

**CITY OF FAIR OAKS RANCH
AGENDA – CITY COUNCIL REGULAR MEETING**

January 3, 2019 9:30 AM
City Hall Council Chambers
7286 Dietz Elkhorn, Fair Oaks Ranch

I. OPEN MEETING

- A. Roll Call – Declaration of a Quorum
- B. Pledge of Allegiance.

II. CITIZENS and GUEST FORUM / PRESENTATIONS

To address the Council, please sign the Attendance Roster located on the table at the entrance of the Council Chamber. In accordance with the Open Meetings Act, Council may not discuss or take action on any item which has not been posted on the agenda.

- A. Presentation of a 10 Year Employee Service Award to Ernie Martinez.
- B. Citizens to be heard.

III. CONSENT AGENDA

All of the following items are considered to be routine by the City Council, there will be no separate discussion on these items and will be enacted with one motion. Items may be removed by any Council Member by making such request prior to a motion and vote.

- A. Approval of December 6, 2018 Regular City Council Meeting Minutes. Pgs. 3-4
- B. Approval of December 13, 2018 Joint City Council and P&Z Commission Public Hearing. Pg. 5

IV. DISCUSSION/CONSIDERATION ITEMS

- A. Discussion and possible action to approve a Fire Inspector Services Agreement and to authorize the City Manager to execute the Agreement. Jim Earl, Building Official Pgs. 6-18
- B. Discussion and possible action on the First Reading of an Ordinance amending the official zoning map by zoning 9120 Old Dietz Elkhorn Road, Mann-Blodgett Subdivision, CB 4707E, Block 1 Lot 1 Fair Oaks Ranch, Bexar County Texas from Existing Residential 3 (R-3) to Neighborhood Commercial (NC). Adrian Garcia P.E., Manager of Engineering Services Pgs. 19-49
- C. Discussion and possible action to approve the preliminary plat that establishes Front Gate Unit 4. Adrian Garcia P.E., Manager of Engineering Services Pgs. 50-54

V. REPORTS FROM STAFF / COMMITTEES / COUNCIL

- A. May 4, 2019 City Election Calendar Christina Picioccio, City Secretary Pg. 55
- B. Strategic Action Plan and Budget for FY 19-20 Sarah Buckelew, Finance Director Pgs. 56-61

VI. ADJOURNMENT

Requests for City topic needing additional information/research; or, potential consideration for a future agenda.

Signature of Agenda Approval: _____

C. Vanzant

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. Said Notice was posted by 9:30 AM, December 31, 2018 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. The City Council reserves the right to convene into Executive Session at any time regarding an issue on the agenda for which it is legally permissible; pursuant to *Texas Government Code* Chapter 551. Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development).

**CITY OF FAIR OAKS RANCH
CITY COUNCIL MEETING MINUTES
December 6, 2018
7286 Dietz Elkhorn
Fair Oaks Ranch, TX 78015**

I. OPEN MEETING

A. Roll Call – Declaration of a Quorum

Present: Mayor Manitzas, Mayor Pro Tem Havard
Council Members: Elizondo, Hartpence, Koerner, and Patel

Absent: Council Member Maxton

With a quorum present, Mayor Manitzas called the regular City Council meeting to order at 9:34 AM.

B. The Pledge of Allegiance was led by Michelle Trevino.

II. CITIZENS and GUEST FORUM / PRESENTATIONS

There were no citizens to be heard.

III. CONSENT AGENDA

A. Approval of November 8, 2018 Special Joint City Council and Planning and Zoning Meeting Minutes.

B. Approval of November 15, 2018 Regular City Council Meeting Minutes.

C. Approval of Council Member Hartpence's absence from the November 15, 2018 Council Meeting.

D. Approval of Council Member Maxton's absence from the December 6, 2018 Council Meeting.

E. Approval of the Second Reading of an Ordinance providing for a reasonable limit on the amount of time to be spent without charge for repeat public information requestors.

The Mayor presented the Consent Agenda and with no discussion, the Consent Agenda was approved by unanimous consent.

IV. DISCUSSION/CONSIDERATION ITEMS

None

V. REPORTS FROM STAFF / COMMITTEES / COUNCIL

None

VI. CONVENE INTO EXECUTIVE SESSION

City Council convened into closed session at 9:38 AM regarding:

A. 551.071 (Consultation with Attorney) - Cause No. 2018-CI-00202; the City of Fair Oaks Ranch, Texas vs Edward I. Hill, Robert E. Heckendorn, Craig M. Luitjen, Roger Fuentes, Wesley A. Pieper, Esther W. Hicks, William A. McDowell, Yolanda D. Ayala, PG Pfeiffer Ranches LLC, Maureen Pfeiffer Stevenson Family Trust.

City Council convened into closed session at 10:39 AM regarding:

B. 551.074 (Personnel Matters) - The governing body hereby convenes into closed session regarding the City Manager's employment agreement

VII. RECONVENE INTO OPEN SESSION

Mayor Manitzas reconvened into open session at 10:58 AM.

No action was taken regarding VI A - 551.071.

The following action was taken regarding VI B - 551.074:

MOTION: Made by Council Member Elizondo, seconded by Mayor Pro Tem Havard authorizing the Mayor to complete and sign an extension of the City Manager's employment agreement.

VOTE: 6-0; Motion Passed.

VIII. ADJOURNMENT

Mayor adjourned the City Council meeting at 10:59 AM.

ATTEST:

Garry Manitzas, Mayor

Christina Picioccio, City Secretary

**CITY OF FAIR OAKS RANCH
JOINT CITY COUNCIL and PLANNING AND ZONING COMMISSION
PUBLIC HEARING MINUTES
December 13, 2018
7286 Dietz Elkhorn
Fair Oaks Ranch, TX 78015**

I. OPEN MEETING

A. Roll Call – Declaration of a Quorum

Present: Mayor Manitzas and Mayor Pro Tem Havard
Council Members: Elizondo, Hartpence, Koerner, and Patel

Absent: Council Member Maxton

A quorum was present.

Commission Members:

Present: Bobbe Barnes, Conrad Fothergill, David Horwath, Douglas Leonard, Dale Pearson,
Michael Rey, Frank Trapasso

A quorum was present and the Special Joint Workshop was called to order at 6:31 PM.

B. The Pledge of Allegiance was led by citizen, Seth Mitchell.

II. PURPOSE OF THE JOINT PUBLIC HEARING

A. The City Council and the Planning and Zoning Commission conducted a joint public hearing to receive public testimony regarding zoning change request from James Warren, applicant on behalf of Roman Blodgett, property owner, to change the zoning on approximately 2.249 acres from R-3, Existing Residential to NC, Neighborhood Commercial.

- a. Opening comments were provided by Mayor Manitzas.
- b. Manager of Engineering Services, Adrian Garcia provided the staff report recommending approval of the zoning change.
- c. Applicant, James Warren, provided a history of property's usage and detailed proposed property use to include office space rental and coffee bistro serving breakfast and lunch.
- d. At 6:47 PM, Mayor Manitzas opened the public hearing.
- e. Jerry Maclin of 29127 Stevenson Gate spoke in favor of the zoning change request.
- f. The Mayor closed the public hearing at 6:49 PM.
- g. Council and P&Z Commission discussed the proposed request. Topics discussed included: source of water/wastewater services, traffic/noise/lighting/24 hour availability of offices and possible' impact on neighbors.

III. ADJOURNMENT

Mayor Manitzas adjourned the meeting at 7:11 PM.

ATTEST:

Garry Manitzas, Mayor

Christina Picioccio, City Secretary



CITY COUNCIL CONSIDERATION ITEM

CITY OF FAIR OAKS RANCH, TEXAS

January 3, 2018

AGENDA TOPIC: Discussion and possible action to approve a Fire Inspector Services Agreement and to authorize the City Manager to execute the Agreement

DATE: January 3, 2019

DEPARTMENT: Building Codes

PRESENTED BY: Jim Earl, Building Official

INTRODUCTION/BACKGROUND:

The City of Fair Oaks Ranch does not currently have, in its employ, a Fire Inspector licensed by the state. City staff has determined that the establishment of an agreement with a state licensed Fire Inspector to conduct plan reviews, inspect new commercial construction, and to conduct yearly inspections on existing commercial establishments, would contribute significantly to the general health, safety and welfare of the citizens of the City of Fair Oaks Ranch.

Currently, the City of Fair Oaks Ranch operates under the International Fire Code, 2015 edition. The International Fire Code, 2015 ed. establishes "the minimum requirements consistent with nationally recognized good practice for providing a reasonable level of life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures, and premises, and to provide a reasonable level of safety to fire fighters and emergency responders during emergency operations.

The International Fire Code and the attached professional services agreement, would be the governing documents that would guide the function of the City's first Fire Inspector. This contractor would report directly to the City's Building Official.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

By establishing an agreement with a state licensed Fire Inspector calling for plan reviews and inspections on new commercial construction as well as yearly inspections on existing commercial establishments, the City's ability to ensure the health, safety and welfare of its citizens will be greatly enhanced.

LONGTERM FINANCIAL & BUDGETARY IMPACT:

The sum of \$5,000 dollars was budgeted for FY 2018-19 to accomplish the goal of establishing a Fire Inspector contractor. This sum comes from the Professional Services line in account number 01-641-300 in the Building Codes and Permits budget.

LEGAL ANALYSIS:

- 1) The Agreement if approved, will remain in effect for the remainder of FY 2018-19, to be renewed if deemed advisable, yearly.
- 2) The Agreement may be terminated by either party with or without cause.
- 3) The Fire Inspector, while serving in that capacity, will be covered for General Liability by the City of Fair Oaks Ranch.
- 4) The City's legal team has reviewed and approved the contract.

RECOMMENDATION/PROPOSED MOTION:

I move to approve the professional services agreement for fire inspection services and authorize the City Manager to execute the agreement.

FIRE INSPECTOR SERVICES AGREEMENT

This Services Agreement is made and entered into by and between Keaton Mattick ("FIRE INSPECTOR"), and the City Fair Oaks Ranch ("CITY"). Fire Inspector and City are each a "Party" and are together referred to as the "Parties"

WHEREAS, the CITY is responsible for enforcing applicable laws, regulations, ordinances and orders in the city limits of Fair Oaks Ranch to protect the public health, safety and welfare; and,

WHEREAS, FIRE INSPECTOR is agreeable to providing the services of a Professional Fire Inspector to inspect all commercial establishments open to the public in the city and be responsible for enforcing applicable rules in accordance with the International Fire Code; and,

WHEREAS, the Parties agree that fair and reasonable compensation from the CITY for provision of such services will be given to the FIRE INSPECTOR.

NOW, THEREFORE, in consideration of the mutual covenants and agreement stated herein, the parties agree as follows:

ARTICLE I. PURPOSE

- 1.01 The purpose of this Agreement is to acquire contracted personnel to provide fire prevention inspections, fire protection systems plan reviews, and fire protection systems acceptance testing services in the incorporated area of the City of Fair Oaks Ranch.

ARTICLE II. DEFINITIONS

- 2.01 For purposes of this agreement, the following terms shall have the meanings set forth below:
- a. FIRE INSPECTOR means Keaton Mattick who has been tested and licensed by the Texas Commission on Fire Protection as a Basic Fire Inspector or greater.
 - b. COMMERCIAL ESTABLISHMENT means a place where goods and commodities or services are provided, displayed, exchanged, sold or bought.
 - c. PUBLIC BUILDING means a place in which the possession and/or use, as well as the property in it, gives members of the of the public free access or use, and includes buildings in which the public may enter or gather for the purposes of civic, social, religious, or recreational functions, the consumption of food or drink, including where an entry fee is charged, or otherwise classified in Section 302.1 of the 2015 International Building Code. Exception: Properties regulated by the 2015 International Residential Code for One- and Two - family Dwellings.
 - d. FIRE PREVENTION INSPECTION means the examination of the interior, and when necessary the exterior, of a commercial establishment or public building to ensure the occupancy or building complies with the fire safety requirements of the locally adopted fire code.

- e. FIRE PROTECTION SYSTEM PLAN REVIEW means the examination and evaluation of the technical drawings and associated design calculations for fire protection systems and associated design calculations for fire protection systems installed in a building as required by the locally adopted Building and Fire Codes. The review is to ensure compliance with nationally accepted standards and practices.
- f. FIRE PROTECTION SYSTEM ACCEPTANCE TESTING means the witnessing of a fire protection system performance test, conducted by a licensed fire protection system installer, to ensure operational compliance with appropriate National Fire Protection Association minimum standards.
- g. FIRE CODE means the 2015 edition of the International Fire Code as adopted by both City, and any future adopted editions of the International Fire Code.
- h. BUILDING CODE means the 2015 edition of the International Building Code as adopted by the City, and any future adopted editions of the International Building Code
- i. INSPECTION REPORT means a hand written or computer generated document detailing any fire safety deficiencies found during a fire prevention inspection. The inspection report may also include corrective action information as well as fire code violation references.
- j. CITY BUILDING OFFICIAL means the officer or other designated authority charged with the administration and enforcement of the locally adopted codes, or a duly authorized representative of the City.
- k. OWNER'S AGENT means the architect, engineer, contractor, manager, or other person who has the owner's consent to act on his/her behalf in regards to the construction, maintenance and code compliance of a commercial establishment or public building.
- l. CERTIFICATE OF OCCUPANCY means a certificate or document issued by the City, indicating the building, structure, or occupied area within a structure, has been inspected and is found to be in compliance with locally adopted codes and state laws.
- m. CHANGE OF OCCUPANCY means a change in the purpose or level of activity within a building that involves a change in application of the requirements of the Fire Code.
- n. CLIENT means the individual, owner, owner's agent, occupant, contractor, or other person in responsible charge or control of and occupied public building, commercial establishment, or construction related project.
- o. NOTICE OF VIOLATION means a written document issued by a fire inspector upon finding that a serious violation of the Fire Code exists. The Notice of Violation identifies the violation, the fire code or state law reference, and information relative to correcting the violation and establishes a minimum timeline in which the violation must be corrected.

