LLC Contact Name: Lloyd A. Denton, Jr.
 Address: 11 Lynn Batts Lane, Suite 100 City/State/ZIP: San Antonio, Texas 78218
 Phone: 210.828.6131 Email: plats@bitterblue.com

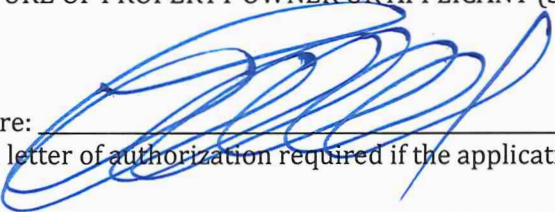
APPLICANT INFORMATION

Applicant/Developer: SA Front Gate LLC Contact Name: Benjamin Bunker
 Address: 11 Lynn Batts Lane, Suite 100 City/State/ZIP: San Antonio, Texas 78218
 Phone: 210.828.6131 Email: ben@bitterblue.com

KEY CONTACT INFORMATION

Name of the Individual: Paul A. Schroeder, PE, RPLS Contact Name: Vickrey & Associates, LLC
 Address: 12940 Country Parkway City/State/ZIP: San Antonio, Texas 78216
 Phone: 210.349.3271 E-mail: pschroeder@vickreyinc.com

SIGNATURE OF PROPERTY OWNER OR APPLICANT (SIGN AND PRINT OR TYPE NAME)

Signature:  Date: 7-19-21
 (Signed letter of authorization required if the application is signed by someone other than the property owner)

*****OFFICE USE ONLY*****

DATE REC'D: 6/29/2021 BY: SG
 FEES PAID: Confirmed APPROVED BY: NA
 DATE APPROVED: _____
 APPLICATION/PERMIT NO: NA EXP DATE: NA

Applications shall be processed based on the City's official submission dates. When a completed application packet has been accepted and reviewed, additional information may be required by staff as a result of the review, therefore it may be necessary to postpone the proposed project and remove it from the scheduled agenda and place it on a future agenda.

SPECIFIC APPLICATION FORM (S1-S39). Please check the appropriate type below:

Land Use Policy Related	Site Development Related	Building Permits Related
(Section 3.9 of the UDC)	(Section 3.9 of the UDC)	Commercial
☐ Annexation* - Form S1	☐ Vested Rights Verification Letter	☐ New/Remodel/Addition* - Form S24
☐ Comprehensive Plan Amendment (Text)	☐ Zoning Verification Letter	☐ Fence* - Form S25
☐ Unified Development Code (UDC) Text Amendment	☐ Written Interpretation of the UDC	☐ Miscellaneous* - Form S26
☐ Rezoning/ FLUM amendment* - Form S2	☐ Temporary Use Permit* - Form S14	Residential
☐ Special Use Permit* - Form S3	☐ Special Exception* - Form S15	☐ New Home* - Form S27
☐ Planned Unit Development (PUD)* - Form S4	☐ Site Development Permit* (Site Plan Review) - Form S16	☐ Remodel/Addition* - Form S28
☐ Development Agreement	☐ Floodplain Development Permit* - Form S17	☐ Detached Buildings* - Form S29
☐ Conservation Development Alternative* (CDA) (Section 4.8) - Form S5	☐ Stormwater Permit* - Form S18	Others
	☐ Certificate of Design Compliance* - Form S19	☐ Solar* - Form S30
	Appeal of an Administrative Decision	☐ Swimming Pool* - Form S31
	☐ Zoning ☐ Others	☐ Demolition, Drive or Move
	Variance	☐ New Lawn/Water* - Form S32
	☐ Policy ☐ Judicial* - Form S20	☐ Backflow Device/Irrigation Systems - Form S33
	☐ Sign Special Exception/Appeal to an Administrative Decision	☐ Sign* (Permanent) - Form S34 A
	☐ Administrative Exception	☐ Sign* (Temporary) - Form S34 B
	☐ Permit for Repair of Non-Conforming Use/Building	☐ Appeal of Denial of Sign Permit
	☐ Letter of Regulatory Compliance	☐ Master/ Common Signage Plan* - Form S35
	☐ On-Site Sewage Facility Permit (OSSF)	☐ Water Heater or Water Softener* - Form S36
	☐ Certificate of Occupancy (CO)* - Form S21	☐ Right-of-Way Construction* - Form S37
	☐ Relief from Signage Regulations	☐ Flatwork* - Form S38
	☐ Group Living Operation License* - Form S22	Inspections
	☐ Grading/Clearance Permit - Form S23	☐ Mechanical ☐ Electrical
		☐ Plumbing ☐ Building
		☐ Others _____
		Water- Wastewater Service
		☐ Connect/ Disconnect Form* - Form S39

Subdivision and Property Development Related

- (Section 3.8 of the UDC)
- ☐ Amending Plat* - Form S6
- ☐ Minor Plat* - Form S7
- ☐ Development Plat* - Form S8
- ☐ Concept Plan** - Form S9
- ☒ Preliminary Plat* - Form S10
- ☐ Final Plat* - Form S11
- ☐ Replat* - Form S12
- ☐ Construction Plans* - Form S13
- ☐ Vacating Plat
- ☐ Plat Extension

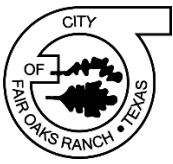
*These types of applications require additional information as listed in the Specific Application Form. Refer to **Appendix B** of the Administrative Procedures Manual for more information.

** The Concept Plan is required for PUD and CDA, and for Rezoning if included in a previously approved Concept Plan.

Application Checklist for all Applications

- ☒ Universal Application Form (Form UA).
- ☒ Items listed in the checklist for the Specific Application Form (Form S#) ¹. (Please make sure the boxes are checked)
- ☒ Application Processing Fees and other application fees.
- ☒ Letter of intent explaining the request in detail and reason for the request.
- N/A ☐ Signed Letter of Authorization required if the application is signed by someone other than the property owner.
- N/A ☐ Site plan and shapefile drawings (if applicable) for the property
- ☒ Location map clearly indicating the site in relation to adjacent streets and other landmarks
- ☒ One (1) copy of proof of ownership (recorded property deed or current year tax statements)
- ☒ One (1) USB drive containing the general required documents in Adobe PDF format (if required)

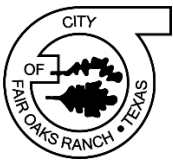
¹For items that are duplicated in the specific type of application, only one copy is required.

**S10****SPECIFIC APPLICATION FORM - PRELIMINARY PLAT**

Section 3.8 (4) of the Unified Development Code

The following steps must be completed, and the items must be submitted for the application to be deemed complete and processed:

- ☒ A completed Universal Development Application and checklist signed by the owner/s of the property.
- ☒ Payment of all other applicable fees (see Schedule of Fees).
- ☒ An accurate metes and bounds description of the subject property (or other suitable legal description).
- ☒ Location/vicinity map showing the location and boundaries of the proposed zoning. Indicate scale or not to scale (NTS) and provide north arrow.
- ☒ Tax certificate/s showing that all taxes owing to the State, County, School District, City and/or any other political subdivision have been paid in full to date.
- N/A Pre-Application Conference prior to application submittal.
- N/A Approved copy of a Concept Plan or other approved plats, if applicable.
- N/A ☐ Concept plan approval (if required).
- ☒ A title report.
- ☒ Three (3) copies (full size) of complete sets of construction plans (plan views) to verify required easements and reserves, showing existing and proposed configurations if applicable. This includes grading, streets, green spaces, drainage/stormwater systems, gas, electrical, water, wastewater, cable and TV, fiber and all utilities.
- ☒ One (1) copy (11x17) of proposed plat.
- N/A One (1) copy (11x17) of all existing recorded plats pertaining to the preliminary plat.
- N/A Basic engineering information, if deemed necessary by the City.
- ☒ Letter of Certification from each utility provider servicing this area (CPS, PEC, SAWS, Time Warner, Grey Forest, GBRA, Spectrum, etc.) or proof that these have been requested.
- ☒ Letter from USPS and other service providers to ensure the name of the proposed subdivision and streets, or any of the physical features, (such as streets, parks, etc.) must not be so similar to the names of any similar features in the county or in any incorporated town or city therein. Streets, which are a continuation of any existing street, shall take the name of the existing street.
- ☒ Drainage/Stormwater plan, if any grade changes.



7286 Dietz Elkhorn Fair Oaks Ranch, TX 78015

PH: (210) 698-0900 FAX: (210) 698-3565 bcodes@fairoaksranchtx.org www.fairoaksranchtx.org

- ☒ Tree Plan designating all trees proposed for removal or preservation and describing the measures proposed to protect remaining trees during development as per Unified Development Code Section 8.8.
- ☒ Electronic copies of the required exhibits in "PDF" format and shapefile for property boundary where applicable should be submitted in a USB flash drive or via email.
- ☒ Acknowledgement that the applicant or representative will attend all Planning and Zoning Commission, City Council and applicable meetings where this request is discussed.

Additional Requirements. The City Manager (or designee) may, from time to time, identify additional requirements for a complete application that are not contained within but are consistent with the application contents and standards set forth in the UDC and state statutes.

May 4, 2021

Katherine Schweitzer, PE
Manager of Engineering Services
City of Fair Oaks Ranch
7286 Dietz-Elkhorn
Fair Oaks Ranch, Texas 78015

Re: Front Gate Unit 6
V&A Job NO. 2742-008-051

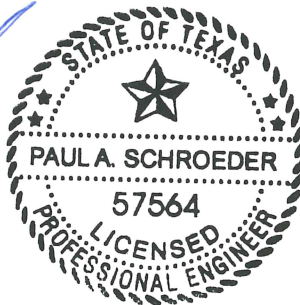
Dear Ms. Schweitzer,

This submittal is to subdivide 13.21 acres of land out of tracts conveyed by signed warranty deeds recorded in Volume 15852, Page 1405, Official Public Records of Bexar County, Texas. The Front Gate Unit 6 subdivision will contain 47 lots.

Sincerely,

VICKREY & ASSOCIATES, LLC.
TBPE F-#159/TBPLS F-#10004100

Paul A. Schroeder, PE, RPLS
Residential Division Manager



PAS/ksh



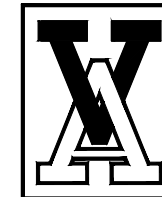
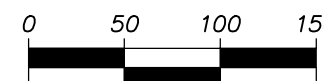
PRELIMINARY
SUBDIVISION PLAT ESTABLISHING
FRONTGATE UNIT 6
SAWS PLAT # FOR

Attachment 4

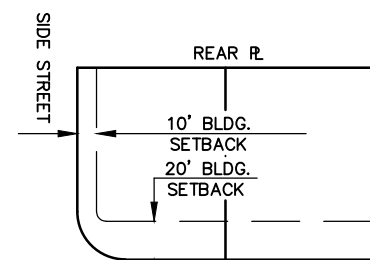
BEING 13.21 ACRES OF THE MARIA F. HERNANDEZ SURVEY NO. 420 ABSTRACT NO. 314, COUNTY BLOCK 4709, BEXAR COUNTY, TEXAS AND OUT OF A CALLED 78.629 ACRE TRACT, RECORDED IN VOLUME 15852, PAGE 1405, REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS, AND OUT OF A 78.629 ACRE TRACT AS RECORDED IN VOLUME 15852, PAGE 1405, REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS.

REASON FOR PRELIMINARY PLAT:
TO CREATE 44 RESIDENTIAL LOTS, 1 LAND PARCEL (CONTAINING 3 PRIVATE STREETS), AND 2 RESERVES.

SCALE: 1"=100'



VICKREY & ASSOCIATES, LLC
CONSULTING ENGINEERS
CIVIL • ENVIRONMENTAL • SURVEY
12940 Country Parkway San Antonio, TX 78216
Telephone: (210) 349-3271
Firm Registration No.: F-159
TBPELS Firm Registration No: 10004100



**TYPICAL CORNER LOT
BUILDING SETBACKS**

NOTE: ALL LOTS HAVE A MINIMUM BUILDING SETBACK OF 20' ALONG THE FRONT, AS SHOWN ABOVE, AND SUBDIVISION DEED RESTRICTIONS.

STATE OF TEXAS

COUNTY OF BEXAR

THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED HERETO, AND IN PERSON OR THROUGH A DULY AUTHORIZED AGENT DEDICATES TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED, AND DEDICATES TO THE CITY OF FAIR OAKS RANCH ALL PUBLIC EASEMENTS, PUBLIC STREETS, AND PUBLIC DRAINS.

OWNER: LLOYD A. DENTON, JR., PRESIDENT
SA FRONT GATE, LLC
11 LYNN BATTIS LANE, STE. 100
SAN ANTONIO TEXAS 78218

STATE OF TEXAS
COUNTY OF BEXAR

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED

LLOYD A. DENTON, JR., 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.

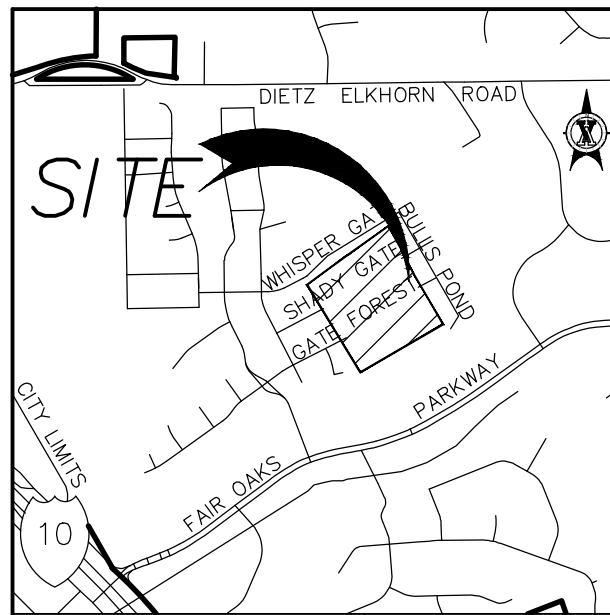
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____ A.D., 2021.

NOTARY PUBLIC
STATE OF TEXAS

THIS PRELIMINARY PLAT OF FRONT GATE UNIT 6 HAS BEEN SUBMITTED TO AND CONSIDERED BY THE CITY COUNCIL OF FAIR OAKS RANCH, TEXAS AND IS HEREBY APPROVED BY SUCH COUNCIL DATED THIS _____ DAY OF _____ A.D. 2021

BY _____ MAYOR

BY _____ CITY SECRETARY



LOCATION MAP

LEGEND	
●	FOUND 1/2" IRON ROD
○	SET 1/2" IRON ROD WITH "VICKREY PROP COR"
⊕	SET MAG NAIL W/WASHER STAMPED "VICKREY PROP COR"
D.R.	DEED RECORDS OF BEXAR COUNTY, TEXAS
O.P.R.	OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS
D.P.R.	DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
740	EXISTING CONTOURS
BSL	PROPOSED CONTOURS
ESMT	BUILDING SETBACK LINE
R.O.W.	EASEMENT
EX	RIGHT OF WAY
PG.	EXISTING VOLUME
C.V.E.	PAGE
BLK	CLEAR VISION ESMT
CB	BLOCK
AC	COUNTY BLOCK
PED.	ACRES
1	PEDESTRIAN CITY LIMITS LINE
2	SAME AS PREVIOUS MEASUREMENT CENTERLINE
3	10' GAS, ELECTRIC, TELEPHONE AND CABLE TV EASEMENT VOL. 20002, PG. 619 DPR
4	15' GAS, ELECTRIC, TELEPHONE AND CABLE TV EASEMENT VOL. 20002, PG. 619 DPR
5	20' DRAINAGE EASEMENT VOL. 20002, PG. 619 DPR

CURVE TABLE						
CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD
C1	23°58'48"	575.00'	240.66'	122.12'	N50°55'34"E	238.90'
C2	21°10'56"	325.00'	120.15'	60.77'	S49°31'38"W	119.47'
C3	89°59'11"	15.00'	23.56'	15.00'	S15°07'31"W	21.21'
C4	88°36'25"	15.00'	23.20'	14.64'	S74°10'17"E	20.95'
C5	91°23'35"	15.00'	23.93'	15.37'	N15°49'43"E	21.47'
C6	90°00'49"	15.00'	23.57'	15.00'	N74°52'29"W	21.22'
C7	21°11'03"	275.00'	101.67'	51.43'	S49°31'38"W	101.09'
C8	23°58'48"	625.00'	261.58'	132.73'	N50°55'34"E	259.68'
C9	9°53'37"	325.00'	56.12'	28.13'	N66°28'19"E	56.05'
C10	8°30'09"	275.00'	40.81'	20.44'	S67°10'03"W	40.77'
C11	8°30'09"	325.00'	48.23'	24.16'	S67°10'03"W	48.18'
C12	9°53'38"	275.00'	47.49'	23.80'	N66°28'19"E	47.43'

Line Table		
Line #	Length	Direction
L1	58.19	S62°54'58"W
L2	55.00	N60°07'06"E
L3	51.78	S61°31'30"W
L4	59.98	N62°54'58"E
L5	41.44	N62°54'58"E
L6	66.04	S38°56'10"W
L7	20.00	S60°07'06"W
L8	70.74	N71°25'07"E
L9	44.29	S62°54'58"W
L10	44.29	S62°54'58"W
L11	70.74	N71°25'07"E
L12	66.04	S38°56'10"W
L13	41.44	N62°54'58"E

ZONING DESIGNATION NOTE:

THIS PLAT AREA IS CURRENTLY ZONED AS EXISTING RESIDENTIAL ZONE 1.

PRIVATE STREET DESIGNATION NOTE:

SHADY GATE, IRVING WAY, AND GATE FOREST (PARCEL 914) ARE PRIVATE STREETS AND ARE DESIGNED AS UNDERGROUND PUBLIC WATER AND PUBLIC SANITARY SEWER AND UTILITY EASEMENT.

IMPACT FEE PAYMENT DUE : "SAWS"

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 FLOW NOTE:

IN AN EFFORT TO MEET THE CITY OF SAN ANTONIO'S FIRE FLOW REQUIREMENTS FOR THE PROPOSED RESIDENTIAL DEVELOPMENT, THE PUBLIC WATER MAIN SYSTEM HAS BEEN DESIGNED FOR A MINIMUM FIRE FLOW DEMAND OF 1000 GPM AT 25 PSI RESIDUAL PRESSURE. THE FIRE FLOW REQUIREMENTS FOR INDIVIDUAL STRUCTURES WILL BE REVIEWED DURING THE BUILDING PERMIT PROCESS IN ACCORDANCE WITH THE PROCEDURES SET FORTH BY THE CITY OF SAN ANTONIO DIRECTOR OF DEVELOPMENT SERVICES DEPARTMENT AND THE SAN ANTONIO FIRE DEPARTMENT FIRE MARSHAL

SAWS DEDICATION NOTE:

THE DEVELOPER DEDICATES 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.

EDU NOTE:

THE NUMBER OF EQUIVALENT DWELLING UNITS (EDUS) PAID FOR THIS SUBDIVISION PLAT ARE KEPT ON FILE AT THE SAN ANTONIO WATER SYSTEM UNDER THE PLAT NUMBER ISSUED BY THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT.

SAWS HIGH PRESSURE NOTE:

A PORTION OF THE TRACT IS BELOW THE GROUND ELEVATION OF 1425 FEET WHERE THE STATIC PRESSURE WILL NORMALLY EXCEED 80 PSI. AT ALL SUCH LOCATIONS, THE DEVELOPER OR BUILDER SHALL INSTALL AT EACH LOT, ON THE CUSTOMER'S ASIDE OF THE METER, AN APPROVED TYPE PRESSURE REGULATOR IN CONFORMANCE WITH THE PLUMBING CODE OF THE CITY OF SAN ANTONIO.

FLOODPLAIN VERIFICATION:

NO PORTION OF THE FEMA 1% ANNUAL CHANCE (100-YEAR) FLOODPLAIN EXISTS WITHIN THIS PLAT AS VERIFIED BY FEMA MAP 48091C0085F EFFECTIVE DATE AUGUST 28, 2017. FLOODPLAIN INFORMATION IS SUBJECT TO CHANGE AS A RESULT OF FUTURE FEMA MAP REVISIONS AND/OR AMENDMENTS.

STATE OF TEXAS
COUNTY OF BEXAR

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

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

VICKREY & ASSOCIATES, INC.
BY: PAUL A. SCHROEDER, R.P.L.S.

REGISTERED PROFESSIONAL LAND SURVEYOR
LICENSE # 5160

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT TO THE MATTERS OF STREETS, LOTS AND DRAINAGE LAYOUT, TO THE BEST OF MY KNOWLEDGE, THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION ORDINANCE.

VICKREY & ASSOCIATES, INC.
BY: PAUL A. SCHROEDER, P.E.

LICENSED PROFESSIONAL ENGINEER
LICENSE # 57564

07-21-21

UTILITY EASEMENT:

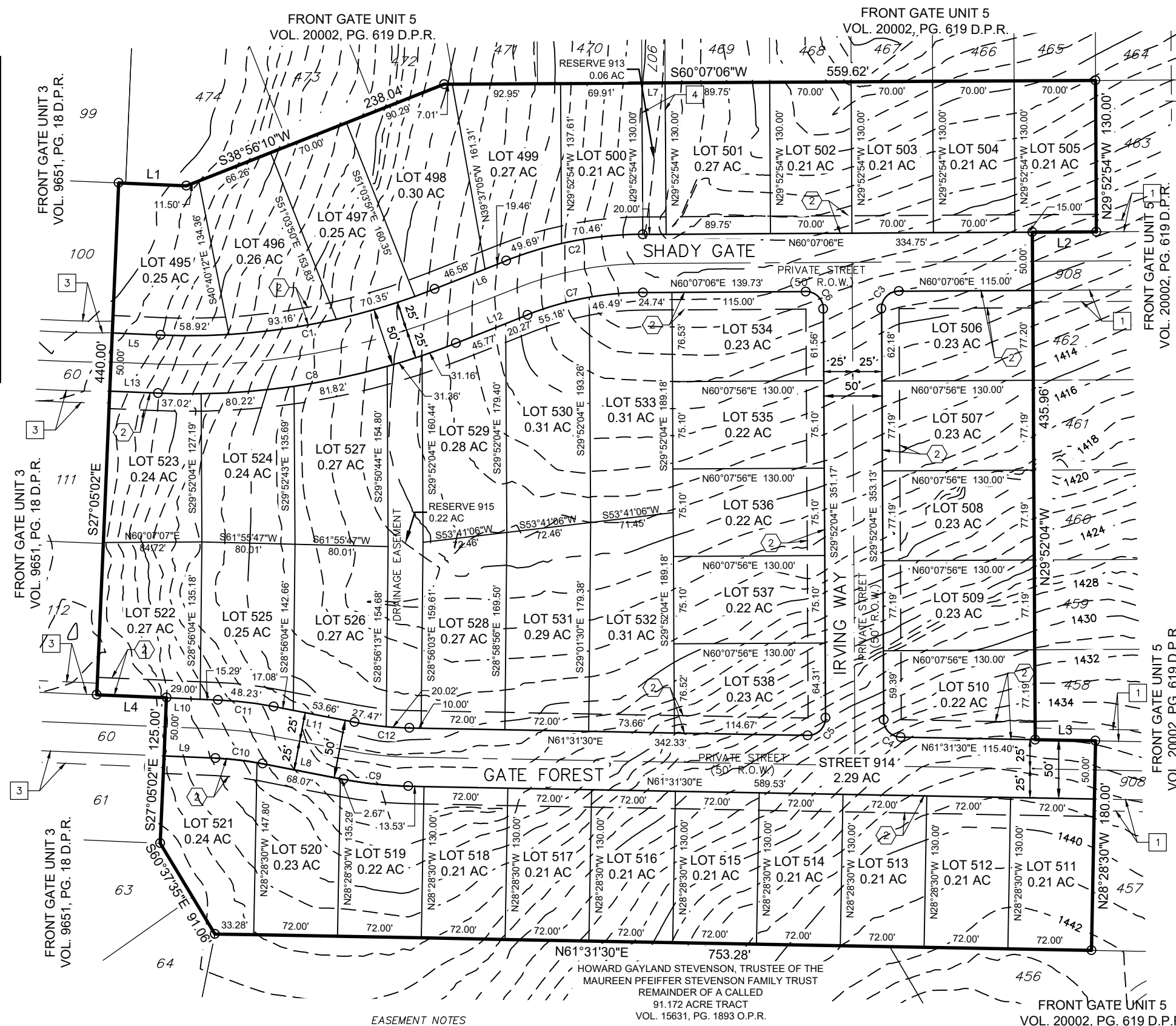
UTILITIES, INCLUDING, WITHOUT LIMITATION, SEWER, WATER, GAS, ELECTRICITY, TELEPHONE, AND CABLE TELEVISION, WITH ALL NECESSARY AND/OR DESIRABLE LINES, LATERALS AND/OR APPURTENANCES THERETO (THE "UTILITIES")

TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER THE ADJACENT LAND TO OR FROM THE EASEMENT FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, OPERATING, MAINTAINING, REPAIRING, AND REMOVING THE UTILITIES; THE RIGHT TO PLACE NEW OR ADDITIONAL UTILITIES IN THE EASEMENT AND TO CHANGE THE SIZE THEREOF; THE RIGHT TO RELOCATE ALONG THE SAME GENERAL DIRECTION OF THE UTILITIES; THE RIGHT TO REMOVE FROM THE EASEMENT ALL TREES AND PARTS THEREOF, OR OTHER OBSTRUCTIONS, WHICH REASONABLY ENDANGER OR MAY REASONABLY INTERFERE WITH THE EFFICIENCY OR OPERATION OF THE UTILITIES; AND THE RIGHT TO PLACE TEMPORARY STRUCTURES FOR USE IN CONSTRUCTING OR REPAIRING THE UTILITIES.

THE PROPERTY OWNER RETAINS THE RIGHT TO USE ALL OR ANY PART OF THE EASEMENT FOR ANY PURPOSE WHICH DOES NOT DAMAGE, DESTROY, INJURE, AND/OR UNREASONABLY INTERFERE WITH THE USE OF THE EASEMENT. HOWEVER, THE EASEMENT SHALL BE KEPT CLEAR OF ALL STRUCTURES OR OTHER IMPROVEMENTS.

THE UTILITY SHALL MAKE COMMERCIALY REASONABLE EFFORTS TO ENSURE THAT DAMAGE TO THE PROPERTY IS MINIMIZED AND THE UTILITY WILL AT ALL TIMES, AFTER DOING ANY WORK IN CONNECTION WITH THE SYSTEM, RESTORE THE PROPERTY TO THE CONDITION IN WHICH THE PROPERTY WAS FOUND BEFORE SUCH WORK WAS UNDERTAKEN TO THE EXTENT THAT SUCH RESTORATION IS REASONABLE IN ACCORDANCE WITH THE UTILITY USUAL AND CUSTOMARY PRACTICES.

THE MAINTENANCE OF THE TURF, GRASSES AND LANDSCAPE VEGETATION WITHIN THE EASEMENT SHALL BE THE DUTY AND RESPONSIBILITY OF THE PROPERTY OWNER.



EASEMENT NOTES

ALL PROPERTIES DESIGNATED AS EASEMENTS SHALL OR MAY BE UTILIZED FOR THE FOLLOWING PURPOSES:

DRAINAGE EASEMENT:

DRAINAGE, WATER DIVERSION, AND SANITARY CONTROL, INCLUDING WITHOUT LIMITATION, WALLS, BEDS, EMBANKMENTS, SPILLWAYS, APPURTENANCES, AND OTHER ENGINEERED DEVICES (THE "DRAINAGE SYSTEM") TOGETHER WITH RIGHT OF INGRESS AND EGRESS OVER THE ADJACENT LAND TO OR FROM THE EASEMENT FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, OPERATING, MAINTAINING, REPAIRING, AND REMOVING THE DRAINAGE SYSTEM; THE RIGHT TO CHANGE THE SIZE THEREOF; THE RIGHT TO RELOCATE ALONG THE SAME GENERAL DIRECTION OF THE DRAINAGE SYSTEM; THE RIGHT TO CREATE AND/OR DREDGE A STREAM COURSE, REILL, OR DIG OUT SUCH STREAM COURSE, ESTABLISH OR CHANGE STREAM EMBANKMENTS WITHIN THE EASEMENT, INSTALL STORM SEWER SYSTEMS, CULVERTS, WATER GAPS, AND PROTECTING RAILS; THE RIGHT TO REMOVE FROM THE EASEMENT ALL TREES AND PARTS THEREOF, OR OTHER OBSTRUCTIONS, WHICH REASONABLY ENDANGER OR MAY REASONABLY INTERFERE WITH THE EFFICIENCY OF THE DRAINAGE SYSTEM; AND THE RIGHT TO PLACE TEMPORARY STRUCTURES FOR USE IN CONSTRUCTING OR REPAIRING THE DRAINAGE SYSTEM.

WITH RESPECT TO THE DRAINAGE SYSTEM, IT IS EXPRESSLY AGREED AND UNDERSTOOD BY ALL PARTIES HERETO, THAT THE INTENTION IS TO IMPROVE CONDITIONS OF SANITATION AND WATER DRAINAGE CONTROL ON THE PROPERTY FOR THE BENEFIT OF THE PROPERTY, ADJACENT PROPERTY, AND THE COMMUNITY, BUT THE CITY DOES NOT GUARANTEE OR WARRANT THAT SUCH CONTROL WORK WILL BE EFFECTIVE, NOR DOES THE CITY ASSUME ANY ADDITIONAL LIABILITY WHATSOEVER FOR THE EFFECTS OF FLOOD, STANDING WATER, OR DRAINAGE ON OR TO THE PROPERTY, OR ANY OTHER PROPERTY OR PERSONS THAT MIGHT BE AFFECTED BY SAID STREAM, WASH, OR GULLY IN ITS NATURAL STATE OR AS CHANGED BY THE CITY.

1. THE PROPERTY OWNER RETAINS THE RIGHT TO USE ALL OR ANY PART OF THE EASEMENT FOR ANY PURPOSE WHICH DOES NOT DAMAGE, DESTROY, INJURE, AND/OR UNREASONABLY INTERFERE WITH THE USE OF THE EASEMENT. HOWEVER, THE EASEMENT SHALL BE KEPT CLEAR OF ALL STRUCTURES OR OTHER IMPROVEMENTS.

2. THE CITY SHALL MAKE COMMERCIALY REASONABLE EFFORTS TO ENSURE THAT DAMAGE TO THE PROPERTY IS MINIMIZED AND THE CITY WILL AT ALL TIMES, AFTER DOING ANY WORK IN CONNECTION WITH THE SYSTEM, RESTORE THE PROPERTY TO THE CONDITION IN WHICH THE PROPERTY WAS FOUND BEFORE SUCH WORK WAS UNDERTAKEN TO THE EXTENT THAT SUCH RESTORATION IS REASONABLE IN ACCORDANCE WITH THE CITY USUAL AND CUSTOMARY PRACTICES.

3. THE MAINTENANCE OF THE TURF, GRASSES AND LANDSCAPE VEGETATION WITHIN THE EASEMENT SHALL BE THE DUTY AND RESPONSIBILITY OF THE PROPERTY OWNER.

4. RESERVES 913 AND 915 WILL BE A GREEN BELT, DRAINAGE, AND UNDERGROUND UTILITY EASEMENT, WILL BE OWNED BY THE FRONT GATE HOA AND MAINTAINED AS OPEN SPACE.

