



**CITY OF FAIR OAKS RANCH
AGENDA – JOINT PUBLIC HEARING
CITY COUNCIL and PLANNING AND ZONING COMMISSION**

December 13, 2018; 6:30 PM
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. PURPOSE OF THE JOINT PUBLIC HEARING

- A. The City Council and the Planning and Zoning Commission of the City of Fair Oaks Ranch, Texas, will conduct a joint public hearing to receive public testimony on the following zoning change request: ZC No. 2018-01 from James Warren, applicant on behalf of Romman Blodgett, property owner, to change the zoning on approximately 2.249 acres from R-3, Existing Residential to NC, Neighborhood Commercial.
 - a. Opening Comments from the Mayor
 - b. Staff report of the zoning change application
 - c. Applicant presentation of the zoning change application
 - d. Mayor opens the joint public hearing
 - e. Council and P&Z receive citizen testimony for/against the zoning change application with the Mayor serving as the presiding officer
 - f. Mayor closes the joint public hearing
 - g. Council and P&Z discussion of the zoning change application, inclusive of questions of the applicant and staff.

III. ADJOURNMENT

Signature of Agenda Approval:

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 5:00 PM, December 10, 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 COUNCIL and PLANNING AND ZONING COMMISSION
JOINT PUBLIC HEARING
City of Fair Oaks Ranch, Texas
December 13, 2018

HEARING TOPIC: Joint Public Hearing to receive public testimony on the following zoning change request: ZC 2018-01 from James Warren, applicant on behalf of Romman Blodgett, property owner, to change the zoning on approximately 2.249 acres from R-3, Existing Residential to NC, Neighborhood Commercial

DATE: December 13, 2018

DEPARTMENT: Engineering Services

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

INTRODUCTION/BACKGROUND:

Sequence for conducting the joint public hearing is as follows:

1. Opening comments from the Mayor
2. Staff presentation of the proposed zoning change application
3. Applicant presentation of the zoning change application
4. Mayor opens the joint public hearing
5. Council and P&Z receive citizen testimony for/against the proposed zoning change application with the Mayor serving as the presiding officer
6. Mayor closes the joint public hearing
7. Council and P&Z discuss the case, inclusive of asking questions of the applicant and staff
8. Meeting is adjourned with no formal action necessary

Subsequent to the Council's departure, the P&Z will convene into their regular business meeting to discuss the case and make a recommendation for City Council consideration. The P&Z may recommend approval/denial. The P&Z may choose to table the application request if they determine additional information from the applicant is warranted.

The City Council is the final authority on all zoning change applications. Accordingly, the Council will consider the application and the P&Z recommendation at their regularly scheduled business meeting on the 1st Thursday of the month following P&Z action.

LEGAL ANALYSIS:

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

RECOMMENDATION/PROPOSED MOTION:

Conduct the joint public hearing.

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 of 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



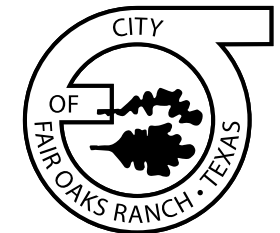
Exhibit 1 AERIAL MAP

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.

$$1'' \approx 200'$$

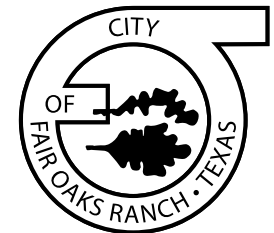
Exhibit 3 FLUM MAP

MANN-BLODGETT SUBDIVISION

C.B. 4707E, Block 1 Lot 1

ZC No. 2018-01

-  City Limits
-  Subject Property
-  Civic & Community Facilities
-  Existing Residential
-  Neighborhood Commercial



December, 2018



1" ≈ 200'