ARTICLE III. TERM

- 3.01 The term of this Agreement shall be for the period beginning January 4, 2019 and ending September 30, 2019, unless earlier terminated.
- 3.02 TERMINATION: Either Party may terminate this Agreement, with or without cause, by giving the other Party 90 day's written notice of its intention to do so. The Notice shall be delivered by mail or in person to the other Party. In such event, the Agreement will terminate 90 days following receipt of such notice with no further obligation on either Party, provided that all amounts due and owing to FIRE INSPECTOR by CITY be timely paid.
- 3.03 RENEWAL, EXTENSION: On or before July 1 of ending agreement year, CITY shall notify FIRE INSPECTOR whether or not CITY desires to continue this Agreement for another year or any term of less than one year. By written agreement executed at any time before the expiration date stated herein or such subsequent expiration date as agreed to by the Parties, the Parties may renew this Agreement for a one year term or extend the term of the Agreement for any period of less than 12 months. On an annual basis it is the city's intent to execute a Fire Inspector Services Agreement that coincides with the city's fiscal year beginning October 1 and ending September 30 each year.
- 3.04 The FIRE INSPECTOR agrees and understands that the CITY is a governmental entity that has projected costs for this Agreement and the CITY expects to pay all obligations of this Agreement from projected revenue sources, but all obligations of the CITY are subject to annual appropriation by the CITY in future years. In the event the CITY does not appropriate funds in any fiscal year for payments due under this Agreement, then this Agreement shall terminate with the CITY providing written notice of any non-appropriation to the FIRE INSPECTOR as soon as reasonably practical.

ARTICLE IV. FIRE INSPECTOR'S RESPONSIBILITIES

- 4.01 Inspect all commercial establishments open to the public within the jurisdiction of the City, at a minimum of once per year.
- 4.02 Conduct plan reviews in conjunction with all new commercial buildings within 10 business days of date of permit application.
- 4.03 Conduct at least two Fire Inspections to include a "rough" and a "final" on all newly permitted commercial buildings.
- 4.04 Perform other inspections as may be required to ensure enforcement of the CITY adopted International Fire Code within the city.
- 4.05 Enforce all applicable laws, regulations, rules, ordinances, and orders concerning fire safety in commercial establishments open to the public.
- 4.06 Represent the city at planning or pre-development meetings as necessary.
- 4.07 Direct the closure of any commercial establishment open to the public that are not in compliance with applicable fire safety laws, regulations, rules, ordinances and orders.

- 4.08 Require the correction of any code violations related to fire safety in accordance with applicable laws, regulations, rules, ordinances, and orders.
- 4.09 Provide digital inspection Copies of all Fire Protection Inspection reports and all Fire Protection Systems Permits Issued for commercial establishments or public accessible buildings within the incorporated city limits of the CITY, within 48 hours of issuance.
- 4.10 Provide and maintain own office space, furnishing, equipment and supplies, including a motor vehicle, as necessary to perform the applicable services at the cost to the individual and not the City Of Fair Oaks Ranch.
- 4.11 Provide proof of certified Fire Inspector with the Texas Commission on Fire Protection and attach as Exhibit A to this Agreement. Upon request, submit evidence of continued compliance, with all State and Federal certifications, regulations, and license requirements pertaining to the services provided hereunder.
- 4.12 Provide professional recommendations and advice to the city regarding fire code or policy issues including consultation services, to the City Building Official, related to fire-resistive rated construction requirements identified in the Building Code. These services may be provided by phone, e-mail, mail, or when necessary by on-site visits.
- 4.13 Plan reviews for installed fire protection systems required in commercial establishments or public accessible buildings, as required by the Building Code, including:
 - (1) Automatic Fire Sprinkler Systems
 - (2) Alternative Automatic Fire-Extinguishing Systems (Vent/Hood System)
 - (3) Standpipe Systems
 - (4) Fire Alarm and Detection Systems
 - (5) Emergency Alarm Systems
 - (6) Smoke Control Systems
 - (7) Smoke and Heat Vent Systems
 - (8) Fire Command Centers

ARTICLE V. CITY'S RESPONSIBILITIES

- 5.01 Pay FIRE INSPECTOR the sum of five thousand dollars and zero cents (\$5,000.00) annually in 4 quarterly payments of one thousand two hundred fifty dollars and zero cents (\$1,250.00) to be paid on or before January 15, 2019, April 15, 2019 , July 15, 2019. Contract renewal or extensions subject to Article II, Sections 2.03 and 2.04 will prescribe quarterly payments on or before October 15, January 15, April 15, and July 15.
- 5.02 The Building Official will be responsible for administering this agreement. The Fire Inspector will report to the Building Official.
- 5.03 Co-operate with FIRE INSPECTOR in adopting applicable ordinances and providing assistance to the FIRE INSPECTOR as necessary so that all required inspections can be conducted in a timely manner and all applicable laws, regulations and ordinances can be enforced within the jurisdiction of CITY.
- 5.04 Provide FIRE INSPECTOR with business cards as necessary.

- 5.05 Provide FIRE INSPECTOR with identification badge.
- 5.06 Provide FIRE INSPECTOR with general liability insurance on a per occurrence basis with limits of liability not less than \$1,000,000 for each occurrence and for fire damage. For Bodily Injury and Property Damage, coverage shall be no less than \$1,000,000. As a minimum, coverage for Premises, Operations, Products and Completed Operations shall be \$2,000,000. This coverage shall protect the public or any person from injury or property damages sustained by reason of the FIRE INSPECTOR. The general aggregate shall be no less than \$2,000,000.
- 5.07 When it is determined by the City Building Official that a fire protection system, as defined in Article IV, section 401(b) (1-8), is required in a commercial establishment or public building, the City Building Official will refer the building owner or owner's agent to the FIRE INSPECTOR to obtain the necessary Fire Protection System Plan Reviews, Permits, Inspections and Acceptance Testing.
- 5.08 When a new commercial establishment or public building that does not require a fire protection system is constructed within the incorporated city limits, the City Building Official will notify the FIRE INSPECTOR to schedule a joint fire safety/final inspection prior to the issuance of a Certificate of Occupancy. This will allow both the City and FIRE INSPECTOR the opportunity to discuss and determine the minimum level of Fire Safety for the given structure.
- 5.09 When a Change in Occupancy occurs in an existing commercial establishment or public building, the City Building Official will notify FIRE INSPECTOR to schedule a joint fire safety/occupancy inspection prior to the issuance of a Certificate of Occupancy. This will allow both the City and FIRE INSPECTOR the opportunity to discuss and determine the minimum level of Fire Safety for the altered occupancy.

ARTICLE VI. MISCELLANEOUS PROVISIONS

- 6.01 In the performance of service by the FIRE INSPECTOR to the CITY under the terms of this Agreement, it is mutually understood and agreed that the FIRE INSPECTOR at all times shall be an independent contractor. Nothing herein shall be construed as giving a degree of control on the part of the CITY that creates an employer-employee relationship between the CITY and the FIRE INSPECTOR.
- 6.02 This Agreement does not create an employment relationship, partnership, or joint venture between the FIRE INSPECTOR and the CITY.
- 6.03 This is the sole and only agreement between the Parties concerning the subject matter set out herein. No other agreement, statement or promise made by any party or any officer, agent or employee of any Party, which is not set out herein, shall be binding or enforceable against either Party.
- 6.04 No amendment, modification or alteration to this Agreement shall be binding unless it is set out in writing, approved by the Parties and signed by the Parties or their duly authorized representative.
- 6.05 All notices by the Parties shall be deemed given when either delivered in person or deposited in the U.S. Mail, postage prepaid, certified mail, return receipt requested, addressed to the appropriate party at the following addresses:

If to CITY: City Manager's Office
City of Fair Oaks Ranch
7286 Dietz Elkhorn
Fair Oaks Ranch, TX 78015

If to FIRE INSPECTOR: Keaton Mattick
201 Sandy Shoal
Boerne, TX 78006

- 6.06 If any provision of this Agreement is determined to be invalid or unenforceable by a court of competent jurisdiction, this Agreement shall be reformed to the extent necessary to make the offending provision valid and enforceable, or if the offending provision cannot be modified so as to be made valid and enforceable, the invalidity or unenforceability of such provision shall not affect the remaining terms of this Agreement.
- 6.07 This Agreement shall be construed in accordance with the laws of the State of Texas. Exclusive venue for any legal action arising from this Agreement shall be in Kendall County, Texas.

EXECUTED IN DUPLICATE THIS _____ DAY OF _____, 2019.

KEATON MATTICK
FIRE INSPECTOR

TOBIN E. MAPLES
CITY MANAGER

Exhibit A

Fire inspector Certificate (Texas Commission on Fire Protection)

Texas Commission on Fire Protection



In the interest of protecting the citizens of Texas,
the commission awards this certificate to

Keaton S Mattick

In recognition of completion of the requirements for

Basic Fire Inspector

01/25/2018

Certificate Number -144935



R. L. Moore
Chairperson

J. J. Stal
Executive Director

Exhibit B

Certificate of Insurance



Certificate of Coverage

TMLIRP Contract Number: 8011

Member:
 Fair Oaks Ranch
 Ms. Sarah Buckelew
 Finance Officer
 7286 Dietz Elkhorn Rd
 Fair Oaks Ranch, Texas 78015-4707

Company Affording Coverage:

Texas Municipal League Intergovernmental Risk Pool (TMLIRP)
 PO Box 149194
 Austin, TX 78714-9194
 (512) 491-2300 or (800) 537-6655
 Fax: (512) 491-2404

Certificate Holder:

Keaton Mattick
 201 Sandy Shoal
 Boerne, TX 78006

This is to certify that the coverages listed below have been provided to the member and are in effect at this time. Notwithstanding any requirements, terms, or conditions of any other contract or agreement with respect to which this certificate may be issued or may pertain, the coverage afforded by TMLIRP described herein is subject only to the terms, exclusions and additions of TMLIRP's coverage contracts between TMLIRP and its member(s).

Coverage is continuous until canceled.

General Liability Effective Date: 10/1/2018 Anniversary Date: 10/1/2019 Limits of Liability (Each Occurrence): \$5,000,000 Sudden Events Involving Pollution (Each Occurrence): \$2,000,000 Annual Aggregate: \$10,000,000 Deductible per Occurrence: \$1,000 Law Enforcement Liability Effective Date: _____ Anniversary Date: _____ Limits of Liability (Each Occurrence): _____ Annual Aggregate: _____ Deductible per Occurrence: _____ Errors and Omissions Liability Effective Date: 10/1/2018 Anniversary Date: 10/1/2019 Limits of Liability(Each Wrongful Act): \$5,000,000 Annual Aggregate: \$10,000,000 Deductible per Occurrence: \$1,000 Auto Liability Effective Date: _____ Anniversary Date: _____ Limits of Liability (Each Occurrence): _____ Deductible per Occurrence: _____ Auto Physical Damage Effective Date: _____ Anniversary Date: _____ Limits of Liability: _____ Collision Deductible: _____ Comprehensive Deductible: _____ Yes No Loss Payee: _____ _____ _____	Real & Personal Property Effective Date: _____ Anniversary Date: _____ Limits of Coverage: _____ Deductible per Occurrence: _____ Mobile Equipment Effective Date: _____ Anniversary Date: _____ Limits of Coverage: _____ Deductible per Occurrence: _____ Boiler & Machinery - Broad Form Effective Date: _____ Anniversary Date: _____ Per Accident Limit: _____ Deductible per Occurrence: _____ <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th>Yes</th> <th>No</th> </tr> </thead> <tbody> <tr> <td>Mortgagee</td> <td></td> <td></td> </tr> <tr> <td>Loss Payee</td> <td></td> <td></td> </tr> <tr> <td>Loan Number:</td> <td colspan="2"></td> </tr> </tbody> </table> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Year/Make/Model</th> <th>VIN</th> <th>Value</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table> Yes No Loan Number: _____		Yes	No	Mortgagee			Loss Payee			Loan Number:			Year/Make/Model	VIN	Value																											
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DESCRIPTION:

Evidence of coverage for Fire Inspector Services Agreement between City of Fair Oaks Ranch and Keaton Mattick.

Cancellation: Should any of the above described coverages be canceled before the anniversary date thereof, TMLIRP will endeavor to mail 30 days written notice to the above named certificate holder, but failure to mail such notice shall impose no obligation or liability of any kind upon TMLIRP.