SHEET 1 OF 1

JOB No. 2742-008

DATE OF PREPARATION: 05/05/2021

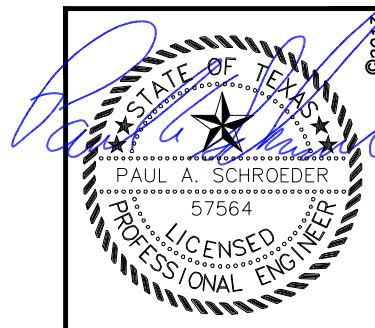
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Jul 20, 2021 - 1:17pm
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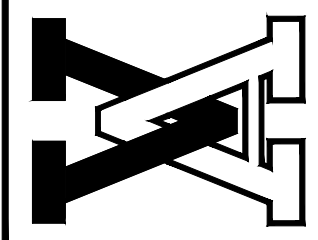
UNIT NO.	AREA AC.	LOTS	ROAD L.F.
1	20.58	55	3,600
2A	7.54	19	900
2B	11.92	26	750
3	16.80	56	3,000
4	21.68	65	3,100
5	14.75	49	2,900
6	13.21	45	2,400
7	7.14	20	590
8	14.12	48	2,680
9	12.44	54	1,100
10	12.37	44	1,850
12	20.45	62	2,700
TOTAL	173.00	548	

	U 1	U 2A	U 2B	U 3	U 4	U 5	U 6	U 7	U 8	U 9	U 10	U 12
60' LOTS	177	—	—	—	46	—	—	—	33	54	44	—
70' LOTS	308	29	5	3	56	19	49	45	20	15	—	62
90' LOTS	63	26	14	23	—	—	—	—	—	—	—	—
TOTAL	548	55	19	26	56	65	49	45	20	48	44	62
RECORDING DATA	V.9640/P.62	V.9704/P.211	V.20001/P.2162	V.9658/P.62	V.20002/P.206	V.20002/P.619	NOT PLATTED	NOT PLATTED	V.9658/P.66	V.9716/P.137	V.9691/P.15	V.9762 P.26-29
CONSTRUCTION STATUS	COMPLETED	COMPLETED	COMPLETED	COMPLETED	COMPLETED	COMPLETED	N/A	N/A	COMPLETED	COMPLETED	COMPLETED	COMPLETED



REVISIONS				
1				
2				
3				
4				
Δ	DESC.			DATE

VICKREY & ASSOCIATES, INC.
CONSULTING ENGINEERS
CIVIL - ENVIRONMENTAL - SURVEY
12940 Country Parkway San Antonio, TX 78216
Tel: (214) 490-3200
Fax: (214) 490-3201
Firm Registration No: F-169
TBPLS Firm Registration No: 10004100



FRONT GATE AT FAIR OAKS RANCH

MASTER PLAN

DATE: FEB. 2021	
Vertical Scale 1"=N/A Horizontal Scale 1"=0'	
SHEET	OF
1	1
PROJ. NO. 2742-000	

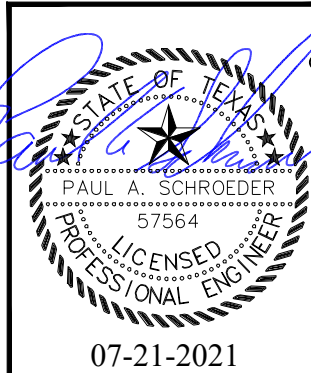
Jul 20, 2021 - 1:38pm
R:\2742-000\Engineering\UWS\masterplan--openspace.dwg

DRAWN BY: CEP
CHECKED BY: PAS
APPROVED BY: PAS



OPEN SPACE REQUIREMENT			
AREA = 548 LOTS/(100 LOTS/AC) = 5.48AC.			
UNIT NO.	OPEN SPACE AC.	STATUS	TOTAL ACCUMULATION
1	0.66	PLATTED	0.66
3	0.04	PLATTED	0.70
8	0.92	PLATTED	1.62
10	1.07	PLATTED	2.69
2A	0.24	PLATTED	2.93
9	0.18	PLATTED	3.11
12	3.06	PLATTED	6.17*
2B	2.15	PLATTED	8.32
4	1.98	PLATTED	10.3
5	0.00	PLATTED	10.3
6	0	2021	10.3
7	0.49	2021	10.8
TOTAL	10.79		

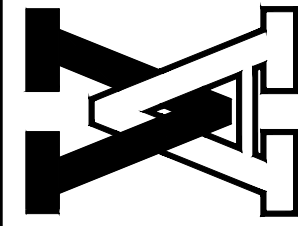
* SATISFIES SUBDIVISION OPEN SPACE REQUIREMENTS



DATE: 07-21-2021
Vertical Scale 1"=N/A
Horizontal Scale 1"=200'
0' 100' 200' 300'
SHEET 1 OF 1
PROJ NO.

PREPARED FOR:
SA
FRONT
GATE,
LLC

OPEN SPACE EXHIBIT
FRONT GATE
FAIR OAKS RANCH, TEXAS



VICKREY & ASSOCIATES, INC.
CONSULTING ENGINEERS
CIVIL • ENVIRONMENTAL • SURVEY
12940 Country Parkway San Antonio, TX 78216
Telephone: (210) 349-3271
Firm Registration No: F-159

REVISIONS	
1	
2	
3	
4	
Δ	DESC.



PLANNING & ZONING CONSIDERATION ITEM

CITY OF FAIR OAKS RANCH, TEXAS

August 12, 2021

AGENDA TOPIC: Consideration and possible action recommending the approval of a Preliminary Plat request from Elkhorn Ridge SA, LLC for Elkhorn Ridge Unit 8 proposing 27 single-family residential lots, generally located north of the intersection of Dietz Elkhorn Road and Elkhorn Ridge, City of Fair Oaks Ranch, Texas

DATE: August 12, 2021

DEPARTMENT: Public Works and Engineering Services

PRESENTED BY: Lata Krishnarao, AICP, LEED ND, Consultant, Gunda Corporation

SUMMARY:

The purpose of this Preliminary Plat is to create 27 residential lots, 1 private street (Slate Creek) that will also be maintained as underground utility easements. The lot sizes range from 0.15 acres to 0.29 acres and the minimum lot width of the lots being platted in this phase is 55 feet. The agreement permitted 148 lots with a minimum lot width of 55 feet.

The subdivision is generally located north of the intersection of Dietz Elkhorn Road and Elkhorn Ridge (see attached Exhibit A: Location Map). Street access to the subdivision will be provided from Slate Creek.

BACKGROUND:

In January 2014, the City of Fair Oaks Ranch entered into a development agreement with Elkhorn Ridge SA, LLC for the development of 311 single family residential lots as part of the Elkhorn Ridge subdivision. The referenced agreement stated the following regarding lot size dimensions: "In general all lots are approximately one hundred twenty feet (120 ft) in depth at a minimum with 148 lots being approximately fifty-five (55 ft) wide, 91 lots being approximately sixty-five (65 ft) wide and 72 lots being approximately eighty feet (80 ft) wide as measured from the front building setback line."

Attached Exhibit B shows the location of the area being platted in relation to the entire Elkhorn Ridge development. Exhibit C shows the current status of the development, number and size of lots, lot configuration, recordation data, and construction status. A detailed breakdown of the development progress (as of October 2020) of the various units, as provided by the applicant, is summarized below in Table 1.

Table 1: Elkhorn Ridge Development Construction Status

Status	Constructed	In Progress	Future
Units	1, 2, 3, 6A, 9	5	4, 6B, 7, 8
Number of lots	152	47	93

The open space exhibits (Exhibits D and E) show the amount and location of open space. As per the Open Space Plan provided by the applicant and dated July 21, 2021, Unit 8 does not contain

any open space. Attachment F shows an aerial view of the Elkhorn Ridge development. The street providing access to this subdivision is constructed and has been accepted by the City. A Tree Plan is not required as there are no trees on the subject tract.

The proposed Preliminary Plat that establishes Elkhorn Ridge Unit 8 is in conformance with the Master Plan.

The Preliminary Plat review is based on the requirements of the Subdivision Regulations contained in Chapter 10 of the Code of Ordinances, that was in effect at the time of the approval of the Master Plan. Staff has reviewed the Preliminary Plat and relayed review comments to the applicant. All comments have been addressed in the resubmittal except a minor addition of the plat revision and approval dates.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

The City of Fair Oaks Ranch's current process requires the Planning and Zoning Commission to consider the Preliminary Plat application and make a recommendation to the City Council. The City Council has the final authority to act on the plat.

LONGTERM FINANCIAL & BUDGETARY IMPACT:

N/A

LEGAL ANALYSIS:

Sec. 212.006 (a) of the Texas Local Government Code titled, Authority Responsible for Approval Generally, states the following:

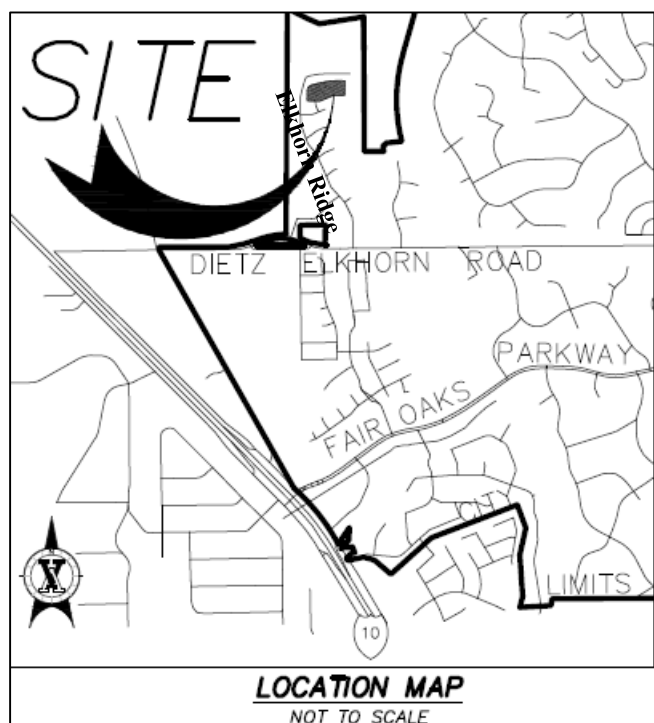
"The municipal authority responsible for approving plats under this subchapter is the municipal planning commission or, if the municipality has no planning commission, the governing body of the municipality. The governing body by ordinance may require the approval of the governing body in addition to that of the municipal planning commission."

RECOMMENDATION/PROPOSED MOTION:

Staff has reviewed the revised plans and recommends approval of the Preliminary Plat.

Motion: I move to recommend approval of the Preliminary Plat of Elkhorn Ridge Unit 8 with the following minor condition.

1. Applicant to add the date of revision and date of approval on the plat drawing.

Exhibit A: Elkhorn Ridge Unit 8 Site Location Map

Source: Provided by the applicant

Exhibit B: Elkhorn Ridge Subdivision Master Plan (Unit 8 Highlighted)

Source: Provided by the applicant

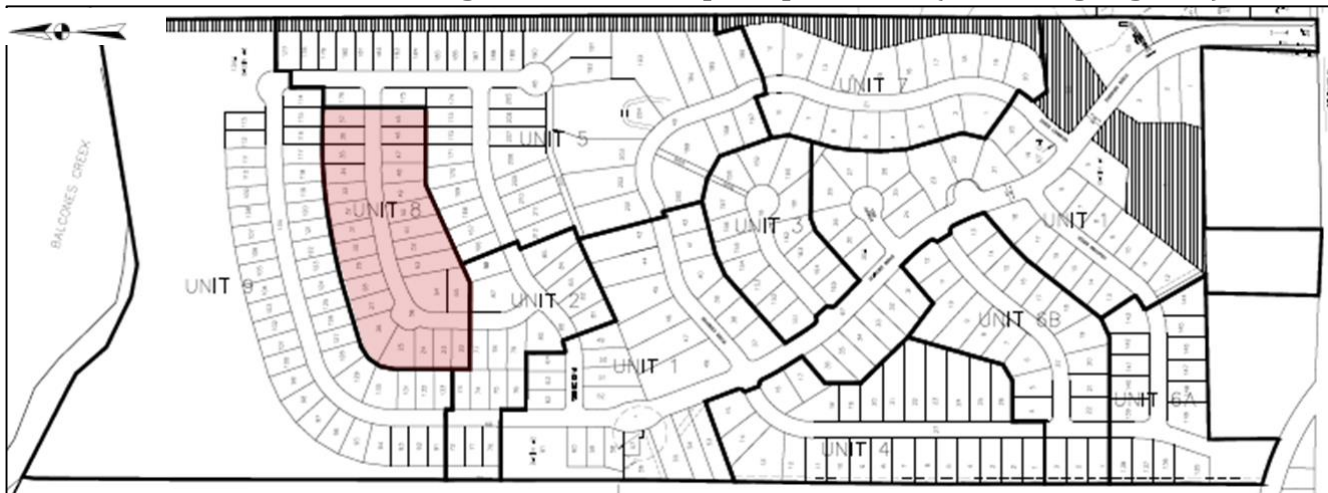
Exhibit C: Elkhorn Ridge Subdivision - Progress Summary Table (October 2020)

	U 1	U 2	U 3	U 4	U 5	U 6A	U 6B	U 7	U 8	U 9	TOTAL
AREA(AC)	28.72	4.35	3.92	7.42	16.28	4.36	5.94	7.07	5.98	23.90	107.94
55' LOTS	134	18	—	—	35	—	—	—	27	43	
65' LOTS	114	26	—	15	26	—	15	22	—	—	
80' LOTS	44	14	—	—	12	—	—	18	—	—	
TOTAL	292	61	18	15	26	47	15	22	18	27	43
RECORDING DATA	V.9662/P.179	V.9714/P.123	V.20001/P.2218	FUTURE	APPROVED NOT RECORDED	V.20001/P.1443	IN REVIEW	FUTURE	FUTURE	V.20001/P.1245	
CONSTRUCTION STATUS	COMPLETED	COMPLETED	COMPLETED	FUTURE	50% COMPLETE	COMPLETED	FUTURE	FUTURE	FUTURE	COMPLETED	

TOTAL ROAD = 13,450 L.F.

Source: Provided by the applicant

Exhibit D: Elkhorn Ridge Subdivision Open Space Plan (Unit 8 Highlighted)



Source: Provided by the applicant

Exhibit E: Open Space Requirement

OPEN SPACE REQUIREMENT		
AREA = 292 LOTS/(100 LOTS/AC) = 2.92 AC.		
UNIT NO.	OPEN SPACE AC.	STATUS
1	3.08	2015
2	0	2017
3	0	2019
4	0	UNKNOWN
5	1.26	2020
6A	0	2019
6B	0	UNKNOWN
7	1.36	UNKNOWN
8	0	UNKNOWN
9	0.43	2019
TOTAL	6.13	

ALL CURRENT AND FUTURE OPEN SPACE WILL BE DEICATED TO ELKHORN RIDGE HOA.

Source: Provided by the applicant

Exhibit F – Elkhorn Ridge Subdivision Aerial View (Unit 8 Highlighted)**Attachments:**

1. Appendix A Universal Application
2. S10 Preliminary Plat Specific Application Form
3. Letter of Intent
4. Elkhorn Ridge Unit 8 Subdivision Plat
5. Elkhorn Ridge Masterplan
6. Elkhorn Ridge Open Space Exhibit



City of Fair Oaks Ranch

7286 Dietz Elkhorn Fair Oaks Ranch, TX 78015
 PH: (210) 698-0900.FAX: (210) 698-3565. bcodes@fairoaksranchtx.org www.fairoaksranchtx.org

UNIVERSAL APPLICATION (FORM UA)

All applications must be submitted with:

- (1) A complete **Universal Application** form (2 pages), and
 - (2) A complete **Specific Application Form** with all materials listed in the checklist for the specific application.
- The City staff is available to assist you in person at City Hall or over the phone at (210) 698-0900.

DEVELOPMENT INFORMATION

Project Name/Address/Location: Elkhorn Ridge Unit 8 Acreage: 5.94
 Brief Description of Project: To create lots for a residential subdivision
 Is property platted? ☒ No ☐ Yes Subdivision name: N/A No. of Lots: 27
 Recordation #: N/A Parcel(s) Tax ID#: 252121
 Existing Use: Residential Proposed Use: Residential
 Current Zoning: Existing Residential 2 Proposed Zoning: Existing Residential 2
 Occupancy Type: N/A Sq. Ft: N/A Bed #: N/A Bath #: N/A Car Garage #: N/A
 Water System ☐ Well ☒ Public Flood Zone: ☐ Yes ☒ No Sewer System: ☐ Septic ☒ Public

PROPERTY OWNER INFORMATION

Owner: Elkhorn Ridge SA LLC Contact Name: Lloyd A. Denton, Jr.
 Address: 11 Lynn Batts Lane, Suite 100 City/State/ZIP: San Antonio, Texas 78218
 Phone: 210.828.6131 Email: plats@bitterblue.com

APPLICANT INFORMATION

Applicant/Developer: Elkhorn Ridge SA, LLC Contact Name: Benjamin Bunker
 Address: 11 Lynn Batts Lane, Suite 100 City/State/ZIP: San Antonio, Texas 78218
 Phone: 210.828.6131 Email: ben@bitterblue.com

KEY CONTACT INFORMATION

Name of the Individual: Paul A. Schroeder, PE, RPLS Contact Name: Vickrey & Associates, LLC
 Address: 12940 Country Parkway City/State/ZIP: San Antonio, Texas 78216
 Phone: 210.349.3271 E-mail: Pschroeder@vickreyllc.com

SIGNATURE OF PROPERTY OWNER OR APPLICANT (SIGN AND PRINT OR TYPE NAME)

Signature:  Date: 06.02.21
 (Signed letter of authorization required if the application is signed by someone other than the property owner)

*****OFFICE USE ONLY*****

DATE REC'D: 7/2/2021 BY: SG
 FEES PAID: Confirmed APPROVED BY: NA
 DATE APPROVED: _____
 APPLICATION/PERMIT NO: NA EXP DATE: NA

Applications shall be processed based on the City's official submission dates. When a completed application packet has been accepted and reviewed, additional information may be required by staff as a result of the review, therefore it may be necessary to postpone the proposed project and remove it from the scheduled agenda and place it on a future agenda.

SPECIFIC APPLICATION FORM (S1-S39). Please check the appropriate type below:**Land Use Policy Related**

(Section 3.9 of the UDC)

- ☐ Annexation* - Form S1
☐ Comprehensive Plan Amendment
☐ Unified Development Code (UDC) Text Amendment
☐ Rezoning* - Form S2
☐ Special Use Permit* - Form S3
☐ Planned Unit Development (PUD)* - Form S4
☐ Development Agreement
☐ Conservation Development Alternative* (CDA) (Section 4.8) - Form S5

Subdivision and Property Development Related

(Section 3.8 of the UDC)

- ☐ Amending Plat* - Form S6
☐ Minor Plat* - Form S7
☐ Development Plat* - Form S8
☐ Concept Plan** - Form S9
☒ Preliminary Plat* - Form S10
☐ Final Plat* - Form S11
☐ Replat* - Form S12
☐ Construction Plans* - Form S13
☐ Vacating Plat
☐ Plat Extension

Site Development Related

(Section 3.9 of the UDC)

- ☐ Vested Rights Verification Letter
☐ Zoning Verification Letter
☐ Written Interpretation of the UDC
☐ Temporary Use Permit* - Form S14
☐ Special Exception* - Form S15
☐ Site Development Permit* (Site Plan Review) - Form S16
☐ Floodplain Development Permit* - Form S17
☐ Stormwater Permit* - Form S18
☐ Certificate of Design Compliance* - Form S19
 Appeal of an Administrative Decision
 ☐ Zoning ☐ Others
 Variance
 ☐ Policy ☐ Judicial* - Form S20
☐ Sign Special Exception/Appeal to an Administrative Decision
☐ Administrative Exception
☐ Permit for Repair of Non-Conforming Use/Building
☐ Letter of Regulatory Compliance
☐ On-Site Sewage Facility Permit (OSSF)
☐ Certificate of Occupancy (CO)* - Form S21
☐ Relief from Signage Regulations
☐ Group Living Operation License* - Form S22
☐ Grading/Clearance Permit - Form S23

Building Permits Related**Commercial**

- ☐ New/Remodel/Addition* - Form S24
☐ Fence* - Form S25
☐ Miscellaneous* - Form S26

Residential

- ☐ New Home* - Form S27
☐ Remodel/Addition* - Form S28
☐ Detached Buildings* - Form S29

Others

- ☐ Solar* - Form S30
☐ Swimming Pool* - Form S31
☐ Demolition, Drive or Move
☐ New Lawn/Water* - Form S32
☐ Backflow Device/Irrigation Systems - Form S33
☐ Sign* (Includes Temporary Banner) - Form S34
☐ Appeal of Denial of Sign Permit
☐ Master/ Common Signage Plan* - Form S35
☐ Water Heater or Water Softener* - Form S36
☐ Right-of-Way Construction* - Form S37
☐ Flatwork* - Form S38
Inspections
☐ Mechanical ☐ Electrical
☐ Plumbing ☐ Building
☐ Others _____
Water- Wastewater Service
☐ Connect/ Disconnect Form* - Form S39

*These types of applications require additional information as listed in the Specific Application Form. Refer to **Appendix E** of the Administrative Procedures Manual for more information.

** The Concept Plan is required for PUD and CDA, and for Rezoning if included in a previously approved Concept Plan.

Application Checklist for all Applications

- ☒ Universal Application Form (Form UA).
☒ Items listed in the checklist for the Specific Application Form (Form S#) ¹. (Please make sure the boxes are checked)
☒ Application Processing Fees and other application fees.
☒ Letter of intent explaining the request in detail and reason for the request.

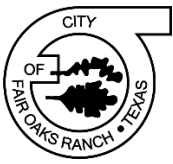
N/A Signed Letter of Authorization required if the application is signed by someone other than the property owner.

N/A Site plan and shapefile drawings (if applicable) for the property

- ☒ Location map clearly indicating the site in relation to adjacent streets and other landmarks
☒ One (1) copy of proof of ownership (recorded property deed or current year tax statements)
☒ One (1) USB drive containing the general required documents in Adobe PDF format (if required)

¹For items that are duplicated in the specific type of application, only one copy is required.

City of Fair Oaks Ranch Universal Application (Revised 1.30.21)



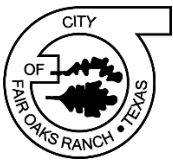
S10

SPECIFIC APPLICATION FORM - PRELIMINARY PLAT

Section 3.8 (4) of the Unified Development Code

The following steps must be completed, and the items must be submitted for the application to be deemed complete and processed:

- ☒ A completed Universal Development Application and checklist signed by the owner/s of the property.
- ☒ Payment of all other applicable fees (see Schedule of Fees).
- ☒ An accurate metes and bounds description of the subject property (or other suitable legal description).
- ☒ Location/vicinity map showing the location and boundaries of the proposed zoning. Indicate scale or not to scale (NTS) and provide north arrow.
- ☒ Tax certificate/s showing that all taxes owing to the State, County, School District, City and/or any other political subdivision have been paid in full to date.
- ☐ Pre-Application Conference prior to application submittal.
- ☐ Approved copy of a Concept Plan or other approved plats, if applicable.
- ☐ Concept plan approval (if required).
- ☒ A title report.
- ☒ Three (3) copies (full size) of complete sets of construction plans (plan views) to verify required easements and reserves, showing existing and proposed configurations if applicable. This includes grading, streets, green spaces, drainage/stormwater systems, gas, electrical, water, wastewater, cable and TV, fiber and all utilities.
- ☒ One (1) copy (11x17) of proposed plat.
- ☐ One (1) copy (11x17) of all existing recorded plats pertaining to the preliminary plat.
- ☐ Basic engineering information, if deemed necessary by the City.
- ☐ Letter of Certification from each utility provider servicing this area (CPS, PEC, SAWS, Time Warner, Grey Forest, GBRA, Spectrum, etc.).
- ☐ Letter from USPS and other service providers to ensure the name of the proposed subdivision, or any of the physical features, (such as streets, parks, etc.) must not be so similar to the names of any similar features in the county or in any incorporated town or city therein. Streets, which are a continuation of any existing street, shall take the name of the existing street.
- ☐ Drainage/Stormwater plan, if any grade changes.



7286 Dietz Elkhorn Fair Oaks Ranch, TX 78015

PH: (210) 698-0900 FAX: (210) 698-3565 bcodes@fairoaksranchtx.org www.fairoaksranchtx.org

☒ N/A Tree Plan designating all trees proposed for removal or preservation and describing the measures proposed to protect remaining trees during development as per Unified Development Code Section 8.8.
No Trees

- ☒ Electronic copies of the required exhibits in "PDF" format and shapefile for property boundary where applicable should be submitted in a USB flash drive or via email.
- ☒ Acknowledgement that the applicant or representative will attend all Planning and Zoning Commission, City Council and applicable meetings where this request is discussed.

Additional Requirements. The City Manager (or designee) may, from time to time, identify additional requirements for a complete application that are not contained within but are consistent with the application contents and standards set forth in the UDC and state statutes.

June 1, 2021

Ms. Katie Schweitzer, PE
City of Fair Oaks Ranch
7286 Dietz-Elkhorn
Fair Oaks Ranch, Texas 78015

Re: Front Gate Unit 6
Preliminary Plat Submittal
V&A Project No. 2742-008-051

Dear Ms. Schweitzer,

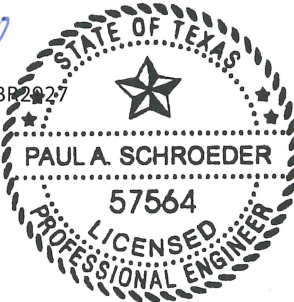
This submittal is to subdivide 5.94 acres of land out of tracts conveyed by signed warranty deeds recorded in Volume 16450, Page 2034, Volume 16540, Page 2155, and Volume 16453, Page 300, Real Property Records of Bexar County, Texas. The Elkhorn Ridge Unit 8 subdivision will contain 27 lots.

Sincerely,

VICKREY & ASSOCIATES, LLC

TBPE F-#159/TBPLS F-#10004100/TBAE F-#BR2027

Paul A. Schroeder, PE, RPLS
Residential Division Manager



PAS/ksh



PRELIMINARY Attachment 4

SUBDIVISION PLAT ESTABLISHING

ELKHORN RIDGE UNIT 8

BEING 5.938 ACRES OF LAND OUT OF TRACTS CONVEYED IN WARRANTY DEEDS RECORDED IN VOLUME 16450, PAGE 2034, VOLUME 16540, PAGE 2155, AND VOLUME 16453, PAGE 300, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS, ALL SAID TRACTS BEING OUT OF THE JOSE RAMON AROCHA SURVEY NO. 171, ABSTRACT NO. 24, COUNTY BLOCK 4708, CITY OF FAIR OAKS RANCH BEXAR COUNTY, TEXAS.

REASON FOR PRELIMINARY PLAT:
TO CREATE 27 RESIDENTIAL LOTS, 1 PARCEL (CONTAINING 1 PRIVATE STREET) TOTALING 5.94 ACRES.

VICKREY & ASSOCIATES, LLC. CONSULTING ENGINEERS

12940 Country Parkway San Antonio, Texas 78216-2004

Telephone: (210) 349-3271

TBPE Firm Registration No.: F-159

TBPLS Firm Registration No.: 10004100

IMPACT FEE PAYMENT DUE : "SAWS"

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 FLOW NOTE:

IN AN EFFORT TO MEET THE CITY OF SAN ANTONIO'S FIRE FLOW REQUIREMENTS FOR THE PROPOSED RESIDENTIAL DEVELOPMENT, THE PUBLIC WATER MAIN SYSTEM HAS BEEN DESIGNED FOR A MINIMUM FIRE FLOW DEMAND OF 1500 GPM AT 25 PSI RESIDUAL PRESSURE. THE FIRE FLOW REQUIREMENTS FOR INDIVIDUAL STRUCTURES WILL BE REVIEWED DURING THE BUILDING PERMIT PROCESS IN ACCORDANCE WITH THE PROCEDURES SET FORTH BY THE CITY OF SAN ANTONIO DIRECTOR OF DEVELOPMENT SERVICES DEPARTMENT AND THE SAN ANTONIO FIRE DEPARTMENT FIRE MARSHAL.

SAWS DEDICATION NOTE:

THE DEVELOPER DEDICATES 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.

EDU NOTE:

THE NUMBER OF EQUIVALENT DWELLING UNITS (EDUS) PAID FOR THIS SUBDIVISION PLAT ARE KEPT ON FILE AT THE SAN ANTONIO WATER SYSTEM UNDER THE PLAT NUMBER ISSUED BY THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT.

SAWS HIGH PRESSURE NOTE:

A PORTION OF THE TRACT IS BELOW THE GROUND ELEVATION OF 1425 FEET WHERE THE STATIC PRESSURE WILL NORMALLY EXCEED 80 PSI. AT ALL SUCH LOCATIONS, THE DEVELOPER OR BUILDER SHALL INSTALL AT EACH LOT, ON THE CUSTOMER'S ASIDE OF THE METER, AN APPROVED TYPE PRESSURE REGULATOR IN CONFORMANCE WITH THE PLUMBING CODE OF THE CITY OF SAN ANTONIO.

STATE OF TEXAS

COUNTY OF BEXAR

THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED HERETO, AND IN PERSON OR THROUGH A DULY AUTHORIZED AGENT DEDICATES TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED AND DEDICATES TO THE CITY OF FAIR OAKS RANCH ALL PUBLIC EASEMENTS, PUBLIC STREETS, AND PUBLIC DRAINS.

OWNER: LLOYD A. DENTON, JR., PRESIDENT
ELKHORN RIDGE DEVELOPMENT, LLC
11 LYNN BATTS LANE, STE. 100
SAN ANTONIO TEXAS 78218

STATE OF TEXAS

COUNTY OF BEXAR

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED
LLOYD A. DENTON, JR.,

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.

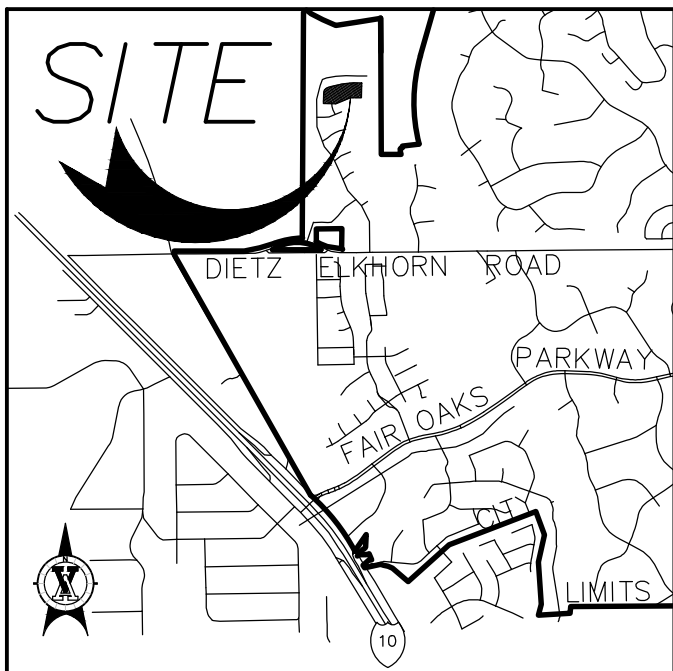
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____
A.D., _____

NOTARY PUBLIC
STATE OF TEXAS

THIS PRELIMINARY PLAT OF ELKHORN RIDGE UNIT 8 HAS BEEN SUBMITTED TO AND CONSIDERED BY THE CITY COUNCIL OF FAIR OAKS RANCH, TEXAS AND IS HEREBY APPROVED BY SUCH COUNCIL DATED THIS _____ DAY OF _____ A.D. _____

BY: _____ MAYOR

BY: _____ CITY SECRETARY



LOCATION MAP
NOT TO SCALE

PRIVATE STREET DESIGNATION NOTE:

PARCEL 912 (SLATE CREEK) IS A PRIVATE STREET AND IS DESIGNED AS AN UNDERGROUND PUBLIC WATER AND PUBLIC SANITARY SEWER AND UTILITY EASEMENT.

ZONING DESIGNATION NOTE:

THIS PLAT AREA IS CURRENTLY ZONED AS EXISTING RESIDENTIAL ZONE 1.

FLOODPLAIN VERIFICATION:

NO PORTION OF THE FEMA 1% ANNUAL CHANCE (100-YEAR) FLOODPLAIN EXISTS WITHIN THIS PLAT AS VERIFIED BY FEMA MAP 48091000055 EFFECTIVE DATE AUGUST 28, 2017. FLOODPLAIN INFORMATION IS SUBJECT TO CHANGE AS A RESULT OF FUTURE FEMA MAP REVISIONS AND/OR AMENDMENTS.

EASEMENT NOTES

ALL PROPERTIES DESIGNATED AS EASEMENTS SHALL OR MAY BE UTILIZED FOR THE FOLLOWING PURPOSES:

DRAINAGE EASEMENT:

DRAINAGE, WATER DIVERSION, AND SANITARY CONTROL, INCLUDING WITHOUT LIMITATION, WALLS, BEDS, EMBANKMENTS, SPILLWAYS, APPURTENANCES, AND OTHER ENGINEERED DEVICES (THE "DRAINAGE SYSTEM") TOGETHER WITH RIGHT OF INGRESS AND EGRESS OVER THE ADJACENT LAND TO OR FROM THE EASEMENT FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, OPERATING, MAINTAINING, REPAIRING, AND REMOVING THE DRAINAGE SYSTEM; THE RIGHT TO CHANGE THE SIZE THEREOF; THE RIGHT TO RELOCATE ALONG THE SAME GENERAL DIRECTION OF THE DRAINAGE SYSTEM; THE RIGHT TO CREATE AND/OR DREDGE A STREAM COURSE, REFILL, OR DIG OUT SUCH STREAM COURSE, ESTABLISH OR CHANGE STREAM EMBANKMENTS WITHIN THE EASEMENT, INSTALL STORM SEWER SYSTEMS, CULVERTS, WATER GAPS, AND PROTECTING RAILS; THE RIGHT TO REMOVE FROM THE EASEMENT ALL TREES AND PARTS THEREOF, OR OTHER OBSTRUCTIONS, WHICH REASONABLY ENDANGER OR MAY REASONABLY INTERFERE WITH THE EFFICIENCY OF THE DRAINAGE SYSTEM; AND THE RIGHT TO PLACE TEMPORARY STRUCTURES FOR USE IN CONSTRUCTING OR REPAIRING THE DRAINAGE SYSTEM.

WITH RESPECT TO THE DRAINAGE SYSTEM, IT IS EXPRESSLY AGREED AND UNDERSTOOD BY ALL PARTIES HERETO, THAT THE INTENTION IS TO IMPROVE CONDITIONS OF SANITATION AND WATER DRAINAGE CONTROL ON THE PROPERTY FOR THE BENEFIT OF THE PROPERTY, ADJACENT PROPERTY, AND THE COMMUNITY, BUT THE CITY DOES NOT GUARANTEE OR WARRANT THAT SUCH CONTROL WORK WILL BE EFFECTIVE, NOR DOES THE CITY ASSUME ANY ADDITIONAL LIABILITY WHATSOEVER FOR THE EFFECTS OF FLOOD, STANDING WATER, OR DRAINAGE ON OR TO THE PROPERTY, OR ANY OTHER PROPERTY OR PERSONS THAT MIGHT BE AFFECTED BY SAID STREAM, WASH, OR GULLY IN ITS NATURAL STATE OR AS CHANGED BY THE CITY.