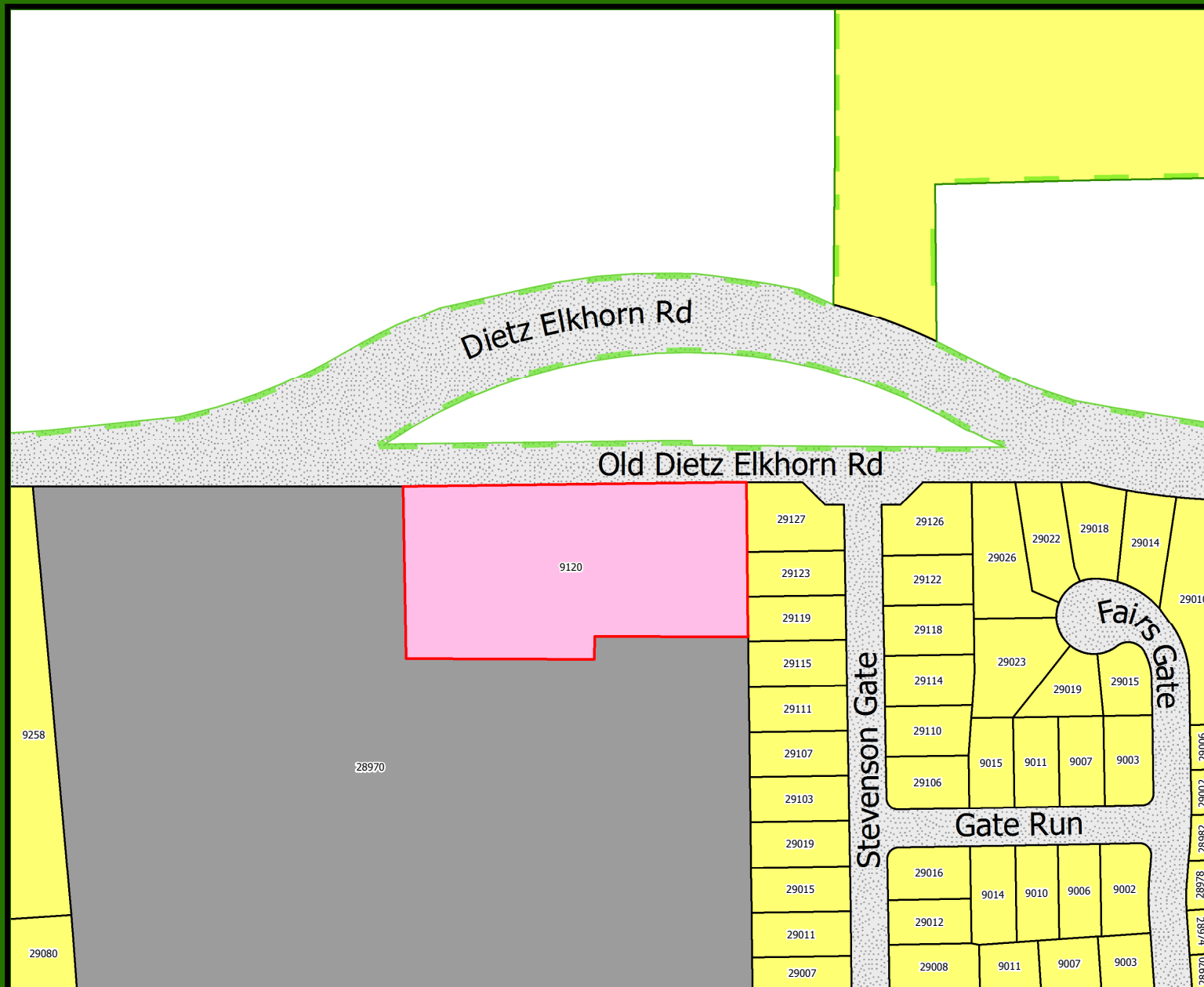


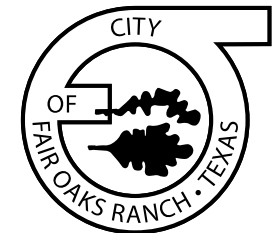
Exhibit 4 NOTIFICATION MAP

MANN-BLODGETT SUBDIVISION

C.B. 4707E, Block 1 Lot 1

ZC No. 2018-01

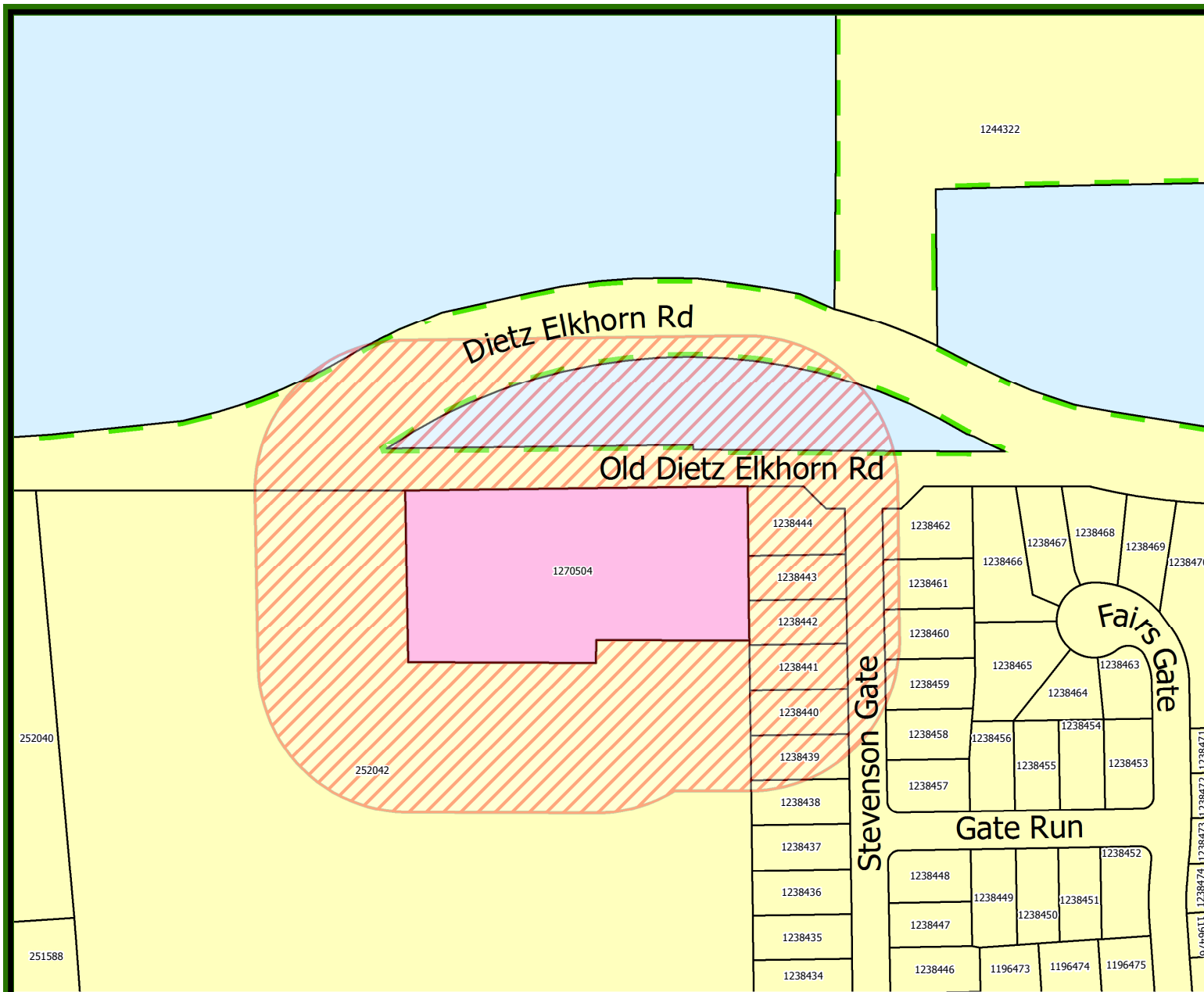
- Subject Property
- Notification Area
- City Limits
- Outside City Limits



December, 2018



1" ≈ 200'



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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.