Authorized Representative: Dawn Hyatt

Date Issued:

11/29/2018

INDEMNIFICATION UNDER CONTRACT

This endorsement forms a part of the **Declarations** to which attached, effective on the inception date of the coverage unless otherwise stated herein, and clarifies such coverage as is afforded by the provisions of the coverage shown below:

- ☒ **GENERAL LIABILITY**
- ☒ **AUTOMOBILE LIABILITY**
- ☒ **LAW ENFORCEMENT LIABILITY**
- ☐ **AIRPORT (GENERAL LIABILITY
HAZARDS) PREMISES LIABILITY**

Entity Name : Fair Oaks Ranch
Entity ID : 8011
Effective Date : 10/1/18

It is agreed that coverage is provided for the liability assumed by the **Fund Member** to indemnify the person or organization named below under a contract between such person or organization and the **Fund Member**, but such coverage shall not exceed the limits of coverage set forth in the **Declarations**.

Person or Organization : Keaton Mattick
Address : 201 Sandy Shoal
City, State & Zip Code : Boerne, TX 78006

Description

Fire Inspector Services Agreement between the City of Fair Oaks Ranch and Keaton Mattick



CITY COUNCIL CONSIDERATION ITEM

CITY OF FAIR OAKS RANCH, TEXAS

January 3, 2019

AGENDA TOPIC: Discussion and possible action on the First Reading of an Ordinance amending the official zoning map by zoning 9120 Old Dietz Elkhorn Road, Mann-Blodgett Subdivision, CB 4707E, Block 1, Lot 1, Fair Oaks Ranch, Bexar County Texas From Existing Residential 3 (R-3) to Neighborhood Commercial (NC)

DATE: January 3, 2019

DEPARTMENT: Engineering Services

PRESENTED BY: Adrian M. Garcia, P.E., Manager of Engineering Services

INTRODUCTION/BACKGROUND:

A joint public hearing was held with City Council and the Planning and Zoning (P&Z) Commission on December 13, 2018 for the zoning change application, ZC 2018-01. The subject property exists at 9120 Old Dietz Elkhorn Road. The request is for a zoning change from Existing Residential three (R-3) to Neighborhood Commercial (NC) to allow the owner to utilize the property as co-working office space and a bistro/café.

Following the joint public hearing on December 13, 2018, the P&Z Commission conducted their regularly scheduled meeting. The P&Z Commission voted to recommend approval of the zoning change request to the City Council.

The City Council is the final authority on all zoning change applications. An ordinance is required to amend the zoning of the subject property and to amend the Official Zoning Map of the City.

LEGAL ANALYSIS:

The attached staff report and the joint public hearing held on December 13, 2018 demonstrate compliance with the requirements as prescribed in Chapter 211 of the Local Government Code and the City's zoning ordinance.

RECOMMENDATION/PROPOSED MOTION:

I move to approve the ordinance amending the official zoning map by zoning 9120 Old Dietz Elkhorn Road, Mann-Blodgett Subdivision, CB 4707E, Block 1, Lot 1, Fair Oaks Ranch, Bexar County Texas From Existing Residential 3 (R-3) to Neighborhood Commercial (NC).

STAFF REPORT

To: City Council and Planning and Zoning Commission
From: Engineering Services Department
Date: December 13, 2018
Re: Zoning Change Request No: ZC 2018-01

A request from Jim Warren on behalf of Roman Blodgett owner; for approval of a zoning change from Existing Residential three (R-3) to Neighborhood Commercial (NC) to utilize the property as co-working office space and a bistro/café on approximately 2.249 acres of land.

General Location: 9120 Old Dietz Elkhorn Road

Summary of Request

The request is for a zoning change from Existing Residential three (R-3) to Neighborhood Commercial (NC) to allow the owner to utilize the property as co-working office space and a bistro/café.

Recommendation

Staff recommends approval of the zoning change for the following reasons:

- 1) The adopted Future Land Use Map designates this property as Neighborhood Commercial (NC).
- 2) This property operated as a restaurant/bistro/wine bar from June 2016 to June 2017. This property was annexed into the City in November 2017.
- 3) This property is adequate in size and shape to facilitate the uses that are permitted by right for the requested zoning designation.
- 4) The extension and enhancement of utilities is not required to continue serving the property in a commercial capacity.

Site History

From 2007 to 2015, the property was owned and operated by Coyle Engineering as commercial office space. In May 2015, the property was sold to the Blodgett's, whom operated it as a restaurant/bistro/wine bar from June 2016 to June 2017. In May 2016, the City Council of Fair Oaks Ranch approved the final plat of the Mann-Blodgett subdivision in conjunction with Bexar County as the property was located in the City's ETJ.

This property was located in the City's extra territorial jurisdiction (ETJ) until it was annexed into the City in November of 2017. Upon adoption of the zoning map and future land use map in June 2018, the property was given an Existing Residential 3 (R-3) designation.

This site is generally located along the south side of Old Dietz Elkhorn Road, immediately west of the Front Gate subdivision and north of the Methodist Church. A summary of the surrounding land uses and zoning designations can be found in the following table:

Zoning		Land Use
NORTH	None (Outside City Limits)	N/A
SOUTH	Civic and Community Facilities	Church
EAST	Existing Residential -1	Residential
WEST	Civic and Community Facilities	Church

Conformance with Future Land Use Map

The Future Land Use Map adopted in June of 2018 designates this property as Neighborhood Commercial (NC). The NC zoning district is described as "...intended to provide areas for commercial activity and certain other activities that are relatively compatible with residential areas or is located within residential neighborhoods." Uses permitted by right in the NC zoning district, include the following:

- Retail Sales or Service with no drive through facility
- Food Service Uses such as full-service restaurants, cafeterias, bakeries catering and snack bars with no drive through facilities
- Art, antique, museum, furniture or galleries (retail, repair or artisanal fabrication)
- Commercial/ Office with no drive through facility
- Fitness, recreational sports, gym, athletic club, dance or yoga studio
- Parks, greens, plazas, squares, and playgrounds
- Business associations and professional membership organizations
- Social, fraternal and philanthropic organizations
- Public administration uses (including local, state, and federal government uses, public safety, health and human services)
- Accessory Building Residential Unit (Garage Apt.)
- Single-family Residential Attached/ Townhomes/ Patio Home/ Duplex/ Multi Unit Home (3-4 Units)
- Home Occupations

The applicant has stated the property owner's intent to operate co-working office space and a bistro/café. The applicant indicated that alcohol will not be sold on the property. More information regarding the proposed intended use of this property can be found in Exhibit 6 – Applicant Packet.

Platting Status

In May 2016, the City Council of Fair Oaks Ranch approved the final plat of the Mann-Blodgett when the property was located in the City's ETJ. At that time, the City did not have an inter-local agreement with Bexar County for platting authority. As required in these situations, both jurisdictions reviewed the plat for conformance with subdivision regulations and approved the plat. Bexar County approved the plat in July 2017 and the plat was recorded at the county in August of 2017.

Availability of Utilities

The City of Fair Oaks Ranch water and wastewater utility does not service this area. The applicant stated that this property is currently serviced by a private well for water supply and operates a septic system for wastewater. This area is part of San Antonio Water System's (SAWS), City Public Service's (CPS), and Grey Forest Utility's (GFU) service area. At the time of platting, the City required all affected utility providers to submit letters of certification to confirm the adequacy of all utility easements on this property.

Public Notification

City staff sent public notices, public comment forms, and a location map to the owner of the property, the Boerne Independent School District, and all properties within 200 feet of the subject property under consideration for the zone change. Additionally, notice of the public hearing was published in the Boerne Star newspaper on November 30, 2018.

Opposition to or Support of Proposed Request

City staff has not received any returned notices in opposition to the proposed zoning change. City staff has received one public comment form in support of the zoning change which is attached as Exhibit 7.

Exhibits

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Notification Map
5. Notification List
6. Applicant Packet
7. Returned Public Comment Form



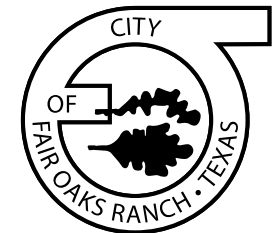
Exhibit 1 AERIAL MAP

MANN-BLODGETT SUBDIVISION

C.B. 4707E, Block 1 Lot 1

ZC No. 2018-01

 Subject Property



December, 2018



1" ≈ 200'

Disclaimer – The City of Fair Oaks Ranch (COFOR) does not guarantee the accuracy, adequacy, completeness, or usefulness of any information. COFOR does not warrant the completeness, timeliness, or positional, thematic, and attribute accuracy of the GIS Data. The GIS data, cartographic products, and associated applications are not legal representations of the depicted data. GIS data is derived from public records that are constantly undergoing revision. Under no circumstances should GIS products be used for final design purposes. COFOR provides this information on an "as is" basis without warranty of any kind, express or implied, including but not limited to warranties of merchantability or fitness for a particular purpose, and assumes no responsibility for anyone's use of the information.

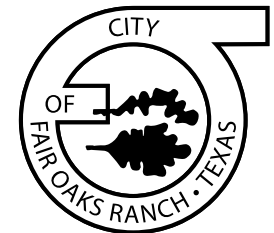
Exhibit 2 ZONING MAP

MANN-BLODGETT SUBDIVISION

C.B. 4707E, Block 1 Lot 1

ZC No. 2018-01

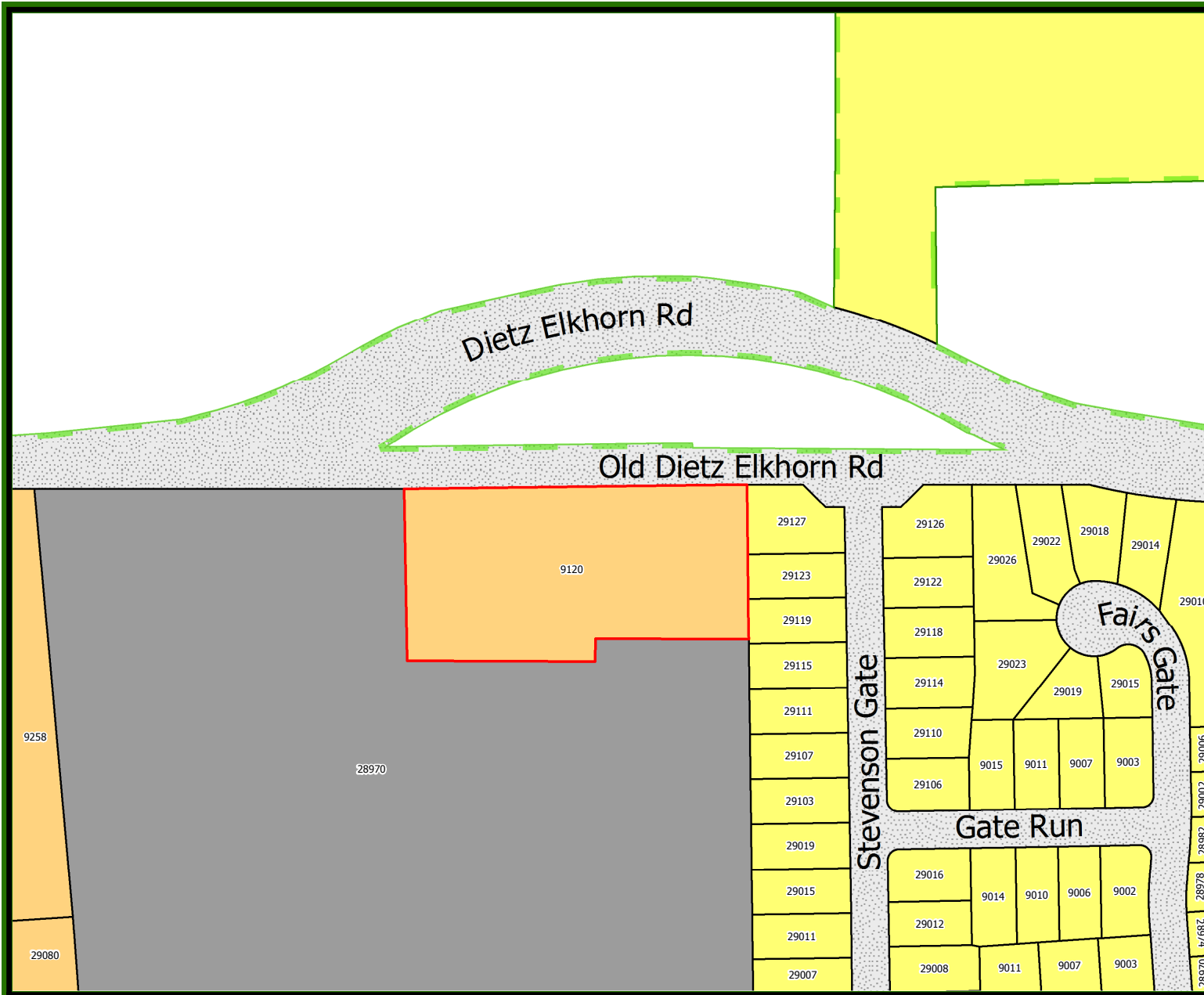
-  City Limits
-  Subject Property
-  Civic & Community Facilities
-  Existing Residential One
-  Existing Residential Three



December, 2018



1" ≈ 200'



Disclaimer – The City of Fair Oaks Ranch (COFOR) does not guarantee the accuracy, adequacy, completeness, or usefulness of any information. COFOR does not warrant the completeness, timeliness, or positional, thematic, and attribute accuracy of the GIS Data. The GIS data, cartographic products, and associated applications are not legal representations of the depicted data. GIS data is derived from public records that are constantly undergoing revision. Under no circumstances should GIS products be used for final design purposes. COFOR provides this information on an "as is" basis without warranty of any kind, express or implied, including but not limited to warranties of merchantability or fitness for a particular purpose, and assumes no responsibility for anyone's use of the information.