1. THE PROPERTY OWNER RETAINS THE RIGHT TO USE ALL OR ANY PART OF THE EASEMENT FOR ANY PURPOSE WHICH DOES NOT DAMAGE, DESTROY, INJURE, AND/OR UNREASONABLY INTERFERE WITH THE USE OF THE EASEMENT. HOWEVER, THE EASEMENT SHALL BE KEPT CLEAR OF ALL STRUCTURES OR OTHER IMPROVEMENTS.

2. THE CITY SHALL MAKE COMMERCIALY REASONABLE EFFORTS TO ENSURE THAT DAMAGE TO THE PROPERTY IS MINIMIZED AND THE CITY WILL AT ALL TIMES, AFTER DOING ANY WORK IN CONNECTION WITH THE SYSTEM, RESTORE THE PROPERTY TO THE CONDITION IN WHICH THE PROPERTY WAS FOUND BEFORE SUCH WORK WAS UNDERTAKEN TO THE EXTENT THAT SUCH RESTORATION IS REASONABLE IN ACCORDANCE WITH THE CITY USUAL AND CUSTOMARY PRACTICES.

3. THE MAINTENANCE OF THE TURF, GRASSES AND LANDSCAPE VEGETATION WITHIN THE EASEMENT SHALL BE THE DUTY AND RESPONSIBILITY OF THE PROPERTY OWNER.

STATE OF TEXAS
COUNTY OF BEXAR

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

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

VICKREY & ASSOCIATES, INC.
BY: PAUL A. SCHROEDER, R.P.L.S.

REGISTERED PROFESSIONAL LAND SURVEYOR
LICENSE # 5160

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT TO THE MATTERS OF STREETS, LOTS AND DRAINAGE LAYOUT, TO THE BEST OF MY KNOWLEDGE THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION ORDINANCE.

VICKREY & ASSOCIATES, INC.
BY: PAUL A. SCHROEDER, P.E.

LICENSED PROFESSIONAL ENGINEER
LICENSE # 57564

07-21-2021

LEGEND

- FOUND 1/2" IRON ROD WITH CAP STAMPED "ACES"
- FOUND 1/2" IRON ROD WITH CAP STAMPED "VICKREY PROP COR"
- D.R. DEED RECORDS OF BEXAR COUNTY, TEXAS
- O.P.R. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS
- D.P.R. DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
- 740 EXISTING CONTOURS
- 740 PROPOSED CONTOURS
- BSL BUILDING SETBACK LINE
- ESMT EASEMENT
- R.O.W. RIGHT OF WAY
- EX EXISTING
- VOL VOLUME
- PG PAGE
- C.V.E. CLEAR VISION ESMT
- BLK BLOCK
- CB COUNTRY BLOCK
- AC ACRES
- PED PEDESTRIAN
- CITY LIMITS LINE
- SAME AS PREVIOUS MEASUREMENT
- CENTERLINE
- 10' GAS, ELECTRIC, TELEPHONE AND CABLE TV EASEMENT

UTILITY EASEMENT:

UTILITIES, INCLUDING, WITHOUT LIMITATION, SEWER, WATER, GAS, ELECTRICITY, TELEPHONE, AND CABLE TELEVISION, WITH ALL NECESSARY AND/OR DESIRABLE LINES, LATERALS AND/OR APPURTENANCES THERETO (THE "UTILITIES")

TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER THE ADJACENT LAND TO OR FROM THE EASEMENT FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, OPERATING, MAINTAINING, REPAIRING, AND REMOVING THE UTILITIES; THE RIGHT TO PLACE NEW OR ADDITIONAL UTILITIES IN THE EASEMENT AND TO CHANGE THE SIZE THEREOF; THE RIGHT TO RELOCATE ALONG THE SAME GENERAL DIRECTION OF THE UTILITIES; THE RIGHT TO REMOVE FROM THE EASEMENT ALL TREES AND PARTS THEREOF, OR OTHER OBSTRUCTIONS, WHICH REASONABLY ENDANGER OR MAY REASONABLY INTERFERE WITH THE EFFICIENCY OR OPERATION OF THE UTILITIES; AND THE RIGHT TO PLACE TEMPORARY STRUCTURES FOR USE IN CONSTRUCTING OR REPAIRING THE UTILITIES.

THE PROPERTY OWNER RETAINS THE RIGHT TO USE ALL OR ANY PART OF THE EASEMENT FOR ANY PURPOSE WHICH DOES NOT DAMAGE, DESTROY, INJURE, AND/OR UNREASONABLY INTERFERE WITH THE USE OF THE EASEMENT. HOWEVER, THE EASEMENT SHALL BE KEPT CLEAR OF ALL STRUCTURES OR OTHER IMPROVEMENTS.

THE UTILITY SHALL MAKE COMMERCIALY REASONABLE EFFORTS TO ENSURE THAT DAMAGE TO THE PROPERTY IS MINIMIZED AND THE UTILITY WILL AT ALL TIMES, AFTER DOING ANY WORK IN CONNECTION WITH THE SYSTEM, RESTORE THE PROPERTY TO THE CONDITION IN WHICH THE PROPERTY WAS FOUND BEFORE SUCH WORK WAS UNDERTAKEN TO THE EXTENT THAT SUCH RESTORATION IS REASONABLE IN ACCORDANCE WITH THE UTILITY USUAL AND CUSTOMARY PRACTICES.

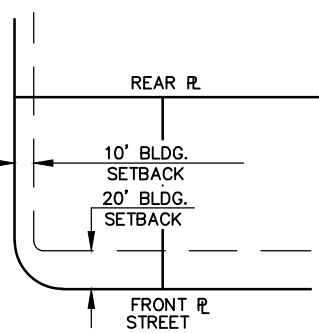
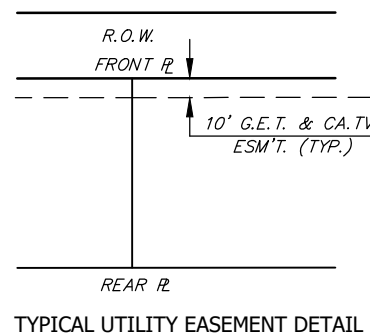
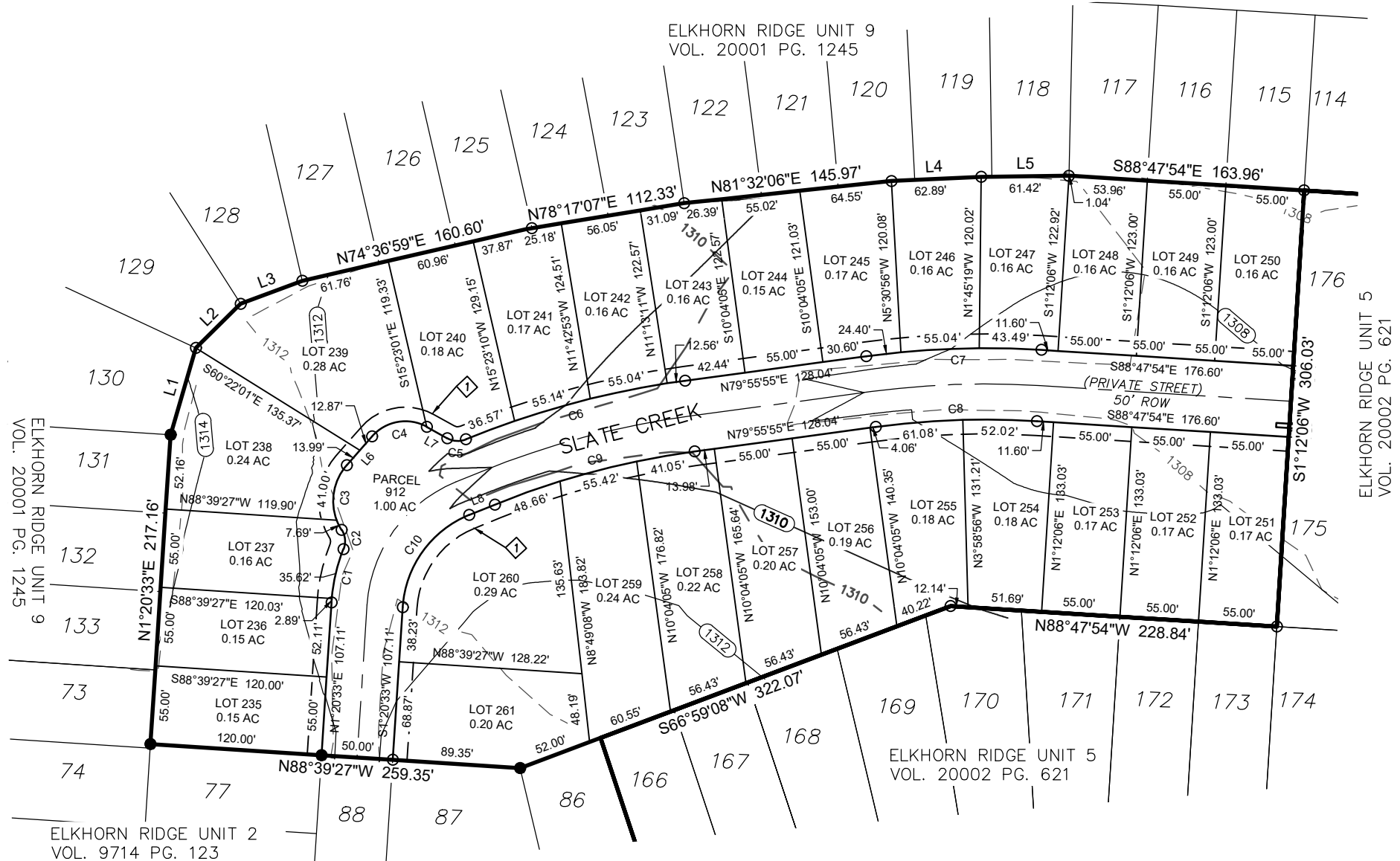
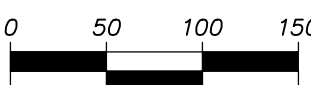
THE MAINTENANCE OF THE TURF, GRASSES AND LANDSCAPE VEGETATION WITHIN THE EASEMENT SHALL BE THE DUTY AND RESPONSIBILITY OF THE PROPERTY OWNER.

Line Table		
Line #	Length	Direction
L1	63.38	N13°51'31"E
L2	43.96	N43°03'39"E
L3	46.11	N67°07'56"E
L4	62.89	S84°57'40"W
L5	62.46	N86°53'35"E
L6	26.86	N38°53'16"E
L7	16.51	S63°29'42"E
L8	19.33	N65°28'15"E

CURVE TABLE						
CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD
C1	16°19'37"	125.00'	35.62'	17.93'	S10°49'58"W	35.50'
C2	53°31'58"	15.00'	14.01'	7.57'	N7°46'17"W	13.51'
C3	61°49'29"	38.00'	41.00'	22.75'	S7°58'31"W	39.04'
C4	77°37'03"	31.00'	42.00'	24.93'	S77°41'47"W	38.86'
C5	51°10'43"	15.00'	13.40'	7.18'	S89°05'03"E	12.96'
C6	5°03'19"	625.00'	55.14'	27.59'	S71°12'24"W	55.13'
C7	5°02'43"	625.00'	55.04'	27.54'	S84°41'30"W	55.02'
C8	6°05'09"	575.00'	61.08'	30.57'	S82°58'30"W	61.05'
C9	5°31'19"	575.00'	55.42'	27.73'	S73°04'49"W	55.40'
C10	64°07'42"	75.00'	83.94'	46.98'	S33°24'24"W	79.63'

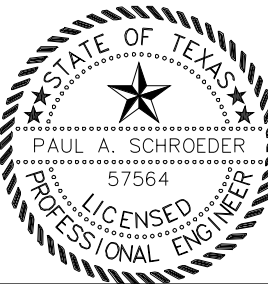


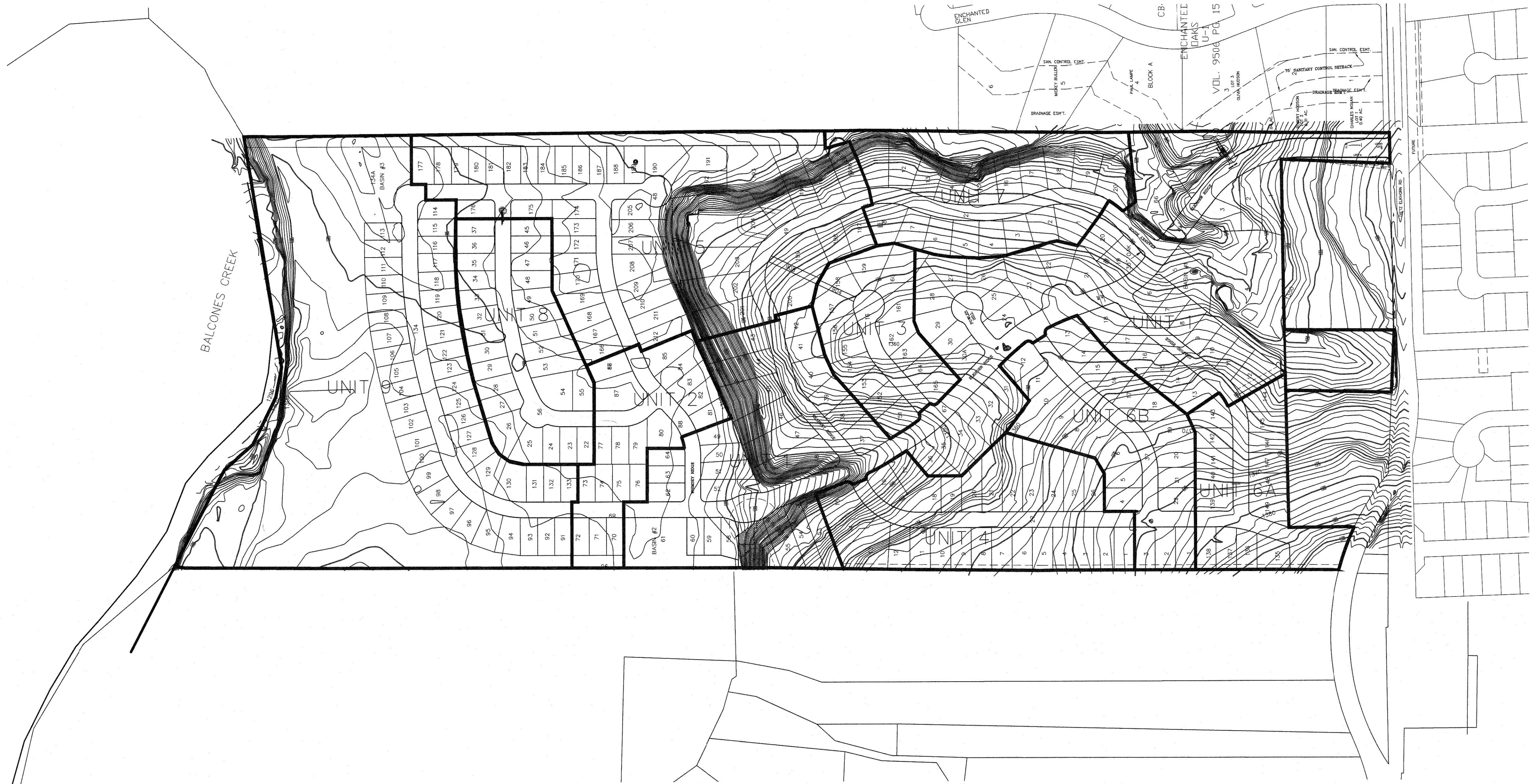
SCALE: 1"=100'



TYPICAL CORNER LOT BUILDING SETBACKS

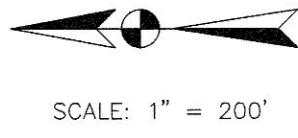
NOTE: ALL LOTS HAVE A MINIMUM BUILDING SETBACK OF 20' ALONG THE FRONT, AS SHOWN ABOVE, AND SUBDIVISION DEED RESTRICTIONS.





	U 1	U 2	U 3	U 4	U 5	U 6A	U 6B	U 7	U 8	U 9	TOTAL
AREA(AC)	28.72	4.35	3.92	7.42	16.28	4.36	5.94	7.07	5.98	23.90	107.94
55' LOTS	134	11	18	—	35	—	—	—	27	43	
65' LOTS	114	36	—	15	26	—	15	22	—	—	
80' LOTS	44	14	—	—	12	—	—	18	—	—	
TOTAL	292	61	18	15	26	47	15	22	18	27	43
RECORDING DATA	V.9692/P.179	V.9714/P.123	V.20001/P.2218	FUTURE	APPROVED NOT RECORDED	V.20001/P.1443	IN REVIEW	FUTURE	FUTURE	V.20001/P.1245	
CONSTRUCTION STATUS	COMPLETED	COMPLETED	COMPLETED	FUTURE	50% COMPLETE	COMPLETED	FUTURE	FUTURE	FUTURE	COMPLETED	

TOTAL ROAD = 13,450 L.F.



REVISIONS

NO.	DATE	DESC.
1		
2		
3		
4		
Δ		

VICKREY & ASSOCIATES, INC.

CONSULTING ENGINEERS

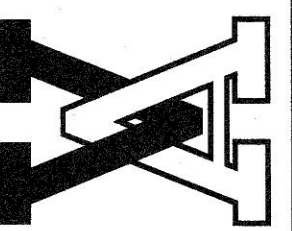
CIVIL • ENVIRONMENTAL • SURVEY

12340 Country Parkway San Antonio, TX 78216

Telephone: (210) 349-3271

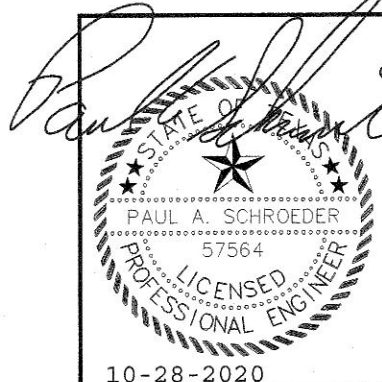
Firm Registration No: F-169

TBPLS Firm Registration No: 10004100



ELKHORN RIDGE

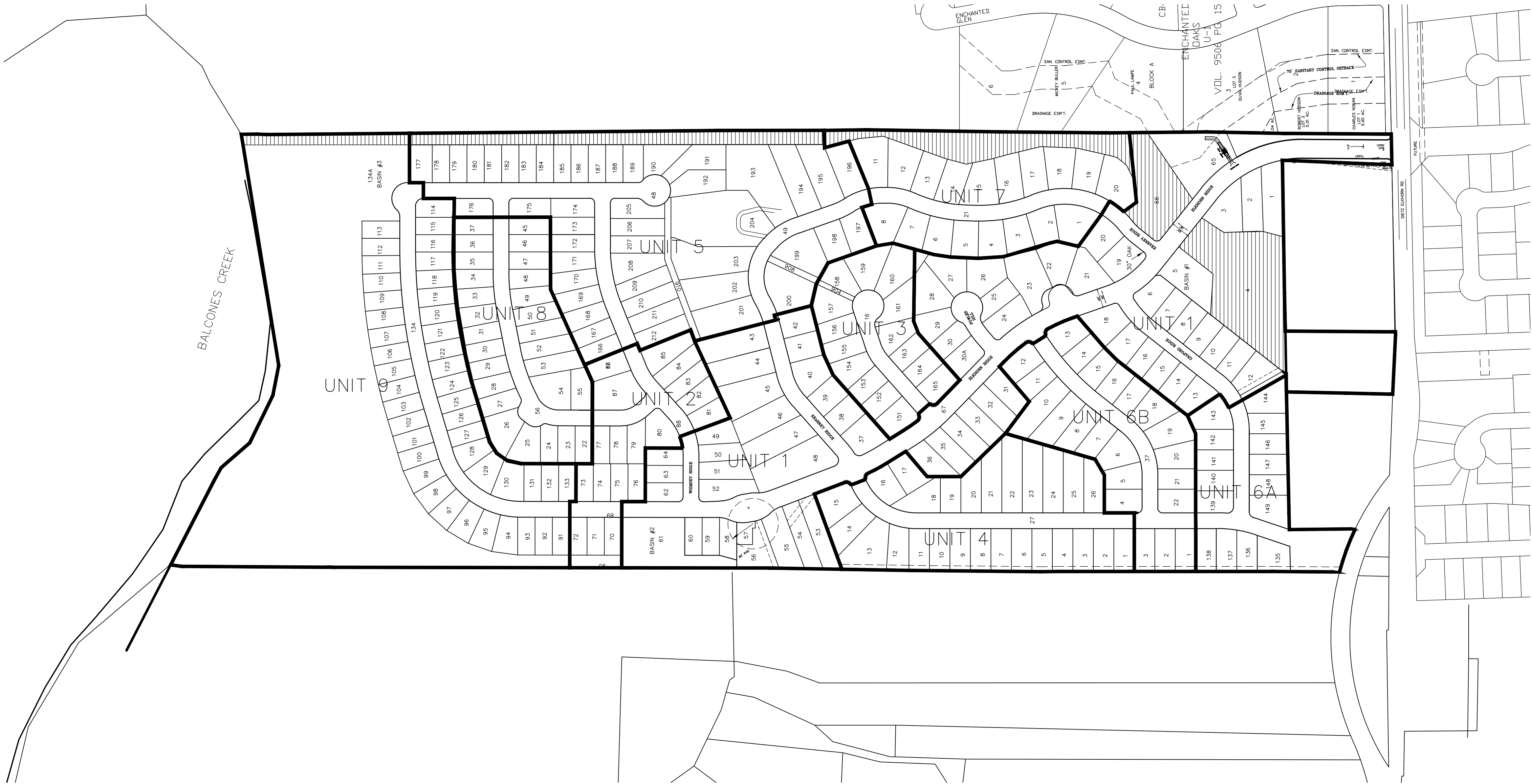
MASTER PLAN



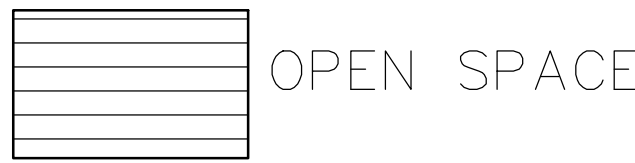
DATE: OCTOBER 2020	Vertical Scale 1"=N/A	Horizontal Scale 1"=
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SHEET 1	OF 1	
PROJ NO. 2752-000		

Jul 20, 2021 - 4:56pm
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DRAWN BY: --
CHECKED BY: --
APPROVED BY: --

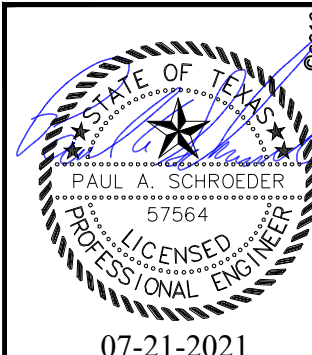
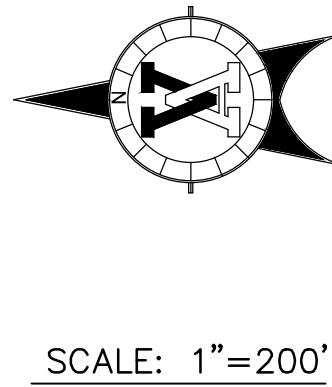


OPEN SPACE LEGEND



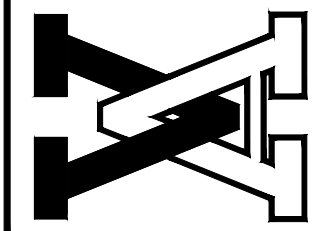
OPEN SPACE REQUIREMENT		
AREA = 292 LOTS/(100 LOTS/AC) = 2.92 AC.		
UNIT NO.	OPEN SPACE AC.	STATUS
1	3.08	2015
2	0	2017
3	0	2019
4	0	UNKNOWN
5	1.26	2020
6A	0	2019
6B	0	UNKNOWN
7	1.36	UNKNOWN
8	0	UNKNOWN
9	0.43	2019
TOTAL	6.13	

ALL CURRENT AND FUTURE OPEN SPACE WILL DE DEICATED TO ELKHORN RIDGE HOA.



ELKHORN RIDGE
OPEN SPACE PLAN

PREPARED FOR:



VICKREY & ASSOCIATES, INC.
CONSULTING ENGINEERS
CIVIL • ENVIRONMENTAL • SURVEY
12940 Country Parkway San Antonio, TX 78216
Phone: (214) 480-1100
Fax: (214) 480-1101
E: info@vickrey.com
TBPIS Firm Registration No.: 10004100

DATE: MARCH 2019	
Vertical Scale 1"=N/A	Horizontal Scale 1"=200'
SHEET	OF
PROJ NO. 2752-003	

REVISIONS

NO.	DATE	DESC.
1		
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PLANNING & ZONING CONSIDERATION ITEM

CITY OF FAIR OAKS RANCH, TEXAS

August 12, 2021

AGENDA TOPIC: Request of Bitterblue (Lloyd A. Denton, Jr.) to discuss the Conservation Development Alternative (CDA) option for the proposed Post Oak Ranch (Noll Tract) Single Family Residential Development. Generally located south-east of the intersection of Ammann Road and Ralph Fair Road and northeast of Setterfeld Estates along the east side of FM 3351.

DATE: August 12, 2021

DEPARTMENT: Public Works and Engineering Services

PRESENTED BY: Lata Krishnarao, AICP, LEED ND, Consultant, Gunda Corporation
Paul Schroeder, P.E., RPLS, Vickrey & Associates, LLC.

BACKGROUND:

In November 2017 the City entered into a non-annexation Development Agreement (attached) on 170.77 acres (Noll Tract) owned by Emmeline K. Whitworth, Russell T. Noll and Arthur W. Noll. The Tract is undeveloped ranch land located in the city's ETJ, Comal County fronting FM 3351 (Ralph Fair Road) between Setterfeld Estates and Ammann Road. In addition to the 170.77 acres in the City of Fair Oaks Ranch ETJ, the proposed development includes 111.79 acres within the ETJ of the City of San Antonio (CoSA). At this time, the applicant is proposing to develop this tract with single-family homes, that will trigger annexation and zoning approvals by the City of Fair Oaks Ranch.

This proposed development was discussed by the Planning and Zoning Commission (P & Z) on May 13, 2021. The purpose of the request was to gain feedback from the P&Z on the possibility of developing the Noll Tract with 180 single family residential units on minimum one acre lots. At that work session P & Z had expressed concerns regarding the increase in the number of lots and decrease in lot sizes that were not in conformance with the Future Land Use Plan and the Unified Development Code (UDC).

In response to P & Z's concerns the applicant has revised the conceptual layout and has prepared a plan that proposes 54 lots on approximately 282 acres and an overall density of 3.75 acres. (See Table 1: Comparison of Densities). The applicant is seeking P & Z's input on the proposed layout before proceeding to prepare a complete application for an approval of the Concept Plan.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

1. Transparency regarding proposed development.
2. Obtain feedback from the Planning and Zoning Commission on the conceptual land plan proposed by the developer.

LONGTERM FINANCIAL & BUDGETARY IMPACT:

Not applicable at this time.

LEGAL ANALYSIS:

Not applicable at this time.

RECOMMENDATION/PROPOSED MOTION:

No formal action is required but the developer is seeking insight and direction.

Attachment: Staff report.

STAFF REPORT

AGENDA TOPIC: Request of Bitterblue (Lloyd A. Denton, Jr.) to discuss the Conservation Development Alternative (CDA) option for the proposed Post Oak Ranch (Noll Tract) Single Family Residential Development. Generally located south-east of the intersection of Ammann Road and Ralph Fair Road and northeast of Setterfeld Estates along the east side of FM 3351

DATE: August 12, 2021

Background:

The existing Non-Annexation Development Agreement for Noll Tract was signed by the City and the owners in 2017 (Attachment A: Development Agreement). Based on that agreement, a single-family residential structure and related accessory structures could be built on this property and the City had the ability to annex a portion of the property that included the single-family structure and up to three (3) acres of the land around that structure, while the rest of the land remained in the ETJ. Any other development would trigger the parcel being annexed into the City and zoned pursuant to all applicable laws of the State of Texas and ordinances of the City of Fair Oaks Ranch, said zoning to be at the sole discretion of the City. At this time, the applicant is proposing to develop this tract with single-family homes, that will trigger annexation and zoning approvals by the City of Fair Oaks Ranch.

This proposed development was discussed by the Planning and Zoning Commission (P & Z) on May 13, 2021. The purpose of the request was to gain feedback from the P & Z on the possibility of developing the Noll Tract (Exhibit A: Location Map) in accordance with the Post Oak Ranch Master Plan (Exhibit B). The proposed 282 acre development included 180 single family residential units on minimum one acre lots. Natural drainage areas were proposed to be maintained for trails, passive parks, and open space. Out of the 282 acres, approximately 170 acres were located within the ETJ (see Exhibit D) of the City of Fair Oaks Ranch (CoFOR) and 111.79 acres within the ETJ of the City of San Antonio (CoSA). Approximately 100 lots were proposed within CoFOR ETJ and 80 lots in CoSA ETJ.

The proposed Post Oak Ranch Master Plan anticipated water service to be provided by Fair Oaks Ranch or SJWTX Inc. (Canyon Lake Water Service Company) or split service based on the ETJ and possible annexation area limits. The lots were proposed to be serviced by private septic or aerobic systems. Upon release of the San Antonio ETJ portion and acceptance of ETJ and annexation by the City of Fair Oaks Ranch, the development will be platted through the City of Fair Oaks Ranch. The applicant was in discussions with the City of San Antonio to remove the east portion of the Noll tract from CoSA's ETJ and include it in CoFOR's ETJ.

At that meeting P & Z had expressed concerns regarding the increase in the number of lots and decrease in lot sizes that were not in conformance with the Future Land Use Plan and the Unified Development Code (UDC). (See Table 1: Comparison of Densities).

Summary of Current Proposal:

In response to P & Z's concerns, the applicant has revised the conceptual layout and has prepared a plan (Exhibit C) that proposes 54 lots on approximately 282 acres and an overall density of 3.75

Post Oak Ranch CDA 8-12-21

acres. (See Table 1: Comparison of Densities). The applicant is seeking P & Z's input on the proposed layout before proceeding to prepare a complete application for an approval of the Concept Plan.

Table 1: Comparison of Densities

For 282 Acres	Minimum Lot Size	Number of lots
Conventional Development/Rural Residential	5 acres	40 lots approx.
Conservation Development Alternative	3.75 acres (blended average)	70 lots approx.
Proposed in the Previous Proposal (May 2021)	1 acre	180 lots
Proposed in the Current Proposal (August 2021)	3.75 acres (blended average) Range = 2.58 acres to 5.7 acres	54 lots

A preliminary review of the information provided by the applicant indicates that the proposed layout addresses the concerns and recommendations of the P & Z. Staff's review of the preliminary plan and items that need to be addressed with the Concept Plan submittal are listed in Attachment C – Conservation Development Alternative (CDA) of Post Oak Ranch Preliminary Review.

Conformance with the Future Land Use Map

The Future Land Use Map (FLUM) designates this property as Rural Residential (RR). The proposed development with a base zoning of Rural Residential (RR) will be in conformance with the Future Land Use Map (FLUM) (see Exhibit E).

Further, the proposed development will be in conformance with the City's vision stated in the 2017-18 Comprehensive Plan Update regarding annexation that recommends annexed areas to conform to the City's character and guidelines. The vision states - *"Protect existing neighborhoods, property values, tax base, natural resources, and the City's unique Hill Country character by bringing adjoining land areas within the extra-territorial jurisdiction into the City proper – and under the City's development guidelines."*

Conformance with the Unified Development Code (UDC)

According to the Future Land Use Map and Unified Development Code, the appropriate zoning for this tract is Rural Residential (RR) zoning district. The RR zoning district requires a minimum lot size of 5 acres. The UDC also permits Conservation Development Alternative (CDA) for low impact developments. As per the UDC - "A Conservation Development is a development of land, occupying ten (10) contiguous acres or more, that is developed in a manner generally consistent with low impact development (LID) principles, is under unified control and is planned and developed as a whole in a single development operation or programmed series of development stages. The development may cover more than one parcel as long as all parcels are contiguous, but the entirety of each included parcel will be included in the gross area of the development."

Density: The CDA allows a blended average of 3.75 acres for RR zone. Based on information provided, it appears that approximately 51 lots would be permitted. As per the UDC, the allowed number of lots is calculated by taking the total net lot area (not including streets and ROW's) and dividing it by the Conservation Alternative Minimum of 3.75 for RR zone. Detailed calculations are needed to ascertain that 54 lots are permitted.

Minimum Conservation Area: The proposed layout does not appear to meet the minimum Conservation Area that needs to be at least 30 percent of the total buildable area of the development. Detailed calculations are needed to ascertain that this requirement is met.

Conformance with the Character of the Area

When the Comprehensive Plan was updated in 2018, the Rural Residential (RR) classification was added to preserve and enhance the “scenic, rural palette” and preserve the “City’s unique Hill Country character” to direct future development. Other abutting properties are undeveloped and are also designated as Rural Residential with a minimum lot size of five (5) acres in the Future Land Use Map.