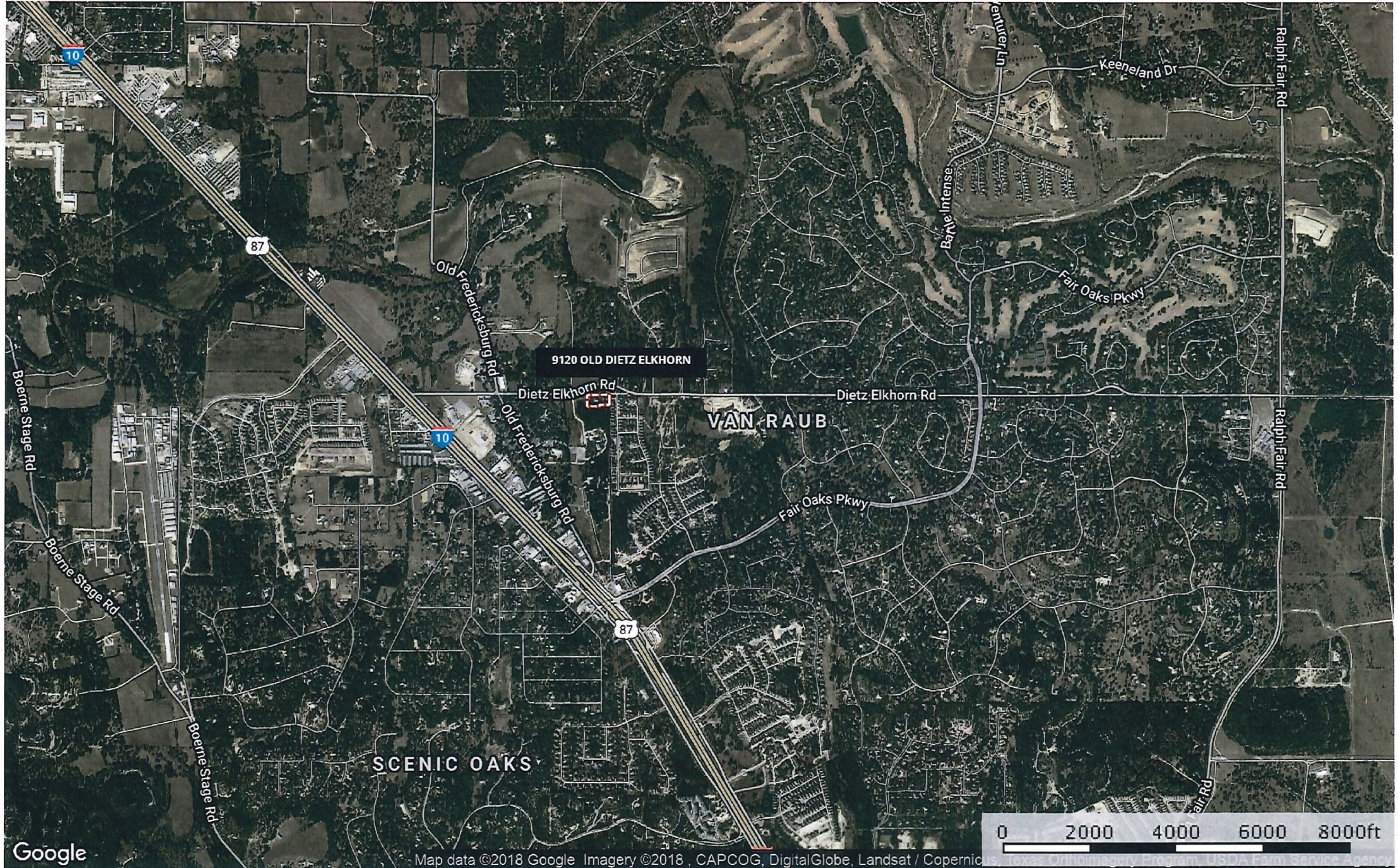
SUPPORTING INFORMATION:

- 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



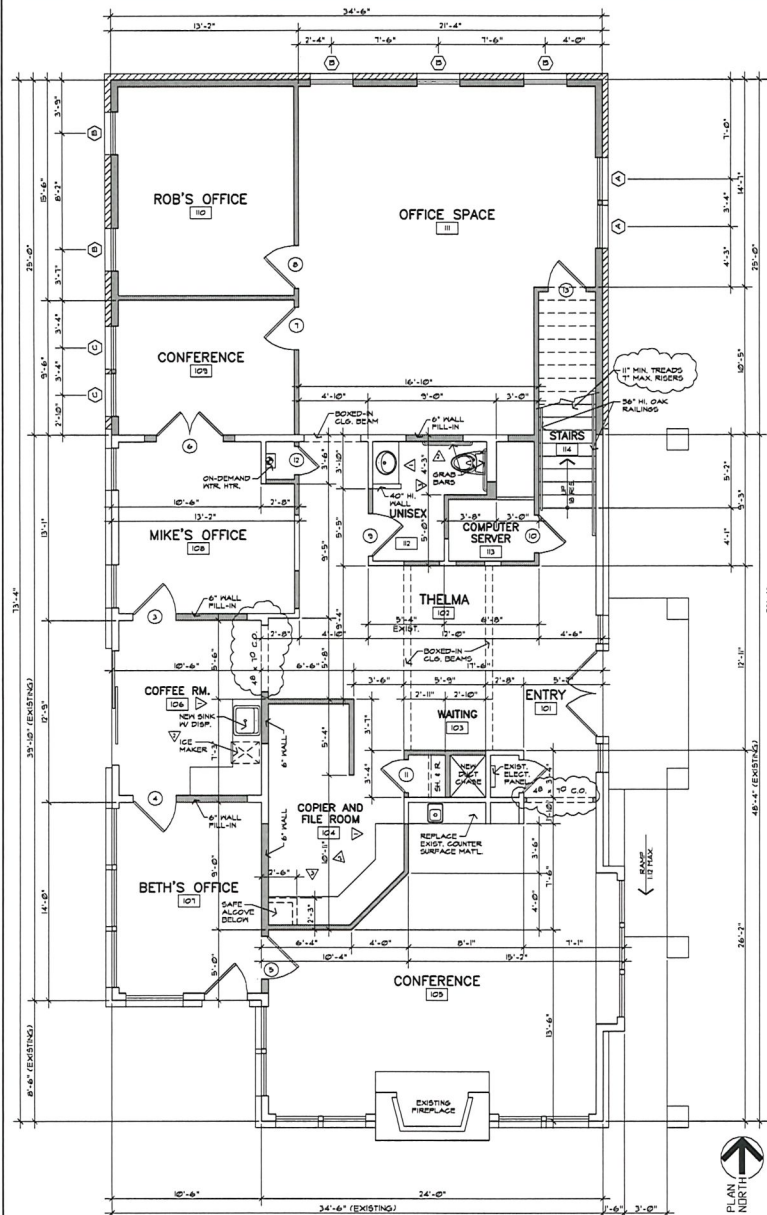
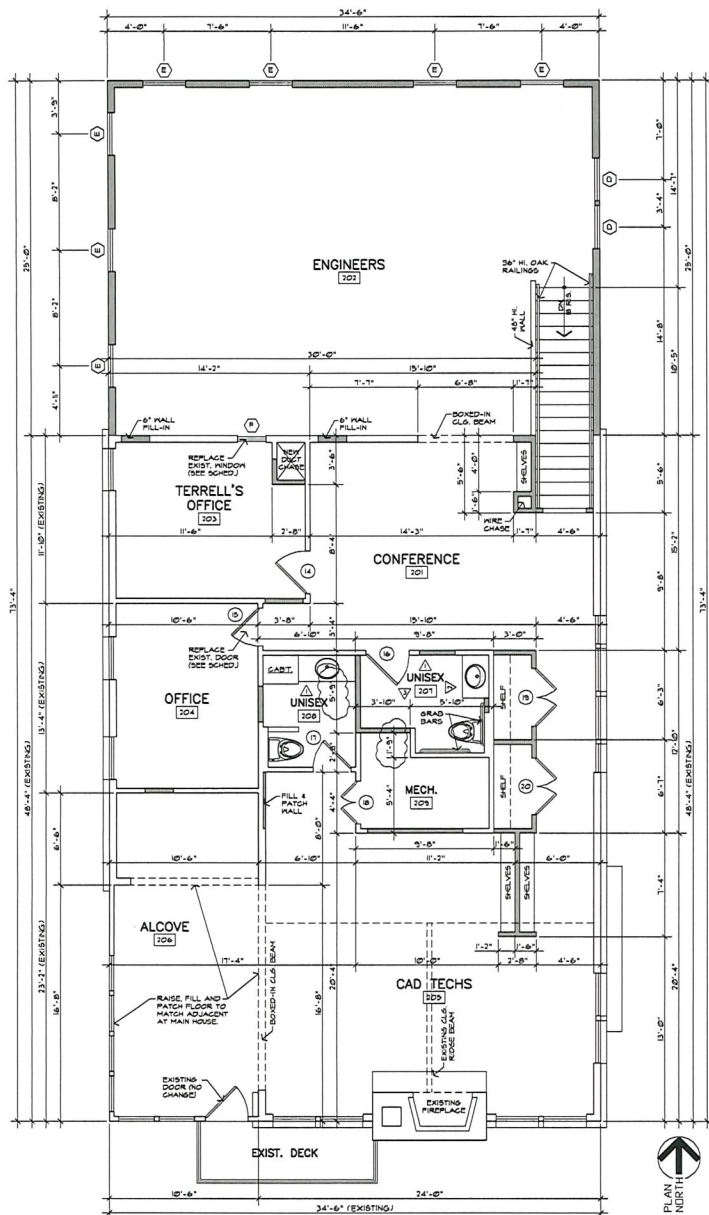


Google



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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They are deemed to be illegal and should be
reported to the office.