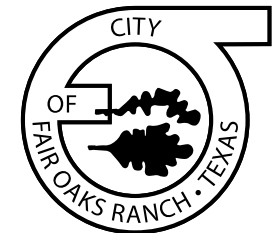
Exhibit 4 NOTIFICATION MAP

MANN-BLODGETT SUBDIVISION

C.B. 4707E, Block 1 Lot 1

ZC No. 2018-01

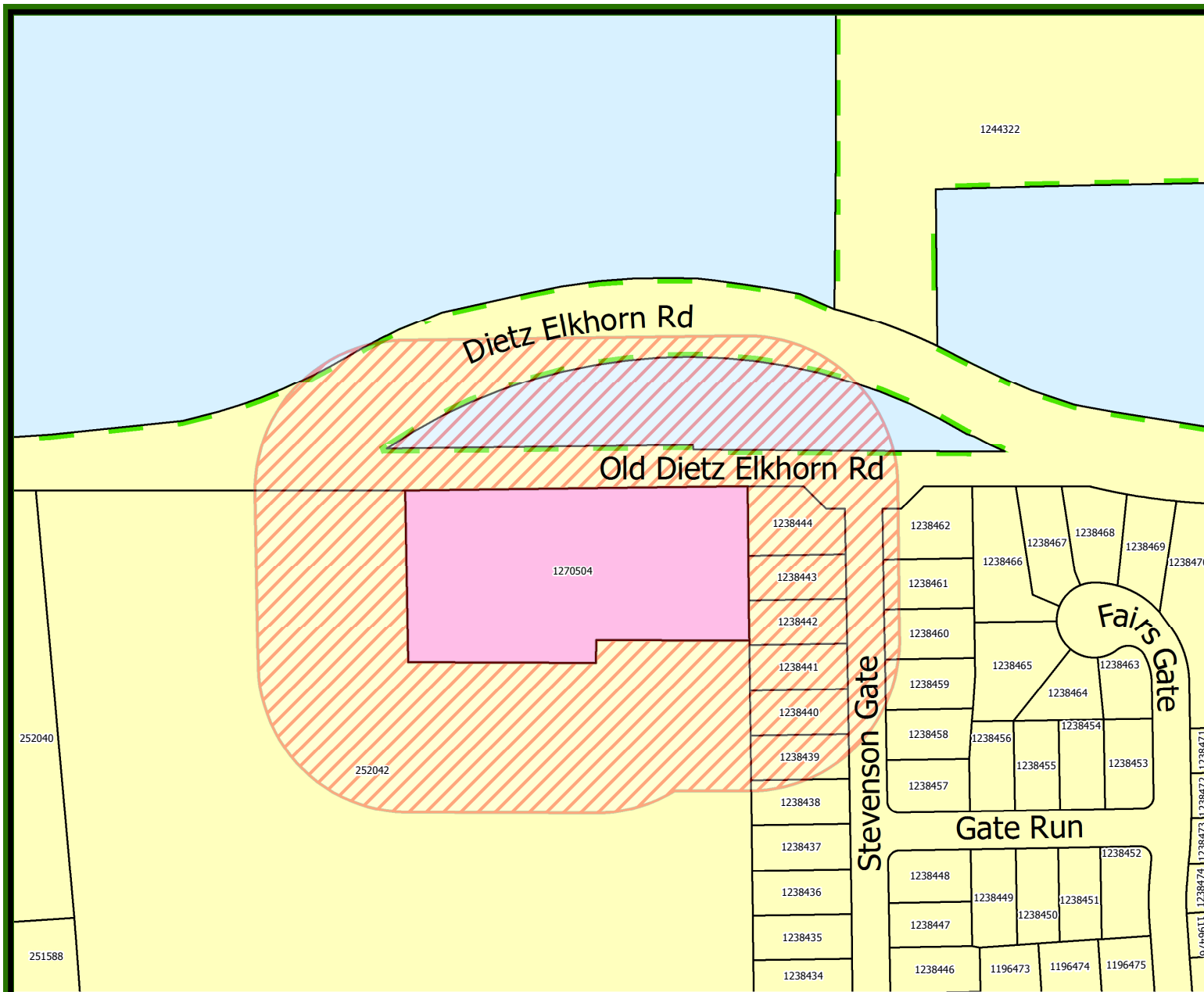
- Subject Property
- Notification Area
- City Limits
- Outside City Limits



December, 2018



1" ≈ 200'



Disclaimer – The City of Fair Oaks Ranch (COFOR) does not guarantee the accuracy, adequacy, completeness, or usefulness of any information. COFOR does not warrant the completeness, timeliness, or positional, thematic, and attribute accuracy of the GIS Data. The GIS data, cartographic products, and associated applications are not legal representations of the depicted data. GIS data is derived from public records that are constantly undergoing revision. Under no circumstances should GIS products be used for final design purposes. COFOR provides this information on an "as is" basis without warranty of any kind, express or implied, including but not limited to warranties of merchantability or fitness for a particular purpose, and assumes no responsibility for anyone's use of the information.

Exhibit 5 – Notification List

Owner	Site Address	Mailing Address
VALDEZ JOSE JR & RAMIREZ MIRANDA	29126 Stevenson Gate	29126 STEVENSON GATE FAIR OAKS RANCH, TX 78015-4793
MASON DAVID CHRISTOPHER	29122 Stevenson Gate	29122 STEVENSON GATE FAIR OAKS RANCH, TX 78015-4793
WETZ MICHAEL C JR	29118 Stevenson Gate	29118 STEVENSON GATE FAIR OAKS RANCH, TX 78015-4793
THREE W PARTNERS LTD	29114 Stevenson Gate	29114 STEVENSON GATE FAIR OAKS RANCH, TX 78015-4793
MACLIN JERRY L JR & NICOLA A	29127 Stevenson Gate	29127 STEVENSON GATE FAIR OAKS RANCH, TX 78015-4793
SHELTON AMANDA CALEEN	29123 Stevenson Gate	29123 STEVENSON GATE FAIR OAKS RANCH, TX 78015-4793
ASHTON SAN ANTONIO RESIDENTIAL LLC	29119 Stevenson Gate	ATTN SHERRI DRANE 17319 SAN PEDRO AVE STE 140 SAN ANTONIO, TX 78232-1412
YAMZON MARTIN LIM	29115 Stevenson Gate	29115 STEVENSON GATE FAIR OAKS RANCH, TX 78015-4793
LOBSINGER KENNETH C & JEAN W	29111 Stevenson Gate	29111 STEVENSON GATE FAIR OAKS RANCH, TX 78015-4793
PERHAM RICHARD H & JANICE L	29107 Stevenson Gate	29107 STEVENSON GATE FAIR OAKS RANCH, TX 78015-4793
BURNETTE KIMBERLY A	29103 Stevenson Gate	29103 STEVENSON GATE FAIR OAKS RANCH, TX 78015-4793
SPRING CREEK UNITED	28970 Old Fredricksburg Rd	METHODIST CHURCH 28970 OLD FREDERICKSBURG RD FAIR OAKS RANCH, TX 78015-9119

Others for Notification		
Boerne Independent School District	235 Johns Rd. Boerne, TX 78006	235 Johns Rd. Boerne, TX 78006
Roman and Leslie Blodgett	Mann Susan 8526 Colfax CV San Antonio, TX 78255-2036	Mann Susan 8526 Colfax CV San Antonio, TX 78255-2036
Roman and Leslie Blodgett	9120 Dietz Elkhorn Rd. Fair Oaks Ranch, TX 78015	9120 Dietz Elkhorn Rd. Fair Oaks Ranch, TX 78015



Zoning Change Request
City of Fair Oaks Ranch, TX

9120 Old Dietz Elkhorn Rd

November 8, 2018

**ZONING CHANGE REQUEST
CITY OF FAIR OAKS RANCH, TX**

APPLICANT: Jim Warren on behalf of Roman Blodgett, owner

LOCATION: 9120 Old Dietz Elkhorn Rd

LEGAL DESCRIPTION: CB 4707E (MANN-BLODGETT), Block 1 Lot 1

SIZE: 2.249 Acres

FUTURE LAND USE PLAN: The property is currently shown on the Future Land Use Map (FLUM) as NC-Neighborhood Commercial.

EXISTING ZONING: The property was annexed into the City of Fair Oaks Ranch in 2017, and was given an R-3, Existing Residential 3 zoning designation.

PROPOSED CHANGE: Rezone from R-3, Existing Residential 3 to NC, Neighborhood Commercial. No change is requested or required to the FLUM as currently the property is reflected as NC.

HISTORY:

- From 2007 to 2015, the property was owned and operated by Coyle Engineering as commercial office space. A floor plan of said business is attached, showing the building configuration at that time. The floor plan has not changed substantially over time, and is representative of current and future uses.
- In May of 2015, the property was sold to the Blodgett's, who operated it as a restaurant/bistro/wine bar from June of 2016 to June of 2017.

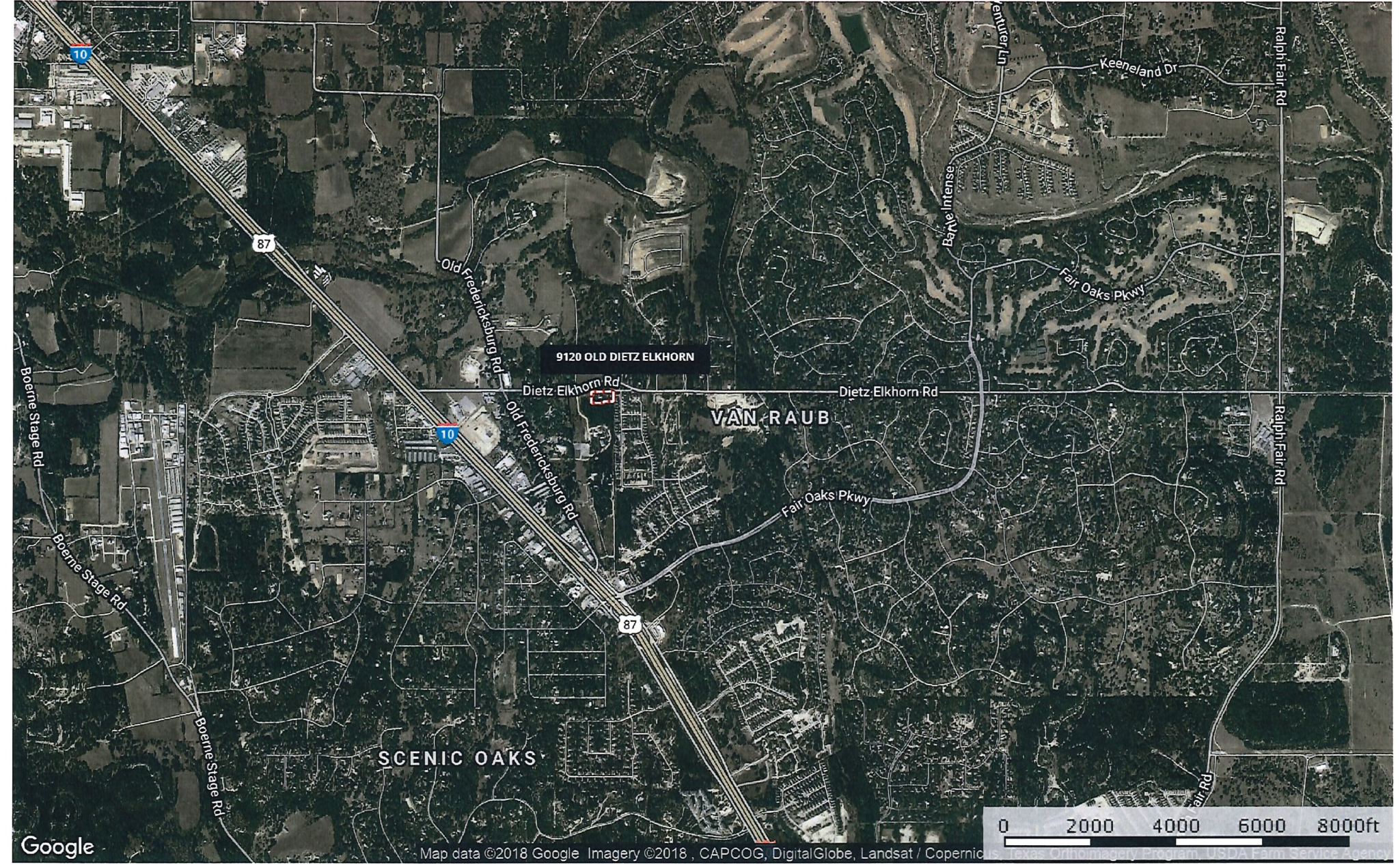
SUPPORTING INFORMATION:

- As previously stated, property is currently on the City of Fair Oaks Ranch Future Land Use Map as NC, Neighborhood Commercial.
- None of the projected uses of the property would conflict with the historical uses of the property.
- The principals plan to utilize the property as coworking office space and bistro/café. They started operation in the summer of 2017 with a similar facility in San Antonio, and desire to make this their third such facility as they expand in the greater San Antonio market. Brochures describing these facilities are attached, and further information can be obtained by going to www.moadecenter.com.