Availability of Utilities

The tract is currently not serviced by City water and sewer. The City’s water and sewer Certificate of Convenience and Necessity (CCN) encompass the property within the City’s ETJ and there is an overlapping water CCN on the entire tract with SJWTX Inc. (Canyon Lake Water Service Company). The applicant is in discussions with the City of San Antonio to remove the east portion of the Noll tract from CoSA’s ETJ and include it in CoFOR’s ETJ. The City’s master plans for water and wastewater connections (Exhibits G and H) show a buildout of 39 single-family homes for the portion of the property CoFOR ETJ. The proposed plan proposes 54 total connections for the entire development. The plan for the provision of water and wastewater needs to address how the remaining lots will be serviced.

Conformance with the Transportation Map

All the traffic generated by the proposed development will be using CoFOR streets. As per the Transportation Map (Exhibit F), Ralph Fair Road is an arterial road that is scheduled for major improvements. Additional rights-of-way and improvements may be required, including a TIA for this development. This needs to be addressed in the Concept Plan.

Findings

1. The proposed development is in conformance with the Comprehensive Plan and Future Land Use Map.
2. The proposed development generally meets the requirements of the RR zone, that is recommended for this tract. Additional calculations are required to show compliance with the CDA requirement of 3.75 density, number of lots, and the 30% open space requirement.
3. With the annexation of the CoSA’s ETJ, the proposed development will result in more connections than that stipulated in the City’s master plans for water and wastewater (54 versus 39 connections). This needs to be addressed in the Concept Plan.

4. The impact on the surrounding roads will need to be addressed in the Concept Plan and additional rights-of-way and improvements may be required for this development.

Additional information was provided in the previous report that was presented at the regular meeting on May 13, 2021. This is attached as Attachment B.

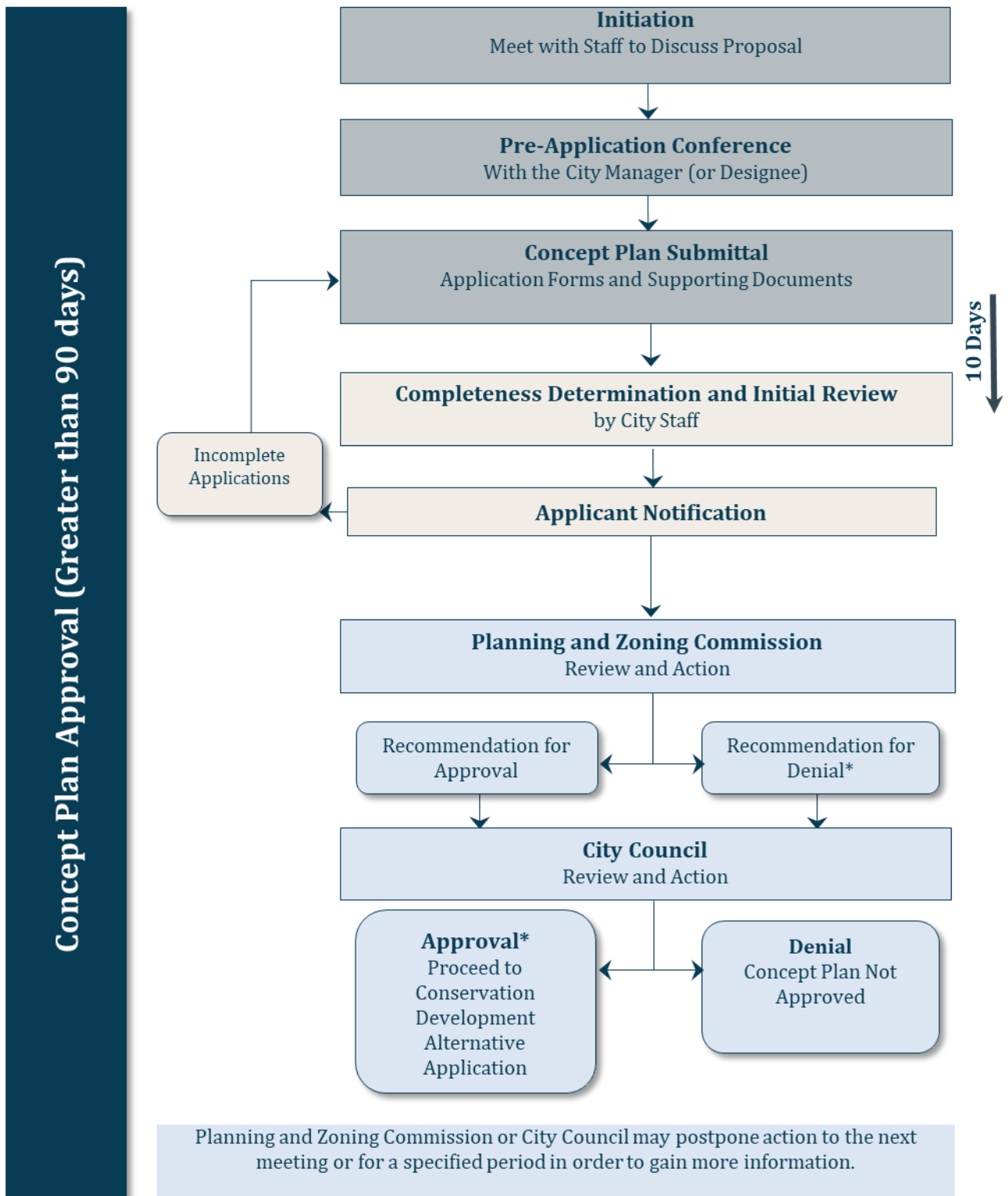
Future Steps

Annexation: For the development to be approved as proposed, the land currently located in the CoSA ETJ must be released by CoSA. Subsequent to release, CoFOR can consider adding this area to its' ETJ and advance annexation. The CoFOR does not have the authority to formally approve a concept plan on the CoSA ETJ portion until it is released by them.

Zoning/CDA approval: Subsequent to annexation, the City Council approval of Zoning and CDA will be required. The CDA approval is a two-step process and requires a Concept Plan approval and a Conservation Development Alternative approval. The process is summarized below.

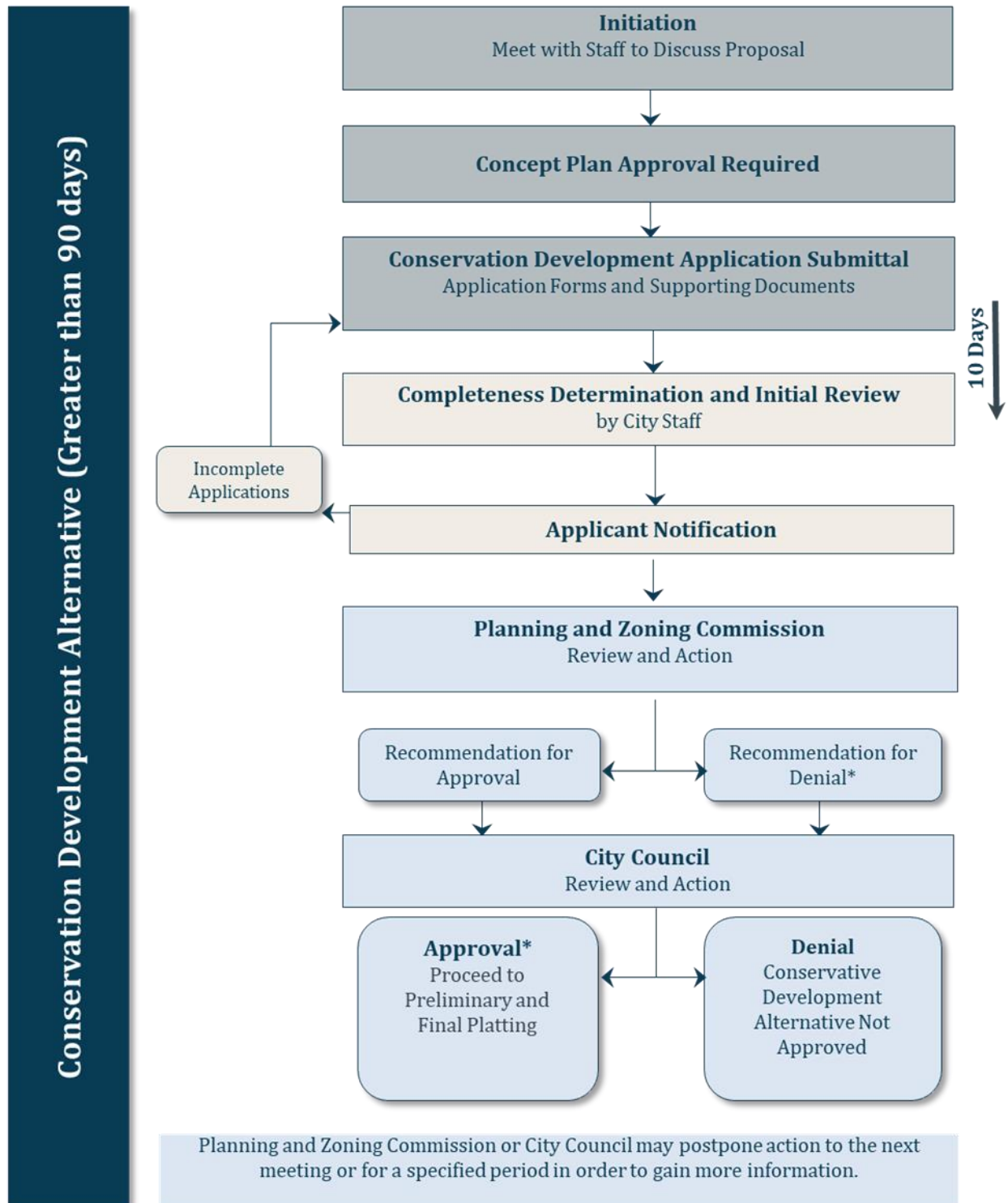
The annexation and zoning/CDA approval processes can be undertaken concurrently provided that the annexation is approved prior to the approval of the zoning/CDA.

Step 1 - Concept Plan Approval - Process Flowchart



*At least three-fourths vote of the city council is required to overrule a recommendation for denial by the Planning and Zoning Commission.

Step 2 – Conservation Development Alternative - Process Flowchart



*At least three-fourths vote of the city council is required to overrule a recommendation for denial by the Planning and Zoning Commission.

Exhibit A: Location Map

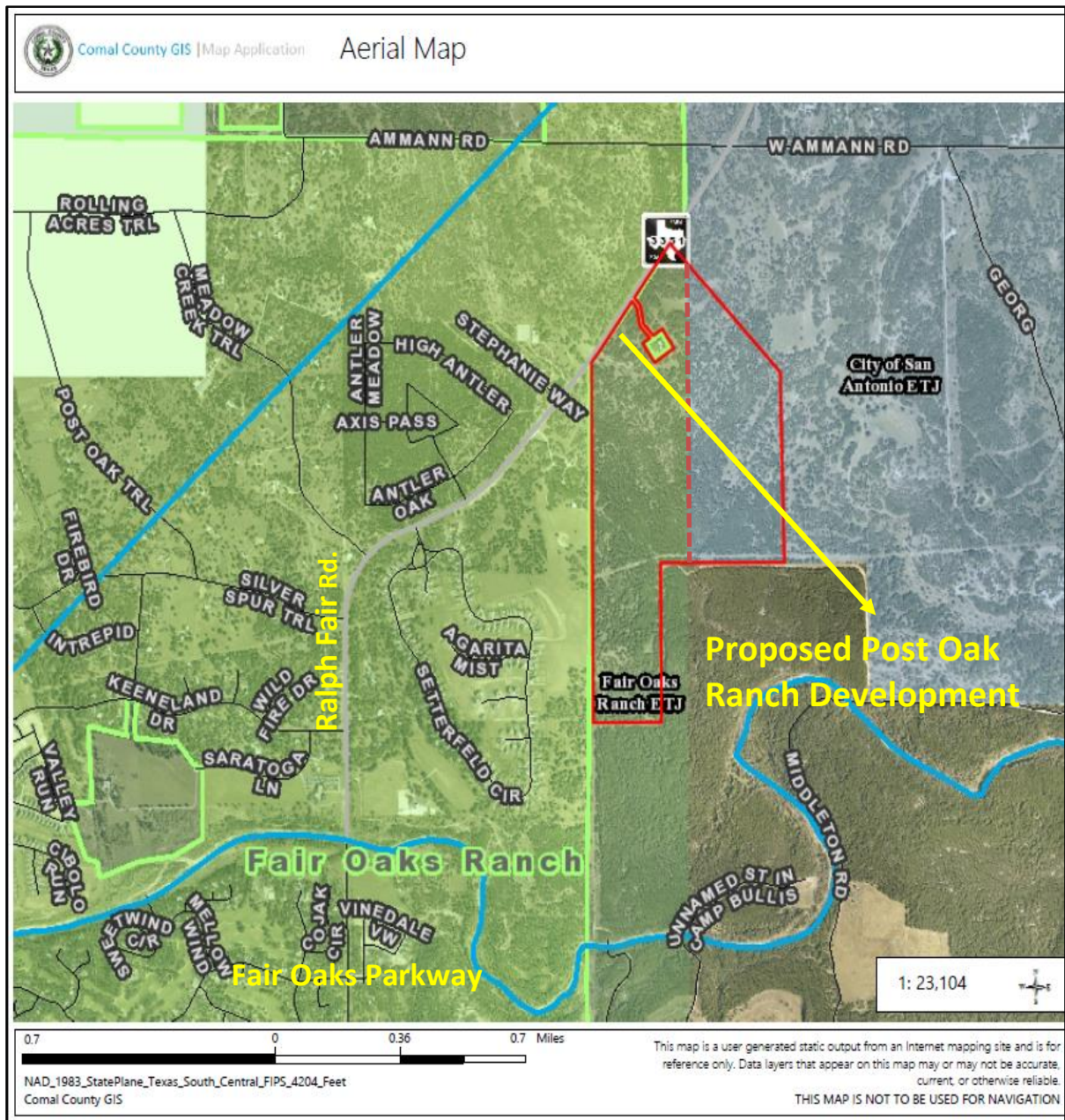


Exhibit B: Post Oak Ranch Master Plan – Previous version of May 2021

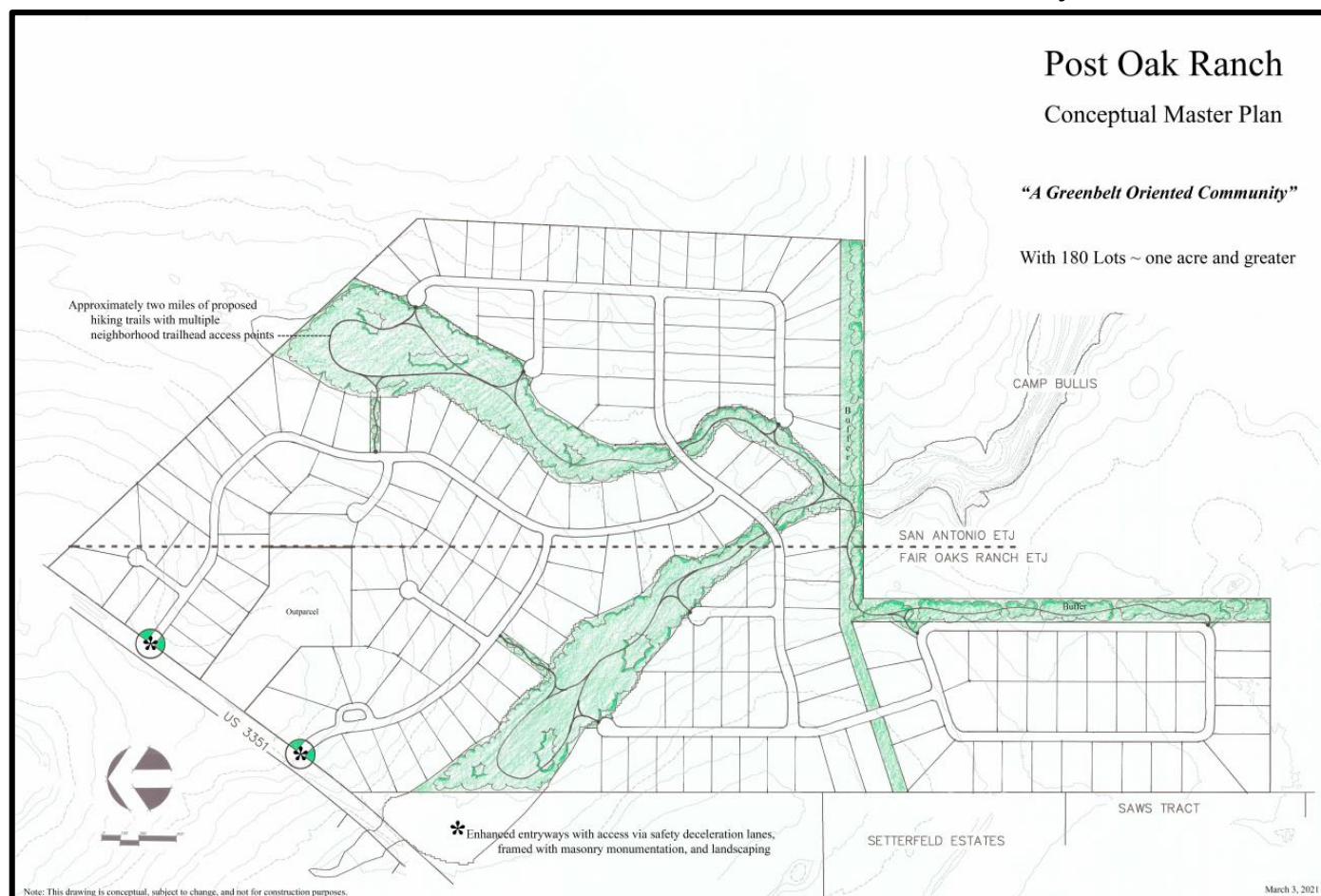


Exhibit C: Post Oak Ranch Master Plan – Current version of August 2021

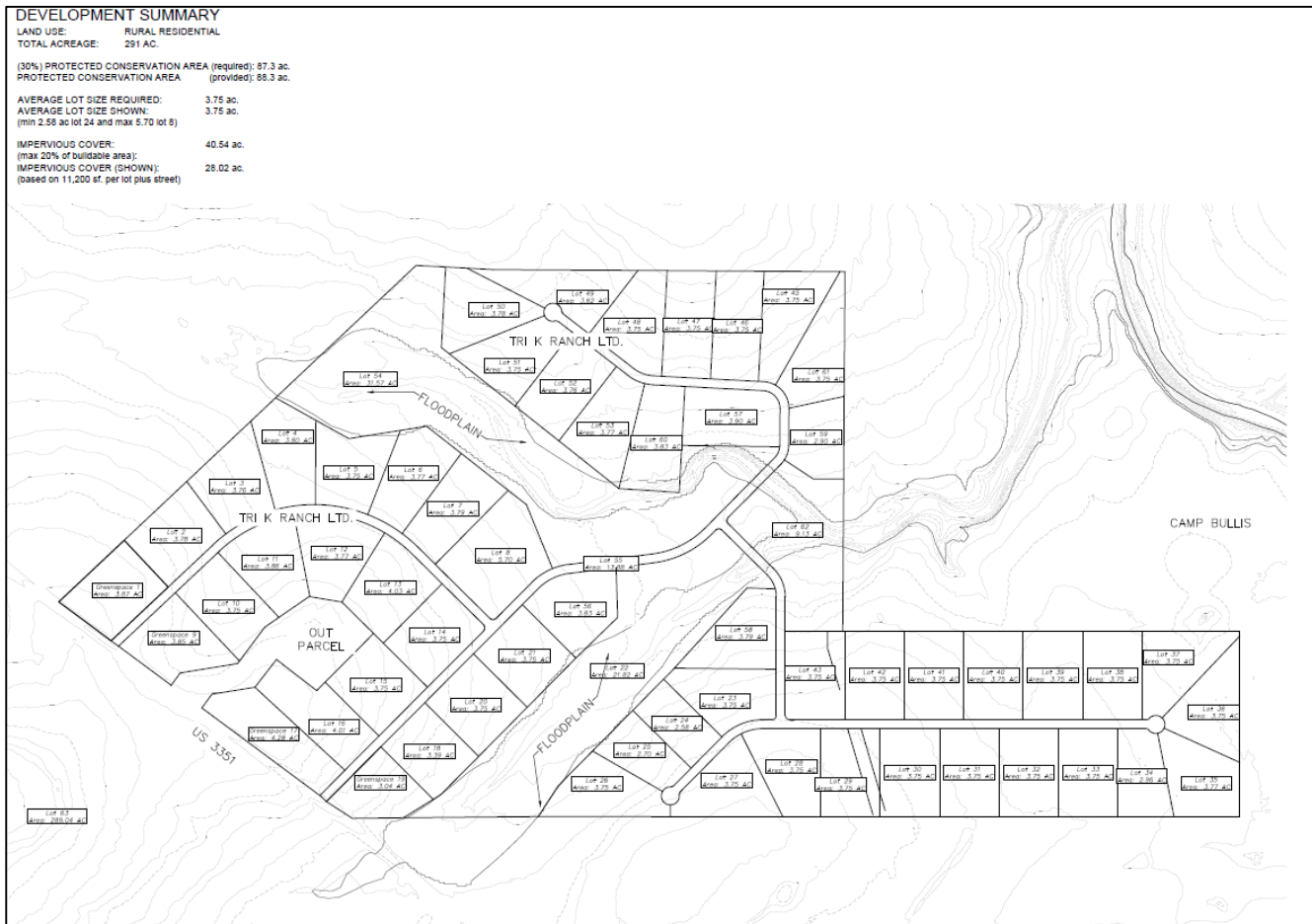


Exhibit D : Zoning Map

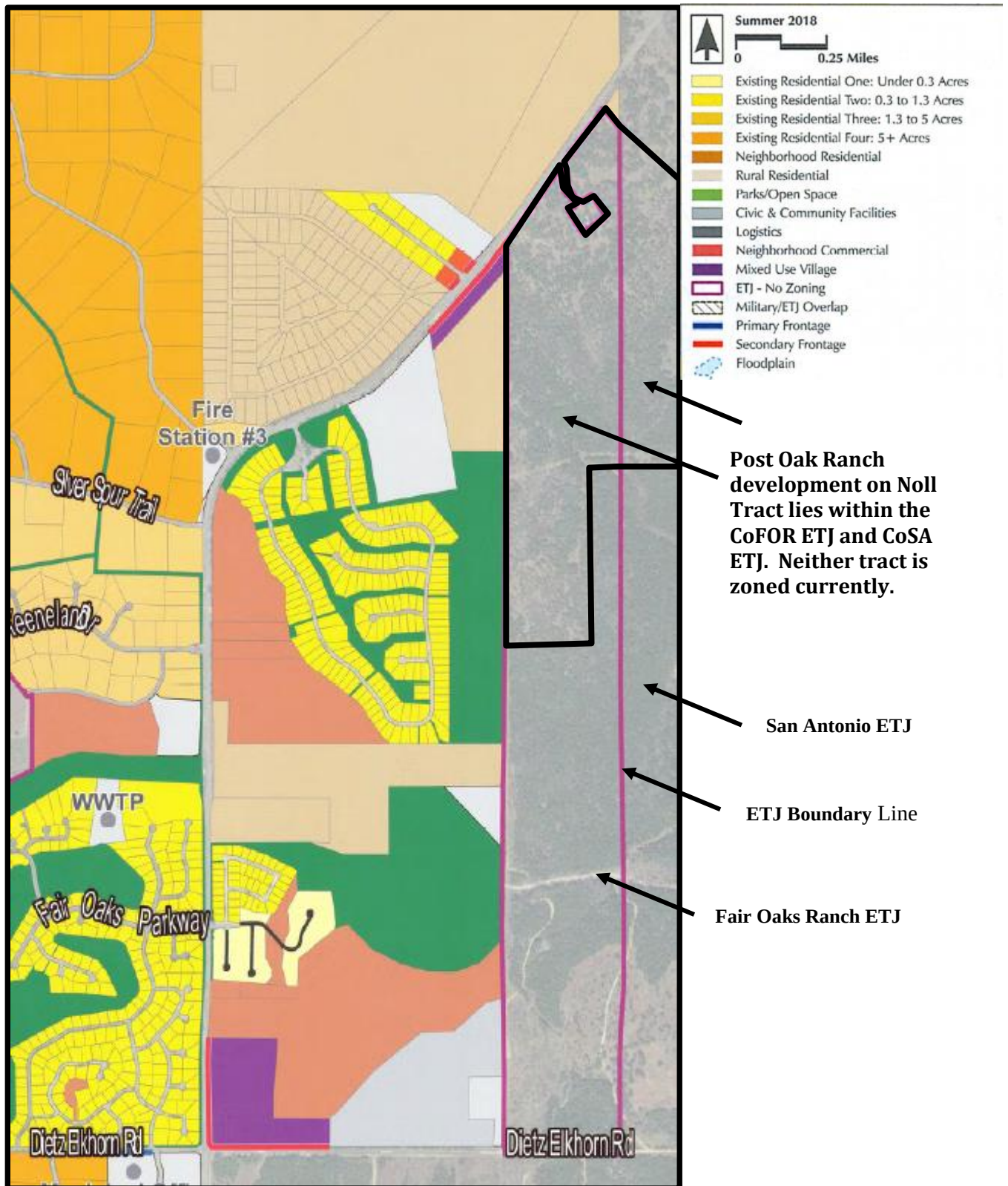


Exhibit E: Future Land Use Map

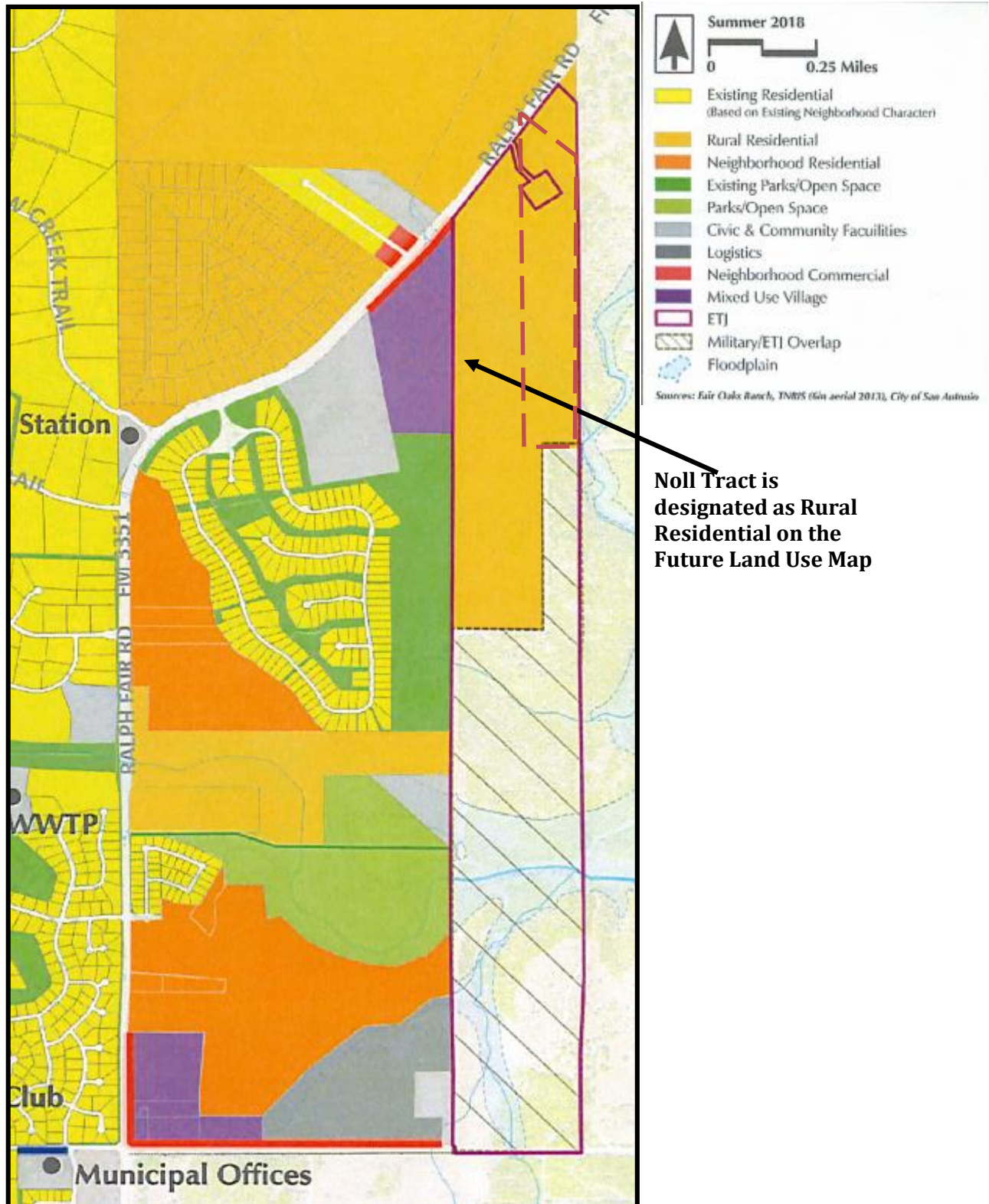


Exhibit F: Transportation Map

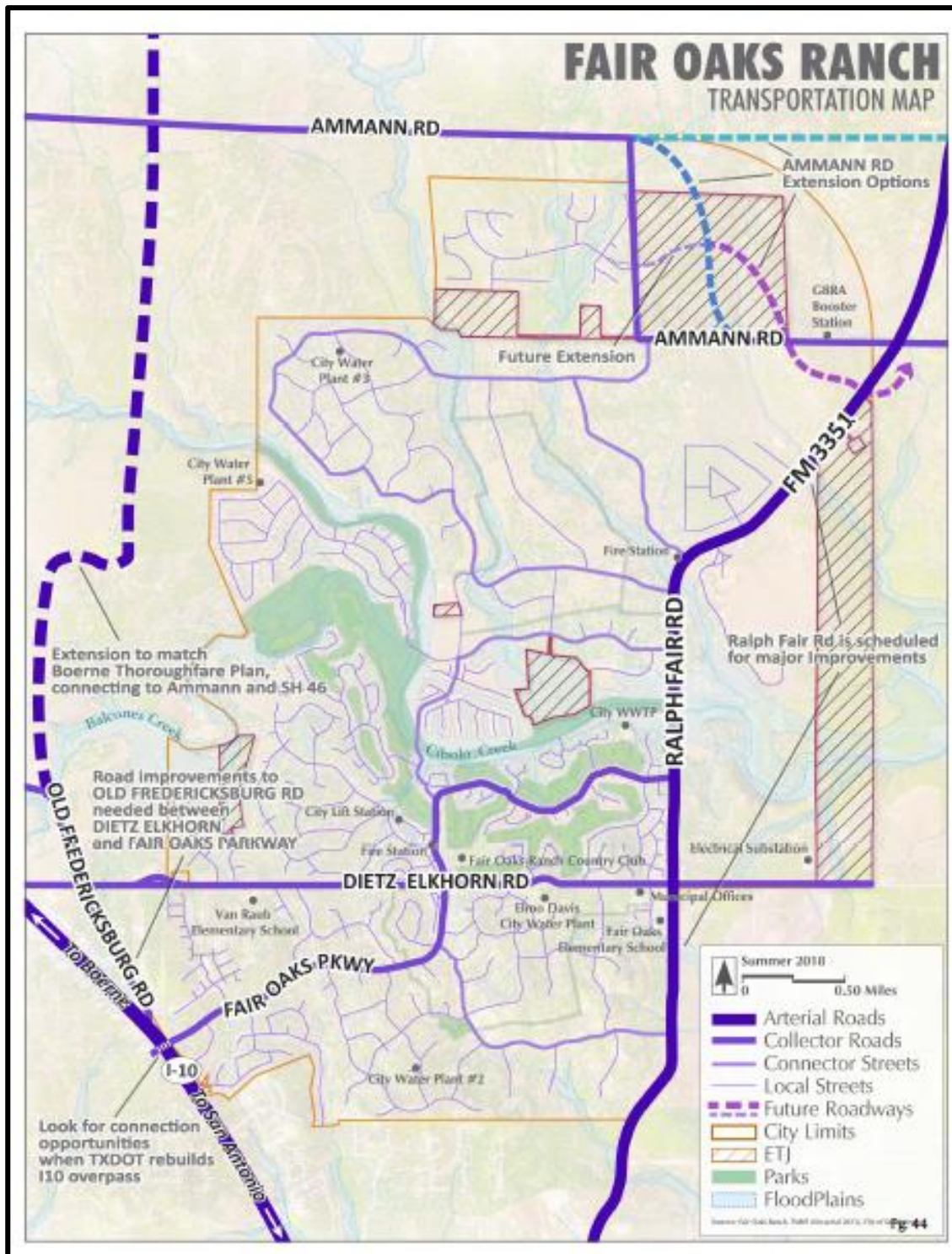


Exhibit G: Master Plan Water Connections By Planning Area (City of Fair Oaks Ranch)