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



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

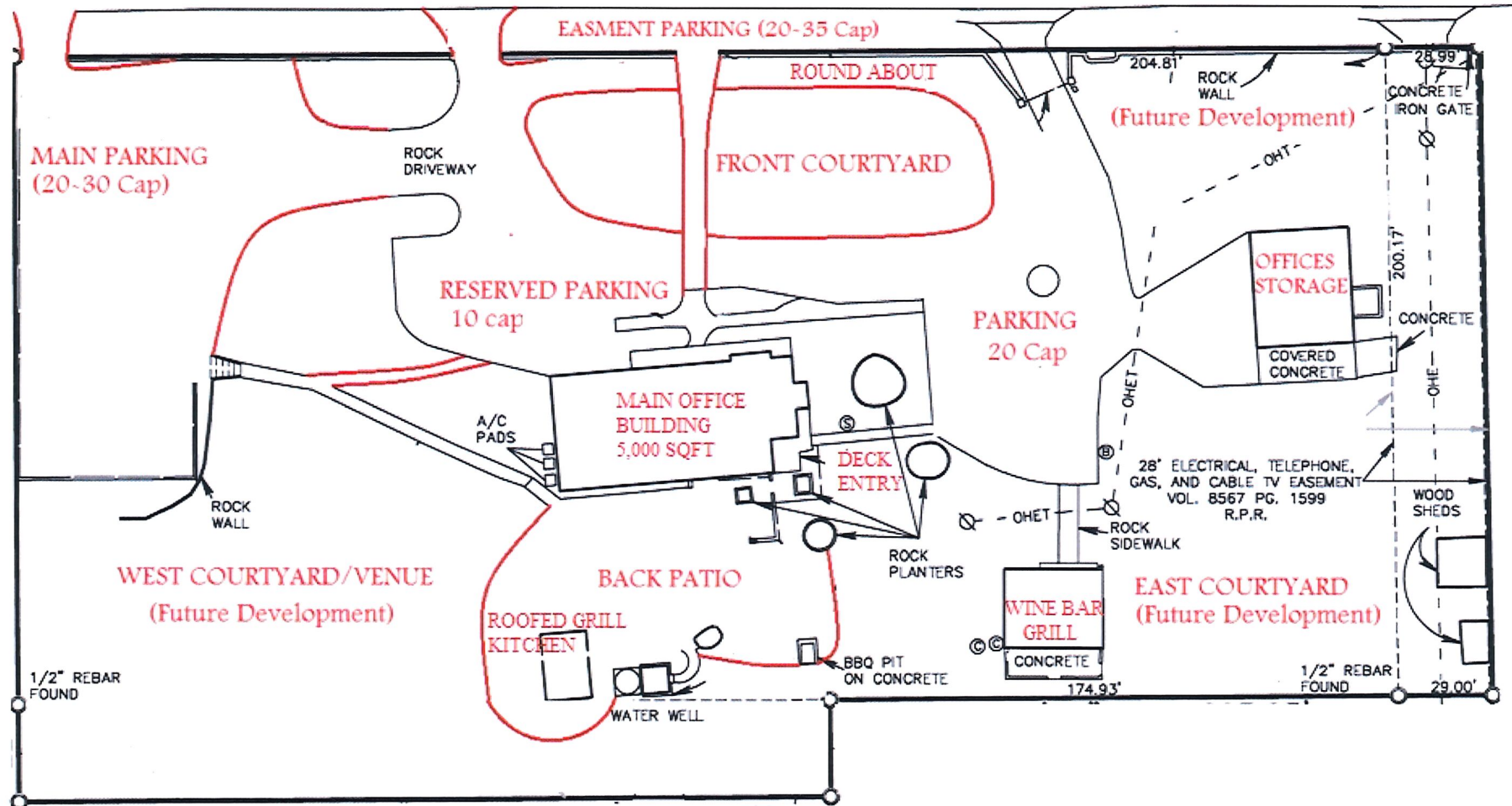
NEW OFFICE FACILITY FOR
COYLE ENGINEERING, INC.
9120 DIETS ELKHORN ROAD
BEXAR COUNTY - TEXAS