- All projected uses of the property comply with Section 14.05.001 of the City of Fair Oaks Ranch Zoning Ordinance as uses permitted by right.
- Property currently has 20+ existing parking spaces, and a former tennis court area that can handle an additional 20+ vehicles.
- In order to comply with R-3 Existing Residential 3 zoning and be utilized as a residential property, major renovations would be required in order to revert from commercial use, as there is currently no kitchen, and existing restrooms are of a commercial nature.
- The property is adequate in size and shape to facilitate those uses associated with the requested designation.
- The property does not exceed the capabilities of the infrastructure, as the utilities serving the subject property are sufficient in capacity to continue serving commercial uses.
- The principals feel strongly that the request will have no adverse effect on any property within six hundred (600) feet of the affected property, as the uses of the property would be the same as those historically utilized.

ATTACHMENTS:

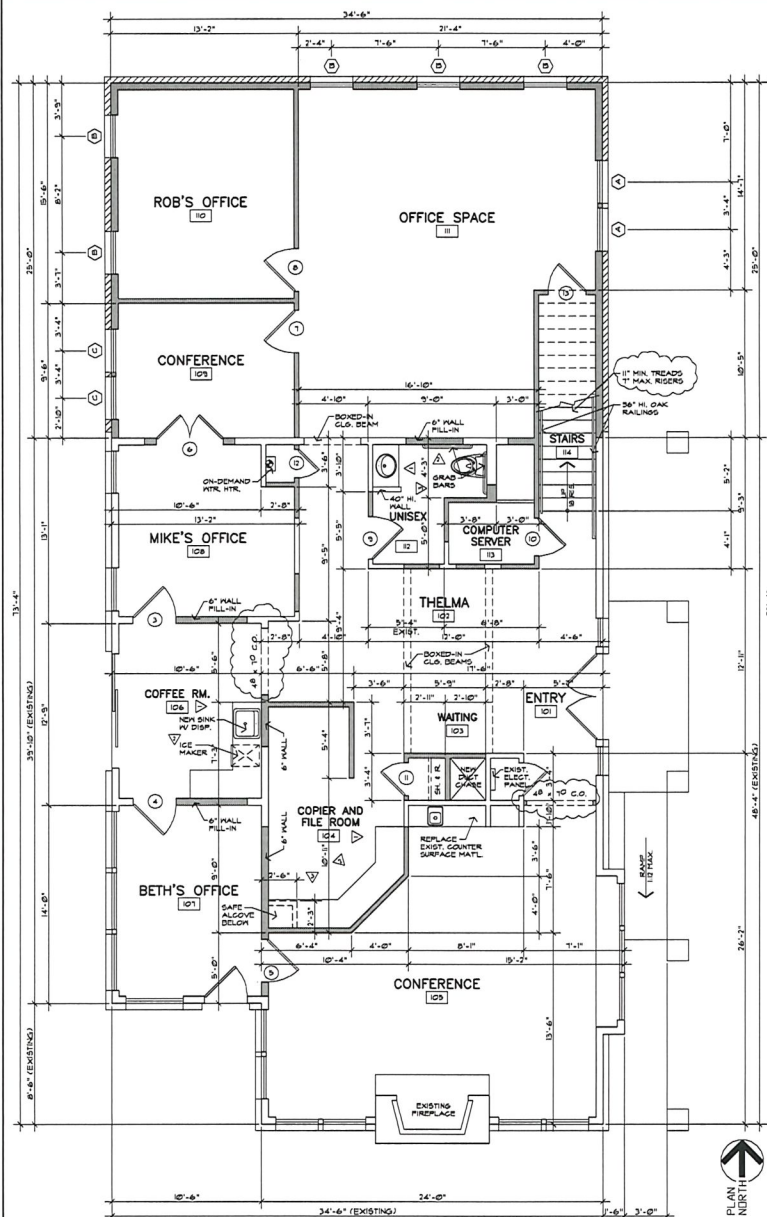
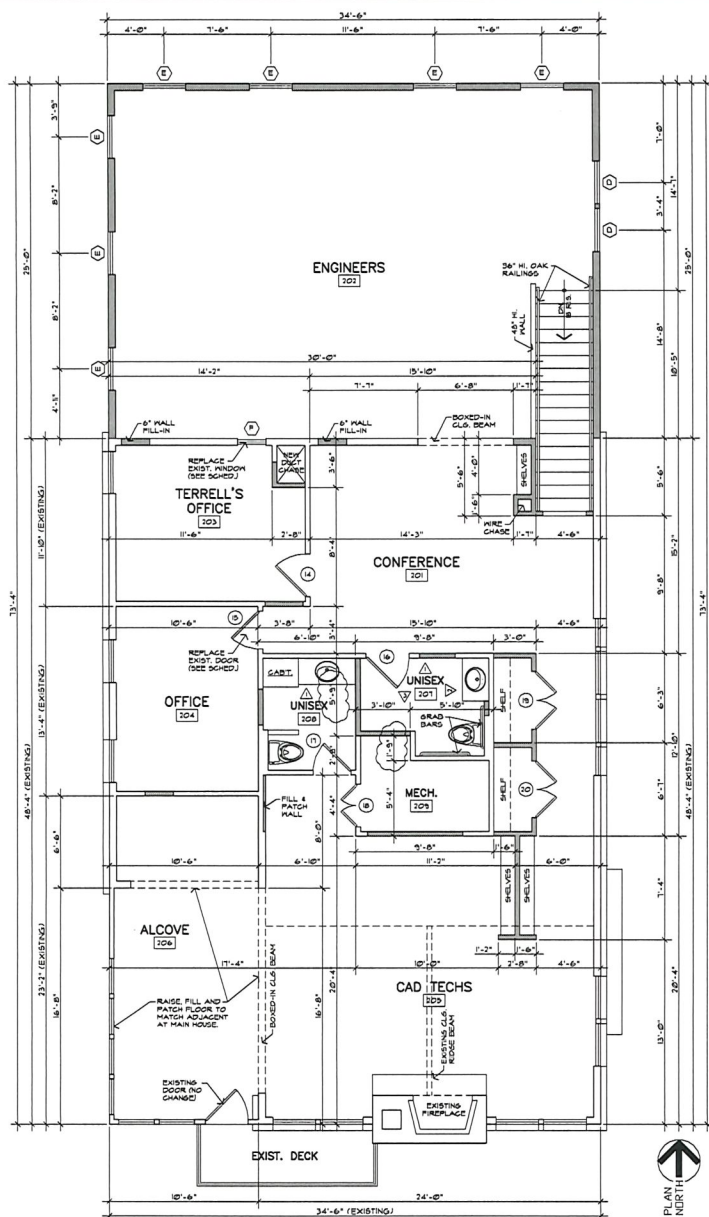
- Location Aerial
- Property Aerial
- Plat
- Coyle Engineering Floorplan
- "The Elkhorn" Site plan
- Summary of Uses By Right
- Pictures of subject property
- Moade Center brochures



 Boundary



 Boundary



- FLOOR PLAN NOTES:**
1. ALL NEW CONDUIT AND PLUMBING LINES IN SLAB SHALL BE PLACED BELOW SLAB REINFORCING.
 2. SEAL ALL OPENINGS IN SLAB WITH MINIMUM 2-IN. LIQUID ASPHALT.
 3. SIZE ALL NEW DOMESTIC HOT AND COLD WATER PIPES WITHIN THE STRUCTURE AS REQUIRED TO OBTAIN SUFFICIENT AND NOISELESS WATER FLOW TO REQUIRED OUTLETS.
 4. ALL NEW WINDOWS TO BE DUAL GLAZED UNITS WITH LOW "E" VALUE.

- FLOOR PLAN LEGEND:**
1. ALL NEW EXTERIOR WALLS SHALL BE 2 X 6 STUDS @ 16" o.c. TO MATCH EXISTING. FILL WITH MIN. R-13 WALL INSULATION.
 2. ALL NEW INTERIOR WALLS SHALL BE 2 X 4 STUDS @ 16" o.c. TO MATCH EXISTING TYPICAL EXCEPT WHERE NOTED OTHERWISE.
 3. PATCH, REPAIR AND FILL WALLS WHERE SHOWN TO MATCH EXISTING ADJACENT SURFACES.
 4. REPLACE ALL EXISTING PLUMBING FIXTURES AND ASSOCIATED HARDWARE.

AREAS	
EXIST'G. MAIN FLOOR AREA -	1607.0'
NEW MAIN FLOOR ADDITION -	862.5'
EXIST'G. UPPER FLOOR AREA -	1878.0'
NEW UPPER FLOOR ADDITION -	862.5'
TOTAL FLOOR AREAS -	5110.0'
NEW BRICK LUG -	35.0'
TOTAL NEW SLAB -	897.5'

FINAL PLANS PER ADA REQUIREMENTS
AUGUST 3, 2007

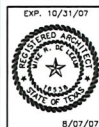
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MIKE R. DE LEEUW, A.I.A.
ARCHITECTURE



P.O. BOX 757 - BOERNE - TEXAS 78006 - TEL (210) 328-6641

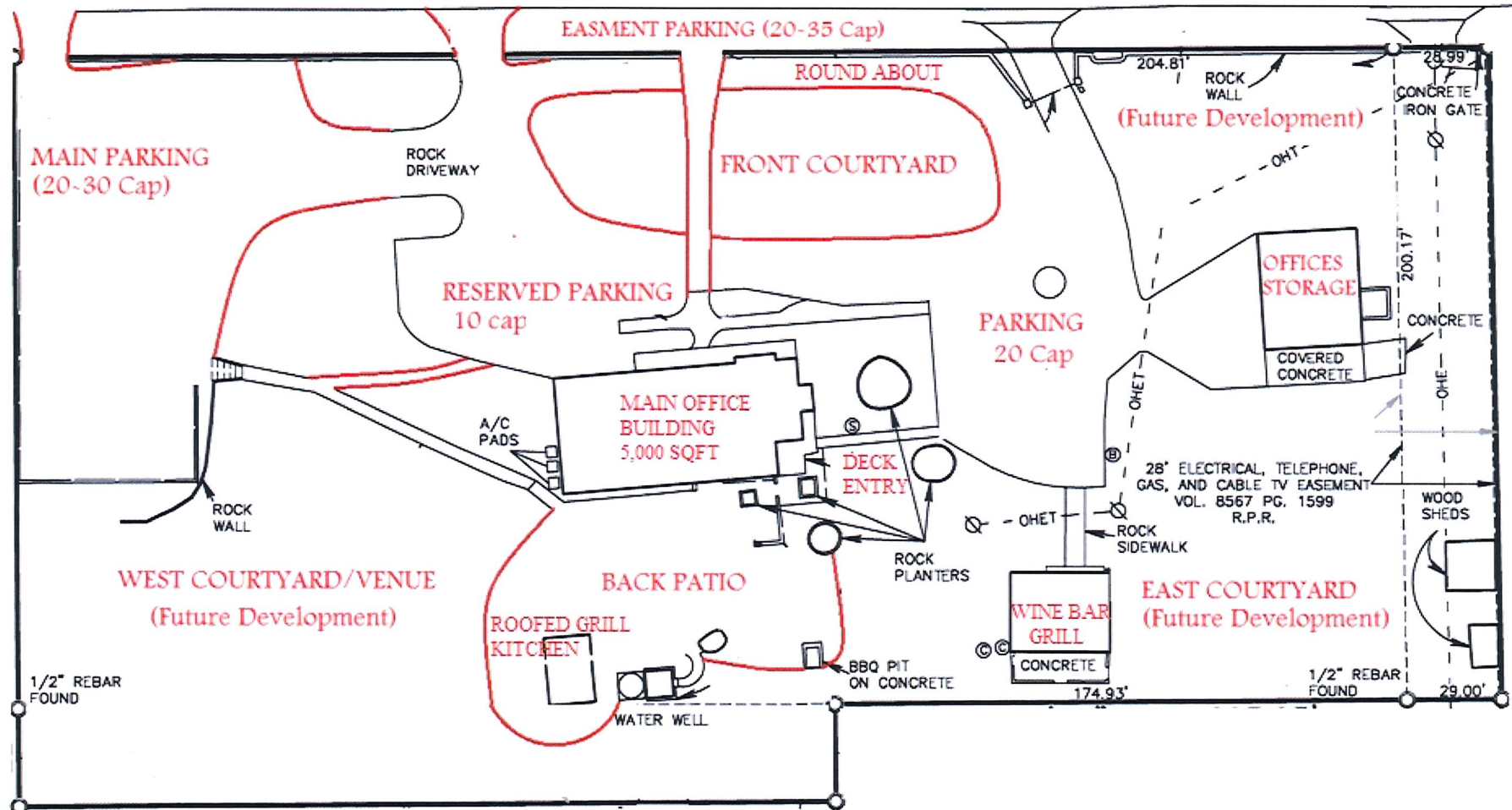
NEW OFFICE FACILITY FOR
COYLE ENGINEERING, INC.
9120 DIETS ELKHORN ROAD
BEAR COUNTY - TEXAS