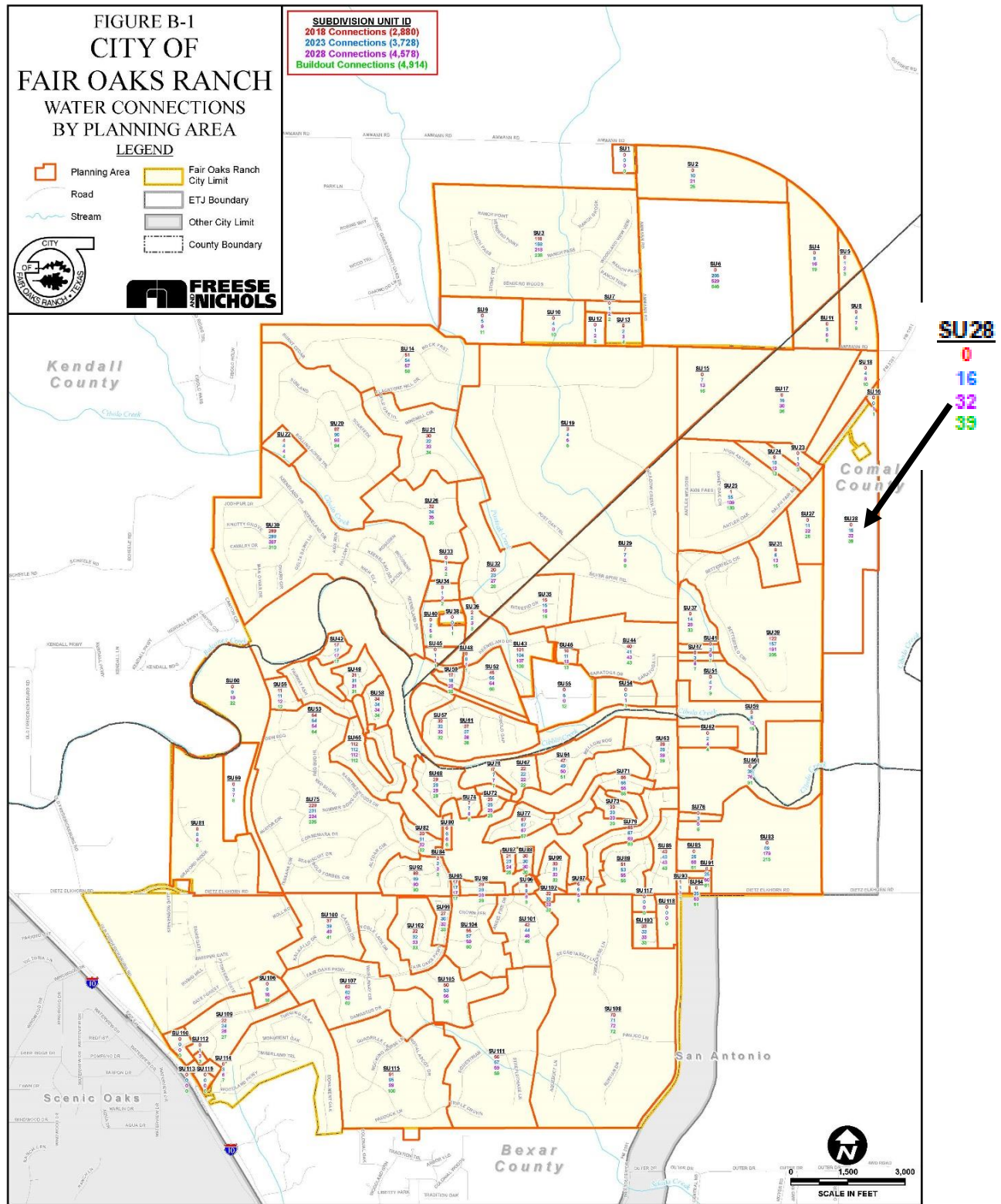
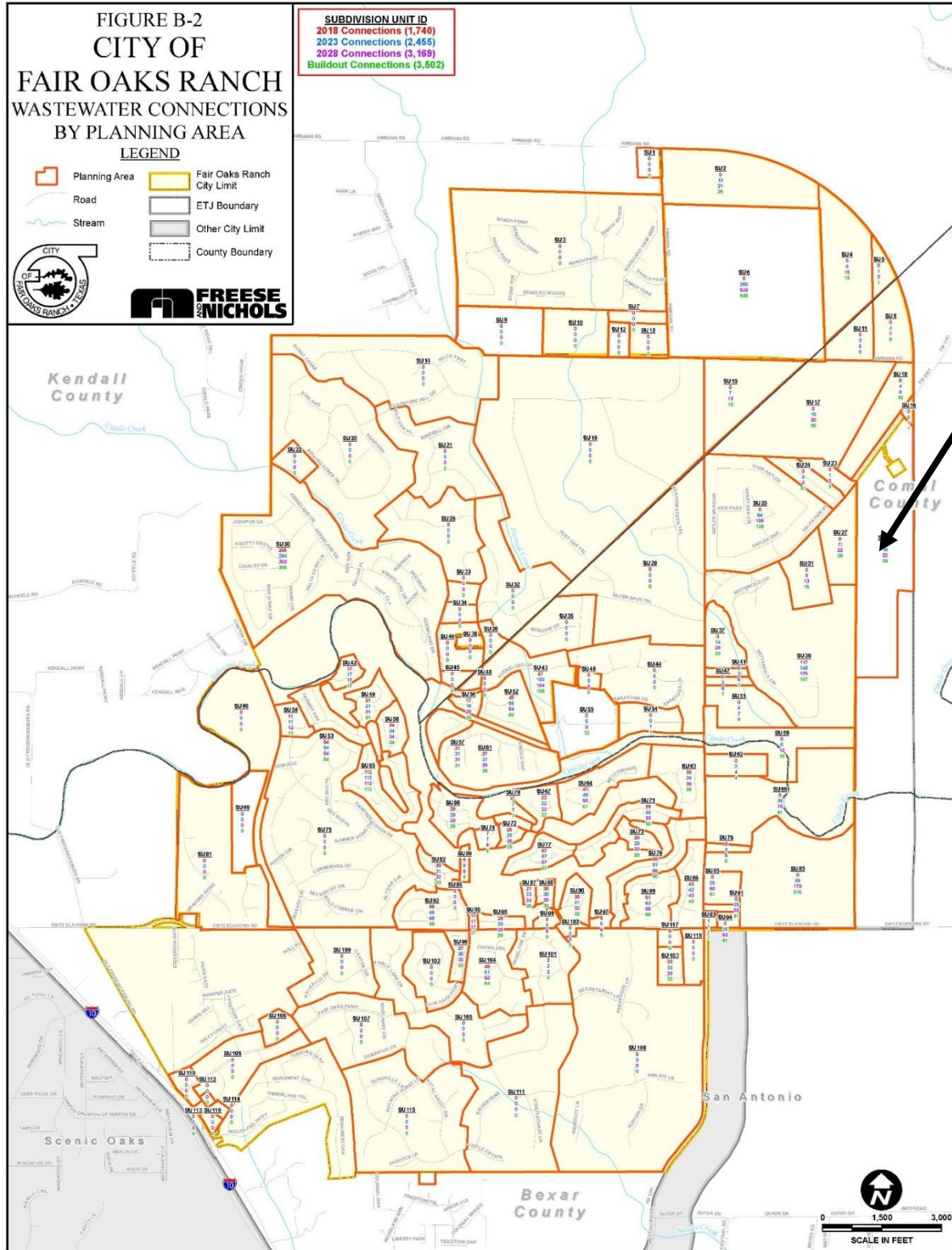


Exhibit H: Master Plan Wastewater Connections By Planning Area (City of Fair Oaks Ranch)



Post Oak Ranch CDA 8-12-21

Attachments

- A.** Development Agreement 2017
- B.** Staff Report Presented at the May 13, 2021 P&Z Meeting
- C.** Conservation Development Alternative (CDA) of Post Oak Ranch Preliminary Review
- D.** Application Packet



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CITY OF FAIR OAKS RANCH NON- ANNEXATION DEVELOPMENT AGREEMENT

This DEVELOPMENT AGREEMENT ("Agreement"), dated Nov 14, 2017 ("Effective Date"), made by and between the CITY OF FAIR OAKS RANCH, TEXAS, a home rule municipality located in Bexar, Comal and Kendal County, Texas ("City"), and EMMELINE K. WHITWORTH ("Landowner");

RUSSELL T. NOEL ARTHUR W. NOEL
WHEREAS, Landowner owns certain real property located in Comal County, Texas that is appraised for ad valorem tax purposes as land for agricultural or wildlife management use under Subchapter C or D, Chapter 23, Tax Code, or as timber land under Subchapter E of that chapter of the Tax Code ("Tax Exemptions") and such real property being more particularly depicted in **Exhibit A** attached hereto and incorporated into this agreement (the "Property");

WHEREAS, Texas Local Government Code Section 43.035 requires that before unilateral annexation of a property which is appraised for Tax Exemptions that a municipality must offer a development agreement to said property owner pursuant to Texas Local Government Code Section 212.172 that guarantees the continuation of the extraterritorial status of the area for a certain time and authorizes the enforcement of all regulations and planning authority of the municipality that do not interfere with the use of the area for agriculture, wildlife management, or timber; and

WHEREAS, City and Landowner agree that this Agreement satisfies the requirements of Texas Local Government Code Sections 43.035 and 212.172; and

WHEREAS, in recognition of the mutual benefits to be derived from the controlled development of the Property and its guaranteed continued extra territorial status for a certain time, Landowner and City desire to enter into this agreement, pursuant to §§212.172 and 43.035 of the Local Government Code of the State of Texas, to evidence their agreements with respect to guaranteeing the continuation of the extraterritorial status of the land and its immunity from annexation by the City for a period years, extending the municipality's regulatory authority over the land by providing for all regulations and planning authority of the City that do not interfere with the use of the area for its currently appraised purpose, authorizing enforcement by the City of certain regulations in the same manner the regulations are enforced within the City's boundaries and authorizing enforcement by the City of certain agreed upon land use and development regulations; and

WHEREAS, the City of Fair Oaks Ranch City Council authorized and approved this agreement at a regularly scheduled council meeting in compliance with the Texas Open Meetings Act in

compliance with the laws of the State of Texas and the ordinances and Charter of the City of Fair Oaks Ranch on Nov 29 2017

NOW, THEREFORE, for and in consideration of the mutual promises and covenants contained or referred to herein, the receipt and sufficiency of which is hereby acknowledged by the City and the Landowner, the parties hereto agree as follows:

1. The Landowner covenants and agrees not to file a development document, master plan or for plat approval or a permit, not to include permits for uses existing on the date of this agreement ("Existing Uses"), on their respective property until such property has been annexed into the City and zoned pursuant to all applicable laws of the State of Texas and ordinances of the City of Fair Oaks Ranch, said zoning to be at the sole discretion of the City.
2. Land Use. The Landowner further covenants and agrees not use the Property for any use other than the Existing Uses, without the prior written consent of the City, said Existing Uses specifically being uses that allow the Property Owner to retain its current applicable tax exemptions to the Property on the Effective Date of this agreement or those other Existing Uses as listed in **Exhibit B** attached hereto.
3. Municipal Regulations. Those municipal regulations listed in the **Exhibit C** attached hereto and incorporated by reference into this agreement, which both Landowner and City agree do not interfere with the Existing Uses of the Property, are hereby extended to the Property. The Landowner further covenants, agrees and authorizes enforcement by the City of these regulations in the same manner the regulations are enforced within the City's boundaries.
4. Permits and Vested Rights. Pursuant to Texas Local Government Code Section 43.035 this Agreement is not a permit for purposes of Chapter 245 of the Texas Government Code. Additionally, the Landowner and all Landowner's heirs, successors and assigns hereby specifically waive any and all vested rights including rights and claims that they may have under common law, federal case law or Section 43.002 of the Texas Local Government Code related to uses, anticipated uses or potential uses of the Property, other than the Existing Uses.
5. Municipal Services Before and After Annexation. The City shall not be obligated to provide the landowner with any municipal services (such as police protection, fire protection, drainage and street construction, or maintenance), with respect to the Property for the duration of this Agreement. Upon annexation of the Property the City and Landowner hereby agree that the attached **Exhibit D** to this Agreement represents the services to be provided to the Property upon it's annexation, that the municipal services provided for herein after annexation were negotiated between the City and the Landowner and that this Agreement and **Exhibit D** to this Agreement represents compliance with Texas Local Government Code Section 43.0672 enacted by S.B. NO. 6, 85th Legislative Session, 1st C.S., Section 26.

6. Extraterritorial Status. The City hereby guarantees the extraterritorial status of the Property and that it shall not annex the Property for the duration of this agreement. Except that, regardless of how the area is then currently appraised for ad valorem tax purposes, should the Landowner or the Landowner's heirs, successors or assigns file for any type of development document, master plan, plat approval or permit for the area with a governmental entity that has jurisdiction over the area, or change the existing use to a use not allowed hereunder then this provision of the Agreement shall be void pursuant to Texas Local Government Code Section 43.035. Plat is defined as any plat authorized by Chapters 212 or 232 of the Texas Local Government Code, or their successor statutes. Permit is defined the same as in Local Government Code Chapter 245. *CONTINUED ON SIGNATURE PAGE*
7. Voluntary Annexation. Should the Landowner, heirs, successors or assigns file for any type of development document, master plan, plat approval or permit for the area with a governmental entity that has jurisdiction over the area, or change the existing use to a use not allowed hereunder this provision then said action shall be deemed a request for annexation by the City with this agreement serving as the request and the Property shall, at the discretion of the City, be annexed into the City. The Landowner and Landowner's heirs, successors and assigns covenant and agree that such annexation is voluntarily made and is requested. *INITIAL [Signature]*
8. Amendments. Neither this Agreement nor any term hereof may be changed, waived, discharged or terminated except by an agreement in writing signed by all parties hereto.
9. Law Governing. This agreement shall be deemed to be a contract under the laws of the State of Texas which is performable in *POMAL*, County, Texas, and for all purposes shall be construed and enforced in accordance with and governed by the laws of the State of Texas.
10. Assignment; Binding Effect. The parties may not assign this Agreement to any other person or entity without the prior written consent of the other; provided, however, that no such assignment shall operate to release the assigning party from its obligations hereunder. This Agreement and all of its terms and provisions shall be binding upon and inure to the benefit of the City and the Landowner and their respective successors and assigns, including all future owners of the Property. *ATA AWW 4.5.2017*
11. Duration; Expiration. This Agreement shall be in effect for ~~15~~ years from the date signed by the parties. Upon the expiration of this Agreement, the Landowner and Landowner's successors, heirs or assigns agree that this Agreement represents a request for annexation and further agree that such annexation is voluntarily made and is requested.
12. Counterparts. To facilitate execution, this Agreement may be executed in any number of counterparts as may be convenient or necessary, and it shall not be necessary that the signatures of all parties hereto be contained on any one counterpart hereof. A facsimile transmission shall be deemed to be an original signature.

EXECUTED by the parties hereto to be effective as of the date first set forth above.

City of Fair Oaks Ranch, a home rule
Municipality located in Bexar, Comal and
Kendall County, Texas

By: Tobin E. Maples
Tobin E. Maples
City Manager

Date: 11-29-2017

Landowner:

By: Emmeline K. Whitworth
Signature: Emmeline K. Whitworth

Address: P O Box 392

City: Boerne

State/Zip: Texas 78006

Date: November 14, 2017

By: Arthur W. Noll
Signature: Arthur W. Noll

Address: 13419 Vista del Prado

City: San Antonio

State/Zip: Texas 78216

Date: November 14, 2017

By: Russell T. Noll
Signature: Russell T. Noll

Address: P O Box 77

City: Boerne

State/Zip: Texas 78006

Date: November 14, 2017

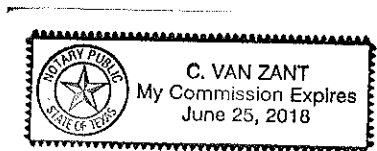


Paragraph 6 Continued: "Notwithstanding the foregoing, the Landowner may construct or cause to be constructed a single-family residential structure and related accessory structures on the Property. If a single-family residential structure is constructed on the Property, the City may annex a portion of the Property that includes the single-family structure and up to three (3) acres of the Property. The configuration of the area around the single-family structure shall be established by a survey prepared by the Landowner in coordination with the City."

STATE OF TEXAS §

COUNTY OF BEXAR §

This instrument was acknowledged before on the 29th day of November 2017, by Tobin E. Maples.

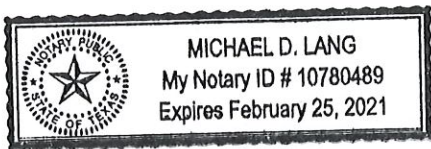


C. Van Zant
Notary Public, State of Texas

STATE OF TEXAS §

COUNTY OF KENDALL §

This instrument was acknowledged before me on the 14 day of November, 2017, by Emmeline K. Whitworth.

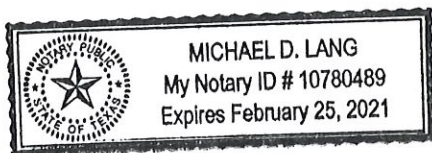


Michael D. Lang
Notary Public, State of Texas

STATE OF TEXAS §

COUNTY OF KENDALL §

This instrument was acknowledged before me on the 14 day of November, 2017, by Arthur W. Noll.

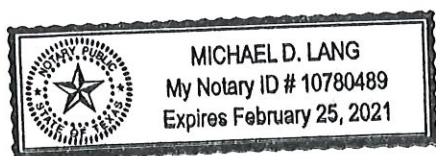


Michael D. Lang
Notary Public, State of Texas

STATE OF TEXAS §

COUNTY OF KENDALL §

This instrument was acknowledged before me on the 14 day of November, 2017, by Russell T. Noll.



Michael D. Lang
Notary Public, State of Texas

Exhibit A

Subject: Property

WHITWORTH EMMELINE K ET AL

County:	Comal	Exemption:	N/A
Appraisal District Identification Number:	75032	State Code:	D2
Total Acreage:		282.56	
Acres / % in San Antonio ETJ:		111.79 / 39.56%	
Acres / % in Fair Oaks Ranch ETJ:		170.77 / 60.44%	
Site Address:		FM 3351 BOERNE, TX 78006	
Contact Address:		c/o PO BOX 392 BOERNE, TX, 78006	

92

RECORDER'S MEMORANDUM
THIS DOCUMENT WAS OF POOR
QUALITY AT THE TIME OF RECORDING
AND MAY NOT REPRODUCE

Exhibit "B"

- State Tax Code "D2"

ADDED TO EFFECT SCANNING
PER COMAL COUNTY CLERK

ADDED TO EFFECT SCANNING
PER COMAL COUNTY CLERK

Exhibit "C"

- Fair Oaks Ranch, TX Code of Ordinances

ADDED TO EFFECT SCANNING
PER COMAL COUNTY CLERK

ADDED TO EFFECT SCANNING
PER COMAL COUNTY CLERK

Exhibit "D"

CITY OF FAIR OAKS RANCH, TEXAS

SERVICE PLAN FOR 2017 ANNEXATION

AREA ANNEXED

Approximately 282.56 +/- acres of Land, located in Comal County, Texas, as shown on the map attached hereto as "Subject Property".

INTRODUCTION

This service plan has been prepared in accordance with Local Government Code Section 43.056. Municipal facilities and services to the annexed area described above will be provided or made available on behalf of the City at the following levels and in accordance with the following schedule.

SERVICES PROVIDED BY THE EFFECTIVE DATE OF ANNEXATION

1. **Police Protection**

The City of Fair Oaks Ranch, Texas and its Police Department will provide police protection to newly annexed areas at the same or similar level of service now being provided to other areas of the City with like topography, land use and population density as those found within the newly annexed areas. The Police Department will have the responsibility to respond to all dispatched calls for service or assistance within the newly annexed areas.

2. **Fire Protection and Emergency Medical Services**

The City of Fair Oaks Ranch, Texas contracts with Leon Springs Volunteer Fire Department for Fire and Emergency Response services and will provide fire protection and emergency response services through that contract to newly annexed areas at the same or similar level of service now being provided to other areas of the City, with like topography, land use and population density as those found within the newly annexed areas.

The City of Fair Oaks Ranch, Texas contracts with Acadian for EMS services and will provide EMS services through that contract to newly annexed areas at the same or similar level of service now being provided to other areas of the City, with like topography, land use and population density as those found within the newly annexed areas.

3. **Maintenance of Water and Wastewater Facilities**

All of the newly annexed properties are/or may be within the service area of Fair Oaks Ranch, Aqua Texas Inc., Enchanted Oaks Water Systems, San Antonio Water System, SJWTX Inc.

All wastewater facilities owned or maintained by the City of Fair Oaks Ranch at the time of the proposed annexation shall continue to be maintained by the City of Fair Oaks Ranch. All wastewater facilities which may be acquired subsequent to the annexation of the proposed areas shall be maintained by the City of Fair Oaks Ranch to the extent of its ownership. The now existing wastewater mains at existing locations shall be available for the point of use extension based upon the City of Fair Oaks Ranch standard extension policy now existing or as may be amended. On-site sewerage systems may be maintained in accordance with the City's Code of Ordinances.

4. **Solid Waste Collection**

The City of Fair Oaks Ranch, Texas contracts with Republic Services for the collection of residential solid waste, refuse, and recycling within the corporate limits of the City and will provide residential solid waste, refuse, and recycling services through that contract to citizens in the newly annexed areas at the same or similar level of service now being provided to other areas of the City with like topography, land use and density as those found within the newly annexed areas. The City may

negotiate with annexed areas to allow continued services with an existing solid waste management provider. After the second anniversary of the annexation date, the City will impose fees and provide the service.

If areas with private roads and/or gates are arranged so that garbage may be collected without creating a safety hazard, the City, at its discretion, may collect the garbage provided proper indemnification is received from the community association or individual property owners. The City will then impose fees and provide the service. Garbage collection locations shall be subject to the approval of the Sanitation Manager. In the event the City does not collect garbage within the areas with private roads and/or gates, residents of these areas will not be billed for service after the two-year date.

5. **Maintenance of Roads and Streets**

Any and all public roads, streets or alleyways shall be maintained to the same degree and extent that other public roads, streets, and alleyways are maintained in areas of the City with like topography, land use and density as those found within the newly annexed areas. Private roads will remain under the ownership of the homeowners association and as such maintained by the association.

6. **Maintenance of Parks, Playgrounds, and Swimming Pools**

The City of Fair Oaks Ranch, Texas is not aware of the existence of any publicly owned parks, playgrounds or swimming pools now located in the proposed areas of annexation. In the event any such parks, playgrounds, or swimming pools do exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas. Private facilities will remain under the ownership of the homeowners association and as such maintained by the association.

7. **Maintenance of any Publicly owned Facility, Building or Municipal Service**

The City of Fair Oaks Ranch, Texas is not aware of the existence of any publicly owned facility, building, or other municipal service now located in the proposed areas of annexation. In the event any publicly owned facility, building, or other municipal service does exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas.

8. **Other Services**

The City of Fair Oaks Ranch, Texas finds and determines that such services as planning, code enforcement, animal control, library, parks and recreation, court and general administration will be made available after the effective date of annexation at the same or similar level of service now being provided to other areas of the City with similar topography, land use and density as those found within the newly annexed areas.

CONSTRUCTION OF ANY CAPITAL IMPROVEMENTS TO BE COMPLETED WITHIN 2 ½ YEARS

1. **Police and Fire Protection and Solid Waste Collection**

The City of Fair Oaks Ranch, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas for the purpose of providing police protection, fire protection, emergency medical services or solid waste collection. The City finds and determines that it has at the present time adequate facilities and other resources to provide the same type, kind and level of service and protection which is presently being administered to other areas already incorporated in the City of Fair Oaks Ranch, Texas with like topography, land use and population density as those found within the newly annexed areas.

2. **Wastewater Facilities**

For the next 2 ½ years, the City of Fair Oaks Ranch finds and determines that there is sufficient capacity for wastewater to provide services to the annexed areas pursuant to the City of Fair Oaks Ranch's extension policies. The construction of any capital improvements necessary to extend water and wastewater services to an annexed area will be completed pursuant to Chapter 43 of the Texas Local Government Code, as amended and the City Code of Ordinances.

3. **Roads and Streets**

The City of Fair Oaks Ranch, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas.

4. **Maintenance of Parks, Playgrounds, and Swimming Pools and Any Other Publicly Owned Facility, Building, or Service**

The City of Fair Oaks Ranch, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas for the purpose of parks maintenance, playgrounds, swimming pools and other publicly owned facility, building or service.

SPECIFIC FINDINGS

The City of Fair Oaks Ranch, Texas, finds and determines that this proposed service plan will not provide any fewer services and will not provide a lower level of service in the areas being considered for annexation that were in existence in the proposed areas at the time immediately preceding the annexation process. Given the proposed annexation areas' topography, land utilization and population density, the service levels to be provided in the newly annexed areas will be equivalent to those provided to other areas of the City with similar characteristics.

TERMS

This plan shall be valid for a term of ten (10) years. Renewal of the Service Plan is at the discretion of the City of Fair Oaks Ranch.

LEVEL OF SERVICE

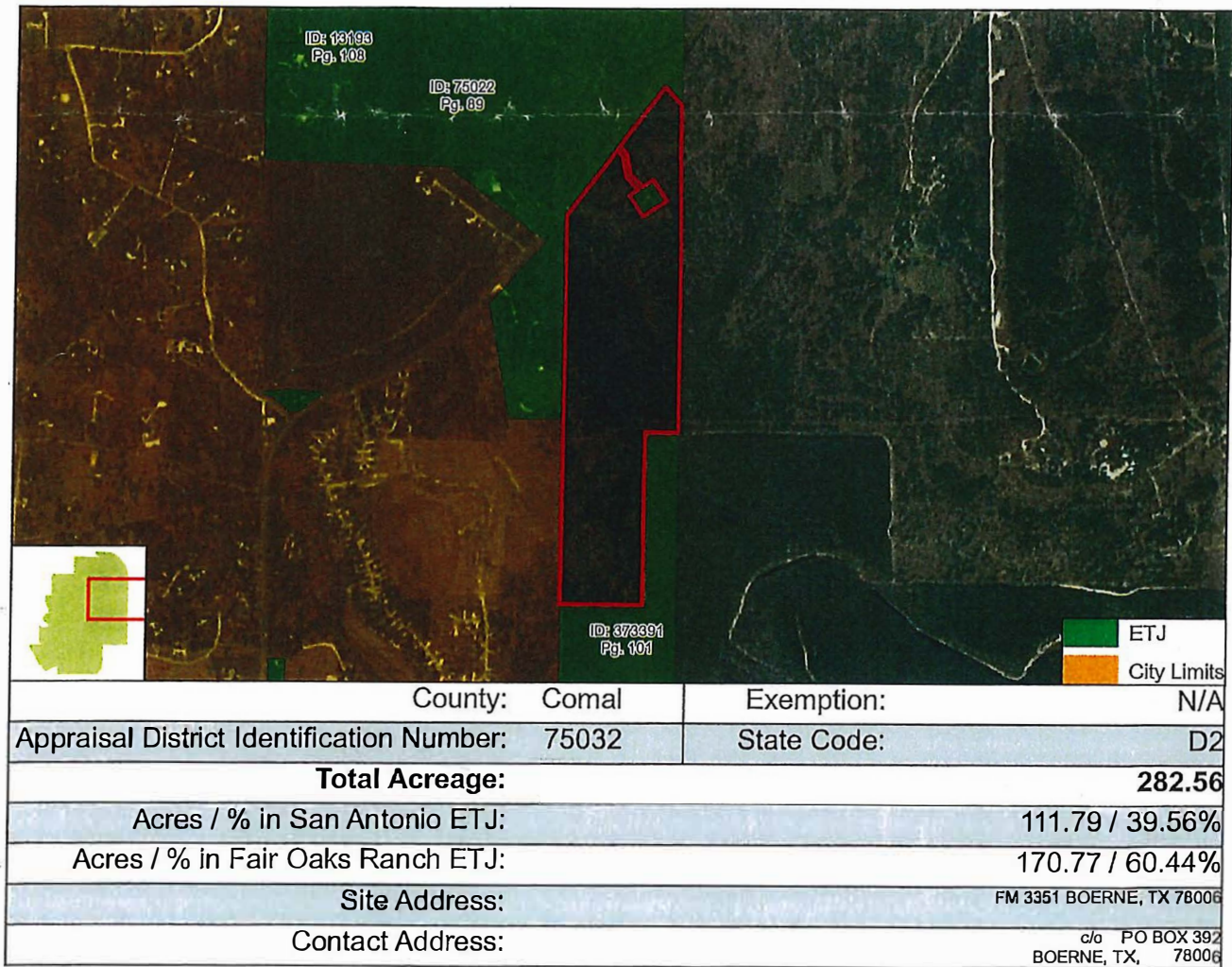
Nothing in this plan shall require the City to provide a uniform level of full municipal services to each area of the City, including the annexed areas, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

AMENDMENTS

The plan shall not be amended unless public hearings are held in accordance with Chapter 43 of the Texas Local Government Code.

Exhibit A

Subject: Property

WHITWORTH EMMELINE K ET AL

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RECORDER'S MEMORANDUM
THIS DOCUMENT WAS OF POOR
QUALITY AT THE TIME OF RECORDING
AND MAY NOT REPRODUCE

Filed and Recorded
Official Public Records
Bobbie Koepp, County Clerk
Comal County, Texas
12/11/2017 03:10:34 PM
LAURA 13 Page(s)
201706053598



Bobbie Koepp



PLANNING & ZONING CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS
May 13, 2021

Attachment B

AGENDA TOPIC: Request of Denton Communities to discuss the Noll Tract Development for the proposed Post Oak Ranch Single Family Residential Development. Generally located south-east of the intersection of Ammann Road and Ralph Fair Road and northeast of Setterfeld Estates, along the east side of FM 3351.

DATE: May 13, 2021

DEPARTMENT: Public Works and Engineering Services

PRESENTED BY: Katherine Schweitzer, P.E., Manager of Engineering Services
 Lata Krishnarao, AICP, LEED ND, Consultant, Gunda Corporation
 Lloyd A. "Laddie" Denton, Jr., Denton Communities
 Paul Schroeder, P.E., RPLS, Vickrey & Associates, LLC.

INTRODUCTION/BACKGROUND:

In November 2017 the City entered into a non-annexation Development Agreement (attached) on 170.77 acres (Noll Tract) owned by Emmeline K. Whitworth, Russell T. Noll and Arthur W. Noll. The Tract is undeveloped ranch land located in the city's ETJ, Comal County fronting FM 3351 (Ralph Fair Road) between Setterfeld Estates and Ammann Road. In addition to the 170.77 acres in the City of Fair Oaks Ranch ETJ, the proposed development includes 111.79 acres within the ETJ of the City of San Antonio (CoSA).

The City of Fair Oaks Ranch Land Use Map (FLUM) designates this property as Rural Residential. Rural Residential designation recommends residential development with lots having a minimum size of 5 acres each. A detailed staff report relative to the entire 282 acre development is attached.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

1. Transparency regarding proposed development
2. Obtain feedback from the Planning and Zoning Commission on the conceptual land plan proposed by the developer.

LONGTERM FINANCIAL & BUDGETARY IMPACT:

Not applicable at this time.

LEGAL ANALYSIS:

Not applicable at this time.

RECOMMENDATION/PROPOSED MOTION:

No formal action is required but the developer is seeking insight and direction.

STAFF REPORT

AGENDA TOPIC: Request of Denton Communities to discuss the Noll Tract Development for the proposed Post Oak Ranch Single Family Residential Development. Generally located south-east of the intersection of Ammann Road and Ralph Fair Road and northeast of Setterfeld Estates, along the east side of FM 3351.

DATE: May 13, 2021

Summary:

Purpose: The purpose of the request is to gain feedback from the Planning and Zoning Commission on the possibility of developing the Noll Tract (Exhibit A: Location Map) in accordance with the Post Oak Ranch Master Plan (Exhibit B) prepared by the developer. The proposed 282 acre development will include 180 single family residential units on minimum one acre lots. Natural drainage areas are proposed to be maintained for trails, passive parks, and open space. Out of the 282 acres, approximately 170 acres area located within ETJ of the City of Fair Oaks Ranch (CoFOR) and 111 acres within the ETJ of the City of San Antonio (CoSA). Approximately 100 lots are proposed within CoFOR ETJ and 80 lots in CoSA ETJ.

Table 1: Comparison of Densities

For 282 Acres	Minimum Lot Size	Number of lots
Conventional Development	5 acres	40 lots approx.
Conservation Development Alternative	3.75 acres (blended average)	70 lots approx.
Proposed	1 acre	180 lots

Applicant's Proposal: Noll Tract is generally located south-east of the intersection of Ammann Road and Ralph Fair Road. The proposed development includes 111 acres within the ETJ of the City of San Antonio (CoSA) and 170 acres within the ETJ of the City of Fair Oaks Ranch (CoFOR). The proposed Post Oak Ranch Master Plan anticipates water service to be provided by Fair Oaks Ranch or others or split service based on the ETJ and possible annexation area limits. The lots are proposed to be serviced by private septic or aerobic systems. The applicant has indicated that platting in CoSA ETJ would be with Comal County. The development within CoFOR ETJ will be platted through the City of Fair Oaks Ranch. The applicant is in discussions with the City of San Antonio to remove the east portion of the Noll tract from CoSA's ETJ and include it in CoFOR's ETJ.