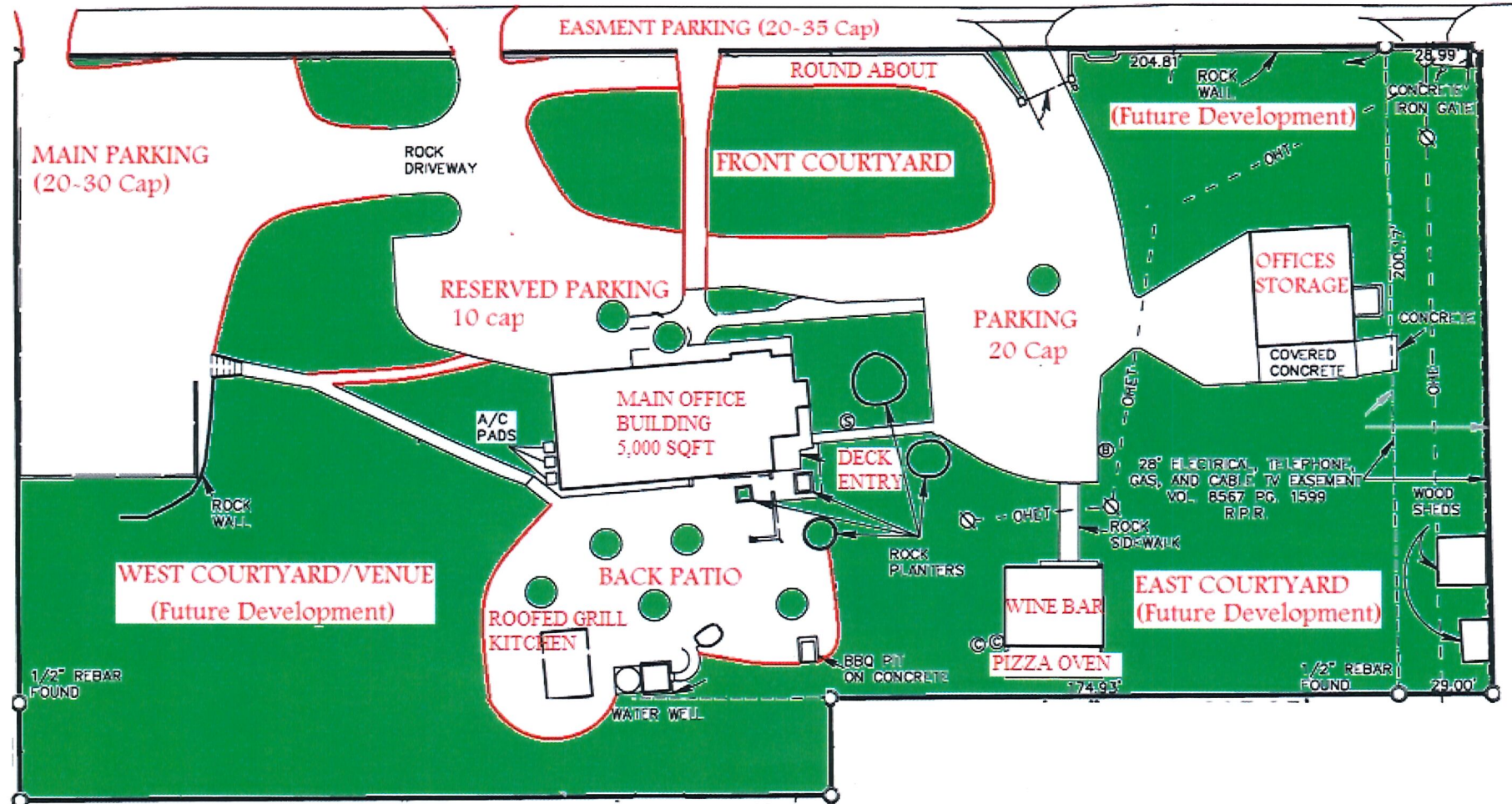
PLAN NO. DA
DATE:
07/25/07

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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- > TO CALL YOUR OWN
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NO LEASE COMMITMENT**

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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.