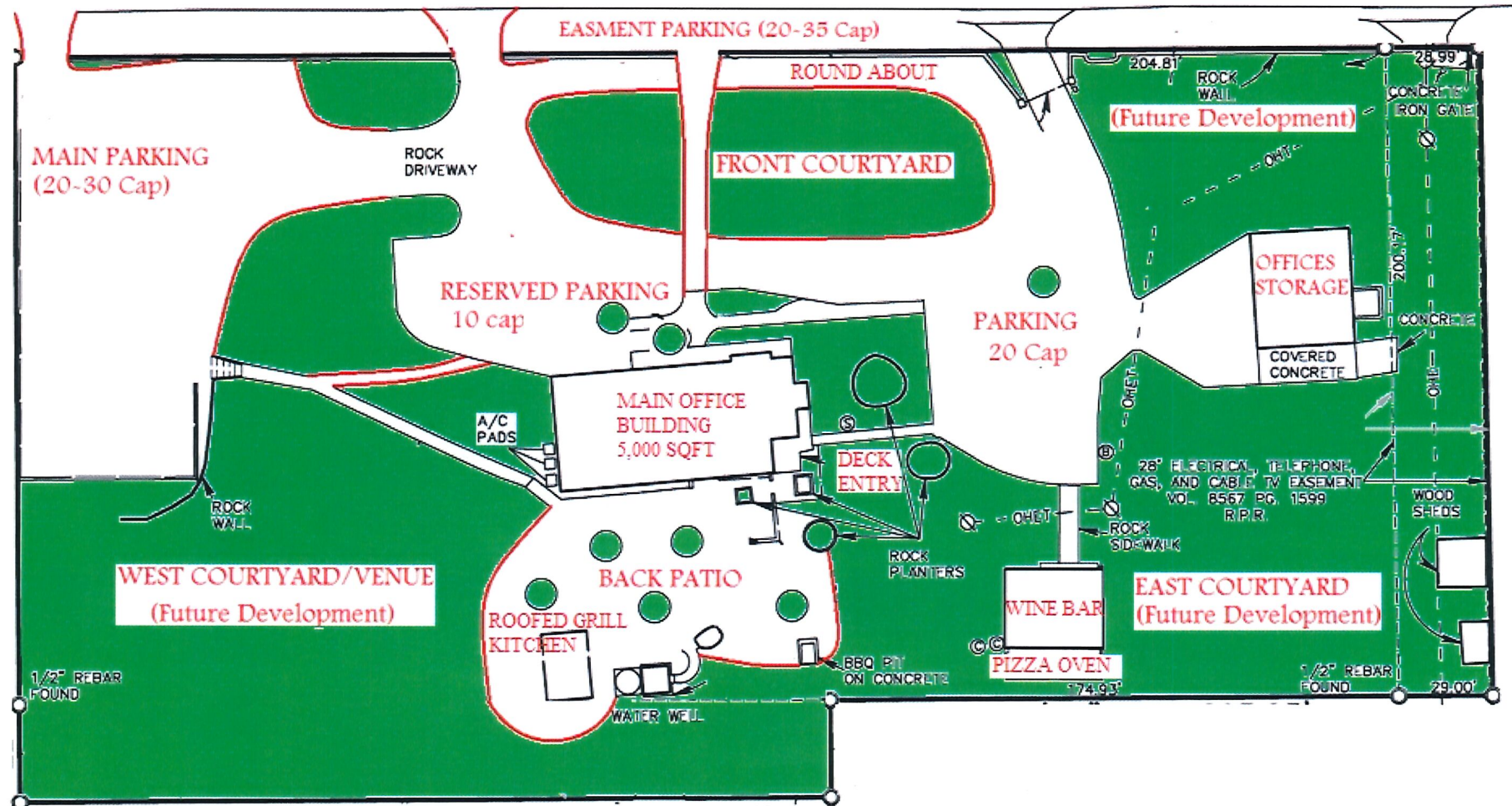
PLAN NO. DA
DATE:
07/25/07
SHT. NO.

A-3

DIETZ-ELKHORN



DIETZ-ELKHORN



NC, Neighborhood Commercial Zoning
Permitted Uses by Right

- Retail Sales or Service with no drive through facility
- Food Service Uses such as full-service restaurants, cafeterias, bakeries, catering and snack bars with no drive through facilities
- Art, antique, museum, furniture or galleries (retail, repair or artisanal fabrication)
- Commercial/Office with no drive through facility
- Fitness, recreational sports, gym, athletic club, dance or yoga studio
- Parks, greens, plazas, squares, and playgrounds
- Business associations and professional membership organizations
- Social, fraternal and philanthropic organizations
- Public administration uses (including local, state, and federal government uses, public safety, health and human services)
- Accessory Building Residential Unit (Garage Apt.)
- Single-family Residential Attached/Townhomes/Patio Home/Duplex/Multi Unit Home (3-4 Units)
- Home Occupations
- Brewpub (restaurant with auxiliary: Brewery, Distillery, or Winery)

Source: Table 14.2, Section 14.05.001, City of Fair Oaks Ranch Zoning Ordinance dated 6/1/418













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moadecenter.com

COOL COFFEE HOUSE VIBE

Change the way you work!



CO.WORKING COMMUNITY

BOERNE, TX

OFFICE BOX



A PLACE

- > TO GROW YOUR BUSINESS
- > TO CALL YOUR OWN
- > TO WORK WITHOUT DISTRACTIONS

**NO CONTRACT
NO LEASE COMMITMENT**

WWW.OFFICEBOXBOERNE.COM



Ever wanted a place of refuge?
One where you can
escape the noise, the crazy, the chaos
and just concentrate?

A place you can call your own?
A place where you fit in?
A place of peace, yet a place of synergy?
One where you can thrive?

Well, it is time. And it is here.
Find your happy, peaceful, connected place.

Reception Area
Laid back Lounges
Dedicated Desks
Private Offices
Executive Suites
Dedicated Desks
Co Working Spaces
Hang out hub spaces
Conference rooms
Event spaces
Executive Board Rooms
Break Out White Board Rooms
Incoming mail service
Utilities Included
Green Screen Production Studio
Free Huge Coffee Bars
Library
Fair Trade and Privately Roasted Coffee
Snacks Available
Lockers
Free Networking Events
Hi Speed Internet Available
Printer Available
Catering Available
Shuttle Service to Airport
24/7 access

no deposit - no commitments
no hassle - no credit check
one flat fee

CO.WORKING COMMUNITY

ESCAPE

THE NOISE, THE CRAZY, THE CHAOS

LAI D BACK LOUNGES
A PLACE OF REFUGE
DEDICATED DESKS
PRIVATE OFFICES
EXECUTIVE SUITES
A PLACE OF SYNERGY
RECEPTIONIST
CO WORKING SPACES
HANG OUT HUB SPACES
CONFERENCE ROOMS
EVENT SPACES
EXECUTIVE BOARD ROOMS
BREAK OUT WHITE BOARD ROOMS
INCOMING MAIL SERVICE
UTILITIES INCLUDED
COFFEE BARS
FREE NETWORKING EVENTS
HI SPEED INTERNET AVAILABLE
PRINTER AVAILABLE
24/7 ACCESS
NO DEPOSIT
NO COMMITMENT
NO HASSLE
ONE FLAT FEE

BOERNE, TX
**OFFICE
BOX**

WWW.OFFICEBOXBOERNE.COM

Property Owner Public Comment Form

(RETURN THIS FORM TO)

City of Fair Oaks Ranch
Engineering Department
7286 Dietz Elkhorn
Fair Oaks Ranch, Texas 78015

RECEIVED

DEC 06 2018

CITY OF FAIR OAKS RANCH

RE: ZC No. 2018-01

This form may be used for the purpose of expressing your opinion on the proposed zone change request. Please complete the form below and return it to the City of Fair Oaks Ranch Engineering Department prior to the Joint Public Hearing date referenced below and in your property owner notification.

The Joint Public Hearing will be held in the City Council Chamber at City Hall located at
7286 Dietz Elkhorn, Fair Oaks Ranch, Texas 78015 on
Thursday, December 13, 2018 at 6:30 p.m.

X I am **FOR** the zone change request as explained on the attached public notice for ZC No. 2018-01.

_____ I am **AGAINST** the zone change request as explained on the attached public notice for ZC No. 2018-01.

(PLEASE PRINT)

All comments forms **MUST** be returned prior to the City prior to December 13, 2018

Name: Concerned citizen that you mailed this to
Address: _____
Signature: _____
Date: _____

Comments:

I am willing to support small business ownership, but I would like to hear how the applicant plans to address neighborhood concerns regarding increased traffic, noise, light and also what type of co-working space the summary describes - it is important to understand the types of business and the clients that will be in close proximity to our neighborhood. We back up to the church and we have already dealt with increased instances of contractor dumping against our fences. Also, does the city have any concerns about the re-zoning and are they satisfied that the applicant has addressed all the afore-mentioned concerns.

AN ORDINANCE

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS AMENDING THE OFFICIAL ZONING MAP BY ZONING 9120 OLD DIETZ ELKHORN ROAD, MANN-BLODGETT SUBDIVISION, CB 4707E, BLOCK 1, LOT 1, FAIR OAKS RANCH, BEXAR COUNTY TEXAS FROM EXISTING RESIDENTIAL THREE (R-3) TO NEIGHBORHOOD COMMERCIAL (NC)

WHEREAS, an application to rezone 9120 Old Dietz Elkhorn Road, Fair Oaks Ranch, Texas from Existing Residential three (R-3) to Neighborhood Commercial (NC) and more particularly described in the attached Exhibit A (herein, the “Property”) has been filed with the City; and,

WHEREAS, the City Council of the City of Fair Oaks Ranch, Texas as previously created and appointed a Planning and Zoning Commission as authorized by the Texas Local Government Code; and,

WHEREAS, the Texas Local Government Code authorizes a municipality to adopt zoning districts after compliance with statutory notice provisions; and,

WHEREAS, on December 13, 2018, the Planning and Zoning Commission conducted a public hearing on the potential rezoning application and after considering the testimony and evidence, hereby makes a recommendation of approval of the rezoning application; and,

WHEREAS, on December 13, 2018 the City Council conducted a public hearing and after considering the testimony, evidence and recommendation by the Planning and Zoning Commission, determined it to be in the public interest to approve the Zoning Change request by amending the City’s Comprehensive Zoning Ordinance and Zoning Map, which in its best judgment promotes the health, safety, morals, and general welfare and protect the use and enjoyment of property throughout the City.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS:

- Section 1. The Property commonly known as 9120 Old Dietz Elkhorn Road, and located at CB 4707E, Block 1, Lot 1, Bexar County, Texas as shown and more particularly described in the attached Exhibit A, is hereby zoned Neighborhood Commercial (NC).
- Section 2. The Official Zoning Map of the City of Fair Oaks Ranch, shall be revised to reflect the above amendment.
- Section 3. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.
- Section 4. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

- Section 5. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.
- Section 6. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.
- Section 7. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.
- Section 8. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.
- Section 9. This Ordinance shall be cumulative of all other ordinances of the City of Fair Oaks Ranch, and this Ordinance shall not operate to repeal or affect any other ordinances of the City of Fair Oaks Ranch except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, are hereby repealed.

PASSED and APPROVED on first reading this 3rd day of January, 2019.

PASSED, APPROVED AND ADOPTED on second reading this 17th day of January, 2019.

Garry Manitzas, Mayor

ATTEST:

APPROVED AS TO FORM:

Christina Picioccio, City Secretary

Denton Navarro Rocha Bernal & Zech,
P.C., City Attorney





CITY COUNCIL CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS
January 3, 2019

AGENDA TOPIC: Discussion and possible action to approve the preliminary plat that establishes Front Gate Unit 4

DATE: January 3, 2019

DEPARTMENT: Public Works

PRESENTED BY: Adrian Garcia, P.E., Manager of Engineering Services

INTRODUCTION/BACKGROUND:

In September 2018 a Preliminary Plat, establishing Front Gate Unit 4, was submitted to the Public Works Department by Vickrey and Associates, Inc. This tract of land is generally bounded by Dietz Elkhorn Road to the north and the Van Raub Elementary School to the east. This subdivision is the eighth unit in the Front Gate subdivision. Pertinent information regarding the progress of the subdivision can be found in the table below:

Front Gate Unit	Final Plat Approval Date	Total Area (ac)	Residential Lots
1	3/15/2012	21.71	59
2A	7/6/2016	7.78	19
3	4/18/2013	16.58	56
4	-	21.94	65
8	5/16/2013	15.85	51
9	5/31/2017	12.44	54
10	10/20/2014	12.37	44
12	1/25/2018	20.33	62
2B, 5, 6, 7	-	55	132
*Total	-	184	542

*All values are based on the original master plan and may be subject to change.

On August 16, 2018 City Council voted to approve a variance for the proposed subdivision which would allow a maximum of 48 of the 65 residential lots to have a minimum street frontage dimension of sixty (60') feet. This was a variance from Article III Section 3 (A) of the City subdivision ordinance which states: "All lots in a subdivision within the corporate limits of the City

and outside the corporate limits of the City, but within the limits of its extraterritorial jurisdiction which are served by a Public Water and a Public Sewer system, shall have a minimum area of 8,400 square feet and a minimum street frontage of 70 feet..." The east side of the subdivision shares a border with the Van Raub Elementary School and the developer agreed to construct a walking path which would connect the school with the subdivision. In return for approval of the variance, the following conditions were placed on this subdivision which required the following notes to be placed on the plat:

- Note added to the plat guaranteeing permanent pedestrian access to the greenbelt and ingress/egress connection to the BISD campus
- Note added to the plat guaranteeing continuance of permanent pedestrian access to the greenbelt and BISD ingress/egress connection from adjacent un-platted properties

On November 15, 2018 City Council voted to approve the tree preservation and protection plan that called for the removal of six (6) Heritage Trees from the area of a proposed street location and drainage basin. To mitigate, eighteen (18) trees with a caliper of at least two and one half - inches (2.5") will be planted. This action satisfied the prerequisite requirement for approval of the preliminary plat.