City's Master Plan: The City's master plans for water and wastewater connections for the area (Exhibit F and G) allow for a maximum of 39 connections to existing systems for the buildout for the portion of this property in Fair Oaks Ranch ETJ.

Non-Annexation Development Agreement: The existing Non-Annexation Development Agreement for Noll Tract was signed by the City and the owners in 2017 (Attachment A: Noll Tract Development

Development Agreement). Based on that agreement, a single-family residential structure and related accessory structures could be built on this property and the City had the ability to annex a portion of the property that included the single-family structure and up to three (3) acres of the land around that structure, while the rest of the land remained in the ETJ. Any other development would trigger the parcel being annexed into the City and zoned pursuant to all applicable laws of the State of Texas and ordinances of the City of Fair Oaks Ranch, said zoning to be at the sole discretion of the City.

Planning and Zoning Commission Action: At this meeting, the applicant would like to get input from Planning and Zoning Commission on the possibility of the City of Fair Oaks Ranch:

- Entering a development and annexation agreement for 170 acre tract in CoFOR ETJ
- Entering a development and annexation agreement for the entire 282-acre tract
- Approving the proposed land plan layout and density (180 lots on 282 acres)
- Providing water service to the area within CoFOR ETJ if the developer will provide for the appropriate additional capacity to be added to the Fair Oaks Ranch system
- Providing water service to the entire tract if the east portion of the tract remains in CoSA ETJ

Location and Surroundings

A summary of the surrounding land uses, and zoning designations (Exhibit C: Zoning Map) can be found in the following table:

Table 2: Surrounding Uses

Zoning/Jurisdiction		Current Land Use
NORTH	CoSA ETJ CoFOR Rural Residential	Vacant-Undeveloped
SOUTH	Camp Bullis	Military Facility
EAST	CoSA ETJ	Vacant-Undeveloped
WEST	Existing Residential 2- 0.3 to 1.3 acres	Setterfeld Estates-Single Family Residential – Minimum lot size of 0.4 acres to 1 acre. (212 lots on 242 acres)

Conformance with Future Land Use Map

The Future Land Use Map (FLUM) adopted in June of 2018 designates this property as Rural Residential (RR). The Comprehensive Plan introduced this new zoning category in 2018 and describes RR as “*Rural Residential - The Rural Residential District (RR) is a residential district that includes land subdivided for single-family residential purposes and associated uses (outside Existing Residential districts). The lots are generally large (or have a large average*

Noll Tract Development

size inclusive of conservation areas), and are generally not served by urban infrastructure. For example, City sewer service may not be available – or even scheduled for construction – though this may vary. This district is intended to retain a rural character. Residences in the RR district are appropriate for direct access to primarily Local Rural Residential streets.”

The Comprehensive Plan recommended minimum lot size of five (5) acres for RR District. The proposed development type with a minimum lot size of 1 acre will not be in conformance with the current land use designation (see Exhibit D).

The City’s master plans for water and waste-water connections (Exhibits G and F) show a buildout of 39 single-family homes for the portion of the property COFOR ETJ. The proposed development proposes approximately 100 homes for this portion and therefore is not in conformance with the utility plans.

Further, this development will not be in conformance with the City’s vision stated in the 2017-18 Comprehensive Plan Update regarding annexation that recommends annexed areas to conform to the City’s character and guidelines. The vision states - *“Protect existing neighborhoods, property values, tax base, natural resources, and the City’s unique Hill Country character by bringing adjoining land areas within the extra-territorial jurisdiction into the City proper – and under the City’s development guidelines.”*

Conformance with the Unified Development Code (UDC)

According to the Future Land Use Map and Unified Development Code, the appropriate zoning for this tract is Rural Residential (RR) zoning district. The RR zoning district requires a minimum lot size of 5 acres. The proposed lot sizes of one acre minimum do not meet this requirement.

UDC also permits Conservation Development Alternative (CDA) for low impact developments. As per the UDC - “A Conservation Development is a development of land, occupying ten (10) contiguous acres or more, that is developed in a manner generally consistent with low impact development (LID) principles, is under unified control and is planned and developed as a whole in a single development operation or programmed series of development stages. The development may cover more than one parcel as long as all parcels are contiguous, but the entirety of each included parcel will be included in the gross area of the development.”

The CDA allows a blended average of 3.75 acres for RR zone. Based on this approximately 70 lots would be permitted with 90 acres of open space in the 280 acre tract. Based on this proposed density, the proposed development with 180 lots would not meet the CDA requirements. Also, it is not clear if the LID principles, as required for CDA development, are being proposed.

Table 3: Conservation Development Alternative Density Incentive (UDC section 8.1)

Zoning District	Neighborhood Residential	Rural Residential
Conventional Lot Size Minimum	1 Acre	5 Acre
Conservation Development Alternative Minimum	.75 Acre (blended average)	3.75 Acre (blended average)

Conformance with the Character of the Area

The proposed density will allow for development that may not be compatible with the surroundings, especially Camp Bullis on the south. The adjacent single-family residential developments of Setterfeld Estates and The Enclave at Fair Oaks Ranch that consist of one acre lots predate the current Comprehensive Plan and Unified Development Code. When the Comprehensive Plan was updated in 2018, the Rural Residential (RR) classification was added to preserve and enhance the “scenic, rural palette” and preserve the “City’s unique Hill Country character” to direct future development. Other abutting properties are undeveloped and are also designated as Rural Residential with a minimum lot size of five (5) acres in the Future Land Use Map. The proposed development would not be in congruence with the community’s vision for the character of the area.

Availability of Utilities

The tract is currently not serviced by City water or sewer. The City’s water and sewer Certificate of Convenience and Necessity (CCN) encompass the property within the City’s ETJ and there is an overlapping water CCN on the entire tract with SJWTX Inc. (Canyon Lake Water Service Company).

Conformance with the Transportation Map

Staff believes that the proposed development will have a significant impact on the current roads. All the traffic generated by the proposed development will be using CoFOR streets. As per the Transportation Map (Exhibit E), Ralph Fair Road is an arterial road that is programmed for major improvements. Additional rights-of-way and improvements may be required for this development.

Findings

1. The proposed development is not in conformance with the Comprehensive Plan and Future Land Use Map
2. The proposed development does not meet the requirements of the RR zone, that is recommended for this tract.
3. The proposed development will result in a denser development resulting in more connections than that stipulated in the City’s master plans for water and wastewater.
4. The proposed development will have a significant impact on the surrounding roads.

Noll Tract Development

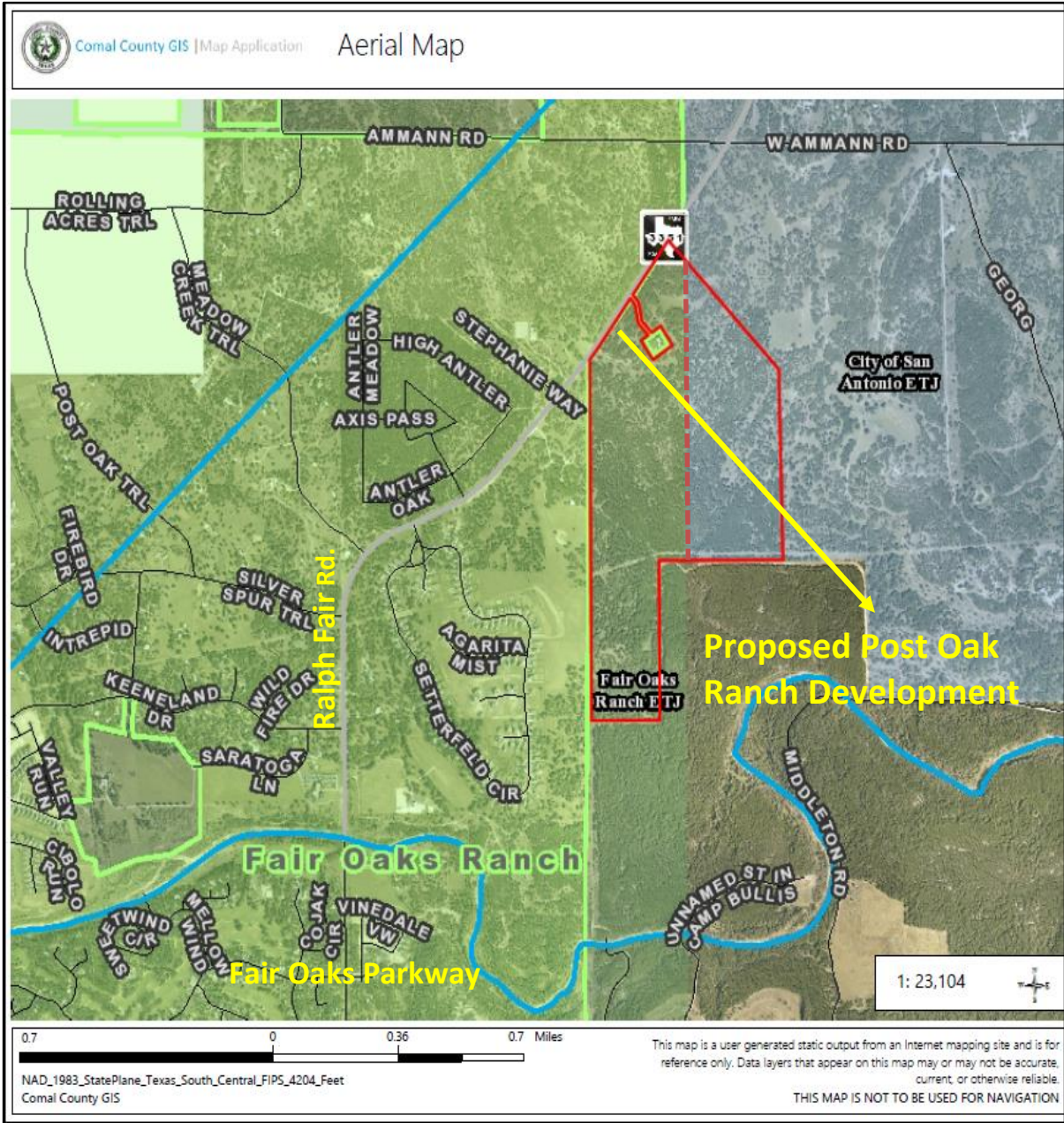
Exhibits

- A. Location Map
- B. Post Oak Ranch Master Plan
- C. Zoning Map
- D. Future Land Use Map (FLUM)
- E. Transportation Map
- F. Master Plan Water Connections By Planning Area (City of Fair Oaks Ranch)
- G. Master Plan Waste-water Connections By Planning Area (City of Fair Oaks Ranch)

Attachments

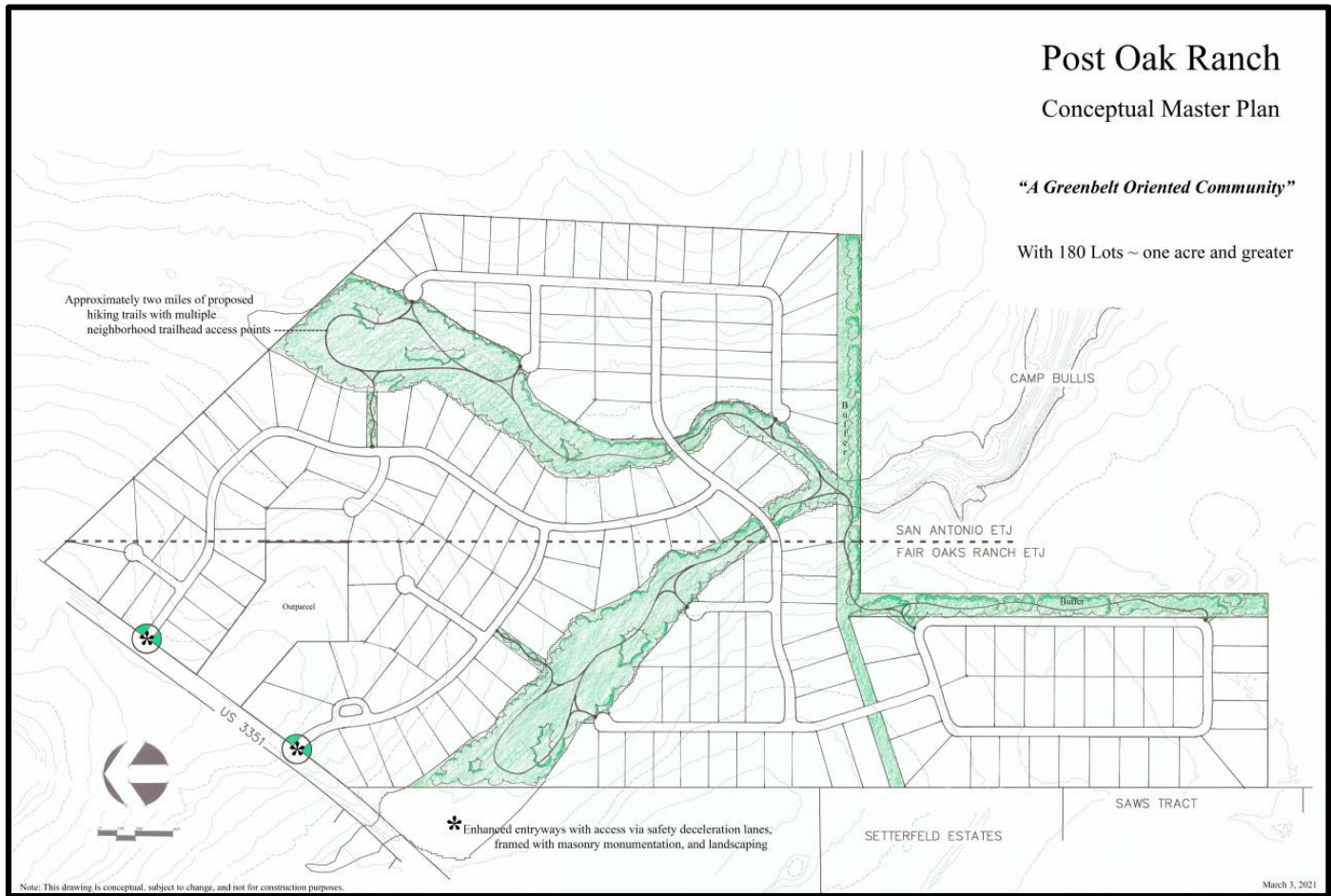
- A. Development Agreement 2017

Exhibit A: Location Map



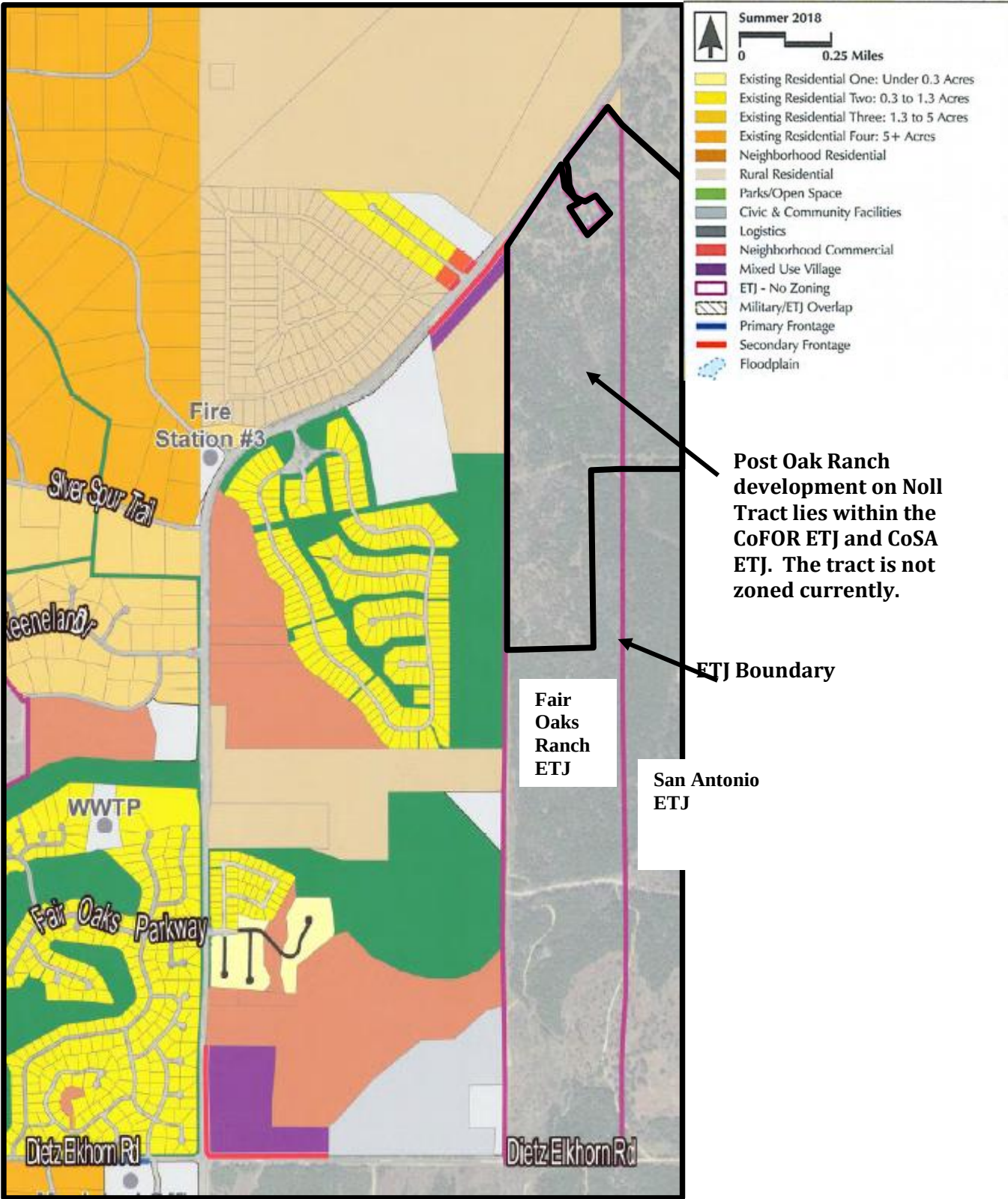
Noll Tract Development

Exhibit B: Post Oak Ranch Master Plan



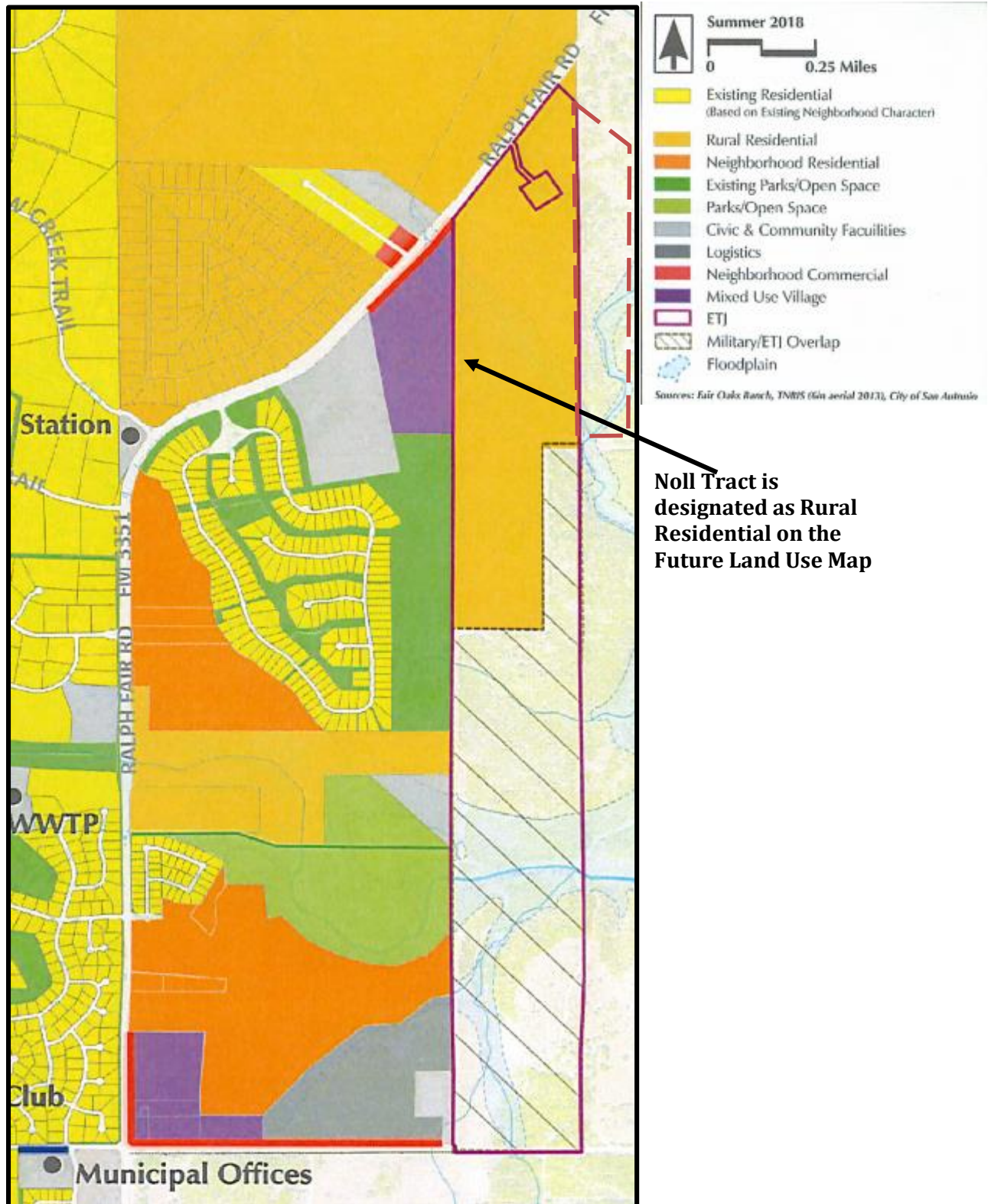
Noll Tract Development

Exhibit C : Zoning Map



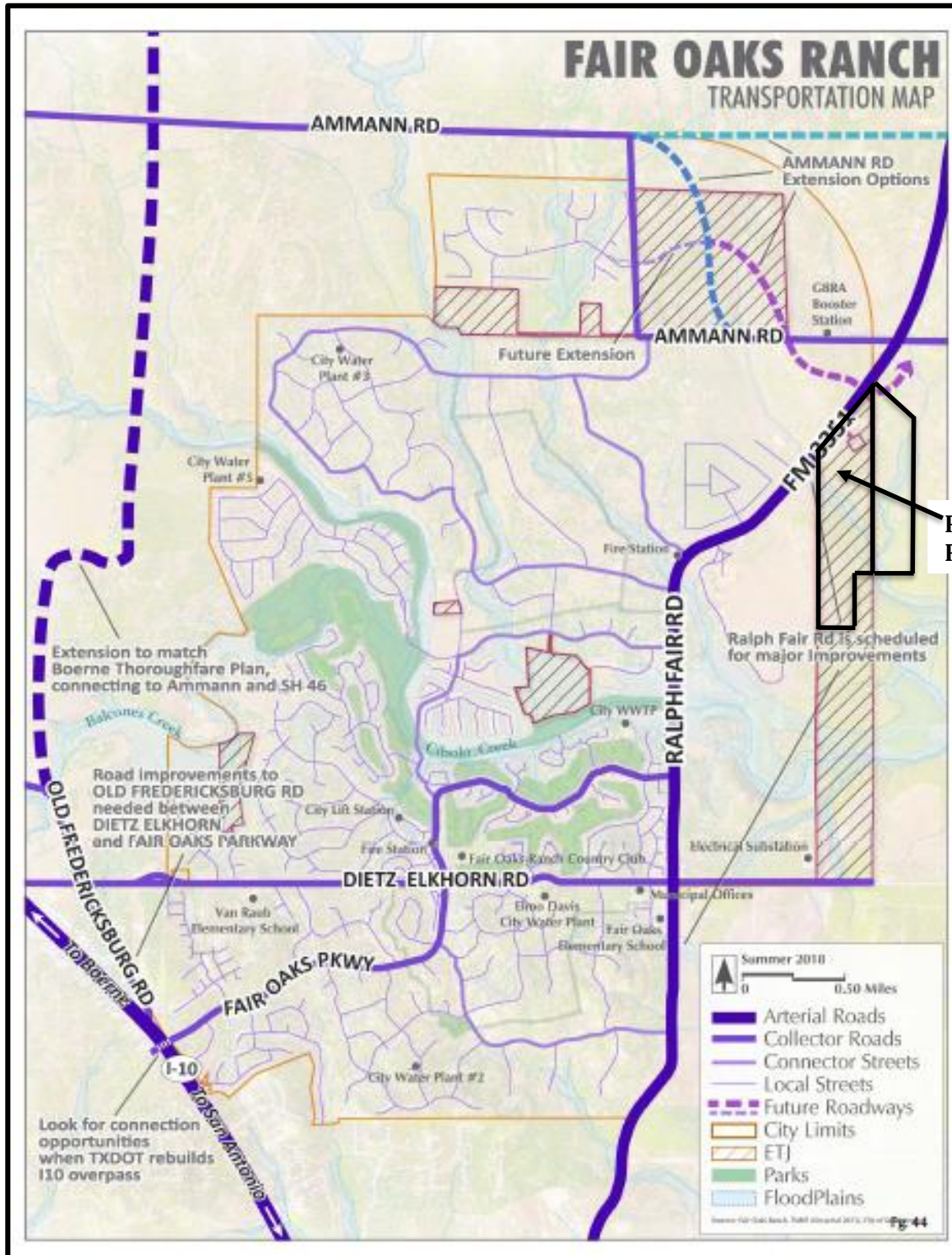
Noll Tract Development

Exhibit D: Future Land Use Map



Noll Tract Development

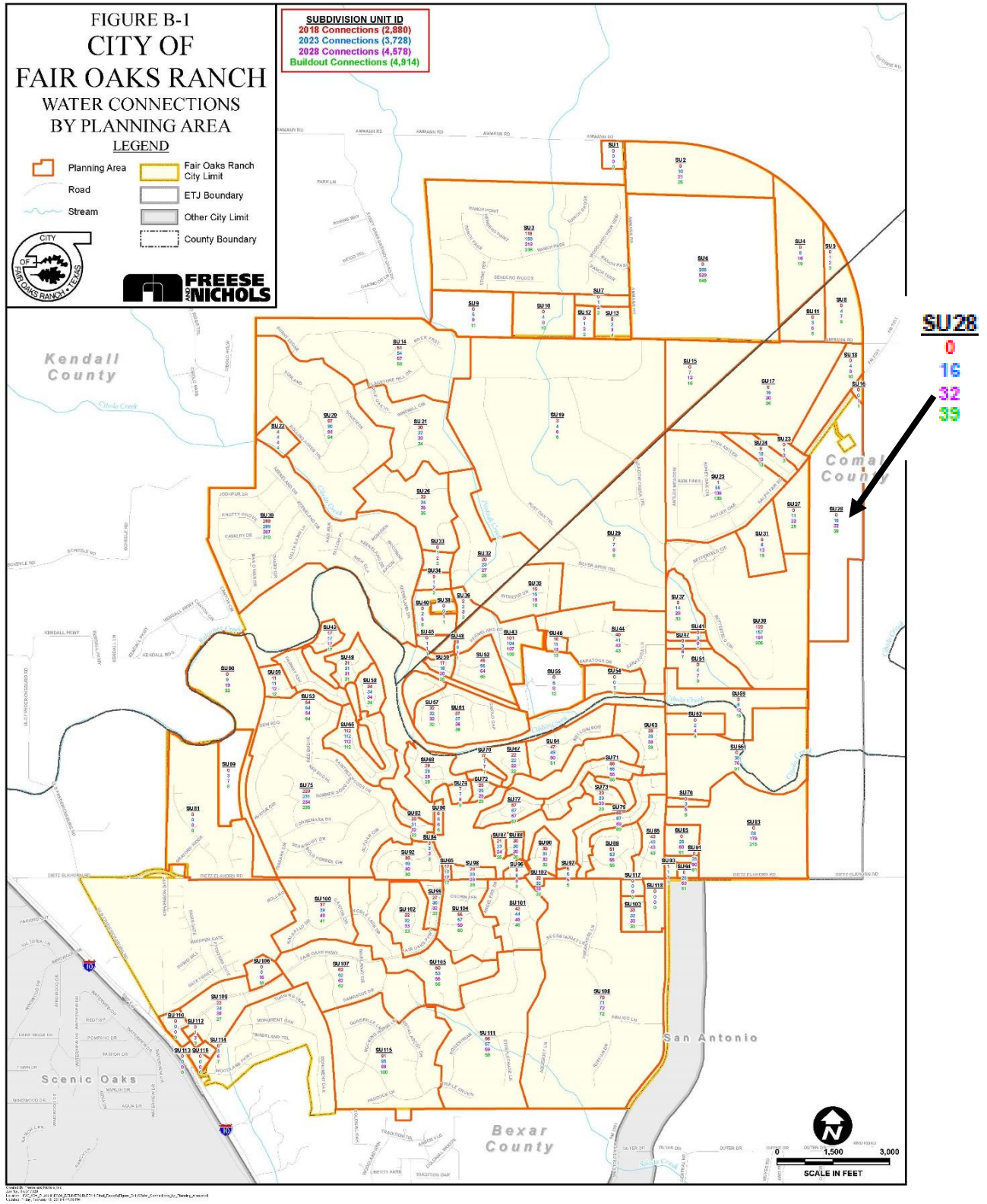
Exhibit E: Transportation Map



Proposed Post Oak Ranch Development

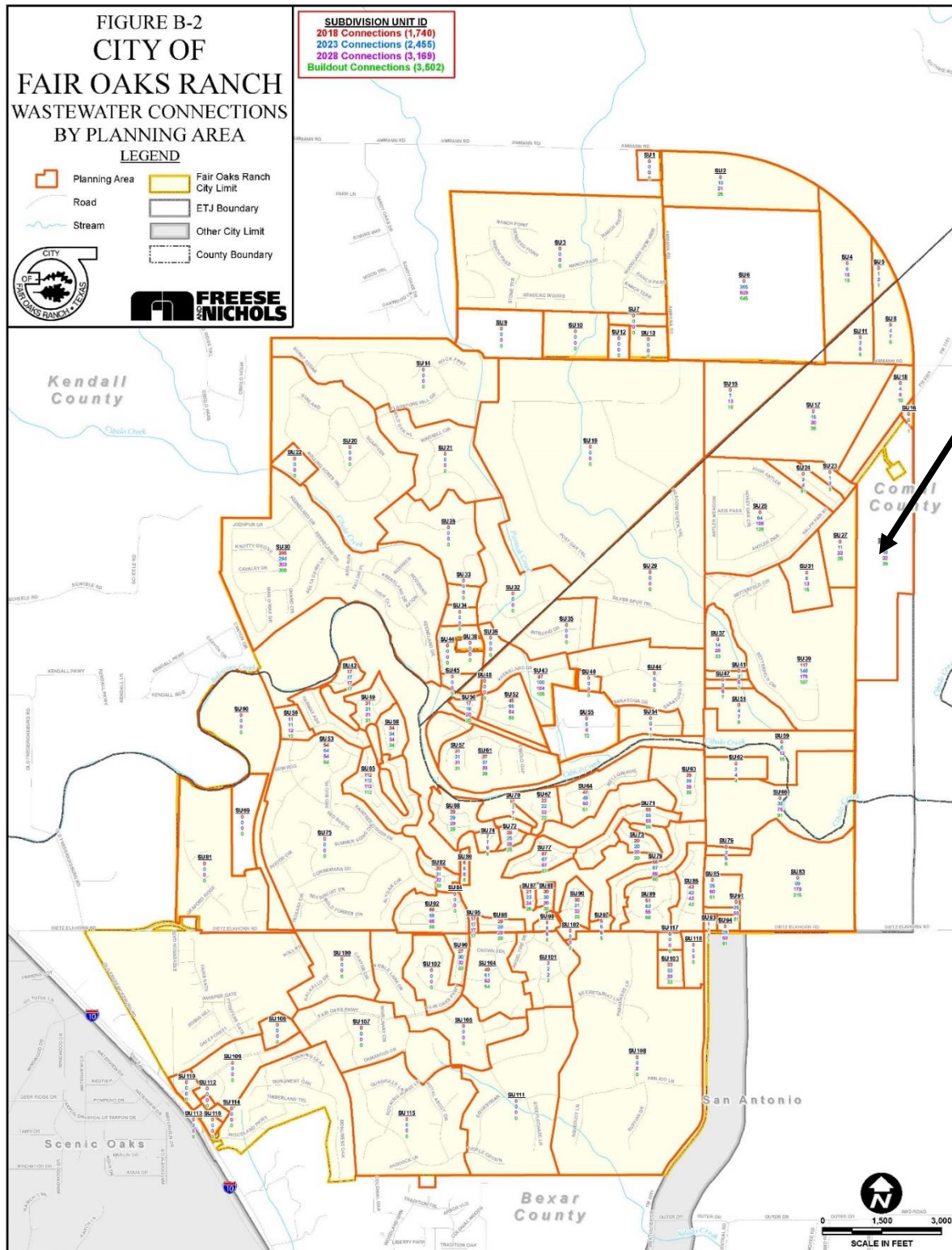
Noll Tract Development

Exhibit F: Master Plan Water Connections By Planning Area



Noll Tract Development

Exhibit G: Master Plan Wastewater Connections By Planning Area



Noll Tract Development

Attachment C



Public Works ▪ 7286 Dietz Elkhorn ▪ Fair Oaks Ranch TX, 78015 ▪ (210) 698-0900

July 27, 2021

Paul Schroeder, P.E., R.P.L.S.
Vickrey & Associates, Inc.
12940 Country Parkway
San Antonio, TX 78216

RE: Conservation Development Alternative (CDA) of Post Oak Ranch
Preliminary Review

Mr. Schroeder,

The preliminary CDA submittal for Post Oak Ranch was received on July 7, 2021, and the staff has conducted a preliminary review of the layout. A complete review will be performed when complete applications for a Concept Plan and CDA are submitted. This submittal has been reviewed according to the following:

- a. Unified Development Code
- b. Comprehensive Plan
- c. Non-annexation Development Agreement

As indicated below, the process starts with a Concept Plan approval. Generally, the Concept Plan needs to include enough conceptual information to verify compliance. While detailed engineering, hydrogeology, and other studies are not needed at this time, the Concept Plan needs to indicate future studies that will be undertaken as part of the CDA approval. Based on the preliminary review, the items that need to be addressed are listed below:

1. Conformance with the intent of the Comprehensive Plan and Unified Development Code:

The Concept Plan needs to meet the overall intent of these documents. Some areas of compliance include:

- a. **Conservation Area** - The minimum restricted Conservation Area needs to be at least 30 percent of the total buildable area of the development. Calculations are needed to ascertain that this requirement is met. The buildable area is defined as the gross area of the Conservation Development minus the protected Conservation Area in the UDC. It appears that the current plan does not meet this requirement.
- b. **Lot Density** - Lot Density table (refer to UDC Table 8.1) needs to be provided showing the blended average and number of lots.
- c. **Number of lots** - It appears that 51 lots of average lot size of 3.75 acres each would be

permitted as per the calculations in Section 8.3 (2) (j) of the UDC., while 54 lots are proposed. Detailed calculations are needed to verify this.

d. **Lots**

- **Lot size**-It appears that the blended average of the current layout meets the minimum requirement of 3.75 acres. However, buildable area calculations are required to confirm this.
- **Setbacks** - All lots need to meet setback requirements for RR District. The minimum front yard setback required is 50', and setbacks for the street side, side, and rear are 25'.

e. **Impervious cover** – It appears that the development meets the requirement of 20%. This needs to be confirmed.

f. **Amenities** – The Concept Plan needs to show the amenities provided, such as the extension and provision of trails in this area as shown on the Trails Map, etc. Maintenance and dedication of amenities to FORHA or HOA need to be clarified.