After several rounds of review and comments, Vickrey and Associates submitted an updated preliminary plat and applicable supporting documentation. The updated preliminary plat has satisfied all of the requirements of the City's Subdivision Ordinance.

The Planning and Zoning Commission voted to recommend approval of this plat at their December 13, 2018 meeting.

The Public Works Department recommends approval of the preliminary plat that establishes Front Gate Unit 4.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

Article II, Section 2 of the City Subdivision Ordinance titled, Processing of the Preliminary Plat contains the following:

A. Staff Review.

City Staff will inspect the preliminary plat to verify that it conforms to all of the requirements of this ordinance. The Subdivider will be informed in writing by the City Administrator of any deficiencies in the preliminary plat.

B. Recommendation by the Fair Oaks Ranch Public Works Department.

The Fair Oaks Ranch Public Works Department shall conditionally recommend approval or disapproval of the preliminary plat at their next scheduled meeting on which a complete plat submission is received by the City Administrator. The Public Works Department's recommendation of approval of the preliminary plat shall not constitute final acceptance of the final plat but is authority to proceed with the preparation of the final plat. If any major changes are required by the Public Works Department, the Public Works Department may require submission of another preliminary plat.

C. Expiration of Plat Approval Recommendation.

The approval recommendation of the preliminary plat shall expire one year from the date of the initial recommendation

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:

I move to approve the preliminary plat that establishes Front Gate Unit 4.

PLAT NO. PRELIMINARY PLAT SUBDIVISION PLAT ESTABLISHING FRONTGATE UNIT 4

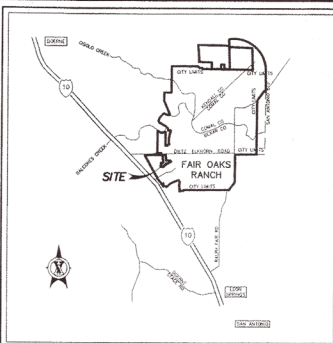
BEING 21.94 ACRES OF THE MARIA F. HERNANDEZ SURVEY NO. 420
ABSTRACT NO. 314, COUNTY BLOCK 408, BEAR COUNTY, TEXAS AND OUT
OF A 92.07 ACRE TRACT, RECORDED IN VOLUME 15225, PAGE 1410, REAL
PROPERTY RECORDS OF BEAR COUNTY, TEXAS, AND OUT OF A 78.629
ACRE TRACT AS RECORDED IN VOLUME 15552, PAGE 1405, REAL PROPERTY
RECORDS OF BEAR COUNTY, TEXAS.



SCALE: 1"=100'
0 50 100 150

VICKREY & ASSOCIATES, INC. CONSULTING ENGINEERS

12840 Country Parkway San Antonio, Texas 78216-2004
Telephone: (210) 349-3271
TBPB Firm Registration No: F-159
TBPB 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 MASTER 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 20 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. DEPARTMENT OF
DEVELOPMENT SERVICES DEPARTMENT AND THE SAN ANTONIO FIRE DEPARTMENT FIRE MARSHAL.

SAWS HIGH PRESSURE NOTE:
A PORTION OF THE TRACT IS BELOW THE GROUND ELEVATION OF 120 FEET WHERE THE STATIC PRESSURE WILL
NORMALLY EXCEED 80 PSI AT ALL SUCH LOCATIONS. THE DEVELOPER OR BUILDER SHALL INSTALL EACH LOT ON
THE CUSTOMER'S SIDE OF THE WATER, AN APPROVED TYPE PRESSURE REGULATOR IN CONFORMANCE WITH THE
PLUMBING CODE OF THE CITY OF SAN ANTONIO.

INGRESS & EGRESS (SEWER)
THE SAN ANTONIO WATER SYSTEM IS HEREBY GRANTED THE RIGHT OF INGRESS AND EGRESS ACROSS GRANTOR'S
ADJACENT PROPERTY TO ACCESS THE WASTEWATER EASEMENT (S) SHOWN ON THIS PLAT.

INGRESS & EGRESS (WATER)
THE SAN ANTONIO WATER SYSTEM IS HEREBY GRANTED THE RIGHT OF INGRESS AND EGRESS ACROSS
GRANTOR'S ADJACENT PROPERTY TO ACCESS THE WATER EASEMENT (S) SHOWN ON THIS PLAT.

PRIVATE STREET DESIGNATION NOTE:
LOT 901 AND 902 ARE DESIGNATED AS PRIVATE STREETS AND IS DESIGNATED AS AN
UNDERGROUND PUBLIC WATER AND PRIVATE SANITARY SEWER EASEMENT.

SANITARY SEWER NOTE:
THE DEVELOPER DEDICATES THE SANITARY SEWER
AND/OR WATER MAIN 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 THE SUBDIVISION PLAT ARE
NOTED ON FILE AT THE SAN ANTONIO WATER
SYSTEM.

CPS NOTES:

1. THE CITY OF SAN ANTONIO AS A PART OF ITS ELECTRIC AND GAS SYSTEM (CITY PUBLIC
SERVICE BOARD) IS HEREBY DEDICATED THE EASEMENTS AND RIGHTS-OF-WAY FOR
ELECTRIC AND GAS DISTRIBUTION AND SERVICE FACILITIES IN THE AREAS DESIGNATED ON
THIS PLAT AS "ELECTRIC EASEMENT," "GAS EASEMENT," "ANCHOR EASEMENT,"
"SERVICE EASEMENT," "OVERHEAD EASEMENT," "UTILITY EASEMENT," AND "TRANSFORMER
EASEMENT" FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, RECONSTRUCTING,
MAINTAINING, REMOVING, REPAIRING, PATROLLING, AND ERECTING POLES, HANDS OR
BURNING WIRES, CABLES, CONDUITS, PIPELINES OR TRANSFORMERS, EACH WITH ITS
NECESSARY APPURTENANCES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS
OVER GRANTOR'S ADJACENT LAND. THE RIGHT TO RELOCATE SAID FACILITIES WITHIN
SAID EASEMENT AND RIGHT-OF-WAY AREAS, AND THE RIGHT TO REMOVE FROM SAID
LANDS ALL TREES OR PARTS THEREOF, OR OTHER OBSTRUCTIONS WHICH ENDANGER OR
MAY INTERFERE WITH THE EFFICIENCY OF SAID LINES OR APPURTENANCES THERETO.
IT IS AGREED AND UNDERSTOOD THAT NO BUILDINGS, CONCRETE SLABS, OR WALLS WILL
BE PLACED WITHIN SAID EASEMENT AREAS.
2. ANY CPS MONETARY LOSS RESULTING FROM MODIFICATIONS REQUIRED OF CPS
EQUIPMENT LOCATED WITHIN SAID EASEMENT DUE TO CHANGES IN GROUND
ELEVATION ALTERATIONS SHALL BE CHARGED TO THE PERSON OR PERSONS DEEMED
RESPONSIBLE FOR SAID GRADE CHANGES OR ELEVATION ALTERATION.
3. THIS PLAT DOES NOT AMEND, ALTER, RELEASE OR OTHERWISE AFFECT ANY EXISTING
ELECTRIC, GAS, WATER, SEWER, DRAINAGE, TELEPHONE, CABLE EASEMENTS OR ANY
OTHER EASEMENTS FOR UTILITIES UNLESS THE CHANGES TO SUCH EASEMENTS ARE
DESCRIBED BELOW.
4. CONCRETE DRIVEWAY APPROACHES ARE ALLOWED WITHIN THE FIVE (5) FOOT WIDE
ELECTRIC AND GAS EASEMENTS WHEN LOTS ARE SERVED ONLY BY REAR LOT UNDER
GROUND ELECTRIC AND GAS FACILITIES.
5. ROOF OVERHANGS ARE ALLOWED WITHIN FIVE (5) FOOT WIDE ELECTRIC, GAS, TELEPHONE AND
CABLE T.V. EASEMENTS WHEN ONLY UNDERGROUND ELECTRIC, GAS, TELEPHONE AND CABLE
T.V. FACILITIES ARE PROPOSED OR EXISTING WITHIN THOSE FIVE (5) FOOT WIDE EASEMENTS.

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 HERETO (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 OF OPERATION OF THE UTILITIES, AND THE RIGHT TO PLACE
TEMPORARY STRUCTURES FOR USE IN CONSTRUCTING OR REPAIRING THE UTILITIES.
1. THE PROPERTY OWNER RETAINS THE RIGHT TO USE ALL OR ANY PART OF THE EASEMENT FOR ANY PURPOSE WHEN
THEY DO NOT DAMAGE, INJURE, OR UNREASONABLY INTERFERE WITH THE USE OF THE EASEMENT.
HOWEVER, THE EASEMENT SHALL BE KEPT CLEAR OF ALL STRUCTURES OR OTHER IMPROVEMENTS.
 2. THE UTILITY SHALL MAKE COMMERCIALY REASONABLE EFFORTS TO ENSURE THAT DAMAGE TO THE PROPERTY IS
MINIMIZED AND THE UTILITY SHALL AT ALL TIMES AFTER SUCH WORK IN CONNECTION WITH THE EASEMENT
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.
 3. THE MAINTENANCE OF THE TURF, GRASSES AND LANDSCAPE VEGETATION WITHIN THE EASEMENT SHALL BE THE DUTY
AND RESPONSIBILITY OF THE PROPERTY OWNER.

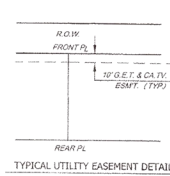
STATE OF TEXAS
COUNTY OF BEAR
I, HEREBY CERTIFY THAT THE ABOVE PLAT CONFORMS TO THE MINIMUM STANDARDS SET FORTH
BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING ACCORDING TO AN ACTUAL SURVEY
MADE ON THE GROUND BY VICKREY & ASSOCIATES, INC.

VICKREY & ASSOCIATES, INC.
BY: PAUL A. SCHROEDER, R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR #5150

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

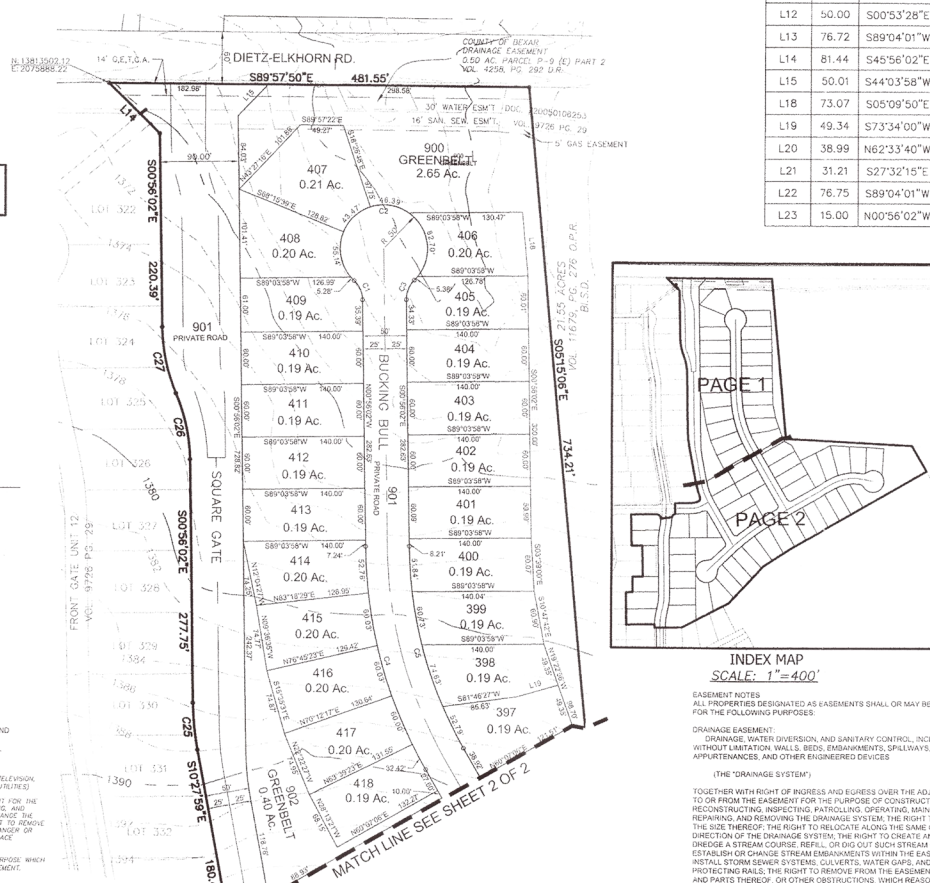
VICKREY & ASSOCIATES, INC.
BY: PAUL A. SCHROEDER, P.E.
LICENSED PROFESSIONAL ENGINEER #57564

- LEGEND**
- SET 1/2" IRON ROD WITH CAP STAMPED
 - VICKREY PROP. COR.
 - FOUND 1/2" IRON ROD WITH CAP STAMPED
 - ACES
 - O.R. DEED RECORDS OF BEAR COUNTY, TEXAS
 - O.P.R. OFFICIAL PUBLIC RECORDS OF REAL
 - D.P.R. DEED AND PLAT RECORDS OF
 - BEAR COUNTY, TEXAS
 - 740 EXISTING CONTOURS
 - 1200 PROPOSED CONTOURS
 - G.E.T.C.A. GAS, ELECTRIC, TELEPHONE
 - AND CABLE TV
 - BSL BUILDING SETBACK LINE
 - ESMT EASEMENT
 - R.O.W. RIGHT OF WAY
 - EX EXISTING
 - VDL VOLUME
 - PG. PAGE
 - C.V.E. CLEAR VISION ESMT
 - BLK. BLOCK
 - CB COUNTY BLOCK
 - AC. ACRES
 - AC. PEDESTRIAN
 - AC. CITY LIMITS LINE
 - AC. SAME AS PREVIOUS MEASUREMENT
 - AC. CENTERLINE



TYPICAL CORNER LOT BUILDING SETBACKS

NOTE: ALL LOTS HAVE A MINIMUM BUILDING SETBACK
OF 10' FROM THE FRONT AS SHOWN ABOVE, AND
SPECIFIC BUILDING SETBACKS REFERRED TO IN THE
SUBDIVISION DEED RESTRICTIONS.