2. **Zoning:**

As part of the Concept Plan, the intent to seek annexation and Rural Residential zoning with a CDA needs to be memorialized.

3. **San Antonio's ETJ:**

For the portions of the development that are not included in the City of Fair Oaks Ranch's ETJ, an ETJ release would be needed from the City of San Antonio. Has this been received?

4. **Water and wastewater service:**

The concept plan for the provision of water and wastewater needs to be addressed. The City's master plans for water and wastewater connections for the area allow for a maximum of **39** connections to existing systems for the buildout for the portion of this property in Fair Oaks Ranch ETJ. The proposed plan proposes **54** total connections. Please discuss how the remaining lots will be serviced.

If the lots are served by private systems, the following will apply as per Section 5.4 of the UDC:

- i. Lots served by a private well or OSSF - a minimum street frontage of 150 feet and total lot area greater than 1 acre are required.
- ii. Lots Served by a Private Well and OSSF - a minimum street frontage of 200 feet and total lot area greater than 5 acres are required.
- iii. City requirements for possible connections to water and wastewater:
 Wastewater - Wherever it is legally possible and practicable in terms of topography to connect a lot with a City wastewater line by running a connecting gravity or pressure line not more than five hundred (500) feet from the lot to such line, then a CO may not be granted until such time that connection is made to such line.
 Water supply - Where an approved public water supply or distribution main is within reasonable distance of the development as determined by the City Council, but in no case more than one-half (0.5) mile away and connection to the system is practicable, the Developer will be required to bear the cost of connecting the development to such existing water supply. The Developer will make a pro-rata contribution to funding of needed water supplies, storage facilities, treatment facilities, transmission, and distribution as determined necessary by the City. If these requirements are impracticable, a variance may be granted by the City Council.

5. **Drainage:**

A conceptual drainage plan needs to be provided.

6. Tree Protection Plan:

A conceptual plan needs to be provided.

7. Thoroughfare and Traffic:

A conceptual plan needs to be provided addressing the following:

- a. Public Access – The Concept Plan needs to clarify if this is proposed as a gated community with private streets.
- b. Length of the cul-de-sacs and conformance with safety standards.
- c. Location of streets and accessibility during flooding.
- d. Plans for ingress/egress to FM 3351 (light, turning lanes, etc.).
- e. ROW dedications.
- f. Pedestrian connectivity.
- g. Other off-site improvements.

8. Process:

- a. **Annexation:** Based on the existing non-annexation development agreement, the proposed development would trigger the parcel being annexed into the City and zoned pursuant to all applicable laws of the State of Texas and ordinances of the City of Fair Oaks Ranch. Therefore, annexation proceedings will need to be undertaken.
- b. **Concept Plan Approval:** Prior to a CDA application being submitted, a Concept Plan approval is required. A complete Concept Plan application packet with all attachments needs to be submitted. The Concept Plan application requirements are explained in the UDC and summarized in the Specific Application Form attached. The submittal deadline is similar to a CDA application deadline and is posted on the website.
- c. **CDA Application:** The CDA application requirements are explained in the UDC and summarized in the Specific Application Form attached. The submittal deadline is posted on the website.
- d. **Platting:** After the approval of the CDA, Preliminary and Final Plat approvals will be required.

Name of the Application or Permit	Responsibility				Processing Time*
	City Staff	P&Z Commission	Zoning Board of Adjustments	City Council	
1. Concept Plan	Review	Review/ Recommendation	None	Final action	60-90 days
2. Conservation Development Alternative	Review and Recommendation	Review/ Recommendation	None	Final action	60-90 days
3. Annexation Petition (As per TxLGC Ch.43: Municipal Annexation, annexation process depends on the type of annexation. Consult Staff for	Review	None	None	Public hearing, Final action	60-90 days

Name of the Application or Permit	Responsibility				Processing Time*
	City Staff	P&Z Commission	Zoning Board of Adjustments	City Council	
further information.)					
4. Preliminary Plat	Review and recommendation	Review, Recommendation	None	Final action	30 days
5. Final Plat	Review and recommendation	Review, Recommendation	None	Final action	30 days

9. Other specific requirements:

- a. Complete application packets and supporting documents.
- b. A complete Site Analysis Map - Needs to show items listed in the Specific Application at the time of CDA application.
- c. Information to demonstrate how the proposed development meets the Low Impact Development principles listed in UDC Section 8.2 generally. Address design criteria including, but not limited to, hydrologic conditions, alternate surfacing methods, and protective mechanism.
- d. Geological Assessment at the time of CDA application.
- e. Traffic Impact Analysis at the time of CDA application.
- f. Management Plan - continuous and perpetual maintenance of stormwater management facilities, common open space, common recreation facilities, private roads, utilities, parking areas, and other similar development within the boundaries of the development in a form and manner acceptable to the City at the time of CDA application.

Sincerely,

Krishna Radhakrishnan
Planner, Gunda Corporation
(On behalf of the City of Fair Oaks Ranch)

cc: (via email)
Tobin Maples, AICP, City Manager
Carole Vanzant (Assistant City Manager)
Katie Schweitzer, P.E., Manager of Engineering Services
Sandy Gorski, Public Works Admin. Assistant



City of Fair Oaks Ranch

Attachment D

7286 Dietz Elkhorn Fair Oaks Ranch, TX 78015

PH: (210) 698-0900. FAX: (210) 698-3565. bcodes@fair Oaks Ranch TX www.fairoaksranchtx.org

UNIVERSAL APPLICATION (FORM UA)

All applications must be submitted with:

(1) A complete **Universal Application** form (2 pages), and(2) A complete **Specific Application Form** with all materials listed in the checklist for the specific application.

The City staff is available to assist you in person at City Hall or over the phone at (210) 698-0900.

DEVELOPMENT INFORMATION

Project Name/Address/Location: Post Oak Ranch / 31900 Blk of FM 3351 in Comal County Acreage: 291Brief Description of Project: Conservation Development Alternative of 54 Residential LotsIs property platted? ☒ No ☐ Yes Subdivision name: _____ No. of Lots: _____Recordation #: N/A Parcel(s) Tax ID#: _____Existing Use: Open ranch land Proposed Use: Single-Family Residential DevelopmentCurrent Zoning: Rural Residential Proposed Zoning: _____Occupancy Type: N/A Sq. Ft: _____ Bed #: _____ Bath #: _____ Car Garage #: _____Water System ☐ Well ☒ Public Flood Zone: ☒ Yes ☐ No Sewer System: ☒ Septic ☐ Public

PROPERTY OWNER INFORMATION

Owner: Dechomai TrustContact Name: Russel Noll

Address: _____

City/State/ZIP: _____

Phone: _____

Email: _____

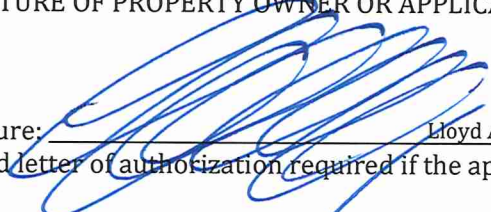
APPLICANT INFORMATION

Applicant/Developer: BitterblueContact Name: Lloyd A. Denton, Jr.Address: 11 Lynn Batts LaneCity/State/ZIP: San Antonio, Texas 78218Phone: (210) 828-6131Email: plats@bitterblue.com

KEY CONTACT INFORMATION

Name of the Individual: Paul A. SchroederContact Name: Vickrey & Associates, LLCAddress: 12940 Country ParkwayCity/State/ZIP: San Antonio, Texas 78216Phone: (210) 349-3271E-mail: pschroeder@vickreyllc.com

SIGNATURE OF PROPERTY OWNER OR APPLICANT (SIGN AND PRINT OR TYPE NAME)

Signature:  Lloyd A. Denton, Jr. Date: July 27, 2021

(Signed letter of authorization required if the application is signed by someone other than the property owner)

*****OFFICE USE ONLY*****

DATE REC'D: _____ BY: _____

FEES PAID: _____ APPROVED BY: _____

DATE APPROVED: _____

APPLICATION/PERMIT NO: _____ EXP DATE: _____

Applications shall be processed based on the City's official submission dates. When a completed application packet has been accepted and reviewed, additional information may be required by staff as a result of the review, therefore it may be necessary to postpone the proposed project and remove it from the scheduled agenda and place it on a future agenda.

SPECIFIC APPLICATION FORM (S1-S39). Please check the appropriate type below:

Land Use Policy Related	Site Development Related	Building Permits Related
(Section 3.9 of the UDC)	(Section 3.9 of the UDC)	Commercial
☐ Annexation* - Form S1	☐ Vested Rights Verification Letter	☐ New/Remodel/Addition* - Form S24
☐ Comprehensive Plan Amendment (Text)	☐ Zoning Verification Letter	☐ Fence* - Form S25
☐ Unified Development Code (UDC) Text Amendment	☐ Written Interpretation of the UDC	☐ Miscellaneous* - Form S26
☐ Rezoning/ FLUM amendment* - Form S2	☐ Temporary Use Permit* - Form S14	Residential
☐ Special Use Permit* - Form S3	☐ Special Exception* - Form S15	☐ New Home* - Form S27
☐ Planned Unit Development (PUD)* - Form S4	☐ Site Development Permit* (Site Plan Review) - Form S16	☐ Remodel/Addition* - Form S28
☐ Development Agreement	☐ Floodplain Development Permit* - Form S17	☐ Detached Buildings* - Form S29
☒ Conservation Development Alternative* (CDA) (Section 4.8) - Form S5	☐ Stormwater Permit* - Form S18	Others
	☐ Certificate of Design Compliance* - Form S19	☐ Solar* - Form S30
	Appeal of an Administrative Decision	☐ Swimming Pool* - Form S31
	☐ Zoning ☐ Others	☐ Demolition, Drive or Move
	Variance	☐ New Lawn/Water* - Form S32
	☐ Policy ☐ Judicial* - Form S20	☐ Backflow Device/Irrigation Systems - Form S33
	☐ Sign Special Exception/Appeal to an Administrative Decision	☐ Sign* (Permanent) - Form S34 A
	☐ Administrative Exception	☐ Sign* (Temporary) - Form S34 B
	☐ Permit for Repair of Non-Conforming Use/Building	☐ Appeal of Denial of Sign Permit
	☐ Letter of Regulatory Compliance	☐ Master/ Common Signage Plan* - Form S35
	☐ On-Site Sewage Facility Permit (OSSF)	☐ Water Heater or Water Softener* - Form S36
	☐ Certificate of Occupancy (CO)* - Form S21	☐ Right-of-Way Construction* - Form S37
	☐ Relief from Signage Regulations	☐ Flatwork* - Form S38
	☐ Group Living Operation License* - Form S22	Inspections
	☐ Grading/Clearance Permit - Form S23	☐ Mechanical ☐ Electrical
		☐ Plumbing ☐ Building
		☐ Others _____
		Water- Wastewater Service
		☐ Connect/ Disconnect Form* - Form S39

Subdivision and Property Development Related

- (Section 3.8 of the UDC)
- ☐ Amending Plat* - Form S6
- ☐ Minor Plat* - Form S7
- ☐ Development Plat* - Form S8
- ☐ Concept Plan** - Form S9
- ☐ Preliminary Plat* - Form S10
- ☐ Final Plat* - Form S11
- ☐ Replat* - Form S12
- ☐ Construction Plans* - Form S13
- ☐ Vacating Plat
- ☐ Plat Extension

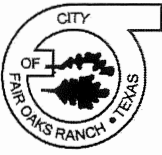
*These types of applications require additional information as listed in the Specific Application Form. Refer to **Appendix B** of the Administrative Procedures Manual for more information.

** The Concept Plan is required for PUD and CDA, and for Rezoning if included in a previously approved Concept Plan.

Application Checklist for all Applications

- ☒ Universal Application Form (Form UA).
- ☒ Items listed in the checklist for the Specific Application Form (Form S#) ¹. (Please make sure the boxes are checked)
- ☒ Application Processing Fees and other application fees.
- ☒ Letter of intent explaining the request in detail and reason for the request.
- ☐ Signed Letter of Authorization required if the application is signed by someone other than the property owner.
- ☒ Site plan and shapefile drawings (if applicable) for the property
- ☒ Location map clearly indicating the site in relation to adjacent streets and other landmarks
- ☒ One (1) copy of proof of ownership (recorded property deed or current year tax statements)
- ☐ One (1) USB drive containing the general required documents in Adobe PDF format (if required)

¹For items that are duplicated in the specific type of application, only one copy is required.



S5 SPECIFIC APPLICATION FORM - CONSERVATION DEVELOPMENT ALTERNATIVE

Section 8.3 of the Unified Development Code

The following steps must be completed, and the items must be submitted for the application to be deemed complete and processed:

- ☒ Pre-Application Conference prior to application submittal.
- ☐ Concept plan approval required.
- ☒ A completed Universal Development Application and checklist signed by the owner/s of the property.
- ☐ Complete sets of plans and all items listed in the Plat Submittal checklist.
- ☒ Conservation Development Plan: including site plans, maps, architectural elevations, and information about proposed use.
- ☒ Site Analysis Map showing the following features:
 - i. Exact property boundaries, topographic contours, delineated wetlands, special flood hazard areas, existing roads, and existing structures based on an on the ground survey or aerial imagery;
 - ii. All streams, rivers, lakes, and other hydrologic features;
 - iii. General vegetation characteristics;
 - iv. General soil types as determined from the latest soil survey by the Natural Resources Conservation Service of the United States Department of Agriculture;
 - v. Planned location of protected Open Space;
 - vi. Total acreage of buildable area in the Conservation Development;
 - vii. Potential connections with existing green space and trails;
 - viii. Location and total area of proposed impervious surfaces;
- ☒ Payment of all other applicable fees (see Schedule of Fees)
- ☒ An accurate metes and bounds description of the subject property (or other suitable legal description).
- ☐ Management Plan, as required by the UDC Section 8.3 (4).
- ☒ Acknowledgement that the sign posted by the City on the property fifteen (15) days prior to the public hearing will be maintained until the zone change is heard at the public hearing.
- ☒ Provide evidence or proof that all taxes and obligations have been paid regarding the subject property.



POST OAK RANCH

Aerial Exhibit

PAUL A. SCHROEDER
57564

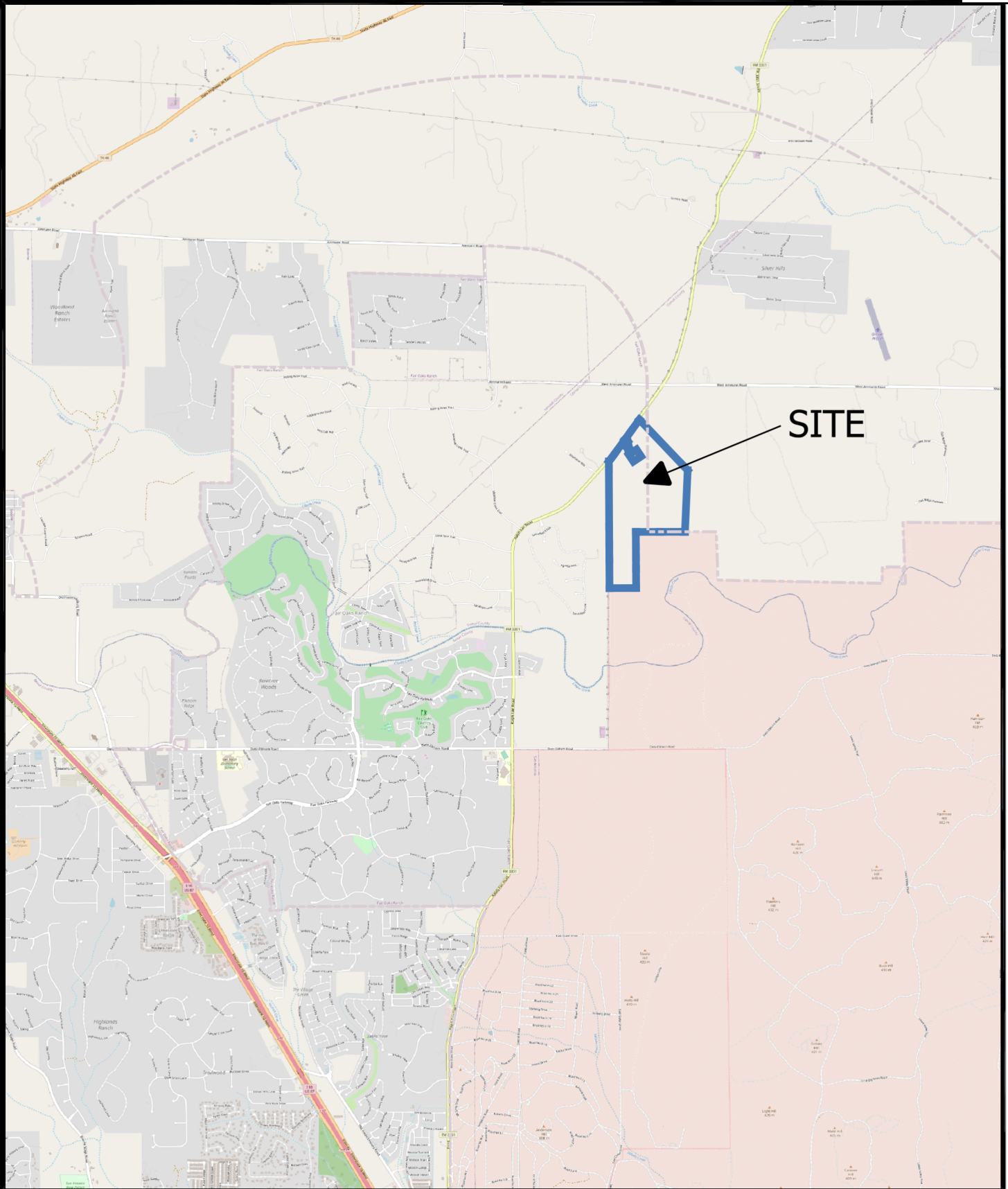
LICENSED
PROFESSIONAL ENGINEER

ATTACHMENT: _____ DATE: 07/07/2021



VICKREY & ASSOCIATES, INC.
CONSULTING ENGINEERS

12940 Country Parkway San Antonio, Texas 78216
Telephone: (210)349-3271
Firm Registration No.: F-159



NOLL TRACT

Location Map Exhibit



VICKREY & ASSOCIATES, INC.
CONSULTING ENGINEERS

12940 Country Parkway San Antonio, Texas 78216
Telephone: (210)349-3271
Firm Registration No.: F-159

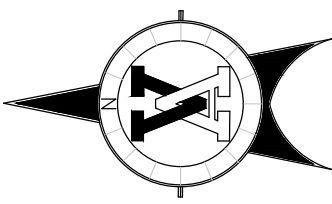
DEVELOPMENT SUMMARY

LAND USE: RURAL RESIDENTIAL
TOTAL ACREAGE: 291 AC.

(30%) PROTECTED CONSERVATION AREA (required): 87.3 ac.
PROTECTED CONSERVATION AREA (provided): 88.3 ac.

AVERAGE LOT SIZE REQUIRED: 3.75 ac.
AVERAGE LOT SIZE SHOWN: 3.75 ac.
(min 2.58 ac lot 24 and max 5.70 lot 8)

IMPERVIOUS COVER: 40.54 ac.
(max 20% of buildable area):
IMPERVIOUS COVER (SHOWN): 28.02 ac.
(based on 11,200 sf. per lot plus street)



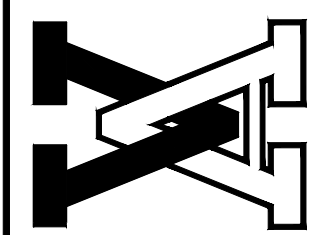
SCALE:
1"=300'

Parcel Area Table	
Parcel #	Area
1	3.87 ac
2	3.78 ac
3	3.76 ac
4	3.80 ac
5	3.75 ac
6	3.77 ac
7	3.79 ac
8	5.70 ac
9	3.85 ac
10	3.75 ac
11	3.86 ac
12	3.77 ac
13	4.03 ac
14	3.75 ac
15	3.75 ac
16	4.01 ac
17	4.28 ac
18	3.39 ac
19	3.04 ac
20	3.75 ac
21	3.75 ac
22	21.82 ac
23	3.75 ac
24	2.58 ac
25	2.70 ac
26	3.75 ac
27	3.75 ac
28	3.75 ac
29	3.75 ac
30	3.75 ac
31	3.75 ac
32	3.75 ac
33	3.75 ac
34	2.96 ac
35	3.77 ac
36	3.75 ac
37	3.75 ac
38	3.75 ac
39	3.75 ac
40	3.75 ac
41	3.75 ac
42	3.75 ac
43	3.75 ac
45	3.75 ac
46	3.75 ac
47	3.75 ac
48	3.75 ac
49	3.62 ac
50	3.78 ac
51	3.75 ac
52	3.76 ac
53	3.77 ac
54	31.57 ac
55	13.88 ac
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57	3.90 ac
58	3.79 ac
59	2.90 ac
60	3.83 ac
61	3.75 ac
62	9.13 ac



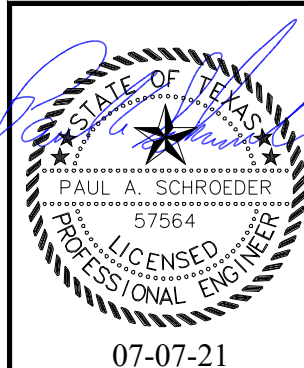
CONFIDENTIAL PROPRIETARY
NOT TO BE RELEASE WITHOUT WRITTEN
AUTHORIZATION OF VICKREY & ASSOCIATES, INC.

VICKREY & ASSOCIATES, INC.
CONSULTING ENGINEERS
CIVIL • ENVIRONMENTAL • SURVEY
12940 Country Parkway San Antonio, TX 78216
Telephone: (210) 349-3271
Firm Registration No: F-159

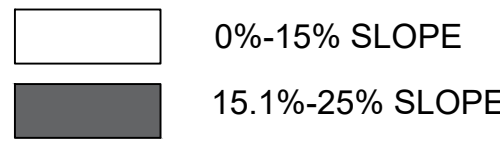


NOLL TRACT
291 AC
AERIAL PHOTO

DATE: Aug 2020
Vertical Scale 1"=N/A
Horizontal Scale 1"=300'
SHEET OF
PROJ. NO.

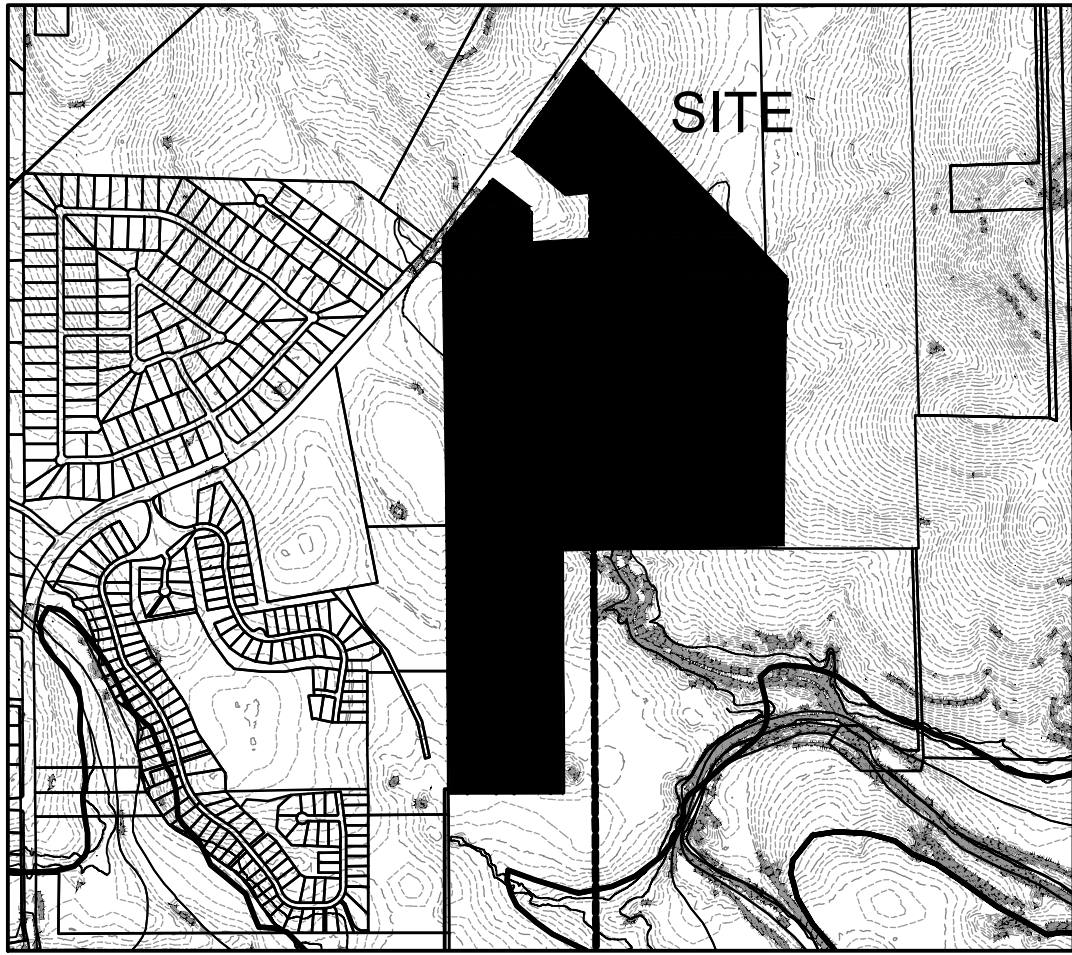


SLOPE ANALYSIS MAP

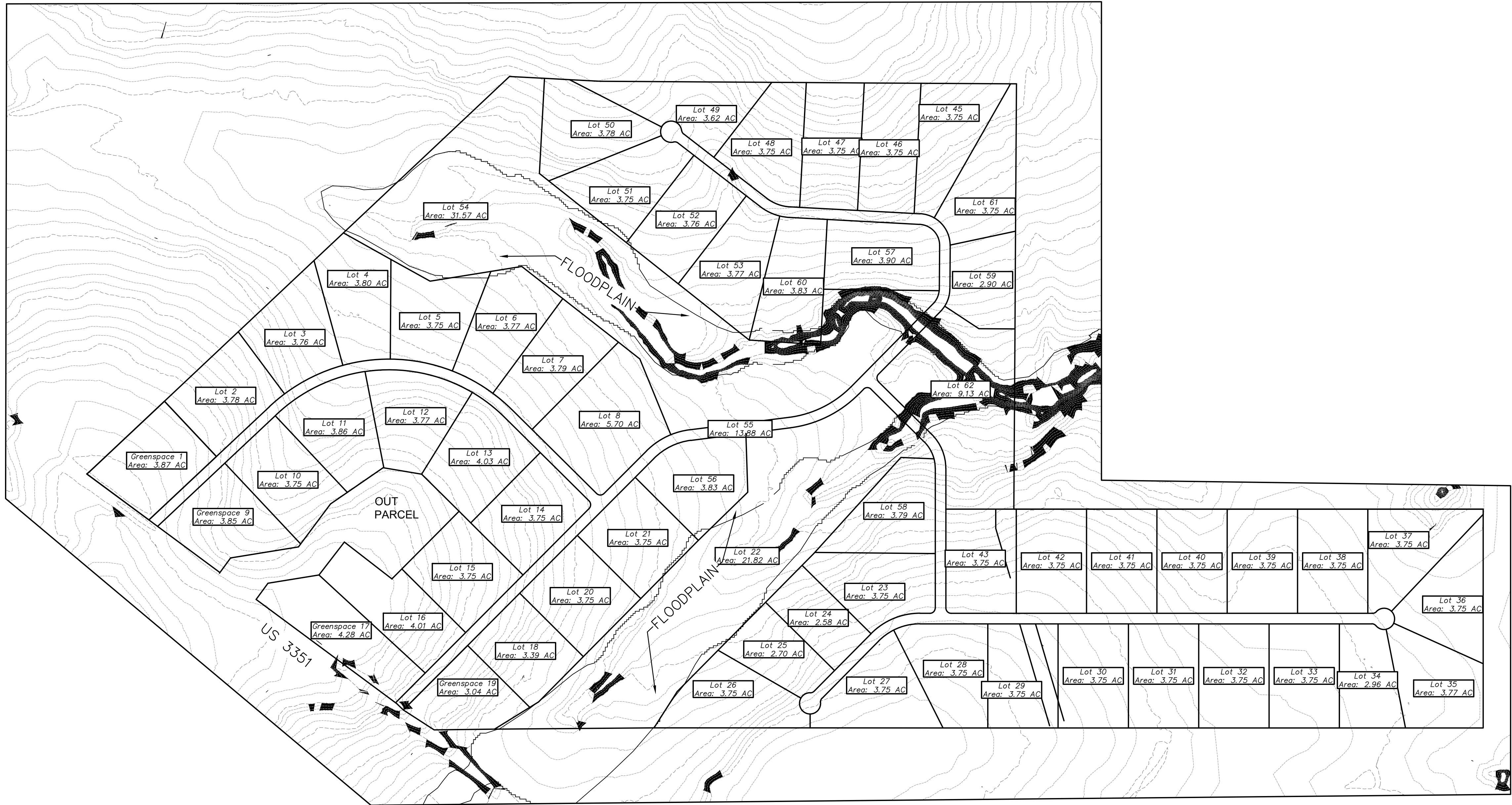


MAXIMUM IMPERVIOUS COVER
(max 20% impervious cover outside of Floodplain)
100% of land (outside of floodplain) with less than 15% slope: 247.8 ac
MAX. IMPERVIOUS COVER ALLOWED (247.8 ac. x 20%)= 49.56 ac.

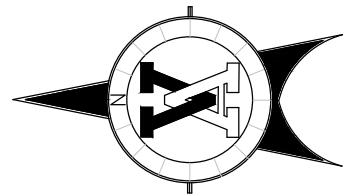
IMPERVIOUS COVER SHOWN
54 lots x 16043 s.f.= 19.89 ac.
Street pavement: = 8.67 ac.
Total: 28.56 ac.



1 VICINITY MAP
NTS

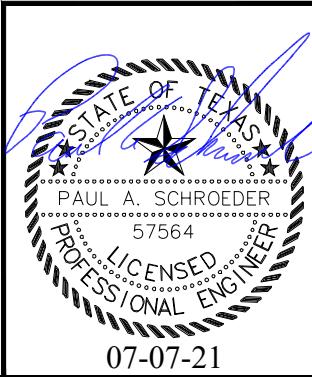


1 SITE ANALYSIS PLAN
1"=300'

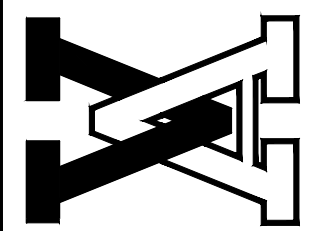


CONFIDENTIAL PROPRIETARY
NOT TO BE RELEASE WITHOUT WRITTEN
AUTHORIZATION OF VICKREY & ASSOCIATES, INC.

Parcel Area Table		
Parcel #	Area	
1	3.87 ac	Greenspace
2	3.78 ac	
3	3.76 ac	
4	3.80 ac	
5	3.75 ac	Greenspace
6	3.77 ac	
7	3.79 ac	
8	5.70 ac	
9	3.85 ac	Greenspace
10	3.75 ac	
11	3.86 ac	
12	3.77 ac	
13	4.03 ac	Greenspace
14	3.75 ac	
15	3.75 ac	
16	4.01 ac	
17	4.28 ac	Greenspace
18	3.39 ac	
19	3.04 ac	
20	3.75 ac	
21	3.75 ac	Greenspace
22	21.82 ac	
23	3.75 ac	
24	2.58 ac	
25	2.70 ac	Greenspace
26	3.75 ac	
27	3.75 ac	
28	3.75 ac	
29	3.75 ac	Greenspace
30	3.75 ac	
31	3.75 ac	
32	3.75 ac	
33	3.75 ac	Greenspace
34	2.96 ac	
35	3.77 ac	
36	3.75 ac	
37	3.75 ac	Greenspace
38	3.75 ac	
39	3.75 ac	
40	3.75 ac	
41	3.75 ac	Greenspace
42	3.75 ac	
43	3.75 ac	
44	3.75 ac	
45	3.75 ac	Greenspace
46	3.75 ac	
47	3.75 ac	
48	3.75 ac	
49	3.62 ac	Greenspace
50	3.78 ac	
51	3.75 ac	
52	3.76 ac	
53	3.77 ac	Greenspace
54	31.57 ac	
55	13.88 ac	
56	3.83 ac	
57	3.90 ac	Greenspace
58	3.79 ac	
59	2.90 ac	
60	3.83 ac	
61	3.75 ac	Greenspace
62	9.13 ac	



VICKREY & ASSOCIATES, INC.
CONSULTING ENGINEERS
CIVIL • ENVIRONMENTAL • SURVEY
12940 Country Parkway San Antonio, TX 78216
Telephone: (210) 349-3271
Firm Registration No: F-159



NOLL TRACT
291 AC
SITE ANALYSIS PLAN

DATE: Jun 2021	
Vertical Scale 1"=N/A Horizontal Scale 1"=300'	
SHEET L1.1 OF 2	
PROJ. NO.	

July 7, 2021

Katherine Schweitzer, PE
Manager of Engineering Services
City of Fair Oaks Ranch
7286 Dietz-Elkhorn
Fair Oaks Ranch, Texas 78015

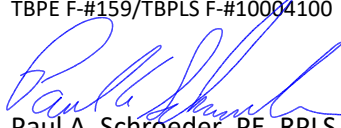
Re: Post Oak Ranch

Dear Ms. Schweitzer,

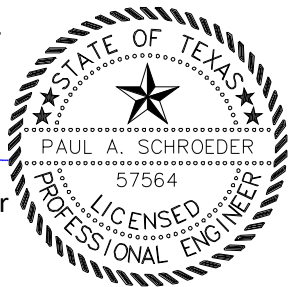
This submittal is to subdivide 291± acres of land out of tracts conveyed by signed warranty deeds recorded in Document 202106002474, Official Public Records of Comal County, Texas. This subdivision will be developed as a Conservation Development Alternative containing 54 residential lots.

Sincerely,

VICKREY & ASSOCIATES, LLC.
TBPE F-#159/TBPLS F-#10004100


Paul A. Schroeder, PE, RPLS
Residential Division Manager

PAS/km



NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

GIFT DEED

STATE OF TEXAS §
 §
 COUNTY OF COMAL §

KNOW ALL PERSONS BY THESE PRESENTS:

That **ARTHUR WAYNE NOLL** ("**Grantor**"), for and in consideration of Grantor's intention to make a gift as a charitable contribution under applicable income tax laws and regulations, has GRANTED, GIVEN, and CONVEYED, and by these presents does GRANT, GIVE, and CONVEY unto **RYAN RAFFIN, TRUSTEE OF THE DECHOMAI ASSET TRUST** ("**Grantee**"), whose mailing address is 3713 Pine Street, Jacksonville, Florida 32205, an undivided 18/290.261 interest in the SURFACE ONLY of the real property situated in Comal County, Texas described on Exhibit A attached hereto and by this referenced incorporated herein for purposes of description (the "**Property**").

There is **RESERVED** unto Grantor, Grantor's heirs and assigns, forever, all of Grantor's interest in the oil, gas and other minerals in, under and that may be produced from the Property (the "**Reservation**").

This conveyance is made and accepted **SUBJECT TO** all validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing instruments, other than conveyances of the surface fee estate, that affect the Property; validly existing rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, or shortages in area or boundary lines; and any encroachments or overlapping of improvements (collectively, the "**Permitted Exceptions**"). The Permitted Exceptions do not constitute an acknowledgment of the existence or viability of any of the foregoing, nor a ratification, adoption or revivor of any expired or terminated interest.

The Property is conveyed **AS IS, WITH ALL FAULTS** and without warranty, except the limited warranty of title contained herein.

TO HAVE AND TO HOLD, subject to the Reservation and the Permitted Exceptions, the Property, together with all and singular the rights and appurtenances thereto in anywise belonging, unto Grantee, Grantee's successors and assigns forever; and Grantor does hereby bind Grantor and Grantor's heirs, executors, administrators, and assigns, to **WARRANT AND FOREVER DEFEND**, all and singular, the Property unto Grantee and Grantee's successors and assigns against

every person whomsoever lawfully claiming or to claim the same or any part thereof by, through or under Grantor, but not otherwise, subject to the Reservation and the Permitted Exceptions.

When the context requires, singular nouns and pronouns include the plural.

No responsibility for the validity of real estate title is assumed by the attorneys preparing this deed unless a written title opinion is rendered.

EXECUTED this 12th day of January, 2021.

GRANTOR:

Arthur Wayne Noll
ARTHUR WAYNE NOLL

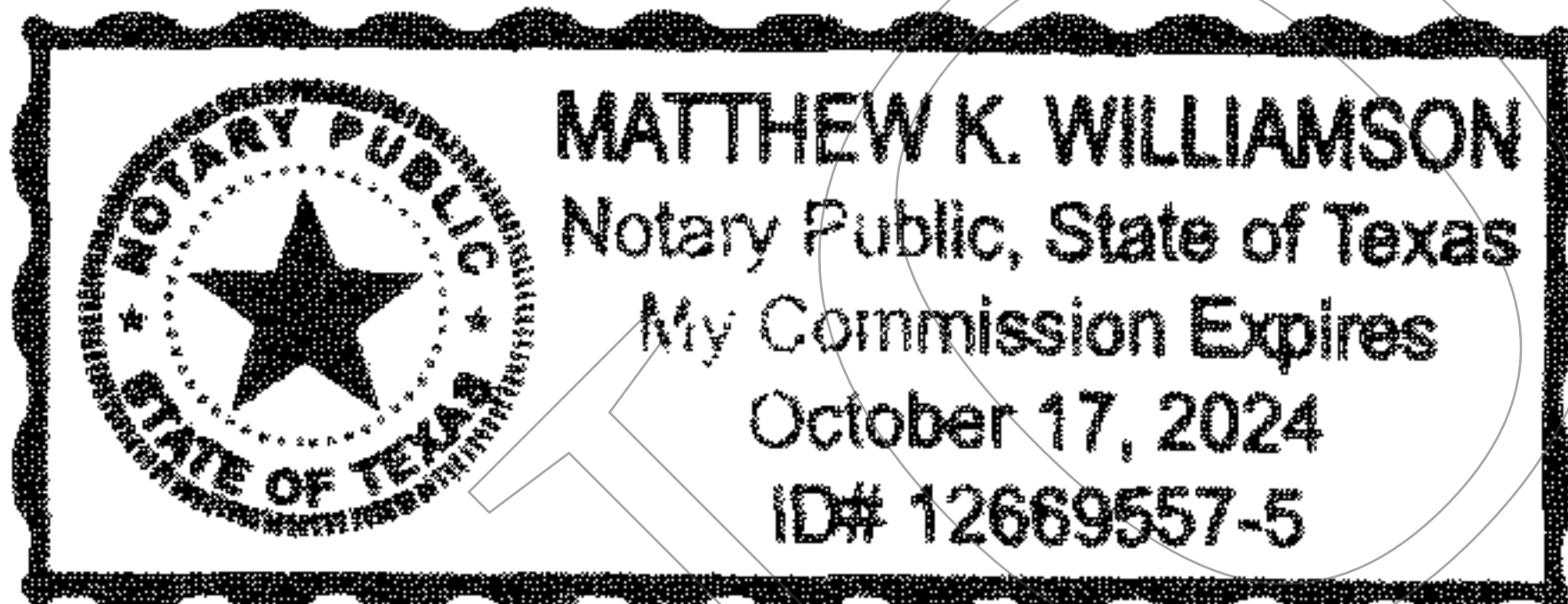
GRANTOR'S ACKNOWLEDGMENT

STATE OF TEXAS

COUNTY OF Bexar

§
§
§

This instrument was acknowledged before me on the 12th day of January, 2021 by ARTHUR WAYNE NOLL.



Matthew Williamson
Notary Public, State of Texas

PREPARED IN THE LAW OFFICE OF:

DUNCAN, BRESSLER & WILLIAMSON, INC.
1020 N.E. Loop 410, Suite 500
San Antonio, TX 78209-1224
Telephone: (210) 224-0781
Fax: (210) 224-6958

AFTER RECORDING RETURN TO:

Matthew K. Williamson
DUNCAN, BRESSLER & WILLIAMSON, INC.
1020 N.E. Loop 410, Suite 500
San Antonio, TX 78209-1224

EXHIBIT A

Field Notes for a 290.261 Acre Tract of Land

Being a 290.261 acre tract of land, being 289.365 acres out of the M. de La Luz Guerra Survey No. 172, Abstract No. 173, and 0.896 of and acre out of the Socorro Farming Company Survey No. 1020, Abstract No. 755, Comal County, Texas, said 290.261 acre tract being a portion of that certain 295.540 acre tract recorded in volume 283, pages 379-386, Deed Records, Comal County, Texas, said 290.261 acre tract being more particularly described by metes and bounds as follows:

Beginning at a 1/2" iron rod found in the southeast right-of-way (ROW) line of F.M. 3351 (ROW varies) at the northeast corner of the herein described tract, the northeast corner of the Cheryl Lynn Blackman 40.00 acre tract recorded in document No. 9906010729, Official Records, Comal County, Texas;

Thence, along the southeast ROW line of F.M. 3351, the following courses and distances:

N.41°05'07" E., 155.16 feet (N. 41°18'05" E., 155.16' record) to a 1/2" steel rod found for angle;

N. 33°56'256" E., 268.22 feet (N. 33°56'26" E., 268.22' record) to a 1/2" steel rod found for angle;

and N 35°49'19" E., 751.58 feet (N. 36°02'17" E., record) to a 1/2" steel rod found for corner at the intersection of the southeast boundary line of F.M. 3351, with the southwest boundary line of Lot 1, Klar Ranch Subdivision recorded in volume 10, page 259, Plat Records, Comal County, Texas;

Thence, departing the southeast ROW line of F.M. 3351, along the southwest boundary line of Lot 1, Klar Ranch Subdivision, the following courses and distance:

S. 40°32'26" E., 55.00 feet (S. 40°22'10" E., 55.24' record) to a 1/2" steel rod found for angle;

S. 11°19'39" E., 267.45 feet (S. 11°06'10" E., 267.45 record) to a 1/2" steel rod found for angle;

S. 44°05'46" E., 218.13 feet (S. 43°51'13" E., 218.06' record) to a 1/2" steel rod found for corner;

S. 56°10'00" W., 129.97 feet (S. 56°22'13" W., 129.91' record) to a 1/2" steel rod found for corner;

and S. 33°52'38" E. 320.87 feet (S. 33°37'47" E., 230.80' record) to a 1/2" steel rod found for corner at the south corner of Lot 1, Klar Ranch Subdivision;

Thence, along the southeast boundary line of Lot 1, Klar Ranch Subdivision, N. 56°07'01" E., a distance of 357.37 feet (N. 56°22'13" E., 357.35' record) to a 1/2" steel rod found for the east corner of Lot 1, Klar Ranch Subdivision;

Thence, along the northeast line of Lot 1, Klar ranch Subdivision, the following courses and distances:

N. 33°52'47" W., 320.78 feet (No. 33°37'47" W., 320.80' record) to a 1/2" steel rod found for corner;

S. 56°08'06" W., 166.55 feet (S. 56°22'13" W., 166.48' record) to a 1/2" steel rod found for corner;

N. 44°05'06" W., 211.21 feet (N. 43°51'13" W., 211.24' record) to a 1/2" steel rod found for angle;

N. 11°18'08" W., 265.51 feet (N. 11°05'10" W., 265.48' record) to a 1/2" steel rod found for angle;

and N. 40°36'50" W., 85.18 feet (N. 40°22'10" W., 85.42' record) to a 1/2" steel rod found for corner at the intersection of the northeast boundary line of Lot 1, Klar ranch Subdivision, with the southeast ROW line of F.M. 3351;

Thence, along the southeast ROW line of F.M. 3351, N. 35°49'19" E., (reference bearing), a distance of 860.88 feet to a 1/2" steel rod set for corner at the north corner of the herein described tract, the north corner of the aforesaid 295.540 acre tract, said point being the most west corner of the Reuben Francis Klar 360.202 acre tract, recorded in volume 283, pages 379-386, Deed Records, Comal County, Texas;

Thence, along the northeast boundary line of the herein described tract, a southwest boundary line of the Reuben Francis Klar tract, S. 43°23'36" E., a distance of 2708.92 feet (S. 41°39'00" E. record) to a 1/2" steel rod set for angle;

Thence, along the east boundary line of the herein described tract, the west boundary line of the Ruben Francis Klar tract, S. 02°27'17" W. a distance of 2410.00 feet (S. 04°16'00" W., 2410.00' record) to a 1/2" steel rod found for corner in the north boundary line of Camp Bullis, Tract 14, recorded in volume 1847, page 341, deed records, Bexar County, Texas;

Thence, along the boundary line of said camp Bullis Tract 14, the following courses and distances:

S. 89°09'24" W., 96.08 feet (N. 88°16'25" W., 93.20' record) to a 1/2" steel rod found for angle;

S. 89°59'29" W., 1837.50 feet (N. 88°14'10" W., 1837.58' record) to a concrete monument found for corner;

S. 00°21'46" E., 2193.78 feet (fence line held for record) to a 1/2" steel rod set for corner;

and S. 89°53'49" E. 1041.39 feet (N. 88°17'00" W., 1041.62' record) to a concrete monument found for corner at the southeast corner of the Alvin and Clara Saur 283.3 acre tract recorded in volume 733, page 356-357, Official Records, Comal County, Texas;

Thence, along the west boundary line of the herein described tract, the east boundary lines of the Alvin and Clara Saur tract and the aforesaid Cheryl Lynne Blackman tract, the following courses and distances:

N. 00°19'43" W., 2962.52 feet (fence held for record) to a 1/2" steel rod found for angle;

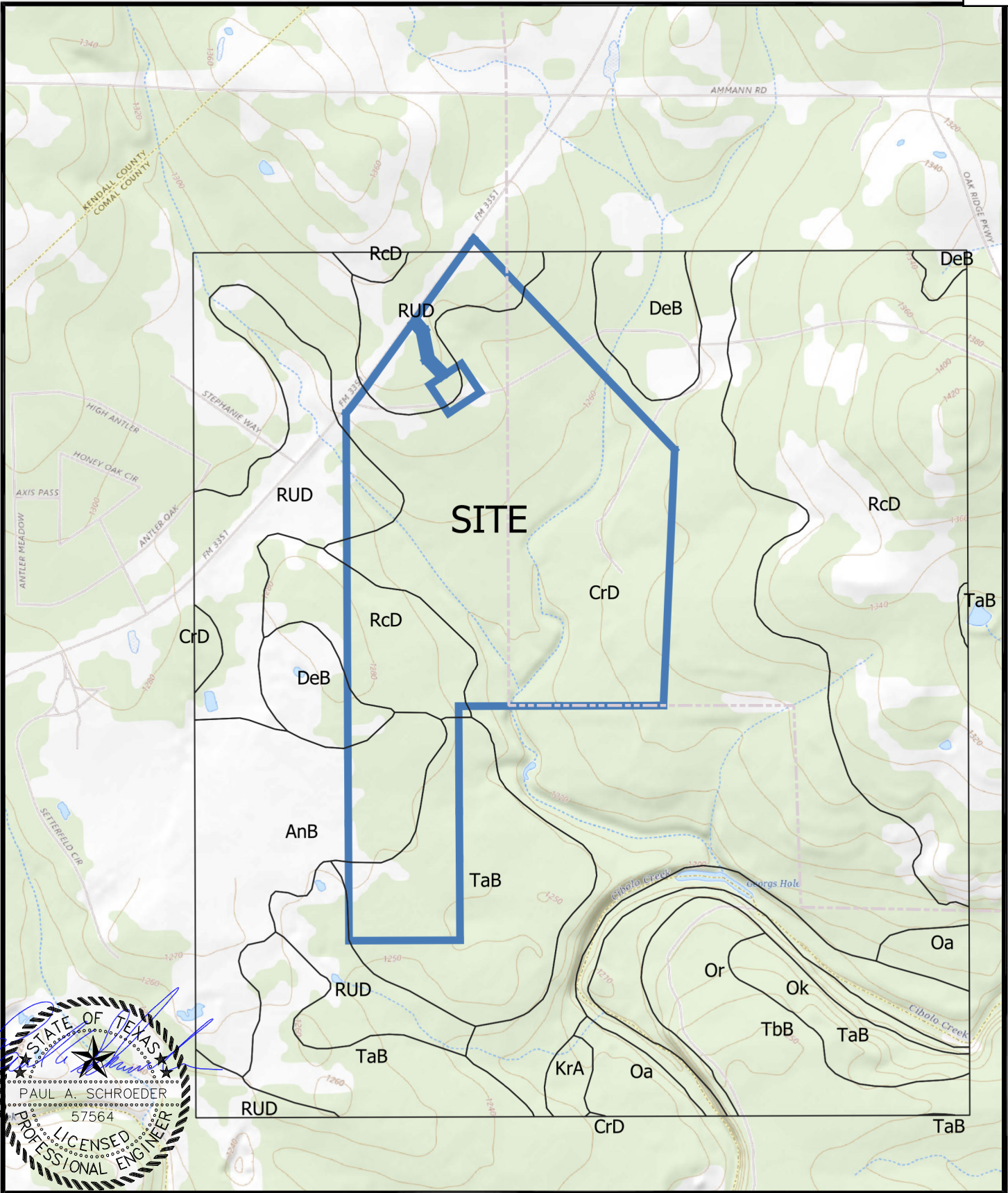
N. 00°14'49" W., 1335.30 feet (fence held for record) to a "PK" nail found in rock for angle;

and N. 00°39'59" W., 578.89 feet to the Place of Beginning and containing 290.261 acres of land.

Filed and Recorded
Official Public Records
Bobbie Koepp, County Clerk
Comal County, Texas
01/14/2021 10:57:47 AM
TERRI 5 Pages(s)
202106002474



Bobbie Koepp



POST OAK SUBDIVISION
SOIL MAP



VICKREY & ASSOCIATES, INC.
CONSULTING ENGINEERS

12940 Country Parkway San Antonio, Texas 78216
Telephone: (210)349-3271
Firm Registration No.: F-159

ATTACHMENT: _____ DATE: 07/07/2021

Field Notes for a 290.261 Acre Tract of Land

Being a 290.261 acre tract of land, being 289.365 acres out of the M. de La Luz Guerra Survey No. 172, Abstract No. 173, and 0.896 of and acre out of the Socorro Farming Company Survey No. 1020, Abstract No. 755, Comal County, Texas, said 290.261 acre tract being a portion of that certain 295.540 acre tract recorded in volume 283, pages 379-386, Deed Records, Comal County, Texas, said 290.261 acre tract being more particularly described by metes and bounds as follows:

Beginning at a 1/2" iron rod found in the southeast right-of-way (ROW) line of F.M. 3351 (ROW varies) at the northwest corner of the herein described tract, the northeast corner of the Cheryl Lynn Blackman 40.00 acre tract recorded in document No. 9906010729, Official Records, Comal County, Texas;

Thence, along the southeast ROW line of F.M. 3351, the following courses and distances:

N. 41°05'07" E., 155.16 feet (N. 41°18'05" E., 155.16' record) to a 1/2" steel rod found for angle;

N. 33°56'26" E., 268.22 feet (N. 33°56'26" E., 268.22' record) to a 1/2" steel rod found for angle;

and N. 35°49'19" E., 751.58 feet (N. 36°02'17" E., record) to a 1/2" steel rod found for corner at the intersection of the southeast boundary line of F.M. 3351, with the southwest boundary line of Lot 1, Klar Ranch Subdivision recorded in volume 10, page 259, Plat Records, Comal County, Texas;

Thence, departing the southeast ROW line of F.M. 3351, along the southwest boundary line of Lot 1, Klar Ranch Subdivision, the following courses and distances:

S. 40°32'26" E., 55.00 feet (S. 40°22'10" E., 55.24' record) to a 1/2" steel rod found for angle;

S. 11°19'39" E., 267.45 feet (S. 11°06'10" E., 267.45' record) to a 1/2" steel rod found for angle;

S. 44°05'46" E., 218.13 feet (S. 43°51'13" E., 218.06' record) to a 1/2" steel rod found for corner;

S. 56°10'00" W., 129.97 feet (S. 56°22'13" W., 129.91' record) to a 1/2" steel rod found for corner;

and S. 33°52'38" E., 320.87 feet (S. 33°37'47" E., 320.80' record) to a 1/2" steel rod found for corner at the south corner of Lot 1, Klar Ranch Subdivision;

Thence, along the southeast boundary line of Lot 1, Klar Ranch Subdivision, N. 56°07'01" E., a distance of 357.37 feet (N. 56°22'13" E., 357.35' record) to a 1/2" steel rod found for the east corner of Lot 1, Klar Ranch Subdivision;

Thence, along the northeast line of Lot 1, Klar ranch Subdivision, the following courses and distances:

N. 33°52'47" W., 320.78 feet (N. 33°37'47" W., 320.80' record) to a 1/2" steel rod found for corner;

S. 56°08'08" W., 166.55 feet (S. 56°22'13" W., 166.48' record) to a 1/2" steel rod found for corner;

N. 44°05'06" W., 211.21 feet (N. 43°51'13" W., 211.24' record) to a 1/2" steel rod found for angle;

N. 11°18'08" W., 265.51 feet (N. 11°05'10" W., 265.48' record) to a 1/2" steel rod found for angle;

and N. 40°36'50" W., 85.18 feet (N. 40°22'10" W., 85.42' record) to a 1/2" steel rod found for corner at the intersection of the northeast boundary line of Lot 1, Klar ranch Subdivision, with the southeast ROW line of F.M. 3351;

Thence, along the southeast ROW line of F.M. 3351, N. 35°49'19" E., (reference bearing), a distance of 860.88 feet to a 1/2" steel rod set for corner at the north corner of the herein described tract, the north corner of the aforesaid 295.540 acre tract, said point being the most west corner of the Reuben Francis Klar 360.202 acre tract, recorded in volume 283, pages 379-386, Deed Records, Comal County, Texas;

Thence, along the northeast boundary line of the herein described tract, a southwest boundary line of the Reuben Francis Klar tract, S. 43°23'36" E., a distance of 2708.92 feet (S. 41°39'00" E., record) to a 1/2" steel rod set for angle;

Thence, along the east boundary line of the herein described tract, the west boundary line of the Reuben Francis Klar tract, S. 02°27'17" W., a distance of 2410.00 feet (S. 04°16'00" W., 2410.00' record) to a 1/2" steel rod found for corner in the north boundary line of Camp Bullis, Tract 14, recorded in volume 1847, page 341, deed records, Bexar County, Texas;

Thence, along the boundary line of said camp Bullis Tract 14, the following courses and distances:

S. 89°09'24" W., 96.08 feet (N. 88°16'25" W., 93.20' record) to a 1/2" steel rod found for angle;

S. 89°59'29" W., 1837.50 feet (N. 88°14'10" W., 1837.58' record) to a concrete monument found for corner;

S. 00°21'46" E., 2193.78 feet (fence line held for record) to a 1/2" steel rod set for corner;

and S. 89°53'49" W., 1041.39 feet (N. 88°17'00" W., 1041.62' record) to a concrete monument found for corner at the southeast corner of the Alvin and Clara Saur 283.3 acre tract recorded in volume 733, pages 356-357, Official Records, Comal County, Texas;

Thence, along the west boundary line of the herein described tract, the east boundary lines of the Alvin and Clara Saur tract and the aforesaid Cheryl Lynn Blackman tract, the following courses and distances:

N. 00°19'43" W., 2962.52 feet (fence held for record) to a 1/2" steel rod found for angle;

N. 00°14'49" W., 1335.30 feet (fence held for record) to a "PK" nail found in rock for angle;

and N. 00°39'59" W., 578.89 feet to the Place of Beginning and containing 290.261 acres of land.

Field Notes for a 60.197 Acre Tract of Land

Being a 60.197 acre tract of land out of the M. de La Luz Guerra Survey No. 172, Abstract No. 173, Comal County, Texas, said 60.197 acre tract being a portion of that certain 295.540 acre tract recorded in volume 283, pages 379-386, Deed Records, Comal County, Texas, said 60.197 acre tract being more particularly described by metes and bounds as follows:

Beginning at a Texas Department of Transportation (TXDOT) concrete monument found at the north end of a cutback line at the intersection of the south right-of-way (ROW) line of Ammann Road (ROW varies), with the northwest ROW line of F.M. 3351 (ROW varies);

Thence, along said cutback line, S. 31°07'11" E., a distance of 50.97 feet (S. 30°54'13" E., 50.97' record) to a 1/2" steel rod set for angle at the south end of said cutback line in the northwest ROW line of F.M. 3351

Thence, along the northwest ROW line of F.M. 3351, the following courses and distances:

S. 34°52'16" W., 188.17 feet (S. 35°05'14" W., 188.17' record) to a 1/2" steel rod set for angle;

S. 35°49'19" W., 2995.12 feet (S. 36°02'17" W., 2995.12' record) to a TXDOT concrete monument found for angle;

S. 39°20'00" W., 261.87 feet (S. 39°32'58" W., 261.87' record) to a 1/2" steel rod found for angle;

and S. 40°19'20" W., 147.48 feet (S. 40°32'18" W., 147.48' record) to a 1/2" steel rod found for the south corner of the herein described tract, the east corner of the Leo A. Kahanek 29.000 acre tract recorded in document No. 9906015680, Official Records, Comal County, Texas;

Thence, departing the northwest ROW line of F.M. 3351, along the northeast boundary line of the Leo A. Kahanek tract, N. 53°42'59" W., a distance of 557.15 feet (N. 51°56'40" W., record) to a 1/2" steel rod found for the west corner of the herein described tract, the south corner of the K7 Ranches tract recorded in document No. 9806021293, Official Records, Comal County, Texas;

Thence, along the southeast boundary line of the K7 Ranches tract, N. 28°33'36" E., a distance of 3003.27 feet (N. 30°22'00" E., 3000.5' record) to a 1/2" steel rod found corner in the south ROW line of Ammann Road;

Thence, along the south ROW line of Ammann Road, the following courses and distances:

S. 88°53'52" E., 386.90 feet (S. 87°42'15" E., 387.00' record) to a 1/2" steel rod found for angle;

and S. 88°31'51" E., 722.31 feet (S. 86°45'50" E., record) to the Place of Beginning and containing 60.197 acres of land.

M.D.S. LAND SURVEYING CO.
121 S. PECAN ST.
BOERNE, TEXAS 78006
PHONE: (830) 249-9188

K7 RANCHES
348.118 ACRES
DOCUMENT NO. 9806021293
OFFICIAL RECORDS

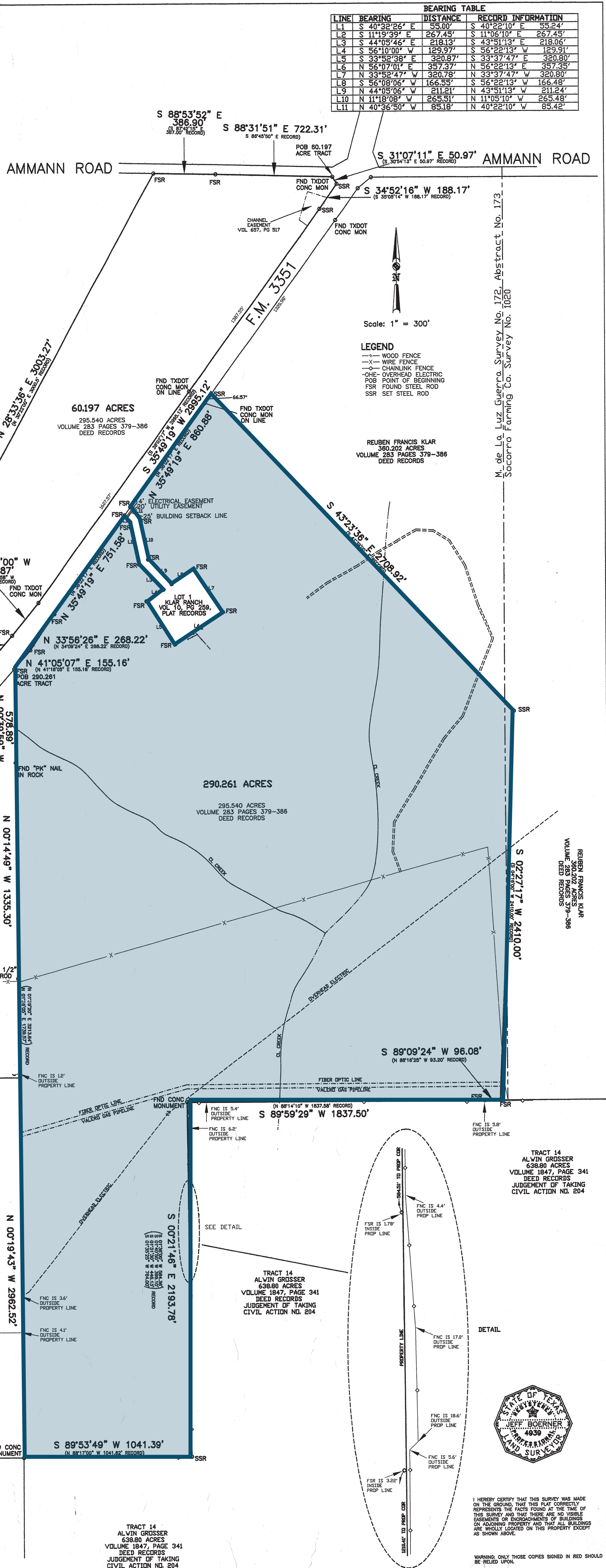
N 53°42'59" W 557.15'
(N 51°56'40" W RECORD)

S 40°19'20" W 147.48'
(S 40°32'18" W RECORD)

LEO A. KAHANEK
29.000 ACRES
DOCUMENT NO. 9906015680
OFFICIAL RECORDS

CHERYL LYNN BLACKMAN
40.00 ACRES
DOCUMENT NO. 9906010729
OFFICIAL RECORDS

ALVIN AND CLARA SAUR
283.3 ACRES
VOLUME 733, PAGES 356-357
OFFICIAL RECORDS



TAX RECEIPT

7/7/2021 6:32:38 PM Item #8.

COMAL COUNTY TAX OFFICE
 Tax Assessor-Collector
 205 North Seguin Ave.
 New Braunfels, TX 78130

Receipt Number

4699267

Date Posted 11/16/2020

Payment Type Payment

Payment Code Full Payment

Total Paid \$445.56

PAID BY:

FROST BANK LOCK BOX



Scan this code with
 your mobile phone
 to view this bill!

Property ID	Geo	Legal Acres
75032	740173001600	288.813

Legal Description

A-173 SUR-172 M DE LA L GUERRA, ACRES 288.813

Situs

FM 3351

Owner Name and Address

WHITWORTH EMMELINE K ET AL

PO BOX 392

BOERNE, TX 78006-0392

Entity	Year	Rate	Taxable Value	Original Tax	Discounts	P&I	Att Fees	Overage	Total Paid
COMAL COUNTY	2020	0.3190	24,530	\$78.26	\$0.00	\$0.00	\$0.00	\$0.00	\$78.26
Lateral Road	2020	0.0395	24,530	\$9.69	\$0.00	\$0.00	\$0.00	\$0.00	\$9.69
COMAL ISD	2020	1.2757	24,530	\$312.93	\$0.00	\$0.00	\$0.00	\$0.00	\$312.93
ESD #1 (EMS)	2020	0.0822	24,530	\$20.15	\$0.00	\$0.00	\$0.00	\$0.00	\$20.15
ESD #5 (FIRE)	2020	0.1000	24,530	\$24.53	\$0.00	\$0.00	\$0.00	\$0.00	\$24.53
									\$445.56

Operator

TOFSLC

Batch

LOCKBOX-11/16/20-SHARON

Total Paid

\$445.56

Receipt issued in Accordance with Section 31.075 of the Texas Property Tax Code