INDEX MAP SCALE: 1"=400'

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

DRAINAGE EASEMENT:
DRAINAGE, WATER OVERFLOW, 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, REPAIR, OR DIG OUT SUCH STREAM COURSE;
ESTABLISH OR CHANGE STREAM EMBANKMENTS WITHIN THE EASEMENT.
INSTALL STORM SEWER SYSTEMS, CULVERTS, WATER GATES, 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 MAY BE AFFECTED BY SUCH FLOOD, STANDING WATER,
OR DRAINAGE ON 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 SHALL AT ALL
TIMES AFTER SUCH 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.

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



11-26-18

THIS PROJECT WILL CONSIST OF 88 RESIDENTIAL LOTS,
4 GREENBELT LOTS, AND 2 LOTS FOR PRIVATE STREET.

FLOODPLAIN NOTE:

THESE ARE NOT FEMA 100 YEAR FLOOD ZONE WITHIN THIS SUBDIVISION
ACCORDING TO FEMA FIRM NO. 48022C0005, EFFECTIVE DATE
8/29/2010.

AQUIFER NOTE:

THIS SUBDIVISION IS WITHIN THE EDWARDS AQUIFER CONTRIBUTING
ZONE. ANY REGULATED ACTIVITY MUST COMPLY WITH ALL FEDERAL,
STATE, AND LOCAL REGULATIONS NOT AFFECTING DEVELOPMENT WITH
THE EDWARDS AQUIFER CONTRIBUTING ZONE.

PEDESTRIAN ACCESS BY MEMBERS OF THE FRONT GATE SUBDIVISION NO. 4, TO THE
LOT 901, 902, 903, 904 ARE DESIGNATED AS GREENBELT AND UTILITY
AND DRAINAGE EASEMENT. THESE LOTS ARE NOT FOR RESIDENTIAL USE.
LOTS 901, 902 ARE TO BE USED AS A PRIVATE ROAD, WATER, SEWER,
AND UTILITY EASEMENTS. ALSO, THERE WILL BE NO HABITABLE
STRUCTURES ALLOWED IN THESE LOTS.

THE LOTS SHOWN ON THIS PLAT ARE SUBJECT TO ADDITIONAL
EASEMENTS AND RESTRICTIONS AS RECORDED FOR THIS UNIT IN THE
PUBLIC RECORDS OF BEAR COUNTY, TEXAS.

FOR SPECIFIC BUILDING SETBACKS REFER TO THE SUBDIVISION DEED
RESTRICTIONS.

THE CONTOURS SHOWN ON THIS PLAT ARE FROM AN AERIAL TOPOGRAPHY.

BASE OF BEARING IS STATE PLANE CORNG. SYSTEM NAD 83

1/2" IRON RODS WITH "VICKREY PROP COR" SET AT ALL CORNERS UNLESS NOTED
OTHERWISE. "RF" DENOTES IRON ROD FOUND.

ELECTION CALENDAR FOR MAY 4, 2019

January 16	First day to File Application for Candidacy First day for Filing Declaration of Write-in Candidacy
February 7	City Council Orders General Election Resolution Authorizing Joint Agreement & Authorizing CM to Sign
February 15	Last Day for Filing Application for Candidacy
February 19	Last Day for a Write-in Candidate to Declare Candidacy
February 21	Draw for order of Names on the Ballot – <i>Candidates invited - Attendance is not mandatory</i> General Election may be Cancelled if No Candidate is Opposed on Ballot
February 22	Last Day for a Ballot and Write-in Candidate to Withdraw from Election
April 4	Due Date for Filing First Report of Campaign Contributions and Expenditures by Opposed Candidates (30th Day Before Election)
April 16	Publish Notice of Election in Boerne Star
April 22	First day for Early Voting in Person
April 26	Due Date for Filing Second Report of Campaign Contributions and Expenditures by Opposed Candidates (8th day before election)
April 30	Last day of Early Voting in Person
May 4	Election Day Post Unofficial Tabulation of Results
May 10	<i>Special Council Meeting Required to Canvass Election</i> Issue Certificates of Election and Sign Statement of Elected Officer
May 16	Perform Oath of Office Per Home Rule Charter - First Day Elected Officials May Assume Duties of Office

Dates/process subject to change
Dec 28 2018



CITY COUNCIL CONSIDERATION ITEM

CITY OF FAIR OAKS RANCH, TEXAS

January 3, 2019

AGENDA TOPIC: Strategic Action Plan and Budget for FY 19-20
DATE: January 3, 2019
DEPARTMENT: Finance/City Manager
PRESENTED BY: Sarah Buckelew, Finance Director/Tobin Maples, City Manager

INTRODUCTION/BACKGROUND:

The process of directly tying the City's Strategic Action Plan to the budget began with the budget for FY 18-19. The Strategic Action Plan should be visited annually prior to the development of the budget for the upcoming year, and more extensively refreshed every 2-3 years to ensure that progress is being made toward long-term goals, and that new goals are added as previous goals are achieved. During the FY 17-18 budget process, Council, City Leadership, and Staff noted that the Strategic Action Plan should be revisited for FY 19-20, as many of the initiatives have been met. Training and funds for the workshops were allocated in the FY 17-18 budget, and kick-off of the process is set for January.

The attached packet outlines the proposed calendar for the Strategic Planning Phase of the budget process for FY 19-20, as well as detailed information regarding the following training and workshops that are planned.

- **Staff Management Training – Strategic Planning - January 7, 2019**
- **Staff Management Strategic Planning Workshop - January 14, 2019**
- **Council and Staff Strategic Visioning Retreat - January 29, 2019**

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

Annual review of the Strategic Action Plan and its relation to the upcoming budget is an essential component of financial integrity and stewardship of public allocations of resources.

LONG-TERM FINANCIAL & BUDGETARY IMPACT:

Funds were approved in the FY 18-19 budget for the Strategic Planning training and workshops.

LEGAL ANALYSIS:

None necessary.

RECOMMENDATION/PROPOSED MOTION:

This is a presentation and discussion item only.



Management Team Training - Strategic Planning

Fair Oaks Ranch

Systems Leadership is about putting processes in place to make an organization run more efficiently and effectively. Strategic Planning instructs leaders in a five-step process; envisioning the mission, performing a strategic audit, identifying strategic goals and objectives, composing an action plan, and evaluating the results. This 4 hour class for department heads and budget owners includes exercises to improve participants' goal setting skills, demonstration of the written format for a strategic plan, opportunities to develop a step-by-step strategic plan, and small group discussions of case studies. The outcome of the training is for participants to feel comfortable with the strategic planning process, and feel equipped to prepare for and attend the management retreat at which they will develop their own strategic plans.



Management Team Workshop for Strategic Planning

Fair Oaks Ranch

Thank you for the opportunity to present this proposal at your request for a half-day management team workshop with a focus on strategic planning. This four-hour workshop will allow your team to create a coherent list of priorities based upon their professional analysis for the future needs of Fair Oaks Ranch. This can be shared with the City Council in order to help the Council receive quality and aligned input from the staff as they create their strategic vision for Fair Oaks Ranch.

SGR distinguishes between Strategic Planning and Strategic Visioning. We believe that Strategic Visioning is primarily the role of the Council as it answers the question of “Where are we going?” We believe that Strategic Planning is primarily the task of the Staff as it answers the question of, “How will we get there?” However, the Council’s Strategic Vision is likely to be of a higher quality if they receive input from both the citizens and staff in advance. It is our understanding that your desire is for this workshop to provide staff the opportunity to spend time thinking about the future needs of the city so that they can present their input to Council in a cohesive, coherent document.

Advanced Preparation

1. SGR will work with the City in advance to customize and refine the agenda for this workshop.
2. Department Heads will be asked to do an “Environmental Scan” in advance of the half-day workshop. The purpose of their advance work is to identify important things that they see on the horizon in their area which will impact the city’s future strategic plan. They will prepare, in advance, a 5-minute overview to present to their colleagues of the **Top 3** items that they think everyone must take into consideration. The only prop that they can use is one poster. They will be asked to bring the poster with them to the workshop. No PowerPoints.

Agenda

We envision this workshop as a 4 Hour (half-day) workshop. If planned as a morning workshop, we would recommend a continental breakfast at the beginning starting at 7:30am so that the workshop could begin at 8am sharp.

Some of the items listed below will take a relatively short amount of time. Others will take more time. The facilitator will manage the time so as to keep the team on track.

Looking Back...

- **Reflections Exercise—Highs and Lows**—This exercise enables staff to look back over the past to analyze what have been the highs and lows from their own perspectives. In order to do a better job of looking forward, it's important to be able to look back and frame some important lessons.

Looking Out...

- **Short Articles Reviews**—This exercise helps staff think creatively about the future by reading and discussing some articles about innovation, success, or teamwork.

Looking In....

- **Asking the HARD Questions**—This is an exercise that leads the team to look carefully at the organization and analyze some key issues that will help them as they begin thinking about their strategic plan.

Looking Forward...

- **Trade Show Presentations**—Department Heads will be asked to do an “Environmental Scan” in advance of the half-day workshop. The purpose of their advance work is to identify important things that they see on the horizon in their area which will impact the city's future strategic plan. They will prepare, in advance, a 5 minute overview to present to their colleagues of the **Top 3** items that they think everyone must take into consideration. The only prop that they can use is one poster. No PowerPoint.
- **“What if We Were More Successful Than We Ever Imagined?”**—The team is led to imagine what it would be like 20 years later if the city were to experience tremendous success. This exercise helps leaders begin to think about possibilities, not just probabilities.
- **Common Themes**—The team will be led to begin identifying the common themes in the discussions of the day.
- **Top Ten Priorities**—While all the ideas from the day will be captured so that nothing is lost, the team must narrow down their ideas to create some priorities. This list of priorities, including a brief description of why they are important and what the ramifications are for each one, will become the document that can be shared with Council as they begin to work on their strategic vision.

Conclusion

SGR will synthesize the list of priorities and descriptions and prepare a short report that includes all of the ideas that were presented along with the list of top priorities so that this can be shared with the Council in preparation for the Council Retreat on Strategic Visioning.

Proposal for One Day Council Retreat on Strategic Visioning Fair Oaks Ranch

Thank you for this opportunity to submit this proposal for doing a one-day Council retreat. It is our understanding that you are looking for a retreat that will focus on strategic visioning. The SGR model for Council retreats is very interactive and engaging and can help you accomplish this objective.

Anticipated Outcomes:

1. It's important to identify what is important to Council.
2. It's important to provide the Council the opportunity to think strategically about the future by considering questions such as:
 - a. What will The City look like in five years?
 - b. What will The City look like in ten years?
 - c. Where does quality service; quality facilities; engagement with citizens; and contribution to quality of life fit into their vision?
3. It's important to identify the pillars for The City's strategic vision.
4. It's important to identify the reputational drivers for The City's future. (What do we want to be known for?)
5. It's important to identify the pressing needs of the citizens of The City.
6. It's important to reach agreement on Strategic Targets.

Proposed Approach:

Pre Retreat

7. Advance Interviews
 - a. Individually Mayor and Council
 - b. City Manager

SGR will conduct advance interviews with the Mayor, the Council, and City Manager. The actual questions will be determined in consultation with you but will generally be open ended and designed to solicit insight into perceptions regarding the current Core Beliefs, Mission, Vision and Strategic Plan, as well as any perceived disconnect.

Agenda

1. Discussion of Responses from Council Interviews.
2. Discussion of good governance principles: Roles, Responsibilities, and Relationships.
3. Reputational and Operational Drivers
4. Pressing Needs of the Citizens
5. SWOT Analysis of the City.
6. Discussion of the Staff Priorities as developed from the Staff Planning Retreat
7. Strategic Thinking about the future for The City as it relates to items such as: Infrastructure, Transportation, Economic Vitality, Diversity, Parks & Trails, Innovation, Community Involvement, Sustainability, Customer Satisfaction, Financial Health, The Arts, and Safety.
8. Identifying the key Pillars of the Council's Vision of the future. These are the top 5-7 Priorities in their Strategic Vision. These Priorities are like Pillars that uphold the vision that the Council decides to pursue.
9. Key Milestones for each of the Council's Pillars. Milestones are objectives that can be achieved during the next 3-5 years. They give definition to the Pillars and give guidance to the staff so that they can be confident that they are moving in the right direction at the right speed.
10. Discussion of the ramifications of the Strategic Vision for the Council in their work together.